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SENATE—*Wednesday, July 1, 1970*

The Senate met at 9 a.m. and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God of life and light, we thank Thee for the rest of the past night and the promise of this new day.

Give us once more a clear and luminous vision of Thy presence which cleanses, renews, and fits us for our waiting tasks.

In these difficult and dangerous days, give us a sense of the profound and lasting meaning of what we do here. Deliver us from a treadmill response to important matters but keep us ever fresh, creative, imaginative, and strong.

Lift our eyes, O Lord, above all prejudice and all partisanship, above all narrow loyalties and lesser claims, to embrace the higher loyalties and more enduring claims of Thy kingdom. And when the day is done, give us a holy rest and peace at the last.

Through Jesus Christ our Lord. Amen.

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THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, June 30, 1970, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

Mr. GRIFFIN. Mr. President, at the request of another Senator, I most regretfully must object.

The VICE PRESIDENT. Objection is heard.

Mr. GRIFFIN. I shall not object if the distinguished majority leader would change his request so that it would apply to all committees except the Subcommittee on Transportation.

Mr. MANSFIELD. I assume that the Senator from Michigan has an objection registered by another Senator.

Mr. GRIFFIN. Yes, I do.

Mr. MANSFIELD. I understand. Under that stipulation, Mr. President, I modify my request and ask unanimous consent that all committees be authorized to meet during the session of the Senate today, except the Subcommittee on Surface Transportation of the Committee on Commerce.

The VICE PRESIDENT. Without objection, it is so ordered.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 989.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. H.R. 16595, to authorize appropriations for activities of the National Science Foundation, and for other purposes.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to the National Science Foundation $548,000,000 for the fiscal year ending June 30, 1971, to enable it to carry out its powers and duties under the National Science Foundation Act of 1950, as amended, and under title IX of the National Defense Education Act of 1958.

SEC. 2. Appropriations made pursuant to authority provided in section 1 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $2,500, for official reception and representation expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1 hereof, not to exceed $2,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1971, for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. This Act may be cited as the "National Science Foundation Authorization Act of 1971".

Mr. KENNEDY. Mr. President, I believe that the NSF authorization bill reported by the Committee on Labor and Public Welfare is urgently needed to help avert a serious crisis, a crisis which most Americans are not aware of, but which nonetheless threatens their future health and prosperity. I am speaking of the crisis in Federal support for basic scientific research.

In his testimony before the special subcommittee on the NSF, Dr. James Killian, chairman of the board of MIT and President Eisenhower's first scientific adviser, stated that never in his long career was the financial outlook for scientific research as bleak as it is today. His alarm was shared by the three other former scientific advisers to the President, Dr. George Kistiakowsky, Dr. Jerome Wiesner, and Dr. Donald Hornig. All agreed that the current reductions in Federal support were significantly impairing the vitality of this Nation's scientific endeavors.

The estimate of the House and Senate NSF subcommittees is that the Department of Defense, NASA, and the AEC have reduced their support for basic academic research by at least $60 million in fiscal 1970. Most of the projects which have been dropped are of unmistakably high caliber. Indeed, one is led by a Nobel laureate.

The reason for the cutbacks by the mission-oriented agencies is obvious. These agencies are operating under very tight budgets and they have naturally put their scarce resources into those projects which are most directly and immediately related to their missions. Potential long-range benefits, however great, have been sacrificed to more certain short-term benefits.

The NSF is willing to support worthwhile projects dropped by the mission-oriented agencies. But the administration authorization for the NSF only provides $10 million for this purpose. The committee bill on the other hand provides the NSF with $40 million to support research dropped by other agencies. This increase will prevent a catastrophic interruption in basic research.

The committee bill, like the House bill, recommends other increases in the administration budget. It reinstates the traineeship program for graduate students, which has done so much to strengthen universities throughout the country. It authorizes funds to enable existing Federal laboratories to engage in environmental research; to improve the college science improvement program; to expand the State and local intergovernmental science program.

But the crux of this bill is in its support for basic research in our universities. Only through basic research can we hope to resolve the health and environmental problems which concern us today, as well as the many problems which we have not even begun to foresee. This research must be wide sweeping and untrammeled; for we cannot always foretell which areas of study will prove the most fruitful. A zoologist engaged in the study of the comparative biochemistry of sea sponges found a compound which is now the most promising drug we have for the treatment of leukemia. Investigations of the firefly led to the development of sensors which can measure pollution in our environment. Examples such as these have become commonplace in the history of science. The NSF authorization bill reported by the Committee on Labor and Public Welfare will help assure that they continue to be commonplace in the years to come.

The amendment was agreed to:

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–983), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

The purpose of H.R. 16595 as amended by the committee is to authorize appropriations to the National Science Foundation for the fiscal year 1970 in the amount of $548 million out of money in the Treasury not otherwise appropriated and $2 million in foreign currencies which the Treasury Department determines to be in excess to the normal requirements of the United States. This authorization is separate from the authorization of the national sea grant program to be administered by the NSF.

II. CHRONOLOGY

The administration requested an NSF authorization of $500 million including $2 million in excess of foreign currencies. The administration bill was introduced in the House on February 4, 1970. After extensive hearings, the House Committee on Science and Astronautics on March 24, 1970, approved a bill which increased the administration authorization by $27,630,000. This bill, H.R. 16595, was passed by the House on May 11, 1970. It was referred to the Committee on Labor and Public Welfare on the following day.

On the Senate side, Senator Prouty introduced S. 3412 on February 6. This bill contained the administration budget request, but called for a 2-year rather than a 1-year authorization. On April 9, Senator Kennedy introduced S. 3700, which was identical to S. 3412 except that it called for an increased authorization of $50 million.

The Special Subcommittee on the National Science Foundation held hearings on the bills introduced by Senators Prouty and Kennedy on April 16 and April 23. On April 16, Dr. Philip Handler, Chairman of the National Science Board, and Dr. William McElroy, Director of the National Science Foundation testified in support of the administration's budget request, but candidly conceded that this request would lead to significant reductions in the level of scientific research. On April 23, the subcommittee heard from Dr. Hubert Heffner, Deputy Director of the Office of Science and Technology, and from the four former scientific advisers to the President—Dr. James Killian, Dr. George Kistiakowski, Dr. Jerome Wiesner, and Dr. Donald Hornig. The scientific advisers all agreed that the increased authorization proposed by the Kennedy bill was the absolute minimum required to avert catastrophe in the field of basic scientific research.

On June 9, the special subcommittee met in executive session and substituted the language of the bill introduced by Senator Kennedy for H.R. 16595 and ordered it reported to full committee amended in the nature of a substitute (S. 3700). The following day H.R. 16595 was approved by the full committee with one change. The full committee strongly endorsed the principle that the NSF authorization should be for 2 years. But it felt that the level of support for basic research by the other Federal agencies was now in such a state of flux that it was impossible for the committee to determine the NSF's authorization for fiscal year 1972. Thus, the committee decided on a 1-year authorization.

III. NATIONAL SCIENCE FOUNDATION PROGRAMS

The administration's authorization for the NSF was broken down as follows:

Support of scientific research	$292,000,000
Computing activities in research and education	15,000,000
Science information activities	13,000,000
International cooperative scientific activities	2,200,000
Institutional support for science	55,500,000
Science education support	96,900,000
Planning and policy studies	2,900,000
Program development and management	20,500,000
Special foreign currency program	2,000,000

SUPPORT OF SCIENTIFIC RESEARCH, $292,000,000

The support of scientific research activity provides basic support for development of fundamental knowledge in all scientific fields and disciplines. This knowledge and basic capability is needed to meet the challenge of maintaining a viable and growing technologically based physical and social environment. There are four major programs by means of which the Foundation administers its support of scientific research: the programs of scientific research project support; specialized research facilities and equipment; national and special research programs; and national research centers.

Scientific research project support

Actual, fiscal year 1969	$176,024,594
Estimate, fiscal year 1970	175,000,000
Estimate, fiscal year 1971	190,000,000

Funds in the amount of $190 million are included in the budget for scientific research project support. It is estimated that 4,300 grants will be awarded to about 435 institutions which will involve the research efforts of approximately 6,000 faculty scientists and about 5,700 graduate science students.

The increase of $15 million in this area will permit the Foundation to continue its research support programs and provides for emphasis on environmental research, and research on man, his societies and the institutions created by him. In addition, the increase will permit the Foundation to meet a part of the substantial growth in proposal pressure that is expected to result from changes in the amount of support provided for fundamental research by other Federal agencies.

Research activities in the atmospheric sciences and oceanography will be expanded to increase our understanding of environmental processes and phenomena which will help in man's efforts to maintain or enhance the quality of the environment. Research in the biological sciences will give emphasis to the study of food chains in the water environment; and also to research on fertilization mechanisms in marine organisms which could lead to improved understanding of reproductive processes in higher organisms. Support will also be provided for investigations aimed at increasing our knowledge of life processes. Additional funds for physics research are required to meet part of the operating costs of physics research facilities that are becoming operational. Research efforts in the social sciences will also be expanded to permit the Foundation to continue to give emphasis to the support of projects directly underlying or relevant to current social problems. In engineering, the Foundation will augment its support for research on superhard materials, an area where the United States appears to be falling behind the technological development achieved in other areas of the world, and on enzyme engineering.

The Foundation also will provide appropriate support, for applied research projects, in accordance with the intent of authorization contained in Public Law 40–407, dated July 18, 1968.

Specialized research facilities and equipment

Actual, fiscal year 1969	$7,215,817
Estimate, fiscal year 1970	6,000,000
Estimate, fiscal year 1971	6,200,000

Foundation support is provided for specialized research facilities and equipment required for the conduct of advanced scientific investigations. Often, such equipment or facilities are beyond the capability of an institution to support. Although cost sharing is not manadatory, experience shows that the institutions provide a significant share of the cost of most of the items supported under this program.

National and special research programs

Actual, fiscal year 1969	$13,479,919
Estimate, fiscal year 1970	27,500,000
Estimate, fiscal year 1971	59,000,000

These programs are established when a coordinated national research effort is required to achieve a particular set of research objectives, when the research requires international cooperation, when the project requires an unusual amount of management, or when a special research effort has a high probability of contributing to the solution of pressing problems of our society. All nine of the programs in this subactivity are concerned in some way with environmental research or with research directed at problems of our society. A brief summary of each of these programs appears in the sections that follow:

An amount of $7 million is included for the international biological program. The Foundation is responsible for coordinating the U.S. portion of this international research effort, which is designed to greatly expand our understanding of environmental influences on plants and animals including man. The principal emphasis of the Foundation-supported IBP research to date has been on studies of large scale ecosystems. More than 80 senior scientists from 20 States, representing about 30 institutions and Federal agencies, are already participating in the grassland ecosystem research study taking place in Colorado.

The Foundation's newly established program of interdisciplinary research relevant to problems of our society is designed to focus the efforts of selected groups of physicists, biologists, engineers, social scientists, and others in significant social problems which must be more fully understood if our society is ultimately to resolve them. Research on the urban environment and on environmental quality will be supported under this program and will be designed to contribute directly to such national objectives as assessment of technology, environmental management and control and optimal development of the Nation's human and economic resources. An amount of $13 million is included for this program in fiscal year 1971.

An amount of $2 million is included for the global atmospheric research program (GARP). This is an international research effort designed to improve the capabilities of making long range weather predictions and to explore the feasibility of modifying large scale weather and climate patterns.

A special earthquake engineering research program is being initiated in fiscal year 1971. The objective of this program is to gain the knowledge required for the development of economical design and construction methods for earthquake-resistant buildings and for dams and bridges that will be less susceptible to earth quakes, landslides, and large scale earth movements. Funds in the amount of $2 million are included for this purpose in the proposed budget.

The Foundation will continue its weather modification research support activities in fiscal year 1971 at a level of $3 million. The major part of this funding will be used for a new research effort directed toward discovering how the natural mechanisms of hail formation in a severe storm function and whether these mechanisms can be modified in order to reduce the production of damaging hail.

The National Science Foundation has been designated as the lead Federal agency for the international decade of ocean exploration (IDOE) program. The purpose of the IDOE is to accelerate the understanding of the ocean and to encourage and enable nations, cooperatively, to make wise use of the ocean environment to better utilize ocean resources. The amount of $15 million requested for this program represents the total U.S. effort in the IDOE. It is expected that about 50 percent of the funds requested will be used to support IDOE activities to be conducted by other agencies of the Federal Government.

An amount of $8 million is included for the next 1-year increment of the drilling operations being conducted under the ocean sediment coring program. In this program core samples are obtained from the sediment layers underlying the deep seas. Already, the results of this coring operation revealed the presence of oil in salt domes under 12,000 feet of water in the Gulf of Mexico, have confirmed theories on sea floor spreading and continental drift, and have significantly altered a number of theories in undersea geology and related scientific fields.

The Foundation has also been designated as the lead Federal agency for the Arctic research program. Resource development in the region of Alaska's north slope has impacted on the ecology of that area, and a significant part of the research supported in fiscal year 1971 will be devoted to the studies of these efforts.

The National Science Foundation is also the principal Federal agency for the development, coordination, and management of all U.S. scientific activities in Antarctica. An amount of $7 million is included for Antarctic research. Almost all of the research carried out in the Antarctic is related to problems of the environment, such as global atmospheric circulation patterns, ice movement on the continent and in the southern oceans, ocean currents and their intertie with other major ocean systems, and the ecosystems of the surrounding oceans and this arid and frigid continent.

National research centers

Actual, fiscal year 1969	$28,420,515
Estimate, fiscal year 1970	26,900,000
Estimate, fiscal year 1971	36,800,000

Funding in the amount of $5,800,000 is requested for the Arecibo Observatory, in Puerto Rico. The Foundation assumed management of this observatory from the Department of Defense in October 1969. It is the fifth NSF-sponsored National Research Center. Arecibo makes available to atmospheric physicists and radio astronomers the world's largest radio-radar telescope which is 1,000 feet in diameter. As a radar instrument, it is used primarily for studies of the earth's ionosphere. As a radio telescope, it is used to detect, measure, and identify radio energy emitted by the sun, planets, and distant celestial radio sources. The requested funding includes $3,800,000 for resurfacing the 1,000-foot antenna, to greatly increase its usefulness as a research instrument, and $2 million for the support of scientific research operations and maintenance and administration of the observatory.

An amount of $2,200,000 is requested for the Cerro Tololo Inter-American Observatory, an optical astronomy observatory which is under development in the Andes, about 250 miles north of Santiago, Chile. The requested funding includes $1,887,000 for support of scientific research activities in stellar and planetary astronomy and for the costs of observatory operations, maintenance, and administration. Also included is an amount of $313,000 for continued site development, three small but essential construction projects, and some advanced planning of future buildings and facilities.

An amount of $7,200,000 is proposed for the Kitt Peak National Observatory, a Foundation-owned optical astronomy observatory atop 6,875-foot Kitt Peak, on the Pagago Indian Reservation in Pima County, Ariz. The requested funding includes a total of $7,073,000 for continued support of stellar, solar, and planetary astronomy research activities; operation and maintenance of the observatory research instruments; physical plant and administrative activities. This amount will provide for substantial completion of the basic instrumentation for the 150-inch stellar telescope that is under construction at the observatory; continued development of the auxiliary instrumentation for the existing telescopes; and advancement of the center's laboratory capability.

Continued support of the National Radio Astronomy Observatory (NRAO) will require $6,400,000 in fiscal year 1971. NRAO provides very advanced radio astronomy instruments for use by research astronomers to detect, measure, and identify radio waves which come from objects in outer space. On-going programs for the planning and design of future research instruments will be continued.

Funding in the estimated amount of $15,200,000 will be required for the continued support of the National Center for Atmospheric Research (NCAR), at Boulder, Colo. The requested funding will permit NCAR staff scientists and visiting researchers to continue to attack scientific problems that present important obstacles to a full understanding of the earth's atmosphere and to beneficial application of that knowledge. It will also enable NCAR to continue to make facilities available for joint use by NCAR staff and university scientists and research groups. The amount requested includes the first year costs for rental and operation of a larger, more advanced research computer for NCAR's high priority atmospheric modeling programs. Also included are funds for the development of preliminary plans and drawings for a much-needed addition to the permanent laboratory and for continued support of the activities of the National Scientific Balloon Station at Palestine, Tex.

COMPUTING ACTIVITIES IN EDUCATION AND RESEARCH

Obligations

Actual, fiscal year 1969	$16,979,280
Estimate, fiscal year 1970	17,000,000
Estimate, fiscal year 1971	15,000,000

In conducting research programs and in preparing students for the world of the future, universities and colleges are faced with such questions as how to provide computing services to a variety of users, how best to utilize these systems to improve the educational process, and how to develop cooperative efforts with other institutions.

Foundation programs are designed to help institutions cope with the problems mentioned above. Access to computing services is vital to research projects in many disciplines, and a new, cooperative approach will be stressed during fiscal year 1971. Of the total request, $4,500,000 will be used for computer resources, with marked emphasis on the development of multi-institutional centers to serve major research users and innovative cooperative approaches to meeting educational and research computing requirements. The level of support for computer-oriented research and educational activities will be sustained at $10,500,000 and will support research projects in computer science, curricular developments; and research development and testing of computer-assisted instruction.

SCIENCE INFORMATION ACTIVITIES

Obligations

Actual, fiscal year 1969	$10,664,451
Estimate, fiscal year 1970	12,000,000
Estimate, fiscal year 1971	13,000,000

The programs within this activity are designed to improve the exchange of science information among scientists through the development of more adequate systems of communication, providing temporary supplementary aid for current science information publications, making translations of foreign science publications available to American scientists, and conducting research on science information.

As in the past, a major portion, $7,800,000, of the amount requested will be used to continue support of discipline-oriented systems maintained by professional scientific societies through the support of university centered science information systems.

INTERNATIONAL COOPERATION SCIENTIFIC ACTIVITIES

Obligations

Actual, fiscal year 1969	$1,800,696
Estimate, fiscal year 1970	1,900,000
Estimate, fiscal year 1971	2,200,000

These activities include facilitation of U.S. participation in key organizations and encouragement of scientist-to-scientist communication across international boundaries and of professional collaboration between U.S. and foreign scientists.

INSTITUTIONAL SUPPORT FOR SCIENCE

Obligations

Actual, fiscal year 1969	$37,717,485
Estimate, fiscal year 1970	41,500,000
Estimate, fiscal year 1971	55,500,000

The institutional support for science activities of the Foundation include programs to help colleges and universities upgrade their programs and capabilities in science education and academic research and to help educational institutions maintain strength in science where it already exists.

The science development program within this activity will be reoriented to some degree in fiscal year 1971 to enable it to contribute more directly to the Foundation's objective of strengthening those centers and areas of science and engineering that can have an effect on problems of national and social importance. This will involve support for the (1) development of institutes or centers, (2) departmental support specifically directed to national and social problems, and (3) the support of interdisciplinary and multidisciplinary approaches to these problems which may involve both academic and nonacademic institutions.

The other program in this activity, institutional grants for science, provides support to academic institutions to enable them to maintain the strength of their science departments and at the same time to support institutional autonomy. These are formula-based grants used by the colleges and universities at their discretion in the support of scientific activities.

SCIENCE EDUCATION SUPPORT, $96,900,000

The Foundation's science education support program for fiscal year 1971 has been developed within the framework of effecting every possible economy consistent with maintaining a reasonable level of effectiveness.

Program activities in education are in the following categories:

Student development

Actual, fiscal year 1969	$42,891,295
Estimate, fiscal year 1970	47,605,000
Estimate, fiscal year 1971	41,200,000

Programs in this category support projects which are directed toward the objective of training highly competent scientific workers for research, industry, education or wherever required to maintain a viable and and growing scientifically based society. At the high school and undergraduate levels selected students are provided advanced educational opportunities not otherwise available. A new feature at the undergraduate level is support of scientific research which is student initiated, conducted and directed. At the graduate level the program consists essentially of financial support for students in the form of fellowships and traineeships.

Instructional personnel development

Actual, fiscal year 1969	$38,629,718
Estimate, fiscal year 1970	44,795,000
Estimate, fiscal year 1971	28,900,000

Support for programs in this category is directed toward the improvement of teachers of science and mathematics. The largest program in this category is the institutes program, which provides supplementary training opportunities for teachers of science and mathematics, to enable them to more effectively teach their subject matter, particularly in the use of new curriculum materials.

Instructional program development

Actual, fiscal year 1969	$33,776,481
Estimate, fiscal year 1970	29,300,000
Estimate, fiscal year 1971	26,800,000

Programs in this category are directed toward the development and utilization of better instructional programs, courses, curriculums and methods. These are separate curriculum improvements oriented to the differing requirements at the precollege and undergraduate levels. At the precollege level the co-operative college-school program provides assistance to schools or school systems to select and implement new programs and at the undergraduate level the college science improvement program enables colleges or consortia of colleges to plan and execute a program to improve the quality in science instruction in one or more of the sciences.

In fiscal year 1971, a new program will be initiated to develop appropriate educational programs for the training of science and engineering technologists.

PLANNING AND POLICY STUDIES

Obligations

Actual, fiscal year 1969	$2,421,717
Estimate, fiscal year 1970	2,500,000
Estimate, fiscal year 1971	2,900,000

The Foundation's planning and policy studies activities have the objective of development of better policies for the promotion and utilization of science and science education. Information obtained from these activities facilitates Foundation assessments of alternative courses of action and serves as a basis for development of appropriate policy recommendations regarding the national scientific effort and NSF programs.

An increase is included to provide added emphasis to studies of the future effects of technology on society and to permit gradual growth on the important new State and local intergovernment science policy planning program.

PROGRAM DEVELOPMENT AND MANAGEMENT

Obligations

Actual, fiscal year 1969	$16,490,514
Estimate, fiscal year 1970	19,517,161
Estimate, fiscal year 1971	20,500,000

All administrative costs of the National Science Foundation, including management of the various program activities and the executive direction and administrative management of the Foundation, are included in this activity. The amount requested, $20,500,000 is 4 per centum of the total fiscal year 1971 agency appropriation request of $513 million and is an increase of $982,839 over the amount planned for the activity in fiscal year 1970. Funds requested will provide for an average of 986 employees. The proposed increase will be used to meet additional salary requirements, and higher costs for equipment, supplies and materials, and printing. This line item includes all salary and related costs for the entire Foundation staff.

SCIENTIFIC ACTIVITIES (SPECIAL FOREIGN CURRENCY PROGRAM)

Obligations

Actual, fiscal year 1969	----------
Estimate, fiscal year 1970	$2,000,000
Estimate, fiscal year 1971	2,000,000

A separate appropriation of $2 million for payment in foreign currencies excess to the normal requirements of the Government is requested for fiscal year 1971. An amount of $2 million was appropriated for this program for fiscal year 1970 and is being used for the translation and dissemination of foreign scientific publications.

The request for fiscal 1971 includes $1 million for the translation services and $1 million for support of research projects, science education projects, and other science activities to be conducted in excess foreign currency countries as authorized by section 104 (b)(3) of the Agricultural Trade Development and Assistance Act of 1954, as amended.

V. CHANGES PROPOSED BY THE COMMITTEE

1. Support for academic research projects dropped by other agencies

The administration budget granted the NSF only $10 million to support academic research projects dropped by the DOD, NASA, AEC and other agencies. The House authorization granted NSF another $10 million for this purpose. But, as the hearings of the special subcommittee made clear, the reduction, in support for academic research by the mission-oriented agencies will be at least $60 million in fiscal year 1970. Most of the projects being dropped are of extremely high quality. Indeed at least one Nobel laureate is being denied research support.

The NSF will fund projects dropped by other agencies on a competitive basis. Under the administration's authorization, this meant that some $60 million worth of projects would be competing for $10 million in support. The subcommittee recommends that the NSF be granted another $30 million for support of academic research. This will give the Foundation a total of $40 million to offset the reductions by the mission-oriented agencies.

2. Support for graduate traineeships

The administration authorization eliminated first-year graduate traineeships. The House reinstated this program at a cost of $9.5 million. The committee also recommends that the program be reinstated.

The NSF supports graduate students through fellowships and traineeships. The fellowships are awarded to the students themselves, and can be used at any university the students choose. The traineeships go to the universities which in turn grant assistance to their deserving students.

Fellowship winners tend to cluster at a few leading universities. Traineeships, on the other hand, are distributed throughout the Nation, strengthening all our universities. Fellowship winners may gravitate to just a few areas of science; traineeships can be distributed in such a way as to diversify scientific research. The committee believes, therefore, that the traineeship program serves a particularly useful function and should be continued at present levels. This program, it should be noted, was strongly endorsed at the subcommittee hearings by all four former scientific advisers to the President.

3. Environmental research in Federal laboratories

The House recommended a $4 million authorization to enable existing Federal laboratories to begin work on environmental problems. The committee adopts this recommendation as a sensible way to assure that our existing resources are fully used in the fight against pollution.

4. College science improvement program (COSIP)

Last year this program, which improves science education methods and curriculums at colleges and junior colleges, was obligated for $8.7 million. The NSF estimates that $11.95 million would be required this year to permit a reasonable response to meritorious applications. The administration authorization for this year provided only $4 million for COSIP. The House added $4 million. The committee recommends an increase of $4.5 million, which brings the authorization almost up to last year's obligation level.

5. Institutional support for science

Under the heading of institutional support for science, the administration budget allocates $12 million for grants to develop individual university departments or areas of science. The Foundation estimates that about $4 million of this will go to the social sciences. The committee believes that it is vitally important to strengthen the capabilities of our universities in the social sciences, so that we can assure that our society receives the maximum benefits from technological advances. The committee recommends, therefore, an increase of $1.5 million in institutional support for science to be used for strengthening the social sciences.

6. Intergovernmental Science Program

This program is designed to assist State and local governments in making more effective use of science and technology. It is particularly important as local governments begin to deal more forcefully with problems such as pollution.

The administration authorization for the program was $370,000. The House increased this by $130,000. The committee believes that a larger increase is warranted. As Senator Randolph has pointed out, the program could take over some of the functions performed by the recently discontinued State technical services activity of the Commerce Department. The committee recommends, therefore, that the authorization for this program be increased by $500,000 in fiscal year 1971 and envisions further increases in future years.

VI. COMMITTEE VIEWS

The committee is deeply concerned by the sharp cutbacks in support for basic science. The ability of this Nation to continue as the economic leader of the world and, at the same time, to minimize the adverse side effects of economic growth rests in large measure on the success of our scientific endeavors. If we stint on basic research today, we are impairing the quality of life of future generations.

The committee understands why the mission-oriented agencies have reduced their support for basic research. Operating under very tight budgets, they have naturally put their scarce resources into those projects which are most directly and immediately related to their missions. Potential long-range benefits, however great, have been sacrificed to more certain short-term benefits.

The committee believes that Federal support for basic research should not come chiefly from agencies which have an inevitable conflict between their short and long-range goals. Rather, basic research should be supported by agencies like the NSF whose primary function is to assess and to meet the long-range scientific needs of this Nation. And such agencies should be assured a consistent level of funding. Scientific research cannot be turned on and off like a faucet.

At the subcommittee hearings, witness after distinguished witness painted a gloomy picture of the state of scientific research. We were told that young scientists were fearful they would not be able to make use of the exceptional education they had received and that undergraduates were turning away from the sciences as fields of concentration. The committee hopes that its recognition of the current crisis and its recommendation of an increased authorization for the NSF will be a first step in the development of a more sensible science policy.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider certain nominations on the Executive Calendar, which were supposed to have been brought up last night but because of the lateness of the hour and the tiredness of Members, I suppose we just forgot about it.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The assistant legislative clerk read the nomination of William J. Bauer, of Illinois, to be U.S. attorney for the northern district of Illinois for the term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. COAST GUARD

The assistant legislative clerk read the following-named officers of the Coast Guard for promotion to the grade indicated: Austin C. Wagner, to be rear admiral, and William A. Jenkins, to be rear admiral.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

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LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

The VICE PRESIDENT. Under the previous order, the Chair now recognizes the distinguished Senator from Ohio for 20 minutes.

OFFICIALS OF CIVIL AERONAUTICS BOARD ARE OFF BASE IN DEALING WITH THE PUBLIC

Mr. YOUNG of Ohio. Mr. President, beginning today the Federal tax on airplane fares will go up from 5 percent to 8 percent. Along with the new tax, airlines have, as of today, been authorized to round off all fares to even dollar amounts. For example, if an airline fare is $27.12, the airline will charge $28. The passenger will be out anywhere from 1 cent to 99 cents. Officials of airlines may call this procedure rounding off or give it any other fancy name they choose. However, Mr. President, make no mistake about it; this is a fare increase. It is an obnoxious hidden tax or penalty imposed arbitrarily by members of the Civil Aeronautics Board. The makers of our Constitution provided that all taxation bills or bills for raising revenues "shall originate in the House of Representatives" and, of course, granted the Senate the right to concur to "propose or concur with amendments as on other bills." Certainly no members of the Civil Aeronautics Board or members of any other governmental agency have the right to impose taxes, hidden or otherwise.

Reliable estimates indicate that allowing airline officials to round fares upward to the next even dollar amount will provide about $50 million per year in additional revenues for the airlines. This figure is based on 1969 air traffic reports on the basis of air travel that year. This results in a substantial increase to the purchaser of every airline ticket.

Mr. President, this insidious and deceptive policy was instituted, not by a group of airline company owners, but by officials of the Civil Aeronautics Board. This board was created to control the airline industry and to protect the general public. Instead, it has become another government agency which has subverted the interests of the general public its officials were supposed to protect, and taken steps to protect the industry it was organized to monitor. The members of the Civil Aeronautics Board who voted in the majority in the board's 3 to 1 decision claimed that their action would benefit air travelers because they would no longer be required to fuss with odd dollars and cents. Are there any citizens who consider it a waste of time to fuss over saving 95 cents? Furthermore, we average citizens dislike hidden or concealed taxes. This kind of reasoning is deceptive and dishonest. Those odd dollars and cents, by officials of the Civil Aeronautics Board own estimate, will amount to an additional $50 million annually filched from the pockets of those who travel on America's airlines. It is peculiar logic indeed that enables officials of the Civil Aeronautics Board to argue that its action will benefit passengers when that action is taken at the passenger's expense and without his consent.

This is not the first time in recent months that officials of the Civil Aeronautics Board have teamed up with the airlines against the public interest. This irresponsible action which becomes effective today follows by only 9 months a Civil Aeronautics Board authorized fare increase of more than 6 percent and by 16 months a fare increase of nearly 4 percent.

Mr. President, it is about time that Government agencies created to protect the rights of the public begin doing their job. Officials of the Civil Aeronautics Board continue to make it more expensive for passengers by imposing hidden taxes on tickets and to add to the receipts of airline companies at the expense of the general public, whereas in truth and in fact the Civil Aeronautics Board was created to serve the traveling public.

The Civil Aeronautics Board officials acted at the request of American Airlines and other trunkline and local service carriers. These airlines argued that the additional revenue was needed to offset a new basic annual aircraft registration tax of $25 plus an added charge of 3½ cents a pound for jets and 2 cents a pound for piston aircraft. Yet by its own estimate and even after deducting the new taxes American Airlines would show a net increase in revenue of more than $3 million in 1970 because of the rounding off procedure.

Such exorbitant profits are a direct affront to the policy of wage and price restraints which President Nixon requested less than 2 weeks ago. Inflation has reached alarming levels. Economic restraint has never been so important since the Hoover depression. Yet officials of the Civil Aeronautics Board and the airlines go merrily about their way in total disregard of airline passengers in particular and the public in general.

Mr. President, the Senate must demand an end to this kind of irresponsible behavior.

S. 4047—INTRODUCTION OF A BILL RELATING TO CONTROL OF UNDERGROUND FIRES IN COAL FORMATIONS—UNDERGROUND MINE FIRES POLLUTE ATMOSPHERE—ENDANGER PUBLIC HEALTH SAFETY

Mr. YOUNG of Ohio. Mr. President, one of our Nation's most pressing issues is the necessity to protect the environment from the ravages of pollution that threaten to ruin it. The American people are no longer willing to tolerate the "accidental" leakage of billions of gallons of oil into the Santa Barbara, Calif., Channel or the slow death of Lake Erie. These are dramatic, well-publicized examples of the destruction of our environment. Today I rise to call attention to another less well-known danger to our environment, underground mine fires burning uncontrolled.

Mr. President, at the present time there are a total of 229 uncontrolled mine fires burning in our country. Six of these fires are located on privately owned abandoned mine lands in my native State of Ohio—one in Athens County and five in Hocking County. Amazingly, some of these mine fires have been burning for more than 50 years. And these are just the fires that have been located and identified—no one knows how many more may be burning underground, as yet undetected, or unsuspected, the first clues of which may not be found until some highway or public construction project or, worse, some disaster reveals their presence. I might add that in Ohio alone there are 25 coal-producing counties in the southeastern and eastern portions of the State where such fires may be raging undetected.

Mr. President, fires in abandoned underground mines and in outcrop deposits may result from any of several causes. Sometimes the fire was the cause of the mine's abandonment; the burning area may have been sealed off to prevent its spread, but very often the fire may break through the seal and continue its course of destruction.

Or, a fire may begin above ground when lightning or a brush, forest, or camp fire ignites a coal outcropping and works its way underground. The most frequent cause of mine fires is the burning of trash in the openings to abandoned mines or in the pits left by coal-stripping operations.

But whether due to man's carelessness or nature's caprice, these fires are a serious menace. Not only can they consume tons of valuable fuel reserves, but more importantly fires burning in abandoned, underground mines threaten lives, property, and the environment in hundreds of communities.

The heat from these fires destroys vegetation and wildlife. These fires pollute the atmosphere and yield an obnoxious, sulfurous smell. Fumes from these fires seep up through crevices in the earth and are noxious, even deadly, and thus a threat to public health and safety. Furthermore, by consuming supporting pillars of coal left in mines by miners, these fires can cause the ground above the mine to sag or cave in, thus endangering roads, homes, buildings, and lives.

Mr. President, let me make it clear that I am speaking not only of the fires burning underground, but also of fires burning in refuse piles, called culm dumps, which are a side product of the coal industry. The magnitude of the problem cannot be seen in mere statistics. One has to have seen it to grasp it.

A year ago, John F. O'Leary, who was then the Director of the U.S. Bureau of Mines of the Department of the Interior, gave the following testimony before a House Subcommittee on Appropriations for the Department of Interior:

> I couldn't appreciate, really, the magnitude of the menace until I went up and stood on the bank for fifteen or twenty minutes, and I think had I stood on the bank for another fifteen or twenty minutes, probably I would have been sick. The combination of gases that are emitting out of this burning bank are terrible—and the people's houses are within 150 feet of it. And houses are downwind of it. And the impact on the neighborhood of having something like this going on is terrible.

Mr. President, these refuse dumps usually catch fire by spontaneous combustion, and many of them have been burning for 50 years. They lay a pall of smog over the land on foggy nights, smog which eats the paint off houses, damages human lungs, and hides the highways in dangerous darkness.

The coal-mining industry has played and continues to play a vital role in our Nation's economy and development. However, it has also left many areas polluted, despoiled, and literally aflame. I would be the last person to deny that this country faces many urgent problems, but this is really an emergency situation. The potential these mine and refuse dump fires hold for damage, physical and economic, is simply too great for them to be ignored or tolerated by any society concerned with the quality of its environment.

Mr. President, to fight the hundreds of mine fires in the United States, will require much money, much time, and the application of new as well as tested and proven techniques. Eliminating these fires will be made more difficult by the discovery of new underground fires which have not yet been detected or may be in the process of developing.

The officials of the Federal Government should and must take the responsibility for making every effort to correct this dangerous situation. Presently, there are two programs under which the Federal Government may act, but they are inadequate to cope with the magnitude of the problem. The prevention and extinguishing of mine fires is handled by the Division of Environment of the Bureau of Mines. The Appalachian Regional Development Act of 1965, which I worked for and voted for, provides some authority and funds for the Bureau's coal-fire control operations. However, only half of the known fires now burning are in Appalachia. Moreover, because of the lack of adequate funds only 20 fires have thus far been considered for control projects, and, of the dozen that have been approved, work is now underway on only a few of the most serious ones.

The other authority under which the Federal Government seeks to control these mine fires results under the Mine Fire Control Act of 1954—Public Law 83-783. Under this law $218,000 has been appropriated for fighting mine fires this year. Unfortunately, this amount is tragically insufficient. For example, the total cost of one recent fire-control project near North Scranton in northeastern Pennsylvania exceeded $443,000, and it took nearly 2 years—4,650 man-days of labor—to complete. That may seem high, Mr. President, but the value of the surface properly which was safeguarded has been estimated at several million dollars, and this does not include the damage to the environment and human life which was avoided.

Mr. President, existing programs are simply inadequate to deal with these mine fires burning out of control. The 1954 law is limited to fires burning in coal outcrops and underground mines, and thus does not cover the problem of fires burning in refuse dumps around coal-mining operations. Furthermore, it imposes a ceiling of $500,000 for fighting mine fires. The Bureau of Mines asserts that they desperately need more than this amount to control the current mine fire problem.

Mr. President, we can no longer tolerate the serious air pollution problems and property and health hazards which plague many areas of our country because of these uncontrolled mine fires. Because the existing programs are simply too limited, I am today introducing legislation to aid in controlling this severe, but so far little publicized problem. Last month, Congressman Joseph M. McDade, from Scranton, Pa., introduced an amendment to the Mine Fire Control Act of 1954—the legislation I am introducing today would be substantially similar to Congressman McDade's fine action.

Mr. President, my legislation would amend the Act of 1954—Public Law 83-738—relating to the control and extinguishing of outcrop and underground fires in coal mines in two ways. First, it would add "fires in refuse piles from coal-mining preparation processes" to the coverage of the 1954 law; second, it would remove the present arbitrary appropriation ceiling of $500,000.

It is clear, Mr. President, that there is no logical reason to prevent the Federal Government from aiding in the control of these coal fires simply because they happen to occur above the ground. There is a clear economic incentive for the control of fires in valuable coal formations, but the threat to our natural resources, our environment, and life and property is just as severe from the fires in refuse piles which may happen to be on privately owned land. Furthermore, as the Bureau of Mines realizes, $500,000 is simply an inadequate amount to do the job, and the arbitrary upper limit on spending must be eliminated. It is illogical and wasteful to spend "almost" enough to extinguish a fire which engulfs an area in toxic pollutants and threatens human life and health.

Mr. President, the time has come for positive action on the problem of uncontrolled mine fires. If we really seek to preserve and protect our environment for present and future generations, we can and must do no less.

Legislation such as I have introduced today and sent to the desk should be enacted in the Senate and then enacted in the other body before the end of the current year. That would be a start to take an effective measure to control the pollution of our environment.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4047) to amend the act of August 31, 1954, relating to the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes, introduced by Mr. Young of Ohio, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

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INDEFINITE POSTPONEMENT OF S. 3842—POSTAL REFORM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 3842, the Senate bill having to do with postal reform, be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business with a time limitation of 3 minutes on statements made.

The VICE PRESIDENT. Without objection, it is so ordered.

THE HOUSING CRISIS

Mr. PACKWOOD. Mr. President, yesterday we overrode the President's veto message on the hospital funding bill. I am afraid this is symptomatic of what Congress has been doing for the last year and a half.

We have been talking about the housing crisis in this Nation, at least since I was elected in 1968. In 1968, Congress passed the National Housing Act of 1968 which indicated the need for 26 million units of new housing in the next 10 years. This year we have passed what is known as the Emergency Housing Act to pump a small amount of money into the housing market in the hope of lowering the interest rates slightly. However, the key problem causing the crisis in the housing industry is the unwillingness of Congress to face up to fiscal responsibility, to help balance the budget, and to try to do anything possible to help balance the budget, so that we might get the Federal Government out of the business of perpetually borrowing in the private market and raising the interest rate. We have done it every time. We do not have the courage or the willingness in this body or in the other body to face up to our fiscal responsibility that if we are going to spend we have to be willing to tax.

Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Senate Sinks Housing," published in the National Timber Industry, which is a publication covering the timber industry of the west coast. In essence the editorial states what I have stated. We can tinker all we want and do what we will with the emergency housing message but until we face our fiscal responsibilities and help the President balance the budget we are not going to build 26 million homes in 10 years, or even one-half that many.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the National Timber Industry, May 1970]

Senate Sinks Housing

The refusal of the federal government to discipline its own spending is an underlying reason for the present plight of the construction and timber industries.

When demand exceeds supply, prices inflate. When the government pumps money into the economy, without adding productivity, it causes inflation.

The Federal Reserve Board and the Nixon Administration were committed during 1969 to get inflation under control largely through tight money policies.

That means making choices of what activities are to go forward in the nation and which are to be deferred or canceled. Those activities which can get the available funds proceed. Those which can't, don't. It's that simple.

The Congress put high priority on construction of 26 million units of new housing in a decade when it passed the National Housing Act of 1968. There was considerable handwringing about ghettos and decent housing for the poor. There was much breast thumping about Congressional accomplishment.

We believe the nation is agreed inflation must be slowed—and is willing to make some rather substantial sacrifices toward that end.

But, if economic activity is to be cut back to slow inflation, the sharpest cuts should properly fall on those activities which do the least to produce the supply of goods which satisfy demand. Obviously, government activities are less productive of real wealth for the public than are most other segments of the economy.

A cutback of government spending would, therefore, reduce demand for goods without reducing their supply. Preventing business expansion may reduce demand but it also eliminates potential additions to supply. It is partially self-defeating.

The interest of the nation, then, would clearly appear to be to restrain government spending and to channel a substantial share of remaining credit into housing, but this is what happens:

The machinery of government, being in the hands of those whose self-interest is in enlarging government, the federal treasury enters the market for available investment capital determined to bid whatever is required to finance further federal debt.

Government's bidding helps push interest rates above the ability of most American families to pay. They must postpone, or forgo, acquiring homes so the federal bureaucracy is fully served.

To prevent the interests of the people from competing with those of the bureaucracy, the government apparatus also passes laws limiting interest rates which the savings and loan associations—the prime source of mortgage money—can pay, thereby eliminating them as competitors for available investment funds.

Even so, the policy of monetary restraint imposed by the Federal Reserve Board and by the Nixon Administration *might* have worked, if it had not been for the politically motivated and irresponsible spending imposed by Congress—primarily by the "liberals" in the U.S. Senate.

With election year in mind, they added a billion dollars for education, 15% to social security and have forced the federal budget into a substantial deficit. They refused to levy the taxes to pay the bill.

While professing their humanitarian concern for housing, this irresponsible band of Senators made it absolutely certain adequate credit to meet the nation's needs for housing will not become available for a long time to come.

THE POPULATION PROBLEM

Mr. PACKWOOD. Mr. President, from time to time I have commented on the population problem in this Nation, and it is a problem. We have done nothing yet, although the President again in his courageous message last summer asked for the creation of a Population Commission, and that Commission was created. But we have done nothing to bring into line as a matter of Federal policy and get some measure on population stabilization.

We are faced with having a population of 300 million people in this country by the year 2000, and a half billion people by 2040–60. I have indicated before that we may be able to feed half a billion people and we may be able to house them if we cut down all our trees, although at the present time we are not able to provide adequate housing for the 200 million people in this country.

Mr. President, I ask unanimous consent to have printed in the Record an article entitled "The Question Is Survival," by Nicholas von Hoffman, published in the Chronicle Sunday Punch of January 25, 1970; an article entitled "U.N. Officials See Birth Control Project as Important Step Forward," published in the New York Times of Wednesday, March 11, 1970; an editorial entitled "The Economy Doesn't Need More People," published in the Wall Street Journal of April 22, 1970; a column entitled "Oregon Faces People Problem if Pill and 'Fence' Fail," published in the Oregonian of April 28, 1970; and an article entitled "Security Is Happiest Cure for Overbreeding of Poor," published in the Washington Post of May 2, 1970.

Mr. President, all of these articles and editorials indicate the crisis of the population problem we face and indicate we, as Members of Congress, must face up to the problem.

There being no objection, the material was ordered to be printed in the Record, as follows:

The Question Is Survival

(By Nicholas Von Hoffman)

Six months ago the President sent a message to Congress suggesting it do something for population control. Nothing has happened except more babies have been conceived while demographers shuddered, ecologists shook their heads and scientists advanced their inquiries as to how and when the human race will expire.

In this lugubrious debate there is a school of thought that foresees our going the way of a country like Afghanistan, where the earth itself suffers from incurable maladies, according to Robert and Leona Rienow in the book, "Moment in the Sun" (Sierra Club, Ballantine, 95 cents): "Not only are the surface waters laden with diseases and plagues, but the lack of proper sewage disposal over the centuries has caused permeation by the pollution of the sparse soils until the deep aquifer—that vast and mystical lake of fresh water underlying earth's surface—has become universally contaminated . . ."

Every publication that devotes itself to the subject repeatedly warns that the terrible consequences of pollution aren't local but affect the planet. It's not just the air over New York or Los Angeles that brings particle death, but the air, period; all the air in Maine, in the Bahamas, the north woods, the atmosphere of the planet. And what's our response? About $100,000 a year is being spent by the government to study what's we're doing to our air.

It's natural to defer spending money to fend off future ills if you know they're far enough in the future. We don't. We know the contrary. Change is changing faster than change ever changed before. Only people as old as the Speaker of the House of Representatives can safely bet that they'll die before the deluge or the plague or the asphyxia gobble us up. The present generation of Congressional committee chairmen may be the last old people to die quiet, natural, dignified deaths.

In their complacency at having been smart enough to get themselves born before 1900 they're indifferent to the rest of us who're stranded in the 20th century. For six months they've not only ignored the President's modestly inadequate birth-control proposals, they passed a tax bill which encourages baby production.

Instead of increasing the exemption for children, what they should have done is pass a bill providing no exemptions for any child born to a middle-income family ten months after the bill was signed: upper-income families should have a stiff, rising scale of negative exemptions.

The reason isn't to make parents, rather than childless people, pay for schools, but because a rich child is a much greater ecological burden than a poor one. (See Sayne H. Davis in the January 10 New Republic magazine for a discussion of this.) On the average, one American in his lifetime will use 21,000 gallons of leaded gasoline, 56 million gallons of water, 10,150 pounds of meat and 28,000 pounds of milk. That's an average so you can guess what the consumption of the rich, and even the not so rich is. Twenty-nine per cent of all families now own two cars.

We can't go on like this. There are 70 million cars on the road now, four million more than there were last year. Either we give up our cars, our jets, our nice homes, our buying and using or we limit the number of Americans allowed to come into existence. Even so we may have to do both.

The media which can bang pots and ring bells for the most insignificant causes has yet to put on its first anti-baby campaign. Where are the TV spots giving people a realistic assessment of what kind of a life that baby's going to live? Why are we still making over multi-children mothers and having father of the year contests?

The businessmen and economists are also going to have to find another way. Their stock solution to all problems is increasing the gross national product. Everything good is supposed to come from stepping up the volume of production. Fifty million more fast babies aren't 50 million more customers—they're disaster.

"This is the way the world ends," wrote the poet, "not with a bang but a whimper." Or a gasp or a clutch or a groan of a cough or a frail exhalation. Exactly how eludes our knowing. The last moment may come before the planet can no longer sustain human life; it may come when the press of too many crazy people killing and cutting each other destroys our human communities.

U.N. Officials See Birth-Control Project as Important Step Forward

(By Kathleen Teltsch)

Special to The New York Times

UNITED NATIONS, N.Y.—Three afternoons each week women crowd into Egypt's hundreds of health centers and wait patiently until they are given a supply of contraceptive pills.

The pills are the first contraceptives provided by United Nations agencies to a country requesting assistance for birth control.

Although, the project is a modest one, involving $300,000 for the next six months, it is seen here as a significant step forward.

United Nations officials voice pride in it. They see it as a new approach traceable mainly to a study last May by a panel headed by John D. Rockefeller 3d, chairman of the Rockefeller Foundation and of the Population Council, Inc. The panel criticized the United Nations' efforts as faltering and hampered by bureaucratic delays, by jealous bickering among the various agencies involved and by lack of dynamic leadership by the World Health Organization.

ADVOCATES ARE ENCOURAGED

Family-planning advocates outside the United Nations are moderately encouraged that there has been a change. However, one leading medical authority speaks with lingering bitterness, saying, "Tragic time has been lost because of United Nations creeping sickness—inertia."

He says this is particularly shocking because United Nations demographers were probably the first to warn that population growth was outstripping all estimates and that the present world total of 3.5 billion would double in 30 years.

No one pretends that the pilot project for Egyptian women will have startling repercussions. Its supporters feel it does open up a wide range of possibilities for practical help. The United Arab Republic with 32.5 million is considered one of the most overpopulated countries. Without family planning it is expected to reach 52 million by 1985.

Besides providing the pill, the agreement with Cairo covers the supply of plastic materials for the manufacture locally of 2 million intrauterine devices and the furnishing of technical aid by the World Health Organization.

IN HIGH GEAR AFTER 2 YEARS

Money for the project is coming from the United Nations Fund for Population Activities, which was set up in July, 1967, but only now is moving into high gear under the direction of Raphael Salas.

Mr. Salas is a deceptively mild-spoken administrator who won a reputation for toughness in the rough-and-tumble politics of the Philippines. He is mindful that one of his most challenging jobs probably is to get all the various commissions and agencies to pull together.

His fund operates under the United Nations development program and should have a fair measure of freedom to respond quickly to Government request. It will not need prior approval of an intergovernmental board, which could get ensnared in sensitive religious, political or cultural considerations.

The fund also can turn for help to outside groups such as the Ford and Rockefeller foundations, the Population Council or the International Planned Parenthood Federation, which since 1952 have been doing pioneering work in contraceptive research and training.

IMPROVEMENTS EXPECTED

The search for improved contraceptives is likely to be accelerated by the private groups and also by governments as a result of the recent furor over possible injurious side effects from contraceptive pills and dissatisfaction with intrauterine devices.

Neither has been regarded by medical men as the final answer to contraceptive needs—merely as a reasonably effective method that must be used until better ones are devised.

The United Nations Population Fund so far has been promised aid by nine countries. The largest was the United States, whose pledge of $7.5-million in January would be half of the goal for this year. But the aid is to be given on condition that other sources provide the balance.

The $15-million annual program is small, measured against the $75-million the United States has set aside for family planning through the Agency for International Development. However, there have been hints from Washington that more money will be channeled through the United Nations if its new approach proves effective.

Sweden, among other countries, also has a significant aid program and as a small, neutral state without a colonial past has been particularly effective in Africa and Asia.

Denmark also is extending help and has been receptive to the idea of setting up an international population institute in Copenhagen that would undertake research and training with the cooperation of a number of United Nations agencies.

The proposal, made two years ago, has not been acted on. It is cited by experts in the population field as one instance where interagency rivalries have obstructed a potentially important undertaking.

Britain, Canada, Japan, West Germany are among the other countries offering aid in birth control to poorer countries.

Until the United States spurt in foreign-aid allocations, the Ford Foundation was the largest single source of funds in the family-planning field and the first to undertake programs in India, Pakistan and elsewhere.

All specialists in the field agree that the success of the combined efforts of governments, the United Nations and the private groups depends ultimately on winning the cooperation of political leaders, particularly those from the developing countries where the population growth is highest.

Dr. Bernard Berelson, president of the Population Council, has remarked that for a political leader, family planning does not have much popular appeal. It is often difficult to sell to the public, and particularly in situations where the population has not had the benefits of education. It is also administratively burdensome and the results may not be visible for years, no help for present office-holders.

Even in countries where there is a national population policy, it may not arouse much enthusiasm from lower-echelon government officials. Consequently, Mr. Berelson feels it would help if government leaders could be persuaded to make two major speeches a year pushing the idea of family planning.

Mr. Rockefeller, who has traveled widely to seek support for the same goals, feels that some new international recognition might be an inducement—a prize of the stature of the Nobel Peace Award for contributions in the population fields.

On the basis of the Ford Foundation's pioneer work since 1952 in training, Oscar Harkavy, director of the foundation's population program underscores the importance wherever possible of using nationals rather than bringing in outsiders. He also stresses the need for massive education to "fill the air with family planning."

SHUNS "GET TOUGH" POLICY

He disagrees with the suggestion that the prosperous states adopt a "get tough" policy, tying their foreign aid to progress in reducing population growth, saying it is certain to arouse hostility.

However, he favors a counter-suggestion to reward increased commitment to family planning by expanding aid significantly.

Gen. William H. Draper Jr., chairman of the Population Crisis Committee and widely reputed to be Washington's most effective lobbyist for family planning, argues for simultaneously expanding both direct American aid and United States support for the United Nations Population Fund. He cites the program for Egypt as a case in point:

Cairo has had a national policy on family planning since 1965, but ran into difficulty in continuing without larger outside aid. The United States, which has no diplomatic relations with the United Arab Republic, could not give help, but the United Nations could. "It's round-the-corner aid but it works," General Draper said.

He rejects the suggestion that leaders in the developing countries would be reluctant to take foreign help in this field because they see it as some conspiracy by the prosperous whites to restrict the growth of the poor nonwhites, a kind of neocolonialism.

Advocates of the multilateral approach cite a number of hopeful developments;

The World Bank in the last year has given the population field priority status, has sent

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out six missions under joint arrangement with the World Health Organization and is preparing to finance programs in family planning in at least four.

The United Nations Children's Fund has given technical advice and training in the use of contraceptives and supplied transportation and related services, but no contraceptives. It is getting increasing requests for family planning activities to be included in its overall maternal and child health programs; some requests are coming for the first time from Latin America.

The World Health Organization reports that it is accelerating the training of doctors and technicians for family planning, widening its research in birth control methods and establishing reference centers to provide better information in the field.

The United Nations also has had requests for establishing a regional training center for the Caribbean area in family planning.

Miss Julia Henderson, Director of the Office of Technical Cooperation, summing up the recent developments says, "We're not being flooded with requests but we're getting more than before for staff workers, fellowships and contraceptives, and that's progress.'

THE ECONOMY DOESN'T NEED MORE PEOPLE

(By John G. Welles)

Until very recently we have generally accepted population growth as being good for our cities, our states and for the nation as a whole. We have equated population growth with conquering the frontiers of our nation, with more jobs, with business prosperity, and generally with the economic and social well-being of the entire country.

Now, however, doubts are being raised about how good further population growth really is. These doubts are primarily directed at further growth of our larger metropolitan areas. We are being told that there are two sides to such growth: Costs as well as benefits.

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For example, we are told population growth means higher taxes to pay for needed schools, fire stations, streets and other public services. We are told population growth and concentration in major cities leads to increased crime rates and loss of open space. We see that population growth increases congestion in cities and in recreation areas.

But the biggest cost being talked about now is pollution: Air, water, land, noise, visual and thermal pollution. The prophets of gloom and doom say the ability of our planet to support human life will be destroyed unless we stop polluting the ecosystem. As an increasing number of prominent scientists join this group, many of us have become more than a little worried. While their case has not yet been proven, what if they are right?

One way to ease pollution and other costs of growth is to stop population expansion. But like any other suggestion for change, the idea of a stable population in the U.S. is not very popular. It tends to scare those who believe that either "we grow or we die."

Nevertheless, an increasing number of prominent Americans, including Secretary Robert Finch of the Department of Health, Education and Welfare, and Lee DuBridge, the President's Science Adviser, are advocating a stable population for the U.S.—what is known as "zero population growth."

Therefore, it seems timely to look at what the conquences might be of zero population growth for the economy of the United States. Much of what follows is based on a study made late last year by Dr. Stephan Enke, an economist at Tempo, a division of General Electric Co.

At present, each family in the U.S. has an average of about three children. To achieve a stable population, given certain assumptions including lengthening of life spans, the average number of children in each family would have to be reduced to approximately two. This means a reduction of approximetaly one-third in the number of children born to the average family.

A SEVENTY-FIVE LAG

The startling thing, however, is that if beginning in 1975 each new family limited itself to two children (an unlikely event), the Tempo Study estimates it would take until about the year 2050 for the U.S. population to level off. Analysis indicated the population would grow from the present 205 million to about 293 million before it stabilized. In other words, it would take about 75 years for the population growth to gradually slow down and to stop once we had achieved the two-child family. The time lag is caused by the greater number of young people than older people in our population.

If we look at the year 2060, the impact of different birth rates is dramatically illustrated. If a two-child family were achieved in 1975, we would have in 2060 three people for every two now. In contrast, if present birth rates were maintained, there would be seven people in 2060 for every two now.

As to what the consequences might be for the economy, relatively few economists have examined this question. While no one can predict the future with accuracy, those economists who have examined the question generally agree that a zero population growth would mean a higher, not a lower, standard, of living for the average American. This would also mean a growing economy—in spite of zero population growth—because each individual would have increasing buying power.

The Tempo Study arrived at this conclusion. It estimated that living standards in 2060 would be about 20% higher with achievement of a two-child family in 1975 than if population were to grow at current rates.

The major reasons a zero population growth would be expected to result in a higher standard of living are twofold. First, the average family, having only two children rather than three, would tend to save more money. According to well accepted economic theory, greater savings would result in more capital invested for each worker, producing higher labor productivity. And this would help produce the higher standard of living.

Second, the two-child family would result in a significantly lower proportion of the population falling in the young age group. There would be more income per person because there would be proportionately fewer people dependent on those who worked.

While the average American is estimated to be better off with zero population growth, it should be noted that the Tempo Study calculates total gross national product (all goods and services produced) would be roughly twice as large in 2060 if population continued to expand at current rates as opposed to the leveling off of population starting in 1975. This and other ramifications of a stable population have received little attention.

"DISECONOMIES OF SCALE"

Economics have generally felt that the larger the market served, the cheaper the cost of production. Would not a growing population then result in more cost savings than a stable population? Perhaps in certain instances. However, with over 200 million people already in the U.S., this market is believed to be large enough to support most cost savings resulting from large scale economic activities. In fact, it is quite possible that if the market gets larger, there will be what economists call "diseconomies of scale." For example, it might be cheaper to supply New York City with food if the city had one half its present population. The lesser congestion might speed delivery of foodstuffs sufficiently to decrease the cost of food.

In addition, the larger the population, the greater the amount of land that has to be placed into agricultural production to feed the population. This means that with each added increment of population, poorer land will be used for production of crops. This would tend to increase the cost of foodstuffs. The same reasoning would apply on other land-based resources. And, at least theoretically, the smaller the family the better educated would be the children.

Real estate is one sector of the economy that would not prosper as much in a stable population. The faster the population growth in a prosperous country, generally the faster land values tend to rise. If our population were to level off, real estate speculators would stand to gain less capital apperciation, although there would still be changes in real estate values due to shifts in location of people and businesses.

It is important to note, however, that rises in real estate values do not increase the wealth of a nation. They merely result in transfers of wealth from one segment of a society to another. And as it would take about 75 years for the population to level off if a two-child family were established as the norm tomorrow, it is doubtful that many present real estate speculators would be still in business.

In summary, when we balance the positive and negative factors, it is apparent that the average American, as seen by the Tempo Study, would be better off with a stable population than with a fast growing population.

Now let us consider technology under a stable population. The amount of technology used in a society generally is a key factor in determining the standard of living or gross national product of that nation. Unfortunately, however, the amount of pollution occurring in a nation has generally been a function of the amount of technology used. The richer the nation, the greater the pollution.

Hopefully, anti-pollution efforts will be successful in allowing a nation to be rich without excessive pollution. However, sooner or later it seems that something has to give: Either we stop population growth or we reduce our standard of living. Poor people pollute less, so the world could support more of them from an ecological standpoint.

AN INTOLERABLE SITUATION

Some ecologists say Earth could not tolerate a raising of the standard of living of the world's population to that of the U.S. They maintain that the planet's ecosystem, especially the oxygen producing subsystem, simply could not stand the degree of pollution that would result. The situation in the year 2000 would be even more alarming to the ecologists since by then the world's population and the U.S. standard of living each are expected to have doubled.

Ironically, all of the nations in the world aspire to a higher standard of living. According to one estimate, the world's standard of living would have to be increased seven times today, and approximately twenty-eight times by the year 2000, in order to equal that of the U.S. It is easy to understand why such growth prospects terrify the ecologists.

If we can learn how to apply large amounts of technology without destroying the ability of our planet to support human life, then perhaps we can both have our population cake and eat it with a technology frosting. It is too early now to tell how this might work out. Meanwhile, the time has come to take a dispassionate look at the consequences of continued population growth in the U.S.

Perhaps it is also time to take a fresh look at the meaning of human life. It appears from the foregoing that we may have to make decisions between numbers of people and standards of living. Other difficult questions are also being asked. For example, it has been advocated by certain Americans that we extend foreign aid only to those developing nations willing to control their populations. However, it has been estimated that one American will pollute as much as 30 to 300 persons in India. From the ecologist's point of view, it would seem that population control in the U.S. is equally if not more important to the preservation of our planet than population control in developing nations.

Paul Ehrlich has said in "The Population Bomb" that it is possible (but not likely in his opinion) the dangers of overpopulation have been overestimated. If this turns out to be the case after a stable population has been achieved, there is no problem if man decides he wishes to resume his multiplication.

While fews things are certain in forecasting, economic thinking to date indicates that a stable population in the U.S. would likely result in a higher standard of living for the average American and in continued economic growth. For those businesses that might be adversely affected, there would be approximately a 75-year adjustment period. Of much greater importance, a stable population would significantly ease future environmental pollution.

Oregon Faces People Problem if Pill and "Fence" Fail

(By Jalmar Johnson)

Current agitation to reduce the birth rate and to protect the environment may affect substantially the population growth in Oregon in the next 15 years. Projections made now, based on trends of the recent past, could prove to be far off the mark.

But, if the pill, legalized abortion, widespread education in birth control, etc., don't have much effect, some 847,000 babies will be born in this state by 1985. They will have to be educated and eventually employed and their parents, grandparents, uncles and aunts will have to have jobs so they can pay taxes for schools and other essentials.

If Oregon doesn't "build a fence" around itself by discouraging, rather than encouraging, new industries and new residents, net migration will add an estimated 268,850 persons to Oregon's population in the next 15 years. Subtracting deaths, the net population growth between 1970 and 1985 should be 790,000 to a projected total of 2.9 million in 1985.

These figures represent the educated guesses of experts employed by Pacific Northwest Bell, which must look ahead in planning its telephone installations. They were presented last week to the Oregon Rural Areas Development Committee, which also tries to look ahead for solutions to potential problems, by John Mason, PNB economic and industrial development manager.

There is lots of room in Oregon and a steady increase in population of that magnitude would cause no great problem—except for one major factor. This is that population increases have been and expected to continue to be concentrated in a comparatively small area—the Willamette Valley.

Experience indicates that of the 790,000 additional population, 94 per cent, or 742,000, will live west of the Cascade Mountains and 75 per cent, or 600,000, in the Willamette Valley. Only 6 per cent, or 48,000 will settle east of the Cascades.

Crowding 600,000 more people into the 100-mile long and comparatively narrow valley will, of course, change it greatly. Much of its rich agricultural land will be diverted to other uses—for homesites, industrial sites, shopping centers, highways, airports and other non-agricultural purposes. A strip city stretching from Portland to Eugene would become a reality.

Extensive planning and zoning obviously are essential if the valley's limited land is to be used for its best purposes, its livability retained and rural slums avoided. State, county and city governments, along with leaders of the private sector, have under preliminary consideration a multi-million-dollar study of the valley with this in mind. Federal funds may be available for the project.

Another obvious way of avoiding overcrowding west of the mountains is to induce more people to make their homes in Eastern Oregon. Greater industrial development than has occurred to date in that part of the state and provision of more cultural outlets might divert some of the new population to the wide, open spaces.

Schools must prepare today's young people and the thousands expected in the near future for the kinds of jobs that will be available to them. Eighty per cent of all jobs do not require four-year college degrees, said Howard Brock, conservation and wood products specialist for the Oregon Board of Education. An emphasis is being placed on vocational education in elementary and secondary schools and community colleges, with exploratory courses offered to permit a child to determine as early as possible what type of work he likes and for which he is best suited. To make his mark in a complex world he cannot waste as much time as his elders did.

Environmental education also is considered vital at every grade level. Outdoor residence camps for sixth graders are an example of how children are exposed to nature and taught individual responsibility for preservation of environment and ecology.

Minority ethnic groups figure in Oregon's preparation for the expected population expansion. The RAD committee heard some of their hopes and complaints in a panel discussion moderated by Al Randall, Salem food processor and human rights leader. Carlos Rivera, executive secretary of the State Human Rights Advisory Council, spoke for the state's largest ethnic minority, the Mexican Americans, of whom there are about 35,000. Lloyd Smith, education coordinator for the Warm Springs reservation, presented the American Indian viewpoint. Ben Berry, vice president of the Albina Corporation, spoke for the state's 23,000 blacks.

All the panel members indicated a desire to preserve to a considerable degree their own cultures and heritage. Mexican Americans want to get under the protection of the social legislation that covers industrial workers. Most of them are agricultural workers and are denied some of the rights others enjoy, such as organizational bargaining and picketing and unemployment insurance. They demand an "economic voice," a chance at ownership of farms and businesses, and instruction in both Spanish and English for children who cannot understand the latter.

Indians want to be understood, to be permitted to live according to their own traditions and culture, with assistance for self-help rather than imposition from the top of what whites consider is best for them. The commissioner of Indian affairs should be removed from politics.

Blacks in Oregon have a greater unemployment rate than the country as a whole had in the depths of the Great Depression. Although all wealth comes from the land, few blacks own any land and only a handful of the state's Negro population is engaged in agriculture. One suggestion: Open up some of the millions of acres of federal land in Oregon to homesteading by minority groups, which couldn't take advantage of the free land others obtained a century or so ago. With government-insured loans and processing plants to handle the crops, minorities could be helped to move from dependency to an independent status.

Perhaps, as some hope, the birth rate will fall and people will quit moving to Oregon. But the prospect is that the labor force will grow by 450,000 to 1,526,000 by 1985. That means 30,000 additional jobs per year, the provision of which will be the biggest job of all.

Security Is Happiest Cure for Overbreeding of Poor

(By Joshua Lederberg)

Racism so permeates the historical legacy of contemporary America that none of our policies and institutions is immune to attack from some quarter for being "racist." The epithet may be applied with even greater venom to policies that are designed to promote racial equality but differ from the critic's personal ideology of social progress.

"Institutional racism," furthermore, has nothing to do with the racial prejudices of any citizen but must be judged entirely by the de facto attack of a policy on the welfare of a minority group. The battle then rages over the values by which to measure that welfare.

Should blacks prefer a sharpening of their racial identity or a merger with the values and economic comforts of the middle class? Should we concentrate on the needs of the present generation for jobs and housing, or of the next one for education? Or should all of these be subservient to building an instrument of political and paramilitary power to provide the means for a forceful extraction of economic and social advantages from a reluctant and apathetic majority?

"Is population control merely another device of institutional racism?" Rational discussion of this hotly debated question is possible only with great care for the definition of the underlying values by which any policy in this area will be judged.

The most valid concern of minority groups is that movements like Zero Population Growth may divert attention from social reforms like guaranteed work and income, urban renewal and educational opportunity. Beyond this, we must also seek how to minimize potential conflicts between community and personal values, unless our aim is to rend the nation.

The community's interest in population control is by now well documented. We simply cannot double and redouble the world population without exhausting our resources and overflowing our sewers. Many people believe that the earth already has more people than it can carry at the level of affluence we currently prize. If this estimate is possibly wrong by a factor of two or four, the margin is still not a comfortable one.

Rapid growth of our population will multiply the stresses on our future. At stake are our environment, our capital investment for domestic needs and our economic and political relationships with other countries which furnish us a disproportionate share of dwindling mineral resources. On a scale of some decades, these problems may become crushing to the point that the community may have to press strongly on atavistic personal preferences for large families.

To the extent that we can reshape the life style of middle America by persuasive education today, we may be able to defer the use of sharper compulsion tomorrow. For example, Sen. Robert Packwood's (R-Ore.) bill to eliminate tax exemptions for more than two children would be a valuable symbolic step to dramatize a national commitment to restraint in population growth.

Such steps are, however, almost irrelevant to the very different problems of the poor. Efforts to encourage family planning among poor blacks might well, in the light of history, be labeled racist if they were motivated by some national interest that was in conflict with the interests of the poor themselves.

The poor do breed more rapidly than the rich—but this disparity would disappear the most happily with a justified belief in economic security of the poor. They are, after

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all, too few to make a strong contribution to the overall statistics of national growth.

The most urgent problem that is generated by the overbreeding of the poor family is not the depletion of natural resources but the perpetuation of the family's own poverty. The abolition of poverty is also one of the nation's most urgent, achievable goals. Where the interest of the poor family coincides with that of the nation, only mischief comes from the extremists on either side who would subvert individual freedom for the benefit of larger issues like racial separatism or a premature exercise in social control.

In reviewing a biography of Margaret Sanger, Sen. Joseph D. Tydings (D–Md.) pointed to Planned Parenthood statistics showing that poor women now bear 400,000 unwanted children a year merely for lack of family planning services (and access to facilities for safe abortion). We could do with less ideological rhetoric in favor of some hard cash for a major step toward solving one of our most important problems.

Mr. PACKWOOD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

Proposed Amendment to the Budget, 1971, for the Department of Agriculture (S. Doc. No. 91–94)

A communication from the President of the United States, transmitting an amendment to the requests for appropriations in the budget for fiscal year 1971, in the amount of $216,579,000, for the Department of Agriculture for the Child Nutrition Programs, to carry out Public Law 91–248 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

Report on Final Conclusion of Claim of the Pueblo De Acoma Against the United States of America

A letter from the Chairman, Indian Claims Commission, Washington, D.C., transmitting, pursuant to law, a report on the final conclusion of the claim of the Pueblo de Acoma, plaintiff, against The United States of America, defendant, docket No. 266 (with accompanying papers); to the Committee on Appropriations.

Report on the Relative Cost of Shipbuilding in the Various Coastal Districts of the United States

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the relative cost of shipbuilding in the various coastal districts of the United States (with an accompanying report); to the Committee on Commerce.

Amendments to the Federal Boating Act of 1958

A letter from the Acting Secretary of Transportation, transmitting, pursuant to law, amendments to the regulations issued pursuant to the Federal Boating Act of 1958 (with an accompanying paper); to the Committee on Commerce.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to reassess food inspection roles of Federal organizations, Department of Agriculture, Department of Defense, Department of Health, Education, and Welfare, Department of the Interior (with an accompanying report); to the Committee on Government Operations.

Report on Salmon Falls Division, Upper Snake River Project, Idaho

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Salmon Falls Division, Upper Snake River Project, Idaho (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 5365. An act to provide for the conveyance of certain public land held under color of title to Mrs. Jessie L. Gaines of Mobile, Ala (Rept. No. 91–997).

By Mr. MONDALE, from the Committee on Labor and Public Welfare, with an amendment:

S. 5. A bill to promote the public welfare (Rept. No. 91–998).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 3838. A bill to prevent the unauthorized manufacture and use of the character "Johnny Horizon," and for other purposes; (Rept. No. 91–999).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 4046. A bill to provide that certain expenditures shall be regarded as local grants-in-aid to the Tornado Urban Renewal Project in Monroe, Wis.; to the Committee on Banking and Currency.

(The remarks of Mr. Proxmire when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. YOUNG of Ohio:

S. 4047. A bill to amend the act of August 31, 1954, relating to the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Young of Ohio when he introduced the bill appear earlier in the Record under the appropriate heading.)

By Mr. HART:

S. 4048. A bill to relieve the Archdiocese of Detroit from liability for interest attributable to certain late payments of taxes; to the Committee on Finance.

(The remarks of Mr. Hart when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. YOUNG of North Dakota:

S. 4049. A bill to authorize the Secretary of the Army to convey certain lands in the State of North Dakota to the Mountrail County Park Commission, Mountrail County, N.D.; to the Committee on Armed Services.

By Mr. STEVENS:

S. 4050. A bill to authorize the issuance of U.S. conservation savings bonds in order to afford an opportunity for the people of the United States, through the purchase of such bonds, to participate in the financing of programs to conserve and improve the Nation's environment; to the Committee on Finance.

(The remarks of Mr. Stevens when he introduced the bill appear later in the Record under the appropriate heading.)

S. 4051. A bill for the relief of Fiore Lekanof; and

S. 4052. A bill for the relief of United Contractors, a partnership consisting of James E. Ward, Elkan Morris, and Andrew J. Dickies; to the Committee on the Judiciary.

By Mr. CANNON (for himself and Mr. Bible):

S. 4053. A bill to include Cambodia and Laos within the existing combat zone for purposes of the Internal Revenue Code of 1954; to the Committee on Finance.

(The remarks of Mr. Cannon when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MAGNUSON (for himself and Mr. Moss):

S. 4054. A bill to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; to the Committee on Commerce.

(The remarks of Mr. Magnuson when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. COOPER (for himself and Mr. Baker):

S. 4055. A bill to authorize appropriations for the fiscal years 1972 and 1973 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

(The remarks of Mr. Cooper when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. BELLMON:

S. 4056. A bill to establish a Fiscal Stabilization Board as an independent agency of the Government, and to authorize the President, upon recommendation of the Board but subject to disapproval of either House of the Congress, to increase or decrease Federal income taxes in order to stabilize the economy; to the Committee on Finance.

(The remarks of Mr. Bellmon when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. COOPER (for himself, Mr. Baker, Mr. Cook, Mr. Spong, Mr. Byrd of Virginia, and Mr. Dominick):

S. 4057. A bill to amend the Federal Coal Mine Health and Safety Act of 1969; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Cooper when he introduced the bill appear later in the Record under the appropriate heading.)

S. 4046—INTRODUCTION OF A BILL TO PROVIDE URBAN RENEWAL RELIEF FOR MONROE, WIS.

Mr. PROXMIRE. Mr. President, I am introducing legislation for the relief of the City of Monroe, Wis. Monroe, a city of more than 8,000 residents, was hard hit by a tornado on April 11, 1965. Since the area destroyed within the city limits had been designated for possible industrial use, the city then applied for an urban renewal grant from the Department of Housing and Urban Development to assist in the cleanup and reconstruction of the ravaged area as an industrial park. Emergency repairs were made immediately, the expenditures for which were to be considered a part of the local contributions for urban renewal purposes. Such expenditures were accepted by HUD and would have been considered as local contributions had the project received final approval from HUD within 36 months of the time the application was initially filed, as required by the law.

In March of 1968, the legality of the Monroe project was questioned by a group of residents and the case was taken to the circuit court. Upon losing the case in the lower court, the resident group appealed to the Wisconsin Supreme Court which upheld the lower court's decision. Since the urban renewal application could not be processed while the case was in litigation for many months, the project was held up in the Chicago HUD office and could not be approved within the 36-month statutory time limit. It has since received formal approval by HUD. The bill I have introduced would waive the 36-month time limit in order to permit the city of Monroe to count its initial emergency expenditures as part of the local contributions.

I would like to point out that the enactment of this bill will not change the substance of the current urban renewal law in any way. The expenditures on this portion of the Monroe project were definitely entitled to be considered as a local contribution and are unfortunately not now eligible because of an unavoidable delay in obtaining final approval of the project due to litigation. My bill will merely permit the city of Monroe to take full advantage of our urban renewal program as have thousands of other cities throughout the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4046) to provide that certain expenditures shall be regarded as local grants-in-aid to the Tornado Urban Renewal Project in Monroe, Wis., introduced by Mr. Proxmire, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 4048—INTRODUCTION OF A BILL TO RELIEVE THE ARCHDIOCESE OF DETROIT FROM LIABILITY FOR LATE PAYMENT OF TAXES

Mr. HART. Mr. President, I introduce a bill to relieve the Archdiocese of Detroit from liability for interest owing to the Government for late payment of income taxes by one of their agencies established under a Federal program to aid the unemployed.

The Archdiocese of Detroit, aware of the needs of the poor in the inner city of Detroit, and willing to lend them aid, placed the required local contributions into the programs established by the Government under the Economic Opportunity Act. The city of Detroit established what was known as the "Mayor's Committee of Human Resources Development," and the Archdiocese became a delegate agency of the city of Detroit.

As such a delegate agency, the Archdiocese established certain programs, and, in accordance with Government specifications, hired inner city nonprofessional workers, to obtain the maximum feasible participation of the poor and the untrained.

The director was a member of the clergy and a trained social worker, who had the responsibility of establishing and guiding the programs approved by the Government. The assistant director was a bookkeeper, appeared to be very knowledgeable in that field, and, within a few months, was elevated to assistant director and business administrator of the agency. He was charged with the duty and responsibility of supervising and controlling the finances of the agency; preparation of financial reports for city and governmental agencies; and all internal reports. The national accounting firm of Ernst & Ernst was retained to review and audit these programs. In October 1965, they supplied him with a manual entitled "Standard Practices for Accounting and Administration," which established accounting procedures, forms, and instructions to guide him. During his tenure of office, the programs multiplied almost 12 times, and the staff grew accordingly. In his zeal to carry out the mandate of the program, to hire the poor and untrained, he added non-professional employees to the bookkeeping section, which was designed to keep the records and account for the receipt and expenditure of all money coming into the agency.

The growth in the number of programs, the rapid employment of the poor and untrained, created many problems; but the greatest problems arose out of the prolonged delays that occurred between the time a program was approved and the necessary funds were forwarded to cover such programs. These delays, of from 2 to 6 months, were constant, because of a lack of appropriations for the programs. The assistant director, deeming it necessary to meet the payrolls, because of the immediate needs of the employees, used whatever funds were available, confidently expecting that his bookkeeping would ultimately be brought up to date. When diocesan authorities asked about the taxes due for withholding purposes, he always replied that provision had been made for the same.

In September 1968, the assistant director and 37 other employees went on strike and never returned to work, at which point the Archdiocese had the opportunity to examine the records and discover that the withholding taxes had not been paid. It was immediately reported to the Internal Revenue Service that such taxes were due and would be paid. A committee was established, which included three prominent men, all controllers of large companies and/or accountants, to provide assistance and control of the financial aspect of the program. A large accounting firm was retained to work under the direction of this committee, and to assemble and reconstruct the records necessary to determine the liability of the agency to the Government. Their work was delayed considerably, because many of the essential records could not be located. There is some indication that some of the striking employees took with them, or destroyed, such records as they had. The committee and accounting firm immediately saw to it that the current taxes were paid and then began the work of preparing the delinquent returns. The first delinquent return was made on December 10, 1968, and the final delinquent return was made on July 1, 1969; and all taxes have been paid.

Penalties have been waived by the Government, but there is no provision in the law for the waiving of interest. There was never any intention, on the part of the Archdiocese, to avoid paying any taxes due; there was no knowledge of any default in the payment of taxes; and the Archdiocese has loaned over $300,000 of its own money in the furtherance of these programs.

Accordingly, in the interest of fairness to the Archdiocese, in recognition of its bona fide effort to carry out the program responsibly, and in order to avoid deterring future local undertakings by other institutions, it is appropriate to relieve the Archdiocese of any liability for interest owing to the Government for late payment.

The PRESIDING OFFICER (Mr. Eagleton). The bill will be received and appropriately referred.

The bill (S. 4048) to relieve the Archdiocese of Detroit from liability for interest attributable to certain late payments of taxes, introduced by Mr. Hart, was received, read twice by its title, and referred to the Committee on Finance.

S. 4050—INTRODUCTION OF A BILL TO AUTHORIZE THE ISSUANCE OF U.S. CONSERVATION SAVINGS BONDS

Mr. STEVENS. Mr. President, I introduce, for appropriate reference, a bill which would create U.S. conservation savings bonds.

In response to the concern of many Americans interested in preserving the quality of environmental life in our country, I believe this bill will give us a new option.

Many Americans, patriotic to our Nation, still think of savings bonds as defense bonds. While not supporting particular aspects of our foreign policy, they still love the United States and want to contribute to its growth and preservation.

My bill will establish the conservation trust fund. Proceeds from the sale of conservation savings bonds will go into this trust fund, and may be expended only for conservation purposes.

Passage of this legislation will enable Americans who feel that their voices are not being heard to actively participate in one segment of our democratic process.

I ask unanimous consent that my bill be printed in the Record immediately following my remarks.

The PRESIDING OFFICER (Mr. Spong). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S.4050) to authorize the issuance of U.S. conservation savings bonds in order to afford an opportunity for the people of the United States, through the purchase of such bonds, to participate in the financing of programs to conserve and improve the Nation's environment, introduced by Mr. Stevens, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new section 22B be added to the Second Liberty Bond Act to read as follows:

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SEC. 22B. (a) In addition to the United States savings bonds, and retirement and savings bonds authorized to be issued under sections 22 and 22A of this Act, respectively, the Secretary of the Treasury is authorized to issue, from time to time United States conservation savings bonds, the proceeds of which shall be deposited in the trust fund created by sub-section (b) of this section. Conservation savings bonds shall bear such rates of interest, shall be in such forms, shall be offered in such amounts, subject to the overall debt limitation imposed by section 21 of this Act, shall be issued in such manner, and shall be subject to such terms and conditions, including any restrictions on their transfer, as the Secretary of the Treasury may from time to time prescribe.

(b) There is hereby created within the Treasury of the United States a conservation savings bond trust fund hereinafter referred to as the fund. All proceeds from the sale of conservation savings bonds shall be deposited in the fund. Amounts in the fund are hereby authorized to be appropriated without fiscal year limitation, for expenditures for conservation purposes.

S. 4053—INTRODUCTION OF A BILL TO INCLUDE CAMBODIA AND LAOS WITHIN THE EXISTING COMBAT ZONE FOR PURPOSES OF THE INTERNAL REVENUE CODE OF 1954

Mr. CANNON. Mr. President, I introduce, for appropriate reference, on behalf of myself and Senator BIBLE, a bill to remedy an existing tax inequity regarding American servicemen who have served or been killed in Cambodia.

Because of what appears to have been an oversight, Cambodia is not designated as a combat zone and consequently the widows and children of 253 American servicemen killed in Cambodia will lose the tax break they would have received if their sponsors had died in Vietnam.

Special tax benefits have been granted to GI's, airmen, and sailors in the combat zone, which President Johnson defined in 1965 as "Vietnam and adjacent waters." Enlisted men pay no taxes at all on their salaries, and officers are exempted up to the first $500 a month.

For the heirs of those killed in Vietnam, all income taxes on service pay are waived.

But for tax purposes, Cambodia is outside the combat zone. The GI's who crossed into Cambodia will collect combat pay, because they are stationed in Vietnam. But they may be required to pay taxes on salaries they have accrued while cleaning out the Communist sanctuaries. For those who have fallen in action, their estates are ineligible for tax exemptions.

The same loss of tax breaks applies to the 400 servicemen, mostly pilots, who have been killed or are missing in Laos.

Accordingly I propose to correct this with a bill to include Cambodia and Laos within the existing combat zone for purposes of the Internal Revenue Code of 1954.

It is hoped that the Finance Committee will give this most important legislation the expeditious action it deserves in order that it can become law at the earliest possible time.

The PRESIDING OFFICER (Mr. SPONG). The bill will be received and appropriately referred.

The bill (S. 4053) to include Cambodia and Laos within the existing combat zone for purposes of the Internal Revenue Code of 1954, introduced by Mr. CANNON (for himself and Mr. BIBLE), was received, read twice by its title, and referred to the Committee on Finance.

S. 4054—INTRODUCTION OF A BILL TO PROTECT CONSUMERS

Mr. MAGNUSON. Mr. President, for myself and the Senator from Utah (Mr. Moss) I introduce a bill for appropriate reference.

The PRESIDING OFFICER (Mr. GRAVEL). The bill will be received and appropriately referred.

The bill (S. 4054) to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes, introduced by Mr. MAGNUSON (for himself and Mr. Moss), was received, read twice by its title, and referred to the Committee on Commerce.

S. 4055—INTRODUCTION OF THE ADMINISTRATION'S PROPOSED "FEDERAL-AID HIGHWAY ACT OF 1970"

Mr. COOPER. Mr. President, it is my pleasure today to introduce for myself and the junior Senator for Tennessee (Mr. BAKER) the administration's bill to authorize appropriations for the Federal-Aid Highway program and other purposes. The bill extends the date for completion of the National System of Interstate and Defense Highways to 1976 from the current target date of 1974 and provides authorization of necessary funds for those years. In addition to authorizing appropriations for the Federal-aid primary, secondary and urban extensions systems from the highway trust fund, the bill proposes that several additional programs be financed with trust fund revenues. These programs include forest highways, public lands highways safety, and highway beautification.

In the area of highway safety, the bill would guarantee the section 403 programs which include research and development, grants to States and local governments and other institutions for demonstration projects; training and education of safety personnel, development of accident investigation programs, and other programs, would be funded adequately to begin to make significant impact on the fatality and injury problems of our highways. Inadequate funding of the highway safety authority has hampered the program since its beginning in 1966. The administration proposes amounts of $70 million for fiscal year 1972 and $115,000,000 for fiscal year 1973; this compares, with $30 million for 1970 and $37.5 million for 1971. Funding of highway safety programs from the trust fund was provided by the Senate version of the Federal-Aid Highway Act of 1968, and was one of the provisions which was lost in a long and most difficult conference with the House of Representatives. It is gratifying to me that the administration is proposing an increase in funding in 1970—the tragedy of highway death and injury with its 150 deaths per day must be stopped. While comparing death with death may appear specious, I think the fact that more people die each year on American highways than have died throughout the entirety of our combat in Southeast Asia is a sobering if not horrifying perspective on the problem confronting us.

Another area which the administration proposes to bring under trust fund financing is the highway beautification program. Like the safety program this program has suffered from inadequate funding. The beautification effort has had additional problems due to its requirements of State legislative action and some Federal administrative uncertainty. The scenic enhancement and landscaping sections of the act, 319, have received the greatest funding and support. No one seems to mind making the roadway more attractive with planting and trees and creative uses of medians and rights-of-way. The definition of scenic enhancement has been broadened to include rest stops and overlooks which points out one very important aspect of the beautification program. It is in many respects a safety program on the grounds that relaxed, rested, drivers who are surrounded with a pleasant, but not distracting, environment are more likely to be safe drivers.

However, as my colleagues well know, the other two sections of the beautification program have not received adequate funding. These are the junkyard screening and control program under section 136 of title 23 and outdoor advertising control under section 131. The administration's proposal deals with procedures which have delayed the program by modifying and clarifying the penalty provisions, removing the arbitrary distance limits from the roadway on both signs and junkyards, and replacing that with a visibility test, and providing the orderly and equitable removal of signs through timetables agreed to by the Secretary of Transportation and the States with the Federal share of just compensation on hand. In addition, the administration proposal includes a section for the development of demonstration projects in cooperation with the States to determine the best way to implement section 131—language similar to that passed by the Senate on November 11, 1969. In my view, the bill recommended by Secretary Volpe goes a long way in clearing up problems which have thwarted the intent of Congress and the desires of the Nation's people to have safe and beautiful highways, as well as efficient avenues of commerce and marvels of engineering.

The Senate Committee on Public Works has already held a week of hearings on various aspects of the Federal-aid highway program, with a view to developing the Federal-Aid Highway Act of 1970. Starting July 13 the subcommittee will hold another week of hearings. The Department of Transportation will testify on Thursday, the 16th of July. Many events in the past 2 years, particu-

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larly the revolution in national awareness of ecology and the environment, are providing new perspectives for the committee in considering the future direction of the Federal-aid highway program. I hope my colleagues will make their thoughts and opinions available to the chairman, Senator RANDOLPH, and other members of the committee, in any way they desire.

Mr. President, I ask unanimous consent that the text of the bill, the letter of transmittal from the Department of Transportation, and a section-by-section analysis be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER (Mr. GRAVEL). The bill will be received and appropriately referred; and, without objection, the bill, letter, and analysis will be printed in the RECORD.

The bill (S. 4055) to authorize appropriations for the fiscal years 1972 and 1973 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, introduced by Mr. COOPER (for himself and Mr. BAKER), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 4055

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL-AID HIGHWAY ACT OF 1970

SHORT TITLE

SECTION 101. SHORT TITLE FOR TITLE I.—This title may be cited as the Federal-Aid Highway Act of 1970".

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 102. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of $1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of $1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of $2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of $2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of $2,800,000,000 for the fiscal year ending June 30, 1966, the additional sum of $3,000,000,000 for the fiscal year ending June 30, 1967, the additional sum of $3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of $3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of $2,700,000,000 for the fiscal year ending June 30, 1970, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1971, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1972, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1973, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1974, the additional sum of $3,750,000,000 for the fiscal year ending June 30, 1975, and the additional sum of $3,500,000,000 for the fiscal year ending June 30, 1976.

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPROPRIATION OF INTERSTATE FUNDS

SEC. 103. The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1972, 1973, and 1974, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5 of House Document Numbered 91-317, Ninety-first Congress.

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 104. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "eighteen years" and inserting in lieu thereof "twenty years" and by striking out "June 30, 1974", and inserting in lieu thereof "June 30, 1976".

(b) The introductory phrase and the second and third sentences of section 104(b) (5) of title 23, United States Code, are amended by striking "1974" where it appears and inserting in lieu thereof "1976", and such section 104(b) (5) is further amended by striking the two sentences preceding the last sentence and inserting in lieu thereof the following: "The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to April 10, 1970. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System, after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1973. Upon approval of such estimate by the Congress by concurrent resolution, the Secretary shall use such approved estimate in making apportionments for the fiscal years ending June 30, 1975, and June 30, 1976.

AUTHORIZATIONS

SEC. 105. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, $1,100,000,000 for the fiscal year ending June 30, 1972, and $1,100,000,000 for the fiscal year ending June 30, 1973. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, out of the Highway Trust Fund, $200,000,000 for the fiscal year ending June 30, 1972, and $200,000,000 for the fiscal year ending June 30, 1973.

(3) For forest highways, out of the Highway Trust Fund, $33,000,000 for the fiscal year ending June 30, 1972, and $33,000,000 for the fiscal year ending June 30, 1973.

(4) For public lands highways, out of the Highway Trust Fund, $16,000,000 for the fiscal year ending June 30, 1972, and $16,000,000 for the fiscal year ending June 30, 1973.

(5) For forest development roads and trials, $100,000,000 for the fiscal year ending June 30, 1972, and $170,000,000 for the fiscal year ending June 30, 1973.

(6) For public lands development roads and trails, $3,000,000 for the fiscal year ending June 30, 1972, and $5,000,000 for the fiscal year ending June 30, 1973.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1973.

(8) For Indian reservation roads and bridges, $30,000,000 for the fiscal year ending June 30, 1973.

(9) For the Federal-aid primary system and the Federal-aid secondary system, exclusive of their extensions in urban areas, out of the Highway Trust Fund, $125,000,000 for the fiscal year ending June 30, 1972, and $125,000,000 for the fiscal year ending June 30, 1973, such sums to be in addition to the sum authorized in paragraph (1) of this subsection. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 60 per centum for projects on the Federal-aid primary highway system; and

(B) 40 per centum for projects on the Federal-aid secondary system.

(10) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), out of the Highway Trust Fund, $70,000,000 for the fiscal year ending June 30, 1972, and $115,000,000 for the fiscal year ending June 30, 1973, such sums to remain available for expenditure for two years after the close of the fiscal year for which such sums are appropriated.

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 106. Subsection (b) of section 135 of title 23, United States Code, is amended to read as follows:

"(b) The Secretary may approve under this section any project on an extension of the Federal-aid primary or secondary system in urban areas for improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, fringe parking facilities, and loading and unloading ramps, if such project is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title."

DARIEN GAP HIGHWAY

SEC. 107. (a) Chapter 2 of title 23, United States Code, is amended by adding at the end thereof the following:

"§ 215. Darien Gap Highway

"(a) The United States shall cooperate with the Government of the Republic of Panama and with the Government of Colombia in the construction of approximately two hundred and fifty miles of highway in such countries in the location known as the 'Darien Gap' to connect the Inter-American Highway authorized by section 212 of this title with the Pan American Highway System of South America. Such highway shall be known as the 'Darien Gap Highway'. Funds authorized by this section shall be obligated and expended subject to the same terms, conditions, and requirements with respect to the Darien Gap Highway as are funds authorized for the Inter-American Highway by subsection (a) of section 212 of this title.

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"(b) The construction authorized by this section shall be under the administration of the Secretary, who shall consult with the appropriate officials of the Department of State with respect to matters involving the foreign relations of this Government, and such negotiations with the Governments of the Republic of Panama and Colombia as may be required to carry out the purposes of this section shall be conducted through, or authorized by, the Department of State.

"(c) The provisions of this section shall not create nor authorize the creation of any obligations on the part of the Government of the United States with respect to any expenditures for highway survey or construction heretofore or hereafter undertaken in Panama or Colombia, other than the expenditures authorized by the provision of this section.

"(d) Appropriations made pursuant to any authorization for the Darien Gap Highway shall be available for expenditure by the Secretary for necessary administrative and engineering expenses in connection with the Darien Gap Highway program.

"(e) For the purposes of this section the term 'construction' does not include any costs of rights-of-way, relocation assistance, or the eliminate of hazards of railway grade crossings."

(b) The analysis of chapter 2 of title 23, United States Code, is hereby amended by adding at the end thereof the following:

"215. Darien Gap Highway."

(c) There is hereby authorized to be appropriated not to exceed $100,000,000, to remain available until expended to enable the Secretary of Transportation to carry out section 215 of title 23, United States Code.

CONTROL OF OUTDOOR ADVERTISING

SEC. 108. (a) Section 131(b) of title 23, United States Code, is amended to read as follows:

"(b) On or after January 1, 1971, or after the expiration of the next regular session of a State legislature, whichever is the later, Federal-aid highway funds apportioned to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are visible from the main traveled way of the system, shall be reduced for the first year of noncompliance by amounts equal to one per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, with the reduction of an additional one per centum for each succeeding year of noncompliance but not in excess of a total of 10 per centum until such time as such State shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever a State has made adequate provision for effective control as required by this section but is unable to carry out such provision because of a declaration by a court of competent jurisdiction or a ruling of the Attorney General of such State, then the Secretary may suspend the application of this subsection to such State until 60 days after the adjournment of the next session of the State legislature having authority to consider such declaration or ruling. Should a constitutional amendment be required, the application of this subsection shall be suspended until the Secretary, taking into consideration the constitutional processes of the State involved, determines that the State has had a reasonable opportunity to make adequate provision for effective control in accordance with this section.

(b) Section 131(c) of title 23, United States Code, is amended to read as follows:

"(c) Effective control means that after January 1, 1971, or after the expiration of the next regular session of a State legislature, whichever is the later, such signs, displays, and devices shall, pursuant to this section, be limited to (1) direction and official signs and notices, which signs and notices shall include, but not be limited to, information in the specific interest of the traveling public, signs, and notices pertaining to natural wonders, scenic and historical attractions, which are required or permitted by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning the lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section, (2) signs, displays, and devices advertising the sale or lease of property upon which they are located, and (3) signs, displays, and devices advertising activities conducted on the property on which they are located."

(c) Section 131(d) of title 23, United States Code, is amended to read as follows:

"(d) In order to promote the reasonable orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary. The States shall have full authority under their own zoning laws to zone areas for commercial or industrial purposes, and the actions of the States in this regard will be accepted for the purposes of this Act. Whenever a bona fide State, county, or local zoning authority has made a determination of customary use, such determination will be accepted in lieu of controls by agreement in the zoned commercial and industrial areas within the geographical jurisdiction of such authority. Nothing in this subsection shall apply to signs, displays, and devices referred to in clauses (2) and (3) of subsection (c) of this section."

(d) Section 131(e) of title 23, United States Code, is amended to read as follows:

"(e) Any sign, display, or device to which subsection (g) of this section is applicable shall be required to be removed on a scheduled basis as the Federal share of just compensation becomes available for this purpose. The schedule shall be determined by agreement between the Secretary and the State. Unless the Federal share of just compensation is not available, no schedule shall extend beyond the end of the fifth year after such signs, displays and devices have become nonconforming under State law. Any other sign, display or device lawfully erected which does not conform to this section shall not be required to be removed until the end of the fifth year after it becomes nonconforming."

(e) Section 131(g) of title 23, United States Code, is amended to read as follows:

"(g) Just compensation shall be paid upon the removal of the following outdoor advertising signs, displays, and devices—

"(1) those lawfully in existence on October 22, 1965,

"(2) those lawfully on any highway made a part of the Interstate or primary system on or after October 22, 1965 and before January 1, 1968, or the effective date of a State law enacted to comply with this section, whichever is the later,

"(3) those lawfully erected on or after January 1, 1968, or the effective date of a State law enacted to comply with this section, whichever is the later, and

"(4) those lawfully in existence beyond 660 feet of the nearest edge of the right-of-way and visible from the main traveled way of the Interstate System and the primary system on the effective date of a State law enacted to control such signs, displays and devices.

"The Federal share of such compensation shall be 75 per centum. Such compensation shall be paid for the following:

"(A) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device; and

"(B) The taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon."

(f) Section 131(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of the Highway Trust Fund, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $2,000,000 for the fiscal year ending June 30, 1970, not to exceed $27,000,000 for the fiscal year ending June 30, 1971, not to exceed $20,500,000 for the fiscal year ending June 30, 1972 and not to exceed $50,000,000 for the fiscal year ending June 30, 1973. The provisions of this chapter relating to the obligation, period of availability and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(g) Section 131 of title 23, United States Code, is amended by adding thereto:

"(o) The Secretary may, until June 30, 1972, enter into agreements with one or more States for demonstration projects to determine the best means of accomplishing the purpose of this section. Not to exceed $15,000,000 of the funds authorized to be appropriated for each of the fiscal years ending June 30, 1971 and June 30, 1972, shall be available to carry out this subsection."

CONTROL OF JUNKYARDS

SEC. 109. (a) Section 136(b) of title 23, United States Code, is amended to read as follows:

"(b) On or after January 1, 1971, or after the expiration of the next regular session of a State legislature, whichever is the later, Federal-aid highway funds apportioned to any State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are visible from the main traveled way of the system, shall be reduced for the first year of noncompliance by amounts equal to 1 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, with the reduction of an additional 1 per centum for each succeeding year of noncompliance, but not in excess of a total of 10 per centum, until such time as such State shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State."

(b) Section 136(c) of title 23, United States Code, is amended to read as follows:

"(c) Effective control means that by January 1, 1971, or after the expiration of the next regular session of a State legislature, whichever is the later, such junkyards shall be screened by natural objects, plantings, fences, or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight. Junkyards which are lawfully in existence and which the State finds suitable for screening shall be screened within five

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years, after Janury 1, 1971, or the effective date of a State law enacted to comply with this section, whichever is the later."

(c) Section 136(g) of title 23, United States Code, is amended to read as follows:

"(g) Notwithstanding any provision of this section, junkyards, auto graveyards, and scrap metal processing facilities may be operated within areas adjacent to the Interstate System and the primary system which are zoned industrial under authority of State law, or which are not zoned under authority of State law, but are used for industrial activities, as determined by the several States subject to approval by the Secretary."

(d) Section 136(h) of title 23, United States Code, is amended to read as follows:

"(h) Any junkyard to which subsection (j) of this section is applicable shall be required to be removed on a scheduled basis as the Federal share of just compensation becomes available for this purpose. The schedule shall be determined by agreement between the Secretary and the State. Unless the Federal share of just compensation is not available, no schedule shall extend beyond the end of the fifth year after such junkyards have become nonconforming under State law. Any other junkyard lawfully established which does not conform to this section shall not be required to be removed until the end of the fifth year after it becomes nonconforming."

(e) Section 136(i) of title 23, United States Code, is amended to read as follows:

"(i) The Federal share of the State's costs for landscaping, screening, relocation, removal or disposal under this section shall be 75 per centum."

(f) Section 136(j) of title 23, United States Code, is amended to read as follows:

"(j) Just compensation shall be paid the owner for the relocation, removal, or disposal of the following junkyards—

"(1) those lawfully in existence on October 22, 1965,

"(2) those lawfully along any highway made a part of the Interstate or primary system on or after October 22, 1965 and before January 1, 1968, or the effective date of a State law enacted to comply with this section, whichever is the later,

"(3) those lawfully established on or after January 1, 1968, or the effective date of a State law enacted to comply with this section, whichever is the later, and

"(4) those lawfully in existence beyond 1,000 feet of the nearest edge of the right-of-way and visible from the main traveled way of the Interstate System and the primary system on the effective date of a State law enacted to control such junkyards.

"The Federal share of such compensation shall be 75 per centum."

(g) Section 136(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section, out of the Highway Trust Fund, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $3,000,000 for the fiscal year ending June 30, 1970, not to exceed $3,000,000 for the fiscal year ending June 30, 1971, not to exceed $3,000,000 for the fiscal year ending June 30, 1972, and not to exceed $5,000,000 for the fiscal year ending June 30, 1973. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

LANDSCAPING AND SCENIC ENHANCEMENT

SEC. 110. Section 319(b) of title 23, United States Code, is amended to read as follows:

"(b) An amount equivalent to 3 per centum of the funds apportioned to a State for Federal-aid highways for any fiscal year shall be allocated to that State out of funds appropriated under authority of this subsection, which shall be used for landscape and roadside development within the highway right-of-way and for acquisition of interests in and improvement of strips of land necessary for the restoration, preservation, and enhancement of scenic beauty adjacent to such highways, including acquisition and development of public owned and controlled rest and recreation areas and sanitary and other facilities, including information center buildings, within or adjacent to the highway right-of-way reasonably necessary to accommodate the traveling public, without being matched by the State. The Secretary may authorize exceptions from this requirement, upon application of a State and upon a showing that such amount is in excess of the needs of the State for these purposes. There is authorized to be appropriated to carry out this subsection, out of the Highway Trust Fund, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, not to exceed $120,000,000 for the fiscal year ending June 30, 1967, not to exceed $20,000,000 for the fiscal year ending June 30, 1970, not to exceed $1,500,000 for the fiscal year ending June 30, 1972, and not to exceed $10,000,000 for the fiscal year ending June 30, 1973. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967."

HIGHWAY BEAUTIFICATION AUTHORIZATIONS

SEC. 111. Subsection (g) of section 6 of the Federal-Aid Highway Act of 1968 is amended to read as follows:

"(g) There is authorized to be appropriated, out of the Highway Trust Fund, for necessary administrative expenses in carrying out sections 131, 136, and 319(b) of title 23, United States Code, not to exceed $1,250,000 for the fiscal year ending June 30, 1969, not to exceed $1,250,000 for the fiscal year ending June 30, 1970, not to exceed $1,500,000 for the fiscal year ending June 30, 1971, not to exceed $1,500,000 for the fiscal year ending June 30, 1972, and not to exceed $3,000,000 for the fiscal year ending June 30, 1973."

STUDY OF ON-PREMISE SIGNS

SEC. 112. The Secretary is hereby authorized and directed to conduct a comprehensive study of on-premise signs which advertise the sale or lease of, or activities being conducted upon, the real property where the signs are located, in order to evaluate such signs in relation to section 131 of title 23, United States Code. The Secretary shall submit a report of such study, together with recommendations, to the Congress not later than January, 1972.

TITLE II—ESTABLISHMENT OF THE FEDERAL HIGHWAY SAFETY ADMINISTRATION

SEC. 201. (a) There is hereby established within the Department of Transportation a Federal Highway Safety Administration.

(b) The Federal Highway Safety Administration shall be headed by a Federal Highway Safety Administrator, who shall be appointed by the President, with the advice and consent of the Senate, and compensated at the rate now or hereafter provided for Level III of the Executive Schedule pay rates (5 U.S.C. 5314). The Administrator shall perform such duties as the Secretary of Transportation shall prescribe and shall report directly to the Secretary.

SEC. 202. (a) The President may authorize any person who immediately before the effective date of this Act held any office existing under the Highway Safety Act of 1966 to act as Administrator of the Federal Highway Safety Administration until the office of Administrator is for the first time filled pursuant to the provisions of this Act or by recess appointment, as the case may be.

(b) The President may authorize any person who serves in an acting capacity under subsection (a) of this section to receive the compensation attached to the office of Administrator. Such compensation, if authorized, shall be in lieu of, and not in addition to, other compensation from the United States to which that person may be entitled.

SEC. 203. Notwithstanding any other provision of law, the Secretary of Transportation may delegate any of the functions vested in him by the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) and the Highway Safety Act of 1966 (80 Stat. 731) to any officer or employee of the Department of Transportation designated by him, and may authorize successive redelegations of such functions.

SEC. 204. There are abolished the National Traffic Safety Bureau and the National Highway Safety Bureau and the position of the Director of each of those Bureaus.

SEC. 205. The Secretary of Transportation may from time to time effect such transfers within the Department of Transportation of any of the records, property, and personnel affected by this Act and such transfers of unexpended balances (available or to be made available for use in connection with any affected function or agency) of appropriations, allocations, and other funds of the Department, as he considers necessary to carry out this Act. However, any unexpended balances so transferred shall be used only for the purposes for which the appropriation was originally made.

SEC. 206. The first sentence of section 202(a) of the Highway Safety Act of 1966 (80 Stat. 731) is amended to read:

"The Secretary shall prepare and submit to the President for transmittal to the Congress on June 1 of each year a comprehensive report on the administration of the Highway Safety Act of 1966 (including chapter 4 of title 23 of the United States Code) for the preceding calendar year."

SEC. 207. The first sentence of section 404(a)(1) of title 23, United States Code, is amended to read:

"There is hereby established in the Department of Transportation a National Highway Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be chairman, the Federal Highway Administrator, the Administrator of the Federal Highway Safety Administration and thirty-five members appointed by the President, no more than four of whom shall be Federal officers or employees."

The material, presented by Mr. COOPER, is as follows:

SECTION-BY-SECTION ANALYSIS OF THE FEDERAL-AID HIGHWAY ACT OF 1970

TITLE I

Section 101. Short title

Provides that this title may be cited as the "Federal-Aid Highway Act of 1970".

Section 102. Revision of authorization of appropriations for Interstate System

Authorizes the appropriation of an additional $9.025 billion for completion of construction of the Interstate System. The 1970 Interstate System Cost Estimate shows that, based upon 1968 unit prices, the total estimated cost of the Interstate System is $69.87 billion, which is an increase of $13.37 billion over the 1968 Interstate System Cost Estimate. Of this increase, the Federal share is $11.86 billion and the States' share is $1.51 billion.

The $9.025 billion additional authorization contained in this bill is spread over a three-year period as follows:

[Dollars in billions]

Fiscal year	Authorizations in existing law	Authorizations in this bill	Authorization increases in this bill over existing law
1974	$2.225	$4	$1.775
1975	0	3.75	3.75
1976	0	3.5	3.5
Total			9.025

NOTE.—The Highway Revenue Act of 1956, as amended, will have to be amended this year to extend the October 1, 1972, termination date on revenues to the Highway Trust Fund, otherwise all of the Federal-aid highway funds authorized for fiscal year 1972 cannot be apportioned this year, as required by law. If this bill is enacted into law, consideration should also be given by the appropriate committees of the House to providing additional revenues to the Highway Trust Fund to meet expenditures that will result from the apportionment of funds authorized by this section.

Section 103. Authorization of use of cost estimate for apportionment of interstate funds

Approves the use of the apportionment factors contained in the 1970 Interstate System Cost Estimate (House Document 317, 91st Congress, table 5) for the apportionment of Interstate funds authorized to be appropriated for fiscal years 1972, 1973 and 1974.

Section 104. Extension of time for completion of system

This is a conforming amendment made necessary by authorizing the appropriation of Interstate funds for 2 additional fiscal years and to direct the Secretary to make an additional Interstate System Cost Estimate to be submitted to the Congress in January of 1973.

Section 105. Authorizations

Authorizes the appropriation of funds for each of the fiscal years 1972 and 1973, in the same amounts as authorized by existing law for fiscal year 1971, for the Federal-aid primary and secondary systems and their extensions within urban areas (the ABC program), for TOPICS and for forest highways and public lands highways. The authorizations for forest highways and public lands highways would be changed to come out of the Highway Trust Fund instead of the general fund of the Treasury.

The sums authorized for the fiscal years 1972 and 1973 for certain categories of roads administered by the Department of Agriculture and the Department of the Interior are as follows:

	1972	1973
Forest development roads and trails	$100,000,000	$170,000,000
Public lands development roads and trails	3,000,000	5,000,000
Park roads and trails	0	30,000,000
Indian reservation roads and bridges	0	30,000,000

The section also authorizes for the Federal-aid primary and secondary systems, exclusive of their extensions in urban areas $125,000,000 for each of fiscal years 1972 and 1973 (in addition to the sums previously authorized in this section for the ABC system) 60 percent to be expended on the primary and 40 percent on the Federal-aid secondary systems. These are the same amounts authorized for 1970 and 1971.

Authorizations are provided for highway safety research and development (23 U.S.C. 403) in the sum of $70,000,000 for fiscal year 1972 and $115,000,000 for fiscal year 1973. This compares with authorizations of $30,000,000 for 1970 and $37,500,000 for fiscal year 1971.

Section 106. Urban area traffic operations improvement programs (TOPICS)

The 1968 Act added a new section 135 to title 23, United States Code, establishing a continuing program designed to reduce traffic congestion and facilitate the flow of traffic within urban areas. Under this section the Secretary may approve projects on an extension of the Federal-aid primary or secondary systems in urban areas for improvements which facilitate and control traffic flow if the project is based on a continuing comprehensive planning process in accordance with 23 U.S.C. 134.

This section would amend 23 U.S.C. 135 so that fringe parking facilities would be an eligible part of a TOPICS project.

Section 107. Darien Gap Highway

This section would authorize the United States to cooperate with Panama and Colombia in the construction of 250 miles of highway located in those countries. This section of highway is known as the Darien Gap; completion of this section would connect the Inter-American Highway with the Pan-American Highway. Funds authorized would be obligated and expended subject to the same requirements as are applied to Inter-American Highway funds. The Secretary of Transportation would administer the construction and would consult with appropriate officials of the State Department with respect to foreign relations matters and negotiations with the other Governments. This section would not create any obligation on the part of the United States with respect to any expenditure for highway surveys or construction heretofore undertaken by Panama or Colombia other than those authorized by this section. Appropriations authorized shall be available for administrative and engineering expenses. "Construction" shall not include costs of right-of-way, relocation assistance or elimination of railway grade crossings. The sum of $100 million is authorized to carry out this section and is available until expended.

Section 108. Control of outdoor advertising

This section would amend section 131 of title 23, United States Code, to provide a 1 percent penalty for the first year of noncompliance and an additional 1 percent for each year of continued noncompliance up to 10 percent; the penalty would be applicable on or after January 1, 1971, or the next regular session of the State Legislature, whichever is later; the controlled area would be extended to the limits of visibility; sign removals covered by mandatory just compensation would be based on a schedule determined by agreement between the Secretary and a State consistent with the availability of Federal funds. All signs are to be removed within, or by the end of 5 years after they become nonconforming; the directional and official category of signs would be broadened to include signs of specific interest to the traveling public such as gas, food and lodging; and just compensation provisions would be based on the effective date of a State compliance law and would cover signs beyond 660 feet from the Interstate and primary highway right-of-way. The Secretary of Transportation would be authorized to carry out demonstration projects with one or more States to determine the best means of implementing this section. Authorizations are provided out of the Highway Trust Fund for fiscal years 1971, 1972 and 1973.

Section 109. Control of junkyards

This section would amend section 136 of title 23, United States Code, with regard to the penalty and the dates upon which it would become applicable consistent with section 131; screening would be required within 5 years for all lawfully existing junkyards; the controlled area would be extended to the limits of visibility; junkyard removals would be consistent with sign removals under section 131; Federal participation in State costs would be extended to cover removal, relocation, and disposal in addition to landscaping and screening; and just compensation would be extended consistent with the applicable provisions in section 131. Authorizations are provided out of the Highway Trust Fund for fiscal years 1971, 1972 and 1973.

Section 110. Landscaping and scenic enhancement

This section would amend section 319(b) of title 23, United States Code, to include the costs of developing publicly owned and controlled information center buildings. Authorizations are provided out of the Highway Trust Fund for fiscal years 1972 and 1973.

Section 111. Highway beautification authorization

This section would amend section 6(g) of the Federal-Aid Highway Act of 1968 to provide authorizations out of the Highway Trust Fund for necessary administrative expenses in carrying out sections 131, 136 and 319(b) of title 23, United States Code, for fiscal years 1971, 1972 and 1973.

TITLE II

Section 201 establishes within the Department of Transportation a Federal Highway Safety Administration which would be headed by an Administrator. The Administrator would be appointed by the President with the advice and consent of the Senate, and would be compensated at Executive Level III. He would report directly to the Secretary of Transportation, as do the other Administrators within the Department.

Section 202 authorizes the Secretary to appoint an interim Administrator with the same powers, duties, and compensation as the permanent Administrator. The interim Administrator must have occupied a position under the Highway Safety Act of 1966 immediately prior to the creation of this new Administration.

Section 203 would authorize the Secretary of Transportation to delegate directly any functions vested in him by the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) and the Highway Safety Act of 1966 (80 Stat. 731) to any officer of the Department, who may in turn redelegate such authority. The Department has had to use a cumbersome system of delegation from the Secretary to the Director of the National Highway Safety Bureau and subsequent redelegation from that official to the Federal Highway Administrator to carry out certain functions of the Highway Safety Act. This section will permit a direct Secretarial delegation by clearly lodging all authority provided under the Highway Safety Act and the National Traffic and Motor Vehicle Safety Act in the Secretary without restriction.

Section 204 abolishes the National Highway Safety Bureau and the National Traffic Safety Bureau, and the positions of their Directors.

Section 205 authorizes the Secretary to transfer personnel, records, and funds within the Department consistent with this measure and the intent of Congress. Any funds could be used only for the purposes for which they were originally authorized.

Section 206 requires the submission of the Safety Annual Report by June 1 rather than March 1 as is required previously. This is necessary as year-end statistical data does not become available until the end of February.

Section 207 adds the Administrator of the Federal Highway Safety Administration to the National Highway Safety Advisory Committee.

S. 4056—INTRODUCTION OF A BILL TO PROVIDE AN EFFECTIVE AND WORKABLE SYSTEM OF FISCAL STABILIZATION

Mr. BELLMON. Mr. President, I introduce a bill intended to provide an effective and workable system of fiscal stabilization for our country, and ask that it be appropriately referred.

The PRESIDING OFFICER (Mr. GRAVEL). The bill will be received and appropriately referred.

The bill (S. 4056) to establish a Fiscal Stabilization Board as an independent agency of the Government, and to authorize the President, upon recommendation of the Board but subject to disapproval of either House of the Congress, to increase or decrease Federal income taxes in order to stabilize the economy, introduced by Mr. BELLMON, was received, read twice by its title, and referred to the Committee on Finance.

Mr. BELLMON. Mr. President, this action is taken in light of the Senate's recent action in raising the debt ceiling. This effort to hold down our deficit and to maintain the fiscal stability of our country through the device of a debt ceiling, which is not working, has convinced me that there must be a better way of achieving this highly desirable and important result.

Our present system of attempting to stabilize our country has produced tremendous tensions and hardships and has threatened this country with financial paralysis.

I would like to pay tribute to Mr. Carl Williams, a member of my staff and former director of finance for the State of Oklahoma, who has worked on this bill for the past several months.

This bill contains three features. It provides for a Fiscal Stabilization Board. Second, it provides the President with authority to adjust our income taxes either up or down by 10 percent. Finally, it provides for the establishment of a fiscal stabilization trust fund, into which funds produced by upward adjustments of income taxes would be funneled.

In my judgment, this legislation will provide an effective, flexible, workable tool to assist the President and the Congress in our efforts to produce a strong, stable, prosperous economy in which all Americans can share.

Mr. President, the Government of the United States has for many years made larger expenditures than its receipts. From June 30, 1961, through March 31, 1970, the Government spent $84.3 billion more than it received, raising the interest-bearing public debt from $286 billion to $370 billion.

The cost of servicing the Federal debt in 1961 was $8.8 billion a year. It has now skyrocketed to $20.2 billion. During this period the cost of living has increased to the point that the purchasing power of the consumer's dollar has declined by almost 30 percent.

The growth of inflation in recent years has brought about intolerable conditions in the domestic economy by its adverse effects on the poor and aged, and its equally serious effects on the balance of payments. It is therefore no surprise that there has been for some time widespread dissatisfaction in the country about the Federal Government's methods of domestic financial housekeeping, and moreover, there has been considerable anxiety about the future of the U.S. dollar which is the anchor to the international financial system of exchange.

The Government establishment must have the means to stabilize the economy and to promote orderly growth. The two main instruments available to achieve these goals are monetary policy administered by the Board of Governors of the Federal Reserve System by regulating the cost and availability of money and capital, and fiscal policy executed by the Administration in the disbursement of funds, and by the Congress in the authorization and appropriation of funds.

Presumably, the Federal Reserve Board, the administration, and the Congress cooperate closely to achieve the same goals. It seems, however, that the Fed is more concerned about stability, the administration is more concerned about growth and unemployment, and the Congress tends to appropriate more funds than can be financed from current revenues.

One cannot help but look at the complex character of the structure of the country's financial management and wonder how it can possibly work efficiently considering the different constraints and influences affecting each one of these three entities.

There is in every private enterprise economy the inherent problem of recurring business cycles. Anyone who has seen or read about the depression of the thirties knows that such tragedy must not happen again. The five recessions observed in the post World War II period have been rather mild and short lived. This may be at least partially due to the fact that the economy now has a number of potent built-in stabilizers. There is, nevertheless, the potential danger that a major recession can happen and this thought alone has created a bias in our thinking; we prefer to see the Federal Government overstimulate the economy rather than understimulate it. For this reason many prefer an "active" fiscal policy as witnessed by the Federal tax reductions of 1964 and 1965.

The counterpart of such an active fiscal policy is the need to equally quickly trim Federal expenditures, to reduce appropriations, and/or to raise taxes when the overall level of expenditures in the economy goes far beyond the country's capacity to produce. Existing counterparts do not appear to work well because the Congress keeps on appropriating more funds for new programs. In total these cannot be financed from the current flow of revenue and thus deficit financing and inflation follows.

The underlying cyclical instability in our economy requires a clear and irrevocable commitment by the Federal Establishment to combat recessions. This responsibility may at times require conscious creation of Federal deficits. Without such a commitment the country's businessmen and private investors cannot be expected to continue to make long-term capital investments in business. They make these investments because there is the confidence now that the economy will continue to be both prosperous and stable. New investment in modernization and expansion of business and industry is one of the mainsprings of rising productivity. This confidence, even if based on an inflationary bias of big business and organized labor, must not be shaken, and it need not be. However, while maintaining confidence and prosperity in the business community, there is ample opportunity within the course of the business cycle for the Federal Government to keep Federal deficits and inflation in better check than has been the case in the recent past.

There is an urgent need for the U.S. Congress to become more circumspect in appropriating funds for new Federal programs that require deficit financing and fuel the forces of inflation. In this no one questions the success of either the Congress to enact good legislation, or the success of the private enterprise system. Our private enterprise system has been a remarkable engine for progress. It has provided opportunities for private initiative and innovation, and it has produced a higher standard of living than any nation in the world. Yet, much remains to be done. Two of these problems are the large minority of our citizens who have not fully shared in this prosperity, and the recurring and increasingly important problem of inflation.

Mr. President, inflation is a cruel enemy. By distorting the distribution of income, it most deeply hurts the poor and the aged. These are the people living on fixed incomes and whose incomes do not rise with the cost of living. They are cruelly punished by the declining purchasing power of their income caused by inflation. In addition, the rapid decline in the purchasing power of the dollar in recent years endangers the United States as the leader of the free world, as it undermines the strength of the U.S. dollar in international finance and investments. The comfortable surplus on current account of the balance of payments, averaging some $4 billion in the fifties and early sixties, is now virtually gone. As a result, the dollar's position in the world as a medium of exchange and as a reserve asset has come into question and may cause a run on the U.S. gold supply.

This course of events alone suggests that there is sufficient ground to question the process by which this stability and growth is achieved; that is, the country's "financial management."

There is no question about the need for both the administration and the Federal Reserve Board to have the power and flexibility to provide impetus to the economy when either a recession is threatening, or the need to have the resources to dampen the economy when an excessive boom and resultant instability is developing. In view of the tremendous spurts in Federal expenditures in the post-World War II period, for new military outlays and expanding social programs and the large accompanying Federal deficits when the economy is already moving ahead at full employment levels, some new rules are necessary if this country is to keep inflationary forces under control.

As pointed out above, large Federal budgetary deficits added to all other private and public expenditures in a fully employed economy are inflationary. If new large Federal spending programs are essential for national defense or for some other national emergency, either other Federal expenditures should be trimmed and/or expenditures in other sectors of the economy should be reduced to insure an orderly process of growth and stability.

The most recent effort to curb spiraling inflation, the 10-percent income tax surcharge, has failed because the foibles of politics prohibited its being placed into effect at the proper time for it to have the desired psychological effect. When it was finally effective, the Government injected it into the spending stream, instead of withholding it, as the Keynesian theory dictates. This had the unfortunate effect of heating the economy more than it likely would have otherwise, because had this money been left in the hands of the public, at least some of it would have been saved.

Another glaring inadequacy in the way we handle the country's financial and monetary affairs is the annual cynical exercise of raising the public debt limit. The Senate engaged in this practice a few days ago.

Last year, and again this week, I voted against extending the debt limit as a protest against the continuation of a useless, ineffective system which must be changed. In doing so, I stated that like many Americans, I have long opposed the phony and meaningless Federal debt ceiling as an effective control upon spending practices. The spectacle of one administration and Congress appropriating far in excess of the Government's anticipated income and then routinely voting to raise the debt ceiling has come to be repugnant to citizens who are genuinely concerned about the financial stability of our country.

Mr. President, I am convinced that a better method must be found to manage the financial affairs of this Nation—a workable plan for fiscal stabilization.

I am today introducing legislation to establish a Fiscal Stabilization Board to advise the President on the fiscal and monetary conditions of the country and to authorize him to raise or lower Federal income taxes as a means of stabilizing the economy.

This bill provides for a board of seven members to be appointed by the President, subject to confirmation by the Senate. This would be a bipartisan board, and, in order to provide a balance of opinion, it would consist of two members who have a background of business management, two representing labor's views, one with a Government background, one from the academic community and one at-large member.

Board members will serve 7-year staggered terms, and will be paid salaries commensurate with those drawn by members of the Federal Reserve Board.

The Board will have the responsibility to monitor the fiscal and monetary conditions of the United States and to advise the President accordingly. It will also be empowered to recommend to the President that he make necessary adjustments in the Federal income tax in order to achieve economic stability. Upon the recommendation of the Board, the President could either raise or lower taxes, but would be limited to an adjustment of 10 percent either way.

The President's authority would be limited to adjusting taxes for the sole purpose of stabilizing the national economy in order to provide full employment, maintain the purchasing power of the dollar, maintain the stability of the monetary system, or insure an orderly and healthy rate of economic growth.

The President would be required to prepare and submit a tax adjustment plan which would go into effect within 30 days, unless during that period of time either of the two Houses of Congress passes a resolution disapproving of the plan.

The proposal I am introducing includes provisions for the accumulation of revenues received by the Treasury as a result of an upward tax adjustment to a fiscal stabilization trust fund. Revenues transferred to the trust fund may not be appropriated by the Congress so long as the tax increase remains in effect. Under the terms of the bill, these moneys may be transferred by the Secretary of Treasury to the general fund during periods when a minus tax adjustment is in effect. These provisions are intended to assist in stabilizing the economy by withdrawing funds from the economy stream during inflationary periods and having them available for expenditure when the economy shows signs of receding.

This provision is superior to the present system which has resulted in the Government taking increased amounts of money from its citizenry in the name of economic stabilization only to have these funds spent by the Congress. The result has been as mentioned earlier, not deflationary, but rather inflationary.

Since coming to the Senate 18 months ago, I have been concerned with this problem and have sought diligently for a method by which we could avoid the kind of situation we have in our economy today. My staff and I have devoted a considerable amount of study and research to this matter. Conferences have been held with economists, businessmen, representatives of various Federal agencies, Members of the House and Senate, and many others. These discussions have produced many worthwhile ideas and suggestions. We have drafted and ultimately rejected several plans involving different approaches to the problem. The proposal we have finally developed is far from perfect, but I believe it is a reasonable beginning point which will be helpful to the Congress in arriving at an improved system of economic stabilization.

Mr. President, the passage of this legislation will provide the Chief Executive of this country with a versatile effective tool to assist him in this vitally important responsibility of maintaining a stable and vigorous national economy.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 4056) is as follows:

S. 4056

A bill to establish a Fiscal Stabilization Board as an independent agency of the Government, and to authorize the President, upon recommendation of the Board but subject to disapproval of either House of the Congress, to increase or decrease Federal income taxes in order to stabilize the economy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this may be cited as the "Fiscal Stabilization Act of 1970".

TITLE I—FISCAL STABILIZATION BOARD

SEC. 101. Establishment of board.

(a) There is hereby established as an independent agency of the Government a Fiscal Stabilization Board (hereinafter referred to as the "Board").

(b) The Board shall consist of seven Members appointed by the President, by and with the advice and consent of the Senate. Not more than four Members may be affiliated with the same political party. Two Members shall have had experience in management, two shall have had experience in the field of labor, one shall have had experience in government, and one shall have had experience in academic affairs.

(c) Each Member shall be appointed for a term of seven years, except that the terms of the Members first appointed shall expire, as designated by the President at the time of appointment, at the end of one, two, three, four, five, six, and seven years, respectively, from the date of the appointment of the first Member. The term of each Member thereafter appointed shall commence upon the expiration of the term for which his predecessor was appointed. A Member appointed to fill a vacancy in the membership of the Board occurring before the end of a term of office shall serve under such appointment only for the remainder of that term.

(d) Four Members of the Board shall constitute a quorum. A vacancy in the Board shall not affect its powers. No Member shall, during his term of office, engage in any vocation or employment other than the work of the Board.

(e) A Member of the Board may be removed from office by the President only for inefficiency, neglect of duty, or malfeasance in office.

Sec. 102. Chairman; Salaries.

(a) The President shall, from time to time, designate one of the Members of the Board to serve as Chairman. No Member may serve as Chairman for a total period of more than two years during each term of his office as a Member of the Board.

(b) Section 5313 of title 5, United States Code, (relating to positions at level II of the Executive Schedule) is amended by adding at the end thereof the following:

"(20) Chairman, Fiscal Stabilization Board."

(c) Section 5314 of title 5, United States Code, (relating to positions at level III of the Executive Schedule) is amended by adding at the end thereof the following:

"(55) Members, Federal Stabilization Board."

Sec. 103. Functions and Duties.

(a) It shall be the function and duty of the Board—

(1) to monitor the fiscal and monetary conditions of the United States and to advise the President with respect thereto, and

(2) to recommend to the President action to be taken by him to stabilize the national economy pursuant to the authority conferred by part VII of subchapter A of chapter 1 of the Internal Revenue Code of 1954.

A recommendation to the President under paragraph (2) may be made only upon the affirmative vote of at least four Members of the Board.

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(b) The Board shall, on or before January 31 of each year, submit to the Senate and the House of Representatives a full and complete report setting forth—

(1) its activities during the preceding year,

(2) its judgment with respect to the fiscal and monetary conditions of the United States during the preceding year, and

(3) its judgment with respect to the anticipated fiscal and monetary conditions of the United States for the year in which such report is submitted.

Sec. 104. Powers.

(a) The Board is authorized to appoint and fix the compensation of such officers and employees, and prescribe their functions and duties, as may be necessary to assist it in carrying out its functions and duties.

(b) The Board is authorized to obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

(c) The Board is authorized to procure information, data, and statistics from any department or agency of the Government, and the head of each such department or agency is authorized, upon request of the Chairman of the Board, to furnish such publication, data, and statistics to the Board.

(d) The Board is authorized to issue such publications as it determines necessary or desirable in carrying out its functions and duties.

(e) The Board is authorized to adopt, alter, and use a seal and to prescribe such rules and regulations as it determines necessary or desirable in carrying out its functions and duties.

Sec. 105. Authorization of appropriations.

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the provisions of this title.

TITLE II—ADJUSTMENT OF INCOME TAXES FOR ECONOMIC STABILIZATION

Sec. 201. Tax Adjustment Plans.

(a) In general—Subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to determination of tax liability) is amended by adding at the end thereof the following new part:

"PART VII—TAX ADJUSTMENT PLANS

"Sec. 59a. Findings and policy.
"Sec. 59b. Tax adjustment plans.
"Sec. 59c. Contents and duration of tax adjustment plans.
"Sec. 59d. Miscellaneous provisions.

"(a) FINDINGS.—The Congress finds that the achievement of reasonable economic stability and optimal levels of employment requires a flexible fiscal policy responsive to changing conditions. The Congress further finds that, within the limitations and for the purposes set forth in this part, such a policy requires an improved procedure to make timely adjustments in the amounts of income taxes imposed by this chapter.

"(b) POLICY.—The President shall exercise the authority conferred by this part solely for the purpose of stabilizing the national economy in order (1) to achieve the policy set forth in section 2 of the Employment Act of 1946, (2) to maintain the purchasing power of the dollar, (3) to maintain the stability of the monetary system, or (4) to insure an orderly and healthy rate of economic growth.

"Sec. 59b. Tax Adjustment Plans.

"(a) PREPARATION AND SUBMISSION TO CONGRESS.—

"(1) IN GENERAL.—When the President determines that an adjustment in the taxes imposed by this chapter is necessary to accomplish one or more of the purposes stated in section 59a, he shall prepare a tax adjustment plan and transmit the plan (bearing an identification number) to the Congress.

"(2) LIMITATIONS.—A tax adjustment plan—

"(A) may be submitted by the President only if, within 90 days prior thereto, the Fiscal Stabilization Board has recommended to the President that he exercise the authority conferred by this part,

"(B) may not propose a plus or minus tax adjustment percentage greater than that recommended to the President by the Fiscal Stabilization Board, and

"(C) may not propose a longer effective period for tax adjustment than that recommended to the President by the Fiscal Stabilization Board.

Only one tax adjustment plan may be in effect at any time.

"(b) HOW SUBMITTED.—The President shall have a tax adjustment plan delivered to both Houses on the same day and to each House while it is in session. In his message transmitting a tax adjustment plan, the President shall specify the reasons for submitting the plan to the Congress.

"(c) DISAPPROVAL BY CONGRESS.—

"(1) IN GENERAL.—A tax adjustment plan shall take effect at the end of the first period of 30 calendar days of continuous session of the Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the 30-day period, either House of the Congress passes a resolution stating in substance that such House disapproves the tax adjustment plan.

"(2) CONTINUITY OF SESSION.—For purposes of paragraph (1)—

"(A) the continuity of a session shall be broken only by an adjournment of the Congress sine die; and

"(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of the 30-day period.

"(d) PUBLICATION.—Any proposed tax adjustment plan shall be printed in the Federal Register, and any tax adjustment plan which takes effect shall be printed in the Statutes at Large in the same volume as the public laws.

"Sec. 59c. Contents and Duration of Tax Adjustment Plans.

"(a) IN GENERAL.—A tax adjustment plan submitted to the Congress under section 59b shall—

"(1) specify a plus or minus tax adjustment percentage,

"(2) specify its effective date (which may be on or after the date on which the plan is submitted to the Congress),

"(3) specify the termination date for the change in taxes or provide that the change made by the plan shall remain in effect until a termination date is provided by law or by a later tax adjustment plan,

"(4) prescribe tables which shall apply, in lieu of the tables contained in section 3402 (relating to income tax collected at source), with respect to wages paid during the period specified in the plan, and

"(5) contain such other provisions as the President determines are necessary to carry out the purposes of this part and the plan.

"(b) SPECIAL PROVISIONS.—A tax adjustment plan may—

"(1) provide tables specifying the amount of additional tax or reduction in tax within specified adjusted tax brackets,

"(2) exempt taxpayers whose adjusted tax does not exceed the amount specified in the plan from any increase in tax provided by the plan,

"(3) provide that any decrease in tax provided by the plan shall not apply in the case of taxpayers whose adjusted tax exceeds the amount specified in the plan, and

"(4) specify different tax adjustment percentages (plus or minus) for different taxable years or other periods specified in the plan.

"(c) DURATION.—A tax adjustment plan which has taken effect shall continue in effect until:

"(1) The date (if any) specified in the plan for its termination;

"(2) The date specified in a new tax adjustment plan which takes effect as provided by section 59b; or

"(3) The date provided by law enacted after the date on which the plan was submitted to the Congress.

"(d) DEFINITIONS.—For purpose of this section—

"(1) TAX ADJUSTMENT PERCENTAGE.—The term 'tax adjustment percentage' means the percentage, not greater than 10 percent, specified in a tax adjustment plan as the percentage by which the adjusted tax for any taxable year is to be increased or decreased under the plan.

"(2) ADJUSTED TAX.—The term 'adjusted tax' means, with respect to any taxable year, the tax imposed by this chapter for such taxable year, determined without regard to—

"(A) the taxes imposed by this part, section 56 (relating to minimum tax), section 871(a) (relating to tax on nonresident alien individuals), and section 881 (relating to tax on income of foreign corporations not connected with United States business); and

"(B) any increases in tax under section 47(a) (relating to certain dispositions, etc., of section 38 property) or section 614(c)(4)(C) (relating to increase in tax for deductions under section 615(a) prior to aggregation),

and reduced by an amount equal to the amount of any credit which would be allowable under section 37 (relating to retirement income) if no tax were imposed by this section for such taxable year.

"Sec. 59d. Miscellaneous Provisions.

"(a) SPECIAL RULE.—For purposes of this title, to the extent the tax imposed by this section is attributable (under regulations prescribed by the Secretary or his delegate) to a tax imposed by another section of this chapter, such tax shall be deemed to be imposed by such other section.

"(b) WESTERN HEMISPHERE TRADE CORPORATIONS AND DIVIDENDS ON CERTAIN PREFERRED STOCK.— In computing, for a taxable year of a corporation, the fraction described in—

"(1) section 244(a)(2), relating to deduction with respect to dividends received on the preferred stock of a public utility,

"(2) section 247(a)(2), relating to deduction with respect to certain dividends paid by a public utility, or

"(3) section 922(2), relating to special deduction for Western Hemisphere trade corporations,

the denominator shall, under regulations prescribed by the Secretary or his delegate, be increased or decreased to reflect the tax adjustment percentage.

"(c) SHAREHOLDERS OF REGULATED INVESTMENT COMPANIES.—In computing the amount of tax deemed paid under section 852(b)(3)(D)(ii) and the adjustment to basis described in section 852(b)(3)(D)(iii), the percentages set forth therein shall be adjusted under regulations prescribed by the Secretary or his delegate to reflect the tax adjustment percentage."

(b) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) Section 21(a) of the Internal Revenue Code of 1954 (relating to effect of changes in tax rates during taxable year) is amended by adding immediately below paragraph (2) thereof the following new sentence: "If the amount of a tax imposed by this chapter is increased or decreased under part VII (relating to tax adjustment plans) such in-

crease or decrease shall be deemed a change in the rate of tax of such tax for purposes of this subsection."

(2) The table of parts for subchapter A of chapter 1 of such Code is amended by adding below the last item thereof the following:

"Part VII. Tax adjustment plans."

Sec. 202. Effective Date.

The amendments made by section 201 shall apply to taxable years ending after the date of the enactment of this Act.

TITLE III—RULES FOR CONGRESSIONAL ACTION ON TAX ADJUSTMENT PLANS

Sec. 301. Exercise of Rulemaking Power.

(a) The following subsections of this section are enacted by the Congress:

(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (b)); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(b) As used in this section, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the ——— disapproves the Tax Adjustment Plan transmitted to the Congress by the President on ———, 19—.", the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled.

(c) All resolutions with respect to a tax adjustment plan introduced in the Senate shall be referred by the President of the Senate to the Committee on Finance, and all resolutions with respect to a tax adjustment plan introduced in the House of Representatives shall be referred by the Speaker of the House to the Committee on Ways and Means.

(d)(1) If the committee to which has been referred a resolution with respect to a tax adjustment plan has not reported it before the expiration of ten calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such tax adjustment plan which has been referred to the committee.

(2) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same tax adjustment plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(3) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same tax adjustment plan.

(e)(1) When the committee has reported, or has been discharged from further consideration of a resolution with respect to a tax adjustment plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(2) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(f)(1) All motions to postpone, made with respect to the discharge from committee or the consideration of a resolution with respect to a tax adjustment plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

(2) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a tax adjustment plan shall be decided without debate.

TITLE IV—FISCAL STABILIZATION TRUST FUND

Sec. 401. Establishment

There is hereby established in the Treasury of the United States a trust fund to be known as the "Fiscal Stabilization Trust Fund" (hereinafter referred to as the "Trust Fund"). The Trust Fund shall consist of amounts appropriated to it as provided in section 402.

Sec. 402. Transfers to Trust Fund of Amounts Equal to Tax Increases Under Tax Adjustment Plans.

(a) There is hereby appropriated to the Trust Fund amounts equivalent to the taxes received in the Treasury which are attributable to tax adjustment plans in effect under part VII of subchapter A of chapter 1 of the Internal Revenue Code of 1954.

(b) Whenever a tax adjustment plan specifying a plus tax adjustment percentage is in effect, the Secretary of the Treasury shall, from time to time, transfer the amounts appropriated by subsection (a) from the general fund of the Treasury to the Trust Fund on the basis of estimates made by him. Proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than amounts required to be transferred.

Sec. 403. Transfers to General Fund of Amounts Equal to Tax Reductions Under Tax Adjustment Plans.

(a) There is hereby appropriated to the general fund of the Treasury amounts equivalent to the reduction in taxes (whether by way of credit or otherwise) attributable to tax adjustment plans in effect under part VII of subchapter A of chapter 1 of the Internal Revenue Code of 1954.

(b) Whenever a tax adjustment plan specifying a minus tax adjustment percentage is in effect, the Secretary of the Treasury shall, from time to time, transfer the amounts appropriated by subsection (a) from the Trust Fund to the general fund of the Treasury on the basis of estimates made by him. Proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in execess of or less than amounts required to be transferred.

Sec. 404. Management of Trust Fund.

(a)(1) It shall be the duty of the Secretary of the Treasury to invest moneys in the Trust Fund not required to meet withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (i) on original issue at the issue price, or (ii) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Trust Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the Public Debt; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

(2) Any obligation acquired by the Trust Fund (except special obligations issued exclusively to the Trust Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(3) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(b) It shall be the duty of the Secretary of the Treasury to report to the Congress each year on the financial condition and the results of the operations of the Trust Fund. Such report shall be printed as a House document of the session of the Congress to which the report is made.

S. 4057—INTRODUCTION OF AMENDMENTS TO THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Mr. COOPER. Mr. President, for myself and for the Senator from Tennessee (Mr. BAKER), my colleague from Kentucky (Mr. COOK), the junior Senator from Virginia (Mr. SPONG), the senior Senator from Virginia (Mr. BYRD), and the junior Senator from Colorado (Mr. DOMINICK), I introduce as a bill, amendments to the Federal Coal Mine Health and Safety Act of 1969, and ask that the bill be appropriately referred.

The PRESIDING OFFICER (Mr. GRAVEL). The bill will be received and appropriately referred.

The bill (S. 4057) to amend the Federal Coal Mine Health and Safety Act of 1969, introduced by Mr. COOPER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. COOPER. Mr. President, I would like to say, however, that the amendments which I have submitted do not affect provisions of the present law which were intended to promote and advance coal mine health and safety. In fact, my amendments do not concern at all the health requirements of the present law. The amendments would deal with some problems which I predicted in

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the debate on the Senate bill, were not properly resolved in the proposed legislation and the solutions of which were not adequately advanced at the time by Mr. O'Leary, who was then Director of the Bureau of Mines.

The proposed changes concern those provisions of the law requiring a certain type of braking equipment that is not now available, nor will be available for purchase, and those provisions relating to the location of mine office signs and mine maps, fines for initial violations, and hearing procedure schedules. There is a sixth amendment proposed in the bill which I intended to offer, but I shall withhold doing so today, because I want to consider the language further.

The proposed amendments are not intended to be a revision of the present law, but should serve as a first step toward securing necessary changes in the present legislation. As we acquire more experience with the operation of the new legislation, I am sure that additional amendments will be needed to make the 1969 act more workable and flexible, at the same time reaffirming those provisions that directly contribute to the health and safety of our miners.

The Federal Coal Mine Health and Safety Act of 1969 went into effect on March 28, and the Department of the Interior issued its initial regulations on April 1. One of the immediate problems experienced by many coal mine operators was that they did not understand the requirements of the new law and regulations and, second, they did not have a reasonable time, opportunity, or equipment available once they comprehended the requirements to bring themselves into compliance.

When the coal mine health and safety bill was considered by the Senate Labor and Public Welfare Committee last year, and when it was debated on the floor of the Senate, I offered an amendment both in the committee and on the floor to retain the distinction between gassy and nongassy mines. I stated that the provision in the Senate bill to remove the distinction would not advance coal mine safety. I went on to point out that the new electrical equipment required by the Senate bill for the nongassy mines could not be manufactured and made available to the operators within the prescribed time limits of the proposed law.

I regret that the then Director of the Bureau of Mines, Mr. O'Leary, did not testify before the Senate Labor and Public Welfare Committee on the question of the cost and the availability of the equipment which would be required, when the committee was considering the Senate bill. However, when Mr. O'Leary appeared before the Senate Appropriations Subcommittee hearing on the Bureau of Mines' budget for fiscal 1971, in February of this year, I requested the chairman of the subcommittee, the distinguished Senator from Nevada (Mr. BIBLE) that I be given an opportunity to question Mr. O'Leary on the subject of the availability of equipment and Bureau of Mines' enforcement procedures under the new law. In his answers, Mr. O'Leary readily admitted that much of the new equipment, for example, required to be installed by March of 1971, would not be available, and that the operator acting in good faith would nevertheless be in violation of the act and subject to penalty and fine, although a nominal one.

Mr. President, I ask unanimous consent of Mr. O'Leary's answers to Senator BIBLE's questions and my questions on this and related matters be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRAINING OF MINE INSPECTORS

Senator BIBLE. You are proposing a $700,000 increase up to $1,324,000 for training mine inspectors, indicating that the funds are for initial training of new personnel to be employed during fiscal year 1971. This appears to be just about a doubling of the prior appropriation; is this correct?

Mr. O'LEARY. Yes; it is a massive increase in the work force to comply with this new act.

Senator BIBLE. What did you do with the funds you had in the past fiscal year? Did you have about $624,000 in the current year?

Mr. O'LEARY. It is right in that level. In the current fiscal year we are running two and possibly three major training cycles. We have one now going on at Mount Hope which will be a 4-month cycle with 50 people involved. We have one soon to commence at the University of West Virginia.

I believe we are planning another one in Pittsburgh as soon as the intake of new personnel warrants that, and that is how we will spend the $600,000-odd for this year.

Senator BIBLE. What about your training in 1971?

Mr. O'LEARY. During the remainder of 1970 and during 1971 we will be bringing in several hundred new inspectors, and we will have to provide for their training. We will simply add training units to the facility which is now located at Mount Hope, and we will augment the work at the University of West Virginia.

At the present time, we are continuing the old training programs but, at the same time, we are involved in that contract with the University of West Virginia that Senator Byrd and I discussed in which the new training program is being outlined. At the moment, we are having to make do with what we have. We hope to improve that in the relatively near future.

ASSISTANCE REQUESTED BY COAL MINING INDUSTRY

Senator BIBLE. It is indicated that the coal mine industry is seeking health and safety assistance. Just what type of assistance generally does the coal industry seek?

Mr. O'LEARY. Well, for example, either this week or next we will have a staff of experts going to a mine in Oklahoma which had 16 emissions in the past year. Although they are pushing a lot of air into the working areas of the mine, they are running into quite hazardous conditions. We are taking some ventilation people out there. I might say in passing, Mr. Chairman, we probably have about half a dozen people fully qualified in ventilation and they represent 50 percent of the trained people in ventilation in the country. We are taking our own people out to see if we can provide some assistance in ventilation so we can eliminate this one problem.

Senator BIBLE. Do the mining companies contribute anything to that work?

Mr. O'LEARY. No, sir. We feel it is fully justified on the basis of the overall significance of the result. One of the questions I had when I first heard about this was: Are we competing in the professional field on this? The competence of the Bureau of Mines is so unique that there is no competition.

Similarly, about 3 months ago there was a coal outburst in a mine under very heavy overburden in the Rocky Mountain area. In this case, the people who work for Tom Howard, who was up before you this morning, were requested to come up with recommendations for an improved method. The physical situation of this mine is unlike that which we find in other areas. They are operating under about 2,300 feet of overburden in very unstable ground and the pressures are tremendous. We are looking at that in the hope that we can come up with some means for the operation to continue economically and safely. This is the sort of assistance that is contemplated.

HEALTH AND SAFETY GRANTS

Senator BIBLE. You are asking for $400,000 for grants. How much are they and what is the purpose for which a grant is made in health and safety?

Mr. O'LEARY. Title V of the new act instructs the Secretary of Interior to work with the Secretary of HEW and the Secretary of Labor in developing criteria for these grants. Mr. Wheeler has been working with his counterparts in the two other agencies looking toward the publication of some form of criteria about April 1, but at the moment we have no really defined ideas as to how this can be administered.

Senator BIBLE. To whom would a grant go?

Mr. O'LEARY. Directly to the State.

Senator BIBLE. Is it matched by the State?

Mr. O'LEARY. No, sir. The law has a specific formula on the limit of such grants but there is no in-kind requirement on the State. No State has availed itself of the authority despite the fact that we have had it for a number of years. The new requirement puts no matching restriction on the funds.

Senator BIBLE. There are coal mining problems in Kentucky. If that State wanted a grant of, say, $100,000, what would have to be the purpose of the grant? Just give me an example.

Mr. O'LEARY. To revert back to training, they might want to provide for an intensive course in ventilation in mine air control.

Senator BIBLE. The Bureau of Mines within the State of Kentucky would come to you and say, "We would like to have $100,000 to further air ventilation in the mines of Kentucky," and if it met your criteria, you could make such a grant to the State of Kentucky to continue research and education in that field?

Mr. O'LEARY. That is correct. In one State which heretofore has not been too prominent in this area there is a tentative plan to do some reorganizing of the State inspectors. The paid for consultants working on the plan will be on the order of $2,200 to $2,500. The State has no funds for this amount and I have asked Mr. Weaver to look at it. We have these funds available which can be so long as they further the objectives of the act.

HEALTH AND SAFETY RESEARCH

Senator BIBLE. I have two more questions on health and safety research. You are proposing a budget of some $20,620,000, an increase of about $10,800,000 over the amount appropriated in fiscal year 1970. Please describe to the committee what will be done with these funds, indicating particularly the health fields which will be examined.

Mr. O'LEARY. This is essentially directed to the area of dust control which I covered a few moments ago.

SAFETY RESEARCH

Senator BIBLE. An additional $7.6 million is proposed for safety research in coal mine work. Please discuss this research.

Mr. O'LEARY. This is one of the most helpful aspects of this legislation. I think it is fair to say that there is essentially a virgin field here for improvements in the coal min-

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ing technology. The coal companies have been unable to afford the research until very recently. I do not know but I have heard from such people as the dean of engineering of the Universtiy of Pennsylvania that all of the advanced technology in the last 20 years was more or less by accident. This money will be used by Tom Howard's people to take a look at how to design improved systems, to get, first of all, the product, because that, Mr. Chairman, pays the freight and, secondly, to achieve the safety, I think, we should have in mining in this country, and, additionally, accomplish the environmental control which was discussed earlier. The market is now ripe for this and this is the best way to get at it.

Senator Bible. Senator Cooper would you like to ask your questions now?

Senator Cooper. I am glad to see you again. The Mine Health Safety Act becomes effective March 30th, does it not?

Mr. O'Leary. That is right.

AVAILABILITY OF PERMISSIBLE HAND-HELD EQUIPMENT

Senator Cooper. I think it is provided in the first year that small voltage equipment must be installed in all mines, certain types of equipment?

Mr. O'Leary. Yes, the permissible hand-held equipment.

Senator Cooper. Is that equipment available?

Mr. O'Leary. It is to a degree. It is not available along the way and, of course, you can't require people to have what is not available.

Senator Cooper. It is not available now to install in mines.

As I recall the mine safety bill, there are about 450 mines which were formerly termed gaseous and about 3,000 that were normally termed nongaseous. Now, those 3,000 and also others that did not use this type of equipment, first, this small voltage permissible equipment must be installed and within a year?

Mr. O'Leary. Sir, it must be installed within a year; otherwise the operator of that mine is technically not in compliance with the statute that the Congress enacted. If he is technically not in compliance with the act, we will not have any choice in that matter, but the penalty can be essentially nominal. As the equipment becomes available, and then the operator has not availed himself of the equipment and continues to be out of compliance, then under the statute that the Congress enacted, the penalty will rise accordingly.

Senator Copper. Your testimony is, it is not immediately available?

Mr. O'Leary. There are some machines that have not been manufactured for years.

Senator Cooper. Do you anticipate equipment of this first type will be available in March of 1971?

Mr. O'Leary. The equipment would probably not be available to cover all circumstances.

Senator Cooper. In the event this equipment is not available to all mine operators, will the mine operators who do not have this equipment available to them be penalized?

Mr. O'Leary. As I pointed out, he will be technically not in compliance with the standard that you enacted, and under the act the Secretary of the Interior has no alternative when someone is out of compliance but to assess a penalty. However, the size of the penalty can be nominal; it would not be a crippling penalty.

Senator Cooper. 600 of the mines in my State make every effort to obtain this equipment or attempt to build it themselves. Will the Bureau of Mines close them down if they cannot be in compliance?

Mr. O'Leary. The Bureau of Mines will not close down anyone unless there is imminent danger under essentially the same rules we use now or unless there is unwarranted failure to comply.

Senator Cooper. Where a good faith effort is made, they will not be closed down except where there is imminent danger?

Mr. O'Leary. Or unless there is unwarranted failure. If the man is making an effort to get into compliance with the act, we would not close him down, unless there is imminent danger.

Senator Cooper. This is a problem we had in the development of this bill, as you will recall, Senator Bible.

PENALTY FOR NONCOMPLIANCE

Senator Bible. If I understood Mr. O'Leary correctly in this period March 30, 1970, to March 31, 1971, if mining company "X" does everything it can do to comply with this permissible equipment and if it tries to get the equipment and cannot do so, then I understand him to say the Secretary of the Interior, while it is mandatory that he hold the owner of company "X" in noncompliance, nevertheless, his mine will not be closed down, but I think you said a nominal penalty could be imposed. What does that mean? If a man is doing the best he can to conform and he cannot get the equipment because it is not available, it looks like he is acting in good faith. Therefore, what kind of penalty would the Secretary of the Interior impose?

Mr. O'Leary. Where the man was acting in absolutely good faith and there was no imminent danger present, I would expect that the fine would be an amount that simply would not bother the man.

Senator Bible. Is that $5, $10, $30, $50?

Mr. O'Leary. It would be my recommendation that it be even lower than that—perhaps $1.

Senator Bible. If the little mining operator is doing his best to conform and it is not a dangerous mine and he cannot get the equipment to comply, it seems a little unfair to fine him very much.

Mr. O'Leary. Senator Bible, this might seem like an unreasonable box we placed ourselves in, but I would like you to know I was the one who recommended that there be no option. I recognized from the outset, where there was every evidence of an attempt to perform, that you could not put an actual penalty on the operation. The fellow is technically in noncompliance and technically we must fine him under the law, but we will not expect the fine, in the circumstances we have described here, to represent any real hardship. In the circumstances where he makes no effort to procure the equipment or if imminent danger is present, then he is not in compliance and we must act accordingly.

Senator Bible. I understand your second illustration.

Mr. O'Leary. Mr. Chairman, I think this calls for one further rejoinder. In my view, if we cause wholesale closures of coal mines, as a result of the first few months' implementation of this act, the Bureau of Mines will have failed. We are not simply policemen. We have other responsibilities. The Bureau of Mines has some responsibility for the Nation's supply of fuels but by no means is this our total responsibility. If by unwise or imprudent administration of this act we damage the mining industry, we will have failed in our total responsibility to the public of this country. I have heard these charges that everybody is going to be closed down by April 15, and so on, and I will tell you that to the degree that I have anything to do with it, it simply will not occur. We will do what the Congress requires us to do but we will do it with prudence with the spirit of the overall congressional intent.

Senator Bible. Thank you, Mr. O'Leary.

Senator Cooper. I am glad to hear what you said about the nominal penalty and where a mine will not be closed down where a good faith effort is made and the equipment cannot be secured. I cannot yet see why a penalty could be imposed if a person cannot meet the test. I think it is wrong, absolutely wrong.

PERMISSIBLE HEAVY EQUIPMENT REQUIREMENTS

Before the 5 years have elapsed, the operator must provide additional heavy face equipment. Would the same rule apply there, in the event the equipment was not available and the operators made a good faith effort to find the equipment, purchase equipment, rebuild equipment so they could be installed and yet they could not meet the deadline. What would be the attitude of the Bureau of Mines in that instance?

Mr. O'Leary. Senator, my understanding is he will have available to him a mechanism built into the law. The law provides an interim compliance panel, and he will be able to take his case to that body. If he makes his case before it, he will get relief from the provisions for the time necessary for that relief.

Senator Cooper. I remember one day we were together before the Senate Committee on Labor and Public Welfare, and I believe you stated at that time a minimum of 5 years would be required to produce the manufacture in your judgment of the permissible equipment that would be required.

Mr. O'Leary. You will recall there was a movement at that time to require that permissible equipment go into all of the mines within the country within 12 months from the effective date of the act. It was my position, and continues to be my position, that that is an impossibility. But there are some grandfathered items of equipment that should take priority, and it will take a matter of some years. My estimate is about 5 years for the equipment manufacturers to gear up in an orderly fashion to manufacture permissible equipment to cover all of the circumstance. The Congress finally adopted that view in the final version and recognized also that there are contingencies even with the built-in time where a person through no fault of his own would be in technical noncompliance. The interim compliance panel provides a mechanism for extricating him from there.

COAL MINE INSPECTORS

Senator Cooper. How many inspectors for underground coal mines does the Bureau of Mines now employ?

Mr. O'Leary. We have approximately 300 now.

Senator Cooper. How many will you recruit for the job you think you must do now?

Mr. O'Leary. We will have before the end of 1970, if we are successful, very close to 1,000.

Senator Cooper. Where do you expect to get the men?

Mr. O'Leary. We are getting them from the middle layer of management of the coal industry itself. There is a pool of approximately 10,000 people who are at the lower and middle management level within the industry. These are the section foreman and mine superintendents, and we would be drawing our new people in this fiscal year and next from this layer.

We recognize that taking some 3 percent of that pool this year and approximately 3 percent next year is going to cause some hardship. Therefore, we are trying to develop programs now with the industry that augment that pool.

I want to point out to you, Mr. Chairman, and to you, Senator Cooper, if we want to have skilled inspectors, there is no other area from which we can hire. We cannot have inexperienced people wandering around in these mines doing damage to themselves and to others. We must have skilled people and, indeed, the 1952 act recognized that. You will recall it required inspectors to have a minimum of 5 years practical experience. In practice we are going to trade some practical experience for education, but essentially we need and must have people with experience not simply in mining but in supervision in the mining environment to show the understanding that is required of an inspector under today's conditions.

ROLE OF STATES IN MINE SAFETY

Senator COOPER. What do you consider the role of the State Bureau of Mines in the field of mine safety?

Mr. O'LEARY. I think where the States have been aggressive and have developed inspectors over a long period of time—one example is Pennsylvania—they can make a massive contribution to the health and safety of coal miners.

Senator COOPER. I came here this afternoon to ask these questions because of complaints I have been receiving. I have not come here to belabor you but, nevertheless, I have come here to present the facts that have been given me. This Coal Mine Safety Act does place financial burdens upon the mines in my State. They were formerly mines termed nongaseous mines. There are about 1,000 of them. They must now equip themselves with permissible machinery. There is a good deal of argument as to how much they will have to go into debt, but the view of those in my State who are practical mine operators say it would put about half the mines out of business down there. I do not know whether it will or not, but I believe it will. I do not believe it would be economical for them to operate in the areas with coal in mind.

Now, they tell me the Bureau of Mines is placing an additional burden upon them. They are recruiting and taking away from them their foremen and their superintendents.

These people are absolutely necesary for the operation of a mine. Now, if I am correct, Mr. O'Leary, they will have to reequip and train other men how to operate mines and perform the services required by the Bureau of Mines. You are raiding these mines. We are contributing a lot in losses to the Bureau of Mines in my State.

Senator BIBLE. What would be the alternative?

Senator COOPER. That is why I suggested something to him about the State bureaus. We have one in Kentucky, a very good one which inspects our mines much more than the Bureau of Mines does. They have a good safety record. Why is it not possible to work out some arrangement with these State bureaus? I would say they have a better safety record than the Bureau of Mines all over the United States, and I know the one in my State has. Why can't you use some of their people and send your own along with them rather than taking the best employees of the coal mine?

Mr. O'LEARY. I would suspect even if we took advantage of the services of all of the State inspectors in all of the States in the Union, we would still fall far short of enough. We anticipate that the State inspectors will continue to do what they do. If they stop doing it and turn to what we are doing, they are not going to advance this process. We have searched just as hard as we know how to find alternatives to the course I have described to you. We knew at the very beginning, when we had to augment our work force, that the only place we could look for adequate talent was this middle range of the mining industry itself. It is not that we are going to take numerically a very large part of that management group. As I said, there are 10,000 people in that pool and we are going to draw on 300 of them in this fiscal year, and we are probably going to take 300 of them in the next fiscal year. We feel that pool should and can be replenished.

Now, this limits us in two ways: it limits our ability to meet coal requirements; and, two, our effectiveness is limited. I do not think there are many more than 100 qualified inspectors throughout the entire country, and we need 600 or 700 inspectors. We intend to cooperate with the States. The act states the Bureau of Mines will make four inspections a year. It states that it will make one spot inspection every 5 working days in certain classes of mines, and we have no way out of that.

As far as the other elements of the law are concerned, such as on the dust side, competence simply does not exist at the State level.

RECOMMENDATIONS FOR "GASSY" MINES

Senator COOPER. What do you intend to do in the mines which have been termed gaseous mines for so long?

Mr. O'LEARY. On this question, sir, I must hedge because my recommendation must be made to the Secretary and he will disclose that recommendation.

Senator COOPER. You expect to watch them very closely?

Mr. O'LEARY. Yes, sir; with 20 inspections a year.

ASSISTANCE TO OPERATORS FROM SMALL BUSINESS ADMINISTRATION

Senator COOPER. Under that provision of the act which provides for assistance from the Small Business Administration, has anything been done about that?

Mr. O'LEARY. As you may know, Senator, we had a 2-day briefing in the Department of the Interior Auditorium last week to which we invited representatives from the Small Business Administration. They attended and described how operators should apply for this assistance, giving them where to apply and giving them quite a bit of detail. So, the Small Business Administration is set up to do the job and will take applications at its field offices.

Senator COOPER. I thank you very much.

Senator BIBLE. I appreciate your coming today, Senator Cooper. I know you have great concern and I understand. Thank you very much.

Mr. COOPER. On April 23, the U.S. District Court of Virginia enjoined the Department of Interior from enforcing its regulations issued on April 1, dealing with the mine safety aspects. The injunction does not enjoin the Department from enforcing the health regulations; for example, dust standards, nor the procedural regulations for the Board of Mine Operations' Appeal. With respect to equipment, the order has the effect of prohibiting the Secretary from proceeding under section 104(b) of the act, when it can be shown the operator is without fault and that a lack of technology, the unavailability of equipment or materials, or the unavailability of certified, qualified, or registered personnel are responsible for the violation.

Referring again to Judge Widener's court order, I would note that the order does not restrict in any way the Department from proceeding to enforce the safety regulations in cases of imminent danger. This is the argument I have made for years. I am informed that the Department is continuing its inspection of all the mines covered by the safety regulations, although the Department is restrained from enforcing these regulations by the court order.

Mr. President, I ask unanimous consent that a copy of Judge Widener's order of April 23, as amended on April 30 be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPLAINT TO ENJOIN ENFORCEMENT OF FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969 AND FOR DECLARATORY JUDGMENT

(THREE-JUDGE COURT)

[United States District Court, Western District, Virginia]

A. M. Ratcliff, Jr., trading as Dilston Coal Company, No. 1, No. 2, No. 3, No. 4, No. 5 and No. 6 et al, Plaintiffs, v. Walter J. Hickell Secretary of Interior, Defendant, and Robert Finch, Secretary of Health Education, and Welfare, et al, Defendant, Civil Action, No. 70–C–50–A.

This day came the parties to this action by their attorneys upon the complaint of the plantiffs as amended seeking to enjoin the enforcement of the Federal Coal Mine Health and Safety Act of 1969, Public Law 91–173, and praying for a declaratory judgment, a temporary restraining order, and interlocutory and permanent injunctions in connection with the enforcement of the complaint. The United States had received one day's notice of this hearing and was represented by the U.S. Attorney for the Western District of Virginia.

The court considered the complaint, and the exhibits filed with the complaint, and heard the testimony of a witness ore tenus and argument of counsel.

And being of opinion that a part of the prayer of the complaint is well taken and ought to be granted, but that a part of the prayer of complaint is not well taken and ought not be granted, the court finds as a fact that irreparable damage will result to the plaintiffs, to the coal miners who work in the mines, and to the public, if a temporary restraining order is not issued in this action; it appearing that the mine operators will suffer a vast loss of income and the coal miners will suffer a vast loss of income, which can only be measured in hundreds of thousands or millions of dollars; that mines which are closed for any considerable period of time cannot economically be reopened because of the collection of water, the deterioration of the mining equipment and the physical deterioration of the mine itself due to the lack of pumping and daily maintenance during closed periods; that the mine operators will lose their employees; that the employees of the mine operators will be forced to seek other employment; that the mine operators will lose their market; and that the customers of the mine operators will lose their supply of coal which they are entitled to rely on at contract prices;

It is accordingly adjudged and ordered as follows:

I

That part of the prayer of the petition which seeks a restraining order to prevent the enforcement of Public Law 91–173 in its entirety shall be, and the same hereby is, denied.

II

The defendants are restrained from enforcing mandatory safety standards for underground coal mines as set out in the Federal Register of March 28, 1970, beginning on page 5221, it being the opinion of the court that such safety standards were not promulgated in accordance with Title 1 of Public Law 91–173.

III

The defendants are restrained from enforcing only that part of Title 2 of said Public Law which requires an application for non-compliance with dust standards to be filed on or before April 30, 1970, it being the opinion of the court that such provision is arbitrary at least, and is impossible of compliance.

IV

When imminent danger is not involved, the defendants are restrained from enforcing Title 3 of said Public Law in any manner other than in accordance with Section 104

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(h)(1) of said Public Law, only when defendants charge violations which may be corrected by the use of equipment which is not available for purchase, the court being of opinion that equipment which is not available for purchase cannot be effectively used to abate a condition through the use of existing technology. However, this subparagraph of this order shall in no way prevent the defendants from seeking any remedy provided under said Public Law by way of fine, penalty, or otherwise, including closure of mines, in the event, in the opinion of the defendants, the condition complained of is causing or resulting in imminent danger.

Nothing in this order shall restrain the defendants from enforcing by any legal means the correction of any condition which results in imminent danger to people working in the mines.

V

This is a temporary restraining order and is in effect to prevent irreparable danger only until the hearing and determination by the full court.

VI

This order restraining only the mandatory safety standards of the Secretary as above referred to, Titles 2 and 3 of the Act, the interim health and safety standards, remains in full force and effect, except the April 30, 1970, deadline referred to above, and this order is entered consistent with and not contrary to Section 513 of Public Law 91–173.

VII

Plaintiffs are allowed to file their amended complaint.

VIII

Both plaintiffs and defendants objected to all adverse rulings of the court.

IX

The attorney for the U.S. having moved the court for a stay of the temporary restraining order pending appeal thereon, and, upon consideration thereon, said motion is overruled and denied.

Enter this 23rd day of April, 1970 at 2:05 p.m.

H. E. Widener, Jr.,
U.S. District Judge.

In the U.S. District Court for the Western District of Virginia, at Abingdon

A. M. Ratliff, Jr., t/a Dilston Coal Company No. 1, No. 2, No. 3, No. 4, No. 5 & No. 6 et al, Plaintiffs, v. Walter J. Hickel, Secretary of the Interior, et al, defendants, order, Civil Action No. 70–C–50–A.

This day came the parties upon the motion of the plaintiffs to extend and modify the temporary restraining order entered in this cause, April 23, 1970.

And the court considered the motions and heard argument of counsel, and having made the Interim Compliance Panel a party to this cause doth hereby Adjudge and Order as follows:

I

On motion of the plaintiffs, over objection of the defendants, the Interim Compliance Panel is restrained from refusing to accept applications for permits for noncompliance under Section 202 of Public Law 91–173 on the grounds that such applications are not timely filed, or are not in any particular form, through and including May 15, 1970.

It is not the intend of the court to otherwise restrain the actions of said Panel.

To the foregoing extent, the order of the court dated April 23, 1970, is modified.

II

Paragraph II of the order of the court entered April 23, 1970, shall read as follows:

The defendants are restrained from enforcing mandatory safety standards for underground coal mines as set out in the Federal Register of March 28, 1970, beginning on Page 5521, it being the opinion of the court that such safety standards were not promulgated in accordance with Title X of Public Law 91–173.

Defendents are further specifically restrained from enforcing Chapter III, Part 301, Subpart F, § 301.50, as set out in the Federal Register of March 28, 1970, beginning on page 5257, insofar as it permits the Bureau of Mines to assess penalties and accept payments in accordance with the schedule published therein in lieu of hearing as provided in Subpart G of said Chapter. Part 300 and Part 301 of Chapter III in all other respects remain in full force and effect.

III

Paragraph IV of the order of the court entered April 23, 1970, shall read as follows:

When imminent danger is not involved, the defendants are restrained from enforcing Title III of said Public Law in any manner other than in accordance with Section 104(h)(1) of said Public Law, when defendants charge violations which may be corrected by the use of equipment which is not available for purchase, the court being of opinion that equipment which is not available for purchase cannot effectively be used to abate a condition through the use of existing technology. The defendants are further restrained from enforcing Title III of said Public Law in any manner other than in accordance with Section 104(h)(1) of said Public Law, when defendants charge violations which may not be corrected because of the unavailability of certified, registered or qualified personnel or required materials. However, this sub-paragraph of this order shall in no way prevent the defendants from seeking any remedy provided under said Public Law by way of fine, penalty, or otherwise, including closure of mines, in the event, in the opinion of the defendants, the condition complained of is causing or resulting in imminent danger.

IV

This temporary restraining order and the order of April 23, 1970, as modified, shall be in effect until the trial of this case on the merits, or until further order of the court.

Enter this 30th day of April, 1970, at 1:00 p.m.

H. E. Widener, Jr.,
U.S. District Judge.

Mr. COOPER. The new law requires that each coal mine operator provide the Secretary by May 31 of this year, an inventory of his equipment on hand and his equipment needs to meet the requirements of the law.

I understand that the Bureau of Mines is now collating and compiling the results of this survey, and I would hazard a guess at this time that my prediction of a year ago would be borne out—that very little of this equipment will be available to operators in the prescribed time periods and the cost of such equipment will be substantial and, in many cases, prohibitive.

At this point, I would like to remark that the Department of Interior invited coal operators of large and small mines, representatives of the United Mine Workers and members of the committee staff of the House and Senate Labor Committees to meet 2 weeks ago to review and suggest changes and improvements from an administrative point of view in the April 1 regulations put out by the Department, including the regulations that the Department has been enjoined from enforcing. I have been informed by my constituents attending the meetings that these discussions have been helpful and constructive in affording an opportunity to the operators, the United Mine Workers, and the Bureau of Mines officials to comment on present regulations and to suggest changes and improvements that would make these regulations more precise and also more workable. I wish to state that Undersecretary Russell and Assistant Secretary Dole are to be commended for taking the initiative in getting these current discussions underway.

In addition to whatever administrative action the Department is taking to make these regulations more effective and workable, legislative changes are needed in the law. As ranking minority member of the Senate Interior Committee, Senator Allott wrote Secretary Hickel on April 22, requesting the Department's comments concerning the operation of the law as experienced by the field personnel of the Bureau of Mines. In his reply of June 10, Secretary Hickel comments on the effect of the new legislation, particularly on small mines employing less than 15 persons, many of which suspended operations. In addition, Secretary Hickel outlines those areas of the act which were regarded as causing the operators the most concern during the first 2 months of the act's operation. Senator Allott has very kindly provided me with copies of this correspondence.

Two of the amendments that I propose today deal with the problem areas described in Secretary Hickel's letter.

Mr. President, I ask unanimous consent that this correspondence be included in the Record at this point.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

April 22, 1970.

Hon. Walter J. Hickel,
Secretary of Interior, Department of Interior, Washington, D.C.

Dear Mr. Secretary: I have just completed a study of the Regulations issued by the Department of Interior persuant to the Coal Mine Health and Safety Act of 1969. Because of the interest in this Act within Colorado, and because of my own concern as a member of the Senate Interior Committee, I would be most interested in your Department's comments on the effects of these regulations and the overall effect of the Act itself.

I realize that many of the safety standards now being actively enforced by the Bureau of Mines were explicitly written into the law by the Congress. Because the Bureau, in its enforcement of this law, is in constant contact with the mine operators affected by it, I might suggest that a report, covering each provision of the Act, be prepared and submitted as soon as possible to the Congress. I would especially find such a report interesting in my work on the Interior Committee, which has the primary responsibility for establishing the policy guidelines governing energy production. A report of this nature could be of great value in determining the practicability and true value of the various provisions of the Act.

Thank you, and best regards.

Sincerely yours,

Gordon Allott,
U.S. Senator.

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U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 10, 1970.
Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: This will respond to your letter of April 22, 1970, requesting this Department's comments on the effects of the Federal Coal Mine Health and Safety Act of 1969, as experienced by the field personnel of the Bureau of Mines.

You undoubtedly know that more than 300 mines, mostly small mines employing less than 15 persons underground, suspended operations in early April, giving as the reason for this action "Fear of the Act." About 100 of these mines are still idle, and we have received numerous letters protesting the Act, in general, as being oppressive legislation with which the small mines cannot comply.

Usually, the letters and comments are quite general; however, the newer provisions, not present in the previous Act, are the ones specifically mentioned, although some of these are not yet applicable.

The provisions most perturbing to most mine operators appear to be:

1. The classification of all mines gassy, requiring permissible equipment eventually.
2. The penalty provision in the Act.
3. The automatic brakes and couplers required on all mine cars.
4. The respirable dust standard appears too costly to the small mines that lack personnel to take dust samples required by the Act and are forced to purchase rather expensive equipment and possibly hire the services of a certified engineer to collect the necessary samples.
5. The lack of time in which to become acquainted with the new provisions of the Act has been expressed by many of the small mine operators as a just reason for stopping operations until they can evaluate what compliance with the Act will cost.
6. The provision limiting to one the number of temporary splices in a trailing cable. Our information indicates that replacement cables and splicing equipment are difficult to obtain.
7. Some adverse comments have been made concerning the requirements for toilets and potable water underground since these also are innovations in coal mines but less costly than other new provisions at small mines.
8. The necessity for submitting numerous reports, maps, and plans not heretofore required is also a source of irritation to the small mines.

We are enclosing a list of the provisions of the Act for which a Notice of Violation and a Notice of Penalty were issued from March 30, 1970, through April 18, 1970, or the first three weeks of operation under the new Act.

If this does not provide the information that you need, please inform us.

Sincerely yours,

WALTER J. HICKEL,
Secretary of the Interior.

VIOLATIONS OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969 CITED FROM MAR. 30 THROUGH APR. 18, 1970

Section in violation		Number of violations
107(a)	Office required at each mine	10
107(d)	Names and addresses of mine officials.	6
111(a)	Investigation of accidents	1
317(i)	Training programs	5
302(a)	Roof control programs and plans	34
302(c)	Roof support materials	8
302(d)	Roof bolt tests	7
303(a)	Mechanical ventilation, main fans	18
303(b)	Ventilation of working face	183
303(c)(1)	Installation of line brattice and other devices.	90
303(d)(1)	Preshift examinations	69
303(e)	On shift examinations	46
303(f)	Weekly examinations for hazardous conditions.	18
303(g)	Weekly ventilation examinations	15
303(h)(1)	Methane tests before using electrical equipment.	24
303(h)(2)	Methane accumulations at face	1
303(i)(1)	Return air; tests and adjustments	17
303(j)	Air passing opening of abandoned areas.	2
303(k)	Air passing through abandoned, inaccessible area.	4
303(l)	Methane monitors	39
303(o)	Ventilation system and methane and dust control plan.	6
303(p)	Maintenance of detecting devices	1
303(q)	Pillar recovery without bleeder system.	1
303(r)	Separate air splits: Mechanized mining sections.	12
303(s)	Examination for methane before blasting.	6
303(v)	Countersigning of reports	2
303(w)	Reports by mine foreman	7
303(y)(1)	Air courses and belt haulage entries.	12
303(y)(2)	Air courses and trolley haulage systems.	1
304(a)	Accumulation of combustible materials.	73
304(b)	Abatement of dust, water, or water with wetting agent.	36
304(c)	Rock dusting	16
304(d)	Maintenance of incombustible content of rock dust.	64
305(a)(1)	Permissible electric equipment	3
305(a)(1)(C)	Permissible electric equipment, gassy mines.	2
305(a)(3)	Permissible electric face equipment; maintenance.	20
305(c)	Mines classed gassy; use and maintenance of permissible equipment.	61
305(d)	Power connection points	15
305(e)	Map of electrical system	26
305(f)	Deenergization of power circuits and equipment before repairs.	12
305(g)	Electric equipment; examination testing and maintenance.	18
305(h)	Electric conductor; capacity and insulation.	5
305(i)	Electrical connections or splices; suitability.	12
305(j)	Cable fittings; suitability	36
305(k)	Power wires; support	89
305(l)	Power wires and cable; insulation and protection.	54
305(m)	Electric equipment and circuits; overload and short circuit protection.	60
305(o)	Electric equipment; short circuit protection switches.	7
305(p)	Power conductors; lightning arrestors.	22
305(q)	Lighting devices	22
306(a)	Trailing cables; flame resistant	11
306(b)	Short circuit protection of trailing cables.	204
306(c)	Trailing cable junctions	23
306(d)	Temporary splice of trailing cable	208
306(f)	Clamping of trailing cable to equipment.	7
307(a)	Grounding metallic sheaths, armors, and conduits enclosing power conductors.	58
307(b)	Grounding off track d.c. machines and equipment.	108
307(d)	Work on high voltage lines: grounding, deenergizing.	2
308(a)	High voltage circuits; circuit breakers.	8
308(b)	Protection high voltage circuits extending underground.	6
308(f)	Couplers for medium or high voltage circuits.	1
308(h)	Installation of high voltage transmission cables.	10
308(i)	Disconnecting devices: high-voltage circuit.	2
308(m)	Movement of high voltage power centers.	2
309(a)	Low- and medium-voltage circuits serving 3-phase a.c. equipment, circuit breakers.	4
309(b)	Protection of low- and medium-voltage 3-phase circuits used underground.	1
309(f)	Identification of circuit breakers	1
310(a)	Cutout switches: Trolley wires	12
310(b)	Over current protection: Trolley wires.	10
310(c)	Location of trolley and other power wires adjacent to pillar workings.	3
310(d)	Insulation of trolley and other power wires.	56
311(a)	Fire protection required	321
311(f)	Deluge-type water sprays: Belt conveyor drives.	179
311(g)	Belt conveyor switches: Slippage, sequence.	19
311(b)	Underground storage: Oil, grease	18
311(c)	Electrical installations underground: Housing.	51
311(e)	Fire suppression devices: Equipment.	1
311(h)	Flame resistant conveyor belts	2
312(a)	Mine maps	76
313(b)	Separate containers: Explosives, detonators.	1
313(c)	Permissible: Explosives, blasting devices.	8
313(d)	Persons carrying explosives underground.	1
313(e)	Transportation: Explosives, detonators.	1
313(f)	Underground storage: Explosives, detonators.	13
314(a)	Hoisting equipment: General	20
314(c)	Hoists: capacities, ropes, indicators.	1
314(d)	Communication: Hoist room and landings.	2
314(b)	Transportation of men and materials.	51
314(e)	Automatic brakes	199
314(f)	Automatic couplers	2
316	Communications	25
317(c)	Smoking: Prohibition	3
317(f)(1)	Escapeways	25
317(f)(4)	Escapeways: Intake air	2
317(g)	Surface structures: Fireproof	24
317(j)	Canopies: Electric face equipment	5
317(l)	Bath houses and toilet facilities	129
317(m)	Emergency medical assistance	2
317(n)	Self rescue device	213
317(p)	Identification check system	86
317(r)	Mine operations under water	2
317(s)	Drinking water	111

Mr. COOPER. Mr. President, I think it is ironic that today we are considering the Department of the Interior's appropriations which provide funds to assist in curing the harmful effects of strip mining, and the damage that strip mining does to the environment. I do not want to keep referring to predictions I have made in the past which seem borne out in the present, but when the coal mine health and safety bill was considered by the Senate, I stated in debate that it was my view that many small operators would be forced to shut down their underground operations because the initial cost required by the law for new equipment and procedures would be too great and that these small operators, because of the economics of mining, would take up strip mining.

In offering my amendment on the floor on October 2 of last year, I made the following prediction:

> Another consequence, if my amendment is defeated, is strip mining of the small acreages at the tops of the hills. Since they cannot be mined with permissible equipment economically, there is one way they might be mined, which is through strip mining. One who has flown over the areas and seen the country devastated by strip mining, and its effect upon the environment, know what I am talking about; conservationists in the Senate should know.

I note that the Wall Street Journal of June 25, in an article concerning the effects of the Federal Coal Mine and Health and Safety Act, states that one of the side effects of this legislation is an increase in strip mining.

Mr. President, I ask unanimous consent that this particular comment of the Wall Street Journal be included in the RECORD at this point.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

STRIP-MINE INCREASE SEEN AS A SIDE-EFFECT OF LAW

The Appalachian countryside may be an unintended victim of the new coal mine safety law.

Several industry observers say more small coal operators are turning to strip-mining, which often leaves huge, barren gouges in the earth, because they find the new underground regulations too tough and too expensive to comply with.

In West Virginia, for example, 40 new strip-mine permits have been issued so far this year, up from only 15 in the comparable period of last year. (Part of the increase, however, probably results from stronger demand for coal this year.)

Smaller mine operators in eastern Kentucky are turning to stripping, too, because "it's the only thing they can do financially," says Harry Caudill, a Kentuckian whose book "Night Comes to the Cumberlands" is highly critical of the effects of the coal industry on Appalachia and its people.

"There's so much talk about ecology and yet we'll ruin tens of thousands of acres, maybe millions, of land to get at that coal," Mr. Caudill says.

Mr. COOPER. Mr. President, the bill I offer today does not affect the health and safety provisions of the act, but is intended to remove some requirements which cannot be met through no fault of the operator, and requirements of mechanical nature; that is, the location of mine office signs and mine maps which are burdensome and contribute nothing.

In conclusion, Mr. President, I want to take this opportunity to commend the Department of the Interior for its efforts to make the new legislation more effective and workable. Charges that the Department is attempting to undermine the effectiveness of the 1969 act by weak or little enforcement are not only unfair to the officials in charge but are completely unfounded.

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Mr. President, I ask unanimous consent that the text of my bill, together with a memorandum I have prepared explaining the amendments proposed in this bill be included in the RECORD at this point.

There being no objection, the bill and memorandum were ordered to be printed in the RECORD, as follows:

S. 4057

A bill to amend the Federal Coal Mine Health and Safety Act of 1969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Coal Mine Health and Safety Act of 1969 is amended as follows:

(1) Section 109 of such Act is amended by adding thereto a new subsection (f) to read as follows:

"(f) No penalty shall be assessed under the provisions of subsection (a) of this section during the first or initial inspection of a mine which is made after March 30, 1970, under this Act. Any notice of penalty which has been issued under the provisions of subsection (a) during such first or initial inspection of a mine is hereby canceled and revoked, and the Secretary is authorized and directed to reimburse to the operator or miner the amount of any penalty which has been paid by such persons for the violation of a mandatory health or safety standard occurring during such first or initial inspection of a mine."

(2) Subsection (e) of section 314 of such Act is amended to read as follows:

"(e) Locomotives and haulage cars which comprise a train operating as a haulage unit shall be controlled by automatic brakes, or a system of speed reduction gears, or by braking car units, or other braking devices or system approved by the Secretary."

(3) subsection (a) of section 107 of such Act is amended to read as follows:

"(a) The operator of a coal mine shall maintain an office for such mine with a conspicuous sign designating it as the office. A mine office may serve more than one mine. Such office shall be located at or near the mine or mines and so located as to be readily accessible to all miners going to and from the mine or mines over regularly traveled routes to the entrance to the mine property. A bulletin board shall be maintanied at such office or at some conspicuous place near an entrance to each mine served by such office, in such manner that notices, orders, and decisions required by law or regulation to be posted on the mine bulletin board may be posted thereon, be easily visible to all persons desiring to read them, and be protected against damage by weather and against unauthorized removal. A copy of any notice, order, or decision required by this title to be given to an operator shall be delivered to the office of the affected mine, and a copy shall be immediately posted on the bulletin board of such mine by the operator or his agent."

(A) The first sentence of subsection (a) of section 312 of such Act is amended to read as follows:

"(a) The operator of a coal mine shall have in a fireproof repository located in an area on the surface of or near the mine, as chosen by the mine operator, to minimize the danger of destruction by fire or other hazard, an accurate and up-to-date map of such mine drawn on scale."

(5) Paragraph (2) of subsection (a) of section 105 of such Act is amended to read as follows:

"(2) The operator and the representative of the miners shall be given written notice of the time and place of the hearing at least five days prior to the hearing: *Provided, however,* That upon the filing of an application by the operator of the representative of the miners for review of an imminent danger order issued under section 104(a) of this title and upon the specific request of the operator or the representative of the miners therefor, the hearing shall be held within 5 working days after the date upon which such application for review is received by the Secretary, and the Secretary shall give such notice, as he deems necessary, to the operator and the representative of the miners, of the time and place of the hearing. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code."

EXPLANATORY NOTE CONCERNING PROPOSED AMENDMENTS

Section (1) provides that there shall be no money penalty on first violations, retroactive to April 1, 1970, and authorizes and directs Interior to reimburse any first violation penalties paid since April 1, 1970, out of Interior funds.

In general, the Coal Mine Health and Safety Action inaugurates many new procedures and requirements. Operators have not been given sufficient time to comply. The law should make it clear that the objective is compliance, not penalty revenue.

Section (2) would revise the mine car automatic brake requirement to require compliance with train brake capability, as prescribed in regulations to be developed by the Secretary of the Interior.

The basis for this Amendment is that there are no individual mine car automatic brakes in existence, and there is no need. Individual cars only are moved by engine; therefore, the only brake requirement should be a "train brake" requirement.

Section (3) would revise Sec. 107(a) of the law to provide only that the mine office, wherever it is located, is to have a sign.

The purpose of the law should be to identify the mine office wherever it is, rather than to specify *where the* office should be located.

Section (4) would revise Sec. 312(a) of the law to provide only that mine maps are to be kept in a fire-proof repository located on the surface at or near the mine.

The terrain where mines are located varies sufficiently that a mine-map repository cannot always be located *on* the mine.

Section (5) would revise Sec. 105 to provide that the operator is entitled to a hearing within 5 working days in any instance where a closure has been ordered under Sec. 104(a).

The purpose of this amendment is to avoid the situation where a hearing in connection with a mine closure could be delayed by one of the parties withholding his request or delaying in making his request for such hearing.

Mr. COOPER. Finally, Mr. President, I ask unanimous consent that the statement I made on the floor of the Senate in the debate on the coal mine health and safety bill, found in the CONGRESSIONAL RECORD, volume 115, part 21, pages 28218–28221, be included in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. COOPER. Mr. President, I have asked that the order for the quorum call be rescinded. We have been debating my amendment now for 3 days. This is the largest attendance we have had during those 3 days. If Senators who are in the Chamber will remain, I will finish my argument.

Inasmuch as the amendment is a complex issue and not many of us are from coal mining States, I have prepared and had printed in the CONGRESSIONAL RECORD, volume 115, part 21, page 27950, a short explanation of my amendment and the reasons I have introduced it. I have also had placed on the desk of each Senator the same statement. If the statement has been removed, the statement is in the CONGRESSIONAL RECORD, volume 115, part 21, page 27950. I do not believe it would take over 3 or 4 minutes to read the statement.

I have spoken on this issue every day for 3 days. Last June, when the matter was being considered in committee, I made a rather lengthy statement on the bill in the Senate and placed in the RECORD at that time statistical records on safety from the Bureau of Mines.

Today I wish to tell the Senate the purpose of my amendment.

The Senate is now considering the Coal Mine Health and Safety Act bill. It includes proposed amendments to the Coal Mine Safety Act, the last amendment being in 1966.

One section of the bill concerns itself with health standards. We have at last taken note of the fact of the heavy concentrations of coal dust which usually occur in the large mines because of their modern and advanced equipment used at the face of the coal.

Mr. President, these large concentrations of coal dust at the face of the coal are, I have been told, so heavy that a miner cannot see his hands in front of his face. The inhalation of coal dust, day after day, has been a cause for many years—but worse in recent years—of the malady generally known as "black lung."

A section in the bill, which is very strict, is intended to reduce the concentration of coal dust; it will be of help in preventing black lung.

The second section of the bill—and this is the section with which my amendment is concerned—deals with safety standards in the mines to protect the lives and limbs of those who work in the mines.

To recall to Senators who are not on the committee, or who do not come from coal-producing States, let me say that the Bureau of Mines has been an agency of the Government for over 30 years.

In 1941, an act was passed which provided to the Bureau of Mines the authority to make recommendations to the States and to mine operators on appropriate standards of safety, but the Bureau of Mines had no enforcement powers and its function was only advisory.

In 1952, the act was amended to provide standards, to authorize to the Bureau of Mines the authority to write regulations, and also gave the Bureau of Mines enforcement powers in mines employing 15 or more men.

In 1966, the act was further amended and provided to the Bureau of Mines the authority to fix standards and enforcement powers in every mine in this country.

Many States have mine safety laws. My State of Kentucky has a model safety law. The Kentucky Department of Mines and Minerals makes more inspections of mines in 1 year, than the Bureau of Mines does in the entire United States.

Last fall, in Farmington, W. Va., a terrible tragedy occurred. In a mine owned by the Consolidated Coal Co., an ignition or explosion of some type occurred. While the exact causes have not yet been ascertained, 78 miners were entombed and are assumed to have been burned to death or asphyxiated.

That accident shook the conscience of the people of our country. It also shook the Bureau of Mines.

The President of the United States sent to Congress the bill now before the Senate. I am a cosponsor of the bill, but I said on its introduction that from my experience in the past, having worked on three safety bills, and my knowledge of the operations of coal mines in my State, I would reserve the right to offer such amendments as I thought proper. That is the right of every Senator whether or not a sponsor.

From the beginning, the Bureau of Mines, until this time—and I hope that it will continue—has classified mines as either gassy or nongassy.

A mine is classified nongassy as long as the content of the gas in a specimen of atmosphere tested in a specific way does not exceed one-quarter of 1 percent in volume. This is the law today. Gas must accumulate, according to experience, to about 5 to 15 percent before it can be ignited or exploded.

According to the last records I have been able to secure from the Bureau of Mines, there are 3,192 nongassy mines. That may vary because that was at the end of 1968. The same record listed 392 gassy mines. They are generally larger than nongassy mines, and produce 60 percent of coal mined annually.

But in comparing the safety records of these two classes of mines—there is a vast difference. In the 3,192 mines 52 explosions occurred in 16 years, and 27 deaths.

Any record of deaths is sad. But, considering it is the record of approximately 3,200 nongassy mines operating over a 16-year period, with only 52 explosions, I contend before this body that it is a safety record superior to most industries in this country.

Mr. President, what happened in the 400 gassy mines in the same 16 years? There were 381 explosions which caused 374 deaths, compared to 52 explosions and 27 deaths in nearly 3,200 nongassy mines.

The explosion in Farmington, W. Va.—one explosion killed 78 people—three times as many as have been killed in the 3,200 mines in a 16-year period.

I asked the Bureau of Mines for further information and to give me a list of the mines in which more than one explosion had occurred. I was given a list, and in 48 of the gassy mines there have been more than two explosions. There have been six explosions, and eight explosions, and one mine has had 18 explosions. Yet the Bureau of Mines did not close these dangerous mines.

The explosion in the coal mine in Farming, W. Va., killing 78 people was most unique. A few years ago, 16 men were killed in the same mine.

It has not been closed.

What does the bill do? It turns to the 3,100 nongassy small mines. The small mine operators and mines have no great companies to speak for them. They do not have the United States Steel Co. They do not have the Consolidated Coal Co. They are not giant companies. The record shows that about 20 companies produce about 40 percent of the coal annually mined in this country. We who come from States with small mines, which may produce 50 tons, 100 tons, 150 tons, or 300 tons a day, must speak for them. We do speak for them. I have placed in the Record and before this body the tragic safety record of the 400 gassy mines in this country, and the good safety record in the 3,200 nongassy mines.

What remedy does the Bureau of Mines and the Committee propose? They require that the small nongassy mines must buy permissible equipment, whether needed or not, whether it contributes to safety or not, and junk their hard bought conventional equipment. There is no word in the hearings about the expense of the equipment except the testimony of Mr. McDowell of my State who testified that it would cost $240,000 to equip a mine section. After they saw the record, at the last minute the Bureau of Mines provided the committee a series of estimates of cost, which appears in their report.

I would say that anyone with any experience with coal mines, would know that the estimates are impractical and in some instance silly. I will give an example. The bureau attempted to divide mines into new classes for the purpose of their estimates: gassy mines, large nongassy mines, and small nongassy mines. It described a large nongassy mine as one which produced 20,000 tons a year, or about 80 tons a day. This is absolutely ridiculous. It speaks the impracticality and the unreliability of their estimates. Those who know mining are aware that if the companies operating in nongassy mines are to stay in business—and a few of them may—they must buy a permissible motor, permissible cars, a permissible loader, a permissible cutting machine. The Bureau of Mines itself estimated that the equipment would cost $266,000, more than Mr. McDowell from Kentucky testified the equipment would cost—$240,000. Yet it speaks of $10,000 or $20,000 as the cost of equipment.

What will be the effect? I say without hesitation that if the bill is passed with this requirement—the requirement that the nongassy mine must install permissible requirement, I do not care how much time is given to the mines to convert—it will put out of business one-half or more of the small mines of this country. It will end the employment of many miners. It will cause the operator to lose his investment. It will put out of business auxiliary industries such as the trucking and equipment industry. It will hurt every community, county, and area in which the small mines are located.

There are about 1,100 in my State. They are scattered throughout eastern Kentucky.

There has hardly been a newspaper or magazine particularly those from the State of my dear friend from New York—that has not sent a writer and photographer to eastern Kentucky to write and picture examples of poverty and desolation. I live in the eastern part of Kentucky. I have long been concerned with the poverty and deprivation there. During the administration of President Eisenhower and President Kennedy efforts began to be made to do something about the situation. And much has been done. These writers stay a few days, take pictures, go back, and write about the worst examples of poverty in eastern Kentucky.

I would not deny there is poverty. I would not deny there is lack of proper housing. I would not deny there is a lack of proper sanitation in some places. But I stand for those people and defend them. They are an independent and patriotic people. Sometimes but not as often as in the great cities they are violent, but they do not engage in crimes of theft and robbery and similar crimes as in the great urban centers.

I raise this point to emphasize that the chief source of employment in eastern Kentucky is the coal mining industry. Next to West Virginia, Kentucky has the largest coal production in the Union.

If my amendment is defeated, small mines, which are numerous not only in my State of Kentucky, but West Virginia, Tennessee, Virginia, and Alabama, will be closed. The miners will not be employable elsewhere, many of them because they are too old. Those who are employable will have to go to the big gassy mines, the dangerous mines in which nearly 400 have been killed in 16 years.

I will read the list of States concerned:

Alabama has 17 gassy mines; 85 nongassy mines.

Colorado has 23 gassy mines and 36 nongassy mines.

Iowa has only 5 mines. They are nongassy.

Kentucky has 32 gassy mines and 913 nongassy mines.

Maryland has 33 mines, all nongassy.

Missouri has two mines, which are nongassy.

Montana has 12 mines, which are nongassy.

New Mexico has one gassy mine and seven nongassy mines.

North Dakota has one gassy mine.

Ohio has 18 gassy mines and 55 nongassy mines.

Pennsylvania has 68 gassy mines and 279 nongassy mines.

Utah has 10 gassy mines and 17 nongassy mines.

Virginia has 44 gassy mines and 673 nongassy mines.

The State of Washington has one gassy mine and three nongassy mines.

West Virginia has 132 gassy mines and 908 nongassy mines.

I predict that at least half of the small nongassy mines and up to two-thirds, will be forced out of business, with the consequences I have mentioned.

Mr. President, the pending bill is a very strict bill, and it is a necessary bill. One who votes for the bill, with the adoption of my amendment, will be voting for better standards of health and safety.

I say, with all deference, that lack of information about this problem is nothing strange, I do not know about many serious problems that exist in other States. We have gone as far as we could.

I would call to the attention of all Senators, as I did the manager of the bill, the Senator from New Jersey, and the Senator from West Virginia, that if they will look at the bill, page 48, line 20, section 206, they will see that the subject is "Electrical Equipment Generally"; this section describes all of the electrical equipment, in general, that will be found throughout the mines, such as wiring, power connections, cables, circuit breaking devices, and so forth. This is permissible machinery, and we are not objecting to it, because it can be provided. It is not of great cost, and it could be of help where safety is concerned.

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On page 51 of the bill are two sections to which we do not object. One concerns itself with junction and distribution boxes for making power connections past the last open crosscut. This means at the face of the coal, where coal is being mined. The second involves small equipment, such as a hand-held electric drill, blower and exhaust fans, and electric pumps. These are small pieces of equipment that can be carried up to the face. It has been found in several cases that if a permissible drill had been used in a nongassy mine, an explosion might have been prevented, because there is a possibility of drilling into a gas pocket. We accept these requirements.

What we cannot accept is the demand of the Bureau of Mine, and this committee, that these small mines, producing 50, 80, 100, 200, or 300 tons a day, must buy a permissible motor, a permissible loader, and permissible shuttle cars, permissible machines which the Bureau of Mines states cost $266,000. The economic operation of these mines would not permit it, and they would go out of business.

I pointed out the other day that this measure would have another effect upon mining States. The poorer, or usually poorer, families who have managed to hold onto 50 or 100 acres of land with some coal under it, near the top of a hill, have a chance now to lease it to a small operator, or perhaps to mine it themselves. It may be all they have. Long ago, the big companies came into Kentucky, some of the same ones operating big gassy coal mines now. They purchased the lands and the mining rights of the people, some who were not the best educated in the world. They bought their timber, some of the best timber in the United States, white oak and poplar, at 50 cents a tree. Many a man has discovered that he had sold his coal rights and did not know about it. But the people who have been able to hold onto a small acreage that has coal under it will be deprived, if my amendment is defeated, of ever being able to lease the coal or to work it. Thy are denied the opportunity, but the great companies with the gassy mines can continue to operate.

Another consequence, if my amendment is defeated, is strip mining of the small acreages at the tops of the hills, for they cannot be mined with permissible equipment economically, there is one way they might be mined, which is through strip mining. One who has flown over the areas and seen the country devastated by strip mining, and its effect upon the environment, know what I am talking about; conservationists in the Senate should know.

I call to the attention of my friends from New York and from New Jersey, who are arguing that the nongassy mine should be refitted with permissible machinery, that many of the gassy mines are not fitted wholly with permissible machinery, for example, cutting machines. The Senator from New Jersey admitted this yesterday.

I will give the record. The committee placed in its report: "Summary of Ignitions and Explosions in Gassy and Nongassy Mines, January 1941 to June 10, 1969." It provides the causes of explosions in both categories, gassy and nongassy mines. I hope my friends who argue the imposition of permissible machinery upon all mines will listen.

One of the chief causes of ignitions in gassy mines, as shown on page 372, part 5, is "cutting bits." How many explosions have they caused? 153. This is by nonpermissible machinery used in gassy mines. How many explosions have been caused in the nongassy mines by nonpermisible cutting bits? Two. Two in the nongassy mine compared to 153 in the gassy mines. Yet the bill, unless my amendment is adopted would require the nongassy mine to junk their equipment with cutting bits which have caused two explosions, and put in $75,000 equipment with cutting bits which have caused 153 explosions.

Mr. President, it has been implied in the reports, and it has been said on the floor of the Senate that this is a matter of conscience of weighing safety against property.

I agree that we must do everything practicable and reasonable and possible to provide for the safety of the miners. This bill has many helpful provisions, with this exception. But if we are to talk of placing economic interests above human life and safety, then I ask that we think of the 400 gassy mines, their multiple explosions, up to 18 in which nearly 400 people have been killed. There is nothing in this bill which will close these mines. Only the safe nongassy mines are threatened with closing.

I do not know what the Senate will do with my amendment. I know that the committee opposes it, though some of its members support it. I know those members have worked objectively, and have done their best; but with deference, I feel impelled to say this: as I do not know very much about urban conditions in New York, and New Jersey, except through the news media, nor about the special problems in many States of which their representatives have specific knowledge, I must say to the chairman and other members, "With all your study and your objectivity, you do not know the specific conditions in the mining States, and the practical operation of the mines.

I hope my amendment will be accepted. If it is defeated upon the ground as Mr. O'Leary testified, several years ago, an "academic risk," cannot be taken, then I believe it is right that I offer my amendment to reach the heart of the problem: To close down the gassy mines in which more than one explosion occurred, with multiple deaths, till they are safe. It is a valid answer to the argument of placing material considerations above life and safety. The committee will not vote for such a measure. Millions of dollars are invested in the mines by the Consolidated Coal Co., the United States Steel Corp., the Bethlehem Steel Co., and others. Large investments are involved. These companies employ hundreds of people and pay 40 cents a ton to the United Mine Workers' Benefit Fund, which I think correct. But we must consider safety from both sides of the picture—gassy as well as nongassy mines.

This is the third time I have worked a mine safety bill. Neither of the other bills was as comprehensive as the pending bill. In 1957 and 1958, when I was a member of the Committee on Labor and Public Welfare, former Senator Wayne Morse, a friend of labor and a tremendous worker, accepted my position against that of the Bureau of Mines. He brought a bill to the floor.

At this point, I would like to refer to a statement I made on this debate on September 29, a reference to the large mine operators and the United Mine Workers being together, a United Mine Workers representative in my State informed me, and properly, that my statement could be interpreted to mean some sort of collusion between the mine operators and the United Mine Workers. I did not so intend. While I disagree with the UMW in the bill, with respect to the classification of "gassy" and non-gassy mines, I must state that the UMW has worked hard for safety for its members and all mines. I make this statement in fairness to the United Mine Workers. The bill was not passed because of the opposition of the Bureau of Mines and the United Mine Workers.

Former President John F. Kennedy was then a member of that committee. He supported my position against that of the Bureau of Mines.

Again in 1966, although I was not a member of the committee, former Senator Morse was kind enough to ask me to join his committee in working up a bill, which I did. I make these comments to indicate this is not a new problem—and the Bureau of Mines position is not always sacrosanct.

The Senator from New Jersey yesterday made much of the fact that in late months, since the awful tragedy in West Virginia, the Bureau of Mines has discovered that some mines which had previously been classified nongassy were gassy.

I have said always that the Bureau does not make enough inspections. If they were gassy mines, they should have discovered it a long time ago.

Yesterday I found a statement on my desk. It is an attempted answer to the records of the Bureau of Mines which I had placed in the Record contrasting safety records in gassy and nongassy mines.

The statistics supplied me by the Bureau of Mines begin with the year 1952 and extended through 1968. The year 1952 was chosen because it was the first year in which the Bureau of Mines had authority to fix standards for the States and enforce them. Of course, they had records before that date, from 1941 on.

The Senator from New Jersey had printed in the Record statistics from 1941 through 1968 on nongassy mines. He did not supply statistics for the gassy mines.

Including the period of 11 years, from 1941 to 1952, 87 ignitions occurred in the nongassy mines instead of 52 ignitions. Instead of 27 men killed, there had been 34. Fifty-seven men had been killed in nongassy mines between 1941 and 1952. However, as I have said, those were the years in which there was no Federal standards and no Federal enforcement.

The statistics on gassy mines for that period were not cited as the statistics on nongassy mines were supplied. I will give the record on gassy mines for the period 1941–68.

There were 600 explosions in the gassy mines in that period. And 1,054 men killed.

We shall see what happens. I hope very much that the Senate will support my amendment.

Mr. BAKER. Mr. President, I am pleased to join today with Senator Cooper in introducing these proposed amendments to the Coal Mine Health and Safety Act of 1970. Senator Cooper has taken the lead in this complex situation, and his leadership has been of the high caliber that we have all come to expect of him in this body.

The Coal Mine Health and Safety Act of 1969 was enacted by the Congress in response to the very clear need for more effective standards and procedures to promote improved working conditions for American miners. A series of spectacular and tragic mine disasters alerted the Nation to the need for tougher mine health and safety laws. Less dramatic but just as important are the health and safety hazards that exist daily for the Nation's coal miner, long one of the most courageous laborers in our economy. The 1969 law was written and enacted by the Congress with all of the best intentions in the world. It marked a real and substantial gain for the American coal miner.

By and large, I think that the law will prove to be a great step forward. However, in the first months of its administration, several significant problems have developed. Some of the problems are essentially economic, but others are technical and engineering, for which there is no present answer; and others are problems which may in fact be impossible of performance. Because the

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statute codifies in great detail the standards that must be met in a diverse industry for all sorts of health and safety safeguards, it was virtually inevitable that some of the standards would prove inapplicable or unworkable under certain circumstances.

This is precisely what has happened, and particularly in connection with small, independently operated coal mines of the kind that predominate in southwestern Virginia, east Tennessee, and eastern Kentucky. Many of these smaller operations have found the requirements of the law so burdensome that the continued operation of the mines is jeopardized. Although there may be some situations in which conditions are so hazardous that shutting down a place of employment is necessary and justified, it was certainly not the intention of the Congress to make economic survival for independent mining operations impossible. Many of those miners employed in these smaller operations are understandably alarmed about their jobs and about the welfare of their dependents.

Beyond the very serious question of the economic survival of these smaller operations lies the increasingly severe probability of serious power shortages in the country. Supplies of coal at generating facilities are at an alltime low, and the shortage of coal is rapidly accelerating the price of coal and thus the cost of electricity to the consumer.

As Senator COOPER has noted, the amendments that we introduced today are not intended to be the final answer to these problems. There is nothing sacrosanct about the wording of any of the amendments. Our chief intention is to bring the attention of the appropriate committees to bear on what is undeniably a very serious economic problem in our States, and by extension, in the Nation as a whole. The Department of the Interior has been extremely cooperative in its efforts to administer the law in a tough but enlightened manner. But because many of the standards and regulations are written explicitly into the law, the Department has little flexibility in its administration. Apart from the rulings of the judiciary, where actions are now pending, any changes in the substance of the law are clearly the prerogative and responsibility of the Congress

I am most hopeful that the appropriate committees will take prompt action on these and other suggested amendments, so that these problems can be fairly and wisely resolved. I know that no Senator seeks any change that would endanger the health and safety of any miner. But the law must be written in such a way as to permit the continued operation of coal mines that provide what is often the sole economic base of particular sections of our country.

Mr. SPONG. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. SPONG. Mr. President, I join in sponsoring the bill introduced by the Senator from Kentucky with the hope that hearings on the measure will clarify and resolve problems that have arisen in the implementation of the Federal Coal Mine Health and Safety Act of 1969.

In my view, hearings would help dispel the controversy that has enveloped the statute enacted last year. The amendments being offered today are in no way intended to sacrifice or dilute the safety aspects of the law. The safety provisions should be preserved intact.

The objective of the amendments is to make the law more workable by affording greater administrative flexibility, and by taking into account the current status of mine technology.

The bill provides that there shall be no money penalties for first violations, retroactive to April 1, 1970. The amendment is designed to overcome difficulties that arose because safety regulations implementing the act were published only 48 hours before the mandatory safety standards went into effect on March 30, and inspectors began issuing citations and notices of penalties immediately thereafter. There was no time for comment on the regulations.

Second, the bill would modify a requirement for automatic brakes on every mine car used underground. I understand such equipment has not yet been developed. Other provisions would amend sections of the law dealing with mine office signs, mine maps, and hearings for mine closures.

Mr. President, the five amendments proposed in the bill would serve as a vehicle for a full airing before the Labor and Public Welfare Committee of the problems that have been encountered in last year's landmark legislation.

I am not wedded to the language of the proposals, and cosponsor them to indicate my interest in having further hearings. Perhaps refinements will be made as a result of hearings, which I hope will be scheduled as expeditiously as possible by the committee.

Mr. BYRD of Virginia. Mr. President, the American coal mining industry, its workers and the Bureau of Mines, face problems connected with the Coal Mine Health and Safety Act. The most serious problem is that of making the act a workable tool to insure safety for our mine workers.

As the bill stands, it includes a number of inflexible and sometimes ambiguous requirements. Some have no particular relation to safety. Some are impossible to fulfill because technology has not yet developed equipment to meet the requirement.

I cite in particular the requirement that automatic brakes be installed on coal cars. I am advised that such brakes have not been developed, nor is it known just when they may be developed and available.

I, for one, have alway felt our coal miners should have safe working conditions, as safe as they can reasonably be within the nature of the mining industry. At the same time, however, I recognize some adjustments may be necessary if we are to have a workable mine safety law. Some of these provisions must be adjusted if we are to have a mining industry that is at once safe for our mine workers and capable of meeting our Nation's coal requirements.

This bill, which I am pleased to cosponsor, seeks to maintain our mines as sources of jobs that will be safe for the workers.

ADDITIONAL COSPONSORS OF A BILL

S. 4000

Mr. BAKER. Mr. President, on behalf of the Senator from Michigan (Mr. GRIFFIN), I ask unanimous consent that, at the next printing, the name of the Senator from North Dakota (Mr. BURDICK), be added as a cosponsor of S. 4000, to compensate certain growers, manufacturers, packers, and distributors for damages sustained by them as a result of their good faith reliance on the official listing of cyclamates as generally recognized as safe for use in food prior to the unexpected action taken by the United States restricting their future use in food and drinks.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

FEDERAL DISASTER ASSISTANCE LEGISLATION—AMENDMENTS

AMENDMENTS NOS. 760 AND 761

Mr. TOWER. Mr. President, last May 11 a tornado struck the city of Lubbock, Tex., with devastating force. The result was tragedy.

The tornado, estimated to be 1½ miles wide at one point, struck across the city and lay waste some 25 square miles of property. Damage estimates reached $200 million. The death toll reached 26 and there were countless injured. Hundreds were left homeless. The number of residences damaged or destroyed totaled some 600 single-family residences, 450 apartment units and another 8,800 family units. At least 250 businesses were either damaged or destroyed.

On a visit to the scene the following day, I saw much of the destruction as I toured the city along with the Small Business Administrator, the Director of the Office of Emergency Preparedness and others.

Federal, State, and local governments cooperated to deal with the disaster and I believe the Federal administration is to be congratulated on its assistance which was provided rapidly and efficiently. This assistance was rendered to the full extent possible under existing disaster assistance laws.

In order to provide additional necessary assistance which is not now possible under the law, the senior Senator from Texas (Mr. YARBOROUGH), offered on May 18, S. 3848, of which I am a cosponsor. The bill is now before the Senate Public Works Committee. The committee is also considering new national disaster assistance legislation including the bill, S. 3745. I am hopeful that the committee will act favorably on S. 3848, which is designed specifically to aid the Lubbock disaster area along with other portions of the Texas Panhandle which suffered extensive tornado damage on April 17–18. In the alternative, I urge the committee to make any national disaster assistance legislation it recommends retroactive to include the Texas tornadoes of April 17–18 and May 11.

Mr. President, my attention has been called to a need which is not covered by existing law and which is not included in either S. 3848 or S. 3745. I take the floor now to submit an amendment to S. 3848 and an amendment to S. 3745 which I believe will meet that need.

Under the relocation assistance program of the Department of Housing and Urban Development, assistance is given to families and individuals in relocating to standard housing, and to business concerns and nonprofit organizations in relocating in replacement accommodations, as a result of displacement by federally assisted programs such as urban renewal and others.

This Federal relocation assistance is provided up to the following ceilings:

For individuals and families, up to $200 for direct loss of property and moving expenses including storage costs.

For low-income families and elderly or handicapped individuals unable to obtain public housing or Federal rent supplemental housing, additional relocation payments of up to $500 a year for a 2-year period.

For business concerns and nonprofit organizations, up to $3,000 for direct loss of property and moving expenses including storage costs; or for actual moving expenses and no direct loss of property, up to $25,000.

For certain small businesses, a displacement payment of $2,500.

For displaced owner-occupants of 1-to-4 family dwellings, replacement housing payments of up to $5,000 toward the purchase of replacement dwellings.

Also, relocation payments can include reimbursement for certain settlement costs that must be borne by the seller in transferring the property.

Mr. President, in the case of Lubbock, Tex., plans were underway for a HUD-assisted development project in a section of the city struck, among others, by the devastating tornado of May 11.

The disaster struck before the plans could be implemented. Indeed, it struck even before the city had been able to complete its application papers for the program. Yet, it could be anticipated that the program would be approved and implemented.

Many of those unfortunate enough to be in the disaster area were forced by the tornado to leave the devastated area and to seek housing in other parts of the city.

Under existing law, those unfortunate enough to have lived within the future redevelopment area are now forced not only to undergo the hardships of the disaster, but additionally to forgo their potential eligibility for relocation assistance payments since they are no longer living within the redevelopment area.

It may be assumed that similar unfortunate situations may develop in the future as a result of major disaster.

Mr. President, my amendments would extend eligibility for relocation assistance payments upon Federal approval of a redevelopment program to persons already forced from redevelopment areas as a result of major disaster as long as application for such redevelopment assistance is made within 1 year of the disaster.

The distinguished senior Senator from Texas (Mr. Yarborough), has indicated to me that he is in general agreement with the goals of my amendment to S. 3848 and would be pleased to have the committee add it to the bill.

I ask that my amendments be printed at this point in the Record and that they be referred to the Senate Public Works Committee for consideration along with S. 3848 and S. 3745.

In addition, Mr. President, I ask unanimous consent to have printed in the Record four articles contained in a special publication by Boone Publications, Inc., of Lubbock, entitled "The Lubbock Tornado." The four articles are "May 11, 1970—A Killer on the Prowl" by Dave Knapp, "It Was Like Another World" by Jay Harris, "The Victims—How and Where They Died" by Jack Golding, and "Telling It Like It Was" by Phil Hamilton.

These articles written by reporters on the scene accurately describe the Lubbock tornado tragedy.

The PRESIDING OFFICER (Mr. Schweiker). The amendments will be received and printed, and will be appropriately referred; and, without objection, the amendments and articles will be printed in the Record.

The amendments were referred to the Committee on Public Works, as follows:

Amendment No. 760 to S. 3745

On page 15, between lines 2 and 3, insert the following new section:

Sec. 13. Notwithstanding any other provision of law or regulation promulgated thereunder, no application for relocation assistance authorized under sections 105(c) or 114 of the Housing Act of 1949, title IV of the Housing and Urban Development Act of 1965, or section 107 of the Demonstration Cities and Metropolitan Development Act of 1966, or any other Act of Congress shall be denied because the applicant was required to relocate as a result of a major disaster as determined by the President under the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g), if an application for such assistance is filed within one year after such major disaster.

On page 15, line 3, strike out "Sec. 13." and insert in lieu thereof "Sec. 14.".

On page 3, line 3, strike out "(e)" and insert in lieu thereof "(d)".

Amendment No. 761 to S. 3848

On page 11, between lines 14 and 15, insert the following new section:

Sec. 13. Notwithstanding any other provision of law or regulation promulgated thereunder, no application for relocation assistance authorized under sections 105(c) or 114 of the Housing Act of 1949, title IV of the Housing and Urban Development Act of 1965, or section 107 of the Demonstration Cities and Metropolitan Development Act of 1966, or any other Act of Congress shall be denied because the applicant was required to relocate, as a result of any tornado referred to in section 2(b), if such application is filed within one year after such tornado.

On page 11, line 15, strike out "Sec. 13." and insert in lieu thereof "Sec. 14.".

On page 11, line 19, strike out "Sec. 14." and insert in lieu thereof "Sec. 15.".

On page 1, line 8, strike out "these States in their efforts" and insert in lieu thereof "this State in its efforts".

The articles, presented by Mr. Tower, are as follows:

A Killer on the Prowl

(By Dave Knapp)

In one frightful, seemingly endless swoop, a killer tornado packing fringe winds of 200 mph gouged a $200 million path of destruction through the heart of Lubbock at 9:46 p.m. May 11, 1970, ultimately killing at least 26 persons and injuring 2,000 by conservative count.

Striking swiftly and without warning, the massive twister—later estimated by experts to be 1½ miles wide at one point—made a barren wasteland out of 25 square miles.

The devastation stretched from 19th Street through downtown, the Guadalupe neighborhood, the region around Lubbock Country Club and on to West Texas Air Terminal.

Six hundred single family residences, 450 apartment units and another 8,800 family units were destroyed or damaged, leaving hundreds homeless.

At least 250 businesses were heavily damaged or wiped out.

There was the stately Great Plains Life Building, long a South Plains land mark, battered and pocked so badly some said it was doomed. Engineers, however, say it will stand for another 100 years. Unofficial sources set damage at $2 million.

And nearby, the First National Bank-Pioneer Gas Building, a structure closely resembling the United Nations Building in New York, appeared to have been shelled by cannons. The glistening facility, said to be one of the most unusual in the nation with thousands of dollars worth of objects of art scattered throughout its interior, sustained $1,750,000 in losses.

Motels, businesses, industries and houses were in a shambles. Many familiar places were piles of rubble. Others indicated scars that would take a long time to heal.

The wonder was that the death toll did not soar many times higher than it did.

"Unbelievable" was the single word most often used to describe Lubbock's plight.

National Guardsmen, reservists and Texas Highway Patrolmen were rushed into the Hub City to help Lubbock police maintain some semblance of order in the storm-ravaged areas. Off-duty local law enforcement personnel worked almost around-the-clock.

Tight security immediately was thrown up around homes and stores, their once-glittering fronts now gaping holes, with merchandise laid open to looters.

Miles of power lines were downed, and 25,000 telephone stations were kayoed by the gigantic twister—most destructive in Texas' history. Long distance lines also were snarled. And as word raced around the world of the disaster, communications delays became another factor.

There were other problems.

The storm knocked out the city's main water plant and it took more than eight hours for a fresh supply to reach Lubbock from the sandhills area near Muleshoe. In the interim, residents were urged to conserve what few trickles remained in the lines.

Lubbock was two worlds that night.

Residents slept well that night in parts of the Hub City spared by the storm. The horrible nightmare was just beginning to register in the minds of those who survived it as dawn came . . .

"Unbelievable" they said again and again and again.

Sifting through what remained of their homes and businesses, residents could not envision the tornado smashing its way through eight miles of the Pride of the Plains.

In hospitals throughout Lubbock, injured storm victims still were being treated. The death toll climbed. In the early hours of the

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morning it stood at 17. Then 19, 20. Later, 24, 25 and 26.

The dead included people from all walks of life.

A temporary morgue was set up in Smiley Wilson Junior High School, manned by police.

"All we can do," observed one veteran officer, "is tag the bodies, fingerprint them, give them a number and shoot a picture."

Most of the victims had slivers of wood driven into their bodies. Head injuries from flying debris were numerous. The victims were young and old and inbetween.

Two truckers passing through were caught in the storm and died on the highway. A woman racing for a storm cellar was killed when a pickup truck was hurled through the air, striking her and crushing her to death. And there was a migrant family that stopped for a red light. Whoosh. The storm had claimed another victim and injured several more.

A dozen schools were hit. Hundreds of students got an unexpected, and in this case, an unwelcome vacation. All business activity was suspended in the downtown area, where skyscrapers absorbed the full blast of the tornado.

"Parts of Lubbock resembled a battlefield. Heavy shelling couldn't have caused more damage."

More than 10,000 motor vehicles were destroyed or sustained heavy damage. Hundreds of them were found buried in debris. One was left standing V-shaped in the Country Club area, framing what was once a home.

The city's only newspaper suffered a heavy blow, but the next morning's editions rolled off the presses of the Amarillo Globe-News, a sister publication, never missing a lick in telling its readers of the storm. After one day, the newspaper's presses were rolling again.

And then, many still couldn't believe it.

"Unbelievable," they continued to say.

Parts of Lubbock resembled a battlefield. Heavy shelling, couldn't have caused more damage.

As the sun climbed a little higher in the sky, President Nixon was asked to declare the area a national disaster area. Storm damage survey teams fanned out to assess what The Lubbock Tornado did.

Aid started pouring into the Hub City.

And there was two-way trouble, City residents were attempting to contact loved ones in other towns, and the loved ones also were trying to find out, "Is so-and-so okay?" It was several days before all of these questions were answered.

The Texas Highway Department sent crewmen in from a 17-county area to help clear debris. Trucks from throughout the South Plains—lent by businesses, citizens, county and municipal governments and other sources—started tackling what seemed to be an insurmountable task.

IT WAS UNBELIEVABLE

The homeless were housed in an assortment of temporary shelters and in Municipal Coliseum. The Red Cross, Salvation Army, city, state and federal agencies moved to provide whatever assistance they were capable of giving in time of need.

Aid funds cropped up everywhere.

The Small Business Administration and insurance companies sent in field representatives and special offices were set up. It was a day of despair, hope and work. But the survivors—some left with nothing but the clothes on their backs—turned to the future.

And as the day wore on, there were new dangers. Tornadoes flitted about the South Plains, coming close to the Hub City, but mercifully pulling up short.

Lubbock went to bed May 12 still in a daze.

Weary disaster workers struggled to keep up with mounting problems the following day. But there were brighter sides. President Nixon formally declared the city a national disaster area and storm relief funds picked up.

LIKE A GIANT SLEDGEHAMMER

Portions of the downtown area were reopened for business but lacked one major thing—customers. The cleanup was making progress, heartbreak was still there, but Lubbock was coming back.

And a 24-hour curfew was clamped on the worst sections of the disaster.

Lt. Gov. Ben Barnes, Sen. John Tower, U.S. Rep. George Mahon and Sen. Ralph Yarborough all came for themselves to see what the tornado had done.

"This is the worst I've ever seen," Tower said.

Lubbock's displaced residents started relocating in federally-owned housing in the city. Hospitals caught up with the workload. The cleanup continued.

City officials worked closely with state, federal and other agencies to keep the monumental rehabilitation effort. There were times when the problems seemed to get the upper hand, but Lubbock was getting up off the floor. There was no 10-count.

There will be hundreds of stories untold, many over-exaggerated, thousands told a jillion times through the years as Lubbockites recall May 11, 1970.

But even as memories of the horrible night still remain vivid, there is talk of a new Lubbock, a brighter Lubbock, a city with some of those things it didn't have when The Lubbock Tornado struck.

Then the word "Unbelievable" still might be in order.

IT WAS LIKE ANOTHER WORLD

(By Jay Harris)

It looked like another world . . .

A savage tornado—believed to be the most massive and destructive ever to hit a major metropolitan area in the U.S.—had struck out of blue-green, muggy skies to leave death and destruction across a city that for more than 70 years had somehow escaped the terrible twisters which often dotted the nearby landscapes.

But it had finally happened . . .

And those who survived would remember it forever.

From the moment that awful roar—and the sound of 10,000 fists sending their savage might smashing into skyscraper and slum alike—struck terror across the city, it was a city at the mercy of the elements.

It seemed as though it would never end.

On and on and on, the exploding walls and glass and crashing trees and poles and tumbling cars.

And the dead and dying and the injured.

Then, the almost sudden, deathly pause and quiet.

And then it was another world, a nightmare come true.

The tornado itself—some said there were two, three, even four or more marching side by side—cut a mile and half wide swath eight miles long.

Actually, it appeared to be one massive funnel squatting low on the ground and sending damaging winds outward over a wide area. The main blow took three minutes or more to pass, but damaging, hurricane-like winds with speeds estimated up to 100 or more miles an hour battered the stricken area for another 5 to 8 minutes!

As the winds and rain and hail subsided, the people came cautiously into the streets.

There was little or no panic. Instead, an almost unbelievable calmness as those in the severely damaged downtown area surveyed the scenes about them . . . and quickly set about the torturous task ahead.

Out in the residential sections of the city, spreading to the west and northwest and north and northeast from the devastated downtown area, there was almost complete, utter desolation.

Splintered wood and dreams.

In many instances, the work of a lifetime was gone in less time than it takes to tell about it.

One of the Southwest's most bustling cities lay crippled by a monster it knew existed, a monster which had often taunted it but never struck before.

Now, the eerie quiet was broken as survivors shouted questions, ran to dig at piles of debris, to the Emergency Operations Center in the basement of the damaged City Hall, hurried from homes to aid the injured, rushed from still standing but damaged buildings as word of a new blow was reported, or walked, or drove toward the scene of disaster.

The shambles which greeted the eyes of those who survived and the hundreds who came from the spared sections of the city was beyond comprehension.

Cars lay flattened to within two or three feet of the pavement, almost hidden by debris. Power lines, telephone poles, draperies from coffee shops and the 15 story First National-Pioneer Gas Building dangled in the damp breeze.

The 20-story Great Plains Life building—Lubbock's tallest—seemed to sway, gaping holes had been torn in its windows, a severe gash showed about six stories up.

A CITY CLEANING UP

Nearby, West Texas Hospital, almost in the heart of the damaged area and now badly needed to succor the victims, was battered, without outside power, an emergency center with an emergency of its own.

There were few if any phones still operating in the storm-damaged section, but somehow, mercifully, Southwestern Bell's huge downtown complex came through the blow in comparatively good shape—as did the massive First Methodist Church, which stands watch over the downtown area.

But it appeared that some enemy army had massed its cannon and blasted gaping holes in the modernistic First National-Pioneer structure, towering into the tortured sky like a wounded ship adrift in the night.

The huge block-sized structure, which in some respects resembles the United Nations building in New York City, stood out even more starkly in the blacked-out stricken section because emergency power from the nearby gas company's parking building complex was available. Billed as the world's "most unusual bank" and showing art works worth a fortune, the bank's beautiful new lobby was in ruins, with a two-story high statue standing in the entry like a lone sentinel.

AND A CITY FIGHTING BACK

Within minutes after the storm had passed, the downtown area was a beehive of activity, including unfortunately a few looters.

Ambulances, their wails piercing the night, and emergency lights flashing, cautiously plowed their way through debris-littered streets as the dead, dying and injured were brought out by rescuers who sometimes dug with their bare hands to reach the victims.

Major hospitals over the city were quickly taxed. Doctors, nurses and others who could help—on or off duty—quickly rallied.

As lightning continued to flicker in the background, emergency generators pumped their power into probing lights and makeshift operations around the storm torn area, which in many ways resembled a busy battlefield.

And although many in the city did not immediately realize it, another grave danger had emerged. The storm had swept through the Lubbock Power and Light Company's main downtown power plant, then roared on into the Mackenzie Park area to add new devastation to city facilities.

Power lines of Southwestern Public Service went down as poles snapped like matchsticks.

EVERYONE PITCHED TO HELP

The storm battered section was licking its wounds in the dark.

But worse, the storm had knocked out power to a major portion of the city's water pump system. A critical water shortage soon developed and as city officials issued warnings for strict rationing and saving of water, faucets throughout the city went dry.

Irrigation wells and other which had been drilled in and near the city suddenly became vital—and their owners broadcast offers to share the priceless liquid.

It wasn't until late in the afternoon that full water use became available.

As dawn broke over Lubbock Tuesday morning, it was as if the city was existing in two worlds.

From 19th Street and University Avenue where the storm started sweeping in at a damaging near rooftop level on north and east, the scene was one of increasing destruction—until finally one gazed on scenes reminiscent of those in photos of bombed European cities. The major residential sections south of 19th Street and west of University escaped. Had the thundering twister dipped sooner, the death tool easily could have been in the hundreds.

The storm itself had boiled up south of the city an hour or more before dusk. Then building, the boiling clouds shifted slightly to the southeast and before dusk the U.S. Weather Bureau was issuing warnings of severe weather for Lubbock, Floyd and Crosby counties.

Within minutes, the ominous "hook" was appearing on the Bureau's radar scope. Then as the storm intensified, reports of baseball sized hail south of the city started. The storm seemed to shift slightly to the southeast with a northeasterly direction, perhaps lulling many into a feeling of false security.

An off-duty policeman twice reported that a huge funnel had been sighted not too far south of Tahoka traffic circle.

By 9:20 p.m. rain and hail—still golfball to baseball sized—had started moving into the southeastern portions of the city.

While almost everyone had been concentrating on the storm which many obviously thought would move northeast of the main part of Lubbock, the southern arm of the storm continued to boil like a volcano—and new thunderstorms had rapidly formed to the west and southwest.

By 9:35 p.m., the clouds to the south seemed to shift slightly, even as the new storm system from the southwest moved in.

At 9:35 p.m., the Weather Bureau informed the EOC in City Hall that a tornado "hook" had been located in the clouds in the vicinity of Brownfield Highway and 19th St.

At the offices of The Avalanche-Journal, the second half of the night shift had been at work 15 minutes. It was 9:45 p.m. and the rain and hail was pouring down on the long, modern building with its communications lines reaching out across the world. A newsman talking to an Associated Press editor in New York City told him "I have to hang up now, we are going to have a tornado . . .

Clocks in the downtown area stopped. They read a fraction past 9:46 p.m.

The city was at the mercy of the storm . . . and in deep trouble . . .

Then came the quiet . . . and the unbelievable ruins . . .

Now, many more nights and days have passed and a city brought together in tragedy rebuilds for tomorrow . . .

As an editorial in The Avalanche-Journal summed it up . . .

". . . This will go down in history as a time in which Lubbock was at its best . . . The shock of this disaster will remain for a long time, but so will memories of the manner in which so many hands pitched in to make it right again in their city . . .

THE VICTIMS . . . HOW AND WHERE THEY DIED

(By Jack Golding)

May 11 began just as a hundred before it.

Hot winds had dried the Plains most of Mothers Day, but Monday was cool and a gentle breeze pushed across the city.

By mid-afternoon there was a slight chance for thunderstorms, but too slight to mention in the forecast.

At dusk a bright sun pierced its rays through dark clouds that had spattered the city with raindrops only moments before.

The spring shower dipped out of a threatening sky and H. D. Short, 73, and his wife, Lillie, 72, left their gardening and rushed into their stucco home at 512 E. Stanford.

Across Fourth Street, perhaps a mile away, John Cox, 26, and his wife, Glenna, drove along Clovis Road toward Avenue Q. Cox was a Vietnam veteran working on a masters degree at Texas Tech. His wife was a school teacher. They had been in Shallowater visiting relatives and were returning to their home at 1615 16th St.

A moment later, Lillie Short was dead and Cox was seriously injured. They were victims of a twisting, thundering wind that sent a city buckling to its knees and claimed the lives of 24 others before it spent its fury. Mrs. Short's daughter, Mrs. H. H. Reagan of 4915 14th St., talked with her mother over the telephone a half hour before she died.

"They had worked in the yard, rose bushes and this sort of thing. There's just nothing left. The trees are even blown down.

"My father said the electricity had gone off. They were standing side by side in the living room when the storm hit."

"My mother got up to close the door the wind had blown open. I guess the last words she ever spoke was 'I cannot hold the door.' "

Short was helping his wife when he heard a terrible roar. The storm destroyed only the front part of their home.

"Debris flew through the front door and wall. My mother took the full impact from it," Mrs. Reagan recalled later. The 73-year-old man was thrown across the room onto a couch.

"When he realized what had happened he called Mother's name. A pet dachshund, Nicki, was beside my mother's body."

As young Cox and his wife continued their journey home, they neared Avenue Q on the Clovis road and plunged right into the killer storm. Apparently the young couple took refuge outside the car. He died soon after in Methodist Hospital. She was listed in serious condition.

During the following seconds, similar scenes of horror would occur in the path of the holocaust.

Four miles from the Cox couple, Dale McClintock, 39, of 2101 Mesa Rd., a former policeman and a salesman for Lubbock's W. D. Wilkins Co., struggled with a storm cellar door. His wife, Betty, and two daughters were at home with his mother, Mrs. L. L. McClintock at 2121 Cypress Rd. in the Country Club Addition.

McClintock was trying to open the door so his family could dash into the shelter. An instant later he was killed, probably by flying debris.

At Loop 289 and U.S. Hwy. 87, Thomas Andrew Cook, 29, a trucker, and a companion, Frank Moreno Canales Jr., 33, both of Uvalde, were driving their large van loaded with bird seed. It was destroyed and they were riddled with debris and flying wreckage. The spinning storm claimed two more lives.

In a small home at 108 N. Ave. L, Mrs. Aurora Salazar, 68, of 216 Ave. N, huddled with the Emilio Ortega family and five other persons, 11 in all. Everyone but Mrs. Salazar took shelter beneath a table and other furniture. She was struck by a piece of wall and a large chair when the frame dwelling collapsed around them. She died May 12 in West Texas Hospital.

Two blocks away, Mrs. Estefana Guajardo Paez, of 201 N. Ave. O, fled her home and was trying to go to a storm cellar when an old, blue pickup truck that was tossed by the storm crushed her. She was a native of Mexico and moved to Lubbock 54 years ago.

Jose Luz Leyva, 13, son of a migrant farm worker from Brownsville, was in a caravan of four cars traveling from Brownsville to Nebraska. The cars reached a traffic light at Plainview Highway and Erskine Road and the first three made it through. The Leyva car stopped.

ONLY A MOMENT, AND IT ALL CHANGED

The family covered itself with quilts and began to pray. Jose and his father were sucked out of the car and hit by flying fragments borne by deafening winds.

Jose died early May 16 in Methodist Hospital.

The same day, Joseph Glen Garrett, 29, of 1102 Marlboro St., died. He, his wife and three children were in their home when the deadly tornado destroyed it. Garrett's sister, Ruth Ford of 302 E. Purdue St., said all five members of the family were tossed into a field by the whirling winds.

Pedro Lopez, 56, of 208 Ave. N, was found dead at 1st St. and N. Ave. M. He was muddy and wet and bleeding from his head and neck.

Jose Aguilar, 75, of 221 N. Ave. M, was found dead in his storm-ravaged home.

Shelby Curtis Glenn, 52, who lived northeast of Lubbock near Idalou, died a short time after he arrived at Methodist Hospital.

Mrs. Johnny Hobbs Butts, 56, was dead when she arrived at Methodist Hospital. She had been at home at 1902 10th St., when the twirling storm crashed across the structure and left only a few walls standing.

At 2105 Cypress Rd., Mrs. Frances Rogers, 88, and her daughter, Cassie, were alone. Mrs. Rogers was sitting in a chair when the wind took the house, stripping both mother and daughter as it went. Mrs. Rogers was wrapped in a piece of tin.

She was held prisoner all night. Mrs. Rogers and her daughter lay in the rain and hail, unprotected but conscious as the storm spent its fury. The elderly woman was black and blue from hail and tin marks when she died in the intensive care unit at Methodist Hospital May 20.

In a frame home at 2301 Mesa Rd., Kenneth R. Medlin, 23, had talked with his mother over the telephone.

"It looks like it might hail," he told her, "I'd better put the car in the garage."

Moments later his entire family became victims of the storm. The young bricklayer, his wife, Mary Jane, 22, and a son, Alan Raye, 3, apparently were killed instantly when the storm demolished their home.

An infant son, Dustin, only nine-months-old, was found wrapped in blankets. He died at 2:10 a.m. the following day, May 12, in Methodist Hospital.

A block from the Medlin home, Mrs. E. C. Knight was in her residence at 2201-A Mesa Rd. The 63-year-old home economist was at home while her husband was in Mexico fishing. She never saw him again.

In Acuff, Dora Bertie Graves, 49, and her husband, H. J., spent the afternoon working on a new home they were building. They were returning to Lubbock and were on Loop 289 and near the Amarillo Highway when the killing storm found them. Mrs. Graves was found dead on one side of the highway and her husband was seriously injured on the other.

Mrs. Pauline Zarazua, 39, of 2803 1st St., had just gotten off work at Litton Industries. She died in her car at Loop 289 and Hwy. 87.

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Salvadore Jack Lopez, 57, of 208 N. Ave. L, died when the whirling winds destroyed his home.

Across the street and a few doors down, Otila Gonzales, 46, died in her home at 201 N. Ave. L, as the storm whipped it to the ground.

Mrs. Helen Alafa, 30, of 2908 2nd Place, had just been involved in a traffic mishap shortly before the storm crashed over the city. Her husband had met her at the scene of the collision and as they returned to their home, traveling on 4th St., it struck. They stopped the car and fled for shelter but Mrs. Alafa was fatally injured by storm-blown debris. She died May 21 in the intensive care unit of West Texas Hospital.

Two days before, the storm claimed the life of another young victim. She was Marie Angela Mora, 8, daughter of Mrs. Florencio Mora of 1311 Jarvis St.

The child died May 19 in Methodist Hospital. Marie, three sisters, and their mother were crouching under the house when the tornado struck. The father, a welder, was at work.

Mrs. Ola Belle Hatch, 77, of 2101 Cypress Rd., died May 13 in Reese Air Force Base Hospital. Mrs. Hatch and her husband, William H., were injured when the storm struck their home near Lubbock Country Club.

It had been a night of terror.

TELLING IT LIKE IT WAS

(By Phil Hamilton)

There was only time for two words—"Get Down!"

The cry came from somewhere inside the second floor newsroom of The Lubbock Avalanche-Journal as glass on the first floor shattered and swirled up the stairway and the few small panes on the second floor burst from their casings.

For a moment it seemed impossible that a metropolitan newspaper, hooked up by telegraph with the weather station only a few miles away, connected by radio to the local police broadcasts, and with a traditional eye for news related to South Plains weather could be caught in the swirling vortex without more advance notice.

But as copy paper, pictures and other items left on desks as they were abandoned for more solid shelter swirled through the beam of a flashlight, the realization came that the city—and The Avalanche-Journal building—had been hit by a tornado.

The flashlight that had been nearby when the storm hit became a beacon in a sea of darkness and the initiating force in publishing a newspaper that on any other night would have been wrapped up and ready for the presses three hours later.

But this wasn't an ordinary night.

The block-long building had taken the full fury of the twister, the roof was heavily damaged and the north wall of a new addition to the mail room scattered across the terrain beyond.

The newsroom had to be evacuated when the ceiling opened up and water from the drenching rains that accompanied the twister poured in. In moments the water was streaming into the composing room and down the stairs to the first floor.

Aided by the light from two flashlights that had been purchased only a short time earlier when staff members had needed—but had been without—lights as they gathered information following the storms that crippled Whiteface, Whitharral, Cotton Center and Plainview, reporters, proof readers, photographers, and printers filed into the press room in the building's basement that was unscathed by the twister.

Next came a head count. No injuries. But two members of the staff had been out when the storm hit. Both showed up a short time later—shaken, but unhurt.

Photographer Milton Adams, taking pictures of hailstones that had pounded the area an hour before the tornado struck, had been out of the storm area completely. The police reporter, Lane Arthur, en route to a reported storm near Idalou, had been caught in the twister, forced to abandon the staff car when it was blown into a ditch, and had hitched a ride in a battered police unit to get back.

A quick survey of the damage that could be seen from outside the building brought the realization that this might be the biggest news story of the century in Lubbock—but how do we get it to the public?

Loss of power had silenced composing room equipment and the press. Telephones were dead. Typewriters and note pads had been left behind in the flooded newsroom. But there were still reporters and editors—and that's a beginning.

A relatively dry corner of the circulation department on the first floor was quickly turned into a makeshift newsroom and all available hands were pressed into service in an attempt to determine the magnitude of the storm. Several reporters who were not scheduled to work that night soon showed up. Included in those was the A-J regional editor, Tanner Laine, who a short time later fell victim to a misplaced step on a flooded curb and finished the night in a hospital bed with a severely damaged knee—the only staff casualty of the storm.

Still with no idea how their efforts would get into print, the staff was divided into teams of two and sent out, pioneer style, to survey the surrounding area.

Others were pressed into service talking with persons who had weathered the storm and just "dropped by" to see how the A-J had fared. Others watched the parade of injured through the city's hospitals.

Transportation was at a premium. Many of the employes' and staff cars had been battered by the storm. Those that were available were almost useless on the rubble-littered streets, but by midnight reports from various points across the city and from the Emergency Operating Center in City Hall had provided a rough idea of the magnitude of the storm.

The A-J radio station, KFYO, had a line open to Dallas station KRLD when the storm hit. Through some stroke of fate it remained open.

Newsmen and others, gathering in the flooded and darkened first floor area of The A-J after the initial shock and head count, and within 15 minutes started charting plans to get a paper out.

As soon as it was ascertained that it would be impossible to publish in The A-J building that night, alternatives were quickly hashed over, with The Amarillo Globe-News plant the logical choice—despite dwindling time and long distance.

The wheels were in motion.

Key personnel who needed to confer somehow found the time to do so at the right time. There was complete teamwork, quick decisions.

Within half an hour, staff and other members were fanning over the city to compile first accounts. Within an hour the picture was taking definite shape.

In addition to the KFYO line to Dallas, A-J newsmen waded water and encountered flat tires to reach Southwestern Bell offices where another line was made available to The A-J so that news of the disaster could be fed in detail to The Associated Press in Dallas for distribution around the world.

Notes, some of them soggy and stained, started pouring in from staff members. By midnight, both the line at KFYO and another at Southwestern were "tied-up" by A-J staffers pouring storm news into the offices of The Amarillo Globe-News which had set up a special staff detail to compile hundreds of words for use in The A-J edition at the same time the Amarillo paper was compiling its own late storm paper.

The last "top" on the main story—updating it to say 20 persons had been killed, an accurate report at that time—was dictated about 3 a.m.

The Globe-News even had engraved an Avalanche-Journal "sig" right down to the "red sunrise" and by 7 a.m. had printed and trucked to the A-J offices some 60,000 copies of the "miracle" storm edition!

A more direct telephone operation was set up for the following afternoon edition and it, with a list of known dead, also was printed in Amarillo and trucked in.

If the Tuesday papers seemed to amaze those who wondered how it was done, the Wednesday morning and afternoon "Tornado Editions" were even more impressive.

Working in makeshift quarters, with transportation still at a premium, flickering lights from a single line and at times using a portable generator, the 42-page Wednesday morning paper—carrying pages crammed with pictures and reams of the latest storm details—rolled on time!

The newspaper on the doorstep Tuesday morning seemed to those who had compiled it a symbol of triumph over impossible odds, but the elation was confined to a few.

One member of the staff, visiting his barber a few days later, expressed his pride in publishing that morning.

"Yeh, you got it out," was the reply. "But it was sure a little thing—only eight pages."

But to those who had a hand in its making, it was the biggest eight pages ever published anywhere.

WHAT TO DO IN CASE OF TORNADO

When a black, deadly tornado approaches, a person's immediate reaction may mean the difference between life and death.

In open country, move away from the killer's path at a right angle. If there is no time to escape, lie flat in the nearest depression, perhaps a ditch or ravine.

If you're in a city or town, seek shelter inside, preferably in a tornado cellar, an underground shelter. Even in a steelframed or reinforced concrete building of substantial construction. But stay away from windows!

In an office building, stand in an interior hallway on a lower floor, preferably the basement.

In homes, the corner of the basement toward the tornado usually offers the greatest safety.

In a house with no basement, take shelter under heavy furniture or under a mattress in the center part of the house.

Keep some windows open but stay away from them!

In factories, post a lookout but be ready to move quickly to sections of the plant offering the greatest protection.

In schools, go to a storm cellar or an underground excavation. If there is no storm cellar but the building is of reinforced construction, stay inside. Away from windows! If possible, go to an interior hallway on the lowest floor. Avoid large rooms with poorly supported roofs, such as auditoriums and gymnasiums.

If the building is not of reinforced construction, go quickly to a nearby reinforced building or to a ravine or open ditch and lie flat.

MAY 11: A BAD DAY FOR TEXAS

May 11 could easily be recorded as the deadliest day in modern Texas history.

It was May 11, 1953, when a black, swirling storm dropped out of the turbulent afternoon skies over Waco, killing 114 persons and injuring 597. The spinning whirlpool damaged 900 homes and destroyed 150. Before it swept out of the Central Texas city, it had left almost 700 other buildings either destroyed or damaged.

The same day, a tornado struck near San Angelo in the Concho River Valley, striking eleven dead and causing 159 injuries.

Exactly 17 years later, May 11, 1970, a spiraling monster moving in from the south, crippled Lubbock, a bustling city that was the hub of the South Plains. In its wake, it left 26 dead, and countless injuries.

A MESSAGE IN THE RUINS

"So persecute them with Thy tempest, and make them afraid with Thy storm."

These words stood out on the open page and immediately caught the eyes of two Texas Highway Department workers as they cleared rubble from the Guadalupe area of Lubbock after the May 11 tornado.

They were printed in a battered, water-soaked pocket testament opened to the 83rd Psalm with the preceding page folded back.

David H. Patton and Charles Penick, both of Slaton, found the testament atop a pile of debris that had lodged beneath a small bridge in the vicinity of North Avenue K and Emory Street.

From that 13th verse, the passage read:

"Fill their faces with shame; that they may seek Thy name, O Lord.

"Let them be confounded and troubled forever; yet, let them be put to shame, and perish;

"That men may know that Thou whose name alone is Jehovah, are the most high over all the earth."

THEY CAME, THEY SAW, AND THEY WERE AWED

For most of the first week after the devastating tornado struck, by necessity a major portion of the damaged area was blocked to the general public.

Only those persons with emergency passes and who lived, worked or otherwise had reason to be in the stricken section were permitted in by Lubbock Police, Department of Public Safety, Sheriff's units or National Guardsmen.

Gradually, the barriers were lifted, first in the main business section, and then gradually in other areas as cleanup operations progressed.

Then, on Sunday, May 17, the public was permitted to make a guided tour of all but two sections still crippled and off limits.

In long, seemingly unending lines, they came.

Not only from Lubbock, but numerous towns throughout the South Plains and Panhandle, New Mexico, and Oklahoma and dozens of other states. Miles of cars, trucks, motorcycles, dune buggies, bicycles and afoot . . .

They, individually and collectively, were stunned.

Many had never seen such devastation in their lifetime. Few indeed were those who were prepared for utter ruins which lay before them, mute evidence of the power of Nature unleashed in all her fury.

And they were touched . . .

Many gave money to civic club groups stationed strategically along the route, the funds to be turned over to disaster relief.

Others took more direct action . . .

"We haven't given a thin dime or a single piece of clothing," one man related, "But we're on our way home right now to clean out our closets and stock of canned goods . . ."

A man stopped to fix a flat tire . . . Nearby an older man dug through the rubble of his home. The man with the flat, looking up, stopped, rolled up his sleeves and walked over . . . He too started helping the man clean brick and straighten the rubble . . .

A car, its windows shattered by the previous Monday's storm, approached a busy intersection where a tired and hot officer directed traffic. A hand came out of the car and the patrolman was given a cooling drink and a cup of ice cream . . .

Those who came will never forget, and although most of them didn't need to be reminded . . . "There but for the grace of God, go I . . ."

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRITION BILL, 1971—AMENDMENT

AMENDMENT NO. 762

Mr. HART. Mr. President, I submit for Senators JAVITS, BROOKE, CASE, CRANSTON, EAGLETON, GOODELL, GRAVEL, SCHWEIKER, MUSKIE, WILLIAMS of New Jersey and myself an amendment to H.R. 17548, the Independent Offices and Department of Housing and Urban Development appropriations bill, to appropriate the full authorization of $2,287,500,000 for urban renewal. The leadership has announcel this bill will be the business before the Senate on Monday next.

Let me break down the authorization-appropriation situation for urban renewal funds as of July 1.

Last year's appropriation of $1 billion was $587 million short of the full authorization. That unused authorization is still available.

On July 1, a new authorization of $1.7 billion will become available, creating a total available authorization of $2,287,500,000.

The budget request of $1 billion for fiscal year 1971 was approved by the House.

The Senate Appropriations Committee recommends an appropriation of $1.3 billion.

Our amendment then would add $1.3 billion to the budget request and $1 billion to the Senate Appropriations Committee recommendation.

Strong sentiment exists in the Senate for appropriating the full urban renewal authorization.

Last year, an attempt to add the unused authorization of $600 million was defeated by just three votes.

On May 26, Senator JAVITS and I presented a letter signed by 33 Senators to the Senate Independent Offices Appropriations Subcommittee urging full funding for urban renewal.

On June 22, the Senate voted 70 to 12 to add the unused authorization from last year to the supplemental appropriations bill.

Because the regular appropriation bill is expected to follow so shortly after passage of the supplemental, no effort was made to press the issue when the House deleted the addition.

Mr. President, even if we appropriate the full authorization of $2.3 billion, we will be $700 million short of the demand already on hand.

In correspondence with Secretary Romney and in testimony of HUD officials before the House Appropriations Committee, it was made clear that the value of unfunded urban renewal applications would total $3 billion at the start of the new fiscal year.

On March 2, Secretary Romney, in a letter to Senator PASTORE, wrote:

> The demand for renewal funds is continuing high. The backlog of applications on hand totaled $2.7 billion on January 1, 1970. We expect this to rise to about $3.0 billion by the end of this fiscal year after utilizing all funds available.

Lawrence Cox, Assistant Secretary for Renewal and Housing Management, testifying before a House appropriations subcommittee, said:

> To indicate the need and support for the program, after the $1 billion appropriated for fiscal year 1970 is spent, the Department will have a backlog of urban renewal applications totaling approximately $3 billion.

In addition, the short fall of $700 million will be increased as new applications are received during the year.

It is my understanding that in the past, HUD received new urban renewal applications at a rate of $200 million a month.

Secretary Cox, while not projecting a dollar figure, told the House subcommittee that HUD expected that "probably as many as 400" projects would reach the funding stage in fiscal year 1971.

In its budget justification, the Department divided its appropriation request of $1 billion this way:

The $400 million for existing urban renewal programs;

The $300 million for neighborhood development programs;

The $125 million for other existing programs funded by urban renewal appropriations, and

Only $175 million for new programs.

According to Mr. Cox, HUD anticipates funding only about 53 new urban renewal projects this year.

Even more serious, the $400 million to be allocated to existing programs for amendatories is $300 million short of the need.

There are those who will contend that any increase in urban renewal expenditures will fuel inflation. I would like to point out that in the city of Detroit, urban renewal has financed construction of more than 4,000 new moderate and low-rent income housing units, rehabilitation of more than 4,000 such units ,and added $150 million to the city's tax base.

This type of expenditure does more for the Nation, does more to fight inflation than spending $1 billion on the ABM.

There are those who will contend that the administration may not release any of the funds we may add to the budget request.

That possibility should not affect our course of action.

Congress has a responsibility to help determine national spending priorities.

Congress has a responsibility to live up to commitments it has made to the Nation's cities, when it established the urban renewal program.

To refuse to add to the budget request is to foreclose any chance that the administration will change its priorities. To refuse to appropriate the full authorization is to break our commitment to our cities.

XUM

Mr. President, during last year's floor debate on adding $600 million in urban renewal funds, I said there were four strong reasons for appropriating the full authorization.

Those reasons are as valid today as they were then.

First, the demand for even more than the full authorization is clear.

Second, in establishing urban renewal programs, the Congress made a commitment to help rebuild cities. City residents have better reason than most to question the value of such commitments. We should not go back on that commitment now. If we do, we can add urban renewal to the long list of promises that the Federal Government makes but never fulfills.

Third, the level of appropriations controls the number of new starts, whether or not the money is spent the same year.

And fourth, by appropriating the full authorization the Senate can greatly strengthen the hand of its conferees when they meet to settle differences between the House and Senate versions of the bills.

The PRESIDING OFFICER (Mr. GRAVEL). The amendment will be received and printed, and will lie on the table.

Mr. HART. Mr. President, I ask unanimous consent that a statement, prepared by Mr. JAVITS, be printed in the RECORD.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

The statement of Mr. JAVITS is as follows:

Mr. JAVITS. Mr. President, I am pleased to join with Senator Hart and the other sponsors of the amendment to add $987.5 million to the 1971 appropriation for urban renewal.

The House has appropriated $1 billion for urban renewal and the Senate Appropriations Committee has added an additional $300 in the bill. However, the available authorization through 1971 is $2,287.5 billion and the full amount is needed if there is to be a substantial reduction in the $3 billion backlog of applications which are on hand at Housing and Urban Development, according to Secretary Romney.

In 1949, Congress enacted the urban renewal program with the stated objective of eliminating and preventing the spread of slums and blight and to help achieve the national goal of "a decent home and a suitable living environment for every American family." Since the inception of the program, 1,000 communities in all 50 states have participated or are participating.

The program is not simply a big-city program, but has been used in communities of all sizes, with 40% of renewal funds spent in cities with populations under 100,000.

By the end of fiscal 1969, the urban renewal program had accomplished the demolition of approximately 460,000 dwelling units in blighted areas and relocated 270,000 families and 141,000 individuals from grant assisted areas—with the vast majority going into standard housing. During the same period, approximately 257,000 new or rehabilitated housing units were started or completed, of which 53 percent are for low and moderate income families.

The urban renewal program also has generated over 500,000 permanent jobs, in addition to the construction jobs provided, with a total of 2.2 million jobs to be provided when all redevelopment approved as of June 30, 1969 is completed.

At the present budget levels, the urban renewal program will not accomplish its objective to provide a decent home and suitable environment for all Americans. In fact, it will not keep pace with its current applications. Fiscal 1970's appropriation was $1 billion, approximately $600 million short of the authorization. On July 1, 1970, a new authorization of $1.7 billion becomes available for urban renewal. Thus far, out of $2.3 billion available for urban renewal, only $1.3 billion has been approved for appropriation.

There has been much talk of reordering of priorities and of providing 26 million housing units in 10 years, but relatively small amounts of money have been spent toward the realization of those goals.

If we are to work toward the goal of adequate housing for all Americans—certainly this is a fundamental need—and if we hope to show that we are sincerely interested in concentrating our resources on solving the crucial domestic problems confronting us, the urban renewal program must be funded at its fully authorized limit of $2.3 billion for fiscal 1971.

The necessary increase would not be inflationary since the investment in urban renewal is an investment in tangible assets of value which has increased the assessed valuation of land and improvements in completed urban renewal projects by an average of 240 percent. I urge the Senate to fully fund the program by adding $987.5 million to the Committee approved appropriation for urban renewal.

STAR PRINT OF AMENDMENT NO. 754

Mr. PROXMIRE. Mr. President, I ask unanimous consent that amendment No. 754 to H.R. 17123 be reprinted in order to delete from line 4 the words "or Thailand," which were inadvertently included in the first printing of this amendment.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

NOTICE OF HEARINGS ON BILLS RELATING TO MEAT INSPECTION

Mr. JORDAN of North Carolina. Mr. President, I would like to announce that the Subcommittee on Agricultural Research and General Legislation of the Senate Committee on Agriculture and Forestry will hold hearings on Thursday and Friday, July 16 and 17, at 10 a.m., in room 324 of the Senate Office Building, on S. 3942, S. 3987, and S. Con. Res. 73, all of which deal with meat inspection. Any witnesses who desire to be heard should advise the clerk of the committee.

NOTICE OF HEARINGS BEFORE THE SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES ON THE CRIME PREVENTION AND LAW ENFORCEMENT ACT OF 1970

Mr. McCLELLAN. Mr. President, I wish to announce that the Special Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary will resume hearings on bills to amend the Omnibus Crime Control and Safe Streets Act of 1968 and related measures on July 7, 1970. In addition to the bills listed on page S8585 of the CONGRESSIONAL RECORD of June 9, 1970, testimony will also be taken on S. 4021, the Crime Prevention and Law Enforcement Act of 1970 introduced on June 24, 1970, by the senior Senator from Michigan (Mr. HART), a member of the subcommittee. Also, the law enforcement assistance amendments (H.R. 17825) passed the House on June 30 and should be before the subcommittee for inclusion in the hearings.

The hearings will begin at 10 a.m. in room 2228, New Senate Office Building. Persons wishing to testify or submit a statement for the record should contact the staff of the subcommittee in room 2204, telephone extension 3281 or 5373.

ADDITIONAL STATEMENTS OF SENATORS

GRANT OF FUNDS FOR BILINGUAL EDUCATION

Mr. MURPHY. Mr. President, today I had the pleasure of announcing a bilingual grant which not only has statewide significance in California, but also significance for the entire United States. I announced a $529,000 Office of Education grant under the Bilingual Education Act which I cosponsored and which I have been a strong advocate of increased funding since its enactment. It was my amendment added last week to the education appropriation bill which increased the bilingual funding by $5 million to $30 million. The study which I announced today will attempt to develop testing and measurement instruments to provide a more adequate assessment of skills and competencies of the Mexican-American and other minority groups. I ask unanimous consent that my press release of today be printed in the RECORD. In addition, I ask unanimous consent that a copy of the study by the California State Department of Education which is the pioneer work in this area and which prompted the Office of Education to undertake this major effort be printed in the RECORD. The California State study is completed under the direction of Dr. Eugene Gonzales.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NEWS RELEASE FROM THE OFFICE OF SENATOR GEORGE MURPHY

Senator George Murphy (R-Calif.) today announced that the Stockton Unified School District will be given a $529,000 Office of Education grant under the Bilingual Education Program.

The purpose of the grant will be to develop instruments to provide a more adequate assessment of skills, abilities and competencies of the child whose dominant language is other than English.

In 1969 the California State Department of Education under the direction of Dr. Eugene Gonzales completed a pioneer study of the testing and measurement of the intelligent quotient (IQ) of Mexican-American children. What prompted the study was the concern over the high proportion of Mexican-American youngsters who were being placed in "educable mentally retarded" classes. The finding of this study was that Mexican-American children were being classified as "educable mentally retarded" because they were unable to understand the tests given in English. These same youngsters who have been labeled "educable mentally retarded" showed dramatic increases in their IQ test scores when the tests were given in Spanish. In other words, Mexican-American youngsters were erroneously placed in "educable mentally retarded" classes because of language deficiencies.

"Realizing the significance of this study, I called it to the attention of the Appropriations Committee and my Senate colleagues in urging increased funds for the bilingual program for fiscal year 1970. Again this year I called this study to the attention of the Appropriations Committee in my testimony seeking additional bilingual funding. Furthermore, after the study came out, I urged the Office of Education to attempt to develop better testing instruments to measure the abilities of Mexican-American and other minority children. And I am certainly pleased with the Office of Education's decision which I am making public today.

"The significance of the pioneer California study of 1969 is evident by today's announcement and the fact that 37 states have queried the California State Department of Education on its landmark study," Senator Murphy said.

Senator Murphy, a member of the Education Subcommittee and a cosponsor of the Bilingual Education Act of 1967, said: "Mexican-American and other national origin children, with different cultural and linguistic backgrounds, are often very different from most of the students enrolled in the California schools. They enter the school system suffering many handicaps, including the language barrier. The bilingual program is aimed at correcting these language deficiencies. Coupled with the child's handicap is the school's inability to assess the child's skills and competencies. It is hoped that the study undertaken will enable us to realize the true potential of Mexican-American and other national origin youngsters for learning.

"Presently they are often measured by instruments, developed for English-speaking children, which have been normed for that population. The concepts included on those tests are too often unfamiliar to children brought up in a culture other than Anglo, and when given English, a language which they understand poorly or inadequately, the test scores frequently predict failure or often cause children to be classified far below their grade level, as was the case in the California State Department of Education study.

"The Stockton project then would undertake the norming of standard tests for Mexican-American and other minority youngsters. Preliminary work is already under way and it is expected that within the year these tests might be available for distribution."

Senator Murphy concluded, "The Stockton school district is uniquely equipped for undertaking this project. They have the capabilities, the statisticians, and the needed computed facilities for processing the information. California and the nation eagerly await the results of this important undertaking."

NOTE.—Only last week, Senator Murphy succeeded in offering a Senate floor amendment increasing the funding of the bilingual program from $25 million to $30 million.

AN INVESTIGATION OF SPANISH-SPEAKING PUPILS PLACED IN CLASSES FOR THE EDUCABLE MENTALLY RETARDED

This report reflects the findings of an investigation conducted by the Mexican-American Education Research Project, California State Department of Education, on a sample of Mexican-American pupils enrolled in classes for the educable mentally retarded (EMR) in selected school districts in California. The investigation has been directed to the question as to whether these pupils should have been placed in classes for the educable mentally retarded or whether a language barrier prevented them from being assessed properly as to their native abilities to perform cognitive tasks.

TEST GROUP POPULATION

Two school districts located in different geographical areas were selected from which a sample pupil population was chosen for the purposes of the study reported on here. One school district was located in a rural area, and the other district was located in an urban area. In each district, the pupils selected for this investigation had to meet the following criteria: (1) be of Mexican descent; (2) be currently enrolled in EMR classes; (3) have evidenced a problem in using the English language due to their native language being Spanish.

A total of 47 pupils enrolled in grades three through eight were selected for the study; 17 were from the rural area and 30 were from the urban area.

ASSESSMENT INSTRUMENT

The assessment instrument used in this study was the *Escala de inteligencia Wechsler para niños*, which is the Spanish version of the *Wechsler Intelligence Scale for Children*. The norms for the Spanish version were established on the basis of tests conducted in Puerto Rico, which raises some question of reliability and validity when this version is administered to children whose native tongue is a Spanish idiomatic to various regions in Mexico. Before using the *Escala de intelligencia Wesholer para niños*, certain items needed to be reworded to fit the Spanish in common use by Mexican-Americans in California.

For example, *bola* was changed to *pelota* and *concreto* was changed to *cemento*.

Also changes were considered necessary in the "allowable answers" to some items, as follows:

General Information (Section 6) Number 6: "In what kind of a store do we buy sugar?" One answer which should be allowed is "liquor store."

General Information (Section 6) Number 14: "Where is Chile?" Allowable answers should include "in a can," "in a field," and "in a store"; otherwise the question should be eliminated, as chile in their vocabulary is not normally associated with a country.

The items noted are just a few examples of changes required to assure a reasonable level of reliability and validity when the Escala de inteligencia Wechsler para ninos is used on a Spanish-speaking population of Mexican descent.

TESTING PROCEDURE AND CONDITIONS

The testing procedure was arranged by working in conjunction with the director of special education in each school district and the assigned psychologist; the procedure sometimes permitted the testing of two pupils each day in their own school.

It was explained to those tested that although the test would be conducted in Spanish, English would be used when comprehension was lacking. It was soon evident that some of the pupils were not proficient in Spanish or English.

The pupils were not pressed for time to begin, nor were they rushed from one section to another. They were encouraged to relax in order to maintain rapport. At one point in the testing, two staff members attempted to make close observations of the pupils taking the test, but the pupils had difficulty concentrating; therefore, the experiment was terminated. However, by changing the method of observing the pupils, the staff members were able to make their observations with no observable discomfort on the part of the pupils.

A study of past testing results made it possible for the investigators to be cognizant of past performances and to take advantage of the information obtained by local personnel.

ANALYSIS TECHNIQUE

The data were analyzed by using the simple comparative technique of mean and median IQ gain—comparing previous IQ scores with those computed from the present testing with the *Escala de inteligencia Wechsler para niños*. (Note: In a few cases, when the pupil requested it and when the psychologist approved it, the English version of the WISC was used instead of the Spanish version). Each pupil's point difference was charted for the sections on verbal tests, performance tests, and total battery score.

TEST RESULTS

The results of the testing of the pupils in the two districts (rural and urban) showed that the average (mean) gain between the prior test scores and the present test scores was 13.15 IQ points (the prior IQ mean being 68.61 and the present IQ mean being 81.76). The mean IQ point difference between the prior scores and the present scores was +12.45 points, which indicates a significant gain in the overall point score, thus exceeding chance.

The median score for the prior IQ was 70, while the median score for the present IQ was 83, an increase of 13 IQ points.

The results also showed that of the 47 pupils tested, 27 scored IQ ratings of 80 or over, and 37 had IQ ratings of 75 or above.

Table 1 (rural) and Table 2 (urban) indicate the individual patterns of point differences noted in the prior test score and the present test scores.

The data in Table 2 clearly show the discrepancies between the IQs secured by using the English version of the WISC as opposed to those secured by using the Spanish version. Taking into account the distrust of the IQ as a sole basis for making a judgment, there is yet the fact that point variance, mean, and median IQ differences are all at a 12-point level and indicate a modal cluster in this area.

TABLE 1—COMPARISON OF WISC TEST SCORES MADE BY SELECTED MEXICAN-AMERICAN PUPILS ENROLLED IN A SCHOOL DISTRICT LOCATED IN A RURAL AREA OF CALIFORNIA

Pupil number	Verbal IQ		Point difference	Performance IQ		Point difference	Total battery		Point difference
	Prior	Present		Prior	Present		Prior	Present	
1		79			99		67	87	+20
2	79	80	+1	76	71	−5	75	73	−2
3	65	76	+11	80	104	+24	70	88	+18
4		86			85		67	84	+17
5	83	85	+2	79	113	+34	83	98	+15
6		84			110		69	96	+27
7	61	80	+7	79	74	−5	67	75	+8
8		76			86		60	79	+19
9	75	97	+22	76	82	+6	73	89	+16
10	67	77	+10	64	92	+28	62	83	+21
11	69	97		87	100		72	99	+27
12	71	77		76	76		71	75	+4
13	69	69		80	96		72	80	+8
14		77		76	71		62	72	+10
15		67			74		63	67	+4
16	76	90		71	72		71	80	+9
17	72	90		94	104		81	101	+20

TABLE 2.—COMPARISON OF WISC TEST SCORES MADE BY SELECTED MEXICAN-AMERICAN PUPILS ENROLLED IN A SCHOOL DISTRICT LOCATED IN AN URBAN AREA OF CALIFORNIA

Pupil number	Verbal IQ		Point difference	Performance IQ		Point difference	Total battery		Point difference
	Prior	Present		Prior	Present		Prior	Present	
18		90			117		75	103	+28
19		67			79		56	70	+14
20	55	46	−9	75	75	0	61	56	−5
21		81			97		67	88	+4
22		56			67		56	57	+1
23	72	95	+23	68	92	+24	67	93	+26
24		86			65		73	73	0
25		75			74		51	71	+20
26		71			90		61	78	+17
27		86			87		68	85	+17
28	75	87	+12	71	96	+25	70	91	+21
29							70	83	+13
30	63	76	+13	85	86	+1	71	79	+8
31	70	85	+15	78	90	+12	71	86	+15
32	76	82	+6	62	78	+16	67	78	+11
33	72	80	+8	92	92	0	80	84	+4
34	76	85	+9	86	87	+1	79	85	+6
35	72	75	+3	75	87	+12	71	79	+8
36		82			94		69	87	+18
37	70	85	+15	83	101	+18	74	92	+18
38	55	58	+3	67	94	+27	56	73	+17
39	70	66	−4	64	76	+12	61	68	+7
40	74	76	+2	74	86	+12	71	79	+8
41	67	81	+14	75	76	+1	68	77	+9
42	77	96	+19	71	82	+11	72	88	+16
43	74	85	+11	78	65	+7	73	83	+10
44	74	79	+5	85	83	−2	77	79	+2
45		85			90		62	86	+24
46	70	75	+5	93	99	+6	79	85	+6
47	40	82	+2	72	83	+11	74	81	+7

Some pupils' gains were minimal, and one pupil (number 20) had a —5 point difference. However, the high mean and median IQ gain in points is indicative of the need to assess the placement of Mexican-American pupils in EMR classes when the placement is based solely on their inability to function in what is to them a foreign language, particularly when tested in the "foreign language." Another factor which must be analyzed when considering the placement of such pupils is that some have spent as long as three years in a "special" class and as such may not have received the same advantages as pupils with comparable IQs in regular classes; the "special" placement may have been a retarding influence.

CONCLUSION

The results of this investigation indicate that many Mexican-American pupils may have been placed in EMR classes solely on the basis of performance on an invalid IQ test. The test is termed invalid because this particular subpopulation of pupils lacks a facility and understanding of the English language; therefore, when tested in English, they cannot perform well. However, this investigation has shown that when these pupils are given the opportunity to perform in the language with which they are most familiar and comfortable—usually Spanish—their performance in many cases is above the cut-off level of the educable mentally retarded category (approximate IQ of 75).

RECOMMENDATIONS

In reference to the findings of this investigation, the following recommendations are made:

School district personnel should review the cases of Spanish surnamed pupils currently enrolled in EMR classes; those pupils who appear to have difficulty in using the English language because Spanish is their native language should be retested with the Spanish version of the WISC.

Special personnel should be enlisted to assist the school psychologist in testing pupils who have a language barrier.

A formal request should be made of the testing corporation to make certain changes in the Spanish version of the WISC.

A "transition" program should be provided for pupils who need special instruction in the use of the English language. Such a program might include English-as-a-second-language (ESL) instruction and bilingual instruction in the basic subjects.

Long-range plans should be made to improve the present methods and instruments used for assessing pupils prior to referral to EMR classes, particularly those pupils with a cultural and linguistic background different from most of the English-speaking pupils.

APPENDIX.—SAMPLE EXCERPTS FROM THE PREVIOUS RECORDS OF SELECTED PUPILS AND THEIR SCORES FROM PRESENT INVESTIGATION

PUPIL NUMBER 1

This pupil was born in Mexico but was brought to the USA when he was about six months old. The usual language of the home is Spanish; his stepmother speaks no English.

The pupil is hereby certified as eligible for the EMR program. His inability to fulfill the demands of the regular class has apparently been excessively stressful to him.

Recommendation in previous record: Pupil should be placed in the program for educable mentally retarded as soon as practicable, and he should not be required to attend regular classes pending such placement.

Findings from present investigation: Total IQ score for pupil 1 is 87; verbal IQ, 79; performance IQ, 99.

PUPIL NUMBER 4

This pupil comes from a fairly large Mexican-American family. She has six brothers and one sister. Spanish is the only language used in the home. Parents work as farm laborers. The family typically "visits" in Mexico during winter months, at which time the children do not attend school.

The pupil was retained in the first grade and continues to have learning problems. The pupil's test results indicate that she is functioning at the borderline level in mental abilities. Her true intellectual potential is probably significantly higher than her test performance suggests. However, she lacks many of the skills necessary to function satisfactorily in a regular classroom at this time.

Recommendation in previous record: The pupil should be considered for placement in the EMR program.

Findings from present investigation: Total IQ score for pupil 4 is 84; verbal IQ, 86; and performance IQ, 85.

PUPIL NUMBER 5

This pupil is a large, somewhat obese girl of Mexican-American background. She lives with her parents, one brother, and two sisters. Her father is a farm laborer, and Spanish is the language spoken in the home.

Test results indicate that she is currently functioning intellectually at the borderline retarded level. On the performance scale of the WISC, she scored substantially below average on all of the subtests except object assembly, which is one test, according to Wechsler, on which mentally retarded individuals frequently obtain average scores.

Recommendation in previous record: This pupil should be considered for placement on a trial basis in the EMR program.

Findings from present investigation: Total IQ score for pupil 5 is 98; verbal IQ, 85, and performance IQ, 113.

PUPIL NUMBER 16

This pupil is pleasant, friendly, and vigorous. While his test scores overall indicate retarded functioning, slightly higher capabilities are indicated in some areas.

On the basis of his total showing, however, it is felt that he is an appropriate candidate for the educable mentally retarded classes. Behavior disturbances noted by the teacher seem to be reasonable responses to genuine frustration; a special class setting should contribute much to stabilizing this behavior.

Recommendation in previous record: This pupil is an appropriate candidate for EMR classes.

Findings from present investigation: Total IQ score for pupil 16 is 80; verbal IQ, 90; and performance IQ, 72.

SENATOR JACKSON TO RECEIVE BERNARD M. BARUCH CONSERVATION PRIZE

Mr. MANSFIELD. Mr. President, on Monday, July 6, the distinguished junior Senator from Washington (Mr. JACKSON) will be formally awarded the Bernard M. Baruch 1968 Conservation Prize at a luncheon to be held here in the Capitol. The award is being made in recognition of the Senator's long record of accomplishment in sponsoring conservation legislation and other measures designed to improve the quality of our surroundings and the quality of life for all Americans.

During the period the Senator from Washington has served as chairman of the Interior and Insular Affairs Committee, the Nation has made unprecedented progress in providing present and future generations of Americans with recreational opportunity, natural beauty, solitude, and other amenities which are important elements of our Nation's responsibility. Over the past decade alone, in response to the leadership of the junior Senator from Washington, Congress has acted to set aside and preserve a large portion of the land, the mountains, the rivers, and the lakes which make up our Nation's natural heritage.

Between 1960 and 1968, four new national parks, six new national monuments, and 29 new national memorials, historic parks and historic sites were established.

In 1961, there was only one national seashore. Today there are six more.

In 1964, there were no national recreation areas. Today there are eight; in the West, on the gulf, and in the East.

In 1965, there were no national lakeshores. Today there are two and others are under study.

In addition to these specific measures the Congress has adopted many landmark conservation and environmental proposals of general application. These include far-reaching air and water pollution control legislation, the land and water conservation fund, the Wilderness Act, fish and wildlife conservation measures, and many others.

One of the most recent and perhaps the most important environmental measure ever enacted is the National Environmental Policy Act. This measure provides for the first time a consistent statement of national goals and policies on the environment. It directs all Federal agencies to make environmental preservation and improvement a part of their basic mandate and charter. The act establishes in the Office of the President a high level three-member Council on Environmental Quality. Finally, the act directs the President to submit to the Congress and to the American people an annual report on the state of the Nation's environment. Like so many of the other conservation and environmental measures I have mentioned, the National Environmental Policy Act was authored by the junior Senator from Washington.

Mr. President, I extend my congratulations to the Senator for his dedication and for his leadership in dealing with the critical environmental problems which face the Nation. Mr. President, I ask unanimous consent that a selected compilation of important legislative accomplishments of the 90th and 91st Congresses be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MAJOR LEGISLATIVE ACCOMPLISHMENTS IN THE FIELDS OF CONSERVATION AND DEVELOPMENTAL QUALITY IN THE 90TH AND 91ST CONGRESSES

90TH CONGRESS

P.L. 90–545 (Senator Jackson) *The Redwood National Park Act*. This legislation establishes a 58,000-acre area in Northern California for the complete protection and full enjoyment by visitors of the most magnificent of these giant ancient trees.

P.L. 90–544 (Senator Jackson) *North Cascades National Park Act*. This act established a 505,000-acre North Cascade National Park in Washington. Another 700,000 acres of dramatic alpine scenery, active glaciers, and mountain lakes in Northern Washington were involved, including the Ross Lake and Lake Chelan Recreation areas, the Pasayten Wilderness, and additions to the Glacier Peak Wilderness.

P.L. 90–543 (Senator Jackson) *National Trails System Act*. This legislation established the Pacific Crest Trail and the Appalachian Trail as the initial components of the system, and set up a procedure by which additional components may be added to the system.

P.L. 90–542 (Senators Church and Jackson) *Wild and Scenic Rivers Act*. This act classified certain streams possessing outstanding scenic, recreational and other values as wild or scenic rivers to be preserved in a free-owing condition, and protected for the enjoyment of all Americans.

P.L. 90–537 (Senator Hayden) *The Colorado River Basin Project Act*. This measure authorized construction of the Central Arizona Project and related developments for comprehensive water resources. As finally enacted, the measure prohibits importation studies and further prohibits the Secretary of the Interior, for a period of 10 years, from planning or undertaking any investigations for importing water to the Colorado River Basin States.

P.L. 90–515 (Senator Jackson) *The National Water Commission Act*. This act created the National Water Commission for the purpose of making a comprehensive survey of the Nation's water resource problems.

P.L. 90–454 (Senator Kennedy) *Estuarine Areas, Protection and Restoration*. This measure authorized the Secretary of Interior, in cooperation with the states, to conduct an inventory and study of the Nation's estuaries and their natural resources.

P.L. 90–411 (Senator Magnuson) *An Amendment to the Federal Aviation Act of 1958*. This Act authorized the Federal Aviation and Administration to set aircraft noise and sonic boom standards.

P.L. 90–401 (Senator Jackson) *An amendment to the Land and Water Conservation Fund Act of 1965* (P.L. 88–587, Senator Jackson) which authorized the annual expenditure of $200 million to finance the acquisition and development of Federal and State recreation areas.

P.L. 90–148 (Senator Muskie) *The Air Quality Act of 1967*. This measure expanded grants for pollution control programs, and promulgated Federal ambient air quality criteria by which the states would establish standards. The measure also required the Secretary of the Department of Health, Education and Welfare to designate air quality regions, to publish information on control techniques, and to enforce established standards.

91ST CONGRESS

P.L. 91–190 (Senator Jackson) *The National Environmental Policy Act*. This act declares, for the first time in the history of the United States, a policy for environmental management designed to create and maintain conditions under which man and nature can coexist in productive harmony. The bill requires all Federal agencies to take into account the environmental impact of all actions they propose. Specific directives to prevent adverse environmental effects of Federal agency activities are indicated. This new law also created, in the Office of the President, a permanent, three-member Council on Environmental Quality. The new Council is modelled after the Council of Economic Advisers, and is authorized an annual appropriation to cover the expenses of a professional staff. The principal functions of the council are to recommend environmental policies to the President and to assist him in the preparation of an annual environmental report to be submitted to the Congress beginning in July, 1970.

P.L. 91–144 (Senator Russell) *Public Works Appropriations*. This act provided a record-setting $800 million for sewage treatment plant construction grants, nearly four times the amount requested by the administration. This measure also provided $267 million for the Bureau of Reclamation to carry out its important work.

P.L. 91–137 (Senator Muskie) *An amendment to the Clean Air Act*. The law extends for one year research grants of $45 million in air pollution resulting from fuel combustion.

P.L. 91–135 (Senators Yarborough, Metcalf and Magnuson) *Endangered Species Act*. This law described by conservationists as the most important wildlife legislation before the 91st Congress, prohibits the importation or interstate shipment of endangered species of fish and wildlife, and protects alligators.

P.L. 91–58 (Senator Jackson) and P.L. 91–82 (Senator Jackson). These acts add two California forest areas to the National Wilderness Preservation System.

P.L. 91–43 (Senator Jackson). This measure authorizes $27 million for F. Y. 1970 for the Office of Saline Water.

P.L. 91–15 (Senator Magnuson). *An amendment to the Marine Resources and Engineering Act* which extends for one year the National Council on Marine Resources and Engineering Development. This legislation provides time for the Council to complete their work, and for Congress to take legislative action on their proposals.

SELECTED MEASURES PENDING IN THE 91ST CONGRESS

S. 1076 (Senator Jackson. Passed the Senate on June 26, 1969) *Youth Conservation Corps*. This measure would establish a nationwide Youth Conservation Corps, consisting of young men between 14 and 18 years of age who would participate in supervised summer conservation work and educational projects. This bill recognizes that if the future leaders of this Nation are to be expected to understand that the great out-of-doors has a relevant role in their lives, they must experience the sense of accomplishment in completing a difficult task, of understanding the importance of land and water conservation and management, and of working in programs to assure that future generations will enjoy life in a quality environment. The measure is particularly important to urban youth who, because of the lack of adequate job opportunities, often turn from walking the streets seeking jobs to roaming the streets in pursuit of mischief.

S. 1708 (Senator Jackson. Passed the Senate June 26, 1969). *The Federal Lands for Parks and Recreation Act*. This measure is designed to make surplus Federal property available to State and local governments for park and recreation purposes, at prices which reflect the important roles recreation and open spaces play in our contemporary life. The bill is of special importance to major metropolitan areas where the need for parks and open spaces is greatly increasing, but where the limited land is being dedicated to other, often incompatible, purposes. The Department of Defense alone holds over 30 million acres in fee ownership. Much of this land is near major urban areas and is or soon will be declared surplus.

S. 1830 (Senator Jackson) *The Alaska Native Land Claims Settlement Act*. The claims of the native people of Alaska to the land and to the resources of Alaska have been a source of conflict between the State of Alaska, the native people of Alaska, and the Federal government for a number of years. This legislation would finally resolve these problems, and also provide an opportunity to lay a foundation for social and economic advancement of Alaska Eskimos, Indians, and Aleuts, most of whom live under poorer circumstances than any other Americans. The bill also directs that a study be made of all public lands in Alaska and requires the Secretary of the Interior to recommend areas for inclusion in the National Park System.

S. 2315 (Senator Jackson. Passed the Senate on Sept. 24, 1969) *An amendment to the Land and Water Conservation Fund*. This measure is designed to continue the Golden Eagle passport program due to expire next March, and also to increase the annual fee from $7 to $10. The bill also would continue the advance contract authority for land acquisition to deal with the increasingly serious problem of land-cost escalation.

S. 3072 (Senators Magnuson and Jackson) *The Federal Low Emission Vehicle Procurement Act*. This measure would stimulate the development, production, and distribution in interstate commerce of low emission motor vehicles in order to provide increased protection against the hazards of vehicle exhaust emission. The bill would also authorize the Federal government to acquire low emission vehicles in lieu of standard vehicles.

S. 3151 (Senators Nelson and Jackson) *The National Environmental Education Act*. This measure would provide financial assistance to all levels of education for developing environmental education curricula and for training faculty to teach such courses. Funds are also provided to generate and disseminate environmental education information.

S. 3354 (Senator Jackson) *The National Land Use Policy Act of 1970*. This measure is the next logical step, following enactment of the National Environmental Policy Act, in a national effort to provide a quality life in a quality environment for present and future generations of Americans. The bill recognizes that the majority of this Nation's environmental problems have been

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caused by inadequate, or a complete lack of land use planning. The bill provides financial incentives for states to establish and implement comprehensive land use plans within 4 years.

S. 3389 (Senator Jackson) *The Public Land Recreation Act of 1970*. This measure would authorize the Secretary of the Interior to make the 450 million acres of public lands operated by the Bureau of Land Management more available and useable by the general public. Under this legislation, little land acquisition would be necessary since the lands are already in public ownership and need only campground and associated development to become more recreationally appealing.

THE AGRICULTURAL CONSERVATION PROGRAM

Mr. SCOTT. Mr. President, the agricultural conservation program as the primary program aimed at controlling pollution from siltation is especially important to our Pennsylvania conservation efforts.

During 1968 more than 215 million acres of Pennsylvania rural land had cover crops planted or improved with ACP assistance. This land will now withstand the ravages of alternate freezing and thawing in the winter, and sluicing rainstorms in the spring and summer.

The accomplishments of the agricultural conservation program are legion. In 1968, it helped build 235 water reservoirs for agricultural purposes and another 213 for wildlife. It helped improve almost 3,000 acres of timberland and plant another 3,200 acres of trees. It developed 419 springs and seeps for livestock water and even improved three shallow water areas for wildlife. In spite of these fantastic accomplishments, the program does not carry a high price tag because it is a self-help program. The Federal Government's share of the cost of conservation measures is matched by the individual producers, usually with a 50–50 maximum. Low-income farmers, however, can earn a greater cost share, often up to 80 percent.

The agricultural conservation program has been good for the Nation. Its contribution to the quality of our environment has been an unparalleled story of success. Any favorable consideration your subcommittee can give to this worthy appropriations request would be appreciated.

Earlier this year, I urged the Subcommittee on Agricultural Appropriations to fund the agricultural conservation program at a sufficiently high level to enable the ACP to carry on its important work throughout Pennsylvania and the Nation. I will continue my efforts on behalf of ACP when this matter comes to the Senate floor for consideration.

To indicate the high regard in which the program is held in Pennsylvania, I ask unanimous consent that a resolution introduced in the Pennsylvania General Assembly be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION OF THE GENERAL ASSEMBLY OF PENNSYLVANIA

President Richard M. Nixon in his message to the Congress on Tuesday, February 10, 1970, on environmental problems stated:

"Water pollution has three principal sources: municipal, industrial and agricultural wastes. All three must eventually be controlled if we are to restore the purity of our lakes and rivers. Of these three, the most troublesome to control are those from agricultural sources: animal wastes, eroded soil, fertilizers and pesticides. Some of these are nature's own pollutions."

The agricultural conservation program is the principal channel through which the Federal Government shares with farmers the cost (an average of about fifty per cent) of carrying out approved soil, water, woodland, and wildlife conservation practices on their land to help maintain the productive capacity of American agriculture and to assure an increased supply of clean water, enhance natural beauty, provide more opportunities for the enjoyment of outdoor recreation and improve the quality of our environment.

The Federal Government in program year 1969, spent approximately four million two hundred fifty thousand dollars in Pennsylvania on this program.

Seventeen thousand Pennsylvania farmers in 1969 matched this amount with approximately another four and one-quarter million dollars of their own money to perform about eight and one-half million dollars worth of conservation work affecting almost one million four hundred thousand acres of land in the State as well as in past years most all farmers have at one time or another participated and benefited in the conservation practices.

The farmers caught in the price-cost squeeze that has increased considerably in the past year would not be able to finance this conservation work without assistance.

The work of the Soil Conservation Districts in the State would be seriously affected without Federal cost-share assistance to farmers.

This program has only cost approximately a dollar a year for each man, woman and child in the United States to protect our streams and water supplies from agricultural pollution and to assure the conservation of agricultural lands for the feeding of future generations.

The President has recommended the abolishment of this program in his 1971 budget request; therefore be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to restore the funds for the Agricultural Conservation Program to its 1968 fiscal year level of two hundred twenty million dollars or, at the very least, to the 1970 fiscal year level of one hundred ninety-five million five hundred thousand dollars; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officer of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

PLANNING AND CONSTRUCTING A THERAPEUTIC POOL—ARTICLE BY COMDR. GEORGIA M. McKEARLY, MSC, USN

Mrs. SMITH of Maine. Mr. President the June 1970 issue of the Navy Medical Newsletter contains a very interesting article written by Comdr. Georgia M. McKearly, MSC, USN, the head of the physical therapy department of the naval hospital at San Diego, Calif. I ask unanimous consent to place this article in the RECORD because I believe that it will be of interest to the constituents of many Members of Congress, including doctors, physical therapists, and medical technicians, both in the naval and military services and in civilian medical activities.

The article sets forth plans, specifications, sources, ideas, and principles in construction of therapeutic pools.

Commander McKearly is a remarkable person. She is now serving in her 6th year at the world's largest military hospital, the U.S. Balboa Naval Hospital in San Diego, Calif., under the command of Rear Adm. Horace D. Warden, MC, USN.

Originally commissioned as an ensign in the Navy Nurse Corps in 1944, she transferred to the Medical Service Corps in 1957. She is one of only four such transferred former Navy nurses remaining on active duty and working in the specialties of physical therapy and occupational therapy.

The daughter of the late George W. McKearly and Mrs. McKearly, she was born in Crosby, Minn. She graduated from the Saint Elizabeth Hospital School of Nursing, Chicago, Ill., in 1940 and received a bachelor of science degree in nursing education from Loyola University, Chicago, in 1944. Three years later she received the certificate in physical therapy from the Medical College of Virginia. She has completed postgraduate courses at Hunter College, New York University, and San Diego State College. She attained her present rank of commander in 1962. She has served as president of the San Diego Chapter of the American Physical Therapy Association and as a member of the Coordinating Council of California chapters of the American Physical Therapy Association and has full registration by the State of California for practice in nursing and physical therapy.

She has received high commendation for her development of underwater pool therapy techniques at the San Diego naval hospital with the observation that "this was accomplished almost exclusively through the efforts and organizational ability of Comdr. Georgia McKearly."

In the early 1960's, there were many cases of fractures of the femur, injuries about the hip, cup arthroplasties, herniated disks, and many more which were not responding well to the usual modalities of physical therapy. Active exercise offered the best chance of achieving rehabilitation; this was difficult and painful without the support afforded by the elimination of gravity and underwater environment. Hubbard tanks were totally inadequate for this.

Limited use of the total therapy technique had been used in the civilian community, particularly in the rehabilitation of cases of poliomyelitis but the technique had not been used in the military and there were no personnel trained in its employment. After a vigorous educational campaign, funds were ultimately made available through the Navy Bureau of Medicine. Commander McKearly then made an intensive study of the requirements and design of the pool and worked closely with the then Department of Public Works in the pool's design and necessary equipment lists. The soundness of this has been proven by subsequent experience and it has served as a guide for the pool constructed for the Philadelphia naval hospital.

Commander McKearly was primarily responsible for the development of techniques of underwater exercise therapy which were employed and in training the physical therapists and physical therapy technicians in this technique. For her performance and achievement and contribution, it was observed by the superior officers of Commander McKearly that "May the naval hospital, San Diego and the Navy at large continue to be blessed with individuals with such abilities and to reward their efforts with recognition."

I salute Commander McKearly for her great and significant contributions and ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLANNING AND CONSTRUCTING A THERAPEUTIC POOL

(By Comdr. Georgia M. McKearly)

Construction of the first Therapeutic Pool in the Navy began in 1963 at the Naval Hospital, San Diego, California, and was completed in April 1964. Since that time numerous requests for information regarding planning, construction and administration of such a facility have been received from other Naval Hospitals and civilian activities. It is hoped the following information will be beneficial to those undertaking such a task.

Funds alloted for construction of the pool were part of a bequest made to the Navy from the estate of the late LCDR Paul E. McDonnold, MC, USN, Ret. The gift amounted to $22,650.00. Public Works was responsible for remodeling the space selected for the new facility and awarding of the contract to a civilian concern for construction of the pool and the installation of a hydraulic lift.

Choice of available space was limited in order to meet the basic requirements for installation of this new treatment facility, i.e., structural adaptability, adjacent to or within the Physical Therapy Department and easy accessibility. The cost of remodeling the area and the actual construction of the pool also had to be considered in order to keep within the set budget. The Chief of Physical Medicine and Rehabilitation Service and the Head Physical Therapist acted in an advisory capacity throughout the construction of the pool and subsequent remodeling.

CONSTRUCTION AND MAINTENANCE

The site selected was within the Physical Therapy complex and, of necessity, the dressing rooms, showers and rest room had to be located in the same area as the pool. This has proven to be very workable and permits better utilization of personnel and space. The pool is 30 feet long and 15 feet wide with a plaster and tile surface. There are three depth levels of 2 feet, 3½ feet and 5 feet, with a step-down rather than a graduated slope at these levels. Level areas provide greater stabilization for exercising patients, placement of treatment plinths and ambulation training.

Maintenance of the filtration, chlorination and temperature regulating systems of the pool is performed by personnel assigned by the Public Works Division. Temperature of the water is maintained at 97° and the pool is checked twice daily for proper chlorination and pH (acid alkaline balance of the water). We began draining the pool every three months after our first 6 months of operation when it was noted that the staff working in the pool began experiencing irritation of their skin. An analysis of the water at the end of 3 months revealed a marked increases of chloride ion content. The pool is operated 4½ days per week, allowing one-half day for general maintenance of the entire facility.

EQUIPMENT

a. Exhaust fan to control humidity.

b. Hydraulic lift with stretcher at the 3½ foot depth—prime piece of equipment.

c. Electric hoist at the 5 foot depth with an overhead beam extending 10 feet above pool—used as an auxiliary lift.

d. Hand rails (9)—installed 4 inches below the water line at either end and both sides of the pool.

e. Chrome ladders (3) with supporting hand rails—one located at 5 foot depth and two at the 2 foot level.

f. Air jets (6)—distributed along sides of pool walls.

g. Safety ropes and floats—across pool at step-down levels.

h. Exercise plinths (2)—constructed from Hubbard Tank stretchers. These are covered with 2 inch plastic webbing with one end fitted with metal hooks to fit over hand rails at side of pool. Adjustable metal tripods were constructed to support opposite end of stretcher with sufficient slant to allow maximum submergence of the body.

i. Colson Hydrotherapy Plinth—56 inches long—adjustable stainless steel treatment table at 3½ foot depth.

j. Walking bars (2)—varnished wooden poles with diameter relative to the width of pool. A metal attachment was constructed on ends to hook over hand rails at the side of pool to secure bars. These are easily floated in and out of position and used at any depth.

k. Inflatable rubber rings as necessary to support patient's head while receiving exercises on treatment plinths and to assist in ambulation.

l. Swim fins—in three sizes—used to give added resistance in exercise routines.

m. Guerney—kept in pool area to facilitate transfer of patients.

n. Wheel chairs (3)—used in pool area to transport nonambulatory patients to dressing rooms, shower and pool.

o. Bathing trunks—furnished to male patients.

p. Disposable waterproof slippers—provided to ambulatory patients for wear around pool area and in the shower as a sanitary measure.

TYPES OF CASES TREATED

Pool therapy is a valuable treatment modality useful in treating a variety of medical and surgical conditions, especially those of an orthopedic nature. Due to the buoyancy of the water many exercise routines can be executed in the pool which cannot be accomplished in other media. Acute cases are treated on a daily basis for an average of 20 minutes and those patients with chronic complaints are treated three times a week. Patients with open wounds are not accepted for treatment in the Therapeutic Pool.

STAFF ASSIGNMENT

When setting up assignments for therapists and technicians treating patients in the pool certain criteria must be considered due to the increased water temperature and average length of time these individuals must spend in the water, i.e. fatigue factor, imbalance in body chlorides and irritation to the skin. Depending on case load 2 to 3 therapists and 2 to 3 technicians are assigned to the pool area.

SUMMARY

There were few guidelines to follow in the planning and construction of the Therapeutic Pool. In order to find the best method of operation many clinical and laboratory studies were made over a period of time. After six years of continual use, 4½ days a week treating an average of 60 to 70 patients per day, few changes and alterations have been required following the completion of the pool. During these years of successful operation our therapeutic pool has proved to be efficient, the maintenance uncomplicated and treatment results rewarding.

TRIBUTE TO SENATOR CHURCH

Mr. MANSFIELD. Mr. President, the contribution made by the distinguished senior Senator from Idaho (Mr. CHURCH) during the past 7 weeks in shepherding through the Senate with the Senator from Kentucky (Mr. COOPER) the so-called Cooper-Church measure on limitation of future military involvements was a unique achievement. Those of us in the Senate and in Washington appreciate the magnitude of the effort.

However, a most complimentary article on this achievement appears in the Lewiston, Idaho, Morning Tribune of June 21, 1970. It is heartening to read the appreciation of Senator CHURCH's accomplishment in his home State. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Lewiston (Idaho) Morning Tribune, June 21, 1970]

CHURCH AND BORAH

(By Bill Hall)

The national attention that Idaho Senator Frank Church is enjoying over the Cooper-Church amendment is another signal that he is entering the green years as an influential national figure.

Those may be long years. He already has more than 13 years of seniority. He outranks 67 of the 100 members of the Senate and is 19th in seniority among the members of the majority party. All that, and he will be only 46 next month.

Blessedly, some aspects of the seniority system are crumbling. The last couple of elections have produced some very ill-behaved freshmen who have not been bashful about speaking their ideas to the nation. It still takes whiskers to enjoy the utmost power within the Senate chamber and committee rooms, but the bright young senators of both parties frequently take their case to the nation these days when the oldtimers prove deaf to pleas for action.

HALFWAY

Church, halfway between the veterans and the newcomers in service, is also a mixture of the two kinds of national influence. He has been in the Senate long enough that he can no longer be expected to keep his place out of respect for his more seasoned elders. Beyond that, like the newcomers for whom he and a few others paved the way a decade ago, he is skilled at taking his case to the people.

He has already had more attention from the national press during his career than any other senator in Idaho history except the late William E. Borah. And, with Church now giving Idaho as much national attention as Borah once did, the parallels in their careers are even more striking.

I must confess a premature professional cynicism of Church's claim early in his career that Borah was his idol. It was the smart thing to say politically for a Democrat seeking election to the Senate in a Republican state. Idaho has long been proud of Borah, so

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there was double political mileage in Church's bouquets to the greatest national Republican this state ever produced.

But the intervening years have revealed that the admiration was sincere. Borah and Church are very different men personally, but they are out of the same philisophical mold in domestic and international politics.

ISOLATIONIST

Incredibily, some in Idaho remember Borah as a crusty old mossback isolationist. There is only a grain of truth in the charge and most of it is based on the last few years of Borah's life. But we must judge people by the sum of their lives and not by the conclusion.

During most of his career, Borah was a member of the GOP progressive wing in the Senate with such other giants as LaFollette and Norris. He was people oriented and socially conscious, quite in keeping with the Populist leanings of his state at the time.

Internationally, his views were very similar to those of the public figures of today who counsel us against becoming policeman to the world—against butting into every last fracus on the globe. That view was for the most part brilliant and a restraining influence on an emerging nation that was feeling its strength too much and becoming a trifle too big for its britches in the wake of making the world safe for democracy.

In the course of taking that side in the national adversary proceedings by which we set our foreign policy. Borah became too one-sided at times and made mistakes as a result. His decisive opposition to the League of Nations midway in his career and his naive misjudgment of the extent of Hitler's madness were tragic errors. It was because of those mistakes that some remember Borah today as the international fool he wasn't.

During most of his career the nation knew otherwise. As chairman of the Senate Foreign Relations Committee, as a celebrated Republican progressive from the Teddy Roosevelt wing of the party, and as a fascinating maverick, he commanded a substantial national following. He was as famous in his way as the Dirksens, Kennedys and Fulbrights of the present era. Accordingly, he was on a couple of occasions a serious prospect for the presidency, receiving a substantial number of delegate votes. Earlier in his career he had refused those seeking to nominate him for the vice presidency.

APPROACHING

Church is approaching the point in his career when he, too, may come to be considered for higher office. The peace wing of the Democratic party approached Church for the presidency in 1968, but was refused and eventually found Sen. Eugene McCarthy willing.

A more likely event in the near future would be a vice presidential bid. Since Borah's days, the old unwritten law against presidential or vice presidential candidates from states with few electoral votes has been repealed by common practice. The personal appeal a given candidate can add to the ticket counts more than the population of his state.

Thus Sen. Edmund S. Muskie of underpopulated Maine was the Democratic nominee for vice president two years ago.

Muskie himself could become the presidential candidate in two years, and the party might be in the market for a young spellbinder to campaign on the national ticket. Church's talent as an orator, his youth and finding himself on what is becoming the popular side on the war issue could cause him to be considered.

Not many are called from Idaho. But this generation of Gem staters could, in one of the next couple of elections, witness that rarity for the second time in our history.

SPEECH OF PRESIDENT DAVIS Y. PASCHALL BEFORE THE AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS AT ATLANTIC CITY ON FEBRUARY 15, 1970

Mr. ERVIN. Mr. President, in February, the president of the College of William and Mary, Davis Y. Paschall, delivered a very significant address to the American Association of School Administrators at their meeting in Atlantic City. I believe his speech is one of the most thoughtful examinations of our Nation's problems and its strengths that I have ever read.

President Paschall begins his speech with a reflection on our times in the context of historic background and he proceeds to examine what has made America great and the forces that are at work to destroy this greatness. After an analysis of the keys to America's strengths—freedom of the individual, representative government, and due process of law—President Paschall tells us:

> They are deeper than the economic or political system—they lie in the ethical and spiritual foundations whose gleanings from the long struggle of mankind for freedom constitute the bedrock of liberty on which this country was founded and stands today.

At the conclusion of his detailed examination of the threats to America's greatness, President Paschall concludes that education, particularly the liberal arts, as said:

> Will save America and western civilization. Liberal arts means far more than educating for survival.

It is:

> The value gleanings of western man in his long, arduous gropings for release from the shackles of barbarism. It embodies the discernible fabric of our civilization emanating from the humane landmarks of the past that must become a dynamic, motivating force in the lives of our students if the hand of tomorrow is to be restrained in releasing the power that would return us to the cave.

Mr. President, President Paschall's speech entitled "Understanding and Preserving America's Greatness" is one of remarkable insight. I wholeheartedly recommend it to all Senators. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

UNDERSTANDING AND PRESERVING AMERICA'S GREATNESS

The American Dream is a glorious epic of man's struggle for freedom. Because its recorded struggle has so often reflected hope or disillusionment, glory or despair, statesmanship or demagoguery, the sunshine of a republican form of government or the dark shadow of authoritarianism, America has always been at the crossroads. "Times that try men's souls" have not been exclusively confined to any one period of our history.

It is not the trial of the times, but the failure of men to comprehend the contemporary scene with an eye to the past as well as to the future that has strewn history's pages with the wrecks of dying civilizations which refused to meet the challenge of their day.

As the former President Lowell of Harvard said, "A civilization is seldom murdered; it commits suicide." The unmet internal responsibility has ever cancered the "Roman" wall of defense long before the enemy scaled its summit, and reduced men and nations to the tragedy of unrealized potential.

Surely, it behooves us, therefore, to reflect on the import of our times within the context of historic background, if we are to fulfill our rendezvous with American destiny.

OUR TIMES

We are in a new type of war amid an uneasy peace. This paradox, unusual in our history, is admitted by those who witness the intense battle of ideologies in the struggle for the minds of men.

The major determinants for something more valued than mere survival in this conflict will be found in the realm of the intellect and spirit rather than in the power of brawn and big muscle.

The Damocles sword is suspended in this nuclear Olympic in one awesome challenge: In ruthless competition with an atheistic enemy, can we retain the spiritual values, and basic individual freedoms that have nourished and sustained us as a nation in order that a possible "win" will not, in the long run, become a hollow victory? Put in another way, can we avoid emulation of the tactics and ideologies of a formidable enemy so that we not become betrayal victims in our own actions, beliefs, and successes?

In meeting this challenge of our times, we need to answer the question: What has made America great, and what are the forces that would dilute and destroy this greatness?

A full and satisfying answer in the minds and hearts of all Americans, young and old, will, above all else, determine the future defense of Western civilization and the destiny of the American Dream. In the objective pursuit of this answer lies our supreme hope for the allegiance of the future citizen to those principles that historically have safeguarded this country, and must be protected at all costs if freedom is to endure.

KEYS TO AMERICA'S GREATNESS

Whereas the answer to America's greatness cannot be prescribed categorically, yet there are three guidelines and salient truths that experience has proved to be worthy of consideration. However dimmed by changing years and circumstance, they persist as bedrock values in charting the course of our Ship of State.

First: *The freedom of the individual*—From the long, arduous, and agonizing struggle of man in his search for freedom, the Founding Fathers gleaned the ideals to which this Republic would dedicate its full measure of devotion.

Beginning with the experiments of ancient Athenian democracy and the fundamental Hebraic-Christian concepts to the wresting of the Magna Charta by the English barons at Runnymede in 1215, to the inauguration of the first representative assembly at Jamestown in 1619, to the assertion of the right of free men to govern themselves set forth in the Mayflower Compact of 1620, to the English Bill of Rights of 1688, to the immortal principles of freedom enumerated in the Declaration of Independence—the attritional and sacrificial successes were documented.

From these basic ideals, the Constitution of the United States, incorporating the first ten amendments as the Bill of Rights, was born. Here, at last, the spiritual, political, and economic rights as the very essence of individual freedom were set forth.

We cannot attain the level of informed intelligence for effective citizenship today without a deep and abiding knowledge, understanding, and appreciation of these great milestones in the history of human freedom, together with the accompanying responsibilities for their preservation and extension to posterity.

Second: *Representative Government*—The principle that the rights and responsibilities of the individual, the limitations upon his freedom of action with respect to the rights of others, are to be determined by representatives elected by the people, and subject to their being called to account by the electorate, is a basic jewel set by the Founding Fathers in our system of government. Forever, did they intend that our governments—federal and state—derive their powers from the consent and deliberate delegation of the governed and, hence, possess limited powers.

Today, as in 1776, the true revolutionary doctrine is not the Communist Manifesto, but the history shaking pronouncement, ". . . that to secure these rights, governments are instituted among men, deriving their powers from the consent of the governed."

Third: *Due Process and the Rule of Law*—The reliance upon government by law and not by men, upon orderly steps in law enforcement—rather than the violence of revolution—which validates each step as it protects the rights of the individual involved became another jewel in the course of "life, liberty, and the pursuit of happiness." This principle recognizes that laws are made by men, but that men are not laws unto themselves.

It would be difficult to find stronger propositions supporting the source of America's greatness outside these pillars of documented liberty, and they constitute an eternal distinction between the American and the totalitarian ideologies, whether of the eighteenth or the twentieth centuries.

THREATS TO AMERICA'S GREATNESS

To constitute a framework for liberty and human freedom is not enough to assure it. Only eternal, enlightened and aroused vigilance by each succeeding generation can do this. What then are the contemporary threats to America's greatness for which such vigilance must be exercised? Here, again, a categorical answer cannot be given, but some of the "signs of the times" can be identified.

1. The accelerated erosion of the principle of federalism since the 1930's is becoming a cancerous sore in the body politic. In the process of redefining the functions and powers of the federal and state governments, the race has been between the "general welfare" clause in the Preamble and the following two amendments:

9th Amendment: The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

10th Amendment: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The record shows that under the guise of one emergency or another during the past thirty years field after field of state activity has been preempted by the federal government. The attritional annihilation of these two amendments, if not checked, will whittle away the federal system, the very essence of our republic.

2. The trend of the judiciary process in recent years to evolve as the "keeper of the national conscience" rather than the guardian of the law can, as Jefferson feared and predicted, make putty of the Constitution itself.

When the approach to fundamental legal issues ceases to be a scholarly evaluation of statutory precedent and historical foundations of constitutional intent, then the inevitable consequence portends a rule of men instead of a rule of law.

Such practice in effect amends rather than interprets the Constitution and tends to make it a flexible, unstable document subject to the political exigencies of the contemporary scene. The net consequences is the gradual undermining of time-honored faith in the integrity of the judicial process as a guardian of liberty.

The tragedy of the moment lies in the overwhelming pressures on Congress to enact laws, and the Courts to adjudicate, in areas so fundamental and delicate as Rights without having time, or disposition, to bring to bear the weight of historical and truly constitutional intent. Such stampeded action, taken today on the part of some in a sincere advocacy of the cause of liberty, may in the light of tomorrow's retrospect be revealed as a new tyranny.

3. The tendency to disassociate the freedom of America from its economic solvency is a growing fallacy of the first magnitude. The two are inseparably entwined, and danger to a sound, free enterprise system is a threat to the fundamental fabric of our way of life.

The result is the threatening spectre of government becoming the master rather than the servant of the people; an acceptance of the national debt, however big, as a state of normalcy; a view of the federal budget as primarily a social rather than an economic instrument; and a belief that security is the goal rather than initiative and incentive.

4. The tendency for one to restrain expression of deep conviction on public issues for fear of being labeled Liberal or Conservative is one of the insidious dangers to the exercise of effective citizenship on the contemporary scene. The sound and fury that now casts these labels across the land is an ominous threat to leadership.

Whereas the informed citizen recognizes that it is not an either-or-process on any major issue; that the federal government must undertake certain activities peculiar to a space age; that any problem of the moment must invite objective analysis on both sides of the question; that the modern evolution of twentieth century America often requires a new concept of thought and procedure—yet he is disposed to remain aloof for fear that having acquired a label he must then live up to it, or exert frustrating effort in trying to get out from under it. In either case, the real cause suffers in the aftermath.

The point is that the nation cannot afford to lose the voice of effective leadership for fear of crucifixion on the altar of a label, nor permit this leadership to relegate itself to the safe bosom of neutrality on public issues- -which in reality is but a haven of retreat and often a cowardly camouflage for compromising expediency and appeasement.

5. In a world that shrinks daily in terms of distance and time, the absence of a strongly advocated ideology of America, historically rooted, but with twentieth century application, leaves us as a ship without a rudder.

Such a void finds us frantically devising defensive procedures with which to combat Communism—the enemy whose ends and goals are clearly defined, but who is content for now to have us deal with the means.

In dealing with the means we are kept busy putting out the fires, meeting a threat that is a retreat, and a retreat that is in essence a revolution, until we dissipate our resources and frustrate our objectives. The result is an ever increasing encirclement by Communism, and a corresponding weakness in a sense of conviction and destiny on the part of the western nations.

In proclaiming such an ideology we need to clarify for the world that judges so much by materialistic achievements that Americanism is far more than materialism. Indeed, let us emblazon the fact that our roots of greatness are deeper than the economic or political system—they lie in the ethical and spiritual foundations whose gleamings from the long struggle of mankind for freedom constitute the bedrock of liberty on which this country was founded and stands today.

6. Sudden, swift, and radical changes, which give us a feeling of insecurity and lack of stability and which are correspondingly unpredictable are indicative of the nature of the times in which we live. Hence, it is easy for us to "get off our base," to be led astray by new and undemocratic ideologies, to become shellshocked and mentally confused. Thus, troubled souls who are unable to find within themselves peace and harmony of spirit flee to new religions, new dogmas, and new "isms." This hurried flight in throwing off the old ways does not bring the same balance of life because man cannot cast off the altars of his youth at "one fell sweep" without an adequate and sustaining substitute, the nature of which is developed only through experience. In this context, it is not so much the increasing complexity of overwhelming issues that is alarming, but, rather, the superficial attitude of mind that makes men feel they have lost the tradition of the good life in facing these issues and leaves them asking inwardly: what's the use?

7. The undue emphasis on power and power blocs is a threat of major proportion. Power has become the watchword in international relations, in politics, in economic and financial circles, as well as in the physical world. In this materialistic day we stand in danger of losing sight of a great lesson of history: Whom the Gods would destroy, they first make mad with power. There are some things a man cannot delegate—his freedom, his responsibility under conscience, and his God-given right of choice. Yet, we observe increasingly the individual being "caught up" in the anonymity of power structures where two or three leaders say they speak for 40,000.

8. Another indication of the nature of our times is in the development of the physical and material, and even the intellectual at the expense of the moral and spiritual. Thus, we witness a scientific point of view that often says we must make new discoveries, invent new gadgets, provide different ways of doing things, but it also insists that the scientist is not concerned with the good or bad use to which these inventions and discoveries are put. It is, therefore, time for us to realize that education cannot lose its heart and soul without the inevitable result of becoming the victim of its own Frankensteins. As Edison so aptly commented, "I am fearful of the day when man's ingenuity will devise and invent that which man's sense of saving humanity will not or cannot control."

Unless our educated conscience is aware of this potent factor of life today, the increasing lag between technological advance on one hand and humanitarian values on the other, we will witness our greatest scientific wonders becoming instruments of destruction in the hands of the fool, and the demon.

MEETING THE THREATS TO AMERICA'S GREATNESS

In a day when the educational process is beset by so many peripheral forces that divert the attention of the school administrator, and simultaneously run "rough-shod" over the lives of students, I submit that nothing holds greater promise for meeting the threats I have mentioned than a true revival of the liberal arts at all levels of education.

The liberal arts constitute the brilliant thread of continuity of education itself from classical times through the period of settlement of this nation to the present. The phrase is derived from the Latin origins, "artes liberalis"—the word "artes" meaning "to make" or "to shape," and the word "liberalis" coming from "liber" meaning "free."

Thus, the term, "artes Liberalis" has been translated as "activities worthy of the free" as distinguished from those appropriate for a slave. Since it has historically been used in connection with the preparation of such

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activities, it has been associated with education, and may be conceived as "education worthy of free men"—a class or political distinction in classical times, an intellectual or social distinction in colonial times and, I suggest, a democratic essential in modern times.

The liberal arts have, it seems to me, signified those subjects or disciplines which, upon study and assimilation, cement the foundations of personal character, public duty and responsibility, and the individual's commitments to certain values that transcend economic and vocational satisfactions.

I suggest that liberal arts, for us, connotes the value gleanings of western man in his long, arduous gropings for release from the shackles of barbarism. It embodies the discernible fabric of our civilization emanating from the humane landmarks of the past that must become a dynamic, motivating force in the lives of our students if the hand of tomorrow is to be restrained in releasing the power that would return us to the cave.

The hallmarks of your educational system will save America if they produce those who meet these criteria:

One who has tempered the steel of his knowledge of forces that destroy with the wisdom of those that save, and casts his lot with the latter.

One who has delved deeply in the purifying crucibles of ageless literature and philosophy in search of a satisfying answer to two ancient queries: Who am I? and Why this Universe?

One who has nurtured the wisdom to discern certain questions that defy reason and logic because their answers as yet reside in the realm of faith.

One who has acquired the "wherewithal" to manipulate others to his own ends, but at the same time a sense of values that refuses to permit it.

One who harbors a sense of moral responsibility for the formulas he devises and the instruments of destruction he invents, and recognizes that his body of knowledge is no more than an instrument in his hands and he cannot escape accountability for the use to which it is put.

One who has explored the un-tilled prairies of *inner* space, whereby his actions turn on the threshold of immortality, and he lives as though he would die tomorrow, but thinks as though he would live forever.

One who recognizes the imperfections of government as a responsibility to his own initiative in dealing with them intelligently, and possesses in the process an enlightened love of country and a reverence for things spiritual.

One who appreciates the aesthetic experience; articulates his ideas; and thinks conceptually on those matters that merit deliberation and reason.

One who can find the time for true reflection prior to action, and can occasionally seek the quiet moment in refreshing his soul with the serenity and inner peace that enables him to speak and act positively; to bespeak the good rather than the bad; and to dispel negativism that grips his contemporary scene.

One so steeped in the knowledge and values of a broad general education as to enable him to build the skills of future specialization without losing the perspective of the good life.

One who possesses humility without cowardice; faith without arrogance; and love without hypocrisy; and knows that the Galilean ideal, however distorted, is still the hidden, driving force, haunting men and challenging them to the fulfillment of unrealized dreams.

For those who would say that such hallmarks are too ideal for attainment, I would suggest that those who delved in good liberal arts discovered long ago that nothing in the history of man is more practical than an ideal—and such a product of our educational system will save America and western civilization.

If we are to survive as a free nation, then I submit that we must liberally educate for more than survival. If we are now capable of reaching into space, then I submit that we must liberally educate for true worthiness in moving among the stars. If we have now ensnared the rays of the sun, then we must liberally educate for illuminating the dark recesses of our lives. If we are to resolve the destiny of mankind, then we must liberally educate for a worthy immortality. This is the challenge of liberal arts that promotes an education worthy of free men; and this, I submit, when all is said and done, will save America, and bring the only true peace that endures.

REPRESENTATIVE POAGE AND THE FOOD STAMP PROGRAM

Mr. DOLE. Mr. President, I know of no man who has a deeper and more thorough understanding of the legislation and problems associated with the food stamp program than the chairman of the House Committee on Agriculture, the Honorable W. R. POAGE, under whom I had the pleasure of serving as a committee member when I served in the U.S. House of Representatives.

I noted with particular interest Representative POAGE's thorough and perceptive letter to the editor of the Washington Post, replying to an article by Colman McCarthy entitled "Hunger: Yesterday's Crisis, Today's Yawn."

I wish to commend Mr. POAGE for setting the record straight and for correcting numerous erroneous imputations made in the article. I ask unanimous consent that Representative POAGE's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C., June 29, 1970.

The Editor,
The Washington Post,
Washington, D.C.

DEAR SIR: The article on your today's editorial page entitled "Hunger: Yesterday's Crisis, Today's Yawn" by Colman McCarthy is an example of such inaccurate reporting that I feel I should not let it go unchallenged for fear my failure to respond might be taken as acceptance of the truth of the allegations therein.

The first Food Stamp Program originated with the Agriculture Committee of the House in the late 1930's, and it was also this Committee that wrote the present program which is based on the 1964 Act. I have always supported the program. I believe it is an effective way of providing *food assistance* for needy people.

I do not believe it is a proper vehicle for the solution of all of our social assistance problems. I recognize that there are those who think that food stamps without cost to the recipient should be used to provide not only food but clothing, shelter, furniture and medical services, and some would go far enough to provide them not only to those who need them but to all of those who want them without any show of need or any requirement of self help whatever.

In the final analysis I think this is the crux of the disagreement on this issue. I personally believe, and a substantial majority of our Committee has believed and still believe, that food stamps should be used to *supplement*, not *substitute for*, the normal buying power of low income families. We believe it is still desirable for those who can do so to work in order to support themselves and their families. We believe that the bill our Committee has approved provides a fair test in this respect. It reads—

"(c) Notwithstanding any other provisions of law, the Secretary shall include in the uniform national standards of eligibility to be prescribed under subsection (b) of this section a provision that each State agency shall provide that a household shall not be eligible for assistance under this Act if it includes an able-bodied adult person between the ages of 18 and 65 (except mothers or other members of the household who have the responsibility of care of dependent children or of incapacitated adults or who are bona fide students in any accredited school or training program) who either (a) fails to register for employment at a State or Federal employment office or, when impractical, at such other appropriate State or Federal office designated by the Secretary, or (b) has refused to accept employment or public work at not less than the higher of State or Federal minimum wage established by a valid regulation of any agency of the Federal Government authorized by existing law to establish such regulation. Refusal to work at a struck plant or site for the duration of a strike shall not be deemed to be a refusal to accept employment."

This is known as the Poage amendment. You will note that it does not deny food stamps to anyone who is making a sincere effort to help himself; it does not require anyone to become a strike breaker. On the other hand, unlike the Family Assistance Act, it requires recipients to actually work if offered a job rather than to simply "register for work". This is the whole basic reason for criticism of the Agriculture Committee. We are not trying to starve anybody, but we are trying to maintain a concept of work in America.

Our bill rather than trying to limit any needed aid authorizes unlimited appropriations for the Food Stamp Program. There has been no disposition on the part of the Committee on Agriculture to deny whatever funds are necessary to supplement the income of needy people. We simply haven't had the kind of press that the Senate Select Committee on Nutrition and Human Needs has had, nor have we at any time stood in the way of adequate financing, as has been suggested. On the contrary, it was the Agriculture Committee of the House which last fall (H. J. Res. 934 was reported by our Committee October 8, 1969 and passed the House November 5, 1969) brought out a bill to more than double the 1970 authorization for food stamps. Our Committee authorized every dollar the Secretary of Agriculture said he could spend, and we did it without any delay and, incidentally, without any favorable publicity from The Washington Post.

The Food Stamp Program is not coming to an end the first of July. On the contrary, the Agriculture Committee, which Mr. McCarthy so roundly abuses, does not object to the passage of a continuing resolution which will authorize the expenditure at the full requested rate of $1.250 billion a year for the next several months.

Finally, Mr. McCarthy repeats the statement which has been made by a good many other self-appointed advocates of food stamps, that our Committee has somehow or other tied the Food Stamp Bill to the Farm Bill, and that the two will be brought in as one bill. This approach has been discussed—there is frankly some logic to keeping the production and distribution of farm products in the same legislation—but approximately a month ago the Committee Members at my suggestion agreed that we would bring the farm bill to the Floor without including the food stamp provisions, and that the food stamp provisions would be brought in as a separate bill. This may or may not be a sound decision, but it is certainly quite different from the decisions reported by Mr. McCarthy. If his reporting of the historic facts is not more accurate than this indicates, it seems to me that his reporting of the reasons and philosophies which have motivated the various Members of our Committee may be just as inaccurate.

Mr. McCarthy winds up his article with reference to a kid who had no breakfast, lunch or dinner. The Agriculture Committee provided the first school lunches (this program was later taken over by another Committee). The Agriculture Committee originated the Special Milk Program to help on that kid's dinner. Can any of the Senate Committees which have so loudly proclaimed themselves patrons of all of the poor and the hungry point to a record of having *done* so much for those who need help in America?

Sincerely yours,

W. R. Poage, *Chairman.*

FOLK MUSIC AND FOLK ART

Mr. FULBRIGHT. Mr. President, one of the few activities which still bring back pleasant memories of the old days of our country youth is folk music and folk art.

A folk life festival is now in progress, sponsored by the Smithsonian Institution.

One of the principal figures in the festival is a friend of mine, Jimmy Driftwood, a fine artist and a true gentleman.

I ask unanimous consent to have printed in the Record an article about the festival, published in today's Washington Star.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Star, July 1, 1970]

Folk Life Beats the Official Start

(By Herman Schaden)

They came early, some far away from home for the first time and many taking their first plane ride. The fourth annual Festival of American Folklife was under way even before its official opening time today.

"They had to have something to do," said Jimmy Driftwood, "and so they did what comes natural. They came down here and did their whittling, their guitar-playing and their basket-making."

So it was that the mountain people, the Southern Plains Indians, the craftsmen and musicians from tiny specks on the map, the unsullied heart of pioneer America, moved in on Washington's Mall for the five-day adventure in folklore.

COULDN'T WAIT

"They couldn't wait to get started," Driftwood said. "You should have heard them Monday night at Trinity College (where many are rooming). That was music-making you couldn't pay to hear.

"Our mountain people, and those Loving Sisters from Little Rock, blacks with the most beautiful voices I ever heard. They all reminded you there is only one race in the world—the human race."

As chairman of the Parks, Recreation and Travel Commission, Driftwood is a great ad for Arkansas. "Chairman? Shucks, I just sit there to keep them from fighting," Jimmy said.

At 63, Driftwood thinks he looks, and knows he feels, younger. He modestly attributes it to hard work, and he's probably right. He's got a farm with 250 head of whiteface cattle, claims no man can fell a tree more adeptly, and of course, he's the kingpin of Arkansas folk music.

"How many songs have I written? Oh, it must be more than 1,500. I just can't stop writing. Some people have to fish or hunt whether its illegal or not. I have to write music," he said. "I used to drive along, think of a tune, and stop the car. My wife would write down the words and I'd put in the notes (that only I could read). Now, see here, Cleda bought this tape-recorder, so I can sing and drive right along."

Driftwood has recorded about 120 songs in nine albums, including his famous "Battle of New Orleans," which, of course, he will sing Sunday evening when he emcees the Arkansas night musical program.

"To hear them sing and play, you wouldn't think anybody in Arkansas had any trouble," Driftwood says.

"I guess that's right, but I don't catch the young people working like we do. I have to raise my own cattle and blue channel catfish. But hard work keeps you young. I don't know whether the young people will hold up or not."

Almeda Riddle, an indomitable ballad singer, admits to being 72 and is holding up fine. She remembers when Jimmy Driftwood was born at Timbo, not far from her place, "but I didn't really meet him until 40 or 50 years later." Timbo is a place with three stores.

Driftwood dryly insists he does not live in town, but has a place "in the country."

Driftwood's real name is James Morris (same as the director of the Smithsonian's Division of Performing Arts, which operates the festival).

He claims he was renamed the day he was born, when his father slyly wrapped a log in a blanket and handed the "baby" to Jimmy's grandmother to see. "Why, he looks just like driftwood," she exclaimed. And so he has remained ever since.

Mrs. Riddle has a beautiful hill-country face and disposition to go with it. One of the few who sings unaccompanied, she began collecting and memorizing the 600 to 700 ballads she now knows when she was 6. Her teacher was her father, who also taught school at the same time as Driftwood's grandfather.

She has been around the folk festivals and made several records, since she first sang "The Blind Child's Prayer" as a tot at Greer's Ferry. She's nervous only when singing for her own people. "I'd rather sing before 13,000 people in California than to a handful at Greer's Ferry."

Bessie Jones is a cheerful soul who leads the Georgia Sea Island Singers and always says when introduced, "Glad to know you, God bless you."

ALASKA—THE LAST COMMUNICATION FRONTIER

Mr. STEVENS. Mr. President, today Alaska's first commercial satellite communications service will be inaugurated.

This is the beginning. It will be followed by a domestic satellite system with a spot beam on Alaska, additional earth stations in southeastern Alaska, Kodiak, Nome, Bethel, Adak, and north of the Brooks Range, expanded telephone service and television transmission service between Alaska and the continental United States. In short a modern communications network for this Nation's last frontier.

The fact that Alaska is a vast expanse of land is no secret to anyone. The centers of population are scattered throughout my State. Adequate intrastate communication, as well as communication to the lower 48, has always been a problem—one that 20th century communication advancements has only partially solved. No Alaskan community enjoys the benefits of live television; many Alaskan communities have only emergency radio-television service.

Modernization of communications in Alaska has been a task borne by many Alaskans, a passion and vital goal to some.

My predecessor, the late Senator E. L. "Bob" Bartlett, in a speech delivered at Palmer, Alaska, in 1967, discussed what the communications revolution would mean for Alaska. He said that the development of telecommunications offered the first real prospect of reversing the movement of people to a handful of great metropolitan areas, a movement which was creating as many if not more problems than it was helping to solve. He stated:

> Quite clearly, technology which encourages decentralization of industry, technology which permits businessmen to do business without traveling in areas separated by great distances, technology which brings to the great outdoor land some of the benefits of great cities, has a great role to play in bringing people, jobs and educational advances to Alaska.

On September 2, 1967, the Bartlett bill authorizing the sale of the Alaska communications system became law.

In April 1968, Gov. Walter J. Hickel appointed a special satellite communications task force to coordinate and work with Federal and private interests to insure a balanced and dependable satellite communications program for Alaska. Many meetings of the task force were held during 1968. A confernce was held at Anchorage on November 27, and the task force issued a joint statement from the meeting in strong support of bringing satellite service to Alaska.

At the same time, Bob Bartlett called for the construction of a satellite earth station, to be built between the two most populous Alaskan cities, Anchorage and Fairbanks, and to be operational by 1970.

On December 6, 1968, an application was filed with the Federal Communications Commission by the Communications Satellite Corporation for permission to start construction on an earth station near Talkeetna. On April 29, 1969, the same company applied for construction of a microwave link from Talkeetna to Anchorage. On May 25, the Federal Communications Commission authorized the company to construct the earth station. A month later it announced that the Radio Corporation of America had been selected as successful bidder for the purchase of the Alaskan communications system. On November 6, 1969, the Federal Communications Commission authorized COMSAT to construct microwave links at Talkeetna, Twelve Mile and Scotty Lake and RCA to construct a microwave system station at Anchorage.

On March 24, 1970, the Alaska State Legislature in recognition of the vision shown in the field of communications by Bob Bartlett, designated the property near the Talkeetna Earth Station as

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Bartlett Ridge. Subsequently, the Board on Geographic Names approved naming the property Bartlett Hills.

Appropriately, the Communications Satellite Corporation has named the Talkeetna Earth Station after Bob Bartlett.

The earth station is being placed into service today. This facility will be capable of meeting any and all of the immediate foreseeable Alaskan communication service requirements. This station will have 252 channels completed by August 1, 1970, or soon thereafter. The necessary terminal equipment for Japanese service is scheduled for installation in late 1970 or early 1971, which coincides with presently known service requirements to Japan.

In addition to voice channel services outlined above, the Talkeetna station will be capable of providing one high quality color television channel on a fully reversible basis to any point in the Pacific Ocean region where satellite system earth stations are now operational. As of now, these points are: Japan, Korea, Republic of China (Taiwan), Philippines, Guam, Australia, Thailand, Hong Kong, Hawaii, and Jamesburg, Calif. Direct voice channels to these Pacific points can be made available when service requirements develop.

Alaskans welcome these advances and look forward to improved communications. All citizens of the Nation should share in the benefit and necessities of a modern communications network. The age of Aquarius demands no less.

But we are impatient—and we seek to accelerate our participation in the communications of the future. President Nixon's decision to permit competition in space communications gives an additional incentive to COMSAT to increase the pace of development.

Today, I urge COMSAT to file with the FCC as soon as possible an application to build and fly a domestic satellite system that will serve all of America, including Alaska. I further urge COMSAT to form a joint venture with RCA to handle the Alaskan operations of this system.

In short, I urge COMSAT to bring 21st-century communications to Alaska now.

For too long, now, Alaska has had to put up with 19th-century communications systems. We cannot dial direct even between our own cities, let alone to the south forty-eight. Much of Alaska's rural areas must rely on radio telephones, which only operate for limited hours each day. Can you imagine how an expectant mother feels, knowing she cannot summon professional aid except by runner.

Satellite communications holds the ultimate answer. Our communications are about to be improved. But if this upgrading is accomplished by the building of conventional ground systems, such as microwave, we will be getting at only part of the problem. It will never be feasible to use overland communication systems in the sparsely populated areas of my State. The overland microwave system would be only a stopgap device, but its cost would become a permanent part of the rate base Alaskans will be paying for. This must not happen. We must go now to the satellite system which offers the ultimate solution to our communication needs.

This step is what I am urging today. Alaska can meet the technological needs for the operation of this system. We have been handling sophisticated military communications equipment for years. Our children need the educational advantages television can offer. The much heralded program "Sesame Street" cannot be seen by most Alaskan children because we do not have adequate television communications.

This is the challenge I am making to COMSAT and RCA today. I know they can meet it, and I urge them to do so.

DEMOCRATIC PARTY'S ABILITY TO BOUNCE BACK

Mr. CRANSTON. Mr. President, the survival and success of the Democratic Party in 1970 and 1972 has been predicted by a man who has heard dismal predictions of the party's demise in the past.

James A. Farley, former Democratic National Committee chairman and Postmaster General, reminds us of "the political wiseacres" who in 1928 "expressed the belief the Democrats would be out of power for 25 years," as proof of the party's extraordinary ability to "bounce back."

I ask unanimous consent that Edward H. Dickson's article, entitled "The Farley Way in Politics," published in three California papers recently, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows.

[From the Sacramento Bee, Apr. 4, 1970]

THE FARLEY WAY IN POLITICS

(By Edward H. Dickson)

Debt—Much ado is being made these days about the $9 million debt inherited by the present Democratic National Committee from the close-but-still-losing 1968 presidential campaign.

Some are going so far as to predict the party's death like that of the Whigs.

But there are dissenters who say that while the Democratic donkey might have a severe bad financial glanders or heaves, there is a potent kick in the old boy yet.

Veteran—One of those who is not ready to roll over and play dead for the benefit of the Republicans is Rep. John J. Rooney of Brooklyn, NY, a congressional pepper pot if there ever was one.

"The pundits around the country," Rooney told his colleagues, "are trying to bury the Democratic party without even a decent wake.

"They say the party is leaderless, out of touch with the people and broke—that it cannot win in 1970 or 1972 and in fact may not even be in existence by then.

"This, like most punditing, is just pure bunk. The party owes money but it can win in 1970 and 1972 and once again prove it is the party of the people."

Witness—As a supporting witness for his viewpoint, Rooney cited James A. Farley, still sharp and active in the business world and one of the political geniuses of United States history.

It was Farley who packed a suitcase in the 1930s and traveled throughout the nation gathering delegates for Gov. Franklin D. Roosevelt, a fellow New Yorker, for the Democratic presidential nomination in 1932.

Farley has an almost uncanny memory for names and faces, boundless energy and a high regard for political loyalty.

FDR appointed Farley postmaster general at the same time he was serving as chairman of both the Democratic National Committee and the New State Committee.

He performed all his tasks well but the hostile Republican press referred to him as "three-job Farley" which disturbed the amiable Farley not in the least as he enjoyed wearing all three hats.

There was a story around Washington during early New Deal days that while Farley was not vindictive about punishing any of the administration's enemies, he thoroughly enjoyed rewarding his friends.

Keen interest—All things being equal as to qualifications for a job, Farley showed keen interest in knowing whether the favor seeker was "BC"—meaning not the calendar but a supporter of FDR "Before Chicago" where he was nominated.

Anybody who might have doubted Farley's political ability had to be thoroughly convinced by his management of the Roosevelt's 1936 re-election campaign which he won by carrying every state except the then traditionally Republican states of Maine and Vermont.

Rooney pointed out Farley remembers 1928 when Democrat Alfred E. Smith was defeated badly by Herbert Hoover in an election which saw several of the then "Solid South" states go into the Republican instead of Democrat column. The political wiseacres expressed the belief the Democrats would be out of power for 25 years.

Recalled—But Farley also recalled the Democrats bounced back in 1932 and it was they, not the Republicans, who held the White House for 20 years.

As to the leadership, Farley had kind words for both Hubert Humphrey and U.S. Sen. Edmund S. Muskie of Maine.

He observed the election was close, that the McCarthy and Kennedy camps delayed too late in aiming the ticket and that Humphrey would have won if the campaign had gone another week.

He said Muskie made an "extremely good impression, is knowledgeable and a good public speaker who never makes extravagant statements."

READER'S DIGEST ARTICLE ABOUT SENATOR JACKSON

Mr. HOLLINGS. Mr. President, in this body, where qualities of leadership, legislative ability, and intelligence abound, the distinguished Senator from Washington (Mr. JACKSON) stands out at the top. His advice is constantly sought by Senators of both parties and of every political persuasion. Perhaps this is because of his fine judgment. "Scoop" is known to be thorough; he is objective; and his dedication to the best interests of America is an inspiration to us all. In a time when political passions flare and polarization seems to be the order of the day, the need for level-headed judgment is more appreciated than ever.

Recently the Reader's Digest documented Senator JACKSON's statesmanlike service. Every Senator knows the accuracy of this article, but I think every young reader, every disenchanted citizen, every thoughtful American could gain sustenance from the Henry Jackson

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story. Accordingly, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HENRY JACKSON: "A STATESMAN OF UNCOMMON QUALITY"

(By Ralph Kinney Bennett)

The afternoon session of July 17, 1969, was one of the most extraordinary in the history of the U.S. Senate. The galleries were empty. Only Senators (95 of them) and a handful of Senate officers sworn to secrecy were in the chamber. The controversy over President Richard Nixon's anti-ballistic missile (ABM) system had reached its dénouement. Senators opposing the ABM had called for the secret session in order to display a classified Pentagon chart which profiled a potential Soviet-American missile exchange. If the public could see this chart, opponents boasted, it would "overwhelmingly" oppose the ABM.

Clustered around the chart, the Senators listened quietly as the anti-ABM position was spelled out: ABM's complex of missiles and ultrasophicated radars would not work as a system; one of the radars was too expensive and too vulnerable to attack; and, ultimately, the whole system could be smothered if enough intercontinental ballistic missiles (ICBMs) were fired at it. It appeared that the opponents of ABM were going to carry the day.

Meanwhile, Sen. Henry M. Jackson had walked into the chamber, carrying penciled notes and a black looseleaf notebook, tab-indexed to the top-secret material it contained. The stocky Democrat from Everett, Wash., was about to put his reputation for perceptive thinking on national defense, nuclear warfare and Soviet-American confrontation to the test. For most of the 48 hours preceding this secret debate, Jackson had briefed himself intently on the bewildering intricacies of missile and anti-missile strategy. Now he rose to address his colleagues in his rich baritone voice: "I think the sensible thing to do is to follow through on the chart." He proceeded to do so, disposing of the faulty arguments that had been based upon it. ABM *would* work, he declared. It would strengthen the President's hand in arms-control talks with the Russians. It would not be easily overcome by Soviet missiles, since it could be adapted to meet considerable increases in the Soviet missile arsenal.

The Senator spoke firmly, pausing frequently to answer questions. Some opposition Senators remarked that Jackson was countering their arguments with information on the Soviet offensive-missile buildup that they did not have.

"There is nothing mysterious about the intelligence information I got," he answered. "It is available to every Senator."

Smarting opponents said they would call another secret session to refute Jackson's remarks. But they did not, and two weeks later ABM passed the Senate by a single vote, and was soundly backed in the House. "Jackson's speech was clearly the turning point," said Sen. Robert Packwood (R., Ore.).

No Labels. It was a victory for the White House, and the general in the field was a Democrat who, as one of his home-state newspapers pointed out, "did it against what appeared to be his own best political interests," thus proving himself to be "a statesman of uncommon quality."

Such an accolade embarrasses 58-year-old "Scoop" Jackson (the nickname, from a cartoon character, has stuck since he was four years old). But, as one of the most powerful members of the Senate, he has risen above partisanship many times to advocate a sensible American defense posture.

Once described by a newsman as "a fair-minded, clean-cut Jimmy Stewart type who speaks his mind but is never doctrinaire," Jackson also has an enviable record in another area of vital national interest—conservation and the environment. His credentials date back through a score of bills, including sponsorship of the Land and Water Conservation Fund, the National Scenic Rivers Act and the Redwoods National Park Act. "There aren't too many U.S. Senators beloved by both the Audubon Society and Pentagon colonels," notes *Governmental Executive* magazine.

Jackson shuns labels and tries to take a realistic approach to each issue as it arises. After the signing of the Nuclear Test Ban Treaty in August 1963, for instance, President John F. Kennedy urged swift Senate ratification. Kennedy knew that "Scoop," the fellow he played softball with when they were bachelors in Georgetown, would sway votes if he approved it. But Jackson insisted that safeguards accompany the treaty: continued underground testing, maintenance of nuclear-weapons research, improvement of test-detection methods, and the ability to resume testing quickly in the event of a Soviet violation. "Fresh in my mind," he said, "was the sudden breaking of the nuclear-testing moratorium by the Soviets two years before."

The Kennedy people didn't want to rock the treaty boat, Jackson insisted. Finally, the safeguards he demanded were agreed upon, and on September 24 the treaty was ratified by a margin of 14 votes. The Associated Press reported: "Jackson's removal of himself from the doubtful list enhanced the chances for ratification of the pact by a substantial margin above the necessary two-thirds majority."

SOMETHING WRONG

Jackson was a freshman Senator when he first gave notice that he would play an active role in defense matters. At Kwajalein Island in the Pacific during some 1952 atomic tests, he met an "unconventional, ascetic-looking Navy captain" named Hyman Rickover.

When he learned later that this outspoken and brilliant man had been denied promotion twice, partly because of his "crazy" ideas about atomic submarines, Jackson spoke up in the Senate Armed Services Committee: "There is something wrong with the Navy's thinking and its promotion system if a man like this is passed over." Jackson won his fight. Rickover was promoted, and went on to help make the nuclear submarine a major part of our defense system.

In 1955, disturbed by the then half-hearted American ICBM program, Jackson worried that the Russians "would make a quantum jump and come up with a rocket delivery vehicle." He urged that our ICBM development be put on a wartime basis.

Prevailing on Sen. Clinton P. Anderson (D., N.M.) to join him, he drafted a letter to President Eisenhower, prompting him to undertake a full-scale briefing on the matter for the first time. Two years later, in 1957, the Russians surprised the world with the powerful rocket that launched Sputnik. Colleagues then began listening more closely to Senator Jackson, and American ICBM efforts were greatly accelerated.

The man who had been Vice President at the time of the missile letter later paid high praise to the man who had been so farsighted. In 1968, President Nixon asked Jackson to be his Secretary of Defense. Jackson declined, for reasons that have remained a confidence between him and the President.

Kremlin Pulse-Taker. Senate liberals familiar with Jackson's long voting record for civil rights, Medicare and other progressive measures, often find his energetic advocacy of military preparedness and wariness of communism disconcerting. Jackson, on the other hand, feels that some of his fellow Senators are overly sanguine or badly informed on the communist threat. "They said the ice was breaking in Eastern Europe; then Russian troops marched into Czechoslovakia." (Jackson predicted this invasion months before it happened.) "They said Vietnam was a civil war, then found out about all those North Vietnamese troops in Laos and Cambodia. Now that doesn't sound much like a civil war, does it?" In fact, he wrote an article for the Seattle *Times* years ago, in which he foresaw the movement of North Vietnamese troops into Laos and a reaction of Cambodia away from threatening communists. "It's not clairvoyance," Jackson comments. "It's just making a judgment from available intelligence."

In four books, many speeches and articles, he has taken the erratic pulse of the Kremlin. His National Security Subcommittee has generated a continuing flow of scholarly, direct reports on such subjects as the character of Soviet leadership, the ominous Brezhnev doctrine of Soviet intervention, and Soviet and Communist Chinese methods of "negotiation." The Vancouver Wash., *Columbian*, a newspaper which has differed with Jackson on many issues, notes: "However much one may disagree with the Senator on military-foreign matters, one must admit that he backs his arguments with facts and logic."

Mutual Respect. In a state noted for its ticket-splitting and independent voters, Jack has a perfect election record. Descendant of a pioneer Washington family of Norwegian ancestry, he was elected prosecutor of Snohomish County at age 26, just three years out of the University of Washington Law School. Elected to Congress in 1940, he spent six terms in the House, and was elected to the Senate in 1952, defeating an incumbent Republican despite that year's Eisenhower landslide. Elected again in 1958, by 319,000 votes, he topped that margin in 1964 with a 538,000-vote plurality.

The secret of his popularity? "The people respect him," says Stanley Golub, a Seattle businessman and one of Jackson's closest friends. "And they know it's a mutual respect. He cares about people."

Jackson starts his work day at about 6:30 a.m. with an hour and a half of reading the paper work he brought home with him the previous evening. Then he battles rush-hour traffic on the way to the Capitol in his battered white 1961 Chevrolet for a morning of committee meetings. As chairman of the Atomic Weapons Subcommittee of the Joint Atomic Energy Committee, he listens to a secret briefing on nuclear-warhead development. Later, at the Interior and Insular Affairs Committee, which he chairs, he discusses Alaskan native land claims with an aide, then sits down to hearings on his National Land Use Policy bill, which would establish a system of priorities for the use of our most valuable and limited resources.

After the hearings, Jackson asks about one of the girls on his staff who is ill. "Does she need anything? Is somebody going to stop by and see her?" Then he meets with some lumbermen about a conservation bill that they fear will hurt the logging business, one of the biggest in his state. They know he talks tough. During the controversy over his proposal to create a national park in the heavily forested North Cascades Mountains, he told a gathering of lumbermen: "It is a mistake for anyone in the forest industry to retreat to a position of adamant opposition to all proposals to preserve part of our national heritage." Yet he has also been blunt about what he considers conservationists' sometimes knee-jerk reactions: "Every time a tree is cut, a mineral mined, a dam constructed or a road built, the public interest is *not* being attacked."

THIRTY-POUND OFFICE

When he travels to his home state, Senator Jackson carries his "office" in a blue-canvas satchel bulging with about 30 pounds of notes and documents. The plane trip is a time to catch up on extra reading or to go over prospective legislation, speeches and committee reports. He makes notes with thick

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black lead pencils which always seem to disappear and show up later in the hands of two eager artists—his seven-year-old daughter, Anna Marie, and his four-year-old son, Peter. (Jackson's name in Washington, D.C., society pages usually had "eligible bachelor" appended to it until 1961, when he married Helen E. Hardin, a beautiful woman with a graciously candid sense of humor.)

But moments with wife and children are relatively rare in the life of a man whose solid reputation as a lawmaker is based on action. He is not a legislative dilettante who quickly tires of a bill and lets his staff see it through. Jackson's push for his National Environmental Policy Act (which requires every government and commercial endeavor to be approached in light of its possible consequences to the already tortured environment), for example, involved three years of almost daily personal work. All the while, he fought head-to-head battles with lobbyists from the Atomic Energy Commission, the Corps of Engineers and other federal agencies and industrial interests.

"You can't say to people you'll move your plant to another town if they don't like the smcke, because today the *other* town won't have you," he told business representatives. "You've got to deal with the *problem*." When the House began gutting his bill, he got on the phone to Rep. John Dingell (D., Mich.), its floor manager. "I don't know how he did it," says Bill Van Ness, special counsel for the Senate Interior Committee, "but the bill came through with just about all Jackson wanted. He's a fighter."

When the Veterans of Foreign Wars held their convention in the nation's capital early this year, they presented Jackson with their Congressional Award. President Nixon had come to the award dinner to deliver an address, but he also took the time to deliver a tribute to the Senator. Said the President: Henry Jackson is "a man who in his public life has spoken not as a partisan but as an American, a man who is a great credit not only to his party but, more important, to the United States of America."

HIDDEN AIRLINE TICKET TAX

Mr. TOWER. Mr. President, the front page of this morning's Wall Street Journal contains an important item relating to the new hidden airline ticket tax which I called to the attention of the Senate yesterday. Senators may recall that I introduced a bill which would permit the disclosure of the tax on the face of airline tickets and in advertising.

I ask unanimous consent that the item, which appeared in the "Tax Report" column, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tax Report

Crime-Stoppers, here's how to spot someone breaking a new Federal law.

Watch for the airline that prints the dollar amount of the new 8% Federal tax on its tickets or in its ads. Starting today, that can mean a $100 fine. By law, the airlines may print only the total cost of a fare, with tax included. They may only mention that an 8% ticket levy is included. Proponents of the new law say the single total is more convenient and less deceptive. They charge that airline ads have used the lower, pretax figure as a come-on.

But the air ticket tax on domestic flights jumps to 8% from 5% today, and there's also a new $3 tax on most international departures. Some people say the new nondisclosure rule isn't entirely unrelated to these changes. One travel industry publication calls the tax increases "dazzling" and the nondisclosure "chicanery." To the American Automobile Association, it appears the new rule is "deliberately hiding the tax from the public."

The higher taxes apply to all tickets, including those purchased before today but not yet used. Eastern Air Lines fears collecting the extra tax due may cause "considerable confusion" over the July 4 rush.

DEATH OF JAMES L. ROUMAN, OF MICHIGAN

Mr. HART. Mr. President, America's ecology lost one of its strongest allies yesterday with the death of Michigan's James L. Rouman.

Jim Rouman, 58, was executive director of the Michigan United Conservation Clubs—an organization so well known and so popular in the State that most people know it only by its initials, MUCC.

More than any single person, Jim Rouman was responsible for the growth of the MUCC from a small band of loosely organized sportsmen into a strong, powerful force of 125,000 members.

The MUCC has not only been a powerful force but a consistently benign one. It has fought not just for the interests of its members but has championed the cause of all outdoorsmen.

Its constituency includes thousands not yet born.

Jim became president of the then-fledgling organization in 1957 while serving as athletic coach of Escanaba High School.

Within 2 years, it became apparent that the MUCC's self-assigned responsibilities needed full-time direction and Jim abandoned a remarkably successful teaching and coaching career to become the organization's executive director.

The MUCC began its rapid growth and mobilized for permanent battle in favor of parks legislation and antipollution laws.

Jim could be found wherever the action was. His advice was sought by many because his counsel was invariably balanced and sound.

It was a rare month when I did not find myself visiting with Jim on the phone or in person—consulting on some new park strategy or checking out the validity of a new idea for improvement of the environment.

Doubtless, there are no words that can comfort his wife, Gertrude, or daughter, Mrs. Penny Forsythe. But they can be secure in the knowledge that Jim Rouman did fine, dedicated work, and millions of people have reason to be grateful to him.

He will be missed by many. I know that I feel not only very sad but greatly diminished by his death.

A TRIBUTE TO WILBERT McLEOD CHAPMAN

Mr. HOLLINGS. Mr. President, recently this country has suffered the incalculable loss of one of the outstanding leaders in the marine and oceanic field. As chairman of the Subcommittee on Oceanography, I am particularly aware of the contributions made by Wilbert Chapman, director, marine resources, Ralston Purina Co.

I know I join many hundreds mourning the loss of this man, who for years had been a giant in the ocean affairs of his State, the Nation, international organizations, and in many foreign countries. To Mrs. Chapman and his children I send my deepest feeling for their loss.

At every critical juncture in the consideration of Federal marine programs over the last 10 years, Wib was there giving cogent, perceptive advice to the Congress and to the executive branch. No record of hearings of ocean programs during that period was complete without his testimony. In our hearings this spring on the creation of a National Oceanic and Atmospheric Agency, he presented his statement directly, as he saw it, and sprinkled with humor. He said he was tired of fighting for better Federal marine organization, wanted to declare peace and to get on with the job. He said:

> I am curious to see what the enormous talents, ingenuity, and scientific and technological skills of the United States could do if turned loose on these global and continental oceanic and atmospheric problems under even halfway decent conditions of organization and support, before I shuffle off this mortal coil.

It is an awful irony that on the eve of creation of a new Federal ocean organization for which he had fought hard since the late 1950's, he should not live to see it in action.

Wib lived, worked, and wrote prodigiously. Member or consultant of more than 20 organizations at his death, his professional assignments over the last decade took him all over the globe where he was deeply involved in the development of world fisheries. He published upwards of 250 papers on ichthyology, fishery development, law of the sea, fishery economics, and ocean science, but those who were on his mailing list know that his publications were a fraction of what he wrote in correspondence. If ever the oceans have a Paul Bunyan, Wib will surely be the model.

What more can we say than that he was unique and irreplaceable. I pay warm tribute to Wib Chapman, and give thanks for the massive contributions he made to us all while he lived.

THE CBW PROTOCOL: WHY SHOULD THE UNITED STATES RATIFY IT?

Mr. PROXMIRE. Mr. President, in recent days I have discussed the background on the CBW protocol of 1925. I have pointed out that, although drawn up in 1925, the protocol is just as important today as when originally drafted. Frequently the argument is made that there is really no good reason for ratifying the protocol since the United States has already pledged that it would not use these weapons first. According to this line of reasoning, ratification would only serve to deprive the United States of its ability to retaliate if these weapons were used against us. In response to this argument I desire to have printed in the Record a very thoughtful discussion of this argument by Prof. George Bunn, currently a visiting professor at the University of Wisconsin Law School. Professon Bunn has written extensively in this area and has served as general counsel to the Arms Control and Disarmament Agency. I ask unanimous consent that excerpts from an article entitled "Banning Poison Gas and Germ Warfare: Should the United States Agree?" be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Banning Poison Gas, and Germ Warfare: Should the United States Agree?

* * * * *

A. REASONS SUPPORTING RATIFICATION

On the assumption that the use of poison gas or germs in warfare by any country continues to be inconsistent with our national interests, ratification of the protocol is to our advantage for a number of reasons.

1. Effect on reducing likelihood of gas and germ warfare

The best reason for United States ratification is the increased attention and effectiveness it would give to the protocol as a barrier to the first use of chemical and biological weapons.

Our failure to adhere to the protocol has repeatedly been called to the attention of other nations by the Soviet Union and its allies. All other nuclear powers, including China, and all other major industrial nations, except for Japan, are parties. For these reasons, our accession would be regarded as important by other countries.

The 1966 United Nations resolution dealing with the protocol renewed interest in it as an instrument for maintaining continued restraint on poison gas and germ warfare. Probably as a direct result, some 12 developing countries have become parties since 1966. Our ratification would give further impetus to the effort to secure adherences.

As indicated earlier, the basic prohibition of the protocol appears to apply to nonadhering states. But many of the emerging African and Asian nations do not regard themselves as bound by rules developed as the result of practices of "colonialist" powers. Only adherence to the protocol is likely to be regarded by them as producing a serious inhibition upon their first use of gas or germ warfare. Yet these same states could acquire chemical and biological agents with much less difficulty than they could acquire nuclear weapons. Indeed chemical and biological weapons have sometimes been called the poor man's atomic bomb. The most recent use of poison gas was, after all, in Yemen. Neither that country nor Israel and Jordan are parties to the protocol. Among the emerging countries of Sub-Saharan Africa, only nine have joined, all within the last five years. Mainland China and India are parties, but Japan and many less developed Asian countries are not. Latin America currently has the fewest number of parties of any major region of the world. In my view, United States adherence to the protocol would stimulate wider acceptance of it by countries in these areas, and would enhance its credibility as a deterrent to the first use of poison gas and germs in war.

2. Aid in achieving a uniform interpretation of the protocol

The problems of interpretation arising from the differences over tear gas and herbicides, as well as from the existing reservations, have been described above, United States ratification with a statement of interpretation to be circulated in the normal course to all parties would offer a useful opportunity to clear up the meaning of the protocol.

While the ambiguity of the protocol in the case of tear gases has been recognized by several other countries, only one has publicly defended our position. Because of the unpopularity of the war in Vietnam and because we are not party to the protocol, our government has had little success in gaining acceptance of our interpretations. However, if we ratified with an interpretative statement after hostilities in Vietnam had subsided, most parties would probably acquiesce in our interpretation and say nothing, assuming there had been an earlier diplomatic effort to achieve this result. Given the ambiguities in the text of the protocol, the statement would most likely be accepted as an interpretation of an ambiguous provision, rather than a reservation which changed the substance of the agreement and therefore really constituted a proposal to enter into a different agreement. Thus we would become a party to the protocol with a clear understanding on tear gas and herbicides as far as most parties were concerned.

Assuming that China and the Soviet Union objected, they would probably aim their objection at our interpretation rather than at our becoming party to the protocol. Unless they treated the interpretation as a reservation going to the heart of the protocol, which it clearly is not, they would, in effect, accept our adherence to the protocol while continuing their differences of view with us as to its treatment of tear gas and herbicides.

3. Improved U.S. standing in forthcoming discussions of poison gas and germ warfare

Starting with the 1966 discussion in the General Assembly, there has been renewed international interest in arms control agreements dealing with chemical and biological agents. In the summer of 1968, the British proposed a major addition to the Geneva Protocol which would ban the use, production, and possession of "microbiological" weapons. A British working paper submitted to the Geneva Disarmament Conference criticized the protocol for a number of reasons, including its ambiguity concerning "non-lethal gases," the failure of many states to become parties, the existence of reservations by some parties, and the limited scope of its prohibition on "bacteriological warfare" which the paper contended did not "include the whole range of microbiological agents that might be used in hostilities." On this last point, the British working paper appears to be incorrect in light of the negotiating history of the treaty. On the others, the difficulties can be alleviated in large measure in the ways already described without amending the protocol.

The British working paper also pointed out that, even with universal adherence to the protocol, there would still be a risk of large-scale use of gas and germ warfare "as long as states have the right to manufacture them and to use them against violators and their allies." The paper therefore proposed supplementing the protocol with a ban on the possession and production of microbiological agents. The United States representative pointed out that the most important question this proposal raised was how parties could verify the fact that other parties did not possess and were not making biological agents. He recommended that, if the British proposal received wide support in principle, a working group be formed to deal particularly with the verification problem. The Soviet Union attacked the British proposal as an attempt to subvert the Geneva Protocol. The Soviet representative said that if the conference were to follow the course suggested by the British, "we might destroy an existing, useful and important international document on the prohibition of chemical and bacteriological weapons without having replaced it by a better or indeed by any other international instrument. . . .

The United Kingdom proposed an expert study under the auspices of the United Nations Secretary General on the effects of the possible use of chemical weapons. Poland proposed such a study for both chemical and bacteriological weapons. The United States was prepared to accept either proposed but a consensus developed around the Polish plan. The conference recommended a study of the effects of both chemical and bacteriological weapons to the General Assembly which recently passed a resolution accepting the recommendations and directing that such a study be made.

This study, and the determination of the Geneva Conference to give chemical and bacteriological weapons further attention, indicate that a considerable amount of international effort probably will be devoted to this problem in the years ahead. The United States will no doubt continue to participate in these discussions. However, we would be more influential with the other important participants, all of whom are parties to the protocol, if we ratified it. This is particularly true since some of the proposals which will be discussed involve amendments to it. United States' interests would be better protected during the discussion of possible future agreements in this field if we became a full-fledged party to the protocal. At a minimum, ratification would limit the effect of Soviet propaganda attacks which tend now to reduce our influence with other delegates.

SENATOR PACKWOOD ON PRESIDENT NIXON

Mr. DOLE. Mr. President, on Monday of this week, the junior Senator from Oregon (Mr. Packwood) issued a statement in support of President Nixon.

It was a strong statement, and I commend Senator Packwood for emphasizing that party leadership, party loyalty, and party unity have to—and do—transcend individual issues. I join with Senator Packwood in his statement because I concur in it wholeheartedly.

President Nixon has indeed proved to be an unusual and outstanding leader of men and nations. I predict that in 1972 he will be renominated by acclamation.

I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Bob Packwood

Let me make clear my views about the renomination of President Nixon in 1972.

In my estimation, he has been an excellent leader, not only of the country, but of the Republican Party as well.

President Nixon inherited the most unpopular war in our history and an economy with a full head of inflationary steam.

After 18 months, here is a President who is winding down the war in Vietnam; who is doing his best to stem the inflation, without much help from Congress, I might add; who may soon be able to announce an agreement on arms limitation with the Russians; who can announce that in the fall of 1970, almost all of the previously racially segregated schools in the South will be integrated, and who has conducted himself in office with dignity and aplomb.

To even suggest that the Republicans might "dump" him in 1972 is unthinkable! Rather we should be talking about renominating him by acclaim. Few Presidents have accomplished so much in so short a time and with so little self-praise. This President does not often blow his own horn. Accordingly, the rest of us on his team should take every occasion to trumpet his successes

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rather than downgrade him on those few occasions where his policies have not produced instant miracles.

I am confident that my views on the Nixon Administration are shared by a majority of Oregon's Republican Congressional delegation and by an overwhelming majority of Oregon Republicans. For that matter, I would be surprised if a majority of Oregon's voters did not echo my sentiments.

ADDRESS BY DAVID D. AUGHTRY, BOYS STATE GOVERNOR

Mr. HOLLINGS. Mr. President, on June 6, 1970, I had the pleasure of addressing a meeting of the American Legion-sponsored Boys State in South Carolina. On that date, the Boys State governor, David D. Aughtry, delivered his acceptance address. In that talk by a rising high school senior from Greenville, S.C., there are important facts for all of us to consider.

I commend this talk by David Aughtry to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY DAVID D. AUGHTRY

Today is the highlight of this week for you. Today is the highlight of my life for me. I would like to take time now tc attempt to tell you how much I appreciate what you have done for me. I want to try to thank all of you who voted for me and especially those of you who campaigned for me. But more important than any of the campaign, I would like to show my deepest appreciation to those who made this week possible for all of us. The counselors and staff have been fabulous. The counselors are of an unbeliveable caliber. The staff, made up of men of unquestionable integrity like Mr. Nelson Keasee and Mr. Virgil Duffie, has never ceased to amaze me with the efficiency and effectiveness with which they carry out this program.

But why have all their hours of hard work been spent? What has been accomplished this week? What is the significance of a program of this sort?

I cannot speak for you literally but I can tell you what I have gotten out of this program. First of all, and most important, I have gained a new insight into life. I have learned that the only way to get an accurate picture of any issue is to know the facts—to look at everything objectively and with an open mind, placing yourself on both sides of the fence. And after weighing both sides, come to a logical conclusion.

This week we have discussed many of the important issues of the day. These we must look on objectively. For instance, the problem of student demonstration which recently hit so maliciously on the campus of USC. In the Constitution of the United States, all are given the right of voicing their opinions. Some students feel that they are not able to voice their opinions because of the present voting laws and that revolt and violent demonstration is the only answer. However, the right to destroy others property is not given in the constitution.

On the other hand there are those students who voice their opinions in a positive manner, trespressing on no one's rights. I would like to commend those students who lobby in Congress for their methods and I would suggest that all listen with an open mind. Probably the most prominent issue of the day is Vietnam. I have come to the conclusion that involvement in Vietnam is necessary and almost mandatory.

Let me try to explain my reasoning in two short comparative stories.

Once upon a time there was a group of aggressive, imperialistc countries called the Axis Powers. These countries started extending their boundaries engulfing smaller and weaker countries. They were not met with force but were met with appeasement by the freedom-countries of Europe. This appeasement was in hopes that the appetite of the axis monster would be satisfied before it reached the freedom countries' borders. The attitude of the freedom countries seemed to be that we must stay out of war regardless of the loss of freedom of other human beings. Several countries later, the freedom powers in Europe realized that the appetite of the axis monster could never be satisfied and that war was inevitable.

Several years passed and the war went bad for the freedom-powers—many lives were lost. Finally a freedom country across the Atlantic, the United States, realized that Europe would not cure the appetite of the axis monster and so the U.S. entered the war. The country across the Atlantic was greatly criticized and held responsible by many for the unnecessary loss of human lives between the beginning of the war and its entering the war.

After a long passage of time there evolved another group of aggressive, imperialistic countries called communistic powers but this story has a different twist. This time the imperialistic countries were met with force not appeasement by the very same country across the ocean, the United States, but this time the universal battleground was in Asia not Europe. Also this time the United States was highly criticized but this time for its involvement. Ironically enough it was charged with wasting life. The people who criticized it suggested total non-involvement in the war regardless of the loss of freedom, life, and property of other human beings—anything sacrificed to keep out of the war. The end to this story is not known yet but the question is appeasement or freedom for fellow human beings. At this time the President of the U.S. is forced into withdrawal of troops because of lack of public support. He knows without public support the United States can not win but at the same time he realizes that the U.S. can not afford to lose this, I believe, is the reasoning behind the building-up of the South Vietnamese army and also the reasoning behind the Cambodia invasion before total withdrawal. The only answer to this issue is and always has been unified support of our chief executive, "United we stand, divided we fall."

The last important issue we discussed is patriotism in the form of respect to the flag. Why should anyone respect the flag of the United States? Why—because the United States is the cornerstone of freedom. The flag represents the United States and thus symbolizes freedom. When someone threatens your flag, they threaten your freedom, your choice of your own way of life. As Thomas Jefferson once said, "My life belongs to me and it will cease to exist before it will belong to another man." When an American citizen burns his own flag he is expressing the fact that he does not appreciate his freedom and is willing to give it up. Our flag is our way of life. When our flag is being destroyed, our way of life is being destroyed. This is what I have gotten out of this week. The American Legion has raised $45 so that I could get this much and they have raised $28,000 so that we could have this week. We can not let all their time and money be spent in vain. Go home all of you and tell the story of this week and what you have learned. I personally challenge you to tell everyone of our faith in our God and our faith in country. Let us set the spark today that will kindle the flame that will brighten the world.

COMMUNISTS HAVE CHANCE TO SHOW GOOD FAITH

Mr. BOGGS. Mr. President, the United States has kept its word concerning the destruction of Communist sanctuaries in Cambodia and the withdrawal of all American troops by the end of June. In so doing the President has demonstrated his good faith, not only to the American people but to the world at large.

Now would not it be good for the North Vietnamese to show some good faith, by living up to the agreements of the Geneva conventions on prisoners of war? Let it be noted that this does not have to be a matter of high level negotiations at Paris, but could so very easily be made a matter for discussion between field level officers.

Even in their announcement of the names of Americans being held prisoner, the North Vietnamese have scorned all proper and normal channels of communications. Instead of notifying the Government directly, the men in Hanoi chose to operate through one of the so-called peace groups in this country. In addition, there is every evidence that the Communists have been less than truthful in listing the prisoners they hold. Could it possibly be that they simply have not bothered to find out?

It is long since time for the North Vietnamese to respond to the weight of world opinion in this vital matter.

REFORM OF THE MILITARY JUSTICE SYSTEM

Mr. BAYH. Mr. President, for some time I have been concerned with the adequacy of our system of military justice. Recent events—some highly publicized, others less well-known—have served to increase my concern and have caused me to conclude that corrective legislation is required.

The quality of the military justice system is perhaps more important today than ever before. The men now in uniform serve in an army which has changed substantially over the years. Most of these men will not see combat. Many of them live off-post and serve in a military capacity only during normal working hours. In many ways there is an increased similarity between military services and skilled civilian occupational pursuits. We cannot afford to subject these men to a second-rate system of military justice.

Moreover, there are now nearly 4 million men under arms. Most of these men are young and impressionable and some will be confronted with American justice for the first time while serving in the Armed Forces The 1969 report of the Judge Advocate General of the U.S. Army noted that in the Army alone there were 76,320 courts-martial, 94 percent of which resulted in convictions.[1] If we are to preserve the integrity of our civilian system, we must see to it that these men return to civilian life with a view of criminal justice that recognizes the fundamental principles of fairness and human dignity. We must see to it

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that no man is convicted and confined, his life perhaps ruined, without having been accorded full procedural and substantive safeguards.

In light of the increasing importance of the military justice system, we must review its quality, and the fundamental question of its fairness.

Our system of military justice has always been viewed as separate and distinct from our civilian legal system. It has its own substantive provisions, its own procedure, and its own constitutional source. Its basic aim has always been the maintenance of discipline and one of the dominant features has always been control by the commander.

These fundamental differences have at times caused grave dissatisfaction. Over the years since the Civil War the basic structure of our system of military justice has evolved from one which dispensed "drum-head" justice to one which more closely resembles the civilian justice process. This evolution has, for the most part, been the result of quantum leaps which have generally occurred shortly after the country has completed a period during which large numbers of men have been under arms. The most significant reforms were enacted after World War II, and the basic structure of military justice established at that time remains in effect today.

The enactment of the Uniform Code of Military Justice in 1950 represented the most thorough reform since the first rules of conduct were adopted in 1775. The code was intended to establish a total criminal law system applicable to minor infractions of rules and regulations as well as major crimes such as murder, manslaughter, and arson. Thus, for relatively small offenses, the commanding officer was empowered by article 15 to impose minor punishment such as reduction in grade, restriction to limits for not more than 60 days, custody for not more than 30 days, and detention of one-half of 1 month's pay for 3 months, without convening a court-martial. For all other offenses made punishable by the code, the commander was empowered to convene any one of three different types of courts-martial.

These three types of courts-martial may be arranged in a heirarchy according to degree of formality and severity of punishment which can be imposed, the degree of formality increasing with severity of punishment. Thus, the most informal form of courts-martial, the summary court-martial, consists of one nonlawyer commissioned officer who acts as prosecutor, judge, jury, and, in some cases, defense counsel, and may impose, as maximum punishment, reduction in rank, confinement for 1 month and forfeiture of two-thirds of 1 month's pay. The special court-martial consists of not less than three members, a prosecutor, a defense counsel, who may or may not be legally qualified, and in most cases, a military judge. A special court-martial has jurisdiction over all noncapital offenses, and is limited to imposing a maximum punishment of a bad conduct discharge, forfeiture of two-thirds pay per month for 6 months, and confinement for 6 months. The general court-martial, the highest military court, consists of not less than five members, a military judge, a defense counsel, and a prosecutor. This court is a court of general criminal jurisdiction and is normally utilized to try serious crimes. It is empowered to adjudge all sentences authorized by the Uniform Code including life imprisonment and death, limited only by the table of maximum punishments for offenses as established by the President pursuant to statutory authority. In 1969, the Army reported 2,482 general courts-martial, resulting in 2,323 convictions, 59,597 special courts-martial, resulting in 56,805 convictions, and 14,241 summary courts-martial, resulting in 13,115 convictions.[2]

In addition to establishing a trial structure, the Uniform Code of Military Justice established an appellate process similar to the civilian appellate system. The imposition of nonjudicial punishment pursuant to article 15 may be appealed to the next superior officer. Appeals from summary, special, or general courts-martial are heard first by the convening authority—usually the defendant's commanding officer—and certain special and general court-martial convictions—depending upon the approved sentence—are then thereafter heard by a Court of Military Review consisting of three military or civilian lawyers. The highest review available is to the Court of Military Appeals.

Finally, the UCMJ contained a number of provisions designed to increase the rights of an accused serviceman by reducing the commander's influence over the court-martial procedure and by enacting into law certain procedural protections, some more advanced than those of the civilian courts. Thus, the code prevented a commander from convening a court-martial if he had a "personal interest" in the case or if he were "the accuser," and prevented him from censuring, reprimanding, or admonishing any court member, law officer, or counsel with respect to the findings of a court or for the sentence imposed or in any manner attempting by unlawful means to influence the action of a court-martial or any member thereof. In addition, an accused man was given the right to certain warnings prior to interrogation, the right to a lawyer in a general court-martial, and the right, if he was an enlisted man and if he so requested, to be tried by a court one-third of the members of which were enlisted men.

These rights of accused servicemen were enlarged and expanded by the Military Justice Act of 1968, enacted under the strong and able leadership of the distinguished Senator from North Carolina (Mr. ERVIN). This act further reduced the possibility of command influence by creating an independent armed services judiciary to preside over courts-martial. It transformed the intermediate appellate bodies from "boards of review" into a "court of military review" composed of independent military judges. The act permitted the accused to waive trial by a full court and to elect to be tried by a military judge sitting alone. The act prevented trial by summary court-martial over the objection of the accused. It extended the rights to counsel by requiring legal representation for the accused in any special court-martial empowered to adjudge a bad conduct discharge and provided for the provision of a lawyer in all other special courts-martial unless unavailable due to military conditions. Finally, the act authorized, for the first time, a military form of release from confinement pending appeal.

This act was a landmark reform and an important step forward in insuring the fundamental fairness of military justice. But we have not yet provided the full measure of protection required. Due to the continuing possibility of improper command influence and the existence of other defects in the military justice system the right to a fair and impartial trial remains in jeopardy.

The commander continues to have and to exercise the authority and responsibility to appoint a subordinate to conduct a preliminary investigation. This investigation, authorized by article 32 of the UCMJ, is normally conducted by an officer who is not trained in the law and who is therefore often incapable of adequately appraising the legal sufficiency of the evidence presented to him.

The officer appointed by the commander to conduct an investigation under article 32 is subject to all of the inherent pressures of a command whose legitimate concern is discipline. This procedure would thus appear to be incompatible with the fundamental principle of civilian jurisprudence which provides that no person should be subjected to a criminal trial unless the prosecutor can demonstrate to an impartial magistrate or grand jury that there is probable cause to believe, first, that a crime has been committed and, second, that this crime was committed by the accused.

The recommendations of the officer conducting the article 32 investigation, as well as those of the commander's legal officer, are not binding upon the commander and are purely advisory. For example, in the recent Presidio cases, the commanding officer appointed three investigating officers only one of whom recommended court-martial for mutiny instead of willful disobedience. On appeal, the Court of Military Review decided that the defendants should not have been tried for mutiny but for willful disobedience. As a result, military law suffers from the absence of any binding legal decision as to the allocation of prosecutorial resources. The regard for efficient allocation of prosecutorial resources and the even-handed administration of justice which characterize the typical U.S. attorney or State district attorney's office is therefore reduced in the military system.

In those instances where the accused is entitled to military legal counsel, the choice of those available to defend the accused remains generally in the hands of the commander. In addition, the commander chooses the counsel who prosecutes the case. The possession of this power to choose the defense counsel and

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the prosecutor gives the appearance of permitting the commander, by manipulating the choice of personnel, to control the outcome of the case.

Unlike the civilian system, where the accused is entitled to trial by a jury of his peers selected at random, the commander is empowered, virtually without limitation, to choose the "members" of a court-martial—those who serve, in effect, as jurors.[3] While an accused enlisted man is entitled to request that one-third of the court be composed of enlisted men, the selection of those enlisted men who are to serve in the event of such a request is in the hands of the commander. The practice of selecting only senior noncommissioned officers, who are considered more severe than commissioned officers, has been upheld by the Court of Military Appeals.[4] And, while he is required to select those best qualified, there is nothing to preclude a commanding officer from selecting officers known by him to be particularly strict or notably hostile to certain types of alleged offenses. This entire system of selection gives the impression of a "hand picked" jury and is clearly incompatible with the history and theory of trial by jury.

The Uniform Code of Military Justice provides that military appeals are to be heard initially by the convening authority who ordered the trial in the first instance. Although in theory this procedure provides an additional level of appellate review, in practice it has become a time-consuming formality—in one case, the convening authority took no action for 10 months and thereby delayed judicial appeal for that period[5]—and in most cases its results are foregone conclusions. Moreover, it encourages some courts-martial—even when instructed to disregard the commanding officer's review authority—to adjudge automatic maximum sentences so that the commander may reduce the sentence if he so desires. This is clearly an inappropriate and undesirable procedure.

Although in many cases an accused may wish to seek collateral relief which may be available only in a Federal court, military defense lawyers may seek relief in Federal courts only if given permission to do so by their immediate legal superior, the staff judge advocate.[6] Thus, an accused who has civilian defense counsel, who is not subject to this control, may seek necessary relief in the civilian courts while an accused who is represented by a military lawyer may be inhibited in the attempt to obtain the same relief.

The power to place a soldier in confinement pending trial is now in the hands of the commander. This system, which permits the commander to act virtually without supervision or review,[7] has the potential for arbitrary and vexatious action and gives the appearance of unfairness.

Although a defendant found guilty by a court-martial is granted credit toward his sentence for the time spent in confinement pending appeal of his conviction, he is not necessarily given credit for pretrial confinement, no matter how long,[8] although the court is instructed to consider this matter. Federal procedure gives full credit for all time spent in confinement.

The Military Justice Act of 1968 granted defendants, for the first time, an opportunity to apply to the convening authority or certain other officers for release after conviction but pending appeal. The decision to grant deferment of sentence, however, lies within the "sole discretion" of the commanding officer or the officer to whom application is made—in the Army, the decision is administratively appealable to the Judge Advocate General.[9] Unfortunately, despite this new provision, deferment of confinement pending appeal remains a rare occurrence.

In a considerable number of cases, where the sentence to confinement is not deferred pending appeal, the accused completes the service of sentence before appellate review of his case, either because of excess delay in the appellate process or because the Court of Military Review reduces the confinement sentence to a period less than that already served—there were 30 cases of this latter type in 1969.[10] In these cases, not only has the prisoner lost his liberty unjustly and the Government been put to unnecessary expense, but the prisoner never becomes a "sentenced prisoner" and thus never receives the benefits of whatever rehabilitation program the confinement facility had to offer.[11]

In approximately 108 instances last year, the prisoner's sentence expired prior to the completion of appellate review of his case.[12] In these cases if the accused was an enlisted man or Regular Army officer, he was returned to duty in a nonpromotable status pending the completion of appellate review. As the recent report of the Special Civilian Committee for the Study of the U.S. Army Confinement System notes:

> Obviously, such restored "soldiers" cannot be classified as the best of troops. Some even fail to report to their duty stations. Others refuse to wear the uniform or obey orders, thereby creating further problems for the Army. Many men whose financial hardships caused or contributed to the offense for which they were confined find themselves in the same or worse financial position when restored to duty to await appellate action. But by and large, the greatest loss is borne by the government in having to supervise, care for, feed, and pay the majority of restorees whose sentences include a punitive discharge which, in 95 per cent of all cases will be affirmed at the appellate level. Therefore, this interim period between restoration to duty pending completion of appellate review and execution of the sentence including a punitive discharge becomes a time during which the government "carries dead weight" in the estimated amount of well over $100,000 a year.[13]

As the report also notes:

> Paradoxically enough, a prisoner held awaiting trial as actually worse off physically than one who has been sentenced. This is because he must usually be kept isolated in restricted areas, cannot be required to perform "hard labor", and receives a minimum of exercise and little or no recreation.[14]

It is difficult to defend a system that leaves prisoners awaiting trial "worse off" than those already convicted and sentenced.

The power to authorize the search of military persons or property on a military installation is exercised solely by the commanding officer. This officer may be the same individual who determines whether to prosecute, controls the court-martial procedure, and reviews the findings and sentence. It is true that the commander must have "probable cause" to authorize a search and that the standards established by the Court of Military Appeals have in some cases exceeded those applying to civilian courts.[15] However, the probable cause need not be proven to an independent authority until the court-martial itself, and there are no affidavits or other evidence available as to the probable cause at the time the search is authorized. Moreover, the commander hardly occupies a position comparable to the independent magistrate who issues warrants in civilian cases.

At present, the trial counsel—the prosecutor—retains the sole power to issue subpenas in the name of the United States. Thus, in some instances, the prosecutor could deny his opponent the right to badly needed evidence—in one of the Presidio trials, trial counsel refused to subpena two witnesses whose testimony the defendants believed was essential to their defense.[16] Moreover, defense counsel must apply to this adversary for subpenas, and in so doing he must often reveal the testimony expected of his witnesses.[17] It is simply not in accord with the concept of a fair adversary system of justice for the prosecutor to have discretionary powers which can operate to limit the defense which opposes him.

In the Federal judiical system, where jurors are selected at random, the defense is entitled peremptorily to challenge 10 jurors in a felony case. In the military justice system, where the "jurors" are selected by the convening authority, an individual who is not always a disinterested party, the defense is entitled to only one peremptory challenge.

The table of punishments established by the President, pursuant to the authority granted to him by the Uniform Code of Military Justice, provides for some maximum punishments which have been criticized by some leading authorities as too severe and thus permitting at times what seem to be extravagant sentences.[18] In addition, there have been suggestions that the table does not contain enough definitional subcategories for various crimes and thus fails to permit smaller maximum sentences for defendants found guilty of the less culpable elements of a particular crime.[19]

Although the Military Justice Act of 1968 created an independent military judiciary, military judges lack the status and power of comparable civilian judges. For example, military trial judges apparently lack the "all writs" power[20] exercised by civilian judges, such as the power to issue writs of mandamus, prohibition, and coram nobis.[21]

Unlike their civilian counterparts, military judges lack the ability to utilize the contempt power as a means of controlling those individuals outside the courtroom whose conduct constitutes a

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direct threat to the right of the accused or of the Government to a fair trial.[23]

At present, the Uniform Code empowers the members of a court-martial to adjudge sentences. The members of a court are not experienced judges. Due to the restrictions imposed by article 37 of the code upon the type of instruction which members may receive, they often cannot and do not become familiar with the intricacies of the sentencing process. As a result, to quote the 1969 report of the Army Judge Advocate General:

> The sentences adjudged by court members run the gamut from being so severe as to hamper rehabilitation to being too light to permit effective rehabilitation or to have any deterrent effect.[24]

In many civilian cases, if the court were to impose the minimum sentence provided by law for a defendant found guilty of the commission of an offense, the demands of justice and equity would not be served. Accordingly, in such cases, the sentencing authority, the judge, suspends the sentence. In the military system, cases which would justify suspension of the sentence also occur. However, the sentencing authority, the members of the court or the military judge, lack the power to suspend a sentence.[25]

A summary court-martial normally consists of one nonlegally trained officer who serves as prosecutor, judge, and jury. This lack of legally trained personnel and any formal division of functions has led many servicemen to exercise the right granted to them by the Military Justice Act of 1968 to object to trial by summary court-martial. At least in part due to these facts, in the Army, the percentage of summary courts-martial has dropped from 36 percent in 1966 to 17 percent in 1969.[26] The severe restriction of the rights of the accused together with the small number of summary courts-martial actually convened gives reason to consider the complete abolition of the procedure as an unwarranted holdover from the days when military justice was simply a disciplinary system.

Articles 69 and 73 of the Uniform Code of Military Justice authorize the Judge Advocate General of a service to review the findings and sentence of a court-martial not reviewed by a Court of Military Review, and to grant a new trial upon petition of the accused in any court-martial case. In the 1969 report of the committee composed of the judges of the U.S. Court of Military Appeals, the Judge Advocates General of the Armed Forces, and the General Counsel of the Department of Transportation—representing the Coast Guard—established pursuant to article 67(g) of the Uniform Code, the committee indicated that—

> The volume of work generated by these . . . (provisions) is too large for the personal consideration of each Judge Advocate General.[27]

Although the U.S. Court of Military Appeals—COMA—decides many cases in which important constitutional rights are at stake, the Supreme Court of the United States does not possess the power to issue writs of certiorari to COMA.[28] Accordingly decisions issued by COMA can be reviewed by the Supreme Court only if the convicted defendant seeks collateral relief, usually in the form of a writ of habeas corpus, from the Federal judicial system. This fact has two undesirable consequences: First, there is no way for the Government to obtain review of adverse rulings of the highest military court; and second, when the time required to litigate a question through the Federal judicial system is added to the time required to litigate a question through the military system, the delay before a point of law is settled may become untenable.[29]

The Court of Military Appeals receives an average of about 1,000 cases each year, over 330 for each of the three judges.[30] By way of comparison, the judges of the U.S. Courts of Appeals receive approximately 10,000 cases per year, roughly 115 per sitting judge.[31] This heavy caseload of COMA—almost three times that of the circuit courts—imposes an inordinate burden on these judges, creates additional delays in military justice, and forces the court to deny review in some cases where they might otherwise rule. As the 1969 report of the Judge Advocate General of the Army notes:

> The deterrent effect of sentences is an important aspect of the military justice system, and this effect is lessened or lost if the resolution of crucial points of law is long delayed. Undue delay in the final disposition of criminal matters is harmful to any judicial system; in the military, undue delay not only breeds contempt for the system, but may have an adverse impact on morale and discipline.[32]

In addition, the continuity of a court composed of only three judges is constantly in jeopardy.

The Judge Advocate General of the Army has indicated that—

> One recurring and increasing problem within the Army is the disposition of numerous absence offenses . . .[33]

And the Special Civilian Committee for the Study of the U.S. Army Confinement System has argued that since 85 to 90 percent of those men confined by the military are absence offenders, "the crux of the confinement problem—lies in a determination of how to deal with deserters and absentees, speed up action on their cases and reduce the number confined in stockades."[34]

Many of those who are ultimately charged with absence offenses were not suitable for military service in the first instance. Others are unable to cope with military discipline once they are inducted into the armed services. This problem is currently under consideration by the Army Judge Advocate General.

The Uniform Code of Military Justice provides that no serviceman may be tried for the same act both by court-martial and in a Federal court, regardless of which trial occurs first. However, the code does not prevent a serviceman from being tried for the same act in both military and State courts, thus leaving open the possibility of equally severe double jeopardy.

Mr. President, the defects in our system of military justice which I have outlined briefly are not minor problems. They pose fundamental questions of justice and equity. The solutions to these problems are not easy, but we must face up to them. I, therefore, intend to propose legislation which will correct the defects which I have discussed, and I would like to indicate the major provisions which this legislation will contain.

First. The crucial functions performed by defense and prosecuting attorneys would be divorced from the control of the accused individual's commanding officer and the performance of these functions would be vested in a separate, independent command. This proposal, if implemented, will complement those reforms enacted in 1968 which placed military judges in a separate command.

The Senator from Maryland (Mr. TYDINGS), has proposed placing defense attorneys in a separate command together with military judges and other court personnel. I believe that the prosecutorial function should be independent of the convening authority. Accordingly, my proposal will establish an independent trial command composed of four divisions: judicial, defense counsel, prosecutorial, and court reporter and administrative.

The establishment of this independent command will eliminate any pressure which could possibly be brought to bear upon defense counsel and will prevent the convening authority from influencing the outcome of a court-martial through the power to select defense counsel or in any other manner. Indeed, the office of "convening authority" as we know it will be abolished. In addition, the proposal will do much to preclude the institution of charges for what may appear to be arbitrary reasons, provide for the efficient allocation of prosecutorial resources, and insure the professional drafting and processing of formal charges.

The establishment of this separate command will not jeopardize the maintenance of discipline. Any member of the Armed Forces, including the commander, will be empowered to refer charges to the command for possible prosecution. In addition, the commander will retain the nonjudicial punishment powers granted to him by article 15. Thus, the commander will be empowered to punish minor breaches of discipline by means of the power he now possesses, and he will be able to refer more serious offenses to the trial command for prosecution.

Second. When a man is accused of a crime, all of the power and resources at the command of the State are brought to bear against him in an attempt to deprive him of his liberty against his will. To prevent the State from using the resources at its disposal unjustly, significant control over the accusatory process and the trial proceedings is granted to independent and impartial judges.

Although the Military Justice Act of 1968 created an independent military judiciary, military judges lack many of the powers which are necessary if they are to play a significant role in the military justice process. Accordingly, my proposed legislation would grant to military judges at the trial level the power to issue all writs necessary or appropriate in aid of their jurisdiction as provided in the All Writs Act.[35] Military judges would also be given the same contempt power as is now possessed by the Federal judiciary.

Moreover, in the civilian justice sys-

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tem, the power to authorize searches and to issue arrest warrants is vested in an independent magistrate. In order to make the military system conform to the civilian process, my proposed legislation would vest the power to issue search-and-arrest warrants in the military judges. The Court of Military Appeals has made a similar recommendation.[36]

Third. The proposed legislation would extend to servicemen certain basic rights now accorded their civilian counterparts.

The Uniform Code of Military Justice would be amended to provide for the appointment of a member of the defense counsel division of the independent trial command established by the other provisions of the proposed legislation upon request immediately following arrest. Procedurally, this will be accomplished at a formal presentment following arrest similar to the presentment required by rule 5 of the Federal Rules of Criminal Procedure.

The subpena power—the power to compel the attendance of witnesses and the production of documents—is made available to civilian defendants through an impartial third party, the trial judge, in order to prevent the State from presenting only the evidence most favorable to its attempt to prove the guilt of those it accuses of the commission of a crime. To accord accused servicemen the same protection, the legislation would transfer the subpena power from the trial counsel—the prosecutor—where it now resides, to military trial judges. The requirement that expected testimony be revealed in advance will thus be abolished. This provision would eliminate even the appearance that the prosecutor could abuse the subpena power by limiting the ability of the accused effectively to present his defense.

The complete protection accorded civilians by the prohibition against placing an individual in double jeopardy would be extended to servicemen by prohibiting trial by court-martial after trial in a State court for the same act, and vice versa.

Preliminary hearings, in lieu of the current article 32 procedures, will be held before military judges who will judicially determine probable cause to prosecute, set the military equivalent of bail, and have the power to summarily dismiss legally or factually insufficient charges. These hearings will be held within a reasonable time after presentment.

Finally, the legislation would empower military defense attorneys to seek collateral relief for their clients in Federal courts when appropriate, and would thereby make the availability of this form of relief independent of the representation of the accused serviceman by civilian counsel.

Fourth. Accused servicemen should be granted a right to a trial by jury which closely approximates the similar right accorded his civilian counterpart. The right to trial by individuals selected at random, some of whom may possess attitudes and prior experiences similar to those of the accused, is a fundamental tenet of American jurisprudence. Yet the UCMJ requires that at least two-thirds of the members of special and general courts-martial must be officers—although the vast majority of defendants are enlisted men. And the commanding officer retains the power to select those who will serve. These provisions conflict with our modern sense of fair trial by jury.

The Senator from Maryland (Mr. TYDINGS), has proposed that for general courts-martial we should eliminate the requirement that two-thirds of the members be officers and establish a system of random selection of courts-martial members from availability rosters prepared by the commander. I support this reform, but I believe it should be expanded to include special as well as general courts-martial. Special courts-martial outnumber general courts-martial by more than 20 to 1, and they can give such serious—and permanent—punishment as bad conduct discharges. Furthermore, I believe that the random selection should be made from among all members of the command in a manner similar to the selection process followed in the Federal judicial system.

Given the facts that a high percentage of enlisted men possess a high school education and that a substantial minority are college-educated—over 15 percent of those men who enlisted last year were college graduates[37]—there should be little fear that the inclusion of enlisted men as members of courts-martial will result in the inclusion of men unqualified to serve as jurors. Moreover, the fact that the members will be selected at random will ensure that the members of the courts-martial will reflect the different experiences and attitudes possessed by the various members of the community. Today's soldiers are part of a different kind of army, much of it engaged in a far different kind of conflict than we knew a generation ago. If they are to be tried for military crimes—and without in any way suggesting that the guilty be excused—they have the right to be judged by those fully familiar with the kind of army we have, the kind of war it is fighting.

In addition, in order to make the military system of selecting courts-martial members conform more closely to the civilian jury selection system, the number of peremptory challenges would be increased to three per side—and per accused in a joint trial—in a special court-martial empowered to adjudge a bad conduct discharge and six per side in a general court-martial—10 per side in a capital case. The number of peremptory challenges in a special court-martial not empowered to adjudge a bad conduct discharge will remain at one per side.

Fifth. The power to confine a citizen against his will is surely one of the most significant powers possessed by the Government. This power ought to be exercised only under the most stringent conditions and only pursuant to the most rational and enlightened procedures. Accordingly my proposed legislation would contain a number of provisions designed to modernize military confinement and sentencing procedures and policies.

The power to decide whether an accused serviceman should be subject to pretrial confinement and to defer sentence to confinement pending appeal would be transferred from commanding officers to the military judges. An presumption in favor of release, which would seem to present no threat to military discipline and which would enable the accused to perform military duties and to utilize the time to prepare his defense, would also be established. The judge's rulings would be appealable as interlocutory matters to the U.S. Court of Military Review. The bill will provide that if the military judge decides to confine the accused prior to trial or pending appeal, the accused, like nonmilitary Federal criminal defendants, would be entitled to full credit toward any sentence eventually imposed.

The power of the convening authority to review sentences would be eliminated and the sentencing power, including the power to issue suspended sentences, would be transferred to the military judges in all noncapital cases. This would place the power in the hands of men who are in a position to develop the expertise required, in the words of the Army Judge Advocate General, to "strike a reasonable balance between the frequently competing factors of deterrence and rehabilitation."[38] Moreover, it would bring military justice procedures into accord with Federal practice and the practice in the large majority of State courts.

The proposed legislation will also contain provisions designed to permit all those confined—including those awaiting trial or appeal—to participate in work, exercise, and rehabilitation programs wherever adequate facilities are available.

Finally, the committee composed of the judges of the U.S. Court of Military Appeals, the Judge Advocates General of the Armed Forces, and the General Counsel of the Department of Transportation—representing the Coast Guard—established by article 67(g) of the UCMJ would be directed to study and suggest revisions in the current table of maximum punishments. This study should be conducted with a view toward identifying and correcting apparent inequities and establishing, if possible, subcategories based upon differences in elements of culpability. The study should also include an examination of the advisability of retaining the President's power to alter or suspend the table of maximum punishments as to particular geographical areas or to suspend the table for particular crimes. The committee would be directed to report to Congress within 1 year of the date of enactment of the bill.

Sixth. A somewhat antiquated appellate process creates unnecessary delays and imposes a heavy burden upon the judges of the Court of Military Appeals and other officials involved in the processing of appeals. My legislation is intended to improve this situation in several ways.

It would, as noted above, eliminate review by the convening authority.

Furthermore, articles 69 and 73 of the Uniform Code of Military Justice would be amended to allow the Judge Advocate General of each service to delegate to his flag officer or general officer designee the power to review the findings and the sen-

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Footnotes at end of statement.

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tence of a court-martial not reviewed by the Court of Military Review. The reviewing officer would be empowered to grant a new trial upon petition of the accused in any court-martial case.[39]

In addition, the Supreme Court of the United States would be empowered to issue writs of certiorari to the Court of Military Appeals. The Court of Military Appeals is the highest court in the military justice system and its decisions often involve important questions of individual constitutional rights. The ultimate resolution of these important questions of constitutional law ought to be the responsibility of the court which is, in all other cases, considered to be the final arbiter of the meaning of the Constitution. Since the Court of Military Review may be composed in part of civilians and since the Court of Military Appeals is, by law, composed only of civilians, review of military decisions by the Supreme Court should create no fear of granting the power of review to civilians outside of the military system.

Finally, in order to relieve the Court of Military Appeals of some of the tremendous caseload it now bears and to provide for continuity, the legislation would increase the number of judges who sit on this court to nine and will empower the court to sit in panels of three judges each. This will triple the time available for the court to deal with its heavy workload with no great increase in cost.

Seventh. There are four other aspects of the military justice system which should perhaps be modified. Rather than delay those reforms which can and should be enacted immediately, the legislation would direct the committee created by article 67(g) of the UMCJ and composed of the judges of the Court of Military Appeals, the Judge Advocates General of the Armed Forces, and the General Counsel of the Department of Transportation, to study these problems and to recommend solutions within 1 year of the date of the enactment of the act. Specifically, the committee would be directed to study: First, the possibility of eliminating summary courts-martial; second, the desirability of transferring jurisdiction over some absence offenders to the Federal courts [40]; Third, methods other than those I have outlined of eliminating delays in the appellate process; and, fourth, methods of handling prisoners who complete the service of sentence to confinement prior to the completion of appellate review.

Mr. President, some critics of the military justice system so distrust the military's capability in this area that they would abolish or virtually abolish the power of the services to punish civilian-type felonies in time of peace. I have made the proposals which I have outlined above in the belief that the time for such drastic surgery has not yet arrived. The Special Civilian Committee for the Study of the U.S. Army Confinement System has estimated that of the prisoners placed in confinement by the military, at least 85 percent and perhaps as many as 90 percent are men who have either absented themselves without leave or deserted.[41] Another 3 to 5 percent are imprisoned for other "military" type offenses, such as disrespect of a superior officer, failure to obey a lawful order, and breaking restriction.[42] While these figures do not include the number of men tried and acquitted or tried and not sentenced to confinement, it does appear that the total number of men who are processed by the military justice system for "civilian" offenses is very small. I believe that these men would be adequately protected if the reforms I have suggested were to be enacted into law.

Moreover, the Supreme Court and the Court of Military Appeals have decided that court-martial jurisdiction does not extend to civilian dependents or employees abroad in time of peace, whether they are accused of capital or noncapital offenses. In addition, the Supreme Court has decided that court-martial jurisdiction extends only to those individuals who are members of the armed services both at the time of the commission of the offense and at the time of trial. Finally, the Supreme Court, in the recent case of O'Callahan against Parker,[43] has decided that members of the Armed Forces can be court-martialed for "service-connected" crimes only. Indeed, it is possible that the O'Callahan case will be clarified shortly by Relford against Commandant,[44] now pending in the Supreme Court. Under these circumstances, and with the hope of enactment of significant reforms, I do not believe that further curtailment of court-martial jurisdiction over civilian-type offenses is appropriate at this time.

However, I do believe that reform is necessary and desirable. The enactment of the Military Justice Act of 1968 clearly resulted in an improvement of our system of military justice. Experience has already revealed, however, that the enactment of this important legislation did not sufficiently reduce the effects of command influence and other problems of fundamental fairness, and did not succeed in guaranteeing to our men in uniform the same rights and safeguards provided their civilian counterparts. Greater reform is urgently required.

Military commanders should not be concerned that the more equitable system of justice created by my proposed legislation will serve to undercut the discipline which we all recognize as necessary to an effective Armed Force. Indeed, experience has taught us that inequitable laws spawn disrespect for the law, and disrespect in turn eventually leads to disobedience. Moreover, for relatively minor matters—matters of "discipline" rather than criminal law—the commander will retain the well-established powers of non-judicial punishment granted to him by article 15 of the Uniform Code of Military Justice.

My proposals will not, I believe, greatly increase manpower requirements beyond the increases which have already occurred in order to implement the Military Justice Act of 1968. Rather, I believe that they will enable the Armed Forces to utilize present legally trained personnel more efficiently and effectively. Moreover, any desirable increase in personnel could be met by the enactment of legislation designed to improve the retention rate of experienced legal officers. On December 2, 1969, the House passed H.R. 4296, providing for professional pay for judge advocates. This bill and its counterpart, S. 2674, introduced by the Senator from Hawaii (Mr. INOUYE), is now pending before the Senate Armed Services Committee. The enactment of this legislation by the Senate would do much to solve the retention problem.

Mr. President, I believe that the legislation which I shall introduce, embodying the proposals that I have mentioned here today, will help create a better system of military justice, a system which will not only bear scrutiny but which will invite admiration. As Gen. Samuel T. Ansell, the then acting Judge Advocate General of the Army said over 50 years ago:

> (The Army as) . . . an institution has got to be based on justice, and it has got to do justice if it is going to survive, and if it is going to merit the confidence and approval of the American people.[45]

The shortcomings I have discussed must be remedied, and they must be remedied now. We ask our young men by the millions to give their time and their energies to strengthen our national defense. And we have asked them by the tens of thousands to give their lives on our behalf. I believe we can delay no longer in giving these men a first-class system of military justice.

FOOTNOTES

[1] Annual Report of the U.S. Court of Military Appeals and the Judge Advocates General of the Armed Forces and the General Counsel of the Department of Transportation 17(1969) (hereinafter cited as Annual Report).

[2] *Ibid.*

[3] See United States v. Crawford, 15 USCMA 31, 35 CMR 3 (1964).

[4] *Ibid.*

[5] In this case, delay was recognized by the Court of Military Appeals as a basis for extraordinary relief, Montovan v. United States, — USCMA —, — CMR —, Misc. Dkt. No. 70–3 (order issued 26 February 1970).

[6] See, *e.g.*, Army Reg. 27–40, #4 (25 May 1967).

[7] There is a very limited review of the decision to place a man in pretrial confinement. See Horner v. Resor, — USCMA —, — CMR —, Misc. Dkt. No. 70–11 (March 11, 1970); Dexter v. Chafee, — USCMA —, — CMR —, Misc. Dkt. No. 70–17 (March 11, 1970); Smith v. Coburn, — USCMA —, — CMR —, Misc. Dkt. No. 70–18 (March 11, 1970); Hallihan v. Commanding Officer, — USCMA —, — CMR —, Misc. Dkt. No. 60–20 (Dec. 27, 1968).

[8] 18 USC 3568 (1964) specifically exempts trial by court-martial. See also, United States v. Blackwell, 19 USCMA 196 n. 2, 41 CMR 196, 199 (1970).

[9] Army Reg. 27–10, change 6 (April 3, 1970).

[10] Report of the Special Civilian Committee for the Study of the United States Army Confinement System 102 (1970) (hereinafter cited as Civilian Committee).

[11] *Ibid.*

[12] *Ibid.*

[13] *Ibid.*

[14] *Ibid.*

[15] See, *e.g.*, United States v. McCrary, 18 USCMA 104, 39 CMR 104 (1969).

[16] See United States v. Dodd, No. CM-421117.

[17] See United States v. Harvey, 8 USCMA 538, 25 CMR 42 (1957).

[18] See Sherman, *The Civilization of Military Law*, 22 Maine L. Rev.. 284–5 (1970).

[19] *Ibid.*

[20] 28 U.S.C. 1651 (1964).

[21] The Court of Military Appeals has recently specifically refused to decide whether military trial judges possess "all writs" powers. Zamora v. Woodson, — USCMA —, — CMR —, Misc. Dkt. No. 70–22 (May 4, 1970). More recently, the Court granted a government motion to dismiss a petition for a writ of mandamus which would have clarified the issue. Gagnon v. United States, — USCMA —, — CMR —, Misc. Dkt. No. 70–31 (June 18, 1970).

[22] See Annual Report 20–21 (1969).

[23] *Id.* at 20.

[24] *Ibid.*

[25] Annual Report 45 (1966).

[26] Annual Report 17 (1969).

[27] *Id.* at 2.

[28] 28 USC 1254 (1964). See Annual Report 21 (1969).

[29] See Annual Report 21 (1969).

[30] *Id.* at 13.

[31] Annual Report of the Director of the Administrative Office of the United States Courts for the Fiscal Year ended June 30, 1969, Table B1.

[32] Annual Report 21 (1969).

[33] *Id.* at 22.

[34] Civilian Report 101.

[35] 28 USC 1651 (1964).

[36] United States v. Hartsook 15 USCMA 291, 35 CMR 263 (1965); United States v. McFarland, 19 USCMA 356, 41 CMR 356 (1970).

[37] *The New York Times*, p. 9 (June 19, 1970).

[38] Annual Report 20 (1969).

[39] A similar recommendation has been made by the committee composed of the judges of the United States Court of Military Appeals, the Judge Advocates General of the Armed Forces and the General Counsel of the Department of Transportation. Annual Report 2 (1969).

[40] See Annual Report 22 (1969); Civilian Report 106.

[41] Civilian Report 101.

[42] *Ibid.*

[43] 395 U.S. 258 (1969).

[44] 38 U.S. Law Week 3338 (March 3, 1970).

[45] Sherman, *op. cit. supra* note 18 at 17.

Summary of Proposed Military Justice Reforms

The proposed legislation would:

(1) Establish an independent trial command composed of four divisions: defense, prosecutorial, judicial and court reporter and administrative, thereby removing defense and prosecuting attorneys from the control of the accused's commanding officer.

(2) Grant a number of important powers to military judges:

(a) the power to "issue all writs necessary or appropriate in aid of . . ." their jurisdiction as provided in the "All Writs" Act now applicable to all Federal judges;

(b) the same contempt power as is now possessed by the Federal judiciary and

(c) the power to authorize searches and issue arrest warrants, a power now available only to the commanding officer.

(3) Extend to servicemen certain basic rights now accorded their civilian counterparts:

(a) the right to appointment of an independent defense counsel upon request immediately following arrest at a formal presentment similar to the presentment required by Rule 5 of the Federal Rules of Criminal Procedure;

(b) the right to obtain subpoenas from an independent military judge, rather than from the prosecutor who now holds sole power to issue subpoenas;

(c) the right to protection against trial by court-martial after trial in a State court for the same act, and vice-versa; and

(d) the right of military defense attorneys to seek collateral relief for their clients in Federal courts when appropriate, relief currently available only if the accused serviceman has civilian counsel.

(4) Establish a system of random selection for members of special and general courts-martial, and abolish the requirement that two-thirds of the members of such courts-martial must be officers.

(5) Modernize military confinement and sentencing procedures and policies by:

(a) transferring from the commanding officers to independent military judges the power to release an accused serviceman pending trial or pending appeal;

(b) granting complete credit for pretrial confinement towards any ultimate sentence;

(c) eliminating the power of the convening authority to review sentences and findings, a procedure that has become, in many cases, a time-consuming formality;

(d) transferring the sentencing power, including the power to suspend sentences, from the members of the court (the "jury") to the military judges in all non-capital cases, thereby placing this power in the hands of men who can develop the requisite expertise; and

(e) permitting all confined servicemen—including those awaiting trial or appeal—to participate in work, exercise and rehabilitation programs wherever adequate facilities are available; and

(f) directing an existing code review committee to study and suggest revisions in the current table of maximum punishments.

(6) Modernize the appellate process to eliminate delay and excessive workloads, by:

(a) permitting the Judge Advocate General of each service to delegate certain review powers to his flag officer or general officer designee;

(b) empowering the Supreme Court to issue writs of certiorari to the Court of Military Appeals; and

(c) enlarging the Court of Military Appeals from three to nine judges and authorizing it to sit in panels of three judges each.

(7) Direct the existing Code review committee to study and, within one year, to recommend solutions in four additional areas:

(a) the possibility of eliminating all summary courts-martial;

(b) the desirability of transferring jurisdiction over some absence offenses to the Federal courts;

(c) additional methods of eliminating delays in the appellate process; and

(d) means of dealing with prisoners who complete the service of their sentence to confinement prior to the completion of appelate review.

INDEPENDENCE DAY OBSERVANCE BY EXPLORER POST 36, SHERMAN, TEX.

Mr. TOWER. Mr. President, many Americans will be exhibiting their patriotism this July 4 in the various appropriate ways in which they chose to do so. There will also be those who will deem it more appropriate to go to the beach or on a picnic than to attend a patriotic celebration. These citizens, of course, are not necessarily less patriotic than others, but I mention this fact to show that Americans will observe their Independence Day in many and varied ways.

I would like to call attention to one organization in Texas who will be marking the occasion by expending a great amount of time and energy simply to show their love for America. I am speaking of Explorer Post 36 in Sherman, Tex., whose members are now on a 260-mile hike to the Texas capitol in Austin. The Explorers will carry with them an American flag which will fly over the Texas capitol upon their arrival.

I ask unanimous consent that a newspaper article telling of this dedication be printed in the Record. The article is by Ron Wolfe and was published recently in the Sherman Democrat.

There being no objection, the article was ordered to be printed in the Record, as follows:

Explorer Scouts Set Trek to State Capitol

(By Ron Wolfe)

Since Flag Day last Sunday, a United States flag has been flying continuously above Explorer Post 36 at 402 W. Wilson in Sherman, illuminated at night by spotlights. And since February, ten high-school-age post members and their advisor have been hiking every weekend to prepare themselves for a hard week-long march. And since May, members of the Sherman Junior Chamber of Commerce have been working to make the trip a little easier.

And the real effort is yet to come. Next Saturday morning, the flag will be taken down, folded carefully and the Explorers will be off on foot to Austin.

Their plan, according to post advisor Marion H. Sampsell, is to hike about 20 miles a day, arriving in Austin on July 4. There they will carry the American flag and a Texas flag to the Texas State Capitol and raise them above the building in a public ceremony.

The post stated its mission in a letter to Texas Governor Preston J. Smith. The letter said, in part: "Some time ago we had an impossible dream—to show our love for America by walking from Sherman to Austin carrying the flags of our state and nation. Now this dream is about to become a reality. We believe that you will share our enthusiasm for this undertaking and we hope that you will approve of our way of celebrating Independence Day."

Governor Smith replied: "Your project, even though you describe it as 'impossible,' is one worthy of the tradition of our great nation."

The governor added that a previous commitment will prevent him from being present for the flag-raising ceremony. But he wrote, "I am going to check into this and make sure an appropriate official will be here to receive the flag."

Overnight stops during the hike will be made in McKinnay, Waxahachie, Hillsboro, Waco, Temple, Georgetown and Austin. At each stopping place, accommodations for the Explorers will be made by local Jaycees. The Sherman Jaycees, directed by member John Andrews, have corresponded with members in other towns to arrange lodging and meals along the way.

"We're behind these boys 100 percent," Andrews said.

Parents of the boys will join the expedition in cars, Sampsell said, and will carry equipment. The Explorers will ride through towns, cities and other areas where walking would be awkward or dangerous. They will follow the highway but stay a safe distance to one side of it.

"The boys decided on this project themselves," Sampsell said. "At first, I didn't think we could do it. But they were determined, so I said, 'Sell me on your idea.' They came back with plans and charts showing how it could be done. From there, it just snowballed. The Jaycees and everyone else have been wonderful to us."

The American flag being carried to Austin was used in a military burial service for the grandfather of post member Larry Walton. Permission to fly the flag continuously was granted in a telegram from L. Neiderlehner, acting general counsel on behalf of President Nixon.

Members of Explorer Post 36 who will be making the hike are Bill Henderson, president, son of Mr. and Mrs. Tilbert Henderson; Steven Melton, vice-president, son of Mr. and Mrs. J. D. Melton; Woody Woodrow, secre-

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tary-treasurer, son of Mr. and Mrs. C. R. Woodrow; Mark Clayton, newspaper editor, son of Mr. and Mrs. Alfred Clayton; Danny Cox, son of Mr. and Mrs. Wendell Cox; Mike Emory, son of Mr. and Mrs. Wayne Emory; Robert Freise, son of Mr. and Mrs. Robert Freise; Chris Hall, son of Dr. and Mrs. Clyde L. Hall; Mike Parker, son of Mr. and Mrs. Fred Parker Jr. and Larry Walton, son of Mrs. Dorothy Walton.

Post members will return from Austin by car Sunday. They are sponsored by Burlington Industries, Inc. of Sherman.

HIGH SCHOOL ADDRESS GIVEN BY THOMAS SPRATT III, OF COLUMBIA, S.C.

Mr. ERVIN. Mr. President, because of our long hours of concern with the mundane tasks of living in treacherous times, we often lack the idealism which would serve to uplift our struggles and add strength of purpose to our efforts to create a better world. For broader vision and greater idealism perhaps we should listen more to the many young people that have such great faith and hope for our Nation and system of government.

Too often the image we have of our young people is one of violent dissent and nihilistic dissatisfaction. But I have too much faith in these young adults to believe that is the true picture. It was with a great deal of satisfaction, therefore, that I read a speech the other day by the president of the graduation class of Dentsville High School, Columbia, S.C., Mr. Thomas Spratt III. Tom is a fine student and an outstanding leader in his high school and in his speech he reminded us all that the challenge of America is:

> A challenge to all generations that we cannot take our heritage for granted; for all of us, young and old alike, must be constantly vigilant to the principles which make our nation great.

I believe the type of faith and ideals that Tom Spratt exhibits in his speech would be a benefit to us all and I ask unanimous consent that the text of the speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Class Address Given by Thomas Benjamin Spratt, III

Mr. Havird, Mr. Gardner, Members of the Board of Trustees, School District No. 2, Faculty Members of Dentsville High School, Honored Guests, Fellow Students, Ladies and Gentlemen: This graduation exercise has a special significance. Tonight my fellow classmates and I will be the last students who will wear these red and white caps and gowns at Dentsville High School. As you know, Dentsville will be replaced next fall by Spring Valley High. We look at these changes with more than just mixed emotions. On the one hand, this is the price for progress. I speak for all of our class when I say that our best wishes for success go to this new institution, and especially to the Viking athletic teams.

But, it is not without a feeling of sorrow that we watch Dentsville High School, our Alma Mater, closing its doors, never to open again under that name.

If I may depart from the customary graduation day practice for a few moments, I would like to address myself to a matter which strikes me as being especially significant today. Each of us has sung the National Anthem on many occasions . . . probably most often at the beginning of a sports event. Its words . . . in this context . . . are often wasted on us, because we are anxious to get on with the game. But I wonder how many of us realize that the National Anthem is not so much a statement as it is a question. The final passage, for example, is in itself a question, asking "Oh, say does that Star Spangled Banner yet wave, o'er the land of the free and the home of the brave?" I do not think it is an accident that the anthem ends in a question. Its writer intended this question to be answered and re-answered by each succeeding generation of Americans.

It is a challenge to all generations that we cannot take our heritage for granted; that all of us, young and old alike, must be constantly vigilant to the principles which make our nation great.

Tonight, as we separate ourselves from the familiar surroundings of high school, we feel a *special* concern about the future. All of us have had warnings from parents and those in the other generations saying "In my day, this wouldn't have happened." "When I was in high school, we didn't do things that way." But our generation is stepping forward into a new and highly significant role in the development of our society, the responsibility, if you will, for the maintenance of the things that make our country great. There is a difference between "their day" and "our day," and I say this with the deepest affection for the parents and the others who have contributed so much to bringing us where we are now, graduation night, after twelve long years of work and study.

Our generation is faced with many unique problems; problems, unheard of in past generations, problems which relate only to this day and age. There are those who will say that we represent the newest recruits for the Battle of the Generations, and that we will be called upon to continue the confrontations, demonstrations and provocations which have split our nation apart. There are also others who will undoubtedly look to us to sustain the outdated institutions and traditions which have given rise to so much unrest in our nation today.

Neither group is correct.

Simply because we are young does not commit us to fighting our elders. Simply because we are young loyal Americans does not blind us to the problems which our nation faces.

To those who would enlist us on the side of the political battles which are splitting our nation, I would suggest that we are a new generation, a generation which will seek to unite, and not split our nation further. Whatever our individual futures may bring . . . college . . . military service . . . employment, our generation will be called upon to mature more rapidly than any generation that has preceded us. If we are to respond to these pressures, we must go away from here tonight with at least an awareness of our role. In 1936, President Roosevelt said, "This generation of Americans has a rendezvous with destiny." Twenty-five years later, President Kennedy said, "the torch has been passed to a new generation of Americans, born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed."

If we look at the world today in this kind of perspective, we see that the words of both these great men have special meaning for us; for ours is the generation which now falls heir to their hopes and promises.

We have witnessed in recent years the fruitlessness of violence, and the utter failure of a whole generation to either express itself or to achieve its purposes. Its only accomplishments have been bitter distrust and fear throughout the nation, and the kind of public alarm which retards, instead of encouraging, progress.

Let our generation be determined to reject the appeals of those who now claim to speak for the younger generation. They speak only for themselves. We have become the young men and women who must once again ask, "Oh say does that Star Spangled Banner yet wave, o'er the land of the free and the home of the brave?" And we must answer our own question.

Let this challenge be the purpose for which our generation now commits its full energies and capabilities in the crucial times which lie ahead.

PROPOSED WILLARD HOTEL TRADE, A BOONDOGGLE

Mr. WILLIAMS of Delaware. Mr. President, today's issue of the Washington Post contained an article entitled "A Boondoggle."

This article very properly raises questions as to the merits of the proposal that the Government trade a valuable 17-acre tract located in Arlington for the old Willard Hotel property in Washington.

This is not the proper way for the Government to dispose of or to obtain possession of property.

I agree with the conclusions of the editorial that such a plan is "preposterous."

I ask unanimous consent that the editorial be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Boondoggle . . .

. . . says our dictionary, is a "trivial, useless, or wasteful activity." And that, it seems to us, is just the word for the effort of the General Services Administration to swap a 17-acre Federal tract in Arlington for the old Willard Hotel.

The federal government, or, to be more precise, a few people in the executive branch, want to get possession of the Willard, not to restore this handsome, historic hotel, but to tear it down. They want to tear it down to begin to make room for the so-called National Square, a considerable expanse of pavement, not unlike the Red Square in Moscow, that is thought by some to be a suitable termination of the monumental portion of Pennsylvania Avenue at the side entrance of the White House.

No one else seems to want this square very much, least of all Congress, which has refused to fund the temporary Pennsylvania Avenue commission that proposed the square. Nor is Congress very likely to grant the now unofficial Pennsylvania Avenue planners the power of eminent domain to tear down the Washington Hotel, the Occidental Restaurant and other healthy buildings which are also in the way of their square. The square builders would thus have to negotiate a lot more land trades and if they offer 17 acres for a hotel that has been closed for two years, there is no telling how much they might offer for one that is economically quite healthy. A piece of Yellowstone Park, perhaps.

Nor can we see any developers beating a path to that square in their eagerness to build the new hotels, "belvederes," underground parking garages and such around it that the square builders dream about. Chances are, therefore, that if the government can indeed swing the deal, the good old Willard will be reduced to a parking lot for a long, long time. That is hardly apt to enhance the nobility and grandeur of Pennsylvania Avenue. Charles Benenson, the present

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owner of the Willard, also wants to tear it down. But he, at least, would replace it with an office building that would yield the city some tax revenue and that might, with luck, even be attractive looking.

Mr. Benenson's appetite for the 17 Arlington acres, however, is quite understandable. They are located on the northwest side of Route 95, across from the Navy Annex and about half a mile from the Pentagon. He is willing to accept the parcel in exchange for his old hotel on condition that he be permitted to build an office and apartment house complex of Crystal City dimension on it.

The land, however, once the home of Navy WAVES, is currently zoned for "active or passive recreation or for scenic vista." GSA, on behalf of the square builders, is therefore urging the Arlington County Planning Commission to rezone it for commercial-office use, for which, esthetics and ecology aside, it seems to be quite unsuitable since it lacks water and sewer connections. Come to think of it, the whole idea is not just "trivial, useless and wasteful." It is preposterous.

NIXON ADMINISTRATION'S EXPANSION OF FOOD PROGRAMS

Mr. DOLE. Mr. President, an article written by Colman McCarthy, entitled "Hunger: Yesterday's Crisis, Today's Yawn," appeared in the June 29 edition of the Washington Post. A major thrust of this article is an impugnation of the motives and commitment of the Nixon administration in its efforts to eliminate hunger and malnutrition in the United States.

After favorably comparing today's programs and policies with those of the two previous administrations, the article, in a confusing reversal of tone, authoritatively quotes a Senate committee aide to identify a "slowdown in the hunger fight." Another basis cited for defining "the retreat from feeding the hungry" was a one-sided version of the testimony given by Assistant Secretary of Agriculture Richard Lyng before the Senate Committee on Nutrition and Human Needs.

The unreported entirety of secretary Lyng's testimony gives rather a different impression of the progress made by the administration in its family food programs. No one in the administration has ever claimed or promised that hunger would be eliminated in 2 years or 4 years, but significant progress has been made in the first 17 months of the Nixon administration to assure adequate nutrition for all Americans. Secretary Lyng's statement details recent progress in expanding the Department's food programs and I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MR. RICHARD LYNG

Mr. Chairman, and Members of the Select Committee: Thank you for this opportunity to discuss the Department of Agriculture's accomplishments toward meeting the food needs of hungry people. I consider it a dramatic record of achievement.

Ten million people in needy families are today benefitting from either the Food Stamp Program or the Commodity Distribution Program. At the time of President Nixon's "Hunger Message" to the Congress on May 6, 1969, that figure was only 6.9 million.

Except in a handful of the nation's 3,129 counties and independent cities, one or the other of these family food assistance programs is now available or in the final planning stage. A little over a year ago, 440 counties in the nation had no program and no plans for one.

Over the past year, expanded school and non-school food service programs have enabled us to reach some 5 million needy youngsters daily with free or reduced price lunches. A year ago only 3 million children received such free or reduced price meals.

That's a capsule of the record. This morning I'd like to review how we achieved today's levels and touch upon our plans for the future.

The hard work, persistence, and cooperation of many people from Federal, State, and local governmental agencies, the Congress, and the private sector—all have made possible the progress I report to you. A key factor, too, is the new agency—the Food and Nutrition Service—organized last summer by Secretary Hardin shortly after the President's message. This agency specializes and concentrates its efforts on the administration of the Federal food programs, and has strengthened the local-State-Federal system of carrying out nutrition activities.

FOOD STAMP PROGRAM

The Food Stamp Program was dramatically expanded immediately following approval in late November of the 1970 USDA appropriations. The amount of money available to the Department for the Food Stamp Program was more than doubled. On December 2, we announced the general outline of the modifications and on December 18 Secretary Hardin detailed the two major features:

(1) To give more stamps to recipients, and (2) to lower purchase requirements for participation. The level of stamp issuance is now $106 per month for a family of four. This amount varies by size of family. At the present time, no more than one-third of the recipient's total income is required to receive food stamps, and most participants need pay no more than one-fourth.

Our latest figures—for May—show an estimated 5.9 million people being served by this program. They received a total of nearly $87 million in bonus coupons during May—up from $24 million last December, prior to introduction of the new schedules. That's 3½ times as much in only 5 months.

NO PROGRAM COUNTIES

We have conducted a campaign since the President's message to make family food programs—either food stamps or donated commodities—available in all the 440 counties which on May 6 a year ago had no family food assistance program nor plans for one. By June 30 that number will, we think, be down to less than 20. We are making every effort to meet the President's goal to get a food program commitment for every one of these last few counties.

COMMODITY DISTRIBUTION PROGRAM

Our Commodity Distribution Program has been improved, too. Participation in May reached an estimated 4 million people in needy families. Participants under this program plus those receiving food stamps, add up to nearly 10 million people reached by a family food program last month.

The commodity program has been strengthened, too, in several ways. A greater variety is available in most distribution centers. New, specially enriched or fortified foods are being offered. And the help of a $15 million allocation of USDA funds has enabled the States to help start new programs and improve existing ones by setting up additional distribution points, establishing better storage facilities, eliminating restrictive distribution policies, and making food available at all seasons of the year. These improved delivery systems are making it possible for more of the needy to utilize a greater variety of the 23 foods we make available than they have in past years.

CHILD NUTRITION PROGRAMS

The focus of our child nutrition programs has been reoriented to emphasize feeding children from poor homes—particularly those who attend old, poorly-equipped city schools without kitchens or cafeterias. The goal was set last December to reach 6.6 million poor children by Thanksgiving. Substantial progress has been made toward that goal, as I earlier indicated. Recent legislation will make possible programs which will produce further increases.

The Food and Nutrition Service is now giving top priority to the development of the required Federal Regulations under P.L. 91–248. In order that all concerned individuals and agencies can have equal opportunity to submit their views on the scope and content of these regulations, we intend to publish them, first, as proposed regulations. The final regulations will be issued after considering all comments and suggestions received.

The time for this is short—State educational agencies need to have maximum lead time in planning how best to implement the new legislation in thousands of local schools. Yet, we felt it to be in the best long range interest of children to have the benefit of the advice and counsel of all interested groups in formulating the new regulations.

QUALITY OF PROGRAMS

While we have concentrated much effort during the past year in getting family food programs into the reluctant counties, we have also devoted positive attention to making the programs more fully effective—to try to meet the needs of all of the poor in each of the nation's 3,129 counties and independent cities.

This Committee recently invited two U.S. Army Captains to testify on the study they made last summer for the President's Urban Affairs Council. Their report expressed concern about procedures for monitoring and evaluating local food stamp programs. We share this concern, and the Department is actively involved in the review of State and local operations. FNS is now monitoring program operations in several ways. These are:

Onsite evaluation by field and regional personnel.

Administrative reviews of State and local operations.

Investigations of specific complaints received, including those individual recipients.

Independent audits and investigations by the Office of the Inspector General.

Special studies and surveys.

We still have a need to strengthen the systematic review and evaluation of program effectiveness at the local level. In order to improve our field organization, a management consulting firm was employed last December and has recently completed its study. Included in the recommendations are some which emphasize the need to develop better evaluation techniques and more effective use of our field organization. These recommendations are now under intensive review to determine how best to proceed. We are confident that the changes which will result as we implement the recommendations will be a major step forward in the improvement of our monitoring and evaluation system.

One of the great needs, in addition to providing food or food stamps to needy people, is to assist them in using these resources wisely and nutritiously. We are especially proud of our USDA-Cooperative Extension Service nutrition aides. More than 6,800 of these workers, hired from among the people they work with, have served over 500,000 needy families, throughout the land. The results in terms of improved nutrition and household food management have been a real and heart-warming success.

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Secretary Hardin has said that America has "turned the corner" in its drive to eliminate hunger and malnutrition. We cannot, we will not slow that drive, for we all know that much more remains to be done.

We are grateful to this Committee for your continued interest in ending poverty caused hunger and malnutrition. We thank you for the opportunity to appear before you today.

GREAT LAKES-ST. LAWRENCE SEAWAY

Mr. GRIFFIN. Mr. President, legislation which has passed the House of Representatives and has been ordered to be reported by the Senate Committee on Commerce goes a long way toward reversing a Federal policy of discrimination against the Great Lakes-St. Lawrence Seaway system.

Specifically, the proposed maritime legislation provides for the first time that Great Lakes ports will be placed on a par with Atlantic, gulf, and Pacific ports in terms of the policy declaration in section 809 of the Merchant Marine Act of 1936, which at present states:

> Contracts under this chapter shall be entered into so as to equitably serve, insofar as possible, the foreign-trade requirements of the Atlantic, Gulf and Pacific ports of the United States.

In addition, under the new legislation U.S. flag operators in the foreign trade on the Great Lakes would no longer be excluded from eligibility for operating-differential subsidies.

However, in order to assure revitalization of the U.S. merchant fleet on the Great Lakes, careful consideration should be given in the administration's expanded shipbuilding program to the design of ships which would be capable of going through the locks on the seaway.

In light of these needs, I have reviewed with interest the ship plans presented in the recent Maritime Administration design competition. Of the nine ships proposed by Bath Iron Works and Newport News Shipbuilding & Dry Dock Co., not one meets the limitations of the seaway. Lock restrictions on the seaway prevent the passage of ocean-going vessels which are over 730 feet in length, 75 feet in beam, and 25.5 feet in draft.

The design closest to meeting these specifications is the Kennebec general cargo model of Bath which exceeds seaway lock dimensions only with respect to draft. Among bulk carrier designs, the Nomad multipurpose bulk carrier of Newport News conforms to the overall length requirements of the seaway but has a beam of 12 feet in excess of and a draft 10 feet over seaway limitations. Bulk carriage accounts for over 70 percent of the overseas shipments through the seaway.

Mr. President, the unveiling of these designs and their approval by the Maritime Administrator have a potentially irreversible effect on attempts to strengthen U.S. flag operation on the seaway and Great Lakes. These designs are the first and major step in implementing President Nixon's proposal for the construction of 300 ships within the next 10 years.

In view of this apparent long-term adverse effect on the prospects of building a strong American fleet on our fourth seacoast, I have written to the Maritime Administrator, Mr. Andrew E. Gibson, urging that the proposed designs be reevaluated for the purpose of determining what modifications can be made so that ships to be constructed will be suitable for seaway use.

Mr. President, I ask unanimous consent that a letter to Mr. Gibson and an article from Shipping Week describing the new ship plans be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

JUNE 23, 1970.

Hon. ANDREW E. GIBSON,
Administrator,
Maritime Administration,
U.S. Department of Commerce,
Washington, D.C.

DEAR MR. GIBSON: The maritime bill which has passed the House of Representatives and is pending before the Senate Commerce Committee includes a provision designating the Great Lakes as a fourth seacoast.

Such a designation makes applicable to the Great Lakes an obligation imposed upon the Secretary of Commerce, through the Maritime Administrator, under Section 210 of the Merchant Marine Act of 1936, for "the creation of an adequate and well-balanced merchant fleet, including vessels of all types, to provide shipping service essential for maintaining the flow of the foreign commerce of the United States . . ."

Furthermore, since the Great Lakes-St. Lawrence Seaway System has been designated as an essential trade route, the Secretary is required under Section 211 to determine "The type, size, speed, method of propulsion and other requirements of the vessels . . . which should be employed in such services or on such routes or lines . . . with a view to furnishing adequate, regular, certain and permanent service . . ."

In the light of this legislative framework, my staff has reviewed the various ship plans which resulted from the recent Maritime Administration design competition. While the resulting ships undoubtedly will make a substantial contribution to most of the American merchant marine, we find that the over-all dimensions of the mid-range bulk carriers are such that it would not be possible for them to transit the Seaway and thus be of use in the Great Lakes.

You are aware that although there has been a growing use of the Great Lakes ports by modern European ships, there has been a steady decline of use by American vessels in foreign trade.

I would very much appreciate it if your staff would review the proposed plans to determine if sufficient modification could be made in the designs to permit their ready availability for Seaway use. I shall appreciate hearing from you at your early convenience.

Sincerely,

ROBERT P. GRIFFIN,
U.S. Senator.

[From Shipping Week, May 21, 1970]

BATH, NEWPORT NEWS INTRODUCE RIVAL "SHIPS FOR SEVENTIES"

The long-awaited plans for the standardized ships for the next decade were unveiled today.

Preliminary designs for the proposed ships for the new American Merchant Marine, and predictions of the cargoes for which they can compete, are in the hands of prospective buyers. After the prospective buyers make known their estimates of the type and number of ships they hope to purchase, detailed designs will be developed by prospective builders. The keels for the first flight of "ships for the 70's" are not expected to be laid until early in 1972. Deliveries of the proposed bulk carriers, tankers and containerships are not likely to begin until 1973 at the earliest.

Plans for a total of nine basic designs and numerous variations—involving competing sets of designs by two shipyards—were described today by Maritime Administrator Andrew E. Gibson before an estimated 500 industry leaders in New York City's Biltmore Hotel. The plans and predictions came from the Bath (Me.) Iron Works and Newport News (Va.) Shipbuilding & Dry Dock Co., winners of the money-losing Competitive Merchant Ship Project (CMX) contract in November (SW, 20 Nov 70, 1).

Can shipbuilders produce at a cost ship operators can afford?—that is the question. Yes, answer the builders and Nixon administrators; maybe, say some doubtful operators who fear the 1976 construction subsidy goal of 35% is unrealistic. We don't need construction or operating subsidies if the government provides the proper depreciation allowances and cargoes, say tramp ship owners.

Results of the CMX projects were unveiled today in a "Forum on Merchant Ships For the Seventies." The presentation was another step in President Nixon's promise to revive the nation's fast-aging merchant fleet. Congress is considering, and is expected to pass this summer, a bill embodying Nixon's plans. Included in the bill are proposals for the construction of 300 ships during the next 10 years; more productivity at a reduced level of construction and operating subsidies, and an extension of these subsidies to the tramp ship industry.

BATH PROPOSED SHIPS

Bath Iron Works has developed five standardized ship designs for Marad and for the industry. With a bow to Bath's home state, Maine, they are called the Penobscot, Merrimac, Saco, Machias and Kennebec classes after Maine waterways. The first two are designed for liner trades: Penobscot is described as a large, fast containership for highly-developed transportation services, whereas Merrimac is a medium-sized, flexible liner for break-bulk or developing container trades, or where shore-based cargo-handling facilities are not available.

The other three classes are tailored to fit U.S. bulk trades and the growing trend toward the carriage of general cargo (neo-bulk) by tramp ships, Bath says. Saco is a large OBO (ore-bulk-oil) combination bulk carrier; Machias has the same fore- and after-body as Saco, but is a straight tanker, and Kennebec is described as an "austere" multipurpose ship for carriage of a variety of bulk and general cargoes on irregular trades, and can transit the St. Lawrence Seaway to serve Great Lakes ports.

The four basic designs (Penobscot, Merrimac, Saco-Machias and Kennebec) are modularized for cheaper construction: there are only three basic powerplant modules and two basic deckhouses. However, to meet the particular needs of different operators, roughly 22 options in all are available. All can transit the Panama Canal; all are single-screw vessels.

The Penobscot class, queen of the Bath proposed fleet, is intended for the U.S.' principal container routes, and has electric power on deck for reefer containers. It carries no container cranes but uses shore-based facilities. Options include an additional hold that can add almost 10% to its capacity with no need for reinforcing the hull and roll-on-roll-off capability by addition of a stern ramp and a 'tween deck aft of the engine room.

The Merrimac design is planned for routes that have no container-handling systems, and can be configured either for break-bulk or container service, by installation either of 'tween decks or container guides in each hold. In either version, it carries its own

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cargo-handling gear, and also can carry refrigerated containers on deck. Options include a lengthened version with 20% more capacity (from 720 to 970 20-ft containers); a 24,000 instead of 19,000 shp engine to increase speed from 22 to 23 knots; and below-decks refrigerated hold space aft of the deck house. Another option is distinct enough to be given a class name of its own: Allagash; this has a break-bulk cargo midsection and handling gear, for non-containerized cargo.

Saco is intended for economical shipment of coal, ores, grain and other agricultural products, or oil; Machias for hauling crude from "nearby foreign sources." The 24,000-shp engine yields only a half-knot increase in speed in these designs.

Kennebec is the stripped-down general-cargo ship of the fleet. For maximum economy, the Kennebec design provides full bridge control, operation for up to 16 hours a day with unattended engine room, controllable-pitch propeller, and diesel power (all the other designs have steam turbine power plants). Options include a stretch version yielding 4,000 tons more carrying capacity, and different power plants and cargo-handling gear, to suit the operator's requirements.

To produce these ships in quantity, Bath is planning an expansion of its yard to adapt it to the straight-work-flow, or assembly-line type procedure, such as was pioneered by the Arendal yard in Gothenburg, Sweden, and installed with variations by Newport News Shipbuilding & Dry Dock and by Ingalls Shipbuilding Co. The concept calls for construction to proceed from work-station to work-station, assembling successively larger units into major ships modules eventually joined and launched. As in the automobile assembly line process, workers at each station can then perform specialized tasks, developing a high degree of proficiency. Also, as Bath and Ingalls both reemphasized this week, much of the outfitting can be done prior to launch when spaces are more easily accessible, saving time and money.

The Bath yard will modernize existing facilities and build new ones adjacent to its present yard to make possible this concept. New facilities will house panel fabrication and ship assembly, enclosed for the most part to permit work to continue in adverse weather; existing facilities will be used to prefabricate outfitting components.

A launching platform or launching elevator, which Bath says is unique, will also be installed. Completed hulls, largely outfitted, will be moved onto the platform which will then be lowered to launch the ship; the reverse of the process can be used in ship repair.

NEWPORT NEWS, BATH STANDARD FLEETS COMPARED

	Length o.a. (feet)	Beam (feet)	Draft (feet)	Tonnage (deadweight tons)	Service speed (knots)	Power (shaft horsepower)	Cargo capacity
Newport News S. & D.D.:							
Crescent (OBO carrier)	871	106	44	73,200	17	24,000	3,000,000 cubic feet oil or bulk; 1,589,600 cubic feet ore.
Vanguard (containership)	725	103	30	19,700	23	35,000	1,540 vans.
Voyager (tanker)	950	148	49	125,200	16	24,000	940,000 barrels.
Nomad (multi-purpose bulk carrier)	584	87	35	28,250	17	12,500	1,368,200 cubic feet.
Bath Iron Works:							
Penobscot (containership)	720	102	35	21,210	24	40,000	1,468 vans.
Merrimac (break-bulk or containership)	550	86	34	13,850	22	19,000	720 vans.
Saco (OBO carrier)	775	106	46	71,550	16	19,000	2,800,000 cubic feet.
Machias (tanker)	775	106	47	75,515	16	19,000	640,000 barrels.
Kennebec (general cargo)	570	75	34	21,282	16	12,000	21,000 deadweight tons.

NEWPORT NEWS PROPOSED SHIPS

Newport News, forecasting growth in every maritime trade, proposes four new classes of automated, flexible ships. They are Vanguard containerships, Crescent combination ore-bulk-oil (OBO) carriers, Voyager bulk carriers and Nomad multi-purpose general cargo ships.

The Newport News ship group calls for standardized deck houses and communications-navigation suites for all classes.

The key to the Newport News program is the shipyard's projection that tramp general cargo ships, calling for cargoes in shipload lots, will capture increasing tonnages in U.S. waterborne commerce. Thus, even though commerce will grow, tonnage moved by liners will stand constant, according to the Newport News study. Also, fully half of the tonnage moved by liners by 1982 will be in containerships, the study projects.

Crescent OBO ships would be designed to compete for projected cargoes of grain, oil, iron and steel scrap, ores, sugar and petroleum. They would be built to the maximum size for transit through the Panama Canal, and would be designed to fashion backhaul, even triangular routes.

The Newport News study projects total tonnage growth of 23% in dry buk commodities by 1982, 56% in petroleum and petroleum products in U.S. trades.

"The Crescent OBO," says Newport News, "is designed for all-welded construction and includes a clipper stern, a protruding cylindrical, bulbous bow; a short forecastle; an after deckhouse; and nine alternate short and long cargo holds with upper and lower wing tanks." The ship is designed for 106-foot beam.

Vanguard containerships would be variable in design. They could be constructed as total containerships for heavily trafficked routes like the Atlantic-Europe trade routes. They could be built also as combination container, break-bulk ships or as container, roll-on-roll-off ships.

Says Newport News: "The ships' hull of all-welded construction has a fine-raked stem with cutup forefoot, heavy flare at the bow, a high forecastle; both machinery and deckhouse located aft, a modified cruiser stern with single screw and horn-type rudder, and six cargo-holds; five forward of the machinery space and one aft." Voyager tankers would provide 5.26 million cubic feet of crude oil cargo space. They would be designed to capture for the U.S. flag a significant portion of the 56% increase in petroleum trade forecast by the Newport News study.

The tanker's hull, according to Newport News, "of all-welded construction, has a rounded bow with a protruding cylindrical bulb, after machinery and crew accommodations, a clear-water stern, developing above the waterline into a transom stern, a horn-type rudder and a single continuous upper deck without poop or forecastle."

Nomad multi-purpose carriers are seen by the shipyard as a "handy-size," low-cost bulk carrier which could serve ports in the underdeveloped and developing countries as well as in the developed nations. Nomad would be powered by a 12,500 ship gas turbine plant. The unit selected is a twin-shaft, regenerative cycle system with a helper steam turbine operating on steam generated by a waste heat boiler. The plant drives a single propeller through double reduction gears. Gas turbines are optional for other Newport News ships.

"The Nomad bulker's hull is of all-welded construction and has a rounded bow with a protruding cylindrical bulb. The ship has a single continuous upper deck with no forecastle or poop deck. It has a modified cruiser stern which incorporates a horn-type rudder," according to the yard's description.

All the Newport News designs include the standard deckhouse offering single staterooms for all crew members, private baths for licensed officers, semi-private for unlicensed personnel, air-conditioning throughout. Each design includes the standard semi-automated navigation and communications system, with wheelhouse console.

The Newport News program was put together by a team consisting of Newport News Shipbuilding, Arthur D. Little, and Hydronautics, Inc. The Bath team consisted of Bath, J. J. Henry Co., Booz-Allen Applied Research, Inc., GRC Data Corp., Bechtel Corp., Harbridge House, and Dunlap Associates Inc. Both yards were assisted by shipowner representatives. The owners' team was comprised of experts from Central Gulf Steamship Co., Charles Kurz & Co., Lykes Bros. Steamship Co., Maritime Overseas Corp., Matson Navigation Co., Moore-McCormack Lines and Sea-Land Services, Inc.

Marad has asked the ship operators to respond by June 30 to the proposals made by the two yards. The operators have been requested to indicate the designs they prefer, how many of each they will need, what special features they want incorporated in the standard designs, will they need construction subsidy and what method of finance they envisage.

As regards prices, Newport News' price tags on its four basic designs are as follows: Vanguard containership, $19 million each in an order of 10; Crescent OBO, $21 million each per 10; Voyager tanker, $25 million each per 10, and Nomad general-purpose cargo ship, $12 million each per 10. These prices are based also on the condition that they be built in a new, mechanized annex yard that Newsport News feels is necessary, and for which it has estimated $125 million in capital expansion funding would be required. The Bath ships are all priced under $20 million.

The overall strategy of Marad will be to be guided by industry reaction in its own response to the Bath and Newport News studies. Neither yard will be the winner of a final elimination round; Marad is not expected to pick either yard's set of designs as those it will sponsor or develop. Rather, once the first industry responses to the Marad questionnaire are received, Marad will, according to well-informed sources, select one or two designs, perhaps one from each yard, for further engineering development. It will then continue to take its lead from the industry's needs and preferences in pushing to final development those ship types for which there appears to be the greatest demand. There is, of course, no intention to limit the Nixon plan 300-ship program to choice only of one of those ship designs that emerge from the Bath-Newport News studies—for instance, LASH and other sea-barge types will probably become a sizable component of the new Merchant Marine of the next decade. But what the Bath-Newport News studies are intended to accomplish, as one observer put it, is to provide a selection of Chevrolet sedans and station wagons that can be produced in quantity at reasonable cost; and if anyone needs a Ferrari, that's up to him.

Ship and Commodity: 1982 Cargo Forecasts

[In millions of long tons]

	Projected tonnage
Multi-purpose bulker:	
General cargo:	
Steel products	12
Newsprint	9
Lumber/wood/pulp	21
Vehicles	2
Raw materials	1
Others	23
Dry bulk:	
Raw building materials	11
Cereals	8
Oilseed	7
Fertilizer	7
Others	10
Liquid bulks:	
Animal fats	1
Vegetable oils	1
Molasses	4
Subtotal	117
Liner:	
Grain mill products	3
Food products	8
Lumber and wood products	2
Paper products	3
Inorganic chemicals	2
Motor vehicles	1
Preserved foods	2
Textiles	1
Iron and steel	6
Beverages	2
Others	20
Subtotal	50
Tanker:	
Crude oil	202
Refined products	19
Subtotal	221
Dry bulker:	
Grain	60
Coal	45
Scrap	6
Dry sulfur	2
Phosphate rock	13
Aluminum ore	20
Iron ore	33
Chrome ore	2
Manganese ore	3
Sugar	5
Subtotal	189
Grand total	577

CARGO PROJECTION SUMMARY

Forecasts of increasing U.S. foreign commerce emphasized the growing importance of tramp shipping. However, both Bath and Newport News predicted expanding opportunities for tramp and liner companies. Dry bulk carriers will carry about half of the more than 600 million tons of cargo expected to move in and out of the U.S., they predicted. Bulkers designed to carry the 10 "major bulk commodities" will account for about 190 million tons; multi-purpose bulkers designed for neo-bulk cargoes (products traditionally carried by break-bulk freighters) in ship-load lots will account for nearly 120 million tons. The accompanying table compiled from the Newport News report gives a breakdown by ship and commodity of the 1982 cargo forecast.

The volume of containerized cargo in the liner trades is expected to increase about 28%, but the overall percentage of the market will remain at its present level. The reasons cited by Newport News is the trend toward multi-purpose tramp ships for cargoes not readily adaptable to containerization or for shipments to ports not equipped to handle containerships. Oil cargoes will show the greatest increase, it is predicted. Crude oil imports are expected to jump by about 50% and petroleum exports by over 6%.

PREDICTIONS OF U.S. CARGO GROWTH THROUGH 1982

Cargoes	Bath Iron Works		Newport News Shipbuilding	
	Percent	Tonnage (million tons)	Percent	Tonnage (million tons)
Total foreign trade	48.0	630	50.0	600
Liner participation	18.2	56	28.0	50
Full-vanship participation	55.0		50.0	
Total trampship participation	64.0	571	63.0	
Major dry bulk	5.0		23.0	189
Neo-bulk	2.5			
Crude and refined oil			56.0	220
Crude oil			50.4	202
Refined products			5.6	19

THE 100TH ANNIVERSARY OF D. L. AULD CO., COLUMBUS, OHIO

Mr. SAXBE. Mr. President, in 1870, a 23-year-old Civil War veteran, son of Scottish immigrants, opened his own shop at the corner of Goodale and High Streets, in Columbus, the capital city of my State of Ohio.

Now, 100 years later, we are marking a rare tribute to that man and a century-old record of achievements of the company he founded.

The man is Demus L. Auld, and the company is the D. L. Auld Co.

I submit that in many ways the story of Demus Auld is the archetypal story of many American businesses and businessmen. So, although we both represent the State of Ohio in different ways, I feel in no way parochial in asking that we pause for this tribute.

At the age of 14, Demus L. Auld, in the company of his two older brothers, enlisted in Company G, 20th Ohio Infantry at Mount Gilead, Ohio. And in July 1865, at the still tender age of 18, Demus Auld was mustered out, having participated in the siege of Atlanta and Gen. William Tecumseh Sherman's march to the sea.

He now faced the problem familiar to every veteran of every war since the beginning of time—how to make his way in a world no longer engaged in the business of soldiers.

Demus Auld solved the problem by learning the trade of watch repairing and engraving, and within 5 years managed to learn enough and save enough to gain the confidence needed to embark on the first step toward the fulfillment of his American dream—a business of his own.

At first, he concentrated on the manufacture of custom jewelry. But after he developed the forerunner of the modern jewelry safety clasp, the business burgeoned to the point where the D. L. Auld Co. was the foremost national source of college and high school rings and pins, as well as fraternity and sorority pins and rings. We are certain that in this Chamber many examples of the craft of D. L. Auld still exist, particularly in the form of phi beta kappa keys and other insignia.

The jewelry business flourished. But in 1912 the company came up with another development which enabled it to expand its scope of operations. F. Howard Auld, son of the founder, developed a snap-on fastener which could be soldered on to the back of larger emblems and insignia.

The first application of this development came when Henry Ford asked if it would be possible to attach a nameplate emblem to his horseless carriage.

Not only was it possible, but it led to the growth of the business to the point where, in the 1920's, more than 150 women were employed in the enameling department of the company.

The client list of those times reads like a who-was-whom of the infant automotive industry: Marmon, Lexington, Pilot, Revere, Hanson, Kenworthy, Hupmobile, Locomobile, American-La France, Moon, Le Moon, "Heart of the Art" Richard, Elcar 8, Oakland, Pan American Motors, Peerless, Erskine, Commerce, Paige, Garford, Abbott, Reo, Cole, HCS Special, Westcott, Dodge Brothers, Lincoln, Cadillac, Commonwealth, Flint, Sinclair, Chevrolet, Wolverine.

At one point the company produced approximately 80 percent of all the vitreous enamel nameplates for the automotive industry.

In 1923, with the course of the automotive industry clearly on the upswing, the company divested itself of its successful jewelry business in order to concentrate more thoroughly on the automotive industry and research and development for new applications for their vitreous enamel capabilities.

One result of this course of action was the development of a process called "inverse marquetry" in the late 1920's. This process called for the bonding and laminating together of metal and natural wood veneers. The paneling produced by this process was manufactured exclusively for the W. S. Tyler Co., in Cleveland, Ohio. Examples of the process are still evident in the elevator cabs and doors of the Empire State Building and the Chrysler Building in New York City and the Department of State Building in Columbus, Ohio, among others.

At the outset of World War II, D. L. Auld, in common with all the other companies of the automotive industry, completely retooled in preparation for the manufacture of material needed for the war effort. The range of products produced during this period is an interesting one; the Distinguished Service Medal, fragmentation bombs, aluminum forging for military aircraft, and dummy airplanes which were then set out on military airfields as decoys.

Following the end of World War II, the company returned to its leadership role in making emblems for the automotive industry. It also expanded operations to include the manufacture of metal and plastic emblems, nameplates and decorative trim for the appliance and the boating industries. The company's high production volume capability permits it to produce as many as 1 million pieces of one particular part for its customers.

Through a continuing program of research, the company to lead off its second 100 years has developed a new process to simulate the vitreous enamel process used first to make expensive jewelry and then adopted during the early days of automotive emblem fabrication. Vitreous enamel priced itself out of the automotive industry and manufacturers have been striving to find a comparable but less expensive substitute. D. L. Auld has achieved this goal with a process and the product is called Vitrolux. Cadillac, Pontiac, Mercury and Ford have already put these Auld Vitrolux emblems in use.

Today, the D. L. Auld Co. is also known for its capabilities in the manufacture of aluminum forgings for the airframe industry. These parts are used in most of the commercial aircraft in use today here and abroad—the Boeing 707, 720, 727, 737 and 747, the Douglas DC–8, DC–9 and yet to be released DC–10, the Lockheed L–1011 and C–5A; and Bell and Vertol helicopters.

The company started manufacturing in Columbus and has remained in Columbus for the last 100 years. When the original shop at Goodale and High Streets proved too small, the company moved to East Gay Street between High and Third Streets in 1890 and then to 195 East Long Street in 1903. And finally, in January 1920, to the present location at Fifth Avenue and Fifth Streets. This building has been enlarged and expanded on several occasions with other buildings added. The Auld facilities in Ohio total 200,000 square feet of floor space for the more than 300 employees.

In 1965, the D. L. Auld Co. acquired the Bell/PA Products Corp., a Columbus manufacturer of amplifiers, tuners, special equipment, and complete packages for industrial and commercial sound systems and background music systems.

The Potter Supply Co., East Liverpool, Ohio, a leading supplier of ceramic pins, stilts and other kiln room devices for the pottery industry, was acquired in 1966. Today, D. L. Auld and its subsidiaries are part of the Applied Industries Inc. complex of companies.

In 1970, 100 years after its founding, the D. L. Auld Co. is still under family leadership. The president of the company today is David L. Auld, the great grandson of the founder. This fact alone is worthy of tribute. But we believe that this tribute to the D. L. Auld Co. of Columbus, Ohio, is more than a tribute to a company. It is a tribute to our system. And in this time, when it is easy to lose sight of the values which made our Nation grow because of the furor we live among, it is especially important that we recognize the strength of our system and the companies who contributed so importantly to its growth and development.

We feel certain that for these reasons our fellow Members will join us as we extend our congratulations and best wishes to the D. L. Auld Co. of Columbus, Ohio, this year, the year of its 100th anniversary.

CASPER, WYO., YOUTH COUNCIL

Mr. McGEE. Mr. President, we often hear the complaint that bad news gets all the attention and good news is overlooked by the media. Of course, it is human nature, I suppose, which accounts for this development. Newsmen may tell us to be thankful that the bad is still news, rather than the expected norm. Nevertheless, there is this widespread feeling that efforts to be constructive, particularly on the part of youth, go unnoticed while their generation gets tarred by publicity gained by those who are being less than constructive. Recently, Miss Stephanie Dryer of Casper, Wyo., wrote me with this complaint. I think she has a point and I should like to help her make it. I ask unanimous consent that Miss Dryer's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CASPER, WYO.,
June 8, 1970.

Senator GALE MCGEE,
Senate Office Building,
Washington, D.C.

SENATOR MCGEE: The newly formed Casper Youth Council has been working in and around the Casper area, on cleanup projects. Students of junior high and high school age offer their assistance on these projects. This is done on a strictly volunteer basis. No one has to go, but if they go, they work. I've been on several of these excursions and I know that everyone works.

My complaint is that there is very little said about the Casper Youth Council projects. While the news items consist of how bad the war is, what these unpatriotic ignorant brats are doing to our campuses, and the like, we're out making new news and it's skimmed over as though it isn't important.

Everybody sits around complaining about the litter, but sit is all they do. We got out and did something about it, but nobody knows. Good kids never make the news.

I know I've aimed at the wrong source, but is there anything you can do?

Sincerely yours,
Miss STEPHANIE E. DRYER.

IS WATER QUALITY ENHANCEMENT FEASIBLE?

Mr. MATHIAS. Mr. President, water pollution control is a complex and urgent problem. Though there is general agreement on the need for action, the precise steps and technology involved are subjects of continuing discussion.

Hon. Herman L. Mills, mayor of Hagerstown, Md., has called to my attention a paper by Mr. Stanley E. Kappe which was presented on March 12, 1970, at a conference of the American Society of Civil Engineers in Washington. In his report, entitled "Is Water Quality Enhancement Feasible?" Mr. Kappe reviewed a number of aspects of the problem and made several interesting recommendations.

I ask unanimous consent that his paper be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE DIALOGUE—IS WATER QUALITY ENHANCEMENT FEASIBLE?

(By Stanley E. Kappe, sanitary engineer)

A paper presented on March 12, 1970 at the American Society of Civil Engineers Water Quality Enhancement Specialty Conference, Washington, D.C.

The Water Quality Act of 1965 provides for the establishment of water quality standards, initiated by the states and submitted for approval to the Secretary of Interior. Section 10 (C) (3) specifically provides that the water quality standards shall . . . "enhance the quality of water." The responsibility for establishing these standards was to rest with the states.

Interpreting the language of the statute and the "nondegradation" statement of the Department of Interior set off a controversy which even to this day is a seriously debated issue. The juiciest discussions apparently took place between the states and the Department of Interior. The dialogue was healthy for the program. Suddenly all users of the nation's water resources became aware of a potential health and aquatic hazard.

The theme of the conference—"Is Water Quality Enhancement Feasible?" is for fact-finding purposes. The complacent expert on water pollution may take the position—does this action reveal some doubt. Whereas the average citizen and taxpayer just does not know. He is confused. He wants to know if primary treatment like prime beef means the best; if secondary and tertiary treatment means second class and third class, and if advanced waste treatment means, under intensive care and intensive observation. The same confusion fortunately does not exist among the public water supply experts because the terminology is as simple as water treatment and the effluent standards adopted were proven and in agreement by the entire profession before adoption.

We should ask ourselves—Is the present program too stringent; are the sights set too high; is progress too slow; should design standards and effluent standards be the same for summer, winter and wet and dry years; is the current program efficient, sound and acceptable; are the returns on the investment justified and realistic; are unproven concepts too costly for the effort; what is a clean water; how clean should water be and why; what will the effect be on the national and local economy and betterments if pollution abatement efforts are stepped up and are effective; how will nutrient removal affect the ecology and fish population; is nutrient removal the correct procedure for algal control; are the issues basic, sound and in the interest of all citizens? These are some of the issues. We have to explain to ourselves and others why we want things done our way.

The water resources of the nation belong to every American. Each person has a responsibility to contribute to the preservation and enhancement of the nation's water resources. The single discipline point of view should be re-examined from all sides. Solutions often lie in departures from concepts that are often held sacred. Many people wear bifocals and trifocals to improve their near and far sight. Our programs, policies and standards should include such vision also. The milestones should not be only for this generation but also for those who will follow us. The issues should not be obscured nor should the directions be like that of an amateur golfer who corrects an error with an error.

The "fear approach" does not provide a solution to a polluter, but in fairness to the users of this type of action the number of polluters that abated pollution without some inducement besides the desire not to pollute are unfortunately in the minority. Regardless, there should be a bridge of better understanding between the researcher, the regulatory agencies and the designer for a better socioeconomical, technical and scientific advantage to the ultimate user, the taxpayer.

The Civil, Sanitary, and Hydraulic Engineer over the past years has played a big part in the advancement and progress of our country and in the production of a safe public drinking water supply system, to a degree probably not enjoyed by any other country. He has done a job so well that there

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has been little change in the basic ideas that were adopted over the past many years for collection and treatment of wastewaters. The engineer will continue to do a good job if his creative ability and genius is not confused with directives and guide line standards. Many of the headline improvements of today appear to be only refinements and dressed up cycling fads of yesterday.

Each tributary, river and lake and even the ocean in part and in entirety has its own hydroelectric, biologic, and oxygenation peculiarities. Standards should not be based on a fixed computerized formula. There will be locations where the highest treatment will be a must and locations where a lesser treatment may be adequate. We would all like to live in the White House and be subject to its fine standards. Unfortunately, most of us have to be contented with lower standards but yet on a level that is healthy and is an asset to the community.

Many of us were taught that dilution is necessary in waterways receiving treated effluents. This teaching is not correct if the effluents are adequately treated. There is no mystery in producing stable effluents. The reasons are well known to the microbiologist and the experienced sanitary engineer.

The growth curve of micro-organisms clearly shows how and why properly designed and properly operated complete biological plants can produce an effluent that will not degrade a waterway. Where re-aeration capacity is a factor, supplemental treatment may be required, such as a microstrainer or sand filter. In addition the effluent should be saturated with dissolved oxygen by post aeration.

Pollution of a waterway is measured with emphasis on the stream's oxygen content as a measure of the waterway's ability to support fish and other aquatic life. Other criteria include limits on alkalinity-acidity, temperature, suspended and dissolved solids, turbidity, taste and odor producing compounds, toxic wastes and coliform bacteria. Whereas effluent and the efficiency of treatment plants is measured with emphasis placed on its BOD (biochemical oxygen demand) content. This area needs study for a more meaningful and comparable test. BOD is used as a quantitative test, whereas it is actually a qualitative test. It gives little information on rate of oxygen used for plant control and about the purification capacity of a waterway. An oxygen uptake rate or oxygen utilization rate together with dissolved oxygen and turbidity tests might be a more meaningful and comparable measure for both the treated effluent and the waterway.

There are those among the scientists who feel a better test would be COD (chemical oxygen demand) or TOC (total organic carbon). These tests are good measurements of total organic carbon, but neither can distinguish organic carbon compounds that are biodegradable and those like sawdust and other vegetative like products that are resistant to biodegradability and do not contribute much to the pollutant load of a waterway. The design and operation of treatment plants to remove such "refractory" residues could be a costly waste of taxpayer monies.

There may be need of physicochemical methods being introduced today for the removal of "refractory" compounds at some locations. In the 30's these methods were known as chemical treatment. Their disappearance was probably due to difficulties in controlling dosages to meet continually changing demands and to the large amount of chemical sludges produced. The small bag so easily handled in the laboratory turned out to be railroad car loads and conveyor systems on plant scale operations. This situation could be repeated by the use of chemicals for phosphate removal in the production of chemical sludges that may become sorespot stockpiles on the horizon and may not be easy to dispose of.

Before costly expenditures are made, there is need to re-examine the actual effects of "refractory" compounds and the actual limits to which these compounds must be removed for the protection of public health and aquatic life. The tolerances should be noted in mg/1 and not in percent removal which really has no significance except perhaps as an ignorant factor.

If nature did not have the foresight for organic material to be broken down slowly by micro-organisms, the ecosystems would be in an awful mess from the stench caused by the decay of trees, leaves and other vegetative growths.

It is surprising how many of the existing so-called secondary treatment plants are discharging an effluent into dry runs and waterways without any apparent nuisance growths of algae and without any apparent damage to public health and aquatic life even though the computer on a fixed formula dictates the stream is being degraded and higher treatment must be provided. If dead plants did not decay and if nature did not control for reuse release of nutrients, there probably would be no life on earth as it is known today and no ecosystems to worry about.

The role nutrients play in eutrophication, particularly the need for phosphate removal, remains unclear. The biggest damage could be caused by the tons of organic laden sediment which has been and is being washed into waterways from urban and rural erosion as well as from the worldwide estimate of 800 million tons per year of matter being redistributed and re-deposited on earth from the atmosphere by winds and rainstorms.

It is not too difficult to understand why the phosphate nutrient issue needs positive verification. The grass on lawns is always greener after a rainfall. The frequency of rainfalls and the nutrients washed out of the atmosphere is responsible for jungle growth and moderate to no growth on earth. Soft waters laden with nitrogen and phosphates allegedly do not have the massive algal growths noted on hard water streams and hard water lakes due apparently to insufficient amounts of essential micro-nutrients in the lesser dissolved solids of soft waters. If you are doubtful, try to grow algae in distilled water with only the nutrients carbon dioxide, nitrogen and lots of phosphorus added. The micro-nutrient manganese also adds confusion. Manganese apparently plays a good part in exciting algae bloom which occurs when lake and reservoir waters turn over, particularly in mountain lakes relatively free of pollution.

Then there is the added confusion of micro-nutrients added to drinking water and wastewater treatment in the form of alum, lime, iron, potassium permanganate and phosphates. The addition of micro-nutrients at wastewater plants may remove phosphates but the odds strongly indicate the added micro-nutrients may very likely not only stimulate the growth of algae but also the yield of agal growth.

The literature is full of re-echoed statements that phosphates stimulate algal growth. The same references, however, lack evidence and clarity as to whether growth alone or cell reproduction also is stimulated by phosphates per se or whether growth and cell reproduction is actually stimulated by impurities in the phosphates in the form of micro-nutrients.

Phosphorus is a very important trace element for metabolism of both plant and animal life. The amount of phosphorus needed, however, is less than that for other micro-nutrients and its uptake and use appears to be triggered and controlled by other trace elements. There are micro-elements that stimulate growth in the presence of other micro-units; others that shift from "essential" to "toxic" as the concentration increases; others that control photosynthesis-photochemical reactions and others that control cell division and so on.

The need for nitrogen removal also needs to be closely re-examined. The removal of nitrogen is often made on the premise that ammonia being oxidized to nitrates robs the waterway of oxygen. This statement may be true when this reaction takes place. However, evidence strongly indicates that ammonia is primarily used as a nutrient for production of nitrogenous cell material which has no demand for dissolved oxygen. When nitrification does occur, the nitrifying organisms can and do take molecular nitrogen from the atmosphere and oxygen apparently from other sources than dissolved oxygen except for respiration.

Scientific findings clearly indicate that the luxurious and massive plant growth as took place on this earth during the carboniferous era, must have an environment extremely high in carbon dioxide. Growth diminished on earth not due to a diminishing supply of phosphates or nitrogen, but due to a decrease in carbon dioxide in the atmosphere as it was consumed and balanced by plant life. This fact probably explains why a well aerated stream has little or no algal growth even though the fixed computer says "remove phosphates"—"remove nitrogen."

The scientific findings strongly indicate that to control algal growth (1) the source and supply of carbon dioxide has to be limited by controlling the amount and biodegradability of organic pollutants in effluents, (2) that effluents of complete biological plants must be thoroughly aerated to remove free and half bound carbon dioxide with which the effluent is saturated from bacterial reaction, (3) the removal of phosphates per se beyond the trace quantities required for algal growth from all sources on earth and in the atmosphere may prove to be an impossible costly green herring run and costly waste of taxpayer monies, (4) to secure positive control, the essential micro-nutrient that triggers algal growth must be removed or neutralized to a degree which is not detrimental to the ecosystem.

We should study the controls used by nature. Tree wood, leaves, and bark, and all other green land and water plants are an extremely good source of the nutrients carbon dioxide, nitrogen, and phosphorus and all essential micro-nutrients. Yet there is very little organic pollution from decaying green vegetation except that from algae. Nature apparently provided all other green plants with a built-in inhibitor to conserve nutrients released by decay and leaching during rainfalls. The inhibitors appear to be the tannin-like and the lignin-like compounds which are well distributed through the plant kingdom. By the same process, the tanner makes leather relatively non-biodegradable.

If nutrients in effluents is a problem, the use of chlorine as a disinfectant should be re-examined. Chlorine is an excellent carrier of ammonia and essential micro-nutrients. This fact may explain why the bacterial load of a waterway picks up after the chlorine disinfectant is washed out and why a more rapid rate of self-purification has been noted on streams with non-chlorinated effluent discharges. Chlorine may be a good disinfectant for clear piped drinking water, but for turbid open waterways and wastewater effluents, chemical compounds that are both "aquacides" and disinfectants and that will convert bacteria and viral enzyme protein matter into irreversible insoluble compounds should be explored.

Today there is considerable pressure being exerted for massive interceptor systems and bigger treatment plants on a regional basis. Are the arguments really sound and valid? People seem to be hypnotized by the power

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of bigness and the promotion of "bigger and more" is always best. Bigness could be the continued philosophy of "Chicken Little" running with dreaded illusive fear from a problem that may be easily solved with bifocal vision. If drinking water supplies are taken further and further upstream in larger and larger quantities, and wastewaters are disposed further and further downstream, the river in between will get smaller, messier and finally dry up. This could be the stage now facing the lower non-tidal reaches and upper tidal reaches of the Potomac River. The concentration of treated wastewaters can produce a conglomerate that could destroy the ecosystem of a waterway. The concentrated discharge could create conditions akin to that caused by the concentration of population.

Wastewaters cannot be made clean by transportation from one area to another. Is there an equitable formula to distribute costs for such construction, maintenance, operation and betterments and to arrive at realistic service charges to finance such systems? The cost of interceptors has allegedly been about 60% of the total cost for collection and treatment. As an example, on one of the regional schemes, the cost of treatment was approximately $20 million and that for interceptors $83 million. At such costs, the interest alone for transmission on regional schemes could buy an awful lot of high quality treatment. The unit cost could be cheaper since the cost of construction and operation of the costly interceptor are apparently not included in the unit costs of the larger plants. As the size and length of the interceptor increases, so does infiltration of ground waters and so does the cost of the system. There is also evidence that it may not be possible to upgrade treatment at larger plants based on current practice. The difficulty seems to be treatability of septic and odoriforous wastes produced by anaerobic digestion of wastewaters en route and in other large plants due to mixtures of fresh and septic wastes with industrial wastes. Unfortunately, a chemical that is biodegradable per se may not be biodegradable when mixed with other chemicals or domestic wastes. It is known that chemicals can and do combine indiscriminately with themselves and domestic wastes to produce compounds which may be resistant to non-biodegradable, others that become toxic, others that become inhibitors to oxidation, and treatment in general.

In the past the biggest problem often began after the treatment plant was constructed and will continue to the degradation of the program if this practice is allowed to continue. The plant is always opened with a big ceremony and a big ribbon cutting affair, but soon thereafter becomes a headline nuisance. The laboratories provided look like multimillion dollar R & D establishments. The plants are tested and recorded to death to meet state requirements even though many of the routine tests may have debatable value for plant operations, and the records do look good. The poor operator, however, has to borrow pliers, a screw driver, a hair pin and the lawn mower from his home to make repairs and to cut the grass and a hose to keep the plant clean. Soon the plant falls apart, the creek looks terrible and the complaints streamline to City Hall. Who is found to be at fault, the plant operator. Why?—shortage of good operators, lack of training, lack of education and lack of experience.

The crystal ball of the future indicates that the archaic gravity interceptor which has served so well and its numerous costly manholes will be gradually replaced with a pressurized system with capabilities of increasing its carrying capacity at least five-fold. Moreover, atmospheric air or some form of oxygen or oxidizing chemical will be introduced as well as acclimated seed micro-organisms at predetermined intervals along the interceptor to maintain aerobic treatment in transmission to the terminal plant.

The primary tank now used ahead of activated sludge plants will be gradually abandoned because there is no longer any need for such units ahead of properly designed aeration tanks. The anaerobic digester will be replaced by aerobic digesters or other means of treatment. These improvements will produce a nice saving in both capital and operating costs and remove two sources of putrefactive odors that have been responsible for the public's physicological dislike of wastewater treatment plants and two sources detrimental to aerobic treatment.

The crystal ball of the future also indicates that re-use wastewaters will replace the bigger and better plants and long massive interceptors that could seriously dry up waterways and seriously lower the ground water table. To reduce the cost of massive interceptors, treatment works, either permanent or portable, will be installed as satellites on the interceptor to provide safe treated effluents and nutrients for re-use by golf courses, parks, farms and industries located along its alignment, or for discharge into the nearest water course to supplement underground and surface waters and to provide the neighborhood with a stream in its backyard instead of a dry run. Do not be surprised if the home owner with a lawn provides on his property treatment for safe use of the wastewater from his premises for irrigation and nutrient feeding of the lawn. The excess bacterial cell material, a by-product of biological treatment and amounting to considerably less than one percent of the treated flow, will either be returned to the interceptor for treatment at a terminal plant or it will be pumped through a separate but much smaller pipeline for treatment and conversion into a humus-like safe and odorless nutrient supplement instead of this valuable resource being burned or barged to sea. This is the area in which there is need for much research, publicity, and better education of the general public.

The terminal plant will be blended into a complex as a part of a botanical or recreational park, municipal golf course or farm for use of the effluent and sludges for irrigation, nutrients, hydoponics farming, fish farms, and so on.

The pump station located near a watercourse will likely be replaced with an automated treatment plant blended into the surrounding area. At such locations even with need for quality treatment, an evaluation study will show plant costs less to build and operate than the pump station, force main and increase in size and capacity required of the interceptor to accept the discharge from the pump station.

The future treatment plant will not be spread over the landscape with costly yard piping and concrete conduits. Modular layouts will be adopted with little hydraulic head loss and arranged for ready additions of modules on a need-be basis. The current practice of design and construction on a 10–20 year basis which ties up a lot of money, will be passé.

The future interceptors and treatment units will be upgraded to solve one of the biggest headaches in treatment. The extreme high and low fluctuations in income flows which seriously effects treatability will be balanced by regulators. In the larger plants the peak flows may be stored in pressurized aerated interceptor sewers and in smaller plants by in-plant storage methods. Balanced flows will increase efficiency of plant operation to nearer 100% of the time.

The crystal ball indicates that industry may find it cheaper to treat its own wastewaters for re-use and discharge the excess to the nearest water course. Only sludges, the real problem of wastewater teatment, will be discharged into the regional system, and at considerable savings to industry and municipalities. In other locations, industries may be required to biologically pre-treat waste before discharge as assurance that the wastes are biodegradable and to reduce the organic load.

In the future charges for drinking waters and wastewaters may be on an ascending rate schedule instead of the current descending rate schedule to conserve use of waters, to encourage re-use of wastewaters and to cut down sizes of collecting sewers and treatment works.

The future regional plan on a watershed, county or municipal basis, will probably boil down to centrally located institutions as the intent seems to be, to serve satellite water and wastewater treatment plants on the interceptor or in the region. Grass root workers will be located only at the plants. The laboratory technicians, certified operators, and other skilled help will be pooled at the centrally located service institution for use on preventive maintenance and routine inspection schedule and a need-be basis in case of trouble. At this operating center there will also be pooled at considerable savings in dollars, procurement of labor and materials, the necessary maintenance and operating supplies and the construction and maintenance equipment needed to keep a plant in good operating condition. In addition the system will be under the responsible charge of an authority or commission that will collect all revenues, maintain and operate the plants and set up realistic service charges so that monies collected will be ample and used for proper and adequate operation and maintenance of the entire sewerage system and treatment works as well as for normal and emergency repairs and to upgrade the plant as the need arises. Besides, the blame no longer will be placed on the operator.

The facts definitely indicate that the enhancement of water quality is feasible. The public and its strong opinion has issued a strong mandate for clean safe waters. The engineering profession has the talent, technology and know-how to produce clean safe waters and to blend treatment works as an asset to the community instead of a blight if his creative genius and ability is not blinded by directives and guide lines. There is need for proven, accepted, and sound effluent standards, but in the words of the President—"The nation's waterways belong to us all, and that neither a municipality nor an industry should be allowed to discharge waste into these waterways beyond their capacity to absorb waste without becoming polluted". The President seems to be trying to put across diplomatically but loud and clear a very timely message. There is a bottom to the pocket book, and a limit to treatability needed for protection of public health and aquatic life.

BARNABY KEENEY COMPLETES TERM AS CHAIRMAN OF NATIONAL ENDOWMENT FOR THE HUMANITIES

Mr. PELL. Mr. President, at the close of business today, Barnaby Keeney will complete his 4-year term of office as Chairman of the National Endowment for the Humanities.

Appointed as Chairman shortly after passage of the arts and humanities bill, Barnaby Keeney came to this new Federal agency after compiling a most enviable record outside of the Government. After a gallant World War II service, in which he was wounded, he became a distinguished professor of the classics at Brown University. He was then chosen as president of Brown University in Providence, R.I., a post he filled with distinction for 10 years which Dr. Keeney believed was the correct length of term of a college president. Upon retirement from the presidency of Brown, Dr. Keeney could have settled down to a comfortable academic life. But, Barnaby Keeney is not one to turn down a challenge and accepted with enthusiasm the position of being the first Chairman of the National Endowment for the Humanities when it was offered to him. Actually, he had played a very important role in securing passage of the landmark legislation involved.

Dr. Keeney's tenure as Chairman of the Endowment for the Humanities has been one which will have a long-lasting mark on this growing Federal agency. It has often been said that the Federal Government administrators who serve for a short period of time do not have that great an impact or effect in the long run. However, this definitely is not the case of the Endowment for the Humanities. Barnaby Keeney took over an infant agency administering a small amount of funds which had been operating under an interim director. He had a vision, a dream of goals for the Endowment, whose end result would be the relating of the humanities to our Nation's everyday life. He was able, because of the rightness of his ideas and through his powers of persuasion, to set the course of the Endowment for the Humanities toward these goals. He has created an administrative agency which strives for excellence in all its programs and which seeks to foster quality rather than sheer quantity. Indeed, I was always surprised to meet with Dr. Keeney in hearings and hear him say that we do not need more money, but let us use what we have and grow slowly and carefully. The slow maturing has been successful; the National Endowment for the Humanities is a monument to Barnaby Keeney's will and foresight.

Personally, I will miss Dr. Keeney when he leaves the official Washington scene. His advice has been invaluable, his wit pleasurable, and his friendship treasured. He leaves and the Endowment for the Humanities will be poorer for his absence. On the other hand, he has created an agency which will survive.

I speak, too, as a personal friend and admirer of Barnaby Keeney, who much regrets his departure.

I fully understand, but do not adopt the reason the administration has for not reappointing Barnaby Keeney to the chairmanship of the Endowment. Evidently every Federal position is political. I had hoped this was not the case, especially in light of the fact that Dr. Keeney is apolitical. What is most upsetting is that he has been let go, but yet a successor has not yet been nominated. We are especially fortunate, though, that Wallace Edgerton, who will serve as Acting Chairman, is a most capable individual, and the agency will continue to have guidance during the interregnum.

In closing, Mr. President, I bid Barnaby Keeney well and wish him future success. I also extend from the Nation, thank you for a job well done.

OBERLIN ALUMNI MAGAZINE WRITES ABOUT "CATALYST OF THE BLACK LUNG MOVEMENT"

Mr. WILLIAMS of New Jersey. Mr. President, the role of individual citizens in the shaping of important legislation can never be underestimated. When we undertook the task of enacting the coal mine health and safety law last year, much of the product was the result of the men who lived and worked in the heartland of America's coal country. We all know of the undying efforts of several people such as Dr. I. E. Buff who headed the group of Physicians for Miners' Health and Safety. The May 1970, issue of the Oberlin College alumni magazine contains an article concerning the work of yet another individual whom it describes as "catalyst of the black lung movement." This individual is Craig Robinson, a 1966 graduate from Oberlin, which is also my alma mater.

The story which is told is simple yet important. As a VISTA volunteer assigned to Appalachia, he saw very clearly the ravages of black lung. And as a concerned, compassionate human being he decided to act. It was this young man who brought the physicians together with the miners. His own view of his work is all too modest, so I commend the reading of the article to Senators so that they may learn, themselves, of the magnitude of his accomplishments.

I ask unanimous consent that the article entitled "Catalyst of the Black Lung Movement," published in the May 1970, issue of the Oberlin alumni magazine, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CATALYST OF THE BLACK LUNG MOVEMENT

"No laws, no work!" Coal miners from southern West Virginia, victims of black lung disease (pneumoconiosis), marched on the capitol in Charleston during March 1969 with a group of "Physicians for the Miners' Health and Safety," demanding revision in laws affecting their well-being. A wildcat strike had bounded over the West Virginia hills bringing national attention to their plight. Craig Robinson, '66, a VISTA volunteer whom the Charleston Sunday *Gazette-Mail* said "easily blended in the mountain scenery and its ragtag inhabitants," was the catalyst who helped forge this movement which aroused the nation's conscience.

Dr. I. E. Buff, father of the movement, told the *Gazette Mail*, "This young man was our vital connection between the physicians, committee, and the miners. He is a rare American specimen."

Dr. Donald Rasmussen, in charge of the Appalachian Regional Hospital's pulmonary laboratory, who stumped the mining fields with Dr. Buff, said: "This guy has done more things behind the scene than anybody I can think of in the movement. Craig was in every situation, never runs out of energy and goes on all the time—and I remind you this guy was in on no less than three black lung bills." The miners are basically suspicious of outsiders but "they were touched by his absolute modesty and sincerity. This guy speaks only when spoken to and mostly listens. He sits back and lets somebody take credit."

Ellis Bailey, a 65-year-old disabled miner, recalled: "This boy comes in and helps me out in any way he can. He just drops in. He will feed chickens and do other chores and go away." Another miner, Charles Brooks, noted, "This young man gave the miners a lot of information they needed badly. He cared deeply for the welfare of the humble people, and the miners felt the same way about him."

Craig Robinson went to West Virginia at a time when it was more fashionable to club a VISTA volunteer's head than to help him. Some were jailed on dubious charges and others were beaten. The Appalachian Volunteers had already been dirven out of southern West Virginia's counties. Only a few diehard AV and VISTA holdovers stayed in the coal fields. Craig's first assignment was to get drinkable water for Lester, W. Va. During his stay there he had his first contact with the ravages of black lung. "I ran into human debris every day. You pick up a little bit all the time—their bitterness and helplessness—and when you live with miners, working and retired, you can't help but listen," he told the newspaper.

At a Disabled Miners and Widows chapter meeting soon thereafter Robinson saw a "pitiful group of broken men and destitute widows who were seeking the aid of someone with more leverage than they had over the process which had impoverished them. I told the leaders I would do what I could and began talking to former miners and studying the disease and the law." Robinson's shabby, gray four-room frame house in Stanaford, an old mining town, soon became a library on black lung. From studying the law and the disease Robinson concluded that there was no doubt coal dust was killing and maiming thousands of men and they were being systematically being denied compensation because of the "insidious mating of a loosely worded law and a compensation department which saw its role as that of protector of the coal companies."

Robinson's one-man mobile library began an effective run through black-lung country. While the Legislature was in session in early 1969 he became a traveling missionary speaking to local union meetings in Raleigh and other counties. "It was always my concern that miners wouldn't know what specific provision they must fight for and then be sold out in their unguarded moments."

Many miners were grievously ignorant about the specifics of their demands. "They became increasingly sophisticated as the session wore on and by the end they were informing me more, than I was them."

VISTA lawyer Richard Bank, who worked closely with Robinson, said that "He was the guy who put the doctors into contact with what had developed to be their constituency. Dr. Buff was the one around whom the miners rallied. Craig was a broker, a coordinator, who put things together and established means of communication with all miners groups."

Robinson stated simply: "I want to see improvements and I want to get involved. That's all. I've learned the importance of organizing. If I want to be aspiring to be anything I want to be an organizer."

His final evaluation: "My part in this movement is really quite small. I find that I learned much more than I passed on."

TESTIMONY OF DR. M. L. GOLDBERGER AND DR. S. D. DRELL BEFORE SUBCOMMITTEE ON ARMS CONTROL, INTERNATIONAL LAW, AND ORGANIZATION

Mr. CASE. Mr. President, on June 29, the Subcommittee on Arms Control, International Law, and Organization concluded a series of hearings on "ABM, MIRV, SALT and the Nuclear Arms Race." Our witnesses on June 29 were

Prof. M. L. Goldberger, of Princeton, and Dr. S. D. Drell, of the Stanford Linear Accelerator Center. Dr. Goldberger and Dr. Drell presented most interesting opening statements to the subcommittee. In order that Senators and other readers of the CONGRESSIONAL RECORD may have the benefit of the views of these two distinguished and experienced scientists, who were both until recently members of the President's Science Advisory Committee, I ask unanimous consent that their statements be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY BEFORE THE SUBCOMMITTEE ON ARMS CONTROL, INTERNATIONAL LAW AND ORGANIZATION OF THE U.S. SENATE, JUNE 29, 1970

(By M. L. Goldberger)

I am very pleased to have the opportunity to discuss with you today some of the issues associated with the proposed additional Safeguard deployment and more generally, problems of strategic weapons and arms control. I should state that I am testifying as an individual citizen who has been involved with defense matters in general for about fifteen years, and ABM, in particular, for the past ten years. The views I shall express are my own and do not necessarily reflect those of the various advisory groups I have been or currently am associated with.

There is very little which can be said about ABM and related issues which has not already been said in the sixteen months which have elapsed since the President's announcement of Phase I Safeguard on 14 March 1969. I have studied much of the testimony presented to this and other committees of the House and Senate and am struck by two things. The experts who testified against Safeguard emphasized the technical shortcomings of the system in tremendous detail, got into hairsplitting arguments over whether it took 1001 or 1234 Soviet SS-9 missiles to knock out Minuteman, whether the system would or would not work when needed, etc., and in general conveyed an unfortunate impression of complexity and controversy that seemed to be beyond the grasp of all but the technical sophisticates. In addition, they failed on occasion to distinguish sufficiently clearly between opposition to ABM in general as compared to opposition to Safeguard in particular. The proponents of ABM presented by the DOD to the various committees, in spite of explicit classified briefings which I know took place in certain cases, almost to a man avoided talking about the actual Safeguard system. The most charitable interpretation one can put on this remarkable fact is that they could not, as men of scientific integrity, defend the system that was being proposed. They concentrated instead on the Soviet threat, the intransigence of the Chinese, national determination, the virtues of defensive weapons as extolled by Mr. Kosygin, etc., but never, never on the relation of Safeguard performance to the actual or projected threat.

The oppopents of ABM, in my opinion, obviously won the debate but they lost the battle.

I want to state at the outset that I am not unalterably opposed to ABM under all circumstances. I did, however, oppose the decision of last year to proceed with Safeguard Phase I, I am not in favor of continuing the deployment at this time and am wholeheartedly opposed to the new Safeguard Modified Phase II deployment. I shall try today to put the technical and strategic-political issues involved in ABM deployment as simply and forcibly as I can. I want to associate myself completely with the technical presentation to this Subcommittee that has been made recently by my professional colleague, Professor W. K. H. Panofsky, and not emphasize these aspects too heavily.

Before I begin I wish to make a few comments on the testimony made to this Subcommittee by Dr. John Foster on 4 June 1970. According to the uncorrected verbatim transcript which I have seen, Dr. Foster referred to my membership on an ad hoc panel convened by him to advise the Secretary of Defense on the next phase of Safeguard ABM deployment. This panel, chaired by Dr. Lawrence O'Neill was reputed by Dr. Foster to have said that ". . . this equipment will do what the Department of Defense wants it to do." There is no such statement in the report nor could there possibly have been because of the charge to the panel. Although we had been told when invited to join the panel that we would be presented with the DOD recommendation for the new Safeguard deployment and that any objections we raised would be passed on to the Administration along with the recommendation, this did not in fact happen. Instead, when the panel actually met, we were asked to consider a number of deployment options that could be carried out within certain budgetary and schedule limitations. The only objective guidelines we had were the original goals for Safeguard that had been defined by President Nixon on 14 March 1969 which I'll discuss further below. The point is that since there was no specific deployment proposal presented to the panel and consequently no stated objectives, we could scarcely have concluded that ". . . this equipment will do what the Department of Defense wants it to do." Since the report is classified and a privileged communication to the Secretary of Defense I am not at liberty to discuss its actual content with you. I might also note in passing that among the other members of the committee beside Dr. Drell and me referred to in Dr. Foster's testimony, Dr. Richard Latter was actually an ex-officio panel member, one whose presence during our deliberations I never fully understood. The actual panel members who signed the report were Lewis M. Branscomb, Sidney D. Drell, Marvin L. Goldberger, William G. McMillan, W. S. Melahn, Lawrence H. O'Neill, and Allan M. Peterson. In summary, I would say that the implication in Dr. Foster's statement that the ad hoc panel had in fact concurred with arguments being presented by the DOD in support of the new Safeguard proposal is very misleading and by no means expresses the considerable spread of opinion among the panel members on this issue.

Let me turn now to my substantive statement. Our national policy is one of deterrence of nuclear attack by maintaining the ability to inflict an unacceptable degree of damage against any aggressors at any time during the course of a nuclear exchange and, in particular, after absorbing a surprise first strike. This so-called assured destruction capability must be a real one and must be credible if it is to work: The enemy must understand that it will be used against him without question in response to a large attack. That it doesn't do us much short run good to destroy the Soviet Union, for example, after we have suffered "unacceptable damage" is clear, but we must plan to respond and maintain the capability to do so. Certainty of suicide to an aggressor is the name of the deterrence game.

In the absence of meaningful arms control the United States must maintain an adequate deterrent force against any *plausible* projection of the threat from the Soviet Union or the Chinese Peoples Republic. We have this deterrent now and I will discuss later the extent to which it is or is not being eroded.

On 14 March 1969, President Nixon in a policy statement proposed the so-called Safeguard ABM system. The initial deployment was to be at two Minuteman sites (Malmstrom and Grand Forks) and the system ultimately would consist of 12 installations. The purposes of the system were:

1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.
2. Defense of the American people against the kind of nuclear attack which Communist China is likely to mount within the decade.
3. Protection against the possibility of accidental attacks from any source.

He said also that any completed ABM should not be interpretable by the Soviet Union as threatening to their deterrent capability and that this deployment decision should not affect adversely the chance of success in the forthcoming talks with the Soviet Union on arms limitation (SALT). He further acknowledges that U.S. strategic planners consider damage limitation in case of nuclear war an essentially hopeless strategy; prevention of nuclear war through a combination of deterrence and arms limitation remains our only real hope of survival in the nuclear age. Finally, the President stated that future deployments of Safeguard would be influenced by the evolving threat and by the new operational experience gained from the initial two site deployment.

I was very encouraged by these policy remarks in connection with SALT and the argument that the initial deployment of Safeguard, devoted as it was to Minuteman defense should not exacerbate the arms race since it in no way threatened the Soviet deterrent. I was, however, deeply discouraged by the fact that what we were being offered was a technically makeshift system that bore little relation to either the existing or projected threat or to the announced objectives it was to meet.

The bulk of the debate in the Senate centered around the threat to our landbased deterrent force (Minuteman), on whether the Soviet Union was building an offensive force of sufficient size to threaten our overall deterrent posture (referred to in the trade as acquiring a first strike capability) and whether there were technical deficiencies in the Safeguard system made up of components designed for an area defense but whose initial deployment was to defend two hardened Minuteman complexes. The reason for this emphasis on only one of three announced Safeguard objectives was probably due to the emphasis in the original testimony of Defense Secretary Laird on the growing Soviet threat to Minuteman. Although there were and are cogent arguments about the irrelevance of the Chinese defense aspect of the Safeguard system, this was never really aired during the Senate hearings.

We are now presented with what is called the Safeguard Modified Phase II deployment still aimed at moving toward fulfilling all three of President Nixon's objectives, all being regarded as equally important. The new deployment is described by Mr. Laird as "the minimum we can and must do . . . to fulfill the President's national security objectives." It is to add more missiles to the first two Safeguard sites and to proceed with defense of a third Minuteman complex at Whiteman Air Force Base in Missouri. In addition, preliminary work on five other sites is to begin.

It is perhaps worth noting that there has been no construction activity at the original two sites, no operational experience which was to guide the deployment expansion. Recent theoretical work has indicated that PAR performance would be so degraded by the nuclear explosion environment produced by both offensive and defensive missiles that its contribution to Safeguard performance is highly questionable. In addition, problems have arisen in connection with the computer which would seriously limit the systems ability to handle large attacks. I will return shortly to the question of the changing threat and to the bearing of the proposed deployment on SALT.

In trying to assess what is being proposed by the Department of Defense and the Administration I would like to introduce a mathematical characterization of the familiar concept of a sphere. It is a closed surface which looks the same to an observer no matter what angle he views it from. In this same sense, I assert that the original Safeguard deployment and the proposed expanded deployment is spherically senseless. It makes no sense no matter how you look at it.

Let's try looking from at least a few directions. If we find that we get nonsense from enough angles prehaps we can conclude that the system is indeed spherically senseless.

First, however, what is the Soviet threat? Mr. Laird has said that by mid-1970 the Soviets will have about 1250 land-based ICBM's and about 300 submarine launched ballistic missiles. The number of large SS–9's has increased roughly at the rate predicted last year although there are newspaper intelligence reports that there have been no new SS–9 complexes started during the past nine months. Nevertheless, this continued expansion of offensive forces is surely worrying and rather puzzling.

I'd like to speculate (which is really all anyone can do) about the SS–9 development. With its presumed 25 megaton warhead it may have been originally designed to destroy cities in the face of the old Nike-Zeus defense of ancient times. A more likely role was to attack launch control facilities at Minuteman fields, a purpose essentially foiled by our development of measures to ensure launch of individual missiles independent of the survival of the launch control facility. The next role for this essentially useless vehicle was heralded by the testing of SS–9's with three re-entry vehicles, each presumably capable of carrying a sufficiently large warhead to destroy a Minuteman silo. This would be a much more reasonable role for the SS–9, but strangely enough it now seems less likely that the Soviets are actually moving in that direction. Thus, although it is not unreasonable to assume that the Soviets would eventually develop a true MIRV capability, at the present time it still takes one SS–9 per silo attacked. It is perhaps worth remembering that we too went through the stage of going from one large warhead, the Polaris A–1, to the A–3, in order to improve our capability for penetrating crude terminal ABM systems. We obviously don't know why the Soviets are pursuing this continued SS–9 development. They, as do we, have an enormous excess of weapons over what is required for assured destruction. Perhaps it is not only us that are the victims of the "mad momentum of nuclear weaponry."

So much for the threat. Now what has Safeguard to do about it? It was widely and correctly argued last year that the Safeguard hard point defense composed as it was of the old Sentinel area defense components was unlikely to be very effective against a Soviet attack. The fundamental weakness of the system was the extreme vulnerability of the missile site radar, only one of which is at each defended Minuteman complex and the fact that there were only a very small (classified) number of defensive missiles to protect both radar and Minuteman. Clearly, this critical radar must be defended vigorously and it, in contrast to the hardened Minuteman silos, can be attacked by the very numerous SS–11 missiles which have a much smaller payload and less accuracy than the SS–9's. Now it has been stated by Secretary Laird that there is less expensive and presumably more effective (than Safeguard) technology for carrying out the hard point defense mission. Dr. Foster has also commented on studies of a new radar for a dedicated hard point system. Nevertheless we are being offered good old Safeguard.

Thus the Safeguard defense of Minuteman deemed highly vulnerable last year is being extended to a third site in the face of a larger Soviet force. The point last year was and continues this year to be the following: If there are enough highly accurate, large payload Soviet missiles to threaten Minuteman without any defense, the presence of the currently proposed hard point component of Safeguard is irrelevant. In fact, the only thing which has actually changed since last year is the serious concern that the PAR radar may not contribute anything to the system performance.

We conclude then that from the angle of defense of our land-based deterrent the current proposal makes no sense.

It is perhaps worth remarking that with increasing missile accuracy and conceivable projections of missile numbers (it is important to emphasize that I am here referring to what could happen—not anything about which there is any hard intelligence) even a serious hard point defense (as contrasted with Safeguard) might have only a limited lifetime. I, nevertheless, strongly support the idea of doing further research and, in particular, carrying out serious engineering studies of a dedicated hard point defense. There are, in addition, a variety of alternate basing strategies currently under study which might be the only realistic long range salvation for Minuteman survival.

There is something both reassuring and at the same time very scary about an undefended Minuteman force. The reassuring part is that the Soviets must always take into account the possibility that, no matter what public protestations to the contrary we might make, Minuteman can always be fired on warning of a massive attack. The scary thing is that fear of destruction could greatly increase the chances of all-out nuclear war by mistake or by panic.

Let us ask now whether it is conceivable that the Soviet Union can get a first strike capability against the U.S. even without our deployment of hard point defense in the 1975 time period (which is about as soon as we would mount a significant defense). A first strike capability for the Soviet Union would require that they have the ability to destroy all the Polaris boats, decimate the strategic bomber force (to say nothing of tactical aircraft carrying nuclear weapons) to such an extent that their air defense could handle the survivors, *and* knock out Minuteman completely. Remember that they now have no significant ABM defense installation. Remember also that if the bombers are attacked first by SLBM's the land-based missiles will be intact; if one attempts to attack the missiles by ICBM's and simultaneously hit the bombers, the latter can take off in the period between ICBM launch (with its thirty minute flight time) and SLBM arrival on target, a time interval of about fifteen minutes. This dual capability makes a first strike scenario sound implausible even without the existence of Polaris and may even raise questions of the need for Minuteman defense. Remember there is no intelligence information or any known technical invention that says that the security of Polaris is threatened. Such a threat would require an instant and reliable method to destroy all the boats simultaneously. Finally, remember what a fearsome thing even a single B–52 or a single Polaris submarine is. There is no such thing as a small penetration of a defense when we're talking about nuclear weapons. I don't know what it takes to deter a country but I sure wouldn't want to be in Moscow or Kiev if a few hundred B–52's were attacking.

I conclude from this argument that one cannot justify pushing ahead with the Safeguard defense of Minuteman with a sense of urgency on the basis of the Soviet Union acquiring a first strike capability in the 1975 time period.

I should say that there is a scenario which involves destruction of most of the bomber force and all but about one-fourth of Minuteman and then utilizes the elaborate surface to air missile systems in the Soviet Union, the so-called SAM's (designed for bomber defense), to cope with Polaris and the degraded Minuteman and bomber forces. This is at least the scenario which is used to push ahead with U.S. MIRV (multiple individually guided re-entry vehicles) deployment, the beginning of which was recently announced. It is considerations of this variety that seem to drive the arms race inexorably. It is impossible to prove that such a threat to our deterrent violates the laws of physics. But does it follow that a conservative military planner must credit the Soviets with the capability? Now this SAM upgrade threat is too complex a problem to discuss in detail here today. I would just like to present three brief arguments which to me point out the implausibility of threat: (1) The creation of a makeshift defensive system runs strongly counter to Soviet military practice. (2) The technical problems associated with inter-netting of radars and the computer and data handling processes involved in making this bomber defense into an ABM system are perhaps more complex than those we are having difficulty dealing with in Safeguard. (3) We are talking here about Soviet reliance on such a dubious system to give them a first strike capability against the U.S.

So much for the Soviet threat. How about the Chinese? The rationale for the Chinese defense has always been a difficult one for me to understand and I was very encouraged by the recent action by the Armed Services Committee of the Senate rejecting the anti-Chinese part of the current Safeguard proposal. However, experience has shown that arguments in favor of ABM have a curious resilience and I am not aware that the Administration has changed its position on the issue. Consequently I want to comment on the Chinese threat and Safeguard's relation to it.

We now have the capability to attack China without fear of nuclear retaliation. It is *possible* that the complete 12-site Safeguard deployment could extend this capability for some unknown but limited period of time after she gets ICBM's. However, the Chinese will be designing their offensive missile force in the face of our emplaced system whose operating characteristics will be precisely known. Since they are not noted for their stupidity, they will in all probability take steps to counter the defense by the use of penetration aids, or circumvent it entirely by, say, attacking Hawaii if they just want to kill people or using aircraft or ships to attack West Coast cities with nuclear weapons.

There seems to be something wrong about the U.S. spending $12 billion or whatever the number is to purchase a defense against a non-existent Chinese ICBM threat. Once this threat develops, there is no reason to believe that any ABM defense we build *could* be "virtually infallible." Suffice it to say that not every defensive missile can be perfectly reliable—there is always a good chance that some missiles will simply leak through. Note also that the area defense against China is of no value until the full country-wide deployment is complete. It should also be said that the area protection to population centers provided by Safeguard is not as good as that of the old Sentinel deployment. Location of the PAR's and Spartan-Sprint farms near cities in Sentinel made it more effective. This is the inevitable price of trying to build a dual purpose system—it is maximized for neither the hard point or area defense role. Finally, the idea of a blackmail threat by China in the face of our overwhelming forces seems extremely far fetched. I would hope that our concept of a low profile in Asia does not consist of trying to maintain a first strike capability against China forever.

I conclude that the Chinese argument for ABM deployment makes very little sense. The senselessness is becoming more nearly spherical.

Now we argue that defense of Minuteman should not be provocative to the Soviet Union because it does not threaten their deterrent. I agree. But how about a full scale area defense with a really substantial number of missiles? This must necessarily give the Russians pause. Consider our reaction to their miserable ABM around Moscow. If they think their deterrent will fall below whatever level they have decided upon, they will increase their offensive force. It is unlikely that we would not respond in kind. This is a virtual cost which should be added to the $12 billion. Thus from the standpoint of not provoking the Soviet Union, the present deployment, as a first step towards the full area defense, doesn't make much sense.

The last angle from which I want to view the latest Safeguard proposal is in its relation to the SALT talks. It has been reported in the press that the Soviets have expressed considerable concern about our proposed ABM deployment. It has been also stated frequently that our decision to go ahead with Safeguard gives us an important "blue chip" to be used in the negotiations. For example, in the discussion following Dr. Foster's 4 June statement to this Subcommittee he argued that it was important to go ahead with Safeguard at this ime because the Soviets would not be inclined to limit ABM deployment by agreement if they can get the same advantages without one.

I am not an expert on Soviet psychology or on negotiations so I won't speculate on the validity of this agrument. A similar question, of course, arises in connection with our beginning MIRV deployment, another conceivable "blue chip." In connection with Safeguard, however, we should not insist on deploying an ineffective system just for bargaining purposes. Safeguard should stand or fall on its own merits. Should a SALT agreement be reached which precludes ABM it is certainly just as easy to stop building or tear down an effective ABM system as a defective one.

Finally, in connection with SALT, I would be very concerned about our insisting on going ahead with a full area anti-Chinese defense. In an agreement, the corresponding Soviet area defense would allow the disposition of many large radars over the Soviet Union which could then add considerable credence to upgrading air defense or clandestine missile defense deployment issues. This in turn would drive the U.S. to a position of having to make a full deployment of MIRV's in order to maintain our deterrent. And so on.

In plain language, this would be a continuation of the arms race, an escalation to a new level of danger, a new level of instability. Such a conclusion from SALT would be the ultimate in senselessness.

I conclude that the Modified Safeguard Phase II deployment proposal is indeed spherically senseless. What then should we do?

1. We must make an all-out effort to achieve at SALT an agreement which will limit offensive weapons at what now appears to be a condition or rough parity and ultimately and hopefully lead to a reduction from the present levels. No actions should be contemplated at this time which would endanger this opportunity to finally bring the arms race under some sort of control. I would personally have hoped that the deployment of MIRV would not have begun, but I am encouraged by the Administration's expressed willingness to stop it under an agreement. I would also argue against any substantial ABM deployment proposal which might then tend to threaten the level of offensive weapon ceilings.

2. Under no circumstances should the Modified Safeguard Phase II deployment go forward—*it makes absolutely no sense.* It would be consistent then in connection with the recent conclusion of the Armed Services Committee to abandon the anti-Chinese area component of the new deployment to, in fact, stop the deployment of Safeguard Phase I entirely. This was not a conclusion of the committee, but there is a widespread consensus that if the defense of Minuteman were the principal function of Safeguard its deployment cannot be justified.

3. In the absence of a meaningful SALT agreement there are a number of alternate courses which should be followed.

(a) Protect Minuteman by a realistic, dedicated, hard point defense involving a large number of small hardened radars and a substantial number of defensive missiles per Minuteman complex.

(b) Develop alternate basing strategies for Minuteman.

(c) Study the possibility of developing an ABM defense of the National Command Authority—Washington, D.C. Such a deployment should not be provocative in view of the Soviet ABM installation at Moscow and has a number of attractive features to it.

(d) Study the possibility of total reliance on Polaris (or an improved sea-based system) and our bomber force, the latter augmented by a new bomber.

4. Under any circumstances continue active research programs on offensive and defensive weapon systems.

Let me conclude with a few general remarks. It would be reasonable to believe that the profound qualitative change in strategic warfare brought about by nuclear weapons technology would have resulted in a complete rethinking and re-evaluation of both strategic arms postures and arms control. In spite of the fact that we have been living with nuclear weapons for a quarter of a century there is little evidence that any reflection of this change has penetrated very far into the thinking of military strategists or world leaders to say nothing of the man on the street. The unbelievable wastefulness of the strategic and tactical arms race between the United States and the Soviet Union is mute testimony to the absence of thought and surely one of the great tragedies of all time. One sometimes gets the feeling that one is watching an unfortunately deadly serious soap opera with a completely ridiculous plot. One can only hope that it will be resolved in some future episode by real statesmen talking to each other. Perhaps the U.S. Senate will show the way.

To quote Robert MacNamara (in his speech of 18 September 1967, with a trivial modification of dates), "In the end of the root of man's security does not lie in his weaponry. In the end the root of man's security lies in his mind. What the world requires in the 25th year of the Atomic Age is not a new race toward reasonableness. We had better all run that race."

TESTIMONY OF S. D. DRELL

It is a privilege for me to have this opportunity to testify before you concerning the Administration's proposed expansion of the Safeguard ABM system. I speak here as an individual scientist who for the past ten years has served actively in various capacities as an advisor and on working panels for the White House, the DOD, and ACDA.

Included in these activities have been numerous reviews of strategic problems and weapons systems such as ABM and MIRV. Dr. John Foster, DDRE, in his testimony before your Subcommittee on June 4, 1970, introduced my name as a participant in one such study[1] that he initiated for the purpose of advising him on various possible Safeguard ABM programs for FY 1971. I want to comment specifically on this study at this point because Dr. Foster's remarks indicate that we made recommendations which in fact we did not make. Dr. Foster remarked during his testimony that ". . . the report was sent to the Secretary of Defense, and what it said was that this equipment will do the jobs that the Department of Defense wants to do." *That is an incorrect statement.* The report of the O'Neill Committee contains no such far-reaching conclusion. What we did say in our report is classified SECRET and therefore I cannot elaborate further here. I can say, however, that we were not presented with any one proposed program or specific deployment plan to analyze, endorse, or criticize. What the O'Neill panel was asked to do was simply to present its opinions about various proposed programs *based on the assumption that the President and Congress, after review, decided to continue to approve the obligating of additional funds for ballistic missile defense.* We were specifically not asked to judge the wisdom of such an assumed decision nor were we asked to advise on a sensible or desirable level of the additional funds. We made no recommendation about whether or not to expand or even to continue Safeguard deployments.

Also in his testimony, Dr. Foster remarked that "they had some recommendations and, for example, they would like to add the smaller radars, a decision we had already made or at least they concurred in that decision." Along with most supporters as well as opponents of the Safeguard program we did indeed support the work on further development of the technologies based on smaller radars for an effective hard point defense of Minuteman—but the question of whether these are to be *added* to Safeguard hardware or are to *replace it entirely* for accomplishing this mission was not addressed. I want it to be absolutely clear that I do not intend in any way to impugn Dr. Foster's integrity by these remarks. He has many very important responsibilities and it is not at all difficult for me to imagine that after a 6-month time lapse he does not have an accurate recollection of what this report said. I think it was a healthy step for the Department of Defense to invite in outside critics to comment on their plans before recommending a program to the President.

I. SAFEGUARD MISSIONS

In facing the question of whether or not to support the plan for expanding the Phase I deployment of Safeguard to the modified Phase II announced by Secretary Laird on February 23, 1970, we must ask the following:

(1) Do we need it and, in particular, do we need it now?

(2) Will it accomplish the mission it is assigned?

(3) How will it affect the Strategic Arms Limitations Talks (SALT) in Vienna where the U.S.A. and the Soviets are now engaged in the vital attempt to stop the nuclear arms race that is a major tragedy of our times?

Each of these three questions is very important. Just as we must maintain an effective, survivable and credible deterrent force vis a vis the Soviet Union so must we stop, as soon as possible, the extremely wasteful and dangerous nuclear arms race with the Soviet Union. However I will emphasize in my testimony the second of these questions—or what job will it do and at what cost? This is the question with the highest technical component and is therefore the easiest one to come to grips with. In contrast, our assessments of the Soviet threat and the risks we should be willing to take for peace in an arms control environment not only involve an inherent uncertainty of the present Soviet capabilities, but must also reckon with Soviet intentions for 5–10 years into the future which is a weapon's system development cycle. But the issue of whether the Safeguard ABM system will do the job can be met head on, on technical grounds, and it is on these grounds—which are the simplest ones according to Albert Einstein who remarked once that "Politics is much harder than physics"—that I want to analyze its engineering inadequacies.

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[1] Chaired by Dr. Lawrence H. O'Neill, President, Riverside Research Institute, and Professor Electrical Engineering, on leave of absence, Columbia University.

Much of the Congressional debate last year centered on the growing Soviet threat to Minuteman and whether or not Safeguard could be supported for this mission on technical grounds. This year we are very much in the same position. The Soviet threat continues to grow in numbers of ICBM's and missile submarines. In his speech of April 20, 1970, to the Associated Press, Secretary Laird stated that we shouldn't rely only on the Polaris submarines for our retaliatory force, but should also defend part of our land-based retaliatory force. In his words: "That is a major part of what the proposed minimal addition to the Safeguard defensive program is designed to do." I strongly endorse Secretary Laird's emphasis on maintaining the survivability of our retaliatory forces in the face of a growing Soviet threat. Senator Stennis expressed the same emphasis in reporting the action of the Senate Armed Services Committee in killing the anti-Chinese thin area defense portion of the Safeguard program for FY 1971. He remarked that "I'm really concerned in preserving our deterrent . . ." and commented that the majority of his committee ". . . didn't think it was necessary now . . ." to add the area defense, that the Chinese threat was ". . . not immediate".

XUM

I particularly welcome this action of the Armed Services Committee striking out the anti-Chinese argument for ABM. Starting a thin area defense against China at this time may have the effect of constraining our SALT options, in particular by removing the possibility of zero ABM. I say this because I am troubled by the prospect of justifying to the American people an ABM expansion for its anti-Chinese capability and then negotiating with the Soviets in SALT to give it away. I am very pleased, and I strongly endorse President Nixon's statement that all our systems are negotiable in Vienna, and I hope they will so remain.

I would add in particular that there are technical limitations to a pure area defense of population centers such as provided by the full Safeguard Phase II plan. I believe these limitations preclude it from providing against China what President Nixon called a "virtually infallible" defense in his press conference of January 30, 1970. The President indicated that this capability was desirable in order to enable the U.S. to follow a "credible foreign policy in the Pacific areas." [2]

So we ask again, does Safeguard have any significant potential for countering the growing threat to our land-based retaliatory forces, the SAC bombers and Minuteman missiles? Or are there other steps for protecting these forces that are less sensitive to the specific model of the threat, that can be implemented with more rapid response times, and that are less expensive for a given level of protection? To me defense of our land-based retaliatory force is the crucial mission against which to measure Safeguard's capabilities and I am happy that the Senate Armed Services Committee agrees with me on this point.

Consider first the SAC bombers which form one component of our land-based deterrent. The expanded Safeguard deployment through its long range Spartan missiles plus some improved Spartans with longer ranges and smaller warheads that are now under design will afford some protection for SAC air fields against attack from the growing Soviet submarine based threat. *Technically* this argument may be sound although penetration aids associated with the incoming warheads can defeat the system. However, *strategically* a sea launched attack against SAC air fields is not realistic on grounds of the required timing for such an attack. If Soviet submarines are to launch an attack against SAC air fields before the land-based Minuteman force is destroyed, then Minuteman, as well as the Polaris/Poseidon force could be launched in retaliation. If an attack against Minuteman is launched before the bombers are attacked, then available warning times will be adequate to get the majority of SAC bombers off the ground before the SAC air fields can be attacked by submarine.

Moreover, an effective and more straightforward program to relocate some of the SAC aircraft in times of emergency to numerous subsidiary air fields removed from the submarine threat is currently in active progress. Let us turn next to the defense of Minuteman.

II. SAFEGUARD AS DEFENSE OF MINUTEMAN

I have little doubt that the present land-based Minuteman force *coud be endangered* by evolution both in numbers and quality of the Soviet missile threat sooner or later unless arrested by SALT. I conclude from what we now know that at this time we do not face a threat to the survival of our land-based deterrent. I believe all concur on this point, although selective declassification by the Pentagon in recent months has appeared to attempt to raise false threats of a Soviet first strike plus ABM capability to defeat all components of our strategic forces. However it is technically feasible for such a threat to become real after four years or so unless halted by SALT. Of course whatever may be the fate of Minuteman, we have the other two components of our retaliatory forces to count on—the Polaris/Poseidon submarines and the SAC bombers. Individually each of these forces is in principle adequate to provide the deterrent capability. However at least until SALT opens major new directions of policy I believe it is important to retain each of the three components of our deterrent force and so I ask whether Safeguard can accomplish an assigned mission of protecting Minuteman. Is Safeguard responsive to the projected or postulated threats?

My answer in substance is no. There have been extensive studies, and I believe it is fair to say that all now recognize that Safeguard even working perfectly, and with a full nationwide Phase II deployment costing about $10 billion can be effective in preserving 300 Minuteman missiles, which is deemed adequate as a retaliatory force, against only a very narrow band of models of an assumed Soviet strike. Against lesser threats it is not needed and against greater threats it is ineffective.

The trouble with Safeguard for *"hard point defense"* of the Minuteman system is that it is built exclusively of radar and missile components that were engineered for a *city defense* in the old Sentinel system. These radars and missiles have not been re-engineered or technically altered in any way whatsoever to accomplish their new mission. They have simply been designated for deployment at different geographical sites and have been directed, by a policy fiat, to defend Minuteman in addition to providing the thin area umbrella against a Chinese attack or an accidental launch. However it is the mission of a hard point defense to degrade or destroy partially the incoming missile attack by making low altitude intercepts at short range from hardened, blast-resistant targets. To accomplish this mission it makes use of the atmospheric drag to help sort out the incoming warheads from space junk accompanying them. A city defense, on the other hand, must *totally* remove, not simply degrade, the threat by high altitude intercepts at long range above most if not all of the atmosphere, where no sorting of warheads from space junk is possible. Only then can it protect the city, which is a soft, high value target, from destruction.

For a city defense to have any effectiveness at all large, sophisticated, and expensive radars are required. However these radars when used in the hard point defense role become themselves the expensive, high priority, and vulnerable targets. In this case there is the gross mismatch of a few very expensive, very sophisticated, relatively vulnerable radars defending many missiles that are hardened and relatively cheap. In Phase I of Safeguard there are two long range perimeter acquisition radars (PAR's) and two missile site engagement radars (MSR's), one each for the defense of a wing of 150 Minutemen. The proposed step of extending Safeguard being considered this year calls for one more MSR for defense of an additional wing.

As the system has now evolved, there is grave doubt that the PAR will serve any purpose for Minuteman defense beyond that of supplementing other existing or planned systems that provide early warning of an enemy attack. There are two reasons for this. In addition to computer limitations in digesting information provided by the PAR and incorporating it into the engagement itself, recent studies have shown that the radio waves from the PAR are severely bent by the ionosopheric disturbances accompanying high altitude nuclear bursts such as the detonation of an incoming ICBM (precursor burst) or of a defensive Spartan interceptor. This effect is due to the fact that the PAR must have a relatively low frequency in order to see incoming objects at very large distances beyond 1,000 miles. The PAR performance is therefore seriously degraded in a nuclear environment, a point that is also of great importance in discussing the penetrability of the anti-Chinese umbrella.

This, then, leaves it up to the MSR only to accomplish the mission of Minuteman defense. One very expensive $200 million MSR that is relatively soft and vulnerable is the "eye" without which the entire defense of a Minuteman wing of 150 missiles is blind and would fail catastrophically. This vulnerability of the MSR is in complete contrast to the entire philosophy of the Minuteman system of having many hardened aim points—the silos and launch control facilities—no single one of which is crucial for the system's operation. As we argued above the reason for this lies in the historical roots of the Safeguard as the reoriented Sentinel city defense.

Based on the correct technology a hard point ABM defense need not have such a critical vulnerability. There is a qualitative difference in the distance scale of operation for a hard point defense as contrasted with a city defense that can be seen from the first chart. The dimension of the "keep-out volume" helps determine the necessary radar capabilities. Against an incoming 5MT warhead, corresponding to the yield of one of the SS–9 triplets, intercept must be accomplished beyond a range of 10 miles if the blast overpressure is not to be allowed to exceed 3 psi which will destroy wooden or rigid steel-frame buildings in a city. However such a blast can be allowed to occur as close as about 1 mile from a hardened Minuteman silo. This change of required intercept distance by a factor of about ten means there can be a very great simplification of the radar for hard point defense—it need not react as fast nor see as far nor sort as many objects.

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[2] A more detailed presentation of my views on the value and technical limitations of a thin area defense against China or against an accidental launch can be found in my testimony before the Defense Subcommittee of the House Appropriations Committee on May 6, 1970.

In addition to its vulnerability to catastrophic failure the Safeguard system is also ineffective for maintaining the Minuteman component of the deterrent even if it works perfectly as designed. I say this for two reasons:

(1) Safeguard is effective against only a very narrow spectrum of threats. This is best illustrated by the following chart, presented to this committee earlier and prepared from open information. It shows that Safeguard can protect a deterrent force of some 300 Minutemen against only a very restricted extrapolation of the present Soviet missile threat to a level of about three times its present capability. There is no firm intelligence information distinguishing which path on this chart along which to extrapolate the threat.

(2) Safeguard is roughly an order of magnitude more expensive per Minuteman successfully defended than would be the cost of purchasing more Minuteman or Poseidon firepower should the threat grow at a greater than present rate as indicated. This can be read directly from the graph. The estimated cost of the Phase II–A program is roughly $7 billion. If it protects something like 100 or so additional Minuteman missiles this works out to an expense of $70 million per Minuteman defended successfully. In contrast the cost of a Minuteman III missile is roughly $8 million.[3] Not only is the cost per silo defended many times the cost of each Minuteman saved, but it also exceeds the cost of the enemy missiles that could be intercepted with confidence.

It makes matters even much worse for Safeguard's calculated capability to protect Minuteman if we now take into account fully the vulnerability of the missile site radars that conduct the engagement—i.e. the MSR's—if they themselves are attacked. The MSR is much softer to blast than the Minuteman system it is defending. This means that the Soviets, in order to totally defeat Safeguard, need only target against the MSR's some of their 800 presently available smaller and less accurate SS–11 missiles which have no counterforce capability against our own ICBM's.

Clearly if the arms race with the Soviet Union continues or accelerates we will want to turn to other programs if it is decided to maintain a land-based component of the deterrent force. What we need is a program or a mix of programs that can be implemented with shorter lead times, if needed, than the 4–5 years for initial Safeguard capability and that can also respond to a more extensive Soviet build-up of a counterforce capability should SALT fail. Increasing the size of the offensive ICBM force would be just one possible step—and it is one that can be implemented at lower cost as we have just illustrated, and with a shorter lead time if needed. Other possibilities that have been studied include super hardening of the silos or creating more aim points by dispersal of a missile into one of several possible launch positions—i.e. the mobile garage concept. There is in addition the alternate technology of many small radars for providing an active, truly dedicated hard point defense of Minuteman silos. Another option could be to go to sea with more Polaris/Poseidon boats or with a new longer range SLEM force.

There now appears to be a recognition of these blunt facts in the Pentagon that can be seen when we compare this year's and last year's statements on Safeguard effectiveness.

Thus in 1969 we were told by Secretary Packard in Congressional testimony that there was "no feasible substitute for Safeguard," and that authorization of Phase I will show the Soviets we "will protect our retaliatory forces now and in the future and do it effectively." In 1970 we are told that should the Soviet threat continue to grow it will only be the "nucleus" of a Minuteman defense, to be supplemented by a true hard point defense (HPD) with many cheaper, smaller, simpler, and less vulnerable radars—i.e. to be supplemented by a newer system that is cheaper and more effective.

Why have things changed from 1969 to 1970? In fact if it is admitted that, as a Minuteman defense, Safeguard will be only a nucleus to be supplemented by a dedicated HPD, why do we need the Safeguard at all? I don't believe we do.

It has been shown conclusively in a number of studies that a truly dedicated, integrated hard point defense system based on the engineering concept of many small radars can be built. The technology exists now for doing this. Such a system would in fact be more effective and cheaper than Safeguard for insuring survival of Minuteman against possible attack in the near future. Against various models of an extensively growing Soviet threat to Minuteman, in the event of a failure of SALT, one can deploy such dedicated systems at a much lower cost than required for a proliferated Safeguard deployment to provide the same protection.

Moreover such a system would avoid the major problem of developing the computer programs for conducting the engagement with the MSR's. Work on these programs has proceeded satisfactorily during the past year, as reported by DOD, but it remains the pacing item for Safeguard deployment. It also severely limits the maximum size of the attack, including both real warheads and decoys, that Safeguard can track and engage at any one time.

Last year I was opposed to initiating deployment of Safeguard for the technical reasons enumerated. I recognize of course that that decision has been made and the program is now making good progress, with some on-site ground diggings recently begun. One major argument for last year's deployment decision as stated by Secretary Packard in testimony before the House Armed Services Committee on April 6, 1969, was that this is a very complex system and actual operational sites are needed to learn how to put together the complex computer and radar components into an actual operating system.

Today I am here to oppose strongly the proposed expansion not only because of the known technical inadequacies but because, in fact, we have yet to gain any of the experience motivating the Phase I decision that was promised as part of a phased deployment program. At this time no equipment is in place, no parts of the system are complete, and indeed its operating capability under a major attack is still under study. What then have we learned to support the expanded deployment?

All analyses of which I am aware make it clear that if defense of Minuteman is the principal or sole mission of Safeguard, its further deployment cannot be justified. As I hope to have convinced you, it simply fails to respond to the Soviet threats postulated by the Pentagon, and furthermore it is not cost effective. What I recommend is moving ahead vigorously with the development work on alternative technologies that we know at present can perform the hard point defense more effectively and economically in the mid to late 1970's, if needed.

PEPPERDINE COLLEGE INAUGURAL ADDRESS BY DR. WILLIAM BANOWSKY

Mr. MURPHY. Mr. President, I had the pleasure of participating in the dedication ceremony of Pepperdine College's Malibu Campus on May 23.

Dr. William Banowsky, founding chancellor of the Pepperdine College's Malibu Campus, gave the inaugural address and I would like to ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A SPIRIT OF PLACE

(Inaugural address of Dr. William S. Banowsky)

Today we dedicate this new campus in the midst of the saddest semester perhaps in the history of American higher education.

In recent days, the issues which rend and tear our nation have focused upon the college campus with terrible force. Six students have died in the violent clash of consciences; campus scenes of tear gas and bayonets are often featured on evening telecasts; scores of colleges have been closed. As polarization accelerates, voices on both sides of the confrontation warn that the worst is yet to come.

Why is our nation seeming to come apart at the seams? Whatever happened to the great American dream? When one surveys the years between 1900 and 1970, the despair arises over the vast difference between where we now are and where we were supposed to have been by now. Our century started on such a high note of optimism. Men were saying that just given a little more time and education and all the problems which plague mankind would be solved. On my shelves, for instance, is a book, published in 1907, which conclusively proves that war is a relic from man's barbaric past that will never again be necessary.

THE CULT OF PROGRESS

And the magic carpet which was to carry us to this utopia was education. More even than in the promises of religion, twentieth century man placed his confidence in the efficacy of education. And perhaps the high priest of this cult of progress was the brilliant educational philosopher, John Dewey.

But the glorious American dream seems now to have become a nightmare. Historians may one day express amazement that the optimistic credo of John Dewey was written in the same century with the pessimistic musings of existential philosophers such as Jean Paul Sartre or Albert Camus. Sartre's said dictum is that, "There is no escape from the human dilemma." Today the boys who will die in Vietnam are the grandsons of men who marched off in 1917 to fight the war to end all wars.

When one considers how much confidence our society has placed in education, one understands why we are now disillusioned with the whole process. Education has not come through on its lofty promises. On one hand, the students complain of the bigness, the irrelevance, the impersonality of the educational establishment; on the other hand, the older generation looks on in bewilderment, frequently attributing the problem to permissiveness and compromise by those in authority. But on one thing everybody is agreed: something is wrong in higher education.

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[3] Before the Defense Subcommittee of the House Appropriations Committee on November 17, 1969, Secretary Laird provided the cost figure of $2.5 billion for placing 300 new Minuteman III missiles in silos, complete with all required support equipment. For a new Poseidon boat of 16 missiles the cost is $250 million or roughly $15.5 million per missile. Conversion of existing Polaris boat is less expensive.

XUM

WHY ANOTHER COLLEGE?

There is, of course, nothing new about problems, and our generation would be naive to imagine that all of our challenges are novel. What causes our particular futility is the realization that after half a century of the most extensive program of mass education in all history, and after building more than 2300 colleges and universities, we are yet agonizing over the same, ancient human problems.

Why, then, start another college? Why have we chosen to launch this ambitious new project at the very time when some would advise retrenchment?

It is because we do not plan to build just another college. The distinctive institution we envision will minister directly to the central human questions, hence to the basic challenge of our day.

Perhaps we have not chosen this time so much as the time has chosen us. For the contribution we seek to make can best be described in terms of the two basic convictions we hold about liberal arts education. First, that it must be *value-centered;* and secondly, that it must be *person-centered.*

THE VALUE VACUUM

Much of the business of education has been conducted in what might best be called a value vacuum. Understandably upset by the past excesses of religious sectarianism, academe has adopted a stance of detached neutrality. Eschewing value judgment as too subjective, professors have often envisioned their tasks as simply "sticking to the facts."

The result has been a serious confusion in the area of values—the very area that matters most. This confusion has produced a loss of meaning that threatens every aspect of society, particularly by undermining zest among the young, where zest for life should be strongest. America's youth is wondering why doing this is any better than doing that, or why doing either one is any better than doing nothing at all. Sadly, suicide is now the second highest cause of death among American college students.

Young people are asking what relevance the facts and dates have to the ultimate issues of life and death. Millions now militantly question the possibility, in the pursuit of knowledge, of any such detached neutrality. One less graphically to be learned from the campus turmoil is that education cannot be dispensed like so many goods across the counter.

A RICH TRADITION

We are determined to bring together on these hills a community of scholars who hold distinctive spiritual beliefs. Since its founding in 1937, Pepperdine College's deepest convictions have always centered upon spiritual realities. As we create this new campus at Malibu and expand the Pepperdine dream toward University status, we commit ourselves anew to value-centered education. While the waters about us churn with confusion, there has never been a time in which we have been more certain that the course of Christian education was the right course for Pepperdine College.

In taking this position we stand in a rich tradition, stretching back to the very earliest times in America. In 1638, over a century and a half before the founding of this nation, America's first college was established at Cambridge, Massachusetts. Significantly, it was a small, liberal arts, church-related institution. Following Harvard, seven of the eight colleges founded in colonial times were Christian institutions of higher learning. For instance, Kings College, later to become Columbia University, placed an advertisement in the New York newspapers in 1754 stating: "The chief thing that is arrived at in this college is to teach young people to know God in Christ Jesus, and . . . to train them in virtuous habits . . . as may render them credible to their families, ornaments to their country, and useful to the public weal in our generation."

But, in time, many church-related colleges began to drift from these founding purposes. This erosion was one reason which motivated George and Helen Pepperdine to found a Christian college in central Los Angeles. Thirty-five years ago, on a day much like this one, Mr. Pepperdine said in his founder's statement: "If we educate a man's mind but do not educate his heart, we make a dangerous man."

ADVANCING THE CHANGELESS

Mr. Pepperdine was a lifelong member of the Church of Christ, and we are especially grateful for our fraternal relationship with this religious group. Although we are completely independent and under no church board, these non-denominational congregations form our closest constituency. And unlike the pattern of most church-related colleges, in our era of growth and expansion we intend to strengthen, not loosen, these ties with our own brethren.

But as we unashamedly put Christian values at the heart of the whole educational process, we will resist any sectarian spirit. We will do nothing to stifle full and open academic inquiry nor shall we pose as an institution which knows all truth. What we affirm is that while our vision of truth is always limited, ultimate truth actually exists. We affirm that the universe is undergirded by an objective moral order. We will continue to keep pace with change; but our main purpose, in this place, will be to discover what is not changing. And our central conviction has been, is today, and will be that Jesus Christ is the same yesterday, today and forever.

THE PERSON-CENTERED COLLEGE

Secondly, we will bring into life, at this place, a type of education which focuses personal attention upon each student as an individual. The central crisis in our time is a crisis in the quality of life for the individual. Man is steadily being dehumanized, and the process is nowhere more apparent than in our mechanized, impersonalized approach to education. Who doesn't sympathize a bit with the student carrying the protest poster: "I am a human being; please do not fold, spindle or mutilate."

It was Jesus' idea that one person is of greater worth than all the material world combined. In that spirit we shall enroll each student as a sacred trust. There is in our complex age clearly a place for the multiversity, with its research orientation, massive student body, and specialized faculty. But there has perhaps never been a greater need for the small, person-centered college.

Throughout American history, such colleges have produced more than their proportionate share of outstanding leaders in science, politics, business and religion. Surely there is something powerful about an academic atmosphere in which a professor knows the students personally and is personally known by the students; in which he is available to the students, not only as a lecturer, but as a person.

I am frequently asked how colleges like Pepperdine avoid some of the problems now confronting higher education. The secret lies in the faculty, who know and are with the students daily, and who, by giving a high degree of personal attention, let off the pressures before they build to a breaking point. The exciting thing to happen in this place, then, will be the thing which happens to the students. We are by no means fed up with today's students. In fact, we are building this new college in large measure because of our faith in young people.

Our commitment to *values* and *persons* is more than a creedal statement. We know that we will eventually be judged in terms of practice. Thus even in matters such as the design of our buildings and the details of our curriculum, this philosophy has been central. Our curriculum, built along interdisciplinary lines, has been carefully conceived with the unity of knowledge presupposed. The faculty offices will be constructed in such a way that warm, interpersonal counseling can occur. Most importantly, our selection of personnel, both in the past and in the future, will fulfil our commitment to value-centered and person-centered education.

THE SOUL OF THE COLLEGE

And so, what we hope to build is much more than a beautiful campus. It will, as you can sense, be that. But if that is all we shall have accomplished, we shall have failed. What we hope to create here, in these hills, is *a spirit of place.* A place where minds will be opened, where lives will be changed, where lasting relationships will be formed. A college is, after all, something like a human being in that both must have a soul of some kind. My deepest concern, in this hour of dedication, is for the soul of the college.

I would like, in the final analysis, for our work to be judged on the basis of what we have believed, and on how we have put that faith into action.

It is in this spirit that we hallow this ground and accept this challenge. These historic acres along the rim of the Malibu will, from this day, never again be the same. From this day forward let it be known that in this place, "We look not at the things that are seen, but at the things that are unseen; for the things that are seen are temporal, but the things that are unseen are eternal."

THE FOURTH OF JULY CELEBRATION

Mr. DOLE. Mr. President, on July 4 thousands of our fellow citizens will gather in Washington to praise America. It will be a patriotic celebration honoring our country, our flag, and our history as a free, peace-loving Nation.

Members of all segments of the legitimate political spectrum will be represented. Their message will be a common one—transcending differences of opinion of how to end the war, inflation or poverty. Democrats and Republicans, liberals and conservatives—will unite to celebrate the founding of this Republic.

This spirit of unity is appropriate. For it is this overriding unity that has made this Nation the greatest bastion of freedom the world has ever known.

On Independence Day Americans will demonstrate their support for our democratic processes. We will ignore the feeble attempts of the radical left or reactionary right to distract the citizenry. For this year Independence Day will demonstrate to the world the solidarity of the American resolve to maintain peace and freedom in the greatest Nation on earth.

INFLATION AND EARLY WARNING GUIDEPOSTS

Mr. GOODELL. Mr. President, the twin evils of inflation and unemployment march forward in locked step.

Today, I would like to speak of one of these evils—inflation. Later, I shall address myself to the other—unemployment.

XUM

I. BASIC APPROACH

I believe the time has come for the Federal Government to adopt an activist policy in moderating wages and price increases in the basic industries of our economy.

As part of this activist approach, I recommend the establishment of a system of "early warning guideposts." As their name suggests, these should provide labor and industry with advance notice of what levels of wage and price increases would be regarded as potentially inflationary. They would, however, be much more flexible than the Kennedy-Johnson guidelines. They would seek to take full account of variations in productivity and other economic conditions among different industries. They should be fashioned, not as regulations to be automatically applied, but as guides to assist the private sector in wage and price planning.

I also recommend that the Federal Government bring its resources of persuasion and bargaining power fully to bear in seeking to prevent further wage and price escalation. Government should provide a direct input into the early stages of wage and price decisions, rather than waiting to review these decisions after the fact. Extensive use should be made of informal techniques of persuasion and mediation. Use should also be made of the Government's considerable leverage as a major purchaser of goods and services from the private sector. Where informal techniques fail, the force of public opinion should be enlisted by publishing the names of individual firms or unions that are responsible for inflationary wage or price increases.

In his address to the Nation 2 weeks ago, President Nixon made a tentative first step toward involving Government more directly in wage and price decisions. I am gratified that he has taken this step. The program he described, however, lacks muscle. It lacks the force and vigor that are needed to bring the inflationary spiral under control.

II. THE EFFECTS AND CAUSES OF INFLATION

INFLATION'S DESTRUCTIVE EFFECTS

After 7 years of relative price stability, prices started their upward spiral in 1965, the first year of the war. Since then, the consumer price index has risen from a 1958–64 average of 1.2 percent per year to a staggering 6.2 percent annual rate by the first 4 months of this year.

Let me illustrate what inflation does to people.

In 1965, a house for a middle-income family cost $25,000. It now costs more than half again as much—$40,250.

In 1965, it cost that family $222 in tuition a year to send their son or daughter to a publicly supported college. It now costs more than a third again as much—over $300. If the family chooses a private college, the jump is even more spectacular—from $830 to $1,430, a rise of nearly 75 percent.

If a member of the family is unlucky to get sick, the same grim story holds true. Hospital costs rose from $44 per day in 1965 to $75 per day at present—a jump of nearly two-thirds.

Nor is a visit to the supermarket any more reassuring. If the family no longer can afford steak or lamb chops, it can always go back to hamburger. But the price of hamburger has risen by 60 percent since 1965.

About 3½ million men and women now are without jobs. Some will be the traditional victims of joblessness—the poor, the unskilled, the black. Many more, however, will be skilled workers who have never been out of work before—who quite reasonably expected that their skills would assure them permanent job security.

To the worker who still has his job, inflation has been a treadmill. He must run faster and faster to stay in the same place. His every hard-won wage increase is cancelled by an increase in the cost of living.

The high interest rates that have accompanied inflation have wreaked havoc with the housing market. Needed housing just is not being built, because the money is not there.

The low-income housing programs adopted with so much fanfare in the 1968 Housing Act languish on the books, stymied for lack of funds.

This time, however, the poor are not the only victims. To get mortgage money to finance their long-planned new homes, middle-class families find they are asked to pay prohibitive interest rates—or discover cannot get the money at any price.

CAUSES OF INFLATION—THE JOHNSON POLICY

The inflation and economic chaos we are witnessing can be traced directly to President Lyndon B. Johnson—and primarily to his method of financing the war in Vietnam.

Reasonable men can and do differ on the merits of the war and on the manner in which this Nation should disengage from it.

It is my deep personal conviction that the war was unjustified from the outset, and that the Nation should swiftly and completely terminate its involvement in it. Last September, I introduced the first legislation in Congress to require the withdrawal of all American troops from Vietnam by a specified date. Essentially the same proposal—now called "the amendment to end the war—was recently introduced by me together with Senators McGovern, Hatfield, Cranston, and Hughes and is now awaiting Senate action.

Other Americans, with equal conviction and sincerity, believe the war was necessary to protect vital American interests, and now support President Nixon's Vietnamization plan.

Regardless of these contrasting viewpoints on the war, however, there is one point concerning which there can be little disagreement: That the method chosen by President Johnson to finance the war was catastrophic to the economy of the Nation.

Starting with the first large-scale American intervention in Vietnam in 1965, spending on the war jumped to $10, $20, and $30 billions a year.

Believing that a war tax would not be popular, President Johnson ruled out a general tax increase to cover the escalating costs of the war. No tax increase was adopted during 1965 through 1967, and the surtax adopted in 1968 covered under half the current annual costs of the war. The Johnson administration also decided against a cut in domestic spending to compensate for increased war costs.

As a result, the Johnson administration incurred a staggering $40 billion in deficits during the years 1965 to 1968, deficits used largely to finance the war. This produced a tidal wave of new buying power that engulfed an economy already nearly saturated with demand. We all know the result—an inflation of unprecedented force and magnitude.

Clearly, President Johnson financed the war by cheapening the dollar. It was a strategy not unlike that used by monarchies of past centuries—that of clipping the coinage to pay for new wars.

THE NEW POLICIES OF RESTRAINT

On coming to power, the Nixon administration decided upon the necessary step of restoring balance to the Federal budget.

The decision was long overdue. So long as Federal deficits injected huge quantities of purchasing power into an oversaturated economy, there was no hope of bringing inflation under control.

Despite 18 months of fiscal and monetary restraint, the momentum of inflation continues and its symptoms persist. Restraint has had its own adverse consequences in falling demand and rising unemployment.

THE TAX REFORM ACT OF 1969

Taxes are never popular. Supporting tax reductions always seems an easy way to score points with the voters.

Last year, however, a tax cut was the very worst economic medicine. Fiscal restraint was taking the "pull" of excess demand out of the economy. A tax cut, by injecting substantial quantities of new demand, would renew the pull of inflation and heighten inflationary expectations. If this occurred, the tax savings would prove illusory—eaten away by further increases in the cost of living.

I am no dogmatic advocate of the balanced budget. In the economic context of the past year, however, fiscal restraint—and even temporary budget surpluses—were a necessary prerequisite of halting the "demand pull" that was feeding the inflation. On the other hand, a continued high level of tax revenues was necessary to finance domestic programs.

Congress would have achieved both objectives—fiscal responsibility and funding of domestic programs—had it adopted a true tax reform bill, in which tax relief measures were balanced by revenue raising measures; and had it extended the 10-percent surcharge.

Sadly, Congress chose a different course. Massive tax reduction seemed such good politics for the 1970 elections, that its negative economic consequences were conveniently forgotten.

As originally proposed, Congress was expected to debate and adopt a genuine tax reform bill that closed loopholes and provided greater equity to taxpayers.

However, the bill developed into a wholesale tax-cutting measure by the time it passed the House, the Senate, and the House-Senate conference.

As finally passed by Congress, the bill was substantially out of balance. Elimination of the surtax caused a loss in revenues of $9 billion for 1970 and $12 billion thereafter. An excess of tax relief over tax reform caused an additional net loss of $1.8 billion for 1972, $3.8 billion in 1974, and $2.5 billion over the long run.

In considering how to vote on the bill, I asked myself these questions:

How can we take truly effective action to bring inflation under control and keep it under control, if we now adopt tax legislation that will produce major new revenue losses for years to come?

How can we provide adequate funding for our priority domestic programs—for housing, manpower training, health, and education—if we cut billions from the tax revenues that finance these programs?

How can we initiate new programs to strengthen the fiscal base of State and local governments, such as revenue sharing, if we now embark on wholesale tax cuts?

I was unable to find satisfactory answers to these questions. I voted against the bill.

III. THE EARLY WARNING GUIDEPOSTS

NOW IS THE TIME FOR AN ACTIVIST WAGE-PRICE POLICY

Conditions in the economy now are ripe for an activist wage-price policy.

The administration's restrictive monetary and fiscal policies have helped reduce excess demand. Wages and prices are not being pulled up by market forces, so much as they are being pushed up by inertia and continued inflationary expectations.

A policy of persuasion, surveillance, and selective pressure can have considerable effectiveness in these circumstances, because it coincides with the long-run self-interest of the private sector.

Businessmen can be induced to hold the line on prices, because they know this can forestall subsequent wage increases. Labor unions can be persuaded to go slow on wage increases, because they know such self-restraint can forestall layoffs and further rises in the cost of living.

WAGE AND PRICE CONTROLS

There has been much debate in recent weeks concerning wage and price controls.

The early warning guideposts policy I favor does not involve mandatory controls. This gives it two great advantages—speed and flexibility.

The time for an activist wage-price policy is now—not 4 or 8 or 12 months from now. Because early warning guideposts require neither legislation nor the creation of an elaborate bureaucratic machinery, they can be swiftly put into effect. This means we can have such a program at the present time, when we most need it.

Mandatory controls, by contrast, require legislation. Because controls are highly controversial, they will not be enacted by Congress without extensive debate. If we take the route of controls, precious months will be lost waiting for Congress to act. Still more time will be required, even after Congress acts, to set up the complex administrative machinery required for controls. By then, the time of maximum effectiveness for the program will have passed.

The early warning guideposts policy provides a considerable degree of flexibility. Government takes an active role in influencing wage and price decisions, but does not try rigidly to dictate wage and price levels.

Mandatory controls are excessively rigid and cumbersome.

If operated across the board, controls tend to create a bureaucratic monstrosity—witness the OPA during World War II. Price controls can be evaded by the simple device of lowering the quality of goods. Black markets spring up. When controls are lifted, a devastating sudden jump in prices can occur.

Selective controls, while somewhat less cumbersome, entail serious problems of their own. Mandatory controls on selected products can have a distorting effect on other wages and prices not subject to controls. The controls are almost impossible to administer, unless they simply freeze wages and prices at current levels. A wage freeze, however, discriminates in favor of workers who negotiated new contracts just before it was put into effect, and against workers whose contracts did not expire until just after it was invoked.

Nor would the mood of the country be very favorable to controls. Controls were accepted as a necessary sacrifice during World War II, when the country was thoroughly united behind the war. They would be unlikely to find that kind of public acceptance today, when the country is deeply divided.

Yet the issue should be regarded practically, not dogmatically. The overriding objective of controlling inflation is much more important than the particular advantages or disadvantages of guideposts or controls.

Until the early warning guideposts program has been tried and given a chance to work, mandatory controls—with all their delays and rigidities—should not be invoked. Yet even the best guideposts policies depend on the good will, self-discipline and sense of responsibility of the firms and unions involved. If these qualities are not present—if significant numbers of corporations and unions decide to flout the program—a system of selective mandatory controls might have to be invoked as a last resort in the fight against inflation.

For this reason, I think the President unwisely limited his options when he so emphatically ruled out mandatory controls.

By announcing in advance that he would never resort to mandatory controls, the President merely weakened his own voluntary program—as he put potentially recalcitrant firms and unions on notice that they would have little to fear from noncompliance.

EARLY WARNING GUIDEPOSTS

I do not favor a return to the Kennedy-Johnson guidelines. They were too rigid in approach. They erroneously sought to apply a single rate based on a single factor of average productivity to an entire range of different industries, with widely ranging productivity rates and profit margins and degrees of market control.

An effective wage-price policy does, however, require Government to announce some sort of understandable criteria—to enable labor and industry to make rational wage and price decisions that are consistent with the goal of halting inflation. Little promise of success resides in a policy that does no more than exhort employers and unions to avoid inflationary wage and price increases—without furnishing understandable guidance as to what might and might not contribute to inflation.

Consequently, I am disappointed that the President decided against publicly announced criteria for measuring the inflationary impact of wage and price decisions.

The early warning guideposts I am proposing would be much more flexible than the Kennedy-Johnson guidelines. No attempt would be made to prescribe a simple, across-the-board rate. Instead, varying criteria would be worked out for different lines of commerce, taking into account differences in productivity, profit margins and other economic factors. If percentage rates are used, they would be bands or ranges of percentages, that allow scope for differences in individual cases.

The early warning guideposts should perform precisely the function their name implies—of providing advance notice to labor and industry of the wage and price increases that would be subject to further investigation and scrutiny. Where a proposed increase exceeded the guideposts, it would not be automatically condemned—but investigated in depth to determine whether it does, in fact, contribute to inflation. By this means, industries and unions would be provided with an intelligible basis for wage and price decisions, without being tyrranized by rigid guidelines or controls.

INFLATION ALERT

In his recent address, the President proposed the creation of an "inflation alert." The idea was originally suggested by Senator JAVITS. It is a very good one. Properly operated, it could bring powerful forces of public opinion to bear upon industries or unions that make inflationary wage or price increases.

I believe an inflation alert should be made an integral part of the early warning guideposts policy.

To operate effectively, however, the alert must be prepared to single out individual wage and price decisions and label them as inflationary, when the facts objectively appraised warrant that description. It is not likely to work if it merely calls attention to wage or price trends in some generalized fashion.

It is disappointing, therefore, that the administration seems unprepared to operate the inflation alert with the vigor and boldness that is needed for its success.

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As presently described, the President's version of the inflation alert would involve no naming of individual offenders and, in the words of an administration official, "no editorializing." This restricts the alert largely to generalities—and dims the outlook for its success.

In addition, the inflation alert will work only if it is run by an agency that is committed to its success and has an adequate staff. It is not encouraging that the inflation alert has been assigned to the Council of Economic Advisers. Two of the three members of the Council have been highly vocal opponents of any direct Government involvement in wage-price decisions; and the Council is an advisory body with a small staff and no experience in operating an ongoing program.

INSOLVENCY LEGISLATION

In his recent speech, the President recommended prompt congressional action to forestall insolvencies. He specifically mentioned the railroad industry and the securities brokerage industry.

This recommendation makes absolute economic sense.

Nothing could be worse for this Nation's economy than a widespread loss of confidence caused by major business failures. Anyone who doubts that, need only think of 1929.

The extreme tightness of money has caused some major firms to go under for lack of cash, and others may follow their fate unless Congress acts.

We witness the shock waves created in the economy by the insolvency of the Nation's largest railroad, the Penn Central.

We know that some brokerage firms have substantially reduced their operations because of financial problems. Others have been forced to merge for like reasons. We cannot permit investor confidence to be shaken by the insolvency of a major brokerage house.

I agree with the President that Congress should promptly enact legislation to provide an appropriate form of Federal assistance to railroads in financial difficulties.

I agree with his recommendation to create a Federally backed insurance corporation to guard investors against losses caused by financial difficulties of brokerage houses.

OTHER AREAS OF CONGRESSIONAL ACTION

In his address, the President made some recommendations for congressional action to aid the Americans that are feeling the pinch of the present economic crisis.

I agree that Congress should take prompt action to achieve the following objectives described by the President:

Creation of an expanded unemployment insurance system.

Passage of new manpower training legislation, with automatic increases in funding during periods of high unemployment.

Tying social security benefits to the cost of living.

Enactment of the Senate-passed Emergency Home Finance Act of 1970.

The Senate has already approved the Emergency Home Finance Act. I voted in favor of the act, and shall support swift Senate action in the other areas just mentioned. In addition, I shall present further recommendations of my own for alleviating the impact of the current slowdown-and-inflation upon the budgets of millions of Americans.

IV. RECOMMENDED SPECIFIC MEASURES

To establish the early warning guideposts policy I have described, I recommend the following steps:

First. A Board of Wages, Prices, and Productivity should be created in the Executive Office of the President to administer the policy. This can be accomplished by renaming and strengthening the President's Productivity Commission. The members of the Board should serve on a full-time basis, and it should have a specialized staff of economists and other experts.

Second. The Board should develop the early warning guideposts, previously explained, for selected basic industries of the economy. The guideposts for each industry should be fashioned for the purpose of enabling that industry and its unions to have advance guidance about what levels of wage and price increases would be regarded as potentially inflationary and subjected to particular scrutiny by the Board. However, no increase should be condemned because it exceeds the guideposts unless it has been specifically investigated and found inflationary by the Board. On approval by the President, the guideposts should be made public.

Third. The Board should also administer the inflation alert, taking over that function from the Council of Economic Advisers. The alert should operate prospectively—it should monitor proposed wage and price increases, rather than reviewing those that had already taken place. To assist its prospective operation, the alert might, for example, require the industries involved to report proposed wage and price increases above specified percentages.

Fourth. Proposed wage or price increases that exceed the early warning guideposts should be investigated in detail by the Board to determine whether they substantially contribute to inflation. If the Board finds an increase to be inflationary, it should discuss and negotiate with the industry or union involved to seek to reduce the increase to a noninflationary level. In this effort, the Board should enlist the assistance of the President and his staff, the Secretaries of Treasury and Commerce and other high administration officials. If this effort fails, the Board should publicize the increase in the inflation alert, specifically describing it as inflationary and naming the individual company or union involved.

Fifth. The Board should take over the functions of the Regulations and Purchasing Review Board proposed by the President. It should recommend to the President specific measures that can be taken against Government contractors that make wage and price increases condemned as inflationary by the inflation alert. In doing so, the Board would not attempt to browbeat or intimidate, but should make use of the Government's purchasing power to help implement its incomes policy. It should, for example, propose specific measures against Government contractors that flout the policy—including, in appropriate cases, not awarding new contracts to them, or using Government stockpiles instead of purchasing from them.

Sixth. The Board should also take over the functions of the National Commission on Productivity proposed by the President. It should not limit itself to making general long-range studies on productivity, but recommend specific steps for increasing productivity in various lines of commerce. For this purpose, it should have a specialized staff arm and also establish an advisory council drawn from business and labor.

Seventh. The Board should report to the President on whether its program is being complied with. If it finds substantial noncompliance, it should recommend strong remedial steps to the President, including selective mandatory controls if necessary.

V. CONGRESSIONAL OVERSIGHT

Because of the need for flexibility and swift response, a program for halting inflation should preferably be implemented by Presidential action rather than by legislation.

One advantage of the program I have described is that it can be established by Executive order, which means it can be established now. There would be no occasion for the delay incident to legislative action, as would be true in the case of mandatory controls.

The Congress will, and should, maintain careful oversight of the President's wage-price policies. If these policies are not pursued with sufficient determination and effectiveness, legislation may be necessary after all. In that event, I shall offer my own legislative proposals.

Congress should also maintain careful watch over its own taxing and spending decisions. If it permits new deficits to create new inflationary pressures, all hope for a successful wage-price policy will be destroyed. In that event, not even the more drastic measure of selective wage and price controls will work. Compelling one sector of labor or industry to hold wages or prices down will, in one economist's words, be like pinching one corner of a large balloon—the lucky buyers pay less and have more money to spend elsewhere, driving other prices still higher.

This means Congress will have to take a hard look at the deep cuts made by the Tax Reform Act of 1969 in tax revenues for the coming fiscal years. Congress should be prepared to revise these cuts, if their effects on the economy will otherwise be to revive large-scale inflationary pressures.

VI. CONCLUSION

We once had a growing economy with stable prices. We now have a shrinking economy with escalating prices. In a nation as rich as ours, there is no excuse for that.

The time for economic dogmas is past. So is the time for partisan economics. There can no longer be liberal or conservative economic policies—nor Demo-

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cratic or Republican ones. There can just be policies that work and those that do not work.

I believe the early warning guideposts policy I have described will work, if applied with toughness and determination. It has muscle and yet it is flexible. It applies Government's extensive resources of persuasion and bargaining power to the task of halting inflation, and yet it does not create a rigid and cumbersome bureaucracy of controls.

Applied in conjunction with rational fiscal and monetary policies, the early warning guideposts can help stabilize prices and get the economy back on the track. Then we can look forward to the economic growth that this great Nation deserves.

POZNAN WORKERS' REVOLUTION, 1956

Mr. WILLIAMS of New Jersey. Mr. President, the pride of Polish descendants is uniquely reflected by the commemoration of the Poznan Workers' Revolution, an unorganized yet powerful demonstration against unjust conditions suffered under Communist rule 14 years ago. This show of defiance by the Poles, an inspiration to all oppressed people behind the Iron Curtain, was a reaction to many years of discontent and suppression. Justified changes were needed—more food, better pay, and an end to religious persecution and Soviet domination.

Beginning with a peaceful march of several hundred to City Hall, the demonstration spontaneously grew into a massive display of feeling by over 16,000 people. Unfortunately, however, because of a rumor that several of their representatives had been imprisoned, violence erupted, resulting in looting, vandalism, and killings. For several hours the workers were in control of the city, only to be overthrown by the more powerful Red military forces from Warsaw. Months of torture and imprisonment awaited those who courageously had participated.

Although the violence scarred what was intended to be a sincere expression of protest, their combined efforts could not be considered totally futile. The grievances were real, and through the subsequent trials, many courageous confessions of mistreatment were revealed. The truth of their oppression became known to the world, despite Communist attempts to stifle their stories.

Mr. President, in praising the attempts of brave people to liberate themselves from suppression, we express our understanding of this Polish tragedy and our sadness that they are still objects of suffering and servitude. Thus, June 28 was a day for all Americans to properly honor and acknowledge the efforts extended by those Polish patriots that afternoon in 1956.

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

Mr. MATHIAS. Mr. President, the administration's recent endorsement of the bill (S. 1859) to create the Chesapeake and Ohio Canal National Historical Park has spurred many interested citizens and groups to communicate with the Congress in support of this effort.

I recently received a copy of one such letter which summarizes the history and appeal of the canal so well that I wish to call it to the attention of the Senate. The writer is Hon. George Henderson of Cumberland, Md., a distinguished civic leader who has served as chief judge of the Fourth Judicial Circuit of Maryland and is a former mayor of Cumberland. As his letter shows, Judge Henderson is a student of area history and a dedicated conservationist.

I believe that Judge Henderson's letter outlines very persuasively the importance of the C. & O. Canal both as a chapter in American history and as a contemporary recreational resource for the Potomac Valley and the East. I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 22, 1970.

Hon. HENRY M. JACKSON,
Chairman, Senate Committee,
Interior and Insular Affairs,
Washington, D.C.

DEAR SENATOR: I am glad to see that once again serious attention is being given to the establishment of the C & O Canal as a National Historical Park.

I have lived all my life of 82 years at Cumberland where the 185 miles of the canal ended at Dam No. 8—just below where Wills Creek flows into the Potomac River, and within a third of a mile of the site of Fort Cumberland. It was here that Braddock made his final preparations for his march against Fort Duquesne and his defeat at the Battle of the Monongahela. And it was at Fort Cumberland that Washington was stationed when he was trying to defend the border against the Indians after Braddock's defeat.

As boys we skated on the canal basin, and swam in the river at Lynn's wharf where once canal boats had been loaded with coal from the mines along Georges Creek. I have traversed the canal from Cumberland to Georgetown, enjoying the beauty of the scenery and learning how a family of "Canallers" *lived* on their boat, making little money but enjoying the life in the open.

And we have here in Alleghany County (at Oldtown, the site of our earliest settlement) a restoration of a three or four mile stretch of the canal. There the Park Service, assisted by several sportsmen organizations, has revived the canal and created a small recreation area. This shows what could be done at intervals over the length of the canal, *and at not too great expense,* to give to the Nation's Capitol and to many residents of a large surrounding area an opportunity for outdoor recreation.

Also I believe that such use of the canal, bordering as it does on the Potomac, will help to strengthen the demand for the cleanup of the Potomac and so fit with widespread anti-pollution crusade.

Not all the canal need be restored as a waterway. Only locations where a good water supply is readily available from nearby streams need be filled at first. At Cumberland the terminal basin has been filled, and Dam No. 8 which, created a feeder pool of water, has been relocated and so is no longer available for canal supply purposes. But further down the canal water can and has been obtained at Oldtown. And of course the water supply needed to maintain the level for recreational purposes is far less than when the passage of boats thru the locks demanded so much water.

Even where the canal cannot readily be filled with water the Potomac is nearby, and can easily be reached if recreation areas have been created.

In my younger days I have had so much pleasure from the then available and relatively unpolluted canal and Potomac River that I would like to know that some of that joy of life in the open will still be here for the coming generations.

And so I request most earnestly that your Committee consider now and without delay the bill concerning the C & O Canal of Senator Mathias (S. 1859) so that this opportunity to preserve this historical landmark with such splendid recreational features may not be lost.

Sincerely,

GEORGE HENDERSON,
Ex-Mayor of Cumberland, and formerly Chief Judge of Fourth Judicial of Maryland.

DRAFT CALLS

Mr. DOLE. Mr. President, the Department of Defense has requested the Selective Service System to provide the Armed Forces examining and entrance stations with 10,000 inductees in August. All of these inductees will be used by the Army.

This request supports currently approved strength levels and will assure a timely flow of replacements completing their terms of service.

The monthly draft calls to date in 1970 are as follows:

January	12,500
February	19,000
March	19,000
April	19,000
May	15,000
June	15,000
July	15,000
August	10,000

The Department of Defense draft calls in calendar year 1970 are now expected to range between 150,000 to 170,000 compared to previously announced total calls of 210,000 and the original program of 250,000 for the calendar year. The decrease in annual draft calls is attributable to the redeployments being made as a result of progress in the Vietnamization program and subsequent reductions in military strength.

I ask unanimous consent that a table entitled "Draft Calls" be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DRAFT CALLS

	1965	1966	1967	1968	1969	1970
January	5.4	37.2	15.6	34.0	26.8	12.5
February	3.0	25.4	10.9	23.3	33.7	19.0
March	7.9	22.4	11.9	41.0	33.1	19.0
April	13.7	19.2	11.4	48.0	33.0	19.0
May	15.1	40.6	18.0	45.9	27.6	15.0
June	17.0	18.5	19.8	20.0	25.9	15.0
July	17.1	28.5	19.9	15.0	22.3	15.0
August	16.5	36.6	29.0	18.3	29.5	10.0
September	27.4	37.3	25.0	12.2	29.0	
October	31.6	49.2	17.0	13.8	10.0	
November	38.3	37.6	22.0	10.0	10.0	
December	40.2	12.1	18.2	17.5	9.0	
Total	233.2	364.6	218.7	299.0	289.9	

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 17619) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

The VICE PRESIDENT. Without objection, the Senate will proceed to the consideration of the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, the pending business, as I understand it, is H.R. 17619.

The VICE PRESIDENT. That is correct.

Mr. BIBLE. Mr. President, I ask unanimous consent that the committee amendments to H.R. 17619 be agreed to en bloc; that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order against legislation in an appropriation bill be waived.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 9, after the word "Management", strike out "$58,940,000" and insert "$58,605,000".

On page 2, line 14, after the word "roads", strike out "$3,215,000" and insert "$3,310,000".

On page 5, line 18, after the word "shops", strike out "$218,645,000" and insert "$217,115,000".

On page 6, line 2, after the word "law", strike out "$65,690,000" and insert "$64,122,000".

On page 6, line 9, after the word "contract," strike out "$18,935,000" and insert "$18,800,000"; and, in line 24, after the word "Reclamation", insert a colon and "*Provided further,* That not to exceed $150,000 shall be for assistance to the Wagner, South Dakota, East Charles Mix Independent School District No. 102, for planning an addition to the district school facilities; *Provided further,* That not to exceed $365,000 may be used for enlargement, remodeling, and improving the Sioux Indian Museum and Crafts Center, Rapid City, South Dakota."

On page 7, at the beginning of line 10, strike out "$20,000,000" and insert "$20,200,000".

On page 9, line 19, after the word "by", strike out "$300" and insert "$500".

On page 10, line 8, after the word "for", strike out "$3,825,000" and insert "$3,995,000".

On page 10, line 12, after the word "including", strike out "$3,459,000" and insert "$4,759,000"; in line 19, after the word "exceed", strike out "$168,500,000" and insert "$357,400,000"; in line 20, after the word "exceed", strike out "$63,500,000" and insert "$185,400,000"; in line 23, after the word "exceed", strike out "$56,000,000" and insert "$95,000,000"; in line 24, after the word "exceed", strike out "$13,750,000" and insert "$32,741,000"; on page 11, line 1, after the word "exceed", strike out "$1,541,000" and insert "$8,000,000"; in line 3, after the word "exceed", strike out "$250,000" and insert "$500,000"; in line 4, after the word "Management", insert "(6) not to exceed $1,000,000 shall be available to the Bureau of Outdoor Recreation for supplemental allocations to the above agencies;"; and, in line 6, after the word "and", strike out "(6)" and insert "(7)".

On page 11, line 14, after the word "exceed", strike out "$509,000" and insert "$539,000"; on page 12, line 5, after the word "Samoa", strike out "$17,350,000" and insert "$17,380,000"; and, in line 6, after the word "with", strike out "$330,000" and insert "$367,000".

On page 13, line 9, after the word "functions", strike out "$50,000,000" and insert "$49,750,000".

On page 14, line 17, after the word "activities", strike out "$108,057,000" and insert "$106,392,000".

On page 16, line 8, after the word "substitutes", strike out "$45,122,000" and insert "$45,272,000".

On page 17, line 11, after "(74 Stat. 337)", strike out "$16,200,000" and insert "$16,500,000".

On page 18, line 5, after the word "law", strike out "$28,168,000" and insert "$27,893,000".

On page 19, line 14, after "1965", strike out "(16 U.S.C. 757)" and insert "(16 U.S.C. 757a-757f), as amended by the Act of May 14, 1970 (84 Stat. 214)".

On page 19, line 23, after "$2,774,000", strike out "to" and insert "of which so much as may become available during the current fiscal year shall".

On page 20, line 14, after the word "for", where it appears the second time, strike out "police-type)" and insert "police-type"; and, in line 15, after the word "by", strike out "$300" and insert "$500".

On page 21, line 11, after the word "Refuge", strike out "$56,356,000" and insert "$56,705,000".

On page 21, line 17, after the word "therein", strike out "$4,175,000" and insert "$3,497,000".

On page 21, line 26, after "(16 U.S.C. 757a–757f)", insert a comma and "as amended by the Act of May 14, 1970 (84 Stat. 214),"; and, on page 22, line 2, after "$2,311,000", insert a comma and "to remain available until expended".

On page 22, line 13, after the word "by", strike out "$300" and insert "$500".

On page 23, at the beginning of line 21, strike out "$57,670,000" and insert "$58,035,000"; and, in the same line, after the amendment just above stated, insert a colon and "*Provided,* That $54,000 of the funds herein provided shall be available only upon enactment into law of H.R. 12758, Ninety-first Congress, or similar legislation: *Provided further,* That not to exceed $100,000 shall be advanced to the Plymouth-Provincetown Celebration Commission upon enactment into law of S. 2916, Ninety-first Congress, or similar legislation."

On page 24, line 10, after the word "Service", strike out $48,500,000" and insert "$48,543,000".

On page 24, line 19, after the word "rights", strike out "$16,385,000" and insert "$17,583,000".

On page 24, line 25, after "section 203", strike out "$16,000,000" and insert "$17,660,000".

On page 25, line 11, after "(80 Stat. 915)", strike out "$6,801,000" and insert "$6,672,000".

On page 25, line 23, after the word "by", strike out "$300" and insert "$500".

On page 26, at the beginning of line 24, strike out "$6,924,000" and insert "$7,229,000".

On page 27, line 8, after the word "expenses", strike out "$11,353,000" and insert "$11,771,000".

On page 29, line 1, after the word "vehicles", insert a semicolon and "air-conditioning equipment for passenger motor vehicles authorized to be purchased during the current fiscal year in excess of the general purchase price limitation."

On page 30, line 4, after the word "lands", strike out "$213,412,700" and insert "$199,617,000"; in line 9, after the word "conditions", strike out "Provided, That not more than $1,300,000 of this appropriation may be used for acquisition of land under the Act of March 1, 1911, as amended (16 U.S.C. 513–519):"; and, in line 12, after the word "Provided", strike out "further".

On page 30, line 18, after the word "law", strike out "$46,671,000" and insert "$45,294,000".

On page 31, after line 2, insert:

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection and utilization of national forest resources and the acquisition of lands and interests therein necessary to these objectives, $14,188,000, to remain available until expended: *Provided,* That not more than $1,300,000 of this appropriation may be used for acquisition of land under the Act of March 1, 1911, as amended (16 U.S.C. 513–519).

On page 35, line 7, strike out $114,692,000" and insert "$115,660,000".

On page 35, line 16, after "(42 U.S.C. 2004a)", strike out "$17,950,000" and insert "$18,510,000".

On page 36, line 22, after "(5 U.S.C. 5901–5902)", strike out "$1,070,000" and insert "$941,000"; and, in the same line, after the amendment just above stated, insert a comma and "and in addition $229,000 of the balance of the appropriation granted under "Land acquisition, National Capital park, parkway, and playground system" are transferred to and shall be available for salaries and expenses."

On page 37, after line 3, insert:

"NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

"SALARIES AND EXPENSES

"For expenses necessary to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, $33,310,000, of which $8,465,000 shall be available until expended to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act and for support of the functions of the National Council on the Arts set forth in section 6; $4,125,000 shall be available until expended to the National Endowment for the Arts for assistance pursuant to section 5(g) of the Act; $13,060,000 shall be available until expended to the National Endowment for the Humanities for support of activities in the humanities pursuant to section 7(c) of the Act; and $2,660,000 shall be available for administering the provisions of the Act: *Provided,* That in addition, there is appropriated in accordance with the authorization contained in section 11(b) of the Act, to remain available until expended, amounts equal to the total amounts of gifts, bequests, and devises of money, and other property received by each endowment during the current and preceding fiscal years, under the provisions of section 10(a)(2) of the Act, for which equal amounts have not previously been appropriated, but not to exceed a total of $5,000,000: *Provided further*, That not to exceed 3 per centum of the funds appropriated to the National Endowment for the Arts for the purposes of sections 5(c), 5(g), and 6 and not to exceed 3 per centum of the funds appropriated to the National Endowment for the Humanities for the purposes of section 7(c) shall be available for program development and evaluation: *Provided*, That this appropriation shall be available only upon enactment into law of S. 3215 or H.R. 16065, Ninety-first Congress, or similar legislation.

On page 39, line 4, after the word "Gallery", strike out "not to exceed $750,000 for necessary expenses of the Woodrow Wilson International Center for Scholars;"; and, in line 17, strike out "$35,737,000" and insert "$35,066,000".

On page 40, line 18, after "5 U.S.C. 3109", strike out "$1,080,000" and insert "$950,000".

On page 42, after line 4, insert:

'SALARIES AND EXPENSES, WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

"For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356), including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $750,000, to remain available until expended."

On page 42, after line 19, insert:

"AMERICAN REVOLUTION BICENTENNIAL COMMISSION

"SALARIES AND EXPENSES

"For expenses necessary to carry out the provisions of the Act of July 4, 1966 (Public Law 89–491), as amended, establishing the American Revolution Bicenntial Commission, $373,000: *Provided*, That this appropriation shall be available only upon enactment into law of H.R. 16408 or S. 3630, Ninety-first Congress, or similar legislation."

On page 43, after line 7, insert:

"FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW

"SALARIES AND EXPENSES

"For necessary expenses of the Federal Metal and Nonmetallic Mine Safety Board of Review, as authorized by law (30 U.S.C. 721) including services as authorized by 5 U.S.C. 3109, $167,000."

On page 44, after line 2, insert a new section, as follows:

"SEC. 303. None of the funds in this Act shall be available to finance interdepartmental boards, commissions, councils, committees, or similar groups under section 214 of the Independent Offices Appropriation Act, 1946 (31 U.S.C. 691) which do not have prior and specific congressional approval of such method of financial support."

Mr. BIBLE. Mr. President, the committee, as indicated on page 1 of its report, considered budget estimates in the amount of $2,034,871,600, including indefinite appropriations of receipts and amounts necessary to liquidate contract authority, for the agencies and bureaus of the Department of the Interior and for related agencies listed on page 2 of the report. Excluded from this bill are the power agencies of the Department of the Interior, the Bureau of Reclamation, Federal Water Quality Administration, and research on underground electric transmission, all of which will be included in the Public Works for Water Pollution Control, and Power Development and Atomic Energy Commission appropriation bill, which is under the very able guidance and chairmanship of the Senator from Louisiana (Mr. ELLENDER).

The committee recommends total appropriations of $2,023,058,000, which is $221,831,300 more than the House allowance, and is $11,813,000 less than the budget estimates.

Included in the amount are $229,267,000 in budget estimates not considered by the House, which accounts for the overage items that were not before the House of Representatives at the time thev marked up the bill, considered it, reported it, and sent it to the Senate. Of the total recommendation, $1,404,122,000 are for the Department of the Interior, a sum $187,618,000 more than the House allowance, and $10,631,600 less than the budget estimates.

The committee's recommendations provide major increases over allowances in the House bill in the following instances:

Bureau of Outdoor Recreation, $170,000 for salaries and expenses.

Land and Water Conservation Fund, $188,900,000, a budget amendment received in Congress too late to be considered by the House.

Bureau of Mines, $150,000.

Office of Coal Research, $300,000.

National Park Service, $1,477,000, all of which is for road construction.

Office of the Solicitor, $305,000, and Office of the Secretary, $418,000; but the amount for each office is under the budget estimate.

Indian Health Service, $1,523,000, which provides a total of more than $3 million over the budget requested. Of the increase over the budget, $2,443,000 is for additional staffing, contract medical care, equipment and supplies. Also, funds are provided for two new medical facilities in New Mexico.

National Foundation on the Arts and the Humanities, $33,310,000. This estimate was not considered by the House of Representatives inasmuch as no authorizing legislation had been reported in either branch of the Congress.

American Revolution Bicentennial Commission, $373,000. This same amount was recommended by the House Committee on Appropriations but was deleted from the Committee recommendations on the Floor of the House because a continuation of legislative authorization had not been approved. The necessary legislative authorization was approved by the Senate on June 26.

Federal Metal and Nonmetallic Mine Safety Board of Review, $167,000. The House did not consider this estimate. However, because the health and safety standards applicable to metal and nonmetallic mines become effective on July 31, it is expected that there will be a large number of appeals from Bureau of Mines' orders.

The committee recommends decreases in the amounts allowed by the House of Representatives for the Bureau of Land Management, the Bureau of Indian Affairs, the Trust Territory of the Pacific Islands, the Geological Survey, the Bureau of Commercial Fisheries, the Bureau of Sport Fisheries and Wildlife, the Forest Service, and the Smithsonian Institution.

With respect to the Bureau of Indian Affairs, this is a problem about which a number of Senators have spoken to me and have evidenced considerable interest, and I anticipate some amendments in this area during the course of the consideration of this bill. The Senate committee recommends a reduction under the amount allowed by the House of Representatives of $3,233,000, $1 million is accounted for by the committee's not agreeing with an equal amount added to the budget for forestry, and soil, and moisture conservation. In other words, the Senate committee concurred with the budget recommendations.

With respect to Education and Welfare Services, the Senate concurred with the action of the House of Representatives in providing $1,050,000 more than the budget estimate for scholarships. Also, the committee recommends an increase of $220,000 for law and order.

There is a recommendation that the amount requested for research and evaluation of the Bureau's education system be reduced by $300,000. There will remain $300,000 for this purpose. The reason for the reduction is that last year $300,000 was provided with the assurance that it was needed and would be used for research and evaluation. However, none of it was so used; and, therefore, the committee believes that to start this new program no more than the original request should be provided.

The reduction of $350,000 for vocational-technical program materials is one-half of a $700,000 increase which was requested. The amount available during the current fiscal year is only $117,000.

The committee recommends reducing the amount for Relocation Services by $1 million. This will still leave $2 million more for relocation services than is available in fiscal year 1970.

As offsets against the reduction made in the Bureau of Indian Affairs budget, the committee has agreed to increases amounting to $3 million over the budget for Indian Health Services, essentially all of which is for actual medical care.

Both the full committee and the subcommittee reported this bill unanimously. The committee believes that, even though it does not recommend all that the departmental agencies and Members of the Senate desire, the bill is sound, fair, and comprehensive. Over 250 amendments to the House bill were considered. Every effort has been made to provide adequately for the activities included in this bill. I believe that the bill as reported provides for continued and increased development of the natural and human resources of the United States.

I hope the bill will be approved as it was reported by the committee.

The work of this committee would have been impossible without the able staff we have on both sides of the aisle and without the strong support of the able Senator from Delaware (Mr. BOGGS).

A number of Senators have spoken to me about various problems they have. I did indicate that at this time, with the indulgence of the Senator from Delaware, I would yield briefly to the Sena-

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tor from Wisconsin. He must attend a committee hearing at 10 o'clock. I do not know whether he is going to call up an amendment, but he does have a problem he wants to discuss.

Mr. PROXMIRE. I thank the distinguished chairman of the Appropriations Subcommittee for what I think is an excellent job. He has reduced this request by the administration substantially, and the House has reduced it even more; as I understand it, in conference there is no question that this overall appropriation bill will be lower than the budget request.

At the same time, there are a number of projects, including some in Wisconsin, which I wanted very much to have funded, as the Senator from Nevada well knows, but in these times of stringency we have to accept less than we would like or than we feel we can justify.

In that spirit of economy I would like to ask the Senator from Nevada about the arts and humanities program. This troubles me a great deal. I would like to ask him about it, because the whole matter will be in conference, as I understand it. The House appropriated nothing. We appropriated somewhat less than the President requested, but it was still a susbtantial amount.

The philosophy bothers me, because I wonder how we can justify proceeding with a program of appropriating funds in the humanities and arts area, although I think these are fine endeavors for humankind. Nevertheless, it would seem to me that in a free society, people should determine themselves what kind of diversion they want, what kind of art form they wish to patronize, and not have the Federal Government impose it in any way.

Why would it not be better for us to concentrate these funds in educational areas? Why would it not be better for us to improve the incomes of our people, so that they could make a choice more freely as to what kind of art they prefer? I do not mean in any way to demean this program, because, frankly, they have done some wonderful things in my State. I have a 300- or 400-page document indicating in detail some of the programs they have put on in the rural areas in Wisconsin, and they have been well received. At the same time, I am very much troubled that we spend taxpayers' money on something that does not seem to be essential and that does seem to impose value judgments as to what should be appreciated, rather than leaving it to the individual citizen.

Mr. BIBLE. I would respond to the distinguished Senator from Wisconsin in this way. This is a program that has evolved very slowly and, I honestly believe, very carefully. As my opening statement indicated, the House did not consider the budget request because there was not enabling legislation to support it. The amount allowed is substantially more, frankly, than that which was allowed last year. It is almost double that amount. But the authorized amount is also double the amount of last year's authorization.

The bill has passed the Senate—enabling legislation has passed the Senate. It has been reported by the House committee, and was passed by the House last night.

There are some differences as between the Senate version and the House version, and, of course, they will be resolved by a conference. The amount involved in the total authorization is $40 million.

The showing made before our committee was rather full and extensive, both by Barnaby Keeny, chairman of the Endowment for the Humanities, and the appointee of President Nixon, Nancy Hanks, who is the new chairman of the Endowment for the Arts. They made very thorough justifications.

The question of its priority is one we will encounter all day, in the course of our deliberations on this Interior bill, I am sure. In our study, we have found that in the European countries, most of the orchestras—just as one example—are almost completely supported by the Government. We find in the presentations that were made to us in earlier years by Roger Stevens, who was the predecessor of Nancy Hanks, that it was almost impossible for the great symphony orchestras of New York, Philadelphia, Chicago, San Francisco, Los Angeles, and Washington, D.C., to exist, even with great assistance from philanthropists who contributed great sums of money.

The redeeming feature in this bill, as I see it, is the fact that it does require contributions and matching from both State and local sources. I have always had a few problems in this area in my own State; but we find in my own State of Nevada, a very small State, that it has widespread and local support. Even the people in our small communities say that they are perfectly willing to match county dollars and city dollars and, on a State level, even State dollars, in order to bring to our areas certain types of cultural education.

It can be argued that the Government should not be in this, but it is in it on a city level, a county level, and a State level, and they are asking for some help from the Federal Government in times of stress.

I am not completely wedded to the figure we have arrived at, which is $33 million plus. As the Senator from Wisconsin has indicated—and correctly so—this matter will be in conference between the House and the Senate, between the figure of zero and $33 million. I do not know what the right figure is. This is substantially more than last year; it is almost double. But it was very strongly supported by the White House.

President Nixon himself is one who actually, in sending up the message on the enabling legislation, indicated the need in this country to put greater emphasis on it. It is a matter of individual determination whether this is more important than cancer or heart or any other of many programs. I know the Senator's concern in the area of space. I suppose he would give this a little higher priority than space. Maybe he would not. I know that he does not give space too high a priority. But this is the determination which led our committee substantially to support the requests of the two endowments—the endowment for the arts and the endowment for the humanities. We have cut about $1 million out of one and $650,000 out of the other. Maybe we should have cut more.

Mr. PROXMIRE. Mr. President, the Senator's explanation is certainly helpful and enlightening. I should merely like to conclude by saying that I think the emphasis on matching is very important. It indicates that there has to be participation by the State and local governments, that they have to match Federal spending. I would hope that, to the greatest extent possible, the program will be confined and limited to enriching the lives of those persons who are deprived, who do not have the opportunity to take part in cultural activities, and to help struggling artists who otherwise would be in a position where they could not possibly develop their talents, and not to provide merely entertainment, no matter how some may esteem it for the rest of us.

For example, I cannot understand how we can spend the taxpayers' money to subsidize a symphony orchestra, although I think that is a fine activity. It would seem to me that if the public does not want it, it would have to go. As the Senator says so well, there are other priorities we have to make which may be painful to pass upon. For instance, we are not giving what we would like to in the field of education. It was a hard vote for me to have to vote against increasing college student loan funds, which I did with great reluctance. And I cannot see how I can vote against loan funds for education and then turn around and support a program to provide subsidies to an orchestra so that people can go and be entertained by it.

Following the same logic we could be pushed into supporting Dixieland orchestras or other forms of music for persons with other kinds of taste? There would be no end to it. At any rate, the sum and substance of my argument is that I would hope this legislation would be kept down to a limited operation and confined largely to encouraging persons who are in a deprived situation, such as struggling artists, who otherwise would not have much of a chance to develop their talents.

Mr. BIBLE. I appreciate the Senator's sentiments on this subject. In the New York City area, for instance, the emphasis is on assisting and helping struggling artists and struggling writers, and those who do have some talent, who need financial help to pay for their bread and butter and possibly the paint to go on the canvas. This is what we are attempting to do.

I shall follow the admonition of the Senator from Wisconsin very carefully and will see that this is called to the attention of the House when we proceed further.

I thank the Senator from Wisconsin.

Now, Mr. President, I want to apologize and ask the indulgence of the distinguished Senator from Delaware (Mr. BOGGS) because of the commitment the Senator from Wisconsin had that I yielded to him at this time. I should have recognized the Senator from Delaware first, immediately after I had made my opening statement.

Mr. BOGGS. Mr. President, I thank

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the distinguished chairman for his kindness. I was in entire agreement with him that he should have yielded to the distinguished Senator from Wisconsin (Mr. Proxmire) when he did.

Mr. President, I shall take just a brief moment to say that it has been a great pleasure to work with the Senator from Nevada (Mr. Bible) and the other members of the subcommittee on this bill.

This was my first experience in working closely with this appropriation, and it was enlightening.

This opportunity came to me as acting ranking minority member of the subcommittee, due to the unfortunate illness of our distinguished friend from South Dakota (Mr. Mundt). We all miss him very much, especially his able, skillful, and experienced devotion and ability on the subcommittee. It was a pleasure to work with the Senator from Nevada (Mr. Bible) and other members of the committee who devoted careful study to the myriad programs sponsored by this appropriation bill.

The result of the long deliberations and lengthy hearings, I believe, is a bill which will provide needed fiscal support for the programs of the Department of the Interior and the related agencies, without causing undue imbalance to our troubled economy.

H.R. 17619 would appropriate a total of $2,023,058,000 for the Department of the Interior and related agencies. This represents an increase of about $222 million from the bill as it passed the House of Representatives and an increase of about $416 million from fiscal year 1970.

It must be pointed out, however, that the total appropriation bill is $11.8 million below the fiscal year 1971 budget estimates and that this bill contains several items not considered by the House because of the lack of authorizations.

New starts, both in construction and in programs, are held to a minimum in this bill because of the pressure of inflation and the need to hold Government spending to a minimum. This bill does, however, provide necessary support for ongoing programs and the basis for their efficient and responsive operation.

I would like to discuss just briefly three areas in which I believe this bill serves our national needs.

First, in the area of Indian Affairs: H.R. 17619 would appropriate in fiscal 1971 a total of $291,620,000 for the operation of the programs of the Bureau of Indian Affairs. This represents an increase of $36.6 million over fiscal year 1970, and nearly all of this increase would go into the important area of education and welfare services.

In addition, it must be pointed out that Indian programs operated by other departments will total $291,620,000 in fiscal year 1971. This figure, combined with the Bureau of Indian Affairs appropriation, makes a total of $620,457,000 available for the betterment of Indians during this fiscal year. This is an increase of $41.7 million over last year.

In the area of recreation, I would like to point out that this bill would appropriate $233,645,000 for the Bureau of Outdoor Recreation and $152,073,000 for the National Park Service. These two appropriations combined represent an increase of $262 million over fiscal year 1970.

Finally, it is important to recognize that this bill does much to improve opportunities for scholarship and the appreciation of art and history.

It would appropriate $33,310,000 for the National Foundation for the Arts and Humanities, $35,066,000 for the Smithsonian Institution, $3,716,000 for the National Gallery of Art, $750,000 for the Woodrow Wilson International Center for Scholars, and $373,000 for the American Revolutionary Bicentennial Commission.

Mr. President, I commend this appropriation bill to my colleagues as a fiscally sound program for the coming year.

Mr. BIBLE. Mr. President, I appreciate the sentiments of the distinguished Senator from Delaware.

If I might add, I do not know of anyone who worked harder on the committee on these intriguing programs in this very interesting bill which covers every facet of the American scene than the Senator from Delaware. Every Senator who has a little project of his own thinks that it should go into his State rather than into someone else's. We had a great deal of work to do on the bill. It was working for America, which we enjoyed, in the many areas of natural resources and conservation. The Senator from Delaware was a great help to us in our endeavors.

Mr. YARBOROUGH. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I am happy to yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I invite the attention of the distinguished chairman of the subcommittee to the House report on the bill on page 17, and two items which appear there: $250,000 for the San Marcos National Fish Hatchery, Tex., and $700,000 for the support facilities, Western Gulf Marine Laboratory, Port Aransas, Tex.

I have discussed these items with the chairman previously. He is thoroughly familiar with these projects, particularly the Western Gulf Marine Laboratory at Port Aransas. The chairman is very knowledgable about these matters. He has studied the many intriguing subjects which come before his subcommittee. The subject area of the subcommittee reaches from the furthermost islands in the Pacific to Puerto Rico and down to the Panama Canal Zone. Wherever the American flag flies, the subcommittee has worked.

The first laboratory of this kind was built on the eastern gulf coast, and is located on the west coast of Florida, in the Gulf of Mexico. The warm Gulf stream comes up from the Caribbean and sweeps to the east coast of Mexico and then cuts across the delta of Louisiana and crosses the gulf to reach Florida. It should be pointed out that the marine life of the western part of the Gulf of Mexico is entirely different from the eastern part of the gulf. With the development of the fisheries in the western part, shrimp have become the most valuable fish in the sea, replacing the codfish of the Northeast.

The distinguished Senator from Nevada (Mr. Bible) knows of the problem of pollution from oil on the Padre Island National Seashore, which endangers people and fishlife as well. A laboratory was first provided for the eastern coast of the Gulf of Mexico. The Western Gulf Marine Laboratory is a complementary one because the fishlife is different, the life patterns are different, the ecology is different, and the estuarine ecology is different. The distinguishing features of the area require a different kind of research.

As the chairman knows, salt water fish come into the bays to breed. Pollution threatens the entire fish supply of the gulf. Most fish and game fish come into these estuaries. The most productive areas we have are the estuaries where the salt water mingles with the fresh water. It is very important that we intensify our research in order to meet the growing problems of pollution of our estuarine ecosystems.

In 1966 Congress appropriated $100,000 for planning and designing work on the Western Gulf Marine Laboratory. In the fiscal year 1970, Congress appropriated $197,000 for the construction work; in 1968, Congress appropriated $200,000; $50,000 has been appropriated in 1970 to cover the construction facilities and to complete the interior, maintenance, and gear storage.

They have the garage and the maintenance buildings. A seawall has been completed. They are ready for the laboratory building.

I submit that it would be a waste of time and money to waste this 4 years of preliminary effort which has been devoted to the first phase of construction and site preparation.

The project has been continuing for 4 years, beginning with fiscal year 1966. The time has come to complete this work.

I respectfully request the distinguished chairman that he accept the amendment so that we can at least complete this research facility, just as the Eastern Gulf Marine Laboratory at Panama City, Fla., has been completed, and at a similar cost.

Mr. President, the area concerned affects more than Texas. We are concerned with the whole western half of the Gulf of Mexico.

There are certain ports in Texas where as many as 2,000 shrimp boats leave the ports. The bankers in those areas tell me that they have more commercial paper on shrimp boats than on anything else. This is important for the whole economy of the Nation. Shrimp is shipped all over the country. If we are not able to continue with this industry, fish will be imported from other places throughout the world, some from East Asia.

This project is needed to preserve the environment. We know what has happened because of the pollution of the environment.

I think that a cost of $700,000 is very modest. Costs are going up and delays would mean far greater costs.

Mr. BIBLE. Mr. President, the prob-

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lem of Port Aransas Laboratory is not a new one to the members of the subcommittee on Interior appropriations. That project has been before us on prior occasions for several years.

I think there is great merit in what the Senator from Texas has said. We had before us in considering the appropriations bill this year a number of items which were unbudgeted, and among them was the Port Aransas Laboratory.

We had other fish hatcheries and construction items. We concluded that the only proper thing to do was to treat them all alike.

These are new construction items in time of great fiscal strain, and in view of the problems that we are having, these items should not have as high a priority as possibly those of Indian health, which I am sure we will hear about a little later.

So, it was for this reason that we denied the item on the Senate side. It was an unbudgeted item. And the administration asked that we take this out of the budget after the House had passed it.

Let me now indicate to the very distinguished Senator from Texas that the chairman of the House Appropriations Committee is a fellow Texan. This item is in the bill. It will be in conference. We have the same problem with three other hatcheries that are in exactly the same position. One of them is in the State of Texas, and I might add, it is one on which the Representative from that particular area has called me daily from the time they first started planning up until the site preparation and now the final construction.

He was successful in having this item added on the House side. It was an unbudgeted item. The administration asked that we take this out, which we did. We had the same problem with the Port Aransas Laboratory. Both projects can be justified. It is a matter of priorities.

We determined that we would not cover any new fish hatchery construction or laboratory construction in the area of sport fisheries.

We just drew a uniform rule, and we held very religiously to it.

We have taken out a fish hatchery in the State of Oregon. And we have taken them out elsewhere.

So, I cannot accept the amendment for the San Marcos National Fish Hatchery for the simple reason that both items will be in conference.

It may be that in the give and take that goes on in conferences, Texas will fare pretty well. It usually does. I cannot accept the amendment. It is a question of priorities.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Nevada. I regret that he said he could not include the San Marcos National Fish Hatchery at Texas. I was going to mention that.

A few years ago we had two fish hatcheries in the area, one in San Marcos and another at Austin, Tex. They were 27 miles apart. Now both have been closed.

Southwest Texas State University is located at San Marcos. The university has obtained ground for this hatchery and the research which will be conducted there; 126 acres is for this purpose. They bought 75 acres of land at $410 an acres. This is a very significant indication of the great interest in this project.

With the closing of the fish hatchery at Austin, Tex., I hope the chairman will seriously consider this matter, and if he cannot accept the amendment, I hope he will consider it when he goes to conference.

Mr. President, I also wish to commend Representative PICKLE for his diligence. He represents those counties and he has been most diligent in his efforts.

We think the modest sum of $250,000 requested for the San Marcos fish hatchery would be added to the economy in the long run.

In response to a previous statement of the chairman I wish to say that I do not put this in the category of the priority on Indian education. Our committee had extensive hearings on Indian education, and we saw the great need there. That is a problem involving human beings, but food supply and health are also very important considerations.

This is less than $1 million and will add to the food supply. By a study of contamination we hope fish could be eaten in safety, without endangering the lives of birds or man.

Mr. President, the amendment would provide funds for construction of support facilities at the Western Gulf Marine Laboratory at Port Aransas, Tex., and a fish hatchery at San Marcos, Tex. This comes under the Bureau of Sport Fisheries and Wildlife.

These two items are of great importance to Texas, and have been the subject of long study and planning. The House recognized the need to carry through with the planning and preparation already devoted to these projects by providing the necessary construction funds. I submit that this body should similarly recognize this need and provide these funds for construction of these facilities.

The Western Gulf Marine Laboratory is located in the center of the important recreational fishing area of the western Gulf of Mexico. In 1965, this portion of the gulf coast provided nearly 740,000 anglers with fishing recreation. They are estimated to have spent $65 million and realized a catch of 188 million pounds of fish.

In the fight against pollution and for its kindred subject, conservation, nothing could be more important to the wholesome ecology of the western gulf than completion of this laboratory. An extremely important feature of the laboratory and its location is its association with what is fast becoming an important marine research complex. Located nearby in the greater Corpus Christi area is the Institute of Marine Science of the University of Texas, the Rockport Laboratory of the Texas Parks and Wildlife Department, the Ocean Science and Engineering Laboratory of the Southwest Research Institute, and the Marine Science Facility of the U.S. Geological Survey at the University of Corpus Christi at which will be controlled the research for the entire gulf and Caribbean. Let me emphasize that this laboratory and the program it will carry out complements rather than duplicates the efforts of these other institutions in the marine science field. Its program will include studies of marine game fish disease, fisheries hydrography research studies of the estuarine ecosystems, and other areas of interest.

The estimated cost of construction of a laboratory building similar to the one now planned for the Eastern Gulf Marine Laboratory at Panama City, Fla., is $700,000, which is the amount proposed for this facility in my amendment. With construction costs escalating at the approximate rate of 7 percent per year, it is clear that several hundred thousand dollars can be saved by proceeding with the third phase construction on this meritorious project in fiscal year 1971.

My amendment also calls for $250,000 to construct the first hatchery at San Marcos, Tex. In a previous administration, this project was budgeted and recommended as a new construction project for $1.2 million. The present proposal is a very modest one. Last year Congress appropriated $100,000 in planning funds for this project. It is important that we proceed with this project in a smooth and orderly fashion. This is one of the most important programs within the Bureau of Sports Fisheries and Wildlife, and I am most grateful that the shortage of sport fish is being given the attention it deserves. The San Marcos proposal not only calls for the construction of one of the most modern facilities in the country, but it also provides the focal point for an outstanding marine biological study complex, available at Southwest Texas State University.

This project represents a textbook study in cooperation between school, State, and Federal Governments. The university has agreed to the land use, the State legislature has passed special legislation giving this land for the stated purpose, and the Federal Government has provided the necessary planning funds.

The university has demonstrated its serious intent in carrying this program through to completion. A portion of the proposed site was already owned by the university, but in order to have full use of the necessary land, the university purchased an additional 75 acres at $410 per acre. The total purchase price was $30,750. Then, this 75 acres was combined with the existing property to provide the needed 126 acres. It would be a serious mistake if we permitted this progress to be halted at this time.

The number of Federal fish centers in the United States is not increasing at a dramatic rate. In Texas, the number has actually declined. There are approximately 90 to 100 Federal fish hatcheries in the United States. At one time, Texas had four, but with the recent closing of the Federal fish hatchery in Austin, we now have only three. Texas is still brimming with fresh water and clear lakes. We are a State of fishermen and conservationists and our need for such a center is self-evident.

As further evidence, the 1965 National Survey of Needs for Hatchery Fish indicates that 5 years ago, Texas suffered

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a fish production deficit of about 170 million fish. With the demise of the Austin fish hatchery, our problem is more critical.

I submit to you that our need is clear. Our Government should not leave this project dangling. It would be oddly inconsistent that we would begin with $100,000 one year and program nothing for the next. We have the contractor on the ground doing the preliminary work. The money-saving move would be to go ahead with stage one action. This is the development of the water supply systems, which includes the pumping stations and the connecting pipelines from the water wells at the source of the water, to the ponds for the ultimate use of the water.

There are three other Federal fish hatcheries in Texas—at Inks Lake, at Fort Worth, and at Uvalde. In fairness, they are excellent facilities, but none can hold a candle to what we have on the drawing board for San Marcos. Here, we are planning more than merely a fish hatchery. Here we plan to incorporate the latest developments into a sports fishery center. Here, we will run an efficient hatchery in addition to developing proper fish farming techniques for raising sports fish throughout the Southwest.

Mr. President, these two items are of great importance to Texas, and they have been included in the House Interior appropriation bill. I submit that we should act now to carry through on these projects in an orderly fashion. The planning has been accomplished, and postponement of the construction will only result in higher costs of these facilities in the future.

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Mr. President, I ask unanimous consent that my two proposed amendments may be printed in the Record at this point.

The PRESIDING OFFICER (Mr. Byrd of Virginia). Without objection, it is so ordered.

The amendments presented by Mr. Yarborough are as follows:

> On page 21, line 17, strike out "$3,497,000" and insert in lieu thereof the following: "$3,747,000 of which $250,000 shall be available for the San Marcos National Fish Hatchery, Texas."
>
> On page 21, line 17, strike out "$3,497,000" and insert in lieu thereof the following: "$4,197,000 of which $700,000 shall be available for Support Facilities, Western Gulf Marine Laboratory, Port Aransas, Texas."

Mr. YARBOROUGH. Mr. President, I appreciate the great courtesy of the chairman of the committee. I am hopeful that in conference these two very modest items can be left in the bill.

Mr. BIBLE. Mr. President, I shall respond briefly. I have many reasons that led to the final committee determination. I cannot accept the amendments for the reason I have given. This will be in conference and it will be ably argued. I would hope if any of these items emerge from conference that we have some indication from the administration that funds we appropriate will be expended. This is always one of the problems. I share the concern of the Senator. We will look with a sympathetic eye to these measures as we go forward in this matter.

Mr. YARBOROUGH. Mr. President, I hope, too, that the administration will spend the money and that the Bureau of the Budget will not freeze it. In these two cases a great deal of planning has been accomplished. The wells have been drilled and free water has been found at a good depth along the Balcones faultline of the Edwards Plateau where water accumulates. We get a wonderful supply of water along that faultline. There should be considered also the building of seawalls and storage equipment. Everything is ready for the Gulf Coast Laboratory, everything except the building itself. I hope the administration will consider the work that has been done over the years, the drilling of the wells, and the building of these facilities. We are ready for the capstone, the construction of the building itself. If they are going to freeze something, I hope they freeze something new on which work has not been started.

Mr. BIBLE. Mr. President, I appreciate the statement of the Senator from Texas.

Mr. HARRIS. Mr. President, I wish to make some general comments in regard to the appropriations contained in this bill for Indian health and education, then I will offer some amendments.

First, I wish to commend as strongly as I can the distinguished Senator from Nevada (Mr. Bible), the chairman of the Subcommittee on Interior and Related Agency Appropriations, the distinguished Senator from Delaware (Mr. Boggs), and members of that subcommittee for presenting to the Senate what is probably the most generous bill that we have seen in the Senate in regard to the needs of Indian people of the country. The budget from the President is in many ways, perhaps most ways, a better and more responsive budget in regard to Indian needs than we have seen. That budget has been improved upon in some ways by the Committee on Appropriations in the bill now presented to the Senate. So I cannot praise too much the distinguished chairman of the subcommittee, the Senator from Delaware, and members of the subcommittee and the committee generally for the especially warm attention that they have given to the needs of American Indians, Eskimos, and Aleuts.

There are some amounts in certain categories which I hope the Senate will be willing to consider adding because of the needs that exist in particular subject matters. I want to present those to the Senate. In doing so I will not present these amendments for myself alone, but also on behalf of other Senators who are interested in these matters: the distinguished Senator from New Mexico (Mr. Montoya), the distinguished Senator from Minnesota (Mr. Mondale), the distinguished Senator from Massachusetts (Mr. Kennedy), the distinguished Senator from California (Mr. Cranston), and others. All of us have been working together to get these amendments prepared, and our arguments in regard to them prepared. We shall present them in concert, each taking some part or another of the subject matter for presentation to the Senate.

Mr. President. American Indians, Eskimos, and Aleuts are rightly proud of their heritage and the contribution they have made and are continuing to make toward helping America achieve its full promise.

But for too many native Americans themselves, the American dream is still far from reality. They rank last in all statistics concerning health, education, housing, employment, and income.

The average age of death for American Indians is still only 44 years, far less than for non-Indians.

Indian children still complete an average of less than 9 years of school, compared with more than 11 years completed by non-Indian children.

The unemployment rate for American Indians is more than 10 times that of non-Indians, and the average income of American Indians is still only $30 per week, far below what the Government defines as the poverty level.

These wretched statistics grow out of three historical causes. First, there has been a purposeful and deliberate effort on the part of the Federal Government and others in the past to destroy the cultural identity, heritage, and language of American Indians, Aleuts, and Eskimos. Students in Government Indian schools were whipped by school officials if they spoke their own tribal language.

The effect of much of what is being done today is not much better. Too many Indian young people are still required to leave their home areas, families, and friends to attend Government schools, often hundreds of miles away. For example, Chilocco Indian School in Oklahoma has a high number of Indian students from Alaska, and a majority of the student body at Fort Sill Indian School in Oklahoma is composed of Navajo Indian young people from Arizona and New Mexico.

One former teacher in an Indian school—a non-Indian himself—wrote of the results of Government-sponsored education for one of his pupils:

> Herbert . . . was a product of boarding school regimentation and had returned to the reservation with bitterness . . . and a trade he could not use, with only a froth of academic learning, and with no place in white civilization and only a precariously held position in his own society.

More than half of American Indian young people now attend public schools. Weighted down by years of discrimination and pressures against pride in heritage and background, they are often isolated from the non-Indian students and frequently are found to believe the harmful stereotype images about themselves which many non-Indians hold.

Second, programs of the Federal Government have for years kept Indians in a state of dependence, not allowing them to make decisions of real importance concerning their own lives. Even today, despite growing changes in the philosophy of the Bureau of Indian Affairs and in the Federal Government generally, not enough has been done to implement recent congressional directives for greater self-determination for American Indians through the establishment of Indian school boards and hospital boards with real authority to make decisions and other such moves to allow American Indians to have the same right of participation in decisionmaking enjoyed by other American citizens.

Third, when the Federal Government, particularly, began to institute new programs for improved housing, education, and other such social concerns, American Indians were not given the same attention accorded to the general public. By and large, the Bureau of Indian Affairs, with terribly limited funds, continued to constitute the entire Federal Government for most American Indians. It has only been recently that President Johnson established the National Council on Indian Opportunity, which has pressured other Federal agencies, such as the Department of Housing and Urban Development and the Office of Education and others to join with the strong, new, and innovative force represented by the Office of Economic Opportunity in recognizing that American Indians are, first of all, American citizens and are entitled to all of the services of the Federal Government, not just those under the jurisdiction of the Bureau of Indian Affairs. Though yet too small, this is an especially important beginning. Particularly is that true by reason of the fact that, now, approximately half of all American Indians live in urban areas, away from their traditional homes and reservations, and the Bureau of Indian Affairs has not felt that these Indians, who have moved away, are any longer entitled to special attention, despite the fact that they have come to urban areas with generally more disabilities to adjustment than is true for most rural-to-urban migrants.

Those of us who are presenting these amendments today will first offer an amendment in regard to Indian health which proposes to increase the total appropriation contained in this bill for that purpose by $9,726,000.

The level of health of American Indians, Eskimos, and Aleuts lags 20 to 25 years behind the health advances of the general population in America. The average age of death for American Indians is 44 years of age, about one-third less than the national average of 64.

American Indians are 8 times as likely to suffer from tuberculosis as the rest of us, and deaths due to influenza and pneumonia are nearly 2½ times for American Indians. There are 3½ times as many homicides and 2 times as many suicides among American Indians as there are among the general population.

If one is an American Indian, he is 10 times more likely to suffer from rheumatic fever, strep throat, and hepatitis. The incidence of otitis media, a middle ear disease which leaves hearing impaired, is far more prevalent among American Indians than among any other people in our society.

Twenty-eight percent of all Indian homes still lack running water and an adequate means of waste disposal. The average American Indian family of five or six members still lives in a one- or two-room house, and only about 24 percent of the dental care needs of American Indians are being met.

Because of personnel shortages, it is not uncommon for one nurse in an Indian hospital to be responsible for more than one floor. Members of a patient's family, untrained in medical care, often have to be called upon to assist.

Physicians in Indian hospitals frequently have an impossible patient load, and those physicians going to field stations or clinics see as many as 80 patients a day. One physician at an Indian hospital in Oklahoma has a patient load which allows him only 3 minutes per patient per day. The result is long lines and degrading treatment.

The Indian Health Service estimates that outpatient visits for the past 2 years have increased 6 to 7 percent a year, but there has been no provision for any staff increase in the past 2 years—until we come to the appropriation bill now under consideration. In fact, since expenditure controls were implemented in 1968, there has been a decrease in personnel working in the Indian Health Service—218 vital positions in the hospital health activity of the Service have been lost.

It is estimated by the Indian Health Service that, in order to meet the staffing requirements for Indian hospital facilities, 225 to 250 employees are needed for each 100 average daily patients hospitalized, and that 120 employees are required for each 100,000 outpatient visits. In fact, however, in 1968 the Indian Health Service was staffed with only 165 employees for each 100 average daily patients and with only 47.8 employees for each 100,000 outpatient visits.

Along with shortages of personnel, most of the Indian hospitals have serious drug shortages. More will be said about that later in connection with the health appropriations amendment.

As the Indian members of the National Council on Indian Opportunity stated on February 16, 1970:

> In light of the dire need for all health facilities and health needs, it is criminal to impose a personal and budget freeze on Indian health programs. Even without a freeze, Indian hospitals are woefully understaffed and under supplied, even to the extent of lacking basic equipment and medicine. We deplore the budget decisions that have caused this state of inadequacy.

In order to add to the additional efforts recommended in the field of Indian health by the appropriation bill now before us, the first amendment offered will attempt to add $9,726,000 to the appropriations item for that purpose.

The first portion of that amendment will be for $500,000 for mental health care, to be presented by the distinguished junior Senator from Minnesota (Mr. MONDALE). The second portion is for $3,750,000 for meeting the critical sanitation needs of American Indians, and $500,000 for the treatment of otitis media, the ear disease from which American Indians especially suffer. That will be presented by the distinguished Senator from Massachusetts (Mr. KENNEDY).

The third portion of the amendment is for $1,269,000 for additional hospital positions and $957,000 for drugs and supplies, which I shall present.

The fourth portion is for $750,000 for California rural Indian health boards, to be presented by the distinguished Senator from California (Mr. CRANSTON). The final portion is for $2 million for an urban Indian health pilot program, which all of the sponsors of the amendment will comment on and related to their respective States.

Indians in America today can be considered for program purposes in five broad groups: First, residents of federally recognized Indian reservations; second, Indian people in a migratory status of living in "border towns" close to reservations; third, Indian people entitled to Federal services who live on rural, nonreservation land, as in Alaska and Oklahoma; fourth, groups living on State reservations not recognized for Federal services; and fifth Indian people living in urban centers throughout the Nation.

Without judging the adequacy of the governmental services, at least the first three groups do have the entitlement to programs administered by the Bureau of Indian Affairs, the Public Health Service, the Office of Economic Opportunity, and several other Federal agencies. The major challenge today is some systematic support for Indian people in the last two categories; those living on State reservations and those in America's towns and cities. The distinguished Senator from California (Mr. CRANSTON) will speak further about the need for hospital boards in rural areas of California; and he may, as perhaps others will also, touch upon the problems of Indian people who live on State reservations which are not recognized for Federal services.

Of these two groups—that is, those who live on State reservations and those who live in cities and towns—the urban Indians are in overwhelmingly greater numbers. In fact, most authorities agree that now over half of the Indian people in the United States live in urban areas. So the anomaly exists that virtually all of our Federal programs are designed to meet the need of a minority of Indian people as they lived decades ago.

Theoretically, urban Indians receive the same range of services available to other citizens in the cities in which they live. But at least two phenomena inhibit the actual delivery of these services. There is a widespread belief among local and State administrators that "the Federal Government takes care of Indians." Consequently, when an Indian approaches a public agency—local, State, or Federal—he is often referred back to the Bureau of Indian Affairs which, as a result of legislative and regulatory restrictions, feels powerless to help him. Enough of this kind of bureaucratic unresponsiveness, and the individual is apt to develop the well-known failure expectancy syndrome.

One unhappy dimension of this dilemma was brought to light in a series of hearings on urban Indian problems recently conducted in five major cities by Mrs. Fred Harris, now president of Americans for Indian Opportunity, on behalf of the National Council on Indian Opportunity. Administrators of local, State, and Federal programs who testified at the hearings were shocked to learn

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that the only entitlements of urban Indian people were those services available to all citizens. They had sincerely believed that some other agency of Government must be responding to Indian needs. There was apparently no studied conspiracy to deprive Indians of services. Instead there was simply a lack of knowledge of Indians' needs and conditions. Indeed, often there was even a lack of awareness that Indians lived in the community served by the agency, although they often numbered in the thousands there.

It is for this reason in particular, Mr. President, that the health appropriations amendment which we will offer includes a proposal for a demonstration pilot project with regard to the health needs of Indians living in urban areas.

We shall also later offer an amendment which will seek to add $2,813,500 for various needs in the field of education, and the distinguished junior Senator from Oklahoma (Mr. BELLMON) and I shall offer a separate amendment for $585,000 to restore to the Senate bill an item in that amount which was added by the House of Representatives for a badly needed dormitory at Eufala Indian Board School in Eufala, Okla. This Indian boarding facility boards Indian students of the area in which the school is located, but the students are actually schooled in the Eufala, Okla., public schools—a practice which I strongly approve.

This school had its dormitory facilities destroyed by fire back over 8 years ago, and there has not been complete reconstruction because of the scarcity of funds. This $585,000 item, which Senator BELLMON and I shall discuss later, is for that principal purpose, as well as for some other minor purposes.

Mr. President, in any society the transition from youth to adulthood is a difficult one. In America today, it is increasingly obvious that the symptoms of a society under severe stress and in the midst of great change are most acute among its young.

That is true for relatively average middle-class white young people. It is even more true for American Indian young people who are not only caught between generations, but are also caught between cultures.

Too often, for them pride in heritage and group identity has been purposely discouraged. This policy and the attitude of a patronizing Federal Government which has encouraged dependence, coupled with years of discrimination, combine to make it extremely difficult for many American Indian young people to have or retain a positive individual self-image.

American Indian students confront a range of critical educational obstacles which are largely unknown to the majority of non-Indian young people: the Indian boarding school which often isolates the school from the Indian family and Indian community; the severe lack of Indian teachers and guidance counsellors or specially trained and sensitive non-Indian teachers and guidance counselors; the almost complete absence of special curriculum or teaching materials which favorably reflect the realities of Indian heritage and experience; and the discouragement of Indian parents from active participation in the life of the school.

It is no surprise, therefore, that the dropout rate among American Indian young people in high school is as high as 70 to 80 percent or that such a small percentage of those who do complete high school ever get to or through college.

The problem feeds on itself. The low number of high school and college graduates among American Indians means that there is also a low number of role models, successful American Indian individuals whom American Indian young people can emulate and pattern their lives after.

This lack of role models, discrimination, and the other special problems facing American Indian young people too often means that they come to hold a negative self-image. One young Indian girl in Lawton, Okla., was typical of many others questioned in a recent survey of Indian students. "I never knew an Indian who made straight A's," she said. "I do not believe that Indians can make straight A's."

Obviously, the special problems facing American Indian young people cannot be solved until our society, itself, changes—until the attitudes of non-Indians are improved and government policies are altered. But, in the meantime, there is much that can be done.

We come today, Mr. President, also to request additional funding in the field of Indian education. The basis of our request is need—dire and urgent need—for changes and improvement in the education of young American Indian people.

These are the statistics that convey some idea of the depth of the problem:

Ten percent of all American Indians over 14 years of age have had no schooling at all; 60 percent have had less than an 8th grade education; and the average schooling of Indian children is only 5 years. The average school dropout rate is 50 percent, compared with a national average of only 29 percent.

Only 57 percent of Indian men are in the labor force, compared with 70 percent for non-Indians—a reflection of levels of education and skills. The rate of unemployment for American Indians remains close to 40 percent, reaching 80 percent in some areas at certain seasons. Median income of Indian men is only a little over one-third the median income for non-Indian men.

Mr. President, these are not just abstract figures and statistics. They stand for human beings with less than a full chance to achieve the American promise. They should disturb us greatly and move us to action—and action means, most importantly, more money.

The amendment we will offer later, totaling $2,813,500 for Indian education, includes an item for teaching and guidance personnel in Federal schools in the amount of $2 million; an item for development of courses in Indian language, history, and culture, and teacher training programs in local Indian culture and values, in the combined amount of $500,000; an increase in higher education scholarships for Indian young people, in the amount of $200,000.

I may say, parenthetically, that the Senate Appropriations Committee and the House Appropriations Committee are both to be commended greatly for adding $1 million to the present budget for that purpose. But I hope that we will be able to increase that amount by an additional $200,000, because in the Department of the Interior budget justifications for fiscal year 1971 it is set forth that there has been a sharp increase in the number of applications for scholarship aid. It is further set forth that one of the major reasons for Indian students leaving college has been a lack of adequate funding.

Therefore, Mr. President, I think it is especially important that this amount, rather small, $200,000, be added, together with additional funds for counseling and guidance in the public schools in the amount of $50,500, and additional funds for teacher aids in the public schools, in the amount of $63,000.

These funds would be very helpful in improving Indian education and would offer hope that new educational concepts might be developed.

The Indian members of the National Council on Indian Opportunity recognize the great need to completely restructure the basic educational concepts of Indian education, stating:

> A full generation of Indian adults have been severely damaged by an unresponsive and destructive educational system. At a time when economic survival in society requires increasing comprehension of both general knowledge and technical skills, Indians are lost at the lowest level of achievement of any group within our society. We must not lose this generation of Indian children as well.

In 20th-century America, can a people retain their individuality, their unique pride in their past, and still participate fully in the promise of this country? Mr. President, not simply for the sake of American Indians but for every minority group, for every individual, for all of us who probably call ourselves Americans, the answer is "Yes."

With respect to that answer, I now send the first amendment to the desk, the one dealing with an increase in health appropriations, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 35, line 7, strike out "$115,660,000" and insert in lieu thereof "$125,386,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

Mr. MONTOYA. Mr. President, will the Senator yield?

Mr. HARRIS. I am very pleased to yield to the distinguished Senator from New Mexico. He is a member of the Senate Appropriations Committee. Because of his good work in supporting the efforts of the distinguished Senator from Nevada (Mr. BIBLE) and others, the appropriations for the needs of Indian people this year were better than they have ever been in the past; and I know that much of this bill bears the evidences of his

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handiwork. I am pleased to yield to him at this time.

Mr. MONTOYA. I thank the distinguished Senator from Oklahoma for yielding to me, and I commend him for the very fine statement he has made this morning with reference to Indian health, education, and economic opportunity—or lack of it. I think the statement bears out the concern we have in the committee for the fate of the American Indian.

I attended many of these hearings. I listened to the testimony. I participated in the hearings by in-depth questioning of BIA officials. The chairman of the committee, the distinguished Senator from Nevada (Mr. BIBLE), and the ranking minority member, the distinguished Senator from Delaware (Mr. BOGGS), were at all times most sympathetic to the problems of the American Indian with respect to health, education, and social welfare. I believe that the appropriation, as stated by my distinguished friend, the Senator from Oklahoma, reflects great sympathy on the part of the subcommittee as well as the full Appropriations Committee.

Of course, we have to face reality—we are making a late start with respect to the American Indian. He has been left behind. He has been the silent segment of the American population, not giving protest to the inaction of our Government with respect to his welfare, but waiting for the day when we would recognized him. I think that day has arrived. I think we are making a beginning in behalf of the American Indian, and the beginning is not as much as it should be. But I think that within fund availability, the committee is doing a wonderful job, and I agree with the Senator from Oklahoma that the committee is to be commended.

I know that the distinguished chairman of the committee has a very good grasp of the needs of the American Indian, and I know that he has a strong desire to implement this beginning in the future. I certainly hope that this Senate, this Congress, and this administration, as well as the American people, will become more cognizant of the American Indian and his problems, so that together, in concert, we can do something about bringing the American Indian into the mainstream of opportunity and bring help to his community and education to his children. This is what we should do. After all, the American Indian is the first American; and in economic opportunity, in educational opportunity, and in health he is the last American, and he should not be.

I wish to join the distinguished Senator from Oklahoma in offering the amendment with respect to Indian health. I also wish to offer commendation again to the distinguished chairman of the subcommittee (Mr. BIBLE) and to the distinguished Senator from Delaware (Mr. BOGGS), the ranking member of the subcommittee. Although Delaware has no Indians, the Senator from Delaware has a strong grasp of their problems and has manifested a sympathetic understanding of the problems of all American Indians.

New Mexico has approximately 80,000 Indians, which is close to one-sixth of the American Indian population. That is why I have manifested so great an interest in the welfare of the Indian children and in the health problems of this forgotten segment of our population.

When Commissioner Bruce was before the committee, he manifested great sympathy for the Indian problems. I am sure that he deserves a word of commendation from us, because, indeed, he has traveled all over the reservations and has shown an interest in all the problems which we have mentioned this morning. He has endorsed many of these fine projects.

The chairman of the subcommittee approved some projects for New Mexico, and I thank him for his assistance. He was most generous in his approval because the items were unbudgeted. I hope that in conference the House will retain these items, because they represent a good beginning in trying to establish better health facilities and better educational opportunities in some of the areas of New Mexico where Indians live.

I thank the distinguished Senator from Oklahoma for yielding. I again commend him for his excellent statement.

Mr. HARRIS. Mr. President, I commend the distinguished Senator from New Mexico. No Member of this body has a greater depth of understanding of the special needs of the American Indians than does he. He has traveled in my own State and in other States and has met with Indian organizations which are engaged in efforts of self-help and other efforts to improve the living conditions of American Indians. No one has done more to assist in the improvement of Indian health and education than has the distinguished Senator from New Mexico. I appreciate what he has said this morning.

Mr. President, I am now pleased to yield to the distinguished Senator from Massachusetts, who has been one of the guiding lights in promoting renewed national interest in the problems of the American Indian, not only in the cause of education, but of health, as well. He will speak to a portion of our joint amendment.

Mr. KENNEDY. Mr. President, I thank the distinguished Senator from Oklahoma, who rises often in these Chambers to bring to our attention the many unmet needs of American Indians.

I wish also to express my warm appreciation to the members of the committee, especially the distinguished chairman (Mr. BIBLE), the distinguished Senator from Montana (Mr. MANSFIELD), and other Senators for their attention to the many problems on which we are focusing at the present time.

Mr. President, in the development of these amendments, we have tried to highlight some of the special needs we consider to be priority relating to Indian health and education. As a cosponsor of the amendments to add some $12,539,500 to the Bureau of Indian Affairs and Indian Health Services appropriations, I urge their passage.

These amendments represent a combination of several individual proposals, and I believe that in balance the proposed additions to these appropriations are indeed modest. But I think that it should be made clear as to how the additions are intended to be allocated; the committee has already expressed concern with the manner in which funds appropriated for fiscal 1970 were used by the Bureau of Indian Affairs. A year ago over $3 million were provided for specific purposes, such as curriculum improvement and development, Indian boards of education, and research and evaluation of the educational system. Yet we recently learned that a substantial portion of these funds were lumped into the Bureau's operating budget and were not used as intended by Congress. I join the committee and its distinguished chairman in the expectation that the wishes of Congress will not be so flagrantly ignored in the future.

INDIAN EDUCATION

The work of the Special Subcommittee on Indian Education, which I chaired last year, resulted in a number of recommendations for improvements of Indian education programs. The Congress has already responded with amendments to the Elementary and Secondary Education Act relating to assistance to Indian children. Just last week the Senate approved substantial funding for activities to be carried out under that act, including special funds to go into Indian education programs. The bill before us reflects a substantial commitment to Indian education in Federal schools; the $2,813,500 added by this amendment would round out the picture for next year.

Both the Indian Education Subcommittee and the National Council on Indian Opportunity urged substantial increases in teaching and guidance personnel in Federal schools, and counseling and guidance personnel in public schools serving Indian children. Funds are provided in the amendment offered today to provide for some of these increases. I fully support the addition of $2,813,500 to the Bureau of Indian Affairs budget.

INDIAN HEALTH

I likewise support the increase of funds for the Indian Health Service. The Senator from Minnesota made an able and extensive presentation in hearings on appropriations for mental health programs. The unusually high alcoholism and suicide rate among Indians, among other factors, attests to the need for major commitments to mental health programs.

Mr. President, the Indian Health Service estimated that over $63 million would be necessary to bring existing Indian housing facilities up to minimal sanitary standards. This is without regard to the building of new houses, thousands of which are desperately needed on reservations across the country. This amendment proposes adding $3,750,000 for sanitation facilities, which I believe are sorely needed. Likewise, the additional funds for drugs, supplies, and hospital positions provided in the amendment are needed immediately. Reports have come in that some Indian hospitals are out of insulin and other severely needed drugs, or have had to close wards and limit admissions because of personnel shortages. Only yesterday the Senate showed overwhelmingly its intention that hos-

pital care to our citizens should not be drastically curtailed despite rising costs. This should go for our Indian citizens also.

OTITIS MEDIA

Mr. President, I was pleased to see that the committee has included, as a special item in the Indian health budget, the sum of $438,000 for the treatment of otitis media—middle ear disease. This is especially significant since the administration did not ask for special funds in this area, although it is recognized as the No. 1 health problem among American Indians and Alaska natives today. The representative of the Indian Health Service testified before the Appropriation Committee as follows:

> Otitis media, middle ear disease, is one of the most prevalent infectious diseases among Indians and Alaska Natives . . . It has replaced tuberculosis as the major health problem among Indians in all areas, inflicting serious and often permanent damage to those persons who contract the disease. Children are affected hardest, often suffering severe hearing loss which results in physical incapacitation and social, vocational and educational retardation.

In this amendment to the Indian Health appropriation, I propose an additional $500,000 to be added to the fiscal 1971 budget to combat middle ear disease. This brings the total to just under $1 million, still far below estimates given by the health service of the amount necessary annually to meet this problem.

When I visited Alaska last year with the Subcommittee on Indian Education I heard testimony about the extent of otitis media and its effect on the education of native children. The group hardest hit by this disease is the children; of the cases noted since 1968, 59 percent of the total were in children under 5 years of age. And both in Alaska and the lower 48, statistics indicate that this trend is continuing and that the extent of the problem is increasing in scope and in numbers of cases, despite efforts to resolve this major health problem.

Testimony before the Indian Education Subcommittee from officials of the Alaska Native Medical Center in April 1969 suggested that hearing loss is the primary disability that interferes with education and learning. Even if permanent damage is not inflicted by middle ear disease, its presence during the years of language formulation may permanently impair the individual's ability to communicate and learn.

Dr. Kurt Deuschle, professor and chairman of the department of community medicine at Mount Sinai School of Medicine in New York, did an extensive study of the middle ear disease problem among American Indians and Alaska Natives. His study traced many of the apparent causes of otitis media to the poor living conditions of native Americans, including inadequate housing, nutrition, hygiene and sanitation, education, health education, and accessibility to medical care. As Dr. Deuschle concluded:

> The human misery associated with middle ear disease includes not only the pain and discomfort, and frequently draining ears, but also varying degrees of hearing impairment. Under ordinary circumstances the American Indians and Alaska Natives more often than not start life at a serious disadvantage compared to the white urban American. But when the crippling effects of middle ear disease are superimposed on the growth and development of the Indian or Eskimo child, serious retardation in educational and vocational development can result. There is already an almost scandalous back-log of middle ear disease requiring medical, surgical, and rehabilitative therapy. Moreover, new cases of acute and chronic middle ear disease are occurring every day and not receiving the benefits of modern medicine.

Mr. President, this problem comes into better focus if we examine the financial implications if an all-out program to combat middle ear disease is not undertaken.

It has been established that the cost of educating a hard-of-hearing child is around $3,000 per year. At Pine Ridge, S. Dak., 116 grade school students were confirmed to have hearing impairment in 1968; in the Albuquerque area 245 children with hearing problems were found. The incidence of middle ear disease in schoolchildren in the Billings area was 25 percent, and 25 percent in the Portland area. In Alaska 25 percent of the children under 15 years of age surveyed by the Indian Health Service were found to be deaf because of middle ear disease: 625 children. Assuming the $3,000-per-pupil cost of providing special education to these deaf students, the cost would be $1,875,000 per year in Alaska alone. Of course there are presently no programs in that State to provide adequate rehabilitative or special services for these children, who, unless such become available, will grow up deaf, uneducated, and unprepared vocationally. Welfare support for only half of the people, through their adult lives, would cost over $20 million.

Mr. President, there has been a 60 percent success rate in the hearing program so far. Applying this to the Alaska figures, it is clear to see the millions of dollars that potentially could be saved by presently increasing preventative and corrective medical programs relating to this specific disease.

We are not talking about speculative programs and generalized needs. The Indian Health Service has specific statistics and program information on the needs in every part of the country. As the Indian Health Service has observed:

> The prevention of human grief and the salvage of human resource justifies attention to the resolution of this major health problem.

URBAN INDIAN HEALTH PILOT PROJECTS

Finally, Mr. President, I am proposing the addition of $2 million to the Indian Health Service budget for pilot and demonstration projects to provided health services to Indians in urban areas. This is an area that has received relatively little attention in the past, but I believe it warrants our attention at the present time.

Large numbers of American Indians have begun a new migration from the reservations and more rural areas of the country to the cities, where they hope to find jobs, education, and a generally better life. This phenomenon in the American Indian picture has gone largely unnoticed until recently, when angry groups of these resettled people in San Francisco, Minneapolis, and Chicago began to rise up in protest against the unacceptable living conditions they are encountering in their new homes. For most of them, life in the cities is proving little different from life back home, and in many cases it is considerably worse.

A report by the National Council on Indian Opportunity following a survey in 1968 and 1969 revealed that one-half of the Indian population in the United States is located in urban areas. "Yet none of the Federal Government programs are aimed with any meaningful impact on the special problems which Indians in these urban environments face," the report observes. It also says the majority of the new urban Indians have arrived at their present location through the Federal Government's relocation program, and "this program is seriously deficient in funds and in professional direction for economic, social and psychological adjustment to an environment that is almost totally strange, impersonal and alien."

Most vital among the Government programs that Indians find lacking in the urban areas are the health facilities provided by the Indian Health Service. A staff report by the Indian Health Service had the following to say about the growing problem of health for the urban dwelling Indians in this country:

> Services to the Indian by both the Indian Health Service and the Bureau of Indian Affairs are restricted by administrative and congressional policies that were designed to serve the pre-World War II demographic and social characteristics of the Indian community. At that time the vast majority of all Indians were living in relative isolation in rural reservations, or 'former reservations,' and only a few had ventured to migrate to the urban or metropolitan centers of the nation. Since that time, however, economic and social pressures have combined to change the picture drastically, and there are now clearly as many Indians in 'off-reservation' urban communities as there are in the traditional Indian communities.
>
> When the move to the city first began, in the post war years and the 1950's it was the impression of the policy makers that any Indian who moved to the city automatically improved his lot and he was considered to be 'self-emancipated' from the reservation to a progressive, modern, 'acculturated' life in the mainstream of the American society. It was assumed that community services in the city were capable of meeting any human needs he might have that exceeded his personal resources.

This attitude found expression in the aggressive efforts of the Bureau of Indian Affairs to relocate as many families as possible from the depressed economy of the reservation to what they felt was an adequate basis for personal and family fulfillment through employment in industry in the larger urban centers of the Nation.

For some, this, in fact, proved to be an acceptable and effective process of adaptation, just as it has been for other Americans who have gone through the mass migration from rural to city life during the same period of time. For thousands of others, however, the social and cultural barriers have proven to be too great for them to cope with, and the results are an endless series of personal and family tragedies.

During all these years family after family helplessly encountered health problems in the cities and found that the wealth of human and material health resources of the urban centers were frequently inaccessible to them for any one of a number of reasons. The comprehensive health services programs of the Indian Health Service stop at the reservation line. The IHS is, in fact, budgeted only for facilities and services for a population base of an estimated 400,000 Indians still residing in reservation or "traditional" Indian communities. All that it offers the city Indian is health care if he returns to the reservation. There are few exceptions to this policy, such as efforts to meet his needs for serious emergencies until he may meet residence requirements for health services under welfare health programs, but these do not begin to meet the needs or fill the gaps in services. In most urban centers today the city Indian is far more isolated from adequate health services than the reservation Indian.

Until the 1970 census count has been tabulated, no exact figures can be cited on the number of Indians now living in American cities. That the number is growing is definite. The Indians themselves have some fairly accurate estimates: Mr. Joe Vasquez, president of the Los Angeles Indian Center, pointed out a survey made by the center showing that approximately 60,000 American Indians representing 102 different tribes are now residing in the Greater Los Angeles Area; the Dallas-Fort Worth Indian Association estimates there are roughly 8,000 Indians in that area, mostly from the Southern Plains tribes; and some 25,000 Indians are reported now living in the San Francisco Bay area. Chicago, Denver, Minneapolis, Cleveland, Seattle, and Wichita are other large cities with substantial and growing Indian populations.

Two examples of cities with large Indian populations are Oklahoma City and Minneapolis. Oklahoma City Indians, in order to be served with routine outpatient services, must travel 40 miles to the Indian health center at Shawnee. If they need to be hospitalized, they must travel a minimum of 90 miles to get to the Lawton Indian Hospital. This may provide some of the health services needed by the Oklahoma City Indians, but there are thousands who are presently unable to meet their personal health needs in this fashion and are falling through the cracks between other available health resources in the city.

The average Oklahoma City Indian is marginally employed with income levels often just high enough to disqualify him for health services under the welfare programs but insufficient to meet the costs of adequate services from the private sector. If he does make it to the existing facilities, he is forced to sit for 4 to 8 hours in a busy clinic waiting passively for someone to come and tell him what to do. Oftentimes the person who finally comes tells him instead to leave the clinic because its closing. In numerous meetings the Oklahoma City Indian leaders have requested that the Public Health Service establish a clinic to serve their needs.

The city of Minneapolis recently commissioned its Public Health Department to conduct a study of health conditions among the city's estimated 10,000 Indian citizens. Some of the tragic findings include:

That 88 percent of the pupils in a grade school with a predominantly Indian attendance had not been examined by a doctor since birth;

That the infant mortality rate for Indians was 12 percent, compared to 2.4 percent for the entire city population.

That the estimated Indian life expectancy was 44 years compared to 67 for the whole population; and

That virtually no prenatal services for prepaid services existed in the city for Indians.

And at Minneapolis' Hennepin County General Hospital, care is limited, except in emergencies, to those who have established legal residence in the city, which excludes many of the Indians.

Another study of the Indian health situation in Minneapolis made by the League of Women Voters revealed that even where health services are not tied to length of residence, Indians are frequently discouraged from using them. The report states:

> They have been given the runaround so much they feel they're being given another runaround; they don't bother to listen to the reasons. As a result, they often end up not going because they figure nothing will be done there either.

For those who make the effort to seek the health care that is available, the extensive paperwork and long wait often proves to be another deterrent. And once treatment finally is made, many of them fail to return for followup treatment.

I am sure my colleagues could outline city after city with the same kinds of problems facing Indians in Minneapolis and Oklahoma City. This past spring I visited Missoula, Mont., and spoke to a group of Indians living in that city. The problems first and foremost in their minds was that of obtaining adequate medical care and treatment. When I inquired about this problem at the Indian Health Service, Dr. Emery Johnson cordially replied that assistance in this area was simply beyond their means. He wrote:

> As with other off-reservation Indians, the Missoula Indians are receiving minimal service directly from Indian Health Service although they are eligible for the same services as those provided for other residents of the state, through state and local health programs. Unfortunately, we are able to meet only 60 to 70 percent of the health needs of the reservation Indians coming within the scope of the Indian Health Service program at the present time. While legislatively we have authority to provide health care to off-reservation Indians, a substantial increase to our financial base would be required to make this administratively possible.

In Montana the Governor's Task Force on Indian Problems recently passed a resolution calling for Federal health services to Indians residing off the reservations. That resolution reads as follows:

> Whereas, A majority of American Indians now live off reservations and
>
> Whereas, Due to budgetary limitations, the services of the Bureau of Indian Affairs and Indian Health Division of the Public Health Service of the Department of Health, Education, and Welfare have been limited largely to residents of the Indian reservations, and
>
> Whereas, Such limitations are gravely prejudicial to the development, security and welfare of Indians both on and off reservations.
>
> Now, therefore, be it resolved by the Montana Governor's Indian Task Force, meeting this 4th day April, 1970, at Billings, Montana, that the United States Congress be urged to appropriate sufficient funds for the Bureau of Indian Affairs and the Indian Health Division of the Public Health Service to finance full and adequate services to Indians residing off the reservations, as well as those living on the reservations, whether they be treaty or non-treaty Indians, to the end that the United States meet its responsibilities to the Indian people regardless of where they may live or work or what technical legal status they may hold.

The evidence clearly and strongly suggests the need for a major Federal initiative to provide adequate health services to American Indian citizens now living off the reservations in urban areas. I do not pretend the $2 million provided in this amendment will be adequate to the full task, but I likewise reject the suggestion that we should merely look into this problem or study it. These funds will provide the basis for a few demonstration projects and represent a new Federal involvement and commitment in this field.

As Dr. Johnson's letter to me indicated, the Indian Health Service has full legislative authority to establish programs to reach urban Indians. In fact, a few years ago, under congressional direction, it launched a special program in Pine Ridge, S. Dak., and I understand that this program has met with some success. We should act now to extend this precedent to other cities where the Indian populations are substantial, where the availability of local services is limited, and where the level of the Indian populations is unduly low. I think that in every program special efforts should be made to coordinate Indian Health Service efforts with other Federal programs and with State and local programs. Much can be done in the area of delivery of available health services to the Indian population. Model cities health components, medicare and medicaid, existing hospital and outpatient facilities should be fully utilized by the urban Indian where they are available to him, and the Indian Health Service can work with other agencies in incorporating the benefits of those resources into its own pilot programs.

This amendment holds immense potential for thousands of native Americans who have left their reservations in search of a new life in the cities. I hope that the Senate will take the initiative and will respond favorably on this issue.

Mr. President, every one of the increases discussed today is important. The needs have been firmly established. Our response to them will represent the measure of our ability to meet the national challenge and face up to the national tragedy resulting from the inadequacies of our dealings with the Indian people throughout our past history.

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I want to thank the distinguished Senator from Oklahoma (Mr. HARRIS) for yielding to me and, once again, to commend our distinguished chairman, who has been sensitive to and concerned about the problems of the American Indian. He has given these problems much thought and attention as has the Senator from New Mexico (Mr. MONTOYA).

Great interest is developing in these problems, Mr. President, in Congress and in the private sector. The needs of our native Americans are extraordinary. We realize that budgetary restrictions have been placed upon the committee. But I feel that this amendment provides for only a bare minimum of the funds needed to begin to deal adequately with some of the problems. I hope that these amendments will meet with favorable consideration.

Mr. HARRIS. Mr. President, I commend the distinguished Senator from Massachusetts for an excellent statement in regard to the needs of the American Indian, and particularly in regard to the two items in the joint amendment which he covered.

Would the distinguished chairman of the committee want to respond to the particular items as we go along in this overall amendment, or would he care to respond after the entire matter is presented?

Mr. BIBLE. Mr. President, I am perfectly willing to follow any particular course that meets the convenience of this illustrious group of men who are now up to bat on this particular amendment. It is a five-man amendment, I see, in seven sections, with very able leadership.

Perhaps they could be presented en banc or in any other way the Senator may prefer. I notice that the Senators are coming into the Chamber at the proper time, ready for recognition. I am happy to proceed on the total picture, and I shall be happy to comment at the end of the complete presentation. I think perhaps that would be a little more orderly way to proceed, if I might make that suggestion.

Mr. HARRIS. Mr. President, may I add on this particular amendment, regarding sanitation, that the undisputed fact that lack of safe water and adequate waste facilities contributes greatly to gastroenteritis, which is second among the reportable diseases for Indians, and to amoebic and bacillary dysentery, which is 35 times worse among American Indians than in the general population, demands that we give these problems high priority. Twenty-five percent of all patients discharged from Indian hospitals last year were treated for infectious diseases which could be traced to poor sanitation.

The death rate for American Indian infants 1 through 11 months of age is three times the death rate of the same age groups in the general population, and this sad situation is largely attributable to poor living conditions.

I therefore greatly hope that we may be able to increase this item in the appropriation bill.

Mr. President, I am very much pleased now to be able to yield to one of the sponsors of this Indian health amendment, the distinguished Senator from California (Mr. CRANSTON), who will speak generally about it, but in particular about the need for rural health boards in California and other matters upon which he is highly knowledgeable.

Mr. CRANSTON. Mr. President, I thank the distinguished Senator from Oklahoma for yielding. I also express my admiration for the leadership he is providing on this vital matter

Mr. President, I also thank the distinguished chairman of the subcommittee, the Senator from Nevada (Mr. BIBLE), who is from a neighboring State to mine, for his very effective work in this area. It is a problem which we share in our part of the West and in our particular State.

Mr. President, I am proud to be a cosponsor of this amendment to provide increased funds for health services to American Indians through the Indian Health Service of the Department of Health, Education, and Welfare. This amendment is of particular interest to me because my State has one of the largest Indian populations in the Nation, with one-sixth of the Nation's Indians residing in California.

As far as our State is concerned, the amendment has bipartisan support. The senior Senator from California (Mr. MURPHY) is in favor of the amendment, and, if possible, will be here to speak in its behalf during today's deliberations.

Indians are the fastest growing ethnic group in California, increasing from 40,000 in 1960 to an estimated 100,000 in 1969. Between 1950 and 1960, the State's Indian population underwent a marked shift from rural to urban areas, and it has been estimated that approximately 65 percent of the Indian population is concentrated in four major urban areas: Los Angeles, San Francisco, Oakland, and San Jose. Most of the rural Indians live on poor, unproductive lands in isolated areas of the State. They are poorly educated and inadequately housed; they have large families and the lowest of incomes; their unemployment rate is staggering and what work they can get is seasonal or intermittent.

The Indians in our cities are, for the most part, relocatees from the reservations of other States. They flock to California either on their own or under the Bureau of Indian Affairs relocation program, and they come at the rate of 6,000 to 10,000 per year. Many return to their home reservations after only a brief stay; some are successful. But far too many discover that they are unable to cope with the demands made by an urban environment—they find the city impersonal, if not hostile; they frequent "Indian bars" and they compound the already severe urban ghetto problems of California.

Historically, Federal services for California Indians have been sparse. No treaties with California Indians were ever ratified by the United States. No appreciable land base was ever authorized for Indian bands or tribes of the State. For some, reservations were established and held in protective trust by the Federal Government, exempting the trust land from local taxation. Rancherias were later purchased by the Federal Government at intervals for a few "homeless and landless" California Indians and held in trust. The rancheria system is unique to California, and these isolated small land plots provide little other than homesites, which are often without water or sanitary facilities. The majority of Indians received no land base at all.

Whatever benefits were derived from Federal services to Indians, however, were ended in 1953 with the passage of House Concurrent Resolution 108, the Senate concurring, which declared it to be the policy of Congress to end the status of American Indians as wards of the Federal Government, and to abolish all Bureau of Indian Affairs offices in California, Florida, New York, and Texas. The special Johnson-O'Malley funds for Indian education were withdrawn over a 5-year period, but other Federal services, including health, were completely terminated by 1955.

Especially in the area of health, it became immediately apparent that a serious problem of coordination would accompany the termination of Federal services. Neither Indians nor departmental personnel were sure which agency had jurisdiction and responsibility to provide needed services. The resultant inaction has contributed to the deterioration of California Indian health.

The termination of direct services was not accompanied by a termination of lands held in trust. Less than 1 percent of the reservations and rancherias were terminated. The BIA was given the mandate to terminate these lands in California, but the termination bill included responsibilities for the development of domestic water supplies, sanitation facilities, and roads before termination. Congress failed to appropriate sufficient funds for the California termination program, however, and domestic water systems, and provisions for sanitation facilities were seriously neglected. The final report of the State Advisory Commission on Indian Affairs—1969—reports that lack of domestic water and sanitation facilities in homes is a major factor contributing to poor health and poor health habits.

Between 1955 and the present, very little county funds and no State funds have been made available to continue the services terminated by the Federal Government, and Indian health has deteriorated. Indian health has deteriorated in communicable diseases as well as chronic diseases. The leading causes of death among Indians are tuberculosis, accidents, cirrhosis of the liver, influenza and pneumonia, and congenital malformation. The death rate from these causes is many times higher for Indian men than for Indian women. The average life expectancy for an Indian in California is 42 years—20 years shorter than the life expectancy of the average Californian. Eating habits are poor and diets unbalanced. Health care is not obtained on a timely basis and little preventive medicine is practiced. The average hospital stay of an Indian is two and a half times longer than for others,

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because by the time he reaches a hospital, his illness is likely to be in an advanced stage.

A major factor in inadequate health care is isolation—isolation that is economic, geographic, social, and cultural. That is a wide gap to bridge, but significant strides in this direction have been made.

In 1967, the Bureau of Maternal and Child Health of the State Department of Public Health undertook to initiate a pilot project specifically directed toward the improvement of Indian health. A commitment of $245,000 to the State Department of Public Health by the U.S. Public Health Service, Indian Health Service, was made to conduct a 1-year rural Indian demonstration health project in nine rural areas. Additional funds were received to continue the project at that level for an additional 6 months, until June 30, 1969. These funds were subcontracted to Indian tribal organizations who administer the nine health projects.

The local projects supported by these demonstration funds were of limited scope, stressing Indian participation and control. Indian health aides employed by their tribal organization, were used to provide community health education and assistance for isolated rural Indians to obtain health services generally available in each community. With the help of these aides, Indian communities have also been successful in developing new areas of direct services such as dental and medical clinics staffed by volunteer doctors and dentists.

In September 1969, two Indian representatives from each of the nine project areas met in Berkeley and formed an interim statewide rural Indian health board, as a planning and coordinating body for rural Indian health programs in California. Four months later the California Rural Indian Health Board was officially organized and held its first annual meeting.

The board's major function is to oversee the California Rural Indian Health project, which will provide a comprehensive health program to approximately 9,000 rural California Indians. Administration, training, and consultation will be available from a core staff in the State Department of Public Health. A complete medical and dental program will be provided by means of a series of contracts negotiated with representative Indian groups. A multitribal group will operate a mobile health care unit—providing dental care, emergency care, casefinding, and preventive services—and eight permanent local projects will provide continuity of health care. The goal is to expand this project to encompass all rural California Indians.

Mr. President, I believe that the California rural Indian health project has proven itself to be efficient and effective. With these desperately needed funds, and the expression of trust in the Indian community which support for these funds will imply, the project will provide sorely needed comprehensive health services to a number of rural California Indians, as well as jobs and training to the community health aides. I am also hopeful that the funds for the urban Indian health pilot program can begin to tackle the massive problems of California's urban Indian population.

California's Indians have been neglected for too long. It is time that we face our responsibility to provide the necessary support and services to make them first class citizens. I strongly urge that this amendment be approved.

Mr. President, I thank the distinguished Senator from Oklahoma again for yielding to me and for his leadership in this matter.

Mr. HARRIS. Mr. President, I concur with the statement of the distinguished Senator from California in regard to the need for a California Rural Indian Health Board.

Mr. President, in case I did not do so earlier, I want to make sure that those who are cosponsoring the amendments are properly shown in the RECORD.

I therefore ask unanimous consent that the cosponsors of the amendment be shown as, in addition to myself, the distinguished Senator from California (Mr. CRANSTON), the distinguished Senator from Massachusetts (Mr. KENNEDY), the distinguished Senator from Minnesota (Mr. MONDALE), the distinguished Senator from New Mexico (Mr. MONTOYA), and the distinguished Senator from Alaska (Mr. GRAVEL).

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

Mr. HARRIS. Mr. President, I now rise to speak about two particular items in the amendment, one in the amount of $1,269,000 for additional hospital physicians and the other for $957,000 for drugs in Indian hospitals and in the Indian Health Service.

These items constitute a continuation of the efforts to obtain similar funds which I began during last year.

As I said in my earlier remarks, Mr. President, there are severe shortages of personnel in Indian hospitals and in the Indian Health Service.

The physicians and nurses in Indian hospitals frequently have an almost impossible patient load because of this great need for additional personnel.

Mr. President, I may say that while the need for staff has increased in recent years, there has, in fact, because of expenditure controls, been a net decrease in the personnel working in the Indian Health Service.

Mr. President, because of the great need for additional personnel, I offered in the Senate in the closing days of the last session an amendment to the supplemental appropriations bill, which contained $1 million for Indian health programs, to provide for another $2 million.

The amendment was agreed to by the Senate by a vote of 88 to 0. But the conference between the House and the Senate reduced the $3 million to $2.48 million. Of these funds, $1.48 million was to be used for providing additional physicians in Indian hospitals.

However, the administration, instead, thereafter used these funds for last year's employee pay raise for personnel of the Indian health program. The shortages of last year, therefore, continue to exist.

Even though Congress clearly recognized the need for 300 additional positions in Indian health, the budget for 1971 did not contain funds for these positions. Funds are provided for 178 new positions but of that number 100 would staff new facilities and 78 would be positions in nutrition and mental health programs. Fortunately, the House of Representatives did provide—and the Committee on Appropriations in the Senate has agreed—$1.245 million above the request by the President for additional hospital positions which would take care of approximately one-half of the needed additional positions.

In order to fund the full additional 300 positions, the need for which has been overwhelmingly approved, this item in our joint amendment asks for $1.269 million above the item approved by the Committee on Appropriations.

To many American Indians it is a life and death matter, and I think it is clearly our duty to respond to the facts which have been presented. Testimony which has already been presented to the subcommittee establishes that because of the shortage of personnel, treatment of health problems of many Indians is being deferred. While from a medical standpoint some of these people may not need immediate care, it is indeed sad that because of a lack of funds some Indian hospitals have had to adopt a policy of treating only the most serious health problems which cannot be ignored and which demand immediate treatment. Having accepted the responsibility of providing medical care to the American Indians, we must endeavor to meet that responsibility fully.

To provide the 300 positions for the fiscal year 1971 would cost approximately $2.514 million, a small sum in relation to the need and the resources of this Nation.

Mr. President, lack of personnel is not the only crisis. A severe shortage of drugs and supplies also exists.

Recently my office chose at random an Indian hospital in Oklahoma and telephoned to determine its needs for drugs and supplies and personnel.

The administrator of the hospital reported:

> We have in the past, run out of essential antibiotics—penicillin, ampicillin injectible, tranquilizers such as the anti-depressant librium, and analgesic (pain relievers), as well as Darvon and aspirin on occasion. At the present time we are completely out of Fiorinal—dentists use this for pain from extractions.
>
> Esidrix which is a diuretic most essential for removal of fluid from the body is often not in stock. From time to time, we have run out of birth control pills.
>
> At the present time there are no baby vitamin drops and they have not had any for at least one month. On occasions we have run out of cough syrup. Also, a very inexpensive item, sodium salicylate, used for rheumatoid arthritis, is often out of stock, as well as Indocin which is a more expensive drug for rheumatoid arthritis.
>
> The hospital stock room would need $18,000 in order to bring their stock up to a safety stock. These items are surgical items such a sutures, examination gowns, gloves, x-ray film, band-aids, bandages, paper towels, and other items. In the past we have had to give diabetics reuseable syringes because we did not have disposable syringes.
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> Our basic problem is that we cannot ob-

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> tain sufficient supplies so as not to run out before we can get funds to replenish the supply.
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> At present we have a shortage of approximately 21 people in the hospital and the lack of help has required a lot of unpaid overtime on the part of the whole staff in order to care for the sick.

Earlier reports from other hospitals in Oklahoma indicate that testing for tuberculosis has from time to time been discontinued because necessary supplies are not available. Influenza shots could not be given to more than 600 Indian students at Chilocco Indian School because the vaccine was not available. Almost all the hospitals in Oklahoma were from time to time either out or "low in supply" of many of the basic needed drugs. The same is true of most Indian hospitals throughout the Nation.

These are an appalling set of conditions which ought not to be allowed to continue for 1 additional day.

Therefore, the particular item in our printed amendment in the amount of $957,000 above the budget and the recommendation of the Committee on Appropriations is severely needed.

Mr. President, the distinguished Senator from Minnesota (Mr. MONDALE) is on the way to the Chamber from the special Committee on Education, of which he is chairman, to present the proposal of $500,000 for mental health.

Mr. BIBLE. Mr. President, I think I can respond to some of the areas of concern to which the distinguished Senator referred. He has made a very able presentation of many of the health problems of Indians. Those of us who work on the Interior Appropriations Subcommittee are aware of many of these matters and I think we have been responsive to them; and particularly we have been responsive to them in the bill before the Senate at this time. I call to the attention of the Senate the fact that the bill before us has a total of $3 million more for Indian health than the budget request, and the amount for Indian health services is more than $11 million over the amount allowed last year.

Referring to the items which have been suggested by the very distinguished Senator from Oklahoma, I will not comment on mental health except to say we did add an additional $500,000 for this purpose. That was upon the request and urging of the junior Senator from Minnesota (Mr. MONDALE). I thought it was a very generous allowance and one we should be able to hold in conference.

The next item referred to was the item on sanitation needs for American Indians. In that item there is a request for an additional $3.750 million. The total amount allowed by the committee is in the range of $18 million.

We think that is very close to their capability. This is the amount they asked for. It is the amount that the House gave them. It is the amount we gave them. And I think it is the amount that represents about the total maximum capability.

Comment was made by the distinguished Senator from Massachusetts (Mr. KENNEDY) on the subject of otitis media. I am very happy to report that, in that particular item, we recognized the problem of the ear disease of Indians, particularly of Alaska natives, and we allowed $438,000 for that item.

I do not see the distinguished junior Senator from California (Mr. CRANSTON) on the floor now, but I am somewhat familiar with the item which was presented by him, since I am a neighbor of his and since we have on the borders between Nevada and California some of the Indian health problems to which he alluded, where medical care beyond the reservation has, very honestly, deteriorated. He suggested a sum of $750,000. I think there is some justification for an additional allowance over and above the $300,000 which we have already allowed. We have allowed $300,000 for that, and I think, in complete justification, there could be an additional allowance for it.

I think the Senator from Oklahoma makes an excellent point on the additional hospital positions. The comment in our report, found on page 6, under the heading "Unapproved Use of Appropriations," with respect to the Bureau of Indian Affairs section, is very similar to the comment made by the Senator from Oklahoma about the diversion of funds over and above and different from that for which they were appropriated. We usually ask for a reprograming. We are very emphatic on the point that that should be done. We have also commented on it on page 3 of the report. There was a diversion of these funds mainly for pay raises, as I recall.

I think the point the Senator from Oklahoma makes on the additional hospital positions has considerable validity. I hope we can reach some accommodation as to the amount we can add there and take to conference, because I want to take to conference amounts which are reasonable and justifiable and which we have some opportunity and chance of holding and sustaining.

With respect to the item of $957,000 for drugs and supplies, I am inclined to think we could make an additional allowance over and above what we have in the bill now. I want to stress again that this budget contains $115 million for Indian health services. Over and above the items for the Bureau of Indian Affairs, additional funds for Indians are shown in a table on page 5 of the report, which includes the Department of Agriculture, the Department of Commerce, the Department of Defense, the Office of Economic Opportunity, the Department of Health, Education, and Welfare—except Social and Rehabilitation Services—Department of Housing and Urban Development, Department of the Interior—except Bureau of Indian Affairs—Department of Labor, and Small Business Administration. There is an additional total Federal funding of $291,620,000.

So I think our committee has been most generous in this whole area. I think we have been responsive to the needs of the Indians.

I would hope that, in time, perhaps during a quorum call, we could reach an accommodation. Very frankly, I am trying to prevent a rollcall vote. I have no worry about it. If any Senator wants a rollcall vote, it is all right with me, but it may be that we can reach an accord and come to some kind of accommodation.

Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARRIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, resuming the discussion of the joint Indian health appropriations amendment which is now the pending business, I wish to say a word in support of the item contained in the amendment, in the amount of $500,000, for mental health.

As the distinguished Senator from Nevada has pointed out, the committee has already added $500,000 for this purpose. I commend him and the committee for recognizing this important need in the field of Indian health. The high rates of suicide and homicide, as well as the problem of alcoholism, are all symptoms of the deeper failures in American policy toward American Indians. We must correct those failures, and not just treat the symptoms. But we must also give greater and immediate attention to the problems of mental health.

Only $984,000 was provided for this purpose in the 1971 administration budget. The committee has already added $500,000, as has been stated. But the Indian Health Service estimates that before a good program can be offered, an additional $1 million will be needed. The enormity of this problem justifies, at a minimum, an increase of $1 million to provide additional mental health care, which is $500,000 more than has been allowed in the Appropriations Committee bill now before us.

Mr. President, I am now pleased to yield to the distinguished Senator from Minnesota (Mr. MONDALE), a joint sponsor of the pending amendment. He is particularly interested in mental health, which we are now discussing, but also may I say, Mr. President, that the distinguished Senator from Minnesota is, I think, one of the most enlightened men in the United States in regard to the special problems and needs of American Indians generally. He has been one of the most valuable Members of the Senate particularly in regard to the field of Indian education. He continues to do what he can, both within and outside this body, to help make real for all American citizens, and for American Indians, the full promise of America.

I am pleased to yield to the Senator from Minnesota at this time.

Mr. MONDALE. Mr. President, one item on the Indian health amendment which I am jointly sponsoring deals with the mental health program. I understand that the Senator from Oklahoma has started discussing that. May I say how much I appreciate the privilege of joining with him on these amendments, in trying to bring assistance and funding to Indian programs.

I was shocked, during the hearings of the Senate Subcommittee on Indian Education, to learn that there were only three psychologists in the whole Bureau of Indian Affairs apparatus, despite the fact that Indian suicide rates among teenagers between 15 and 19 years of age, are three times the national average, and in some areas 10 times the national average.

Mr. BIBLE. Mr. President, will the Senator from Minnesota yield to me for the purpose of requesting the yeas and nays on final passage? There have been a number of requests and suggestions that, since this is an important bill, involving the appropriation of $2 billion, we ought to have a rollcall vote.

Mr. MONDALE. I yield for that purpose.

The yeas and nays were ordered.

Mr. BIBLE. I thank the Senator from Minnesota.

Mr. MONDALE. Mr. President, I ask unanimous consent that I may request a quorum call without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONDALE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. Mr. President, these two amendments, I think, have been quite widely discussed. They include a request for an additional half million dollars for mental health programs, which I think is desperately needed. They involve a series of innovative, creative and, I believe, necessary programs in education and health. These include funds for counseling and guidance service, for teachers' aides in the public schools, for development of courses in Indian languages, history, and culture, and for other items with which the manager of the bill is familiar.

I wish to say how much I appreciate the thoughtful concern which the chairman of the subcommittee (Mr. BIBLE) has shown toward these matters. I am hopeful that he will accept our amendments.

Mr. HARRIS. Mr. President, I thank the distinguished Senator from Minnesota for his support of our joint amendment in regard to Indian health. I conclude our presentation in regard to this amendment by addressing myself, lastly, to the item contained in the amendment in the amount of $2 million for an urban Indian health pilot program.

Mr. President, as I stated earlier in my opening remarks, more than half of all American Indians now live in urban centers. In 1960, about 70 percent of the general population of the United States lived in urban areas, and about 30 percent were rural. The figures for the Indian population were almost the reverse. However, that situation has continued to change. American Indians, as has been true of other rural residents and residents of small towns, have continued to move from traditional Indian areas into the cities, so that today more than half of them live in the cities.

Mr. President, we can expect to see that influx into the cities by American Indians continue.

If one looks at the average age of American Indians living on reservations, he will find, I believe, that it is 17.6 years, which is considerably younger than the average age of the country generally, which I think is something like 30 years, and in some areas higher than that.

In addition, one will note from a look at the statistics in regard to Indian population that in addition to the young average age of 17.6 years, the average number of children for women of childbearing age among American Indians is much higher than for the general population. We can expect that if economic opportunities continue to be very low in the areas of high concentration of Indian population, this great influx of American Indians into the central cities will continue unabated in the immediate future. Already—and this is rather unknown to most people—the American Indians rank as very large minorities in most of the major cities of the country—in Chicago, in Dallas, in Phoenix, in Minneapolis-St. Paul, in Los Angeles, in San Francisco. Today American Indians are the fastest growing minority in the city of San Francisco.

American Indians coming into the cities, in addition to the regular problems of the rural-to-urban migrants—adjusting to a different kind of life style and to the special environment of the urban area—because of difference in background, in culture, in language, and in skin color, have particular inhibitions against assimilation. American Indians in this country ought to have the right to remain different and still be entitled to all the opportunities afforded our people in this country. They do have that right. And they are entitled to our special attention, whether they live in rural areas or in urban areas, because they are American Indians wherever they live.

Recent surveys indicate that the health needs of American Indians in the cities are not being met. With the exception of Rapid City, S. Dak., the Indian health facilities of the Government are located in rural areas exclusively. In most instances, to get care in the Indian health service, an urban Indian or one living off the reservation or one living away from traditional Indian areas must travel great distances. Many times, as is true with many people of lower income, transportation is very difficult for American Indians to come by when they need health services.

In Oklahoma City there are approximately 5,700 Indians, 4,200 of whom are below the age of 21. These figures are approximations and may not be very accurate because we do not really know much about the numbers of American Indians in this country except through self-identification. In the 1960 census there was no particular place for an Indian to indicate the fact that he was an American Indian. We have corrected that in the 1970 census forms, and I hope we will have a more accurate listing of how many Indians there are in the various parts of the United States.

The closest Indian hospital to Oklahoma City, where a survey shows this number of Indians, is 40 miles from Oklahoma City, and a similar situation exists in Tulsa, Okla. At the present time, Oklahomans for Indian Opportunity, a statewide Indian organization funded primarily by the Office of Economic Opportunity, is developing a pilot demonstration program for the Oklahoma City area that would attempt to serve these people.

Mr. President, we have already seen that the Indian hospitals and the Indian health clinics of the country are hopelessly overloaded. Personnel is drastically short, and the other needs are not being met, particularly in regard to drugs and supplies. Therefore, to require urban Indians or nonreservation Indians—even if they can get the transportation and will go to the extra trouble—to go long distances to those hospitals and clinics will not solve the problem, because the existing facilities are overloaded, even with the additional amounts we are asking here.

What happens often when an American Indian goes into a public hospital or to a private hospital which is not a Government operated hospital, or into a city-county public health clinic which is not operated by the Indian Health Service, is that he is immediately asked why he does not go to the Indian Health Service hospital or clinic.

We all know from our own experience that when any of us checks into a hospital, the first things we are asked have to do with payment: "Do you have Blue Cross-Blue Shield? Do you have some kind of hospital insurance? Are you entitled to medicaid or medicare?"

Indians are asked one further question: "Are you an American Indian?" If the answer is "yes," in most instances the next statement by the person checking the patient in, either to the hospital or the clinic, is, "Why don't you go over to the Indian hospital?" or, "Why don't you drive from Oklahoma City 40 miles to the Indian hospital?" or, "Why don't you go to Shawnee, to the Indian health clinic?"

Mr. President, American Indians are American citizens. They are entitled to all the services of this country, in city-county health clinics, in the hospitals of this country, as well as to the special health services available to Indians alone.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. HARRIS. I am very pleased to yield to the distinguished Senator from Minnesota.

Mr. MONDALE. The Senator directs his remarks to the need for the requested $2 million for the urban Indian health pilot program. Minneapolis is one of the communities in which we have a large number of urban Indians. Yet in Minneapolis, Hennepin County General Hospital, the city's public hospital, limits care to those who have established legal residence in the county.

Since many of these Indians spend part of the year on reservations in northern Minnesota and part of the year in cities, they do not qualify. So they are in a city, in the worst part of the ghetto of

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the city of Minneapolis. They are alone. They feel alien. They can't get a job. They become ill. Some go to the county hospital, only to have the question asked of them, "Are you a resident of Minneapolis or, are you a resident of Red Lake Reservation?" Many of them would rather remain ill than try to sort that out. It seems to me that this unnatural distinction between whether you are an urban Indian or a rural Indian or a reservation Indian is ridiculous.

I am personally convinced that the health problems—both mental health and physical problems—are greater in the core cities. This $2 million would be an experimental effort in developing decent, comprehensive health programs for urban Indians. I do not think it is necessary to dwell on this further, but this is one of the great areas of health needs today. I am delighted to join the Senator from Oklahoma in this effort.

I would like to make one other point. I note that the committee has a section on page 6 of its report entitled "Unapproved Use of Appropriations." This section points out the fact that the last time we met on Interior appropriations, we thought we had appropriated money for scholarship officers, curriculum program development, a college work study program, training of Indian boards of education, as well as several other programs. We have since learned that all the money which was appropriated for those purposes was diverted by the Bureau of Indian Affairs for regular overhead. They almost did the same thing in the kindergarten programs for which money had been appropriated. It was only some months later that we discovered that apparently they had no intention of developing the programs for which this money had been specifically appropriated. I am very grateful to the committee for having written this very strong language, in which they state that the law, the committee, and the Senate have been flagrantly disregarded in the diversion of these funds.

I do not see how the Bureau of Indian Affairs can maintain its respect in Congress if it takes funds for programs which Congress has determined to be necessary, and diverts them for regular overhead purposes without telling anyone. I think that is an outrageous practice and hope we will not see any more of it.

Mr. HARRIS. I thank the distinguished Senator from Minnesota for his knowledgeable statement about the problems of health in the central cities and other places for Indians, and also his statement in regard to Indian educational needs which will be the subject of another one of our joint amendments later.

Mr. ELLENDER. Mr. President, I should like to ask a few questions of the Senator from Oklahoma, if he will permit it.

Mr. HARRIS. I am happy to yield to the Senator from Louisiana.

Mr. ELLENDER. Why is it that Indians are treated differently when they come to Oklahoma City than other people? Are they looked down upon by the local people?

Mr. HARRIS. May I say first, in regard to American Indians, that they are the only conquered minority in our country. Therefore, they started out differently. They are the only minority in the country which we started out, as part of official policy, to kill off or to change into middle class white people. As official Government policy, we tried to destroy the language and the culture of the American Indians. We still do that, not so much intentionally, but by what we do.

The American Indian thus comes from a background of attending inferior schools, which have helped to destroy or to damage his own self-image. He has been taught in the textbooks and materials in the schools that Dick and Jane are little white kids, living somewhere in a tree-lined suburb, which has nothing to do with his kind of life except, perhaps, to depict Indians as savages, or yelling, screaming, wild people who had to be put down by Government policy and to be killed off because they had the temerity to attempt to defend their homeland.

That comparison comes up from that kind of background, where the Indian has been taught that if he speaks his own language or tries to cling to his own culture, he is behind the times and is engaging in activities and speaking a language that he should leave behind. So, when the American Indian comes to the city, he has all the problems of being a rural migrant, as every immigrant who moves from one place to another, plus the additional fact that his skin is of a different color—we all know that in this country we have not shown ourselves to be fully ready to treat people the same way when their skins are of a different color.

Mr. ELLENDER.. Does that same situation apply in Minnesota and other parts of the country?

Mr. MONDALE. We had testimony before the Indian Education Subcommittee by Will Antell, the Minnesota Indian Education Director. Mr. Antell testified that textbooks were being used in Minnesota in which Indians were depicted as savages, drunkards, and ne'er-do-wells. This in Minnesota in 1970.

Mr. ELLENDER. The reason why I asked the question is that there may be something wrong with the Bureau of Indian Affairs, because I do not think that Congress has been niggardly in providing for the Indians.

Mr. HARRIS. One thing, Senator, is the feeling that the overall services to be provided our American Indians must be done through the Bureau of Indian Affairs. We have said to the Indians, "If you are an Indian, do not go to HUD to talk about housing. Go to the Bureau of Indian Affairs. Do not go to the Commission of Education if you want to talk about education. Go to the Bureau of Indian Affairs." We have made the Bureau of Indian Affairs the entire Federal Government so far as the Indians are concerned. Yet, we have not provided sufficient funds to make the Bureau of Indian Affairs the entire Federal Government, so far as the Indians are concerned.

Furthermore, I think we have been wrong in failing to recognize as well as we should, that American Indians are American citizens first of all and are therefore entitled to all the services of our Government. Like every other citizen, we have not yet been willing to allow the Indians to do things for themselves. We have been doing things to Indians and for Indians.

Now I believe it is time that we allow the Indians to do for themselves. That is what is involved in these amendments.

Mr. ELLENDER. I have often thought that that is the way we should approach it. Has the Senator any method by which that could be accomplished?

Mr. HARRIS. I believe that the Senator missed the earlier words that I and other Senators have spoken in the Senate today when we went into more detail on this subject.

Mr. ELLENDER. I have heard a lot about it.

Mr. HARRIS. One example that I could give to the distinguished Senator from Louisiana is that Congress last year said to the Bureau of Indian Affairs, "Where you have these Indian schools, let us quit running them. Let us quit having white people dictate to Indians how to run their schools. Let the Indians have the same rights the rest of us have."

Congress specifically appropriated funds for Indian school boards. Has the Bureau of Indian Affairs used the funds for that purpose? No; they have not. That is what the Senator from Minnesota (Mr. MONDALE) was referring to a moment ago. Despite that specific appropriation, the Government still clings to the feeling of keeping the Indians dependent. It is time we stopped that.

Mr. ELLENDER. I agree with the Senator. I have felt that way for quite some time. I thought I would read off here, for the benefit of Senators, the moneys which have been appropriated in recent years in order to take care of the Indians. As I understand it, there are about 600,000 Indians throughout the country——

Mr. HARRIS. I think there are a great many more than that, Senator.

Mr. ELLENDER. That is the information I have.

Mr. HARRIS. That could well be wrong, if I may say so respectfully to the Senator. As I indicated earlier, the number of Indians in this country, up to now, is not known by anyone. Just ask the Bureau of Indian Affairs for any figure in any category and we will find that they cannot answer the question as to any figure. The number of Indians has been based primarily upon self-identification. In the 1960 census, there was no place on the census form where it was asked, "Are you an American Indian," and then there would be a place on the form to check whether you were an American Indian, and so forth. If a person wanted to badly enough, and if he was proud enough and could figure out how to do it, he might be able to list that he was an American Indian. This year, we changed that and I think we will have a more accurate figure. But I hope the Senator will go ahead, despite the fact that the number of Indians he lists may well be too small.

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Mr. ELLENDER. It is an estimate given to me by people who ought to know.

Mr. HARRIS. If based on information from the Bureau of Indian Affairs it may well be, as I said, too small.

Mr. ELLENDER. The record shows that during fiscal year 1970 the Government appropriated $304,599,000 for Indians. That is a little over $500 per capita, if we use the figure 600,000, and that is quite a sum.

The year before that—1969—$249 million was appropriated.

The record shows that since 1961 the Federal Treasury has appropriated $2,181,443,547 for the benefit of Indians. I am just wondering: What more could we do? It strikes me that what ought to be done is to make some plans by which the American Indians can be absorbed into the rest of the population in some way, so that they could work alongside other people rather than remaining on the reservations.

Mr. HARRIS. First of all, I do not think the American Indian must be absorbed into the rest of the population. For one thing, he is going to continue to look different to some degree. He will be of a different color to some degree than the rest of us. I think the American Indian, just as anybody else in our society, has a right to look different, speak different, dress different, be different, and still be entitled to the benefits of Americans. The American Indian has a right to all that America stands for—the right to be different and to be proud of it.

But American Indians, while retaining the right to be different, also are entitled to all the opportunities that our society offers; but unfortunately at present that often is not true. Many American Indians must, whether they want to or not, now remain on reservations because they have not had sufficient training in skills or the degree of education to allow them to go away from the reservation and still have any hope of being employed.

Many Americans and Indians are forced against their will to leave the reservations because there are not sufficient opportunities, economic, educational, or otherwise there. I think that the American Indian ought to have the right to live where he wants—on the reservation if he wants, in the cities if he wants—without the barriers which now restrict his choice.

He ought to have freedom of choice to live where he wants. He ought to have a real choice without the economic, social, or other barriers which now restrict his choice and right of individual self-determination.

The Senator talks about the amount of money we have spent with regard to the American Indians over the years. A great deal of the import of the Senator's comments are well taken.

I repeat what I said a while ago, that much of what we have spent has added to the sense of dependency that has existed far too long in regard to American Indians. That is why I think it is so important that what we spend now is spent in agreement with a new kind of Government policy that recognizes, first, that the Indian has the right to individual self-determination; second, that he is entitled to all of the services of the Government wherever he lives, as is every other citizen; and third, that he has some right to say what his schools and hospitals will be like and how the other services will be performed.

He should have the same kind of powers over his life and the lives of his children that others in our society have.

Mr. President, I do not feel impressed by the amounts of money which the distinguished Senator from Louisiana has mentioned in regard to what has been spent for the American Indians in the past and as to how much that figures out per capita.

We might as well ask how much we are spending each year for non-Indians. My judgment is that if we add up the budget and divide it by 200 million or so, the figure will be a good deal more than the paltry sum we have spent on the Indians each year.

We could do the same thing with regard to farmers or other groups in this country and give the same kind of comparison with which I disagree.

Mr. ELLENDER. Mr. President, the group that the Senator mentioned contributes to the operation of our Government. I understand that the Indians do not.

Something ought to be done to assist them, I agree, so that they might become Americans and go where they desire.

In the appropriation for 1970, which ended yesterday, the amount of $304,599,000 was appropriated.

The record shows that $192,502,000 was spent for education and welfare services.

For resources management, $60,320,000 was spent.

And for construction, $26,264,000 was spent.

For road construction—liquidation of contract authorization—$20 million was spent.

For general administrative expenses more than $5 million was spent.

I agree that we ought to take care of the Indians, but that we should give them more leeway in trying to find their own way of life and should not continue to make them dependent as has been the case in the past.

I think if we continue this process, the Indians will never rise to the point that the Senator expects them to do. I think they should. I agree.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from the tabulation to which I have just referred.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

APPROPRIATIONS, FISCAL YEAR 1970 (INCLUDING SUPPLEMENTALS) (EXCLUDING TITLE III PAY COSTS)

Appropriation title	Budget estimate to House	House allowance	Budget estimate to Senate	Senate allowance	Appropriated
Education and welfare services	$200,244,000	$191,799,000	$200,244,000	$193,302,000	$192,502,000
Resources management	60,770,000	60,320,000	60,770,000	60,320,000	60,320,000
Construction	23,373,000	25,373,000	23,373,000	26,264,000	26,264,000
Road construction (liquidation of contract authorization)	20,000,000	20,000,000	20,000,000	20,000,000	20,000,000
General administrative expenses	5,626,000	5,513,000	5,626,000	5,513,000	5,513,000
Total	310,013,000	303,005,000	310,013,000	305,399,000	304,599,000

APPROPRIATIONS, FISCAL YEAR 1961 TO 1970 (INCLUDING SUPPLEMENTALS)

Appropriation title	Budget estimate to House	House allowance	Budget estimate to Senate	Senate allowance	Appropriated
1961	$123,749,000	$123,349,000	$123,749,000	$129,950,000	$126,186,000
1962	162,132,000	155,718,000	167,102,000	169,546,000	165,324,000
1963	208,186,250	201,760,600	208,186,250	208,814,600	203,835,600
1964	212,056,000	203,886,300	213,056,000	212,774,400	209,023,550
1965	228,703,197	221,852,197	228,703,197	233,069,697	228,041,697
1966	242,350,400	204,896,400	243,688,400	210,407,400	207,852,400
1967	244,041,000	240,452,000	244,041,000	242,696,300	241,595,300
1968	251,034,000	242,684,000	251,034,000	247,460,000	245,333,000
1969	279,644,000	247,074,000	285,268,000	249,393,000	249,643,000
1970	310,013,000	303,005,000	310,013,000	305,399,000	304,599,000
Total	2,261,908,847	2,144,677,497	2,274,840,847	2,209,510,397	2,181,443,549

Mr. HARRIS. Mr. President, may I respond further, but very briefly, to the distinguished Senator from Louisiana.

He mentioned the administrative expenses in the Bureau of Indian Affairs which money, as the Senator knows, does not go directly to individual American Indians.

Mr. President, as I have said before, I think that one of the best things we could do to free American Indians would be to take a part of this superstructure in Washington off his back. We could start out by cutting the Bureau of Indian Affairs personnel in about half. And I believe we could see a lot better record if we were to allow American Indians to make more of their own decisions than they are presently allowed to make. I agree with what the Senator has said in that regard.

I think that if we were to ask the Bureau of Indian Affairs, or any department interested in this matter, how much Indians have been involved in decisionmaking, they would say that by and large the decisionmaking is all done for them.

I would say that if we went out this afternoon and picked out any Indian reservation in America and asked how much the tribe is getting for this or that item, they would say that they had not been consulted in the budget process or decisionmaking process. One reason that is true is because it involves Parkinson's

Law or a piece of it. Somehow or other, bureaucracy feeds upons itself. And none of us apparently has any burning desire to do away with it.

The overwhelming majority of the personnel of the Bureau of Indian Affairs are dedicated people, with excellent backgrounds and qualifications. I commend them for what they are doing. They have much higher quality as a whole than many people. One would not realize that unless he went around the country and talked to them and saw that they did. However, in Washington I believe that we could cut down some of this overhead and superstructure. I think that we must—not can, but must—move with a great deal more alacrity to allow decisionmaking by the American Indians themselves.

I commend the amendment concerning Indian health to the Senate. It would add $9,726,000 to the recommended appropriation presently pending before us.

I would appreciate any comments that the distinguished Senator from Nevada may have or any ability he feels he may have to take all or any of this amount to conference.

Mr. BIBLE. Mr. President, let me first compliment the very energetic, firey, and enthusiastic Senator from Oklahoma who has pleaded the cause of the American Indian extremely well.

I certainly believe, as I said earlier in my statement, that we have treated them extremely well in this bill.

I indicated with respect to the five- or six-pronged attack involved in the amendment involving Indian health, that I thought we had some possibility of making an adjustment.

The problem that bothers me the most out of the six or seven items which the Senator from Oklahoma and his very able battery of teammates have given us is the last item on an area Indian health pilot program. The thing concerning me about that is that I have never heard about that program until day before yesterday. There has been no testimony on it. The figure is rather big. It is a figure of $2 million. There may be this need in the country but we have no record. I think we can probably reach some accord and adjustment on the other items.

I would like to know how we would spend this money. What cities would we choose? Would we build a building for the Indian people to which they would go as an Indian health center? Would they have a chief of staff, a corps of doctors and nurses, and anesthesiologists? I think the Senator has referred not only to the equipment required but also to a hospital to which Indians could go.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. HARRIS. I intended to speak further about that item before but I became engaged in colloquy with the distinguished Senator from Louisiana.

I had mentioned earlier that a private organization, Oklahomans for Indian Problems, was going to try to set up a pilot project in Oklahoma City. I hope they secure funds, and if they do, funds will come from private sources, unless we pass this amendment and some of that money might be used for a portion of that expense.

I do not believe special needs in the field of health of urban Indians—which, as I have said, represents one-half of all American Indians—should be left to private efforts such as that. I believe we should spend some money here in pilot demonstration program projects which would help as far as the health of urban Indians are concerned and the use of referral centers to get them in existing hospitals and facilities. For one reason or another they have been excluded from private facilities.

The Indian Health Service would be able to start one or more health pilot programs. They could testify and furnish additional evidence, if that were needed, between now and the settlement of the conference. I believe by another year we will know more than we know now and we would be able to launch an essential program if we are going to do something about the wretched statistics in Indian health. I hope the Senator will be able to take some portion of this to conference.

Mr. BIBLE. I am still confused about how this would work. The Indian in an urban city falls sick and he goes to public facilities. As an American citizen he is entitled to go to public facilities and to the same public health facilities to which any other American citizen could go.

Mr. HARRIS. That is not happening. He either feels excluded or he is excluded.

Mr. BIBLE. What would this facility do? Is this for the exclusive use of the Indian?

Mr. HARRIS. It would take the form of outpatient clinics; there would be nurses, and it might be mobile, similar to facilities we have in rural areas with Public Health nurses and physicians. It would operate also on a referral basis to existing facilities. Obviously we would not build new facilities but use public facilities and try to match up the facilities with the Indians. At present there is a barrier between the two. The health services we now furnish to others and health services we furnish to Indians are not getting together.

If the Senator could agree to get some portion of this money in conference, I think he would find it is the best money we will spend.

Mr. BIBLE. Who is going to spend it?

Mr. HARRIS. The Indian Health Service.

Mr. BIBLE. The Indian Health Service?

Mr. HARRIS. Yes. They can do that under present services.

Mr. BIBLE. How many people would they employ in a particular city?

Mr. HARRIS. This would be a demonstration project, as the Senator recognizes.

Mr. BIBLE. How big would it be?

Mr. HARRIS. I am not able to say what we will find must be done. The idea is to make it an experimental demonstration project, because, as I indicated, we do not know how many Indians there are in these various cities except as some private association might try to make an enumeration.

Mr. BIBLE. Could that information be ascertained from the census?

Mr. HARRIS. That will become identifiable in the 1970 census. There was a place where people could identify themselves as Indians in the 1970 census. There was no such place in the 1960 census. Within the last 10 years there has been greater migration by Indians into the cities, and this migration has only lately been recognized by many people, including the Indian Health Service.

Mr. BIBLE. I think we should know more about the scope of this program. I do not have any idea from our colloquy this morning what is involved. It has been very educational and informative. We have no evidence whatever before the committee. We must have met for a couple of months on practically every other phase of this bill. At no time did we have a presentation. If the matter had had a hearing in committee it would have given us an opportunity to probe into the matter and discover more about it.

I believe this request really is premature and perhaps next year, when a case could be made, we could go into the matter further and perhaps allow something for a study.

Would the Senator have any idea what it would cost to set this up in one city? Who would determine that city?

Mr. HARRIS. The Indian Health Service.

Mr. BIBLE. It would not take too many people to run a study if the 1970 census does not supply the answer, as to the number of Indians and the needs.

Mr. HARRIS. If under the heading "Area Indian health pilot program" we could get perhaps not the $2 million, but even one-fourth of that, that would give us an opportunity in several cities to begin demonstration projects in the cities to set up referral centers, to get Indians into existing facilities, and get essential information to present to Congress next year.

I hope the committee will be able to take some amount. Then, perhaps, I and others could furnish more detailed information.

Mr. BIBLE. This is so nebulous an endeavor. I am not questioning the sincerity of the Senator from Oklahoma in any way, shape, or form. I know of his intense feelings in this matter, and he knows the subject better that I. I would think that within the average cities we have within the Indian Health Service enough people. They are employing 6,000 people in the Indian Health Service today. With that number carried in the present budget we could make a strong directive that they go into the problem to which the Senator addresses himself and then consider some concrete figures to work on.

We are shooting in the dark. I would be happy to work with the Senator. I think I informally discussed some of the other items.

Mr. President, I think it would be

proper at this point to suggest the absence of a quorum and perhaps we could resolve this one phase.

Mr. HART. Mr. President, would the Senator withhold that request?

Mr. BIBLE. Mr. President, I withhold my request.

Mr. HART. Mr. President, I apologize for delaying the negotiations, but there is a policy committee luncheon to which I am now preparing to go.

Mr. President, it is my understanding that included in the funds appropriated under this bill for the National Park Service are funds to begin work on restoring the Frederick Douglass home in Anacostia. Since there is no specific mention of this project either in the bill or in the Senate report, I would like to ask the distinguished chairman of the subcommittee (Mr. BIBLE) whether my understanding is correct and the bill as presented to us here on the Senate floor does indeed provide funds for that purpose.

Mr. BIBLE. The answer is "yes," it does, in the amount of $190,000. I think the colloquy we have just had should show that we expect to spend the $190,000 for that purpose.

Mr. HART. I am very grateful to the chairman of the subcommittee. I want to express not only my appreciation but the appreciation of many Americans all over the country who have been concerned over that project. Without the continued interest and concern of the Senator from Nevada, there would be no Frederick Douglass home set aside for future inspiration. Having been set aside, it would continue to be locked up, if it were not for the Senator from Nevada.

Though the amount is small, I think the action will have enormous significance in terms of inspiring Americans, black and white.

I am very grateful to the Senator from Nevada for his continued interest, and I am grateful, too, for his inclusion of the specific amount of $400,000 for the continued operation of the fisheries laboratory at Ann Arbor. Many of us in the Great Lakes Basin who are aware of the value and need of the work of the laboratory are appreciative that this work will be continued.

I think I can presume to say, without doing violence to the fact, that I bespeak the appreciation of all of us in the Great Lakes Basin for the work of the Senator from Nevada.

Mr. BIBLE. Mr. President, it has been a distinct pleasure for me to work with the distinguished Senator from Michigan. I have known of his longtime interest in this particular project. It is not easy, but we have made headway, and we are getting a start here with $190,000.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BIBLE. Mr. President, I yield to the Senator from California. I am rather anxious to complete the negotiations on the first phase of the bill, but the negotiators are negotiating among themselves, so I yield to the Senator from California.

Mr. MURPHY. I thank the Senator.

Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. An amendment is pending.

Mr. BIBLE. Mr. President, was it the Senator's desire to call the amendment up?

Mr. MURPHY. I had planned to call the amendment up, but I would just as soon if the chairman, when he has heard the basis for it, and if it be my good fortune, that he would accept, I would be glad to have the chairman take my suggestion to the conference, and I would be satisfied.

Mr. BIBLE. Mr. President, I would be very happy to have the Senator from California make his presentation. I am not going to bind myself to accepting anything until I hear it presented. So I shall listen to what the Senator from California says.

Mr. MURPHY. Mr. President, I shall be very brief in my presentation. I thank my distinguished colleague.

The amendment which I propose to offer, but which I hope will not be necessary, has to do with the addition of $91,000 to the budget of the National Park Service for the planning of an administration building in the Redwood National Park.

As Members of this body will recall, the Redwood National Park was established as one of the Nation's foremost scenic recreation and conservation areas during the 90th Congress.

Since then it has received an enormous amount of publicity and great attention. It has been used by literally millions of visitors. It is an experience that is well worthwhile, and I am pleased that the 90th Congress saw fit to establish this fantastic park.

However, the headquarters for this vast and popular area is now in, in a trailer. It is obvious that it is inadequate, inefficient, and really ridiculous, when we think of the size and importance of the Park Service, that they are trying to administer this entire area from a trailer.

Now Crescent City has made available a very choice downtown site in an urban renewal area for the park headquarters building. The Park Service has indicated that planning for the headquarters can begin as soon as funds are made available.

The need is great and the funds being requested today I do not think are exorbitant. As a matter of fact, I think they are very slight.

I ask that the amendment providing $91,000 for the headquarters be considered and approved. I would like to add that the amount has already been added by the House of Representatives in its bill, and I can think of no better immediate use for this amount of money than to start the planning and get on with the work of building the headquarters facility that is so badly needed.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. MURPHY. I am glad to yield.

Mr. BIBLE. I am completely familiar with the Redwood National Park. I was privileged to handle the legislation for its creation and helped fight the battles through the Crescent City area.

Mr. President, the item is one that was included in the House bill. It is an add-on by the House of Representatives. It is an unbudgeted item.

We have some unbudgeted items in the bill, but, by and large, we try to stay pretty close to the budget, and we hope we finally end up that way. That remains to be seen later in the day. But I would hope that the Senator from California would not press for that amendment, because this matter will be in conference, anyway. It will be a matter of settling differences between the Senate and House conferees. The Senator from Delaware (Mr. BOGGS), who is present on the floor will be one of the Senate conferees.

One of the problems, very frankly, is that acquisition of the park lands is a $100 million item. That is a lot of money, and we have not acquired all the lands. We find we have run into some major problems. The money is drawing interest. I do not know what the rate of interest is, but it is at least 6 percent, and it is becoming a very costly Government project.

I am just as anxious as anybody else to dispose of it, but I would hope the Senator from California would not offer his amendment and rest assured that we will give it every consideration when we go to conference.

Mr. MURPHY. Mr. President, I will be guided by the advice and suggestion of the distinguished chairman of the subcommittee. I understand that, in its entirety, this will be a very costly project. As a matter of fact, it would have been more costly if it had not been for the Senator from California. It will be recalled that I objected to even greater extension of the lands suggested by the Secretary of the Interior. We had a study on the trading of lands, where we might trade State lands for Federal lands, so that the encroachment of the full Government lands into California would be restrained.

I am willing to place my faith in the wisdom and judgment of the distinguished chairman, and, at his request, I will withhold the amendment. If he sees any possible way that this item can be added in conference, I hope he will realize the importance of it and particularly the fact that at the present time there is made available by the people of Crescent City an extremely desirable location for these headquarters.

I think that this fact would, to a great extent, cut the eventual cost. The amount of money we are talking about is not a great amount. It is merely for the planning of the headquarters, the need for which will increase every year as the use of the park increases.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. MURPHY. I am delighted to yield.

Mr. BOGGS. I commend the distinguished Senator from California on his interest and his presentation in behalf of administrative headquarters facilities for the Redwood National Park and for the work he has done on it.

I agree with the chairman of the committee, the distinguished Senator from Nevada. I join him in expressing understanding and sympathy for the Senator's proposal and assure him that, so far as

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I am concerned, I believe the Senate side in the conference will be very sympathetic to the Senator's proposal.

Mr. MURPHY. I thank both my distinguished colleagues, and will rest with great faith on their judgment in this matter.

Mr. HATFIELD. Mr. President, I commend the Senator from Nevada (Mr. BIBLE) on his leadership in the Committee on Interior and Insular Affairs on behalf of the problems that we face in the mining industry, more particularly in the field of mining and mineral research. There has been some budgetary action here, which the Senator has explained, or which is represented in the bill, which means, certainly, a far better future for much of the mining research which affects my State of Oregon. Up until that time, I had been disturbed by reports which I have read calling for drastic cuts in the research budget for the Bureau of Mines, because it had been my understanding that both Congress and the mineral-oriented segments of the Department of the Interior have long followed the laudable philosophy that Government not do research that could be effectively done by industry. However, now Interior will turn aside from spending any money for research or development studies if it can be anticipated that industry will do the research and development. The criteria of priority will change from the needs of the entire Nation to those of industries with the most resources to expand on following up ideas for their benefit.

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This will result in a radical change in the position from which Government defines minerals problems and leads in solving them. We will no longer have a responsive organization that will be prominent in understanding the entire minerals situation of the country, if that trend continues.

Industry and foreign governments have long recognized the excellent products of our research. In my own State of Oregon, there is solid evidence of the value to the whole country of government research efforts in the field of mineral processing and utilization.

If it had not been for the expert competence the Bureau of Mines developed through a well-planned research effort, the atomic submarines needed for our defense would have been behind schedule. Zirconium was the key for the reactor construction. It was necessary to sheath the uranium fuel elements. Industry could not guarantee production so the Navy called on the Bureau for help. The Bureau of Mines had started with a simple project to find a use for the black specks in our beach sands. The work ended as a vital part of the Nation's defense. After the necessary facilities were built and operated, the Bureau turned them over to industry. Now, the area near Albany, Oreg., is a center for processing zirconium, hafnium, tungsten, columbium and silicon. It is also the third largest titanium producing and processing area in the United States. The Bureau of Mines contribution to these developments led to worldwide recognition of Interior's research competence. Many other similar achievements are recognized worldwide. Is it not a shame that the Department of the Interior no longer seems to recognize its own worth and abilities?

The Government must continue to undertake research in areas of national interest where industry does not have the incentive or resources to use when there is no profit motive.

I would say again, Mr. President, that the Senator who has given very good leadership in this area in the Committee on Interior and Insular Affairs, on which I serve, is to be commended for taking the action necessary to make certain that these Bureau activities continue and are not totally abandoned. I am hopeful that the Department of the Interior will take another look at the Bureau of Mines and the vital role it plays.

Mr. HANSEN. Mr. President, I join with the distinguished Senator from Oregon in expressing appreciation to the distinguished Senator from Nevada for the leadership he has shown in protecting and furthering the public interest of everyone in the United States.

It is easy, in these days of growing concern over our environment, to overlook the extremely important role that the mineral industry plays in our lives. In recent months, I have had occasion to give attention to our energy picture. We are all aware that since Congress authorized the mandatory oil import program about 11 years ago, as I recall, there has been an erosion of that policy, as spelled out by Congress, brought about through exceptions and exemptions, largely made during the two immediate past administrations.

Nevertheless, today we find ourselves, a very sophisticated country, dependent upon oil and natural gas for fully 75 percent of all of the energy used in the United States. Even more important is the role that oil and natural gas play in the transportation industry, providing more than 99 percent of all of the motive power that propels our ships, planes, trains, cars, and trucks.

We cannot, we must not, and I think we will not risk the possibility that we shall ever become dependent upon any other country for something as vital to each of us as is a continued abundance of energy. I know, because of the exemptions which have been made in the mandatory oil import program, that for each 4 barrels of oil we produce in this country, we now import another barrel. What I am concerned about is that the public might understand that there need be no energy crisis within the United States, if we have the ability and the wisdom to look down the road, to see what steps we might now take in order to avert a situation that could have catastrophic implications for us in the future.

We have tremendous oil resources to be developed, if we will but provide industry with the necessary incentive to conduct the increasingly costly operation that is required to discover these untapped resources and develop them. Given this encouragement, following public understanding of the facts, we can be certain that our independence, our national security, will never be placed in jeopardy.

Obviously, many people are concerned about the long-term adequacy of oil and natural gas. It is to this point particularly that I address myself now, because what we must do is to take advantage of all the important sources of energy available in the United States, and they include, in addition to oil and natural gas, coal, tar sands, oil shale, and uranium.

But I speak with specific reference to coal. Within my own State of Wyoming are coal resources of a magnitude sufficient to supply all the energy needs of the United States for several centuries to come. What is needed now is a forward-looking policy by the Government of the United States that will dedicate itself to the expansion of technology of new uses for the coal resources and of bringing about the conversion of this latent energy into new sources that man may use.

It is in this regard that I think it is tremendously important that we see to it that the U.S. Government not only continues but also expands research in this important field.

Wyoming, surprising to some people, has coal that is lower in sulfur content than is most of the oil that is imported into the United States from the Middle East. Of course, not too much oil comes into the United States from the Middle East at present; most of it, as Senators know, comes from other parts of the world. Venezuela is a very important contributor to our oil imports. But the coals of Wyoming, because they are low-sulfur coals, now provide, by using conventional methods, increasing amounts of energy for a power-hungry United States.

But that is only a part of the function that coal can perform. If we are to make full use of all of the miraculous qualities that this unique high-carbon energy has, we shall have to make certain that enough money is plowed into research to hasten the development of the full potential of this fossil fuel. Thus, we can greatly expand the contribution that coal can make to better living and to greater national security for all Americans.

Because of that conviction on my part, I compliment both the Senator from Nevada and the Senator from Oregon for their efforts in seeing that we shall not default in this most important undertaking because of a lack of awareness on the part of Congress.

I am pleased that recent changes in the budget have been made so as to assure the continued activity that characterizes these research efforts throughout the United States now, and I look forward to the time—which I hope will not be far off—when we will find even greater amounts of money put into this very worthwhile program—because it is the means by which we can be assured of that independence of action on the part of this country, which comes from not having to depend upon any other country for our energy supplies.

Mr. President, the appropriations measure we are considering contains funds for a number of vital programs and projects in America, including some in Wyoming. I hope this measure will be approved by the Senate as it was reported out by the Senate Appropriations Committee, and I wish to commend the distinguished members of the committee for the special consideration they gave to programs that would help protect our natural environment and enhance recreational opportunity throughout the country.

The committee saw fit to provide funds for a number of projects involving Wyoming and surrounding States which had been pending for some time—some as long as several years. I would like to call the attention of Senators to the merits of some of these projects.

In connection with funds allocated to the Bureau of Indian Affairs, I want to note that there has been real concern for some time regarding the inadequacy of funding for law and order programs on Indian reservations. In April of this year, I met with representatives of the Shoshone and Arapahoe Tribes of my State to discuss this problem and it was pointed out by tribal representatives that significant increases in funds for law and order maintenance would be needed if the program was to be effective. The Senate Appropriations Committee had included in the BIA budget an increase in funds for maintenance of law and order, $120,000 of which is earmarked for the program at the Wind River Reservation in Wyoming. I know this money will be tremendously helpful in carrying forward programs to combat alcoholism, illegal use of drugs, and the crime that has been a blight on the reservation's record of progress.

The committee also acted to provide funds for initial construction of an access highway through the Big Horn Canyon National Recreation Area in Wyoming and Montana. This proposed highway has been on the drawing board for years, and its completion by the National Park Service is an integral part of the master plan for allowing increased access to and use of this scenic country by our citizens.

In 1969, and again in February of this year, I appeared before the Senate Appropriations Subcommittee on Interior and Related Agencies to urge that funds be made available to begin construction of this 45-mile highway. This year, I accompanied a delegation of some 18 persons from Wyoming and Montana, including representatives of the Crow Indian Tribe, to a meeting with Interior Secretary Walter Hickel and with the Senate Appropriations Committee to stress the importance of early construction on the Big Horn Canyon Highway.

This delegation to Washington pointed out that the estimated cost of the highway was rising by incredible amounts every year as a result of the effects of inflation on wages and construction costs, thus demonstrating that the longer the project was delayed, the more it would cost the taxpayers.

They noted that further development of recreational facilities in the area depended on the completion of the highway, pointing to National Park Service plans for establishment of campgrounds, marinas, trails, and other facilities that would be linked by the proposed highway.

And they noted that the economic status of the entire area and the Crow Indians, whose reservation borders the area and who will be managing visitor facilities and concessioner operations in the northern part of the area, would be greatly enhanced if the highway were built, because tourists would have access to the tribe's facilities.

I am very pleased that money for construction of the first segment of this highway has been included in the committee's bill, and I wish to commend committee members for focusing attention on this program.

Mr. President, the committee also took note of another endeavor which could have far-reaching significance in connection with Federal involvement in the problems of coal mining areas. The committee endorsed the commitment of $55,000 by the U.S. Bureau of Mines toward the total cost of a demonstration project to be carried out at Rock Springs, Wyo., to test a new technique for backfilling abandoned, underground coal mine voids. The Government has spent considerable sums of money and devoted tremendous resources to the problems of surface subsidence in urban areas located above vast mined-out areas. Millions of dollars in damage to property has been caused by subsidence in eastern areas, such as Pennsylvania, and this problem in recent years has become serious in the Rock Springs area.

The Bureau of Mines recognizes the potential of a proposed technique developed by the Dowell division of the Dow Chemical Co., for backfilling mine voids to stop subsidence which could be far cheaper and technically sounder than any process tried to date. This new technique will be demonstrated in a subsided area of Rock Springs within the next few months, and if its feasibility is proved, it is possible the process could be used in other parts of the country where subsidence is widespread and serious. If backfilling mine voids can be accomplished, the process of surface renewal in affected urban areas by local government and by such agencies as the Department of Housing and Urban Development, will be greatly aided.

I would also like to call attention to the committee's action to provide an additional $200,000 over the budget request for research on the magnetohydrodynamic process of energy generation.

This appropriation of a total of $600,000 for contracted MHD research authority not only will aid in the development of a new use for coal, one of the natural resources this Nation possesses in great abundance, but will be a first step in providing a new means of power generation which could greatly contribute to the control of both thermal and air pollution.

The item in this budget is the first real commitment of the U.S. Government to a process which can be of great benefit to the people of the Nation. Private industry has already invested in MHD research in spite of the great sums which will be required before the technique is commercially feasible. Now that the Government has expressed its interest in MHD research, the day when MHD will be making a contribution toward meeting ever-increasing energy needs is nearer at hand.

The amount appropriated is far from what is required, but it is a start, and I congratulate the administration and the committee for this action.

As a member of the Interior Committee, I have participated in a number of hearings on the subject of the energy needs of the United States. The testimony at those hearings should cause every member of the Congress to be concerned about the ability of this Nation to continue to meet the skyrocketing energy demand of its citizens. I was delighted to note the decision of the Senate Committee on Appropriations to insure that the House action on H.R. 17619 will not reduce the petroleum research activities of the Bureau of Mines at energy centers below the level requested by the President's budget.

The Bureau's Energy Research Center at the University of Wyoming provides much-needed knowledge for the development of this vital resource. The natural resources of the West are required to meet our needs, and the energy research centers in the West must be funded at a level which will insure efficient and responsible development of those resources.

Mr. President, I would like to comment on one more item in this bill of importance to the recreation and tourist industry. Included in the National Park Service's budget allocation is the sum of $712,000 for the lengthening and renovation of the runway at the airport providing access to Yellowstone and Grand Teton National Parks.

This project, like others funded by the committee, has been on the drawing boards for many years. The extension of the runway will enhance the safety of the airport facility at Jackson and will allow the landing of smaller jets and propeller aircraft. It will also allow for increased use and, hopefully, new flights.

The committee has done a commendable job of providing for the continuation of important and effective programs of the Department of the Interior and related agencies, and has, in addition, exhibited great farsightedness in allocating funds for new projects with exceptional merit. I commend the committee's members on their efforts.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter I wrote on June 29 to the Honorable Fred J. Russell, Under Secretary, Department of the Interior, arising some questions which I think are relevant and timely now, as we contemplate the course of action that America will take in trying to see that we have no energy shortage in this country.

There being no objections, the letter was ordered to be printed in the RECORD, as follows:

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JUNE 29, 1970.

Hon. FRED J. RUSSELL,
Under Secretary, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: Last week, published reports announced a budget slashing proposal made by you which would wipe out the Department's coal research program entirely within the next year and would slash other mineral research programs.

My efforts to investigate these reports through the conventional Department information offices have met with the response that budget memorandums cannot be made available.

I am sure you can appreciate my interest, especially since one of the four energy research centers which supposedly would be closed under the proposal is located in Laramie, Wyoming. Because of the published reports, the inability to obtain information from the Department, and a report of your denial that coal research programs would be sharply curtailed or phased out, I would appreciate a response from you personally indicating just what was proposed and the impact which the proposal will have.

I would like to know how your request will affect the energy research center in Laramie, Wyoming, and any other research funded by the Department of the Interior in the State of Wyoming. The newsletter of the National Coal Policy Conference dated June 25, 1970, stated that you had asked the various Interior offices to look for duplication in the field of coal research as they prepare their budget plans for Fiscal Year 1972 and that you wanted to be sure the government is not conducting research that is being duplicated by industry.

If your request will affect the expenditure of research funds in Wyoming, I wish to have the background information on which the decision was made that the Wyoming research is being duplicated by the industry.

Because of the importance of this subject and the widely differing reports which are circulating, an immediate response will be most helpful.

Sincerely,

CLIFFORD P. HANSEN,
U.S. Senator.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 25, 1970 the President had approved and signed the following acts:

S. 887. An act to further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes;

S. 1479. An act to amend title 38, United States Code, to authorize a maximum of $15,000 coverage under servicemen's group life insurance, to enlarge the classes eligible for such insurance, to improve the administration of the programs of life insurance provided for servicemen and veterans, and for other purposes; and

S. 2940. An act to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Presiding Officer (Mr. EAGLETON) laid before the Senate a message from the President of the United States submitting the nomination of Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission, which was referred to the Joint Committee on Atomic Energy.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S.J. Res. 88) to create a commission to study the bankruptcy laws of the United States, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 16739) to extend for a period of 10 years the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines.

The message also announced that the House has passed a joint resolution (H.J. Res. 1284) authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witnesses and the production of evidence, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills; and they were signed by the Acting President pro tempore (Mr. METCALF):

H.R. 2047. An act for the relief of Roseanne Jones; and

H.R. 5000. An act for the relief of Pedro Irizarry Guido.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937

Mr. BIBLE. Mr. President on behalf of the Senator from Missouri, the Presiding Officer, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 15733.

The PRESIDING OFFICER (Mr. EAGLETON) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15-percent increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BIBLE. I move that the Senate insist upon its amendments and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EAGLETON, Mr. PELL, Mr. NELSON, Mr. HUGHES, Mr. SMITH of Illinois, Mr. SCHWEIKER, and Mr. SAXBE conferees on the part of the Senate.

DEPARTMENT OF THE INTERIOR APPROPRIATIONS, 1971

The Senate resumed consideration of the bill (H.R. 17619) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

INDIAN HEALTH

Mr. MONDALE. Mr. President, the health of American Indians has shown a marked improvement since the Indian Health Service was transferred to the Department of Health, Education, and Welfare from the Department of the Interior in 1955. Within HEW the Health Service has undertaken positive programs which are slowly cutting at the tragically high Indian health statistics.

For example, infant death rates have declined 48 percent since 1955; tuberculosis rates are down 70 percent; and death rates from influenza and pneumonia are down 40 percent.

But much remains to be done. Dr. Emery Johnson, the most able Director of the Indian Health Service, estimates that Indian health is still 20 to 25 years behind that of the general population.

The Indian health amendment which we propose here today tries to decrease that lag in Indian health. The amendment would add $9.7 million to the committee's recommendation of $115.6 million for the Indian Health Service appropriation. There are a number of important items in this appropriation. The $500,000 additional moneys for the treatment of otitis media—the tragic infectious ear disease which has replaced tuberculosis as the major health problem among Indians in all areas—is a necessity if this problem is to be conquered. In Alaska I saw the tragic results of this disease on children. They suffer such a severe hearing loss that they become physically incapacitated and socially, vocationally, and educationally retarded. The need for funds for sanitation facilities, hospital positions, and drugs and supplies are equally crucial. The mental health program needs an additional $500 million. One program I want to call particular attention to today, though, is the urban Indian health pilot program.

URBAN INDIAN HEALTH PILOT PROGRAM

The urban Indian health pilot program tries to develop some coordination in the delivery of health services to urban Indians. It would provide the Indian Health Service with $2 million for enlisting local Indian groups in developing comprehensive Indian health programs for urban Indians.

Indians are becoming increasingly large segments of the population of a number of cities—including Chicago, Cleveland, Los Angeles, San Francisco-Oakland, Dallas, and Minneapolis. Minneapolis has one of the largest urban Indian groups—between 10,000 and 15,000 Indians.

This group of Indians has been one of the most neglected of the minority groups in our society. They are ineligible for the health benefits accrued by reservation Indians, and they are often forgotten by health officials in large cities.

In some cities, residency requirements

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keep the mobile Indian from receiving the health care other citizens receive. In Minneapolis, for example, Hennepin County General Hospital limits care—except in emergencies—to those who have established legal residence in the county. Since many Indians spend part of the year on reservations in northern Minnesota and part of the year in the city—often looking in vain for employment in an alien environment—they do not qualify.

Urban Indians become a victim of the lonely city. They are not aware of the health services that exist for them, and they fear the white man's bureaucracy.

Yet the need for help remains high. There are few complete studies on the health needs of urban Indians, but one of the best I have encountered was done in 1968 by the Minneapolis League of Women Voters. I would like to submit that study for the Record.

The report points out dramatically that:

First. Indians are not aware of programs existing for them.

Second. They are not motivated to use those services.

Third. Medical personnel are not familiar with Indian culture and values.

The Minneapolis situation is not atypical. The need for a comprehensive, coordinated Indian health plan is just as great in numerous other cities.

Pilot programs in urban centers would be a tremendous help to urban Indians and would be a big step forward in solving urban Indian health problems.

Mr. President, I urge adoption of the amendment increasing Indian health appropriations.

Mr. President, I ask unanimous consent to include in the Record at this point my testimony before the Appropriations Committee on this matter and a recent study by the Minneapolis League of Women Voters.

There being no objection, the material was ordered to be printed in the Record, as follows:

Testimony of Senator Walter F. Mondale

During the course of its existence the Senate Indian Education Subcommittee heard considerable testimony on the serious emotional problems suffered by the American Indian today. The high incidence of suicides and alcoholism is tragic evidence of the seriousness of these problems. The suicide rate among Indian teenagers between 15 and 19 years of age is three times the national average. In some areas the figure is 10 times. In the small northern Minnesota community of Ponsford, there were two teenage suicides and seven attempted suicides in a 10-month period last year.

Data on excessive alcohol usage is just as serious. We have had a report from at least one tribe that almost every male member between 18 and 30 has a serious drinking problem. The Subcommittee found that the vast majority of arrests, fines and prison sentences in the Indian population are alcohol-related.

I had the opportunity in October of 1968 to chair an Indian Education Subcommittee hearing at which some of our nation's leading mental health authorities, including Dr. Karl Menninger, testified in regard to the reasons behind the high statistics I have mentioned.

Dr. Menninger made a point at that hearing which I believe bears repeating. He agreed that suicides were dreadfully tragic incidents. But suicides, he said, were only an alarm signal—"A call for help for the whole tribe." As he stated it in his testimony that day:

"I think what disturbs us most is the recognition that the suicides are an expression of great misery and great disorganization of spirit and of life which comes to our public attention here and there via the suicides. But where one commits suicide, scores are in despair or their talents are being wasted, their lives are oppressed. . . . Suicides are the dramatic aspect of it. The chronic, slow death of a people's spirit is worse."

Dr. Menninger's recognition of the reasons for the suicides, the alcoholism, the school dropouts, have been documented in numerous studies. Working on the Oglala Sioux Reservation, Dr. John Bryde found marked differences in the results of psychological testing of eighth grade Indian and non-Indian students. On 26 of 28 variables studied, Indian students showed greater personality disruption than did the non-Indian control group. The Indian students revealed strong feelings of rejection, depression and anxiety. They showed strong withdrawal tendencies, as well as tendencies for social, self and emotional isolation. Dr. Bryde mentioned as especially significant the widespread feelings of powerlessness and discouragement.

I visited the Navajo Reservation last year and saw for myself some of the conditions which bring on these problems.

I visited Bureau of Indian Affairs boarding schools, for example, where students as young as five years of age live in lonely, depressing, impersonal dormitories, separated from their parents. I was told there is usually one staff member caring for over 60 children, and that at times the ratio rises to one staff person for 120 children. What can you expect of such a system than to produce feelings of isolation, loneliness, depression, identity, diffusion and self-doubt?

Just last week several Indians from Ramah, New Mexico, stopped by my office. They want their own community school because they don't like seeing what is happening to their children when they are sent away to boarding school. One mother told me her son pleads with her to visit him on weekends, but that the distance and cost of staying at a motel make it prohibitive for the family to maintain weekly visits. You can guess how a child will perform in school when he wants to see his parents but is denied the opportunity, and must instead settle for custodial care.

Dr. Daniel J. O'Connell, a Harvard psychiatrist who has served as Executive Secretary of the National Committee on Indian Health of the Association of American Indian Affairs, told the Subcommittee that when a child is taken out of a family in which the parents have a drinking problem, both the child and the parents suffer. According to Dr. O'Connell:

"We have then taken a family on the verge of disintegration and pushed it over the brink. The removal of the children removes the motivation to overcome the problem. The impact of the loss of the children only aggravates the emotional problems of which the excess drinking was symptomatic, and we may well have set into motion a downward spiral from which this family may not recover.

One of the bright spots in this field of so much gloom and despair is the work of the mental health staff of the Indian Health Service. When I visited the Navajo Reservation I was accompanied by several mental health workers, and I saw how they worked with teachers, dormitory workers and children. I was told they have conducted child care training programs for the staffs of more than 20 boarding schools, and that their work has resulted in an increased sensitivity of the staff to the needs of the children. Many children who had been thought to be mentally retarded, for example, or who were on the verge of being dropped from school because of behavior are now succeeding academically.

Two key elements to any successful mental health program are a continuing effort to understand Indian life, ideas and culture, and the participation of Indian people in the programs. I am happy to report I have seen these elements at work in the Indian Health Service's program.

I have met Navajo mental health workers who have been trained to work with Navajo psychiatric patients and their families, as well as to help non-Indians work more effectively with Navajo children and adults. In the past, Indians in need of psychiatric care were referred to psychiatrists who didn't know a hogan from a hayseed. The psychiatrists were located in off-reservation hospitals, they didn't speak Navajo or understand Navajo customs and were generally frustrated in their attmepts to deal with the Indian's problems. The Indians were equally confused. But now fellow Navajos are working with Navajo patients in state mental hospitals. They can communicate with the patient and his family. As a result they have made it possible for patients who have spent years in the institutions to return home and live more independent lives.

This help is the only resource in dealing with the mental health needs of Indians on the reservation. Yet there are so few mental health personnel, they can barely make a dent in the problem. On the entire Navajo reservation—an area the size of the state of West Virginia and the home of some 115,000 Indian people—there are only THREE mental health workers. Despite conditions just as serious in other areas of the country, including reservations in my own state of Minnesota, there are no such positions on any other reservation.

Starting from scratch five years ago, the Indian mental health program has shown tremendous progress. Dr. Emery Johnson, the Director of Indian Health, reported to your Committee earlier this month that since 1968 the number of mental hospital days on the Navajo Reservation has been reduced 20 per cent—this despite the fact many more patients are being treated. The Fort Hall, Idaho, Reservation, which was the scene of an epidemic of suicides two years ago, went 18 months without a suicide after the mental health people joined the Fort Hall Tribal Council in establishing a halfway house.

But it has taken those five years to determine the kind of help needed and how to give it. What is done is important, but how it is done is more important. Judging from the mental health personnel I have met, I believe they know what to do and how to do it. They are sensitized to Indian culture and traditions, and I think they should be allowed to proceed with the kinds of services they now know how to design. These people are highly trained and competent people, and I fear that if they are not given the resources which they feel are essential to accomplish their task, they will leave the service for jobs where they believe they can be more effective. If that should happen they would not be replaceable. This is a new field, and experience in it is rare. If they are lost, the program will have to start all over.

Recently I asked the Indian Health Service to tell me their plans for increasing the scope of the mental health program. They informed me that an increase of $165,000 was appropriated last year, but that it was lost to them due to administrative action. I understand that this year the proposed budget includes an increase of $218,000 for the overall program and an appropriation of $187,000 for the establishment of a psychiatric ward in the Gallup Hospital.

I have no question about the Gallup Hospital request. The need for psychiatric care as close to the reservation as possible, where Navajo people can assist in identifying patients and seeing that those patients get early treatment, is evident.

But, I believe that, in light of the job which remains to be done, an increase of only $218,000 over last year's budget, hardly allows any significant expansion of the current program. Dr. Johnson testified that an increase of $218,000 would mean an additional 20 positions. Those 20 positions would undoubtedly contribute to solving the problem, but they still wouldn't bring about the significant gains needed to really get at this problem.

Dr. Johnson testified that in order to "make real inroads," an additional million dollars over the present budget request would be needed. I have seen the lonely depressed children of the boarding schools. I have talked to the teachers and friends of teenagers who have committed suicide because they are convinced an Indian has nothing to live for. I have seen what happens to a man's life when he feels alcohol is his only means of maintaining sanity.

I personally believe Dr. Johnson's million-dollar figure is too modest. It may be that under existing limitations, such as the specially qualified personnel needed in this area, no amount of money will purchase both the medical qualifications and cultural sensitivity required in this most delicate situation. But I think it is imperative that those who have been working in Indian mental health continue to do so, and that the Indian Health Service continue to employ Indian personnel to assist the mental health specialists in facilitating communication and understanding between Indians suffering from poor mental health and those health specialists who can help them.

In his remarks several weeks ago, Dr. Johnson indicated that was how additional funds would be used. I don't think we can, with good conscience, do less than provide an increase of one million dollars. I urge you, Mr. Chairman, to adopt this change. In the long run it will save dollars which would otherwise be needed for life-long institutional care. In the short run it will save lives.

HEALTH

(From "Indians in Minneapolis," by the League of Women Voters of Minneapolis, with the assistance of the University of Minnesota's Training Center for Community Programs, April 1968)

"They have been given the runaround so much they feel they're being given another runaround; they don't bother to listen to the reasons. As a result, they often end up not going because they figure nothing will be done there either."

Much needs to be done in health education and preventive medicine to meet the needs of Minneapolis Indians, health officials say. Although care at Hennepin County General Hospital is limited except in emergencies to those who have established legal residence here, a rather large number of other health services exists to provide care which is not tied to length of residence. Indians are not always motivated to use them, however. Even when health agencies reach out into Indian neighborhoods, as the Minneapolis Health Department did last summer with a cancer detection clinic, the result can be disappointing. Although 10,000 flyers were printed and distributed through the neighborhoods, only 14 Indian women showed up. "You have to start somewhere," the health educator commented. The department plans another clinic soon.

Generally, headway is being made in meeting the health problems of Indians according to the diretcor of the Minneapolis Health Department. In the area of personal health care, the department includes clinics for family planning services, maternity and infant care, immunization clinics, child health clinics, a cervical cancer detection project, visiting nurse service and communicable disease control. For these services there is no charge or, in some cases, only a nominal fee if the family can pay. To qualify for most of these personal health services, persons must be of a required low income level or live in a poverty target area. The department reaches about 50,000 individuals (about 30% of those in the target areas) through its programs.

A program of Comprehensive Health Care for Children and Youth under 18 years of age, financed by the federal government, was launched by the health department two years ago. Health screening, diagnostic and preventive services are given through Project Head Start clinics, child health clinics, nursery schools and through referrals from school health programs. Needed medical and dental treatment (including care at General Hospital) is financed by the project. In the past, no treatment could be given unless the family had financial resources or was eligible for public assistance programs. In target area schools the project offers these services to children entering kindergarten who do not have a family doctor or dentist. The project is publicized through these schools, housing developments and social agencies including the Citizens Community Centers.

A sub-project of this program was opened in February, 1967, to offer complete health care for children up to 18 years of age in the Greeley, Adams and Seward elementary school districts. The project, the *Community University Health Center*, is federally financed and staffed by University of Minnesota personnel. Its purposes are to offer the best in medical service to children in the Franklin Avenue area and to furnish a model health center as a teaching tool for the University's medical personnel. Eighty-eight (19%) of the 442 low-income persons registered by last December were Indian. It is estimated that in the community being served 3,000 out of 7,000 children are eligible for service. Although the center treats only children, it is "family oriented," and the staff members say they hope to raise health standards in the area through community involvement. A child registered in the clinic starts with a total of four hours of diagnostic examinations. Every aspect of health is considered by pediatricians, dentists, an audiologist and psychiatrists on the center's staff.

The center employs a health educator and 11 public health nurses (who are assigned by the health department) to reach into the community. An advisory committee of area residents meets monthly. Eventually, the program is to be integrated into the Model Neighborhood program.

"Our contacts with Indians aren't as satisfying as with other people because they are hard to reach. They have to learn to trust us before we can reach them, and we have to show them they can trust us."

In order to reach Indians for these and other programs, the health department contacts social workers who see many Indians; they can spread the word if there is a mobile cancer detection unit in the neighborhood, for instance. Health educators work as a liaison between the Public Health Center and community agencies. They have worked through the Upper Midwest American Indian Center in locating Indian patients who need medical follow-up care and have devised an in-service education program for that center's neighborhood aides. The staff at the health department has had Indians in a leadership position in the community speak at staff meetings about Indians' cultural background and ways of working with them. The Minneapolis Health Department director says his staff is highly motivated in dealing with Indians.

The director of the health department's maternal and child health division says that it is easier to reach the estimated one-third of Minneapolis' Indian citizens who live in the north side, and seem to her to be more established and less mobile than the two-thirds who live in the south side.

An informal sight count of Indians using some of the city health department programs during 1967 yielded these figures: in the child health clinics, 2% were Indian; receiving family planning services, 9% were Indian; in the maternity clinics, 11% were Indian.

"(They don't come to us for health education.) We go to them. We feel we have the responsibility to make the first step. Giving them literature is the likely first step. Information to them requires constant re-enforcement but we're prepared to do it . . ."

In 1965, 190 Indian live births were recorded in Minneapolis, 2.1% of the city total. This figure, in view of the fact that some Indian women prefer to return to home reservations to give birth, demonstrates that the Indian population is by no means dying out (in fact, the Indian birth rate in the state has been nearly double that of the general population). Premature live births were slightly above average.

The Indian infant death rate in Minneapolis in 1965 was less than half that of the general population; however, because the figure was low (only two deaths), a more reliable clue might be that statewide the Indian infant death rate was one and one-half times higher than the general population in 1963.

The incidence of tuberculosis and venereal disease is quite high. The rate of new active tuberculosis cases in 1967 was 76.8 for non-white males per 100,000 population and 77.1 for non-white females (compared to 19.7 for white males and 7.6 for white females).

The syphilis rate, a three-year average, is 10.7 per 100,000 population among white persons, 152.7 among Negroes and 140.0 among "other non-whites" (mainly Indians). The gonorrhea three-year average rate is 139.1 for white persons, 1,501.9 for Negroes and 1,417.7 for "other non-whites."

"Many young Indian girls we have contacted knew nothing of the existence of gonorrhea or syphilis," the director of the communicable disease control division of the health department said. He emphasized that more health education regarding communicable diseases is strongly needed. He said many of the Indians' health problems are related to poor housing, inadequate nutrition and unemployment, an opinion echoed by many other observers.

"Their biggest problem is that of being Indian; they seem to feel somewhat inadequate, inferior to others. (They have a) problem translating the cultural values to the white culture, a conflict in their minds."

Hennepin County General Hospital is the principal provider of care for poor and medically indigent persons. To help coordinate that care, three health department staff members are assigned to General to assist patients who are referred there by the department's Children and Youth Project.

In 1966, 12,047 persons were admitted for in-hospital care and 83,650 visits were made to out-patient clinics. Approximately 10% of these patients were American Indians. According to staff estimates, use of the hospital by Indians ranges from 7% in out-patient (including 10% each for ear, eye, nose and throat and medicine, 2% each in tumor and dentistry and 15% to 20% in obstetrics) to 3% in admissions and emergency and 2% in the mental health clinic.

The chief psychiatrist in the mental health clinic said he usually sees Indians only when they are ordered by the courts to come for a mental health evaluation and that he didn't understand why so few Indians use the clinic. He said he thought Indians suffer the same types of stress as other racial groups.

"If we could forget about where they come from and give them care, it would be better."

Because Hennepin County General Hospital is tax-supported (52% of its funds comes from taxes), it is intended for "residents" of the county. A "resident" is defined as a person who has lived in the county for at least one year without receiving public assistance. He is supposed to provide proof of residence through rent receipts or employer statements although staff members say they usually take the patient's word for it. Policy dictates that only such "residents" can be accepted for out-patient care except in an emergency situation. In an emergency situation (defined as "a condition that has become acute within 24 hours"), residence requirements are waived and the patient receives the high quality care for which General Hospital is widely respected.

Usually, unless an emergency exists, a "non-resident" Indian will be asked to return to his home county for medical aid. The feeling among many of the General Hospital staff interviewed was that the residency law should be repealed.

For all citizens, however, the county of legal residence is supposed to reimburse the hospital until new residence is established. It has been suggested that putting "teeth" into reciprocal agreements between counties might facilitate the reimbursement process. Trying to obtain reimbursement is often a long and frustrating experience, involving piles of paperwork, long distance calls and hospital personnel time. Frequently, the hospital cannot locate the patient after he has been discharged, in order to obtain information and required signatures on forms. Moreover, reimbursement requests to other counties are frequently refused for various reasons.

There seems to be a good deal of confusion about what, if anything, the Indian Health Center and hospitals administered in reservation areas by U.S. Public Health Service, Division of Indian Health, will do for Hennepin county's non-"resident" Indians. A recent letter from the Indian Health Field Office in Bemidji stated its policy as follows:

"If an Indian leaves the reservation where he has been getting medical care and goes to a non-reservation area (Minneapolis, for instance) and needs medical care, but, because he has not acquired settlement, is not entitled to it, then the Division of Indian Health will pay his medical bills for one year following his arrival at the non-reservation area. This is to make sure that he will have care if needed until he has acquired settlement. Once he has acquired settlement, he is then eligible for medical care under the county program just as any other person living in the county, and he is expected to take advantage of this program.

"If an Indian family moves from the reservation and the children are eligible for care under the Medical Assistance program, then the Division of Indian Health expects the family to apply for that program for the children. There is no residency requirement attached to this program. Therefore, there would not be any year's wait to make the children eligible. The Division of Indian Health then uses the Medical Assistance eligibility criteria for the parents so that the family will not be fragmented into two eligibility categories. Therefore, during the first year away from the reservation, if the children are eligible for the Medical Assistance program, the parents are eligible for care under the Division of Indian Health program. At the end of the year, the Division of Indian Health discontinues medical care to the Indian adults. It is at this point that the Indian must start using the medical care facilities available to all people alike. The procedure should be routine and paperwork not more complicated than for the non-Indian."

If the residence requirement is a deterent to the Indian seeking medical aid, so is the extensive paper work and long wait. The paper work may be a necessary procedure in a large metropolitan hospital but observers felt there was a lack of clerical aid to help fill out forms and eliminate "red tape."

Employees who were interviewed said it was hard to help Indians because of the difficulty in getting them to return for medical follow-up treatment. "The Indian stops coming when the pain goes away," said one employee. Many are so mobile the hospital has trouble keeping track of their whereabouts. One employee in the admissions office said the Indians he saw had no concept of time and would arrive for a 9 o'clock appointment at 1 o'clock.

Interns, resident physicians and other staff members are given no special training in dealing with different ethnic groups. They seem to see their main purpose as healing sick persons, no matter who they are.

"Residency is the last of the old, archaic laws. We get these residency-problem persons in our (clinic) program. A private agency like ours can take them under its own rules. Residency is not a requirement here."

Several other Minneapolis hospitals have facilities for treating the medically indigent. Here families, "resident" or not, can get complete medical care, if they meet the low-income requirement.

The Medical Services Clinic at *Fairview Hospital* has a friendly, home-like atmosphere and even serves coffee and cookies to its patients. It is currently staffed by four resident physicians from Latin America. The clinic was started to meet the needs of the southside community and many persons are referred from nearby settlement houses or social service agencies.

Each family pays a 25¢ registration fee. In a private interview with the credit manager, an expectant mother determines how much she can pay for the delivery of her baby. Other fees are also based on ability to pay.

About 60 families actively participate in the program. Between 20% and 30% are Indian. In a special feature at the Fairview clinic, the family sees one doctor for all its care. The staff hopes this will provide a closer relationship between family and doctor and better follow-up care, preventive medicine and health practices the larger medical staff at Fairview may also be used). Resident doctors occasionally hear lectures on different ethnic groups and student nurses sometimes make home visits as part of their training.

Mt. Sinai Hospital has 25 hospital beds earmarked for its service and teaching program, which makes medical and surgical care available at reduced cost. Not many Indians use this service although it has been available for four years and is next door to a settlement house used by many Indians. To qualify, a person must be referred by a private doctor. Sometimes patients who do not meet residence requirements for General Hospital use are sent to Mt. Sinai.

St. Mary's Hospital also has an out-patient clinic for low-income persons. Only four of the 609 new patients seen in the out-patient clinic in 1966 were reported as being Indian. Patients pay what they can afford and may be referred by doctors, relatives or friends.

Other health resources in the community include *Children's Dental Services,* a United Fund agency furnishing care to preschool and school-age children whose families are medically indigent (but not receiving public assistance). *Planned Parenthood of Minneapolis* had reported serving about 20 Indian women each year (about 2% of its case load) but appeared to see fewer in 1967, with only three coming tn the first eight months. The director said she thought the drop was due to establishment of the health department's family planning clinics.

"Indians are bright and they are good workers but the young men that come into town associate with Indian men who are already deep in a pattern of drinking and irresponsible behavior, and they copy the older men's actions."—manager of a private employment agency which places many day laborers.

Many persons interviewed for this study mentioned the severe alcohol problems many Indians have. Skid row missions and other agencies attempt to channel Indians into *Alcoholics Anonymous* programs, apparently with little effect: a member estimated that perhaps 25 Indians were members presently. He said the success rate with Indians did not appear to be as high as with non-Indians and noted that the organization appears to have better luck with those Indians who have some religious background.

An agency working with alcoholics is *Pioneer House,* run by the Minneapolis Division of Public Relief. The agency estimates that 10% of its residents are Indian. A three-week stay is average. Counselors go with the client to court, try to interest the person in Alcoholics Anonymous and help in other ways. They see drinking problems compounded by unemployment, newness to the city, crowded housing, feeling ill at ease in the city and looking for an escape—the Indian is not as independent as other citizens because of his environmental and cultural background, the counselor said. Drinking contributes to poor job references and vice-versa. Four years ago it was reported that Indian use of Pioneer House was "slight," but an improvement over no use at all in the years before. About twenty Indians have recently formed an organization through which they hope to reach Indians with alcohol problems and improve the image of Indians generally.

Because of the great concern of the director of the Minneapolis Workhouse for the problems that bring Indians there, he has worked with the Upper Midwest American Indian Center in drawing up a proposal for an Indian halfway house. Its importance for Indians is illustrated by his own observations and a questionnaire he circulated among 33 Indians who were inmates of the workhouse at the time. Resounding to the statement, "I believe a halfway house is essential if I am ever going to 'make it'," 26 of 31 respondents "agreed" or "strongly agreed."

The Indian Center is seeking funds to open at least one such halfway house to provide a stable, home-like atmosphere for not more than 15 Indian individuals who would be expected to share in the maintenance and expense of their lodging. It would be located near the Indian Center which, it is proposed, would have counseling, employment and recreational facilities available to the boarders. The success of such a venture, focused on "achievement of a successful transition from the skid row and jail subculture to self-support and independence," would require many supportive services to tackle the complex problems of the "homeless alcoholic."

INDIAN EDUCATION

Mr. MONDALE. Mr. President, we are living today in a period of renewed interest in the problems, struggles, and aspirations of the American Indian. In recent months a number of the major news magazines have devoted cover stories to the rebirth of Indian self-determination. Newspapers and television have done similar pieces. But regardless of what the news medium is, they all come around to the same point: the key to the Indian's future is education.

I am pleased that our Interior Appro-

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priations Subcommittee, under the distinguished leadership of the Senator from Nevada, has also recognized this point, and has recommended for our passage an appropriations bill which treats education as a priority item. Not only that, but the committee has shown itself sensitive to the priorities within Indian education, as is evident in its recommendation to increase higher education scholarships by $1 million.

It may be that given the last-place position from which Indian education must move, that no amount of money that this Congress will appropriate today will satisfactorily provide for the education of American Indians. You do not have to be an education expert to know that when you have: First, Indian dropout rates at twice the national average; Second, all-Indian schools operated by all-white school boards; Third, an average educational level of 5 school years for Indians under Federal supervision; fourth, 40,000 Navajo Indians, nearly a third of the entire tribe, functionally illiterate in English; that there is a lot yet to be done.

I could go on for hours with appalling statistics and ugly horror stories about the kind of education Indian Americans receive.

The Senate Indian Education Subcommittee, under the able leadership of the distinguished Senator from Massachusetts (Mr. KENNEDY), compiled a monumental report documenting that, in education, as in so many other crucial areas, the first American is undisputably the last.

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The report contained a set of recommendations designed to drastically alter the course of Indian education and set it on a path toward excellence. Some of those recommendations already have been enacted into law; others are awaiting action in committee; still others are in the process of being drawn up into legislation and approved by Indian leaders.

We have the opportunity here today to endorse one of the report's basic recommendations: That funds available for the education of American Indians be substantially increased.

The Interior Appropriations Subcommittee has made a step in this direction by recommending a BIA budget for education and welfare services which is $34,412,000 larger than the fiscal 1970 appropriation. Yet this is still almost $1.4 million less than the Bureau's stated budgetary needs, and $1.5 million less than the House committee's recommendation.

The Indian education amendment before us today would add $2,813,500 to the Senate committee's recommendation. This amount includes:

First. Teacher-training programs in local Indian culture, history, values, for public schools—$250,000.

Second. Development of courses in Indian language, history, and culture—$250,000.

Third. Teacher aides in public schools—$63,000.

Fourth. Counseling and guidance in public schools—$50,000.

Fifth, higher education scholarships—$200,000.

Sixth, teaching and guidance personnel in BIA schools—$2 million.

The sum of $2.8 million is hardly enough to change the direction of a nation's approach to the education of its Indian citizens. But I believe that $2.8 million spent on worthwhile, significant programs can make a difference for a number of Indian children—the difference between staying in school or dropping out, the difference between being proud to be Indian or feeling that to be Indian is to be less than human.

I would like to make one other comment before closing.

Last year the Senate added almost $4 million to the Indian education budget recommended by the Appropriations Committee. Some of that money was used for kindergarten programs for Indian children which are proving very successful. But over $3 million was provided for specific purposes, such as hiring scholarship officers, improving curriculum programs, development of curriculum materials, college work-study programs, summer expansion programs and training of Indian boards of education. Several of us here today stood on the Senate floor at that time too, fighting for these programs, only to discover earlier this year that the Bureau of Indian Affairs had reallocated these specific funds to their general operations budget. None of these innovative programs—the kind of programs which are essential for a new approach to Indian education—were started.

That means we are already a year behind schedule. I am glad to see that these funds are back in the budget this year. I remain especially excited about the Indian School Board project, and I trust that this time around the $300,000 allotted for that purpose will be used for that purpose.

We have got some catching up to do, though, and I believe we can make a good start by adding the additional $2.8 million to the committee bill. Our commitment to the American Indian is too longstanding and too important to be laid aside.

Mr. MURPHY. Mr. President, this amendment deals with an important matter—health programs for California Indians. I urge the adoption of this amendment which would include much needed funds for California rural Indian health program. In testimony to the Senate Appropriations Committee, I urged $750,000 be provided for this California program. This amendment includes $750,000 to the Indian Health Services of the Department of Health, Education, and Welfare, which is budgeted in the Interior Department appropriations bill.

It is my understanding that presently $113 million is being spent for Indian health programs in 26 States in this country. California Indians, despite the obvious need, which I will discuss later, do not participate in this national Indian health program. This is a legacy of the movement in the fifties to terminate the special Federal relationship to American Indians. Termination is adamantly opposed by the Indians. In fact, the termination question is so great a fear on the part of the American Indian that it hampers the reaching of agreement on other important decisions with respect to the American Indian.

As a member of the former Special Indian Education Subcommittee, I became aware of the extent of these termination fears as our subcommittee attempted to make a recommendation regarding the Indian education organizational question. Vice President AGNEW has emphatically indicated the position of the Nixon administration against termination. It is my hope that this matter will be put to rest so that we can address ourselves to the very great problems that face the American Indians—health, education, housing, and others.

Mr. President, there is no question that there is a great need for Indian health services by California Indians. Since 1955, when Federal health programs were terminated in California, the health of California Indians has deteriorated in communicable diseases as well as chronic diseases. The death rate from influenza and pneumonia is twice that of the total population; tuberculosis, six times; accidents, four times; and cirrhosis of the liver, four times. Indian mothers fail to receive adequate prenatal care and their life expectancy is 20 years less than the average for all Californians. Seventy percent of the California Indian families, with an average size of six persons, earn less than $3,000 annually.

The health status of the Indians in California indicates the dire need for participation in the Federal programs. Beginning in 1967, California was granted $150,000 by the U.S. Public Health Service to conduct a rural Indian demonstration health project in four areas. Governor Reagan requested the California Department of Public Health to survey nine suggested areas and recommend four for demonstration. Since all of the nine tribal groups of the area surveyed indicated such a great interest, and the needs of all were so great, the State Public Health Service was able to secure a 1-year $245,000 demonstration grant in 1968. The Department of Health, Education, and Welfare then gave California additional funds to continue the program until June 30, 1969. The success of the program prompted the State, at a very restricted level, to assume the cost when HEW funds were exhausted in June of 1969.

After the Federal funds were stopped, I contacted the Department and urged that this program be continued. On January 27, 1970, I was delighted to announce that I had been informed by Secretary Finch that the project would be continued, and that the Federal Government would resume a Federal health responsibility for several thousand rural Indians in California. This Federal grant was for $25,000 a month, which would be $300,000 annually, to continue the California Rural Indian Health projects.

These projects have been instrumental in saving many lives—one was a newborn infant with a congenital heart defect, and a number were older people with acute or chronic illnesses. Community health education campaigns were successfully conducted in the areas of tuberculosis, diabetes, arthritis, family planning, personal hygiene, prenatal care, child care and dental care. Many times Indian health aides were employed by their tribal organizations to provide community health education and to give assistance to isolated rural Indians in obtaining health and medical care.

Mr. Rautenberg, Assistant Chief Administrative, Bureau of Maternal and Child Health, California State Department of Public Health, in a letter to me gave some specific example of some of the program's solid accomplishments.

"One example can be found on the Rincon Reservation in San Diego County, where a dentist newly returned from Vietnam has worked with Indian volunteers to completely transform an old shack into a three-room dental clinic. The U.S. Public Health Service, Indian Health Service, has installed indoor toilet facilities. A dental chair and equipment were donated by a retired dentist. Technicians from the Camp Pendleton Marine base assisted in installing the equipment. The California State Department of Public Health provided funds for supplies, and the rural Indian project staff arranges and conducts a community dental education program. This volunteer effort, which is providing free dental assistance to many people who would otherwise be without this service, exemplifies not only the community support which the Indians have been able to stimulate, but the multiorganizational effort which goes into making the community-based project successful.

"Similar success is being enjoyed in Tulare County, where the local health department has been stimulated to provide a higher level of service, now that the Indian health project has provided a base of operation with indigenous staff to interpret needs and programs, and to develop community organizations. Here, help has been received from private physicians, a Catholic convent, the County Health Department and others.

"In Inyo County, for the first time, the local health department is now employing an Indian community health aide who formerly was employed in the Indian health program.

"Unquestionably, the local Indian health projects have shown remarkable ingenuity in establishing the eligibility of their people for existing medical and health programs, such as local health department clinic services, Medi-Cal and medicare benefits, the State Crippled Children's Services program, etc. We can only estimate that the value of any services obtained through these programs would amount to approximately $150,000 per year statewide."

Both the need that exists in California and the efficient use of Federal funds demand that we stabilize this program. It is impossible to run a program on a month-to-month basis, and although there is an understanding that the Federal program will continue until this June, I am sure the Members will see that this is a frustrating situation.

Therefore, I strongly urge the amendment's adoption which will allow California Indians to participate in the Indian Health Services program by providing $750,000 earmarked for California Indians. This will enable the expansion of the present program to cover a substantial number of the over 30,000 rural Indians in my State.

In House hearings questions were asked on behalf of Congressman Don Clausen and Congressman Harold "Bizz" Johnson of Dr. Emory Johnson of the Indian Health Services regarding the California program. Dr. Johnson concurred with our evaluation that the program is an excellent one, and indicated that he felt that $750,000 was needed and could be effectively used.

It would be indeed unfortunate if these projects were not continued. There has been a good response in the Indian community to them and a good rapport developed between the Indians and public and private agencies. Dr. George C. Cunningham, in a letter to me, put it this way:

> The urgency of this case in my mind stems from the fact that governmental and private agencies working with the Indians have lacked consistency, integrity and continuity. Having overcome the initial skepticism of the Indian communities and won their confidence, we would have a real problem restoring services if there was any hiatus of funding.

So, I do hope the Senate will approve this proposal I am cosponsoring, which will meet an obviously great need in my State among the Indian population. Simple equity would dictate that California Indians should be allowed to participate in this Federal program.

INDIAN HEALTH AND EDUCATION

Mr. MONTOYA. Mr. President, I rise today to denounce the treatment this country has given, and continues to give, the American Indian. Indians have become a casualty of what is called "fiscal responsibility," but what should really be called humanitarian irresponsibility. Under the excuse of budgetary economy, programs for the American Indian are advancing altogether too slowly, and in many cases these programs are actually being cut back. As a result, the conditions of our Indians remain deplorable. The education and health, the fundamental well-being of these people, will be sacrificed by such action. Forty percent of adult Indians are functionally illiterate.

Health conditions are just as disgraceful; Indians in Shiprock, N. Mex., only have 48 physicians per 100,000 population; the rest of this affluent country has 125 physicians per 100,000 population. We are discriminating against the Indians in the Shiprock area and against all American Indians.

Turning for a moment to the crisis in Indian education, let me quote a few facts. Nationwide, Indians average 8 years of schooling, compared to 10.6 for the general population. In my own State of New Mexico, containing the third largest number of Indian students, the average educational attainment for Indians is a shocking 6.5 years. Only 18 percent of the Indian population is ever enrolled in college, compared to 50 percent of the non-Indians. The high school dropout rate for Indians is 42 percent compared to 26 percent for the Nation as a whole. Fourteen percent of the Indian population has never attended a school of any kind, and in 1960, only one-third had attended high school. Seventy-three percent of all 5-year-olds are enrolled in kindergarten, but only 10 percent of Indian children in the same age group attend preschool classes.

I have already mentioned that close to half of all Indian adults are functionally illiterate. But these statistics are not new. We have known for decades about the tragic state of Indian education, and yet we have failed to act to improve the situation. Indian programs, and in particular, Indian education programs have been shunted aside while we have concerned ourselves with less urgent and more glamorous topics. We have spent less in a year on education of the first Americans than we have in a day in Southeast Asia. We have aided in perpetuating the stereotyped picture of the American Indians as "dirty, lazy, and drunk." And this picture has had a terrible effect on young Indians whose runaway and suicide rates are unnecessarily out of proportion to the rest of the population. Because of their lack of educational opportunities and because of our unwillingness to try understanding their culture, we have in the past mistakenly and tragically judged many potentially bright youngsters to be mentally retarded.

We have all suffered because of these failures. But no one has suffered from these faults as much as the Indian himself. We are all to blame, and I urge every American citizen to join me in an effort to improve the state of education for the American Indian. The options facing many Indian students for whom reservation schools are unavailable are not pleasant. They are forced to attend classes in quonset huts or converted barracks or they must travel by bus, sometimes for more than a hundred miles each day, over dirt roads to public schools, or they are packed off to lonely and distant boarding schools where the ratio is one staff member for every 60 children. Clearly, this situation is less than adequate.

During the Senate committee consideration of the Bureau of Indian Affairs budget, I was able to obtain $70,000 for planning of a new elementary school on the Acoma Pueblo reservation. The existing school is over 40 years old and incapable of providing minimal educational standards for those students attending school. In addition, the size of the structure necessitates transporting most of the Acoma students to Grants, N. Nex. I am pleased with the committee's decision to provide planning funds for a new Acoma school, but I realize there are many similar instances of inadequate Indian school facilities for which no money will be available this year or next year.

The Senate committee recommends $135.5 million for educational assistance under the Bureau of Indian Affairs. This represents an increase of $16.2 million over the amount available in fiscal year 1970. This increase is significant, but at the same time, the $135.5 million for education and the $18.8 million for BIA construction including construction of schools, does not reflect the true need.

I would like to see Congress make a determination to provide adequate fund-

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ing for education of our Indian children. The current budget now being considered is still insufficient to the task of meeting even minimal educational standards for our Indian children. Conditions in my own State of New Mexico alone demonstrate the critical need for a greater effort and an increased financial assist from the Federal Government.

At this point in my statement, I ask unanimous consent to place in the Record a table of unfunded educational projects in New Mexico.

Each of these projects is fully justifiable. They are not extravagant proposals but are critical projects needed to provide an adequate education for young Indian children. I urge my colleagues in the Senate to examine carefully the needs for improving the condition of Indian education and to join me in an effort to provide at least a portion of the funding required.

Let me turn now to a subject which is just as cruical as education to the well-being of the Indian people. That subject is health care. Funds for the construction of health care facilities have been reduced by the present administration. This action is unbelievable and unacceptable in light of the acute need of these people. We cannot tolerate such treatment of the original inhabitants of this land. The administration actually requested a cut of $3 million in funds for Indian health facilities for fiscal year 1971. This would have provided $19 million, while last year's appropriation provided $21 million. Mr. President, this is simply taking us in the wrong direction. We should be appropriating more money for Indian health facilities, not less.

Though the action of the Senate Appropriations Committee, some funds have been added to this shamefully small budget request. As a result of this action, New Mexico will receive $358,000 for planning a hospital at Zuni, and $202,000 for the conversion of the Albuquerque Sanitorium to an outpatient clinic for Indians. These additional funds, valuable and appreciated though they are, barely scratch the surface of the needs of New Mexico and the Nation.

Alcoholism is a terribly serious problem among Indians, yet the Navaho Reservation still does not have any facility on that reservation for the treatment of alcoholics, and the shocking fact is that there are no plans in progress for providing such a center. Mental health is a related problem for it stems from the same underlying cause, which is the disorganization of life that we have brought upon the American Indian. Indians with mental health problems are forced to leave the only surroundings they know and are placed in institutions where procedures are designed for non-Indians.

This usually worsens the condition, rather than correcting it. As a result of these discoveries, a pilot project is now underway in Gallup, N. Mex., to take patient care out to the mental patient in his normal habitat. We now have one small staff, with one psychiatrist, working in this program; this is simply not enough. Indians throughout New Mexico would benefit from such programs, but the funds are not available for such an expansion of the program.

The Senate Appropriations Committee added an unbudgeted item of $500,000 for Indian mental health programs, but this addition only begins to scratch the surface of the unmet needs in this area.

The list of unfunded projects in New Mexico and the Nation could go on and on: hospitals, sanitation facilities, outpatient care units, training programs, additional staff members for health care, basic drugs and supplies—all of these items are needed by the Indians. Because we have not completely met this need, statistics relating to Indian health are shameful:

The average age at death for Indians is 43.8, compared to 63.6 for the general population.

The TB death rate is 16.2 per 100,000 for Indians compared to 3.5 per 100,000 for the general population.

In dental health care, only 13 percent of the Indian children under the age of 4 receive the minimum necessary care; for adults over the age of 19, the figure is barely 6 percent.

Infant mortality for the first month of life is three times as high among Indians as the rest of the population.

All diseases are much higher among Indians.

At this point, I ask unanimous consent to place in the Record a table of statistics listing the extent of various diseases among U.S. Indians.

Unemployment, poor education, poor health, unsuitable living conditions, alcoholism, and mental health problems are all interrelated. Unless we attack these problems at once, the American Indian is doomed to the same miserable existence we placed him in many years ago. To engage in these programs means the expenditure of money, but when we look at the vast expenditures made elsewhere in the Federal Government we can surely realize that a few million must be found for the most needy of Americans, the American Indian. We must not allow these people to become the casualties of the stringent false economies of the present budget planners.

There being no objection, the table was ordered to be printed in the Record, as follows:

UNFUNDED PROJECTS, STATE OF NEW MEXICO

Educational assistance, facilities and services

Assistance to pupils in non-Federal schools:	
Higher education	$120,000
Johnson O'Malley	500,000
Federal facilities:	
Library centers in the Pueblos	100,000
Summer programs	25,400
Construction of buildings and utilities:	
Albuquerque Voc-Tech School completion	5,215,000
Acoma Elementary School	1,228,453
El Morro Navajo Elementary School	1,200,000
Laguna Acoma Jr.-Sr. High School	1,000,773
New sewerage lagoon—Sanostee School	200,000
Kindergarten (1)—San Juan	35,000
Kindergarten (2)—San Felipe	70,000
Relocatable classroom (3)—Isleta	$45,000
Relocatable classroom (1)—San Juan	15,000
Relocatable classroom (1)—Zia	15,000
Relocatable classroom (5)—El Morro (Ramah)	*127,000
Kitchen/dining facilities—Albuquerque Indian School	600,000
Kindergarten, 2 additional classrooms—Taos	75,000
Adult education classroom (1)—Laguna	30,000
Adult education classroom (1)—Taos	30,000
Kitchen/dining facilities and classroom—Jemez	80,000
Kitchen/dining facilities—Zia	40,000
Acomita School	1,225,000
San Felipe School	1,200,000
Alamo School	800,000
Kitchen/dining facilities—San Juan	40,000
Major alterations and improvements:	
Wingate High School parking road surfacing	20,000
Renovate Wingate High School auditorium	20,000
Improve sewerage lagoon—Dzith-Na-O-Dith-Hle	15,000
Improve sewerage lagoon—Huerfano School	15,000
Improve sewerage lagoon—Standing Rock School	15,000
Aztec Dormitory Road	8,000
Enlarge quarters—Crownpoint	5,000
Rewire school—Taos	14,000
Student center—Albuquerque Indian School	75,000
Reroof dormitory—Magdalena	80,000

*Includes $52,000 for water and sewerage system.

Notifiable diseases, 1967 (per 100,000 population)	Indians in United States	United States
Tuberculosis, new active	170	23
Rheumatic Fever	22	2
Strep Throat	2,943	229
Hepatitis	294	21
Measles	553	37
Gonorrhea	770	202
Syphilis	123	52
Pneumonia	3,680	(1)
Otitis Media	8,099	(1)
Gastroenteritis	6,713	(1)
Influenza	993	(1)
Trachoma	1,077	(1)

[1] Not reported.

Mr. HARRIS. Mr. President, the distinguished Senator from Nevada and I, and others, have had an opportunity to discuss informally the various items contained in the pending amendment. The distinguished Senator from Nevada, the Senator in charge of the bill, has been very kind in his willingness to consider thoughtfully and seriously each one of the items which we have previously discussed. He feels that if these items are pressed to a vote in their full amounts, as offered in the pending amendment, he will not be able to accept them on behalf of the committee and will have to oppose the total amount.

He does recognize some of the needs which have been expressed here and is willing, if certain of the items can be reduced and the overall amounts can be reduced, to accept the amendment and take it to conference and do the best he can in regard to pressing Indian health needs.

I am extremely grateful, as I know all

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American Indians, are for the past consideration of the distinguished Senator in charge of the bill, and for his cooperative attention to the problems here on the floor of the Senate today.

If the Senator from Nevada will check me on these amounts, it is my understanding that: if the item in the amendment for sanitation is reduced from the amount we requested of $3,750,000 to the figure of $1,000,000; if the additional $500,000 we asked for in the amendment for mental health is reduced to $100,000; if we eliminate from the amendment altogether the $500,000 item for otitis media, since it is a figure already provided for a very important item for which over $400,000 has already been provided for; if we keep the $1,269,000 for hospital positions and $957,000 for drugs and supplies in the full amount we asked for; if the request for $750,000 to provide for a California Rural Indian Health Board, be reduced to $300,000 since there are other funds that are supposed to be available in the appropriation for this purpose; and if finally we reduce the $2 million item in the amendment for the urban Indian health pilot program to $150,000, to survey special health needs of American Indians in urban areas and to fund such demonstration projects as may be necessary in connection therewith by the Indian health service, we would have a total of $3,776,000 rather than $9,726,000.

If the Senator is willing to take those amounts to conference, we will modify the amendment accordingly, which we will have to do with the two amendments. This would certainly be much better than our present situation and we could therefore, accept that.

I have discussed this with the other sponsors of the amendment. They have the same opinion. Therefore, I am willing to modify my amendment. If the Senator will accept the amendment and take it to conference, I will certainly be grateful for all that he can do. I am grateful for all that he has done today.

The PRESIDING OFFICER (Mr. EAGLETON). Does the Senator wish to report his modified amendment?

Mr. HARRIS. I will, after hearing the Senator from Nevada.

Mr. BIBLE. On either point, because I think we have had a very helpful and healthy colloquy throughout the past, almost 3 hours now, on Indian health problems, I think it has been illuminating and helpful. We recognize the problems here. We want to be as responsive as we possibly can within the budgetary limitations under which we operate. I have discussed the figures which the Senator from Oklahoma has just related and modified on the two amendments with the Senator from Delaware (Mr. BOGGS) and he is in agreement that we think a good case can be made for the so-called add-ons to the Indian health appropriation. I am perfectly willing to recommend to my colleagues and to the Senate that the modified amendments totaling $3,766,000 be accepted, and we will do our best to hold all, or a substantial part of it, in conference.

There are many areas of this problem with which I am in complete agreement wth the Senator from Oklahoma.

Mr. HARRIS. I am grateful to the Senator from Nevada.

Mr. President, I withdraw the amendment on behalf of the various cosponsors and I send to the desk in its place two amendments totaling $3,766,000 and ask unanimous consent that they may be considered en bloc.

The PRESIDING OFFICER (Mr. EAGLETON). The previous amendments are withdrawn. The clerk will report the new amendment.

The ASSISTANT LEGISLATIVE CLERK. On page 35, line 16, strike the numeral and insert "$19,510,000." On page 35, line 7, strike the numeral $115,660,000 and insert $118,436,000.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. HARRIS. Mr. President, first, on page 35, dealing with all the items on the previous amendment, which has now been withdrawn, with the exception of the item of $500,000 asked for on otitis media, which does not appear even in reduced amount in the new amendment, this part of the new amendment would change the figure on page 35, line 7, from $115,660,000, by adding to it $2,776,000. The new figure then would be $118,436,000.

The second half, page 35, line 16, instead of the $3,750,000 additional funds we had asked for in sanitation, would now be an additional amount of $1,000,000 for that purpose and, therefore, the second half of the present amendment, the new amendment, would change the figure on page 35, line 16, from $18,510,000 to $19,510,000.

Mr. President, I move adoption of the amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Oklahoma.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SPONG). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEED FOR FISCAL YEAR 1971 CONSTRUCTION FUNDS FOR COUNCIL BLUFF RESERVOIR IN MISSOURI'S CLARK NATIONAL FOREST

Mr. SYMINGTON. Mr. President, on behalf of myself and Senator EAGLETON I send forward an amendment intended to be proposed to the committee-reported H.R. 17619, a bill making appropriations for the Department of the Interior and related agencies for fiscal 1971.

Of the $213,412,700 approved by the House for improvement and development of lands under the Forest Service Administration and for related purposes, the House Appropriations Committee recommended $100,000 for the Council Bluff Reservoir in the Clark National Forest in Iron County, Mo. The Senate Committee report accompanying H.R. 17916 makes no mention of this important recreation impoundment that would also contribute to flood control in the overall Meramec River Basin.

The purpose of our amendment is to assure that funds will be made available in this fiscal year to begin construction of the Council Bluff Reservoir.

The proposal calls for a 100-foot-high dam which would create a reservoir of about 440 acres with 13 miles of shoreline on the upper Big River in Iron County, Mo.

This project has been closely coordinated and planned in cooperation with the U.S. Army Corps of Engineers, the Forest Service, the Soil Conservation Service, the U.S. Geological Survey, the Bureau of Mines, and the Bureau of Outdoor Recreation, together with the State of Missouri and widespread local interests throughout the area. It is one of the first such comprehensively planned programs in the United States. In this connection, three regional planning groups have also been consulted: the East-West Gateway Coordinating Council—made up of the St. Louis metropolitan counties—the Southeast Missouri Regional Planning Commission, and the Meramec Regional Planning Commission.

The Council Bluff Reservoir will bring sound growth planning to the adjoining four-county area, as well as flood control, water supply, water quality control, and recreation.

Economic benefits from the development of this project have been estimated and they are impressive—$595,044 on an annual basis. Of that $103,385 would be returned in the form of user and entrance fees to the Federal Government. It is anticipated that the Federal Government would recover its investment in 16 years.

The recreation potential of this project is of particular importance. It is significant to note that this region is served by no natural lakes or large Federal reservoirs; yet during the last decade the demand for recreation, particularly water-oriented recreation, has risen sharply. Thus, this impoundment would help to meet the needs of this rapidly growing area—Dent, Reynolds, Crawford, and Iron Counties—as well as the needs of some 2½ million people who live in the St. Louis metropolitan region, little more than an hour's driving distance.

As evidence of this, the Missouri comprehensive outdoor recreation plan, developed by the Missouri Interagency Council for Outdoor Recreation, indicates that there is a need for an 81-percent increase in fishing areas.

The Clark National Forest is currently hard pressed to accommodate the large number of visitors that descend on it every weekend. As example, the Clark Forest recreation facilities accommodated 540,000 visitor days in 1965. By 1969, this figure had risen to 798,000 visitor days. The Council Bluff Reservoir will provide facilities for an anticipated 162,000 visitor days annually.

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Funds for construction of the Council Bluff Reservoir should be made available this year. Not only has the planning on this project been complete for 6 years, but every year of delay means that final cost of the project will continue to climb.

In order that we might promote rural development, and so that the citizens of this region of Missouri might enjoy a better life, I hope and I urge the distinguished chairman of the subcommittee and members of the committee itself to make available $100,000 this year to begin construction of the Council Bluff Reservoir.

I ask unanimous consent to have the text of the amendment printed in the Record.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

On page 31, line 8, in lieu of "$14,188,000" insert "$14,288,000".

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I am glad to yield to my able and distinguished colleague, the senior Senator from Nevada, the chairman of the subcommittee.

Mr. BIBLE. Mr. President, there are very few Senators for whom I have greater respect and admiration than the very distinguished senior Senator from Missouri. Among his many other abilities and accomplishments, I know of his constant working for his own State.

I have been privileged over the years to handle in various areas some projects—some in the field and some back in Washington—for the Senator. I do not know of anyone who works harder for the good of the State of Missouri.

I compliment him for it.

I recall several years ago when he brought to the subcommittee a proposal for the Ozarks National River. It was a privilege to handle that bill for him and, under his constant urging, to see that it came to fruition and that the money was there with which to complete and move it forward.

This is the same type project in a different area. It is not a park project but, as the Senator stated, it has considerable recreational benefits. It serves a great growing area. This is not a budgeted item and I would add that the House put it in over the budget. We are going to conference and I would look very sympathetically at this item when we get to conference to see if this cannot be kept because I realize this project has been around for some years. The reason we did not add it is that the administration asked us to cut it back, but I think this has unusual merit.

Mr. SYMINGTON. Mr. President, I thank the able chairman for his kind and gracious remarks.

It is his sympathetic cooperation with respect to many of our problems in this field that has resulted in some of the most important developments in my State.

Based on what he has said today, just now, I am very grateful and very hopeful that he and his committee will look favorably on what I think is an unusually important project for my State and the Nation from the standpoint of water and recreation needs.

Mr. BIBLE. Mr. President, I appreciate the sentiments of the Senator and we will do our best.

Mr. EAGLETON. Mr. President, Council Bluff Reservoir is a project to be built by the U.S. Forest Service in Iron County, Mo. The reservoir is a part of the Meramec River comprehensive basin plan which includes seven main stream reservoirs, 12 tributary stream reservoirs, 12 headwater reservoirs, nine local protection levees, and 26 angler-use sites in the eastern portion of Missouri.

This comprehensive plan will provide numerous benefits—flood control, recreation, water supply, water quality control, and fish and wildlife conservation—for the expanding St. Louis metropolitan area. Moreover, these same benefits will be provided by this particular project to the growing Leadbelt area of Missouri.

Because of increasing costs of constructing these valuable projects, it is important that progress be made as soon as possible. I therefore concur in the statement of my senior colleague and I request that the distinguished chairman of the Appropriations Subcommittee consider this amendment favorably.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BIBLE. Mr. President, it is my understanding the distinguished Senator from Oklahoma has an additional amendment he wants to offer.

Mr. MONDALE. Mr. President, I have some remarks to make, but first I yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING. OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 5, line 18, strike out "$217,115,000" and insert in lieu thereof "$219,928,500".

Mr. HARRIS. Mr. President, the amendment which has just been read is the amendment I alluded to earlier today, to add $2,813,500 to the appropriations contained in the bill for Indian education. It is broken down as follows: teaching and guidance personnel in Federal schools, an additional $2 million; development of courses in Indian language, history, and culture, and teacher training programs in local Indian culture and values, an additional $500,000; higher education scholarships for Indian young people, an additional $200,000; counseling and guidance in public schools, an additional $50,500; teacher aids in public schools, $63,000, making a total of $2,813,500 over and above the amount allowed in the appropriations bill now before the Senate.

I offer this amendment on behalf of myself and Senators Cranston, Kennedy, Mondale, Montoya, and Gravel.

Now, I am pleased to yield to the distinguished Senator from Minnesota who, especially because of his important work on the Indian education subcommittee, is particularly knowledgeable in this field.

Mr. MONDALE. Mr. President, I thank the Senator from Oklahoma.

Mr. President, I do not know of any area fraught with more tragedy than the national program of Indian education. The Indian dropout rates are twice the national average. There are all-Indian children in schools operated by all-white school boards.

On reservations under Federal supervision the average educational level of Indians is 5 years. On the Navaho reservation 40,000 Navahos, nearly one-third of the entire reservation population, are functionally illiterate in English. We could go on for hours with appalling statistics and ugly stories about the kind of education Indians receive.

The Indian Education Subcommittee, under the chairmanship of the distinguished Senator from Massachusetts (Mr. Kennedy) compiled a monumental report, the most searching study ever made of the manner in which the American Indian is educated. The report included a devastating and searing indictment of the present system and funding for Indian education.

The proposal before us today is a modest proposal of $2.8 million. It would provide for the development of culturally-sensitive teaching materials, counseling and guidance services, for Indian students, special teachers, teacher training, teacher aides, and more higher education scholarship.

This is a modest proposal and I am very hopeful that the manager of the bill will be able to accept it. In a sense it is a catch-up proposal because 1 year ago funds for many of these same programs were added to the appropriation bill. We expected the Bureau of Indian Affairs to implement programs for which money was appropriated. We were later told, to our dismay, that the Bureau of Indian Affairs had diverted those funds for general overhead expenditures. They had ignored the action of Congress and diverted funds without advising the authorizing or appropriating committee.

Mr. President, if society can afford $110 million for the design of a space shuttle, we should be able to afford $2 million to give the Indian children a chance.

Mr. BIBLE. Mr. President, this is one of the most successful teams I have seen in a long time. When the team of Harris and Mondale present something it is hard to resist.

However, on this one I think we must resist, for this reason. We have placed our emphasis on Indian health programs. We added $3.776 million by the last amendment. I think we can sustain a great part of that in conference.

On Indian education it is recommended we add $2 million for teacher counseling and guidance. That is the big item in the amendment. I suggest again that we have been most generous in these two areas.

In 1970 we appropriated $38.1 million. This year we appropriated over $2 million more, for a total of $40.4 million. This would add 134 teachers over the level last year. It adds additional guidance personnel of 158. This is a total add-on of almost 300 teachers and guidance personnel. I think that should be adequate.

Higher education scholarships is an item we increased. The House increased it by $1.050 million. We stayed with the increase of $1 million. The item for teacher aides in public schools was increased $63,000 over last year and the teachers in counseling and guidance in public schools was increased $50.5 thousand.

I think we have been responsive in these various areas and I hope the amendment will be rejected.

Mr. HARRIS. Mr. President, may I take the items in this amendment one by one and call the Senate's attention to the very serious need for each one of them. They are very modest. As a matter of fact, they are almost shamefully small requests for us to bring in here and ask to have added, but I think they are the bare minimum.

First of all, I direct the attention of the Senate to that item in this amendment calling for a $2 million increase in teaching and guidance personnel in the public schools. The budget for 1971 provided $7,701,000 for operation of Federal schools and dormitories, but I believe this amount should be increased by $2 million as requested.

The purpose of this item is set forth at page 1A–16 of the Department of the Interior budget justifications for fiscal year 1971, in which it is stated in part:

> Without increases in appropriations to offset rising costs, Bureau schools have been forced to curtail purchases of textbooks and instructional supplies, postpone replacement of dormitory furnishings and supplies, and operate schools with inadequate staffing. Pupil-teacher ratios of 30 to 1 are common. Pupil personnel services (guidance and counseling, recreation, school social work, psychological services and special education) are extremely limited. The only meaningful pupil personnel services are guidance and counseling in secondary schools and these are staffed at less than half of national standards for public schools. Textbooks and other educational and dormitory supplies have been depleted, and summer program activities were drastically curtailed. The increases requested will permit the Federal school system to operate at minimum adequate standards—giving schools sufficient text books and teaching supplies to meet needs of the students, allowing for filling of vacancies, and providing furnishings in dormitories at a level adequate to create a homelike atmosphere and acquainting the students with desirable standards of living as well as to make their surroundings safe and comfortable.

I certainly commend the distinguished manager of the bill and other members on the Senate Appropriations Committee who have recognized the need here for increasing these funds for this purpose, as does the 1971 budget request. Quite obviously, the $7,701,000 is a much-needed item in the budget, but there is little reason for rejoicing since only "minimal adequate standards" are thereby assured. Furthermore, even though the high teacher-pupil ratio is admitted and there is obvious inadequacy in guidance counseling, no funds are asked for meeting these needs in the breakdown of the $7,701,000 shown in the Interior Department justifications.

I would think that, as a minimum, an additional $2,000,000 should be provided for more teachers and for more counseling and guidance personnel, as provided by the Interior Department appropriations justifications and by the testimony before the committee.

Secondly, we are asking for $500,000 for development courses in Indian language, history, and culture, and teacher training programs in local Indian culture and values. Funds are needed for training programs for school teachers, dormitory counselors, and others in the local Indian cultures and value systems. When the Choctaws and Cherokees were running their own educational systems, the teachers, of course, understood the backgrounds and ways of the children. Today, teachers without this understanding or training may interpret shyness as lack of ability. The Indian members of the National Council on Indian Opportunity in discussing this problem stated:

> There is no excuse for a quiet, shy Indian child being labeled and treated as dumb and un-responsive by an uncomprehending teacher.

It would be highly beneficial if a training program in the local Indian cultures and value systems could be provided.

Further, we recommend that Indian studies courses in the languages, histories, and cultures of American Indians, be established in all Indian schools or schools of high Indian population—as well as in similar colleges and universities. As a part of this request, funds should be made available to provide better and more relevant, less derogatory textbooks and other teaching materials concerning American Indians, Eskimos, and Aleuts.

A recent article in the Saturday Review, entitled, "A Usable History for the Red Man," sets forth the urgent need for this funding. Therefore, for this item, our amendment asks an increase in the appropriation of $500,000.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. MONDALE. One of the most shocking things one notices in visiting Indian schools and Eskimo schools in this country is the absolute lack of any teaching materials that are culturally sensitive. We visited an Eskimo school in the midst of frozen tundra. There were no trees, no grass, no suburbs, no white people. But what we found were white teachers teaching Eskimos out of a Dick and Jane reader. The children were supposed to identify with white suburban families, in a green-grassed suburb, where there were cars, telephone poles, and airplanes.

They knew nothing about that way of life, and it contributed absolutely nothing to their pride and culture—in fact, it probably was damaging.

Wherever the subcommittee visited schools, we asked to look at their culturally sensitive materials, materials that would produce pride and understanding in their own history and their own culture. I do not think there is a teacher worth his salt who does not believe that that is where one begins. Until a child has pride and respect in his own beginnings and culture, he is not a worthwhile student. The only place we found culturally sensitive materials was at Rough Rock, the OEO-initiated school on the Navajo Reservation. The Navahos developed their own curriculum materials, based on their own culture, and the children love it.

We are asking only for $250,000 to begin the development of such culturally sensitive and language-sensitive curriculums and teaching materials. I do not see, in the name of any kind of reasonable understanding of what the children need, why it is not necessary.

Mr. STEVENS. Mr. President, will the Senator from Oklahoma yield?

Mr. HARRIS. I yield to the Senator from Alaska.

Mr. STEVENS. I want to add to what has been said about these materials, that Alaska has pioneered in this activity as far as some of the State schools that serve our native children are concerned. I would like to ask the sponsor of the amendment whether this money is in any way earmarked for specific reservations or specific schools. I would like to be a little provincial and know whether any of this money is going to filter to the provinces up north.

Mr. HARRIS. I would hope it would, because the problems in this connection are as great in Alaska as they are anywhere else where Indians live.

There is no earmarking for particular areas or regions of the country contemplated in this amendment.

Mr. STEVENS. I thank the Senator from Oklahoma for that assurance, because the Bureau of Indian Affairs still operates many of our schools in northwestern Alaska. The State is trying to take these over as rapidly as possible from the Bureau of Indian Affairs, but the transition still goes on, and I am more and more of the opinion that there has been merely a holding operation on some of these schools, which should have been modernized, and particularly some of the curriculums should have been changed, to meet changed conditions and improved communications in that area. Therefore, I am happy to hear the statement that funds are not earmarked as far as any region is concerned.

Mr. President, I commend the chairman of the committee and the ranking minority member of the committee, and call to the attention of the Senator from Oklahoma that there is a very significant new program in this bill, the program to try to control otitis media. This is the inner ear disease which, in Alaska, has resulted in the deafness of about one-fifth of the native children, and has definitely hampered their ability to respond to the educational process.

I am sure that my friend, the Senator from Minnesota (Mr. MONDALE), recalls some of the examples of what we saw when we were in Alaska early last spring. This effort certainly is most worthwhile. I commend the Senator from Nevada for instituting this program. I hope it will be a full 5-year program. We hope further, if the program works, that we will be able to eliminate one of the worst diseases to hit any portion of the American population in recent years. I am grateful to the committee for instituting this program.

Mr. HARRIS. Mr. President, I thank the Senator from Alaska for his enlightening remarks.

With respect to otitis media, it is true that, particularly in the Senator's State of Alaska, it is a very difficult health problem. Otitis media is a middle-ear illness which is particularly suffered by American Indians, Eskimos, and Aleuts.

My next door neighbor where I now temporarily live in McLean, Va., Dr. James McFarland, came to me and my wife a year or so ago, he being an eye, ear, nose, and throat specialist, together with a partner of his, and asked whether or not we might be able to arrange with the Indian Public Health Service for he and his partner to go to Alaska, on their own time and at their own expense, during their summer vacation, and work among the children there, the native children in Alaska, in regard to the problem of otitis media. They were particlarly interested in treating the disease by the emplacement of small plastic spool-like devices in the ears of children suffering from the disease which have been found to help clear up the infections involved, and to prevent the loss of hearing, which is such a sad and usual result of otitis media.

Dr. Rabeau, who was then the head of the Indian Public Health Service, was delighted to arrange that volunteer effort. It was carried forward, and it was found to be very useful. I heard a detailed report on the project was later given, and I commend people such as Dr. McFarland and others who are willing to volunteer their own services and their time. I think what they have shown indicates to us how important it is that we spend the little amount of money involved here to do what obviously can be done. I agree with what the Senator has said, and commend the committee for putting in the bill these needed funds.

Mr. STEVENS. Mr. President, will the Senator yield further?

Mr. HARRIS. Did the Senator from Alaska ask me to yield?

Mr. STEVENS. Yes.

Mr. HARRIS. I yield.

Mr. STEVENS. Mr. President, I am pleased to have the comment of the Senator from Oklahoma regarding Dr. McFarland who, together with other specialists in Alaska, such as Dr. Milo Fritz of Anchorage, who is also an eye, ear, nose, and throat specialist, has developed a new procedure to deal with this very serious disease.

But I should also like to call the attention of this body to the fact that we are dealing with the disease, and not with the cause. The Senator from Massachusetts (Mr. KENNEDY) and I sponsored an amendment to this bill last year to deal with the basic cause, which is the pollution of rivers in northwest Alaska. I hope that next year we can fund that program, so that we can begin to put safe water supplies into these villages.

I thank the Senator from Oklahoma.

Mr. HARRIS. I thank the Senator from Alaska. I think what he has said has been very useful to the Senate in considering this amendment.

I yield now to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I am delighted to be given this opportunity to make one further observation about the need for development of culturally sensitive curricula.

I ask the Senator from Oklahoma to refer to page 24 of the report of the Indian Education Subcommittee. This describes what we saw wherever the subcommittee went. We would ask, "Where is your Indian textbook? Where is your history of Indian culture?"

Always, we would be told, "There is one coming. There is one being developed."

We would ask, "Where is it being developed?"

"Well, we are not sure; in Washington, or one of those regional laboratories, but we have heard one is on the way."

None had ever arrived.

I am going to read a typical, firsthand report, this one is of a visit which the late Senator Robert Kennedy, who served as chairman of the Indian Education Subcommittee, made to the Fort Hall Reservation in Idaho. This kind of incident was repeated many times.

Senator Kennedy asked if they had any books about the history of Indians. As the report states:

> After a frantic search in the back closet of the school's library a school administrator came running up to the Senator with his find. It was a book entitled "Captive of the Delawares," which had a cover picture of a white child being scalped by an Indian. When the Senator later inquired whether the culture and traditions of the Indians there were included in the school's curriculum he was informed that "there isn't any history to this tribe."

This is the story all over this country. Indian children, who have a rich history, a rich language, and a rich cultural background, go to school and, at best, are taught nothing about their backgrounds. They are taught only the white man's history, which leads them to believe there must not be much of importance in their background.

That is the best that happens. Usually they have to read about whites being scalped by Indians, or how savage Indians are.

This is terribly damaging. It is a disgrace. The least we can do, while we are appropriating these funds, is to provide funds for culturally sensitive teaching materials.

Mr. HARRIS. Mr. President, I thank the Senator from Minnesota. He knows what he is talking about. What he has said is exactly right, and demonstrates eloquently the need for this item of $500,000 we have been discussing in regard to Indian history, language, culture, and values.

I would conclude the discussion of that item by quoting from the book "The Indian Heritage of America," by Mr. Alvin Josephy, in which he wrote, concerning the survival of the American Indians, of its being one of the most miraculous facts of the mid-20th century. He continued:

> Despite almost five hundred years of a history marked generally by attempts to exterminate American Indians or force them, by one means or another, to adopt the cultures of their conquerors, they—and their attachment to their Indian heritage—are far from extinct.

Mr. President, there is nothing that is more powerfully motivating than pride in background and heritage. Too often, the materials and textbooks which are used by American Indian young people tend to destroy, not reinforce—tend to damage, not build up—that pride in heritage. This small item of $500,000 can, I hope, begin a program in the other direction.

Mr. President, I ask unanimous consent that the name of the distinguished Senator from South Dakota (Mr. McGOVERN), the chairman of the Interior Subcommittee on Indian Affairs, a man who is especially knowledgeable and dedicated in this field, be added as a cosponsor of this Indian education amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, the third item of this amendment is for $200,000 for higher education scholarships. In the Department of the Interior budget justifications for fiscal year 1971, it is set forth that there has been a sharp increase in the number of applications for scholarship aid. It is further set forth that one of the major reasons for Indian students leaving college has been a lack of adequate funding. Because of the inadequacy of scholarship funds, many married Indian students have not been able to secure scholarships, and those who do find that they are inadequate.

The Indian members of the National Council on Indian Opportunity, earlier this year, stated the need for more Indian teachers, and they rightly recognized that one way to solve this problem is to strengthen the scholarship program.

Mr. President, I am grateful that the Senate Appropriations Committee agreed with the House of Representatives to add $1 million for Indian higher education scholarships. We feel that we are quite justified, however, because of the demonstrated need, in asking that that program be increased further by an additional $200,000, as our amendment would do.

Last, I call attention to the rather small items in our amendment, one being counseling and guidance in public schools, an increase of $50,500; the other for teacher aids in the public schools, an increase we are asking for in the amount of $63,000. These are rather small increases in the amounts for contracts with State departments of education and public school districts for partial costs of educating increased numbers of Indian students and to meet increased operational needs.

The need to increase the $63,000 for teacher aides in the public schools contracts is well documented. No increase has been provided in the number of teacher aides, despite the fact that the budget justification contains the following comment:

> Indian-speaking aides have proven invaluable in primary groups of Indian-speaking children.

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Both the counseling and the teacher aide programs I believe have much merit and should, in keeping with increases in enrollment, be increased as we ask in our amendment.

Mr. BIBLE. Mr. President, this is another one of the Indian amendments in the field of education. The amendment requests $2,813,500. I feel that we have been very generous in our treatment of the various areas that the Senator from Oklahoma has just described. This is a matter of opinion. We added a great deal; he thinks we should have added more.

I have made a suggestion to him that possibly we could resolve this part of the bill, and then I think the bill will move quickly to final passage. I do not think we have any other amendments that require rollcall votes.

I suggest that, instead of taking the figure $2,813,500, which is the pending amendment, we take a figure of $1,563,500, which is a reduction of $1 million in the teaching and guidance personnel, and it still has adequate funding, as I commented a few moments ago. It would reduce the development of courses in the Indian language, history, and culture from $500,000 to $250,000, to give us a new figure, a recommended or suggested figure, which I am perfectly willing to accept.

I have conferred with the Senator from Delaware. The new figure would be $1,563,500.

Mr. HARRIS. Mr. President, I am grateful to the distinguished Senator from Nevada and the distinguished Senator from Delaware for their willingness to take this reduced amount to conference. The $1,563,500 increase for Indian education would include all the items I have previously mentioned at exactly the figures we had asked in our amendment, with the exception of reducing teaching and guidance personnel in Federal schools to $1 million instead of $2 million, and reducing development of courses in Indian language, history, and culture, the teaching programs in local Indian culture, from $500,000 to $250,000. I wish we could get it all, but I am grateful for the willingness of the committee to take these vital items to conference.

Accordingly, I will modify my amendment to change the amount asked for.

The PRESIDING OFFICER. The Senate will be in order. Senators will please take their seats.

If the Senator from Oklahoma would repeat the figure, the Chair would appreciate it.

Mr. HARRIS. Mr. President, I therefore modify my amendment at the desk as follows: On page 5, line 18, strike the existing figure of $217,115,000 and insert in lieu thereof, rather than the figure now at the desk, $218,678,500, which would mean an increase of $1,563,500.

The PRESIDING OFFICER. The amendment will be so modified.

The question is on agreeing to the amendment of the Senator from Oklahoma, as modified.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, has the Senator concluded this item?

Mr. BIBLE. Mr. President, as I understand it, the amendment has been agreed to, as modified.

The PRESIDING OFFICER. The Senator is correct.

Mr. BIBLE. No further amendments are pending at this time.

Mr. BELLMON addressed the chair.

Mr. BIBLE. Mr. President, I wish to state to the distinguished Senator from Oklahoma that I have on a number of occasions promised to yield to the distinguished Senator from Florida, but we always got caught up in some extraneous problems—some germane and some not—and I am happy to yield to the Senator from Florida at this time.

Mr. HOLLAND. I thank the manager of the bill, the distinguished Senator from Nevada; and I assure the Senator from Oklahoma that I shall be only 3 or 4 minutes.

First, I want to thank the Senator from Nevada for having recognized in the bill two objectives which are very, very important to me, personally.

One is for retaining in the bill the $12 million budgeted and approved by the House for the Biscayne National Monument. The Senator will recall that I handled that matter on the floor at the time of its authorization.

Mr. BIBLE. And with great dispatch, I might add.

Mr. HOLLAND. I thank the Senator.

The second item I am especially appreciative of his having retained in the bill is $1.5 million for the Ding Darling Refuge on Sanibel Island, Fla. I am particularly interested in that because, when serving as Governor, I was able to help in dedicating, as part of the refuge, State lands which will be permanently used as part of that wildlife refuge. I thank the Senator for having included that item, and, likewise, I express these thanks to the distinguished Senator from Delaware.

On the third point, I note with regret that the $1 million item for land acquisition in the Everglades National Park was omitted. I think I understand the reason for it, but I would like to have a brief colloquy on it.

As I understand the matter, the endangered species bill, which was Public Law 91-135, passed in 1969, provided, among other things, that there should be available in 1970, 1971, and 1972—in each of those 3 years—not to exceed $1 million to carry out the provisions of this endangered species bill in acquiring needed lands.

My understanding is that $944,000 of that amount was obligated in 1970 for the acquisition of land in the Everglades National Park for the protection of the alligator which happens to be one of the species which is endangered, and that that amount has been allowed in the bill as part of a larger item of $30 million for taking care of obligations already made. Am I correct on that?

Mr. BIBLE. The Senator from Florida, as usual, is 100 percent correct. That is exactly how it works.

Mr. HOLLAND. Since the item is not especially mentioned in the bill, I wanted it to be clear.

Mr. BIBLE. The $30 million in the bill is under liquidation of contract authority.

Mr. HOLLAND. I thank the Senator. I think, unfortunately, that I am right about this: The fact that the obligated amount in 1970 was not asked for by the department in time to be included in the last supplemental bill for 1970 will mean that the item has to come out of the 1971 appropriation. Am I correct on that?

Mr. BIBLE. That is correct. I might add that does not make it completely responsive, but I know of the Senator's great interest in the Everglades and of his constant fight to pick up the in-holdings. He knows that we will have a bill in here next week, probably, to increase the overall ceiling, and I hope it passes during this session of Congress so that we will have statutory authority to go ahead and acquire additional in-holdings in the Everglades.

Mr. HOLLAND. I thank the Senator. I want to express my appreciation for the cordial and quick response which he has given to the bill he has mentioned and I join him in the hope that we may soon enact it. The $1 million which could have been made available in 1970, but was not, was not the Senator's fault, or mine, or anyone else's in Congress because it was not asked for and not brought to the attention of the committee handling the supplemental bill for 1970; so it has been lost as a 1970 item.

Mr. BIBLE. That is true.

Mr. HOLLAND. So that the $1 million for 1970 will not be available; so that we are now to get the $994,000, or practically $1 million for 1971, and there is still a prospect or a possibility of getting some or all of the $1 million for 1972. Am I correct on that?

Mr. BIBLE. I think that would be correct, as we move forward.

Mr. HOLLAND. Mr. President, I thank the Senator. I have no fault to find whatever with his understanding of the situation which I regret to say is my own.

The last point I should like to mention is that I notice the House put in the bill an item of $75,000 in connection with the research station for salt water sports fishing in the eastern Gulf of Mexico, the station which serves that objective in Panama City, Fla. I notice that the item was left out of the Senate bill. I am sorry that I do not have any of the details, but I hope that the distinguished Senator and his associate will keep an open mind in conference, because it may be that that is a critical need, although the Senator from Florida cannot give any facts of his own knowledge in that direction; but he hopes, however, that since it will be in conference, the distinguished Senator from Nevada and the distinguished Senator from Delaware will hold in mind that this is an item to be examined as to its usefulness and, in fact, as to whether it is an emergency item for inclusion in this bill.

Mr. BIBLE. I can assure the Senator from Florida that we will do that. This is an unbudgeted item and we had to deal with the fact that it was not a budgeted figure which came to us from the administration.

Mr. HOLLAND. I want to thank the Senator so much for his kindness, not

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just to me and to Florida but to the Indians.

It happens that I have a trace of Cherokee Indian blood in me. It so happens that the Senator from Florida has also the great honor to have been given an honorary Indian name by the Seminoles of Florida with whom I have been friends all my life. I have very great interest in that field.

I should like to say for the record that I have been proud of the fact that in the three groups of 4-H scholars from Florida who have visited me in recent weeks there have been several Indian boys and girls, youngsters from the Brighton Reservation, who go to the Okeechobee High School, and other youngsters from the Dania Reservation that go to one of the local public schools in that area. I have never seen finer specimens than the Seminole Indian youngsters who are members of the 4-H Clubs. I cannot think, so far as our State is concerned, that they are being ignored. I want to say for the record, as one who has always had a great interest in the Indians, that I have felt that the distinguished chairman and his ranking minority associate have been most generous in their treatment of the Indians, and I appreciate that treatment.

Mr. BIBLE. I appreciate the sentiments of the Senator from Florida and merely wish to add that I possess two headdresses, one from the Paiutes and one from the Cherokees in North Carolina.

The Senator from Delaware (Mr. BOGGS) and I are both extremely optimistic about receiving additional headdresses as a result of our overgenerous action here this afternoon. [Laughter.]

CAVE RUN RECREATIONAL PLAN

Mr. COOPER. Mr. President, I am very pleased that the committee approved my request for $800,000 for the Forest Service's Cave Run recreational plan on the Licking River, in the Daniel Boone National Forest, Ky. These funds are necessary in order for essential work to be completed before the dam is completed and the water rises.

I was glad to testify before the committee and I am grateful for the interest and consideration of the chairman, the able Senator from Nevada, Senator BIBLE, and to the Senator from Delaware, Senator BOGGS, and the full committee.

During the committee's hearings Mr. "Red" Nelson, Deputy Chief of the Forest Service testified that it is "very essential" that some elements of the recreation plan should be installed before the water rises. He gave the example that certain of the water and sewer lines to connect various sites should be installed under what will be the low pool level.

I know there is a great interest among local groups, and by the State itself, in the prompt and orderly development of the recreation plan at Cave Run—the development of which has been the subject of so much work and effort in recent years.

Chief E. P. Cliff of the Forest Service has described the Cave Run project as "one of the greatest opportunities for an outstanding recreation development." The lake will cover 8,000 acres. It will be within an 8-hour driving distance of nearly 50 million people. Again, I am pleased that the Appropriations Committee provided $800,000 for fiscal year 1971—the amount the Forest Service estimates is necessary for an orderly and efficient development.

Mr. BOGGS. Mr. President, this bill contains $337,000 for the operation of the Marine Laboratory at Milford, Conn.

The Department of the Interior earlier this year announced plans to close the Laboratory in an effort to save money. I believe this is a false economy, and Members of the House of Representatives and the Senate Appropriations Committee apparently agree with that premise because the money is included in this bill and was included in the measure that passed the House.

The Milford Laboratory is one of only two molluscan research laboratories in the Bureau of Commercial Fisheries, the other one being located at Oxford, Md. Milford does most important research work in the fields of oyster genetics, food, and culture.

In the early years of the last decade, the disease MSX virtually destroyed the oyster industry in Delaware and other east coast States. The demise of the industry contributed to problems of unemployment and economic dislocation in the area.

The oyster industry, however, appears to be making a resurgence and the lab at Milford plays a most important part in the effort to restore it.

The Department of the Interior is conducting negotiations with several private institutions with the view to turning over operation of the Milford Laboratory to one of them. I would have no objections if these negotiations bore fruit, but I do not believe we can afford to have the Laboratory stand idle, with the resultant loss of professional employees, until those negotiations are completed.

The Milford Laboratory represents a $1 million investment by the Federal Government. Its construction program was completed only 4 years ago. I believe we must protect that investment by funding operations of the Laboratory at the same level as in fiscal year 1970.

This bill would accomplish that purpose.

THE NEEDS FOR THE FORESTS

Mr. McINTYRE. Mr. President, I am going to vote for H.R. 17619, the bill which makes appropriations for the Interior Department and related agencies, the most important of these agencies being the Forest Service.

I am going to vote for this bill even though I believe it has shortcomings. I know how hard my friend, the able and distinguished Senator from Nevada (Mr. BIBLE), the chairman of the Interior Appropriations Subcommittee worked to produce this measure. I am supporting it because I believe it is the best that could be achieved at this time.

In the first place, I am disappointed that this legislation does not include funds for the Forest Sciences Laboratory at the University of New Hampshire to serve the great forest resources of New England.

The Congress appropriated $75,000 to plan this laboratory in 1966. That phase is now completed, and the construction contract could be let as soon as the necessary funds are appropriated.

This new laboratory is sorely needed. I cannot overemphasize how closely the economic health of New Hampshire and our neighboring States is tied to forest resources. Nor could I overstate how heavily dependent forest resource based industries are upon a productive forestry research program.

My home State is 87 percent forested. Among them, the six New England States have 32 million acres of forests. These forests are a major source of water, recreational opportunity, wildlife and esthetics, and they are a potent factor in the economy of the region. The total annual value of manufactured wood products is about $2 billion, and the wood-using industries of the area provide steady employment to 110,000 people.

To keep this part of our economy healthy, to assure the perpetuation and the expansion of forest resource based industries, we need a strong research program.

The Forest Service has a research program underway at Durham, but the 14 scientists and an equal number of assistants working on this program are now in totally inadequate quarters. They are located in a renovated hardware store, overcrowded, poorly ventilated, and lacking in the laboratory facilities required for intensive research.

Yet handicapped as they are, they are working on five projects of crucial importance: First, watershed yield improvement and flood run-off reduction; second, genetic improvement of white pine and other associated species; third, production of high-value hardwoods; fourth, control of diseases that degrade northern hardwoods; and fifth, improved management of private forest recreation enterprises.

Rising costs of wood production and growing competition from other materials compel constant search for new knowledge, better methods, and more efficient techniques of timber production and use.

At the same time, increasing needs for pure water and insistent public demands for more forest recreation and esthetics require new knowledge and its application in the intensive management of forest land to coordinate conflicting uses—expending the economic resource while simultaneously protecting and improving the environment.

With the proposed Forestry Sciences Laboratory, the Forest Service could achieve the goals and objectives outlined above for the five projects at Durham and thus make a telling contribution to the economic well-being of New Hampshire and New England.

The region's economic dependence upon forest resource based industries, the compelling demand for research in forest resource production and use, and the ideal location of the proposed Forestry Sciences Laboratory are, I believe, convincing reasons for the funds to construct this Laboratory.

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I believe there are equally convincing reasons for improving the facilities in the national forests to serve the visitors.

More and more people find the need to have a place to get away for a few moments from the pressures of our complex living. In New Hampshire's White Mountain National Forest during the last year alone visitor days of recreation jumped from 1,915,000 to 1,980,000, an increase of 65,000. The figure will easily top 2 million this year.

Many of these visitors tell me that areas of the forest lack trails, lack trail markings, lack lean-tos for camping, lack cooking areas, lack benches to rest for a moment, lack tables for picknicking, are sometimes litter strewn, and could benefit from more daily care.

The Forest Service is doing a monumental job in trying to meet these needs in face of the expanding use of our national forests. I do not fault the Forest Service. They just cannot do the job, buy the equipment, and hire the needed personnel with the funds available.

Yet, as I say, I am going to support this bill as it now stands. However, I want to say at this time that next year I cannot stand aside without pressing for action to see that we move ahead with the research laboratory and that additional assistance be given the forests for facilities.

Mr. President, we cannot delay much longer.

Mr. TOWER. Mr. President, one of the controversial items in the appropriations for the Department of the Interior and related agencies is the funding for the National Foundation on the Arts and Humanities. The question is raised: Should Government be involved in the support of the arts? Or, alternatively, should patrons, foundations, and private contributors bear alone the costs of symphony orchestras, theaters, opera companies? I have a great deal of sympathy with the school of thought which holds that these enterprises should be self-sustaining. I believe that I understand the scope and vitality which have been lent to the growth of the arts in our country through support from the private sector. However, it is generally agreed that many of our finest cultural institutions are in serious financial trouble. Martin Mayer reported in a recent issue of Saturday Review that the big five orchestras—Boston, Chicago, Cleveland, New York, and Philadelphia—had a total operating deficit of $5.7 million in 1967–68 and that this figure could be projected conservatively at $7.9 million in 1971–72. He noted additionally that most lesser symphony orchestras are proportionately much worse off.

I do not feel that we should allow the cultural institutions around our land to falter and fail. It is not improper for Government to participate in the perpetuation of our cultural heritage. A degree of support is provided at all levels of Government for libraries, museums, historical shrines, monuments. Are the arts and humanities not equally a part of our national heritage? Certainly there is a proper role for government in the maintenance of this facet of our national cultural life.

The manner and extent of Federal involvement in the arts, of course, present some problems. Government should not be concerned with shaping and directing the development of the arts so much as with the perpetuation of what has been finest in our traditions. As Mr. Mayer pointed out in the aforementioned article:

> Traditionally it has been the experimental company and the avant-garde artists who needed help from organized charity, and many of those who would be involved with federal aid programs are still living in an older era. There is a real danger that federal support will be biased toward high-fashion hermeticism and academia, that orchestras playing to annual audiences in the hundreds of thousands will be allowed to wither, while grants are awarded to, say "exciting" theater groups presenting improvised drama in nonsense syllables to audiences of thirty-seven humorless friends. Someone will have to fight to win adoption of the British Arts Council's policy of allocating most—by no means all—government funds to groups that can show substantial public support at the box office.

I believe that this observation is most important, and I would like to emphasize it, because, ultimately, we in the Congress are the "someone" to which Mr. Mayer refers. Our arts programs are important but it is essential that we observe carefully to insure that they proceed down the right road in the service of the broadest spectrum of our populace.

Mr. COOPER. Mr. President, during the hearings of the Interior appropriations, I sought an additional $250,000 for the Forest Service's research center in strip mining at Berea, Ky. I also presented questions to the Forest Service regarding their research to date and their capacity to expand this research at this time. The Forest Service testified that it has "plans to strengthen the work at Berea, Ky., as soon as the Federal budget permits."

The research at Berea is very important to Kentucky, but I believe it is also important to neighboring States of Pennsylvania, Virginia, West Virginia, and Tennessee—in fact, throughout the region overlying the Appalachian coalfield.

Excellent progress, especially involving revegetation problems, has been made in this research program. Yet the most difficult problems lie ahead. There is an urgent need for expanded research in strip mining mountainous, steep-slope areas. Since one-third of all the coal produced in the Appalachian Mountains is by strip-mining methods, and since most of the coal reserves in these mountains are located in steep areas, the importance of expanded research in this area is quite apparent. The Forest Service's plans lie precisely in this area—research on steep-slope terrain.

Current stripping and reclamation methods are not geared to the critical environmental problems encountered on mountainous terrain. The effects of strip mining are well known. But there is a tragic lack of scientific knowledge about how to restore stripped land on steep slopes. At the present time there is little factual basis for giving sound recommendations on practical measures for rehabilitating stripped mountainous land.

The gross results of strip mining are too plain for anyone who has flown over the area or has driven through it. In Kentucky, it is estimated that approximately 10 percent of the outslopes have already slumped and slid down the mountainsides.

The overburden from stripping can create unstable outslopes that are subject to disastrous slides, and that in turn may pollute nearby streams with sediment. Excessive erosion and water from the stripped area may add further pollution in the form of sediments, acids, and other toxic materials—as well as increased flooding during periods of high rainfall. It is estimated that over 5,000 miles of streams and 14,000 acres of lakes have been adversely affected by strip mining in Appalachia.

The damage to land, forests, streams, water, and wildlife caused by strip mining must be alleviated. I appreciate the assurance of the chairman, Senator BIBLE, and ranking member, Senator BOGGS, that this committee will go into the subject next year.

Mr. BELLMON. Mr. President, I have an amendment at the desk, the purpose of which is to restore to the construction section of the appropriation for the Bureau of Indian Affairs $585,000 which was included in the House passed version of the Interior appropriations bill. The $585,000 was to be used for the construction of a boys' dormitory facility at the Eufaula Indian Boarding School, Oklahoma.

Mr. President, more than 8 years ago, the boys' and girls' dormitories were destroyed by fire. After this tragedy occurred, Congress saw fit to restore the facilities which house the young ladies at that institution, but nothing has ever been done to reconstruct the boys' dormitory facility. The overwhelming number of students that live at this institution are Creek Indians whose parents live in rural Oklahoma or who come from disadvantaged or broken homes in my State. These children attend the public schools of Eufaula, Okla., and only recently the city of Eufaula and the school system there have completed a construction program of over $300,000 to aid in the education of these students in an integrated public school environment.

Already the Federal Government has spent over $1,100,000 to reconstruct the girls' dormitory and support facilities. The additional $585,000, which is my amendment, will complete this facility and will be one step the Federal Government can take in improving the educational opportunities for Indian children in this country.

Mr. President, I send the amendment to the desk the purpose of which is to restore to the construction.

Mr. President, I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. BAKER). The amendment will be stated.

The bill clerk read as follows:

> On page 6, line 9, in lieu of "$18,800,000" insert "$19,385,000".

Mr. HARRIS. Mr. President, as my distinguished colleague (Mr. BELLMON) has just stated, I join him in the amendment.

I alluded to it yesterday in the Senate and earlier this morning, stating that he and I would offer it later.

My colleague has set forth quite well the strong justification for this item which is contained in the appropriation bill as it came to us from the House of Representatives. It is greatly needed. The Eufaula Indian Boarding School is one which boards Indian children, not from long distances away but orphan children from broken homes who otherwise would have serious difficulty in finding transportation to schools from the very areas in which they are located. These children are actually schooled in a public school system in Eufaula, Okla. This is a practice of which I strongly approve.

As I said earlier, the money is needed to replace dormitory facilities which were destroyed by fire over 8 years ago and have not been completely restored because of lack of funds.

I hope that the amendment will be agreed to.

Mr. BIBLE. Mr. President, I regret that I must oppose the amendment. I do not do so out of any lack of belief that there is justification for it but because it has no budget estimate. The project is one that was an add-on from the House of Representatives. It was carefully considered in the subcommittee. We tried as nearly as we could to get a uniform policy on construction items.

I would hope that the Senators from Oklahoma would not press the amendment. It is in conference, and when the conferees meet with the House conferees, we hope that we can resolve some of these differences, even though some of them are over the budget.

The administration recomended that, because of fiscal problems of today, the amendment not be allowed. Accordingly, I must resist the amendment. I assure both Senators from Oklahoma that we will look on this amendment with great sympathy in conference.

I yield to the distinguished Senator from Delaware if he has any additional facts he would like to add.

Mr. BOGGS. Mr. President, I thank the distinguished chairman of the committee for yielding to me. I say to my colleagues, the Senators from Oklahoma, that I share the view of the chairman that since the matter is already in the bill on the House side and is not a budgeted item, we will have it in conference. And I think, as the chairman has said, the Senators can expect us to have a very sympathetic view toward this proposal.

Mr. BELLMON. Mr. President, with that understanding, and with the consent of my colleague, the senior Senator from Oklahoma, I would be very happy to withdraw the amendment.

Mr. BIBLE. Mr. President, I appreciate the attitude of the Senators from Oklahoma. We are all realistic and we realize that we need a little running room when we get to conference.

The **PRESIDING OFFICER.** The amendment is withdrawn.

Mr. BELLMON. Mr. President, I ask unanimous consent that the amendment be printed at this point in the Record.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

On page 6, line 9, in lieu of "$18,800,000" insert "$19,385,000".

Mr. MANSFIELD. Mr. President, the Interior appropriations bill is traditionally one of the more important money bills for Montana.

I am very pleased that this appropriation for fiscal 1971 includes $600,000 for magnetohydrodynamics coal research and development in the Office of Coal Research. I am also informed there is $400,000 for this purpose in the Bureau of Mines. While my colleague, Senator Metcalf, and I had hoped that amount would be larger, we recognize the stringent budget limitations under which we are now operating. I know you will agree that this program, with its promise of coal utilization, lower-cost electricity, and reduction in pollution, deserves larger support as it becomes possible. And I hope you agree that it is very important that this work be begun as rapidly as possible, even in advance of the final report of the Electric Research Council task force which is mapping out the long-term MHD program. This fiscal 1971 appropriation can be put to work right away to begin this important project, and when the task force reports, the long-term program can take up from there.

And I hope you agree, Mr. President, that it is very important that this program be conducted so that the funds are used in a concentrated fashion aimed at a pilot plant to demonstrate the feasibility of this process of generating electricity. I think it is appropriate for the Government to take the lead in this vital program.

Mr. BIBLE. Mr. President, I agree with the distinguished majority leader. We were very happy to add the item. I think it is a very worthwhile amendment.

Mr. HARRIS. Mr. President, I send to the desk an amendment to increase the item in the Interior appropriations bill for construction under the National Forest Service by $50,000.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

On page 31, line 8, strike out "$14,188,000", and insert in lieu thereof "$14,238,000".

Mr. HARRIS. Mr. President, the purpose of the amendment is to make funds available to initiate planning for the Robert S. Kerr Memorial Arboretum in the Ouachita National Forest in southeastern Oklahoma. The Robert S. Kerr Memorial Arboretum was authorized for construction by the Congress in 1968. The Appropriations Committee in its report on the fiscal year 1970 appropriations instructed the Forest Service to make the Robert S. Kerr Memorial Arboretum top priority in its work plans and urged the Forest Service to initiate planning for the construction of the Arboretum with funds otherwise appropriated. Unfortunately, the Forest Service did not initiate planning on this project during fiscal year 1970, therefore, Congressman Carl Albert, the distinguished majority leader of the House of Representatives urged an increase in the budget request of $75,000 to initiate planning on this very worthwhile project during fiscal year 1971. The House of Representatives, realizing the significance of this project, increased the Interior appropriations bill by 50,000 in order to enable the Forest Service to begin work in fiscal year 1971. The Senate committee deleted this $50,000 appropriated by the House of Representatives, and I, therefore, offer my amendment to restore this amount in order that planning might get underway on the Robert S. Kerr Memorial Arboretum at the earliest possible date.

Mr. President, the Robert S. Kerr Memorial Arboretum and Nature Center as its name implies, would be a lasting memorial to one of Oklahoma's, and the Nation's most outstanding conservationists, the later Senator Robert S. Kerr.

The arboretum is proposed to be located midway between Talihina, Okla., and Mena, Ark., on the recently completed Talimena Scenic Drive through the Ouachita National Forest in southeastern Oklahoma. It would cover an estimated 350 acres located totally within the boundaries of the Ouachita National Forest and would therefore not require the acquisition of additional land. The Talimena Scenic Drive is some 55 miles long and is a part of the national forest highway system and because of its scenic beauty is visited by literally thousands of tourists and school children each year. It is estimated that the Robert S. Kerr Memorial Arboretum and Nature Center when constructed would be visited by a minimum of 40,000 school age children each year to view plant and animal life in its natural setting and to study the unique geological formations of this part of our country.

Mr. President, I would certainly hope that the Senate would adopt my amendment to increase the item for the national forest construction by this mere $50,000 so that the National Forest Service could proceed with the planning and development of this outstanding educational facility. This is, of course, a very appropriate way to honor the late Senator Robert S. Kerr because of his overriding interest in conservation and development of our natural resources and because of his work to further the understanding of our citizens for the need for full utilization of our natural resources. I urge the approval of my amendment to increase the appropriation by $50,000.

Mr. President, I have had informal conversations with the manager of the bill and other members of the committee. They do not feel that they can accept the amendment at this time. They point out that this item will be in the bill since it was included as part of the House bill, and that it will be in conference and will receive consideration.

Accordingly, I will not press the amendment at this time. I hope that very serious consideration of this matter in conference will be given by the manager of the bill and by the Senate conferees. I hope that they may find it possible to agree with the House position.

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Mr. BIBLE. Mr. President, there will be a number of items in conference. This will be one. We will be very sympathetic with respect to this proposal.

Mr. HARRIS. Mr. President, I withdraw my amendment at this time.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. BIBLE. Mr. President, if there be no further amendments to be proposed, I suggest that we may have third reading of the bill.

The PRESIDING OFFICER (Mr. Baker). The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 17619) was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from Alaska (Mr. Gravel), the Senator from Hawaii (Mr. Inouye), the Senator from Louisiana (Mr. Long), the Senator from Wisconsin (Mr. Nelson), the Senator from Connecticut (Mr. Ribicoff), the Senator from Georgia (Mr. Russell), the Senator from Alabama (Mr. Sparkman), the Senator from Maryland (Mr. Tydings), the Senator from Minnesota (Mr. McCarthy), and the Senator from Mississippi (Mr. Eastland) are necessarily absent.

I further announced that, if present and voting, the Senator from Alaska (Mr. Gravel), the Senator from Georgia (Mr. Russell), and the Senator from Connecticut (Mr. Ribicoff) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Colorado (Mr. Allott), the Senators from Arizona (Mr. Fannin and Mr. Goldwater), the Senator from Hawaii (Mr. Fong), the Senator from New York (Mr. Goodell), the Senator from Vermont (Mr. Prouty) and the Senator from Illinois (Mr. Smith) are necessarily absent.

The Senator from New York (Mr. Javits) and the Senator from Illinois (Mr. Percy) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Colorado (Mr. Allott), the Senator from Arizona (Mr. Fannin), the Senator from Hawaii (Mr. Fong), the Senator from New York (Mr. Goodell), the Senator from South Dakota (Mr. Mundt), the Senator from Illinois (Mr. Percy) and the Senator from Illinois (Mr. Smith) would each vote "yea."

The result was announced—yeas 78, nays 0, as follows:

[No. 208 Leg.]

YEAS—78

Aiken
Allen
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dole
Dominick
Eagleton
Ellender
Ervin
Fulbright
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Magnuson
Mansfield
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Murphy
Muskie
Packwood
Pastore
Pearson
Pell
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Maine
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—22

Allott
Dodd
Eastland
Fannin
Fong
Goldwater
Goodell
Gore
Gravel
Inouye
Javits
Long
McCarthy
Mundt
Nelson
Percy
Prouty
Ribicoff
Russell
Smith, Ill.
Sparkman
Tydings

So the bill (H.R. 17619) was passed.

Mr. BIBLE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Baker) appointed Mr. Bible, Mr. Byrd of West Virginia, Mr. McGee, Mr. Boggs, and Mr. Young of North Dakota conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, may I say that the distinguished senior Senator from Nevada (Mr. Bible) has again demonstrated the outstanding qualities that make him a legislator whose effectiveness is unexcelled in this body. This measure funds the Interior Department and related agencies and is one of the most important measures that will come before the Senate this session. In it are contained a great share of the programs and activities that are so closely connected with the on-going battle to preserve the environment of our Nation.

It was with the greatest skill, the deepest devotion and the finest ability that Senator Bible handled this measure. He has earned the highest commendation of the Senate.

Notable too were the splendid contributions of the distinguished Senator from Delaware (Mr. Boggs). Filling in for the Senator from South Dakota (Mr. Mundt), Senator Boggs' cooperation was indispensible to the overwhelming success of the measure.

Others too deserve the commendation of the Senate. The Senator from Oklahoma (Mr. Harris), the Senator from Minnesota (Mr. Mondale), the Senator from Massachusetts (Mr. Kennedy) all joined with their strong and sincere views on the matter of Indian Assistance; an area in which we all are vitally concerned, an area that for too long has suffered from neglect.

The Senator from Missouri (Mr. Symington), the Senator from Florida (Mr. Holland) and others also joined to assure a discussion of the highest level The Senate is most grateful.

Mr. McGEE. Mr. President, with the passage of the bill, the Senate has taken some positive steps of benefit directly to my own State, but of great significance to the country as a whole. It is important, for instance, that we move ahead rapidly with the development of recreational potential and that we make it readily accessible to the American people. The bill makes some significant steps forward in that respect. I shall cite two steps in particular.

One is the outlay approved for the National Park Service, in the amount of $712,000, to finance its share of the cooperative program to upgrade the airport in Jackson Hole, Wyo. With the coming Centennial Celebration in 1972 of the National Park concept and the creation of the first national park anywhere—Yellowstone—this project takes on vital importance. Just a few days ago, the Senate approved a resolution calling for a major commemoration of this event—likely to include an international conference on parks at Yellowstone and nearby Grand Teton National Park, both of which Wyoming is proud to claim. The Jackson Hole Airport is the gateway to both these superb parks for air travelers. I trust the Senate action in appropriating these funds so the Park Service can participate and thereby get this project off the ground, so to speak, will prevail.

Not far away in the relatively new Big Horn Canyon National Recreation Area, public access to the scenic wonders of this magnificent canyon area is essential. Our bill being acted upon today also moves, by virtue of a $120,000 appropriation, to undertake the first phase of construction on the road from Lovell, Wyo., to Fort Smith, Mont.

In Wyoming, Mr. President, we are also pleased to enjoy the presence of citizens of American Indian origin who reside on the Wind River Indian Reservation. These people—and they are excellent citizens—are members of the Shoshone and Arapahoe Tribes. They occupy a home—the Wind River Reservation—which is spread over 3,542 square miles. The population is approximately 4,000.

At present, to police this sizable community, only six people are engaged in law-enforcement work—and that includes the jailer and the clerk. Clearly, as the tribal officers and Bureau of Indian Affairs agree, this is inadequate. But this bill, Mr. President, will largely help to alleviate that situation by appropriating an additional $120,000 for law enforcement on the Wind River.

In another area, the committee, in reporting the bill, has included language of great importance, I think, to many areas of the country which are undermined by now-abandoned mine works. While no specific appropriation was required, the committee report does approve the Bureau of Mines' participation in a cooperative demonstration project to backfill abandoned coal mine voids underlying the city of Rock Springs, Wyo. We have great hopes for this project, which may well be proved at a cost to the Federal Government of little more than $50,000. This is important to the safety of many Americans who reside, as do the people of Rock Springs, over old mine tunnels.

As a public-lands State blessed both with scenic wonders and vast mineral potential, Wyoming has any number of other measures in this bill which it considers important, even vital. Funds for coal and oil shale research, for construction of recreational facilities I have not specifically mentioned, as well as for management of land and wildlife are examples.

I want also to mention the $300,000 increase which the bill contains for the Bureau of Mines petroleum research activities, since it will insure the Petroleum Research Laboratory at Laramie, which is vitally important in our part of the country, against curtailment or even threatened closure.

This is an important bill, to Wyoming and the country, Mr. President. I commend the members of the subcommittee and the full committee, particularly the chairmen, for their patient attention to the myriad of subjects and problems covered by this measure, for their understanding of special problems in my State and others, and for their general all-around good work on the bill.

HONOR AMERICA DAY

Mr. SCOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of House Concurrent Resolution 669, recognizing the importance of Honor America Day, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER (Mr. BAKER). Without objection, it is so ordered.

The concurrent resolution will be stated.

The legislative clerk read as follows:

H. CON. RES. 669

Whereas, the Congress wishes to lend support to the rekindling of the American spirit of patriotism and respect for the individual liberties that made America great; and

Whereas, the Congress wishes to underscore the fact that though Americans face problems as individuals and as a Nation they are proud of their country and welcome the opportunity to honor America: Now, therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That Congress recognizes the importance of the July 4, 1970, Honor America Day celebrations and calls upon the people of the United States to observe such celebrations with appropriate ceremonies and activities.

Passed the House of Representatives June 29, 1970.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if the Senator would allow me, I would like to call up some unobjected-to items on the calendar.

Mr. SCOTT. Yes. before the distinguished majority leader does that, I was going to say I was suitably caparisoned for the purpose of introducing this red, white, and blue resolution.

Mr. MANSFIELD. May I say that I hope it will not be too long until straw hats will be coming back into style, and chains as well.

PROGRAM

Mr. MANSFIELD. Mr. President, I think it should be pointed out that it is my intention to call up unobjected-to items on the calendar shortly. Thereafter we will turn to the consideration of Calendar No. 878, S. 3074, to which the distinguished Senator from New Hampshire will have an amendment, and, following that, take up the conference report on the District of Columbia appropriation bill.

When the Senate adjourns today, it will have pending H.R. 17548, the independent offices appropriations bill, making it the unfinished business to be considered next Monday, and, possibly, part of Tuesday. Rollcall votes are expected.

That bill will be followed by H.R. 17923, the Agriculture appropriations bill on Tuesday and perhaps part of Wednesday. Thereafter, from the middle of next week on, the Senate will consider S. 3302, a bill to amend the Defense Production Act of 1950, followed at the end of the week by the Mathias Senate concurrent resolution to terminate certain joint resolutions authorizing the use of the armed forces of the United States in certain areas outside the United States—in brief, the Tonkin Gulf resolution.

At the close of next week and for the week following, the Senate will consider Senate Joint Resolution 173, a matter dealing with U.N. headquarters expenses; S. 1830, the Alaskan native claims matter; and the two Interior Committee bills sponsored by the distinguished Senator from Utah (Mr. MOSS): S. 26, concerning the Canyonlands National Park and S. 27, establishing the Glen Canyon National Recreation Area.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 990, then skip to Calendar No. 993, and consider the rest of the Calendar in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY

The joint resolution (H.J. Res. 746) to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–986), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The twofold purpose of House Joint Resolution 46 is (1) to authorize an increase in the United States annual contributions to the Pan American Institute of Geography and History from $90,300 to $200,000, and (2) to authorize the appropriation of $386,050 for the payment of arrearages incurred during fiscal year 1965–69.

BACKGROUND

The Pan American Institute of Geography and History (PAIGH) was formed in 1928 and U.S. membership in it authorized in 1935. The Institute is a specialized agency of the Organization of American States, made up of the OAS members plus Canada. Briefly, it serves as a forum for the international exchange of scientific information and as a planning body for cooperative research.

U.S. contributions, initially set at $10,000 a year, were raised to $50,000 in 1954. In 1966, the executive branch requested the substitution of an open-ended authorization because (1) PAIGH changed its basis of assessment from population to ability to pay, which raised the U.S. percentage from 33.6 percent to 60.6 percent, and (2) PAIGH increased its budget from $150,000 to $250,000 a year. This combination of changes would have increased the U.S. contribution from $50,000 to $151,550 a year. Instead of an open-ended authorization, Congress enacted an annual ceiling of $90,300 on U.S. contributions.

COMMITTEE ACTION AND RECOMMENDATION

On January 21, 1969, the executive branch renewed its request for authority to contribute the U.S. assessed share of PAIGH's expenses as well as to pay the arrearages accumulated since 1965. House Joint Resolution 746, embodying this request, was passed by the House on June 2, 1970, by voice vote. On June 11, the Committee on Foreign Relations took testimony in public session from John W. Ford, Director, Office of Inter-American Affairs, Department of State, and Dr. Arch Gerlach, Chief Geographer, U.S. Geological Survey, Department of the Interior, and President of the Pan American Institute of Geography and History. Their prepared statements, containing the executive branch justification for this legislation, are appended to the report.

On June 25, the committee voted to report House Joint Resolution 746 favorably to the Senate with the recommendation that it be passed.

COALINGA CANAL, CALIF.

The joint resolution (H.J. Res. 224) to change the name of Pleasant Valley Canal, Calif., to "Coalinga Canal" was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–988), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE MEASURE

The purpose of this measure, which was proposed by Mr. Sisk, is tc change the name of the Pleasant Valley Canal, a feature of the San Luis unit of the Central Valley project in California, to the Coalinga Canal.

BACKGROUND

The San Luis unit of the Central Valley project in California was authorized by the act of June 3, 1960 (74 Stat. 156) and spe-

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cifically identifies the Pleasant Valley Canal as a feature of the plan of development. Name changes of water resource development project features which are identified by name in authorizing legislation require congressional action. The unit is now under construction.

The delivery of municipal and industrial water to the city of Coalinga and to the petroleum industry in the vicinity of the city will be a major purpose of the Pleasant Valley (Coalinga) Canal. Coalinga has, historically, been one of the most poorly supplied municipalities in the United States. A sufficient drinking water supply is, therefore, of significance to area. Community response to the imminent availability of high-quality reasonably priced water has initiated the request for a change in name of the canal to commemorate the occurrence.

COST

Enactment of House Joint Resolution 224 will not require the expenditure of any funds.

CAPITOL REEF NATIONAL PARK, UTAH

The Senate proceeded to consider the bill (S. 531) to establish the Capitol Reef National Park in the State of Utah which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That (a) subject to valid existing rights, the lands, waters, and interests therein within the boundary generally depicted on the map entitled "Boundary Map, Proposed Capitol Reef National Park, Utah," numbered 158-91, 001, and dated June, 1970, are hereby established as the Capitol Reef National Park (hereinafter referred to as the "park"). Such map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) The Capitol Reef National Monument is hereby abolished, and any funds available for purposes of the monument shall be available for purposes of the park. Federal lands, waters, and interests therein excluded from the monument by this Act shall be administered by the Secretary of the Interior (hereinafter referred to as the "Secretary") in accordance with the laws applicable to the public lands of the United States.

SEC. 2. (a) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise, the lands and interests in lands described in the first section of this Act, except that lands or interests therein owned by the State of Utah, or any political subdivision thereof, may be acquired only with the approval of such State or political subdivision.

(b) In exercising his authority to acquire such lands or interests therein by exchange, the Secretary may accept title to any non-Federal lands located within any such areas described under the first section of this Act and convey to the grantor of such lands or interests any federally owned lands under the jurisdiction of the Secretary within the State of Utah. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the value of the land exchanged.

SEC. 3. Where any Federal lands included within the park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such grazing privileges on the date of approval of this Act, their heirs, successors, or assigns, to renew the privileges from time to time subject to such terms and conditions as the Secretary may prescribe: *Provided, however,* That no such privilege shall be extended beyond the period ending twenty-five years from the date of approval of this Act except as specifically provided for in this section. The Secretary shall permit a holder of the grazing privilege to renew such privilege from time to time during the holder's lifetime beyond the twenty-five-year period, subject to such terms and conditions as the Secretary may prescribe, if (1) the holder is the person who held such privilege on the date of approval of this Act, or (2) the holder is the heir, successor, or assign of such person and was a member of that person's immediate family, as determined by the Secretary of the Interior, on the date of approval of this Act. Nothing contained in this section shall be construed as creating any vested right, title, interest, or estate in or to any of the Federal lands. The Secretary, by regulation, may limit the privileges enjoyed under this section to the extent that they are appurtenant to the private lands owned by the persons who held such privileges on the date of approval of this Act, and may adjust such privileges to preserve the park land and resources from destruction or unnecessary injury. Grazing privileges appurtenant to privately owned lands located within the park established by this Act shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto and after reasonable notice of any default.

SEC. 4. Nothing in this Act shall be construed as affecting in any way rights of owners and operators of cattle and sheep herds, existing on the date immediately prior to the enactment of this Act, to trail their herds on traditional courses used by them prior to such date of enactment, and to water their stock, notwithstanding the fact that the lands involving such trails and watering are situated within the park.

SEC. 5. (a) The National Park Service, under the direction of the Secretary, shall administer, protect, and develop the park, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).

(b) In order to provide for the proper development and maintenance of the park, the Secretary shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

(c) The Secretary shall grant easements and rights-of-way on a nondiscriminatory basis upon, over, under, across, or along any component of the park area, if he finds that such easements and rights-of-way would not have significant adverse effects on the administration of the park pursuant to this Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. MOSS. Mr. President, the purpose of the two bills before us today (S. 531 and S. 532) is to establish two new national parks in southeastern Utah—Capitol Reef National Park and Arches National Park.

Both areas are now national monuments, and my bills would choose the sections in each instance which are most worthy of national park status, and free the remaining areas for multiple use. The new national parks would be unique and scenically spectacular.

It is important that I relate some of the history back of the introduction of these bills so that my colleagues will have a full picture of what has happened.

On January 20, 1969, shortly before he left the White House President Johnson issued proclamations expanding the boundaries of Arches National Monument by 48,934 acres and Capitol Reef National Monument by 215,056 acres. Both monuments were established under proclamations issued by President Franklin D. Roosevelt, and expanded once by President Eisenhower.

At the time President Johnson issued his expansion proclamation for the monuments, he said he felt both areas were of national park caliber but, of course, he did not have the authority to declare them as such.

I was not asked to approve in advance either of the proclamations issued by President Johnson. I protested the fact that they were prepared and issued without any opportunity for the people of the area to express their views on the expansion. I felt, and still feel, very strongly about this.

In both instances—and particularly in the case of the Capitol Reef National Monument—large areas were included under the proclamation on which they may be recoverable minerals.

There was an immediate outcry in Utah by those who were affected, and rightly so.

However, few people question that most of the area included under the Johnson expansion is of remarkable scenic and geologic quality and it should be brought under the protection of the National Park Service. For example, the Waterpocket Fold, the principal addition to Capitol Reef, consists of exposed and eroded rock layers laid down more than 125 million years ago and is now the most spectacular and readily understood monocline in the United States. The Arches addition contains extraordinarily beautiful examples of wind-eroded sandstone formation, as well as other features of geologic, historic and scenic interest.

The Moss bills before the Senate today would assure protection of these priceless natural wonders within two new great National Parks, but would adjust the boundaries in a way which will exclude most of the acreage now being used for grazing, or upon which there may be recoverable minerals.

My bills would also add some new areas of scenic and geologic significance left out of the Johnson proclamation. But the sum total of the acreage included in the Moss bills is considerably less in both instances than that included in the Johnson proclamation for the National Monuments.

Let me give you the vital statistics.

President Johnson's proclamation added 48,943 acres to Arches National Monument, for a total of 82,953 acres. The Moss Arches National Park bill, as amended, would decrease the Johnson proposal by 9,799 acres, and we would thus have a park totaling approximately 73,154 acres.

President Johnson's proclamation added 215,056 acres to the Capitol Reef National Monument, for a total area of

254,242 acres. The Moss National Park bill, as amended, would decrease the Johnson proposal by 23,425 acres for a total park acreage of 230,829 acres.

To give the people of Utah an opportunity to comment on the proclamations issued by President Johnson, I introduced in the Senate the bills before us today.

Hearings were held in May of last year in Salt Lake City, Richfield, and Moab. An extensive record was written. People of all persuasions were heard. The Washington, D.C., hearings were concluded late in May.

Since virtually all of the land in the area of both parks is publicly owned, land acquisition costs will be very small. America has an opportunity to acquire two magnificent new national parks for almost no monetary outlay.

The National Park Service says that it will not cost any more to administer the two national parks than it now costs to administer the present monuments—so again, passage of these bills will not be costly to the American taxpayer.

Recently, bills to establish a Capitol Reef National Park and an Arches National Park have been introduced in the House of Representatives by Congressman LAURENCE BURTON of Utah, who represents the congressional district in which both national parks would be located.

There are some variations in the boundaries proposed in the House and Senate versions of the bills, but there are no problems which cannot be resolved. Both Congressman BURTON and I are striving to protect these spectacular areas for the enjoyment of the citizens of Utah, and of the Nation, both those now living and the generations to come. Both of us want, I am sure, to provide the widest possible multiple-use on the areas which are valuable for grazing or have mineral potential—so that those who have relied on these areas for their livelihood can continue to use them. And other citizens of Utah would profit from economic input from expanded tourist visitations.

In short, I think that we can have the best of both worlds in the enactment of these bills—preserve the best of the breathtaking scenery for the enjoyment of our citizens, allow the continued development of other lands which are best adapted to other uses, and gain tourist investment.

Mr. President, I ask that these bills be passed.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-989), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF MEASURE

The purpose of S. 531, as amended, which is sponsored by Senator Moss, of Utah, is to give national park status to a unique, scenically spectacular, and geologically and historically rich area in Utah. Substantially all of the lands in the proposed park area are public lands, and are a part of a larger area already being administered by the National Park Service as the Capitol Reef National Historic Monument under proclamation issued by Presidents Franklin D. Roosevelt, Dwight D. Eisenhower, and Lyndon B. Johnson.

The committee amendment provides for a total park area of 230,837 acres, which is some 23,405 acres less than the present monument area. With respect to the tracts presently in the monument but excluded from the park by the amended bill, the committee finds that the highest and best use of such lands will be for other than national park purposes. These tracts have potential for economic development so gravely needed by the State of Utah, where more than two-thirds of the land is federally owned. National park status, generally speaking, shuts out other uses.

PROVISIONS OF AMENDED BILL

The park area is described by reference to a map on file in the Department of the Interior, numbered 158-91,001, dated June 1970. With the coming into being of the park, the administratively created monument is abolished.

Section 2 sets forth the usual authorization for acquisition of lands for the park. Lands owned by the State or its subdivisions may be acquired only by consent, and provision is made for land exchanges only within the State of Utah.

Existing grazing rights, including renewals, are protected for a limited period of time, subject to regulation by the Secretary of the Interior. Also protected are existing rights to use established sheep and cattle trails and stock watering places.

So that the scenic and historic areas may be accessible to the public, the Secretary is directed to construct and maintain roads, trails, markers, buildings, and other improvements. Also directed is the granting of easements for public utility crossings of the park lands in a manner not to interfere with park purposes. This provision will permit the development of some of the great power resources of the State.

The committee endorses the States program of providing corridors of adequate scenic highways leading to the park reservations. It is an obligation of the Federal Government to cooperate with the States in assuring accessibility for the average American to enjoy our great scenic heritage, such as exists in this wild and beautiful section of Utah.

COSTS

Since virtually all of the land in the park area is already publicly owned, land acquisition costs will be minimal. However, the bill contains an authorization for appropriation of sums necessary to develop, maintain and operate the park, but it is anticipated that enactment of the bill will not result in any increased expenditures above those which would normally be incurred for the existing national monument.

DESCRIPTION OF AREA

As mentioned above, the Capitol Reef area has unique attributes qualifying it for national park status in the judgment of the Park Service and its advisers, and that of the committee, the members of which have conducted on-the-spot inspections. As described by George Hartzog, director of the National Park Service, at the committee's May 28, 1970, hearing in Washington:

"It is a spectacular area containing numerous cliffs, pinnacles, spires, and brilliantly colored rock layers. Its primary geological feature is a section of the Waterpocket Fold, a great doubling up of the earth's surface.

"The area is equally rich in historical significance, for here prehistoric Indians lived approximately 1,200 years ago and left many petroglyphs carved into the smooth cliff walls. Many Indian artifacts and relics from this period are on display at the visitor center. More recent history is also recorded on the cliff walls at Capitol Reef by the pioneers who traversed this part of Utah between 1850 and 1875 and carved their names and dates of passage en route.

"Present day developments at Capitol Reef include a visitor center, modern campground, and several miles of self-guiding trails. The visitor may spend many hours discovering for himself the marvels of the highly colored, eroded cliffs; the Hickman Natural Bridge whose 133-foot span is 72 feet high; Cohab Canyon; Capitol Gorge, with 1,000-foot walls 16 feet apart; and many other geological wonders."

COMMITTEE RECOMMENDATION

The Senate Committee on Interior and Insular Affairs unanimously recommends prompt enactment of Senator Moss' S. 531, as amended, to give national park status to the unique, spectacular, and historically significant Capitol Reef area. As stated, costs will not exceed the amounts that would normally be required for the existing monument, and the amended bill will permit development of needed natural resources as well as protecting existing rights and equities.

ARCHES NATIONAL PARK, UTAH

The Senate proceeded to consider the bill (S. 532) to establish the Arches National Park in the State of Utah which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That (a) subject to valid existing rights, the lands, waters, and interests therein within the boundary generally depicted on the map entitled "Boundary Map, Proposed Arches National Park, Utah," numbered 138-91,001, and dated June, 1970, are hereby established as the Arches National Park (hereinafter referred to as the "park"). Such map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) The Arches National Monument is hereby abolished, and any funds available for purposes of the monument shall be available for purposes of the park. Federal lands, waters, and interests therein excluded from the monument by this Act shall be administered by the Secretary of the Interior (hereinafter referred to as the "Secretary") in accordance with the laws applicable to the public lands of the United States.

SEC. 2. (a) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange or otherwise, the lands and interests in lands described in the first section of this Act, except that lands or interests therein owned by the State of Utah, or any political subdivision thereof, may be acquired only with the approval of such State or political subdivision.

(b) In exercising his authority to acquire such lands or interests therein by exchange, the Secretary of the Interior may accept title to any non-Federal lands located within any such areas described under the first section of this Act and convey to the grantor of such lands or interests any federally owned lands under the jurisdiction of the Secretary within the State of Utah. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the value of the land exchanged.

SEC. 3. Where any Federal lands included within the Arches National Park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such grazing privileges on the date of approval of this Act, their heirs, successors, or assigns, to renew the privileges from time to time subject to such terms and conditions as the Secretary may prescribe: *Provided, however,* That no such privilege shall be extended beyond the period ending twenty-five years from the date of approval of this Act except as specifically provided for in this section. The Secretary shall permit a holder of the grazing privilege to renew such privilege from time to time during the holder's lifetime beyond the twenty-five-year period, subject to such terms and conditions as the Secretary may prescribe, if (1) the holder is the person who held such privilege on the date of approval of this Act, or (2) the holder is the heir, successor, or assign of such person and was a member of that person's immediate family, as determined by the Secretary of the Interior, on the date of approval of this Act. Nothing contained in this section shall be construed as creating any vested right, title, interest, or estate in or to any of the Federal lands. The Secretary, by regulation, may limit the privileges enjoyed under this section to the extent that they are appurtenant to the private lands owned by the persons who held such privileges on the date of approval of this Act, and may adjust such privileges to preserve the park land and resources from destruction or unnecessary injury. Grazing privileges appurtenant to privately owned lands located within the Arches National Park established by this Act shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto and after reasonable notice of any default.

SEC. 4. Nothing in this Act shall be construed as affecting in any way any rights of owners and operators of cattle and sheep herds, existing on the date immediately prior to the enactment of this Act, to trail their herds on traditional courses used by them prior to such date of enactment, and to water their stock, notwithstanding the fact that the lands involving such trails and watering are situated within the park.

SEC. 5. (a) The National Park Service, under the direction of the Secretary, shall administer, protect, and develop the park, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).

(b) In order to provide for the proper development and maintenance of the park, the Secretary shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facities for the care and accommodation of visitors, as he may deem necessary.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-990), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF MEASURE

S. 532 is sponsored by Senator Frank E. Moss of Utah. Its purpose, as amended, is to establish the Arches National Park in the State of Utah, consisting of some 73,154 acres, the greater part of which are now in Federal ownership. The area provided in the amended bill is a part of a larger area now administered as the Arches National Monument under Presidential proclamation.

The bill protects, for a limited period, existing uses respecting grazing and the trailing and watering of livestock.

COMMITTEE AMENDMENTS

On the motion of Senator Moss, the committee amended the bill to provide for boundary changes which would result in a park area of approximately 73,154 acres, reduced from the 82,953 acres included by the Presidential proclamation within the present monument boundary. The park boundaries are described by reference to an official map on file in the Department of the Interior, rather than by reference to the monument boundaries. The monument lands not included in the park are primarily valuable for grazing, or are known to contain potash deposits of probable commercial value. No private lands would be added to the park by this proposal.

With the establishment of the park, the existing national monument, as such, is abolished. The monument lands not made a part of the park will be administered by the Department of the Interior as public lands and subject to economic use and development under regulation.

Provision is made for acquisition of such non-Federal lands as there are within the exterior boundaries of the park by donation, purchase, or otherwise, including exchange of such lands for federally owned lands under Interior's jurisdiction within Utah. No lands owned by the State or any of its subdivisions may be acquired except by consent.

As stated above, existing livestock grazing, trailing, and watering uses are protected for a limited period.

The final provision in the committee amendment authorizes appropriations necessary to carry out provisions of the act.

The committee endorses the State program of providing corridors of adequate scenic highways leading to the park reservations. It is the legislative intent that the Federal Government is to cooperate with the States in assuring accessibility for Americans to enjoy our great scenic heritage, such as exists in this wild and beautiful section of Utah.

COST

As stated, establishment of the Arches National Park will not add any privately owned lands to the area now administered as the Arches National Monument. The Director of the National Park Service testified to the committee that the park would not require expenditures of any substantial magnitude over those required for the monument.

DESCRIPTION OF AREA

Arches National Monument lies in the heart of the famed red-rock country of southeastern Utah. There, sandstone towers, sweeping coves, balanced rocks, spires, pinnacles, and other spectacular forms resulting from the combined action of running water, wind, rain, frost, and sun form a setting in which the arches are a majestic culmination.

The rock in which the arches have formed was deposited as sand about 150 million years ago, during the Jurassic period. This 300-foot layer, called the Entrada Sandstone, is believed to have been laid down mainly by wind. In time it was buried by new layers, and hardened into rock.

The rock was then uplifted, twisted, and severely cracked several times. Later, after erosion had stripped away the overlying layers, the Entrada Sandstone was exposed to weathering, and the formation of arches began. Water entering cracks in the sandstone dissolved some of the cementing material, and running water and wind removed the loose sand. Cracks were widened into narrow canyons separated by fins. More rapid weathering of softer areas in some of these vertical walls resulted in undercutting. The quarrying by water and frost persisted, perforating the fins, enlarging the perforations, and smoothing their contours until large, graceful arches were formed. Some arches have been left isolated by erosion of surrounding fins. The visitor can see all stages in their development and decay in the proposed park area, where nearly 90 arches have been discovered to date.

Present facilities at Arches include a visitor center and modern campground for tents and trailers in Devil's Garden. In the summer, campfire talks are given nightly at the campground amphitheater and guided trips are scheduled regularly. For the more independent visitor, there are hiking trails to some of the more spectacular spots in the monument. There is an abundance of wildlife and desert plants, as well, to add to the enjoyment of the visitor to this area.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs unanimously recommends prompt action on this measure by the junior Senator from Utah to add an area that is small in size but highly qualified to be a part of our magnificent national park system. There will be no significant increase in budgetary requirements since no privately owned lands are being added. At the same time, the measure takes cognizance of the need for power and other development in Utah where more than two-thirds of the lands are federally owned.

RENTAL OF SPACE FOR THE ACCOMMODATION OF THE DISTRICT OF COLUMBIA AGENCIES AND ACTIVITIES

The bill (S. 3649) relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3649

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) notwithstanding any other provision of law, the Commissioner of the District of Columbia is authorized to enter into lease agreements with any person, copartnership, corporation, or other entity, which do not bind the government of the District of Columbia for periods in excess of twenty years for each such lease agreement, on such terms and conditions, including without limitation, lease-purchase, as he deems to be in the interest of the District of Columbia and necessary for the accommodation of District agencies and activities in buildings or other improvements which are in existence or are to be constructed by the lessor for such purposes, or on unimproved real property.

(b) No lease agreement entered into pursuant to subsection (a) shall provide for the payment of rental in excess of the limitations prescribed by section 322 of the Act approved June 30, 1932, as amended (40 U.S.C. 278a): *Provided,* That the provisions of this subsection shall not apply to leases made prior to the effective date of this Act except when renewals thereof are made after such date.

SEC. 2. Section 6 of the District of Columbia Appropriation Act, 1945 (56 Stat. 509, 532; D.C. Code, sec. 1–243) is repealed.

SEC. 3. Section 12 of the District of Columbia Appropriation Act, 1959 (72 Stat. 498, 511; D.C. Code, sec. 1–243a) is repealed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–992), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill (S. 3649) is to enable the government of the District of Columbia to more efficiently lease privately owned space in buildings or in improved or unimproved property for the accommodation of District agencies and activities.

The Federal Government, which is also required to rent a large amount of privately owned space in the District of Columbia, is not in fact subject to restrictions as severe as those that have been placed on the District of Columbia government.

The Federal Government may enter into leases for as long as 20 years (40 U.S.C., sec. 490(h)). The maximum annual net rent that the Federal Government may pay for space is set at 15 per centum of the fair market value of the premises at the date of the lease under which the premises are to be occupied by it (40 U.S.C., sec. 278a).

In both provisions, the Federal Government has considerably greater flexibility than the District government and is in a better position to realistically compete in the open market for rental space.

The authority in this bill would allow the District government to compete for space in the open market on the same terms as the Federal Government.

NEED FOR LEGISLATION

Under existing legislative restrictions the District has not been able to obtain the most economical and efficient leasing arrangements that would otherwise be available. The importance to the District of being able to obtain rental space at as low a cost as possible can be seen by noting the increasing amounts of District funds that are spent on rental space:

1965	$721,800.00
1966	889,780.00
1967	1,791,430.00
1968	2,712,760.00
1969	4,096,799.00

In view of the amount of money which has been appropriated for rental space for the District of Columbia it would appear to be highly desirable for the District to have express congressional authorization for a sound, modern space rental program.

Anticipated District needs make it essential that authority for long-term leasing be obtained at this time for the District of Columbia.

First, the District is planning to consolidate its major municipal functions in the Judiciary Square area. The planned municipal complex will incorporate the present municipal center and the old court house. In addition, a great deal of new office space is needed in the area in order to accomplish the desired consolidation.

Private developers have indicated an interest in constructing buildings to accommodate the District government and this use for the area has been proposed in the downtown urban renewal plan. The construction costs involved in this project are great and it is not likely that funds will be available within the District's capital improvements budget in the near future, given the many other pressing needs in the capital improvements program.

The consolidation of municipal functions at Judiciary Square is a highly desirable goal and would result in greater efficiency and economies for the local government. It will be possible to accomplish the consolidation within present budgetary constraints if the District is given 20-year leasing authority and lease purchase authority.

The District could purchase the necessary office space in the Judiciary Square area through a reallocation of rental funds that are currently being expended for leased space at numerous sites throughout the city. Through lease purchase authority, the District would be able to exercise its option to purchase the buildings when, in the future, capital improvements funds are available.

Georgetown University, as well as private developers, has submitted a proposal to construct office buildings for the District government contingent upon the District's obtaining the desired leasing authority. Private developers are willing to negotiate with the District for the construction of office buildings to meet the city's needs if the District is in a position to enter into a long term lease.

The willingness of private developers to construct facilities based on the client's ability to enter into a long-term lease stems from the fact that lending institutions require at least a 10-year lease before they will finance a construction project for a private developer. If a developer indicates that he has a long-term lessee, he is in a better position to obtain financing. This, in turn, results in benefits to the leaseholder.

The Judiciary Square project is just one case in point where the District stands to realize significant benefits if it has the authority to enter into long-term leases. The Judiciary Square example is important because of the time element involved. If the District does not obtain the necessary leasing authority in the immediate future and move to take advantage of the offers that have been made, then the goal of a unified municipal complex in downtown Washington may be lost forever.

A second case involves the provision of adequate classroom space. As the Congress is well aware, the District has been faced for some time with a situation of acute classroom shortage in certain areas of the city, such as the Southeast. In these areas, the private construction of residential facilities has outstripped the ability of the public sector to provide the needed school facilities.

Under the District's present school construction processes, it takes from 5 to 8 years to construct a new school, whereas a residential building can be put up easily within 2 years. Furthermore, in the Southeast there is a problem in finding suitable sites on which to locate new schools.

These two facts have prompted consideration by the District of the possibility of entering into long-term leasing agreements with private developers for the provision of classroom space in a housing development. Thus, the school facility would be ready at the same time as the new population needs the facility. Also, if the age of the population in the area changes and the school is no longer needed, the space can then be turned back to the builder for renovation into additional housing units.

Finally, an immediate case demonstrates both the urgent need for enactment of this bill and the potential savings which can accrue to the District government. As the accompanying letter to the Chairman of Senate District Commission from Deputy Mayor Graham Watt illustrates, $1 million can be saved if the District government is authorized to extend its leasing authority prior to July 1, 1970, and enters into a 10-year lease for the Potomac Building at Sixth Street NW., between G and H Streets.

KYUNG AE OH

The bill (S. 3600) for relief of Kyung Ae Oh, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3600

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kyung Ae Oh may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Samuel E. Kramm, citizens of the United States, pursuant to section 204 of such Act. The brothers or sisters of the said Kyung Ae Oh shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–993), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the alien child to be adopted by citizens of the United States.

FIRE PROTECTION CONTRACTS ON PUBLIC LANDS

The bill (S. 3777) to authorize the Secretary of the Interior to enter into contracts for the protection of public lands from fires, in advance of appropriations therefor, and to twice renew such contracts, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to enter into contracts for the use of aircraft, and for supplies and services, prior to the passage of an appropriation therefor, for protection from fire of public lands administered by him. He may renew such contracts annually, not more than twice, without additional competition. Such contracts shall obligate funds for the fiscal years in which the costs are incurred. Each such contract shall provide that the obligation of the United States for the ensuing fiscal years is contingent upon the passage of an applicable appropriation, and that no payment shall be made under the contract for the ensuing fiscal years until such appropriation becomes available for expenditure.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–994), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

S. 3777 would confer on the Secretary of Interior authority parallel to that of the Secretary of Agriculture with respect to the suppression of fires on large areas of the public lands. This would allow him to enter into contracts for tanker aircraft, and for other kinds of aircraft, supplies, and services, for an entire fire season, and to renew such contracts not more than twice.

XUM

NEED

Existing statutes generally prohibit the making of contracts which obligate the Government in advance of appropriations to support such contracts. This generally means that contracts should not extend beyond June 30 of a given fiscal year—but firefighting services are needed beyond that, and should continue on without interruption from 1 fiscal year to the next. Parties involved may be in the midst of full-scale firefighting activity on July 1, and have no time to negotiate new contracts.

BACKGROUND

One of the most important methods of fighting fires on the public lands is the use of aerial tanks to drop fire retardant materials. Such aircraft are very expensive, but if owners of aerial tanks can look forward to at least two annual contract renewals, they can amortize their costs over a 3-year period, reduce the overall cost to the Government, undertaken equipment improvements, and provide much better and safer service. The proposed bill is not limited by its terms to contracts for tanker aircraft, although it is particularly needed for that purpose. It would also apply to other aircraft, such as helicopters and light fixed-wing aircraft that are needed on a seasonal basis, as well as to needed supplies and services for presuppression and suppression of fires.

FDIA INSURANCE FOR BANKS IN AMERICAN SAMOA

The bill (S. 3366) to make banks in American Samoa eligible for Federal Deposit Insurance Act, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813 (a)), is further amended by inserting the words "American Samoa," after the word "Guam," each place it appears therein.

SEC. 2. Subsection (d) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(d)), is further amended by inserting the words "American Samoa," after the word "Guam,".

SEC. 3. Subsection (e) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(e)), is further amended by inserting the words "American Samoa," after the word "Guam,".

SEC. 4. Paragraph (5) of subsection (l) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(l)(5)), is further amended by inserting the words "American Samoa," after the word "Guam,".

SEC. 5. Subsection (m) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(m)), is further amended by inserting the words "of American Samoa," after the word "Guam,".

SEC. 6. Subsection (o) of section 3 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813(o)), is further amended by inserting the words "American Samoa," after the word "Guam,".

SEC. 7. Paragraph (4) of subsection (a) of section 7 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817(a)(4)), is further amended by inserting the words "American Samoa," after the word "Guam".

SEC. 8. Subparagraph (B) of paragraph (5) of subsection (b) of section 7 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817 (b)(5)(B)), is further amended by inserting the words "American Samoa," after the word "Guam,".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–996), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF S. 3366

Senate bill S. 3366 establishes the eligibility of the banks in American Samoa for Federal deposit insurance by amending sections 3 and 7 of the Federal Deposit Insurance Act in accordance with the provisions governing U.S. territories.

HISTORICAL BACKGROUND

American Samoa was acquired by the United States in 1900, and was originally administered by the Department of the Navy. This territory is currently administered by the Secretary of the Interior, with the assistance of a residential Governor appointed by the President of the United States, and a locally elected Legislature.

The Bank of American Samoa was organized by the territorial Governor of American Samoa in 1914. Its sole office was in Pago Pago on the Island of Tutuila.

An application of the Bank of Hawaii to acquire the commercial portion of the bank's assets, and assume deposit liabilities was approved by the agencies concerned effective December 15, 1969. However, the acquisition by Bank of Hawaii related to the commercial aspects of the bank. A portion of assets were retained by the Samoan Bank with that portion of the assets and its entire capital accounts serving as a developmental bank for the territory. The developmental bank does not receive deposits, and would therefore not be eligible for deposit insurance.

NEED FOR THE LEGISLATION

GENERAL DESCRIPTION OF THE BILL

The bill amends sections 3 and 7 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1813, 1917) so as to make the definitions contained therein applicable to American Samoa. The effect of the amendment is to make banks in American Samoa eligible for Federal deposit insurance under the Federal Deposit Insurance Act. Under the existing provisions of sections 3 and 7, Federal deposit insurance is available only to State banks incorporated under the laws of any State, any territory of the United States, Puerto Rico, Guam, or the Virgin Islands, or to national banks located in those areas.

PREVIOUS BILLS INTRODUCED

On July 17, 1962, Hon. Brent Spence, former chairman of the House Committee on Banking and Currency, introduced H.R. 12579, 87th Congress, a bill to make any bank organized under the laws of American Samoa eligible to apply for insurance under the Federal Deposit Insurance Corporation, and for other purposes. Also in 1962, and again in 1966, the Department of Interior drafted proposed legislation to make any bank organized under the laws of American Samoa eligible to apply for insurance under the Federal Deposit Insurance Act. No action was taken on either H.R. 12579 or the Department of the Interior proposed draft bills.

DISTRICT OF COLUMBIA COOPERATIVE ASSOCIATION

The Senate proceeded to consider the bill (H.R. 17711) to amend the District of Columbia Cooperative Association Act, which had been reported from the Committee on the District of Columbia with an amendment, on page 2, after line 8, insert a new section, as follows:

SEC. 2. (a) Chapter 33 of title 28 of the District of Columbia Code is amended by adding the following new section:

"§ 28–3307. District of Columbia Council authorized to exempt certain mortgages and loans

"The District of Columbia Council is authorized from time to time to provide by regulation for the exemption from the provisions of this chapter of any mortgage or loan insured or guaranteed under the National Housing Act or chapter 37 of title 38, United States Code, the interest rate of which is subject to regulation by an officer or agency of the Federal Government. The Council is further authorized to amend or repeal any such regulation at any time, but no such amendment or repeal shall affect any such loan or mortgage lawfully made or committed to be made while such exemption is in effect."

(b) The chapter analysis of chapter 33 of title 28 is amended by inserting immediately below the item relating to section 28–3306 the following new item:

"28–3307. District of Columbia Council authorized to exempt certain mortgages and loans".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An Act to amend the District of Columbia Cooperative Association Act, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–995) explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill (H.R. 17711) is to exempt from the District of Columbia laws regulating the loaning of money and interest rates cooperative associations formed under the District of Columbia Cooperative Association Act and their financing transactions with members.

PROVISIONS OF THE BILL

H.R. 17711 exempts cooperative associations organized under the District of Columbia Cooperative Association Act from certain provisions of the District Code with respect to loans to members. The provisions which would be made inapplicable to an association organized under this act are those which require money lenders to obtain a license before loaning money at an interest rate greater than 6 percent, and which prohibit charging more than 8 percent interest. These laws are commonly known as the "loan shark" and "usury" laws.

The bill accomplishes this by adding a new sentence to the District of Columbia Cooperative Association Act (approved June 19, 1940, 54 Stat. 491; District of Columbia Code, title 29, sec. 801) as follows:

The Act of February 4, 1913 (District of Columbia Code, secs. 26–601——26–611) relating to licenses for loaning of money), and chapter 33 of title 28 of the District of Columbia Code (relating to interest rates) shall not apply to—

(A) any association formed under this Act (whose sole function is to arrange and provide financing for its members), and

(B) any members of such association engaged in utility operations

with respect to any contract or agreement between such association and any member relating to a loan of money in connection with such utility operations.

NEED FOR LEGISLATION

In April 1969, the delegates to the annual meeting of the National Rural Electric Cooperative Association voted to establish the National Rural Utilities Cooperative Finance Corp. (known as CFC). The CFC was designed to supplement the basic REA financing provided for by the Congress in the Rural Electrification Act of 1936 and in annual loan authorizations included in the annual Department of Agriculture appropriation bills with private money market resources, as well as their own funds.

As of mid-April 1970, 778 rural electric organizations (individual rural electric cooperatives, power supply cooperatives, statewide associations, and NRECA) had sent in their membership applications and fees. Thus, slightly more than 75 percent of the Nation's rural electric systems had at that time indicated their intention of joining the new institution.

These members will be eligible to receive loans from the CFC for rural electric system objectives.

Since a substantial part of CFC loans will consist of participations in loans jointly made with REA, CFC financing operations must be closely coordinated with those of REA. For this reason CFC was organized under the District of Columbia Cooperative Association Act and is headquartered in Washington in close proximity to the REA headquarters.

In the interest of uniformity, CFC intends to provide in its loan contracts with its member systems located in 46 States that the laws of the District of Columbia shall be determinative and controlling of the parties' rights and responsibilities thereunder.

Two provisions of District of Columbia law would complicate substantially the operation of the CFC:

1. *"Loan Shark" law.*—The "loan shark" provides that lenders in the District of Columbia obtain licenses if interest in excess of 6 percent is to be charged. The provisions of this law clearly indicate that it was designed to apply to persons making small loans on personal security and to discourage exploitation of their borrowers. However, it is so broadly worded as to be capable of being interpreted to apply to the type of lending transaction in which CFC and similar cooperative organizations will be engaged.

The committee feels that this law should not be applied to financial transactions between a cooperative and its members in which there is no reason or opportunity for such exploitation. The District's Cooperative Association Act contains provisions which fully protect cooperative members against the evils which the "loan shark" law seeks to protect against.

In addition there have been numerous exceptions from the "loan shark" law including the "legitimate business" of banks, trust companies, building and loan associations, small business investment companies, real estate brokers, and life insurance companies.

The same considerations of public policy which support the exemptions now provided by statute apply to cooperative finance association transactions with members. In fact, a stronger case can be made for exempting organizations operating on a nonprofit cooperative basis, since they are owned and controlled by their member borrowers and are self-regulating.

2. *"Usury" law.*—The "usury" law limits the interest rate chargeable in written instruments to 8 percent.

The "usury" law of the District of Columbia, unlike such laws in most other jurisdictions, expressly applies to loans to corporations as well as to individuals. However, a 1963 amendment to the 1954 District of Columbia Business Corporation Act precludes corporations organized thereunder from pleading the usury laws as a defense. (District of Columbia Code, title 29, sec. 904(h)). The District Code (title 15, sec. 110) also permits interest to be recovered at a rate higher than is lawful in the district if the contract is to be performed in another jurisdiction where the contract rate is lawful.

In the judgment of your committee, the defense of usury should be denied to members of cooperatives, such as CFC, in connection with their loans from cooperatives, and the recovery of interest should be permitted at the rate prescribed by contract between a cooperative and its members regardless of where the contract is to be performed. The District of Columbia Cooperative Association Act furnishes adequate safeguards against the exploitation of members and patrons by cooperatives formed under it. It makes stringent provision for nonprofit operation and for allocation and distribution of the net savings of a cooperative among its members and patrons.

HEARINGS

Hearings were held on May 13, 1970 and on June 8, 1970 on this bill and S. 3828 (a companion bill). A representative of the National Rural Utilities Cooperative Finance Corp. offered favorable testimony at the first hearing, while a representative of the District of Columbia Government testified at the second hearing.

As stated in the House Report No. 91-1118, the bill was amended to conform to recommendations of the District Government so that as reported H.R. 17711 meets the point raised by the District of Columbia government in the letter presented to this committee on a similar bill (S. 3828). No testimony or statement was submitted or has been received in opposition to this bill or S. 3828.

CONSUMER PRODUCTS WARRANTY AND GUARANTY ACT

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 878, S. 3074.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3074) to provide minimum standards for guar-proceed to consider the bill, which have electrical, mechanical, or thermal components, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Consumer Products Warranty and Guaranty Act"

DEFINITIONS

SEC. 2. For the purposes of this Act—

(1) A "consumer product" is one normally used for personal, family, or household purposes, but does not include real property or securities.

(2) An "express warranty (guaranty)" is created as follows:

(a) Any affirmation of fact or promise made by a supplier to the purchaser which relates to a consumer product or service and becomes part of the basis of the bargain creates an express warranty that the consumer product or service shall conform to the affirmation or promise.

(b) Any description of a consumer product which is made part of the bargain creates an express warranty that the consumer product shall conform to the description.

(c) Any sample or model which is made part of the basis of the bargain creates an express warranty that the consumer product shall conform to the sample or model.

It is not necessary to the creation of an express warranty that the supplier use formal words such as "warranty" or "guaranty" or that he have a specific intention to make a warranty, but an affirmation merely of the value of the consumer product or service or a statement purporting to be merely the supplier's opinion or commendation of the consumer product or service does not create a warranty.

(3) "Purchaser" means the first buyer at retail of any consumer product or service to whom a warranty (guaranty) is offered or given, and any other person who is entitled by the terms of such warranty (guaranty) to enforce against the warrantor the obligations of the warranty.

(4) "Reasonable and necessary maintenance" consists of those operations which the person guaranteed reasonably can be expected to perform or have performed which are necessary to keep any consumer product operating in a predetermined manner and performing its intended function.

(5) The term "repair" may at the option of the warrantor include replacement with a new, identical, or equivalent consumer product.

(6) The term "replacement" shall include the refunding of the actual purchase price of the consumer product less reasonable depreciation based upon actual use if the warrantor is unable to effect replacement and repair is not possible or cannot be timely made, or if the person guaranteed is willing to accept such refund in lieu of repair or replacement.

(7) "Supplier" means any person (including any partnership, corporation, or association) engaged in the business of making a consumer product available to consumers, either directly or indirectly.

(8) "Warrantor" means any supplier or other third party who gives or offers to give an express warranty (guaranty).

(9) The term "without charge" means that the warrantor(s) cannot assess the person guaranteed for any costs the warrantor or his representatives incur in connection with the required repair or replacement of a warranted (guaranteed) consumer product. The term does not mean that the warrantor must necessarily compensate the person guaranteed for incidental expenses. However, if any incidential expenses are incurred because the repair or replacement is not made within a reasonable time or because the warrantor imposed an unreasonable duty upon the person guaranteed as a condition of securing repair or replacement, then the person guaranteed shall be entitled to recover such reasonable incidental expenses in any action against the warrantor.

DISCLOSURE REQUIREMENTS

SEC. 3. (a) In order to improve the adequacy of information available to consumers, prevent deception, and improve competition in the marketing of consumer products, any supplier warranting (guaranteeing) a consumer product (actually costing more than $5) in writing against defect or malfunction shall fully and conspicuously disclose in simple and readily understood language the terms and conditions of said warranty (guaranty) pursuant to any regulations issued by the Federal Trade Commission under procedures specified in subsection (b) of this section. Such regulations may require inclusion in the written warranty (guaranty) of any of the following items among others:

(1) The clear identification of the names and addresses of the warrantors.

(2) Identity of the party or parties to whom the warranty (guaranty) is extended.

(3) The products or parts covered.

(4) A statement of what the warrantor will do in the event of defect or malfunction—at whose expense—and for what period of time.

(5) A statement of what the person guaranteed must do and expenses he must bear.

(6) Exceptions and exclusions from the terms of the warranty (guaranty).

(7) The step-by-step procedure which the person guaranteed should take in order to obtain performance of any obligation under the warranty (guaranty), including the identification of any class of persons authorized to perform the obligations set forth in the warranty (guaranty).

(8) The availability of any informal dispute settlement procedure for any warranty (guaranty) dispute.

(9) A recital that legal remedies are available to any person guaranteed if the warrantor has not complied with the provisions of the warranty (guaranty).

(10) A recital that any person guaranteed who successfully pursues his legal remedies may recover the reasonable costs incurred, including reasonable attorneys' fees.

(11) The time at which the warrantor will perform his obligations.

(12) The period of time within which, after notice of malfunction or defect, the warrantor will repair, replace, or otherwise perform any obligations under the warranty (guaranty).

(13) The characteristics or properties of the products, or parts thereof, that are not covered by the warranty (guaranty).

(14) The elements of the warranty (guaranty) in words or phrases which would not mislead reasonable men as to the nature or scope of the warranty (guaranty).

(b) The Federal Trade Commission is authorized to determine in accordance with section 553, title 5, United States Code, upon a public record after opportunity for an agency hearing structured so as to proceed as expeditiously as practicable, the manner and form in which information with respect to any written warranty (guaranty) against defect or malfunction of a consumer product or service shall be clearly and conspicuously presented or displayed so as not to mislead the reasonable, average purchaser, when such information is contained in advertising, labeling, point-of-sale material, or other representations in writing. Nothing in this Act shall be deemed to authorize the Commission to prescribe the duration of warranties (guaranties) given or to require that a product or any of its components be warranted (guaranteed).

DESIGNATION OF WARRANTIES (GUARANTIES)

SEC. 4. (a) Any supplier warranting or guaranteeing a consumer product (actually costing more than $5) in writing against defect or malfunction shall clearly and conspicuously designate such warranty (guaranty) in the following manner unless exempted from doing so by the Federal Trade Commission pursuant to section 10 of this Act:

(1) If the written warranty (guaranty) incorporates the Federal minimum standards for warranty (guaranty) set forth in section 5 of this Act, then it shall be conspicuously designated a "full (statement of duration)" warranty, guaranty, or word of similar meaning.

(2) If the written warranty (guaranty) does not incorporate the Federal minimum standards for warranty (guaranty) set forth in section 5 of this Act, then it shall be conspicuously designated a "partial" warranty, guaranty, or word of similar meaning.

(b) Statements or representations such as expressions of general policy concerning customer satisfaction which are not subject to any limitations are excluded from sections 3, 4, and 5 of this Act but shall remain subject to the provisions of the Federal Trade Commission Act and requirements in subsection (c) of section 11 of this Act.

FEDERAL MINIMUM STANDARDS FOR WARRANTY (GUARANTY)

SEC. 5. (a) Any supplier warranting or guaranteeing consumer products in writing against defect or malfunction must undertake at a minimum the following duties in order to be deemed to have incorporated the Federal minimum standards for warranty (guaranty):

The duties—

(1) to repair, or replace if repair is not possible or cannot be timely made, any malfunctioning or defective warranted (guaranteed) product;

(2) within a reasonable time; and

(3) without charge.

In fulfilling the above duties the warrantor shall not impose any duty other than notification upon any person guaranteed as a condition of securing repair or replacement of any malfunctioning or defective consumer product unless the warrantor can demonstrate that such a duty is reasonable. In a determination of whether or not any such additional duty or duties are reasonable, the magnitude of the economic burden necessarily imposed upon the warrantor (including costs passed on to the purchaser) shall be weighed against the magnitude of the burdens of inconvenience and expense necessarily imposed upon the person guaranteed.

(b) The above duties extend from the warrantor to the purchaser.

(c) The performance of the duties enumerated in subsection (a) of this section shall not be required of the warrantor if he can show that damage while in the possession of the person guaranteed or unreasonable use (including failure to provide reasonable and necessary maintenance) caused any warranted (guaranteed) products to malfunction or become defective.

(d) Disclosure requirements—

(1) When making a warranty (guaranty) in writing against defect or malfunction which incorporates Federal minimum standards, the warrantor shall cause it to be labeled a "full (statement of duration)" warranty, guaranty, or word of similar meaning.

(2) The disclosure requirements and Commission authorization in section 3 of this Act shall apply to any warranty (guaranty) in writing against defect or malfunction of a consumer product (actually costing more than $5) which incorporates Federal minimum standards: *Provided, however,* That it shall be mandatory for the warrantor issuing a written warranty (guaranty) in compliance with Federal minimum standards to cause the disclosure of the duration of the warranty (guaranty) period measured either by time or by some relevant measure of usage such as mileage to the purchaser prior to the time of purchase.

FULL AND PARTIAL WARRANTING OF A CONSUMER PRODUCT

SEC. 6. Nothing in this Act shall prohibit the selling of a consumer product which has both full and partial warranties (guaranties) if such warranties (guaranties) are clearly and conspicuously differentiated.

SERVICE CONTRACTS

SEC. 7. Nothing in this Act shall be construed to prevent a supplier from selling a service contract to the purchaser in addition to or in lieu of a warranty (guaranty) if such contract fully and conspicuously discloses in simple and readily understood language the terms and conditions.

DESIGNATION OF REPRESENTATIVES

SEC. 8. Nothing in this Act shall be construed to prevent any warrantor from designating representatives to perform duties under the warranty (guaranty), but no such designation shall relieve the warrantor of his direct responsibilities to the person guaranteed or make the representative a co-warrantor.

LIMITATION OF DISCLAIMER OF IMPLIED WARRANTIES

SEC. 9. (a) There shall be no express disclaimer of implied warranties to a purchaser if any express warranty (guaranty) of a consumer product (actually costing more than $5) against defect or malfunction is made by a supplier to a purchaser in writing.

(b) For purposes of this Act, implied warranties may be limited in duration to the duration of an express warranty (guaranty) of reasonable duration, if such limitation is conscionable and is set forth in clear and unmistakable language and prominently displayed on the face of the warranty (guaranty).

FEDERAL TRADE COMMISSION

SEC. 10. In addition to the authority given in sections 3 and 5 of this Act pertaining to disclosure, the Federal Trade Commission is authorized to establish rules pursuant to section 553, title 5, United States Code upon a public record after an opportunity for an agency hearing structured so as to proceed as expeditiously as practicable, to define in detail the duties set forth in subsection (a) of section 5 of this Act and their applicability to warrantors of different categories of consumer products with "full" warranties (guaranties), and to determine when a warranty (guaranty) in writing against defect or malfunction does not have to be designated either "full (statement of duration)" or "partial" in accordance with section 4 of this Act.

REMEDIES

SEC. 11. (a) Congress hereby declares it to be its policy to encourage warrantors to establish procedures whereby consumer disputes are fairly and expeditiously settled through informal dispute settlement mechanisms. Such informal dispute settlement procedures should be created by suppliers in cooperation with independent and governmental entities and should be supervised by some governmental or other impartial body.

(b) It shall be a violation of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)) for any person (including any partnerships, corporation, or association) subject to the provisions of this Act to fail to comply with any requirement imposed on such person by or pursuant to this Act or to violate any prohibition contained in this Act.

(c)(1) The district courts of the United States shall have jurisdiction to restrain any supplier from making a deceptive warranty (guaranty) with respect to a consumer product or service in an action by the Attorney General. The court may, pursuant to the general standards governing the issuance of injunctions in civil actions, at any time grant such injunctive relief as it deems appropriate. Whenever it appears to the court that the ends of justice require that other persons should be parties in the action, the court may cause them to be summoned whether or not they reside in the district in which the court is held, and to that end process may be served in any district.

(2) For the purposes of this subsection, a "deceptive warranty (guaranty)" means: (i) a guaranty or warranty that contains an affirmation, promise, description, or representation that is either false or fraudulent, or that, in the light of all of the circumstances, would mislead a reasonable man exercising due care; or fails to contain information that is necessary, in light of all of the circumstances, to make the guaranty or warranty not misleading to a reasonable man exercising due care; and (ii) a guaranty or warranty created by the use of such terms as "guaranty" or "warranty" if the terms and conditions of such guaranty or warranty so limit its scope and application as to deceive a reasonable man.

(d) If any person guaranteed or protected by a service contract shall finally prevail in any suit or proceeding for breach of an express or implied warranty (guaranty) or service contract obligation on a consumer

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product, he shall be allowed by the court of competent jurisdiction to recover as part of the judgment a sum equal to the aggregate amount of cost and expenses (including attorneys' fees based on actual time expended) determined by the court to have been reasonably incurred by such person guaranteed or protected by a service contract for or in connection with the institution and prosecution of such suit or proceeding unless the court in its discretion shall determine that such an award of attorneys' fees would be inappropriate: Provided, That any person guaranteed, in a suit of breach of warranty, must have afforded the maker(s) of that warranty a reasonable opportunity to cure the breach to be eligible for such cost and expenses.

(e) Any person damaged by the failure of a supplier to comply with any obligations assumed under an express or implied warranty (guaranty) or service contract subject to this Act may bring suit in an appropriate district court of the United States subject to the jurisdictional requirements of section 1331, title 28, United States Code, or in any State or District of Columbia court of competent jurisdiction.

SAVING PROVISION

SEC. 12. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede the Federal Trade Commission Act (15 U.S.C. 41 et seq.) or any statute defined therein as an antitrust Act.

SEC. 13. (a) The provisions of this Act and the powers granted hereunder to the Federal Trade Commission and Attorney General shall extend to all sales of consumer products and services affecting interstate commerce.

(b) Labeling and disclosure requirements of a State with respect to written warranties against defect or malfunction of a consumer product inconsistent with those set forth in sections 3, 4, or 5 of this Act shall not be applicable to warranties complying with any of those provisions.

SEPARABILITY

SEC. 14. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 15. (a) Except for the limitations in subsection (b) of this section, this Act shall take effect six months after the date of its enactment but shall not apply to consumer products in the stream of commerce prior to such date.

(b) Those requirements in this Act which cannot be reasonably met without the promulgation of rules by the Federal Trade Commission shall take effect six months after the final publication of such rules: *Provided*, That the Federal Trade Commission, for good cause shown, may provide designated classes of suppliers up to an additional six months to bring their written warranties (guaranties) into compliance with rules promulgated pursuant to this Act.

(c) The Federal Trade Commission shall promulgate rules implementing this Act as soon as possible after enactment but in no event later than six months after the date of enactment.

Amend the title so as to read: "A bill to provide minimum disclosure standards for written warranties and guaranties of consumer products against defect or malfunction; to define minimum Federal content standards for such warranties and guaranties; and for other purposes."

PROFESSIONAL STANDARDS REVIEW ORGANIZATION ACT OF 1970

Mr. BENNETT. Mr. President, in the near future, I intend to offer an amendment to the social security bill now before the Finance Committee, which would require, over a period of time, establishment of medical professional standards review organizations throughout the country.

All of us are deeply concerned over the multi-billion-dollar cost overruns in medicare and medicaid. In good part, those excessive costs resulted from an enormous infusion of new money into an already overburdened health care system with fragmented organization and control mechanisms. In fact, those same factors are inflating the costs of care for the total population.

I believe the American people are justifiably concerned over the tremendous costs of health care. Much of that concern, it seems to me, is a product of a very real feeling that we are not getting what we are paying for. I believe, equally, that much of the apprehension, anxiety, and suspicion now prevalent—for better or worse—with respect to those responsible for health care would disappear if professional standards review organizations were established and functioned effectively. It seems to me that the American people are entitled to know that American medicine shares their concern—and more importantly—proposes to do something substantial about it through means of professional standards review organizations.

It was in that spirit of genuine concern and a genuine desire to assume a personal responsibility in developing an effective review program that organized medicine through the American Medical Association began to dig into this problem.

Eventually, in mid-May, I was contacted by staff members of the AMA who asked me to consider introducing a proposal that they were developing to establish "peer review organizations" in each State to review doctors' services and charges under Part B of medicare.

I welcomed very much this thoughtful approach by the professionals involved and I forwarded their proposal to the Finance Committee staff for comment and analysis in terms of their experience with the medicare and medicaid programs and in light of hearings and other review activities.

The committee staff advised me that the AMA draft was "definitely a step in the right direction" and that the staff also welcomed this opportunity to dig into the entire question from a peer review standpoint.

We did find, however, that the Finance Committee staff felt that, in its opinion, the AMA plan was unduly limited and a number of suggestions, modifications, and extensions were recommended to me that the staff believed would reflect the attitude in their recent report on medicare and medicaid that: "The key to making the present system workable and acceptable is the physician and his medical society."

Mr. President, the AMA draft as modified by the suggestions of the Finance Committee staff provides the basis of this proposed amendment which I shall later propose.

Now it is very easy to speak of recognizing the entire health care system in the Nation through Federal control and financing. Some of us who have been engaged since the beginning in extensive evaluation of medicare and medicaid know full well that those objectives of many well-intentioned persons are far more easily talked about than reached. But Government control is not the answer, because there is potentially a better, more effective, and more suitable answer available.

As a matter of fact, careful and detailed study has indicated that the Federal Government and its agents do not presently have the capacity to properly administer medicare and medicaid—let alone to cope with the health care needs of millions of additional persons and reorganize the American medical care system.

I believe that physicians, properly organized and with a proper mandate, are capable of conducting an ongoing effective review program which would eliminate much of the present criticism of the profession and help enhance their stature as honorable men in an honorable vocation willing to undertake necessary and broad responsibility for overseeing professional functions. If medicine accepts this role and fulfills its responsibility, then the Government would not need to devote its energies and resources to this area of concern. Make no mistake; the direction of the House-passed social security bill is toward more—not less—review of the need for and quality of health care. I believe my amendment would provide the necessary means by which organized medicine could assume responsibility for that review.

In my opinion, if ultimately enacted, the "Professional Standards Review" proposal now being drafted would provide physicians with an imaginative and exciting opportunity to assume basic responsibility for reviewing health care as a whole. It would scrap the piecemeal review activities of varying effectiveness which have prevailed since 1966.

My thought in having the amendment prepared at this time is that it will benefit from thorough discussion and evaluation during the course of hearings in the Finance Committee on the social security bill. I would urge all Senators and other interested parties carefully to study and to comment on it. Undoubtedly, it will gain from the "light of day" and be modified and improved. Nonetheless, as will be readily understood from the outline which follows, I think the direction is clear.

As I have noted, the American Medical Association has indicated its concern with a need for expanded review activities. The staff of the Finance Committee, in its report, reached the same conclusion. However, in essence, the AMA proposal would limit review activities to services directly rendered by physicians. In my opinion, to be effective we have to go considerably further.

Now let me explain the principal features and rationale of my proposal. First, utilization of all health care services, both inpatient and outpatient, is after all determined by the physician. Physicians' direct services account for a relatively small proportion of the Federal health care dollar costs. The bulk of those dollar costs go for institutional care—hospital and nursing home—which is ordered by physicians. Since the physician determines the usage of institutional care it seems appropriate to charge him with the responsibility for its review, as well as for the review of those services directly provided by his peers—other physicians. This sort of unified review approach avoids the fragmented methods employed today. The hearings which the Finance Committee has held have shown that very substantial savings have resulted where medical societies and related organizations—such as medical care foundations—have assumed responsibility for prior approval and review of need for medical, hospital, and nursing home care.

Thus, my proposal would include in the review groups' mandate, responsibility for reviewing the totality of care provided patients—including all institutional care. Commensurate with that responsibility, cooperation with professional standards review organizations would be a contractual obligation of insurance carriers, intermediaries, fiscal agents, and all providers, as well as being required of all public agencies involved.

Second, under my amendment basic responsibility for the necessary review work would be lodged, wherever possible and wherever feasible, at the local community level. Local emphasis is necessary because the practice of medicine may vary, within reasonable limits, from area to area, and local review assures greater familiarity with the physicians involved and ready access to necessary data. Priority should be given to arrangements with local medical societies—of suitable size—which are willing and capable of undertaking comprehensive professional standards review. Other organizations—such as the Kaiser Foundation and similar foundations—should also be employed where they are representative of a substantial proportion of health care practitioners in a given geographic or medical service area, provided they are doing a good job.

Of course, the Secretary of Health, Education, and Welfare—who would contract for the review work—could also contract with a State medical society in a State where for reasons of size, population, or choice of local medical societies, that approach would work out best. Thus, in a small or sparsely populated State it might be that the State medical society would provide the most effective means for review.

Under the amendment, the Secretary could use State or local health departments or employ other suitable means of undertaking professional standards review only where the medical societies were unwilling or unable to do the necessary work, or where their efforts were only pro forma or token. Let me emphasize as strongly as possible that the thrust of this proposal is to have physicians, as a group, evaluate physicians and the services they provide and order as individuals.

Now that I have described some of the structure and some of the responsibility in my amendment, let me indicate what the professional standards review should encompass, and the assurances it should provide to the profession and to the public. It should determine that only medically necessary services are provided by physicians, hospitals, nursing homes, pharmacies, and so forth. Further, it should determine that the medically necessary care and services meet, within reasonable limits of professional discretion, proper professional standards. Finally, where medically appropriate, it should make certain that less costly alternative modes and sites of treatment are brought to the attention of the physician, and that he is encouraged to employ them.

The regular review of all care for all medicare and medicaid patients should include regular examination of patient, practitioner and other health care provider services and charges profiles; independent medical audits; on-site audits; and other professional review procedures. The Professional Standards Review Organization should apply norms of care and treatment by diagnosis, age, and other medically relevant factors for inpatient and outpatient care. These norms of care and treatment should be used as checkpoints in evaluating the appropriateness of treatment, and the Professional Standards Review Organization should routinely secure, review, and approve written justification from physicians for departures from those norms.

Under the proposal, a statewide professional review council would be established consisting of one representative from each of the local professional standards review organizations, two physicians designated by the State medical society, and two physicians from the State designated by the Secretary as public representatives. The statewide council could help coordinate review activities within the State and could regularly review and report to the Secretary on the work of the local organizations within the State. A statewide advisory group to the State review council could also be established, which could consist of representatives of major types of health care providers and practitioners such as hospitals, nursing homes, dentists, pharmacists, and so forth. This group would serve as a liaison and advisory body to the State review council. Additionally, it would be expected that the local Professional Standards Review Organizations would subcontract or retain consultants, such as pharmacists, denists, or medical specialists, to provide specialized professional counsel and assistance in making their reviews.

Completing the structure, the Secretary of Health, Education, and Welfare would establish a national advisory council to collect and distribute data and other information—for example, comparisons of differences in norms of care in different geographic areas—which would be helpful to State and local review bodies. The national council would also report regularly to the Secretary and Congress on the overall and area-by-area effectiveness of the professional standards review program. A majority of the members of the national council would be selected from nominees of organizations representing physicians, with the balance consisting of representatives of the related services—pharmacy, dentistry, hospitals, nursing homes, and so forth.

Where a professional standards review organization finds that voluntary and educational efforts fail to correct or remedy an improper situation, it would hold a formal hearing and then transmit its recommendations to the Secretary and other professional or governmental organizations concerned. Protective appeals procedures would be afforded practitioners with respect to whom sanctions have been recommended.

Disciplinary recommendations by the Professional Standards Review Organization would be in proportion to the offense and may include:

First. Monetary penalties.

Second. Suspension from Federal programs.

Third. Exclusion from Federal programs.

Fourth. Civil or criminal prosecution.

Fifth. Movement leading to the suspension or revocation of professional licensure.

The records of the local Professional Standard Review Organization would be generally confidential.

The recommendation of the Professional Standards Review Organization would go to the Secretary through the Statewide Review Council, which would be free to offer the Secretary its own comments and advice with respect to the local organization's recommended sanction. The actual imposition of sanctions would be ordered by the Secretary, who, under the amendment in considering that order, would give great weight to the recommendations of the physician organization.

To protect conscientious members of review panels, they would not be liable for damages with respect to the discharge of their review duties, nor would an action lie against a person providing information without malice and believing it to be accurate.

The costs of establishing and operating the Professional Standards Review Organizations and the various statewide and advisory councils would be borne by the Federal Government. To the greatest extent possible, I would expect that existing computer and other resources would be utilized and that operations would be consolidated wherever feasible. However, the review activity and responsibility must in every instance rest with the Professional Standards Review Organization. In other words, Blue Cross and Blue Shield and private health insurers would not be allowed to assume the basic responsibilities for the physicians. Such organizations could be employed to provide computer and similar data to the Professional Standards Review Organization but no middlemen should do the job for professional medicine.

The professional standards review organizations would also have the potential of serving as a means of assuring professional control in health care for the nonmedicare and medicaid population. There is demonstrated capacity in such organization to moderate the rising costs of health care and to improve the quality of medical service for all Americans.

I recognize that the proposed amendments, if adopted, would effect changes in the traditional relationship of medical societies and hospitals. Under the proposal, professional standards review organizations would be quite directly concerned with hospitalization—its need, its duration, and the types and extent of services provided in the hospital. But hospitals, after all, are settings designed to enhance and improve the practice of medicine under suitable circumstances. Only physicians practice medicine. They should assume responsibility for its proper practice—wherever the location, in office, in hospital, or in home.

Again, Mr. President, I will offer this amendment within the next few weeks. Hopefully, it will be received in the spirit in which it will be offered—as a stimulus for development of an appropriate professional mechanism for assuring protection of the legitimate interests of patients, physicians, and the Government.

To that end, this bill is offered not as a definitive solution, but basically as a substantial point of departure to give all concerned an opportunity to help us work out the foundation for what I believe may well be the major step in bringing order and commonsense into what is rapidly becoming a more and more chaotic and costly situation.

With that in mind, Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article published in today's Washington Post, under the headline "Two Hospitals Raise Room Rates."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO HOSPITALS RAISE ROOM RATES

(By Stuart Auerbach)

Two Washington hospitals today will increase their room charges, signaling the start of another upward swing in the already high cost of hospital care in the area.

Georgetown University Hospital, which cares for more than 12,000 patients a year, will increase the cost of its semiprivate rooms by $5 a day—to $67.

The daily cost of semiprivate rooms at the Washington Hospital Center, the largest private health facility in the area with more than 35,000 admissions a year will go up by $7—to $62.

In addition, George Washington University Hospital officials said yesterday, they are planning to raise room rates soon by a still undetermined amount.

Georgetown, George Washington and the Hospital Center are the most influential hospitals in the area and generally set the pace for the other institutions.

The increases at those hospitals come on top of an averaging 15 per cent jump in the cost of rooms at all hospitals in the area during the past 16 months.

The total cost of hospitalization in the Washington area—including room charges—already is far above the national average, Group Hospitalization Inc., the local Blue Cross plan, reported in June.

GHI officials said this is because both salaries and the cost of living in the Washington area are among the highest in the nation.

Nationally, the American Hospital Association reported that the total cost of being in a hospital for a day averaged $67.39 last year, an increase of $7 a day. The cost of hospitalization in Washington was more than $80 a day.

The Hospital Center's increase in the price of a semi-private room amounts to 13 per cent. Private rooms also will go up—from $68 to $75 a day.

The Georgetown Hospital rate increase amounts to 8 per cent. Small private rooms will go up from $75 to $80 a day, and large private room rates will increase from $80 to $85 a day.

While George Washington Hospital has not decided by how much and when it will raise its room rates, officials announced increased prices starting today for such facilities as the operating, recovery and delivery rooms, and the nursery and for medical supplies.

All three hospitals cited rising labor costs as the prime reason for the increases. In addition, George Washington said it loses money caring for indigent patients from Washington since the city only reimburses it $38 a day—less than half its total medical costs, per patient.

Joseph Curl, Georgetown's administrator, said the increased costs of the new medical equipment also is driving up the cost of hospitalization.

Wages account for at least 60 per cent of hospital costs. But GHI officials said they have noted that cost of new equipment is taking an increasingly large percentage of a hospital's budget.

This especially is true of teaching hospitals such as Georgetown, George Washington and the Hospital Center, which like to have the most modern equipment possible to train their medical students.

A GHI survey published in June showed that the 21 largest private hospitals in the area raised their room rates by an average of 14.6 per cent between February, 1968, and February, 1969. Since then, Prince Georges County Hospital raised its rates.

The individual hospital increases ranged from 7.7 per cent to 30 per cent. Some increases for semiprivate rooms were $4 a day, but Doctors Hospital raised its charges $15.

There are no signs the cost of hospitalization will level off. The American Hospital Association says that the average daily cost in the nation probably will rise to $74.24 this year and $98.37 in 1973.

BEEF IMPORT QUOTAS

Mr. HRUSKA. Mr. President, yesterday the administration took action to invoke the provisions of the Beef Import Act of 1964, by imposing limits on import volume for the balance of 1970.

About 600 million pounds of beef was imported in the first half of this year. Indications were that the volume would be that much or more for the second half.

If that proved to be the case the "trigger point" of 1.1 billion pounds would be exceeded.

Hence, the President did impose quotas as provided by law. He then set them aside in favor of restriction of imports to a maximum of 1.140 billion pounds for the current calendar year. This level was based primarily on voluntary agreements of exporting countries. It is a voluntary restraint level.

This level is only 40 million pounds above the statutory trigger point of 1.1 billion pounds.

That trigger point consists of 998.8 million pounds basic quota—adjusted for increased consumption in the United States—plus a 10-percent override of 99.9 million pounds. This comes to a total of 1.1 billion pounds—rounded figure.

Yesterday's action also effected transfer of authority of enforcing the import law from the President to the Secretary of Agriculture. This enables the Secretary to enforce the voluntary agreements negotiated with the importing countries through the provisions of section 204 of the Agriculture Act of 1956.

Mr. President, the administration's announcement yesterday on meat imports is highly gratifying to those of us from cattle-producing States because it demonstrates the President fully understands the need for keeping a firm control over the volume of foreign meat permitted into our U.S. market.

The action puts to an end the disturbing and recurring rumors during the past few months that controls might be lifted as a gesture to foreign producing countries and those which import U.S. meat. We are very pleased to learn that, rather than adopting such a disastrous course, the administration has tightened up the entire system of import controls.

Yesterday's action, Mr. President, was taken because Secretary of Agriculture Clifford Hardin's estimate of meat imports during the first 6 months of the year show these imports have reached the level called "the trigger point," under the 1964 Beef Import Act. This is the level at which the President is authorized by law to impose quotas if he feels such action is in the national interest.

The President did impose quotas as provided by law, but he then set them aside in favor of regulation of imports to a maximum of 1.140 billion pounds for the current calendar year. This level therefore becomes a voluntary restraint level which must be observed by exporting nations, based upon voluntary agreements which they have signed.

The voluntary restraint level is 40 million pounds above the statutory trigger point. This is how the trigger point is determined:

	Million pounds
Basic quota for 1970, adjusted for consumption increase in the United States	998.8
Ten percent override	99.9
Total	1,098.7

This figure, rounded off, means that the trigger point was 1.1 billion pounds of imported meat.

Imports during the first 6 months of the year have totaled approximately 600 million pounds. The administration's action means that imports during the remainder of the calendar year must be held to a total of 540 million pounds.

There are a number of important aspects to the President's decision, and I would like to discuss them briefly, Mr. President. They are:

First. His decision to place primary enforcement authority in the hands of the Secretary of Agriculture.

Second. The decision to stop transshipments through Canada.

Third. The stability which is furnished to the cattle industry.

Fourth. The long-range benefits of this action to the consumer.

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Fifth. The benefits to our national economy.

Sixth. The courage and foresight of the President in protecting the Nation's valuable agricultural base in the face of awesome pressure from various lobbies.

As to my first point, Mr. President, the powers contained in section 204 of the Agricultural Act of 1956 have been delegated to the Secretary of Agriculture. In my opinion, this is the appropriate place for them, for he is the official who is close to the problem and understands the vast implications of the import problem upon agriculture, the consumer, and our national welfare.

My second point is one which is most welcome to those of us who have watched with concern the growing practice of Australia, New Zealand, and Ireland to transship imported meat through Canada. This is a process whereby they can bring meat into the country without having it charged against their meat import quotas, since Canada is exempt from quota restrictions.

Transshiped meat from Canada is one of the principal reasons why our quantity of meat imports has risen so alarmingly in recent months. The situation became so disturbing in March that 17 Members of this body appealed to the President to close the loophole which was successfully bypassing the quota limitations. Similarly concerned Members of the House of Representatives also voiced their unrest with the practice.

Secretary Hardin has now announced he is taking steps to place further transshipments under tight quota controls. In the future, those that do come in from the Canadian route will be charged to the quota limitations of the originating nation, as part of its allowable imports. No longer will such shipments swell the import totals without being charged to a specific importing nation.

My third point, Mr. President, is the value of these actions to the cattle industry. The actions will be good news to this industry which naturally has been concerned, in the face of rumors and doubt, for the future stability of its markets. No one in this important industry is anxious to return to the days of the early 1960's when the import situation threatened to propel the industry into a state of chaos.

In my opinion, the cattlemen will think the administration's decision yesterday is fair and equitable. They will appreciate the President's staunch support of their position that the stability of their industry is of vital concern to the consumer and the Nation. Stability is what this industry needs in order to operate at its fullest potential. And stability is not possible under a system of unrestricted imports.

My fourth point and perhaps my most important one, Mr. President, is the long-range benefits of this action to the American consumer. This is an area which has been subject to widespread misinterpretation and misunderstanding. Just a short time ago, I was asked by a newspaperman for my comment on the administration's action. I said that I would emphasize the benefits to the consumer. At that point he demonstrated that he too is a victim of the misunderstanding which has been promoted by supporters of more meat imports, for he said such an explanation would be a good trick if I could do it.

I can do it, Mr. President, if we will all take a long and close look at the operation of the cattle industry. If we can look at the situation in this way, it will be seen that yesterday's action is just as essential to the long-range well being of the consumer as it is to the cattle industry.

Over the long range, the best interest of consumers is to be found in an ample, dependable supply of quality beef produced domestically. Such a supply will not only fulfill the Nation's ever-increasing need for its favorite food, but will also have a highly beneficial impact upon our economy. When foreign beef is purchased, the funds involved are lost to the American economy.

Our cattle industry has the resources and scientific knowledge to produce a sufficient supply of cattle. It has done so in the past and can continue to do so far into the future.

To do it, however, a suitable economic climate must be created and maintained. The price structure of cattle must be reasonably favorable and stable. Otherwise the cattle industry will not find it possible to invest the vast sums of money and long periods of time needed to materially increase beef supplies.

It must be understood that it takes 3 years to produce cattle for processing. Such a cycle with a large investment involved leaves the industry especially vulnerable to shifting market conditions and price variations.

In the early part of the 1960's, imports were allowed to come in at a disastrous volume. The cattle market collapsed.

With the promise of market stability which the import limitations will furnish to the industry, however, cattle growers will feel secure in expanding their herds to meet increasing demand. And expanded herds will mean a more favorable market situation for consumers, a better supply and better prices.

Such a favorable market situation can be created only when the imports are limited so that the cattleman is assured of a stable market and can do some long-range planning to meet the market's demand.

It is not advantageous to the consumer for a nation capable of producing its own beef to become dependent on imports. Yet that is what would come about if the limitations were not enforced.

Let us consider what would happen if the quota system were abandoned and the price structure consequently changed. Cattlemen would be unwilling to risk their hard-earned investment in long-range planning predicated on an unstable and probably unrewarding market. They would produce fewer cattle.

As the domestic supply decreased, the consumer would be forced to turn increasingly to imported meat and eventually would be completely at the mercy of the importers. And I might point out that when domestic prices rise alarmingly, the critics of our system are quick to call for Government controls. But they would call in vain for controls on imported meat prices for we could not enforce them.

For those who find it difficult to look ahead in the face of consumer prices, let me remind them of a fact which has been discussed at length before this body on numerous occasions, Mr. President. That fact is that meat prices have not gone up as much as other retail items and they have not increased as much as incomes. There is no reason why they should rise as a result of the administration's action, because the supply is equal to the demand.

I might also remind my colleagues that farmers and ranchers do not process and sell meat. They produce and sell cattle. Cattle prices today are about the same as 20 years ago.

My fifth point is that this action is important to our national economy. The cattle industry is the largest and most critical segment of our agricultural industry. Although industry has changed in some ways, it is still the largest industry in the Nation when one considers the producers, the feed grain raisers, equipment makers, suppliers and others involved in the process of feeding our Nation and much of the world.

The importance of the industry was recognized by Secretary Hardin who acknowledged that yesterday's action was due in part to the special weight which was given to the importance of the cattle industry's well-being to our economy as a whole.

There is still another benefit for the Nation's economy. Given a stable market situation, our production—stimulated by unexcelled American scientific know-how—will meet and exceed the demand of American consumers. It is safe to predict that in a space of 3 to 5 years under such stable conditions, the American cattle industry will develop a significant capability for exporting prime cuts of meat. Such a capability would be a most welcome asset in the Nation's constant fight to keep our balance of international payments from rising to a more adverse level.

My last point, Mr. President, is to commend Mr. Nixon for his courage and statesmanship in withstanding an inordinate amount of pressure and propaganda from the Meat Importers' Council, meat boards of exporting nations, and some so-called consumers groups which unfortunately are often prone to be unduly influenced by immediate considerations at the expense of long-range benefits; and even from a number of officials at the local and Federal levels who have felt they had political ammunition for their own designs in the matter of meat prices and meat imports.

There is no question that a great deal of money was expended by exporters and importers in order to induce the administration to allow unlimited beef imports.

We must be grateful that the administration has looked into the future and measured accurately the importance of

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supporting the cattle industry as it did yesterday. The action taken was wise. It was also in keeping with President Nixon's pledge that he would "not turn his back" to cattlemen.

I say again how gratified I am at this action which is welcomed as a clear indication that the domestic beef industry can expand in confidence that its markets and a fair price for its product will prevail under this administration.

In my opinion, further expansion can be predicted, and a steadily increasing supply of beef at reasonable prices, on a basis satisfactory to both consumer and producer.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the following: First, a release from the Department of Agriculture announcing the new meat import program, and second, a press statement of the American National Cattlemen's Association.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

New Meat Import Program Announced

The Secretary of State and the Secretary of Agriculture have been instructed by the President to set new voluntary restraint levels on meat imports under Section 204 of the Agricultural Act of 1956.

Accordingly, Secretary of Agriculture Clifford M. Hardin announced today that 1970 imports of meat subject to the Meat Import Act are now estimated at 1,140 million pounds. The new estimate is based upon revised restraint levels for principal foreign suppliers for calendar 1970.

The President has issued a proclamation pursuant to Section 2(c) (1) of Public Law 88–482 limiting imports of certain meats—primarily beef and mutton—subject to the Act. At the same time he suspended that limitation.

The President suspended the limitation after determining that this action is required by overriding economic interest of the United States, giving special weight to the importance to the nation of the economic well-being of the domestic livestock industry.

The President also indicated that imports would not be permitted to enter without limitation during the balance of this year. The Secretary of State is readjusting the voluntary restraint program which has been negotiated with the Governments of the principal supplying countries to assure that imports of these meats will not exceed 1,140 million pounds during calendar 1970.

Secretary Hardin indicated that this action applies only to the balance of the current year and does not establish a precedent for action which may be taken in 1971.

Secretary Hardin also stated that he is today taking steps which would stop further transshipments through a third country of meat originating in Australia, New Zealand and Ireland. The transshipments of meat from Oceania have been an important factor contributing to the need for increasing the third quarterly estimate.

The Secretary also stated that authority to issue regulations limiting imports of certain meats under Section 204 of the Agricultural Act of 1956 have been delegated by the President to the Secretary of Agriculture under an Executive Order issued simultaneously with the Proclamation and suspension of quotas.

Public Law 88–482, enacted in August 1964, provides that if yearly imports of certain meats—primarily beef and mutton—are estimated to equal or exceed 110 percent of an adjusted base quota, the President is required to invoke a quota on imports of these meats. The adjusted base quota for 1970 is 998.8 million pounds. The amount of estimated imports which would trigger its imposition is 110 percent of the adjusted base quota of 1,098.7 million pounds.

Imports of meat by months from January 1967 through May 1970 were as follows:

IMPORTS OF MEAT SUBJECT TO PUBLIC LAW 88–482 BY MONTHS

[In millions of pounds]

Month	1967	1968	1969[1]	1970[1]
January	77.4	80.7	41.9	124.5
February	58.5	72.6	50.4	100.7
March	61.9	64.1	136.1	112.0
April	58.8	78.3	90.0	88.7
May	51.5	56.1	80.5	62.0
June	69.6	105.1	85.7	----------
July	88.7	86.4	107.1	----------
August	92.2	108.6	141.8	----------
September	89.7	115.5	121.4	----------
October	91.8	102.1	108.3	----------
November	82.3	95.8	51.4	----------
December	72.4	35.6	69.4	----------
Total	894.9	1,001.0	1,084.1	----------

[1] Rejections which occur after entry is made are included in the published census figures and amounted to 13,500,000 pounds during 1969.

Import Announcement Is Favorable, Cattle Industry Spokesmen Say

WASHINGTON, D.C., June 30.—"The joint announcement on beef imports by President Nixon and Agriculture Secretary Hardin relieves a great deal of pressure on the beef cattle industry," W. D. Farr, President of the American National Cattlemen's Association said today.

The cattle industry leader and ANCA's Executive Vice President C. W. McMillan said, "Today's action proves there is no truth to rumors that beef imports would far exceed the meat import 'trigger' point. The President's action will result in only 40 million pounds of beef above the 'trigger' level to enter the U.S. in 1970."

Commenting on other features of the beef import program, they said: "The Canadian-U.S. border has been closed for the transshipment of beef from foreign countries. This move, long advocated by ANCA, will stop the weekly flow of an estimated one million pounds of imported beef from entering the United States from outside the voluntary agreements.

"Another extremely important section of the statement," they said, "transfers the authority of enforcing the import law from the President to the Secretary of Agriculture. This action will enable the Agriculture Department to enforce the voluntary agreements negotiated with the importing countries through the provisions of Section 204 of the Agriculture Act of 1956."

The two beef cattle industry leaders deplored the pressure that had been placed on the White House by U.S. importers and foreign nations. They cited the huge quantities of money that have been expanded by exporters and importers to "lobby" for unlimited beef imports.

The ANCA executives said, "The small increase of 40 million pounds above the trigger point of 1.1 billion pounds protects our domestic beef cattle industry and will allow it to grow in a healthy and orderly fashion. Today's announcement goes a long way toward insuring that U.S. cattlemen will be able to supply beef to American consumers without their having to depend so heavily on foreign beef imports."

The move also serves notice that ANCA will continue to work tirelessly with Secretary Hardin and his staff on the close policing of imports for the remainder of 1970.

"Also, this Administration action does not establish a precedent for future years. However, it does point up the need for amendments to tighten up some loopholes existing in the present Meat Import Act of 1964," the ANCA officials concluded.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. I want to aline myself, if the Senator will allow me, with what he has just said about the recent order issued by the administration and the change in administrative control which has brought a greater degree of stability to the stock growers than has existed heretofore. I believe that a good deal of worry and apprehension has been erased, certainly alleviated.

May I say to the distinguished Senator from Nebraska, a leader, if not the leader in this particular area of the Nation's economy, that one matter which has impressed me deeply since his speech on this subject of some weeks ago—a statement I might say that was tremendously received in Montana—was his assertion that stock growers and cattlemen do not sell beef, they sell cattle. While some people may equate them, there is a fine line of demarcation between the price paid for cattle on the hoof and meat at the marketplace.

I am happy to say to my good friend from Nebraska that in connection with this matter I have just had discussions with the chairman of the Committee on Agriculture and Forestry, the distinguished Senator from Louisiana (Mr. ELLENDER), and the ranking minority member, the distinguished Senator from Vermont (Mr. AIKEN). Both of them are well informed about the attempt some of us are making to bring about a better system for the inspection of imported meats, for the upgrading of sanitary standards and for reviewing the whole matter of bringing imported frozen beef and veal up to the same sanitary and hygienic health level as American beef. I understand that on that bill, hearings will begin on the 16th or 17th of this month and, hopefully, we will be successful. I see no reason why we should not be, because the bill intends only to assure that imported meats should be given the same kind of scrutiny and inspection as are meats produced domestically. I do not see how anyone can find fault with that objective. I cannot conceive of any argument against it.

I want to thank the distinguished Senator from Nebraska for once again taking the lead in this field. He has done it, as always, with perspicacity and understanding and a high knowledge of the needs of the stock growers of the Nation.

Mr. HRUSKA. I thank the Senator from Montana for his kind remarks.

Mr. MAGNUSON. Mr. President, I join the Senator from Montana. This is a great step forward in our whole relations with other countries on importation, and stopping the practice which has really been hurting us, that of transshipment through Canada.

I think the President made a good decision in this case.

Mr. HRUSKA. Mr. President, I thank the Senator from Washington.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. DOLE. Mr. President, I associate myself with the remarks of the Senator from Nebraska and also with the statement made by the Senator from Montana and the Senator from Washington.

I can say that the cattle industry in the great State of Kansas is greatly heartened by the action taken yesterday both by President Nixon and by Secretary of Agriculture Hardin.

Mr. President, yesterday President Nixon and Secretary of Agriculture, Clifford Hardin, announced changes in the meat-import program for the remainder of this calendar year. The President's decision to invoke import quotas and then adjust upward the restraint levels on meat imports demonstrated considerable wisdom. I am certain the discussion that many of us engaged in on this subject 2 weeks ago was considered in the President's action.

Since nations participating in voluntary restraint levels had been exceeding these levels during the first 6 months of this year, President Nixon invoked the meat-import quotas as provided by Public Law 88–482. Then, due to the increased demand for this "processing" beef, he suspended the quotas. He followed this action by delegating his authority to regulate these imports to Secretary of Agriculture Hardin and announced the Secretary of State is readjusting the voluntary restraint program with the principal supplying countries to assure that meat imports will not exceed 1,140 million pounds during calendar 1970.

Secretary of Agriculture Hardin then announced this action should not be construed to establish a precedent for next year. In addition, he is taking steps to stop the transshipments of Australian and New Zealand meat through Canada.

The cooperative action of the President and the Departments of Agriculture and State indicate the understanding the Nixon administration has of the consumer need for assuring adequate supplies of the "hamburger" grade of beef—which is the primary use of imported beef—while providing the stability our beef industry receives through these restraint levels.

Mr. HRUSKA. Mr. President, I yield the floor.

Mr. TOWER. Mr. President, yesterday's action by the administration to impose restrictions on meat imports is applauded, I am sure, by all those who understand the serious threat which unlimited imports would cause for the stability of our agricultural economy.

It is clear that the President felt—in the words of the 1964 Beef Import Act:

> Such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the nation of the economic well-being of the domestic livestock industry.

It should be made plain to our colleagues that this law is not in any sense of the word a "protectionist" measure. It is not an embargo; it is not a prohibition of imports; it is not intended to shut anyone out.

It is intended to regulate imports so they will not have a detrimental effect on our domestic livestock industry and on the consumer.

In the words of former Secretary of Agriculture Orville Freeman, in a 1968 statement endorsing what he called orderly trading in the international arena:

> Orderly trading calls for reasonable protection of our agriculture—not protectionism. There's a big difference. Reasonable protection allows trade to flow. It permits comparative advantage to function with relative freedom for the good of all. Protectionism, by completely shielding inefficient producers from competition, stifles trade.

Secretary Freeman then went on to say:

> The U.S. beef quota law illustrates what I mean by reasonable protection.

The day is past, Mr. President, when anyone would hope to protect any U.S. industry from any form of international competition. The world has grown too small for such an attitude. We all recognize that trade and commerce between nations is one of the principal weapons by which we will ultimately bring about a broader understanding among peoples of the world and hopefully an eventual peace throughout the world.

We expect to export goods to other nations, and we must buy from them as well. But we cannot desert our own suppliers and eventually the consumers as well by allowing imports to destroy their markets completely.

There is no question that this would be the result if unlimited imports were allowed.

The Beef Import Act of 1964, of which my friend, the senior Senator from Nebraska (Mr. HRUSKA) is the author, is designed to furnish a basic element of protection to the American livestock industry without being protectionist in nature. The act is geared to a growing market each year, and it allows imports to grow as the market grows. It establishes imports at a maximum of approximately 6.7 percent of domestic production. So foreign producers will always keep their share of the market if they want it.

We welcome this action by the President who has put into practice the principle upon which the Meat Import Act was based.

ORDER OF BUSINESS—PRO FORMA MEETING OF SENATE TOMORROW

Mr. MANSFIELD. Mr. President, when the Senate completes its business today, it will stand in adjournment until the hour of 9 o'clock tomorrow. There is already a unanimous-consent agreement on that as I recall.

For the information of the Senate, I state that the Senate meeting tomorrow will only be a pro forma meeting. There will be no speeches and no business except the falling of the gavel.

ORDER FOR ADJOURNMENT FROM THURSDAY, JULY 2, 1970, TO 12 NOON ON MONDAY, JULY 6, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate meets tomorrow—which should be for about 30 seconds—the Senate immediately stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS — UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the conference report on the District of Columbia appropriation bill has been disposed of, the Senate turn to the consideration of Calendar No. 963, H.R. 17548, and that it be laid before the Senate and made the pending business at that time, so that it becomes the pending business on Monday morning next after the morning business is concluded.

The PRESIDING OFFICER (Mr. SCHWEIKER). Without objection, it is so ordered.

CONSUMER PRODUCTS WARRANTY AND GUARANTY ACT

The Senate resumed the consideration of the bill (S. 3074) to provide minimum standards for guaranties covering consumer products which have electrical, mechanical, or thermal components, and for other purposes.

Mr. MAGNUSON. Mr. President, the consumer products warranty and guaranty bill requires a supplier of a consumer product or service who decides to warranty or guaranty his product against defect or malfunction to follow certain guidelines. In the first place, the warrantor must clearly and conspicuously disclose the contents of his warranties and guaranties. The Federal Trade Commission is authorized to promulgate rules prescribing what constitutes clear and conspicuous disclosure. In addition, a written warranty or guaranty or consumer products must be designated either a "full" or "partial" warranty. Finally, in order to designate a warranty a "full" warranty, the warrantor must assume certain duties; namely, the duties to repair—or replace if repair is not possible or cannot be timely made—any malfunctioning or defective guaranteed consumer product, within a reasonable time and without charge.

There is no requirement that any supplier of a consumer product give a warranty or guaranty. The disclosure and labeling requirements apply only to written warranties against defect or malfunction of consumer products. Determination of whether a supplier has given a warranty will be made in accordance with existing provisions of the Uniform Commercial Code which is State law in 49 of 50 States. If an express warranty is given, the warrantor cannot disclaim implied warranties.

The consumer products warranty and guaranty bill creates certain remedies. If a warrantor of a consumer product gives a deceptive warranty the Attorney General may enjoin the warrantor's action. If a warrantor fails to comply with rules prescribing what constitutes clear and conspicuous disclosure, the Federal Trade Commission may issue a cease-and-desist order. If a warrantor breaches a warranty obligation, the purchaser who is affected by that breach may pursue his existing legal remedies in any court of competent jurisdiction. If he is successful in prosecuting his suit, the consumer can be awarded costs and reasonable attorney fees. This bill does not authorize the bringing of class actions except to the extent they are presently permitted by law in the several States or in Federal districts courts where existing jurisdictional prerequisites can be met.

Mr. President, that is the substance of the bill. It was subjected to long hearings in the Commerce Committee. And, with rare exceptions, the committee was unanimous, I think, upon the objective and goal of the bill.

Several amendments have been suggested. The distinguished Senator from New Hampshire (Mr. COTTON) has an amendment to the bill. He is the ranking minority member of the Commerce Committee. That amendment was discussed somewhat. However, I do not think it was discussed at any great length in the committee.

Mr. COTTON. Rather briefly, I believe.

Mr. MAGNUSON. Mr. President, I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I am rather unhappy because of the fact that we had a number of Senators on the floor during the debate on the last bill and at the time the last vote was had. Since then, they have gone.

I had planned to suggest that on the amendment I am about to call up, I would be happy to agree to a time limitation of 15 minutes to a side, perhaps, and then content myself with a voice vote or a division.

Unfortunately, however, we are in a situation in which we frequently find ourselves with respect to the explanation of an amendment having been given before the Senators return to the floor for a vote. It does not do much good to discuss the amendment, except that Senators may briefly read about it later.

I may feel compelled to seek a rollcall vote, although I hope that I will not have to.

AMENDMENT NO. 717

Mr. COTTON. Mr. President, I call up my amendment No. 717 and ask unanimous consent that reading of the amendment be dispensed with and that I be allowed to explain the amendment.

The **PRESIDING OFFICER.** Without objection, the Senator's amendment will be printed in the RECORD without being read.

The amendment, ordered to be printed in the RECORD, reads as follows:

S. 3074

Beginning with line 3, page 10, strike out all to and including line 5, page 10, and insert in lieu thereof the following:

"(1) A 'consumer product' is one containing electrical, mechanical, or thermal components which is normally used for personal, family, or household purposes."

On page 10, between lines 5 and 6, insert the following:

"(2) An 'electrical component' is one with an assemblage of parts which conducts a flow of electrical energy from one point to another in a predetermined manner in order to perform an intended function.

"(3) A 'mechanical component' is one with an assemblage of parts which transmits mechanical forces or energy from one point to another in a predetermined manner in order to perform an intended function.

"(4) A 'thermal component' is one with an assemblage of parts which conducts heat energy from one point to another in a predetermined manner in order to perform an intended function.

"(5) 'Malfunction' or 'malfunctioning' of a consumer product or any components thereof refers to a product or component in which the assemblage of parts is not properly transmitting mechanical, electrical, or thermal forces in a predetermined manner, and, therefore, not performing its intended function.

"(6) 'Defect' or 'defective' refers to a malfunctioning product or component of a consumer product containing electrical, mechanical or thermal components or any imperfection in such a product or any component thereof which renders such product unserviceable for normal use in the performance of its intended function."

On page 10, line 6, strike out "(2)", and insert in lieu thereof "(7)".

On page 11, line 3, strike out "(3)", and insert in lieu thereof "(8)".

On page 11, line 8, strike out "(4)", and insert in lieu thereof "(9)".

On page 11, line 13, strike out "(5)", and insert in lieu thereof "(10)".

On page 11, line 16, strike out "(6)", and insert in lieu thereof "(11)".

On page 11, line 23, strike out "(7)", and insert in lieu thereof "(12)".

On page 12, line 3, strike out "(8)", and insert in lieu thereof "(13)".

On page 12, line 6, strike out "(9)", and insert in lieu thereof "(14)".

On page 12, line 24, strike out "(actually costing more than $5)".

On page 15, line 14, strike out "(actually costing more than $5)".

On page 18, line 3, strike out "(actually costing more than $5)".

On page 19, lines 8 and 9, strike out "(actually costing more than $5)".

Mr. COTTON. Mr. President, I can explain the amendment very quickly and briefly. The bill incidentally, may I say, is a good bill and I think it has the support of the committee and it deserves the support of the Senate. However, the bill when it was introduced in dealing with warranties only dealt with express warranties on electrical, mechanical, and thermal devices.

The hearings that were held were held on the original bill and the evidence presented was presented with this particular limitation in mind.

Subsequently, the bill that was finally laid before the committee, having been worked on by the staff—and I am sure it was skillfully worked on, because the staff has many good ideas—was expanded to cover the whole array of commodities and products. It was no longer confined to electrical, mechanical, and thermal devices, but it took in everything from paint to oatmeal, if the oatmeal were purchased in quantities costing more than $5. Anything under $5 was not covered by the bill.

Now, Mr. President, my amendment would simply do two things. First, it would restrict the application of the bill to the subject which it originally covered and upon which the hearings were held. Second, it would take away the $5 limitation and it would make the bill apply to all products having thermal, mechanical or electrical components regardless of the price of such product.

I think the first part of my amendment is justified for a number of reasons. Although this is not the main reason, those affected or who might be affected by the bill had no opportunity to be heard in regard to the multitude of products other than those containing thermal, mechanical or electrical components. Manufacturers of such products were given no opportunity to study or testify regarding the effects of it.

More important than that, this bill reflects a tendency, which I have seen grow more and more lately, to expand bills until they cover such a wide area that it becomes difficult, if not impossible, to have a reasonable degree of enforcement. When we put into effect a new bill it sets standards and requires enforcement. It is not a bad thing; in fact, it is a very good thing to begin with the most essential field and let experience indicate what should be added to the measure. It is much easier to expand a law than it is to contract a law. In fact, I can think of very few instances when a law on the statute books is ever contracted, even if it goes too far.

What brought this bill about, the complaints that caused it, the conditions that made it necessary—primarily had to do with products such as vacuum cleaners, air conditioners, electric mixers—a whole multitude of products having mechanical, thermal, and electrical components. That was the area of products the bill was originally intended to cover with respect to the second part of my amendment. I do not like a dollar limit because any such limit is of necessity arbitrary. The administration desired a $25 limit. I think the $5 limit is to be preferred to that; but any dollar limit that is placed on the applicability of the bill would make holes in it. In dealing with less expensive products, such as electrical mixers or toasters, all that the seller has to do under the bill is sell them for $4.98 instead of $5 and he is out free so far as the statute is concerned.

Mr. President, I entertained the earnest hope, first, that my amendment might be accepted; but the chairman of the committee has indicated to me he is not free to accept it. It is my earnest hope that we can bring the focus of this bill back to the target area which it was originally intended to cover. As amended by my amendment the bill would be subject to more effective enforcement in the light of experience under the bill so we can prudently and carefully expand it into such fields as may require legislation and which lend themselves to practical enforcement of such legislation.

Mr. President, I could talk all afternoon and I could not cover my amendment any more fully. I am glad to yield to other Senators at this point.

(At this point Mr. SCHWEIKER assumed the chair.)

Mr. MAGNUSON. Mr. President, I shall yield to the Senator from Utah

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(Mr. Moss) in just a minute, but first I wish to respond to the Senator from New Hampshire.

I think the Senator from New Hampshire does make a point about the fact that the original bill, as introduced, was much more limited. I had a tendency to agree with him; in the beginning we were thinking about the mechanical devices and the things he talked about.

However, I think we always considered the bill to be a kind of working document for this broad field. My mind was changed a little by witnesses at the hearings who pointed out how difficult it would be to determine whether a product had thermal, electrical, or mechanical components.

For example, the automobile tire was one example used that might be considered mechanical to the extent its cords transmit from one point to the other. They pointed out the difficulty which the Senator from New Hampshire mentioned in regard to many of these items. I did find if we directed it only to the guarantee on the product, that for electrical, mechanical, and thermal devices we would have exempted a great number of items I think should be covered, as did the committee. I refer to automobile tires, household goods, wearing apparel, to name a few.

The reason I could not accept that condition is that the bill does not require a warranty at all and it is only when a person wants to require a warranty. The answer is that if they decided to get into the warranty game there would be restrictions for all of them. I am perfectly willing to accept the $5 limitation, if the Senator wants to leave that out. I do not know that fixing a figure on all this means too much, any way, if they are going to guarantee something, whether it be $4.99 or $49.99.

This is the reason I finally got around to the bill as it is now written. There is no implied warranty, as such, in the bill. It is implied in the marketplace, but no one has to make a warranty unless he wishes.

Mr. COTTON. Mr. President, I know the Senator wishes to yield to the Senator from Utah, but will he yield to me for just a moment on that point? I apologize for taking the Senator's time.

Mr. MAGNUSON. I yield.

Mr. COTTON. In the first place, the bill does, as I understand it, effect implied warranties against malfunction.

Mr. MAGNUSON. That is the situation now, without a law.

Mr. COTTON. Take, for instance, the illustration that the Senator has raised about automobile tires. As far as I am concerned, it is hard for the Senator from New Hampshire to conceive how an automobile tire could be called a mechanical, electrical, or thermal device; but an automobile tire is already covered with regard to safety related defects in another statute.

On the matter of its wear, imagine the difficulty of enforcing any kind of requirement about how many thousand miles a tire is good for, because it depends on how fast the car is driven, it depends on whether there is a wobbly wheel that causes the tire to wear out, it depends on many factors over which the manufacturer has no control. As I have said, the matter of defects, and dangerous defects, has already been covered by another statute, just as we have covered many other fields.

I do not care to settle for $5. My price is higher than that. I think it is impractical when it covers all outdoors and it can be expanded. I think that is far more important than the $5 illustration.

Mr. MAGNUSON. The reference to automobile tires may have been an unfortunate one, but it illustrates the difficulties. I pointed out in the hearings that we do have hearings on that subject, but other matters were involved. An implied warranty exists under State law today. If something does not work and someone has paid something for it, he has a cause of action unless the implied warranty has been disclaimed. I think this bill might strengthen such an implied warranty by not permitting a disclaimer.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. JORDAN of North Carolina. As I understand it, this bill does not apply to anybody with respect to an electric toaster or iron, for example, if the maker does not claim to do anything.

Mr. MAGNUSON. Yes, that is correct.

Mr. JORDAN of North Carolina. Unless he puts a warranty on the product, he does not come under the law. Is that correct?

Mr. MAGNUSON. Yes, and he does not have to place a warranty on it.

Mr. JORDAN of North Carolina. When I was a boy I used to work in a jewelry store. Often there was a guarantee of 10 years on a gold case. Another one came along with a 20-year guarantee. He said it did not cost him any more to stamp "20" than it did to stamp "10." This is intended to stop that sort of thing.

Mr. MAGNUSON. I do not think any of us would suggest that when a reliable manufacturer—which the great majority of our business people are—makes a guarantee, he does not mean what he says, but there has been a complete lack of liaison between Mrs. Smith when she buys something and the one who makes it. This has been a legitimate cause of complaint. The warranty usually says, "Pack it up and ship it back to the manufacturer and we will take care of it," but most of the warranties say they do not have to pay the labor cost, but just replace the defective parts. So it does not get shipped back. The retailer says, "It is not my fault. I cannot examine a device." He says, "Here is the manufacturer's guarantee."

So here is a bill that is long overdue.

I will say to the Senator from North Carolina, since all of us have been talking about this for a long time, that the marketplace is getting very complex and complicated, but manufacturers have done much voluntarily in this field about saying to a dealer or retailer in an area, "Go ahead and fix Mrs. Smith's vacuum cleaner, and we will deal with you later if it is obviously or patently defective." Particularly in household appliances much has been done. This proposal strengthens the whole area. I do not think the bill will affect the good, legitimate manufacturers in this country. They do not have to put a warranty on their products if they do not want to.

Mr. JORDAN of North Carolina. Mr. President, I am certain that no manufacturer who expects to stay in business will ever put his name on anything he manufactures that will not hold up and stand up in return for the money paid for it. One of the big troubles is that a consumer does not take proper care of a product. He merely says, "It is no good." He jerks the socket out of the wall when he pulls it out, and he does not do the proper thing.

Mr. MAGNUSON. Or read the instructions.

Mr. JORDAN of North Carolina. Or read the instructions.

Mr. MAGNUSON. If he can read them. He cannot read some instructions.

Mr. MOSS. Mr. President, I appreciate the presentation of the amendment by the senior Senator from New Hampshire, the ranking minority member on the committee, which deals with a matter which was discussed at some length in the committee. The chairman of the committee has dealt with this matter rather well in the colloquy that has taken place.

I do not intend to add anything more to it except to reinforce what has already been pointed out. The reference to mechanical, electrical, or thermal is so limiting that it leaves out many products that were mentioned. Tires were discussed. In addition, there are such products as household furniture, carpets, bedding, certain sporting goods, luggage, wearing apparel, paints, and such articles as that.

It has also been pointed out that a warranty is something that a manufacturer or retailer wants to put on a product as a selling tool. What we are saying is that if he uses it as a selling tool by saying he is going to guarantee or warranty a product, then he must meet certain requirements and cannot use it as an escape clause.

I agree with the chairman that the striking out of the cost amount of $5 is a worthy change, but I think the other parts of the amendment really go to the heart of the bill which was finally worked out in committee and reported to the Senate.

I, therefore, would like to propose an amendment to the amendment of the Senator from New Hampshire (Mr. COTTON), No. 717. I propose, as an amendment to the amendment, striking out lines 1 to 9 on page 1, lines 1 to 25 on page 2, and lines 1 to 14 on page 3. That amendment would leave in the amendment only the part doing away with the $5 floor that has been placed in the bill. I believe it would improve the bill we have, but would leave it in the broad context of guaranteeing what a manufacturer or seller wanted to put on his guarantee or warranty as a selling tool.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Utah to the amendment of the Senator from New Hampshire.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Utah proposes an amendment to the Cotton amendment to strike out everything beginning with line 1 on page 1 down to and including line 14 on page 3.

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The language proposed to be stricken is as follows:

Beginning with line 3, page 10, strike out all to and including line 5, page 10, and insert in lieu thereof the following:

"(1) A 'consumer product' is one containing electrical, mechanical, or thermal components which is normally used for personal, family, or household purposes."

On page 10, between lines 5 and 6, insert the following:

"(2) An 'electrical component' is one with an assemblage of parts which conducts a flow of electrical energy from one point to another in a predetermined manner in order to perform an intended function.

"(3) A 'mechanical component' is one with an assemblage of parts which transmits mechanical forces or energy from one point to another in a predetermined manner in order to perform an intended function.

"(4) A 'thermal component' is one with an assemblage of parts which conducts heat energy from one point to another in a predetermined manner in order to perform an intended function.

"(5) 'Malfunction' or 'malfunctioning' of a consumer product or any components thereof refers to a product or component in which the assemblage of parts is not properly transmitting mechanical, electrical, or thermal forces in a predetermined manner, and therefore, not performing its intended function.

"(6) 'Defect' or 'defective' refers to a malfunctioning product or component of a consumer product containing electrical, mechanical or thermal components or any imperfection in such a product or any component thereof which renders such product unserviceable for normal use in the performance of its intended function."

On page 10, line 6, strike out "(2)", and insert in lieu thereof "(7)".

On page 11, line 3, strike out "(3)", and insert in lieu thereof "(8)".

On page 11, line 8, strike out "(4)", and insert in lieu thereof "(9)".

On page 11, line 13, strike out "(5)", and insert in lieu thereof "(10)".

On page 11, line 16, strike out "(6)", and insert in lieu thereof "(11)".

On page 11, line 23, strike out "(7)", and insert in lieu thereof "(12)".

On page 12, line 3, strike out "(8)", and insert in lieu thereof "(13)".

On page 12, line 6, strike out "(9)", and insert in lieu thereof "(14)".

Mr. MOSS. Mr. President, I think that is all I have to say about the amendment. I think the argument has pretty well covered what the substance of it is. Therefore, I ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah (Mr. Moss) to the amendment of the Senator from New Hampshire (Mr. Cotton).

Mr. JORDAN of North Carolina. Mr. President, what does the Senator's amendment do, beyond what is already in the Cotton amendment?

Mr. MOSS. My amendment strikes all of the Cotton amendment, save the part about the $5 floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment (putting the question).

The "yeas" appear to have it.

Mr. COTTON. Mr. President, I am obliged to ask for the yeas and nays.

The PRESIDING OFFICER. All of those in favor——

Mr. COTTON. No, I request a rollcall vote.

The PRESIDING OFFICER. There is not a sufficient second.

Mr. PEARSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. Schweiker). The question is on agreeing to the amendment of the Senator from Utah (Mr. Moss) to the amendment of the Senator from New Hampshire (Mr. Cotton). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Louisiana (Mr. Ellender), the Senator from Arkansas (Mr. Fulbright), the Senator from Tennessee (Mr. Gore), the Senator from Hawaii (Mr. Inouye), the Senator from Minnesota (Mr. McCarthy), the Senator from Wisconsin (Mr. Nelsen), the Senator from Rhode Island (Mr. Pastore), the Senator from Connecticut (Mr. Ribicoff), the Senator from Georgia (Mr. Russell), the Senator from Alabama (Mr. Sparkman), and the Senator from Texas (Mr. Yarborough) are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Mr. Ellender), the Senator from Rhode Island (Mr. Pastore), and the Senator from Connecticut (Mr. Ribicoff) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Allott), the Senators from Arizona (Mr. Fannin and Mr. Goldwater), the Senator from Hawaii (Mr. Fong), the Senator from New York (Mr. Goodell), the Senator from Michigan (Mr. Griffin), the Senator from Vermont (Mr. Prouty) and the Senator from Illinois (Mr. Smith) are necessarily absent.

The Senator from New York (Mr. Javits) and the Senator from Illinois (Mr. Percy) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from Delaware (Mr. Boggs) is detained on official business.

If present and voting, the Senator from Illinois (Mr. Percy) would vote "yea."

On this vote, the Senator from New York (Mr. Goodell) is paired with the Senator from South Dakota (Mr. Mundt). If present and voting, the Senator from New York would vote "yea" and the Senator from South Dakota would vote "nay."

On this vote, the Senator from New York (Mr. Javits) is paired with the Senator from Delaware (Mr. Boggs). If present and voting, the Senator from New York would vote "yea" and the Senator from Delaware would vote "nay."

On this vote, the Senator from Illinois (Mr. Smith) is paired with the Senator from Colorado (Mr. Allott). If present and voting, the Senator from Illinois would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 44, nays 30, as follows:

[No. 209 Leg.]

YEAS—44

Aiken
Bayh
Bible
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cranston
Eagleton
Gravel
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hughes
Jackson
Kennedy
Long
Magnuson
Mansfield
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Packwood
Pell
Proxmire
Randolph
Schweiker
Spong
Symington
Talmadge
Tydings
Williams, N.J
Young, Ohio

NAYS—30

Allen
Baker
Bellmon
Bennett
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Ervin
Gurney
Hansen
Hruska
Jordan, N.C.
Jordan, Idaho
Mathias
McClellan
Miller
Murphy
Pearson
Saxbe
Scott
Smith, Maine
Stennis
Stevens
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—26

Allott
Anderson
Boggs
Dodd
Eastland
Ellender
Fannin
Fong
Fulbright
Goldwater
Goodell
Gore
Griffin
Inouye
Javits
McCarthy
Mundt
Nelson
Pastore
Percy
Prouty
Ribicoff
Russell
Smith, Ill.
Sparkman
Yarborough

So Mr. Moss' amendment to Mr. Cotton's amendment was agreed to.

The PRESIDING OFFICER (Mr. Schweiker). The question now recurs on the amendment of the Senator from New Hampshire as amended.

Mr. COTTON. Mr. President, let me simply say that the Moss alteration of the Cotton amendment makes it worse than useless, completely ineffective, and would result in a worse bill than we have without any amendment.

I am perfectly content to take a voice vote on the amendment as amended, and I hope that the Cotton amendment as amended will be rejected.

The PRESIDING OFFICER (Mr. Schweiker). The question is on agreeing to the Cotton amendment as amended.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. BAKER. Is a vote about to be taken by the Senate on the Cotton amendment as amended?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. Would a further amendment to the Cotton amendment as amended be in order at this time?

The PRESIDING OFFICER. The part that remains could still be amended, yes.

Mr. BAKER. I thank the Chair.

The PRESIDING OFFICER. The question now recurs on agreeing to the Cotton amendment as amended.

Mr. PEARSON. Mr. President, in light of the statement of the ranking minority member of the Committee on Commerce, I now move to table the Cotton amend-

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ment as amended by the distinguished Senator from Utah (Mr. Moss).

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Cotton amendment as amended.

The motion to table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BAKER. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. Intended to be proposed by Mr. BAKER to S. 3074, a bill to provide minimum standards for guaranties covering consumer products which have electrical, mechanical, or thermal components, and for other purposes:

> On page 10, line 4, immediately after the word "purposes", insert the words "which actually costs the purchaser more than $25.00".
>
> On page 12, line 24, strike out "(actually costing more than $5)".
>
> On page 15, line 14, strike out "(actually costing more than $5)".
>
> On page 18, line 3, strike out "(actually costing more than $5)".
>
> On page 19, lines 8 and 9, strike out "(actually costing more than $5)".

Mr. BAKER. Mr. President, the purpose of the amendment is parallel to the Moss amendment to the extent that it would eliminate the $5 provisions from the bill. It would insert in the definition section on page 10, line 4, after the word "purposes" the following language: "which actually costs the purchaser more than $25."

Thus, on page 10 of the committee bill, section 2, under the title definitions, subparagraph (1), would read as follows:

> A consumer product is one normally used for personal, family, or household purposes which actually costs the purchaser more than $25 but does not include real property or securities.

The remainder of the amendment is for the purpose of striking the $5 limitation in other portions of the act. The net effect is to provide that the $5 sections will be eliminated as attempted by the Moss amendment to the Cotton amendment and then to substitute the overall provision in the definition section to make it applicable only to items that cost $25 or more.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MOSS. Mr. President, as I understand the Baker amendment, it now would limit the effect of the bill only to products costing $25 or more. The Cotton amendment which had been modified and then was defeated, of course, had the purpose of striking out even the $5 limitation. The bill itself carries products of only $5 or more. The Senator from New Hampshire (Mr. COTTON) wanted to strike that out of this. He and the chairman, in their colloquy, both agreed here in their discussion, that we should not even have in the $5 limitation, that it should apply to any product on which the seller or the manufacturer or the retailer chose to put a warranty or a guarantee. If he chose to do that as a tool, he stood behind that, whether it cost $4.99 or $23.78—or whatever. But to move the dollar limit to $25 would defeat the basic purpose of the bill, which is to say that if we are going to have a warranty or a guarantee it must mean what it says, that the manufacturer or the seller must stand behind his warranty or guarantee. He is not required to give one, but if he does give one, it should mean something and it should mean something whether the price is $3 or $5. Certainly we should not exclude everything below $25.

That would exclude so many of the products on which there are abuses and at which the bill is directed, such as toasters, small appliances, radios—so many other things would be excluded, if we place a $25 limitation on it.

Mr. COTTON. Mr. President, what the Senator has said in quoting me is fully correct. However, let me make the situation clear since many of the Senators now present were not in the Chamber during the previous discussion.

The original bill was confined to electrical, mechanical, and thermal devices. That was the bill upon which we held hearings. However, the bill as voted out of the committee and reported to the Senate was expanded to include all kinds of products. We can easily see how much, when they find it necessary to exclude real estate and securities. There is nothing under the sun, from automobile tires to paint, to breakfast foods, to soap powders, to anything else, that it does not apply to.

The point I made earlier was that the bill with such a broad scope is utterly unenforceable. If, on the other hand, we had put it back to electrical, mechanical, and thermal devices as I suggested, then, if it became necessary and advisable or practicable, we could easily have expanded its coverage to take in other products based upon demonstrated need. I also proposed to include the removal of the $5 limitation, because if selling an electric toaster, for example, it could be sold for $4.98, and thereby avoid coming within the scope of the bill.

My amendment, however, has been amended and now tabled. Now we go back to the situation where we include in the bill every consumer product on earth except real estate and securities. As a result, it would not be possible or practicable to enforce effectively. We would have to call out the National Guard, the standing army, and bring the boys back home from Vietnam, in order to be able to enforce such an all-encompassing and far-reaching bill.

In view of the fact that we have opened up the gates this wide, then we must resort to some cost limitation to insure reasonable enforcement.

For that reason, although reluctantly, because I do not like the price limitation, we should increase the dollar amount.

The bill as now amended, passed would be utterly ineffectual. Therefore, I am compelled because of the practicalities of the situation—my amendment having failed—to support the amendment offered by the Senator from Tennessee.

Mr. MOSS. Mr. President, the Senator talks about opening the matter up so widely as to apply it to 10-cent store articles.

We have to remember that we are referring to articles on which the manufacturers or sellers have made warranties or guarantees. I do not recall going into 5- and 10-cent stores and seeing everything on the shelves with guarantees on them.

If I go into a shop, however, to buy a toaster or a piece of furniture or something of that sort and the seller says to me, "We will give you a warranty if you buy the article"—the article might cost; perhaps, only $24.95—I rely on that warranty or guarantee. I take the product home, and if I find it is not living up to the guarantee or does not meet with the standards prescribed and if the Baker amendment should pass, I would have no recourse at all, because the $25 limitation had been imposed.

Saying that we are opening this up to everything in the world—real estate or securities or something of that nature—does not represent the nature of the matter with which we are dealing.

We are talking about articles on which a warranty or guarantee is given as a sales tool.

Mr. BAKER. Mr. President, the distinguished Senator is correct when he says that he would not have this statute available as a remedy if my amendment is agreed to when the article costs $25 or less.

He is in error, however, when he says that he would have no other remedies in that respect. We have an unfortunate tendency in the Congress to think that the Federal Government is the only government that has or ought to legislate. It seems to me that some general concern should be expressed for the existence of the Uniform Commercial Code in effect in the several States.

The items we are concerned with here, warranties, guarantees, or a requirement for redress in the case of a breach of warranty, are all covered by State statutes.

We are dealing with Federal legislation to standardize the nature of warranties and guarantees and with the applicability of implied warranties.

We can talk about substantive rights at the Federal level. But let us not confuse it with the fact that we are not the only body that legislates in this field, nor should we be, in my judgment.

I do not think we ought to let the entire marketplace of the United States fall directly under the scope and the purview of Congress. I do not believe that we ought to rely on the Congress to that extent.

I think we should have a bill such as the bill which is now pending to regulate the use of warranties and guarantees.

We should take this action. But we should not conceive that we are the only ones who should legislate in this field. The States have done so. I think this is a practical way to add to the protection afforded the consumers of the United States.

Mr. COTTON. Mr. President, I wish to ask the Senator from Tennessee if it is not a fact that, in regard to the 5- and 10-cent-store items and the others that have been mentioned, the Federal Trade Commission already has power to enforce the warranties?

Mr. BAKER. It would not only be the Federal Trade Commission, under the Federal Trade Commission Act, but a private citizen can also bring suit in State court and, if the jurisdictional requirements are otherwise satisfied, he can bring suit in the Federal court for breach of implied warranty or for express warranty, or he can allege that the representations were falsely or fraudulently made.

I think it is important for the Senate to keep in mind that we are not voting for or against consumers. The bill has to do with one thing, and that is standardization by Federal formula of warranties and guarantees.

The whole question we are dealing with here involves standardizing every representation in warranties and guarantees, expressed or implied, for every item. We should put a higher dollar limit on it. As the Senator from New Hampshire said, the dollar limit is not a very good way to do it. It is artificial, but I do not know of any other way to do it. We cannot cover the whole marketplace. I think $25 is a fair range within which to do it.

Mr. MAGNUSON. Mr. President, I hope this will not get too confused. This is a relatively simple bill, as the Senator from Tennessee said.

Mr. BAKER. It is, and it ought to be.

Mr. MAGNUSON. Mr. President, it only applies to people who want to put warranties on their products. I do not want to have a figure in the bill. If a manufacturer or producer wants to put a warranty on an item that costs $24.99, that manufacturer or producer ought to be liable for the quality of that product.

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There is no use in talking about implied warranties under State law. The right of action in such cases has been in the Anglo-Saxon law books since Blackstone wrote his first commentary.

We are trying to do what the Senator from Tennessee says.

We can move it up to $25 or down to $5. I would just as soon have neither figure. I tried in the committee to eliminate the $5, but the committee thought we ought to have a figure. We discussed soap at the executive session. They do not have to put a warranty on a box of soap. The Federal Trade Commission will take care of them if they falsely advertise that the enzymes in their product clean and the other competitor has no enzymes in his product and his product does not clean.

We are trying to say to the people, "If you want to put a warranty on your product, you are then subject to the conditions of that warranty." That is all it is about.

I know that we discussed the figure of $5, $10, and $25. Someone suggested $100 at one time.

A lot of people would like to put warranties on their products and not be committed by what they say. As a matter of fact, 99 percent of the manufacturers in the United States who put warranties—or 95 percent, at least—mean what they say. Otherwise they would not put the warranty on their product.

That is all this means.

It is just as the Senator from Tennessee said so ably. The bill is a comparatively simple bill related to those who want to put warranties on their products.

I spoke earlier, and no one was here. But the Senator from New Hampshire and I surely got this started. I know that Senators have their bags packed. We will not be very long.

Forty-nine out of 50 States have some kind of warranty legislation. Usually they are not too far apart. But they ought to be standardized. Everything we are talking about that involves warranties moves in interstate commerce. There would not be one-tenth of 1 percent of the things that we are talking about that would not be covered.

SEVERAL SENATORS. Vote! Vote!

Mr. COTTON. Mr. President, I agree with the Senator from Washington on one thing. We should not keep Senators any longer than necessary.

Mr. President, I want to call attention very quickly to one thing. Much has been said about how simple this bill is. This bill is simple all right if it is restricted to the electrical, mechanical, and thermal devices for which is was originally designed. But, it is not quite so simple when it is examined. I wish to read all of the disclosure requirements of warranties found on page 13 of the bill. It provides:

> Such regulations may require inclusion in the written warranty—guaranty—of any of the following items, among others—
>
> (1) The clear identification of the names and addresses of the warrantors.
>
> (2) Identity of the party or parties to whom the warranty (guaranty) is extended.
>
> (3) The products or parts covered.
>
> (4) A statement of what the warrantor will do in the event of defect or malfunction—at whose expense—and for what period of time.
>
> (5) A statement of what the person guaranteed must do and expenses he must bear.
>
> (6) Exceptions and exclusions from the terms of the warranty (guaranty).
>
> (7) The step-by-step procedure which the person guaranteed should take in order to obtain performance of any obligation under the warranty (guaranty) including the identification of any class of persons authorized to perform the obligations set forth in the warranty (guaranty).
>
> (8) The availability of any informal dispute settlement procedure for any warranty (guaranty) dispute.
>
> (9) A recital that legal remedies are available to any person guaranteed if the warrantor has not complied with the provisions of the warranty (guaranty).
>
> (10) A recital that any person guaranteed who successfully pursues his legal remedies may recover the reasonable costs incurred, including reasonable attorneys' fees.

I repeat "including reasonable attorneys' fees."

> (11) The time at which the warrantor will perform his obligations.
>
> (12) The period of time within which, after notice of malfunction or defect, the warrantor will repair, replace, or otherwise perform any obligations under the warranty (guaranty).
>
> (13) The characteristics or properties of the products, or parts thereof, that are not covered by the warranty (guaranty).
>
> (14) The elements of the warranty (guaranty) in words or phrases which would not mislead reasonable men as to the nature or scope of the warranty (guaranty).
>
> (b) The Federal Trade Commission is authorized to determine in accordance with section 553, title 5, United States Code, upon a public record after opportunity for an agency hearing structured so as to proceed as expeditiously * * *

Mr. President, there are certain guarantees and warranties now issued on the tires that are bought. Those guarantees and warranties are for defects.

However, the fact remains that this entire bill was devised based on four reports of two task forces concerning household appliances and automobile warranties. That experience was used by the committee in considering this bill.

Also, the hearings were held on the bill as introduced, which was limited to products having electrical, mechanical, and thermal components. There is no evidence in the record concerning problems with other consumer products.

Now, Mr. President, if you buy an automobile tire, they either have to give you no warranty at all, if this bill is passed, or else they have to give a warranty that lives up to all the regulations that the FTC will impose. Some people will make a set of tires go 25,000 miles or 30,000 miles. Others will not go more than 10,000 or 8,000 miles, depending on whether they have their wheels alined. Tires wear out more quickly if the wheels are wobbly.

As I stated, originally the bill was limited in its scope to electrical, mechanical, and thermal devices. The testimony accordingly was in connection with those appliances. But as now expanded taking in everything under the sun we are embarking on unknown seas.

The Senator from New Hampshire was content to take a voice vote if he could have gotten his position before the Senate. Then, later the bill could be expanded. Now, if as proposed it is to be all encompassing, the Senate by all means should adopt the desirable alternative left to it. Certainly I agree—and the Senator from Washington agrees—that dollar value is not the way to limit this bill. But, if you go to $5 it will not amount to "Hanna Cook" as we say in New Hampshire.

No manufacturer could ever comply. There will be no warranties and no recovery; and there will be no protection for the consumer, and the ultimate purpose of the bill is to protect the consumer. As complicated as it is, it will not protect anybody.

The second best thing we can do, rather than limit it to the field in which we had experience and on which the hearings were held, would be to exclude enough so that it would be worth while for a company to try to comply with the regulations. It will not be worth while if it goes down to $5 or none at all.

Mr. MAGNUSON. Mr. President, the Senator read a long list of possible things that the Federal Trade Commission might require if they decide on some regulations. This was placed in the bill because all of the industry people wanted to be sure they knew what the warranty guidelines were.

The Senator from New Hampshire mentioned real estate and securities. It was the recommendation of the administration that we cut them out. I rather wish they had kept securities in. If we were able to guarantee those, we would be better off. A $25 proviso was sent up by the administration in all good faith.

They wanted $25. I know the reason for that.

I say this is a simple proposition, and if a company puts a warranty on an article it is liable and committed to that warranty.

Mr. LONG. Mr. President, before the last two speeches the majority of the Senate was heard to shout for a vote. That is about the way I feel. I am satisfied this issue could be debated all afternoon. As far as I am concerned I would like to vote and get it over with. I remind the Senate that there is still the House bill.

Mr. President, I move to lay the amendment on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to lay on the table the amendment of the Senator from Tennessee.

Mr. COTTON. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to lay on the table the amendment of the Senator from Tennessee (Mr. BAKER). On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Nevada (Mr. CANNON), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Louisiana (Mr. ELLENDER), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Tennessee (Mr. GORE) the Senator from Hawaii (Mr. INOUYE), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wisconsin (Mr. NELSON), the Senators from Rhode Island (Mr. PASTORE), and Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Mr. ELLENDER), the Senator from Rhode Island (Mr. PASTORE), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. ALLOTT), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from Hawaii (Mr. FONG), the Senator from Michigan (Mr. GRIFFIN), the Senator from Vermont (Mr. PROUTY), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from New York (Mr. JAVITS) and the Senator from Illinois (Mr. PERCY) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

On this vote, the Senator from Colorado (Mr. ALLOTT) is paired with the Senator from New York (Mr. JAVITS). If present and voting, the Senator from Colorado would vote "nay" and the Senator from New York would vote "yea."

On this vote, the Senator from South Dakota (Mr. MUNDT) is paired with the Senator from Illinois (Mr. PERCY). If present and voting, the Senator from South Dakota would vote "nay" and the Senator from Illinois would vote "yea."

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from Illinois (Mr. SMITH). If present and voting, the Senator from Texas would vote "nay" and the Senator from Illinois would vote "yea."

The result was announced—yeas 47, nays 26, as follows:

[No. 210 Leg.]

YEAS—47

Allen
Bayh
Bible
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cranston
Eagleton
Ervin
Goodell
Gravel
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Jackson
Jordan, N.C.
Kennedy
Long
Magnuson
Mansfield
McGee
McGovern
McIntyre
Mondale
Montoya
Moss
Muskie
Pearson
Proxmire
Randolph
Saxbe
Schweiker
Smith, Maine
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Tydings
Young, Ohio

NAYS—26

Aiken
Baker
Bellmon
Bennett
Boggs
Cook
Cooper
Cotton
Curtis
Dole
Dominick
Gurney
Hansen
Holland
Hruska
Jordan, Idaho
Mathias
McClellan
Metcalf
Miller
Murphy
Packwood
Scott
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—27

Allott
Anderson
Cannon
Dodd
Eastland
Ellender
Fannin
Fong
Fulbright
Goldwater
Gore
Griffin
Inouye
Javits
McCarthy
Mundt
Nelson
Pastore
Pell
Percy
Prouty
Ribicoff
Russell
Smith, Ill.
Tower
Williams, N.J.
Yarborough

So Mr. LONG's motion to lay Mr. BAKER's amendment on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Hampshire (Mr. MCINTYRE) is recognized.

Mr. COTTON. Mr. President, will my colleague yield a moment, without losing the floor?

Mr. McINTYRE. I yield.

Mr. COTTON. Mr. President, we are all aware that Senators want to get away. It is my understanding that an amendment that is about to be offered by my colleague from New Hampshire will be acceptable to both managers of the bill. I also believe there may be another amendment which may be agreed upon.

I simply want to say that as far as the Senator from New Hampshire is concerned, I think this now is a bad bill. If we had a chance, at a proper time to have a longer debate, then I would ask for a rollcall vote on final passage. However, out of consideration for the Members of the Senate, I am not going to, and I hope no one else will, so that Senators may feel free to leave.

I think in its present form it is not a good bill. It will simply put an end to all warranties and, contrary to my usual procedure in the past, I may appear before the House committee to testify on it. But as far as I am concerned—and I rather expect the chairman would agree—I shall not ask for a rollcall on final passage, except that I wish to be recorded as opposing the bill.

Mr. MAGNUSON. Mr. President, the Senator from New Hampshire and I and the committee have examined the amendment of the Senator from New Hampshire (Mr. McINTYRE), and we will be glad to accept it.

The PRESIDING OFFICER. The Senator has not offered the amendment yet.

Mr. MAGNUSON. Mr. President, I——

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. MAGNUSON. Before or after the Senator speaks, I will still accept it.

AMENDMENT NO. 736

Mr. McINTYRE. Mr. President, I call up my amendment No. 736, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from New Hampshire (Mr. MCINTYRE) proposes an amendment (No. 736) as follows:

> On page 10, strike out lines 2 through 5 and insert in lieu thereof the following:
>
> "SEC. 2. For the purposes of this Act—
>
> "(1) The term 'consumer product' means any tangible personal property, normally used for personal, family, or household purposes, including any such property intended to be attached to or installed in any real property without regard to whether it is so attached or installed."

Mr. McINTYRE. Mr. President, just a brief explanation of the amendment.

As I stated at the time of its introduction, the purpose of this amendment is to clarify the definition of the term "consumer product." Section 2 of the bill presently defines a consumer product as one normally used for personal, family, or household purposes, but does not include real property or securities.

This creates a problem because under existing law, fixtures and appliances which are permanently affixed to a house become real property. Thus, many products such as heating and air conditioning systems, garbage disposals, gas ranges, and the like, which this bill was designed to cover, may, in fact, be excluded.

The amendment which I am offering makes it clear that such products are intended to be covered by this act. It states:

> For the purposes of this act, the term "consumer product" means any tangible personal property, normally used for personal, family, or household purposes, including any such property intended to be attached to or installed in any real property without regard to whether it is so attached or installed.

Mr. President, this amendment accomplishes two purposes. First it makes clear that the person who buys a house with fixtures and appliances already installed, will be entitled to the full warranty protection of this act, rather than just the short term protection usually afforded in the standard real estate contract. Second, it makes clear that the person who purchases fixtures or appliances and then has them permanently installed in his house, will not thereby lose the warranty protection afforded by this act.

Mr. President, I believe that the adoption of this amendment is essential if we are to fully accomplish the intent of the Committee in bringing forth this bill, and I urge my colleagues to support it.

In conclusion, I would like to compliment the distinguished chairman of the Committee on Commerce (Mr. MAGNUSON) for his efforts in bringing this important legislation to fruition. I have long felt that there was a need for legislation in this field, and I also introduced a bill on this subject, S. 3565, which took a slightly different approach to the problem. Unfortunately, my bill was introduced too late to be considered during the committee's hearings. However, I believe that most of the objectives of my bill are accomplished in the bill which we now have before us.

It is a good bill, one on which the chairman and the other members of the subcommittee, particularly the Senator from Utah (Mr. Moss), the chairman of the Consumer Subcommittee, have labored long and hard, and I urge its enactment.

I also praise my senior colleague and good friend (Mr. COTTON) who played an important part in the work of the Subcommittee on Consumer Affairs.

Now is the Senator from Washington willing to accept the amendment?

Mr. MAGNUSON. Mr. President, I am willing to accept it.

Mr. McINTYRE. Mr. President, I urge the adoption of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire (Mr. McINTYRE).

The amendment was agreed to.

Mr. MOSS. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Utah (Mr. Moss) proposes an amendment as follows:

On page 19, line 1, insert after the word "(guaranty)" a colon and the following: "*Provided*, That such warrantor equitably compensates such designated representatives".

Mr. MOSS. Mr. President, section 8 of the bill—S. 3074—states there is no prohibition in the act against the designation of representatives to perform warranty obligations assumed by the warrantor of a consumer product. It also states that a warrantor is directly responsible for his warranty promises even though he has designated representatives to fulfill those promises.

But section 8 does not specifically treat the situation where a warrantor designates representatives and then provides improper compensation for those representatives. The bill says:

> Nothing in this Act shall be construed to prevent any warrantor from designating representatives to perform duties under the warranty.

That statement should be qualified to allow the remedy provisions of the bill to operate in those situations where the designated representatives are not being equitably compensated, and thus the warranty obligations are not being properly performed.

I, therefore, have proposed the amendment, as read by the clerk, which would add the provision:

> *Provided*, That such warrantor equitably compensates such designated representatives.

This amendment would specifically protect the authority of the Federal Trade Commission or the Justice Department and permit them to prohibit the designation of representatives in those situations where the warrantor was inequitably compensating the designated representatives and thus not living up to promised warranty obligations. I believe that this clarifying amendment to section 8 will prevent any inadvertent misreading of legislative intent, and, therefore urge its adoption.

Mr. COTTON. Mr. President, I believe the distinguished chairman of the committee and I are in agreement on our willingness to accept the Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MOSS. Mr. President, during the early months of this session the Consumer Subcommittee devoted considerable time and energy to developing sound legislation in the area of consumer warranties and guarantees. The Consumer Subcommittee had become alarmed by the large number of letters from American consumers decrying warranty and guarantee practices and complaining about the generally poor reliability of consumer products.

With the cooperation of all members of the Senate Commerce Committee, Senator MAGNUSON and I fashioned a piece of legislation which we believe will alleviate many consumer problems in the warranty and guarantee area.

The legislation will promote consumer understanding by requiring those people giving warranties to clearly and conspicuously disclose the terms of the warranty and by telling the consumer what to do if his guaranteed product becomes defective or malfunctions.

The legislation will provide minimum warranty protection for consumers by prohibiting the disclaimer of implied warranties when a supplier of consumer products guarantees in writing consumer products against defect or malfunction.

The legislation will assure the performance of warranties by providing for meaningful consumer remedies if a warrantor fails to perform as promised. A consumer may pursue his remedies in court and be awarded, as a part of his recovery if successful, costs incurred during litigation.

And finally, this legislation will create incentives for building more reliable products. Those suppliers who decide to give "full" warranties and guarantees will all be playing the warranty game by the same rules. The consumer can look to the warranty duration of consumer products which are "fully" guaranteed as indicators of the product reliability potential of these products. Consumers shopping for product reliability can differentiate between reliable and less reliable products on the basis of the type of warranty given—"partial" or "full," and the duration of the "full" warranties.

I ask my colleagues to unanimously support this most important consumer legislation.

Mr. HART. Mr. President, the Consumer Products Guaranty Act is, a new manifesto of consumer rights. It promises that in the future manufacturers must announce what they promise and mean what they announce when it comes to guaranteeing a product.

The leaders in the fight for this bill, Senators MAGNUSON and MOSS, are to be congratulated for taking another step toward honoring Congress commitment to help consumers with value decisions in making purchases.

The work the Senate Antitrust and Monopoly Subcommittee has done in the auto repair field makes me painfully aware of just what frustration consumers have experienced with these warranties.

About 50 percent of the more than 7,000 letters of complaint we have received dealt in some way with the warranty. Sometimes it was not being honored—sometimes the consumer thought the terms were unfair—sometimes the consumer misunderstood. All of these problems should be eased with enactment of this bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3074) was passed.

The title was amended, so as to read: "A bill to provide minimum disclosure standards for written warranties and guarantees of consumer products against defect or malfunction; to define minimum Federal content standards for such warranties and guarantees; and for other purposes."

Mr. MAGNUSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MOSS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MAGNUSON. Mr. President, I know I speak in behalf of the Senator from New Hampshire as well as for myself in expressing our deep appreciation to the members of the staff, particularly Henri Rush and Lynn Sutcliffe, for their very fine work on this very complicated bill. I believe they did an excellent job.

Mr. MANSFIELD. Mr. President, our two capable and distinguished colleagues—the Senator from Washington (Mr. MAGNUSON) and the Senator from Utah (Mr. Moss)—have again joined to

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strike an effective blow in behalf of the American consumer. Once again they deserve the highest commendation of the Senate. This time for their highly effective handling of the consumer products warranty and guaranty measure. Their thoughtfulness and their strong advocacy were largely responsible for bringing this measure before the Senate and for advocating it so effectively. We commend them for their hard work.

Joining with Senators MAGNUSON and Moss was the Senator from New Hampshire (Mr. COTTON), the distinguished and able ranking minority member of the Commerce Committee. With his cooperation and expert assistance, this very important measure achieved overwhelming success in the Senate. As always, Senator COTTON's contributions to the debate were of the highest quality and thoughtfulness.

The Senate as a whole is to be commended for the splendid job done throughout this entire period of long working hours and heavy schedules. I wish every Member a restful holiday.

THE POSTAL REORGANIZATION ACT

Mr. STENNIS. Mr. President, regarding H.R. 17070, the postal reform bill which was passed by recorded vote last evening, when I could not be present, I announced that had I been present, I would have voted against the passage of the bill.

DRAFT LOTTERY NUMBERS

Mr. STENNIS. Mr. President, I have a list of the numbers drawn today by the Director of Selective Service in connection with the drawing that will cover a period of approximately 1 year, and for the information of Members of Congress and the public at large, I ask unanimous consent to have the numbers printed in the RECORD.

The following are the draft lottery numbers drawn this date of the young men who became 19 years old in calendar year 1970. These numbers will be used beginning January 1971.

There being no objection, the numbers were ordered to be printed in the RECORD, as follows:

RANDOM SELECTION SEQUENCE 1971

	January	February	March	April	May	June	July	August	September	October	November	December
1.	133	335	014	224	179	065	104	326	283	306	243	347
2.	195	354	077	216	096	304	322	102	161	191	205	321
3.	336	186	207	297	171	135	030	279	183	134	294	110
4.	099	094	117	037	240	042	059	300	231	266	039	305
5.	033	097	299	124	301	233	287	064	295	166	286	027
6.	285	016	296	312	268	153	164	251	021	078	245	198
7.	159	025	141	142	029	169	365	263	265	131	072	162
8.	116	127	079	267	105	007	106	049	108	045	119	323
9.	053	187	278	223	357	352	001	125	313	302	176	114
10.	101	046	150	165	146	076	158	359	130	160	063	204
11.	144	227	317	178	293	355	174	230	288	084	123	073
12.	152	262	024	089	210	051	257	320	314	070	255	019
13.	330	013	241	143	353	342	349	058	238	092	272	151
14.	071	260	012	202	040	363	156	103	247	115	011	348
15.	075	201	157	182	344	276	273	270	291	310	362	087
16.	136	334	258	031	175	229	284	329	139	034	197	041
17.	054	345	220	264	212	289	341	343	200	290	006	315
18.	185	337	319	138	180	214	090	109	333	340	280	208
19.	188	331	189	062	155	163	316	083	228	074	252	249
20.	211	020	170	118	242	043	120	069	261	196	098	218
21.	129	213	246	008	225	113	356	050	068	005	035	181
22.	132	271	269	256	199	307	282	250	088	036	253	194
23.	048	351	281	292	222	044	172	010	206	339	193	216
24.	177	226	203	244	022	236	360	274	237	149	081	009
25.	057	325	298	328	026	327	003	364	107	017	023	362
26.	140	086	121	137	148	308	047	091	093	184	052	081
27.	173	066	254	235	122	055	085	232	338	318	168	230
28.	346	234	095	082	009	215	190	248	309	028	324	124
29.	277		147	111	061	154	004	032	303	259	100	148
30.	112		056	358	209	217	015	167	018	332	067	195
31.	060		038		350		221	275		311		122

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1971—CONFERENCE REPORT

Mr. PROXMIRE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. SCHWEIKER). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 30, 1970, p. 22153, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I oppose this Appropriations Act because it denies funds for construction of the Washington metropolitan area mass transit system; because in so doing it insults the citizens of the sovereign States of Maryland and Virginia and the District of Columbia; and because it represents an unprecedented and intolerable interference in the local affairs of these States.

I commend the outstanding Senator from Wisconsin, Senator PROXMIRE, for his dedication to the needs of the National Capital. I know he shares my opposition to deletion of the Metro funds this bill should contain. I know the Senator tried his best to get the money Metro needs to continue its construction program. Obviously, however, the House of Representatives has blocked further construction on Metro until the House gets its way on disputed parts of the District of Columbia highway program. I understand the views of the House on this question, but I thoroughly oppose its strategy.

Mr. President, speaking for the government and the citizens of Maryland, I deeply resent this continued congressional interference with our purely local questions. Nowhere else in this Nation has Congress so abused local governments than as in this case of stalling subway construction for the Washington Metropolitan area. Never has Congress blackjacked local governments as it has attempted to in this case.

What business is it of Congress where Maryland, the District of Columbia, and Virginia decide to put their highways and subways? What right has Congress to jeopardize the Metro program? By what authority does Congress tell the people of Maryland to go without their vital Metro mass transit system because of a highway mess in the District of Columbia?

Mr. CASE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CASE. Mr. President, I understand that there may not be a record vote tonight on this conference report, and I want, therefore, to express my complete agreement with the statement that is being made by the Senator from Maryland and with his position. I concur absolutely.

Mr. TYDINGS. I thank the Senator from New Jersey.

My own association with the Metro project extends through all the years I have been in the Senate. It was my privilege to sponsor, hold hearings on, and floor manage the interstate compact between Maryland, Virginia, and the District of Columbia which created the

Metro system. Again last year I introduced, held hearings on, and floor managed the legislation which authorizes the billion-dollar Federal contribution to construct the Metro system.

Construction of the Metro is fundamental to the future of Maryland, Virginia, and the National Capital. The Metro routes will connect with the Baltimore area mass transit system. Thus, Metro will shape the planning and growth of the entire urban corridor in Maryland, especially Montgomery and Prince Georges Counties. And the people of Maryland, especially those in Montgomery and Prince Georges Counties, not only desperately need Metro, but also are paying for it through their taxes.

As a Maryland Senator and sponsor of the Metro program, I do not intend to stand helplessly by and watch this indispensable transportation program go down the drain. I refuse to see Maryland's transportation plans wrecked while Congress tries to impose its own particular design on the transportation plans of the Washington metropolitan area.

Congress has no business suspending Metro construction while highway plans are resolved. I believe the people of Maryland, Virginia and the District are quite competent to resolve their own transportation problems.

I view the provisions of this bill which deny subway funds to be a gross insult to the people and governments of this area. However, I am not going to seek rejection of this bill at this time, because I know the Senator from Wisconsin and the Senate conferees have already done their best, without success, to resolve this impasse.

I do, however, intend to take whatever action seems appropriate to assure that funds for the Metro will be made available before its money runs out this fall.

I believe that the Washington area, like other parts of the country, must have a balanced transportation system. That means we need highways as well as mass transit. I believe appropriate commercial and commuter routes must be completed and the interstate system must be constructed.

But I do not believe that it is any business of Congress to dictate to any jurisdiction the precise transportation system it must have. The idea of blackjacking the local governments and citizens of this area into accepting congressionally ordained solutions is obnoxious to me and to the citizens and governments of Maryland.

I hope that the House will reconsider its strategy of holding the subway hostage for construction of a few particular, highly controversial freeway routes. But if this course continues into the fall, I will be forced to recommend to the Senate a course of action to end the impasse.

The District of Columbia Committee has now before its legislation necessary to raise the money to complete the District of Columbia highway system.

I intend to recommend that our committee report that legislation. I believe that the freeway program in this area must be completed in accordance with the desires of the citizens and governments of Maryland, Virginia, and the District. But I would be derelict in my responsibilities as a Senator from Maryland, and as one of the authors of the Metro system, if we blindly reported this legislation in the fond hope that the House of Representatives will suddenly decide to deal equally with the Metro system.

Therefore, unless the subway impasse is resolved promptly, and the funds made available for continuation of the Metro, I may be forced to recommend that we amend this highway financing authority to make it clear that the Metro and the freeway program must be constructed together; that one will not be held hostage for the other; and that funds for the Metro system will be appropriated together with funds for freeway construction. Rather than holding one system hostage for another, my amendment will free both systems to proceed in accordance with the desires of the people and governments of Maryland, Virginia, and the District of Columbia.

Metro is long overdue. Further delay inexcusably frustrates the plans and desires of the citizens of this entire area. In fact, further delay will destroy Metro through inflation and destruction of the marketability of its bonds.

I am going to do my best to put an end to these delays.

Mr. President, I ask unanimous consent to have printed in the RECORD copies of letters and communications from various officials of Maryland supporting my position.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF MARYLAND,
EXECUTIVE DEPARTMENT,
May 29, 1969.

To: All Members of the Maryland Delegation in Congress.
From: Marvin Mandel, Governor.
Subject: Washington Metropolitan Area Transit Authority.

I am writing to you to express my concern regarding the appropriation of funds for the Washington Metropolitan Area Transit Authority. As you know, the WMTA is ready to start construction of the transit system but is unable to do so until the District of Columbia's share is appropriated.

This delay in the construction, which will greatly increase the final cost, is of concern not only to the residents of Prince George's and Montgomery Counties, but also to those of the Baltimore metropolitan area. The failure of the Washington system would have a very adverse affect on the Baltimore system.

I urge you most strongly to do whatever is possible to help get these funds allocated immediately.

STATE OF MARYLAND,
THE LEGISLATIVE COUNCIL,
Annapolis, Md., August 20, 1969.

Hon. JOSEPH D. TYDINGS,
U.S. Senator from Maryland,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: At its meeting August 6, 1969, the Legislative Council of Maryland adopted a Resolution seeking the support of the President and the Vice President of the United States, the Governor of Maryland, and the several members of the Maryland Delegation in the Congress of the United States, to assist in breaking the impasse delaying construction of the Metropolitan Washington Transit System.

A copy of this Resolution is attached for your information.

Sincerely,

CARL,
Secretary.

RESOLUTION OF THE LEGISLATIVE COUNCIL OF MARYLAND

Legislative Council Resolution requesting the President and the Vice President of the United States, the Governor of Maryland, the United States Senators from Maryland and the Maryland Delegation in the House of Representatives to assist in breaking the impasse delaying construction of the Metropolitan Washington Transit System.

WHEREAS, The future of the State of Maryland lies in the welfare of its people, which in turn is directly dependent on the health of the economy within the State.

There exists in the State of Maryland a transportation crisis which is harmful to the economy and which prevents the free flow of people to and from employment and recreation centers in the Metropolitan Washington area.

The Legislative Council of Maryland has recognized that an impasse exists which is presently delaying construction of the 97.7 mile Metropolitan Washington Transit System.

However, it appears that construction of the Washington Transit System can commence 75 days after appropriation of funds, while each additional day of delay is estimated to cost approximately $250,000.00.

The success of the Washington system is important to the success of the pending Baltimore Transit system, and a matter of great concern to the State of Maryland; now therefore;

Be It Resolved, That the Legislative Council of Maryland strongly urges the President of the United States, the Vice President of the United States, the Governor of Maryland, the two United States Senators from Maryland, and the Maryland Delegation in the United States House of Representatives to use all possible means to break the transportation impasse in Washington; and be it further

Resolved, That the Legislative Council calls upon President Nixon and Vice President Agnew to extend their good offices to bring together representatives of all interested governmental agencies to settle this controversy now, so that a workable transportation system may be developed in the Metropolitan Washington area; and be it further

Resolved, That copies of this Resolution be transmitted to the President of the United States, Richard M. Nixon; the Vice President of the United States, Spiro T. Agnew; the Governor of Maryland, Marvin Mandel; Senator Joseph D. Tydings, Senator Charles Mathias, Congressman J. Glenn Beall, Congressman Samuel Friedel, Congressman George H. Fallon, Congressman Edward A. Garmatz, Congressman Gilbert Gude, Congressman Lawrence J. Hogan, Congressman Clarence D. Long and Congressman Rogers C. B. Morton.

WILLIAM S. JAMES,
Chairman.
CARL N. EVERSTEIN,
Secretary.

EXECUTIVE DEPARTMENT,
Annapolis, Md., June 13, 1969.

Hon. JOSEPH D. TYDINGS,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.
Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

GENTLEMEN: I write to express my strong endorsement of legislation now pending before the Congress to provide federal approval

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of the Transit Development Program for the National Capital Region and with it federal financial support of the undertaking. It is my understanding that your committees have before you S. 2185 and H.R. 11193, bills which would place the stamp of federal approval on this badly needed program to alleviate the transportation problems which plague the National Capital Regions.

Prince George's and Montgomery counties and the State of Maryland have been together in support of the transit program over a period of years, and I can assure you that there is overwhelming support among the residents of both counties who would benefit from the service to be provided and who stand ready to provide their full share of capital funds for the creation of the system. This is a program of broad regional significance which has, as I am sure you are aware, the strongest support throughout the region.

I am taking the liberty of sending copies of this letter to the members of the Maryland delegation.

Sincerely,

MARVIN MANDEL,
Governor.

RESOLUTION No. 6-2175 RE: REGIONAL RAPID RAIL TRANSIT SYSTEM

(County Council for Montgomery County, Md., in executive session, June 24, 1969)

Whereas, Montgomery County is an integral part of the metropolitan Washington area and a participating partner in the Washington Metropolitan Area Transit Authority; and

Whereas, after many years of planning a regional rapid rail transit system was adopted by the WMATA and all of the participating jurisdictions; and

Whereas, Montgomery County has expended large sums of money for administrative and planning purposes in preparation for construction of the adopted regional rapid rail transit system; and

Whereas, Montgomery County has approved bond authorization in the amount of $110 million to pay for its share of the system; and

Whereas, construction plans have been drawn, engineering and design work has been completed, rights of way have been acquired, resulting in an expenditure of more than $40 million to date; and

Whereas, the plans have been concurred in by the President of the United States, the D.C. Council, the suburban governing bodies and an overwhelming majority of suburban voters in public referenda; and

Whereas, an immediate start in the construction of the rapid transit system would be in the public interest, benefiting every part of the metropolitan Washington area and the nation as a whole by improving transportation in the Nation's Capital; and

Whereas, delay of construction of this system is costing the taxpayers a minimum of $265,000 per day and that delay has been due to the withholding of transit funds pending the start of construction of proposed Washington area freeways;

Now, Therefore, be it resolved by the County Council for Montgomery County, Maryland, that the Executive and Legislative branches of the Federal government be urged to take immediate steps to release subway construction funds to permit construction to begin at the earliest possible date; and

Be it further resolved, that copies of this resolution be sent to the President of the United States, all United States Senators and Congressmen from Maryland, all members of the United States Senate and House of Representatives, District of Columbia Appropriations Committees and Public Works Committees, and the Secretary of the Department of Transportation, all city, county and state elected officials in the metropolitan Washington area; and

Be it further resolved, that all governments of the Metropolitan Washington region be requested to urge appropriate officials of the Executive and Legislative branches of the Federal Government to press for release of mass transit construction funds immediately.

A true copy.

Attest:

DAVIS B. COLLIER,
Clerk, County Council for Montgomery County, Md.

WASHINGTON SUBURBAN TRANSIT COMMISSION—RESOLUTION

Whereas, the Washington Metropolitan Area Transit Authority, of which the Washington Suburban Transit Commission is an integral part, is poised to begin construction of the 97.7-mile regional Metro system "within 75 days after the date construction funds are released by the Congress"; and

Whereas, the Metro system is vital to the economic and social well-being of Montgomery and Prince George's Counties and the entire Washington metropolitan area to the extent that the two counties have accepted a financial liability of $197 million for Maryland's share of building the Metro system, as evidenced by the passage of $110.4 million bond authorization by the Montgomery County Council and the approval of bonding authority in the amount of $86.6 million by a 62% majority of the voters in Prince George's County in a public referendum; and

Whereas, the building of the regional Metro system has been delayed for many months pending appropriation of funds authorized by Congress for the District of Columbia's local share and Federal matching funds; and

Whereas, the delay of construction has been calculated by WMATA to increase the cost for the overall system construction by $90 million per year, thereby making it necessary for existing financial agreements among the partner governments to be renegotiated if the delay continues; and

Whereas, President Richard M. Nixon endorsed the building of the Metro system and has urged Congress to authorize the necessary Federal grant for the District of Columbia's portion of the local share, stating in his District of Columbia message to Congress that the regional transit service "would relieve downtown congestion; increase employment, make educational, cultural and recreational facilities more accessible; reduce air pollution; stimulate business, industry and tourism; broaden tax bases; and promote orderly urban development of the Nation's Capital"; and

Whereas, legislation under Administration sponsorship has been introduced in the United States Congress; S. 2185 in the Senate and H.R. 11193 in the House of Representatives, which would "authorize a Federal contribution for the effectuation of a transit development program for the National Capital Transportation Act of 1965 (79 Stat. 633) and Public Law 89-774 (80 Stat. 1324)";

Now, therefore, be it resolved that the Commissioners of the Washington Suburban Transit Commission unanimously endorse this legislation and urge its early approval by the Congress.

Attest:

This is a true copy of a Resolution adopted by the Washington Suburban Transit Commission at its meeting of June 9, 1969.

ROBERT W. PULLY,
Secretary.

NORTHERN VIRGINIA TRANSPORTATION COMMISSION,
Arlington, Va., June 12, 1969.

Hon. JOSEPH D. TYDINGS,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: On behalf of the Northern Virginia Transportation Commission, which is made up of elected officials of the Northern Virginia local jurisdictions, let me express our appreciation of your action in introducing and supporting Senate Bill 2185 to give Federal assistance to rapid transit for the Washington Metropolitan Area.

Sincerely yours,

LEE M. RHOADS,
Chairman.

RESOLUTION No. 3

Subject: Endorsement of Regional Metro System Fund Legislation, S. 2185—H.R. 11193.

Whereas, The Washington Metropolitan Area Transit Authority, (WMATA) of which the Northern Virginia Transportation Commission is an integral part, is poised to begin construction of the 97.7-mile Regional Metro System "within 75 days" after the date Congress approves the Administration's request for funds; and

Whereas, The Metro System is vital to the economic and social well-being of Northern Virginia and the Washington metropolitan area, a fact recognized by the voters of the jurisdictions comprising the Northern Virginia Transportation District who endorsed the transit proposal in a public referendum by a three-to-one or over a 72% majority—thereby accepting a financial liability of approximately $150 million for Virginia's share of the cost in building the Metro System; and

Whereas, The Building of the Regional Metro System has been delayed for months pending funding authorized by Congress for the District of Columbia's local share and Federal matching funds; and

Whereas, This year is extremely crucial in building the system as existing financial agreements among the partner governments may have to be re-negotiated if prolonged delays persist as inflation is causing havoc with cost estimates; and

Whereas, The costs in delay of construction have been calculated by the Washington Metropolitan Area Transit Authority as rising by $90 million per year for overall system construction; and

Whereas, President Richard M. Nixon endorsed the building of the Metro System and has urged Congress to authorize the necessary Federal grant and the D.C. portion of the local share, pointing out in his District of Columbia message to Congress that the Regional Transit Service "would relieve downtown congestion; increase employment; make educational, cultural, and recreational facilities more accessible; reduce air pollution; stimulate business, industry, and tourism; broaden tax bases; and promote orderly urban development of the Nation's Capital;" and

Whereas, Legislation under the direct sponsorship of this Administration has been introduced in the U.S. Congress; S. 2185 in the Senate and H.R. 11193 in the House of Representatives which would "authorize a Federal contribution for the effectuation of a transit development program for the National Capital Transportation Act of 1965 (79 Stat. 633) and Public Law 89-774 (80 Stat. 1324); and

Whereas, The members of the NVTC recognize and appreciate the interest and support which have been given to rapid transit by the Governor of the Commonwealth of Virginia, the Honorable Mills E. Godwin, Jr.; by Virginia Senators Harry F. Byrd, Jr. and William B. Spong, Jr.; by Congressman William L. Scott and Congressman Joel T. Broyhill, a sponsor of the Administration's legislative measure in the House of Representatives; and by Northern Virginia's elected representatives in Virginia's General Assembly.

Now, therefore be it resolved, that the Commissioners of the Northern Virginia Transportation Commission, in a meeting in the Council Chambers of the City of Alexandria on June 5, 1969, do hereby express their official appreciation to Governor Mills E. Godwin, Jr., to Senators Harry F. Byrd, Jr. and William B. Spong, Jr., to Congressman Joel T. Broyhill, to Congressman William L. Scott, and to the Northern Virginia representatives in the General Assembly for their outstanding service; and,

Be it further resolved that Governor Godwin, Senators Byrd and Spong; Congressmen Broyhill and Scott are hereby respectfully requested to continue to use their good offices in giving further support to the Regional Metro System by seeking the active endorsement of all Virginia members and others of the United States Congress as appropriate for S. 2185 and H.R. 11193.

Adopted this 5th day of June, 1969.

LEE M. RHOADS,
Chairman, Northern Virginia Transportation Commission.

MONTGOMERY COUNTY COUNCIL,
Rockville, Md., August 19, 1969.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: The Montgomery County Council is highly disturbed by the comments of Congressman Natcher with regard to his refusal to release funds for the construction of the rapid transit system until all law suits against the Three Sisters Bridge and related freeways have been settled.

Each day of delay in beginning the construction of the transit system costs our taxpayers vast amounts of money, and the Council is of the opinion that these funds should be released without further delay. Any further delay will surely cause the existing financial scheme for the WMATA system to crumble because of the costs imposed by constant unnecessary delays. We fully appreciate the great amount of effort you have already expended in trying to push the transit system through and implore you to continue your work in this direction.

With best regards.

Sincerely,

CLEATUS E. BARNETT,
President, Montgomery County Council.

SENATE OF MARYLAND,
Annapolis, Md., July 10, 1969.

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: As you may be aware, the Montgomery County Council has passed and sent to the Congress a Resolution urging the release of funds for rapid transit construction. The Council also has approved bond authorization of $110 million dollars to pay Montgomery's share of the system.

These acts bespeak recognition of the critical need for rapid rail transit in the metropolitan area. The responsibility, in my opinion, is squarely upon the Congress to act, and upon those representing this area to speak out loudly, affirmatively and persistently about our need. It's of little use at this point to attempt to place blame for time lost but rather to emphasize the necessity to move forward.

It is my personal view that Congress acted unwisely in tying together freeways and rapid transit. Each should stand on its own. We plead with Congress to face the fact of this error in judgment and to release at once the funds for immediate construction of the rapid rail system for the Washington metropolitan area.

Sincerely,

MARGARET SCHWEINHAUT,
Senator.

RESOLUTION R-29-69

A resolution of the mayor and City Council of the City of Gaithersburg, Md., urging the several branches of the Federal Government to take immediate steps to release metropolitan rapid transit construction funds

Whereas, the City of Gaithersburg, Maryland, is an integral part of the Washington Metropolitan Area; and

Whereas, after many years of planning, a regional rapid rail transit system was adopted by the Washington Metropolitan Area Transit Authority and all of the participating jurisdictions; and

Whereas, Montgomery County and its neighboring governmental units surrounding Washington, D.C. have expended vast sums of money for administration and planning to prepare for the construction of the rapid transit system; and

Whereas, Montgomery County and others have approved bond authorizations to pay for their share of the rapid transit system; and

Whereas, construction plans have been prepared, engineering and design work completed and rights of way acquired; and

Whereas, the transit plan has been concurred in by the President of the United States of America, the District of Columbia Council, the suburban governing bodies and an overwhelming majority of suburban voters in public referenda; and

Whereas, an immediate start in the construction of the rapid transit system is in the public interest, and would benefit every part of the Washington Metropolitan Area of the Nation's Capitol; and

Whereas, delay of construction of the system is costing the taxpayers thousands of dollars per day, and that said delay has been due to the withholding of rapid transit funds pending the start of construction of proposed Washington area freeways;

Now, therefore, be it resolved by the Mayor and City Council of the City of Gaithersburg, Maryland, that the several branches of the federal government be urged to take whatever steps necessary to release rapid transit construction funds to allow construction to begin at the earliest possible date; and

Be it further resolved that copies of this Resolution be sent to:

The President of the United States of America;

The Honorable Charles McC. Mathias, Jr., United States Senate;

The Honorable Joseph D. Tydings, United States Senate;

The Honorable Gilbert Gude, United States House of Representatives;

Chairman, Subcommittee on the District of Columbia Budget (Senate);

Chairman, Subcommittee on the District of Columbia Budget (House);

Chairman, Subcommittee on Public Health, Education, Welfare and Safety of the District of Columbia Committee;

Secretary, U.S. Department of Transportation;

President, Montgomery County Council;

Chairman of the Board, and the President of the Metropolitan Washington Council of Governments.

I, Harold C. Morris, Mayor of the City of Gaithersburg, Maryland, do hereby certify that the foregoing is the true and correct Resolution adopted by the Mayor and City Council of the City of Gaithersburg, Maryland, in public meeting assembled on the 18th day of August, 1969.

HAROLD C. MORRIS,
Mayor, City of Gaithersburg.

Attest:

SANFORD W. DAILY,
City Manager.

CITY OF NEW CARROLLTON, MD.,
September 5, 1969.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: We are transmitting herewith the Resolution which was approved and adopted by the Mayor and Council of the City of New Carrollton requesting your assistance to free funds necessary to begin construction of the Washington Metropolitan Area Rapid Rail Transit System.

I urge your consideration of this Resolution so that construction may begin at the earliest possible date.

Sincerely yours,

JOHN F. KING,
Mayor.

RESOLUTION—RAPID RAIL TRANSIT SYSTEM

Whereas, the City of New Carrollton, Maryland is an integral part of the Metropolitan Washington Area, and is within the area to be served by a rapid rail transit system; and

Whereas, Montgomery and Prince Georges Counties have approved the necessary bond authorizations to pay for their shares of this system; and

Whereas, planning and design work has progressed to the point where construction activities can begin immediately; and

Whereas, the delay of such construction work is reportedly costing taxpayers over one-quarter of a million dollars per day; and

Whereas, the City Council of the District of Columbia has agreed to implement the 1968 Highway Act, thus removing all barriers to the early commencement of construction; and

Whereas, early completion of the rapid rail transit system will be in the public interest both from the standpoint of improved transportation and from the standpoint of economic utilization of tax dollars;

Now, be it therefore resolved by the Mayor and City Council of New Carrollton, that the Executive and Legislative Branches of the Federal Government be urged to take immediate action to release rapid transit construction funds so that construction may begin at the earliest possible date; and

Be it further resolved that copies of this Resolution be sent to the President of the United States, the United States Senators from Maryland, the United States Congressmen representing New Carrollton, the Chairmen of the Congressional Committees on District of Columbia Appropriations and on Public Works, and to the Secretary of the Department of Transportation.

Approved and adopted this 3rd day of September 1969.

JOHN F. KING,
Mayor.

Attest:

EARL C. KLINGER,
Administrative Officer.

CITY OF BOWIE, MD.,
July 24, 1969.

Hon. JOSEPH D. TYDINGS,
U.S. Senate, New Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: Enclosed please find a copy of Resolution R-49-69 adopted by the Council of the City of Bowie, Maryland on July 14, 1969, urging that immediate steps be taken by the Congress to release subway construction funds, thereby permitting construction of a regional rail transit system, as adopted by the Washington Metropolitan Area Transit Authority and all of the participating jurisdictions in the Metropolitan Washington area.

The City Council believes that this project deserves utmost priority and should begin at the earliest possible date, thereby alleviating the transportation crisis that is upon us now and most certainly will continue in the future. As a jurisdiction that will benefit from the Metro System, the Council calls on members of the U.S. Congress to insure that funds which have been made available by participating jurisdictions be matched by Federal funds in order that the Metro may become a reality.

I trust you will give our expression of interest your utmost consideration.

Very truly yours,

LEO E. GREEN,
Mayor.

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Resolution of the Council of the City of Bowie, Md., Urging the Immediate Release of Subway Construction Funds

Whereas, after many years of planning a regional rapid rail transit system has been adopted by the Washington Metropolitan Area Transit Commission and all of the participating jurisdictions; and

Whereas, most of the participating jurisdictions have expended large sums of money for administrative and planning purposes in preparation for construction of the adopted regional rapid rail transit system; and

Whereas, an immediate start in the construction of the rapid transit system is in the public interest, benefitting the citizens of Bowie and every part of the Metropolitan Washington area and the nation as a whole by improving transportation in the Nation's Capital;

Now, therefore, be it resolved by the Council of the City of Bowie, Maryland that the Executive and Legislative branches of the Federal government be urged to take immediate steps to release subway construction funds to permit construction to begin at the earliest possible date; and

Be it further resolved that copies of this resolution be sent to the President of the United States, all United States Senators and Congressmen from Maryland, all members of the District of Columbia Appropriations Committees and Public Works Committees, the Secretary of the Department of Transportation and the Chairman of the Metropolitan Washington Council of Governments.

Introduced and passed by the Council of the City of Bowie, Maryland.

Leo E. Green,
Mayor.

Attest:

Edith Maylack,
City Clerk.

City of Takoma Park, Md.,
October 3, 1969.

Senator Joseph D. Tydings,
Senate Office Building,
Washington, D.C.

Dear Senator Tydings: The Community Improvement Board of the City of Takoma Park, Maryland wishes to call your attention to its extreme concern about the effects on the City of the delay in the decisions on the Subway and the North Central Freeway.

This Board is a City appointed board established by Resolution of the Mayor and Council in March of 1966. This Board is charged with the duty of obtaining all possible voluntary compliance with the City's Ordinance No. 1946 prior to instigating enforcement procedures.

Ordinance No. 1946 requires the upkeep of the external appearance of all properties, so that they do not become a blight upon the community and downgrade the value of adjacent properties.

This has been an effective Ordinance and the citizens have been wonderfully cooperative in most instances.

Some 175 properties have been reported and 101 of these have had the deficiencies corrected.

A hard core problem has developed, however, along the proposed subway route. This may also be the North Central Freeway route. This latter route has not been settled although the Mayor and City Council gave their official approval (reflecting the opinion of most citizens) to a route paralleling the B. & O. Railroad tracks.

Now the problem of obtaining property maintenance along this proposed route has become a severely crucial one. Some property owners are trying to comply with the Ordinance because they are devoted home-owners, and others are allowing properties to deteriorate so badly that once attractive, substantial homes have become uninhabitable. The commercial area is in deplorable condition.

The Community Improvement Board feels that this situation is primarily caused by the six-year delay in the decisions about the Subway and North Central Freeway. No doubt, over this long period, there has been as much property value loss to the property owners as would have been caused by condemnation.

Takoma Park has too much to recommend it to be so casually treated. Throughout the economic ups-and-downs of the Metropolitan area, Takoma Park has proven itself to be a stable community and can continue to do so.

Below are a list of some of its assets:

1. Valuable location in relation to Metropolitan area.
2. A solid political unit, responsive to the citizen's interests and wishes (a kind of community unit increasingly important).
3. Adequate public transportation facilities to inner city, to four shopping centers and other outlying areas.
4. Elementary and Junior High Schools within walking distance.
5. Park and Recreation programs in City and County owned recreation centers.
6. City supported Beautification Program.
7. Two college campuses.
8. A hospital.
9. Wide diversity of living units, substantial large old homes, modest bungalows, new modern ramblers, and apartments (both small units and new multi-units).

We urge you to aid in any way you can to make the decisions about the Freeway and Subway that are necessary to keep this City from becoming a slum by default. It is inexcusable that deterioration caused so largely by this indecision should be allowed to continue even one more day.

Great effort should be made by all concerned to help Takoma Park remain a positive asset to the Metropolitan area rather than a liability. Thank you.

Sincerely,

Kathryn T. Simpson,
Chairman, Takoma Park Community Improvement Board.

Resolution 69-05

Resolution of the mayor and common council of Seat Pleasant, Md., to provide the support for the request of the Maryland Muncipal League urging the various branches of the Federal Government to take immediate steps to release subway construction funds for the Metropolitan-Washington area rapid transit system.

Whereas, the Town of Seat Pleasant is an integral part of the Metropolitan Washington area; and

Whereas, after many years of planning a regional rapid rail transit system was adopted by the Washington Metropolitan Area Transit Authority and all of the participating jurisdictions; and

Whereas, Montgomery and Prince Georges' Counties have expended large sums of money for administrative and planning purposes in preparation for construction of the adopted regional rapid rail transit system; and

Whereas, Montgomery and Prince Georges' Counties have approved bond authorizations in the amount of many millions of dollars to pay for their share of the system; and

Whereas, construction plans have been drawn, engineering and design work has been completed and rights of way have been acquired, resulting in an expenditure of many millions of dollars to date; and

Whereas, the plans have been concurred in by the President of the United States, the D.C. Council, the suburban governing bodies and an overwhelming majority of suburban voters in public referenda: and

Whereas, an immediate start in the construction of the rapid transit system would be in the public interest, benefitting every part of the metropolitan Washington area and the Nation as a whole by improving transportation in the Nation's Capital; and

Whereas, delay of construction of the system is costing the taxpayers a reported minimum of $265,000 per day and that delay has been due to the withholding of transit funds pending the start of construction of proposed Washington area freeways;

Now, therefore, be it resolved by the Mayor and Common Council of Seat Pleasant, Maryland, that the Executive and Legislative branches of the Federal Government be urged to take immediate steps to release subway construction funds to permit construction to begin at the earliest possible date; and

Be it further resolved, that copies of this Resolution be sent to the President of the United States, the United States Senators from Maryland, the Congressmen representing Seat Pleasant, the Chairmen of the United States Senate and House of Representatives' District of Columbia Appropriations Committees and Public Works Committees, the Secretary of the Department of Transportation, the President and Chairman respectively of the Montgomery County Council and the Prince Georges County Commissioners, and the Chairman of the Board and the President of the Metropolitan Washington Council of Governments.

Adopted this eleventh day of August, nineteen hundred sixty-nine.

John E. Myers, *Mayor.*

Resolution of City of Rockville, Md.

Whereas, Montgomery County is an integral part of the metropolitan Washington area and a participating partner in the Washington Metropolitan Area Transit Authority; and

Whereas, the City of Rockville, as Montgomery County's seat of government, and also as a municipality within the metropolitan Washington area, is vitally interested in the implementation of plans for a regional rapid rail transit system; and

Whereas, Montgomery County has expended large sums of money for administration and planning purposes in preparation for construction of the regional rapid rail transit system adopted by WMATA, and has approved bond authorization in the amount of $110 million to pay for its share of the system; and

Whereas, construction plans have been drawn, engineering and design work has been completed, rights-of-way have been acquired, resulting in an expenditure of more than $40 million to date; and

Whereas, the plans have been concurred in by the President of the United States, the D. C. Council, the suburban governing bodies and an overwhelming majority of suburban voters in public referenda; and

Whereas, an immediate start in the construction of the rapid transit system would be in the public interest, benefiting every part of the metropolitan Washington area and the nation as a whole by improving transportation in the Nation's Capital; and

Whereas, delay of construction of this system is costing the taxpayers a minimum of $265,000 per day and that delay has been due to the withholding of transit funds pending the start of construction of proposed Washington area freeways;

Now, therefore, be it resolved by the Mayor and Council of Rockville, Maryland,

That the Executive and Legislative branches of the Federal government be and they are hereby urged to take immediate steps to release subway construction funds to permit construction to begin at the earliest possible date; and

Be it further resolved,

That copies of this resolution be sent to the President of the United States, all U.S. Senators and Congressmen from Maryland, and to such other elected and appointed officials of city, county and state governments involved in this decision, as may be designated by the Mayor and Council.

I hereby certify that the above is a true

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and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of July 21, 1969.

JEAN HORNECK,
City Clerk.

Mr. TYDINGS. Mr. President, I ask unanimous consent that I may be recorded to be in opposition to adoption of the conference report.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, may I say first, to the Senator from Maryland who, of course, we all know is chairman of the District of Columbia Committee, and is an able, a committed, and a dedicated chairman, that I agree with virtually everything he has said in his statement. I agree enthusiastically. I am delighted that he has set forth the clear strategy for making sure that Metro does go ahead.

I would say, for example, that construction of Metro is fundamental to the future of Maryland, Virginia, and the District of Columbia, our Nation's Capital, as the Senator from Maryland has told us.

I want to do all I can, as chairman of the Subcommittee on Appropriations for the District of Columbia, to work with the distinguished chairman to make sure that this comes to pass. I shall discuss that in detail later, but in the meantime, I yield now to the distinguished Senator from Virginia (Mr. SPONG).

Mr. SPONG. Mr. President, I am opposed to the conference report. I wish in no way to reflect upon the distinguished Senator from Wisconsin (Mr. PROXMIRE) or his conferees. I serve as an ex officio member of his subcommittee and I am aware of his diligence and am most appreciative of what has been done in this budget. I refer particularly to the partial funding of the Blue Plains treatment plant and the restoration of money for narcotics treatment. But this is the second year that the Federal share of subway construction money has been withheld.

Mr. President, the uncertainty of Federal financing creates an atmosphere of doubt concerning the Authority's revenue bonds. Potential investors have already expressed nervousness about whether the project will be completed in the 10-year schedule or even whether the entire 98-mile system will be built at all. It is possible that the project may be cut back to eliminate some of the planned suburban routes.

The financial plan for the subway system calls for WMATA to raise $850 million through revenue bonds. The Authority plans to market the first bonds on April 1, 1971. This latest holdup of Federal funds comes at a time when potential investors are actively surveying the profitability of this investment.

Despite the off-again, on-again Federal participation, the local jurisdictions have adhered to the schedule set for them. It calls for $575 million in contributions in the next 10 years.

Just yesterday Arlington and Montgomery counties made payment of $15 million to WMATA which represents their scheduled share of the fiscal year 1971 construction costs. The local jurisdictions are meeting their commitments. But one might ask how long they will continue to do so in the face of uncertainty of Federal matching funds.

Mr. President, as a Virginia Senator, I am compelled to ask unanimous consent that I be recorded as voting against the conference report.

The PRESIDING OFFICER (Mr. GRAVEL). Without objection, it is so ordered.

Mr. SPONG. I thank the Senator from Wisconsin.

Mr. PROXMIRE. I thank the Senator from Virginia. He was present as an ex officio member of the Subcommittee on Appropriations for the District of Columbia and he has worked very hard and diligently for the District, as well as for his own constituents, in which he is so deeply involved.

Mr. President, I now yield to the Senator from Missouri (Mr. EAGLETON).

Mr. EAGLETON. Mr. President, I join in the statement of the Senator from Maryland (Mr. TYDINGS) in paying tribute to the Senator from Wisconsin (Mr. PROXMIRE) for his diligent efforts in trying to bring this budget in on schedule. However, I must in all candor—as have the Senator from Maryland and the Senator from Virginia—dissent from the conference report.

Mr. President, some background information, I believe, would be of help in analyzing this matter.

The subway authorization plan enacted by Congress last year established the following financial plan for the 10-year period ending in 1979:

First. Federal Government—$1.147 billion.

Second. Local jurisdictions—$575 million.

Third. Revenue bonds—$850 million.

For a total $2.57 billion.

To date the following sums have been appropriated:

First. Federal appropriation for construction—$184 million.

Second. Local jurisdictions including District of Columbia—$92 million.

Third. Revenue bonds—nothing to date. Will go on the market April 1, 1971.

I shall have more to say on that matter in a moment.

Fourth. Total appropriations—$276 million.

To date the following sums have been spent or obligated through contracts:

First. $105 million obligated in construction contracts.

Second. $45 million expended for planning, design, and land acquisition.

Third. Remaining $126 million of appropriation will be fully obligated by Labor Day after which time progress on the subway will be halted except that construction work under the contracts already let will continue.

The local jurisdictions have lived up to their commitments right on schedule. It is the Federal Government which has created uncertainty about the project.

Roughly the same situation prevails throughout the rest of this budget. The District government has once again increased the taxes of its residents in order to meet rapidly rising costs of all services. But the Federal Government, which places such a heavy burden on the facilities and services of the District and which pays no other taxes, has failed to pay its just share of the cost of running this city. This year the Federal payment as a percentage of local revenue actually declines from the 28.3 percent of local general fund revenues last fiscal year to approximately 24 percent this fiscal year.

I compliment the Senator for being able to carry through on his pledge to have this appropriation enacted by the beginning of the new fiscal year.

But Mr. President, I think the District could tolerate a little delay—as indeed every Federal agency and department tolerates a little delay—if it means that we could have a budget which answers the vital needs of the city.

If I can, I would like to propound to the Senator from Wisconsin one or two specific questions.

I ask the Senator from Wisconsin, when and if this conference report is approved and becomes law, his estimate as to how far or how long WMATA can go in letting contracts and in continuing with construction on the subway project?

Mr. PROXMIRE. Mr. President, I say to the distinguished Senator from Missouri that about $50 million has been authorized to date toward the District of Columbia metro construction. And of this amount, about $28 million has been used.

WMATA is, of course, faced with the problem of having more than $104 million in construction contracts already under way and the award of $45 million in new projects scheduled through Labor Day.

The indications are that present authorization is insufficient to proceed with the new projects after Labor Day which would have to be advertised after September 25; it would be in the latter part of September.

Mr. EAGLETON. Mr. President, that accords with the information I received from WMATA to the effect that they would be able to continue the construction now underway until about October 1, and would then be out of business.

If that be the case, and I take it to be, then does the Senator from Wisconsin anticipate between now, July 1, and October 1 that there will be some kind of a legislative rescue operation so that this subway project can go forward?

Mr. PROXMIRE. Mr. President, may I say to the Senator from Missouri that in the first place I really believe that the House conferees were sincere when they agreed to the language we put into the conference report. Let me read it, because the Senate conferees reinforced the language to make it stronger.

They said:

> There is no desire on the part of the House managers to halt the subway program and the denial of funds at this time will not stop construction already under way . . .

The Senate conferees added the following language:

> and the managers are determined to do everything they can to enable the authority to maintain its construction schedule and the integrity of its financial plan.
>
> When the current impasse on highway construction in the District of Columbia is resolved, every consideration will be given to a supplemental request for the District's

share of the cost of the Washington Metropolitan Area Transit Authority's fiscal year 1971 construction program.

Again and again in the conference I brought up the point that while there had been some reluctance on my part last year to fund the subway because of the inflationary tendency involved in starting the biggest construction project in the history of the country, it would be enormously expensive to halt it. And for that reason they agreed. And they realize that it would be a disaster if we had to stop construction on it.

We have to be realistic and realize that they can always stop anything we do over here. But there is every likelihood and every expectation that we will be able to resolve that impasse by mid-September.

Mr. EAGLETON. Mr. President, is the "they" to whom the Senator refers, the House District Appropriations Committee chaired by Representative NATCHER?

Mr. PROXMIRE. The Senator is correct.

Mr. EAGLETON. Mr. President, I mentioned in my initial remarks that the revenue funds that are part and parcel of this overall funding process are due to be marketed on April 1, 1971. I know that the Senator from Wisconsin is a very knowledgeable individual with respect to finance and governmental funding.

I would like to ask the Senator this question based on his expertise in this area. As long as there is this "on-again, off-again" operation with respect to the subway, as long as there is this annual cloud cast over the subway insofar as whether it will go ahead or not go ahead, or go ahead rapidly or go ahead slowly, or go ahead in connection with the Three Sisters Bridge and the freeway, or not go ahead in connection with the Three Sisters Bridge and the freeway—as long as these annual contingencies exist—would the Senator from Wisconsin speculate with me as to the marketability of revenue bonds in this kind of annual, crisis-oriented atmosphere?

Mr. PROXMIRE. I think the implication of the Senator's question is clear. Under any circumstances, if we had a situation in which capital was abundant and no liquidity crisis existed in the country, and if it was possible to borrow money at a reasonably low-interest rate, with this kind of interruption it would be hard to float bonds if they were not assured that the Federal Government was determined to provide funds and provide them on time at a time when it is extraordinarily hard to raise money and funds are very restricted.

This could be most serious. That is why it is extremely important that the funds be provided by mid-September or earlier.

I think that the case that the Senator from Missouri is making this afternoon is extremely important in this respect. I will certainly do my best to call it to the attention of the House conferees, knowing that they are sympathetic and understand that the matter is crucial.

I thank the Senator.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BYRD of Virginia. Mr. President, I feel that it is important that the mass transit system in the metropolitan area be developed. It is important to Virginia. It is important to the District of Columbia. And it is important to Maryland. Each of these units has a great stake in the development of a mass transit system.

The residents of Maryland and Virginia have come up with the required funds up to this point.

It is unfortunate, I feel, that the Federal Government has not been able to participate to the extent it should. I realize that there have been some problems between Congress and the government of the District of Columbia. I happen to feel that the District of Columbia has been dragging its feet, so to speak, in the past and has been making demands. That is very upsetting to Congress. However, despite that, I regret that it has not been possible to fund the mass transit program. I know that the Senate conferees did all that they could do to accomplish this purpose.

I commend the distinguished senior Senator from Wisconsin for his handling of this matter. But I do want to register my conviction that if we continue to delay the mass transit system that the people who live on the Virginia or the Maryland side of the District of Columbia, as the years go by, will probably see a sign at the city limits saying, "You are entering the National Capital, but you cannot get there from here."

I think it is very important that every effort be made to develop this mass transit system.

I thank the Senator.

Mr. PROXMIRE. Mr. President, I thank the Senator from Virginia who has also shown a very deep and consistent interest in the District and has been very helpful to us in this matter.

Let me say, Mr. President, in response to the points that have been raised—and very understandably and very properly—that the position of the managers on the part of the House was adamant in reasserting the position advanced by Chairman NATCHER at the time he originally presented on the House floor the House committee bill denying these funds (CONGRESSIONAL RECORD, June 4, 1970, p. 18359).

The Senate conferees countered with the argument that this project was regarded by the Senate as vital in maintaining continuity of the construction program and the integrity of Washington Metropolitan Area Transit Authority's financial plan. In addition, we said that after having once permitted this indispensable project to get underway, it was both unreasonable and unrealistic to delay construction during the critical first phase of the project's construction schedule.

In short, we were confronted with the position of being able to enact a timely District of Columbia appropriation bill which contains some $45 million in increased operating funds, or ending up in a stalemate. These operating funds are of course important and necessary if we are to fund such items as recently enacted pay increases, annualization of prior-year programs, staffing of new capital outlay facilities, and such critical needs as full funding for the operations of the Narcotics Treatment Agency. If this conference report were not agreed to we would be in the position of not being able to proceed in those areas. Full funding for the latter new agency was contained in the Senate bill and sustained in conference. In addition, $57 million is provided for new capital outlay projects including such important new facilities as schools, public building construction and renovation, and many other essential projects.

Now, Mr. President, I come to the other item in dispute between the House and the Senate, which is of great importance along with the subway matter. The Blue Plains sewage treatment facility is in itself a vital public works project for which $15,600,000 was provided in the Senate bill and sustained by the conference. We hope this will end the fact that we have running through the Nation's Capital a public sewer. We provided an amount that was not in the House bill. This project was initiated in 1965 to design an effective, high-volume facility for the District of Columbia that would serve as a model for the Nation. A master plan was developed in 1966 and specifications were available by fiscal year 1969. Forty million dollars in authorization from the sanitary sewage works fund was requested for this project in fiscal year 1971. At the time of committee action this fund was depleted and as an emergency measure it was necessary to provide $15,600,000 from the general fund. This is very unusual and this is what the House did not like, because this has always been funded out of user taxes but this time it was funded from the general fund. We intend, we hope, and we expect we will be able to repay those general fund amounts out of a revenue act that will be passed in the next few months.

Plans and specifications for construction of the initial unit of this vital facility are presently available and the committee has been advised that the District Government could advertise for bids within 30 days after the funds were authorized and construction could begin within 90 to 120 days. Financing of this project will not fall 100 percent on the District of Columbia and, in fact, authorization of the District's share will free roughly similar amounts of matching funds from the U.S. Department of the Interior and the State of Maryland.

Mr. President, I believe that I can fully understand the disappointment of the citizens of the District of Columbia and the Greater Metropolitan Washington area in our inability to secure the agreement of the House conferees to allowing these funds in the bill before us. We were, however, successful in securing language in the conference report which I read earlier.

Mr. President, I hope we can now proceed to the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. EAGLETON. Mr. President, I request that I be recorded as voting in the negative on the conference report.

The PRESIDING OFFICER. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the aforesaid bill, and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 8 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$57,384,000*

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 9 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter stricken out and inserted by said amendment, insert: *of which $500,000 shall be payable from the highway fund, and $775,000*

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *$4,206,600*

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 12 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

Provided further, Notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968 (Public Law 90-495, approved August 23, 1968), for which funds are provided by this paragraph, shall expire on June 30, 1972, except authorizations for projects as to which funds have been obligated in whole or in part prior to such date. Upon expiration of any such project authorization the funds provided herein for such project shall lapse.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

Provided further, Notwithstanding any other provisions of law, any authorization for a capital outlay project, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968 (Public Law 90-495, approved August 23, 1968), for which funds have heretofore been appropriated shall expire two years from the date of the Act making such appropriation unless prior to the expiration of such period funds for such project were or will have been obligated in whole or in part. Upon expiration of any such project authorization the funds appropriated therefor shall lapse.

Mr. PROXMIRE. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate Nos. 8, 9, 11, 12, and 13.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the bill.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF BILL (H.R. 17868)

Agency and item (1)	New budget (obligational) authority, fiscal year 1970 (enacted) to date (2)	Budget estimates of new (obligational) authority, fiscal year 1971 (3)	New budget (obligational) authority recommended in House bill 1971 (4)	New budget (obligational) authority recommended in Senate bill 1971 (5)	Conference action (6)	Conference action compared with— 1971 budget estimate (7)	Conference action compared with— House (8)	Conference action compared with— Senate (9)
FEDERAL FUNDS								
Federal payment to the District of Columbia:								
General fund	$104,169,000	$105,000,000	$105,000,000	$105,000,000	$105,000,000			
Water fund	2,504,000	2,506,000	2,506,000	2,506,000	2,506,000			
Sanitary sewage works fund	1,424,000	1,432,000	1,432,000	1,432,000	1,432,000			
Total, Federal payment to the District of Columbia	108,097,000	108,938,000	108,938,000	108,938,000	108,983,000			
Loans to the District of Columbia for capital outlay (from the U.S. Treasury):								
General fund	57,235,000							
Highway fund	700,000							
Water fund	170,000							
Sanitary sewage works fund	2,158,000							
Total, loan appropriation to District of Columbia	60,263,000							
The Commission on Revision of Criminal Laws of the District of Columbia	150,000	150,000						
Grand total, Federal funds	168,510,000	109,088,000	108,938,000	108,938,000	108,938,000	$150,000		
DISTRICT OF COLUMBIA APPROPRIATED FUNDS								
Operating expenses:								
General operating expenses	(44,465,600)	[1] (54,288,000)	(48,406,000)	(48,894,700)	(48,894,700)	(−5,393,300)	(+$488,700)	
Public safety	(124,119,800)	[2] (148,392,000)	(144,641,000)	(143,991,000)	(143,991,000)	(−4,401,000)	(−650,000)	
Education	(141,064,600)	[3] (163,564,000)	(146,353,000)	(146,353,000)	(146,353,000)	(−17,211,000)		
Recreation	(17,897,700)	(13,528,000)	(11,141,000)	(10,894,400)	(11,016,600)	(−2,511,400)	(−124,400)	(+$122,200)
Human resources	(137,914,800)	[4] (163,105,000)	(156,677,000)	(157,164,900)	(157,164,900)	(−5,940,100)	(+487,900)	
Highways and traffic	(18,796,900)	[5] (20,436,000)	(19,759,000)	(19,679,000)	(19,679,000)	(−757,000)	(−80,000)	
Sanitary engineering	(34,449,900)	(37,266,000)	(36,069,000)	(36,069,000)	(36,069,000)	(−1,197,000)		
Settlement of claims and suits	(51,000)	[6] (3,000)	(3,000)	(3,000)	(3,000)			
Total, operating expenses	(518,760,300)	(600,582,000)	(563,049,000)	(563,049,000)	(563,171,200)	(−37,410,800)	(−122,200)	(+122,200)
Repayment of loans and interest	(10,807,000)	[7] (15,564,000)	(15,563,000)	(15,563,000)	(15,563,000)	(−1,000)		
Capital outlay	(120,682,300)	[8] (209,012,000)	(64,294,000)	(91,881,000)	(57,384,000)	(−151,628,000)	(−6,910,000)	(−34,497,000)
Grand total, District of Columbia appropriated funds	(650,249,600)	(825,158,000)	(642,906,000)	(670,493,000)	(636,118,200)	(−189,039,800)	(−6,787,800)	(−34,374,800)

[1] Includes a reduction of $980,000 contained in H. Doc. —.

[2] Includes a reduction of $18,000 in H. Doc. —.

[3] Includes a net increase of $2,495,000 in H. Doc. —.

[4] Includes an increase of $1,062,000 in H. Doc. —.

[5] Includes an increase of $144,000 in H. Doc. —.

[6] Included in H. Doc. —.

[7] Includes a reduction of $178,000 in H. Doc. —.

[8] Includes an increase of $1,613,000 in H. Doc. —.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BYRD of West Virginia. Mr. President, I rise very briefly to compliment the able chairman of the subcommittee. This is an interesting bill but a very difficult bill. It is difficult from many standpoints, not the least of which is certainly the fact that the subcommittee has to appropriate within a certain limited revenue act. It is not like other bills we bring to the floor. We can appropriate without regard to revenue so often, but with respect to this bill one certainly has to keep in mind the limited revenue available.

Mr. PROXMIRE. Mr. President, the Senator from West Virginia can speak with more authority on this bill than any other Senator, inasmuch as he was the chairman of the subcommittee for 8 or 9 years. Very few Senators, if any, have served that length of time on that subcommittee. He gave enormous diligence to this matter. This bill was unusual this year. We were constrained not only by the limitation of the revenue act in a certain amount, but this year there was no revenue act, so we were especially restrained and had to come in far below recommendations in the budget and the obvious needs all of us in the House and Senate felt the District of Columbia must meet.

Mr. BYRD of West Virginia. Mr. President, I want to continue by saying there are many, many pressures brought on the subcommittee and the chairman of the subcommittee that are certainly impossible to satisfy. There are no votes in the State of Wisconsin in connection with this bill. While, as I say, it is challenging, it is also time consuming. It is a difficult, complicated, and complex measure because it covers all aspects and subject areas of government of the most important city in this country.

I express my congratulations to the Senator from Wisconsin. I know what he is up against in conference, and I am sure he did his very best under a very difficult situation. The House conferees have strong positions and strong feelings with respect to certain aspects of the bill. I have been confronted with that situation over the years. I do not envy the chairman in his task. I compliment him, and I think it is a remarkable job he has done, keeping in mind that this is the first time in many years—I venture to say in at least 10 years—that the appropriation bill for the District of Columbia has been passed by both Houses and the conference report thereon adopted by both Houses as early as the first day of the new fiscal year.

The chairman has done an extraordinarily good job. I salute him and I express not only appreciation and understanding for his task, but I want also to express my thanks to him for his good work, and to his subcommittee and the staff of the subcommittee for the excellent job they have done in behalf of this most important city in the United States, the National Capital.

Mr. PROXMIRE. I thank the distinguished Senator from West Virginia. As I have said, he really was my leader. I am the chairman of the subcommittee but he served on the committee so long as chairman that I could not possibly keep up with him.

In William Jordan, the staff man assigned to the committee, we have a man of extraordinary competence and diligence. He worked very, very hard on this bill and he was able to reconcile a number of very difficult problems.

As the Senator has said, this is an interesting bill because one is in the position, as it were, of a city official, a council president or mayor, or something of that nature and there are many pressures that come to a person in that position.

In my case I was able to get the distinguished staff member, Mr. Jordan, as a kind of buffer to render sympathetic, energetic, and helpful aid to the city government and the people of the District of Columbia.

Only the Senator from West Virginia can somehow find the time and energy to give the District of Columbia the kind of attention they deserve. I do think, in all deference to all of us who have served on this committee, that this is a strong argument particularly for home rule. It is ridiculous that Congress should impose, in my view, its judgments to the extent we do on what the District of Columbia can do, what money it is to have, and how it can proceed in its projects. We fought a Revolutionary War, at least in major part, because we had taxation without representation and because we did not believe in colonial rule. That is what we have in the Capital of the United States. And the Senate has passed that home rule bill five times. Five times it has been rejected by the House. This is one job I hope we can vote away. I will be delighted to give it up to an elected official in the District of Columbia.

Mr. BYRD of West Virginia. Mr. President, I will take 30 seconds more while we are passing out accolades, and deservedly so. I want to say that I think the District of Columbia is fortunate also in having men like WILLIAM SPONG of Virginia, JOE TYDINGS of Maryland, HARRY BYRD of Virginia, and others in neighboring jurisdictions. While they are not members of this subcommittee they are on the committee which has jurisdiction over the legislative affairs of the District of Columbia and they are very interested, keen minded, and serious minded, diligent, able men.

Certainly I think their efforts make a considerable contribution. Whether we are dealing with the appropriation bill or with the legislative bill, they make a very considerable contribution to the affairs of the city and of the Nation. While they may be directly affected, because they represent jurisdictions that are adjoining and contiguous to this jurisdiction, at the same time they are making a great contribution to the Nation.

Mr. PROXMIRE. Mr. President, may I simply say—and I know the Senator from West Virginia will join me in this—that none of these committees could function without bipartisan support. This subcommittee has on it Senator PEARSON of Kansas and Senator YOUNG of North Dakota, two extraordinarily dedicated and able Senators, who have been very cooperative and most helpful in the efforts of the subcommittee. The ex officio member assigned to the subcommittee, Senator MATHIAS of Maryland, has been very helpful and has shown great interest in getting changes that highly improved the appropriation bill as it passed through this body.

Mr. BYRD of West Virginia. Mr. President, I share with the Senator from Wisconsin the recognition he has just expressed regarding the cooperation and effective work of the minority members of his subcommittee. They are all to be commended.

AUTHORIZATION FOR FILING OF REPORTS DURING ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate on July 2, all committees be authorized to file their reports, including any minority individual, supplemental, or additional views.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1971

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the independent offices appropriation bill, which becomes the pending business.

The clerk will state the bill by title.

The BILL CLERK. A bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

The PRESIDING OFFICER. The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN APPRECIATION

Mr. CHURCH. Mr. President, I wish to speak a few words in appreciation to those in the Senate who yesterday joined in what I believe to have been an historic undertaking to reassert the constitutional role of the Senate in the fateful matters of war and peace.

During the long legislative struggle which, after 7 weeks of debate, climaxed yesterday with the passage of the Cooper-Church amendment, I came to appreciate very keenly those particular Senators with whom I worked in close alliance.

First among them, of course, was the distinguished Senator from Kentucky (Mr. COOPER). Such is his stature in the Senate that his name alone gave great impetus to the amendment. But he was not content to play a passive role. His frequent participation in the debate, his service as spokesman for the sponsors of the amendment in negotiations with the White House, his wise counsel at every critical turn, constituted an indispensable contribution to the successful outcome. It was, moreover, a singular privilege for me to be associated with so fine a gentleman in such an important cause.

Next, I express my gratitude to two wise men of the Senate, the majority leader, Senator MANSFIELD, and the dean of the Republicans, Senator AIKEN. From the outset, the solidarity of their support was of crucial importance. Without their endorsement, their guidance, their seasoned judgment and unflagging encouragement, we could never have prevailed.

In this connection, special mention must also be given to the distinguished chairman of the Foreign Relations Committee (Mr. FULBRIGHT). In addition to his worthy contribution to the debate, Senator FULBRIGHT took an active, personal role, when close votes threatened to seriously weaken the amendment, and on at least two occasions may well have saved the day. His help was vital.

Another Senator deserves much credit

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though we were obliged to strenuously oppose the first amendment he offered. I refer, of course, to the able Senator from West Virginia (Mr. Byrd). No Senator, in my judgment, offered a more lucid analysis of the constitutional implications of the Cooper-Church amendment, throughout the whole course of the debate. Furthermore, when the stakes were high and the argument fiercely joined, Senator Byrd never lost his civility nor engaged in the use of a single extravagant phrase to distort the issue he raised. I regard his conduct as an exercise of self-discipline that all of us would do well to emulate.

Many other Senators should be singled out, including the leaders of the opposition, such as Senators Griffin and Dole. They were formidable, tenacious adversaries and I salute them.

Finally, Mr. President, I pay special tribute to those particular Senators whose vote for the Cooper-Church amendment required them to assume burdensome political risks. If I named them here, I would do them no service, but they played out their role in the best tradition of U.S. Senators.

Mr. BYRD of West Virginia. Mr. President, the able Senator from Idaho is most gracious, as always. This is typical of him, and I think that the roll of those who played such a prominent part here in the Senate in the adoption of this historic legislation very clearly includes the able cosponsor of the amendment, and I speak now of the Senator from Idaho (Mr. Church). Like Abou Ben Adhem, his name leads all the rest. I think it was his equanimity, his courtesy toward all, his patience and willingness to listen to the arguments of other Senators, his desire to cooperate with them in accommodating their views, and his overall generalship in the handling of the legislation, including the floor work and the management of it, which contributed perhaps most of all, if any one Senator could be singled out for praise with respect to the action of the Senate on the legislation to which he refers today.

I wish to share the Senator's viewpoint with respect to all of the other Senators who played a role, and to join with him particularly in his tribute to his able cosponsor, the Senator and affable gentleman from Kentucky (Mr. Cooper). Mr. President, not only I, but all other Senators, salute the able Senator from Idaho. He has done an extremely fine piece of work, and I think that, in the long run, it will benefit the Nation greatly.

Mr. CHURCH. I thank the Senator.

Mr. MATHIAS. Mr. President, I deeply regret that the Senate conferees on H.R. 17868 were unable to persuade the other body to accept the Senate recommendation of $34,768,000 for construction of the Metro system.

Above all, I regret that the Metro system is again being held hostage to the long-debated, long-delayed District of Columbia freeway system.

Like many others, I am an advocate of a balanced transportation system for the Washington metropolitan area. But to me this does not mean that delays in freeway construction must be balanced by delays in building the Metro. It does not mean that the subway system—which has received unprecedented regional and congressional support—should be subject to all the fits and starts, or fits and stops, which highway planning here unfortunately involves.

As I stated on Monday, the Metro system will be in a very real sense the lifeline not only of the central city of Washington, but of the entire metropolitan area as well. It has been the beneficiary of substantial financial commitments by all of the suburban jurisdictions which will benefit from it. Now that construction has begun, we should exert all of our efforts to keep it on schedule, so that financing arrangements—in a very tight bond market—will not be jeopardized in any way.

I know that the Senator from Wisconsin (Mr. Proxmire) and the other Senate conferees tried as hard as they could to convince the other body to approve the $34,768,000 which the Senate had endorsed for the Metro. The conferees did agree on several other important items, including $15.6 million for improvements at Blue Plains and sufficient funds for the District of Columbia narcotics control and treatment program. It would therefore gain us nothing—and would only delay the bill—to seek to return it to conference for another try.

Rather than to reject the conference report, therefore, I feel it is more constructive to go on record, again, that we reject the concept that the Metro can be kidnaped and held hostage to any particular freeway. In forthcoming legislation, I hope we can make our commitment to sustained Metro construction so clear that this situation will not develop again.

PRO FORMA SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, tomorrow the Senate will convene at 9 a.m. for a pro forma session only, and it will then adjourn, under the previous order, until 12 o'clock noon on Monday next.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 2, 1970, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 1, 1970:

Atomic Energy Commission

Glenn T. Seaborg, of California, to be a Member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1975. (Reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate July 1, 1970:

U.S. Coast Guard

The following-named officers of the Coast Guard for promotion to the grade of rear admiral:

Austin C. Wagner
William A. Jenkins

Department of Justice

William J. Bauer, of Illinois, to be U.S. attorney for the northern district of Illinois for the term of 4 years.

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HOUSE OF REPRESENTATIVES—*Wednesday, July 1, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Behold, how good and how pleasant it is for brethren to dwell together in unity.—Psalm 133:1.

God of our fathers, as we draw near the day when we celebrate the birthday of our independence as a nation, we pause to acknowledge our dependence upon Thee, to thank Thee for Thy guiding spirit in the past, and to pray that the power of Thy presence may fit us fully for the future. Without Thee we can do nothing, but with Thee all good and great things are possible.

We remember with affection and honor those who have given and are giving their lives on behalf of our country and in the service of noble causes. By the power of every life usefully lived, by the spirit of every person worthily engaged, may we make our Nation great in moral character, great in religious faith, great in justice and in the brotherhood of man.

May the words of our mouths, the worship of our hearts, and the works of our hands be useful in ushering in the day when men and nations shall learn to live together peacefully, in freedom and with good will toward all. In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 671.—Concurrent resolution providing for adjournment of the House from Wednesday, July 1, to Monday, July 6, 1970.

The message also announced that the

Senate having proceeded to reconsider the bill (H.R. 11102) entitled "An act to amend the Public Health Service Act to revise, extend, and improve the program established by title VI of such act, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 15628. An act to amend the Foreign Military Sales Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15328) entitled "An act to amend the Foreign Military Sales Act," disagreed to by the House; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. CHURCH, Mr. AIKEN, Mr. CASE, and Mr. COOPER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3685) entitled "An act to increase the availability of mortgage credit for the financing of urgently needed housing, and for other purposes," agreed to a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mr. BENNETT, and Mr. TOWER, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

HON. JOHN G. SCHMITZ

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. JOHN G. SCHMITZ, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest and no question has been raised with respect to his election.

The SPEAKER. Is there objection to the request of the gentleman from California.

There was no objection.

Mr. SCHMITZ appeared at the bar of the House and took the oath of office.

CAMBODIA—ANOTHER SUCH VICTORY AND WE ARE UNDONE

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, when the President announced the Cambodian invasion on April 30, the only justification he gave was the saving of American lives. Yesterday he made it clear that another objective was to save the Lon Nol government, a new military dictatorship in Indochina. The venture has cost 339 American lives, $5 million in arms aid to the Lon Nol government, and a commitment for continued arms aid and air strikes. The President says he will also "encourage and support" other countries wishing to send arms or troops to the rescue of the Lon Nol government, raising the specter of American-paid mercenaries. His protestations of success are unpersuasive in view of the facts that the Communists now control more of Cambodia than they did before April 30, they have secured new supply routes to feed the war in Vietnam, and they have been unified in their opposition and have gained pledges of increased support from Moscow and Peking. It would appear that we can say, with Pyrrhus, "Another such victory and we are undone." There being no objection, I would like to extend my remarks in the RECORD with editorials in this vein from the Washington Post and the New York Times:

[From the Washington Post, July 1, 1970]

CAMBODIA: THE PRESIDENT'S REPORT

Although there remains disagreement about its long-term significance, about the cost to our society of having taken this action, there can be little disagreement now over the immediate military success that has been achieved.—President Nixon, in his report yesterday on Cambodia.

This single sentence, from the President's long, final report on the Cambodian operation, just about sums it up, as far as we are concerned. That is to say, we agree that the venture has achieved some immediate military successes, as measured in captured weapons and supplies and killed enemy soldiers and smashed sanctuaries, as we have noted all along, it could not fail in these terms. And these were the terms laid down by the President in his announcement of the operation on April 30. "Our purpose is not to occupy the areas," the President said. "Once enemy forces are driven out of these sanctuaries and their military supplies destroyed, we will withdraw."

So it was to be search and destroy, all very familiar and rather routine within South Vietnam for a good many years, the only difference being that this was a sweep into Cambodia up to a limit of 21 miles. As a one-short, time-buying affair it was even appealing, as long as that was really what it was. The trouble about it, however, was that officials did not leave it at that; in quiet background briefings for the press, a second mission was suggested—that of easing the Communist pressure on the Cambodian government, in hopes of delaying, if not actually preventing a Communist conquest of the entire country. Nobody wanted to say so out loud, because that would have tied us tightly into a situation we could not hope to control without a far larger effort than the American public would put up with. So the administration merely hinted at this secondary mission, as a fallback, you might say, for those who were not entirely satisfied with the stated primary mission.

Well, now we know. Now the President is saying out loud, as American troops are pulling out, what he wouldn't say out loud as American troops were moving in—that we were trying to influence the outcome of the developing struggle for Cambodia for the obvious reason that it made no sense to clean out isolated sanctuaries if Cambodia, in the President's words, was to become "virtually one large base area." By way of strengthening his rationale for going into Cambodia in the first place he is even citing evidence from documents which were captured after we went in and the decision was made. He is saying, in so many words, that "in March and April of this year, Communist troops used their long held bases in Cambodia *to move against the government of Cambodia . . .*"

So it wasn't, after all, just the immediate, direct threat to our troops in Vietnam posed by the enemy sanctuaries in Cambodia. It was also the long-term threat posed by the possibility of the Lon Nol government falling to the Communists. The pattern of Communist activity prior to his decision, the President said, "makes it clear the enemy was intent both on expanding and strengthening its military position along the Cambodian border *and overthrowing the Cambodian government*."

If that is in fact the enemy intent, with all that this would mean, by the President's own admission, for Vietnamization and the safety of our troops, then it seems to us it is a bit early for throwing hats in the air and hailing the greatest American victory since Inchon, as the Vice President has done. This is not to question the "immediate military success," although there are a lot of authorities who do—who note the vast quantities of weapons and supplies that were *not* discovered and destroyed and wonder just how long the effects of the operation will last.

But even supposing that a really serious crimp has been put in Communist capabilities in the coming months, it obviously becomes necessary, from Mr. Nixon's own analyses, to apply another test of his Cambodian venture, over a longer term. It becomes necessary to await the fate of the Lon Nol government in Phnom Penh. In this connection, it is odd, to say the least, that the President, while including the now familiar checklist of captured booty in his final report, had nothing of significance to say about the course of the Other Cambodian War; nothing to say about fighting around Phnom Penh; nothing to say about the apparent concession by the Lon Nol government of a huge northern chunk of Cambodia to Communist control. He had nothing, in short, to report about what this means in terms of that other mission of preventing Cambodia from becoming one big sanctuary. All of which is another way of saying that he had very little of "long-term significance"—in his words—to report.

[From the New York Times, July 1, 1970]

FRUITS OF CAMBODIA

The most important result of the American "incursion" into Cambodia which ended yesterday is not the dubious military achievement claimed by the President in his lengthy report from San Clemente but the political reaction on Capitol Hill as reflected in Senate passage of the Cooper-Church amendment.

By adopting this amendment restricting future United States operations in Cambodia, the Senate moved at last to reassert the constitutional role of Congress in committing American forces to overseas military action. The Senate vote gives dramatic voice to widespread Congressional and public doubts about the wisdom of the Cambodian escalation which the President once again has defended with unpersuasive rhetoric.

Mr. Nixon asserts that the two-month operation in the border sanctuaries, which cost 339 American lives, has inflicted heavy losses in manpower and material on the enemy; has eliminated "an immediate threat" to allied forces; has diminished the enemy's capacity for offensive operations in southern South Vietnam, and will save American lives and assure the scheduled withdrawal of American troops from Vietnam. These claims may largely be justified, although the ac-

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curacy of most of them remains to be demonstrated.

Of greater significance are the dismal facts that the Communists now control far more of Cambodia than they did when the allied thrusts began; that the Lon Nol Government in Pnompenh is in a more precarious position than ever; that the Communists have secured new supply routes through which to infiltrate men and the additional supplies that have been promised by their friends in Moscow and Peking; that the American move has driven Indochinese Communists closer together and closer to Peking.

American forces, in short, are leaving Cambodia in far worse shape than it was when they entered. Mr. Nixon indicated he will try to meet this new situation by giving "encouragement and support" to intervention by Thai and South Vietnamese troops—traditional foes of the Cambodians—on behalf of the threatened Lon Nol regime. The Senate has prudently sought to foreclose this perilously unpromising gambit by retaining in the Cooper-Church amendment a ban on financial support for foreign troops in Cambodia. Even if the House fails to uphold the Senate action, as seems probable, the Administration is on notice that it faces powerful opposition to any such move.

The President came closer to the mood of Congress and of the country in those passages of his report in which he disavowed any faith in a military solution to the Indochinese conflict and promised renewed efforts to seek a negotiated settlement for the entire region. If he follows up these promising words with deeds—such as the prompt designation of a new top-level negotiator in Paris—he will find the new mood in Congress, which he has so stubbornly resisted, is really an asset that can help him and the nation out of an increasingly difficult predicament.

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LEGISLATION TO ELIMINATE A PATENT ABSURDITY IN AVIATION FACILITIES EXPANSION ACT

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation to eliminate what I regard as a patent absurdity in Public Law 91–258, the Aviation Facilities Expansion Act.

Under terms of this otherwise admirable law, airlines and their ticket agents are required, effective today, to conceal from passengers just how much tax they are paying for what. The prohibition applies to advertisements as well as ticket forms—meaning that customers are to be left completely in the dark unless agents are willing to risk stiff fines by giving them a verbal breakdown of the fare and tax.

This restriction makes a mockery of the public's right to know what their Government is doing for and to them. It is also retrogressive in the sense that it reverses the recent congressional emphasis on disclosure measures such as truth-in-packaging and truth-in-lending.

My attention was first drawn to this matter by a Time-Life broadcaster, the able Carl Coleman.

The San Diego Evening Tribune, in a June 25 column by Neil Morgan and a page 1 story the following day by Don Learned, has also laid bare this injustice. As Mr. Morgan, one of the most widely read and respected writers in California, points out: the new secret tax coupled with a recent Civil Aeronautics Board decision permitting airlines to round off fares to the next highest dollar amounts to "twisting the inflation knife."

And both articles make clear that travel agents in the San Diego area have been thoroughly intimidated, as well as infuriated, by this enforced secrecy; they are literally afraid to speak out, lest Big Brother crack down on them.

I am completely unable to accept the rationale used by the Senate Finance Committee in initiating the requirement. The argument that withholding of the information will save time that ticket clerks have spent in calculating the tax pales to insignificance when matched against the threat to the historic right of the American people to full knowledge of the taxes levied against them by their Government.

I am not a lawyer, but the possible constitutional implications seem so obvious to me that I believe grounds exist for a court test of this secrecy clause.

I would, therefore, urge airlines and other directly affected parties to consider an appropriate suit pending action on my bill, which would simply strike the offending language from Public Law 91–258 to permit, once again, disclosure of taxes and fares, as well as the full amount of ticket costs, in both tickets and advertising.

The articles by Mr. Morgan and Mr. Learned follow:

[From the San Diego Tribune, June 25, 1970]

TAX ON AIRLINE TICKETS

(By Neil Morgan)

Is Uncle Sam trying to hush up the fact that he is raising tax on domestic airline tickets next Wednesday from 5 to 8 per cent? It seems that way to travel agents and airline ticket agents here. All of them have written instructions not to show the increase as a tax increase when writing the ticket. They are warned in fact, not to itemize the tax separately any longer, on penalty of a $100 fine as provided by the new tax law (and presumably to be levied by the Civil Aeronautics Board against the airline).

On domestic tickets after July 1, only the total ticket cost is to be shown; lines for fare and tax are to be left blank. "If a passenger asks explanation for the fare increase," the Air Traffic Conference has notified travel agents, "give it verbally." No written notations are to be made by the ticket agent.

Says travel agent Kay Stewart: "We can't show tax as tax any longer without breaking a federal law and getting fined."

Under the change, airlines will round off all fares to the next highest dollar (striking a preliminary blow for inflation) and then levy the higher tax on the higher fare, twisting the inflation knife.)

"It's all so creepy," says an airline ticket clerk here. "Nobody has ever warned us before not even to talk about something like this with our customers."

Says the district sales manager of another airline: "I almost hate to discuss it with you. For God's sake don't use my name. The whole thing has been treated like a deadly secret. It sounds like Big Brother."

[From the San Diego Tribune, June 26, 1970]

AIRLINE TICKET LEVY SECRET BY LAW: "PSST— HOW MUCH OF THIS IS TAX?"

(By Don Learned)

An increase in taxes on domestic airline tickets starts Wednesday but don't ask ticket agents to write out how much it amounts to.

A new federal law makes it illegal for them to do so.

Federal instructions tell agents to leave blank the spaces on the ticket designed to show "fare" and "tax." Agents can fill in the only the "total" space.

The tax increase—from 5 to 8 per cent on domestic tickets—is part of the Airport Airways Act. Signed into law last month, it's designed to raise more than $16 billion in the next 10 years for airport improvements.

A provision of the law, however, requires that the fare and tax be stated as a total amount only—in effect hiding the tax from the public.

A spokesman for the Internal Revenue Service in Washington, said the law specifically prohibits ticket agents from listing how much the fare is and how much the tax is.

If the ticket agent broke down the two charges he would be guilty of a misdemeanor and subject to a fine of up to $100, he said.

"It's ridiculous," said one ticket agent. "We have truth-in-lending, truth-in-packaging but if you want to know how much your taxes are, we can't itemize it."

The provision was uncovered by columnist Neil Morgan in checks with local ticket agents and was reported in his column yesterday in the Evening Tribune.

A Senate Finance Committee report in February said the purpose of the new procedure is to eliminate delays in ticket price computation. Another aim is to avoid misconceptions in advertising by giving customers one total price, the report said.

Travel agents in San Diego, however, said that the new rules have caused confusion and delays.

"People are complaining about it," said Kay Stewart, office manager of Continental Trailways. "They don't understand why we can't put the tax down."

She said it means "considerable more work" because the amount of fare on which agents figure commissions is not stated. They have to first deduct the 8 per cent tax to find out what the fare is.

"It's a pretty rotten deal," added Jim Pyka, assistant manager of the Allied Travel Agency. "They just snapped it on us."

The act was signed into law May 21 and goes into effect July 1.

The Federal Aviation Agency estimates that the tax package will generate $665.8 million during the next fiscal year. The bulk of it, some $526.2 million, will be paid by the domestic traveler. International travelers are to contribute another $28.4 million.

One of the problems created is that travelers who have already purchased tickets for travel after July 1 will have to pay the amount of the additional tax—amounting to 3 per cent of fare.

Pyka predicted that a numbers of travelers will be unaware of the new tax and will walk into airports thinking they have a fully-paid ticket.

"It's going to create havoc," he said. "The ticket agents at the counter, they're busy enough as it is. Now they're supposed to go and figure out 3 per cent of the fare."

Under the law, the 8 percent tax would cover flights from San Diego to any other city in the 48 continental states.

Flights from San Diego to Hawaii and Alaska will be covered by another new tax on international trips. The airways bill provides a new $3-per-person tax on travelers going outside the continental United States.

Instructions issued to travel agencies by the Air Traffic Conference of America, a government bureau which oversees travel agency operations, states:

"When quoting fare to passengers you must give only the total price (tax plus fare). However, there is no problem in telling the passenger that the quoted price includes an 8 per cent federal transportation tax.

"If the passenger specifically requests a breakdown of the total fare, it may be given to him verbally."

HOUSING NEEDS REQUIRE HOUSE AGREEMENT TO H.R. 15845

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, last week the House passed the Emergency Home Finance Act of 1970—H.R. 17495. While this bill has some merit, it really does not adequately address the massive housing problem which today exists, and which will, if the administration's monetary and fiscal policies are not changed, continue to exist.

Previously, the Senate version of this bill was passed on April 16. Yesterday, the Senate voted to disagree with the House version of the Emergency Home Finance Act, and Senate conferees were appointed.

One provision of the Senate version which was not embodied in the House version, and which the House and Senate conferees will now have before them as a matter for consideration, is my bill, H.R. 15845. The language of this bill was embodied in section 402 of the Senate version, which reads:

> SEC. 402. The second sentence of section 302(b)(1) of the National Housing Act (as redesignated by section 201 of this Act) is amended by inserting after "(1)" the following: "is insured under section 236 or."

This is, in effect, the language of H.R. 15845, and of S. 3239, which was introduced in the other body by the senior Senator from New York (Mr. JAVITS).

H.R. 15845 provides a significant and necessary change in the present law by permitting the Government National Mortgage Association—GNMA—to purchase section 236 mortgages which reflect the effect of local tax abatement programs, even though they are in excess of the Association's statutory limits.

Construction costs are so high in New York City and other high cost areas that the present $22,000 per unit limit effectively bars GNMA from purchasing section 236 mortgages there. While under present law low and moderate income housing constructed under the section 221(d)(3) program can exceed the $22,000 limit if the project is receiving tax abatement and the resulting rents are comparable to those in projects whose per unit cost is less than $22,000, there is no comparable flexibility for section 236. Yet, section 221(d)(3) is being phased out and replaced by section 236.

It is essential that GNMA be given this flexibility. In its absence, the financing and construction of section 236 projects in high cost areas where tax abatement programs are established, are seriously inhibited. H.R. 15845 is the solution.

The tremendous interest rates which now prevail make the section 236 program of prime importance, since it enables Federal subsidization of interest payments. Consequently, any measure to make section 236 more effective is of prime importance. H.R. 15845, embodied in the Senate version of the Emergency Home Finance Act, is a measure which directly goes to this end. Thus, I strenuously urge the House conferees on this act to agree to the Senate's version embodying H.R. 15845.

HANDICAPPED NEED INFORMATION CENTER

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BENNETT. Mr. Speaker, the 42 million handicapped persons and their families in America today face not only the burdens that their handicaps present, but also a worse fate—little knowledge of how they can help themselves.

As a handicapped person myself, I know of the problems faced by people who become disabled. The lack of readily available information on how they can develop and live normal lives is a detriment to them as they go about their daily tasks.

While we have many public and nonpublic organizations and agencies involved in helping the handicapped, there is no real centralized and consolidated center to help the handicapped in their problems of employment, education, transportation, recreation, and other activities.

Today, I am introducing a bill to provide for a National Information and Resource Center for the Handicapped in the Department of Health, Education, and Welfare. I join Senator ROBERT DOLE, of Kansas, in the introduction of this legislation, which I believe will go a long way in helping the handicapped to help themselves.

Over the last two decades I have sponsored and supported bills to assist the handicapped of America. In the last Congress, a bill sponsored by myself and the late Senator from Alaska, E. L. Bartlett, was enacted into law, and it provides that public buildings shall be constructed to be accessible to handicapped persons. In this Congress, I have sponsored bills enacted into law which provide for a National Center on Educational Media and Materials for the Handicapped and to insure that the proposed Washington metro system is designed and constructed to be accessible to the physically handicapped.

Mr. Speaker, the bill I am cosponsoring with Senator DOLE, a leader in the effort to help the 42 million handicapped persons and their families, would provide a broad program of information and data to the handicapped and to those private and public agencies and individuals who are helping the handicapped.

I am hopeful for favorable departmental reports and early hearings on this legislation. The Congress can legislate properly to provide an atmosphere in which the handicapped can achieve a useful and productive life. A copy of the bill follows:

H.R. 18286

A bill to provide for the establishment, within the Department of Health, Education, and Welfare, of a National Information and Resource Center for the Handicapped

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Information and Resource Center for the Handicapped Act".

SEC. 2. (a) There is hereby established, within the Department of Health, Education, and Welfare, a National Information and Resource Center for the Handicapped (hereinafter referred to as the "Center").

(b) The Center shall have a Director and such other personnel as may be necessary to enable the Center to carry out its duties and functions under this Act.

SEC. 3. (a) It shall be the duty and function of the Center to collect, review, organize, publish, and disseminate (through publications, conferences, workshops or technical consultation) information and data related to the particular problems caused by handicapping conditions, including information describing measures which are or may be employed for meeting or overcoming such problems, with a view to assisting individuals who are handicapped, and organizations and persons interested in the welfare of the handicapped, in meeting problems which are peculiar to, or are made more difficult for, individuals who are handicapped.

(b) The information and data with respect to which the Center shall carry out its duties and functions under subsection (a) shall include (but not be limited to) information and data with respect to the following—

(1) medical and rehabilitation facilities and services;

(2) day care and other programs for young children;

(3) education;

(4) vocational training;

(5) employment;

(6) transportation;

(7) architecture and housing (including household appliances and equipment);

(8) recreation; and

(9) public or private programs established for, or which may be used in, solving problems of the handicapped.

SEC. 4. (a) The Secretary shall make available to the Center all information and data, within the Department of Health, Education, and Welfare, which may be useful in carrying out the duties and functions of the Center.

(b) Each other Department or agency of the Federal Government is authorized to make available to the Secretary, for use by the Center, any information or data which the Secretary may request for such use.

(c) The Secretary of Health, Education, and Welfare shall to the maximum extent feasible enter into arrangements whereby State and other public and private agencies and institutions having information or data which is useful to the Center in carrying out its duties and functions will make such information and data available for use by the Center.

SEC. 5. There is authorized to be appropriated for carrying out the purposes of this Act for the fiscal year ending June 30, 1971, the sum of $300,000, and for each fiscal year thereafter such sums as may be necessary.

BUREAU OF CUSTOMS INVESTIGATING DUMPING OF POWER TRANSFORMERS

(Mr. VIGORITO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VIGORITO. Mr. Speaker, on June 15, the Bureau of Customs announced that it is investigating the dumping of large power transformers by manufacturers in France, Italy, Japan, Sweden, Switzerland, and the United Kingdom. This investigation is directed at unfair pricing on the part of manufacturers in these countries which poses a serious threat to the continued health of the U.S. large power transformer industry.

My district has a particular interest in this antidumping proceeding because a Westinghouse large power transformer facility is located at Sharon, Pa., and employs more than 4,000 workers in the production of large power transformers. Consequently, I have sent the following letter to Mr. Myles J. Ambrose, the Commissioner of Customs:

> It has come to my attention that the Bureau of Customs is presently investigating the dumping of large power transformers by manufacturers in England, France, Italy, Japan, Sweden, and Switzerland.
>
> This matter is of particular concern to me because of the location within my District of the Westinghouse power transformer facility at Sharon, Pennsylvania. That facility employs more than 4,000 workers, who are vitally interested in protecting the U.S. large power transformer industry against unfair pricing by foreign manufacturers.
>
> It seems clear that the American industry urgently needs the protection against unfair pricing which Congress has provided in the Antidumping Act. I am informed that foreign firms have already captured a significant portion of the U.S. market, including substantially all U.S. Government business, that some U.S. companies have already laid off workers, that a worsening of this situation can be expected unless some action is taken against unfair foreign competition.
>
> I feel that it is essential that American industry and labor receive promptly the full protection afforded by U.S. law. In the past, prompt relief from dumping has sometimes been delayed by the tendency of antidumping proceedings to be lengthy affairs. I am therefore especially encouraged by your apparent intention to expedite the present antidumping investigation to the fullest extent possible. I would very much appreciate being kept informed as to its progress.

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I regard the investigation now being pursued by the Bureau of Customs as a particularly significant step in the protection of American industry against unfair competition from abroad. The dumping activities which are the subject of this proceeding are made possible by the fact that manufacturers in Europe and Japan enjoy a privileged position in their home markets, totally unlike the free competition which prevails in the United States. Typically, these manufacturers make substantially all of their home market sales to government-controlled purchasing bodies which buy exclusively from domestic manufacturers. In fact, American firms have been unable to sell large power transformers in any of the six countries named in the Bureau's notice of investigation. Therefore, free from foreign competition, the overseas manufacturers can and do maintain high home market price levels and sell their excess capacity abroad—principally in the United States at sharply reduced prices.

Moreover, foreign large power transformer firms receive considerable export incentives from their governments. These include rebates of value-added taxes, accelerated depreciation allowances and other income tax advantages, and rebates of duties on previously imported components and materials. In some cases, manufacturers have even received direct export subsidies.

Thus protected from foreign competition and artifically encouraged to increase exports, foreign firms have sold in the United States at prices far lower than their home market price levels. Exports to the United States have been priced as low as 22 percent of prevailing home market levels. This means that the foreign companies are charging their domestic customers as much as four times the prices charged to United States purchasers.

These sales in the United States at prices drastically below those charged to home market purchasers constitute a clear example of dumping. Such international price discrimination has been condemned by every major international trading nation and is specifically denounced in article VI of the General Agreement on Tariffs and Trade. Congress has dealt specifically with such problems by providing for the imposition of special dumping duties under the Antidumping Act of 1921. The imposition of such duties on imports of large power transformers is urgently needed to protect American industry and labor engaged in the production of such equipment. Moreover, the present proceeding represents a significant step toward achieving meaningful enforcement of the Antidumping Act of 1921.

UKRAINIAN STRUGGLE FOR INDEPENDENCE

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KLEPPE. Mr. Speaker, each year on January 22, we take time to give moral support to Ukrainians for their gallant struggle for independence and against Communist aggression.

Each year Governors and mayors throughout the country proclaim January 22 as "Ukrainian Independence Day." The year 1970 marked the 52d anniversary of Proclamation of Independence of Ukrainian National Republic and the 51st anniversary of the Act of Union, whereby all Ukrainian lands were united into one independent and sovereign Nation.

It was over 75 years ago that Ukrainians came to my State of North Dakota and contributed to its development. On behalf of them and Ukrainians throughout the United States, I am today introducing a resolution calling for official recognition of January 22 as "Ukrainian Independence Day" and authorizing the President to issue a Presidential proclamation each year designating January 22 as "Ukrainian Day."

I would urge my colleagues to join with me in sponsoring similar resolutions. Such action would provide tremendous moral support and would represent a positive demonstration of this country's desire to speak out against repressions sweeping the Ukraine.

UMWA FISH FRY

(Mr. WAMPLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, I was honored to participate in the United Mine Workers of America fish fry at Bullitt Park in Big Stone Gap, Va., Saturday, June 20, 1970. It was sponsored by the local unions in Wise and Lee Counties of District 28, which is in my Ninth Congressional District of Virginia. Carson Hibbitts is the president of District 28.

W. A. "Tony" Boyle, international president of the UMWA, attended the fish fry, as did Edward L. Carey, chief counsel for the UMWA. I would like to insert in the CONGRESSIONAL RECORD the remarks of Tony Boyle:

> Fellow coal miners, your families and friends—I would like to greet some of our friends who are here today.
>
> First let me call to your attention that a man sitting on this platform—Congressman Wampler—has worked diligently for coal miners throughout all the time we were trying to enact the Federal Coal Mine Health and Safety Act. Others get to the newspapers and let it be known they are working on behalf of you. But this man, let me assure you, is always ready, willing and competent to do the things the United Mine Workers of America called upon him to do. He never let us down. Thank you, Congressman Wampler.
>
> General Counsel Carey, I am glad you could come down from Washington.
>
> President Hibbitts and your committees who worked so hard to make this celebration a success, and all of my fellow officers and friends, thank you for coming.
>
> I am deeply grateful for your kind invitation to be with you today. The locals in District 28 banded together to make this fishfry a wonderful success. This is a sign of our unbreakable unity because when folks get together to have fun, they are united in the more serious business of keeping our union together.
>
> Needless to say, the kind words that accompanied your invitation were appreciated. Those words gave me credit for achieving new benefits for miners. Being human, I like to feel that I have earned some of that credit, but most of the credit must go to all of you here and the thousands and thousands of other mine workers who make up our union.
>
> We have made progress only because we have remained united. It was mine worker unity and determination that built our union. It was mine worker determination and unity that lifted us from the industrial serfdom that once marked our industry. It has been mine worker unity and determination which kept our union strong and permitted us to achieve the standards we have won.
>
> This past week we commemorated the 46th anniversary of the infamous Ludlow massacre where mine workers and their families were slaughtered by the State militia and the National Guard and the company thugs of that day. There are still some among us who remember Ludlow and other bloody events that have marked our union's history. What we have won, we have won with the blood, guts, and spirit of mine workers and mine worker families. Let us never forget it; let us remember that our strength lies in ourselves, not in self-proclaimed saviors who promise to save us from ourselves.
>
> We have come through a trying period during the last year. We have seen our union attacked from within and from without. Outsiders have joined with some inside our house to attack the good name of the United Mine Workers of America, and to divide mine worker against mine worker, pension member against working member, and brother against brother.
>
> Despite the attacks upon us, our union remains strong and intact. Following the election last year, I pledged to work to reunite

miners and to heal the wounds within our union. This remains my major goal. Despite continuing attacks upon the UMW and upon me personally, we have made significant progress in that direction.

I serve notice upon the entire nation here today that our union remains unbreakable in spirit, and that in the years immediately ahead, we will achieve far greater gains than ever before.

I serve notice upon the coal operators who have hoped that we would be shaken apart that we will meet them in negotiations next year backed by the greatest solidarity in our history.

I serve notice to those within our ranks, who still refuse to accept the will of the majority and who would divide us against ourselves, that their propaganda will fall upon deaf ears.

I serve notice upon all Federal agencies who would interfere in our affairs that they will not break the unity of the United Mine Workers of America.

I serve notice upon those outsiders who have sought to take us over that we will remain masters in our own house.

Only recently in Philadelphia, a leading spokesman for certain outsiders called upon the Federal Government to move against our union. He libeled the UNW as an "island of tyranny." In so doing, this self-proclaimed savior sought to incite violence in our ranks by warning that blood would flow unless the Federal Government moved against us.

As the Ludlow massacre reminds us, Government intervention in our internal union against the welfare of the mine worker. As we remember our members who have shed blood in strikes to better the lot of the miner and as we remember our members who have died in the dark of the mine, let us remember that our salvation lies in our mutual bonds alone.

We are here today to enjoy ourselves and I, too, want to join in the fun. Nevertheless, let us take time here and now to give a resounding "no" to all who call upon the Government or any other outside group to dictate how we shall run our union.

There is already far too much violence in this Nation and in the world. If there is violence in the coal fields, it is not we who will provoke it. We seek no civil wars among ourselves. We seek only to unite miners and to make certain that the will of the majority shall prevail.

We have been maligned and libeled and subjected to ugly name-calling and to outright lies. Some people claiming to be friends of labor have brought down upon us and the entire house of labor a vicious attack and proposed anti-labor laws that, if enacted, would set this Nation back 100 years.

We of the United Mine Workers of America need no such friends. We reject them. We have met their challenge in a free and open election. And we won.

Now, finally, the truth has begun to emerge into the light of day. As the truth emerges, it becomes clear that your union and its leadership have been falsely accused. Unfortunately, the same press which took such delight in trying to blacken our name has done little to make amends.

The truth began to emerge recently before a body of the United States Senate. When this investigating subcommittee was formed, there were cheers from those who have hurled charges against us. To clear our name, I requested and received an opportunity to appear and to answer our tormentors.

We welcomed those hearings because we had nothing to fear and because they gave me an opportunity to refute the false charges made against us. We had nothing to hide, and the truth began to surface. As one reporter commented, "they didn't lay a glove on him," meaning me. On the other hand, the public began to notice certain contradictions and inconsistencies in the hysterical testimony of our accusers.

The truth emerged further when George Shultz, formerly Secretary of Labor, testified before the same committee. The Secretary testified that his Department and the Department of Justice had made a painstaking investigation of the charges against the UMW and its leadership. The Secretary testified they talked to representatives of 882 local unions during the course of the investigation.

Secretary Shultz testified.

That the Department of Labor and the Federal Bureau of Investigation found no evidence that the UMW leadership had instigated violence in last year's election;

That the National Bank of Washington did *not* lend money to finance the campaign of the Boyle-Titler-Owens ticket;

That my opponent had been punched in the jaw by a UMW member whom he made angry and that the UMW leadership had nothing to do with this fight or any other violence.

The secretary testified that there was no karate chop, although outsiders and the press had played this up. This was just one sample of the "big lie" and the press has done nothing to promote the truth about it.

The secretary said during his testimony and I quote "our investigation did not disclose a sufficient basis for alleging that violence during the election period affected the outcome of the election."

The charges hurled at us were false. Members of the UMW went to the polls and registered their choice of officers in a democratic election.

Immediately after the death of the late beloved John L. Lewis, the UMW international executive board designated me as the UMW trustee of our welfare and retirement fund. For quite some time I had been examining the fund's financial position and had concluded that it was sound. I was deeply troubled because the $115 monthly pension payment was so inadequate. I met with the operator's trustee and obtained his consent to increase the pension to $150 monthly.

In the eyes of some outsiders, my action to increase pensions was a crime. They have sought to make your pension a political football. It was certainly gratifying to hear the former Secretary of Labor testify that they found nothing illegal, immoral or wrong in any way in our vote to raise your pensions.

We in the UMWA have always interpreted our constitution to permit locals to continue in operation as long as they have members. Although our constitution requires 10 members to charter a local, the UMW does not thereafter revoke a charter just because there are less than 10 working members remaining in the local. We have always taken the position that pensioners are entitled to hold membership in our union and that, as full fledged members, they are entitled to vote in elections for international officers.

Some outsiders charged that locals with fewer than 10 working members are "bogus" locals and on that basis they went to court to try to deny the vote to 80,000 members. They did not succeed. They did not succeed.

The Secretary of Labor found that the entire issue was bogus—not the locals. He testified that he fully agrees with our interpretation of the UMW Constitution that pension members are entitled to vote. The important thing to remember is that the very people who tried to deny almost 80,000 UMW members the right to vote are the very same people who are trying to label our union as undemocratic.

During the last year I have visited with thousands and thousands of our members in the field. I welcomed your invitation today to come to Virginia and talk with you and listen to you. We intend to carry out the program that was laid down to you during the last year. The UMW has already begun. Some delays have been encountered because we have been forced to face our challengers and to defend our union. We have done so successfully and we intend to move ahead.

In spite of the economic problems in the American economy, the demand for coal is zooming. Coal prices are soaring and the operators are making hay. If we close ranks and present a solid front to the coal operators, we will make the greatest progress in our history. This I promise you.

We will work for a fifty dollar a day wage.

We will win higher pensions and other major gains in welfare benefits.

We will refuse to subsidize the coal industry, the utilities, the steel industry and other coal users by accepting less than a just wage, modern welfare and pension benefits and other working conditions.

It is my hope that the coal operators will see things our way because it will be to their benefit.

One of the major problems in the coal industry is the lack of trained mine workers. We can recruit and train new miners in our industry if we had a wage structure commensurate with the skills we now require and the risks we must take.

Unless the Federal Coal Mine Health and Saftey Act is properly enforced, there will continue to be a shortage of trained mine workers. The UMW intends to see to it that the new law is strictly enforced. We have stated over and over that the overriding consideration in law enforcement must be the health and safety of mine workers. That is what we seek and that is what we shall obtain. We are shocked at the lawsuit brought by nonunion mine operators to prevent the enforcement of the law. We will fight them in the courts and through new organizing drives.

Last Labor Day, I said that if a lawyer or a doctor is worth $50 per hour, a skilled coal miner is certainly worth $50 per day. I repeat that claim. We intend to get what we are worth. But we will get what we are worth *only* if we are united. We will get what we are worth *only* if we do not weaken our union or our own personal financial capability to take on the coal operators when next year's negotiations come around, we must prepare now.

It is easy to understand the impatience of coal miners with some of the working conditions that the coal operators seek to impose upon them. I understand the reaction that says "close the mine and strike 'em dead."

But let's look at the consequences.

The coal operators want us to wear ourselves out before our next contract comes around. They want us to fight with each other. Oh yes, the operators complain about wildcat strikes, but yet they seem to incite them almost as a policy.

Let's keep our cool.

Let's use the grievance procedure to resolve our disputes. Every district is being alerted to the importance of speeding up the settlement of grievances through the dispute machinery of the contract. Let's hold on—let's remain at work—while the grievances are processed. If the grievance machinery doesn't work right, let's find out why and change it in our next contract.

We honestly think we have a good grievance procedure, one of the best in industry. We would all be better off if we would rededicate ourselves to making the grievance procedure work. You will have the full cooperation of the international union.

The last thing we want is to be "all struck out" when our next contract comes around. If we have weakened ourselves by unauthorized work stoppages, the operators will fight back hard. They will be far more cooperative in negotiations if we are united and in good fighting trim.

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If we close ranks now, keep our cool and rally behind our union, we will have the greatest opportunity in our history to make contract progress.

What has gone before will seem only a prelude.

With unity and solidarity as our watchwords, we are going to roll this union on. Together, we will work new wonders for ourselves.

Thanks to each and every one of you for coming today. God Bless You. Thank you.

RESTORATION OF PRAYER IN SCHOOLS

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, for years resolutions have been introduced to permit voluntary participation in prayer in public schools. I have been approached on this subject by many ministers, priests, and interested laymen, all of whom asked for restoration of prayer in schools.

Daily this House is opened with prayer. How can we deny our children a privilege we here enjoy? Is it because one man on the Judiciary Committee blocks this resolution? Should we permit one Member, however sagacious or respected, to thwart the will of this House and the vast majority of our constituents?

Today, I ask, Mr. Speaker, that Members favoring the permission of voluntary participation in prayer in our public schools sign a discharge petition on my resolution, House Joint Resolution 337, or the resolution of any other Member allowing such prayers.

XUM

CONDOLENCES TO PARENTS OF SOLDIERS SLAIN IN VIETNAM

(Mr. GOODLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GOODLING. Mr. Speaker, a Congressman deals with people, some of whom are confronted with tragic circumstances that are truly heart rending. The remarkable thing is that these individuals are not crushed by such adversities but, instead, have the courage and will to rise above them and go on.

Just recently a tragedy fell upon the family of Mr. and Mrs. Calvin H. Miller, constituents of mine who reside at 40 Grandview Road in Hanover, Pa.

On May 11, 1970, I received a letter from Mr. Calvin H. Miller advising me that a son, Pvt. Jeffrey H. Miller, was serving on the battlefields of Vietnam with the 14th Infantry Regiment. Mr. Miller informed me that while he and his wife were deeply concerned for the safety of their son, they knew there was a difficult job to be done in Vietnam and that their son was one of those selected to get it done. The letter also indicated that son Jeff had a very positive attitude with respect to his service assignment.

The tone of this letter was so inspiring that I inserted it into the CONGRESSIONAL RECORD of May 21, 1970, hoping that a vast number of persons would have an opportunity to read it and appreciate its meaning and sincerity.

On May 29, 1970, I received a very fine letter of appreciation from Mr. Miller for my insertion of his letter into the CONGRESSIONAL RECORD and, tragically, in the wake of that letter, the news service carried an announcement that Pvt. Jeffrey H. Miller was killed in action in Vietnam.

I wrote Mr. and Mrs. Calvin H. Miller a letter of condolence, and just recently I received a letter from Mr. and Mrs. Miller which stated as follows:

> We acknowledge your kind expression of sympathy in the death of our son, Pfc. Jeffrey H. Miller. We ask you to refer to the *Congressional Record* of the 91st Congress, second session, vol. 116, page 16661. We stand firm on that letter.

Mr. Speaker, the letter to which Mr. and Mrs. Jeffrey H. Miller referred was the one I had inserted into the CONGRESSIONAL RECORD of May 21, 1970, a letter written when their son Jeff was still alive, a letter which expressed the deep understanding they had for their son's service in Vietnam.

Mr. Speaker, this represents a remarkable demonstration of patriotism and dedication, reaffirming a patriotic conviction after the loss of a dearly loved one in military action.

I am extremely proud and, in fact, very humble to have the privilege of representing a family that has made the supreme sacrifice of a son in the cause of their country and who, while their hearts are torn with grief, muster the strength to say of their conviction, "We stand firm."

Again, I extend my condolence to Mr. and Mrs. Jeffrey H. Miller, and to Jeff's grandmother, Mrs. Effie Mummert. These citizens exemplify the highest type American that can be found in this land.

RICHARD NIXON—A MAN FOR ALL SEASONS

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, the passage yesterday of a watered-down version of the Cooper-Church amendment in the other body has little meaning, both because of its verbiage and because it will never pass the House and become law. Originally designed to force the American troops out of Cambodia, its passage came the day after all the troops had already been withdrawn.

This issue has, however, provided new opportunity for the President's carping critics in the press and in the body politic to villify him and to attempt to place upon his shoulders the entire responsibility for the war which he inherited in Southeast Asia. It is the strength and the genius of the American system, however, that the American people have the innate and intuitive good judgment to recognize courage and integrity when these are demonstrated by a national leader.

Not only in sending troops into Cambodia to protect our soldiers in Vietnam, but in other such controversial actions as the vetoing of education and health facilities bills, Mr. Nixon has demonstrated a willingness to pit himself against the sacred cows of this society and to make himself the target of those political pharisees who so sanctimoniously condemn all who disagree with their simplistic view of how to achieve the peace, in order to do what he believes to be right for his country.

If it were true, as some of his critics wishfully predict, that such actions should make him a one-term President; he would choose this rather than to do what he believes to be wrong. It is better, Mr. Speaker, for a man to be a private citizen with the courage of his convictions than to hold the Nation's highest office and fail to follow the dictates of his conscience.

But even those Americans who disagree with his decisions, as I have done on some domestic issues, find in our President a man for all seasons. Through the good years and the bad Richard Nixon, as a Republican, has given himself to the service of his party and to the election of its candidates to public office. There is not a State in the Union or even a congressional district in which Richard Nixon has not labored in the Republican vineyard. It is, therefore, unthinkable that he would receive anything other than the absolute loyalty of the Republican Party and its overwhelming vote of confidence at the next nominating convention in 1972.

Through the long years of his public service he has distinguished himself repeatedly in the House, in the Senate, as Vice President, and now in our Nation's highest office. There is, therefore, no doubt in my mind, Mr. Speaker, but that he will be reelected to the Presidency by a resounding margin. The American people have found in our President a man who stands so tall he makes his critics look small indeed.

HE KEPT HIS WORD

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, one of the great problems in public life today is the question of credibility. People just do not seem to believe what public officials say—or believe that those officials mean what they say or will do what they say they are going to do.

Today, I want to cite to you, and to all of the people of America and the world, an example of credibility—of credibility so clear, so unmistakable as to be an example for men in public life everywhere. The example to which I refer was set by the President of the United States.

Two months ago, President Nixon said that all U.S. troops would be out of Cambodia by July 1. Since he made that statement, there has been a persistent casting of doubt by the opponents of the President both in Washington and Hanoi. As a result, there was widespread questioning whether he would do what he said he would do.

What happened?

Before July 1 the last of the U.S. troops that had gone into Cambodia to clear out

HOUSING NEEDS REQUIRE HOUSE AGREEMENT TO H.R. 15845

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, last week the House passed the Emergency Home Finance Act of 1970—H.R. 17495. While this bill has some merit, it really does not adequately address the massive housing problem which today exists, and which will, if the administration's monetary and fiscal policies are not changed, continue to exist.

Previously, the Senate version of this bill was passed on April 16. Yesterday, the Senate voted to disagree with the House version of the Emergency Home Finance Act, and Senate conferees were appointed.

One provision of the Senate version which was not embodied in the House version, and which the House and Senate conferees will now have before them as a matter for consideration, is my bill, H.R. 15845. The language of this bill was embodied in section 402 of the Senate version, which reads:

> SEC. 402. The second sentence of section 302(b)(1) of the National Housing Act (as redesignated by section 201 of this Act) is amended by inserting after "(1)" the following: "is insured under section 236 or."

This is, in effect, the language of H.R. 15845, and of S. 3239, which was introduced in the other body by the senior Senator from New York (Mr. JAVITS).

H.R. 15845 provides a significant and necessary change in the present law by permitting the Government National Mortgage Association—GNMA—to purchase section 236 mortgages which reflect the effect of local tax abatement programs, even though they are in excess of the Association's statutory limits.

Construction costs are so high in New York City and other high cost areas that the present $22,000 per unit limit effectively bars GNMA from purchasing section 236 mortgages there. While under present law low and moderate income housing constructed under the section 221(d)(3) program can exceed the $22,000 limit if the project is receiving tax abatement and the resulting rents are comparable to those in projects whose per unit cost is less than $22,000, there is no comparable flexibility for section 236. Yet, section 221(d)(3) is being phased out and replaced by section 236.

It is essential that GNMA be given this flexibility. In its absence, the financing and construction of section 236 projects in high cost areas where tax abatement programs are established, are seriously inhibited. H.R. 15845 is the solution.

The tremendous interest rates which now prevail make the section 236 program of prime importance, since it enables Federal subsidization of interest payments. Consequently, any measure to make section 236 more effective is of prime importance. H.R. 15845, embodied in the Senate version of the Emergency Home Finance Act, is a measure which directly goes to this end. Thus, I strenuously urge the House conferees on this act to agree to the Senate's version embodying H.R. 15845.

HANDICAPPED NEED INFORMATION CENTER

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BENNETT. Mr. Speaker, the 42 million handicapped persons and their families in America today face not only the burdens that their handicaps present, but also a worse fate—little knowledge of how they can help themselves.

As a handicapped person myself, I know of the problems faced by people who become disabled. The lack of readily available information on how they can develop and live normal lives is a detriment to them as they go about their daily tasks.

While we have many public and nonpublic organizations and agencies involved in helping the handicapped, there is no real centralized and consolidated center to help the handicapped in their problems of employment, education, transportation, recreation, and other activities.

Today, I am introducing a bill to provide for a National Information and Resource Center for the Handicapped in the Department of Health, Education, and Welfare. I join Senator ROBERT DOLE, of Kansas, in the introduction of this legislation, which I believe will go a long way in helping the handicapped to help themselves.

Over the last two decades I have sponsored and supported bills to assist the handicapped of America. In the last Congress, a bill sponsored by myself and the late Senator from Alaska, E. L. Bartlett, was enacted into law, and it provides that public buildings shall be constructed to be accessible to handicapped persons. In this Congress, I have sponsored bills enacted into law which provide for a National Center on Educational Media and Materials for the Handicapped and to insure that the proposed Washington metro system is designed and constructed to be accessible to the physically handicapped.

Mr. Speaker, the bill I am cosponsoring with Senator DOLE, a leader in the effort to help the 42 million handicapped persons and their families, would provide a broad program of information and data to the handicapped and to those private and public agencies and individuals who are helping the handicapped.

I am hopeful for favorable departmental reports and early hearings on this legislation. The Congress can legislate properly to provide an atmosphere in which the handicapped can achieve a useful and productive life. A copy of the bill follows:

H.R. 18286

A bill to provide for the establishment, within the Department of Health, Education, and Welfare, of a National Information and Resource Center for the Handicapped

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Information and Resource Center for the Handicapped Act".

SEC. 2. (a) There is hereby established, within the Department of Health, Education, and Welfare, a National Information and Resource Center for the Handicapped (hereinafter referred to as the "Center").

(b) The Center shall have a Director and such other personnel as may be necessary to enable the Center to carry out its duties and functions under this Act.

SEC. 3. (a) It shall be the duty and function of the Center to collect, review, organize, publish, and disseminate (through publications, conferences, workshops or technical consultation) information and data related to the particular problems caused by handicapping conditions, including information describing measures which are or may be employed for meeting or overcoming such problems, with a view to assisting individuals who are handicapped, and organizations and persons interested in the welfare of the handicapped, in meeting problems which are peculiar to, or are made more difficult for, individuals who are handicapped.

(b) The information and data with respect to which the Center shall carry out its duties and functions under subsection (a) shall include (but not be limited to) information and data with respect to the following—

(1) medical and rehabilitation facilities and services;

(2) day care and other programs for young children;

(3) education;

(4) vocational training;

(5) employment;

(6) transportation;

(7) architecture and housing (including household appliances and equipment);

(8) recreation; and

(9) public or private programs established for, or which may be used in, solving problems of the handicapped.

SEC. 4. (a) The Secretary shall make available to the Center all information and data, within the Department of Health, Education, and Welfare, which may be useful in carrying out the duties and functions of the Center.

(b) Each other Department or agency of the Federal Government is authorized to make available to the Secretary, for use by the Center, any information or data which the Secretary may request for such use.

(c) The Secretary of Health, Education, and Welfare shall to the maximum extent feasible enter into arrangements whereby State and other public and private agencies and institutions having information or data which is useful to the Center in carrying out its duties and functions will make such information and data available for use by the Center.

SEC. 5. There is authorized to be appropriated for carrying out the purposes of this Act for the fiscal year ending June 30, 1971, the sum of $300,000, and for each fiscal year thereafter such sums as may be necessary.

BUREAU OF CUSTOMS INVESTIGATING DUMPING OF POWER TRANSFORMERS

(Mr. VIGORITO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. VIGORITO. Mr. Speaker, on June 15, the Bureau of Customs announced that it is investigating the dumping of large power transformers by manufacturers in France, Italy, Japan, Sweden, Switzerland, and the United Kingdom. This investigation is directed at unfair pricing on the part of manufacturers in these countries which poses a serious threat to the continued health of the U.S. large power transformer industry.

My district has a particular interest in this antidumping proceeding because a Westinghouse large power transformer facility is located at Sharon, Pa., and employs more than 4,000 workers in the production of large power transformers. Consequently, I have sent the following letter to Mr. Myles J. Ambrose, the Commissioner of Customs:

> It has come to my attention that the Bureau of Customs is presently investigating the dumping of large power transformers by manufacturers in England, France, Italy, Japan, Sweden, and Switzerland.
>
> This matter is of particular concern to me because of the location within my District of the Westinghouse power transformer facility at Sharon, Pennsylvania. That facility employs more than 4,000 workers, who are vitally interested in protecting the U.S. large power transformer industry against unfair pricing by foreign manufacturers.
>
> It seems clear that the American industry urgently needs the protection against unfair pricing which Congress has provided in the Antidumping Act. I am informed that foreign firms have already captured a significant portion of the U.S. market, including substantially all U.S. Government business, that some U.S. companies have already laid off workers, that a worsening of this situation can be expected unless some action is taken against unfair foreign competition.
>
> I feel that it is essential that American industry and labor receive promptly the full protection afforded by U.S. law. In the past, prompt relief from dumping has sometimes been delayed by the tendency of antidumping proceedings to be lengthy affairs. I am therefore especially encouraged by your apparent intention to expedite the present antidumping investigation to the fullest extent possible. I would very much appreciate being kept informed as to its progress.

I regard the investigation now being pursued by the Bureau of Customs as a particularly significant step in the protection of American industry against unfair competition from abroad. The dumping activities which are the subject of this proceeding are made possible by the fact that manufacturers in Europe and Japan enjoy a privileged position in their home markets, totally unlike the free competition which prevails in the United States. Typically, these manufacturers make substantially all of their home market sales to government-controlled purchasing bodies which buy exclusively from domestic manufacturers. In fact, American firms have been unable to sell large power transformers in any of the six countries named in the Bureau's notice of investigation. Therefore, free from foreign competition, the overseas manufacturers can and do maintain high home market price levels and sell their excess capacity abroad—principally in the United States at sharply reduced prices.

Moreover, foreign large power transformer firms receive considerable export incentives from their governments. These include rebates of value-added taxes, accelerated depreciation allowances and other income tax advantages, and rebates of duties on previously imported components and materials. In some cases, manufacturers have even received direct export subsidies.

Thus protected from foreign competition and artifically encouraged to increase exports, foreign firms have sold in the United States at prices far lower than their home market price levels. Exports to the United States have been priced as low as 22 percent of prevailing home market levels. This means that the foreign companies are charging their domestic customers as much as four times the prices charged to United States purchasers.

These sales in the United States at prices drastically below those charged to home market purchasers constitute a clear example of dumping. Such international price discrimination has been condemned by every major international trading nation and is specifically denounced in article VI of the General Agreement on Tariffs and Trade. Congress has dealt specifically with such problems by providing for the imposition of special dumping duties under the Antidumping Act of 1921. The imposition of such duties on imports of large power transformers is urgently needed to protect American industry and labor engaged in the production of such equipment. Moreover, the present proceeding represents a significant step toward achieving meaningful enforcement of the Antidumping Act of 1921.

UKRAINIAN STRUGGLE FOR INDEPENDENCE

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KLEPPE. Mr. Speaker, each year on January 22, we take time to give moral support to Ukrainians for their gallant struggle for independence and against Communist aggression.

Each year Governors and mayors throughout the country proclaim January 22 as "Ukrainian Independence Day." The year 1970 marked the 52d anniversary of Proclamation of Independence of Ukrainian National Republic and the 51st anniversary of the Act of Union, whereby all Ukrainian lands were united into one independent and sovereign Nation.

It was over 75 years ago that Ukrainians came to my State of North Dakota and contributed to its development. On behalf of them and Ukrainians throughout the United States, I am today introducing a resolution calling for official recognition of January 22 as "Ukrainian Independence Day" and authorizing the President to issue a Presidential proclamation each year designating January 22 as "Ukrainian Day."

I would urge my colleagues to join with me in sponsoring similar resolutions. Such action would provide tremendous moral support and would represent a positive demonstration of this country's desire to speak out against repressions sweeping the Ukraine.

UMWA FISH FRY

(Mr. WAMPLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, I was honored to participate in the United Mine Workers of America fish fry at Bullitt Park in Big Stone Gap, Va., Saturday, June 20, 1970. It was sponsored by the local unions in Wise and Lee Counties of District 28, which is in my Ninth Congressional District of Virginia. Carson Hibbitts is the president of District 28.

W. A. "Tony" Boyle, international president of the UMWA, attended the fish fry, as did Edward L. Carey, chief counsel for the UMWA. I would like to insert in the CONGRESSIONAL RECORD the remarks of Tony Boyle:

> Fellow coal miners, your families and friends—I would like to greet some of our friends who are here today.
>
> First let me call to your attention that a man sitting on this platform—Congressman Wampler—has worked diligently for coal miners throughout all the time we were trying to enact the Federal Coal Mine Health and Safety Act. Others get to the newspapers and let it be known they are working on behalf of you. But this man, let me assure you, is always ready, willing and competent to do the things the United Mine Workers of America called upon him to do. He never let us down. Thank you, Congressman Wampler.
>
> General Counsel Carey, I am glad you could come down from Washington.
>
> President Hibbitts and your committees who worked so hard to make this celebration a success, and all of my fellow officers and friends, thank you for coming.
>
> I am deeply grateful for your kind invitation to be with you today. The locals in District 28 banded together to make this fishfry a wonderful success. This is a sign of our unbreakable unity because when folks get together to have fun, they are united in the more serious business of keeping our union together.
>
> Needless to say, the kind words that accompanied your invitation were appreciated. Those words gave me credit for achieving new benefits for miners. Being human, I like to feel that I have earned some of that credit, but most of the credit must go to all of you here and the thousands and thousands of other mine workers who make up our union.
>
> We have made progress only because we have remained united. It was mine worker unity and determination that built our union. It was mine worker determination and unity that lifted us from the industrial serfdom that once marked our industry. It has been mine worker unity and determination which kept our union strong and permitted us to achieve the standards we have won.
>
> This past week we commemorated the 46th anniversary of the infamous Ludlow massacre where mine workers and their families were slaughtered by the State militia and the National Guard and the company thugs of that day. There are still some among us who remember Ludlow and other bloody events that have marked our union's history. What we have won, we have won with the blood, guts, and spirit of mine workers and mine worker families. Let us never forget it; let us remember that our strength lies in ourselves, not in self-proclaimed saviors who promise to save us from ourselves.
>
> We have come through a trying period during the last year. We have seen our union attacked from within and from without. Outsiders have joined with some inside our house to attack the good name of the United Mine Workers of America, and to divide mine worker against mine worker, pension member against working member, and brother against brother.
>
> Despite the attacks upon us, our union remains strong and intact. Following the election last year, I pledged to work to reunite

miners and to heal the wounds within our union. This remains my major goal. Despite continuing attacks upon the UMW and upon me personally, we have made significant progress in that direction.

I serve notice upon the entire nation here today that our union remains unbreakable in spirit, and that in the years immediately ahead, we will achieve far greater gains than ever before.

I serve notice upon the coal operators who have hoped that we would be shaken apart that we will meet them in negotiations next year backed by the greatest solidarity in our history.

I serve notice to those within our ranks, who still refuse to accept the will of the majority and who would divide us against ourselves, that their propaganda will fall upon deaf ears.

I serve notice upon all Federal agencies who would interfere in our affairs that they will not break the unity of the United Mine Workers of America.

I serve notice upon those outsiders who have sought to take us over that we will remain masters in our own house.

Only recently in Philadelphia, a leading spokesman for certain outsiders called upon the Federal Government to move against our union. He libeled the UNW as an "island of tyranny." In so doing, this self-proclaimed savior sought to incite violence in our ranks by warning that blood would flow unless the Federal Government moved against us.

As the Ludlow massacre reminds us, Government intervention in our internal union against the welfare of the mine worker. As we remember our members who have shed blood in strikes to better the lot of the miner and as we remember our members who have died in the dark of the mine, let us remember that our salvation lies in our mutual bonds alone.

We are here today to enjoy ourselves and I, too, want to join in the fun. Nevertheless, let us take time here and now to give a resounding "no" to all who call upon the Government or any other outside group to dictate how we shall run our union.

There is already far too much violence in this Nation and in the world. If there is violence in the coal fields, it is not we who will provoke it. We seek no civil wars among ourselves. We seek only to unite miners and to make certain that the will of the majority shall prevail.

We have been maligned and libeled and subjected to ugly name-calling and to outright lies. Some people claiming to be friends of labor have brought down upon us and the entire house of labor a vicious attack and proposed anti-labor laws that, if enacted, would set this Nation back 100 years.

We of the United Mine Workers of America need no such friends. We reject them. We have met their challenge in a free and open election. And we won.

Now, finally, the truth has begun to emerge into the light of day. As the truth emerges, it becomes clear that your union and its leadership have been falsely accused. Unfortunately, the same press which took such delight in trying to blacken our name has done little to make amends.

The truth began to emerge recently before a body of the United States Senate. When this investigating subcommittee was formed, there were cheers from those who have hurled charges against us. To clear our name, I requested and received an opportunity to appear and to answer our tormentors.

We welcomed those hearings because we had nothing to fear and because they gave me an opportunity to refute the false charges made against us. We had nothing to hide, and the truth began to surface. As one reporter commented, "they didn't lay a glove on him," meaning me. On the other hand, the public began to notice certain contradictions and inconsistencies in the hysterical testimony of our accusers.

The truth emerged further when George Shultz, formerly Secretary of Labor, testified before the same committee. The Secretary testified that his Department and the Department of Justice had made a painstaking investigation of the charges against the UMW and its leadership. The Secretary testified they talked to representatives of 882 local unions during the course of the investigation.

Secretary Shultz testified.

That the Department of Labor and the Federal Bureau of Investigation found no evidence that the UMW leadership had instigated violence in last year's election;

That the National Bank of Washington did *not* lend money to finance the campaign of the Boyle-Titler-Owens ticket;

That my opponent had been punched in the jaw by a UMW member whom he made angry and that the UMW leadership had nothing to do with this fight or any other violence.

The secretary testified that there was no karate chop, although outsiders and the press had played this up. This was just one sample of the "big lie" and the press has done nothing to promote the truth about it.

The secretary said during his testimony and I quote "our investigation did not disclose a sufficient basis for alleging that violence during the election period affected the outcome of the election."

The charges hurled at us were false. Members of the UMW went to the polls and registered their choice of officers in a democratic election.

Immediately after the death of the late beloved John L. Lewis, the UMW international executive board designated me as the UMW trustee of our welfare and retirement fund. For quite some time I had been examining the fund's financial position and had concluded that it was sound. I was deeply troubled because the $115 monthly pension payment was so inadequate. I met with the operator's trustee and obtained his consent to increase the pension to $150 monthly.

In the eyes of some outsiders, my action to increase pensions was a crime. They have sought to make your pension a political football. It was certainly gratifying to hear the former Secretary of Labor testify that they found nothing illegal, immoral or wrong in any way in our vote to raise your pensions.

We in the UMWA have always interpreted our constitution to permit locals to continue in operation as long as they have members. Although our constitution requires 10 members to charter a local, the UMW does not thereafter revoke a charter just because there are less than 10 working members remaining in the local. We have always taken the position that pensioners are entitled to hold membership in our union and that, as full fledged members, they are entitled to vote in elections for international officers.

Some outsiders charged that locals with fewer than 10 working members are "bogus" locals and on that basis they went to court to try to deny the vote to 80,000 members. They did not succeed. They did not succeed.

The Secretary of Labor found that the entire issue was bogus—not the locals. He testified that he fully agrees with our interpretation of the UMW Constitution that pension members are entitled to vote. The important thing to remember is that the very people who tried to deny almost 80,000 UMW members the right to vote are the very same people who are trying to label our union as undemocratic.

During the last year I have visited with thousands and thousands of our members in the field. I welcomed your invitation today to come to Virginia and talk with you and listen to you. We intend to carry out the program that was laid down to you during the last year. The UMW has already begun. Some delays have been encountered because we have been forced to face our challengers and to defend our union. We have done so successfully and we intend to move ahead.

In spite of the economic problems in the American economy, the demand for coal is zooming. Coal prices are soaring and the operators are making hay. If we close ranks and present a solid front to the coal operators, we will make the greatest progress in our history. This I promise you.

We will work for a fifty dollar a day wage.

We will win higher pensions and other major gains in welfare benefits.

We will refuse to subsidize the coal industry, the utilities, the steel industry and other coal users by accepting less than a just wage, modern welfare and pension benefits and other working conditions.

It is my hope that the coal operators will see things our way because it will be to their benefit.

One of the major problems in the coal industry is the lack of trained mine workers. We can recruit and train new miners in our industry if we had a wage structure commensurate with the skills we now require and the risks we must take.

Unless the Federal Coal Mine Health and Saftey Act is properly enforced, there will continue to be a shortage of trained mine workers. The UMW intends to see to it that the new law is strictly enforced. We have stated over and over that the overriding consideration in law enforcement must be the health and safety of mine workers. That is what we seek and that is what we shall obtain. We are shocked at the lawsuit brought by nonunion mine operators to prevent the enforcement of the law. We will fight them in the courts and through new organizing drives.

Last Labor Day, I said that if a lawyer or a doctor is worth $50 per hour, a skilled coal miner is certainly worth $50 per day. I repeat that claim. We intend to get what we are worth. But we will get what we are worth *only* if we are united. We will get what we are worth *only* if we do not weaken our union or our own personal financial capability to take on the coal operators when next year's negotiations come around, we must prepare now.

It is easy to understand the impatience of coal miners with some of the working conditions that the coal operators seek to impose upon them. I understand the reaction that says "close the mine and strike 'em dead."

But let's look at the consequences.

The coal operators want us to wear ourselves out before our next contract comes around. They want us to fight with each other. Oh yes, the operators complain about wildcat strikes, but yet they seem to incite them almost as a policy.

Let's keep our cool.

Let's use the grievance procedure to resolve our disputes. Every district is being alerted to the importance of speeding up the settlement of grievances through the dispute machinery of the contract. Let's hold on—let's remain at work—while the grievances are processed. If the grievance machinery doesn't work right, let's find out why and change it in our next contract.

We honestly think we have a good grievance procedure, one of the best in industry. We would all be better off if we would rededicate ourselves to making the grievance procedure work. You will have the full cooperation of the international union.

The last thing we want is to be "all struck out" when our next contract comes around. If we have weakened ourselves by unauthorized work stoppages, the operators will fight back hard. They will be far more cooperative in negotiations if we are united and in good fighting trim.

> If we close ranks now, keep our cool and rally behind our union, we will have the greatest opportunity in our history to make contract progress.
>
> What has gone before will seem only a prelude.
>
> With unity and solidarity as our watchwords, we are going to roll this union on. Together, we will work new wonders for ourselves.
>
> Thanks to each and every one of you for coming today. God Bless You. Thank you.

RESTORATION OF PRAYER IN SCHOOLS

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, for years resolutions have been introduced to permit voluntary participation in prayer in public schools. I have been approached on this subject by many ministers, priests, and interested laymen, all of whom asked for restoration of prayer in schools.

Daily this House is opened with prayer. How can we deny our children a privilege we here enjoy? Is it because one man on the Judiciary Committee blocks this resolution? Should we permit one Member, however sagacious or respected, to thwart the will of this House and the vast majority of our constituents?

Today, I ask, Mr. Speaker, that Members favoring the permission of voluntary participation in prayer in our public schools sign a discharge petition on my resolution, House Joint Resolution 337, or the resolution of any other Member allowing such prayers.

CONDOLENCES TO PARENTS OF SOLDIERS SLAIN IN VIETNAM

(Mr. GOODLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GOODLING. Mr. Speaker, a Congressman deals with people, some of whom are confronted with tragic circumstances that are truly heart rending. The remarkable thing is that these individuals are not crushed by such adversities but, instead, have the courage and will to rise above them and go on.

Just recently a tragedy fell upon the family of Mr. and Mrs. Calvin H. Miller, constituents of mine who reside at 40 Grandview Road in Hanover, Pa.

On May 11, 1970, I received a letter from Mr. Calvin H. Miller advising me that a son, Pvt. Jeffrey H. Miller, was serving on the battlefields of Vietnam with the 14th Infantry Regiment. Mr. Miller informed me that while he and his wife were deeply concerned for the safety of their son, they knew there was a difficult job to be done in Vietnam and that their son was one of those selected to get it done. The letter also indicated that son Jeff had a very positive attitude with respect to his service assignment.

The tone of this letter was so inspiring that I inserted it into the CONGRESSIONAL RECORD of May 21, 1970, hoping that a vast number of persons would have an opportunity to read it and appreciate its meaning and sincerity.

On May 29, 1970, I received a very fine letter of appreciation from Mr. Miller for my insertion of his letter into the CONGRESSIONAL RECORD and, tragically, in the wake of that letter, the news service carried an announcement that Pvt. Jeffrey H. Miller was killed in action in Vietnam.

I wrote Mr. and Mrs. Calvin H. Miller a letter of condolence, and just recently I received a letter from Mr. and Mrs. Miller which stated as follows:

> We acknowledge your kind expression of sympathy in the death of our son, Pfc. Jeffrey H. Miller. We ask you to refer to the *Congressional Record* of the 91st Congress, second session, vol. 116, page 16661. We stand firm on that letter.

Mr. Speaker, the letter to which Mr. and Mrs. Jeffrey H. Miller referred was the one I had inserted into the CONGRESSIONAL RECORD of May 21, 1970, a letter written when their son Jeff was still alive, a letter which expressed the deep understanding they had for their son's service in Vietnam.

Mr. Speaker, this represents a remarkable demonstration of patriotism and dedication, reaffirming a patriotic conviction after the loss of a dearly loved one in military action.

I am extremely proud and, in fact, very humble to have the privilege of representing a family that has made the supreme sacrifice of a son in the cause of their country and who, while their hearts are torn with grief, muster the strength to say of their conviction, "We stand firm."

Again, I extend my condolence to Mr. and Mrs. Jeffrey H. Miller, and to Jeff's grandmother, Mrs. Effie Mummert. These citizens exemplify the highest type American that can be found in this land.

RICHARD NIXON—A MAN FOR ALL SEASONS

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, the passage yesterday of a watered-down version of the Cooper-Church amendment in the other body has little meaning, both because of its verbiage and because it will never pass the House and become law. Originally designed to force the American troops out of Cambodia, its passage came the day after all the troops had already been withdrawn.

This issue has, however, provided new opportunity for the President's carping critics in the press and in the body politic to villify him and to attempt to place upon his shoulders the entire responsibility for the war which he inherited in Southeast Asia. It is the strength and the genius of the American system, however, that the American people have the innate and intuitive good judgment to recognize courage and integrity when these are demonstrated by a national leader.

Not only in sending troops into Cambodia to protect our soldiers in Vietnam, but in other such controversial actions as the vetoing of education and health facilities bills, Mr. Nixon has demonstrated a willingness to pit himself against the sacred cows of this society and to make himself the target of those political pharisees who so sanctimoniously condemn all who disagree with their simplistic view of how to achieve the peace, in order to do what he believes to be right for his country.

If it were true, as some of his critics wishfully predict, that such actions should make him a one-term President; he would choose this rather than to do what he believes to be wrong. It is better, Mr. Speaker, for a man to be a private citizen with the courage of his convictions than to hold the Nation's highest office and fail to follow the dictates of his conscience.

But even those Americans who disagree with his decisions, as I have done on some domestic issues, find in our President a man for all seasons. Through the good years and the bad Richard Nixon, as a Republican, has given himself to the service of his party and to the election of its candidates to public office. There is not a State in the Union or even a congressional district in which Richard Nixon has not labored in the Republican vineyard. It is, therefore, unthinkable that he would receive anything other than the absolute loyalty of the Republican Party and its overwhelming vote of confidence at the next nominating convention in 1972.

Through the long years of his public service he has distinguished himself repeatedly in the House, in the Senate, as Vice President, and now in our Nation's highest office. There is, therefore, no doubt in my mind, Mr. Speaker, but that he will be reelected to the Presidency by a resounding margin. The American people have found in our President a man who stands so tall he makes his critics look small indeed.

HE KEPT HIS WORD

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, one of the great problems in public life today is the question of credibility. People just do not seem to believe what public officials say—or believe that those officials mean what they say or will do what they say they are going to do.

Today, I want to cite to you, and to all of the people of America and the world, an example of credibility—of credibility so clear, so unmistakable as to be an example for men in public life everywhere. The example to which I refer was set by the President of the United States.

Two months ago, President Nixon said that all U.S. troops would be out of Cambodia by July 1. Since he made that statement, there has been a persistent casting of doubt by the opponents of the President both in Washington and Hanoi. As a result, there was widespread questioning whether he would do what he said he would do.

What happened?

Before July 1 the last of the U.S. troops that had gone into Cambodia to clear out the enemy sanctuaries, came back across the border. The President had kept his word. He did what he said he would do.

Now, let no opponent, no cynic—and no American who may be affected by all of the negative criticism he hears—have any doubt that President Nixon is a man who is as good as his word. He can be trusted to follow through. He can be counted on to deliver. He can be believed.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. The United States is the world's largest producer of frozen vegetables. In 1965 the United States produced 1,569,000 metric tons of frozen vegetables. This was 15 times more than produced by West Germany, the second-ranked nation.

THE GREATEST NATION IN THE WORLD

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, this Saturday marks the 194th anniversary of this great country. This year the celebration will have special and significant meaning with Honor America Day scheduled to take place not only here in Washington but in other cities across the country.

When America is under critical attack seemingly from every corner of our society, this added emphasis to our traditional Fourth of July activities points up the great faith and confidence that the vast majority of Americans have in our system of government. Through the expression of our patriotism we renew our determination to meet the awesome problems of our modern society. Although America is not perfect, it still remains the greatest nation in the world and offers the best hope for freedom and peace in this world today. Throughout our history we have met the challenges of growth and new ideas, and I am confident that we will continue to meet and resolve our problems and make an even better America for generations to come.

REYNOLDS' MEET AT HOMEPLACE

(Mr. MIZELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MIZELL. Mr. Speaker, recently, one of the most prominent families in my district in North Carolina joined together with other members of their eminent family and celebrated the public opening of the homeplace of their ancestor, Hardin W. Reynolds.

As this family has been instrumental in developing the resources of the South, their contribution to the economy of this area, as well as the entire country, has been significant. Business, however, is not the only area in which this great family has played a leading role. As a result of the work of the Reynolds, many cultural and educational projects have been made possible.

I feel it is fitting to place in the Record today a copy of an article from the Winston-Salem Journal, and Sentinel describing the Reynolds' gathering, so that my colleagues may join with me in paying tribute to this distinguished family which has contributed so much in all areas to our Nation.

The article referred to follows:

Reynoldses Meet at Homeplace

(By Arlene Edwards)

Critz, Va.—A Reynolds by any other name was a Reynolds yesterday at the ceremony opening for public tours of the homeplace of their mutual ancestor, Hardin W Reynolds.

There were, of course, Reynoldses named Reynolds at the brief outdoor ceremony.

There were many others named Smith, Lybrook, Neal, Bagley, Grant, Lassater, Martin, Staley, Lucas, Owen, Graham, Critz, Armfield, Kent and Montcastle.

The ceremony climaxed a four-day reunion planned by Mrs. Nancy Susan Reynolds of Greenwich, Conn., one of Hardin's granddaughters, for his other 209 lineal descendants.

This was the first Reynolds reunion since 1941 when the clan gathered at the homeplaces of two of Hardin's sons—Reynolda House and Tanglewood Park—in Winston-Salem, and more than half of the lineal descendants came from 10 states and several foreign countries to attend it.

Mrs. Reynolds is the daughter of the best known of the 16 children born to Hardin and his wife, Nancy Jane Cox, in the mahogany Empire bed now on exhibit in the restored bedroom.

Her father was Richard Joshua Reynolds who left the homeplace in the early fall of 1874 to move 50 or so miles south to Winston to build his tobacco empire.

Richard Joshua's brother, Abraham David, remained in Virginia and sired seven children. His fifth, Richard Samuel, founded the Reynolds Metals Co. of Richmond, Va. Richard Samuel's son, a junior, founded the brokerage firm of Reynolds and Co.

And the 33-year-old son of Richard Samuel Jr., J. Sargeant, is now serving as the youngest lieutenant governor in the history of Virginia and the second youngest in the nation.

Lt. Gov. Reynolds, the speaker for the day, concentrated on the role Hardin W. Reynolds' offspring in general—and Abraham David and Richard Joshua in particular—had played in rebuilding the South after the devastation of the Civil War.

"The industrial growth of the South," he said, "is very much a part of the heritage of this homesite."

"The brothers," he explained. "went in separate ways but they had a common destiny to help develop the economic resources of this section of America."

Richard Joshua. he elaborated. went to Winston to found the largest tobacco company in the world and his brother who had a son who "would form an industrial complex of light metals that would give employment and a decent standard of living to thousands in Alabama. Arkansas. Texas. Kentucky and Virginia.

Reynolds told his kinsmen that "the men and grand ladies born here gave to the rest of us who followed a way of life which they never had at this place."

"We are not here." he said. "only to honor their success—but, as well, their determination to keep on in the face of difficulties hard to imagine."

Smith Bagley of Winston-Salem, the son of Mrs. Nancy Reynolds, described the restoration as "proof of our continuing kinship" and thanked his relatives, on behalf of his mother, for the "advice, historical information, gifts and furnishings" they gave to the project.

These remarks by the two cousins from different branches of the family were the only formalities of the day and they lasted for less than a half hour.

For a while, it looked as if even these limited formalities might not take place . . . at least not at the homeplace.

The auditorium of the Hardin Reynolds Memorial School, just a few miles down the road, was standing ready in case of rain.

The rain, which started about the time Paul Myers began distributing individual picnic baskets to the descendants and their guests, stopped just minutes before the ceremony was scheduled to begin.

Dozens of folks were trapped on the narrow back porch of the homeplace but Myers, with a soggy blue napkin covering his head, splashed through the rain with their food.

The younger guests—none under five were invited—gobbled their fried chicken and ham biscuits and pecan tarts so they could use their baskets as rain hats.

The rest of the day was spent admiring the restoration which was supervised by Old Salem Inc., and rehashing the family history that is carefully chronicled in a 217-page book written for the reunion.

During the summer months, the homeplace, known as the Reynolds Homestead, will be open to the public from noon until 4 p.m. on Saturdays and Sundays and by appointment at other times.

CONGRESSIONAL WATCHDOG FOR THE PUBLIC OVER EXPENDITURES OF THE FEDERAL GOVERNMENT

(Mr. REIFEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REIFEL. Mr. Speaker, one of the important roles of a Congressman is to be a watchdog for the public over the expenditures of the Federal Government. It is the citizens' money. They work hard for it. They have a right to know where it goes.

However, when the watchdog function gives way to a blind passion for press releases and a personal desire to bask in the limelight, no legitimate public interest is served.

Such was the case in a recent attack on a research grant awarded by the National Science Foundation to South Dakota State University. The grant was to conduct a study on the "Physiological and Behavioral Effect of Insecticides on Cormorants."

Critics said this project was "pouring taxpayers money down a rathole" and that no birds of this type could even be found in South Dakota. Such charges are completely unfounded and devoid of merit.

Fish, Wildlife and Pesticides, a publication of the Department of the Interior is an extremely valuable pamphlet for anyone interested in the effects caused in nature by pesticides.

Regarding the study at South Dakota State, the material on page 5 discusses the importance of biological multiplication through the food chain. An excerpt of that material follows:

> All fish and wildlife are part of nature's food chain. One chain may start with small fish concentrating persistent pesticides within their bodies. A higher dose of chemicals thus is passed on to larger fish that eat them. When the fish are eaten by birds at the top of the aquatic food chains, such as the osprey or bald eagle, these birds may get highly concentrated doses of poison.
>
> Another food chain begins with the leaf that falls from a sprayed tree. A worm eats the leaf. A bird eats the worm. Many robins have been killed by DDT used to control the beetle that carries the Dutch elm disease. Their brain tissues have contained as much as 240 p.p.m. of DDT residue.
>
> A classic example of the operation of a food chain occurred in Clear Lake, Calif., in 1957. To control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD to yield a concentration of 0.02 p.p.m. Plankton (microscopic waterborne plants and animals) accumulated residues at 5 p.p.m. Fish that ate the plankton concentrated the DDD in their fat to levels ranging from hundreds to upward of 2,000 parts per million. Grebes, diving birds like the loons, fed on the fish and died. The highest concentration of DDD found in grebe tissue was 1,600 p.p.m.
>
> Food chains in the aquatic environment are especially vulnerable to pesticides because they are exposed to the runoff from land as well as pesticides sprayed directly on them. The chain begins with plankton, the basic food for all other life forms in the sea. The researchers fear that great kills of plankton could be caused by pesticides and not be noticed. Its absence, however, could mean the loss of an entire crop of fish dependent on it for food. In laboratory tests, scientists learned that most of the chlorinated hydrocarbons, at a concentration of 1 p.p.m. in water for 4 hours, will decrease plankton growth and reproduction by 50 to 90 percent. The organic phosphorus compounds are usually much less toxic to plankton.

The cormorant occupies an ecological niche similar to the grebe which is mentioned in the excerpt. Dr. Yvonne A. Greichus, South Dakota State University extension economist has collected 50 wild nesting cormorants near Lake Poinsett, S. Dak. She estimates that there are 3,700 cormorants in the area.

The value of the cormorant study lies in the fact that a great deal is known about its natural history and the source and composition of its food. This permits use of an animal in nature whose habits, food supply, and life history are extremely well known—to the point of approaching the state of knowledge and experimental control that can be applied to a laboratory animal. Because of this, study of the cormorant and pesticides yields extremely valuable information concerning the mechanisms of pesticide transfer through the food chain in nature. This knowledge of the mechanism may then be applied in formulating generalized concepts valid for all food chain mechanisms.

The use of the cormorant as an experimental animal should not be interpreted as an intrinsic concern for this animal, but rather as an imaginative use of a wild form that will illustrate a principle of broad application in all cases of pesticide transfer, whether it involves cormorants, cattle, or humans. The use of experimental animals to develop basic principles and new procedures in biology and medicine is certainly not a new concept. The vast majority of experimental work in testing pharmaceuticals and toxicology is based on responses of white mice, rats, dogs, or monkeys. New surgical procedures are invariably developed on lower animals before being applied to humans. This list could go on for pages, but the principle is the same. A great deal of information vital for man's health and welfare can be and is learned by study of the lower animals.

We should bear in mind that the organisms on which the tenets of genetics were developed were the sweet pea and the fruit fly. Some of the most important basic work on unraveling the genetic codes and eventually leading to the recent synthesis of hereditary material was done on the black bread mold, Neurospora.

The specific case of the cormorant is no less dramatic, and its import on the management of our environment and the poisons we put into it should not be underrated. It is false economy to ignore a valid source of knowledge just because the experimental animal of choice is uncommon or looks comical.

The importance of finding out more about a study than simply its name was recently highlighted to me during a discussion with Dr. Harold Berkson, a specialist in the Environmental Policy Division at the Library of Congress. Dr. Berkson mentioned an article which discusses the reduction of photosynthetic rate in marine phytoplankton because of DDT.

Now to the casual eye this might appear to be a highly technical article of little practical interest to the average man. Quite the contrary.

As Dr. Berkson explained, the bulk of oxygen on the earth is here as a result of photosynthesis of marine phytoplankton. If the production rate of this oxygen, which is necessary for life, is reduced, the total amount of oxygen available might be reduced.

The result would be extinction for all of us.

BIRTH-DEFORMING HERBICIDES CONTAINING 2,4,5-T THREATEN THE HEALTH OF THE AMERICAN PEOPLE

(Mr. McCARTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCARTHY. Mr. Speaker, there was a moment last spring when I thought the first steps had been taken to prevent the birth-deforming herbicides containing 2,4,5-T from threatening the health of the American people. I believed at the time that the administration, after months of prodding, had finally recognized the danger of this defoliant, and that all legal and other means would be used to remove it from the market shelf.

On April 15, Jesse L. Steinfeld, the Surgeon General of the United States told a Senate subcommittee investigating the safety of 2,4,5-T that a number of actions were being taken by the Department of Agriculture and the Department of Health, Education, and Welfare to restrict the use of this dangerous weed-killer. These included a suspension of liquid formulations around the home and waterways and a cancellation of powdered forms around the home and on food crops.

In spite of these pronouncements, few changes have taken place. All forms of the herbicide continue to be used without restraint. The restrictions placed on interstate shipments of the suspended forms has not eliminated those stocks already on sale: those forms which have been canceled can be manufactured and marketed until the appeal process, which could be indefinite, is exhausted. About the only thing accomplished by the administration's decision has been to change the labeling instructions on certain containers. The user can still apply 2,4,5-T any way he wants.

Despite conclusive evidence that commercial products containing 2,4,5-T have a persistent teratogenic, or birth-deforming property, these herbicides continue to be used on rangeland, pastureland, and rights of-way such as railroad tracks.

The public is now somewhat aware of the dangers of 2,4,5-T and other polychlorinated phenolic herbicides. Although we are told that it is not being used around heavily populated areas, it has recently been disclosed that the Penn Central Railroad is using weed-killers containing 2,4,5-T on its commuter lines serving New York City. This can hardly be considered an area removed from dense population.

Without objection, I insert an article from the New York Times of June 28, 1970, explaining opposition to this weed-killing agent used along the tracks near these residential areas. I am writing to the Chairman of the Interstate Commerce Commission to determine what steps he is taking to see that this practice ceases.

There are three factors which contribute to a situation where Federal laws, executive decisions, and scientific opinion have little or no influence on what should be the restrictions on the use of economic poisons—pesticides, herbicides, and fungicides.

First. Federal legislation is hopelessly outdated and inadequate. The prime user, in this case the Department of Agriculture, is also the agency which determines the scope and nature of its application, relying almost totally on industry safety standards, which are frequently self-serving.

Second. The health and consumer agencies of the Federal Government have no regulatory powers, only advisory roles. For those few powers of inspection which are delegated to agencies such as the Food and Drug Administration, there is a hopeless lack of personnel and laboratory facilities. Thus, the research carried out by doctors in the FDA on the birth-deforming properties of 2,4,5-T took 6 years to complete. During this time, the use of this defoliant increased fivefold.

Finally, Members of Congress and the public at large have been confused and deceived by a number of actions which have prevented a full understanding of the defoliant's harmful effects, and the nature of the restrictions placed upon its use. Thus, laboratory evidence accumulated in 1966 was not presented to responsible officials until 1968. Public disclosure was not made until 1968, and action was delayed until 1969 when Congress became alarmed. The steps finally taken to suspend and cancel the use of 2,4,5-T seemed to be the beginning of what would soon be a total ban. In fact, they were a mere bureaucratic slap on the hand of industry which will resume even increasing sales of 2,4,5-T in the country this year. Ironically, this is due, in part, to a decrease in defoliation in Southeast Asia, which makes more of the commercial products available for domestic consumption.

Mr. Speaker, for a quarter of a century, the Agriculture Department has authorized the unrestricted use of agents containing 2,4,5-T. Despite its danger to human life, which some experts put at the level of thalidomide, it is not even known how many formulations of this kind are on the market. The Pesticides Regulation Division of the Department of Agriculture was informed that no such list exists, because no one has ever asked for one.

Mr. Speaker, I have written to the Secretary of Agriculture requesting such a list. I am appalled that this information is not available to those in the Department who are responsible for regulating its use. I hope my action will assist the Agriculture Department in carrying out its legal obligations.

But more important is the manner in which the regulatory powers are now invested in the Department which has shown so little interest in the health of those who come into contact with this chemical. Agriculture officials still do not feel that 2,4,5-T used on rangeland grazed upon by cattle is potentially dangerous to those of us who eat meat. Why they do not draw such a conclusion escapes me, but since this is the case, regulatory responsibilities must be shifted to those agencies which are primarily concerned with the health and welfare of our citizens.

Accordingly, I introduce a bill to strengthen Government control over the regulation of herbicides.

The bill would amend the Hazardous Substances Act to provide for more effective protections against the hazards caused by economic poisons.

The bill would require the Secretary of Health, Education, and Welfare to review all pesticide labels prior to registration and to approve only those which protect the public health. It would thereby provide for an independent check on the Department of Agriculture by HEW officials. In the past, HEW has only had an advisory role, and its advice has often been rejected by Agriculture. Under this bill, both agencies would be required to approve any herbicide before it is permitted on the market.

In the meantime, doubts about the present use of 2,4,5-T and other polychlorinated defoliants and pesticides can best be resolved by imposing an immediate ban until it can be shown conclusively that these compounds do not threaten the health of the American people.

The article referred to follows:

Railroad Is Using Disputed Spray—Penn Central Clears Land With 2,4,5-T Herbicide

(By John C. Devlin)

The Penn Central said last week that it was clearing away weeds and shrubs along its New Haven Division right-of-way with a spray that contains a chemical herbicide almost entirely banned by the Pentagon in Vietnam.

The herbicide known as 2,4,5-T, has been reported to cause birth defects in laboratory animals, and Federal authorities have said it poses "imminent danger" to women of child-bearing years who eat food grown in areas using the spray.

Frank Manganaro, manager of the railroad's environmental control department, noted that the Federal Government allowed use of the spray for control of weed and brush on range, pasture, forest, rights-of-way and other non-agricultural land.

The dangers of 2,4,5-T were pointed up when the United States virtually stopped using the herbicide as a defoliant in Vietnam. Interior Secretary Walter J. Hickel recently included it among pesticides and herbicides that he virtually banned on more than 500 million acres of Federal lands.

QUESTIONED BY COMMUTERS

Its use by the railroad was disclosed by its officials after some of its commuters noticed the dying vegetation along the right-of-way and asked whether 2,4,5–T were being used. Mr. Manganaro said it was mixed with 2,4-D, another herbicide that has come under fire recently, and sprayed only on heavily overgrown areas only on windless days, so that there "is no danger."

Less toxic weed killers are used in other areas, he said.

Controversy has revolved around use of 2,4,5-T for months, and last April 15 Federal authorities acted to restrict its use because of its potential danger to women of child-bearing age and their offspring.

The Federal order was aimed at restricting interstate shipment of the herbicide in liquid form. The nonliquid forms, not considered as harmful, will remain on sale pending further study. The Federal action does not affect sales of the herbicide already in retail stores nor has it stopped use of products containing the chemical already purchased by home gardeners.

However, home gardeners were urged not to bury, burn or flush it down drains and to wait until further studies determined how to get rid of it.

The Army was reported to still use 2,4,5-T in a few isolated areas.

Dr. Arthur W. Galston, professor of biology at Yale University, warned against use of 2,4,5-T anywhere, and cited "its thalidomide-like action," a reference to the drug that resulted in the birth of many deformed babies in 1960–61.

NEW PHASE OF NEGOTIATION TOWARD A RESOLUTION OF THE INDOCHINA CONFLICT

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. Mr. Speaker, the President indicated yesterday that we are entering a new phase of negotiation toward a resolution of the Indochina conflict. One thing we know. The Hanoi government studies American public opinion with great care, if not always with great accuracy, in the formulation of its bargaining position. One area where inaccuracy on its part must be avoided is with respect to the treatment accorded American prisoners of war held in its custody. True, our Government has conveyed our interest frequently and firmly in this regard. But the most eloquent expression of public opinion can come from the public itself. The Government of North Vietnam must not succumb to any self-deception on the prisoner question. The people of the United States will not tolerate any arrangement for the permanent cessation of hostilities which does not provide for the immediate return of American prisoners of war. In the meantime, the one gesture which Hanoi could make now as evidence of its desire to cooperate in a negotiated settlement of the conflict would be its announcement of the names of such prisoners held, its release of the seriously sick or injured, its permission of partial inspection of prisoner of war facilities by neutral observers, and of the free exchange of mail between the prisoners and their families. Expressions of concern along these lines from U.S. private citizens would certainly confirm the nature and degree of American public support for our Government's position in the matter. It is for the foregoing reasons that I join Congressman OBEY and other colleagues in making it possible for my constituents to participate in such a collective expression of national concern.

SOUTH AMERICAN ECONOMIC RELATIONS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, at a time when the youth of our country is being widely criticized for violent action and disregard of our political system, it is most worthwhile to recognize and give praise to young scholars who only find in complex world problems a reason to dedicate themselves to knowledge and understanding. It is my privilege to have recently met such a young man from my district.

Mr. Enrique Balseiro, a high school student in Hialeah, was selected from 800 students as the winner of the third annual essay contest sponsored by the Miami Regional Export Expansion Council, an advisory group to the U.S. Department of Commerce. The first prize in this contest was a trip to Washington for Mr. Balseiro and his social studies teacher. Miami, through its enterprising and talented business executives has been a pioneer in the area of encouraging the expansion of trade.

Mr. Balseiro's essay is entitled "Trade Preference to Latin America: Economic Necessity or Not." It explains eloquently the importance of foreign trade with this area to our economy and foreign relations generally. Trade as we all know, has an integrating effect on nations, breaking down the cultural and political barriers which exist between them. This young man has displayed a rare insight into these issues, and I am pleased to commend it to my colleagues at this time:

Trade Preference to Latin America: Economic Necessity or Not

Latin America has long been associated with turbulence and revolution. In the past decade, however, the establishment of such programs as the Alliance for Progress and the L.A.F.T.A. has brought a new note of progress to this troubled region of the world. Mexico, one of the once-turbulent nations of the hemisphere, has since the early sixties fairly settled down and set to work on internal improvements. In recent years other Latin American nations have also begun to climb the steep road of progress, and though their rate of change is not nearly as rapid as it should be, these nations are nevertheless making a valid effort at improving their economies.

As the decade progressed, however, a marked increase in anti-American feelings by many of the Latin American nations has led many of this nation's leading citizens to question the significance of the United States' role in the hemisphere. "Why," reason many, "should we provide them with monetary aid if they only respond by turning against us?"—and the question is indeed a valid one if one considers the many instances during the past ten years when American properties have been expropriated by certain Latin American nations. The government of Colombia, for instance, took over a subsidiary of American and Foreign Power in 1962; Costa Rica did the same in 1968; the Peruvian government took over a company owned by Standard Oil in 1968 (estimated value set at $120 million); the Bolivian government took over the holdings of Gulf Oil in October, 1969 (estimated value set at $140 million)—and the list goes on and on.

The answer to the former question is not simple, but the actions of these seemingly aggressive Latin nations have not been the result of mere whimsical nationalism on their part; they have, on the contrary, been motivated by righteous anger at what may be termed the "unthinking, narrow-minded policy of the United States in Latin America." In order to understand their reasoning, one must take into account that regional exports and imports account for *over one-fourth* of the total income of most Latin American nations. As a result, we can see just how truly dependent these nations are on the trade flow and trade agreements set up between them and the United States (which is, incidentally, their main buyer of raw materials).

The Latins, then, are mainly displeased at the way the United States has taken advantage of this dependence. They state that the latter is mainly using Latin America as a "bargain basement" and that in the past it has played an all-too commanding role in their economies. They also complain of the ridiculous, often degrading restrictions which the United States places on the spending of foreign aid money which it distributes. Before a government receives aid, for example, the American Secretary of State must have determined that the said government is not "controlled by the international Communist movement." Another restriction enforced until the present time states that most American aid money must be used to purchase goods in the United States, and as a result, ninety-cents out of each dollar loaned to Latin America is tied to a purchase in the United States (even though tractors, earth-moving machinery, and other goods which they need are more expensive in the United States than elsewhere). At present, there is also a requirement which states that half of the goods financed by American Aid funds must be transported in American ships—which are, needless to say, very expensive.

After looking at their side of the issue, then, it is easy to see why many Latin American governments are bitter toward the United States and its foreign aid policies. Since no amount of protest has made the latter change its attitude toward their needs, however, many Latin American nations have reverted to a tough nationalistic behavior—and many times even turned to the Communist bloc of nations for the aid which they need and can't get.

What, then, can be done to improve the lot of these Latin nations? How can relations between the United States and these nations be improved? The answer seems to lie in the granting of trade preferences by the United States to Latin American nations and in the promotion of better, more liberal trade agreements between the parties involved. At present, the nations of Latin America do not enjoy trade preferences anywhere, and according to them the United States should be their special customer! Request for trade preferences was the theme of the Punta del Este conference (a meeting of American Presidents in the spring of 1967). To back up their demands for greater trade preferences from the United States, Latin leaders at the conference cited the case of the European Common Market as an example. Products from the French-speaking African countries, for instance, have free access to the European Common Market, and the United Kingdom grants tariff preferences to goods from its commonwealth partners. Similar trade agreements between them and the United States, reason Latin leaders, would increase the amount of goods exported from Latin America and would help pay for the latter's development. In thus speaking, then, Latin leaders expressed their wishes to turn present American paternalism into a partnership which would "help Latin America to help herself."

In the opinion of many experts, another move that would help improve the state of affairs in the western hemisphere would be the establishment of a Latin American Common Market. Such a market would encourage greater cooperation between its members and would in the long run tend to upgrade the member nations' economies. The eradication of a large number of protective tariffs in trade carried out between member nations would also encourage the growth of old native industries and promote the establishment of new, burgeoning ones. The Latin American Common Market would function in much the same way as its European counterpart does, and judging from the latter's success, it would transform the economical status of Latin America within a few years of its establishment. According to present plans, the United States would not be a member of the proposed common market, but despite this fact, the former still realize important trade benefits once the market comes into effect (it has, for example, already benefited from the trade-creating effects brought about by the evolution of the European Economic Community and the European Free Trade Association).

In summing up, then, we can see that the United States, should it decide to do so, can ignore the economical and political problems of Latin America. The development of Latin America, however, is vital to the continued peace of the entire hemisphere. Indeed, after his recent fact-finding trip to Latin America, Governor Nelson Rockefeller voiced his alarm at the "rising tide of Communist subversion" evident in this area. He also urged the United States to increase military aid to Latin America to "help existing Latin American governments fight this increasing wave of subversion."

It is up to the American nation, then, to help strengthen the position of the Latin American nations in the world today (and thus indirectly stop the ever-constant threat of Communist subversion which exists today). We can do this, first of all, by continuing to promote the original aims of the Alliance for Progress, which has since its founding produced a great increase in schools, clinics, roads, etc., and which has brought about numerous reforms to improve the lot of the average inhabitant of Latin America. Secondly, we can grant Latin American nations extensive trade preferences—which will bolster their economies—and enter into more liberal trade agreements with them.

In short, Simon Bolivar once said that the goal of the Americas was to be the greatest region on earth; "greatest not so much by virtue of her area or her wealth, as by her freedom and her glory"—and perhaps with greater cooperation among all of the American nations this vision will come true.

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LEGISLATION TO REPEAL SUBSECTION (a) OF SECTION 7275 OF THE INTERNAL REVENUE CODE

(Mr. STEIGER of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STEIGER of Wisconsin. Mr. Speaker, I am today introducing legislation which would repeal subsection (a) of section 7275 of the Internal Revenue Code.

The Airport and Airway Development Act of 1970 which was signed on May 21 and becomes law today contained a provision prohibiting the airlines from showing on passenger tickets the amount of Federal tax being charged the passenger.

My constituents have accused Congress of trying to hide the amount of tax the passenger will have to pay, and I think we should set the record straight.

The Senate Finance Committee decided to "include the tax on passenger air travel in the ticket price and impose the tax on the airline, rather than as a separately stated tax on the passenger with the thought that this would eliminate delays in ticket preparation where ticket agents presently have to make the separate computation of the ticket tax and add it on to the ticket as a separate item to determine the total fare the passenger is to pay."

The report went on to say:

> By imposing tax on passenger travel on the airline, there is no need for any exemptions (with the attendant delays in determining the traveler's proper exemption for specific transportation) thus, all domestic travel makes use of the airports and airways, all domestic travel will pay the same ticket price for a particular flight.

Since the airline was paying the tax on the passenger ticket across the board, there apparently was no reason to continue listing the tax on each ticket.

The conference committee accepted the House version of the bill insofar as imposing the tax directly on the passenger. The conference report reads:

> Under the conference agreement, the tax on taxable transportation of persons by air is imposed, as under the House bill, on the amount paid for the transportation and is imposed on the person making the payment subject to tax.

However, the conference committee accepted the single fare concept inherent in the Senate bill.

The chairman of the Finance Committee in the other body has outlined the situation in remarks appearing on pages 21718 and 21719 in the June 26 CONGRESSIONAL RECORD.

He has said that it is perfectly acceptable for the ticket to say that the total price includes an 8-percent tax and that the airline can verbally tell the passenger exactly what the fare is.

From discussions I have had with the Internal Revenue Service and the airlines, however, it appears that because the tax will continue to be imposed on the passenger, the airlines may well have to record on a copy of the ticket, not given the passenger, the exact amount of the tax. This, it seems to me, will save none of the work, and in fact, may create more work while also depriving the passenger of having on his ticket a record of exactly what the tax is. This makes no sense to me and thus I feel the single fare requirement and the accompanying penalty for violation should be repealed. My legislation would accomplish this.

PROFESSIONAL PHOTOGRAPHY WEEK IN AMERICA

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1251) to authorize the President to designate the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1251

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, as a tribute to the importance of professional photography in American life and in recognition of the ninetieth anniversary of the founding of the Professional Photographers of America, Incorporated, the world's oldest and largest photographic society, the President is authorized and requested to issue a proclamation designating the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America," and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

Mr. McCLORY. Mr. Speaker, the Professional Photographers of America, Inc., celebrate their 90th anniversary this year. Representatives of the more than 12,500 members of this distinguished organization will be on hand for the annual meeting in Chicago in August.

In addition to commemorating the 90th anniversary, the Professional Photographers of America, Inc., will pay special tribute to the veteran photographer Edward Steichen, whose great talents have helped raise photography to an art commensurate with painting and sculpture.

Mr. Speaker, honoring Edward Steichen, the Professional Photographers of America are continuing to demonstrate the special quality of their professional work and are making an added contribution to our society consistent with their lofty ideals and high professional standards.

I know that I speak in behalf of myself, if not all Members of the House of Representatives, in paying tribute to Edward Steichen, and in extending congratulations to him and to the Professional Photographers of America. It is expected that the other body will soon act on House Joint Resolution 1251, to the end that the President may appropriately designate the week beginning August 2 and ending August 8, 1970, as "Professional Photographers Week in America."

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

THE 100TH ANNIVERSARY OF LOYOLA UNIVERSITY OF CHICAGO

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 1036, commemorating the 100th anniversary of Loyola University of Chicago.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the resolution, as follows:

H. RES. 1036

> *Resolved,* That the House of Representatives sends congratulations and greetings to Loyola University of Chicago on the occasion of the one hundredth anniversary of its founding, and extends the hope of the people of the United States that Loyola University of Chicago will continue to grow and prosper in centuries to come.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the two resolutions that have just been adopted, House Joint Resolution 1251, and House Resolution 1036.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

EXTENDING AUTHORITY OF ADMINISTRATOR OF VETERANS' AFFAIRS TO MAINTAIN OFFICES IN THE REPUBLIC OF THE PHILIPPINES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16739) to extend for a period of 10 years the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines, with Senate amendments thereto, and to concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> On page 1, line 4, strike out "'1970'" and insert: "'June 30, 1970'"
>
> On page 1, line 5, strike out "'1980.'" and insert: "'July 3, 1974'."
>
> Amend the title so as to read: "An Act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time for the purpose of asking the distinguished majority leader the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, the program for next week is as follows:

Monday is Consent Calendar day. There are nine suspensions:

H.R. 16408, American Revolution Bicentennial Commission Amendments;

H.R. 12807, to amend the Expediting Act;

H.R. 15979, tax treatment of interest on Farmers Home Administration-insured loans;

H.R. 2076, withholding of city income taxes on Federal employees;

H.R. 17068, duty treatment of certain previously exported aircraft;

H.R. 10517, to amend the Internal Revenue Code relating to distilled spirits;

H.R. 11766, to amend the Marine Resources and Engineering Development Act of 1966;

H.R. 12943, to extend the Jellyfish Control Act; and

S. 3592, to amend the Federal Meat Inspection Act.

Tuesday is Private Calendar day. On Tuesday the following bills are programed:

H.R. 16327, to amend the Peace Corps Act, with an open rule and 1 hour of debate;

H.R. 8673, consumer protection for

gold and silver articles, with an open rule and 1 hour of debate; and

House Resolution 1031, amending the Rules of the House with respect to lobbying practices and campaign contributions, with 1 hour of debate.

For Wednesday and the balance of the week:

H.R. 279, Newspaper Preservation Act, with an open rule and 2 hours of debate;

H.R. 16542, to regulate the mailing of unsolicited credit cards, with an open rule and 2 hours of debate;

H.R. 16968, adjustment of Government contribution for Federal employee health benefits, with an open rule and 1 hour of debate;

H.R. 13100, to extend programs for training in the allied health professions, subject to a rule being granted; and

H.R. 14237, to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, subject to a rule being granted.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time, and any further program may be announced later.

Mr. GERALD R. FORD. Mr. Speaker, I thank the distinguished majority leader.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CLARK MacGREGOR INTRODUCES BILL TO ELIMINATE FREIGHT CAR SHORTAGE

(Mr. MacGREGOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MacGREGOR. Mr. Speaker, today I am introducing a bill to help to eliminate the chronic shortage of freight cars which plagues Minnesota and the entire Midwest every harvest season.

One railroad company which serves Minnesota recently had orders for 5,035 boxcars and 2,943 covered hopper cars, but none were available. Another had orders for 1,422 cars to carry grain to market, but only 168 were available. With the wheat harvest well underway, officials estimate that the railroads will be able to supply only between 20 and 50 percent of the freight cars needed to get the grain to market without heavy economic losses resulting from elevator storage and spoilage.

A reliable estimate is that it costs approximately 2 cents per bushel per month to hold grain. It has been estimated that the freight car shortage will result in the loss of $100 million in Kansas alone. Similar losses are suffered by thousands of people working in agriculture.

The bill I am introducing today is aimed at the base of the problem—a real shortage in freight cars. The supply of freight cars has dropped almost 40 percent in the last 11 years. My bill would increase the total number of freight cars available by authorizing the Department of Defense to buy and construct at least 10,000 general purpose boxcars, which may be necessary for the transportation of all defense freight tendered to railroads. The construction and purchase of these cars would permit the release of cars currently in use by the Defense Department and on which the Defense Department is paying substantial demurrage charges.

The need for this legislation is pressing. I urge the Interstate and Foreign Commerce Committee to take action on my bill as soon as possible.

DECLARATION OF INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, this Saturday the American people will pay tribute to the 194th anniversary of the Declaration of Independence.

It was 194 years ago this Saturday that 56 brave Representatives of the General Congress made the courageous move of adopting the Declaration of Independence which gave our Nation a new sense of dignity and a new sense of understanding.

The Declaration of Independence being read in 1970 is as much alive and as meaningful as it was 194 years ago. I have introduced legislation which would call for the reading of this declaration in this Chamber on the last day the Congress meets before the Fourth of July recess. For I think it is important and urgent that we Americans pause and refresh our recollection on the conditions that existed which led to this declaration and the impressive and imposing solutions that it provided.

The American Declaration of Independence continues to be a document of great significance, not only to Americans but to the whole world. Although no part of our constitutional law, it probably has had more influence than any other document in the Nation's thinking about better relations between free men and their government. Its warm expression of the rights of free men is one of our best gifts to the rest of the world. Men all around the world have found themselves heartened in the struggle to uphold the rights of free men upon reading the Declaration of Independence of the United States of America.

I am indeed proud as a Member of the Congress of the United States that 194 years ago it was in this Chamber of free men, in the Congress of the United States, that this declaration was adopted. As a Member of Congress I am proud of my predecessors' wisdom and courage. I would think that reading this Declaration of Independence, at this time would be a reminder to all of us in Congress of the great and awesome responsibility that we have to the people as free men, and a recognition that people can indeed change their governments if we forfeit in those responsibilities.

And I would hope also that the reading of this Declaration of Independence would provide a moment of pause for the American people to reflect upon their blessings.

We ought to reflect upon the conditions that existed in this country which led to this brave declaration.

We Americans take our blessings for granted, and too often we forget the hard struggle and the enormous sacrifice that preceded the birth of this Republic.

It would seem to me that we Americans, as we meet here and throughout this weekend of observance, ought to reflect upon the fact that our Nation is reaching for a trillion-dollar economy by the end of this year, and we anticipate by 1980, reaching a $2-trillion plateau of achievement. Our success as a nation is the greatest monument to freedom.

It would be my hope that this weekend in churches and synagogues across the country pastors, priests, rabbis and all religious leaders would use the Declaration of Independence as a basis for their sermon to remind the American people of what it was like and what it took to correct the evils that existed, and then remind them of the responsibilities of freedom.

Thomas Jefferson, in writing this declaration, first of all cast a beautiful philosophy and challenging phraseology for the preamble when he wrote:

> When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

What beautiful words Jefferson put together when he said:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies, and such is now the necessity which constrains them to alter their former Systems of Government.

In a few words Jefferson had laid down a philosophy that ought to be a constant reminder to those of us in public office of the responsibility and duty that we have to our constituency, for indeed when Government ignores that responsibility and duty, the right of the people is so enormous that they may change that Government.

The late President John Kennedy said that "America is a continuing revolution." And indeed the words uttered by Thomas Jefferson in his Declaration of Independence and sustained by 55 of his colleagues in the Congress are as meaningful today as they were 194 years ago.

After his inspiring preamble, Jefferson then properly spelled out the indictment in piercing and penetrating words against King and his tyranny and his despotism, and it is interesting that today in many situations we can find the same fibers working their way through the fabric of Government. Thomas Jefferson in his indictment said:

> The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.
>
> He has refused his Assent to Laws, the most wholesome and necessary for the public good.
>
> He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended he has utterly neglected to attend to them.
>
> He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.
>
> He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.
>
> He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.
>
> He has refused for a long time, after such dissolutions to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.
>
> He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.
>
> He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.
>
> He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.
>
> He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.
>
> He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.
>
> He has affected to render the Military independent of and superior to the Civil power.
>
> He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:
>
> For quartering large bodies of armed troops among us:
>
> For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:
>
> For cutting off our Trade with all parts of the world:
>
> For imposing Taxes on us without our Consent:
>
> For depriving us in many cases, of the benefits of Trial by Jury:
>
> For transporting us beyond Seas to be tried for pretended offences:
>
> For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:
>
> For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:
>
> For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.
>
> He has abdicated Government here, by declaring us out of his Protection and waging War against us.
>
> He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.
>
> He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy of the Head of a civilized nation.
>
> He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.
>
> He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.
>
> In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.
>
> Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

Thomas Jefferson, I thought, spelled out a devastating indictment against the king, but as we read through this indictment we can see some of those abuses which exist today, abuses which torture the conscience and justice of men. I would say that legislators might do well to reread this document and refresh their recollection. All of us as Americans would do well to reread this document and refresh our recollection of the situation, the circumstances and the conditions which led to the Declaration of Independence.

Then Thomas Jefferson beautifully stated the case when in conclusion he said:

> We, therefore, the REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN GENERAL CONGRESS, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Mr. Speaker, I submit ours would indeed be a richer nation if we Americans would ponder for a minute the meaning of this declaration. What does it mean in today's terms? What did it mean 194 years ago?

As we look at a world of 144 nations, with only 31 of them under democratic rule, indeed the inspiring words of our own declaration should be an inspiration for mankind all over the world.

A few years ago we authorized the publication of a small document which interpreted the Declaration of Independence for the American people. In looking over this document I came across a paragraph which I think is very fitting, for it points out that a newspaper reporter might rephrase the language of the Preamble to the Declaration of Independence. The first paragraph might be rephrased as follows:

When a people find it necessary to separate from the mother country and become independent, they should make clear why they have taken this serious step.

In 1970 language, this puts our Declaration of Independence into sharper perspective.

Mr. Speaker, in the second paragraph of the Declaration of Independence Thomas Jefferson argued that all people have certain basic rights. This is something many Americans forget. Too many Americans think that only certain Americans have basic rights unmindful of the fact that all Americans have basic rights. That was the meaning of the Declaration of Independence. All people have certain basic rights, and those rights must be respected as well as protected.

Second. Governments exist to safeguard the rights of the people and they get their power from the people. How often we see that doctrine violated time and time again by governments. Too often they forget the power that this Government devolved is the power from the people and that is where it must rest.

Third. The people have the right to alter or to abolish any government which fails to achieve the purpose for which it was created. Too many Americans forget that.

Mr. Speaker, let us look at these points to see how it is developed in the Declaration of Independence itself. What are the basic rights of all people? All people are created equal. They are equal before God. God has given them certain rights which lawfully cannot be taken away. Among these rights are life, liberty, and the pursuit of happiness. They have the right to live in happiness. In other words, all people have an equal right to live in security and enjoy the liberties guaranteed by the law. We underscore the word liberty because it is the very strength and keystone of this Republic.

Why have governments been established? It is because all people equally enjoy such rights as life, liberty, and the pursuit of happiness. The right of the government to govern is conferred by the people themselves. Mr. Speaker, the strength of this country will continue only so long as we Americans recognize this undeniable truth. What should the people do if a government fails to govern wisely? The people have a right to change that government. They have a right to create a new government established on such principles and having such powers as are most likely to insure their safety and happiness. This is important for those who have no confidence in the institutions of our great Republic. This very important phrase provides that people should naturally not make a revolutionary change in their government for small or capricious reasons. Government cannot endure if people will shift the philosophy of government as they would shift the sands at the seashore. Government cannot ricochet with the shifting sands of public opinion. Surely, Thomas Jefferson made that clear when he spelled out in great detail the indictment against the king. The Declaration of Independence was written because of overwhelming reasons for such a Declaration of Independence. Too many of our American people today want to change our institutions simply because they do not agree with them. I think perhaps it is important for those Americans to reread the Declaration of Independence. The people had suffered miseries long enough. Now they must have to change their government, but this change comes only when there are overwhelmingly and grievous reasons.

Mr. Speaker, I renew my appeal that it would be healthy for the whole country if on Sunday morning in our churches across this land the good pastors would read the Declaration of Independence to our people. This great Declaration of Independence is as lasting and meaningful today as it was 194 years ago. But, unfortunately, some of the sophisticates of our country today look upon "Fourth of July oratory" as something evil and something not quite American. So often you hear a man make a speech who tries to put into perspective the real meaning of this declaration and some sophisticated snob will come along and say, "That is Fourth of July oratory," as if there was something bad or evil about trying to put into perspective the great statements, the great meaning of this document.

So, Mr. Speaker, I would hope that some day the Congress would adopt the reading of this declaration, as we have adopted the reading of Washington's Farewell Address, for it was in this Congress—this Congress—that the Declaration of Independence was born. The declaration is a child and a product of the Congress of the United States.

I think it is only fitting that on the great birthday of this Nation, we in the Congress ought to rededicate and reaffirm our faith in the postulates of this great declaration. At least I would hope we would take time out from our busy schedule once a year to remind ourselves of the impressive provisions of this document, for those provisions apply just as much today as they did 194 years ago.

I say this, Mr. Speaker: So long as we Americans remind ourselves of the real meaning of this declaration and the courage that those 56 Members of Congress had in signing this Declaration, of Independence so long as we Americans remind ourselves of that courage, the future of this Republic is secure.

AMERICAN PRISONERS OF WAR

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. Obey) is recognized for 30 minutes.

Mr. OBEY. Mr. Speaker, the gentleman from Missouri (Mr. Symington), the gentleman from California (Mr. McCloskey), the gentleman from Illinois (Mr. Railsback), the gentleman from Arkansas (Mr. Pryor), the gentleman from Michigan (Mr. Riegel), and I are today joining together in action which will allow our constituents to express their concern for the fair and humane treatment of American prisoners of war.

The six of us have sent petitions to our constituents which urge the Government of North Vietnam to provide humane treatment of prisoners of war. We would urge other Members to do the same. When the petitions have been signed and returned they will be forwarded to the Department of State for transmission to the Government of North Vietnam.

The petitions read as follows:

To: His Excellency Ton Duc Thang, President, Democratic Republic of Vietnam.

As a concerned citizen of the United States of America who believes that all governments have an obligation to conduct their affairs in a responsible and humane manner, I urge that American servicemen currently being held prisoner by the Government of North Vietnam and its allies be accorded fair and humane treatment as expressed in the Geneva Convention of 1949, which was signed by the Government of North Vietnam in 1957.

I further specifically urge that the Government of the Democratic Republic of Vietnam:

(1) Identify all prisoners being held;

(2) Release seriously sick or injured prisoners;

(3) Permit impartial inspection of all prisoner of war facilities;

(4) Permit the free exchange of mail between families and prisoners.

The points contained in the petition are similar to language contained in a House resolution which several of us coauthored last September.

Mr. Speaker, in the next few weeks world attention is, in all likelihood, going to be directed at developments in Cambodia. It may be difficult to keep attention focused on the plight of prisoners in Vietnam.

No one can say for certain that any action by American citizens will have any effect on improving POW conditions in North Vietnam, but action by concerned American citizens can, at the very least, assist in focusing worldwide public opinion on the prisoner of war problem.

This action is being taken by Congressmen who represent varying philosophical viewpoints. That fact should make it clear that while Members of Congress may differ on the correct methods winding down the war in Vietnam, all of us stand united in our insistence upon responsible and humane treatment of prisoners of war.

Furthermore, the varying philosophy of the individual citizens who will sign the petitions should also indicate that all Americans stand united on the necessity for providing humane treatment for prisoners of war.

GENERAL LEAVE TO EXTEND

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the special order given today by the gentleman from Wisconsin (Mr. Obey).

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE LIQUIDITY SQUEEZE: THE ADMINISTRATION, HAVING PRODUCED A LIQUIDITY CRISIS, MUST GET US OUT OF IT

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. Reuss) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, the administration has achieved, at one and the same time, the highest interest rates in a century, the worst unemployment in a decade, the most aggravated inflation in a generation, the worst stock market selloff in 40 years, a dangerously deteriorating balance of payments, a stagnation in economic growth which will lose the Nation as much as $40 billion this year, and a severe depression in housing.

Today there must be laid at the administration's door another serious economic illness from which our country is suffering—the "liquidity squeeze." The liquidity squeeze is the inability of corporations to pay their bills as they come due. The section 77 bankruptcy of Penn Central is simply the most dramatic example of the liquidity squeeze.

My point is simple. The reason for the liquidity squeeze is the rampant inflation from which we are now suffering. The administration has utterly failed to take steps to combat that inflation. Untill it does so, the liquidity squeeze with its imminent danger to the entire economy, will continue.

It is inflation which has reduced corporate managers to draw down their cash, to raise every dollar they can by borrowing from banks, from other corporations by commercial paper, or from the capital market, and then to invest this cash in something deemed more inflation-proof than cash—plant, equipment, excess inventories, other assets. Inflation impels businesses to do this because unless they get rid of their cash now, the assets which they buy with their cash will be costing more in the future. Equally, to the extent that labor-saving plan and equipment can be put in place now, it is deemed by corporate managers to protect them against future wage demands.

Take a look at the progressive drawdown of cash on the part of manufacturing corporations. Twenty years ago, in 1949, manufacturing corporations held cash and Government securities equal to 107 percent of current liabilities—debts coming due within a year. By 1954, the percentage was down to 71; by 1959 to 57; by 1964 to 43; by 1969 to 23. By the first quarter of 1970, the percentage—the "quick liquidity ratio"—was down to 21 percent. In other words, manufacturing corporations have only 21 cents in cash or equivalent to meet $1 in debt that is about to mature.

Business debt has likewise pyramided. $142 billion in 1950 to $212 billion in 1955 to $303 billion in 1960, to $454 billion in 1965 to $750 billion today. Debt of unincorporated businesses has risen from $27 billion in 1950 to $36 billion in 1955 to $45 billion in 1960 to $78 billion in 1965 to $118 billion today.

Just one form of debt—and this played a important role in the demise of Penn Central—commercial paper, has shown a particularly spectacular increase. Commercial paper is simply an unsecured debt owed by a corporation, usually for 90 or 180 days. Commercial paper was under $5 billion in 1961, had risen to $13 billion by 1966, $16 billion by 1967, $21 billion by 1968, $33 billion by 1969, and $40 billion today in 1970.

This insensate desire by corporations to get out of cash—their own or borrowed—and into illiquid assets accounts for the enormous increase in the last 3 years in plant and equipment—so much of it, that today our economy is operating at only 78 percent of manufacturing capacity, even though it is suffering from inflation.

The administration, as has been pointed out many times, confines its anti-inflationary activities to fighting a nonexistent demand inflation. It is doing nothing to fight the kinds of inflation that really exist:

First. War inflation, with all the dislocations brought on by a wartime economy. In order to end the war inflation, as has been gently pointed out by administration critics, it is necessary to end the war.

Second. Cost-push inflation. The wage-price spiral in the concentrated industries continues despite a shortfall in overall demand. The remedies, spurned by the administration, are revived wage-price guideposts, and a temporary freeze on wages, prices, rents, and salaries in order to make the evolution of these guideposts possible.

Third. Supply-deficiency inflation. Here what is needed are measures like greater aids to medical schools, and liberalized imports of meat and oil, in order to lower the costs of medical care, meat, and petroleum products. None of these measures have been forthcoming.

Fourth. Credit inflation. Despite a policy of tight money, the large banks have been able to buy their way out of tight money by repatriating Eurodollars, issuing promissory notes through one-bank holding company subsidiaries, borrowing through the Federal funds market, and issuing large-denomination certificates of deposit under a recent Federal Reserve ruling, without any interest ceilings. This concentration of bank lending power in the large banks has then been used to make marginal loans to corporations for plant and equipment, inventory accumulation, conglomerate takeover, and unessential foreign investment such as Bahama gambling casinos. Inflationary pressures in these areas are increased. Meanwhile, needed goods and services that could be produced by the housing industry and by local government—both desperately short of credit—go uncreated.

The remedy for credit inflation is to do what Congress last year authorized the administration to do, and what many of us have been beseeching the administration to do—to use selective controls over extensions of credit, so as to discourage inflationary extensions and encourage necessary extensions.

Techniques could include selective credit ceilings, use of the Federal Reserve discount window, or differential reserve requirements. These could discourage credit for low-priority purposes—plant and equipment, inventory, conglomerate takeover, foreign investment—and encourage credit for needed purposes, such as housing, State and local governments, and small business, and businesses suffering from a "liquidity squeeze." Effectively administered, such techniques should be sufficient to mitigate the "liquidity squeeze." If they are insufficient the administration should recommend a special bailout fund applicable where needed, not just to railroads.

The Democratic majority on the Joint Economic Committee put the point well in its economic report of March 25, 1970:

> The Committee believes the usual measures of liquidity may indeed conceal a growing illiquidity of non-financial business. Excessively tight money contributed to this predicament We fail to find an adequate awareness of this in the statements of the administration.
>
> In view of the highly discriminatory manner in which restrictive monetary policy has affected top priority sectors of the economy, this committee strongly recommends that the President instruct the Federal Reserve authorities to institute a system of credit controls in the banking area and establish a Capital Markets Committee to oversee the borrowing operations of business in the capital markets. Legislation to authorize machinery for more effective distribution of available credit funds overwhelmingly voted in the last session of Congress. The aim of this policy of selective credit controls should be to bring about greater availability of credit for housing, municipal facilities and small business and to restrict the availability of funds for such highly inflationary purposes—under present circumstances—as industrial spending on fixed capital expenditures.

The advice of the Democratic opposition has been disregarded. The administration has failed to take steps to end war inflation, wage-price inflation, supply-deficiency inflation, and credit inflation. By failing to lift a finger to allocate credit between more worthy and less worthy uses, the administration has allowed the large corporations to get hold of a disproportionate share of the Nation's money, and then to freeze it into illiquid investments.

Such is the melancholy tale of railroads like the Penn Central, the Rock Island, the Central of Jersey; of conglomerates like Ling-Tempco-Vought, which is now selling off fixed assets trying to raise cash; of cash-shy mutual funds like the foreign-based Investors Overseas Services.

There is no assurance that the additional lending power large banks were granted by the Federal Reserve's recent lifting of the interest ceiling on over-$100,000 CD's will be used to alleviate liquidity squeezes. It may simply be used for lending which monthly disappears into illiquid fixed assets. Only selective credit controls can assure a sound allocation of credit.

I call upon the administration to stop wringing its hands and to start taking responsible action. Merely having the Federal Reserve create excessive new money is not the answer. The Democratic opposition has suggested the kinds of programs needed to stop inflation, to get the country moving again, and to ease the liquidity crisis. It is time for the administration to act.

RHODESIA: A FRIEND IN NEED

(Mr. LANGEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. LANGEN. Mr. Speaker, I am most troubled by the recent decision of the U.S. Government to close its consulate in Rhodesia, and, more important, for what has developed over recent years into an intractable official American attitude toward that friendly nation.

In attempting to justify this action, Secretary of State Rogers recently offered this explanation:

> The United States has decided to close the American Consulate General in Salisbury, Southern Rhodesia.
>
> On March 2, 1970, the Rhodesian regime implemented a new constitution and a Rhodesian President is substituted for the British Crown as head of state. This constitutes the final and formal break with the United Kingdom. The United States has regarded and continues to regard the United Kingdom as the lawful sovereign.
>
> In the above circumstances, we have instructed our Consul in Salisbury to begin arrangements for closing as of March 17 and for the departure of the staff.

In delineating its policy toward Rhodesia, the State Department has reduced its arguments to essentially two:

First. The United States continues to recognize the British Government as sovereign over Rhodesia. And since the Rhodesians no longer acknowledge British suzerainty, and since no other nation has acknowledged Rhodesian independence, therefore, the United States has felt compelled to close its consulate.

Second. The United States looks upon the Smith government as repressive and not deserving of acknowledgment because it "has obstructed political development in that territory toward independence on the basis of majority rule."

However, U.S. policy, if it is to be deemed logical and thoughtful, ought to be basically consistent in nature and applied without prejudice in our relations with the multifarious nations and states of the world. Unfortunately, that is hardly the case, for anyone who makes but the most cursory examination into the situation quickly discovers discrepancies of a serious magnitude. Let us here raise some questions rightfully in need of an answer.

Most important of all, why does the United States continue to regard the United Kingdom as the "lawful sovereign" in Southern Rhodesia when the facts of the situation make it abundantly clear that Britain cannot sustain that claim either by its actions or by its prospects?

At the present time, the most that the British can claim for their policy toward Rhodesia in the application of economic sanctions in conjunction with the United Nations, is that this denies Rhodesia the free access to outside capital important to domestic prosperity and full employment for all its citizens. This is a far cry from the optimistic pronouncements of former Prime Minister Wilson some years ago that such sanctions would bring the Rhodesian economy to ruin in a "matter of weeks."

Ironically, the imposition of these economic trade barriers against Rhodesia has deprived that nation of the capital necessary for the development of new employment opportunities for the black citizens for whose benefits such sanctions were theoretically imposed.

An eminent British judge, Arthur Hodgson, pointed out recently in reference to the Rhodesian matter, that "Halls Treatise on International Law" seems to make it clear that as a condition precedent to any right of recognition as a state, the regime must be in de facto possession and control of the territory in question; and further no recognition can be legitimate so long as a substantially effective struggle is being maintained by the former sovereign state for the recovery of its authority.

> It seems—

Continued Judge Hodgson—

> quite beyond dispute that the first condition laid down by Hall is satisfied, for the present regime in Rhodesia has established complete de facto control.
>
> As to the second requisite Britain's conduct as the former sovereign power cannot really be held to be such as to offer any reasonable ground for thinking that success may ultimately be attained.

Thus, he continues—

> It is not enough to keep alive the rights of the (former sovereign) State and so to prevent foreign countries from falling under any obligation to recognise as a State the community claiming to have become one.

In other words, a mere pretension or assertion of suzerainty is not enough. Britain has done no more than maintain a quite ineffective claim to sovereignty over Rhodesia and has completely failed to take any real or substantial steps to recover authority. Appeals to, or speeches at, the United Nations are not conducive to the belief that sovereignty may or can be recovered within a reasonable time, if at all. Concluded Judge Hodgson:

> For my part, I can see no reason why foreign nations should not recognise the Republican regime as a matter of either international law or common sense.

Further strengthening the Rhodesian claim to statehood is the statement on June 17, 1969, by Mr. George H. Aldrich, acting legal adviser to the State Department, who declared in testimony before the Senate Foreign Relations Committee:

> The situation you normally deal with when you have a recognition of a new government only requires a determination that the regime is in control of the territory and population, or a substantial portion of it, and it has a reasonable likelihood of retaining control either of the part already in control or of the entire state.

Is there anyone who would doubt that Rhodesia fully measures up to these defined criteria?

And what about the comments of former Secretary of State Dean Acheson, who observed in a letter:

> I think it fair to assume that the action (of the U.S. to close the Consulate at Salisbury and to withhold recognition of the Rhodesian government) was based upon and will have the effect of perpetuating two myths. The first is that Queen Elizabeth II is the sovereign in Rhodesia and that Her Majesty's Government in the United Kingdom does exercise control over that country. The second is that external action, both political and economic, short of military conquest, can and will induce the Rhodesians to change their ways and adopt the principle of one-man-one-vote, which so far as I know is not in effective operation anywhere in Africa.
>
> The trouble with perpetuating myths is that they lead those who perpetuate them further and further from reality. They are a sort of political LSD, inducing the taker to live in a world of dreams. They also have another and far more malignant quality of LSD. They can ultimately destroy the user's capacity to think rationally.
>
> Recently the Senate of the United States wisely and almost unanimously endorsed the view that having relations with a foreign state does not in any way indicate approval of its domestic institutions or conduct. Rhodesia is friendly to the United States. Economic relations with Rhodesia are greatly to our benefit. To alienate that country by an attempt to force it to do what is both impossible and beyond any proper concern of our government is worse than a crime; it is a blunder.
>
> There is also, a view current in the United States' circles that to prevent the dominating Afro-Asian communist bloc in the United Nations from recommending courses that are both extreme and unwise we should join them in courses that are less extreme but equally unwise. I would characterize this view as stupid.

It is quite clear that the decision by the United States to withdraw its consulate from Rhodesia was made so as to avoid offending Great Britain or implying recognition of the Smith regime. Yet when questioned recently about the fact that they maintain a consulate in North Vietnam whic his an enemy of the United States and a nation engaged in the killing of Americans, the British have vehemently insisted they do not recognize the Government of North Vietnam, and that maintaining a consulate in that nation in no way imparts or implies recognition of the Communist regime.

In addition, the British went on to say that recognition of a government, such as they do with the case of Red China, in no way implies moral agreement with the philosophy of that government.

Approaching the matter from a different angle, the United States has halted all trade with Rhodesia in support of the British Government which it recognizes as sovereign, while at the same time Great Britain continues to trade with Communist Cuba at the emphatically expressed displeasure of the United States and the entire Organization of American States. And ships flying the British flag from Hong Kong and other areas continue to trade with North Vietnam, which is merrily engaged in the killing of Americans. It should be mentioned that Rhodesia trades with neither Cuba nor North Vietnam—and yet we support the British?

We should also mention that American participation in the economic sanctions against Rhodesia has placed us in the curiously tragic position of almost complete economic dependence for strategic chromium ore on the world's only other major source—the Soviet Union. While we continue to boycott American-owned mining enterprises in Rhodesia, the United States is buying ever-increasing amounts of chrome from Russia—at highwayman prices, of course. Can the United States afford to be manipulated into this type of dangerous situation?

Getting back to the question of legality, Mr. Louis Link of the State Department in a recent letter assured:

> No other government has formally recognized the Smith regime or Rhodesian independence. Of the twenty-one countries which maintained some form of consular representation in Salisbury at the time of Rhodesia's unilateral declaration of independence in 1965, only South Africa and Portugal continue to do so. Even these two governments have not taken any action to extend formal recognition to Rhodesia. Rhodesia has not been admitted to the United Nations and there is little likelihood that it will be.

However, the question must immediately be raised, since when has the U.S. Government surrendered the determination of its foreign policy to other nations? How many nations had accorded recognition to Israel when the United States decided to do so? Or how many nations of the world waited for the United States to recognize the Communist dictatorship in Russia before taking a similar course of action? What support do we get from Great Britain in attempting to keep Red China out of the United Nations?

And furthermore, since when has membership in the United Nations been a determinant of recognition policy? Cuba is a member but we do not recognize Castro's regime. West Germany is not a member—yet we maintain clearly established diplomatic relations with Bonn.

Much more could be said about the

legality of the Rhodesian claim to statehood, but some attention is deserved of the second contention made by the State Department—that is, a judgment of the moral nature of the Rhodesian regime. Again, Mr. Link of the State Department writes:

> In addition, the new Rhodesian Constitution perpetuates minority rule and specifically prohibits the African majority (some 95%) from ever gaining control of the government.The Constitution also incorporates the preventive detention law under which an individual's right to bail or trial may be denied. Voters' rolls are established along strict racial lines; the economic and educational criteria for registry disenfranchise most Africans. Under other new legislation Rhodesia's land area is to be divided "equally" between the 230,000 Europeans and about 4.8 million Africans; each group is to be assigned about 45 million acres.

Such a contention immediately raises an enormous area of debate, but in reality is entirely irrelevant to the issue. As has already been established, testimony by Mr. Aldrich of the State Department plus the enactment of Senate Resolution 205 clearly underline that moral judgments on the domestic performance of foreign governments have no bearing on the question of U.S. recognition.

If the State Department, notwithstanding the complete inconsistency between Senate Resolution 205 and such a contention, still maintains that such a question is pertinent to the recognition of Rhodesia or even to the maintenance of a consulate there, then why does this Government recognize scores of other governments whose performance could not possibly measure up to these defined standards?

Most glaring of all, how can the United States for a moment recognize the Soviet Union whose treacherous and bloody path has demonstrated complete contempt for human dignity, freedom of conscience, and everything else for which this nation stands? Or how can we justify recognition of the military dictatorship in Greece? And who could contend that "majority rule" prevails in Saudi Arabia upon whom this Nation has lavished great amounts of assistance and favor? Or what about the so-called "banana republic" dictatorships throughout a great portion of South America. Or for that matter, how many constitutional republics exist throughout all of Africa?

Only recently Representative ROMAN PUCINSKI inserted in the CONGRESSIONAL RECORD of April 20, 1970, page 12484, a chart which maintains that out of 131 governments in the world, only 38—not even 50 percent—could be described as democratic. One must ask with all seriousness, then, what are the special considerations that single out Rhodesia for uniquely hostile treatment?

It is indeed incredible that this Nation has been committed to the "unfinished business" of trying to overthrow the governments throughout southern Africa, which ironically to date have enjoyed the greatest stability and prosperity throughout that troubled continent. As a matter of fact, one of the problems facing the Rhodesians is trying to control the number of black people from neighboring states trying to enter this country with its lure of better economic opportunity.

Furthermore, Rhodesia remains one of our most outspoken allies in the fight against communism. There is nothing that the Communists would like better to see than the stability of southern Africa turned into chaos as would surely be the case should the disconcerting policies now being applied ever be successful.

It is most sad that our Nation has been maneuvered into supporting a United Nations' declaration that maintains Rhodesia, which is surrounded by a number of nationalistic and rather hostile neighbors, constitutes a "threat to world peace." Under such an assumption the intended victim now becomes the threat to peace because someone else may attack him. This is like saying the storeowner is to blame for being robbed because if he had not opened his business in the first place this would have never happened.

To carry this to its logical conclusion, if the United States either directly or indirectly supports the overthrow of the Rhodesian Government, does this mean that inevitably we are to work for the downfall of every nation with whose government we disagree?

Finally, there is one other thing that must be said about the Rhodesian struggle for independence. Have we Americans forgotten our own Revolution which we fought against the same colonial master in 1776? Of all the people in the world, who are we to denounce the Rhodesians for following our own example? Must we be reminded that the words to our own Declaration of Independence were written with the blood of American patriots who died in behalf of an illegal war to establish an illegal government? Have we forgotten that our independence was in no way guaranteed, but rather hung precariously in the balances of fate for over 7 long years?

We claim not to applying a double standard, and yet by denying the Rhodesians the same right of self-determination that we claimed for ourselves, this surely must be the case. We condemn the Rhodesians for deviating from the "one-man, one-vote" principle recently espoused here. But have we forgotten that it has taken nearly 200 years for this Nation to reach this level of maturity, and, in fact, there still are many who question its arrival. Aside from Rhodesia, we must ask honestly, how many other nations today abide by true majority rule—one man, one vote.

At the time of our independence, Americans lived under a system of minority rule. Most American States had property requirements for voters. Women were completely disfranchised. How many Indians voted for George Washington? Or how many Negroes signed the Declaration of Independence?

Yet, in spite of all these shortcomings and limitations, gradually the trend toward universal suffrage has evolved in our country. Who are we to say that Rhodesia will not evolve in the same way? Who are we, then, to say that Rhodesia should have one man, one vote at independence, when we ourselves did not, and for that matter may still be had wanting?

The most important thing is that our present policy is both infertile and unreasonable. The Rhodesians have been our good friends; they have fought beside us in two world wars and have supported us in Vietnam. Surely our friends are deserving of better treatment. With the accession of the new British Conservative Government to power, let us urge conciliation and a restoration of the dignity to which the people of Rhodesia are surely entitled.

HONOR AMERICA DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, it is especially fitting at this time of the year that all Americans take the time to reflect on America's meaning and significance, to rekindle the spirit of patriotism. And, it is especially fitting that this Fourth of July should become Honor America Day.

We love our heritage of hard-won freedom. We love the right to say just what we think, and to worship as we please. We love the simple decency that allows for differences of opinions.

We cherish the freedom of the ballot box. In this crucible, the tarnished boasts of tyranny dissolve in the sovereignty of the governed. A free man's choice, this is the rock on which have been built the hopes of the American dream. This is the guarantee that commonsense will have its final say on human folly—here in the land we love.

We love our country and we respect the memories of great Americans—like Jefferson, the architect of freedom, patriots like Patrick Henry, whose impassioned cry of "Give me liberty, or give me death" will live eternally in free men's hearts, men like Lighthorse Harry Lee who, when his wars were ended, fought a mob defending one man's right to speak his mind.

And Washington—still foremost in our hearts—behind whose granite will a ragged army, accoutered in the main with faith and courage, held out in face of unrelenting odds, in hunger, cold, and pain.

Held out for what? That all the blessing of this land of ours—the Bill of Rights, the marvels of the free, incentive mind—might be enjoyed by all Americans.

But, it is not enough to marvel in the glories of the past and just talk about our great Founding Fathers and the ideas of a free democratic nation that they envisioned. We must apply these principles and dreams of the past to the present. We must not take for granted the individual liberties that have made America great. We must all work together to advance the cause of freedom, peace, justice, and human dignity. We must hold our heads in pride over our great heritage.

I trust that the spirit and inspiration of this Honor America Day will be reflected in all communities throughout the country. It is a day of rededication for all Americans to the principles that have made us a great nation.

FIRST OFFICIAL PUBLIC ANNOUNCEMENT OF PLANS FOR NOAA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MOSHER) is recognized for 5 minutes.

Mr. MOSHER. Mr. Speaker, many of us on both sides of the aisle very much welcome the expected Executive order from President Nixon, using the Reorganization Act to create a National Oceanic and Atmospheric Administration—NOAA—in the Department of Commerce. We expect the President's Executive order sometime next week.

There have been insistent rumors in the oceanographic community, and press reports, concerning the proposed NOAA, and several of us have had the privilege of being briefed in advance by White House and Department of Commerce staff people.

However, I believe the first official public statement giving details of the administration's plan and its philosophy concerning the new agency came last night in a significant address by the Honorable Rocco C. Siciliano, Under Secretary of Commerce, before a banquet sponsored by the Marine Technology Society, at the Sheraton-Park Hotel, Washington, D.C.

Mr. Siciliano spoke to an audience of several hundred very representative people active in the oceanographic community and I had the impression that his remarks were very well received.

As you know, Mr. Speaker, the NOAA concept stems from 2 years of study and recommendations accomplished by the President's Commission on Marine Science, Engineering, and Resources—the Stratton Commission—on which the gentleman from North Carolina (Mr. LENNON) and I had the privilege of serving as advisory members.

Also, I believe I am accurate in saying that President Nixon's Executive order will be in a part a consequence of very active legislative efforts in the Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries, under the leadership of Mr. LENNON. We have held extensive hearings concerning the NOAA concept, and many of us have cosponsored and strongly supported legislation—H.R. 13247—which would create a National Oceanic and Atmospheric Agency as a new, independent entity. The President's Executice order differs from our legislative proposal only in that it will place NOAA in the Department of Commerce, and it will not include the U.S. Coast Guard as one element in the agency.

Because many of us consider the proposal for NOAA to be a very welcome, essential move of historic importance, I am requesting that this first official, public announcement of the administration's plans, in Mr. Siciliano's address last night, be made a part of the House RECORD at this point.

REMARKS PREPARED FOR DELIVERY BY THE HONORABLE ROCCO C. SICILIANO, UNDER SECRETARY OF COMMERCE, BEFORE THE MARINE TECHNOLOGY SOCIETY, JUNE 30, 1970

It is a very great pleasure and privilege to be here this evening with men and women of the marine sciences.

To be with you is to look to the future—for the world of science and technology is committed to the future

We live in a turbulent age which often seems to be dominated by great social and political problems, and they may sometimes appear to be endless or beyond hope, yet in the world of science we do find great hope and great promise.

There is no better testimony to that fact than our widening horizons of scientific exploration.

If there is a common thread which holds the chapters of history together, it is the fact that discovery flows from challenge, and progress is the product of need.

Mankind today is confronted with an unprecedented array of needs, politically, socially, and in a broad new spectrum of physical challenges.

At a time when we may have thought we had conquered the physical frontiers, we have suddenly discovered the whole new world of ecology.

At a time when our earth is burgeoning with people, we have discovered that we must plant and harvest tremendous new horizons of resources.

At a time when science has begun to pioneer the new frontiers of space, we have begun to look inward at the world around us for the strength and the sustenance the future demands.

In short, in our lifetime, we have already been privileged to make the discovery that the environment needs to be preserved, and that it may become the most exciting of all frontiers in human history.

We have begun to discover the vast potential which the seas and the atmosphere hold for mankind. In this new age, science may unlock the secrets of both to show the human race the way to global prosperity for all men.

Recognizing both the needs and the incredible opportunities which await us, I am privileged to report to you tonight that President Nixon is about to take a giant step forward in assuring a national effort in the exploration, development, and preservation of the marine environment which surrounds us.

He will shortly submit to the Congress a reorganization proposal to create a new National Oceanic and Atmospheric Agency, an organization to be situated within the Department of Commerce which, Congress willing, will become the focal point of all Federal programs presently concerned with the oceanic and atmospheric environment and with related geophysical and hydrological activities.

His recommendation follows closely the wise proposals of the Commission on Marine Science, Engineering and Resources (the Stratton Commission) report.

The Department of Commerce already contains the basic scientific elements which will be fundamental to this new agency, which undoubtedly will become known as NOAA. The Department also contains the Maritime Administration, with its wide capabilities in marine engineering and ship design.

We will be proud to accept this new opportunity from the President, who has already done so much to attack the problems of marine environment.

He has approved a priority marine science program for the coming year with emphasis on five major areas of concern.

He seeks a new national policy for development of the coastal areas and the Great Lakes.

He seeks new research and analysis bearing on problems of the coastal zones.

He seeks a restoration of our lakes, whose waters have been so seriously damaged by the wastes and abuses of the 20th Century.

He seeks extensive participation by the United States in the international decade of oceanic exploration.

And he seeks to intensify environmental research in the Arctic areas of the world to permit fuller use of this area and to preserve its environment.

We are proud to help him achieve these objectives.

The Commerce Department views itself as an organization devoted to economic and technological development. We are in fact as much a science and technology agency as we are an economic development group. Sixty percent of our people are engaged in scientific and technological work. The principal goal of the national marine effort is economic development in a rational manner which will protect the environment. And the way in which we respond to the oceans' opportunities for economic growth will be basic to the future of our Nation.

How to go about the tremendous job or getting on more intimate terms with the vast untapped region has long been a prime subject of discussion and debate. Many approaches have been advocated over the years, and at times almost the only area of agreement has been that a critical need exists to end the fragmentation which has frustrated and baffled us. Recently, however, there has begun to be more agreement over the directions our ocean effort should take. The creation of NOAA is a major step in that direction. It is a milestone in the Nation's marine history.

The new organization's mission will be equally atmospheric so, although I shall address myself largely to oceanographic matters, I hope my friends in meteorology and the earth sciences will forgive that emphasis.

At the very outset, let me pledge to that the creation of NOAA will not be just another bureaucratic reshuffling.

It will be the consolidation into one powerful working force of some of the finest, most dedicated, and most energetic scientific technological and administrative talent anywhere in the United States government.

It will receive the personal and continual attention of the Secretary. It will answer to our highest levels. It will be among our highest priorities. It will generate consistent, meaningful forward motion.

The task ahead cannot be done alone within government. It must be in collaboration and with assistance of industry and academic organizations as well as state and local governments. Indeed, one of our prime goals will be to do those things that will enable industry to move ahead in the uses of the oceans on a self sustaining basis.

Let us look at the nature of the medium, with which we are dealing:

The oceans have served for centuries as marine highways, a source for food and minerals, a military arena, a place for recreation.

They are also a key element of the weather, which affects every living thing, sometimes beneficially, sometimes fatally; they produce the tides and currents with which man must deal at the water's edge. They are carriers of seismic sea waves.

They are the repositories of scientific and technological mysteries which cry for solution—mysteries which, once solved, may affect materially our way of life. They are one part of an ever-interacting, inseparable geophysical system of land, sea and air.

Given these awesome dimensions, one well might wonder where to begin. One good way of beginning is to establish a center of civil strength out of individual groups which individually lack the necessary cohesion and unified management. This is what the President will propose to the Congress.

The other problems we face, while staggering, are, at least fairly well defined within the limits of today's vision. We are in a position to study sensibly our marine priorities and then to go to work on them.

These are some of the problems which face us:

The seas are vast, and that portion underneath the surface is little-explored and little understood. The ability to sail from one point to another does not constitute even the beginning of exploration. Because the deep oceans are so little explored and so poorly understood, we have been unable to get more than a very few uses from them. We need to be able to explore and work in depths to 20,000 feet, to assure that we understand the potential in living and other resources.

We are looking to the oceans as an important source of animal protein in the next few decades. The world's rapidly growing population clearly forecasts the need for increaesd supplies of foods of all kinds. One generation from now, it is estimated, more than six billion persons will be competing for the earth's food resources. Shortages of animal protein are apparent already in many emerging areas of the world. All of this points dramatically to the urgency of the need for ocean food resources. But we remain hunters rather than cultivators of the sea. Our understanding of marine ecology is pathetically slight. And we must be prepared to serve the cause of fish conservation and development, not only in the deep oceans but in the Great Lakes and estuaries as well.

Nobody would question that our commercial fisheries are in need of rehabilitation. This will require basic as well as applied research and a high degree of technological improvement to help make our fishery industry healthy and competitive.

Marine pollution is a major concern of our people. We do not know how far past the danger point it has gone. We know only that it is continuing unabated, and that action must be taken.

We need global monitoring and prediction, not only of weather in the classic sense but of tides and currents, sea state, and pollutants.

We need vastly accelerated programs of mapping and charting, which are vital to everything we wish to do in our nearshore waters. We need to fix baselines for seaward boundaries and for boundaries between states. We need tremendous amounts of data for effective use of the oceans, and we need sensible mechanisms to manage and make useful this informational bank account.

We need, and need urgently, to make certain that marine technology and marine science, the bases of our entire oceanic effort, achieve a closer relationship with each other and that they receive the kind of support necessary to move that effort.

The tasks involved in operating within the marine environment are so vast, so complex, and in many cases so difficult of attainment that marine technology must have the same kind of drive and the same kind of public understanding and support which has been accorded to space technology.

It is your job, and mine, and that of everybody involved in the ocean effort, to bring this to pass. Marine technology will not put a man on the moon, but it has put men on the sea floor, and it will do a great deal more—with a big *if*—if we can accomplish the things I have just outlined.

The list is much longer, but this will serve to pinpoint some of the more immediate and critical needs and problems.

We believe that in NOAA an organization will be created which can tackle these problems in a new and more effective way. It will be an ocean-*and*-atmosphere agency with numerous responsibilities in the earth sciences. The approach will be interdisciplinary and multidisciplinary, in response to the complex nature of the problems to be attacked—in other words—an environmental approach.

It is not yet time to speak in concrete terms of specific agencies and sub-agencies. But it is our intention to organize the effort around the following concepts:

The mapping and charting of the global oceans and the Great Lakes.

Fish exploration and technology, aquaculture, and marine biological research.

The technology of the air and sea.

The monitoring of the geophysical environment, including pollution, seismicity, climate and geomagnetic, and data collection and dissemination.

And the Nation's weather service will be broadened substantially in scope.

Within this framework, we are convinced, a great deal can be accomplished and much duplication and overlapping of function and effort ended.

This is not the time, either, to set forth in detail the programs which will be undertaken. However, I should like to tell you some of the things which require early action.

A very high priority must be accorded to the exploration and development of our natural resources—living and non-living. To repeat, billions of persons soon will be competing for the earth's food resources. The quest for the seas' industrial raw materials is also certain to intensify. One of the major contributions the new Administration must make, with the help of the scientific and technological community, will be to develop the knowledge, the techniques and the tools to help transform needs felt into needs met.

High priority must be given to the creation of a global environmental monitoring and prediction service, because it underpins so many other things we must do. Our society is constantly changing, and so are its effects upon the environment. We must be ready to meet the needs created by those changes—I am thinking principally of the severe problems of air and water pollution which today constitute a grave national concern. A global monitoring and prediction network is absolutely vital to the task of fighting pollution.

The civil ocean monitoring and prediction system must be integrated with the weather system to provide a more inclusive national service. The job of collecting, processing, and disseminating information for this system is a gargantuan one. It will demand substantial acceleration in the use of satellites and a data buoy network, now planned to close major gaps in ocean information; and in the use of other platforms as well.

One largely undeveloped area which is basic to our future national prosperity is the Continental Shelf and its slopes. It waits to be explored, charted, and turned to optimum national use. At present, it is not even satisfactorily defined, internationally. We are now embarked upon a Continental Shelf survey program but the Nation sorely needs geological, geophysical and bathymetric reconnaissance scale maps of 1:250,000, out to 2500 meters—and we need them now. It is our conviction, moreover, that all Federal nautical charting activities must be accelerated to insure current charts of all coastal areas of moderate to heavy marine activity. A 50-year resurvey cycle should be completed within 15 years. To do it will require a degree of automation not yet in sight. One of the major needs always with us is the provision of trained manpower without which any ocean effort is doomed to failure; the necessity of drawing into this effort the best minds available and then giving these men meaningful assignments and the resources with which to execute them. This, while it may appear rather more abstract than the specific items I have just mentioned, is of more than philosophical importance: it underlies everything we shall have to do.

We intend that the new Administration shall work in an innovative way with the Nation's universities and industries, and to do everything possible to encourage and assist the tremendous reservoir of creativity and vision that resides within them. In this connection, the Sea Grant program will be a tremendous asset throughout the entire effort.

The marine effort, over the years, has spawned a huge amount of data. In the years to come, we can be sure, the volume will increase. A coordinated source for this mass of information is essential. We intend that it shall effectively serve all who need it.

This could become an endless recitation, and I have no intention of inflicting that upon you. Suffice it to say that what I have just mentioned is a random selection of major jobs to be done—enough, I am sure, to highlight the size of the tasks ahead.

Fortunately, the agencies and functions being combined with the creation of NOAA provide the basis for an organization which can realistically hope to make a dent in the problems.

The Bureau of Commercial Fisheries has performed outstandingly their functions in the fish area. Marine mining technology is a function which fits nicely into the NOAA concept. So are the Sea Grant program; the National Oceanographic Data and Instrumentation Centers, and the Coast Guard's data buoy project.

Much of the program rests within the Department of Commerce already. ESSA, for instance, gathers, processes and issues information on weather conditions, river water heights, coastal tides and currents, the structure and shape of ocean basins, seismic activity, the size and shape of the earth and conditions in the upper atmosphere and space. It also maintains warning systems against hurricanes, tornadoes, floods and seismic sea waves and other environmental dangers. It operates the National Earthquake Information Center and is working toward techniques of earthquake prediction. Its 10,000 employees man geophysical observatories, communications systems and environmental research laboratories across the nation and over the world. It has a fleet of ships and a fleet of aircraft. ESSA coordinates all Federal meteorological services, Marine Environmental Prediction, Geodesy, and Marine Mapping, is the lead agency for developing the World Weather Program, and has major national and international responsibilities in the development and operation of tsunami warning services.

The Maritime Administration has capabilities in ship design, port development, and, after the Department of Navy, possesses the strongest marine engineering capability in the Government. It is already deeply involved in the innovative design of both oceanographic vessels and fishboats.

Although they are not directly, officially involved in the new NOAA, numerous other organizations within the Department of Commerce have resources which we shall not hesitate to call upon as specific needs arise. They include the Business and Defense Services Administration and the Bureau of International Commerce. I would single out particularly the National Bureau of Standards, highly qualified to assume a leading national role in the area of measurements. Already, it has provided primary standards for the recently-formed National Oceanographic Instrumentation Center—a part of NOAA. NBS has undertaken the development of reference standards to insure the reliability and comparability of marine data.

The Economic Development Administration also can contribute to the development of marine industry through its efforts to bring new economic opportunity to geographic areas with idle and underused work forces.

What this means is that, in addition to the organizations and people specifically dedicated to the operation of NOAA, there will be available a rich resource of survey, analytical, marketing, finance, taxation, export, and state-coordination talent.

If I appear to dwell upon the Department's role in the new effort, it is because I am most intimately familiar with it. But let me point out that in the Federal establishment, no agency is an island. In all things, and particularly, in the environment, many agencies make direct and indirect contributions to the effort. So it will be in this one: we want and need the assistance of our sister agencies, and we shall work with them in a spirit of willing cooperation to get the results the Nation needs.

Thus far I have spoken to government's responsibilities in the marine area. It is an area in which the participation of science and technology, the universities, and industry outside of government are vital. The health and growth of the entire Nation are dependent to a large degree upon the scientific and technological capabilities which reside in the marine area.

Further, we are convinced that the whole area of marine technology needs development by industry, with the assistance of government. Our search for a unified philosophy of ocean management in the larger environmental context is in fact a search for the road to economic growth, and it is one in which industry must be a full partner.

We intend to ask for the creation of a distinguished national advisory committee to work directly with the Secretary of Commerce. In assembling that group, we shall draw upon the talents of the Nation's top leaders in marine affairs.

For if one fact emerges clearly in this maze of watery complexities, it is this: every advance in oceanic affairs will be made possible or enhanced by the contributions of marine technology, and in many cases of industrially-based marine technology.

Fundamental technology relevant to marine minerals exploration and recovery must be forthcoming. Survey equipment must be developed and ocean vessels fully equipped with the most advanced sensor and data processing systems. If we are ever to have power systems for undersea operations and resource development, if aquaculture is to take on new meaning, if fish protein concentrate is to become a staple instead of a proposal, if our anadromous and Great Lakes fishes are to be preserved and multiplied, if global environmental monitoring is to become a reality—

Marine technology will have been there first.

We are entering a time when man must make the most of his environment—every part of it. When Americans understand the nature of a problem, they have a way of solving it, no matter how close to insolubility it may appear. And this is how it will be with the problems we have been thinking about here.

Let us get on with it—together.

BETTERING CONDITIONS AT BARGAINING TABLE BETWEEN LABOR AND INDUSTRY

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, I would like to take the time to read into the RECORD a letter from Joseph A. Beirne, president of the Communications Workers of America, as well as the text of his address to the Personnel Administration Association of Baltimore.

I do this to show that there are within the labor fraternity men who are giving a great deal of time and energy to bettering conditions at the bargaining table between labor and industry:

Hon. JOHN H. DENT,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. DENT: The current and recurring collective bargaining controversies are generating a considerable amount of popular attention now, but for many in Congress and for those of us who live in the world of collective bargaining, attention to this issue is a 365-days a year proposition.

We try to find ways to improve collective bargaining, and to make it work better for all who are concerned and all who are affected.

I would like to submit a suggestion along those lines to you.

It is obvious to me from my experience that personnel people, the corporation officials in charge of obtaining and retaining employees, do not have the influence they should have in management. They do not seem to be an influence in management decisions on corporate and on public policy which relate directly to their assignment.

For instance, many personnel people are hiring inner city residents who have not been given the education they need to perform adequately on the job. But when Congress proposes aid to schools in deprived areas, management associations lobby against it. Meanwhile management has to institute its own costly remedial education programs to train the employee in elementary school and high school skills. So management associations are, in effect, lobbying against management's real interests.

I made this the topic of the enclosed speech to the Personnel Administration Association of Baltimore, several weeks ago, and since you have an interest in collective bargaining as well as an interest in influences on the legislative process, I submit it for your perusal.

Sincerely yours,
JOSEPH A. BEIRNE,
President.

VITAL ISSUES

(Text of address by Joseph A. Beirne, president, Communications Workers of America, AFL–CIO, to the members of the Personnel Administration of Baltimore, March 18, 1970)

I appreciate your invitation to speak here tonight. It has a special appeal to me because we are both in professions which focus on personnel.

You look at it as management officials.

I look at it as the President of a labor union.

So, perhaps our orientations are different.

But as we explore this for the next 20 minutes or so, I think we can develop this relationship between your work and mine—between organized labor and personnel management.

I would like to go beyond the aspect which we are all familiar with . . . the day-to-day involvement and the contract expiration to new contract involvement.

There is another very significant dimension to our work which is barely ever recognized and hardly ever utilized.

It is undercover, dormant.

But it has in it the seeds of *great and positive achievement* which can *mutually* benefit not just you as management . . . not just me as a Union President . . . but everyone.

That undercover and dormant relationship is *our mutual need*—your need and my need—to be *stronger influences* . . . more dominant influences . . . in the decisions of top management.

I cannot believe that personnel people . . . who have the responsibility of obtaining and retaining an adequate work force . . . are given the voice you should have in forming management's public and corporate policies.

For more than 25 years, I have been President of the Communications Workers of America, and during those years—just as I have successively been re-elected President—I have dealt with successive managements of the American Telephone and Telegraph Company and other companies.

Our contracts attest to the Communications Workers' ability to influence management so far as good wages and working conditions and job security are concerned.

I would not be standing before you as President of a Union which represents more than a half-million workers if that were not so.

But when I look at the public policies of American management . . . especially in the harsh light of the problems that face us all in the 1970s, I see much room for improvement.

This is where our relationship can and should go to work.

This is where our *problems are mutual,* and where *our benefits would be mutual.*

We are all consumers.

Management families and worker families eat meat bought at the same markets. Both want the same thing—a clean, pure product. In 1967 organized labor worked in Congress for a strong consumer law on meat.

The organizations that speak for management did not.

Management children and workers' children ride school buses—very often the same school buses. Last month—after intensive publicity on brake and clutch failure—General Motors recalled thousands of faulty buses for repairs.

Organized labor fought for strong laws on automotive safety.

The organizations that speak for management did not.

The irony in this lack of linkage between true corporate needs and corporate public policy is a national tragedy.

Management must be made to perceive it. There is a way to bring it home.

You who are responsible for personnel have the opportunity to do it.

Quite often you see coming into your offices the young men and young women of the ghetto who are looking for jobs.

You see the high school graduates with fifth grade reading ability.

But you are looking for young people who can comprehend detailed written procedure manuals.

You see people from a deprived culture which did not include practicing normal work habits—such things as getting to work on time five days a week, eating meals at a regular time, all of the attitudes and mores previous generations of personnel managers took for granted.

But you still must provide an adequate work force for your employer.

This became a recognized national problem in the 1960s, but for many years before then organized labor saw that education was underfinanced in this nation, and organized labor fought for federal aid to education.

It took the Russians' Sputnik—the first space vehicle, to get movement started in aid to education.

And it took until 1965 to get federal aid to elementary and high schools.

Organizations which speak for management on Capitol Hill oppose it, and still today they fight to cut its appropriations every time money is sought.

President Nixon vetoed the HEW appropriation bill this year because he said it had *too much money*—$1.3 billion—and not all for education—in it.

That $1.3 billion was supposed to be inflationary, but $1.3 billion is about one half of one percent of the federal budget. It is about one-tenth of one percent of a trillion-dollar Gross National Product.

And it is just a drop in the very large bucket of what *our schools need* so that they can turn out *the graduates you need*.

Chase Manhattan Bank, the biggest bank in New York, has been forced to confront this problem. In 1963 eight percent of its employees were inner city residents—ghetto resident. In 1970 the figure was 30 percent.

With this increase came associated situations such as charges of bias on the part of white supervisors against the new employees. Chase investigated. It found that there was bias . . . that some supervisors were putting their personal feelings ahead of doing what they were being paid to do—supervise fairly and impartially.

Chase has had to develop a program to correct this attitude among supervisors.

But with a turnover rate of about 70 percent in starting level jobs, Chase will continue to have the problem of the ghetto graduate . . . the graduate who must look to a supervisor to train him and condition him to be a successful worker.

The corporations are having to do what the school and the neighborhood failed to do. They are beginning to realize the dimensions of the job they face.

Chase's vice president in charge of training, Henry Coburn, discussed this in the Wall Street Journal . . . and these are Coburn's words . . . "I'll never understand why the hell everybody in New York isn't screaming bloody murder."

Screaming bloody murder to whom?

To the Chamber of Commerce of the United States . . . and the National Association of Manufacturers . . . and the American Bankers Association . . . for opposing programs which would at least do a little to improve education?

Aren't these organizations working at cross-purposes with you?

Management has the problem of having to hire employees whose education and background do not prepare them for effective work. A program is developed to improve neighborhoods and improve schools. Management's spokesmen fight the program.

Isn't that self-defeating?

So I ask you to point out this gap between management attitude and management opportunity when your responsibility for personnel is being discussed.

You face the problem . . . you are most competent to ask management to turn around and look at this from a new perspective.

You see its rate of acceleration more accurately than others.

The speed of change, brought about by the computer and instant communications, is not really recognized yet. It is tomorrow before we can see what happened to us today. It is the day after tomorrow before we can find out why it happened. And by the time we develop a program to do something about it, it may be too late.

Unless management gets moving.

In telephone communications we have worked out a program called the "buddy system" in some places, and under other names elsewhere, to do something about hard core unemployment. This was done in conjunction with the Bell companies. It is movement in the right direction.

The Bell System could make many more moves in areas which affect its employees . . . both as workers and as fellow citizens.

It has not.

Its ability to manage is deteriorating rapidly. I get no pleasure in telling you that, but it is a fact.

It has pluperfect public relations programs for public issues, but I see no signs of its Capitol Hill spokesmen working for anything progressive.

My union has called for enactment of a principle which states that every American is entitled, as a matter of right, to all of the education he can successfully utilize, from pre-elementary through graduate school with desire to learn and ability to absorb as the only two criteria.

We would welcome support for this from the associations which represent management before Congress.

My Union has also called upon its almost 900 locals to participate in the nonpartisan teach-ins on environment which will take place on campuses across the nation this April 22.

We will take part in their organization, planning their direction, and in post-teach-in follow-throughs designed to achieve results.

I hope management will give sincere support to the environmental teach-ins.

The problems of pollution for management have gone far beyond what public relations departments can handle through devious proclamations puffing up what essentially are hollow programs.

It is too late for that.

Our earth is plainly in peril . . . we face a catastrophe.

An instant cease fire can stop a shooting war while negotiations take place, but there is no way to stop a pollution war while a clean-up takes place.

Sewage and garbage, like taxes and death, do not stop.

So today's technology, which took men to the moon . . . and let us communicate with them both visually and audibly . . . must develop the methods to eradicate pollution.

Will management's cost experts establish attitudes on this, or will its human experts establish the attitudes?

If management looks at this from the point of view of how much it can get by with, and how little of the expense it can pay, you will have a situation similar to the one you have with employment.

You will have another people problem.

You will have men and women working to produce products, knowing at the same time they are polluting their air and water, and their children's air and water.

Nobody can live that way for very long.

Management must make the little turn it takes to sincerely see the problems which we face mutually and collectively. If it does . . . if the human oriented people in management prevail over those who see things only in the terms of sterile costs and PR puffery—*we will have made a true move in this country.*

Historically, Americans have been able to do that.

When great crises arose in the past, we became pluralists . . . we saw the other side of the story. We understood what the other side was trying to say, and enough of us agreed on a solution to make it work.

I think we are inching toward something like that now.

I do not think we are approaching it fast enough.

Our American system has always seemed to me not to be forged out of steel, but a fabric woven from many threads. Some of it is weak; some of it is beautiful embroidery; some of it is unbreakable.

Here and there, under pressure and strain, the fabric wears thin and unravels. So those of us who can, and who want to, try to reweave the damaged places, and make them stronger than before.

For almost 200 years we have been able to repair the fabric and keep it together because when we had to, we got to the basic cause of a problem, and we treated it. We forgot about the symptoms and started working on the disease.

Our country today has some dangerously thin spots.

The economy is in a treacherous early recession, but prices are still going up. Our cities are not able to provide the amenities residents need. Our medical discoveries are superb but we deliver health care through a horse and buggy system. In 35 years, our air and water may be unusable.

It is late, but we are recognizing what we face.

We are looking at basic causes more, and outward symptoms less.

We are becoming solution oriented.

So I am not giving up. I have been fighting too long to give up now.

I hope that your profession is not giving up.

I hope that it is moving toward taking a new view, from a new perspective, at these situations we have discussed.

You have the right to ask if your management really understands these dilemmas. You have a right to ask if the associations which speak for your industry are saying the kinds of things that will help you.

That is what I as a union official, have been doing.

So, in summary, we have talked about our mutual need to be stronger influences in management's corporate and public policy.

We have looked at some areas of collective interest—education, environment, consumer legislation. We have noted the ironic and tragic disparity between management's true goals and the self-defeating actions of management toward achieving those goals.

And we have suggested that management scrutinize its attitudes toward these situations, see them from a new perspective, and close its opportunity gap.

My experience, and the history of this nation, both say it will work.

It has since the days of antiquity, when a poet urged others to take on a necessary but hard task by telling them . . . "you can, because you think you can."

SOUTHEAST ASIA: THE FUTURE

The **SPEAKER** pro tempore. Under a previous order of the House the gentleman from Texas (Mr. GONZALEZ) is recognized for 20 minutes.

Mr. GONZALEZ. Mr. Speaker, President Nixon has withdrawn all U.S. ground forces from Cambodia. But our Air Force continues its strikes there and the future of that country remains in doubt, as does the future of all Southeast Asia. The military tactical maneuver is over, but the murky political questions both present and future remain with us still. Questions that have long been asked remain without answers.

The chief question is what is our goal in Southeast Asia? What is it we seek, and why?

President Johnson stated the case in terms of an American commitment to freedom in Asia, which would be a commitment as real as our commitment to the defense of freedom in Europe. President Nixon states that our policy is simply to assure free choice; he seems to say that any government in any country is all right, so long as that government obtains power by more or less legitimate means. There is not much difference between these statements of policy, at least not much difference that can readily be seen.

The problem is that in fact our goal in Southeast Asia is not clear. Are we out to defeat aggression, or are we not? And why is Southeast Asia of concern to us? If Vietnam is vital, then why is not Cambodia equally vital to our interests? If our military commitment is lesser today than it was yesterday, why is it that our

Air Force has greater combat assignments now than it did a month or so ago?

Americans are not ashamed to commit themselves to the cause of freedom, or to the defense of another land; history shows that indeed we welcome such a challenge, when it becomes necessary. There can be no question of the determination and courage of our people, if they are given a cause that they can truly believe in. But as a free people, Americans demand, and have a right to know, what objective it is that they fight for, and why.

Answers are required, answers that have not been given either by Congress or by the President.

These are matters that cannot be settled in the easy exchange of simple slogans, or in partisan charge and countercharge. The election of 1968 is past, and it is time that the politicians of that contest cease politiking and assume statesmanship. The decisions that must be taken now and the policies that must be explained cannot be taken, cannot be explained, in so simple a fashion as partisan politics.

We are told often enough by the President that we have three options. But there are always three options, no matter what the situation may be: do nothing, do a little, do a lot. The issue is not over what the tactics—what the options are—but why it is that the question concerns us at all.

If we had three options in Vietnam in 1965, we also had three options in 1968 and in 1970. It is not enough to say that 17 months ago one thing was done, and now we are doing another. What must be said is why.

That is not so simple, but that is what must be explained. I think that our people understand the options of life well enough, but that they—all of us—are simply puzzled about the larger issue—what, after all, is our goal? Not how do we get there, but where is it?

The fact is that Congress has never answered the question of what our goal is, and has never itself made a commitment to the war in Southeast Asia, beyond a resolution that the Senate now rebuffs, with blessings from the White House itself.

And that has led to the fundamental cause of our national malaise: the use of conscripts in a protracted, and according to the President, indecisive war.

The draft demands that a man go and fight wherever required, war or no. But this is not what can be demanded of a man who calls himself free. A free man is not one who can be conscripted to go into combat where his elected representatives have not declared war to exist, as is required in the Constitution.

Congress once placed rigid restraints on the use of draftees. Right up until the very beginning of World War II, no conscript could be sent out of the Western Hemisphere unless Congress authorized it. But the present draft permits the President to use any number of conscripts in any place, regardless of whether Congress has declared war to exist or not.

And so we now force men into combat without so much as bothering to say answer those hard questions: what are our goals, and what are our national objectives?

It is little wonder that thousands resist the draft.

I have for several years sponsored a bill that would prohibit the use of draftees in a combat zone without a declaration of war.

Some of my friends think this to be a radical bill, and others think of its as less than serious. But in fact it is only an extension of a protection that Congress itself demanded 30 years ago.

What Congress has lost is the power to commit our country to war.

Until and unless Congress regains that power, Presidential wars will take place, and the country will again and again be plunged into crises such as we see today.

Congress does not have any authority to determine the conduct of a war, but it does have the authority and the responsibility to determine whether war is justified, and whether a commitment of this Nation to war is necessary, and to what end.

I do not ask that Congress be given the power to control the movement of forces in the field; that is for generals. But what I do ask is that we regain the power to determine whether free men are to be committed to war.

This is not radical; this is not interference with the President; it is simply the recognition of plain constitutional duty, and the exercise of freedom as it was intended to be exercised.

For if Congress forbade the use of conscripts in undeclared wars, we could be assured that protected wars would be avoided, at least until and unless the Congress determined that such wars are necessary, and this would require that we answer those questions that we have so long avoided in Southeast Asia: What are our goals, what are our interests?

Some historians have said in assessing the Korean war that the tragedy was that the American people would permit the use of draftees in a protected and indecisive Asian conflict. These observers believed that the only solution—since there would be future wars in Asia—as indeed Vietnam proved there would be—what had to be done was to provide for a professional army that would be like the Roman legions of old, fighting anywhere to protect the Empire.

But this begged the question. The fact is that in Southeast Asia, France used only professional soldiers and let an ally—the United States—pay a good part of the bill. But those legions—with a long and proud history—could not win in Indochina. The reason was not military but political. The people of France had no clear idea of why they were being taxed to fight a long and bloody war in Indochina.

And so France was defeated.

The equation has not changed in all the intervening years. The military facts are the same. The U.S. forces in Vietnam cannot be defeated militarily. But this is a political war, and it is begging the question to say that we cannot be defeated militarily—we know that—and it is begging the question to say that all draftees will be out of combat by September. It is useless to talk of weapons seized, rice burned, and men killed, as long as the political questions remain unanswered, and those answers can be neither simple nor painless.

Cambodia is over, but it remains an open question, for the United States has assumed yet another commitment.

The future remains a puzzle, and it will until we know clearly what it is we are trying to achieve in Southeast Asia, and why.

This is what Congress must address itself to. This is what the President must address himself to. It is a matter demanding leadership. It is a matter demanding honesty and courage, not shallow political maneuverings, not debating around moot points. The fact is, painful as it may be, that the answers to the Vietnam riddle will be difficult, and that our painful sacrifice will not easily be ended. I do not think that Americans will shrink from the truth; all they ask is that it be stated. If we do not have the courage to face the questions, then we have no right to be dismayed over division and confusion in the country today.

Let us get on with our task.

INTEGRATION MAY HARM BLACKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 20 minutes.

Mr. RARICK. Mr. Speaker, vast sums of taxpayers' money have been and continue to be expended to attain theoretical egalatarian goals through forced integration. Since forced integration is unnatural and the antithesis of liberty, it has created great hostility among all the people and has in reality accomplished nothing. Race relations today are far worse than before 1954 and there has been no evidence of any improvement as the result of appropriations of larger sums of money or passage of additional social force laws.

There is no evidence whatever, that compulsory integration in education has accomplished more academic progress than free choice would have achieved. In fact, the opposite has been proven.

Hearings have been conducted before the General Subcommittee on Education of the Education and Labor Committee concerning integration in education. Two of our country's leading scientific authorities on genetics and behavior have appeared and testified. I feel that the testimony of each of these men is so crucial to full understanding of the educational problems we face, that include the statements of Dr. Ernest Van Den Haag and Dr. Arthur R. Jensen following my remarks for the information of the Members:

STATEMENT OF DR. ERNEST VAN DEN HAAG BEFORE THE GENERAL SUBCOMMITTEE ON EDUCATION, HOUSE EDUCATION AND LABOR COMMITTEE

I. INTRODUCTION

Mr. Chairman and members of the Committee, my name is Ernest van den Haag. I am a Professor of Social Philosophy at New York University, a lecturer at the New School for Social Research in psychology and sociology, and a psychoanalyst in private practice. I received an M.A. degree from University of Iowa, and a Ph. D. degree from New York University. I also have studied in Europe, at the Sorbonne (the University of Paris), the University of Florence, and the University of Naples. I have lectured at Harvard and Yale Universities. I am a member of the Society of Applied Psychoanalysis, Fellow American Sociological Association, Royal Economic Society and New York Academy of Sciences; I am a Guggenheim Fellow (1967).

I am the author of *Education as an Industry* and the coauthor of *The Fabric of Society*. I have published nearly 70 scientific articles in my fields, appearing in professional journals and encyclopedias as well as chapters in books, *e.g.*, "Psychoanalysis and Discontents," appearing in *Psychoanalysis, Scientific Method and Philosophy*, and "Genuine and Spurious Integration," appearing in *Psychoanalysis and the Social Sciences*. I have delivered the Freud Memorial Lecture to the Philadelphia Psycho-analytic Association ("Psychoanalysis and Utopia").

My work mostly concerns study of the relationship of groups. Research in the field of social dynamics analyzes the causes of the formation of groups (including classroom groups or student groups) and how group members relate to others. Such studies are directly applicable to predict the educational result of compulsory congregation in schools.

On the basis of those studies, I appear today to question the validity of the purpose which the Emergency School Aid Act of 1970, H.R. 17846, is intended to serve. Essentially the bill seeks to end what is called racial isolation—defined as more than 50% minority attendance in a single classroom. It is the purpose of the bill as expressed in Section 2 to improve the quality of education in the United States by increasing the degree of compulsory classroom integration between the races. But it is simply assumed, without actual evidence, that integration will be educationally and psychologically beneficial.

This legislation before the Committee assumes fundamentally that academically and socially effective classroom groups can be formed by putting black and white students together in larger numbers in a single classroom regardless of their wishes and that this will improve their education and decrease the differences as well as hostilities which now exist between them. Yet such an enforced congregation of two identifiable racial groups, one deprived in relation to the other, does not diminish, but rather increases the divisive forces which now exist between these students and the consequent increase in classroom tension leads to a substantial decrease in the educational accomplishment of both groups and multiplies the disciplinary problems which detract from the essential student attention required for effective study.

If such integration is compelled, as this bill proposes to do, it will injure rather than assist the future educational accomplishment of the nation's schools.

The blacks who will feel humiliated by their low performance relative to white children—be it owed to genetic, economic, subcultural or family conditions—are likely to react with redoubled hostility to white pupils, teachers and institutions—to schooling as a whole. It will be labeled "irrelevant."

II. GROUP MEMBERSHIP AND INDIVIDUAL IDENTITY

(1) Every individual needs to identify with a particular group. Such an identification is essential for the development of personality. This is clearly expressed by Dr. Glaister A. Elmer (Michigan State College) in "Identification as a Social Concept" (*Sociology and Social Research*, Vol. 39, No. 2 (1954), pp. 103–109).

"The social psychologists, however, '. . . should start first by relating the individual to his reference and membership groups and then proceed to the finer details of personality problems.' . . . In the binding in-group formation, the real identification of individual members are anchored in the group. A sense of solidarity is generated in them as a natural process which manifests itself in actual behavior. In other words, as a group is formed, or as individuals become members of the group, the social process of integration is taking place. Besides the individual members of the group, the integration binds the social values and goals, the psychic characteristics, and the in-group symbols with which the individual members become identified. The social identification which evolves thus constitutes the basis of the group solidarity from which results observable, measurable behavior.

"There must be a personal consciousness of 'belonging' or 'being a part' which is reflected in the opinions and behavior of the persons concerned. Group membership identification implies not an individual's reaction toward a group, but his reaction as a functioning element of the group."

(2) Men react selectively to their fellow men. This preferential association is based upon observable differences, among them overt physical differences and similarities, which form the focal point for group orientation and group identification. Professor George A. Lundberg (University of Washington; past president of the American Sociological Association) writes in "Some Neglected Aspects of the 'Minorities' Problem" (*Modern Age*, Summer, 1958, pp. 285–297):

"In every society men react selectively to their fellow men, in the sense of seeking the association of some and avoiding the association of others. Selective association is necessarily based on some observable differences between those whose association we seek and those whose association we avoid. The differences which are the basis of selective association are of an indefinitely large variety, of all degrees of visibility and subtlety, and vastly different in social consequences. Sex, age, marital condition, religion, socioeconomic status, color, size, shape, health, morals, birth, breeding, and B.O.—the list of differences is endless and varied, but all the items have this in common: (1) they are observable; and (2) they are *significant* differences to those who react selectively to people with the characteristics in question. It is, therefore, wholly absurd to try to ignore, deny or talk out of existence these differences just because we do not approve of some of their social results . . ."

Professor Lundberg with an associate also studied high school students in Seattle, Washington, to find out the determinants of their preferential associations in leadership, work, dating, and friendship. Lundberg reported in "Selective Association Among Ethnic Groups in a High School Population" (American Sociological Review, Vol. 17, No. 1 (1952)). He found:

". . . every ethnic group showed a preference for its own members in each of the four relationships covered by the question.

". . . ethnocentrism or prejudice is not confined to the majority of the dominant group . . .

". . . A certain amount of ethnocentrism is a normal and necessary ingredient of all group life, *i.e.*, it is the basic characteristic that differentiates one group from another and thus is fundamental to social structure. Ethnocentrism ('discrimination,' 'prejudice') is, therefore, not in itself necessarily to be regarded as a problem. It is rather a question of determining *what degree* of it (a) is functional for social survival and satisfaction under given conditions, or at least (b) is not regarded by a society as a problem in the sense of requiring community action. The amount of discrimination that has been shown to exist in the present study, for example, is not incompatible with the peaceful and efficient functioning of the institution in question . . ."

There are a substantial number of studies reported in social science literature which indicate that the attitudes reported in Lundberg's study of Seattle, Washington, are not confined to that particular city. Indeed, social scientists find in all areas where groups of diverse origin and appearance come into contact, some degree of race preference and selective association is manifested by the various groups.

(3) At one time it was assumed that certain areas of the world were free from race prejudice. Hawaii and Brazil were often cited as examples of interracial "alohas" where all race prejudice had disappeared. More careful students of these areas have found that despite a superficial interracial harmony, racial preferences and prejudices are manifested in both these areas. In "Racial Attitudes in Brazil" (*American Journal of Sociology*, Vol. 54, No. 5 (1949), pp. 402–408), Dr. Emilio Willems described color prejudice in the city of Sao Paulo, Brazil, as manifested in a series of interviews carried out among middle and upper-class whites. Dr. Willems found:

"Of the 245 advertisers, 194 were interviewed about the reasons for their unfavorable attitude toward Negro servants. In this interview, 48 were unable to give any clear answer, but they found their own attitude 'very natural.' 18 advertisers did not accept Negro servants because of presumed lack of cleanliness; 30 thought black housemaids were always thieves; 14 alleged instability and lack of assiduity; and 12 said only that they were used to white servants and therefore did not wish to engage colored ones. Seven persons precluded Negroes because of the contact they would have with their young children. There were a few other reasons, such as 'race odor,' 'bad character,' 'laziness,' 'carelessness,' and other imperfections that were ascribed to Negro servants.

"There are many situations in social life where white people refuse to be seen with Negroes. In such public places as high-class hotels, restaurants, or casinoes, fashionable clubs and dances, Negroes are not desired, and there are few whites who dare to introduce Negro friends or relatives into such places. This discrimination was strongly resented by middle-class Negroes. On the other hand, those Negroes complained bitterly of the contemptuous attitudes that middle-class mulattoes assumed toward them.

"Yet our inquiry led to some other interesting results. In 23 out of 36 cases the questionnaires contained references to formal associations of all kinds from which Negroes were excluded. Usually these associations are clubs maintained by the upper-class families of the city. Though there does not exist any reference to Negro members in club statutes, these are rarely admitted . . ."

In "Stereotypes, Norms and Interracial Behavior in Sao Paulo, Brazil" (*American Sociological Review*, Vol. 22, No. 6 (1957)), Professors Roger Bastide and Pierre van den Berghe found on the basis of a questionnaire given to 580 white students from five different Teachers' colleges in Sao Paulo, Brazil, that:

"Stereotypes against Negroes and mulattoes are widespread. Seventy-five per cent of the sample accept twenty-three or more stereotypes against Negroes. No one rejects all stereotypes against Negroes . . . Mulattoes are judged inferior or superior to whites on the same traits as Negroes but somewhat lower percentages. The most widely accepted stereotypes are lack of hygiene (accepted by 91 per cent), physical unattractiveness (87 per cent), superstition (80 per cent), lack of financial foresight (77 per cent), lack of a morality (76 per cent), aggressiveness (73 per cent), laziness (72 per cent), lack of persistence at work (62 per cent), sexual 'perversity' (57 per cent), and exhibitionism (50 per cent)."

(4) Strong patterns of racial preference emerge in pre-school children—even as early as 2½ years of age. In "Evidence Concerning the Genesis of Interracial Attitudes" (*The American Anthropologist*, Vol. 48, No. 4 (1946)), Dr. Mary Ellen Goodman investigated the age at which racial attitudes become manifest. Fifteen Negro and twelve white children, ranging in age at the beginning of the study from 2–9 to 4–4 and who attended a bi-racial nursery school were studied. Dr. Goodman noted that "awareness of one's racial identity may be regarded as one facet of that consciousness of self which is gradually achieved during the first three or four years of life," and "preliminary analysis leads to the belief that these children of approximately 3 to 4½ years were in the process of becoming aware of race differences."

The early genesis of racial attitudes has been confirmed in other studies in "well-integrated" areas where there is an absence of overt racial hostility and legal racial segregation. Drs. Catherine Landreth and Barbara C. Johnson conducted such a study in the child care centers of Berkeley, Oakland, and San Francisco, California, and reported in "Young Children's Responses to a Picture and Inset Test Designed to Reveal Reactions to Persons of Different Skin Color" (*Child Development*, Vol. 24, No. 1, (1953)). They concluded that "patterns of response to persons of different skin color are present as early as three years and become accentuated during the succeeding two years."

Drs. Marion Radke, Gene Sutherland and Pearl Rosenberg studied the racial attitudes of children in Pittsburgh, Pennsylvania (*Sociometry*, Vol. 13, No. 2, 1953).

They found "the white children in all the situations and at all ages (seven to thirteen years) expressed strong preference for their own racial group. This is particularly the case when their choices between Negro and white children as friends are on an abstract or wish level."

(5) Some sociologists contend that Negroes would suffer far more from racial integration than from racial segregation. Thus Professor Ichheiser [•] notes that ". . . if the Negroes would refuse to identify themselves consciously with the Negroes as a subgroup, then they would develop a kind of collective neurosis, as do other minorities, too; for the conscious 'we' would in case of such an attitude be persistently in conflict with the unconscious 'we,' and this inner split would inevitably reflect itself in different pathological distortions of the Negro personality."

For contrast, Allison Davis (Racial Status and Personality Development, *The Scientific Monthly*, Vol. 57, Oct. 1943) noted ". . . where the social group of the racially subordinate individual is highly organized and integrated, as in the Little Italies or Chinatowns, or in many Southern Negro communities, its members will usually have relatively less psychological conflict over their racial status." Similarly, Mozelle Hill ("A Comparative Study of Race Attitudes in the All-Negro Community in Oklahoma," *Phylon*, 1946) noted that Negroes raised and educated in an all-Negro community tend to have "a much higher regard for Negroes," and are more favorable in their expression toward their own race.

III. "PSYCHOLOGICAL INJURY" ARGUMENT IN SUPREME COURT

As one of the main grounds for decision in the 1954 school desegregation case (*Brown* v. *Board of Education*), the Supreme Court of the United States asserted that (347 U.S. 483, 494):

"To separate [children in grade and high schools] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that *may affect their hearts and minds in a way unlikely ever to be undone*. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

" 'Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.'

"Whatever may have been the extent of psychological knowledge at the time of *Plessy* v. *Ferguson*, this finding is amply supported by modern authority." (emphasis added).

In footnote 11 of *Brown* vs. *Board of Education, supra*, the Supreme Court quoted a number of social science materials alleged to demonstrate the psychological injury basic to its reversal of *Plessy* vs. *Ferguson*. Similar materials were quoted in an appendix to Appellant's Brief signed by a number of prominent social scientists.

Professor Kenneth B. Clark has testified in three of the actions that led to the *Brown* decision. His testimony is part of the record in *Brown* and also contributed importantly to the assertions of the social scientists in the appendix to Appellant's Brief and to those mentioned in footnote 11 of *Brown*, Clark maintained that he as well as others have shown the existence of psychological injury owing to segregation.

In the South Carolina case *Briggs* vs. *Elliot* (Professor Clark employed the same method and reached the same conclusions in the Delaware and Virginia cases which are also part of the *Brown* record). Professor Clark explained that he had shown Negro and white dolls (or drawings thereof) to Negro children in a segregated public school and, having ascertained that they distinguished white from Negro people, asked them, in effect, which doll they preferred, and which one "looks like you." Ten (later in the testimony, nine) out of sixteen Negro children picked the white doll as the one that "looked like you." Professor Clark concluded that "these children . . . have been definitely harmed in the development of their personalities." He knew, of course, that the question before the court was whether school segregation had harmed the children and testified: "My opinion is that a fundamental effect of segregation is basic confusion in the individuals and their concepts about themselves conflicting in their self images. That seemed to be supported by the results of these sixteen children. . . . " The syntax is obscure, but the sense is not. Professor Clark testified (1) that segregation caused the harm he found (or at least played a "fundamental role"); (2) later on that this is "consistent with previous results which we have obtained in testing over 300 children"; (3) finally, "and this result was confirmed in Clarendon County." Elsewhere Professor Clark asseverates: "Proof that state imposed segregation inflicts injuries upon the Negro had to come from the social psychologists. . . ." [1]

Professor Clark mentioned to the court that he had made previous experiments "consistent" with those he entered into the record. However, these previous experiments were not themselves ever entered into the record—for good reason as will be seen.

They had been published, however.[2] 134 Negro children in segregated schools in Arkansas and 119 Negro children in unsegregated nursery and public schools in Springfield, Massachusetts, about evenly divided by sex, were tested.[3]

Black and white dolls were presented, and the children were asked to indicate the "nice" and the "bad" one, as well as the one "that looks like you." Professor Clark concluded that ". . . the children in the northern mixed-school situation do not differ from children in the southern segregated schools in either their knowledge of racial differences or their racial identification," [4] except that ". . . the southern children in segregated schools are less pronounced in their preference for the white doll, compared to the northern [unsegregated] children's definite preference for this doll. Although still in a minority, a higher percentage of southern children, compared to northern, prefer to play with the colored doll or think that it is a 'nice' doll." [5] The tables presented by Professor Clark bear out as much. Table 4,[6] moreover, shows that a significantly higher percentage of Negro children when asked "give me the doll that looks like you" gave the white doll in the nonsegregated schools—39 percent as opposed to 29 percent in the segregated schools.

Thus, Professor Clark misled the courts. His "previous results" are not "consistent" with those entered in the court record, though he assured the court that they are. Actually, his "previous results" clearly contradict those submitted in his sworn testimony. Compared, the response of Negro children in segregated and in non-segregated schools show that Negro children in *segregated* schools *"are less pronounced in their preference for the white doll"* and more often think of the *colored* dolls as "nice" or identify with them—whereas if segregation were harmful and the harm were shown by his tests, as Professor Clark asserts, the Negro children in the more segregated schools would have been *more* pronounced in their preference for the white doll. If Professor Clark's tests do demonstrate any psychological injury in connection with segregation, they demonstrate that there is *more* injury to *unsegregated* Negro children and *less to segregated* Negro children. Yet Professor Clark told the court that his tests had shown that "segregation inflicts injuries upon the Negro." He did so by presenting only the tests with the segregated Negro children and ignoring the tests he had himself undertaken previously in desegregated and segregated schools with a far greater number of children.

[•] Ichheiser, "Socio-psychological and Cultural Factors in Race Relations," *American Journal of Sociology*, Vol. 54, No. 5 (1949).

[1] Clark, "Desegregation, an Appraisal of the Evidence," *Journal of Social Issues*, No. 4, p. 3 (1953).

[2] Clark "Racial Identification and Preference in Negro Children," Readings in Social Psychology (Newcomb & Hartley eds., 1947).

[3] The children ranged from 3 to 7 years of age; those tested in Clarendon County were between 6 to 9 years old. Professor Clark does not seem to think that the difference in average age affects the results, and I have no reason for disagreeing. But, both in view of the difference in average age, and the small size of the Clarendon group, I follow Professor Clark in comparing the two groups described in his previous tests with each other, rather than with the Clarendon group. However, since it is possible after all that the effects of segregation vary with age, and particularly with length of schooling, competent studies should take this into account.

[4] *Op. Cit. supra*, note 2.

[5] *Ibid.*

[6] *Ibid.*

IV. OBJECTIONS TO PROFESSOR CLARK'S EXPERIMENT

So far I have proceeded on the assumption that Clark's general method is capable of showing something about segregation. This is doubtful.

Whatever Professor Clark demonstrated about the personality of segregated Negro children could be due to general prejudice in the community rather than to segregation, or even to circumstances not affecting Negroes specifically. Professor Clark is confusing on the sources of damage, though insisting that segregation is "fundamental." Tests on white children, or on Jewish and Christian children, were not presented. Such tests would be needed to indicate whether the damage was general (there may be a general confusion of self-images in our culture, a "crisis of identity"); or restricted to minorities; or restricted to Negro children. (That whatever damage can be demonstrated by his methods is not restricted to *segregated* Negro children Professor Clark proved, if he proved anything; indeed although he misled the court on this matter, Professor Clark's tests show that segregation decreases and congregation, even when not compulsory, increases the damage to Negro children.)

However, no proof whatever was presented to indicate that preference for, or identification with, a doll different in color from oneself indicates personality disturbance. I wrote on this point:[7]

"Suppose dark-haired white children were to identify blonde dolls as nice; or suppose, having the choice, they identified teddy bears as nice rather than any dolls. Would this prove injury owing to (nonexistent) segregation from blondes? Or communal prejudice against humans? Professor Clark's logic suggests that it would.

"Control tests—which unfortunately were not presented—might have established an alternative explanation for the identification of white with nice, and black with bad: in our own culture and in many others, including cultures where white people are unknown, black has traditionally been the color of evil, death, sorrow, and fear. People are called blackguards or blackhearted when considered evil; and children fear darkness. In these same cultures, white is the color of happiness, joy, and innocence. We need not speculate on why this is so to assert that it is a fact and that it seems utterly unlikely that it originated with segregation (though it may have contributed to it). Professor Clark's findings then can be explained without any reference to injury by segregation or by prejudice. The 'scientific' evidence for this injury is no more 'scientific' than the evidence presented in favor of racial prejudice."

I can only list some of the many other objections that could be raised against the Clark experiment. (1) The subjects were neither randomized nor stratified properly by age, sex, economic, religious, residential and other criteria; (2) No controls with white children in segregated and unsegregated environments; (3) No controls with Negro children in Negro cultures (*e.g.* Africa) which might have had the same results, thus showing that it does not depend on prejudice, let alone segregation; (4) No controls with objects other than white and black dolls; (5) No evidence presented that doll tests show any correlation with personality disturbance; (6) No evidence about the type of alleged disturbance and what it means psychiatrically.

Professor Clark has published a book since his testimony, relied on by the Supreme Court: *Prejudice and Your Child*. On page 45 *ff*. the following is stated with reference to the more frequent self-identification of Negro children in mixed schools with white dolls:

"On the surface, these findings might suggest that northern Negro children suffer more personality damage from racial prejudice and discrimination than southern Negro children. However, this interpretation would seem to be not only superficial but incorrect. The apparent emotional stability of the southern Negro child may be indicative only of the fact that through rigid racial segregation and isolation he has accepted as normal the fact of his inferior social status. Such an acceptance is not symptomatic of a healthy personality. The emotional turmoil revealed by some of the northern children may be interpreted as an attempt on their part to assert some positive aspect of the self."

Here Professor Clark starts by speaking of "personality damage" and ends by speaking of "emotional turmoil." Clark notwithstanding, it seems more likely that "rigid racial segregation and isolation" would make the segregated *least* aware of their status in the eyes of the group from which they are "isolated" and most likely to identify with each other.[8] Further, "acceptance" of an "inferior social status" by any group may be morally or politically disturbing, but there is no reason to consider it *per se* a symptom of either "healthy personality" or sickness. Not all members of castes below brahmins in India are sick, nor even all "untouchables." Clark here confuses his moral views with clinical evidence. There is no evidence to show that acceptance of inferior, superior or equal status is a symptom of emotional disturbance.

In his testimony, Professor Clark asserted categorically that when Negro children identify with, and prefer, white to colored dolls it means that personality damage, owing to segregation has occurred. Now that his previous experiments, not entered into the court records, have been brought to public attention, Professor Clark would have to conclude that segregation decreases, and congregation increases, the personality damage that is detected by the doll tests. For the tests not entered into the court record detect such personality damage more often where there is congregation than where there is segregation.

To avoid this embarrassing result Professor Clark now explains that if segregated Negro children prefer white dolls it indeed shows personality damage suffered because of segregation. And if nonsegregated children prefer white dolls even more frequently it does not show that they suffer more "personality damage." This would be "superficial" and "incorrect." The fact that segregated children prefer the white dolls less often than nonsegregated ones now shows that they have suffered even deeper personality damage. The fact that congregated children prefer the white doll more often suddenly becomes an indication of comparative health.

Which is to say that whatever the outcome of the experiment, it shows that there is personality damage to segregation. When Negro children identify more often with the white doll (North) it is bad and shows psychological injury. When they identify less often (segregated South) it is even worse. But wasn't the self-identification of Negro children with the white doll supposed to be the very evidence of their confusion and psychological injury? Yes, Clark writes now, except when the identification occurring less frequently among segregated Negro children would indicate that segregation makes for mental health. This would be inconvenient. Wherefore when this is the case less frequent identification with the white doll suddenly indicates *more* psychological damage.

Just what choice of dolls would have shown that segregation does not harm the children? None of those available. Whichever doll the children choose would, according to Clark's new interpretation, show that segregation is harmful. What can an experiment which supports the same conclusion, regardless of its outcome, possibly show? Only the experimenter's prejudices and his failure to grasp the purpose and nature of experimental methods of research. Clearly, Professor Clark's conclusions do not depend on any of his experiments. For these are inconsistent with his conclusions, if they are meaningful at all. None of the material which the Supreme Court accepted as probative of injury through segregation is any more cogent. No injury by segregation *per se* has been proved by any scientific test.

V. SUMMARY AND CONCLUSIONS

The primary groups to which an individual belongs are his family and his peer group. The latter is the group with which the individual identifies himself on the basis of a feeling of community, observable physical characteristics, and commonly shared emotion. Later the individual will also become a member of such groups as are based on material matters such as membership in a profession or persons of a given income level.

Such group membership is a main factor constituting the individual's identity or personality. It is essential to the normal individual to have a firm feeling of belonging to a group. Failure to identify with a group prevents the individual from functioning normally. An individual identifies with persons in his own environment whom he takes as models accepting some characteristics, developing others of the individual's own, and in this way building up the essential personality of the individual.

Without such a sense of identity, the mental health of the individual will be seriously impaired. Unrealistic identification is a form of insanity. An identity once acquired cannot be lost.

Groups are formed from individuals having common self-identification. In the small child the factors involved will be almost exclusively visual, such as skin color; but as the child grows, other factors of intelligence and achievement will play a part, as in joining a football team. In different aspects of activity, the individual belongs not to one, but to a series of groups.

Group identification must be voluntary. Involuntary placement in a group with which the individual does not identify creates hostility. The group approval or disapproval is extremely important to identity, and the disapproval destroys the individual's image of himself.

Where ethnic identity is clearly visible, it becomes a matter of considerable importance in group relations. The variation in attitude created by differences in skin color exists in all countries.

Group members tend to adhere to group norms, which, if they are within the potential of the individual, is of advantage. On the other hand, if the norm of the group exceeds the maximum potential of the individual, then this gives rise to feelings of humiliation, incapacity, and inadequacy which impair his motivation.

Contrary to the "psychological evidence" which apparently was accorded great weight by the Supreme Court in *Brown* v. *Board of Education*, scientific tests have not proved any injury by segregation *per se*. In fact, some sociologists contend that Negroes would suffer far more from racial integration than from segregation.

Under a freedom of choice system for school attendance, as the individual increases in age, his willingness and ability successfully to associate himself with other groups would increase, provided there was a generally favorable atmosphere and favorable attitude on the part of the superintendent, principals, and teachers, as well as parents. Voluntary mingling would have beneficial effects on personality and education. Immediate, total, enforced integration would lead to even greater demoralization of Negro pupils than is already taking place, and would also lead to lower educational achievement.

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[7] Ross and van den Haag, *The Fabric of Society* (Harcourt, Brace & World, 1957), pp. 165–66.

[8] Certainly the theory of reference groups would lead us to believe so. See Robert K. Merton, *Social Structure and Social Theory*, p. 225 *ff*.

Whatever one may think of the more radical Negro organizations, they have captured the emotions and the imagination of a large part of our black population. They have been, particularly with the young people, far more successful in that aspect than the old style organizations. High school and college students, if they do not join, do certainly admire and support organizations such as the Black Panthers and the Nation of Islam. They look up to such figures as Rap Brown, Stokeley Carmichael, Eldridge Cleaver, Malcolm X, et al. The organizations differ among themselves in their methods and to the extent one can discern them, in their purposes. But they have one thing in common. They try (and largely succeed) to produce a prideful racial identity. They make their followers accept that "black is beautiful" and they attract support because they are creating a black identity, and pride in it.

They do this largely by declaring their independence of and, in some cases, even hostility to whites. But the hostility here is largely a gesture necessary to support the independence and the pride.

I am not concerned with the justification of such movements. But they clearly indicate a psychological need. By gratifying this need, these organizations have succeeded to an astonishing extent in rehabilitating members who previously suffered from major symptoms of personality disorganization, such as drug addiction, criminal behavior, general irresponsibility, etc. This is not just to say the Panthers do not allow members to take drugs. It is that they make the drugs unnecessary; they offer their members a self-image of adequacy that makes the resort to drugs unnecessary. The basic ingredient in that self-image is the identification with an image of historical, racial and cultural adequacy, if not superiority.

I submit that this is what the black minority needs more than anything else. It is in this respect that its problem has differed from that of other minorities—Irish, Italian, Jewish—and it is this ingredient that a wise and just process of education should help provide. Integration, desirable as it may be in the end, is possible only if the elements to be integrated each feel a sense of identity and a pride in that identity rather than a feeling of inadequacy. For feelings of inadequacy produce hostility to those who make one feel inadequate.

Black students know this. Their behavior itself is evidence for the need it tries to fulfill. If one looks at recent happenings in our colleges, one finds that there has been a great increase in black enrollment in previously largely white schools. That increase, fostered by the colleges with the idea of giving blacks the benefits of their college life, and education, far from leading to immediate integration, has led to the very opposite. Thus, at Vassar College where I served as Visiting Professor in 1969, the one demand almost immediately made by the newly-admitted black students was a separate black dormitory. There were no complaints of inhospitality on the part of the white college students. The black college students simply wanted to have a place of their own. They wanted to cultivate their own identity, lead their own life, elaborate their own traditions. They also wanted black teachers and "black courses." This development has been paralleled in almost every college in the country.

Many colleges have gone so far as to take black students less prepared or qualified than white students. Whatever the motives that led them to do so, it is relevant here to point out that the less well prepared students felt necessarily left out, and humiliated, when they could not perform as adequately in class as their more qualified white fellow students did. They, therefore, were psychologically compelled to seek to achieve the prestige they had lost in their own eyes—which they could not achieve in classroom work—outside the classroom. The opportunity was readily at hand.

They could, and did, achieve status as revolutionary leaders against the "irrelevant" college curriculum in which they were unable to excel. In some cases (with the help of disaffected and masochistic whites) they came near destroying the institutions which had recruited them.

I am fully aware that we are dealing not with colleges but with primary and secondary schools. But I am mentioning this history because it is about to be repeated in secondary schools. "Those who do not know history are condemned to repeat it." In our high schools we already have a similar development. When well prepared white students and inadequately prepared black students, in many cases coming from underprivileged backgrounds, are compelled to go to school together, those who cannot perform well by the standards of the school, necessarily become hostile to the school which humiliates them, and to the whites who outperform them. They also become discouraged. They are likely to seek outside the prestige they lost in school work; and they will be tempted to make up for the humiliation suffered by displaying their hostility to whites and insisting on their own superiority in activities which undermine the academic and educational purposes of the school.

This is by no means to say that black and white students should forever remain separated or should be separated as a matter of administrative rule. On the contrary, what I am advocating is that they should remain free to select the school and the fellow students that in each individual case most fulfill their academic and psychological needs.

I foresee that freedom of choice will lead ultimately to far more integration than is now extant, but it will do so slowly. The advantage of that slowness will be that blacks will be able to compete both academically and psychologically with whites in a way that does not make the school "irrelevant" to them, nor psychologically requires them to seek compensation, through subversive or criminal activities, for the sense of inadequacy that it will generate.

Much research has been done since the Supreme Court decided (on most dubious evidence) that separation is educationally damaging to Negro children. No evidence confirming this idea has been uncovered. Very little evidence has been offered to show that integration has been beneficial. Most programs which attempted to remedy the comparatively low performance of Negro children attributed to inferior schooling have been shown to be ineffective.

Social scientists, therefore, have reached in many cases the conclusion that the inferior performance may be due to factors in very early infancy which, as yet, we have found no way of offsetting. Others have insisted that there is no evidence of a genetic difference which may explain the differences in performance, at least when the same methods of teaching are used for both groups.

I wish now to draw the attention of this Committee to an article "Early Childhood Intervention—The Social Science Base of Institutional Racism" by Stephen F. and Joan C. Baratz, appearing in the *Harvard Educational Review* (February, 1970). The authors maintain, with considerable evidence, that the two models that seek to explain the inferior performance of black children—the genetic model and the social pathology model (of which there are many varieties referring to the family, the subcultural background, nutrition, etc.)—are both unnecessary. The authors maintain that if there were a deficit not just in the actual performance of the children, but in their ability to perform, then such models would be required. But in their opinion the low performance of Negro children is due to the disinclination of teachers, and the failure of schools to perceive the linguistic and other resources of these children. This failure leads schools to insist that Negro children express themselves in a language to which, in their subculture, they are not accustomed and in which they become "dumb." In short, the authors maintain that by insisting that Negro children have the same linguistic and other resources as white children and allowing them to use only these resources, schools produce the lower performance of Negro children. If on the other hand, the authors maintain, the resources actually available to Negro children were utilized—as are those actually available to white children—then Negro children might be quite as able to perform as white children. Thus the low performance of Negro children could be improved only by distinct teaching methods and a distinctive curriculum utilizing their subcultural resources. Needless to say, this would require at least temporary separate education.

I have no personal knowledge that would indicate to me whether the contention of the authors is correct. They do, however, quote a great amount of research that certainly suggests that their thesis is worth exploration. And this is the conclusion that I wish to submit to this Committee.

A great amount of money has been spent on forced integration. A great deal of hostility has been aroused on all sides—certainly race relations are worse than they were before 1954 and there is no evidence whatever that compulsory integration has led to more academic progress than free choice would have achieved. More and more evidence is accumulating that a different Negro subculture exists and requires for its utilization distinct methods if the members are to learn what the schools are trying to teach. This may indeed require separate training for teachers and separation of those pupils who wish to learn and are best able to learn by utilizing the resources of their subculture. If there is any sort of genetic difference in addition to the subcultural differences this, too, would probably lead to different learning and teaching methods.

I am not suggesting that this Committee should institute the new methods that may turn our to be useful. I am, however, suggesting that this Committee should, instead of throwing further money into an approach that no one could possibly term successful, reserve such money (a) for thorough evaluation of the approaches so far tried, and (b) for thorough exploration and experimentation with different approaches resting on a variety of competing teaching methods with free self selection of pupils.

I do not expect to convince this Committee that the premise on which such vast federal expenditures have been made for the integration of schools over the past ten or fifteen years is a false premise, or that the truth lies elsewhere. I do, however, most seriously recommend that alternatives be explored and all approaches scientifically evaluated before the educational system of the nation becomes so far committed to a single article of faith ("the evidence of things not seen")—that integration of the races brings better education—that the point of no return will have been passed.

Thus I appear here to recommend that investigation of all views on this question become part of the evaluation directed by this bill and that we substitute objective measurement for the subjective, if praiseworthy, opinions of those who see compulsory integration a forwarding of the democratic dream of equality. If the basic purpose of schools is to be education, then we should put aside any preconceived emotional assumptions about the factors which improve or destroy the educational accomplishment of any child, black or white, and use every available scientific facility to isolate the actual factors wherever we find them. To do so would be in the interest of all concerned, of all children, black and white, and contrary only to the vested interest of educational dogmatists.

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STATEMENT OF DR. ARTHUR R. JENSEN BEFORE THE GENERAL SUBCOMMITTEE ON EDUCATION, HOUSE EDUCATION AND LABOR COMMITTEE

I. INTRODUCTION

Mr. Chairman and members of the Committee, my name is Arthur R. Jensen and I am Professor of Educational Psychology at the University of California at Berkeley. I hold a B.A. degree from the University of California, an M.A. from San Diego State College, and a Ph. D. degree from Columbia University. In 1956–58, I was a United States Public Health Service Research Fellow in Psychology at the Psychiatric Institute, University of London. In 1961–62, I was a Research Associate at the Institute of Personality Assessment and Research and in 1964–65 a Guggenheim Fellow at the Institute of Psychiatry at the University of London. In 1966–67, I was a Fellow at the Center for Advanced Study in the Behavioral Science at Stanford. I am a member of the American Association for the Advancement of Science, the American Psychological Association, the American Educational Research Association, and the Psychonomics Society.

I am co-editor of a text on "Social Class, Race and Psychological Development," published in 1968 and the author of the article entitled "How Much Can We Boost IQ and Scholastic Achievement?", published in 1969 in the *Harvard Educational Review*. I wrote an article on the "Heritability of Intelligence," published in *Engineering and Science* in April, 1970, and have more recently prepard a research resume entitled "Parent and Teacher Attitudes Toward Integration and Busing" for the California Advisory Counsel on Education and Research of the California Teachers Association.

I am currently in the course of publishing a comprehensive review on the subject of "Can We and Should We Study Race Differences?"

I appear before you today for the purpose of raising what appears to me to be an essential preliminary inquiry to the Committee's approval of the present form of H.R. 17846, the Emergency School Aid Act of 1970. That inquiry relates to the truth or falsity as a scientific matter of the basic factual assumption underlying this bill.

On May 21, President Nixon submitted to the Congress a special message on aid to schools and recommended this legislation. There he stated: "It is clear that racial isolation ordinarily has an adverse effect on education."

That premise supports the present declaration of purpose in Section 2 of H.R. 17846—to prevent racial isolation in schools so as to improve the quality of education. I do not believe that this premise alone can be regarded as adequate justification for this bill. Recent comprehensive reviews of research on the effects of the racial composition of schools and classes in public schools come to conclusions which are highly ambiguous and inconclusive regarding the causal relationship between racial composition of the student body and scholastic performance. Most of the research on this subject to date has been too inadequate statistically and methodologically to allow any firm conclusion one way or the other regarding the effects of a school's racial composition on achievement. I refer you to a thorough review of this research by Nancy H. St. John of Harvard University; it appears in the February, 1970, issue of the *Review of Educational Research*, a publication of the American Educational Research Association. Her review supports my conclusion, which is that we have no scientifically or statistically substantial conclusions at this time.

I personally favor racial integration and I hopefully believe it is coming about. As an educator, I am concerned that it come about in such a way as to be of benefit to the schooling of all children. Achieving racial balance, while viewed by many of us as desirable for moral, ethical, and social reasons, will not solve existing educational problems; it will create new ones, and I am anxious that we provide the means for fully and objectively assessing them and for discovering the means of solving them. I am quite convinced on the basis of massive research evidence that the educational abilities and needs of the majority of white and Negro children are sufficiently different at this present time in our history that both groups—and particularly the more disadvantaged group—can be cheated out of the best education we now know how to provide in our schools if uniformity rather than diversity of instructional approaches becomes the rule. Diversity and desegregation need not be incompatible goals. I think both are necessary. But achieving racial balance and at the same time ignoring individual differences in children's special educational needs could be most destructive to those who are already the most disadvantaged educationally. The allocation of a school's resources for children with special educational problems cannot be influenced by race; it must be governed by individual needs.

To insure the developments of integrated education that could make it just and valid for all children, therefore, I urge that this Committee seriously consider the addition to the bill of a directive in Section 10 that a major proportion of the research funds provided for evaluation shall be used for a scientifically valid, objective examination of the educational effects of compulsory school desegregation. I further suggest that the technical requirements of the needed research are probably beyond the personnel and facilities of most school systems, and that major studies should be conducted by or in consultation with properly equipped research institutions under Federal support.

In my opinion, based upon my studies for the past 20 years and more in the field of educational psychology, I am convinced that the study of racial differences and their applicability to variations in learning and organization of the educational process are essential to any true understanding of the problems which America's schools face today in determining the future course of school integration.

II. THE EXISTING CONTROVERSY OVER IQ AND SCHOLASTIC ACHIEVEMENT

I can best explain the basis of my views in this area by summarizing for the Committee some of the main points I made in the *Harvard Educational Review* article to which I have referred:

"In my article, I first reviewed the conclusion of a nationwide survey and evaluation of the large, Federally funded compensatory education programs done by the U.S. Commission on Civil Rights, which concluded that these special programs had produced no significant improvement in the measured intelligence or scholastic performance of the disadvantaged children whose educational achievements they were specifically intended to raise. The evidence presented by the Civil Rights Commission suggests to me that merely applying more of the same approach to compensatory education on a larger scale is not likely to lead to the desired results, namely increasing the benefits of public education to the disadvantaged. The well-documented fruitlessness of these well-intentioned compensatory programs indicates the importance of now questioning the assumptions, theories, and practices on which they were based. I point out, also, that some small-scale experimental intervention programs have shown more promise of beneficial results.

"I do *not* advocate abandoning efforts to improve the education of the disadvantaged. I urge increased emphasis on these efforts, in the spirit of experimentation, expanding the diversity of approaches and improving the rigor of evaluation in order to boost our chances of discovering the methods that will work best.

"The nature of intelligence

"In my article, I pointed out that IQ tests evolved to predict scholastic performance in largely European and North American middle-class populations around the turn of the century. They evolved to measure those abilities most relevant to the curriculum and type of instruction, which in turn were shaped by the pattern of abilities of the children the schools were then intended to serve.

"IQ or abstract reasoning ability is thus a selection of just one portion of the total spectrum of human mental abilities. This aspect of mental abilities measured by IQ tests is important to our society, but is obviously not the only set of educationally or occupationally relevant abilities. Other mental abilities have not yet been adequately measured; their distributions in various segments of the population have not been adequately determined; and their educational relevance has not been fully explored.

"I believe a much broader assessment of the spectrum of abilities and potentials, and the investigation of their utilization for educational achievement, will be an essential aspect of improving the education of children regarded as disadvantaged.

"Inheritance of intelligence

"Much of my paper was a review of the methods and evidence that lead me to the conclusion that individual differences in intelligence, that is, IQ, are predominantly attributable to genetic differences, with environmental factors contributing a minor portion of the variance among individuals. The heritability of the IQ—that is, the percentage of individual differences variance attributable to genetic factors—comes out to about 80 per cent, the average value obtained from all relevant studies now reported.

"These estimates of heritability are based on tests administered to European and North American populations and cannot properly be generalized to other populations. I believe we need similar heritability studies in minority populations if we are to increase our understanding of what our tests measure in these populations and how these abilities can be most effectively used in the educational process.

"Social class differences

"Although the full range of IQ and other abilities is found among children in every socioeconomic stratum in our population, it is well established that IQ differs on the average among children from different social class backgrounds. The evidence, some of which I referred to in my article, indicates to me that some of this IQ difference is attributable to environmental differences and some of it is attributable to genetic differences between social classes—largely as a result of differential selection of the parent generations for different patterns of ability.

"I have not yet met or read a modern geneticist who disputes this interpretation of the evidence. In the view of geneticist C. O. Carter: 'Sociologists who doubt this show more ingenuity than judgment.' At least three prominent sociologists who are students of this problem—Sorokin, Bruce Eckland, and Otis Dudley Duncan—all agree that selective factors in social mobility and assortative mating have resulted in a genetic component in social class intelligence differences. As Eckland points out, this conclusion holds *within* socially defined racial groups but cannot properly be generalized *between* racial groups, since barriers to upward mobility have undoubtedly been quite different for various racial groups.

"Race differences

"I have always advocated dealing with persons as individuals, each in terms of his own merits and characteristics and am opposed to according treatment to persons solely on the basis of their race, color, national origin, or social class background. But I am also opposed to ignoring or refusing to investigate the causes of the well-established differences among racial groups in the distribution of educationally relevant traits, particularly IQ.

"I believe that the causes of observed differences in IQ and scholastic performance among different ethnic groups is, scientifically, still an open question, an important question, and a researchable one. I believe that official statements, such as 'It is a demonstrable fact that the talent pool in any one ethnic group is substantially the same as in any other ethnic groups' (U.S. Office of Education, 1966), and 'Intelligence potential is distributed among Negro infants in the same proportion and pattern as among Icelanders or Chinese, or any other group' (U.S. Dept. of Labor, 1965), are without scientific merit. They lack any factual basis and must be regarded only as hypotheses.

"It would require more space than I am allotted to describe the personal and professional consequences of challenging this prevailing hypothesis of genetic equality by suggesting alternative hypotheses that invoke genetic as well as environmental factors as being among the causes of the observed differences in patterns of mental ability among racial groups.

"The fact that different racial groups in this country have widely separated geographic origins and have had quite different histories which have subjected them to different selective social and economic pressures make it highly likely that their gene pools differ for some genetically conditioned behavioral characteristics, including intelligence, or abstract reasoning ability. Nearly every anatomical, physiological and biochemical system investigated shows racial differences. Why should the brain be any exception? The reasonableness of the hypothesis that there are racial differences in genetically conditioned behavioral characteristics, including mental abilities, is not confined to the poorly informed, but has been expressed in writings and public statements by such eminent geneticists as K. Mather, C. D. Darlington, R. A. Fisher, and Francis Crick, to name a few.

"In my article, I indicated several lines of evidence which support my assertion that a genetic hypothesis is not unwarranted. The fact that we still have only inconclusive conclusions with respect to this hypothesis does not mean that the opposite of the hypothesis is true. Yet some social scientists speak as if this were the case and have even publicly censured me for suggesting an alternative to purely environmental hypotheses of intelligence differences. Scientific investigation proceeds most effectively by means of what Platt has called 'strong inference,' pitting alternative hypotheses that lead to different predictions against one another and then putting the predictions to an empirical test.

"Learning Ability and IQ

"The article also dealt with my theory of two broad categories of mental abilities, which I call intelligence (or abstract reasoning ability) and associative learning ability. These types of ability appear to be distributed differently in various social classes and racial groups. While large racial and social class differences are found for intelligence, there are practically negligible differences among these groups in associative learning abilities, such as memory span and serial and paired-associate rote learning.

"Research should be directed at delineating still other types of abilities and at discovering how the particular strengths in each individuals' *pattern* of abilities can be most effectively brought to bear on school learning and on the attainment of occupational skills. By pursuing this path, I believe we can discover the means by which the reality of individual differences need not mean educational rewards for some children and utter frustration and defeat for others."

III. THE IMPLICATIONS OF RACE DIFFERENCES IN EDUCATION

Since educators have at least officially assumed that race and social class differences in scholastic performance are not associated with any genetic differences in growth rates or patterns of mental abilities but are due entirely to discrimination, prejudice, inequality of educational opportunity, and factors in the child's home environment and peer culture, we have collectively given little if any serious thought to whether we would do anything differently if we knew in fact that all educational differences were not due solely to these environmental factors.

There have been and still are obvious environmental inequities and injustices which have disfavored certain minorities, particularly Negroes, Mexican-Americans, and American Indians. Progress has been made and is continuing to be made to improve these conditions. But there is no doubt still a long way to go, and the drive toward further progress in this direction should be given top priority in our national effort.

Education is one of the chief instruments for approaching this goal. Every child should receive the best education that our current knowledge and technology can provide. This should not imply that we advocate the same methods or the same expectations for all children. There are large individual differences in rates of mental development, in patterns of ability, in drives and interests. These differences exist even among children of the same family. The good parent does his best to make the most of each child's strong points and to help him on his weak points but not make these the crux of success or failure. The school must regard each child, and the differences among children, in much the same way as a good parent should do.

I believe we need to find out the extent to which individual differences, social class differences, and race difference in rates of cognitive development and differential patterns of relative strength and weakness in various types of ability are attributable to genetically conditioned biological growth factors. The answer to this question might imply differences in our approach to improving the education of all children, particularly those we call the disadvantaged, for many of whom school is now a frustrating and unrewarding experience.

Individuals should be treated in terms of their individual characteristics and not in terms of their group membership. This is the way of a democratic society, and educationally it is the only procedure that makes any sense. Individual variations within any large socially defined group are always much greater than the average differences between groups. There is overlap between groups in the distributions of all psychological characteristics that we know anything about. But dealing with children as individuals is not the greatest problem. It is in our concern about the fact that when we do so, we have a differentiated educational program, and children of different socially identifiable groups may not be proportionately represented in different programs. This is the "hang-up" of many persons today and this is where our conceptions of equal opportunity are most likely to go awry and become misconceptions.

Group racial and social class differences are first of all individual differences, but the causes of the *group* differences may not be the same as of the *individual* differences. This is what we must find out, because the prescription of remedies for our educational ills could depend on the answer.

Let me give one quite hypothetical example. We know that among middle-class white children, learning to read by ordinary classroom instruction is related to certain psychological developmental characteristics. Educators call it "readiness." These characteristics of readiness appear at different ages for different kinds of learning, and at any given age there are considerable individual differences among children, even among siblings reared within the same family. These developmental differences, in middle-class white children, are largely conditioned by genetic factors. If we try to begin a child too early in reading instruction, he will experience much greater difficulty than if we waited until we saw more signs of "readiness." Lacking readiness, he may even become so frustrated as to "turn off" on reading, so that he will then have an emotional block toward reading later on when he should have the optimal readiness. The readiness can then not be fully tapped. The child would have been better off had we postponed reading instruction for six months or a year and occupied him during this time with other interesting activities for which he was ready. Chances are he would be a better reader at, say, 10 or 11 years of age for having started a year later, when he could catch on to reading with relative ease and avoid the unnecessary frustration. It is very doubtful in this case that some added "enrichment" to his preschool environment would have made him learn to read much more easily a year earlier. If this is largely a matter of biological maturation, then the time at which a child is taught in terms of his own schedule of development becomes important. If, on the other hand, it is largely a matter of preschool environmental enrichment, then the thing to do is to go to work on the preschool environment so as to make all children equally ready for reading in the first grade. If a child's difficulty is the result of both factors, then a combination of both enrichment and optimal developmental sequencing should be recommended.

There is a danger that some educators' fear of being accused of racial discrimination could become so misguided as to work to the disadvantage of many minority children. Should we deny differential educational treatments to children when such treatment will maximize the benefits they receive from schooling, just because differential treatment might result in disproportionate representation of different racial groups in various programs? I have seen instances where Negro children were denied special educational facilities commonly given to white children with learning difficulties simply because school authorities were reluctant to single out *any* Negro children, despite their obvious individual needs, to be treated any differently from the majority of youngsters in the school. There was no hesitation about singling out white children who needed special attention. Many Negro children of normal and superior scholastic potential are consigned to classes in which one-fourth to one-third of their classmates have IQs below 75, which is the usual borderline of educational mental retardation. The majority of these educationally retarded children benefit little or not at all from instruction in the normal classroom, but require special attention in smaller classes that permit a high degree of individualized and small group instruction. Their presence in regular classes creates unusual difficulties for the conscientious teacher and detracts from the optimal educational environment for children of normal ability. Yet there is reluctance to provide special classes for these educationally retarded children if they are Negro or Mexican-American. The classrooms of predominantly minority schools often have 20 to 30 percent of such children, which handicaps the teacher's efforts on behalf of her other pupils in the normal range of IQ. The more able minority children are thereby disadvantaged in the classroom in ways that are rarely imposed on white children for whom there are more diverse facilities. Differences in rates of mental development and in potentials for various types of learning will not disappear by being ignored. It is up to biologists and psychologists to discover their causes, and it is up to educators to create a diversity of instructional arrangements best suited to the full range of educational differences that we find in our population. Many environmentally caused differences can be minimized or eliminated, given the resources and the will of society. The differences that remain are a challenge for public education. The challenge will be met by making available more ways and means for children to benefit from schooling. This, I am convinced, can come about only through a greater recognition and understanding of the nature of human differences.

It is for this reason that I call upon your Committee to set aside funds under Section 10 of H.R. 17846 to investigate methods of coping educationally with individual and group variability and for an impartial, in-depth study of the effects of classroom desegregation on the educational process. I feel strongly that such basic cause-and-effect research must be done as an essential part of the task of ameliorating our nation's grave educational problems.

LAW AND ORDER IN THE COAL MINES

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, there follows the amended suit filed in the U.S. District Court for the District of Columbia, concerning the safety of those working in the coal mines of this Nation:

[In the U.S. District Court for the District of Columbia, Civil Action No. 861-70]

Phillip Burton, Ken Hechler, James O'Hara, John Mendez, and all other Coal Miners, *Plaintiffs, v.* Walter J. Hickel, Elliott Richardson, Fred Russell, Hollis Dole, Earl Hayes, and Henry Wheeler, *Defendants*

AMENDED AND SUPPLEMENTAL COMPLAINT FOR DECLARATORY JUDGMENT, FOR ORDER IN THE NATURE OF MANDAMUS TO COMPEL DEFENDANTS TO ISSUE REGULATIONS AND FOR INJUNCTION

1. This is an action against the Secretaries of the Interior and Health, Education, and Welfare and their subordinates for a declaratory judgment that they failed to perform ministerial duties imposed upon them by an Act of Congress, to compel them to perform such agency action timely in the future and to enjoy the enforcement of unlawful regulations. This Court has jurisdiction under the Federal Coal Mine Health and Safety Act of 1969, P.L. 91–173, 83 Stat. 742 (1970), 5 U.S.C. Sec. 706, 28 U.S.C. Secs. 1331, 1361 and 2201.

Plaintiffs

2. Plaintiffs Burton, Hechler and O'Hara are members of the House of Representatives of the Congress of the United States and were sponsors of the Bill which was enacted as the Federal Coal Mine Health and Safety Act of 1969, P.L. 91–173, 83 Stat. 742. Plaintiffs Burton and O'Hara are members of the House Education and Labor Committee which reported the Bill. Plaintiff Hechler represents a Congressional District in which many coal miners live.

3. Plaintiff Mendez is a coal miner and a member of the class that the Federal Coal Mine Health and Safety Act of 1969 was intended to benefit. He brings this action on his own behalf and on behalf of all other coal miners. The class of coal miners represented by plaintiff Mendez is (1) so numerous that joinder of all members is impracticable; (2) there are questions of law or of fact common to the class; (3) the claims of the representative party are typical of the claims of the class; (4) the representative party will fairly and adequately protect the interest of the class; (5) the parties opposing the class have acted on grounds generally applicable to the class; (6) the prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications; and (7) questions of law and fact common to members of the class predominate over any questions affecting only individual members so that a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

Defendants

4. Defendants Secretary of the Interior and Secretary of Health, Education, and Welfare, sued in their official capacities, have the duty of enforcing the Federal Coal Mine Health and Safety Act of 1969.

5. Defendants Russell, Dole, Hayes and Wheeler, sued in their official capacities, have the duty, under defendant Secretary of the Interior, of enforcing the Federal Coal Mine Health and Safety Act of 1969.

First cause of action

6. The Federal Coal Mine Health and Safety Act became law on December 30, 1969.

7. Section 202(a) of the Act provides that the defendants Secretary of the Interior and Secretary of Health, Education, and Welfare (the Secretaries), within 60 days from the enactment of the Act, shall prescribe in the Federal Register the devices, methods, locations, intervals and manner in which operators of coal mines shall take accurate samples of the amount of respirable dust in the mine atmosphere to which miners, in the active workings of the mine, are exposed.

8. The 60-day period within which the regulations referred to in paragraph 7 of this Complaint were to have been prescribed and published in the Federal Register expired on Monday, March 2, 1970.

9. The Secretaries did not prescribe and publish the regulations required by Section 202(a) of the Act with respect to methods, locations, intervals and manner of taking samples until April 1, 1970, or thirty days after the date prescribed by law.

10. Other provisions of the Act provide, similarly to Section 202(a), mandatory time periods for action by the Secretaries, or one of them, that are needed to enforce and make the Act effective, and the Secretaries may in the future fail to comply with such mandatory time periods.

Second cause of action

11. Section 103(i) of the Act expressly requires defendant Secretary of the Interior and defendants Russell, Dole, Hayes and Wheeler to provide a specific statutory minimum of one spot inspection to be performed every five working days in mines found to be liberating excessive quantities of methane or other explosive gases during operations, or where gas explosions have resulted in death or serious injury during the past five years.

12. Defendants Secretary of the Interior and Russell, Dole, Hayes and Wheeler failed to provide for the statutory minimum of one "spot" inspection each five working days in all but of the mines for which such inspections are expressly required by Section 103(i) of the Act. The mines for which such inspections are required are listed in Appendix A to this Complaint; the mines which have been so inspected are listed in Appendix B to this Complaint.

13. In certain of the mines which defendants Secretary of the Interior, Russell, Dole, Hayes and Wheeler have failed to cause to be "spot" inspected in violation of Section 103(i) of the Act, accidents occurred which

might have been prevented by the discovery during a "spot" inspection of conditions or practices required to be corrected under the Act, and those accidents resulted in the deaths of the miners whose names, together with the date and the mine where the accident occurred, are listed in Appendix C to this Complaint.

Ministerial duties

14. The duties imposed upon defendants by Section 202(a) and 103(i) of the Act are ministerial and not discretionary, Congress having provided a fixed period and a time certain for the issuance of standards and regulations, whatever their content may be, and having provided for the conduct of a minimum number of "spot" inspections, by whatever means and in whatever manner the Secretary deems appropriate.

Third cause of action

15. On March 28, 1970, defendant Hickel published in the Federal Register, 35 F.R. 5255–58 as amended on May 4, 1970, and published in the Federal Register on May 7, 1970, 35 F.R. 7281–82, regulations establishing procedures under the Act, including regulations purporting to establish a schedule of fixed penalties for violations of the Act.

16. The regulations, designated 30 C.F.R. 301.50, 35 F.R. 5257, 7182, purport to establish a schedule of fixed penalties for violations of the safety and health requirements established by and pursuant to the Act and provide that upon payment by the violator of the fixed amount provided, no further proceedings shall be held.

17. The purported schedule of fixed penalties is unlawful and in violation of Section 109(a)(1) of the Act, which requires the Secretary of the Interior, in assessing the penalty for any violation to consider for each such violation a mine operator's history of past violations, the size of the mine, any negligence of the operator, the effect of the penalty on continuation of the business, the gravity of the violation and the good faith of the operator as demonstrated by efforts to remedy the violation.

18. The purported schedule of fixed penalties and the summary payment procedure is unlawful and in violation of Section 109(a)(3) of the Act, which requires the Secretary of the Interior to determine, in each case of alleged violation, that a violation did occur; to make findings of fact, and to assess an appropriate penalty.

19. Legal action against the defendants, alleging that the schedule of fixed penalties is unlawful, has resulted in an order of court restraining defendants from enforcing the act.

Fourth cause of action

20. On March 28, 1970, defendant Hickel published in the Federal Register, 35 F.R. 5257, 5258, regulations, designated 30 C.F.R. 301.40 and 301.68, which purport to provide that a miner is to make application to the Board of Mine Operations Appeals for compensation for wages to which he is entitled under Section 110(a) of the Act, when, because of the existence of imminent danger, a mine is ordered closed under Section 104 of the Act; and purports to place the burden of proof upon the miner.

21. The regulations, insofar as they impose the burden on the miner to apply for and to prove entitlement to compensation, are unlawful and in violation of Section 110(a) of the Act, which provides that miners shall be entitled to compensation automatically and without regard to any justification for an order of closure.

22. The regulations, designated 30 C.F.R. 301.40 and 301.68, 35 F.R. 5257, 5258, purport to provide that a miner is to apply to the Board of Mine Operations Appeals for review of discriminatory discharge or other discriminatory treatment by a mine operator in violation of Section 110(b)(1) of the Act, and that in proceedings on that application the miner shall have the burden of proof.

23. The regulations, insofar as they impose the burden of proof upon the miner, are unlawful and in violation of Section 110(b)(2) of the Act, which provides that upon application for review of a discriminatory discharge or other action, the Secretary of the Interior shall make an investigation and give the parties opportunity to present information at a hearing, and which imposes the burden of the investigation upon the Secretary, not the miner.

Injury to plaintiffs

24. Defendants' failure to perform the ministerial duties imposed upon them by the Act have had and will continue to have the effect of thwarting the will of the Congress, of which plaintiffs O'Hara, Hechler and Burton are members, as expressed in an Act of Congress duly enacted and approved by the President of the United States.

25. The failure of defendants to perform the ministerial duties imposed upon them by the Act will perpetuate and continue for plaintiff Mendez and all other coal miners, beyond the period of time provided by law, the following dangers to health and safety that it was the intent and will of the Congress to remove:

(a) danger of pneumoconiosis, or black lung disease, from excessive concentrations of coal dust in mine atmospheres;

(b) danger of death or serious injury from explosions of excessive quantities of explosive gases in mine atmospheres and from other unsafe conditions that would be discovered in the course of mandatory "spot" inspections and corrected;

(c) myriad dangers that mine operators will fail to remove because of procedural provisions, in connection with penalties for violations and claims for compensation for wages owed because of mine closures, that are unduly discriminatorily and unlawfully favorable to mine operators and unfavorable to miners.

Relief requested

26. Plaintiffs pray that this Court issue an order in the nature of mandamus directing the defendants:

(a) to prescribe and publish in the Federal Register within the times provided in the Act, all regulations as to which fixed times are provided;

(b) immediately and forthwith to commence the "spot" inspections as required by Section 103(i) of the Act.

27. Plaintiffs pray that this Court issue a mandatory injunction to compel the defendants to rescind and publish the rescission of the regulations:

(a) in 30 C.F.R. 301.50 establishing a schedule of fixed payments for violations of the Act and a summary procedure for payment of fixed penalties;

(b) in 30 C.F.R. 301.40, 301.68 imposing upon coal miners the burden (i) of applying for and the burden of proof of entitlement to compensation for wages lost because of mine closure for safety reasons, and (ii) the burden of proof upon review of discriminatory discharge or other discriminatory treatment.

28. Plaintiffs pray that this Court declare that defendants have failed to perform a duty owed to plaintiffs Burton, Hechler and O'Hara, to all other members of the Congress of the United States and to plaintiff Mendez and all other coal miners faithfully to execute and carry out the will of the Congress as expressed in the Federal Coal Mine Health and Safety Act of 1969, by failing to act within the time limits prescribed by law.

APPENDIX A

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES
Washington, D.C., May 25, 1970.

HON. JULIA BUTLER HANSEN,
House of Representatives,
Washington, D.C.

DEAR MRS. HANSEN: In response to a telephone request from Mr. Carlson, we have enclosed a list of coal mines in which spot inspections shall be made pursuant to Section 103(i) of the Federal Coal Mine Health and Safety Act of 1969.

Please pay special attention to the explanation of code identification "a". Section 103(i) provides that one of the criteria which will require spot inspections is liberation of excessive quantities of methane or other explosive gases. A methane liberation of more than 100,000 cubic feet in 24 hours is considered at this time as an excessive quantity, but this figure is subject to change. And, as conditions in mines change, the mines identified as coming under each of the codes also will be subject to change.

In view thereof, the enclosed record of mines now subject to spot inspections is not static and will change with conditions in the mines. We intend to keep the list up-to-date.

Sincerely yours,

EARL T. HAYES,
(For the Director).

COAL MINES IN WHICH SPOT INSPECTIONS SHALL BE MADE PURSUANT TO SEC. 103(i) OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Mine	Company	State	Code[1]		
			a	b	c
Coal mine safety, District A:					
David	Canterbury Coal Co.	Pennsylvania bituminous	X		
Isabella	National Mines Corp.	do	X		
No. 51	Bethlehem Mines Corp.	do	X		
No. 77	do	do	X		
No. 31	do	do	X		
Marianna No. 58	do	do	X		
Somerset No. 60	do	do	X		
Cambria Slope No. 33	do	do	X		
No. 32	do	do	X		
Renton	Pittsburgh Coal Co., Division of Consolidation Coal Co.	do	X		
Hutchinson	do	do	X		
Montour No. 4	do	do	X		
Westland	do	do	X		
Mathies	Mathies Coal Co.	do	X		
Harwick	Duquesne Light Co.	do	X		
Warwick, Portal No. 3	do	do	X		

COAL MINES IN WHICH SPOT INSPECTIONS SHALL BE MADE PURSUANT TO SEC. 103(i) OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—Continued

Mine	Company	State	Code[1]		
			a	b	c
Coal mine safety, District A:—Continued					
Warwick No. 2	do	do	X		
Oakmont	Harmar Coal Co	do	X		
Foster No. 5	Leechburg Mining Co	do	X		
Jane Nos. 1 and 2	Rochester & Pittsburgh Coal Co	do	X		
Vesta No. 4	Jones & Laughlin Steel Corp	do	X		
Shannopin	do	do	X		
Vesta No. 5	do	do	X		
Conemaugh No. 1	The North American Coal Corp	do	X		
Colver	Eastern Associated Coal Corp	do	X		
Robena	United States Steel Corp	do	X		
Maple Creek	do	do	X		
Gateway	Gateway Coal Co	do	X		
Nemacolin	The Buckeye Coal Co	do	X		
Clyde	Republic Steel Corp	do	X		
Newfield	do	do	X		
Banning No. 4	do	do	X		
Bird No. 2	Island Creek Coal Co	do	X		
Bird No. 3	do	do	X		
Marion	Tunnelton Mining Co	do	X		
Lucerne No. 6	Helvetia Coal Co	do	X		
Homer City	The Helen Mining Co	do	X		
Lancashire No. 20	Barnes and Tucker Co	do	X		
Lancashire No. 24	do	do	X		
No. 18 Wanamie	Blue Coal Corp	Pennsylvania anthracite	X		
No. 19 Wanamie	do	do	X		
Forge Slope	Glen Nan Coal Co	do	X		
Middle Split Slope	Erdman Coal Co	do		X	
Buck Slope	Zakrewsky Coal Co	do		X	
South Dip Skidmore Slope	J. & C. Coal Co	do		X	
Seven Foot No. 2 Slope	Polcovich Coal Co	do		X	
Buck Slope	A. D. & G. Coal Co	do		X	
Jensie	The North American Coal Corp	Ohio	X		
Powhatan No. 1	do	do	X		
Powhatan No. 3	do	do	X		
Powhatan No. 5	do	do	X		
Norton	Oglebay Norton Co	do	X		
Saginaw	do	do	X		
Vail No. 20	Island Creek Coal Co	do	X		
Rose Valley No. 6	Hanna Coal Co., Division of Consolidation Coal Co	do	X		
Nelms No. 1	The Youghiogheny and Ohio Coal Co	do	X		
Nelms No. 2	do	do	X		
Beech Bottom	Windsor Power House Coal Co	West Virginia	X		
Alexander	The Valley Camp Coal Co	do	X		
Valley Camp No. 1	do	do	X		
Valley Camp No. 3	do	do	X		
Shoemaker	Ohio Valley, Division of Consolidation Coal Co	do	X		
Ireland	do	do	X		
Coal mine safety, District B:					
Bishop	Bishop Coal Co	West Virginia	X	X	
No. 33–37	do	do	X		
No. 1 Cedar Grove	Boone County Coal Corp	do	X		
No. 1	C & B Coals Inc	do	X		
Nos. 3 and 4	Cannelton Coal Co	do	X	X	
No. 8	do	do	X		
Lady Dunn No. 105	do	do	X		
Donegan No 10	Gauley Coal and Coke Co	do	X		
Keystone	Eastern Associated Coal Corp	do		X	
Keystone No. 1	do	do	X	X	
Keystone No. 2	do	do	X		
Keystone No. 3B	do	do		X	
Keystone No. 4	do	do	X		
Keystone No. 4A	do	do	X		
Federal No 1	do	do	X		
Federal No 2	do	do	X		
Joanne	do	do	X	X	
McAlpin No 3	Winding Gulf Coals Inc	do	X		
Otsego	do	do		X	
East Gulf	do	do	X		
Eccles	do	do	X	X	
Stanaford No 2	do	do	X	X	
Winding Gulf No. 4	do	do	X		
Maitland	Pocahontas Fuel Co., Division of Consolidation Coal Co	do	X		
Newhall No. 6	do	do	X		
No. 7	do	do	X		
No. 25	National Coal Mining Co	do	X		
Gaston No. 2	Slab Fork Coal Co	do	X		
Slab Fork No. 8	do	do	X		
No. 10	do	do	X	X	
Guyan No. 1	Island Creek Coal Co	do	X		
Guyan No. 5	do	do	X		
Birch No. 1	do	do		X	
Hampton No. 3	Westmoreland Coal Co	do	X		
Hampton No. 4	do	do	X		
Hunter	Smith and Stover Coal Co	do	X		
Itmann No. 1	Itmann Coal Co	do	X		
Itmann No. 3	do	do	X		
Itmann No. 4	do	do	X		
Tralee	Semet Solvay, Division of Allied Chemical Corp	do	X		
Shannon Branch	do	do	X		
No. 2	United States Steel Corp	do	X		
No. 14, No. 3 Seam Portal	do	do	X		
No. 41	Bethlehem Mines Corp	do	X		
No. 44	do	do	X		
Consol No. 9	Mountaineer Coal Co., Division of Consolidation Coal Co	do	X	X	
Loveridge	do	do	X	X	
No. 93	do	do	X		
Robinson Run No. 95	do	do	X		
Williams	do	do	X		
Arkwright	Christopher Coal Co., Division of Consolidation Coal Co	do	X		
Arkwright No. 1	do	do		X	
Humphrey No. 7	do	do	X		
Osage No. 3	do	do	X	X	
Pursglove No. 15	do	do	X		
Blacksville No. 1	Consolidation Coal Co	do	X		
O'Donnel No. 1	Rochester & Pittsburgh Coal Co	do	X		
Olga	Olga Coal Co	do	X		

Mine	Company	State	Code[1] a	Code[1] b	Code[1] c
Coal mine safety, District B:—Continued					
Paragon	Amherst Coal Co	do	X		
No. 4H	do	do	X		
Sewell No. 1	Sewell Coal Co	do	X		
Siltix	The New River Co	do	X	X	
Adrian	Upshur Coals Ltd	do	X	X	
Compass No. 2	Clinchfield Coal Co	do	X	X	
Compass No. 3	do	do	X	X	
Mars No. 2	do	do	X	X	
Coal Mine safety, District C:					
Lambert Fork	do	Virginia	X	X	
Moss No. 2	do	do	X	X	X
Moss No. 3, Portal A	do	do	X		X
Moss No. 3, Portal C	do	do	X		X
Moss No. 3, Portal D	do	do			X
Bullitt No. 1	Westmoreland Coal Co	do	X		
Prescott No. 1	do	do	X		
Beatrice	Beatrice Pocahontas Co	do	X	X	
Virginia Pocahontas No. 1	Island Creek Coal Co	do	X	X	
Virginia Pocahontas No. 3	do	do	X		
Virginia Pocahontas No. 2	Virginia Pocahontas Co	do	X		
No. 5	Horn & Whited Coal Co	do		X	
No. 7	do	do		X	
No. 5	Ward & Honaker Coal Co	do		X	
No. 5	Wade Coal Co	do		X	
Scotia	Scotia Coal Co	Kentucky	X		X
No. 3	Wolf Creek Collieries	do	X		
No. 1	Princess Coals Inc	do		X	
Federal No. 1	Mars Mining Co	do			X
Coal mine Safety, District D:					
East Diamond	Island Creek Coal Co	do	X		
Crescent	do	do	X		
Atkinson	do	do	X		
Hamilton	do	do	X		
Uniontown	do	do	X		
Fies	do	do	X		
Dotiki	Webster County Coal Corp	do	X		
River Queen	Peabody Coal Co	do	X		
River Queen No. 1	do	do		X	
Zeigler No. 9	Bell & Zoller Coal Co	do	X	X	
Segco No. 1	Southern Electric Generating Co	Alabama	X		
Segco No. 2	do	do	X		
Chetopa	Alabama By-Products Co	do	X		
Maxie	do	do	X		
Mulga	Woodward Co., Division of Meade Corp	do	X		
Flat Top	United States Pipe & Foundry Co	do	X	X	
Bessie	do	do	X		
Concord No. 1	United States Steel Corp	Alabama	X		
No. 2A	C. L. Cline Coal Co	Tennessee		X	
No. 5	Sahara Coal Company, Inc	Illinois	X		
No. 16	do	do	X		
Spartan	Bell & Zoller Coal Co	do	X		
Zeigler No. 4	do	do	X		
Orient No. 4	Freeman Coal Mining Corp	do	X		
Orient No. 6	do	do	X		
Orient No. 3	do	do	X		
Orient No. 5	do	do	X		
Crown	do	do	X		
Murdock	Moffet Coal Co	do	X		
Inland	Inland Steel Co	do	X		
No. 21	Old Ben Coal Corp	do	X		
No. 24	do	do	X		
No. 26	do	do	X		
No. 10	Peabody Coal Co	do	X		
Eagle No. 2	do	do		X	
Eagle No. 1	do	do			X
Kings	Kings Station Coal Corp	Indiana	X		
Thunderbird	Ayrshire Collieries Corp	do	X		
Howe No. 1	Howe Coal Co	Oklahoma		X	X
Choctaw	Kerr-McGee Corp	do			X
Coal mine safety, District E:					
Allen	C. F. & I. Steel Corp	Colorado	X		X
Bear	Bear Coal Co	do	X		
Dutch Creek No. 1	Mid-Continent Coal & Coke Co	do	X	X	X
L. S. Wood	do	do	X		X
Somerset	United States Steel Corp	do	X		X
Burnwell No. 1	Oren A. Pilcher, Operator	do		X	
Geneva	United States Steel Corp	Utah	X		
Kenilworth	The North American Coal Corp	do	X		X
No. 2	Carbon Fuel Co	do	X	X	
Soldier Canyon	Premium Coal Co	do	X		
Sunnyside No 1	Kaiser Steel Corp	do	X	X	X
Sunnyside No. 3	do	do	X		
York Canyon No. 1	do	New Mexico	X		

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[1] Code identifications:
a equals mines that liberate more than 100,000 cubic feet of methane in 24 hours.
b equals mines in which a methane or other gas ignition or explosion has occurred which resulted in death or serious physical injury during the previous 5 years.
c equals mines in which other especially hazardous conditions exist.

APPENDIX B

MINES THAT HAVE BEEN SPOT INSPECTED

Date	Mine	Company	Location
Apr. 15, 1970	Montour No. 4	Pittsburgh Coal Co	Lawrence, Washington County, Pa.
Apr. 22, 1970	Jane Nos. 1 and 2	Rochester & Pittsburgh Coal Co.	Elderton, Armstrong County, Pa.
Apr. 22–23, 1970	Harold No. 1	Allegheny River Mining Co.	South Buffalo, Township, Armstrong County, Pa.
Apr. 16, 1970	Choctaw	Kerr-McGee Corp	Stigler, Haskell County, Okla.
Apr. 22, 1970	do	do	Do.
Apr. 30, 1970	do	do	Do.
Apr. 17, 1970	Howe Mine No. 1	Howe Coal Co	Heavener, LeFlore County, Okla.
Apr. 30, 1970	do	do	Do.
April 14, 1970	Homer City	Helen Mining Co	Homer City, Indiana County, Pa.
April 17, 1970	No. 4	Liberty Coal Co	Hyden, Ky.
March 17, 1970[1]	No. 10	Slab Fork Coal Co	Tams, Raleigh County, W. Va.
Do[1]	No. 16	Imperial Colliery Co	Burnsville, Kanawha County, W. Va.

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[1] These were overlooked on previous reports from the district.

Appendix C

MINERS KILLED IN APRIL 1970 IN MINES THAT SHOULD HAVE BEEN SPOT INSPECTED

1. John Bozich, killed April 3, 1970, at Harman Coal Co., Harmon, Pennsylvania.

2. Stanley J. Bensky, killed April 4, 1970, at Lancaster No. 20, Barnes & Tucker Co., Carrolltown, Pennsylvania.

3. Victor F. Tranquillo, killed April 15, 1970, at Cambria Slope No. 33, Bethlehem Mines Corp., Ebensburg, Pennsylvania.

4. John R. Wall, killed April 3, 1970, at Eccles No. 5, Winding Gulf Coals, Inc., Eccles, West Virginia.

5. Sam Virgil, killed April 14, 1970, at Kenilworth, North American Coal Co., Castle Gate, Utah.

6. Joseph Stanish, killed April 8, 1970, at Bethlehem Mine No. 51, Bethlehem Mining Corp., Ellsworth, Pennsylvania.

MINERS, NAMES UNKNOWN, WERE KILLED OR SERIOUSLY INJURED IN APRIL 1970 ON THE FOLLOWING DATES AT MINES THAT SHOULD HAVE BEEN SPOT INSPECTED

7. At Saginaw No. 1, of Oglebay Norton Co., on April 24, 1970.

8. At Homer City Mine of Helen Mining Co., Homer City, Pennsylvania, on April 10, 1970 (not inspected until April 14, 1970).

9. At Maple Creek Mine of U.S. Steel Corp., New Eagle, Pennsylvania, on April 30, 1970.

10. At Sharmon Mine of Semet-Solvay Division, Allied Chemical Co., Capels, West Virginia, on April 22, 1970.

11. At Olga Coal Co., Coalwood, West Virginia, in April 1970.

12. At Compass No. 2, Clinchfield Coal Co., Dola, West Virginia, on April 2, 1970.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Reuss for 30 minutes today and to revise and extend his remarks.

(The following Members (at the request of Mr. Miller of Ohio) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 5 minutes, today.

Mr. Mosher, for 5 minutes, today.

Mr. Conte, for 15 minutes, today.

(The following Members (at the request of Mr. Gettys) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Dent, for 30 minutes.

Mr. Gonzalez, for 10 minutes, today.

Mr. Rarick, for 20 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Gross and to include extraneous material.

Mr. McClory, immediately prior to the passage of House Joint Resolution 1251 today.

(The following Members (at the request of Mr. Miller of Ohio) and to include extraneous matter:)

Mr. Steiger of Wisconsin in two instances.

Mr. Derwinski in two instances.

Mr. Carter in two instances.

Mr. Erlenborn.

Mr. Ayres in three instances.

Mr. Mize in two instances.

Mr. Reifel.

Mr. Goodling.

Mr. Ashbrook.

Mr. Wydler.

Mr. Skubitz in two instances.

(The following Members (at the request of Mr. Gettys) and to include extraneous matter:)

Mr. Zablocki in three instances.

Mr. Johnson of California in four instances.

Mr. Ryan in five instances.

Mr. McCarthy in four instances.

Mr. Long of Maryland in six instances.

Mr. Gonzalez.

Mr. Rarick in two instances.

Mr. Fuqua in three instances.

Mr. Dingell in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2047. An act for the relief of Roseanne Jones; and

H.R. 5000. An act for the relief of Pedro Irizarry Guido.

ADJOURNMENT

Mr. GETTYS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 671, 91st Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 6, 1970.

Thereupon (at 1 o'clock p.m.), pursuant to House Concurrent Resolution 671, the House adjourned until Monday, July 6, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2165. A letter from the Assistant Secretary of the Interior, transmitting the report of the Secretary on the Salmon Falls division, Upper Snake River project, Idaho, pursuant to the provisions of section 9(a) of the Reclamation Project Act of 1939 (H. Doc. 91-359); to the Committee on Interior and Insular Affairs and ordered to be printed, with illustrations.

2166. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of May 31, 1970, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

2167. A letter from the Attorney General, transmitting his appraisal of existing laws and regulations which seek to preclude the disruption of departments of the Government responsible for the national security, in response to the request of the Managers on the Part of the House in the statement included in the conference report (H. Rept. 91-679) regarding H.R. 13018, the military construction authorization act; to the Committee on the Judiciary.

Received From the Comptroller General

2168. A letter from the Comptroller General of the United States; transmitting a report on the need to reassess the food inspection roles of Federal organizations, Department of Agriculture, Department of Defense, Department of Health, Education, and Welfare, and Department of the Interior; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 12475. A bill to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act, and for other purposes; with an amendment (Rept. No. 91-1272). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 14124. A bill to amend section 4 of the Fish and Wildlife Act of 1956, as amended, to extend the term during which the Secretary of the Interior can make fisheries loans under the act; with amendments (Rept. No. 91-1273). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 17982. A bill to amend the Communications Act of 1934 to provide for a 1-year extension of financing for the Corporation for Public Broadcasting (Rept. No. 91-1274). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XXII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RODINO: Committee on the Judiciary. H.R. 12962. A bill for the relief of Maureen O'Leary Pimpare. (Rept. No. 91-1268). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 12990. A bill for the relief of Maria de Conceicao Botelho Pereira; with amendments (Rept. No. 91-1269). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 13712. A bill for the relief of Vincenzo Pellicano. (Rept. No. 91-1270). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 13895. A bill for the relief of Mrs. Maria Eloisa Pardo Hall. (Rept. No. 91-1271). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 2849. A bill for the relief of Anan Eldredge; with an amendment (Rept. No. 91-1275). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 18286. A bill to provide for the establishment, within the Department of Health, Education, and Welfare, of a National Information and Resource Center for the Handicapped; to the Committee on Education and Labor.

By Mr. BIESTER (for himself, Mr. Brock, Mr. Brown of Michigan, Mrs. Heckler of Massachusetts, Mr. Rees, Mr. Anderson of California, Mr. Annunzio, Mr. Brown of California, Mr. Cleveland, Mr. Eshleman, Mr. Fulton of Tennessee, Mr. Halpern, Mr. Hanna, Mr. Harrington, Mr. Horton, Mr. Leggett, Mr. Lloyd, Mr. McCloskey, Mr. McDade, Mr. Mikva, Mr. Nix, Mr. Ottinger, Mr. Riegle, Mr. Roybal, and Mr. Taft):

H.R. 18287. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. CONABLE:

H.R. 18288. A bill to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data; to the Committee on Interior and Insular Affairs.

By Mr. GOODLING:

H.R. 18289. A bill to amend section 700 of chapter 33 of title 18 of the United States Code to provide penalties for showing disrespect for the flag of the United States; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 18290. A bill to amend the Hazardous Substance Act to provide for more effective protection against the hazards caused by economic poisons; to the Committee on Interstate and Foreign Commerce.

By Mr. MacGREGOR:

H.R. 18291. A bill to amend the Interstate Commerce Act in order to provide for the rail transportation of freight for the Department of Defense in general purpose boxcars owned by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS (for himself and Mr. Waldie):

H.R. 18292. A bill to repeal section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) providing a penalty for offenses relating to certain airline tickets and advertising; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 18293. A bill to provide for a program of Federal assistance in the development, acquisition, and installation of aircraft antihijacking detection systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Wisconsin:

H.R. 18294. A bill to amend section 7275 of the Internal Revenue Code of 1954 to remove certain requirements with respect to what must and what must not be shown on airline tickets; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin (for himself, Mr. Talcott, Mr. Tunney, and Mr. Moss):

H.R. 18295. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. VAN DEERLIN:

H.R. 18296. A bill to amend the Internal Revenue Code of 1954 to permit airline tickets and advertising to state the amount of tax on air transportation; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON (for himself, Mr. Daddario, Mr. Fraser, and Mr. Olsen):

H.R. 18297. A bill to provide for drug abuse and drug dependency prevention, treatment and rehabilitation; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 18298. A bill to amend the Central Valley Reclamation project to include Black Butte project; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER:

H.R. 18299. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

By Mr. COLLIER:

H.J. Res. 1289. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BUSH:

H. Res. 1126. Resolution designating January 22 of each year as Ukranian Independence Day; to the Committee on the Judiciary.

By Mr. KLEPPE:

H. Res. 1127. Resolution designating January 22 of each year as Ukranian Independence Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

417. The SPEAKER presented a memorial of the Legislature of the State of California, relative to air traffic control, which was referred to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

Under clause 1 of rule XXII,

532. The SPEAKER presented a petition of the American Federation of Musicians, AFL-CIO, relative to a national health insurance program, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

THE STATES AND THE SCHOOLS: LAST CHANCE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BURTON of Utah. Mr. Speaker, the July 1970 issue of American School Board Journal contains a provocative article by Tom McCall, Governor of Oregon, and chairman of the Education Commission of the States. I commend it to the attention of those of you who may have missed it:

THE STATES AND THE SCHOOLS: LAST-CHANCE ALLIANCE

(By Tom McCall)

It is not a flat plane we have here in education. It is a many-faceted extension of the world's bumpy social geography. It is a time of audacious students, angry teachers, bewildered school boards, and parents catatonic with conflict they often seem unable to understand.

But why should me expect otherwise? The entire world is spinning into a new phase of existence. And, as in all phases, we stand forever in danger of losing the fresh, young mind of the student at its most productive moment. We stand forever in danger of selling him out and selling him short; of ignoring the very human signs he flashes to us; of assuming that classrooms—unlike the universe—can stand still.

It is the nature of youth to demand rather than to ask; to question rather than to accept; to embrace tomorrow rather than to revere yesterday; to go beyond bondage rather than run into it. There is much complaint about "campus unrest," be it the campus of a junior high or a famous college. There has been so much talk about it—and so many scuffles—that we may be having a counterreaction. We may be, in 1970, ripe and ready to shut off our reason and open the passion valve.

But—in every carefully considered and thoughtfully written document about this stirring in the young hearts—there is only one recurring message: Listen to them before you condemn them. Listen to what they are saying and attempt to judge why they are saying it. And stop assuming they are automatically wrong because they're making uneasy noises.

We should not forget that it is 5 percent of the students who are throwing bricks and fire bombs. The other 95 percent are throwing ideas. Put out the fires—but don't put out the ideas. And do not make the mistake, nearly all experts urge, of trying to lump the restless students into one growling metaphor. They don't even do that to themselves.

Some students clearly feel that—as far as their sources of education in America are concerned—they are not getting all of the right kind of raw material for building a 21st Century maturity. Speaking of one school, a student said: "Here is where it isn't."

There have been many periods of the dynamic. This is only one. Perhaps we feel it to be more crucial because it's the one we're in. It is not comfortable to be assigned to a dynamic age. It requires constant, alert, and creative participation, or you just get kicked off into the bramble. Not very kindly, but very common.

Perhaps some students are making outrageous demands. But, to and beyond the limit of patience, we must make an effort to translate from the statement of their grievance to the concept of its cause. Then we can perhaps judge.

But these students aren't the only angry segment. Parents have become wary and weary of the whole imbroglio. It sometimes seems they wish merely an end to the noise and a return of elm trees and swimming holes—devoutly to be wished but realistically out of reach.

And the teachers. They are not tall, stern, and quiet in their workshops, either. *Life* magazine recently published an article called "Our Angry Teachers." It had some flaming quotations from members of the profession. A brief sampler:

"We teachers are tired of all this being nice guys; now we're applying some muscle."

"The public rendered us sterile. We never talked about salaries, even though every other profession was demanding more money. Education was left way behind because those who should have been fighting for education were told it was less than professional to do so. Then we teachers were blamed for the bad schools because we remained silent."

"We're bloody and scarred but tougher than ever. And we're not as naive as before. We learned a lot. We learned it takes money to make your point."

"I think the best thing that can happen to the country is a nationwide teacher strike."

We know we have to remake the basic framework of our educational systems in order to stabilize the onrushing future. Innovation must stop being a cliché and start being a rally cry for truly original action. We will have to reassess what a 21st Century curriculum ought to be. We'll have to examine the means and methods of helping the great and growing masses of young, beautiful minds.

Education is not only geared to change, it is the author of change. So we are not facing a brand new problem. We're merely being asked to rediscover the intellectual fire that has always been the heritage of all places of learning.

There are basic housekeeping problems: financing; coordination of educational districts; cooperative growth with federal aid; and the sheer logistics of buildings, hardware, software and space.

Those of us with direct connections in educational activity must make all of these assessments immediately. And we'll have to work for the key causes with strident and continuing pressure. We are running out of time.

Gain, for yourself, the sense of urgency that the educational picture generates, and do not overlook the paradoxes: We roar in the streets for the subtle rights and the nuances of educational administration—while there are millions in our society who can't even read what the issues are. For those who deal in education, leadership is their panache. And never before have they been given such a vast field for battle. The complexity of it simply *demands* that we do not get bogged down in old arguments or in mossy, moldy points of view. America is no longer a quiet expanse of agrarian and small town charm. We have to retool. When the attack came on Pearl Harbor, we retooled from nothingness to victory; when we decided to stroll on the moon, we did it in massive ease. Now we have an educational moonshot coming up in the 1970s. It is, in every conceivable way, more important than footprints on the moon. And it commands the attention of zealotry, for the job is awesome.

In my state of Oregon, the constitution clearly charges the state to provide for the "establishment of a uniform and general system of common schools."

Even though we have created a series of districts to perform this task, it is, clearly and constitutionally, the state's problem. The success or failure of our general system of common schools must be assigned to the state, where real responsibility lies.

The courts are going to tell us soon and emphatically that we are denying some children a good education because of where they live.

It is my belief that, before the Seventies have passed, priority will be given to 16 years of public education, including two years of preschool and two years of post-high school education.

The expense will be considerable. But not as great as the expense of not supplying the added education necessitated by the greatly increased burdens being placed on man's shoulders in this age. Children as young as three can and should be taught elementary learning skills. Disadvantaged children who are taught virtually nothing until they are six have lost the race with life by the time they are ten.

It is on these critical early-age periods of human life that the survival of this race rests, not on late-hour racial laws, patchwork punishment procedures, finger-in-the-dike relief programs, and mass-media "love thy neighbor" jingles. We will get the world of freedom, of law and order, of love, if we plant the seeds of purpose, tend the garden with diligence, and are realistic.

In education, as in so many fields, we have allowed our problems to pile up on us. We have delayed planning until the crisis becomes a collision course. There is no longer any doubt about the extensive rethinking, reshaping, and replanning that must be done in our schools. The only question is: Who will do the planning?

As Florida Congressman Robert Graham said in one of the occasional papers for the Education Commission of the States: "Some higher education administrators have despaired because my political colleagues have not treated rational state higher education planning with great receptivity in recent months. I can offer as solace the fact that a basic element of the politician's personality is the desire to avoid decisions."

But there are many decisions now past due. And we'll have to reach some kind of coordinated planning structure for uncovering these problems, diagnosing them, and prescribing cures. For half a century, state influence on the significant social, economic, and political issues has waned. This was happening while a coalition was forming between the federal government, large cities, and the farmer.

For years, the states' excuse for this has been malapportionment. Failure to represent the people rendered states impotent to contemporary problems. Now in all states the impact of reapportionment has eliminated the excuse. We will soon see, as Representative Graham has said, if the states' 50 years of failure have been cosmetic or congenital.

Responsiveness of the states is only a step in what must ultimately be a major reform in the structure of our school system, but it is a vital and basic step—and it must be made now. It is a keystone in the future development of the United States.

We owe it to the cause of logic. We owe it to our peace of mind. We owe it to fiscal responsibility. We owe it to the ethos which has given our nation its very special personality and imprint. But, most of all, we owe it to the children and to their future.

There is no intellectually honest way to downgrade the importance of our educational system. Education gives us the principal process of character formation. Education makes possible the mass knowledge that empowers a democratic society to weigh issues and to make decisions about them. Education gives the selective skills and mental dexterity by which democratic action is possible. It is, in fact, the dynamo of democracy.

HOSPITAL AID AND INFLATION

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mrs. REID of Illinois. Mr. Speaker, in its editorial columns today the Washington Post commented on the President's veto of H.R. 11102, the Medical Facilities Construction and Modernization Amendments, considered in the House last week. The Post's comments in support of the President's action on this legislation are indeed most timely; and I include the editorial in the RECORD:

HOSPITAL AID AND INFLATION

In overriding the President's veto of the hospital aid bill the House appears to have lined up strongly for improved medical care—a highly popular stance in an election year. When the Senate votes on Tuesday, it should give more thought to the valid objections which caused the veto. Foremost among these is the fact that Congress is trying to force the President to hold a tight rein on federal spending and at the same time compel spending beyond the limits of the budget.

The House has already passed a bill fixing a ceiling on 1971 federal expenditures, and it has been approved by the Senate Appropriations Committee. In the bill extending the Hill-Burton program for hospital construction and modernization, however, Congress authorized direct grants amounting to $350 million more than has been budgeted for fiscal 1971. It also provided that funds for these programs through 1973 must be spent. Fearing that this will become a precedent for additional compulsory spending requirements, the President vigorously protested that the Congress is "withdrawing with one hand the authority necessary to do what it requires with the other."

There are some basic differences between the President and Congress on the granting of federal funds for hospital construction at this time. The executive view is that the government should guarantee private loans to construct and modernize hospitals where additional beds are necessary, while specializing in grants for facilities to provide less intensive care for ambulatory patients and those in need of rehabilitation. This is in keeping with the modern trend of relying more heavily on less costly and sometimes more effective treatment centers as an alternative to hospitals. But Congress voted for expanded hospital construction grants in addition to the new program, thus piling one on top of the other.

That generous gesture might be justified if Congress had not attempted to force spending of the funds, regardless of actual need, and if Congress had provided a comfortable surplus in the Treasury. Actually Congress slashed taxes in a most reckless fashion in the Tax Reform bill last December, and the Treasury is confronted by a growing deficit. If Congress insists on thus turning on the spending spigots without regard for where the revenue is coming from, it will give new impetus to inflation at a time when the economy is still suffering from the effects of the war-inspired expenditures of the late 1960s.

If the Senate feels strongly that all the medical facilities authorized by this bill are essential, it should indicate its willingness to accept a tax bill to pay for them. Otherwise it will be voting a new shot in the arm for inflation. The wiser course, we think, would be to sustain the veto and promptly to repass the bill with the objectionable features eliminated.

PRAY FOR PEACE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. ZWACH. Mr. Speaker, I would like to bring to the attention of my colleagues an excellent editorial written by O. B. Augustson in the West Central Daily Tribune of Willmar, in our Sixth Congressional District.

This editorial appeared in the West Central Tribune the day before Memorial Day, but it is just as appropriate as we approach our Nation's 194th anniversary on the Fourth of July.

Editor Augustson speaks of praying for peace. But he says we must do more. We must be "men of good will," we must seek peace, we must deserve it. He points out the Biblical admonition that those who live by the sword perish by the sword.

Mr. Speaker, I am inserting this editorial in the RECORD:

PRAY FOR PEACE

There is a cartoon on this page about Memorial Day. It talks of a prayer for the future and the drawing is a scene which suggests a prayer for peace. For the crosses of a Flanders Field have continued to be scenes all over the world, in one war after the other. And here again we are in another—more crosses. Those of the dead and the hospitals overflowing with the hundreds of thousands of the wounded. It is all so appalling—such a tragedy upon mankind.

Pray for peace? Of course. But not just idle words. May better be on the knees and with a lot of self examination—also some understanding and concern as to those things that cause wars. They do not just happen—they are the decisions of men—of governments first of all and then a people who condone and cheer for it.

Two thousand years ago an angelic host sang something about peace on earth "to men of good will." Suggesting that perhaps before crying for peace one must first seek peace and be of good will. And if this is true of individuals—it is also true of nations, of governments, of peoples. And if their judgments are in terms of war, not terms of peace, if material greed is in the picture, if the ways of peace are not trod but the gory path is used—there will always be wars as Holy Writ reminds us.

One is reminded of the pharisee and the publican and one found that the despised latter went out of the temple more justified than the one who thought he had it all and despised others. Some of this is found in our changing world where by force ideologies are fought over and behind the conflicts are so often found the material more than the principle.

One does honor to those who have died in our country's wars. But the constant cry always arises that it must not be again. Yet it is again because men are not of good will and men seek the paths of force, bred with intolerance and even greed.

Guess there could be almost complete consensus of opinion that in most wars the almighty dollar has been in there some place. Many have to look for it under the smokescreen of some trumped up high principle of some kind.

Pray for peace? To be sure. On the knees. But let us not forget that man has a free will, so has a nation. That there is also something about God helping those who help themselves. If men or nations choose to walk war roads there is penalty to pay. What one sows one may reap is an adage as old as the hills. This free choice is there even though in the long run the ultimate may be in the hands of the Almighty. But in the course of it all—man makes decisions and will reap the ill fruits. For those who live by the sword shall perish by it—is as true today as when it was uttered twenty centuries ago.

The message of Memorial Day must be peace—not war. But one admits that words such as these are easily spoken. Fulfillment is a far different task. Especially in a world still engaged in proper politics, still in armed camps to carry out such politics, still at each other's throats for this world's goods and the battle grounds are usually found where those goods are located. A study of past history and some of the present will sustain such conclusions.

ANNUAL REPORT ON EDUCATIONAL EXCHANGE PROGRAM FOR FISCAL YEAR 1969

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Tuesday, June 30, 1970

Mr. FULBRIGHT. Mr. President, I wish to draw the attention of my colleagues to the annual report on the educational exchange program for fiscal year 1969 transmitted by the President to the Congress on June 15 of this year. The report is made by the Bureau of Educational and Cultural Affairs in the Department of State, which has primary jurisdiction and coordinating responsibility for these activities within the U.S. Government as a whole.

As President Nixon points out, this report—

> Is largely devoted to an aspect of the program too often overlooked—that is, the extraordinary extent to which it receives the cooperation and assistance, including financial assistance, from United States private groups, private individuals, private educational institutions and business corporations.

The President also rightly emphasizes the point that—

> Perhaps in no other way have the American people made so direct a contribution to our foreign policy objectives for the 1970s.

The report by the State Department to the Congress is carefully argued and filled with excellent examples of private cooperation. To pick and choose among the many instances of collaboration and financial contribution by private resources would ignore so many worthwhile activities that I would prefer not to select particular passages for notice. On the other hand, I cannot pass up the opportunity to quote the first three paragraphs of the report under the title "Partners in Exchange":

> Strictly speaking, the educational and cultural exchange program of the Department of State is not a "government program" at all. Rather, to an extent extraordinary in any Government-sponsored enterprise, every step depends upon the expertise and collaboration of private groups, private individuals and private institutions. At most, the State Department serves as a catalyst, a go-between among members of a vigorous partnership.
>
> Certainly, if the State Department had no private partners, if it *were* the only agency involved, the whole exchange program would change drastically in character. Quite possibly, it could not be carried on at all in its present form.
>
> Even the financial contributions from private sources are sizeable. A calculation for the 1968–69 academic year shows that $9,199,778 in scholarships, grants or services were provided for academic grantees alone, by U.S. schools, colleges and universities and by American private foundations and similar agencies. This is roughly one-fourth the State Department's entire budget for all exchanges in that period. So large a proportion of private contribution is by no means unique to this year; it has been characteristic almost since the program's beginning.

Mr. President, having praised this report for its contribution to our understanding of the role played by the American public in the exchange program, I feel compelled to draw attention as well to certain disturbing aspects it contains. In its statistical profile, the report shows very clearly the effects of financial cutbacks imposed on the exchange program since the peak year of 1965. I would also surmise that the full effects of the tragically low level of appropriations in fiscal years 1969 and 1970 have not as yet been experienced. It has only been through stringent measures that the State Department has managed to avoid an even greater reduction in the actual number of people exchanged than has occurred.

The dismal picture presented by some of the statistical tables in the report is at least mitigated by the recent action of the House Appropriations Committee in approving roughly $5 million more for the exchange program for fiscal year 1971 than was appropriated in the current fiscal year. On the other hand, perhaps a quarter of this increase will have to go for pay raises and another portion—if not the remainder—will disappear simply because of inflation. I am not in any way criticizing the Appropriations Committee of the other body, and I am certainly glad to see this scheduled limited increase. The fact remains that the State Department requested $45 million for the 1971 program, in place of the $31.4 million which was appropriated for fiscal year 1970. The Bureau of the Budget cut the request back to $40 million and the congressional process thus far has reduced it again by about $4 million more.

Mr. President, in mentioning these figures I am struck by the coincidence that the State Department requested for the exchange program almost the same figure of roughly $44 million which the Pentagon now admits it spent on public relations in fiscal year 1969. There is something profoundly wrong about our scale of values when we can maintain a $44 million program just to try to make the American public happier about our military programs, while at the same time we kept our worldwide educational and cultural exchange program activities going on $31.4 million and only now are trying to get back to a level of roughly $36 million. This kind of contrast makes me too sick at heart to want to dwell on the subject.

I would like to raise one more specific issue which is presented so well in the report on the exchange program. There is a table in the report which shows that during fiscal year 1969 no less than 16 countries—almost all of them in Western Europe—made an overall contribution of almost $1.8 million toward our mutual educational and cultural exchange activities. In addition, we should point out that currencies from Ireland and Finland are also employed in the program, as they have been for so many years in the past. This is a fine testament to the worth of the program and it goes some distance toward counteracting the bitterness one might feel about the low priority accorded the program in our overall foreign policy operation.

Unfortunately, as our appropriations fell off during fiscal years 1969 and 1970 the contributing foreign governments felt that they too had to cut back. They did so on the logical premise that if the United States did not care sufficiently for the exchange program to give it ample support, then other countries could not justify higher expenditures to their own peoples. Thus in fiscal year 1970 these contributions from foreign governments fell from $1.8 million down to $1.35 million. They would have fallen even further had the State Department not convinced these other countries that it would make a special effort this year to obtain greater appropriations.

There does seem to be a good chance for a slightly increased appropriation as noted above. However, there is a particular problem which arises in connection with our programs in Western Europe. The great majority of foreign governments which share the cost of the exchange program are located in Western Europe. And no matter how much the program might benefit in other areas of the world, unless more money is made available for our Western European programs, there is almost certain to be a further slippage in foreign government support. In other words, just by keeping the program at its current low level in Western Europe, we could lose a quarter of a million dollars in contributions by other countries.

This is not an easy matter for us to discuss on the floor of the Senate and I will only say that I hope very much that my colleagues on the Appropriations Committee will give full weight to these remarks at the appropriate stage in their consideration of the State Department budget for fiscal year 1971.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD a table derived from the State Department report which gives the foreign government contributions for fiscal year 1969. I also ask unanimous consent that the report as a whole be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 7.—COUNTRIES WHICH SHARE COSTS OF EXCHANGE [1]

Country	Cost-sharing agreement signed	Fiscal year 1969 contribution
Australia	Aug. 28, 1964	$229,600
Austria	June 25, 1963	150,000
Belgium/Luxembourg		45,000
China (Taiwan)	Apr. 23, 1964	15,300
Cyprus	Sept. 7, 1968	2,420
Denmark	Feb. 25, 1965	20,000
France	May 7, 1965	225,225
Germany	Nov. 20, 1962	668,000
Iceland	Feb. 13, 1964	1,137
Israel	Mar. 23, 1967	4,286
Italy		240,000
Netherlands		45,858
Norway	Mar. 16, 1964	28,000
Spain		75,000
Sweden	June 28, 1963	10,638
United Kingdom	May 10, 1965	34,000
Total		1,794,464

[1] In addition, Ireland provided $89,608 in Irish counterpart funds under a special exchange agreement.

To the Congress of the United States:

I transmit herewith the annual report on the international educational and cultural exchange program conducted during the Fiscal Year 1969 under the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256, the Fulbright-Hays Act).

This program, in Fiscal Year 1969, exchanged more than 6,500 teachers, scholars, students and distinguished leaders between the United States and 132 countries and territories. More than 2,000 of these were leaders, potential leaders and professionals from other lands who came to observe and study the United States, its people and institutions. Cumulatively, from 1949 through 1969, 132,380 United States and foreign grantees have been exchanged under this State Department program.

This exchange has directly contributed to the achievement of our foreign policy objectives. Observing and working with colleagues here on mutual problems, our visitors have established personal and institutional relationships which persist through the years. They have realized what they have in common with us, as well as our differences. Together with American grantees studying and teaching abroad, they have contributed greatly to the store of knowledge and understanding of our respective cultures, penetrating below the surface news and impressions of the mass media.

This report for the Fiscal Year 1969 educational and cultural exchange program is largely devoted to an aspect of the program too often overlooked—that is, the extraordinary extent to which it receives the cooperation and assistance, including financial assistance, from United States private groups, private indivduals, private educational institutions and business corporations. This private cooperation not only indicates the high level of citizen interest in exchange but gives the program its essential character and effectiveness.

Perhaps in no other way have the American people made so direct a contribution to our foreign policy objectives for the 1970s which I defined in my February 18 message to Congress.

I commend this report to the thoughtful attention of the Congress.

RICHARD NIXON.

THE WHITE HOUSE, *June 15, 1970.*

INTERNATIONAL EXCHANGE, 1969

(Fiscal year 1969: July 1, 1968–June 30, 1969)

PARTNERS IN EXCHANGE

Strictly speaking, the educational and cultural exchange program of the Department of State is not a "government program" at all. Rather, to an extent extraordinary in any Government-sponsored enterprise, every step depends upon the expertise and collaboration of private groups, private individuals and private institutions. At most, the State Department serves as a catalyst, a go-between among members of a vigorous partnership.

Certainly, if the State Department had no private partners, if it *were* the only agency involved, the whole exchange program would change drastically in character. Quite possibly, it could not be carried on at all in its present form.

Even the financial contributions from private sources are sizeable. A calculation for the 1968–69 academic year shows that $9,199,778 in scholarships, grants or services were provided for academic grantees alone, by U.S. schools, colleges and universities and by American private foundations and similar agencies. This is roughly one-fourth the State Department's entire budget for all exchanges in that period. So large a proportion of private contribution is by no means unique to this year; it has been characteristic almost since the program's beginning.

The cooperation of universities and the academic community generally, both in the United States and abroad, is, of course, the heart of educational exchange, and accounts for by far the largest share of funds and efforts contributed from private sources. But in other types of exchange as well—arranging observation tours of the United States for foreign leaders, mounting special study programs for selected grantees, counseling the Department on professional exchange problems—private agencies and individuals are essential to the program's basic quality and success.

Cooperation comes from private groups and individuals overseas as well as in the United States, but we will look here particularly at the program's American partners. The lists on the next pages of some representative U.S. private groups, other than universities, which cooperate with the U.S. exchange program, give an indication of how broadly the program involves the American private community and its professional, scholarly, business and community organizations. The organizations listed—and it is at best only a partial list—are largely national groups. Not included are the hundreds of local service agencies, radio and TV stations, museums, schools, labor unions, Chambers of Commerce, and social welfare and other organizations with interests roughly paralleling those on the national level, which take part either as active hosts or sponsors of foreign exchange visitors.

For example, private U.S. business and professional organizations give valuable support by helping foreign visitors get a firsthand view of how the United States "works" and of the people who make it work.

America's press and its radio and TV broadcasting companies cooperate generously, repeatedly opening their offices and studies to foreign media visitors on tours of inquiry and consultation. The hosts include not only major newspapers and networks, but local papers and broadcasters, including student publications, to help give visitors a real sense of the meaning of "freedom of the press" in this country. Nor are all their foreign visitors merely observers. Each year a group of 15 to 20 foreign radio and television professionals is offered a 3-month program which includes 6 weeks of actual working experience at broadcasting stations as well as a seminar at Syracuse University. Syracuse University is given a State Department grant to conduct this program. With the cooperation of local newspapers, Indiana University has carried out a similar program for foreign journalists for nearly 20 years.

Other American businesses receive many foreign visitors interested in American management and the U.S. economic system. For example, 1969 leader grantee Dr. Jaime Abut, Dean of the School of Business Administration at National University, Rosario, Argentina, whose special interest was management training, was able to discuss many practical problems of business management training, and see actual training programs in operation at IBM, the National Cash Register Company, the Gillette Company and the New York Stock Exchange, as well as to visit schools of business in U.S. universities. In another instance, Farmland Industries in Kansas City, one of the largest farm cooperatives in the United States, was a principal host to Mr. John Poku, the National Secretary of Ghana's National Farmer's Union, who is organizing farm cooperatives in Ghana. In addition to detailed discussion on cooperative methods, Mr. Poku received a gift of 12 training films for use in the Ghana union.

Private U.S. organizations which have developed valuable expertise on special areas of the world regularly assist with exchanges with those areas. The Japan Society, Operation Crossroads Africa, the English-Speaking Union and the Center for Inter-American Relations are but a few of those listed in the next pages. The State Department may consult with one or more of these groups in arranging the U.S. program for visitors from the area; or one of the organizations, acting under contract with the Department, may take on the major responsibility for visitor programs in the United States.

For example, when young African leaders come for a 4–6 week observation tour to the United States, Operation Crossroads Africa, under a contract agreement, arranges their observation/study program here. Because of its help, young Americans who have served with Crossroads in Africa are available to meet the Africans and offer them home stays with people who know Africa and its people, needs and problems.

Exchange of teen-agers is conducted entirely by private groups; State Department grants only supplement these groups' private resources. The American Field Service and Youth for Understanding are two examples of such groups which bring young people to live and attend school for a year in American communities. At the pre-graduate college level, the University Religious Conferences of the University of California at Los Angeles and Santa Barbara have, over the past 15 or more years, taken 6–8 American students each summer on a work-study trip to countries of South Asia. Their privately raised funds are supplemented by a small grant from the Department, and they have full responsibility for planning the students' program and activities. In 1969 the National 4-H Clubs Foundation under its International Farm Youth Exchange (IFYE) program, using a supplementary grant-in-aid from the Department, enabled some 50 young farm leaders (mostly agricultural college graduates) from the United States and 11 countries to exchange 6-month visits. In this program, which has been carried on for over two decades (the Department has contributed since 1960), young farmers are chosen and their program on local farms arranged by the IFYE organization.

Many professional organizations bring selected leaders here for short-term intensive study periods, with the State Department providing individual grants to those selected. The American Society for International Law, for example, in 1969 brought a group of legal officers from foreign governments here for an international law seminar developed with Harvard, and 14 exchange grants were arranged for these legal specialists. When the Association of American Law Schools similarly arranged a 1969 program for distinguished foreign jurists to study U.S. legal education, exchange grants were made available to eight of the jurists.

In the arts, the international writing program conducted at the University of Iowa regularly brings foreign creative writers for a year's study and work. In 1969 the State Department jointly sponsored six participants for this program. A unique example of a private exchange in the arts this year was that of Mrs. Adamantia Economides, Keeper of the National Numismatic Museum in Athens, where the holdings of ancient Greek, Roman and Mediterranean coins are of great historical importance. The American Numismatic Society, which provides curatorial training for people from museums in Europe and the Middle East, wished to offer Mrs. Economides a special study program here on museology. An exchange grant was provided to cover her travel costs, and the Society planned her program and paid her living expenses in the United States. Her greater familiarity with American methods will be of considerable value to American scholars who pursue research at her museum in Athens.

Private women's organizations, at their national headquarters and in local communities, are active hosts to foreign women leaders. On occasion they also sponsor special grantees. For instance, the American Association of University Women has for several years sponsored with the State Department a summer-school study program for African teachers. The Department pays travel costs for the teachers and works with AAUW on developing the study course. AAUW pays the grantees' tuition and maintenance. The League of Women Voters, through its Overseas Educational Fund, puts on, under a contract with the Department, a 2-week seminar on development, welfare and public affairs for Latin American women leaders selected by U.S. Embassies in South America in cooperation with League members there. In 1969 14 such leaders received exchange grants to participate. The seminar was followed by a well-managed visit to U.S. cities where state and local League leaders had prepared a full and varied program.

Professional women's groups are also involved. For example, each year for the last several years the American Women in Radio and Television (AWRT) has brought foreign women broadcasters to the United States. AWRT takes major responsibility for the visitors' program, and provides half their maintenance while they observe broadcasting facilities and techniques in the United States. The exchange program pays international travel and supplementary maintenance.

Substantial private exchange takes place, of course, without government contribution. The scope of private involvement in exchange is suggested by these figures: in 1969 some 2,200 American universities, corporations, private organizations, and teaching institutions such as hospitals, were authorized by the State Department to conduct exchange programs for receiving and training foreign visitors. Of the 45,000 exchange visitors who came to the United States in that year, about 80% came under these authorized private programs. Some were students, others advanced and distinguished professionals in their fields. The State Department reviews applications for private U.S. exchange programs, as it has a legal obligation to do so as a protection to exchange visitors, and designates those which meet necessary standards. Visas for travel to the U.S. to participate in private U.S. programs are issued only when the programs are so designated.

The academic exchange program of the State Department—the exchange of graduate students, professors and research scholars—is perhaps that part of exchange most indebted to private individuals and agencies[1] for its conduct and effectiveness. A good many academic grantees indeed rarely see a government official, or the inside of a U.S. government office. To be sure, some of the private agencies which help a grantee with his exchange arrangements act under contract to, or have financial support from, the State Department, but they are essentially private groups. All, moreover, are under the general policy supervision of the Board of Foreign Scholarships, a private body of U.S. educators, appointed by the President from the private academic and cultural community.

Take the case of Mr. Yasuo Ueda, a graduate student from Japan in the 1968–69 academic year, who was selected by the binational Commission in Japan to receive a grant for a year of advanced study in the United States in managerial marketing. The Commission, although initiated and supported, like 46 others around the world, under U.S. exchange legislation, is a quasi-private group. Mr. Ueda's grant, awarded by the Commission from State Department funds, provided him with travel costs. In the United States, the Institute of International Education (IIE), a private U.S. educational exchange organization, arranged a fellowship for him to study at the University of Rochester. IIE, under contract to the State Department, helps secure such placements in U.S. colleges and acts in a generally supervisory capacity to the students while in the United States.

On his arrival in the United States, Mr. Ueda went first to the University of Minnesota for a month's orientation and language training before he began his formal studies. At Rochester, he had in addition to the usual faculty adviser, counsel and supervision from the campus foreign student advisor, a member of the National Association of Foreign Student Affairs, a private organization which receives funds from the State Department to promote such counseling services. During his study year, Mr. Ueda visited with an American host family on weekends and holidays and attended some community activities. In short, his entire exchange experience was a private one. His only direct contact with the American Government, beyond accepting and signing his travel grant agreement, was a series of pre-departure "orientation-to-America" talks arranged by the U.S. Embassy in Tokyo before he left Japan. Foreign exchange professors and research scholars find their exchange experience in the United States an equally private affair.[2]

A largely private mechanism is also used in selecting American academic grantees. For American graduate students, campus screening committees and the IIE (or, for professors and scholars, the Conference Board of Associated Research Councils) do preliminary screening of candidates before final selection by the Board of Foreign Scholarships. Taken as a whole, about 1,300 private faculty members and other educators—most of them serving either as volunteers or with only per diem recompense—cooperate on preliminary screening of grantees and on program development for exchange of all academic grantees, including teachers.

In addition to providing study and lecture opportunities to foreign academic grantees, American universities and colleges give the exchange program other important forms of cooperation. For example, a university will undertake, on contract to the Department, a special series of exchanges, usually planned over a period of several years, to help strengthen a particular university overseas in one or more special subjects. The University of California's exchange agreement with the Chinese University of Hong Kong is one of these projects. Another example is the Iowa-Istanbul political science project set up in 1966, under which the University of Iowa is assisting the University of Istanbul to develop a chair in political science, by selecting an American professor each year to lecture at Istanbul and by providing advanced study in political science at Iowa for one or more Turkish scholars.

Other U.S. universities may conduct special seminars, at the Department's request, for particular groups of grantees. In 1969, the

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[1] School teachers are the fourth major category of academic exchange grantees and form an important part of the State Department's total academic exchange program. Teacher exchange is, however, carried out by a government agency—the U.S. Office of Education (Institute of International Studies) under a cooperative arrangement with the State Department. All teacher exchange is supervised by the Board of Foreign Scholarships.

[2] For foreign professors and advanced research scholar grantees, not IIE but the Committee on International Exchange of Persons of the Conference Board of Associated Research Councils, arranges placements. This Conference Board's Committee, which works under contract to the Department, was formed by four leading U.S. scholarly and professional societies to assist the exchange program.

University of Pennsylvania, for example, arranged a seminar on urbanization for Latin American leaders; Georgetown University organized seminars on English-language instruction for Mexican teachers; and the University of Colorado at Boulder presented a special science teaching program for Uruguayan science teachers. Lincoln University has for several years administered part of the exchange program for Southern African students; and the University of Wisconsin at Milwaukee provides, in its school of education, a special program for educators from French-speaking African countries.

Only about 10% of the more than 121,000 foreign students in the United States are here on U.S. government grants. Providing adequate counseling and placement for "non-grant" students as well as grantees is a matter of special interest and concern to the Department, and the cooperation of private professional academic organizations on this problem has been unique and invaluable. Groups such as the Institute of International Education and the American-Korean Foundation, for example, work in specific countries on counseling students who plan to come to the United States for study, whether or not under Government sponsorship. English-language testing procedures for students around the world have been worked out with the help of the Center for Applied Linguistics, the American Language Institute of Georgetown University and the Educational Testing Service.

The Department has also had the constant advice and counsel of private agencies on the crucial questions of the comparability of U.S. and foreign academic credentials, and of suitable college entrance examinations for non-grantee as well as grantee foreign students. Among these agencies are the College Entrance Examination Board, the Council of Graduate Schools, the Council on the Evaluation of Foreign Student Credentials and the American Association of Collegiate Registrars and Admissions Officers. Some of these organizations have worked on direct contracts with the Department, others have acted in a voluntary advisory capacity.

For all exchange visitors, from student to dignitary, direct acquaintance and talks with everyday Americans in their home communities are often the most eye-opening part of any visit here. Such person-to-person meetings are regularly arranged by private agencies and individuals. Local volunteer groups include world affairs councils and international visitor and hospitality centers. COSERV (The National Council for Community Services to International Visitors), the largest agency, was founded in 1961 by such groups in nearly 75 major cities, specifically to help develop and coordinate services to introduce foreign visitors to American people, homes and communities. Members of these groups—almost all volunteers, men and women—meet foreign visitors upon their arrival in town, help arrange their visits to local leaders and professional organizations, and provide home hospitality and home stays. Altogether, there are 800 or more local groups working to the same purposes, handling well over a quarter million individual local visits a year. Although few similar groups exist overseas, many private individuals and agencies abroad make a particular effort to assure that American visitors meet (and, if they are students, live with) local families, and get a personal immersion in local social and cultural life.

Finally, among the distinguished private groups concerned with exchange are seven advisory boards and commissions whose members, chosen from the educational and cultural world, counsel the State Department on the program. From the Advisory Committee on the Arts which counsels and assists the Department on the support of U.S. performing artists abroad, to the Presidentially appointed senior advisory group, the U.S. Advisory Commission on International Educational and Cultural Affairs, and the Board of Foreign Scholarships which supervises all academic exchange, these groups represent the high level of citizen interest in exchange, and help assure the program's quality and effectiveness.

In all, then, looking at exchange in the broad view, it is far indeed from being a "government program." Rather, the American people and their private organizations and institutions have made it largely their own, in a partnership as remarkable for its variety as for its mutual trust, shared benefits and responsibilities.

Some of the private organizations cooperating in exchange [1]

Business and Trade Associations

American Association of Advertising Agencies.
American Bankers Association.
Association of American Railroads.
Committee for Economic Development.
U.S. Chamber of Commerce.

Farm Organizations

American Farm Bureau Federation.
Cooperative League of the United States.
Farmers and World Affairs.[2]
National Farmers Union.
National 4–H Club Foundation.[2]
National Grange.

Scholarly Professional Associations

American Council of Learned Societies.[2]
American Economic Association.
American Library Association.
American Political Science Association.
American Psychological Association.
American Sociological Association.
Modern Languages Association of America.
National Academy of Sciences.[2]
National Geographic Society.
Social Science Research Council.

Medical Organizations

American Dental Association.
American Medical Association.
Educational Council for Foreign Medical Graduates.

Press, Television, and Radio

American Broadcasting Company.
American Press Institute.
Associated Press.
Columbia Broadcasting System.
Communications Satellite Corporation.
Mutual Broadcasting System.
National Association of Broadcasters.
National Association of Educational Broadcasters.
National Broadcasting Company.
National Educational Television.
United Press International.
Major local newspapers and radio and TV stations in the U.S.

Political and Government Organizations

Democratic National Committee.
Governors' Conference.
Republican National Committee.

Women's Organizations

American Association of University Women.
American Women in Radio and Television.
General Federation of Women's Clubs.
National Council of Catholic Women.
National Council of Jewish Women.
National Council of Negro Women.
National Federation of Business and Professional Women's Clubs.
National League of Women Voters (and its Overseas Education Fund[3])
National Society, Daughters of the American Revolution.

Law Organizations

American Bar Association.
American Society of International Law.
Association of American Law Schools.
Inter-American Bar Association.
International Legal Center.[3]

Labor or Other Union Organizations

Actors' Equity Association.
AFL–CIO (American Federation of Labor-Congress of Industrial Organizations).
American Federation of Musicians.
American Guild of Musical Artists.
United Automobile Workers.

Social Welfare and Civil Rights Organizations

American Friends Service Committee.
American National Red Cross.
Boys' Town.
Congress of Racial Equality.
Council of International Programs for Youth Leaders and Social Workers, Inc.[3]
General Board of Christian Social Concerns of the Methodist Church.
National Association for the Advancement of Colored People.
National Catholic Welfare Conference.
National Federation of the Blind.
The National Urban League.
Southern Christian Leadership Conference.
Student Nonviolent Coordinating Committee.

Service Organizations

International Voluntary Services.[3]
Lions International.
National Council of Churches of Christ in the U.S.A.
Rotary International.
Young Men's Christian Association of the U.S.A.
Young Women's Christian Association of the U.S.A.

Organizations in the Arts

American Association of Museums.
American Educational Theatre Association.
American Institute of Architects.
American Numismatic Society.
American Society of Stage Directors and Choreographers.
American Symphony Orchestra League.
Association of American Colleges, Arts Program.
Association of American Dance Companies.
Institute of Advanced Studies in the Theatre Arts.
Intercollegiate Music Festival.
International Theatre Institute.
Music Educators National Conference.
National Association of Schools of Music.
National Music Council.

Organizations With Area or Country Interests

Africa

African-American Institute.[3]
African-American Labor Center.[3]
African Studies Association.
Operation Crossroads Africa.[3]

Asia and the Near East

American Friends of the Middle East.
American Institute of Cypriot Studies (Cyprus).
American Institute of Indian Studies (India).[3]
American-Korean Foundation.
American Research Institute in Turkey (Ankara).[3]
American Studies Research Center (India).[3]
Asia Foundation.[3]
Asia Society.

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[1] Does not include all organizations which may serve as members of advisory groups and commissions, such as the U.S. National Commission for UNESCO, the Overseas Schools Advisory Council, and others.

[2] Under contract agreements with the U.S. State Department.

Association for Asian Studies.

China Foundation for the Promotion of Education and Culture.

Japan Society, New York (and other cities).

Europe

American-Scandinavian Foundation.

Bologna Center, School of Advanced International Studies, Johns Hopkins University (Italy).[3]

English-Speaking Union of the U.S.

Institute of American Studies (Paris).

International Research and Exchanges Board.

Salzburg Seminar in American Studies (Austria).[3]

Latin America

Center for Inter-American Relations (New York).

Council for Latin America.

Inter-American University Foundation.[3]

Pan American Union.

Partners of the Alliance Committees.

Foundations

Barnes Foundation.

Carnegie Corporation of New York.

The Danforth Foundation.

The Ford Foundation.

Hazen Foundation, Inc.

Indiana University Foundation.[3]

The Johnson Foundation, Inc. (Racine, Wisconsin).

Mayo Foundation, Inc.

Research Foundation, State University of New York.[3]

The Rockefeller Foundation.

Research Institutes and Organizations.

Brookings Institution.

Center for Applied Linguistics.[3]

Hudson Institute.

Institute of Defense Analyses.

International Marketing Institute.[3]

Rand Corporation.

Stanford Research Institute.

Sports Organizations

Amateur Athletic Union of the United States.

American Association for Health, Physical Education and Recreation.

National Association of Inter-Collegiate Athletics.

National Collegiate Athletic Association.

U.S. Collegiate Sports Council.

U.S. Olympic Committee.

Private Business

American Telephone and Telegraph Co.

Bank of America.

Boeing Co.

Braniff International.

Chase Manhattan Bank.

Chrysler Corporation.

(John) Deere & Co.

First National City Bank of New York.

Ford Motor Co.

General Motors Corp.

IBM (International Business Machines Corporation).

Kaiser Industries Corp.

Arthur D. Little, Inc.

Lockheed Aircraft Corp.

McDonnell Douglas Corp.

New York Stock Exchange.

North American-Rockwell Corp.

Pan American Airways.

Standard Oil.

Trans World Airlines, Inc.

Westinghouse Electric Corp.

Weyerhaeuser Co.

Educational Organizations

Academy for Educational Development, Inc.

American Association of Colleges for Teacher Education.

American Association of State Colleges and Universities.

American Council on Education.

American Studies Association.

American Vocational Association.

Council of Graduate Schools in the U.S. Education and World Affairs.

National Association of State Universities and Land-Grant Colleges.

National Education Association and its affiliates.

World Confederation of Organizations of the Teaching Professions.

World Education, Inc.

Youth Leadership and Exchange groups

Teen-age exchanges

American Field Service.[3]

Experiment in International Living.[3]

International Christian Youth Exchange.[3]

U.S. Catholic Conference.[3]

Youth for Understanding.[3]

Other

Boy Scouts of America.

Eisenhower Exchange Fellowships, Inc.

Girl Scouts of America.

U.S. Youth Council.

University Religious Conferences of the University of California at Los Angeles and Santa Barbara.[3]

World Youth Forum.

Student Counseling and Programming

American Council of Young Political Leaders.[3]

Council on International Educational Exchange.

Institute of International Education.[3]

International Student Service (YMCA).[3]

National Association for Foreign Student Affairs.[3]

Student Testing and Accreditation

American Association of Collegiate Registrars and Admissions Officers.[3]

College Entrance Examination Board.

Council on Evaluation of Foreign Student Credentials.

Educational Testing Service.

Facilitative Agencies for Exchange Visitors

COSERV (National Council for Community Services to International Visitors).

Council on Leaders and Specialists.[3]

Governmental Affairs Institute (International Visitor Service).[3]

International Exchange Program, National Assembly for Social Policy and Development.[3]

People-to-People, Inc.

State Department.

1. Total grantees.
2. Grantees by area.
3. Grantees by fields of interest.
4. Grantees by category of grant.
5. Grantees over the past decade.
6. Women as percent of all grantees.

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*Figures include "arrivals" only—persons who began their grants in 1969.

[3] Under contract agreements with the U.S.

TOTAL GRANTEES

	United States	Foreign	Total
1949-69	37,649	94,731	132,380
1969	1,613	4,937	6,550
1968	1,764	5,043	6,807
Percent change, 1969 over 1968	−8	−2	−4

GRANTEES, BY AREA

	Percent of total grantees	Number of grantees		
		United States	Foreign	Total
Latin America	23	192	1,317	1,509
Near East-South Asia	11	193	526	719
East Asia-Pacific	15	177	829	1,006
Western Europe	39	947	1,604	2,551
Eastern Europe	4	59	148	207
Africa	8	38	513	551
Multiarea		7		7
Total		1,613	4,937	6,550

GRANTEES, BY FIELDS OF INTEREST

	Percent	United States	Foreign	Total
The sciences:				
Physical and natural	11	157	569	726
Agriculture	2	27	120	147
Medical	3	19	176	195
Engineering transport	5	29	307	336
Subtotal	21	232	1,172	1,404
Humanities and the arts	21	718	687	1,405
Social sciences	43	[1]509	2,259	[3]2,768
Education	15	148	810	958
Other (sports etc.)		6	9	15
Total		1,613	4,937	6,550

[1] Includes area studies.

[3] Includes area studies and observation of United States.

GRANTEES, BY CATEGORY OF GRANT

	Percent	United States	Foreign	Total
Students	37	723	1,694	2,417
Research scholars	9	148	452	600
Teachers	12	182	626	808
Lecturers	9	413	162	575
International visitors	33			
Educational travel	8	44	505	549
Short-term professionals	5	103	213	316
Leaders	20		1,285	1,285
Total		1,613	4,937	6,550

GRANTEES OVER THE PAST DECADE

	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969
United States	1,939	1,942	2,103	2,326	2,286	2,331	2,250	2,130	1,764	1,613
Foreign	4,977	4,861	5,117	5,613	5,889	6,053	5,948	5,405	5,043	4,937
Total	6,916	6,803	7,220	7,939	8,175	8,384	8,198	7,535	6,807	6,550

PERCENT OF WOMEN IN EACH GRANT CATEGORY, 1969

	United States	Foreign	United States and foreign
Students and educational travel	40	23	28
Teachers	45	39	40
Lecturers and research scholars	7	9	8
Leaders, short-term professionals	12	9	9
As percent of all grantees	27	19	21

TABLES

1. Exchanges with Each Country, 1949–1969.
2. Fields of Specialization by Category of Grantee.
3. Distribution of Grantees in the United States.
4. Total Participants in the Program.
5. Women Grantees as Compared to Total Exchangees.
6. Sources of Funds, Fiscal Years 1968 and 1969.
7. Countries Which Share Costs of Exchange.
8. Total Funds Obligated, Fiscal Years 1965–1969.
9. Expenditures by Country, fy 1969.

APPENDIXES

A. Performing Arts Groups and Athletic Teams Sent Abroad in 1969.

B. Advisory Groups and Commissions.

TABLE 1.—NUMBER OF EXCHANGES WITH EACH COUNTRY, 1949-69

[Arrivals only]

	U.S. grantees												U.S. totals, cumulative		Foreign grantees														Foreign totals, cumulative		U.S. and foreign total	
	Academic								International visitors						Academic								International visitors									
	University students		Research scholars		Teachers		University lecturers		Educational travel		Short-term grantees				University students		Research scholars		Teachers		University lecturers		Educational travel		Specialists		Leaders					
Area and country	1949-68	1969	1949-68	1969	1949-68	1969	1949-68	1969	1959-68	1969	1949-68	1969	1969	1949-69	1949-68	1969	1949-68	1969	1949-68	1969	1949-68	1969	1957-68	1969	1949-68	1969	1949-68	1969	1969	1949-68	1969	1949-69
Africa:																																
Algeria			1				1	2			2		2	6	66								7		13		29			111	2	117
Angola							1							1	23										5		2			30		31
Botswana			1				1							2	3								4	1	6	3	6	1	5	24	5	26
Burundi	1				1		1	1					1	4	17					1			11	5			4		6	38	7	42
Cameroon					1						1			2	19	2							29	5	8		24	8	15	95	15	97
Canary Island															2		1													1		1
Central African Republic											1			1	2	3			2	1			26	2	3		14	2	8	55	8	56
Chad					1									1	2				2	1			11		3		17	4	5	40	5	41
Congo-Brazzaville							2							2	5				2				2	5	3		23		5	40	5	42
Congo-Kinshasa							9	1					1	10	7				2	2			41	13	26		85	6	21	182	22	192
Dahomay					3	2							2	5	1				5	1			20	1	3		34	5	7	70	9	75
Equatorial Guinea															1												2			3		3
Ethiopia							25	3			7		3	35	49	3					1		13	1	26	6	45	10	20	154	23	189
French Somaliland																							1							1		
Gabon															1				1				11	2	2		10	1	3	28	3	28
Gambia, The					1									1	8				1				7	1	4		4	5	6	30	6	31
Ghana	2		2		5		13	2			14		2	38	82	13	4		15		1		31	7	55	4	82	14	38	308	40	346
Guinea					2		3				2			7						1			13		5		20	6	7	45	7	52
Ivory Coast							2				1			3	1				3	2			11	5	24	1	31	10	18	88	18	91
Kenya	3		9		3									15	208	8			15		1		28	6	42	1	66	11	26	386	26	401
Lasotho							5							5	5				2				2		3		7	8	8	27	8	32
Liberia					8		18	6			2		6	34	15	2			18	3			6	1	7	1	9	2	9	64	15	98
Libya					9	1	7				10		1	27	11										13		30	5	5	59	6	86
Malagasy Republic					1		1				3			5	1				3	2			3		17		47	8	10	81	10	86
Malawi					2						3			5	14	1			14				5		6		13		1	53	1	58
Mali					2						2	2	2	6	4				2				12	1	5	1	35	5	7	65	9	
Mauritiana															1								2		1		6			10		10
Mauritius															3	1			1		1				1		5	7	8	19	8	19
Morocco					47	1	1	1			10		2	60	125	2			4				31	13	24		63	9	24	271	26	331
Mozambique											4			4	28	1									1		7		1	37	1	41
Niger															1				12	2			2		3		29	7	9	56	9	56
Nigeria	66		4		10		4		22		10			116	111	7	8	1	10		6		104	15	82	6	109	21	50	480	50	596
Portuguese Guinea															1															1		1
Rwanda							3	1					1	4	3				2	3			1				5		3	14	4	18
St. Helena					1									1																		1
Senegal							3				8			11	7				5	2			52	8	12		32	8	18	126	18	137
Seychelles Island					2									2													1	1	1	2	1	4
Sierra Leone			1		3		2	2			2		2	10	34	6	4	1	7		3		18	5	24	3	48	7	22	160	24	170
Somalia					2			1			2		1	5	83	5							5	1	3		54	8	14	159	15	164
South Africa	7		1		3		18				6			35	140	1	11				3		5	1	41	3	88	11	16	304	16	339
Southern Rhodesia			1		1		4				3			9	78		6		14				1	2	49		32	1	3	183	3	192
Southwest Africa															13										3					16		16
Sudan							18				6			24	65		1		4		1		14		19		21			125		149
Swaziland								1					1	1	9										4	1	6	3	4	23	5	24
Tanzania			3		7		5				4			19	97				22				8	5	29		51	4	9	216	9	235
Togo															5				2	1			15	4	14		38	8	13	87	13	87
Tunisia					22		2				3			27	48	1	1		44				38	35	14	2	42	8	46	233	46	260
Uganda	7		23		5		17	2			2		2	56	130	10	3		6		1		15	5	34	5	44	5	25	259	27	315
Upper Volta															1				2				4		1		15	5	5	28	5	28
Zambia			10		13		6				2			31	41		1		12				5	1	21	5	18	6	12	110	12	141
Multicountry							1	2	13		87	7	9	110																	9	110
Total	86		56		155	4	173	25	35		197	9	38	740	1,569	66	40	2	234	22	18		615	151	659	42	1,349	230	513	4,997	551	5,737

Footnotes at end of table.

Western Europe:																																
Austria	598	26	89	3	77	3	121	6			8		38	931	910	38	179	14	99	4	83	5	3		49	5	251	5	71	1,645	109	2,576
Belgium	284	10	70	2	61	2	50	2			3		16	484	441	13	136	10	122	10	25	3	3		14	2	178	11	49	968	65	1,452
Canada					4	1							1	5					8	1					1		85	1	2	96	3	101
Denmark	243	11	107	8	39	2	132	4			4		25	550	592	22	209	12	91	2	56	3			40	2	162	3	44	1,194	69	1,744
Finland	104	4	66	6	69	2	172	10			19		22	452	786	26	227	19	259	5	25	2	48		196	5	437	16	73	2,051	95	2,503
France	4,217	146	413	11	468		353	19			24		176	5,651	4,044	222	707	41	720	17	319	29	48		161		602	20	329	6,930	505	12,581
Germany	2,971	148	293	19	548	38	423	29			598		234	5,067	5,390	122	610	24	890	24	153	17	30		258		5,490	42	229	13,050	463	18,117
Gibraltar																			2											2		2
Iceland	17	2	7		9	1	12	1	3		25		4	77	130	7	5		48	1			3		78	1	134	1	10	408	14	485
Ireland	23	2	15	2	3	1	49	6			3		11	104	103	21	23		279	34	5		4		29	2	21	1	58	522	69	626
Italy	1,669	65	406	24	575	5	331	12			20		106	3,107	1,429	68	725	42	374	26	128	13	3		75	4	538	13	166	3,438	272	6,545
Luxembourg			1		2		1				4		1	8	44		2		15	1					3		22	2	3	89	3	97
Malta	1		3		4		4	1					1	13	9				15						4		12			40	1	53
Netherlands	487	15	118	5	217	3	166	7			8		30	1,026	883	21	256	6	164	10	74	2	2		87	2	152	4	45	1,663	75	2,689
Norway	316	4	154	4	56	1	96	5			2		14	638	1,115	35	346	3	173	3	65	4	1		60	2	161	3	50	1,971	64	2,609
Portugal	25	4	17	3	1		17	3				1	11	71	77	11	26	4	28		3		14		11	2	103	8	25	287	36	358
Spain	229	23	72	6	235		135	15			10		44	725	375	35	53	9	71	5	56	8	57	29	35	3	146	9	98	891	142	1,616
Sweden	53	7	21	1	10		50	2			15		10	159	144	16	95	10	57	1	35	4	2		118		126	4	35	612	45	771
Switzerland							10				1			11	11		1		1		1		2		9		57	2	2	84	2	95
United Kingdom	2,286	87	384	13	1,305	77	387	21			19		198	5,179	2,726	117	1,374	71	1,925	78	624	33	6		87		482	16	315	7,539	513	12,718
Multicountry[1]			1		81		1				200	6	6	289																	6	289
Total	13,523	554	2,237	107	4,364	136	2,510	143	3		963	7	947	24,547	19,209	774	4,974	265	5,341	222	1,652	123	226	29	1,315	30	9,159	161	1,604	43,480	2,551	68,027
Eastern Europe:																																
Bulgaria	1						1				4	1	1	7	2		3	1	6	4					6		11		5	33	6	40
Czechoslovakia								1			3		1	4			1		3	1					22	3	2	8	12	40	13	44
Hungary											1			1													3			3		4
Poland	54	8	1		1		29	3	4		120	5	16	225	99	11	84	11	25		6		8		76	3	57		25	380	41	380
Rumania	16	4	7	3			8	2			7	3	12	50	23		30	11			5				8	2	14	14	27	107	39	157
U.S.S.R.											63			63											1		5			6		69
Yugoslavia	14	7	10	2			36	8			38	8	25	123	110	19	70	25	15	4	14	3	6		142	4	171	24	79	607	104	730
Multicountry											25	4	4	29																	4	29
Total[2]	85	19	18	5	1		74	14	4		261	21	59	502	234	30	188	48	49	9	25	3	14		255	12	263	46	148	1,176	207	1,678
Near East and South Asia:																																
Afghanistan	6				7		23	4			12		4	52	97	11	3		11				11		4	1	32	5	17	175	21	227
Bhutan																														2		2
Ceylon	19	2	4				64	4		8	2		14	103	195	13	21	2	64		6				29		82	7	22	419	36	522
Cyprus					4	1	8	1			2		2	16	105	13	1		37	2					58	2	33	3	20	254	22	270
Greece	136	3	58	2	332	9	95	7			23		21	665	839	23	116	5	117	1	9	2	10		82	7	198	3	41	1,412	62	2,077
India	431	37	225	14	160		361	19		9	136	3	82	1,395	1,774	96	264	15	345	13	113	3	12	9	361	4	382	42	182	3,433	264	4,828
Iran	20	2	10	3	67	1	102	7			14		13	226	173		73	3	284	14	4	1	4		124	10	140	11	39	841	52	1,067
Iraq	1		13		19		106				14			153	143		14				3				18		66			244		397
Israel	21	1	31		8		99	8			25		9	193	115	14	89	9	23	1	13	2	6		80	1	54	13	40	420	49	613
Jordan	4				3		13	2			6	1	3	29	118	4			4				1		51	3	51	2	9	234	12	263
Kuwait																									1		2			3		3
Lebanon	1		1		4		39	2			36		2	83	15	8	2		12		5		24		46	2	92	19	29	225	31	308
Nepal	2		6		3		7	2					2	20	75	16	10	1	41		5	3			5		12	8	28	176	30	196
Pakistan	19		17		25		201			16	36		16	314	834	7	49	1	130		13		8	6	106		202	1	15	1,357	31	1,671
Saudi Arabia							13				4			17	5				2						8		10	1	1	26	1	43
Southern Yemen											1			1	21	2			1						3		1		2	28	2	29
Syria					13		41				6			60	21				2		2		12		33		54			124		184
Turkey	41	3	13	3	113	4	129	10			35	2	22	353	520	45	123	7	93	4	16	2	10		75	4	123	16	78	1,038	100	1,391
United Arab Republic	58		38		6		179				25			306	573	2	112		73		28		4		69		148		2	1,009	2	1,315
Yemen					2									2	39	1									1		10		1	51	1	53
Multicountry											110	3	3	113																	3	113
Total	759	48	416	22	766	15	1,480	66		33	487	9	193	4,101	5,664	255	877	43	1,239	35	217	13	102	15	1,154	34	1,692	131	526	11,471	719	15,572
East Asia and Pacific:																																
Australia	318	15	176	4	124	8	200	17			10		44	872	526	32	332	32	192	15	90	6	9	2	21		154	13	100	1,424	144	2,296
Brunei																														1		1
Burma	18		20		50		74				9			171	238		42		97		3				25		116			521		692
Cambodia	1				42						7			50	83				12						5		35			135		185
China, Republic of	34	3	112		3		98	7			8		10	265	173	17	76	7	61	2	33	1	4	1	75	1	111	12	41	574	51	839
Hong Kong	6		8		2		24	1			5		1	46	35	3	7	1	20	3		1	7	2	49	3	40	7	20	178	21	224
Indonesia					33	3	9				10		3	55	250	12	3		69		5		11	2	120	2	271	29	45	774	48	829
Japan	136	8	171	5	117		277	19			208	12	44	953	2,723	131	1,148	6	368	9	122	4	12	2	103	1	914	81	234	5,624	278	6,577
Korea	8	1	1	1	4		57	6			35		8	113	365	19	51	4	63	5	22	2	13	1	200	3	232	22	56	1,002	64	1,115
Laos					25	6					7		6	38	25				66				3	2	19		34	5	7	154	13	192
Malaysia	9	1	3		4		49	5			22		6	93	162	40	16		115	5	5		8	2	137	4	209	21	72	724	78	817
Nauru																																
New Guinea			1		2									3	2										4		2			8		11
New Zealand	138	5	106	2	74	2	40	2			8		11	377	262	11	77	2	100	3	26		10	2	36		88	7	25	624	36	1,001

Footnotes at end of table.

TABLE 1.—NUMBER OF EXCHANGES WITH EACH COUNTRY, 1949-69—Continued

[Arrivals only]

	U.S. grantees												U.S. totals, cumulative		Foreign grantees														Foreign totals, cumulative		U.S. and foreign total	
	Academic								International visitors						Academic								International visitors									
	University students		Research scholars		Teachers		University lecturers		Educational travel		Short-term grantees				University students		Research scholars		Teachers		University lecturers		Educational travel		Specialists		Leaders					
Area and country	1949–68	1969	1949–68	1969	1949–68	1969	1949–68	1969	1959–68	1969	1949–68	1969	1969	1949–69	1949–68	1969	1949–68	1969	1949–68	1969	1949–68	1969	1957–68	1969	1949–68	1969	1949–68	1969	1969	1949–68	1969	1949–69
East Asia and Pacific—Continued																																
Pacific Islands:																																
Br. Solomon Islands																											1		1	2	1	2
Fiji Islands											1			4	1				8	1					4		20	5	6	40	6	44
Micronesia																																
Mariana, Marshall																																
Carolina Islands					1									1					1						2		15			18		19
New Caledonia											1			1																		1
Tonga Islands					2									2													1			1		3
Western Samoa															8										3		6			17		17
The Philippines	79	3	37		10		162	5			18	1	9	315	965	28	50	1	50	4	15	2	21	2	116	1	172	20	58	1,447	67	1,762
Singapore	2	5			2		9	2			8		7	28	35	6	7		21		1		7	2	56	4	37	6	18	182	25	210
Thailand	16		13		41		96	3			38		3	207	501	37	5		54	11	2		18	2	125	3	220	55	108	1,033	111	1,240
Vietnam			1	1	19	8	42				19		9	90	97		8		21		1		6	2	36	2	66	34	38	273	47	363
Multicountry					1		4	1	9		169	15	16	199																	16	199
Total	765	41	649	13	559	27	1,141	68	9		583	28	177	3,883	6,451	336	1,823	53	1,319	58	325	16	129	25	1,136	24	2,744	317	829	14,756	1,006	18,639
Latin America:																																
Argentina	75	7	9		14		83	10	7		18		17	223	365	32	42	2	143	9	22	1	195	20	109	2	353	32	98	1,327	115	1,550
Barbados					2									2	2				5	1			1		8	2	4		3	23	3	25
Bolivia	24	2	1		8		14				5		2	54	127	14	20		197	13	2		427	12	18	1	156	23	63	1,010	65	1,064
Brazil	124	10	19	1	76		131	13	15		76	3	27	468	610	46	113	6	301	9	33		814	54	156	4	491	70	189	2,707	216	3,175
Chile	106	10	10		16		96	3	6		21	3	16	271	395	30	44	5	212	10	19	4	62	5	28	2	212	25	81	1,053	97	1,324
Colombia	70	8	4		171		135	17			24		25	429	328	33	23	3	220	19	16	1	348	10	53	1	161	20	87	1,236	112	1,665
Costa Rica	32				3		17	2			4		2	58	66		8		94	7	1		330	5	39	8	66	4	24	628	26	686
Cuba	8				6		13				6			33	57		2		46		1		5		7		40			158		191
Dominican Republic	11										13	1	1	25	63	6	3		42	13	1		120	9	14	12	90	23	63	396	64	421
Ecuador	43	4	1		10		61	9			26	1	14	155	154	9	12		201	22	4		357	20	37	1	147	16	68	980	82	1,135
El Salvador	2				2		14	2			6		2	26	39	1	2		82	11			343	20	23		59	15	47	595	49	621
Guatemala	71				1		24				10			106	69		3		286	13	4		556		101	9	157	21	43	1,219	43	1,325
Guiana (French) and Surinam											1			1	2				1				1		2	1	6	1	2	14	2	15
Guyana					6		2	1			2		1	11	45	3			13	1			4		35	3	31	7	14	142	15	153
Haiti	18				2		12				6			38	71			1	56	6	1		21		19		17	8	15	200	15	238
Honduras	8				7		16	1			6	1	2	39	58		3		112	11			153		13	4	59	11	26	424	28	463
Honduras, British										1	2		1	3	5	1			15	2			2		13	2	18	3	8	61	9	64
Jamaica	8	1	14		7		11	1			11		2	53	4		6		8	11	1		18		39	3	26	7	21	123	23	176
Mexico	90	4	1		5		176	13			78	2	19	369	321	13	35	10	526	39	16		1,043	20	80	5	140	13	100	2,261	119	2,630
Nicaragua	14				8		13				1			36	87	3	3		52	8	2		90	4	19		45	10	25	323	25	359
Panama	8						13	1			15		1	37	102		4		98	12	2		60	60	23		46	9	81	416	82	453
Paraguay	6		3		6		18	1			4		1	38	100	3	8	3	87	8		1	53	4	21	4	84	9	32	385	33	423
Peru	93	7	25		20		130	8	5	6	9		21	303	209	21	87	7	197	22	9		355	10	22	2	119	32	94	1,092	115	1,395
Trinidad and Tobago	3		1		1		14	4			1		4	24	29	2	2		5				15		21	2	25	3	7	104	11	128
Uruguay	25	2	6		6		57	11			14	1	14	122	115	9	34	4	136	10	3		338		45	1	100	11	35	806	49	928
Venezuela	75	5			1		22		9		41	6	11	159	67	7	8		162	22	3		373	29	48	1	238	23	82	981	93	1,140
West Indies:																																
British (including Bahamas)	1	1	5		25						8		1	40	25		4		24		2		16		29		19			119	1	159
French Antilles					3									3					5	1			29	3	2		17	4	8	61	8	64
Netherland Antilles											2			2					2						4	1			1	7	1	9
Multicountry							8		9	4	234	4	8	259																	8	259
Total	915	61	99	1	406		1,080	97	51	11	644	22	192	3,387	3,515	233	466	41	3,328	280	142	7	6,129	285	1,028	71	2,926	400	1,317	18,851	1,509	22,238
Multiarea					1		5				476	7	7	489																	7	489
Grand total	16,133	723	3,475	148	6,252	182	6,463	413	102	44	3,611	103	1,613	37,649	36,642	1,694	8,368	452	11,510	626	2,379	162	7,215	505	5,547	213	18,133	1,285	4,937	94,371	6,550	132,380

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[1] Includes grants to both Western and Eastern Europe and Yugoslavia for the period 1949-64.

[2] In addition, the following exchanges were arranged under State Department sponsorship and through the Inter-University Committee on Travel Grants, with Bulgaria, Czechoslovakia, Hungary, and the U.S.S.R.:

Country	"IUCTG" exchanges with Eastern Europe								
	U.S. Grantees				Foreign grantees				
	Students	Research scholars	Teachers	U.S. total	Students	Research scholars	Teachers	Foreign total	U.S. and foreign totals
Bulgaria	2			2	4			4	4
Czechoslovakia	6			6	8			8	16
Hungary					2			2	2
U.S.S.R.	28	4	22	54	24	4	18	46	100
Total	36	4	22	62	38	4	18	60	
Grand total					74	8	40	122	122

TABLE 2.—FIELDS OF SPECIALIZATION BY CATEGORY OF GRANTEE, JULY 1, 1968 TO JUNE 30, 1969

[Arrivals only]

Fields of specialization	U.S. grantees							Foreign grantees								
	Academic				International visitors			Academic				International visitors				
	University students	Research scholars	Teachers	University lecturers	Educational travel	Short-term grantees	U.S. total	University students	Research scholars	Teachers	University lecturers	Educational travel	Specialists	Leaders	Foreign total	U.S. and foreign total
Humanities:																
Fine arts:																
Archeology	4						4		4						4	8
Architecture	12	3		2			17	38	1		4	4	1	5	53	70
Painting: sculpture	9	5				4	18		2		1				3	21
History of art, architecture	30	4				1	35	2	4		2			2	10	45
Music	58	6				9	73		2		4	1	8	11	26	99
History of music	20					1	21	19	1		1			2	23	44
Theater arts	7			3	4	5	19	10	1				3	21	35	54
History of theater arts	5			1			6				1				1	7
Other	7				1	3	11	7	1		2	9		24	43	54
Fine arts, total	152	18		6	5	23	204	76	16		15	14	12	65	198	402
Language and literature:																
African																
Classical	3	1	1	1			6	3	4	2	3				12	18
East Asian	6						6				5				5	11
Slavic, European	63	3	23	1			90	4	2	25	4				35	125
Near East and South Asian	7						7				1	1			2	9
Romance	117	3	2	2			124		4	21	33	1			59	183
U.S. and English	21	3	51	73		8	156	124	8	12	6	41		1	192	348
Other	16	2		1		2	21	28	2	1	5	2	4	3	45	66
Language and literature, total	233	12	77	78		10	410	159	20	61	57	45	4	4	350	760
Library science		1		1		2	4	12	2			8		5	27	31
Linguistics, philology	19	2		19		1	41	48	2						50	91
Philosophy	28	2		3			33	11	4		3	2		1	21	54
Religion	15	4		3			22	25	2		1				28	50
Humanities, other	3			1			4	3				2		1	6	18
Humanities, total	450	39	77	111	5	36	718	334	46	61	76	71	16	76	680	1,398
Social sciences:																
Anthropology	7	2		3			12	12							12	24
Business administration				7			7	117	2	1	2	25	6	18	171	178
Communications				5		2	7	10	1		1	16	54	256	338	345
Economics	13	3	1	23		6	46	116	11	1	11	53	2	39	233	279
Geography	2	1	8	2			13	13	2	8	3				26	39
History:																
African	1			1			2							1	1	3
East Asian	6	2					8				1	1		1	3	11
European	67			2			69		1	2	1				4	73
Latin American	6						6		1						1	7
Near East and South Asian	4	9				1	14									14
U.S. history and civilization	2			29		1	32	8		23	1	1		1	34	66
World			1				1		1	4					5	6
Other	6	11	5	5			27	18	3	4	3	4	1	2	35	62
History, total	92	22	6	37		2	159	26	6	33	6	6	1	5	83	242
Labor industrial relations						14	14		1				4	110	115	129
Law	21	6		7		1	35	72	17		8	69		54	220	255
Manufacturing industry		1					1	5					1	3	9	10
Political science	42	5		18		8	73	54	11		1	51	13	412	542	615
Psychology	4	2		17			23	28	11	2					41	64
Public administration	1	1		1			3	15	2			16		19	52	55
Social science						1	1			35					35	36
Social work and welfare	5			12		1	18	6					43	8	57	75
Women's organizations and activities						1	1							16	16	17
Youth organizations and activities												5	32	27	64	64
Sociology	6	11		11		2	30	45	4	1	6	8	6	21	91	121
Statistics				1			1	8						1	9	10
Urban housing and planning	2	1		1		8	12	10						25	35	47
Social sciences other	1	1					2	25						1	26	28
Social sciences total	196	56	15	145		46	458	562	68	81	38	249	162	1,015	2,175	2,633
Agriculture, food sciences:																
Agriculture	2	2		1	17		22	35	1		1	26	10	32	105	127
Food technology	1	1		1			3									3
Home economics, dietetics			1	1			2	4		1			2	1	8	10
Other								7							77	77
Agriculture, food sciences, Total	3	3	1	3	17		27	46	1	1	1	26	12	33	120	147
Medical sciences	1	4		13		1	19	79	77		7	3		10	176	195

TABLE 2.—FIELDS OF SPECIALIZATION BY CATEGORY OF GRANTEE, JULY 1, 1968 TO JUNE 30, 1969—Continued

[Arrivals only]

	U.S. grantees							Foreign grantees								
	Academic				International visitors			Academic				International visitors				
Fields of specialization	University students	Research scholars	Teachers	University lecturers	Educational travel	Short-term grantees	U.S. total	University students	Research scholars	Teachers	University lecturers	Educational travel	Specialists	Leaders	Foreign total	U.S. and foreign total
Natural and physical sciences:																
Chemistry	6	8	3	13			30	49	82	5	4			1	141	171
Earth sciences	2	5		3			10	16	6		1			3	26	36
Life sciences	8	11	2	26			47	46	96	11	5	1		2	161	208
General science, science history	1		2				3	2							2	5
Mathematics	11	6	9	15			41	66	17	21	12	1		2	119	160
Physics	3	9	1	11		1	25	64	26	5	6			1	102	127
Space sciences						1	1	1	2					3	6	7
Natural and physical sciences, other								10		1				1	12	12
Natural and physical sciences, total	31	39	17	68		2	157	254	229	43	28	2		13	569	726
Engineering	5	4		20			29	232	24	2	9	17		10	294	323
Education:																
Administration and supervision				2		1	3	6		67	1			10	84	87
Art and music education	2		8	2			12			10	1	1		2	14	26
General		2	1	12		1	16			34	1	27		80	142	158
Elementary and preschool	2		32	2			36		1	58				2	61	97
Secondary	2		4	1			7	6		99		2			107	114
Teacher training and methodology of teaching			1	2			3	1	1	8		2	1	7	20	23
English as a foreign language	2		16	25		3	46	27	1	120		9		1	158	204
Physical			3			3	6	8	2	4			12	1	27	33
Remedial										6		60	3	1	70	70
Science education			1	3			4	1		23		1	1		26	30
Vocational			6	1			7			8					8	15
Education, other	4			1		3	8	83		1		1	3	5	93	101
Education, total	12	2	72	51		11	148	132	5	438	3	103	20	109	810	938
Area studies	25	1		2	22	1	51	45	2			10			57	108
Transportation								2					1	10	13	13
Liberal arts								6				1			7	7
Sports						6	6						2	4	6	12
Observation of United States												23		4	27	27
Other								2						1	3	3
Grand total	723	148	182	413	44	103	1,613	1,694	452	626	162	505	213	1,285	4,937	6,550

TABLE 3.—DISTRIBUTION OF GRANTEES IN THE UNITED STATES 1952–66; 1967, 1968, AND 1969

[Arrivals only (except for 1969)]

	Arrivals						Arrivals, extensions, and renewals, 1969				Total arrivals, 1952–69	
	1952–66		1967		1968		From United States		To United States			
	From United States	To United States	From United States	To United States	From United States	To United States	Arrivals	Extensions and renewals	Arrivals	Extensions and renewals	From United States	To United States
Alabama	180	131	10	12	11	7	10		8	4	211	158
Alaska	17	6	2		2	1			3		21	10
Arizona	154	258	23	36	13	23	23		19	11	213	336
Arkansas	114	129	7	4	4	8	9	1	4	4	134	145
California	3,362	4,663	281	416	254	405	213	17	453	414	4,110	5,937
Colorado	386	918	31	77	27	66	23	3	41	69	467	1,102
Connecticut	797	1,240	59	58	42	44	51	3	60	59	949	1,402
Delaware	104	100	10	4	6	4	5	1	1	5	125	109
Florida	397	451	37	41	26	39	15	2	32	28	475	563
Georgia	254	365	24	34	20	30	12	1	25	30	310	454
Hawaii	120	42	17	9	11	11	9	2	4	9	157	66
Idaho	96	43	5	3	7	89	7	1	2	1	115	137
Illinois	1,518	3,414	122	201	94	199	98	6	234	256	1,832	4,048
Indiana	683	1,584	44	147	48	127	33	3	132	122	808	1,988
Iowa	436	690	26	49	29	34	25	1	59	58	516	832
Kansas	422	1,094	29	56	31	59	32	4	49	53	514	1,258
Kentucky	238	164	12	6	12	4	11		5	7	273	179
Louisiana	240	327	24	18	12	19	15		18	19	291	382
Maine	168	166	13	14	4	11	5		7	4	190	198
Maryland	563	636	39	34	32	28	46	1	30	59	680	728
Massachusetts	1,541	4,167	113	255	80	260	78	6	219	256	1,812	4,901
Michigan	1,234	2,656	74	193	68	137	57	4	129	165	1,433	3,106
Minnesota	774	1,232	59	55	30	70	38		62	73	901	1,419
Mississippi	128	43	7	3	9	3	5		4	6	149	53
Missouri	483	609	36	41	34	34	38	1	31	53	591	715
Montana	125	84	5	2	5	6	2		5	6	137	97
Nebraska	210	153	10	30	8	26	7		5	13	235	214
Nevada	48	10	4	1	3		4		2	1	59	13
New Hampshire	155	146	8	8	9	10	11	2	8	17	183	172
New Jersey	1,101	1,253	90	93	76	92	47	7	67	58	1,314	1,505
New Mexico	155	129	11	10	9	11	15		7	18	190	157
New York	4,443	6,406	311	434	232	421	214	25	378	491	52,00	7,639
North Carolina	485	670	32	55	19	28	28	1	35	63	564	788
North Dakota	94	40	3	7	7	6	6	1	5	5	110	58
Ohio	1,101	2,008	86	173	56	133	47	6	127	112	1,290	2,441
Oklahoma	255	281	14	44	9	8	11	2	10	14	289	343
Oregon	434	625	26	77	37	48	25	3	46	30	522	796
Pennsylvania	1,518	2,669	108	211	106	196	96	5	197	249	1,828	3,273
Rhode Island	198	319	13	24	14	16	13	1	17	31	238	376
South Carolina	158	136	9	8	10	7	12	1	3	6	189	154
South Dakota	115	56	6	2	9	2	3		4		133	64
Tennessee	302	436	21	23	11	11	14	3	16	23	348	486

	Arrivals						Arrivals, extensions, and renewals, 1969				Total arrivals, 1952–69	
	1952–66		1967		1968		From United States		To United States			
	From United States	To United States	From United States	To United States	From United States	To United States	Arrivals	Extensions and renewals	Arrivals	Extensions and renewals	From United States	To United States
Texas	724	1,456	77	144	59	111	51	3	109	84	911	1,820
Utah	181	246	10	7	13	22	9	3	8	10	213	283
Vermont	119	150	5	9	9	10	5	2	7	7	138	176
Virginia	476	372	31	35	25	30	30	2	18	31	562	455
Washington	576	1,104	44	57	32	59	30	3	54	54	682	1,274
West Virginia	122	81	6	7	8	3	6	1	2	7	142	93
Wisconsin	683	1,515	44	122	46	155	43	4	95	100	816	1,887
Wyoming	71	43	4	2	2	4	2		1	5	79	50
District of Columbia	489	829	38	103	36	108	17	2	81	74	580	1,121
Guam	3										3	
Puerto Rico	85	1,142	5	70	5	96	2		58	4	97	1,366
Virgin Islands	5						1			1	6	
Multi-state		25,005		1,884		1,712			1,914	4		30,515
Residing or assigned outside the United States	43	1	5	1	3		4	1	36	1	55	38
Total	28,883	72,491	2,130	5,409	1,764	5,043	1,613	135	4,937	3,284	34,390	87,880

TABLE 4.—TOTAL PARTICIPANTS IN THE PROGRAM, 1969

[Arrivals plus grant extensions and renewals]

Area	U.S. grantees			Foreign grantees			U.S. and foreign total participants
	Arrivals	Extension and renewal	Total U.S. participants	Arrivals	Extension and renewals	Total foreign participants	
Latin America and Caribbean	192	16	208	1,317	343	1,660	1,868
Western Europe	947	91	1,038	1,604	869	2,473	3,511
Eastern Europe	59	1	60	148	40	188	248
Africa	38	4	42	513	381	894	936
Near East-South Asia	193	11	204	526	961	1,487	1,691
East Asia and Pacific	177	12	189	829	690	1,519	1,708
Multiarea	7		7				7
Total, 1969	1,613	135	1,748	4,937	3,284	8,221	9,969
Total, 1968	1,764	182	1,946	5,043	3,317	8,360	10,306
Percent change fiscal year 1969 over fiscal year 1968	−8	−25	−10	−2	−1	−2	−3

TABLE 5.—WOMEN GRANTEES AS COMPARED TO TOTAL EXCHANGES, JULY 1, 1968 TO JUNE 30, 1969

[Arrivals only]

	Students and educational travel		Lecturers and research scholars		Teachers		Leaders and professionals		Total	
	Women	All	Women	All	Women	All	Women	All	Women	All
U.S. grantees:										
Latin America and Caribbean	42	72	9	98			4	22	55	192
Western Europe	217	554	11	250	61	136	1	7	290	947
Eastern Europe	9	19	2	19			4	21	15	59
Africa			1	25	2	4	1	9	4	38
Near East-South Asia	37	81	7	88	7	15		9	51	193
East Asia and Pacific	4	41	8	81	12	27		28	24	177
Multiarea							2	7	2	7
Total U.S.	309	767	38	561	82	182	12	103	441	1,613
Foreign grantees:										
Latin America and Caribbean	153	518	6	48	118	280	48	471	325	1,317
Western Europe	179	803	33	388	108	222	22	191	342	1,604
Eastern Europe	15	30	7	51	5	9	10	58	37	148
Africa	49	217		2		22	20	272	69	513
Near East-South Asia	43	270	5	56	9	35	17	165	74	526
East Asia and Pacific	72	361	5	69	7	58	18	341	102	829
Total foreign	511	2,199	56	614	247	626	135	1,498	949	4,937
Grand total	820	2,966	94	1,175	329	808	147	1,601	1,390	6,550

TABLE 6.—SOURCES OF FUNDS PROGRAMED, FISCAL YEARS 1968 AND 1969

Source of funds	1968	1969	Difference, increase (+) or decrease (−)
Mutual Educational and Cultural Exchange Act Appropriation	$43,682,708	$31,389,503	−$12,293,205
Other funds available:			
International educational exchange activities (special foreign currency program appropriations)		1,033,328	+1,033,328
Reserve funds on hand, binational educational foundations and commissions	864,398	831,055	−33,334
Educational exchange funds, payment by Finland, World War I debt	$362,593	$391,320	+$28,727
Foreign government contributions to cost-sharing agreements	2,061,195	1,794,464	−266,731
Irish counterpart Funds	89,608	89,608	
Total, other funds	3,377,735	4,139,775	−761,990
Grand total	47,060,493	35,529,278	−11,531,215

TABLE 7.—COUNTRIES WHICH SHARE COSTS OF EXCHANGE[1]

Country	Cost-sharing agreement signed	Fiscal year 1969 contribution	Country	Cost-sharing agreement signed	Fiscal year 1969 contribution
Australia	Aug. 28, 1964	$229, 600	Israel	Mar. 23, 1967	4, 286
Austria	June 25, 1963	150, 000	Italy		240, 000
Belgium/Luxembourg		45, 000	Netherlands		45, 858
China (Taiwan)	Apr. 23, 1964	15, 300	Norway	Mar. 16, 1964	28, 000
Cyprus	Sept. 7, 1968	2, 420	Spain		75, 000
Denmark	Feb. 25, 1965	20, 000	Sweden	June 28, 1963	10, 638
France	May 7, 1965	225, 225	United Kingdom	May 10, 1965	34, 000
Germany	Nov. 20, 1962	668, 000			
Iceland	Feb. 13, 1964	1, 137	Total		1, 794, 464

[1] In addition, Ireland provided $89,608 in Irish counterpart funds under a special exchange agreement.

TABLE 8.—TOTAL FUNDS OBLIGATED, FISCAL YEARS 1965-69

Program activity	1965	1966	1967	1968	1969	Percent change 1969 over 1968
Exchange of persons:						
Exchanges with 127 countries and territories	$39, 322, 512	$39, 929, 279	$35, 134, 048	$33, 079, 987	$23, 183, 251	
Assistance to high school (teen-age) exchanges	385, 000	385, 000	200, 000	180, 000	182, 762	
Special programs for nongrant students	391, 324	394, 816	271, 549	362, 600	455, 000	
Volunteers to America			73, 000	99 936	37, 708	
Total, exchange of persons	40, 098, 836	40, 709, 095	35, 678, 597	33, 722, 523	23, 858, 721	−29
Aid to American-sponsored schools abroad	3, 173, 000	3, 176, 636	2, 899, 931	2, 052, 937	1, 599, 942	−22
Cultural presentations	2, 498, 997	2, 774, 140	1, 606, 397	1, 575, 487	1, 199, 010	−24
Multilateral organizations activities	465, 239	460, 226	477, 891	405, 771	433, 522	+7
Program services cost	6, 797, 300	7, 152, 312	7, 146, 572	6, 804, 143	6, 160, 583	−9
Administrative expense	2, 357, 796	2, 491, 435	2, 491, 225	2, 499, 632	2, 277, 500	−9
Grand total	55, 391, 168	56, 763, 844	50, 300, 613	47, 060, 493	35, 529, 278	−25

TABLE 9.—*Expenditures by country, under Mutual Educational and Cultural Exchange Act (P.L. 87–256) During Fiscal Year 1969*

	Expenditures
Africa:	
Algeria	$70, 935
Angola	236, 694
Botswana	94, 156
Burundi	46, 973
Cameroon	53, 361
Central African Republic	23, 663
Chad	18, 801
Congo–Kinshasa	61, 837
Dahomey	44, 572
Equitorial Guinea	35, 168
Ethiopia	109, 241
Gabon	6, 290
Gambia	31, 711
Ghana	157, 614
Guinea	29, 902
Ivory Coast	49, 627
Kenya	113, 379
Lesotho	83, 796
Liberia	264, 957
Libya	34, 903
Malagasy Republic	42, 379
Malawi	18, 537
Mali	47, 661
Mauritius	23, 681
Morocco	112, 582
Mozambique	252, 011
Niger	44, 481
Nigeria	156, 360
Rwanda	33, 112
Senegal	42, 304
Sierra Leone	102, 598
Somalia	61, 046
South Africa	527, 909
Southern Rhodesia	541, 339
Sudan	35, 168
Swaziland	100, 440
Tanzania	63, 888
Togo	41, 348
Tunisia	82, 211
Uganda	167, 322
Upper Volta	35, 143
Zambia	111, 956
Regional	268, 719
Cultural Presentations	315, 429
Total	4, 795, 204
American Republics:	
Argentina	398, 261
Barbados	23, 546
Bolivia	266, 997
Brazil	$779, 848
British Honduras	29, 911
Chile	380, 908
Colombia	506, 676
Costa Rica	58, 915
Dominican Republic	113, 827
Ecuador	292, 321
El Salvador	79, 531
Guatemala	162, 591
Guyana	95, 772
Haiti	38, 108
Honduras	77, 759
Jamaica	63, 942
Martinique	18, 784
Mexico	493, 817
Nicaragua	68, 485
Panama	102, 175
Paraguay	102, 491
Peru	377, 879
Surinam	5, 950
Trinidad	94, 274
Uruguay	141, 024
Venezuela	289, 004
Regional	455, 156
Cultural Presentations	244, 359
Total	5, 762, 311
Western Europe:	
Austria	291, 237
Belgium/Luxembourg	149, 515
Canada	2, 359
Denmark	113, 110
Finland	400, 424
France	689, 462
Germany	1, 472, 439
Iceland	37, 588
Ireland	157, 108
Italy	614, 092
Malta	5, 241
Netherlands	144, 094
Norway	131, 400
Portugal	68, 014
Spain	376, 291
Sweden	97, 180
United Kingdom	349, 241
Regional	195, 856
Cooperation with Private Institutions	102, 500
Cultural Presentations	47, 483
Total	5, 444, 634
Eastern Europe:	
Bulgaria	23, 498
Czechoslovakia	68, 805
Poland	$176, 073
Romania	195, 245
U.S.S.R.	291, 348
Yugoslavia	357, 936
Regional	6, 211
Cooperation with Private Institutions	66, 916
Cultural Presentations	232, 569
Total	1, 418, 601
East Asia:	
Australia	460, 035
Burma	6, 108
Cambodia	1, 685
China (Taiwan)	240, 740
Hong Kong	85, 366
Indonesia	232, 539
Japan	957, 115
Korea	389, 894
Laos	138, 533
Malaysia	256, 621
New Zealand	104, 144
Philippines	260, 932
Singapore	74, 656
Suva, C. D	6, 101
Thailand	412, 226
U.N. Trust Teritories	4, 099
Viet-Nam	240, 282
Regional	149, 215
Cooperation with Private Institutions	400, 000
Cultural Presentations	144, 891
Total	4, 565, 182
Near East & South Asia:	
Afghanistan	186, 881
Ceylon	272, 937
Cyprus	99, 386
Greece	411, 030
India	940, 964
Iran	319, 715
Israel	106, 048
Jordan	68, 610
Lebanon	110, 131
Nepal	158, 367
Pakistan	181, 136
Saudi Arabia	10, 204
Southern Yemen	23, 367
Turkey	469, 093
United Arab Republic	44, 431
Regional	108, 248
Cooperation with Private Institutions	97, 500

Cultural Presentations	$182,038
Total	3,790,086
Grand total	25,776,018

PERFORMING ARTS GROUPS AND ATHLETIC TEAMS SENT ABROAD IN FISCAL YEAR 1969

Professional groups (17)

Alvin Alley American Dance Theatre, Europe.

Alwin Nikolais Dance Company, Europe and Near East.

Beers Family (folk ballad), Latin America.

Buddy Guy Band (blues), Africa.

Charlie Byrd Quintet (classical, popular), Africa.

First Chamber Dance Quartet, Near East, Far East.

Glen Tetley Dance Company, Europe.

Jazz Dance Theatre, Africa.

Junior Wells Rhythm & Blues Band, Far East.

Martha Graham Dance Company, Mexico.

Merce Cunningham Dance Company, Latin America.

New York Philharmonic, Europe, Near East.

New York Woodwind Quintet, Latin America.

Oliver Nelson Septet (jazz), Africa.

Paul Taylor Dance Company, Latin America.

Schola Cantorum, Europe.

Smithsonian Olympic Folk Music and Dance Festival, Mexico.

Academic groups (6)

Duquesne University Folk Ensemble, Eastern Europe.

Millikin University Jazz Band, Near East.

Southern Methodist University Jazz Trio, Latin America.

University of Illinois Jazz Band, Europe.

University of Minnesota Concert Band, Soviet Union.

West Virginia University Percussion Ensemble, Latin America.

Individual artists (3)

Andre Watts (Pianist), Far East.

Betty Allen (Soprano), Latin America.

Jimmy Driftwood (Folk Singer), Far East.

Athletic teams (7)

Armed Forces Basketball Team, Latin America.

AAU Gymnastics Team, Latin America.

College All-Star Baseball Team, Mexico.

Davis Cup Tennis Team, Far East.

Seattle Gymnastics Team, Far East.

Track and Field Team (AAU), Far East.

Track and Field Team (AAU), Africa.

ADVISORY GROUPS AND COMMISSIONS

In carrying out the exchange program, the Department of State in the fiscal year 1969, as in previous years, had the benefit of the cooperation and counsel of especially appointed boards and advisory commissions:

The Board of Foreign Scholarship supervises the academic exchange program and selects all academic grantees. The Board's chairman is James R. Roach, professor of government, University of Texas, who succeeded John Hope Franklin, chairman of the Department of History at the University of Chicago, in February 1969.

The U.S. Advisory Commission on International Educational and Cultural Affairs recommends to the President broad policies on the conduct of international educational and cultural programs. Its chairman is Homer D. Babbidge, president of the University of Connecticut.

The Advisory Committee on the Arts advises the Department of State on exchange programs in the arts. Its chairman in 1969 was Roy E. Larsen, vice chairman of Time, Inc., first elected in 1963.

The U.S. National Commission for UNESCO serves as an advisor to the State Department on UNESCO's program and biennial budget and as a link between UNESCO and the American people. Its chairman during 1969 was Alvin C. Eurich, president of the Academy for Educational Development of New York, who was elected in 1967.

The Government Advisory Committee on International Book and Library Programs assists the Department in a continuing review of U.S. Government book and library activities abroad. Its chairman during 1969 was W. Bradford Wiley, president of the publishing firm of John Wiley and Sons, who was appointed in 1966.

The Advisory Panel on International Athletics assists in the planning and selection of exchange programs involving athletes and coaches.

The National Review Board for the Center for Cultural and Technical Interchange Between East and West (East-West Center), which reviews the programs and operations of the Center, had as its chairman Governor in 1969 John A. Burns of Hawaii, first appointed in 1965.

STATEMENT OF THE POLICEMEN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA WITH REGARD TO THE DISTRICT OF COLUMBIA CRIME LEGISLATION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. HUNGATE. Mr. Speaker, with regard to the District of Columbia crime legislation now in conference, I would like to call to the attention of my colleagues the following two statements of the Policemen's Association of the District of Columbia:

WHO'S NEXT? BECAUSE OF PRETRIAL DETENTION

Too many policemen have lost their lives because of the numerous defendants who are out on bail and are committing crimes while awaiting trial. These individuals are a danger to the community and should be detained.

The case of Officer Ronald Watson, who was critically wounded in last Thursday's shoot-out, offers a perfect example of the dire need for the pretrial detention provision in the pending D.C. Crime Bill. The suspect who shot Officer Watson three times and was then himself killed was out on bond for two previous armed robbery charges and for assaulting a police officer. In addition, he had been convicted twice previously on assault charges, once for assault of a police officer.

The Bail Reform Act of 1966, as it is interpreted by the D.C. Court of Appeals, makes it impossible for a Judge to detain a dangerous defendant prior to trial. Consequently, the Judge must set bail and the defendant is allowed to roam the streets and continue to commit criminal offenses until his trial date. The pretrial detention provision in the D.C. crime bill would allow the Judge to consider the defendant's dangerousness to the community as well as the probability of his showing up for trial before setting bond or detaining the individual.

It is unfair to make police officers arrest criminals over and over again only to have them turned loose to commit additional crimes and in many instances, shoot police officers.

WHO'S NEXT? BECAUSE OF PRETRIAL DETENTION

Carl W. Beatty, President of the Policemen's Association of the District of Columbia, representing over 5300 police officers from the Metropolitan Police Department, Executive Protective Service (formerly known as the White House Police), and the United States Park Police, today urged immediate Congressional action on the pending crime legislation for the District of Columbia.

Speaking with reference to the pretrial detention provision of the bill, Beatty said, "Too many policemen have lost their lives because of the numerous defendants who are out on bail and are committing crimes while awaiting trial. These individuals are a danger to the community and should be detained." "The case of Officer Ronald Watson, who was critically wounded in last Thursday's shoot-out, the case of the two F.B.I. agents killed last year and Officer Stocker several years ago, offers perfect examples of the dire need for the pretrial detention provision in the crime bill. The suspect who shot Officer Watson three times and was then himself killed was out on bond for two previous armed robbery charges. In addition, he had been convicted twice previously on assault charges, once for assault of a police officer," the President of the Policemen's Association said.

"The Bail Reform Act of 1966 as it is interpreted by the D.C. Court of Appeals makes it impossible for a Judge to detain a dangerous defendant prior to trial. Consequently, the Judge must set bail and the defendant is allowed to roam the streets and continue to commit criminal offenses until his trial date. The pretrial detention provision in the D.C. crime bill would allow the Judge to consider the defendant's dangerousness to the community as well as the probability of his showing up for trial before setting bond or detaining the individual," Beatty said.

BOSTON DANIELS, KANSAS CITY, KANS., CHIEF OF POLICE

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. WINN. Mr. Speaker, I want to join the many friends and associates of Boston Daniels in congratulating him upon his appointment as chief of police of Kansas City, Kans. I have known Chief Daniels for many years. I have worked with him in youth activities and Boy Scouts and have come to admire and respect him as an inspiring leader and a most dedicated and capable administrator. Boston Daniels joined the Kansas City, Kans., police department as a patrolman in 1945 and was promoted to detective 5 years later. He became a major in 1967. In that position he has headed all of the department's investigative operations. With his appointment as chief of police he becomes the first Negro to hold that position in a city the size of Kansas City, Kans.—population 170,000.

Station WDAF, Kansas City, summed up our pleasure concerning Boston Daniels' appointment in the following words:

As a detective major, Boston Daniels has been one of the metropolitan area's top crime fighters and is also a man who had done tremendous work in promoting a greater understanding between minority groups and the police department.

WDAF feels that its to his credit to be the first Negro chief of police in the metropolitan area, and we know with the Kansas City, Kans., police department his leadership can do nothing but strengthen the police department operations.

And, to my colleagues here in the House, I would like to commend Chief Daniels' own words when he says:

> Today's problem is communications. Find out what is bothering people, then do something about it.

A VERSATILE AND HIGHLY DEDICATED MAN

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. CARTER. Mr. Speaker, a former Member of the House, now approaching his centenary—August 15—has had a long and most useful career, and has manifested great versatility. He has earned the designations of publicist, statesman, executive, conservationist, effective supporter of efforts in behalf of the study of tropical disease, wise and successful advocate of just claims of the "under dog," a builder of the Panama Canal, as member of the Isthmian Canal Commission—1910-11-12-13—and Civil Governor of the Canal Zone, and so forth. Moreover he has fine literary ability, and is possessed of a rich talent of poetic character which has enabled him to write a considerable body of most excellent poetry—some of which has found publicity in newspapers and magazines in the United States and Panama. He has never had time to screen and publish his poems in volume form.

I refer to Maurice Hudson Thatcher of Kentucky, Louisville district, now domiciled in the city of Washington, and yet interested in the Panama Canal and its employees, the Isthmus of Panama, the Gorgas Memorial Laboratory in Panama City, for whose creation, in Congress in 1928, he sponsored and obtained the Enabling Act; and since about 1939 he has gratuitously served the supervisory body—the Gorgas Memorial Institute of Tropical and Preventive Medicine—as vice president and general counsel; and now as honorary president and general counsel. This laboratory has grown to be—as is generally believed—the outstanding institution of the world in research studies touching the cause and prevention of tropical disease, both human and veterinary.

From time to time there have appeared in the CONGRESSIONAL RECORD eulogies of this devoted and dedicated man, with more detailed account of his achievements.

Some recent poems from Mr. Thatcher's pen are subjoined under leave accorded, which are, as I believe, of a very high order and most thoughtful; and I am glad to share them with other readers of the RECORD.

The poems follow:

CHRISTMAS 1969

(By Maurice H. Thatcher)

Now comes again that season of the year
When custom requires that families and friends
Exchanges make of gifts and timely cheer
And sentiment; and while are made amends
By some for errors past; and there is the hope
For mutual health and strength in times ahead.
These are the days when kindness, in broadened scope,
Finds ampler play, and by holy zeal is led.
There's nought for me to say that is not old,
And nothing to suggest that is not new—
Except what fearless science may unfold
To deal to moral lapse the stroke that's due.
If that I write seems like what's gone before,
Some stress I'll add from friendship's boundless store.
May Heaven's richest blessing attend you!

DECORATION

Decoration Day! and the Living place
On Tomb, Grave, and Shaft the Blooms that deck and grace—
In Memory of the Dead, and in Tribute to
The Sacrifices which Time cannot efface.
May 30, 1970

FERRY BELLS

On either shore of a Stream that found the Sea,
Once stood a Bell. What 'er the hour might be,
The Keeper was aroused, and ferried o'er,
The Traveler, and earned a modest fee.

How earnest were the pleadings of the Bells!
In deepest night how lonely seemed the Knells!
But Progress has replaced these Monitors—
A Traffic Bridge is there. Alas, the Bells!

Each of us westward moves to River Death:
When is exhaled the last, convulsive Breath,
Will there be One to take the orphaned Soul
Across to Realms of Bliss, devoid of death?

The Pure-in-Heart strive to be Wise and Just;
Belief in Sequent Good sustains their Trust;
The Law of Compensation proves its worth—
Else, Man's Mission fails, and Soul reverts to Dust.

Our Faith must be that the Eternal Plan
Was wrought to serve the Betterment of Man
(And those like him, perhaps, on other Orbs)—
But not fully revealed since Life began.

Now, Faith is Reasoned Hope, food for the Soul,
The Key to High Adventure and Vital Goal.
Toil ye in Faith—at length there may be found
Some Earned Reward, and your Name upon the Scroll!

AGE, YOUTH, AND TIME

Why should men age, altho they must grow old?
Why doth not Time deal gently with his own?
And why should rosy Youth his bloom withhold
From those who unto ancientry have grown?
Tell me, I pray, why Time should leave his mark—
His stamp, indelible, on face and form?
And, for ripe years, tax me with tokens dark,
Wrought from Life's long and all-relentless storm?
Were I a tree I'd bear internal rings
To prove mine age—but they'd be hid from sight:
But, being man, my span most surely brings
Inward and outward witness of my plight.
Bid me grow old—Time's flight no strength can stay:
But keep me youthful till I've passed away.

CABINET TASK FORCE ON OIL IMPORT CONTROL

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. DADDARIO. Mr. Speaker, I rise today to express concern over the inaction by the President upon the release of the report by the Cabinet Task Force on Oil Import Control. The mandatory oil import program is 10 years old and is not only outdated, but is unnecessary.

I would like to propose a three-point revision of the program concurrent with the recommendations of the task force. I feel that the independent deepwater terminal operators should be allotted a greater deepwater supply. I had asked on May 13 for an amendment to Presidential proclamation 3279, as amended, to provide for allocation of 150,000 barrels per day of No. 2 fuel oil into the east coast; and to this date only 40,000 barrels per day have been granted. This is hardly enough to affect prices for the consumer. I also wish to see a permanent open exemption for Canadian oil, which was found to be the most secure of any foreign oil source by the task force. Presently, Canada is under the same restrictive quota as other foreign countries.

I also feel that there should be a reduction of all oil import quotas with an eye toward their eventual abolition. Our national security cannot be at stake when there are 270 billion barrels of domestic oil which are untouched in the United States. According to the task force, which has estimated that we will consume 50 billion barrels in the next 10 years, there is more than enough oil to meet our needs for the indefinite future. It makes no sense to argue that the best way to assure open supply lines in times of emergency is to dry them up in times of peace.

The term "national security" is no more than a charade that is designed to mask the continuation of a program which serves only to obstruct competition and guarantee unjustifiably high-oil prices. Oil reform may not rank at the top of the scale of national priorities, but it is an important issue in terms of both consumer needs and the war against inflation.

Perhaps the most important aspect of this problem is that it raises a serious question about the responsiveness of Government. All our citizens are being manipulated by one of the Nation's most privileged and powerful private interest groups and are being silenced by a vocal minority.

The low cost of imported oil will serve to both force the domestic market to lower its prices, and insure the utmost efficiency in all operations.

There is no reason why in a country which thrives on competition, competition is scorned as a security risk on the oil market. Free trade has been a principle which has encouraged international unity and I see no reason to continue to restrict free trade of oil imports.

The research done by the task force should not be ignored. The inaction of the President regarding the recommendations is inexcusable since the group was set up to study the problem and make recommendations based upon their findings. I urge that the President take positive action on the proposals of the task force and my recommendations included herewith.

ROGERS MORTON GOP GOALTENDER

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. GERALD R. FORD. Mr. Speaker, Representative Rogers C. B. Morton is not only one of the most outstanding Members of the House of Representatives; he is also one of the best liked. Recently Rogers was the subject of an excellent article by Lloyd Schwartz in Women's Wear Daily. I believe my colleagues would enjoy reading this article and so, with the House's permission, I insert it in the Record at this point:

ROGERS MORTON GOP GOALTENDER

(By Lloyd Schwartz)

WASHINGTON.—Republican National Chairman Rogers C. B. Morton is an affable, silver-haired, 6-foot-7 Marylander-out-of-Kentucky who wears four hats: He is masterminding things political for Richard Nixon; he spends half his time as a member of Congress (where he serves on the tax-writing Ways and Means Committee); he has a 10-gallon cowboy hat on his desk—and nearby, within easy office reach, he has a construction worker's hard-hat neatly lettered: Morton.

Chairman Morton, in an interview with WWD, is clearly the man in control as he articulates Republican strategy and points to the domestic and international "mess" Mr. Nixon inherited from Democratic misrule.

"What we've accomplished in this very short time is really just short of a miracle," Morton declares. "The Nixon record is remarkable in terms of turning the war around in Southeast Asia, in terms of articulating a new foreign policy that is up with the times and really is more in keeping with American interests as these exist around the world and in terms of what we found on the domestic scene when we took over. No Republican candidate, either for local, State or Federal office, has any concern or any apology to make about the Nixon record."

Morton, whose older brother Thruston, an ex-GOP chairman and ex-Kentucky Senator, is being urged to run for Governor of Kentucky, is confident that Republican tenure nationally is to be extended, that a new era has opened.

Despite what he considers some "rather shabby gerry-mandering" by Democratic State Legislatures, with the full impact due in the 1972 elections, Morton sees the GOP holding its own at the very least in the House in November and winning control of the Senate. He thinks the Republicans will pick up three more State Houses, and wind up with 35 Governors—a commanding position.

Looking beyond to 1972, the GOP boss fully expects, and hopes that Nixon will run for a second term and be reelected. What is Nixon bringing to the Presidency that is peculiarly Nixon's? "He is bringing to Government a new concept of management of higher order," Morton reflects. "We are dedicated to the proposition of giving the taxpayers a better return on their investment—better Government for what they're putting into it. And this is coming about even faster than I thought it could."

Morton goes beyond this and predicts that Nixon will be known in history for the reform and redesign of Government structure that will make the bureaucratic monster more workable—and more responsive to the institutions that have been created.

The GOP chairman was born with a silver spoon and is an entirely different type from Larry O'Brien, his Democratic counterpart. Where O'Brien slashes away and relishes the political infighting, Morton offers a "lower profile," somewhat less rhetoric and the coolness bred of a Yale education, success, affluence and confidence in holding the reins of national power.

The "B" in Morton's name is for "Ballard." His family made its fortune with Ballard & Ballard Milling Co., now a subsidiary of Pillsbury Co. (Morton is a Pillsbury director). Years ago, young Morton sold Ballard flour in the Southeast. And he still reflects that he could always tell how well the company was doing by dropping in on the bayou. If the girls had "Ballard" initialed on their panties, Morton knew things were going well. If another company name had the honor, there was trouble.

Trapping Rogers Morton isn't easy. He fends off a question about the Kevin Phillips Doctrine (about a new stable majority the GOP has pieced together from the middle class, blue collar workers, and conservative South) and denies the O'Brien charge that the GOP has become a regional party. Nor does Morton concede that the party is "writing off" urban America, or assigning it second class status.

Morton doesn't agree that the GOP has any "Southern Strategy," and he reacts sharply to a Democratic suggestion that it is in operation: "This business of Southern strategy is political. It's something that's being hung on us. It's a bum rap. Obviously, we want to develop a two-party democracy in the South. The South deserves this and should have it. It will be better for their own local government and their representation in the Federal Government. But we consider our course pragmatic and practical, not just for the South but for the entire country."

Morton emphasizes that more schools have been desegregated "and gotten on the track where education is the prime emphasis" during this administration than in any one year before. He feels the desegregation requirement, laid down by the Supreme Court, is being enforced to the letter, but with care not to sacrifice educational values contained in the school system.

Like Nixon, Rogers Morton is not defensive about Vietnam and Cambodia. A year ago he suggested on TV that if the war were not over by March 1970, the GOP could be in for trouble in the '70 elections. Morton feels he should not have said "over": "I should have said that if the war hadn't turned around and that we were on the road to deescalation, to reduction in American involvement. And, of course, this has come to pass. And I think the President comes off as a great hero in this.

"He's the first person that's come along that's turned it around. It had been escalated from 25,000 men only a few years ago during the Kennedy Administration up to way over half a million men in the Johnson Administration. And now we're on the road back, and the President has done this very deliberately, very calmly, and with great skill."

Morton is upset about the Senate's Cooper-Church Amendment: "Suddenly, there's a sort of scream that Congress should begin to take over some of the President's constitutional powers. It would be in the worst possible interest of the people if the President isn't free to act, if we don't have the capability of management of our forces, wherever they are. The Amendment reflects a sort of turning away from the responsibility we have placed in the presidency—and I happen to believe this President is exercising that responsibility in the highest order."

Morton has just heard from a team of young GOP'ers who toured many college campuses to measure the extent and significance of dissent over Nixon policies. He's matched this with his own travel observations and found that while the disenchanted are making the noise and hogging the headlines, "the hard, big base, the majority of youth, is very much a part of the program Nixon has outlined for deescalating this war."

As the GOP chief views it: "We have to be awful careful to make sure that we get the volume tuned down so we can really understand the music. For instance, the Cambodian raid was very successful, a necessary military operation to crank down the war. People are beginning to understand that. The first flurry on it was in loud opposition. Now that they understand it and see what actually resulted from it, the young people are developing a much greater understanding."

Morton agrees that the "bread basket issue" (prices, inflation, unemployment, interest rates) will figure importantly in how the election turns out this year. But he is utterly convinced the GOP will prevail with its side of the story: The economy was in a "skyrocket burning situation when Nixon took office."

Says Morton: "The Democrats can't hang the mantle of inflation on us. This thing got into high gear before we got on board. The President is doing everything he can not only to cool it off, but to stabilize the values in the economy. I don't believe the people's memory is that short."

Though the President has now adopted a form of "incomes policy" to keep watch over price and wage increases in the context of inflation and the national interest, the Republican chairman does not believe price and wage controls are coming, "though a good deal of planning and thought have been given to it in case we do." Morton says flatly that direct controls, as used in the past, invariably have had "a very demoralizing effect."

SALUTE TO ITALIAN-AMERICANS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. EDWARDS of California. Mr. Speaker, today is Italian-American Unity Day, a good time to reflect on the contributions of a great civilization to our young American culture. As former Columbia University President Nicholas Murray Butler has said:

> You can subtract Italian culture from civilization only by destroying that civilization.

In cooking, the arts, in statesmanship, in architecture, music, and science, the Italian people have given the world riches beyond measure. Warmth, creativity, loyalty, and deep devotion to family life are Italian virtues that have inestimably enriched the American melting pot. Those who today fly the red, white, and green tricolor in front of their homes are celebrating their membership in a noble culture, one to which all civilized people owe a debt of thanks.

LAW: BRIDGE TO JUSTICE

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BELCHER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address given on Law Day by the Honorable Bryce Harlow at Oklahoma City University:

LAW: BRIDGE TO JUSTICE

(By Hon. Bryce N. Harlow)

My presence here on this special occasion is a bit singular in two respects. First, my wife and I are native products. To us this City is still home. Second—and I say this not triumphantly but lugubriously—a lawyer is precisely what I am not.

In my thirty-two rollicking years back East in America's political Valhalla, I have been called almost everything ranging all the way from stupid and irresponsible to incompetent—but not yet have I had to live with being called a lawyer. Nonetheless, I must assume that almost everyone else here *is* a lawyer, or a law student, or a member of a law faculty, or a lady ensnared in her husband's legal toils. Moreover, this event that joins us tonight is legally noteworthy—Law Day-1970. So there too—your having you lawyers lectured on this Law Day by a non-lawyer has at least some element of singularity. I might say, however, that, while I have not been called a lawyer, I *have* been known for some years as the lawyer's best friend. For years, in an out of the Congress, I have helped to write or to amend our federal laws. To this day, many of the barristers who are making a go of it, thanks to their retainers to interpret the Harlow free-style prose that today encumbers the statutes of the United States.

Well, odd as this all may be, Betty and I are, as a good southern strategist would be expected to say—we're "powerful pleased" that you asked us here. Trite I know it sounds, but our fondest recollections are of our salad days here with our families in Soonerland. We revel in this opportunity you have given us to wend our way home.

Now, to be blunt about it, my lack of law doesn't daunt me one bit, even in these circumstances. After all, an education in Oklahoma City public schools, O.C.U., O.U., or O.S.U., outfits anyone for any situation. Anyway, back in Washington, the less a speaker knows his subject, the more authoritative he is, so in that sense I feel admirably suited to the occasion.

In any case, my not being legally trained just might prove to be an asset this evening, in that my detachment from your consuming legal passions may afford a perspective that one cannot have as one of you. Conceivably, and this I suggest uncertainly but hopefully, I can offer something useful here by moving my thoughts a little closer to the law than I normally do, while at the same time extruding your thoughts just a bit beyond your customary legal preoccupations.

So for better or worse, in that kind of a mind-stretching exercise, let's concern ourselves now with these two themes: (1) The proper role of a good lawyer in our society today; and, (2) The role of a good lawyer in advancing your Law Day theme: "Law: Bridge to Justice."

Now, in suggesting the kind of lawyer I believe our society needs in these times, I necessarily must draw from personal experience. That means drawing from years of shoulder-to-shoulder laboring with lawyers in the federal employ and with others whose work is with the government. So in developing my view of the model lawyer, I hope you will indluge a couple of personal references.

The first concerns one who achieved eminence in your profession—the late Judge Arthur T. Vanderbilt. I am sure many here have known him, or at least know of him. He was Chief Justice of the New Jersey Supreme Court, President of the American Bar Association, and Dean of the New York University School of Law. While I did not know the Judge personally, I well recall how greatly he was admired by my former boss, President Eisenhower.

Primarily I remember Judge Vanderbilt because I once was interested in, and then—as a non-professional—became quite impressed with, his view of what makes a good lawyer. He believed that it was a sheer waste of a young man's time to go to law school unless he was very sure he wanted to practice law. He also believed that a law school graduate who then concentrated only on technical proficiency in the law simply could not be an effective lawyer. Those statements seem contradictory. At first they seemed so to me. But the Judge's later explanation persuaded me, and perhaps it will you.

Judge Vanderbilt said a good lawyer has to be far more than a lawyer; he should be a host of things: a wise counsellor, a good advocate, active in his professional association, active in community activities, active in government. To be sure, the Judge would not countenance a sloppy legal craftsman. Neither, however, could he abide a skilled craftsman who allowed himself to become narrow and introverted. His idea was that really "good lawyers" would establish their professional reputations, then move in and out of government, politics, civic activities and professional groups.

To round out this thought, I shift to another personal reference. The previous political transient in the White House office which, thanks to the voting public, I now occupy rent-free, was Joseph Califano, a lawyer on the White House staff of President Lyndon Johnson. Mr. Califano is still comparatively young, not yet forty, I believe, but during the autumn season of the Johnson Presidency, he was the President's top assistant for the nation's domestic affairs. For President Johnson, he was a very good lawyer, and so he is now for other clients, including, I might add, the Democratic National Committee.

Now, why do I say Mr. Califano was a good lawyer? In his White House days, he did very little of what is conventionally regarded as the "practice of law." Joe had his own explanation, an intriguing definition of what effective practice of law is or ought to be. He described it as two things: first, the art of perceiving the relevant; and, second, the know-how of doing something useful with it.

The test of a good lawyer, said Joe, is how surely and swiftly he is able to sort through an avalanche of information, facts, evidence, opinions, telephone calls and personalities to isolate the salient facts, and then frame the issue so a decision-maker can act quickly and wisely. My predecessor believed his art is practiced much the same whether in a law firm in Washington or elsewhere, or only thirty feet away from the nation's Chief Executive at the White House.

My observations in government over a third of a century lead me to agree with Judge Vanderbilt and Joe Califano on what a good lawyer in these times needs to be. As I contemplate my own experiences, it seems to me that the most useful and most highly respected lawyers have been those who ranged beyond their professional constituents—men and women who, first, were broad-gauged in activities and interests rather than preoccupied with the law and their clients; and, second, were especially competent (a) in ferreting out and (b) in applying the true essence of a problem, a situation, or a group of situations.

This commentary relates especially to my ten years in the White House. It is there, at the apex of our system, that one encounters the greatest flow of information, facts, opinions, personalities, telephone calls, and ideas. The input there is unending, crushingly voluminous, kaleidoscopic, and mercilessly urgent. Day in and day out it borders on the unmanageable. And so it is that every President must rely upon a small number of close associates who have the ability to sort through the billowing mass of information to determine that this item is worthy of the President's attention while that other item is not, and then to present the worthy item quickly to the President in the clearest, most usable way.

I don't mean to say that some issues reaching the White House are significant while others are not. Very little penetrates that pre-eminent place in our government that is unimportant. The problem there is not to separate the wheat from the chaff, but far more troublesome—to glean the wheat from the wheat. The problem for every White House group is an intensely pragmatic one—simply that a President of the United States is physically unable to deal personally with the Niagara of information and problems that engulf his office, or even with very many of them. So there is no person more valuable to a President—and, in some ways, to the country—than a gifted Presidential assistant who can astutely and rapidly sort, sift and advocate.

Defensively maybe, let me say that such people who hover closely about our Presidents do not have to be lawyers, and the assignments of some require other skills—as, for example, the President's science adviser and his press secretary. But I must admit that the prime movers in every White House are often lawyers, and more often than not, the best ones are lawyers. (You can understand that it rather pains me to make that point!)

Well, the more attentive among you may now be privately grumbling, "I hope, Harlow, that you're not suggesting that what's good for lawyers in and around government has to be good for every other lawyer in the country." No, that's not precisely correct. But what I do suggest is rather close to that, with enough reservations to cover gaps in my experience. I rather believe that the tight-minded, analytical, broad-gauged type of White House lawyer would be not certainly, but very probably, among the most respected and successful lawyers in Oklahoma City, and vice versa.

So, to conclude this phase of our discussion, I come up with a suggested type of lawyer, not a categorical finding that every good lawyer must do specifically this or that. That's not to say I am unfamiliar with the various thises and thats of this era. As a nation we do confront monumental problems—of narcotics, polluted water and air, quality education, race relations, poverty, hunger and massive international and domestic economic conundrums. The social consciences of Americans are, to our collective credit, more aroused than ever before. There are myriads of critically important things, many of them passionately human, crying out for attention in this richest of nations. A lawyer who strives or aspires to be constructively involved in private affairs, community affairs and governmental affairs simply cannot—and, I believe, should not—sidestep these transcendent concerns of our day. And my experience tells me that your disciplined minds are an indispensible resource in the national endeavor to make this land and this troubled world better places in which to live.

So there you have at least one man's concept of the important role that today beckons the good lawyer. And, now, let's relate that to your theme: "Law: Bridge to Justice." In its simplest terms, that role, as I see it, is for the "good lawyer" to work ardently and untiringly to modernize, but also to explain and defend, our government of laws as a means for achieving a just society.

It is, surely, no news to you that many of our most cherished institutions are in a state of siege today. None are more severely challenged and none more prized than our government of laws and our system of justice. I offer five examples to pinpoint what I mean:

(1) Criminal defendants and even their advocates disrupt courtroom proceedings, making impossible the continuance of trials under our standards of fairness;

(2) Private citizens and even some highly placed elected officials advocate deliberate defiance of laws with which they disagree;

(3) Aggrieved citizens, not uncommonly under the leadership of professional agitators, turn to street demonstrations and marches and acts of crudity or violence in an effort to force official compliance with their complaints because they are impatient with or disbelieve in seeking legal redress;

(4) From coast to coast victims of crime multiply, giving rise to the most serious questions about the fairness and efficacy of our system of criminal justice;

(5) More and more persons become disillusioned with the Supreme Court, the final arbiter of our most important public and private controversies, and the pace quickens to denigrate individual members of the Court.

You, yourselves, can cite many other examples.

Well, my friends, all of us know that changes are continuously needed in our laws and in the administration of justice. But that is not new. Virtually every aspect of our system, even including our basic charter—the Constitution itself—was designed to respond to, even to encourage, constructive change. Yet, I submit that the propagation of a full understanding of our institutions of law and justice, together with a cogent and aggressive defense of those institutions, are at least as necessary in this time of testing as are change.

This I believe because I have become concerned lest too much of the criticism we are hearing and that some of us are prone to utter bears the potential of irreparable injury to this greatest free system in all human history. I do not want that concern misunderstood. Freely voiced criticism is a goad for progress in our society; it is not criticism, therefore, but a kind of criticism which I call into question. I refer to criticism that is intellectually insupportable, intellectually shallow, sometimes intellectually dishonest. I refer to cirticism which reflects a weak appreciation of the institutions being attacked and a poor understanding of their importance to our society.

I feel also obliged to say that one reason why more rational explanation and defense are essential today is because I detect a default on the part of those best equipped to comprehend these institutions. Such counter-argument as there has been in recent times too often fails to measure up either to the decibels or the cogency of the criticisms which I have just characterized.

In this context, your profession's Law Day is, of course, highly valuable, for it serves on at least one occasion each year to remind the American people of the sentinels of their freedom—their government of laws, their systems of justice—and to promote citizen awareness. The sponsorship of this day by your profession is particularly appropriate because you and your colleagues across the land are schooled for the task. You are intellectually prepared for it; you are mentally disciplined for it. The law and justice are—certainly they should be—your passionate concern. And so, I deeply feel it is, in major measure, up to you to shoulder the burden of keeping the rest of us on the right course.

Perhaps I might dare suggest a direction for your efforts, which you, in your wisdom, could refine, correct, and perhaps advocate.

As this 1970 Law Day theme suggests, one reason we prize our government of laws is because, as far as human history can teach us, it is one sure bridge to justice, and in our view the best one. In our effort to do that most difficult thing—assure order in a free society—we have voluntarily subjected ourselves to a complex of rules that establish our total society's authority over each one of us. Merely the fact that these rules exist inhibits licentious or arrogant conduct and encourages conciliation of differences. Their very existence is the individual's armor against unwarranted interference by other individuals or the state. And when these rules of conduct are violated, when disputes cannot be settled privately, when someone wrongs another, the law is there as our safeguard to enforce society's rules.

This legal process does not exist for itself, however, nor is order alone its end. It has been evolved through long and painful human experience to assure justice, and it should be administered with justice. In verbal shorthand, we would say that our society has fashioned a body of law to enable us to have order, yes—but order with justice.

I am not sufficiently philosophical to attempt here a definitive expression of what justice is or ought to be. When Plato tried it, you recall, he could not stop short of building a commonwealth. But I suppose we could say that justice is, in very general terms, a concept which comprises the sum of all of the citizen's relations with the state at large. Its meaning here in America depends upon the purposes that our people collectively aspire to, and the purposes the state, with the consent of its citizens, sets out to realize.

Ordinarily, it is not evident to the general public, but most of our great national debates are over the guiding purposes of a just society. In Washington we are forever debating such concepts as freedom, liberty and fairness in an attempt to define them as legally enforceable principles and to adjust them when they seem to conflict.

Without pursuing this further, it does seem clear that when we talk of law and justice, we are concerning ourselves with very basic concepts that go to the organizational roots of our society. We must realize—and induce others to realize—that changes in our laws, and changes in our system of justice, must be very prudently accomplished, for they affect in the most fundamental way the kind of society which we enjoy today and want for our children tomorrow.

I suppose most of that sounds very abstruse and too academic to be very meaningful in our day-to-day lives. But that is not true at all. Let me bring it home.

What all this means is, for example, that disruption of a single courtroom proceeding does not merely bring one trial to a spectacular halt; it threatens our entire system for the administration of criminal justice.

Resorting to street marches and demonstrations when legal remedies are available does far more than create an inconvenience and disrupt a community; it brands as unworkable an elaborate system evolved over many centuries to encourage the peaceable adjustment of grievances.

Intentional defiance of law by an individual or by a governmental entity or officer cannot be measured in isolation; what it does is to invite anarchy and breed a dangerous disposition to jettison an entire government of laws.

Failure to enforce the criminal laws firmly and fairly goes beyond indulgence of individual misbehavior; it erodes the rightful expectation of every member of our society to be safe from the criminal acts of others.

A single unfair trial not only prejudices the rights of one accused; it also labels as unfair an entire system of justice and threatens everyone who someday might be the accused in a criminal proceeding.

A deepening disrespect for the Supreme Court of the United States not only denigrates a decision or a Justice; it undermines the ability of this great institution to perform its crucial function in resolving our nation's most persistent controversies.

Somewhat to my surprise, therefore, my role here has turned out to be like that of the lay preacher who on the Sabbath commends his congregation for their religious fidelity, then chides them all for misbehaving from Monday through Saturday. Similarly I salute you for setting aside one day each year to engender in our beloved America an understanding of the basic institutions of which you are our most learned exponents. But as a layman, I most sincerely exhort you, as individuals and as a profession, to persist in your evangelism on all the days of the year.

Every one of us profoundly cares about our government of laws, and we revere and support our system of justice. But we benighted non-lawyers are eager for you to assume a larger, a broader-gauged, a more aggressive leadership role in community affairs, in government, in politics. That way you can inculcate in yourselves, in the rest of us, and in those to follow that indispensable appreciation of why, for this America—for this island of liberty in a world of fear and torment—law is indeed our bridge to justice.

A RESOLUTION FROM THE INDIANA LEGISLATIVE COUNCIL

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. LANDGREBE. Mr. Speaker, I enclose for the attention and information of my colleagues the following resolution from the Indiana Legislative Council, whose chairman is the speaker of the house of representatives in the Indiana General Assembly:

RESOLUTION OF INDIANA LEGISLATIVE COUNCIL

Whereas, There is an acute need for additional revenue on the part of Indiana state and local governments to pay for additional services; and

Whereas, The tax base which grows rapidly with the economy is the federal income tax; and

Whereas, The federal government is presently anticipating providing funds to state and local governments through various aid programs, many of which use the federal income tax as a basic source of revenue; and

Whereas, The management of programs by state and local governments is most efficient when the funds are not ear-marked for specific purposes; Now, Therefore;

Be it resolved by the Indiana Legislative Council:

Section 1. That the Indiana Legislative Council supports the concept of continuing to use the federal income tax base for funding of state and local programs, with the proviso that additional moneys be transferred through a revenue sharing program, in order that efficient management of programs involving federal, state and local funds can be enhanced.

Sec. 2. The Indiana Legislative Council supports the most unrestricted concept of revenue sharing which it is possible for Congress to develop at this time, that is, reversion of a certain percentage of federal income tax collections to the state from which the collections are made, with complete discretion left to the state government about the use of funds.

SEC. 3. The executive director of the Indiana Legislative Council is instructed to provide copies of this resolution to all members of the United States Congress representing the State of Indiana; to all members of the Indiana General Assembly; to the officers of the Council of State Government; to the officers of the Advisory Commission on Intergovernmental Relations; to the United States Treasury Department, and to the President of the United States.

Adopted this 10th day of June, 1970.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES' NEWSLETTER

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. FARBSTEIN. Mr. Speaker, the following guest editorial, written by a constituent, Mr. Harry H. Zucker, VA Local 1151, AFGE, was published in the Second Speaks, the house organ of the American Federation of Government Employees of the Second District. I think that it represents the type of thinking that should be circulated among the Members of the Congress and of the executive branch:

GUEST EDITORIAL BY BROTHER HARRY ZUCKER, VA LOCAL 1151

Labor Secretary George P. Shultz breathed a spirit of freshness into an archaic, stilted, mouldy and tired unilateral government policy when he stated that "the Government will have to accept a managerial role and be subject to binding arbitration * * * in labor relations with its employees."

In the earlier days of this century when the Government still recognized and accepted noblesse oblige and adopted enlightened and progressive personnel policies for other employers to follow, there was no need for confrontation between the Government and its employees. However, when the Government repeatedly faltered in its role and assumed the hard and fast policies of the market place, it could no longer, in good conscience, claim immunity from the reverse swing of the pendulum on the basis of sovereignty.

To phrase the issue simply, in essence, when one looks, sounds and acts like an employer, he must be an employer and no unilateral assertion to the contrary will convince the employees that the regular employee-employer rules ought not to prevail. To use sovereignty as the excuse to avoid collective bargaining is now considered a red herring issue and totally inapplicable. Sovereignty in government employee-employer relations has been a dead issue for about fifty years since the British Government entered this area willingly. But even if it were not a dead issue, there is no provision of law which would preclude the Federal Government from sitting down with its employees and bargaining collectively in good faith.

Circa World War I, the British Government recognized the benefits to be realized from satisfied public employees. It did not invoke the sovereignty rule but, in spite of it, organized the Whitley Council System, a tripartite organization for collective bargaining with representation on the part of the employee unions, government management and chaired by an impartial public representative. These councils were and are authorized to deal with almost any issue ranging from pay, hours, position classification down to the resolution of group grievances. A majority vote of two prevails. After the vote, the resolved issue is certified to the Cabinet and it becomes law as a matter of routine. If either the Government or the staff representative is wholly or partially dissatisfied with the outcome at the Whitley Council level, appellate rights are available to a special tribunal.

Why is it so difficult for the Congress and the Executive Department to face realities and give up a power which is tedious, time consuming and often administered in an inferior and inequitable manner? Why can a system, such as that of the Whitley Councils, work in England and not work in this country?

THE CONGOLESE NATIONAL DAY

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. DIGGS. Mr. Speaker, on June 30, 1970, the Democratic Republic of the Congo will celebrate the 10th anniversary of its independence. This is a particularly important occasion not only for the Congo but for all of Africa because it marks the close of a period during which the Congo has made one of the most impressive economic and political recoveries recorded in the developing world.

In the early years after achieving independence in 1960, the Congo suffered one of the most prolonged and acute series of internal disorders and resulting economic disruptions any country has ever had to face. However beginning in the mid-sixties and accelerating after 1967, the Congo under President Joseph Mobutu was gradually able to restore internal tranquillity and embark on a remarkable economic recovery spurred by a successful monetary reform program.

Today the Congo is enjoying a period of unbroken internal tranquillity that dates from 1967 and President Mobutu is providing the country with the greatest measure of political stability that it has known since independence. Presidential and legislative elections are scheduled for December of the year. The economic picture is perhaps even more favorable with both mineral and agricultural exports having increased sharply in recent years, foreign exchange reserves standing at over $200 million, and the Congolese currency remaining stable. Also the Congolese Government has moved to create a favorable climate for foreign investment with publication of a liberal investment code and settlement of the outstanding disputes with foreign firms.

The Congo is by virtue of its size, central location, and great natural resources one of the most important African countries. Today it is also a nation which has overcome serious political and economic problems to emerge as one of the most stable and economically vital nations in Africa. This remarkable recovery clearly demonstrates the progress which can be made by African countries against the very serious problems of under development. Outside support and assistance was important in the Congo's recovery, and I am proud to note that the United States played a significant role in this regard. However in the final analysis, it was the ability and determination of the Congolese people which brought about this recovery and it is an achievement in which all Africa can take pride.

I am happy to note that President Mobutu will be making an official visit to the United States in August thereby giving us an occasion to appropriately recognize the Congo's remarkable achievements and to reaffirm the traditional friendship between the Congo and the United States.

POSTAL REFORM?

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. CABELL. Mr. Speaker, from those concerned about our postal system I have had a good amount of interest in my views on that legislation of last week. The word "reform" today carries magic, but not all so-called reform is true reform.

It is generally agreed that our private, free enterprise system, in its purest form, has difficulty in providing certain essential public services as is indicated by the bankruptcy action taken this week by the Penn Central Railway, as well as in the admitted inability of private builders to meet the low-cost housing need without government subsidy. As a Nation, we must not only provide, but improve mail delivery for all our citizens. Our Government cannot evade this obligation, nor should it try to remove the issue from the political arena in order to protect itself from possible public outcry.

Taking politics out of the Post Office has a noble sound, but it is neither the objective nor would it be the result of the present plan, as approved by the House and now under study in the Senate.

In the first place, you do not remove politics from the Post Office simply because you substitute a presidentially appointed commission for a publicly elected Congress as its overseer. Insofar as postal appointments or postal jobs would be concerned, the entire system threatens now to become a part of the spoils of partisan presidential politics, with a complete shakeup possible every 4 years.

In the second place, the new proposal fails to either meet head on or to solve the essential problem: the question of second-, third-, and fourth-class mail rates. Here is where politics is an essential part of the problem, since these users contribute most to the postal glut and less to postal revenues and yet swing the biggest stick in party politics at all levels from the Presidency on down.

Until we face up to this basic problem and apply a hardheaded, nonpolitical cost versus income solution to it, we will always have an expensive postal service no matter who runs it.

Under the President's proposal, the commercial rates remain a political football to be kicked around in Congress and the individual who wants to mail a business or social letter is at the mercy of the new commission. The final decision on all rates remains up to the Congress through its veto power. And do not think that if the commission does decide to make bulk mail pay its own pay, Congress will not be pressured and will not be right back in the middle of the fray as much as ever before.

Under the new plan, the commission would have complete discretion to curtail or eliminate any of the following to meet its announced overall break-even policy: a rural route, suburban post office, or a weekday delivery. Some restriction was put into the bill to try to save small post offices; however, there are loopholes that could be circumvented by the commission even on this matter.

I do not like the new plan and did not vote for it. These are not my only reasons.

I also fear for the future job security of the individual postal employee whose deserved pay raise was used as bait to secure the votes of union leaders and Members of Congress, who should know better. It was a cheap political trick. Furthermore, the bill contemplates regional salary scales rather than remuneration based upon work done and years of service. This would mean that a letter carrier or a postal clerk in Dallas would receive less pay for the same work than someone employed in New York City or Chicago.

The heart of this whole matter is that as far back in our history as the founding of this Nation, the postal system was established as a public service and a responsibility of the central government. It was intended by the Founding Fathers to be a means of national communication and a public service to our citizens. The maintenance of this obligation of our Government cannot be expected to be self-supporting anymore than we expect the Public Health Service or the agencies that control the safety of the airways to pay their own way.

The question is now with the Senate and I am hopeful that the public will let its desires and its fears be known in order that the necessary safeguards can be built into this important legislative decision.

FORMER CONGRESSIONAL PAGE: STUDENT "UP TIGHT" ON STRIKE

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. McEWEN. Mr. Speaker, I call to the attention of my colleagues a newspaper story which should be of interest to everyone in this Chamber. It concerns John R. Zagame, Jr., who served as a House of Representatives page boy from July 1967 until August 1969.

This patriotic young American has just finished his freshman year at Syracuse University in Syracuse, N.Y.

The Washington correspondent for the Syracuse newspapers, Mr. Joseph V. Ganley, recently interviewed the former page, and his story appeared in the Syracuse Herald American-Post Standard of Sunday, June 21, 1970. I believe that Mr. Ganley, a conscientious and dedicated newspaperman, has written an excellent story about the views of John Zagame.

Because I feel that John represents what is "right" with American college students, I am calling this story, which describes his views so well, to your attention.

Mr. Ganley's story follows:

STUDENT "UP TIGHT" ON STRIKE

(By Joseph V. Ganley)

A former Congressional page, son of an Oswego onion farmer, is "up tight" about the student strike six weeks ago at Syracuse University.

John Zagame, 19, son of Mr. and Mrs. John Zagame, who own and operate a 100-acre farm, recently completed his freshman year at S.U.

On a visit to the Capitol, he told an interviewer that he regarded the actions of dissenters during the strike as the "tyranny of spoiled brats."

He declared that most of the "liberal" students who participated in the anti-Nixon, anti-Cambodia demonstrations didn't know what they were opposing and refused to permit persons with other viewpoints to be heard.

Why does the opinion of one student deserve a forum?

Because Zagame contends that the conservative viewpoint cannot be heard on the S.U. campus and is rejected by the Daily Orange, campus newspaper. He complains that the campus dissenters didn't present both sides of the issues.

John was a page boy in the House of Representatives from July 1967 to August 1969.

"I had an opportunity to hear both sides of any issue before the House, so I got into the habit of looking at both sides," he said.

In the Syracuse strike, he supported the "establishment." He said he "believes in and supports President Nixon's program for peace" and endorsed Nixon's reasons for the Cambodian incursion.

"The aim was to save American lives and to allow the Vietnam government to take over the fighting," he said. "And remember that each bullet captured means one that won't hurt an American."

However, Zagame declared he was "no right-wing nut" but was willing to listen to the dissenters' viewpoint.

"I just don't agree with them," he said. "But they reject my point of view without hearing it."

A history major, Zagame contends that the students he listened to and observed at S.U. appeared "lost" as to what they were striking about. Most, he said, when told to contact their congressman "Didn't even know who he is and had to go to maps to find their own congressional districts.

"It makes me wonder," he said, "just how sharp and how aware they are. Particularly the leaders, many of whom just reject the American system for an anarchistic approach."

He felt that the protestors "have no sense of past history, especially the most recent history beginning with World War II and events leading to Munich, the Nazi buildup . . . and they know little about the depression of the 1930's and the hardships their parents went through to get money to educate them.

"They make value judgments which are irrational concerning the establishment without knowing the facts," he said. An example, he said, was the burning of a branch of the Bank of America that had granted $1.6 million worth of low interest student loans.

The youth doesn't plan to give up the fight for his convictions. This summer he plans to work for the election of Rep. Robert C. McEwen, Ogdensburg Republican, as coordinator of students activities at about a dozen colleges in McEwen's six-county Northern New York 31st District. He'll also be helping on his father's farm.

Zagame said there wasn't much he and other conservatives could do during the campus strike because "there were so few of us and so many of them.

"We were bombarded with liberal ideology, but had no chance to respond," he complained. "The so-called liberals demanded the right to be heard but denied free speech to the opposing viewpoint. They characterized (Vice President Spiro T.) Agnew as repressive, yet shout obscenities at anyone who takes issue with them."

Zagame complained that he and his friends wrote to the Daily Orange but their letters were ignored. This, he contends, goes to the heart of complaints about a "biased press."

"We have got to get at the truth—to tell it like it is. The trouble is, politics always creeps into the issues," he said.

Zagame may head for a political career himself. He became interested in the Washington scene at an early age. "When I was 10 or 11 years old making a tour of the capitol with relatives, I got the idea I wanted to be a page," he said.

MEDEX: A PROGRAM TO ENCOURAGE THE PRACTICE OF MEDICINE IN RURAL AREAS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. PELLY. Mr. Speaker, the June 12 issue of Life magazine contained an article on a program called MEDEX. This program is successfully pointing the way toward meeting the manpower shortage in rural areas in the medical profession.

I am sure that my colleagues who missed reading the article in Life magazine will find it of great interest and hopefully will want to assist in broadening the program so as to encourage medical care in their own rural areas where physicians have not found it attractive to practice medicine. I include the article by Richard A. Smith, M.D., in the RECORD.

MEDEX

(By Richard A. Smith, M.D.)

The state of Washington, like many other states in this nation, is faced with a severe manpower shortage in the medical profession. Much of the shortage can be explained by distribution patterns; that is, there are certain population segments in the state which have difficulty obtaining adequate medical care when and where they need it. In some areas, this difficulty is due primarily to a lack of physician manpower. According to the Washington State Medical Education and Research Foundation, this fact is true especially in the rural parts of the state where the physician-patient ratio is constantly decreasing due to the urban migration of physicians and replacement failures. In addition, the age of general practitioners in these rural areas is steadily increasing.[1] Thus efforts are needed to be directed to increasing the capacity of practitioners already in the areas, as well as making general practice more attractive to physicians seeking new work settings.

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[1] Kinney R.: *Data Bank of Washington State Physicians, 1968.* Seattle, Washington State Medical Education and Research Foundation, 1968.

There are many programs in the country, operational or in the planning stages, which are designed to train subprofessionals whose place on the health professional ladder is not clearly defined. Many of these subprofessionals perform a role of relieving the physician or his nurse of much of the uncomplicated parts of medical practice. However, the majority of highly technical procedures involved in primary contact care still remains the sole responsibility of the practicing physician. Thus, there remains the need to relieve physicians of more of the time-consuming procedures, that is, to help physicians become more efficient by extending the capabilities.

The defense system has developed ways of rapidly training medical personnel to meet its specific needs which are similar to those of the civilian medical care system. Thousands of medical corpsmen leave the military services annually who have had extensive training and experience in the provision of primary medical care within a military framework.[2] Of the 30,000 discharged annually from the military with some medical training, more than 6,000 of them leave the Army, Navy, Air Force, and Coast Guard where they have been providing primary medical care. They return to a civilian setting which is unable to utilize their extensive training and proved talents. Some with specialized training take allied health jobs; the majority find that there is no way that they, as civilians, can use the 75 hours of didactic and laboratory training they received in human anatomy and physiology, the hundreds of hours of medicine, surgery, pharmacology, orthopedics, training in taking histories and performing physical examinations, etc. Some, such as Special Forces and Navy "B" Corpsmen, receive 1,400 hours of formal medical training, which may include nine weeks of a supervised "clerkship." Army corpsmen of the 91C series may have up to 2,000 hours of such formal training.

Most of these men have had 3 to 20 years of experience, including independent duty on the battlefield, aboard ship, or other isolated stations. Many have some college background (Special Forces "medics" average 1½ years of college). After at least 2 and up to 20 years in uniform, these men have certain skills and knowledge in the provision of primary care. Once discharged, however, the investment of public funds in medical capabilities and potential care are lost, as they work as detail men, insurance agents, burglar-alarm salesmen, or truck drivers. The majority of this vast manpower pool is unavailable to the present medical care delivery system because, up to this point, we have not devised a civilian framework in which their skills can be put to use. It is from this pool that personnel for MEDEX has been drawn.

This program is designed to utilize the products of the military system which have heretofore not been adequately adapted to the civilian health setting. The purpose of the MEDEX (*méd*ecin *ex*tension=physician's extension) Project is to develop an extension of the physician—another pair of skilled hands under his supervision and available to help him 24 hours a day, a person trained by and for a specific physician. MEDEX is a model of non-physicians extending primary medical care transferable to rural, suburban, or urban settings. It is anticipated that this model will demonstrate that former military corpsmen with additional practical training can perform many tasks, presently performed by civilian physicians, which do not require the extensive and sophisticated education obtained in medical schools. There are a few physicians who presently employ men in analogous practice settings.

In the initial phase (preparatory phase) of the project, a number of general practitioners in rural Washington were visited. Prior to the visits, these men had been identified as practitioners who were overworked by an increasing patient loan burden, unable to find time to take continuing education courses, unable to spend more than three or four days each year away from their communities for leisure activities with their families, or planning to leave their practices for a less demanding scene in "urbania."

Most of these physicians have had military service and were able to list a number of tasks which the Medex (the former military corpsmen to be trained for this project) could perform for them in their practices. Their experience with military corpsmen, in conjunction with their obvious need for help, produced a combination which made MEDEX appropriate in their communities.

Discussions were held with the Washington State Medical Association and the medical faculty at the University of Washington. In addition, meetings with members of the nursing profession in the state pointed up some of the potential problem areas, resulting in productive input into the design of the project. It was decided that the MEDEX demonstration program should be a joint effort of the Washington State Medical Association through its research arm (the Washington State Medical Education and Research Foundation) and the School of Medicine at the University of Washington. It is apparent that the complementary capabilities of these two organizations are integral to the MEDEX concept.

Visits were made to a number of Army, Navy, Air Force, and Coast Guard installations to inform groups of corpsmen about the proposed project and to elicit applications. Funding was obtained from the National Center for Health Services Research and Development (Health Services and Mental Health Administration) of the Public Health Service (Department of Health, Education, and Welfare). A core staff was assembled, and development of an intensive task-oriented curriculum was initiated in May 1969.

Initial screening of the 80 applicants on the basis of former training and experience, geographic desires for relocation, references from physicians, and dates of discharge produced 26 corpsmen-applicants to be interviewed for the 15 positions chosen for this demonstration project. Fourteen physicians, who indicated they would be willing to train 15 Medex in a 12-month preceptorship in their offices and subsequently to hire them, volunteered to participate in the program. On the last two weekends of May, the corpsmen were brought to Seattle in two groups to meet with the staff and the physician-preceptors (half of them were present each weekend) for intensive interviewing and selection conferences. Hour-long interviews with potential preceptors and MEDEX staff were followed by subjective testing and seminars. On June 3, 1969, 15 corpsmen were selected as the first Medex.

Criteria for selection include the following: applicant's knowledge of his limitations, judgment under varying circumstances, interpersonal relationships, medical task proficiency and knowledge, and satisfaction with the projected role of Medex. The Medex trainees selected varied in age from 22 to 55 years and educationally from holding a high school diploma to a bachelor's degree.

The second phase (university training phase) began on June 30. During the first week of this period and on three subsequent weekends, each Medex trainee visited a total of at least five potential preceptors in their practice settings to facilitate the process of matching Medex to physicians, which occurred four weeks later.

During the first three months of training, emphasis was placed upon pediatrics, geriatrics (chronic diseases), histories and physical examinations, and psychiatry. Much of the training was in these areas in which the preceptors and staff believed the Medex should have competence and in which the Medex themselves thought they had the least amount of experience. Heavy emphasis was placed upon the psychologic adaptation the trainees would undergo in their transition from military medicine to the civilian practice setting. The selection process and curriculum development were greatly enhanced by the presence on our staff of a former Special Forces medic (who, prior to his Vietnam experience, had received a BA degree in English literature and had served as a Peace Corps volunteer in community development in Colombia) and a community psychiatrist (whose ten-year military experience was that of a meteorologist in the Air Force). Additional professional input resulted from the presence on our staff of an educator with broad planning and operational experience.

The MEDEX faculty was composed of faculty members of the School of Medicine as well as physicians in private practice in Seattle and elsewhere in the state. A description of the curriculum will be available at a later date.

The preceptor phase began in the middle of September 1969, after the three-month university session was completed. Twelve Medex are in rural Washington; two are in an urban setting, and one is with a suburban general practitioner. During the 12 months following the university phase, the Medex will be performing tasks (many of which he performed in the military) under the immediate supervision of his preceptor, thereby increasing the physician's capacities. For the first months of his preceptorship, the Medex will assist and extend the physician by learning and applying primary medical care skills under his close supervision. When the physician has developed enough confidence in the individual, he could be used in a variety of ways—all activities geared toward extending the physician's capabilities. Tasks that this new professional could perform include screening patients to be seen by the physician, history taking, performing parts of physical examinations, the application and removal of casts, assisting at surgery, suturing minor lacerations, taking roentgenograms and performing laboratory tests during non-office hours, assuming certain administrative responsibilities, and being available to provide the physician with assistance any day of the week, any hour of the night. The full extent of the Medex's task capabilities are as yet undefined. Consideration will be given to future requirements for skills in other areas as needs develop.

A certificate was awarded each Medex upon the completion of the three-month university training phase, and an additional certificate will be awarded upon completion of the preceptor training phase.

Special attention has been paid to the selection of the corpsmen, the matching of Medex and preceptors, psychologic adaptation to the civilian medical scene, and the development of the Medex's self-image, identity, and status. Based upon our experience with this program thus far, the MEDEX staff feels that any large-scale attempts to utilize former military corpsmen in civilian settings should pay particular attention to these areas.

In addition to the in-practice training the Medex receive during the 12-month preceptorship, the design of the program includes ten three-day-weekend continuing education seminars. These seminars will occur in varying locations around the state and will be geared toward filling gaps in knowledge identified as the program progresses. Instructors at these seminars will be preceptors in the program and other private practitioners. Unlike the university training phase, the medical school faculty will play a relatively minor role in this third phase.

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[2] *Allied Health Personnel,* Ad Hoc Committee on Allied Health Personnel. Washington, D.C., National Academy of Sciences, 1969, pp. 8–10.

Three tools are being used in the evaluation of MEDEX. Engineers from the Department of Industrial Engineers at the University of Washington completed the pre-Medex, Time-Motion-Task Study in each of the preceptor's offices during July 1969. An outside consulting group completed its pre-Medex Outside Evaluation Study in each of the offices in August 1969. The former is an objective study of how medical care is provided in the preceptor's community; the latter is a subjective study of what medical care is provided. The second part of each of these studies (post-Medex) will take place in the summer of 1970. After the Medex have been in their preceptorship for approximately nine months, a retrospective survey will be conducted in each of the communities involved. Selected populations will be questioned regarding the impact of this innovation on the delivery of medical care in the communities involved.

COMMMENT

The conditions which produced the setting for MEDEX in Washington state are not totally unique. The state medical association's pioneering spirit to provide leadership and its expressed concern for its members were two important factors leading to the selection of this time and place for the demonstration program. Another important element was the very obvious need for help in rural Washington where dedicated general practitioners are growing increasingly concerned about their ability to maintain the quality and quantity of care for their patients. Of major importance, also, is a medical school evolving to meet the needs of the community it serves.

There will be other efforts to use corpsmen in civilian medicine. This program undoubtedly is not the only way to utilize this manpower pool. Conditions in other states will not be exactly the same and other pathways may be identified. However, in MEDEX we have attempted to design a program which is realistic and practical in this part of the Northwest. As this program continues, it will probably produce additional information which will be of assistance to other groups with an interest in improving the delivery of primary medical care in their areas. Subsequent writings will attempt to communicate such information.

Domestic implications of MEDEX should be obvious. Not so apparent, however, are the international developments that could result from American utilization of this available manpower pool. Although we are becoming more aware of our own health manpower needs, the worldwide perspective is one of acute crisis, with no relief visible on the horizon. The changes MEDEX or MEDEX-type programs might possibly effect in this country potentially could open numerous possibilities in other nations which spend considerable sums to maintain sizable defense systems.

Finally, MEDEX is not a radical innovation in health manpower, nor is it a new training program being developed within a university. It is a joint project of potential uses of the MEDEX personnel and the developers-trainers-evaluators of the MEDEX program. It is an overdue effort resulting from a global perspective to pull together existing resources to meet a growing need in community health.

(NOTE.—This investigation is supported by Public Health Service contract HSM-110-69-183 from the National Center for Health Services Research and Development, Health Services and Mental Health Administration.

(This demonstration program is jointly sponsored by the School of Medicine, University of Washington, and the Washington State Medical Education and Research Foundation (Washington State Medical Association).)

NIXON IS MEETING THE TEST IN ALLEVIATING INFLATION

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. RHODES. Mr. Speaker, President Nixon's leadership is being tested again in the struggle to alleviate inflation, and most observers feel that he is meeting the test well. While there are demands from some that the Government set guidelines for wages and prices, the President has wisely recognized that the responsibility can best be met by business and labor leaders themselves, acting in their own best interests.

A recent editorial from the Christian Science Monitor supports the President's decision to turn to private enterprise for help, using "persuasion" when necessary, but rejecting the rigid course of wage-price guidelines. I insert this editorial in the RECORD:

[From the Christian Science Monitor, June 18, 1970]

NIXON RENOUNCES INFLATION "BIG STICK": PRIVATE ENTERPRISE GETS THE JOB

(By Saville R. Davis)

WASHINGTON.—The private enterprise system now has its big chance. The President believes that business and labor will fight inflation in their own best interest, if given the responsibility. Mr. Nixon has tossed them the ball.

In his address to the nation this week he renounced using the big stick which the Democratic opposition wants him to use. His administration will not set guidelines for wages and prices, and try to beat employers and workers into line.

Instead, Mr. Nixon has invited the business community to develop its own leadership in the fight against inflation. The obvious hope at the White House is that the President's new National Commission on Productivity will take over the job. He wants businessmen and labor leaders to persuade their fellows, showing them how much rise in wages and prices is in the national interest and therefore in their own interest.

This was the key decision. But the President saw fit to surround it with a sizable number of supporting actions by government.

"INFLATION ALERTS" TO COME

His Council of Economic Advisers will furnish the new national commission with statistical and other information on how the battle against inflation is going. It will sound "a periodic inflation alert"—calling attention to danger points in the wage-price picture. The Federal Reserve Board, Mr. Nixon assured the business community, will deal with the liquidity crisis—the shortage of money and credit and spending.

Government spending and purchasing will be reviewed once again, to make sure it helps rather than hinders the battle. Congress is asked by the President to pass a series of bills easing the temporary strains of unemployment and high interest rates.

The central questions in Washington today are two. One is in the short run: whether the President's measures show enough zip and initiative to start the economy up again, and avoid deepening recession. The other is in the long run: whether in so doing, and in rejecting the hard measures that his critics demand, the President can avoid another upward spiral of wages and prices.

It is considered possible by the President's advisers here that his show of leadership will provide a psychological lift—when taken together with the fiscal and monetary measures of the government—to deal with the immediate problems and get the country over the present in-between stage when business is sagging seriously and prices still going up.

Mr. Nixon tersely defined the immediate problems in a sentence which fairly reeled under the weight of its contents: "Unemployment has increased; the price index continues to rise; profits have gone down; the stock market has declined; interest rates are too high." He might have added that congressional elections are coming up in November and it is a staple of politics that bad business is bad for the incumbent administration.

The President's advisers hope that his address will produce an upturn to counter the dangerous sag in the economy which has proved worse and more obstinate than they expected.

In the longer run, it is apparent that Richard M. Nixon is characteristically fighting inflation with his own political and economic philosophy. He firmly believes in the least possible interference with the free enterprise system.

PERSUASION PREFERRED

When interference cannot be avoided, as at present, he tries to persuade rather than lowering the boom. He seeks to inspire voluntary action, in the countless private dealings by influential elements in the economy, to put their long-term interest in stability ahead of their short-term competitive interest in riding upward with inflation.

He is gambling on enough of this common sense working so that he can get the economy out of its downward spiral and yet avoid an upward spiral which could get out of control again. He is taking his chances with the bulk of past experience in this problem where enough businesses have usually been self-centered and hard-nosed enough to thwart the public interest.

Said the President: "I believe there is a new social responsibility growing in our economic system, on the part of unions and corporations. Now is the time for that social concern to take the form of specific action on the wage-price front."

If it doesn't?

IMPORTANCE STRESSED

"There is no more important goal than to curb inflation without permitting severe disruption," Mr. Nixon said. "This is an activist administration, and should new developments call for new action in the future, I shall take the action needed to attain that goal."

He made this cryptic remark in the face of the obvious and mounting concern of a number of liberal Democratic spokesmen in Congress and of some economists that the Nixon measures were inadequate to stem either the downthrust of the moment or the yeast in the price system later on. The decision between the two theories will be made by the economy itself, voting with its indices of wages and prices.

THE PROSPECT OF TERROR IN POSTWAR SOUTH VIETNAM

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. GOLDWATER. Mr. Speaker, for anyone who naively states, or believes statements, that the Communists would not engage in a "bloodbath" should they gain control in Vietnam, I recommend reading of a story by Peter T. Chew from the National Observer.

This story discusses the facts related by Douglas Pike—who Mr. Chew calls "this country's top expert on the Vietcong"—in a monograph entitled "The Vietcong Strategy of Terror." Just the few incidents of terror Mr. Chew has chosen are chilling evidence that revenge and repression are still the Communists' methods of making "peace" in a country they have occupied.

I commend this article to the attention of my colleagues:

Hue Massacre Holds a Lesson: The Prospect of Terror in Postwar South Vietnam

(By Peter Chew)

Early last year, a South Vietnamese peasant who was walking through the grass-tufted sand-dune country outside the city of Hue tripped over a coil of rusty wire thrusting up from the sand. The peasant reached down angrily and gave the wire a sharp tug—and out of the sand flew a skull and the bones of a hand and forearm wrapped in the other end of the wire.

Thus another "find" had been made in the search for missing victims of the massacre of Hue, which was carried out by the Communists during their 24-day occupation of the city in the February 1968 Tet offensive.

The "Sand Dunes Find" yielded 809 bodies. These victims had been lined up beside shallow trenches in the sand, bound together with wire in "bundles" of 10 to 20 persons, including many women and small children. Then they were cut down by submachine guns fired by local civilian Communist cadres who had surfaced once the city had fallen securely into the hands of 12,000 North Vietnamese troops.

To date, the bodies of nearly 6,000 South Vietnamese civilians have been unearthed in Thua Thien Province, which surrounds Hue, the cultural capital of Vietnam. Many of the victims had been tortured and buried alive.

Details of the Sand Dunes Find and the massacre of Hue are related by Douglas Pike, this country's top expert on the Viet Cong, in a 125-page monograph entitled *The Viet Cong Strategy of Terror*, recently published by the U.S. mission in Saigon. Mr. Pike's writings, because of his scholarship and reputation for searing objectivity, have earned the respect of hawk and dove alike. He is an official of the United States Information Agency, and his work is signed and is published with the disclaimer that his opinions do "not necessarily reflect the views of the United States Government."

"NIGHT OF THE LONG KNIVES"

In this crisp, chilling document, Mr. Pike provides a convincing rejoinder to those editorialists and politicians in this country who airily dismiss as propaganda President Nixon's warning that a Communist takeover in South Vietnam after our departure would result in a blood-bath. The massacre at Hue, says Mr. Pike, proved to be a premature curtain-raiser for what can be expected if the Communists prevail. Mr. Pike's most dramatic conclusion: As many as 3,000,000 South Vietnamese "enemies of the revolution" may be slaughtered in a "night of the long knives."

Mr. Pike, who spent eight years in South Vietnam, says that data gleaned from Communist defectors, captives, and surviving eyewitnesses in Hue provide overwhelming evidence that the slaughter of civilians there during Tet represented a calculated elimination of anti-Communists, and that the killing was not carried out in the heat of battle by troops whose adrenalin was pumping fast. The killing was done not by North Vietnamese troops but by more than 150 local Communist assassination squads.

"Despite contrary appearances," writes Mr. Pike, "virtually no Communist killing was due to rage, frustration, or panic during the Communist withdrawal at the end. To trace back any single killing is to discover that almost without exception it was a decision rational and justifiable in the Communist mind. In fact, most of the killings were, from the Communist calculation, imperative."

As reconstructed by Mr. Pike and other U.S. and South Vietnamese investigators, the killing in Hue was carried out in three phases.

SEIZURE, THEN WITHDRAWAL

We now know that the enemy's original plan called for 16 battalions of the People's Army of Vietnam (PAVN) to seize and hold the city of Hue for one week, then withdraw. The killing that went on during this first phase was of the routine Communist kind, the sort of thing they do every day in the hamlets, villages, and towns throughout the country.

"Cadres with lists of names and addresses on clipboards appeared and called into kangaroo court various 'enemies of the revolution,'" says Mr. Pike. "Their trials were public, usually in the courtyard of a temporary Communist headquarters. The trials last about 10 minutes each and there are no known not-guilty verdicts."

The battle of Hue went so well for the Communists the first week they convinced themselves that they could hold the city indefinitely as an enclave. Withdrawal plans were canceled. The Phase Two killings now began.

Among the Communists' acts at this point, says Mr. Pike, "was to extend the death order and launch what in effect was a period of social reconstruction, Communist style. Orders went out, apparently from the provincial level of the party, to round up what one prisoner termed 'social negatives'; that is, those individuals or members of groups who represented potential danger or liability in the new social order. This was quite impersonal, not a blacklist of names but a blacklist of titles and positions held in the old society, directed not against people as such but against 'social units.'

"In consonance with this, killing in some instances was done by family unit. In one well-documented case during this period, a squad with a death order entered the home of a prominent community leader and shot him, his wife, his married son and daughter-in-law, his young unmarried daughter, a male and female servant and their baby. The family cat was strangled; the family dog was clubbed to death; the goldfish scooped out of the fishbowl and tossed on the floor. When the Communists left, no life remained in the house. A 'social unit' had been eliminated."

Special attention during Phase Two was paid to the elimination of Hue's considerable intellectual community. "Surviving Hue intellectuals explain this in terms of a long-standing Communist hatred of Hue intellectuals who were antiCommunist in the worst and most insulting manner: They refused to take communism seriously. . . . The intellectuals in the university, for example, in a year's course in political thought dispense with Marxism-Leninism in a half-hour lecture, painting it as a set of shallow barbarian political slogans with none of the depth and time tested reality of Confucian learning, nor any of the splendor and soaring humanism of Buddhist thought."

The Phrase Three killings began once it became obvious that the North Vietnamese could not hold the city more than a few more days under the determined assault by U.S. and South Vietnamese troops.

Probably the entire Communist civilian underground had, by this time, revealed itself during the Phase Two killings. The cadres thus exposed could not go underground again as long as there were individuals around who remembered them.

"Probably the largest number of killings came during this period and for this reason," concludes Mr. Pike.

Ever since my return from a reporting stint in South Vietnam last year, I have been mystified by the lack of interest on the part of the American press in this incredible story. "We just can't 'sell' the Hue story," a U.S. Army public-information officer said to me one day in Saigon. Mr. Pike is equally mystified and upset. For the first time in his writings, Mr. Pike in *The Viet Cong Strategy of Terror* permits himself the luxury of emotion.

PROVOKED NO OUTCRY

"Apparently it [the massacre at Hue] made no impact on the world's mind or conscience. For there was no agonized outcry. No demonstrations at North Vietnamese embassies around the world. Lord Russell did not send his 'war crimes tribunal' to Hue to take evidence and indict. In a tone beyond bitterness, the people there will tell you that the world does not know what happened in Hue, or if it does, does not care."

Finally, Mr. Pike has this to say:

"The meaning of the Hue Massacre seems clear. If the Communists win decisively in South Vietnam (and the key word is decisively) what is the prospect?

"First, all foreigners will be cleared out of the South, especially the hundreds of foreign newsmen who are in and out of Saigon. A curtain of ignorance would descend. Then would begin a night of long knives.

"There would be a new order to build. The war was long and so are memories of old scores to be settled. All political opposition, actual or potential, would be systematically eliminated. . . . The pattern would be the same: Eliminate not the individual—for who cares about the individual?—but the latent danger to the dream, the representatives of the blocs, the symbol of force, that might someday, even inside the regime, dilute the system.

"Beyond this would come Communist justice meted out to the 'tyrants and lackeys.' Personal revenge would be a small wheel turning within the larger wheel of party retribution.

"But little of this would be known abroad. The Communists in Vietnam would create a silence.

"The world would call it peace."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide over 1,500 American prisoners of war and their families.

How long?

WHAT IS PATRIOTISM?

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BUTTON. Mr. Speaker, it takes little insight to observe that this Nation is divided, deeply divided, over the issue of the Vietnam war. To fathom this division, however, to understand what it is that we are disagreeing about—that is a much more difficult task.

A good deal of the problem, I think, results from our inability to discuss the war on the same plane. Antiwar critics are accused of being traitors to their country, while those who support the war are charged with chauvinism, and self-serving flag waving. Neither view is accurate and pretensions of patriotism are too often refuges for debates of little substance.

This ideal of patriotism is an elusive thing. It is hard to define, even harder to apply. Yet, this country has always placed great stock in the patriot and all that he stands for. The great unanswered question now, I think, is exactly what the patriot does stand for. One of the best essays I have read on this subject was written for a contest sponsored by the Italian-American War Veterans on the question: "What is Patriotism?"

The author is a young girl from Rotterdam, N.Y., in my district. She won first place among entrants in Rotterdam's Richard E. Voris Post 37 contest and has just been selected to represent New York State in the national finals which will be held in August.

The author's name is Linda Moore, and I offer her essay with the recommendation of the judges, who said:

> It is one of the most unique pieces of writing ever to be judged.

The essay follows:

"WHAT IS PATRIOTISM?"

(By Linda Moore)

Who was John Michael Cain? You can't tell me. No one can. His name isn't written in the history books. No statue honors his deeds. He is long forgotten.

I met him once, through the story of an old man. John Michael was his great-grandfather. The old man's eyes were glazed and his words were slow and dreamy as he told of a man whose story only he remembered.

John Michael was a young boy when the American colonies declared their independence. He didn't hate the British, but he loved America more; so he fought. He fought long and hard. He received no card ordering him to fight. He didn't need one. He volunteered. It was his duty. He was scared most the time—petrified, in fact, but he stuck it out. He didn't run.

He hated killing. Even when he was a boy on the farm he couldn't bear to see an animal die. But he killed now. He still didn't like it. He killed because it was necessary. He did it because it was something he had to do, though the first time he killed he got sick and couldn't eat or sleep for days. He stuck it out, though. He didn't run.

Then the war was finally over and John went home. He wasn't afraid anymore, but he was sad. He had no family left. He had loved them, but he loved his country, too, so he accepted what had happened and started a new life in the country he had helped to win. He became successful, if not famous, but soon he grew restless, and travelled westward across the wide plains, down to Texas.

And he was happy in Texas, thought it wasn't part of the country he had fought to create. There were the same type of people there, though—Americans, the same as he. So when they wanted to break away from Mexico he agreed, although he didn't hate Mexico. He merely loved Texas more. And so the killing started once again. An old man now, John fought and killed until it was his turn to die. And at the Alamo he was afraid, but he stuck it out. He didn't run because he loved freedom too much and he believed so greatly in the cause for which he fought.

Who was John Michael Cain? Many like him are long forgotten. They were patriots.

THE OVER-AND-UNDER-30 GROUPS COME TOGETHER IN SUPPORT OF ADMINISTRATION IN NORTH JERSEY NEWSPAPER POLL

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. WIDNALL. Mr. Speaker, the Passaic-Clifton Herald-News, a daily newspaper of large circulation in my own district in New Jersey, conducted a poll of its readers over the past week. Over 2,700 people in the readership area were surveyed with regard to various aspects of policies of the Nixon administration.

In view of the powerful influence on our national news media that has been exercised by a vocal antiadministration minority, which claims to represent the under-30 generation, I think that there is a point to be made by bringing the results of this poll to the attention of my colleagues.

Five adjoining congressional districts were included in the poll. The distribution by district is remarkably similar to the division of the total of those polled on each question. That is to say that the sentiments of the people we represent are very much alike.

As is immediately apparent, the alternative answers are sufficiently clear cut to demonstrate agreement or disagreement with the positions of the Nixon administration. Contrary to what we might be led to believe by the national news coverage of the under-30 generation, the Herald-News poll shows substantial agreement between the two groups. Granted, there is a discernible 10 to 20 percent gap between their two positions on the political spectrum, but in no case was there any polarization of attitudes. Indeed, there is every indication that, in terms of real influence, those under 30 are more affected by the steady example of their elders than by the frenzied gyrations of some of their contemporaries who would claim to be their spokesmen.

The results of the poll are as follows:

NEARLY 3,000 READERS VOTE IN HERALD-NEWS POLL—NIXON, WAR, DRAFT, AGNEW WIN SUPPORT

The Herald-News poll conducted over the past week resulted in overwhelming support of President Nixon, Vice President Agnew, the War in Indochina and the draft.

The ratio of those over 30 to those under 30 closely paralleled the conservative majority of three or four to one.

The most lopsided victory was scored against pulling out of Vietnam immediately, with 81.03 per cent of the 2,738 persons answering the poll voting for one of the two other alternatives. This was closely followed by support of Agnew's criticisms of the communications industry, with 80.62 per cent of the votes cast.

The closest question was the one about draft deferments for college students, with 66.09 per cent voting to end them and 33.91 per cent voting to retain them.

Poll results showed that 79.29 of the respondents were over 30, and 20.71 per cent were under 30 in age. The percentages were calculated on the basis of those answering a particular question. In some cases there were multiple answers or blanks for a particular question. All answers were counted.

When the under-30s were separated from the over-30s, the totals for every question showed a solid pro-administration vote by the younger people, although it was not as overwhelming a majority as scored by their elders.

The majority was only a hairline when it came to draft deferments however, with 50.64 per cent of the under-30s favoring ending the deferments and 49.36 per cent voting to keep them.

As was the case with the early returns, the votes, received over the weekend included some comments that could not be fed into the computer.

"People in favor of war, old and young, should fight, not talk, the battles, themselves," wrote Mrs. Mildred Phillips, 325 Westervelt Place, Lodi, whose husband is a disabled veteran of World War II. We fought World War II for Europe. We didn't make any friends, we killed and crippled Americans and we created Frankenstein Russia. Killing Americans to create allies in S. E. Asia is simple. Nobody wins a war."

"In regard to Vice President Agnew, I didn't vote his ticket but I say 'God bless him,'" wrote Nunzio Paparozzi, 287 Farnham Ave., Lodi. "We need more leaders like him. For one reason or another, everyone wants an end to our involvement in Vietnam and Cambodia.

"I want to see an honorable end to this war because I know the horrors of war from experience as a medic in World War II. Many other people bring forth other reasons which are personal and sincere. Those that work for the government want to end the war so they can benefit from the expenditure of defense funds. Some of those on welfare say the same thing. The cry of some senior citizens is along the same lines. Some in education say they would like to gobble up some of that money.

"We could go on and on, but while these people say it is morally wrong, it would not bother them one bit if we pulled out and millions of Vietnamese were slaughtered by the Communists. If pulling out would solve all the other ills, the massacre of a few million Vietnamese might be worth it, but I don't believe it or condone it."

Another reader, Leo Mahon, 21 Seventh St., Clifton, wrote that "There are so many good reasons to stop all this seemingly unnecessary waste of youth, lives and equipment."

"As I sit and wonder and yes worry the only just decision I arrive at is to win this situation once and for all and return these soldiers to their homes," he continued. "God give comfort to those families who have given their loved one for all of us, may we in turn give them nothing less than total victory."

The accompanying table lists the results of the poll in totals, by age group and by congressional district, for those who indicated their representative on the ballot. The results of the poll will be sent to each representative and to the state's two Senators.

Questions	Total		Over 30		Under 30		Roe	Helstoski	Widnall	Rodino	Dwyer	Frelinghuysen
	Number	Percent	Number	Percent	Number	Percent						
I'm for continuing the war to a military or political victory	1,176	42	966	45	194	35	501	131	109	35	14	63
I want U.S. participation ended through a gradual withdrawal of American troops	1,066	39	860	40	190	34	500	106	79	27	9	53
I'm for pulling out immediately	525	19	335	15	178	31	275	44	34	31	5	16
President Nixon was right in ordering troops into Cambodia	2,119	78	1,742	82	346	62	925	224	174	60	23	116
President Nixon was wrong in sending troops into Cambodia	606	22	381	18	212	38	323	54	42	33	5	17
I back President Nixon in the way he is conducting American policy in Asia	2,079	76	1,714	81	334	60	914	221	171	59	22	110
I am against President Nixon's Southeast Asia policy	639	24	406	19	220	40	335	55	45	34	6	20
The draft deferment for college students should be ended	1,762	66	1,456	70	278	51	784	190	147	57	19	101
The draft deferment for college students should continue	904	34	619	30	271	49	437	79	63	32	9	29
The draft should be continued	1,986	74	1,658	79	298	54	879	212	158	53	19	110
The draft should be ended	707	26	438	21	257	46	363	60	52	37	9	21
Vice President Agnew was right in his criticism of the communications industry	2,172	81	1,783	85	357	65	956	228	174	67	24	120
Vice President Agnew was wrong in his criticism of the communications industry	522	19	318	15	191	35	282	48	37	27	4	14
I am over 30	2,136	79					976	219	154	66	23	99
I am under 30	558	21					260	58	60	24	5	32

PROBLEMS FOR ALL AMERICANS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BRADEMAS. Mr. Speaker, our Nation is confronted with many critical problems. An unhealthy environment and an unstable economy, for example, are issues which must concern all Americans, whether they live in the country or the city.

This is a theme which I discussed in an article published in the special 35th anniversary edition this month of Indiana Rural News.

Although most of the subscribers to this periodical live in rural areas, they share with urban residents concern about the same problems facing our society.

Mr. Speaker, I submit this article for inclusion in the RECORD:

NOT RURAL—NOT URBAN—BUT PROBLEMS FOR ALL AMERICANS

(By John Brademas)

The war in Southeast Asia, the sagging economy and our deteriorating environment—these are neither "urban issues" nor "rural issues." They are critical problems which confront all Americans.

Inadequate housing, poor education, a polluted environment, soaring unemployment and rampant inflation—like the war in Vietnam, these are all dilemmas which touch us whether we live in an apartment in the city or in an Indiana farmhouse.

These are also the problems with which the President and we in Congress are now wrestling, and I want, from the perspective of an Indiana Congressman for over eleven years, to comment briefly on several of them.

The economic situation is especially disturbing. Unemployment is high and rising and interest rates are high and rising too.

Nearly 5 per cent of our national work force is now jobless, and Administration officials concede that this figure is expected to climb.

The latest consumer price index—for April—rose another 6 per cent over the previous month. This annual increase in the cost of living of more than 7 per cent has become intolerable to the average citizen.

Meanwhile, interest rates remain at record levels. These rates may be profitable for bankers, but they put credit out of reach for many homeowners, farmers and businessmen.

"The business slowdown is turning out to be considerably more severe than most economists had anticipated," reports *The Wall Street Journal*. But a citizen does not need a college degree in economics to know that his dollar does not buy what it once did.

Newsweek, in its May 25 cover article, bluntly characterized the state of the economy—"recession."

The magazine gave a number of concrete examples:

A farmer pinched by the rising cost of equipment and falling farm profits.

A policeman whose pay raises are eaten up by surging costs of living.

An elderly couple trying to make ends meet on a fixed income.

A small investor who sees the bottom fall out of his stocks.

Runaway money and a stagnating economy are not our only problems. We must assign new national priorities if America is to reach its potential and provide a truly great environment for its citizens.

In this effort to elevate the quality of life in America education is paramount, and indeed my principal legislative responsibility in Congress has been in the field of education.

Readers of the *Indiana Rural News* may be interested in some of the educational initatives on which I have been working during the 91st Congress. Hoosier citizens, from the farm and the city, will benefit from this legislation.

I serve as chairman of the House Select Subcommittee on Education, which has held a series of hearings on a bill I introduced last year designed to extend educational opportunities to children of pre-school age.

Dr. Bruno Bettelheim, a noted early childhood specialist, told our subcommittee that 50 percent of the development of intelligence takes place before the age of four while another 30 per cent of the growth occurs between the ages of four and eight.

Such evidence as this demonstrates the crucial importance of early childhood education. My bill, which has the support of both Democrats and Republicans, would establish comprehensive programs of instruction and services in physical and mental health as well as nutrition.

Another concern of mine is the young person who wants to continue his education beyond high school, but finds his way blocked by prohibitive tuition payments and other rising costs.

I know there are many promising Hoosier high school graduates who have the ability and desire to go on to college but are unable to do so because they don't have the money.

To help meet this need, I am sponsoring a bill which would provide additional funds for the Federal student aid programs and also assist colleges in building the classrooms, libraries, and laboratories necessary for expanding enrollment.

Education is essential, too, if we are to cope with the challenge of the pollution of our air, land, and water. We need to know more about the whole spectrum of issues related to the environment in order to reverse the pattern of abuse caused by policies born of ignorance.

The Environmental Quality Education Act, which I have introduced and which has won strong bipartisan support, would authorize funds to support elementary and high school courses in environmental studies as well as adult education and community conferences on the environment.

Measures like these, designed to increase our national investment in our most valuable resource—educated men and women—are, I believe, essential if we are to provide a better life for all Americans.

The answers to the problems that plague our society today are ones that all Americans seek—whether they live in town or in the country.

TREAD RUBBER TAX

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. SCHNEEBELI. Mr. Speaker, today Congressman CORMAN, of California, and I have introduced a bill to amend the excise tax provisions of the Internal Revenue Code of 1954 regarding the manufacturers' tax on tread rubber.

Typically, manufacturers' excise taxes are imposed upon articles after the manufacturing processes have been completed. The ultimate consumer purchases the article essentially unchanged from the form it was in when it was taxed. In the case of tread rubber, however, the tax is imposed after the tread rubber has been manufactured but it is used in the recapping or retreading of tires. The ultimate consumer purchases a tire rather than tread rubber. In the tread rubber tax, wastage of the product in the ultimate manufacturing process occurs after the tax has been paid. However, similar waste and scrap material used in the production of other taxable articles does not become subject to the taxes on those articles. Our bill will change the tread rubber tax to make it essentially similar, in its practical application, to manufacturers' excise taxes generally, by permitting a credit or refund, without interest, if tread rubber which has been subject to the manufacturers' excise tax is destroyed, scrapped, wasted, or rendered useless in the recapping or retreading process in the same way as provided by existing law where tread rubber is sold for use other than in recapping or retreading highway vehicle type tires.

The second change made by the bill provides a credit or refund in the case of recapped or retreaded tires in essentially the same type of situation as existing law allows in the case of the sale of a new tire. When a taxable tire is returned by the customer and the price of a replacement is adjusted under the regular guarantee or some other arrangement, then the tax liability on that tire is adjusted proportionately. This procedure is available in the case of new tires, which are subject to the tire tax. My bill makes the same type of refund or credit, without interest, available with regard to tread rubber when a retreaded tire is returned and the price adjusted.

The two changes made by this bill are needed in order to bring the actual operation of the manufacturers' tax on tread rubber more closely into line with the operation of the other manufacturers' excise taxes.

CRACKDOWN ON DRUGS IS WORKING

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BOB WILSON. Mr. Speaker, the 10-city raid on narcotics peddlers was only one of a series of steps the Nixon administration has taken to clamp down on the narcotics trade.

In a recent editorial, the Los Angeles Times comments on other actions taken by Justice, Treasury, and related agencies to break up this nefarious racket. I insert the editorial in the RECORD at this point:

CRACKDOWN ON DRUGS IS WORKING

Treasury Secretary David M. Kennedy noted in a recent speech that, last year in New York City, more young people between the ages of 18 and 35 had died from heroin than from automobile accidents.

Police departments all over the country can attest to the fact that narcotics addiction, in addition to constituting a major health hazard, is also the root cause of a great deal of violent crime.

The illegal importation and sale of drugs is a big as well as monstrous business, and no one should be under any illusions but that bringing it under control is going to be a long, difficult job.

The Nixon Administration's stepped-up drive against the illicit drug traffic shows encouraging signs, however, of paying off:

In March, federal and local narcotics agents smashed a Laguna Beach-based "canning factory" that was making millions of dollars worth of psychedelic drugs a year, and selling to buyers all over the country.

In April, U.S. Customs officials seized four tons of marijuana in Long Beach—the biggest marijuana haul ever made in the United States.

In May, federal agents arrested the Ecuadorian consul in Philadelphia on charges of smuggling in more than $1 million worth of pure cocaine.

Now, in the most important operation of all by far, narcotics agents have dealt a severe blow at a ring which is said to account for 30% of all the heroin and 80% of all the cocaine which enters this country from abroad.

More than 130 persons were arrested over the weekend in 10 cities, including Los Angeles, and more are being sought. Retail value of the drugs seized in the raid, and during the six months of investigation which preceded it, was estimated at almost $9 million.

Atty. Gen. John N. Mitchell called the operation a "tremendous success," and predicted that "these arrests will diminish the flow of hard narcotics into and within the United States."

The Justice Dept., the Treasury Dept. and all the other agencies involved deserve a vote of thanks.

STRATEGIC FAILURE

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. LOWENSTEIN. Mr. Speaker, as our troops begin to come out of Cambodia and the President prepares to go before the country with his tote board of captured guns, bicycles, and rice to celebrate a tactical triumph, it is important to face the fact that, whatever it is tactically speaking, it is only another instance of strategic failure.

Even considered tactically, there are serious doubts about an operation that as of yesterday had cost 339 American and 860 South Vietnamese lives, and 1,501 American and 3,603 South Vietnamese wounded. And who knows how many of the 11,000 bodies counted as "enemy" were Cambodian peasants caught in the indiscriminate swath of war?

However one tallies the costs and benefits in a tactical sense, strategically we face a wider war, fraught with new complexities, uncertainties, and risks.

The Lon Nol government, our new and costly Cambodian client, is floundering, and we can be sure who it will grab if it starts to go under. According to a report in the June 29 edition of the New York Times, the Cambodian Army presently holds less than one-third of the country's 69,000 square miles, while the North Vietnamese and anti-government Cambodians firmly control one-third of the country and can roam at will through the remaining third.

Our Cambodian venture has had the effect of welding Communist elements throughout Indochina closer together and, worse, closer to China.

At a deeper level, the venture is a failure because it has provided another occasion for indulging in self-deception, for refusing to face the facts upon which sound strategy is based.

Prof. James C. Thomson of Harvard, who served on the staff of the National Security Council and in the State Department in the last administration, expresses this aspect of the failure especially well in a lecture he gave to a recent meeting of the Yale-in-China Association:

> Every effort to avert acceptance of error and failure—every "cosmetic" approach, in current Washington parlance—is simply a formula for further evasion and self-deception and for a longer, wider war. Every effort to "save face" will lead to a new Cambodia. For any President who thinks he can now exit with grace from this twenty-year error is a President who, when confronted with the possibility of the look of defeat, will balk and grope for a new Cambodia—new flexing of the muscles, new acts of bravado, new targets of opportunity, new military adventures, up to and including, I deeply fear, the threat of the use of nuclear weapons and, if need be, the actual use of nuclear weapons. For there will always be persuasive peddlers of new ways to win this unwinnable war.
>
> What we so desperately need out of our present President, or his successor, is something no President has yet had the courage to face and to tell the American people: that Vietnam was "lost" to Vietnamese national-communism many years ago by the French, by Americans, and mostly by Vietnamese; that nothing short of world war might "retrieve" that loss; that the loss doesn't matter in terms of American security interests, and indeed has never mattered; and that an admission of error and failure that brings peace to a shattered region is, far from "national humiliation," the first step toward national regeneration, an act of true national courage.

I am inserting in the RECORD a related article by Professor Thomson that appeared in the London Times and a piece by Orvelle Scheel, codirector of the Bay Area Institute, from the New Republic. Both articles ably define the dimensions of the strategic failure:

[From London Sunday Times, May 10, 1970]

BLIND GAMBLE IN INDOCHINA

(By James C. Thomson, Jr.)

Mr. Nixon's Cambodian lunge has opened another grim chapter in the long and baffling story of the American-East Asian relationship—one from which neither America nor East Asia will emerge quite the same as before.

For more than a century Americans have been obsessed with the Far East, an obsession rooted in concepts of mission and manifest destiny. Since the turn of this century the obsession has been transformed into policy: a presumption of national interests in the region, a grand style of rhetoric to cover those interests, occasional resorts to war to protect them, but throughout a curious and persistent inability to define them.

Policies and actions have often been out of line, often a result of internal confusion in Washington. On Vietnam, for instance, what kind of war was it, and who was the real enemy? Was it a civil war or international aggression? And if the latter, was the "real enemy" Hanoi? Peking? Moscow? International Communism? Or maybe "Asian Communism"?

It is sadly appropriate that the obsession, the policy, and the confusion should find their most recent expression in the systematic obliteration of a Cambodian town called Snoul, while Mr. Nixon tells his people that such things are done to avoid "national humiliation." A while ago, before My Lai, Mr.

Nixon's predecessor stressed the centrality of his country's "national honour."

How is one to explain this ongoing American tragedy which yet another President has now compounded?

At the heart of the matter was and is China. Some say that China became to America what India was to Britain, but much more so and with a different outcome. Out of a century of apparently altruistic involvement—efforts at evangelism, education, technical assistance—as well as trade and investment, Americans developed a powerful self-image of their nation's special benevolence toward China and of China's special responsiveness.

But the fury of the Chinese revolution—Chinese Nationalism and, in time, the victory of its Communist wing—assaulted the foundations of that self-image. And the American response, in the world-wide Cold War climate after 1949, was to suspect betrayal at home and abroad. Clearly the new China was a creation of Moscow and its agent ("a Slavic Manchukuo," said Mr. Dean Rusk in 1951) and a dangerously expansionist Power. The true China remained among the exiles on Formosa; the false China must be contained and isolated.

Hence the construction of a network of alliances and bases to defend "Free Asia." Hence new efforts at the export of benevolence, the creation of anti-Communist States in America's own image. Hence, specifically, America's funding of France's struggle for military victory and/or "Vietnamisation" in Indo-China (assistance initially provided, as Mr. Acheson has recently revealed, in order to get France to do what Washington wanted done in Europe). In the process, of course, the very separate roots and identity of the Vietnamese revolution were lost on the policy-makers; equally lost was any clear perception of the fusion of Nationalism and Communism—a potent mix—that fed that revolution.

China, then, is central to America's Asian involvement. But China is not the only factor—and, indeed, has been a receding factor in the past ten years, thanks largely to Peking's military caution and internal preoccupations as well as Sino-Soviet enmity.

Two decades of containment of China's Golden Horde have bred strong habits of thought among those who make policy in Washington. There is, first of all, the well-known domino theory, enunciated originally by General Eisenhower but soon firmly lodged in the American view of Asia. The idea that if you knock over one Asian state, they all fall down, has the virtue of simplicity.

Its premise that all Asian states act alike may well stem from the traditional Western conviction that all Asians "look alike." As for policy-makers, domino-ism makes quite unnecessary any careful appraisal of the critically important differences that distinguish Thais from Cambodians, Burmese from Koreans, Indonesians from Japanese—or, most important of all, Vietnamese from Chinese, age-old foes. All that is needed is a map and an ink-brush to show the alarming consequences of one small nation's collapse.

In very recent years Washington's statesmen have begun to de-emphasize dominoism, perhaps out of belated experience of Asia's resilient nationalism, perhaps to avoid a self-fulfilling prophecy. Yet in one fundamental respect the concept retains its hold: a fear, from the theory's earliest days, that the final domino (and perhaps the only one) is the Administration in power. That the "loss" of a foreign State to Communism means your party's loss at the polls is the most potent legacy of the "loss" of China in 1949 and the defeat of the Democrats in 1952.

Yet another habit of thought pertains to America's military ascendancy and its relation to Asian issues. From Commodore Perry to Theodore Roosevelt and Henry L. Stimson, American statesmen had believed that if you stood up to Asians, they would soon back down. To traditions of firmness and character the post-war years have added unsurpassed power. Little wonder the Stimsonian itch to deal firmly with Asians has its latter-day expression in President Johnson's decision to bomb the Vietnamese into negotiations and President Nixon's assertion, as he invades Cambodia, that Vietnam is a test of America's "will." What is missing is any sense that Asians, too, have will—and that one's will is usually strongest on one's own home ground.

Such habits are compounded by sheer ignorance of Asian realities; of age-old hostility, for instance, among Vietnamese, Cambodians, and Thais, and between all three and Chinese; of the fact that Laos is a non-country created by France, that Cambodia is the Poland of South-East Asia caught and carved between Thailand and Vietnam, and that French and American intervention has only postponed for a while the probable division of the Indo-China region between Thailand and Vietnam.

They are also compounded by patterns of official prose: by a persistent tendency towards rhetorical escalation—an ever more shrill definition of the importance of the stakes, as the price and doubts soar, to cover the paucity of stakes. Vietnam becomes important quite simply because Administrations have *said* it was important.

And they are further compounded, of course, by American pride: by presidential unwillingness to admit a colossal national blunder that spans two decades and five Administrations, and by presidential susceptibility to "solutions" that will somehow make the outcome look like less than failure.

So this month Mr. Nixon, captive of familiar pressures, gives in to the Cambodian "solution" long urged by Saigon and the Pentagon. It is a sad move for one who recently seemed as if he really wanted "out." A gamble, it is called by many commentators, here and in Washington—even a courageous gamble. More properly, a desperate evasion: an evasion of the central facts that no President has had the courage to face and to tell to his people—that Vietnam was "lost" to Vietnamese national-communism many years ago, by French, Americans, and Vietnamese; that nothing short of world war could retrieve that loss; that the loss doesn't matter in terms of American national interest; and that an admission of error that brings peace to a shattered region is, far from "national humiliation," the first step toward national regeneration, an act of true courage.

CAMBODIAN CIVIL WAR

(By Orville Schell)

We now see that the Cambodian invasion, far from being a "brief surgical operation" quickly performed and done with, has opened wide a new and dangerous fissure. Tad Szulc in *The New York Times* of May 20 reports "senior officials" in Washington as believing that "in some ways the situation in Cambodia was beginning to resemble South Vietnam in 1960 when the Vietcong began their rebellion against the Saigon regime." George McT. Kahin, director of the Southeast Asia program at Cornell, puts it more bluntly: "President Nixon has contributed to the creation of a formidable anti-American alliance in Cambodia, making a long civil war in that country inevitable."

Until the coup in March, the Cambodian body politic existed in a precarious balance with Prince Sihanouk in the middle. To his right stood the former (and present) Premier and Minister of National Defense, General Lon Nol. He was chief of the 35,000-man Cambodian Army which was largely trained and partially equipped under US military aid amounting to some $94 million up to 1964, when Sihanouk requested that it be stopped. Although Lon Nol made trips to both Peking and Hanoi for Sihanouk, he was known for his "anti-Communist" and "pro-Western" feelings. He reportedly traveled to the Communist capitals in attempts to persuade Hanoi and Peking that the NLF and the North Vietnamese Army (NVA) should leave their Cambodian base camps. Although he did not always agree with Sihanouk, Lon Nol was included in various cabinets as a balance against the left. Sihanouk used him as a kind of warning to the Cambodian Communists not to push too hard against his own, middle-of-the-road, poorly organized Sangkum Party, which he formed hastily when he abdicated the throne in 1955.

To Sihanouk's left were the Khmer Rouge, whom he played down as much as possible, and of whom the American press has chosen to take almost no notice. The Khmer Rouge (or Red Khmers) have not been a strong force numerically in past years, but they served to point up the fact that Cambodia, although not at war, had by no means remedied the plight of the peasant or of rural government. Their numerous, but usually inconsequential, attacks on government troops were an annoyance, but less important (although the Sihanouk government claimed to have killed some 300) than the de facto control they exercised in parts of the rural hinterland, particularly around the vital ports of Sihanoukville and Kep on the southern part of the Cambodian-Vietnamese border. The NLF has been getting supplies to its troops in the Mekong Delta region in South Vietnam through these ports. Apparently Sihanouk was unwilling to move into this area and clean up the NLF operations, because it would have risked a major clash with indigenous Cambodian forces. Lon Nol did not share these apprehensions and always favored a hard line against both NLF and Khmer Rouge activities.

The Khmer Rouge, who now operate in some five different districts in Cambodia, were formed of remnants of the old Cambodian Vietminh (never very strong due to the rather pro-French stance of Sihanouk), disaffected teachers and student intellectuals, former elected officials and a peasant following of undetermined size. Estimates, until recent weeks, placed the total number of Khmer Rouge at around 3000. From leaflets left in villages through which they have moved, it is known that they want to "liberate Cambodia from the Americans," that they are scornful of religion (Buddhism), critical of police and army extortion of the peasantry, and corrupt government monopolies. Various factions of the Khmer Rouge have been so isolated from one another that they have not had any unified program. Their two main bases adjacent to Tay Ninh Province, in Svay Rieng and Prey Veng, have been closely allied with the NLF. These Khmer Rouge have harassed not only Cambodian government officials, but have joined the NLF in sorties into South Vietnam.

But there are other Khmer Rouge to the west of Phnom Penh who have been more independent. Their base camps stretch from the Thai border down along the Elephant Range to the coastal ports at Kampot. They are led by Hou Youn, who is described by U.S. intelligence sources in the *Far Eastern Economic Review* as a "man of truly astounding intellectual and physical strength." Hou Youn is an ex-National Assemblyman who was expelled from Phnom Penh during Lon Nol's crackdown on Communist activities in 1967. Demonstrations followed Lon Nol's severe treatment of peasant rebels in Battambang Province, who were said to be led by Hou Youn and the Khmer Rouge. As a result of Lon Nol became the *bête noire* of Cambodian leftists, who have since branded him as "an American stooge."

Interestingly, neither wing of the Khmer Rouge ever criticized Sihanouk by name, which does not mean that Sihanouk did not oppose their activities. Thus, in June of last year he commented that "the Vietcong fight a foreign imperialism in order to liberate their country in order to give it independence. They are furthermore supported by the South Vietnamese people while receiving no instructions from foreign organizations, whereas the Khmer Reds fight their country's government which is known by the whole world to be the guardian of national independence and nonalignment and to derive its power from the people through general elections. The Khmer Reds kill their own compatriots and are in the pay of either Maoism or the Vietminh." In an interview in February, 1969, Sihanouk said: "Leaflets scattered around by night announce the formation of self-styled clandestine Communist 'parties' or 'movements.' We do not know how many members they have, but very few in any case. I do not think that China 'controls' these grouplets, although Chinese activists in Cambodia give them assistance."

Officially, China had been chary about giving any support of an official nature to the Khmer Rouge. In past years there has been no mention of their activities in the *People's Daily*. The Chinese chose rather to support Sihanouk, even extending him a rather generous aid program.

In a sense, then, Sihanouk was the fulcrum point between the contending leftist and rightist, or pro-Western and Pro-Communist forces. With Lon Nol's coup and the US invasion of Cambodia, all that changed. Cambodia is polarized: Lon Nol and the Army (with American aid) on the right, and the Khmer Rouge (with Hanoi and NLF aid) on the left. Cambodia has become an annex of Vietnam both politically and militarily. Sihanouk has been forced to join friends where he finds them. And from exile in Peking, his alternatives are few. He has turned to the Khmer Rouge, his erstwhile enemies. Their movement, which has been small and almost unrecognized on the international scene, now has a leader of stature, the only man who has the prestige to rally the Cambodian peasants behind any mass movement. The Khmer Rouge has been rejuvenated.

On April 17, *Le Monde* reported in a headline that in Svay Rieng, already "peasants appear to be joining the ranks of the local Communist guerrillas." The article by Jean-Claude Pomonti goes on to describe the newly formed Khmer Rouge provisional government and how the war is forcing peasants into the expanding ranks of the Khmer Rouge Army in the area. He writes: "Three former deputies of the Cambodian National Assembly, Mssrs. Khieu Sam Phon, Hou Youn and Hu Nim, who rejoined the underground several years ago and are considered the leaders of the Khmer Rouge, published last March 26 a declaration of support for Prince Sihanouk." The three ex-deputies urge "all our compatriots, in the city as well as the countryside, not to enter into the army or into the police to serve as cannon fodder for the American Imperialists and for the traitors to the fatherland, Lon Nol and Sirik Matak, to not pay them taxes, to not respect their savage laws, and to sincerely and resolutely unite in the National Unified Front of Kampuchea [Cambodia], to organize guerrilla forces of the Khmer people who are ready to receive you now."

On April 21, in *Le Monde*, Jacques Decornoy reported that "a National Liberation Front of Kampuchea [that is, of Cambodia] has just been created. It already operates in certain 'liberated territories' and claims to carry out operations thanks to its 'liberator the Khmer Army.'" A correspondent for *Agence France Presse* quotes a cadre of the Front as saying that they had already "totally liberated" the province of Rattanakiri and that, "The following year, perhaps sooner, we will be at Phom Penh. But the Prince will return before that time." The correspondent reported that the "Khmer Liberation Army has vehicles and automatic machine guns taken from the Government Army." The Khmer Rouge, with the help of the NLF, seem uninterested at this point in capturing towns and cities (which will only be razed by US air strikes and armor). They are reportedly determined to create "liberated zones" *a la* Mao, from which they can put a guerrilla army of their own in the field.

Peking has taken careful note of all this. Headlines in the *People's Daily* now trumpet support for Sihanouk's government-in-exile (which includes such Khmer Rouge leaders as Hou Youn as Minister of the Interior and Peasant Problems) and for the Summit Conference of the Indochinese Peoples which was attended by Chou En-lai, Sihanouk, Nguyen Huu Tho (NLF), Pham Van Dong (DRV) and Prince Souvanouvong (Pathet Lao).

On May 4, the *New China News Service* reported Chou as saying: "Armed with Mao Tse-tung's thought and tempered through the Great Proletarian Cultural Revolution, the Chinese people, will always give all-out support and assistance to the fraternal peoples of Cambodia, Laos and Vietnam in carrying to the end the war against US aggression and for national salvation."

The day before at the Summit conference, Chou said that "the 700 million Chinese people provide a powerful backing for the three Indochinese peoples and the vast expanse of China's territory is their reliable 'rear area' [*hou-fang*]." "Rear area" is not a term the Chinese have traditionally used with abandon, inasmuch as it has the connotation of the word "sanctuary." Now it appears that they have decided to stake their prestige and support on Sihanouk. One can hardly believe that they would have given such unqualified support (after initially being so cool) did they not think that Sihanouk was capable of pulling a movement together back home.

It is increasingly probable that US-supplied South Vietnamese forces will remain in Cambodia indefinitely, for "the Lon Nol regime will need assistance," as Mr. Szulc notes in the *Times*, to deal with guerrilla and subversive activities." That raises the question whether US commanders will not at some point be directing ground operations, but more probably air strikes, against Khmer Rouge sanctuaries" (as well as those of the NVA and NFL) in a prolonged Cambodian civil war.

BABE RUTH BASEBALL

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. FLOOD. Mr. Speaker, due to a prior commitment I was unable to attend the breakfast held recently on Capitol Hill in the interest of Babe Ruth baseball.

I am sorry that I missed this affair as I did want to renew my long friendship with one of the greatest players in the history of major league baseball—Vernon "Lefty" Gomez, who served as toastmaster and performed in his usually humorous and highly entertaining style.

We in northeastern Pennsylvania remember Lefty for his scintillating record as a pitcher for the great New York Yankees and we also remember him for the years he managed the Yankee farm team at Binghamton, N.Y., which was in the same league as my hometown team, the Wilkes-Barre Barons. So, we got to see Lefty quite often during those years and we hold him in great affection.

I understand Lefty had some nice things to say about Wilkes-Barre during the course of the recent Capitol Hill breakfast program, and for that I thank him very much.

Baseball is a great game and needs the support of many of us. I strongly support all programs in athletics for our young people and I particularly support Babe Ruth baseball, which is a truly outstanding program to develop the major league players of tomorrow. It is named in honor of the greatest player in the history of baseball and I am sure the Babe would not want to be remembered in a finer way.

So, I extend my congratulations to Mrs. Babe Ruth, Lefty Gomez, Bowie Kuhn, and the many others who are actively engaged in the promotion and further development of Babe Ruth baseball. They are performing a fine service to the youth of our country.

MINNESOTA LEAGUE OF WOMEN VOTERS URGES REPEAL OF THE INDIAN TERMINATION RESOLUTION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. FRASER. Mr. Speaker the League of Women Voters in Minnesota has done an outstanding job of focusing attention on the needs and concerns of our State's 35,000 American Indians. "Indians in Minneapolis," a study prepared by the Minneapolis chapter, has been acclaimed nationally as the most comprehensive analysis to date of urban Indian conditions.

Currently, the Minnesota league is supporting legislation introduced by myself and 28 colleagues to repeal House Concurrent Resolution 108, the 1953 Indian "termination" resolution.

The following correspondence from Mrs. O. J. Janski, State president of the Minnesota LWV, provides an excellent statement of the need to repeal this congressional action opposed so bitterly by Indian groups throughout the country.

The correspondence follows:

LEAGUE OF WOMEN VOTERS
OF MINNESOTA,
St. Paul, Minn., June 24, 1970.

Hon. DONALD M. FRASER,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FRASER: Thank you for taking the lead to repeal House Concurrent Resolution 108. The enclosed letter is being sent to all Minnesota Congressmen.

Sincerely,

MRS. O. J. JANSKI,
State President.

JUNE 24, 1970.

Hon. CLARK MACGREGOR,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. MACGREGOR: The League of Women Voters of Minnesota was pleased to see that a bipartisan effort will be made to repeal House Concurrent Resolution 108. This states that it is federal policy to ultimately terminate Indian reservations. Although this policy has not been pushed in recent years, it still is on record as being the government's objective in dealing with Indian citizens.

We refer to this resolution, passed in 1953, because its wording was inaccurate to begin with and when it was enforced, the results were disastrous. It states:

"Whereas it is the policy of Congress, as rapidly as possible, to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

"Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now therefore, be it Resolved by the House of Representatives (the Senate concurring), that it is declared to be the sense of Congress that, at the earliest possible time . . . (tribes in 4 states and 5 named tribes) . . . should be freed from Federal supervision and control and from all disabilities and limitations specially applicable to Indians . . ."

The resolution is cast in terms of granting Indians the rights and privileges of citizens. Indians are already American citizens and they already are "entitled to the same privileges and responsibilities as are applicable to other citizens." (Military service, paying taxes, etc.) Also they are not in any sense "wards" of the United States. The government does not control the individual Indian. The relationship is based on treaties between nations.

The federal government now holds reservation land in trust status on behalf of the Indians because of these treaties. Other services follow because of the tax exempt status of the land and the nation's desire to assist this minority.

In 1962, in our League's study "Indians in Minnesota" we pointed out that "The resolution is not so important for what it would *give* Indians as for what it would *remove* from them." And this is what has happened as the sad stories of the Menominee and Klamath tribes attest.

Indians throughout the nation, no matter what their circumstances, fear this resolution. It has never been rejected by Congress and could at any time be used to threaten their limited remaining lands and their very existence.

We urge you to join in the action to rescind House Concurrent Resolution 108.

Sincerely,

Mrs. O. J. Janski,
State President.

CONGRESSMAN PATTEN'S YEARLY QUESTIONNAIRE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. PATTEN. Mr. Speaker, each year I send a legislative questionnaire to every home in the congressional district I represent.

The response has always been gratifying—not only in the number of persons who take part, but in the deep interest and strong enthusiasm they display in expressing their views.

This year's questionnaire consists of 10 questions—six on domestic issues and four on foreign affairs.

The questions are:

Please list what you consider to be the three most serious domestic problems facing the Nation.

Dr. Arthur F. Burns, Chairman of the Federal Reserve Board, said that wage and price controls may be necessary because of inflation. Would you favor such controls on a temporary basis?

Should Federal spending be increased to fight air and water pollution?

Do you favor changing the present lottery system for military service to an all-volunteer army?

Do you believe the Nation's space program should be expanded, cut back, or be continued at the present rate?

Do you support legislation that would establish Federal health and safety standards for workers?

On the Vietnam war, which one of these alternatives do you favor?

First. President Nixon's present Vietnamization policy—a phased withdrawal of U.S. combat troops to be replaced by South Vietnamese troops.

Second. Disengagement at a faster pace than the President is pursuing.

Third. Increasing the U.S. military effort.

Do you support the Strategic Arms Limitation Talks—SALT—now taking place at Vienna between the United States and the Soviet Union?

Should the United States sell military jet planes to Israel?

Do you support the idea of establishing a standby U.N. peacekeeping force?

IN MEMORIAM: ROBERT E. McCORD

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 1970

Mr. DANIELS of New Jersey. Mr. Speaker, it was with great sadness and a deep sense of personal loss that I learned of the passing of Robert McCord, the chief clerk and senior specialist for the Education and Labor Committee, on June 21. Bob was more than a counselor, although I often relied on his perceptive and sagacious advice; he was more than a legislative expert, although he was responsible for directing and guiding bills through the committee. Bob was an understanding and sympathetic friend with a profound appreciation for the needs of the people of this country and an acumen which permitted translation into legislation.

The legislative achievements of the Education and Labor Committee in the past few years are testimony to the tenacity and persuasiveness of Bob McCord. I mention only a few of those bills on which I personally worked closely with Bob: the Vocational Rehabilitation Act Amendments, Older Americans Act Amendments, the Construction Safety Act, the Handicapped Children's Early Education Assistance Act, and the Library Services and Construction Act.

To his widow, Audrey, and his family, I extend my heartfelt condolences. Just as Bob can never be replaced in their lives, so too is he irreplaceable on this committee. But his dedication to his job and to the people will long be a source of inspiration to those of us privileged to know and work with him.

HERO SCHOLARSHIP FUND OF PHILADELPHIA: PROFILE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. EILBERG. Mr. Speaker, whenever a policeman goes out on his beat or a fireman goes into a burning building, he takes his life in his hands. Few of these public servants think about that. It is part of their jobs; one of the risks.

But in their minds is a great concern for their children and their future.

Policemen and firemen are on the firing line these days when big city tensions flare into civil disturbances or worse. Sometimes these public servants have reason to resent public apathy or even at times public hostility; but in Philadelphia we take pride that the great majority of our citizens support their uniformed men.

An example of this is the concern and compassion which the people of Philadelphia have shown for the children of men mortally wounded or permanently disabled in the line of duty by providing for their education and their futures.

Philadelphia is proud of the fact that it has a reputation of being the safest big city in the Nation. Its crime record, both in fewer number of actual offenses and highest in crimes solved, lies in part with the high morale of its protectors.

Certainly, much of that high morale comes through the Hero Scholarship Fund, which derives its income from the annual thrill show, to be held for the 16th year at John F. Kennedy Stadium, September 11.

Since 1940, 48 policemen have been killed fighting crime. Also, there have been 56 firemen and three Fairmount Park Police who have lost their lives.

There are now 228 students, boys and girls, attending college, and 143 have already graduated, some with doctorates, some as teachers, several as lawyers, and one as a police personnel officer, following his late father into the ranks. Some 113 others had one or more years of college.

Also, 1,811 other sons and daughters of the city's uniformed servicemen will be awarded the same educational opportunities when they are ready for college.

All this came about through a mass tragedy. On October 28, 1954, a disastrous explosion wrecked the Berg Laboratories in North Philadelphia in a crowded neighborhood. Ten firemen died and a score of others were injured Thirty-five children were fatherless, faced with a bleak future in families without a breadwinner.

The tragic death of these firemen spurred Councilman Paul D'Ortona into action. An ordinance was introduced by

Mr. D'Ortona, then chairman of city council's public safety committee "authorizing the creation of a special committee to study ways and means of raising funds for the establishment and maintenance of scholarships for the children of firemen, policemen and park police killed or totally and permanently disabled in the line of duty."

James H. J. Tate, now mayor of Philadelphia, and D'Ortona, who succeeded Tate as president of city council, called upon the late John B. Kelly, noted sportsman and civic leader, to organize a citizens committee to implement this action.

Mr. Kelly agreed to serve and a citizens committee was formed. All the ideas of public appeals for money were abandoned in the face of other such appeals and the formula of a series of "thrill shows" was chosen to raise the necessary funds for the scholarship program. The first thrill show was held September 9, 1955.

Thus was born the "Hero Scholarship Fund of Philadelphia."

The 103,000-seat Municipal Stadium, the only one big enough to hold the annual Army-Navy game, was the natural site, and this faith was justified by the bulging crowds each year since.

Show business people, famed for generosity of their time and talent, have participated in the previous 15 shows, including among many, Bob Hope, Ed Sullivan, Louis Armstrong, Ella Fitzgerald, Tony Bennett, Richard Boone, Art Linkletter, Gene Autry, and the Supremes. These are only a few of the stars who have headlined in the greatest one-night stand in show business.

Police, firemen, and park police round out the shows with a demonstration of skills and daring which puts the "thrill" in the thrill show; and more than a million Philadelphia area residents have applauded over the years. More than $1,500,000 has been raised by the thrill shows, which is carefully invested by a special committee of banking experts.

Council President D'Ortona, now the president of the Hero Scholarship Fund, said recently that "the Hero Scholarship Fund is a unique enterprise among American cities. It has proved a success here and could be duplicated in any community which cares for the men who guard the life and property of its citizens."

It has often been said that a policeman's life is a thankless one, and this can be said, just as earnestly, about firemen and park police.

It does not have to be thankless, and Philadelphia gives some of its thanks in a practical way.

VOTING RIGHTS ACT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. DERWINSKI. Mr. Speaker, the 18-year-old vote issue is one that we must analyze without emotion and this same approach was the basis of an editorial in the Chicago Today, Wednesday, June 24, after the President signed the Voting Rights Act which included the 18-year-old vote. Since I share the President's view that the Court will find it unconstitutional for Congress to lower the voting age and feel that this matter should remain the jurisdiction of the States, I feel that this editorial is an effective commentary on the President's action.

NIXON TOUCHES BASE ON VOTE BILL

By signing the 5-year extension of the voting rights act, with its amendment lowering the legal voting age to 18, President Nixon has edged safely around a gaping pitfall. He couldn't have won by vetoing the bill; he can't lose by having signed it.

If the Supreme Court finds it's unconstitutional for Congress to set voting requirements for the states—as Mr. Nixon thinks it is—its ruling will prove his opinion correct. If the court finds the bill constitutional, it will prove Nixon right in signing it despite his reservations.

In either case, the President will spare his administration and his party the storms of resentment he'd have brought on by trying to do the court's job for it. And whatever happens to this section of the voting rights bill, the rest of it will stay intact. Mr. Nixon would have had to veto the whole bill—a dangerous gamble in itself.

Provisions for an early court test are built into the bill, and we hope the test will be prompt. If the 18-year-old vote is upheld it might bring a lot of changes—for instance, moves to redesign and emphasize civics courses in high school. The more time is left for planning these changes before next Jan. 1, when the law is scheduled to take effect, the better the plans are likely to be.

WHERE ARE AMERICANS NOW?

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. PICKLE. Mr. Speaker, the streets of America are filled with people marching to the beats of many different drummers. Next month, we will witness still another as the "Honor America Day" directs our attention to the most basic of all American holidays—the Fourth of July.

This great day in our history of national pride will be marked in the Nation's Capital with a lot of old-fashioned hoopla and with a new dimension. The organizers of the national observance have made a concerted effort to involve all America. This includes those among us who are hawks, doves, radicals, moderates, and what-nots. And this is as it should be.

Even the most naive among us realize that this day's planned activities mark an attempt to put some of the cohesive stuff back into the American mainstream. This, too, is as it should be. There is room, Mr. Speaker, in this great land for the full spectrum of political philosophy, activity, and partiality. There is room for those who would disagree with the course the country is taking—just so long as they are pulling with America and not against her.

Mr. Speaker, this month's issue of McCall's has issued a sort of "mid-term" report. As an introspective look at our land, the editors present the thoughts of such writers as Liz Carpenter, Arthur Miller, Paul Ehrlich, and Mrs. Malcolm Peabody, who are worldly travelers "on that jumpy, bumpy, always thrilling voyage" aboard the Spaceship Earth.

McCall's sets the stage with this special introduction:

Six months ago, after man had landed on the moon, we elected to look back over our astronauts' shoulders and try to define The Good Life on Earth. Since then, so much has happened. We have seen miracles, like the prayerful splashdown of Apollo 13. But there have also been some alarming bobbles and wobbles in the capsule we all ride together: Spaceship Earth.

From this backdrop, McCall's then provides a forum for a group of Americans who give us their "conversations" with such elements of our society as: the silent majority, a champion of the middle class, "powerless" students, and a population expert.

Of these, my favorite is the article written by one of my obvious favorites—Liz Carpenter. In typical fashion, Liz describes her crisscross travels throughout the metropolitan areas of the Nation. McCall's describes it this way:

For the past six months, Liz Carpenter, Mrs. Lyndon B. Johnson's former press secretary and author of the best-selling "Ruffles and Flourishes," has crisscrossed America to promote her book. She traveled over 35,000 miles and submitted to interviews in 41 cities. All the while, she was asking questions, too. "I'm the kind of questioner who gives George Gallup apoplexy," she says. "But I did get a feel of the peoples and what they're thinking."

Mr. Speaker, if ever we decided to actually interview America, I can think of no better person for the job than Liz Carpenter. She is a gal of great heart and understanding. I like her gift of gab, her verbal jabs, and her unabashed love for this land of ours. It all comes out in her article. Through her sensitive style, Liz has set the mood for the subsequent articles, and I take great pride in reprinting her observations in the RECORD:

CONVERSATIONS WITH THE GREAT SILENT MAJORITY: "THEY ARE FULL OF QUESTIONS—AND THEY SHOULD BE"

(By Liz Carpenter)

Beside me on the bus, as it inches its way through the nighttime fog from JFK to Manhattan, is a young girl. She can't be more than twenty-three. She is wearing a brown tweed maxi-coat and reading *Catch-22*. We begin talking, and I learn she's a nurse.

"I've just spent a great weekend with a fantastic guy, and now I'm going back—to my apartment at night and the hospital every day." She has seen too many people, she says, dying alone. "They just don't seem to have anyone," she tells me. "Maybe that's one reason I keep thinking I'd like to join a commune. I grew up in a big family, and there were always lots of people and action around. I like that. I've done lots of thinking on it, and if you found the right group, it could be great. It would beat the loneliness. I think the people I see in the hospital would have been better off in a commune, dying with a few friends around."

The bus lumbers toward the city, and I wonder why a husband and four children wouldn't do just as well as a commune.

But she doesn't seem to be thinking about a husband and four children.

The cab driver is taking me to New York's Pennsylvania Station, weaving between honking cars and delivery trucks. "Nothing's free any more, lady, not even two nails in a shoe. My wife has been going to this same shoe place for eighteen years, and she went in there the other day and just wanted two little old nails in her shoe, to keep the heel on. Always before, it was nothing. But now it's fifty cents just for two nails in a shoe."

It is not the price that bothered him, but the loss of friendliness of generosity. For eighteen years, those two nails have been something he could depend on.

In the department stores, Mr. Wanamaker's in Philadelphia, Mr. Joske's in San Antonio, Messrs. Halle's and Higbee's in Cleveland, sales are down.

First, it was the luxury items—diamonds and jewelry—things people could put off buying. Now, it's appliances—television sets and new washing machines. Clothing sales are down, too.

Meanwhile, the customer is learning how to sew again.

On a Main Line commuter train into Philadelphia, a smartly dressed matron is reading the paper. She's reading the fashion page in that way only philadelphians read newspapers, folded in thirds top to bottom.

"I've taken up sewing. I'm not the type, but I can't afford two hundred dollars for a pant suit."

I look her over and agree she's not the type. There is a diamond-eyed tiger pin on her expensive lapel.

But her decision is not unique. Over and over again store managers tell me that the sale of patterns, of yard goods is up.

"It isn't just saving money," a clerk in Cincinnati says. "It's wanting to do something themselves, getting satisfaction from a craft. Woodwork and other crafts are also booming. One of my customers told me the other day, 'I can't do anything about drugs and Vietnam, but I can sew and take my mind off them.'"

Chicago is booming. Unlike Philadelphia and New York, the restaurants are full. I mention this to Mayor Daley, and he grins. "We just don't panic so quick out here."

The mayor runs Chicago, and it works. The gravediggers dig, the sewers work, the town runs. I ask him where the Democrats should hold the next political convention. The mayor doesn't blink an eye. "Chicago, of course," he answers. "It's the best convention town in the country."

Over a drink, I ponder Chicago with an editor friend. In all the age of divisiveness, isn't it strange that Chicago can absorb Abbie Hoffman and Hugh Heffner, conventions and conspiracy trials, and still sit here undaunted—ready to take on the next comer?

"It's the most American city in the country," the editor says. "And let's face it, we've got a very red-white-and-blue mayor, who doesn't pamper the soul-searchers. There's room for everyone, but there is someone in charge."

My seat companion in the waiting room of the Minneapolis airport is a curly-haired young man—lean, intense, a smart new briefcase by his feet. Computers are his business. He has spent the day telling the city fathers of Minneapolis how much time, money, and labor they would save if the city would buy a few.

"Do you think computers have improved the human race?" I ask querulously, after expressing my own frustrations as a tax-paying member of the Zip Code Society.

"They certainly haven't cost any jobs," he says defensively. "They're creating jobs, and they're making money." He is silent for a moment. "I can't honestly say that computers have improved things basically. They give answers faster. But I don't really guess human beings are any better off because of them."

Maybe the trick is to make the computers serve us and not let us serve the computers?

He says we'll get to that.

The pretty Negro girl, a receptionist on the TV show in Cleveland, is just twenty-five. She is wearing a handsome beige pant suit and driving me to the airport in her snappy green Camaro. What worries her?

"We need to trust each other more," she says. "Take me! During the day, I work at City Hall in vital statistics, and this black man comes in the other day and says to me, 'Why aren't you wearing an Afro? Aren't you our sister?'" She takes a deep breath. "I know what I am inside. I'm for the black people. But I can be their sister without wearing an Afro."

She doesn't want to be one more vital statistic. She wants to be herself—the snappy girl riding along the Cleveland expressway in her snappy green Camaro.

She is a pretty manicurist in Seattle, and she has three children. "What worries *me?*" she asks. "I worry that when I'm gone, this country won't be safe for my kids."

She doesn't understand the "new people." She means the protesters, the militants, the shouters and damners. She hopes her kids won't turn out that way. "I just try to keep the conversation going between us," she said. "I try to make my sense of values sound reasonable to them. It's not easy. They're full of questions, and they should be. But I work hard at the answers and just hope I make a sale now and then."

Keep the dialogue going! The old rule of the diplomats, and now it is mothers who reach for answers across the negotiating tables in the dining room.

"I stand here ironing," the housewife in Portland says "and some jackass on television starts singing, 'You've come a long way, baby,' and I'd like to throw the iron right through the television set."

Her daughter, she tells me with a trace of admiration, has joined the Women's Liberation Movement. "She's lousy at ironing."

San Francisco, with its great bridge, its hills and lights, looks like an open jewel box by night.

Daylight brings less inspiring sights like the college dropouts in saffron Buddhist robes who loiter near a department store, handing out cheap, colored leaflets on the subject of love.

"Where are you from?" I ask a tall young "priest."

"Massachusetts—I mean, from God and love," he says, catching himself. "I'm from Love."

From Love, by way of Massachusetts. He and his companions have shaved heads. But if you picture them with a little hair, they look like the Harvard crew, fresh from a hard workout on the Charles River.

The Greenhouse is a fashionable health spa outside Dallas. I expected it to be filled with beautiful, idle, rich ladies, but I find its clientele includes political activists, thin, high-powered public-relations executives, taste makers, ladies bountiful, and former First Ladies.

Steaming in a sauna with me is a sophisticated young woman from a stylish Chicago suburb. Her week here is a gift from her husband for the second baby.

"What gripes me," she says amid the steam, "is that we Americans always jump to the conclusion that we are wrong. We assume everything foreign is better. The British educate better. The French have more elegance. We are constantly on the defensive. Sometimes I even do it myself. When my little boy Timmy gets into a fight with the next-door neighbor, I run out and say, 'What did Timmy do?' Now, isn't that something? His own mother automatically assumes the other kid is right. Is it out of some false sense of humility? Are we a bunch of hypocondriacs about our country? I don't advocate flagrant flag-waving, but dammit, we aren't ALWAYS wrong. And we ought to say so! We need personal pride, city pride, national pride—and we need it fast!"

"That's part of it," a prosperous rancher's wife in a towel says. "But we also lack balance, because there is no family at home—no grandparent, aunt, or uncle to give children stability and respect for authority. When we grew up, we didn't get out of line, because we didn't want to reflect on our family. And in a small town, everyone knew your family. Now we're on the move. People have scattered. No one's home any more."

On to Houston—bustling, prosperous, energized Houston. We ride into the city, past rows of awful billboards, talking about city problems. My companion, a thoughtful newspaperwoman, is optimistic about her hospitable city.

"We've started something new down here," she says pleasantly. "Quite simply, we're trying to put the joy back into dissent. We've established a forum with two chairmen, a strong Republican and a strong Democrat. When we meet, everyone has a chance to get up and express his viewpoint—with no hard feelings. It's going great. I don't know, maybe it's some sort of answer."

Instead of angry voices, instead of political tantrums, Houston is hearing some of its concerned citizens disagree—agreeably, in an atmosphere of respect. Not a new idea, perhaps, but the right idea. And it *seems* new in this contentious age. And suddenly, riding into Houston, I mind the billboards a little less.

Atlanta is still genteel, polite. But there's a bit more bustle now, a brash, new cosmopolitan air, which can accommodate both Lester Maddox and Julian Bond.

"The average book buyer in Atlanta," says the head of the department at Rich's, "is a woman between thirty and sixty who doesn't think anyone has written a book since 'Gone With the Wind.'" She pauses. "They're buying witchcraft books now. Astrology, all sorts of occult stuff."

What are they looking for, a substitute for religion? But when I ride down Peachtree Street, the churches all look new and well kept. And on Sundays, they are full.

In Birmingham, Alabama, there is a month-long, city-wide festival of the arts. Every night the townspeople get dressed up and turn out to see their high-school ballerinas dancing with a star from New York, or to hear a black teacher sing—sounding for all the world like Leontyne Price—under the baton of a maestro from Milan. They come, and each year for ten years the festival has grown a little bigger. In a very indirect way, the people of Birmingham are saying, "Don't label us red-necks and bigots."

Tomorrow there will be opera and a book-and-author luncheon, with three writers on the platform. But today the chairman is proudly showing us her city. Our last stop is at the poetry and short-story contest, where we hear local authors read their work—a businessman, a high-school teacher, ordinary people from all over Alabama.

Something is happening in Birmingham.

All over the country I find a backlash against the hiss-and-tell books, the blanket ridicule of public figures. Again and again people say to me, "I'm glad you liked the people you worked for." Or matter-of-factly, perhaps with a trace of defiance: "I liked the Johnsons, too." Often, they don't even mean they liked the Johnsons so much as they like the quality of loyalty.

I find that in Indianapolis and in Morgantown, West Virginia, at the university, seminars are under way for journalists, analyzing what is wrong with the media. They are willing to admit that the press is not the perfect institution in an imperfect world. There must be ways of telling the story of achievement as well as of failure. We must find those ways.

Back home now, I sort out the conversations, and I find myself refreshed. America has a great deal more going for it than against it. Somehow among the computers, the Numbered Society, we are going to decide: Do not bend, fold, or mutilate this individual, for he is a human being. We are going to find ourselves and each other. Again there will be someone to answer a cry in the night.

I think about the girl in the brown tweed maxi-coat in Chicago, the young, intense computer salesman in Minneapolis, the saffron-robed "priest" hawking love in San Francisco, the taxi driver for whom nothing is free any more, the young wife in the sauna who wants us to stop apologizing for ourselves.

What are they seeking, these widely scattered souls whom I met so briefly?

Something very simple, it seems to me: a sense of community, of neighborliness, of significance amid the numbers. The young girl looking wistfully toward the commune and the brisk festival chairman in Birmingham are not so different; they are after the same things: meaning, participation, involvement. In almost every community, I felt, people were searching for friends, for lost neighborhoods—for one another.

I heard complaints, fleeting expressions of self-doubt, sensed how numbers and anonymity can overwhelm people. But I also saw humor, energy, civic pride, pure cussedness, simple patriotism.

I have the feeling that America, even in a period of pessimism, is working; that for all their shortcomings and doubts, these silent Americans are earnest, devoted, diligent, determined to do their best.

We owe ourselves a respite from our own pessimism, our own bad temper. We owe ourselves—each other—the benefit of the doubt.

It is late spring when I reach Washington again. One of those blissful sunny Sundays when the monuments are bright white and the pink and white dogwoods are laced against blue skies. The riverbanks are filled with people. A few are fishing. There are bicycles and joggers and lots of racing, tumbling children. A group of little boys are looking intently for something on the ground. They find some smooth, flat stones, and I watch them try very carefully to skip them across the river.

I think of one more encounter, a conversation with a young clergyman on the plane back to Washingtotn. What did he see in the future? I asked. Was he optimistic?

"The church has survived so many things before," he said, "that I can't doubt we'll survive the present. We'll have to find new ways to express, to affirm old ideas. We'll have to find ways to act out values that in the past we've honored more in word than in deed. We're living through a time of great shifts in emphasis. In morals, there are great extremes—from extremely rigid morality to none at all. But I think the old values are still there."

The seat-belt sign flashed on, and he paused as the plane began to descend. "I think," he said slowly, "we should have a good deal of hope, based on faith."

Not blind faith, but something else: a good deal of hope based on faith. I thought, as we parted, about what he said—and I have thought about it since.

APPROPRIATIONS HEARINGS VOLUMES RELEASED

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. MAHON. Mr. Speaker, the Committee on Appropriations has released the following committee hearings volumes during the last 2 weeks:

BILL, VOLUME, DATE RELEASED

Labor-HEW, part 2, Food and Drug Administration and health items, Friday, June 12.

Public Works-AEC, part 4, AEC, TVA and Panama Canal, Tuesday, June 16.

Public Works-AEC, part 5, Members of Congress and other public witnesses, Thursday, June 18.

Labor-HEW, part 3, NIH, Monday, June 22.

Labor-HEW, part 5, Department of Labor, Thursday, June 25.

Defense, part 5, procurement, Monday, June 29.

Labor-HEW, part 4, Social Security, Social and Rehabilitation Service, Department management and special institutions, Tuesday, June 30.

No additional hearings are expected to be released during the balance of this week, however, the week of July 6, the committee expects to release Labor-HEW, part 6—related agencies—and Labor-HEW, part 7—outside witnesses.

When released, copies are available to Members and others at the committee room, H-218, Capitol Building, extension 2771, as long as the supply lasts.

HALF-TRUTHS CAN MAKE US SLAVES

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BLACKBURN. Mr. Speaker, during the early part of June, many members of the administration journeyed to college campuses across the Nation to act as commencement speakers.

In my own State of Georgia, Assistant Secretary of Commerce for Science and Technology Myron Tribus addressed the graduating class of the Georgia Institute of Technology. The Assistant Secretary discussed the half-truths which are now readily accepted as truth by some of the more well-educated of our populace; and he stressed the need for all citizens to do their homework before actively taking sides on a particular issue.

For the information of my colleagues, I am inserting Assistant Secretary Tribus' address into the RECORD.

THE HALF-TRUTHS CAN MAKE US SLAVES

(Address by Assistant Secretary of Commerce for Science and Technology Myron Tribus, Prepared for Delivery at the Georgia Institute of Technology, Atlanta, Ga., June 13, 1970)

Men and women of the class of 1970: I stand before you suddenly filled with the awful knowledge that all that stands between you and your diplomas—is this speech. This should be a day of celebration for you and your families. Out of respect for your desire to "get on with it," I shall make these remarks as brief as I properly can.

Your joy, and mine is tempered by the realization that on this day you are to be graduated into a time of stress. I assure you it is not entirely a novel experience. Yours is not the first generation to be assailed by doubts and misgivings—nor, I fear, will it be the last. How sure can you be, as you take up the responsibility for supporting and running this society that 25 years after your graduation day you will be able to say to the next generation, as yet unborn, that you, at last, did what we and our ancestors failed to do? How confident can you now be that by then you will pass on to them an America free of problems and strife, in a world crowned with peace and plenty? How sure are you now that you can really do it?

In a very real sense, over the next few decades, the American experiment faces its greatest challenge since the Civil War. The fate not only of this nation and this people but that of the whole human species may well hang in the balance. That is the issue I want to talk to you about today.

Our challenge, yours and mine, is to prove to ourselves and to our species that we can develop the means and the will to meet the problems of our environment, our cities, our social inequities. We must show ourselves and the world that we are on the right road, that this American experiment really leads somewhere.

At this point the wisest observer must grant that the outcome is in doubt. But *this* observer is an optimist. And I am an optimist because I know that we have the resources to meet these problems. I see emerging signs that we may be ready to apply our resources in a constructive manner. Before you give up on this experiment, think about the problems other nations face. It is easier to wrestle with America's problems than to try to cope with those of any other nation of the world with more than 50 million people.

To understand fully our problems and our opportunities requires a firm historical perspective. I spoke of the American experiment. Remember that it is precisely that—an experiment in self-government; in self-control. On the time scale that applies to nations and to civilizations this country has just taken the first steps on a journey of a thousand miles. We have just begun the overt search for the philosophies and the social and political machinery which will operate a vast, urban, technological society with a maximum of freedom for individual action and initiative. Despite the unrest it causes, surely we are better off for knowing what our problems are and for wanting to solve them. Surely we are better off for arguing not *whether* to solve them but differing only on *how*. Unless the historical facts are understood, we are likely to miss the whole point of our dilemma and waste our substance on the immaterial and the irrelevant.

Viewed as a finished product, America is a flagrant example of deceptive packaging, poor quality control, or worse. Viewed as a beginning, it is the best that man has ever done. Properly continued, skillfully modified, vigorously pursued, this start could lead to the establishment of a system for handling the new phenomenon of an urban technological society without sacrificing individual freedom. If we cannot find the path to the society we must be judged irrelevant—an interesting but not viable aberration in the historical development of social organization. The alternative to success is the beehive society.

This country and this world are irretrievably urban and technological. The facts of life, expressed in population explosive terms make it so. And while many of our problems arise from that fact, so do all possible solutions. Without the high technology we have developed and shared with the world, there would be no hope. Without the automobile, the electric power generating plants, the furnaces and the smokestacks, and all the other blights of modern civilization there would be far less air pollution. But without the technology which made them possible, population pressures alone would turn mankind into vast mindless vermin scouring the face of a dying planet vainly searching for scraps of sustenance. Such an ending would release new excesses in man's inhumanity to man on a scale unprecedented.

It remains, perversely enough, that our salvation lies in the same powers that gave us our problems. We have a system which does certain wonderful things. As engineers we can appreciate the fact that the system needs modification, needs to be redesigned in certain respects. But we cannot hope to cope with the problems we have already or to try to build any kind of livable society for the future without the vast political, economic, and technical apparatus we have already constructed.

Are our atmosphere and water supplies polluted? Only in the technical capabilities of American industry and Government do we find the magnitude of talents and resources necessary to clean them up. Is the economy of the center cities depleted and distorted? Only the combined economic power of the U.S. business community and the Government can possibly exert enough leverage to make progress. Are there adjustments needed in the distribution of the fruits of our rich economy? Only that economy, intact, as a whole, has the power to remedy those inequities.

What I'm saying here is simply "adjustment si, revolution no." This is not an apocalyptic message. Western thought stops short of saying that revolution is never necessary. But I cannot help but believe that in this period of history, in the United States, the revolutionaries must be judged irrelevant on their own terms. They seek to destroy the only apparatus which has the power to put right the injustices which they, rightly in some cases and wrongly in others, perceive. McLuhan has said that once an activity ceases to be essential to existence it becomes an art form. Perhaps this is what has happened with revolution in this country in this day.

The real question, then, is can we make progress within the system? Is the system as unyielding and as hopeless as the prophets of despair would claim? I cannot help but think not. Who would have believed just a couple of years ago that we would have an administration publicly committed to disengaging this country from the Vietnam war? Most of the actions that the Nixon administration is taking in withdrawing American troops from Vietnam would have satisfied the dearest hopes of the veriest dove in the early Vietnam debates. This aspect of the Administration's policy is the direct result of the public debate, stated in rational and peaceful terms, which has occurred on this momentous issue. We saw in the last election President Nixon's "Silent Majority" and Senator McCarthy's "Children's Crusade" make their voices heard on a national scale. We see now new coalitions of University administrators and students in direct political action. The involvement of the young in the political process, if it means communications between generations *that have done their homework,* will strengthen the American system.

There's an important phrase there—"have done their homework." If the communications are to be meaningful, both sides must not be swayed by slogans. The charge that the system is totally unresponsive does not stand scrutiny. In the last few years the establishment has moved to eliminate cyclamates, DDT, phosphates in detergents, lead in gasoline. All of these moves were very expensive to some people. But the system has responded. The response came *after* public support became manifest. There are some who would have had earlier response, but we are all blessed with 20-20 hindsight. And we fail to credit the system for the successes it had in the things that never happened, the unsafe drugs and products that never got to the market.

I raise these examples to make clear that the "establishment" in this country is not isolated, aloof, all powerful, and destructive of the wishes of any minority. Today's minority, today's dissenters, in an era of change may well become tomorrow's administration. But if America is to survive its trial, they must get there via debate and persuasion—persuasion through logic and morality, not the brick and the stick. Minority opinions can have great impact on the national direction and will.

Of course change always comes too quickly for some and too slowly for others. The gap between these two factions is always narrowed by communication, always widened by violence—whether it be physical violence or the psychological violence of namecalling. The tragedy at Kent State was preceded by intemperate and uncompromising statements and actions by persons on both sides of the controversy. When violence is unleashed someone is bound to get hurt.

Violence and namecalling are terribly inadequate substitutes for thinking, and thinking is man's prime survival weapon. Other creatures are stronger, are swifter, breed even more rapidly. But man can reason. When he does not reason, he gives up his only adaptive advantage and threatens his survival. It is still true that those whom the gods would destroy they first make mad.

So we must reason together and communicate with each other not just for peace of mind or for domestic tranquillity but for our very survival.

Can we engineer a future in which the ideals American philosophy so nobly states are at last reality? Surely not by destroying. But by changing, adjusting, building, yes, most certainly. We have at our disposal the largest, best balanced, and most versatile scientific, technical, and economic resource the world has ever seen. I think the events I have cited show definitely that we can be the masters of that system rather than its servants. Remember that our system is a free market economy. To survive it must remain also a free market in ideas. We are a *noisy, unquiet,* creative people. Our directions and our actions are hammered out in conference, in public debate, in the press—in short in the freest idea market in the world. Our greatest hazard is any force which tends to distort or suppress that free market.

The expression of an idea in violent terms or in terms of actual violence demeans the value and the permanent impact of that idea on the National consciousness. The Vietnam Moratorium of last Fall was peaceful and therefore drastically changed public opinion of the protesters' motives and of the worth of their cause, virtually overnight. I have not the slightest doubt that a violent demonstration would have had precisely the opposite effect on public opinion and on our Nation's troubled course in Southeast Asia.

Next to actual and rhetorical violence perhaps the most destructive distortion in the free market of ideas is the half-truth. From Biblical times we have known that the truth would make us free. But we must go all the way, for the half-truth can make us slaves. In a state like Hitler's Germany, where my generation saw how subtle half-truths were deliberately used to manipulate public opinion, there was a clear cut situation. Ours is more subtle and more vexing because the half-truths are often, perhaps most often, not deliberate.

Largely our half-truths originate with good men who are simply unable to handle the complexity of information they get to make judgments and decisions. And just as often one of his fellow experts will contradict him using another half-truth.

Let's look at some interesting half-truths. I am sure you all have heard about the lack of space in American colleges. Our higher educational system, it is said, simply cannot absorb all the qualified applicants. Penn State, for example, expects to turn away 10,000 qualified applicants this year. On the other hand, a survey by the New England Board of Higher Educational reports 11,700 vacancies going begging at 123 colleges in that area.

One shortage of capacity then, is a half-truth, only part of the story. The actual situation is a complex of the geographical distribution of facilities, the level of tuition and other costs at various institutions, and the American predilection for name and status in picking a school, among other factors.

But you see that the bald statement "We haven't enough facilities for higher education" is a half-truth which could send us scurrying on a building boom which would be at best a very incomplete response to the real problem: We need our construction resources elsewhere. Our colleges are already desperately overextended financially.

The men of science and technology are not immune to the half-truth. Recently two noted scientists began a rather noisy campaign to have permissible limits on radiation dosages cut to one-tenth of their present values. I cannot help but be shocked by the flagrant use of half-truths in their attack on the existing standards. The whole issue revolves around the fact that while a large dose of anything can indeed harm you, there are lower levels which the body does easily tolerate. You can get sick on an overdose of vinegar.

The moral values here are certainly sound. If we could surely prevent one case of leukemia through these actions, the actions would be justified. But there is no good evidence that the postulated relationship between body damage at high and low doses of radiation does indeed exist.

Another classic example of completing half-truths is the current investigation of the herbicide 2-4-5-T. It has been banned from many uses because there is suspicion that it may cause genetic damage. There is no conclusive experimental evidence yet that it actually does so. The issue is clouded because early tests used contaminated material. The case is particularly interesting because it is undoubtedly true that some of the chemical's troubles, or at the very least its public image, stem from the fact that it is used as a defoliant in Viet Nam. In other words, its emotional connotations may be the most serious burden the chemical carries, in the absence of conclusive scientific evidence against it.

It is precisely here in these undefined areas, where insufficient data exist, that we face a grave danger—the danger that we will lurch from one extreme action to another down the road to oblivion. We have enough demons to exorcise from our way of life without making up some more. Here, as in the political and social field, the overstated case and the oversimplified solution are grave dangers. They waste our substance and energy on actions which at best are ineffectual and at worst make the situation worse.

As I say, so many of these half-truths are not really deliberate deception. One of our main problems is that the time scale of the decisions we must make and the actions we must take is extremely short and the volume of information we must take into account is staggering. Yet we must make more sure than ever that our decisions are sound. We are trying to undo a myriad of troubles which stem from unwise choices of men who went before—in many cases of men who still are with us and still participating in the decision making process.

Herein lies another challenge. We need to consider a new public risk taking—there are no safe paths left for us.

Can we, a nation of over 200 million people, learn to make wise decisions under ever accelerating emergencies within the limits of the powers given to men? Or is the final factor in our extinction as a species to be that we built a sociology, an economy, and a technology which, in sum, was too complex for human intelligence to handle?

Again I am an optimist. Again we must look to hopeful signs, rather than on-the-shelf remedies. One major thing our American experiment seems to need is real-time on-line data handling. (That's modern lingo to say we now need to know many things in a hurry.) Our computer technology, the most advanced in the world, enables us to handle a much greater volume of data on a specific problem than ever before. Systems analysis promises to enable us to keep track of more factors in making decisions. Computer simultation is beginning to let us evaluate possible solutions in days rather than years. And if it turns out that the solution being modelled makes the problem worse, all we have to do is discard the idea, not live with the pollution or other mess than a real trial would have left us. I know we can devise the means to harness this revolutionary tool, the computer, in the service of man and can keep it from being our master.

So overall I must be optimistic that we can make our experiment work because of several factors. I see the emergence, just the beginning, of a decision-making technology commensurate with the vast amount of information we must handle and the complex decisions we must make. I see possibilities that new methods, still being worked on, can absorb these sophisticated techniques and use them to advantage. I see good evidence that our system can recognize and react to the opinions and desires of minorities and I must believe that in a free idea market, good ideas tend to drive out bad. I see evidence that the young people are becoming aware of the possibilities built into our free idea market. I see that many of them realize that they can make their voices heard through established procedures, whether that means demonstrations or conventional political activity, for they are both established in the American dynamic.

All of these things are hopeful signs to me. The complacency of the fifties and the unrest of the sixties is about to give way to genuine creative action in the seventies. We are about to break through the barrier between rhetoric and creative progress. We have been through periods of apathy, non-violent demonstration, and wanton destruction. We see that the first precludes progress, the second creates progress, and the last destroys progress. We are just learning how to make our fellow citizens concerned in a creative way. I fervently hope that we are learning to arouse emotions strong enough that we think and perhaps even act without arousing emotions so strong that we lose the capacity to reason.

Has the age of the social and political revival meeting ended? Reports of last month's peace rally in Washington all noted a certain lack of fervor in the crowd. That very astute reporter Richard Starnes speculated that "there is growing disenchantment among the young with the hackneyed oratory of revolution." I think, and I certainly hope, that this is true. Because we need the young to help us operate this wonder machine which we have created but can't quite work. We need their fresh insights.

Those who have stood apart too long across the so-called generation gap have much to say to each other. Those who have gone before can tell you of battles for human rights and dignity already fought and won. You can tell of what has been missed; and about the battles we can yet fight together. From our experience—both in success and failure—we can provide a fair road map to show you how to get from where we have gotten you to where you want to go.

In this two way discourse, I urge you not to regard what you have recently learned as a new discovery for the human race. I assure you that you did not *discover* sex and love. Strange as it may seem, your parents were there before you.

But we must none of us see the world in half-truths. All of the young people who protest are not unwashed bolsheviks acting out aggressions against their parents; all businessmen are not totally mechanical, profit-oriented exploiters. It is also time to allow for the fact that not all who would revolt really know what they are doing and that those in charge may be in the same boat. We shall get nowhere until we all accept the humility appropriate to those who know they have a great deal yet to learn.

We must look at our society together, clearly and realistically as we can, not in parts and in half-truths, not separately. My generation sees a massive and flexible system to produce physical necessities and luxuries—the summit, so far, of man's historic struggle to free himself from physical toil in order to shift his energies to higher considerations; you see the humanity left by the wayside of progress and the dehumanizing force of efficiency. As Louis Banks of *Fortune* magazine so beautifully put it, "We saw the gross national product, they saw the gross national byproduct—of mindless urbanization, environmental pollution, and the whole wasteland of public dereliction."

Many of you here today have a great opportunity because you are engineers. As engineers, you will work at the interface where technology is applied to public problems. You can bring the visions of your generation directly to bear on the conditions and directions of the world. You can bring human values into the operation of the system and turn its vast potentialities to benefit mankind.

But we cannot work on half-truths and we cannot work without communication. It is now up to your generation to see that there is communication between the human values and the technological process. And it is up to you to keep open the channels to the past; to use what is usable, to cast out what is untrue and what is unkind.

The modern poet Pound once wrote to another poet, across a gulf of time far longer than that which separates you and me:

"I make a pact with you, Walt Whitman—
I have detested you long enough.
I come to you as a grown child
Who has had a pig-headed father;
I am old enough now to make friends.
It was you that broke the new wood,
Now is a time for carving.
We have one sap and one root—
Let there be commerce between us."

Let this be your mission. If we are to survive, we must have a continuity with the past. If we are to survive, we must have the new values and directions which youth can give us. Without that synthesis, the beginning we have made will die, and with it what a president in an even more troubled time called "the last, best hope of mankind."

The generations before you have fashioned a wondrous tool to serve the good of man. They have not perfected it and have not always used it well. It passes now to you. We truly admit that we have not always lived up to the values we loudly proclaimed. Now it's your turn. Can you—will you do better? I hope so, for the future is yours.

THERE IS A "SILENT MAJORITY" IN AMERICA'S HEARTLAND

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. CUNNINGHAM. Mr. Speaker, we hear often of the "silent majority." Many ask if there really is such a group and if there is, what are the thoughts, feelings, and opinions of its members.

What better place to find out than in the heartland of America, Nebraska. ABC News selected Hall County in my home State of Nebraska and its county seat, Grand Island, which is located near the geographical center of the United States.

Mr. Speaker, the answers to these questions will be shown on most ABC stations tonight at 10:30 p.m., e.d.t., on a program entitled "Straight From the Heartland."

I would urge each of my colleagues to peruse the following material and view the program tonight. The "silent majority" does exist and it is the heart of this great Nation of ours. It follows:

SURVEY PROBES ATTITUDES, OPINIONS OF THE "HEARTLAND" ON ABC NEWS "NOW" SERIES PROGRAM

Is there a "silent majority" in America's heartland? If there is, what are the thoughts, feelings and opinions of its members?

To find out, ABC News commissioned Audits and Surveys, Inc. of New York City to survey a typical Middle Western small city to find those answers, and results of that poll are featured on the ABC News "Now" series program, "Straight From the Heartland," Monday night.

After extensive research, ABC News selected Hall County, Nebraska and its principal city, Grand Island, as the focus for the survey and the program. Located near the geographical center of the United States, Grand Island is largely agrarian and, in many ways, a typical heartland community. With a population of approximately 30,000, it is a medium-to-small city. Its economy shows a mixture of farming, business, industry and the professions. Grand Island is heavily Republican and in 1968 gave Richard Nixon a two-to-one margin of victory over Hubert Humphrey. Perhaps most important, Grand Island is far enough from any urban center that its outlook is not dominated by big city problems.

Is there a "silent majority"? The ABC News poll shows that 87% of the people in Grand Island and surrounding Hall County believe there is, and that 68% feel they are part of that group.

The survey included 501 persons, all over the age of 18 and drawn from a wide range of economic, social, political and educational backgrounds.

Having established that a "silent majority" exists for Hall County residents, the Audits and Surveys poll set out to uncover what general attitudes are prevalent in this heartland region.

A majority of the people polled, 62%, believe that the nation's most serious problem is the war in Vietnam. Respondents listed race problems, the state of the economy and student unrest as other major problems facing the nation.

On the topic of the Southeast Asian war, 85% of those polled said that President Nixon is working for a just and honest peace in Vietnam. A healthy majority, 76%, believe the Paris peace talks are a waste of time. By contrast, 78% feel the United Nations is an active and important force in working for world peace.

President Nixon received high marks on his overall performance as chief executive. On a scale from zero to ten, with ten the highest rating, the President's average score was 7.0. He averaged a 6.4 for his attempts to end the Vietnam war.

In a similar rating, Vice President Agnew was rated 6.1 overall.

The President and the Vice President received the most overall support from persons 65 and older and least support from the 25–34 age group.

Turning to the economy, the poll disclosed that 45% of the respondents feel that government spending is most responsible for rising prices, whereas 28% blame labor unions.

On the question of race relations, 76% say they do not believe blacks are second class citizens. However, 83% of all persons questioned are opposed to busing as a means of achieving integration.

The ABC News poll results show that drugs—as they are elsewhere—are a concern to Grand Island. More than 90% of those questioned feel drug use, including the smoking of marijuana, is an urgent national problem, and that the problem affects communities of all sizes.

On the subject of abortion a majority, 57%, said they believe this decision should be left to the woman and her doctor.

What of the much-discussed "generation gap"? Poll results on "Straight From the Heartland" indicate that 60% of the population agree it exists. Only 57% of those persons between 35 and 65 see a generation gap, while 8 of 10 in the 18–24 age group claim that it is real.

Organized religion is an important factor in Grand Island, which has a church enrollment of almost 27,000 of its 30,000 residents. Forty-six per cent of those adults responding to the poll questions on youth felt that the majority of youth in this country are religious and God-fearing. On the other hand, 72% of the people said they feel religion and God are not emphasized enough today in this country.

An interesting result gleaned from the poll is that almost no heartland residents felt concern over the "threat of Communism" as a serious problem in American life. One point nine per cent of the total sample cited the "threat of Communism" as a serious problem, and only 1.7% of those persons who said they are part of the "silent majority" expressed this concern.

"Straight From the Heartland" is written and produced by Sid Darion and directed by Howard Enders. ABC News correspondent is Don Farmer. The program is sponsored by the Philco-Ford Corporation. Executive producer for the ABC News "Now" series is Arthur Holch.

HIGHWAY CONSTRUCTION EROSION CONTROLS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. GUDE. Mr. Speaker, the rapid building growth of Howard, Montgomery, and Anne Arundel Counties in my neighboring Eighth Congressional District of Maryland provide a variety of examples of the Government's challenges in fighting soil erosion and the sedimentation of our streams and rivers. In April I toured I–95 highway construction sites in Howard County with James D. Braman, Assistant Secretary of Transportation for the Environment. Here we observed a number of instances of needless soil erosion resulting from highway construction where, apparently, long-held Federal guidelines for soil erosion control had not been followed.

Following our field inspection, the Federal Highway Administration announced in early June that all future building contracts would contain specific regulations to assure effective control of water pollution resulting from soil erosion on highway construction projects. I have asked the Department of Transportation that we have absolute assurance that these contract terms be such as to guarantee there will be no recurrence of the disastrous erosion and stream pollution conditions such as occurred in Howard County.

Delegate Harry W. Lerch, of the Maryland General Assembly, Committee on Environmental Matters, has contributed valuable research as well as legislative attention to these pressing problems of soil erosion and the siltation of our streams and rivers. Mr. Lerch over an extended period of time has demonstrated a particular concern with the pollution problems related to the I–95 construction. Following his most recent survey to determine the authorities' compliance with enforcement commitments, he wrote the Federal Highway Administrator concerning his observations and the need for prompt action by Federal authorities. Mr. Lerch's dedicated interest and work on behalf of many environmental matters in the State of Maryland as well as in regard to this specific project are reflected in the following newspaper account from the Washington Sunday Star of June 7, 1970.

[From the Washington (D.C.) Sunday Star, June 7, 1970]

OFFICIALS PROTESTING I–95 SITE EROSION DESPITE NEW CODE

(By Martha Angle)

Spurred by complaints that soil runoff from construction of Interstate Route 95 is polluting Maryland streams, the Department of Transportation has announced new erosion regulations for future federal highway projects.

But the new nationwide regulations have not satisfied two Montgomery County lawmakers who remain concerned about the lack of adequate sediment controls on the existing I–95 project in Howard and Prince Georges Counties.

Rep. Gilbert Gude, R-Md., and Del. Harry W. Lerch, a Republican member of Maryland's House of Delegates, are both pressing federal officials to clean up the mess they say exists along the I–95 route.

Lerch first began calling attention to pollution caused by the highway project two years ago when he was working on a state law establishing sediment controls for the Patuxent River watershed.

VIEWED FROM AIR

A licensed pilot, he flew over the I–95 construction site in the winter of 1968 and said he was shocked to find miles of exposed earth and massive soil runoffs into the Patuxent and its tributaries.

After checking with the Federal Highway Administration, the Montgomery delegate was assured that federal authorities had strict soil conservation practices which would be enforced along I–95.

But last week, Lerch revisited the construction site, photographing many of the same spots he had checked two years ago. The lawmaker said he found little sign of improved conservation efforts.

"In many places, I could find no evidence at all of any structures to prevent the eroded dirt from flowing into the Patuxent," Lerch said in a letter to Francis Turner, federal highway administrator.

DEEP GULLIES REPORTED

In many areas, Lerch charged, he found gullies deep enough to stand in, culverts filled almost to the top with silt, and streams clogged by sediment.

The new federal regulations, announced by Turner last week, call for all future road-building contracts to contain specific regulations to assure effective control of water pollution resulting from soil erosion along highway projects.

Turner said that in the past, "these pollution controls were voluntary in nature."

"Henceforth," the federal official said, "they will be spelled out in the contracts with provisions made for separate payment for the control work provided."

Lerch, in his letter to Turner, noted that federal authorities just last March flatly assured a state legislature committee in Annapolis that they already had enforceable soil conservation standards for highway projects.

Gude last month took Asst. Secretary of Transportation James D. Braman on a tour of the I–95 project in Howard County, and then discussed the erosion problem with Secretary of Transportation John A. Volpe.

Last Friday, Gude wrote to Volpe and mentioned that he had previously seen instructional memoranda that included strict requirements for soil erosion control practices.

The GOP congressman, who represents Maryland's Eighth District, said it was nice to learn the federal highway administration was adopting new conservation policies but implied that he had heard that before.

"I would like to know specifically the enforcement steps to be taken" to carry out the policies announced by Turner, Gude said.

EDITORIAL ON GULF OF TONKIN RESOLUTION

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. WYATT. Mr. Speaker, increasingly the electronic media is venturing into the field of editorial comment. With the immediacy of radio and television and the emphasis that can be given through the spoken word, this editorial expression can be highly effective.

Radio station KEX in Portland, Oreg., last week delivered an editorial on the repeal of the Gulf of Tonkin resolution by the Senate.

I was not privileged to hear this comment, delivered by Fulton Wilkins, general manager, but I did receive a written copy which I would like to share with my colleagues.

EDITORIAL BY KEX RADIO

The subject of this editorial is serious in substance but KEX takes a rather sporting approach to reflect our views. It has to do with an amendment submitted by Senator Robert Dole of Kansas to repeal the Gulf of Tonkin resolution of 1964. A resolution by the legislative branch of our government to permit then President Johnson to conduct military operations in Vietnam. At this point the resolution serves no real purpose other than just another rally symbol for the far left to protest.

There is a peculiar baseball game going on in the United States Senate these days. Senator William Fulbright, as captain, and his famous dove team have taken the field to catch or short-stop every attempt by the administration team trying to score an end to the war in Vietnam.

Who's the player at bat this inning? It's rookie Senator Robert Dole of Kansas just up from the minor leagues—considered by the more experienced players in the field as a hot dog—an easy out. The last time up, he struck out on the Cooper-Church curve ball. However, the next batter, Senator Robert Byrd of West Virginia, hit that same pitch pretty good—his wording to allow the President to protect our troops in battle was a solid line drive.

Now Senator Fulbright's team over shifts—far to the left—when playing against right-handed hitters. So, the skipper in the administration dugout signaled for Senator Dole to hit to the opposite field. With a motion to repeal the Tonkin Gulf resolution, Dole came through with a stinging drive over first base that rolled all the way to the bamboo fence—completely taking the scrambling fielders by surprise. They are now gathered around the pitcher's mound frantically planning how to play the next batter.

This long extra inning ballgame is not won by a long shot, but that hit in the clutch by Senator Dole may very well earn for him—Rookie of the Year honors. Also, this timely blow can somewhat circumvent further division of the people in the stands by political opportunists.

One does not have to be a baseball fan to recognize that Senator Fulbright and his followers have been out maneuvered on the Gulf of Tonkin resolution. Fulbright is furious that his plans for lengthy, spectacular debate are now rather trifling—as well they should be. Such negative efforts in the senate have done more to divide the country than anything else.

Senator Fulbright angrily chastised Senator Dole as a bush leaguer with no standing, but failed in his efforts to block the amendment so that he could have his fling before the press. That ballgame has been rained out.

KEX submits that any pitcher who throws curve balls knows to duck. The ball comes back much harder and straighter than it is thrown.

THE ADMINISTRATION CRIME PROGRAM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. ASHBROOK. Mr. Speaker, the Senate Republican Memo of June 25 lists 13 bills which the Department of Justice considers to comprise its crime package. This brief compilation presents a handy reference as to the administration's attack on the all-important problem of crime in the United States.

I insert at this point in the RECORD information on the above-mentioned legislation:

THE ADMINISTRATION CRIME PROGRAM

(NOTE.—The study that follows was prepared by the Staff of the Senate Republican Policy Committee and is not designed as a Republican Policy Statement, but for the presentation of facts and views relevant to this subject.)

STATUS OF 13 ADMINISTRATION CRIME BILLS IN THE SENATE

1. S. 30, Organized Crime Control Act of 1969

Substance: S. 30 embodies the recommendations of the President's Crime Commission, the National Commission on Reform of Federal Criminal Laws, and other groups. The bill consists of 10 titles, including the Administration's general immunity (Title II) and syndicated gambling (Title VIII) proposals. Other titles establish special grand juries authorized to sit for extended terms in large cities (Title I); codify existing Federal civil contempt law designed to deal with recalcitrant witnesses in grand jury and court proceedings (Title III); create a new false declaration provision eliminating outmoded evidentiary restrictions in present perjury prosecutions (Title IV); authorize the Attorney General to protect and maintain Federal or State organized crime witnesses and their families (Title V); authorize the taking of depositions in criminal cases (Title VI); regulate litigation seeking to suppress the infiltration of legitimate organizations by racketeers or the proceeds of racketeering activities, where interstate or foreign commerce is affected (Title IX); and provide for increased sentence—up to 30 years—for dangerous adult special offenders—the recidivist, the professional offender, and the organized crime leader (Title X).

Current Status: S. 30 was reported in the Senate December 18, 1969, (Judiciary Committee Report 91-617). Supported by the President in his statement to Congress on Organized Crime, April 23, 1969. S. 30 passed the Senate January 23, 1970. Referred to House Judiciary Committee January 26, 1970, the bill is pending in House Committee.

2. S. 1461, Criminal Justice Act Amendments: Defendant Representation

Substance: This bill would increase the scope of legal services available to defendants in Federal criminal cases who are financially unable to obtain counsel by authorizing (1) appointment of counsel for persons charged with probation violation or seeking relief by way of habeas corpus or under 28 U.S.C. 2255 (claim of right to release by attack on sentence on constitutional grounds), and for detailed material witnesses; (2) establishment in districts with over 200 annual appointments of counsel for indigent defendants of a public defender or publicly financed private defender office; (3) increase of the hourly rates of compensation and the maximum fees allowable for court appointed attorneys and for persons rendering expert service.

Current Status: Associate Deputy Attorney General Santarelli testified on S. 1461 before Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, June 24, 1969. Reported in Senate April 23, 1970, (Judiciary Committee Report 91-790), S. 1461 passed the Senate April 30, 1970. Referred to House Judiciary Committee May 4, 1970, the bill is pending as H.R. 9856 before House Judiciary Committee.

3. S. 1624, Wagering Tax Amendments

Substance: This proposal is designed to close the gap created by Supreme Court decisions holding that some of the provisions of the wagering tax statutes violate the Fifth Amendment's privilege against self-incrimination. It would prohibit the use against the taxpayer of information obtained through his compliance with the wagering tax laws, while at the same time it would increase the coverage and amount of the taxes, and would authorize a grant of immunity to essential witnesses.

Current Status: President Nixon supported S. 1624 (and H.R. 322) in his statement to Congress on Organized Crime of April 23, 1969. Hearings were held on the bill by the Senate Subcommittee on Criminal Laws and Procedures, June, 1969; and it is now pending in full Judiciary Committee. Majority Leader Mansfield said on June 13, 1970, at page 19587 of the *Congressional Record*, "S. 1623. [sic], wagering tax amendments: Definite Senate passage this session." The bill has been referred back to Senate Finance Committee because of tax provision. No House action.

4. S. 2073, Protection of minors from obscene mail

Substance: Recommended by the President and submitted to the Congress by the Attorney General, this legislation would prohibit the use of interstate facilities, including the mails, for the distribution of matter harmful to minors, or advertisements for such matter, to anyone under the age of 18. Violators to this prohibition would be subject to up to 5 years imprisonment, a $50,000 fine, or both, for a first offense. Subsequent offenses could result in double those penalties.

The material to which this bill applies is defined as that which depicts, describes or represents nudity, sexual conduct or sado-masochistic behavior and which is "offensive to prevailing standards in the adult community concerning what is suitable material for minors," and which is "substantially without redeeming social value for minors."

Current Status: S. 2073, favorably reported by the Subcommittee on Juvenile Delinquency, is pending in the full Judiciary committee. The House version (H.R. 11031) is pending in the House Judiciary Committee. Hearings on H.R. 11031 were held before Subcommittee 3 of the House Judiciary Committee in September, 1969.

5. S. 2074, Transportation of salacious advertising

Substance: This legislation, recommended by the President and submitted to the Congress by the Attorney General, would prohibit the interstate mailing or distribution of advertisements or solicitations designed and intended to appeal to a prurient interest in sex. Violators could incur penalties of up to 5 years imprisonment, or a $50,000 fine, or both, for a first offense. Subsequent offenses could result in double those penalties.

Current Status: S. 2074, favorably reported by the Subcommittee on Juvenile Delinquency, is pending in the Judiciary Committee. Introduced in the House as H.R. 11032, it is now pending before the House Judiciary Committee. Hearings were held in September, 1969.

6. S. 2600, Bail Reform Act amendments

Substance: This proposal would authorize judges to: (1) preventively detain, after a hearing, a person charged with certain categories of crimes who, the judge found, would pose a danger to another person or the community if released, regardless of the conditions of release imposed; (2) consider danger to the community, as well as ability to put up bail money, in setting release conditions; (3) revoke the release of a person who violates the conditions of his release, (the person could also be charged with contempt of court for violation of conditions); (4) impose an additional prison sentence on persons convicted of committing a crime while on bail; and (5) impose a minimum sentence for bailjumping.

Current Status: Introduced in the Senate as S. 2600, this bill is pending before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary. In the House the bill is pending as H.R. 12806 before the House Judiciary Committee. Attorney General Mitchell testified before Subcommittee 4 on October 21, 1969; on November 20, 1969, the subcommittee recessed hearings subject to call.

7. S. 3246, The controlled dangerous substances act

Substance: This 103 page bill to amend the narcotic, depressant, stimulant, and hallucinogenic drug laws would substantially revise existing drug legislation, changing the constitutional basis of control over dangerous drugs from the taxing power to the commerce power. The act would establish four general schedules of dangerous drugs graduated according to accepted medical value and potential for abuse. Within limitations, the Attorney General would be authorized to move substances from one schedule to another and to schedule drugs not previously listed. The proposal also contains a new and comprehensive penalty structure designed to provide courts with both the guidance and the flexibility which will enable them to handle offenders on an individual basis. The bill would also increase the scope of the warrant and arrest authority of agents of the Bureau of Narcotics and Dangerous Drugs, and would establish controls over drug dealers and manufacturers through the use of appropriate licensing and record keeping procedures.

Current Status: The Attorney General submitted a bill on July 15, 1969, the day after the President sent a message to Congress on the drug problem. S. 2637 was referred to the Senate Judiciary Subcommittee on Juvenile Delinquency. The Attorney General and Director, Bureau of Narcotics and Dangerous Drugs, testified before this Subcommittee on September 15, 1969. The Bureau of Narcotics and Dangerous Drugs Director testified further on October 20, 1969. After considerable staff work the full Senate Judiciary Committee reported *a clean bill, S. 3246,* on December 16, 1969, (Judiciary Report 91–613). With minor floor amendments the bill passed the Senate by unanimous vote on January 28, 1970.

In the House the proposal was divided into two parts and introduced as H.R. 13742 (narcotics only) and H.R. 13743 (dangerous drugs only). The bills were referred to the House Committees on Ways and Means and Interstate and Foreign Commerce. The Subcommittee on Public Health and Welfare of the Interstate and Foreign Commerce Committee has conducted hearings and, although S. 3246 has not yet formally been referred to a Committee, it has in effect been considered by this Subcommittee during hearings. The Director, BNDD testified before the Subcommittee on February 3 and March 3, 1970. H.R. 13742 and H.R. 13743 are pending in committee.

8. S. 3261, Community Treatment Centers for Parolees and Released Offenders

Substance: This proposal, which was supported by the President in his message on Reform of the Federal Corrections System of November 13, 1969, would amend the law to authorize the Federal courts and the U.S. Board of Parole to require, as a condition of probation or parole, an offender to reside in or participate in the program of a residential community treatment center, provided adequate facilities are available.

Current Status: S. 3261 and H.R. 2175 are pending in Senate and House Judiciary Committees (Subcommittee on Criminal Laws and Procedures and Subcommittee #5, respectively).

9. S. 3541, Law Enforcement Assistance Administration Amendments

Substance: Amends Title I (LEAA) of the Omnibus Crime Control and Safe Streets Act of 1968 in several respects, including permitting LEAA to waive the requirement that a designated percentage of a grant be allocated to local governments in certain circumstances; strengthening the provisions relating to grants for educational purposes; authorizing specific grants of discretionary funds, within prescribed limitations, without matching State funds; authorizing specific grants for the construction, acquisition or improvement of State and local correctional facilities and the improvement of correctional programs and practices; and authorizing open-ended appropriations for fiscal year 1971 and beyond.

Current Status: Submitted to the Congress on February 17, 1970, S. 3541 was introduced in the House as H.R. 15947. House bill pending with Subcommittee #5, House Judiciary Committee. Hearings concluded March 19, 1970. S. 3541 pending in Senate Judiciary Committee.

10. S. 3563, Nontestimonial Identification of Suspects

Substance: Permits a judicial officer to issue an order that suspects appear and give non-testimonial evidence, such as fingerprints, palm prints, footprints, measurements, blood specimens, urine specimens, saliva samples, hair samples, handwriting exemplars, voice samples, photographs, and lineups. The order would be issued *only* if the judicial officer finds that there is probable cause to believe a crime has been committed, that there are reasonable grounds, not amounting to probable cause to arrest, to suspect that the person named or described in the affidavit committed the crime, and that the results of specific nontestimonial identification procedures will be of material aid in determining whether the person committed the crime.

Current Status: Submitted to Congress March 3, 1970, S. 3563 was introduced in the House as H.R. 16354. Pending in the Senate and House Judiciary Committees. Assistant Attorney General Wilson testified before the Senate Judiciary Subcommittee on Criminal Laws and Procedures on March 10, 1970.

11. S. 3564, Youth Corrections Act hearing examiners

Substance: This proposal is designed to improve the administration of the Youth Corrections Act by the U.S. Board of Parole (Youth Corrections Division) by authorizing hearing examiners, rather than members of the Board as now required, to conduct interviews with youth offenders.

Current Status: Submitted to the Congress on March 9, 1970, S. 3564 was introduced in the House as H.R. 16353. S. 3564 was reported in the Senate May 13, 1970, (Judiciary Committee Report 91–866), and passed the Senate on May 15, 1970. H.R. 16353 was referred to the House Judiciary Committee on May 18, 1970, and is pending with subcommittee No. 2.

12. S. 3583, prohibition of certain convicted persons from holding union office

Substance: Section 504 of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 504) enumerates offenses which disqualify a person from holding union office. Presently persons convicted of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of certain subchapters (reporting and trusteeships) of the Act, or conspiracy to commit any such crimes, are prohibited from serving as an officer, director, agent, or employee (except clerical) of any labor organization or as a labor relations consultant for five years after conviction or the end of imprisonment.

This proposal would amend Section 504 by increasing the number of offenses included in the statute. Disqualification would be extended to cover kidnapping, perjury, forgery, and any violation of the Act, unlawful payments under the Taft-Hartley Act, any violation of the Welfare and Pension Plans Disclosure Act, mail fraud, obstruction of justice which constitutes a felony, certain kickback, fraud, and racketeering provisions of Title 18 U.S.C., and any attempts to commit any of these crimes. Convictions before as well as after enactment would be included.

Current Status: Submitted to Congress March 11, 1970, S. 3583 was introduced in the House as H.R. 16407. Pending in Senate Committee on Labor and Public Welfare and House Committee on Education and Labor (Special Subcommittee on Labor).

13. 3650, anti-bombing legislation

Substance: This legislation, which was recommended by the President and submitted to Congress by the Attorney General, is designed to strengthen the Federal criminal laws concerning the illegal use, transportation and possession of explosives. It would amend 18 U.S.C. 837 in several respects, including expansion of the definition of "explosives" to include incendiary devices, increases in the maximum penalties for illegal transportation of explosives, and adds new definitions of federal crimes: malicious bombing of federal premises, unauthorized possession of explosives in federal buildings, malicious bombing of property used by persons engaged in commerce or for activities in commerce, possession of explosives knowing that they will be transported or used illegally.

Current Status: Submitted to Congress March 25, 1970, S. 3650 was introduced in the House as H.R. 16699 and 16700. Pending in Senate and House Judiciary Committees.

FOR BLACK INITIATIVE IN CRIME CONTROL

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. CLAY. Mr. Speaker, in response to several of my colleagues who have specified an interest in the speech I delivered to the National Council of Negro Women in St. Louis, November 24, 1969, I insert the text of my remarks as follows:

FOR BLACK INITIATIVE IN CRIME CONTROL

Since my election to Congress—I have had numerous occasions to speak on various topics. I have addressed myself to the injustice of poverty, the indignity of hunger, the tragedy of racism. I have talked about the immorality of war, the nature of student protest, and the importance of placing a priority on education. I have spoken of the rights of man and the rights of citizenship.

Tonight, I want to call your attention to a vital issue—an issue just as important as any I have spoken of before. I want to talk about crime and how it effects people—particularly black people.

My choice of this topic should not be confused with the racially motivated appeals for law and order—nor should it be mistaken as a thirteenth-hour decision to join the hysterical demands for instituting a police state in America.

I am disturbed by the seeming implication—that unless you ride under the "Law and Order" banner of the George Wallaces—or unless you ride shotgun for Attorney General Mitchell—you must be against law and order—therefore, for crime. The Right Wing and the Reactionaries of politics have tried to make it seem that they are the only people who can make the streets safe for Americans. But they should have no monopoly on the issue of crime and certainly, they have not advanced any reasonable solutions. I have grown very weary of the racial overtones which accompany these loud clamors for law and order.

It is time to face squarely the issue of crime—and if possible—it is time to set the record straight. The subject is highly controversial. Because the way the slogan—law and order—has been used, statements are easily misunderstood and often—distorted. Regardless of the risk, the problem of crime in American must be discussed. The discussion, however, must be directed toward comprehensive solutions to the problem—and not used to increase the fears and hates of Americans for other Americans.

Far too many politicians use crime as a political issue. The campaigns of Yorty, Procacinno, Wallace, Reagan, Agnew, and Nixon—serve as prime examples. They don't talk about murder, they don't talk about robbers, or extortionists, or fraud artists. They talk about some vague "crime which evades clear description. They talk in glowing generalities about a "return to law and order"—to domestic tranquillity—about the threat of this permissive society. And though it is never spelled out—it is made quite clear that social reform has no place in the kind of social order they seek. When claims are made about their ability to "control crime"—it usually means they will maintain the status quo—economically, socially, and politically. Too often, what is meant is that they will stifle dissent and rid this land of the notions of justice for all. The slogan "law and order"—couched in racists jargon—shouted from a lily white political bandwagon, carries many frightening implications.

Implied in these demands for law and order—is total police repression of attempts by blacks and other minorities to effectuate social change. Many campaign speeches sound like this:

"The streets of our country are in turmoil. The Universities are filled with students rebelling and rioting. Communists are seeking to destroy our country. Russia is threatening us with her might and the Republic is in danger. Yes, danger from within and from without. We need law and order. Yes, without law and order, our nation cannot survive. Elect us and we shall restore law and order."

If those phrases sound familiar and ring of something you've heard before—let me assure you, Nixon didn't say that—Yorty didn't say it—not George Wallace either. They said things very much like that—but this paragraph came from a campaign speech made over thirty years ago—1932—Hamburg, Germany. The spokesman—a man we all came to know—Adolph Hitler.

"Law and order" become dirty words when they are used by people who mean to repress rightful redress of grievances by citizens. law and order leaves a bad taste—when it so clearly and intentionally ignores the consideration of justice.

We must condition ourselves to make the distinction between persons who use the issue of crime for its emotional value and appeal—and those who address themselves to the issue of crime as a necessary discussion of a national problem which must be resolved. The ability of the American people to make that distinction will determine the degree of success in any battle against crime. Moreover, the ability of the American people to make that distinction—will inhibit or contribute to the progress of the United States on other Domestic fronts.

We must realize when we are being whipped into a state of frenzy by persons who appeal solely to our emotions. We must demand that we be given the reasonable basis for action—not just an emotional basis for reaction. We must turn away from those who insult our intelligence and turn to leaders who respect our ability to reason.

Crime is a dramatic issue—an emotional one—because nobody likes to live in fear for his life or his property. Crime is a pertinent issue—because Americans are fearful of the rising crime rates throughout our cities. The spokesmen who have dwelled upon the topic of crime and the slogan of law and order—are also at issue—because they have clouded the issue of crime itself. A discussion of crime—and an analysis of the political discussions of crime which have taken the spotlight—both are in order. Both matters are valid issues of National concern.

We have observed the dangers of this issue—that crime will be subjected more to the emotions than to the processes of logical reasoning. I am hopeful that two years of emotional, political and racial "jawboning" of the issue of crime has been enough. It would seem that we should have reached the point in this society—that we are ready to sit down and objectively look at the crime problem. The "yelling about crime"—hasn't solved the problem, so we should be anxious to move into productive discussions.

I think this community is ready for the facts about crime and for the truth about rising crime rates. It is only in such a climate that we will find a long term solution.

Crime—as defined by Webster—"is an act committed in violation of a law prohibiting it or omitted in violation of a law ordering it."

In these terms, it is simple to explain why black Americans have been uniquely concerned with the prosecution of criminals and the maintenance of law and order. We have been concerned because it is the government which decides, based on the disposition of its leadership, what laws shall be enforced and what laws shall be conveniently ignored.

We have been concerned because enforcement of the fair housing law, the school desegregation orders, the equal employment opportunity laws—have not been pursued by officials of the government—while the anti-riot laws, only recently enacted—have captured the energies and imaginations of the law enforcers.

We have always been concerned with the hypocrisy of the law. We know from experience that laws can be used—on the one hand—to serve the convenience of the white population—while on the other hand—to prolong the grievances of the black population.

Black people have no quarrel with the need for protecting the population from criminals. It is the black population who suffers most from street crimes. We are the ones who are victimized. Our brothers and sisters and children are the ones being shot down on the streets—our homes are being burglarized—our wives and sisters raped—our business robbed and bombed.

White middle class citizens raving about crime are not subjected to the brutalizing, agonizing confrontation of raw naked crime. Black people and poor people are the victims of the real crime in the streets—our sympathies are with the victims—not with the criminals. We know the fears, the death, the tragedy.

Nevertheless—we are not about to panic and resort to joining the hysterical ranks of those who call for a total repression for all blacks. We acknowledge and point out that the black communities, are the prime victims of the crime—but we also acknowledge and hasten to point out lest we forget—that we would also be the victims of the suppression which would result if so-called crime controllers get sufficient support to carry out their plans.

We cannot continue to be the prime victims of crime and also the people who have the least protection from criminals.

For this reason, our silence on the issue of crime can no longer be tolerated. Even at the threat of being misunderstood and misconstrued—black leaders throughout the nation, must speak out, must seek the protection of their communities from criminals and from those who seek to condemn the total communities for these crimes.

Black people must find a way to show our concern for crime, our own fear of criminals—but in a way that is not interpreted as a step toward condoning a police state. We are afraid of murderers and rapists. We are similarly afraid of the idea that given enough police, the government can keep down crime. We seek protection so that our places of business and our homes—will not lay victim to the constant treat of robbery—but we do not want to see the day when every house and every place of business requires a posted policeman.

If crime is to be curbed, we must examine the problem, the causes as well as the effects and the symptoms—and attack it at its roots. I do not agree with those who feel every crime can be sociologically explained away. I do, however, know that current crime statistics and characteristics reveal a definite relationship between certain environments—and the potential for their producing criminals.

We can spend billions on crime control—and if we spend nothing on crime prevention—the problem will continue to reproduce itself.

The final report of the Commission on Correctional Manpower and Training—issued last month, October 1969—points out that there are striking differences among criminal offenders as individuals. Among the offender population are the psychologically disturbed, alcoholics, drug addicts, seniles, and persons who have been caught up in the cycles of poverty and unemployment.

The report points out a deep concern for the fact that many of today's offenders are—"young, unschooled, and without significant work experience, furthermore many come from the urban slums, and a large number are members of minority groups that suffer economic and social deprivation."

The report gives us another serious reason for becoming concerned with the total crime problem. According to the Commission, current trends in American society indicate who is likely to be among the crime population in the future. Once again, it boils down to the conditions of the inner cities, the prevalance of minority groups, the growth of ghetto conditions and slums.

These facts put black leadership in a peculiar position. We know who the present and potential law offenders are. We know the conditions which breed them. We know that in the last analysis—at the root of crime—are the desperate conditions of the ghetto; the inadequate, overcrowded, ill-equipped schools, the unbearable, dilapidated overcrowded housing; the unemployment; the broken families—all the vicious forces that push the poor urban black outside of society. Blacks have been pushed out of society by the continued loss of hope, loss of faith—loss of any real chance to become a part of the society.

So, we can admit, as commissions and committees and advisory councils have reported, time and time again—the majority of the people in the crime cycle come from the social levels of the poor and the disadvantaged.

But there are glaring misconceptions about crime in black communities. Too many believe that drug addiction and poverty are the causes of most of the crime. Drug addicts usually commit passive crimes such as shoplifting and prostitution. The poor who are desperately trying to make ends meet commit very few crimes. But the crimes against persons—muggings, robberies, bombings are usually committed by hardened criminals who should be dealt with as such. They have created a reign of terror and a climate of fear which has changed our lives.

We no longer take strolls at night, shop at night, and we are afraid to use the city parks. We are victims of fear—we are victims of crime—and, by and large we have not been the ones to raise our voices in protest.

The people screaming "law and order" are the suburbanites detached from the realities of the crime problem by superhighways. I am amazed—by the notions held by many white people—that the ghettos are safe if your skin is black. This is the greatest indication that those who profess to know the most about crime—know the least about the bare essentials of fact.

If you are poor, your chances of being robbed, mugged, raped or beaten up—are far greater than if you are middle-class. If you are black, your chances of being robbed or mugged is three times greater than if you are white. But if you are both black and poor, you know what fear of crime really means—and you know what I mean when I say we must end crime in our streets.

To effectively deal with crime, we must first deal with the racist concepts which determine the "modus operand," in our communities. We must deal with elected officials who think that crimes committed in the black community—by black people—so long as it does not seriously affect white people—is unimportant. Even if they do not openly condone it—they quietly permit it.

This an obstacle which must be overcome if we are to be on our way to reducing the crime rate. When our elected officials, our police commissioners, our circuit attorneys, our judges and our juries—treat crime by black people against black people—as seriously as they treat crime which affects the white middle-income communities—then we will be on the road to a solution.

Murder in this country is a very serious crime—but in black communities, the taking of a black person's life by another black person takes on the aura of a carnival or a circus.

In St. Louis—which is typical of most big cities—over 175 black people have been killed on the streets this year by black people. If past experience dictates what will happen to 175 blacks who committed these crimes, 40 will never be arrested or found, and of the 135 who may be arrested, 100 will be released without prosecution. Not one will be convicted and sentenced to death. Not one will be convicted or sentenced to life in prison for taking the life of another black human being. Very few of them will be convicted or sentenced to terms of 20 years. Most of those convicted will serve short sentences in the workhouse and return to kill again.

But any man (black or white) who kills a white man under the same set of circumstances—will be tried and convicted by the daily press even before he goes to trial. As long as murder in the white community is considered a serious crime—and murder in the black community is considered a way of life—crimes of violence will continue to increase.

It is a prime example of the tragic dual standard which permeates this nation. It is a sad commentary on the quality of justice and law enforcement in our country.

The responsibility for changing this system must be shared by black leaders who must rise up in indignation at any further toleration of the degredation of black life.

The choice for black leaders seems clear. We must speak out to change the system so that the law respects and protects us as it is meant. We must work for social and economic reform to eradicate the conditions which breed crime in the slums—or we must silently try to cope with black hoods who attempt to intimidate and rob our communities without interference of the law.

We must not let the apathy of the power structure toward the needs and problems of black communities afflict us too. It is for those of us who know both the causes and the effects of crime—to take the lead in effecting reasonable programs for reasonable solutions to the total problem of crime.

In my view, the following recommendations must be made a part of any reasonable and comprehensive solution to crime.

First, and of prime importance—the conditions of the inner city, the slums which breed crime must be eliminated. Until this nation gives priority to these tragic domestic ills, the probability for curbing the wave of crime will be remote.

Second, the law must be applied equally—across the board—to black and white. Equal rights and equal protection under the law must be assured—and crime, wherever it occurs and whomever it strikes, must be considered a matter for law enforcement and prosecution.

Third, the quality of law enforcement agencies and personnel must be uplifted. The attitudes of law enforcement personnel must be free of prejudice. Citizens must play an important role in crime detection—but will do so only if they have no reason to mistrust the motives of the police.

Fourth, the total thrust of penal institutions must be revised. The job is to rehabilitate—not isolate—criminals. The quality of prison personnel, the conditions of prisons, the methods of prisons—must be drastically improved.

Fifth, our court system must be expanded, and a more equitable system for the appointment of judges must be established.

Finally, crime, its prevention and control, is a community problem. All forces and resources of individual communities must be brought to bear on crime. Community efforts must be aimed at community institutions—so they can be made responsive to community problems. Poverty and deprivation must be driven out—with the realization that the conditions for breeding crime are being eradicated.

Let it not be said that Clay has finally given in to the cry for law and order. Let it be said that Clay is concerned about crime. Let me say that we can spend $5 billion on crime control—and unless we spend an equal amount on crime prevention—the crime wave will not be broken. While we cannot tolerate the climate of fear which clouds each of our existences—neither can we tolerate the inhuman conditions and existences which breed inhuman acts. We want protection from the criminals who threaten our lives and our properties today—but we also insist upon saving the lives of those who may be prompted to destroy our lives and our properties tomorrow. We must prevent crime—protect citizens from crime—and rehabilitate those who resort to crime. This is the responsibility of a society which has outgrown the narrow-minded view of suppressing rather than facing up to a problem.

The real day-to-day concern of the ordinary American citizen for his safety at home and in the streets of his community must be faced honestly and intently by all of us who speak as representatives of the people.

We who speak for a return to the democratic and humanistic program that once made this country a beacon of hope—cannot afford to allow the false prophets of Nixon's "New Order" confuse and mislead the American people on this pressing issue.

So, I have stated in this speech. There are indeed specific corrective steps to be taken to insure better safety and tranquility for our cities and streets. I intend to use my office and voice to bring these changes into being.

We will not allow this national campaign of political hate-mongering and racial division to obscure the legitimate role of the police and penal institutions in a democratic society.

For too long, we have allowed those political opportunists in all parties to obscure this issue with hysteria and prejudice. Make no mistake, if we fail to advance concerete actions on this matter, we shall continue to see the issue dishonestly exploited by every backward element on the political scene.

Let me finally make clear to you today—the urgency and difficulty of the task I have outlined. We must isolate and expose the emotional and racist programs—that simply more police and bigger jails to deal with the increase of crime in our cities is the answer.

We cannot fool ourselves with the illusion that all we have to do is institute the kind of short-range steps of crime prevention and rehabilitation that I have stressed today. For urgent and necessary though these steps be, they will fail unless our country turns around and rededicates itself to the social vision and human priorities of John Kennedy and Martin Luther King. As Dr. King pointedly expressed it—"we can never have safe streets in a sick society."

Unless we become more concerned with the level of our vision than with the level of our voices—we shall fail as people. Without also reordering our national priorities from war to peace, from international intervention to domestic investment—we shall fail as a nation.

MELTING POT OF THE WORLD

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. PODELL. Mr. Speaker, the United States had traditionally been termed "the meltingpot of the modern world." Until very recently, many writers and social analysts portrayed America as a huge cauldron into which the varied elements existing in the world were poured. It was thought that from these diverse ingredients would emerge a uniform product, and this product would be recognized as the archtypical American. Some analysts went so far as to say that such homogeneity should exist in this country. Uniformity was thus made an underlying goal of American life.

A closer examination of the actual facts of American evolution points to a very different type of progression and a very different end product. The cookie-cutter image of the American, the uniform product emerging from the cauldron of American life has little relation to empirical fact.

Instead, we find it difficult, if not impossible, to discover who personifies the term "American." This country has been populated and has grown because millions of people from all parts of the globe have made their way to these shores. This movement began in the 17th century and has continued, although at a slower pace, into the second half of the 20th. In its own way, each of these groups has contributed to the fabric of American life. Yet in that process, each has retained some characteristics that set it apart from the others.

But, just as one group of observers made the mistake of postulating a fictitious homogeneity, on the other side, we find an opposite and equally dangerous extreme. We find that there are individuals who have tried to exaggerate the differences among groups in our population. By creating stereotyped images of these groups, too often these images bear little relation to the fact.

By their actions, both sides have established dangerous precedents—dangerous because they threaten to interfere with the fullest exercise of individual freedom. The observance of Italian Unity Day provides the opportunity to correct both these precedents. Unity Day is a means by which the Italians in our population can demonstrate their own unity and, at the same time, their diversity.

Italians do have a common heritage that can be traced to a mother country.

We all know that pride in a particular heritage is one means by which an individual can establish his relationship with a larger group. In the process, the individual establishes his own identity.

The feeling of a common heritage among Italians is strong. But, Italian Unity Day has been organized to do much more than merely reaffirm that heritage. The Italian community has grouped to protest what has become all too prevalent in our present society—the portrayal of many among their numbers in terms that defame, ridicule, and unjustly stereotype.

I have been outspoken against the use of terms and images that demean any group, and am in strong support of the principles behind Italian Unity Day. I was one of the original cosponsors of legislation in the House of Representatives urging the cessation of the production and the distribution of films and programs which defame and stereotype any ethnic group. In addition, this legislation urges that such standards be rigorously enforced by the motion picture and broadcasting industry.

In recent years, the demeaning of individuals of Italian descent has become too common and too persistent for members of the Italian community to remain silent any longer. For a democracy to persist and to grow, there must be harmony among the various groups that comprise it. The pursuit of life and liberty cannot continue if individuals are subject to harassment on any level. If the rights of one portion of the larger society are abridged, the rights of all are endangered.

Italian Unity Day must then serve as an important lesson for this Nation. This country has no room for bigotry and for stereotypes, and this day seeks to illustrate that in very clear terms. The Italian people are a people proud of their heritage, but they are a diverse people, too. They have made contributions in all areas of American life.

Let Italian Unity Day be the day that Americans recognize the contributions of the Italian community and disavow once and for all, the use of stereotypes to describe the Italians or any group within our population. The goal of Italian Unity Day will then be realized: The promotion of greater understanding of each individual for his fellow man.

THE CHICAGO DAILY NEWS LAUDS CONGRESSMAN FINDLEY FOR HIS POSITION ON IMPORT QUOTAS ON TEXTILES

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. WHALEN. Mr. Speaker, last Monday the Chicago Daily News editorialized on the subject of import quotas. In stating its adverse opinion with respect to the imposition of such quotas, the News singled out for commendation the testimony before the Ways and Means Committee of the gentleman from Illinois (Mr. FINDLEY).

As all of us in the House are aware, our friend and colleague, PAUL FINDLEY, is extremely knowledgeable on the subject of international trade. His expertise, as again evidenced in his comments before the committee, certainly is deserving of the attention given it by the News.

I happen to share his views. Thus, it is with a great deal of pleasure that I insert the editorial at this point in the RECORD for the information of the House:

IMPORTS AND LIVING COSTS

The drive to clamp import quotas on foreign textiles and shoes is gathering momentum in Congress, despite the dangers such a move poses both to U.S. trade abroad and to the fight against inflation at home. Restrictions on such imports would result in retaliatory measures against American exports, especially agricultural products, and increase the average family's outlay for clothing as well as shoes.

The National Retail Merchant's Assn. estimates that the textile quotas—for which the powerful cotton industry is lobbying hard—would cause a 15- to 25-percent boost in the price of many clothing items. Considering the fact that rising clothing prices are even now a major factor in the spiraling cost of living, the prospect of further increases warrants public concern. All the more so since Sen. Strom Thurmond (R-S.C.), as front man for the cotton growers, manufacturers and labor unions, contends he has a commitment that President Nixon will not veto the textile import quota bill if it passes Congress.

Protectionism is gaining strength in Congress. In the House, 306 of 435 members have petitioned the President to try to prevail on the exporting countries to impose shoe quotas "voluntarily."

One of the few voices raised loudly and clearly against the quota drives is that of Rep. Paul Findley, a Republican from central Illinois' 20th District. Though the biggest industry in his home town of Pittsfield is a shoe manufacturing plant, he has courageously opposed the shoe quotas as well as the textile quotas. But as Congress' leading champion of legislation to limit farm subsidies to $20,000, he has concentrated on the cotton interests spearheading the textile campaign.

In a recent appearance before the House Ways and Means Committee, Findley pointed out that taxpayers already are paying nearly $1 billion a year to subsidize cotton farmers—many of them to the tune of $100,000 or more a year. Textile import quotas would be a further subsidy not only for the cotton grower but for the entire cotton manufacturing industry—for which the taxpayer would pay a second time in the form of higher clothing prices. It makes no sense, as Findley said, to further coddle an "industry totally dependent upon government checks, government handouts and political favors."

If indeed Thurmond has a commitment from the President not to veto the textile import quota measure—presumably as part of the so-called Southern strategy—then we would remind Mr. Nixon of his trade message to Congress in 1969. In it he said that import quotas arbitrarily imposed would in the "longer term . . . add to domestic inflation and jeopardize our competitiveness in world markets at the very time when tougher competition throughout the world requires us to improve our competitive capabilities in every way possible."

The nation's current economic situation makes the warning even more pertinent now than it was then.

"MAN AND HIS CONSCIENCE"

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. ROBISON. Mr. Speaker, our system of military service currently personified in the draft has often, in the past, been unresponsive to the heterogeneous makeup of our society. Surely we laud those who respond to their country's needs by offering their services to the Armed Forces; but all too often we have looked with scorn at those who are, because of deep moral convictions, unable to offer that type of service to their country. Conscientious objection to war or a war has always been found within our society, but our involvement in Indochina has caused an increasing number of young men to refuse participation in that conflict. I do not judge, nor would I attempt to do so, the sincerity of those convictions; but I do believe that we must be certain that the system of hearing these personal objections is sufficiently attuned to hear what these young men are saying and to fairly evaluate their personal objections. The pressures which these men are subjected to—either fighting for their nation or enduring the possible scorn of their peers by refusing to so fight—lend additional support to the concept of an all-volunteer army.

I submit for the consideration of my colleagues an editorial which appeared in the June 19, Wall Street Journal which speaks to this problem:

MAN AND HIS CONSCIENCE

From the earliest days of the Republic the Government has wrestled with the problem of conscientious objection, and a new Supreme Court ruling isn't going to make the task any easier.

In the Revolution and the Civil War, the official approach was simple enough. Anyone conscientiously opposed to military service could avoid it if he provided a substitute or paid a commutation fee.

During World War I, the law merely exempted conscientious objectors from combatant service—that is, from bearing arms. Many served in medical units, as ambulance drivers or in other ways, often displaying conspicuous courage. Several thousand, however, refused any type of military service and many were confined in army camps.

By World War II Congress had come around to exempting from all military service those who were opposed to participation in war "by reason of religious training and belief." During the war, the courts held that religious beliefs included the humanitarian beliefs of atheists.

In 1948 the Universal Military Training and Service Act said religious training and belief is an "individual's belief in a relation to a Supreme Being involving duties superior to those arising from any human relation, but does not include essentially political, sociological or philosophical views or a merely personal moral code."

That was certainly vague, and the Supreme Court in 1965 made it vaguer. In a case involving a man who adhered to the teachings of no organized religion, the court held that a nonreligious individual could qualify as a conscientious objector if his beliefs were as important in his life as a religious person's belief in God.

Now the Supreme Court has broadened that test. Henceforth a nonreligious person can be adjudged a conscientious objector if his views are "deeply held" and are not based solely on "considerations of policy, pragmatism or expediency."

Fortunately the publicity that attends such court cases tends to inflate the apparent size of the local draft boards' problem. At the moment there are only 36,500 conscientious objectors compared with nearly 900,000 men classified 1-A. But the chances for injustice cannot be lightly dismissed merely because they affect "only" tens of thousands.

The overwhelming majority of local draft boards are manned by individuals who are themselves highly conscientious, and by now many board members can draw on what they've learned from years of experience. Yet the ability to peer into a man's conscience, and unerringly read what's found there, is not something that can be acquired merely with the passage of time.

It's understandable that some boards have tried to ease their task by giving special weight to a man's religious affiliation. A Catholic, for instance, is likely to have more difficulty than a Quaker in proving his conscientious objection. But many Catholics are sincere conscientious objectors and many Quakers have served regular tours of duty in the armed forces.

There simply is no easy guide—especially now, when a draft registrant merely must prove that his views are "deeply held." Though the Selective Service System has supplied local boards with new rules to follow, the chances for error obviously have multiplied.

What's the way out? Well, long-range, the difficulty of identifying conscientious objectors surely is further argument for movement toward a volunteer army, for service in any conflicts other than major wars. The problems involved are imposing, but so are those of maintaining reasonable fairness in a permanent draft.

Shorter range, Selective Service should overhaul its appeals process to assure speedy hearings for draft registrants who question the findings of local boards. If a draft system must be maintained for any length of time, there is much to be said for setting up professionally staffed boards and making sure that they adhere to consistent standards—or at least assigning professional aides to present boards.

In our society the life of a conscientious objector is anything but smooth. There seems no justification for making matters rougher by requiring local boards to practice amateur psychology.

MORE PARKLANDS NEEDED

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BLACKBURN. Mr. Speaker, because of our growing population, it has become very clear to all Members of this body that it is imperative that additional parklands be made available for the use of our citizens. In responding to that need, President Nixon transmitted a special message to the Congress requesting that the Secretary of the Interior be granted authority to transfer excess Federal land at a 100-percent discount to local units of government which want to use such land for parks and recreation sites.

Since there is a great need for additional parklands in many of our metropolitan areas and the Federal Government does own many acres of land in these areas, this would seem to be an ideal solution. Furthermore, with the strained financial situation of many units of local government, it would be very difficult for them to pay the true market value of this land. For this reason, the Secretary needs to be empowered to transfer the land free of charge.

Recently, the Subcommittee on Government Activities of the House Committee on Government Operations held hearings on this proposal. At that time, I submitted a statement in support of that legislation.

For the information of my colleagues, I am inserting a copy of this statement into the RECORD:

STATEMENT BY REPRESENTATIVE BEN BLACKBURN, OF GEORGIA, CONCERNING PARKLANDS

Mr. Chairman, as you and the members of your Subcommittee know, I am one of the sponsors of H.R. 16038 which, with several identical bills concerning parklands, was the subject of hearings held on June 9, 1970.

I wish to go on record as strongly urging the enactment of this proposed legislation.

This is a time when not only the members of the Congress, but all citizens of our country have been made acutely aware of the serious problems of an environmental nature with which we are faced, and on which prompt action is of extreme importance.

In a message to the Congress on February 10, 1970, President Nixon outlined a 37-point program on environmental quality, comprised of 14 administrative measures and 23 legislative proposals. He included all of these among five major categories—water pollution control, air pollution control, solid waste management, parklands and public recreation, and organizing for action. The inclusion of parklands and public recreation among these major categories is significant. I share the President's feeling that action in this area is of equal importance to our nation as is action with respect to the other categories, although public attention may appear to have been focused more sharply by the news media on the more dramatic problems of air and water pollution.

President Nixon spoke of recreation facilities as "among the most vital of our public resources", and expressed concern at the rapidity with which land suitable for such purposes is being swallowed up for other use. Greater priority must be given now to the acquisition and preservation of the lands that are and will be needed for public recreational use.

H.R. 16038 would do this by authorizing the Secretary of the Interior to convey surplus real property to State and local governments for park and recreational purposes at a public benefit discount of up to 100%. This aspect of the bill is of primary importance to me, in view of my concern that municipalities with very limited sources of revenue be included in the segments of the American public to benefit from the use of surplus lands for park and recreational purposes.

The bill also affords the means for increasing the amounts available from the Land and Water Conservation Fund for use in acquiring additional lands for park and recreational purposes. It also would make possible the relocation of Government installations from property which could better be used for other purposes, such as park and recreation.

Of the many bills which have been introduced concerning this aspect of the environmental problem, only H.R. 16038 and its identical bills contain all of the elements needed to effectuate the comprehensive program placed before us by President Nixon. I earnestly urge that the Subcommittee act favorably on the bill.

WE, TOO, HATED GOING TO WAR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. DERWINSKI. Mr. Speaker, the Suburban Life, of La Grange Park, Ill., a community newspaper serving the western suburbs of Cook County, carries a column in which its staff members comment on current events. It was with great interest that I noted the article on Thursday, June 25, by Karl Bell, discussing the draft and question of individual conscientious objectors.

Mr. Bell is a World War II veteran, as am I, and I feel that the conclusions he reached in his article are logical and feel that the article as a whole was a objective summary of a very complex subject:

WE, TOO, HATED GOING TO WAR

(By Karl Bell)

Through its decision this month broadening the reasons for which conscientious objectors may not be drafted into service, the U.S. Supreme Court has created a problem rife with irony.

In effect, the ruling says that for moral as well as religious reasons citizens have the right to refuse to bear arms.

Strangely, the decision comes at a time when many feel that gun control laws, if enacted, will be an encroachment on their constitutional right to bear arms.

Curiously, while the constitution provides the latter right, it does not make it mandatory for conscription-eligible men to defend their country, nor does it state, as I recall, that none may be penalized for refusing to bear arms for their country.

Just how draft boards will interpret the court's decision will be particularly interesting to watch, especially for those of us who have been in combat service.

Needless to say, one wonders exactly how draft boards will determine the sincerity of a draftee claiming to be a conscientious objector.

How can the board know, for instance, whether the objections are politically motivated? Unfortunately, conscriptees can't pick and choose the kind of war they'd fight in. Or can they?

Something of a parallel exists in civilian life to policemen and security guards who may be called upon, any day, to kill in civilian life to protect themselves and the rights of others, but the similarity stops there, for unlike servicemen, they may quit the job any time they please.

In view of the growing protest movement against the Vietnam war, it would have been more timely and applicable for the court to have ruled on the constitutionality of American troops being sent into combat on foreign soil without the consent of Congress, rather than their being committed on the say-so of a President.

As I recollect, the Constitution clearly states that although the President shall have the power to declare war, it may be done only with the consent of Congress.

However, since the court's decision concerns itself not with that court to have ruled on the conscientious objectors, the cart has been placed before the horse.

What person with humane feeling in his heart toward his fellow men does not abhor the thought and ugliness of war?

Sincere protest on religious grounds to bear arms for one's country is one thing. Protesting on personal and moral grounds makes most of us conscientious objectors.

Most of us would have preferred to stay home during World War II, but being diet-conscious we went simply because we didn't want to have our children eating sukiyaki for breakfast, spaghetti for lunch, and sauerkraut for supper.

I'm sure, however, that the "new generation" under their "Peace" banners will be as concerned about this country's welfare as we were.

BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. SCOTT. Mr. Speaker, I would like to insert a copy of our monthly report to the people of the Eighth District of Virginia in the RECORD at this point for the information of the Members:

BILL SCOTT REPORTS

Fourth of July Gala: "Honor America Day" will be celebrated throughout the country on July 4 in an effort to rekindle the American spirit of patriotism and represent the high ideals that made America great. Preparations are being made for a giant gala in Washington featuring national celebrities. Detailed information should be available through the news media.

Metropolitan police and firemen: Congress has passed a measure increasing the pay of District of Columbia teachers, policemen and firemen. Of special interest to policemen and firemen who work in Washington and commute from Fairfax and adjacent areas is a provision permitting them to reside within a radius of 25 miles from the Capitol and for the chief of their department to waive even this restriction on residence in individual cases. You may remember that a number of policemen living in our district expressed concern regarding the residence restriction and, in order to assist, I introduced the measure which was incorporated in the bill just passed. Enactment should help reduce the difficulty of both the police and fire departments in reaching their full authorized strength.

Health benefits bill: Our Post Office and Civil Service Committee has favorably reported a measure providing for an equal sharing of the cost of federal employee health benefits. The bill is now before the Rules Committee and has not been considered by the House. In the event the measure is passed, it will provide for a 50-50 sharing ratio of costs beginning next January. As you know, hospital and doctors bills have increased over the years and the percentage paid by the government has gradually decreased. This bill, if enacted, would continue the 50-50 sharing ratio automatically in the future regardless of changes in cost.

Public works: A few days ago the House passed the annual Public Works Appropriation bill which, among other things, increased funds available to states for sewage treatment plants from $800 million this year to $1 billion for the fiscal year beginning July 1. This should help reduce pollution to our rivers. However, some practical method must be devised in the future to dispose of sewage without putting it in our streams.

The same measure appropriates $600,000 for the continuation of preconstruction planning of the Salem Church Dam on the Rappahannock River between Stafford and Spotsylvania Counties. This multi-purpose dam, when completed in the next 8 to 10 years, should permit a large number of persons to enjoy the recreational value of the river, provide essential water for counties in the urban corridor below Fairfax, eliminate the dangers of flooding in the Fredericksburg area and provide for well regulated stream flow and salinity control in the lower area of the river.

Additional Federal judges: The Congress has passed and the President signed a measure providing for 54 additional federal judges, including one for the Eastern District of Virginia. The President, however, has not yet submitted the name of anyone to fill this new position.

Preliminary census report: The Bureau of the Census has informally given us the following estimates of the population of various counties in the 8th district. These figures are subject to revision before they become official. Hanover County is not included because even the preliminary count has not been completed. However, an estimate last year by the Bureau of Population Studies of the University of Virginia put the population of Hanover County at 37,055. The preliminary census figures are as follows:

Caroline	13, 528
Charles City	6, 120
Essex	6, 916
Fairfax (8th dist. portion)	218, 298
Fauquier	26, 040
Goochland	9, 904
King and Queen	5, 358
King George	7, 959
King William	7, 467
Lancaster	8, 635
Loudoun	39, 943
Louisa	13, 507
New Kent	5, 054
Northumberland	8, 880
Prince William	109, 616
Richmond	6, 464
Spotsylvania	15, 904
Stafford	22, 921
Westmoreland	12, 367
Frederick	14, 389

A part-time assistant: Peter S. Sitnik is a part-time staff member. He retired some years ago from the grocery business in the Mt. Vernon area of Fairfax County and came to the office shortly after it was opened with the understanding that he would not work full time. His principal responsibility deals with the newsletter and keeping our mailing list up-to-date, although he helps with numerous other activities in the office. After we have composed the monthly report, Pete takes a copy, reproduces it and delivers the entire issue for mailing, seldom going home until the job is completed. A graduate of American University, he is a past President of the Mt. Vernon Kiwanis Club and is understandably proud of his 15 years perfect attendance. Much of his spare time is spent boating in the Northern Neck, but he is always willing to do any task assigned and is agreeable to working long hours when necessary. A combat infantry veteran, Pete was with American troops which met the Russians at the Elbe River in 1945. I rely heavily on this "part-time" assistant.

Social security: A 5% general increase in old age, survivor and disability benefits are provided for in a bill passed by the House. In order to pay for these additional costs and to meet an actuarial deficit in the hospital insurance program, Social Security contributions for both employer and employee would be 5.2 percent for 1971-74. This would be applied to the first $9000 of an employee's wages instead of the present $7800. Maximum payment by the employer and employee would thus be $468 each in 1971. The Social Security Trust Fund would continue to be sound financially. The bill also provides for future automatic increases in benefits and in the taxable wage base in the years ahead as living costs increase. Of course, Congress is always in the dilemma of wanting to give adequate benefits to beneficiaries without unduly increasing the burden upon those who presently contribute to the fund.

Prince William land exchange: The District of Columbia Government owns approximately 350 acres of land in the Featherstone area of Prince William which the county has been attempting to acquire for a sewage treatment plant, recreational purposes and joint use as a sanitary landfill. At the request of the County Board, a measure to authorize the conveyance was introduced in both Houses of Congress. After extensive hearings and negotiations, a House District Subcommittee has favorably reported a measure apparently satisfactory to all parties authorizing transfer of a 37-acre portion of the tract to the county for a sewage treatment plant, transfer of marshland to the Deparment of the Interior for cash or other land, and conveyance of the remainder at market value. As a part of the package, the county agreed to issue a permit for the D.C. Government to operate a landfill in another part of the county. It is expected that the measure will be acted upon in the House after the July 4 recess.

Golden Eagle program: Many constituents have expressed concern about discontinuance of the Golden Eagle annual permit to visit federal parks and camp grounds. There was some question about reducing the annual fee from $10 to $7 per year and one Member even voted against the bill because he felt that everyone should be permitted to visit National Parks free. However, the measure as passed by the House provides for annual passes to visit National Parks anywhere in the country at the rate of $10 per car per year.

Wage Board bill: The Post Office and Civil Service Committee has favorably reported a bill to modernize the Wage Board Pay System which affects over 800,000 federal employees in crafts and trades. The Committee bill provides: 1. For the establishment of an advisory policy committee, representing both the government and employee organizations. 2. Five wage steps in lieu of the present three steps. 3. A uniform permium pay increase of 7½% for 2nd shift workers and 10% for 3rd shift workers. 4. For bringing nonappropriated fund employees working on government installations under the Wage System. There may be a fight on the House floor regarding the 4th provision because many believe only government employees should be included in the Federal Wage Board Employees Pay System.

Veterans legislation: Two bills benefiting service-connected veterans passed the House on June 15, 1970. H.R. 17958 increases compensation and liberalizes certain requirements for determining eligibility of widows for benefits. This bill provides an approximate 10% raise in compensation and would enable widows who have remarried to revert to their earlier eligibility when a second marriage is ended by divorce or death. It also establishes as service-connected certain diseases relating to nutrition incurred by prisoners of war Provisions of the House bill were added to a previously passed Senate bill and referred back to the Senate. H.R. 370 increases the grant from $1,600 to $2,500 for the purchase of specially equipped automobiles for veterans of World War II and Korea who have certain disabilities such as loss of one or both hands, one or both feet or who are blind to a prescribed degree. Both measures require further action in the Senate.

Something to ponder: "With modern medicine doing so well at increasing our life expectancy, we'd better be careful about adding to the national debt—we might have to pay it off ourselves, instead of passing it on."

DRUNK DRIVERS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. ROBISON, Mr. Speaker, I am taking the liberty of including in the Record the first in a series of articles found in the Christian Science Monitor on drunk drivers. As the headline to that article points out:

> Over the past 5 years, the Vietnam war has killed more than 27,000 Americans. During the same period, drunk drivers on U.S. highways have killed 134,000 people. Yet society remains strangely apathetic to this tragic waste.

Estimates are that one in every 50–90 automobiles you see on the highway is being driven by a drunk driver. One of every two fatal highway accidents is attributable to drinking. This trend must be reversed.

Mr. Speaker, not only do we need more stringent laws in this area and not only do we need more stringent enforcement of those laws which do exist, but most of all the American public—each one of us—must recognize the drinking driver for what he is: a potential killer.

I call the following article, written by Guy Halverson, to the attention of my colleagues and urge them to consider the means that must be employed to solve this problem:

Stop the Drunk Driver: Behind the Wheel of Every 50th Car

(Over the past 5 years, the Vietnam war has killed more than 27,000 Americans. During the same period, drunk drivers on U.S. highways have killed 134,000 people. Yet society remains strangely apathetic to this tragic waste)

(By Guy Halverson)

Chicago.—"It's a bad one, all right," the grim-faced police officer next to me said as we skidded to a stop alongside the twisted automobile. Chunks of jagged broken glass lay scattered across the freeway. "Ten to one says liquor was a factor," he shrugged. "It usually is."

Ahead of us were the red and white flashing lights of squad cars and a fire truck, the vehicles silhouetted starkly against the dark Albuquerque sky. Four men in white, carrying a large respirator, were jumping from an ambulance and running down a steep hillside.

For Deputy Chief M. Fred Johnson, a 35-year veteran of the Albuquerque, N.M., Police Department, as well as this reporter, what we witnessed that chill April night at the interchange of I–40 and I–25 was an unforgettable and heartbreaking scene.

The driver of the smashed vehicle—in his early 20's—had been observed by a police spotter hurtling in and out of traffic along the crowded New Mexico freeway at speeds approaching 100 miles an hour. As he sought to maneuver the sharp interchange, he lost control, jumped a deep ravine, and rolled onto a completely new section of freeway in front of a stream of cars before being hurled through a side door and down an embankment.

Almost miraculously, no other cars had become involved.

LIQUOR NEVER MENTIONED

Despite interviews by reporters with police and relatives, neither of the next day's local newspaper reports mentioned alcohol. Yet the grim fact was that the young driver—who had narrowly missed smashing into other cars—had been drinking heavily prior to the accident. Moreover, he had been driving without a valid operator's license.

That gloomy, wind-swept night in Albuquerque could hardly be called unusual. Throughout the nation, law-enforcement officials could recount thousands of similar episodes—grim records of single- and multiple-vehicle collisions.

There was the Texas family killed in a head-on collision with a drunk driver one Sunday morning in 1969. And the Wisconsin mother and her eight-year-old son killed this year in front of their home when they were returning from a concert. And the three people killed in Louisiana not so long ago when a pickup truck driven by a problem drinker crossed a dividing line and smashed into them head-on.

The United States is in the midst of an undeclared—and almost unrecognized—war in which its highways have been turned into a virtual battleground. Here a small group of social and problem drinkers are yearly killing up to 28,000 people, causing 800,000 accidents, and accounting for economic losses conservatively estimated at between $7 and $8 billion.

Many insurance companies are being forced to tighten automobile underwriting and to post sizable rate increases because of mounting highway losses involving drinking drivers.

"HIGHWAY COMMANDOS" IN MILLIONS

No one knows how many of these "highway commandos" there are. But they number in the millions. Allstate Insurance Company estimates that 1 out of every 50 cars coming at you on the highway is driven by a drunk driver. One prominent police-science expert more conservatively figures one out of every 90 cars.

Traditional sanctions are not halting these highway killers. They drive with or without a license, despite radio and TV warnings, despite fines and jail sentences.

According to Dr. Robert F. Borkenstein, chairman of the Department of Forensic Studies at Indiana University and a leading expert in breath testing, there is virtually no place in the United States where drinking driving is totally prohibited.

The neon parade of bars and package stores along the nation's highways provides corroboration that auto-oriented America—with its 85–90 million drinkers—too often considers the bottle and the throttle acceptable companions.

In most states, indeed, statutory definitions of what constitutes "intoxicated driving" remain at dangerously liberal levels.

WRONG WAY ONTO THE FREEWAY

Jan, an honor student, only shortly graduated from the University of Oklahoma, accepted a date on Thanksgiving Day, 1967. Carefully belted into the seat of her companion's new, low sports car, the two young people were suddenly struck by a large pickup truck coming the wrong way on a freeway exit. Jan was killed.

The pickup driver was drunk, an uncapped liquor bottle on the seat beside him. He had repeatedly lost his driver's license and was without auto insurance.

"I've experienced tragedy many time in my family, but this was surely the shock of my life," the girl's aunt, who had raised her from a child, told me. "It was so unnecessary, so senseless. It could have been prevented."

Since the beginning of this century, traffic accidents have killed more than 1.7 million people—more than the combined death toll of all military personnel in every major war from the American Revolution to Vietnam. During the past five years alone, the highway roster included at least 134,000 men, women, and children, according to National Safety Council estimates.

The toll continues. About 150 people a day.

The strong correlation between highway deaths and liquor has never really been hidden to researchers. "We have received a communication containing the history of 25 alcohol-related accidents occurring to automobile wagons," an article in the 1904 Quarterly Journal of Inebriety, noted. "Fifteen persons occupying these wagons were killed outright, five more died two days later. . . . Fourteen persons were injured, some seriously. A careful inquiry showed that in 19 of these accidents, the drivers had used spirits within an hour or more of the disaster. . . ."

ESTIMATES VARY WIDELY

Back in 1946 the National Safety Council estimated that drunk drivers triggered about 18 percent of all fatal accidents. Today, in 1970, 1 out of every two highway deaths is attributed to liquor. That astonishing figure may well even be higher. Some authorities, in fact, fear that may be as high as 70 percent of all fatalities.

One recent study undertaken by the State Laboratory of Hygiene and the University of Wisconsin's Department of Preventive Medicine suggests that almost two-thirds of Wisconsin drivers killed in traffic accidents were under the influence of alcohol at the time. Equally as ominous, the report (based on blood samples taken from 507 drivers killed between February, 1968, and May, 1969) indicates that alcohol is a factor in 56 percent of all fatal accidents involving young people under 18.

Many law-enforcement departments, moreover such as the State of Washington Department of Motor Vehicles, have clearly established that there is a high correlation between individuals who drive while drinking and those who use drugs.

"We're deeply concerned about the role of the drinking driver," says Willard Howell, director of the Office of Alcohol Countermeasures in the U.S. Department of Transportation. Mr. Howell's anguish is widely shared among safety experts. Ronald H. Parsons, stocky Sheriff of Kent County, Mich. (encompassing Grand Rapids) told me he thought alcohol was probably a factor in between 50 and 60 percent of all fatalities handled by his department.

PICTURE "BLEAK AND DISMAL"

In New Orleans, where the 1969 death toll of 108 fatalities was the highest since 1929, Dudley Andry, director of the Metropolitan New Orleans Safety Council, admits being depressed by the constantly spiraling statistics. "The picture here is bleak and dismal," he said one day in late March of this year. On the small table in front of him was a chronological rundown of fatalities in New Orleans for the past year.

The hefty volume resembled a telephone directory in size.

"Look at them," he said quietly, deep anguish mirrored on his face.

"January, 1969, a white male doctor, 8:15 p.m., alcohol blood concentration .10 percent."

"22-year-old woman, alcohol concentration, .12 percent."

He flipped the page.

"White male, age 54, killed by liquor."

"How do we stop it?"

How *do* we stop it?

The research that has gone into this 10-part series indicates that it is not being stopped largely because the American public remains puzzlingly apathetic. That apathy is apparent at every level of society.

Despite an imaginative $18 million program under way at the Department of Transportation (to be discussed in a subsequent article), there is virtually no long-range, coordinated federal and state program to deal with the drunk driver. Leadership from Washington is desperately lacking.

LOCAL PROBLEMS ABOUND

Despite two landmark laws—the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act of 1966—Congress continues to spend little for highway safety.

Indeed, while Congress authorized some $267 million for the first three years of the National Safety Act, only $92 million has been released for obligation, according to the National Safety Council. At least 40 safety bills have been passed in the last few years, but none of them has received adequate financing.

State and local community programs fare no better. The liquor industry in many states is quietly sabotaging legislative efforts to enact legislation aimed at drunken drivers. In over two dozen states it's possible to renew drivers' licenses by mail. The safety council of one major Southern town of over 300,000 people is operating on a shoestring budget out of an office that reminds one of the dreary setting for a 1940's private detective film. The punitive legal approach in most communities is strictly out of the 1940's, too. Fines and license revocations seldom deter problem drinkers, who desperately need clinical or therapeutic aid.

Paradoxically, courts and juries are loath to convict known drunk drivers, even when the evidence is overwhelming. One magistrate north of Seattle often deliberately defers findings on drunk-driver cases so that a lesser charge can be given. (This practice has triggered the ire of the Washington State Patrol.)

Out of one group of 1,000 drivers in California who killed someone while driving under the influence of liquor, only one-fourth received felony convictions for drunk driving. Less than 5 percent ever went to jail.

Last year a Midland, Mich., woman, whose car was hit by a drunken driver while driving along an interstate highway, found on checking state records that he had garnered five previous convictions for drunk driving and had rung up an extra 15 points against his record within a two-year period. At his last trial—the one involving the Midland woman—the judge fined the drunken driver only $30, plus $70 court costs and suspended his license for 90 days, the woman told me. (The license suspension was subsequently extended to one year by the Michigan Secretary of State.)

State motor vehicle licensing record systems are too often tangled monstrosities. Recordings of sentences, fines, and license revocations are either not entered at all, entered erroneously, or disappear through peculiar circumstances at a later time. Indeed, the lack of effective coordination within and between the records people of the different states is matched only by the deep-seated rivalries and lack of coordination between many of the highway safety specialists and alcoholism-treatment experts themselves.

"NONRECORD" CLEARS EXECUTIVE

Several years ago a highly respected, $20,000-a-year Midwest executive with a well-known corporation ran his rented car off a 30-foot embankment on a California expressway. He was arrested and booked for driving while intoxicated. He engaged a lawyer at an extremely high fee. The lawyer had the case delayed until such time as it would be cleared from the docket. Within three months the whole episode had been forgotten with no record of the accident.

This reporter's research indicates there are thousands of "nonrecords."

Law-enforcement departments—too often understrengthened, underpaid, overworked—frankly concede that they find less and less time to deal with highway safety, especially now that "rising crime" is so firmly etched in the public consciousness (even though serious crime statistics lag far behind motor-vehicle accident statistics).

In one major Texas city I spent an evening "riding shotgun" with an officer who admitted that in over a year of patrolling a beat (in the area of heaviest concentration of bars in that city) he had not given out one ticket for drunk driving. He was no exception. I found that true almost everywhere I went—Los Angeles, Dallas, Chicago, Washington, D.C.

NO NATIONAL PROGRAM EXISTS

Most experts say one reason the drunk driver is not being curbed is that there is as yet no realistic, hard-headed attack on alcoholism in the U.S., such as has been the case in most European countries. Until the deeper question of alcoholism is attacked, new police equipment, stiffer court sentences, and millions of license revocations won't really resolve the problem.

The Monitor has learned through a Department of Transportation source that a confidential special task force report on highway safety prepared for the President has severely criticized the entire punitive approach in dealing with the drunk drivers. This is a conclusion shared by most rehabilitation experts.

Testimony last year before a special subcommittee on alcoholism and narcotics, headed up by Iowa Sen. Harold Hughes (himself a reformed alcoholic), clearly indicated that there is no comprehensive federal program in this area, even though the United States now leads the world in the number of alcoholics.

The entire federal expenditure in the alcoholism treatment area is estimated at a minuscule $4 million annually.

Compared that $4 million to the estimated $8.2 billion in tax revenue that government at all levels—local, state, federal—collects from the sale of alcoholic beverages.

Compare that $4 million to the $7 to $8 billion in economic losses caused on American highways annually by drinking drivers.

"NO SAFETY CONSTITUENCY"

"There just is no highway safety constituency," laments Howard Pyle, president of the National Safety Council. Mr. Pyle, leaning back in a chair in his large office at NSC headquarters in Chicago, recalls that in his four years as governor of Arizona, back in the 1950's, only one person ever bothered to come into his office to discuss road safety. And until the recently stepped-up advertising campaign against drunk drivers by the council and private insurance companies, Mr. Pyle doubts that the situation had changed very much.

Mr. Pyle concedes that the NSC has been trying to get a coordinated national attack against drunk drivers under way for "about three years." He says, "We thought we would be stronger if we had widespread support. But the only major group that we've been able to get with us so far is the American Medical Association.

"Ninety million Americans drink—and they just don't like the privilege abridged. That's what you call a constituency in reverse."

SUPPORT FOR ISRAEL BY BLACK AMERICANS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. WOLFF. Mr. Speaker, the crisis in the Middle East is one which touches the lives of more than just those fighting to maintain their freedom. It is a matter which affects all men, for it represents a fight for freedom and the preservation of individual liberty.

Yesterday's New York Times carried a full-page ad sponsored by an outstanding group of black Americans. It announced their support for Israel. Moreover, I believe it exemplifies how deeply and profoundly this crisis touches the lives of all men.

In light of the importance of their statement, I take this opportunity to include it in the RECORD.

AN APPEAL BY BLACK AMERICANS FOR U.S. SUPPORT TO ISRAEL

The crisis in the Middle East is a cause of great concern to all Americans—non-Jew as well as Jew, black as well as white. Our concern as black Americans is motivated not only by the threat to world peace which is posed by the Arab-Israeli conflict. We are also moved by the ideals of democracy and social justice, ideals which we have struggled to achieve in this country and which we firmly believe the United States must uphold in the Middle East. In our opinion, the United States can best stand by these ideals by unequivocally guaranteeing Israel's security.

While we are aware that Israel, like any other nation, has its shortcomings, it is by far the most democratic country in the Middle East. What is remarkable is that the high degree of political freedom in Israel has not diminished despite the constant need to maintain military preparedness. In contrast, countries like Iraq, Syria, and Egypt are dictatorial one-party states where the press and the courts are rigorously controlled and non-Moslem minorities are severely persecuted. Moreover, Israel has made tremendous strides toward achieving an equalitarian economic order. Its sophisticated system of educational, health, and welfare services is more advanced even than in our own country and has enhanced the quality of life for Arab as well as Jewish Israelis. The incidence of poverty in the Arab countries, on the other hand, remains appalling. The income from oil has been used to sustain wealthy sheikdoms—and often terrorist organizations as well—but rarely to alleviate the suffering of the poor.

We are deeply concerned about the plight of impoverished Arabs, particularly those who have been made refugees as a result of the three Arab-Israeli wars. But we do not feel that the continuation of the conflict serves the real interests of these people. Prolonged hostilities and inflammatory calls for the destruction of Israel can only divert precious attention, energy, and resources away from an attack on the pressing social and economic problems of the Arab people.

Some Americans, including a small minority of blacks, have expressed the feeling that the Middle East crisis is fundamentally a racial conflict between nonwhite Arabs and white Israelis. We think that this point of view is not only uninformed but dangerously misleading. It ignores the fact that approximately half the Jewish Israeli population consists of immigrants from Asia and Africa. And it also implies that there is an inherent solidarity of nonwhite people. This notion should have been laid to rest not only by the tragic Nigerian civil war, but also by the continuing brutal persecution of black Africans by the Sudanese government which, it must be emphasized, is militarily allied with and assisted by the Egyptian government. We should add in this regard that Israel, with its impressive program of foreign technical aid, has contributed far more than any of its Arab enemies to the development of black African nations.

We, therefore, support Israel's right to exist for the same reasons that we have struggled for freedom and equality in America. And it is again for these reasons that we believe that only peace and economic development can bring real justice to the Arab people. The present crisis in the Middle East endangers both Israel's existence and a better life for the Arabs. We believe that the United States has a vital role to play in ending this crisis. If it does not stand firm in the Middle East, the Soviet Union will be encouraged to increase its intervention, thereby escalating the conflict still further.

We urge the United States government to use its great influence to help bring the Israelis and the Arabs to the conference table where they can work out among themselves a just and negotiated settlement. *We also urge our government to take steps to help guarantee Israel's right to exist as a nation.* For the present this means providing Israel with the full number of jet aircraft it has requested.

Raymond Pace Alexander, Judge, Court of Common Pleas, Philadelphia, Pennsylvania; Margaret Belcher, President, National Association of Negro Business and Professional Clubs, Inc.; James Booker, Consultant to Kerner Commission; William H. Bowe, International Secretary-Treasurer, Brotherhood of Sleeping Car Porters; Shirley Chisholm, U.S., Congresswoman, 12th District, New York; LeRoy Clark, International Vice-President, United Furniture Workers of America; William L. Clay, U.S. Congressman, 1st District, Missouri; John Conyers, Jr., U.S. Congressman, 1st District, Michigan; Earl Davis, Minority Affairs Director, Committee on Political Education, AFL–CIO.

Georgia M. Davis, State Senator, Kentucky; Walter G. Davis, Director, AFL–CIO, Department of Education; C. L. Dellums, International President, Brotherhood of Sleeping Car Porters; Charles C. Diggs, U.S. Congressman, 13th District, Michigan; William Gary, Administrative Assistant to the President, International Union of Electrical Radio & Machine Workers; Hugh M. Gloster, President, Morehouse College, Atlanta, Georgia; Simeon Golar, Chairman, N.Y.C. Housing Authority; Ernes Green, Director, Joint Apprenticeship Program, WDL/APREF; Richard Hatcher, Mayor, Gary, Indiana; Augustas F. Hawkins, U.S. Congressman, 21st District, California.

Dorothy Height, President, National Council of Negro Women; Vivian Henderson, President, Clark College, Atlanta, Georgia; Aaron E. Henry, President, Mississippi State Conference NAACP; Norman Hill, Associate Director, A. Philip Randolph Institute; William R. Hudgins, President, Freedom National Bank of New York; John H. Johnson, Publisher, Ebony, Jet, Tan and Black World; Leroy R. Johnson, State Senator, Atlanta, Georgia; Vernon E. Jordan, Executive Director, United Negro College Fund; Thomas Kilgore, Jr., Senior Pastor, Second Baptist Church, Los Angeles, California; Martin Luther King, Sr., Pastor, Ebenezer Baptist Church, Atlanta, Georgia; John Lewis, Executive Director, Voter Educational Project; Arthur C. Logan, President, United Neighborhood Houses; Marion Logan, Secretary, Southern Christian Leadership Conference; William Lucy, Executive Assistant to the President, American Federation of State, County & Municipal Employees.

Louis Martin, Vice-President & Editor, Sengstacke Newspapers; Frank C. Montero, Assist to President, Tishman Realty & Construction Corp.; Ronnie M. Moore, Executive Director, Scholarship, Education and Defense Fund For Racial Equality, Inc.; John Morsell, Assistant Executive Director, NAACP; John H. Murphy, president, Afro-American Newspapers; Eleanor H. Norton, Chairman, N.Y.C. Commission on Human Rights; Frederick O'Neal, Actor; Peter Ottley, President Local 144 Hotel, Hospital & Nursing Home Union, SEIU; Basil A. Paterson, State Senator, New York; Ernest M. Pharr, Editor, The Atlanta Inquirer.

Channing Emery Phillips, President, Housing Development Corporation; Robert E. Powell, Vice-President, Laborers International Union of North America; A. Philip Randolph, Vice-President, AFL–CIO; Jackie Robinson, Chairman of the Board, Freedom National Bank of New York; Bayard Rustin, Executive Director, A. Philip Randolph Institute; Horace L. Sheffield, Executive Vice President, Trade Union Leadership Council; Arthur D. Shores, Member, Democratic National Committee, Alabama; Asa T. Spaulding, Owner, Spaulding Consulting and Advisory Service; Marcus Stewart, Sr., Editor, The Indianapolis Recorder; Carl Stokes, Mayor, Cleveland, Ohio.

Louis Stokes, U.S. Congressman, 21st District, Ohio; O. L. Tandy, Publisher, Indiana Herald; Gardner Taylor, Past President, Progressive National Baptist Convention; Jesse H. Walker, Executive Editor, New York Amsterdam News; Wyatt Tee Walker, Pastor, Canaan Baptist Church of Christ, New York City; William J. Walls, Bishop, African Methodist Episcopal Zion Church; Roosevelt Watts, Executive Vice-President, Transport Workers Union; Robert Weaver, President, Bernard M. Baruch College, New York; Roy Wilkins, Executive Director, NAACP; Thomas G. Young, Vice-President, Local 32B, Service Employees International Union; Whitney M. Young, Jr., Executive Director, National Urban League.

(Sponsored by the A. Philip Randolph Institute, New York, N.Y., A. Philip Randolph, president; Bayard Rustin, executive director)

TELLING IT LIKE IT IS ABOUT BIRMINGHAM

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BUCHANAN. Mr. Speaker, too often the city of Birmingham, which it is my privilege to represent in the Congress, has been the recipient of undue criticism.

I am encouraged, however, by an article which appeared recently in the Dallas Morning News and which was carried as the lead story by a black Birmingham paper, the Birmingham Times, and which tells it like it is about my city.

This article was written by a Washington Bureau correspondent for the News, Robert E. Baskin. Mr. Baskin apparently took the time to take a good, hard look at Birmingham in contrast to some other out-of-State writers who have seemed merely to give the city a superficial glance and write with a "my mind is made up, don't confuse me with the facts" attitude.

The city of Birmingham has made tremendous strides in recent years and it is time they were noted.

That the Birmingham Times would reprint this article, in my judgment, is an indication that Mr. Baskin's feelings are shared by the black community in Birmingham and that, Mr. Speaker, says a great deal.

I am greatful to Mr. Baskin for his article and include it herewith:

BIRMINGHAM DONE DIRTY ON IMAGE

(By Robert E. Baskin)

BIRMINGHAM, ALA.—Like Dallas, Birmingham has been one of the most maligned cities in the country, and the image of the city that has been created is totally erroneous.

Birmingham, of course has had its racial difficulties. There has been strife and bitter feelings all aggravated by undue attention from northern bleeding-hearts and do-gooders.

In the distant past Birmingham may have been a somewhat raw, rough city. But it is no longer that way.

This writer recalls stopping overnight during World War II and taking a cab to the Tutwiler Hotel from the railroad station.

When the Negro Porter appeared to take our bag, the cab driver got out and kicked the porter. "He was too slow," the driver said.

It was pointless to remonstrate with him. It was simply a manifestation of the redneck attitude of that time toward the Negro.

Today things in Birmingham are different.

There has been a full degree of racial integration-reluctant, of course, but nonetheless effective. And the citizens of this bustling steel city are looking to the future and trying to prevent further civil disturbances.

In Birmingham you can walk the streets day or night without fear of yoking, robberies and other mayhem. This is something you cannot do in Washington or New York or most northern cities.

While you may read a good deal about racial friction in the south, you will find that it does not amount to anything like that which exists in the north.

The other evening I and another newspaper correspondent decided the time was appropriate for a meal of genuine southern, pit-cooked barbecue. There are a good many places in Birmingham that specialize in this. But we were advised that the best place of all was a small restaurant in the Negro district.

We inquired, mindful of conditions in Washington, if it would be safe to go there. The answer was affirmative.

The restaurant was a very small one, but we got quick service of some barbecued spare-ribs. They were excellent, and we had a second serving. We were the only white persons in the place, but there was no strain. Everyone was courteous.

Later, we walked out on the street to find a cab. The people we encountered were friendly. There was no fear in the air. In fact, we felt that we were among friends.

In Washington no white person would think of going into a predominantly black district to get a plate of spare-ribs. The racial conflicts in the nation's capital are too intense for that.

It has been unfortunate that Birmingham has been depicted as a city of racial antagonisms and troubles. It is really unfair and a distortion of things as they are. If the slightest trouble breaks out in a southern city like this, however, much attention is focused upon it by the national news media.

Meanwhile, in Washington, New York, Detroit and other northern cities there can be all sorts of racial difficulties existing and little will be said about this.

It's much nicer to be in Birmingham. Despite all the things that have been said about it, Birmingham is one of the dynamic cities that is leading the south to better days.

WAR AGAINST POLLUTION

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. QUILLEN. Mr. Speaker, the quality of our environment has been a subject of much conversation and concern among the citizens of this country in recent months—especially since the time the President announced plans for an all-out war against pollution.

I take this occasion to report to you that in my home State of Tennessee we are making progress in the battle against pollution, according to reports from our soil conservation service.

On June 25, 1970, an article appeared in the Greenville Sun, Greenville, Tenn., quoting Mr. J. R. Sasser, head of the soil conservation service for Tennessee, on the problems of pollution and the steps being taken to remedy the problems. The Greenville Sun is one of the outstanding daily newspapers in my congressional district.

I have joined in cosponsoring seven administration bills designed to fight air and water pollution, and I hope all of them can be enacted into law very soon.

To give readers of the RECORD an insight as to what is being done in my State to fight pollution, I submit the following article:

LOCALLY LED CONSERVATION PROGRAMS CREDITED WITH DRAMATICALLY REDUCING SOME POLLUTION

Locally-led, federally-aided conservation programs have dramatically reduced some forms of pollution and improved the quality of our environment, according to J. R. Sasser, head of the Soil Conservation Service for Tennessee.

"To many of us who have been concerned with conservation for a long time, it is a little startling to find our goals of conservation, purer water, and a better environment in the middle of a national crusade," Sasser said, "Reforestation establishment of grasses and legumes, terracing, and other practices installed by the landowners of Tennessee have had a measurable effect on pollution abatement.

The SCS has been giving technical help to local soil and water conservation districts since 1939, according to Sasser.

"Sediment, for example is the largest pollutant of water," Sasser said. "Sediment washes from unprotected land into streams and lakes. The soil particles can carry disease and wastes, ruin fishing, and increase the cost of purifying water.

"More than 30 years of conservation work by the landowners of this country has greatly reduced the volume of soil washing from rural lands. In 1969, cooperators of Tennessee's 95 soil conservation districts applied more than 40,000 acres of contour farming practices. This one conservation practice saved about 0.3 million tons of soil from polluting our State Streams and lakes," Sasser continued.

Sasser pointed out that a large portion of sediment pollution today comes from urban construction sites, roadbanks, parking lots, and other nonfarm use. Unprotected roadbanks can lose soil at a rate in excess of 150 tons per acre every year.

"Many conservation practices that are effective on farmlands can also be used to curb nonfarm erosion." Sasser said.

"Air pollution from agricultural sources is a rare localized problem now," Sasser said. "But wind-blown soil from farmland once polluted the air over a large part of the nation.

"Clouds of dust blew from land that had been mis-managed and overused, darkening the skies over Washington, New York, and other eastern cities.

"Air pollution of this magnitude has been eliminated by conservation programs. Permanent cover, tree windbreaks, wind stripcropping, and better management in many ways are keeping the landowners' soil at home—and out of the air.

"Burning woodlands and crop residues (wheat, straw, cornstalks, and the like) once sent natural plant nutrients up in clouds of smoke that blanketed the countryside in Tennessee for weeks at a time," Sasser said. "Now thanks to enlightened conservation methods and State and Federal fire control programs, indiscriminate burning is no longer practiced. This source of pollution from our farmlands has been almost eliminated."

In Tennessee a relatively new practice called no-tillage crop production is proving to be a very effective method of reducing soil loss. Essentially the technique involves the planting of row crops such as corn and soybeans in grassland with special planters. "Scientists have shown significant reductions in rainfall-induced erosion from watersheds used for no-tillage crops." There is quite a difference in the quality of runoff water, Sasser said. "Instead of being laden with erosional debris, water runoff from no-tillage farmed fields is clear and sedimentation in streams and lakes is greatly reduced."

"Some people may be surprised to learn that conservation farming reduces the need for chemical pesticides and herbicides which are sometimes guilty of air and water pollution," Sasser continued.

"Crop rotations are used to conserve and improve the soil and fight insects, weeds, and diseases," Sasser explained. "Certain plants kill nematodes, for example. A rotation to include these plants—coastal bermudagrass, crotalaria, and even marigolds—will help control nematodes."

"Pests such as the European corn borer and pink bollworm may live through the winter in old stalks left standing in the fields. By mulching (cutting down or shredding) the old stalks, the pest's homes are destroyed and the need for chemical control is reduced. The mulch also reduces wind and water erosion."

"The conservation farmer strives to reduce soil loss and runoff," Sasser said, and this reduces the likelihood of fertilizers and chemicals washing into streams and lakes."

"New ways are being found to use or dispose of wastes that once went into streams. Wood chips, fruit processing plant wastes, animal by-products and a long list of other materials are proving to be useful as soil conditioners or fertilizers," according to Sasser.

"Our Soil Conservation Service specialists are spending a larger amount of their time each year in helping towns, industries, feedlot operators, and others install sewage lagoons, catch basins, or sanitary landfills to handle wastes."

SCS technicians have helped select sites and install approximately 35 new sanitary landfills in Tennessee to replace open dumps.

The whole concept of conservation is founded on planning for the protection and improvement of the environment—a positive approach.

Sasser said that the pioneers in the positive approach to environmental improvement are Tennessee's Soil Conservation District Supervisors and conservation farmers. "These dedicated people have led the fight against pollution for more than 30 years—often alone, without adequate funds, and for too long largely ignored by their urban and metropolitan neighbors," Sasser said.

Lasting monuments to their tireless efforts are the contour strips of cropland etched into 1.6 million acres of Tennessee's sloping landscape. It is also in the 84,000 farm ponds and the 500,000 acres of trees planted on eroded idle land over the past 30 years. It is these visable accomplishments and more—it is the cleaner air we breathe, the purer water we drink, the more healthful food we eat.

Nearly 45,000 basic conservation plans have been developed on more than 6,000,000 acres of land in Tennessee. Sasser said that most conservation work is done in rural areas by farmers and ranchers—but that the technical help that has been proven successful in rural programs is also available for nonfarm use.

BEYOND THE CALL OF DUTY IN VIETNAM

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. LUKENS. Mr. Speaker, I should like to call to the attention of my colleagues the services beyond the call of duty our forces have performed in South Vietnam. American military personnel have commonly utilized their spare time engaged in such activities as constructing hospital facilities, churches, and schools. They have adopted children orphaned by the war and created scholarship funds to make possible education for the young. Volunteer medical personnel have saved thousands who would otherwise have been doomed to death.

Any army, given proper training, sufficient pay, and incentives for developing morale can be molded into an efficient fighting unit. American Armed Forces, at the very least, have always been considered among the most militarily effective in the world. Vietnam, however, is a unique war that has created new demands upon our troops. They are asked not only to physically crush the enemy, but also turn widespread mistrust of the South Vietnamese Government into confidence and support. These are two products which can not be instilled in or forced upon anyone, but instead must be fought for and won. There has been a slow, but definite shift in South Vietnamese attitudes and support away from the Vietcong and toward the Thieu-Ky government. One of the reasons for this shift has been the real desire shown by American servicemen to improve the living conditions of the Vietnamese civilian population. With this goal in mind, they have given much of their spare time with no military strings attached—something for which the North Vietnamese are not known.

Throughout this war, as with those in the past, Americans have been continually honored as soldiers; the time has come for them to be honored as humans. Our commitment in Indochina has caused much debate, but the performance of our forces has caused none. They have acted in a manner which transcends ethnic differences or military order and have asserted a humanity which knows no geographic restriction. Countless South Vietnamese will remember the Americans more as a group responsible for their child's being alive or for his education than as representatives of a nation supreme in its fighting prowess. Perhaps this will be a more healthy—and lasting—impression.

The following reprint from Reader's Digest, an article written by Kenneth Y. Tomlinson and entitled "Beyond the Call of Duty in Vietnam," most vividly illustrates several of the humanitarian deeds performed by our troops:

BEYOND THE CALL OF DUTY IN VIETNAM

(NOTE.—In the midst of an unpopular and bloody war, our soldiers have often become samaritans, engaged in those small, selfless acts of mercy that never seem to make the headlines)

(By Kenneth Y. Tomlinson)

Braving heavy communist gunfire one muggy afternoon in April 1969, helicopter pilot Lt. Robert Vinson picked up eight seriously wounded men deep in the treacherous Ashau Valley of Vietnam, and flew them to the base hospital. It was the end of three grueling days of combat and resupply missions for this 23-year-old from Belmont, Mass. In that time, he had seen four of his squadron's helicopters shot down and three pilots killed.

But, weary as he was, Vinson had still another mission he wanted to fly. Right after debriefing, he took a chopper 20 miles north to a village nestled among the rice paddies of the Huongdien Peninsula, just below the Demilitarized Zone. He trudged through a muddy field to a half-finished school. Surveying the work, he said to a Vietnamese builder, "We're going to need more cement. I'll have some here in a few days."

In the last year, even while fighting communism, Vinson has been engaged in a personal war of his own—against sickness and ignorance in rural Vietnam. When he first visited the isolated Huongdien Peninsula in early 1969, three poorly equipped medical dispensaries served 34,000 people. There were only nine schools, each riddled with bullet holes, and the sole, two-room high school had to hold classes in three shifts. "This is intolerable," he said. "These people must be helped."

Wherever he went thereafter, Vinson was on the lookout for surplus material. Flying a colonel to a briefing in Danang one day, he saw a large stack of two-by-fours piled next to the landing pad. "That lumber could help put 50 kids in a school," he told a supply sergeant. The colonel was flown back to camp with lumber crammed in with him. Vinson scrounged bags of rain-damaged cement, tin and lumber from ammunition boxes. Other helicopter crewmen joined in to help, and every effort they made was matched by the people of Huongdien. After Vinson's 158th Aviation Battalion donated $1000 for an addition to the high school, the South Vietnamese district chief searched for funds for a second building.

What has it all meant to Huongdien? Five dispensaries have been constructed and stocked with medical supplies. Six new schools have been built, while the nine others have been repaired. The high school now has eight rooms—and a library. The day before Vinson left Vietnam last January, village and hamlet chiefs honored him in a simple ceremony. The district chief said, "We can never thank you enough."

Quality of Mercy. All over South Vietnam our soldiers are engaged in similar humanitarian missions. An artilleryman from New Jersey spends a free afternoon stacking sandbags at an orphanage outside Pleiku so the children will be protected from communist mortar attacks. An Army engineer from California distributes toys he bought in Hong Kong to the Longbinh orphans his unit adopted. A Marine rifleman from Texas, on his way in from an all-night patrol near Danang, stops to treat huge sores on the back of an old Vietnamese man. The list of individual acts of mercy is unending. In fact, as one senior military officer told me, "My hardest task is keeping track of the incurable humanitarianism of our troops."

Last year U.S. Army volunteers helped construct 1253 schools and 597 hospitals and dispensaries, contributing $300,000 from their own pockets. Personnel of the Third Marine Amphibious Force helped build 268 classrooms, 75 dispensaries and hospitals, and 78 churches, temples and pagodas. The $40,000 contributed by Marines to a scholarship fund ensured an education for 935 children. Air Force men gave personal and financial assistance to 1218 schools, medical facilities and orphanages. Air Force doctors, dentists and medics treated 390,000 Vietnamese in volunteer programs.

One shining example is the 120-bed Hoakhanh children's hospital, dedicated early in 1969, and one of the most modern of its kind in the Far East. Financed with money raised by combat Marines, it is an outgrowth of smaller, crowded hospitals and roadside dispensaries, where Marines and Navy corpsmen had volunteered their help to sick and injured children. There are two operating rooms, isolation facilities and a maternity ward equipped with incubators; 25 Vietnamese nurses are being trained to work in the new facilities. Last year, 16,000 children were treated at the hospital, many of whom would otherwise have died.

As I walked through the main ward earlier this year, I saw a wiry boy of 11 playing games with a group of visiting Marines. Seven months before, he had been caught in a fire and brought in with burns over 75 percent of his body. He told my interpreter: "All my life I will never forget this place and these healing people. Some way I will repay them."

Meet some of the countless other "healing people" involved in helping the South Vietnamese:

The "new parents" of the Americal Division. When Capt. Charles Adams, a 27-year-old Protestant chaplain from Springfield, Mo., visited Binhson Catholic Orphanage in Quangngai Province in May 1969, 60 children were subsisting on one or two bowls of rice a day and sleeping on the floors of a school. The chaplain told a group of men in the Americal Division's Fifth Battalion, 46th Infantry, about the situation, and they eagerly agreed to help. "Don't worry, chaplain," said one veteran sergeant. "Those kids have just got themselves some new parents."

Combat troops began sacking food from captured enemy caches—sometimes as much as 500 pounds a week—and shipping it back on returning helicopters. Mess sergeants at battalion headquarters set aside surplus food. Soldiers found 40 Army cots in a salvage dump, repaired them, and for the first time the orphans slept in beds. On payday, troops in the field passed cups for contributions. Ten percent of poker winnings was earmarked for the Binhson orphans. By the end of the year an eight-room, cinder-block structure had been built to house them.

The battalion's 800 men continue to give $400 a month. They want the orphanage—just one of the 350 helped by our servicemen—to be self-sufficient by the time our troops leave Vietnam. The first small step toward this goal: 15 pigs and 22 ducks purchased for Binhson.

Servicemen who become friends of outcasts. Air Force pilots visiting a relocated (because of Vietcong harassment) leper colony on the shores of Danang Bay last year were shocked by what they saw. Some 240 lepers and their children were living in primitive huts and tents. Masses of flies swarmed around helpless lepers in a makeshift hospital. "I'm coming back to help these people," said Lt. William Kruger, 25, an Air Force Academy graduate. His companions felt the same way.

Soon there were more weekend volunteers—Air Force, Army and Marines—than could be transported to the isolated beach, which was without a dock. Improvised building materials—lumber, sheet metal—were thrown overboard 50 yards from shore and guided in by GIs standing shoulder-deep in water. By the time monsoon rains began last fall, the men had 40 houses built for the lepers.

Quartermaster First Class Sam Lopiccolo—village builder. Soon after the U.S. Navy moved into the lower Camau Peninsula, a longtime Communist stronghold, a group of refugees wanted to settle nearby for protection. Lopiccolo, 27, of Waterloo, N.Y., salvaged material to help them build a village. In three weeks 500 families had settled along the once-barren banks of the Cualon River.

All this did not go unnoticed by the Vietcong: a dozen villagers were soon kidnaped, while two others were shot when they refused to pay V.C. tax collectors. Booby traps were set around the perimeter of the village, and the Vietcong put a price on Sam Lopiccolo's head. Undiscouraged, he and the villagers began constructing a school. After guerrillas slipped into the village early one morning and blew up the partially completed structure, Lopiccolo and the people doggedly rebuilt it.

Sam Lopiccolo now is helping the people of a newer village downstream build a school for their children. He has twice extended his tours of duty in Vietnam and is now in his third year. "This job can't be done in one year or two," he explains. "That's why I stay."

Chief Warrant Officer George Railey—orphanage counselor. Working night after night while finishing his third tour in Vietnam, this Special Forces veteran built a merry-go-round for the children of an orphanage near Pleiku. (The carrousel turns on the discarded axle of a 2½-ton truck. The horses are made from salvage metal. Its center piece is a gaily painted gasoline tank.) During the dry season the orphanage's sole source of water was a 1200-gallon tank truck Railey drove. He used a chain saw to cut firewood for cooking during his lunch hour. Each day he picked up three teen-age orphans and took them to his shop, where he and his men trained them to be mechanics.

Railey methodically visited eight remote Montagnard villages twice each month, distributing gifts and surplus food to the often-hungry hill tribesmen of the Central Highlands. When I traveled to these villages with Railey last January, he was awaiting confirmation of a fourth year's extension of duty in Vietnam. He told me he had found new meaning in life, working with the suffering victims of war. That work tragically ended three months later. He was killed in an accident while taking presents to Montagnard refugees at Letrung.

Sgt. Richard Pellerin—medic to the Montagnards. Pellerin, 27, who joined the Army after dropping out of the University of Michigan Medical School, is one of two medics who alternate duties at Pleidjereng, one of many Special Forces camps located at strategic hot spots along the Cambodian border. One medic is always out on patrol. The other operates the camp dispensary and goes down to the primitive Montagnard village of Pleidoch three times a week to help the sick.

I watched Pellerin treat a young woman, badly burned when she had rolled into a fire a few nights before; her leprosy-deadened sense had not alerted her to the pain. A small boy waited to lead us to his sick father. Seeing the child lifted the spirit of the intense young medic. "When I got here, nearly every kid in this village had trachoma, an eye infection," Pellerin said. "Now we would have to go looking for a case to treat."

Sgt. 1st Class Lonnie Johnson—jack-of-all-help. When the 36-year-old Green Beret learned that a mother in the remote mountain village of Dongbathin was having difficulty in childbirth, he made his way to her home, carried her to a truck and raced to Camranh, where a Navy doctor successfully delivered the baby. After a Vietcong rocket killed eight Nhatrang civilians last September, Johnson found tin and wood to build the survivors a new home. Last Christmas he gave 1500 orphans toothpaste, soap, candy and nuts collected from fellow servicemen.

As Johnson and I sat on our bunks at a Special Forces camp at Pleiku, I asked him why he has done so much for the Vietnamese. "I was raised by my grandparents, who were sharecroppers on a farm in Alabama," he said. "We were very poor. I got one pair of overalls to last a year. My shirts were made from fertilizer sacks. When I got to Vietnam and saw these people and their children, I remembered what it was like. I made up my mind I was going to do everything I could for them."

Everywhere I traveled in Vietnam, I saw men like these. Yet their amazing humanitarian accomplishments are nearly always overlooked amid daily battle reports and domestic conflict over the war itself.

"The number of our GIs who devote their free time, energy and money to aid the Vietnamese would surprise you," declared Bob Hope at the end of his latest Christmas tour of U.S. bases there. "But maybe it wouldn't," he added. "I guess you know what kind of guys your sons and brothers and the kids next door are."

A SANCTUARY FOR CALIFORNIA'S TULE ELK

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. ROYBAL. Mr. Speaker, as the author of H.R. 17561, a bill to authorize the Secretary of the Interior to study the desirability of establishing a national wildlife refuge in California and/or adjacent Western States for the preservation of the California tule elk. I would like to include in the RECORD a portion of an excellent article by Mike Frome, entitled "Endangered Elk," which appeared in the May 1970 edition of the American Forests magazine.

After noting that the tule elk of California had been placed on the list of rare and endangered species by the U.S. Department of the Interior and the International Union for the Conservation of Nature, Mr. Frome declared:

> Any species so reduced in number that less than 400 remain on earth should receive maximum protection.

In supporting legislation to study creation of a national wildlife refuge, Frome commented that—

> Refuges have played a key role in every successful wildlife restoration in our history. And there is now clear need for establishing a permanent sanctuary to protect the tule elk.

And in an eloquent conclusion to his fine article, the writer quotes the eminent author, Dr. Lloyd Inglis, on the urgency of quick congressional action to save the tule elk:

> Let it never be said of our generation that we hastened the extinction of that species. It took ages of nature's time to produce a species. To be guilty of contributing toward the extinction of a species is like tearing up the foundation planks of the universe.

The portion of Mr. Frome's article on the "Endangered Elk" follows:

ENDANGERED ELK

This leads one to inquire further into federal attitudes toward endangered species. In this regard, hearings were held recently before committees of both houses of Congress to consider the future of what must be the most celebrated rare and endangered mammal in the United States—the tule elk of California. The story of the handsome California wapiti, or dwarf elk, is now well known. Great herds of untold thousands once roamed the central and coastal valleys of California. A century ago their habitat was invaded. The elk were slaughtered, both by ranchers eager to eliminate competition for their livestock and by market hunters supplying meat to stampeding miners of the Gold Rush. A few animals hid in the bulrushes, or tules, of the Miller and Lux cattle kingdom and when discovered were given protection by Henry Miller, the ranch boss. From that slender group the tule made their miraculous comeback and in 1933 were transplanted to become the famous herd in Owens Valley, east of the Sierra Crest.

All has not gone well, however, in Owens Valley, where the elk live on an area of 300 square miles, approximately half of which is administered by the City of Los Angeles. The area serves primarily to insure metropolitan water supply from the Owens River and its tributaries but also has been used, under lease, for livestock grazing. In recent years cattlemen have complained about having to share their range. Consequently deliberate efforts are made to restrict the numbers of elk. Whenever the tule elk increase to over 300, a legal hunt is held to reduce the total to 250, a figure set arbitrarily by the California Fish and Game Commission as "the carrying capacity." On three weekends of last October such hunts were responsible for killing of 78 animals. All the evidence strongly indicates the exercise was far more of a slaughter than a sport, that it did not differentiate between weak and strong specimens in the so-called culling, that it bore scant relationship to scientific game management.

The tule elk has been placed on the list of rare and endangered species by the Department of the Interior and the International Union for the Conservation of Nature. In its Tule Elk Habitat Management Plan, developed for national forestland adjacent to Owens Valley, the Forest Service termed this smallest of North American elk "a rare and unique big game species with high esthetic appeal," adding that: "The challenge to manage the herd and its habitat so as to maintain the animal for the future is great." Certainly any species so reduced in number that less than 400 remain on earth should receive maximum protection. This fact seemed clearly recognized in 1967, when the City Council of Los Angeles authorized establishment of a refuge at Owens Valley. But through the potency of the autonomous commission controlling the water and power supplies of Los Angeles, this refuge has never been established.

This is why five California Congressmen and Senator Alan Cranston introduced legislation authorizing the Secretary of the Interior to study the desirability of establishing a national wildlife refuge for preservation of the tule elk. Refuges have played a key role in every successful wildlife restoration in our history. And there is now clear need for establishing a permanent sanctuary in Owens Valley to the exclusion of conflicting interests and activities.

Leadership to protect the tule elk did not originate in the Department of the Interior. It began with a handful of people in Southern California, now called the Committee for the Preservation of the Tule Elk, and has grown into a groundswell of public opinion expressed throughout the nation.

The existing policy governing the Owens Valley rangeland, with an endangered species at stake, is senseless. Where state biologists buckle under political pressure, the federal government must act. Failure to seize the initiative discredits the President's pledge and earnest desire to improve the environment. In response to pressures of the people, there is now a new creation called the Inter-Agency Land and Wildlife Committee for Owens Valley, composed of representatives of Los Angeles, the local counties involved, the State of California, the Bureau of Land Management and the Forest Service. Its efforts, hopefully, may prove beneficial, but they cannot so long as livestock is considered the priority value of the resource.

"I urge the active support of the effort to establish a national wildlife refuge for the tule elk which have been dangerously reduced in number," declared Dr. Lloyd Inglis, the eminent author of *Mammals of the Pacific States*, in a statement dispatched to the Congressional hearings that would have been wholly fitting coming from the Secretary of the Interior. "Let it never be said of our generation that we hastened the extinction of that species. It took ages of nature's time to produce a species. To be guilty of contributing toward the extinction of a species is like tearing up the foundation planks of the universe."

COLLEGE STUDENT INVOLVEMENT IN ELECTIONS

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BLACKBURN. Mr. Speaker, as the November elections approach, many representatives of our institutions of higher learning have indicated that their college or university might actively become engaged in politics, to the extent of campaigning for certain candidates.

This is becoming a great source of concern to many professors and other members of the academic community because of the possible effect it could have on the university as an institution. One of the most vital features of our university system is that free thought is encouraged and the university does not try to institutionalize this thought in favor of any particular set of policies.

Recently, Prof. Franz Michael, of George Washington University's Institute of Sino-Soviet Affairs, presented a commencement address to the School of Public and International Affairs. In his address, Professor Michael showed how the university has always remained aloof from political entanglements with the exception of German colleges during the rise of Hitler. The German instance shows how the university system can be destroyed or manipulated in order to preach only one variety of thought.

For the information of my colleagues, I am hereby inserting Professor Michael's address into the RECORD:

COMMENCEMENT ADDRESS PRESENTED TO SCHOOL OF PUBLIC AND INTERNATIONAL AFFAIRS, GEORGE WASHINGTON UNIVERISTY

Students, parents, colleagues, and distinguished guests, it is, indeed, an honor to be asked by students and colleagues to speak on this special occasion. We live in a somewhat unusual time, to put it mildly, and it has not been easy to find a proper theme; but after some deliberation, I decided "to do my thing."

Commencement, from the French noun *commencement*, literally means "a beginning," a beginning, that is, of the real life after the schooling you have received in preparation has been completed. It has been traditional to speak on this occasion about the world of affairs which you are about to enter and about its dangers and opportunities. It is a temptation to speak of those. I would rather speak to you, however, on the problem faced by the institution of the university, which is very much a part of the real world and with which you are so familiar, since it has been a part of your life experience, especially during the past year.

It is a troubled world we are facing, but the troubles of our universities are, perhaps, at the core of the malaise from which we suffer. What, then, is the role of the university in our world? It is a trite thing to say that the university is an educational institution, but it seems important to stress that again. Education is a complex process. For one thing, education is the transmission of knowledge; for another, it has to provide a logical system in which knowledge is to be treated.

Since the early middle ages universities have served as custodians of human knowledge as it accumulated. The *universitas literarum,* the concept which gave the university its name, meant the universality of all knowledge, the whole scope of intellectual pursuit. This accumulation of knowledge became the storehouse of the past which has grown as our knowledge has increased. Entire new fields of knowledge opened up. We may smile today at the discipline divisions of the middle ages. There were the liberal arts and the professions. The liberal arts were divided into the so-called quadrivium, the four fields of specialization: Arithmetic; Music; Geometry; Astronomy. A methodological approach for training of the mind comprised the so-called trivium: Grammar; Logic; Rhetoric. There was a great deal of argument about these divisions. The other half of university education consisted, then, of the professions: Theology; Law; Medicine. This was the scope of knowledge and of the conceptual framework of the time. From this has evolved the whole field of natural sciences, social sciences, and humanities of our time.

Far more important than the increase of accumulated knowledge, however, was the changing framework in which it was understood. The medieval scholar was secure in his basic beliefs and premises. These were provided by religion, a set of values common to all. *Religio mater scientiae,* religion was the mother of science and within its tenets knowledge was developed. There may be argument within the doctrine; in fact, science had to assert its findings against the narrow bigotry of the world and the universe. Galileo became the most famous example of the fight between the human mind and doctrine. He was forced to recant his findings about the globe and its movement around the sun, but he still had the last word: *Eppur si Muove*—and yet it does move.

But while the church prevailed and eventually changed its own concepts of the relationship between its values and the world of reality, it could no longer serve as the vehicle of scholarship which dealt with another approach to life, the search for truth regardless of any doctrine or of any preconceived framework of what must be. There were many attempts to construe philosophical systems which would explain it all. The new slogan was *philosophia mater scientiae*—philosophy is the mother of science. And some attempts to find the answers within the confines of a construct that explains it all still continue. Marxism doctrinally applied is the most prominent among them today.

But the life of the Western universities and the tremendous breakthrough made over the last two centuries and especially over the last few decades in our understanding of the world in which we live and in the management of our lives were not based on the acceptance of any one philosophical system; rather, they were based on the concept of the free working of the human mind. The outcome of scientific investigations and the gaining of new knowledge had to be unfettered by any preconceived formulas. The human mind, properly applied, could delve into the mysteries of the world of matter and of ideas and come out with a deeper realization of its truth. To be sure, there had to be orderly thinking; the orderly method to be used was reason.

The eighteenth century has been called the beginning of the Age of Reason. The groundwork had been laid by John Locke and English Liberalism. The relentless attack against all shibboleths of the past and the devastating wit of a Voltaire characterize this liberation of the mind. Voltaire died in 1778, the year of his return to Paris following a long exile. His return was celebrated with tremendous ovations acknowledging him the sage of the century. Voltaire was eighty-four and the ovations proved too much for him. Naturally they killed him, but what a glorious death! By that time the principle of the freedom of the human mind was accepted throughout the Western world.

This belief in reason is not maintained in a moral void. The eighteenth century philosophers held as premises basic humanist values: compassion for their fellow men and an ardent sense of justice. These protagonists for reason believed most strongly in justice to each and all, and practiced what they preached. The whole period of enlightenment was characterized by a lively questioning of authority and the stress on law as a guarantee of human freedom.

The main political application of this principle came first in the United States. This concept of freedom formed the basis of the Declaration of Independence, and provided the foundation for the American Revolution. This is still the fountain of our tradition. This is how the development of free, orderly thought at our universities is related to the reality of our life. I say orderly thought because it is crucial that we retain our respect for reason. Wild utopian schemes can only be asserted eventually by force, terror, and intimidation.

The German philosopher Kant, in his *Critique of Pure Reason,* formulated the relationship of reason to reality. In his formulation: Thought without experience is empty, experience without thinking is blind. This interdependence is also the essence of modern science: the theoretical and empirical approach, one leading to the other and back again; thesis tested and reconstructed.

The belief that from data and their analysis the truth could be found has led to extremes, especially in the social sciences. The conviction by some ardent souls that, through measuring and quantifying, the so-called soft sciences could be transformed into the life of the hard sciences is still with us. We ought to be more understanding of the complexity of the human world, and also more modest. We must realize, in addition, the limitations of our own standpoint and experience. The famous German historian Ranke, the father of modern history, claimed that in his writing he would tell the story "wie es eigentlich gewesen"—as it truly was. We know now that we cannot ever free ourselves completely from the thousand influences to which we are exposed through time and space, through upbringing, experience, and our own predilections, to be ever as objective in thesis, in selection of data, or in their evalution as we would like to be. The German poet Heine has put it most imaginatively. He had a dream in which God the Father appeared and offered the poet a choice between two blessings which God held in his hands: in one hand God held Truth, in the other the Search for Truth. And Heine chose; "Give me the Search for Truth," he said, "For the Truth is for Thee alone, oh God."—It is the search for Truth which is our endeavour.

The purpose of the university is, then, to create a climate of intellectual freedom in which the students are to gain the knowledge and method of analytical approach in their chosen fields of study that will prepare them for their role in handling the problems of our society and making ours a better world. It has been your professor's duty and vocation to share with you to the best of his ability his knowledge and his understanding of the methods of a free search for truth to obtain this goal. This is what university education is all about.

Today it is equally necessary to state what the university is not: It is not a market place for politics. Wherever political pressure has swayed or broken the free search for truth, the universities have become prostitutes of government or political forces. That was as much true in the past as it is in the present. Where all cognition has to be related to the Nazis' blood and soil, or to Marxist doctrine, or to The Thought of Mao Tse-tung, truth always suffers and society is the poorer. Academic freedom is the freedom *from* government, the freedom *from* political power, and *from* intimidation—the freedom to teach not what a majority or minority orders, but what the search for truth demands.

This is the heritage of the intellectual tradition in which our educational institutions were born and under which they made their contributions. What progress has been made towards that freedom and human dignity to which we aspire has been based upon it. Let us not lose it.

It has been said that the universities must change. Goodness, as if there had not been change all along. We no longer teach the trivium and quadrivium. We have discarded old concepts, have developed new disciplines, and have continually enriched and deepened the fields of study. The realization that change comes with movement of time and men has been ever present in the minds of thinking men. In our Western philosophical tradition, in ancient Greece, Heraklitos knew that *panta rey*—all is in flux. To portray the constant change in all life, he used the image of the stream and the inability of men to touch the same water, though the stream itself remains constant.

Today we speak of the generation gap. Goethe knew about that. In his great drama *Faust,* Goethe contrasted the ideas of the philosopher with the questions and often mischievous thought of Mephistopheles. So it was the devil who said: "Aus Recht wird Unrecht, Wohltat Plage; Weh Dir, dass Du ein Enkel bist; vom Rechte das mit uns geboren ist, von dem ist leider nie die Frage." Somewhat freely translated, this becomes in English "Right turns into wrong, blessing into curse, woe to the coming generation. The right that has been born with us remains, unfortunately dormant." In speaking through Mephistopheles, Goethe thus talks of the question of what is right and of the necessity for right to change with the change of generations. Right, Recht in German, has a double meaning. It means not only the moral concept of what is right, but the Law as well. As a child of the Enlightenment, Goethe conceived of change as expressed by norms and not by arbitrariness. It would not have occurred to him that Law—the foundation on which all human justice rests—could itself be threatened.

Yet this is what happened in our time. I witnessed it as a student in Nazi Germany. We had Nazi student groups come into classes, threaten and intimidate professors and fellow students, and demand the removal of Jewish and other teachers and their replacement by appointees of their own choosing. We had the "crystal" night, when Nazi vandals broke all the windows—only property damage, you know. Then the Nazis took over and applied what they had preached. Personally, you will permit me to remember my father, who had taught all his life until he was ordered from the pulpit by the Nazis. The German universities knuckled under. Professors were removed, political figures appointed, and a tremendous loss to the German intellectual tradition resulted. I must say of the German professors that the majority were no heroes. They did not stand up as a group for the basic freedom of the universities. They compromised. They were practical about it. I remember the philosophy professor who spoke of the relativity of the objective approach and the need to adjust to the currents of the times. So step by step they adjusted. And it was the Nazi youth leader Baldur von Schirach who said, "In a higher sense the young are always right."

We face a very similar problem today. There is an obvious lack of understanding of the task of the universities. Once the University goes into politics on any side, it has lost its standing and purpose as the custodian of the intellectual tradition and the guarantor of the free-enterprise of the human mind.

A basic principle of this system is tolerance of different ways of thinking. Tolerance is a difficult thing to maintain. I remember an old lady in Philadelphia. She was not an old lady in tennis shoes, but she was no less determined. The classic statement she made at a dinner some years back was, "We have to be as intolerant as they are in order to make them as tolerant as we are." Intolerance is not limited to the totalitarian world. It appears in our own ranks under the guise of many causes. Some of the young, impatient with an imperfect world and immature in their grasp of the reality we live in, are most easily affected and made use of by forces they do not fully comprehend. Dissent is one thing. Ultimatums, threats, intimidation, and violence are quite another. Dissent we have had all along. It is a basic principle of democracy. Again, it was Voltaire who wrote in a letter to a friend, "I disapprove of what you say but I will defend to the death your right to say it." The phrase has since become a household word in Western democracy. It is the very thing we are fighting for. It is almost ludicrous to hear the word dissent taunted today as if it were denied to everyone. Dissent is vital, not only in politics; it is the very essence of academic discourse.

But what is practiced today under the name of dissent is something else again. Some of the young claim that they are not listened to. Of course they are listened to, but it never occurs to them that they may be wrong. And if I may say so, what they have to say shows mostly woeful ignorance of history, which is to them irrelevant, and of the very problems with which they hope to deal. Most of them have not read even the classics of the faith they are professing. In a discussion with some of these ardent believers on the problems of Viet Nam, they were overheard accusing me of smothering them in facts. I believe that nothing is more needed today than facts and their understanding. Instead, we have emotion in lieu of reason and the attempt to force a view based on emotional generalities on those who regard knowledge and reason as important elements of decision-making.

The Nazi had a saying: "Und willst Du nicht mein Bruder sein, so schlag' ich Dir den Schädel ein." "And if you don't want to be my brother, I will crack your skull." The attempt to force the acceptance of views by means of violence is no longer dissent, even if some so-called liberals stand applauding in the wings. But we have that today in the actions of the young, who are unwilling to take no for an answer and will use any means to disrupt the institutions they cannot force to accede to their demands. They are not a majority of the younger generation, which is one of the best we have ever had. But it is worrisome that so many students, with all their idealism, have been so isolated from reality that they have learned to believe in a short-cut to their goals through strong emotions. A Czechoslovak student has written in the journal *Dissent* of the American youth as "pampered children of our permissive, affluent society, throwing tantrums because father gave them only education, security, and freedom, but not Utopia," and who have, as he states, "simply not faced up to the fact that you cannot build a Utopia without terror and that before long terror is all that remains."

Two weeks ago I met a colleague, an economist at Tufts University. He told me that he was just recovering from the daze he has been in since February, when a group of these "idealistic" college and highschool kids attacked his university, burned his library, and destroyed his manuscripts and research material, a matter of ten years of work. Some "idealism!" You may have read about the Indian scholar at Stanford who had the same experience. From my brother at Ohio State I hear of the howling mob that smashed windows and beat up the head of his department and bloodied one of his colleagues. I had a letter from Seattle about a group of students who attacked with wooden clubs other students, twelve of whom were wounded, two placed in the hospital. Many more stories could be related, but these are personal notes, not collected statistics. It seems amazing how little these outrages have been treated by the press, which, whether sensation-hungry, intimidated, or for what other reason, has leaned far too much to the side of the vandals.

This vandalism recalls the days of the past. There is the marching, the slogan shouting, and the pompous, obfuscated phraseology of Hitler's ideologue Rosenberg, comparable to the totalitarians of our day, to a Professor Marcuse, whose writings ooze intolerance. They have been described as representing "the taste for pretentious nostrums put forth in inflated language which induces excitement rather than thought" by one of the leading socialist professors at the University of Essex. It is all so far away from the reason on which universities must remain founded if they are to survive.

As a professor, I have for many years taken pride in watching the younger generation. They are a wonderful group and there is nothing wrong with there idealism. It would be very wrong if our young generation felt no longer impelled to believe in principles and in making the world a better place. The problem is the how, the where, and the means. The university is not the market place of daily politics but the last forum of rational ideas explored and transmitted, undisrupted by the pressure of political forces. I realize that this is the purpose of the vast majority of all of us. But it is nonetheless disturbing to miss some reaction from the majority of students to rally in protest against the vandals in their midst; and it is reminiscent of the past to see professors sufficiently intimidated to be willing to compromise, particularly at universities that have claimed to be the greatest. The collapse of the faculties at some of these formerly leading institutions has provoked contempt among some of our distinguished British colleagues. This British reaction has been ably summed up in a recent article by the well-known writer Robert Conquest, to whom I owe some of my references.

Let me say clearly, however, that I feel no reason for pessimism. Behind the scenes, a tremendous and successful revolution has been achieved and is still going on in the universities and outside of them. The image of the United States has radically altered over the last years, particularly in race relations and social justice. When I came here from the war in Asia thirty years ago, I was aghast at some of the prevalent attitudes, particularly towards race. Anyone who remembers this time will agree that there has been a true revolution in this and other fields. We still carry on in the tradition of the American Revolution. This has been a revolution towards freedom and not away from it.

In the totalitarianisms of our time there is modern tyranny. Yes, they speak of "revolution," but their revolution aims to impose doctrine and to assert new control over life and thought which will take us back to darker periods of the past. Their purpose is truly counter-revolutionary. Theirs is the very opposite of the tradition of the American Revolution, or the French Revolution, for that matter. At the heart of the American Revolution are the concepts of free thought, concepts of the Age of Reason.

In the Jefferson Memorial you will find inscribed the words of the Declaration of Independence, the words of reason, "We hold these truths to be self-evident," and on the opposite wall you will find a personal quote from this great American. Jefferson wrote, "I have sworn upon the altar of God eternal hostility against all tyranny over the minds of men." This is the revolution for which we must fight. This could be the motto of any university.

In graduating from the university, you will find that you may well move from one side of the so-called generation gap to the other. You will become targets of the young and uninformed. You will not lose your ideals, but you will have to learn to present them in your work and in your participation in society. In this future life, do not forget the universities. They are a most precious heritage of our freedom and their defense is our common cause.

WE PLEDGE ALLEGIANCE: A PETITION TO PRESIDENT NIXON

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. CARTER. Mr. Speaker, the citizens of the Fifth Congressional District of Kentucky object to rioting, looting, and arson. The hate spewing forth from the mouths of militants throughout our land has resulted in a polarization of those who love the United States of America and is evidenced by a Pledge of Allegiance signed by many Americans in the Fifth Congressional District.

I submit the pledge and names of signees for the perusal of the Members:

WE PLEDGE ALLEGIANCE: A PETITION TO PRESIDENT NIXON

We, members of the Silent Majority, object to demonstration and desecrations to our flag promoted by professional revolutionaries.

The television networks are filled with interviews of people talking about being "turned off" and alienated from their country.

We the undersigned have been alienated, too. We are alienated by the unpatriotic rabble we see on our television screens.

If you are going to listen, don't forget that we, too, are Americans.

We want you to listen not only to the angry mob, but also to the loyal, taxpaying, concerned Americans who believe that change must come only through constitutional means—not by violence and threats of violence from a small minority who attract the television cameras.

Our message to you is that we also want the war in Vietnam to end. But we think your decisions in Vietnam and Cambodia are in the best interest of America.

Do not fail us now in the face of a mob brought to a frenzy by enemies of our country.

Ruth Parker, Martin L. Parker, James M. Rush, Janice C. Rush, Kermit Hale, Irene Hale, Noah & Joann Baker, June Swartz, Dean Hale, Mildred Hale, Willis Taylor, Stella Taylor, Shirly Wyatt, Mary Rush, Tilmon Taylor, William P. Vaughn, Shirley C. Vaughn, S. S. Vaughn, Bertha H. Vaughn, Gladys H. Smith, W. H. Brumback, Ethel B. Brumback, Georgia Brumback, J. J. Brumback, Lawrence Woolums.

Mrs. Lawrence Woolums, Margaret Jones, Kathryn Scott, Katherine Jones, Mary Hadge, Mrs. Randall Hoge, Robert D. Gray, Sr., Inez C. Gray, J. W. Calvert, Lula Calvert, Mrs. Holmes Knuckles, Holmes Knuckles, Dan C. Creech, Mrs. Dan C. Creech, John H. McGeorge, Lillie Mae McGeorge, James E. McGeorge, Charles R. McGeorge, Patricia D. McGeorge, Joe C. Cornett, Thory F. Cornett, William Cornett, Lorene Cornett.

Rosa Carpenter, Norma Carpenter, William Carpenter, G. C. Farris, Jr., Ava Jean Farris, Keith Farris, Karen Farris, Kim Farris, P. H. Young, Beatrice Young, William J. Young, Jack Young, Otto Gibbs, Martha Gibbs, Jesse Gibbs, Fred Gibbs, Robert Gibbs, James Bruner, Amanda Bruner, Lawrence Duff, Jimmie J. Swafford, Jennings Gilbert, Mrs. Jennings Gilbert, Reece Baker, Flossie J. Baker.

Nettie J. Johnson, Cyrus J. Johnson, Arlie H. Cornett, Henrietta Cole, Elizabeth Haskins, Viola Emmette, Charles Emmette, Margaret W. Dyche, Preston Doughty, Freda Doughty, Mike Doughty, Rev. Sherman Adams, Mrs. Sherman Adams, Rev. Gargus Shackelford, Lois Shackelford, Brenda Shackelford, Jim Shackelford, Marie Anderson, Fray Anderson, Dave Harkleroad, Lucille Harkleroad, Gertie Cornett, Edna Wilder.

W. L. Owen, Emma Owen, Sally M. Owen, Naomi Owen, Mrs. C. Walden, C. Walden, K. C. Keney, Mrs. K. C. Keney, Kenneth V. Keney, Mrs. Kenneth V. Keney, Ruth Walker, Russell Green, Maggie F. Newman, Annie Hammons, Luther Engle, Ruby Engle, Johnny Flechter, Mrs. Johnny Flechter, Debbie Flechter, Susan Flechter, Russell Mardis, Heldon V. Hall, Ruth B. Hall, Linda Hall.

Hughie Hopkins, Shirley Hopkins, Jerry Lynn Hopkins, Wiley Hensley, Bama Hensley, Jim Logan, Minnie Logan, Robert C. Storm, Bertha Storm, Donald C. Storm, Robert L. Adams, Thena B. Adams, Eunice F. Raymer, Ollie M. Howard, Mary Swaner, Glennie Johnson, M. H. Raymer, James R. Bales, Willie Dee Bales, Elizabeth Carnell, Pearl M. Laws, Kathleen McHargue, C. R. Chesnut, Alice Chesnut.

Virgil Onkst, Dorothy W. Onkst, Wayne Onkst, Cheryl Onkst, Billy Onkst, Robert C. Jones, Julia F. Jones, Geneva Walters, Debbie Ward, Lizie Ward, Norman McKnight, Mrs. Norman McKnight, Melvin McKnight, Mrs. Melvin McKnight, Junior McKnight, Mike McKnight, Mary McKnight, Marjorie Onkst, James P. Onkst, Doris Prewitt, Jimmy Prewitt, James H. Hacker, Laura Hacker, H. C. Collett.

Lillie Collett, Loueta Smith, Chris Brummett, Dollie Brummett, James E. Hammack, Louise Hammack, Willie Hubbard, Lula Hubbard, Virgil Collett, Lenos H. Slusher, Eunice Slusher, Betty Freeman, Charles V. Freeman, Massie Collett, Wesley R. Jones, Cecil E. Yeary, Mrs. Cecil E. Yeary, Nannie Isaacs, Harry Isaacs, Vida Dentach, Minnie Garney, Edward Isaacs, Charles Gabbard, Ollie Gabbard.

Paul Sparkman, Nannie Sparkman, Paula C. Sparkman, Robert P. Sparkman, W. E. Sawyer, Grace Sawyer, Harrison F. Sawyer, Anna Lee Sawyer, Owen R. Jones, D. R. Jones, Mrs. D. R. Jones, Geary W. Wright, Mrs. Estella L. Wright, Bessie Smith, Winford Smith, Mrs. Charles C. Gaines, Charles Gaines, Linda Gaines, Sandy Gaines, Ward Gaines, Mrs. Ward Gaines, John Schott.

Hazel Fletcher, Paula Fletcher, Brenda Dunn, Sherry Dunn, Pearl Chadwell, Donny E. Vaughn, Elaine Lewis, Velva Gilbert, Sudie L. Lewis, Eliga Lewis, Donald Binder, Dolones Binder, Terry Binder, Donna Binder, Grace J. Howard, Dorthea B. Hampton, Wilma C. Hanchell, Elmer S. Nelson, Mrs. Harve McClure, Harve McClure, Joe Brown, Billie Brown.

TIRES: DISPOSAL PROBLEM SOLVED

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 30, 1970

Mr. METCALF. Mr. President, in this era of increasing individual awareness of environmental problems, I am always pleased to learn of specific accomplishments in our efforts to abate pollution in any form. Used and then discarded tires are an all too familiar sight to most of us. However, the magnitude of the problem may not be as well known.

Each year some 100 million scrap tires—about a million tons—are discarded. Placed tread to tread, it is estimated that they could circle the earth twice at the equator. Unfortunately, they are not strung out, but are piled high in junk or trash yards throughout the country. More disturbing yet, they are discarded along the road, in vacant lots, or burned, creating a black plume of offensive pollutants.

According to an article in the June 8, 1970, issue of Chemical and Engineering News, this disposal problem has now been solved. Bureau of Mines research personnel in cooperation with scientists and engineers from the Firestone Tire & Rubber Co. have developed a disposal process which is essentially pollution free and also yields usable chemical and raw materials.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIRES: DISPOSAL PROBLEM SOLVED

Disposal of worn-out tires has been a problem for years. In this age of pollution control, the stench and black smoke from burning old tires, the standard method of disposal, is no longer acceptable. Firestone has an answer. By summer's end, the company will have in operation a pilot destructive distillation unit at its Akron, Ohio, manufacturing complex to solve the tire disposal problem without "any solid waste, water, or air pollution."

The process will yield usable chemicals and raw materials for recycling into various manufacturing processes. If the pilot distillation plant proves commercially feasible, Firestone will set up 10 full-scale units across the country. Each plant will be capable of consuming 100,000 tons of scrap tires a year. That's equivalent to about 80 million tires per year for the 10 units, or about two fifths of the tires produced last year.

In the process, shredded tires are fed on a continuous basis to a closed thermal reactor where the tires are broken down into gas, liquid, and char phases. About 45% of the tires become a solid residue, explains Joseph R. Laman, process developer and manager of environmental engineering for Firestone. "The residue can be used as a filtering medium in tertiary sewage treatment, as a particulate in concrete by the plant industry, or as a smokeless fuel, perhaps in the metallurgical field as a coke substitute," Mr. Laman says.

The 55% gas/liquid fraction contains about 50 compounds made up of olefins, aromatics, and naphthenes, Mr. Laman says. "The product mix depends on the reactor temperature and can be varied depending on what markets are nearby. They could be used either as fuel or as feedstocks for chemical operations," he explains. Cost figures will be determined from results with the pilot-plant operations, Firestone says.

In laboratory tests, totally funded by Firestone, at the U.S. Interior Department's Bureau of Mines facility in Pittsburgh, up to 140 gallons of oils and 1500 cu. ft. of gas were obtained per ton of scrap tires distilled. The gas has a heating value of 800 to 1200 B.t.u., which is comparable to the heating value of natural gas. The batch laboratory process used at the Bureau of Mines will be upgraded to an automated, continuous process when scaled up for the pilot plant and full-scale units.

The destructive distillation process could eventually absorb all the tires scrapped in the U.S., Mr. Laman points out. "The disposal of scrap tires of all types is an ever-increasing national problem. Too many of these scrapped tires are being discarded along the highways and accumulated in unsightly trash piles; worse, large numbers are being burned in open-air dumps, thus contributing to rampant air pollution. This cannot be permitted to continue. Firestone intends to do its part to help abate air, water, and solid waste pollution. This new process is just one example of our efforts."

SO HARSH A PENALTY CALLS FOR AN APPEAL

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. SHRIVER. Mr. Speaker, citizens throughout the Nation have been aroused by the verdict of a general court-martial upon Pvt. Michael Schwarz. A number of my constituents have called and written to me expressing concern over the decision of the court. The Wichita, Kans., Eagle recently published the following editorial which properly emphasizes the importance of a prompt and thorough review and appeal of the decision. Under the leave to extend my remarks in the RECORD, I include the Eagle editorial:

So Harsh a Penalty Calls for an Appeal

It was a harsh penalty the seven-man general court martial imposed upon Pvt. Michael Schwarz.

He's the 21-year-old Marine convicted of premeditated murder in the fatal shooting of 12 Vietnamese civilians during a patrol last Feb. 19.

The crime is grievous indeed, and it has been on the conscience of the American people. But there seem to be some mitigating circumstances well worth considering.

While the court found that Schwarz had acted "without justification or excuse" and the trial counsel declared Schwarz's act was "not war. This was murder," defense counsel asserted the prosecution failed to show evidence that Schwarz planned to kill or had actually killed anyone.

His counsel also made the point that Schwarz was not the leader of the patrol when the alleged killings occurred and that he was ordered to fire upon the civilians by his patrol leader.

That brought the court back to the question that has been before military courts since Nuremberg whether a military man has the obligation to obey an unlawful (or an immoral) order.

Found guilty of premeditated murder, Private Schwarz was sentenced to life imprisonment at hard labor. He forfeits all pay and allowances and is to be dishonorably discharged.

All in all, it looks as if the military, caught in an embarrassing and unconscionable act, has cast about and punished the first fall guy it could find. Another young Marine similarly accused has been acquitted upon testifying that he killed no one at all in Vietnam.

Fortunately Private Schwarz has right to appeal, and it is customary in cases of this magnitude to appeal convictions.

If he is indeed guilty of premeditated murder of 12 persons it is a heinous crime. But if, as his counsel alleges, he was acting upon orders, the punishment imposed upon him by the general court martial is harsh and unjust.

The American people, who have assumed the guilt for the slayings, do not need the additional burden of wondering if they have unjustly punished a young man who may have made a gross error but was acting in their service and under orders.

It must be hoped that his case will be appealed and heard promptly.

PUBLIC LAND LAW REVIEW COMMISSION RECOMMENDATIONS IN THE PUBLIC INTEREST

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. UDALL. Mr. Speaker, the Public Land Law Review Commission a week ago today, as you know, submitted its comprehensive report to the President and the Congress. The report, with its 400 recommendations compressed in 289 pages of text supplemented by additional pages of preface and appendix, is the result of almost 5 years of concentrated effort by a group with which I have had the honor to serve since the beginning of the 90th Congress in 1967.

The Commission started its decisionmaking process in November 1968. The complex interrelationships of the various subjects treated by the comprehensive review of this Commission made it necessary for us to meet at least once a month thereafter in order to conclude our decisionmaking in the middle of April of this year so that the report could be submitted within the time required by statute.

The Commission's report represents a consensus with a few separate views set forth in specific instances. With respect to only one of the Commission's major recommendations did I feel it necessary to indicate my own separate views; I also have some ideas of my own regarding details of other recommendations. But I estimate that I support probably 95 percent of the proposed modifications of policy, law, and procedure.

All of us have joined in asking that careful study be given of the Commission's recommendations before interested parties start taking positions and pushing for the introduction of legislation. Nonetheless, there have already been words of favor and disfavor emanating from various parts of the country.

Today at Charleston, S.C., at the Fourth Annual Conference of Federal and State Water Officials sponsored by the Water Resources Council, Commission Director Milton Pearl has reemphasized the need for careful review of the entire report because of the "oneness of the report and the interrelationships of its many recommendations." The director further points out that readers of the report will find that "there are common threads of recommended policy that are good for you and me, for all of us, that is, 'we the people,' the general public." With this conclusion, Mr. Speaker, I agree. I also call to your attention the tremendous departures in law that would be affected to provide protection for the environment and give meaning to the multiple use concept if the Commission's recommendations are implemented in principle.

Because Mr. Pearl is an exceptionally perceptive public servant who has done a remarkably effective job with this Commission, this address is timely and important. Because it contains a comprehensive overview of the foundation on which the Commission's detailed recommendations are made, under permission previously granted, I include the text of those remarks at this point in the RECORD:

Protection of Public Values in Public Land Policy

(Remarks of Milton A. Pearl)

At noon one week ago today, there was submitted to the President and then shortly thereafter to the Congress the report of the Public Land Law Review Commission.[1] Copies were not available to anyone until a few days earlier when representatives of the news media were briefed.

From the time that the Commission's decisionmaking had been completed in April, we were emphasizing the oneness of the report and the interrelationships of its many recommendations. We urged everyone to study the report thoroughly before making decisions and we particularly urged that all concerned should refrain from singling out any one recommendation or group of recommendations and express their favor or disfavor with them. Despite that admonition, which I repeat here, we have heard from coast to coast many expressions of commendation and denunciation for various parts of the report or, for that matter, the whole report.

Some critics of the report did not even have to wait for it to become available. They knew, or as one critic said, he was "confident", that there would be objectionable features in the report and that they would have to oppose implementation of some, if not all, of the Commission's recommendations. These have been and we hope will continue to be the exceptions. We have confidence that the American people will examine carefully the fabric of public land law recommended by the Commission before deciding how they believe the public land law should be revised.

It is my purpose this noon to help orient you for the type of examination that we advocate. Naturally, there will be a focus on water and water oriented problems. But the solution of the problems associated with water resources cannot be accomplished in a vacuum; it must be accomplished as part of an overall revision of policies underlying the retention and management and disposition of the public lands. We have the opportunity now to adopt new statutes and regulations that will, unlike those in existence, be correlated with each other and have a consistent rationale.

That the current policies are outdated is recognized by all. But it was the inability to agree on how to accomplish revision on a piecemeal, case-by-case basis, that led to the concept of a commission that would undertake a comprehensive review of all aspects of the public lands and their resources. The Public Land Law Review Commission, in discharging this responsibility, has recommended 18 principles and a few common themes as the foundation of future land policy. There follow 387 recommendations focused on individual subjects but based on the underlying premises.

It seems to me that this is essential in the construction of any new public land policy. Without the foundation of basic principles, we could not escape from the chaotic legal jungle of uncertainty in which we now find ourselves. The way to go about examining the soundness of the Commission's recommendations is, therefore, to review the foundation on which the Commission built before trying to look at the specific implementing recommendations. Those who disagree with elements of the foundation should prepare their arguments, which can be discussed in the various meetings to be held in the next 6 months. I urge you not to go to the second step of how to take care of specific problems until you have agreed in your own mind on a set of principles, on the general approach to public land policy.

The Commission's foundation for new public land policy is found in 4 parts of its report: Starting on page 1, there is a short 7-page Program for the Future; then there are Chapters Two, Three, and Four dealing respectively with the questions of To Whom the Public Lands are Important, Planning of Future Public Land Use, and Public Land Policy and the Environment. Everything that follows in the other 16 chapters is designed to carry out the principles set forth in the foundation portions of the report; these foundation principles apply generally to all subjects—unless specifically stated to be exceptions.

The Act creating the Public Land Law Review Commission sets forth a policy that the public lands of the United States shall be retained and managed or disposed of, all in a manner to assure maximum benefit for the general public. When people have had the time to read this report thoroughly, they are going to find that in both the foundation portions, as well as the individual subject matter chapters, there are common threads of recommended policy that are good for you and me, for all of us, that is, "we the people", the general public.

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[1] Available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, priced at $4.50.

Early in its deliberations, the Commission decided that there should be a reversal of the policy that the United States should dispose of all of the so-called unappropriated public domain lands, while at the same time, the Commission rejected the idea that Federal ownership of land by itself would be a reason for it to remain forever as property of the United States. This would not meet the test of maximum benefit for the general public.

The Commission's first recommendation is, accordingly, that the policy, still on the statute books, for large-scale disposal of public lands should be revised and future disposals should be of only those lands that will achieve maximum benefit for the general public in non-Federal ownership while retaining in Federal ownership those lands where values must be preserved so that they may be used and enjoyed by all Americans. The report goes on to say "while there may be some modest disposals, we conclude that at this time most public lands would not serve the maximum public interest in private ownership."

The Commission then proceeds to set forth a process by which the selective disposals would be identified and also to spell out the proposed rules and regulations for the management of the bulk of the public lands which would be retained in Federal ownership.

In connection with water resources, the report states, *"in any event, critical watershed lands, designated or classified as such, must be retained in Federal ownership."* Likewise, the Commission recommends that key fish and wildlife habitat zones be retained in Federal ownership.

An extensive review of all lands not previously designated by legislative sanction for specific use should be undertaken, in the Commission's view, in order to determine the type of use that will provide the maximum benefit for the general public. Briefly, in the introductory Program for the Future and in greater detail in Chapter Two, the Commission spells out and recommends for future use its concept of what constitutes the maximum benefit for the general public and how you go about determining it.

The third major point made by the Commission is that Congress has failed to properly define delegations of authority to the executive branch and that it should do so promptly and clearly. As a corollary to this recommendation, it is then suggested that the public land management agencies should be required by statute to promulgate comprehensive rules and regulations, but to do so only after considering all points of view, including protests.

The Commission then recommends the establishment of statutory goals and objectives to provide guidelines for land use planning in a framework designed to extend the multiple-use concept "under the general principle that within a specific unit consideration should be given to all possible uses and the maximum number of compatible uses permitted."

In an area of concern to this group, the Commission found that in both law and regulation watershed protection and management objectives are generally uncertain and often conflicting with the result, among others, that current expenditures are inadequate to achieve minimal program objectives. Accordingly, the Commission recommends that there be a statutory directive for the land management agencies to submit a comprehensive report describing their current watershed protection and management program objectives with information on both how these are carried out and the effect of the practices. With this information in hand, it should be possible to establish statutory goals for watershed protection and management and provide the funds necessary to achieve them.

The Commission then seeks to refine the doctrine of multiple use by recommending that where an area is managed for many uses and it can contribute the maximum benefit through one particular use, that particular use should be recognized as a dominant use and the land should be managed to avoid interference with fulfillment of the dominant use. There is no distinction made between passive uses and active uses. Endorsement of the Wilderness Preservation System is provided and recommendations are made for early identification of new areas that should be set aside as wilderness or parks.

In accepting the report from Chairman Aspinall, President Nixon, who had not had the opportunity of reviewing it and could not, therefore, respond to it, stated: ". . . it is essential to plan now for the use of [public] land, not to do it on simply a case-by-case basis, but to have an overall policy, a strategy rather than simply the tactics dealing with case-by-case matters when they come up." This is the very principle that the Commission, too, had found lacking in present policy and law, although we recognize that the President's means of solving the problem may be quite different from that proposed by the Commission. Multiple-use Acts provide authorization, but no direction of how to resolve conflicts and, therefore, require continual case-by-case settlement.

We have removed from general multiple use over 10 million acres of land for wilderness protection. Another 44 million acres of land must be reviewed for inclusion in the Wilderness System, and the Commission recommends that all unreserved areas be reexamined to see which, if any, additional areas should be protected. These areas and the national parks would be guaranteed against nonconforming intrusions and resource development.

What the Commission then says is to go a step further and identify—under the procedure of thorough planning and public participation—areas whose dominant use should be for fish and wildlife habitat, for watershed protection, for recreation, for grazing domestic livestock, and also for timber among other uses. It is only in these dominant use areas that the secondary uses would in a conflict have to yield to the dominant use. Timber cutting would never be permitted, for example, in critical watershed or key fish and wildlife areas if such commercial activity endangered the dominant use. Is it unfair, the Commission asks, in return for all the no-cutting zones that are established to assure that the growing need for wood products will have some 30 to 40 million acres of high timber production land available from federally owned forests?

After recommending that key fish and wildlife habitat zones should be identified and formally designated for such dominant use, and that such areas be retained in Federal ownership, the Commission observes that such classification will assure continuity of public land programs.

From the very beginning, we sought to focus attention on the enhancement, or at least maintenance, of the environment by calling for the development of certain information and data in the manuscripts of our research program. We programmed a separate Study of Public Land Policy and the Environment towards the end of the research program believing that we could draw upon information in the commodity studies which would be completed by then. The difficulty was, as stated in the Commission's report, that there is an absence of statutory guidelines by which land management agencies can provide for environmental control. Although two recent statutes provide general principles, there are no specifics concerning public land management.

One of the Commission's basic recommendations calls in the strongest terms for the establishment of statutory guidelines to assure that the quality of environment is an essential in every phase of public land management and disposal. To support the general principle, there are 51 specific major and subsidiary recommendations covering every possible aspect of concern for the environment in general and with regard to various uses, including timbering, mining, oil and gas activities, water resource development, fish and wildlife protection, park use, and various miscellaneous uses.

The principle of receiving full value for its lands and resources is next suggested as a major guidepost. Exceptions would include situations where lands and resources are made available to non-Federal public bodies. In return for obtaining full value and being subject to strict control measures, it is recommended that users be assured firm tenure and security of investment with a proviso that interruption of use before the end of a contractual term would qualify him for equitable compensation.

Another basic principle advocated by the Commission is that state and local governments should be compensated for the burdens imposed on them by the retention in Federal ownership of millions of acres of land that heretofore had been considered to be destined to go into private ownership. Finding that the present systems of revenue sharing bear no relationship to the burdens of Federal landownership, the Commission then recommends that there be a system of payments in lieu of taxes subject to qualifications designed to insure equity to the Federal taxpayer. Simply stated, it is advocated that if the national interest dictates retaining large areas of land in Federal ownership, the cost should be borne by the entire country.

After concluding that the current settlement and disposition laws are inadequate, the Commission recommends statutory authority for the sale at full value of public domain lands in those relatively small number of instances where the sale is in the public interest and important public values will not thereby be lost.

Basic recommendations are made to seek the use of public lands to alleviate some of the pressures for the establishment of new urban living areas. The Commission rejected the idea of transplanting large numbers of people to public land areas, but recommends enactment of legislation to provide for large units of land to be made available for the expansion of existing communities or the development of new cities. Pending some experience in the field, it is recommended that Congress consider proposals for new cities on a case-by-case basis.

Specific recommendations on basic principles conclude with proposals to eliminate or reduce differences in policies among public land programs, to include limited disposition of Forest Service lands, consolidation of responsibility for land management programs in both the legislative and executive branches, and, finally, that in all public land decisions, the Federal Government should, as the Commission did, seek to achieve maximum benefit for the general public by taking into consideration the national public, the regional public, the Federal Government as sovereign, the Federal Government as proprietor, the users of public lands and resources, and state and local governmental entities within which the lands are located as being the interests that, in the aggregate, make up the general public.

The Program for the Future ends with certain fundamental premises and beliefs inherent in the underlying principles. Some of these are particularly applicable in the field of water resources, and it is these upon which I will touch.

Maintenance of a strong federalism within a framework of Government functioning in a manner that reflects the principles set forth in the Constitution. To support and strengthen the role of state and local government, the Commission recommends legislative action to do away with the uncertainty caused by the implied reservation doctrine. This would provide the necessary basis for future water resource development planning cooperatively between the United States and the public land states. To carry this out, the Commission specifically recommends that the amounts of surface and subsurface water claimed to have been reserved with the reservation of Federal lands should be formally established subject to procedures to contest each claim. Then, in future land withdrawals and reservations, the Commission recommends that water requirements be expressly reserved.

Protection of individual rights with assurance that each individual citizen is dealt with fairly and equitably. The Commission was concerned that equity be afforded holders of water rights vested under state law, whose rights could be curtailed without compensation through the strict application of the reservation doctrine. However, the Commission here, as in other parts of the report, recognizes the supremacy of the Federal Government. Based on its conclusion that earlier cases did not clearly establish the reservation doctrine as we know it today, the Commission recommends that compensation should be awarded where the reservation doctrine interferes with uses under water rights vested under state law prior to the 1963 United States Supreme Court decision in *Arizona* v. *California*, when the full meaning of the reservation doctrine became known to all.

Better planning will provide increased efficiency in the allocation of resources and the investment of funds. In the separate chapter on planning and throughout the report, emphasis is placed on the need for better planning, coordinated with all concerned. In a specific recommendation, the Commission suggests that there be a statutory requirement for the Bureau of Reclamation and the Corps of Engineers in their project justification reports to identify all potential project impacts on other public land values with specific findings and recommendations with respect to such impacts. Similarly, a recommendation is made that the Federal Power Act be amended for a like purpose. We recognize that this recommendation, which was adopted by the Commission before enactment of the National Environmental Policy Act of 1969 has, to some extent, been touched on by that Act. Implementation will reveal whether the requirements envisioned by the Public Land Law Review Commission are in fact covered by the Environmental Policy Act.

In submitting these recommendations for your consideration, we reiterate what we have been saying for some time now. This is a complex subject which must be viewed in the context of the entire history of our country. Take your time in studying and understanding the interrelationships. In addition to reading this concise report, which covers 289 pages of text and additional preface and appendix material, I urge all concerned to read the History of Public Land Law Development,[2] prepared as part of our research program by Professor Paul Wallace Gates of Cornell University with a chapter by Professor Robert W. Swenson of the University of Utah, even if you cannot read the other 32 manuscripts that comprise our research program. By examining the mistakes of the past, we can avoid pitfalls in the future.

The public land laws need revision. The specifics are not as important as the fact that the work that has been done in the last 5 years can be the starting point—but only if we all work together with a common goal to fulfill the needs of today and tomorrow without hastily condemning or embracing any set of recommendations or seeking to impose preconceived bias. I have confidence that we will work together and that we will succeed.

CONSUMER PRODUCT SAFETY

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. ROYBAL. Mr. Speaker, because I firmly believe in the American public's "right-to-safety" in the retail products it buys, I have introduced what I consider a landmark consumer protection bill in the Congress with the expressed purpose of eliminating all preventable hazards to health and safety—not as an optional extra, but as a matter of clear right to the consumer.

My bill, H.R. 18209, would create an independent Consumer Product Safety Commission with wide authority to set and enforce national product safety standards—to help protect consumers against dangers to public health, and the risk of serious injury or death, resulting from distribution and sale of unsafe or hazardous retail goods.

Most people assume that the Federal Government already exercises broad regulatory powers in the interest of their safety.

The unfortunate fact is, however, that Federal authority to curb hazards in consumer products is virtually nonexistent.

In supporting the need for this legislation, Mr. Speaker, let me cite a recent indepth study requested by Congress, which estimated that more than 20,000,000 Americans are injured each year as a result of incidents related to consumer products—four times as many as in highway accidents.

Of the total, 30,000 are killed, 110,000 are permanently disabled, and 600,000 are serious enough to require hospitalization.

The study also listed several major categories of household products it had found to involve unreasonable hazards, including: glass bottles, color TV sets—fire hazards, door and shower glass, fireworks, floor furnaces, "high-rise" bicycles—rated first by physicians on a list of products associated with injuries they treat in their offices, hot-water vaporizers, household chemicals, infant furniture, ladders, powertools, protective headgear, rotary lawnmowers, toys, unvented gas heaters, and wringer washing machines.

In addition to establishing comprehensive national safety standards for consumer products sold through retail stores, H.R. 18209 would authorize the new Product Safety Commission to ban the sale of unsafe articles; require purchaser notification, and recall or replacement of defective items; make onsite inspections of manufacturing plants; and set up a national injury information clearinghouse.

A unique feature of the legislation would be the creation of an independent Consumer Safety Advocate to be appointed by the President, and confirmed by the Senate—a sort of national consumer "ombudsman"—with responsibility to represent the public interest in all proceedings and activities of the new Commission.

Mr. Speaker, because of the vital importance of this matter to every American, I include in the CONGRESSIONAL RECORD at this point a recent news release from the National Commission on Product Safety announcing and summarizing the Commission's final report, together with the covering letter of transmittal to the President and the Congress, and the Forward and Summary of Findings and Recommendations contained in the report.

In addition, I include the text of my bill, H.R. 18209, the Consumer Product Safety Act of 1970.

NATIONAL COMMISSION ON PRODUCT SAFETY RELEASES FINAL REPORT

The final report of the National Commission on Product Safety presented today to the President and Congress makes a strong plea for comprehensive Federal safety legislation.

The Commission also urges a permanent separate agency to deal exclusively with product safety.

The two-year study makes definite recommendations in the field of product safety; names 16 categories of products found to be unreasonably hazardous; cites the failings in the voluntary standards-setting system of industry; examines Federal, State and local laws relating to product safety; describes innovative techniques in the reporting of product-related injuries; advocates Federal authority for mandatory safety standards with a wide range of sanctions (civil and criminal).

RECOMMENDATIONS

Highlight of the 15 recommendations by the Commission is the proposal that Congress enact an omnibus Consumer Product Safety Act committing the authority and resources of the Federal government to the elimination of unreasonable product hazards:

Creating an independent Consumer Product Safety Commission as a Federal agency concerned exclusively with the safety of consumer products;

Empowering that new agency to develop and set mandatory consumer product safety standards when necessary;

Empowering the Commission to enforce compliance with Federal safety standards through a broad range of civil and criminal sanctions;

Authorizing the agency to seek an injunction of the sale of consumer products which present unreasonable hazards or which violate Federal safety standards.

Other recommendations suggested for the proposed new agency include that:

The Commission have recall authority for those products which violate Federal standards or which are unreasonably dangerous.

That an Injury Information Clearinghouse be established to collect and analyze data on injuries or deaths associated with products.

That a Consumer Safety Advocate to the Commission be appointed by the President with responsibility to represent only consumers in proceedings before the agency.

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[2] Available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, prices at $8.25.

That in cooperation with the Secretary of Commerce the Consumer Product Safety Commission be authorized to accredit private testing laboratories and that the Commission be empowered to require independent testing of products which present an unreasonable risk.

That existing Small Business Administration programs be expanded to authorize low interest loans to assist small businesses in meeting product safety requirements.

That injured consumers be permitted to file individual or class actions for treble damages in U.S. District Courts against manufacturers who intentionally violate Federal standards.

INDUSTRY SELF-REGULATION

The study states that manufacturers need to build safety into the design and construction of their products and to take all practical steps to anticipate consumer misuse.

The Commission came to the conclusion that self-regulation by trade associations and standards groups and independent testing laboratories was "legally unenforceable and patently inadequate." The report said that the consensus principle, the core of voluntary standards-setting, is not suitable for safety improvement. The panel reported that self-regulation tends to permit the least responsible segment of an industry to retard progress and thus reduce the standard to the lowest common denominator.

The report further stresses that consumers do not have a substantial voice in standards-setting procedures; "that dependence on industry financing and technical experts paid by industry as regular employees, consultants or contractors tend to subordinate national interests to private ends."

The report makes clear that the Commission is not opting for safety standards-setting by the Federal government across the board. It says that the need rather is for broad Federal authority to set safety standards. It is the Commission's belief that strong standards-making authority will stimulate industry to develop adequate voluntary standards without the need for Federal intervention.

UNREASONABLE HAZARDS

In listing 16 product categories found to be unreasonable hazards the Commission used five primary sources of data: public hearings, of which the Commission held 10 in the two years of its existence; a survey of injuries treated by U.S. physicians in April 1969; surveillance of injuries seen in emergency rooms of 14 hospitals, a survey of product liability insurance claims from April to June 1969 and an extensive analysis of data compiled by the Department of Health, Education and Welfare and the National Safety Council.

Product categories in which some types and models were found to be unreasonable hazards are (listed in alphabetical order): architectural glass; color television sets which have been found prone to fire hazards; fireworks; floor furnaces which are gas-fired and reach searing temperatures; glass bottles; high-rise bicycles; hot water vaporizers; household chemical; infant furniture; ladders; power tools; protective headgear; rotary lawn mowers; toys; unvented gas heaters; wringer washer machines.

The report points out that not all products in all categories are unreasonably hazardous. It further states that "still other categories which may harbor unreasonable hazards were not investigated in sufficient depth by the Commission to warrant a specific finding of unreasonableness."

FEDERAL, STATE, AND LOCAL LAWS

Commission studies of state and local laws reveal confusion. It is possible for manufacturers to sell a hazardous product in other states and cities that they are prohibited from selling in their own. These discrepancies are often as hard on the manufacturer as on the consumer. There is no comprehensive authority within the Federal government to protect the consumer. Too, there is confusion of jurisdiction. Federal safety regulation of a given product may be shared with as many as four agencies, none of which has adequate funding or manpower to do the job.

In the opinion of the Commission "Federal product safety regulation is burdened by unnecessary obstacles, circumscribed investigative powers, inadequate and ill-fitting sanctions; bureaucratic lassitude, timid administration, bargain-basement budgets, distorted priorities and misdirected technical resources."

PRODUCT-RELATED INJURY DATA

The Commission findings borne out by witnesses from industry and consumer groups, relate difficulties in obtaining complete and valid statistical information on product-related injuries. Major data sources have been traditionally the National Health Survey and other units in the Department of Health, Education and Welfare but these statistics are limited.

The Commission experimented with new methods of collecting this much-needed data. The 12-key touch-tone telephone was used to relay data from the emergency room records of 14 hospitals to a GSA computer center in the District of Columbia for processing and retrieval. About 64 percent of the injuries were associated with consumer products. The Commission foresees a national network of hospital emergency rooms to provide such data with statistical samples based on 200 hospitals and 200 physicians as scientifically valid. Rapid electronic analysis of injury reports triggers the selection of cases for full field investigation.

The Commission also conducted a survey of product liability claims closed out by insurance companies during three months of 1969. Some 2,582 claims were reported by 545 companies.

A questionnaire was also sent in 1969 to 79,000 physicians. Of the 12,276 injuries reported by 10,540 doctors, 9,370 related to products. The Commission urges a government bank of injury data based on such sources as epidemiologic studies, death certificates, hospital emergency rooms, physicians reports, consumer complaints, clinical reports and insurance claims.

ECONOMICS OF SAFETY

The cost of safety was extensively explored in studies by the Commission which revealed that the cost of safety is often minimal. The cost of tempered safety glass to reduce the hazards in new glass doors is about $10 per three foot panel above the cost of plain glass.

In its study on rotary lawn mowers, Cornell Aeronautical Laboratories concluded that improvements in design need not significantly alter the present price range except perhaps in the lowest priced models. Safer dishwasher detergents would cost little more.

The Commission has concluded that in many cases the cost of injury far outweighed the cost of safety improvements to the economy. The annual cost to the nation of product-related injuries may exceed 5.5 billion. Some 20 million Americans are injured each year; some 110,000 are permanently disabled and 30,000 are killed.

The Commission, established by Congress in 1967 under Public Law 90–146, has seven commissioners appointed by former President Lyndon B. Johnson in March 1968. To permit the Commission its full two year study its life was extended seven months under legislation signed by President Richard Nixon in October 1969.

Chairman of the Commission is Arnold B. Elkind, a New York attorney. Members include: Emory J. Crofoot, attorney, Portland, Oreg.; Henry A. Hill, President, Riverside Research Laboratory, Haverhill, Mass.; Sidney Margolius, syndicated columnist, New York City; Michael Pertschuk, Chief Counsel, Senate Commerce Committee; Hugh L. Ray, Director, Merchandise and Testing Laboratory, Sears, Roebuck and Company, Chicago, Ill. (retired); and Dana Young, Senior Vice President, Southwest Research Institute, San Antonio, Texas. Executive Director is William V. White and General Counsel is Michael R. Lemov.

Final Report, National Commission on Product Safety, Presented to the President and Congress, June 1970

National Commission on
Product Safety,
Washington, D.C., June 30, 1970.

To the President and Congress of the United States:

Pursuant to Section 2(c), Public Law 90-146, I have the honor to transmit herewith the final report of the National Commission on Product Safety containing its findings, conclusions, and recommendations.

By direction of the Commission,

Emory J. Crofoot.
Sidney Margolis.
Hugh L. Ray.
Arnold B. Elkind,
Chairman.
Henry Aaron Hill.
Michael Pertschuk.
Dana Young.

FOREWORD

The National Commission on Product Safety was authorized by Public Law 90–146. The Commission was appointed by President Lyndon B. Johnson on March 27, 1968. The findings, conclusions, and recommendations which follow are the end product of the intervening efforts of the seven-man, bipartisan Commission, the staff, and a number of contractors retained by the Commission for insight into specialized fields.

When it authorized the Commission, Congress recognized that modern technology poses a threat to the physical security of consumers. We find the threat to be bona fide and menacing. Moreover, we believe that, without effective governmental intervention, the abundance and variety of unreasonable hazards associated with consumer products cannot be reduced to a level befitting a just and civilized society.

Rhetoric, educational campaigns, piecemeal legislation, and appeals to conscience serve the useful function of mitigating the fallout of injuries induced by our complex technology. But we believe, on the basis of the evidence presented to us, that a concerned government can and should provide a continuing system to assure that our great technological resources are used to protect consumers from unreasonable product risks.

Perhaps a case can be made for the acceptability of willful personal risk-taking by an occasional well-informed consumer, but there is no justification for exposing an entire populace to risks of injury or death which are not necessary and which are not apparent to all. Such hazards must be controlled and limited not at the option of the producer but as a matter of right to the consumer. Many hazards described in this report are unnecessary and can be eliminated without substantially affecting the price to the consumer.

Unfortunately, in the absence of external compulsion it is predictable that there will continue to be an indecent time lag between exposure to a hazard and its elimination. Other advanced nations apparently have discovered this flaw in the output of competitive free enterprise and have made safe products an ongoing governmental objective.

This report proposed means which afford American industry an opportunity to progress voluntarily toward product safety and which, at the same time, should guarantee a new dynamism to that effort. Our suggested procedures are equitable to the consumer and producer alike. The goal is clear. This Nation's safety standards and practices must have an exemplary quality consistent with the primacy of American technology.

The operative processes responsible for the unacceptable conditions we found are truly impersonal. Producers, sellers, and buyers have been trapped by complex economic forces which have been understood by too few and addressed all too seldom.

A major concern of our recommendations has been to provide government with an adaptive instrumentality for protecting the consumer from product hazards for a reasonable time to come. The historic stream of product safety flows swiftly and erratically. The quality of protection appropriate at a given time depends on technology, the economy, and the temper of our humanitarian concern. If acted upon, this final report will be a beginning to an era of consumer protection rather than an end to our endeavors.

Although this report is directed to the President and Congress, we earnestly hope that consumers, businessmen, and the professional and academic communities will find its contents useful in the common search for methods to protect human life and safety in an environment which seems progressively to magnify the challenge to "live and be well."

By direction of the Commission.

ARNOLD B. ELKIND,
Chairman.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

Perspective on product safety

Summary Findings

This Commission has now, within the resources and time allotted, carried out the direction of the President and the Congress to "conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risks of injuries which may be caused by hazardous household products."

Congress requested our answers to several critical questions:

(1) What is the measure of exposure of American consumers to unreasonable product hazards?

(2) Which specific categories of products were found to present such hazards?

(3) To what extent does self-regulation by industry afford adequate protection against such hazards?

(4) To what extent do Federal, State, local authorities, and

(5) to what extent does the common law protect the consumer against such hazards?

Our answers to these questions in summary are as follows:

Measure of exposure

Americans—20 million of them—are injured each year in the home as a result of incidents connected with consumer products.[1] Of the total, 110,000 are permanently disabled and 30,000 are killed. A significant number could have been spared if more attention had been paid to hazard reduction. The annual cost to the Nation of product-related injuries may exceed $5.5 billion.

The exposure of consumers to unreasonable consumer product hazards is excessive by any standard of measurement.

Unreasonable hazards

Within the following categories of products, we found a number of makes, models, or types harboring unreasonable hazards to the American consumer: architectural glass, color television sets, fireworks, floor furnaces, glass bottles, high-rise bicycles, hot-water vaporizers, household chemicals, infant furniture, ladders, power tools, protective headgear, rotary lawnmowers, toys, unvented gas heaters, and wringer washers. Not all products in each category are unreasonably hazardous. Still other categories which may harbor unreasonable hazards were not investigated in sufficient depth by us to warrant a specific finding that unreasonable hazards exist.

Self-regulation

As related to product safety, self-regulation by trade associations and standards groups, drawing upon the resources of professional associations and independent testing laboratories, is legally unenforceable and patently inadequate.

Competitive forces may require management to subordinate safety factors to cost considerations, styling, and other marketing imperatives.

There is a dearth of factors motivating producers toward safety. Only a few of the largest manufacturers have coherent, articulated safety engineering programs. Manufacturers' efforts to obtain data on injuries and on the costs and benefits of design changes that will reduce unreasonable hazards can be charitably described as sketchy and sporadic.

Industry activities to develop safety standards can provide an important forum for marshaling the technical competence necessary for this work, but their voluntary nature inherently inhibits the development of optimal standards.

The consensus principle, which is at the heart of all voluntary standards making, is not effective for elevating safety standards. It permits the least responsible segment of an industry to retard progress in reducing hazards.

The measure of voluntary consumer protection provided by the certification programs of independent laboratories is substantial, but is theoretically flawed by the laboratory's economic dependence on the goodwill of the manufacturer even if the laboratory is nonprofit.

The protection afforded by various seals of approval is no better than the technical competence, product-testing protocols, and independence of the certifier. When an industry association awards the seal, or when it is awarded in return for paid advertising, the seal may convey a deceptive implication of third-party independence. Consumers appear to attribute to such endorsements a significance beyond their specific meaning.

Protection by Law

Federal law

Consumers assume that the Federal Government excercises broad regulatory authority in the interest of their safety. And yet the short answer to this question is that Federal authority to curb hazards in consumer products is virtually nonexistent.

Federal product safety legislation consists of a series of isolated acts treating specific hazards in narrow product categories. No Government agency possesses general authority to ban products which harbor unreasonable risks or to require that consumer products conform to minimum safety standards.

Such limited Federal authority as does exist is scattered among many agencies. Jurisdiction over a single category of products may be shared by as many as four different departments or agencies. Moreover, where it exists, Federal product safety regulation is burdened by unnecessary procedural obstacles, circumscribed investigative powers, inadequate and ill-fitting sanctions, bureaucratic lassitude, timid administration, bargain-basement budgets, distorted priorities, and misdirected technical resources.

Nevertheless, where there is adequate authority and administrative support, Federal safety standards programs have demonstrated a capacity for substantially upgrading industry safety practices.

The Federal Government operates no injury data center charged with responsibility for the systematic collection, evaluation, and dissemination of data related to product safety. It has no early-warning system to alert responsible officials in business and Government of suspected areas of latent product risk. Data on the number and nature of injuries from consumer products remain far from satisfactory, despite several revealing probes in the data collection field conducted by us.

Federal law now provides no machinery to enjoin a manufacturer from marketing consumer products that are unreasonably dangerous. There is no way to compel the recall of such products for repair or replacement.

No Federal law provides meaningful criminal penalties for manufacturers who knowingly or willfully market consumer products that create an unreasonable danger to life and health.

No Federal agency has authority to order studies or hearings to determine the presence of an unreasonable hazard in most consumer products; to order the development of standards or to issue regulations to reduce the hazard; to enforce such orders; to evaluate safety standards, tests, and standards-making procedures; to monitor compliance with safety standards; to accredit independent laboratories to check compliance; to require that information on product safety be collected and freely exchanged; to support voluntary or State programs to reduce product hazards; or to conduct programs of training and research in product safety.

State and local law

Our studies of State and local laws show a hodgepodge of tragedy-inspired responses to challenges that cannot be met by restricted geographical entities. Local prohibitions against sale of hazardous items cannot be enforced against the retailer across the city line. Manufacturers of hazardous products can make and ship out items that cannot be sold at retail in their own community. Without central leadership, States and municipalities are unable to chart broad spectrum product safety programs. Balkanized jurisdiction plagues some manufacturers with diverse manufacturing specifications that interfere with distribution of their products.

Common law

The common law has not been primarily concerned with prospective enforcement of product safety but with postinjury remedies. There are no reports of consumers successfully restraining the marketing of potentially hazardous products. The costs of such litigation would be beyond the means of citizens or concerned groups.

In the absence of the contingent fee, the injured consumer most often would be unable to seek compensation for damages caused by product-related injuries. He must first be aware of his legal right to sue the producers of the defective product and, second, he must have sustained sufficient damage so that an attorney will find in his cause the promise of an adequate fee. Then, after intolerable delays, the consumer finally has a day in court in which he may be faced with overcoming an array of practical and legal hurdles.

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[1] We use the term "consumer products" (instead of "household products" as referred to in our enabling law) because that term best describes our statutory mandate and most products which are not now subject to adequate Federal safety regulation. Consumer products include all retail products used by consumers in or around the household, except foods, drugs, cosmetics, motor vehicles, insecticides, firearms, cigarettes, radiological hazards, and certain flammable fabrics.

Despite its humanitarian adaptations to meet the challenge of product-caused injuries, the common law puts no reliable restraint upon product hazards.

Conclusion

Because of the inadequacy of existing controls on product hazards, we find a need for a major Federal role in the development and execution of methods to protect the American consumer.

Paths to Safety

In formulating our recommendations, we elected not to choose between describing general policies, on the one hand, and prescribing specific action, on the other. Since we do not presume to anticipate the wishes of Congress, we determine to state both our general policies and their specific implications. The proposed Consumer Product Safety Act which we respectfully submit with this report is the concrete expression of our recommendations.

Injury factors

There are those who believe that safety, like charity, begins at home in the behavior of the family—steadying ladders, storing knives, supervising children. Others believe that safety begins with the home itself, the environment where hazardous products find their uses—good lighting, well-insulated wiring, slipproof bathtubs and rugs, latched cabinets for medicine and household chemicals. A third view is that safety begins in the factory and involves design, construction, hazard analysis, and quality control.

None of these views is wholly right or wrong. The classical concept of epidemiology counts all three factors: host, environment, and agent. Close examination of the three uncovers many subsidiary factors: hosts of different capacities and habits; differing social, political, and psychological as well as physical environments; and agents acting in combination, additively, or serially.

With due regard for the multiple factors affecting household safety, sound strategy for a safety program is to seek the weak link in a chain of events leading to injury and to break the chain at that point.

After considering the many forces contributing to the toll of injuries in and around the American home, we have concluded that the greatest promise for reducing risks resides in energizing the manufacturer's ingenuity.

We do not mean that manufacturers by themselves can do all that is needed to achieve an optimal safety record. We mean that with Government stimulation they can accomplish more for safety with less effort and expense than any other body—more than educators, the courts, regulatory agencies, or individual consumers.

Manufacturers have it in their power to design, build, and market products in ways that will reduce if not eliminate most unreasonable and unnecessary hazards. Manufacturers are best able to take the longest strides to safety in the least time. The capacity of individual manufacturers to devise safety programs, without undue extra cost, has been demonstrated repeatedly in the course of our short history: in safety glass, double-insulated power tools, baffles on rotary mowers, noncombustible TV transformers, and releases on wringer washers.

Energy factors

We do not imagine that, even without regard to cost, safety programs on the manufacturer's level can eliminate all household hazards. A society which uses energy in the volume and variety of forms prevalent in ours is certain to see traces of that energy go astray. Instead of doing the work intended, the energy can damage property and person. In whatever form—chemical, mechanical, thermal, electrical, nuclear, acoustic—energy which is misdirected cuts, strangles, burns, bruises, fractures, suffocates, poisons, shocks, and ruptures.

Behavioral factors

Danger is a regrettable but unavoidable facet of life. Many persons who like to fly, surf, dive, or speed are proud of their ability to cope with it. Usually, they are keenly conscious of the hazards and take pains to control them.

But everyone, at one time or another, suffers from complacency, a certainty that everything is under control, that injuries happen only to the other fellow. Then, in that moment of carefree confidence, disaster strikes. The mower goes over a grade, slips out of control, and the blades chop at the feet. Many, with utmost care, commit themselves to handling dangerous instruments which, for lack of experience, knowledge, or skill, they cannot manage. An ineradicable minority is careless; they will wear a flammable garment near an open fire; use a power saw without a guard; work a lathe without safety glasses.

Environmental factors

In addition to such behavioral factors, a hazardous environment aggravates the frequency and severity of injuries. Some environmental hazards are sporadic: power surges, extremes of temperature or humidity. The worst hazards are common and chronic.

The majority of American homes contain potential electrical fire and shock hazards: worn or defective wiring, overloaded circuits, or an absence of grounding. Injuries result from dim lighting, uneven floors, irregular steps, slippery surfaces, obstacles, steep inclines, poor drainage, or faulty ventilation. Broken glass and rusty cans litter yards and alleys. Much of a child's play amounts to running a gauntlet of environmental hazards.

Manufacturers' responsibility

Prospects for measurable reform of human behavior are distant. Similarly, there is little hope for an early improvement of the home environment. The limited power of conventional educational methods has been described by our witnesses.

Consequently, while continuing to educate and seeking even better ways, there seems little choice but to concentrate on reducing unreasonable hazards by encouraging additional care in the design and manufacture of products.

The law has tended in recent years to place full responsibility for injuries attributable to defective products upon the manufacturer.

But beyond his liability for damages, a producer owes society-at-large the duty to assure that unnecessary risks of injury are eliminated. He is in the best position to know what are the safest designs, materials, construction methods, and modes of use. Before anyone else, he must explore the boundaries of potential danger from the use of his product. He must be in a position to advise the buyer competently how to use and how to maintain and repair the product.

Technical problems of assuring the quality of a product can be difficult to manage, particularly when demands are high and labor in short supply. When the will to make a product safe is weak, protection for the consumer is even weaker. Among many manufacturers, fortunately, the will to reduce hazards is not weak, but it may be frustrated by competitive forces.

The Government role

Paradoxically, the processes of Government share the onus for our lagging product safety efforts. Rightly or wrongly, antitrust considerations are broadly construed to outlaw agreements by competitors to expunge particular hazards from the marketplace. While exemption from the antitrust laws would create more problems than it would solve, the sincere efforts of many producers to achieve uniform optimum safety for their products can be frustrated without positive governmental involvement.

For the following reasons, we conclude that the Federal Government, both to protect consumers and to strengthen manufacturers' efforts, should enact comprehensive legal measures to reduce hazards:

In the absence of compulsion to reduce risks in consumer products, manufacturers who cut corners on safety have an unfair competitive advantage over responsible manufacturers.

Manufacturers have advised us that they seek Government aid in gathering data which will help to explain injuries and their causes and to suggest priorities for preventing injuries.

Potentially, the cost of meeting safety requirements may require sellers to raise prices above a desirable level or may impose an unwarranted and unacceptable design on a product; accordingly, Government must participate, in behalf of the consumer, in making the quasi-political decision of determining how much risk to safety the public should tolerate under the circumstances.

Voluntary safety standards decided upon by an industry may unfairly penalize some manufacturers, small businessmen particularly, to the advantage of others.

Although safety standards must be written with the assistance of technical personnel who know most about the product, Government can best determine impartially whether a safety standard is sufficient.

When some manufacturers ignore safety standards, only Government can assure compliance. To implement compliance, only Government can require that authorized laboratories certify that products meet safety requirements. Government can assure that programs to inspect products and report injuries will be effectively financed. Government should enjoin actions which carelessly put the consumer in jeopardy. And, when voluntary safety standards are absent or insufficient, Government should insist that industry devise a sufficient standard or develop and issue its own.

Critical Questions

Having concluded that remedial action was essential to reduce product hazards to consumers, we faced certain critical questions:

(1) Should Federal authority be extended to new programs to reduce unreasonable hazards in consumer products and, if so, what form should such authority take?

(2) In view of the frustrations and disappointments characterizing some Federal efforts in behalf of the consumer, what could be done to strengthen such efforts and bolster the position of the consumer in the sometimes intricate regulatory processes?

(3) What role should mandatory safety standards play in reducing product hazards?

We approach these questions without prejudice. In framing judgments, we relied on our own hearings and inquiries as well as the literature of administrative law and Government regulation. On the whole, our approach was pragmatic. We looked at what had been done and at a variety of critiques and proposals as indications of what might be done. And we concluded, with virtual unanimity, that—

Broad responsibility for the safety of consumer products should be vested in a conspicuously independent Federal regulatory agency, a Consumer Product Safety Commission (CPSC), appointed by the President and confirmed by the Senate.

There should be one official appointed by the President as a Consumer Safety Advocate to the Commission's staff, whose primary responsibility is to serve as the consumer's spokesman before the CPSC on all issues within its jurisdiction.

Extensive authority to issue regulations and develop mandatory safety standards should be granted to the CPSC to anticipate or reduce unreasonable hazards in a wide range of consumer products.

Independent Federal authority

Statutory regulatory programs buried in agencies with broad and diverse missions have, with few exceptions, rarely fulfilled their mission. The specific experience of safety programs relating to hazardous substances, pesticides, and flammable fabrics is discussed later in some detail.

The reasons for their weaknesses include lack of adquate funding and staffing because of competition with other deserving programs within an agency; lack of vigor in enforcing the law caused by an absence of authority and independence in some Federal administrators; and a low priority assigned to programs of low visibility.

Of course, not all Federal safety programs which are part of larger agencies exhibit these symptoms. The broad-based Federal Trade Commission displayed admirable vigor in proceeding against health hazards of cigarettes. The Federal Highway Administration of the Department of Transportation, though lightly staffed and funded, is working effectively to reduce the toll of injuries from automobile accidents.

Notwithstanding these efforts, when a Federal agency must take up substantial and controversial issues of consumer safety and economics, we believe it needs independent status.

Independence can be furthered by appointment of commissioners on a nonpartisan basis, for staggered fixed terms subject to removal only for cause, and by designation of a permanent chairman to serve an entire term in that capacity.

Another reason for our recommendation of an independent Commission stems from our own experience over the past 2 years. Elsewhere in this report, we describe some of the significant safety innovations which have been adopted by industry after issues were raised by this Commission. As a result of our hearings and public exposure, industry took important steps for safety.

Visibility has aided us in communicating public needs to business. We believe that a highly visible Consumer Product Safety Commission will have the potential to deal firmly and at arm's length with the industries it must regulate in behalf of the public.

The high visibility of a vigorous independent commission would also be a constant reminder of the Federal presence and would itself stimulate voluntary improvement of safety practices. The issues before the CPSC should be publicly aired; they are less likely to be smothered in the competition of Federal agencies for public notice. Similarly, CPSC's needs for staff and funds will receive more public attention and consideration by the Congress and by the Bureau of the Budget than those of a section of a branch of a division of a bureau of a service of an office of a department.

Finally, in developing acceptable safety standards for consumer products, it is important that manufacturers confront Government officials who, like themselves, are in command of resources and authority and able to make firm commitments and decisions.

The preference of at least some in the business community for an independent agency over one of the existing agencies in the product safety area was indicated in an informal poll of more than 50 industry officials taken by Underwriters' Laboratories in August 1969. The poll listed 14 proposed governmental safety functions; the group preferred that an independent agency—about which they knew nothing—administer 12, in preference to the Department of Health, Education, and Welfare and the Commerce Department's National Bureau of Standards.

A Consumer Advocate

Contrary to the common concept that "we are all consumers" and the simple assumption that a public agency always defends the public interest, in reality most if not all public decisions represent a compromise among contending factions.

Recognition of the consumer's need for representation in Government decisionmaking was the motivating force in the creation of the President's Special Assistant for Consumer Affairs in 1963 and for the continuance of that function in the President's Committee on Consumer Interests.

On day-to-day matters of product safety, however, the consumer has no official champion. The assumption that Federal officials represent the general public interest breaks down when, in a bargaining situation, no one bargains for the consumer. Frequently, instead of serving the consumer, the Federal agency merely provides the forum where the consumer is an affected but helpless bystander.

We believe that the highly complex issues which will face the Consumer Product Safety Commission require a specialized Consumer Safety Advocate to make the voice of the consumer heard. When the agency serves as an arbiter, seeking to reconcile contending interests, the Advocate will defend the consumer. By institutionalizing a focus of consumer representation, it may no longer be said that "everybody's business is nobody's business."

The relationship between the President's Special Assistant for Consumer Affairs and the Consumer Safety Advocate of the Commission can be expected to be complementary. The role of the Advocate will, however, be quite different from that of the proposed Consumer Protection Division in the Department of Justice, which has a potential for filing suits to enjoin deceptive practices and intervening in agency proceedings.

In the past, the legal doctrine that participants in adversary proceedings must have a direct economic interest has deprived consumers of "standing" before courts and agencies. This "standing" doctrine, admitting only parties with substantial economic interest, has been broadened recently by several court decisions.

A Consumer Safety Advocate in Commission proceedings will assure consumers of the representation now authorized by the courts and supplement the efforts of nongovernmental advocates, if granted authority and staff sufficient to draw upon the technical resources of other Federal agencies.

We do not propose that he have any jurisdictional authority over the Commission or other Federal regulatory agencies. We propose that, through him, the consumer will be assured the same rights as any other interested group: access to information and the resources for asserting and defending his rights. There is clear justification for an office which will defend public interests against bureaucratic excess or private indifference.

Mandatory standards

In the absence of unreasonable risks, Federal action is unnecessary. Government should avoid needless intervention in private enterprise and the expense of developing redundant standards. At the same time, the existence of Federal authority to set mandatory safety standards may well stimulate improvements in, and compliance with, adequate voluntary standards. We have designed proposed standard-setting provisions to operate only when an identified product hazard is found and then only after a reasonable opportunity has been given to private individuals and consumer and industry groups to develop a draft standard for submission to the CPSC.

When the Commission determines that a product presents an identified hazard to life or health, the task of framing safety standards must be performed promptly but with surehanded judgment. Because informal rulemaking is best suited for the determination of the kinds of issues in the development of standards and to prevent obstruction, the informal procedure rather than a formal hearing is preferable, with judicial review for all interested persons.

In any event, the Commission must be selective, limiting its development and updating of safety standards to categories of consumer goods which contain an unreasonable risk or the threat thereof.

When the need for action is apparent, the writing of safety standards must not drag on for months. A standard must be completed as quickly as governmental and private resources permit. We have provided in the proposed system that the Commission may make an interim product safety standard effective immediately where it finds an imminent risk to safety.

In the event that private sources fail to frame a needed and adequate standard, the CPSC must have its own technical resources and authority to tap personnel and facilities of the Federal Government and private sources to develop mandatory safety standards. Safety standards cannot be deferred until all makers of a product are satisfied; dissatisfied manufacturers will be able to appeal what they consider unjustifiably stringent standards to the CPSC or, ultimately, to the courts.

Digest of Recommendations

It is not the number or kinds of injuries but the fact of injury—the chronic disability, the mental anguish, the burden of medical costs, and the economic waste—that demands remedial action to reduce unreasonable product hazards by the most direct and efficient means.

By way of remedy, our recommendations, stated in full at the conclusion of this report, provide:

1. That the Congress of the United States enact an omnibus Consumer Product Safety Act committing the authority and resources of the Federal government to the elimination of unreasonable product hazards.

2. That an independent Consumer Product Safety Commission be established as a Federal agency concerned exclusively with the safety of consumer products.

3. That the Consumer Product Safety Commission be directed to secure voluntary cooperation of consumers and industry in advancing its programs and that, when necessary to protect consumers from unreasonable risks of death or injury, the Commission be empowered to—

Develop and set mandatory consumer product safety standards;

Enforce compliance with consumer product safety standards through a broad range of civil and criminal sanctions;

Enjoin distribution or sale of consumer products which violate Federal safety standards or which are unreasonably hazardous.

Require notice to consumers of substantially defective products, and recall of products which violate consumer product safety standards or which are unreasonably dangerous.

Make reasonable inspections of manufacturing facilities to implement compliance with safety standards and regulations; and

Conduct public hearings and subpoena witnesses and documents.

4. That the Consumer Product Safety Commission be given the further responsibility to—

Establish an Injury Information Clearinghouse to collect and analyze data on deaths and injuries associated with consumer products;

Disseminate information to the public about hazardous consumer products and practicable means of reducing hazards; and

Cooperate with and assist States and localities in programs germane to consumer product safety.

5. That a Consumer Safety Advocate to the Commission be appointed by the President, with specific responsibility to represent consumer interests before the Commission.

6. That the Consumer Product Safety Commission, in cooperation with the Secretary of Commerce, be authorized to accredit private testing laboratories which are qualified to test and certify compliance with specific product safety standards, and that the Commission be empowered to require independent testing of consumer products which may present an unreasonable risk.

7. That the Federal Trade Commission promulgate trade regulation rules for those who certify or endorse the safety of consumer products.

8. That Federal agencies provide industry and standards-setting groups with relevant technological information which may be utilized to reduce product hazards and that, where proprietary, such information be ruled in the public domain with provision for adequate compensation.

9. That upon enactment of a comprehensive Consumer Product Safety Act a method be developed to permit Federal technical experts other than those with responsibility for evaluating the adequacy of industry standards and testing programs to participate in voluntary safety standards activities.

10. That the Consumer Product Safety Commission be authorized and afforded funds for the construction and operation of a facility suitable for research, development of test methods, and analysis of consumer products for safety considerations.

11. That existing programs of the Small Business Administration be expanded to authorize low interest loans to assist small businesses in meeting requirements of product safety standards.

12. That the Federal Government, through its purchasing and insuring agents, look to established safety standards and, wherever practicable, new safety designs in selecting products for use, and that Federal agencies publicize acquired information about hazards in consumer products.

13. That injured consumers be permitted to file claims for treble damages in the District Courts of the United States against manufacturers who intentionally violate Federal safety standards; that Federal class action procedures be made applicable; and that the principles of strict tort liability be adopted by State and Federal courts to assure fair compensation for injury to consumers in suits at common law.

14. That consumer products for import into the United States be denied entry if they violate Federal safety standards and that export of consumer products which do not meet Federal safety standards be prohibited unless waiver is obtained from a responsible official of the country of destination.

15. That the United States support the development of international consumer product safety standards, and assure fair representation of consumer interests in such proceedings.

H.R. 18209

A bill to protect consumers against unreasonable risk of injury from hazardous products and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Consumer Product Safety Act of 1970."

FINDINGS AND PURPOSES

SEC. 2(*a*).—The Congress hereby finds:

(1) The public has a right to be protected against risk of death or injury from hazardous consumer products when such hazards can reasonably be eliminated or minimized;

(2) Unacceptable numbers of hazardous consumer products now affect interstate commerce;

(3) The increasing number and complexity of consumer products make it essential to act promptly to avoid unnecessary death and injury in the future;

(4) Complexities of modern consumer products and the diverse nature and abilities of consumers using them frequently result in an inability of users to anticipate hazards and to safeguard themselves adequately;

(5) Voluntary efforts by industry to develop means of preventing the sale of unsafe products, while sometimes contributing to consumer safety, often have not been adequate to protect consumers;

(6) Preservation of free competition precludes enforcement of voluntary product safety standards by private groups;

(7) The production and sale of consumer products generally affects interstate commerce, making control of unreasonable hazards by state and local governments inadequate and often burdensome to manufacturers.

(*b*) The purposes of this Act are:

(1) To protect the public against unreasonable product hazards to their health and safety;

(2) To assist consumers in evaluating the comparative safety of consumer products;

(3) To aid manufacturers of consumer products by encouraging industry to develop uniform safety standards for consumer products and by minimizing conflicting state and local regulations;

(4) To promote research and investigation into the causes and prevention of product-related deaths and injuries.

CONSUMER PRODUCT SAFETY COMMISSION

SEC 3(*a*).—A Commission is hereby created and established, to be known as the Consumer Product Safety Commission (hereinafter referred to as the "Commission"), consisting of five Commissioners who shall be appointed by the President, by and with the advice and consent of the Senate, one of whom shall be designated by the President as Chairman. The Chairman shall be the principal executive officer of the Commission and, when so designated, shall act as Chairman until the expiration of his term of office. Any member of the Commission may be removed by the President for neglect of duty or malfeasance in office but for no other cause.

(*b*) The Commissioners first appointed under this section shall continue in office for terms of 1, 2, 3, 4, and 5 years, respectively, from the date of the enactment of this Act, the term of each to be designated by the President at the time of nomination. Their successors shall be appointed each for a term of 5 years from the date of the expiration of the term for which his predecessor was appointed and until his successor is appointed and has qualified, except that he shall not so continue to serve beyond the expiration of the next session of Congress subsequent to the expiration of said fixed term of office and except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term.

(*c*) Not more than three of the Commissioners shall be appointed from the same political party. No person in the employ of, or holding any official relation to, any person, firm, association, or corporation engaged in selling or manufacturing consumer products or owning stock or bonds of substantial value in such a firm, association, or corporation or who is in any other manner pecuniarily interested in such a firm, association, or corporation, or a substantial supplier thereof, shall enter upon the duties of or hold the office of Commissioner. Commissioners shall not engage in any other business, vocation, or employment.

(*d*) No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission. Three members of the Commission shall constitute a quorum for the transaction of business. The Commission shall have an official seal of which judicial notice shall be taken. The Commission shall annually elect a Vice Chairman to act in the absence or in case of the disability of the Chairman or in case of a vacancy in the office of the Chairman.

(*e*) The Commission shall maintain a principal office and such field offices as it deems necessary and may meet and exercise any or all of its powers at any other place. The Commission may, by one or more of its members or by such agents or agency as it may designate, prosecute any inquiry necessary to its function anywhere in the United States. A Commissioner who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the Commission in the same matter.

(*f*) The Commission shall prepare and submit to the President for transmittal to the Congress on or before October 1 of each year a comprehensive report on the administration of this Act for the preceding fiscal year. Such report shall include:

(1) A thorough appraisal, including statistical analyses, estimates, and long-term projections, of the incidence of injury and effects to the population resulting from consumer products, with a breakdown, insofar as practicable, among the various sources of such injury.

(2) A list of consumer product safety standards in effect in such year, with identification of standards newly added during such year;

(3) An evaluation of the degree of observance of consumer product safety standards, including a list of enforcement actions, court decisions, and compromises of alleged violations, by location and company name;

(4) A summary of outstanding problems confronting the administration of this Act in order of priority;

(5) An analysis and evaluation of consumer product safety research activities completed and in progress as a result of government and/or private sponsorship and technological progress achieved during such year;

(6) A list, with a brief statement of the issues, of completed or pending judicial actions under this Act;

(7) The extent to which technical information was disseminated to the scientific and commercial communities and consumer information was made available to the public;

(8) The extent of cooperation between Commission officials and representatives of industry and other interested parties in the implementation of this Act, including a log or summary of meetings held between Commission officials and representatives of industry and other interested parties; and

(9) An appraisal of significant actions of state and local governments relating to the responsibilities of the Commission.

(*g*) The report required by subsection (*f*) shall contain such recommendations for additional legislation as the Commission deems necessary to promote cooperation among the several states in the improvement of consumer product safety and to strengthen national consumer safety efforts.

(*h*) The Commission shall appoint an Executive Director, a General Counsel, a Director of Engineering Sciences, a Director of Epidemiology, a Director of Information, and such other officers and employees as are necessary in the execution of its functions. Commission employees, other than those specifically enumerated in the preceding sentence, shall be subject to the provisions of Title 5, United States Code, governing appointments in the competitive service.

CONSUMER SAFETY ADVOCATE

SEC. 4.—There shall be an independent safety advocate to the Commission, appointed by the President, with the advice and consent of the Senate, for a term of 7 years. The independent safety advocate shall be known as the Consumer Safety Advocate, shall represent the interests of consumers before the Commission, and shall have the following additional authority and responsibility:

(*a*) To receive and act upon complaints from the public, Congress, or the Executive agencies regarding actions or inactions by the Commission;

(*b*) To evaluate, where appropriate, proposed or existing standards, proposed orders and regulations, hazards and potential hazards, and to hire and contract for such personnel which will enable such evaluation;

(*c*) To obtain information from the Commission concerning any proposed, pending, or completed standard, regulation or other proceeding;

(*d*) To appear before the Commission, at his discretion, in any proceeding as a party, or witness;

(*e*) To recommend modification of any proposed regulation, order or standard;

(*f*) To request the development of a regulation or standard by the Commission;

(*g*) To request commencement of other proceedings by the Commission;

(*h*) To appeal to any appropriate court of the United States any order, regulation, or standard issued by the Commission;

(*i*) To issue public statements with respect to any matter within his responsibilities under subsections (*a*) through (*h*).

INJURY INFORMATION CLEARINGHOUSE

SEC. 5(*a*).—The Commission shall establish and operate an Injury Information Clearinghouse to collect, investigate, analyze, and disseminate information relating to the causes and prevention of product-related injuries to consumers. The Commission may, under the provisions of Section 31, utilize the facilities and personnel of state and local governments to collect, investigate, analyze, and disseminate such data.

(*b*) The Commission, in cooperation with appropriate federal agencies, shall conduct additional continuing studies and investigations of deaths, injuries, diseases, other health impairments, and economic losses resulting from accidents involving consumer products as it deems necessary.

(*c*) Independently or in cooperation with appropriate public and private agencies, the Commission is authorized to:

(1) Conduct research and investigation into the safety of consumer products;

(2) Conduct studies on improvement of consumer products;

(3) Test consumer products and develop product safety test methods and testing devices;

(4) Offer training in product safety investigation and test methods; and

(5) Assist public and private organizations, administratively and technically, in the development of safety standards and test methods.

(*d*) The Commission is authorized to carry out the functions described in this section by making grants or entering into contracts for the conduct of such functions with governmental entities, private organizations or individuals.

(*e*) The Commission shall employ personnel of scientific and technical competence adequate to implement the provisions of this Act.

(*f*) Whenever the federal contribution for any information, research, or development activity authorized by this Act is more than minimal, the Commission shall include in any contract, grant, or other arrangement for such research or development activity, or in rules or regulations applicable to such information function, provisions effective to insure that all information, uses, processes, patents, and other developments resulting from that activity will be made freely and fully available to the general public. Nothing herein shall be construed to deprive the owner of any background patent of any right which he may have thereunder.

(*g*) The Commission is authorized to plan, design, construct and operate a facility or facilities suitable for reserach, development and testing of consumer products pursuant to the purposes of this Act.

COMMISSION PRIORITIES

SEC. 6.—The Commission shall annually evaluate information obtained by it for the purpose of establishing an order of priorities for its informational, educational, and regulatory activities. After such evaluation the Commission shall publish in the Federal Register a list of the categories of consumer products which it believes warrant primary attention, with the reasons therefor. The Commission may from time to time add to, delete from, or modify such list of priorities. The failure to include any category of products in such list of priorities shall not preclude Commission action with respect thereto.

CONSUMER PRODUCT SAFETY STANDARDS

SEC. 7.—The Commission shall have authority to promulgate consumer product safety standards or other regulations for consumer product safety including:

(*a*) Any requirement as to performance, composition, contents, design, construction, finish, packaging, or otherwise relating to any consumer product or any component part thereof, as is reasonably necessary to prevent or reduce risk of death or personal injury.

(*b*) Any requirement that any consumer product or any component part thereof be marked with or accompanied by clear and adequate warnings or instructions, or form of warnings or instructions, as is reasonably necessary to prevent or reduce risk of death or personal injury.

CONSUMER PRODUCT SAFETY STANDARDS—PROCEEDINGS BY COMMISSION

SEC. 8(*a*).—Whenever the Commission finds that a consumer product safety standard or other regulation authorized by Section 7 is necessary to prevent or reduce risk of death or personal injury to the public from an identified product hazard, the Commission shall commence a proceeding for the development of such a standard or regulation.

(*b*) A proceeding for the development of such a standard or regulation shall be commenced by the publication of a notice in the *Federal Register*.

The notice shall state:

(1) The nature of an identified product hazard found by the Commission;

(2) That the Commission has determined a consumer product safety standard or regulation is necessary to prevent or reduce unreasonable risk of death or personal injury to the public from such hazard; and

(3) That any person or organization which is competent and willing to develop a proposed standard or regulation to prevent or reduce such hazard is invited to advise the Commission within 30 days of the date of such notice.

(*c*) If, within such period, a person or organization offers to develop such a proposed standard or regulation and the Commission determines that such person or organization:

(1) Is technically competent to undertake such a project; and

(2) If an organization operates pursuant to fair procedures, including: (i) reasonable notice to and adequate participation by all interested parties including consumers, (ii) due process to all participants, (iii) maintenance of adequate records of deliberations which are available to the public, (iv) a requirement that all dissenting views on proposed standards be recorded and furnished to the Commission, and (v) such other procedures as the Commission deems necessary,

—the Commission shall suspend its proceeding for the development of a consumer product safety standard for not more than 180 days and authorize such person or organization to develop a proposed standard or regulation. The Commission, for good cause shown, may extend such suspension for such additional period as it finds in the public interest and shall publish its reasons for such determination. During such suspension the Commission may authorize its staff to develop proposals for a standard or regulation, or contract with third parties for such development.

(*d*) If, within such period, a proposed consumer product safety standard or regulation is developed by such person or organization, the Commission shall resume its proceeding and shall take such proposed standard or regulation into consideration, along with the views of its staff, prior to publishing a proposed consumer product safety standard or regulation in the *Federal Register*. A consumer product safety standard or regulation shall thereafter be published within 60 days of submission of such proposed standard unless the Commission, for good cause shown, finds an extension of such period is in the public interest and publishes its reasons for such determination. Such standard or regulation shall include a finding that the Commission determines it is reasonably necessary to prevent or reduce unreasonable risk of death or personal injury to the public from the hazard described.

(*e*) If no person or organization offers and is authorized by the Commission to develop such a proposed consumer product safety standard or regulation, the Commission shall publish a consumer product safety standard or regulation within 180 days of the publication of the notice commencing the proceeding unless the Commission, for good cause shown, finds an extension of such period is in the public interest and publishes its reasons for such determination. Such standard or regulation shall include a finding that the Commission determines it is reasonably necessary to prevent or reduce unreasonable risk of death or personal injury to the public from the hazard described.

(*f*) Each consumer product safety standard or regulation shall specify the date such standard or regulation is to take effect not exceeding 90 days from the date issued, unless the Commission finds, for good cause shown, that a later effective date is in the public interest and publishes its reasons for such finding.

(*g*) The Commission may by order amend or revoke any consumer product safety standard or regulation established under this section. Such order shall specify the date on which such amendment or revocation is to take effect which shall not exceed 90 days from the date the order is issued unless the Commission finds for good cause shown that a later effective date is in the public interest and publishes its reasons for such finding. Where an amendment involves a material change in a standard or regulation subsections (*a*)–(*e*) of this section shall apply.

(*h*) In issuing a consumer product safety standard pursuant to this section, (1) the Commission shall not issue any standard unless there is an expression in the standard itself of the hazard which the standard is designed to prevent or reduce; (2) shall whenever possible promulgate performance standards; and (3) shall consider relevant available product data including the results of research, development, testing, and investigation activities conducted generally and pursuant to this Act.

(*i*) Section 553 of Title 5, United States Code, shall apply to all proceedings for the purpose of establishing, amending, or revoking a consumer product safety standard or other regulation pursuant to this Act.

CONSUMER PRODUCT SAFETY STANDARDS—IMMINENT HAZARDS

SEC. 9.—Whenver the Commission makes the findings specified in Section 8(*a*) and, in addition, at any time finds (1) that such identified product hazard presents an imminent risk to public health or safety and (2) the consumer product in question is already being distributed, or is about to be distributed in interstate commerce, the Commission may issue an interim consumer product safety standard or regulation and make such standard or regulation effective immediately or within such time as the Commission deems necessary in the public interest. The Commission shall specify such findings in a *Federal Register* notice promulgating such interim standard or regulation, and such findings shall be subject to judicial review pursuant to Section 28. In any such review proceeding an interim standard or regulation of the Commission shall be sustained unless the party asserting its invalidity establishes by clear and convincing proof that it is arbitrary. In the event the Commission issues an interim consumer product safety standard or other regulation, it shall commence and complete a proceeding under Section 8 with reasonable promptness.

CONSUMER PRODUCT SAFETY STANDARDS—PETITION BY INTERESTED PARTY

SEC. 10(*a*).—Any consumer or other interested party may petition the Commission to commence a proceeding for the issuance, amendment, or revocation of a consumer product safety standard or other regulation.

(*b*) Such petition shall be filed in the principal office of the Commission and shall set forth:

(1) Facts which it is claimed establish the existence of an identified product hazard;

(2) Facts which it is claimed establish that a consumer product safety standard or other regulation or an amendment or revocation thereof is necessary; and

(3) The terms of any such consumer product safety standard or other regulation or amendment thereof which it is claimed should be issued by the Commission.

(*c*) The Commission may, in its discretion, hold a public hearing or may conduct such investigation or proceeding as it deems appropriate in order to determine whether or not such petition should be granted.

(*d*) If the Commission grants such petition, it shall promptly commence an appropriate proceeding for the issuance of a consumer product safety standard, or other regulation or, pursuant to Section 14, declare such product a banned hazardous product or take such other action as it deems appropriate. If the Commission denies such petition it shall publish its reasons for such denial.

NEW PRODUCTS

SEC. 11(*a*).—The Commission shall have authority to promulgate standards and procedures for the purpose of insuring that new consumer products are adequately designed and tested to minimize unreasonable risk of death or personal injury to the public.

(*b*) For purposes of this section, a "new consumer product" is a consumer product which incorporates a design, material, or form of energy exchange which (1) has not previously been used substantially in consumer products and (2) as to which there exists a lack of information adequate to determine the safety of such product in use by consumers.

SUITS BY COMMISSION

SEC. 12(*a*).—Whenever the Commission shall have reason to believe that a make, model, or type of consumer product incorporating an identified product hazard is being marketed or is about to be marketed, it is authorized to commence an action for temporary and permanent injunctive relief with respect to such consumer product in an appropriate federal district court.

(*b*) Such a proceeding by the Commission shall be commenced by the filing of a complaint setting forth the facts which establish that the marketing of such consumer product presents or may present an unreasonable risk of death or personal injury to the public and the nature of injunctive relief which the Commission believes is necessary with respect thereto.

(*c*) The district courts of the United States shall have jurisdiction over such actions commenced by the Commission.

(*d*) The Commission may commence such actions in any district court in the United States in a district where any act, omission, or transaction constituting the alleged violation occurred, or is threatened, or in such court for the district wherein the defendant is found or transacts business. In such cases, process may be served in any other district in which the defendant is an inhabitant or wherever the defendant may be found.

INJUNCTIVE RELIEF

SEC. 13(*a*).—If the court determines that the risk is unreasonable and the Commission is entitled to relief pursuant to Section 12 hereof, it may (i) enter an appropriate order enjoining the marketing of such consumer product, and (ii) enter an appropriate order directing the defendant or defendants to establish such procedures with respect to such consumer product as are necessary to avoid unreasonable risk of death or personal injury to the public in the future.

(*b*) Those procedures which may be the subject of an affirmative order of the court pursuant to this section may include:

(i) Collection and retention of information on the identity of purchasers and claims of injury or hazards;

(ii) collection and retention of information on product performance and servicing, to the extent it relates to safety;

(iii) procedures for adequate product design and performance;

(iv) procedures for adequate conduct of testing and inspection;

(v) inclusion of necessary warnings and instructions with consumer products; and

(vi) procedures for adequate quality control.

BANNED HAZARDOUS PRODUCTS

SEC. 14(*a*).—Whenever the Commission finds:

(1) That a consumer product incorporating an identical product hazard is being marketed, or is about to be marketed, and such consumer product presents an unreasonable risk of death or personal injury to the public; and

(2) Notwithstanding any cautionary labeling, regulation, or safety standard as is or may be required under this Act, the degree or nature of the hazard involved in the use of the consumer product is such that protection of the public health and safety can be adequately served only by keeping such product out of the channels of interstate commerce

—the Commission may, by regulation pursuant to Section 553 of Title 5, United States Code, declare such product a banned hazardous product.

(*b*) If, before or during a proceeding pursuant to subparagraph (a) of this section, the Commission finds that because of an identified product hazard, distribution of a consumer product affecting interstate commerce presents an imminent hazard to the public health, and by order published in the *Federal Register* it gives notice of such finding, such consumer product shall be deemed to be a banned hazardous product for the purposes of this Act until the proceeding has been completed. If not yet initiated when such an order is published, such a proceeding shall be commenced and completed with reasonable promptness.

(*c*) Orders pursuant to this section shall be subject to judicial review pursuant to Section 28. In any such review proceeding an order pursuant to subsection (*b*) shall be sustained unless the party asserting its invalidity establishes by clear and convincing proof that the order is arbitrary.

Product Safety Advisory Council

SEC. 15(*a*).—The Commission shall establish a Product Safety Advisory Council which it may consult before prescribing a consumer product safety standard or other regulation. The Council shall be appointed by the Commission and shall be composed of fifteen members, each of whom shall be qualified by training and experience in one or more of the fields applicable to the safety of products within the jurisdiction of the Commission. The Council shall be constituted as follows:

(1) Five members shall be selected from governmental agencies including federal, state, and local governments;

(2) Five members shall be selected from consumer product industries including at least one representative of small business;

(3) Five members shall be selected from among consumer organizations, community organizations, and recognized consumer leaders.

(*b*) The Council may propose product safety standards or other regulations to the Commission for its consideration and may function through subcommittees of its members. All proceedings of the Council shall be public, and a record of each proceeding shall be available for public inspection.

(*c*) Members of the Council who are not officers or employees of the United States and members of any ad hoc advisory committees created pursuant to subsection (*d*) shall, while attending meetings or conferences of the Council or while otherwise engaged in the business of the Council, be entitled to receive compensation at a rate fixed by the Commission, not exceeding $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by Section 5703 of Title 5, United States Code. Payments under this subsection shall not render members of the Council officers or employees of the United States for any purpose.

(*d*) The Commission is authorized to establish, in addition to the aforesaid Product Safety Advisory Council, such ad hoc advisory committees as it deems necessary to advise it with respect to any safety standard or other regulation considered by it under this Act. Where practicable, such ad hoc committees shall be composed of representatives of differing interests in the same proportions specified in subsection(*a*) hereof. Such ad hoc committees shall terminate upon termination of the proceeding with respect to such standard or regulation. All proceedings shall be public, and a record of each proceeding shall be available for public inspection.

Notification of Defects; Repair or Replacement of Hazardous Products

SEC. 16(*a*).—Every manufacturer of consumer products who discovers or acquires information tending to show that:

(1) A consumer product produced, assembled or imported by him contains a defect which creates a substantial risk of personal injury to the public; or

(2) A consumer product produced, assembled or imported by him on or after the effective date of an applicable standard or regulation prescribed pursuant to Sections 8, 9, or 14 fails to comply with such standard or regulation,

—shall immediately notify the Commission of such defect or failure to comply if such product has left the place of manufacture and shall, except as authorized by paragraph (*c*), with reasonable promptness furnish notification of such defect or failure to comply to the persons specified in subsection (*d*) of this section.

(*b*) The Commission is authorized to promulgate regulations defining "defect which creates a substantial risk of personal injury to the public" pursuant to this section.

(*c*) If, in the opinion of such manufacturer the defect or failure to comply (i) is not such as to create a substantial risk of personal injury, or (ii) a special limited form of notice is appropriate, or (iii) the Commission and not the manufacturer should furnish and pay for the notification specified, he may, at the time of giving notice to the Commission of such defect or failure to comply, apply to the Commission for a partial of complete exemption from the requirement of notice specified in subsection (*d*). If such application states grounds for such exemption, the Commission may afford such manufacturer an opportunity to present his views in support of the application, the burden of proof being on the manufacturer. Where the Commission determines it is in the public interest it may publish notice of such application in the *Federal Register* and afford interested parties, including consumers, an opportunity to comment thereon. If, after such presentation, the Commission for good cause shown finds (1) that such defect or failure to comply is not such as to create a substantial risk of injury and (2) that exemption would be in the public interest, it may exempt such manufacturer from the requirement of notice to the persons specified in subsection (*d*) of this section or from the requirements of repair, refund, or replacement imposed by subsection (*h*) of this section, provided, that it shall publish its reasons for such findings in the *Federal Register*. If, after such presentation the Commission, for good cause shown, finds that a special limited form of notice is appropriate or that it is in the public interest that the Commission furnish the notification specified, it may grant such partial or complete exemption from subsection (*d*) and shall publish its reasons for such finding in the *Federal Register*.

(*d*) The notification, other than to the Commission, required by subparagraph (*a*) of this section shall be accomplished:

(1) by certified mail to the first purchaser of such product for purposes other than resale and to any subsequent transferee of such product where known to the manufacturer, and

(2) by certified mail or other more expeditious means to the dealers or distributors of such manufacturer to whom such product was delivered.

(*e*) The notification required by subparagraph (*a*) of this section shall contain a clear description of such defect or failure to comply, an evaluation of the hazard reasonably related thereto, and a statement of the measures to be taken to correct such defect. In the case of a notification to a person referred to in subsection (*d*)(1) of this section, the notification shall also advise the person of his rights under subsection (*h*) of this section.

(*f*) Every manufacturer of consumer products shall furnish to the Commission a true copy of all notices, bulletins, and other communications to dealers or distributors of such manufacturer or to purchasers, or subsequent transferees, of consumer products of such manufacturer regarding any such defect in such product or any failure to comply with a standard, regulation, or order applicable to such product. The Commission shall disclose to the public so much of the information contained in such notices or other information in its possession as it deems will assist in carrying out the purposes of this Act, but it shall not discolse any information which contains or relates to a trade secret unless it determines that it is necessary to carry out the purposes of this Act.

(*g*) If through testing, inspection, investigation, research or examination of reports carried out pursuant to this Act the Commission determines that any consumer product:

(1) fails to comply with an applicable standard or regulation prescribed pursuant to Section 8, 9 or 14; or

(2) contains a defect which creates a substantial risk of personal injury to the public, and if the Commission determines that notification or other remedies provided under the section are appropriate, it shall notify the manufacturer of the product of such defect or failure to comply. The notice shall contain the findings of the Commission and shall include a synopsis of the information upon which the findings are based. Unless the Commission determines that delay will unreasonably harm the public health and safety, it shall afford such manufacturer an opportunity to present his views to establish that there is no failure of compliance or that the alleged defect does not exist or does not create a substantial risk of personal injury. Where the Commission determines it is in the public interest, it may publish notice of such proceeding in the *Federal Register* and afford interested parties, including consumers, an opportunity to comment thereon. If after such presentation by the manufacturer the Commission determines that such product does not comply with an applicable standard or regulation, or that it contains a defect which creates a substantial risk of personal injury, the Commission may direct the manufacturer to furnish the notification specified in subsection (*e*) of this section to the persons specified in subparagraph (*d*) of this section. The Commission may in its discretion use the sanctions provided by Sections 25, 26, or 27 of this Act with or without utilizing the procedures specified in this section.

(*h*) If any consumer product is found under subparagraph (*a*) or (*g*) to fail to comply with an applicable standard or regulation or to have a defect which creates a substantial risk of personal injury, and the notification specified in subsection (*e*) is required to be furnished on account of such failure or defect, the manufacturer of such product shall,

(1) without charge, bring such product into conformity with such standard or regulation, or remedy such defect and provide reimbursement for any expenses, including transportation expenses incurred in connection with having such product brought into conformity or having such defect remedied, or

(2) replace such product with a like or equivalent product which complies with each applicable standard, regulation or order under this Act and which has no defect relating to the safety of its use, or

(3) refund the purchase price of such product upon tender of the product by the owner.

The manufacturer shall take the action required by this subsection in such manner and with respect to such persons as the Commission shall by order prescribe.

PRODUCT CERTIFICATION AND LABELING

Sec. 17(*a*).—Every manufacturer of a product subject to a consumer product safety or regulation issued under Section 8 or 9 shall furnish to the distributor or dealer at the time of delivery of such product a certification that such product conforms to all applicable safety standards and shall specify such standards. Such certification shall be based on a test of such specific product set forth in such standard or regulation or upon a reasonable testing program and shall state the name of the manufacturer and date and place of manufacture.

(*b*) The Commission may by rule or regulation prescribe reasonable tests or testing programs for consumer products pursuant to this section.

(*c*) The Commission may by rule or regulation require the use and prescribe the form and content of labels which, where practicable, may be required by the Commission to be permanently affixed to any consumer product and which shall furnish to the extent practicable the information specified in this section.

(*d*) The Commission may order that any product subject to a consumer product safety standard or regulation pursuant to Section 8 shall be subject to a reasonable testing program operated by an independent third-party qualified to perform such program and that an appropriate mark so certifying appear on the product. Where a product is subject to such an order, the certification under subparagraph (*a*) of this section shall so state and shall state the name of the party operating such testing program. The Commission may, by regulation, prescribe procedures for such programs and requirements with respect to reporting of compliance with applicable regulations and standards by independent third-parties conducting such certification programs.

(*e*) The Commission may, with the advice of the Secretary of Commerce, designate parties who are qualified to operate such independent third-party certification programs.

INSPECTION AND RECORD KEEPING

Sec. 18(*a*).—The Commission is authorized to conduct such inspection and investigation as may be necessary to implement this Act and regulations and standards as may be prescribed pursuant hereto. It shall furnish the Attorney General and, when appropriate, the Secretary of the Treasury, any information obtained indicating noncompliance (except noncompliance with Sec. 19(*b*) of this Act) for appropriate enforcement action.

(*b*) For purposes of implementation of orders, regulations, or standards promulgated under this Act, officers or employees duly designated by the Commission, upon presenting appropriate credentials and a written notice from the Commission to the owner, operator, or agent in charge, are authorized:

(1) To enter, at reasonable times, any factory, warehouse, or establishment in which consumer products or component parts thereof are manufactured, assembled, or held for introduction into interstate commerce or are held for sale after such introduction; and

(2) To inspect, at reasonable times and in a reasonable manner those areas of such factory, warehouse or establishment where such products are produced or stored and which may relate to the safety of such products. Each such inspection shall be commenced and completed with reasonable promptness.

(*c*) Every manufacturer of consumer products or component parts thereof shall establish and maintain such records, make such reports, and provide such information as the Commission may reasonably by regulation require. Establishment and maintenance of records of purchasers of products, product design, testing, quality control, defects and claims for five (5) years, shall not be deemed unreasonable. Upon request of an officer or employee duly designated by the Commission, every such manufacturer shall permit the inspection of appropriate books, records, and papers relevant to determining whether such manufacturer has acted or is acting in compliance with this Act and regulations and standards prescribed pursuant hereto.

(*d*) The Commission or its representatives shall not disclose any information reported to, or otherwise obtained by it pursuant to this section which contains or relates to a trade secret unless it determines that it is necessary to carry out the purposes of this Act. Such information may be disclosed to other officers or employees of the United States concerned with carrying out this Act or, when relevant in any administrative or judicial proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Commission or by any officer or employee under his control from the duly authorized Committees of Congress.

ADDITIONAL POWERS OF COMMISSION

SEC. 19(*a*).—The Commission, or any two members thereof as authorized by the Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinion pertinent to the safety of consumer products. The Commission shall publish notice of any proposed hearing in the *Federal Register* and shall afford a reasonable opportunity for interested persons to present relevant testimony and data.

(*b*) The Commission shall also have the power:

(1) To require, by special or general orders, corporations, business firms, and individuals to submit in writing such reports and answers to questions as the Commission may prescribe; such submission shall be made within such reasonable period and under oath or otherwise as the Commission may determine:

(2) To administer oaths;

(3) To require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

(4) In the case of disobedience to a subpoena or order issued under this subsection, to invoke the aid of any district court of the United States in requiring compliance with such subpoena or order;

(5) In any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths and, in such instances, to compel testimony and the production of evidence in the same manner as authorized under paragraphs (3) and (4) of this subsection; and

(6) To pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(*c*) Any district court in the United States within the jurisdiction of which any inquiry is carried on may, upon petition by counsel for the Commission, in case of refusal to obey a subpoena or order of the Commission issued under subsection (*b*) of this section, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as contempt thereof.

(*d*) When the Commission finds that publication of any information obtained by it is in the public interest and would not give an unfair competitive advantage to any person, it is authorized to publish such information in the form and manner deemed best adapted for public use, except that data and information which relates to a trade secret, shall be held confidential and shall not be disclosed, unless the Commission determines that it is necessary to carry out the purposes of this Act.

(*e*) Every manufacturer of consumer products or component parts thereof shall provide to the Commission such performance and technical data related to performance and safety as may be required to carry out the purposes of the Act. The Commission is authorized to require the manufacturer to give such notification of such performance and technical data at the time of original purchase to prospective purchasers and to the first purchaser of such product, for purposes other than resale, as it determines necessary to carry out the purposes of this Act.

(*f*) The Commission is authorized to obtain without charge from any manufacturer of consumer products written authorization to distributors and retailers to obtain a reasonable number of such products for purposes of determining compliance of such products with the provisions of this Act.

(*g*) The Commission is authorized to enter into contracts with governmental entities, private organizations or individuals for the conduct of activities authorized by this Act.

(*h*) The Commission is authorized to establish such policies, criteria, and procedures and to prescribe such rules and regulations as it deems necessary to administration of this Act and its functions hereunder. Unless otherwise specified the provisions of Title 5, United States Code, Section 553 shall apply to such proceeding.

COOPERATION WITH FEDERAL AGENCIES

SEC. 20.—The Commission is authorized to obtain from any federal department or agency such statistics, data, program reports, and other materials as it may deem necessary to carry out its functions under this Act. Each such department or agency is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such materials to it. The Commission and the heads of other departments and agencies engaged in administering programs related to product safety shall, to the maximum extent practicable, cooperate and consult in order to insure fully coordinated efforts.

IMPORTED PRODUCTS

SEC. 21(*a*).—Any consumer product offered for importation into the United States which fails to comply with an applicable standard or regulation prescribed under this Act, which is not accompanied by a certification in the form prescribed by Section 17, or which contains a defect which creates an unreasonable risk of personal injury to the public shall be refused admission to the United States.

(*b*) The Secretary of the Treasury shall obtain without charge and deliver to the Commission, upon the latter's request, a reasonable number of samples of consumer products being offered for import. The owner or consignee of such product may have a hearing before the Commission with respect to admission of such imports into the United States. If it appears from examination of such samples or otherwise that a product fails to comply with the provisions of this Act, unless subsection (*c*) of this section applies and is complied with,

(1) such product shall be refused admission, and

(2) the Secretary of the Treasury shall cause destruction of such product unless it is exported, under regulations prescribed by the Secretary of the Treasury, within 90 days after notice to the importer or consignee.

(*c*) If it appears to the Commission that any consumer product refused admission pursuant to subsection (*a*) of this section can be brought into compliance with applicable regulations, standards, or orders, final determination as to the admission of such product may be deferred, and the Commission may permit the applicant to perform such operations to bring such product into conformity. The Commission may by regulation prescribe the means of compliance with this subsection, including execution of a sufficient bond for payment of damages and expenses incurred with respect to the imported product.

(*d*) It shall be the duty of every manufacturer offering a consumer product for importation to the United States to designate in writing an agent upon whom service of all administrative and judicial process may be made and to file such designation with the Commission. Such designation shall be public and may from time to time be changed by like writing similarly filed. Service of all administrative and judicial processes, notices, orders, decisions, and requirements may be made upon said manufacturer by service upon such designated agent with like effect as if made personally upon said manufacturer. In default of such designation, the Commission or any court of the United States may effect service of process upon such manufacturer by posting such process, notice, order, requirement, or decision in the office of the Executive Director of the Commission.

(*e*) No consumer product shall be imported into the United States unless the manufacturer of such product complies with the inspection and record keeping requirements of this Act and the Commission's regulations with respect thereto.

EXPORTED PRODUCTS

SEC. 22.—Regulations, orders, and standards issued by the Commission under this Act shall apply to consumer products intended for export unless the manufacturer of any consumer product subject thereto obtains and files with the Commission a certification by the responsible official of the country to which export is intended stating that the safety provisions of such regulations, orders, or standards are waived.

ANTITRUST LAWS

SEC. 23.—Nothing contained in this Act shall be deemed to exempt from the antitrust laws of the United States any conduct that would otherwise be unlawful under such laws.

PROHIBITED ACTS

SEC. 24(*a*).—It shall be unlawful for any person to:

(1) Manufacture for sale, sell, offer for sale, assemble, introduce or deliver for introduction in interstate commerce, or import into the United States any consumer product which is not in conformity with an applicable regulation or standard prescribed pursuant to this Act, if such product was manufactured after the effective date of such regulation or standard;

(2) Manufacture for sale, sell, offer for sale, assemble, introduce or deliver for introduction in interstate commerce, or import into the United States any consumer product which has been declared a banned hazardous product by the Commission;

(3) Fail or refuse to permit access to or copying of records, or fail or refuse to make reports or provide information, or fail or refuse to permit entry or inspection, as required under this Act;

(4) Fail to furnish a notification of any defect as required by Section 16, unless exempted from the requirements of that section by order of the Commission;

(5) Fail to comply with the requirements of Section 16(*h*) with respect to repair, replacement, or refund of certain consumer products;

(6) Fail to furnish a certificate required by Section 17 or issue a false certificate if such person in the exercise of due care has reason to know that such certificate is false or misleading in any material respect.

(*b*) Paragraphs (1) and (2) of Section (*a*) shall not apply to any person who, prior to the first purchase of such consumer product, holds a certificate issued by the manufacturer or importer of such consumer products to the effect that such consumer product conforms to all applicable federal regulations and safety standards, unless such person knows that such consumer product does not conform.

CIVIL PENALTIES

SEC. 25(*a*).—Any person who violates Section 24 of this Act shall be subject to a civil penalty not to exceed $2,000 for each such violation. A violation of Section 24(*a*)(1), (2), (4), (5) and (6) shall constitute a separate violation with respect to each consumer product involved, except that the maximum civil penalty shall not exceed $500,000 for any related series of violations. A violation of

Section 24(*a*)(3) shall constitute a separate violation with respect to each failure or refusal to allow or perform an act required thereby. If such violation is a continuing one, each day of such violation shall constitute a separate offense, except that the maximum civil penalty shall not exceed $500,000 for any related series of violations.

(*b*) Any such civil penalty may be compromised by the Commission. In determining the amount of such penalty or whether it should be remitted or mitigated and in what amount, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty when finally determined, or the amount agreed on compromise, may be deducted from any sums owing by the United States to the person charged.

CRIMINAL PENALTIES

SEC. 26.—Any person who knowingly or willfully violates Section 24 of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $50,000 or be imprisoned not more than 180 days or both, in the discretion of the court, provided that nothing herein shall limit other provisions of this Act.

Whenever any corporation knowingly or willfully violates Section 24 of this Act, any individual director, officer, or agent of such corporation who knowingly or willfully authorized, ordered, or performed any of the acts or practices constituting in whole or in part such violation shall be subject to such penalties, in addition to the corporation.

ENFORCEMENT

SEC. 27(*a*).—The district courts of the United States shall have jurisdiction to enforce the provisions of Section 24 of this Act. Such actions may be brought in any district court of the United States for a district wherein any act, omission or transaction constituting the violation occurred, or in such court for the district wherein the defendant is found or transacts business. In such cases process may be served in any other district in which the defendant is an inhabitant or wherever the defendant may be found.

(*b*) The district courts of the United States shall have jurisdiction, for cause shown, to restrain violations of Section 24, except when such products are disposed of by returning them to the distributor or manufacturer from whom they were obtained.

(*c*) Any consumer product that fails to conform to an applicable consumer product safety standard or regulation or which has been declared a banned hazardous product pursuant to Section 14 of this Act, when introduced into or while in interstate commerce or while held for sale after shipment in interstate commerce shall be liable to be proceeded against on libel of information and condemned in any district court of the United States within the jurisdiction of which such consumer product is found. Proceedings in cases instituted under the authority of this section shall conform as nearly as possible to proceedings in rem in admiralty. Whenever such proceedings involving identical consumer products are pending in two or more jurisdictions they shall be consolidated for trial by order of any such court upon application seasonably made by any party in interest upon notice to all other parties in interest.

JUDICIAL REVIEW

SEC. 28(*a*).—In a case of actual controversy over the validity of any Commission order

(1) Issuing, amending, or revoking a consumer product safety standard or regulation pursuant to Section 8 or 9, or

(2) Declaring a product to be a banned hazardous product under Section 14, or

(3) Granting or denying an exemption under Section 16, or

(4) Issuing, amending, or revoking any other final regulation or order under this Act,

any person who will be adversely affected by such regulation or order, including any consumer or group of consumers, may at any time prior to the 60th day after such order is issued file a petition with the United States Court of Appeals for the circuit wherein such person resides or has his principal place of business for judicial review of such order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commission. The Commission thereupon shall file in the court the record of the proceedings upon which it based its order, as provided in Section 2112 of Title 23 of the United States Code.

(*b*) If the petitioner applies to the court for leave to adduce additional evidence and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Commission, the court may order such additional evidence (and evidence in rebuttal thereof) to be taken before the Commission, or to be adduced upon a hearing, in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, or make new findings by reason of the additional evidence so taken and shall file such modified or new findings, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence.

(*c*) Upon the filing of the petition referred to in subsection (*a*) of this section, the court shall have the jurisdiction to review the order in accordance with Sections 701–706 of Title 5 of the United States Code and to grant appropriate relief as provided in such sections.

(*d*) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Commission shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in Section 1254 of Title 28 of the United States Code.

(*e*) The remedies provided for in this section shall be in addition to and not in substitution for any other remedies provided by law.

(*f*) A certified copy of the transcript of the record and proceedings under this section shall be furnished by the Commission to any interested party at his request, upon payment of the costs thereof, and shall be admissible in any civil, criminal, exclusion of imports or other proceeding arising under or in respect of this title, irrespective of whether proceedings with respect to the order have previously been initiated or become final under subsection (*a*). The Commission may by regulation provide for furnishing such transcripts without charge to interested persons unable to pay costs therefor, where in the public interest.

PRIVATE REMEDIES

SEC. 29(*a*).—Compliance with consumer product safety standards, regulations, or orders under this Act shall not relieve any person from liability at common law or under state law to any other person.

(*b*) Evidence that an entire finished product complies with regulations or standards issued by the Commission shall be inadmissible in any private litigation except an action to recover treble damages pursuant to Section 30.

(*c*) The failure of the Commission to take any action or commence a proceeding with respect to the safety of a consumer product shall not be admissible in evidence in litigation at common law or under state law relating to such consumer product.

(*d*) Accident and investigation reports made under this Act by any officer, employee, or agent of the Commission shall be available for use in any civil, criminal or other judicial proceeding arising out of such accident. Any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigations. Any such report shall be made available to the public in a manner which need not identify injured persons. All reports on research projects, demonstration projects, and other related activities shall be public information.

SUITS FOR TREBLE DAMAGES BY PERSONS INJURED

SEC. 30.—Any person who shall be injured by reason of any knowing or willful violation of a consumer product safety standard, regulation, or order issued by the Commission may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages sustained, and the cost of suit, including a reasonable attorney's fee.

FEDERAL-STATE COOPERATION

SEC. 31(*a*).—The Commission shall promote federal-state cooperation for the purpose of reducing or eliminating unreasonable risk of injury to the public from identified product hazards. In implementing such program the Commission may:

(i) Accept from any state or local authorities engaged in activities relating to health, safety, or consumer protection assistance in such functions as injury data collection, investigation, and educational programs, as well as other assistance in the administration and enforcement of this Act which it may request and which such states or localities may be able and willing to provide and, if so agreed, may pay in advance or otherwise for the reasonable cost of such assistance, and

(ii) Commission any qualified officer or employee of any state or local agency as an officer of the Commission for the purpose of conducting examinations, investigations, and inspections.

(*b*) In determining whether such proposed state and local programs are appropriate in implementing the purposes of this Act the Commission shall give favorable consideration to programs which establish separate state and local agencies to consolidate functions relating to product safety and other consumer protection activities.

EFFECT ON STATE STANDARDS

SEC. 32(*a*).—Whenever a consumer product safety standard or regulation established under this Act is in effect, no state or political subdivision of a state shall have any authority either to establish or to continue in effect any safety standard or regulation applicable to the same aspect of performance of such consumer product which is not identical to the federal standard.

(*b*) Nothing in this section shall be construed to prevent the Federal government or the government of any state or political subdivision thereof from establishing a safety requirement applicable to a consumer product for its own use if such requirement imposes a higher standard of performance than that required to comply with the otherwise applicable federal standard.

(*c*) The Commission may, upon application of a state or political subdivision thereof, exempt such application from the the provisions of subsection (*a*) where a proposed standard or regulation (1) imposes a higher level of performance than the federal standard, (2) is required by compelling local conditions, and (3) does not unduly burden interstate commerce.

DEFINITIONS

SEC. 33(*a*).—"Commission" means the Consumer Product Safety Commission.

(*b*) "Consumer product" means any product, or component part, which affects interstate commerce and is customarily produced or distributed for sale (i) to a consumer for use in or around a household or residence, or (ii) for the personal use, consumption, or enjoyment of a consumer. Such term does not include hazards associated with such products to the extent such hazards are subject to duly promulgated regulations under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), the Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331 et seq.), the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) and the Radiation Control for Health and Safety Act (42 U.S.C. 262 et seq.).

(*c*) "Identified product hazard" means a hazard associated with a consumer product which presents or may present an unreasonable risk of death or personal injury to the public and which the Commission describes in a regulation, standard, order, or complaint issued pursuant to this Act. The Commission may, in determining whether a hazard is an "identified product hazard," consider, among other factors frequency or potential frequency of injury, severity or potential severity of injury, number of products in use, potential for hazard reduction, awareness of hazard by consumers, increase of hazard with age of product, and hazard to nonusers, if it deems such factors applicable to its determination.

(*d*) "Consumer product safety standard" means a minimum safety standard relating to a consumer product, promulgated by the Commission pursuant to Sections 8 or 9 of this Act for the purpose of preventing or reducing risk of death or personal injury from an identified product hazard. A consumer product safety standard establishes the minimum acceptable safety level for a consumer product. Compliance with a consumer product safety standard may or may not be evidence of adequate care to avoid death or personal injury caused by a specific consumer product.

(*e*) "Manufacturer" means any person that manufactures or assembles consumer products or imports or distributes consumer products manufactured or assembled elsewhere.

(*f*) "Person" means an individual, partnership, corporation, association, or any other form of business enterprise.

(*g*) "State" includes a state of the United States, the District of Columbia, the Commonwealth of Puerto Rica, the Virgin Islands, and Guam.

(*h*) "Interstate commerce" means commerce between any place in a state and any place in another state, or between places in the same state through another state.

(*i*) "Importation" includes reimportation of consumer products manufactured or processed, in whole or in part, in the United States.

(*j*) Use of the singular includes the plural wherever appropriate.

INTERPRETATION AND SEPARABILITY

SEC. 34.—The provisions of this Act shall be held to be in addition to and not in substitution for or limitation of the provisions of any other law. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to any other person or circumstances shall not be affected thereby.

AUTHORIZATION OF APPROPRIATIONS

SEC. 35.—There are hereby authorized to be appropriated for the purpose of carrying out the provisions of this Act the following sums:

$5,000,000 for the fiscal year ending June 30, 1971;

$7,500,000 for the fiscal year ending June 30, 1972; and

$10,000,000 for the fiscal year ending June 30, 1973.

The foregoing sums do not apply to facilities to be constructed pursuant to Section 5(g) of this Act.

EFFECTIVE DATE

SEC. 36.—This Act shall take effect on the 60th day following the date of its enactment.

JERRY FORD—A PROFILE

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Tuesday, June 30, 1970

Mr. GRIFFIN. Mr. President, 6 years ago, as a Member of the House of Representatives, I had the privilege of managing a campaign to elevate Representative GERALD R. FORD to the position of Republican leader in the House of Representatives.

The campaign was successful. Shortly after JERRY FORD took charge of Republicans in the House, his hometown newspaper, the Grand Rapids Press, published one of the finest personality profiles I have ever seen. As a close friend, I have the opportunity to know JERRY very well; but many people are not acquainted with the warm life story of this outstanding American.

As JERRY FORD marks his 6th year as Republican leader in the House of Representatives, I ask unanimous consent that this story, as it appeared in the Grand Rapids Press of January 10, 1965, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JERRY FORD: A REAL-LIFE AMERICAN SUCCESS STORY

(By Neil Munro)

Jerry Ford is one of those rare politicians who has lived the Great American Success Story.

First he was the product of a broken home; then a football star. He graduated with honors after working his way through school. When World War II started he joined the Navy. A civilian again, he threw himself into community projects and ended up being named by the U.S. Junior Chamber of Commerce as "one of the 10 most outstanding young men" in the nation.

He got a law degree at Yale, and 16 years ago, when he was only 35, he was elected to the U.S. House of Representatives after beating the odds and well-entrenched incumbent.

People who have known him along the way—even his political opponents—like him.

And now he's the House Republican minority leader. How does a man go about leading that kind of life?

For Gerald R. Ford it began July 14, 1913, in Omaha, Neb., where he was christened Leslie King. But his mother divorced Mr. King. She moved to Michigan and married Gerald R. Ford, who adopted the infant and gave him his name. He was raised by Gerald R. Ford, remembered in Grand Rapids as a successful paint manufacturer, a highly respected civic leader, a chairman of the Republican county committee and a "kind man."

The Fords later had three more sons, Tom and Richard, now president and vice president of the paint company, and James, an optometrist. Tom, 45, was elected to the Michigan House of Representatives last November after being active in municipal government for years.

When Jerry Ford entered South High School in Grand Rapids he went out for football and was all-city center in his junior and senior years. He even made all-state in 1930 when he was captain of the team that won the state high school championship. It was at South High School that Jerry Ford started being called a "hard worker" and "a leader." P. L. "Pop" Churm, who was one of his teachers, remembers: "He was a leader then, what you would call a regular he-man." His football coach, Cliff Gettings, still counts Ford as a personal friend and loves to talk about the 1930 championship team. "Having Jerry Ford on the team was just like having a coach on field," Gettings said.

Later Jerry Ford played four years of football at the University of Michigan at Ann Arbor. Two of those teams were conference champions, and he was named "most promising" as a freshman player and "most valuable" as a senior in 1935. But he never made All-American. He had the back luck to be a center at the same time that the famed center Jack Blott was at the university. Blott was the All-American.

In his high school days when work was scarce and Ford needed the money, a restaurant owner named Bill Skougis gave him a job because he was a top athlete. Ford got $2 a day and his noon meal for waiting on customers and washing dishes.

As a freshman at the university, Ford still needed money. So the football coaches lined up another job waiting on tables in the interns' dining room at the university hospital. In his sophomore and junior years he washed dishes to earn his money at Delta Kappa Epsilon, his fraternity. "I can still wash dishes faster than most people. The work was good for me," he says now.

Besides washing dishes, he worked summers filling and labeling paint cans in his father's factory, Ford Paint & Varnish Co. Later it was a highly successful business, but the going was rough in the depresssion and there was little money left over for Jerry's college expenses. For nearly three years he sold a pint of blood a month for $25 as a professional donor. "That money came in mighty handy," he recalls.

Football helped him again when he was offered an assistant coaching job at Yale University. He passed up chances to play professional football with the Detroit Lions and Green Bay Packers and packed his bag for Yale. And in 1941 he received his law degree there.

But before he had a chance to practice much law in Grand Rapids he was in the Navy. Forty-seven months later, in 1946, he left active duty as a lieutenant commander. On his uniform were a Pacific-Asiatic ribbon with seven battle stars and a Philippine liberation ribbon with two battle stars. He had served as assistant navigator of the U.S.S. Monterey, an aircraft carrier.

Ford had started thinking about politics while he was in the Navy, and when he got out he had "the time and inclination to get my feet wet."

One of his inspirations was Sen. Arthur H. Vandenberg of Grand Rapids, who made history as a top Republican spokesman in the formation of the bipartisan foreign policy of the post-World War II era.

Ford's first effort was as a member of the Home Front Group which wrestled local control of the Republican party from financier Frank D. McKay, who had bossed it for years on the state and local levels.

Then he took on another oldtimer, Bartel J. "Barney" Jonkman, a U.S. representative who had let his political fences sag. Ford beat him in the 1948 primary and went on to win over his Democratic opponent, Fred Barr, in a landslide. He has had nothing but landslides since. Victory totals have ranged from 60 to 67 per cent of the vote. It was in 1948 that Ford and another freshman congressman, John F. Kennedy of Massachusetts, often strolled together to the House chambers and struck up a lasting friendship.

Sixteen years later, Ford was a member of the commission that investigated the assassination of President John F. Kennedy. He is now writing a book about the investigation.

Now he and his wife, Betty, whom he married just before he was elected, live in a four-bedroom brick colonial-style home in Alexandria, Va. That's where their children are growing up. They are Mike, 14; John, 12; Steve, 8, and Susan, 7. But Ford, still a lover of sports and the outdoors, vacations with them on the beaches and ski slopes of West Michigan.

And he hasn't let his political fences sag. He has the reputation in Grand Rapids of being a man who does his political homework and knows the problems of his constituents in surrounding Kent and Ionia Counties of Michigan's Fifth Congressional District.

Ford annually makes the rounds in his mobile-home office. People who have traveled with him say he has the ability to convince every visitor that his problem is the only one Ford has to worry about in Washington, and he does it without being glib or gladhanding.

Ford is one congressman who has not grown rich in public office. He recently revealed his income, a congressman's $30,000 salary, and his assets, a mortgaged house in Virginia, a duplex in Grand Rapids (1624 Sherman St. SE) he rents as an investment and a few thousand dollars in stocks including some in the Ford Paint & Varnish Co. The Sherman St. home is also his voting address. It is in the suburban city of East Grand Rapids. Though he is a lawyer, Ford has not belonged to a law firm or practiced in years.

When the weather in Virginia is right, Ford starts his days with a vigorous swim in his new pool. He still tries to keep as close to his football playing shape as a man of 51 can, and he likes to get in a round of golf now and then. But he also enjoys a drink and his pipe.

Back in Grand Rapids, his latest political opponent, William G. Reamon, says, "Jerry always campaigns on a high plane; no personalities. If you want to be represented by a conservative, I don't know where you'd find a better man, one with more integrity, than Jerry Ford."

DIPLOMATIC KIDNAPING

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. SYMINGTON. Mr. Speaker, over the past few years we have been appalled at the flagrant violations of diplomatic immunity committed in order to achieve domestic political goals in certain countries. Helpless governments have been forced to play the role of accessory after the fact to a form of international crime they would never themselves commit, a crime considered for centuries not only totally outside the realm of the justifiable, but the gravest of threats to world peace. Accordingly, on June 10, I submitted a resolution urging the President to seek an international agreement dealing with the problem. Last week Secretary Rogers, addressing the OAS, requested such an agreement. The Latin representatives deplored these crimes. They even condemned them. But they considered the right of political asylum paramount and not secondary to diplomatic immunity so as to warrant a security arrangement.

I allow it is a close question, but in the long run it must be decided in favor of diplomatic immunity. If a state visitor were snatched from his welcoming motorcade and held prisoner by a revolutionary group in this country until a few prisoners were flown to a nation which would receive and release them, we and the world would be outraged. And why less so for an ambassador? An ambassador is virtually the personal symbolic presence of the sovereign he represents. He does not take on an assignment expecting to play musical chairs at the whim of some local dissidents, or to have his person, family, staff or property held hostage for any purpose. His person, staff, family, and property are to be held sacrosanct by any government which receives his credentials.

World bodies such as the UN celebrating its 25th anniversary and the OAS have demonstrated a remarkable facility for deploring. When they can agree to control what they deplore we will have entered a new age. My resolution, which I am resubmitting today with over 30 cosponsors, presents at least an opportunity to consider certain reasonable controls.

HONOR AMERICA DAY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. FULTON of Tennessee. Mr. Speaker, if it were not for long-standing commitments I would enjoy nothing more than to remain in our Nation's Capital this coming July Fourth weekend for what may well be one of the most impressive, inspiring, and well-attended patriotic programs Washington has in its history witnessed.

I refer, of course, to "Honor America Day" to be held this Saturday, July 4, for which Americans of all political persuasion and from across the political spectrum will gather here under Old Glory to honor this great American Nation.

Mr. Speaker, there is a lot that troubles this Nation today and there are many conditions plaguing and situations attending the United States which practically and morally must be remedied and alleviated. However, as President Nixon pointed out in his speech in St. Louis this past week, there is a lot about America for which we can be proud, a great deal about America which is right, much in America which is good and it does no physical harm while it can be spiritually uplifting to consider, stress and dwell upon these aspects of our life from time to time.

This, in essence, is what will be done in Washington this weekend in the true spirit of freedom which is the very essence of the real meaning of Independence Day.

A splendid program has been planned for the occasion. National Chairman Bob Hope and the Reverend Billy Graham have done an outstanding job of lining up talent and events for the hundreds of thousands of persons who are expected to gather here.

Those who have a part in the planning and preparation of Honor America Day are to be commended for putting together a program that is not only appealing but appropriate to the true spirit of freedom and independence of July the Fourth.

A BILL TO ESTABLISH THE PARK PLAZA NATIONAL HISTORIC SITE IN THE CITY OF LAS VEGAS, N. MEX.

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. LUJAN. Mr. Speaker, in introducing this bill to establish the Park Plaza National Historic Site in the city of Las Vegas, N. Mex., I call the attention of my colleagues to the fact that this site has very great historic significance to my State, to the western region, and to the Nation as a whole.

The westward expansion of the United States in the middle of the last century is one of the most exciting chapters in American history. Kit Carson, the mountain men, the Mexican border war, the Santa Fe Trail—all evoke memories of courage, drama, and frontier hardship that are a part of our national heritage. The acquisition of New Mexico from the Republic of Mexico marked a dramatic step forward in the sea-to-sea formation of the Union. The historic site created by this bill will serve to perpetuate a structure that was the scene of an important part of that drama.

During the Texas revolution and Mexican War, General Kearny led the invading army of the west over the Santa Fe Trail to New Mexico. The first town of importance he reached was Las Vegas.

On August 15, 1846, General Kearny lowered the Mexican flag from the flagpole atop a building on the Las Vegas Plaza and raised the Stars and Stripes, thereupon proclaiming New Mexico to be a part of the United States of America.

That building, though altered over the years, still stands. And the plaza still exists. Since it was from this spot that our State was officially proclaimed an area of the United States, the building and the plaza have a unique and patriotic significance to our people, and we believe this significance should be recognized and made an official part of our national heritage.

SUPPORT FOR PRESIDENT'S CAMBODIA ACTION

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BLACKBURN. Mr. Speaker, over the past 2 months, there has been a great debate over President Nixon's incursions into Cambodia to protect American lives. The impression has been given that the academic community is unanimously opposed to the President's actions.

Recently, Prof. Charles Moser, of the George Washington University's Slavic Department, circulated a statement to many members of the academic community throughout the United States. This statement generally endorsed the President's actions and stated that under the circumstances which faced President Nixon, he had no alternative but to take this action. Over 360 professors from colleges and universities around the Nation have endorsed Professor Moser's statement.

For the information of my colleagues, I am inserting into the CONGRESSIONAL RECORD Professor Moser's statement and list of professors endorsing this statement.

SUPPORT FOR PRESIDENT'S CAMBODIA ACTION

At a press conference called in Washington, D.C., on May 12, 1970, by a group of 15 professors from colleges and universities in the Washington area, the following statement was released by Charles A. Moser, of the George Washington University:

"The members of this group of academic people from several institutions of higher learning in the Washington area (most of whom have met today for the first time) represent various disciplines ranging from chemistry to Asian studies. Some have specialized knowledge of southeast Asia; some have not. Some have visited southeast Asia; some have not. Not all view the situation in southeast Asia in the same way. But all agree that, given the situation in which President Nixon found himself in that part of the world, his decision to move against the long-protected sanctuaries in Cambodia—and at the same time relieve some of the pressure being exerted on the unprepared Cambodian army by the North Vietnamese invaders—was an extremely reasonable one, and deserves the support of reasonable men. Unfortunately, there has been a strong element of irrationality in the reaction to the Cambodian decision now sweeping American campuses. By our presence here today we affirm publicly our support for the President's move, which will almost certainly save the lives of many American and South Vietnamese troops. We also appeal for a more rational discussion of the issue of Southeast Asia than has generally taken place up to now."

In the past month the above statement has been circulated by mail to a number of campuses and adherences solicited. As of June 23 approximately 360 professors from campuses across the nation had signified their support for this statement. Their names are appended. Each of them speaks as an individual, and not as a representative of his particular educational institution.

PROFESSORS ADHERING TO CAMBODIA STATEMENT OF MAY 12, 1970

Carol Nevin Abromaitis (English), Loyola College, Baltimore, Md.; Paul L. Adams (History), Robert Wesleyan College, North Chili, N.Y.; Arthur W. Adamson (Chemistry), Univ. of Southern California, Los Angeles, Cal.; John M. Aden (English), Vanderbilt University, Nashville, Tenn.; Donald M. Albanito (Law), Bradley University, Peoria, Ill.; Domenico S. Aliberti (Foreign Languages), Youngstown Univ., Youngstown, Ohio; Frank B. Allen (Mathematics), Elmhurst College, Elmhurst, Ill.; Paul Warren Allen (Music), North Central College, Naperville, Ill.; Marcello Alonso (Physics), Georgetown University, Washington, D.C.; Robert V. Andelson (Philosophy), Auburn University, Auburn, Alabama.

Leonard E. Anderson (Business Administration), Olivet Nazarene Colleg, Kankakee, Ill.; Nancy S. Apgar (Music), Oklahoma City University, Oklahoma City, Oklahoma; James D. Atkinson (Government), Georgetown University, Washington, D.C.; G. Baer (German), University of Northern Colorado, Greeley, Colorado; Bruce A. Baker (Psychology), Northern Virginia Community College, Annandale, Va.; Byron B. Banta (History), Missouri Valley College, Marshall, Mo.; Norman H. Barlow (French), Duke University, Durham, N.C.; E. R. Barrett (Biology), Northeast Louisiana State College, Monroe, La.; Anna M. Battin (Education), Youngstown University, Youngstown, Ohio; Laurence S. Baun, Northeast Louisiana State College, Monroe, La.; Colin F. Baxter (History), Furman University, Greenville, S.C.; James Bearden (Dean of Students), Southwestern College, Phoenix, Ariz.; Kenneth R. Beardslee (Economics, Business), Spring Arbor College, Spring Arbor, Mich.; Ruth V. Veighley (Education), Southwestern College, Phoenix, Ariz.

Thomas A. Beineke (Chemistry), Monmouth College, Monmouth, Ill.; Hugh Y. Bernard (Law Librarian), The Geo. Washington University, Washington, D.C.; Thomas E. Berry (Russian), University of Maryland, College Park, Md.; Robert G. Bidwell (Law Librarian), The Geo. Washington Univ., Washington, D.C.; Stephen T. Bihari (Languages, History), Ashland College, Ashland, Ohio; Robert H. Billings (Humanities), Los Angeles Harbor College, Wilmington, Cal.; N. E. Bingham (Science Education), University of Florida, Gainesville, Fla.; Sigmund S. Birkenmayer (Slavic), Pennsylvania State Univ., University Park, Pa.; Carl W. Bitzer (Mathematics), Univ. of North Carolina, Greensboro, N.C.; David K. Blanchar (Music), Augustana College, Sioux Falls, S.D.; Arthur Blocher (retired, Music, Geology), St. Bede's College, Amboy, Ill.; Richard C. Bothner (Biology), St. Bonaventure University, Olean, N.Y.; Anthony T. Bouscaren (International Relations), Le Moyne College, Syracuse, N.Y.; Donald W. Boyd (Industrial & Management Engineering), Montana State University, Bozeman, Montana; Frank M. Boyd, Northeast Louisiana State College. Monroe, La.

M. E. Bradford (English), University of Dallas, Irving, Texas; Donald D. Brand (Geography), University of Texas, Austin, Texas; Henrik Bredenberg (English), Miami-Dade Junior College, Miami, Fla.; Dennis Brennen (Economics), Rockford College, Rockford, Ill.; Jose Bufill (Spanish), George Mason College, Fairfax, Va.; Robert G. Caldwell (Criminology), University of Iowa, Iowa City, Iowa; Eloise A. Cameron (Librarian), St. Petersburg Jr. College, St. Petersburg, Fla.; Carl Campbell (Education), Shippensburg State College, Shippensburg, Pa.; William G. Campbell (Music Education), Southeastern Louisiana College, New Orleans. Lawrence N. Canjar (Engineering), Univ. of Detroit, Detroit, Mich.; Nathan F. Cardarelli (Physics), University of Akron, Akron, Ohio.

George F. Carter (Geography), Texas A & M University, College Station, Texas; Henry W. Casper, S. J. (History), Marquette University, Milwaukee, Wis.; Karl Cerny (Government), Georgetown University, Washington, D.C.; David S. Chamberlain (English), Univ. of Iowa, Iowa City, Iowa; R. L. Chambliss, Jr. (Agricultural Economics), Virginia Polytechnic Institute, Blacksburg, Va.; Allan D. Charles (History), University of South Carolina, Union, S.C.; W. J. Cieslewicz (Russian), Colorado School of Mines, Golden, Colo.; John A. Clark (Mechanical Engineering), Univ. of Michigan, Ann Arbor, Mich.; William G. Clark (English and Rhetoric), Univ. of Iowa, Iowa City, Iowa; Byron E. Colby (Veterinary and Animal Sciences), Univ. of Massachusetts, Amherst, Mass.; Roy Colby, Northern Colorado State College, Greeley, Colo.; James M. Cole (Education), Appalachian State University, Boone, N.C.; Victor Colombini (Geography), Ohio State University, Lima, Ohio.

Leonard Colwell, Montgomery College, Rockville, Md.; Carlisle C. Cooper (Fine Arts), Ventura College, Ventura, Cal.; Brutus Coste (International Relations), Fairleigh Dickinson Univ., Teaneck, N.J.; Lionel Crocker (Speech Communication), Denison University, Grandville, Ohio; V. A. Cyphers (Physical Education), Univ. of Northern Colorado, Greeley, Colo.; Maurice Czikann-Zichy (Economics), Immaculata College, Immaculata, Pa.; Robert W. Dally, Jr. (Foreign Languages), Youngstown Univ., Youngstown, Ohio; Frank J. D'Amico (Spanish Studies), Parsons College, Fairfield, Iowa; Wesley A. Darley (English), Southwestern College, Phoenix, Ariz.; Anthony F. Dastoli (Business Administration), Youngstown Univ., Youngstown, Ohio; R. E. Davis (Chemistry), Purdue University, Lafayette, Ind.; Stanley R. Davison (History), Western Montana College, Dillon, Mont.; Ray DeBoer (Speech Communication), Univ. of Northern Colorado, Greeley, Colo.; Franklin Debrot (Philosophy), College of St. Teresa, Winona, Minn.; Gilda M. DeCapita (Nursing), Youngstown University, Youngstown, Ohio.

Fred W. Decker (Meteorology), Oregon State University, Corvallis, Ore.; Robert Owen Decker (History), Central Connecticut State College, New Britain, Conn.; Philip B. Dedrick (Art History), Rockford College, Rockford, Ill.; E. T. Deiderich (Business Administration), Youngstown Univ., Youngstown, Ohio; Ann Demaitre (French), University of Maryland, College Park, Md.; Melvin W. Denner (Ecology), Indiana State University, Evansville, Ind.; William C. Dennis (History), Denison University, Granville, Ohio; Donald Devine (Government and Politics), Univ. of Maryland, College Park, Md. Albert L. Diket (History), Nicholls State College, Thibodaux, La.; James Dornan (Political Science), Catholic University, Washington, D.C.; Neil S. Douglas, Northeast Louisiana State College, Monroe, La.; Rurik Dudin (Slavic), Yale University, New Haven, Conn.; Joseph Dunner (Political Science), Yeshiva University, New York, N.Y.; Chester Earle (Government), American University, Washington, D.C.; Valerie Earle (Government), Georgetown University, Washington, D.C.

John P. East (Political Science), East Carolina University, Greenville, N.C.; Atticus F. Edwards (Government), Midwestern University, Wichita Falls, Texas (ret.); Harold Edwards (Business Management), Bradley University, Peoria, Ill.; Francis H. Eterovich (Social and Political Philosophy), De Paul University, Chicago, Ill.; E. Mark Evans (Asst. Dean), School of Business Administration, Youngstown Univ., Youngstown, Ohio; C. N. Evanson (History, emeritus) Luther College, Decorah, Iowa; John R. Fawcett Jr. (Education), Univ. of Mississippi, University Miss.; Samuel J. Fisher (Foreign Languages), Youngstown University, Youngstown, Ohio; William Fleming (Political Science), Ripon College, Ripon, Wis.; B. Floyd Flickinger (American Studies), Institute of Allegheny Life and Culture, Baltimore, Md.; Walter H. Flynn Jr. (History and Political Science), Fairleigh Dickinson Univ., Teaneck, N.J.

Frank A. Fortunato (Business Administration), Youngstown Univ., Youngstown, Ohio; Bennett B. Foster (Forestry), Univ. of New Hampshire, Durham, N.H.; Ludmila A. Foster (Russian), Duke University, Durham, N.C.; Norma Foster (English), Southwestern College, Phoenix, Ariz.; Beauvais Fox Jr. (Mechanical Engineering), Polytechnic Institute of Brooklyn, Brooklyn, N.Y.; Duncan F. Francis (English), University of Houston, Houston, Texas; Beryl C. Franklin, Northeast Louisiana State College, Monroe, La.; Joseph L. Frascona (Business Law), University of Colorado, Boulder, Colo.; Keener C. Frazer (Political Science), Univ. of North Carolina, Chapel Hill, N.C.; Richard Freiman (Mathematics), Univ. of Maryland Baltimore County, Baltimore, Md.; Saul S. Friedman (History), Youngstown University, Youngstown, Ohio; Paul D. Garn (Chemistry), University of Akron, Arkon, Ohio; Louis C. Gasper (Economics), University of Arizona, Tucson, Ariz.; Stanley N. Gaunt (Animal Genetics), Univ. of Massachusetts, Amherst, Mass.

Miodrag Georgevich (Political Science), Northern Michigan Univ., Marquette, Mich.; Gordon D. Gill (Biology), Northern Michigan Univ., Marquette, Mich.; Edward H. Glas, Farleigh Dickinson University, Madison, N.J.; G. G. Goble (Civil Engineering), Case Western Reserve Univ., Cleveland, Ohio; Henry W. Gould (Mathematics), West Virginia University, Morgantown, W. Va.; T. Franklin Grady Jr. (Psychology), Jamestown College, Jamestown, N.D.; Robert Graham (French), University of Northern Colorado, Greeley, Colo.; William L. Graham (Dentistry), Univ. of West Virginia, Morgantown, W. Va.; William E. Gran (Physics), Univ. of Arkansas at Little Rock, Little Rock, Ark.; Mark Graubard (Natural Sciences), University of Minnesota, Minneapolis, Minn.; J. B. Graves Jr. (Classics), University of Georgia, Athens, Ga.; John L. Grim (Business Administration), Youngstown University, Youngstown, Ohio; J. R. Gump (Physical Science), Central Michigan University, Mt. Pleasant, Mich.; Vincent J. Gutierrez (Director of Housing), Northland College, Ashland, Wis.; W. J. Gutknecht (Business Administration), Youngstown Univ., Youngstown, Ohio.

Mary Haight (Music), Univ. of Northern Colorado, Greeley, Colo.; George D. Haimbaugh Jr. (International Law), Univ. of South Carolina School of Law, Columbia, S.C.; Gerald L. Hamel (Business Administration), St. Ambrose College, Davenport, Iowa; W. M. Hammack (Education), Youngstown University, Youngstown, Ohio; Oscar J. Hammen (History), University of Montana, Missoula, Mont.; Sigmund Hammer (Geophysics), Univ. of Wisconsin, Madison, Wis.; Hudson B. Hastings (Economics), Yale University, New Haven, Conn. (retired); Richard S. Haugh (Liberal Arts), Academy of Aeronautics, Flushing, N.Y.; Bevan O. Haycock (Spanish), New Mexico State University, Las Cruces, N.M.; William C. Heiss, University of Northern Colorado, Greeley, Colo.; Julia S. Henkel (Literature), Grand Rapids Baptist College, Grand Rapids, Mich.; David C. Henley (Journalism), Univ. of Southern California, Los Angeles, Calif.; Will Herberg (Philosophy), Drew University, Madison, N.J.; Arthur R. Hercz (Radar & Optics), University of Michigan, Ann Arbor, Mich.; Marian Hernandes (Political Science), Youngstown University, Youngstown, Ohio.

Mr. and Mrs. Kurt Heydle (Foreign Langs.), Youngstown Univ., Youngstown, Ohio; R. S. Hill (Political Theory), Marietta College, Marietta, Ohio; Dorothy Hille (Business Education), Youngstown University, Youngstown, Ohio; T. B. Holliday (Physics), Elmhurst College, Elmhurst, Ill.; David C. Holly (International Relations), Hampden-Sydney College, Hampden-Sydney, Va.; Leland W. Hooker (Forestry), Michigan Technological Univ., Houghton, Mich. (ret.); Stephen M. Horak (History), Eastern Illinois University, Charleston, Ill.; Donald W. Howe Jr. (Physics), Worcester Polytechnic Institute, Worcester, Mass.; Richard H. Howe (Physics), Denison University, Granville, Ohio; Charles C. Hower (Classics), North Central College, Naperville, Ill.; K. D. Hramov (Slavic), Yale University, New Haven, Conn.; P. Huanj (History), Youngstown University, Youngstown, Ohio; Bettie W. Hudgens (Speech), Spring Hill College, Mobile, Ala.; Daniel H. Hundley (Industrial Engineering), Washington Univ., St. Louis, Mo. (ret.); Joseph T. Hudson (History), Central Michigan University, Mt. Pleasant, Mich.

James H. Hutson (American History), College of William & Mary, Williamsburg, Va.; Phillip L. Hutson (History), Western Illinois University, Macomb, Ill.; Oscar Ibele (Political Science), Kent State University, Kent, Ohio; Leo V. Imperi (Music), Marshall University, Huntington, W. Va.; David S. Ives (Foreign Languages), Youngstown University, Youngstown, Ohio; Walter Jacobs (Government and Politics), Univ. of Maryland, College Park, Md.; Harry V. Jaffa (Political Philosophy), Claremont Men's College, Claremont, Cal.; William R. Jamieson (Music), Univ. of Northern Colorado, Greeley, Colo.; Stephen A. Janto, O.F.M. (History), Siena College, Loudonville, N.Y.; Heinz Javett (Finance), Pace College, New York, N.Y.; Jack K. Jeanes (Biophysics), Univ. of Dallas, Irving, Texas; Russell A. Johnson (Business Administration), Virginia Commonwealth University, Richmond, Va.

C. Clyde Jones (Business Administration), Kansas State University, Manhattan, Kans.; Raphael G. Kazmann (Civil Engineering), Louisiana State Univ., Baton Rouge, La.; Daniel T. Kee, Northeast Louisiana State College, Monroe, La.; Donald L. Kemmerer (Economic History), Univ. of Illinois, Urbana, Ill.; William R. Kintner (International Relations), Univ. of Pennsylvania, Philadelphia, Pa.; W. C. Kitzerow (Philosophy), Morton College, Cicero, Ill.; Nikolaos G. Kondylis (Management Science), Boston University, Boston, Mass.; Richard D. Kreske (Geography), Univ. of Miami, Coral Gables, Fla.; W. S. Krogdahl (Astronomy), University of Kentucky, Lexington, Ky.; Magnus J. Krynski (Slavic), Duke University, Durham, N.C.; George Kulchysky (History), Youngstown University, Youngstown, Ohio; Terence N. LaManna (Sociology), St. Lawrence University, Canton, N.Y.; Carl H. Lande (Politics and Government), Univ. of Kansas, Lawrence, Kans.; Peter P. Lapiken (Slavic), University of Montana, Missoula, Mont.; Richard J. Lease (Police Science), New Mexico State Univ., Las Cruces, N.M.

Louis J. Lekai (History), University of Dallas, Irving, Texas; Edward F. Leonard (History), Iona College, New Rochelle, N.Y.; Z. John Levay (Psychiatry, Psychology), Catonsville Community College, Catonsville, Md.; R. S. Little (Geography), West Virginia University, Morgantown, W. Va.; George B. Livesay (Academic Dean), Southwestern College, Phoenix, Ariz.; Paul C. Llewellyn (Chemistry), College of Marin, Kentfield, Cal.; Kurt London (International Relations), The George Washington University, Washington, D.C.; R. M. Longyear (Music), University of Kentucky, Lexington, Ky.; Lawrence Looby, Youngstown University, Youngstown, Ohio; Robert E. Lutz (Chemistry), University of Virginia, Charlottesville, Va.; Norman Luxenburg (Russian Studies), Univ. of Iowa, Iowa City, Iowa; Warren J. Luzadder (Engineering Graphics), Purdue Univ., West Lafayette, Ind.; Russell Maatman (Chemistry), Dordt College, Sioux Center, Iowa; Lester J. McCann (Biology), College of St. Thomas, St. Paul, Minn.; James McClellan (Government), Hampden-Sydney College, Hampden-Sydney, Va.

Athel McCombs (Rhetoric), Olivet Nazarene College, Kankakee, Ill.; Stanley J. McCord (German), University of Alabama, Tuscaloosa, Ala.; Joseph C. McElhannon (History), Baylor University, Waco, Texas; Bob McHenry (Political Science), Montgomery College, Rockville, Md.; Keith McKean (Political Science), Youngstown University, Youngstown, Ohio; Stephen R. Maloney (English), College of William and Mary, Williamsburg, Va.; Harvey C. Mansfield Jr., (Political Science), Harvard University, Cambridge, Mass.; Carmen L. Marinella (Business Management), Los Angeles Harbor College, Wilmington, Cal.; William Oliver Martin (Philosophy), University of Rhode Island, Kingston, R.I.; Perry Mason (History—Political Science), Harding College, Searcy, Ark.; Franz Michael (History), The Geo. Washington University, Washington, D.C.; Walter Mierzejewski (Mathematics), Southeastern Massachusetts Univ., Dartmouth, Mass.

Mihailo Mihailovic (Slavic), Cornell College, Mt. Vernon, Iowa; Gustavus H. Miller (Romance Languages), Duke University, Durham, N.C.; Harold J. Miller (Industrial Education), University of California, Santa Barbara, Cal. (ret.); Howard H. Miller (Education), Youngstown University, Youngstown, Ohio; Jessie L. Miller (Political Science), Youngstown University, Youngstown, Ohio; Kenneth E. Miller (Political Science), Youngstown University, Youngstown Ohio; Murray L. Miller (Public Education), Illinois State Univ., Normal, Ill.; Veronica Miller (Philosophy), Belmont Abbey College, Belmont, N.C.; William W. Miller III, Northeast Louisiana State College, Monroe, La.; Julio A. Mira (Mathematics), Fort Lauderdale Univ., Fort Lauderdale, Fla.; Herman Moench (Electrical Engineering), Rose Polytechnic Institute, Terre Haute, Ind.; Robert O. Moninger (Music), Iowa City Comm. Schools, Iowa City, Iowa; Berry L. Moore Jr. (Medicine), University of Arkansas, El Dorado, Ark.

Casper J. Moore Jr. (Business Administration), youngstown Univ., Youngstown, Ohio; Maurice Moore (English), University of the South, Sewanee, Tenn.; Richard R. Moore (American Studies), Del Mar College, Corpus Christi, Texas; Arthur H. Moser (Classics), University of Tennessee, Knoxville, Tenn.; Charles A. Moser (Slavic), The Geo. Washington University, Washington, D.C.; Dwight D. Murphey (Business Law), Wichita State University, Wichita, Kans.; Thomas W. Murphy (Political Philosophy), Midwestern Univ., Wichita Falls, Texas; Mitko Nedeff (Foreign Languages), DLIWC, Presidio of Monterey, Cal.; David F. Neu (Mathematics), Seattle Pacific College, Seattle, Wash.; William W. Norris, Jr., Northeast Louisiana State College, Monroe, La.; Jim Northcutt (Agriculture), Texas Tech University, Lubbock, Texas; John R. Norton (History), St. John's University, New York, N.Y.; Nicholas Nyaradi (International Studies), Bradley University, Peoria, Ill.; William A. Nye (Finance), San Diego State College, San Diego, Cal.; Francis W. O'Brien (Government), Rockford College, Rockford, Ill.; Cyril J. O'Donnell (Business Policy), University of California, Los Angeles, Cal.; Richard O'Keeffe (Library), George Mason College, Fairfax, Va.; Kenneth V. Olson (Science Education), Univ. of Northern Colorado, Greeley, Colo.; Sean O'Reilly (Nuerology), Geo. Washington Univ. Medical School, Washington, D.C.; N. Oulianoff (Slavic), Yale University, New Haven, Conn.

George R. Overby (Education), Youngstown University, Youngstown, Ohio; Tate C. Page (Education), Western Kentucky Univ., Bowling Green, Ky.; Edith Painter (Psychology), Youngstown University, Youngstown, Ohio; Henry Paolucci (Political Science), St. John's University, Jamaica, N.Y.; Nicholas Paraska (Dean, Technical and Community College), Youngstown Univ., Youngstown, Ohio; John D. Pendleton (Agronomy), Virginia Polytechnic Institute, Blacksburg, Va.; Howard Penniman (Government), Georgetown University, Washington, D.C.; Theodore Perros (Chemistry), The Geo. Washington University, Washington, D.C.; Arthur W. Peterson (Agricultural Economics), Washington State Univ., Pullman, Wash.; Vladimir Petrov (International Relations), The G. Washington Univ., Washington, D.C.; William Petrych (Business Administration), Youngstown Univ., Youngstown, Ohio; Virginia Phillips (Business Education), Youngstown University, Youngstown, Ohio; Jaroslaw Piekalkiewicz (Political Science), Univ. of Kansas, Lawrence, Kans.; Dan. H. Pletta (Engineering Mechanics), Virginia Polytechnic Institute, Blacksburg, Va.

Andras H. Pogany (Library), Seton Hall University, South Orange, N.J.; H. C. Porter (Soils), Virginia Polytechnic Institute, Blacksburg, Va.; Victor J. Posphishil (Religious Studies), Manhattan College, Bronx, N.Y.; B. E. Prince, Northeast Louisiana State College, Monroe, La.; Wade A. Provo (Foreign Languages), Rockford College, Rockford, Ill.; Joseph M. Puggelli (Slavic), Pennsylvania State Univ., University Park, Pa.; Sergei G. Pushkarev (History), Yale University, New Haven, Conn.; L. D. Prewitt (Business Administration), Parsons College, Fairfield, Iowa; Grace Quinn (Mathematics), American University, Washington, D.C.; Hugh C. Rawls (Biology), Eastern Illinois Univ., Charleston, Ill.; John S. Reed (Sociology), University of North Carolina, Chapel Hill, N.C.; E. T. Reilly (Business Administration), Youngstown University, Youngstown, Ohio; Winn Richardson (Library Science), Univ. of Northern Colorado, Greeley, Colo.; B. L. Ricks, Northeast Louisiana State College, Monroe, La.; Dan S. Rinn (Near Eastern Studies), Univ. of Pennsylvania, Philadelphia, Pa.

David E. Robbins (History), Roberts Wesleyan College, North Chili, N.Y.; Kenneth H. Rogers (French), University of Rhode Island, Kingston, R.I.; Rosemary Rogers (Religion), Catholic University, Washington, D.C.; Momcilo Rosic (Modern Langs.), Knox College, Galesburg, Ill.; Donald J. Ross (Biology), Fairfield University, Fairfield, Conn.; David N. Rowe (Far Eastern Affairs), Yale University, New Haven, Conn.; Edward J. Rozek (Soviet Affairs), Univ. of Colorado, Boulder, Colo.; Grant Rush (Education), Madison College, Harrisonburg, Va.; Laurence W. Sain (Industrial Education), Northern Michigan Univ., Marquette, Mich.; Egon W. Samuels (Economics), University of Baltimore, Baltimore, Md.; Sylvia G. Sanders (Political Science), East Texas State University, Commerce, Texas; Ellis Sandoz (Political Science), East Texas State University, Commerce, Texas; Anatol K. Sapronow (Russian), Barnard College, New York, N.Y.; Barbara Sargent (French), University of Pittsburgh, Pittsburgh, Pa.; George Sargent (Musicology), University of Pittsburgh, Pittsburgh, Pa.

Leonard H. Scane (Real Estate), Roosevelt Univ., Chicago, Ill. (ret.); G. H. Scharnhard (Education), Youngstown University, Youngstown, Ohio; Joseph Schiebel (History), Georgetown University, Washington, D.C.; Theodore F. Schramm, Southwestern College, Phoenix, Ariz.; Paul Schumacher (Political Science), Youngstown University, Youngstown, Ohio; E. E. Schneider (Business Administration), Youngstown University, Youngstown, Ohio; Harold K. Schneider (Anthropology), Lawrence University, Appleton, Wis.; Donald E. Scott (Electrical Engineering), Univ. of Massachusetts, Amherst, Mass.; Walter M. Shackelford (Education), LaGrange College, LaGrange, Ga.; L. Shapovaloff (Russian), University of Montana, Missoula, Mont.; J. Frank Sharp (Operations Research), New York University, New York, N.Y.; Olga Shaskevich (Russian), New Mexico State University, Las Cruces, N.Mex.; Kenneth M. Shaver (Business Law), Florida State University, Tallahassee, Fla.; Bernard W. Sheehan (History), Indiana University, Bloomington, Ind.; Wayne L. Shick (Architecture), University of Illinois, Urbana, Ill.

William A. Shipman (Education), Youngstown University, Youngstown, Ohio; Robert W. Shoemaker (American Civilization), North Central College, Naperville, Ill.; Andrew L. Simon (Civil Engineering), University of Akron, Akron, Ohio; C. Gregg Singer (History), Catawba College, Salisbury, N.C.; Alevtina Sokolov (Slavic), Yale University, New Haven, Conn.; Vladimir Sokolov-Samarin (Slavic), Yale University, New Haven, Conn.; Allan Spitz (International Relations), Michigan State Univ., East Lansing, Mich.; James Steele (Education), Youngstown University, Youngstown, Ohio; Gail Stephenson (English), Lee College, Baytown, Texas; O. Carlos Stoetzer (History), Fordham University, Bronx, N.Y.; William J. Sullivan (Slavic Linguistics), Yale University, New Haven, Conn.; William Swan (Education), Youngstown University, Youngstown, Ohio; Patrick Tarrant (French), Illinois State University, Normal, Ill.; John A. A. ter Haar (German), Univ. of Iowa, Iowa City, Iowa; Armand J. Thieblot, University of Maryland, College Park, Md.

G. G. Thielman (Political Science), Georgia State University, Atlanta, Ga.; LeRoy D. Thomas (Bible Dept.), Southwestern College, Phoenix, Ariz.; R. Dale Thomas, Northeast Louisiana State College, Monroe, La.; Richard Thornton (History), The Geo. Washington University, Washington, D.C.; John Tierney (Political Science), Catholic University, Washington, D.C.; T. H. Tsuan (Asian Studies), Seton Hall University, South Orange, N.J.; Janice B. Turner (Molecular Spectroscopy), Augusta College, Augusta, Ga.; Mae Turner (Business Education), Youngstown University, Youngstown, Ohio; Emmett Tyrrell Jr. (History), Indiana University, Bloomington, Ind.; Howard E. Updyke (English), Roberts Wesleyan College, Rochester, N.Y.; Justus M. van der Kroef (Asian Studies), Univ. of Bridgeport, Bridgeport, Conn.; John van Laer (Psychology), Hunter College, New York, N.Y.; Mario A. Veccio (Foreign Languages), Youngstown University, Youngstown, Ohio; Eliseo Vivas (Philosophy), Rockford College, Rockford, Ill.; Laszlo von Gorgey (International Relations), Univ. of South Carolina, Columbia, S.C.

Vukan Vuchic (Engineering), University of Pennsylvania, Philadelphia, Pa.; Peter Vujacic (Physics), La Salle College, Philadelphia, Pa.; Dwight Walkins (Education), Youngstown University, Youngstown, Ohio; Daniel A. Walsh Jr. (Business Law), St. Francis College, Brooklyn, N.Y.; Robert E. Ward (Foreign Languages), Youngstown University, Youngstown, Ohio; Dale E. Warner (Chemistry), University of Northern Colorado, Greeley, Colo.; William E. Warner (Industrial Arts Education), Ohio State Univ., Columbus, O. (ret.); Arthur A. Weeks (Dean, School of Law), Samford Univ., Birmingham, Ala; Edward C. Whatley Sr., Northeast Louisiana State College, Monroe, La.; James B. Whisker (Political Science), West Virginia University, Morgantown, W. Va.

John P. White (Political Science), Arizona State University, Tempe, Ariz.; E. P. Wigner (Physics), Princeton University, Princeton, N.J.; Oliver B. Wilber (History), Southwestern College, Phoenix, Ariz.; Ross Wilhelm (Business Economics), University of Michigan, Ann Arbor, Mich.; William H. Wilkening (German), University of Iowa, Iowa City, Iowa; John R. Williams (Political Science), West Virginia Univ., Morgantown, W. Va.; Joseph E. Wisan (History), City College of New York, New York, N.Y. (ret.); Herbert A. Woodbury (Language and Literature), Monticello College, Godfrey, Ill.; Wallace E. Woods (President), Southwestern College, Phoenix, Ariz.; Ilija M. Yoksimovich (Political Science), Shaw University, Raleigh, N.C.; Iraj Zandi (Engineering), University of Pennsylvania, Philadelphia, Pa.; Jerome E. Zetts (Business Administration), Youngstown Univ., Youngstown, Ohio; Joseph M. Calderon (History), Anne Arundel Community College, Arnold, Md.; Z. Michael Szaz, American Institute on Problems of European Unity, Inc., Washington, D.C.

CRACKS IN THE F–14 PROGRAM

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 30, 1970

Mr. HARTKE. Mr. President, I was disturbed but not surprised by the June 29, 1970, report in the Wall Street Journal that cracks have been discovered in the F–14A wing-box lugs. While these cracks do not seem to be, at this time, major technological problems, they are indications of future troubles for the F–14. I therefore would like to mention two points that I made last year.

First, I still seriously question the wisdom of developing the "A" model of the F–14. My information indicates that the 14–A will not be equal to the Soviet aircraft which we can expect to face in the mid- and late-1970's. Nevertheless, the Navy is still planning to buy 67 of these inferior F–14A's at a total cost of at least $1.4 billion.

Second, once again we are undertaking a very complex technical production program without adequate testing and evaluation. This is the same approach that brought us such technical fiascoes as the Cheyenne helicopter and the F-111's. Navy Secretary Chafee claims that the amount of simultaneous development and production work for the F–14 program "has been reduced to a minimum." This is not true.

First, the Air Force has less simultaneous development for the F–15 than the Navy has for the F–14. Second, the Navy, to achieve the appearance of less simultaneous development, has greatly compressed the time scheduled for flight-testing. The flight-test schedule is much less than for previous planes. The Navy in its short testing schedule is trying to do a great many things in a very short time. The compressed test schedule and the location of these tests suggest, that when problems develop—and they will—the Navy will not have time to adjust to them and we will be in very extensive simultaneous development and production. There does not seem to be any test to determine if this plane is in fact the air-superiority fighter this country needs.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Navy F–14A Wing-Box Lugs Crack, Raising Fears of Congressional Attack on New Jet

(By Richard J. Levine)

Washington.—The Navy's F–14A jet fighter, still in development, has encountered an apparently simple-to-solve technical problem that military men worry could still give the program an unfair black eye.

The reason for their concern is that the problem, detected early this month but never made public, involves the plane's movable or swing wing. This is the same design feature that has plagued the Air Force's ill-fated F–111 fighter bomber—though Navy men are quick to say the F–14's problem isn't related to those of the F–111.

Built by Grumman Corp., the F–14 would be the first new carrier-based fighter in a decade and would substitute for the Navy's canceled version of the F–111. The F–14 is designed primarily as an air-superiority fighter that could provide air defense of the Navy's fleet and also hit ground targets.

The problem detected during fatigue test on June 2 was cracks in two of four appendages, or "lugs," welded to the wing box—the device that supports the F–14's wings and permits them to pivot in flight. The crack in the first lugs, Navy officials say, was responsible for the second crack.

GOAL WAS 12,000 HOURS

The cracks occurred at the equivalent of 9,000 hours of flight time, or 1½ times the anticipated operational life of the aircraft. Thus, says Navy Capt. L. E. Ames, the F–14 project manager, the lugs "probably never would have broken in flight." However, the Navy's goal during the test of the wingback "pivot area" was 12,000 hours.

The Navy said the cracks occurred because the lugs were too thin. The decision was made to increase the thickness of the first lugs by a quarter-inch and the other by an eighth-inch to give them added strength. It "certainly wasn't a tough engineering problem" to solve, Capt. Ames says.

The thicker lugs will add only three to four pounds to the F–14's weight, which the Navy happily observed is within 1% of specifications. One major reason for abandoning the F–111 Navy program was that the plane proved too heavy for shipboard use.

A Grumman official describes the cracks as a "disappointing thing" but "not any catastrophe." And Navy officials estimate the only delay will be a setback of about two weeks in the test schedule for the wingback. The first F–14 is due to fly next January, with some Navy men hopeful that flight can be pushed up a month.

ADDED COST UNDER $500,000

The added cost to the Government of inserting and testing the new lugs, which are already on hand, will be "less than $500,000," a Navy official asserts, well "within the current estimated cost of the plane."

Through the current fiscal year, which ends tomorrow, Congress has approved $666 million for F–14 research and development. The Navy currently estimates that production of 722 planes, including the 12 test models already funded, will cost over $7 billion.

However, despite the discovery of the cracks in early testing before a complete plane was built and the apparent ease with which the Navy and the contractor hope to make corrections, military men seem a bit uneasy that the problem could create trouble on Capitol Hill.

The Navy could quickly report it to the Appropriations and Armed Services Committees in both the Senate and the House apparently without arousing any alarm. But in the current hostile atmosphere for the military, some Pentagon critics in Congress might seize upon the public disclosure of the cracks to attack and perhaps attempt to slow the F–14 program.

Lawmakers are anxious to avoid repeating mistakes made in the F–111 program, and some have felt the Navy has been inclined to move too quickly into production with the F–14. The Defense Department requested $517 million in fiscal 1971 to produce 26 planes.

SLOW START ON OUTPUT

For its part, the Navy believes the extensive and early testing of the F–14 and the relatively slow start on production (in calendar 1971, it plans to take delivery of only one F–14 a month) are ample protection against serious and costly problems after production has begun.

Earlier this year, Navy Secretary Chafee told Congress that "one can never be certain that some unforeseen event will not occur in development." However, he stressed, the amount of simultaneous development and production work in the F–14 program "has been reduced to a minimum."

"A vigorous test program to assure that critical components are tested prior to flight has been instigated," he assured legislators. "For example, the F–14 wing box and pivot fitting will complete static and fatigue tests prior to the first flight, whereas the F–111 pivot fatigue tests were not completed until more than two years after first flight."

General Dynamics Corp.'s F–111, grounded last December after a wing collapsed in flight, has had extensive wing problems. Cracks were discovered in the wing box itself and then cracks showed up in the pivot area of the wing. The extensive testing and refitting required will run into millions of dollars, the Air Force has said.

The F–14 uses many of the same weapons and electronics, plus the engine scheduled for the canceled Navy F–111. The F–111 was built by Grumman as a subcontractor for General Dynamics.

But before the current problem was discovered, Capt. Ames said the F–14's wing box was "made of a different material (light, costly titanium) using different processes and it's of a different design." He added in Congressional testimony: "We have no reason to think that there is any similarity between the F–111 wing box problem and F–14 at all."

BROTHERS FOREVER

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. DIGGS. Mr. Speaker, on June 1, 1970, His Excellency, Mr. E. M. Debrah, the Ambassador of Ghana to the United States, delivered the commencement address entitled "Brothers Forever" at Clark College, in Atlanta, Ga., Mr. Debrah declared that African brothers and sisters throughout the world must join together to construct and not to destroy. The 1970's must be the decade where blacks "get to know each other thoroughly, understand our limitations and appreciate our strength; and avoid learning of each other through the medium of third parties."

I commend Ambassador Debrah on his most stimulating address and am happy to include it in the RECORD at this point:

BROTHERS FOREVER

Mr. President, Distinguished Ladies and Gentlemen, Brothers and Sisters, to come to Atlanta is a cherished pilgrimage! For the very first time I visited Atlanta was to join millions of Black people all over the world in mourning and laying to rest our dear and revered hero, Dr. Martin Luther King, Jr. Physically King is no more; but he lives in the hearts of all Black people, and his example and inspiration continue to guide them to the mountain top. The Prime Minister of Ghana, Dr. K. A. Busia recently had occasion to reflect on the significance and relevance of Dr. Martin Luther King's struggle and death. "To some", he said, "who pride themselves on their realism, it seemed naive and futile that he should have placed his faith in love, on non-violence and to have carried out his campaign in the conviction that it is possible through dialogue and intercourse to change people's minds and hearts, to arouse their consciences to correct injustice, inequity and inhumanity, and to seek concord in place of discord.

Yet the lesson of his life is clear. It is this: that in all that we seek or do, we must not set the lower thing in its narrow accomplishment above the higher thing in its shattered majesty; we must not lower our aim so that we may enjoy the complacency of popular but transient acclaim. To be inspired by the faith and vision that human relations can be improved through intercourse and dialogue and love, and to give one's life in that cause is to display the kind of heroism in which life's supreme mystery is hidden."

And as I look at the faces of the men and women, students of Atlanta's Universities, I recall Du Bois who once taught in Atlanta: "Teach thinkers to think—a needed knowledge in a day of loose and careless logic, and they whose lot is gravest must have the most careful training to think alright. If these things are so, how foolish to ask what is the best education for one, or seven or sixty million souls? Shall we teach them trades, or train them in the liberal arts? Neither and both. We are training not isolated men but a living group of men, nay a group within a group. And the final product of our training must be neither a psychologist nor a brickmason—but a man." Today we pay tribute to the hundreds of black men living and dead, famous and unknown, who have helped in training black sons and daughters to be true men and women.

Four weeks ago, I wrote a letter to Dr. Brantley informing him of my visit to Ghana to attend a Seminar of Ghanaian Heads of Diplomatic Missions. I promised to be back in time for this Commencement Exercise. When the Seminar began, it became obvious that it would not end before the 4th of June. The Government of Ghana, however, considered my participation in this Commencement Exercise of such importance that it readily permitted me to interrupt my attendance at the Seminar in order to be with you.

It took this step because it is of the view that no stone should be left unturned to foster and deepen meaningful relations between brothers on the two continents though divided, by time, by space and by environment. For it is becoming fashionable in certain quarters to believe that "Since Africans and Black Americans have been separated for nearly four hundred years, they do not have much in common". People refer to the different nationalities of Black peoples—Ghanians, Nigerians, Congolese, Americans, Haitians, Jamaicans etc: the colours of their passports—green, black, red; their various delegations at the United Nations and other international bodies; their now established cultural and social orientations, and conclude that surely the claim to one people in this day and age must be a myth. Each group within its national boundaries has its own immediate and set problems to which it is seeking immediate and compelling solutions not necessarily in harmony with those of other black people elsewhere. Each nationality would not hesitate to stress its immediate and selfish interest to the exclusion of all others, if it considers this relevant. Once again it is concluded: brotherhood is as real as ice cream lasts in a hot oven.

I recall that when the African countries assembled in Ethiopia in 1963 to form the Organisation of African Unity, the same discouraging voices were heard. What has the Congo in common with Sierra Leone; what bonds of brotherhood unites Zambia and Mauritania or Ghana with Gabon? Haven't they all been ruled by different colonial masters who had taught them to think of England, France, Belgium rather than of each other? And haven't they been quarrelling recently among themselves? An Organisation stressing brotherhood among Africans—impossible.

And yet it took only three days of deliberations for the 32 African countries represented to emphasize their one-ness, their aspirations, and objectives, and their one determination to create better lives for the African people. In the preamble to the Charter of the O.A.U., they declared that they were "inspired by a common determination to promote understanding among our peoples and co-operation among our States, in response to the aspirations of our peoples for brotherhood and solidarity, in a larger unity transcending ethnic and national difference; they were desirous that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured. They resolved to reinforce the links between our States by strengthening common institutions." Where brothers are determined to emphasize their common oneness, they are always able to do so. The detractors were proved wrong.

We may refer also to the example of the Commonwealth, formerly known as the British Commonwealth, which comprises more than twenty-four nations who were at one time or the other colonies of Britain. The Commonwealth institution grew up because these colonies, made up originally of people who all imigrated from Great Britain desired to maintain their common allegiance and emphasise their common origins. Independence did not weaken their resolve to maintain their common links. They found a formula to enable them to do so. This formula, expressed in the Statute of Westminster in 1931 laid down that "Dominions are autonomous communities within the British Empire, equal in status, and in no way subordinate to one another in their domestic affairs though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations". The Statute enabled them, while maintaining their sovereignty and while in no way subordinate to one another, to emphasise their oneness of origin and hence their desire to be linked to one another.

Today one hears of efforts to create a union of French speaking peoples, because its advocates say that the French language is more than a language; it is a culture, it is a life by itself, and therefore those who speak it must identify themselves as a group. And do not forget that different people of different nationalities, of creeds, of colours and of different environments speak French. It is not the differences which matter to them; it is that which unites them—the language—which must be emphasized.

If a language which is not indigenous but borrowed can be the source from which derives the unity of diverse groups, what greater claim do we, Blacks in America and Africa, not have in emphasising our oneness because of our common and unique African ancestry and heritage? We do not have to be of one nationality to do this; we do not all have to live in one particular spot of the world to do this; we do not have to speak one language in order to do this; we do not above all have to reject our present-day cultures to do this. The idea of our blackness, the idea of our common ancestry, the idea of our Africanness, the history of our sorrows and our sufferings—these are valid reasons for our claim to be brothers and to seek to live as such. It is superior to that bond of brotherhood which makes the Jew wherever he may be, whatever his present day nationality, American, British or French, whatever colour he may be, whatever language he may speak to feel a commitment to Israel and to exert an influence on behalf of that State. We have, we believe, a superior claim to forge a unity of our peoples because of our African-ness and our blackness.

Our common ancestry is no theorem to prove. When Columbus discovered the Americas in 1492, there were no blacks on the continent. All the blackmen were living at home in Africa. The story of the parting of the ways began with the infamous slave trade when blackmen were forcibly removed from Africa, and sold to work on the plantations of North America like beasts of burden. Dunbar estimates that by the 19th Century around fifteen million blacks were imported into the Americas. When one considers the great numbers that must have been killed while resisting capture, the additional numbers that died during the middle passage and the millions that were successfully brought over, the aggregate approaches staggering proportions. John Hope Franklin notes, "Africa which culturally was within some measurable distance of Europe at the beginning of the 15th Century received the worst possible influence from her Christian neighbors to the north, and under these adverse circumstances, she began a recession that in time was to be accelerated by the imperialistic enslavement that was to be thrust on her in the 19th Century".

Emancipation brought the brother who was carried into America legal freedom; but did not release him from the disabilities which he suffered as a slave. It was only through a relentless fight, through overcoming beastly humiliations and indignities, even in fact, through paying with his very life that he has been able to achieve the measure of progress that is his today. He never had it handed over to him on a silver platter. He had to fight all the way. I sat motionless through the film: "King, from Montgomery to Memphis". In the brief period of about two hours it summed up the privations which the Blackman has gone through in America and the majesty of his achievement. He needs support to break down the barriers completely. And brothers in Africa are ready to help.

At the meeting of the Organization of African Unity in Addis Ababa, Ethiopia in May 1963 all the African peoples expressed their concern at the present race relations all over the world in a special resolution on Apartheid and Racial Discrimination:

"The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia from 22 May to 25 May 1963 expresses the deep concern aroused in all African peoples and governments by the measures of racial discrimination taken against communities of African origin living outside the continent and particularly in the United States of America: Expresses appreciation for the efforts of the Federal Government of the United States of America to put an end to these intolerable malpractices which are likely seriously to deteriorate relations between the African peoples and governments on the one hand and the people and government of the U.S.A. on the other."

Note that the Resolution was dealing with Apartheid and Racial Discrimination in South Africa. The meeting was expressing its "conviction of the imperious and urgent necessity of co-ordinating and intensifying their efforts to put an end to the South African Government's criminal policy of Apartheid and wipe out racial discrimination in all its form. You might describe this as reacting to an African problem. But the Africans did not consider their duty done if they did not identify themselves with their brothers in America who in many cases were undergoing the same type of humiliating conditions as in the repugnant Republic of South Africa. They expressed their deep concern; they gave a warning that unless conditions change this might affect gravely relations between the African Governments on one hand and the U.S. Government on the other. No one can say that the Africans do not care about what happens to all Blacks in the U.S. They do care and they have said so. They believe, in the words of Ed Smith, that "for the blackman to be really free, he must have the world's respect for his identity as a blackman—an identity that can be forcefully stated only when blackmen everywhere take on each other's struggle for their own. There is only one fight to be fought and it can't be won if Troop A doesn't know what the hell Troop B is doing, or doesn't care".

The brother who remained in Africa suffered that imperialistic slavery called colonialism. The national resources of his land were all exploited to enrich the colonial masters. He was kept from the decision making in his country; he was educated only as part of the colonial basic infrastructure to produce cheap clerical labour, to be tally clerk, helplessly recording the wealth which was being moved out of his country.

Of course he had no meaningful political rights, and was often drafted to fight wars whose origins he was not made aware of and whose spoils of victory he was not made to share. But above all he was indoctrinated to believe that whatever was indigenous was inferior, and the only path to progress and self-fulfillment was through that of the colonial master. He thus came to believe that the essentials of life consisted in adopting the trappings of the colonial masters' external civilization. He is today paying the price by operating economies heavily based on imports from abroad, and thus finding himself beholden to an outsider. He carried out a stormy, often bloody struggle in order to obtain political independence from the colonial master and to rid himself of his two-ness. Nor he is trying to achieve economic sufficiency at great cost because of the strong pull of the colonial influence, and because of early misapplication of energy and resources. But he is determined to succeed. He needs support to succeed.

It is in an effort to relieve each other's burden that Blackmen over the centuries have been trying to reach out to one another. John A. Davis, the historian, notes that shortly before the Civil War, American Black leaders began to seek the joint regeneration of the blacks in Africa and in America through an identification with Africa and through educational, religious, and even business ventures in Africa.

In recent days, we remember the first World Congress of Negro writers in 1956 organised by French speaking West Africans and sponsored by Presence Africaine in which blacks of this country and Africa participated. We recall with pride the First World Festival of Negro Arts in Dakar in 1966 which demonstrated to the World the Negro Contribution to culture not only in Africa but also on other continents where his presence has effected what is described as a "sea change". Not surprisingly men and women from the United States, Haiti, Brazil and Trinidad and Tobago joined with 22 African nations in sending musicians, dancers, writers, artists, art exhibitions, and plays to emphasise one thing: our Africanness and our blackness.

It is gratifying to note that today every effort is being made by all black Americans to reach out and identify themselves with their African origins. Gone are the days when American blacks as a group were not enthusiastic in their desire for knowledge about Africa and things African. Africa no longer seems to relate to a position of inferiority in American life.

This identification has taken several forms. To some it has taken the form of wearing African costumes, for example, the dashiki; and sporting the Afro hair-cut. The importance of these aspects of the identification process should never be minimised. They have a very important message for us.

There was a time when the black girl tried to press her hair to look like that of the caucasian. Painful hours were endured beneath the hot comb in order to appear "to belong". Everything was done to conceal or change the kinky woolly hair. The Afro haircut not only called a halt to this unnecessary agony but more important gave notice that the era of the meaningless imitation was over, and that has dawned a new era of the recognition of the black man of his God-given graces. It was the most outstanding break with the helplessness of the past; rejecting that Southern thinking that God created men unequal: with whites intelligent and destined to lead; while the others were given strong backs and a meek disposition so that they could labour more effectively. The Afro hair-cut is the victory sign of the rebirth of Black confidence, a confidence not confined as in previous days to a few intellectuals, but this time spreading out to all the peoples, however humble. But it is only a first step in the right direction.

I was happy to see that the Afro wig has caught on in Africa and these women who must resort to wearing wigs as a matter of convenience are now happy to wear a wig and at the same time look African.

For others the process takes the form of working closely and on a personal basis with some African leaders to promote a particular brand of political philosophy. Naturally it does not make for friendly relations when some brothers in the United States refer to Black African leaders who are not their friends as a bunch of clowns, or threaten to go to their black countries "to straighten things out". Some of the extreme and wild statements emanating from certain unfortunate quarters to the effect that Black America must help to restore certain individual leaders who have been deposed or rejected by their own peoples not only distress brother Africans, but gives them the impression that this segment is more interested in promoting the ambitions of individual for selfish reasons rather than working for cooperation among brothers, or helping to promote sound economic, political and social progress in Africa.

The advocates of such philosophies must be rejected because they play into the hands of the enemies of the Blackmen, and cause divisions among brothers where there should be co-operation, harmony and a mutual striving for a common good. Don't let us be taken in by cheap, shallow, meaningless and empty sloganeering. Let us join to construct, not to destroy.

Still for others the process takes the form of a romantic and missionary journey to Africa, to an El Dorado—the dream city of delight, which at times ends in disappointment owing to lack of information and knowledge about the difficulties which today beset the continent.

As we begin the decade of the 70s it behooves us to give a proper sense of direction to our African-ness to build on the successes of the past and avoid its disappointing failures. To be able to do so it is imperative that we get to know each other thoroughly, understand our limitations and appreciate our strength; and avoid learning of each other through the medium of third parties. This is where institutions such as Clark have a great part to play. It is a sad fact that the youths of Africa and Black America know very little of each other. Our Universities have very little contact; our faculties are only partially aware of each others progress and achievements. Africa knows about the big white Universities and little of the black Universities. The black Universities in America have no meaningful relations with the black Colleges in Africa.

So this is the starting point of our continued modern involvement; let us call for a mutual involvement of our Institutions of higher learning. Let us institute programme of exchanging students and faculty. Let us organise every four or five years a Conference of all Black Universities all over the world to study areas of co-operation and promote joint-research. This is not advocating an isolation of black Universities. It is merely calling attention to the need for repairing certain past deficiencies which have been to the detriment of the Black people. I hear that there are large numbers of black millionaires in Atlanta: I trust some of them will get together to endow a fund to make the coming-together of our Universities, hence of our youth, possible.

It is fortunate for Africa that twenty million of the population of America hails from Africa. For Africa needs the support of America in solving certain problems particularly in the fields of decolonisation in Southern Africa and bringing an end to the abominable practice of apartheid in South Africa.

For those who have no idea of how apartheid operates just listen to this:

"In the fifty-three years that have passed since Union, the South African Parliament has produced the most appalling collection of racist laws to be found in any single country anywhere in the world. The cumulative effect and the increasing ferocity with which they have been enforced during the past sixteen years have given to apartheid the basic characteristics, if not the exact dimensions, of slavery. But to the African, for whom the policy has meant humiliation and degradation, starvation, disease and death, jail, beatings, torture and hangings, the difference is academic".

For years the African countries have been calling for positive action against apartheid. They have appealed to the conscience of the world through the United Nations; they have cut their trading, social and political relations with South Africa because they cannot co-exist with a country which believes that black is inferior. But they have not succeeded in getting the great powers to join in the boycott of South Africa because they place their own material prosperity before attainment of equality and dignity for the Blackman in South Africa. Your help is needed to convince your Government about the criminality of apartheid and the need to join in the boycott of that Republic. Last week, the British Government urged the British Sports Council to cancel a tour of the South African Cricket Team in England because the public conscience was aroused against apartheid in sports. I trust no South African will have the audacity to take part in any sports in the U.S. as long as our ace tennis player Arthur Ashe is unable to play there. The U.S. Declaration of Independence, in the second paragraph begins, "We hold these truths to be self-evident that all men are created equal; that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness." We take our stand against Apartheid and racial discrimination on the Declaration of Independence, a corner stone document of this Republic.

At the beginning of the decade of the Seventies the following picture of Africa seen by the Economic Commission for Africa, in spite of the phenomenal progress made in the 60s on the continent still has considerable relevance.

"In terms of income per head, Africa has some of the very poorest countries in the world. It has a population of over 300 million which will more than double in the next few decades. Yet in the last few years an increasing proportion of its basic food supplies has come from the outside world. Forty-three per cent of the population is under 15 and needs an education in keeping with the development requirements of the continent. Africa is the least industrialized of the world's regions; and the necessary expansion of African markets implies a great improvement in transport and communications to avoid, for example, the present need for a cable from Monrovia to Freetown to go through London and New York. Efficient industrialization also requires co-operation among small and hitherto isolated countries. Moreover, given the structure of African economies, industrialization dictates an increase in imports in a situation in which world market conditions for many of Africa's primary exports are not good. In Africa as elsewhere, economic advance depends critically upon the mobilization of science and technology; which is still in its infancy on the continent".

We have been carrying the full burden of our economic development and we have no intentions of unloading this burden on anyone. But as a result of the neglect of centuries, the problems we face are immense and we have in no way seen the end of the long tunnel. In a detailed blue print presented to the Dag Hammerskjold Seminar in 1964 the target of African economic development was set as follows:

"An annual growth rate of 7 per cent of total output. From 1964 to 2000 a seven-fold increase in the output of agriculture; forty-fold of industry; sixteen-fold in the total of goods and services, and about twenty-fold in University enrollment. A rise in real income per head from $100 in 1960 to $260 in 1980, and $700 by 2000. Capital formation of some $215 billion between 1960 and 1980 and $900 billion between 1980 and 2000. External aid of $40–$50 billion between 1960 and 1980."

We expect the U.S. and the developing world to co-operate with us to achieve this target.

I would wish you to reflect that at the end of the War the U.S. gave as much as $14 billion much of it in outward grants as Marshall aid fund to help to rebuild Europe. Today the funds are said to be drying up when the assistance is to go to your brothers in Africa, and this is where I believe that you have a duty to see that the Foreign Aid Programme which is after all a small part of the U.S. budget is maintained.

What part do you want to play in African development, my brother, my sister. Shall we look only to other people for our help while our rich brothers and sister turn away? Do you want to share in the process of nation building, sharing our sorrows and enjoying our successes? Then tell your Government, your Congressmen, your Senators about your brothers' needs. But it is not on the Government alone we must rely. We must rely on ourselves. The great Dr. Robinson organised Operation Crossroads to Africa in an effort to get American youth involved in the progress and development of Africa at the grass roots level. Isn't time to expand Operation Crossroads to enable the vacationing doctor, the scientist, the mathematician, the investment counsellor instead of spending idle moments on the beach, to spend their vacation in Africa helping to run a small hospital, advising local businessmen about their investments, teaching physics and chemistry in a far-off-school taking part in research into local health problems. Let us today institute a Second Programme "Operation Brothers Forever" to help recruit skilled volunteers to go to Africa for short periods to give freely of their services to where it is needed most. Let the rich businessmen and industrialists whose money sits in a Bank consider investing this in Africa as their contribution to the fatherland's development. Their investments will be protected and their profits can be repatriated. But above all they will have the satisfaction of having joined in building something new.

A final exhortation to our Graduating Class.

I began by referring to the fact that I returned from Ghana a few days ago. It took Christopher Columbus who discovered America seven weeks to cross the Atlantic from August 3 to October 12, 1492, from Palos in Spain to San Salvador in the Bahamas. It however took me seven hours to cross the same Atlantic from Dakar, Senegal to New York in America—Seven hours instead of seven weeks! Thanks to technology and science, the Atlantic which once divided the peoples of the old World from the new today unites them, and our planet which consisted of different worlds because of our lack of communication has today become one world. It is illustrative of this fact that in many American Schools today, there are enrolled not only students from the U.S. but from other lands. They have joined together not only to learn the arts and the sciences but also the art of living together as one people in one world. But our world is not only one world because technology and circumstances have made it possible for different peoples to communicate with one another, but it has become one world because of society's concern for the welfare of all its members. We are all trying to break down the barriers between the rich and the poor, between the haves and the have nots; and between the sick and the healthy. Our world consists primarily in seeking the welfare of the individual wherever he may be. Your charge as you leave school today is to seek out the poor and assist him.

In your tasks through life, you will often come across the rich, who though demanding, occasionally return to shower worldly gifts for your attention and your devotion. But more often than not your services will be rendered to a poor destitute person, who has nothing to give you but thanks from a grateful heart. Today the poor continue to complain because we are too fast moving to a world where unless you know somebody you remain expendable. The queues are long and the demands heavy. Therefore there is the tendency for us all to listen and help those who are in a position to pay us back directly or through their associates.

Christ found a similar situation in the course of his Ministry on earth. He visited the pool of Bethesda and there he found a man who had been lying by the pool for thirty-eight years, longer than most of the students here have lived on earth; and yet when the angel of the Lord stirred the waters, when the waters were charged with healing powers, there was no one to throw him into it because he had no relatives. Christ cared for this man. He healed him. The community from which you come is among the poorest in the United States. Your clients will be among the most deprived and the most neglected. They will be helpless, often they will not even know the courtesy of saying thank you, because all their lives they have had little to be thankful for. This will be your constituency: those who have thrown up their hands in despair because the world has come to consider them of little account and of little consequence. Can you hear him? Please listen to his prayer in his own grammar and in his own idiom:

"God, if you is a father
We sure need you
'Cause we is down
And need to get up.

And they is lots of sick people
Who needs you, too!

And why does they have to be sick
And have no job
And have a worker
To check them?

And why don't you
Do something about it?

We don't say that to be smart, God
Only 'cause we want
To get things fixed up
If we can."

And you are God's instruments to get them fixed up.

Another poor man recalls that

"Things don't go so well for us, God,
Too much meanness around
And too many people sick
Maybe from pot
Or booze
Or just don't caring
Hope you do."

You are God's instruments to the caring. We blacks all over the world are complaining and with considerable justification of the neglect we have suffered for years. Someone had always had to make the decisions for us. Decisions often of life and death. Today we are confident that we can make the decisions. The first challenge is for us to demonstrate beyond all doubts that we care for the underprivileged in our society, that we are concerned for these without influence and without a voice, that we are the hands of the lame and the cripple, the voice of the dumb. Then can we say that we should be entrusted with the destiny of our peoples because we have shown that we care indeed.

FREEDOM'S CHALLENGE

HON. ALBERT GORE

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, June 30, 1970

Mr. GORE. Mr. President, I ask unanimous consent that an eloquent address entitled "Freedom's Challenge," delivered by young Mr. Luther F. Cobb, of Nashville, Tenn., be printed in the Extensions of Remarks.

I heard this exemplary young man deliver the address in Memphis last week before a State convention of the Veterans of Foreign Wars. It seemed to me to be worthy of prominent attention.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FREEDOM'S CHALLENGE

The freedom of every citizen of the United States hinges upon the conduct of the United States in the next few years in world and domestic affairs—and this conduct depends directly upon the attitudes and actions of the American people. We, as concerned young people, should examine the challenges presented to us by our heritage and our present world, and act responsibly to meet these challenges.

The United States faces crises both at home and abroad. In Southeast Asia we fight against the encroachment of the Communist menace as it attempts to close in upon millions of helpless people. The challenge which faces Americans is not to shirk the responsibility forced upon us by our role as world leader, nor to let a vocal few dissuade us of the rightness of the cause to defend freedom, militarily if necessary, against aggression by outside powers.

At home, disagreement, often violent, grows in frequency and scope. Many Americans, fulfilling the basic right of freedom to express their opinions, protest against domestic conditions of poverty, hunger, and discrimination; as well as conditions abroad. The challenge which exists here is not to allow a reaction against vocalism to result in the abolition of our time-honored freedom, but to combat a false opinion with the truth, knowing that the minds of rational men will make the final choice for the right. We must not allow ourselves to be drawn to the militant radicalism of either the right or the left, but to chart the rational course between, insuring the continuation of the right to settle public issues by open public discussion.

We as concerned citizens and future leaders of America, must, however, avoid the pitfalls that lie in wait for the unwary. Rather than being emotionally drawn to one side or the other of an issue, we should weigh carefully all the arguments, both pro and con, before reaching a conclusion. We should always be willing to discuss and reason, keeping an ever-open mind to the opinions of others.

We must also realize that inevitably with freedom come grave responsibilities—both for the preservation and reasonable use of our liberties. We should realize that freedom does not imply a license to hurt or take advantage of others, but a mandate to help them. Also imperative is the realization that we must always bear the consequences of our own actions; accordingly we should never in the heat of emotion abolish an institution without providing for a replacement which will insure a more effective system. Our democratic government is the end product of thousands of years of human experience, and is undoubtedly the best form of government on earth today—allowing for individual freedom to guide one's own destiny. Naturally, democracy, like any institution, has defects—there was never a human creation which did not. However, as Alfred E. Smith said, "All the ills of democracy can be cured by more democracy." In addition, it is important to remember in the midst of attacks upon our government that, for any improvement to be made, a more effective system must be devised. So far, none has.

As citizens, then, of a free country, we must shoulder the responsibility to keep it free. Perhaps the greatest challenge of democracy is that it cannot remain as a viable institution unless its citizens are willing to keep it so. The sacrifices in war and peace of years ago cannot stand by us today—democracy requires a constant sacrifice for the perpetuation of its immeasurable benefits. If we become indolent and apathetic, our country, the paragon of freedom, will slide backwards into decay and absolutism as did ancient Rome in a similar situation. Thus, as citizens, we must be impelled to become involved in our future; to take a voice in our government and a part in its maintenance; to stand firmly for what is right and to work to promote that which is right; and to proudly accept the challenge of freedom in our world.

DANGER TO UNIVERSITIES

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. COHELAN. Mr. Speaker, last week I noted with alarm the increasing demoralization of the university. The symbiotic relationship of extremists on the right and left is threatening to end higher education in this country by destroying the concept of free inquiry in the university. The progress of this destruction is apparent—anti-intellectual polemics on one side bringing on repression from the opposite extreme.

One of our leading university administrators, Dr. Kenneth Pitzer, president of Stanford University, resigned last week. Dr. Pitzer is but one more casualty in this "war" which is polarizing our population and threatening to end free intellectual inquiry.

I enclose the Associated Press bulletin on Dr. Pitzer's resignation and an excellent editorial from the June 28 edition of the New York Times interpreting the dire consequences of the campus crisis.

SCHOOL CHIEF QUITS OVER WAR, TURMOIL

STANFORD, CALIF.—Kenneth S. Pitzer has resigned as president of Stanford University, blaming campus turmoil centering on the war in Southeast Asia.

Pitzer said that when he took over a year and a half ago "I did so with the expectation that significant progress could be made in healing some of the deep divisions which beset our country, especially over Vietnam. Instead, these divisions have deepened."

Pitzer, 56, said he was stepping down because campus turbulence, including 13 spring semester outbreaks in which police were called, had "made it increasingly difficult to obtain the very broad and active support from all those groups who together are responsible for the well-being of the university."

His resignation is effective Aug. 31.

Accepting the resignation, W. Parmer Fuller III, president of the Stanford Board of Trustees, said:

"His feelings that the heavy burdens of administration in these days of crisis are incompatible with the basic interests of the scholar and educator is indeed understandable."

Three members of the four-man Stanford Council of Student Body Presidents, Patrick C. Shea, Robert Grant and Adam Levin, issued a joint statement saying:

"He dedicated himself to trying for a fuller understanding between all segments of the university community. We are deeply sorry to see him go."

Pitzer took office on Dec. 1, 1968, after seven years as president of Rice University.

While attending a dinner at a campus housing unit last April 1 he was splashed with red paint by someone wearing a mask. Later the yard of his home was invaded by demonstrators who painted anti-war slogans on a patio wall.

During the campus unrest last spring 40 arrests were made. The most serious outbreaks were April 29 and 30 following the sending of American troops into Cambodia. At least 65 persons, mainly police, were injured those two nights.

Fuller said an acting president would be appointed "in the near future."

[From the New York Times, June 28, 1970]

DANGER TO THE UNIVERSITIES

The resignation of Dr. Kenneth Pitzer from the presidency of Stanford University, after serving in that office only nineteen months, is symbolic of the campus crisis across the nation. Mr. Pitzer pinned his decision to step down on the widening of "the gulf between the campus community and society at large" and on pressures which "distract or disrupt the educational process." Radical students at Stanford as elsewhere have made a shambles not only of campus property but of the academic community's confidence in its ability to govern itself.

Stanford is illustrative of a nationwide danger. Violent student forays and revolutionary rhetoric have made it increasingly difficult for liberal forces to oppose and contain the counter-pressures of enraged communities, alumni and legislatures. Financial support is falling off disastrously. The monetary costs of "trashing," arson and other forms of vandalism only cripple further the hard-pressed universities, already forced by deficits to curtail services to students, scholarship and research. In addition to hurting their own educational opportunities, the extremist students are doing nothing to strengthen the base of university opposition to the war; and they are doing much to weaken the universities' capacity to prepare for the transition to an economy of peace under the protective cover of civic order and civil liberties.

The faculty cannot escape all blame for the campus disarray. Faculty members' confusion and frequent failure to stand up to coercive demands undermine students' respect for their teachers' integrity. Administrators are left virtually powerless, driven against their will to rely on the police to prevent chaos, destruction and injury. At a time when the police are also radicalized and angry, here is an invitation to tragedy.

No less disastrous is the temptation on the part of despairing trustees to seek out "law and order" candidates to fill university presidencies which, as Mr. Pitzer said regretfully, no longer leave time for academic concerns and educational reforms. The trustees of the State University of New York at Buffalo appear to have chosen that course last week.

The extremist fringe welcomes this precisely because it—like the radical right—hopes to gain power from polarization. For the universities and the country, these are the politics of madness. To submit to them raises the specter that, even after the country has found its way out of Indochina, it may have lost its way back home to America.

Nothing short of a determined coalition of the forces of reason and moderation—among liberals and conservatives alike—against coercive Left and repressive Right can save the universities from a decline that has already assumed serious proportions. Liberty cannot survive in an atmosphere of fanaticism or disorder.

THE REGULATION OF UTILITY CONSUMERS IN MISSOURI

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 30, 1970

Mr. METCALF. Mr. President, during the past several months various newspapers have informed their readers about an important subject that is not taught in school. These papers have reported on the activities of State utility commissions.

The decisions of these commissions have great impact on the budget of every family. The commissions are charged with regulating the rates and service of electric, gas, and telephone companies. The commissions also regulate, in varying degrees, transportation matters, including safety. In some States, these commissions also are charged with responsibility for the regulation of insurance companies.

Last year, Roland Page, of the St. Petersburg Times, wrote a series of articles on the Florida Public Service Commission. They appear in the CONGRESSIONAL RECORD, volume 115, part 7, pages 9215–9224, and also in part 6A, page 1511, of the hearings last year on S. 607, the utility consumers' counsel bill.

Dick Fackler, of the Alton, Ill., Evening Telegraph, also wrote a series last year on the Illinois Commerce Commission. It appears in part 4, p. 880 of the hearings on S. 607.

Beginning March 22, 1970, the St. Louis Post-Dispatch published a six-part series on the Missouri Public Service Commission, written by Al Delugach. He tells a story similar to that reported in Florida and Illinois.

Many people in Missouri, he says, are not even aware that the commission exists.

They do not know how close it is to the industries it regulates.

The commission has an inadequate staff. As their workload increased, the funds available to them were diminished, despite utility assessments supposedly designed to fund regulatory functions.

In contrast, the utilities have batteries of experts, emitting "voluminous and squid-like clouds of data."

Since 1951, 10 of the 12 former Missouri commissioners have represented utilities before their former colleagues. The spoils system permeates down to the lowest ranks. Patronage appointees, responsible for enforcement of safety regulations, fail to do their job.

Said the commission's chief enforcement officer after he resigned in disgust:

> I had no choice over whom I got. It got to be a political rest home. Most of them would sit at home and draw their salary and expense accounts, while a few did all the work.

Mr. President, I congratulate the St. Louis Post-Dispatch for contributing to the thin but expanding literature on State utility commissions. I trust that in this case the reporter who has gained familiarity with the regulatory system will not be "promoted" to a job in which he has no opportunity to share his knowledge with the readers, as has happened in other instances, in several parts of the country, during the past 2 years.

The investor-owned electric utilities embarked this year on a national advertising campaign directed principally at broadcasting and publishing media. This advertising campaign is designed to deceive the public and the press, as I pointed out in my remarks of March 31. This is all the more reason why media which believe in the public's right to know should be concerned. I refer especially to the large broadcasting and publishing empires which have the means to make truly independent investigatory reports, and which can afford to lose the utility advertisements.

Mr. President, I ask unanimous consent that the Post-Dispatch series and a related editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch,
Mar. 22, 1970]

PUBLIC SERVICE COMMISSION CRITICIZED OVER RATE HIKES

(By Al Delugach)

Telephone, electric, gas and water users of St. Louis and St. Louis County are paying $30,000,000 more this year to the state-regulated monopolies that supply these vital services.

That is this area's share in an unprecedented avalanche of rate increases granted by the Missouri Public Service Commission. State-wide, utility bills have been boosted about $57,000,000 a year since last May, and $8,500,000 more in requests is pending.

To critics, the bumper harvest of utility increases is a testament to permissiveness and ineptitude in the state agency designated by law as the public's protector against monopolistic excess.

Defenders of the commission see the multimillion dollar increases as an unavoidable result of ballooning interest rates and other inflationary costs.

The pocketbook of just about every St. Louisan is affected directly by the higher utility bills. Anyone who picks up a phone, flips on a light switch or takes a bath is doing so at a substantially higher cost than last year.

But most citizens are unaware of the pivotal role of the Public Service Commission in these rate increases. Many persons do not know that the commission exists.

Among those more familiar with it, including some former staff personnel, there are grave misgivings about the protection given the public interest.

In addition to utility rates, a major area of concern is the feeble state of the commission's safety enforcement on the highways—an area involving the politically potent trucking industry.

These matters have been laid like a dead cat. at the doorstep of Gov. Warren E. Hearnes and his hand-picked commission chairman, William R. Clark.

The commission is a regulatory body composed of five commissioners appointed by the Governor to six-year, staggered terms. As is customary under a Democratic administration, three are Democrats and two are Republicans. All are lawyers. They are paid $20,000 a year in the full-time positions in which they theoretically have life-and-death authority over the utilities and public transportation.

In practice, a Post-Dispatch study has found, the commission exercises its checkrein benignly.

In addition, its staff constantly is crippled by turnover. Some employees leave for higher salaries in private business. Others are fired for incompetence, for political reasons or for running afoul of the quick-tempered chairman. An unusual degree of nervousness among staff members has been observed by reporters visiting commission headquarters.

The commission is quasi-judicial and the commissioners are addressed as "Judge" by those who appear before them. There are about 140 employes. About a third consists of a professional staff of lawyers, accountants and engineers. The rest are inspectors, investigators and clerical workers.

The commission's general counsel is charged by law with advocating the public's position in rate cases before the commissioners. In this he can call on the assistance of the rest of the staff.

In contrast with the resources of the regulated groups, the professional staff is outmanned and outgunned by the giant utilities.

For instance, in Missouri in 1967 the Southwestern Bell Telephone Co. had 780 employes in accounting and 184 in the chief engineer's office, compared with the commission's 24 and 14.

Before last year the present commission staff never had tried a full-scale utility rate case. In the Union Electric case, commission officials said their accountants made errors that threw the commission's figures off by about $7,000,000. It was embarrassing and some people got fired over it.

The utilities have large and expert staffs and a corps of top flight lawyers, including former commission members and lawyers.

But even in a rare case in which expensive outside expertise was used recently in behalf of the public, the commissioners still granted a single utility an increase that was about $20,000,000 more than the general counsel recommended as reasonable and fair. The opinions of the public's experts largely were disregarded by the commissioners.

That was the Southwestern Bell case, in which the commission permitted last October a $30,689,409-a-year state-wide rate increase. It is believed to be the highest in Missouri history for a utility.

The decision was not justified by the facts presented, declared the chief of the legal staff representing the Federal Government in rate cases before regulatory bodies in every state.

And an academician classed as an expert witness—a veteran of 40 cases involving the monolithic Bell System—said recently that he was dumfounded by the outcome.

Their statements, even after discounting any partisan leanings, pose a strong challenge to the credibility of the commission's ruling.

The Bell case is merely an outsized example of what appears to be a basic fact of life in public utility rate making: Despite a complexity described as "bordering on metaphysics," the arcane ritual finally gets down to grab-bag judgments.

Hearings develop a voluminous and squidlike cloud of data, from behind which the commissioners emerge with their decisions. The regulators have such discretionary power that they can select figures within a latitude so broad as to defy successful challenge from the consumer. The only practical appeal, experience has shown, is by the utilities.

Who is the commission?

Clark, 48 years old, a Hearnes stalwart in Boone County during the crucial 1964 Democratic primary, was rewarded with the chairmanship when it became vacant in April 1965. He had a private law practice in Columbia and, as have most other commissioners through the years, came to the commission without experience in utility matters.

He has been described as an exceptionally strong, even a dictatorial chairman by those who have worked under him. Clark is said to be close, socially as well as politically, to the Governor and to Lt. Gov. William Morris. Clark is a colorful personality of earthy vocabulary and a gravely, twanging voice.

He got some adverse publicity in September 1966 when he reportedly interfered with two state conservation agents in their duty at Lake of the Ozarks.

One of the agents said that Clark became belligerent when they asked identification from two youths, guests of his at a lodge, who were fishing without a permit. The youths were fined. The agent said that he did not arrest Clark on instructions from superiors in Jefferson City.

Although he has not been short of ill-wishers, Clark has avoided any further public furor. A decorated World War II fighter pilot, Clark said he still flies. In fact, he said he has "burned out a couple of engines" on jet aircraft since being named to the commission. One was borrowed from an individual and the other was chartered for commission use, he said. Clark said these episodes apparently account for recurring reports, which he flatly denies, that he has borrowed or flown in aircraft of regulated utilities.

The rest of the commission is staid by comparison. The other members are Charles J. Fain, 50, a Republican from Branson, who served in the Legislature with Hearnes; Marvin E. Jones, 48, a Democrat from Dexter; Howard Elliott Jr., 36, a Republican from St. Louis County, whose father served with Hearnes in the Legislature, and Willard C. Reine, 34, a Democrat from East Prairie, who is a former law partner of Hearnes.

Gov. Hearnes appointed Fain on Oct. 1, 1965; Jones and Elliott on April 15, 1967, and Reine on April 16, 1968. Reine was reappointed to a full six-year term last April.

The commission granted every major, privately owned utility here substantial rate boosts in the last half of 1969. It was a year in which the commission was deluged from all over the state with the biggest array of rate cases in memory.

Union Electric was authorized to increase its Missouri rates by $10,236,738 a year. Laclede Gas got a $4,550,000 increase. The St. Louis County Water Co. was authorized a $2,604,375 hike.

A crucial decision by regulatory agencies is what rate of return to permit. This is a percentage figure applied to a utility's rate base as determined by the regulators. The factors that go into these figures are highly technical and hearings last for weeks in major cases.

What often is not realized by the public is the magnitude of revenue generated by a tiny change in the rate of return. An increase of one tenth of 1 per cent on a $500,000,000 rate base, for example, will increase income by $500,000 a year.

The Missouri commission boosted rates of return in 1969 to higher levels than it had allowed for years.

Previously, the rates of net original cost had been set in the area of 6.5 per cent, although revenues of some companies brought the actual return above 7 per cent. None of the excess collected was refunded to customers, there being no provision in law for the commission to order such rebates.

Last May the commission gave the St. Louis County Water Co. a 7.14 per cent rate of return.

Laclede Gas, in a settlement stipulated by the commission's staff and the company in August, was permitted a 7.76 per cent rate of return on the staff's figures.

Southwestern Bell was allowed 7.98 per cent, the highest ever awarded by the commission, in October.

Union Electric was authorized 7.23 per cent several weeks later, and the company announced in January that it would seek another increase some time this year.

In a letter to Gov. Hearnes in January transmitting the commission's 1968–69 annual report, Clark said that 25 cases had been before it in the 12-month fiscal period, compared with two or three in a typical year.

The letter stated that in 10 of the 16 cases already decided the rates granted were lower than those requested.

It continued: "Consumers accustomed to stable utility bills have expressed concern over these rate increases. The rate increases granted were needed to facilitate continual growth and the provision of service under changing cost conditions."

The letter said also the stability in utility rates that customers had come to expect was due to technological innovations and population growth, which offset less extreme increases in costs. Continuing inflation, however, brought the utilities a reduction in net revenues, the letter said.

It pointed out that the prime interest rate climbed from 5 per cent in 1965 to the present 8.5 per cent.

"Utilities no longer able to cope with the rising costs of capital, labor and materials requested relief through increased rates," it said. "In these rate cases the commission assures a balance of consumer and utility interest by carefully analyzing all available data prior to making a decision."

[From the St. Louis Post-Dispatch, Mar. 23, 1970]

Critics Assail Bell Rate Hike

(By Al Delugach)

The Missouri Public Service Commission has a file drawer full of hearing transcripts, lawyers' briefs and exhibits that comprise the official record in the Southwestern Bell Telephone Co. rate case.

In a report and order dated last Oct. 2, the commission unanimously set out its decision granting the utility a $30,689,409 increase in its intrastate rates in Missouri.

The order details "findings of fact" and "conclusions of law" in concise, nonexplanatory fashion.

An impressive document, a layman might conclude, with many a head shake over recondite details.

A one-word summary of the reaction of a nonlayman, Curtis L. Wagner Jr., chief of the regulatory law division of the Army's Judge Advocate General, Washington, is: Poppycock.

Wagner heads a staff of lawyers who go before state regulatory bodies and defend against what they consider to be excessive rate increases. Because the Federal Government probably is the biggest customer for telephone service, one of the legal staff's major interests is the Bell System.

Bell, with assets of 45 billion dollars, is the world's largest private business. Some experts have expressed doubts whether federal, much less state regulators, can cope with the complex enterprise.

Wagner contends that the Missouri commission departed radically from accepted regulatory practice and its own policy in the Southwestern Bell case.

In a motion for rehearing, which was denied with no reason cited, Wagner made a scathing attack on the official rationale of the decision.

"The commission's order is defective in that its findings of fact and conclusions of law are merely statements without any justification whatsoever to substantiate them," the motion said. "Allowance of questionable items has been made without explanation, and derivation of fair value is purely illusory."

It continued that, although the commission had consistently disallowed provisions for plants under construction and plants held for future use, the order included them in the amounts of $26,666,765 and $460,069, "with no rationale for this drastic departure from accepted regulatory practice."

An academician who testified for the public in the Southwestern Bell case, Prof. Lionel Thatcher of the University of Wisconsin, said recently:

"I have testified in 26 different states and before federal agencies. I've been in more than 40 cases against the Bell System, and I have never been quite so surprised by a decision. I can't understand the ground on which it was done."

The nearly 8 per cent rate of return is markedly higher than other states have been giving, he said. Prof. Thatcher expressed shock that this came on top of an "inflated" rate base in which the company was given "practically everything it wanted."

Jeremiah Finnegan, the commission's general counsel, expressed keen disappointment and surprise about the decision. He said that the staff had never put on a better case as the public's advocate.

The backbone of his case was testimony by Prof. Thatcher, who was paid $6000 for his study, and a Kansas City certified public accountant, Stanley C. Whiteaker, whose firm was paid $40,000 for auditing Southwestern Bell for the rate case.

On the basis of resulting figures and Prof. Thatcher's conclusions about the company's cost of capital and other key factors, the staff recommended a rate of return between 7.24 and 7.54 per cent and a revenue increase of between $8,000,000 and $12,000,000.

The commissioners granted a 7.98 per cent rate of return and a rate hike of $30,689,409, which is about three times the staff's recommendation.

Aside from the rate of return, the commission allowed the company a much higher original cost rate base—$618,000,000—than the staff had calculated. The staff set the base, by adjusting the company figures to exclude certain items, at $591,000,000. The company calculated the rate base at $621,000,000.

The difference was chiefly in the $26,666,765 the commission allowed for a controversial item in the test year: plant under construction.

The staff's experts argued that this would permit Bell to earn a double return on some of its property. Telephone users would be paying also a return on property for future subscribers, they contended.

Southwestern Bell said that it was seeking only the difference between the 6.5 per cent interest charged during construction and the rate of return that would be allowed.

In his rehearing motion, the Government attorney stressed that Missouri law provided that utilities be allowed a reasonable return on property "actually used in the public service." This, he said, placed "immovable restrictions" on the manner in which the commission might decide this issue.

The telephone company relied on a Missouri Supreme Court's construction of the law ordering that the commission should base its determinant of a proper rate on all relevant factors. This would certainly include a plant under construction, the Bell lawyer said.

In 1967 the Federal Communications Commission disallowed the plant under construction provisions from the Bell System's rate base in interstate operation. But several months later it reversed itself.

The California Public Utilities Commission, one of the few state agencies with a reputation for strictness in dealing with the utilities, denied the Bell System a return on a plant under construction.

To the company's argument that investors expect a return on all dollars they supply to an enterprise, whether or not the funds have been committed to productive activity, the California commission stated:

"Only in a warm climate in which regulated utilities bask is such a contention possible. In the chilly climate of vigorous competitive enterprise, return comes from revenues, and revenues are impossible until a plant is completed . . ."

A relatively small item, but one that illustrates the Missouri commission's wide disregard of staff recommendations in the Bell case, involved $75,000 allocated as the company's Missouri share of an exhibit at the 1968 Hemisfair in San Antonio.

The commission staff wanted to eliminate it from operating revenues because it was a nonrecurring expense and therefore not allowable under standard accounting procedures.

Wagner's motion said the commission's allowance of the item "escapes comprehension," as there was nothing in the record to show any possible benefit to the Missouri rate payer.

It should be noted that rate making in Missouri became more complicated after the 1957 Missouri Supreme Court ruling that required the commission to stop basing the rate of return solely on original cost, but to consider replacement value and all other relevant factors.

As a result the record is encumbered with vast amounts of testimony about things that are later ignored. Experts on all sides observe that the key determination is still the rate of return on original cost.

The Government motion pointed up the will-of-the-wisp nature of some of the facts that are established in complex proceedings but which do not have a bearing on the outcome.

Wagner, noting the fair value figure the order placed on Southwestern Bell's intrastate Missouri property, said: "One is left to ponder upon what this figure is based, or whether it was merely pulled out of the air."

William R. Clark, commission chairman, conceded that the commissioners, after much toil, arrived at the total number of revenue dollars to be allowed and then tailored the other factors of the rate equation to fit that cloth.

He said that it was either a matter of going over 8 per cent as a rate of return, which would be hard to present to the public, or a higher rate base.

"It's putting numbers together after you get a ball park figure on the end result," Clark continued.

He said that the denial of the Government's rehearing motion opened the way for appeal to the state courts, continuing: "Quite frankly, I was surprised they didn't appeal on a couple of things."

Wagner said he believed that the Government had a good chance to overturn the decision on appeal, but for many reasons decided not to go to court. One reason is that some of the Government agencies represented believed the cost would be greater than the potential savings at stake.

Even if the appeal were successful, Wagner said, the court would send it back to the commission for reconsideration.

He noted that most successful appeals were by utilities. It is easier, he explained, to make a case that the commission has been arbitrary and capricious in not allowing a fair return than it is to prove the same thing in regard to setting rates too high.

Courts have held many times that they cannot substitute their judgment for that of the commissions, he said.

St. Louis, St. Louis County and the Missouri Hotel and Motel Association did not appeal the Southwestern Bell decision, although as intervenors in the case they had the legal right.

The commission's general counsel, which provided the only outside expertise in the case on behalf of the consumer, is prohibited from appealing a commission rate decision. That is because state law provides the counsel shall represent the commissioners after they have reached a decision.

This leaves the consumer without the most effective recourse from a ruling he might feel is excessively generous to a utility.

[From the St. Louis Post-Dispatch, Mar. 24, 1970]

STATE CUTBACKS WEAKENED OPPOSITION TO RATE HIKES

(By Al Delugach)

Just when the Missouri Public Service Commission was inundated with a record load of utility rate increases, the State Legislature slashed the modest staff of lawyers representing the public in those cases. The budget for hiring outside experts was also cut, from $100,000 to $10,000.

The effect was to weaken preparation of the cases in opposition to requests of utilities, which ended up with $57,000,000 in rate increases state-wide last year.

It is ironic that the commission budget does not come out of the state's general revenue but from assessing the regulated industries.

William R. Clark, commission chairman, who is known for hard-nosed, effective lobbying for legislation of interest to him, did not intervene actively with the appropriations committees handling the budget last year.

He did have occasion, though, to testify in a United States Senate committee hearing in Washington against a bill to create an office of Utility Consumers' Counsel.

The counsel would have represented the public before state, as well as federal regulatory agencies.

This is not needed, because state commissions already adequately protect the public interest, according to Clark and the other members of a delegation from the National Association of Railroad and Utility Commissioners.

Clark, as well as the other Missouri commission members, Democarts and Republicans alike, stress this credo:

The public interest does not lie solely in the cheapest rates. The utilities must have adequate return to expand and to provide quality service. The interests of the consumer and the industry must be balanced.

A former commission staff member commented privately that Clark appeared to be interested in healthy industry for Missouri. "This is okay," the man said, "but I am more interested in the public. I feel the utilities can look out for themselves."

He observed that the general counsel fell far short of having the manpower to do a comparable job.

In recent interviews none of the commissioners showed great concern about the reduction of the staff of their general counsel, Jeremiah Finnegan.

Finnegan, a lawyer in his early 30s, was appointed by Gov. Warren E. Hearnes to a six-year term in April 1967 after two years as assistant counsel and two years in the state attorney general's office. Among his statutory duties is representing the public in rate cases.

Finnegan, going into an awesome array of rate cases in early 1969, had two assistants. He said he got permission from the Governor for another and hired him from the commission's staff of hearing examiners.

The state comptroller approved the shifting of funds from a vacancy in the commission's engineering staff to provide necessary salary. Finnegan said, "however, that he discovered after making the change that it should have had approval of the legislative committee on fiscal affairs.

The committee denied his request and the assistant was sent back to the hearing examiner staff.

There was tougher sledding ahead. Finnegan tried to get funds for a third assistant. The House Appropriations Committee not only did not approve this, it eliminated one of his two assistants and reduced the salary of the other from $16,000 to $12,600 a year.

Finnegan says he does not know why his staff was singled out for this treatment.

The assistant's job was later restored in an omnibus bill reported out of committee, but the Legislature's session ended last June before the bill could be put to a vote.

As a stopgap measure, Finnegan has been using a lawyer on loan from the hearing examiner staff.

His first assistant left the staff and the one whose salary was cut is preparing to enter private law practice April 1. This illustrates, among other things, the pattern of constant attrition of experienced personnel.

Chairman Clark said he had been away, recuperating from an operation, when the budget hearings were held in February 1969. He said the vice chairman, Marvin Jones, appeared before the House Budget Committee for the commission.

Jones said he was told that even though the commission was not financed from general revenue it would be treated as though it were.

Clark said recently that he had resubmitted a budget that would restore all positions and salary, as well as providing $150,000 for hiring outside experts, for next fiscal year.

"I assume that whatever defects there were because of the bare-bones budget will be corrected," he said.

Clark's minimal efforts last year on behalf of the budget were in sharp contrast to his campaign several years ago to beef up the staff and salaries under his reorganization plan.

He has been widely praised for building up the staff by about 50 per cent since he was appointed five years ago. Through his efforts the commissions' budget was nearly tripled to the present $1,883,774 a year, and the maximum assessment on utilities was increased from eight hundredths of 1 per cent to 25 hundredths of 1 per cent of intrastate revenue.

When he was appointed in April 1965, Clark told the Post-Dispatch that the commission should use everything at its disposal "so as not to be overpowered by one of these giant corporations." He mentioned Southwestern Bell in this context specifically.

Later that year Clark spoke sternly of forcing rate reductions against utilities, including Southwestern Bell, that were found to be earning at a substantially higher rate than authorized.

In December 1965 the commission accepted without a public hearing the telephone company's proposal to reduce rates by about $3,500,000. A hearing in 1966 ended with the commission's acceptance in November of Southwestern Bell's plan to revise rates upward while eliminating many charges within the St. Louis area.

Clark was instrumental in warding off efforts by St. Louis County to get a single telephone rate for the metropolitan area. Commissioner Charles Fain made a strong formal dissent in the decision. In last year's Southwestern Bell rate case, Clark angrily rejected a county request that the commission reopen that same issue on its own. He commented that Southwestern Bell had spent $10,000,000 on the Wide Area Service Plan that finally went into operation in January 1969.

It is surprising to some observers that the commission's three Democrats and two Republicans have arrived regularly at unanimous decisions in utility rate cases, including the $30,000,000 award to Southwestern Bell.

Fain said, "It was a compromise among five people."

The other Republican, Howard Elliott Jr., commented also on the element of compromise in the Southwestern Bell and other rate cases.

"As long as you can reach a consensus within reasonable bonds it is probably better than going in three or four different directions," he said. "Frankly, I wouldn't compromise on a point of principle, but so much of it is judgment. Consensus has a place."

Elliott himself presided in the Bell hearing and had the duty of steering the preparation of the commission's report and order.

Clark said the commissioners spent many hours in executive session, discussing the issues in the telephone case.

At one point he explained the huge difference between the staff's recommendation and the commissioners' decision by saying that the general counsel should press for the lowest rate, because the company was going to be seeking the maximum.

"The commissioners have to consider that modern plant facilities must be available to provide adequate service," Clark said.

He observed also that these are times of "the highest interest rate in my lifetime, maybe in the country's history."

Clark commented at another point, "You've got to remember, the staff last year were virgins. They had never tried a rate increase before. You ask why there were disparities. Maybe because of mistakes. They certainly made them. There is no substitute for experience."

Later the chairman commented that different lawyers handled parts of the case for the general counsel. He added:

"It's so complicated that the boys do well to take one part and ask cross-examination questions on that. It takes the overall picture to know if you're right or not."

Clark could have added that the commissioners had no more experience in rate cases than the general counsel and staff prior to last year's deluge.

[From the St. Louis Post-Dispatch,
Mar. 25, 1970]

CONSUMER INFLUENCE ON RATES IS SLIGHT

(By Al Delugach)

The voice of the consumer is seldom heard inside the offices of the state agency that has sway over the rates and service of the gas, electric, water and telephone companies.

One of the rare exceptions occurred last Nov. 13, when a delegation of aroused petitioners from St. Charles and Jefferson counties went to Public Service Commission headquarters in Jefferson City.

The visitors were leaders of a revolt against one small part of Southwestern Bell Telephone Company's $30,689,409 state-wide rate increase, approved last October by the commission.

Between the group's petition drive and its appearance in the capital, the phone company whipped up a new rate proposal just for the two counties. The company lopped off $20 of the $30-a-month, 90 per cent increase on toll-free business lines between the St. Louis area and St. Charles under so-called foreign-exchange service.

The group went to Jefferson City anyway. The leaders said that commission chairman William R. Clark was hostile and stalked out of a heated meeting with them, refusing to discuss the case. He said he would not talk about a subject that might later be brought before the commission in formal proceedings.

After they departed, a commission spokesman told a reporter that the new rate had been approved the preceding day. Roy J. Fassel, a St. Charles businessman and one of the petitioners' leaders, said no one on the commission staff had mentioned the approval to his group.

Although the new rate mollified the St. Charles and Jefferson county subscribers, Fassel maintains it should have been statewide.

"What they did," he said, "was to buy off the St. Charles and Jefferson county people."

Fassel contends also that the commission should require utilities to notify customers of rate-schedule changes while there is time for them to file objections. Most persons learn the details only after the rates are put into effect, he said.

Clark says such procedure would be too expensive.

The commission has been receiving an increasing number of service complaints against one utility or another. But in the area of rates, the consumer is hardly ever in evidence, even when public hearings are held.

His interests are represented by the commission's general counsel. The counsel's effort often has been weakened by staff inexperience and insufficient time for preparation.

Consumers have some additional representation in rate cases by local governments such as municipalities and counties.

But even the big ones, such as St. Louis and Kansas City, do not spend the tens of thousands of dollars that it takes to hire expert witnesses. Their contribution consists largely of cross-examining utility witnesses. This amounts to little more than moral support of the general counsel.

Herman Barken, who has long represented St. Louis County in rate cases, said, "It would cost the county $100,000 a year to get experts and do a complete job in protecting the consumer interest."

Barken, an associate county counselor, said that for the same reason, the county does not avail itself of the right of appeal to the courts on commission rate decisions.

The City of St. Louis routinely intervenes in rate cases affecting this area, but its thrust has not been notably in favor of the consumer of late. Downtown business interests and political considerations reportedly caused the city's opposition in last year's rate cases to be diluted.

"We have a dilemma," David Heminway, an associate city counselor, told the Post-Disptach recently, "We can't go up there legitimately and take a position to stick the company."

Referring to the old St. Louis Public Service Co., which long was the private owner of the transit system here, Heminway said, "The Public Service Co. proved that the consumer doesn't benefit if a company goes broke."

William Bosse, St. Louis public utilities engineer, who testifies for the city in rate cases, is new to the field. He gave a revealing picture of the city's role.

"John Q. Citizen thinks the city represents him as a homeowner," he said. "This is not true. The city represents all citizens, including businesses, homeowners and the utilities themselves."

He said the city's lawyers drilled this concept into him in the course of last year's rate cases.

"I tended to represent the consumer," Bosse said. "The lawyers knocked it out of me."

Kansas City did not even intervene in the Southwestern Bell case last year. Neither did the St. Louis County Municipal League. Not too many years ago, both were strong and vocal participants in rate cases.

If consumer representation before the commission is feeble, the converse is true of the industries being regulated.

The utilities employ the finest lawyers, expert witnesses and staff preparation that money can buy. Utilities are permitted to recover these expenses in the rates it charges the consumer. They have what critics see as virtually a cost-plus contract with the public.

In a Ph. D. dissertation based on intensive study of the commission and published by the University of Missouri in August 1968, Joseph Ingles observed that the commission's general counsel is further handicapped by the experience of those representing the regulated industries.

His study showed that in 1968 there were 10 former commissioners reappearing before the commission on behalf of utility clients.

Since 1951, the commission has lost 15 commissioners. Two of them died in office and a third died shortly after leaving office. Of the 12 others, Ingles reported, only two did not later practice before the commission. One, Donal Guffey, who resigned in April 1968 with a year left in his term, is now general counsel for Gas Service Co. of Kansas City.

A number of lawyers, formerly on the commission's staff also have represented regulated industries before the commission, the Post-Dispatch found.

There is no law preventing this activity. Some commissioners have said they consider it a natural course to go into practice in a field in which they have developed special knowledge.

Observers note that in the field of regulatory law the utilities offer almost all the opportunities.

Whether the prospects of future employment influence the attitudes of commissioners and general counsel in their duties is a topic of concern.

Representatives of utilities have day-today contact with the commissioners and staff at the commission's offices. This presents continual opportunity for presenting the utilities' views and plans.

Sometimes this extends into the social realm, ranging from restaurants in Jefferson City to hospitality rooms at conventions of the National Association of Railroad and Utility Commissioners.

Last year, when the flock of major rate-increase requests were pending before the Missouri commission, a key staff member attended a public-utilities seminar at Michigan State University.

He was a constant social companion there of a representative of Southwestern Bell, another participant told the Post-Dispatch.

Without implying improper motives, it can be seen that with such opportunities the regulated industries have an advantage over the consumer in building common interest and friendly feelings with those who help regulate them. This is the ambiance in which the commission functions.

Ingles, now on the political science faculty at the University of Maryland, reported being told by commission personnel in 1967 that it was not uncommon for representatives of some regulated group to provide commissioners and leading staff personnel with small gifts on special occasions, such as Christmas.

They mentioned such items as barbecue utensils, cigarettes, whisky, baskets of fruit, candy, turkeys and tickets to sports events.

Chairman Clark, appointed in 1965, told the Post-Dispatch recently that he banned Christmas parties and gifts when he took office. He said that this policy was the idea of Gov. Warren E. Hearnes and that it still stood.

"You are not going to buy anybody with a barlow knife," Clark said. "At least, I hope not. But what are people going to think? It makes a bad appearance."

Asked about acceptance of wining-and-dining hospitality, Clark said, "We frown on it."

He said he knew of no commissioner who attended social events sponsored by regulated companies. However, he said, they are occasionally in the company of utility representatives at meetings.

"We try to pay our own way, pick up our check and charge it off on the expense account," the chairman said, "but somebody picks up a check now and then. As a general rule, I don't think you will find any fraternization with the people we regulate."

Even on the occasions when commissioners go out of town to address a trade meeting, he said, they pay their own travel expenses.

Last September, the chairman of the Interstate Commerce Commission ordered ICC members to stop letting trade associations and business groups in the transportation field contribute to their travel and lodging expenses. This was after the practice was disclosed publicly by Ralph Nader, a consumer advocate.

Section 386.200 of Missouri's Public Service Commission law forbids anyone connected with the commission to accept a gift or gratuity "of any kind." Penalty for violation is removal from office.

"In the history of the Public Service Commission," Ingles reported, "no commissioner has been openly charged or prosecuted for accepting free passes, gifts or gratuity."

[From the St. Louis Post-Dispatch, Mar. 26, 1970]

SAFETY PROGRAM CALLED FARCE

(By Al DeLugach)

Safety, service and rates are the basic responsibilities of the Missouri Public Service Commission in its jurisdicton over utilities and public carriers. In all three areas its performance is judged harshly by many who have had experience with it.

The man who quit last year as the commission's chief enforcement officer in bus and truck regulation told the Post-Dispatch recently that the inspection staff was a "political rest home" and the safety program a farce.

The influence of the bus-truck lobby on the administration of Gov. Warren Hearnes is blamed by insiders for much of the situation.

In the area of service, the commission staff is ill-equipped to cope with the rising tide of citizen complaints about utilities. Its experts are few.

As to rates, the commission usually decides the level of revenue and lets the utility design and put into effect the complex rate structure under which customers are charged for various types of service.

Chairman William R. Clark said that when the commission began "to get the squeak of the wheels" in the form of complaints, as in the St. Charles foreign exchange rate, it called on the company to produce figures to justify the rate in question or to change it.

So complicated are the telephone tariffs that a new business, the communications consultants, has sprung up here. These experts make a good profit solely by guiding large telephone users through the maze. They get a share of the money they save businesses and government units by finding cheaper types of telephone services to accomplish their needs and by locating errors in billing.

"We are doing some of the work of the Public Service Commission," one of the consultants said. "We are a policeman on the beat. Utilities have never been contested until we came along."

Among the complaints of such experts is the recurrent one that the commission permits the Southwestern Bell Telephone Co. to phase out cheaper types of equipment and service in favor of more expensive forms that accomplish the same thing. It is charged that the commission staff sends the complaints to the company and accepts its answers as conclusive.

That the state of the commission's bus-truck safety enforcement is decrepit is unchallenged, even by its officials.

The patronage or spoils system in state politics is a factor. It is related to, and perhaps dwarfed by the enhanced political power of the bus and truck lobby in the administration of Gov. Hearnes.

There was no publicity last June when J. Sidney Schanbacher resigned as the commission's chief enforcement officer to take a position as safety supervisor for a big mobile homes company in Greenville, S.C.

Called there recently by the Post-Dispatch, he said his main reason for leaving was the failure of the year-long campaign to have safety enforcement upgraded with professional instead of political staffing.

The keystone of his program was legislation to obtain "first party" enforcement by commission personnel. At present they must go through the State Highway Patrol for arrests. Federal subsidy of 60 to 75 per cent of the cost, plus additional revenue in enforcement, would have made the program cost-free to the state, Schanbacher said.

He said 40 states now had enforcement through the agencies charged with regulating the bus-truck industry.

Although Missouri is a national trucking hub, the state ranks near the bottom in the quality of enforcement personnel, Schanbacher said.

No one at the commission had spoken out in objection to his proposal to upgrade enforcement, he said, but the legislator who was to sponsor his bill last year suddenly pulled out. Schanbacher said he was told that neither industry nor the Governor wanted the legislation.

The trucking industry would benefit from safety enforcement standards, but its lobby evidently killed the legislation, Schanbacher contends.

He spoke bitterly about the political appointees sent to him for his 10-man staff of field inspectors during the four years he headed the enforcement division.

"I had no choice over whom I got," he said. "It got to be a political rest home. Most of them would sit at home and draw their salary and expense accounts, while a few did all the work."

Schanbacher characterized the Missouri agency as "basically a utility commission" with scant interest in highway safety.

Chairman Clark conceded that political hiring of inspectors still is prevalent, as in previous administrations. He said that the commission had given priority to the wave of utility cases since 1968.

With failure of Schanbacher's efforts, truck safety enforcement remains in the hands of the Highway Patrol, which is directly under Gov. Hearnes.

Dorsey Arnold, a former sergeant in the patrol's truck enforcement section, told the Post-Dispatch recently that his superior, Capt. Thomas E. Whitecotton, and he were transferred abruptly after Hearnes took office in 1965 and that trucker arrests were curtailed sharply thereafter.

Arnold, who said that he remained on the patrol only until he could qualify for early retirement, said of the patrol's policing of truck regulations: "They don't want enforcement and they don't have it." Patrol officials have denied any such policy.

Patrol records show that the number of tickets given for trucking violations fell from 25,177 in 1964 to 17,909 in 1965. The number rose gradually to 25,213 last year. Arnold noted that the patrol had over 150 inspectors at weighing stations now, or twice as many as in 1964, with the same number of arrests recorded. There are estimated to be 100,000 more trucks on Missouri highways than in the early 1960s.

The commission itself appears primarily interested in what it calls economic enforcement, seeing that truckers buy the $25 annual license stickers for their vehicles.

Its latest annual report boasted that sticker receipts were $990,255, a 14.6 per cent increase in the last fiscal year. The money goes into the State Highway Department Fund, some of which is appropriated for part of the commission's budget.

Service of utilities is a topic of increasing complaint from the public, commissioner Charles J. Fain said. Many complaints involve telephone service.

Although Southwestern Bell is by far the biggest in the field, with 2,156,814 telephones out of the total of 2,589,677, the commission regulates about 70 telephone companies.

Fain observed that it is not generally known that there were still many areas of Missouri without any telephone service. This is a source of recurrent complaint. Although Fain favors forcing firms to extend service into such areas, Clark contends that the commission has no legal right to make a firm take on unprofitable service.

The commission's director of utilities, F. D. Hequembourg, said his department had a great volume of correspondence in service complaints.

Asked whether the commission was able to do something about them with its limited staff and heavy load of rate matters, he said the staff now had field men to send out on telephone and gas inspections. Several years ago it had no such experts, he said.

The staff now has a former Bell System employe, he said, adding: "They couldn't lie to him when he goes out, because he knows too much about the operation."

The commission's annual report said many consumer complaints "or irregularities discovered through surveillance" were resolved through correspondence or informal conference. Critics assert that the commission is ineffective in handling the complaint load.

Commissioner Howard Elliott Jr. said the 1970s would bring more public demand for the commission to monitor the quality of service. He noted that a neglected area of commission concern was rate design, involving the utilities' charges for various types of service.

"It's an area we have to get into," Elliott said. "This gets into cost of service surveys and such, where little information is available. But the commission is getting complaints and is going to have to go into it."

Because of their expertise, independent telephone consultants have occasion to know more to complain about.

They have not had a warm response from the commission, but they have been able to obtain from it copies of the voluminous tariffs filed by the giant Southwestern Bell.

William R. Craft, a consultant here, said the tariff language was often so broad as to allow the company to interpret provisions according to its own convenience. It would be just as easy, and much more in the public interest, for the commission to require specifications that pinned down the practice to be allowed, he said.

Another of Craft's professional peeves is that the commission allows discriminatory provisions to be put into the company's telephone tariffs.

As an example, he said, there is a specific provision allowing a residence rate for telephones in the principal's office in parochial schools in Kansas City. But, Craft said, the same offices in St. Louis are charged the business rate, which is about three times as high as the residential rate.

[From the St. Louis Post-Dispatch, Mar. 27, 1970]

STRONGER VOICE FOR PUBLIC URGED IN UTILITY CASES

(By Al Delugach)

"In the fulfillment of the regulatory mandates of the commission, the public interest is the primary concern."

The quotation, referring to the Missouri Public Service Commission, is from the state's official manual, called the Blue Book.

The question, as always, is the interpretation of what is in the public interest.

Many critics of the present system of utility regulation give priority to creation of special governmental agencies—state and national—that would be devoted solely to protection of consumer interests.

They contend that the regulation of monopolies is so weak and the system so filled with flaws that the best way to redress the balance is through a well-financed consumers' council as a separate arm of government.

A proposal for such an agency is expected to be put before Missouri's State Reorganization Commission this year.

Legislation before Congress would give federal assistance to public representation before state regulatory bodies.

St. Louis County municipalities are showing revived interest in taking an active role in matters before the Public Service Commission.

The barrage of rate increases by every major privately owned utility here since last May has caused some of the new awareness.

Another contributing factor is that some of the municipalities have tangled in recent months with utilities, such as Union Electric Co. in the underground wiring issue and the County Water Co. in the dispute over charges for fire hydrants.

The five commissioners of the Public Service Commission maintain that they are doing a good job of serving the public interest in accordance with statutes and court mandates.

Their view is represented succintly by the following words from the commission's latest annual report:

"The citizens of Missouri are assured of good transportation and utility service at reasonable prices as a result of the work of the Missouri Public Service Commission. The commission also must ensure that the companies it regulates stay in sound financial condition so they can provide service and offer a competitive return to investors."

The reasonableness of the prices is challenged by some well-qualified persons, as is the gauge of how much revenue the industries need to stay in good shape and give a fair return on investments.

At present there is only limited representation of the public in rate cases—through the commission's general counsel. By comparison with the utilities' resources, the general counsel has few and inexperienced legal aids.

The accounting, engineering and economic experts whom he consults in preparing the public's case are not on his staff but are directly under the hiring-firing authority of the commission, particularly its chairman.

Unless they are different from most employees, they can be considered sensitive to the regulatory views of the boss.

This conceivably could affect their work on behalf of the public as a party in the adversary-type bureaus before the commissioners. Aside from this, the staff is not considered to be in the same league with the utilities in experience and knowldge. This advantage of the utilities is financed by the public through rates it pays.

Some students of the commission favor changing it to make its commissioners more of a court, divorced from administrative functions. The State Reorganization Commission will hear suggestions for such changes.

The commissioners give the appearance of being conscientious public servants.

Some favor improvements, but there is little indication that any of them believes that the consumer might be seriously handicapped under the present system.

They cite the increased size of the staff in recent years under the chairmanship of William R. Clark as proof of the vigor and well-being of the agency.

One of the two Republican commissioners, Charles J. Fain, did suggest that putting the staff under the merit system might be helpful in recruiting professional employees, such as engineers and accountants, in competition with private business.

"I don't mean to imply," he quickly added, "that under the patronage system there has been any wholesale turning out of people."

Fain said he would like to see the Legislation give the commission power to put new rate into effect and require utilities to reimburse their customers if the tariffs later were found to be too high.

"Such authority would speed the regulatory process," he said.

Fain said federal and some state regulatory agencies had that power.

"In the long run, it would be helpful to utilities as well as consumers," Fain said.

The utilities must delay putting new tariffs into effect for nearly a year during the process of public hearings, he noted.

"It's really not fair to them either," Fain remarked.

Fain commented approvingly on the close working relationship between the commissioners and staff, but said: "Possibly it would be better if there was more distinction between the commission and the general counsel's office, so if he (the general counsel) thought the commission made an unwise decision he could take an appeal to the courts. I'm the first to admit I'm not in fallible. If we make a wrong decision, it should be changed."

Chairman Clark, who clearly is the dominant figure on the commission, strongly opposes creation of a national office of utility consumer counsel. Under a proposal in Congress, it would have branches to represent consumers in state as well as federal rate cases.

Last March Clark was part of a delegation of the National Association of Railroad and Utility Commissioners. The delegation testified before a Senate committee against a bill to create such an agency.

George I. Bloom, the association's chief spokesman at the hearing, with whose statement Clark concurred, said: ". . . The state commissions in general, without any prodding by anyone and through the use of their own counsel and technical staff, are regularly performing the very duty which S. 607 would place upon the separate offices of consumers' counsel to perform."

He said the federal money would be better spent to strengthen the staffs of state commissions that needed financial help.

At the hearing Clark volunteered an observation about lawyers who had made appearances in a number of current Missouri rate cases on behalf of federal agencies.

He said they displayed very little concern for the citizens of Missouri and that they wanted "to set up the Federal Government as a special class of customer in Missouri for lower rates than the Missouri citizens should have . . .

"I feel one of these consumers' counsels could eventually tend to become the lawyer for the bureaucracies more than for the people of Missouri."

There followed what seems to be the essence of Clark's position: "We are going to look after the people of Missouri or the people of

Missouri are going to take care of us and take us out of office."

Clark's stand on the bill "was certainly not in the interest of the common people of Missouri," the committee later was told in a letter by Joseph L. Ingles of the political science faculty of the University of Maryland.

Ingles, who wrote his doctoral dissertation on the Missouri Public Service Commission in 1968, told the committee: "Missouri's customers are not represented before the commission in the vast majority of proceedings in which they have a definite interest."

He observed that the commission dealt almost exclusively in matters initiated by the utilities at hearings in which generally no one appears to question the requests on behalf of consumers.

"Missouri's citizens as well as the rest of the United States could benefit enormously from having testimony presented in their behalf by a competent consumers' counsel whose only interest is the public interest," he said.

Some States have a consumers' council as part of government. The executives of several such agencies testified enthusiastically in favor of the federal bill.

Edward R. Willett, a university professor who heads the Massachusetts council, said: "It is quite clear to me that the consumer often does not obtain adequate rate reductions because the successful political and propaganda activities of all the utilities have created a situation in which the regulatory commissions are unable to reduce rates because of a lack of staff and/or disinterest in rate reduction."

He said that the federal consumers' counsel could assist in the cases of state regulatory agencies that are ineffective. Among possible reasons he cited for their ineffectiveness:

"The policies of the private utility companies and those responsible for utility regulation are so similar as to make any differentiation difficult or impossible.

"This may be due either to the natural tendency of human beings who are closely associated with one another over a long period of time to develop sympathetic viewpoints or it may be due again to successful lobbying on the part of the private utility companies to prevent effective regulation."

While debate continues on the consumer agency, Jeremiah Finnegan, the Missouri commission's general counsel, favors more intervention in rate cases by municipalities on behalf of their citizens.

He recently urged the St. Louis County League of Municipalities to pool resources to share the cost of hiring outside experts and experienced rate-case lawyers to present their cases.

"When you realize that the citizens of St. Louis and St. Louis County had their rates increased by about $30,000,000 a year just last year alone," he said, "a few thousand dollars spent by the cities in rate-case expense would seem to be justified. I would like to say that my office welcomes intervention. We need all the help we can get in presenting the public's position."

The municipalities appeared to favor a renewal of a former practice of intervening vigorously in utility rate cases.

As John J. Morris, city attorney of University City, put it: "I anticipate a rejuvenation of that interest. The commission vitally affects all the people—more than they realize. If there is some interest shown in closer scrutiny of rate applications, it will all be to the public benefit."

[From the St. Louis Post-Dispatch, Mar. 30, 1970]

Missouri's Warm Climate

Does state regulation of public utilities in the modern economy work? Can this method be trusted to protect consumer interests in the supply of monopolistic public services? Or must consumers turn to other methods to obtain fair rates and reliable service?

Such questions have been raised by the series of generous rate increases granted to utilities over the past year by the Missouri Public Service Commission. As reported by Al Delugach in the Post-Dispatch, Southwestern Bell for example has been granted a $30,600,000 rate increase involving one of the highest rates of return in the nation, 7.98 per cent, on an operating base that includes plant under construction. Bell, in other words, is being allowed to count, as a cost of providing service, facilities that do not yet provide any service.

Of such accounting methods the California Public Utilities Commission has said:

"Only in a warm climate in which regulated utilities bask in such a contention possible. In the chilly climate of vigorous competitive enterprise, return comes from revenues, and revenues are impossible until a plant is completed . . ."

Professor Lionel Thatcher of the University of Wisconsin, who has testified in rate regulation cases in 26 states as well as before federal agencies, was baffled by the Missouri commission's action. The commission's own staff, which recommended a revenue increase of between $8,000,000 and $12,000,000, and a rate of return between 7.24 and 7.54 per cent, was discouraged and puzzled. And the chief of the regulatory law division of the Army Judge Advocate General, Curtis L. Wagner Jr., said the commission's findings "lacked any justification whatsoever to substantiate them."

Laclede Gas Co., Union Electric Co. and St. Louis County Water Co. also have been granted recent rate increases by the Public Service Commission under Chairman William R. Clark. Almost everybody would agree that in a period of rising costs like the present utility rates will have to rise like everything else. The question is how much they should rise, in fairness to company and consumer alike. The amount of the telephone company's increase and the way in which it was arrived at raise grave questions about the quality of rate regulation under Chairman Clark.

TRIBUTE TO LT. JOSEPH M. LAUINGER

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. BELCHER. Mr. Speaker, last January 8, a son of one of my good friends in Tulsa was killed in Vietnam. He was Lt. Joseph M. Lauinger. A tribute was paid to Joe by his brother, Tony. I found Tony's words to be very inspiring, and I though other Americans would also find inspiration in this tribute which I am today inserting in the Congressional Record under leave granted:

Of Joe Lauinger

(By his brother Tony, Funeral Mass, January 17, 1970)

We have a lot of thoughts of Joe—of the way he was: quiet, kind, hardworking, fun-loving, lovable.

He had a great sense of humor. He used to say and do some awfully funny things at awfully funny times. Some of the stunts he pulled probably didn't seen so funny at the time to his basketball coach or to the leader of the singing group that was such a big part of his college years, the Georgetown Chimes. But it was almost impossible to ever really get mad at Joe; he was so good natured it was contagious.

There was a serious side to Joe, too. He felt very strongly about things like *principle* and *duty* and *love*. He loved God, his family, his friends, his schools, his country. And he was always very loyal to the people and things he loved.

Joe was awfully proud to be an American. He felt very grateful to live in a country where men are free—free to strive after goals they set for themselves, free to practice their own beliefs, free to worship God. He believed that all men on this earth should have that same chance.

For Joe, serving his country was as natural a thing as playing out in the yard or going to school. He felt that the great gift of freedom we possess is not something that person deserves, but something a person earns.

Joe had an awful lot of common sense. And he had a great system of priorities. To him the clearest reality in the world was the great truth of St. Augustine: "Thou has made us for Thyself, O Lord, and our hearts are restless until they rest in Thee.

Joe certainly wouldn't want any sadness on our part at his having gone on to his Eternal Reward. With his rare combination of frankness and humor, he would say—and probably in these exact words—that the life he has left is a lot of "Mickey Mouse compared with the one he has gained."

Joe was an inspiriation to us in life. And he was certainly an inspiration to us in death. But despite all that he has been to us up to now, he will be much more of a joy and comfort to us in the future. Because now he's in a position where he can help us a whole lot more . . .

So do be sure, in the days ahead, to pray to Joe. I can tell you from experience, he'll always be ready to help whenever we ask.

HOSPITAL AID AND INFLATION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 29, 1970

Mr. CARTER. Mr. Speaker, today I read an editorial in the Washington Post which very clearly outlines the reasons why the President's veto of H.R. 11102 should be sustained.

Over the years it has become quite evident that if an expenditure is mandatory, before the end of the fiscal year, agencies having such money make every effort to spend it, whether wisely and economically or not. The President's very serious objection to this bill was the mandatory expenditure part. I feel that the Post editorial explains the President's position and why his veto should be sustained in the Senate.

Those of us on the subcommittee which formulated the new amendments very strongly support this measure to aid in hospital construction, modernization, and building of facilites to provide less intensive care for ambulatory patients and those in need of rehabilitation. However, some of our number felt that the mandatory expenditures clause could result in expenditure of money for projects which were not needed.

I commend this Post article to your attention:

Hospital Aid and Inflation

In overriding the President's veto of the hospital aid bill the House appears to have lined up strongly for improved medical care—a highly popular stance in an election year. When the Senate votes on Tuesday, it should give more thought to the valid objections which caused the veto. Foremost among these is the fact that Congress is trying to force the President to hold a tight rein on federal spending and at the same time compel spending beyond the limits of the budget.

The House has already passed a bill fixing a ceiling on 1971 federal expenditures, and it has been approved by the Senate Appropriations Committee. In the bill extending the Hill-Burton program for hospital construction and modernization, however, Congress authorized direct grants amounting to $350 million more than has been budgeted for fiscal 1971. It also provided that funds for these programs through 1973 must be spent. Fearing that this will become a precedent for additional compulsory spending requirements, the President vigorously protested that Congress is "withdrawing with one hand the authority necessary to do what it requires with the other."

There are some basic differences between the President and Congress, on the granting of federal funds for hospital construction at this time. The executive view is that the government should guarantee private loans to construct and modernize hospitals where additional beds are necessary, while specializing in grants for facilities to provide less intensive care for ambulatory patients and those in need of rehabilitation. This is in keeping with the modern trend of relying more heavily on less costly and sometimes more effective treatment centers as an alternative to hosiptals. But Congress voted for expanded hospital construction grants in addition to the new program, thus piling one on top of the other.

That generous gesture might be justified if Congress had not attempted to force spending of the funds, regardless of actual need, and if Congress had provided a comfortable surplus in the Treasury. Actually Congress slashed taxes in a most reckless fashion in the Tax Reform bill last December, and the Treasury is confronted by a growing deficit. If Congress insists on thus turning on the spending spigots without regard for where the revenue is coming from, it will give new impetus to inflation at a time when the economy is still suffering from the effects of the war-inspired expenditures of the late 1960s.

If the Senate feels strongly that all the medical facilities authorized by this bill are essential, it should indicate its willingness to accept a tax bill to pay for them. Otherwise it will be voting a new shot in the arm for inflation. The wiser course, we think, would be to sustain the veto and promptly to repass the bill with the objectionable features eliminated.

CRISIS IN AMERICAN EDUCATION

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. CRANE. Mr. Speaker, I have long admired the work of Roger A. Freeman in the area of education. His scholarly research has appeared in a number of professional journals, and in several books of high quality. Because of his outstanding background, I was particularly pleased to learn last year that Mr. Freeman was joining the White House staff as a special assistant to the President, where his considerable expertise would be available to the executive branch of the Government.

My expectations for Mr. Freeman were not misplaced. On June 19 he addressed the annual meeting of the Washington State Research Council on the subject, "Crisis in American Education."

In this speech, he eloquently puts into perspective a number of questions which are too often obscured by hazy rhetoric. He discusses the financial "problem" of education and also addresses himself to the current situation in higher education.

I commend his address to my colleagues:

CRISIS IN AMERICAN EDUCATION

(An address by the Honorable Roger A. Freeman, special assistant to the President of the United States)

I cannot adequately tell you how thrilled I was when I received your invitation to serve as your speaker at this luncheon. I left the State of Washington nearly fifteen years ago and thought that I had long been forgotten here. While David Swenson's letter was still on my desk, bathing my face in its reflected glow, I began getting telephone calls from Herb Miller, Ben Ehrlichman and others, urging me to accept the invitation. So here I am.

Having spent some of the most precious and most exciting years of my life in the Pacific Northwest, I am humbly grateful to you for letting me know that I made some lasting friends during the decade I lived and worked here.

If I were at liberty to do what I feel like doing, then I would now recognize my old friends in the audience, reminiscing about our common exploits in the legislative wars of the 1950's and tell the new generation tales of battle scars that have long since healed.

But you did not come here for that. You came to hear me speak about the "Crisis in American Education." So, in fairness to you, my hosts, and to make sure that you don't make me pay for my own lunch, I shall address myself to the assigned subject.

But before I do so, I want to pay tribute to the man who brought me into public life here over twenty years ago, to whom I owe most of what I know about public affairs, and whom I served as an assistant for more than five years. I mean, of course, Governor Arthur B. Langlie whose untimely death was a severe blow and grievous loss to all of us. I am most happy to hear that a biography of this great man, the only man ever to be elected Governor of Washington three times, is now in preparation and will soon be published.

For as long as anyone of us can remember there has always been talk about a "crisis in education." Those within the educational establishment usually saw the crisis in financial terms, denounced the existing support level as lamentably inadequate and predicted dire consequences and disaster if available funds were not promptly multiplied.

That no such crisis ever developed does not necessarily mean that our educational spokesmen had only been crying "wolf." It may well be that because their warning came early enough and their appeal for remedial action was sufficiently forceful and effective, their crisis predictions never came true.

That experience caused me in past years to place a question mark behind the phrase "crisis in education" whenever I used it. Somehow I felt certain that our schools and colleges would turn the corner in fine shape before they reached the critical stage.

I no longer feel as confident as I once did, and I no longer place a question mark behind the term "crisis in education." For the first time in history it appears that the profound faith of the American people in their educational institutions has been shaken and their belief in the wisdom of our educational leaders and in the soundness of their goals or practices has turned to doubt and even to outright disapproval. If a vote of confidence were asked for today from the people across this nation in the management and policies of their educational institutions, it would in most states no longer be as favorable as it would have been twenty, ten or even five years ago. This is true above all in regard to some of our most prominent universities and colleges, but also of many high schools and elementary schools. This is evident not only from the growing number of failures of school tax and bond elections—which in most areas offer the people the only organized way in which they can vote their displeasure—but also from numerous independent polls, letters and many other sources. How are schools and colleges to weather the onslaught to which they are now subjected, how are they to cope with their current and future problems, to progress and prosper in the years ahead, if they can no longer count on the affection and trust of the great majority of the American people upon whom their very existence depends?

So far, the flow of funds into education has not declined and continues to show a healthy rate of growth. Yet there are many voices heard, mostly from inside the establishment, which assert that inadequate financial support is at the root of their trouble and that lack of money is the most urgent problem in education which could be solved by the addition of several billion dollars in federal funds. Congress is being criticized for not appropriating enough money for education and the President is attacked for having vetoed an education appropriation earlier this year and for not having proposed the new and expanded programs which his critics urge upon him.

The President stated his reasons clearly in the Veto Message of January 27, the Message on School Reform of March 3 and the Message on Higher Education of March 19. Let me summarize them briefly:

1. Inflationary pressures, generated largely by eight years of deficit spending to the tune of $57 billion, are still so intense that demands for federal funds for *all* purposes must be restrained and their total kept approximately within the frame of prospective revenues. To pursue an expansionary fiscal policy at this time would add fuel to the fires of inflation and could wreak serious harm, none the least on education.

2. Certain costly school programs introduced with great expectations a few years ago are not yielding the promised results. In fact, the entire concept of a clear-cut positive cost-quality relationship in education has been called into question by recent research.

3. The label "education" is not enough to justify claims for federal funds. There must be evidence that a proposed program offers the most effective solution available and a tangible return to the taxpayers.

The President criticized that "we are not getting as much as we should of the dollars we spend," recommended several programs to correct existing shortcomings and promised:

"As we get more education for the dollar, we will ask Congress for more dollars for education.

Some of our critics claim that the budget is tight only because military outlays have been tremendously increased and that arms swallow most of the federal tax revenue which otherwise could be allocated to education and other social purposes. The facts are to the contrary:

In the current three-year period—FY 1968 to FY 1971—defense spending is being cut 9 percent, outlays for education and other social purposes boosted 47 percent, all other federal expenditures increased 21 percent. But the record of defense costs should probably be reviewed in a broader historical perspective:

Immediately after World War II, the military establishment was largely dismantled and outlays fell precipitously from $80 billion in 1945 to between $12 and $13 billion annually from 1948–1950. This unilateral disarmament was one of the causes of the Korean action which shot defense costs up to $50 billion in 1953. Since that time—that is between 1953 and FY 1971 as proposed by the President—defense expenditures increased 49 percent—approximately equal to the simultaneous rate of price rise. Spending for health, education, welfare and labor increased 944 percent, for all other functions 182 percent (see Table).

FEDERAL EXPENDITURES, 1953 AND 1971

[In billions]

	National defense	HEW-Labor	All Other	Total
1953	$49.4	$7.1	$20.4	$77.0
1971 [1]	73.6	74.3	57.6	205.6
Increase in percent	+49	+944	+182	+167

[1] President's proposals as revised May 19, 1970.

INCREASE IN FEDERAL EXPENDITURES, 1953–71

	Amount (billion)	Percent
National defense	$24.2	19
Health, Education, Welfare-Labor	67.2	52
All other	37.2	29
Total	128.6	100

More than half of the $129 billion increase in Federal expenditures between 1953 and 1971 was applied to social purposes, less than one-fifth to defense. Defense meanwhile shrank from 64 percent of the Federal budget to 36 percent, from 13.6 percent of Gross National Product to about 7.2 percent.

In other words, the share of Federal revenues and of the Gross National Product allocated to national defense has been cut almost in half since 1953. Most of the huge savings were applied to social purposes, with education one of the main gainers. To slash our badly depleted defense establishment even faster or further in this troubled and hostile world would risk the nation's very existence in an irresponsible manner and be an invitation rather than a deterrent to war.

With only 6 percent of the world's population and between one-fourth and one-third of its developed resources, the American people now invest in educational institutions annually almost as much as all other nations combined. Nothing testifies more eloquently to the American faith in education than the priority which the people have granted it in financial terms. Over the past twenty years the support of schools and colleges from all sources has multiplied about eight times while personal consumption expenditures or business or personal investment multiplied only slightly more than three times. Expressed in dollars of constant value, personal consumption doubled educational spending expanded five-fold.

Over the same period, the number of employees in private industry increased 38 percent while it tripled (+203 percent) in public education. In the rest of government, manpower grew 87 percent. These are impressive facts which make charges of neglect or starvation of education look plain silly.

To be sure: school enrollment grew faster than the population as a whole. Twenty years ago the impending "tidal wave" of postwar babies faced the schools with a grave challenge. Would schools be able to obtain the resources required to expand their staffs and facilities in proportion to students? Would the American people be willing to provide the huge funds by traditional methods? Few observers thought at the time that the job could be done without a massive intervention of the federal government.

The task was truly stupendous: Between 1950 and 1970 public school enrollment nearly doubled, jumping from 25 million to 47 million pupils (=+88 percent). Nobody expected in 1950 that school support would multiply seven-fold in the succeeding 20 years, from $5.4 billion to $38.5 billion; but it did. Expressed in constant dollars, the increase equalled 350 percent—while enrollment, as mentioned, went up 88 percent, national income or product 125 percent.

What did this accomplish? While enrollment grew 88 percent, the instructional staff expanded 131 percent; classroom teachers +119 percent, non-teaching professional staff such as administrators, counselors, psychologists, nurses, librarians, etc. +358 percent. The ratio of the instructional staff to pupils was reduced from 1:26.1 to 1:21.3, which means that there are now 4.8 fewer pupils per teacher in the public schools than there were in 1950.

In his first education message in 1961 President Kennedy, in proposing federal school construction aid, suggested that 600,000 classrooms ought to be built during the 1960s to take care of all needs and that state and local governments would be unable to meet that goal unaided. Actually, about 700,000 new classrooms were constructed in the 1960s—*without a federal construction aid program*. There are now about five children fewer per classroom than there were in the early 1950s. The most amazing fact is not that these reductions in class size took place in a short number of years but that this was accomplished during the time of the sharpest enrollment expansion that America's public schools ever experienced, and that it was done largely by action of the people themselves, in thousands of tax and bond elections.

Of the $33 billion that were added to the support of the public schools over the past twenty years, 93 percent came from state and local governments which were then as now alleged to be "hanging on their financial ropes." No program of general federal aid for school operations or construction was enacted, in spite of truly heroic efforts of its protagonists, in a campaign begun well over a century ago. Nothing testifies more clearly to the continued effectiveness of the traditional American way of government by the consent of the governed. In the current school year, 1969/70, the federal government supplied only 6.4 percent of the public school support, according to the National Education Association*, with most of it closely earmarked for special programs and little available for general support.

The time of enrollment growth in the public schools is over. Current projections suggest little or no increase in the 1970s—unless mass closings are forced on the private schools which still accommodate almost 6 million children. Barring such a development, the task of providing adequate support for the public schools should be far easier in the 1970s than it has been for several decades. There is one big IF in this expectation: IF the public schools can retain—or in many cases, regain—the confidence and goodwill of the communities they serve.

So far we have recorded only the "input" into the schools: dollars, teachers, classrooms. It has always been customary to measure educational progress and quality by "input" factors—such as dollars expenditure per pupil or teacher-pupil ratio—not by "output" factors, that is improved skills and knowledge of the students.

Unfortunately, we have no record of "output" because school administrators have always strenuously resisted demands to introduce qualitative yardsticks into the schools by which the progress of students in essential skills and knowledge could be measured, recorded and compared.

In his School Reform Message, the President stressed the need for objective measurement of educational results. He added:

"For years the fear of 'national standards' has been one of the bugaboos of education. . . . The problem is that in opposing some mythical threat of 'national standards' what we have too often been doing is avoiding accountability for our own local performance. We have, as a nation, too long avoided thinking of the productivity of the schools."

Many years ago we had at least a tentative gauge in the percentage of pupils held back. But the practice of having lagging pupils repeat a grade was largely abandoned when the schools discovered the secret of perpetual promotion.

Achievement test data on pupil skills in the 3Rs are now available only from research projects and from a few cities. James S. Coleman of Johns Hopkins University, who in 1965–66 headed the largest and most thorough examination of American public schools ever undertaken, was amazed to find: "The evidence revealed that within broad geographic regions, and for each racial and ethnic group, the physical and economic resources going into a school had very little relationship to the achievements coming out of it." He concluded that "if it were otherwise we could give simple prescriptions: increase teachers' salaries, lower classroom size, enlarge libraries, and so on. But the evidence does not allow such simple answers."

Reviewing the ensuing national debate in *New York Times Magazine* of August 10, 1969, Christopher Jencks of the Harvard School of Education, summarized his conclusions: "Variations in schools' fiscal and human resources have very little effect on student achievement—probably even less than the Coleman Report implied."

The most detailed report now available on any city school system (*New York City School Fact Book*, City University of New York 1969) found:

"The evidence we have accumulated is somewhat surprising. We have recorded traditional variables that supposedly affect the quality of learning: class size, school expenditure, pupil/teacher ratio, condition of building, teacher experience and the like. Yet, there seems to be no direct relationship between these school measurements and performance. . . ." Statistical data in that report show that reading and arithmetic achievements in the highest expenditures schools ($1100 per pupil and up, median $1330) average between 5 and 7 months *behind* those in the schools with the lowest expenditures (below $600 per pupil, median $551). The teacher/pupil ratio was 1:25.9 in the high-achievement schools, 1:12.3 in the low-achievement schools.

But the belief in the educational magic of the dollar dies hard. Five years ago Congress enacted a $1¼ billion-a-year program to raise the achievement level of millions of children from low-income backgrounds who were reported to lag one or several years behind national norms (averages) in basic skills. Title I of the Elementary and Secondary Education Act of 1965 for "compensatory education" and a few related programs now account for about half of all federal school funds.

Two years ago the *Associated Press* found in a nationwide survey: "Title I, the federal project on which $3 billion has been spent in the hope of answering the educational needs of deprived children, is not working out. On this point, critics and supporters alike are agreed."

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*According to other sources, 8%.

After reviewing the major "compensatory education" programs since 1957 the U.S. Civil Rights Commission found that "none of the programs seems to have raised significantly the achievements of participating pupils."

In his Message on School Reform, the President reported that:

"*The best available evidence indicates that most of the compensatory education program have not measurably helped poor children catch up* . . . Recent findings on the two largest such programs are particularly disturbing. We now spend more than $1 billion a year for educational programs under Title I of the Elementary and Secondary Education Act. Most of these have stressed the teaching of reading, but before-and-after tests suggest that only 19 percent of the children in such programs improve their reading significantly; 13 percent appear to fall behind more than expected; and more than two-thirds of the children remain unaffected—that is, they continue to fall behind. In our Headstart Program, where so much hope is invested, we find that youngsters enrolled only for the summer achieve almost no gains, and the gains of those in the program for a full year are soon matched by their non-Headstart classmates from similar poor backgrounds."

The record of thousands of projects from "Higher Horizons" and "More Effective Schools" in New York to "Banneker" in St. Louis, from "Madison" in Syracuse to the Berkeley schools—all of them started with great enthusiasm—tells a story of consistent failure to produce the educational improvement among so-called "deprived children" which their sponsors hoped for and promised.

What this adds up to is, of course, not that we should quit increasing school resources every year. The President made that abundantly clear—he recommended, in fact, several programs to bolster school support in certain critical areas besides proposing a system of federal revenue-sharing which will aid state and local governments generally.

The basic approach of the School Reform Message is: let us pursue methods, through research, that will accomplish what we are aiming at. But let us not go overboard until we know what will work with children from slum backgrounds. Just spending billions of taxpayers money is no adequate substitute for tangible achievements.

The New York City Master Plan (1969) declared: "The plain fact is that no one yet knows how to make a ghetto school work."[1] This has not kept New York City from multiplying its outlays generally, but particularly in schools in poverty areas, to the point where it now spends on the average about twice as much per pupil as other large cities. But students in New York City schools lag, on the average, far behind national norms—and they slipped back another two months in reading last year. What was the Board of Education's response? It demanded a 30 percent increase in operating funds—$380 million—for next year (1970/71) besides a $600 million appropriation for new construction. Not surprisingly, New York City authorities expect this to be paid by the rest of the country.

Most compensatory and similar programs for educational improvement place their main emphasis on reducing class size, although it has long been known from hundreds of research studies that there is no correlation between class size and pupil achievement. The *Encyclopedia of Educational Research* reported twenty years ago that:

"On the whole, the statistical findings definitely favor large classes at every level of instruction except the kindergarten . . . the general trend of evidence places the burden of proof squarely upon the proponents of small classes."

Three years ago the Coleman report found that the teacher-pupil ratio "showed a consistent lack of relation to achievements among all groups under all conditions". But the myth that pupils learn more in smaller classes still flourishes and the demand for cutting class sizes continues while resistance to technological progress, such as programmed learning with the help of machines or television and films grows. Could the explanation lie in a fact brought out by the Bureau of Labor Statistics last year? Commissioner Geoffrey H. Moore reported at a Congressional hearing last December that "the aggregate supply of trained teachers is expected to significantly exceed demand, if recent entry patterns in the occupation continue." He projected job openings between 1968 and 1980 at 2.4 million, the new supply of teachers at 4.2 million.

Youth unemployment has long been severe—one out of seven people between 16 and 21 is out of a job, and one out of four among non-white youths. In no other industrial country in the world is there a comparable problem of youth unemployment. But we have so far failed to study why we do so badly. Since the belief that education is the best answer to poverty has virtually become part of the American Creed, we might well look to the schools for a remedy.

Among the country's worst school systems by any yardstick save expenditures per pupil are the District of Columbia schools. But, there are exceptions. For example, Bell Vocational High School, 60 years old and almost all black, has little if any of the troubles that beset most other Washington schools, and its graduates have no difficulty in landing jobs. So what does the Board of Education plan to do about it? You guessed it—it intends to abolish Bell and the other four vocational high schools.

There used to be an excellent academic high school in Washington Dunbar. Some twenty years ago eighty percent of its graduates, almost all black, went to college. Reorganized under more recent rules, Dunbar is now as bad as Washington's other high schools. I should mention that my son has been attending a Washington public high school this past year.

Amidon was among the country's best schools—and many D.C. schools maintained at least a semblance of good education under the four-track system. The four-track system was abolished, Amidon was equalized with other D.C. schools—equal, that is, to the lowest schools in the country measured by pupil achievements.

It has widely been suggested that schooling should be started earlier so that disadvantaged children do not lag behind others when they reach first grade. Results of the massive Headstart program have so far not been convincing and efforts have been started to begin schooling even earlier, e.g., at three years. The number of 3 to 4 year olds in school has risen from 800,000 five years ago to 1.2 million—with the attendance among whites 15% and among non-whites 21%. This may be all to the good. Would it help the educational process to begin at birth, as some have suggested? Nobody knows. Available studies have shown that the I.Q.'s of adopted children correlate with their natural parents from whom they have been separated since birth and bear little relationship to the foster home. Also, the I.Q.'s of identical twins reared apart are almost as closely correlated as the I.Q.'s of identical twins reared together. This seems to suggest that intervention at birth may come about nine months late.

Several research projects are now being sponsored by the Office of Economic Opportunity and the Department of Health, Education, and Welfare which aim to find and identify methods of teaching "disadvantaged children" effectively. One project farms out the teaching of reading and other core subjects to independent contractors whose compensation varies according to the measurable progress of the students. Another project provides parents with vouchers, giving them a freedom of choice among schools, public or private, which they wish their children to attend.

Ventures of this type aim to stimulate imagination and, above all, competition among schools, which has so sadly been lacking under a system of virtual monopoly that left parents and students no practicable choice. How would you like to shop if there existed just one grocery store for your neighborhood and your only recourse were a complaint to a distant and quite independent board of grocery store supervisors? How good would service and values be under such a system?

To expand, intensify and systematize educational research, the President recommended to Congress the formation of a National Institute of Education. It will sponsor projects at schools, colleges and research centers as well as of individual scholars and also have some studies conducted by its resident staff. Ideas about improved education, no matter how attractive, must be tested before they are translated into huge undertakings. Some ventures in recent years did more harm than merely waste money. They were like the psychoanalyst who blamed his patient's appendicitis on early life experiences and tried to cure it on the couch.

Lavish promises to parents and taxpayers about improvement in educational achievements which went unredeemed have aroused widespread disappointment and deep unhappiness. Bitterness and recriminations have in many locations led to violence and senseless mob action whose consequences will plague us—and the affected children—for years. In numerous cities, well-intentioned men and women have raised demands or taken steps which not only split communities and multiplied civic strife and hatred but permanently damaged the education of millions of youngsters. Such action was often encouraged, sponsored or carried out by governmental authorities. I am reminded of a warning that Mr. Justice Brandeis gave more than four decades ago:

"Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficient. Men born to freedom are naturally alert to repel invasion of their liberty by evil minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning but without understanding." (*Olmstead* v. *United States*, 277 U.S. 478.)

In many locations, action intended to improve the education of large numbers of children has actually worked to retard their progress, to create conflict and chaos and to alienate large numbers of residents from the public schools. Some schools have been virtually ruined and some cities could be destroyed in the process if it continues much longer.

There is dynamite all over the place and if we do not "cool it," if we permit it to heat up more, it may blow up in a major conflagration. The main losers then might be the schools but the victims will be the children whose hope for the future depends on getting an education in schools that can operate only if there is no disruption or turmoil.

I have always been a great believer in community control in education and in other public services. This is why I regret that neighborhood control of schools was never given a fair chance in the sections of New York City where it was intended to be tried out. Intensified scientific research for finding more effective methods combined with greater influence of the parents on school policies might well offer the most promising solution. Actions and policies strongly opposed by the parents or leading to a diminished role of the parents in school affairs are unlikely to help the children. By pursuing a course that alienates their communities, some public schools may well be sawing off the branch on which they are sitting.

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[1] My colleague, Daniel P. Moynihan, commented on this a few months ago: "The plain fact is that nobody knows how to make a real ghetto school—that is one made up of European Jewish students—*not* work."

Grave problems loom ahead for the schools, public and private, and some of those problems are of a financial nature. This is why the President established by Executive Order a Commission on School Finance, which will report to him within two years. But the financial problems of the public schools don't amount to a crisis—unless the schools themselves, by their actions further weaken the affection and confidence of the parents and taxpayers upon whom their support inescapably depends. At this time, the danger of a deep and lasting split between the American public and its school system is present, but not immediately threatening. It is imminent and grave in the case of universities and colleges. I will therefore devote my remaining time to the omnious developments on campuses from coast to coast, which jeopardize the future of higher education in the United States.

The administrators of colleges and universities no less than those of elementary and high schools tend to view finances as their most pressing problem. "The most critical question facing higher education today is how to find sufficient resources", declared the Association of American Universities in April 1968. Considering the growing wave of campus revolts in recent years, some of us may doubt that finding sufficient resources truly is "the most critcial question facing higher education today." Finding leaders capable of coping with the violent uprising could be more crucial.

Enrollment at Institutions of Higher Learning (IHL) multiplied about three times over the past twenty years, revenues ten times. With the rate of enrollment growth certain to diminish in the years ahead, the task of obtaining sufficient income should also turn easier. In all likelihood, though, it will not.

While enrollment was about evenly divided between public and private institutions until about 1950, there has since been a decided shift evident toward public IHL; seventy to seventy-five percent of the new students now enroll at state and city colleges, largely because of the ever-widening tuition gap. State instituions now charge less than one-fourth of the tuitions of private colleges. The latter depend on private donations to make up the difference between instructional costs and charges. But their gift receipts have not been rising as rapidly as the state taxes which support public IHL. If present trends continue, most of the 1500 private colleges—about two-thirds of all IHL in the country—may within the next two decades have to close their doors or turn public. This would, to all appearances, not break the heart of those who set the tuition policy of public colleges.

General operational support of all IHL, from Federal or state sources is unlikely to materialize because two-thirds of all private IHL are church-connected. This raises constitutional questions that have so far proven insuperable. To provide federal funds only for the operation of public IHL would, of course, sound the death knell for the private colleges which Congress most assuredly does not want to do.

This is one major reason why the President in his Higher Education Message of March 19th stressed aid to students rather than to institutions. In his presidential campaign and in earlier years, Mr. Nixon has strongly advocated tax credits, for donations and for tuitions, as a means of aiding higher education. The Senate adopted such proposals on several occasions and a bill of that type could pass Congress any time with broad bipartisan support. The President has not changed his views on education tax credits but has not pushed the proposal because higher education associations, with some exceptions, have taken an equivocal, and in some cases a negative attitude. Heads of institutions prefer direct grants which enable them to spend the sums according to their own judgment; they dislike indirect aid such as tax credits which would confer on parents and other college supporters greater powers in the decision-making process. Sponsors of educational tax credit plans, though they constitute a commanding majority, according to several polls, have so far not effectively organized to get their program adopted.

In recent years the urgency of pleas for the grant of direct federal funds to institutions has sharply intensified. This expresses the fear of the heads of institutions that their established supporters have become increasingly disillusioned and alienated and can no longer be depended upon to increase the funds as rapidly and as unquestioningly in future years, as they have in the past. Mass riots, violence and wanton destruction that have taken place on about 500 campuses over the past six years—the most serious ones within the past two years—the forcible disruption of studies and abject surrender of orderly administration that have occurred and been permitted to continue, have seriously eroded the respect, affection and genuine pride which the American people have traditionally accorded higher education and its leaders. Outright hostility shown by faculty and students on many major campuses toward all efforts that would tend to strengthen the defense capacity of the United States, and violent action against defense research and ROTC activities, have widened the chasm between town and gown and turned admiration into suspicion, antagonism and scorn.

I can obviously not, in this context, adequately discuss the record and far-reaching implications of the campus revolt that started in Berkeley six years ago. But, neither can I avoid talking about the impact these events are likely to have on the future support of colleges and universities.

Several polls within the past few months suggest that the American public disapproves, with a ratio of between 3:1 and 5:1, of the student disruptions or closing down of colleges and universities by mobs of students, faculty and outsiders, that it favors the calling of law enforcement agencies and the National Guard on campus where college and administrators are unable to maintain orderly operations.

According to a Gallup Poll in March 1969, 84% of the public wants Federal aid withdrawn from campus lawbreakers. Administrators were not listening.

Possibly the most significant indicator of the public's resentment was expressed in a Gallup Poll on May 13–14 for *Newsweek* (May 25) in which respondents were asked who was primarily responsible for the deaths of four students at Kent State University: 11% blamed the National Guard, 58% the demonstrating students, 31% gave no opinion. Since the facts at Kent State are not yet fully known—the President has appointed a commission to investigate the tragedy—the vote expresses the "gut reaction" or basic attitude of the public more than its judgment in the particular case.

The public sentiment is also being reflected in adverse votes on education issues on state and local ballots and is beginning to show in a diminished flow of incoming gifts. Sooner or later it may also be reflected in the treatment that colleges and universities can expect at the hands of state legislators who, after all, must shape their votes to conform with the wishes of their constituents, if they want to continue in public office.

This is why administrators look increasingly to the federal government for funds. But the prevailing sentiment in Congress bodes no good. According to latest reports, the President's recommendations and other proposals to aid higher education may not be acted upon by the 91st Congress—except for the establishment of a secondary market in guaranteed student loans—largely because of the campus revolt.

The public's ire is directed at the militants who have engaged in orgies of vandalism and destruction, but also at trustees, administrators and faculty members who have permitted them to do so with impunity. Those campus authorities have defaulted on their duty to protect the civil rights of other students and faculty, an overwhelming majority, to pursue their education, teaching and research without being subjected to coercion, intimidation, and physical assault.

It is difficult to recall now that the campus revolution started as a movement purportedly for free speech. Before long it manifested itself in preventing all who would disagree with the militants—faculty, students or public officials—from speaking. High officials of the U.S. government, such as then Vice President Humphrey and Secretaries Rusk and McNamara, were physically attacked when they tried to speak. Neither the President nor his top advisers would now be able to speak on most major U.S. campuses. Is this an example of dialogue or free speech?

Does anybody really believe that the student revolt would end or abate if the war in Vietnam and Cambodia ended tomorrow? The leaders of the action would invent some other cause. They do not want reform—they seek bigger ends.

The President of Stanford University and the president of its student body have recently acknowledged that behind most action is a small hard-core of revolutionaries who are "bent on nothing less than the destruction of the university, primarily as a way of bringing down the society itself."

Acts of arson, burglary and vandalism were committed on the Stanford campus in recent months. 45 policemen were injured in just two nights. The beautiful building in which my office is located—completed less than three years ago—was and still is partially wrecked. But it is in a better shape than the nearby Center for Advanced Studies in the Behavioral Sciences which was firebombed. An Indian scholar's life work there was destroyed. More than 30 ROTC buildings were fire-bombed and many other structures burnt on various campuses. Non-conforming faculty and staff were beaten up.

There are laws against such acts on the books of every state, imposing long prison sentences. Are the criminals who committed these acts now serving time in penitentiaries? How many of the faculty and students who participated have been expelled? Blackmail and violence have often been rewarded by college administrators with concessions and surrender. Most of the time, little effort was exerted to apprehend offenders and if identified they were usually granted amnesty. Small wonder that a reign of terror continues on campuses. Nor will it end until either the presidents and trustees of colleges and universities live up to their responsibilities—or somebody else does the job for them, which would, of course, be far less desirable.

Nobody questions the right of students, faculty or administrators to make their individual disagreements known with any action of the U.S. government, foreign or domestic. But a university which takes a stand on a political issue—and a violent stand at that—destroys its value and forfeits its claim to be a center for impartial study and teaching.

It transgresses upon the rights of the members of the academic community with different views. It is too often forgotten that most parents send their children to college to learn, not to decide public policy. If students were mature enough to exercise such judgments, they would not need to go to college. But even if all seven million students on U.S. campuses disagreed with official U.S. policy—which, of course, they do not—what makes anybody think that they would have the right to force the hand of the lawful government and the duly-elected representatives of 205 million Americans? What makes the dissidents think that they can run the country—without subjecting themselves to the inconveniences of having to run for elective office to gain the consent of the governed before they try to usurp the right to govern? What the leaders of this movement really want is, of course, not to run the country but to ruin it. Shall we let them do it?

A society that does not defend itself is bound to destroy itself. To yield to mob rule is to end government by the people.

Less than two months ago I spent a week of discussions in Moscow. Soviet officials were quite frank in saying that they expect American foreign policy to be influenced and largely governed by domestic events, including violent mob action on our campuses. The Soviets expect that they can sit back and wait until we give in. They are, I believe, mistaken. But I am not surprised that they feel this way.

There are now signs that the patience of American people is wearing thin. If aroused groups resorted to vigilante action as their last resort, as some did in New York a few weeks ago, the results could be tragic for our colleges and for the free institutions we cherish. A "backlash" could gravely harm our system of higher education, built up by the dedicated efforts of generations of Americans in more than three hundred years. Let us not forget that Rome was built in seven centruries, destroyed in a few days. There is still time to keep our higher educational institutions from going down. I hope and trust that it will be used well.

TRIBUTE TO HERMANN B. DEUTSCH

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BOGGS. Mr. Speaker, I commend to the attention of my colleagues the following story from the New Orleans States-Item of June 26, recounting the sudden death in New York City last week of Hermann B. Deutsch—Newspaperman, author, sportsman, and Louisiana historian.

May I add to that—one of the greatest writers ever produced by the State of Louisiana.

I have also included the last column written by Mr. Deutsch. It was prepared by him before he flew to New York and was published several days after his death.

Mr. Deutsch, whose survivors include members of a famous family, and more particularly his brother, Col. Eberhard P. Deutsch, one of America's great constitutional lawyers, was my old friend from my college days at Tulane University. The late Mr. Deutsch was one of the judges when during my freshman year at Tulane in 1931 I won the medal given to the best debater of the Glendy Burke Debating Society. I have had a soft spot in my heart for him ever since then.

He lived an active life all of his days. I will greatly miss him.

The articles follow:

[From the New Orleans States-Item, June 26, 1970]

DEUTSCH ADDS UP LIFE: GOOD OUTWEIGHED BAD

(By Dale Curry)

From the will of Hermann B. Deutsch.

"I have known more delight than dolor, more contentment than frustration, more gladness than sorrow. The balance of gain over loss is so heavily in my favor that I am in the position of a golfer who is four up and has but three to go. I can no longer lose, and life has been very good to me."

The will of Hermann B. Deutsch, 81-year-old States-Item columnist who died in New York yesterday, was probated in Civil District Court this morning, designating his estate to friends, relatives and universities and his most treasured possessions—his books—to family and libraries.

Never married, the Austrian-born author, sportsman and Louisiana history authority, hand-wrote nine legal pages of his last will and testament March 16, 1969, inserting amusing and witty remarks on his life and views of here after.

Writing his will in column style, Deutsch named to beneficiaries approximately $100,000.

An undetermined residue was bequeathed to an old friend in Grady, Ark.

He bequeathed $15,000 each to the University of Chicago, Tulane University and Louisiana State University in New Orleans and $10,000 to Loyola University with the use of the money going to sisters and a nephew during their lifetimes.

He asked that his body be donated to medical research, unles it is found to be of no value. Alternatively, he asked that it be shipped out to sea from New Orleans.

"If legal technicalities should prohibit this, then let my body be cremated and have the ashes scattered over some field where something useful is grown," he wrote.

"The one result I ask to assure by the alternative demands is that owned and already overburdened earth, no one spot of ground which might be devoted to growing something serviceable, shall be pre-empted senselessly by that which once was I.

"Above all, let there be no gathering of any sort, no wake, no funeral or other barbarous survival of an uncivilized past, no prayers, no rituals or other incantations."

Regarding eternity, Deutsch said he made no claim to encompass the infinite within the confines of a finite mind but that he feared neither injustice hereafter nor possible extinction.

He expressed gratitude to New Orleans, which he said gave him the "priceless gift" of making friends, and to his Metairie neighbors of many years.

A page of the will is devoted to a group of friends who met for what Deutsch called "business sessions." He asked that he host a final meeting of the group and set aside $300 to defray the cost a session of La Societe des Escargots Orleanais.

He left his books to his brother, Col. Eberhard P. Deutsch, with the suggestion that some go to New Orleans and Jefferson Parish public libraries and libraries of New Orleans and Baton Rouge universities.

Deutsch said he would leave nothing to organized charity or welfare groups.

"In my estimation the heavy impost levied upon my earnings in life through taxes for the support of those less fortunate then myself or assistance to those less willing to exert themselves for the attainment of what earnest effort could almost surely have brought them, I fully discharge any obligation I may have in this respect."

Throughout his will he referred to monetary bequests as the least valuable part of his belongings. A major portion of the money was dispersed to young friends.

[From the New Orleans States-Item, June 27, 1970]

MAGAZINE COLUMN SETS OFF LAST WALK WITH NOSTALGIA

(By Hermann Deutsch)

A walk with nostalgia—Someone sent me a copy of the glossy Baton Rouge "Register" the other day, and on the instant I went hurtling back in time to the early 1930s, when my first hard-cover book had just come out. It was a biography of Lee Christmas. Its title: "The Incredible Yanqui," published by Longmans, who had somewhat earlier published Daniel Defoe's Robinson Crusoe.

At first all of a novice's gauziest success dreams seemed about to come true. The New York Times, where I was completely unknown, devoted a full page of its fabled Sunday book review section—page 3, at that—to a very favorable review.

I had worked hard on it. I had traveled to Memphis to dredge all the first hand information I could from the first of Christmas' four lawful wives, all of whom were still living at the time of his death in January, 1924, in Touro infirmary of the tropical sprue he had contracted somewhere in the jungles of Honduras or Nicaragua. I had gone to the tropics (my first visit to that storied land) to interview Guy Molony, who had been chief of police in New Orleans (his birthplace) from 1920 to 1925, and who, prior to that time had been a volunteer British soldier in the Boer War in South Africa, where he had been cashiered for borrowing his colonel's horse in order to be photographed with it.

He had been Christmas' chief right bower in at least three Centro-American revolutions; he had been the first donor to give a pint and a half of blood to his old jefe in a second story bedroom of the latter's home on Sycamore st.—and because of the soreness of his arm, which had required surgery to lay bare a vein in the crook of his left elbow, he asked me to drive him back to town in his siren-equipped green Cadillac coupe, which I very proudly did.

But after that one review in the New York Times, and other less gaudy ones in scores of other newspapers, nothing in the way of sales eventuated. So I kept my job on the old Item, covered the first legitimate Louisiana story with Charlie Campbell, John Gasquet and Jimmy Wedell in an airplane—the opposition reporter on that assignment (a penitentiary break at Angola in which eight men died) was a young University of Mississippi alumnus, name of George Healy.

But so far as my cherished firstling of a hard-cover book was concerned there was nothing—absolutely zero-zero—except bills for the clipping service I was green enough to have engaged.

I still have a dusty old carbon among my stored effects, bulging with those clippings, some of them actually pasted into the little Woolworth scrapbook I had acquired for the purpose; and if I can ever excavate that carton from its resting place, I shall add to those clippings the following from Carol Seip's Ad-Libbing column of the April 4, 1970, edition of the Register, published twice monthly at Baton Rouge by Orene (Mrs. Huckabay) Muse. Carol writes of the Matrix Table, an organization of LSU's girl journalism students, who included at that time the late Helen Gilkinson, Mary Champagne, Orene Muse, and blessed "Maggie" Dixon, who died this week after a long and brilliant career as managing editor of the Morning Advocate.

Writes Carol Seip of the Matrix Table's guests, and Orene's recollections of Dorothy Dix and Warren Rogers, and adds: "She (Orene) also remembers Hermann Deutsch, who was the LSU chapter's first Matrix Table speaker when the then Mississippi student at the University here draped herself in a Spanish shawl and gave a reading from Hermann's book about General Lee Christmas. (Hermann was charmed.)"

He was indeed. In my response I said Orene convinced me that I had builded better than I knew. And I am no end grateful to the omnivorous reader, Librarian Maurice D. Walsh Jr., of the Jefferson Parish Public Library, who marked this reference and sent me the Register's April 4, 1970, issue and thus sent me off on this walk with fair Nostalgia.

FEDERAL CIVILIAN EMPLOYMENT, MAY 1970

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MAHON. Mr. Speaker, I include a release highlighting the May 1970 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures:

FEDERAL CIVILIAN EMPLOYMENT, MAY 1970

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in the month of May was 3,013,112 as compared with 3,089,175 in the preceding month of April. This was a net decrease of 76,063, due primarily to temporary Census employment.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

EXECUTIVE BRANCH

Civilian employment in the Executive Branch in the month of May totaled 2,976,677. This was a net decrease of 76,383 as compared with employment reported in the preceding month of April. Employment by months in fiscal 1970, which began July 1, 1969, follows:

Month	Employment	Increase	Decrease
July 1969	3,049,502	+9,140	
August	3,015,864		−33,638
September	2,945,752		−70,112
October	2,927,741		−18,011
November	2,913,598		−14,143
December	2,912,661		−937
January 1970	2,893,593		−19,068
February	2,892,469		−1,143
March	2,975,192	+82,723	
April	3,053,060	+77,868	
May	2,976,677		−76,382

Total employment in civilian agencies of the Executive Branch for the month of May was 1,759,246, a decrease of 71,678 as compared with the April total of 1,830,924. Total civilian employment in the military agencies in May was 1,217,431, a decrease of 4,705 as compared with 1,222,136 in April.

The civilian agencies of the Executive Branch reporting the largest net decreases were Commerce Department with 72,259, (reflecting a decrease of 71,959 in temporary employees involved in taking the Nineteenth Decennial Census), and Treasury Department with 6,270. The agencies reporting the largest net increases were Agriculture Department with 3,012 and Interior Department with 1,702. These changes were largely seasonal.

In the Department of Defense the largest decreases in civilian employment were reported by the Navy with 3,470, Army with 483 and Air Force with 460.

Total Executive Branch employment inside the United States in May was 2,748,548, a decrease of 71,572 as compared with April. Total employment outside the United States in May was 228,129, a decrease of 4,811 as compared with April.

The total of 2,976,677 civilian employees of the Executive Branch reported for the month of May 1970 includes 2,563,450 full time employees in permanent positions. This represents a decrease of 4,163 in such employment from the preceding month of April. (See Table 2 of accompanying report.)

The Executive Branch employment total of 2,976,677 includes some foreign nationals employed abroad, but in addition there were 105,811 foreign nationals working for U.S. agencies overseas during May who were not counted in the usual personnel reports. The number in April was 106,317.

LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative Branch in the month of May totaled 29,579, an increase of 78 as compared with the preceding month of April. Employment in the Judicial Branch in the month of May totaled 6,856, an increase of 242 as compared with April.

DISADVANTAGED PERSONS

The total of 3,013,112 reported by the Committee for May includes 19,594 disadvantaged persons employed under federal opportunity programs, an increase of 952 over the preceding month of April. (See Table 4 of the accompanying report.)

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel employed full time in permanent positions by executive branch agencies during May 1970, showing comparisons with June 1969 and the budget estimates for June 1970:

FULL-TIME PERMANENT EMPLOYMENT

Major agencies	June 1969	May 1970	Estimated June 30, 1970 [1]
Agriculture	83,425	82,134	83,000
Commerce	25,364	25,294	25,600
Defense:			
Civil functions	31,214	30,213	30,700
Military functions	1,225,877	1,147,782	1,165,900
Health, Education, and Welfare	102,941	101,175	102,500
Housing and Urban Development	14,307	14,332	14,900
Interior	58,156	59,611	59,300
Justice	35,106	37,199	37,600
Labor	9,723	9,894	10,300
Post Office	562,381	565,091	567,000
State	24,658	23,667	23,900
Agency for International Development	15,753	14,582	15,000
Transportation	60,386	62,733	63,600
Treasury	79,982	85,595	86,700
Atomic Energy Commission	7,047	6,980	7,000
Civil Service Commission	4,970	5,117	5,300
General Services Administration	36,176	36,195	36,400
National Aeronautics and Space Administration	31,733	31,323	31,400
Office of Economic Opportunity	2,856	2,178	2,400
Panama Canal	14,731	14,574	14,700
Selective Service System	6,584	6,671	6,600
Small Business Administration	4,099	4,006	4,100
Tennessee Valley Authority	11,987	12,550	12,300
U.S. Information Agency	10,500	10,001	10,200
Veterans' Administration	147,606	147,710	148,500
All other agencies	26,200	26,843	27,800
Contingencies			10,000
Total	2,633,762	2,563,450	2,602,800

[1] Source: As projected in 1971 budget document; figures rounded to nearest 100.

A QUIET ONE WITH CLASS— AL KALINE

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HARVEY. Mr. Speaker, the headline writer for the special feature story on one of baseball's great players, Detroit Tigers' Al Kaline, which appeared in the June 29 edition of the Christian Science Monitor, could not have said it better when he called Kaline "a quiet one with class." In Michigan, we also view Al Kaline as a player in a class by himself. It is equally remarkable that we not only admire his tremendous playing skills, but that we recognize him as a real gentleman and an outstanding citizen. In reading the article by Mr. Ed Rumill, I particularly noted the quote by Detroit Manager Mayo Smith who said:

> But Al has all the qualities you look for in a great ballplayer.

As I had the privilege to meet and visit with Al Kaline a year ago last January in my Washington office, it is most natural for me to be able to tell you that Al Kaline has all the qualities you look for in a great person and American, too. It is with great pleasure to insert in the RECORD a fine article on Al Kaline, one of baseball's all-time greats who has future greatness before him either in baseball or other endeavors. The article read as follows:

KALINE: A QUIET ONE WITH CLASS

(By Ed Rumill)

This has been a season for senior-citizen accomplishments in baseball's major leagues.

Atlanta's Henry Aaron became the ninth player in history to reach the 3,000-hit plateau. San Francisco's Willie Mays will join him before the 1970 schedule has run out. Mays has moved into the 600-homer class, topped only by Babe Ruth.

Chicago's Ernie Banks hit his 500th home run and Atlanta's Hoyt Wilhelm made his 1,000th mound appearance and still, well past the age of 40, is an effective relief pitcher.

All of these men, sooner or later, will be enshrined in the Baseball Museum and Hall of Fame at Cooperstown, N.Y. They rate such recognition.

"HIS CLASS NEVER DIMS"

It may be, however, that in its eagerness to applaud these long-time veterans, the big-league public has overlooked a less-publicized but worthy member of the senior-citizen group. How many have noticed how swiftly Al Kaline has moved into the game's select society?

In his 18th consecutive season with the Detroit Tigers, silent Al is well decorated with positive statistics, both offensive and defensive. No finer two-way ballplayer is performing in the majors today—an all-star in the batter's box and in the field. He can do it all.

"It's funny," Tiger skipper Mayo Smith was saying recently, "a fellow who seldom speaks out never seems to get the credit he deserves in baseball. Kaline is that sort. He is rarely quoted; he never pops off. You'd hardly know he is around—until the game starts."

"But Al has all the qualities you look for in a great ballplayer," Smith continued. "He can beat you with the long ball, with the stolen base, and with his glove and arm. What more do you need to say? He just keeps going on and on. His class never dims."

"HE'S A TOUGH HITTER"

If Mays is destined to become the 10th man on the 3,000-hit list, Kaline could be the 11th. He recently passed the 2,500 milestone. And having averaged 150 hits a season since becoming a regular in 1954, he could reach 3,000 at his present rate some time in '73—if he chooses to keep going.

Though a 150-hit average is not spectacular, it should be pointed out that a succession of injuries have dogged the veteran Detroiter through the years, once limiting him to 100 games and on another occasion to 102. Only three times has he played in 150 or more American League engagements. Thus, that 150-hit pace is a lot more productive than a quick glance suggests.

Kaline joined the Tigers at the tender age of 19 and won an AL batting championship in '55 with a .340 average at the remarkable age of 20, an all-time record.

"He's a tough hitter," Ted Williams has said of Kaline. "He has the quick wrists that can hit a ball right of the the catcher's mitt. For a guy with a big swing, he usually gets a piece of the ball. He's one of the best half-dozen hitters to come along since I've been here."

AN OCTOBER AWAKENING

Going into the 1970 campaign the Tiger star sported a lifetime batting average of .302, plus 335 home runs. He also had won 10 Gold Glove Awards for fielding excellence. He has the arm of a right fielder, and before the opposition learned to respect him, would throw out 15 or 20 base runners a year.

The crowd was so occupied cheering Mickey Lolich and Denny McLain, Kaline's .379 batting average in the 1968 World Series against St. Louis almost went unnoticed. Norm Cash hit .385 in the seven games against the Cardinals. But Kaline's eight runs batted in were significant.

"He waited a long time for it [his first series], but when it came he was ready," declared Mayo Smith, following the victory in October of '68. "And a lot of people were rooting for him to do well. He was the happiest guy in our clubhouse afterwards."

The sight of Kaline kicking up his heels that October did seem strange. His shyness had for many years marked him as a player lacking in outward emotions.

"They're the ones you should never underestimate, the quiet ones," Mayo Smith added. "They may be unemotional on the outside, but they have a way of exploding when it means something."

CALIFORNIA REBEKAH LODGE NO. 1

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MAILLIARD. Mr. Speaker, I rise today to commemorate the 100th anniversary of the California Rebekah Lodge No. 1. The actual beginnings of the Independent Order of Odd Fellows have been lost in the passing of time. Nevertheless, the Rebekah Lodge has carried on the principles that were initiated by the founding fathers of the Odd Fellows; namely, "to visit the sick; relieve the distressed; bury the dead, and educate the orphan." Presently there is a home for the aged in Saratoga and a home for children in Gilroy.

The modern order is known to have been in existence in England during the 18th century. The American order was founded on April 26, 1819, in Baltimore, Md. The order is now in the United States, Canada, and 19 other foreign countries. Originally, the American order only admitted men for membership. Then, in 1851, female relatives were admitted for the first time. The most famous California charter member was Judge Davis Louderback, who became grand master, as did his son.

California Rebekah Lodge No. 1 has contributed its services to such crises as the 1906 fire and earthquake in San Francisco and the depression, for 100 years. It is fitting that we take note on suitable occasions of such quiet service to mankind sustained over so many years. Government welfare programs can never take the place of individual responsibility to those in need of help and comfort.

PEACE IS A COVENANT OF HEARTS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. PATTEN. Mr. Speaker, thousands of books and millions of words have been written about peace since the start of history, some of them not only eloquent, but memorable as well.

Dante observed that, "in His will is our peace."

In a speech, Disraeli yearned for "peace with honor."

Lamartine looked for "peace at any price."

That noble advocate of peace, Woodrow Wilson, asked for "a peace without victory."

And in the New Testament, Matthew said, "Blessed are the peacemakers."

Mr. Speaker, Rabbi Haim Kemelman, of East Brunswick, N.J., has been sedulously working for peace all his life, not only because he is a good man, but because he believes in the blessings of peace. The deep love he has for peace, justice, and understanding, is evident in his writings—and what beautiful writings they are.

In a religious column he writes for the Home News, of New Brunswick, N.J., called "Lines on Living," Rabbi Kemelman wrote a magnificent article entitled "Peace a Covenant of Hearts."

This distinguished clergyman and talented author ended his inspirational column by reminding us—

> It's high time for man to come home in peace, to raise his sights to the heights of mountains, to see clearer and to do better in behalf of peace, in behalf of humanity. Perhaps we can go back to the origin of prophecy and begin anew the works of peace—in our land and abroad—and see in the vision of the prophet: "How beautiful upon the mountains are the feet of the messenger of good tidings, that announceth peace, the harbinger of good tidings that announceth salvation . . ."

Mr. Speaker, I hope that God continues to bless Rabbi Kemelman, for he is truly a peacemaker.

I insert his outstanding and moving column that was published in The Home News on June 5, 1970:

PEACE A COVENANT OF HEARTS

(By Rabbi Haim Kemelman)

The ancient prophet of Jerusalem, Jeremiah, coined the lamentable phrase which has now become the reality of our life: "Peace, peace, peace; where there is no peace."

We say peace and we have war; we say peace and we see desolation; we say peace and there is no peace in our midst. The heart is victim of warring conflicts.

What has happened to the civilization of man that after all the celebrations and salutations of peace—for thousands of years—we are now invoking the princely and prophetic concept of harmonic humanity only to make a mockery of it? What has become of the beautiful words of peace and love preached on the heights of Mounts of the great religions? In the name of what cult, what God, what humanity do humans kill one another, mutilate one another, hate one another?

Dreadfully, the human animal can be the most beastly. He will twist words to mask his animality and cite scriptures to prove his humanity. He will then go on hating more for love and ravaging more for peace—losing his own soul and those of others. There is a war of arms in Southeast Asia and there is a war of hearts inside America, and there is a war of attrition inside the heart. And there is little consolation in shouting at one another when the elements of human peace are shattered.

NO PEACE IN JERUSALEM

"Peace, peace, peace; and there is no peace." Even the symbol of peace is broken, with the crown lying in the dust. The star of peace over Jerusalem is more than eclipsed. Bloody stains cover the paths where divine prophecy of peace first went forth. There are no harbingers of peace in Jerusalem today, only the thunder of explosives and firearms. The city of eternal peace, the land of prophecy of universal concord lies in the dust of lethal powder. School children leave their homes never sure to return, as some of their playmates are found blown to smithereens by terror lurking from the dark. The innocent, the people who have nothing to do with it all—on both sides of the border—suffer and are bloodied in agony and pain, crying "Peace, peace, peace; and there is no peace."

There is no peace because the conditions of peace are frightfully missing. We can have human desolation and call it peace. But peace is not a platitude, it is a proposition. The ancients had a prophetic designation for it, referring to its condition as a covenant of peace—imperatives embodied in a set of relationships of mutual respect, recognition and the binding commitment of reciprocal human interaction. They also called it shalom, meaning peace, but also testifying to wholeness—to total human fulfillment through involvement.

PEACE IS TOTAL

Peace is not the scribbling of a signature on a piece of paper that carries no firm identity and no certain reality. Peace is not negotiated by lip service, phrase peddling and absenteeism. Peace is a total condition of humanity, of complementary human relations: of contact between peoples, of contract between nations, of a covenant of hearts.

There are no half measures to peace—inner peace and outer peace. It's all or nothing. There is only one way to peace—peace! Active peace! Verbal peace! And the price of peace is peace—total and in one piece, not in desolation.

It's high time for man to come home in peace, to raise his sights to the heights of mountains, to see clearer and to do better in behalf of peace, in behalf of humanity. Perhaps we can go back to the origin of prophecy and begin anew the works of peace—in our land and abroad—and see in the vision of the prophet: "How beautiful upon the mountains are the feet of the messenger of good tidings, that announceth peace, the harbinger of good tidings that announceth salvation. . . ."

LET US CLEAN UP THE AIR—NOT THE MOTORIST'S POCKETBOOK

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. KLUCZYNSKI. Mr. Speaker, recently, the administration has proposed a tax on lead used in automotive gasoline. The proposed tax would produce approximately $1.6 billion a year in revenue. According to the Treasury Department, the additional cost to the motorist would be approximately 2.3 cents per gallon of gasoline.

I realize that any administration abhors deficits. This is as it should be. Unhappily, however, this too often results in unwarranted or ill-considered revenue proposals for the purpose offsetting a budget deficit.

The administration's proposed lead tax clearly falls within this category. I shall not comment upon the patent absurdity of attempting to eliminate the entire deficit with the tax on a single commodity. Nor shall I dwell upon the contradictory positions being taken by the administration with respect to removing the lead from gasoline.

I have observed, however, that there is a Technical Advisory Board, which has been formed by the Secretary of Commerce, for the purpose of studying lead removal from gasoline; the Department of Health, Education, and Welfare has distributed a questionnaire to refiners and other interested parties and is currently studying the problem to determine what regulations might most appropriately deal with it; the House has passed legislation giving the Department of Health, Education, and Welfare authority to issue regulations. A bill is presently before the other body, in which a number of related bills had been introduced and hearings had been previously held.

It is simply incredible to me that considering the large sums of money that are being spent by the Departments of Commerce and Health, Education, and Welfare to determine the right answer to this very complex problem, that the administration would superimpose this tax proposal, which is inconsistent to the point of being mutually exclusive of the studies carried on by both Houses of the Congress and two departments of the executive branch.

This is clearly wasteful, nonproductive and bad public administration.

Let me hasten to add that I am not opposed to removing lead from gasoline. Like most Americans, I find myself somewhat confused by the conflicting positions of the many experts in this field. Some tell us that lead is bad for people. Others say that this is not so; it is simply bad for the devices which would remove that portion of automotive emissions, which are bad for people. Yet other equally expert voices state that, in point of fact, those ingredients which would have to be added to replace lead, if it were prohibited, would be far more harmful to the public and the atmosphere than the lead itself.

Simply stated, I am for doing whatever needs to be done to help clean up air pollution. If this involves removing lead, then I am all for it. It is even conceivable that by placing a substantial tax on the lead used in gasoline, this would, over a period of time, give such a competitive advantage to unleaded gasoline, that it would take over the entire market.

Personally, I think this is the wrong way to go.

For one thing, the Nation's independent small business marketers, such as oil jobbers, would be faced with vast and, indeed, prohibitive expenditures to put in a third pump to dispense unleaded regular grade gasoline, if it were allowed to be marketed simultaneously with both regular leaded gasoline and leaded premium gasoline.

It just seems to me that if lead is to be prohibited, then no regular gasoline should be allowed to contain lead. This would eliminate many millions of dollars of needless and nonproductive expenditures for additional pump and tank installations.

Beyond this, however, I feel that this lead tax proposal would be most unfair to the Nation's consumers of gasoline—the American motorist.

The President's proposal would result in the revenue from the lead gasoline lead tax going not to the Highway Trust Fund but to the general Government coffers. Let us analyze that for a moment.

One of the reasons that a gallon of gasoline today is a relatively good buy is that the portion of the cost representing Federal tax provides roads on which to drive the car while burning the gasoline. Nothing is more useless than gasoline or, for that matter even his automobile to the motorist if there are no adequate roads upon which to drive. To me the dedication of the funds derived from the excise tax on automotive gasoline has been one of the real values for the consumers of this Nation. It is a little like getting the bread for the sandwich free when you pay for the salami.

Clearly any increase in the tax on gasoline, whether on lead or any other specific ingredient is really a tax on the motorists. It simply is not fair to take the money from an excise tax on the motorist's gasoline and spend it elsewhere. This is particularly true in light of the many representations made to the motoring public over a long period of years that the funds from gasoline taxes would be available only for highways.

Mr. Speaker, I have been delighted to read in the press that the outlook for this proposal is unfavorable. For myself, I have the greatest faith in Chairman MILLS of the Ways and Means Committee and his very able colleagues. I am sure that when they have finished analyzing this somewhat ridiculous proposal, that they will take appropriate action to insure that the Nation's motorists are not subjected to this unconscionable and unjustifiable burden.

SENATE—*Thursday, July 2, 1970*

The Senate met at 9 a.m. and was called to order by the Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senate will come to order.

The Senate, under previous agreement, will now adjourn until noon Monday next.

ADJOURNMENT TO MONDAY, JULY 6, 1970

Thereupon (at 9 o'clock and 7 seconds a.m.) the Senate adjourned, under the order of Wednesday, July 1, 1970, until Monday, July 6, 1970, at 12 noon.

EXTENSIONS OF REMARKS

TRIBUTE TO THE LATE DAN A. GREENE OF MARTINSVILLE, VA.

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DANIEL of Virginia. Mr. Speaker, the community of Martinsville, Va., was shocked and saddened recently by the untimely death of a valued and personal friend, Mr. Dan A. Greene. Dan Greene was a man who gave of himself untiringly, unstintingly, and unselfishly for the benefit of others and in the interest of the community and the State in which he lived. His passing has left a void which will be difficult to fill.

On June 22 there appeared in the Martinsville Bulletin an editorial concerning the late Dan Greene, and I insert this in the RECORD:

DAN GREENE WILL LONG BE KNOWN FOR HIS CONTRIBUTIONS TO ALL

To say the least, our community was shocked by the news of the sudden illness and death of Dan A. Greene.

He had lived here since 1940, or for 30 years. Yet he was still a relatively young man when he died of a heart attack at the age of 54 last Friday evening.

Nonetheless, those 54 years were filled with incomparable contributions to his neighbors and friends. And they numbered in the many thousands because his work and concern embraced citizens of all ages and walks of life.

Recognized as a highly successful businessman, Dan A. Greene will be remembered longer, however, as a civic leader whose compassion and interest embraced about every facet of community life.

He was interested in our youth. This was evidenced by his activity in and support of the Boy Scout movement, his original efforts in helping to organize and continued support of baseball programs for youngsters of all ages, and his assistance in the organization of the Martinsville Recreation Association.

He was interested in the needy, as evidenced by his efforts in organizing Christmas Cheer and his subsequent election by its members as a lifetime director.

He was interested in racial harmony and community progress. He was interested in everything that stood to benefit his fellowman; and he was not only generous with his time and leadership but was equally as generous with his financial assistance to every worthwhile civic and community project.

Ebullient and gregarious, he made friends easily and warmed their hearts with his vitality and interest in their personal lives and successes.

He was both the champion of the underdog and an admirer of the qualities possessed by the true champion, whatever his field.

He was a sentimentalist and a sensitive man, particularly when and if he detected what seemed to be an intrusion of injustice, bias and prejudice or oppression and exploitation. But he was a courageous man, too, and worked against all those things with the same sort of fervor and determination that marked all his contributions to his fellowman.

He was not a good loser in that he accepted attacks on or reversals of his principles without a hard fight. He believed any game worth playing was worth winning; any project started, worth completing.

This community will miss Dan Greene—and greatly. But it has profited more than we can relate here for having had him as a citizen and neighbor for the past 30 years; and for that, we are extremely grateful.

To his fine family, The Bulletin expresses its heartfelt sympathy, knowing that we express the sentiments of thousands and thousands of others who are appreciative of the vital part Dan Greene played in giving us a better community.

JUDGE MITCHELL'S ADDRESS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HOGAN. Mr. Speaker, Maryland Circuit Judge James Mitchell of the Charles County Circuit Court recently gave the commencement address at the Charles County Community College, which was reprinted in a recent issue of the Times Crescent, one of the Charles County newspapers. I will insert Judge Mitchell's address into the RECORD. In my opinion, it is a thoughtful statement by one of my leading constituents about some of the problems facing today's college graduates.

In his address Judge Mitchell states a very reasoned position for today's students working within our system of government which has brought us to this point in history where more and more of our high school graduates are able to receive college educations and where more and more of our people are able to enjoy a higher standard of living. In low-keyed but effective criticism of the radical left, Judge Mitchell "puts down" this element in our society. I commend his address to the Members of this body, for this reason among others.

It was of particular interest to me that Judge Mitchell traced the growth of the Charles County Community College in La Plata, Md., which is in my congressional district. I share Judge Mitchell's enthusiasm in looking forward to the future growth of this college and the program it will offer in the field of waste management and pollution control. I congratulate the administration of the college for the steps it has taken to specialize in this particular field. I also take this opportunity to congratulate the recent graduates of the Charles County Community College and wish them well in their future endeavors.

The address referred to, follows:

JUDGE MITCHELL'S ADDRESS

As I look out upon this campus today there is a strong urge to pinch myself to make sure that I am not dreaming. Within the sound of my voice over this public address system stands the house in which I was born and have always lived.

As a boy in knee pants I have roamed these fields. Looking back upon that far-off day, I see an elderly tenant farmer tilling this land, plodding wearily down the corn rows behind a mule-drawn hand cultivator.

Had I been gifted with Lord Tennyson's power to dip into the future, I would have prophesied that he was ahead of his time. He had a mustache and goatee. His name was Isaac Frederick and he lived in a little house long since fallen into decay. It must have been within a stone's throw of where I stand.

Just across the fence here we had an ice pond and he would lend a hand in filling the ice house when the ice froze to six inches as it did regularly in the bleak winters of that day.

The public road along here followed its present course but the bed of it was clay and the travelers were either on foot, on horse back or in horse drawn vehicles. Later, the Model T came along. They often got stuck in the mud holes and had to be hauled out by Isaac Frederick's mule team.

Yes, the environment was quite different from what we see today, and while there have been changes and improvements, there is one change which I do not place in the category of improvement. In those days we didn't have the beer cans, the milk cartons and the other litter you now see strewn along the way.

Since your distinguished President extended me the invitation, I have been wondering if I could find the words to bridge the generation gap long enough to communicate with you for the brief period of my remarks. Of one thing I am sure—the longer I talk, the wider the gap is likely to become—. Because on this very significant day in the life of each of you, a speech is probably the thing that is of least significance.

I believe I understand the frustrations which disturb the generation to which this graduating class belongs.

You are perturbed because of the many grave and complex problems which plague this nation and the world. And, since impatience is as much a part of youth as bright eyes and ruddy cheeks, you become frustrated when you face the reality that changes in the structure of a society as complex as ours are not accomplished overnight.

Since you were old enough to comprehend danger you have wondered if it is worthwhile to plan for the future, not knowing what hour or day the hydrogen bomb might be unleashed to spell the doom of civilization. You yearn for the opportunity to live your own lives—to do your own thing—which doesn't include fighting a war which you regard as a mistake in our Nation's Foreign Policy.

You are concerned that every week more than a million people are added to the world's population; that 100 million will be added in the U.S. in the next 25 years and you wonder if ways will be found to feed them or to slow this rapid population growth.

You have grown up in an affluent society but you rebel against the anomalies of food surpluses and hungry peoples; of labor shortages and people out of work.

You have grown up in a time of alarming conflict between races and you are perturbed when racial tensions erupt into violence.

You are alarmed by the forecasts of scientists, warning that at the present rate, mankind will so pollute his own environment in the next fifty to one-hundred years that he will no longer survive in it.

These are some of the pressing problems which mankind faces and about which you are concerned. What of their solution?

They will not be solved by those who seek to shout down any voice save their own; those who do not tolerate any idea with which they disagree; those who insist upon complete freedom for their own activities and by the exercise of that freedom, seek to destroy the government under which they are assured the widest range of freedom that the citizens of any nation have ever known.

The problems will not be solved by those who use their frustrations as an excuse to "cop out" on Marihuana, LSD, Heroin or any of the other drugs that the weaker members of the younger generation have turned to.

The mistake of the Vietnam War—and history alone will tell us if it is a mistake—will not be corrected by those who bathe selective service files in blood; by those who burn their draft cards, by the draft dodgers who flee to Canada; by the deserters who seek asylum in Sweden, or by those who parade the Viet Cong Flag in our streets.

The solutions to pressing problems will not be forthcoming from the loud and provocative mouthings of the Jerry Rubins, the Abbie Hoffmans, the William Kunstlers, the Stokley Carmichaels, the Rap Browns. Nor will solutions flow from those who accent their protests by hurling bricks and stones, vile epithets and incendiary bombs.

For the radicals of that ilk do not seek to improve our system by working within the rule of law and established authority. Their avowed purpose is to destroy the system by violent disruption of all orderly processes.

I need only cite the Chicago trials, where the defendants and their lawyers, by persistent refusal to abide by the rules of procedure, sought to render their trials impossible and thus to destroy the courts. They knew what they were about. For as Professor Delmar Karlen, of the Institute of Judicial Procedure, warned: "If we don't have control in the courtroom, it is the end of the courts, it is the end of individual liberty, it is the end of government."

The radical revolutionaries of whom I speak aim the main thrust of their attack at the capitalistic system—the system which, despite its imperfections, has produced this college, all colleges, the cars you drive, the planes you fly, the many electrically operated and power-driven gadgets you employ, in fact all the material goods that make life so much easier and more enjoyable than it was in Isaac Frederick's time.

Will the radicals succeed in their purpose to overthrow the establishment? They may unless those in authority draw a firm line and say to them: "This is where the right of free speech, the right of peaceable assembly, the right of protest ends and where anarchy begins."

Just recently, a small band of these hard-core revolutionaries—some estimates place them at no more than fifty—backed up by some two-thousand ill-advised and ill-informed other students going along for the lark, blocked a main artery of travel between the Nation's Capital and Baltimore, protesting, I'm not quite sure what, in an effort to close the University of Maryland.

They were acting in total disregard of the right of the twenty-eight thousand non-protesting students to pursue their education and the right of thousands of motorists to use that highway.

The Governor of this state won the respect of law abiding citizens everywhere when he drew the line and said "the university will stay open and the highway will be cleared if it takes Maryland's entire contingent of ten thousand men in the National Guard to do it."

This may appear to be a strange observation from one in my position, but I am persuaded that the highest court in the land has not shown the same firmness nor awareness of where the right of protest ends and where anarchy begins as Governor Mandel did in dealing with the rioting students at the University of Maryland. Especially is this true of its decision outlawing the Smith Act, which sought to curb the activities of those whose avowed purpose is the overthrow of this government by subversion if possible but by force and violence if necessary.

Certainly, there is much cause for pessimism, but we must never abandon hope. I believe the community colleges will play a large part in training the leaders of tomorrow—leaders who will work within the establishment to find the answers to many of the world's problems.

Here you are not just a number in a strange setting as is the case with the hordes of students on the sprawling university campuses of today. Students at community colleges are for the most part residents of the area. They have not severed their roots from the land of their birth. I think that is a healthy situation.

The Charles County Community College is in the process of finding out how to stop the pollution of our environment through its department of environmental control, a program which has gained national attention and places this college in the forefront of those colleges and universities offering action programs to help solve the problems of the environment.

The basic program is a two year course leading to an associate-in-arts degree and trains technicians in the field of waste management and pollution control. Surrounding this basic core curriculum are a variety of courses which are aimed at providing training for specific skills needed for coping with the problems of air and water and other environmental concerns.

This program alone is expected eventually to brng one to two thousand students each year to the Charles County Community College.

This fall, I am told, the college will be offering seven fully accredited occupational programs and approximately forty percent of the students from an estimated enrollment of twelve hundred will be enrolled in one of these programs. They include Secretarial Science, Electronics, Data Processing, Drafting, Teacher Aides and Law Enforcement, in addition to the Pollution Abatement Program.

The Charles County Community College in the two short years it has spent on this campus has stepped into the future with its educational and vocational training programs. And this is so because of the leadership of this college is far from average in background, approach to education and ability to get things done.

Isaac Frederick belongs to the past. His mule, the tools that he used, the buildings he occupied have long since vanished from the scene. But these things remain—this land that he tilled, the clean water that runs over and beneath it, the pure air that flows above it. What this college is doing in training and research will play an important part in preserving and protecting those God-given natural resources for future generations.

When I reflect upon the changes that have taken place in the last half century, the human mind cannot begin to imagine what the next fifty years will bring. But I am convinced that we stand at the threshold of a vast new world of discovery which, almost assuredly will include life on other planets.

If you but work within the system that has brought us to this point in history, bending it to fit today's needs but not destroying it, you will find the solutions to the present problems which frustrate so many members of the college age generation. You will outstrip the forces of the destructive revolutionaries.

I appreciate this opportunity to bequeath to you the future of mankind. And when I look into the faces of this graduating class I am reassured that the future is in good hands.

MAKING THE SAFE STREETS ACT WORK: AN INTERGOVERNMENTAL CHALLENGE

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. FOUNTAIN. Mr. Speaker, title I of the Omnibus Crime Control and Safe Streets Act of 1968 established the Federal Government's first comprehensive grant-in-aid program for assisting State and local governments in their law enforcement and criminal justice administration efforts. A major new feature of this legislation was its provision for Federal block grants to States, a portion of which the States had to "pass through" to cities, counties and multijurisdictional units.

At its June 12 meeting at the western White House, the Advisory Commission on Intergovernmental Relations, on which Congresswoman DWYER and I have been privileged to serve since its inception, as two of the three House Members—Congressman ULLMAN being the third—met to consider the first 22 months' operation of the Safe Streets Act. In its recommendations, the Commission urged Congress to retain the block grant device, but that some changes be made in the act to streamline Federal administration and to improve State and local planning and performance. Three of the Commission's proposals are basically consistent with certain provisions of H.R. 17825—the Omnibus Crime Control and Safe Streets Act—modifying the "troika" arrangement for administering the act by naming one of the three-member Law Enforcement Assistance Administration as Director of Law Enforcement and Criminal Justice Assistance and by establishing a clear superior-subordinate relationship between the Director and his associates: requiring that no State comprehensive plan will be approved, unless LEAA finds that it provides for the allocation of an adequate share of assistance for dealing with the law enforcement needs of high crime areas; and authorizing LEAA to waive the ceiling on grants for personnel compensation.

Mr. Speaker, I insert in the RECORD the background portions of the Commission's report "Making the Safe Streets Act Work: An Intergovernmental Challenge" along with a list of its recommendations:

MAKING THE SAFE STREETS ACT WORK: AN INTERGOVERNMENTAL CHALLENGE

The Omnibus Crime Control and Safe Streets Act will be two years old on June 19. One of the most controversial measures considered by Congress in the 1960s, it has been marked by virulent debate at every step of its implementation. Now Congress has the Act before it again, with a variety of proposals to change it significantly.

Title I of the Act sets up the first comprehensive Federal grant program for assisting State and local law enforcement and criminal justice administration. It does so through block grants to the States with a required pass-through to localities. Funds were awarded in a two-step procedure—first for planning and then for action programs. Federal responsibilities are handled through the Law Enforcement Assistance Administration. Much of the debate has been over the desirability of channelling Federal funds through the States on a broad program basis versus direct Federal-local grants on a project-by-project basis that by-passes the States. The Commission study focuses on these intergovernmental problems and issues in administering the Act. It is based on responses of 48 States to a comprehensive questionnaire. Great care was taken to assure an objective study by involving groups representative of all points of view in developing the questionnaire.

The Safe Streets Act has dramatically increased overall Federal spending for crime prevention and control in the past two years. It nearly doubled between fiscal 1969 and fiscal 1971. But States and local governments still provide the overwhelming bulk of the money. During the fiscal year that ends June 30, 1971, the Federal Government is expected to spend $1,257 million on crime prevention and control. But this is only about one-third of what the 50 States, 43 largest cities and 55 largest counties spent on law enforcement and criminal justice in fiscal 1968.

Although a major intent of the legislation is to stimulate a comprehensive approach to criminal justice, early planning and action on the program has focused primarily on law enforcement. The study reveals heavy accent on police in the 1969 plans, although somewhat greater attention apparently has been given to courts and corrections in 1970 plans. Similarly, as of early 1970, 45 percent of the action funds had been used for police programs with large amounts going to purchase equipment and for communications systems and training. Relatively insignificant dollar amounts were awarded for upgrading courts, prosecution and corrections, according to the survey.

In answer to these criticisms, the report notes that the program is still in its early stages. There was little time to gear up for a truly comprehensive approach initially, it points out. The law enforcement interests were organized at State and local levels, and able to get the funds and use them immediately. A balanced, interrelated program will take more time.

That the Safe Streets program got underway in a hurry is also documented in the study. The legislation required the States to set up a State Planning Agency within six months of the measure's enactment to devise a plan, to receive block grants and disburse subgrants. Otherwise, the Federal government could deal directly with localities. Every State complied within the time limits. Each State received at least $100,000 to enable a minimum planning effort. Additional planning awards were made based on population. As a consequence, the largest States received less total funds per capita than many smaller States with lower crime rates. Although a bone of contention this is in part due to the relatively modest amounts involved—$19 million the first year.

The State Planning Agencies (SPAs) have two components: a supervisory board of elected and appointed state and local officials and citizens-at-large, and a day-to-day professional staff. The Commission study finds that some supervisory boards are dominated by functional officials and appear to be inadequately representative of elected local government policy-makers and the citizens-at-large. This can be attributed, in part, to the Federal Law Enforcement Assistance Administration (LEAA) guidelines, which specify eight categories of officials that *must* be represented on the boards. The average supervisory board has 23 members. On the average, one-third represent elected local government policy makers and executives and the citizens. These officials also tend to have somewhat lower average attendance rates than functionaries. However, the number of supervisory board meetings varied widely among the States during the period studied.

As to the professional staff, charges have been leveled that the States were using Federal Safe Streets money to build a new law enforcement and criminal justice bureaucracy. The Commission Study finds that this is not true at the State level. The average size of a State Planning Agency professional staff is 9.3. This does not include regional or areawide staffs. Forty-five States use regional bodies to help administer the Act at the substate level. Many of these districts have been assigned a wide range of planning, administrative and fiscal responsibilities. There are no reliable figures on the size of the professional staff at the regional level. But there have been charges that the regions are State-imposed entities which are unrepresentative of their constituent local governments.

The Act requires States to pass through 40 percent of the planning grants to individual localities and regional units. As of December 31, 1969, 16 States had awarded more than the 40 percent, but 14 had awarded less.

Most of the controversy since the Act's adoption has revolved around the handling of action grants: $24.5 million in fiscal 1969 and $179.4 million in fiscal 1970. These funds were allocated to the States strictly according to population. The States were required to pass through 75 percent.

The study shows that 17 of the 48 States reporting, passed through more than the required 75 percent of action funds; only two passed through less. Forty-two of the States retained funds at the State level for programs they considered to be of direct benefit to local jurisdictions. Thirteen States charged all or part of the cost to the localities' share of funds retained at State level; but thirty-six States charged all or part of these programs to the State share of the action grants.

Of the action subgrants going to cities, municipalities of over 25,000 population received 86 percent of the funds. And urban counties (over 25,000 population) received 83 percent of the action money going to counties. However, cities under 25,000 population constituted 66 percent of the total number of municipal subgrantees. Their average subgrants amounted to $1,959. Small counties (under 25,000 population) made up half the subgrantees in the county category, with an average subgrant of $2,447. This proliferation of small subgrants has led to the charge that the States are employing a buck-shot approach and are spending subgrants too thinly rather than targeting the money on where the problems are.

Crime rate, local portion of total State-local police expenditures and total local police outlays have been proposed by some as measures of law enforcement assistance need and effort. The study uses the money passed through to the five largest cities (25,000 or more) in each of 45 States to assess how they fared. Five States passed through more to these jurisdiction than they would have received if crime rate were the basis for allocation and another seven States passed through a roughly proportional amount. Using these jurisdictions' portion of total State-local police expenditures as a test, 12 States passed through more and 12 others a commensurate amount. And using total local police outlays, seven States distributed more and 10 a comparable amount. However, *no general consensus* exists as to the reliability of any one or combination of these factors as a gauge of State responsiveness to urban crime reduction needs or of local anti-crime effort.

The Act requires that for Federal planning money, recipient jurisdictions provide at least 10 cents for every Federal 90 cents. Every 60 cents in Federal action grants are to be matched by 40 cents. Other matching requirements are 75–25 for organized crime and riot control programs, and 50–50 for construction projects. One measure of a State's concern with solving local problems is the extent to which it is willing to put up its own money to cover part of the non-Federal share, in other words, to "buy-in." Cash contributions are not required by the Act, however, only State technical assistance and services. As of February 28, 22 States had made a cash or in-kind contribution to help match passed-through funds, most of it for planning. However, the total amounted to only $776,906 for 20 States. Two States "bought in" to planning and action programs across the board. Thirty-four States are assuming 75 percent or more of combined State-local corrections expenditures and 16 States account for 25 percent or more of total State-local police outlays. It is also pointed out that the amount of financial involvement may be small because of 1969 Federal action funds were not awarded to the States until the end of the fiscal year, after some legislatures had adjourned.

Various reports making charges and countercharges have come out since the enactment of this controversial legislation. To obtain the greatest objectivity, the Commission staff worked closely with groups of varying opinions throughout the course of the study. They included: the Council of State Governments, International City Management Association, National Association of Counties, National Governors' Conference, National League of Cities, and U.S. Conference of Mayors, as well as the U.S. Bureau of the Budget and the Law Enforcement Assistance Administration. Of course, the findings and conclusions are solely the work of the Commission staff.

RECOMMENDATIONS ADOPTED BY THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

RECOMMENDATION 1. MODIFYING LEAA'S ADMINISTRATIVE STRUCTURE

The Commission recommends that Title I of the Omnibus Crime Control and Safe Streets Act of 1968 be amended to create the position of Director of Law Enforcement and Criminal Justice Assistance who, acting under the general authority of the Attorney General, would be responsible for administering the Act. He shall be one of the three-man Law Enforcement Assistance Administration. The Commission further recommends that the Director be appointed by the President with due regard to his fitness, knowledge, and experience to perform the duties of the chief administrator of the LEAA.

RECOMMENDATION 2. DISTRIBUTION OF FUNDS BY THE STATES: RETAINING THE BLOCK GRANT

The Commission strongly believes that, although there are presently some gaps in State performance under Title I of the Omnibus Crime Control and Safe Streets Act of 1968 in responding to the special needs of high crime urban and suburban areas, the block grant represents a significant device for achieving greater cooperation and coordination of criminal justice efforts between the States and their political subdivisions. The Commission therefore recommends that the block grant approach embodied in the Act be retained and that States make further improvements in their operations under it.

RECOMMENDATION 3. MAINTAINING THE PRESENT SUBGRANT SYSTEM

The Commission recommends that no changes be made in Title I of the Omnibus Crime Control and Safe Streets Act of 1968 to funnel additional Federal funds into high crime urban and suburban areas, except for an amendment providing that no State comprehensive law enforcement plan shall be approved unless the LEAA finds that the plan provides for the allocation of an adequate share of assistance to deal with law enforcement problems in areas of high crime incidence.

RECOMMENDATION 4. STRENGTHENING ALL COMPONENTS OF THE CRIMINAL JUSTICE SYSTEM

The Commission recommends that no changes be made in Title I of the Omnibus Crime Control and Safe Streets Act of 1968 to require or encourage a greater channeling of Federal funds to court and corrections related projects, since modifications of this type would constitute an infringement on State and local discretion under the block grant approach contained in the Act. At the same time, the Commission urges that State comprehensive law enforcement plans should give greater attention to improving all components of the criminal justice systems.

RECOMMENDATION 5. RETAINING REGIONAL DISTRICTS

The Commission recommends that States retain and strengthen their regional law enforcement planning districts.

RECOMMENDATION 6. AUTHORIZING WAIVER OF THE PERSONNEL COMPENSATION LIMIT

The Commission recommends that the Law Enforcement Assistance Administration be authorized to waive the ceiling on grants for personnel compensation contained in Title I of the Omnibus Crime Control and Safe Streets Act of 1968.*

RECOMMENDATION 7. MAINTAINING PRESENT REPRESENTATION REQUIREMENTS FOR SPA'S

The Commission recommends retention of the present provisions of Title I of the Omnibus Crime Control and Safe Streets Act, and of related program guidelines, providing for balanced representation of interests on the supervisory boards of State law enforcement planning agencies.

CALIFORNIA GOVERNOR'S SCHOLARS REJECT AWARD

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. LEGGETT. Mr. Speaker, from time to time I have placed inserts in the RECORD for the purpose of underscoring the fact that our best and brightest young people are being antagonized by our distorted priorities.

Recently I received a letter from two recent high school graduates in my district. These girls were chosen to be Governor's scholars because of their outstanding scholastic achievement. However, they felt they could not in good conscience accept an award from Gov. Ronald Reagan, whose hostility toward education is no secret.

Let us hope that Ronald Reagan's policies of today will not be Richard Nixon's policies tomorrow.

I include the letter to which I referred be inserted in the RECORD at this point:

JUNE 19, 1970.

Hon. ROBERT L. LEGGETT,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Upon graduation from high school this June, we were notified that we were among the high school seniors chosen as California Governor's Scholars. We received certificates to that affect, signed by Ronald Reagan.

In view of the Reagan Administration's policies toward education, we consider it ironic, and not a little hypocritical, that the Governor should undertake to commend students for high scholastic achievement. (On the other hand, his recognition of such students may be more thoughtful and logical than we know—perhaps the Governor realizes that obtaining a thorough, relevant education has become increasingly difficult in this state since he took office. Perhaps that fact weighs on his conscience although, truthfully, we see no evidence of this.)

We question the validity of the determination of such achievement. We are fortunate to have attended school in one of the best-financed districts of the state. Yet even here we see the budget cuts and harmful program alterations that Reagan policies require. We wonder how many students in less prosperous districts, with potentials equal to or greater than ours, will never be recognized either as Governor's Scholars or simply as people with something extra to contribute to society.

Each of us will be attending a campus of the University of California this fall. In the meantime, we would greatly appreciate your returning the enclosed certificates to our Governor. Please convey to him our thanks, but tell him that we decline his recognition. It is no honor to be named a Reagan Scholar.

Thank you.

Sincerely,

ELAINE KASIMATIS,
Davis, Calif.
KARIN VONABRAMS,
Davis, Calif.

CAN LAW SURVIVE?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. CRANE. Mr. Speaker, Richard J. Farrell, the vice president and general counsel of Standard Oil Co., Indiana, recently delivered a notable address before the school of law convocation of Washburn University, Topeka, Kans.

In this address, entitled "Can Law Survive?" Mr. Farrell emphasizes what the real nature of the law is. He also makes the telling point, that if law does not survive, "it is difficult to think of any other worthwhile legacies that will."

I commend his remarks to the attention of my colleagues:

CAN LAW SURVIVE?

(Richard J. Farrell)

Since this gathering takes place on "Law Day," and since I am by profession a lawyer, I suppose it would be understandable if I were to enter a strong plea for "Law and Order."

This is a very popular subject with most of our population at the moment, and for understandable reasons. With reported crimes of every sort on the path of a statistical skyrocket; with the police in disfavor among the young, the black community, the intellectuals, and the drug users; with our most precious civil rights trampled without regard by radicals of both left and right; and with the courts themselves clogged with backlogs which threaten to stretch out as long as the earthly lives of many of the parties involved, there is a strong temptation to conclude that the needed social prescription is a strong dose of simplistic law and order imposed by force.

Certainly, something is needed. Since our legal system is a major clearinghouse for society's complaints, it is disconcerting to find it is not functioning as well as we would like. At the very least, we ought to be able to reach the point in our courts at which the interval between a charge of criminal action or the filing of a civil complaint and the time it is adjudicated is not so long that those involved have difficulty in recalling just how the whole thing came about.

However, instead of taking up even a short amount of time here today with an examination of the strengths and weaknesses of our present judicial system—which does have a long and honorable history—I would like instead to offer a few observations about the nature of law in its much broader sense and the need to understand it. President Edward H. Levi of the University of Chicago and former Dean of its Law School, has defined the function of law in these words:

"Law . . . is not primarily a social science describing how some institutions operate. It is not primarily a tool for determining how transactions will turn out or for predicting what courts will do. These are important services but they are subsidiary to law's major commitment. The important point is that law has a commitment and this shapes its role and measures its success.

"This commitment has often been stated. It is general. It is not the less purposeful on that account. It is to develop concepts, and to maintain and operate procedures which enable a sovereign community to be governed by rule for the common good, the attainment of human values, and to make that rule effective."

For the benefit of anyone who may think the subject of these comments—"Can Law Survive?"—is unduly pessimistic in tone, let me assure you it is not. The prestigious Association of the Bar of the City of New York, for example, is currently holding a two-day symposium on the question: "Is Law Dead?" While I have some admitted concern over the health of the patient, I haven't yet gone so far as to entertain the idea we already have a corpse on our hands.

It takes no particular ingenuity or intellect to find defects in any of the products of mankind—from herbicides to religions. When it comes to anything as complex as the social systems which hold us together, the grounds for complaint are nearly as varied as the inhabitants.

Given human nature—and I think we have to take it at least until some Orwellian future—there are always going to be dissidents in any group—from the nursery school to the Supreme Court. In many fields of endeavor, we have relied on dissidents from accepted wisdom to provide the breakthrough to new ground, and they have provided crucial leadership on the long journey which has led us down from the trees and up to the moon.

Within the limits of the historical legacy of the Western world, the annals are full of dissidents whose convictions later led to canonization—in arts and letters, in music, in science and medicine, and in law and politics. This happened because time proved their once-heretical ideas to be at least better than what had preceded.

For the most part theirs has been an honorable tradition of dissent. It was generally marked by a determination to improve on the state of man's affairs, as seen by the dissenters. Among other things, it produced this country—with all its faults, along with such interesting innovations as mass education, television, and atomic energy.

However, the right of dissent is being employed today on such a scale and in a manner as to threaten to bring down the whole social structure. A great deal of the current furor in this country appears basically anarchistic in its inspiration, and among the many other luxuries we cannot afford at this stage in our development is a widespread state of anarchism. I use the term as it is most commonly understood to mean a terroristic resistance to government and social order. Given the complexity of modern, urban society, the last thing we can tolerate are people willing to destroy what is in order to see what might follow—if indeed they have such long-range curiosity.

The "new left" which preaches such a doctrine, is really offering nothing very new. Anarchists go back at least as far as Ancient Greece—which obliged us with the concept, as she did so many others. Philosophically, they have long cherished the ideal of a society without government. In its place according to their credo, we would substitute free agreements among those concerned. This noble idea did not catch on even in the relatively simple city-states of Athens or Sparta, where in theory it could at least have been tried. Its application in the 20th Century would result in absolute chaos, at least in the industrialized nations.

Nevertheless, the dream has persisted. The anarchist movement probably reached its peak in the West when its followers—dissatisfied with the lack of satisfactory agreements on their own terms—assassinated a Tsar of Russia (Alexander II), a President of France (Carnot), an Empress of Austria (Elizabeth) and a President of the United States (McKinley)—all within less than 20 years, between 1881 and 1901. However, governments also tend to persist, even if you eliminate the titular head, although anarchists went around throwing a great number of bombs against objects of their displeasure right up to World War I, when the fashion declined.

As we all know from looking at our newspapers, bombing is back in vogue. Bombs are placed in schools, in offices, in government buildings and places of public assembly almost daily. The idea of employing violence as an appropriate weapon against the ideological enemy is back in fashion. We have a daily log in this country of the spread of the notion that the only way to get things done is to take force into your own hands.

The infection has spread alarmingly. Students whose demands are not met speedily enough respond by imprisoning deans, burning libraries, and destroying professorial files representing the work of a lifetime. Urban blacks who are fed up with conditions in the ghetto shoot guns at firemen who have come to put out a blaze which menaces the neighborhood. Public school teachers unhappy with the terms of their contracts simply close down the schools, and similar actions are taken by every group from postmen to air traffic controllers. Laboriously-negotiated labor contracts are rejected out of hand by the union membership. Environmental crusaders advocate destruction of public utilities. The list is almost endless, and there is no point in pursuing it.

In nearly every case I have cited, there is a legitimate core of grievance. In nearly every case, society's response has been tardy, if not downright apathetic. Yet there has to be some middle ground between frustration and violent action, and this is what we badly need to find. The exact location of this middle ground will vary according to the legitimacy and scale of the grievance, but I don't think any of us should be deluded into thinking that actions which may help to dramatize a problem thereby solve it. Not so.

The war in Vietnam is still going on, poverty and the slums are still with us, blacks and whites are still far from agreement, many people are still underpaid by reasonable standards, and women are still accorded second-class citizenship—or so increasing numbers of them assert. I don't see a single one of these problems which is really susceptible to a violent solution.

The anarchistic alternative is particularly objectionable in a democracy which provides means for the redress of grievances at the ballot box and in the courtroom. That the system may not work with the dispatch or with the results that some of the more impatient may desire does not mean that we can afford to see it abandoned.

The preservation of basic social systems—and social values—is a condition precedent to civilization. The case cannot be put more tellingly than by Kenneth Clark, who in his recent book, "Civilization: A Personal View", said:

"At this point, I reveal myself in my true colors, as a stick-in-the-mud. I hold a number of beliefs that have been repudiated by the liveliest intellects of our time. I believe order is better than chaos, creation better than destruction. I prefer gentleness to violence, forgiveness to vendetta. On the whole I think that knowledge is preferable to ignorance, and I am sure that human sympathy is more valuable than ideology. I believe that in spite of the recent triumphs of science, men haven't changed much in the last two thousand years; and in consequence we must still try to learn from history. History is ourselves. I also hold one or two beliefs that are more difficult to put shortly. For example, I believe in courtesy, the ritual by which we avoid hurting other people's feelings by satisfying our own egos. And I think we should remember that we are part of a great whole, which for convenience we call nature. All living things are our brothers and sisters. Above all, I believe in the God-given genius of certain individuals, and I value a society that makes their existence possible."

We were fortunate to have some of those geniuses as founders of the republic. They were admitted revolutionaries. They were hardly anarchists—nor does it appear they would have subscribed to the notion that life is merely a long, subjective "happening." They handed down to us a system of moral and political principles—of self-evident truths and inalienable rights, as they saw them—which have served us well but are now in clear jeopardy.

The difficulty is that there has to be general belief in the principles and acceptance of the rules which stem from them. This is certainly the case with the functioning of law within our civilization. The necessity for voluntary participation in its processes and submission to its decisions is a sine-qua-non if such hard-won protections as those in the Bill of Rights are going to be preserved for a posterity which is going to need them as much as we.

Once people begin seeking their objectives by force or by deliberate flouting of the rules, the very essence of the system is subverted no matter what the moral or ethical justification may be said to be. This is precisely what is going on around us and at an alarming rate. If we are indeed to abandon principles and systems, we will simultaneously have abandoned the one rational hope we have for the future.

There is ample evidence of the social damage that can be done when this delicate compact is violated. Some of the examples I have noted produced piles of stinking garbage in the cities, arson and looting, undelivered mail, closed schools, and transportation paralysis as a few of the recent fruits.

One of the unanswered questions before us is how far is this process going to go? The defense tactics of the "Conspiracy 7" trial in Chicago threatened the entire concept of procedural due process which has served to protect our civil rights—both individual and collective—for so long. I think it is fairly obvious that if deliberate defiance of established procedures were to become the norm, none of us would have any particular rights worth mentioning.

Or let us take some of the more active crusaders to save the environment. While a straight line may be the shortest path between two points in plane geometry, this is not necessarily the case in a society. Anti-pollution zealots who are convinced, for example, that the way to cut down air pollution is to force offending public utilities to shut down might reflect on the horrors of life in a large city without power—even temporarily.

Events on our campuses also suggest the heavy price involved in the use of the tactics of force and violence. The combination of physical destruction and "non-negotiable" demands for costly new programs and privileges side by side with equally "non-negotiable" demands to take in more students while abolishing fees place some obvious strains on the unfortunate institutions—not to mention the teachers who want to teach and the students who want to learn. But the gravest penalty is, again, the abandonment of reason—whose preservation and encouragement is supposed to be the college or university's purpose in existing to begin with.

Just the day before yesterday, the New York Times said this editorially:

"If the campuses are to be permitted to function as staging areas for violence, the academic community jeopardizes its fundamental role as freedom's protector; to impair academic freedom, whether through internal coercion or external repression, is to shut off civil liberties at the source.

"The defense of freedom required vigilance against all forms of violence, coercion or repression. The safeguard of the people's legitimate powers is the rule of law under the Bill of Rights. No government nor any dissident group, can defy that rule or abridge those rights without being guilty of the ultimate and intolerable subversion of the American ideal and the democratic reality."

The most likely outcome of the continued use of the tactics of violence will be to provoke the traditional response of other societies in the past—namely repression. There comes a point when majorities tire of the complaints of minorities, particularly when the pressing of these complaints threatens the whole structure—and the historical reaction has been to get rid of the troublemakers at whatever cost. In the process, hard-won personal rights and freedoms have evaporated like dew in the summer sunshine.

We may be drifting close to the breaking point already, but we cannot afford to see that sorry day arrive. Many of us may have doubts about certain aspects of our heritage. This is admittedly an imperfect world. But, by the test of history and a look at the rest of the world, our heritage comprises some fundamental strengths which outnumber its deficiencies, and are worth building on. I am reminded of Winston Churchill, who once described the British Parliamentary system as the worst conceivable form of government—except for all the others.

And so I feel about the role of law and the rule of law as I have discussed it today. None of society's problems can be solved without the efforts of men of good will operating within the process of law as effective rules for the common good are evolved—and this requires the rational efforts of the universities, business, the church, legislatures, the executive and the courts. Law in this sense must survive. If it cannot, it is difficult to think of any other worthwhile legacies that will.

THE DECISION THAT CONCEIVED A NATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. RARICK. Mr. Speaker, one of the most patriotic pro-American national organizations is the DAR—Daughters of the American Revolution. In our land today, their dedication and love of country shine out like a beacon.

Among their many contributions to loyalty and understanding of our constitutional Government, are their efforts to instill in our youth the history of our country and a desire to keep our people free.

Recently in Bulloch County, Ga., the Archibald Bulloch Chapter of the DAR conducted a countywide contest on the Declaration of Independence among seventh-grade students.

The first-place silver medal was awarded to Miss Donna DeLoch, a student at Statesboro Junior High School, and daughter of Mr. and Mrs. Harold DeLoach. Miss DeLoach's essay on the Declaration of Independence was entitled, "The Decision that Conceived a Nation."

With the Fourth of July—the 194th anniversary of our freedom—about to be celebrated, I feel that Miss DeLoach's essay will prove of particular interest to our fellow Members and I insert it following my remarks:

[From the Bulloch Herald and Times, Feb. 12, 1970]

THE DECISION THAT CONCEIVED A NATION

(By Donna DeLoach)

If Thomas Jefferson had put his thoughts to words prior to writing the Declaration of Independence, they might have sounded like this:

March 21,* in the year of Our Lord, 1776. In my mind there is a great debate, should we continue war or not? War, a horrible thing may give us our rights, but then again, if Britain wins we would be under even tighter reins than before! Even though we are fighting, should we fight for Independence? Risk the lives of many colonists, for a lost cause, or is it lost? There is no way to know whether we will be successful, but should we postpone war in hopes that we will regain our rights? No, we as Englishmen are entitled to the rights of the Magna Carta, yet the King will not give us our rights now so why should we believe that he will at some future date? There is always the chance that we will be crushed! If we should break free from England, would the nation we form be able to face the responsibilities of these modern times? Would we wither away like so many nations before us? The farther I think into this debate, the more difficult the decision becomes!

April 30,* in the year of Our Lord, 1776.

Today at the Raleigh Tavern, I came across Patrick Henry, a strong believer in freedom. He feels that we should break away from England entirely! He says that war is the only answer! He also feels that polite petitions will do no good; that only a tyrant will take away a peoples' dearly won freedom! He adds that we as colonists of England are entitled to English rights, even if we are separated by a tremendous sea! War is the only answer!

Even though Henry has great influence many are undecided like myself. Which is right? War with only a chance of our rights, or peace with little or no chance for our natural rights?

I feel that this question must be answeed soon, but how can such an important decision be made quickly? Too quick a decision may be fatal for the colonists, but too late a decision could also be fatal for the nation! If we give in to Britain could we be reduced to slaves? I am now all the more puzzled. Which should we strive for—total Independence, or better relations with England?

May 1,* in the year of Our Lord 1776.

Today I suddenly came across George Washington, a very respected figure in the House. He feels that this war is not in the best interest of our colonies. Yet he also feels that His Majesty ought to do something about these unfair taxes. Since the Stamp Act was finally passed, there has been talk of rebellion, yet Washington disagrees. He feels that war is senseless; that rebellion is senseless; that the King was mislead by his ministers and that we should try to patch up things with England! But, should we? Will it really help? It could bring disaster, but it may help. Which is right?

I must not let others decide for me!

June 6, 1776* in the year of Our Lord 1776.

War Breaking away from England seems inevitable. If war must persist I will do all in my power to free the colonies from the unjust rule of Great Britain! Even though I think war is tragic, I must help our striving colonists! We must win! Even though I'm undecided about the wisdom of this war I know we must have liberty! Liberty is precious beyond all means! I feel that unless we act quickly it may be too late, for in another score years we may be common slaves. Our ancestors have worked hard for our freedom, we can't let one tyrant destroy our rights. We must break loose from Britain's tight rein!

July 2,* in the year of Our Lord 1776

The Continental Congress declares Independence! John Hancock the head of the Continental Congress appointed Benjamin Franklin, me, along with several others to a committee to write up the document of Independence. The entire committee agreed that I should be in charge of writing so great a document. This is a great honor, but also a great responsibility. How can I find the words for so great a document? I have been under such a strain. Am I the person to author such a paper?

July 4*, in the year of Our Lord 1776.

At last it is finished! I worked day and night, without stopping to sup or rest. Even though I used little reference I knew what I'd write, for the right of liberty is for all!

At first I was uncertain of the preamble of so great a document, but at the Assembly the words stood out daring and bold:

"When in the Course of human Events, it becomes necessary for one people to dissolve the Political bands which have connected them with another . . ."

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*These dates are entirely fictitious since the exact dates were unknown to my points of reference.

THEY ARE FINALLY THINKING

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ZWACH. Mr. Speaker, I would like to share with my colleagues and the other readers of the CONGRESSIONAL RECORD a thought-provoking editorial written by Richard Higgen in the Lake Lillian Crier in our Minnesota Sixth Congressional District.

Editor Higgen writes his thoughts of high school graduation. He commends our youth for thinking but he also tells of their impatience, of their frustration because they feel cut off, because there are no new worlds for them to conquer.

But there is much to be done, he says. The character of man has hardly been scratched. The conquest of inner man is the most challenging one today. It provides challenges enough for many generations.

Mr. Speaker, I insert Editor Higgin's editorial in this issue of the CONGRESSIONAL RECORD:

THEY ARE FINALLY THINKING

(By Richard Higgin)

Suddenly the thought burst upon many minds Friday night during commencement exercises at Cosmos High School: "Our children are thinking—they're finally thinking!"

To some it was a cause for rejoicing; some were outraged; while others were so surprised they couldn't understand what was happening.

For years many of us have wished that the youth of our nation would begin thinking, become concerned with their world and take an active part in shaping it.

Suddenly, we realize that our wish has come true, and we're terrified—they're so inexperienced, so impatient, so often misinformed, so often deceived by those who would use them for their own unscrupulous purposes!

To make matters worse, we realize suddenly that while the youth have awakened, many of us have fallen asleep. Lulled into immobility by putting all our trust in a false god—big brother government, which we now realize enslaves us in the end rather than freeing us.

While the speeches Friday night featured frustration and pessimism, they, nonetheless, expressed a desire to "break down the walls" separating the generations, to wake up to our present problems, and work together, intelligently, to solve them.

This may have been noble rhetoric only, but I sincerely doubt it. Today's kids are scared. They feel cut off, even betrayed. With proper guidance they could be a tremendous force in straightening out this country, rather than destroying it as many currently seem intent to do. As Craig Thomas said, "We can be a powerful people with your experience and our enthusiasm."

It's true! But first we must awaken ourselve from the apathy into which we've fallen and regain our right of individual integrity and destiny.

Many youth today are impatient. They fail to realize that the degree of civilization we have attained was reached only through thousands of years of sacrifice and struggle—they expect everything to become perfect overnight. Thus, through pushing too hard, too fast, they could destroy everything—the good along with the bad.

But, couple their enthusiasm and energy with our experience and understanding and we could have a force beautiful to behold. But, first we have to get up off our can.

Youth often feel frustrated today because they feel they cannot improve their economic and technical situation significantly. They already have everything. What's the use?

They're wrong, and you and I must help them realize that the greatest frontiers, the greatest challenges still lie ahead.

Yes, we're an affluent society. Yes, we're rapidly conquering outer space. But that great frontier of inner space has hardly been touched. I mean the heart and soul—the character if you please—of man has barely been scratched. The conquest of the inner man is the most challenging one today. It provides challenge enough for many generations.

The blueprint has already been provided by God. It is outlined in great detail in a dusty old book, which is called the Bible.

The field is white unto the harvest. Let us unite hands across the generations and conquer this frontier.

HIGHWAY SENTIMENT STRONGLY FAVORABLE ACCORDING TO NATIONAL POLL OF EDITORS

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. KLUCZYNSKI. Mr. Speaker, I would like to call to the attention of my colleagues an article from Federation Reporter—issue date: July 2, 1970, published by the Highway Users Federation for Safety and Mobility, Washington, D.C.

The article follows:

HIGHWAY SENTIMENT STRONGLY FAVORABLE ACCORDING TO NATIONAL POLL OF EDITORS

Attitudes toward highway transportation across the country remain strongly favorable, according to the nation's newspaper editors. This was borne out by a recent coast-to-coast survey of nearly 600 daily and weekly newspaper editors conducted by the Highway Users Federation.

Preliminary findings of the survey have just been analyzed and are reported here for the first time.

Generally, the results show that despite the well-publicized anti-highway propaganda being generated by vocal citizens' groups, the favorable attitudes of most city councils and state legislatures toward highways remain unaffected, as do most highway projects. Moreover, by an almost two to one margin, responding editors believe that citizens do not favor diversion of the Highway Trust Fund to pay for development of other transportation modes.

The survey conducted by the Federation's News Department, was launched in early June and was accompanied by a letter to editors noting that the U.S. Congress this year will make a number of important decisions regarding the nation's highway program, particularly the future of the Federal Highway Trust Fund due to expire in 1972.

Stressed in the letter was the Federation's concern that Congress might base its decisions on experiences in Washington, D.C. where a 10-year dispute over a local freeway program has left many people with mixed emotions about highways in general. This, the Federation's letter stated, would be "shortsighted and hardly indicative of national attitudes toward highways." Thus, the editors were asked to help in developing a national composite on certain key highway issues.

Editors were asked to answer five questions on an enclosed postal card and to return it unsigned, without identifying the newspaper. Within 10 days time a 25 percent response was recorded.

The first question asked "Do you feel there is growing anti-highway sentiment in your city?" To this, over 65 percent of the responding editors answered "No" while only 35 percent said "Yes."

The second part of the question concerned any possible anti-highway sentiment in the editor's state. Exactly 69 percent of the responding editors said they did not think anti-highway sentiment was growing, while 31 percent said they thought it was.

The second question concerned the influence of citizens' groups: "Are the activities of any anti-highway group adversely affecting a highway program in your city?" To this question nearly 80 percent of the responding editors answered "No." Only 20 percent felt there was some negative influence on highway programs caused by citizen group pressure.

Part two of the question applied to the editor's state. In this case, 75 percent of those responding indicated "no effect" while some 25 percent saw evidence of adverse pressures.

Question three asked, "Do you think anti-highway attitudes in other cities or states influence the highway situation in your own community?" Approximately 70 percent of the responding indicated no external influence; 30 percent thought there was some.

In response to question four, "What do you feel is the general attitude toward highways in your city council?" 88 percent of the responding editors said "favorable," while only 12 percent thought attitudes were not favorable.

Part two of the question concerned highway attitudes in the editor's state legislature. An overpowering 92 percent of the responding editors felt there was a favorable attitude; only eight percent felt there was not.

The final question centered on the key issue of the Highway Trust Fund: "Do you believe the citizens of your community would favor diversion of the Federal Highway Trust Fund to pay for other modes, such as rapid rail transit?"

To this question, nearly 65 percent of the responding editors said they did not think the people in the communities would favor diversion. Approximately 35 percent of the respondents took the opposite view.

According to J. C. Martin, manager of the Federation News Department, "While this survey is not a scientific one in the classic sense, it does give a strong indication that most of the nation away from Washington, D.C. and the crowded northeast quadrant feel that highways and highway transportation are still important. In a quick way, this was what we were trying to prove. We hope that key officials and legislators will be equally impressed with the results."

BULLETS THAT WOULD NOT HIT OUR BOYS

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. AYRES. Mr. Speaker, I am astonished—more than that, I am ashamed—to hear some of my colleagues crying that the Cambodian operation was a failure, that it was not worthwhile.

Have they studied the list of enemy military supplies that our forces seized in those sanctuaries? Do they understand what the capture of these weapons and munitions means?

Let me cite just a few examples.

Our forces seized 14,762,167 machine-gun and rifle rounds. That means 14,762,167 bullets that cannot be fired at American men in South Vietnam.

We seized 199,552 antiaircraft rounds. That means 199,552 shots that will not be fired at U.S. aircraft.

We seized 68,539 mortar rounds, 45,283 rocket rounds, 29,185 recoilless rifle rounds, and 62,022 grenades. That adds up to more than 200,000 big blasts that cannot go slamming into U.S. installations in South Vietnam.

What I have listed is really only a part of the story. There is much, much more.

Can any of my colleagues really look an American serviceman or any member of that man's family straight in the eye and say that the capture of these munitions was not worthwhile? I say that no man who cares about the security of our fighting men can say that when he fully grasps the importance of what was achieved in Cambodia.

THE FUTURE ROLE OF THE U.S. ARMY—ESSAY BY CAPT. JOSEPH B. EZHAYA

HON. MARGARET CHASE SMITH

OF MAINE

IN THE SENATE OF THE UNITED STATES

Wednesday, July 1, 1970

Mrs. SMITH of Maine. Mr. President, Capt. Joseph B. Ezhaya, judge advocate officer of Army Headquarters V Corps, a native of Waterville, Maine, and graduate of the University of Maine Law School, won the first prize in the "Future Role of the U.S. Army" best-essay contest, sponsored by the Berlin chapter of the Association of the U.S. Army.

Maine is proud of Captain Ezhaya in his achievement and I commend it to the attention of the Senators and insert it in the RECORD:

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THE FUTURE ROLE OF THE U.S. ARMY

The United States Army's role in the future will not change. The role will continue to be, primarily, the protection of our country against all enemies, both foreign and domestic. No other American institution can better perform that mission of protection than the Army. In performing her mission the Army has proven to be an efficient and flexible tool in serving her country. The mutual trust between the Constitutional Leader of the Army, the President, and the armed forces has proven the underlying strength of our democratic institutions. It is safe to say never has an Army so powerful, been so loyal; never has an Army so professional, been so humble.

Yet our "troubled times" will find an additional role placed on the Army in the future. This role will be crucial to harmonizing the divergent forces presently in our society. These forces, now deprecating existing American institutions, must learn to function within the democratic system, more responsive to law and order. The Army has the means to harness the energies of these forces along the democratic path. The Army is an educator of men as well as a trainer of soldiers. When the civilian executive authority wants the American people to follow the example of their Army in preserving the integrity of democratic principles, the Army must show the American people that the Army is what the President of the United States will represent the Army to be. The Army must be prepared to show that cultural integration of the races is possible on a broad scale; the Army must be prepared to show the benefits and promise inherent in cultural integration between the races. Preparations for such a showing will be an integral part of the future role of the Army.

It is interesting to note that the Army has already begun to culturally integrate. Physical integration took place years before any other American institution, and its success is a foregone conclusion. But the level of cultural integration in the future will have to go beyond the level of providing merchandise and facilities to encourage black cultural expression. There is a need for a channeled and inspired program of attitude broadening and spiritual influence that can inspire a breakdown of prejudice and a realization of the ideal democratic way of life.

The Army as a moral teacher is a dubious role for soldiers, but ironically never has such a moral lesson been required in order to preserve and protect the society the American Army is sworn to protect. Right now, a significant contribution to protect the society is to have a culturally integrated Army. Such an accomplishment to be achieved by the Army in the foreseeable future will be vital to the stability of our American institutions.

The authoritarian make-up of the Army, ironically, is what makes the Army the only American institution that can discipline prejudice at all levels. With that power or tool available to it, the Army can develop an atmosphere to broaden men's minds and attitudes. The negative approach is discipline; the positive approach is leadership.

The Army's contribution of leaders to the American Establishment is unbelievable. These men, now Army veterans, have known responsibility in the service of their country while in uniform, and subsequently these men take into their respective businesses, professions, universities and homes the attitudes and values cultivated in them while in the Army. Thus, if in the future there can be a thorough exposure of the men to cultural integration while in the Army, those millions of men, over the years, will contribute to cultural integration throughout America and her institutional structures.

Admittedly, to suggest that cultural integration of the races can be done on so broad a scale by the Army borders on the naive, because integration on such a scale is an heretofore unachieved ideal. Before looking at the benefits to the society that would come from being the first society to accomplish the impossible dream, let us look at the alternative to something less than total commitment to cultural integration of the races. Witness how the racial issues has disorganized every other institution in American society to some degree. Universities and schools have been hard hit; churches have not been immune, and some local governments are facing chronic crises. An America experiencing such torment is a fact. The Army does not have an easy time now, but the Army is far better organized and immune from wholesale threat.

Positively speaking how can the Army carry out its mission to achieve massive cultural integration of the races? The first step may have already been accomplished. The Commander-in-Chief and the Army seem totally committed to filling the need for cultural integration. It remains for the Army to call upon the best minds in America, both white and black, to focus on the problem of eliminating prejudice and broadening men's attitudes. The psychologist, the sociologist, the clergy and the white and black individuals involved, all have contributions to make. The Army has experience in broadening men's attitudes and channeling their energies. The Army that has trained pacification teams to win friends and influence people for foreign governments can train American soldiers to accept fellow American soldiers in brotherhood. A possible tool may be the one used by psychologists known as sensitivity training. This method has served to provide a mellowing of hostile groups. Further exposure to this training produces a change in attitude and understanding of problems that did not exist before. The group therapy of this nature can be further tailored to meet Army requirements for cultural integration.

The marriage of the computer and psychology in a new human behavior science known as cybernetics is a possible tool not available before. American ingenuity can produce the mechanism required to do the job. The defense establishment has provided the world with ingenious devices as a result of military needs. Could not the most significant contribution sponsored by military need be yet to be made in the field of human behavior?

There is much the Army has recognized that it can do with its present resources. The Army's exhortation to commanders at all levels to achieve more contact with the men in racial matters is a credit. The chain of command needs more support in this respect, however. NCO's who could be specialists at identifying racial problems and being able to solve them on an individual basis should be trained. Such training would be in addition to their regular duties, and could consist of such training as the sensitivity training mentioned earlier. Chaplains, special services officers trained in community organizing have contributions to make in this area when it is known it is expected of them.

The practical advantages of a culturally integrated Army is that men will live what they have been taught to believe, fighting for something they know is unique and valuable. Besides, no one likes racial unrest. The Army is an attractive profession for minority groups because of equal opportunity and de jure equal treatment. A positive cultural integration program is consistent with the aspirations of these minority group members who have devoted their adult lives to pursuing military careers.

In the last analysis, the Army's future role must always be the protection of the nation. Yet the political temper of these times has molded a unique future role for the Army. As a wise man once noted, the past is the window through which we see our future. That can be taken two ways in the context suggested here. One way is that the Army, now threatened by racial discord like every other institution, is paralyzed to act in a positive and creative manner. The other way that the epigram can be applied in this context is that the Army as the first institution to show the American society that physical integration can be done, can now be the first institution to show the American society that cultural integration of the races can be done, and in doing so the Army will have made a significant contribution to the protection of our country against her present ugliest enemy, racial prejudice.

MAINE'S LOSS, TEXAS' GAIN

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HATHAWAY. Mr. Speaker, an article contained in the Galveston Daily News came to my attention recently which concerns the thought-provoking words and impressive deeds of Capt. Albert R. Philbrick, a native of Auburn, Maine, who currently resides in Galveston with his wife and five children as the executive officer of the Texas Maritime Academy.

Captain Philbrick was a member of the Maine Maritime Academy staff between the years 1958 and 1967 and, during that time, distinguished himself by his work in the school's academic and developmental programs.

The Daily News article evinces that he is continuing his impressive work in his still relatively new position. I congratulate Captain Philbrick in behalf of his many friends in Maine, and I insert the News article in today's RECORD, in recognition of his accomplishments and continuing dedication to the merchant marine:

CAPT. ALBERT R. PHILBRICK

An extroverted Maine man who cancels out the conception of the dour, closed-mouth Down-Easter by his exuberance. Al Philbrick sees a strong future for the American maritime industry—and for the Texas Maritime Academy.

But it's going to take some image-changing.

"Right now, everybody's really knocking the industry and with this attitude, I hardly blame the people inland for not caring much about it."

Capt. A. R. Philbrick, a native of Auburn, Maine, now executive officer of the Texas Maritime Academy and master of the academy's training ship, the Texas Clipper, which left Saturday on its annual training cruise, is working on that image change.

And he considers he's getting some excellent help in the character of the TMA cadets as they meet the world on the cruise.

On another level, he is vice president for student ports of the Propeller Club of the United States. There are 18 of the student organizations in the country, primarily in schools of foreign commerce, mechanical engineering or naval architecture.

"One of the aims I have is to try and convince the national organization next year in Seattle to broaden the base of the requirements for student ports," he said.

"It should take in oceanography and the ocean sciences . . . this sort of thing.

But even under the present set-up, Philbrick feels the student ports—including the TMA club—are aiding the industry as well as giving the club members a chance to meet the people in the industry.

The membership of the student ports is around 3,000.

On the high school side, the national Propeller Club sponsors an annual essay contest on some phase of the merchant marine, with national winners receiving trips abroad on American ships. Capt. Philbrick noted that this year, Ball High School produced a winner, Joseph Castiglioni, who will make a trip to South America.

The long-standing problem of the maritime industry in making itself known to the interior of the nation is one the industry must solve itself, Philbrick said.

"There's going to have to be a concerted effort by this industry to pool its resources—its financial resources—to the point where it can saturate the United States with an over-all, efficient program of selling.

"The Propellor Club is proposing this for next year—trying to raise funds for a publicity campaign for American merchant ships. It was kicked around over at Mobile at the National Board of Governors meeting in April."

The identity problem exists even in Maine, he said, recognized generally as a maritime state. "In the potato raising areas and the farming areas, they just don't care whether anyone goes to sea or not . . ."

Capt. Philbrick sees a need, too, for the industry to change its own attitudes:

"A lot of people for years have bemoaned the condition of the American merchant marine and I feel we don't have to. Why keep kicking it to death?

"Why not put our efforts behind it and try to build it? Why don't we turn it around and talk well of it and put our efforts together to build it?"

"If you consider the raw materials that this country must import even to exist, let alone our exporting the finished products, shipping is essential—and it should be done on American bottoms, because we then control our own import costs.

"If some great power were ever able to saturate the shipping lanes with its own ships, it would control the rates, lowering them first to drive everybody out of business and then coming back and raising them when there's a monopoly."

Capt. Philbrick, born Feb. 6, 1930, graduated from high school at the age of 17 and entered the Maine Maritime Academy. He got his license and graduated at the age of 20 and went to sea with Farrell Lines.

"I sailed all the ports in West Africa for about 15 months and then went to South Africa. In September of 1951. I got my second mate's license."

He got his chief mate's license in December, 1952, after shipping with Farrell to Sweden, Ireland and Germany for a year.

He was called into the Navy in 1953, serving as operations officer and navigator on the USS Graffias, a refrigeration ship carrying out under-way replenishment to the Seventh Fleet off Korea and Formosa.

In August, 1953, he was married and he came ashore with the Navy in Berkeley, Calif. On discharge, he moved to Philadelphia.

"A friend of mine owned a uniform business and wanted me to go in with him, so I did. I invested a few dollars and lost it.

"The business is still operating, but without me. I just couldn't stay away—I had to get on the ships again. I called Farrell Lines one Monday morning, at 7:30 p.m. Tuesday, I was on my way to Africa.

He stayed with Farrell for a year and a half and then in 1958, went to the Maine academy to teach, where he stayed until he came to Texas in 1967.

"I've worked with these young men now since 1958 and it's very interesting work—more interesting on the ship, because most of the boys are rather inexperienced and some strange things happen.

"We were leaving Marseilles one time and when we took departure at the breakwater, we had hard left rudder on the ship. There were shoals about a mile ahead of us and two ships were coming at us.

"The command came to go back to midships and the rudder wouldn't answer.

"Some cadet had inadvertently pulled a pin in the steering engine room that connects the steering engine to the rudder. He didn't know what he was doing—when you secure in port, which he had done, you always pull that pin so nobody can fiddle around and break anything, so when we left, he was told to secure for sailing and he just secured it like when he came in.

"Needless to say, it was rather hectic."

The development of a man "from really a greenhorn into a finished product" is a point of pride with Philbrick—as are the calls from graduates who pull into port.

"These men always seem to drop back around the school, here and at Maine. In fact, many of the boys I taught at Maine sail with Lykes Brothers and I never know at what hour of the night or morning they'll give me a call when they get off a ship just to say hello. I don't mind it."

TMA is growing at a rate of 20 per cent per year, but is still the smallest of the state academies, Philbrick said.

Each of the five state academies has a different organization in the educational system. New York State Maritime College is part of the New York state university system, Massachusetts has recently come under the University of Massachusetts system, Maine is independent with no connection to the state university or university system and California also is independent.

"Frankly, from my own experience, I believe our particular arrangement with A&M is very valuable.

"And as we develop, I think A&M will find it advantageous to have kept us all this time. We're going to attract with a specialty like this, and if we ever develop courses in naval architecture and ocean engineering, we will broaden our base considerably."

The academy is now developing a new academic program, he said, one that would allow it to branch out into other areas and other majors.

It is the only maritime academy on the Gulf Coast and Philbrick doesn't expect another one to develop. Discussions were held in Florida several years ago, he said, and Puerto Rico is talking about it now, but that would be in the distant future.

A standard topic of conversation about academies concerns the graduates and whether they go to sea or go to work ashore, which critics see as a waste of their training.

The criticisms don't worry Philbrick.

"If we prepare the young men in such a manner that industry recruits them and the shipping companies cannot keep them at sea, then it appears to me we're doing a better job than we're supposed to do.

"All of ours at TMA have gone to sea for some time—or in the Navy—and then some have come ashore, but it's a free country and if a person is financing his way through school and if the shipping companies can't challenge them . . . I think I would follow that track to a shore job.

Philbrick added he felt a recent statement by Robert Blackwell, deputy maritime administrator, calling for more management training in the academies, was belated.

"This has been coming, although years ago they did not get management-type courses in academy curriculum. We've built several in here such as courses in economics and history.

"I think years ago the shore-based people in the industry came from colleges and universities such as Boston, Columbia, Wharton in Philadelphia and Georgetown, that had courses in management—but they had family connections and worked in this way.

"Today, these academy graduates are being taken off the ships at a relatively young age and brought ashore and the shipping companies have management training programs. They've found that the young men who've been to sea have vast knowledge of what is going on out there and that this knowledge helps them ashore and makes for smoother operation of the companies."

Capt. Philbrick, 186 students and 40 crew members left Saturday for the Texas Clipper's sixth training cruise, vital part of the TMA curriculum. The mechanics of planning this summer's cruise was a little more complicated than usual, with changes in the itinerary.

The cruise plans are made up in September of each year for the next summer to give TMA officials time to get out publicity and get diplomatic clearance through the state department.

The first change this year originated with a request from the American Embassy in Copenhagen, where the Clipper was scheduled to call, to change plans to go instead to Aalborg for a July 4 celebration.

"I'd never heard of Aalborg, but found out that this is the 58th anniversary of the Rebild-Jutland Society, founded by Danish-Americans back on the old sod. They purchased acreage in Rebild Park outside of Rebild and have quite a celebration. The Danish royal family attends and thousands of Americans.

"Last year, I believe there were 50,000 persons at the site.

"They asked us to participate. I don't really know what this means, except that I've met with the Danish consul in Houston and so far it looks pretty good."

To give a touch of Texas to the American flavor of the park, which boasts a replica of Lincoln's log cabin, the cadets will present a set of longhorn—and if that's too close to the traditional rivalry between A&M and the University of Texas. Aalborg is also where they will get their log for the Aggie bonfire, held each year before the Thanksgiving Day game.

"We've been assured by the Danish government they'll get us the biggest log they can find. The problem will be getting it from Galveston to College Station."

After that change we settled, another request came in—asking the seagoing Aggies to participate in the 350th anniversary of the sailing of the Mayflower in Plymouth, England.

The original plans had called for a stop in Southhampton, but the change was made.

In both places, Capt. Philbrick will be the emissary of Mayor Edward Schreiber of Galveston and Mayor Louie Welch of Houston.

And the TMA band will perform.

"Last year was the first year we've had a band on here. It had about 20 pieces and this year we'll have 25. They don't make the Block T yet, but they play the Aggie War Hymn real well . . ."

Texas Maritime Academy begins its move to the Mitchell Campus on Pelican Island next year with the berthing of the Texas Clipper at its new pier when she returns from the training cruise.

The move, Capt. Philbrick feels, will help the school, at least in its identity among Galvestonians.

"When we get our own campus and new building and when people know we're there, then it will start to develop and people will take more of an interest in it.

"Actually, we've had a lot of local people interested in the academy. I just don't think we're able to get out enough publicity on our own."

Philbrick, his wife and five daughters enjoy Galveston. He said, The daughters are in school at Island School. Weis Junior High and Ball High, giving him the usual commuter chores of a family man each morning, except during the summers at sea.

A CLEAR AND FULL DISCOURSE

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BOW. Mr. Speaker, much has already been said about President Nixon's report on Cambodia—the success he reported, the policy he reaffirmed, the future course he outlined. Now I would like to make just one general point.

What impressed me most about the President's report was the fact that it was such a clear and full discourse on the whole subject.

He laid out the record of the past. He reviewed basic policy. He gave a complete picture of the background of his decision to send our forces into Cambodia. He outlined the options that were open to him. He described the military operations. He pointed the course for the future.

I cannot see how anyone—in the United States or elsewhere in the world—could read the President's report and be left in doubt about U.S. policy or U.S. intentions. I urge everyone who is reached by my words to read that report.

I must add that this full and clear elucidation of this most important area of operations and policy is characteristic of our President. For—whether one agrees with his policy or not—it must be recognized that he is a master at explaining exactly what he intends to do, what he is doing and what he has done. I, for one, thank him and honor him for this candor, this precision, this service to the people.

WORTHAM AND RICE UNIVERSITY—A MERGER OF EXCELLENCE

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BROOKS. Mr. Speaker, Gus Sessions Wortham is a great Texan and a great American. He is a man of vast business acumen—he is also a great humanitarian.

Houston, Tex., has benefited in many ways from the efforts of Gus Wortham. In his community and throughout Texas, his championing of worthwhile causes is renowned. However, all of America benefits from his favorite undertaking—service to Rice University and its students.

Over the last three decades of his life, this great American with his widespread business interests has reserved a major portion of his time, efforts, and talents to the service of this outstanding institution.

The 1970 spring edition of the Rice University Review recounts the story of the Rice-Wortham love affair. I include this article in the CONGRESSIONAL RECORD.

WORTHAM

Gus Sessions Wortham and Rice Institute were both born in 1891. To carry the coincidence still further, the man and the school started their lives' work in the same year: Rice opened to its inaugural freshman class in 1912. That year Wortham took his first close look at the insurance business which was to be his career.

The founding of Rice through its 1891 charter and the birth of Wortham on February 18 of that year in Mexia, Texas, would attain special significance for the man and the institution many years later.

For example:

"Without Wortham there would not be a Rice Stadium," says George R. Brown, former Chairman of the University's Board of Governors.

"Without Wortham, the Rice endowment would not have embarked upon its dynamic growth," says another prominent Houstonian.

Wortham himself shrugs it all off, "I became part of a team when I joined the Rice Board of Governors. We did things together."

Quick to give credit to others for achievements known to be his very own, Wortham tries to play down his personal contribution to the growth and development of Rice. Part of this reticence is probably due to his initial and, for him, decisive view of Rice.

And that view has been shaped largely by Wortham's first and enduring impression of Dr. Edgar Odell Lovett, the University's founding President.

"I am convinced," Wortham says slowly, deliberately, "that the Rice Institute finally opened by Dr. Lovett by far outstripped even the vision of Mr. Rice, the founder of the school."

Wortham arrived in Houston on January 1, 1915 to start with his father in the insurance business. The firm was known as John L. Wortham and Son. (It is still in business today under that name but there is no longer any financial connection with Wortham.)

Like most Houstonians of that day, he was very much aware of the new Rice Institute that had begun to flourish along the upper reaches of Main Street.

His first thoughts about the school never changed: "Dr. Lovett kept striving for the type of quality that would stand the test of national and international scrutiny. This had been clear to me even before I came to Houston, mostly through the history of the opening ceremonies at Rice. I was deeply moved by the reputation and the stature of scholars from all over the world who had come to Houston to attend the opening of the school. It was the scope of this 1912 Academic Festival that played an important part in shaping and setting the image of Rice."

In due course Wortham was among a select group of Houstonians to receive personal invitations from Dr. Lovett to come out to the campus for a variety of events and lectures. Required dress: sack suit. (Wortham today recalls that dress requirement with nostalgic chuckle.)

With three years at the University of Texas in Austin behind him, the Rice campus and its polyglot faculty held considerable attraction for Wortham. His faith in Rice grew apace with the community it was serving. And finally, when John L. Wortham and Son could afford to hire its very first employee the job went to a Rice graduate.

Wortham readily concedes that it took him several years to decide what he wanted to do. Early in his days at the University of Texas he felt, in turn, that he should become either an engineer or a lawyer.

To help him decide, his father suggested he spend a year on a ranch in West Texas. The son agreed that would be a good idea. Wortham had always liked the land. The year he spent on the West Texas ranch only deepened this affection.

It was also from his father that Wortham inherited an eye and judgment for politics: the elder Wortham had served, successively, as business manager for the Texas Prison System, Texas Secretary of State and member of the Railroad Commission. (Today a life-size oil portrait of his father faces Gus Wortham across his office on the 13th floor of the American General skyscraper on Allen Parkway.)

Because of this background, deepened still further by a pioneer Southern heritage, Wortham acquired an early and sustained affinity for politics although he has never sought public office. (His maternal grandfather, G. A. Sessions hailed from Alabama and was one of the pioneer settlers of Central Texas. He was a substantial land owner and planter—and served on the committee that drafted the Texas state constitution.)

"I've always been around politics," says Wortham. "As a matter of fact I like politics. I think it is important for business people to take an interest in politics and government and find out how it all works."

His only service as a state official in Austin—to be described below—was "purely educational and to learn all I could about the insurance business."

Basically, however, the elder Wortham was a businessman rather than a politician—and probably the most ideal father any boy or young man could ever wish to look up to.

"You did what he wanted you to do because of your deep affection for him," Wortham recalls. "He had a great ability to get you to do it without ever telling you outright. I can't recall that he ever actually told me to do anything—and that includes my year on that ranch in West Texas."

When Wortham emerged from that year he had decided on the insurance business as his field. His father had, in effect, given him time to "find himself."

In the light of his own experience, Wortham has always been patient with young people who were undecided regarding their careers. Some of them occasionally ask for his advice.

"I always tell these young people to decide on something they really want to do," he says. "If they feel they have made a mistake they should change careers quickly and get into something else—something they really do like."

Once Wortham had decided that the insurance business was to be his field, he embarked upon a thorough study of it. He joined the Texas Fire Rating Board in 1912 and remained with this state agency for more than two years, until 1915.

That year John L. Wortham and Son came into being. The father sold a business he had at the time in Lubbock and joined his son in Houston. The elder Wortham had been primarily interested in the land business, but now it was the son who began to influence the father. It was the son's idea to enter the insurance business—and the father was all for it.

"He was ready to do anything I wanted to do," says Wortham. "He wanted to do anything that would help me. He shared my enthusiasm for the insurance business. It suited him because he knew a lot of people and people liked him."

Thus, the father-son team was properly launched. Wortham vividly remembers the very first insurance policy he ever sold on behalf of John L. Wortham and Son. It covered the household furnishings of Judge John C. Williams, a longtime friend of the Wortham family.

"The premium on that policy was $12," Wortham says. "We made 15 percent of that which means that John L. Wortham and Son netted a total of $1.80 from my first sale."

The reaction of the elder Wortham to his son's first sale was gentle and restrained, "My goodness, son, I don't see how we're going to make a living at this business."

However, father and son prospered.

In 1917 Wortham enlisted in the Air Service of the U.S. Army which, in effect, was the Aviation Section of the Signal Corps. He went to France with his unit in the spring of 1918 after taking a course in aerial gunnery. On arrival in Europe he became an aerial gunnery instructor. He had been commissioned a second lieutenant before leaving the United States. He was made commanding officer of the 800th Aerial Squadron. When the war ended, Wortham noticed unspoken questions in the eyes of the men under his command: would a mere second lieutenant possess enough diplomatic skill to get them home with the speed and efficiency they all so ardently desired?

Their skepticism was somewhat justified. Most other units of their size were headed by experienced captains. On the other hand, Wortham was probably the only second lieutenant in command of any U.S. squadron at that or any other time. However, diplomatically mature beyond his military rank, Wortham sensed keenly that his ability was being seriously questioned by the men who depended upon him and his judgment. Far from resenting their attitude, he worked feverishly at expediting the unit's repatriation, earning the gratitude of all the men in the squadron.

On December 23, 1918, the official *Fly Paper* of the A.E.F. Air Service in France published Wortham's picture along with a brief sketch of his military career but ending on this promising note:

"In civil life he is associated with his father, John L. Wortham, in the insurance business and plans to return to it at the earliest possible moment."

And Wortham returned and rejoined his father in 1919.

He brought along sharp and succinct memories of various machine guns and what one could do with them from those capricious early flying machines. Most of all, however, he brought along the respect of the men of his squadron, the men he had safely seen home despite their doubts.

It was after his return to Houston that Wortham's visits to the Rice campus became more frequent.

Across the distance of years, nothing is left of the occasional conversations between the young businessman and the founding President of Rice. Clearly, Dr. Lovett captured his respect beyond that due to an internationally known scholar and actual creator of a brand new university along one of America's more recent frontiers.

"Dr. Lovett's presence radiated a sense of dignity," says Wortham. "His mere presence always suggested the certainty that he was in full command of the situation. He never left anyone in doubt—despite great personal modesty—that he was running the Rice Institute."

By 1924 Wortham had become convinced that he and his father should start an insurance company of their own. They seriously discussed plans for such an undertaking, but the elder Wortham died in 1924, leaving the fulfillment of that dream to his son who founded the American Great Insurance Company in 1926. That year, Wortham married Lyndall Finley. They have two daughters and five grandchildren. Since 1926 American General has grown into a highly diversified concern which offers its clients a wide variety of financial and investment services. Wortham is Chairman of the Board of American General—the most important of his numerous corporate posts and directorships.

In 1934 Wortham started the first of two successive terms as President of the Houston Chamber of Commerce.

Wortham's success with American General did not escape the sharp eyes of Houston's civic leaders. They cautiously measured the man's potential as a driving force for the community's progress.

Among these leaders were George R. Brown and the late Harry Hanszen. Both realized that four senior members of the Rice Board of Governors were slated to retire. The four had to be replaced by men attuned to the postwar vision of an America, a Texas—and a Rice Institute—that had just emerged from the gravest conflict in the history of man.

The year was 1946.

The reorganization of the Board of Governors largely fell on Brown's shoulders.

Why did he think of Wortham?

"I knew his capabilities," Brown says. "I knew he would be a big asset to the Rice Board."

As head of American General, Wortham had handled the responsibilities of managing and expanding the portfolio of his own enterprise to secure growing returns for his shareholders and heightened security for his policyholders.

Could such a busy man be persuaded to put his talents to work for the Rice endowment?

There was only one way to find out.

Brown and Hanszen paid Wortham a visit at very short notice. Brown asked the totally unprepared Wortham to become a Rice Governor.

In Wortham's own mind, surprise at the invitation wrestled with the high honor he felt was being bestowed upon him.

"Everything happened very suddenly," Wortham recalls. "There weren't even any rumors around town that some Governors were retiring and were to be replaced. In retrospect I felt that the surprise element in the approach to me and the other new Governors simply had to be there. After all, Brown was looking for people with certain qualifications to serve Rice. If news of his search had leaked out, he might have been subjected to all sorts of pressures from people who felt they had equally qualified candidates for the Rice board. I think it was part of Brown's job to remain free from these pressures and select the men according to their qualifications."

And that's exactly what Brown did.

Even across a distance of almost a quarter of a century, Wortham still can savor that 1946 hour of honor and surprise at being invited to join the Rice Board of Governors.

"To be asked to become a Rice Governor was—and remains—one of the great honors to be bestowed in this community," he says.

However, there was another trait of Rice and its Board that made a deep impression on Wortham: "A new leadership was clearly reshaping the Board. Certain changes had to be made, but all of this was achieved with dignity and with abiding respect for the past. The retiring Governors never lost the admiration and respect of the new members. There was respect and appreciation of established tradition. To my mind, this attitude of respect has always been the hallmark of Rice and in my view the University has never lost it."

In this environment of mutual respect, Wortham carefully surveyed the state of the Rice endowment. On completion of his study he was convinced that fundamental changes were needed to align the management of Rice's endowment with the very philosophy that had paid such handsome dividends to the shareholders of American General. In its basics, this was quite simple.

"Inflation has always been a way of life," says Wortham. "Of course, there have been deflationary periods that have interrupted the over-all inflationary drives. However, deflationary periods don't last very long, historically speaking. When they end, the inflationary spiral resumes."

On reviewing the holdings of the Rice endowment, Wortham found that changes were needed from the dominance of fixed-income securities, such as bonds, and low yield mortgage. None of these, in Wortham's financial judgment, would stand the inflationary tests that he demanded from the portfolio at American General. He was determined not to do less for Rice, its students and its faculty than he had been doing for more than 20 years for the people who had invested their confidence, trust and money into shares and insurance policies of American General.

"It was quite clear to me from the outset that the endowment of Rice needed to expand toward more flexible securities, like common stocks—securities that could be expected to rise, hopefully, faster even than the spiral of inflation," says Worthham. "In general, it was essential to reduce Rice's holdings of fixed-income securities to a few government bonds and some high yield local mortgages. There actually had been some rather old mortgages at yields of only 3% and based on 20% to 25% of actual value of the mortgaged real estate. In this area, it is imperative that one understands the previous policies of the Board of Governors. These were very cautious men of the highest civic caliber who took the trust placed in them very seriously. And all of them recalled that there had been quite a number of foreclosures during the deepest days of the Great Depression. Obviously, none of them wanted to see Rice mortgages foreclosed at financial loss to the school. However, during the immediate postwar era attractive local mortgages became available and it was indeed possible to negotiate yields somewhat above the going rate. If the borrowers raised an eyebrow we were always able to tell them they were doing it for Rice and this usually reconciled them to the higher cost of their mortgages."

His position in the insurance industry allowed Wortham to spot attractive buying opportunities in the shares of certain insurance companies. George Brown, through his intimate knowledge of the gas pipeline world, assisted with growth-bound suggestions in that particular area.

"Harry Wiess of Humble, Harry Hanszen, an independent oilman and John Ivy, a highly-talented geologist, were also on the Board and had the interest of Rice at heart," says Wortham. "These men helped secure for Rice certain oil properties and a number of oil equities at very low prices. All of them helped meet the challenge of making the school's endowment more productive."

In the end, Worthman proved a logical and most rewarding choice as Chairman of the Rice Board's Finance Committee. He also served as Vice Chairman of the Board.

Rice and the world around it were growing rapidly in the aftermath of World War II. The need and logic of expanding faculty and student enrollment had been anticipated by President Lovett. The time, then, had come to put the life of reality into dreams.

One of these dreams came in a variety of hues that draped themselves around the aging stadium within easy sound of Main Street. Should it be enlarged, renovated, completely done over?

That dream, it turned out, was somewhat small for Rice. What the school needed was a brand-new football stadium—a facility to serve this one sport exclusively and to be the most modern installation of its type in the country.

Dreams have price tags.

The Rice Governors savored this particular dream. They liked it—but they couldn't think of a way to meet that price tag.

One day, late in 1949, George Brown and Wortham were discussing the stadium dream over lunch at the Houston Club.

Wasn't there any way at all the money could be raised to give Rice this unique facility?

Wortham, the man whose financial acumen had helped build one of the nation's best-run insurance and investment complexes, felt challenged.

"Why not sell seat options for such a new football stadium?" Wortham suggested across the luncheon table. "The town loves Rice and its team. We could sell 20-year options for say, $100 per seat, payable in advance. That option would give the purchaser the right to buy tickets for that same seat for the next 20 years. I think that would go a long way toward financing the new stadium . . ."

A wonderful idea—but would it work? Would there be enough people in Houston to pick up these options in exchange for hundred-dollar bills?

"We could not be sure," recalls George Brown. "But we were sitting amidst a large luncheon crowd and there was a quick and easy way to find out whether Wortham's idea would work. We simply turned around and asked several people at nearby tables whether they would buy seat options at that price, if offered. Each man we asked said he'd be happy to purchase an option as soon as it could be made available. You might say we took our own little opinion poll right there that day in the Houston Club. Wortham's idea had made the stadium feasible."

What if Wortham hadn't come through?

"That's very simple," muses Brown. "Without Wortham there would not be a Rice Stadium."

Since Wortham had produced the option idea, Brown and the other Rice Governors decided unanimously that he should also put the idea into reality and they made him Chairman of the Stadium Option Drive.

The rest, of course, is Rice history.

However, Wortham's success with the seat options had been preceded by his 1947 feat on behalf of the struggling Houston Symphony. At that time he had chosen to broaden the base of the orchestra's support as a logical means to give Houstonians a stake in one of their major cultural assets. Newspaper editorials commended his efforts and applauded his success. As the $100,000 symphony campaign got under way, Wortham told an interviewer of his philosophy: "The Symphony could pay its own way—if tickets were scaled high enough. This would defeat the purpose of the Symphony Orchestra. It is not for the few but the many, and the higher you place the tickets, the more you cater to the few."

The man who only a year earlier had joined the Rice Board related his work for the symphony to children and young people in general through the campaign and in his conversation with his 1947 interviewer. He mentioned the orchestra's summer concerts in the parks at no cost to the public and staged for the enjoyment of the entire family. He was particularly anxious that "youngsters come along and get an early start in the appreciation of fine music, expertly played . . ."

When it was all over, Wortham—according to the Houston Chronicle—had succeeded in garnering 1,373 pledges in his 1947 drive for the symphony compared with less than 300 the previous year.

Young people, including Rice students, returned Wortham's untiring interest in their future.

In December, 1955, the *Thresher*, in its series of "Men Behind Rice," devoted an article to Wortham's business and civic career. It reported also on Wortham's view of Rice: "The importance of the humanities seems to be a pet subject with Mr. Wortham; he likes to see people in all fields of study become familiar with them. The faculty is of utmost importance to him as it is the means of attaining and maintaining his aim for Rice—continued better quality. . . ."

Wortham's success as a Rice Trustee and in other areas of high civic leadership and responsibility are no mystery to those who have known him long and well. A Houstonian who has worked with Wortham for decades and has watched him at close range sums it up like this: "It takes a convincing case to get Wortham interested in any civic or philanthropic endeavour. However, once he commits himself to a cause, an idea or—as in the case of Rice—a school, he goes all out. He wants to succeed not for his own sake but for the cause, the idea or the institution. During his years on the Rice Board, be it as Chairman of the Finance Committee, as Vice Chairman of the Board or as Chairman of the Seat Option Drive for the new stadium, he totally and without reservatoin identified himself with the school. In my book, that makes him one of the finest civic leaders in Texas."

Upon reaching 70 in 1961, Wortham became a Trustee Emeritus. On January 31, 1962, the Rice Board passed a resolution in appreciation of his service to the school "and for his contributions to the development of those ideals of scholarship and enterprise to which this University is dedicated."

On March 29, 1967, Wortham again was the subject of a resolution of appreciation by the Board. This time he had earned Rice's thanks for a significant personal gift of securities—and his recommendations to the Board to purchase for the University's portfolio certain stocks that brought "a capital gain in excess of one million dollars to the Endowment fund. . . ."

In the spring of 1970, H. Malcolm Lovett, Chairman of the Rice Board of Governors and son of the University's founding President, reviewed Wortham's contribution to the school in these terms:

"Not many institutions of higher learning in America today have among their recent guiding members and present friends and patrons individuals who were on hand at their beginning. Rice University is one of the more fortunate institutions in that respect. One of the more active members of that group has been Gus Sessions Wortham. He is among the unique few who recall the opening of Rice Institute, knew many of its original trustees and the legends of the plans and purposes of the Founder, and has followed and nurtured its development over the years. He knows that from its beginning Rice was intended to be, as he says 'A jewel among educational institutions whose sparkling lights should never dim or falter regardless of the variations in human experience'. He believes his words implicitly, and has done a lot to assure that our University will attain and maintain that eminence.

Serving as an active Trustee and Chairman of its Finance Committee for 15 years Gus Wortham helped chart the course of the modern Rice with a clear eye toward the goals originally set and an unfailing restraint against straying too far from those goals. He does indeed recall the 'sack suit' days of Rice and, lest our youth of today misconstrue that recollection of his, I hasten to say those words have no relation at all to Sad Sack. Rice University has not had sad sack days and this has been due in no small measure, to the wisdom, sound judgment and leadership of Gus Wortham as he participated with his associates on the Board in the handling of its affairs. Men and women of Rice Hall, and Will Forever Hail, Gus Wortham."

YOUTH LEADS POLAND INTO NEW ECONOMICS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. PUCINSKI. Mr. Speaker, sooner or later Eastern Europe must come to the realization that people cannot be insulated from knowledge of the world beyond their borders.

Recent reports from Poland indicate that it is tending more and more toward a market economy and trade with the West. Half of the population of Poland's 32 million has been born since World War II. These young people are a dynamic force for change. They want a share in what the world has to offer, and they are agitating for changes in the old order.

Mr. Speaker, I call to my colleagues' attention an article which appeared recently in Chicago Today that discusses the persistent attractiveness of the capitalist idea of supply and demand.

Mr. Speaker, the article follows:

YOUTH LEADS POLAND INTO NEW ECONOMICS

(By Clyde A. Farnsworth)

WARSAW.—As Poland moves toward closer relations with West Germany, the Poles, having recovered from the devastation left by World War II, are entering a new phase of economic development.

Forces are at work in Poland as in other countries of Eastern Europe, to shape a less cumbersome economic machine and to provide higher standards of living.

Poland wants long-term credits to buy West German technology, and she may well get them as relations with Chancellor Willy Brandt's Socialist-led government improve.

The economic changes have been only slight so far. They have not eased the frustrations of a people still being called on to make sacrifices a quarter of a century after the war.

Among the internal forces for modernization are the youthful masses, which feel the shortcomings of the leaden economic structure most acutely. More than half of the population of 32 million have been born since the war. Forty-eight per cent of the membership of the Communist party are age 40 or under.

From the industrial complexes and research institutes, young technocrats complain about production bottlenecks and suggest ways to eliminate them.

When a customer asks for a mousetrap in a hardware store, he is told none are left. In fact it is virtually impossible to buy a mousetrap in Warsaw. Tape records are hard to get too. There are no cars that a worker can afford to buy.

So far the planners have been unable to mesh the social system with a consumer society. There are reforms but no commitments to the disciplines of a market economy.

Altho the emphasis is on specialization and efficiency, the economy is still production-oriented. It is raw output that counts in meeting goals and collecting bonuses—not actual sales.

External pressures may force a speedier rate of change. East Germany, Hungary and Czechoslovakia have higher standards of industrial efficiency. A sign of pending reform may be found in Poland's tentative overtures toward Brandt and in intense bidding for West German technology and industrial credits.

While Poland appears to be building a more liberal society, the economic malaise runs deep, especially among workers. Plant absenteeism is high and is commented on almost daily in the press.

A common saying explains much about worker indifference: "Whether you work, or whether you don't, you're sure of your monthly pay."

Average pay is 2,500 zlotys a month, a little over $60 at the official tourist rate of exchange. Most workers have outside income. Wives also work.

While the American worker may make $400 a month and save $100, the Polish worker, according to another adage, makes 2,500 zlotys a month and saves 5,000. Deposits in the savings banks are up 12 billion zlotys in less than a year, to 88 billion [over 2 billion dollars].

A woman shivers for half an hour in the taxi queue in front of a snowbank. The snow is cleared far more effectively than in New York, but there is a shortage of taxis.

There are more cars in Warsaw than in Rome, but it will be many years yet, a planning official said, before Polish workers can afford cars. Only the privileged can import a car.

Cars are evidently a sore subject, for a well-worn joke has been making the rounds here. An American worker is shown thru a Polish factory. Told that the plant and equipment belong to the workers, he asks who owns the one car out front.

That, he is informed, is the manager's. A Polish worker then visits an American factory. Told that the plant and equipment belong to the capitalists, he asks who owns the hundreds of cars in the parking lot. He is informed that they belong to the workers.

The joke may be apposite, but Polish officials contend that it is unfair to judge their country by American or even western European standards.

While not denying indifference on the part of workers, bottlenecks in production and shortages of consumer goods, the officials, in a series of interviews, recall that Poland was an economic ruin in 1945.

Six million people, including three million Jews, had been killed or were missing. Sixty-six per cent of the industrial establishment was destroyed or seriously damaged. Forty per cent of all buildings were leveled; in Warsaw the figure was 85 per cent. Thirty-eight per cent of the national wealth had been wiped out.

Huge strides have been made since the war, transforming this ravaged society into an industrial power, the officials report. Production has increased six and a half times from 1950 to 1968, rising at an average rate of 8 to 9 per cent a year, higher than in any western country except Japan. A predominantly agricultural economy has been transformed into a predominantly industrial economy.

In a first generation industrial society, the officials maintain, one cannot expect workers to adapt to plant conditions the way they do in the west. The lathe worker or shop girl was probably born on the farm.

The urban population has doubled to 16 million people since the war, putting strains on all resources.

Why should resources be used to build a small car when there is still a critical housing shortage? the officials ask, noting that resources must be allocated to meet social needs.

Jan Glowezyk, editor of Zycie Gospodarcze, the economic journal, puts the thinking in these terms:

"We have had to smash the old economic structure and replace it with a new one. There was a great earthquake. Millions of people moved from one place to another. This process continues. We have jumped from illiteracy to electronics. We manufacture light bulbs and television tubes at the same time.

"If we had to rely on the traditional market forces, this process would take a million years."

"Ask yourself what it means to create new branches of culture and industry, especially if you cannot rely on external sources of capital."

He termed it paradoxical that Western countries were "trying to take us into a market economy" without explaining that the market economy had long since disappeared in the west where "enormous economic power is wielded by the state, capitalist monopolies and conglomerates."

NOW IT IS TIME TO NEGOTIATE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MICHEL. Mr. Speaker, President Nixon's report on Cambodia was impressive for a number of reasons—for the success it reported, for its clarity and completeness, for its range and depth.

But the part of it that impressed me most was when he came to this sentence: "To the leaders of Hanoi, I say the time has come to negotiate."

Here was the turning point. The President had done precisely what he said he would do in Cambodia. The enemy had been struck a heavy blow—in loss of weapons, munitions, food, facilities, and manpower—and in loss of sanctuaries. The United States has no desire to go on and inflict further damage. Now is the time to negotiate.

The President's logic in leading up to that point is impeccable. His stress on negotiation is clear reaffirmation of the U.S. policy to seek a negotiated peace, not a military victory. He renewed all of our previous proposals for a political solution. Now it is time for North Vietnam to react to the President's initiative.

In President Nixon's words:

We would hope that Hanoi would ponder seriously its choice, considering both the promise of an honorable peace and the costs of continued war.

DO YOU REMEMBER?

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MILLER of California. Mr. Speaker, as we approach the anniversary of our independence as a nation, I believe it is appropriate that we be reminded of what our flag stands for. Accordingly, I include the article which appeared in Eagles magazine of May 1970, entitled "Do you Remember?" It speaks for itself.

The article follows:

DO YOU REMEMBER?

Hello! Remember me? Some call me Old Glory, others call me Stars and Stripes. I have also been referred to as the Star Spangled Banner. But whatever they call me, I am your flag of the United States of America. There is something that has been bothering me, so I thought that I might talk it over with you.

I remember some time ago—I think it was a Memorial Day—people were lined up on both sides of the street to watch the parade. A high school band was behind me and naturally I was leading the parade. When your daddy saw me coming along waving in the breeze, he immediately removed his hat and placed it against his left shoulder so that his hand was directly over his heart.

And you—I remember you. Standing there as straight as a soldier, you didn't have any hat but you were giving the right salute. They taught you in school to place your hand over your heart. Remember little sister? Not to be outdone she was saluting same as you. I was very proud as I came down your street. There were some soldiers home on leave and they were standing at attention giving the military salute.

Now, I may sound as if I am a little conceited. Well, I am. I have a right to be. I represent the United States of America.

What has happened? I'm still the same old flag. Oh, I have a couple more stars added since you were a boy. A lot more stars added since the beginning of this country. A lot more blood has been shed since that Memorial Day so long ago.

But now I don't feel as proud as I used to feel. When I come down your street, some people just stand there with their hands in their pockets and give me a small glance and then look away. Then I see children running around and shouting. They don't seem to know who I am.

Is it a sin to be patriotic any more? Have some people forgotten what I stand for? Have they forgotten all the battlefields where men fought and died to keep this nation free? When you salute me you are actually saluting them.

Take a look at the Memorial Honor Rolls some time. Look at the names of those who never came back. Some of them were friends or relatives of yours. That's whom you are saluting. Not me.

Well, it won't be long until I'll be coming down your street again. So, when you see me, stand straight, place your hand over your heart and you'll really see me waving back—my salute to you. And then I'll know that you remember.

INTERIM REPORT ON THE BANKRUPTCY OF PENN CENTRAL

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. PATMAN. Mr. Speaker, today the Banking and Currency Committee issued a preliminary report on data it has gathered on the involvement of the commercial banking industry in the bankruptcy of the Penn Central Transportation Co.

The interim report is just the beginning of a detailed investigation of this aspect of the collapse of this huge corporation. The committee will issue a fuller report later as the study progresses.

The material gathered to date indicates an extensive relationship between the commercial banking industry and the railroad. Mr. Speaker, I place in the RECORD a copy of this preliminary staff study and a memorandum transmitting it to members of the Banking and Currency Committee:

MEMORANDUM

To Members of the Banking and Currency Committee.

From Wright Patman, Chairman.

Subject Staff Report on Penn Central Bankruptcy.

Attached is a preliminary analysis of the data available on the involvement of the commercial banking industry in the operations and bankruptcy of the Penn Central Transportation Company. The questions raised in this document are extremely serious not only for the current Penn Central case, but for the entire U.S. economy.

As the staff report indicates, the investigation is just beginning and we are gathering a great deal of additional information from sources both inside and outside the Federal Government. Penn Central officials have been cooperative in furnishing information and they will be asked to produce additional data. Some background data is reproduced in the staff memorandum but other material obtained by the staff will be kept confidential until the Committee has a chance to meet and discuss the investigation in detail.

The Banking and Currency Committee, of course, was brought into the Penn Central issue by the Administration's desire to use the Defense Production Act as a vehicle to bail out the corporation and its creditors. The Administration's maneuvers and the bankruptcy which followed have left the Committee with a mass of unanswered questions concerning the involvement of the banking industry which comes under our immediate jurisdiction.

The role of the banks in the operation and bankruptcy of this $7 billion dollar corporation is massive. This fact is already established. There remain basic questions concerning the propriety of this involvement and whether or not the banks' role was within the bounds of banking laws and prudent banking practices. The case also raises basic questions as to whether there are adequate safeguards in existing banking laws and regulations and whether or not the Federal bank regulatory agencies have made any attempt to carry out their supervisory role in the case.

The operations of the Penn Central conglomerate and the heavy involvement of the banking community is strikingly similar to the tragic holding company scandals of the 1920's and early 1930's. The evidence that I have seen to date and the talks I have had with Administration and Penn Central officials raise some of the most serious questions that have been presented in my 32 years on the Banking and Currency Committee. I am fearful that we have allowed similar situations to develop in other areas of the economy, and, if this is the case, this Committee has a duty to investigate this case thoroughly and to take whatever steps are necessary to protect the public, the corporate stockholders and the economy generally.

In this regard, I trust that we will have the full cooperation of the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Federal Reserve Board and the Attorney General. This is a highly serious matter and it cannot be treated or regarded as a partisan issue. I am convinced that the Republicans as well as the Democrats on this Committee are deeply concerned and are determined that the Committee carry out its functions fully.

It is my intention to call the Committee together as early as possible to discuss the investigation in detail and to take other steps necessary to meet our responsibility in this area.

STAFF MEMORANDUM

Subject: The Involvement of Banks and other Financial Institutions in the Bankruptcy of the Penn Central Transportation Company.

On Monday, June 22, Chairman Wright Patman instructed the staff of the Banking and Currency Committee to begin a preliminary investigation into the involvement of commercial banks and other financial institutions in the operation of the Penn Central Transportation Company, its parent holding company, and its subsidiaries.

The investigation is now underway and this memorandum and the attached documents are intended as an interim report in keeping with the urgency of the issues involved.

Preliminary investigation reveals heavy involvement by banking institutions in nearly every one of Penn Central's operations. Every aspect of the issues involved in the collapse of the corporation appears to lead back to some banking institutions.

The staff is still making efforts to determine the full extent of bank involvement in the operations of the corporation. Three obvious areas of bank involvement are:

1. The control of huge blocks of stock in the corporation by the trust departments of large commercial banks.

2. Massive interlocks between the board of directors of the corporation and major commercial banks.

3. Extremely heavy lines of credit, involving everything from commercial paper to traditional bank loans, by major commercial banks, many of which maintain interlocking directorates with Penn Central and which control huge blocks of Penn Central's stock.

The staff has gathered its preliminary data from various sources both in and outside of the Federal Government. In addition to written documents, evidence has also been gathered through interviews with officials of the Penn Central Transportation Company, the Treasury Department officials, and financial and railroad experts.

Involvement of financial institutions with Penn Central

The Pennsylvania Railroad Company had no less than 17 interlocking directorships with major banking institutions in New York, Philadelphia and Pittsburgh at the time of a 1968 study conducted by the Domestic Finance Subcommittee of the House Banking and Currency Committee. These interlocks involved 16 different Pennsylvania Railroad board members on the boards of 8 different banks. At that time the Pennsylvania Railroad Company had 24 board members (Table 3). After the merger in 1968, banking interlocks remained high on the new Penn Central Company board.

As of April, 1970, the board had 14 interlocks involving 11 board members with 12 commercial banks on its 14-member board. The board of the Penn Central Transportation Company, which manages the railroad, had 19 interlocks involving 16 board members with 14 commercial banks on its 23-member board. (Table 3). Since the public disclosure of the financial difficulties of Penn Central, there has been much movement in the membership of the corporation's board of directors, apparently in the belated recognition of the highly questionable interlocks.

The Railroad Annual Report Form A ending December 31, 1968, filed with the Interstate Commerce Commission, reveals the powerful role and the degree of control exercised by commercial banks.

This report lists the 31 largest stockholders in the Penn Central Railway, also indicating who was entitled to vote that stock. This reveals that as of the end of 1968, 17 of the 31 largest stockholders were commercial banks, presumably holding the stock through their trust departments for the benefit of others. Together, these commercial banks held, with right to vote, 22.1 percent of all the common stock outstanding. Among the other leading stockholders were five brokerage houses and investment companies, and one foreign bank (Credit Suisse). Two of the 31 largest stockholders included a foundation and a profit sharing plan that might also have their investments managed by commercial banks. The 31 largest stockholders together held 31.8 percent. (Table 4).

The largest single holder of Penn Central stock as of December 31, 1968, was the Morgan Guaranty Trust Company with 849,275 shares. This represented 3.4 percent of the total number of shares outstanding. Morgan also had two directors on the board of Penn Central at that time. (Table 4).

Holders of Penn Central debt

Interstate Commerce Commission records also indicate that many of these same banking institutions had large debt holdings of various kinds in the Penn Central railroad. For example, Railroad Form A for 1969 indicates that the Morgan Guaranty Trust Company, in addition to its trust department stockholdings and its interlocking directorships, had, as of December 31, 1969, approximately $7 million in conditional sales agreements with the Penn Central, and held loans and notes of approximately $84 million. Similarly, Chemical Bank of New York had $19.5 million in conditional sales agreements, and First National City Bank of New York held a total of $386 million in Penn Central debt. First Pennsylvania Banking and Trust Company, which had in early 1970 three interlocking directorships with the Penn Central Company, had at the end of 1969, according to ICC records, $18 million of conditional sales agreement debt with the Penn Central Railroad.

Girard Trust Company, which had one interlocking directorship with Penn Central in early 1970 had, at the end of 1969, more than $49 million worth of Penn Central conditional sales agreement debt. Bankers Trust Company of New York was in a similar position, having two interlocking directorships and $26 million of Penn Central debt. Provident National Bank of Philadelphia also had two interlocking directorships and $57 million in Penn Central debt. Other examples of similar relationships are shown in tables 4 and 6.

The staff is exploring means of determining as fully as possible the actual beneficial owners of the Penn Central's stock.

The staff is also obtaining additional information concerning the various debt instruments of Penn Central to determine fully who owned the debt at the time the corporation filed bankruptcy. The ICC has been requested to provide this data and has agreed to comply.

Copies of these letters to the ICC are appended.

Basic questions raised by preliminary data

1. What sort of stock trading did the trust departments of these banks do as the fortunes of the Penn Central declined and the Penn Central directors were made ever more aware of its precarious financial situation?

2. What sort of trading has transpired in the various debt instruments issued by Penn Central? There have been suggestions that some of the large commercial banks disposed of blocks of debt instruments in recent weeks. Was it to trust and pension funds which the banks manage? Was it to corporate treasuries with which the banks do substantial banking business? On what basis were these debt instruments brokered? Why did the banks get rid of these large amounts of paper? Were the banks using inside information through their directorships to protect themselevs at the expense of others to whom they owed a fiduciary responsibility?

3. How could a director of the railroad who was also an officer of a commercial bank honor his fiduciary responsibility to the stockholders of the Penn Central, and at the same time honor his fiduciary responsibility to the commercial bank managing large blocks of Penn Central stock for the benefit of beneficiaries while also honoring his fiduciary responsibility to the stockholders of commercial banks which had large lines of credit out to the Penn Central?

4. Records filed with the Securities and Exchange Commission as well as interviews with railroad and Treasury officials confirmed the fact that commercial banks, in order to protect the interest of their banks as lenders, insisted that valuable property owned by some of the non-railroad subsidiaries be used as the security for loans to the railroad company. Which interests were directors of Penn Central representing in negotiating such loan agreements when they were also connected with the banking institutions lending money to the railroad? What role did these directors play in the management of the Penn Central which led to its ultimate bankruptcy? Was it ever possible for these men to act objectively without violating their fiduciary responsibility to at least one of the several parties they were supposed to be representing?

5. There is some evidence that large sales of Penn Central stock were made in the last several months on the basis of insider information obtained by some officers and directors of the Penn Central. This, too, should be thoroughly investigated.

6. In addition, there was at least one member of the Penn Central board who, through his company, had a large stock investment in the Penn Central. This board member is an officer of a corporation controlling transportation competitors of the Penn Central. What role did he play in making policy decisions either favorably or adversely affecting railroad or his own company's interests?

7. A recent press story indicates that the University of Pennsylvania endowment fund sold 90,000 shares of Penn Central stock in late May on the advice of its investment committee chairman, Howard Butcher 3rd, a leading Philadelphia investment banker. Mr. Butcher served on the board of the Pennsylvania Railroad until 1968 when he left to avoid a possible conflict of interest.

The staff lists the foregoing questions as some of the basic areas where questions have occurred in the preliminary analysis of data. As the investigation continues, it is possible that additional questions will be raised and that the scope of the investigation will be broadened as a result of these new discoveries.

PROPOSED $200 MILLION LOAN GUARANTY UNDER SECTION 301 OF THE DEFENSE PRODUCTION ACT OF 1950

On June 19, the Defense Department formally announced that it was withdrawing plans of the Nixon Administration to guarantee a $200 million loan under the Defense Production Act of 1950. Until that time, the Committee had planned a full-scale investigation into the use of the Act for this purpose. Now that the Administration has withdrawn its plans, the question of the Defense Production Act becomes moot.

However, the negotiations involving the proposed Defense Production Act guarantee concern most of the major financial institutions which have been so intimately tied to the Penn Central Company. Some of the loan documents submitted to the Government in connection with the Defense Production Act guarantee are revealing and must be an integral part of a complete investigation of the involvement of the banks with Penn Central.

Through the cooperation of the Penn Central Transportation Company, the Committee has obtained important data concerning the proposed Defense Production Act guarantees. The Committee through its chairman, has requested a full accounting from the Defense Department and other officials in the executive branch. It appears that officials of various departments in the executive branch carried out long negotiations with the railroad and its creditors and are in possession of a great deal of information that has not yet been furnished the Congress.

These meetings between Administration officials and the 74 banks took place prior to any notification to the Congress. Appended is a list of these banks.

BACKGROUND ON THE ASSETS OF PENN CENTRAL

The various assets of the Penn Central Company are complex and obviously involve holdings in virtually every part of the nation. The following are excerpts drawn from a preliminary Securities and Exchange prospectus by the Pennsylvania Company, a subsidiary of the Penn Central Transportation Company dated May 12, 1970.

This prospectus reveals the following information about the Penn Central conglomerate.

The Penn Central Company (Penn Central)—the parent of the Penn Central holding company complex—controls the Penn Central Transportation Company (Railroad) as a wholly owned subsidiary, and the Pennsylvania Company (Pennco) has all of its common stock owned by the Penn Central Transportation Company (Railroad).

The assets of the Penn Central holding company complex in round numbers are as follows:

	Billion
Penn Central Co. (consolidated)	$7.0
Penn Central Transportation Co. (railroad)	4.6
Pennsylvania Co. (exclusive of railroad)	2.0

Most of the income earning assets of the Penn Central holding company are held in the "third-tier" Pennsylvania Company. This company is, in its own right, a diversified holding company. The prospectus indicates most significantly, that "all of the outstanding common stock of the Pennsylvania Company . . . is pledged to secure up to $300 million of loans to Railroad (Penn Central Transportation Company) by a group of banks under a Credit Agreement dated as of April 1, 1969 . . . Under the Credit Agreement, outstanding notes may be declared immediately due and payable . . ." in effect when any of the obligations of the Railroad or other companies to which the banks have made loans cannot be paid when due.

Therefore, even though the Penn Central Holding Company has substantial income earning assets, they would appear to be frozen by this Credit Agreement. This Agreement must also be analyzed by the staff.

The principal assets of the Pennsylvania Company include holdings in two real estate companies, the Arvida Corporation and Great Southwest Corporation; the Buckeye Pipe Line Company, and holdings in Norfolk and Western Railway Company and other railroads.

Arvida owns approximately 35,000 acres in Florida. Arvida's primary activity is that of land development, construction, and sale of condominium apartments, sales of land to developers and operation of the Boca Raton Hotel and Club.

The Great Southwest Corporation is also a land development company specializing in industrial, commercial, residential, and recreational properties, including amusement parks. Directly and indirectly, this corporation controls or has options on more than 325,000 acres of land in Los Angeles, San Francisco, San Diego, and the Lake Tahoe area in California; Dallas and Fort Worth, Texas; Atlanta, Georgia; and Hawaii. Recently, Great Southwest acquired the Nation's second largest individual manufacturer of mobile homes and another company which develops, builds, and operates multi-family dwellings in Texas and Nevada.

Great Southwest also owns the Macco Land Development Company, which owns a gigantic industrial park in Texas and a home manufacturing operation.

In addition, Great Southwest owns the I.C. Deal Company or Dallas, a multi-family home builder, and the Scientific Control Corporation, a computer hardware company.

The Buckeye Pipe Line Company, the 13th largest pipeline system in the United States and the 8th largest in terms of barrels of crude oil and refined products received into the system, operates a 7,000 mile pipeline system in Indiana, New York, Pennsylvania, Michigan, Ohio, Florida, Illinois, and Washington.

In May of 1970, negotiations were in progress between the Pennsylvania Transportation Company (Railroad) to sell to the Pennsylvania Company the Manor Real Estate Company, a land development company and coal mining company which operates in Pennsylvania, West Virginia, Ohio, New Jersey, and Maryland; the Clearfield Bituminous Coal Corporation, with acreage in Pennsylvania, Ohio, and West Virginia; and the Despatch Shops, Inc., which is in the business of acquiring land and property which it leases to the Penn Central Transportation Company.

Despatch Shops, through its wholly owned subsidiary, Realty Hotels, Inc., operates the Barclay, Biltmore, Commodore, and Roosevelt Hotel, owned by the Penn Central Transportation Company in the Grand Central Terminal area of New York.

The Pennsylvania Company also owns approximately 23 percent of the Norfolk and Western Railroad Company, which must be divested under an ICC order by October 15, 1974.

Also, the Pennsylvania Company holds a substantial portion (35 percent) of Philadelphia, Baltimore, and Washington Railroad, which is operated by the Penn Central Transportation Company under a 999-year lease.

The above discussion concerns itself exclusively with the holdings of the Penn Central Company. In attempting to understand the entire Penn Central conglomerate complex, the fact should not be overlooked that the Penn Central Transportation Company (Railroad) controls directly or indirectly a fantastic number of companies.

These companies are of every type and variety and include:

More than 75 transportation companies primarily engaged in railroad, trucking, and pipeline activities.

More than 75 non-transportation companies, including real estate development companies, water companies, apartment houses, golf clubs, manufacturing companies, and an advertising company.

Part of the real estate holdings mentioned in the paragraph above which the Railroad Company owns in whole or in part include the Waldorf Astoria Hotel in New York, the Pan Am Building in New York, the Graybar Building in New York, and some 15 other Park Avenue and Lexington Avenue properties.

The foregoing information concerning the holdings of the Penn Central Transportation Company has been taken from the Railroad's filings to the ICC for 1969.

TABLE 1.—BASIC FINANCIAL STATISTICS OF PENN CENTRAL CO.

[In millions]

	Penn Central Co. (consolidated)	Penn Central Transportation Co. (railroad)	Penn Central Co. (exclusive of railroad)
Total assets	[1] 6.850	[1] 4.597	1.983
Revenues for year	[1] 2.253	[1] 1.789	464
Long-term debt:			
(a) Due within 1 year	[1] .228	[1] .106	
(b) Due after 1 year	[1,2] 2.412	[1,3] 1.586	
Total	[1] 2.640	[1] 1.692	952
Breakdown of long-term debt:			
(a) Mortgage bonds	1,174	636	
(b) Miscellaneous obligations	[2] 506	[2] 443	
(c) Equipment trusts and conditional sales agreements	673	560	
Breakdown of long-term debt:—Continued			
(d) Collateral trusts	125	53	
(e) Real estate loans	149		
(f) Various unsecured loans	13		
Total	2,640	1,692	
Current liabilities (short-term debt): notes payable	148	[3] 102	46
Interest and debt expense	137	97	40
Earnings (loss):			
(a) From ordinary operation	4.4	(56)	60.4
(b) Ext. loss	(126)	(126)	
Net	(122)	182	60.4

[1] In billions.

[2] Includes $100,000,000 of commercial paper notes and $50,000,000 of Eurodollar credits (Swiss francs).

[3] Includes $84,000,000 of commercial paper.

Sources: 1969 annual report of Penn Central; May 12, 1970 prospectus of Pennsylvania company filed with the Securities and Exchange Commission.

TABLE 3

Penn-Central Company board of directors with financial institution interlocks—As shown in May 12, 1970 Prospectus filed with Securities & Exchange Commission.

Stuart T. Saunders, Chairman of the Board, Chase Manhattan Bank and holding company; First National Exchange Bank of Virginia; Philadelphia Saving Fund Society; First Pennsylvania Banking and Trust Company and holding co.

Paul A. Gorman, President, Bankers Trust Company and holding company.

David C. Bevan, Chairman of the Finance Committee, Provident National Bank, Philadelphia.

Louis W. Cabot, Chairman, Cabot Corporation, New England Merchants National Bank; Suffolk Franklin Savings Bank.

John T. Dorrance, Jr., Chairman of the Board, Campbell Soup Company, Morgan Guaranty Trust Company and holding company

Otto N. Frenzel, Chairman of the Board, Merchants National Bank & Trust Company, Merchants National Bank and Trust Co., Indianapolis.

E. Clayton Gengras, Chairman of the Board, Security Insurance Group (no financial institution interlock listed).

Edward J. Hanley, Chairman of the Board, Allegheny Ludlum Steel Corporation (no financial institution interlock listed).

Franklin J. Lunding, Chairman of the Finance Committee, Jewel Companies, Inc. (no financial institution interlock listed).

Walter A. Marting, President, Hanna Mining Company, Bankers Trust Company and holding company, National City Bank, Cleveland.

Thomas L. Perkins, Counsel, Perkins, Daniels & McCormack, Morgan Guaranty Trust Company and holding company.

Alfred E. Perlman, Vice Chairman of the Board. Marine Midland Grace Trust Company.

R. Stewart Rauch, Jr., President, The Philadelphia Saving Fund Society, Philadelphia Saving Fund Society, Girard Trust Bank.

John M. Seabrook, Chairman of the Board and President, International Utilities Corporation, Provident National Bank.

In addition to the 14 directors making up the board of the Penn-Central Company, the Penn-Central Transportation Company has nine other members of its board. As of December, 1969 they are:

William L. Day, Chairman, First Pennsylvania Banking and Trust Company, First Pennsylvania Banking & Trust Co. and holding company, Philadelphia Saving Fund Society.

R. Walter Graham, Jr., Management of Personal Investments, Baltimore, Md. (no financial institution interlock listed).

Gaylord P. Harnwell, President, University of Pennsylvania, First Pennsylvania Banking and Trust Co. (Who's Who in America).

Fred M. Kirby, Chairman of the Board, Alleghany Corporation, Alleghany Corporation.

Seymour H. Knox, Chairman of the Board, Marine Midland Trust Co. of Western New York, Marine Midland Trust Co. and holding company.

Robert S. Odell, President, Allied Properties, Wells Fargo Bank.

R. George Rincliffe, Chairman of the Board, Philadelphia Electric Company, Philadelphia National Bank, Philadelphia Saving Fund Society.

Carlos J. Routh, Vice Chairman of the Board, Pittston Company (no financial institution interlock listed).

Daniel E. Taylor, Management of Personal Affairs, West Palm Beach, Fla. (no financial institution interlock listed).

TABLE 4.—FINANCIAL INSTITUTIONS INTERLOCKING RELATIONSHIPS WITH PENN CENTRAL STOCK, DIRECTORSHIPS, AND DEBT

Name of financial institution holding stock [1] (1)	Number of shares held and voted [2] (2)	Percent of shares outstanding (3)	Director interlock [3] (4)	Debt held [4] (5)
Morgan Guaranty Trust Co., New York, N.Y. (4 nominees).	849,275	3.4	John T. Dorrance, Jr., Thomas L. Perkins.	$90,972,937
Chemical Bank New York Trust Co., New York, N.Y. (2 nominees).	721,119	3.0		19,531,303
Bank of New York, New York, N.Y.	522,632	2.2		
Bank of Delaware, Wilmington, Del.	500,000	2.1		
Merrill Lynch, Pierce, Fenner & Smith, New York, N.Y.	498,401	2.1		
Manufacturers Hanover Trust Co., New York, N.Y.	469,439	1.9		13,195,620
Chase Manhattan Bank, New York, N.Y.	436,669	1.8	Stuart T. Saunders	7,832,500
Northwestern National Bank, Minneapolis, Minn.	320,000	1.3		
Continental Illinois National Bank & Trust, Chicago, Ill.	305,600	1.2		78,748
Butcher & Sherrerd, Philadelphia, Pa.	301,072	1.2		
Helene Fuld Health Foundation, Trenton, N.J.	282,300	1.1		
Bache & Co., New York, N.Y	259,750	1.0		
State Street Bank & Trust Co., Boston, Mass.	225,350	.9		
Thrift Plan—Penn Central Co.	211,172	0.8		
First National Bank, Minneapolis, Minn.	200,000	.8		
Alleghany Corp., New York, N.Y	196,195	.8	Fred M. Kirby	
Cyrus J. Lawrence & Sons, New York, N.Y.	186,898	.7		
Credit Suisse, New York, N.Y	184,176	.7		
Loeb, Rhoades & Co., New York, N.Y.	163,988	.7		
National Shawmut Bank, Boston, Mass.	141,100	.6		$2,385,000
Paine, Webber, Jackson & Curtis, New York, N.Y.	135,682	.6		
Irving Trust Co., New York, N.Y	134,499	.5		6,964,612
Boston Safe Deposit & Trust Co., Boston, Mass.	128,500	.5		
Pittsburgh National Bank, Pittsburgh, Pa	127,953	.5		
First National City Bank, New York, N.Y	125,802	.5		386,611,095
United States Trust Co., New York, N.Y	120,086	.5		
Brown Bros., Harriman Co., New York, N.Y	109,508	.4		

[1] The commercial banks held their shares of Penn Central stock through bank nominees. Below is a listing of the nominees and the banks controlling each:

Morgan Guaranty Trust Co.—Carson & Co.; Reing & Co.; Kelly & Co.; Genoy & Co. Chemical Bank—C. A. England & Co.; J. C. Orr & Co. Bank of New York—Lerche & Co. Bank of Delaware—Carothers & Clark. Manufacturers Hanover Trust Co.—Sigler & Co. Chase Manhattan Bank—Kane & Co. Northwestern National Bank—Perc & Co. Continental Illinois Bank & Trust Co.—Trude & Co. State Street Bank & Trust Co.—Harwood & Co. First National Bank, Minneapolis, Minn.—Var & Co. National Shawmut Bank, Boston, Mass.—Chetco. Irving Trust Co.—Pert & Co. Boston Safe Deposit & Trust Co.—Pratt & Co. Pittsburgh National Bank—Elm & Co. First National City Bank—King & Co. United States Trust Co.—Atwell & Co.

[2] Railway Annual Report Form A 1968, as of Dec. 31, 1968, p. 108.

[3] As of Dec. 31, 1969.

[4] As of Dec. 31, 1969.

109. VOTING POWERS AND ELECTIONS

1. State the par value of each share of stock: Common, $10 per share; first preferred, $—— per share; second preferred, $—— per share; debenture stock, $—— per share.

2. State whether or not each share of stock has the right to one vote; if not, give full particulars in a footnote Yes.

3. Are voting rights proportional to holdings? Yes If not, state in a footnote the relation between holdings and corresponding voting rights.

4. Are voting rights attached to any securities other than stock No If so, name in a footnote each security, other than stock, to which voting rights are attached (as of the close of the year), and state in detail the relation between holdings and corresponding voting rights, stating whether voting rights are actual or contingent, and if contingent showing the contingency.

5. Has any class or issue of securities any special privileges in the election of directors, trustees, or managers, or in the determination of corporate action by any method? No If so, describe fully in a footnote each such class or issue and give a succinct statement showing clearly the character and extent of such privileges.

6. Give the date of the latest closing of the stock book prior to the actual filing of this report, and state the purpose of such closing. Stock Book not closed.

7. State the total voting power of all security holders of the respondent at the date of such closing, if within one year of the date of such filing; if not, state as of the close of the year. 24,085,413 votes, as of December 31, 1968

8. State the total number of stockholders of record, as of the date shown in answer to inquiry No. 7. 118,756 stockholders.

9. Give the names of the thirty security holders of the respondent who, at the date of the latest closing of the stock book or compilation of list of stockholders of the respondents (if within 1 year prior to the actual filing of this report), had the highest voting powers in the respondent, showing for each his address, the number of votes which he would have had a right to cast on that date had a meeting then been in order, and the classification of the number of votes to which he was entitled, with respect to securities held by him, such securities being classified as common stock, second preferred stock, first preferred stock, and other securities, stating in a footnote the names of such other securities (if any). If any such holder held in trust, give (in a footnote) the particulars of the trust. In the case of voting trust agreements give, as supplemental information on page 202, the names and addresses of the thirty largest holders of the voting trust certificates and the amount of their individual holdings. *If the stock book was not closed or the list of stockholders compiled within such year, show such thirty security holders as of the close of the year.*

Line No.	Name of security holder	Address of security holder	Number of votes to which security holder was entitled	Number of votes, classified with respect to securities			
				Stocks			Other securities with voting power
				Common	Preferred		
					Second	First	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Alleghany Corp	New York, N.Y	196, 195	196, 195			
1	C. A. England & Co	do	558, 743	558, 743	2. 3		
2	Lerche & Co	do	522, 632	522, 632	2. 2		
3	Carothers & Clark	Wilmington, Del	500, 000	500, 000	2. 1		
4	Merrill Lynch, Pierce, Fenner & Smith, Inc	New York, N.Y	498, 401	498, 401	2. 1		
5	Sigler & Co	do	469, 439	469, 439	1. 9		
6	Kane & Co	do	436, 669	436, 669	1. 8		
7	Carson & Co	do	424, 820	424, 820	1. 7		
8	Perc & Co	Minneapolis, Minn	320, 000	320, 000	1. 3		
9	Trude & Co	Chicago, Ill	305, 600	305, 600	1. 2		
10	Butcher & Sherrerd	Philadelphia, Pa	301, 072	301, 072	1. 2		
11	Helene Fuld Health Foundation	Trenton, N.J	282, 300	282, 300	1. 1		
12	Bache & Co	New York, N.Y	259, 750	259, 750	1. 0		
13	Harwood & Co	Boston, Mass	225, 350	225, 350	. 9		
14	Thrift Plan-Penn Central Co	Philadelphia, Pa	211, 172	211, 172	. 8		
15	Var & Co	Minneapolis, Minn	200, 000	200, 000	. 8		
16	Cyrus J. Lawrence & Sons	New York, N.Y	186, 898	186, 898	. 7		
17	Credit Suisse	do	184, 176	184, 176	. 7		
18	Reing & Co	do	182, 600	182, 600	. 7		
19	Loeb, Rhoades & Co	do	163, 988	163, 988	. 7		
20	J. C. Orr & Co	do	162, 376	162, 376	. 7		
21	Chetco	Boston, Mass	141, 100	141, 100	. 6		
22	Paine, Webber, Jackson & Curtis	New York, N.Y	135, 682	135, 682	. 6		
23	Pert & Co	do	134, 499	134, 499	. 5		
24	Pratt & Co	Boston, Mass	128, 500	128, 500	. 5		
25	Elm & Co	Pittsburgh, Pa	127, 953	127, 953	. 5		
26	King & Co	New York, N.Y	125, 802	125, 802	. 5		
27	Kelly & Co	do	121, 911	121, 911	. 5		
28	Atwell & Co	do	120, 086	120, 086	. 5		
29	Genoy & Co	do	119, 944	119, 944	. 5		
30	Brown Bros., Harriman & Co	do	109, 508	109, 508	. 4		

10. State the total number of votes cast at the latest general meeting for the election of directors of the respondent, 18,083,861 votes cast.
11. Give the date of such meeting. May 7, 1968.
12. Give the place of such meeting. Philadelphia, Pa.

TABLE 5.—PENN-CENTRAL TRANSPORTATION CO. MAJOR HOLDERS OF OUTSTANDING DEBT AT DEC. 31, 1969

Name of holder of debt	Miscellaneous obligation	Conditional sale agreements	Current liability loans and notes payable
First National City Bank, New York, N.Y	$280, 441, 554	$106, 169, 541	
Fidelity Bank, Philadelphia, Pa		64, 879, 916	
Provident National Bank		57, 074, 895	
Girard Trust Bank		49, 408, 188	
Bankers Trust Co		26, 063, 106	
Mellon National Bank		25, 865, 944	
Chemical Bank		19, 531, 303	
First Pennsylvania Banking & Trust Co		18, 004, 766	
Central Pennsylvania National Bank	2, 660, 000	12, 000, 000	
Philadelphia National Bank		12, 480, 000	
Berliner Bank		10, 000, 000	
Chase Manhattan Bank		7, 832, 500	
Trenton Trust Co		7, 329, 982	
Morgan Guaranty Trust Co		6, 992, 957	$83, 980, 000
Irving Trust Co		6, 964, 612	
Northern Trust Co		5, 700, 000	
Manufacturers Hanover Trust Co		$5, 695, 620	$7, 500, 000
National Bank of Detroit	$1, 097, 393	4, 614, 530	
General Electric Co		2, 118, 664	
Cleveland Trust Co		1, 814, 740	5, 000, 000
General Motors Corp		1, 613, 386	
Central National Bank, Cleveland		1, 581, 654	
Second National Bank, New Haven	557, 937	1, 434, 375	
Indiana National Bank	23, 686	1, 113, 483	
Marine Midland Trust Co. of New York	557, 937	525, 714	
Continental Illinois National Bank & Trust Co		78, 748	
Eurodollar Credit	50, 000, 000		
Commercial Paper Notes	100, 000, 000		
First National Bank of Chicago	1, 877, 872		
United Fruit Co	372, 372		
National Shawmut Bank, Boston	2, 385, 000		
Manor Real Estate	1, 960, 173		

Source: Report Form A, submitted to the Interstate Commerce Commission.

TABLE 6.—INTERLOCKING RELATIONSHIPS BETWEEN COMMERCIAL BANKS AND PENN-CENTRAL—DIRECTORSHIPS AND DEBT HELD AS OF DEC. 31, 1969.

Name of financial institution	Director interlock	Debt held
Bankers Trust Co. New York, N.Y	Paul Gorman, Walter A. Marting	$26, 063, 106
First Pennsylvania Banking and Trust Co., Philadelphia, Pa.	Stuart T. Saunders, Gaylord P. Harnwell, William L. Day.	18, 004, 766
Provident National Bank, Philadelphia Pa.	David C. Bevan, John M. Seabrook	57, 074, 895
Marine Midland Grace Trust Co. of West New York.	Alfred E. Perlman, Seymour H. Knox	$1, 083, 651
Girard Trust Bank, Philadelphia, Pa	R. Stewart Rauch, Jr	49, 408, 188
Phadelphia National Bank, Philadelphia, Pa.	R. George Rincliffe	12, 480, 000

DOCUMENTS RELATING TO LOAN GUARANTEE UNDER THE DEFENSE PRODUCTION ACT

Attached are copies of the applications for a loan guarantee under the Defense Production Act filed by the First National City Bank on June 2 and June 17, 1970.

1. The first application is dated June 2, 1970, filed by First National City Bank on behalf of itself and 73 other banking institutions. The amount of this guarantee was publicly announced as $200 million. However, the attached loan application is for $225 million and the staff does not have information at this time to explain the discrepancy.

2. The application dated June 16, 1970, was for an interim loan of between $25 to $50 million, with a maturity date of June 29, 1970. This loan agreement was obviously made to alleviate any short-term capital problems until the full loan agreement was approved. The banks connected with this loan application were:

First National City Bank.

Chemical Bank.

Continental Illinois National Bank and Trust Company of Chicago.

Irving Trust Company.

Manufacturers Hanover Trust Company.

Mellon National Bank and Trust Company.

Morgan Guaranty Trust Company of New York.

The Chase Manhattan Bank (National Association).

The First National Bank of Chicago.

APPLICATION BY FINANCING INSTITUTION TO FEDERAL RESERVE BANK OF NEW YORK, FISCAL AGENT OF THE UNITED STATES FOR GUARANTEE OF LOAN, PURSUANT TO EXECUTIVE ORDER NO. 10480 DATED AUG. 14, 1953

JUNE 2, 1970.

1. Financing Institution:

Name: First National City Bank, on behalf of itself and other banking institutions.*

Location: 399 Park Avenue, New York, New York 10022.

2. Applicant for loan:

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*No commitment for loans has been authorized by First National City Bank or any other Participant. However, a group of Participants is in the process of being formed.

Name: Penn Central Transportation Company.

Location: 1344 Transportation Center, 6 Penn Center Plaza, Philadelphia, Pennsylvania 19104.

Business: Rail transportation—see also 1969 Report to Stockholders of parent company, Penn Central Company, Attachment IV to Rider B hereto.

3. Amount of loan applied for: $225,000,000. Revolving Credit, and term loan deemed sufficient on basis of present forecast for balance of 1970; as to 1971 see Attachment II to Rider B hereto.

4. Percentage of loan to be guaranteed: 100%.

5. (a) Rate of interest to be charged borrower: Prime rate of Financing Institution (presently 8% per annum) as the same shall be from time to time during the term of the loan.

(b) Basis on which interest will be computed: 365 days.

(c) Rate of commitment fee, if any: ½ of 1% per annum on unused balance. For schedule of anticipated drawdown of funds, see Rider B hereto.

(d) Maturity date of proposed loan: December 31, 1976.

(e) Other terms and conditions of loan: Funds may be used only for purposes set forth in Rider B hereto. Loan to be evidenced by Credit Agreement, without notes, which Agreement will include financial and other covenants as well as other terms, all to be agreed upon by the Financing Institution, the Participants, the Applicant and the Guarantor.

6. (a) Description of collateral: Accounts Receivable and Unbilled Revenues.

(b) Personal or corporate guarantors, if any: None.

7. Defense products or services to be supplied by applicant for loan: See Rider A furnished by applicant.

8. Purposes for which funds will be used: See Rider B furnished by applicant.

Note.—No commitment for loans has been authorized by First National City Bank or any other Participant. However, a group of Participants is in the process of being formed.

9. (a) Please supply the following information with respect to every prime contract held by the borrower, whether to be financed by the V loan, or not. (It is important that all of the following details be furnished.)

(1) Unit of Government with which the prime contract is held: Inapplicable.

(b) Please supply the following information with respect to every subcontract held by the borrower, whether to be financed by the V loan, or not. (It is important that all of the following details be furnished.)

(1) Name and address of concern issuing subcontract and signatory: Inapplicable.

10. General statement by financing institution with respect to the ability of the applicant for the loan to perform the above contracts; the general character, reputation, and capability of the applicant; normal type and volume of production; and any other information which the financing institution would ordinarily take into account in considering a loan to the applicant, including a brief summary of its experience with the applicant's account.

As indicated in Rider A to this Application, the Applicant is faced with immediate cash needs which cannot be met without loans. Provided it can obtain the financing as set forth in Attachment I to Rider B hereto, Applicant will be able to sustain operations pending the completion of longer range financial and business plans. Such plans, if effectively implemented, should enable Applicant to provide adequate transportation service, as it and its predecessor companies have done in the past. Until recently the Financing Institution's experience with the Applicant's account has been satisfactory. In view of the facts discussed in the Attachments referred to, the Financing Institution, after consultation with proposed Participants, believes it is impossible to provide the Applicant with its needed funds without Government Guarantee.

11. Statement of the current amount of salary and all other remuneration being paid to each officer or partner, or to the proprietor, of the applicant for the loan, and to each key employee receiving comparable compensation and similar data for each of the last three fiscal years.

See Form A Reports to Interstate Commerce Commission annexed hereto as Attachment V to Rider B hereto.

12. Number of employees of applicant for the loan: 95,595, as of May 15, 1970 (Information furnished by Applicant).

13. Number of employees of affiliated concerns under common ownership or control:

Approximately 20,000 additional employees (Information furnished by Applicant).

14. List of all corporate affiliates of the applicant for the loan, including their names and the financial interests of the applicant for the loan in each of them or of any of them in such applicant.

See Rider C furnished by Applicant.

15. Statement of ownership of the applicant and if a subsidiary of another company, the ownership of the latter. (Attach separate schedule, if necessary.)

All stock of Applicant is owned by Penn Central Company, a publicly-owned corporation with over 100,000 shareholders.

16. If a substantial portion of the capital stock of the applicant for the loan or of the financing institution is controlled by the other, or a substantial portion of the stock of both is controlled by some interests, or if there are any officers or directors common to both, a brief description of each such relationship. (Attach separate schedule.) None.

17. The applicant for the loan herein referred to has been advised that financing institution is applying for this guarantee in the amount and subject to the terms herein indicated.

(Two copies each of the following financial statements of the applicant for the loan should accompany this application: (a) ballance sheet and profit and loss statement for the last fiscal year prepared and certified by an independent public accountant (including his comments, if any), and similar financial data for the two previous years: (b) latest available interim balance sheet and profit and loss statement of the current fiscal year. If audit reports are not available, then corresponding statements should be submitted, certified by an authorized officer, partner, or the proprietor, of the loan applicant as truly and fully setting forth the financial condition and operating results of such applicant. Two copies each of recent financial statement of each guarantor (if any) should also be submitted. In addition, this application should be accompanied by three copies of a cash forecast.) See Attachments to Rider B hereto.

First City National Bank,
Patrick F. Bowditch,
Vice President.

Federal Reserve Bank
of New York,
New York, N.Y., June 17, 1970.

Attention Mr. E. Ralph Massey
Chief, Discount Operations Section.
Board of Governors of the Federal Reserve System,
Washington, D.C.

Gentlemen: We enclose two copies of an application dated June 16, 1970 for the issuance to First National City Bank, New York, New York, on behalf of itself and a group of participating banks in process of being formed, of a V-Loan Guarantee Agreement pursuant to Regulation V, to cover 100% of a revolving credit that would provide, under certain conditions, for advances up to an aggregate amount of $50 million to be made available to Penn Central Transportation Company, Philadelphia Pennsylvania. Advances under this proposed interim credit would be payable on demand but not earlier than June 29, 1970.

Very truly yours,
H. H. Reuss,
Manager, Credit and Discount Department.

Application by Financing Institution to Federal Reserve Bank of New York, Fiscal Agent of the United States for Guarantee of Loan, Pursuant to Executive Order No. 10480 Dated Aug. 14, 1953

June 16, 1970.

1. Financing Institution:

Name First National City Bank, on behalf of itself and other banking institutions.*

Location 399 Park Avenue, New York, New York 10022

2. Applicant for loan:

Name Penn Central Transportation Company 1344 Transportation Center, 6 Penn Center Plaza

Location Philadelphia, Pennsylvania 19104

Business Rail transportation—see also 1969 Report to Stockholders of parent company, Penn Central Company, Attachment IV to Rider B to Application by Financing Institution dated June 2, 1970 ("Prior Application")

3. Amount of loan applied for: $25 to 50 million ☒ Revolving Credit

4. Percentage of loan to be guaranteed: 100%.

5. (a) Rate of interest to be charged borrower: Prime rate of Financing Institution (presently 8% per annum) as the same shall change from time to time during the term of the loan.

(b) Basis on which interest will be computed: ☐ 360 days ☒ 365 days

(c) Rate of commitment fee, if any: ½ of 1% per annum on unused balance.

(d) Maturity date of proposed loan: upon demand, but not earlier than June 29, 1970.

(e) Other terms and conditions of loan: Loan to be evidenced by Loan Agreement, without notes, which Agreement will include financial as well as other terms, all to be agreed upon by the Financing Institution, the Participants, the Applicant and the Guarantor.

6. (a) Description of collateral: Stocks of certain affiliated companies with an aggregate net worth allocable to Borrower of $87,100,000.

(b) Personal or corporate guarantors, if any: None.

7. Defense products or services to be supplied by applicant for loan: See Rider A to Prior Application furnished by Applicant.

8. Purposes for which funds will be used: See Rider B to Prior Application furnished by Applicant.

See response to Item 10 of Prior Application.

11. Statement of the current amount of salary and all other remuneration being paid to each officer or partner, or to the proprietor, of the applicant for the loan, and to each key employee receiving comparable compensation and similar data for each of the last three fiscal years.

See Form A Reports to Interstate Commerce Commission annexed as Attachment V to Rider B to Prior Application.

12. Number of employees of applicant for the loan:

95,595, as of May 15, 1970 (Information furnished by Applicant).

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* No commitment for loans has been authorized by First National City Bank or any other Participant. However, a group of Participants is in the process of being formed.

13. Number of employees of affiliated concerns under common ownership or control:

Approximately 20,000 additional employees (Information furnished by Applicant).

14. List of all corporate affiliates of the applicant for the loan, including their names and the financial interests of the applicant for the loan in each of them or of any of them in such applicant.

See Rider C to Prior Application furnished by Applicant.

15. Statement of ownership of the applicant and if a subsidiary of another company, the ownership of the latter. (Attached separate schedule, if necessary.)

All stock of Applicant is owned by Penn Central Company, a publicly-owned corporation with over 100,000 shareholders.

16. If a substantial portion of the capital stock of the applicant for the loan or of the financing institution is controlled by the other, or a substantial portion of the stock of both is controlled by the same interests, or if there are any officers or directors common to both, a brief description of each such relationship. (Attach separate schedule.)

None.

17. The applicant for the loan herein referred to has been advised that financing institution is applying for this guarantee in the amount and subject to the terms herein indicated.

(Two copies each of the following financial statements of the applicant for the loan should accompany this application: (a) balance sheet and profit and loss statement for the last fiscal year prepared and certified by an independent public accountant (including his comments, if any), and similar financial data for the two previous years; (b) latest available interim balance sheet and profit and loss statement of the current fiscal year. If audit reports are not available, then corresponding statements should be submitted, certified by an authorized officer, partner, or the proprietor of the loan applicant as truly and fully setting forth the financial condition and operating results of such applicant. Two copies each of recent financial statement of each guarantor (if any) should also be submitted. In addition, this application should be accompanied by three copies of a cash forecast.) See Attachments to Rider B to Prior Application.)

First National City Bank,
By Patrick F. Bowditch,
Vice President.

List of 74 Banks that were Involved in Proposed $200 Million DPA Guaranty

INFORMATION SUPPLIED BY PENN CENTRAL TRANSPORTATION COMPANY OFFICIALS

Banks

First National City Bank—N.Y.
Morgan Guaranty Trust Co.—N.Y.
Mellon National Bank—Pittsburgh, Pa.
Chase Manhattan Bank—N.Y.
Marine-Midland of Western New York—Buffalo, N.Y.
Irving Trust Co.—N.Y.
Manufacturers Hanover Trust Co.—N.Y.
Bankers Trust Co.—N.Y.
Chemical Bank—N.Y.
Continental Illinois National Bank & Trust Co. of Chicago—Chicago, Ill.
The First National Bank of Chicago—Chicago, Ill.
United California Bank—Los Angeles, Calif.
Crocker-Citizens National Bank—San Francisco, Calif.
Bank of America—San Francisco, Calif.
First National State Bank of N.J.—Newark, N.J.
Franklin National Bank—N.Y.
Maryland National Bank—Baltimore, Md.
National Bank of Detroit—Detroit, Mich.
The Northern Trust Co.—Chicago, Ill.
Industrial National Bank of Rhode Island—Providence, R.I.
National Newark & Essex Bank—Newark, N.J.
Old Kent Bank & Trust Co.—Grand Rapids, Mich.
The Connecticut Bank & Trust Co.—Hartford, Conn.
Republic National Bank of Dallas—Dallas, Texas
The National Shawmut Bank—Boston, Mass.
American Fletcher National Bank & Trust Co.—Indianapolis, Ind.
American Security & Trust Co.—Washington, D.C.
Bank of Montreal—New York Agency
First National Bank in St. Louis, St. Louis, Mo.
First Wisconsin National Bank—Milwaukee, Wisc.
Hartford National Bank & Trust Co.—Hartford, Conn.
Industrial Valley Bank & Trust Co.—Philadelphia, Pa.
Mercantile Trust Co., N.A.—St. Louis, Mo.
Rhode Island Hospital Trust Co.—Providence, R.I.
State Bank of Albany—Albany, N.Y.
Western Pennsylvania National Bank—Pittsburgh, Pa.
The Connecticut National Bank—Bridgeport, Conn.
The Union National Bank of Pittsburgh—Pittsburgh, Pa.
Mercantile Safe Deposit Trust Co.—Baltimore, Md.
Union Trust Co.—Stamford, Conn.
The Indiana National Bank—Indianapolis, Ind.
American Bank & Trust Co. of Pa.—Reading, Pa.
Canadian Imperial Bank of Commerce—N.Y.
Central National Bank—Cleveland, Ohio
Citizens Fidelity Bank & Trust Co.—Louisville, Ky.
City National Bank of Detroit—Detroit, Mich.
First & Merchants National Bank—Richmond, Va.
First Jersey National Bank—Jersey City, N.J.
First National Bank of Akron—Akron, Ohio
The National Bank of Washington—Washington, D.C.
The Ohio National Bank—Columbus, Ohio.
The Toledo Trust Co.—Toledo, Ohio.
Harris Trust—Chicago, Ill.
The First National Bank of Cinn.—Cincinnati, Ohio.
Cleveland Trust Co.—Cleveland, Ohio.
The Huntington National Bank—Columbus, Ohio.
National City Bank—Cleveland, Ohio.
Winters National Bank & Trust Co.—Dayton, Ohio.
National Central Bank—Harrisburg, Pa.
Brown Bros. Harriman & Co.—Philadelphia, Pa.
First National Bank of Miami—Miami, Fla.
Lincoln National Bank & Trust Co.—Ft. Wayne, Ind.
South Jersey National Bank—Camden, N.J.
Fidelity Union Trust Co.—Newark, N.J.
Manufacturers & Traders Trust Co.—Buffalo, N.Y.
Lincoln Rochester Trust Co.—Rochester, N.Y.
The Central Trust Co.—Cincinnati, Ohio.
First National Bank of Maryland—Baltimore, Md.
Central Penn National Bank—Philadelphia, Pa.
Pittsburgh National Bank—Pittsburgh, Pa.
Marine Midland Grace Trust Co. of New York—N.Y.
Girard Trust—Philadelphia, Pa.
Fidelity Trust—Philadelphia, Pa.
National Boulevard—Chicago, Ill.

June 19, 1970.

Hon. George M. Stafford,
Chairman, Interstate Commerce Commission, Washington, D.C.

Dear Chairman Stafford: This is to request from the Interstate Commerce Commission certain information concerning the Penn-Central Transportation Company for use in preparation for a hearing to be held by the House Banking and Currency Committee next week.

Please supply me with a list of holders of record and amounts of mortgage bonds, collateral trust and equipment trust certificates as of December 31, 1969; commercial paper holders as of the latest possible date in 1970; and all debt transactions subsequent to January 1, 1970.

Your cooperation in furnishing this information as soon as possible will be very much appreciated.

Sincerely yours,
Wright Patman,
Chairman.

June 22, 1970.

Hon. George M. Stafford,
Chairman, Interstate Commerce Commission, Washington, D.C.

Dear Chairman Stafford: This is to request that the Interstate Commerce Commission obtain certain information concerning the Penn Central Transportation Company.

Please supply me with a list of all holders of record and amounts of all debt obligations of the subject company outstanding at June 22, 1970. The listing should include all holders of (1) bank loans, (2) mortgage bonds, (3) collateral trusts, (4) equipment trust certificates, (5) conditional sales agreements, (6) short-term loans and notes, (7) commercial paper, and (7) miscellaneous obligations.

Your cooperation in furnishing this information as soon as possible will be very much appreciated.

Sincerely yours,
Wright Patman,
Chairman.

EDUCATOR GIVES SAGE ADVICE TO CLEAR CREEK HIGH GRADUATES

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. CASEY. Mr. Speaker, a friend recently sent me the press report of the speech given by Dr. Lloyd R. Ferguson, superintendent of the Clear Creek Schools, to his high school graduates.

Because I believe the wisdom of his message deserves the attention of my colleagues, and the American people, I include it in the Record:

Graduates Told Look to Elders

Clear Lake.—Dr. Lloyd R. Ferguson, Superintendent of the Clear Creek Schools, delivered the following message to the 1970 Clear Creek High School graduating class.

"Young ladies and gentlemen of the graduating class, lift your eyes to the group in front of you and you will see representatives of some of the most remarkable people ever to inhabit the earth, namely, your parents and grand-parents, the two generations immediately preceding your own.

"For these are the people who, within five or six decades, have increased life expectancy by a third, have more than doubled per capita output. These are the people who, building thousands of high schools and colleges, at a cost of billions, have made higher education, once a privilege of the fortunate few, now available to many millions.

"These are the people who established the United Nations, who defeated Hitler, contained Stalin and made Krushchev back down. These are the people who, after spending billions in prosecuting the war, gave billions more not only to their friends, but even to their former enemies so that the world would not plunge into a devastating depression.

"These are the people who soared outward into interplanetary space and downward into the atom, releasing for man's use, for the good of all, the prime energy of the universe.

"And while doing all this, they produced a great literature and an exciting architecture; indeed, they stimulated extraordinary experimentation and creativity in all the arts.

"I welcome you into this world, into the world of mature, responsible men and women, the world in which, in less time than you imagine, you will be making the shaping decisions, though I must warn you that certain brats now in the first grade, then will blame you for all the mistakes we have made, for all the mistakes indeed, that anyone has made since the old Stone Age.

"As full contributing members of society, each of you will have your share, but only your share, in shaping its future course. And you will exert this influence not by obstructing traffic and screaming, but by working.

"There is much to be done, much to be corrected, much to be carried forward, in the words of your song, there is a place for you, in the world of work into which you're stepping. May your step, too, like Armstrong's be a giant step for the good of all mankind."

"TRAIL OF TEARS" DRAMA BEGINS SECOND SEASON

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. EDMONDSON. Mr. Speaker, last Friday evening the second season of an outdoor drama, "The Trail of Tears," opened in Tahlequah, Okla., to well-earned applause and critical acclaim.

"The Trail of Tears" played to 25,000 people last summer, and all indications are that many, many more than that will have the good fortune to see this musical drama this season.

The drama is a production of the Cherokee Nation of Oklahoma. It is performed in a beautiful amphitheater at Tsa-La-Gi, an authentic reproduction of a Cherokee village.

"The Trail of Tears" tells the tragic story of the removal of this great Indian tribe from the Southeastern States to Arkansas and then to Oklahoma in the 1830's, the story of the tribe's tragic involvement in the Civil War and later redevelopment into a strong people in Oklahoma, and the Cherokees' hopes for the future.

In a review of the opening night performance, John Denton of the Daily Oklahoman calls the production a "dramatic tour-de-force" and states that "no other outdoor drama in America does what the 'Trail of Tears' does so well." I strongly support Mr. Denton's assessment.

It is my urgent hope that many Americans who are driving across the United States this summer will make plans to go to Tahlequah, Okla., and see this forceful dramatic presentation of one of this Nation's most shameful periods, the years of forced removal of the eastern Indians.

Those who do also will see a living illustration of the work one great Indian tribe is doing for its people. In addition to Tsa-La-Gi and its amphitheater and Cherokee village, the Cherokees have an excellent restaurant and a fast-growing industrial park. The entire development has been brought about, under enlightened Cherokee leadership, to provide job opportunities for Cherokee people, and it works.

Mr. Speaker, Oklahoma is proud of the achievements of its great Indian tribes. I hope many visitors see this fine example at Tsa-La-Gi.

RADICAL PRELUDE TO KENT STATE TRAGEDY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ASHBROOK. Mr. Speaker, the June 15 issue of the Canton Repository carried an informative column by the nationally syndicated writer, Victor Riesel, concerning the tragedy at Kent State. In contrast to some segment of the press, Mr. Riesel took the time and trouble to review the recent happenings at KSU prior to the fatal shootings. In his research he found that the House Internal Security Committee had held hearings on SDS involvement at KSU in 1969 and that this campus had been far from a sleepy, serene institution, free from radical involvement in the recent past as some members of the press had reported. Some of the material appearing in the June 15 Riesel column was gleaned from the committee's hearings and has been available to members of the press for a number of months. Perhaps this explains Mr. Riesel's high standing in the journalistic world compared to some other members of that profession.

I include at this point the above-mentioned column by Victor Riesel which appeared in the June 15 issue of the Canton Repository, Canton, Ohio.

ROBBINS, NOW DEAD, DREW BLUEPRINT FOR "REBELLION"—LIQUID CRYSTAL INSTITUTE MADE KSU PRIME TARGET FOR SDS

(By Victor Riesel)

WASHINGTON.—So hark you now to the revolutionary cry of relevancy. It is all there in the still unreported 2,000-page investigatory report on the four Kent State University fatal shootings. The document now rests heavily on President Nixon's desk.

Relevancy is not the monopoly of the "multiversity" revolutionary. It is much of the reporter's craft. Thus the disintegrated New York West 11th Street bomb factory, which blew itself into fashionable bits on March 6, is significant.

For there is documentary evidence that Bernadine Dohrn, leader of the Boston section (dual national headquarters of the National SDS) said: "The third person who was killed there in the New York bombmaking brownstone center—VR was Terry Robbins, who led the first rebellion at Kent State less than two years ago."

Relevancy then forces the inquirer to trace Terry Robbins back to the site of the tragic Kent State Four. The late comrade Robbins indeed did use Kent State U. as his revolutionary field. He "worked" the campus as one of the Cleveland-Columbus Regional SDS activists. He was part and co-director of the drive to radicalize the campus.

Thus he was co-author of one revolutionary tract—"The War Is on at Kent State"—and on his own wrote, "Organizers' Manual for the Spring Offensive." At Kent State, of course.

He had much to say about activating the students but few of his lines are as relevant as this section: "During the course of the struggle it will probably be necessary and helpful to carry out a series of escalating 'mini' actions to help build consciousness and dramatize the issue. Beginning with guerrilla theater actions in dorms we can escalate to disrupting classes, street marches, quick assaults on buildings, etc., before moving to the major confrontation of the struggle."

Earlier he wrote calling for "dorm and classroom organizing, taking the issues and the demands directly to the people, speaking in dorms, setting up dorm cadres, agitating in relevant classes about the militarization and imperialism, film festivals. The regional office in Cleveland has many films relating to militarization, Hanoi 3, weapons, pigs, Columbia Revolt, the Black Panthers, etc. "People can use this in dorms and classes and also arrange a one-night film festival—using four or five films, political raps, guerrilla theater, etc."

These are merely some of the cadre directives written by one of the three SDSers who blew themselves to bits while making bombs in New York. Thus it is not irrelevant for the FBI Civil Rights Division agents to inquire at Kent State U. whether reports they had of one or two instructors teaching Molotov cocktail-making and street tactics were true. The FBI men, following instruction made mandatory under the civil rights statutes, attempted to question at least one professor. He refused to answer. So the agents questioned some students. The relevant answer was affirmative. Yes, there had been secret miniclasses in bomb making.

Thus, it was all there. The activists, the SDS leaders' oratory calling for the use of guns on the campus. The exhortations that the university be burned down. The steady visits by Columbus-Cleveland, Ohio, SDS region organizers. The long series of rap gatherings (skull sessions). And the statement by the university's president, Robert I. White, on June 24, 1969.

He said, "It became quite clear in the winter of 1968—VR that the university would be a target for planned disruptions by a relatively small group during the spring quarter . . ."

Thus it is relevant to observe that, while to the rest of America Kent State was an obscure, bucolic school, the SDS made it one of their basic concentration objectives.

Why?

There are many reasons. Not the least of which is the effort to smash the university's militarily valuable Liquid Crystal Institute—one of only two in the U.S.

There is evidence that this institute is internationally famed. The Soviet Union, for example, long has had great curiosity over this experimentation center in liquid crystals which change vivid colors—so sensitive are they—at the slightest, most infinitesimal change in nearby heat. Thus troops can detect the presence of nearby men (possibly waiting in ambush or some distant unseen campfire.)

These liquid crystal chemical substances have been used in many fields including warfare, medicine, electronics and aerospace. Crystals have been used in wind tunnel tests, cancer diagnosis and for nondestructive testing in electronics.

And it is relevant that the Soviet Union's Academy of Science recently invited the Liquid Crystal Institute founder and director, Dr. Glenn H. Brown, to visit several research institutes and academic institutions in the USSR.

The Soviet invitation gives Dr. Brown the privilege of visiting any Soviet academic or research institution he chooses—just so long as he comes. This, indeed, is an unusual privilege. The words used by officials at the National Science Foundation here cite this as a "highly unusual" privilege.

Prof. Brown organized the first "International Conference on Liquid Crystals" in 1965.

And it was held at Kent State.

In 1968 he ran a second such conference. He now chairs a committee to run a third conference in West Berlin this summer.

So, you may not have known the value of liquid crystals. But the SDS did. The Soviet Union did. And, of course, our own military did.

None of this will soften the torture of the parents of the youngsters whose blood grimly pockmarked the campus for some tragic hours. But it is highly relevant to learn who cried for blood and why Kent State University was and is such a prize, warranting the fiery attention of the SDS's leading nihilists.

COMMENCEMENT ADDRESS BY HON. WILLIAM D. FORD

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. CONTE. Mr. Speaker, my good friend and colleague, the Honorable WILLIAM D. FORD, of Michigan, was the commencement speaker June 7, for the Westfield State College, in my congressional district, and was presented with an honorary degree of doctor of humane letters.

This was the first honorary degree ever conferred by Westfield State College, an institution of which I am personally very proud and with which I have had close ties for a number of years.

Congressman FORD spoke to upwards of 4,000 persons in the Springfield Auditorium, in the city of Springfield. Following his address, he was presented with the degree by Westfield's president, Dr. Leonard J. Savignano, who made the following citation:

The Honorable William D. Ford, House of Representatives, United States Congress, was first elected in 1964 from the new 15th Congressional District of the State of Michigan, reelected in 1966 and in 1968.

In 1965, Congressman Ford was appointed to the House Committee on Education and Labor and in 1967 to the Post Office and Civil Service Committee of the House. As a member of the Education and Labor Committee, Congressman Ford co-authored the Elementary and Secondary Education Act of 1965, the International Education Act, and legislation liberalizing requirements for Federal funds in federally impacted areas. He has participated in the writing and passage of all the legislation in the areas of Education, Labor, Manpower Training and Poverty adopted by the Congress in the past five years.

Congressman Ford serves as Chairman of the Domestic Study Group's Task Force on Education and Manpower. Congressman Ford is a recognized expert on the problems of schools operated for dependents of Americans stationed abroad.

In view of this outstanding contribution to education and the welfare of those in education, the Board of Trustees of the State Colleges in the Commonwealth of Massachusetts has authorized me, the President of Westfield State College, to confer the honorary degree of Doctor of Humane Letters on the Honorable William D. Ford, House of Representatives, United States Congress.

After accepting the degree, Congressman FORD gave a truly outstanding commencement address, the text of which follows:

ADDRESS OF HON. WILLIAM D. FORD

As I thought over what I might say to you here today, my mind went back over the commencement speeches that I have been compelled to listen to.

All of you, the graduates, your families, your friends, the faculty, and the honored guests are, just as I have been, the captive audience for the commencement speaker. The commencement speaker is as much a part of the tradition and ritual of an occasion like this as the cap and gown, although not necessarily as colorful.

The traditional form of commencement address has always been filled with glowing cliches about hordes of untried young people about to experience the great glory of emergence into the real world.

That real world is generally described as a "great, wide, wonderful world," bursting with opportunities for wealth and fame, and ready and waiting for those of you who are now possessed of the magic sheepskin.

Always a part of the commencement speech are the ominous references to the grave and serious problems yet to be solved. In the commencement speeches I was forced to listen to, these generally fell into the category of preventing or curing wars and depressions.

Somehow, however, the commencement speeches I heard while sitting in the same seat that the graduates here today occupy, tended to leave the impression with us that we weren't really expected to have much impact on the great problems of the day nor really expected to find their solution by anything we might do in a direct or personal way.

The impression was rather left that by simply entering the so-called mainstream of life with a new college degree or degrees and all of the rights, privileges and duties pertaining thereto, and by following the most direct road toward individual fame and fortune in our chosen field or profession, we would be doing all that anyone expected.

I am afraid that too many of us who sat in the audience were willing to accept the idea that we were individually impotent in terms of our impact on the so-called "system" and the condition of our country and the world.

Sadly enough, the so-called silent majority still seems to believe this.

For me, or for anyone else, to stand on a platform like this and suggest to the graduates sitting out here in front that you are about to have your eyes opened to the real world for the first time by the simple magic of this ceremony or any of my remarks would be a gratuitous insult to you individually and as a representative group of the bright young Americans of this generation, a group of which I believe you to be a typical sample. Some will try to tell you that you are different from other people on campuses across the country. But I have visited many of those campuses and I can assure you that you are not different.

The young people of America represented by those on the campuses of this country are already showing more concern for our country and its future than any group that has gone before them.

It is only being realistic to expect that that part of our population upon whom the burden of a prolonged war in Indo-China and the unsigned peace treaties of World War II and Korea falls most directly must surely feel the imperatives of a real world.

You will embark upon your careers or continue your educations after today in a world that scarcely remembers peace and a country less at peace with itself and its people than at any time since the Civil War. If you stop to think about it, one-half of Americans alive today never lived one day of their lives when our armed men were not facing a hostile enemy across a foreign border.

The world and our country do not face today's massive and awesome problems because no one in America has cared or because no one in America has tried, or no one in America has sacrificed, or even that no one in America has succeeded in meeting his challenge.

The tragedy is that more of us have not cared or tried or sacrificed to build a society that fulfills the famous American Dream.

Some young people in this country are trying to escape any risk of failure by saying "the system won't work, so why try." This statement is most often heard from people who have not made any real and sustained effort to make the system work or to change it for the better.

But this is not a new rationalization—it is the same excuse that far too many people have used on the other side of the so-called generation gap separating them from the young people graduating here today.

The free riders in America who are unwilling to risk a failure or failures on the route to ultimate success in solving the problems and in meeting the challenges of our time offer the same old refrain and it is not the exclusive music of any age, race, creed, color, or economic group within our country.

Every segment of our society has within it those who sing this sad song because they seek to escape responsibility by "turning off and dropping out."

The bigot who will not listen or try to understand someone because he is too old or too young is no different than the bigot who cannot hear someone who is black or poor or attends the wrong church.

I do not intend here today to attempt to catalogue the problems facing the American society. I do assert that there is no segment of the American populace, young or old, rich or poor, black or white, North or South, city or rural, which has the right to withdraw its support from the established processes of the society.

If we are to move people to respect and strengthen the legal and judicial processes as well as the ballot, who will provide the leadership?

Those who are graduating today are facing a world with broader challenges and opportunity than ever before and with better equipment than any who have stood in their place before. And I would therefore be answering my question of who by saying "you."

Former Secretary of Health, Education and Welfare, John Gardner said in a recent speech which, unfortunately, he was not able to deliver to the group for whom it was intended:

". . . while each of us pursues his selfish interest and comforts himself by blaming others, the nation disintegrates.

"This is a time for the highest order of patriotism. This is a time to ask what it is we stand for as a people. It is a time to examine our founding documents and to reflect on what we tell each other are the American virtues. It is a time to search our hearts.

"It is very, very easy for leaders to appeal to the prejudice and fear and anger that is in us. It is easy for leaders to speak to the selfishness that is in us, to tell us that nothing in this country need be changed and to find villains who may be blamed for our troubles."

"But there is in us as Americans," former Secretary Gardner went on, "something better than fear and anger and prejudice, something better than selfishness, something better than the lazy, comfortable inclination to blame others."

He went on to conclude that we as a people must move vigorously to solve our most crucial problems and to heal the spirit of the nation. And he suggested some very simple ground rules which I commend to you.

We must face our problems honestly. Young people are saying "knock off the hypocrisy."

We must be willing to commit resources to solve our problems.

If we mean what we say about issues such as pollution and health then we must put more money into these areas.

We must reject those who commit acts of violence or coercion.

And we must reject violence as justification for more violence.

We must reject leaders who appeal to our fears and anger and prejudice. We must reject an America where we are divided into minorities.

And finally he said:

We must recognize that each of us must give up something to save the nation. We must not ask only the young, the poor, and the sick to bear costs of lost resources.

These are sober and challenging words from an intelligent and sensitive man who has had a unique opportunity to observe first-hand and close-up the dynamics of American Society.

As I look at you here today and realize that some of you will shortly be in classrooms teaching, I am reminded that the experts still tell us that it takes 25 years for a new or innovative idea to find its way from the school of education to application in the classroom. That is a weakness of the system that has been identified by experts in the field for many years but seems to defy all efforts at its solution. I hope that there are those here who have some ideas about how to eliminate that terrible generation gap.

More than ever before, the educators in this country must assert themselves as an important part of the leadership of this country. Those who would move the Congress on war should take a lesson from the lobbying efforts of educators which last year helped us to add $1 billion to the Administration budget for education.

This assertion must come in the form of more direct participation in the processes I have been talking about, and particularly in the political processes of our country.

You have been equipped with the special tools that those processes sorely need.

I for one am pleased to see the educators of America emerging from their shells and from the ivory towers of educational institutions to become an active and potent force in the politics that shape the policies of our country.

The students graduating here today are part of a group that will be remembered by thinking people as a generation of students who did not wait for the completion of school to begin expressing their deep concern for their country and the directions in which it moves.

This concern has been expressed in many positive ways. I have sensed in my talks during recent weeks with many young people who have come to Washington a new resolve on the part of the person privileged to have a college education to use that education to rework and improve the institutions of our country.

There have been some painful confrontations between the young people of this country and those they view as part of an unresponsive establishment.

The graduates of 1970 will not be remembered as champion gold fish swallowers, panty raiders or telephone booth stuffers. It remains to be seen whether thoughtful historians will record them as honestly concerned citizens who awakened this nation and its leaders to the destruction of man's environment and who fought to eradicate war, poverty, ignorance, prejudice and violence—or will deal more harshly with them.

However, unless we leave here with a resolve to lead Americans toward judging each other by what is in their minds and in their hearts rather than by whether they wear long hair or hard hats, the historians will not deal very kindly with any of us who stood by while lawlessnes, reaction and repression replace reason and an attempt at understanding.

It has been said that the hope for the future for any nation is in its young people and if that be true then I do not fear for the future of America.

This college, its faculty and its student body, have already demonstrated a modern understanding of the role of the educated and the educator in meeting the challenges I have suggested. My first contact with your institution came about as a result of the opportunity I have had as a member of the Education and Labor Committee to work in the field of international education.

I need not tell you how much we as a nation, now thrust into the reluctant role of a world leader, need to build upon our meager reservoir of international education and international educational contacts.

This institution has been an active participant in programs that do equip Americans to provide us with the leadership in education and government that we so badly need in this field.

Many of you will go directly into your chosen profession as educators and many others will be going on to do advanced work in the areas of specialization you have selected.

On the basis of what I have been able to observe both in this country and abroad as a member of the Education and Labor Committee of the U.S. House of Representatives, I firmly believe that there has never been a better or more exciting time to be entering the field of education.

Those of you who have chosen to devote your own future to the process we call education have, in my opinion, an unparalleled opportunity to work for an America at peace with the world and at peace with itself.

In closing, I would like to quote something Thomas Wolfe said thirty years ago that sets forth the challenge which all Americans and especially those who are teachers have a great opportunity to meet:

"To every man his chance, to every man his shining golden opportunity—to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him—this is the promise of America." (Thomas Wolfe, "You Can't Go Home Again.")

TENTH ANNIVERSARY OF SOMALI INDEPENDENCE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. DIGGS. Mr. Speaker, as chairman of the African Subcommittee of the House Foreign Affairs Committee, I wish to extend my congratulations to the people and Government of the Somali Democratic Republic on the occasion of the 10th anniversary of Somali independence this July 1. During the past decade, Somalia has witnessed progress in various fields of development. I believe that, backed by the united efforts of the Somali people, this development will continue at an accelerated pace over the next 10 years.

The Government in Somalia has actively promoted a very encouraging development in the Horn of Africa—a policy of detente with her neighbors. This policy has permitted the people of the area to live in peace and enabled their governments to emphasize economic development. Somalia is to be further congratulated for continuing this wise course of action.

THE AMERICAN AUTOMOBILE ASSOCIATION: PAVING THE WAY FOR MORE HIGHWAYS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BINGHAM. Mr. Speaker, on several occasions I have criticized the manner in which the American Automobile Association purports to speak for the entire American motoring public, particularly in support of highway legislation. An article in the June issue of the Washingtonian magazine confirms many of my worst suspicions about the procedures of the AAA, and sheds new light on its activities and organization. The article, "How the AAA Uses Its Members To Pave the Way for More Freeways," by Richard Hébert, follows:

HOW THE AAA USES ITS MEMBERS TO PAVE THE WAY FOR MORE FREEWAYS

(By Richard Hébert)

"This thing's a forerunner of what's going to be happening all over the country."—Glenn T. Lashley, AAA Annapolis, March 12, 1970.

In the basement of the Maryland Inn, at several tables pushed into T-formation, a dozen men filled themselves with biscuits, bacon, and eggs. Behind the head of the T, a massive fireplace was crowded with the artifacts of an earlier, agrarian era—great cooking pots and ladles. The men had faces chipped and hardened by the rural outdoors. They were of a mind traceable to the time when rugged individuals blazed their own trails across the continent—wherever they pleased.

The men came from the Williams Construction Company, the Highway Supply Corporation, the Maryland Petroleum Association, the Maryland Asphalt Association, the Maryland Highway Contractors Association, the Maryland Motor Truck Association, the Maryland Farm Bureau, the Highway Users Federation for Safety and Mobility, and every man's faithful mechanic in times of need, the American Automobile Association. Assembled was the Maryland highway lobby.

On the morning of March 12, they met for breakfast in Annapolis to plan their assault on the Maryland General Assembly. Malcolm Rodman, a public relations man representing the Maryland Auto Club, an AAA affiliate, served as chairman of the strategy breakfast. "We're not going to charm them into killing it," he warned. "We've got to threaten them."

The "it" was Governor Marvin Mandel's legislation to create a single Department of Transportation, pooling all transportation programs and resources into one office that could take "balanced transportation" out of lip service and put it into practice.

The highwaymen were alarmed. The governor was making a frontal assault on the highway trust fund, which automatically had funneled gasoline and other highway-user taxes into the construction and care of highways, free from the meddling of elected officials.

"We should let the organizations that have the broadest base testify first," Rodman said, "the ones that represent the consumers. After that, we can get to those who have more specialized appeals." Heads nodded. The AAA had the look of broad public support. Its man in Washington, Glenn T. Lashley, would be first up when the highwaymen had their inning before the House Ways and Means and Senate Finance committees.

Lashley is a tall, high-powered man who dropped out of George Washington University Law School in 1947 and worked his way up the AAA ladder. He has a large ego and a crisp and confident voice, like that of a car salesman or insurance agent. He is director of public relations for the AAA division that encompasses the District of Columbia and its Virginia and Maryland suburbs. He opened his presentation to the joint committee by announcing his broad base of support: "I am here representing more than 200,000 AAA members in the State of Maryland."

When he finished, Senator Meyer Emanuel, Jr., of Prince George's County rose from his seat near the rear of the House chamber. Emanuel had emerged as Lashley's most vocal critic-in-residence on the AAA's Suburban Maryland Advisory Board. He had denounced Lashley in a letter which said he and two other members of the Advisory Board—Maryland legislator Pauline Menes and former Congressman Carlton Sickles—were "dismayed and angered . . . sick and tired . . . thoroughly disgusted . . . thoroughly incensed" by the AAA's blindness to the fact that "freeways and more freeways and automobiles and more automobiles are not the answer to the problems of the country today."

On the House floor, Emanuel poured out his sentiments anew, concluding: "Is my fifteen or twenty bucks going into this? Prove what you say—that you represent two hundred thousand members."

"I believe I do a better job than you do in reading the opinions of your constituents in Prince George's, Senator," Lashley retorted. "We asked the AAA members how they felt. A tremendous majority of seventy-four percent expressed opposition to the diversification of highway monies to other purposes."

Lashley's poll had been printed in *American Motorist*, a magazine he edits and distributes to AAA households in the D.C. division. Thus, only members in Montgomery and Prince Georges counties, not the statewide Maryland membership Lashley claimed to represent, saw it. Of the 1,229 responses—4 percent of the suburban Maryland membership—71 percent said they would support a constitutional amendment to prohibit diversion of highway money "into the general fund" (not a transportation fund as proposed by Governor Mandel) 25 percent opposed such a prohibition, and 4 percent said they didn't know.

Senator Emanuel did not contest Lashley's arithmetic, but another legislator challenged his logic. Delegate J. William Hinkle of Baltimore County, floor manager of the legislation, leaned back in his seat, clasped his hands behind his head, creased his face with a wry grin, and looking toward the ceiling asked Lashley: Do you think only parents of school children should pay school-support taxes? Doesn't all of society benefit from better schools? As a motorist wouldn't you benefit from mass transit that reduced auto congestion and air pollution?

Lashley agreed on all points, his voice now muted. He looked worried for the first time that day.

The other lobbyists made their presentations in the rhetoric of the public interest. Then Secretary of State Blair Lee, author of the legislation, returned for rebuttal and singled out the AAA. "Everyone's a car driver now," he said. "There are fewer smokers and drinkers than there are drivers, but their taxes go into the general fund." He said he, like Emanuel, wondered just who Lashley represented. "If Mr. Lashley is speaking for two hundred thousand people, he should strike my wife's name off that list and make it one hundred ninety-one thousand, nine hundred and ninety-nine."

There were more trips to Annapolis for Lashley during March, and a heavy flow of telegrams, letters, and press releases explaining the trust fund battle to his board members and to legislators. One release claimed the highway lobby had scored telling blows at the March 12 hearing.

Despite the trips, the chats in the statehouse foyer, and the mail, Governor Mandel's transportation package was adopted into law on March 30. The General Assembly had not heeded the implied threats that the AAA's 200,000 voters would rise up in wrath against it if it dared tamper with the highway trust fund. The highway lobby had suffered a rare defeat.

"Every time a member digs down in his pocket for his dues dollar, he votes for me."—Glenn T. Lashley, AAA Annapolis, March 18, 1970.

Lobbyists do not operate comfortably in public; they prefer private persuasion. For public appearances, the highway lobby needs the AAA to bear witness that the voice of the highway lobby is really the voice of the people. The AAA usually obliges. Thus, the 12,163,726 Americans who paid their AAA dues this year find themselves unwitting parties to such scenes as took place March 12 in Annapolis.

The typical AAA member is not the type to allow such easy use of his name. According to a recent survey, the AAA member is wealthier, owns more cars, is better traveled, and is presumably better educated and more widely read than most Americans.

Under the mantle of these 12 million affluent but apparently acquiescent souls, the AAA devotes the full measure of its energies to the business of the highway lobby—building more and more freeways to be coagulated with more and more gasoline-burning cars that will then demand more and more freeways, ad infinitum. To maintain unfettered freedom to build freeways, the lobby must protect with unwavering vigilance its fattest calf—the trust fund.

In the AAA's 1970 booklet of "Policies and Resolutions," warnings against "diversion" of highway dollars abound. They appear under every conceivable heading.

While AAA policies do pay lip service to public transportation, that is as far as they go. AAA insists that motorists' taxes not be diverted to transit or even to transit-serving roads or parking lots, and AAA vigorously opposes all actions which tend to "compel the public to use any one means of transportation through unreasonable restrictions or the imposition of tolls upon another form." Significance can be read into the fact that this thinly veiled call for unbridled highway expansion comes under the policy book's "Urban Public Transportation" heading.

While even the Automobile Manufacturers Association and the Automobile Dealers Association have testified in favor of Federal aid for mass transit, the AAA has not seen fit to carry lip service that far. When Senator Harrison Williams (D-N.J.) introduced legislation to create an urban mass transit trust fund out of the one percent automobile excise tax, which does not go into the highway fund, AAA national headquarters sent chief lobbyist John de Lorenzi to plead that Congress not "compound the injury" of an "unjust" tax on cars by giving it to transit.

Such policies and actions propelled Senator Emanuel into his role as the AAA's rebel-in-residence. He wrote Lashley: "You are still back in the early nineteen hundreds. . . You have not come up with anything new, at least since I have been a member—and that is about thirty years."

The rebellion is spreading to other AAA homes. In Ohio, letters in the March 1970 issue of the club publication attacked the AAA's endorsement of a freeway through a Cleveland park: "The dinosaur-age policy of your organization—the public be damned, any freeway is better than no freeway—needs re-appraisal by your people. . . . You do not reflect the thinking of the majority of your members. . . . Without doubt, those that would benefit most from the sprawling concrete maze are not your members, but the auto companies, construction unions, oil companies and other self-interest groups."

The only recourse available to such AAA members is to tear up their membership cards, as one woman did at the March 12 hearings in Annapolis, and to sacrifice the benefits that first lured them into the AAA fold.

Other auto clubs are giving AAA competition by providing some of the same benefits, but they have not grown to anything resembling the size of the sixty-eight-year-old AAA. The two largest and most direct competitors are the auto clubs of Allstate Insurance and American Oil Company. They provide services similar to those of the AAA, including free towing and road service, insurance, bail-bond protection, and travel information, but their memberships are confined largely to their customers. Gulf Oil Corporation also has a club, but its major services are low-cost insurance and travel-guide information; it does not provide free road service.

A spokesman for American Oil's club said his office received an accelerated flow of requests for membership after January 1969, when AAA raised its dues from $18 to $20. Both American and Allstate charge $15 annual dues.

The local AAA lost its biggest chunk of membership in 1963 during one of the angriest escalations of the ten-year war between subways and freeways. In October 1962, *American Motorist* claimed a circulation of 157,776; by October 1963 it had dropped to 137,443.

During that year, the local AAA sent one top official after another to Congressional and District hearings to condemn the National Capital Transportation Agency's proposal that the freeway system be cut back and restudied.

It was at this time, too, that AAA lobbyist Washington I. Cleveland became the nemesis of local freeway fighters. He played the highway lobby's musical chairs game with such relish that he forgot at times exactly which hat he was wearing.

He had been instrumental in organizing the local unit of the highway lobby's umbrella agency, the Highway Users Conference, and was its secretary-treasurer in 1963 when he mailed out an appeal for "substantial contributions" to help "an all-out public relations program" to combat NCTA. He signed the letter, on AAA stationery, with his Highway Users Conference title. A subsequent letter, on Highway Users Conference stationery, displayed the address and telephone number of the AAA.

In September 1963, the boundaries of the highway lobby blurred further. The "D.C.

Committee for Balanced Transportation" letterhead also used the AAA's address and telephone number, with the Highway Users Conference telephone extension. The letter described the committee as a "group of independent citizens" selling tickets to a $100-a-plate dinner for D.C. Transit's O. Roy Chalk, with proceeds to be "used to help effect the completion of the already approved D.C. freeway and bridge system." Cleveland was listed as secretary-treasurer of the "Committee for Balanced Transportation."

Cleveland did not limit his activism to the highway lobby. He became a member of the Committee of 100 on the Federal City, which was then emerging as an antifreeway force, and won a seat on its Roads Subcommittee. Attorney Peter Craig, chairman of the Roads Subcommittee, recalls that Cleveland was vehemently against every policy that opposed freeway construction until his conflict of interest became so obvious he was removed from the subcommittee.

Cleveland persisted, employing every tactic available to stop the Committee of 100 from adopting a stance that might throw a roadblock in the freeway path. With parliamentary quibbling, filibuster, and whatever else was at hand, his disruptive strategy caused a series of pitched power battles within the citizens movement.

At a D.C. Highway Department hearing, after the Committee of 100 had registered its opposition to the Three Sisters Bridge, Cleveland was summoned as if by prearrangement to present what he said was a minority report of the Committee of 100. The following January, the Committee of 100 answered by not sending him a dues statement for membership renewal.

At about this time, Cleveland also was retired from the AAA. The association had earlier adopted a policy of mandatory retirement at age sixty-five, but had allowed those over that age to be retained on an annual basis by their boards. For several years Cleveland had been the beneficiary of that retainer policy, but in 1964, he was retired with ceremonial pomp. Into his lobbying shoes stepped Glenn T. Lashley.

Lashley had worked his way up the ladder to manager of the National Pedestrian Program at AAA national headquarters and was then transferred into the D.C. division offices to supervise four previously separate activities: publication of *American Motorist*, lobbying, public relations, and traffic safety. The heads of these units were veterans of long service, and as each retired, he was not replaced. Instead, Lashley assumed the duties and broadened his direct influence over local AAA affairs. "It was like on-the-job training for me," he recalls. "I was picking their brains."

At the same time Lashley was centralizing the four activities in his office, the local AAA needed an image overhaul. Membership was dropping, freeways were increasingly unpopular, and the AAA's eye was getting blacker. In mid-1965, Lashley's three advisory boards presented a peace pipe to subway planners in the form of a shovel and the advice, "Stop talking and start digging." Lashley never fails to mention the occasion when asked how far his club's endorsement of public transit really goes.

In 1967, the AAA again heard dissident voices when Lashley used his magazine to attack two appointments to the U.S. Department of Transportation—Cleveland's relentless Committee of 100 opponent Peter Craig, and another Committee of 100 member, Paul Sitton. Again, the key issue was Three Sisters Bridge.

Lashley also filled Cleveland's slot in the musical chairs game: as a registered lobbyist with Congress and the legislatures of Virginia and Maryland, as an executive committee member of the local Highway Users Conference, and as a member of the Road Gang, the semisecret luncheon club that gives its members inside tips on the activities of transportation policy-makers. The Road Gang, as revealed by Washington writer Mrs. Helen Leavitt in her recent book *Superhighway-Superhoax*, includes 240 men from the inner ring of those who make and use highway policy for profit.

Lashley isn't the lone AAA voice in that circle. Others have included J. N. Robertson, D.C. highway director for twenty-five years, treasurer of the powerful American Road Builders Association, and a member of the AAA District Advisory Board; the late Richard W. Tupper, the AAA's associate director of Public Affairs until his death in January; and W. L. Robinson, director of the AAA's department of Traffic Engineering and Safety until his recent retirement. AAA Advisory Board member Charles D. Curtiss, former Bureau of Public Roads commissioner, received the Road Gang's 1968 award for "outstanding contributions to the advancement of highway transportation in the public interest."

"My board can't fire me. That's why I can afford to talk to my board member [Senator Emanuel] the way I did."—Glenn T. Lashley, AAA Annapolis, March 18, 1970.

So much job security is built into the AAA's self-perpetuating structure that employees control policy, both at the local and national levels.

The AAA is a federation of 235 clubs throughout the United States and Canada. It describes itself as a "not-for-profit" organization, thus earning no profits on which to pay income taxes. It does, however, pay property tax on its $928,833 headquarters building at 1712 G Street, Northwest, a block from the White House compound. Its first-half 1970 tax payment was $14,396.91.

The AAA's national board of directors consists of 103 men selected from the boards and executive staffs of the member clubs. They are elected at the annual convention by local club delegates, but the recommendations of the national board's nominating committee are almost always accepted without opposition. Oldtimers recall only once—"sometime back in the early 1940's"—when a nominee of the nominating committee was opposed from the floor.

Eight of the national board members represent clubs of the Canadian Automobile Association. Of the ninety-five U.S. board members, close to half are AAA employees and many others represent banks and savings and loan institutions, which make most of the nation's auto loans; companies which supply components to auto manufacturers; the insurance and construction industries; truckers; and automobile dealers.

California, where automobility is a religion, has seventeen national directors, five of them AAA employees. By contrast, the more transit-oriented state of New York has six on the national board, Illinois only three. In Ohio, where AAA members are protesting against freeways, four of the ten national directors are salaried employees of AAA. Michigan, with its automobile empire intact, has twelve directors.

Of the 235 clubs, 224 are independent, free to determine their own structures, dues levels, and policies. These independent clubs are required only to maintain standards of service and to contribute twenty-five cents per member to the national treasury.

The remaining eleven clubs are strays. Because they could not afford to meet AAA service standards on their own, they were made "divisions" of the national office, which appoints their staffs, collects their dues, and pays their bills. Because it is based here in the national headquarters city, the District of Columbia AAA is one of these divisions. Its staff is part of the national staff and serves at the pleasure of the national executive vice president, George F. Kachlein, Jr. Says Lashley, "I don't have a set budget. I just see what needs to be done and pry loose the money to do it."

Because his is not an independent club, Lashley does not have a local board of directors, as other clubs have. Instead he has advisory boards for the District, the Maryland suburbs, and the Virgina suburbs. These advisors serve by appointment of the national president, Harry Holt of Stockton, California. The advisory boards "usually lean on the staff" to suggest nominees, and the national president in turn appoints whomever the advisory boards recommend, according to Lashley.

One observer describes the advisory boards as "a bunch of elderly citizens they prop up with lunch." Senator Emanuel is slightly less harsh. Frequently, he says, the advisors act as rubber stamps for policy recommendations of staff members who come prepared with fully researched presentations. "I almost had the feeling I was sitting there like a puppet lending credence to their philosophy," he says.

Lashley acknowledges that "by and large, the board will say, 'Well, you're the professional staff,'" and approve his policy recommendations. He has never had a proposal rejected.

The AAA staff also controls policy at the national level. In 1968, the national staff, including the staffs of the eleven divisions, numbered 600. The operating chief is Kachlein, a well-known figure among highway enthusiasts on Capitol Hill and at the Department of Transportation for his frequent "informational" visits and his own appearances before Congressional committees.

Under Kachlein's direction, the staff suggests policy changes to the appropriate standing committees of the national board. All but one of these sixteen committees are under the domination of salaried staff; eleven are composed entirely of staff, including the Audit and Budget Committee, Long Range Planning Committee, and Special Committee on Urban Transportation. Four committees, including the important Highway Committee, are mostly staff members. Only one committee, the Finance and Investment Committee, has no staff members; one of its members is James F. Willett of the American Security and Trust Company, the AAA's national treasurer.

Once reviewed by standing committees, suggestions are rejected or passed on to a Policy Committee, which makes its recommendations to the annual convention.

At the national convention, the vote of each club is assigned according to its size. The local units send their board chairmen and top staff personnel, not the rank and file. The AAA employees, armed with full-time research and preparation and a dedication to preserve the status quo that hired them, are in command.

Can the rank and file attend a convention? Only if chosen as delegates by their local clubs. Most members don't ask because they don't consider the AAA a political entity that demands such attention. To the rank and file, the club is simply a service agency that sells road service, insurance, tour guidance, and bail-bond protection.

When an opponent of traditional AAA policy does squeeze into a convention, as did Emanuel the year he was Maryland Advisory Board chairman, he finds himself a "minority of one."

When Peter Craig sought to turn the local AAA from its opposition to the Congressionally imposed five-year "freeze" on District freeway construction, he asked for a copy of "the AAA by-laws or other organic documents that would indicate its authority to take positions and lobby on matters of this kind." Washington Cleveland told him, "We just don't give out our own by-laws, even on request from AAA members."

Seeking information about AAA finances is even more frustrating. When asked for a statement of club finances, John de Lorenzi, national director of public and government relations, said, "No, there's nothing like that available." How could an AAA member learn how his dollar was being spent? "At the annual meeting. There's a review at the annual meeting." There was nothing in writing? "Not that I can think of offhand."

Arthur I. Cooper, director of finances and control, said, "We don't make that available to the general public. It's considered privileged information."

At the local level, Lashley promised to obtain the financial data but finally said, "There's not a thing I can do about that." He did obtain the "annual proceedings," but they did not contain any financial information. The booklet, "Activities and Progress," contained the annual reports of nine standing committees. Committees that deal with financial matters were excluded. The annual reports did contain ample discussion, however, of the AAA's philosophy concerning the need for continued expansion of the highway program and protection of its sources of revenue.

Based on its count of twenty-five cents for each of 12,163,726 members, the national AAA operates with $3,040,931 annually. The AAA also has other sources of revenue and has been expanding into a broad range of activities. Its subsidiary, Regional Services Corporation, has been selling tires to sixty AAA clubs which in turn sell them to their road service outlets "with a built-in profit to the station of $10 per tire."

Now the AAA is testing sales of special car batteries as well, and in December, it added a film developing service. The AAA also acts as insurance agents, selling accident and other insurance in addition to the basic death or dismemberment coverage members receive, as travel agents, through its World Wide Travel Bureau which recently moved from New York to the Washington headquarters building, and as ticket agents, distributing tickets to such events as ball games and concerts.

The District division has about 224,000 members in 145,000 households, of which about 80 percent renew annually. Despite the 20 percent dropout rate. Lashley says his D.C. division records a monthly net increase in membership of 1,000. Dues are $20, with an additional $5 fee for new members. Thus, dues bring between $4.6 and $4.9 million a year to the D.C. division. How this and other money is spent, even advisory board members don't know.

What about AAA's retirement funds? What banks have them? What salaries and fringe benefits do AAA executives receive? Most importantly, how much does AAA spend on its lobbyists and their activities? The AAA declines to give answers.

The AAA evidently is prospering, well enough to move its D.C. division offices out of headquarters and into plush suites in the high-rise North Building at Wheaton Plaza.

Lashley insists AAA is "beholden to no organization." He cites consumer-protection articles frequently printed in his magazine. In September 1969, the magazine admitted that fuel was wasted in the automobile engine, but advised that fuel-savers "are a completely unnecessary expense and, in many cases, totally ineffective," because "if a device existed which would effectively increase the miles per gallon ratio as claimed, automobile manufacturers would install them as either standard or optional equipment." Similarly typical were remarks in the March 1970 issue which extolled the automobile industry's progress in curbing air pollution caused by cars.

National AAA policy states: "No new legislation should be enacted making compulsory the installation of anti-pollution devices on motor vehicles until sufficient tests prove that the benefits to be derived will justify the cost to the motoring public." Its policy in support of auto safety devices is similarly backhanded.

Also used to buttress AAA's contention of independence is its impassioned fight to keep trucks from growing larger. When truckers asked Virginia to allow "double-bottoms" on its highways, Lashley's office cranked out 10,000 flyers and 25,000 bumper stickers for statewide distribution. A two-page spread in the *American Motorist* was sent to every member of the state legislature, and allies in the Virginia legislature offered five bills to raise truckers' taxes, thus keeping truckers busy fighting taxes. The AAA won that round.

It also won in Congress when legislation was introduced to abolish truck limitations on Interstate highways, but seasoned observers of highway politics on the Hill are unimpressed by the internal rupture in the highway lobby.

When such a rupture occurs, it usually heals quickly. The truckers and the automotive interests know they need each other because they both need highways—and all of them need the mantle of broad public support the AAA casts over their activities.

The AAA's members foot the bill but have not a thing to say about how their names are used or how their AAA dollars are spent. The AAA is really its staff and the vested interest groups it serves, not its members.

WHO'S WHO IN AAA

The area AAA division is run by the national headquarters, with advisory boards in the District, suburban Maryland, and northern Virginia.

The suburban Maryland board includes securities broker Robert M. Hanson as chairman and Delegate Pauline Menes as vice chairman, plus state Senators Emanuel, Margaret Schweinhaut, and Louise Gore, Congressman Gilbert Gude, and former Congressman Carlton Sickles. Also members are civil engineer Fred W. Tuemmler; architect Theodore Cromar; John R. Graff, assistant vice president of Suburban Trust Company; attorney Robert A. Wallace; Sam Eig, president of the Georgian Motel; James A. Buchanan, IV, construction contractor; Charles H. Graham, a telephone company executive; John A. Scheibel, a member of the Maryland-National Capital Park and Planning Commission; and Maxwell Scrimgeour, a realtor.

The Northern Virginia Advisory Board has ten members. Chairman is employee relations consultant Ralph Yow, Jr., who also is a director of two insurance companies. Vice-chairman is construction contractor W. Alvord Sherman, Sr. Other members include auto dealer Harry W. Bendall of Alexandria; Thomas E. Sebrell III, president of First & Citizens National Bank of Alexandria; realtors Omer L. Hirst and Edwin Lynch; W. P. Ames, Jr., treasurer of Murphy and Ames, Inc., a builders supply company; attorney L. Lee Bean of Arlington; S. Cooper Dawson, president of Penn Daw Hotel Corporation; and Mrs. Walter J. Crater of Falls Church.

The District Advisory Board is chaired by the formidable General Louis W. Prentiss, the Army Corps of Engineers commander who served as Engineer-Commissioner of the District until 1956, and then became executive secretary of the American Road Builders Association until retirement in 1968. His son works for the D.C. Highway Department. Vice chairman is Adelbert W. Lee, a realtor who advertises himself as a "qualified appraiser in condemnation suits." Among the other sixteen advisors are Daniel W. Bell, former president of American Security and Trust; Francis G. Addison, Jr., vice president of the Union Trust Company; J. N. Robertson, treasurer of the American Road Builders Association; P. Y. K. Howat, president of Howat Concrete Company; trucker Francis J. Kane; building contractor J. Slater Davidson, Jr.; U.S. Senate Chaplain Dr. Frederick Brown Harris; C. D. Curtiss, the Road Gang award recipient who was Bureau of Public Roads commissioner until 1957 when he moved to the American Road Builders Association as special assistant to its newly arrived executive secretary, General Prentiss; attorney Renah F. Camalier; retired Deputy Police Chief William J. Liverman; Msgr. Thomas W. Lyons; school board member Mrs. Gloria Roberts; Colonel West A. Hamilton of Hamilton Printing; Clark G. Diamond of Sealtest Foods; Stephen R. Woodzell, president of Potomac Electric Power Company; and Irving C. Root, a city planning consultant. The chairmen of the suburban Maryland and Virginia boards are also members of the D.C. board.

RIDE IN THE DESERT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DERWINSKI. Mr. Speaker, Ray McHugh, Washington Bureau chief of the Copley Press, recently made an on-the-spot inspection tour of the Israel side of the Suez Canal and analyzed his impressions of the Sinai Peninsula and the Suez Canal battleline in an article in the Wednesday, May 27 Elgin, Ill., Daily Courier-News. In view of the growing belligerence of Egyptian President Nasser and growing Soviet involvement in the Middle East, I believe this article is quite timely:

RIDE IN THE DESERT

(By Ray McHugh)

KANTARA, SUEZ CANAL.—The flak jackets and British-type helmets make the 100-degree heat even more oppressive. Flies and desert gnats hover in swarms, darting in for attacks. The white sand clings to clothing and seeps inside to chafe the skin.

But a reporter quickly forgets his discomfort as his driver begins the last five-mile dash to the Suez Canal and the safety of Israeli fortifications.

The oil-stained sand dunes on both sides of the Russian-built one and one-half lane black asphalt road have been beaten back by countless tanks, half-tracks and other armored vehicles. Both sides of the road are littered with the debris of war.

Some of the burned out, rusting hulks of trucks and tanks are mute reminders of the Egyptian retreat down this road in 1967. A wrecked armored car and a self-propelled gun that lies twisted and broken, however, bear the star of David insignia and are evidence that some Egyptian shells in recent weeks have found their mark.

The driver slows as a Patton tank lumbers across the road ahead, changing position, and one becomes aware of miles of telephone line and barbed wire tossed into jumbled tangles by long-ranging Egyptian shells that may have been seeking the six-inch-thick black cables that carry water and gasoline to Kantara.

"Hang on" shouts the driver and he wrenches the wheel first to one side, then the other to avoid fresh shell holes in the road, but never easing the pressure on the accelerator.

A line of low green trees comes into view and as it grows one makes out a cluster of pink stucco building ahead.

The trees mark the eastern edge of the Suez Canal, whose sluggish green waters were once the lifeline of the British empire and the Middle East oil industry. Today they are the front line between Israel and Egypt in a steadily worsening conflict that seems to defy solution.

Kantaran which means "bridge" in Arabic, is the key communications point on the northern reaches of the canal. It lies halfway between Port Said on the Mediterranean and Ismalia and it is a door that President Gamal Abdel Nasser must open if he ever hopes to retake the Sinai Desert and march on Tel Aviv. It was the base for Britain's World War I conquest of Palestine.

The simple fact of the Sinai is roads. No military defense or offenses can ignore them, and from the Egyptian side of the canal any attempt to reclaim this vast desert and push again to the threshold of Israel must be concentrated on Kantara, Ismalia and Suez to the south.

Infantry assaults, supported by armor, are out of the question in the desert and northern marshlands near the Mediterranean and there is no evidence that the Soviets are ready to give Nasser the ships, equipment and training necessary for a leapfrog amphibious campaign across the Mediterranean shore.

The full division of Egyptians confronting the small Israeli garrison at Kantara, however, has bridging equipment and some amphibian tanks should the order come to attempt a crossing in force.

"If I were them, I would not attempt it," said an Israeli colonel in command of this northern sector, "but then the Egyptians often are illogical."

Kantara is one point of the apex of a triangle that runs straight north like an arrow up the canal to Port Said, east along the Mediterranean to the luxurious date palm forests of El Arrish where Napoleon once landed almost 200 years ago, then southwest back to Kantara—or what is left of it.

Inside this triangle is a maze of marshland, bitter salt lakes and shifting sand. South of the El Arrish-Kantara Road is an ocean of sand dunes, some 50 feet high, marked only by the quickly erased tracks of a wandering bedouin and his camel.

"There is simply no way back across the desert, except by this road," said the colonel.

The road which continues for 250 kilometers to the kibbutz on the edge of the Gaza Strip where Samson wrecked the Philistines' temple and later met Lelilah is still strewn with the wreckage of the 1967 Egyptian debacle—burned-out tanks and trucks, bullet-riddled villages and the of a thousand tanks and armored vehicles.

Arab children play in the wreckage and their mothers and older sisters patiently search along the highways for pomegranates while men sit in small clusters, sharing old stories, or work in small detachments, sweeping and shoveling last night's sand off the asphalt. At intervals, American-built snowplows are parked in shelters, ready to clear the road in the event of a severe sandstorm.

With the exception of El Arrish, most of the villages in the occupied Sinai seem virtually deserted. No attempt has been made to repair the damages of 1967. El Arrish is swollen by refugees from Kantara. The Israelis evacuated the civilian population from the canal almost immediately after their 1967 victory.

An American visiting this strange, out-of-the-way corner of the world is struck by the dimensions of the Arab-Israeli confrontation.

If it is true that Nasser has gathered huge forces along the canal, it seems equally true that Israel is relying on a much smaller, but well-honed, highly mobile defense, backed by U.S.-built Hawk antiaircraft missiles that sit almost nonchalantly by the roadside, pointing west, northwest and southwest.

No vistors sees the full scope of the Israeli military effort, but the network of supply bases, communications centers, support roads and repair depots indicates a strong defense in depth. Defense Minister Moshe Dayan and Chief of Staff Bar Lev are apparently confident that Israeli air superiority combined with well-protected strong points along the canal would provide the precious hours needed to call up reserves and regulars from Israel to meet any full-scale offensive.

Eventually, the introduction of Russian pilots over the canal and the Sinai could force a change in this strategy, but Israel's forces today appear designed to punish any Egyptian forays across the canal while also providing the support structure for greatly expanded forces, if they are needed.

MEDICAL CARE AT VA HOSPITALS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. WYMAN. Mr. Speaker, in recent days the Veterans' Administration system of medical care for our veterans has come under attack. I have been deeply concerned that these misleading and distorted attacks will discourage the brave men now in military service and cause them to fear the treatment they will receive should they need hospitalization after returning home. Let me say they should have no fear. It has been my experience that the VA hospitals throughout the country are ranked as among the finest in the land and are proficient centers of care.

Our own VA hospital in Manchester is one that we can be proud of and through personal knowledge, I know that it offers splendid care to our sick and disabled veterans.

The Manchester Union Leader recently published a letter from the mother of two veterans that tells the story of the care her sons received in still another of our VA hospitals. Her letter tells, better than any words of mine, of the fine care that is given in the VA hospital in White River Junction, Vt.

Mr. Speaker, I am inserting this letter from this brave mother and the comment of the editor of the Manchester Union Leader in the Record at this time that we may help to counter some of the unwarranted charges concerning veterans' hospitals that have caused such concern throughout the Nation:

TRIBUTE TO VA HOSPITAL IN WHITE RIVER JUNCTION

Addressed to William Loeb: I am a mother of three Marines, who served in the Pacific during WWII. It made my blood boil to read the recent article in "Life" magazine on the VA Hospitals.

Two of our sons each lost a leg and have required surgery and care several times in the past years—one time as recently as this spring. They have been patients at the VA Hospital in White River Junction, Vt. There just are not enough beautiful words, to express our praise of this hospital.

As one enters the hospital, the waiting room is very attractive. There is always a beautiful floral arrangement. Here patients, who are ambulatory, may visit with their families. Children are not allowed in the wards or rooms—so it means a lot to patients, to be able to see the children.

The hospital is the epitome of cleanliness. The care of the patients is wonderful. The doctors, nurses, corpsmen and aids are so kind to the patients and also to the relatives and friends who visit them.

The food is excellent. The patients are given printed menus, the day before, they may choose what they wish to eat the following day. I think this eliminates a lot of waste. Naturally, all patients do not care for the same foods.

Most of the rooms and wards have television sets, as does the recreation rooms. This hospital has occupational therapy, where one may learn to make leather goods, jewelry, etc. I have seen some beautiful work done by patients. It certainly helps to while away the hours that they are confined and gives their morale a boost to make a beautiful handbag for their wife, say, on Mothers Day.

The one thing that gave me the most comfort was when I phoned the hospital to find out the condition of our son following surgery. I didn't receive the usual "as well as could be expected." I was connected with a doctor who gave me a true and complete report. This means a lot to the family, especially when the distance to the hospital is great and the roads icy.

If such conditions do exist as pictured in "Life" magazine, I think such hospitals need a new administrator.

I say, "Thank God for the VA Hospital in White River Jct., Vt."

I feel the government is doing all in its power to give the returning veterans the very best of care and the benefits of the latest in medical and surgical techniques.

EDITORS: (Mother of two wounded veterans)—Having had many contacts with the VA hospital in White River Junction, we concur most emphatically with the judgment expresed above . . . and to think, the Government, a few years ago, was talking about closing this hospital down!

CONGRESSMAN ROSENTHAL FOR THE CONSUMER

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ADDABBO. Mr. Speaker, it has been my privilege to cosponsor legislation introduced by our colleague from New York, the Honorable BENJAMIN S. ROSENTHAL, to create a Cabinet position for Consumer Affairs, as an independent agency to act as a watchdog over consumer problems and a guardian of consumer rights. Through the untiring efforts of my colleague from Queens, Congressman ROSENTHAL, and others, these issues have moved into the forefront of public attention and have provoked debate and editorial comment across the country.

I call to the attention of my colleagues a recent editorial which appeared in the June 22, 1970, issue of the Long Island Press on the subject of consumer legislation. I am placing the text of the editorial in the Record at this time in order to add to this constructive debate.

STRONG MEDICINE IS NEEDED

A timely report prepared for the National Commission on Product Safety has confirmed criticism of federal regulatory agencies long voiced by consumer groups.

In such areas as automobiles, flammable fabrics and toys, these agencies have not grappled with urgent problems of product safety, according to the report written by Howard A. Jeffront, former chief counsel for the National Highway Safety Bureau, and three associates. If this official negligence continues, the panel found, "the agencies will serve mainly to insulate resistant industry from legitimate complaints."

The report said there is no easy way to align such agencies as the Food and Drug Administration and the Commerce Department squarely on the side of the consumer, where they belong. The answer is adequate funding and staffing and consumer representation in the regulatory process.

These findings buttress a bill to create three consumer agencies, including a 12-member advisory council to keep the White House and the protective agencies posted on the effectiveness of laws and federal programs. This is a compromise between Rep. Benjamin S. Rosenthal, Jackson Heights Democrat, its chief architect, and the administration, which wants to keep the Office of Consumer Affairs a permanent White House agency and create a consumer protection agency in the Justice Department. The compromise bill would maintain the White House office but create an independent protection agency in which consumers would be adequately represented.

The bill, described by Rep. Rosenthal as "the first balance wheel inserted into the market place in 50 years," may not provide all the answers to the problem of consumer protection—but it is at least a departure from regulatory agencies that fail to regulate and protective agencies that fail to protect.

CAMBODIA

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HARRINGTON. Mr. Speaker, the President has stated that he had pulled all U.S. troops out of Cambodia and that the Cambodian operation has been a "success."

I have been opposed to our invasion of Cambodia since the President announced that U.S. troops would be sent into that neutral country on April 30. Nothing has happened since that time to change my opinion.

Robert Keatley in an article in today's Wall Street Journal entitled "Nixon to Claim Success for Raids, But Critics Dubious About Gains," has articulated the questions that I and many of my colleagues have raised about the rationale behind the Cambodian decision and the validity of the claims of "victory" which have emanated so frequently from the administration.

I fear, Mr. Speaker, that our invasion of Cambodia has merely served to widen the Vietnam war and to embroil us in a longer, more costly, and more divisive Indochinese conflict.

Keatley writes:

> The Cambodian raids were supposed to ease pressures in South Vietnam—not create another client state for the U.S. to bankroll. But some fear the latter is happening, with the U.S. drifting into deeper commitments to Cambodia's Premier Lon Nol day by day.
>
> Economic and military aid schemes are being planned, too; a $50 million program for the fiscal year beginning tomorrow is likely (up from 7.9 million in the year ending today).

Keatley also questions whether the Lon Nol regime can survive for very long and describes Communist expansion into southern Laos and into northern Cambodia—an expansion that will give the Communists "new supply routes and base areas."

One of the President's reasons for sending troops into Cambodia was that success of the Vietnamization program would be enhanced by clearing out enemy sanctuaries in Cambodia.

In fact, by diverting thousands of American troops into Cambodia for the past 60 days and by sanctioning the continuation of the presence of South Vietnamese troops in Cambodia, we may very well have weakened our military posture in Vietnam and prolonged our stay there. Keatley states:

> Communist military activity has increased since April 20 (except for the Saigon area) and is running at higher rates than during 1970's early months. Saigon's army has done badly in some defense battles, such as recent engagements in the mountain resort of Dalat and farther north near the demilitarized zone, while the invasion has diverted senior Vietnamese commanders from local security programs at home. In South Vietnam generally, American-South Vietnamese pressure on the Communists has eased, allowing them to move about more freely.

Therefore, Mr. Speaker, I believe that all Americans should consider seriously the ramifications of our actions in Cambodia, and I hope that never again will we be so foolish as to undertake such a hopeless mission.

The article follows:

CAMBODIAN PAYOFF: NIXON TO CLAIM SUCCESS FOR RAIDS, BUT CRITICS DUBIOUS ABOUT GAINS

(By Robert Keatley)

WASHINGTON.—"Cambodia can be described by one word: Victory!"

That's the loyal assessment of Gen. Leonard Chapman, the rather thoughtful Marine Corps commandant and a member of the Joint Chiefs of Staff, who are the senior military advisers to President Nixon.

It's certainly a judgment that will be repeated today when Mr. Nixon releases his summary of the controversial Cambodian invasion, which has just ended (for 30,000 American ground troops at least; some South Vietnamese remain). In addition, the Chief Executive will surely emphasize this opinion during tomorrow night's special television interview, when he will spend an hour answering somewhat critical questions from three newsmen.

But "victory" is not the verdict of many other Administration officials, including some of those best-informed about Asia. They believe the pluses and minuses of the Cambodian venture roughly cancel each other. Some claim the costly invasion has done no permanent damage to Hanoi's war strategy and hinders U.S. efforts to end its involvement in Indochina. They see few direct war gains within South Vietnam due to the incursion and worry that intensified political opposition at home may hinder Mr. Nixon's ability to continue an orderly disengagement there.

"It's the same old story of the war," complains one official. "When we total the gains and subtract the losses, there isn't much left."

DRIFTING INTO COMMITMENTS

The Cambodian raids were supposed to ease pressures in South Vietnam, not create another client state for the U.S. to bankroll. But some fear the latter is happening, with the U.S. drifting into deeper commitments to Cambodia's Premier Lon Nol day by day.

Those who take this view note that both Defense Secretary Melvin Laird and Secretary of State William Rogers now concede that continuing American air strikes, ostensibly to interdict enemy supply lines, will in fact give the Cambodian army combat support at times. Also, an American ambassador will soon be assigned to Phnom Penh, the capital, upgrading the U.S. mission there. Economic and military aid schemes are being planned, too; a $50 million program for the fiscal year beginning tomorrow is likely (up from $7.9 million in the year ending today).

The U.S. military attache's staff in Phnom Penh, now totaling 17, is growing; it may soon become a small advisory and training unit for Lon Nol's ragtag army. Washington is encouraging and will probably finance both Thai and South Vietnamese troops if they enter Cambodia to fight the Communists.

Complicating U.S. involvement in Cambodia is the fact that Communist forces now control the northern half of the country and are operating elsewhere there. Cambodia's general assembly, in a recent secret session, discussed voting no confidence in Lon Nol, a move that would shatter the fragile political situation in Phnom Penh. The assembly settled for a watchdog committee, headed by the premier's sharpest critic, which is supposed to insure that Lon Nol fulfills pledges that brought him into power, such as fighting Communists and corruption.

"U.S. policy hasn't allowed for the fact that Lon Nol may not survive very long," says an Asia expert.

Besides fanning out in Cambodia, the Communists have extended their control in southern Laos since American troops entered Cambodia April 20. Taken together, these moves give them new supply routes and base areas. Moreover, experts say the enemy will regain partial use of lost sanctuaries as the Americans and South Vietnamese leave Cambodia. There the Communists can dig up still-hidden supply caches; according to some informed estimates, at least two-thirds of their supplies remain safely in place.

That, of course, is not the picture Mr. Nixon will paint today. His lengthy white paper will undoubtedly claim unqualified successes for the joint American-South Vietnamese raids into enemy base areas.

TROOP WITHDRAWALS

Indications are that Mr. Nixon will say vital enemy sanctuaries along the Cambodian border have been destroyed and supply routes severed, with Hanoi no longer able to use them freely. He will presumably conclude that this achievement has seriously set back Communist commanders as they try to disrupt the South Vietnamese government's programs in the countryside. As evidence, the President may cite a sharp drop in Red activity around Saigon since the raids in Cambodia began.

His white paper will be replete with statistics. It's said the account will recall past totals of supplies captured in operations in South Vietnam; figures from the Cambodian raids will top these by wide margins. Incomplete compilations already list 23,300 weapons, 13.9 million bullets and 44,000 rocket rounds captured, among other things.

The paper will also promise that announced troop withdrawals can proceed on schedule, with 50,000 more men leaving South Vietnam by Oct. 15 and another 100,000 by May 1. Mr. Nixon may hint at moving even faster if events warrant it, though he probably won't make any firm promises at this time. House Minority Leader Gerald Ford of Michigan suggested Sunday that Mr. Nixon may increase the Oct. 15 number to 70,000 due to U.S. successes in Cambodia.

And there is a good chance the President may unveil an attention-getting peace offensive. One item may be appointment of a prestigious ambassador to the Paris peace talks in place of Philip Habib, the able career diplomat now in charge there (Mr. Habib may soon become ambassador to either Thailand or Cambodia). More sweeping could be a dramatic proposal for a cease-fire, while Hanoi and Washington work out arrangements for ending the war completely. (Some officials expecting such a proposal believe Hanoi would flatly reject it, because it would require North Vietnam to react from what Mr. Nixon paints as a position of weakness.)

All in all, today's pronouncement will seek to show that a tenacious enemy has been punished, the net cost to the U.S. has been small and the war situation is vastly improved. It will also stress that peace, not military victory, is the main objective, and that neither wider war nor new U.S. commitments have developed since April 20.

But it will all add up to an incomplete, and in some ways deceptive, account of what the invasion has accomplished, the critics maintain.

These critics, far from wanting a pell-mell pullout, believe the U.S. can and should honor its promise to help create a Saigon regime that has a good chance of overcoming Communist opposition at home. But they think White House planners ordered the Cambodian raids without clear ideas of how the attacks would help achieve U.S. objectives.

IMPACT ON VIETNAM

To start with, the Cambodian incursions haven't seriously upset enemy operations within South Vietnam—and many officials stress the war must be decided there, not in some neighboring nation. Communist military activity has increased since April 20 (except for the Saigon area) and is running at higher rates than during 1970's early months. Saigon's army has done badly in some defensive battles, such as recent engagements in the mountain resort of Dalat and farther north near the demilitarized zone, while the invasion has diverted senior Vietnamese commanders from local security programs at home. In South Vietnam generally, American-South Vietnamese pressure on the Communists has eased, allowing them to move about more freely.

In addition, the Cambodian raids have not permanently disrupted the enemy's overall supply program, some officials say. Despite heavy rains and air raids, the Communists have kept open their main lines leading into southern Laos and northern Cambodia, and they are pouring 50 tons daily into new supply caches; last rainy season the Reds didn't keep these lines in operation.

Back on April 20, Mr. Nixon said the U.S. was attacking the enemy's Central Office for South Vietnam (COSVN), which he called "the headquarters for the entire Communist military operation in South Vietnam." He hasn't mentioned it since and probably won't today, for good reason.

SHORT-LIVED GAIN

The only military headquarters actually overrun by allied troops was that of the Reds' Military Subregion II, responsible for the countryside near Saigon. Senior officers were killed and captured, equipment seized and forces routed; the sharp drop in enemy attacks in the Saigon area is a direct result. But a recent intelligence report reaching here informed the White House that Subregion II has a new headquarters and is restored to "combat effectiveness." Presumably, enemy activity near Saigon will pick up again to match increases throughout the rest of South Vietnam.

If it does, this means Hanoi's basic battle plan hasn't been seriously damaged by the Cambodian raids. And the political uproar they caused in the U.S. could well reinforce North Vietnam's belief that it can outwait the Americans, who will be forced to go home someday. Hanoi's units within South Vietnam remain able to carry on low-level guerrilla warfare and apparently will have adequate, though certainly not excessive, supplies.

Perhaps more important, Saigon apparently has no specific plans for exploiting any morale or military gains resulting from the raids into Cambodia. While President Thieu is increasingly optimistic about victory, reports from Saigon say, some of his senior generals are grumbling about lack of plans for any military follow-through.

American forces apparently aren't gearing up for intensified operations against the Communists within South Vietnam. "There aren't plans for doing so—even though Gen. Abrams understands this need very well," says an informed source here.

MOVING INTO LAOS

However, there is some talk in the bureaucracy here about what to do next. To date it must be rated more of a possibility than a probability, but some officials are contemplating ground attacks by U.S. allies into Laos to try to cut off the Ho Chi Minh Trail leading South from Hanoi. It's reported this highly tentative talk focuses on the possibility inserting Thai troops from the west and South Vietnamenese soldiers from the east, presumably with much American combat support but no U.S. ground forces.

"Attacks on Communist forces on southern Laos and near the DMZ could be very profitable," argues one official.

President Nixon has repeatedly warned Hanoi he will act decisively if the enemy doesn't cool the combat and talk peace, and he may have this move in mind. But many who know the rugged Laotian terrain insist no available forces could satisfactorily do the job of cutting off the trail, and the fear of fresh political dissent at home might rule out the venture.

As an alternative to some big offensive against this crucial supply route, Washington might settle for a resumption of small-scale ground raids conducted against the trail in the past.

Some analysts find this possibility disturbing, however. "It is policy by increment," says one, meaning that the U.S. is deciding things case-by-case rather than following a broad master plan with well-defined objectives. These worriers feel that President Nixon and his senior foreign-affairs adviser, Henry Kissinger, may have forgotten their views to substitute sound planning for the chaotic policy-making of recent years.

RED CHINA'S ROLE

Some officials have still another worry: Communist China. They say U.S. policies seem to be giving China opportunities for making inexpensive gestures that could upset the political atmosphere of Southeast Asia without compensating gains for the non-Communist side.

Peking isn't likely to send troops into Indochina as long as North Vietnam itself isn't invaded, most analysts agree. But if U.S.-backed Thai "volunteers" enter Cambodia, Chairman Mao's men may announce plans to organize Chinese "volunteers" to fight back either in Cambodia or in Thailand itself—where a small-scale Communist insurgent movement is run by Peking, not Hanoi.

It's unlikely that any such Chinese volunteers would actually be sent south, but the political repercussion in Bangkok nevertheless would be great. The threat of a Chinese invasion could frighten the Thais out of the war or at least cause considerably panic—without a single Peking soldier leaving home.

In addition, China now has roughly 15,000 troops and engineers in northern Laos, up from only 6,000 last October; they are building a road, supposedly at the request of the Laotian government. Bangkok sees it as an invasion route to Thailand; if the Chinese should push the road further south, that, too, would upset Thai confidence.

"All the Chinese would have to do is go half-way to the Thai border, stop and build a basketball court," says one analyst, "but it would do the trick."

NEW RECOGNITION SIGNALS ARE NEEDED IN AMERICAN POLITICS THESE DAYS

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BOLLING. Mr. Speaker, I recommend the column by John P. Roche which ran in the Washington Post on June 25. While written in a light vein, it contains a significant message which is well worth noting. The column follows:

[From the Washington Post, June 25, 1970]

NEW RECOGNITION SIGNALS NEEDED IN AMERICAN POLITICS THESE DAYS

(By John P. Roche)

Life these days is pretty complicated. From the mail that comes in, it seems that one thing we desperately need in American politics are some new recognition signals—the equivalent of I.F.F. (Identification: Friend or Foe) radar. For example, a reader writes: "The other night I accidentally turned on a radio program and heard someone bitterly denouncing 'Kosher Nationalism' and 'Jew imperialism.' I thought the American Nazis had seized the station, but it turned out to be a Black Panther at a leftwing rally."

Another correspondent, equally perplexed, noted that he was reading an article vigorously defending the power of the President to engage in hostilities without a formal declaration of war by Congress. He assumed it was written by Sen. John Tower of Texas but discovered at the conclusion that in fact the author was Sen. William Fulbright of Arkansas—in an earlier manifestation.

Obviously something has to be done to get our contemporary categories sorted out. In every historical period there are litmus tests designed to separate the sheep from the goats. Right after World War II, for instance, we had a lot of Communist problems in the liberal movement. Disciplined Party caucuses tried to infiltrate and capture various liberal organizations. If one started accusing the C.P. of colonization, he was immediately denounced as a "Red baiter" and, later, a "McCarthyite."

It became essential to force the infiltrators to identify themselves. For this purpose anti-communist liberals devised an amendment which, in one form or another, could be used in virtually all situations. The Party faction in a group would introduce, say, a motion condemning loyalty oaths for teachers. We would introduce a simple amendment, a preamble stating: "While we disapprove of teachers who accept totalitarian discipline from either the right or the left" . . . The condemnation of loyalty oaths would follow. Although they were crazy not to roll with the punch, the Communists were under orders that any attack on the Soviet Union had to be opposed. The vote on this one invariably provided a hard head-count. It differentiated the cadres from the confused fellow travelers.

In 1948, when Henry Wallace provided the Communists with a sacrificial offering, one could always turn a Progressive Party meeting inside out by moving that the group support "self-determination for Macedonia." Most Progressive Party supporters were innocents who asked for it. They were always baffled when their Communist ideological guardians went up in smoke about the Macedonians, not realizing that "self-determination for Macedonia" was a "vicious Trotskyist, Bukharinite, anti-socialist slogan"—that is, Tito was behind it!

There are some recognition signals around today, but they tend to be fairly esoteric. You can, for instance, instantly fragment a New Left youth meeting by advocating "spontaneity." This sends the orthodox Communists up one wall, the orthodox Trotskyites up another, the Castro-Maoites up a third, and the authentic crazies up still a fourth. Or, suggest that American Negroes are an "oppressed colonial people awaiting national liberation," and watch the fun.

But these are inadequate for our needs. Our basic problem is how to tell a "radical" from a "reactionary," and the old standards are clearly obsolete. I would welcome suggestions (to save time, send them directly to me at Brandeis University, Waltham, Mass. 02154) from readers with the hope that some time in the near future a column can be used to set out the best proposals. After all, when you are not sure whether you are listening to a Nazi or a Panther, something urgent must be done.

HARMFUL CHEMICALS

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HATHAWAY. Mr. Speaker, I would appreciate the opportunity of calling to our colleagues' attention a most interesting letter written by Thomas Whiteside to the editor of the New Yorker magazine, and containing an examination of several household items which may be hazardous to the public health.

The letter, entitled "Department of Amplification," is a follow-up to Mr. Whiteside's New Yorker articles earlier this year about the dangerous fetus-deforming herbicide 2,4,5-T, which has been utilized extensively as a defoliant in Vietnam and as a weed killer here in the United States.

This and other polychlorinated phenolic compounds are so potentially dangerous and attempts by public agencies to restrict their distribution and use so feeble, his argument goes, that uses of such chemicals should be fully suspended until it has been clearly shown "through the necessary chemical, biological, and environmental testing" that their employment is not in fact a public health hazard.

The Whiteside argument is cogent. The gentleman's letter follows:

DEPARTMENT OF AMPLIFICATION,
New York, N.Y., June 7, 1970.

THE EDITORS,
The New Yorker

DEAR SIRS: In the issues of February 7th and March 14th of this year, I presented in *The New Yorker* some of the mounting evidence regarding the dangerous teratogenic, or fetus-deforming, effects of the herbicide 2,4,5-T, which has been used in huge amounts over the past decade as a defoliant in Vietnam and as a weed killer here at home. What seemed particularly alarming, as I reported, was the seemingly unavoidable presence in 2,4,5-T of a highly toxic and teratogenic contaminant belonging to a group known commonly as dioxins. I also pointed out the reluctance of the government, despite its apparent awareness of the dangers, to eliminate or drastically restrict the use of this herbicide.

On April 15th the Surgeon General of the United States, Dr. Jesse L. Steinseld, appeared before a Senate subcommittee, headed by Senator Philip A. Hart, of Michigan, that was investigating the safety of 2,4,5-T and announced, on behalf of the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Health, Education, and Welfare, a number of measures that were being taken to limit the use of 2,4,5-T in this country. These measures included the immediate suspension of the Department of Agriculture's registrations of liquid formulations of 2,4,5-T used around the home and of all formulations used for killing vegetation around lakes, ponds, and irrigation ditches. The Surgeon General also announced that the Department of Agriculture was about to cancel its registrations of non-liquid formulations of 2,4,5-T for use around the home and on food crops, including corn, barley, oats, rice rye, apples, and blueberries. On the same day Deputy Secretary of Defense David Packard announced the immediate suspension of the use of 2,4,5-T in Vietnam.

Against a background of evidence accumulated since 1966 that 2,4,5-T, or material with which it is ordinarily contaminated to some degree, exerts a fetus-deforming effect on the offspring of experimental animals, and a background, too, of extraordinary reluctance on the part of the government agencies, including the office of President Nixon's own Science Adviser, Dr. Lee DuBridge, to inform the public in a forthright manner about the potential hazards of 2,4,5-T to human health, the statement by the Surgeon General appeared to signal clear and unequivocal action at last against the widespread use of 2,4,5-T. Federal law requires that all pesticides and herbicides be registered with the Department of Agriculture before they can be marketed in interstate commerce, and the conclusion that citizens could reasonably be expected to draw from the Surgeon General's statement was that cancellation and suspension of these registrations had put an immediate stop to the sale and use of 2,4,5-T here.

That conclusion, I regret to say, is not justified. The word "cancellation," which has such an air of finality about it, and which seems to signify drastic action, is really one of the weaker words in the federal-regulatory lexicon—far weaker than the word "suspension," which the Department of Agriculture has applied to its action on the registrations of liquid formulations of 2,4,5-T used around the home and around lakes, ponds, and irrigation ditches. To illustrate one of the powerful distinctions implicit in this upsidedown bureaucratic language, when the Department of Agriculture *suspends* the registration of a product for certain uses, the suspension takes force immediately, and under federal law shipments of the product in interstate commerce must stop; in effect, the flow of the product from manufacturer to ultimate user is immediately pinched off at a point reasonably close to the source of supply. When the Department of Agriculture *cancels* the registration of a product for certain uses, however, the movement of the product in interstate commerce is brought to no such automatic halt. A company given a cancellation order is told that after thirty days it can no longer ship its product across state lines, but the company has the right to appeal the order, and if it does appeal, this action has the effect of staying the order. During the lengthy process of appeal, the company can continue to produce, ship, and sell the cancelled product. A company whose product's registration is suspended has no such recourse.

Approximately six weeks after the Surgeon General's announcement concerning 2,4,5-T, I stopped in at several garden stores in the New York area. I found that a number of 2,4,5-T formulations—weed killers, poison-ivy sprays, and lawn food—were still on sale. Since the Surgeon General had cited as one of the primary reasons for federal actions against 2,4,5-T the government's wish to afford "maximum protection to women in the childbearing years" by preventing them from being exposed to the herbicide, this state of affairs startled me, particularly since May and June are the months of maximum use of herbicides. The disturbing fact is that the Department of Agriculture has no power to compel manufacturers to recall from retail stores products whose registration for certain uses the Department has either cancelled *or* suspended. There is no federal law against a retailer's selling such a product or against a customer's buying it. The law does provide that stocks of it can be seized by Department of Agriculture inspectors. However, the number of retail establishments selling herbicidal formulations for home use runs into the scores of thousands, whereas the number of retail-store inspectors employed by the Department of Agriculture, I recently discovered, is exactly thirty-two. On a practical level, then, the power of the Department of Agriculture to prevent the retail sale of such products is almost nonexistent. Furthermore, not only is it legal under federal law for a homeowner to buy a products whose registration for certain uses has been officially cancelled or suspended but it is legal for him to use it and use it in any way he pleases. Without breaking any federal law, he can dump concentrations of 2,4,5-T on his lawn in such a way that some of it enters his or his neighbors' water supplies.

Similarly, a farmer can continue to use 2,4,5-T on his crops without breaking any federal law even though that use has been the subject of a Department of Agriculture cancellation order. The only risk he faces is that of seizure by Food and Drug Administration inspectors of any of his crops shipped in interstate commerce that are found to have detectable amounts of 2,4,5-T residue on them. The risk isn't a very great one, since these inspections take place at retail outlets—supermarkets, and so on—where F.D.A. inspectors collect samples of foodstuff and send them back to the F.D.A. for analysis, which takes time. The bureaucratic machinery is creaky, and if any detectable residue of 2,4,5-T is found on the foodstuff—say, blueberries that the farmer has sprayed with 2,4,5-T—the chances are that by the time the Department is ready to seize the stock of blueberries in the store (which after all, is probably only one of many stores to which berries from this batch have been shipped) the blueberries have been bought and eaten. In any event, only the blueberries can be found guilty—not the farmer or the shipper. And the farmer can go right on using 2,4,5-T as he pleases, because the cancellation powers and suspension powers of the Department of Agriculture apply not to the basic chemical compound of 2,4,5-T as such but only to the formally registered *uses* for which it is intended. In effect, this means that there is federal control only over the wording of labels on the cans, bottles, or drums of these chemicals. It is true that the Department has asked manufacturers of 2,4,5-T products whose registration for certain uses have been cancelled or suspended to recall the products from retailers, but this will have to be done strictly on a voluntary basis if it is done at all. Even if it actually is done, and the products are back in the manufacturers' hands, the recall does not mean that the 2,4,5-T will be destroyed. For the most part, it means merely that the 2,4,5-T formulation will be relabelled, with the cancelled uses deleted, and sold over again in the same form, and even in the same containers. And since the label on the container has no binding force on the purchaser, there is no guarantee at all that 2,4,5-T will not continue to be applied in ways that the public might reasonably suppose to have been stopped dead by the government.

Further examination reveals that the measures against the use of 2,4,5-T that appear to be so sweeping actually apply to about ten per cent of the total amount of 2,4,5-T used in this country—that is, only a 2,4,5-T used around homes, gardens, and aquatic areas and on food crops. And since 2,4,5-T products are still being sold freely in garden-supply stores, I estimate that so far the cancellation and suspension orders have affected no more than two or three per cent of the total amount. About ninety per cent, in any case, is used for the control of woody plants in such areas as rangeland and pastureland and along railroad and electric line rights-of-way. These uses remain unaffected by the new federal orders because the Departments of Agriculture, H.E.W., and the Interior agreed that in such areas, many of which are remote from dense population, 2,4,5-T does not constitute an imminent hazard to women of children-bearing age.

I believe that this conclusion deserves reexamination As studies with experimental animals have shown, 2,4,5-T is a fetus-deforming agent both in its relatively pure form, which has so far been formulated only under laboratory-test conditions, and in the form in which it is ordinarily sold to users. Because certain factors are apparently impossible to eliminate in its production, the latter form is a contaminated one, the contaminants being present in amounts that have up to now been considered tolerable. The name of the principal contaminant in 2,4,5-T is symmetrical 2,3,6,7-tetrachlorodibenzo-*p*-dioxin, and it has been found to be both extremely toxic and, in certain tests on living creatures, teratogenic. In tests on chick embryos, this form of dioxin, in a pure state, has the capacity to deform embryos at levels of a trillionth of a gram per kilogram of the egg—a level only one-millionth as great as that required to achieve a comparable effect in chick-embryo experiments with the notorious teratogen thalidomide. And in tests involving a mixture of dioxins in which the symmetrical tetrachlorodibenzo-*p*-dioxin predominated, conducted by the Food and Drug Administration on pregnant hamsters, a dosage of 9.1 millionths of a gram per day (for five days) per kilogram of the mother's body weight produced an incidence of eighty-two per cent mortality and eighty-two per cent abnormality among live offspring.

Dioxins are also known to have untoward effects on human beings. In factories where 2,4,5-T is produced, the dioxin appears as a contaminant in an intermediate stage of the manufacturing process, and some of it remains in the finished product. In 1964, workers in a Midland, Michigan, factory of the Dow Chemical Company, one of the largest producers of 2,4,5-T, contracted an illness through exposure to the dioxin contaminant. The symptoms of this illness were described as follows by Dr. Julius E. Johnon, a vice-president of the Dow Chemical and its director of research and development, in testimony he gave in mid-April before the Senate subcommittee investigating 2,4,5-T.

> The most sensitive toxic reaction observed in humans to this impurity [the tetra dioxin] was manifested by a condition known as chloracne, a skin disorder mostly prevalent on the face, neck and back. It is similar in appearance to severe acne often suffered by teenagers.

The way Dr. Johnson described chloracne before the Senate subcommittee, it does not sound like a very serious condition. However, the way he described it before the subcommittee is not quite the way Dr. Benjamin Holder, the director of the medical department at Dow's Midland Division, had described it two months earlier during a meeting with government chemists. According to a memorandum originating in one of the regulatory agencies involved, Dr. Holder said that about sixty people had contacted the disease at the Dow plant, and that its onset had been slow—four to six weeks. The memorandum continued:

> Early symptoms [according to Dr. Holder] include fatigue, lassitude and depression, and early signs include the appearance of comedones on the face and body . . . and weight loss. . . . Severe exposure results in effects involving internal organs and nervous system disorder (polyneuritis). . . . Dr. Holder discussed the examination and treatment of exposed workers. He said that six months were required for marked recovery to begin, and complete recovery required up to several years.

According to a paper published in a German scientific journal a year before the Dow people made these observations, the symptoms of chloracne associated with the intermediate stage of manufacture of 2,4,5-T include mental depression, reduced power of recall and concentration, disturbed sleep, irritability, reduced libido, and impotence. And another scientific paper, so far unpublished, on an outbreak of chloracne that occurred in another 2,4,5-T factory (not a Dow factory) in the United States, describes the continued existence of serious mental disturbance among affected workers some six years afterward. The reason I emphasize the presence and the extremely hazardous nature of the dioxin contaminant in 2,4,5-T is that while the Dow people claim that 2,4,5-T is readily decomposable in soil and by the action of sunlight after it has been applied, neither they nor anyone else has ever shown that the dioxin contaminant, as distinct from a theoretically pure 2,4,5-T, is biologically degradable; that is, that it does not persist in the environment or accumulate in animal tissue. On the contrary, the characteristics of dioxin-related chloracne poisoning, far from resembling those of the transient acne of teenagers, includes effects that are surely indicative of a serious toxic influence that is stubbornly persistent in the human body and its central nervous system. And, according to Dr. Jacqueline Verrett, of the Food and Drug Administration (Dr. Verrett's chick-embryo studies contributed to the discovery that the cyclamates widely used as sugar substitutes were carcinogenic substances), studies of the effects of dioxins on chicks and small mammals indicate that dioxin may very well accumulate in animal tissue more or less as DDT does—the difference being that dioxin is infinitely more toxic.

In the absence of positive proof that dioxin is not persistent and cumulative, the continued virtually unrestricted spraying of 2,4,5-T on pastureland and rangleland seems to me to constitute a serious potential hazard to human health. In spite of manufacturers' claims, there appears to be no evidence that the dioxin contaminant does not persist in the sprayed area long after the 2,4,5-T itself has broken down. The amounts of dioxin that would thus remain would, admittedly, be very small in relation to the amount of 2,4,5-T originally laid down—the Dow people, for example, claim that the dioxin content of their 2,4,5-T is less than one part per million—but the potency of dioxin is so extreme that a serious question arises whether traces of dioxin remain on sprayed pastureland and may be ingested by beef cattle, dairy cows, and sheep, with the result that dioxin builds up in the tissues of these livestock and enters the human food chain through meat or milk. The relentlessness of the cumulative process involving DDT and other pesticides is well known by now, when human milk contains more DDT than federal law permits in cow's milk crossing state lines, and when virtually every sample of drinking water tested throughout the country by the Environmental Control Administration has contained traces of pesticide. The only precaution recommended by the Department of Agriculture against possible contamination of dairy cattle feeding on pastureland sprayed with 2,4,5-T is that the land not be grazed for seven days after a spraying. Since the Department's own calculations of the persistence of 2,4,5-T—calculations that take no account whatever of the persistence of the dioxin contaminant—are that 2,4,5-T takes about five months to break down in soil, these precautionary measures as they relate to grass growing from the soil or water holes on its surface hardly seem adequate for the ultimate protection of the public against a herbicide that has been demonstrated to be a serious potential health hazard even in a laboratory-purified form. As for precautions against the ingestion of dioxin, there simply aren't any, because as far as federal regulations are concerned dioxin does not exist. In the case of grazing beef cattle, the Department of Agriculture does not recommend withholding the land from use for as much as a day after a 2,4,5-T spraying. In Texas alone, more than a million acres of rangeland and pastureland are being sprayed with 2,4,5-T this year; probably at least a quarter of a million head of cattle will graze on that sprayed land; and the cattle will produce something like a hundred and fifty million pounds of meat that will be sold to Americans as edible—all in the absence of a solitary meaningful restriction imposed by the federal government on either the spraying or the grazing, and also in the absence of a solitary scientific study, either by industry or by any government agency, concerning the stability, the persistence, and the cumulative capacity of the dioxin contaminant in the bodies of living creatures.

Next year, the total area sprayed with 2,4,5-T throughout the country may well be greatly increased rather than decreased. The use of herbicides in this country has been increasing at a considerably greater rate than that of pesticides, and it is only because military priorities for defoliation programs in Vietnam cut the available supply of 2,4,5-T quite drastically that this country has been spared the much more extensive use of 2,4,5-T on rangeland and pastureland. In Vietnam, a total of about forty million pounds of 2,4,5-T has been dropped on the countryside. The suspension, under public pressure, of the use of 2,4,5-T there will probably bring about the release in the coming year of huge amounts of it in the domestic market, and a logical target of chemical-company salesmen for disposal of the surplus would be the cattle industry and the United States Forest Service.

Also, to my knowledge, no proper investigation has ever been made of the possibility that, quite aside from the dioxin already present in 2,4,5-T sprayed on vegetation, *further* amounts of dioxin may be created, and released into the environment, through the breakdown process of 2,4,5-T as it is affected by sunlight and by heat. Heat strong enough to create new dioxin can occur under conditions that are not highly unusual. Brush that has been killed, whether by 2,4,5-T or other means, is certainly a fire hazard, especially in a hot, dry climate, such as that of Texas, where so much 2,4,5-T spraying is going on, and a brush fire over a large sprayed area containing 2,4,5-T residues could conceivably guarantee considerable quantities of dioxin and release it into the atmosphere.

It seems most likely that the hazards of pollution of the environment by dioxins extend far beyond the use of 2,4,5-T. This herbicide is only one of many products derived from polychlorinated phenolic compounds that contain dioxins or are the precursors of dioxins. These products range from pesticides to deodorants. It appears that when any chlorophenol is heated sufficiently it can be converted into a dioxin This fact raises questions about the release of dioxins into the environment merely through the burning of many commonly used products. For example, one of the polychlorinated phenolic compounds, pentachlorophenol, is widely used as a fungicide and as an antibacterial preparation. It is used in preserving wood and in controlling slime in the manufacture of paper. In 1968, more than twenty-seven million pounds of pentachlorophenol and its salts were used in the United States to preserve wood. Since the fate of most timber is to be burned sooner or later, and since it is reported that when five grams of pentachlorophenol is heated at a temperature of three hundred degrees for twelve hours it is capable of generating one and a half grams of octachlorodibenzo-*p*-dioxin, the possibility that considerable amounts of dioxin will be released into the atmosphere from wood treated with this preservative presents a potential health hazard of very alarming dimensions. The same thing may be said of the burning of paper that has been treated with pentachlorophenol. Aside from any hazard created by burning, the extreme toxicity of pentachlorophenol was discussed some years ago in an article in the *British Medical Journal* on some sawmill workers in Borneo who handled wet timbers that had been freshly treated with a solution of sodium pentachlorophenate, a salt of pentachlorophenol. The people involved, who are described in a Monsanto Chemical Company manual on pentachlorophenol as "nine undernourished, scantily clothed native workers," were not wearing protective garments—a circumstance that the Monsanto manual calls a "complete violation of safety precautions for handling Penta [a Monsanto trade name] materials." They died as a result of handling the timbers.

Pentachlorophenol is used in a wide variety of products, including paints and shampoos. It is put in laundry starches as a preservative, and it has been used in other laundry products. The extreme hazards posed by the injudicious use of this chemical, which is buried in so many consumer products, can be perceived in a scientific paper that appeared in the *Journal of Pediatrics* last August, entitled "Pentachlorophenol Poisoning in a Nursery for Newborn Infants." The paper describes the cases of nine infants between six and fourteen days old who were all born in a small hospital for unmarried mothers in St. Louis and who were all admitted to St. Louis Children's Hospital with a severe form of an unusual and undiagnosed illness marked by excessive sweating, increased heart rate, respiratory difficulty, and enlargement of the liver. Two of the infants died shortly after being admitted to Children's Hospital; the rest were given blood transfusions and other treatment and survived. The cause of the poisoning was traced to an antimicrobial laundry neutralizer that had been used in excessive amounts in the laundry of the hospital where the children were born. The neutralizer contained sodium pentachlorophenate, and traces of pentacholorphenol that remained in diapers and other clothing after laundering had penetrated the skins of the infants and entered their systems. The insidious nature of pentachlorophenol can be illustrated further by the fact that after the use of the rinse was discontinued, traces of pentachlorophenol continued to be found in the blood of newborn children and of expectant mothers. It turned out that although the infants were no longer directly exposed to pentachlorophenol, the mothers-to-be had continued to use linens that had been rinsed with it. There is speculation that the pentacholorphenol traces in the linens used by the expectant mothers became absorbed into their systems and crossed the placental barrier into the systems of the unborn babies.

Such facts led me to become curious about other commonly used products that contain polychlorinated phenolic compounds. One of these is the household disinfectant Lysol, which contains a chlorophenol compound. Another polychlorinated phenolic compound that is widely used in hexachlorophene. The basic material for hexachlorophene originates in 2,4,5-trichlorophenol, which is also the precursor of 2,4,5-T in the manufacture of the herbicide. Hexachlorophene is very widely used as an antibacterial agent, and is an ingredient of toilet soaps, of skin lotions for babies, and of cleaning powders used for washing diapers and infants' laundry. It is used in deodorant creams and sprays, and it is a principal active ingredient of pHisoHex, a sudsing antibacterial agent for the skin that is universally used in hospitals and widely used in homes. (In hospitals, it is used in scrubbing up before surgery.)

A relatively small number of people appear to be sensitive to such hexachlorophene preparations when they are applied to the skin, but the undoubted benefits of the preparations are generally considered to far outweigh this known disadvantage. Manufacturers of soap claim that hexachlorophene does not readily penetrate the natural barrier of the human skin. However, it may be another matter when hexachlorophene preparations are used where the natural skin barrier has been broken down. In 1965, at the Shriners' Burns Institute, a hospital in Galveston, affiliated with the University of Texas, that is devoted to the treatment of severe burns, nine children had their wounds cleansed with a three-per-cent solution of hexachlorophene in detergent in preparation for skin grafts. Six of the children soon developed generalized convulsions. To determine the cause of the convulsions, a study was subsequently made in which hexachlorophene was sprinkled into skin incisions in rats. All the rats died.

More recently, Dr. Verrett has made studies of the effects of hexachlorophene on chick embryos, and her observations concerning one of her experiments have led her to conclude that hexachlorophene is so toxic that when it is injected into the embryos in a concentration of half a milligram per kilogram of egg it kills sixty per cent of the embryos. In another study, in which hexachlorophene was injected into the eggs at this same concentration, Dr. Verrett found signs of teratogenicity—including a significant incidence of cleft palate, eye and beak defects, and an incidence of leg deformations and edemas, or body-fluid swellings—similar to the teratogenic effects she had found in comparable chick-embryo studies of 2,4,5-T, of the dioxin contaminant, and of 2,4,5-trichlorophenol.

Hexachlorophene has been manufactured for commercial purposes for about thirty years, and last year between two and three million pounds was produced in this country; much larger quantities are expected to be available in 1970, again because of the suspension of the use of 2,4,5-T in Vietnam. The Food and Drug Administration places no restrictions on the use of hexachlorophene in such consumer products as toilet soap and deodorants. Yet, as far as I can determine, not one single series of formal tests has ever been completed either by any corporation or by any government agency to determine whether this chemical is teratogenic, whether it causes mutations, or whether it produces cancer in experimental animals. Regardless of this lack of data, the Department of Agriculture permits the use of hexachlorophene in certain pesticides used on farm produce. It is sprayed on certain fruits and vegetables to cut down bacterial action that might encourage spoilage. Its use is permitted in quite high concentrations in water drunk by livestock, as a means of preventing liver flukes in cattle. If it is effective against liver flukes in cattle, it presumably penetrates to the liver, and since beef and calf's liver winds up on the dinner table, one wonders about other ways in which hexachlorophene might possibly be ingested by humans. One route might be through drinking water. With the huge amounts of hexachlorophene used in soaps and such consumer products, regardless of whether, as soap manufacturers claim, very little of the hexachlorophene is absorbed into the human body through the skin, the hexaclorophene that remains outside the skin is for the most part drained away in waste water. Since much waste water in this country is reused, after treatment, as drinking water, it seems reasonable to question whether traces of hexachlorophene are ingested by human beings in this way.

Both the ubiquity of polychlorinated phenolic compounds in the environment and their apparent ability to accumulate in the systems of living creatures are suggested by the contamination caused by a group of polychlorinated phenolic compounds known as polychlorinated biphenyls, or, more commonly, PCBs. These materials, which are known to be highly toxic, and are potential sources of dioxins in themselves, are used for a wide variety of purposes. They are used in rubber products and insulating materials, in paper coatings, in brake linings, in asphalt tiles and other asphalt compounds, in paints and varnishes, in inks for high-speed presses, in waxes, and also in pesticides. In this country, PCBs are manufactured by the Monsanto Chemical Company under the trade name Aroclors. According to a recent article by Dr. Robert Risebrough, of the Institute of Marine Resources of the University of California at Berkeley, in the magazine *Environment*, PCBs have been found in North American peregrine falcons in amounts as great as 1,980 parts per million parts of body fat, and in Sweden, in the fat of the white-tailed eagle in the amount of 17,000 parts per million. Traces of PCBs have been discovered in fish in Lake Michigan, and it may therefore be assumed that PCBs have found their way into the human food chain. In tests of samples of mothers' milk from Los Angeles and Berkeley that were analyzed late in 1968 by Dr. James Enderson, of Colorado College, every sample tested contained traces of PCBs.

Of the polychlorinated phenolic herbicides used in the United States, the most widely used is 2,4-dichlorophenoxyacetic acid, or 2,4-D. In 1968, approximately fifty-seven million pounds of 2,4-D was used in this country, in compounds that ranged from agricultural sprays to lawn foods and preparations for removing dandelions. As far as the Department of Agriculture is concerned, 2,4-D may be sprayed on virtually any crop or area—with minor restrictions as to intervals before harvesting, and so on. Last year, probably fifty-seven million acres of agricultural land was sprayed with it, and probably more than a million pounds of it was used on turf alone. Over the past ten years, close to half a billion pounds of 2,4-D has been laid down on vegetation in this country, and today every garden store is full of compounds containing it; about a hundred and seventy-five companies produce 2,4-D preparations, and the chemical appears in somewhere between five hundred and eight hundred products currently in use. In spite of the Department of Agriculture's almost completely permissive attitude toward the use of 2,4-D, this herbicide has never been proved to be non-hazardous to public health. Last year, 2,4-D was characterized in a report by the Bionetics Research Laboratories, in Bethesda, Maryland—the original discoverer of the teratogenic qualities of 2,4,5-T—as "potentially dangerous" and "needing further study." Recently, a screening study conducted by Dr. Verrett on the effects of purified 2,4-D on chick embryos showed the 2,4-D to have teratogenic effects. And preliminary observations in a study, also made within the F.D.A., of the effects of commercially produced 2,4-D given orally at high dosage levels to pregnant hamsters are said to show an incidence of birth abnormalities, including skeletal abnormalities, higher than that in studies of the effects of purified 2,4,5-T given to pregnant hamsters at comparable dosage levels. But the Department of Agriculture has made no move either to warn the public of these ominous findings or to restrict 2,4-D's registered uses.

The potential hazards of 2,4,5-T and 2,4-D were further underlined this spring by a report concerning the fate of a herd of six hundred reindeer on government rangeland near Lulea, in northern Sweden, which had been sprayed last July with a mixture of one part 2,4,5-T and two parts 2,4-D at the rate of a little less than two pounds per acre. A few weeks after the animals had eaten large amounts of sprayed foliage, a hundred of them died and another hundred and fifty disappeared—the presumption being that many of the missing ones also succumbed. Among the surviving animals, forty females had miscarriages. Analysis of the reindeer carcasses by the National Swedish Veterinary Institute showed significant residues of 2,4-D and 2,4,5-T in their kidneys and livers. In view of this report, the almost complete lack of restrictions by our Department of Agriculture on the use of 2,4,5-T and 2,4-D on rangeland and pastureland seems particularly disturbing.

The acute effects on human beings of high dosages of PCBs are evident from a series of outbreaks of poisoning, traced to cooking oil extracted from rice hulls, that occurred two years ago in western Japan, in which at least ten thousand people were affected. The outbreaks involved both an abnormal incidence of miscarriages and stillbirths among women in the affected population and abnormally dark skin pigmentation in infants. The victims of the poisoning showed the classic symptoms of chloracne, and in several very serious cases they also showed symptoms of jaundice and other liver damage. Polychlorinated phenolic compounds are known to be used in Japan as herbicides on paddy fields, and the causative agent of the poisoning was identified as a PCB. Yet our Department of Agriculture permits the use of PCBs as additives in between thirty and forty registered pesticide products and has taken no action to protect the public against the dangers of these additives.

It seems to me clear from all this that the whole family of polychlorinated phenolic compounds is one that scientifically speaking, consistently produces very bad news. In spite of this, the federal agencies charged with regulating the use of such substances to protect public health have taken virtually no effective steps either to investigate the harmful potential of these compounds or to protect the public from such possible harm. The Department of Agriculture, which has jurisdiction over the pesticidal and other non-drug uses of all sterilizing, disinfecting, germicidal, and antibacterial chemicals sold in this country—and most of the polychlorinated phenols are in one or more of these categories—has not, during all the years in which it has permitted the use of these substances, completed one laboratory study of dioxin contamination or of dioxin generation by any polychlorinated phenol. After almost a quarter of a century during which the Department has authorized the virtually unrestricted use of a herbicidal agent as powerful as 2,4,5-T, and in the face of well-established facts about the alarming teratogenicity both of 2,4,5-T and of its dioxin contaminant, none of the scientists employed by the Department have completed a single working experiment on the prevalence and generation of dioxins. Although they have gone so far as to draw up a list of seventeen polychlorinated phenolic compounds that they believe should be studied, they do not know, at the time this is written, even how many formulations of these compounds are on the market, what quantities of them are being sold, and what uses they are being put to. I became aware of this when, before writing this letter, I called the Pesticides Regulation Division of the Department of Agriculture and asked for a list of registered products containing polychlorinated phenolic compounds. According to the assistant director of the Pesticides Regulation Division, the Department has no such list and no list of formulators in whose names the products have been registered, nor has it a list of the uses to which the compounds in interstate commerce are being put. No one had ever before asked for such a list, he said, and the only way the Department could compile one for me would be my making a manual search through files containing some fifty thousand pesticidal-product registrations—which would, of course, be very expensive and complicated.

Clearly, in the polychlorinated phenolic compounds, we are confronted with substances in our environment that, even though we may be exposed to any of them in almost undetectable quantities, cumulatively and collectively pose frightening potential hazards to public health and involve the serious question of possible effects on the unborn. Considering the striking contrast between the urgency of the problems and the apparent inability of federal regulatory agencies to take prompt action to protect the public against these hazards, it seems to me that a drastic change in methods is essential. The existing pattern of inertia is attributable to a complex set of circumstances that includes inadequate statutory authority to deal with potentially hazardous products on the necessary environmental scale—all the way from their creation in factories, through their movement in interstate commerce, to their use and their eventual disposal or decomposition. A second factor is the very inadequate funding by Congress of the regulatory agencies. The Food and Drug Administration, for example, is supposed properly to regulate various activities of businesses that gross some three hundred *billion* dollars a year on an annual departmental budget of sixty million dollars, while the Department of Agriculture, as I have pointed out, has those thirty-two retail-store inspectors to cover the whole country. These conditions account, in part, for the passive attitude that agencies often take toward the industries they are supposed to regulate. Once a product has been registered as acceptable for use in interstate commerce, it tends to acquire such status that if subsequent questions arise about its safety, the burden of proof concerning this is really placed upon the federal regulatory agency rather than on the producer of the product. Since the agency too often does not have adequate facilities, money, or manpower to offer such proof, general foot-dragging or tired surrender to industry pressure by the agency people is naturally encouraged. It seems to me grossly improper that doubts raised about the safety of complex chemical substances put out by large companies for extensive public use should be so often resolved by federal regulatory agencies in favor of the welfare of these companies rather than of the welfare of the public. It does appear to me that in the case of the present uses of 2,4,5-T, 2,4-D, and other polychlorinated phenolic herbicide or pesticide compounds, such doubts can best be resolved by simply imposing a full suspension of all uses of these chemicals until it has been shown, as clearly as science can demonstrate through the necessary chemical, biological, and environmental testing, that the employment of these substances or their contaminants or breakdown products will not be hazardous to public health.

Sincerely,

THOMAS WHITESIDE.

EDUCATION FOR THE 1970'S

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. PUCINSKI. Mr. Speaker, in the course of the hearings of the General Subcommittee on Education about the needs of elementary and secondary schools for the decade of the 1970's, I continue to be impressed with the variety of self-help programs in education that are taking place in many of our schools.

In Nanuet, N.Y., for example, two teachers devised a new alphabet combining pictures and letters that has produced astonishing results in the 6 years it has been in operation. So successful has this "Alpha One" project been that more than 1,100 schools in 31 States have now converted to the system.

At Boston High School, boys and girls who would have become dropouts are participating in a work-study program that enables them to work part time during the school year and full time during the summer months. The generous cooperation of several businesses in the Boston area have prompted the success of this program. It does not deal with tens of thousands of youngsters, but perhaps because it is willing to save the individual few it is worthy of our regard and notice.

Mr. Speaker, I call these interesting articles to the attention of my colleagues today to indicate the specific efforts that are being taken at the local school and school district level to meet some of our worst education problems without waiting for guidance from Washington. I salute these communities and these enterprising educators for their foresight and creativity.

Mr. Speaker, the articles follow:

LITTLE KIDS, BIG WORDS

(By Herbert Kupferberg)

NANUET, N.Y.—Six-year-old schoolchildren in Nanuet, N.Y., a village 20 miles north of New York City, can spell such words as "fantastic," "convention" and "anthropomorphic," and toss off such definitions as "When somebody likes to fight, he's pugnacious," or "When you step on a piece of chalk you pulverize it."

The first-graders owe this astonishing ability to spell and understand words to a new way to teach reading invented by two teachers at Nanuet's Highview Elementary School, Elayne Reiss and Rita Friedman. The school has been using the system, called Alpha One, for six years with such success that it is now spreading far and fast across the U.S.

NEW YORK GOES FOR IT

During the school year that just ended, some 1100 schools in 31 states converted to Alpha One. Next September, more will introduce it, with the New York City system putting it into 300 schools. Educators are particularly excited because Alpha One seems to work equally well for slow children as for bright, and in inner-core urban neighborhoods as in well-to-do suburbs.

Says Lawrence Finkel, principal of P.S. 115 in the racially mixed Washington Heights area of Manhattan: "It's the single most creative piece of school teaching I've seen introduced in all my years in the system."

What's the secret? Alpha One works by appealing to young children's sense of fantasy and imagination. It also represents a return to the old "phonics" method of teaching reading by "sounding out" words.

This method was abandoned years ago in favor of the "look-see" method, in which pupils were expected to recognize words whole. "Look-see," with its stories about Dick and Jane and Spot the dog, has long been branded as a failure by many educators, notably in a book called *Why Johnny Can't Read* by Rudolf Flesch. There's a popular joke in academic circles about a teacher who backed her car into a garage wall and said: "Look, look, look. See, see, see. Damn, damn, damn."

Elayne Reiss says she found the prevailing reading instruction method was "making failures of children at the age of 6.

"You just couldn't get total involvement," says the petite, auburn-haired teacher, who has two daughters aged 14 and 11. "You could see by their eyes that the kids weren't with it. There was no sign of the joy of reading, no excitement, no delight."

PHONICS CAN BE FUN

Working with Rita Friedman, her reading coordinator, Elayne decided that the way to teach reading was to put fun into phonics. So she turned the whole alphabet into a world of "letter-people," with each of the 26 letters given human qualities.

Thus, instead of learning their ABC's by rote, the first-graders are introduced immediately to such personages as Little Miss A, who is always sneezing "A-choo"; Little Miss O, who is extremely Obstinate; and Mr. Q. who is so Quiet that he can't make a sound unless the Understanding Miss U is by his side.

In this system all the vowels are girls and all the consonants boys, and Elayne and Rita have devised a series of stories, poems and games, designed to show how the "letter-people" work together to form syllables and words. "The children learn the rules of word formation," says an enthusiastic Nanuet teacher, Mrs. Anita Fay, "but they don't know them as rules but as people in a story."

Alpha One utilizes multimedia techniques in its approach to learning, with brightly colored cards and placards, film-strips, slates, phonograph recordings, and even a puppet theater which the pupils operate themselves. When letters work in combinations like CH or TH the children call them "squooshes," and when words don't follow normal rules they're labeled "runaway" words. The aim is to instill a sense of adventure and enthusiasm in youngsters as they learn, and to capitalize on their natural curiosity about big words.

NOTHING TOO HARD

Elayne Reiss says the method enables children to attack and decode words of almost any length or degree of difficulty. A skeptical PARADE observer stood in the rear of a classroom and listened to eager pupils spell "panacea" and "obnoxious" as easily as most first-graders spell "cat." The children also deciphered a newspaper that was handed to them without too much difficulty, although their pronunciation wasn't always perfect. And they broke up long words into syllables at the blackboard, putting each part of the word into an appropriate box.

Elayne says that after school the kids are encouraged to go home and read anything they want, including the unabridged dictionary, rather than being given old-fashioned primers.

"Some parents were dubious when we started," she says. "They wanted to know where the kids' books were. But we want them to select their own. This opens up the whole world of reading, of learning, to them. They can read in the first grade things they wouldn't usually tackle until the fourth or fifth."

CHILDREN HELP OUT

Elayne and Rita both think that Alpha One, which is now being published by a company called New Dimensions in Education, works because it was developed within an elementary school classroom rather than on the university level.

"This wasn't created by professors," says Elayne, "but really by the children themselves, using their own minds and logic. They helped bring about Mr. Horrible Hair. Mr. Noisy Nose, Mr. Cotton Candy and all the others."

The two teachers also feel that the uses of Alpha One may extend beyond mere reading. "For too many young children, school means frustration and defeat," says Elayne. "I think this method with its excitement, fun, and high level of interest builds security and introduces them to the world of 'I can.'"

Adds Harry Abt, principal of the Nanuet school, who has backed the new system since the two teachers came to him with it: "I don't know whether it's all Alpha One or not, but since we've had the system going here, psychological referrals are way down and our general behavior pattern is a lot better. Its benefits are universal."

THEY STAY IN SCHOOL: BUILT-IN GUARANTEE OF PART-TIME EMPLOYMENT ENCOURAGES STUDENTS AT BOSTON HIGH

(By Dorothea Kahn Jaffe)

BOSTON.—Vacation work is hard to find this summer. But Tom, Ann, and some 420 other boys and girls in the inner-city school known as Boston High School had no trouble finding jobs when school closed.

Boston High, a special school for dropouts and near dropouts, has a built-in employment system. All through the school year, students hold part-time jobs with such concerns as Filene's department store, First National Bank of Boston, and John Hancock Mutual Life Insurance Company, as well as with smaller businesses. Then when vacation time comes, there's no job hunting. The boys and girls continue in their school-year jobs full-time, but still under close school supervision.

In the case of a few whose jobs are seasonal, the school takes the responsibility of finding them other employment for the summer.

What this kind of school-related employment means to a student is told by Tom Nelson (not his real name).

The tall, serious youth said he was about to drop out of high school when he heard about the work program.

"I was pretty bored," he said. "I was missing a lot of classes . . . spending most of my time just hanging around with the kids. I was going to quit when one of my teachers told me about Boston High School."

Tom signed up for regular classes in the morning and was hired as an afternoon messenger for First National Bank of Boston. Now school became alive for Tom. He saw the relation of its courses to the business world.

ATTENDANCE PICKS UP

Classes were small. He had a close and friendly relationship with the teacher who was responsible for coordinating his studies with his job.

Before entering Boston High, Tom was in the habit of attending school only when he felt in the mood. But now in his new school he rarely missed a class. He was absent only 10 days last school year.

Tom's bank supervisor was so impressed by the interest the boy showed in bank operation and by his acceptance of responsibility that he recommended him for promotion. Tom moved up by several steps to the International Money Transfer Department.

He found this job interesting, but he began thinking about his future.

"I noticed that in our bank the college graduates get the most interesting jobs," said Tom. "I figured I'd better go to college. And I've just found out I made it. I've been accepted at Northeastern University.

Tom will continue with the bank during the summer and continue in his job while studying business administration under Northeastern's work-study program.

16 CHILDREN IN FAMILY

Ann Ellsworth, another Boston High School student, is working full time this summer at her office job in the United Shoe Machinery Corporation plant.

Ann said she could not stay in school if she did not have a full-time summer job to help her through next year. She is one of 16 children in a family that came to Boston from South Carolina a few years ago.

A shy, gentle girl with ambition to be a teacher, she was greatly disturbed by conditions in the large inner-city high school she attended. Protests, fighting, continual disturbance: She was failing when she heard about a high school for students who wanted to drop out.

She enrolled in Boston High, was given a card of introduction to the personnel officer of the shoe-machinery plant, and obtained a part-time clerical job under school supervision. She expects to graduate next year.

SCHOOL-STORE COOPERATION

Not all Boston High students do as well as these two.

"Some have a spark, other just do a job," said Henry Marsman, selling superintendent in Filene's famous basement where some 150 students from Boston High and other schools of the city are employed as stock clerks.

On the whole, he thinks the school-store cooperation is fine for both.

"These youngsters are . . . good kids," he says. "And the school cooperation is excellent."

He referred to the school's system of weekly visits made by the teacher-coordinators to the students on the job.

Teachers in this school spend only half their time in their classrooms. The other half they put in visiting students in business and industry, observing the students' records and discussing their progress with employers. Since classes are small—a 15-member limit—this work is highly individualized.

If the teacher finds that one of his students needs special counseling, he makes a visit to the child's home and talks with the parents and child together. Sometimes the teacher discovers the parents need guidance.

Teachers in this school often become so interested in their boys and girls that they volunteer their time to coach them after working hours in their studies and their sports, said Mark Crehan, cooperative supervisor.

"Many of us were ourselves children in the inner city and we understand these kids," Mr. Crehan said. "Most of us are here because we applied for this assignment."

AVERAGE 93.47 PERCENT

Results of this friendly relationship and close supervision are apparent in the school's attendance records. Although to get into the school a boy or girl must have dropout credentials, which usually means a truancy record, its current attendance record is one of the three best in the city.

Last year its average daily attendance was second only to that of the two Boston Latin schools. This year comparative figures have not yet been compiled, but the average for the school is 93.47 percent, which is a proud record for any high school.

The problem now is to find room for all who apply for admission and are eligible, says Joseph Ippolito, principal. Last year 150 qualified applicants had to be put on a waiting list.

Next fall five more teachers will be added to the faculty, but the number of applicants is expected to increase as the school becomes better known, says Mr. Ippolito.

One such school for the city of Boston is not enough, it appears to those involved in this program.

PIONEER IN CONSUMER PROTECTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ROSENTHAL. Mr. Speaker, Dr. Colston Estey Warne is one of the true pioneers of the consumer movement. Today, at the age of 69, he continues to wage the battle for equity in the marketplace with undiminished enthusiasm.

We would do well to familiarize ourselves with the philosophy and activities of this courageous and dedicated American who warms to the cause of the underdog—particularly when it is the general public.

The following excerpt from the New York Times is submitted as a reference for those who are not aware of the great contributions Dr. Warne has made in behalf of consumer rights during the past three decades.

I hope Dr. Warne will carry on his brilliant work for many years to come.

The article follows:

A LONG-TIME CHAMPION OF THE CONSUMER

(By Gerald Gold)

Before Ralph Nader, there was Colston Estey Warne.

In 1936 he helped to found the Consumers Union of the United States, and he has been its president ever since. Dr. Warne, chairman of the sixth biennial conference of the International Organization of Consumers Unions, which opened yesterday in Baden, Austria, has been a champion of the consumer for over three decades, and at the same time a champion of academic freedom, a champion of the poor, a champion of labor and a champion of his own right to refuse, on principle, to sign a loyalty questionnaire.

The 69-year-old Dr. Warne, in fact, has spent a lifetime championing causes, some of which have lately come to be accepted as obvious (such as consumers' rights) and some of which do not seem to be in sight in the near future (such as his early advocacy of socialization of the American banking system).

CALLS HIMSELF A "REBEL"

Dr. Warne, who described himself as a "rebel, a disturber of convention," learned about freedom of expression by observing the attempt to suppress it when a mob tried—unsuccessfully—to prevent Fritz Kreisler from playing in the United States shortly after World War I. Dr. Warne recalled how the mob was "shouting that Hun music should not be tolerated in our land of freedom."

After graduating from Cornell University in 1920 and receiving his doctorate from the University of Chicago in 1925, Dr. Warne taught at the University of Pittsburgh.

It was there that he saw the "bleak rows of wooden shacks" and company policemen and eviction notices and picket lines that turned his mind to the problems of labor and labor unions. This interest eventually led to his involvement in the civil liberties movement.

He went to Amherst College in 1930 and was professor of economics there until his retirement last June.

Dr. Warne married Frances Lee Corbett in 1920. They have three children.

As far back as 1933 Dr. Warne has spoken out on the need for more relief funds and for more taxation to help the poor. He has been a constant critic of what he perceives as the nation's faulty distribution of its wealth.

Tall, courtly, mild in manner, Dr. Warne nevertheless has found himself in the midst of controversy for almost all of his active life, and never more so than in 1947, when, as an unpaid consultant to the Council of Economic Advisers, he refused to sign a loyalty questionnaire that was distributed to all Federal employes.

TAKEN OFF SUBVERSIVE LIST

Declining to comply with President Harry S. Truman's Executive order, Dr. Warne declared: "This Executive order is so completely repugnant to the political institutions of our country that I cannot comply with its terms."

Dr. Warne, who cited the "unfairness" of the House Un-American Activities Committee in trying to link the Consumers Union to Communism, succeeded in getting the Consumers Union removed from the committee's list of "subversive" organizations.

At the time of the Loyalty questionnaire, Dr. Warne described himself as an "upstate New York Yankee"—he was born in Romulus, N.Y., on Aug. 14, 1900. Then, as now, he was living in Amherst, Mass., and what he said then is just as applicable now:

"I have been living in a small New England town upon carrying on the American democratic tradition."

In recent years, Dr. Warne has turned this exercise of the democratic tradition to strenuous campaigning for consumer drives on environmental problems, for stressing examination of marketing practices, for educating the public about proper nutrition and for extending consumer education to the poor—a subject that was the focus of the opening meeting in Austria yesterday.

AID APPROVES GRANT FOR INDIA FAMILY PLANNING PROGRAM

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. TAFT. Mr. Speaker, the Agency for International Development recently authorized a $20 million grant to help India accelerate its family planning program.

I am happy to say that the funds, which will be matched by the Indian Government, perhaps reflect in part my amendment to the Foreign Assistance Act of 1970, requiring that $100 million be earmarked for family planning programs.

As we know, population control is one of the most serious problems facing India today. The country has responded and has set a goal of cutting its birth rate by 40 percent in this decade. The program is entirely a voluntary one.

While the basic family planning program in India has been regarded as a sound one, most of the experts agree that there is a definite need to expand and to accelerate it.

This $20 million grant should aid in making the operational and administrative adjustments that are needed.

LATEST FORTUNE 500 SURVEY SHOWS SHAKEN FAITH IN NIXON

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HARRINGTON. Mr. Speaker, I would like to bring to the attention of my distinguished colleagues in the House of Representatives the latest Fortune 500 survey, which appears in the June issue of Fortune magazine. This survey presents the results of interviews with 250 chief executive officers of companies among the 500 industrials and the largest commercial banks, life insurance companies, retailers, transportation companies, and utilities; in short, the business community.

The results of this survey point out the decline of support for President Nixon among this strongest segment of Presidential supporters. The survey, which compares support of President Nixon's policies during May 1970 with support of the President's policies in July of 1969, points out that whereas only 6 percent of those surveyed considered none of the administration's policies to have been successful when the survey was conducted in July of 1969, the number of those in the business community who consider none of the President's policies successful had increased to 19 percent in May 1970.

This decrease in support for President Nixon's policies amongst even his most traditional supporters indicates to me the precarious nature of the course the administration is following. It is indeed not surprising that there is such polarization in the country today when even the administration's most loyal supporters doubt the wisdom of the President's actions.

I hereby insert the following poll, conducted by the attitude-research firm of Daniel Yankelovich, Inc., which appeared in the June issue of Fortune magazine.

THE FORTUNE 500-YANKELOVICH SURVEY: SHAKEN FAITH IN NIXON

(By Robert S. Diamond)

Recent events have eroded President Nixon's support within the business community. This finding comes out of the latest Fortune 500 survey, conducted by the attitude-research firm of Daniel Yankelovich, Inc. During the tense days right after the U.S. move into Cambodia and the shootings at Kent State, the survey interviewed some 250 chief executive officers of companies among the 500 industrials and the largest commercial banks, life-insurance companies, retailers, transportation companies, and utilities. Since the questions largely paralleled those of a similar 500 survey taken last summer (Fortune, September), it was possible to measure shifts in opinion. Some of the shifts were startling.

Both times the survey asked what actions and proposals of the Nixon Administration the chief executives thought were having the greatest and least success. In the latest survey 19 percent of the executives said that *none* of the Administration's policies was successful, as against 6 percent last time. In the earlier survey, 22 percent praised the Administration for its "slow, calm, realistic approach" to problems; this time only one executive still felt that way. As a rounded percentage, that comes out to a statistical zero. Another notable difference this time is the degree to which the executives as a group found fewer things to praise. Last July each panelist cited two items, on average, in reply to the quest *What actions and proposals of the Nixon Administration do you think are having the greatest success?* This time the average number of pluses for the Administration worked out to only 1.2. The responses:

[In percent]

	July 1969	May 1970
Monetary and fiscal policies	41	43
Efforts to end or limit Vietnam war	34	26
Nothing is successful	6	19
Response to social problems	7	9
President Nixon's style credibility or intelligence	10	8
Foreign policy; relations with other nations	13	5
Good appointments	17	4
Tax reform	4	2
Law and order	12	2
Defense policy; ABM system	6	1
Slow calm realistic approach to problems	22	0
Too early to tell	15	0

While the executives added virtually no new issues or policies to the list of Administration successes, there were some notable additions to the "least success" list. Most strikingly, the Administration's lack of communication with the nation's youth has come from nowhere to rank right up with Vietnam. The President's failure to unite the country also was mentioned for the first time.

What actions and proposals of the Nixon Administration do you think are having the least success?

[In percent]

	July 1969	May 1970
Monetary and fiscal policies	23	45
Efforts to end or limit Vietnam war	18	20
Communication with youth	0	20
Position on civil rights	8	14
Response to social problems	15	12
Failure to unite country	0	8
Poor appointments	12	7
Relations with Congress and other government departments	7	5
Dealing with labor unions	0	5
Law and order	0	4
Foreign policy	4	3
Defense policy; ABM system	8	1
Nothing is unsuccessful	6	0
Too early to tell	18	0

It is striking that the two most frequently mentioned topics—economic policies, followed by Vietnam—appear at the top of both lists. This was also true in the earlier survey. The wide divergence among corporate leaders on these key issues mirrors the lack of consensus in the nation as a whole.

Misgivings about the Administration's performance are also apparent in the responses to this question: *If you were to rate your over-all satisfaction with the Nixon Administration on a scale from 0 to 100, where a rating above 50 meant satisfaction and below 50 meant dissatisfaction, what grade would you give this Administration?*

[In percent]

	July 1969	May 1970
90 to 100	11	3
80 to 89	21	11
70 to 79	25	31
60 to 69	15	12
50 to 59	14	13
40 to 49	4	10
30 to 39	3	6
29 and under	3	13

On average, the chief executives give Nixon a rating of 62.6, down around six points since last fall. The highly satisfied group, rating the Administration 80 or higher, shrank from 32 percent to 14 percent. The group rating the Administration as less than satisfactory—under 50—virtually tripled. Among the largest industrialists and retailers, who showed especially strong support for Nixon in the earlier survey, the highly satisfied 80-and-over group dropped from 47 percent to 16.

The onrush of so much bad news has not only modified the executives' appraisal of the President and his policies, but has also dramatically reshuffled their list of national priorities. What has been happening is that the war, the economy, and campus unrest have absorbed so much concern that there is little left for other national ills that seemed so urgent less than a year ago. Last summer 31 percent named problems of minorities among the "most pressing and critical problems." This time the figure was only 9 percent. Urban problems, which ranked third last fall with 37 percent, dropped to ninth position with a stunning 3 percent.

The responses:

[In percent]

	July 1969	May 1970
UP		
Vietnam war	49	65
Inflation/economy	43	61
Campus and social unrest	36	49
DOWN		
Problems of minority groups	31	9
Crime	17	6
Manpower problems and unions	9	4
U.S. foreign policy and international relations	6	4
Urban problems	37	3
Decline of values and spiritual malaise	10	1
SAME		
Pollution	4	4

The drop in concern about urban problems was especially steep among banking and insurance executives; from 56 percent last time—far higher than any other group—all the way to 3. The rise in concern about campus and social unrest was especially notable among chief executives of utilities and transportation companies and of retailing and industrial companies with under $1 billion in sales. In both instances, concern has shot up by some twenty points.

In view of recent events, Fortune asked three new questions this time—two about Indochina and another about campus unrest. First, on a scale from 0 to 100, the executives were requested to rate the Administration's response to the dissent on the nation's college campuses. The overall score was a mediocre 50.8. Breakdown:

[In percent]

91–100	1
81–90	5
71–80	17
61–70	6
51–60	13
41–50	21
31–40	15
21–30	9
11–20	6
1–10	5
Totally dissatisfied	2

Again on a scale from 0 to 100, the executives were asked to evaluate "the Administration's conduct of the Vietnam war." Here the Administration rated quite a bit better. The average score was 68.4. Breakdown:

[In percent]

91–100	14
81–90	16
71–80	26
61–70	12
51–60	8
41–50	8
31–40	4
21–30	4
1–20	2
Totally dissatisfied	4

These results make it clear that despite the decline in enthusiasm shown by the latest survey, the chief executives as a group still fundamentally support the Administration on Vietnam. The responses to the survey's question about Cambodia confirm the point. The question was: *How do you feel about the Administration's decision to move into Cambodia?*

[In percent]

Strongly approve	45
Approve with reservations	33
Disapprove	9
Strongly disapprove	10

Previous surveys have shown that executives in the South as a group often deviate significantly in their responses. That was so again here. They were by far the most hawkish: 68 percent said they strongly approved of the Cambodia operation, and 44 percent rated the Administration's conduct of the Indochina war 80 or better. The southern executives also indicated more concern about social upheaval than other regional groups.

Executives in the West were the most dovish: 22 percent said they strongly disapproved of the move into Cambodia—twice as high a proportion as in the panel as a whole. The West also was more critical than other regions of Nixon's policies on civil rights, and displayed special concern about the economy.

Another Fortune 500 survey, taken in mid-April, measured how the business community was bearing up in this harrowing economic period. Again, this survey was parallel in many respects to an earlier 500 survey (Fortune, November). Of the changes revealed by a comparison of the two surveys, perhaps the most striking is a shift in sentiment toward some kind of government-sponsored wage policy. This time 32 percent favored formal wage-price controls as against 22 percent last time (see chart, this page). The shift was especially notable among the largest industrialists and retailers, where support has nearly tripled.

Yet despite the executives' concern about the economy and their desire to see something done about inflation, a clear majority expressed at least mild approval of the Administration's economic policies.

[In percent]

Strongly approve	29
Approve with reservations	61
Disapprove	5
Strongly disapprove	4

Moreover, the survey indicates that top business leaders have been weathering these stormy times better than might be expected. Only two out of five say that inflation has put a severe pinch on corporate profits—a slight increase since last fall. The question: *Has the inflationary cost-price squeeze in your company thus far been severe, moderate, or negligible?*

[In percent]

	September 1969	April 1970
Severe	35	39
Moderate	56	52
Negligible	7	5

Predictably, inflation struck hardest at the utilities and the transportation companies. In these regulated industries, which cannot quickly pass increased costs along to the consumer, three out of four characterized the squeeze as "severe."

Surprisingly, the corporate leaders were only slightly less optimistic about this year's profit margins than they were in last September's survey. (Profit data for this year so far suggest that they may be overly optimistic.) The executives were asked whether they expected this year's profit margins to be higher, the same, or lower. Three out of five said their company's margins will be as good as last year's or better.

[In percent]

	September 1969	April 1970
Lower than last year	35	38
Same	32	29
Higher	31	30

Executives in the South were especially optimistic about profits this year: 39 percent saw improved margins ahead. The western executives were the most pessimistic. Only 20 percent expected higher profit margins, and 54 percent thought margins would be lower. Of the industry groupings, the least cheerful were the insurance men and bankers: 46 percent expected lower profit margins. The Fed's credit squeeze has worked particular hardship on the banks, whose operating margins have eroded because of the need to pay high interest rates to get funds.

To shore up profits in the face of steadily rising costs, the executives have been cutting back in a variety of ways. To a great extent they have done what in last fall's survey they said they would do (see chart, overleaf). As the chart shows, however, the cutting has not been quite as widespread as the responses to that survey indicated. Of particular note, there is a disparity of almost two to one—53 percent to 27 percent—between the number who said they would reduce public-affairs expenditures (job training, donations, etc.) and those who have actually done so. It appears that even in a painful profit squeeze corporations are reluctant to pull back from commitments to help ease the nation's strained social conditions.

Laying off personnel is the one cutback area in which actions have outpaced last fall's predictions. The executives' responses to several other questions reflect a hardened attitude, too. On the national scene, for example, the panel is willing to accept a lot more unemployment than it was seven months ago. In the latest survey, 54 percent of the chief executives—and two out of three of those who gave a numerical response to the question—said they were willing to accept a national unemployment rate of 5 percent or more.

Acceptable level of unemployment

[In percent]

3 percent or less	1
3.1 to 3.9	3
4 to 4.9	21
5 to 5.9	40
6 to 6.9	13
7 to 7.9	1
No response/other	19

Over-all, the executives now put the "acceptable" level of unemployment at 5.4 percent, up from 5.1 in last fall's survey. The groupings that are most willing to see unemployment of 5 percent or higher include Westerners, bankers and insurance men, and heads of industrial and retailing companies with sales of over $1 billion.

The survey confirms that the Fed's policy of making credit scarce and very costly has extensively affected corporate decisions. More than three out of five executives say tight money has caused them to change their company's plans and operations. That represents an increase of twenty-four points since the fall survey.

[In percent]

	September 1969	April 1970
Tight money changed plans	38	62
Plans and operations unchanged	61	36
No response	1	2

As the last survey also showed, the impact of tight money has hit with particular force at the banks and insurance companies: 79 percent are feeling the pinch, virtually the same as before. Among the striking changes is the big jump in the number of southern executives who say their companies have been squeezed. Here the proportion who say tight money forced them to change plans and operations have gone up from 24 to 64 percent. Among companies in the West, already bothered by credit restraints last fall, the situation has grown worse: three out of four say tight money has forced them to change course.

The chief executives have apparently gone so far in anticipating tight money and adjusting their operations to it that more than half of them (52 percent) say a continuation of tight money into next year will not "create serious problems" for their companies. The survey does indicate, however, that a continuation of tight money would further slow down corporate expansion. For instance, 28 percent said that tight money has forced them to reduce capital expenditures. But when the executives were asked what they will do if the current economic situation persists, the proportion who say they will cut down capital expenditures increased to 41 percent. Among the largest industrial and retail companies, which do a very substantial amount of the spending, the figure came to 49 percent. Of the regional groupings, those most inclined to cut back were the South (50 percent) and the West (54 percent).

Four out of five executives are agreed on one thing to do if inflation continues at present rates. They intend to increase their prices.

A DYNAMIC PUERTO RICAN

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. PUCINSKI. Mr. Speaker, a recent newspaper story described very briefly the efforts of a fellow Chicagoan, Mrs. Sylvia Herrera de Fox, to implement Aspira, Inc., an educational agency for Puerto Rican youth in Chicago.

Mrs. Fox is a lawyer, with two children, and she has been working with the Spanish-speaking student populations in 10 of our Chicago area high schools to acquaint them with skills and job opportunities for which they are eligible.

I have repeatedly stressed the importance of bilingual education in this Nation to meet the specific needs of children who normally speak English as a second language. Largely through the untiring help of people like Mrs. Fox, we are able to make some small headway with this problem. Chicago is fortunate to have Mrs. Fox in this capacity as head of Aspira and I commend her for her prodigious efforts in behalf of the youngsters of our city.

Mr. Speaker, the news article about Mrs. Fox follows:

A DYNAMIC PUERTO RICAN

(By Carol Kleiman)

A year ago, Mrs. Geoffrey Herrera de Fox, mother of two, made the transition from part-time work to a more than full-time post as head of the new Aspira Inc. of Illinois, 767 N. Milwaukee, an educational agency for Puerto Rican youth.

"I don't think I was planning on all those evenings and week-ends. At first I told myself it was just the organizational stage, but it hasn't gotten better.

"I find myself spending half my income paying people to substitute for me at home," she told reporter Marci Greenwold.

Her husband, a doctoral candidate in social change at Northwestern university, and a full time housekeeper also help Sylvia Herrera de Fox manage the rearing of Alexander, 11, and Joaquin, 3.

When the younger child was born, the Foxes had just returned from Mrs. Fox's native Puerto Rico. Mrs. Fox, a lawyer, spent a year not working—among "the educated American housewife," as she puts it. Because of her limited social contact outside of the family, "you tend to put a tremendous burden on your husband for therapy and amusement."

Mrs. Fox says the climate in this country makes it "hard for a career woman to meet her family obligations. The basic problem is lack of day care centers where the mothers can participate, not just dump their children."

She and her staff of five work with Puerto Rican youth in clubs and workshops in 10 area high schools with large Spanish-speaking student populations. She also visits colleges to speak to deans of admissions about financial aid and special provisions for Puerto Rican students.

Despite this involvement, "one ultimately must make a choice," and there the family is number one.

"I will sacrifice the comfort of my children but not their well-being," she said.

PRESIDENT'S DECISION ON CAMBODIA A WISE ONE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DERWINSKI. Mr. Speaker, there will be much talk in the days and weeks ahead over whether or not the invasion of the Cambodian sanctuaries was a success.

Time and history will be the final judges of that.

But indications are that both of those judges will look kindly on the President's decision.

Because certainly the enemy's timetable was disrupted. Certainly they were prevented from taking over the whole of Cambodia in one swift blitz. Certainly they lost enough men and arms and supplies to give our Vietnamization program a chance to proceed and our own armies a chance to come home.

Certainly they must rebuild and renew

their sanctuaries before they can again be effective.

And certainly, they must have less certainty about the safety of the sanctuaries they may establish anywhere.

Mr. Speaker, the President's decision to go into Cambodia was a wise one when he made it. It is a wise one today. I support him in that decision.

WAKE UP, YOU ARE AN AMERICAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. RARICK. Mr. Speaker, the officers and members of District No. 24, Order of the Eastern Star, recently held a patriotic program for the official inspection of their Worthy Grand Matron, Mrs. Maud Ellis, at Greensburg, La. Since the program was dedicated to support of the United States and our flag, I feel that several speeches from the program prepared by Miss Georgie Fulda are worthy of being commended to the Members on this Fourth of July:

WAKE UP! YOU ARE AN AMERICAN

Every day new definitions for patriotism are being made. The question is by whom?

We are a long way out of the past and a long way forward. It's a tough way, too, and there's plenty of trouble in it. It's a black storm clouding the sky and a cold wind blowing, blowing upon us all.

See it and face it. That's the way it is. That's the way it will be for a time and a time.

We are living in turbulent times. Our security is no longer protection from abroad. It now starts at our doorstep.

Every thinking American believes in safety of the home, of law and order. But there seems to be so many stumbling blocks.

Who encourages disobedience to the law? Who in our country has promoted Communism? Have you ever asked yourself just who is deciding the direction of the United States?

The Crime Commission and Riot Report blames all the criminality in the United States on white racism.

Let no one blame the American people for any emotional showing of concern, distrust, frustration, or extreme resentment.

Our leaders in high places have caused the public chaos. They refuse to listen to the voice of Americans. Why blame the American people, or racism for the ailments of our country?

The American people have not been in control. The trouble began when the Federal Government took over and created the problems that exist today.

Why are we sitting back and allowing eight men, or nine, on the Supreme Court and members of Congress to have the power to set aside the Constitution and force their opinions on us?

And we are appalled at the disrespect being shown for our flag. Certainly our flag is the emblem of our people and it should be respected. And anyone who tears, or mutilates, or tramples, or spits on, or slurs the flag of the United States has committed a crime; not only against himself, but against the dignity of the entire American people—and should be punished.

But, my Sister and Brothers, there are more ways of desecrating our flag, and we could all be guilty.

Are we a nation under God? A nation under God can be under no other power.

There are forces in the world today, forces bent upon the destruction of America, your America and mine, and World Communism is waiting with baited breath.

We are not just dealing with revolutionaries. We are dealing with the devils of Satan, who destroy for the sake of destroying.

Now there is no room in our hearts for hatred of any human being. But I do hate with all my heart what that female atheist does, her power to influence the powers that be to the extent that our prayers to God are limited and cut out. She is given the privilege to state her agnostic beliefs on television where young ears that are not taught can hear.

Are we in a state of apathy, proclaiming to be patriotic Americans, and allowing all these things to come to pass? Should not the guilt be upon our shoulders?

We want our country and every loyal understanding American standing up and speaking out, searching for the truth above rumors and personal gain.

We want more and more public officials who will stand up and defend America and speak out with the truth. The world is not rich enough to buy the vote of an honest man. And nothing is politically right which is morally wrong.

The truth is not always heard in our country today. And it is not going to get any better until more of our people wake up, stand up and start thinking for themselves.

God give us men! A time like this demands—Strong minds, great hearts, true faith, and ready hands; Men whom the lust of office does not kill; Men whom the spoils of office cannot buy—Men who possess opinions and a will; Men who have honor; Men who will not lie.

Practicing Patriotism? Words are what make public opinion, what people think, what we use in peaceful assembly to discuss and talk stability and truth. Words backed by noble deeds.

THE U.S. FLAG

I am the flag of the United States of America. I am whatever you name me, nothing more. I am your belief in yourself, your dream of what a people may become. I live a challenging life, a life of moods and passions, of heartbreaks and tired muscles. Sometimes I'm strong with pride, when workmen do an honest piece of work. Sometimes I droop, for then purpose has gone from me, and cynically I play the coward. But always, I am all that you hope to be and have the courage to try for. I am song and fear, struggle and panic, and enabling hope. I am the day's work of the weakest man, and the largest dream of the most daring. I am the farmer, the lawyer, doctor, cook, counselor, and clerk. I am the battle of yesterday, and the mistake of tomorrow. I am the mystery of the men who do, without knowing why. I am the clutch of an idea, and the reasoned purpose of resolutions. I am no more than what you believe me to be, and I am all that you believe I can be. I am what you make me, nothing more. I wave before your eyes as a bright gleam of color, a symbol of yourself, the pictured suggestion of all that makes this nation great. My stars and stripes are your dream of your labors. They are height with cheer, brilliant with courage and firm with faith, because you have made them so out of your hearts. And as long as men cherish liberty more than life itself, I shall continue to be the enduring banner of the United States of America.

PUBLIC OPINION POLL

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. FRELINGHUYSEN. Mr. Speaker, the results of a public opinion poll which I conducted throughout my congressional district have just been tabulated.

The results show broad support for President Nixon's Southeast Asia policy and for the Vietnamization program. While I intend to include in the RECORD a comprehensive chart giving a breakdown of the results by party preference, age, and sex, I should like to direct the attention of my colleagues to the support indicated by those in the 15- to 29-year-old age group. A total of 41 percent of those between the ages of 15 and 19 expressed support for the President's policy, and 51 percent between the ages of 21 and 29 expressed support. Overall, 58 percent of those responding indicated support for President Nixon's policy.

I should also at this time like to express my thanks to Dr. W. P. Cortelyou and his organization, EPOCH—Everyman's Public Opinion Clearing House—for tabulating the results and for the excellent breakdown. Dr. Cortelyou formerly served on my staff as a public opinion consultant and has long and extensive experience in this field. His work has been invaluable to me.

I am inserting, along with the chart, a copy of a news release:

President Nixon's policy in Southeast Asia and the program of Vietnamization received majority support in a public opinion poll conducted by U.S. Rep. Peter H. B. Frelinghuysen (R., 5th Dist., N.J.), throughout his district. The Congressman made the results of the poll public today.

A total of 58 per cent of those responding said they approved of the President's policy in Southeast Asia, while 24 per cent expressed disagreement and 13 per cent felt they did not have sufficient information to judge. Vietnamization—withdrawing American troops as fast as South Vietnamese troops can take over— was supported by 46 per cent of the respondents. Stepped-up activity toward military victory was supported by 26 per cent; 18 per cent favored the establishment of a definite timetable for withdrawal of American troops, and nine per cent supported an immediate withdrawal of American troops.

Of President Nixon's action to send allied forces into Cambodia, 62 per cent of those responding to the poll expressed the belief that the purpose of this action was to clear North Vietnamese sanctuaries and hasten the Vietnamization program. Sixteen per cent felt the move as to come to the aid of the Cambodian government and 14 per cent saw it as an expansion of the war and a move toward military victory.

The Cambodian action was seen by 50 per cent of the respondents as shortening our involvement in Southeast Asia, while 24 per cent felt it would lengthen the war and 19 per cent felt it would have no effect.

That the role of Congress should be one of full debate and formulation of a comprehensive national policy in Southeast Asia was supported by 50 per cent of those answering. Twenty-two per cent favored using the appropriations process to influence policy and 18 per cent favored Congressional action to establish a timetable for withdrawal.

Domestic problems—such as the economy, civil rights, social programs, the environment—are the most serious today, according to 46 per cent of those answering. The war in Southeast Asia was seen as the most urgent problem by 30 per cent and student unrest by 12 per cent.

Support for the President's Southeast Asia policy was surprisingly strong among young persons. In the 15 to 19 year-old age group, 41 per cent supported the President's policy and in the 20 to 29 year-old age group, 51 per cent expressed support. Nearly half—42 per cent—of those responding were in these two age groups.

In the 15 to 19 year-old age group, 47 per cent favored increasing military activity for a victory, while 34 per cent supported the Vietnamization program. In the 20 to 29 year-old age group, 33 per cent favored military victory and an equal number favored Vietnamization.

A breakdown by party preference shows that 70 per cent of the Republicans, 50 per cent of the Democrats and 45 per cent of the Independents supported the President's Southeast Asia policy. The Vietnamization program was supported by 50 per cent of the Republicans, 38 per cent of the Democrats and 42 per cent of the Independents.

An immediate withdrawal of troops won the support of 5 per cent of the Republicans, 11 per cent of the Democrats and 17 per cent of the Independents.

Congressman Frelinghuysen expressed pleasure at the "good, representative cross section" of opinion, "particularly in the 15 to 30 year-old age group."

"It is apparent from the fact that 42 per cent of the total replies were from individuals in this age group that American involvement in Southeast Asia and the President's program to end that involvement are the foremost issues in the minds of our young people," the Congressman said. "This display of interest and willingness to become involved is heartening, indeed."

REPRESENTATIVE FRELINGHUYSEN'S QUESTIONNAIRE RESULTS—JUNE 1970

[Answers in percentage]

What do you think was the principal reason President Nixon ordered our troops into Cambodia?

To clean out the North Vietnamese sanctuaries and thus speed up the Vietnamization program and our withdrawal	62
To come to the aid of the present Cambodian government	16
To expand the war and press for a military victory	14
No answer	8

Do you support the President's Southeast Asia policy?

Yes	58
No	24
Not enough information to judge	13
No answer	5

Do you think the President's decision to send troops into Cambodia will—

Shorten the war	50
Lengthen the war	24
Make no difference	19
No answer	7

Which of the following comes closest to the Southeast Asia policy you would support?

Press for a military victory	26
Withdraw as fast as the South Vietnamese can take over	43
Set a definite date for complete withdrawal	18
Withdraw all troops immediately	9
No answer	4

Question	Total (percent)	Party preference: Republican	Party preference: Democrat	Party preference: Independent	Sex: Male	Sex: Female	Age: 15 to 19 years	Age: 20 to 29 years	Age: 30 to 39 years	Age: 40 to 49 years	Age: 50 to 59 years	Age: 60 and up
What do you think was the principal reason President Nixon ordered our troops into Cambodia?												
1. To clean out the North Vietnamese sanctuaries and thus speed up the Vietnamization program and our withdrawal	62	72	47	64	69	67	50	51	67	71	72	84
2. To come to the aid of the present Cambodian Government	16	10	24	15	15	12	25	24	13	10	10	2
3 To expand the war and press for a military victory	14	10	18	17	11	16	15	15	14	11	15	9
No answer	8	8	11	4	5	5	10	10	6	8	3	5
Do you support the President's Southeast Asia policy?												
1. Yes	58	70	50	45	63	57	41	51	58	68	71	75
2. No	24	15	32	37	23	26	29	29	26	20	18	20
3. Not enough information to judge	13	11	13	13	10	13	18	16	11	11	11	2
No answer	5	4	5	5	4	4	12	4	5	1	0	3
Do you think the President's decision to send troops into Cambodia will—												
1. Shorten the war	50	62	39	41	52	48	30	44	51	60	60	69
2. Lengthen the war	24	16	30	29	20	27	30	30	19	18	21	16
3. Make no difference	19	17	16	26	18	20	14	21	24	21	15	11
No answer	7	5	15	4	10	5	26	5	6	1	4	4
Which of the following comes closest to the Southeast Asia policy you would support?												
1. Press for a military victory	26	23	26	21	20	25	47	33	17	16	15	15
2. Withdraw as fast as the South Vietnamese can take over	43	50	38	42	47	43	34	33	49	49	52	55
3. Set a definite date for complete withdrawal	18	18	19	16	16	21	11	20	20	19	19	21
4. Withdraw all troops immediately	9	5	11	17	11	9	5	8	9	12	11	8
No answer	4	4	6	4	6	2	3	6	5	4	3	1
What would be a responsible role for Congress in the present situation?												
1. After full debate set out in broad terms a comprehensive national policy in Southeast Asia	50	60	37	48	58	49	29	35	55	68	69	61
2. Use the power of the purse to influence policy in Southeast Asia	22	17	31	16	20	18	43	29	16	13	9	10
3. Give the President a definite timetable for ending our participation in the Southeast Asian conflict	18	14	18	28	15	23	17	20	21	13	15	24
No answer	10	9	14	8	7	10	11	16	8	6	7	5
What do you believe is the most serious problem facing America today?												
1. The war	30	32	33	27	26	30	25	28	29	29	30	46
2. Domestic problems such as the economy, civil rights, the environment, social needs, drugs, etc	46	48	43	55	54	46	30	44	58	54	52	47
3. Student unrest	12	11	13	7	10	11	15	14	6	13	13	3
4. No answer	12	9	11	11	10	13	30	14	7	4	5	4

1970 QUIE QUESTIONNAIRE RESULTS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. QUIE. Mr. Speaker, I have received the tabulations of the questionnaires which I distributed in the First District of Minnesota this past March. The questionnaire contained 10 questions relating to different issues now being discussed in America's public life, and it provided space for "his" and "hers" answers. Of the approximately 155,000 questionnaires distributed, 25,809 replies counting the "his" and "hers" were returned.

I have distributed similar questionnaires yearly in order to keep closer contact with my constituency, and I have found that sending them out invites residents of the district to write and express their views along with answering the questionnaires. In this manner, then, I have a better idea of what my constituency thinks and why.

The results were as follows:

[Answers in percentage]

Do you favor:

1. Establishment of the Voyageurs National Park in northern Minnesota?

Yes	80
No	16
Undecided	4

2. Giving the states authority to impose stricter standards than those set by the Atomic Energy Commission governing radioactive discharges from atomic powered electrical generation facilities?

Yes	80
No	17
Undecided	3

3. Legislation to prevent the mailing of unsolicited advertising material for pornographic and obscene literature?

Yes	87
No	11
Undecided	2

4. Establishing a public corporation to own and operate the postal system on a self-sustaining basis?

Yes	78
No	18
Undecided	4

5. Federal subsidies to revive inter-city railroad passenger service?

Yes	53
No	41
Undecided	6

6. Increased Federal support of population control program?

Yes	53
No	41
Undecided	6

7. An all-out Federal attack on pollution of our environment, even if it means higher taxes?

Yes	70
No	25
Undecided	5

8. A volunteer army in place of the draft, even if the cost is higher?

Yes	63
No	32
Undecided	5

9. Enlargment of the "Safeguard" Anti-Ballistic Missile System which was authorized in 1969?

Yes	43
No	50
Undecided	7

10. Are you satisfied with President Nixon's policy of troop withdrawal from Vietnam and the "Vietnamization" of the War?

Yes	46
No	47
Undecided	7

When I was at the Mayo High School in Rochester, Minn., to speak, one of the students suggested that I should send the questionnaire to students as well as to adults. This was an excellent suggestion. Since I had just a few questionnaires remaining, I sent enough for the senior class at Mayo and at John Marshall, the other high school in Rochester.

About 2 weeks before graduation, 280 Mayo High School seniors responded to the questionnaire. There were significant differences in the responses to five questions.

Of the adult population, 87 percent favored legislation to prevent the mailing of unsolicited advertising material for pornographic and obscene literature, whereas only 58 percent of the seniors thought this legislation was necessary.

The establishment of a public corporation to operate the postal system on a self-sustaining basis was favored by 78 percent of the adults, but only 35 percent of the youth.

Increased Federal support of population control programs was favored by 83 percent of the seniors, but only 53 percent of the adults.

Combating pollution was a higher priority item with the young people. Eighty-six percent of the seniors favored an all-out environment, while 70 percent of the adults responded yes to this question.

Expressing greater interest in a volunteer Army than the adults, 78 percent of the students favored a volunteer Army compared to 63 percent of the adults.

I hope to make my next questionnaire available to more students to discover the divergency of opinion on other important issues.

I submit the results of the entire questionnaire taken by the Mayo High School seniors for the information of my colleagues.

The results were as follows:

[Answers in Percentage]

Do you favor:

1. Establishment of the Voyageurs National Park in northern Minnesota?

Yes	84
No	8
Undecided	9

2. Giving the states authority to impose stricter standards than those set by the Atomic Energy Commission governing radioactive discharges from atomic powered electrical generation facilities?

Yes	70
No	24
Undecided	6

3. Legislation to prevent the mailing of unsolicited advertising material for pornographic and obscene literature?

Yes	58
No	38
Undecided	4

4. Establishing a public corporation to own and operate the postal system on a self-sustaining basis?

Yes	35
No	56
Undecided	9

5. Federal subsidies to revive inter-city railroad passenger service?

Yes	52
No	38
Undecided	9

6. Increased Federal support of population control program?

Yes	83
No	15
Undecided	2

7. An all-out Federal attack on pollution of our environment, even if it means higher taxes?

Yes	86
No	12
Undecided	2

8. A volunteer army in place of the draft, even if the cost is higher?

Yes	78
No	19
Undecided	2

9. Enlargement of the "Safeguard" Anti-Ballistic Missile System which was authorized in 1969?

Yes	32
No	61
Undecided	6

10. Are you satisfied with President Nixon's policy of troop withdrawal from Vietnam and the "Vietnamization" of the War?

Yes	44
No	52
Undecided	3

LONG ISLAND SENIORS HOLD OWN GRADUATION

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. GREEN of Pennsylvania. Mr. Speaker, on June 18, a number of Members spoke on the floor of the House to object to the treatment of Representative ALLARD LOWENSTEIN by the school board and high school principal in Oceanside, Long Island, who refused to allow this distinguished Member to speak to the graduating class which had invited him.

I want to express my agreement with the sentiments of those Members who were outraged by the limits placed on free speech in this Long Island community. I would also like to compliment Mr. LOWENSTEIN, whose strong advocacy of free speech has advanced the cause of democracy in this country. And I would like to add a footnote to my colleagues' appraisal of this situation by providing an excerpt from a New York Times story, dated June 21, the day after Mr. LOWENSTEIN addressed a supplementary graduation ceremony organized by school pupils.

I think it is appropriate also to add excerpts from letters Mr. LOWENSTEIN has received thanking him for appearances at the U.S. Military Academy at West Point, the Tufts-Jackson University combined commencement in Medford, Mass., and Notre Dame University, where he was named a senior class fellow. I believe the statements attest to the value of free speech in a free society and the extent to which one man, ALLARD LOWENSTEIN, in this instance can contribute to his country by exercising that treasured guarantee.

The excerpt from the New York Times is as follows:

L.I. SENIORS HOLD OWN GRADUATION

The Democratic Representative, whose liberal views and outspoken criticism of the war in Vietnam have made him popular among many high school youths, was picked by the senior class in a 386-to-204 vote last month to be the speaker. The board rejected him, however, on the ground that he was running for reelection and would thus be a "political" speaker.

Dissident students responded by renting the Laurel Theater here and organizing today's exercises as a prelude to tomorrow's formal graduation program in their high school auditorium in neighboring Oceanside.

GETS STANDING OVATION

In a 90-minute program that included an invocation, choir singing, addresses by the class valedictorian and the salutatorian and other features of conventional graduation exercises, the students and more than 700 parents and friends today gave a standing ovation to Mr. Lowenstein, a resident of this South Shore city, when he said:

"This program means more than most commencements do. Most end as a reaffirmation of irrelevance—a kind of statement that no matter what, things won't change. . . . Come my friends, 'tis not too late to seek a newer world."

William Hauser, a member of the school board that had rejected Mr. Lowenstein as the students' chosen speaker, showed up. He, too, received a standing ovation when introduced.

"I can only say I'm proud to be here, and proud of the things you have done," Mr. Hauser said.

NO MORTARBOARDS

There were no gowns or mortarboards in the audience. The students—who represent about a third of the school—were scrubbed and combed and clad in suits and spring dresses. Their faces were serious and attentive.

Some parents said after the program that they had come reluctantly but were leaving convinced that their children had done the right thing in holding the exercise.

During the program, the class valedictorian, Charles Adler, told the group: "We must be active, constructive, insistent, but peaceful. We must live by those values we seek to spread. We must take America and purify it."

The salutatorian, Joel Feinberg, seemed to be summing up the sentiments of many in the audience when he said: "To disturb something in a state of inertia requires energy, and I guess that's what this is all about."

Mr. Lowenstein's remarks heavily sprinkled with quotations from Presidents and poets, were not parochially political.

Urging the seniors to "question the system and search for answers," he said: "It is not that as you get older and wiser you will become more tolerant, but that the country will become wiser and more tolerant."

Recalling President F. D. Roosevelt's remark in the Depression era that "this generation has a rendezvous with destiny," Mr. Lowenstein said, "If ever those words had more meaning than in the nineteen-thirties it is now."

"We are the majority of Americans not to be silenced," he said.

DEPARTMENT OF THE ARMY, U.S. MILITARY ACADEMY, WEST POINT, N.Y.,
May 18, 1970.

Hon. ALLARD K. LOWENSTEIN,
House of Representatives,
Washington, D.C.

DEAR MR. LOWENSTEIN: On behalf of the United States Military Academy and our Department of Social Sciences, we wish to express our deep appreciation for the exceptionally fine lecture you delivered to our Seminar in Public Policy last Friday. Both the cadets and faculty were impressed with the substance and frankness of your views.

Your seminar with members of our faculty after the lecture was greatly stimulating and, as you could tell from their response, greatly appreciated. I'm only sorry we couldn't have carried on longer.

Sincerely yours,
AMOS A. JORDAN, Jr.,
Colonel, USA, Professor and Head Department of Social Sciences.

JUNE 8, 1970.

DEAR CONGRESSMAN LOWENSTEIN: I had to express my appreciation and delight to you on behalf of my classmates and most of all, myself, at your appearance and beautiful speech at our Tufts-Jackson Commencement last Sunday. I hope you enjoyed sharing it with us.

We owe many thanks to you for its success—for I am just now beginning to receive the repercussions of its effect. With your help, I believe that we really "succeeded"—in giving people something to think about and be stimulated by . . . not to fall asleep to.

Most sincerely yours,
ADA SHEN,
President, Jackson Class of 1970.

NOTRE DAME, IND.,
May 11, 1970.

Mr. ALLARD K. LOWENSTEIN:

You added a great deal to this campus. You gave many hope where hope was gone and the future looked dim. For the one day you were at Notre Dame a student body felt that a United States Congressman was one of them, a student, a person. You relighted a torch in faculty and students alike of take heart, get involved, and change the world. You were a voice of sanity in a world of insanity, and you left us with debts that can never be repaid. The students at Notre Dame will never forget what you gave to them in one day.

Best wishes,
BOB RIGNEY,
University of Notre Dame.

MINSHALL OPINION POLL RESULTS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. MINSHALL. Mr. Speaker, under leave to extend my remarks I wish to insert in the RECORD my June Washington report which contains the results of my recent opinion poll:

MINSHALL OPINION POLL RESULTS—JUNE 1970

More than 35,000 completed questionnaires have been received in an avalanche response unprecedented in all my years in Congress, an indication that there is a genuine and intense concern about the critical issues facing our nation. All returns have been carefully tabulated and I personally have noted the many thoughtful and helpful comments accompanying them. Thank you for your enthusiastic participation. Results follow:

[In percent]

		Yes	No	No opinion
1. Do you approve of President Nixon sending U.S. troops into Cambodia?		60.3	35.5	4.2
2. Should the United States—				
(a) Continue Vietnamizing the war while gradually withdrawing our troops?		60.0		
(b) Step up efforts for an all-out military victory?		16.0		
(c) Pull out all U.S. military forces at once?		15.3		
(d) Other suggestions		5.5		
(e) No opinion				3.2
3. Should the U.S. increase arms aid to Israel?		33.5	58.7	7.8
4. Do you support the Safeguard anti-ballistic-missile program?		57.7	34.0	8.3
5. Are you in favor of an all-volunteer Army?		55.0	39.0	6.0
6. Should college draft deferments be phased out so that all men of eligible age are selected by lottery?		69.5	22.8	7.7
7. Do you think 18-year-olds should have the right to vote?		31.0	59.8	9.2
8. Should the House of Representatives bring impeachment proceedings against Supreme Court Justice William O. Douglas?		41.4	39.8	18.8
9. To control inflation, do you favor:				
(a) Wage and price controls?		60.5	18.0	21.5
(b) Credit controls?		49.4	15.2	35.4
(c) Reduced Government spending?		72.8	9.9	17.3
10. In the fight against environmental pollution would you support:				
(a) Higher taxes at all governmental levels for an all-out crash program?		24.7	41.0	34.3
(b) The President's Great Lakes Clean-Up proposals?		60.8	5.8	33.4
(c) Strong local enforcement of more strict regulations governing municipal and industrial pollution?		93.1	1.1	5.8
(d) Strong enforcement of more strict regulations governing motor vehicle and airplane pollution?		78.1	5.8	16.1
11. Should the United States proceed with more exploration of the moon and deeper probes of outer space?		42.8	51.2	6.0
12. To halt student violence, what policies should be adopted in riot situations on campus?				
(a) Expel students who are disorderly or refuse to obey regulations	39.8			
(b) Strict law enforcement, but no use of deadly force	14.5			
(c) Strict law enforcement, use deadly force if absolutely necessary	13.1			
(d) Firmer control by college administrators	8.4			
(e) Keep outside agitators off campuses	5.0			
(f) Miscellaneous suggestions	13.7			
(g) No opinion	5.5			

The July Washington Report will bring you up to date on the status of major legislation, as well as my activities representing you in Congress.

SANDY ACRES GARDEN CLUB

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ASHLEY. Mr. Speaker, recently I was contacted by the good members of the Sandy Acres Garden Club in my district expressing their concern for the disappearance of our native wildflowers and plants—many of which have become extinct—due to highway construction and other land development.

Their desire was to be able to transplant this valuable flora to a natural habitat, thereby preserving it for future generations, before the bulldozer and other construction equipment destroyed it for all time.

Who among us has not marveled at the beautiful simplicity of the wood violet, the cool greeness of the wild fern, and the intricate design of a jack-in-the-pulpit? Let us preserve these marvelous products of nature's plan by permitting our dedicated garden and conservation groups to transplant them to appropriate parks and areas for all to enjoy and to provide the greenery which produces the very oxygen we breathe.

Mr. Speaker, I am introducing today a bill to permit interested organizations the opportunity to remove valuable flora from sites before the construction of public works is commenced and I urge the committee to take prompt action on this measure.

MEAT IMPORT CURBS LAUDED

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. NELSEN. Mr. Speaker, I certainly warmly welcome President Nixon's decisions to put new curbs on foreign meat imports and to block bootleg meat that has been pouring into the United States from third countries because of unscrupulous practices.

Speaking as one of a number of farm State Congressmen who have been urging the President to act, I believe the President's decision to dehorn these price-depressing imports is good news to rural America. At long last, we have a President who refuses to make our farmers and livestock producers scapegoats for inflation. At the same time, the President's actions also assure every American consumer of a continued, steady supply of wholesome domestic meat.

We all recognize the value of reciprocal trade, but if it is to be mutually beneficial, then we must insist that it be a genuine two-way street.

These observations are a result, of course, of this afternoon's announcement by the U.S. Department of Agriculture that the Secretary of State and the Secretary of Agriculture have been instructed by the President to set new voluntary restraint levels on meat imports under section 204 of the Agricultural Act of 1956.

Accordingly, Secretary Clifford Hardin has announced a new import level of 1,140 million pounds for 1970 meats subject to the Meat Import Act. Additionally, Secretary Hardin has announced a decision to stop further transshipments through a third country of meat originating in Australia, New Zealand, and Ireland.

THE AMERICAN TEXTILE, SHOE, AND CERTAIN OTHER ECONOMICALLY BESIEGED INDUSTRIES AND THEIR EMPLOYEES SHOULD BE GRANTED EQUAL COMPETITIVE CONDITIONS WITH FOREIGN PRODUCERS AND IMPORTS IN OUR DOMESTIC MARKET

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DONOHUE. Mr. Speaker, for too long, such vital industries as the textile, shoe, leather, machine tool, and others in my home area and throughout the country, have increasingly suffered too much from unfair foreign import competition. Over the past several years I have repeatedly contacted the White House, introduced legislation, appealed to the U.S. Tariff Commission, and requested the House Ways and Means Committee to review the nearly disastrous, disadvantageous economic circumstances impacting these industries and their employees, and to administratively grant or legislatively provide fair and reasonable adjustments in order to permit them an equal chance to compete in our domestic market with excessive foreign imports.

As I predicted in the past, this problem of unfair foreign competition in certain industries has currently grown to one of great national significance and, other avenues of hopefully agreeable adjustment having failed, the distinguished House Ways and Means Committee has been focusing its concentrated attention, through extended hearings, upon legislative remedies. Having cosponsored legislation, H.R. 16937, in this 91st Congress, designed to sensibly and reasonably establish equal competitive standards with foreign imports in our domestic market for these domestic industries and their employees, I submitted a further appeal to this esteemed committee last June 17 and I wish to include that statement at this point:

STATEMENT OF HON. HAROLD D. DONOHUE OF MASSACHUSETTS TO THE HOUSE COMMITTEE ON WAYS AND MEANS DURING HEARINGS ON U.S. IMPORT POLICIES, JUNE 17, 1970

Mr. DONOHUE. First, I would like to thank the distinguished chairman and the diligent members of this esteemed committee, on behalf of my constituents and myself, for initiating these timely hearings on the vitally important subject of urgent, sensible import quota regulation.

For many years, the United States has enjoyed a healthy international trade surplus. In the early 1960's, our exports exceeded our imports by $5 billion to $6 billion a year. But such a trade surplus is only a memory, Mr. Chairman. The figure for 1968 was less than a billion dollars, and experts agree that we will soon, if indeed we are not already, be confronting a trade deficit.

If international bankers and the balance of payments were the only concerns in this matter, important as they are, I would be inclined to view it more dispassionately. But this rising tide of imports has had and is continuing to have a severe disruptive effect on the market development of certain American industries, with inescapable and intolerable consequences for the workers employed in those industries. The Secretary of Commerce has estimated that, "if imports of textiles and apparel continue to grow at the present rate there could be a loss of 100,000 jobs a year in this country." The labor department has reported the loss, over the past two years, of 48,000 jobs in the manufacture of radio and TV sets and components. Similar concerns have been voiced by those in such industries as steel, chemicals, shoes and flat glass.

Of course, Mr. Chairman, I would hope, even at this late point in time, that those abroad would take notice and heed the worsening situation in America, especially as it is being documented at these very hearings. I would suggest that the most constructive and wholesome solution to this domestic difficulty lies in their prompt response to the practical reality that the United States Congress will not leave unfairly besieged American industries, with their employees, continuously vulnerable to unlimited encroachments from foreign sources. Foreign self-restraint and co-operation in the form of voluntary quotas would undoubtedly offer the best avenue toward averting any serious interruption in the further progress toward balanced, free international trade.

But clearly, Mr. Chairman, the situation must be dealt with, whether voluntarily from abroad, or by legislative mandate from Washington. The problem will not dissolve.

The markets for textile articles and articles of leather footwear, Mr. Chairman, have been particularly hard hit. That is why I have co-sponsored H.R. 16937, one of literally scores of bills designed to help stem this accelerating avalanche of low cost imports, produced under foreign economic conditions that our domestic industries cannot possibly meet without violating our own laws and sabotaging our acclaimed civilized and economic progress.

This is not a new concern, Mr. Chairman. For several years, as the trend toward unlimited expansion of imports has become increasingly discernible, a large number of Members of Congress have repeatedly proposed the setting of responsible restraints on this harmful practice. On many past occasions I have emphasized to the House the need "to develop reasonable and equitable relief from the extreme economic hardships resulting from the excessive imports of ungoverned and unfair foreign competition."

Most recently, as a firm, but fair, step toward meeting that need, in this Congress Mr. Chairman, I have co-sponsored one of the bills, H.R. 16937, now pending before this esteemed committee.

In brief, it calls for textile and footwear importations from any one country to be limited this year to the average amount allowed in from that country during the 1967–68 period. That limit in succeeding years would then be adjusted up or down, growing or contracting according to the total market for that particular product. In other words, ample allowance is made, not only for continuing imports at high levels, but also for increasing imports of an article as demand for that article increased.

The other key provision of the bill would make the adjustment assistance, previously authorized by the Congress, more readily available for domestic workers and industries suffering substantial economic injury because of increased imports.

We are all very well aware, Mr. Chairman, that this is a most difficult and complex legislative area and we also know of this committee's deep interest and studied diligence in seeking a reasonable legislative solution of this challenging excess import problem. Nevertheless, Mr. Chairman, I am very confident that, from and out of all the measures before you, this renowned committee will find and recommend an appropriate legislative proposal designed to best promote our national and international interest in sensibly controlling excessive imports. We just cannot, in all equity, Mr. Chairman, further ignore the increasingly great economic hardships being visited upon substantial numbers of American workers and industries, in my own home area and across the country, as unchecked textile and footwear and other imports force layoff after layoff, plant closing after plant closing.

I do not advocate a return to high tariffs, nor a protectionist program. But I do urge a realistic policy, lest the failure to reach a solution to our import problems does result in protectionism and high tariffs. I do not propose complete economic insulation from foreign competition, nor is that what responsible American employers and workers desire; what is proposed and what they rightfully ask is simply an equal chance to sell their products under mutually fair competitive conditions, in an open and undistorted domestic market. I most earnestly urge and hope that this committee will very soon recommend a legislative proposal that will provide this kind of equally competitive market to the great number of American workers and industries who desperately need it in order to economically survive.

May I again express my deep appreciation to you, Mr. Chairman, and to your committee colleagues for conducting these hearings in the interest of so many beleaguered American industries and their employees.

INDEPENDENCE DAY GREETINGS FROM GERMANY

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. FOREMAN. Mr. Speaker, Saturday, here in the United States of America, we celebrate July 4, American Independence Day. We have much to be thankful for—and even though we have many adversaries and critics around the world, we also have many good, loyal friends. One such friend, Dr. Walter Becher, a CDU/CSU Member of the German Bundestag—the West German Congress—sent me—in fact, sent to all of us—a welcome, congratulatory letter on this American independence anniversary celebration which I include in the RECORD for the review of my colleagues. Thank you, Dr. Becher. We appreciate your thoughtful expression of friendship.

The letter follows:

JUNE 24, 1970.

Hon. ED FOREMAN,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FOREMAN: On the occasion of July 4, the American Independence Day, I would like to send you the best wishes and congratulations.

In a time when many voices in the world criticize the U.S.A. because it has stood up for freedom, this Day is a special occasion for me to greet your great country. Nobody in the free world could resist the pressure coming from the Soviet side if there were not the mighty counterbalance by the United States.

As a Member of the Foreign Relations Committee of the German Bundestag, I appreciate the efforts by your country to keep the peace in alliance with the free nations. Nobody can claim these efforts only for Europe, and—as many have done also over here—condemn them as far as Asia is concerned.

The right for freedom is indivisible. July 4 is therefore the Independence Day for all nations.

With best personal regards and wishes for you and your great country,

Yours very sincerely,
Dr. Walter Becher,
Member of the German Bundestag.

THE HONORABLE ROBERT E. McCORD

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. STAGGERS. Mr. Speaker, it is with deep regret that I learn of the death of the Honorable Robert E. McCord at Washington Hospital Center on last Sunday, June 21. Bob McCord was a native of West Virginia, and a long-time friend of mine with whom I have had the pleasure of working on numerous occasions.

At the time of his passing, Bob was chief clerk and senior specialist for the House Education and Labor Committee, a post he held since 1965. Prior to that time he served as administrative aide for the Honorable Robert Ramsey, Representative of the First Congressional District of West Virginia, and afterward for the Honorable Cleveland Bailey.

As a staff member of the House committee, Mr. McCord used his formidable talents in developing legislation on various school projects, particularly those on school impact aid, the Service Contract Act, the School Lunch Act, and the Arts and Humanities Act. Due to his interest in public education, Federal support of schools has reached appreciable proportions in recent years, and school people owe him a debt of gratitude for the improved conditions under which they work.

Many Members of this body may recall the devoted and courteous service he rendered to all Members of the House. It is true that his life has been spent in useful service to people. His passing will leave an empty spot difficult to fill.

Bob is survived by his devoted wife, Audrey, and by his mother, a sister, and a brother. To these we extend our sincere sympathy in their bereavement, and our hope that their memory of a gracious and honorable life will afford consolation in the hour of sadness.

EXCERPTS FROM SPEECH BY NAACP HEAD CALLING ADMINISTRATION ANTI-NEGRO

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DIGGS. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

Excerpts From Speech by NAACP Head Calling Administration Anti-Negro

Cincinnati, June 29—Following are excerpts from the keynote address of Bishop Stephen G. Spottswood, chairman of the board of directors of the National Association for the Advancement of Colored People, at the association's annual convention here today:

Two years ago, former Attorney General Ramsey Clark, speaking for the Kerner commission, called for "the reaffirmation of our faith in one society," and the commission itself sounded a warning that the nation is moving in the direction of two societies—one black, one white—separate and unequal.

Today, the signs are even more ominous. On every hand, the commentators and the politicians, the faint-hearted liberals and the tragically misguided black separatists, are announcing the end of integration, especially in the schools.

For the first time since Woodrow Wilson, we have a national Administration that can be rightly characterized as anti-Negro.

This is the first time since 1920 that the national Administration has made it a matter of calculated policy to work against the needs and aspirations of the largest minority of its citizens.

Here are a few instances supporting our contention of the Administration's anti-Negro policy:

1. Signing of defense contracts with textile companies long in violation of contract requirements versus our recommendations that these contracts be canceled.

2. The pull-back on school desegregation. The Administration went into court to secure delays in already ordered desegregation. Thank God, the Supreme Court struck down these attempts.

HIGH COURT NOMINATIONS

3. The nominations of Clement Haynsworth and G. Harrold Carswell to the United States Supreme Court (which nominations were defeated by the leadership of the N.A.A.C.P., along with other organizations, including the Leadership Conference on Civil Rights, of which Roy Wilkins is chairman and in which fight our Clarence Mitchell demonstrated his superb skills on Capitol Hill as truly the 101st Senator).

4. The Administration at Washington weakened our hard-won voting rights act in the House.

5. The Administration opposed the cease-and-desist order power of the Equal Employment Opportunity Commission.

6. The Administration supported the Stennis amendment on the school appropriation bill.

7. The Administration produced the Moynihan memorandum calling for "benign neglect."

8. The Administration supports tax exemption for white, separate private schools. designed to avert desegregation of the public schools.

9. On April 9, after the rejection of his nominee, Judge Carswell, for the Supreme Court, the President described the ideal judge as "someone who believes in the strict construction of the Constitution, as I do—a judge who will not use the power of the Court to seek social change by freely interpreting the law or constitutional clauses." This is the Administration's expressed opposition to the equal protection clauses of the 14th amendment.

The effect of this has been exactly what was predicted. It has given encouragement to the Southern racists whose fullpage advertisements have exposed their radical retreat to the calendar level of the 1870's, such as produced by Senator [John C.] Stennis of Mississippi and Gov. [John J.] McKeithen of Louisiana, to say nothing of the melodramatic pose of Florida's Gov. [Claude R.] Kirk in defying the Federal court's orders to desegregate the Public schools of the Everglades State.

Before us today, in the solution of the problem of a single society, are the issues arising from what seems to many the futility of our effort toward integration. There is a tremendous white backlash as we have forged a difficult path through the metallic barriers in housing, employment and politics.

A small but vociferous number of Negroes has effected the black retreat, as indicated in the black college students' demands for separate dormitories, separate cafeterias, separate curricula and separate facilities. Incidentally, we should sympathize—even as we disagree—with young black youth whose bitter and bloody experiences on white college campuses have driven them to "the black retreat."

ACCENTUATING POLARITY

The white backlash on the one hand and the black retreat on the other hand have combined to accentuate the racial polarity of which the Kerner commission warned.

At this juncture in our national life, we of the N.A.A.C.P., recalling Abraham Lincoln's declaration that "this nation cannot endure half free and half slave," emphatically paraphrase Mr. Lincoln and declare "this country cannot endure half white and half black." If American democracy is to survive, we shall be one society, as the Declaration of Independence visioned and the Constitution declares.

Ours is a national problem affecting all Americans, and no matter where we live, the problem of one society is before us. For instance, it is easy for Northern Negroes to forget the South because local needs are urgent and desperate, but they do so at their own peril.

Fifty-two per cent of black Americans still live in the South, mostly in cities, where the problems of overcrowding, housing, crime, discrimination, poor education are the same as the North's. In addition, they have the Southern segregation traditions, white supremacy ideology and wanton murderousness.

KILLINGS BY POLICE

Even as lynching was the Roman holiday sport of the 19th century America, killing black Americans promiscuously has been the 20th century pastime of our police whose primary duty is law enforcement and keeping the peace.

I'm thinking of the six Negroes killed in Augusta, Ga., all shot in the back; of the Panthers slain in their beds in Chicago; of the students slain at Jackson State College; of the almost daily news stories of the indiscriminate, ruthless slaying of black Americans by police and civilians, under the guise of "law and order," but actually fulfilling the guidelines of a bitter, white majority, whose vain effort to keep us "in our place" leads them to resort to the policeman's pistol and kangaroo court trials.

The white liberals and the churches have not been conspicuous in the fight for freedom lately. No one questions the demand for an immediate end of the Vietnam war. We ask again, why is it that white people always manage to find some issue other than race to which they give their priority attention, the latest of which is pollution and the ecology?

If racial justice and civil rights had commanded just 10 per cent of the attention that white liberals have given to the Vietnam war, we would not be in the position we are today—and it is unlikely that we would have Nixon in the White House either.

We must counteract some black authors who have tried to show that bad English grammar and slurred consonants and special terminology found among poorly educated Negroes (and poorly educated white people) are really a different language which should be learned and used in ghetto school teaching. Recently a black architect has been working on the theory that Negroes should have distinctive type housing—one which adequately accommodates their tribal instincts inherited from our African past—reductio ad absurdum!

Then, after the long series of suggestions of self-imposed apartheid, we must beware of those who once stood on the solid ground of full freedom for all Americans and have now retreated to the wabbling field of compromise and sinking sands of surrender.

For example, Roy Innis, national director of CORE, recently made a Deep South visit where he was warmly received by Govs. John Bell Williams of Mississippi, John J. McKeithen of Louisiana, Albert Brewer of Alabama and Lester (Ax-Handle) Maddox of Georgia.

FOR DUAL SYSTEM

He was there to solicit their interest and support of the Innis plan to re-establish a dual school system. His scheme is not to have separate black and white systems by race—oh, no—but to split the city in half along residential lines, with the white half under its school system and the black half under its system.

You can just imagine how the Governors were delighted with the Innis proposal.

There are others who advocate a separate nation, to be set up somewhere, or for autonomous neighborhoods or districts in the cities—to run our own police, fire department, hospitals, schools and everything else. But they always make it clear that they expect to get the money from the rest of the community. There is no such thing as autonomy on some one else's money.

No major problem afflicting black Americans can be solved except by solving them for all Americans.

We have worked too long and too hard, made too many sacrifices, spent too much money, shed too much blood, lost too many lives fighting to vindicate our manhood as full participants in the American system to allow our victories to be nullified by phony liberals, die-hard racists, discouraged and demoralized Negroes and power-seeking politicians.

RE: H.R. 16065—ARTS AND HUMANITIES

HON. DAVID W. DENNIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DENNIS. Mr. Speaker, it is somewhat invidious to oppose a bill of this character and such opposition requires some explanation, since honest friends of the arts or political opponents may equate such opposition with a crass materialism, and may accuse the opponent of the bill of being a Philistine, wholly lacking in interest in, or appreciation for, the finer things of life.

Nevertheless, I do oppose this bill, and for at least two reasons.

First, and most obviously, it seems to me—as our liberal friends are so fond of saying—that, in this measure, we are mixed up on our priorities. When one considers the needs and demands for national defense, the environment, education, public health and welfare, the inner cities, and other important matters now before us; and when one considers our elastic debt ceiling, our unbalanced budget, and our still unchecked inflation, it seems fairly clear that this is not the time to substantially expand governmental participation in the fields covered by this bill.

Less obviously, but, to my mind, more importantly, I am not convinced that Government support, at public expense, of activities in the field of the arts and humanities, as provided in this measure, is, philosophically or in principle, a valid field for governmental activity.

Progress in and appreciation for the humanities and the arts are, it seems to me, preeminently individual matters, which depend upon the interest, the inspiration, and the efforts of the individual—and in which the dead land of governmental bureaucracy has scarcely any proper role to play.

It has been pointed out in the minority committee report that the well-known authors and artists of the 19th and 20th centuries have, up to date, flourished without Government subsidy or support. On the other hand, while such individuals may exist, I, at least, am not aware of any prominent contemporary artist who achieved his training under the WPA, or of any unsung modern Homer who produced his masterpiece while subsisting upon a public subsidy.

The academic spirit, and genuine achievement in the humanities and in the arts are, I believe, fundamentally incompatible with governmental paternalism, subsidy, and, as I fear, Government control; for where there is the power to grant or to withhold funds the power to control always exists. In European principalities, it is true, the state theater and the state opera are not unknown. Our American history and tradition are quite otherwise, and there seems to me to be no valid reason for departing from that free and vigorous tradition.

A GREAT AMERICAN—SENATOR SPESSARD HOLLAND

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. CHAPPELL. Mr. Speaker, Florida's foremost honored statesman, and one of America's greatest men, Senator SPESSARD HOLLAND, has long been recognized for his great mind, his beautiful spirit, and his just and sound philosophy. Just recently, Senator HOLLAND gave the commencement address at Stetson University College of Law at St. Petersburg, and in it he exemplifies all these wonderful attributes.

Because this is a time in America when we should turn to men of Senator HOLLAND's great stature, I would like to record the speech he gave on this occasion for all our people to read, and for all posterity, here in the U.S. CONGRESSIONAL RECORD. The speech is as follows:

SPEECH BY SENATOR HOLLAND

Mrs. Holland and I greatly appreciate the invitation of Dean Dillon and Chairman Clapp of the Board of Overseers to be present at this commencement of the Stetson University College of Law. Both of us are grateful for the warm hospitality and the generous courtesy which we have received. I count it a personal honor to speak to this large group of new lawyers who comprise the members of this graduating class on the 70th anniversary of this fine institution. Stetson University and the Stetson School of Law have been distinguished through the years by the large number of alumni who have served this state and the nation.

It has been my own great pleasure to serve with, and frequently under, Stetson alumni who have become Governors of our State, Judges of our State Supreme Court and other courts or members of our State Legislature. I served under your great Governor Doyle E. Carlton when I was the County Judge of my own Polk County. I served in the State Senate under Governor Sholtz and argued many, many cases before Circuit Judges and Supreme Court Judges who were Stetson alumni from the earliest days of my law practice in 1916. In the State Senate for eight years I worked continuously with highly-regarded Senators and Representatives who were Stetson alumni, most of them lawyers. The President of the State Senate in my last session, 1939, was the beloved J. Turner Butler, an eminent alumnus of the Stetson Law School.

I remember with pleasure that I participated in the naming of one of your finest alumni, the late Judge Louie Strum, to be a member of the Fifth U.S. Circuit Court of Appeals and also in the naming to that court of another of your best, Judge David Dyer, who still serves with distinction. Every Supreme Court of Florida before whom I practiced included Stetson men just as there are now two Stetson members of our State Supreme Court, Justices Harris Drew and Vassar Carlton. It was a great pleasure to join in confirming one of your distinguished law alumni, Honorable Amory Underhill, as an Assistant Attorney General of the United States, and another, Honorable Francis P. Whitehair as Undersecretary of the Navy during the Korean War. In these important posts both rendered great service to our nation. I am happy to say that nearly all of the Stetson Law alumni whose public services I have observed have been moderates or conservatives.

Of course, I well knew your late Dean, Honorable Tom Sebring, when he was at the University of Florida and later as a member of the State Supreme Court while I was Governor. After that time, he came here to be dean of this Law School feeling, as he told me, that service here offered him his greatest challenge. It has been my privilege for many years to be the friend of your former President, now your Chancellor, Ollie Edmunds, another Stetson alumnus, and I know much about the fine work that he has accomplished for Stetson. So, I am no stranger to the great work which Stetson, and particularly the Stetson Law School, has done in serving this state and our nation. It therefore gives me real joy to participate in these graduation exercises.

I assume that all of you law graduates, following the tradition of earlier Stetson graduates, will soon have passed the Florida Bar examination with flying colors and will be practicing law. I hope that most of you will remain right here in Florida which seems to me to be a peculiarly fertile field at this very time for the practice of the law. Not only are we a fast-growing and prosperous state whose census, now being taken, will approach 6½ million, but also we have just begun to live under a new constitution which will necessarily bring on for some years much new litigation of the most interesting type. Further, many old precedents will cease to carry weight and as new lawyers you will start practice on much more equal terms with your older brethren at the Bar than would normally be the case. May I hope for all of you, therefore, an abundance of wealthy and generous clients, many of whom will be so aggressive and competitive as to require much good advice and considerable representation in litigation.

My first serious observation is this: I hope that many of you will enter public life, just as have so many of your predecessors who have studied law here. You inherit from Stetson a strong tradition for public service and there has been no time when the state and the nation have had greater need of trained legal minds to help in passing constructive legislation or in administering the laws in skillful fashion or in interpreting the laws justly in the courts of our state and the nation.

Speaking for a moment from experience, since I have served to a small extent in the judicial field and for other periods of time in the legislative and executive areas I well know that a public servant cannot hope to always have the acclaim and approval of all of his citizens. Nevertheless, he has many occasions of great satisfaction when he helps to get something done which he knows to be useful to his public, and sometimes he even receives acclaim from them. One in public life should develop a rather thick skin but should learn also to accept with the greatest possible pleasure and satisfaction the approval of his constituents on those occasions, not so rare as you may believe, when he receives such approval. Public life gives two clear satisfactions—you can know you are working for objectives which you regard as well-worthwhile and there are few pleasures which compare with your joy when a particular controversy on legislation which you have fought for and helped to pass, to administer or to interpret, is finally approved by the highest courts as meaning what you intended it to mean and as bringing about the good results for which you have worked. I hope, therefore, that many of you will seriously consider going into public life—and I hope that many of you may come to the conclusion that public life is the field in which you can count for most and can do those very things which you feel in your hearts will mean most to yourselves and your people.

Public life is hard work but it is also intensely interesting.

As you know, I am now serving in my 24th year in a body which is composed mostly of lawyers, many of them successful and distinguished. I hear legal anecdotes every day and feel that two of them might be appropriate at this time.

Senator John Stennis of Mississippi served for many years as a District Attorney and as Circuit Judge in his state before coming to the Senate. He likes to tell the story of a lawyer who asked one question too many of a witness in a trial in which Senator Stennis was participating. I pass the story on to you.

The trial was on a very important criminal case in which the most effective witness for the state was an eye-witness, a teenage Negro boy. When the time came for cross examination the lawyer for the defense tried skillfully to break down the testimony of the witness but failed to make any headway whatever. He finally asked, suddenly, "Young man, before you came to court this morning did you discuss with any person what you should say on the witness stand?" The witness answered readily, "Yes, sir, I did." With great satisfaction apparent on his face the lawyer said: "And who was the person you discussed your testimony with?" The witness said: "Sir, he was my papa." And then the defense lawyer asked that one question that went too far. "And what did your father tell you to say when you got before this jury?" Respectfully the boy answered: "Sir, my papa told me, 'Son, when you get on that witness stand you just tell them the truth just like it was.' "

The second story which I recall is told by Senator Sam Ervin of North Carolina, who, besides serving as a trial judge for many years, was a member of the Supreme Court of his state before coming to the Senate. He said there had been a very famous trial in Raleigh in which a noted trial lawyer had won for a wealthy client a very difficult case before a jury and there was much speculation as to the amount of the fee which he had received. Two young lawyers were discussing the matter and one told the other he had heard from a reliable source that the fee had been $25,000, which the other young lawyer just could not believe. At that very moment they saw approaching them on the sidewalk the famous lawyer who had won the case, spontaneously, they said: "Let's ask him what was the amount of his fee." So, approaching him and receiving a very cordial greeting, they said: "Sir, we would like to ask you a question about something which is not our business but which we have a very great interest in as young lawyers. One of us has heard that you received a fee of $25,000 for the great case that you won yesterday and we are wondering if you would be willing to tell us just what your fee actually was." The older gentleman put his arm affectionately around each of them and drew them close to him and said: "Young men, can you keep a secret?" Whereupon they both said, breathlessly: "Yes, sir, we can." The older lawyer replied: "So can I, gentlemen," and he smilingly left them.

Perhaps there may be a point in my relating these two stories to you both for what they contain and also to make it clear that when you go into public life all is not serious. Your life is enriched by meeting hundreds of interesting people and hearing hundreds of episodes, many of them well worth remembering.

Another thought which I will mention at this time is that I have been disappointed often in late years by the willingness of too many members of our profession to seek the limelight of public recognition by adopting causes in which they cannot possibly believe and talking and acting in unbecoming ways both in the courtroom and outside. In these days of passionate advocasy the William Kunstlers seem to forget that they are sworn officers of the courts. They demean the dignity of our profession not only by the goals they advocate, but by the methods they use. They break down public confidence in the law and in our system of justice. Truly dedicated lawyers cannot follow such an obstructive and destructive course and I have no fear whatever that any of you will ever do so.

On another observation, may I say that public service, particularly in the legislative bodies and in the courts of law, is now very badly needed in averting and defeating a drive already quite evident and in some areas quite popular to radically change our type of government. I mention first in this connection the current vigorous effort to change our electoral system of choosing the president and vice president by adopting the direct election plan. Many people are dissatisfied, and I am one of them, with the old system of choosing the president and vice president through the electoral college. The public dissatisfaction with that system has grown so great that many Americans seem willing to discard it for almost any other means, whether good or bad. The leading proposal just now in many quarters is to do away entirely with the electoral college and elect the president and vice president by popular votes cast in all 50 states and the District of Columbia with the proviso that if no candidate receives 40% of the total votes cast nationally, there shall be a run-off or second race between the leaders in the first race.

At first blush this may look like a good proposal, but more and more of the real scholars in government are now coming out against it and proclaiming its disadvantages. Direct election of the president will undoubtedly encourage and create splinter parties and we well know from looking at what goes on in some other democratic nations which do have many political parties how little stability has been produced under these systems. Furthermore, the expense and delay of a second general election interposes obstacles which are simply enormous. It sets up an open invitation to log rolling and political trades the like of which we have not seen in this republic. Furthermore, the direct election plan takes a long step toward elimination of the dual sovereignty system under which our nation was created and has prospered unbelievably. Many of those who favor the direct election system are the same persons who prefer an all powerful centralized government, with less and less power and responsibility left to the states. Under the direct election system at least 32 states would lose a part—some of them a large part— of their weight in a presidential election. Our present constitutional system gives weight to both the population of the several states and the identity of the states as such by allowing to each state an electoral weight equal to the total number of its representatives in Congress, including members of the House and members of the Senate. In short, the electoral college weight of each state includes one vote for every House member, representing population, and one vote for each Senator. The two Senators of each state represent the state as such and its identity as a sovereign under our concept of dual sovereignty, that is, a sovereign nation consisting of sovereign states. This arrangement was part of the original compromise in the Constitutional Convention of 1787 by which the large and small states were brought in accord in creating our republic. To deprive all states of that portion of their weight which comes from their statehood is a long step away from the concept of dual sovereignty and goes far in giving the heavily populated states vastly greater weight than they now have in presidential elections. I have already stated what is fact: Under the 1960 census, 32 out of the 50 states would lose a part of their weight in the selection of our president by adopting the direct election scheme.

Aside from the improbability of the ratification of such a constitutional amendment, by the required 38 states, it seems to me to be a readily understandable fact that those who favor the direct election plan really desire to radically change our form of government. They propose to give much greater weight proportionately to the larger states than they now have and much less weight to the smaller states. They propose to make it more certain that the presidents and vice presidents will always come from the heavily populated states; that the major campaigning will take place there; that the tendency for major political trades between the first election and the run-off election will exist there and that in every respect the influence of the larger states will be greatly enhanced, while the smaller states will be heavily downgraded. Perhaps the most specific illustration of this fact is seen when we consider that the District of Columbia, itself, not a state and without the sovereignty of statehood, would under the direct election system outweigh each of the eleven states and would even outweigh several combinations of two of the states. But to summarize my major objection to the direct election plan, I feel it is hopelessly unwise to adopt a radical and far-reaching change in our entire system of government that will start us down-grade on a well paved road leading to the creation and aggrandizement of a single great federal state and the emasculation and perhaps ultimate destruction of state sovereignty. In my judgment, adoption of this system would soon result in the taking over by the federal government of all election provisions—the age limit, residential requirements, registration machinery, absentee voting and every other detail. The federal government is already too large—too unwieldly. It is not doing well economically on much of the public business which it handles simply because it is so big that well-intentioned and dedicated minds cannot grasp all of its manifold details.

Sometimes we overlook, because of the impairment of state rights in some matters, the immense responsibility still retained by the states to control most fields which vitally affect the lives of their citizens, such as the following:

Taxing real and personal property; operating the public schools; keeping vital statistics; such as registration of births and deaths; appointment of guardians for minors and incompetents and handling their estates; ownership and conveyancing of property; providing for the distribution of the estates of decedents; providing for the licensing of teachers, doctors, dentists, engineers, lawyers, and other vital professions and businesses; creating and regulating corporations and trusts; providing for marriage and divorce; handling civil actions and criminal prosecutions; enforcing law and order; taking life as a penalty for certain heinous crimes; providing, through police, firemen, inspectors and sanitary workers, for their security and that of homes and business; providing for the poor house and for hospitals for the insane, the feebleminded and the ill, controlling the highways; regulating the rates of water, power, gas and local transportation and controlling fresh water supplies.

To me it is unthinkable that the sovereignty of each state as a state controlling so many of those matters which vitally affect the lives of all people should not continue to have weight in speaking as one of the family of states in helping to select the president and vice president of our nation. Shall we continue our time-honored system of dual sovereignty or will it become an historic myth?

I have already stated that I am dissatisfied with the ancient electoral college system which was built into the constitution to meet conditions prevailing at that time, but there are several methods by which that system may be changed without destroying its fundamental concept that both people as people and the sovereign states as states shall take part in the selection of our president. The method which I prefer and which on one occasion some years ago was passed in the Senate in much the same form by the required ⅔ vote is the so-called fractional system by which, after abolishing the electoral college as such, the entire electoral vote of each state is continued and would be divided among the several candidates fractionally in the same proportion as the votes cast in that state were divided. In other words, every person's vote would count. There would be no continuation of the "winner take all" provision in the present system. There would be no individual electors who may follow their own individual choice in casting their vote for president and vice president, but the total strength of the people of the state, combined with the strength of the people of all other states and the District of Columbia, would be compiled automatically in determining the outcome of the election. In the event no candidate for president or vice president received 40% of the total electoral weight of the nation, the issue would be decided at a joint meeting of the Congress in which every member of the House and the Senate would have an equal vote; thus again giving representation both to the people as people and to the states as states. This method would retain the original constitutional concept and would allow the choice of every voter to be reflected in the final outcome.

There are, of course, other methods of dealing with this important subject which would not bring about the complete change of our governmental system which would result if the direct election method were adopted. The fundamental concept of our original system has succeeded too well for us to consider lightly its complete abandonment.

Another matter which is now pending to which much careful consideration should be given by trained legal minds is that of changing the age for voting. This matter is closely akin to the change of the electoral system, which I have already discussed. I am speaking now not of the wisdom of making a change in the voting age, but of the methods which are being eagerly pursued to effect such a change. I think this is a matter which should primarily be decided by each state for itself. If the people of Florida desire to change the voting age of their citizens from 21 to 18, and so decide by approving a state constitutional amendment to that effect, that is certainly a correct method of accomplishing the change. As a citizen of Florida I do not support such a change but I do strongly support the method.

When we look at Washington, however, we find pending there an effort to accomplish this change on a national basis by a proposed statute now pending as an amendment to a so-called voting rights bill which has been passed by the Senate and is under consideration in the House. It is difficult for me to understand how anyone who has studied the federal constitution can come to the conclusion that such a change by federal statute could possibly be held constitutional. Section 2 of article 1 of the original constitution reads: "The House of Representatives shall be composed of members chosen every second year by the people of the several states and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature." The courts have on various occasions held under this provision that the states reserved to themselves the setting of qualifications for voting. Those who claim that the 14th Amendment changed by implication the specific provision of the constitution which I have just quoted, overlook the fact that the 17th Amendment providing for the direct election of senators, adopted 45 years after the 14th Amendment, repeated and renewed the identical words already quoted in Section 2 of article 1 of the original constitution. There are, of course, other provisions in the constitution, notably the 10th Amendment, which many legal scholars hold reserved to the states the power to fix the qualifications of their voters. Yet, there are many so-called activists, who favor change for change's sake, who are perfectly willing to ignore the constitution and throw the whole process of electing public officers, not only the president and vice president, but all other offices, federal, state and local, into question by mere adoption of a statute on this vital subject.

I have cited only two of the several matters which are pending in the Congress and in national debate which give me deep concern and which I think may offer a challenge to you as young lawyers eager to serve the law, our "Jealous Mistress," and also eager to serve your country and safeguard its institutions. That we will and must have changes, it is quite sure, and this should be the case. As the old saying goes: "The world do move." But I hope and pray that the changes agreed upon will be sound and will follow constitutional guidelines and not carelessly destroy fundamental provisions under which our nation has grown so great.

There are many other proposed changes by the so-called activists and ultra-liberals which are no doubt based on good intentions but which I think are fraught with possible grave conequences to our nation. I am thinking of such things as the proposal in the new food stamp program which passed the Senate though it had the approval of only one member of the Committee which had long studied that question. Under this proposal food stamps representing a food subsidy to individuals would become available to families of four who have an annual income of $4,000 and solely upon the affidavit of a member of such family. There are other proposals equally over-liberal, in my opinion. In am thinking of the proposed new Welfare Act whose provisions are so liberal as to virtually destroy all incentive to work for many families which will be content to become public charges and live on a public dole. I could give additional illustrations of the trends which I have been trying to describe. I am very sure that some of you who are here, though not necessarily in accord with my thinking, yet will have your own grave doubts as to the wisdom of some of the matters which I mentioned or perhaps many of the others which time limitations do not permit me to mention this morning.

The point I am trying to make is: that in this time of confusion in our country when I am sure that most citizens want to do what is right and that all citizens of character want our country to survive and remain strong and the leading exponent of individual freedom, personal opportunity and competitive private enterprise, there is need for the devoted service of many, many young men and young women upon whom much of the responsibility must lie for straightening out these difficulties which are our inheritance from two world wars, the Korean War and the Vietnam War, which all of us ardently wish to bring to an honorable end and on which I strongly support the President in his efforts to bring it to an end. Along with your opportunities for personal success these times present, therefore, a challenge for public service the like of which has faced few other generations of young Americans in earlier years. I hope that you, each of you, may, while attaining your own success, may feel it a duty to dedicate much of your time and energy to serving the state, the nation and the world which cries out for solutions to so many unanswered problems.

Mr. Speaker, in this speech Senator HOLLAND has given us his thinking on a number of vital proposals that face this country today. His thoughts are meaningful to all of us. I pray we heed his advice on all these matters.

REASON MUST RETURN TO AMERICA

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ROBISON. Mr. Speaker, a constituent of mine recently wrote to me with respect to both our military presence in Southeast Asia and the reaction here at home resulting from that presence. The writer is so perceptive about the excesses of so many Americans supporting so many causes, that I felt that my colleagues should have the opportunity to share the text of the letter with me. The writer ends her letter by asking for an effort "to restore this country to a rationally functioning state." No matter how we view the situation in Indochina, this should be our primary objective. As I have said again and again, the polarization in this country has got to stop; and all of us bear a responsibility to speak with one another, rather than shouting past one another.

The text of the letter follows:

While I heartily support the stand calling for an immediate cessation of all offensive action by the United States in Indo-China, a rapid though prudent withdrawal of troops from that area, and a substantial reduction of U.S. military commitment throughout the world, I am dismayed that the use of violence at home has become an effective means of attracting the necessary attention to this matter, unduly over-shadowing the less ostentatious efforts of a concerned majority.

I support, and will continue to support, enforcement of the individual's right to dissent. I will *not* condone the childish, egotistical destruction which has been taking place on the nation's college campuses. Those who are party to such acts reduce themselves to the level of those they would condemn for violent acts in Viet Nam, and accomplish nothing more than the alienation of people who are in a position to do something constructive about the situation. Similarly, those who bow to such pressure, or threat of pressure, only succeed in doing a disservice to themselves, the disruptive elements, and the country by rewarding such tactics with immediate compliance to the demands, thereby appearing to condone such methods of protest, and subjecting the country to further outbreaks of this kind.

Your efforts to end the fighting in Southeast Asia are greatly appreciated. I would hope that you will continue to make such efforts because, and only because, our withdrawal is the right thing to do, *not* because you are being frightened into a decision by threats of violence. A policy made for the latter reason is meaningless. The "face saving" so desired by our nation *can* come through our leaders' making of rational, well-thought out decisions, but will never be realized through hurried, irrational policies made in a rush to meet a protester's deadline so that a building will not be destroyed. It's time we called the bluffs of a few people, letting a few buildings burn if necessary, to show that action and policymaking on the part of our country will result *only* from the many legal and democratic processes already available to the nation's citizens. It is through these avenues that disssent must be made effective and so should be encouraged to take place.

Lest I be categorized as one of the "over-thirty, silent majority", I am a 1969 graduate of Ithaca College and am presently employed by the College, from which vantage point I have seen, and become increasingly disillusioned by, educators' panicked compliance to students' irrational, impractical, and undemocratic demands, both here and at Cornell University. The "agree with me, or I'll destroy you" attitude of the violently vocal minority must be firmly repudiated at this time, if only to insure the freedom of *non*-protesters to *not* protest if they so choose. That the violent protesters insist that they are for freedom of speech and thought is amusing, though ironically so, since they will not allow anyone who disagrees with them to express his thoughts, while at the same time insisting that *their* right to their opinions be respected.

In closing, let me again express my appreciation for your continued efforts to bring America responsibly out of the difficult and unfortunate situation she is in, in Southeast Asia. But I won't close by simply asking your continued support on ending the war. Your calm but firm voice is also greatly needed and requested in helping to restore this conutry to a rationally functioning state. I am optimistic that your constituents can look to you as a moving force in this direction and can enlist your aid in such an effort.

BIGOTED EUROPE MAKES THE UNITED STATES LOOK GOOD

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. PUCINSKI. Mr. Speaker, as we prepare for our traditional observation of the Fourth of July and American Independence Day, it might help some of us to remember that, with whatever faults we may possess, the United States has done more to bring about genuine appreciation of human rights and human dignity than any nation on the face of the earth.

Not long ago an article appeared in the San Francisco Examiner that discussed the pernicious type of bigotry that travelers can find with little trouble in other countries. Perhaps we need to be reminded, as this article reminds us, that while we have far from solved our internal problems, we at least can take the lion's share of credit for attempting to solve them. Few other governments can respond either positively or readily to a question directed to their own human problems.

Mr. Speaker, I bring this article to the attention of my colleagues with the hope that they will find it a good illustration of the injustice that permeates other societies.

The article follows:

BIGOTED EUROPE MAKES THE UNITED STATES LOOK GOOD

(By Thomas B. Ross)

PARIS.—The enduring impression of a year's reporting in Western and Eastern Europe is how much more there is to protest about here and how much less protesting is done.

By official U.S. definition, half the people of Western Europe and more than three-fourths of those in Eastern Europe are "poor" and "hungry."

The American Negro, one of the most disprivileged members of U.S. society, has a higher average income than the citizen of Britain, one of the most economically privileged members of the human community.

Despite the discrimination the Negro continues to suffer in the United States, he would have fared even worse here. Europe operates under the unspoken segregationist assumption that people who are different, by language, nationality and religion, as well as by color, cannot live amicably together.

France had the best racial record of any of the colonial powers, but conditions at home leave much to be desired. The Algerian and Africa slums of Paris, the so-called bidonvilles, are unspeakable, much worse than the worst Negro ghettos in the United States.

In Britain, the question of "color" may become the critical issue in the forthcoming parliamentary election, although less than 3 percent of the population is of African or Asian extraction.

The German performance on race hardly needs to be cited.

Even after the Jewish holocaust of World War II, anti-Semitism remains a potent political force in Eastern Europe. The Soviet Union requires Jews to carry special identity cards and refuses to allow them to emigrate to Israel.

In Poland, the communist regime sought to contrive an entire political policy out of anti-Zionism even though the Jewish population already had declined from a prewar level of 3 million to fewer than 25,000.

In the Middle East, a variant of racial antagonism lies at the root of the conflict over Israel, even though Jew and Arab are of the same Semitic stock.

The Moslem world, contrary to the sentimental notions of some U.S. Negroes, also harbors a strong prejudice against Negroes. American black radicals in Algeria grumble privately and bitterly about the prejudice they have encountered there.

Even Sweden, which has gained a reputation for racial tolerance largely through unremitting criticism of the American scene, is not without blemish. The local press is sprinkled with slighting allusions to the swarthy southern Europeans imported into its labor-short market.

Negro deserters from the U.S. Army quickly discover a wall of Aryan consciousness just beyond the official welcome mat.

Confronted by widespread evidence of prejudice, it is hard to accept the popular notion that racism is a uniquely American phenomenon. To the contrary, he is led to the conclusion that the evil has deep, tenacious and universal roots in the human psyche, and that the United States is remarkable, less for its inadequacies than for being the only society to attempt a just resolution of the problem.

A close look at the law enforcement practices in other countries produces a different perspective on charges of police brutality in the United States.

Recently, a mildly heated political debate among Parisian students spilled out onto the sidewalk in front of a cafe on the Left Bank, near the Sorbonne.

Soon a squad of gendarmes, without so much as a warning to disperse, proceeded to beat the students over the heads with rubber truncheons. The youths were then packed in a police van and driven off, undoubtedly to be locked up for the weekend without charge, without lawyer and without legal recourse.

Under France's Nepoleonic Code and a stern set of laws laid down at the time of the riots in 1968, the police here have extraordinary freedom. Except in Britain and Scandinavia, that is true throughout Western Europe.

Those conditions moreover, are broadly tolerated, among the young as well as the old, as somehow beyond the possibility of change. In Eastern Europe, they are not even the subject of theoretical challenge.

"American institutions, which (in the United States) are taken for granted like oxygen," commented Leopold Tyrmand, the expatriate Polish essayist, "are the subject of our wildest dreams in Eastern Europe. I have a certain pity for the Americans because they do not know how to cherish what they have and what others know they have."

On a recent tour of eastern Europe, I found the intellectuals in utter despair of Marxist economics and elitist politics and astonished that they should be the vogue in certain sectors of the protest movement in the United States.

Late last month as I sat in a bus edging its way through a checkpoint in the Berlin Wall, emerging from the gloom of eastern Europe. I could not help thinking that the American society is better than the others that had been tried—and that it deserves more than violent words or deeds.

THE 1970 EMMY AWARDS FOR PUBLIC TELEVISION PROGRAMS

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. TIERNAN. Mr. Speaker, earlier this month, the National Academy of Television Arts and Sciences announced the winners of the annual Emmy awards, given for the most outstanding television productions and performances during the past year. This year, however, the impressive list of winners was unique, for public television, once considered the stepchild of the television media, captured seven of the Emmy awards. Chosen by distinguished members of the broadcasting community, most of them in commercial broadcasting, these awards seemed to give credence to the statement of TV critic Cleveland Amory in the May 23, 1970, issue of TV Guide when he said:

> The 1969–1970 season will go up in history for one thing—it was the year when educational TV came of age.

It was only 3 years ago that Congress passed the Public Broadcasting Act of 1967. In this short span of time, through the efforts of the Corporation for Public Broadcasting, National Educational Television, State, local, and private interested parties, public television began to provide the American people with television of distinction. It has become a medium for the whole family with top adult and children's entertainment as well as highly attractive educational programs. I know, for example, the widely acclaimed "Sesame Street" series has done much to erase the image of talking professors dominating educational television.

It is also interesting to note, Mr. Speaker, that most of the public television programs honored were of a type of television service not available on commercial channels. "Black Journal," for example, is the first national program produced by and for the black community.

The long list of additional programs nominated for the Emmy awards indicates further that the television industry on a whole feels that public broadcasting is providing excellence in programing in a large variety of categories: children's programs, cultural programs, drama, and public affairs. The winning programs were:

The 1970 Emmy Awards—News and Documentary categories:

"Black Journal" for outstanding achievement in magazine-type programing.

"Hospital," a documentary which covered a day-to-day drama of events in a large metropolitan hospital—for outstanding achievement in news documentary programing.

Frederick Wiseman, director of "Hospital" for outstanding achievement by an individual in news documentary programing.

Entertainment categories:

"Cinderella," performed by the National Ballet of Canada and part of the NET Festival series, for outstanding variety or musical program.

Susan Hampshire for outstanding performance by an actress in a leading role in a dramatic series—"The Forsyte Saga," a 26-week series based on the John Galsworthy saga of life in England during the latter part of the 19th century and the early 20th century.

"Sesame Street" an educational television program for preschool children, for outstanding achievement in children's programing.

"Sally Sees Sesame Street" segment of "Sesame Street": Jon Stone, Jeff Moss, Ray Sipherd, Jerry Juhl, Dan Wilcox, Dave Connell, Bruce Hart, Carol Hart, Virginia Schone; writers, for outstanding achievement in writing for a children's program.

Though this list of Emmy Awards is praise enough, this year public television was the recipient of honors from competitions held by other distinguished groups in the communications media. For example:

Saturday Review Awards—the magazine's first independent television awards competition:

"Forsyte Saga," in regular series category.

"Trial: the City and County of Denver versus Lauren R. Watson," in limited series category.

"Hospital," in single program category.

"Sesame Street" and "Misterogers' Neighborhood," in children's programing category.

George Foster Peabody Awards:

"Sesame Street," for imaginative use of television in teaching.

"The Advocates" program, for television education.

KQED Newsroom program—San Francisco—for television news approach.

Newspaper Enterprise Association TV Scout Awards:

"Sesame Street," for show of the year.

European Broadcasting Union International competition:

"Trial: The City and County of Denver versus Lauren R. Watson," first prize for reporting of events on film.

Golden Television Award, National Association-of-Television and radio announcers:

"Black Journal."

Russwurm Award, National Newspaper Publishers Association:

"Black Journal."

Golden Eagle Awards, Council on International Nontheatrical Events—CINE:

All three films were recommended by CINE juries for international film festival competition.

"In search of Rembrandt"; "Ascent," a film produced by KQED, San Francisco; "Act Now," also produced by KQED.

The world of public television is just opening and the fall season promises an even greater variety of outstanding programing. I am sure the awards I have just listed, are only a small indication of what we can expect in the future.

BISHOP SPOTTSWOOD DENOUNCES ADMINISTRATION'S PERFORMANCE ON CIVIL RIGHTS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. RYAN. Mr. Speaker, Bishop Stephen G. Spottswood, an eminent leader of the African American Episcopal Zion Church and chairman of the board of directors of the NAACP, yesterday delivered a very incisive assessment of the administration during his keynote address at the 61st annual convention of the National Association for the Advancement of Colored People.

Bishop Spottswood registered the concern and discouragement of all of us who find the administration civil rights posture totally inadequate, and even regressive. As Bishop Spottswood stated:

> This is the first time since 1920 that the national Administration has made it a matter of calculated policy to work against the needs and aspirations of the largest minority of its citizens.

The Kerner Commission warned of a nation moving toward two separate societies—one black, one white. No one of perception was surprised by the Commission's warning. We had seen the danger long before. But that danger, articulated once again by the Commission, is far greater today. The possibility for irreparable division has been encouraged by the administration's policies of ambivalence, indirection, and overt hostility toward civil rights.

Today's New York Times reprinted excerpts from Bishop Spottswood's speech at the NAACP convention. I urgently commend them to my colleagues. The administration, which could have donned the mantle of moral leadership in achieving equal rights for all Americans, has defaulted. Our obligation is now even greater, therefore, to provide the leadership so lacking from the executive.

Excerpts from the speech follow:

EXCERPTS FROM SPEECH BY NAACP HEAD CALLING ADMINISTRATION ANTI-NEGRO

Two years ago, former Attorney General Ramsey Clark, speaking for the Kerner commission, called for "the reaffirmation of our faith in one society," and the commission itself sounded a warning that the nation is moving in the direction of two societies—one black, one white—separate and unequal.

Today, the signs are even more ominous. On every hand, the commentators and the politicians, the faint-hearted liberals and the tragically misguided black separatists, are announcing the end of integration, especially in the schools.

For the first time since Woodrow Wilson, we have a national Administration that can be rightly characterized as anti-Negro.

This is the first time since 1920 that the national Administration has made it a matter of calculated policy to work against the needs and aspirations of the largest minority of its citizens.

Here are a few instances supporting our contention of the Administration's anti-Negro policy:

1. Signing of defense contracts with textile companies long in violation of contract requirements versus our recommendations that these contracts be canceled.

2. The pull-back on school desegregation. The Administration went into court to secure delays in already ordered desegregation. Thank God, the Supreme Court struck down these attempts.

HIGH COURT NOMINATIONS

3. The nominations of Clement Haynsworth and G. Harrold Carswell to the United States Supreme Court (which nominations were defeated by the leadership of the NAACP, along with other organizations, including the Leadership Conference on Civil Rights, of which Roy Wilkins is chairman and in which fight our Clarence Mitchell demonstrated his superb skills on Capitol Hill as truly the 101st Senator).

4. The Administration at Washington weakened our hard-won voting rights act in the House.

5. The Administration opposed the cease-and-desist order power of the Equal Employment Opportunity Commission.

6. The Administration supported the Stennis amendment on the school appropriation bill.

7. The Administration produced the Moynihan memorandum calling for "benign neglect."

8. The Administration supports tax exemption for white, separate private schools, designed to avert desegregation of the public schools.

9. On April 9, after the rejection of his nominee, Judge Carswell, for the Supreme Court, the President described the ideal judge as "someone who believes in the strict construction of the Constitution, as I do—a judge who will not use the power of the Court to seek social change by freely interpreting the law or constitutional clauses." This is the Administration's expressed opposition to the equal protection clauses of the 14th amendment.

The effect of this has been exactly what was predicted. It has given encouragement to the Southern racists whose fullpage advertisements have exposed their radical retreat to the calendar level of the 1870's, such as produced by Senator [John C.] Stennis of Mississippi and Gov. [John J.] McKeithen of Louisiana, to say nothing of the melodramatic pose of Florida's Gov. [Claude R.] Kirk in defying the Federal court's orders to desegregate the Public schools of the Everglades State.

Before us today, in the solution of the problem of a single society, are the issues arising from what seems to many the futility of our effort toward integration. There is a tremendous white backlash as we have forged a difficult path through the metallic barriers in housing, employment and politics.

A small but vociferous number of Negroes has effected the black retreat, as indicated in the black college students' demands for separate dormitories, separate cafeterias, separate curricula and separate facilities. Incidentally, we should sympathize—even as we disagree—with young black youth whose bitter and bloody experiences on white college campuses have driven them to "the black retreat."

ACCENTUATING POLARITY

The white backlash on the one hand and the black retreat on the other hand have combined to accentuate the racial polarity of which the Kerner commission warned.

At this juncture in our national life, we of the N.A.A.C.P., recalling Abraham Lincoln's declaration that "this nation cannot endure half free and half slave," emphatically paraphrase Mr. Lincoln and declare "this country cannot endure half white and half black." If American democracy is to survive, we shall be one society, as the Declaration of Independence visioned and the Constitution declares.

Ours is a national problem affecting all Americans, and no matter where we live, the problem of one society is before us. For instance, it is easy for Northern Negroes to forget the South because local needs are urgent and desperate, but they do so at their own peril.

Fifty-two per cent of black Americans still live in the South, mostly in cities, where the problems of overcrowding, housing, crime, discrimination, poor education are the same as the North's. In addition, they have the Southern segregation traditions, white supremacy ideology and wanton murderousness.

KILLINGS BY POLICE

Even as lynching was the Roman holiday sport of the 19th century America, killing black Americans promiscuously has been the 20th century pastime of our police, whose primary duty is law enforcement and keeping the peace.

I'm thinking of the six Negroes killed in Augusta, Ga., all shot in the back; of the Panthers slain in their beds in Chicago; of the students slain at Jackson State College; of the almost daily news stories of the indiscriminate, ruthless slaying of black Americans by police and civilians, under the guise of "law and order," but actually fulfilling the guidelines of a bitter, white majority, whose vain effort to keep us "in our place" leads them to resort to the policeman's pistol and kangaroo court trials.

The white liberals and the churches have not been conspicuous in the fight for freedom lately. No one questions the demand for an immediate end of the Vietnam war. We ask again, why is it that white people always manage to find some issue other than race to which they give their priority attention, the latest of which is pollution and the ecology?

If racial justice and civil rights had commanded just 10 per cent of the attention that white liberals have given to the Vietnam war, we would not be in the position we are today—and it is unlikely that we would have Nixon in the White House either.

We must counteract some black authors who have tried to show that bad English grammar and slurred consonants and special terminology found among poorly educated Negroes (and poorly educated white people) are really a different language which should be learned and used in ghetto school teaching. Recently a black architect has been working on the theory that Negroes should have distinctive type housing—one which adequately accommodates their tribal instincts inherited from our African past—reductio ad absurdum!

Then, after the long series of suggestions of self-imposed apartheid, we must beware of those who once stood on the solid ground of full freedom for all Americans and have now retreated to the wabbling field of compromise and sinking sands of surrender.

For example, Roy Innis, national director of CORE, recently made a Deep South visit where he was warmly received by Govs. John Bell Williams of Mississippi, John J. McKeithen of Louisiana, Albert Brewer of Alabama and Lester (Ax-Handle) Maddox of Georgia.

FOR DUAL SYSTEM

He was there to solicit their interest and support of the Innis plan to re-establish a dual school system. His scheme is not to have separate black and white systems by race—oh, no—but to split the city in half along residential lines, with the white half under its school system and the black half under its system.

You can just imagine how the Governors were delighted with the Innis proposal.

There are others who advocate a separate nation, to be set up somewhere, or for autonomous neighborhoods or districts in the cities—to run our own police, fire department, hospitals, schools and everything else. But they always make it clear that they expect to get the money from the rest of the community. There is no such thing as autonomy on someone else's money.

No major problem afflicting black Americans can be solved except by solving them for all Americans.

We have worked too long and too hard, made too many sacrifices, spent too much money, shed too much blood, lost too many lives fighting to vindicate our manhood as full participants in the American system to allow our victories to be nullified by phony liberals, die-hard racists, discouraged and demoralized Negroes and power-seeking politicians.

THE VILLAGE TRUSTEE AND NATIONAL POLICY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. CRANE. Mr. Speaker, on occasion, an elected official says something that is so profound and yet so sensible that it deserves a wider audience than it originally received.

It is in this light that I view the statement of Trustee Russell B. Joseph of the Village of Wilmette in the 13th Congressional District of Illinois which I have the honor to represent. The matter under discussion was a letter from a local citizens' group, and Trustee Joseph's remarks help to put the role of cash level of government in its proper perspective.

Excerpts from the minutes of the trustees' meeting of the Village of Wilmette of June 2, 1970, follow:

Mayor Schwietert presented a letter, dated June 1, 1970, from Mr. Robert A. Cleland, 810 Forest Avenue, representing the North Shore Committee of Clergy and Laymen Concerned About Vietnam, requesting to address the Board seeking support for Senate Amendment No. 609, popularly known as the McGovern-Hatfield Amendment. Mr. Cleland presented copies of their resolution in support of this Amendment to the Board. Rev. Paul Berggren, 700 Linden Avenue, then addressed the Board and stated that he was not representing his congregation as there are differences of opinion among the members, but urged the Board to give serious consideration to this matter. Mr. Marvin Miller, 3133 Wilmette Avenue, addressed the Board. Trustee Joseph made the following statement:

"I should like to remind the petitioner of something of which I feel sure he is aware, but obviously overlooks. It is simply the fact that the members of this Board occupy their position through the elective process and thereby have an obligation to every citizen of Wilmette, whether or not we happen to be their choice.

"As Trustees, we are responsible to all the people as custodians of the community's assets and the administration of the corporate affairs of the Village.

"On the other hand, I do not believe that the people of this community, or this north shore area, either expect or desire this Board to speak on their behalf on state or national legislation, dealing with political issues or foreign policy concerning which there may be profound differences of opinion. Certainly we must recognize that people do their own thinking based upon the best information available to them, and to take such action as suggested here would not only be repugnant to many of our fellow citizens, but also would be the height of arrogance on our part.

"The group represented here has the freedom to persuade anyone who cares to listen as to the validity of its ideology, just as it chose to do last Saturday morning when most people were gathering to honor our Nation's war dead. But I, for one, am not yet ready to see this Board, or for that matter any local unit of government answerable to all the people, used as a mouthpiece for any pressure group—especially so when the ultimate result is to impugn and discredit the integrity of the government of the United States."

Discussion followed and Trustee Tate moved that the Resolution be given no further consideration before this Board, that citizens as individuals be urged to contact their own legislative representatives on this matter, either for or against. Motion seconded by Trustee Fernholz. Voting aye—Trustees Orth, Fernholz, McHugh, Joseph, Ostergaard, Tate. Voting nay—none. *Motion carried.*

ON A NATIONAL LOTTERY FOR SELECTION OF SCAPEGOATS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. EDWARDS of California. Mr. Speaker, my good friend Alan Barth of the Washington Post has outdone himself this morning with his column on the selection of scapegoats to expiate our collective guilt for war crimes committed in Indochina. While Mr. Barth's droll proposal for a lottery to select scapegoats from among Congressmen and administrators is not likely to go far beyond the editorial page, its logic is superior to that which puts the whole burden of expiation on a 21-year-old marine, conditioned to kill and to obey orders instantly and unquestioningly, because he failed to "exercise judgment in obeying orders." But Mr. Barth states the case so well. I urge my colleagues to read him.

[From the Washington Post, June 30, 1970]

(By Alan Barth)

There is an anguishing dilemma in the decision of a court martial last week that a 21-year-old Marine private was guilty of the premeditated murder of nine Vietnamese children and three women last February. The young man was sentenced to life imprisonment.

According to the government, the Marine was a member of a "killer team" which shot down the unarmed women and children as they huddled together in the village of Sonthang crying and screaming. "This was not war," the prosecutor told the court martial, "this was murder."

In his defense, the Marine said he believed his squad was under attack by the Vietcong when he fired, that he acted under orders and in self defense, and he added, after the verdict: "I had no intention of killing anyone. People got in the way when I fired. It was unavoidable. I'm sorry."

Testimony at the trial indicated that the team leader (who is to be tried also) ordered his men to shoot the women and children. But the military judge ruled that a Marine is a "reasoning agent" who must "exercise judgment in obeying orders."

This recognition of individual responsibility is traditionally American. The killing was inexcusably atrocious and deserving of severe punishment. And few Americans would wish to have their country's reputation among the nations of the world stained by any seeming condonation of such barbarous conduct.

Nevertheless, there are considerations which dictate a degree of sympathy for this unhappy youth condemned at the very beginning of his manhood to spend the rest of his life in confinement.

He was sent, in uniform, to engage an enemy whose troops are indistinguishable from civilians, whose women and children sometimes participate in setting mines and traps and ambushes for American fighting men, and an enemy, moreover, capable of terrible cruelty and known to employ terror as a tactic of war. Perhaps he had seen his own companions die because they delayed a moment for inquiry instead of shooting first.

And undoubtedly he had seen how carelessly and indiscriminately death is distributed among soldiers and civilians, some enemies, some friends, by the bombing and napalming of Vietnamese villages. He was not in a situation where life is highly regarded.

And 21, one must acknowledge, is not an age at which young men always reach ripeness of judgment. Some are still callow and unstable and subject to emotional outbursts. They cannot be released from responsibility on this account, of course. But it may be that the fact deserves consideration. That some will break under stress and go beserk seems absolutely predictable.

Finally, moreover, there is a fact that simply cannot be left out of consideration—the fact that the peculiar character of the Vietnam war was not entirely of this young man's choosing. He was sent there and told by men older and wiser than himself to kill. Since the men who sent him there and told him this are representatives of all of us, the idea suggests itself pretty inescapably that we all bear some measure of responsibility for his terrible crime.

Primitive peoples of ancient times had an ingenious method, perhaps as efficacious as any other mode of punishment, for dealing with cases of collective guilt. They chose a scapegoat—an animal or person on whose head the sins of the people were symbolically heaped and who was then sacrificed or driven into the wilderness in a ceremony symbol of dispelling the evils. It did not work out too badly, except from the narrow point of view of the scapegoats. Often, the gods appeared to be propitiated by it.

In a certain sense, the unfortunate Marine private convicted in Vietnam serves as a scapegoat for other Americans in Vietnam who may have killed women and children but who were not observed or accused. One fears, at any rate, that he and the others in his particular group at Sonthang, and the GIs charged with indiscriminate killing at Mylai, were not alone in their violation of the rules of war. And one cannot escape a feeling that an example is being made of these culprits for the sake of cleansing the nation's name and to expiate a collective shame.

This is not to say that scapegoating is a bad practice; it has manifest uses. It is simply to say that the method of selecting the scapegoat may seem inequitable and inadequate for purposes of propitiation. If it is true that those who sent the young Marine into the situation where he behaved so brutally share his guilt, an additional scapegoat might properly be selected from among them.

This could be done in a very fair and evenhanded way by, say, putting into a large drum capsules containing 365 dates and into another drum slips numbered 1 through 365. As soon as a birthdate is drawn from one drum, a number can be drawn from the other to set an order of call for all members of the Senate and the House of Representatives and, perhaps, if the need proved great enough, all members of the executive departments and agencies at, say, the assistant secretary, chief of bureau and chief of division levels.

This sort of selective scapegoat service would operate in an economical way to distribute the burden of expiation more justly. It surely cannot be accounted unreasonable to ask the men who contrive the combats to share in the consequences—the predictable consequences—of their decisions.

It is quite true, as the court martial declared, that a Marine is a "reasoning agent" who must "exercise judgment in obeying orders." But it is hardly less true that a government representing a free people is a "reasoning agent" too—and one that must exercise judgment in issuing orders.

COAL RESEARCH IS NEEDED

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BURTON of Utah. Mr. Speaker, I am pleased to note that Under Secretary of the Interior Fred J. Russell denies making any recommendation that all coal research programs of the Department of the Interior—including those of the Office of Coal Research and those of the Bureau of Mines—be phased out by the end of fiscal year 1972.

The coal industry is an important national asset and is expected to supply increasing energy requirements during the remainder of the century, even under conditions of a rapidly growing nuclear power industry. Coal represents about 80 percent of the Nation's fossil fuel reserves, and will be required to supply the vast amounts of energy needed in the future.

If total research programs were ended, it would put an end to all of the coal gasification programs, which experts in industry and in the Government believe are essential if the Nation is to meet its future energy needs without pollution of the atmosphere.

Moreover, there are numerous research projects underway that would be stopped. In my State of Utah, under the direction of Dean George R. Hill, we have at the University of Utah the College of Mines and Mineral Industries which is conducting many research projects. These projects are designed to get the highest product yield while protecting our environment from pollution.

The Bureau of Mines is doing some research work on methods of abating air pollution by removing sulfur dioxide from the stack of coal-burning plants. The Bureau is also doing research on methods of improving health and safety in coal mining. These programs should not be stopped.

Because of the precarious situation in the Middle East, and other areas of the world, we should be developing our own domestic resources for energy. And since there is generally a period of 10 years between the proposed project and implementation, we should actually be accelerating our efforts in research rather than slowing down or stopping.

In sum, halting research in coal would hurt the entire Nation. Therefore, I feel that we should do all we can to provide for coal research programs.

The need for increased coal research is further illustrated in a talk presented at the 20th Annual State Economic Development Conference at the Hotel Utah on August 20, 1969, by George R. Hill, dean of the College of Mines and Mineral Industries, University of Utah. The talk follows:

PROSPECTS FOR COAL UTILIZATION IN UTAH

(By George R. Hill)

[Figures not reproduced in the RECORD]

Ladies and Gentlemen, what I am going to talk with you about today has a great deal to do with the major developments I believe will occur in the State of Utah if we are alert enough and aggressive enough to capitalize upon the quality of Utah coal and its location. The developments will require building plants outside the Wasatch Front. There will be spin-offs from such plants that will require enlargement of the petroleum refineries along the Wasatch Front. However, the bulk of the industrialization ought to be adjacent to the coal reserves themselves where air pollution problems are minimal and where the raw materials are located. The potential is there for a much broader industrial base to the state's economy.

There are five large scale new or expanding uses of coal: Electric power generation, petroleum supplement, natural gas supplement, water purification and chemicals. In these there is the opportunity for a tenfold increase in coal utilization, using Utah coal. I am assuming here, of course, that we will have continued and increased use of coal for making coke for the steel and phosphorous industries.

COAL FOR ELECTRIC POWER GENERATION

The pattern of increase in coal utilization is quite well illustrated in statistics from the U.S. Bureau of Census which show the increase in energy consumption from 1920 to 1980. (Figure 1.) The upper curve is the total energy consumption, the lower curve represents electricity generation. Coal is an increasingly important component in electric power generation.

To represent the increase in demand for energy with time requires a special kind of plot. This is also true of other growth curves since the increases are "exponential" in character. That is the number of units consumed or produced increases geometrically with time rather than in a linear manner. To represent all the data on one chart it is necessary to plot the logarithm of the amount on the ordinate (vertical) scale versus time on a linear abscissa (horizontal) scale. On such a plot, unit distance along the ordinate scale represents not a doubling of the amount but a tenfold increase.

Figure 2 illustrates total electricity production by electrical utility systems. Bar graphs of this type are very useful as they show the rather dramatic increase that has occurred in the last several years. One should note the specific year represented by each bar.

Figure 3 is a map of the western United States on which are located the large reserves of bituminous, sub-bituminous coal and lignite. It is important to note the location with respect to California, of the Kaiparowits, Kanab and the Wasatch Plateau coal fields. They are the closest large fossil fuel resources to the burgeoning southern California power, chemical and fuel markets.

Other coals which will provide the competition to the three Utah fields are in the Black Mesa, the San Juan Basin and the Green River regions. These coals, however, are of sub-bituminous rank, a lower quality coal than the high volatile bituminous coals in the Utah fields. In terms of the volume and the quality of liquid for a petroleum supplement, or chemicals, the high volatile bituminous coals are superior on an "as mined" basis to the lower (or higher) rank coals.

Figure 4 illustrates possible developments for electric power generation in the west. The mine site areas and possible mine mouth plants, the load centers and possible midpoint generating plants have been considered in a report made under the sponsorship of the Office of Coal Research by Robert R. Nathan Associates, Inc. The kaiparowits and Kanab fields in southern Utah are considered competitive with the Black Mesa field in northern Arizona and with the Kane, Emery and Carbon County coal fields, all of which are the closest coal sources to the Phoenix, Los Angeles and San Francisco load centers.

There are two ways to utilize the coal when it comes to generating power. One is to build the power plant at the site of the mine. The other is to transport the coal part way to the load center and to have a mid-point generating site. One of the latter type has now been initiated. The Mojave plant in Nevada will utilize Black Mesa, Arizona coal. Five and two-tenths million tons of coal will be transported each year by pipeline from Arizona to that plant. It will be very much to the advantage of the economy of the State of Utah to try to develop mine site plants where both the mining and power generation can be done within the state rather than to transport the coal to a site nearer the load center.

In order for mine-mouth generated power to be utilized there has to be developed an extra high voltage power transmission system. Figure 5 shows a proposed EHV Intertie system. These interties, utilizing the coal from this area, can feed logically the Los Angeles, the Sacramento and even the Northwest—Portland and Seattle—power demands. There is some coal in Washington but it is very expensive to mine and will not begin to meet the needs of that part of the country.

PROJECTED DEMAND FOR COAL

The Robert R. Nathan Associates report projected the power demand and the population increases for the western United States in order to obtain an estimate of the total fuel consumption in the far West in 1980. The lowest estimate was 124 million tons of coal, the highest one 163 million tons. They looked at the projections for new plants of the major power companies in the West and found that 26.3 million tons of coal equivalent were predicted for nuclear, gas or oil fired power plants, and a slightly larger amount projected to go into coal fired plants. More than half of the projected increase is uncommitted. Coal plants could provide a major part of this uncommitted portion if the economics warrant.

TABLE I.—ESTIMATED POTENTIAL MARKET FOR COAL AND LIGNITE FOR GENERATION OF ELECTRICITY IN THE FAR WEST 1980

[In million of tons coal equivalent]

	Low	High
1. Estimated total fuel consumption	124.1	163.6
2. Estimated consumption of existing, scheduled and announced plants:		
(a) Gas-oil and nuclear plants	26.3	26.3
(b) Coal plants	30.5	30.5
(c) Total	56.8	56.8
3. Uncommitted balance of fuel consumption requirements	67.3	106.8
4. Estimated share of uncommitted balance potentially available to coal	44.9	71.2
5. Total estimated potential market for coal (2b + 4)	75.4	101.7

Source: The Potential Market for Far Western Coal and Lignite, vol. 1, R. R. Nathan Associates, Inc.

Table II is a comparison between this 1980 estimate and 1963 consumption. The Western States provided only 5.4 million tons of coal for power generation in the year 1963. In the year 1980 the low estimate would have 75 million tons of western coal utilized, the highest 102 million tons, just for power generation. This is the "possible" amount. There is no guarantee that Utah will have a share of this coal unless we plan for it.

TABLE II.—ESTIMATED POTENTIAL MARKET FOR COAL AND LIGNITE IN THE FAR WEST, 1980

[Million tons]

	1980	Consumption, 1963
Electrical utilities	75–102	5.4
Steel industry	7	3.8
Other manufacturing	15-25	1.6
Total	97–134	10.8

Source: "The Potential Market for Far Western Coal and Lignite," vol. 1, R. R. Nathan Assoc., Inc.

It is further estimated that the steel industry demand for coke will about double in that period and that other manufacturing utilization of coal will go up by a factor of about 10. This too, will have a terrible impact on Utah's economy if properly developed.

NEW USES FOR COAL

In 1960 the U.S. Office of Coal Research (OCR) was organized in the Department of the Interior to stimulate efforts toward increasing utilization of coal. We at the University of Utah had, prior to that time, been conducting a small research project on the conversion of coal to liquids. Governor Rampton and several legislators visited the University laboratory to see what could be done to increase the effort and to establish a cost sharing research program with OCR. Since that time there has been a legislative appropriation of $25,000 annually which, coupled with the Uniform School Fund money from the University, has enabled us to establish with the Office of Coal Research, a cost sharing research program. A new $1,020,000 contract for an additional five years of supported research on this sharing basis has just been signed.

The Office of Coal Research is filling well its function of contracting with research laboratories, with universities and with other agencies to develop new ways of using coal. In the area of power generation, Table III lists a few of those projects with the dollar amount of funding for each. The results of just one of the projects has been a large package fluidized char boiler which will allow coal or char to be used as the fuel. (Char is the residual product from the production of a petroleum supplement from coal). This package power unit can be moved to a particular location to take care of the small unit operations that coal is advantageously suited to handle.

TITLE III.—OCR SPONSORED OR COSPONSORED PROJECTS DIVISION OF UTILIZATION POWER GENERATION

Project	Organization	Amount (millions)
Coal energized fuel cell	Westinghouse Electric Corp.	$2.40
Electrogasdynamic power generation.	Gourdine Systems, Inc.	1.0
Thermionic topper	Consolidated Controls Corp.	.24
Project boiler	Pope, Evans & Robbins.	.164
Large package boilers	Pope, Evans & Robbins.	.81
High temperature boiler tube corrosion.	Combustion Engineering, Inc.	.41

PETROLEUM SUPPLEMENT

Another area of research of vital importance is that of making a petroleum supplement from Coal. (Table IV). During the past several years the petroleum reserves in the United States have decreased from a 13:1 ratio between the proved reserves and annual consumption to about 10:1. This is very serious. The new North Slope of Alaska petroleum discovery will raise the ratio somewhat, but will probably provide only an additional two year's supply. To the companies involved this find is a bonanza. This does not, however, solve the problem of need for supplemental sources of liquid fuels, for the United States as a whole.

TABLE IV.—OCR SPONSORED OR COSPONSORED PROJECTS, DIVISION OF UTILIZATION, PETROLEUM SUPPLEMENT

[In millions]

Project	Organization	Amount
Project COED	FMC Corp	$7.67
Low Ash Coal	Pittsburgh & Midway Coal & Mining Co.	7.64
Project Gasoline	Consolidation Coal Co.	10.93
Project Seacoke	Atlantic-Richfield Co.	.92
H-Coal Process	Hydrocarbon Research, Inc.	2.06
Project Western Coal	University of Utah	.48+0.35

The Office of Coal Research is sponsoring a project with FMC Corporation called Project COED (Coal, Oil, Energy Development). The COED process is a carbonization operation for production of a material that can be converted into petroleum. The OCR contract with the Consolidation Coal Company, Project Gasoline, which has a nearly $11 million investment—involves dissolving the coal in a hydrogen-donor solvent. Each of these is a process for handling coal in a different way to get a petroleum supplement. The liquid produced can be fed into a petroleum refinery with hydrogenation facilities to make the liquid into gasoline, jet fuel, etc.

For six years at the University of Utah we have been working on Project Western Coal. This has cost the Office of Coal Research a little less than one-half million dollars together with the state money to which I have alluded. The work has resulted in over thirty publications in scientific and engineering journals based on talks presented at national and international meetings as well as in the development of a new hydrogenation distillation process we are now to enlarge. The attention of companies all over the world has thus been drawn to the very high quality coal in this state by these publications.

The petroleum supply-demand picture in the United States is dramatically illustrated in Figure 6. Until the year 1950–55 the U.S. supply was adequate at economic levels to supply the total demand for liquid petroleum products in the United States. In about that year we began importing large quantities from overseas. When the figure was compiled it was estimated that by the year 1969 the total demand would be about 9 million barrels a day and the total production would be 6 million barrels a day. The estimate was wrong. U.S. consumption is now between 10 and 11 million barrels and the production is 8 million barrels a day. The country has produced more oil than was anticipated; it is importing now far more than the report predicted. We are importing in excess of 25% of our annual needs. To meet all of our needs from internal production would require a major increase in price.

Dr. Henry Linden at Illinois Institute of Technology has done some excellent work on conversion of coal to a natural gas supplement under American Gas Association and Office of Coal Research sponsorship. In connection with this he has worked out some correlation equations which predict the ultimately recoverable petroleum and gas in the United States. Figure 7 predicts that in the mid-1970's we will maximize our production, and demonstrates that we are already on the shoulder of the production curve at a 2.93 billion barrels a year level.

The increased production within the United States is at an increased cost of finding and producing the oil. The North Slope oil is going to be fairly expensive because of its location. Humble Oil Company has converted an oil tanker into an icebreaker, the Manhattan, that has made it through the summer ice pack along the northern route to see if oil can be hauled by ship through the ice fields back to the east coast of the United States at reasonable costs. A pipeline across Alaska, estimated to cost one billion dollars, is also under construction.

Even with these new reserves, we will still be importing petroleum. The United States needs to be concerned with maintaining its national security in times of stress when these supplies (including Alaska) might be cut off.

The reasons for the increase in cost of petroleum are shown in Figure 8. The top line of numbers in the figure show that in the period of 1920–30, sixty-five major oil fields were discovered in the United States. In the next ten year period, 70; in the period 1940–50 only 43; in the next ten year period, even with more exploration going on, the number dropped to 25 and in the next five years of the decade only five major fields producing a million barrels or more were discovered. On the same figure we see that the number of millions of barrels of oil discovered per new "wildcat" well drilled has decreased from 130 in the 1945 period down to nearly 30 at the present time. Costs of exploration and oil field development have risen as well. It is no wonder that the cost of crude oil must increase if more is to be discovered and developed. Because of these factors the exploration investment by the oil companies within the United States has dropped dramatically. We are keenly aware of this in Utah since many petroleum exploration groups have moved out of the state in the past 10 years.

Now how can coal be used to solve the problem? In our laboratory and in the other laboratories and plants with research sponsored by OCR, as in the Bureau of Mines and in some private oil company laboratories, techniques have been developed for converting coal to a petroleum-like material which can be made into gasoline at costs that are approaching the cost of producing gasoline from petroleum. The figure we have in the back of our mind is that oil from coal conversion is competitive with oil costing $3.50 a barrel. This is an approximate figure but is worth thinking about. With less expensive imported crude available, a synthetic crude from coal is only marginally attractive. However, minor new developments will change this. Significant savings in terms of cheaper conversion processes and transportation of coal by slurry pipelines and railroad unit trains will allow Utah coal to be processed for the manufacture of gasoline for western markets in the not too distant future.

I mentioned Project Gasoline of the Consolidation Coal Company. Figure 9 is a schematic diagram of the plant. In this process a coal-derived liquid is used to extract the hydrogen-rich gasoline components from the coal.

At the University of Utah we have used an approach that is different from the Consolidation Coal approach and the carbonization approach of the FMC Corporation. In the direct carbonization FMC project the naturally occurring volatile matter is distilled. This might be 40 to 45% of the coal. In the solid extraction process of Consolidation Coal, 80% of the coal material can be extracted and put into solution. However, the liquid material produced by this process is more costly to convert into gasoline. The greater the degree of conversion of the coal, the more expensive the conversion process to gasoline step becomes.

At the University of Utah we have developed a technique that is a possible intermediate approach. It is the hydrogenization-distillation of coal at 2,000 pounds hydrogen pressure which gives a liquid yield higher than direct carbonization. The liquid is a higher quality material than that obtained by solvent extraction. The convertibility of this material into gasoline is as high as that of the oil from the direct carbonization route. The new contract with OCR will allow us to develop a very small pilot plant where we can investigate the economics of the technique more thoroughly.

NATURAL GAS SUPPLEMENT

I mentioned that petroleum is becoming more expensive. Natural gas is also becoming more expensive. We are actually in more serious trouble with respect to natural gas availability in the long term than we are oil because of its convenience as a fuel and of the tremendously widespread use it now has in the country. There are a number of gas from coal projects under OCR sponsorship listed in Table V. The table gives the amounts of money invested by the Office of Coal Research on these various projects.

TABLE V.—OCR SPONSORED OR COSPONSORED PROJECTS DIVISION OF UTILIZATION NATURAL GAS SUPPLEMENT

[In millions]

Project	Organization	Amount
Pipeline gas from coal	Bituminous Coal Research Inc.	$1.96
CO_2 acceptor process	Consolidation Coal Co.	8.5
Molten salt gasification	M. W. Kellogg Co.	1.71
Pipeline gas by hydrogasification.	Institute of Gas Technology.	11.65
	American Gas Association.	2.38
Electrofluidic coal processing.	Iowa State University	.23
Szikla-Rosinik combustor systems.	Franklin Institute	.153

At Illinois Institute of Technology, a process is being tested which can produce a natural gas supplement at just slightly higher cost than the current price of natural gas in the Northeastern part of the country. A large amount of money is now being invested in other pilot plants to determine the best process for making a natural gas supplement.

FOSSIL FUEL RESERVES

The U.S. fossil fuel reserves of coal, oil, gas and oil shale are tabulated in Table VI. The proved recoverable reserves of crude oil are 182 quadrillion BTU compared to 1,038 quadrillion BTU in reserves of coal. The *estimated* recoverable reserves in the final column are 860 quadrillion BTU of oil against 17,300 BTU for coal. Estimated reserves of oil shale are about 1,000 quadrillion BTU. The tremendous reserve of coal, the most abundant fossil fuel in this country, undoubtedly will be used to provide gasoline and jet fuels in the years ahead.

TABLE VI.—U.S. FOSSIL FUEL RESERVES (JAN. 1, 1966)

	Proved recoverable		Estimated recoverable	
	Billions or units	Quadrillion (10) B.t.u.	Billions or units	Quadrillion (10) B.t.u.
Natural gas, 1,000 CF	288[A]	298[B]	1,480[C]	1,530[B]
Natural gas liquids, bbl	8.0[A]	34[D]	41[E]	170[D]
Crude oil, bbl	31.4[A]	182[F]	148[G]	860[F]
Oil share, bbl assay	250[H]	1,450[J]	750[K]	4,350[J]
Coal, tonM	50	1,038	830	17,300

Any synthetic chemical you can make from petroleum can be made from coal. Costs of the synthetic products differ depending on the source and the treatment required. Many coal hydrogenation chemicals are currently available commercially. They are different from the molecules you find in petroleum in that they already consist of cyclic aromatic compounds. These compounds are the basis for a great deal of the organic chemical industry. Other chemicals currently cost more to produce from coal than from petroleum but the picture will change as large coal conversion plants are built.

How we stretch out our reserves of coal and oil and gas is of vital importance to future generations. The total estimated energy we have in fossile fuels, if we continue our present increase in rate of consumption, will last mankind to the year 2100 or 2150. (Figure 10.) If we use our resources more intelligently the time of exhaustion can be extended. Continued research on coal utilization is essential in order that succeeding generations will not be shortchanged and that the greatest possible lifetime for each type of raw material be assured.

ECONOMIC FACTORS

I have become aware during the few years we have worked on coal research that our economy is not completely free. There is established in the production of gasoline or the production of electric power a matrix of supports and controls within which companies can operate to provide products at a profit. The matrix for the production of gasoline has included a 27½% depletions allowance for petroleum which stimulated discovery efforts to replace the oil that was used. That allowance is proving now to be insufficient. The companies are not doing the necessary exploration work to keep up the needed petroleum reserves. That matrix unit, 27½% was established about 40 years ago. It proved adequate for about a 25-year period. Since then it has been inadequate. The temper of the country right now is to decrease rather than increase this incentive allowance. If this is done the oil companies will have to pass on to the consumer another cent or two a gallon on gasoline to pay for the decreased tax write-off. This cent or two a gallon difference will more quickly bring the time of making gasoline from coal competitive. There are obviously advantages and disadvantages to any such change in the matrix.

Another example of an economic matrix element is in the electric power generation field. There has now been established a competitive power generation package to fossil fuels, viz., nuclear power. In order to establish the newly competitive system some 13 billion dollars worth of research and development efforts have been paid by the government. There are still built-in (minor) subsidies in terms of cost of insurance, the cost of spent fuel disposal, etc. A matrix has been established which allows nuclear power plants to be competitive with fossil fuel plants in areas some distance removed from the source of the fuel. This matrix will insure the simultaneous development of nuclear and coal-fired power plants in this country.

These matrices are established by debate involving the proponents of various systems and our Congressional representatives. We, therefore, must be participants in the decision making if we wish to broaden the industrial base in this state and to capitalize upon the advantages we have. Utah coal is the coal closest to the southern California market. Utah high volatile bituminous coal is the highest quality of any available in large amounts, for the production of liquid fuels and of electric power. That it will be used to the fullest extent is not automatic, but will be the result of intelligent involvement in establishing some new matrix elements.

There are some disadvantages to our coal. It has to be mined by underground mining methods. The sub-bituminous and lignite coals can be strip-mined at lower cost. The advantages we have in location and quality are, therefore, somewhat offset by higher mining costs.

As we choose between nuclear power plants and coal burning power plants in the southern part of the state, we must be aware of and weigh all of the factors. As far as a revenue to the state is concerned, the coal plant would involve coal miners and production engineers in far greater numbers than the nuclear plant. Even if basic plant costs were the same, it might be to the state's advantage economically to press for a coal fired plant to insure the broader economic base.

The developments in coal use we have discussed require continuous attention. We need to be concerned enough about the development of the state to exercise an increased entrepreneural drive. A comparable drive a century ago brought the railroad and built the irrigation systems and the businesses and even the communities in this state. If we have that kind of drive we can couple the interests of the natural gas, electric power, petroleum and coal industries in a way that each of the involved companies can see where it will profit. Then we can move ahead and really see this state achieve its maximum potential.

Thank you very much.

THE 1971 BUDGET "SCOREKEEPING" REPORT

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MAHON. Mr. Speaker, an updated issue of the periodic "budget scorekeeping report" prepared by the staff of the Joint Committee on Reduction of Federal Expenditures has been mailed to all Members. The report, cumulative through June 25, 1970, shows how various actions of the President and the Congres have affected the President's budget estimates for fiscal 1971, since that budget was submitted on February 2.

The scorekeeping report is about 27 pages of largely statistical data related to the budget and requires some study for a full understanding of a necessarily complex subject. However, certain highlights, giving, in summary fashion, the current status of the 1971 budget, are printed as an introduction to the report. These highlight statements are as follows:

HIGHLIGHTS—INTRODUCTION

STAFF REPORT ON THE STATUS OF THE 1971 FISCAL YEAR FEDERAL BUDGET—HIGHLIGHTS AND CURRENT STATUS OF THE 1971 BUDGET

Presidential revisions in the budget

A. New budget authority for fiscal 1971 in the February 2 budget submission was estimated to be $218,030,495,000. By budget amendments, legislative proposals and reestimates (May 19, 1970), the President has increased the estimates for new budget authority for 1971 by $2,321,249,000 to a new total of $220,351,744,000.

B. Budget outlays for fiscal 1971 in the February 2 budget submission were estimated to total $200,771,129,000. By budget amendments, legislative proposals and reestimates (May 19, 1970), the President has increased the estimated budget outlays for fiscal 1971 by $4,571,871,000 to a new total of $205,343,000,000.

C. Budget receipts for fiscal 1971 in the February budget submission were estimated to total $202,103,000,000, including $1,522,000,000 for increased taxes proposed to the Congress. By additional revenue proposals for estate and gift taxes ($1,500,000,000) and leaded gasoline tax ($1,600,000,000) offset by some adjustments downward in his May 19, 1970 reestimates, the President has increased fiscal 1971 estimated receipts by a net of $2,006,000,000 to a new total of $204,109,000,000.

Congressional changes in the budget

A. Budget authority for fiscal 1971:

1. *House* actions to June 25, 1970 on all spending bills—appropriations and legislative—have *increased* the President's requests for fiscal 1971 budget authority by $1,197,277,000.

2. *Senate* actions to June 25, 1970 on all spending bills—appropriations and legislative—have *increased* the President's budget authority requests for fiscal 1971 by $1,992,529,000.

3. *Enactments* of spending bills—appropriations and legislative—to June 25, 1970 have *added* $457,584,000 to the President's budget authority requests for fiscal 1971.

B. Budget outlays for fiscal 1971:

1. *House* actions to June 25, 1970 on all spending bills—appropriations and legislative—have *added* a net of $1,833,363,000 to the President's total estimated outlays for fiscal 1971.

2. *Senate* actions to June 25, 1970 on all spending bills—appropriations and legislative—have *added* a net of $1,028,852,000 to the President's total estimated outlays for fiscal 1971.

3. *Enactments* of spending bills—appropriations and legislative—to June 25, 1970 have *added* $465,084,000 to the President's total estimated outlays for fiscal 1971.

C. Budget receipts requested by the President for fiscal 1971 requiring Congressional actions total $4,622,000,000:

1. *House* actions to June 25 on revenue proposals total $708,000,000 (including a net of $173,000,000 not requested for fiscal 1971 by the President) leaving a balance of $4,087,000,000 additional revenue increases required to meet the President's revised fiscal 1971 budget requests.

2. *Senate* actions to June 25 on revenue proposals total $529,000,000 (including $211,-

000,000 not requested for fiscal 1971 by the President) leaving a balance of $4,304,000,000 additional revenue increases required to meet the President's revised fiscal 1971 budget requests.

3. *Enactments* of revenue proposals to June 25 total $322,000,000, leaving a balance of $4,300,000,000 additional revenue increases required to meet the President's revised fiscal 1971 budget requests.

Facts on the budget deficit

The budget for fiscal 1971 submitted to Congress February 2, 1970 reflected a unified budget surplus of $1.3 billion, made up of an $8.6 billion surplus from the trust funds and a $7.3 billion deficit in the general Federal funds.

The budget for fiscal 1971 as revised by budget amendments, additional legislative proposals, and reestimates, exclusive of any separate direct Congressional actions on the budget, as announced by the President on May 19, 1970, reflected a unified budget deficit of about $1.2 billion. Including congressional actions, as announced by the President May 19, 1970, the unified budget deficit was estimated to be $1.3 billion, made up of a $8.7 billion surplus from the trust funds and a $10 billion deficit in the general Federal funds.

These surplus and deficit projections are dependent upon various factors of an uncertain nature, such as:

1. Experience shows that actual outlays are likely to increase over earlier projections—thus increasing the deficit.

2. The economic slowdown may decrease actual revenues from the amounts projected—thus increasing the deficit.

3. The budget contains about $2.1 billion in negative outlay estimates for various legislative proposals (such as postal rate increases, etc.) which if not enacted by Congress will automatically increase budget outlays by the amounts not enacted—thus increasing the deficit.

4. The budget reflects reduced outlay estimates in the amount of $2.1 billion for various program terminations, restructuring, and reforms, some requiring congressional enactments, which if not accomplished will automatically increase budget outlays by the amounts estimated—thus increasing the deficit.

5. The budget as revised to May 19, 1970 contains receipt estimates from various revenue producing proposals in the amount of $4.8 billion (including $503 million for trust funds of which $194 million was not requested by the President) which if not enacted by Congress will automatically reduce receipts of the Treasury by the amounts estimated—thus increasing the deficit.

Adding these uncertain budget estimates to the deficit projections made by the President May 19, 1970, the unified budget deficit might be $10.3 billion made up of a $8.2 billion surplus from the trust funds (excluding $500 million from new proposals) and a $18.5 billion deficit in the general Federal funds. Any changes upward in outlays by Presidential or congressional add-ons or reestimates and any changes downward in revenues (and the staff of the Joint Committee on Internal Revenue Taxation has recently estimated that revenues will be about $3.2 billion less than the administration projects for fiscal 1971) will necessarily add to these deficit projections.

SUPPORTING TABLE NO. 1

Mr. Speaker, in addition to the foregoing highlight statements, I am sure Members and others will find supporting table No. 1 of special interest. This is perhaps the key table in the report showing, bill by bill, what Congress is doing to change both the budget authority and the outlay—expenditure—sides of the President's budget. It shows actions in terms of increases or decreases from the budget estimates. I am inserting supporting table No. 1 in the RECORD.

By referring to the various subtotal lines on the table, the cumulative change from the budget estimates can be readily determined.

This table is in several parts.

APPROPRIATION BILLS

The first part of the table shows the effects of actions taken—to June 25—at this session on appropriation bills.

The report indicates that the net effect of House actions in appropriation bills to June 25 have resulted in decreasing 1971 appropriation requests for budget authority by about $665 million, and increasing estimated outlays over the President's budget estimates by about $112 million. Outlays show an increase, because the outlay figure includes the effect in fiscal 1971 of the Labor-HEW-OEO appropriation bill for fiscal 1970 passed at this session—the budget for fiscal 1971 submitted in February did not reflect final congressional action on this appropriation bill, but did reflect final congressional action on all other appropriation bills for fiscal 1970, except, of course, the pending second general supplemental bill.

BACKDOOR BUDGET AUTHORITY

The second part of this table shows changes in the budget made in the form of new budget authority through the so-called backdoor appropriations process. To June 25, the House has voted $1,724 million in budget authority over the President's budget requests. Since only contract authority is involved, no change is shown for outlays. The figures shown in parentheses are for actions taken during the last session on bills still pending before the Congress.

LEGISLATIVE BILLS MANDATING SPENDING

The third part of this table reflects estimates for budget increases or decreases which result from congressional action on legislation containing mandatory spending authorizations such as pay or pension increases for which spending does not wait until an appropriation is made as is the case for most legislation authorizing new or expanded programs.

The net effect of House actions to June 25 for such legislative items is an increase in 1971 budget authority of $138 million and an increase in 1971 budget outlays of about $1,722 million. This does not reflect enacted or pending Federal or postal pay increases which were proposed by the President as increases to his own February budget and therefore not accounted for as congressional increases in the budget.

A similar tabulation, giving the details of congressional actions affecting fiscal 1970 estimates, is included at the bottom of this table:

SUPPORTING TABLE NO. 1.—EFFECT OF CONGRESSIONAL ACTIONS DURING THE CURRENT SESSION ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF JUNE 25, 1970)

[In thousands of dollars]

	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
Items acted upon	House (1)	Senate (2)	Enacted (3)	House (4)	Senate (5)	Enacted (6)
Fiscal year 1971:						
Appropriation bills (changes from the 1971 budget):						
Labor, Health, Education and Welfare, and related agencies, 1970 (H.R. 15931, Public Law 91-204)				[1] +248,000	[1] +248,000	+248,000
Education (H.R. 16916) [2]	+319,590	+965,997		+215,000	+567,000	
Legislative Branch (H.R. 16915)	−9,394			−8,750		
Treasury, Post Office, and Executive Offices (H.R. 16900)	−73,053			−65,000		
Second Supplemental, 1970 (H.R. 17399)				−19,700	−200,300	(‡)
Independent Offices and Department of Housing and Urban Development (H.R. 17548)	+173,389	†+451,380		−114,650	†+79,500	
State, Justice, Commerce, the Judiciary and related agencies (H.R. 17575)	−136,949			−50,000		
Interior and related agencies (H.R. 17619)	−731			−3,350		
Transportation and related agencies (H.R. 17755)	−36,235			−34,700		
Foreign assistance and related agencies (H.R. 17867)	−655,578			−150,000		
District of Columbia (H.R. 17868)	−150	−150		−150	−150	
Agriculture and related agencies (H.R. 17923)	−81,587			+105,800		
Military construction (H.R. 17970)	−137,763			−11,000		
Public Works and Atomic Energy (H.R. 18127)	−26,625					
Subtotal, appropriation bills	−665,086	+1,417,227		+111,500	+694,050	+248,000

Footnotes at end of table.

Items acted upon	Congressional actions on budget authority (changes from the budget)			Congressional actions on budget outlays (changes from the budget)		
	House (1)	Senate (2)	Enacted (3)	House (4)	Senate (5)	Enacted (6)
Legislative bills with "backdoor" spending authorizations (changes from the 1971 budget): [3]						
Emergency home financing (S. 3685)	+1,500,000		(‡)	(N.A.)		(‡)
Navajo Road (S. 404)		(+5,000)				
Land and water conservation (S. 2315)	+30,000	[1]+30,000	††+30,000			
Unemployment trust fund (H.R. 14705)	[1]+194,000	+194,000	†+194,000			
Outdoor advertising controls (S. 1442)		(+15,000)				
Federal-aid highways (H.R. 14741)	(+26,000)					
NSLI trust fund for veterans' home loans (H.R. 9476)				(†+1,000,000)		
Subtotal, "backdoor"	+1,724,000	+224,000	+224,000			
Legislative bills with mandatory spending authorizations (changes from the 1971 budget):						
Additional district judges (P.L. 91–272)	−2,370	[1]−727	−727	−2,370	[1]−727	−727
Court leave for Federal employees (H.R. 12979)	(N.A.)			(N.A.)		
Uniform relocation assistance (S. 1)		(N.A.)			(N.A.)	
Employee health benefits (H.R. 16968)	†+140,000			†+140,000		
Defense: overseas mailing privileges (H.R. 8434)	(+8,900)			(+8,900)		
Military lawyers retention (H.R. 4296)	(+7,000)			(+7,000)		
Family separation allowance—residence (H.R. 110)	(+17,000)			(+17,000)		
Family separation allowance—POW (H.R. 9486)	(N.A.)			(N.A.)		
Air evacuation subsistence (H.R. 9654)	(+50)			(+50)		
Dependents' health care (H.R. 8413)	+255			+255		
Reserve retirement—Berlin–Vietnam (H.R. 3813)	(N.A.)			(N.A.)		
Reserve retirement—aviation midshipmen (H.R. 11265)	(N.A.)			(N.A.)		
Public Health Service retirement (Public Law 91–253)	+259	[1]+259	+259	+259	[1]+259	+259
Social security (H.R. 17550)				+1,500,000		
Family assistance (H.R. 16311)	−450,000			−350,000		
Federal lands for parks (reduces offsetting receipts) (S. 1708)		(N.A.)			(N.A.)	
Foreign Service retirement (Public Law 91–201)	(N.A.)	(N.A.)	(N.A.)	(N.A.)	(N.A.)	(N.A.)
Veterans' hospital care for 70-year-olds (H.R. 693)	+(7,000)	(+7,000)	(‡)	(+7,000)	(+7,000)	(‡)
Veterans non-service-connected benefits (H.R. 372)	(+8,538)			(+8,538)		
Veterans education assistance (Public Law 91–219) [4]	[1]+185,500	[1]+185,500	+185,500	[1]+169,000	[1]+169,000	+169,000
Veterans additional $5,000 insurance (S. 1479)	+45,000	[1]+45,000	††+45,000	+45,000	[1]+45,000	††+45,000
Veterans compensation increase (S. 3348)	+226,481	+114,370		+226,481	+114,370	
Redefine "child"—(dependency compensation) (Public Law 91–262)		+6,900	+3,552		+6,900	+3,552
Veterans auto allowance increase (H.R. 370)	+938			+938		
Railroad retirement (H.R. 15733)	−7,700	(N.A.)	(‡)	−7,700	(N.A.)	(‡)
Subtotal, mandatory	+138,363	+351,302	+233,584	+1,721,863	+334,802	+217,084
Subtotal, legislative bills	+1,862,363	+575,302	+457,584	+1,721,863	+334,802	+217,084
Total, fiscal year 1971 [5]	+1,197,277	+1,992,529	+457,584	+1,833,363	+1,028,852	+465,084
Fiscal year 1970:						
Appropriation bills (changes from the revised 1970 budget):						
Foreign Assistance (Public Law 91–194)	[1]−150	[1]−150	−150	[1]−100	[1]−100	−100
Labor, Health, Education, and Welfare and Related Agencies (H.R. 15931, Public Law 91–204)	[1]+567,000	[1]+567,000	+567,000	[1]+335,000	[1]+335,000	+335,000
Second Supplemental, 1970 (H.R. 17399)	−153,957	[6]+122,203	(‡)	−121,300	−84,800	(‡)
Subtotal, appropriation bills	+412,893	+689,053	+566,850	+213,600	+250,100	+334,900
Legislative bills with spending authorizations (changes from the revised 1970 budget):						
Food for needy children (Public Law 91–207)				[1]+30,000	[1]+30,000	+30,000
Veterans education assistance (Public Law 91–219)	[1]+107,400	[1]+107,400	+107,400	[1]+94,000	[1]+94,000	+94,000
Airports and airways development (Public Law 91–258)			+840,000			(N.A.)
Subtotal, legislative bills	+107,400	+107,400	−947,400	+124,000	+124,000	+124,000
Total, fiscal year 1970	+520,293	+796,453	+1,514,250	+337,600	+374,100	+458,900

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[1] Reflects conference on final action for comparability.

[2] $425 million budget authority ($212 million outlays) for impacted area School aid, carried in budget as "proposed legislation," is regarded as budget appropriation request for scorekeeping purposes although no formal amendment has been transmitted.

[3] "Backdoor" refers to budget authority and outlays provided in basic legislation not requiring further appropriation action.

[4] Congressional increase of $185.5 million subsequently included in budget amendment (H. Doc. 91–312).

[5] Excludes actions taken in previous session, shown in parentheses above.

[6] Does not reflect provision of $300 million for food stamp program to be charged against 1971 Agriculture Appropriation Bill. Reflects points of order on the floor against foreign military credit sales and emergency school assistance.

‡Subject to or in conference.
†Committee action.
††Pending signature.
N.A.—Not available.

INCURABLE HUMANITARIANISM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DERWINSKI. Mr. Speaker, as we note the withdrawal of all U.S. troops from Cambodia consistent with the President's pledge to the country at the time he directed the sweep through Communist sanctuaries there, it is time to reemphasize our respect for the conduct of our men in uniform and for the character they display in defense of our freedoms.

Too often news reports have concentrated on isolated instances which reflect on the character and integrity of our fighting men. Therefore, I feel that the editorial in the June 27 Polish American emphasizing the positive factors of their behavior is worthy of greater attention.

The editorial follows:

INCURABLE HUMANITARIANISM

The question of whether American forces are becoming a brutalized lot in Viet Nam is answered in an article in *The Readers Digest*, entitled "Beyond the Call of Duty in Viet Nam." It tells how individually and collectively U.S. forces are voluntarily laboring to make life a little easier for a people whose land has been riddled by war for many long years.

In the words of *The Digest*, "All over South Viet Nam our soldiers are engaged in . . . humanitarian missions. . . . The list of individual acts of mercy is unending. In fact, as one senior military officer . . . (says), 'My hardest task is keeping track of the incurable humanitarianism of our troops.' " Last year, reports *The Digest*, Army volunteers helped construct 1,253 schools and 597 hospitals and dispensaries, contributing $300,000 from their own pockets. If there is a "sickness" sweeping our country, it is largely the product of distorted news that seems deliberately designed to make our people lose faith in the ideals and principles that lie at the core of U.S. existence. U.S. servicemen in Viet Nam have been keeping these ideals and principles alive in spite of whatever may be said to the contrary.

MEAT CUTTERS AND BUTCHER WORKMEN AGAINST THE WAR

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. LEGGETT. Mr. Speaker, it is becoming increasingly apparent that opposition to the war is not confined to the campus longhairs, the parasites of passion, the Sunshine patriots and the limousine liberals. Dissent against the war is becoming a consensus in favor of complete withdrawal within a year at most. The consensus against the war is cutting across every element of American society.

In recent months we have seen the board chairman of IBM and the Bank of America making impassioned statements against the war. We have seen one church group after another come out for withdrawal. We have seen polls showing that withdrawal sentiment is even stronger among those over 30 than it is among the young.

And we have seen withdrawal sentiment building in the labor movement. The President would be most ill-advised to assume that George Meany and the foul-mouthed hard hats speak for all of organized labor. We have seen the auto workers, the clothing workers, the teamsters, and a host of west coast unions call for immediate withdrawal. Now we have a ringing denouncement of the war from the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO.

All of this does not make us necessarily right, but it is encouraging. It means policy is going to have to change. At the very least, it means if Mr. Nixon does not get out by 1972, his successor will get us out in 1973.

Under unanimous consent agreement, the editorial entitled "War and the AFL-CIO," from the Butcher Workman of June-July 1970, is inserted in the RECORD.

Following the "Butcher Workman" article, the labor survey article entitled "Labor Opposition to War Rising Across Country," from the Labor Journal of Napa and Solano Counties, is inserted in the RECORD:

WAR AND THE AFL-CIO

Senator Fulbright of Arkansas, in the estimation of trade union leaders, may not have the best voting record in the Senate of the United States. Time will prove, however, that he is one of the nation's best statesmen and will be remembered in history as a great humanitarian.

The Arkansas Senator had the courage to state that the AFL-CIO has become part of the military establishment of our nation. Such is a serious charge. In our opinion, however, the charge, to a great extent, is true.

We do not believe that the leader of our great American trade union family speaks for that family in supporting the President in the present war dilemma of our nation. We have never been out of the official family of labor since we received our International charter in 1897. We have never, however, followed blindly, and never will, every edict that emanates from the official headquarters in Washington, especially where war is the issue.

The AFL-CIO is not infallible, and many of us feel strongly that it is out of step with the thinking of the 13,000,000 members it represents.

No rational segment in the make-up of America puts the stamp of approval on our war involvements. Thirty-two Presidents of our nation's best known universities are on record that our boys should be brought home from Southeast Asia.

Our university students from coast to coast who feel *they* will have to fight this war have the same opinion.

Practically every church denomination in our nation believes our involvement is immoral. Fraternal orders and groups double and triple the numerical strength of the AFL-CIO have advocated the stopping of this human slaughter. Millions have marched in our streets expressing a longing for peace. And martyrs, like Martin Luther King, have died in opposition to what is going on.

Even Louis D. Lundborg, chairman of the Board of the largest bank in the United States, before our own Senate Foreign Relations Committee said that the war is bad for business. He also said that if anyone is to blame, it is people like himself for not speaking up and speaking out sooner and asking "What goes on here?" Remember—this is a banker speaking, not a trade union leader! Is everybody out of step except the AFL-CIO?

We wonder how long the 13,000,000 trade unionists in the United States will sustain this opinion. We wonder also how many of the executive officers of the AFL-CIO down deep within their hearts share this ridiculous position. Until a more sane policy is developed, we have only to wait through a dark night for a clearer dawn and the moving finger of fate will write indelibly across the hearts of every person that there must be justice, freedom, peace and equality among the peoples of the world!

LABOR OPPOSITION TO WAR RISING ACROSS COUNTRY

Another major indication of the increasing opposition of California unionists to the war in Southeast Asia appeared in the S. F. Chronicle last week.

It was an ad carrying the signatures of a large number of attorneys, and among the labor attorneys listed was Charles F. Scully, long-time legal counsel of the California Labor Federation, AFL-CIO.

The text of the full-page ad signed by 451 Bay Area unionists, which was published the week before, was placed in the Congressional Record during debate on the Cooper-Church amendment, which would hold President Nixon to his promise by cutting off funds for the Cambodian invasion, effective July 1.

Due for a vote in June is the McGovern-Hatfield-Cranston-Hughes-Goodell Amendment 609, the "amendment to end the war," which would cut off all funds for the war except those needed to bring American troops home safely by June, 1971.

Lobbying for this measure continues at a high level as doctors, lawyers, clergy, unionists and others join students in buttonholing legislators. A national petition campaign supporting it is getting millions of signatures.

While leaders of New York construction workers and longshoremen—organizers of prowar rallies which led to assaults on students—met with President Nixon to express support for the widening of the war, several AFL-CIO unions and leaders broke openly with Nixon and the AFL-CIO position supporting him.

The 417,000-member Amalgamated Clothing Workers, in convention at Atlantic City, applauded anti-war senators and President Jacob Potofsky, who said:

"Our members, like all working people and like the majority of all Americans, want peace. And they want peace now, without delay, without further military adventures, without more killing. . . . If we do not end our involvement in Southeast Asia, which is tearing us apart, our nation and the democratic process are in danger of dying."

AFL-CIO President George Meany then canceled his planned speech to the convention.

Patrick Gorman, president of Amalgamated Meat Cutters & Butcher Workmen, in the union's official journal, said, "We do not believe that the leader of our great American trade union family speaks for that family in supporting the President."

The 35-member AFL-CIO Executive Council had endorsed the invasion of Cambodia with three rare public dissents, including those of Jerry Wurf, head of the American Federation of State, County and Municipal Employees, and William Pollock, president, Textile Workers Union.

The United Electrical Workers general executive board joined the mounting protest, declaring:

"Continuation of Administration policies will result in further deterioration of the economy, more killings in the war, more repression at home as the Administration attempts to eliminate dissent to its harmful and dangerous policies."

The International Executive Board of the United Auto Workers said, in its first policy statement since the death of Walter Reuther:

"The terrible shame of violence by government has cast a grim and ominous shadow across our nation in recent weeks. It is a shadow that has dimmed the light of democratic rule in Kent, Ohio, in Jackson, Mississippi and in Augusta, Georgia . . . The dangerous military policy of the Nixon administration have driven the wedge of division even deeper.

"We cannot successfully preach non-violence at home while we escalate mass violence abroad. At no time in the history of our free society have so many troops been sent to so many campuses to suppress the voice of protest by so many young Americans."

Michigan AFL-CIO President Gus Scholle said there is a need for a "joint cause" of students and workers. He endorsed a National Emergency Conference Against the Cambodia-Laos-Vietnam War to be held in Cleveland, Ohio, June 19-20.

In the May issue of the International Teamster, IBT General Vice-President Frank Fitzsimmons said, "Almost everyone is frustrated by a backlash from the war, which has caused the wildest runaway inflation in the history of our country."

The ILWU Dispatcher points out an "even more frightening aspect of the crisis which has split the nation—and which the administration continues to feed with Agnew's speeches, and Nixon's meetings with the rightwing Young Americans for Freedom."

It is "the fact that more than 5,000 'technical' nuclear weapons are now located in the Southeast Asia area, including Thailand."

The Dispatcher says, "With the reckless decision to invade Cambodia made by a few military men and White House advisors, and an Administration asserting that protest 'would blow over in 24 hours,' the President's determination to seek 'victory' in Indochina raises new dangers of atomic warfare . . .

"Nixon's May 8 threat of 'more force and more effective force against North Vietnam' suggests the possible use of nuclear weapons."

Lt. General James M. Gavin (US Army Ret.) told the Senate Foreign Relations Committee on May 12:

"Our relations with other nations, the state of our economy, and the domestic condition scream for constructive attention, yet, everything that we are doing is tearing our country apart and alienatng us from our best friends.

"We must bring our Southeast Asian involvement to an end as rapidly as possible, for each day of delay increases the likelihood of the one confrontation we should avoid at all cost, a war with Red China."

FORMER GOVERNOR OF MARYLAND SPEAKS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HOGAN. Mr. Speaker, we live in an era when it seems that calm, rational debate has been superseded by the politics of confrontation; when it seems that those who make the loudest noise, regardless of what they say, and those who proffer the most outlandish protestations get the most attention; when it seems that thoughtful, realistic action is often dubbed do-nothing.

I would like to call to the attention of my colleagues the recent remarks of a quiet man who offers some quiet thoughts on the case for what should be points of fundamental agreement on the President's conduct of withdrawal from the war in Southeast Asia.

Former Maryland Gov. Theodore J. McKeldin, speaking before a business convention in Ocean Grove, N.J., gave the following thoughts:

> This is neither the place nor the occasion on which to inject partisan politics, and if I were to urge you either to support or to oppose any party program, or any party leader, I should be abusing your hospitality.
>
> But I do not think it partisanship for me to mention my anxiety over a very strong trend in recent political debate. That is the rising fury with which it is conducted on all sides. My distrust of that trend is not partisan. It is based on the fact that all experience has shown that furious denunciation never leads to intelligent action. On the contrary, it is almost a guarantee of foolish action, regardless of which side prevails.
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> I venture to remind you, therefore, that while the nation is not merely divided, it is split into a half dozen segments clamorously denouncing each other, there are wide areas on which there is no disagreement whatever.
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> To begin with, take the most unpopular activity of the present administration, the war in Southeast Asia. The division on that issue is deep and bitter, but there is no disagreement, because nobody can deny the fact, that this administration inherited the war. If it were a mistake from the start it was not President Nixon's mistake because he was not in power at the time.
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> Furthermore, it cannot be denied, because it is on record, that President Nixon promised very early that he would omit no effort to end that war as soon as possible. It cannot be denied, because it is on record, that he has withdrawn about twenty percent of our combat troops from the theater of war. He has not yet ended the war, but rational men agree that getting out of such a situation is bound to take time. If you think that Mr. Nixon has not gone about it in the best way, it is your right, indeed, your duty, to say so, but to charge a man with making mistakes is very different from charging him with not trying.
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> As much may be said of the other great problems that are disturbing all thoughtful men—racial collisions, the revolt of youth, rising unemployment and decreasing business activity. All of them have many roots and therefore are difficult to treat, all of them have brought to the surface the lunatic fringe that attends every reform movement, all of them contribute to the turbulence that has jarred the political structure to its foundation and that is driving the faint-hearted into hysterics.
>
> I repeat, I am not here to inject partisan politics into this meeting. Of course, the Administration has made mistakes, and I am sure the President would be the first to admit it. Every administration has made mistakes, from that of George Washington to that of Lyndon Johnson. The fair basis for judging an administration is not to ask, has it avoided all mistakes? but, has it avoided the worst of all mistakes, which is to fold its hands and do nothing. I submit to you, as fair-minded men whether Democrat or Republican, is there one of these that the administration has failed to attack? I am sure that the answer will be, no. In my own opinion it has attacked them with some success, but I don't ask you to agree with me on that, only to admit that it hasn't quit, but is on the job for which it is responsible.
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> If that is the case, then in spite of the uproar we may rest assured that the divisions that afflict us do not cut deep enough to touch any vital organ. I do not deny that they are painful and dangerous. I do not deny that we ought to apply every sterilizing and curative agency available to heal them. But I do deny that they are fatal, I do deny that they excuse our tendency to substitute hysterical recrimination and unproved accusation for cool and reasoned argument, because on the most important things we are not divided, on the fundamentals we are still agreed.
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> So without attacking anyone or defending anyone, I venture to remind you of the supreme obligation that over-rides all other political obligations whatsoever. It is the duty that lies upon all parties, all factions, all sects, all ideologies, all Americans. It is incumbent on Democrat and Republican, on liberal and conservative, on black and white, on men and women, on youth and on grandfather. It is the duty to "highly resolve . . . that government of the people, by the people, for the people shall not perish from the earth."

AMERICA'S TRANSPORTATION CRISIS

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. WEICKER. Mr. Speaker, as most of us living in New England realize, there is no transportation system existent in the United States today. Rather, there are a thousand transportation happenings, each of which we have had the misfortune to sample on one occasion or another. Certainly you as professionals, concerned with the proper development of land, must realize by now that unless something is done and done immediately, New England will lose its attraction as a place in which to both work and live. However, my comments today are not a provincial cry for help to my fellow legislators in Washington, but rather a warning to do what is transportation right rather than what is historically comfortable. What is an acute problem in the Northeast and Middle Atlantic States is a serious problem in the Midwest, is a problem on the west coast, is a blossoming problem in the Southwest and a future problem in the South. Let me illustrate my general theme by referring to our latest transportation crisis. For years a handful of public officials in Connecticut have devoted nearly all their time to the problems of the New Haven Railroad. Coming from southwestern Connecticut, my first duty as a State legislator in 1963 was to involve that two-thirds of Connecticut that seemingly had no direct interest in urban mass transportation in the crisis. Fortunately, it only took a year to convince the people of central Connecticut that a strong economy in the southwestern portion of the State was vital to their well-being. That a strong economy in eastern Connecticut was vital to the prosperity of western Connecticut.

In short that to a great commercial State, transportation, specifically rail transportation, was a No. 1 priority if Connecticut were to prosper.

At the time our rail problems in Connecticut were coming to the fore, Rhode Island, and Massachusetts were experiencing similar difficulties. It seemed as if all of New England had woken up to find that while years and millions of dollars had been spent on building the most progressive highway system in the world, the one mode of transportation that could carry the largest number of people over the smallest amount of real estate had been allowed to expire by default. It seemed as if all of New England had suddenly become aware that as highways proliferated, open space, living areas and the country for which New England is known became scarcer and scarcer. It seemed as if on one morning all of New England wondered why its highways were competing with its railroads and its airports were connected with neither. And on that same morning New York and New Jersey realized that they had similar problems and the solutions had to come in cooperation with Connecticut, Rhode Island, and Massachusetts. All of this came into focus because of the problems of a small regional commuter rail line.

For 7 years the battle of the New Haven raged first in New England and then in the Nation's Capital. Still there was no great stir. No panic no national headlines. In a national sense we were only talking about one mode of transportation, rail, in one small section of the country, specifically, the area from New York to Boston. Then a little over a week ago the problem acquired the necessary credentials of crisis to make it a national issue when the Penn Central filed for bankruptcy.

All the arguments, pro and con, that had attended the New Haven crisis would now appear again on a broader scale. Those of us in Government who had spent 7 years in the minor leagues of the New Haven crisis were well prepared to take the field in the big time expiration of the Penn Central. However, the time is a little too desperate to indulge in the luxury of I told-you-sos, or to indulge in the laziness of solutions based solely on Government handouts. For if we spend all the money that we have spent on transportation in the last 50 years and we spend it in the same way, then we can expect that after today's transportation crisis is surmounted, in 50 years, cars will again be bumper to bumper on the highways, railroads will again be bankrupt and planes will again be stacked in holding patterns all over the sky. I think the time has come to recognize the whys of our present predicament.

As to the railroads, they have suffered from a lack of governmental assistance even when all other modes of transportation were given such assistance.

Secondly, railroad management itself has long been comfortable in the role of cry-baby seeking handouts rather than in the role of businessman seeking customers.

Lastly, State and Federal regulatory agencies have spent their energies solely in the area of rates and politics rather than in areas of service and transportation. With this in mind, I will today introduce legislation calling upon the Secretary of Transportation to initiate an immediate study as to the feasibility of the following three propositions.

First. The take over by the U.S. Government of all of the rights of ways of American rail carriers. Far from nationalizing our railroads, this proposal is designed to put railroads on the same footing as the other component parts of U.S. transportation. The Government subsidizes both highway and airport construction. The Government has just begun to reassert its assistance role in the area of our Merchant Marine. The advantages of this proposal are as follows:

First. It would base government subsidy not on the fluctuating figures of operating revenues or losses but rather on the more ascertainable figure of maintenance of rights of ways. I think the Congress of the United States would be more receptive to such sums certain than to the open ended proposition of covering operating deficits.

Second. It would free up such capital as the railroads are spending on the maintenance of their rights of ways to be used by the railroads in new equipment and service improvements.

Third. It would give the U.S. Government a hold over the service provided by the railroads. A hold it presently does not have.

Fourth. The business of running the railroads will be left in private hands. A state of facts that I find far more preferable than getting Washington bureaucrats into the business of running railroads.

The second proposition is the establishment of one transportation trust fund. This would once and for all base the spending of our transportation dollars on transportation needs rather than on transportation lobbying or national fads.

The administration of this trust fund would be under the Department of Transportation. Allocations of money to the States would be based on a formula of land area, population, and urban centers. No State would be eligible to receive any money for any particular transportation project unless it has shown how that project was part of a coordinated transportation system within the State. No money would be released by the Secretary of Transportation unless it were shown that a definite tie-in existed as between the transportation systems of the various States.

As long as the present system of separate transportation trust funds exist, you are going to have highways unconnected to our railroads. You will have airports unconnected to our highways. You will have railroads unconnected to our airports. And what that means is that you will have to have two or three times the number of component parts than would be necessary if you coordinated all three.

The third proposition relates to our State and Federal regulatory agencies. It is my firm belief that their actions are based more on politics than on the realities of transportation. Initially set up to protect the public from a monopoly, they have, because of their laziness, lack of technical know-how and abundance of political sensitivity, equated service with rates rather than to set up standards of service and then establish rates that enable the carriers to deliver the service. The net result has been that neither the public nor the carriers have been well served. The public has no service and the carriers get only a politically sufficient return to enable them to exist rather than create. I seriously doubt the usefulness of transportation regulatory agencies as presently constituted.

Maybe the thoughts that I have expressed this morning do not sound very radical to those of you assembled in this room. However, I can assure you they are going to shake up an awful lot of lobbyists, politicians, and bureaucrats in Washington. You see, what is good for them has not been good for the traveling public.

Yesterday's Penn Central crisis is only different from several other crises in transportation over the past several years because of its size. The whys are all the same.

Why is it that we have to see the garbage in Long Island Sound before we recognize water pollution as a problem. Why is it that people must die of respiratory disease before we recognize air pollution as a problem. Why is it that our own sons or daughters have to get hooked on drugs before we recognize narcotics as a problem. Why is it that the slums must burn before we recognize housing as a problem.

Is it not that we lionize to a greater degree the crisis solver rather than the crisis anticipator.

Well I say to you this morning, no small steps and no slight alterations of business as usual, transportationwise, will give to this country the transportation system it is capable of having. We have the greatest technical know-how in the world. We also have the greatest transportation needs in the world. Now the time is to reject the sacred cows of transportation that the cowcatcher did not catch. Now the time is to enable man as he travels the breadth of this country to say once again, I can move.

HOBART, IND., AND ITS BEAUTIFICATION PROGRAM

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. LANDGREBE. Mr. Speaker, I wish to draw the attention of my colleagues in the Congress to the plans and efforts of the city of Hobart, Ind.—a city which has been named the "City of National Awards" for its beautification program.

Hobart is fortunate in having a dynamic mayor who is totally dedicated to the progress and prosperity of that charming Hoosier city. His name is Lilburn J. Titus. An active group of citizens headed by Fire Chief H. Richard Harrigan, concentrate much of their time and energy to carry on a beautification and cleanup program. The city has received a national award for its program for the last 5 years. As their Congressman, I want to take this opportunity to commend Mayor Titus and the citizens of Hobart, and particularly those serving on the beautification committee, for their hard work and devotion to making this city a better place in which to live and work.

I enclose at this point in the RECORD an article that appeared in the Gary Post Tribune of June 10 relating to Hobart's beautification program:

"UNIFY TO BEAUTIFY" AT HOBART

HOBART.—"Unify to Beautify" has been selected as the 1970 slogan for Hobart's beautification and clean-up program.

During a recent Beautification Committee meeting, plans were discussed for continuing with an over-all plan for the garden-type park to be located at the present city dump site on Ridge Road.

Mrs. Emil Aldrin, chairman of the planning committee, reported only investigative work had been completed since the May meeting.

Her committee, to include representatives from the Heritage Club, Historical Society, Woman's Club, Jaycees, Business and Professional Women's Club and the Chamber of Commerce, will present a plan for landscaping of the western third of the area, excluding the corner requested by the Chamber of Commerce for its new building and a parking lot.

Chairman H. Richard Harrigan announced that large heavy-duty plastic trash bags, to be sold by the organizations represented on the beautification committee, have not arrived. These commercially manufactured bags will be sold in a roll of 50 bags for $3. Proceeds will be used for the beautification of Hobart.

John Goff, Civil Defense representative, announced his organization will begin checking all areas of Hobart this week for junk cars, high weeds and other violations of city ordinances. The month-long project will be conducted in the same manner as last year, when 167 violations were discovered and referred to the police department for action.

Small neighborhood litter baskets, distributed at no cost by the Chamber of Commerce, are being replaced where damaged during the winter months. It was announced that a few baskets are still available for residents wishing to place them near walking areas for use by pedestrians.

MRS. BENTLEY'S PATRIOTIC REMARKS LAUDED

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. GARMATZ. Mr. Speaker, a distinguished Baltimorean, Helen Delich Bentley, has gained world-wide recognition as an expert on maritime matters. Because of her background—first as an outstanding newspaperwoman, and now as Chairman of the Federal Maritime Commission—her remarks are often quoted.

Recently, Mrs. Bentley's speeches and public remarks have included other thoughts that should also be quoted: They are expressions of a patriotic American who is grateful to her country and proud of her flag.

On June 28 in Chicago, Helen Delich Bentley delivered a speech before a group of Americans of Serbian descent. She spoke both as a Serbian and as a first-generation American, and her thoughts reflected the intense patriotic feelings typical of many American citizens, of all nationalities—especially those immigrants who escaped the oppression of foreign lands, to find freedom under the Stars and Stripes.

Mr. Speaker, at a time when our great country is being criticized and attacked, both at home and abroad, it is encouraging to have great Americans like Mrs. Bentley answer the critics with boldness and with patriotic zeal. I hope my colleagues will read and reflect upon her remarks. The speech follows:

Remarks by Mrs. Helen Delich Bentley

As one with all of you of Serbian heritage, on the occasion of Vidov Dan and one in the Spirit of Kossovo, I greet you. I bring to you, also, on this occasion at his specific request, the personal greetings and well wishes of President Richard Nixon.

It is with great depth of feeling that I so act as the emissary of the President of *all* Americans in carrying his personal message to those Americans of my own ethnic background.

It is with a similar depth of feeling, one of humility coupled with pride in our history as a people, that I join you on this occasion. You have done me a great honor in asking me to do so. It is an honor of which I am fully aware, and one that I shall cherish for all the days of my life. Certainly, there is no place on earth that I would rather be tonight and now than here with you, my fellow Serbs.

I join with you in our pride of belonging to a people strong in spirit, steadfast in their belief in God of their fathers. We are a people closely joined together, and joined more closely still when faced with adversity. We are people answering in our loyalties, unconquered by defeats, and dedicated to the Spirit of Kossovo.

In the native land of our fathers, our forebearers stood throughout centuries in the path of those intent upon conquest, sometimes to no avail. But never were they broken in Spirit. It is a land that has known the rule of sultans and their jannsaries, religious persecution for the faith of its people—who have been forced on occasion to bend to the will of fate, but have never bowed their heads except to God. Though not always successful in its defense, the Serbs were known as the Guardians of the Gate at famed Presevo Gap.

We have known our glories and our successes, but perhaps it was in the crucible of defeat that we became more closely annealed into a single people with the single purpose of remaining a unified people. Not that we have always known unity, among ourselves, except in purpose. But always deep within ourselves, regardless of circumstances, we have retained the will for freedom from domination, both as a people and as individuals and the intense desire to hold our fate in our own hands.

An independent people, whether ruling themselves or under a foreign yoke—a friendly people, yet quick to take affront—loyal and generous to proven friends, but implacable toward their enemies and sometime masters—a frugal people both by nature and necessity—a people who tended the earth, and tapped its riches below the surface—a people who tended their flocks—a people who knew the security of rocky slopes and crags, the freedom of hills and mountains—a people of steadfastness in all things—a people who carry within them the will to achieve the things of the spirit—that is our heritage today passed down to us through fourteen centuries of forebearers, since the great migration carried the Serbs into the Balkans in the sixth and seventh centuries A.D.

It is the history, it is the character of our people in which we take justifiable pride. It is this that we of Serbian origin can hold forth as virtues as a people. It is this that our parents, our grandparents, and our great grandparents brought to this America that now is ours. This was their contribution to the wonderful land that welcomed them to its shores and to the freedom that as a people they long had sought.

They found a breathtaking vista opened before them—a land that spanned a continent—a land of peace and beauty, of magnificent natural resources—a land not measured in tens and hundreds of miles, but in thousands—a land of tall mountains, of rolling hills, of broad prairies, of wide rivers and lakes, of forests and deserts—a land whose blue tinged mountains merged with the blue of the sea on three coasts, and with lakes breathtaking in size and beauty in the north.

To those who had farmed, there was the rich earth waiting to be tilled and planted, and harvested for crops. To those who had mined, there were rich deposits of gold and silver, copper and iron ore, and coal. But whatever their bent, whatever their skills, a wealth of opportunity opened before them. If there were no streets paved with gold, nor rain or nuggets from the sky, there was that much more to be desired—that for which they hungered, the golden opportunities that lay before them in this land of opportunity to which they had come. All that it asked in return was that they give of their energies and their skills to the growth, to the building of this nation that now was theirs. All that it asked was that they join with others already here or still to come in their dedication to freedom and to building a way of life such as never had been known before in the history of man.

While retaining their own identity as a people, they joined with others from many lands to become "one people." They embraced this Nation that held for them all that they had ever desired, more indeed than they had known that man could achieve. They embraced it and made it lovingly, possessively, fiercely their own.

Whether they sought the fields, the mines, the open hearth of the steel mills as a means of livelihood—whether they gravitated toward New Orleans or Steelton, California, or Alaska, Chicago or Kansas City—or Ruth, Nevada—or elsewhere across the length and breadth of this new land of theirs, they knew with assurance that they now held for themselves and in keeping for their children the culmination of their dreams through centuries of oppression.

Their right in this new nation of theirs to "life, liberty and the pursuit to happiness . . ." were as wine to their spirits, and they thanked God for having brought them to such a land.

Nor could time dim for them the wonder of it, their delight in this new nation of theirs, their pride in becoming citizens and Americans.

No more could time dim the memories of the past, of what their lot had been in that world they had left. And while they etched deep in the minds of their children and their grandchildren their own pride in the Serb stock from which they had sprung, relating to them the folk history of the Serbs, naming those honored among them through the centuries, they also told of the suffering of their people, the long centuries of domination by the Turks and others of religious persecution and the lack of freedom and of opportunity.

In like fashion, they spoke often and with feeling of this America that now was theirs. They spoke of it with a simple love that transcends all rhetoric, for it came from the heart.

I know whereof I speak for I am a "first generation" American. I am the child of parents who sought these shores at the Turn of the Century—in 1906, to be exact I heard my father and mother speak just so, and in the fashion I have related. In doing so, they etched their memories deep within my consciousness, and their love of America deep within my heart.

They and those like them saw themselves not as Serbs in exile, but as Americans in residence. They saw their new land, their new loyalties to that land not as a denial of their past as a people, but as a joining together with other people from many lands who—following the same deep urge toward freedom—had crossed the seas as had they to find it on the shores of a new continent. They saw themselves as the same as others—those who had come before and founded this Nation, and those who were still to follow in similar search of "life, liberty, and the pursuit of happiness."

They saw themselves as one with such as they from other lands, the English, the Scotch, the Irish, the Poles, the Swedes, the French, the Italians, the Spanish, the Finns, the Latvians, the Greeks, the Germans, the Russians, the Jews. Yes, and those from still other lands beyond the seas, from still other continents where despotism ruled.

Through the decades the people of many lands came in their thousands, their tens of thousands, their hundreds of thousands and millions, wondering at the bounty of a nation and a people that said: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest tossed to me. I lift my lamp before the golden door."

And they came not only to gain the advantages of this new land that now became theirs, but to give in full measure of themselves, their skills, their crafts, and where all other lacked, their brawn, their strength of body and of will. All that they sought was opportunity to build anew for themselves, for their families, and for the future of their children and their children's children. And this they received in full measure.

Nor, as they found the place best suited to their individual capabilities and to make a living did they think of themselves as constituting a minority. It would have been inconceivable for them to do so, for were they not now Americans—and was not America the melting pot—and were not all Americans one people? They thought so, and they were right.

Oh, there were some of larger ethnic groups who, as people will to feed their own egos. spoke of them as "hunkies," as they spoke of the Poles as "Polocks," the Spanish as "Dagos," the Italians as "Wops,' the Jews as "Kikes," and Dutch and Germans as "Heinies" and "squareheads.' But the "hunkies" and all the others is the nature of this land of ours that such expressions have long since lost their meaning and passed out of existence. Indeed, I found myself hard put to recall them, they have so long been gone from the language and the conscious memory of the nation. We are one and all Americans, and none is more and none is less.

We are intermingled, and intermingling. We are a people—a great people—a people in which each generation of Americans strives to achieve—and achieves—that "more perfect Union" enunciated as a national purpose in the preamble to the Declaration of Independence.

Americans have done so by evolutionary means, not revolutionary, through nearly two centuries of dedication to the principles of the rights of the individual. Within the framework of the Constitution—that most magnificent of all documents devised by man—the progress of the Nation in response always to the will of the majority of its people has been unprecedented in the annals of man. In doing so, each generation has built anew upon the firm foundation of the achievements of those generations that preceded it, each generation using the ballot and due elective process to express the will of the people.

That is why the so-called, self-styled "revolutionaries"—the "SDSers," the "Black Panthers," the self-labeled "Weathermen," leave me cold as do all other professional dissidents and their dupes. Their vain posturings before TV cameras and the press—who breathlessly report their antics, their anti-American attitudes, their demagogic rhetoric—are out of all consonance with the very principles for which better men fought and died to bring this nation into being, and maintain it as the bastion of freedom that it stands today.

Those who shout "All power to the people!" know full well that all power in this Nation is exercised by the people—all the people. What they cry for is all power to themselves!

To what other purpose do they seek to heap calumny upon our institutions, attacking them by word and deed, slandering our universities, castigating our police and our military, openly advocating disobedience to our laws, attempting to downgrade our courts through ridicule, libeling our national leaders and our very nation itself. Nor are they missing any opportunity to attack the very moral fiber of our people, overtly seeking to undermine our character as a people through attempts at achieving license and permissiveness toward sex and dope, their main target our young.

The daughter of Mike Delich—immigrant and copper miner of Nevada, a simple man who loved this country—has had enough of license masquerading under the false banner of freedom, whether it be on the campus, in the streets, or in the courts. Haven't you? Isn't it time that you and I say "No More!" to riots, to lootings, to burnings, to bombings, to disruptions?

Certainly those of us who are of Serbian origin should be close enough in family memory to what lack of liberty, of self-determination means to a people, to value the freedom we now enjoy at its true worth. We must know its value, for we can measure that value against what once we as a people lacked.

As a generation, I suggest, also, that we get up off the psychiatrist's couch. I do not accept the role assigned us, that we are the villains in today's scenario of discontent. I do not buy this heaping of coals upon our heads that is popular today, they claim that past generations—our own, in particular—have failed in our responsibilities. We have no cause for taking to Sackcloth and Ashes.

To those who have not yet proven themselves nor shown their capability for solving our major problems instead of creating more, who have received from the nation, and not yet given to it in return, I would quote from the statement by the President of the Pennsylvania State University at the commencement exercises of the graduating class last September. It reads, in part:

"This ceremony marks the completion of an important phase of your life. It is an occasion in which all who know you can share in your sense of pride and accomplishment. But no one has more pride in your accomplishment than the older generation. But I am not going to tell that older generation how bright you are. Nor am I going to say we have made a mess of things and you—the younger ones—are the hope of mankind. I would like to reserve that progress. For if you of the graduating class will look over into the bleachers to your left or right, I will reintroduce you to representatives of some of the most remarkable people ever to walk the earth. People you might want to thank on this graduation day. These are people you already know—your parents and grandparents. And, if you will bear with me for five minutes, I think you will agree that a remarkable people they are indeed. Let me tell you about them. . . .

"These—your parents and grandparents—are the people who within just five decades—1919–1969—have by their work increased your life expectancy by approximately 50 percent—who while cutting the working day by a third have more than doubled per capita output.

"These are the people who have given you a healthier world than they found. And because of this you no longer have to fear epidemics of flu, typhus, diptheria, smallpox, scarlet fever, measles or mumps that they knew in their youth. And the dreaded polio is no longer a medical factor, while TB is almost unheard of.

"Let me remind you that these remarkable people lived through history's greatest depression. Many of these people know what it is to be poor, what it is to be hungry and cold. And because of this, they determined that it would not happen to you, that you would have a better life, you would have food to eat, milk to drink, vitamins to nourish you, a warm home, better schools and greater opportunities to succeed than they had.

"Because they gave you the best, you are the tallest, healthiest, brightest, and probably best looking generation to inhabit the land.

"And because they were materialistic, you will work fewer hours, learn more, have more leisure time, travel to more distant places, and have more of a chance to follow your life's ambition.

"These are also the people who fought man's grisliest war. They are the people who defeated the tyranny of Hitler, and who when it was all over, had the compassion to spend billions of dollars to help their former enemies rebuild their homelands. And these are the people who had the sense to begin the United Nations.

"It was representatives of these two generations, who through the highest court of the land, fought racial discriminations at every turn to bring a new era of civil rights.

"They built thousands of schools, trained and hired tens of thousands of better teachers, and at the same time made higher education a very real possibility for millions of youngsters—where once it was only the dream of a wealthy few.

"And they made a start—although a late one—in healing the scars of the earth and in fighting pollution and the destructions of our natural environment. They set in motion new laws giving conservation new meaning, and setting aside land for you and your children to enjoy for generations to come.

"They also hold the dubious record for paying taxes—although you will probably exceed them in this.

"While they have done all these things, they have had some failures. They have not yet found an alternative for war, nor for racial hatred. Perhaps you, the members of this graduating class, will perfect the social mechanisms by which all men may follow their ambitions without the threat of force—so that the earth will no longer need police to enforce the laws, nor armies to prevent some men from trespassing against others. But they—those generations—made more progress by the sweat of their brows than in any previous era, and don't you forget it. And if your generations can make as much progress in as many areas as these two generations have, you should be able to solve a good many of the world's remaining ills.

"It is my hope, and I know the hope of these two generations, that you find the answers to many of these problems that plague mankind.

"But it won't be easy. And you won't do it by negative thoughts, nor by tearing down and belittling. You may and can do it by hard work, humility, hope and faith in mankind. Try it . . ."

Let me add to that some remarks of my own at the graduation exercises held early this month at the White Pine High School, in Ely, Nevada, the same school from which I graduated 29 years ago. To the so-called younger generation, the "now" group, I had this to say:

"Instead of according with the idea of a 'generation gap,' let us instead hold to the fact that from the oldest to the youngest, and the youngest to the oldest, we are a single people intent on the welfare of our Nation and the continuance of our 'way of life'.

"The basic difference in outlook is not one of years, but one of what the years may bring. It is as though you were standing at the foot of the mountain looking up and thinking, 'what a long, hard climb lies ahead.' We, on the other hand, have been climbing that mountain, and are half way up. We not only see the climb ahead of us, but we see where we are today, and can look back and see how very far we have come, how truly great has been our progress.

"It is so with our problems. This Nation's social advances even in my lifetime, have been outstanding. Of many of them you are unaware because the then problem no longer exists today. It has been solved, and you are the beneficiary of that solution. Many, only a few years older than I, can remember well when college graduates along with others dug ditches for the WPA. They remember, too, the bank closings with savings swept away, and homes sold out from under them for unpaid taxes and mortgages. Others but slightly older can remember the six-day work-week of sixty hours, and 'sweat shops', and 'child labor'.

"All that has changed. We have thousands of college scholarships, low-cost government loans for college students teacher and land grant colleges, unemployment insurance, social security, medicare, minimum wages, a five-day week of forty hours or even less, FHA and VA mortgages, employee-employer shared health insurance and life insurance, employee pension funds, old age assistance and bank deposit insurance.

"Thus, you can see that we have come a long way in social benefits as a Nation, even in your lifetime. The only difference is that we who lived through it, and actually participated in it, are aware of what has been accomplished through practical means. We know that with proper planning, the practical approach, hard work, and a sense of responsibility to our Nation and its people, together we can accomplish as much or more in the years ahead.

"But further accomplishment can only be achieved by constructive effort. Destruction serves no purpose. An idiot can set fire to a school or a university library that it took money, effort and skilled labor to build—and will take to replace. Idiots can riot on campuses and falsely cry 'repression' where there is none, but it took generations of brave men whose blood was spilled in battle to defend the freedom they flout to do so. Nor are we who are dubbed the 'older generation' misled by the noise of the vocal radicals into believing that they are representatives of the majority of our youth today—not when 10,000 young Americans volunteered for military service in one week's time!"

In closing my remarks tonight, let me add but this, and therein speak my heart.

Sing me no siren song of lands where freedom lies imprisoned. Let those who would mislead others, or would themselves be fooled, be so misled. For my own part, I thrill to the words and to the music of "America, the Beautiful."

Let others march to the different beat of a distant drum. I'll march to that of the "Star Spangled Banner." And to the last full measure of my devotion—tonight, tomorrow, and for all the days of my life—I give freely of my love to my Nation, to my Nation's flag, and all that for which they stand.

Even as did those brave, wise men who signed the Declaration of Independence, to this, I too pledge my "life", my "fortune", and my "sacred honor".

WIRETAPS MADE BIG DRUG RAIDS POSSIBLE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HOGAN. Mr. Speaker, our recent U.S. Attorney General, Mr. Ramsey Clark, said recently that "crime cannot be controlled by wiretapping." But just the other day his judgement was proved wrong. I refer to the recent tremendously successful drug raids which were greatly aided by wiretaps—in fact could not have taken place without them.

Mr. Speaker, I insert the details, as reported in the Republican Congressional Committee Newsletter, at this point in the RECORD:

WIRETAPS MADE BIG DRUG RAIDS POSSIBLE

"The success of the recent drug raids was proof of the pudding for wiretaps. We just couldn't have done it without the taps."

That was the comment of Assistant Attorney General Will Wilson as he explained to the *Newsletter* last week the role wiretaps played in the recent Justice Department 10-city narcotics raid. The raid resulted in the arrest of 139 persons involved in handling an estimated 30 percent of all heroin sales in this country and 75 to 80 percent of all cocaine sales.

"The importers and wholesalers of drugs are well organized and are experts at secrecy and disguise," said Wilson, who heads the Department's Criminal Division. "When you consider the vast torrent of people flowing across the borders of the U.S. and the necessity for knowing the profile of the entire system of distribution before striking, it becomes obvious that you must secure accurate intelligence on the movement and plans of a great number of people."

What's behind the increased flow of narcotics and dangerous drugs into this country? One reason, said Wilson, was the previous Administration's refusal to use wiretaps.

"In my opinion," he explained, "the refusal to use telephone taps in narcotics cases in the past partially accounts for the big inflow of narcotics into the United States and the expansion of drug traffic in general."

(LBJ's Attorney General, Ramsey Clark, had refused to use wiretap authority provided him by Congress in the fight against crime. Clark has said on television that he believes "crime can't be controlled by wiretapping. . . . It demeans human dignity. . . . It escalates the levels of violence in America.")

The 10-city narcotic raid, labeled "the biggest of its kind in history" by Attorney General John N. Mitchell, is but one of many things the Nixon Administration has done in its continuing fight against drugs.

Speaking last week in Hot Springs, Ark., to the National Sheriff's Association, Vice President Spiro T. Agnew listed five steps the Administration has taken to educate the public about drugs:

Established a new $3.5-million program to train school personnel in drug-abuse education.

Created a National Clearinghouse for Drug Abuse Information giving the public one central office to contact.

Modified the Law Enforcement Assistance Administration to allow large cities to apply for funds to be used for drug education as well as law enforcement.

Embarked upon an expanded campaign of advertising against drug abuse.

Supplemented by $1 million the funds for research into the effects of marijuana.

BICENTENNIAL SEEKS SPIRIT OF '76

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. NELSEN. Mr. Speaker, the Sunday, June 28, edition of the Washington Post contained an article by Wolf Von Eckardt, on the Bicentennial celebration coming up in 1976.

Eckardt points up the need for our Nation to avoid the pitfall of noting our 200th anniversary with just a gigantic exposition. He also expresses doubts about spreading the celebration to the four cities that want it: Boston, Miami, Philadelphia, and Washington. This would result in four not-so-big expositions.

Eckardt concludes that Washington, D.C., the city with the greatest cross-section of our Nation's problems and potentials should be the host: "And by making a crash effort to redeem the promise for a great capital of a great Nation, we also help redeem the promise of the American Revolution."

In the course of my responsibilities on the District of Columbia Committee, I have grown to like Washington a lot. It has been noted in this Chamber that service on the District of Columbia Committee has few political rewards, but I feel that this city is every American's second hometown and we all should work to improve it. For this reason I feel we should give every consideration to celebrating our Nation's bicentennial in this great city.

I include Mr. Von Eckardt's article in my remarks at this time:

[From the Washington Post, June 28, 1970]

BICENTENNIAL SEEKS SPIRIT OF '76

(By Wolf Von Eckardt)

By the time Bob Hope, the Rev. Billy Graham and Disney Productions shoot off their firecrackers next Saturday, the President will have yet another, presumably bulky report on his desk.

It will tell him how we ought to celebrate the 200th Fourth of July six years from now.

To most people that seems hardly a momentous issue. In these days of continued war in Inochina, violent unrest on the streets and campuses, economic downturn and a widening gulf between black and white, it seems hard to focus on this still distant event.

But that is precisely why firm plans and commitments ought to be made now.

A whole year of mere commemoration, historic entertainment, flag-waving, Bob Hope, Disney productions and firecrackers would aggravate malaise.

The next most discouraging way to celebrate the bicentennial would be to spread the birthday cake among the four cities—Boston, Philadelphia, Miami and Washington—that are competing for the honor. But that's what the American Revolution Bicentennial Commission seems to have in mind.

It would reportedly declare Boston a "historic city" (what else has it been all along?), let Philadelphia have a less than full-fledged World's Fair, let Miami have another second-class international fair (which it has been trying to get for a good many years), and encourage Washington to carry on its renewal program over a period of the 11 years that the American Revolution lasted.

A COMMONSENSE PLAN

There is, of course, nothing wrong with all kinds of festivities all over the land. But a truly national celebration could go far to restore a sense of common sense in divided America. Most groups and experts who have testified before it have therefore urged the Bicentennial Commission to use the occasion for a national demonstration of our ability to solve our urban problems.

"Jeffersonian suspicions as to the relative undesirability of the virtues and influences of cities may linger," the Joint Center for Urban Studies of Massachusetts Institute of Technology and Harvard University told the commission, "but we are very much an urban nation—and becoming more of one, not less." The bicentennial offers "a tremendous opportunity to provide lasting benefits for our national urban life."

Philadelphia, Boston, Miami and Washington have all stressed that the celebration must, of course, be nation-wide. But none, in asking for federal funds to put on its show, has been able to avoid the suspicion of a self-serving Chamber of Commerce promotion.

Philadelphia, in fact, has reportedly spent $2.5 million on elaborate plans and public relations efforts to reinforce not only its historic claims to the event, but also to stage an international exposition.

A PASSIVE ATTITUDE

Washington, in contrast, has done little to beat the drums. Its proposal was drawn up jointly by three local commissions, representing the District of Columbia, Maryland and Virginia. It comes unquestionably closest to the idea of turning much of the bicentennial effort into creating a model and a catalyst for urban innovations and development. And it nevertheless gives mean to the idea of a national celebration because of the simple fact that Washington happens to be the national capital, a fact that can hardly be changed during 1976.

What is more, as the MIT-Harvard group put it, "Washington, D.C., as an urban area, is a showplace not only of our past heritage but also, unfortunately, of our present difficulties; of the deterioration of both the physical and social fabric, of the concentration of the poor and the black in central cities, of insufficiencies in public services, of breakdown in public order."

Though we managed to fulfill a presidential commitment to reach the moon in less than 10 years, even moon money and cosmic ambition would not be sufficient to redevelop and rebuild our ailing capital in the six years that remain. But it does give us time—if that deadline is taken as a challenge—for decisive improvements, exciting experiments and significant benefits.

There is as yet no precise blueprint for turning Washington into a bicenntial city, but there are three documents—the basic proposal of the D.C., Maryland and Virginia Bicentennial Commissions, a lengthy review of it by the MIT-Harvard group, and what might be called a feasibility study prepared by the National Capital Planning Commission.

While the basic proposal puts major emphasis on "the Living Process of Urban Development," it also argues in favor of holding a 1976 World's Fair in Washington. It acknowledges that fairs smack of commercialism and cost a lot of money. But it says that this one could, if properly designed, "create something new, something of quality befitting the bicentennial, emphasizing human values over material things."

And it implies that an international exposition would give America's bicentennial international attention, bring a larger number of visitors to Washington, commit more federal funds and give us an even greater incentive to make this city presentable.

But just how and where the fair would be mounted is left vague. The MIT-Harvard report only points out that past international expositions have "presented advanced trends in architecture and a few exerted a strong influence on social and cultural thinking." The Planning Commission ignores the fair—either because it doesn't believe that President Nixon and Congress will buy us one, or because it just doesn't know where to put it, or both.

The proposal contains enough other suggestions for special attractions and events, however, to draw the crowds. Most of these proposals either make use of the great national assets this city already has—the Mall with its many museums as well as the historic shrines in the area, such as Mt. Vernon, Annapolis or Fort McHenry—or they focus on institutions that are already under construction or planned anyway—such as the Kennedy Center for the Performing Arts, the Aquarium and the Science and Industry Park (a proposed private development where industry hopes to demonstrate how technology can solve the human problems it has created).

And that is really the gist of the Washington bicentennial idea: To complete the national capital's much touted "magnificent intentions" and, by 1976, turn them into magnificent accomplishments.

ATTACKING THE GHETTO

Aside from completing Washington's monumental core—Pennsylvania Avenue, the Hirshhorn Museum and National Gallery Sculpture Garden and converting Union Station into a Visitors Center—much of the "Living Process of Urban Development" proposal would be a real attack on the miseries of the ghetto with new housing, new neighborhoods, "little city halls," cultural facilities and the whole, long promised lot.

A worldwide attraction would be a completed Fort Lincoln—a model new town for 21st century living. The plans for this proposed community for 4,500 families of various incomes and skin colors, complete with built-in transportation, employment, education and recreation, have already excited urbanists around the country and abroad. In the Spirit of '76 we would demonstrate that the American genius cannot only plan and design for a new and better quality of life, but that we can also deliver.

We need only remember the stir caused by Moshe Safdie's Habitat at Expo '67 in Montreal to imagine the sensation this town would create if people could actually ride those minerals, drink in its outdoor cafes, swim in Kingman Lake and share the laughter of its happy children.

Much of Washington's Metro, furthermore, would be in operation. Much of downtown would be renewed. And much of the Anacostia Valley, that most dismally underdeveloped area, would be redeveloped for new living and recreation.

The Planning Commission estimates that by 1976 anywhere from 35 to 45 million visitors can be expected in Washington, compared with an estimated 18 to 20 million this year.

If, as at present, two-thirds or more of these visitors do their sightseeing in private automobiles, the resulting jams and air pollution—not to speak of the parking dilemma—can hardly be imagined. The Planning Commission has therefore advanced a thoughtful program designed to reduce the number of cars entering the city by fringe parking and accommodations—combined with a vastly improved bus system as well as sharply reduced fares on all public transportation.

COST CAN BE MET

All this, the commission estimates, would cost $4.2 billion. But $2.3 billion has already been authorized by Congress. Only $1.9 billion of public and private investment is needed to round out these programs and accelerate their implementation so they are completed by 1976.

To these hardware proposals the MIT-Harvard group would add some innovative experiments with new policies and techniques in inner-city transportation, communication, pollution control and medical care. None of these are pie-in-the-sky. They are all possible, based on industrial inventions that are now available but—due to the current stagnation in our cities—still awaiting demonstration, marketability and consumer acceptance.

What Washington—aside from special exhibits and cultural entertainment and festivities—proposes to do, then, is basically nothing much more or less than what we really ought to be doing anyway, what we must do anyway, and what we have promised ourselves to do—but to do it by July 4, 1976.

No gimmick in the world can make that July 4 a successful celebration, let alone conjure the Spirit of '76. But like any good host we can clean house and complete the necessary remodeling so the party has at least a chance to be a success. And by making a crash effort to redeem the promise for a great capital of a great nation, we also help redeem a promise of the American Revolution.

It had better be effectively started by the end of our first 200 years, if its ideals are to survive the next two centuries.

CONSTITUTION CLEAR: CONGRESS HAS POWER TO DECLARE WAR

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MOORHEAD. Mr. Speaker, I believe the last 2 months' adventures in Cambodia require inclusion in the RECORD of the following article. It first appeared in the New Yorker, was reprinted in Forbes and sent to me by my constituent Mr. Robert Bowdler. I think both Members and the public will find it profitable, and I am happy to have it printed in its entirety.

I was particularly taken by its discussion of the President's war powers under the Constitution:

As sophisticated men the Founding Fathers foresaw some of the dangers that lay ahead. They recognized explicitly that formal declarations of war were going out of style, but they still required our legislature to declare war. They saw "how easy would it be to fabricate pretenses of approaching danger," but they said that this would demand "a combination between the executive and the legislative, in some scheme of usurpation." In other words, the Constitution would protect the American people against the misuse of military power by prohibiting the executive from going to war without congressional approval and prohibiting Congress from directing the war it had started. Even this was dangerous, they acknowledged, but it was the best that could be done.

Our apprehension for the survival of this system will be evident to all. The allure of a startling military success, I fear, was too close and too tempting. But it seems to me that constitutional balances are more to be cherished than possible short-term gains in an already too-long war.

I include the New Yorker article at this point in the RECORD.

NOTES AND COMMENT

As the defeated British regiments marched past the files of French and American troops at Yorktown, the British bands, in detached resignation, played "The World Turned Upside Down." The same tune would have been an appropriate accompaniment to the events of last week. For the two-hundred-year-old American system came under its most serious attack in modern times, not from the poor, the blacks, or the students but from the White House—the fount, the pinnacle, the keystone of the established order. President Nixon became the first President in the history of the United States deliberately to order American forces to invade another nation on his own, without seeking congressional approval or support. This order was in disregard of the Constitution, the tempering strictures of our history, and the principles of the American democracy. It was, therefore, an act of usurpation.

Few prohibitions are more likely set forth in the Constitution. That document makes the President Commander-in-Chief, and explicitly states that only Congress shall have the power to declare war or raise armies. The Federalist Papers reaffirm what the law makes clear; the term "Commander-in-Chief" meant only that the President could direct the conflict after Congress had decided to make war. Hamilton wrote that the President's power would be much less than the power of the British King, for "it would amount to nothing more than the supreme command and direction of the military and naval forces, as first General and Admiral of the Confederacy; while that of the British King extends to the declaring of war and to the raising and regulating of fleets and armies—all which, by the Constitution under consideration, would appertain to the legislature." This was no casual division. The fear of military power under the control of a central government was one of the most serious popular objections to the establishment of the new nation. The only way this could happen, the founders responded, was by a "continued conspiracy" between the executive and the legislature. In this case, Hamilton advised, "the people should resolve to recall all the powers they have heretofore parted with out of their own hands . . . in order that they may be able to manage their own concerns in person." As sophisticated men, the Founding Fathers foresaw some of the dangers that lay ahead. They recognized explicitly that formal declarations of war were going out of style, but they still required our legislature to declare war. They saw "how easy would it be to fabricate pretences of approaching danger," but they said that this would demand "a combination between the executive and the legislative, in some scheme of usurpation." In other words, the Constitution would protect the American people against the misuse of military power by prohibiting the executive from going to war without congressional approval and prohibiting Congress from directing the war it had started. Even this was dangerous, they acknowledged, but it was the best that could be done.

For over a hundred and sixty years, the Constitution was followed. Congress declared the War of 1812, the Mexican War (even though there had been a somewhat provoked attack on our troops), the Spanish-American War, and both World Wars. In the period after the Second World War, things began to change. The development of Soviet atomic power, the military impotence of Western Europe, and the shock of Korea impelled us toward the creation of a large peacetime standing Army—the first in our history. It was seen that a sudden emergency might require instant action, with no time to go to Congress. This implied exception to Constitutional principle was based on the technological realities of atomic war, and it has been invoked only once—when we intervened in the Dominican Republic. That intervention, however, was based on the claim that action within hours was necessary to protect the lives of Americans trapped between the contending forces—simply a traditional rescue operation. This claim may well have masked other motives, but American forces were not committed to combat, and support of the congressional leadership was sought and received within hours of the order to intervene and before the Marines had actually landed.

In Korea in 1950, President Truman acted pursuant to a resolution of the Security Council, whose powers had been confirmed by the Senate when it consented to ratification of the United Nations Charter. In addition, Truman met with the congressional leadership of both parties before ordering combat forces into action, and he received their unanimous support, along with that of the defeated Republican nominee, Thomas Dewey. Nor was there any doubt of the overwhelming public and congressional approval of his action—at least in the beginning. (The same week, the draft was extended with only four dissenting votes.) President Eisenhower sought, and received, congressional resolutions authorizing him to act in the Middle East and in the Formosa Strait. President Johnson himself asked for a resolution at the time of the Gulf of Tonkin incident, and it was the literal verbal scope of this resolution that was construed as authorizing all subsequent action in Vietnam. Yet such a construction was clearly an evasion, and it was at this point that the great Constitutional principles began to decay.

Now President Nixon has taken a giant step. Not only has he evaded the spirit of the Constitutional division of powers but he has deliberately ignored its plain meaning and intent. He has decided that he will go to war in Cambodia because he feels it necessary, no matter what Congress wants or what the people think. He has even implied that such willful disregard of the people and their elected representatives is an act of noble self-sacrifice, and has hinted that we should admire his courage in exceeding the limits of his Constitutional powers. The war in Cambodia was not an emergency. There was time enough to present the matter to Congress for a swift decision. Indeed, unconcealed debate within the executive branch went on long enough to permit the Vietcong to evacuate the threatened area. But the President did not follow the precedent of all his postwar predecessors by seeking assurance of congressional support, either formally or through meetings with the leadership. Rather, he made war by fiat. He has thus united in himself the powers that the Constitution divides and that have remained divided through our history. And this comes from an Administration that proclaims its devotion to "strict construction."

This is not a technical, legal question. In import, it transcends a challenge to the wisdom of the war itself. The President, in effect, has said, "I, and I alone, have decided to go to war in Cambodia." Where does he get that power? The Constitution denies it to him. He is not acting under the necessity of instant reaction. He has the power only because he asserts it, and because the armies follow. In a world in which conflicts are interrelated, there is no limit to the possibilities unfolded by this reasoning. He can invade Laos and Thailand, where Communists are active. He can enter North Vietnam itself. He can attack China, which is both a sanctuary and a source of supply for the North Vietnamese. Nor is the Soviet Union exempt, since it, too, helps our adversaries in Vietnam. Such an assertion of authority is not among the prerogatives of a democratic leader in a republic of divided powers. Our democracy is not an elective dictatorship. It is a government in which all elected officials have carefully limited powers. Suppose the President said he was going to change the tax laws, because the rates were unjust. What an outcry we would hear. Yet how trivial such an act would be, compared to concentrating the power over war and peace in a single office. The life of democracy depends on a common acceptance, by people and government, of the limits of power. What if, two years from now, the President should cancel the elections, on the ground of national need? Would it be easy to revolt against an armed force of three and a quarter million men if they remained obedient to their Commander-in-Chief? The possibility now seems absurd. But it illuminates the fact that our system works only because men have felt constrained by its assumptions. Courts and legislatures have neither guns nor treasuries to enforce their will. Now one of the most basic of these liberating assumptions has been swept away. It must be restored.

The first duty of resistance lies with the legislative branch. For years, its members have been abdicating their responsibility, watching almost without protest while their authority was eroded and their mandates were evaded. They have allowed their power to be usurped. Now they are scorned and ignored, because the President is confident that they have neither the courage nor the will to challenge his action—that each, looking to his own interest, will allow the common cause to decay. If this is a true judgment and the President's act is not repudiated, then they will have denied the oath they took to uphold the Constitution. For Congress is the people's guardian. The authors of the Federalist Papers reassured the doubtful that "in the only instances in which the abuse of the executive authority was materially to be feared, the Chief Magistrate of the United States would . . . be subjected to the control of a branch of the legislative body. What more could be desired by an enlightened and reasonable people?" What more indeed?

The other possibility is the Supreme Court. In 1952, President Truman seized the steel mills, because, he claimed, a steel strike was endangering the war effort in Korea. The Supreme Court decided that he had no such power and ordered him to return the mills. The Court's opinion concluded, "The Founders of this Nation entrusted the lawmaking power to the Congress alone in both good and bad times. It would do no good to recall the historical events, the fears of power and the hopes for freedom that lay behind their choice. Such a review would but confirm our holding that this seizure order cannot stand." How much more does this invasion transgress those same hopes and fears.

There are many ways to bring the issue to the Supreme Court. The Senate itself might instruct its leaders to bring an action to restrain the President or the Secretary of Defense from ordering further combat in Cambodia. This would be an unprecedented response to an unprecedented act. However, the issue is Constitutional, and is thus within the jurisdiction of the federal courts. And surely no individual or institution has greater standing to bring such an action than a branch of the very body whose powers have been taken away. Another route lies through the recent Massachusetts statute that makes it unlawful to require any resident of that state to serve outside the United States in an undeclared war. The Attorney General of Massachusetts has been instructed by the law to bring an action in the Supreme Court in order to prevent such service from being required. In relation to Vietnam, the passage of the bill was a symbolic action. In the case of the Cambodian invasion, the law could be a vehicle for resolving a momentous issue. Would the Court decide? No one can be sure. But it also can decide, and that is its responsibility. Discussing the Supreme Court, Hamilton wrote that it must have the power to invalidate all acts by the other branches of government which are contrary to the Constitution. "To deny this," he said, "would be to affirm that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the people themselves; that men acting by virtue of powers may do not only what their powers do not authorize but what they forbid."

The President has now declared himself superior to the people, to the legislature, and to the laws. We have lasted as a functioning democracy for almost two hundred years. The foundation of that democracy has been a vigilant regard for the principle that no one man or institution shall impose an unrestrained will on the decisions that shape the nation. If the American people now let this principle be eroded, while the capacity for resistance still remains, then we will deserve our fate. For we will have lost the ultimate protection of liberty, stronger than governments, more enduring than constitutions—the will of a people to be free.

WOMEN'S EQUALITY ACT OF 1970

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MIKVA. Mr. Speaker, today I am introducing, along with my colleagues from Washington (Mrs. Hansen), from Indiana (Mr. Jacobs), from New York (Mr. Koch), from Hawaii (Mrs. Mink), and from Missouri (Mr. Symington), the Women's Equality Act of 1970, a bill to carry out the legislative recommendations of the Presidential Task Force on Women's Rights and Responsibilities.

The bill would eliminate sex discrimination in all federally-assisted programs, in State and Federal employment, in employment in educational institutions, and in the payment of wages for professional, executive, and administrative jobs. The bill actually goes beyond the recommendations by the President's Task Force by also banning sex discrimination in housing practices, just as racial discrimination is prohibited under the Federal Fair Housing Act.

The Women's Equality Act authorizes matching grants through the Department of Health, Education, and Welfare to finance State advisory commissions to study the status of women. It requires the Secretary of Health, Education, and Welfare to make recommendations to equalize the treatment of women under the Social Security Act, the Internal Revenue Code, and the Family Assistance Act, and extends the jurisdiction of the Civil Rights Commission to include sex discrimination. It provides the Equal Employment Opportunity Commission with cease and desist powers, authorizes the Attorney General to initiate suits in cases of sex discrimination in public facilities and public education, and confers jurisdiction upon the district courts to provide injunctive relief against discrimination in public accommodations.

Earlier this year, I cosponsored the "equal rights for women" amendment to the Constitution and was one of the 10 original signers of the petition to discharge the equal rights amendment now pending in the House. The purpose of a constitutional amendment is to give women general protection against laws and official practices that are discriminatory.

But Congress, as we know, could take years to pass this amendment and the ratification process by 34 States could take many more years after that. There is a desperate need for specific statutory action now which would have immediate effect in securing the rights denied to women in the areas of employment, wages, education, and discriminatory State and local practices. The President's Task Force on Women's Rights and Responsibilities strongly urged the President to recommend legislation to the Congress. Their report was submitted to the President in December of last year, but so far no legislation to implement the task force's recommendations has been sent to Congress. The Women's Equality Act includes the legislative suggestions by the task force. The plea by women for equal rights under the law is not radical. This legislation asks for no special privileges. Adult women make up over one-third of the working population of the United States and they want to enjoy the full benefits of citizenship. The Women's Equality Act amends existing civil rights law to extend the coverage to women. Actually, it goes beyond the President's task force recommendations by extending the Federal Fair Housing Act to prohibit sex discrimination.

Let me give you examples of the most blatant forms of sex discrimination. Although women make up 37 percent of the total work force in this country, they suffer inequalities in employment opportunities, and wage payments. Title VII of the Civil Rights Act of 1964 has brought some progress in industrial hiring practices, but it exempts educational institutions and State and local governments from its coverage. As a result women who make up 90 percent of public school elementary schoolteachers can be discriminated against in public school systems. In 1966, for example, 75 percent of elementary school principals were men out of a teaching force made up of about 10 percent men. The bill I propose today will amend title VII, removing the exemption clause to oblige State and local governments to hire and promote women on their merit. Furthermore, in its present form, title VII places the main burden of enforcement on the aggrieved individual. This enforcement provision is inadequate and will be amended in line with the task force recommendations to give the Equal Employment Opportunity Commission authority to enforce the law in all cases of discriminatory hiring practices.

Women suffer gross injustices in wage payments as well as employment practices. The Equal Pay Act of 1963 guarantees equal pay to all, including women. But the 1963 act contains an exemption for professional, executive, and administrative employees. Although title VII of the 1964 Civil Rights Act protects women in professional, administrative, and executive positions, it does not permit a complainant to withhold his identity as he can under the Fair Labor Standards Act. Many women who achieve high positions after years of struggle fear jeopardizing them and silently suffer the discrimination of a double pay standard. The Women's Equality Act amends the Fair Labor Standards Act so that women in those high status positions have a right to pay for equal work.

Sex discrimination in education is one of the most serious injustices borne by women. Many State and local laws deny them equal educational opportunity which results in unequal abilities and unequal employment opportunities. Statistics show that the percentage of women employed in a particular occupation goes down as the job qualifications go up. Women, for instance, make up only 3 percent of the lawyers in this country. Until the State of Virginia took legal action, the University of Virginia College of Arts and Sciences refused to admit women. In a similar case on a local level, Stuyvesant High School, a specialized public high school in the sciences, was forced to admit girls because of legal action taken against the New York City Board of Education. In addition to this form of discrimination in high schools and colleges, there is another form of unequal educational opportunity on the professional level. Only 6 percent of our law students and 8 percent of our medical students are women although, according to the Office of Education, statistics show that women tend to do better on admission tests. My amendment to titles IV and IX of the 1964 Civil Rights Act authorizes the Attorney General to bring suits in behalf of persons denied equal protection of laws by public school officials and requires the Commissioner of Education to conduct a survey on the extent of discrimination because of sex, not only in practices with respect to students, but also in employment of faculty and administration. In doing so, the bill merely secures the rights of women which probably already exist under the 14th amendment.

Discrimination against women in public facilities—restaurants, for instance—is less severe but in principle just as damaging. By amending title II of the Civil Rights Act of 1964, the Women's Equality Act authorizes the Attorney General to initiate suits in cases of such discrimination and confers jurisdiction upon the district courts to provide for injunctive relief against sex discrimination in public accommodations.

Perhaps the greatest deterrent to securing improvement in the legal status of women is the lack of public knowledge. The Civil Rights Commission authorized by the Civil Rights Act of 1957, collects, studies, and distributes information on civil rights laws and policies. At present, the Commission's mandate does not include responsibility for women. The bill I am introducing amends the Civil Rights Act of 1957 to extend the jurisdiction of the Civil Rights Commission to include denial of rights based on sex discrimination. Thus, State laws punishing women with longer prison sentences for the same offense, practices which exclude women from State universities, and other laws and policies which deny equal protection of the laws to women will be studied and recommendations made to change them.

Mr. Speaker, I could go with an unending catalog of the injustices women presently suffer in this country. It is surprising and inexcusable that the quality of life Americans have sought for nearly 200 years is in many ways denied female Americans by law. At a time when our commitment to the democratic ideal is being questioned both at home and abroad, it is imperative that the Nation utilize the potential of all its citizens. Studies show that we are lagging behind some newly emerging countries in the role ascribed to women. This is an ironic oversight on our part. With nearly 40 percent of our labor force women we must amend the existing laws. Of that female working force, 64 percent are married. Because of the rising cost of living, family illness, or widowhood, many more women today must work to support families. I urge the attention of my colleagues to this important bill which will actualize enforcement of already existing rights, which will eliminate second-class citizenship in this country, and which will open up an untapped source of productivity. I hope that the Judiciary Committee will take immediate action on this bill to make sex, like race, an anachronism under the law as a basis for measuring people's rights or worth.

CONGRESSIONAL REPORT SENT TO NINTH DISTRICT RESIDENTS—JUNE 29, 1970

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HAMILTON. Mr. Speaker, when the Continental Congress adopted the Declaration of Independence on July 4, 1776, the stage was set for a series of events which created a nation of incomparable energy and wealth. As we approach the 200th anniversary of that historic event, we still draw inspiration from the Declaration of Independence and sustenance from the Constitution.

When the Founding Fathers drafted the Constitution, they were determined to create a government which guaranteed:

The right to life, liberty, property, happiness and free conscience.

The freedom of speech, press, assembly, and petition of grievances.

The principle of consent, which is the key to the political obligations on each of us.

Most impressive, perhaps, was the fact that they were able to agree at so many points on the structure and the function of government. The Founding Fathers, made up of liberals and conservatives, northerners and southerners, east coast urban residents and frontiersmen, agreed:

Whatever the form of government, it must preserve maximum liberty and equality of the persons under it.

Government should be as plain, simple and intelligible as possible.

Government should be kept near the people, with frequent elections.

Office holders should be the servants of the people, not the masters.

Government must be constitutional, that is—of law, not of men.

A representative government is essential, but that system must be restrained by a separation of powers and checks and balances.

Just as importantly, they knew it would take more than an agreed set of principles and a plan of government to preserve order and liberty. They saw that in order to make our constitutional system work, people had to understand what the democratic process required of them as individuals.

The democratic process puts the individual at the center of things, but much depends upon the kind of individual. For government—for ordered liberty—to succeed, there must be a moral basis to government. The maintenance of freedom depends upon the quality of the individual's life.

As individuals, we must possess an attitude of tolerance, exposing our ideas, proposals, solutions to the analysis of others. We must adopt an attitude of confidence in our fellowman, since our Government is founded on the belief that each is given responsibility for his own destiny and his own community.

The democratic process also requires us to adopt an attitude of trust. We assume the other will obey the law. We do not police everyone, assuming each will fill out his income tax correctly, stop at the stop sign, obey the speed limit.

But, our system also requires us to respect the rules. Using the ballot, not the bullet; fair expression, not slander or libel, and peaceful redress of our grievances, not violence.

If our system is to continue to work, enough of us must meet these qualifications. We must possess the wisdom to discern, and the virtue to pursue, the common good.

We may not have succeeded in every respect in meeting the goals set by our Founding Fathers, but we have come closer to the ideals of freedom and liberty than any Nation in history.

America is not an achieved state or resting place. It is a building and a making, a process, a living tissue. And we must build with it.

WATER—ENVIRONMENT—REVOLUTION

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. JOHNSON of California. Mr. Speaker, one of the most dedicated and competent people in the realm of natural resources and environment is the director of the California State Department of Water Resources, William R. Gianelli. Just recently, Mr. Gianelli delivered an extraordinary presentation at the California Central Valleys Flood Control Association in Sacramento, Calif. Because his remarks are so pertinent to the critical problems confronting our environment, I would like to share them with my colleagues:

WATER—ENVIRONMENT—REVOLUTION

(By William R. Gianelli, Director)

Thank you for asking me to appear before you today. When John Luther issued your invitation, he suggested that I discuss the future: What lay ahead for flood control and water development.

To understand the future, one needs to examine the past, and in California of 1970, we need to take a good, long look at the present if we expect to have any future at all. For California is in a water battle today as demanding and as dangerous as any she has ever been through before. The names of the players have been changed, and some of the issues wear disguises, but the weapons have a sophistication and a shotgun power that we are just beginning to see.

California has always had water problems and is going to continue to have water problems as long as the majority of the water supply lies at one end of the State and the majority of the people at the other end. This initial problem is compounded by a seasonal climate which produces 80 percent of the precipitation from November through March and leaves the remaining seven months in almost drought-like condition. In the northwest corner of the State, rainfall averages 110 inches per season; in the southeast corner, as little as 2 inches per season.

The people of California have spent 200 years trying to balance this maldistribution of water supply and water demand. Early efforts were very effective, but could only be operated as individual solutions.

Our first water supply projects were essentially owner-diversions from a nearby stream or flowing course. When these were found to be insufficient to take care of needs, people introduced multiple diversions. Then, groups of owners banded together into districts, and moved on to cooperation between districts. With the merger of districts into metropolitan-wide organizations, the importation of water began in the first decade of this century.

Los Angeles went to the Owens Valley in the years between 1905 and 1920 for a water supply because her own supply was insufficient for her needs. In 1931, the voters of that city approved another large bond issue so that a cooperative water district could capture water from the Colorado River and transport it the 242 miles to Los Angeles.

The people of Oakland formed the East Bay Municipal Utility District to build the 75-mile Mokelumne Aqueduct and obtain water from Pardee Dam—again in the Sierra.

San Francisco, in 1934, tapped the Tuolumne River watershed in the Sierra Nevada to fill the Hetch Hetchy Aqueduct and provide her people with a firm supply of water.

The Federal Government soon began to play a significant role in water development, particularly for systems that were too extensive and too comprehensive for any local agency to finance. The Bureau of Reclamation constructed the All-American and Coachella Canals in the south to import water from the Colorado River to the Imperial Valley, which soon became some of the finest farmland in the United States. The Bureau also started the Central Valley Project to afford some means of flood control for the Sacramento and San Joaquin Valleys; to deliver irrigation water for those water-deficient areas; and, to provide power for the people in the region. The Corps of Engineers, long the flood controllers of the Nation, erected flood control dams in California and helped to reclaim land for the benefit of people who had elected to live in flood plain or sea level areas.

The State was a late arrival on the scene to conserve California's water resources and develop them to supply demands for water use. But, with the passage of the Burns-Porter Act in 1959, and approval by the electorate in 1960, construction of the State Water Project began.

The combination of local, state and federal efforts to balance California's maldistribution of supply and demand grew in accordance with the needs of the people until there are now some 4,000 organizations in California having something to do with water.

The Central Valleys Flood Control Association is a combination of many of the local groups. It has been most effective in bringing a unified voice before the Legislature for a large number of small districts, and in keeping those local agencies abreast of legislative allocations to flood control and water resources in the Valley.

One of the most important achievements of the Association has been the annual flood control conference. This is a vehicle which allows the State to go before Congress with a high degree of unity in seeking federal appropriations for flood control funding in California. In recent years, the Association has been joined at the conference by representatives of counties outside the immediate Valley, making California's presentations before Congress more unified than any time in history.

The value of this has been shown in California's share of flood control projects assigned to the Corps of Engineers.

As a result of the 1970 Conference, the California Water Commission proposed to Congress that additional money be appropriated for 12 projects in California. The House Appropriations Committee last week recommended the inclusion of additional funds for 9 of these 12 projects.

Single-purpose projects were primary during the historical period of our water development; each designed to fulfill a certain need, and each performing for its particular "master". But water projects are no longer single-purpose. Through experience, we have learned that the multiple-purpose project is the project that provides maximum beneficial development because it allows one construction to fulfill many requirements.

The water projects being built today can control floods; can irrigate dry lands; can provide the water which is necessary to operate the cities and run the industries; can turn the switch to "on" for the multiple electrical needs of people; can create a lake for swimming, water skiing, boating, and camping, can protect the fish and supply the needs of our wildlife population. Water projects, in short, are providing us with today's standard of living and, each day, improving that standard.

The Central Valley Project and the State Water Project are good examples of multiple-purpose water development. They also interact to avoid duplicate construction efforts.

The State Water Project, to date, has expended $1.78 billion of an estimated $2.8 billion construction cost. That construction of the facilities required to meet scheduled water deliveries to the Project's southern terminus in 1973, is already 91 percent complete or under construction. Only those facilities which will not be required until the late 1970s or the 1980s have not yet been scheduled for construction start dates.

The Central Valley Project began construction in California in 1937 and went into its first operation in 1940 with the Contra Costa Canal, supplying water from the Sacramento-San Joaquin Delta to western Contra Costa County. The primary reason for this facility, believe it or not, was to offset ocean salinity intrusion into the Delta.

To date, the CVP has provided Californians with $2.5 billion worth of water projects which have been completed or are now under construction. Pending projects would bring the total up to about $5 billion. Auburn Dam and Folsom-South Canal are both now in the initial stages of construction; Tehama-Colusa Canal is under construction; and authorization has been granted for the construction of the Bureau's San Felipe Unit just west of San Luis Dam. And the Eastside Project is in the wings.

California has come a long way in solving her water problem. But each day brings new problems and we have some added funds right now. One of these is the tremendous competition for funds.

Within the Federal Government, a new emphasis is being placed on urban renewal programs, water pollution programs, welfare programs, and—despite our declining participation in Vietnam—the military complex is still competing for its share of the apple. Less and less attention is being given to flood control or reclamation projects and the problem to make ourselves heard within the "gimme" din is getting more difficult each day.

In the competition for the state dollar, welfare and education have the loudest voices and are heard with the largest financial effect. I am sure that you are all aware of the pressures that have been brought to bear on state programs related to solving the flood control and water supply problems that exist in California. To counteract these pressures, and alleviate these problems, water-oriented people are going to have to make the people of California more aware of the benefits that they derive from water projects and are going to have to modify what has been a historical approach to balancing water supply and water demand.

As long as a man can get as much water as he wants whenever he turns on the tap; as long as he gets the amount of electricity he needs whenever he turns on the switch; as long as there is a lake for him to go to when he wants to go to a lake; a fish to catch when he wants to go fishing; and, as long as he is protected from the deluge when the floods come; he isn't going to spend one minute wondering how it all got there.

It is up to you and me to make sure that he understands all these benefits come from water projects that are already completed, or those that are underway. And, if we don't make sure he understands it, then we can't go whining about budget depletions.

Because we bear the responsibilities for providing these benefits, we must also accept the responsibility to be sure they are correctly understood.

Society is under so much strain these days, and suffers so many separate and collective frustrations from being pushed, pulled, stamped and key-punched, that mankind literally feels the only way he can make himself heard is to cry "Foul!"

His streams are polluted; his lakes are dying; his beaches are full of trash; his farms are too mechanized; his lands are covered with concrete; and, the "wide open spaces" of his school songs are moving further and further away from him.

He resents this and directs his cry of "Foul!" to the public works projects—inanimate servants that can't fight back. What he has failed to take under consideration is that man himself is the polluter, the trash depositor, the mechanizer, the concrete user, and the pigeon who flies to the crowded city where he can be protected or lost within the mass rather than brave the difficulties that face an individual.

Man has become a group animal and, in so doing, has tried to create a group atmosphere, a group environment. And, herein lies one of our most serious problems. A group environment; i.e., the same environment for all, is almost impossible to achieve with any measure of success. For man is also an individual and each man's environmental requirements are as distinct as he himself.

The man who lives in a ghetto in the city can't understand why money has to be spent for flood control projects. But the man whose house is located on a flood plain or who farms in the Central Valley can't understand why we have to spend so much money on welfare.

Yet, both these men have many things in common. Two of their needs are the basic human requirement for water to keep them alive, and electricity to make living more endurable. In this State, water projects are the only present effective means to supply both of these requirements—and many others besides.

Water projects have brought flood control to the Central Valley and built a farming area second to none in the Nation.

Water projects have created in the Sacramento-San Joaquin Delta a valuable asset for food production, recreation, fishlife and wildlife.

Water projects have also protected the Delta from the natural ruination of salt water intrusion by providing an inflow strong enough to repulse ocean salts.

Water projects have reclaimed lands once inundated on almost an annual basis, and in addition, have brought the lifeblood of water to lands that were once so parched they were nonusable.

These lands are now productive enough to, one day, be the receptacle for a dispersal of our coast-hugging population. Some of the stresses that man is experiencing in his "group environment" might be alleviated through such methods . . . but only if it is done through man's choice; not under government edict. That would be almost a total relinquishment of individuality.

Water projects have also put water-oriented recreational facilities within the reach of the city dweller and the Valley farmer. The effectiveness of this benefit can best be illustrated by figures which show that, in 1969, State Water Project reaction facilities had a total of 1.5 million visitor-days of use and an additional three-quarters of a million visitors went by just to look. During the first five months of this year, there were more than half a million visitor-days of recreation use at these project-created water sites plus a third of a million other visitors.

And, water projects have provided available, and inexpensive, sources of electrical power to run everything from a factory to a shaver. Hydroelectric power is not, in 1970, the only source of electric power available to man. Electricity can also be generated by fossil fuel or nuclear powerplants. I guess if you were Benjamin Franklin and had a key, a kite and a bad storm, you could even generate electricity that way. But hydroelectric power does have advantages that others don't.

For example: Hydropower is "instant power." There is no waiting for the water to heat up. This gives hydropower outstanding operating flexibility, greater reliability, and powerful advantages for automatic operation to meet peaking requirements. Hydropower also has financial advantages over thermal power because once it is on the line, it is more resistant to inflationary trends and generally cheaper to operate. Hydro plants also have the distinctive advantage of being smog-free, and not likely to introduce pollutants into an already polluted sky.

Every effect that I have mentioned has been an effect on our environment, and each effect has created a benefit that has brought us a better environment, a better life.

We have accomplished much within the past 200 years, but there is still a great deal to be done. We have taken care of the immediate needs to maintain life, and given ourselves a pretty good life along the way. But with the urgency taken care of, and with the leisure time that these working projects have made possible for us, we still need more. Now that we know we can produce enough water to drink, enough food to eat, enough factories to produce the "necessities" and the means to keep these things from being flooded right out from under us, we are turning our attention to other areas.

We have created this environment within which we live and, for the first time, we have the time to criticize it.

We go for a drive in the country and the country isn't there anymore—and we don't like it.

We get up in the morning, but our factories got up earlier and the sky is filled with smoke and smog and dust—and we don't like it.

We go to the beach and it certainly doesn't look like it did 10 years ago. It's covered with aluminum beer cans and non-returnable pop bottles—and we don't like it.

We go to San Francisco or Monterey Bay and the shoreline is posted with "No Swimming" or "Polluted Water" signs—and we don't like it.

In desperation, we decide to save, to do without, to deny ourselves, and to build a little cabin retreat way up in the mountains where we'll be away from the grind of daily living and the pressures of people. And, when we get there, we find that a million other people have had the same idea and are banding together to form an organization which will bring pressures in to get a road into this back country that can support a truck, or a camper, and a trailer, and all the equipment we need to take with us. And, then, we need a guaranteed pure drinking supply of water, and we think it might be nice to have a lake so we can get a boat and water-ski. And, of course, we need electricity because we're certainly not going to sit around and mess with kerosene lamps or coal oil stoves—and, who cooks over a wood stove? The first thing you know, we're back where we started—and we don't like that either.

We are going to have to realize that technology can give us almost anything in the world that our imaginations can envision. But, in one way or another, we are going to have to pay for it—and the bill is not always in dollars and cents.

We can go back to a state of nature, if that is our ultimate decision. But we must be willing to give up our cars, our electrical appliances, our pension plans and our leisure time. Because it's going to take us twice as long to earn the money we need to support our families. The population pressures are not likely to decrease. Instead, the likelihood of an increase in pressure is obvious; we won't have the time to get away from each other, and what good is the "state of Nature" going to do us if we never get to experience it?

People are going to have to question themselves very thoroughly, and provide their own answers to these questions. If the public is willing to give up their present services to maintain a "state of Nature" then, so be it. But I, personally, don't see very many of them giving up anything. What I do see is that the ones who shout the loudest are the ones who have the most—and intend to keep it.

Those who are worried about the present state of our environment range from the everyday concerned citizen who tries to effect change in a logical manner to the extreme preservationist who doesn't seem to be able to relate his demands to costs, to the actual needs of human beings, or even to face facts that are an integral part of his own life.

Governor Williams of Arizona recently received a letter from a constituent who objected to approval to construct a fossil fuel powerplant in southeast Las Vegas, and urged the Governor to use all the influence of his office to put a stop to this powerplant.

The Governor replied, and I would like to quote part of his reply: "My only comment on your plea to eliminate fossil fuel burning plants is summed up in the fact that the East is now experiencing power shortages. With the Sierra Club banning Dams and Hydro projects, and others opposed to Nuclear Plants, and you against the Fossil Fuel—we may have the clearest skies in the day time, and the darkest farms, villages and cities at night, the world has ever seen. There are only three ways of producing electricity and all three are under attack.

"The West needs electric Power.

"And it has to be produced in one of three ways.

"If all three attacking groups are successful, what do you suggest?"

Here in California, we have much the same type of extremist, who wants to put a stop to everything, but who offers no workable, concrete solution to problems that have to be solved. In effect, if the demands of the extremists were followed, this State would have more problems than it does now and nothing would be being done to solve any of them.

There's the group that decries the pollution in San Francisco Bay and reaches for the Peripheral Canal as the cause and creator of this pollution. The Peripheral Canal isn't even under construction—much less in operation—and the Bay is a polluted mess right now in many areas. If the extremist is sincere in his fear that San Francisco Bay will turn into another Lake Erie, then why isn't he doing what the people around Lake Erie failed to do? Why isn't he demanding a stop to the polluting and the waste discharging that is underway right now from the municipalities and industries that line the shores of the Bay? When an aircraft carrier with approximately 6,000 people aboard, parks in the Bay for a week, where does the extremist think all the waste discharge from all those people goes? San Francisco's usual reaction to the arrival of an aircraft carrier is to cheer wildly and watch pictures of it sailing proudly under the Golden Gate Bridge. It's the extremist who turns around and says that water projects are polluting the Bay and that we have to put a stop to them.

I am fast learning to identify these extremists groups and to give a little closer attention to their motives. I doubt that there is one person in this State who is not truly interested in improving his environment and most of them are dedicated, in some fashion or another, to the conservation of our natural resources. But the simple act of working to accomplish these goals is no longer sufficient.

Environment has become a political issue and the cudgels are being wielded by extremists and revolutionaries who see it as their golden chariot to whatever personal ends they are working toward.

College groups who want to "take on the establishment"—which is certainly the thing to do when you're of college age—are being led up the path of political influence with environment as the carrot. And, what is worse, being led by fright peddlers who are scaring them to death about the future while ignoring the real problems of the present.

Then, there is the approach of a man like Alvin Duskin, who pictures himself as the savior of San Francisco Bay and the Sacramento-San Joaquin Delta when, in actuality, he has done no more for either one than to pay the bill for an ad agency that runs full-page newspaper advertisements in daily newspapers.

Mr. Duskin is a dressmaker. Since he runs a multi-million-dollar business and lives in a $70,000 house, I can only assume that he is a successful dressmaker. But, he is not a qualified expert in resources development or conservation.

When asked, at a recent press conference, about Mr. Duskin's most recent newspaper advertisement and the lawsuit which he had announced would be filed in federal district court against federal and state water agencies, Governor Reagan replied:

"If Mr. Duskin's dresses have as many holes as his arguments, his customers must have a lot of consumer complaints."

I wish I had said that.

To get a look at Mr. Duskin's motives, one has to do more than read his advertisements; one has to read some of the interviews he has given out for publication:

In the July 1970 issue of RAGS, a garment industry trade journal, Mr. Duskin discusses the United States:

"It embarrasses me morally and it embarrasses me politically to be part of this nation of pigs, which is just what we are. In the long run, the only way we are going to have peace is to lower the American standard of living."

When asked by the interviewer what he would do to lower the standard of living here, he replied:

"I would like to slow down the buying. I would like to slow down the whole economy in the United States, that would be a very happy thing. In order for me to be a powerful person politically, which is my personal ambition, I have to have an economic base. It would be a very silly thing to destroy my factory. Since this is a money oriented society, you have to win this fight in order to go into the next fight."

In another interview, title "Capitolism is Absurd" and published in the Good Times newspaper of San Francisco, May 29, 1970, Mr. Duskin was asked about his views on Proposition 7 and the State Water Project, and what we could do to avoid the disasters he had predicted. He replied:

"Get Bobby Seale out of jail. First things first. The man's life is worth more than a coral island or a redwood tree . . . there is a connection between the persecution of Bobby Seale and the panthers, the disintegrating coral islands and the junk (and "junk" is my translation, not Mr. Duskin's actual word) floating around Richmond."

Mr. Duskin used the same interview to attack everything in sight, including the President of the United States:

"The mutants have taken over the United States Government", he said. "Well, maybe Nixon isn't a mutant, but he's a neuter—neither man or woman. He's an android, a robot-man. He's without guilt for all his crimes. He's without emotional capacity, divorced from the whole moral tradition of civilization. After all, he grew up in Whittier and ingested smog with his mother's milk."

There is more—much more—and we need to do more than just read, or consume and accept, the publicity that groups represented by this type of extremist are putting out in our newspapers and on our radio and television stations. We need to examine every word, and question every statement, and attack every accusation until we have separated the real environmental issues from the phony issues that are being interlaced so cleverly.

California has done an excellent job in providing for the needs and the demands of her people, and she can continue that excellence, but only for so long as she has men and women to fight for all her people and not just for themselves.

It is up to each one of us to meet this challenge and we are going to have to do more than just meet it at the polls. The silent majority is very powerful once inside that polling booth but it hasn't made much headway on the streets. Either we get out there where the action is and use the truth we can prove to out-shout the shouters or we are going to find ourselves faced with an environment that man can't live in. If that happens, we are going to find succeeding generations blaming us for the degradation they have to live with. And, if we don't start doing something right now, we'll deserve every bit of that blame.

We may be the older generation, but we're the generation that fought our way out of the worst depression the world has ever known. We're the generation that fought and won a World War we didn't want and didn't create, and then turned around and fed, clothed, and housed all our fallen enemies. And, we're the generation that made it possible for our children to live a better life than any other generation before it had ever experienced, and receive a better education and a better chance at that life than had ever been possible before.

Now, if we could do all that, we've still got the backbone to handle a few revolutionaries who are playing with society as though it were their personal jigsaw puzzle.

I suggest we get started now. We've been patient too long.

VISIT SNEEDVILLE AND LEARN ABOUT MELUNGEONS

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. QUILLEN. Mr. Speaker, a splendid drama, "The Melungeon Story: Walk Toward the Sunset," is a major outdoor production in Sneedville, Tenn., Hancock County, which is in my congressional district.

The Melungeons pioneered the settlement of Newman's Ridge in Hancock County and the outdoor drama concerning their history is one of the most stirring stories ever told on an outdoor stage.

The Knoxville, Tenn., News-Sentinel, a daily newspaper, sponsors a trip of the month and for July, the trip is to Sneedville and Hancock County for the outdoor drama. The trip is set for July 2, 3, and 4. A story concerning this trip appeared in the News-Sentinel on June 28, which briefly explains what is believed to be the history of the Melungeons, and I would like to submit it for the RECORD and urge everyone to see "Walk Toward the Sunset":

VISIT SNEEDVILLE AND LEARN ABOUT MELUNGEONS

(By Willard Yarbrough)

SNEEDVILLE, TENN.—The home of Monroe Collins isn't easily found, since he lives a distance from the main road, and it isn't easily reached either because four cattle gates block the private road on Lonnie Hugh Bowlin's farm.

The setting is picturesque. The farmhouse nestles in a bowl beside a small creek. Beside it runs Bunches Trace, a pioneer trail that crosses Clinch Mountain to the south just behind Collins' place. Knobs fore and aft remind of the Trail of the Lonesome Pine, not far away.

Collins wasn't home, explained pretty daughter Nadene, "he and Homer's down by the creek hunting groundhogs." One old groundhog was staked out on the lawn much like a cow, and had been caught by Collins along with two others. He pours water into their holes and forces them to surface.

"Papa!" yelled Nadene. "Somebody's here to see y'uns."

He and son Homer came quickly, glad to see visitors come to their isolated environment off the road between Treadway and Thorn Hill.

PEOPLE'S ORIGIN A MYSTERY

Monroe Collins is pure Melungeon and the fact that he lives across Clinch River from famed Melungeon Country—Newman's Ridge, Snake Hollow, Little Sycamore, Vardy and Blackwater—makes no difference.

The Melungeons are a living mystery. They live all over Hancock County, many of them professional and prosperous residents of county seat Sneedville.

They are copper-skinned, the men highly intelligent, the women beautiful, the children living dolls. Their origin is the mystery. Where did they come from. Were they Carthagenians? Phoenicians? Moors? Lost Tribe of Israel? Portuguese? How came they here?

They don't know. Monroe Collins doesn't know.

Nor does Mrs. Mattie Collins of near Sneedville, one of the oldest Melungeons of Hancock County. She turned 97 April 20.

But one thing is sure. The lovable Melungeons of Hancock have come into the 20th century. They aren't shy or evasive anymore, like to talk with strangers, offer hospitality to visitors.

This is why The News-Sentinel Trip of the Month for July is to Sneedville and Hancock County, the major attraction being the outdoor drama, "The Melungeon Story: Walk Toward the Sunset." The drama, described by Mark Sumner as a "miracle unto itself," tells the Melungeon story from its inception and the actors include Melungeons.

The Trip of the Month is set for July 2–3–4 and offers excitement and high adventure in a mountainous-valley county unspoiled by the march of industrialization. Only 1000 live in Sneedville, hardly 7000 in the county, according to the 1970 census first reports. The point is, News-Sentinel Trippers can have a fabulous time—and rewarding experience—coming here next Thursday, Friday and Saturday.

DRAMA BEGINS THURSDAY

The drama opens Thursday night and the first performance will be dedicated to Trippers. And here, where inflation has not infested a lovely land and people, a Tripper can have a ball on a small budget. There'll be an all-day horse-show and Rescue Squad demonstration July 4 (Saturday), ending with giant fireworks following the drama. Barbecue foods, as only Hancock Countians can prepare, will be served for a pittance. Overnight accommodations, both here and in area towns, may be arranged.

A major highlight will be a free bus tour of Melungeon Country—with a Melungeon guide and narrator!—which began during the 1969 Trip at the suggestion of the writer. This will be a two-hour tour.

There's too much to tell in this space about entertainment, but it includes Melungeon lectures at the courthouse, a display of medicinal herbs dug out of mountain soil by Melungeons and sold on the market, and Melungeon cemeteries that bear the trademark of graveports—much like carports—over the remembered dead.

But back to dark-eyed, witty, friendly, dark-skinned Monroe Collins. Yes, he eats groundhogs—but only in late fall when they are fat and juicy. Yes, he has a philosophy that sees him smiling through adversity.

Mrs. Dora Bowlin, president of the Hancock County Historical Association which stages "Walk Toward the Sunset," reminded Collins of a personal tragedy.

Not long ago, Collins drove up to his home in his old jalopy. Flames engulfed everything. And what did Monroe Collins say? "There's nothing I can do about it. Just take it easy." With that, Collins drove away and found a new home and furnishings on the Bowlin spread.

He doesn't get a penny from welfare, but may qualify July 1 for state old age assistance. He's 65 soon. No, he doesn't know about his ancestors; his father never talked about them. He has a garden. He hunts. He has nine children, all but one, Homer, gone from home. Nadene and pretty 2-year-old Susie are visiting now.

CAN'T STAND LEVEL LAND

Susie, with natural blond tresses, is typical of Melungeon children. One is dark-skinned, one is fair. Susie is fair. The Melungeon blood, according to researchers and experts on the subject, just doesn't mingle.

Homer is dark-skinned and intelligent. Nadene is dark-skinned and, like many Melungeon women, goes barefoot on the farm.

Why does Monroe Collins live in these hills? "Because I just love the mountains. I can't bear to stand on a lot of level land." Actually, the Melungeons of old left the valley and headed for the hills of Newman's Ridge when white settlers laid claims to their lands in the last century.

They don't have much, but owe nobody. They like jokes, like remembering old friends and family, and their humor is something to behold. Many of them don't worry about what they don't have, which means they don't fret about somebody taking their possessions.

Instead, Monroe Collins is bothered about the blight turning locust trees reddish-brown on Clinch Mountain, fears the locust will vanish like the chestnut tree.

Melungeons know each other well. So the writer went back across the ridge, from New Jersey Zinc operations and a neighborhood where Eunice Winstead Johns and husband Charlie live, to call on Mattie Collins—a distant kin of Monroe.

"Where did your grandfather come from?" Mrs. Collins was asked outright, in her small home reachable by a footbridge that spanned the creek on the Rogersville road.

FROM ACROSS WATERS

"He came from across the waters . . .," she said, but didn't know the country he came from. And how many grandchildren has she, this 97-year-old matriarch?

"She's got 42 grandchildren, 38 great-grandchildren and seven great-great-grandchildren," put in 22-year-old Beatrice, a grandchild herself and an actress in "Walk Toward the Sunset."

"Want to know something else?" Beatrice asked. "Granny threaded a needle for me the other day. And she doesn't even wear glasses!"

The second generation in this Melungeon household—all reddish-brown of skin—is Mrs. Minnie Collins, 51. She's Granny's daughter and Beatrice's mother.

The Melungeons—the word originates from a French word "melunge" which means mixture—have come out of "hiding" and now feel pride in their difference, thanks almost altogether to their drama which emphasizes discrimination their forebears suffered and News-Sentinel articles about their proud past.

Judge Lewis Shepherd discussed the Melungeons in his "Personal Memoirs." "In truth," he penned long ago, "these people belonged to a peculiar race, which settled in East Tennessee at an early day, and, in the vernacular of that country were known as "Melungeons" . . . It was proven by the tradition amongst them that they were descendants of the ancient Carthagenians; they were Phoenicians, who, after Carthage was conquered by the Romans and became a Roman province, emigrated across the Strait of Gibraltar, and settled in Portugal.

"They lived for many years and became quite numerous on the southern coast of Portugal, and from thence came the distinguished Venetian general, Othello, whom Shakespeare made immortal in his celebrated play, "The Moor of Venice.' They were the same people who fought the Romans so bravely and heroically in the Punic wars . . .

"About the time of our Revolutionary War, a considerable body of these people crossed the Atlantic and settled on the coast of South Carolina, near the North Carolina line, and they lived amongst the people of Carolina for a number of years . . ."

Later they "wandered across the mountains to Hancock County, East Tennessee. A few families drifted away from Hancock into other counties of East Tennessee, and now and then into the mountain section of Middle Tennessee. Some of them live in White, some in Grundy, and some in Franklin County. They seem to prefer living in a rough, mountainous and sparsely-settled country.

"One peculiarity of these people is that the dark color cannot be bred out of them; they do not miscegenate or blend in color."

MAY PREDATE COLUMBUS

One theory—and discoveries in South America in recent years seem to bear it out—is that the seafaring Phoenicians were blown off course in the Mediterranean Sea, thousands of years before Columbus discovered America, and wound up on American shores. Another is that a ship laden with Melungeons was taken by mutineers on the high seas and beached off the North Carolina coast. Still another is that the Melungeons are descendants of the Lost Colony of Roanoke, who mixed with Cherokees and Greeks, and migrated into our mountains to escape civilization and discrimination.

Even so, their eyes are not black like Indians but dark and squinty. There may be Cherokee blood somewhere, as witness some roundfaced Melungeons, but the purest stock remains without historic or genetic change—as witness Monroe Collins.

You can see and talk with these people—and they're anxious now to see and talk with you—during The N–S Trip of the Month here beginning Thursday.

ITEM 807 OF TARIFF SCHEDULES

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. GREEN of Pennsylvania. Mr. Speaker, item 807 of the Tariff Schedules of the United States has turned out to be a tax loophole for the export of U.S. production abroad. Most Americans do not understand item 807, but they know America needs jobs at decent standards and a better trade balance in 1970.

The attached material shows how item 807 works. The law merely provides that components shipped from the United States for assembly abroad may be reimported duty free on their return as part of an assembled product. For example, parts of a TV set can be shipped to Haiti or Hong Kong, assembled, and only the value added—often only foreign labor—is charged a tariff on reentry. In time, the U.S. component is interspersed with other products until it becomes the smallest part of the import—as in the industrial countries of Germany, Sweden, and so forth.

The following material includes a letter from the General Assembly and Co. of San Juan, Puerto Rico, which shows how item 807 works in the lowest wage countries of the world and how big banks and firms promote this exploitation of labor.

It also includes newspaper clippings which show how people in these countries live and work and the kinds of benefits they receive, as well as the effects this method of bookkeeping under this transaction has on America's trade balance—with rich and poor countries alike.

Item 807 starts with assembly, with hand labor—moves to adding foreign product. It is a one-way street into the U.S. market for sweatshop labor in poor countries and sophisticated products in rich countries.

The United States has fostered policies of expanded trade for better living standards and building world markets. Item 807 merely promotes a competition between Hong Kong and Haiti for lower wage labor to serve this market—without building markets worldwide.

GENERAL ASSEMBLY & CO.
San Juan, Puerto Rico.

DEAR SIR: Our firm established in Haiti for 34 years in diversified business can probably save you ⅔ of your present labor cost on practically any assembly of components.

We are successfully assembling for many companies at present and are maintaining for one company a scheduled volume of 4 million items per month.

We are seeking companies who would like to reduce their labor overhead by ⅔ by assembling their products or components in Haiti with insured guarantees.

How it works. After we have visited you or you have sent us a sample (one finished item plus 12 unassembled items) plus (A) your average hourly wage; (B) estimated hourly overhead per labor hour; (C) average time it takes your worker to assemble one dozen items—we will give you an estimate or contract to produce what you are now assembling at roughly ⅔ less than your present cost (FOB Haiti).

How we do it. We receive your components through our New York or Miami "Forwarders." They take care of all the red tape both ways.

Air freight: Miami to Haiti, via Pan Am or Transcaribbean. 12 cents per lb. up to 1000 lbs. 8 cents per lb. over 1000 lbs.

By ship: New York to Haiti, via Grace Line. Per cubic ton (2000 lbs. or 40 cu. feet).

Upon receipt of your raw material:

1. Your products will be assembled and finished to meet your specifications as per your schedule by specially trained and skilled personnel. We maintain a quality control.

2. We ship the finished product collect to the U.S.A. via our forwarder who pays a duty of 28% of the Labor Cost only. (13% on electronic work).

3. We are paid by a manager check held by the Royal Bank of Canada in Haiti against certification that your finished product has been shipped back to you.

4. As we have obtained from the Haitian Government a franchise to manufacture for re-export, there are no local taxes or duties on raw materials or equipment.

5. Guarantees—All equipment and raw material will remain your property at all times and will be covered fully by U.S. Insurance companies established in Haiti. In case of damage or loss you are the beneficiary. Additional coverage or verification of the above can be obtained from U.S.-F.C.I.A. (Foreign Credit Insurance Association) created to help U.S. Businessmen obtain export credit and financing on assembly of products in low cost labor areas. This helps put you on a parity with foreign competition. They are located at 250 Broadway, New York, New York 10007.

Our References are:

First of all our present customers whose names and addresses we will furnish upon request.

United States Embassy, Port-au-Prince, Haiti—Attn. David Reynolds, Esq. or Mr. Andrew Tangalos.

First National Bank of Miami, Miami, Florida—Attn. Mr. J. Robert Devaux, Vice Pres. Latin American Div.

Royal Bank of Canada, Port-au-Prince, Haiti—Attn. The Manager or Mr. Raymond Thomas, Asst. Mgr.

So far, neither Hong Kong or Taiwan can compete with the $80 odd dollar executive trip to Haiti, the lower and faster freight rate, the proximity and friendly interest Haiti has in the U.S. In addition to your own savings you will be helping a developing country.

Please give us an interview with your firm.

Name ------------------------------------
Address ---------------------------------
Date--------- Time--------- Place---------

and a brief description of the assembly we might do for you. See check list page 1, paragraph 4. (To save time please answer here and return).

Yours sincerely,
JOHN A. FRANCISCUS,
Vice President,
New Products Division.

[From the New York Times, May 24, 1970]

RELAXATION OF RESTRICTIONS ON FOREIGN AID TO HAITI IS EXPECTED BY U.S. OFFICIALS IN PORT AU PRINCE

(By Juan de Onis)

PORT AU PRINCE, HAITI, May 23.—A relaxation of the virtual blockade of foreign economic aid to the regime of President Francois Duvalier is expected soon by United States officials here.

A first result of a more cooperative approach toward the Haitian dictatorship could be the granting of a $5.5-million loan by the Inter-American Development Bank to expand the water supply in this capital.

The loan has been held up because of opposition by the United States. The technical reason is that Haiti has fallen behind in paying a $1.5-million debt to the United States Export-Import bank.

The United States Ambassador, Clinton Knox, who has found Haitian officials rather inaccessible since coming here a year ago, said that an agreement in principle had been reached for the Haitian Central Bank to begin paying off the bank debts.

The major international lending institutions that provide development capital in Latin America tend to coordinate their positions, and Haiti has been in "bad risk" category ever since 1963, when President John F. Kennedy reportedly authorized the United States Central Intelligence Agency to work with Haitian exiles to bring down Mr. Duvalier. United States policy became neutral within a year, relations have been cold since then.

The repressive nature of the 13-year-old Duvalier regime, which has imprisoned and killed hundreds of political opponents, and the financial irregularities of the administration shut off nearly all development aid here.

Various feeble attempts to overthrow Dr. Duvalier have failed in the last three years. The most recent was a revolt last month by the small Haitian Coast Guard, the country's only naval force.

After firing about 50 small cannon rounds at the Presidential Palace, three rebel cutters sailed away to take asylum in the United States of 119 officers and men aboard, only one returned here, saying he had known nothing of the rebels' plans.

FORMER OFFICIALS HELD

Rameau Estimé, former Minister of Justice, and Col. Kesner Blain, former Army quartermaster, are under detention for questioning on the most recent plot.

Diplomatic sources said 22 persons had taken diplomatic asylum and were still in Latin American embassies, including the wife and daughter of Col. Octave Cayard, who was the Coast Guard commander.

The same sources said there had been no confirmed reports of killings of members of the families of the 118 rebel Coast Guardsmen, although some homes had been ransacked by officially condoned looters.

The political opposition is not considered strong enough to provoke a real crisis for the 63-year-old Mr. Duvalier, who has declared himself President for life.

An International Monetary Fund group made a survey here last month and reportedly found budget and taxation administration improved. It has recommended a stand-by balance-of-payments loan for Haiti.

ROCKEFELLER FAVORED AID

Governor Rockefeller of New York, who toured Latin America last year for President Nixon, has recommended that United States aid be resumed.

Ambassador Knox said in an interview that he would recommend that the United States finance an agricultural credit program.

The per capita income for Haiti's four million people is $75 a year, the lowest in Latin America, three-quarters of the people live off farming, fishing and forestry.

Mr. Knox said that an agricultural credit program would help relieve rural poverty and increase food production, which is primitive and inadequate.

A United States loan would also be symbolic of a new official attitude toward Dr. Duvalier.

There has been growing private investment here by United States enterprises that have found Haiti's abundant unskilled labor supply, ready to work at less than $2 a day, a major attraction.

Nearly 100 companies have been set up here in the last two years, mainly with United States capital, to turn out baseballs, electronic devices, hand-assembled tools, shoes, and apparel, using materials brought here from the United States. The products are sold primarily in the United States market.

[From the Business International, Jan. 31, 1969]

AS KOREAN LABOR COSTS SOAR, U.S. FIRM QUITS

International companies with an eye on investing in South Korea to tap its low-cost, easily trained labor may have to take a second look. Labor union problems and rapidly rising wages are fast eroding the clear labor advantages Korea once had over such rival Asian investment sites as Hong Kong, Taiwan, and Singapore. One foreign investor has already pulled out, and others are holding up expansion plans or investing elsewhere. Korean wages are still low, but increases of 15% to 30% have not been unusual in the past couple of years, and the already-extensive fringe benefits have increased as well. The Korean Government is clearly concerned, and is taking steps to solve labor difficulties and clear other obstacles to foreign investment.

The most dramatic evidence of serious labor trouble is the recent decision of Oak Electro/Netics Corp (OE/N) of the US to close down its $2.3 million electronic components plant near Seoul and to move its operations to OE/N's Hong Kong plant. OE/N's Korean employees, organized by the Metal Workers Union, demanded wage hikes of 60% in 1969 over 1968. The increase would have put Korean wages on a par with or above Hong Kong wages, and the prospect of future demands of the same magnitude made the outlook for economic operations in Korea very dim.

Fairchild, however, has signed a new labor contract and is doubling its plant size and labor force.

OE/N was one of ten US companies—including Motorola, Fairchild Semiconductor, Signetics Corp (a subsidiary of Corning Glass), and Applied Magnetics Corp—that had invested a total of nearly $15 million in electronics ventures in Korea since 1965, making the electronics industry an important user of labor and a significant new foreign exchange earner. The Oak Electro/Netics pullout, by calling the union's bluff and spurring the Government to take action against strikes and excessive wage demands, may benefit the companies still there. Employees of the other US firms have become less aggressive in their demands for fear of losing their jobs. And the Economic Planning Board (EPB) has ruled that unauthorized strikes against foreign-owned companies will be considered illegal, as against the public interest. The EPB has already been instrumental in settling a slowdown at Signetics.

Along with its intervention in labor disputes with foreign companies, the Government has promised to ease several other problems for foreign investors. The Foreign Capital Investment Law is being revised to waive the business tax on products sold in the Korean market (now 0.3–0.7% of gross receipts) for firms established with foreign capital. In addition, the Government intends to simplify procedures for importing machinery and raw materials through bonded warehouses and bonded processing systems, and to cut red tape on the issuance of licenses for plant construction and for the exit and entry of foreign nationals concerned with foreign investments. It also promises to aid foreign investors in obtaining telephone and power facilities.

While all the tax and other incentives the Korean Government offers to foreign companies are helpful in the short run, they may be creating a less favorable climate for foreign investment in the future. All these concessions—including the standard tax holiday incentives—are available *only to foreign investors*. In joint ventures, they are granted only in proportion to the foreign equity in the enterprise. There have already been some press attacks on the special status provided to foreign investors with respect to labor disputes, partly on grounds that US firms allegedly pay lower wages on average than Korean firms in the electrical field. This may be true to the degree that foreign firms in electronics hire female workers almost exclusively, and female wages average less than male wages. In any case, the resentment against special treatment of foreign firms in labor relations spells further labor difficulties, and the resentment may spread to other concessions.

[From the New York Times, May 12, 1970]

South Korea's Economy Booming With Cheap Labor

(By Philip Shabecoff)

Pusan, South Korea, April 24.—Running 24 hours a day on three shifts, the big Tong Myung plywood factory in this port is a fitting symbol of South Korea's increasingly vital economy.

It also is a vivid example of how the Korean boom is supported by the willingness of South Korean workers to work long hours for little pay under harsh and sometimes dehumanizing conditions.

Tong Myung has a capacity of 140 million square feet a month and is said to be the world's biggest plywood producer.

Starting from no exports a decade ago, it now ships nearly $30-million worth of processed wood abroad annually—exports that play a key role in South Korea's rapid economic expansion.

Inside the cavernous plant, it is dimly lit, dank, and evil-smelling.

The air is filled with fine sawdust and reeks of formalin fumes. A visitor's eyes begin to burn and water uncontrollably within a few minutes.

The factory's 5,000 workers, many of them young girls, work 10 or 11 hours a day, six days a week. The work is hard and monotonous.

For their labor, the girls working at Tong Myung receive about $32 a month. Men, who do heavier work, get about $48 a month.

Jhong Jae Young, an 18-year-old girl with broad, pink cheeks and shy black eyes, joined the factory two months ago and works as a checker.

GRATEFUL FOR JOB

Pusan is far from her home in Chinju, but her father is dead and she had to help her mother and seven brothers and sisters.

Half of her $32 monthly wage she sends home and another $12 goes for her room and meals at a boarding house. The remaining $4 is for clothes and other personal items.

"The work is not so hard," she said. "I am glad that I can earn money."

What did she do for fun? she was asked. Dance? Go to the movies?

"No," she said, her voice barely above a whisper. "Nothing."

South Korea's evolving economic miracle is built largely upon the willing shoulders of workers such as Jhong Jae Young.

A rugged, mountainous land with few natural resources, Korea's most valuable commodity is manpower.

It is cheap labor, of course—cheap enough to produce low-cost products for competitive export markets and cheap enough to attract foreign manufacturers to set up plants here.

CONDITIONS OF LABOR

But it is also labor that is being increasingly recognized for its intelligence, ability to learn, literacy and capacity for hard work amid conditions that would be unacceptable in most industrialized countries.

George A. Needham, representative director of the Motorola Company's electronic component assembly plant on the outskirts of Seoul, told visitors to the bright, modern factory that total production costs in Korea were one-tenth of costs for similar production at Motorola's plant in Phoenix, Ariz.

He also noted that it took two weeks less time to train Korean girls to assemble semiconductors and transistors than to teach American girls the same job.

MOTIVATION FOUND

"The girls here are more motivated," explained Mr. Needham. "Life is tough in this country. These people really need this work."

South Korea's energetic workers have spurred an economic boom that has seen the nation's gross national product—the value of all goods and services—jump from $2.3-billion to $6.1-billion between 1959 and 1969.

In the last five years, Korea's GNP has grown by an average annual rate of 12.6 per cent, a rate exceeded not even by the vibrant Japanese economy.

But South Korea still is not a rich country. Per capita GNP is only $195 a year for the country's 31 million people.

Although South Korea's workers undoubtedly have improved their lot in recent years as far as material existence is concerned, they seem to have lost something, as well.

STUDIED IN AMERICA

Young Ok Ahn is a 38-year-old chemical engineer who studied in the United States and, like many other Korean scientists who could not have research facilities or a suitable salary in Korea, remained in America.

[From the Washington Daily News, June 22, 1970]

Cozy Partners: U.S. Firms, Haiti

(By Virginia Prewett)

Haiti's "Papa Doc" Duvalier and U.S. businessmen engaged in so-called "runaway" manufacturing have a cozy situation going in Haiti, say U.S. labor sources. And the AFL–CIO is pressing a campaign to expose their exploitation of Haitian workers under the repressive Duvalier dictatorship.

In the past two years, a number of U.S. manufacturers have started sending semimanufactured components to Haiti for finishing there by Haiti's very cheap, and strictly controlled, workers. The latter put in a 48-hour week for from 70-cents a day to "as high as" $2 a day.

The assembled and finished articles are shipped back to the U.S., paying a tariff on only 28 per cent on the labor costs.

"When these products are sold at U.S. prices, they yield a tremendous profit," says Andrew McLellan, AFL–CIO Latin American Representative. "Papa Doc has a finger in everything in Haiti and tho I don't know how much of the gravy he's getting, obviously he is getting his share."

The U.S. government stopped making sizeable development loans to Haiti under President Kennedy because Duvalier's political machine grafted so much of the money. It has been an open secret for years that to operate in Haiti, you must pay off Papa Doc.

The AFL–CIO has in its files letters from Haiti soliciting U.S. businessmen to join Haiti's new manufacturing community and they cite the low cost of labor and the local suppression of strikes as major attractions. There are no unions in Haiti.

One circular letter, from the General Assembly Co., of San Juan, Puerto Rico, reports it is successfully assembling in Haiti for one U.S. company alone over four million units monthly. It promises to save the U.S. manufacturer two-thirds of his labor costs and all red tape troubles. The firm's letterhead says "Anything by hand—electronic components, casetts, valves, switches, systems, woodworking, sewing, etc."

SPORTS EQUIPMENT

In addition to electronics, Haiti is today turning out large quantities of baseballs and bats. It is rapidly becoming the leading shoe manufacturing center in the Caribbean. All components are shipped in. For example, tho Haiti grows palms, the woven palm straps for sandals are shipped in. Haitians assemble imported parts on imported machinery.

Since the manufacturers do not sell in Haiti, they pay no Haitian profits tax. All materials come in duty free and pay a tiny export tax. One manufacturer revealed that the export duty on a 3,000 shipment of shoes was $30. U.S. import duties are minimal, since only the cost of Haitian labor is taxed.

But a hefty "invisible" tax or kick-back goes directly to Papa Doc, according to the AFL–CIO. And this helps support the terror machinery that keeps Haitian labor docile and cheap.

COMPANIES INVOLVED

Commerce Department sources report a number of firms in Haiti are operating for U.S. principals. There was no information to what extent, if any, these companies are engaged in the practices described here.

They include the Patrick Blanchet Co., a subsidiary of Sutton Gold Co. of New York City; the Delmas Mfg. Co. a subsidiary of The Lady Marlene Brasiere Co. of New York, and Alan Turnier & Simon Grisman, with headquarters in Yonkers, N.Y. are making women's garments, embroidered and other; the Excel Electric Co. owned by Donald Ensigh of Plantation Road, Plantation, Fla. makes electric coils; and the United Mfg. Co., a subsidiary of the Caribbean Shoe Co. of Miami, Fla, makes shoes.

Listed as "making slugs for and sewing softballs and baseballs" are: the Hartler Mfg. Co., subsidiary of the Lannon Mfg. Co. of Tullahoma, Tenn.; and Claud Martin Jr. Co., subsidiary of Dudley Sports of Long Island, N.Y.; the Rex Mfg. Co. with headquarters in Chicago; the Tober Co. with headquarters in Rockville, Conn.; and Max Villard, subsidiary of H. Conwood & Sons of Natick, Mass.

[From the San Juan Star, June 15, 1969]

AMERICAN INVESTORS TURNING TO BACKWARD HAITI

PORT AU PRINCE, HAITI (AP)—Barefoot, rags and all, backward Haiti has made it into the electronics age and even into U.S. minor league baseball.

Television components are being made here by people who've never seen a television program. There's only one TV station, with a handful of sets in relation to the 4½ million population.

Others who have never watched a baseball game—the sport isn't played here—are making baseballs and softballs.

This little Caribbean republic, where 85 per cent of the people go about barefoot, may soon become the sandal and shoemaking capital of the Caribbean.

All this is because the industrial era has sort of backed up into the 18th century where Haiti got mired some time ago.

American investors, plagued by taxes and labor costs at home, are turning to Haiti where the minimum daily wage is 70 cents, labor unions are nonexistent and the work week runs to 48 hours. There are also tax and import duty exemptions and the U.S. market is almost next door—two jet hours to Miami, 3½ to New York.

Another factor, says Andy Andersen, president of Allied Industries, maker of electronics components, "is the Haitian. He's dexterous and willing to work."

Like most of the newer light industries operating in Haiti, Andersen's company is an assembler rather than manufacturer. Almost all raw material, even decorative woven palm strips for sandals, are imported. The Haitians put the imported parts together, using imported machinery.

These are the so-called "transformation" industries that are moving out of the United States to nearby countries—Mexico, Puerto Rico, Haiti—to escape the high domestic costs of hand labor.

Since the companies don't sell their products locally, there are no profits to tax. Raw material comes in duty free and the assembled goods pay a minimal export levy. On a $30,000 shipment of sandals, the duty will run to about $30, says one maker. U.S. import duties are also minimal because American-made components are used in the final product.

Besides TV components, baseballs, softballs, shoes and sandals, local plants are turning out toys, handbags, shirts, dresses and other garments for the U.S. market.

Andersen, 45, son of German immigrants who settled here when he was 2 years old, gave up a travel service business to get into electronics. His plant employs 110 people, almost all women, who daily turn out about 50,000 circuit breakers, transformers, variable resistors and other components for American TV makers.

He pays his employes $2 a day, he says, "because you can't get the kind of help we need for the minimum wage." That is an adequate income, he says, in a country where living costs are low. A hotel clerk comments that a small family "might just make it on $2 a day, but it's going to mean eating a lot of mangoes to stay alive."

Another German immigrant, Hugo Epstein, 50, manages the United Shoe Manufacturing Co., subsidiary of a Miami, Fla. firm, which turns out about 7,000 pairs of shoes and sandals a day. The sandals sell for $6 or more a pair in the United States.

"The equipment to go to 80,000 pairs a day is being installed," Epstein said, making it one of the biggest operations in the Caribbean. The plant employs 500 men and women and the average wage is $2.50.

Four years ago, Jules Tomar, 49, of Ventnor, N.J., was one of three baseball makers in Haiti. Now there are seven.

The inner parts of baseballs and softballs, wound by machines that require a minimum of human attention, are shipped here from Puerto Rico. Precut horsehide baseball covers, also imported, are handstitched on the balls by Haitian women.

The balls are for use in minor leagues and lower categories. Tomar says his plant is capable of turning out balls of major league quality, but the major leagues "with all their American traditions wouldn't stand for using a foreign-made ball."

The plants are part of a total U.S. investment in Haiti whose replacement value is estimated at $50 million.

The size of the payrolls is miniscule in terms of the staggering national needs, but they represent a respite for a people whose average income has now fallen below $70 a year.

ITEM 807 STATISTICAL TRENDS

Reported statistics on item 807 are employed to compare "imports" and "exports." But item 807 operations are a freakish kind of "trade," because the exchange usually takes place within a single corporation or its affiliates. The "trade" is more like "taking in your own washing" than "selling competitively in world markets." Thus the bulk of item 807 transactions are the reverse of "free market competition in international trade between companies or countries." By definition, the products are shipped out of the U.S. and re-imported. "Competition" between nations or between companies in different nations is therefore a false issue. Reported values depend on the company's own estimates—both for imports and exports—not on estimates by competitors from different nations.

1. Even if the available data are used, however, *there is a worsening trend in the U.S. trade balance under this item, a loss of about $809 million in item 807 trade since 1965, a worsening from —$501.2 million in 1965 to —$1.3 million in 1969.*

[In millions]

1965:	
Imports	—$577.4
Exports	76.2
Balance of imports	501.2

From 1965 to 1967, loss of $289.9 million; 1967 to 1969, loss of $524.7 million.

1967:	
Imports	—$931.7
Exports	146.6
Balance of imports	—785.1

From 1965 to 1969, loss of $808.6 million.

1969:	
Imports	—$1,649.2
Exports	339.4
Balance of imports	—1,309.8

2. *Rapid loss in the balance from the lowest wage countries since 1965:*

Mexico—up from —$1.8 million in 1965 to —$49.4 million in 1969.

Hong Kong—up from —$9 million in 1965 to —$40.0 million in 1969.

Other (mostly Caribbean, Far Eastern & Latin American countries)—up from —$17.9 million in 1965 to —$57.7 million in 1969.

3. *U.S. "Exports" and Balance of Foreign Value Imported Show Rising Trend Against U.S.:*

[In millions of dollars]

	U.S. "exports"	Balance of foreign value [1]
1965	$76.2	—$501.2
1966	113.3	—776.5
1967	146.6	—785.1
1968	225.3	—1,206.7
1969	339.4	—1,309.8

[1] All 807 imports less "U.S." parts.

4. *U.S. Share in Total Value is Highest Where Labor Cost is Imported.*

Example of this is Mexico. U.S. content in item 807 imports in 1969 was 66%. That means about 44% of what came in was 30–40 cent an hour Mexican labor. Other countries have even lower wages, but no U.S. firm is required to report to the U.S. government actual wages paid abroad, unless a special questionnaire is devised with industry help.

5. *Highest Proportion of Trade is in Mechanical, Electrical and Transportation Equipment.*

Example: in 1967 total 807 imports were $931.7 million; of this auto total was $511.8 million; of this U.S. value was $8.3 million.

In 1969 Total 807 imports were $1,649.2 million; of this auto total was $720.6 million; of this U.S. value was $4.2 million.

Query: Should there be a special tariff arrangement for $4.2 million worth of U.S. exports that are sent out and returned to the U.S. as part of a foreign car?

6. Tax Savings or Duty Savings on Item 807 Imports Amounts to 2.6% or the total of $42 million among all of the companies involved in 1969. In 1968, the amount was 2% of total value or about $24 million. Thus U.S. workers can pay higher taxes while firms escape having to pay duty, while jobs are being exported.

HELEN VLACHOS, GREEK PATRIOT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. EDWARDS of California. Mr. Speaker, recently I had the privilege of meeting Mrs. Helen Vlachos, a charming and courageous woman, one of the "small, heroic minority" of Greek citizens working for the restoration of democracy in Greece. Newspaper accounts of her visit to Washington to promote her book, "House Arrest," reveal a woman of sharp wit and unflinching integrity. I am putting several of these stories, together with earlier accounts, in the RECORD and would like to call my colleagues' attention to her comments on how the Greek people and the world view the continuing U.S. support of the military junta. The close vote in the Senate yesterday on the amendment to cut off military aid to Greece indicates the growing appreciation in Congress of the self-damaging aspect of U.S. policy in Greece. I hope the administration will take note and will reassess its support of the junta accordingly.

The stories referred to follow:

[From the Washington Post, June 14, 1970]

A Publisher With a Single Page

(By Judith Martin)

All her life, Helen Vlachos was used to having a powerful newspaper in which to express her opinions. She was a contributor to and a film critic on her father's paper, Kathimerini, in Athens, Greece, and succeeded him as its editor and publisher while continuing to be a columnist.

Now, living in exile three years after she closed down her paper in protest against the Greek military takeover, she expresses herself through European newspaper and magazine articles, radio broadcasts, a book, "House Arrest," which has just been published, and word of mouth.

"It's just as if I had a newspaper," she said. "The only thing is that now I'm always publishing the same page, and its rather boring."

She says that while a smile which makes it clear that she is not tiring of her passion to free Greece from its present rule—but that she is only sorry she has to keep boring foreigners with the story of Greece's plight when there are so many other interesting topics to discuss.

And it must be boring to keep hearing the same cliche charges and questions about Greece, as she travels around America. (She came here to address the American Association of Newspaper Editors to promote her book, which is the story of how she was placed under house arrest in Athens and of her escape, to write about America for a newspaper syndicate, and to enlist the help of American politicians and newspapermen in the Greek cause.)

First there is always the question of whether the coup was necessary to prevent Greece from going Communist.

"No one's ever going to make me into a Communist," said Mrs. Vlachos, who has always been a staunch and powerful supporter of the conservative element in Greek politics.

"'I'm a real anti-Communist, not like you,' I tell people. I don't want to be put in a cage, whether it's a red cage or a blue cage. I don't want people saying, 'Mrs. Vlachos, we're going to put you in a blue cage, and that will secure you from ever getting into a red cage.'

"And then they say, 'It is not the same thing.' All right, I accept that leprosy is worse than cholera, but I don't care to have either."

Then there is the question of how the Greeks, who staunchly resisted attempts to subjugate them throughout history, have tolerated the present government if they find it so unpalatable.

"That's like asking the passengers of a plane why they let it be hijacked. It's not because they didn't like the pilot and wanted someone else to try. And there is a great irony in the people who are arming the oppressors asking why don't people rise up and defeat the oppressors. I have also been asked by Americans why we don't make the situation worse, so we get in your urgent box.

"There is as much resistance from the Greek people now as there was when the Germans were there—and there was less collaboration in Greece than anywhere else. There is always a small, heroic minority, while eighty per cent of the people are not in a position to hit anyone over the head. If there were not a strong resistance—why is there still martial law and a state of seige? Who is the enemy? The enemy is the Greek people."

Mrs. Vlachos shut down her newspaper (in addition to the powerful Kathimerini, she had an afternoon paper, Messimvrini, which was started in 1962) because she—alone of publishers in the whole political spectrum—refused to submit to press censorship. For five months, she used her office and influence to maintain a sort of talking newspaper briefing foreign correspondents and denouncing the regime on radio and television.

Then she and her husband, a retired naval officer, were put under house arrest in their Athens apartment. She was alternately begged to re-open her paper, and charged with insulting the government.

After King Constantine's abortive attempt to regain the government, Mrs. Vlachos and her husband decided that escape was the only answer, and she sneaked out of the country with dyed hair and false papers. Her husband, Constantine Loundras (she has always retained her maiden name, but uses the title of "Mrs."), remained behind to look after the interests of their relatives and former employes.

She bases herself in London because she feels that Europe is more responsive to her cause, and because she is able from there, to broadcast Greek news (obtained from emigres and exiles) in Greek to Greece. The Voice of America is not a possible avenue, she said, because "no one in Greece knows the wave length or the time—it's the Void of America, the way the Voice of Truth from Moscow tells only lies."

But the real problem, she believes, is the United States which has recognized and supported the military junta.

"If you knew the anti-Americanism you have unleashed in the world," she said. "It's just as Prague was the last straw for people who had known before that the Soviets were repressive, but couldn't quite swallow that. Europeans feel that way about Greece. There are people who always knew that America supported any military junta that pretended to be anti-Communist—but this they can't quite take.

"It does much more harm to the image of America in the rest of the world than it is doing to Greece."

And yet she finds American people sympathetic and American newspapers "magnificent—they give us perhaps false hope. But the people who make the policies—the Pentajunta, we call it in Greece—go right ahead with their policies.

"In Greece, we have a new saying: Even the ears have walls."

[From the Washington Star, June 10, 1970]

Greek Journalist

(By Barbara Kober)

A leading Greek journalist yesterday predicted that Italy will shortly be taken over by a right wing coup "just as her own country was in 1967."

And it will be partly the fault of the United States, said Helen Vlachos, who fled her homeland for London after being placed under house arrest in Greece for bucking censorship.

"The extreme Italian right at this moment knows it will probably get American help just as Greece did," Mrs. Vlachos declared in an interview during her visit here to promote her book, "House Arrest."

BITTERNESS

With an edge of bitterness toward the United States for its tacit support of the military junta in Greece, the editor and publisher of the suspended Athens newspaper Kathimerini claims the United States is "the only important ally of the junta in the whole world."

But, she added, not the entire U.S. administration supports the colonels. Congress does not support it, she said.

She characterized the regime as "absolutely inefficient in every kind of way except keeping a police state."

And she further described the colonels as "representatives of nothing but themselves and big business."

Mrs. Vlachos insists that if the junta would submit itself to "really free" elections, it would get no more than eight percent of the vote.

ACCUSES UNITED STATES

She outspokenly accuses the Pentagon of continuing to send arms to the Greek militarists—even though officially arms shipments have been shut off—"on the sly, by the side entrance."

Though she is here primarily to promote her book—the story of the military takeover, her confinement to her home overlooking the Acropolis and her escape to London—Mrs. Vlachos is conferring with several members of Congress, hopes to see officials of the State Department and has asked for a meeting with Vice President Agnew.

Of her future, she is confident that she will one day return to Greece under a democratic government.

[From the Washington Post, Dec. 23, 1967]

How Mrs. Vlachos Escaped

(By Alfred Friendly)

London. Dec. 22—Helen Vlachos, renowned conservative Greek newspaper publisher, has been granted permission to remain temporarily in Britain, a Home Office spokesman announced Friday.

She slipped her Athens guard a week ago and made her way to London Thursday night.

Petite but tough-minded, Mrs. Vlachos had been under house arrest in Athens since Oct. 4. She told a news conference here today that the tension of waiting for the other shoe to fall—being brought to trial on charges of insulting the junta government and of disobeying military orders—led to her decision to escape.

THE GETAWAY

Deliberately vague about the details, Mrs. Vlachos intimated that her trip to London, once she had made her getaway from her sixth-floor Athens apartment, was negotiated on a false passport.

She related that she and her husband, a retired naval officer, had studied the habits of her two guards for three months. One was posted outside her door, the other on the street below. The former was accustomed to take the elevator down, when the guard was changed or in order to buy cigarettes.

On one of those occasions, she slipped out, walked down three flights, took the elevator to the ground floor and passed the street guard without looking at him.

The previous day, she had trimmed her grey hair and worked brown dye into it with a toothbrush. With contact lenses replacing her dark hornrimmed glasses, the disguise was apparently good enough not to attract attention.

She walked two blocks to await a pickup car. It was four minutes late, "the longest four minutes I can remember."

At her press conference, the 55-year-old proprietor of two newspapers and a magazine expressed concern over possible reprisals against her husband and their two sons, one 19 and the other 20. Later however, she expressed relief that the government had indicated from Athens that her husband would be allowed to leave the country.

Col. George Ladas, secretary general of the Ministry of Public Order, also indicated in Athens that the government did not contemplate depriving Mrs. Vlachos of her citizenship or confiscating her property. [The Ministry said she was released from arrest Friday and was free to leave, Associated Press reported from Athens.]

Observers here, however, were dubious whether that resolve would hold if she becomes active in speaking or writing against the government.

ANTI-JUNTA COMMENTS

Mrs. Vlachos had shut down her publications after the April 21 coup that brought the junta to power. She is said to have explained to a friend that she refused to publish under the junta's censorship rules because, having made a moral commitment to her readers to serve them information, she would not breach it by delivering a daily dish of manure instead.

In an interview with a British reporter today, Mrs. Vlachos described the attempted countercoup by King Constantine as "brave but foolish."

"It is to his credit that he failed," she added. "I don't think kings are for conspiracy."

Mr. Vlachos said she was uncertain about her immediate plans, but hoped some day to return to Greece and publish her papers.

She added, "I don't want to start being a fanatic here. I also feel that with the security here it is not dangerous any more to speak against people. It is not half as much fun."

[From the New York Times, Sept. 28, 1967]

GREECE'S DEFIANT PUBLISHER

"Among all the editors in Greece, there was one man—who turned out to be a woman," an Athenian journalist remarked recently.

That woman was Mrs. Helen Vlachos, who stopped publication of her two daily newspapers and weekly picture magazine in Athens rather than submit to censorship by the military junta ruling Greece. Censorship, she said, made it "totally and absolutely impossible" to continue publishing.

That was in keeping with her philosophy, or long before the April coup she had declared she would never publish under censorship.

The decision has proved costly to her. Not only has she lost the income from the publications, but also she has been ordered by a court in Athens to pay the 385 employes she dismissed.

Mrs. Vlachos, a gray-haired and well groomed woman of 55, seems unworried, even though she faces a possible jail sentence of three years for "insulting authorities" and five years for "disobeying a military order."

Yesterday morning, when two plainsclothes security policemen arrived to arrest her, she turned to the Swedish journalist who was interviewing her and remarked calmly: "And now, my dear colleague, you've got yourself a scoop."

FATHER WAS OFTEN JAILED

Journalism and the serving of prison sentences for defiance of the Government are a Vlachos family tradition. Her father, George, who founded the newspaper Kathimerini, or Daily, was often in prison for political reasons. The police turned up so often at the house that Helen's Scottish governess took to flying the Union Jack for extraterritorial protection.

Kathimerini is one of the papers Mrs. Vlachos closed. The other was Messimvrini, or Noon, and the picture magazine, the first of its kind in Greece, was called Ikones, or Pictures.

Helen Vlachos was born in Athens on Dec. 18, 1911. Because of the unsettled political atmosphere in Greece she was sent abroad to complete her studies. After her return, she went to work for her father as a bookkeeper, but at 23 she became a reporter.

She made a six-month trip to the Far East and published her impressions in Kathimerini. On other assignments she went to Berlin for the Olympics, and to Libya, where she met Mussolini. In Greece she covered every disaster from floods to earthquakes.

PAPER CARRIED HER COLUMN

The Nazis seized the Vlachos paper, after they invaded in 1941, but George Vlachos refused to cooperate with them. When Kathimerini reappeared as a free paper in February, 1945, it carried a regular front-page column by Helen.

She kept giving her opinion on what was wrong with the Greeks, and the column became increasingly popular. In 1951, when her father died, she took over.

In that year, Mrs. Vlachos married Constantine Loundras, her second husband, who was a wartime naval hero; he manages her finances. Little is known of Mrs. Vlachos' first husband, from whom she was divorced.

In 1955 she founded Ikones, which was selling 50,000 copies at the time she closed it, and in 1961 she started Messimvrini. With a circulation of 80,000, it was Greece's second largest daily. Kathimerini, with 50,000, was in fifth place. The political viewpoint of the papers was conservative.

In normal times Mrs. Vlachos and her husband—they have no children—spend a summer month at their home at Mykonos, where she has had many notable guests, among them Winston Churchill and John F. Kennedy. In Athens they live in a penthouse about three blocks from the royal palace.

Last week Mrs. Vlachos told foreign colleagues that since the coup she has always kept a suitcase handy.

"If I am arrested," she added, "please note: My favorite dish is meatballs."

CHICAGO'S AIR POLLUTION LAWS TAKE EFFECT JULY 1, 1970

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. PUCINSKI. Mr. Speaker, Chicago has adopted some of the strongest air pollution control ordinances in the United States, and they go into effect today.

Hereafter, violators will be fined and possibly imprisoned for disregarding these new laws.

In order to illustrate the scope of these laws and their possible application to other American cities, I am enclosing a series of questions and answers about the new laws in the RECORD today.

Mr. Speaker, this information follows:

COLOR THE SKY BLUE—OBSERVE CHICAGO'S NEW AIR POLLUTION CONTROL LAWS EFFECTIVE JULY 1, 1970

Chicago's new air pollution control laws are effective July 1, 1970. Observance of these laws depends upon an informed citizenry. These questions and answers are prepared for your information.

Q. What can I burn in my boiler (furnace)?

A. Fuel that meets the new ordinance regarding sulfur limitations.

Q. If I can't burn garbage in my boiler (furnace), what can I do with it?

A. Dispose of your garbage by using: (1) the city service if you now receive it, (2) an established scavenger service or (3) an incinerator which has a valid certificate of operation from the Department of Environmental Control.

Q. How do I get a certificate of operation for a new incinerator or boiler?

A. Before installing new equipment, the manufacturer or contractor gets installation permit from the Department of Environmental Control. When equipment is operating, the manufacturer (contractor) or owner notifies the Department of Environmental Control. If equipment meets code requirements, a certificate of operation valid for one year is issued.

Q. Is there a fee for such services?

A. Yes, see fee schedule on back fold.

Q. What are the annual inspection fees?

A. Fees range from $5 to $20 depending on type and size of equipment.

Q. Can I burn garbage in an incinerator that is now new?

A. Yes, if it has a valid certificate of operation.

Q. If my incinerator does not meet standards for a certificate of operation, how do I bring it into compliance?

A. Ask the manufacturer if modifications can be made to meet present requirements.

Q. May I burn leaves outdoors?

A. No, but you may burn them in an incinerator which has a valid certificate of operation.

Q. Other than burning leaves in an incinerator how else may I get rid of them?

A. They should be placed in an *enclosed* container. They will be picked up with normal garbage collection.

Q. What are the sulfur limitations of fuel for *new* space heating?

A. Fuel must be limited to 1% sulfur content by July 1, 1970. This applies to heating plants for one room or for heating plants in the largest buildings.

Q. What are the sulfur content limitations of fuel for existing space heating units?

A. Users of existing space heating must reduce the sulfur content in fuel in three steps:—2% by July 1, 1970—1.25% by September 1, 1971—1% by September 1, 1972.

Q. What are the sulfur content limitations of fuel for industrial power plants?

A. Sulfur limitations are reduced to: —2% by July 1, 1970—1.5% by November 1, 1970—1% by September 1, 1972.

Q. What are the sulfur content limitations of fuel for process plants?

A. The same as for industrial power plants.

Q. What are the sulfur content limitations of fuel for electric power generating plants?

A. Sulfur limitations are reduced to—1.8% by July 1, 1970—1% by January 1, 1972.

Q. What are the penalties for not observing these laws?

A. $100 to $300—first offense. $300 to $500—second offense or subsequent offenses in any 180 day period; or six-month term in County Jail; or six-month term in County Jail in addition to fine.

Q. How can I be sure that the fuel supplied by my dealer meets the sulfur requirements?

A. Get a letter from your fuel company which states the sulfur content.

FEE SCHEDULE

1,000 B.t.u.	Filing fee	Installation permit fee	Original inspection fee
Fuel burning equipment:			
Less than 288	$5	$10	$25
288 less than 960	5	15	40
960 less than 2,880	5	20	55
2,880 and over	5	30	57
Refuse burning equipment—Grate area, in square feet:			
Less than 5	5	5	10
5 less than 10	5	10	20
10 less than 15	5	15	30
15 less than 20	5	20	40
20 and over	5	25	50

PROCESS EQUIPMENT

Each unit operation and unit process shall be assessed a permit fee based upon the following schedule:

Filing fee	
1 to 10 unit processes and unit operations	$5
11 to 100 unit processes and unit operations	10
101 and over unit processes and unit operations	15
Installation permit fee	
Per one unit operation or one unit process creating atmospheric pollution on any device controlling atmospheric pollution	10

THE CHANGING CAMPUS MOOD

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, with so much attention still given to disturbance and violent dissent by the "left" versus the "silent majority," I feel the following column by James Reston focuses more accurately upon the situation today.

The column, which appeared in the New York Times of June 12, 1970, outlines the emergence of an articulate, concerned segment of moderate students and their positive expressions in support of constructive political action:

Cambridge, Mass.: The Changing Campus Mood

(By James Reston)

Cambridge, Mass., June 11.—There is something new in the air on the campuses of America at the end of this univerity year. All the same problems and arguments remain, but the moderates are beginning to challenge the extremists of the right and left and change the tone and maybe even the direction of the student debate.

Last year at this time, the battle in the universities was mainly between the militants on the left and the university administrators. This is still largely true, but now the moderate university students and faculty members are getting into the act and the debate therefore is also between the extremist students and the moderate students as well.

There seem to be three other changes; the campus debate is spreading across the nation—it is now extending to Kent State and Ohio State and other previously dormant or conservative campuses—the moderate faculty members are beginning to speak out against the more articulate teachers on the left, and the political movements in the universities are no longer isolated but are looking for alliances in the larger movements of national politics.

This year's commencement activities at Harvard University were not typical but they indicate the trend. They were interrupted by a bull-horn demonstration by about thirty Cambridge residents protesting against the expansion of the Harvard campus into a poor residential neighborhood, but they were also marked and even dominated by eloquent protests from the moderates against the extremists of the left.

PUSEY'S SPEECH

President Pusey, who has been a modest and hesitant public figure in the past, not only compared the tactics of the leftist students to the fascist tactics of Senator Joseph McCarthy of Wisconsin in the fifties, but condemned the Harvard faculty members who sided with the leftists in last year's attack on the university administration. The Harvard faculty, which has hesitated in the past to come out openly against the militants, voted against interrupting classes next fall to put student political activities ahead of academic studies, and the moderate students put up a commencement day spokesman from the graduating class who attacked the student militants.

"Our biggest mistake," said Steven J. Kelman of Great Neck, N.Y., to his Harvard graduating class, "has been to let the so-called 'new' Left emerge as our spokesman. . . . Can we wonder why the American people will continue to be hostile towards students as long as we allow the rock-throwers, the burners, the totalitarians to represent us? Do we have a right to expect anything else?

"There is only one way we can gain the respect and overcome the hostility of the American people. And that is by addressing ourselves to the unromantic and unexciting problems which just happen to be the problems which affect the ordinary American in his day-to-day life . . . for in the final analysis it can only be the American people, not a student élite pledged to one-party dictatorship [that can bring about change].

THE STUDENTS' CHOICE

"We as Harvard students can make the determination to overcome our isolation by speaking to the mundane problems of health care, jobs and taxes—or we can continue to acquiesce to the wreckers among us. We can be part of the solution or part of the problem . . . the choice is ours."

This, of course, is not a new theme. The new thing is that President Pusey and the moderate students like Steven Kelman are now saying aggressively and out loud what they were saying defensively and privately a year ago.

Maybe the best symbol of the change at the Harvard commencement was the title of the Latin dissertation by Kirsten E. Mishkin, a Radcliffe student speaking for the young women graduates—*"De Maturitate"*—"On Coming of Age."

She was not only arguing against what she called the "iniquitous male supremacy" of American life, but also for unity, and even civility toward other peoples and other generations, and she did it with a tenderness and generosity that has not been customary on university campuses in recent years.

"Together," she said, "let us establish a new society, the foundations of which will not be discrimination, but equality, not fear but good will; not war between the sexes, but loyal brotherhood and sisterhood."

So something is happening. There is now a critical pause when the majority of students are not only turning back from violence and isolation, but searching for a new theme and a new majority. Maybe it won't work, but there is at least a new and more hopeful tone to the campus debate at the end of this academic year, and it clearly should not be ignored.

WHY BOTHER?

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. LEGGETT. Mr. Speaker, I have recently received a provocative letter from a schoolteacher in my district. She says:

> I have almost come to believe that my efforts towards improving the educational opportunities for California's disadvantaged children are almost to no avail, if in a few years the boys become "cannon fodder" for some undeclared war in Southeast Asia.

Why, indeed, should we bother to educate our children, if they are going to be shipped off to Indochina at age 19, and brought back maimed or dead?

Why should we bother to have the most technologically advanced society in the world, if its principal product is the raining of death and destruction on a primitive society that could not threaten us in a million years?

Why should we bother to have the greatest military machine in the history of the world, if we use it not for defense but to attempt to impose our will on a foreign culture we do not understand?

And why should we bother to build the greatest economy on earth, if preoccupation with foreign adventures prevents us from using it to benefit our society?

I insert the letter to which I referred at this point in the Record:

Sunday, May 17, 1970.

Hon. Robert L. Leggett,
House Office Building,
Washington, D.C.

Dear Mr. Leggett: I feel deeply ashamed that it has taken me this long to write you a letter regarding my feelings. However, as a voter, taxpayer, mother, teacher, and a Christian, I earnestly feel that our country should re-evaluate its present war policies.

I am the mother of four children; three sons and a daughter. I am a typical middle-class college graduate, white, age 35, and am not a radical. I have been personally involved for the past four years as a Miller-Unruh Compensatory Reading teacher at Cacheville School in Yolo. I believe you are acquainted with the school, and the fine work we are doing there. However, I have almost come to believe that my efforts towards improving the educational opportunities for California's disadvantaged children are almost to no avail, if in a few years the boys become "cannon fodder" for some undeclared war in Southeast Asia.

Up until now, I have gone along with the idea that the military and the Presdent, of whatever partisan party, must know more than I how to run the military policies of this country. However, at this time, I have committed myself to actively support the election of candidates who least support Nixon and who must oppose the Vietnam and Cambodian War.

Since Congress has the power to stop the expansion of the war, I hope that, as my representative, you will do all in your power to urge withdrawal of our forces.

Sincerely yours,

Margaret E. Bullock.

CRITICISM OF THE CAMBODIAN INVASION

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HARRINGTON. Mr. Speaker, as President Nixon today announces the withdrawal of all American ground troops from Cambodia and proclaims the mission a military success, I find myself unable to justify even the dubious claims of military victories, in light of the polarization and dissent which the Cambodian invasion has wrought upon this country. Indeed, my skepticism is shared by not only the more liberal critics of the administration's policy in Southeast Asia, but also by moderate sources who have tended, until the invasion of Cambodia, to support President Nixon's questionable efforts to end the Vietnam war. In the June issue of Fortune magazine, which is generally recognized as a more conservative periodical, an editorial appears which points up the doubts as to the wisdom of the military's latest venture in Southeast Asia, emphasizing the wide span of criticism of the Cambodian invasion.

I find this Fortune editorial, in light of the conservative leanings of the magazine, extremely significant. This editorial recognizes the precarious state of the national conscience, a state which the President failed to recognize. The editorial states:

> It may ultimately be shown that Nixon had excellent military reasons for sending U.S. units into Cambodia. But Cambodia was not his main problem. The condition of the United States was his main problem. When he encased this announcement on Cambodia in the kind of simplistic and emotional language most likely to inflame antiwar dissidents, including the moderates, he invited a greater cost in American unity than could possibly be balanced by any success in Indochina.

The recognition of the ill effects of the Cambodian mission by such a traditionally proadministration magazine as Fortune is a significant indication of the fact that an evaluation of the Cambodian operation as a success is subject to a criticism which transcends the traditional critics of the Nixon administration's policies.

I therefore insert in the RECORD the following editorial, which appeared in the June issue of Fortune magazine, as an indication of the widespread disagreement with President Nixon's claims of a successful completion of the Cambodian operation:

THE PRESIDENT NEEDS OUR HELP BECAUSE WE NEED HIS

Six weeks ago this was a divided, frustrated, and anxiety-ridden country. Some people said, "Things have to get better because they can't get worse." Then, within a few days, the American situation deteriorated from serious to critical. Cambodia, Kent State, the killings of blacks in Georgia and Mississippi, along with all the protests, counterprotests, and counter-counterprotests that stemmed from these, plunged the nation to a level of bewilderment and fear that it had not reached in the depth of the great depression.

A measure of the present crisis was the last-minute refusal of the Illinois Constitutional Convention to let John W. Gardner make a long-scheduled speech. Gardner, a Republican who had served a Democratic President as Secretary of Health, Education, and Welfare, is one of the most patiently reasonable figures in public life. The Illinois convention, stirred up by its own passionate argument over Cambodia, feared the effect of Gardner's warning that "the nation disintegrates." By refusing to listen, the convention, which is not composed of excitable students or nervous guardsmen, demonstrated that the nation was indeed disintegrating.

For the first time, it is no longer possible to take for granted that the U.S. will somehow survive the crisis that grips it. The land itself will survive, of course, along with the machines and the people—or most of them. But no nation is merely, or mainly, an aggregate of its geography, its material assets, and its warm bodies. At the core of the U.S., conferring identity, cohesion, and vitality, stands a Proposition: free men, despite differences of status, belief, and interest, can govern themselves. Upon the survival of that Proposition, confirmed by eight generations of superb achievement, depends any worthwhile future that an entity called the United States might have. And it is that Proposition—amazingly—which in the spring of 1970 has come to be at stake.

Our two most disruptive specific issues are Vietnam and race. Grave as these are, it is a mistake to believe that the fundamental U.S. political situation would return to "normalcy" if these two issues were miraculously whisked away. For the internal and external demands on this society have been multiplied by the sheer fact of its unprecedented power and prosperity. The demonstrated American capacity for rapid and radical change stimulates insistence upon other and greater changes. These demands conflict with one another. As the horizon of our choice has widened, we have moved into a new dimension of opportunity that is also—as we can now see—a new dimension of political danger.

There is no prospect whatever that our society can avoid issues, foreign and domestic, on which people will divide sharply. The only long-range hope lies in the possibility that we can improve our processes of discussion and decision to the point where such future challenges will not degenerate into crises like the present one.

There isn't going to be a long range worth bothering about, however, unless we cope immediately with the mess we're in. Improvement of the process has to start now and it has to be visible and quick—before the morale of the U.S., jolted by some unforeseen external or internal event, slides into another sickening descent like that of the last few weeks.

WHERE THE INITIATIVE LIES

The first and overriding goal of this torn country must be reconciliation. The burden of initiative in reconciling the country falls upon Richard Nixon, not because he is most to blame for the disruption but because he is—God help him—President. Neither his countrymen nor history would forgive the man who was in the White House while the ability of Americans to govern themselves came to an end.

In fairness to Nixon it should be remembered that for several years before he took office political passions had been rising. The Eisenhower-Kennedy-Johnson style of conciliatory, centrist politics had collapsed in 1966–67 under pressures of domestic and foreign issues.

On the domestic front, black militancy and white reaction against black gains rose simultaneously. Nixon not only failed to allay this rising discord, but contributed to it. Apparently despairing of conciliating black leaders and their allies in "the liberal establishment," his Administration seemed to court a reputation of being less than evenhanded. By two provocative Supreme Court appointments, by unleashing the Vice President to woo that large number of voters who were disgusted by demonstrations and riots, and by an equivocal statement on school desegregation, Nixon gave the impression—especially to blacks—that he was not really trying to pull the nation together.

It must be conceded that his tactics were within the conventional patterns of U.S. politics. When attacked, politicians are expected to strike back and to seek friends among the enemies of their enemies. But the underlying political situation had degenerated to a point where a conventional maneuver such as Nixon's was unworkable.

WHY CAMBODIA WAS A MISTAKE

Overshadowing domestic issues was the inherited dilemma of Vietnam. Nixon's contribution to Vietnam policy was defensible. Almost any imaginable man, taking office as President in 1969, would have wanted to end the American military commitment in Vietnam in an orderly way that would minimize the internal and external price of partial failure. A very wide band of public opinion, believing that Nixon meant what he said, supported his stated policy. Many moderates among the antiwar dissidents adopted a wait-and-see attitude.

Nixon should have placed a very high priority on deepening and extending this tentative acceptance of his promise to liquidate the war. Instead, attacks by the Vice President and others on antiwar dissenters revived doubts that his Administration really intended to expedite military withdrawal from Vietnam.

Cambodia pulled the plug. It may ultimately be shown that Nixon had excellent military reasons for sending U.S. units into Cambodia. But Cambodia was not his main problem. The condition of the U.S. was his main problem. When he encased his announcement on Cambodia in the kind of simplistic and emotional language most likely to inflame antiwar dissidents, including the moderates, he invited a greater cost in American unity than could possibly be balanced by any success in Indochina.

Now that he compensates for the Cambodian mistake by a precipitate withdrawal from Vietnam. If he accedes to that demand, he will risk provoking a different upheaval of U.S. protest as serious as that which greeted his invasion of Cambodia. If, on the other hand, he ignores vociferous dissent and relies on the belief that he has the backing of a "silent majority," he may find that many present supporters will turn against him on the ground that he allowed disruption to reach a point where the political and economic life of the nation has become grievously impaired.

WHAT'S THE DIRECTION?

Reconciliation does not mean attempting to suffuse the U.S. with sweetness and light. Reconciliation does not imply that dissent should cease on the ground that "the President knows best." Nor does it imply that policies, foreign or domestic, should be abandoned whenever they encounter vigorous internal resistance. Either of those paths to reconciliation is inconsistent with the central theory and the best experience of American democracy.

We are going to disagree. Never a homogeneous or conformist people, Americans have down the years achieved unity enough through their shared sense of forward motion, of hope. What now undermines the national confidence and cohesion is not the inevitable recurrence of dissension, but the weakening of belief that the nation is moving, despite its quarrels, in some worthwhile direction.

The President of the U.S. has a part to play in restoring a vision of the American future. After continental expansion had been achieved, after U.S. world power had been demonstrated, after economic growth came to be assumed, it was not surprising that Americans, especially the young, should more insistently ask, "What else? What next?" Nor was it either surprising or deplorable that this questioning should turn upon nonmaterial values such as those represented by civil rights and the moral aspects of the war in Vietnam.

To knead this new moral concern into some new sense of where the U.S. is going calls for a transformation in the style of presidential leadership. Through most of our history, Congress was the most important federal organ in a nation where the central political task was the resolution of conflicts between regions and economic interest groups. The challenge of the great depression, overshadowing such conflicts, ushered in forty years of presidential ascendancy. World War II, the cold war, and the prosperity that everybody wanted had confirmed the tendency to think of the policymaking power as concentrated in the White House, where national unity is symbolized.

That era has ended. In a room full of students watching Nixon's May 8 televised press conference, a girl said, "He speaks as if it's his country; it's our country, too." It is, indeed, and it is also the country of the flag-waving construction workers, the enraged blacks, and a hundred other factions whose viewpoints and demands will be harder to compromise than the traditional issues of economic rivalry.

The role of Congress, that instrument of government intended to represent the people in the multiplicity of their political wills, is now more necessary than it ever was. Nixon has been—or has seemed to be—too isolated. Part of the shock of his Cambodian decision came from the public's sense that neither this specific action nor the whole Southeast Asia policy had been considered and decided on a sufficiently broad and representative base.

If Nixon does his part, if he moderates the embattled tone of the Administration, if he shows more of the kind of initiative embodied in his new Family Assistance Act now before Congress (see page 66), if he agrees that Congress has an important function in foreign and military policy, then a correspondingly heavy responsibility for conciliation will shift to the shoulders of his present critics.

WHAT OTHERS CAN DO

Among critics of the war are men who seem to have staked their reputations on the prediction that it must lead to disaster. They should stop speaking as if nothing short of disaster in Vietnam will satisfy them. Among critics of Nixon are some who are likewise committed to his failure. This kind of partisanship will impede the work of reconciliation.

Journalism, though not unfairly biased in the way Spiro Agnew says it is, does have a deep-seated and regrettable tendency to prefer the dramatic confrontation between extreme views to the less exciting processes of reasonable discourse and compromise. This preference has been a powerful factor in bringing about a sense of national disintegration—especially since protesters of all sorts have discovered the hunger of the TV screen for visually exciting political expression. Restraint of this appetite could be one of journalism's contributions to reconciliation.

The academic community, organized around value-free science, has been ill-prepared—and left the nation ill-prepared—for a present and future politics turning largely upon the intricacies of how moral values apply to practical policies. Correction of this defect will be a long-range process, but of immediate help would be a modicum of humility that at least recognizes the difficulty of applying purely idealistic criteria to the actual choices now before us.

All responsible citizens who may disagree with the President, and each other, on specific acts and policies must recognize the higher national necessity of defending the whole. And resolved into a kind of Committee of the Whole, taking his conciliatory statements at face value, we should give him the fullest possible support in his efforts to contain the fissioning forces of this country.

The President needs our help because we need his.—M.W.

THE CONSTRUCTION INDUSTRY AND INFLATION

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. ANDERSON of Illinois. Mr. Speaker, on June 24, a group of major national employers associations in the construction industry wrote a telegram to President Nixon on the critical problems of wage inflation in this country's largest industry. The telegram notes that wage inflation in the construction industry over the last 3 years has amounted to nearly 60 percent and no end is in sight. It goes on to observe in shocking terms that:

> Our huge industry, with its 3.8 million employees, is planting the seeds for an inflation which will far outstrip anything this country has yet experienced and every additional wage settlement made as the months pass will nurture those seeds.

The employers associations representatives conclude from this that:

> We need action now, not months from now, to control the wild inflation in this industry and this action must come from the government.

They go on to make a very constructive proposal, one which I feel should be given serious consideration by the administration in its continuing efforts to combat inflation. They suggest that construction wages be fixed at those in effect on January 1, 1970, and to accomplish the stabilization of construction wages and prices, an appropriate tax be levied upon the contractors' domestic construction operations to prevent any windfall profit by the employer as the result of redetermination of wages. During the period of control, management and labor would cooperate in developing a national stabilization agreement containing "no strike" and "no lockout" pledges with provisions that wage dispute arbitration be developed and implemented.

At this point in the RECORD I include the full text of the telegram to the President and the names of those who signed it:

[Telegram]

JUNE 24, 1970.

The PRESIDENT,
The White House,
Washington, D.C.:

We the undersigned representatives of major national employers associations in the construction industry, who are members of the Council of Construction Employers, believe, in the light of runaway wage increases for the building trades, that the restraint proposals in your address of June 17 fall far short of meeting the critical problems of wage inflation in this country's largest industry.

The construction wage inflation averaged a minimum of 14% in 1969, will add an additional 18% in 1970 and at least another 18% in 1971. This is far beyond the 6.7% increase for 1969 mentioned in the government analysis handed out at the White House last week and is in fact on a cumulative basis nearly 60% over three years.

These conditions result not only in increased economic burden to the owners of construction projects, public as well as private, but the entire economy is threatened by the spillover effects of exorbitant wage increases in construction.

The construction industry itself is suffering heavy economic loss as a result of employer attempts to resist the demands of organized labor. Increased construction costs threaten our markets. Finally, productivity, generally has tended to decrease as the rate of wage increases has accelerated.

Even more serious than the effect on our industry is the inevitable spread of these increased rates to other industries. Construction unions now are playing a gigantic game of leap frog; it is only a matter of time until others learn there are no effective limits and join the game.

These inevitably result in higher costs with less value added to construction buyers, which include the Federal Government with its major national construction programs in the fields of housing, health services, highways and urban renewal.

We are engaged in discussions looking toward improving the economic imbalance on the employers' side which now exists in collective bargaining in the industry. While we expect to move as rapidly as possible, our realistic view is that any tangible results will necessarily take time and will have no more effect on the immediate crisis than the proposals you made June 17. Meanwhile, our huge industry, with its 3.8 million employees, is planting the seeds for an inflation which will far outstrip anything this country has yet experienced and every additional wage settlement made as the months pass will nurture those seeds. We need action now, not months from now, to control the wild inflation in this industry and this action must come from government.

We respectfully request you to give favorable consideration to controls in our industry for such length of time as may be necessary to cool union demands and the resultant increases in prices and thus encourage labor and management at the local level to negotiate reasonable agreements. We request that construction wages be established as those in effect on January 1, 1970.

In order to accomplish this stabilization of construction wages and prices, we propose that an appropriate tax be placed on the contractors domestic construction operations to prevent any windfall profit by the employer as the result of the redetermination of wages.

During the period of these controls, management and labor, with government encouragement, should cooperate to develop a national stabilization agreement containing a no strike no lockout pledge with provisions that the arbitration of wage disputes should be developed and implemented. This procedure was used most effectively in previous emergencies.

The increase in construction wages is a threat to our economy which has been building for several years. Nevertheless, it is with us and its perilous thrust can easily be documented and verified. You showed great political courage in many other crises. This problem demands the same courage now.

Associated General Contractors of America, Inc.; By: Fred W. Mast, Chairman, Labor Committee; International Association of Wall & Ceiling Contractors, By: Jeremiah Burns, Labor Liaison Committee; Mechanical Contractors Association of America, By: Fred N. Estopinal, Jr., President; National Association of Plumbing-Heating-Cooling Contractors, By: James E. Curry, President; National Constructors Association, By: Philip S. Lyon, President; Painting and Decorating Contractors of America, By: Joseph Sansone, President; Sheet Metal & Airconditioning Contractors National Association, By: James H. Ferguson, Director, Industry Relations.

ROBERT E. McCORD

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 1970

Mr. CAREY. Mr. Speaker, it was with great sadness that I learned of the sudden and untimely passing of Robert E. McCord, the senior staff member of the House Education and Labor Committee.

I had the privilege, as a member of the committee, to know Bob well and work with him over most of the past decade. I learned very early that his knowledge of the legislative processes as well as the educational problems and needs of the Nation was unsurpassed.

He was in every way the ideal professional staff member—capable, loyal, understanding, dedicated and conscientious. To him must go a great deal of the credit for the impressive legislative record established by the House Education and Labor Committee, particularly the achievements of the past 10 years.

Bob's wisdom and experience will be missed in the months and years ahead. It is consoling, however, to remember that his imprint will remain forever on the landmark legislative achievements during the period he so ably served the committee.

I join with my other colleagues in extending my condolences to his wife and the other members of his family.

FREE PUBLICATIONS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. FULTON of Pennsylvania. It is a pleasure to place in the CONGRESSIONAL RECORD a copy of the letter which I am sending to citizens in my district to encourage all to take advantage of the availability of the excellent free publications listed for distribution by allotment to Congressmen from the Department of Agriculture.

The letter follows:

[Public Document—Official Business]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

TO MY GOOD FRIENDS: It is a pleasure to write you personally to let you know about the excellent government booklets now available for our District. We have received the lists from the printer, and many people are asking for these booklets to help on their homes, economy meals for families and helpful advice on lawns, trees and gardens.

As you are on my personal list, I want you to know about these booklets and pamphlets early, as I am always surprised how *well written* and *popular* they are.

As our annual July allotment of 10,000 booklets does not go far in our big District of over 430,000 people, I am getting some help from several of my friends—Congressmen who are not running for reelection this year.

I believe these booklets will really help you to keep down food costs—as I have been concerned and *opposed* the Agriculture bloc moves to raise further the prices of foods and the already high cost of meats.

Check 5 choices only, as our supply is really limited, and I can only send this letter to a selected list in our District. I will be glad to see these are sent you without any cost or charge as an extra service from our office. We still have a few excellent Cook Books, (91 pages), by the U.S. Bureau of Home Economics, I can also get for you without charge, so let me hear on this, too.

These booklets, and the Cook Book are *good*. But *please* limit your requests to 5 booklets and *one* Cook Cook (G-1) "Family Fare—Food Management and Recipes" as I can only obtain a limited number for our District. If you have one or two friends who are not on my personal list, or who are new residents of our District, please give me their names and addresses, and we will be glad to forward them one of these lists, and will send them the same number of pamphlets as long as our supplies permit.

Be sure to print your name and address on back of list, place in a stamped envelope and *mail to me* in Washington, D.C.—2161 Rayburn Building.

Am always glad to be of help any time.

Best wishes,

JIM FULTON.

P.S.—If you don't receive your booklets within several weeks, write our Washington Office and we will be glad to check for you. *Do not mail* your list to U.S. Agriculture Dept., as these booklets are distributed without cost only through my individual Congressman's allotment. Sent as an added service to our District (*not* printed at Government expense). JIM.

KNOW ANYONE WHO CANNOT READ

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. MOLLOHAN. Mr. Speaker, education and the need to extend it into every American home is one of this country's most pressing problems. Solutions to the many varied questions in this field can only be found if private citizens help their Government.

An example of this citizen power is found in the Wetzel County Literacy Council which is teaching adults to read.

Their work is detailed in the following editorial in the Wetzel Republican, edited by Mrs. Hazel Ewald. I take great pride in reprinting it in the CONGRESSIONAL RECORD for my esteemed colleagues to read:

KNOW ANYONE WHO CAN'T READ

Wetzel Countians are taking another giant step forward in advancing our rating of literacy, thanks to the efforts of 24 women who make up the Wetzel County Literacy Council.

These women recently attended a workshop sponsored by the local Lutheran Church women with the cooperation of the West Virginia Adult Basic Education Division of the Department of Education. They are ready and willing to help teach adults to read.

Can you imagine how frustrating it must be to look at words on a page and not have them mean anything?

Many people here in our county cannot read. In our state there are 319,741 adults who have less than an eighth grade education!

These people can now be helped by the Wetzel County Literacy Council. The teaching is on a one to one basis with the students and all books and supplies are furnished.

The Laubach Literacy Course was used in the workshop taught by Mrs. Norma Brookhart which is designed to teach adult men and women a method of teaching illiterate adults how to read. The aim of this method is to enable the adult to learn to read the language he speaks as quickly and enjoyable as possible.

Adults will find this method of reading meaningful and will see results from the very beginning.

This may be the opportunity that some of our people have hoped and prayed for to make their lives fuller and more satisfying.

If these 24 women are willing to give of their time and efforts to bring this gift to the people, the least we can do is help spread the word to those we think might be interested. Let's try for 100% literacy in Wetzel County.

Please call or write Mrs. John Ross, 134 Fairview Drive, New Martinsville, or Telephone 455-1813.

PROUD OF PEOPLE OF CRESCENT CITY, FLA.

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. FUQUA. Mr. Speaker, in these times of strife and turmoil, when bad news seems to supplant the good—it is heartening to find a story such as is unfolding in Crescent City, Fla.

This community of 1,682, according to unofficial 1970 census figures, is a lovely and picturesque area, bountifully blessed with lakes and magnificent woodlands.

But, the story is that the people of Crescent City, Fla., are concerned about the people in Crescent City, Ill.

As you know, that small northeastern Illinois community of 700 persons was nearly blown off the map when a train carrying compressed butane gas derailed, setting off explosions and fires that raged across one-third of the town.

And so the people of Crescent City, Fla., determined to aid this disaster-ridden community with a "Let's Help Crescent City, Ill.," drive.

Mayor Bob Wiltcher, Mrs. Dan Roberts, and Ronnie Hughes, publisher of this Florida town's newspaper, the Courier-Journal, have outlined a plan for a door-to-door canvass for unwanted clothing, furniture, food, and money to help 24 homeless residents of Crescent City, Ill.

Courier-Journal publisher Hughes contacted the publisher of the daily newspaper in Watsika, Ill., about 10 miles from the stricken city, to obtain first-hand information concerning the mishap.

The Illinois publisher had informed him at that time that two cars full of butane were still burning and 75 persons had been injured.

Although no communication was available at that time, Mayor Wiltcher contacted the Illinois State Police and asked them to reach the mayor of Crescent City, Ill., Fred Sterrenberg, to find out what was needed.

My colleagues, this is the real story of America. We are a land of people who are compassionate and who want to help their neighbor.

I have made many trips to Crescent City, Fla., a part of my district, and I can attest to the fact that some of the finest people I ever met make their home in this beautiful area.

I think that Florida has a right to be proud of the people of Crescent City, Fla. I think the people of America have a right to be proud of the people of Crescent City, Fla.

I know that I am.

WE HAVE MUCH TO BE PROUD OF ON THE FOURTH OF JULY

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. JOHNSON of California. Mr. Speaker, this weekend marks the 194th anniversary of the signing of the Declaration of Independence, one of the most dramatic and far-reaching documents ever written. This Fourth of July will be unique here in Washington with a massive "Honor America Day" rally, which will be held on the Monument Grounds.

Although I will not be able to participate personally in these special activities on Saturday because of prior commitments in California, our thoughts certainly will be in the Nation's Capital as will those of all Americans as they observe the Fourth of July whether they do this with family gatherings or traditional patriotic celebrations, many of which will be held in the twenty counties of the Second Congressional District, for this is truly a day in which each year we do honor America.

The organizers of the Washington rally, the outstanding Americans, Rev. Billy Graham and Bob Hope, both of whom have long been known for their dedicated service to the Nation and to the people, are to be commended for the efforts they are undertaking on this special Fourth of July.

It was just 194 years ago when our forefathers declared that these United States of America "are, and of right ought to be free and independent States." These ringing words were preceded by one of the most beautiful sentences ever composed by man: "We hold these truths to be self evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness." In the body of the Declaration, clear, concise facts of how these rights were being denied were stated.

The final sentence indicates the deep resolve of Congress and is worth repeating today: "And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor." Then, each of the 56 delegates of the 13 Colonies signed his name. All of us today must pause to reflect upon the courage required to sign this document because, without the protection of the divine providence and the firm resolve of the citizens of the 13 Colonies, these signers stood to lose their liberty, their families, their personal possessions, and very likely, their lives.

On this occasion, the 194th birthday of our Nation, it is well that we recall the magnificent ideals and principles that emerged from the war of independence and how these ideals and principles have been maintained and expanded through many periods of trial and tribulation. Every generation since our Nation's beginning has been faced with seemingly unsurmountable problems. Each generation of Americans has met these problems as best it could and the Nation has emerged even stronger than before. All of us should know that we have the power to achieve the democratic goals of equal rights and equal opportunity. That was the purpose of the country in its inception. That is the purpose still.

With the continuous and unparalleled efforts of the political institution functioning as initially established under the Federal Constitution, our Government has exhibited an unequaled record of achievement. The wisdom, faith, and courage of the Founding Fathers, endorsed and readopted by the American people of each successful era, have promoted results unparalleled in history. We have much to be proud of on this the 4th of July, 1970.

STATE INVOLVEMENT IN WATER CHOICES

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BURTON of Utah. Mr. Speaker, I commend to the attention of my colleagues the first of a series of articles dealing with the critical matter of making choices in the allocation of our resources. The first article written by Robert R. Lee, director of the Idaho Water Resources Board, in the fall-winter 1969–70 issue of Water Spectrum, comments on the need for State involvement in decisions affecting water-use programs. The article follows:

WHEN WATER-USE CHOICES ARE MADE—IS YOUR STATE ON THE SIDELINES?

(By Robert R. Lee)

The recent move toward more State participation can alter the current balance of power in water planning and development. Today, as historically, public interest in water matters is largely determined by Congress. Opportunity for full State participation in making public interest determinations has been sorely inadequate.

Over a period of decades various institutions and committees of Congress have recommended water policy changes in an effort to insure that the public interest would be served. As catalogued by the U.S. Senate Interior Committee, these efforts began as early as 1908.

During that year, for example, the Inland Waterways Commission and the National Conservation Commission made recommendations looking toward comprehensive national water resource planning and development. Even at that time the need for coordination of the work of Federal and State agencies was obvious. In 1912, Congress created its own National Waterways Commission, composed of 12 Congressmen, which made numerous recommendations. These recommendations and others led to the creation of a seven-member Waterways Commission to be appointed by the President. The Commission was given the authority to formulate a comprehensive plan for development of the waterways and water resources of the United States for the purpose of navigation and for every useful purpose. [And some of us have presumed that the concept of comprehensive planning is new.] This legislation was never implemented, however.

In 1920, the Federal Power Commission was created, composed of the Secretary of Agriculture, the Secretary of Interior and the Secretary of War. Later the Federal Power Commission was made an independent agency composed of five members appointed by the President.

Several solutions to agency coordination problems were tested, ranging from the Tennessee Valley Authority Act of 1933 to the Pick-Sloan plan for the Missouri Basin which authorized the Corps of Engineers and the U.S. Bureau of Reclamation to join to construct projects in that basin.

The Flood Control Acts of 1936 and 1944 provided for interagency coordination on a nationwide basis and brought the States into the water resource planning process. Joint efforts were stimulated by a desire to reduce or prevent conflict between agencies since the agencies realized they would be injured by infighting.

Following World War II, field interagency coordination committees were formed in the Missouri and Columbia Basins under the direction of the Washington level Federal Interagency River Basin Committee, sometimes called "Firebrick."

Interagency planning efforts were authorized for the Arkansas, White and Red Basins; the New England-New York Basin; the Delaware River Basin; and the Potomac River Basin. In 1958, legislation created the Texas Basins Study Commission and Southeast Basins Study Commission, which were temporary organizations created to develop comprehensive water resource plans.

In the late 40's, the first Hoover Commission suggested that better coordination could be achieved by gathering all water resource agencies in one department. President Truman's Water Resources Policy Commission in 1950 recommended the establishment of river basin planning commissions for each of the major river basins.

The Hoover Commission in 1955 recommended a Federal Water Resource Board to develop policy and coordinate agency activities, and that project review functions of the Bureau of Budget be strengthened.

President Eisenhower's Advisory Committee on Water Resources Policy also supported the concept of river basin commissions and proposed an independent Board of Review for water projects in the Executive Office of the President.

The Senate Select Committee on National Water Resources in 1961 recommended that comprehensive water development plans be prepared by the Federal Government in cooperation with the States for all major river basins by 1970. In addition, the committee recommended that the Federal Government stimulate State participation in planning and development through water resource planning grants.

The Committee was in a better position to implement its recommendations than previous study commissions since its members were key members of each of the major Senate Committees which have responsibilities in the field of water resources.

President Kennedy's proposed Water Resources Planning Act of 1961 included the creation of a Water Resources Council composed of the Secretaries of: Agriculture; Army; Health, Education and Welfare; and Interior. It also proposed the establishment of River Basin Commissions, financial grants to States for water planning, plus miscellaneous items.

After several years debate and slight modification, these essential items were included in the Water Resources Planning Act of 1965, which became P.L. 89–80.

In 1967 at the request of the States of the Northwest, the Pacific Northwest River Basins Commission was created as a Federal-

State planning entity as authorized by P.L 89-80. Since then three other river basin commissions have been created.

The most recent institutional innovation at the Federal level was the creation of the National Water Commission in 1968. The Commission is composed of non-Federal members and charged with the responsibility of making water policy recommendations to the Congress in 1973.

Historically, the decision-making process for water projects has proceeded in this manner. A local group interested in irrigation, flood control, watershed improvement, or other purposes would contact the principal Federal agency, their Congressmen or Senators to see if they could get a project studied to feasibility grade. Elected officials were usually anxious to please and the result was that an agency's planning program would be fragmented. Projects would, therefore, require several years to study.

Next, the existing water users would have to be satisfied that their water rights would not be damaged. (For instance, it took years to get existing irrigators in the Boise Project to agree to an exchange of water contemplated by the Southwest Idaho Water Development Project.)

Other Federal agencies having interests would have to be consulted, such as the Bureau of Sports Fisheries and Wildlife, the National Park Service and other water agencies. A water right would be required. Next, the agency's regional office and the Washington office would review the project to see if it met agency standards before transmittal to the Bureau of the Budget and the Congress. State comments would be requested and public hearings held locally and at the national level. Official adverse comment by a Governor or serious local disagreement would generally result in a project delay or veto. Federal budget limitations would cause similar consequences. Projects having regionwide or national implications would have other hurdles to overcome. For example, preservationists were able to delete the Marble Canyon Dam from the Lower Colorado Project, since water would encroach on the Grand Canyon National Monument.

What are the characteristics of this process and how will the process be altered, if at all, in the future?

First, the State government was essentially bypassed in setting study priorities and project priorities. Poor use was made of Federal planning resources. Overlapping studies were caused by local agencies seeking to get the best financial break. Projects were planned in isolation without analysis of impact or relationship to other projects or other public resources. Other agencies, the Bureau of the Budget, and Congress were placed in the position of reacting to a specific proposal, not alternatives. Congressmen had little factual basis for determining planning practices.

The formation of river basin commissions presents an opportunity to the States to play a significant role in improving the decision-making process. A commission opens the way for direct State participation in the plan formulation process through staff analysis and by expression of what the State's water needs are. The States in the Northwest have insisted and the Pacific Northwest River Basins Commission has agreed that the Commission's plan will be developed through subregional planning teams and will then be integrated into a regional plan.

The States can make their greatest input by participating first in the subregional planning efforts, then at the regional level. We believe that our State Water Plan can be formulated simultaneously as part of the Commission's Plan.

States are helping insure that the value judgments to be made such as development versus no development, irrigation versus fish, and wild river versus flood control are made by the public rather than water planning professionals. The States have insisted that plans for three objectives—national economic efficiency, regional development, and environmental quality—will be developed before integration into a single plan. The Commission has adopted this approach.

Why is this recommendation for multiple objective planning and a display of more information to the decision-makers needed?

First, I would submit that just as each individual has conflicting goals and is more than economic man, so does society have conflicting goals which must be reconciled, such as economic development versus preservation. There is an increasing realization that benefit-cost analysis as customarily conducted can lead to unreasonable conclusions. We are all aware of instances where the engineer's dedication to economic efficiency has resulted in proposals to build highways through redwood forests or dams that would encroach upon national monuments without showing alternatives for meeting the same objectives. Much of the benefit-cost analysis is nothing more than a rough requirements approach wherein the least costly alternative is selected to satisfy the forecasted requirements. Without an overview of requirements from a State, regional, or national viewpoint, nearly any purpose can be justified in isolation. Benefits for power, water quality, and municipal and industrial water supply are calculated in this way. The true economic benefits from these project purposes are not calculated.

Second, is recognition that more, not less, information is required by the decision-makers. The effort to distill all benefits and costs to a dollar figure to be included in a benefit-cost ratio is much like the search of alchemists to turn lead to gold. Our procedures for quantification are imperfect, and we need more not less information on the outputs from alternative plans.

Third, because of the difficulties of quantification of costs and benefits, water planning professionals are recognizing that justification of a single plan may not serve the public interest. The present system often forces the professional planner to make value judgments which are rightly the province of elected officials. The role of the professional planner is to indicate to decision-makers the menu of choices available. This is a new role for many planners and engineers, and sometimes they find it difficult to accept. Some engineers confuse their professional role with that of their own code of values and would like to impose those values on society. Yet value judgments are so much a part of water resource planning and development that the resolution of conflicting values must be left to representatives of the public.

Fourth, is growing realization that water projects can determine the growth patterns of our Nation, regions, and communities. Projects cannot be viewed in isolation as merely satisfying projected needs based on historic trends. We must know what the potentional is for water and related land resource development in the various regions of the country irrespective of allocation of historic shares of population or economic growth. In addition, we can learn from the experience of freeway planners who discovered that the freeways themselves caused traffic, population, and economic growth to take place in a fashion that would not have been realized without the freeways.

To a great degree, water facilities can determine the location and nature of population growth. There is currently a great debate as to whether water should be imported to the Southwestern United States. The first question to be answered should be what will happen if water is not imported to the Southwest. Will communities really stop growing; will the existing population experience thirst? I would guess that if water is not taken into the Southwest, the growth that could occur there would happen elsewhere, but that if water is imported to that area of the country, the recent growth trends will be perpetuated. Decision-makers at the highest level should be concerned with the question of whether it is desirable to continue to concentrate population in certain areas of the Southwest.

Fifth, is the recognition that there is no single national water policy and, therefore, no well defined national objective—but many policies and many objectives. The Water Resources Planning Act of 1965 recognizes economic efficiency, aesthetic consideration, and regional development, which in a given instance may be conflicting objectives. Moreover, we have federal acreage retirement programs versus other programs for putting land under development, policies for drainage of marshlands versus other policies for purchase of marshlands to provide wildlife habitat, a wild rivers policy versus a development policy. I would, therefore, submit that there is no national policy separate from State and regional policies which helps resolve conflicting objectives. The goals of the establishment of national policy, and the multiple objective planning approach make it possible for State policy makers to choose among the alternatives.

There are limitations to any planning approach, and this is true of the effort to define multiple objectives. Before spelling out what some of these limitations are, I wish to emphasize that I believe the new approach to be a significant step forward in the field of water resource planning.

The most obvious problem is that there will be substantial extra planning costs over the traditional way of looking at a single alternative. Unless the effort is funded over and above regular appropriations, the approach can result in a fragmentation of agency programs with resulting delay in completing project feasibility studies. Since projects are the staff-of-life of water agencies, they will be reluctant to assume this approach unless additional funds are provided.

The second problem is that a display of alternatives will undoubtedly supply special interest groups with verbal ammunition to support their particular viewpoints. There seems to be an ethic in our society which would lead us to avoid controversy, and displaying alternatives will likely promote controversy. Some would want to stifle this, but I believe full public discussion of various alternatives serves as an aid to the decision-makers and improves the decision-making process.

Third, it will be difficult to get an expression of State objectives at the outset of the planning process. You should be able to get agreement on alternative objectives to be studied such as national efficiency, regional development, or quality of the environment, but we cannot expect them to make choices among these objectives until the studies are completed. The very reason they will embrace the multiple objective approach is because they expect to learn more about what the choices are.

For example, our Idaho Water Resource Board cannot tell you what its position is with respect to development or non-development of the Salmon River Basin. This is because the consequences of development versus non-development have not yet been furnished to them. This is not to say that certain groups in the State have not expressed opinions on what should be done with the Salmon River, but the Board feels keenly its responsibility to serve the public interest as far as the State of Idaho is concerned. Therefore, the Board has gone on record supporting a study of the Salmon River Basin in all of its ramifications, ranging from no development through full development. I believe this example illustrates why planners should not expect to get a prejudgment by the States as to what the States' objectives are until the results of the multiple objective study are available.

The key issue in multiple objective planning is who decides which plan best serves the public interest. I believe that in the search for the public interest the States can give very strong signals to the Federal agencies so that agencies are not put in the position of having to decide what plans should be recommended for adoption. I would suggest that it is not the function of Federal agencies to reconcile the divergent views as to how water resource development should proceed, but rather that this is a key responsibility of State government. At the first instance, the States can help in the area of communication with local people by requesting organization of county or subregional water committees composed of water leaders who are supported by technical subcommittees. These local organizations can review, evaluate, and contribute basic information. The State can act as liaison between Federal agencies and local interests.

We expect that our planning program will proceed in harmony with local, State, and Federal agencies through the Pacific Northwest River Basins Commission. We expect to conduct interagency studies to formulate comprehensive subregional plans for the State of Idaho which will serve as input to our State Water Plan and as part of the Commission's Comprehensive Regional Plan. As plans to meet multiple objectives are formulated, these will be brought to our Idaho Water Resource Board that will evaluate them and adopt a tentative plan which will be presented to the public and hearings held. The Board will evaluate the information presented at the hearings before adopting a final plan. The Board's recommendations will then go to the Pacific Northwest River Basins Commission which will attempt to reconcile interstate problems before sending recommendations to the Water Resources Council and the Congress. We feel that State participation in providing service to local county water planning efforts and reconciling divergent interests will improve the planning process and insure the adoption of projects that meet the public interest.

Furthermore, I believe that the States can perform an important service in acting as chairmen of coordinated planning groups composed of Federal and State agencies. In the Pacific Northwest, the States of Washington and Oregon have been involved in Type II studies where they have assumed the chairmanship of the coordinated planning efforts. Reports are that this approach has worked well because the States can help coordinate planning activities when the Federal agencies themselves would be unable to do so. Although the procedure outlined may not be perfect, you need only consider how the system presently works to realize that the multiple objective approach holds promise.

In summary, I would submit that the greatest opportunity for improving water resource decisionmaking—so that it represents the public interest—rests with the States. Active, capable State water agencies are essential.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

HOW CAN THIS INFLATION BE STOPPED

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. GONZALEZ. Mr. Speaker, the question of inflation has agitated the Nation for some time. I have joined some of my colleagues in suggesting legislative action, some of it presently pending.

However, I have received a copy of an address by the senior vice president of the Fidelity Bank of Philadelphia, Mr. E. Sherman Adams, that I believe merits our serious consideration. Mr. Adams is an economist and speaks knowledgeably and eloquently.

I insert this address at this point:

HOW CAN THIS INFLATION BE STOPPED

Today there is widespread concern about the future of the American economy. Business expansion has ground to a halt and we appear to be teetering on the verge of recession. Nevertheless, price inflation continues unabated.

Many people have become convinced that the inflation will go on indefinitely, that it has now become part of our way of life. They believe that the inflationary spiral could not be stopped by anything less than a severe depression, and this is plainly something this nation would not tolerate. On these premises, we could be headed for a long period of sluggish business with continuing inflation.

In contrast, some observers are optimistic. The official view in Washington is that a recession can be avoided and that a mere pause in business expansion will soon slow down the rising trend in living costs. Looking across the valley, Administration spokesmen forecast an early resumption of economic growth but at the same time a continuing slackening in the rate of inflation.

The question is whether this is actually going to happen. Will the Administration's policy prescription really work?

THE OFFICIAL SCENARIO

To date, the Administration has relied solely on general monetary and fiscal policies to restrict the demand for goods and services on the theory that this would suffice to cure the inflation. The party line has been that nothing else needs to be done.

There has never been any doubt that restrictive monetary and fiscal policies could slow down business activity and they have been doing exactly that, as advertised. But the real question is whether inflation can be brought under control simply by producing a mild business slowdown. As yet there is little evidence that this approach is going to succeed.

The recent annual report of the President's Council of Economic Advisers describes in some detail what the Council hopes will happen this year. By mid-year, after three calendar quarters of little or no increase in real output, businesses will find themselves selling in markets less receptive to price increases. This will influence their pricing policies and also stiffen their resistance to wage demands.

The Council contends that these pressures will continue to damp down inflation as long as output remains below its potential, even though output may increase. Thus, in the second half of 1970, it anticipates some relaxation of monetary policy to stimulate business recovery and holds that such an expansion would nevertheless permit a further reduction in the rate of inflation.

Thereafter, the Council envisions more of the same: continuing slow economic growth and a further gradual decline in the rate of inflation until it subsides to a tolerable rate, at which time it will be safe to permit output to rise to its full potential.

WILL THIS APRROACH WORK?

An appealing scenario, certainly. But is it realistic? What are the chances that all the players will play out their roles as written?

As highly competent economists and honest men, the members of the President's Council do not themselves evaluate these chances as 100 per cent. Indeed, their report is refreshingly candid in its recognition of dangers that lie ahead. It admits that the timing and magnitude of the effect of present policies on inflation is "somewhat uncertain."

The uncertainties may be even more uncertain than that. One question mark is what will happen to the Federal budget. Mr. Nixon's budget for fiscal 1971 is barely in balance. The precariously slim surplus it projects could quickly be erased by any one of a dozen different actions or inactions by the Congress. By year end, a sizeable budgetary deficit could be in prospect. That would be inflationary in itself and would tend to reinforce inflationary expectations, especially among businessmen.

But even if a budgetary surplus is somehow achieved, the question remains whether the official policy prescription will check inflation. Is the inflationary psychology likely to dissipate when the Government is assuring the nation that public policy will stimulate a business upturn before the end of the year? After all, if government economists can look across a valley, so can other people.

WHAT IF IT DOESN'T WORK?

There is a very real possibility, therefore, that some of the actors may not adhere to the roles assigned to them in the Administration's scenario. The wage-price spiral may continue to ignore its script. Also, Congress might intrude itself into the act again. And unless there is a significant deceleration of inflation over the months ahead, measures for stimulating recovery may have to be postponed.

This certainly does not mean that we are headed either for a severe recession or an upsurge of inflation. Chairman Arthur F. Burns has assured us that the Federal Reserve will do everything in its power to prevent a serious recession and that it is equally determined to combat inflation. But it is nevertheless possible that the inflation may prove to be more stubborn than the policy makers anticipate.

What if this turns out to be the case? If the inflation does not succumb to a brief dip in business, what then? Will we at that point have to choose between either a prolonged recession or resigning ourselves to perpetual inflation?

Or are there other things that could be done that might help stop the inflation? And if this is so, should we not be giving serious thought to these possibilities right now before we find ourselves in a worse mess than we are in already?

A NEW KIND OF INFLATION

It is important to recognize that our economy is presently experiencing a new kind of inflation. Not completely new, of course, but different enough to merit careful analysis.

In the past, inflations have been largely a matter of excess demand and they have come to an end when demand subsided. For that matter, the present inflation was originally triggered in the mid-1960's by an upsurge in demand. But by now, it has assumed a different character. Demand is no longer excessive. To a greater degree than in any previous period, our present inflation is powered not by excess demand but by rising costs. It has changed from a demand-pull to a cost-push inflation.

Since 1965, prices and wages have been chasing each other upward at an accelerating pace. This wage-price spiral has now become the core of the inflationary process and has developed a considerable degree of immunity to the effects of monetary and fiscal policies.

Incidentally, when I use the phrase wage-price spiral, I do so simply because it is a matter of common usage, not because I wish to convey any implication as to which came first, the rise in prices or the rise in wages. That is an interesting question, to be sure, but it has little bearing on the problem that confronts us today. The urgent problem now is not how the spiral started but how it can be stopped.

The wage-price spiral is not a brand new phenomenon, of course. It played some part in earlier periods of inflation. But today it has acquired more momentum of its own than ever before. To a greater degree, it has become self-propelling, semi-autonomous.

IS MONETARY POLICY IN TROUBLE?

This raises the question whether general monetary and fiscal policies alone can effectively control this inflationary spiral or whether they need to be supplemented by additional measures designed to affect it directly.

Most economists in this country are particularly attached to monetary and fiscal policies because they are overall, conditioning controls which do not interfere with the interplay of competitive market forces. We are reluctant to admit that so many of our markets—including the labor market as well as the whole area of administered industrial prices—have developed so many imperfections and rigidities that monetary and fiscal policies may not always work the way they are supposed to. But if this is in fact the case, then the sooner we face up to it, the better.

Indeed, it is perfectly plain that in the world of industry, some of the rigidities are truly formidable. Once upon a time we used to say that what goes up must come down. But today, when industrial prices or wages go up, we know they will not come down. They are geared to a ratchet, which my dictionary defines as a mechanism which allows motion in one direction only. The old saying needs to be updated to read: What goes up goes higher.

Moreover, it has been apparent over the past year that monetary policy is no longer operating the way the textbooks say it should. Federal Reserve policies have made credit scarce for borrowers who are dependent on banks for credit but not for large corporations, which happen to be the big spenders. Interest rates have gone skyhigh but have had little deterrent effect on borrowing and spending by big business. As a matter of fact, higher interest rates have contributed to the rise in the consumer price index which is one of the main ingredients in the wage-price spiral.

So perhaps it is time we took a new look at this whole problem.

RULE OUT WAGE-PRICE CONTROLS

Let me reassure you right now that I am not leading up to recommending mandatory controls over wages, prices and profits. As you doubtless know, many persons, including a large number of businessmen, do think we should resort to this type of control. George Meany has stated his opinion that this would be the only way to stop this inflation. And among the academicians, J. K. Galbraith contends that our present-day economy—"The New Industrial State"—inevitably generates such persistent wage-price pressures that mandatory controls are now required.

Nevertheless, most of us, at this stage at least, would be strongly opposed to wage-price controls. Also, there is little indication that the American people would be willing to adopt such a distasteful expedient unless they should become convinced that there is no other way to stop inflation.

There are, however, various possible alternatives short of mandatory controls which are worthy of consideration. Let us examine some of them.

VOLUNTARY APPROACHES

Most of these alternatives can be classed as largely voluntary approaches to giving the public some voice in wage and price decisions that importantly affect living costs. Some of them, to be sure, might entail some governmental pressure but they would still be a far cry from a comprehensive system of mandatory controls. For that matter, some approaches would seek to utilize another kind of pressure, the weight of public opinion.

Such an approach would not be new. Over the past decade, the Federal government has on numerous occasions used its influence in various ways to moderate price and wage increases. To be sure, the results have not always made everyone happy, but neither does inflation. In our present predicament, the main question is whether action along these lines might help check this inflation.

It is natural to think at once of the Kennedy-Johnson wage-price guidelines. Many people seem to have the impression that the guideposts policy proved to be ineffective. Actually, for a number of years, 1962 through 1965, the guidelines worked amazingly well. Throughout that period, output and employment increased steadily and living costs remained stable. This might have been purely coincidental, of course, but there is fairly solid evidence which suggests that it was not.

WHAT HAPPENED TO THE GUIDELINES

Then, in 1966, two things happened that overwhelmed the guidelines. One, there was a sharp escalation of Federal deficit spending which set off a boom in the capital goods industries. Two, the Administration acquiesced to a wage settlement for the airline mechanics which flagrantly breached the guidelines.

So, the guidelines did not fail; they were scuttled. They were sound in principle and effective in action as long as they were not abused by the government itself.

Obviously, the old guidelines, in their original form, could not suddenly be imposed on our present inflationary situation. Living costs have been rising too fast too long, and while some workers have won wage increases which substantially exceed the rise in prices, others feel that they are still behind the parade. For that matter, the old guideposts policy would probably be politically unacceptable anyway.

Nevertheless, if we are to bring inflation under control, we must aim toward eventually reestablishing the basic principle which underlay the guidelines: the necessity for keeping wage increases in line with gains in national productivity. Today the urgent need is to figure out how we can make progress toward that objective.

DIVERGENT VIEWS OF COUNCIL CHAIRMEN

Last September the Council of Economic Advisors presented its views on this subject at a Congressional hearing. Dr. Paul W. McCracken, chairman of the Council, emphasized the difficulties of trying to devise guidelines or standards which could be applied to our present situation. He even voiced skepticism about the effectiveness of the guideposts policy during 1962–65, pointing out that there was slack in the economy during that period. He also expressed reservations about some of the ways the Government has at times used its influence in wage negotiations. His testimony constituted a sweeping reaffirmation of the Council's approach to date of relying exclusively on monetary and fiscal policies.

Needless to say, some economists disagree. Dr. Walter Heller, a former chairman of the Council of Economic Advisers, has criticized the Administration's preoccupation with monetary-fiscal policy "to the neglect of other plausible, feasible, and reasonable things that could be done."

Another former Council chairman, Dr. Arthur Okun, has marshalled evidence attesting the effectiveness of the guidelines policy during 1962–65. He also testifies to the effectiveness of government influence in key wage and price decisions during 1967 and 1968, after the demise of the guidelines. Additionally, he documents the view, shared by many observers, that President Nixon's widely publicized pronouncement early in 1969 that his Administration would not attempt to influence price and wage decisions was partially responsible for the acceleration of the inflation last year.

It is most unfortunate, I think, that someone coined the term "jawboning" and that this inelegant epithet is now so commonly used to refer to any or all efforts on the part of government to persuade labor and management to refrain from unwarranted wage and price increases. I deplore the phrase because it disparages all such efforts and implies that none of them can amount to anything more than ineffectual haranguing. This tends to discourage thoughtful consideration of the various things that might be done. Yet this may be exactly what we need most at this point in time.

NATIONAL INCOMES POLICIES

Ten years ago the late John M. Clark, unquestionably one of the most distinguished economists this nation has ever produced, wrote a short but important book entitled, "The Wage-Price Problem." With prophetic foresight, Professor Clark warned then against "the subtle temptation to rely on fiscal and credit restrictions to do more in the way of restricting increases in the price level than they can properly and safely be called on to do."

At the conclusion of his incisive analysis of the wage-price problem, Professor Clark urged the establishment of a standing body of private personnel, equipped with staff which would make available not only arrays of factual material, but professionally competent economic analysis, carried to the point of showing its implications for policy. He recommended that special-interest groups be represented on this body, though not in control.

It is interesting that since the publication of Professor Clark's monograph in 1960, most of the advanced nations of Western Europe have done precisely what he recommended, whereas the United States has moved only tentatively in that direction. These European nations have developed what they call incomes policies. In essence, a national incomes policy is a joint effort by management, labor and government to work toward certain standards or targets for the shares of the growing national product that should go to labor and to profits.

In all the European countries which have experimented with incomes policies, special-interest groups, notably labor and management, have participated in defining these objectives. Only in America, this was not done.

I have recently been reading a voluminous volume which presents the papers and proceedings of a conference held last year in Stockholm which was devoted to the subject of national incomes policies. Over the past decade, European nations have been learning a good deal about incomes policies and their potentialities for curbing inflation. Some of their experiences have been disappointing, but in some instances, real progress has been achieved.

All of these countries have established standing bodies which have professional research staffs, as Professor Clark recommended. In the United Kingdom, for instance, the Prices and Incomes Board has issued dozens of reports which have had an impact on the industries concerned, on the productivity side and as well as on wages and prices. In some countries, the central board is an agency to which any apparently excessive wage increase can be referred.

NEEDED: A NEW INSTRUMENTALITY

I submit that we in this country today should be giving serious consideration to the establishment of a standing commission or board of the kind recommended ten years ago by John M. Clark. It might be called, for example, the Board on Prices and Wages. It should obviously be comprised of individuals of outstanding competence. Labor and management should be represented but in a minority role.

The Board's mission would be to develop a prices-and-incomes policy for this country designed to help to solve the wage-price problem. Its approach at the outset should be to enlist the voluntary cooperation of management and labor to slow the wage-price spiral. The objective would be to make the public interest an important consideration in wage and price decisions. To help achieve this, the Board would presumably try to bring to bear the full weight of an informed public opinion—informed by impartial fact-finding and analysis by the Board's staff.

Surely this would not be un-American. Certainly the American people have the right to some consideration in the making of decisions that so vitally affect their welfare.

Indeed, how would one otherwise define democracy? As a tug-of-war between management and labor with the American people denied the right to have a tug?

Cynics may argue that such an effort would be futile, that management and labor are incapable of considering anything except their own immediate, short-run interests. Well, perhaps I am naive, but this I cannot believe. I have greater faith in American management and labor than to accept such a premise.

In addition, it seems clear that the attitudes of both management and labor can be significantly influenced by public opinion. If only for pragmatic reasons, both are concerned about their public image.

It seems obvious that vague appeals to exercise self-restraint, whether emanating from the White House or even from Mr. Spiro Agnew himself, cannot be expected to have much effect. There is need for an instrumentality to translate the public interest into rather specific terms in particular circumstances.

Representative Reuss of Wisconsin has made a proposal somewhat along these lines. However, the mechanism he has suggested would involve the recommendation of annual guidelines by the Council of Economic Advisers plus subsequent review and final determination by both houses of Congress. It would seem that the chances of success would be far greater if this activity were removed from such close involvement both with the Administration and with the maelstrom of Congressional politics.

THE TIME TO ACT IS NOW

I see no reason for postponing the establishment of such an instrumentality. Even if the Administration's scenario for 1970 should prove to be completely successful, the Board might still make a useful contribution to price stability and increased productivity over the years ahead. And in the event that the inflation is not under control by the end of this year, then the Board will have been in operation for a while and on the basis of its experience, we can better decide whether it should be given more muscle.

The chances are that before this year is out, there will be some slackening in the rate of inflation. But if this does occur, the problem of cost-push inflation may not be licked but simply moderated. It may persist for years, a continuing drag on the economy and in danger of escalating again whenever output approaches its full potential. There is little likelihood that a Board on Prices and Wages would run out of problems.

Plainly, we should not expect any immediate results from the approach I have outlined. If this reason alone, the sooner we start, the better.

Maybe someone has a better suggestion. Perhaps the Government should revive the arm-twisting techniques employed on various occasions by Presidents Kennedy and Johnson. One recent suggestion is that all prices and wages be temporarily frozen, say for a period of six months. Another proposal is that an Industrial Court of Justice be established with final authority to pass on wage and price increases.

We obviously do not have time here today to analyze the pros and cons of these and other alternative courses of action. And for that matter, I would not claim the competence to do so anyway.

However, I would say this. Objections can be raised to any course of action that anyone can propose. But let us remember that there are objections to inflation too, very strong objections. And time is now running out. Within a matter of months, the classical monetary-fiscal prescription may prove to be inadequate, and if it does, we are going to be in a real pickle. Support for wage and price controls will probably increase, perhaps dramatically, and other drastic proposals are likely to be advanced. No one can say what might emerge from such a situation, but the outcome might be most unfortunate. There is no time to lose, therefore, in considering what more we should be doing right now to bring inflation under control.

AN OPEN LETTER TO A GRADUATE

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. GOODLING. Mr. Speaker, a lot of young people today are having a difficult time getting a job. There are jobs available, however, but the ones that obtain them are those who groom both their attitudes and themselves in the interests of a prospective employer.

An interesting article on this subject took the form of "An Open Letter to a Graduate" that appeared in the June 24 issue of the Gettysburg Times, a prominent daily newspaper in my congressional district. I insert it into the CONGRESSIONAL RECORD and especially call its attention to those young people who are looking for employment today:

AN OPEN LETTER TO A GRADUATE

DEAR KID: Today you came to me for a job. From the look of your shoulders as you walked out, I suspect you've been turned down before, and maybe you believe by now that kids out of high school can't find work.

But I hired a teenager today. You saw him. He was the one with polished shoes and a necktie. What was so special about him? Not experience, neither of you had any. It was his attitude that put him on the payroll instead of you. Attitude, son. A-T-T-I-T-U-D-E. He wanted that job badly enough to shuck the leather jacket, get a haircut, and look in the phone book to find out what this company makes. He did his best to impress me. That's where he edged you out.

You see, Kid, people who hire people aren't "with" a lot of things. We know more about Bing than about Ringo, and we have Stone-Age ideas about who owes whom a living. Maybe that makes us prehistoric, but there's nothing wrong with the checks we sign.

Ever hear of "empathy"? It's the trick of seeing the other fellow's side of things. I couldn't have cared less that you're behind in your car payments. That's your problem and President Nixon's. What I needed was someone who'd go out in the plant, keep his eyes open, and work for me like he'd work for himself. If you have even the vaguest idea of what I'm trying to say, let it show the next time you ask for a job. You'll be head and shoulders over the rest.

You know, Kid, men have always had to get a job like you get a girl: Case the situation, wear a clean shirt, and try to appear reasonably willing. Maybe jobs aren't as plentiful right now, but a lot of us can remember when master craftsmen walked the streets. By comparison you don't know the meaning of "scarce".

You may not believe it, but all around you employers are looking for young men and women smart enough to go after a job in the old-fashioned way. When they find one, they can't wait to unload some of their worries on him.

For both of our sakes, get eager, will you?

"THE BOSS."

MODERNIZING MEDICINE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. DERWINSKI. Mr. Speaker, the American Medical Association held its convention in Chicago last week and WGN radio and television gave extensive coverage to the deliberations.

In addition, WGN carried a very penetrating editorial commentary on a number of resolutions adopted by the house of delegates to the AMA. I believe the emphasis in the editorial is very effective analysis of the subject. It follows:

MODERNIZING MEDICINE

The House of Delegates of the American Medical Association resolved at its Chicago convention this past week that it is the basic right of every citizen to have available to him adequate health care . . . and that the medical profession, using all the means at its disposal, should endeavor to make good medical care available to each person. The AMA, long viewed as one of the most conservative organizations, representing one of the most conservative professions, should be commended for this new attitude.

We feel this to be a step, the first step, toward a radical overhaul in the entire system for delivering medical services to consumers, people. The profession knows it is not large enough to meet all of today's needs. It knows, too, medical training is not keeping pace with the population. A system of health care now serving some two million people, mostly on the west coast may hold the answer. It makes great use of paramedical people ... mostly technicians and therapists, and a computer, freeing doctors to work at their highest level of skill, with people who need them most.

The key to the system is a health-testing and referral service, operated by paramedical personnel under the supervision of physicians. Patients who are well could be referred to a health care center, manned by supervised paramedicals. Patients who are sick, or whose computerized medical profiles indicate they may be getting sick, would be referred to sick-care centers, for treatment by physicians. Another unit, also staffed by paramedical personnel under physician supervision, would handle long-term medical maintenance for chronic conditions.

Another AMA resolution calls for talks with appropriate federal agencies, other medical organizations and health insurance spokesmen ... talks aimed at the improvement of medical service.

We think systems similar to those described above should be the first order of discussion.

FOR 45 YEARS SHE CARED

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, Miss Marjorie Dowling, an elementary school teacher in the Winneconne school system, is retiring after 45 years of service to the community.

Miss Dowling has made an invaluable contribution to three generations of my constituents and is a model of talent and dedication in the teaching profession.

The following article, written by Polly Zimmerman, which appeared in the May 23–24, 1970, edition of the Paper, Oshkosh, Wis., shows the great esteem in which Miss Dowling is held by all those who know her:

FOR 45 YEARS SHE CARED

(By Polly Zimmerman)

WINNECONNE.—A gentle lady with a leprachaun twinkle in her eye will close the door to her primary classroom for the last time at the end of the present school term.

Marjorie Dowling has taught in the Winneconne School System for 45 years. And she's a little surprised at the stir her retirement is causing.

Recognition by the local PTA organization came first of all. Fellow teachers and administration of the Community School District began mysterious picture-taking forays and quiet planning sessions. A certificate of appreciation signed by Gov. Warren Knowles and State Superintendent William Kahl cited her for 45 years of dedicated service to the State of Wisconsin.

Perhaps the only acclaim with which she is completely comfortable is the outspoken affection of the hundreds of students who have passed through her classroom in those years.

A Main Street businessman watched day after day as Miss Dowling, surrounded by small children vying for the place of honor next to her, walked back and forth to school. He stopped her one day as she walked past his store.

"Miss Dowling, I guess you must be the mother of the town!"

Teacher-mother that she has been, every child who stammered his way through a primer or learned is first sums under her tutelage was sure of his place in her affection.

"I guess sometimes my discipline wasn't as good as it should be. But I always felt that if I had to punish a child, I had to let him know as soon as I could that I cared about him."

So she mended trousers and bandaged knees. She chided an imp and laughed when she was alone at the way a six-year-old had outwitted her. And she worried through annual epidemics of childhood diseases.

She has taught the sons and daughters of earlier pupils, and now she is teaching grandchildren of some of her first class members.

After she graduated from Oshkosh Normal School in 1925, Marjorie Dowling returned to the village in which she had grown up. Her first teaching assignment was in the west side elementary school which she had attended as a student. Her father, William Dowling, had been a masonry contractor for the building which now houses the Wagner Industrial Products Co.

When the elementary grades were transferred to the red brick building on the east side of the village, Miss Dowling moved into the primary room on the third floor. As the system grew, and rural districts closed one-room schools and bussed children into the village, the primary department moved into temporary quarters in hastily constructed quonset huts on the school property.

Even when a new school was built (following a fire which gutted the red brick building), the moving was not at an end.

The "Annex"—a building which she remembered had sheltered horses ridden to school by rural youths in her high school days—was turned into classrooms and housed the kindergarten and music departments during the early forties. And when crowded conditions in the fifties forced two later building programs, primary rooms were located there.

The Annex has made way for playground space now, and Miss Dowling has been ensconced in the sunny, efficient, well-appointed classroom in the kindergarten-primary wing of the Central School. She is retiring at a time when school population problems are again pressing. And it is difficult for her to understand why the district has rejected two bond issues which would have provided the space she believes is so badly needed.

"Everyone should understand that's it's really less expensive to have fewer children per teacher. They need individual help. In order to give children the education they must have, we must have space to do it. I wish people would come to school and visit. I wish they would watch the children crowded in the classrooms and passing through the halls in droves!"

Looking back over 45 years Miss Dowling sees a change in children.

"How have they changed? Oh, they're exposed to so much more. They have so much more to learn, and the facilities for learning are so much greater everywhere in their lives. The children are more outgoing, too. They express themselves more easily."

She feels the pressures that are exerted on children, and she counters excessive pressures with affectionate concern.

During her teaching career, Miss Dowling has taken additional academic work through extension courses and at the institution from which she graduated in 1925.

"I've gone to school there under four kinds of administrations: State Normal School, Oshkosh State Teachers College, Wisconsin State College, and WSU-O."

She has watched the Winneconne School grow from a village system to a sprawling community school district. She recalls initiating the leveling systems of reading groups in the primary school in 1936. And she looks back with pleasure on her contacts with fine educators within the system and those who have worked closely with it through special state studies and carefully monitored experimental programs.

"I'm especially glad to see John Reukauf back. He's a fine elementary principal. He's dedicated and understanding—and he loves children. He listens to them!"

Her concern has spilled out into community affairs, too. The first Bluebird group in the village was one which she organized and led in 1930. In the early years of the March of Dimes, she was first chairman for an area drive. For many years she taught catechism at St. Mary Church. She did private tutoring during summer months and established an informal lending library in her home for the children of the neighborhood. And she has been a member of the Civic League for 45 years.

In her first 36½ years of teaching, Miss Dowling recalls that she missed less than 10 days of school. Then a heart attack took her out of her classroom for many weeks. As soon as she was able to resume teaching, she was back with her small charges and she's proud that she has missed only about 10 days of school since her recovery.

Closing the classroom door will not be easy for Marjorie Dowling.

She is sentimental about the hundreds of schooldays and the hundreds of children. But retirement will not end her immersion in the world of education, for too many new and wonderful things are happening in the exciting world and Miss Dowling plans to remain very much a part of it.

SO WE CAN HAVE A VOICE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. BROWN of California. Mr. Speaker, young people today want to be counted—and they should be. The law passed recently lowering the voting age to 18 is a milestone toward giving the young a voice in choosing public officials.

During the recent efforts to obtain passage of this law, Allen Ord, of Baldwin Park, Calif., wrote a song for use in the campaign. Allen had just turned 18.

I urge my colleagues to read the words of this song, carefully, and—as the song title asks—"Listen."

The song is especially significant because a few days after he had written the song—never knowing the eventual outcome of the campaign for the 18-year-old vote—Allen was killed in an automobile accident.

The song is as follows:

LISTEN

I got to live today
  I may be dead tomorrow
And all I want to say
  Is I don't want any sorrow

I've got a lot to say
  But I just can not say it
These thoughts I put away
  All I can do is play it

If you could comprehend
  Just what I'm talking about
I can't tell you face to face
  I've got to shout it out

There are darker days ahead
  Alone . . . we can not make it
The world will soon be dead
  With no one left to fake it

If you'll invite me in
  And let my words get to you
Then we can live as friends
  And maybe pull it through

For the first time in history
  We simply have no choice
We've got to stick together
    You and me
  So we can have a voice

CONCERN FOR AMERICA

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. CHAPPELL. Mr. Speaker, many citizens within the Fourth District have expressed concern to me about some of the things that are happening in America today. Mr. Herb Maffett from my district, has forwarded two editorials from the Leader, Jacksonville Beach newspaper, expressing his concern. One editorial states the confusion of the American people about what is happening on our campuses and states the resentment many people feel:

> There's nothing idealistic about university administrators abandoning their responsibility to parents and the public by allowing radicalized faculties to leave their classrooms and parade in the street. . . .
>
> There's nothing idealistic about shouting 'academic freedom' when that freedom is used to shatter young citizens' belief in their country, its constitutional principles and free enterprise system. . . .
>
> The genuine idealism of America is vested in our Constitution, and in the traditional principles of our national life: faith in God, belief in country and respect for family and community. This idealism is deeply rooted in the hearts of the vast majority of Americans. But their beliefs are scorned by effete intellectuals and bitterly attacked by the New Left revolutionaries who want to burn down America.
>
> The protestors who talk of peace while breaking glass windows and lighting torches, have no program but destruction and national paralysis. They must be contained, separated and prevented from closing universities and otherwise halting the normal and essential processes of our society. The protesters must not be allowed to delude the people and destroy a great and free republic. (By Thurman Sensing.)

The other editorial which expressed concern by our people lists rules laid down by Communists over the years and exhorts the readers of the Leader to read these words and remember them. This is the list:

> (1) Corrupt the young, get them away from religion. Get them interested in sex. Make them superficial; destroy their ruggedness.
>
> (2) Get control of all means of publicity, and thereby get people's minds on their government by focusing their attention on athletics, sexy books, plays and other trivialities.
>
> (3) Divide people into hostile groups by constantly harping on controversial matters of no importance.
>
> (4) Destroy the people's faith in their national leaders by holding the latter up to contempt, ridicule and obloquy.
>
> (5) Always preach true democracy, but seize power as fast and as ruthlessly as possible.
>
> (6) By encouraging government extravagance, and destroy its credit; produce fear of inflation, rising prices and discontent.
>
> (7) Foment strikes in vital industries; encourage civil disorders and foster a lenient and soft attitude on the part of the government toward these disorders.
>
> (8) By specious argument cause a breakdown of the old moral virtues, honesty, sobriety, continence, faith in the pledged work, ruggedness.
>
> (9) Cause the registration of all firearms on some pretext with a view of confiscation of them and leaving the population helpless.

Mr. Speaker, publications such as the Leader deserve the praise of all of us in Congress who recognize the dangers they have cited in these editorials. Here is an example of free press, used in a free manner, in an effort to preserve the freedoms we hold in this country.

"LIGHGHT"

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. CARTER. Mr. Speaker, many years ago a large ash tree was being cut down in my neighborhood. I heard an elderly gentleman quote:

"Woodman, spare that tree!
  Touch not a single bough!
In youth it sheltered me,
  And I'll protect it now."

Days later, I heard the same voice speak of the dignity of labor and the worthiness of strong brown, toil-worn hands, and of the weakness of soft white hands:

"The rich man's son inherits cares;
  The bank may break, the factory burn
A breath may burst his bubble shares,
  And soft white hands could hardly earn
  A living that would serve his turn;
A heritage, it seems to me,
One scarce would wish to hold in fee."

And speaking of the fear of death, the elderly scholar quoted from the Bard of Avon:

"But that the dread of something after death,
The undiscover'd country from whose bourn
No traveller returns, puzzles the will
And makes us rather bear those ills we have
Than fly to others that we know not of?
Thus conscience does make cowards of us all;
And thus the native hue of resolution
Is sicklied o'er with the pale cast of thought,
And enterprises of great pith and moment
With this regard their currents turn awry,
And lose the name of action."

Yesterday, on this floor we were told that poverty would not produce poetry or art. And I was reminded of the poor man's poet, Bobbie Burns, from whose heart welled the most lyrical and touching words ever uttered by mortal man.

In his youth, Burns suffered cold, hunger, and untold hardship. Yet from his pen we have "Flow Gently, Sweet Afton:"

"Flow gently, sweet Afton, among thy green braes!
Flow gently, I'll sing thee a song in thy praise!
My Mary's asleep by thy murmuring stream—
Flow gently, sweet Afton, disturb not her dream!
"Thou stock dove whose echo resounds thro' the glen,
Ye wild whistling blackbirds in yon thorny den,
Thou green-crested lapwing, thy screaming forbear—
I charge you, disturb not my slumbering fair!"

What a contrast is portrayed in the American Literary Anthology published under a grant from the National Endowment for the Arts.

Our taxpayers, Mr. Speaker, paid $700 for a one-word poem, "Lighght." The meaning of this word, if it has a meaning, has not been interpreted to me. The award was made, I understand, by that paragon of virtue and peerless connoisseur of art and literature, Gorgeous George Plimpton.

In glancing through this anthology, three- and four-letter words of the guttersnipe variety were found in profusion. This anthology constitutes the rankest compound of villainous smell that ever offended human nostril.

To think that elected representatives of the American people would throw away tax dollars wrung from the sweat of our citizens' brows on such prurient mouthings is most deplorable.

Literature has been defined as thoughts expressed in words of such enduring charm that men treasure them and will not let them die. When the Commission on Arts and Humanities stimulates literature reflecting this interpretation, I will support it. But for the sake of the youth of our country, I cannot support any person, group of persons, commission, or group of commissions who publish such prurient filth at public expense.

TRIBUTE TO THE HONORABLE H. R. GROSS

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. ROONEY of New York. Mr. Speaker, I join, gladly, with my colleagues in wishing my good friend from Iowa, the Honorable H. R. GROSS, a very happy birthday. I have known this distinguished gentleman for a little more than 20 years now and they have been memorable years. I would recount some of the more memorable events of those times here but I would not want to risk the gentleman's ire since I know he is keenly aware of the cost of each page of the CONGRESSIONAL RECORD. I shall try to take no more space than a quorum call or two would take. Seriously, Mr. Speaker, I think there can be no doubt that the House of Representatives is a better body for having such a man as H. R. GROSS as a Member. We do not always agree, which is perhaps a good thing for everybody concerned, but even so one cannot help but have the highest regard for H. R.'s capability for work and his integrity. The gentleman from Iowa came here some 20 years ago following a distinguished career as a newspaperman and a radio newsman. As they say, he met a lot of interesting people including even one sports announcer nicknamed "Dutch" who reportedly now runs a State somewhere west of the Mississippi. But I digress; I merely wanted to wish my truly long time and valued good friend the happiest of days and I hope that before too long we can both get to that undone fishing.

SENATOR DOLE'S ROLE

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. MIZE. Mr. Speaker, the junior Senator from Kansas, the Honorable Robert Dole, has received well-deserved commendation these days for his role in bringing the Gulf of Tonkin resolution up for repeal in the Senate. Fulton Wilkins, general manager of KEX radio, Portland, Oreg., sees this as a senatorial baseball game from which Senator Dole could emerge as the "Rookie of the Year."

In whatever context it is placed, Senator Dole's prowess in knowing what to do when it is his "turn at bat" speaks volumes for his effectiveness in the U.S. Senate.

I think my colleagues will find this KEX editorial amusing and interesting. Under leave to extend by remarks, I wish to place it in the Record at this point:

> The subject of this editorial is serious in substance but KEX takes a rather *sporting* approach to reflect our views. It has to do with an amendment submitted by Senator Robert Dole of Kansas to repeal the Gulf of Tonkin resolution of 1964. A resolution by the legislative branch of our government to permit then President Johnson to conduct military operations in Vietnam. At this point the resolution serves no real purpose other than just another rally symbol for the far left to protest.
>
> There is a peculiar baseball game going on in the United States Senate these days. Senator William Fulbright, as captain, and his famous dove team have taken the field to catch or short-stop every attempt by the administration team trying to score an end to the war in Vietnam.
>
> Who's the player at bat this inning? It's rookie Senator Robert Dole of Kansas just up from the minor leagues—considered by the more experienced players in the field as a hot dog—an easy out. The last time up, he struck out on the Cooper-Church curve ball. However, the next batter, Senator Robert Byrd of West Virginia, hit that same pitch pretty good—his wording to allow the President to protect our troops in battle was a solid line drive.
>
> Now Senator Fulbright's team over shifts—far to the left—when playing against right-handed hitters. So, the skipper in the administration dugout signaled for Senator Dole to hit to the opposite field. With a motion to repeal the Tonkin Gulf resolution, Dole came through with a stinging drive over first base that rolled all the way to the bamboo fence—completely taking the scrambling fields by surprise. They are now gathered around the pitcher's mound frantically planning how to play the next batter.
>
> This long extra inning ballgame is not won by a long shot, but that hit in the clutch by Senator Dole may very well earn for him—Rookie of the Year honors. Also, this timely blow can somewhat circumvent further division of the people in the stands by political opportunists.
>
> One does not have to be a baseball fan to recognize that Senator Fulbright and his followers have been out maneuvered on the Gulf of Tonkin resolution. Fulbright is furious that his plans for lengthy, spectacular debate are now rather trifling—as well they should be. Such negative efforts in the senate have done more to divide the country than anything else.
>
> Senator Fulbright angrily chastised Senator Dole as a bush leaguer with no standing, but failed in his efforts to block the amendment so that he could have his fling before the press. That ballgame has been rained out.
>
> KEX submits that any pitcher who throws curve balls knows enough to duck. The ball comes back much harder and straighter than it is thrown.

RALPH NADER OFFERS STRINGENT ANTISMOG PROPOSALS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. BROWN of California. Mr. Speaker, existing smog-control legislation is a joke.

The words are blunt, but then, they should be.

Despite all the rhetoric, all the promises, all the beautiful language, the dismal truth is that air pollution continues to worsen.

Unfortunately, prospects for improvement remain dim. And smog is no laughing matter.

A valuable perspective on the whole situation—and especially legislative ramifications—was given recently in a letter from Ralph Nader to the chairman of the Senate Subcommittee on Air and Water Pollution, Mr. Muskie.

Ralph Nader's involvement with the smog crisis is long standing. Nader was instrumental in the beginning steps which led to the landmark antitrust suit filed last year charging major automobile manufacturers with a 15-year conspiracy to retard development of air pollution controls. Nader and his co-workers at the Center for the Study of Responsive Law have undertaken intensive analysis of existing smog legislation, and in the letter to Senator Muskie, a series of important new programs and policies are suggested.

I am proud that already I have offered new legislation similar to half the Nader proposals. Last October I introduced H.R. 14579 which would amend the National Emissions Standards Act by eliminating the requirement that established standards take into account economic costs. H.R. 15613, introduced this January, calls for increasingly stringent standards by 1975. And H.R. 16775, submitted in early April, would penalize companies cited for pollution violations by not allowing them to compete for Government contracts.

I agree with Mr. Nader in his biting criticisms of the clean air bill just passed in this body. I believe that the Nader letter to Senator Muskie is an important document, and I am now inserting it in the Record at this point:

> June 24, 1970.
>
> Senator Edmund Muskie,
> *U.S. Senate,*
> *Washington, D.C.*
>
> Dear Senator Muskie: On May 12, 1970, a detailed Task Force Report on Air Pollution was issued by a group of students and young lawyers which I brought together for that purpose. That Report documented a dismal picture of broken promises, governmental paralysis at all levels and rampant corporate irresponsibility—all taking place against a backdrop of legislative failures. Among other things, the Report explored the following alarming developments:
>
> Deaths and diseases related to air pollution are rising to epidemic levels;
>
> Air-borne contaminants are responsible for billions of dollars of economic losses annually;
>
> The majority of identified pollutants are not being systematically monitored, much less controlled;
>
> NAPCA and State agencies are hopelessly underfunded and understaffed to bring about effective abatement;
>
> Automotive emissions have not been reduced and may even have increased, despite a federal "regulatory" program spanning the last three model years; and
>
> Emissions from stationary sources (such as factories and powerplants) continue unabated and in many cases have increased.
>
> Existing laws have failed to have a perceptible impact on the growing violence of air pollution. The Air Quality Act of 1967 has yet to bring about the reduction of emissions from a single smokestack in the nation. Emission standards for automobiles have been set for only two pollutants—carbon monoxide (CO) and hydrocarbons (HC)—while emissions of equally dangerous nitrogen oxides have increased. Other automotive pollutants such as lead, asbestos, rubber particulate and gaseous matter may be dealt with at another time, if ever. Furthermore, the Task Force disclosed that the failure of "control" systems for CO and HC is the general rule and that the government has shown an unwillingness or incapacity to enforce the law against automobile manufacturers.
>
> This legislative and administrative breakdown has been perceived more clearly by the American public than by the Congress; unquestionably—as the burgeoning environmental movement testified—the nation is far ahead of its legislators with regard to its demands for forceful, immediate cessation of environmental hostilities. Forceful action is required more this year than ever before. The House of Representatives, despite the valiant efforts of a handful of members seriously committed to clean air, has enacted a bill which closely follows many of President Nixon's ill-considered proposals. Your leadership at this critical juncture will be measured in part by your efforts to undo the damage that could be wrought by the final enactment of the House amendments to the Clean Air Act. More specifically, an adequate response on your part seems to require that you champion legislation based on the following principles:
>
> (1) Pollution control—both from motor vehicles and stationary sources must no longer be impeded by the pernicious phrase, "economic and technological feasibility." This stricture on the power of the Secretary to move expeditiously against contamination of our environment caters to the corporate strategy of deception and delay. With regard to issues vitally affecting the quality of life—indeed the very length of human life—the nation cannot pause to decide whether the effort is "feasible," a term which in industry parlance is construed to mean "convenient" and "profitable."
>
> (2) Closely related to this is the need to establish legislatively a national timetable for cleaning up the environment. The Secretary

should be required to immediately do the following: (a) ban the emission of extraordinarily hazardous materials (e.g. beryllium); (b) set standards which are national in scope and tailored to areas with the most serious problems for *all* identified pollutants. The Secretary should require the states to quickly develop plans to implement these standards by mandating the application of the best available control or foreseeable technology. Where control cannot be achieved by this method or by fuel substitution, industry has no business using our atmosphere as a free raw material to contaminate.

Quite simply, such operations should be banned. With this prospect facing industry, you may be astonished to observe the rapidity with which control technology is "discovered." In short, it is time to call a halt to the inverted procedures which permeate the air pollution laws—procedures which require the public to prove a danger to health before action can be taken. Enough evidence has been developed by eminent scientists to indicate that air pollution presents a health hazard to present and future generations of Americans; and yet, under present laws, administrators maintain that they cannot move expeditiously because they have not "proved" health effects. This approach is enshrined throughout the House-enacted bill and must be discarded if the 1970 air pollution legislation is to be something better than a fraud on the public. One of the many examples of this twisted thinking is contained in the fuel regulation provisions of the bill which would require the Secretary to meet a tortuous burden of proof before he could ban an obviously dangerous pollutant such as lead. HEW officials have privately confided that the provision is totally unworkable.

(3) Production-line vehicles must be tested in numbers large enough to assure statistical validity. In view of the abundant evidence that production cars have poorer emission characteristics than the hand-coddled protoypes tested by NAPCA, it was dismaying to note your failure to address this problem in your own proposed legislation. I hope that this omission will be rectified. Furthermore, I hope that you will move beyond the House bill to: a) require that NAPCA test large numbers of vehicles in use at 5,000-mile intervals up to 50,000 miles and, b) require that manufacturers install, *at no cost to the consumer,* control devices on used cars, and c) require that manufacturers warrant the operation of all control devices for a minimum of 50,000 miles.

(4) Standards-setting and more intensive surveillance of automobiles propelled by the internal combustion engine must be declared to be no more than interim national policy. The Secretary should be ordered to establish emission standards to be effective for no later than the 1975 model year which are at least as favorable as the presently feasible Rankine Cycle engine.

(5) Industrial secrecy is perhaps the best single weapon for keeping the forces of environmental clean-up at bay. The various proposals for visitation and inspection rights must be supplemented by full subpoena power and a requirement that polluters monitor and report their emissions under guidelines prescribed by the Secretary.

(6) The new law should prevent the purchase by the federal government of products manufactured by any company cited for violation of the air pollution laws. This would simply be an extension of the principle embodied in other laws and regulations which deny the right to do business with the federal government to corporations which violate various public policies.

These legal requirements will be illusory unless supported by civil and criminal penalties which are designed to provide realistic deterrence to violations, adequate funding and manpower for NAPCA (or its successor agency) and a strong provision for private class actions to enforce rights created under the law in order to assure that lapses in administrative vigilance may be corrected by affected citizens.

I have attempted to outline the steps which are indispensible for a modest start on the path of controlling the contamination of our atmosphere. I would be pleased to testify before your Subcommittee at your request, regarding a more detailed approach for controlling and preventing air borne pollutants. Your response to the fore-going would be welcomed.

Sincerely,

RALPH NADER.

"BLOODBATH" SEEN IF REDS WIN

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. SEBELIUS. Mr. Speaker, a recent study of Vietcong terrorism should be required reading for all those who naively assert that the Communists could peacefully come to power in Vietnam, or be brought into a coalition government without reprisals and repression being directed toward the South Vietnamese people.

This study, made by the Rand Corp. under Dr. Stephen T. Hosmer, is discussed in a June 16 editorial from the Washington Daily News. I commend both this editorial and the Rand study to the attention of my colleagues:

"BLOODBATH" SEEN IF REDS WIN

(By Mike Miller)

A private study of Viet Cong terrorist tactics commissioned by the Defense Department has concluded that at least 100,000 South Vietnamese would be executed if a communist regime ever should gain control there.

"Indeed, it might well be considerably higher," said the study by the Rand Corp. of Santa Monica, Calif. Titled "Viet Cong repression and its implications for the future," the study was prepared for the Pentagon's advanced research projects agency.

The report, compiled by senior staff member Dr. Stephen T. Hosmer of the Rand Washington staff, was based on extensive study of captured enemy documents and other intelligence data. It generally supports the argument a bloodbath would follow any communist rise to power in South Vietnam.

Critics of U.S. policies in Vietnam who favor faster or immediate troop withdrawals dispute the bloodbath theory.

But Dr. Hosmer concludes the communists after a takeover probably would decide to "deal severely" with such groups as defectors from the Viet Cong, South Vietnamese intelligence and counterintelligence personnel, government officials, national police and other security personnel and military officers and noncommissioned officers.

Given the number of South Vietnamese in these categories, Dr. Hosmer wrote, "this author finds it difficult to believe that the number (to be executed) would be much less than 100,000."

The Rand report stressed that any predictions of communist reprisals are "highly speculative" and the extent of executions could depend on how the Reds took power.

But he also noted: "A communist regime might, at some time, attempt a radical and rapid transformation of society (including collectivization) by fostering in the South the kind of grass-roots violence that was employed in the north during the land reform campaign of the 1950s . . . if this were to happen, the likelihood of an extensive bloodbath would be very great indeed."

The Rand survey found that Viet Cong leaders see a series of general offensives and uprisings as one of the most likely routes to a Red victory and takeover. Should this occur after all U.S. forces are withdrawn, "one could expect a bloodbath of very large proportions simply in the process of their assuming power," the report said.

But if the Reds should gain power thru gradual subversion and eventual capture of a coalition government negotiated under an international agreement, "the likelihood of widespread violence, at least during the takeover period, might be significantly smaller," the study added.

"HANDS ACROSS THE BORDER"

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. JOHNSON of California. Mr. Speaker, as a member of the Canadian-U.S. Interparliamentary Conference, I feel it altogether appropriate to call attention to an article in the June 27 issue of Business Week. The article deals with the dedication June 15 and 16 of a $110 million coal-mining and shipping complex of Kaiser Resources, Ltd. Kaiser Resources is a subsidiary of California's Kaiser Steel Corp.

I call attention to this article because of the uniqueness of this "hands across the border" project in British Columbia.

Kaiser Resources is to be commended for its forward-thinking approach to community relations involving the project. The article deals primarily with the economic benefits that will accrue to both Canadians and Americans. I feel it should also be noted that Edgar F. Kaiser, chairman of the board of Kaiser Steel, and Jack J. Carlson, president of Kaiser Steel, have committed Kaiser Resources to total ecological responsibility in the project. This will involve rehabilitation of mined land, including reforestation. In addition, portions to two towns, Natal and Michel, will undergo urban renewal projects and a new town, Sparwood, will be created by Kaiser Resources, all at the expense of Kaiser Resources.

It is this type of "good neighbor" policy on the part of private U.S. industry that helps make our continuing program of improving still more our relationships with Canada a much easier task.

The article from Business Week follows:

It was hands-across-the-sea as well as hands-across-the-border in British Columbia last week as Japanese customers and Canadian officials joined Kaiser Resources, Ltd., in inaugurating the company's $110-million coal-mining and shipping complex. In pomp, glitter, and duration, the two-day dedication outshone the opening of a U.S. supermarket. Even Prime Minister Pierre Elliott Traudeau hopped over from Ottawa to cut the ribbon and impart his benediction.

The coal mine at the center of the excitement was not even a new one. Yet the reasons for the fanfare were not hard to find:

The world steel industry desperately needs coking coal. Canada has a good deal of it. And Kaiser has fashioned a mechanized system for mining and shipping it on a gigantic scale that sets new standards for economic management of resources.

Japan's need for coking coal is acute and growing more so. The Japanese steel industry more than tripled production in the last 10 years and hopes to double it again in the next 10, perhaps even dropping the U.S. to second place in the non-Communist world. But Japan is very short of all fossil fuels and will have to import 90% of its coal.

That is why President Chujiro Fujino of Mitsubishi Shoji Kaisha, Ltd., and Vice-President Hisao Makita of Nippon Kokan K. K. headed a large delegation of Japanese steel and shipping executives at the British Columbia ceremonies. Kaiser is committed to sell them 75-million tons of coal at $12.85 a ton (FOB Vancouver) over the next 15 years.

BILLIONS

The Kaiser complex is in two parts. One is a 108,000-acre tract in the Rockies at Fernie, B.C., that contains proved reserves of 135-million tons of high-quality metallurgical-grade coal in the first 20,000 acres to be explored. A royal commission 25 years ago estimated 7.4-billion tons of coal may lie within a 50-mi. radius.

The other part is a 55-acre "island," manmade from dredged silt, in the Strait of Georgia. It is 3 mi. off the coast near Vancouver and is linked to the mainland by a narrow strip of land, also dredged silt from the tidal flats. The causeway, in turn, supports a 24-ft. roadway and a single-line railroad track.

Kaiser Resources, a subsidiary of California's Kaiser Steel Corp., owns the Elkview Mine property, but rents the "island," Roberts Bank, from the Canadian government as a deep-water shipping terminal—known as a superport in maritime jargon because it will take bulk carriers up to 125,000 tons.

A 685-mi. ribbon of railroad track joins the two. On it, the Canadian Pacific Ry. operates a fleet of three unit-trains to provide a virtually continuous flow of coal from mountain to sea. The objective, after the present shakedown period, is to maintain such a flow that the big carriers can be bulk-loaded, either from huge stockpiles or directly from CP's specially designed gondola cars, at 6,000 tons per hour. The railroad designed the trains for as many as 100 cars each, hauling as much as 10,000 tons at a clip on the 36-hour one-way run. If the system hits its target of 97,000 ton-miles per round-trip hour, it will be the most efficient unit-train operation in North America, according to Kaiser.

Kaiser's coal deposits are not in virgin soil. They were mined as far back as the turn of the century, and their previous owner, Crows Nest Industries, Ltd., continued to mine them until a few years ago. But rising transportation costs, obsolete mining technology, and radical changes in energy sources made the operation economic suicide.

TITANS

Massive scale is the key that Kaiser President Jack J. Carlson expects will open the treasure chest. By assuring Canadian Pacific sufficient tonnage to justify a $48-million capital outlay, Kaiser was able to negotiate a freight rate of $3.50 a ton. To strip-mine tonage of that magnitude, the company custom-designed such equipment as a 54-cu.-yd. walking dragline and giant trucks that can handle 200-ton loads of coal. Mechanization at the superport includes a machine that seizes a loaded gondola car and without uncoupling it, turns it over to discharge its load, then sets it back on the track and pulls the next car into position for dumping—all in 100 seconds.

"Sometimes," says Carlson, "I get the feeling that the international steel business is really the transportation business because transportation costs loom so large in the finished product. Shipping costs can represent from one-half to two-thirds the delivered cost of steel-making raw materials."

Carlson has maneuvered Kaiser Steel into a position to cash in three ways from the exploding worldwide demand for steel that saw production jump from 340-million tons to 630-million tons in the 1960s and is forecast to reach 900-million tons to 1-billion tons by 1980. Ranking 10th among basic steelmakers in the U.S., Kaiser earns a moderate return on its bread-and-butter activity ($25.7-million after taxes on $420-million sales last year). It is now increasing its 2.9-million-ton steel capacity by 500,000 tons.

Kaiser Steel and the related Kaiser Aluminum & Chemical Corp. jointly own a steamship transportation company that has barely got started but can be expected to compete for some of the long-haul ocean commerce that both companies generate. In addition to shipping coal from Canada to Japan, the steel company ships coal from Utah to Japan and iron ore from California and Australia to Japan and Europe. Kaiser Aluminum ships bauxite and alumina from Jamaica and Australia to New Orleans and Tacoma—and, oddly enough, iron ore from its own mine in Canada to the same Japanese steel companies that buy Kaiser Steel's coal. Muscle in raw materials is a Kaiser family hallmark.

MR. NIXON REDEEMS HIS PROMISE

SPEECH OF

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. MACGREGOR. Mr. Speaker, once again President Nixon kept his promise to the American people by removing the American troops from Cambodia by the end of June. This is an important fact which the President's critics would do well to remember, and it is enhanced by the tremendous military success of the Cambodian operation.

An editorial from yesterday's Chicago Tribune discusses the gains from this venture, from both the military standpoint and from the view of turning the war over to the South Vietnamese military should the Communist side continue to reject our peace moves. I insert this editorial in the RECORD at this point:

MR. NIXON REDEEMS HIS PROMISE

When President Nixon announced on April 30 that he was sending American forces into Cambodia, he pledged that they would be withdrawn once enemy forces were driven out of their sanctuaries and once their military supplies were destroyed. At his news conference of May 8 Mr. Nixon stated that all Americans would be out of Cambodia by the end of June.

The President has made good on his promises. The last Americans crossed back into South Viet Nam yesterday. All the gloomy talk that the war was being expanded and that the United States had plunged into another quagmire proved exaggerated.

Mr. Nixon said that the North Vietnamese and Viet Cong base camps in Cambodia, some within 33 miles of the South Vietnamese capital of Saigon, threatened American forces in South Viet Nam and jeopardized his plans to withdraw 150,000 additional Americans from that country within the next year.

"These communist-occupied territories," he told the nation April 30, "contain major base camps, training sites, logistics facilities, weapons and ammunition factories, airstrips, and prisoner of war compounds."

Unquestionably the joint American-South Vietnamese operation attained a high degree of success. Our casualties were limited, while estimates of communist stockpiles destroyed or captured range up to 50 per cent. With Sihanoukville closed to enemy shipping under the new Cambodian government, these arms and supplies will not be easily replaced. The only other avenue of supply is overland and it is subject to air interdiction.

Mr. Nixon's policy of turning the war over to the South Vietnamese military will also be enhanced by the Cambodian foray. It has seriously set back the enemy and has provided perhaps six months of time for South Viet Nam to train its forces. The morale of South Vietnamese troops who engaged in the fighting in Cambodia is high. They have proved to themselves that they could meet the enemy on his own terms and carry the fight to him.

It took a high degree of political courage for the President to make his difficult decision. He was aware of the storm that would brew in Congress, among the student ranks, and among large segments of the public which oppose the war. But he said, "I would rather be a one-term President and do what I believe is right than to be a two-term President at the cost of seeing America become a second-rate power and to see this nation accept the first defeat in its proud 190-year history."

Of course, the carping will continue. Sen. Mike Mansfield, the Democratic leader, while admitting that militarily the operation was successful, contends that politically, it was a mistake, as North Viet Nam has reacted by grabbing more of Cambodia than it already occupied. In Mansfield's mind, this converts the war in South Viet Nam into an "Indochina war."

Mr. Nixon, however, has never made any promise to defend the present Lon Nol government of Cambodia. His primary purpose in crossing the border was to hurt the enemy and thus secure if not hasten United States withdrawal from Viet Nam. He can justifiably report to the nation tonight that this aim has been accomplished and that both South Viet Nam and Cambodia have benefitted by stripping the Communists of a considerable part of their war-making potential.

CONFERENCE OF STATE SANITARY ENGINEERS SUPPORTS RYAN BILLS TO COMBAT LEAD POISONING

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. RYAN. Mr. Speaker, the problem of lead poisoning has become one of great concern to many Americans. This needless environmental disease afflicts children between the ages of 1 and 6 who live in dilapidated pre-World War II housing.

Such housing has usually not been repainted for a long period of time, and the original lead-based paint is still on its interiors. The children get their hands on pieces of paint or plaster, which has fallen from the walls and ceilings or which has come off the window sills, and eat them.

As a result, they contract lead poisoning. Unfortunately, the symptoms of this disease are similar to virus or the flu. It is not until it reaches its most acute stages that the disease is detected. When it gets this far, however, it can result in permanent brain damage, mental retardation, cerebral palsy, epilepsy, and sometimes even death.

Last year, I introduced a package of three bills aimed at combatting and terminating this disease. Since then, some twenty of my colleagues have cosponsored or introduced similar legislation.

In the Senate, Senator EDWARD KENNEDY has introduced with 19 cosponsors a similar bill, and Senator SCHWEIKER and 18 cosponsors have introduced legislation forbidding the use of lead-based paint.

H.R. 9191 deals with the detection and treatment of the disease. It establishes a fund in the Department of Health, Education, and Welfare from which the Secretary could make grants to local governments to develop programs to identify and treat individuals afflicted by lead poisoning.

H.R. 9192 and 11699 deal with the source of lead poisoning—dilapidated housing.

H.R. 9192 authorizes the Secretary of Housing and Urban Development to make grants to local governments to develop programs designed to detect the presence of lead-based paints and to require that owners and landlords remove it from interior walls and surfaces.

H.R. 11699 requires that a local government submit to the Secretary of Housing and Urban Development an effective plan for eliminating the causes of lead-based paint poisoning as a condition of receiving any Federal funds for housing code enforcement and rehabilitation, and that these plans must be enforced.

I am inserting in the RECORD a resolution passed by the Conference of State Sanitary Engineers on May 28. It supports the passage of this legislation.

I urge my colleagues to join me in this fight against this needless and cruel environmental disease. I hope that hearings will soon be held on the legislation, and that we can expeditiously make the bills law and start the campaign against lead poisoning.

The resolution follows:

CONFERENCE OF STATE SANITARY ENGINEERS

RESOLUTION NO. 7—LEAD POISONING IN CHILDREN

Whereas it has been estimated that over 200,000 children between the ages of 1 to 6 are victims of lead poisoning as a result of eating chips of lead-based paint from peeling window sills, door frames and walls, and from crumbling plaster, in residential environments; and

Whereas lead poisoning results in serious health effects, including neurological disorders, brain damage with mental retardation as a sequalae, and, at times, death; and

Whereas the environmental causes, and the techniques of prevention, of such lead poisoning are known; and

Whereas three bills—HR 9191, HR 9192, and 11699—are pending in the Congress, which would provide for Federal financial assistance to communities for the detection and treatment of such lead poisoning cases, and for the elimination of the related causes;

Be it therefore resolved that the Conference of State Sanitary Engineers strongly endorse the aforementioned legislation, and that this endorsement be conveyed to the Congress.

SPEECH OF HON. ANCHER NELSEN

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. SKUBITZ. Mr. Speaker, speaking before the Drug Information Association June 12 in Washington, Congressman ANCHER NELSEN, of Minnesota, gave an excellent speech on the proposed legislation requiring the Government to prepare and publish a compendium of all marketed drugs.

As a member of the Public Health and Welfare Subcommittee of the House Interstate Commerce Committee, I have observed Congressman NELSEN'S valuable contribution and know of no other person as well qualified to speak on this subject.

Because of our mutual concern about the pharmaceutical industry I would highly recommend that my colleagues read this most valuable speech:

ADDRESS BY THE HONORABLE ANCHER NELSEN

Mr. Chairman, ladies and gentlemen—

It's a great privilege to participate in this meeting of distinguished members of the health professions, of the government, of the public, and of the pharmaceutical industry, who are exploring the complex questions that surround the long-standing drug compendium issue.

Some time ago, Dr. James W. Long, Director of the Health Services, National Science Foundation, stopped in at my office and invited me to be here with you today.

He emphasized to me the need to obtain the point of view of Members of the Congress, particularly those who deal with this area of drug information and work with the health team of our country. In our conversation, I pointed out to him that none of us in Congress are experts. We need and like to get information from those who are experts. We also need information from firms who are in the business of manufacturing drugs for the health needs of the people. These firms rise and fall on the quality of the product that they make available to the public.

There is always a disposition on the part of some people in the political field to seize on excuses for headlines and sometimes properly so. It has always seemed to me that the responsible segments of the industry have a good deal at stake in building and protecting a proper image of the industry.

Responsible people will suffer if irresponsible segments are permitted to proceed unchecked. Therefore, I have repeatedly suggested that the industry through ad hoc committees or organizations such as here represented make every effort to be sure that careful attention is given to proper ethics and to working as a team with the Food and Drug Administration to see that proper conduct is pursued.

It is through free and open discussions like this symposium among those who make and distribute drugs, those who prescribe or administer them, those who dispense them, those who regulate them, and those who take them to prevent or cure their ills that the solutions will ultimately come.

By the end of these two days of discussion, I hope you will be measurably closer to answers to some of the vexing questions—Is there a need for a new compendium? What should it include? Who should prepare and publish it? How should it be financed?

As a member of the Public Health and Welfare Subcommittee of the House Commerce Committee, I am familiar with the proposed legislation that would require the government to prepare and publish a compendium of all marketed drugs.

Our Committee would have the responsibility for handling this drug compendium legislation, if a need for federal action in this field should be established.

If such a need is established, I hope that conferences such as this one will have helped to identify common ground among professions, industry, government and public, as well as differences where they continue to exist. We in Congress would then be much better able to legislate responsibly, if and when the time comes.

But it may be that actions already being taken by you in the medical and pharmaceutical fields have removed some of the urgency from federal legislative proposals of a year or two ago.

I refer particularly to expansions in prescribing information and other improvements which have been made in that valued drug volume *Physicians' Desk Reference*, or *PDR*, and to the major project of the American Medical Association now nearing fruition—publication of the comprehensive drug volume *AMA Drug Evaluations*.

I understand that editing of all sections of the new AMA compendium, a 1,000-page volume, has now been completed, that preparation of the index—essential for easy use of this kind of massive material—is now in progress and that publication of the first edition is scheduled for the fall.

This important new reference volume, developed under the leadership of the AMA Council on Drugs, will cover about 1,400 drugs, it has been stated. This represents, as I understand it, virtually all drugs, both new and not so new, marketed nationally by any pharmaceutical manufacturer.

It may well be that this voluntary effort to prepare and publish *AMA Drug Evaluations*, along with existing drug information services, will fully serve the needs of the public health and welfare for readily accessible, accurate and comprehensive information about prescription pharmaceutical products.

The AMA and its council on Drugs are to be congratulated for the completion of this impressive work in the field of therapeutics, as are all who cooperated with them in this project.

If a federally-managed, federally-distributed drug compendium, financed with the taxpayers' money, is to be avoided, and I hope that it can be, the cooperation of everyone in the health professions and in pharmaceutical manufacture and distribution will be required. I urge all concerned to pitch right in and help.

Everyone in the health field, including those of us in the federal government with legislative or regulatory responsibilities, will be waiting to see how *ADE* works out.

If it does go well, the patient, the professions, industry and government alike will benefit. Surely a compendium developed by voluntary cooperative effort of health professionals in the private sector is to be preferred to a monolithic governmental compendium put together by our already hard-pressed federal health establishment.

The American Medical Association developed highly useful experience in this field some years ago in the preparation of an earlier guidebook on chemotherapeutics, *New Drugs*. This volume, however was limited in scope, as its title reflects. *ADE* is designed to correct that.

I understand that the pharmaceutical industry cooperated fully with the medical profession in the preparation of *New Drugs* by submitting full information about its products to AMA at the same time that New Drug Applications were filed with the Food and Drug Administration to obtain approval for marketing.

I hope that the same kind of participation can be expected from drug manufacturers as the medical profession goes forward with *AMA Drug Evaluations*. *All* information about *all* the products described in this comprehensive new volume and in its succeeding editions should be willingly turned over to *ADE*'s editors.

It seems to me there are a number of essential elements that must be provided for if this promising experiment is to be a success. These same elements would be essential, of course, to the success of any drug compendium—no matter who its sponsor. I might describe them as follows:

The medical and scientific commentary about each listed product must be prepared by competent professionals who maintain fair balance in their appraisal of the benefits and risks.

There must be a mechanism for competent professional updating of information about each product, as such information becomes available, so that each succeeding edition contains the latest data. (Supplements would be used between editions to update specific drug commentaries.)

There must be good organization of these masses of drug data, with cross-referencing to facilitate use.

There must be extensive, national distribution.

There must be continuing surveys to make sure that the volume *is useful* in the delivery of health care and *is being used*. Wherever shortcomings are identified, they should be corrected.

One of the more complex problems, it seems, is how to finance the printing and distribution of the volume to hundreds of thousands of physicians, hospitals, pharmacies, medical schools and other health professionals and institutions where it will be needed. This will require extensive cooperation at all levels, and among all sectors.

As we progress toward more effective management of drug information, another thought occurs to me as a member of the Public Health and Welfare Subcommittee, and it has its disturbing aspects.

With publication and widespread use of *AMA Drug Evaluations* or any other compendium, the medical and pharmacy professions may turn more than they have in the past to the prescribing and dispensing of pharmaceuticals by their established or generic names, with no specification of manufacturing source.

If this in fact should occur, it could create an even greater need than already exists for stepped-up government and industry programs to assure the general safety and effectiveness of the nation's drug supply, reregardless of whom a drug is made by or where it is dispensed.

This brings me to another disturbing question involved in preparation of a drug compendium. We all recognize that under present federal laws and circumstance, the Food and Drug Administration, which has responsibility for drug safety and efficacy, lacks the capacity to assure such safety and efficacy in a general and meaningful way.

Pharmaceutical manufacturers can engage in their life-and-death business by the simple act of registering with the FDA. No pre-production inspection is required by law, and though the Food, Drug and Cosmetic Act does require FDA inspection of drug establishments at least once every two years, this is not being done. We in the Congress have to assume some of the blame, of course, when we don't provide the Agency with sufficient manpower.

At present, the safety and efficacy of the nation's drug supply rests primarily on the competence and integrity of the pharaceutical industry. The FDA's regulatory and supportive role is limited.

In these circumstances, when a new compendium is about to be introduced, is it perhaps time for Congress to consider whether a drug manufacturer should be required to get a federal license?

Should there also be pre-production inspection by FDA before a plant could ship its products?

Should there also be requirements that a manufacturer demonstrate he can consistently meet official standards for his products before he is permitted to ship them?

Should there also be more attention paid by FDA and industry to proving the biological availability of the active ingredients of drugs now being reviewed in the National Academy of Sciences/National Research Council Drug Efficacy Study?

Except for the original products which were cleared by FDA for safety, none of the thousands of pharmaceuticals now under efficacy review by the NAS/NRC and FDA were ever subject to FDA scrutiny in a New Drug Application.

I raise these questions, and would welcome your thoughts on them, and on any other matters bearing on the safety and effectiveness of drugs. I believe they must be answered fully before the health professions can place complete confidence in any new drug compendium, even the *ADE*.

In closing, I would like to suggest that however the debate is resolved on the issue before you today—"A New Drug Compendium: Why? What? How? When?"—*a continuing consortium of competence* will be required to get the job done in the public interest.

That array of talent and skills representing government, industry, and the medical profession will also be available to make other major contributions toward drug safety and effectiveness. And that goal, of course, is what this conference is all about.

I commend you for setting up this valuable conference and urge you to continue the good work which you have started.

SENATORIAL RESPONSIBILITY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. CARTER. Mr. Speaker, for many years, although the Congress authorizes appropriations and appropriations must originate in the House, the Presidents have maintained the right of that office to spend or not to spend.

A recent editorial in the Evening Star of Washington, D.C., explains the necessity of maintaining this prerogative and why the President's veto of H.R. 11102 should have been sustained.

I enter the editorial at this point in the RECORD:

SENATORIAL RESPONSIBILITY

Tomorrow the Senate will decide whether or not to complete the process of overriding President Nixon's veto of the hospital construction bill. The general expectation is that the Senate, which originally passed the bill by a vote of 79 to 0, will follow the lead of the House and provide the first reversal of a presidential veto in a decade. The hope is that the general expectation is wrong.

The bill as passed by Congress is, for the most part, sound. There is little doubt that, in light of the escalating crisis in medical care, the administration proposals for federal contribution to the construction and modernization of medical facilities were unduly close-fisted. Congress was quite right in upping the ante.

But then Congress went one step too far. It wrote into the bill a requirement that all of the money must be spent during this fiscal year for which it is appropriated. This provision would deny the administration any discretion in the management of federal spending in the area of health programs during the three-year life of the bill, regardless of changing economic conditions.

Mr. Nixon made it clear that his veto was based primarily on the mandatory spending provision, not on the increase in grants and loans. He labeled the provision "a long step down the road of fiscal irresponsibility." And he was right.

If there is any one thing that can be clearly foretold about the years immediately ahead, it is that we are in for a period of fiscal uncertainty, in which the administration's skill at fine adjustments to the economy can spell the difference between order and chaos. The responsibility lies, in large measure, with the President. The means to carry out that responsibility must remain with him as well.

The Senate can best execute its responsibility by sustaining the veto. Congress should then move without delay to present Mr. Nixon with the same bill, minus the attempt to diminish the administration's control over the federal budget.

LITHUANIA'S 39TH ANNIVERSARY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. DERWINSKI. Mr. Speaker, a most impressive and sobering exhibition of historic interest was the Lithuanian genocide exhibit which was staged the week of June 15 at the Sheraton-Chicago Hotel in conjunction with the 30th anniversary of the subjugation of Lithuania by the Soviet Union. The main speaker at the banquet held in conjunction with the exhibition was our distinguished minority leader, GERALD R. FORD, whose address I insert at this point:

30TH ANNIVERSARY OF LITHUANIA

My dear friends, we are gathered here to mark the 30th anniversary of a day of international shame, the day when the Soviet Union robbed the proud nation of Lithuania of its independence and plunged its people into political slavery.

Lithuania fell under the yoke of totalitarian dictatorship on June 15, 1940, and was annexed to the Soviet Union. This was an act of infamy which must never be acceded to by the Lithuanians themselves or by any of the freedom-living peoples of the earth.

Today I voice my earnest support for the just efforts of Lithuanians everywhere to reestablish their country as an independent state and to free their homeland from Russian control.

It is my view that any man who is dedicated to the principles of freedom and justice and informs himself of the manner in which the Soviet Union subjugated the Lithuanian people cannot help but be a Lithuanian ally in a continuing struggle to free them.

As a student of Lithuanian history, I am aware of how Lithuania first emerged as a nation in the 12th and 13th centuries, became known as the Grand Duchy of Lithuania and dominated Eastern European affairs for several hundred years only to fall under Russian domination for a period lasting until World War I.

It was a glorious day, that February 16th of 1918, when Lithuania declared its independence. And it was a tragic event when in 1939 Communist Russia and Nazi Germany divided Eastern Europe between them. We know that in the summer of 1940 Lithuania was overrun by Red Army troops and was subsequently absorbed into the Soviet Union—and that except for a three-year period of German occupation it has remained under Soviet control ever since.

What many Americans do not know is that more than 400,000 Lithuanians were swallowed up in Russian and Siberian slave labor camps through mass deportations between 1941 and 1950, ripped from their homes by Soviet terrorists—Soviet murderers.

What many Americans do not know is that about 30,000 Lithuanian freedom fighters were killed in guerrilla warfare, resisting the Soviet occupation.

What some Americans have forgotten is that Lithuania and 21 other countries are captive nations which were pulled behind an Iron Curtain of slavery and terror by Russian Communist leaders in a pattern of occupation, annexation and tyranny.

Too few Americans are aware of Lithuania's proud history as an independent nation. Too few Americans recall that the Russians on July 12, 1920, signed a peace treaty with Lithuania which stated that "each nation has the right of self-determination, and becoming entirely independent from the state which it is now part of, without any reservations Russia recognizes Lithuania's independence and self-government with all its due jurisdictional rights, and with good will renounces for all times, all rights of Russian sovereignty which she had over the Lithuanian nation and its territories."

Too few Americans recognize the crime against an entire people that was committed when the Russian Communists took over the Lithuanian nation in June 1940.

My heart cries out when I think of how, with one stroke of the pen, Russian laws became immediately effective in all of Lithuania, how the Soviets substituted their entire way of life for that of the Lithuanians and swept away all of their modes of living, how they banned the teaching of religion from school curricula and dismissed the chaplains from the army and the prisons, how they shut down the faculty of theology and philosophy at Kaunas University, how they closed down the monasteries, expelled the monks, and branded all members of the clergy as enemies of the people.

The same terror techniques that were practiced within the Soviet Union itself were applied to Lithuania, and on June 14, 1941, the first mass deportation was carried out. It is reported that Moscow had reached a decision to deport one-third of the Lithuanian nation—and my information is that approximately 25 per cent of the people actually were deported.

Why hundreds of thousands of Lithuanians were sent to Russian slave labor camps we will never really know. It must have been fear that prompted the Soviet masters to do this—the fear that springs from occupying a free nation by force of arms. After all, the Soviet Union had violated her treaties with Lithuania.

The Russian Communists had reason to fear their Lithuanian subjects, for in 1940 there began a period of fierce guerrilla resistance to both Soviet and Nazi occupation—a resistance that lasted for 12 years.

The general revolt against Soviet rule which broke out in Lithuania on June 22, 1941, was a complete repudiation of the Soviet lie that the Lithuanians had renounced their independence of their own free will.

It is most unfortunate that after the three-year Nazi occupation Lithuania could not be reconstituted as an independent state but fell again under Russian rule—a second and harsher Soviet occupation.

Too few Americans today know that this second cruel Soviet occupation resulted in an undeclared war between the Lithuanian people and the Soviet Union which demonstrated to the entire world the gallantry and independent spirit of the Lithuanians.

Although there is some question about the exact number, it is estimated that from 30,000 to 50,000 Lithuanian partisans lost their lives fighting the Soviet security forces.

Moscow had reason to be alarmed by the partisan movement in Lithuania. From 1945 to 1952, historians tell us, the partisans put to death about 4,000 Communist activists and killed about 100,000 MVD, NKVD and Soviet Army troops in battle.

I marvel at the spirit and tenacity of the partisans, fighting as they were against overwhelming odds. Despite those odds, I cannot believe that the spirit of the Lithuanian partisans is dead today. It still lives in the fierce nationalism that the Soviet Union will never be able to crush.

I am not surprised that Lithuanians consider themselves betrayed by the agreement entered into February 11, 1945, at Yalta by President Franklin D. Roosevelt, Prime Minister Winston Churchill and Joseph Stalin. There is no question that the Yalta Agreement appeared to seal the fate of all the nations of Central and Eastern Europe.

The Government of the United States had clearly closed its eyes to aggression by the Soviet Union after fighting a bloody war to cleanse the world of aggression by Nazi Germany and Japan.

However, the fact remains that the United States has never formally recognized Soviet annexation of Lithuania, Latvia and Estonia and has officially condemned "the devious processes" by which the Soviet Union "annihilated" the three Baltic Republics.

Although the western democracies were victorious in World War II, they did not win the peace. But it is a fact of historic importance that they have never recognized the validity of Russian occupation of the Baltic nations. And in this there is hope not only for Lithuanians, Latvians and Estonians but for the entire world. It means that the concept of freedom still lives—that it can never be extinguished by force of arms or the brutal suppression of a people. It means that there comes a time when the forces of freedom rally to turn back the forces of darkness and oppression.

There are many potential captive nations in the world today—in Indochina, in the Mideast and in Latin American.

The United States is at war in Indochina—at war with the North Vietnamese but also at war with the Soviet Union by proxy.

In the Middle East we are engaged in a power struggle with the Soviet Union which gives its military support to the Arab states while gallant Israel strives valiantly to maintain its independence. The Soviet Union is seeking to replace the United States as the dominant power in the Mediterranean. The Russians are seeking to dominate the Mediterranean, undermine the southern flank of NATO, and spread Communist influence from the Indian Ocean to the South Atlantic.

At the same time the Soviet Union is underwriting the Communist regime of Fidel Castro in Cuba, from whence it hopes to export communism to the assorted nations of Latin America.

Some Americans yearn so desperately for peace that they close their eyes to the Captive Nations—both actual and potential. But the nightmare will not go away just because of the wishing.

The hard facts are that the Soviet Union today is still playing the game of world expansionism, the game of imperialist aggression—but is applying far more sophisticated procedures than in the crude days of World War II and the immediate postwar period.

And so now we have Cuba, and Israel, and Vietnam.

Why do I say we are at war with the Soviet Union by proxy in Vietnam? Because the Soviet Union is supplying the North Vietnamese and Viet Cong with 80 per cent of their weapons. Because the war in Vietnam could stop if the Soviet Union would stop supplying arms to Hanoi.

Yet we have thousands of students and other Americans shouting at our own government leaders, "Stop the war." Whose side is justice on? On the side of the United States and the Captive Nations or on the side of the Soviet Union and the North Vietnamese?

The protesters are said to be highly idealistic. They view Vietnam as a moral issue. They believe the war in Vietnam is wrong. Yes, the war in Vietnam is wrong, but the sins are on the other side. The Communists today are committing the same sin of genocide in Vietnam that they committed in Lithuania 30 years ago. What a bloodbath we would see in Vietnam if the United States were to precipitously withdraw all its troops there! And yet this is what the self-righteous moralists who yell "Stop the war" are demanding.

If the moralists on Vietnam want to be on the right side of an issue they should be demanding that Russia withdraw its troops from Lithuania, Latvia and Estonia, free them from Soviet control, and return all of the living deportees to their homes from Soviet prison camps.

Who is in the right? Whose side is justice on? The Soviet Union recognized the independence and sovereignty of Lithuania by peace treaty in 1920 and confirmed this by other treaties in 1926 and 1939.

Instead of shouting "Stop the war" in Vietnam the moralists should be concerned that still another nation—South Vietnam—is in danger of becoming a Captive Nation. Instead of shouting "Stop the War in Vietnam the moralists should be pounding at the Iron Curtain in an effort to free Lithuania, Latvia and Estonia.

We know who the international criminals are. We know who brutally slew the freedom fighters in Hungary. We know who ruthlessly crushed the people of Czechoslovakia.

We must never tire of telling this story to the world. We must never give up in our fight to free the Baltic peoples. It is groups like the American Lithuanian Council that must provide the leadership. And I will certainly stand shoulder to shoulder with you in your struggle.

While the Soviet repression in Czechoslovakia was a demonstration of strength, it was also a confession of weakness—and this is the lesson we must carry forward in our continuing struggle for Baltic liberation today.

The Soviet's Czechoslovakian campaign pointed up the insecurity felt by the Russian leaders—an insecurity they feel regarding all of the Captive Nations.

The more we in America concentrate on the issues of the Captive Nations the more we exploit the insecurity the Soviet Union feels. The more we preach the doctrine of self-determination the more we stir the fires of nationalism in the Captive Nations.

The Soviet Union is a federal state in name only. The spirit of independence burns fiercely among the non-Russian nation-states within the Soviet system.

There is no solidarity in the Communist empire. The inner conflicts within the Communist camp are many. We have witnessed the deviations of the Yugoslav, Czechoslovak and Rumanian Communist parties from the Moscow line. These developments have repercussions within the Soviet Union. There is ferment in Russia itself against the Soviet dictatorship. Latent conflict continues to fester between the Soviet Union and Red China.

I do not despair for Lithuania. I shout with you, "Lithuania for the Lithuanians," and I believe the day will come when we will together toast a Free Lithuania.

There is a spirit of independence that burns in the hearts of all Lithuanians—in the hearts of free men everywhere. The Communist criminals may crush the bodies of their victims in slave labor camps but they will never succeed in blowing out the lamp of liberty.

Lithuania's national anthem urges her sons to draw strength from the past. All Americans can find strength in that past but let us also look to the future and make a firm and fervent pledge—that we will never rest until Lithuania is once again an independent nation, free of the Russian oppressor.

Another major address was delivered by Petras P. Dauzvardis, Consul General of Lithuania which follows:

Address by Consul General of Lithuania
Petras P. Dauzvardis

This historical Exhibit portrays the tragedy of Lithuania and the Lithuanian nation in this, the 20th century. It depicts the brutality of, and the crimes committed by, the occupant of Lithuania and oppressor of the Lithuanian nation.

In the modern history of Lithuania, the month of June is truly a month of great suffering and tragedy. In this month in 1940 the Soviet Union occupied Lithuania by military force and immediately began terrorizing and annihilating the country and its people. In June of 1941 the Nazis declared war against the Soviet Union and forced their way into Lithuania and simultaneously, the Soviet regime ordered and carried out the murder and deportation to Siberia of some 40,000 Lithuanian citizens.

In June 1944 the Russians began to force their way back into Lithuania a second time and totally re-occupied it by the end of that year. They still occupy and are still annihilating the nation to this day. To date, Lithuania has been deprived of approximately one million of her inhabitants.

Lithuania, Latvia and Estonia are the most tragic victims of World War I. Former African and Asian colonies have become independent states. The formerly independent states of Lithuania, Latvia and Estonia have been forcibly made into factual new colonies—of the Soviet Russian empire.

The three Baltic States are the most telling proof of Soviet imperialism and duplicity. The leaders of the Soviet Union say one thing, but act entirely differently. The Soviet Union had treaties of peace, non-aggression and mutual assistance, as well as a convention for the definition of aggression with Lithuania, all of which provided for the respect of sovereign equality, territorial integrity and the principle of non-intervention in one another's affairs. All these solemn Soviet pledges were broken. On September 28, 1939, the Soviet Union entered into a conspiracy with Hitler to seize and divide Lithuania, and forcibly seized and occupied Lithuania and the other two Baltic States in 1940.

The United States of America and many other free countries have never recognized the forcible and illegal incorporation of Lithuania, Latvia and Estonia by and into the Soviet Union. However, non-recognition alone is not enough. It would be appreciated by the victims of oppression if the non-recognition policy would be transformed into a policy of liberation.

Lithuanians urge the free world to bring about the Soviet Union's obligation to abide by its treaties and declarations, to respect international law, and to withdraw its troops and colonists from Lithuania.

Lithuanians fervently appeal to the United Nations and the Governments and peoples of the free world for help in restoring freedom and independence to Lithuania.

Both Mr. Ford and Mr. Dauzvardis dramatically emphasized the tragedy and suffering that is still afflicting the Lithuanian people. Keeping in mind that the Soviet Union is the world's only major colonial power, I believe their addresses have tremendous significance.

DISABLED VETERANS

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. AYRES. Mr. Speaker, it was my privilege last weekend to attend the 19th annual convention of the Disabled American Veterans, Department of Hawaii, together with the distinguished chairman of the Committee on Veterans' Affairs, the Honorable Olin E. Teague of Texas.

Chairman Teague delivered an inspirational address that was most informative and extremely well received.

I was particularly impressed, however, with the zeal and dedication, not only to the cause of the disabled veteran, his widow, and orphan, demonstrated by the members of this fine organization, but also by their dedication to the cause of 100 percent Americanism. Under the outstanding leadership of Department Commander Ah Kee Leong, the members of the Disabled American Veterans have set an outstanding example for all Americans in civic responsibility, community action, and pride in our Nation.

Typical of the projects of the DAV in Hawaii is the annual "Ability Counts" Survey Contest jointly sponsored by the Disabled American Veterans; the Governor's Committee on Employment of the Handicapped, and the AFL–CIO. Miss Rose Marie Tamura, a 17-year-old high school senior from Kilauea, Kauai, Hawaii, was the winner of this year's contest.

Miss Tamura's survey, entitled "The Disabled Veteran as a Manpower Resource in My Community," as well as Department Commander Leong's inspirational remarks follow:

The Disabled Veteran as a Manpower Resource in My Community

(By Rose Marie Tamura)

The wars that have raged for too many years have drawn much manpower from the national labor resources. Some men return alive and well, some draped in mourning and the rest hampered by service-connected disabilities. The concern, then, is for the disabled veteran who faces the problem of readjustment and acceptance into the working force of his community.

Kauai, Hawaii, in the last few decades, has experienced a decline in population—an especially critical decrease in the 20–40 age bracket. This group represents Kauai's labor force for the sugar plantations, the pineapple canneries, the skilled and service businesses, and the rapidly expanding visitor industry. There are presently 2,192 hotel units with an estimated increase of 100% expected by 1972 through the Blackfield Corporation and Eagle County Development Corporation resort development projects. With the acute labor shortage, hotels and their supplementary services are in great need of people to man necessary positions. The disabled veteran, then, with his skills and desire, has a valuable potential contribution for Kauai.

Since 1920, the Disabled American Veterans (DAV) has been organized (and congressionally chartered in 1932) "to work for the physical, mental, social, and economic rehabilitation of the more than 2,000,000 wounded and disabled veterans who have returned from battlefields since World War I."

With the DAV, the Veterans Administration, and other state and federal agencies including the State Employment Service and the Department of Vocational Rehabilitation, anxious and ready to serve him, the disabled veteran has much guidance and counseling for his transitional period of readjustment into the community. When he is desirous to contribute his abilities, his "veteran preference" assures him extra help in location of a suitable position. Rehabilitation Unlimited of Kauai also works to help him through employment and training relating to his interests and capabilities.

Motivation is essentially the major contributor to the disabled veteran's desire to work. It is more important than monetary gains for he is already awarded by the federal government. When he realizes that he is wanted, that he is needed and that, moreover, he is appreciated, the disabled veteran faces a more personally meaningful life. His work brings dignity and he triumphs over the challenge of a handicap. With understanding and respect, he will produce to his utmost. Employers have discovered that the handicapped are not more delinquent in areas of sick leave and absences than normal employees. All rests in motivation and a real desire to work.

Statistics from records of the State Employment Service on Kauai reveal that there are disabled veterans in the community that are willing to face the new life of employment. Below are listed the numbers of disabled veterans interviewed and placed by the Employment Service.

1965:	
Number interviewed	13
Number placed	9
1966:	
Number interviewed	19
Number placed	13
1967:	
Number interviewed	12
Number placed	5
1968:	
Number interviewed	19
Number placed	6
1969:	
Number interviewed	32
Number placed	4

Figures on the number placed do not include those who sought and gained their employment or those who were referred to other agencies.

There is a need and a place for the disabled veteran on Kauai. His manpower contribution is of increasingly vital importance to the economy of an island that lacks the substantial human resources. Although the disabled veteran receives financial compensation for his disabilities, he shall never meet the challenge of overcoming his weaknesses until he has the chance to exercise and emphasize his strengths.

Employment and work are means of personal, spiritual compensation that teach men to accept their capabilities and produce their best by accenting their assets. Financial comfort and social dependability are a dear price to pay for the rewards of independence, self-sufficiency, and victory over total disability and uselessness. The future is bright and rewarding for the disabled veteran that takes his life into his own hands and lives it as a challenge!

ADDRESS OF COMMANDER AH KEE LEONG, DEPARTMENT OF HAWAII, DISABLED AMERICAN VETERANS

Mr. Goto, Distinguished Guests—The Honorable Olin E. Teague, The Honorable William H. Ayres, Admiral John S. McCain, Jr., the Very Reverend John Joseph Morrett, and National Commander Raymond P. Neal:

My comrades all; Ladies and gentlemen:

When you conferred upon me the office of Department Commander it was the greatest single honor that could come to a member of the DAV in the State of Hawaii. For this, and for *all* the DAV has meant to me, I am most grateful.

I hope I have fulfilled your confidence as shown by a record of results, accomplished with efforts similar to those that we *Americans all, but of varied ancestry* put forth as comrades during military service. If this past year's administration was successful it was because of the many sincere members among you who were officers, and members of various committees. I am more proud than I can tell you of each one of you, but enough said if I repeat "Life is what you make it" and that whatever we achieved was only because we followed the Golden Rule to *"Do unto others what you would they do to you."*

Many of you have grasped my hand in comradely affection and wished me well in the years that lie ahead. I tell you, that the DAV was made real and vital for me by the giving of just a little more of myself than required and that always I will remain ready to aid and assist any disabled comrade, or to serve the DAV wherever I can be of help, in discharging the duties we owe to God, our neighbors and ourselves.

To the incoming officers I wish for each of you, my comrades, every success and hope, that your DAV duties as *American veterans of different ancestry,* will be tempered with the bonds of brotherhood, and that you will achieve the community service to your fellow veterans and their survivors which is the basis of this organization.

Finally, I feel a warm glow as I look at our distinguished guests and see friends who have done all in their power to help me in my obligations as a DAV in years past, *and now gather in this farewell.* To them and to you, my comrades, I speak from the heart with happiness when I say—Aloha.

May the Almighty be with you and yours always.

BROTHERHOOD AWARDS

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. WYDLER. Mr. Speaker, on May 20, 1970, three distinguished residents of Nassau County, N.Y., received the annual Brotherhood Award of the National Conference of Christians and Jews. The awards are presented each year to members of each of the three major religious bodies for outstanding service to our community and for dedication to helping their fellow men.

The presentation of the Brotherhood Awards was first sponsored by the Nassau Chapter, National Conference of Christians and Jews, in 1960, and the recognition of these men in this time of tension and confrontation is particularly appropriate. Their service to improve our communities is the hope for the future of our Nation.

The three men honored by the National Conference of Christians and Jews this year include a banker, an engineer, and a physician as representatives of each of the three major religions. I would like to take this opportunity to extend my congratulations to each of them and to tell my colleagues a little bit about these prominent citizens.

Harold Gleason, a resident of Massapequa, is chief executive officer of the Franklin National Bank. He has the responsibility for serving the thousands of Nassau County families who use the services of the Franklin Bank throughout our county. Born in Brooklyn, N.Y., Harold Gleason holds a degree from the Rutgers Graduate School of Banking—1954. He has been with the Franklin National Bank since 1956.

Arthur E. Poole, also born in Brooklyn and now a resident of Hewlett Harbor, is president of the Poole Construction Co., in Island Park, N.Y. He has always been active in community affairs and presently is serving as chairman, Federal Affairs Committee of the Long Island Association. He also serves as public works commissioner for Hewlett Harbor and as trustee of St. Andrew's Episcopal Church in Oceanside, N.Y., and director of South Nassau Communities and South Shore General Hospitals.

Dr. Milton H. Stapen is president and executive officer of Hempstead General Hospital, a proprietary medical center which contains 425 beds and he is the first physician to receive the Brotherhood Award. A graduate of the University of Maryland School of Medicine—1936—Dr. Stapen was employed by the Department of the Interior as physician in charge of Government hospitals in Alaska and New Mexico prior to his service in World War II during which time he was stationed at Guadelcanal and Guam. Dr. Stapen's activities in the health field are recognized at local, State, and national levels. They include his service as president of the Association of Accredited Private Hospitals of Nassau and Suffolk Counties, member of the board of trustees of the Long Island Health and Hospital Planning Council and a founder and member of the board of Federation of American Hospitals, the national association of investor-owned hospitals.

Mr. Speaker, I am proud of the achievements and dedication of these fine citizens, whose work and community activities have benefited the residents of the Fourth Congressional District and Nassau County. On behalf of my constituents, I extend my thanks to them for their efforts to make our society a better place to live and I wish them continued success in their activities on behalf of true brotherhood and cooperation among people of all religious backgrounds.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 2, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

FIGHTING INDUSTRIAL POLLUTION UNDER THE 1899 REFUSE ACT (PART II)

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. REUSS. Mr. Speaker, on April 2, 1970, I inserted in the CONGRESSIONAL RECORD—pages 10040–10041—a list of 149 Wisconsin industries apparently violating the 1899 Refuse Act which I have filed with the U.S. attorneys for the eastern and western districts of Wisconsin.

On June 30, 1970 I filed with Wisconsin's U.S. attorneys an additional list of 121 industries apparently violating the 1899 act, which prohibits the dumping of refuse—all industrial pollution—into waterways, except under permit issued by the U.S. Army Corps of Engineers.

The names and addresses of the 121 industries, the nature of the refuse deposited, the water into which the refuse has been deposited, and, where issued, the number and date of Wisconsin Department of Natural Resources pollution enforcement orders follow:

INDUSTRIAL POLLUTERS IN EASTERN WISCONSIN

1. American Can Company; Green Bay; pulp and groundwood discharge causing odors, colors, high B.O.D., and toxicity; Fox River and Lake Michigan; Order 4B–68–11a–1, May 14, 1968, Dec. 16, 1969.

2. Baker Laboratories; East Troy; high B.O.D. discharge in cooling waters; Honey Creek Branch of Fox River; Order 4B–68–2–1; June 4, 1968.

3. Beloit Box Board Company; Beloit; paper waste; Order 6–64J–9, 1964.

4. Bergstrom Paper Company; Neenah; waste water from de-inked pulp, Fox River; Order 4B–68–11a–3, May 14, 1968.

5. Borden Foods Company; Waukesha; 3 outfalls leave stalagmitic deposit at mouths of boiler bowdown, resulting in discoloration, high ph and fungus growth in water; Fox (Illinois) River; Order 4B–68–2–2; June 4, 1968.

6. Brookside Cheese Factory; Menasha; cheese waste; Kankapot Creek; Order 4B–68–11a–4; May 14, 1968.

7. C. & D. Duck Company; Franksville; slaughtering lagoon waters discharge to stream; Root River via Duck Farm Tributary; Order 4B–68–4–2; June 11, 1968.

8. Casey's Locker and Meat Service; Union Grove; effluent from septic tank waste; Root River; Order 4B–68–44; June 11, 1968.

9. Charmin Paper Products; Green Bay Division; Brown County; evaporated and condensated spent sulfite liquor, also paper saveall effluent; Fox River; Order 4B–68–11a–6; May 5, 1968.

10. Combined Paper Mills, Inc.; Appleton; paper saveall; Fox River; Order 4B–68–11a–8; May 14, 1968.

11. Consolidated Papers, Inc.; Appleton; high strength sulfite pulping wastes; Fox River; Order 4B–68–11a–9; May 14, 1968.

12. Crystal Springs Cheese Factory; Plymouth; cheese and whey waste; Pigeon River; Order 2–64J–11, Jan. 31, 1964.

13. Dairyland Poultry, Inc.; Endeavor; poultry wastes from food and slaughtering; Buffalo Lake marsh and Fox River; Order 4B-68-11a-51; June 7, 1968.

14. Daisy Dairy Company; Poy Sippi; dairy waste seeping through septic tank; Pine River; Order 4-65J-30; August 30, 1965.

15. Desoto Chemical Coatings, Inc.; Fredonia; inadequate treatment of wash waters from tanks and equipment; Milwaukee River; Order 4B-68-5-6; June 12, 1968.

16. Fohr's Meat Service; Caledonia; water from slaughterhouse plant; Root River; Order 4B-68-4-5; June 11, 1968.

17. Fort Howard Paper Company; Green Bay; pulp and de-inking waters; Fox River; Order 4B-68-11a-11; May 14, 1968.

18. Foremost Foods, Inc.; Adell; wash water and condensate of such strength as to cause anearobic conditions in pond; North Milwaukee River; Order 4B-68-5-8; June 12, 1968.

19. Fox River Valley Co-op; De Pere; dairy waste seepage to Ashwaubenon Creek; Lower Fox River; Order 4B-68-11a-13; May 5, 1968.

20. Genoa City Co-op Milk Assocation; Genoa City; milk station effluent; Nippersink Creek; Order 4B-68-2-5; June 4, 1968.

21. Gehl Guernsey Farms, Inc.; Germantown; cooling waters and condensate overflow a lime quarry; Menomenee River; Order 4B-68-5-10.

22. Gilbert Paper Company; Menasha; excess saveall effluent; Fox River; Order 4B-68-11a-15; May 14, 1968.

23. Green Bay Packaging, Inc.; Green Bay; spent chemical liquor; Fox River; Order 4B-68-11a-17; May 14, 1968.

24. Green Giant Canning Company; Ripon; Sanitary sewage and canning process waters; Silver Creek; Order 4B-68-11a-56; June 6, 1968.

25. Green Giant Canning Company; Rosendale; cooker water and boiler blowdown, causing high B.O.D.; Fond du Lac River; Order 4B-68-11a-57; June 7, 1968.

26. Hamilton Manufacturing Company; Two Rivers; bonderite, phosphoric and chromic acids and caustics; East Twin River; Order 10-66J-6; July 14, 19, 1966.

27. Harry Hansen Meat Service; Franksville; wastewater tanks and beds seepage from slaughterhouse; tributary of Root River Canal; Order 4B-68-4-11; June 6, 1968.

28. Hickory Grove Sanitorium; Depere; sewage treatment plant effluent; Lake Michigan; Order 4B-68-11a-18; May 14, 1968.

29. International Harvester Company; Waukesha; cooling and hydraulic slagging water; Frame Park tributary of the Fox River; Order 4B-68-2-7; June 4, 1968.

30. John Strange Company; Menasha; weak paper waste; Fox River; Order 4B-68-11a-22; May 14, 1968.

31. Kimberly-Clark; Neenah Division, Neenah; paper saveall effluent; Fox River; Order 4B-68-11a-27.

32. Kimberly-Clark; Lakeview Division, Neenah; paper saveall effluent; Fox River; Order 4B-68-11a-26; May 14, 1968.

33. Kimberly-Clark; Badger Globe; Neenah; paper saveall; Fox River; Order 4B-68-11a-24; May 14, 1968.

34. Kimberly-Clark; Kimberly; spend sulfite wastes; Fox River; Order 4B-68-11a-25; May 14, 1968.

35. Krier Preserving Company; Random Lake; runoff from inadequate spray irrigation system causing high B.O.D. in Silver Creek, organic material (peas) seen floating there; Random Lake; Order 4B-68-5-16; June 12, 1968.

36. Mammoth Springs Canning Company; Sussex; cooling and organic effluent; Sussex Creek, tributary to Fox River; Order 4B-68-2-10; June 4, 1960.

37. Mishicot Modern Dairy; Mishicot; inadequate sewage treatment causing overflow and seepage; East Twin River; Order 10-66J-5; July 14, 1966.

38. Neenah Foundry; Neenah; high solids content effluent through storm sewer to Neenah Slough; Order 4B-68-11a-32; May 14, 1968.

39. Nicolet Paper; West De Pere; saveall paper water; Fox River; Order 4B-68-11a-33; May 14, 1968.

40. Oconomowoc Canning Company; Sun Prairie; organic canning wastes and contaminated cooling waters; Koshkonong Creek; Order 6-64J-15; October 28, 1964.

41. Oconomowoc Electro-Plating Company; Waukesha; cyanide into storm sewer outfalls; Fox River; Order 4B-68-2-12; June 4, 1968.

42. Paper Converting Machine Company; Green Bay; raw sewage through an outfall pipe; Dutchman's Creek; Order 4B-68-11a-34; May 14, 1968.

43. Pleasant View Cheese Factory; Appleton; cheese wastes; Fox River; Order 4B-68-11a-35; May 14, 1968.

44. Riverside Cheese Factory; Bear Creek; septic tank overflow to swamp; Embarass River; Order 4-65J-18; August 30, 1965.

45. Riverside Paper; Appleton; saveall treatment water; Fox River; Order 4b-68-11a-36; May 14, 1968.

46. Rogersville Cheese Factory; Rosedale; processing waste runoff from inadequate ridge & furrow field; West Branch of the Fond du Lac River; Order 4B-68-11a-75; June 7, 1968.

47. St. John's Military Academy; Delafield; inadequate absorption field for septic tank causing seepage and overflow of human and laundry wastes; Bark River; Order 6-64J-11; 1964.

48. Scray's Cheese Company; Depere; cheese waste overflows from septic tank; East River; Order 4B-68-11a-38; May 14, 1968.

49. Shilling Fish Company (Swaer Fish Reduction); Oconto; fish processing wastes; Green Bay; Order WP-13-42-117-201; Sept. 5, 1967.

50. Shirley Co-op Cheese Factory; Depere; organic wastes, can washings, press drippings, polluting stream so as to cause cattle deaths; Bower Creek; Order 4B-68-11a-39; May 14, 1968.

51. Thilmany Pulp and Paper; Kaukauna; disc filter water and saveall waste; Fox River; Order 4B-68-11a-41; May 14, 1968.

52. U.S. Paper Mills; West Depere; suspended solids and high B.O.D.; Fox River; Order 4B-68-11a-42; May 14, 1968.

53. Geo. A. Whiting Paper Company; Menasha; saveall water; Fox River; Order 4B-68-11a-14; May 14, 1968.

Industrial Polluters in Western Wisconsin

1. Alma Dairy Products; Alma; dairy waste; Buffalo River; Order 4-66J-1; May 10, 1966.

2. Amphenol-Borg Electronics Corporation; Delavan; latex wastes from fabric manufacturing processes; Rock River; Order 6-64J-23A; 1964.

3. Antigo Rendering Works; Antigo; rendering effluents; overflow from septic tank; Springbrook Creek; Order 3-65J-41; July 28, 1965.

4. Banner Cheese Factory; Highland; dairy waste runoff from inadequate spray irrigation system; Wisconsin River; Order 4-B-68-17a; April 12, 1968.

5. Brill Co-op Creamery; Rice Lake; dairy waste inadequately handled; Lower Chippewa River; Order 2-65J-32; April 2, 1965.

6. Brunkow Co-op Cheese Company; Darlington; cheese wastes; Otter Creek into Pecatonica River; Order 4B-68-19-4; March 21, 1968.

7. Brush Hollow Cheese Factory; Viroqua; spray irrigation runoff; Kickapoo River; Order 4B-68-17a-7; April 12, 1968.

8. Buena Vista Cheese Factory; Lone Rock; cheese waste; Bear Creek to Wisconsin River; Order 4B-68-17a-8; April 12, 1968.

9. Calamine Cheese Factory; Mineral Point; treatment pond overflow; Pecatonica River; Order 4B-68-19-5; March 21, 1968.

10. Camp Ground Cheese Factory; Byron; inefficient operation of spray waste irrigation system resulting in dairy waste runoff; East Branch of the Fond du Lac River; Order 4B-68-11a-47 and 48; June 7, 1968.

11. Carr Valley Cheese Factory; La Valle; dairy wastes due to inefficient operation of irrigation equipment; Baraboo River; Order 5-65J-15; October 11, 1965.

12. Cloverdale Cheese Factory; Dorchester; dairy wastes inadequate treatment lagoons; Eau Pleine River; Order 1-61J-1; April 17, 1961.

13. Connorsville Co-op Creamery Association; Downing; dairy waste; Lower Chippewa; Order 2-65J-35; April 2, 1965.

14. Consolidated Papers, Inc.; Wisconsin Rapids; saveall and sulfite liquor; Wisconsin River; Order 3-65J-22AA; 1965.

15. Dairy Maid Co-op; Augusta; dairy waste from inadequate treatment facilities; Lower Chippewa; Order 2-65J-21; April 2, 1965.

16. Eastman Creamery; Eastman; dairy wastes; Pecatonica River; Order 4A-68-17a-1; May 16, 1969.

17. Eau Galle Cheese Factory; Eau Galle; dairy wastes; Lower Chippewa; Order 2-65J-38; April 2, 1965.

18. Elk River Cheese Factory; Phillips; dairy waste; Upper Chippewa; Order 1-65J-11; Feb. 2, 1965.

19. Erickson Transport Company; Coon Valley; washing runoff; Bad Axe River; Order 8-66J-5; 1966.

20. Farmer's Creamery Company, Inc.; Bangor; dairy waste runoff; La Crosse River; Order 766J-5, May 11, 1966.

21. Flambeau Paper Division-Kansas City Star; Park Falls; paper machine waste; Upper Chippewa River; Order 1-65J-5; Feb. 2, 1965.

22. Foster Co-op Creamery Company; Osseo; dairy waste runoff; Lower Chippewa; Order 2-65J-24; March 2, 1965.

23. Fuhrman's South Shore Dairy; Iron River; dairy waste: inadequate holding tank overflow; Iron River; Order 1-68-9; Feb. 21, 1968.

24. Frankfort Cheese Factory; Edgar; cheese wastes due to inadequate handling facilities; Eau Plaine River; Order 1-61J-8; April 17, 1968.

25. Genoa Co-op Creamery; Genoa; dairy effluent to Mississippi River; Order 8-66J-1; June 10, 1966.

26. Gillingham Cheese Factory; Gillingham; dairy wastes inadequately spray irrigated; Wisconsin River; Order 4B-68-17a-16; March 12, 1968.

27. Grand Meadow Co-op Creamery; Stratford; gross dairy effluent; Little Eau Des Pleine River; Order 3-65J-45; July 28, 1965.

28. Green Valley Co-op Dairy; Auburndale; dairy wastes; Upper Wisconsin River; Order 3-65J-46; July 28, 1965.

29. Grinnel Cheese Company; Monroe; effluent from nitrate septic tank to Little Sugar River; Order 7-64J-11; Dec. 1, 1964.

30. Hillside Co-op Cheese Manufacturing Association; Stratford; untreated dairy wastes; Eau Plaine River; Order 1-61J-6; April 17, 1961.

31. Jackson County Iron Mine (Ireland Steel Co.); Jackson County; iron ore wastes; Levis Creek and Black River; data on file with Jackson County District Attorney, Black River Falls.

32. Johnson Welding and Manufacturing Company; Rice Lake; wash waters; Chippewa River; Order 2-65J-27; April 2, 1965.

33. Knowlton Cheese Factory; Mosinee; dairy wastes; Order 3-65J-14; July 28, 1965; Wisconsin River.

34. Lamont Central Cheese Co-op; Darlington; excess factory wastes causing cattle death; tributary of the Pecatonica River; Order 4B-68-19-14; March 21, 1968.

35. Liberty-Clifton Cheese Factory; Stitzer; overflow of dairy waste from inadequate lagoon; Preston Creek; Order 1-66J-10; Feb. 2, 1966.

36. Loyd Cheese Factory: Cazenovia, whey spillage and wash water, also overflow from

irrigation field; Willow Creek; Order 4B-68-17a-19; April 12, 1968.

37. Marathon Cheese Factory; Marathon; dairy waste overflow from ridge and furrow field system; Four-Mile Creek; Order 3-65J-43; July 28, 1965.

38. Marathon Division-American Can Company; Rothschild; sulfite liquor; Upper Wisconsin River; Orders 3-65J-10 and 10A; July 28, 1965, Oct. 7, 1966.

39. Mosinee Paper Mills Company; Mosinee; paper machine effluent; Order 3-65J-12; July 28, 1965.

40. Nekoosa-Edwards Paper Company; Nekoosa; suspended solids and saveall; Wisconsin River Order 3-65J-25; July 28, 1965.

41. Nekoosa-Edwards Paper Company; Port Edwards; Suspended solids, saveall water; Wisconsin River; Order 3-65J-24; July 28, 1965.

42. North Star Dairy; Bruce; septic tank effluent with high coliform count; Chippewa River; Order 1-65J-3; Feb. 2, 1965.

43. Netex Mink Foods, Inc., Eleva; poultry wastes to pond of Big Creek; Order 4-66J-6; May 10, 1966.

44. Pabst Farms, Inc.; Belleville; untreated dairy wastes; Sugar River; Order 7-64J-1; Dec. 2, 1964.

45. Patrons Pride Cheese Factory; Athens; dairy wastes; Wisconsin River; First Order iss. 1954, Second Order 3-65J-37; July 28, 1965.

46. Pecatonica Cheese Factory; Hollendale; dairy waste overflow from inadequate land irrigation system; Dodge Branch of the Pecatonica River; Order 4B-68-19-17; March 21, 1968.

47. Penn Hollow Cheese Factory; Avoca; dairy wastes; Penn Branch of Otter Creek, then to Wisconsin River; Order 4B-68-17a-25; April 12, 1968.

48. Pet Milk Company; Belleville; dairy wastes; Sugar River; Order 7-64J-3A; July 25, 1966.

49. Platteville Dairy; Platteville; dairy wastes; Roundtree Branch; Order 1-66J-11; Feb. 2, 1966.

50. Potosi Brewing Company; Potosi; cooling water and organic wastes; Potosi Creek; Order 1-66J-8; Feb. 2, 1966.

51. Dreston Co-op Creamery Association; Blair; dairy wastes; Order 5-66J-8; May 5, 1966.

52. Rhinelander Paper Division; St. Regis Company; Rhinelander; chemical and fiber pollution; Wisconsin River; Order 3-65J-1; July 28, 1965.

53. Sanitary Creamery; Mineral Point; spillage of buttermilk wastes and poor maintenance; Pecatonica River; Order 4B-68-19-18; March 21, 1968.

54. Schurman's Beetown Cheese Factory; Beetown; dairy waste due to inadequate use of spray irrigation equipment; Beetown Branch.

55. Sherry Dairy; Sherry; ridge and furrow treatment field floods and overflows; Milk Creek to Wisconsin River; Order 3-65J-47; July 28, 1965.

56. Silver Spring Gardens; Eau Claire; inadequate treatment facilities; Chippewa River; Order 2-65J-25; April 2, 1965.

57. Sterling Pulp and Paper Company; Eau Claire; sulfite liquor; Chippewa River; Order 2-65J-8; April 2, 1965.

58. Stitzer Cheese; Lancaster; dairy wastes seeping from a lagoon into ground water and reappearing in a spring some distance away; Grant-Platte River; Order; Special; June 1, 1967.

59. Soldier's Grove Farmer's Co-op; Soldier's Grove; dairy wastes; Kikapoo River; Order 4B-68-17a-34; April 13, 1968.

60. Steubens Co-op Cheese Factory; Steuben; wash water and whey. Kikapoo River; Order 4B-68-17a-35; April 12, 1968.

61. Tennyson Cheese Factory; Potosi; whey discharge; Tennyson Branch; Order 1-66J-9; Feb. 2, 1966.

62. Town Hall Dairy Co-op; Monticello; inadequate septic tank causes effluent to reach West Branch of the Sugar River; Order 7-64J-10; Dec. 2, 1964.

63. Tomahawk Paper Company, Inc., Tomahawk; saveall; Wisconsin River; Order 3-65J-30; July 28, 1965.

64. Tomahawk Power and Pulp Company; Tomahawk; suspended solids; Order 3-65J-2; July 7, 1965.

65. Union Tank Car Company; Superior; sanitary sewage to ditch; St. Louis River, Order 1-68-29; Feb. 21, 1968.

66. Western Condensing Company (Foremost Foods); Stratford; Organic Waste; Eau Plaine River; Order 1-61J-9; April 17, 1961.

67. Wiota Dairy Co-op; South Wayne; wash water, whey, and sanitary sewage to an overflowing septic tank; Feather Creek; Order 4B-68-19-21; Mar. 21, 1968.

68. Wyandotte Chemical Co.; Wood County; mercury; Wisconsin River; data on file with Wisconsin Attorney-General, Madison.

A FIRST STEP

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. ASHBROOK. Mr. Speaker, the June 29 issue of the Washington Post featured a first-page article by Robert Maynard entitled "Omaha Pupils Given 'Behavior' Drugs," which reports on a current program now in use in the first six grades to calm down hyperactive students by the use of drugs. As far as I can ascertain so far, some of the drugs used could be dangerous to the health of the children. I am checking with the Food and Drug Administration to make sure that the drugs listed in the Post article have been approved for use on children. This, of course, is only the first step. In the larger view, the use of drugs as a behavior modification vehicle is open to serious question. In recent years complaints have been lodged by parents in various sections of the country concerning some of the programs to which their children have been exposed in the schools. Extremes in sex education, sensitivity training, and other experimental programs have raised a clamor of protest from city to city, and taxpayers are asking just how much of their taxes, through Federal funding, is furthering these programs. When most of the States require school attendance by law, it is their responsibility to oversee and eliminate questionable programs. When Federal funds are involved, Congress, of course, comes into the picture.

The case of Omaha should be a first step in ascertaining why so many parents have in recent years been at loggerheads with their local educational systems over some new, innovative programs. Every detail of the Omaha program should, and will be made public to effect proper evaluation and possible correction or elimination.

I include at this point the above-mentioned article by Robert Maynard which appeared in the June 29 issue of the Washington Post:

OMAHA PUPILS GIVEN "BEHAVIOR" DRUGS

(By Robert Maynard)

OMAHA, Neb., June 28—Between 5 and 10 per cent of the 62,000 school children in this city in the American midlands are taking "behavior modification" drugs prescribed by local doctors to improve classroom deportment and increase learning potential.

The children being given the drugs have been identified by their teachers as "hyperactive" and unmanageable to the point of disrupting regular classroom activity. Virtually all are in the first six grades.

Five drugs are commonly prescribed, principally Ritalin, the CIBA brand name for methylphenidate hydrochloride, a stimulant. The others are Dexedrene, Deaner, Aventyl and Tofranil, according to Dr. Byron B. Oberst, the Omaha pediatrician who was instrumental in introducing the "behavior modification" drug program to the public schools here a little more than one year ago.

"Ritalin," Dr. Oberst said in an interview here one recent morning, "increases the ability to concentrate. How it works is still the sixty-four dollar question. On any of these, even Dexedrene, nobody precisely knows the mechanisms of how they function. But at the other end of the line, we know these children become more successful. They become more self-confident."

Dr. Richard Burack, physician and author of "The New Handbook of Prescription Drugs," says that Ritalin was first developed "in an effort to find a substance with the 'mood elevating' effects of amphetamine minus its drawbacks."

But the drug has been a disappointment, Dr. Burack states, because "it begins to appear that Ritalin might not achieve a full separation of amphetamine's desirable and undesirable effects; amphetamine abusers are beginning to ask for it. Sweden has banned its sale."

The United States Food and Drug Administration has urged physicians to exercise extreme caution in prescribing the drug because of the danger of addiction and because its side effects include marked anxiety, tension and agitation. Merle Musselman, chairman of the Department of Surgery at the University of Nebraska College of Medicine and president of the Omaha School Board, said he knows little about Ritalin.

"But I did learn recently," Dr. Musselman said, "that it has a paradoxical effect on children. Where it would stimulate an adult, it works on the central nervous system to calm children."

Dr. Musselman also said he knows little about the "behavior modification" program and has made no attempt to find out more because "I have great confidence in the competence of Dr. Oberst. He's a very competent man."

A graying, baldish man of medium build, Dr. Oberst arose at 6 a.m. one day last week to accomplish his morning rounds in time to keep a 9 a.m. appointment with Don Warner, the retiring assistant superintendent of the Omaha Public Schools; Rena May Gibson, supervisor of health services in the city school system; and a visiting journalist.

In December of 1968, Dr. Oberst said, he attended a seminar at Syracuse University on the problems of children who, for a variety of physiological and psychological reasons, "can't sit still for two minutes, let alone long enough to learn anything."

"He said several prominent physicians at the Syracuse seminar described the positive results they had achieved by using such drugs at Ritalin and dexedrene with hyperactive students. And a film, "Why Billy Can't Learn," was shown.

Dr. Oberst returned to Omaha, he said with a new mission—to spread among his colleagues and school personnel this new knowledge about how to help with a problem that he said besets and frustrates "eight to 10 per cent" of the student population.

After the physicians were made aware of the new possibilities, they turned to the school personnel, seminars were held, the film was shown again and a new organization was born with the acronym STAAR, which stands for Skills, Technique, Academic

Accomplishment and Remediation. It includes parents in its membership.

NOT A SCHOOL PROGRAM

Although the object of interest is the child in school and the person who would in all probability identify the problem child is the teacher, the STAAR program is not considered a school program.

"The medical context of the program," Dr. Oberst explained, "is to keep medical problems in the hands of the family doctor. The medicine prescribed has to be in the control of the family physician."

As a result, the Omaha Public school system has no firm idea how many of its children are taking behavior modification drugs, Assistant Superintendent Warner said.

Dr. Oberst was asked if he could estimate how many pupils in the Omaha system are on some form of "behavior modification" drug.

"Only the family physicians has those records," Dr. Oberst replied. But he agreed with other estimates that the number is betwen 5 and 10 per cent of the school population, or 3,000 to 6,000 children.

Many of them are poor, some of them are black, but school system officials say the program in not limited to the poor and black.

"It's all over the city," Warner said. "There are at least some kids on these drugs in just about every school."

No limit seems to have been reached yet in the application of drugs to the problems of behavior.

"I would say it's a growing field," one educator here said.

"Ten years ago," said Warner, "There were a couple of hundred kids in the Omaha school system on phenobarbital for restlessness associated with some disorder."

After the pediatricians began spreading the word in December of 1968, more and more teachers began identifying students they felt could benefit from the drugs.

After the 1969–70 school year opened, some cautions that some educators expressed began to grow to sounds of quiet alarm.

PILL SWAPPING

By November of last year, the school administration found itself swamped with problems that grew out of the fact that thousands of elementary school children were walking around with potentially dangerous drugs in their pockets and lunchpails.

"They were trading pills on the school grounds," said Warner. "One kid would say, 'Here, you try my yellow one and I'll try your pink one.' "

Parents were asking the schools to take responsibility for the dosages, thus bringing the school system into conflict with state laws that prohibit school personnel from administering drugs to children.

In March, three months after Warner's letter, the Omaha Medical Society agreed to ask its members to send instructions to the schools when children were being placed on drugs that would be administered during school hours and to try to prescribe long-acting medications that could be taken at home.

Medical society members were advised at the same time that legally "the responsibility of the prescription was not that of the doctor, but rather of the parent. The parent then vests the responsibility in the teacher," according to the society bulletin of last March.

Dr. Oberst was asked in the interview if there were any citywide records that would establish the effectiveness of the program. Again, he said, "the family doctor has those records and only he would know."

As for himself, Dr. Oberst said his young patients show "marked improvement in handwriting and fine motor co-ordination problems."

BRAIN WAVES CHECKED

And insofar as the dangers of the drugs are concerned, Dr. Oberst said, "my mothers are calling me every two or three weeks to tell me how the child is doing. I see them every three to six months and we check their brain wave pattern yearly until they revert to normal."

Dr. Oberst was asked what side effects Ritalin produced in his pupil-patients.

"The same as with dexedrene," he said. "It might agitate them. Some lose their appetites, some have trouble dropping off to sleep. Those are the major ones.

"If the child loses his appetite too much on Ritalin," the doctor continued, "we would go to dexedrene."

He said of the general problem of reported side effects in children, "You have to balance what you see and what is reported by the mother."

Parents pay for the prescriptions if they can afford it or have them filled free at one of the medical clinics here if they cannot afford to pay, physicians and school officials said.

"I would certainly hope," Dr. Oberst said, "that this would be beneficial to the low income family," because when poor children cannot make use of the educational process "it handicaps their ability to make their way."

DANGERS SEEN

When that happens, Dr. Oberst said, only three avenues are open to the child, in his view:

"First, self-destruction by alcohol, drugs, suicide or personality fragmentation . . .

"Second, the road to vandalism, riots and anarchy against society.

"Finally," Dr. Oberst said, "the road to juvenile delinquency by breaking and entering, thefts, promiscuous sex and other acts of taking from others what he wants."

He is convinced, he said, that "once the problems of school learning difficulties are totally understood, prevented or corrected, many of today's emotional conflicts in children will dissipate."

And although many medical authorities are deeply concerned about the possible addictive qualities of amphetamine-style drugs, Dr. Oberst said he is not worried on that score in the behavior modification program because:

"We try to get two years of experience and then try to taper it off and we seem to be able to do that. I don't know what other people's experience is."

For the most part, the behavior modification program has been quietly received in Omaha. Some school personnel rumble quietly about the possibility that Omaha is raising "a generation of junkies and speed freaks" but they keep their reservations very much to themselves.

One school official was asked why he didn't express his reservations in a louder voice and he said simply:

"Look, if I bucked the medical profession in this town, I'd be dead, useless. They are pretty powerful here."

Omaha is rare among cities of less than a half million population in having two large medical training centers, the Nebraska University College of Medicine and Creighton University School of Medicine.

"This gives the medical profession quite a voice in the affairs of Omaha," one young physician said. "And they use it."

"Which also means," said another doctor who also chose to remain anonymous, "that the drug companies, which subsidize a lot of medical education and research, also have a great deal of power."

But a school official said the drug companies have played a minimal role in the behavior modification program. "Oh, they come around and address meetings on the subject, but it's always pretty much of a soft sell. They mention the products and the claims, but they don't push too hard in public, or too well, for that matter," the school official said.

The same official was asked if there has been any organized opposition and he answered, "just from a few militants."

The first protests are coming from Omaha's north side, where about 50,000 black people live, a little more than 10 per cent of the nearly 400,000 in the city.

At a school board meeting recently, black parents and a couple of community organizers charged that Omaha was trying to drug black children into quiet submission.

Mr. and Mrs. Howard Curtis, whose children attend Franklin Elementary School in the black community, said the teacher of their 10-year-old made repeated entreaties to them to have their son examined for possible behavior modification drugs.

"We didn't want to do it," Mrs. Curtis said, "because we didn't see where our child needed any drugs."

But the teacher persisted until the family finally took the child to a black physician and broached the subject.

"He hit the ceiling," Mrs. Curtis said. "He said our child didn't need any drugs."

Dr. Claude Organ, a black surgeon and the man the Curtis family consulted, said he didn't remember the incident, "but I probably did hit the ceiling." He said that since his own specialty is far afield from behavior modification, he would not comment further.

PILLS FOR MACK JR.

Another family, Mr. and Mrs. Mack Thornton, said they gave in to the idea of obtaining drugs for their son, Mack Jr., 10, last year after "the teacher badgered us on the phone for a month and a half. She called every night."

But the Thorntons were uneasy with the idea of Mack having to take drugs. Mrs. Thornton said she obtained the prescription from a local doctor after taking her child to Creighton Clinic, where "they said Mackie didn't need any drugs."

After obtaining the drugs, she at first didn't give them to the child, but she told the teacher that she had. Mack's teacher noted with pleasure on his report card that the grades improved, the improvement in Mack's performance occurred because "you helped the school."

Sometime later Mack took some of the pills. He explained why to a visitor:

"I'd be acting crazy fooling around at the board and stuff and the teacher said, 'Mack, do you have one of your pills?' I say, 'Yeah.' So I took one and we went out and played and I came back and I felt more like doing my work."

He worked for a few minutes, he said, "But my stomach started feeling acidy." So I told the teacher I felt sick. She said, "Put your head down on your desk. So I did."

Ernest Chambers, a friend of the family and a black candidate from Omaha for the state's unicameral and non-partisan legislature, was present when the Thorntons were being interviewed. Chambers has charged in a letter to the school board that children were being used as "guinea pigs."

He asked Mack, "What made you say you were acting 'crazy'? who told you that you were acting crazy?"

Mack wasn't sure.

"But the teacher told you that you were a good boy after you took your pills?"

Mack said, "Yes."

"So," said Chambers, "other people put the idea in your head that you were 'acting crazy' unless you had a pill?" Mack nodded agreement.

Mrs. Thornton interrupted:

"You see, that's just what I'm afraid of with these kids being given these pills. I don't want my child to grow up believing that as soon as things aren't going right, they can take a pill to make it better."

Miss Gibson, the head of health services for the Omaha schools, said little during the interview with Dr. Oberst and Warner, the assistant superintendent. But when the subject of the value of behavior modification drugs arose, Miss Gibson said, "It makes them happier."

Dr. Oberst then said:

"They are definitely happier. One of my mothers came home from a meeting and found her child's homework finished on the table. And the child had written a note saying, "Thank you, mother, I feel much happier".

THE CAMBODIAN DECISION

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. HARRINGTON. Mr. Speaker, the decisionmaking process of the Government, particularly the Presidency, has intrigued and exasperated many people in this country for a long time. Lately, there has been renewed discussions about the loneliness of the Presidency and the difficulties which a President encounters in obtaining enough information to make a rational and proper decision on important issues. Presidents seem to run into particular difficulty in making foreign policy decisions, especially in a crisis atmosphere.

Hendrick Smith has written an article which appeared in the New York times today entitled "Cambodian Decision; Why President Acted." Mr. Smith traces the events leading up to the decision by President Nixon to invade Cambodia. This article is most alarming.

For instance, many advisers to the President simply were not consulted until the decision had been made, or, if they were consulted, it was on a rushed and inconclusive basis. Smith writes:

> Despite his preference for orderly procedure, President Nixon, like his predecessors, reacted in crisis with rump-group meetings, late phone calls, an out-of-channel message to the field and other activities that bypassed planners at the State and Defense Departments.
>
> The White House became so worried about security leaks that even members of the Joint Chiefs of Staff were late to learn of some critical discussions. State Department lawyers were not told to prepare the legal case for invasion until four days after it began.

Mr. Smith also states that Mr. Nixon, due to advice from the Defense Department, during a National Security Council meeting on April 27 came away thinking he had a choice of doing nothing or involving Americans troops. Besides the President was determined to prove that he could meet force with force.

The President's ostensible reason for going into Cambodia was to protect the lives of American troops in Vietnam during the withdrawal period. Recently, however, it has become apparent that our invasion of Cambodia was in part an attempt to prop up the Lon Nol government and Smith states that the survival of the Lon Nol regime has become intimately linked in Nixon's mind with American success in Vietnam. If this be the case, what may happen if this government fails?

I commend this article to my colleagues for its incisive and grim portrayal of the events leading up to the announcement of our invasion of Cambodia.

The article follows:

CAMBODIAN DECISION: WHY PRESIDENT ACTED

(By Hedrick Smith)

WASHINGTON, June 29.—President Nixon's venture into Cambodia is ending with proclamations of unprecedented military gain, but it was launched for the broader purpose of rescuing Cambodia from sudden Communist domination and that purpose is still unrealized.

A reconstruction shows that the survival of an anti-Communist Government in Cambodia came to be seen by Mr. Nixon as essential for the defense of Vietnam and the American stake in Indochina. As pieced together by correspondents of The New York Times in Washington, Saigon and Phnom Penh, Mr. Nixon's handling of his most serious crisis also involved the following main factors:

The President, believing that Communist nations had long been trifling with him in Indochina, Korea and the Middle East, saw Cambodia as the first feasible opportunity to demonstrate that he could meet force with force.

Mr. Nixon was haunted by intelligence reports that enemy commanders were moving against Cambodia, confident that American hands were tied by war-weariness at home.

Before attacking, the Nixon Administration tried to signal circuitously to Hanoi that it would accept an accommodation—which the Cambodian Goverment was seeking—provided that Cambodia's principal port remained closed to Communist supply shipments. The overtures collapsed over the port issue.

Once he felt himself militarily challenged by the enemy in Cambodia, Mr. Nixon pushed the pace of decision-making here—so much that one senior adviser cautioned him that the generals in Saigon might be giving the President only the advice they thought he wanted to hear.

Repeated and forceful opposition to the use of American troops in Cambodia from Secretary of State William P. Rogers, stressing the risks of domestic discontent, caused Mr. Nixon to delay the operation 24 hours.

Once decided, Mr. Nixon also ordered four heavy bombing raids against North Vietnam, despite the year-and-a-half-old cessation of United States raids on the North—with the purpose, officials now acknowledge, of warning Hanoi against counterattacking across the demilitarized zone into South Vietnam. The four attacks appeared to be a violation of the private understandings with Hanoi prohibiting bombing of the North.

LIKE PREDECESSORS, UNEASY

Formally, the Cambodian operations began with a Presidential announcement on April 30. But for Mr. Nixon, the beginning was well before that.

Like President Kennedy in the Cuban crisis and President Johnson in Vietnam, he felt Communist forces crowding and testing him. He had contained the frustration of not retaliating when the North Vietnamese shelled Saigon early in his term, when North Korea shot down an American intelligence plane, when the Paris peace talks bogged down. Now the Soviet Union was moving combat pilots into the United Arab Republic and Communist forces were threatening another nation in Indochina.

Of all these situations, Mr. Nixon felt, Cambodia offered the first opening for effective military reaction that would carry his larger political message. As the President confided to a senior adviser: This is a risk, but this is the kind of thing I have been waiting for.

Mr. Nixon's objectives in Cambodia centered on staving off Communist domination. Survival of Premier Lon Nol's Government, for a time, at least, appeared essential. It's survival was needed to assure the defense of South Vietnam and the process of American withdrawal, to spare Saigon the blow of seeing a neighbor collapse while the United States did nothing and to deny Hanoi a gain that would tempt it, in the words of one senior adviser, to "go for all the marbles" in Indochina and forever spurn negotiation.

LIFT FOR THE PREMIER

An American attack from the rear, Mr. Nixon thought, would divert and disrupt the enemy forces threatening General Lon Nol and also give the Cambodian Premier a badly needed political lift. But it required no open commitment.

Dsepite his preference for orderly procedure, President Nixon, like his predecessors, reacted in crisis with rump-group meetings, late phone calls, an out-of-channel message to the field and other activities that bypassed planners at the State and Defense Departments.

The White House became so worried about security leaks that even members of the Joint Chiefs of Staff were late to learn of some critical discussions. State Department lawyers were not told to prepare the legal case for invasion until four days after it began.

The gestation process for Mr. Nixon's decision was much longer than Administration accounts suggested. It began almost immediately after General Lon Nol and others deposed Prince Norodom Sihanouk on March 18.

TWILIGHT ZONE OF WAR

For years, Cambodia was a twilight zone of the Vietnam war. Prince Sihanouk balancing between the belligerents, had let the North Vietnamese create a dozen base areas to shelter 40,000 to 60,000 troops for use against South Vietnam.

American generals had periodically pressed the Johnson Administration for permission to attack these sanctuaries, but President Johnson had refused. The Nixon Administration grudgingly tolerated the situation. Its plans for a gradual troop withdrawal from Vietnam assumed that the enemy bases in Cambodia would remain intact.

Within the last year, however, even Prince Sihanouk began to worry about the expanding enemy activity on his soil. He allowed American B–52's to bomb the base areas. For a time, he curtailed the enemy supply shipments to the bases through the port, then Sihanoukville, now Kompong Som.

Prince Sihanouk's ouster, described as a surprise in Washington, posed an opportunity. All foreign-policy agencies quickly drafted proposals for dealing with the new situation. In this process, Secretary of Defense Melvin R. Laird invited the generals in Saigon to submit contingency plans.

ABRAMS'S OPTION

By April 1, Gen. Creighton W. Abrams, the United States commander in Vietnam had offered the Pentagon several options:

First, to let South Vietnamese troops harass the enemy across the border.

Second, to help the south larger attacks over a period of months to disrupt the enemy bases.

Or third, to let American forces join the South Vietnamese in a swift full-scale assault on the bases.

Using the American forces General Abrams did not formally recommend any course.

Washington was still looking for diplomatic ways to contain the Cambodian situation. Perhaps Hanoi, with its forces now less secure in Cambodia, would show interest in negotiation—if not on Vietnam alone then in the context of an international conference on all Indochina, which France proposed on April 1.

General Lon Nol tried to work out live-and-let-live arrangements with the North Vietnamese, first in direct talks and then through Chinese and other Communist intermediaries. He asked North Vietnam to reduce its military presence in Cambodia and its reliance on shipments through Sihanoukville. Hanoi refused.

Washington made no direct approach to Hanoi, but passed word to Asian Intermediaries that it would respect any deal General Lon Nol made. It got no diplomatic reply.

ONE DIPLOMAT UNSURE

One diplomat said the American approach was so feeble and casual that he was not sure the intermediaries understood that the messages were meant for Hanoi. American officials, moreover, were sure that Hanoi suspected the United States of having ousted Prince Sihanouk and could not, therefore, credit Washington with good faith.

South Vietnamese forces, meanwhile, were staging sporadic raids across the Cambodian border, against the advice of American officials in Saigon. The United States increased bombing raids against enemy concentrations in Cambodia, but General Abrams's contingency plans, now sent by the Joint Chiefs of Staff to the White House, were in limbo. Secretary Laird, talking with President Nixon in the second week of April, opposed an American assault because he feared heavy casualties—as high as 400 to 800 dead in the first week alone—and a public outcry.

In mid-April the combat situation changed. Starting April 13, enemy forces were detected moving westward into Cambodia from the border areas, cutting roads, blowing up bridges, harassing military posts and towns. The White House interpreted the reports "leniently"—as reliable on the location of enemy actions, but not on their size, seriousness or intent.

In Saigon, however, General Abrams was particularly struck by the thinning out of enemy forces in the Fishhook, a Cambodian salient that juts into South Vietnam 75 miles northwest of Saigon, which was considered the most important enemy refuge area.

General Abrams and Ellsworth Bunker, the American Ambassador, met privately for several nights and about April 15, sent parallel recommendations to the Departments of State and Defense. They urged an American attack into the Fishhook and joint attacks with the South Vietnamese against other bases.

ARGUMENTS SUMMARIZED

High military sources summed up General Abrams's arguments as follows:

One of the two American divisions standing guard against attacks from the enemy bases in Cambodia was going home soon under President Nixon's withdrawal program, shifting a major burden to Saigon's forces. With the rainy season approaching and the Lon Nol Government unlikely to survive until fall, the time was right. An attack would help the South Vietnamese and assure further American withdrawals. With a third of the enemy forces moved west, the risks of American casualties were reduced.

The general's argument envisioning benefits for the Vietnamization program, impressed Secretary Laird. The promise of lower casualties convinced him, and he endorsed the proposal.

But at the White House, the military possibilities were still offset by the fear of pushing the war deeper into Cambodia and the fear of spoiling the chances for negotiation.

The prospects for diplomacy had unexpectedly improved when the Soviet Union said that it, too, was interested in an Indochina conference. "Only a new Geneva conference could bring a new solution and relax tension," Yakov A. Milik, the Soviet representative at the United Nations, said on April 16. The Americans got private indications that this as a deliberate initiative and assumed that the Russians had cleared it with Hanoi.

PRESSURES STILL RISE

Still, the pressures in Cambodia were building up. Premier Lon Nol pleaded with greater urgency each day. Mr. Nixon did not want another state in Southeast Asia, dependent on the United States, but neither did he want to stand idly by. High officials felt the whole rationale for defending South Vietnam would collapse if they acquiesced in a Communist take-over of Laos and Cambodia. Also, the President feared Prince Sihanouk, with Hanoi's aid, might be returned to power.

So Mr. Nixon set out to help Premier Lon Non clandestinely. He let Saigon's forces increase the scope and frequency of their attacks into Cambodia. The purpose, one high official said later, was "to put pressure on the enemy forces so they wouldn't turn toward Phnom Penh."

American advisers were told to help plan the enlarged raids, but not get into combat inside Cambodia.

By April 17, the President had also approved a secret shipment of 6,000 captured AK-47 rifles of Soviet design to the Cambodian Army. The United States first tried to use Indonesia as a cover for this aid, but for reasons of diplomacy, shifted to South Vietnam.

Plans were also made to assemble a force of 2,000 Khmer Krom troops to stiffen the Cambodian Army. These mercenaries fighting in South Vietnam for the American Special Forces were later flown secretly to Phnompenh.

PRESIDENT DISTRACTED

President Nixon evidently hoped that these measures would win time. He was, in any case, distracted by the battle over his Supreme Court nominees, the Apollo 13 astronauts and the need to announce another troop withdrawal.

General Abrams was pleading for a 60-day delay in withdrawals. Secretary Laird wanted a cutback of 50,000 by Aug. 15. With the issue unresolved, Mr. Nixon went to greet the returning astronauts in Honolulu.

He finally hit on a compromise, surprising even some senior advisers: to delay withdrawals for 60 days but to hide that fact in an announcement of a full year's pullouts—150,000 men by May, 1971. Mr. Nixon flew back to San Clemente, Calif., to make the announcement April 20—a long and, as it turned out, fateful day in his perception of the situation in Indochina.

The speech emphasized his terms for a political settlement in more flexible terms than ever before.

HE REITERATES WARNINGS

He did point with concern to "the enemy's escalation in Laos and Cambodia" and repeated warnings that if "increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation."

There was no real hint of the internal discussions about Cambodia.

Officials insist that Mr. Nixon's optimism did not disguise any secret calculations. Press dispatches had already reported the fall of Saang, a district capital 18 miles from Pnompenh, but official confirmation did not reach the traveling White House until late on April 20.

On that day, too—although it was probably unknown to Mr. Nixon as he spoke—Hanoi's spokesman in Peking indicated that Prince Sihanouk was joining a new united military front for the "liberation" of all Indochina; the Russians backed off their interest in a Geneva conference, and the Lon Nol regime submitted a request for more than $500 million in military aid.

Mr. Nixon was restless that night—"wound up," his wife said—and after his speech, abruptly flew back to Washington. One aide said afterward that the President might have sensed "something was up."

CONFIRMED BY INTELLIGENCE

By morning, intelligence reports had built up a picture of steady deterioration in Cambodia, but the problem hit Mr. Nixon with sudden force.

From that day on, Mr. Nixon got daily briefings from Richard Helms, Director of Central Intelligence. Details were sketchy, but the Communists were attacking Saang, Takeo and Angtassom, south of Pnompenh and Snoul and Memot, to the north.

The State Department surmised that the enemy was using hit-and-run maneuvers to create an impression of civil war. The Pentagon view, more persuasive to the White House, was that the North Vietnamese had decided to overthrow Lon Not by isolating his capital, or taking it.

Mr. Nixon summoned the National Security Council to meet on April 22, the group's first consideration of the contingency plans. The talk centered largely on a proposed South Vietnamese offensive into the Parrot's Beak, an enemy position jutting into Vietnam 35 miles from Saigon. There was some discussion of an American attack into the Fishhook.

CRISIS SCHEDULE ENFORCED

The next morning, the President seemed bent on some kind of action. He called for operational plans for the Parrot's Beak, forcing a crisis schedule upon the Washington Special Action Group—a body headed by Henry A. Kissinger, his special assistant for security affairs.

The group, which is called WASAG, was created in April, 1969, when North Korea shot down an American intelligence plane. It played a central role in the Cambodian venture from late March onward by assembling and refining all contingency plans, assessing their consequence, and managing the execution of Presidential orders.

At the peak of crisis, the group's members were Mr. Kissinger, David Packard, Deputy Secretary of Defense; U. Alexis Johnson, Under Secretary of State for Political Affairs; Mr. Helms; Gen. Earle G. Wheeler, then Chairman of the Joint Chiefs; Adm. Thomas H. Moorer, his successor, and Marshall Greene, Assistant Secretary of State for East Asian Affairs.

The group met twice on April 23, again on April 24. In Saigon, the South Vietnamese generals were hesitant about a major strike without the Americans. General Abrams and Ambassador Bunker met with President Nguyen Van Thieu, after which Saigon finally geared for action while General Abrams pressed Washington to use American advisers in the Parrot's Beak operation.

NIXON IS IRRITATED

Mr. Nixon was now pushing the process of making decisions, irritated that the enemy appeared complacent. American intelligence confirmed anew that the enemy command was telling its troops to push west without fear of an American attack from the rear. The White House denounced the enemy moves as a "foreign invasion."

On Friday morning, April 24, the President called for operational plans for the Fishhook operation to be delivered from Saigon within 24 hours. He called a secret meeting of the National Security Council for Sunday, pointing toward a final decision Sunday night. This would give the generals the 72 hours they said they needed to attack on April 29, which would be dawn April 30, Saigon time.

The President flew to Camp David, Md., Friday afternoon. Mr. Kissinger brought the plans on Saturday and the two men studied them. In Washington that evening, they conferred with Secretary Laird and Attorney General John N. Mitchell aboard the Government yacht Sequoia on the Potomac. They then attended a private showing of "Patton," the film biography of the defiant general, which Mr. Nixon was eager to see for a second time.

TWO MEMBERS ABSENT

Secretary of State Rogers returned from New York on Sunday morning and, with Secretary Laird, heard a Pentagon briefing on the Fishook plans. Thus all participants in the afternoon meeting of the Security Council were prepared for the main topic of debate.

The two Secretaries joined the President, the Attorney General, General Wheeler, Mr. Helms and Mr. Kissinger at the Executive Office Building next to the White House. Two statutory members of the Council, Vice President Agnew and George A. Lincoln, director of the Office of Emergency Preparedness, were not present.

Mr. Nixon said that he had decided "to do something." The Parrot's Beak operation had his tentative approval, with American air support but not American ground advisers. The Fishhook was the problem at hand.

The Pentagon representatives argued that a full assault, with American troops, was essential. Military analysis showed the enemy seeking either to topple the Lon Nol regime or to clear a supply corridor to the sea in eastern Cambodia. Either prospect jeopardized the defense of South Vietnam and American withdrawal. The Parrot's Beak alone would serve only as a warning. Using the South Vietnamese in the Fishhook would require a major reshffle of armies, and might prove too difficult for them. With the heavy rains due in a month, and Lon Nol unlikely to survive until fall, it was now or never.

Secretary Rogers carried the principal burden of opposition. The use of American troops in Cambodia meant widening the war. The risk was grave of becoming entrapped, as the Johnson Administration had been. The President won wide popular support for gradual withdrawal and should not risk losing it. The allies' military objective could be achieved by South Vietnamese forces alone.

THEY MEET FOR 3 HOURS

The debate lasted three hours, ranging over other enemy base areas. Mr. Nixon came away thinking he had a choice of doing nothing or involving American troops. An attack in the Parrot's Beak alone seemed unlikely to bring much military advantage. To use only South Vietnamese ground forces would be a pretense, for American air and logistical support was deemed essential. It was a line of thinking Mr. Kissinger appears to have shared. Besides, the President was determined to prove that he could meet force with force.

Mr. Nixon withdrew to his hideaway office and ordered a tray of dinner. On a pad of yellow legal paper he summarized the pros and cons. As disclosed by Stewart Alsop in Newsweek and later confirmed officially, the President's doodling showed how intimately the survival of the Lon Nol regime had become linked in his mind with American success in Vietnam.

In reviewing whether there should be some action in Cambodia, Mr. Nixon listed only arguments in favor: "Time running out" was followed by "military aid" to Lon Nol could be "only symbolic." Then came a scribble saying inaction might tempt Hanoi to install a puppet regime in Pnompenh and a final entry saying that inaction by both sides would leave an "ambiguous situation" with time favoring the Communists.

LIABILITIES LISTED

The President then listed the pros and cons for American action in the Fishhook and for a South Vietnamese attack alone in the Parrot's Beak. He recognized that the Fishhook move would bring a "deep division" of the American people. He feared that it might provoke a collapse of the Paris talks, an attack on Pnompenh or a major North Vietnamese attack across the DMZ.

Mr. Nixon seemed determined to attack, but the opposing arguments of Secretary Rogers evidently led him to break his own deadline. He called another meeting for Monday morning, April 27, with Mr. Rogers, Mr. Laird, Mr. Kissinger and H. R. Haldeman, his chief of staff, but without the military or intelligence chiefs.

Someone—apparently still Mr. Rogers—suggested that the military might be telling the President only what it thought he wanted to hear. The suggestion haunted Mr. Nixon. Out of that meeting came his personal, out-of-channels message to General Abrams demanding "the unvarnished truth," man-to-man.

That afternoon, Mr. Rogers testified at a closed session of the Senate Foreign Relations Committee and ran into a storm of opposition to possible American involvement in Cambodia. Without directly disclosing the contemplated use of United States troops, he tried to hint at the imminence of a military decision. Mr. Rogers recounted the Senators' objections in a long telephone report to the President that evening.

WROTE HIS TV SPEECH

From Saigon, General Abrams replied that an American assault was necessary. With that message and new memos from other advisers, and after one more call to Mr. Laird, Mr. Nixon withdrew to make his decision. The next morning he conveyed it, first to Mr. Kissinger and then to Mr. Rogers, Mr. Laird and Mr. Mitchell, whose advise, always important, to the president is not known in this case.

Having decided to attack in the Fishhook, the President said that he was also sending American ground advisers into the Parrot's Beak and ordering consecutive attacks on a number of enemy base areas. As the operation unfolded, he also approved the four raids on North Vietnam.

Ignoring some advice that he treat the event in a low key, the President prepared his own television address, working it through eight longhand drafts on Tuesday and Wednesday night, staying up till 5 A.M. Unlike Presidents Kennedy and Johnson, he never submitted it for editing by his main cabinet advisers. All of Mr. Nixon's senior aides still wince at some of his rhetoric.

Some of Mr. Nixon's senior aides, were troubled by the President's apocalyptic vision of the stakes. Others found some military points overdramatized.

The President's assertion that the enemy was massing in the sanctuaries to attack South Vietnam contradicted Secretary Laird's support of the American assault because of the enemy's movement the other way. It also contradicted the latest intelligence that the enemy forces had sensed what was coming and were dispersing faster than before with some of their arms caches.

The generals felt uneasy that Mr. Nixon to give importance to his move, led the American public to expect the capture of top enemy commanders by announcing an attack on "the headquarters for the entire Communist military operation in South Vietnam." They knew the enemy command unit—the Central Office for South Vietnam, called COSVN—was always on the move and doubted they would catch its 200 men in Fishhook. Their troops were ordered to "neutralize the COSVN base area"—meaning arms caches, supply dumps and other facilities.

CABLE OFFICE CLOSED

Notice of the President's speech reached Premier Lon Nol only after it was over, because the Pnompenh cable office was closed. Although he had agreed in mid-April to deeper raids by the South Vietnamese and more recently to the Parrot's Beak operation, his consent was not sought for the Fishhook. The White House believed if he said "no," it was in trouble; if he said "yes," he might be.

In the days following Mr. Nixon's speech, what the Congress and the public took to be limitations of time and scope on the invasion were only firm definitions of the Administration's private intentions: six to eight weeks and a limit to penetrations of about 20 miles. Some field commanders even found the time limit a welcome surprise; they had expected two to four weeks.

But other rules of engagement had to be adjusted to the enemy's spreading attacks throughout Cambodia. To help Premier Lon Nol defend himself in the months ahead the Administration agreed to leave South Vietnamese troops behind after June 30 and tried to arrange Thai support as well.

American planes now fly tactical air support for the Cambodians under the guise of raids against enemy supply lines. American ships blockade Cambodia's coastline. And new military and economic aid is being prepared. Thus, the operation, now formally ended is, in fact, far from over.

NATURAL GAS: PRICE REGULATION VERSUS SUPPLY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. PICKLE. Mr. Speaker, often the sheer weight of the agenda of running a country as vast as ours decrees that Government jump from one stop-gap measure to recoup one crisis to another stop-gap measure in an ensuing crisis. It takes a tremendous expenditure of energy, and often of political capital, to forestall a crisis even at the edge of the cliff. It takes even more effort to attack a problem when the first warning signs make themselves clearly visible. But the energy expended in such efforts, when they have been taken, have proved economical in the long run. For it is at this earlier stage that we have the greatest range of alternative paths open to us. It is at this earlier stage that we can take steps which will protect the public from the needless expense turmoil, and possible catastrophe ready to descend on them if we hesitate to act.

Such an issue is that of our natural gas supply. And alternatives here are fast disappearing.

During the first postwar decade, production increased much more rapidly than proved reserves; however, since the ratio of reserves to production was comfortable, there was no immediate concern about future supplies. Since that time, however, this ratio has been declining steadily. For the first time in the history of the United States, proved reserves declined in 1968 and in 1969.

This problem in declining supply is exacerbated by a skyrocketing demand for this key fuel.

The problem seems to lay not so much in the earth's supply of natural gas as in getting to that supply.

John E. Hodges of the College of Business Administration, the University of Texas at Austin, has prepared an extensive study of this problem. He credits the impending crisis to excessive price controls placed on suppliers of gas. He is careful to distinguish the problem relating to the field production of natural gas from any problems relating to the urban distribution of such gas. He also is careful to note, "it would be less than fair to assume the regulators' mistakes arose from incompetence."

His remarks are timely and instructive. An adaptation of his report follows:

REMARKS OF JOHN E. HODGES

On the surface, it appears that the outlook for natural gas is extremely bright. Production is at an all time high and current forecasts indicate that gas demand will increase by as much as nine or ten per cent per year for the foreseeable future. It should be noted, however, that growth in demand will not be translated into consumption unless there is an adequate supply, and the adequacy of future supply is very much in doubt.

If statistical indicators are of any value at all in foretelling the future, it is clear that the United States is now facing a major shortage of natural gas. As a consequence, the general public, interstate pipelines, distributing companies, and Federal regulators are now recognizing a problem that has concerned the producers of natural gas for some time.

HISTORICAL BACKGROUND

Prior to 1930, the petroleum industry (and the general public) paid little attention to natural gas which was regarded as a by-product of little economic value. Prohibitively high transportation costs limited the distance that natural gas could be moved from the wellhead to the consumer. Some gas produced in the Pennsylvania-West Virginia area reached northeastern markets, but most produced gas was flared, vented, or used in the oil and gas fields themselves.

By the 1930's, the center of gravity of gas production had shifted to the Texas-Oklahoma-Louisiana-Kansas area, as eastern fields declined in relative importance. This intensified the geographical imbalance between production and market areas. With gas transport still uneconomical, many large Gulf Coast gas fields were underdeveloped, and non-associated gas discoveries were often shut-in.

A number of factors contributed to the unprecedented growth of natural gas consumption following World War II. First, advances in pipeline technology lowered transportation costs and permitted gas to be moved economically to distant markets. Second, the petroleum industry had accumulated a large backlog of undeveloped gas reserves which was awaiting market opportunities that would justify development and production. Third, the general price inflation of the late 1940's and early 1950's was reflected in the price of oil and coal but the price of natural gas remained relatively depressed because of excess supply. Fourth, residential demand increased because of the construction of new homes in the early postwar period which were equipped with gas furnaces. Fifth, gas pipeline companies were successful in developing new industrial markets by providing gas on an interruptible basis which would permit peak residential demands to be supplied without having excessive pipeline capacity during the remainder of the year.

As gas consumption by residential users became more and more common throughout the nation, field prices of natural gas became a national issue rather than merely a regional concern, and political pressures for price regulation multiplied. Such consumer-oriented pressures were beyond doubt responsible for the ensuing regulation of natural gas field prices.

Natural gas became subject to price regulation at the field level in 1954 as a result of the Supreme Court's decision in the case of *Phillips Petroleum Company* v. *Wisconsin*.

FUTURE PROSPECTS

In the event that higher prices are not forthcoming in the near future, serious gas shortages will develop. If prices are not increased, supplies will continue to decline and some sort of rationing will be imperative. The ultimate outcome of a long-run shortage will very likely be the pyramiding of pressures for end-use rationing. Such controls would probably be applied first to the elimination of industrial sales, but this would result in excess pipeline capacity and would raise costs to residential gas users.

The entire controversy over end-use controls implies that gas, rather than being monopolistically over-priced, has always been under-priced.

What are the possible solutions to the present supply crisis? There are three ways in which supplies may be augmented: (1) imports, (2) production of gas from synthetic sources, and (3) stimulation of greater domestic production. To look first at prospects for importation, the most obvious sources are Canada and Mexico, with supplies of liquefied natural gas from Venezuela, Africa, and the Middle East a possibility. Large reserves exist in Canada, but they are only partially developed. High transport costs will limit the marketability of much of the gas produced in the more distant Canadian fields. Furthermore, Canada may well need most of its own gas since Canadian demands are increasing steadily. In any event, export restrictions currently in force will prevent any substantial increase in Canadian exports for at least the next few years.

Reserves in Mexico are quite small compared to United States needs. About 95 per cent of Mexico's energy is supplied by oil and gas, and gas consumption is increasing at about ten per cent per year. It seems certain, therefore, that the export potential of Mexico will remain small. In addition, relatively high transport costs would be incurred for pipeline shipments to the major consuming centers in this country.

Although the potential supply of liquefied natural gas in Venezuela, Africa, and the Middle East is quite large, high costs would deter importation.

Furthermore, increasing gas imports would further deteriorate the nation's balance of payments position.

Gas could be produced from coal, oil shales, and tar sands. Coal hydrogenation appears at present to be the most promising process, but studies indicate that present costs are about 60 cents per Mcf, and these costs must be reduced by 10 to 15 cents to be competitive with natural gas at expected future prices. These cost estimates are based on current prices for hydrogen; but if the process was undertaken on a commercial scale, the demand for hydrogen would increase dramatically, and costs would increase unless there was a breakthrough in the cost of hydrogen production. Even if these estimates are approximately correct, it should be noted that gas from these sources will not be available for at least eight to ten years.

Potential gas recovery from oil shales is on the order of ten quadrillion cubic feet, but technology is untested and costs are likely to be quite high.

Domestic production of natural gas can be increased both by finding new gas and by increasing recovery from existing gas fields. Potential increases in supply from the latter source are likely to be limited. Nuclear stimulation of existing fields with poor recovery factors should result in increased production. However, little is yet known about costs, the effect on recovery factors, or the degree of radioactive contamination of the gas produced. Conservationist efforts may block widespread use of nuclear stimulation techniques even if economically feasible.

This leaves the stimulation of increased exploration for undiscovered domestic natural gas reserves as the most promising means of increasing supply. Enormous volumes are judged to await discovery. Probable undiscovered reserves are currently estimated at 260 trillion cubic feet, possible reserves at 335 trillion cubic feet, and speculative reserves at 632 trillion cubic feet (392 trillion cubic feet of this last amount being located in Alaska). The necessary and sufficient incentive for discovery and development of these potential reserves is a higher, and contractually assured level of natural gas prices.

INDEPENDENCE DAY FOR ALL NATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. RARICK. Mr. Speaker, from First Corinthians 10, verses 29 and 30, we read:

> Conscience, I say, not thine own, but of the other: for why is my liberty judged of another man's conscience? For if I by grace be a partaker, why am I evil spoken of for that for which I give thanks?

A fitting and timely patriotic contribution from Miss Lena G. Doll of Arlington, Va., has come across my desk. It is especially appropriate as we approach the Fourth of July—the 194th anniversary of the Declaration of Independence. In her poem, "Old Glory—Our Flag of Freedom," Miss Doll reminds us of our duty to keep our hard-won freedom and of our role as benefactor of freedom in the world.

I have also received Fourth of July congratulations from Dr. Walter Becher, Member of the Free German Bundestag, who lauds the United States as the one mighty counterbalance for the free world to resist the pressures from the Soviets.

I feel that Miss Doll's poem and Dr. Becher's letter will be of interest to all the Members; they follow my remarks:

OLD GLORY—OUR FLAG OF FREEDOM

Raise Old Glory high unto the sky
The greatest banner ever to fly—
Unfurled in the cause of Freedom.

No people ever, anywhere on earth
Had benefaction of greater worth—
The benediction of Freedom.

With our lives in hand, our minds and souls
We pledge to achieve victorious goal—
To keep our hard-won Freedom.

This is our Destiny, we can't forswear
The charge that binds us in loving care.
Bless'ed God-given Freedom.

—*Lena G. Doll.*

JUNE 24, 1970.

Hon. JOHN R. RARICK,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE RARICK: On the occasion of July 4, the American Independence Day, I would like to send you the best wishes and congratulations.

In a time when many voices in the world criticize the U.S.A. because it has stood up for freedom, this Day is a special occasion for me to greet your great country. Nobody in the free world could resist the pressure coming from the Soviet side if there were not the mighty counterbalance by the United States.

As a Member of the Foreign Relations Committee of the German Bundestag, I appreciate the efforts by your country to keep the peace in alliance with the free nations. Nobody can claim these efforts only for Europe, and—as many have done also over here—condemn them as far as Asia is concerned.

The right for freedom is indivisible. July 4 is therefore the Independence Day for all nations.

With best personal regards and wishes for you and your great country,

Yours very sincerely,

Dr. WALTER BECHER,
Member of the German Bundestag.

THE GUARANTEED STUDENT LOAN PROGRAM

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. ERLENBORN. Mr. Speaker, if you and other Members of Congress have received letters from students or their parents telling of difficulties in obtaining guaranteed student loans or otherwise inquiring about this remarkably successful program, you will want to read the following column by Sylvia Porter and an article from the Wall Street Journal:

[From the Washington Star, June 18, 1970]

A "SALLY MAE" FOR COLLEGIANS

(By Sylvia Porter)

We're now into the peak hunting season for guaranteed student loans. June-July is when the vast majority of college students and their parents are shopping among banks, savings institutions and other lenders for commitments to finance the fall semester in colleges, business, trade, technical and vocational schools.

Under the federal-state guaranteed loan program, 2,500,000 loans totaling $2.25 billion have been made since fiscal '66. In fiscal '70 alone, an estimated $840 million will have been loaned, the highest to date. Involved have been close to 20,000 lenders and students attending 7,000 educational institutions. It has been and it is a magnificent program designed especially to help the oft-forgotten middle-grade student from the middle-income family.

But as of this day, the program is in great trouble. Caught in a bitter money squeeze themselves, many of the nation's banks are severely cutting back the volume of guaranteed student loans for the coming school year. In some states the program is being abandoned altogether.

Many lenders have announced they will make no new loans to students just entering college or other approved schools but will aid only those already attending school with the help of guaranteed loans. And this year, as well as last, much of the available money will be channeled to favored customers and will by-pass non-customers.

The full extent of the cutbacks won't be known until next month—although you, the student and parents—already may have been rebuffed by all lenders in your area. But from testimony and other information received by the House Special Subcommittee on Education, headed by Oregon Democrat Edith Green, the crisis is here.

How can the program be kept alive?

The solution being pushed, as part of the Administration package, and by the original sponsor of the program, Undersecretary of the Treasury Charles Walker, lies in the creation of a new federal government corporation—the National Student Loan Assn. In essence, "Sally Mae" would sell its own government-guaranteed obligations at interest rates demanded by the open market to raise money. It would then use these funds to buy student loans from private lenders, and by so doing it would give the lenders new money to make new loans.

"The problem with these student loans has been the liquidity squeeze," said Walker last week. "Freshmen who borrowed as long ago as 1966 still haven't paid off one dime of principal, and so each year the money tied up in the loans has just grown. The creation of a 'secondary market' for the loans via 'Sally Mae' will relieve the pressure points and let lenders keep making the loans."

A bill to create the new corporation (similar to the Federal National Mortgage Assn. and its operations in the mortgage market) has been introduced. While it probably will be weeks before Congress votes on the legislation, "The need is indisputable," said Walker and he emphasized that "all sources, schools, banks, savings institutions, etc., seem to favor this as the answer."

To give you the key loan details, you, the student in good academic standing at an approved institution are eligible in most cases if your family's adjusted gross income is not more than $15,000. You may borrow up to $1,500 a year at a maximum rate to you of 7 percent plus an insurance premium of ¼ percent prepaid on each loan. The U.S. Government pays the total interest while you're in school. You pay the full interest during your repayment period which begins between nine and 12 months after you leave school and normally stretches from five to 10 years.

This program is a superb financial source for the non-scholarship student and it must not be permitted to die. Add your pressure on Congress; make sure it approves the Sally Mae bill soon. Don't flunk this one.

[From the Wall Street Journal, June 18, 1970]

LOANS FOR STUDENTS

College students find shopping for educational loans a bit harder this year.

Many bankers dislike the loans, which tie up funds for many years, produce less income than other types of consumer loans and require extensive paper work. "Education loans," says a Philadelphia banker, "are just to pacify senior management who worry about the bank's image." Now with money tight, many banks are tightening up on such lending. First National Bank of Boston stopped making new loans to students in February. City National Bank in Detroit anticipates rejecting "many more (applicants) than we would in looser times." Some banks start restricting college loans to regular customers.

But First Pennsylvania Banking & Trust in Philadelphia says it has "a little more money to lend" this year. National Bank of Detroit says it has "no limitations upon allocations" of funds for educational loans. Manufacturers National Bank in Detroit actually has fewer applicants for college loans than last year.

The American Bankers Association, others, press for a secondary, or resale, market for educational loans to make more funds available for students.

Mr. Speaker, both of these articles point out the need for a secondary market facility to relieve the liquidity problem of the guaranteed student loan program. On April 23, 1970, Congressman DON CLAUSEN and I introduced H.R. 17198 for this purpose. The Student Loan Marketing Association—Sally Mae—which our bill would establish would function with regard to student loans in much the same manner as does the Federal National Mortgage Association—Fanny Mae—with home mortgages.

Recognizing the need for this facility, as urged by these newspaper accounts and by witness after witness in testimony before the Education and Labor Committee's Special Subcommittee on Education, 12 of the committee's members—Congressmen QUIE, DENT, SCHERLE, PUCINSKI, DELLENBACK, DANIELS of New Jersey, ESCH, HATHAWAY, COLLINS, GAYDOS, LANDGREBE, and HANSEN of Idaho—joined us yesterday in cosponsoring an identical bill, H.R. 18264.

We are hopeful that the committee will soon act on this legislation and that this body will then support its enactment, so that loan funds will be available for those young people who need to borrow to go to college.

PCB'S—THREAT TO THE ENVIRONMENT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. RYAN. Mr. Speaker, Americans have recently begun to realize that compounds in products on the market are dangerous to life. These compounds are injurious to the earth itself and the wildlife on it. Several of these have been discovered to be dangerous to the unborn child.

In a recent article in the New Yorker magazine, "Department of Amplification," Thomas Whiteside has written about the effects of various compounds on the fetus.

In his article, written in the form of a letter to the editor, he includes polychlorinated phenolic compounds as fetus deforming, and polychlorinated biphenyls—PCB's—as the most prevalent of these compounds accumulating in the human system.

I have been extremely concerned about the danger of PCB's to our environment. Two months ago, I asked various departments in the Nixon administration to take action against this ecological threat. I requested that the Agriculture Department ban the use of PCB's in insecticides; the Food and Drug Administration label all products containing PCB's and study to see if they should be completely banned; and the Department of Interior insure that fish and wildlife no longer be endangered by PCB's.

At the same time, I asked the Monsanto Co.—sole producer of PCB's in the United States—to detail its efforts to prevent PCB's from escaping into the environment.

PCB's continue, however, to be an unchecked threat to our environment.

I am inserting the New Yorker article

in the Record. I am sure that my colleagues will agree that fetus-deforming compounds must be immediately removed from the market. I hope they will join me in the fight against PCB's and the other compounds which are destroying us and our environment.

The article follows:

[From the New Yorker magazine, June 20, 1970]

Department of Amplification

New York,
June 7, 1970.

The Editors,
The New Yorker.

Dear Sirs: In the issues of February 7th and March 14th of this year, I presented in *The New Yorker* some of the mounting evidence regarding the dangerous teratogenic, or fetus-deforming, effects of the herbicide 2,4,5-T, which has been used in huge amounts over the past decade as a defoliant in Vietnam and as a weed killer here at home. What seemed particularly alarming, as I reported, was the seemingly unavoidable presence in 2,4,5-T of a highly toxic and teratogenic contaminant belonging to a group known commonly as dioxins. I also pointed out the reluctance of the government, despite its apparent awareness of the dangers, to eliminate or drastically restrict the use of this herbicide.

On April 15th, the Surgeon General of the United States, Dr. Jesse L. Steinseld, appeared before a Senate subcommittee, headed by Senator Philip A. Hart, of Michigan, that was investigating the safety of 2,4,5-T and announced, on behalf of the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Health, Education, and Welfare, a number of measures that were being taken to limit the use of 2,4,5-T in this country. These measures included the immediate suspension of the Department of Agriculture's registrations of liquid formulations of 2,4,5-T used around the home and of all formulations used for killing vegetation around lakes, ponds, and irrigation ditches. The Surgeon General also announced that the Department of Agriculture was about to cancel its registrations of nonliquid formulations of 2,4,5-T for use around the home and on food crops, including corn, barley, oats, rice, rye, apples, and blueberries. On the same day, Deputy Secretary of Defense David Packard announced the immediate suspension of the use of 2,4,5-T in Vietnam.

Against a background of evidence accumulated since 1966 that 2,4,5–T, or material with which it is ordinarily contaminated to some degree, exerts a fetus-deforming effect on the offspring of experimental animals, and a background, too, of extraordinary reluctance on the part of government agencies, including the office of President Nixon's own Science Adviser, Dr. Lee DuBridge, to inform the public in a forthright manner about the potential hazards of 2,4,5-T to human health, the statement by the Surgeon General appeared to signal clear and unequivocal action at last against the widespread use of 2,4,5-T. Federal law requires that all pesticides and herbicides be registered with the Department of Agriculture before they can be marketed in interstate commerce, and the conclusion that citizens could reasonably be expected to draw from the Surgeon General's statement was that cancellation and suspension of these registrations had put an immediate stop to the sale and use of 2,4,5-T here.

That conclusion, I regret to say, is not justified. The word "cancellation," which has such an air of finality about it, and which seems to signify drastic action, is really one of the weaker words in the federal-regulatory lexicon—far weaker than the word "suspension," which the Department of Agriculture has applied to its action on the registrations of liquid formulations of 2,4,5-T used around the home and around lakes, ponds, and irrigation ditches. To illustrate one of the powerful distinctions implicit in this upside-down bureaucratic language, when the Department of Agriculture *suspends* the registration of a product for certain uses, the suspension takes force immediately, and under federal law shipments of the product in interstate commerce must stop; in effect, the flow of the product from manufacturer to ultimate user is immediately pinched off at a point reasonably close to the source of supply. When the Department of Agriculture *cancels* the registration of a product for certain uses, however, the movement of the product in interstate commerce is brought to no such automatic halt. A company given a cancellation order is told that after thirty days it can no longer ship its product across state lines, but the company has the right to appeal the order, and if it does appeal, this action has the effect of staying the order. During the lengthy process of appeal, the company can continue to produce, ship, and sell the cancelled product. A company whose product's registration is suspended has no such recourse.

Approximately six weeks after the Surgeon General's announcement concerning 2,4,5-T, I stopped in at several garden stores in the New York area. I found that a number of 2,4,5-T formulations—weed killers, poison-ivy sprays, and lawn food—were still on sale. Since the Surgeon General had cited as one of the primary reasons for federal actions against 2,4,5-T the government's wish to afford "maximum protection to women in the child-bearing years" by preventing them from being exposed to the herbicide, this state of affairs startled me, particularly since May and June are the months of maximum use of herbicides. The disturbing fact is that the Department of Agriculture has no power to compel manufacturers to recall from retail stores products whose registration for certain uses the Department has either cancelled *or* suspended. There is no federal law against a retailer's selling such a product or against a customer's buying it. The law does provide that stocks of it can be seized by Department of Agriculture inspectors. However, the number of retail establishments selling herbicidal formulations for home use runs into the scores of thousands, whereas the number of retail-store inspectors employed by the Department of Agriculture, I recently discovered, is exactly thirty-two. On a practical level, then, the power of the Department of Agriculture to prevent the retail sale of such products is almost nonexistent. Furthermore, not only is it legal under federal law for a homeowner to buy a product whose registration for certain uses has been officially cancelled or suspended but it is legal for him to use it, and use it in any way he pleases. Without breaking any federal law, he can dump concentrations of 2,4,5-T on his lawn in such a way that some of it enters his or his neighbors' water supplies.

Similarly, a farmer can continue to use 2,4,5-T on his crops without breaking any federal law even though that use has been the subject of a Department of Agriculture cancellation order. The only risk he faces is that of seizure by Food and Drug Administration inspectors of any of his crops shipped in interstate commerce that are found to have detectable amounts of 2,4,5-T residue on them. The risk isn't a very great one, since these inspections take place at retail outlets—supermarkets, and so on—where F.D.A. inspectors collect samples of foodstuffs and send them back to the F.D.A. for analysis, which takes time. The bureaucratic machinery is creaky, and if any detectable residue of 2,4,5-T is found on the foodstuff—say, blueberries that the farmer has sprayed with 2,4,5-T—the chances are that by the time the Department is ready to seize the stock of blueberries in the store (which, after all, is probably only one of many stores to which berries from this batch have been shipped) the blueberries have been bought and eaten. In any event, only the blueberries can be found guilty—not the farmer or the shipper. And the farmer can go right on using 2,4,5-T as he pleases, because the cancellation powers and suspension powers of the Department of Agriculture apply not to the basic chemical compound of 2,4,5-T as such but only to the formally registered *uses* for which it is intended. In effect, this means that there is federal control only over the wording of labels on the cans, bottles, or drums of these chemicals. It is true that the Department has asked manufacturers of 2,4,5-T products whose registration for certain uses has been cancelled or suspended to recall the products from retailers, but this will have to be done strictly on a voluntary basis if it is done at all. Even if it actually is done, and the products are back in the manufacturers' hands, the recall does not mean that the 2,4,5-T will be destroyed. For the most part, it means merely that the 2,4,5-T formulation will be relabeled, with the cancelled uses deleted, and sold over again in the same form, and even in the same containers. And since the label on the container has no binding force on the purchaser, there is no guarantee at all that 2,4,5-T will not continue to be applied in ways that the public might reasonably suppose to have been stopped dead by the government.

Further examination reveals that the measures against the use of 2,4,5-T that appear to be so sweeping actually apply to about ten per cent of the total amount of 2,4,5-T used in this country—that is, only to 2,4,5-T used around homes, gardens, and aquatic areas and on food crops. And since 2,4,5-T products are still being sold freely in garden-supply stores, I estimate that so far the cancellation and suspension orders have affected no more than two or three per cent of the total amount. About ninety per cent, in any case, is used for the control of woody plants in such areas as rangeland and pastureland and along railroad and electric-line rights-of-way. These uses remain unaffected by the new federal orders because the Departments of Agriculture, H.E.W., and the Interior agreed that in such areas, many of which are remote from dense population, 2,4,5-T does not constitute an imminent hazard to women of childbearing age.

I believe that this conclusion deserves reexamination. As studies with experimental animals have shown, 2,4,5-T is a fetus-deforming agent both in its relatively pure form, which has so far been formulated only under laboratory-test conditions, and in the form in which it is ordinarily sold to users. Because certain factors are apparently impossible to eliminate in its production, the latter form is a contaminated one, the contaminants being present in amounts that have up to now been considered tolerable. The name of the principal contaminant in 2,4,5-T is symmetrical 2,3,6,7-tetrachlorodibenzo-*p*-dioxin, and it has been found to be both extremely toxic and, in certain tests on living creatures, teratogenic. In tests on chick embryos, this form of dioxin, in a pure state, has the capacity to deform embryos at levels of a trillionth of a gram per kilogram of the egg—a level only one-millionth as great as that required to achieve a comparable effect in chick-embryo experiments with the notorious teratogen thalidomide. And in tests involving a mixture of dioxins in which the symmetrical tetrachlorodibenzo-*p*-dioxin predominated, conducted by the Food and Drug Administration on pregnant hamsters, a dosage of 9.1 millionths of a gram per day (for five days) per kilogram of the mother's body weight produced an incidence of eighty-two per cent mortality and eighty-two per cent abnormality among live offspring.

Dioxins are also known to have untoward effects on human beings. In factories where 2,4,5-T is produced, the dioxin appears as a contaminant in an intermediate stage of the manufacturing process, and some of it remains in the finished product. In 1964, workers in a Midland, Michigan, factory of the Dow Chemical Company, one of the largest producers of 2,4,5-T, contracted an illness through exposure to the dioxin contaminant. The symptoms of this illness were described as follows by Dr. Julius E. Johnson, a vice-president of Dow Chemical and its director of research and development, in testimony he gave in mid-April before the Senate subcommittee investigating 2,4,5-T.

"The most sensitive toxic reaction observed in humans to this impurity (the tetra dioxin) was manifested by a condition known as chloracne, a skin disorder mostly prevalent on the face, neck and back. It is similar in appearance to severe acne often suffered by teenagers."

The way Dr. Johnson described chloracne before the Senate subcommittee, it does not sound like a very serious condition. However, the way he described it before the subcommittee is not quite the way Dr. Benjamin Holder, the director of the medical department at Dow's Midland Division, had described it two months earlier during a meeting with government chemists. According to a memorandum originating in one of the regulatory agencies involved, Dr. Holder said that about sixty people had contracted the disease at the Dow plant, and that its onset had been slow—four to six weeks. The memorandum continued:

"Early symptoms (according to Dr. Holder) include fatigue, lassitude and depression, and early signs include the appearance of comedones on the face and body . . . and weight loss. . . . Severe exposure results in effects involving internal organs and nervous system disorder (polyneuritis). . . Dr. Holder discussed the examination and treatment of exposed workers. He said that six months were required for marked recovery to begin, and complete recovery required up to several years."

According to a paper published in a German scientific journal a year before the Dow people made these observations, the symptoms of chloracne associated with the intermediate stage of manufacture of 2,4,5-T include mental depression, reduced power of recall and concentration, disturbed sleep, irritability, reduced libido, and impotence. And another scientific paper, so far unpublished, on an outbreak of chloracne that occurred in another 2,4,5-T factory (not a Dow factory) in the United States, describes the continued existence of serious mental disturbance among affected workers some six years afterward. The reason I emphasize the presence and the extremely hazardous nature of the dioxin contaminant in 2,4,5-T is that while the Dow people claim that 2,4,5-T is readily decomposable in soil and by the action of sunlight after it has been applied, neither they nor anyone else has ever shown that the dioxin contaminant, as distinct from a theoretically pure 2,4,5-T, is biologically degradable; that is, that it does not persist in the environment or accumulate in animal tissue. On the contrary, the characteristics of dioxin-related chloracne poisoning, far from resembling those of the transient acne of teen-agers, include effects that are surely indicative of a serious toxic influence that is stubbornly persistent in the human body and its central nervous system. And, according to Dr. Jacqueline Verrett, of the Food and Drug Administration (Dr. Verrett's chick-embryo studies contributed to the discovery that the cyclamates widely used as sugar substitutes were carcinogenic substances), studies of the effects of dioxins on chicks and small mammals indicate that dioxin may very well accumulate in animal tissue more or less as DDT does—the difference being that dioxin is infinitely more toxic.

In the absence of positive proof that dioxin is not persistent and cumulative, the continued virtually unrestricted spraying of 2,4,5-T on pastureland and rangeland seems to me to constitute a serious potential hazard to human health. In spite of manufacturers' claims, there appears to be no evidence that the dioxin contaminant does not persist in the sprayed area long after the 2,4,5-T itself has broken down. The amounts of dioxin that would thus remain would, admittedly, be very small in relation to the amount of 2,4,5-T originally laid down—the Dow people, for example, claim that the dioxin content of their 2,4,5-T is less than one part per million—but the potency of dioxin is so extreme that a serious question arises whether traces of dioxin remain on sprayed pastureland and may be ingested by beef cattle, dairy cows, and sheep, with the result that dioxin builds up in the tissues of these livestock and enters the human food chain through meat or milk. The relentlessness of the cumulative process involving DDT and other pesticides is well known by now, when human milk contains more DDT than federal law permits in cow's milk crossing state lines, and when virtually every sample of drinking water tested throughout the country by the Environmental Control Administration has contained traces of pesticide. The only precaution recommended by the Department of Agriculture against possible contamination of dairy cattle feeding on pastureland sprayed with 2,4,5-T is that the land not be grazed for seven days after a spraying. Since the Department's own calculations of the persistence of 2,4,5-T—calculations that take no account whatever of the persistence of the dioxin contaminant—are that 2,4,5-T takes about five months to break down in soil, these precautionary measures as they relate to grass growing from the soil or water holes on its surface hardly seem adequate for the ultimate protection of the public against a herbicide that has been demonstrated to be a serious potential health hazard even in a laboratory-purified form. As for precautions against the ingestion of dioxin, there simply aren't any, because as far as federal regulations are concerned dioxin does not exist. In the case of grazing beef cattle, the Department of Agriculture does not recommend withholding the land from use for as much as a day after a 2,4,5,-T spraying. In Texas alone, more than a million acres of rangeland and pastureland are being sprayed with 2,4,5-T this year; probably at least a quarter of a million head of cattle will graze on that sprayed land; and the cattle will produce something like a hundred and fifty million pounds of meat that will be sold to Americans as edible—all in the absence of a solitary meaningful restriction imposed by the federal government on either the spraying or the grazing, and also in the absence of a solitary scientific study, either by industry or by any government agency, concerning the stability, the persistence, and the cumulative capacity of the dioxin contaminant in the bodies of living creatures.

Next year, the total area sprayed with 2,4,5-T throughout the country may well be greatly increased rather than decreased. The use of herbicides in this country has been increasing at a considerably greater rate than that of pesticides, and it is only because military priorities for defoliation programs in Vietnam cut the available supply of 2,4,5-T quite drastically that this country has been spared the much more extensive use of 2,4,5-T on rangeland and pastureland. In Vietnam, a total of about forty million pounds of 2,4,5-T has been dropped on the countryside. The suspension, under public pressure, of the use of 2,4,5-T there will probably bring about the release in the coming year of huge amounts of it in the domestic market, and a logical target of chemical-company salesmen for disposal of the surplus would be the cattle industry and the United States Forest Service.

Also, to my knowledge, no proper investigation has ever been made of the possibility that, quite aside from the dioxin already present in 2,4,5-T sprayed on vegetation, *further* amounts of dioxin may be created, and released into the environment, through the breakdown process of 2,4,5-T as it is affected by sunlight and by heat. Heat strong enough to create new dioxin can occur under conditions that are not highly unusual. Brush that has been killed, whether by 2,4,5-T or other means, is certainly a fire hazard, especially in a hot, dry climate, such as that of Texas, where so much 2,4,5-T spraying is going on, and a brush fire over a large sprayed area containing 2,4,5-T residues could conceivably generate considerable quantities of dioxin and release it into the atmosphere.

It seems most likely that the hazards of pollution of the environment by dioxins extends far beyond the use of 2,4,5-T. This herbicide is only one of many products derived from polychlorinated phenolic compounds that contain dioxins or are the precursors of dioxins. These products range from pesticides to deodorants. It appears that when any chlorophenol is heated sufficiently it can be converted into a dioxin. This fact raises questions about the release of dioxins into the environment merely through the burning of many commonly used products. For example, one of the polychlorinated phenolic compounds, pentachlorophenol, is widely used as a fungicide and as an antibacterial preparation. It is used in preserving wood and in controlling slime in the manufacture of paper. In 1968, more than twenty-seven million pounds of pentachlorophenol and its salts were used in the United States to preserve wood. Since the fate of most timber is to be burned sooner or later, and since it is reported that when five grams of pentachlorophenol is heated at a temperature of three hundred degrees for twelve hours it is capable of generating one and a half grams of octachlorodibenzo-*p*-dioxin, the possibility that considerable amounts of dioxin will be released into the atmosphere from wood treated with this preservative presents a potential health hazard of very alarming dimensions. The same thing may be said of the burning of paper that has been treated with pentachlorophenol. Aside from any hazard created by burning, the extreme toxicity of pentachlorophenol was discussed some years ago in an article in the *British Medical Journal* on some sawmill workers in Borneo who handled wet timbers that had been freshly treated with a solution of sodium pentachlorophenate, a salt of pentachlorophenol. The people involved, who are described in a Monsanto Chemical Company manual on pentachlorophenol as "nine undernourished, scantily clothed native workers," were not wearing protective garments—a circumstance that the Monsanto manual calls a "complete violation of safety precautions for handling Penta [a Monsanto trade name] materials." They died as a result of handling the timbers.

Pentachlorophenol is used in a wide variety of products, including paints and shampoos. It is put in laundry starches as a preservative, and it has been used in other laundry products. The extreme hazards posed by the injudicious use of this chemical, which is buried in so many consumer products, can be perceived in a scientific paper that appeared in the *Journal of Pediatrics* last August, entitled "Pentachlorophenol Poisoning in a Nursery for Newborn Infants." The paper describes the cases of nine infants between six and fourteen days old who were all born in a small hospital for unmarried mothers in St. Louis and who were all admitted to St. Louis Children's Hospital with a severe form of an unusual and undiagnosed illness marked by excessive sweating, increased heart rate, respiratory difficulty, and enlargement of the liver. Two of the infants died shortly after being admitted to Children's Hospital; the rest were given blood transfusions and other treatment and survived. The cause of the poisoning was traced to an antimicrobial laundry neutralizer that had been used in excessive amounts in the laundry of the hospital where the children were born. The neutralizer contained sodium pentachlorophenate, and traces of pentachlorophenol that remained in diapers and other clothing after laundering had penetrated the skins of the infants and entered their systems. The insidious nature of pentachlorophenol can be illustrated further by the fact that after the use of the rinse was discontinued, traces of pentachlorophenol continued to be found in the blood of newborn children and of expectant mothers. It turned out that although the infants were no longer directly exposed to pentachlorophenol, the mothers-to-be had continued to use linens that had been rinsed with it. There is speculation that the pentachlorophenol traces in the linens used by the expectant mothers became absorbed into their systems and crossed the placental barrier into the systems of the unborn babies.

Such facts led me to become curious about other commonly used products that contain polychlorinated phenolic compounds. One of these is the household disinfectant Lysol, which contains a chlorophenol compound. Another polychlorinated phenolic compound that is widely used is hexachlorophene. The basic material for hexachlorophene originates in 2,4,5-trichlorophenol, which is also the precursor of 2,4,5-T in the manufacture of the herbicide. Hexachlorophene is very widely used as an antibacterial agent, and is an ingredient of toilet soaps, of skin lotions for babies, and of cleaning powders used for washing diapers and infants' laundry. It is used in deodorant creams and sprays, and it is a principal active ingredient of pHisoHex, a sudsing antibacterial agent for the skin that is universally used in hospitals and widely used in homes. (In hospitals, it is used in scrubbing up before surgery.)

A relatively small number of people appear to be sensitive to such hexachlorophene preparations when they are applied to the skin, but the undoubted benefits of the preparations are generally considered to far outweigh this known disadvantage. Manufacturers of soap claim that hexachlorophene does not readily penetrate the natural barrier of the human skin. However, it may be another matter when hexachlorophene preparations are used where the natural skin barrier has been broken down. In 1965, at the Shriners' Burns Institute, a hospital in Galveston, affiliated with the University of Texas, that is devoted to the treatment of severe burns, nine children had their wounds cleansed with a three-percent solution of hexachlorophene in detergent in preparation for skin grafts. Six of the children soon developed generalized convulsions. To determine the cause of the convulsions, a study was subsequently made in which hexachlorophene was sprinkled into skin incisions in rats. All the rats died.

More recently, Dr. Verrett has made studies of the effects of hexachlorophene on chick embryos, and her observations concerning one of her experiments have led her to conclude that hexachlorophene is so toxic that when it is injected into the embryos in a concentration of half a milligram per kilogram of egg it kills sixty percent of the embryos. In another study, in which hexachlorophene was injected into the eggs at this same concentration, Dr. Verrett found signs of teratogenicity—including a significant incidence of cleft palate, eye and beak defects, and an incidence of leg deformations and edemas, or body-fluid swellings—similar to the teratogenic effects she had found in comparable chick-embryo studies of 2,4,5-T, of the dioxin contaminant, and of 2,4,5-trichlorophenol.

Hexachlorophene has been manufactured for commercial purposes for about thirty years, and last year between two and three million pounds was produced in this country; much larger quantities are expected to be available in 1970, again because of the suspension of the use of 2,4,5-T in Vietnam. The Food and Drug Administration places no restrictions on the use of hexachlorophene in such consumer products as toilet soap and deodorants. Yet, as far as I can determine not one single series of formal tests has ever been completed either by any corporation or by any government agency to determine whether this chemical is teratogenic, whether it causes mutations, or whether it produces cancer in experimental animals. Regardless of this lack of data, the Department of Agriculture permits the use of hexachlorophene in certain pesticides used on farm produce. It is sprayed on certain fruits and vegetables to cut down bacterial action that might encourage spoilage. Its use is permitted in quite high concentrations in water drunk by livestock, as a means of preventing liver flukes in cattle. If it is effective against liver flukes in cattle, it presumably penetrates to the liver, and since beef and calf's liver winds up on the dinner table, one wonders about other ways in which hexachlorophene might possibly be ingested by humans. One route might be through drinking water. With the huge amounts of hexachlorophene used in soaps and such consumer products, regardless of whether, as soap manufacturers claim, very little of the hexachlorophene is absorbed into the human body through the skin, the hexachlorophene that remains outside the skin is for the most part drained away in waste water. Since much waste water in this country is reused, after treatment, as drinking water, it seems reasonable to question whether traces of hexachlorophene are ingested by human beings in this way.

Both the ubiquity of polychlorinated phenolic compounds in the environment and their apparent ability to accumulate in the systems of living creatures are suggested by the contamination caused by a group of polychlorinated phenolic compounds known as polychlorinated biphenyls, or, more commonly, PCBs. These materials, which are known to be highly toxic, and are potential sources of dioxins in themselves, are used for a wide variety of purposes. They are used in rubber products and insulating materials, in paper coatings, in brake linings, in asphalt tiles and other asphalt compounds, in paints and varnishes, in inks for highspeed presses, in waxes, and also in pesticides. In this country, PCBs are manufactured by the Monsanto Chemical Company under the trade name. Aroclors. According to a recent article by Dr. Robert Risebrough, of the Institute of Marine Resources of the University of California at Berkeley, in the magazine *Environment*, PCBs have been found in North American peregrine falcons in amounts as great as 1,980 parts per million parts of body fat, and, in Sweden, in the fat of the white-tailed eagle in the amount of 17,000 parts per million. Traces of PCBs have been discovered in fish in Lake Michigan, and it may therefore be assumed that PCBs have found their way into the human food chain. In tests of samples of mothers' milk from Los Angeles and Berkeley that were analyzed late in 1968 by Dr. James Enderson, of Colorado College, every sample tested contained traces of PCBs.

Of the polychlorinated phenolic herbicides used in the United States, the most widely used is 2,4-dichlorophenoxyacetic acid, or 2,4-D. In 1968, approximately fifty-seven million pounds of 2,4-D was used in this country, in compounds that ranged from agricultural sprays to lawn foods and preparations for removing dandelions. As far as the Department of Agriculture is concerned, 2,4-D may be sprayed on virtually any crop or area—with minor restrictions as to intervals before harvesting, and so on. Last year, probably fifty-seven million acres of agricultural land was sprayed with it, and probably more than a million pounds of it was used on turf alone. Over the past ten years, close to half a billion pounds of 2,4-D has been laid down on vegetation in this country, and today every garden store is full of compounds containing it; about a hundred and seventy-five companies produce 2,4-D preparations, and the chemical appears in somewhere between five hundred and eight hundred products currently in use. In spite of the Department of Agriculture's almost completely permissive attitude toward the use of 2,4-D, this herbicide has never been proved to be non-hazardous to public health. Last year, 2,4-D was characterized in a report by the Bionetics Research Laboratories, in Bethesda, Maryland—the original discoverer of the teratogenic qualities of 2,4,5-T—as "potentially dangerous" and "needing further study." Recently, a screening study conducted by Dr. Verrett on the effects of purified 2,4-D on chick embryos showed the 2,4-D to have teratogenic effects. And preliminary observations in a study, also made within the F.D.A., of the effects of commercially produced 2,4-D given orally at high dosage levels to pregnant hamsters are said to show an incidence of birth abnormalities, including skeletal abnormalities, higher than that in studies of the effects of purified 2,4,5-T given to pregnant hamsters at comparable dosage levels. But the Department of Agriculture has made no move either to warn the public of these ominous findings or to restrict 2,4-D's registered uses.

The potential hazards of 2,4,5-T and 2,4-D were further underlined this spring by a report concerning the fate of a herd of six hundred reindeer on government rangeland near Luleå, in northern Sweden, which had been sprayed last July with a mixture of one part 2,4,5-T and two parts 2,4-D at the rate of a little less than two pounds per acre. A few weeks after the animals had eaten large amounts of sprayed foliage, a hundred of them died and another hundred and fifty disappeared—the presumption being that many of the missing ones also succumbed. Among the surviving animals, forty females had miscarriages. Analysis of the reindeer carcasses by the National Swedish Veterinary Institute showed significant residues of 2,4-D and 2,4,5-T in their kidneys and livers. In view of this report, the almost complete lack of restrictions by our Department of Agriculture on the use of 2,4,5-T and 2,4-D on rangeland and pastureland seems particularly disturbing.

The acute effects on human beings of high dosages of PCBs are evident from a series of outbreaks of poisoning, traced to cooking oil extracted from rice hulls, that occurred two years ago in western Japan, in which at least ten thousand people were affected. The outbreaks involved both an abnormal incidence of miscarriages and stillbirths among women in the affected population and abnormally dark skin pigmentation in infants. The victims of the poisoning showed the classic symptoms of chloracne, and in several very serious cases they also showed symptoms of jaundice and other liver damage. Polychlorinated phenolic compounds are known to be used in Japan as herbicides on paddy fields, and the causative agent of the poisoning was identified as a PCB. Yet our Department of Agriculture permits the use of PCBs as additives in between thirty and forty registered pesticide products and has taken no action to protect the public against the dangers of these additives.

It seems to me clear from all this that the whole family of polychlorinated phenolic compounds is one that, scientifically speaking, consistently produces very bad news. In spite of this, the federal agencies charged with regulating the use of such substances to protect public health have taken virtually no effective steps either to investigate the harmful potential of these compounds or to protect the public from such possible harm. The Department of Agriculture, which has jurisdiction over the pesticidal and other non-drug uses of all sterilizing, disinfecting, germicidal, and antibacterial chemicals sold in this country—and most of the polychlorinated phenols are in one or more of these categories—has not, during all the years in which it has permitted the use of these substances, completed one laboratory study of dioxin contamination or of dioxin generation by any polychlorinated phenol. After almost a quarter of a century during which the Department has authorized the virtually unrestricted use of a herbicidal agent as powerful as 2,4,5-T, and in the face of well-established facts about the alarming teratogenicity both of 2,4,5-T and of its dioxin contaminant, none of the scientists employed by the Department have completed a single working experiment on the prevalence and generation of dioxins. Although they have gone so far as to draw up a list of seventeen polychlorinated phenolic compounds that they believe should be studied, they do not know, at the time this is written, even how many formulations of these compounds are on the market, what quantities of them are being sold, and what uses they are being put to. I became aware of this when, before writing this letter, I called the Pesticides Regulation Division of the Department of Agriculture and asked for a list of registered products containing polychlorinated phenolic compounds. According to the assistant director of the Pesticides Regulation Division, the Department has no such list and no list of formulators in whose names the products have been registered, nor has it a list of the uses to which the compounds in interstate commerce are being put. No one had ever before asked for such a list, he said, and the only way the Department could compile one for me would be by making a manual search through files containing some fifty thousand pesticidal-product registrations—which would, of course, be very expensive and complicated.

Clearly, in the polychlorinated phenolic compounds, we are confronted with substances in our environment that, even though we may be exposed to any of them in almost undetectable quantities, cumulatively and collectively pose frightening potential hazards to public health and involve the serious question of possible effects on the unborn. Considering the striking contrast between the urgency of the problems and the apparent inability of federal regulatory agencies to take prompt action to protect the public against these hazards, it seems to me that a drastic change in methods is essential. The existing pattern of inertia is attributable to a complex set of circumstances that includes inadequate statutory authority to deal with potentially hazardous products on the necessary environmental scale—all the way from their creation in factories, through their movement in interstate commerce, to their use and their eventual disposal or decomposition. A second factor is the very inadequate funding by Congress of the regulatory agencies. The Food and Drug Administration, for example, is supposed properly to regulate various activities of businesses that gross some three hundred *billion* dollars a year on an annual departmental budget of sixty million dollars, while the Department of Agriculture, as I have pointed out, has those thirty-two retail-store inspectors to cover the whole country. These conditions account, in part, for the passive attitude that agencies often take toward the industries they are supposed to regulate. Once a product has been registered as acceptable for use in interstate commerce, it tends to acquire such status that if subsequent questions arise about its safety, the burden of proof concerning this is really placed upon the federal regulatory agency rather than on the producer of the product. Since the agency too often does not have adequate facilities, money, or manpower to offer such proof, general foot-dragging or tired surrender to industry pressure by the agency people is naturally encouraged. It seems to me grossly improper that doubts raised about the safety of complex chemical substances put out by large companies for extensive public use should be so often resolved by federal regulatory agencies in favor of the welfare of these companies rather than of the welfare of the public. It does appear to me that in the case of the present uses of 2,4,5-T, 2,4-D, and other polychlorinated phenolic herbicide or pesticide compounds, such doubts can best be resolved by simply imposing a full suspension of all uses of these chemicals until it has been shown, as clearly as science can demonstrate through the necessary chemical, biological, and environmental testing, that the employment of these substances or their contaminants or breakdown products will not be hazardous to public health.

Sincerely,

THOMAS WHITESIDE.

LETTER FROM CONSTITUENT

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. SKUBITZ. Mr. Speaker, I am in receipt of a letter from a constituent of mine who lives in Haysville, Kans., who has pretty well stated the general feeling of the people in my district. I include his letter in the RECORD today. I do this because I want the Members of this body to know the attitude of the people of my district. I wish that other Members would do likewise so that each one of us can get the feeling of districts other than our own.

The letter follows:

HAYSVILLE, KANS.,
June 29, 1970.

Hon. JOE SKUBITZ,
House of Representatives,
Washington, D.C.

DEAR MR. SKUBITZ: I have been born and raised a Republican and remain one at heart but Mr. Nixon is about to change the last part!

I am one of the many that have been laid off in the aircraft industry. I will soon have my 29th anniversary in the aircraft industry. Jobs are just naturally scarce now. We believe this is all due to the high interest rates.

Maybe the government does not control the economy but they could go a long way by influencing it by seeing that the interest is dropped. Who wants to pay 9–10% for 30 years buying a home? People will not and cannot afford to finance airplanes or for that matter business loans at this rate. It has ruined business!

It is not fun to look at the future and wonder if we can keep our house and car with no steady job.

We need action and action fast! We need jobs where we can make a decent living.

Some claim the loss of jobs has influenced the crime rate. Mr. Nixon wants to fight crime. I am all for that. Let's fight this inflation in another way. I favor controls over no jobs. Controls are not good, but we can at least maintain our homes and other needs with them.

Mr. Skubitz, I am 50 years old and have always believed in my government. I believe the majority should rule, not the minority. Yes, I think we should be influenced by their desires, but not stampeded. I believe the blacks should be treated fairly, not separated, but I don't think they should be forced to integrate with us or we with them. They will congregate together as they feel more comfortable that way as do the Chinese or any other group. I also think the colleges should be tuned to the honest desires of the students, but should not let a roving band of radicals rule. Our nation has become great by changing in tune with the times and not with holding on to old ideas.

But, please, we have always been taught to look up to our law-making and governing bodies. Now they appear to be sorely divided. Our country appears to be very decidedly divided now, more than ever. Please fight for unity. We have a great nation and I hope and pray we can keep it that way. We are counting on you.

ASSISTANT HUD SECRETARY JACKSON SPEAKS ON THE NEW TOWN JONATHAN

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. NELSEN. Mr. Speaker, recently Samuel C. Jackson, Assistant Secretary for Metropolitan Planning and Development of the Department of Housing and Urban Development spoke before the Institute on Comparative Urban Systems at Macalester College in St. Paul, Minn. His speech centered on the problems of an urban growth policy and he used as a chief illustration, the new town of Jonathan, Minn. This community is now being built near Chaska, Minn., in the Second Congressional District which I represent.

Jonathan has been awarded the first guarantee under the 1968 New Communities Act, and it will offer innovation in many areas of urban existence. It will mix incomes and races. It will have a variety of population densities. It will use a variety of construction methods. It will be self contained and it will have industry to supply jobs.

Assistant Secretary Jackson pointed out that by building the new town of Jonathan we are demonstrating our "discontent and frustration with life in the congested, blighted, and impersonal cities of yesterday and today."

Mr. Jackson is not afraid to tell us of the sacrifices that must be made to solve the problems of burgeoning urban growth, but he has candor enough to refrain from promising that the Federal Government can perform miracles by tomorrow.

For the reference of the Members, I am including Mr. Jackson's remarks in the RECORD at this time:

THE TOUGH ISSUES IN AN URBAN GROWTH POLICY

(Remarks by Samuel C. Jackson)

Not far from here, just north of Chaska, is the site of a new community—a completely new human settlement, totally planned from beginning to end to provide the housing and environment for a more pleasurable, hopefully more meaningful life, for people of all income levels, and all races.

The name of this new community will be Jonathan, in honor of Jonathan Carver, one of that hearty breed who pioneered the first settlements in Minnesota. The new community of Jonathan deserves its name—it is also in its own way a true pioneer. It is the first proposed new community in the Nation to receive a commitment for Federally guaranteed financing under the New Communities Act of 1968. That commitment of $21 million, made by Secretary Romney last February, will help a group of private developers build a unique community designed to serve the total needs of its people.

Jonathan, like other new towns and communities being planned and constructed in this and many other nations of the world, is a symbol of the worldwide discontent and frustration with life in the congested, blighted, and impersonal cities of yesterday and today.

It also symbolizes the urgent need for a national urban growth policy—and there are a number of bills in Congress right now that would aid the formulation of this policy. Such a policy would serve as a strategic guide for building the housing, the towns, and the cities of tomorrow. For the sad fact is, that the United States is among only a few remaining developed nations that have yet to articulate such a policy.

Today, I want to discuss the nature of an urban growth policy—the forces that demand its formulation and some of its components. But my emphasis will be on the many dilemmas that must be resolved and the tough decisions that must be made if any policy, regardless of its substance, is to be truly effective.

What is a national urban growth policy—or its synonym, a national urban land use policy?

A group of us discovered recently that at the end of a full day of discussing various aspects of an urban growth policy, we had failed to define it. Probably, we never will develop a precise definition; indeed, we may never articulate the policy itself. Conceivably, we will formulate a series of policies and programs linked together for common goals.

However, two basic goals of most European growth policies may contribute to an understanding of the "creature." These goals are: (1) a national redistribution of urban growth—people and economic activity—by channeling most of it away from the massive metropolitan areas into smaller towns and new towns; and (2) the channeling of the remaining metropolitan growth into satellite new communities. This is perhaps an oversimplification and certainly, in the case of the United States, a variety of domestic conditions will dictate the substance and goals of an urban growth policy.

It is also clear that one of *our* goals must be to ease the pressures of our existing core cities so that rebuilding can be done.

The conditions that create for many of us a sense of urgency and a sense of need for some unifying policy are well-documented. They are essentially the facts of life in today's urban America:

The core cities of our metropolitan areas have become the decaying and festering ghettos of an intermittent stream of rural-urban migrants.

The flight of the higher income families to the suburbs has contributed to suburban expansion at a rate approaching complete disorder.

Small towns in rural areas are losing their people and with them their vitality and ability to survive.

The natural environment is being all but destroyed; land, air, and water are being systematically ravaged.

Transportation systems have become clogged; declining in physical capacity in the face of increasing demands.

And all too many of our citizens still live in housing that is indecent by any reasonable standard.

The underlying cause of these harsh realities is the pressure of expanding urbanization fed by a constantly growing and shifting population.

This is a worldwide phenomenon: in the 40 years from 1920, world population increased 61 percent but the urban population more than tripled that growth, 198 percent!

Increasing urbanization necessitates the intensive use of more and more land. Every year, at least one-half million acres of land is added to urban areas in the United States.

The prospect of a rising rate of conversion of land to urban uses, the growing number of people living in urban areas, and the increased production of our factories, will only further aggravate the already unprecedented befouling and polluting of air and waterways. Already, one-third of the land area of Los Angeles has been absorbed by cars and trucks together with the facilities to serve them. And motor vehicles account for some 60 percent of the air pollutants in cities! We pay for this increased urbanization with our lungs, with our irritation and ultimately with our hospital bills.

The inadequacy of the housing inventory is perhaps the most visible casualty of such rampant growth. For example, some 50 to 100,000 people in Calcutta literally live on the sidewalks. Certainly we are more fortunate. Yet our "crises" are related to different standards, and housing production in this country in the past four years has been more than one million units short of the volume needed to keep pace with the nation's growing population and the concurrent losses of existing dwellings.

It is these kinds of housing and urban problems, then, that give rise to current demands for a growth policy. In the words of President Nixon:

"I propose that before these problems become insoluble, the nation develop a national growth policy. Our purpose will be to find those means by which federal, state and local government can influence the course of urban settlement and growth so as positively to effect the quality of American life."

The quality of American life involves one aspect of growth that is unique to our diverse society in comparison with many other developed countries, and it is more complex than the simple deterioration of our housing inventory. Our growth has produced a widening gap between the races: physical—between city and suburb; economic—in the sense of unequal job opportunities; and cultural—in terms of accessibility to good educational and related facilities.

Can a single policy, or interlinked series of policies, be created to guide growth in such a way that all of these issues and problems can be significantly ameliorated if not resolved altogether?

Let me offer a word of caution. A simple yes or no will not suffice. There is a tendency to oversimplify the nature and role of an urban land growth policy. We sometimes seem to be seeking a policy that is a simple, magic, cure-all for the frustrations involved in coordinating the multitude of daily decisions—public and private—that affect the direction and substance of urban growth. Such policy will probably remain elusive for some time to come; the issues are much too complex, our objectives much to imprecise, and the conflicting interests too plentiful. The task of landing a man on the moon was relatively simple when compared to the problem of providing an opportunity for every American to lead a rewarding and productive life here on earth—clearly, the major goal of any national policy.

To return to my question—yes, I do believe that we can develop an effective urban growth policy, but it will be effective only if we as a nation are prepared to accept certain basic changes in our institutions and in our traditional ways of managing urban growth. However, there are major obstacles to this kind of institutional change. And, if we naively ignore these very real impediments, planning for a national growth policy is doomed to oblivion.

First, there is the problem of recognizing the seriousness of problems. We are a pragmatic people and little short of a crisis will sway us to modify our institutional heritage. Although you or I may see the elements of a crisis in the present urban growth trends, it is most difficult to excite the general public. "Urban sprawl" is not a term to stir the hearts and minds of men.

In designing national programs and getting them adopted by the Congress, there is evidence of this pragmatism in our efforts to prove the merits of the programs in reduced costs, taxes, or both. Thus, urban sprawl, though ugly and often depressing to the human spirit, is attacked more as a wasteful user of land resources and an extravagant user of public facilities and services.

We are compelled to support our policies and programs with cost/benefit analyses. New communities, for example, though I believe them to be delightful and stimulating places to live—and work—receive much of their official support from the fact that they save development costs when measured against urban sprawl patterns of growth.

Yet, I think that many of the benefits of new communities—or any pattern of orderly development—will always remain elusive of the economists' attempts to measure and price them. What is the dollar value of a decent environment, of being able to walk to work, of the freshness of open space, of social interaction and neighborliness among people of different incomes and races? These are emotional values and to me they are perhaps more valid objectives of an urban growth policy as more readily measured benefits.

Indeed, the genesis of our present concern with urban growth policies is probably the 19th century garden city movement of Ebenezer Howard. His vision of "energetic and active town life, with all the beauty and delight of the country" has continued to infuse the British national growth policy as much as later economic analyses.

An urban growth policy will remain inert and partial unless we show more willingness as a people to make decisions, not only on the basis of all available facts, but on the basis of our hopes, desires, and innate convictions. One can point to the harsh economic truths of the market place to prove that many small communities are doomed to decline while metropolises will continue to burgeon. Yet the Gallup polls reveal that many of us prefer small town life and a national growth policy should maintain and expand this choice.

We often cite the preservation of choice as the goal of urban policies, and there are certain truths in this principle of choice, as well as some flaws. Certainly, none of us has the wisdom to determine the ultimate conditions and design of *the* good urban life. A national policy cannot treat people as pawns; it must preserve options for people to choose for themselves. Not all people, for example, want to live in rural, small towns, or even in satellite new towns; some prefer the excitement, the challenge, and the competitiveness of the city.

We must recognize the need to preserve and enhance choice in urban life styles but we must, at the same time, provide assurance that all people have the opportunity to make those choices. Obviously, a sparkling new town in the suburbs provide no choice for the city ghetto resident if all of the housing is priced beyond his reach. A recent study disclosed a related condition that denies many of us the right to choose. I quote from an interim report of the National Committee Against Discrimination in Housing:

"For almost two decades, this large-scale shift of industrial and service occupations from city to suburb has steadily accelerated. It has been accompanied by a massive exodus of freely-mobile whites who, in keeping with American tradition, have moved to live in areas offering good jobs and economic and social advancement. Meanwhile the American workingman's traditional option to "move where the jobs are" has been denied millions of Americans of color. Indeed, this option increasingly is unavailable to all low-income families."

A dilemma that often emerges from a policy of choice is illustrated by our concept of citizen participation. This concept holds that those who are to be affected by a proposed public action should have an effective role in planning that action. But, the ultimate choice of an affected group of citizens may seem in conflict with a broader "public interest." The current controversies in our highway and urban renewal programs center on these conflicts between the vital and immediate interests of local minorities and the often longer-range interests of a larger public.

These conflicts in the development and redevelopment of our cities, must ultimately be resolved within the framework of government. And it is to this end, that an urban growth policy must include a component for strengthening the ability of State and local governments to be responsive to the needs of all its citizens—to seek the public good with proper regard for the rights of the minorities.

The advantages of our Federal system—its openness to creative efforts and its ability to respond to a wide variety of conditions and needs—must be paralleled by continued improvement in the effectiveness of State and local governments which must be chiefly responsible for implementing any national growth policy.

This means many things—improvements in communication between governments and citizens; more complete and timely information on which to base decisions; improved training programs, and a more equitable sharing of fiscal resources among governments.

I should emphasize the critical role of the states, for they have much of the basic authority needed to reshape and redirect growth. They have a primary role in highway planning, a key determinant of the distribution of jobs and people. The states also are the source of the basic powers of zoning, building codes, and other land development regulations that are sorely in need of new and creative approaches.

Several States have already developed innovative means of implementing growth policies. Massachusetts has established an appeals board with the authority to overrule local zoning and other regulations that effectively block the construction of housing for low-income and moderate-income families. New York State has created an Urban Development Corporation that can acquire land and construct housing—or entire new communities—anywhere in the State. The Corporation has sought to work cooperatively with localities in resolving their housing and development problems. Other States are establishing similar corporations.

The Massachusetts appeals procedure is one attempt to overcome the zoning barriers in many communities. The Administration's proposed Housing and Urban Development Act of 1970 would provide another means for overcoming the arbitrary use of local regulations to exclude certain groups by excluding the housing that they can afford. Secretary Romney testified on the impact of the proposal:

"This provision would prohibit a local government from using zoning, subdivision controls or similar powers to prevent the reasonable provision of low- and moderate-cost housing in undeveloped or predominantly undeveloped areas which are in the path of development if the exclusion of such housing would be inconsistent with state or local comprehensive or master plans applicable to the areas. It would also prohibit local discrimination against low- and moderate-income housing solely on the basis of its eligibility for Federal aid."

Creativity is the essence of progress and it is no less required in formulating a national growth policy. Yet reluctance to accept innovation and change will be the most imposing obstacle to carrying out such a policy. Most of us are capable of understanding the nature of our urban land problems. We readily agree to the need for planning solutions, but the acid test is whether we are prepared to swallow the seemingly bitter pills of change needed to implement them.

I note, for example, that many of the current crop of urban policy bills emphasize Federal grants to the States for more land use planning. Such planning is needed; indeed, present Federal programs already offer some support. But, we are mindful that planning all too often leads to inaction because we are unwilling to accept those changes in our institutions or traditional ways of doing business that are required to convert plans to programs.

One of America's leading new community builders has noted that high school students could prepare better land use plans for metropolitan growth than the non-plans that we are following. The trick is to implement them—in the face of a multitude of objections by individuals, private industry, civic officials and ungained public attitudes—all of which must be subordinated if public plans are to be more than paper designs. A prominent scholar of urban planning has stated:

"Land-use plans in American cities are not designs for action, unlike those in centrally controlled New Towns and unlike construction plans for building, bridges, and machines. They express the authors' opinion of a desirable future state, but offer few guides for getting there, and fewer clues about the possibilities of ever getting there. In the absence of authoritarian controls, their most important function is hortatory in character."

No, planning is too often considered to be an end in itself. As valuable as it is as a means it cannot substitute for action-oriented decisions—many of which, will require basic changes in our institutions.

At this point, I would like to discuss briefly a few of the institutional changes that seem indicated by the very nature of the objectives of a national growth policy.

Foremost, is a need for urban land reform—reform, in the way land is controlled, developed, taxed, and, perhaps, bought and sold. Land is the obvious key to urban growth and the land component of a growth policy must seek to achieve at least four objectives.

1. A reduction in the cost of land as a basic component of housing construction and urban development.

2. The elimination of land as a barrier to social goals—such as open communities and housing close to employment.

3. The achievement of more orderly urban growth and development while conserving the natural environment.

4. An increase in the return to the public on its investment in facilities and activities that increase land values.

These objectives are to some degree novel in themselves. Consequently, they cannot be achieved without considerable innovations in the institutions of land ownership and control. We need to think through the possibility of creating a better balance between urban land as a public resource basic to all our urban programs and objectives, and land as a private commodity to be traded in the market place for its "highest and best use," which may sacrifice some long-range public benefits for immediate profits.

Traditionally we have looked upon land as a commodity. John Ise, a Kansan, expressed this heritage in these words:

"Americans are land value animals. For three hundred years they have been moving westward seeking titles to land they hoped would rise in value; for three hundred years they have been following the lure of the unearned increment, the beacon light of something for nothing."

I am impressed with the benefits that Sweden has achieved in creating new towns and satellite suburbs on public land reserves—land purchased many years in advance of need. The Stockholm region certainly has determined its own destiny through control over the timing and location of development and the leverage of mass transit facilities. I am not suggesting that we need to imitate Sweden, but its success certainly warrants our study. And its experience shows, that some increase in public ownership of land for purposes of orderly urban development is not at all inconsistent with a democratic society.

Of particular concern to me, is the way we control the development and use of our urban land. Local regulations that were formulated to enhance orderly growth and preserve property values have had the unfortunate result of preventing the construction of housing for low- and moderate-income families. In this connection, I have already noted the need for an intensive reappraisal by the States of the institutions of land control.

Other institutions subject to change if a national growth policy is to work, are indicated by such questions as:

Are we willing to accept some additional control over the location of economic growth, perhaps at a cost of some public subsidy, if this were necessary to inject new life into small cities and towns?

Are we willing to give up some part of our sacred home rule rights in the interest of creating stronger metropolitan or State institutions, institutions that may be a prerequisite to more orderly growth?

Will we accept a change in our traditional segregated social patterns to seek a pattern in which rich and poor, black and white, live together in one community, as one people?

As these questions imply, a national growth policy may require some losses of personal privileges in the interest of the public good. But Professor Lynton K. Caldwell reminds us:

"Any American who fears his rights and freedoms threatened by responsible, democratic, public planning should ask himself these questions: What are the real constraints upon my personal freedom to obtain secure predictable employment; to live unmolested in a neighborhood unthreatened by deterioration, invasion by incompatible activities, or exhorbitant tax increases; to travel to work, school, worship, or recreation over safe uncongested streets; to have access to open skies, open beaches, woods, fields and uncluttered roadsides? Millions of Americans are today denied these freedoms by the unintended, inadvertent consequences of our planless patterns of land use. How free can we truly claim to be when we permit our past investments to be depreciated, our present life experience to be impaired, and our future opportunities to be jeopardized by failure to create institutions and procedures that could help to safeguard these values?"

Perhaps the best summary of the whole national urban growth issue is the old saying: "You can't have your cake and eat it too." As much as we need a national urban growth policy, its development will be little more than an academic exercise if we expect to make it work while retaining all of our traditional ways of managing—or not managing—our urban land resources, resources which underlie many of the most pressing human and social issues facing this nation, indeed, the world.

MEASURE YOUR TOWN

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. MOLLOHAN. Mr. Speaker, let me pose a question to my esteemed colleagues: Are the towns and cities in your districts progressive?

It might be easy to say "Yes" but the Star News of Sistersville, W. Va., edited by Adam Kelly, recently ran a sure-fire questionnaire to determine a town's progressiveness.

I present it for you now in hopes it may revitalize some areas which thought themselves progressive only to discover after answering these questions that they are lacking in many respects.

I invite my colleagues to send this questionnaire to their district newspapers and let them ask themselves just how progressive they really are.

The questionnaire follows:

MEASURE YOUR TOWN

Here are 31 "virtues" of a progressive town. Compilers of the list say that if a community can answer "yes" to 24 "virtues," then citizens can take pride in their town. If there are more no's than yes's, then somebody should start working.

Most high school and college graduates stay in town.

The local paper constantly pushes civic improvements.

There's a place to swim within easy reach.

Young couples have little trouble finding a place to live.

The head of your city government is a "get-things-done" man.

Teachers' salaries are better than the state average.

There's a library with a good collection of new books.

Service clubs and women's organizations team up on projects.

A modern hospital is within your trading area.

There's a hotel or motel you would enjoy, if you were a visitor.

It's easy to find a parking space in the business section.

Prompt, reasonably priced ambulance service is available.

Street's throughout the community are well-lighted.

There's as much interest in local as national elections.

There's an active Parent-Teachers' Association.

Citizens have a positive outlook and attitude about their town.

Firemen must take regular training courses.

There's an annual Clean-up, Paint-Up, Fix-Up Week.

More than half the church congregations are under 40 years of age.

Local speeders pay the same fines as out-of-towners.

Newcomers quickly feel they're a part of the town.

Schools have plenty of room for students.

All streets are paved and sidewalks are in good condition.

At least one restaurant serves outstanding meals.

It's easy to get volunteers for any worthwhile project.

There's a livewire Chamber of Commerce.

There's at least one doctor for each 800 people in your county.

Well-Stocked stores keep shoppers in the town.

There's an ample supply of good drinking water.

The sewer extension programs keep pace with new housing.

Good zoning keeps commercial firms away from residential areas.

ADDRESS OF GEN. HAMILTON H. HOWZE

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mrs. DWYER. Mr. Speaker, a constituent of mine, whose son was a member of the graduating class this year at the U.S. Military Academy at West Point, attended the class of 1970 graduation banquet and was favorably impressed with the address of Gen. Hamilton H. Howze. He has suggested that General Howze's message be brought to the attention of our colleagues, and I am glad to comply with his suggestion by including the text of the address as a part of my remarks in the RECORD.

The address follows:

Cadet Brown, Gen. Knowlton, Gen. Walker, Gen. Jannerone, distinguished guests, and ladies and gentlemen.

I think it is probably a safe assumption that all 50 states are represented in this gathering tonight and therefore it gives me great pleasure to bring you greetings from Texas. This is a state which we, who live there, identify now since the admission of Alaska as the largest glacier-free state of the Union.

I think it is also my duty to bring you a Texas joke. The setting is a small rural school in the southern part of Texas, down in the Rio Grande Valley where most of the students were of Mexican descent. But one of these was an eager little chap in the front row who was not of Mexican descent and he was trying his best to gain recognition during a session in which the teacher was drilling the students on American history and the teacher would ask, for example: "Who said, 'In time of peace, prepare for war.'?" And the little boy in the front seat raised his hand and shook it vigorously but she would look past him and pick out Manuel behind him to answer the question and then she would ask, for example, "Who was it that said, 'I regret that I have but one life to give for my country.'?" And again the little boy would raise his hand and again she would look past him and pick out Juanita to answer the question. This went on and on and finally the exercise came to an end, and the little boy never had been asked to answer and he was sitting dejected in the front row because he had studied so hard and knew all the answers. The teacher then turned her back to the class and started to write the next assignment on the blackboard and behind her she heard loud and clear this little voice say, "The heck with all these Mexicans." She looked around and said, "Who said that?" And he said, "Davy Crockett at the Alamo in 1836."

I understand that Bob Hope was the graduation banquet speaker last year and also that within the Class of 1970 Rachael Welch was a heavily favored candidate this year. I seriously suspect no vote was taken or else I wouldn't be here! In my talk I've got to guard against conflict or overlap with what the graduation speaker will say tomorrow. The selection of the Vice-President, Mr. Spiro Agnew, couldn't be better, in my opinion, for that job. I don't know how you feel about it, but I can hardly wait! In the last few days since I knew Mr. Agnew was going to speak I've been tempted to slip down to New York City to see if I couldn't stir up something there for him to take off on. Where I come from down in Texas the biggest market in bumper stickers is the one that says "Sic-em, Spiro."

Many years ago in this country when it was customary for the Vice-President to remain distinctly in the background, Mr. Tom Marshall who was Vice-President at the time said that once upon a time there were two brothers, one ran away to sea and the other became Vice President of the United States, and neither one was ever heard of again. This is hardly true any longer—everybody wants to hear what the Vice-President has to say. As a matter of fact, Agnew is the sort of person that I think Rudyard Kipling had in mind when he said "If you hit a pony over the nose at the outset of your acquaintance, he may not love you but he will take a deep interest in all your movements forever afterward." Whatever else Mr. Agnew may discuss, it is a safe bet that he will address the graduation class on what the future holds for that class and what the country and the Army expect of it. So, I'll not do that. I will address my brief words not to the graduating cadets, but to their families that are here tonight. But first, of course, I want to congratulate them. Every family has the right to be proud of the fine young man who has measured up to an exacting curriculum and survived impressive challenges to his body, mind and character. But in addition to that, I have a message and I should warn you, I suppose, that it is a heavy one and that message concerns the Armed Forces of the United States and their place in this country's future. And when I address you, whose sons and brothers are about to graduate from the Military Academy on this subject, I am obviously preaching to the choir, so to speak, but I ask you to take the message home; combined, you and I may be able to reach at least a part of the congregation.

The Armed Forces of the United States have more than 3 million men in them, broadly scattered over the face of the earth. It is an enormous, complex organization which directly or indirectly has entered the lives of most of our citizens. A major part of it's membership is temporary and some part it, of course, is forced through the draft It is a youthful organization in which adrenalin runs high. It is engaged in a huge and incomprehensible almost, variety of activities, many of which are unusual in civil life and sometimes, of course, very unusual. On such an organization, tremendous as it is, things sometimes go wrong. Those particularly vulnerable to error are the ground forces. Why is this true? It is because of the nature of the Army and Marine tasks—how their forces are committed in a military campaign. When one thinks of it, one knows that the Navy in the presence of the enemy is represented by a comparatively small number of cohesive, close-knit, geographically confined entities. Ships, on which all the personnel live and work in a confined environment under close supervision of their officers.

The Air Force is somewhat similar because their personnel are mostly on fixed bases which are highly organized installations with ample and complex facilities, but again under close supervision of officers up through the echelons of Command. Both the Air Force and the Navy, of course, send aircraft against the enemy, but these are on short missions for only an hour or so and they are manned by individually trained and disciplined officers. But, in contrast, take the Army. For weeks and months small units are deployed, widely separated, under very difficult circumstances, and often in great hardship. These units in Viet Nam literally disappear beneath the jungle canopy. I am not apologizing for the Army, by any means. It is doing a courageous, honorable, and commendable job, face-to-face with the enemy, thereby suffering, as always, by far the largest number of casualties. I merely point out that the opportunities for error and indiscipline are far greater in the widely dispersed, independently operating, units of the ground force. Far from apologizing I would say that in this time of turbulence among youth and a manifest distaste for the war so frequently and vitriolically expressed by many elements here at home, the Army has done remarkably well in preserving it's tradition of faithful service under the trying and dangerous conditions in which it must operate.

But, really, that's not my principal point. Of really fundamental importance is the fact that the military in general, and the Army in particular, constitutes an indispenable strength within our society. A strength on the side of moderation and, I would also say, on the side of the common virtues which much of society now rejects as old-fashioned and inapplicable. I speak of simple courage, self-discipline, courtesy, and a consideration for others, honesty and, I would be constrained to point out, neatness of dress and personal cleanliness. The military preaches these virtues endlessly within its own ranks but it's quite true that a small minority of soldiers, sailors, airmen and marines is not convinced. But the fact does not diminish the importance of the effort as a counterinfluence in these days of rejection and dissent. But the military is very vulnerable to one thing, and this is what I would like you to carry home, and that is attack by public opinion. This sort of attack is growing, particularly in the Congress, but also in the so-called liberal press, and it hurts.

It is my earnest hope that everyone in the Class of 1970, here at West Point, at Annapolis, and at the Air Force Academy in Colorado Springs—all tremendously patriotic, great institutions—that they make the Service a permanent career and heaven knows the country needs them in that service, but they can be most easily driven from it by destructive criticism and distrust expressed not of them as individuals, but of the forces they serve. And believe me, the military services do not merit blanket condemnation, but rather intelligent though not undiscerning support. But, of course, I do not suggest that the Armed Forces not be properly criticized when criticism is due. I feel I know the Service well—I grew up in it, as Cadet Brown told you. As a member of the fourth generation in the Army, I served in it myself a total of 39 years, counting four as a cadet. I, therefore, know that the professional officer and non-commissioned officer Corps of the military are, with rare exception, composed of intelligent, honest and, most especially, devotedly partiotic men. They are the hard central core of national defense and it is these professionals—not the two or three year enlistees—which suffer heavy blows to their pride when the Services are unfairly degraded and it is largely pride in their profession that keeps them in it. Remove that, and they'll get out!

So I ask you this question "Should American military leadership be destroyed?" Be assured that it can be by you, the citizen. All you need do is attack it. Attack its fundamentals, subvert its power to discipline itself and the men it commands; blacken its reputation and remove its prestige; and when the military is properly humiliated by these acts the country will stand largely impotent against its enemy—enemies within as well as without. I don't mean to be improperly alarming about enemies within, but it is desirable that we remember the words of Nikolai Lenin, the real architect of Bolshevism and its scheme of world conquest: "And when we come to that last great bastion of Capitalism, United States," said Lenin, "we shall not have to attack it—it will fall like a ripe plum into our hands."

Therefore, my fellow Americans, I think our duty in this respect is plain. This country is not dead, as some people preach, but certainly it cannot deprive itself of any of its sources of decency and strength. I do not suggest blind, witless, automatic acceptance of everything the military might do. I do suggest that you keep faith, and ask your friends and neighbors to keep faith with a great, very hard-working, far-flung organization deriving directly from the people in which, despite its faults, is powerfully devoted to the perpetuation of all that is best in America—the well-being of its citizens and the preservation of our independence against the forces, some foreign, some here at home, who under the protection of a benign and temporarily permissive society preach, and sometimes practice, anarchy, murder, and revolution. All bent on the destruction of the greatest, most generous, most beautiful and, by the grace of God, the noblest nation that mankind has thus far been able to devise.

Thank you.

BOB McCORD

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 24, 1970

Mr. AYRES. Mr. Speaker, the sudden passing of Bob McCord, chief clerk of the House Committee on Education and Labor, has saddened all of us who were privileged to be his friend.

As the ranking Republican member of that committee, I had occasion to have almost daily contact with Bob McCord over the course of the 14 years that he served on its staff. I early learned to respect his integrity and ability, and found that, though I was of the opposition party on some legislative matters, I could always rely on his guidance.

He brought to his committee work that objectivity that had so characterized his work as a fine reporter and managing editor. This, plus his great executive ability, has caused our committee to reach a great degree of efficiency. He chose most capable staff members to work with him on the majority side of the committee.

While his passing is a great loss to all of us who worked with him and relied upon his counseling, it is as a friend that we mourn him the most.

STUDENT RECOMMENDATIONS ON U.S. FOREIGN POLICY

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the excellent report and recommendations on U.S. foreign policy which has been sent to me by the sophomore class of Montour High School of our South Hills, 27th Congressional District of Pennsylvania.

These young people devoted a great deal of time and effort to this study of U.S. foreign policy and they are to be congratulated for their excellent work and recommendations. At this point I include the following material:

JUNE 22, 1970.

SOPHOMORE CLASS,
Montour High School,
McKees Rocks, Pa.
(Attention: Paul Diehl, Ed Blazer, Martin Rodgers, Ken Morton).

Have now received excellent report and recommendations of your fine sophomore history class. Hearty congratulations to your hard working students on this progressive foreign policy report which I am calling to attention of United States Department of State and my Pennsylvania colleagues in Congress. Am also placing this report in CONGRESSIONAL RECORD by unanimous consent so that it will receive the widest coverage in the U.S. Congress and the American people.

Congratulations to each and every student on his hard work and devoted attention to these difficult problems which face the Nation and challenge the world to make a peaceful and just solution.

Congressman JIM FULTON.

MONTOUR INTERMEDIATE HIGH SCHOOL,
McKees Rocks, Pa.

DEAR MR. FULTON: We are a sophomore history class at Montour High School in Pittsburgh, Pennsylvania. For approximately one month we have been working on what we believe is an efficient and feasible foreign program. Our class divided into groups for the purpose of studying and researching different sections of the world. This made it possible to evaluate each situation and determine what action we feel is best to use in each area. The groups gave their reports and advice to our simulated President and Secretary of State. The President then made the decision on what policies he would follow. In turn, a group was assigned to examine his report and debate his ideas. The final program was reached by a class vote on each item, after both sides were considered.

We worked very seriously on this policy and therefore would highly value your opinions and thoughts on the results of this endeavor. Our class found this to be a rewarding and educational experience. However, we feel it would be even more valuable to us, if we could receive your professional ideas on our opinions as to what we view as America's role in world affairs. We know that it is difficult for you to reply quickly, but we have worked very hard on this and have taken a serious interest in your reply. This is a small project, but to us it is important because it is a way in which we are contributing to our country's betterment by voicing our opinions while educating ourselves. Therefore, since time in school is short, we would like to express our appreciation for all attempts made by you to answer this letter as soon as it is convenient to you. We thank you for your concern and request that you mail your reply to the following address:

Ed Blazer, 83 Bellview Circle, McKees Rocks, Penna. 15136.

Latin America: Dan Hucho, Dirk Horstman, Nick Dudash, Steve Dykeman, Randy Stripp.

Africa and the Mideast: Kathy Devlin, Sherry Shaw, Lori Smith, Kim Morris.

Europe and the Mediterranean: Debbie Dunn, Peggy Karns, Anita Sommers.

Asia and the Pacific: Lorraine Hartman, Jean Allison, Anne Belov, Karen Tessicino, Marcia Baronsky.

Defense: Bruce Bivert, Bill Burda, Rich Lorenzi, Chris Scarantine.

Russia: Linda Hnat, Kathy Rebeberg, Leslie Torek, Leslie Kasmar.

President: Paul Diehl.

Secretary of State: Ed Blazer.

Opposition: Martin Rodgers, Ken Morton.

FOREIGN POLICY

The first issue discussed was whether or not to form a professional diplomatic corps. We decided on two programs: Those who wish to be a diplomat and work with the government and those who want training to work with the people in a program such as the Peace Corps. These two programs are combined in one school. For a period of four years they attend the school in which they receive a college degree after this time. An internship of three years is then required in the area that they studied. This is to help give them a better understanding of the country's customs, the people, in language, and how the government of that particular country operates. After the internship they are eligible for a higher position in foreign relations.

Along with this idea we decided to make the Peace Corps international by allowing our allies to join. We feel both of these ideas will bring the countries closer to each other and help promote world peace.

The next issue was our foreign student exchange program. We voted to keep the program the same and no federal funds would be provided to aid the program. We feel if the program is paid for by the government, people would take advantage of it and defeat the purpose of the program. Also, the family the exchange student is staying with will feel closer to that student because they are paying for him as if it were their own member of the family. We also proposed a program of student exchange with Russia and other Communist-bloc countries, but by a large majority was overruled.

We feel we are spending too much money on foreign aid and that it is not going to the people but to the leaders. In this event we decided to cut total foreign aid by 10%. To see that the people and the local programs receive more money, the United States government will control one-half of the foreign aid given to each separate country enabling us to see that the people are not being cheated by their government. The 10% cut back will then be put into what we devised as the program of American aid. The money will be used for local programs in the United States.

With the problem of the draft we proposed the idea of a professional army by the mid 70's with exception to allow draft in time of war by two-thirds vote in Congress. This professional army will receive pay and have an education program and the opportunities offered as the enlisting program now.

We feel that the time we've been in Vietnam the number of ground troops being sent is far too many. We feel if we cut troops to logistics it will lower the number of deaths and possibly help to de-escalate the war. We voted to send no military support to Cambodia. If any acts of overt aggression take place by North Vietnam we will retaliate and send help.

Our European forces will remain the same, no withdrawals.

To improve relations with Red China recognition of their government was decided. However, we still do not wish to admit them to the United Nations, although the vote was very close.

We are spending too much money in the Vietnam crisis. In order to cut the amount of money in this and at the same time cut the country's entire budget, we will cut the amount of money spent in Vietnam and unchannel it, hoping to pay off a part of the country's national debt.

In the Israeli-Arab crisis the six major powers involved; Russia, France, Israel, England, Arabia, and the United States should meet and try to come up with a satisfying solution to everyone. We will not give aid unless Russia does. This is just to keep a balance of power. (Present Policy)

At this moment we have a trade embargo with certain African nations. We would like to abolish these and encourage other countries to trade with these African nations. We hope this new program will improve relations with the African people and keep neutrality leaning in our favor.

Since World War II we have had land troops in Japan. The war ended 25 years ago and we feel in that time they were capable of developing their own defense. Therefore, we decided to remove our land troops but continue to leave our nuclear bases on the island and keep control.

In Latin America, we feel the only thing to do is to keep them progressing. We will increase trade but want them to build themselves up alone. We will also stay out of their government affairs and the aid that we send them will be used for the welfare of the people. With this new method of foreign aid our actions will be more efficient. We will also keep our control of the Panama Canal for the United States' national security.

Considering the nuclear weapons issue, we will give no nuclear weapons to our allies. This would just spread nuclear power and make the issue worse. We will invite all countries including China, as they are a major nuclear country, to the SALT talks to try to achieve a total nuclear test ban treaty, allowing each to visit the nuclear bases of the others without warning. This may create a sort of trust between the nations allowing it to be considered as one step in preventing a nuclear war and the achievement of world peace.

In trade with Russia we will limit direct trade, as indirectly we are trading with Red China and North Vietnam. We are also helping to enhance the economy of Russia, this must be stopped. We also don't want to help them industrialize by our trade.

This is our foreign policy. We hope you consider and read this seriously. We are not criticizing the present policy as we agree with it in some ways. We hope you think this as worthwhile as we did. Thank you again for your time.

FOREIGNERS SEE MAIN STREETS OF AMERICA BY COURTESY OF WOMAN AMBASSADOR OF GOOD WILL

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. GROSS. Mr. Speaker, it is a pleasure to insert in the CONGRESSIONAL RECORD the account of how one woman, Mrs. Clark Mollenhoff, of Washington, D.C., without benefit of a Federal subsidy or help of the State Department, is acquainting foreigners with the heartland of America and the people who produce more than their share of the world's food and fiber.

The excellent article is written by Donnie Radcliffe, a staff writer for the Washington Evening Star and appears in the June 28 issue of that newspaper.

I am pleased to note that Georgia Mollenhoff, as she is known to her many friends, and her husband, are natives of the Third Congressional District of Iowa which I have the honor to represent and I am particularly pleased that this is the area Mrs. Mollenhoff has chosen to acquaint foreign visitors with the American way of life, urban and rural.

The article follows:

SELLING MAIN STREET, AMERICA

Out where the pigs are pinker, the corn is greener and the flag sometimes seems red-white-and-bluer than anywhere else, a Washington housewife is selling America to foreigners while nobody is looking.

Not the slick Madison Avenue way or with the clocked precision of Foggy Bottom.

She sticks to Main Street simplicity and kitchen table intimacy, exposing her charges to marshmallow salads and chicken divine, milking machines and combines, Rotary Clubs and honorary citizenships.

"They should put a bust of Georgia in the Capitol," half-seriously suggests a Rhodesian woman of Mrs. Clark Mollenhoff, a displaced Iowan who since 1966 has been showing the tall corn country of her native state to wives of Washington diplomats.

"I never think of myself as a pioneer," replies Georgia wondrously. "I always say I'm a combination top sergeant and den mother."

IOWA'S BEST SALESMAN

She neglects to add tour guide extraordinaire and Iowa's best salesman since Meredith Willson's "Music Man" sang and danced his way into America's hearts more than a decade ago.

Though Willson set his reminiscences of the good old days in his hometown of Mason City to rousing tempos and nostalgic ballads, Georgia Mollenhoff rattles hers off in uncluttered Midwestern prose.

"Those lush green cornfields and fat cows do something" to this woman who has seen more of the world than most people, whose husband has been—and until mid-July will be—an insider at the White House and who has moved in some of Washington's most sophisticated, glamorous circles.

None of it appears to have spoiled the Webster City girl who married a beau from her high school journalism class, saw him go on to capture the coveted Pulitzer Prize and laughs off her own writing talents with "I've never done anything more than write notes to the milkman."

She feels she is immune to Washington's social and political whirlpool, even the most recent episode involving her husband. Critics claim that hard-charging Clark Mollenhoff went too far in pursuing his job as the President's investigator.

"I don't care if people like Clark or disagree with him, but when they base what they say about him on false facts it makes me mad."

She says happily she will be seeing more of him now that he is returning to newspapering as chief of the Des Moines Register's Washington bureau.

And she will probably be seeing more of Iowa, too, an experience she felt for four years she should share with others to prove there is something else to America besides the French provincial drawing rooms of the Nation's Capitol.

Working with her brother Brad Osmundson and, subsequently the Webster City Rotary Club, she focused her message to foreign guests on the "middlest" (at least in size) of Middle America that feeds so much of the world.

DRIVES VIA TURNPIKE

Four years ago she invited one woman each from South Africa, the Netherlands and India, packed them into the family's new 1966 sedan (which she still drives), fed them at turnpike coffee shops and bedded them down overnight at a wayside motel.

When she turned up in Webster City, 1,100 miles and a day and a half later, she was convinced that "if I had chosen three of my closest friends, I couldn't have had more fun."

What ensued was a week of turning Webster City (pop. 9,000) upside-down and inside-out, a pattern which has varied little in the four trips since. Staying with different families each night ("I didn't want them to know only the most successful"), the visitors gobbled up hearty helpings of food and thought persuasively served by their hosts.

In exchange, the women talked freely about their own countries, for according to Georgia "while their embassies forbid them to make political speeches, they may answer any questions raised."

"You're really on the hot seat," says Mrs. John Hooper of Rhodesia who remembers being asked on the 1968 trip about her country's gross national product and the size of its largest farms.

WELL INFORMED

"I said 30,000 acres and then I began to worry. 'For Pete's sake,' I said to myself, 'I'd better telephone my husband.' "

Mrs. Wallie Meyer of South Africa, cross-questioned vigorously this spring on apartheid, found a few of her interrogators exceedingly well informed.

"A doctor told me later that he had made a special study so he could put tricky questions to me," she laughs.

While none of the talk has ever turned hostile, some of it shows how much hosts and guests have to learn about each other.

Mrs. Kofi Poku of Ghana, resplendent in turban and long cotton print dress, was struck by repeated references to Kenya in conversations last fall with school children.

DODGE OPINIONS

"All the time they say Kenya ("It's true," interrupts Mrs. Meyer). I say I don't know all about Africa, but there are four divisions and your teachers should teach you that."

Some of the wives, such as quiet, pretty Mrs. Ted Woodfield of New Zealand who with Mrs. Meyer and Mrs. Pauli Opas of Finland are back from the 1970 trip to Fort Dodge, Iowa, avoided observations on America's domestic affairs.

"To those asking me about New Zealand's reaction to what is happening here, I said I hadn't been home for 2½ years."

Attitudes and political philosophies are part of the fascination, but none overlook the warmth and hospitality of a small midwest town.

They are lastingly impressed, too, with the surprising realization, as Mrs. Hooper put it, "that these people aren't parochial. Many have traveled and know about the world."

Swiss-born Mrs. Ernest Andres, "class" of 1969, came back to Washington awed by the size of Iowa farms and the men who run them, sometimes almost singlehandedly.

LITTLE ESCAPES

For her, they were not farmers but "agricultural-industrialists" whose wives with college degrees operate efficient farmhouses and take active part in community affairs.

Little escaped her gaze whether it was carpeting on kitchen floors, gleaming yellow school buses covering 400 miles every day or fat pink pigs.

"I couldn't believe that anything so sweet and pink could be dangerous. But a farmer told us to be careful because a short time before a neighbor had been found dead in the pen—half eaten!"

The only "singing" the visitors have to do for their expense-paid trips underwritten by the Webster City and Fort Dodge Rotary Clubs is a brief speech at a banquet the last night they are in town.

Rehearsing becomes a Georgia Mollenhoff-imposed discipline because, according to Mrs. Pauli, "we read our speeches every night before going to sleep and even at the hair-dressers."

When Antoinette Meyer noticed a man in the front row who appeared to be sleeping (though she later learned he was partially deaf), she almost panicked.

TRIPLET RECITAL

"If this man is sleeping," she thought to herself, "what will the rest be doing?" Up on the dais "like a mother whose triplets are in a recital" sits a beaming Georgia, relieved once again that she has found a winning combination of women.

"I try to strike a geographical balance in the continents they represent plus pleasant people to travel with who will get something out of it all."

Up at 5 a.m. the day of departure, the women climb sleepy-eyed into Georgia's waiting automobile. Most come laden with souvenirs, such as Mrs. Ertugral Koprulu of Turkey who crammed giant pumpkins for her children into the trunk.

SOME LESS

Some are less encumbered. When Mrs. Hiroshi Doi of Japan emerged from a Webster City store last fall, she complained to Georgia "I look and look but everything is 'Made in Japan.' "

The return to Washington goes quickly as confessions and sometimes hidden "talents" begin to emerge.

Mrs. Doi ate marshmallow salad at three Webster City homes, uncertain whether it was meant to be dessert or salad. Another wife was locked in a bathroom with her host when he inadvertently shut the door, then couldn't find the key.

One wife turned out to be a sleep-walker when, the last morning in the motel, a roommate turned back the covers to find her companion fully-clothed.

"I now ask if anyone sleep walks," chuckles Georgia of her advance screenings for the trip.

She might like to see her "tours" expanded a bit but she is cautious to do so if it would alter what she calls "the intimacy" her tiny groups of three always attain.

Her aims are revelation, harmony and international camaraderie.

Says Mrs. Andres as testimony: "I come younger back."

IS HARPING CRITICISM THEIR DUTY?

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. MIZE. Mr. Speaker, there are some strange things going on in network journalism these days. After reading a verbatim transcript of CBS radio network's commentary after President Nixon's address on June 3, I would have to agree with the editorial which appeared in the Topeka (Kans.) Sunday Capital-Journal, "Is Harping Criticism Their Duty?" It is a sad day when our network news commentators automatically feel compelled to take the opposite side from the President on reports of this kind. The editorial makes this point with clarity. I commend it to the study of my colleagues, as follows:

IS HARPING CRITICISM THEIR DUTY?

During an "instant analysis" of President Nixon's speech on the Cambodian operation, a Columbia Broadcasting System commentator made a remark which certainly is open to debate.

Robert Pierpoint, speaking a minute or two after the President addressed the nation by radio and television, asserted that "we perhaps have to take the other side."

And then he and two other CBS commentators proceeded to tear the President's speech apart. In doing so, they implied several times Nixon did not know what he was talking about in portions of his speech and even indicated that he was attempting to hoodwink the public in others.

Bruce Morton, one of the commentators, called one paragraph of the President's speech "deliberately fuzzy"; Pierpoint termed another of Nixon's statements a "kind of doubletalk," and the third commentator, Alexander Kendrick came near calling the President a liar when he asserted the administration had been losing "credibility with all those conflicting stories and second thoughts about what was actually happening in Cambodia."

All this and much more within a matter of minutes after Nixon finished his speech. Doubtless copies of the address had been distributed to broadcasters and newsmen about an hour before the President went on the air, but even so it was hardly sufficient time for the CBS commentators to dig very deeply into it.

Pierpoint toward the end of the comments by the three ready-made experts asserted, "I would say that we as broadcasters are trying to answer the President's claims, and trying to show a bit of the other side of the picture, and I think it's incumbent upon us to do so."

It is this line of thinking that is debatable. It is especially so, when the commentators—and CBS is not alone in this—automatically oppose the President on almost everything he says or does.

Is it the function of the broadcasters, who purportedly are news broadcasters, not editorialists, to riddle the President's every word and action?

Wouldn't it be better if some other spokesman would analyze a presidential address after sufficient time had elapsed for careful study? He could be a member of Congress or someone else equally prominent, who is well versed on the subject under discussion.

This would put him more on a par with the President and be less a travesty of the functions of news broadcasting.

Good newspapers scrupulously separate news and editorials, with the former containing unbiased, straightforward reporting. Editorials, on the other hand, by their very function, state opinions.

It is fitting the networks have opinions, but to combine reporting and editorializing—as the commentators did after the Cambodian speech and so frequently do after Nixon speaks—is to slant the news. Moreover, it frequently is ill-mannered and even rude to the nation's chief executive.

This is not to say that President Nixon or any other public official should be immune to criticism. Far from it. In this democracy every citizen has a right to express his opinion on anything their public officials say or do. But for news commentators automatically to take the side opposite from the President and feel impelled to do so is something else again.

Sometime it would be refreshing to hear a radio or television commentator say, "That was a good speech."

Do you think you ever will?

OPERATION COOPERATION

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 1, 1970

Mr. ROBISON. Mr. Speaker, I am including in the RECORD the ninth in the Christian Science Monitor's series on international narcotics traffic. This particular installment deals with the flow of drugs from Mexico into the United States, and the efforts to limit that flow. The difficulties of achieving this end are enormous given the common border between our countries; and once again the prime weapon to limit this traffic is the voluntary cooperation of the growing and producing nation—in this case, Mexico. Such cooperation is absolutely essential if these drugs are to be cut off at their source.

I am pleased to be able to bring this fine article to the attention of my colleagues:

[From the Christian Science Monitor, June 26, 1970]

UNITED STATES AND MEXICO FIGHT TRAFFICKERS: OPERATION COOPERATION NOW UNDERWAY—PART IX

(By John Hughes)

MEXICO CITY.—In the communications center, warning lights flicker. Electronics sensors, sown along the border, have detected infiltration across an isolated sector.

At the same time, a blip shows up on the edge of a radar screen. It is an unidentified aircraft, coming in fast and low in the darkness. Buttons are punched. Telephones jangle. Messages are flashed to the Air Intelligence Center. A helicopter is sent clattering into the air to check the ground probe. A pursuit plane is launched to try to force down the incoming aircraft.

Vietnam? Not at all. All this is happening on the American side of the Mexican-United States border. The infiltrators are not North Vietnamese guerrillas, but Mexican "burros," or smugglers, trying to make it into the United States with an illicit load of narcotics.

The plane, chartered by narcotics traffickers and flown by an American mercenary, is trying to evade the border patrol's radar net. If it succeeds, it will put down at a remote airstrip with a full load of smuggled drugs for American addicts.

RUNNING FIGHT WAGED

Incursions like these are routine today along the United States's 1,800-mile border with Mexico. U.S. customs officers, border guards, and narcotics agents are waging a running war against traffickers intent on maintaining a massive illegal flow of drugs across America's southern border.

The contest is mostly uneven. Despite heightened effort and tightened security, the lawmen are spread thin. Wild terrain favors the smugglers. Much of the time it is the smugglers who win.

American and Mexican authorities seize some shipments and their increased effort has forced traffickers to vary their methods. As the heat is put on land and air routes across the border, there are indications that traffickers are making greater use of the sealanes.

Thousands of pleasure and fishing boats operate in the coastal waters off Southern California and in the Gulf of Mexico. Besides fish and weekend sailors, some carry narcotics.

One boat owner on the Mexican side of the border was propositioned recently by a California syndicate to run five tons of marijuana up the coast.

But for every shipment detected, many more get through. Across the Mexican border, narcotics flow into the United States like water through a broad-gauged sieve.

Fifteen percent of all heroin used in the United States comes from Mexico. All of Texas and California are served from Mexico. In the Mexican states of Sinaloa, Durango, Sonora, Nayarit, and Chihuahua, some 2,000 peasants grow opium illegally.

Converted into heroin in clandestine laboratories, it is smuggled across the border at such crossing points as San Ysidro, Calexico, Nogales, El Paso, Eagle Pass, and Laredo. From the American border towns it is quickly moved on to San Diego, Los Angeles, Denver, Phoenix, Albuquerque, Houston, Fort Worth, and Dallas.

Mexico is also a transshipment point for heroin from France en route to the United States. European heroin comes in by sea through the eastern part of Veracruz, or by air through Mexico City. Then it is smuggled north and on to cities on the U.S. Eastern seaboard, usually New York.

Mexico supplies most marijuana, or "pot," used in the United States.

Marijuana grows everywhere in Mexico, but particularly in the states of Guerrero, Jalisco, Sinaloa, and Tamaulipas. More potent than American-grown marijuana, it finds a ready market. Some experts say as much as 1,000 tons a year floods across the border.

A presidential task force concluded recently that the "ready availability" of Mexican marijuana has "significantly affected the increase in drug abuse" in the United States.

Major road route for narcotics on the Mexican side of the border is via Route 15 to Santa Ana in the State of Sonora. Then the traffic moves on up Route 15 to Nogales or via Route 2 to western Arizona and California.

DISTRIBUTION SKETCHED

In the United States, San Diego and Los Angeles have become marijuana distribution points for the rest of the country.

Mexico is also a transit point for cocaine shipments to the United States from Latin America, primarily Bolivia and Peru. Also in the narcotics package moved across the border are amphetamines and barbiturates. Sometimes these are produced in Mexico itself. Ironically, some are made in the United States. Exported legally to Mexico, they are being illegally smuggled back into the United States for use by addicts.

Despite increased vigilance by law-enforcement officers, narcotics traffickers are still moving most of their merchandise over land routes into the United States.

Much travels blatantly by car through regular checkpoints on main highways across the border. Thousands of American tourists and thousands of Mexican workers cross the border each day. They are impossible to screen.

Says one top narcotics agent:

"You can't search every truck and car. What you need is inside information about a specific shipment. Without it, a lot obviously gets through."

Thus the innocent-looking weekend camper, the visitor to a Mexican bullfight, the serviceman heading for Tijuana could each carry a couple of kilos of heroin back to the United States, or even a trunkload of marijuana.

Other loads are carried across the border on foot by Mexican "burros," or smugglers. They choose remote, unfenced sectors and slip through under cover of darkness. These, however, are lowly couriers considered expendable by the big-time traffickers. They have little inside knowledge of the organizations for which they work. Their capture rarely imperils the major racketeers.

The traffickers have a much heavier investment in drug cargoes slipped across the border by private aircraft. These planes are generally rented or leased in the United States and flown to makeshift air-strips in Mexico to pick up shipments of narcotics.

Their pilots weave their way through mountain passes, or fly low at night, in an effort to evade detection. Once back in the United States, they land on highways, or at little-used country airports, or air-drop their cargoes at prearranged points.

The U.S. Immigration and Customs services operate a number of aircraft along the lengthy border, but most are for observation, and only a few have pursuit capability. However, dossiers on suspect pilots are continually updated at the Air Intelligence Center in Yuma, Ariz., where files are kept on more than 73,000 private aircraft and pilots.

RESOURCES CALLED INADEQUATE

Now there is a new factor. This is the prospect of increased smuggling through coastal waters. Thousands of pleasure boats clutter harbors in southern California. They are difficult to police and slip back and forth between Mexico and their home ports with little hindrance.

Alarmed by the drug flow from Mexico, the Nixon administration last year launched a campaign to cut back the traffic. A top-level task force presented President Nixon with a somber report. Narcotics smuggling across the Mexican border, it warned, was "increasing at an alarming rate." The problem, it said, was becoming "more serious and of greater magnitude."

Despite American encouragement, declared the task force's report bluntly, Mexican resources and effort "continue to be inadequate in the face of the problem."

The task force made several recommendations for increased security and surveillance along the U.S.-Mexican border. Soon after, the United States Government launched Operation Intercept, a much-publicized experiment in which travelers to the United States from Mexico were subjected to intensified search at the border. Cars were stacked up for hours on end. Normal traffic was disrupted.

The experiment was short lived. Clearly no professional traffickers sent shipments through the checkpoints when they were under such close scrutiny.

But the object of Operation Intercept was not so much to arrest drug-smuggling amateurs, as to jog the Mexican Government itself into action. In this respect, it succeeded.

Operation Intercept was quickly superseded by Operation Cooperation. The United States and Mexican Governments agreed on a bilateral program to cut back the drug traffic. Government liaison at high level has continued since.

While the United States has tightened security on its side of the border, the Mexicans have pledged to hunt traffickers on their side and step up campaigns to eliminate their opium and marijuana crops.

Since the agreement, Mexican police have publicized a number of seizures. Public bonfires of captured marijuana have been ostensibly lit. Mexican Attorney-General Julio Sanchez Vargas said recently 165 tons of marijuana have been confiscated since the start of Operation Cooperation.

Mexican police smashed a heroin ring in Tijuana and put a heroin laboratory out of business.

The Mexican Army has launched drives, with up to 10,000 soldiers sweeping through the mountains in search of illicit marijuana and opium plantations. Planes have dropped leaflets to farmers in remote areas, warning them to get out of the narcotics business.

LONG STRUGGLE SEEN

The United States is making available aircraft, sensing devices, and various other kinds of equipment to help the Mexicans in their drive.

All this is welcome progress. But the flow of drugs across the border has to date shown no appreciable decline.

Experts believe Mexico faces a long, hard, struggle against the narcotics producers and traffickers. Despite the penalties, marijuana and opium are cash crops for Mexican peasants hard put to make ends meet.

One problem is the slender size of the police force dealing with narcotics offenders in Mexico. Enforcement of federal narcotics laws is the responsibility of the Federal Judicial Police, or Federales. These number some 250 men, and only a handful of these are on narcotics duty. Local police forces sometimes refuse to cooperate with the Federales on narcotics cases.

As with many poor countries, there is the problem of corruption among the police. Some policemen, though ill paid, wear well-cut suits and own luxurious houses which clearly could not have been financed on their official salaries.

Says one high-placed Mexican: "If you've got money in this country, you can carry on any racket. And if you get caught, you can get off. It depends who you know, and how much you can pay."

Another problem is political uncertainty which is hindering implementation of the antinarcotics program. In January, Luis Echeverra is expected to become Mexico's new president. But in the meantime there is hesitation in government circles about launching Mexico on a program which could undergo major revision and change in January.

Personnel trained now might well be replaced early next year by other appointees. The program's direction and emphasis could shift.

Despite Mexico's declared good intentions, factors such as these make experts skeptical of any dramatic cutback in the flow of drugs across the United State's southern border.

HOUSE OF REPRESENTATIVES—*Monday, July 6, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Trust ye in the Lord forever: for in the Lord God is everlasting strength.—Isaiah 26: 4.

Our Heavenly Father, we thank Thee for our brief recess, for the rest of the nights, for the refreshment of the days, and for the beginning of another week. As we face the tasks and trials of these hours help us to trust Thee completely and strengthen us to do what we ought to do.

Bless these Representatives and protect our country, keeping them all in Thy love and peace, through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, July 1, 1970, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to Coalinga Canal; and

H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 16595. An act to authorize appropriations for the activities of the National Science Foundation, and for other purposes;

H.R. 17070. An act to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes.

H.R. 17619. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes; and

H.R. 17711. An act to amend the District of Columbia Cooperative Association Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15733) entitled "An act to amend the Railroad Retirement Act of 1937 to provide a temporary 15 per centum increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EAGLETON, Mr. PELL, Mr. NELSON, Mr. HUGHES, Mr. SMITH of Illinois, Mr. SCHWEIKER, and Mr. SAXBE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17619) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1971, and for other purposes," request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. BYRD of West Virginia, Mr. MCGEE, Mr. BOGGS, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 531. An act to establish the Capitol Reef National Park in the State of Utah;

S. 532. An act to establish the Arches National Park in the State of Utah;

S. 3074. An act to provide minimum disclosure standards for written warranties and guaranties of consumer products against defect or malfunction; to define minimum Federal content standards for such warranties and guaranties; and for other purposes;

S. 3366. An act to make banks in American Samoa eligible for Federal deposit insurance under the Federal Deposit Insurance Act, and for other purposes;

S. 3600. An act for the relief of Kyung Ae Oh;

S. 3649. An act relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes; and

S. 3777. An act to authorize the Secretary of the Interior to enter into contracts for the protection of public lands from fires, in advance of appropriations therefor, and to twice renew such contracts.

HON. JOHN H. ROUSSELOT

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. JOHN H. ROUSSELOT, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with respect to his election.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROUSSELOT appeared at the bar of the House and took the oath of office.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 1, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: Pursuant to authority granted on June 30, 1970, the Clerk received from the Secretary of the Senate today the following message:

That the Senate agree to the Report of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17868) entitled "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes."

Respectfully yours,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By W. RAYMOND COLLEY.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 2, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: Pursuant to authority granted on June 30, 1970, the Clerk received from the Secretary of the Senate today the following message:

That the Senate passed without amendment the Concurrent Resolution (H. Con.

Res. 669) entitled "Concurrent Resolution recognizing the importance of Honor America Day."

Respectfully,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By W. RAYMOND COLLEY.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Tuesday, June 30, 1970, he did on July 1, 1970, sign the following enrolled bill of the House:

H.R. 17868. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes.

INTELLECTUAL MYOPIA

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, when the chairman of the Foreign Relations Committee in the other body calls the Vice President of the United States an "upstart" and talks of suggested "McCarthyism," all can see the depths of the infection of intellectual myopia that prevails in the legislative branch. It is a dangerous disease, for those who have it do not seem to be able to see the forest for the trees, whatever may have been their academic accomplishments.

The Vice President has spoken courageously and for the most part responsibly, in criticism of forces seeking to tear down the institutions of our land. His strongly anti-Communist stands, and his firm commitment to a position of U.S. strength in the conduct of foreign affairs backed by a continuing military defense capability, has invited attack from intellectuals of liberal persuasion of whom the chairman of the Foreign Relations Committee fancies himself a spokesman.

God save the United States of America should the myopic permissiveness of such men ever control U.S. foreign policy. It has had far too much influence upon it to date. America must stay strong, be of good faith and in common faith adhere to the principles of which the Vice President so ably speaks.

To call the Veep a McCarthyite upstart for his efforts to reconstitute our people's rightful pride in America's role of helping smaller nations remain free from the terror and slavery of Communist aggression and to stand firm at home against the violence-prone in our society, is to evidence a myopia that apparently has become a serious malady in high places.

REPORT OF SELECT COMMITTEE ON U.S. INVOLVEMENT IN SOUTHEAST ASIA

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, pursuant to House Resolution 976, the report of the Select Committee on U.S. Involvement in Southeast Asia has been filed with the Clerk of the House and copies sent to each Member.

I point up, Mr. Speaker, that only 28 days after this resolution was adopted, this committee has completed its work.

The committee hopes this report will serve as an updated reference for each Member. Later, an appendix of detailed supporting data will be released to the Members.

Next Monday, July 13, during a special order our committee will discuss its report in detail and would invite the Members to participate.

Mr. Speaker, I think this report will prove again to the American people that this House is vitally concerned wherever Americans are fighting and dying and this body will always search for more information to make comprehensive votes. We believe this report will help to do this.

LEGISLATIVE PROGRAM—CHANGE

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ALBERT. Mr. Speaker, I take this time to advise of a change in the program. We had announced that House Resolution 1031 amending the rules of the House with respect to lobbying practices and campaign contributions, would be called up on Tuesday. At the request of the chairman of the Committee on Rules, the bill will go over and will be called up on Wednesday.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

GOLD AND SILVER ARTICLES—CONSUMER PROTECTION

The Clerk called the bill (H.R. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

U.S. PARTICIPATION IN THE 1972 UNITED NATIONS CONFERENCE ON HUMAN ENVIRONMENT

The Clerk called House Resolution 562, expressing the sense of the House of Representatives that the United States should actively participate in the 1972 United Nations Conference on Human Environment.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AUTHORIZING PUBLIC PRINTER TO GRANT COMPENSATORY TIME TO CERTAIN EMPLOYEES OF GOVERNMENT PRINTING OFFICE

The Clerk called the bill (H.R. 14453) to authorize the Public Printer to grant time off as compensation for overtime worked by certain employees of the Government Printing Office, and for other purposes.

There being no objection, the Clerk read the bill as follows:

H.R. 14453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 305 of title 44, United States Code (82 Stat. 1240; Public Law 90-260) be renumbered as section 305(a) and that the following new subsection be added:

"(b) The Public Printer may grant an employee paid on an annual basis compensatory time off from duty instead of overtime pay for overtime work."

With the following committee amendment:

On page 1, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"That section 305 of title 44, United States Code, is amended—

"(1) by inserting '(a)' immediately before 'The Public Printer may employ journeymen'; and

"(2) by adding at the end thereof the following new subsection:"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN ARBITRAL AWARDS

The Clerk called the bill (S. 3274) to implement the Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to inquire as to the estimated cost of these awards, if the bill should become law?

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Indiana.

Mr. JACOBS. My understanding is that in essence there are no costs insofar as authorization is concerned. That is clear from the legislation itself.

So far as the expense to the country generally is concerned, it is estimated a great deal of money will be saved, because it will make possible the use of Federal courts here to order arbitration, rather than the use of Federal courts here, which is the present practice, to have full-blown trials. This in net effect would save money.

Mr. HALL. The gentleman does not believe, as I understand his remarks, Mr. Speaker, that this authorization would later lead to an appropriation, in order to effect these savings?

Mr. JACOBS. I really do not believe that would be the case. As I say, I believe there would be a net savings.

Under present circumstances, private parties who are foreign to the United

States, who have agreements with American nationals, can come into the American courts and file lawsuits to enforce their rights under their contracts. As I say, that involves a full-blown lawsuit, whereas if the arbitration convention were subscribed to and jurisdiction given to the Federal courts in the United States, the court could have a very summary proceeding and order arbitration under the terms of the contract.

Mr. HALL. Does the distinguished gentleman from Indiana feel that this would be in any way delegating the responsibility either of the legislative branch or of the judicial branch?

Mr. JACOBS. No. I do not believe that is a problem in this respect.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am not clear as to the relationship between this legislation and the United Nations. Can the gentleman explain if there is any relationship?

Mr. JACOBS. No. There is no relationship.

Mr. GROSS. I notice in the report the following:

> The Convention on the Recognition and Enforcement of Foreign Arbitral Awards was adopted at the conclusion of a United Nations conference which was held in New York from May 20 to June 10, 1958.

There seems to have been some connection in the past.

Mr. JACOBS. Let me try to clarify it. It was an outgrowth of the conference. So far as the law is concerned, a conference was held under the auspices of the United Nations and it made these recommendations. But so far as the convention itself and the legal aspects of it are concerned, it was a matter of negotiation among the member States and was not under the auspices of the United Nations.

Mr. GROSS. So there is no controlling factor insofar as the U.N. is concerned?

Mr. JACOBS. None whatever. As a matter of fact, as a practical arrangement, it was made among those who signed the convention to expedite the business among their countries and nations.

Mr. GROSS. Mr. Speaker, I thank the gentleman, and withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

S. 3274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 9, United States Code, is amended by adding:

"Chapter 2.—CONVENTION OF RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS

"Sec.
"201. Enforcement of Convention.
"202. Agreement or award falling under the Convention.
"203. Jurisdiction; amount in controversy.
"204. Venue.
"205. Removal of cases from State courts.
"206. Order to compel arbitration; appointment of arbitrators.
"207. Award of arbitrators; confirmation; jurisdiction; proceeding.
"208. Chapter 1; residual application.

"§ 201. Enforcement of Convention

"The Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958, shall be enforced in United States courts in accordance with this chapter.

"§ 202. Agreement or award falling under the Convention

"An arbitration agreement or arbitral award arising out of a legal relationship, whether contractual or not, which is considered as commercial, including a transaction, contract, or agreement described in section 2 of this title, falls under the Convention. An agreement or award arising out of such a relationship which is entirely between citizens of the United States shall be deemed not to fall under the Convention unless that relationship involves property located abroad, envisages performance or enforcement abroad, or has some other reasonable relation with one or more foreign states. For the purpose of this section a corporation is a citizen of the United States if it is incorporated or has its principal place of business in the United States.

"§ 203. Jurisdiction; amount in controversy

"An action or proceeding falling under the Convention shall be deemed to arise under the laws and treaties of the United States. The district courts of the United States (including the courts enumerated in section 460 of title 28) shall have original jurisdiction over such an action or proceeding, regardless of the amount in controversy.

"§ 204. Venue

"An action or proceeding over which the district courts have jurisdiction pursuant to section 203 of this title may be brought in any such court in which save for the arbitration agreement an action or proceeding with respect to the controversy between the parties could be brought, or in such court for the district and division which embraces the place designated in the agreement as the place of arbitration if such place is within the United States.

"§ 205. Removal of cases from State courts

"Where the subject matter of an action or proceeding pending in a State court relates to an arbitration agreement or award falling under the Convention, the defendant or the defendants may, at any time before the trial thereof, remove such action or proceeding to the district court of the United States for the district and division embracing the place where the action or proceeding is pending. The procedure for removal of causes otherwise provided by law shall apply, except that the ground for removal provided in this section need not appear on the face of the complaint but may be shown in the petition for removal. For the purposes of chapter 1 of this title any action or proceeding removed under this section shall be deemed to have been brought in the district court to which it is removed.

"§ 206. Order to compel arbitration; appointment of arbitrators

"A court having jurisdiction under this chapter may direct that arbitration be held in accordance with the agreement at any place therein provided for, whether that place is within or without the United States. Such court may also appoint arbitrators in accordance with the provisions of the agreement.

"§ 207. Award of arbitrators; confirmation; jurisdiction; proceeding

"Within three years after an arbitral award falling under the Convention is made, any party to the arbitration may apply to any court having jurisdiction under this chapter for an order confirming the award is against any other party to the arbitration. The court shall confirm the award unless it finds one of the grounds for refusal or deferral of recognition or enforcement of the award specified in the said Convention.

"§ 208. Chapter 1; residual application

"Chapter 1 applies to actions and proceedings brought under this chapter to the extent that chapter is not in conflict with this chapter or the Convention as ratified by the United States."

"Chapter	Sec.
1. General provisions	1
2. Convention on the Recognition and Enforcement of Foreign Arbitral Awards	201"

SEC. 3. Sections 1 through 14 of title 9, United States Code, are designated "Chapter 1" and the following heading is added immediately preceding the analysis of sections 1 through 14:

"CHAPTER 1.—GENERAL PROVISIONS"

SEC. 4. This Act shall be effective upon the entry into force of the Convention on Recognition and Enforcement of Foreign Arbitral Awards with respect to the United States.

With the following committee amendment:

> On the first page, line 4, strike out "OF" and insert "ON THE".

The committee amendment was agreed to.

(Mr. FISH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FISH. Mr. Speaker, the bill before us today, S. 3274, is a measure which has broad support from industry, from labor, from the legal profession, and from the executive branch of our Government.

Under this proposal, our U.S. district courts will be given jurisdiction to enforce arbitration agreements covered by the Convention on the Recognition and Enforcement of Foreign Arbitral Awards. The convention, which is now in effect in 34 countries, was approved by the Senate in October 1968. The legislation which we are considering today represents the final step in implementing the convention, since participation by the United States will not officially begin until this legislation has been enacted.

In recommending this bill to my colleagues in the House of Representatives, there are two points which I would like to emphasize. First, it is important to note that arbitration is generally a less costly method of resolving disputes than full-scale litigation in the courts. To the extent that arbitration agreements avoid litigation in the courts, they produce savings not only with the parties to the agreement but also for the taxpayers—who must bear the burden for maintaining our court system.

Second, under the proposal before us, no person would be compelled to enter into any arbitration agreement nor required to submit to the jurisdiction of any court under circumstances in which he himself had not voluntarily agreed to the court's jurisdiction. As a result, this bill is directed only toward implementing procedures which the parties to arbitration agreements have themselves agreed on.

Mr. Speaker, the broad support for the convention which has been evidenced by American citizens concerned with international commerce and by the adherence to the convention of a substantial number of countries, indicates the importance of this measure in fostering international trade. It is a measure which will reduce the cost of administering our judicial system, as well as contribute to our Nation's commercial life. Under the circumstances, I believe it should be given the full support of the House of Representatives.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LANDS HELD BY UNITED STATES IN TRUST FOR MAKAH INDIAN TRIBE, WASHINGTON

The Clerk called the bill (H.R. 9311) to declare that certain lands shall be held by the United States in trust for the Makah Indian Tribe, Washington.

There being no objection, the Clerk read the bill as follows:

H.R. 9311

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That approximately seven hundred and nineteen acres of land, which were set apart by Executive order of April 12, 1893, as a reservation for certain Ozette Indians, are hereby declared to be held by the United States in trust for the use and benefit of the Hakah Indian Tribe, Washington.

Mr. HALEY. Mr. Speaker, the purpose of H.R. 9311 is to give to the Makah Indian Tribe in the State of Washington 719 acres of land that were set aside by Executive order in 1893 as a reservation for Ozette Indians not now residing upon any Indian reservation.

When the Ozette Reservation was first established, 64 Indans lived there. The number steadily decreased, and by 1908 most of the Indians had moved to the Makah Reservation. The Ozette village has been completely deserted for many years now, and the reservation land is used by the members of the Makah Tribe for hunting, fishing, and camping purposes.

Ozette is in the general area originally occupied by the Makah Indians, and the persons called Ozette Indians were in fact Makah Indians. The Ozette village is similar to four other tribal settlements in the area that were added to the Makah Reservation by Executive orders in the 1870's. There is no known reason for the establishment of Ozette as a separate reservation in 1893, rather than as an addition to the Makah Reservation as was done in the case of the other four villages. The action appears to be a historical accident. The Ozette Reservation was established for the benefit of Makah Indians, and it should be made a part of the Makah Reservation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING FEDERAL YOUTH CORRECTIONS ACT TO PERMIT EXAMINERS TO CONDUCT INTERVIEWS WITH YOUTH OFFENDERS

The Clerk called the bill (S. 3564) to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders.

There being no objection, the Clerk read the bill as follows:

S. 3564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5014 of title 18, United States Code, is amended by inserting ", or an examiner designated by the Division," after the words "of the Division".

SEC. 2. Section 5020 of title 18, United States Code, is amended by deleting the words "or a member thereof" and inserting in lieu thereof ", a member thereof, or an examiner designated by the Division".

Mr. HUNGATE. Mr. Speaker, the bill, S. 3564, would amend sections 5014 and 5020 of title 28 to authorize the Youth Corrections Division of the Board of Parole to utilize examiners to conduct hearings required by those sections as well as members of the division.

The Youth Corrections Division is composed of three members of the Board of Parole. In accordance with the Youth Corrections Act, the Attorney General designates members of the Board of Parole to serve as members of this Division of the Board. It is the responsibility of the Youth Corrections Division to make recommendations concerning the treatment and correction policies for committed youth offenders. It orders the release of offenders on parole and the return to custody for further treatment of those who do not succeed when conditionally released. The Division may also discharge a committed youth offender unconditionally who is successful for at least 1 year on parole.

Under the sections referred to in the bill, sections 5014 and 5020 of title 18, it is a function of the Division to interview youth offenders after initial commitment and also upon return to custody. These sections now require that members of the Division are to conduct the interviews. The amendments in the bill would permit the Division to either designate members or examiners to perform this function.

Examiners are used by the Board of Parole for interviews with adult offenders but the provisions of the two sections requiring interviews by division members make it necessary to obtain a waiver by an offender if an examiner is to conduct the interview. This requirement may delay interviews until a member can be sent to the correctional institution where an offender is confined. The Board of Parole contemplates a new program under which examiners would conduct the majority of interviews with both youth offenders and adult offenders with the board members remaining in Washington to confer and make final decisions. These amendments would implement this purpose.

The bill S. 3564 was introduced in accordance with the recommendations of the Department of Justice in an executive communication, and the Department urges its enactment. The amendments were recommended by the task force on corrections of the President's Commission on Law Enforcement and the Administration of Justice.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME FOR FINAL REPORT BY NATIONAL COMMISSION ON CONSUMER FINANCE

The Clerk called the joint resolution (H.J. Res. 1238) to extend the time for the making of a final report by the National Commission on Consumer Finance.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. The gentleman would like to know if the remainder of the bills filed on June 29, have met the requirements of clause 4, rule 13, insofar as 3 legislative days are concerned inasmuch as we were not here present last Thursday.

The SPEAKER. The Chair will state that in the opinion of the Chair, the bill is eligible at this time.

Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution as follows:

H.J. RES. 1238

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404(b) of the Act of May 29, 1968 (Public Law 90-321) is amended by striking out "January 1, 1971" and inserting in lieu thereof "July 1, 1972".

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OHIO NORTHERN UNIVERSITY COMMEMORATIVE MEDALS

The Clerk called the bill (H.R. 15118) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University.

There being no objection, the Clerk read the bill as follows:

H.R. 15118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the one hundredth anniversary of the founding of Ohio Northern University on August 15, 1871, the Secretary of the Treasury is authorized and directed to strike and furnish to Ohio Northern University, Ada, Ohio, not more than sixteen thousand medals with suitable emblems, devices, and inscriptions to be determined by Ohio Northern University subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by Ohio Northern University in quantities of not less than two thousand, but no medals shall be made after December 31, 1971. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with Ohio Northern University.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McCULLOCH. Mr. Speaker, I rise in support of H.R. 15118, which would provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University.

Ohio Northern University, of Ada, Ohio, will observe its centennial year from August 14, 1970, through August 13, 1971. The university has 2,300 students and is one of the few institutions in the country combining a liberal arts curriculum with colleges of engineering, pharmacy, and law.

Since it was founded in 1871 by Dr. Henry Solomon Lehr, Ohio Northern has graduated more than 20,000 persons. Today there are more than 11,000 living alumini serving their communities and the Nation in all 50 States and in many foreign countries. The devoted alumni include one-third of the pharmacists in Ohio, more than 1,100 attorneys serving in Ohio and neighboring States, in excess of 1,200 engineering graduates and many hundreds of teachers, business leaders, and housewives.

Four Ohio Northern University degree holders are currently serving in the U.S. House of Representatives from the State of Ohio; they are DELBERT L. LATTA, FRANK T. BOW, JACKSON E. BETTS, and myself. At one time four Ohio Northern University graduates were concurrently U.S. Senators: Frank B. Willis, Simeon D. Fess, Arthur J. Robinson, and John M. Robsion.

This independent university has grown from a small normal school serving northwest Ohio to one of the great private universities in the State of Ohio. In recent years, the university has grown at an unprecedented rate in every way: Academically, physically, and financially. In the decade of the 1960's more than $13 million of new buildings and equipment were added to the campus. Recently, the university's new liberal arts curriculum has gained widespread interest among educators.

It is only fitting, Mr. Speaker, that the Congress aid in honoring this great university on the occasion of her centennial anniversary by the passage of H.R. 15118.

Mr. BOW. Mr. Speaker, I rise in support of H.R. 15118, which was introduced by my colleague the gentleman from Ohio (Mr. McCULLOCH).

Ohio Northern University is my alma mater and I am proud of it.

This comparatively small university has a proud past and a promising future.

The years I spent on its campus were happy ones, as well as fruitful in my preparation for the practice of law, and in later years here in the House of Representatives.

Ohio Northern University devotes its full strength to the teaching and development of the undergraduate student. It seeks to remain a small university, offering a high quality education in a Christian environment. The institution is owned by the Methodist Church and encourages all students to confront the claims and obligations of the Judeo-Christian heritage.

Four of us in the House are degree holders from Ohio Northern. In addition to Mr. McCULLOCH and myself, Hon. DELBERT LATTA and Hon. JACKSON E. BETTS call ONU their alma mater. Also Dr. Laurence Woodworth, chief of staff of the Joint Committee on Internal Revenue, is a graduate of ONU.

It is interesting to note that this interest in public service has characterized Ohio Northern graduates for many, many years. At one time four graduates were serving together in the U.S. Senate. They were Frank B. Willis and Simeon D. Fess, of Ohio, Arthur R. Robinson, of Indiana, and John M. Robsion, of Kentucky.

It is interesting also to note that Ernest L. Nixon, an uncle of President Richard Nixon, attended Ohio University in 1902 and 1903 and among his instructors at that time were Mr. Willis and Mr. Fess, later to become Senators.

ONU offers students four areas of concentration:

To be eligible for freshman work in the college of liberal arts, including prepharmacy or prelaw, the student must present at least 16 acceptable units of credit. Four years of English and 2 years of mathematics are required. Six units may be in any combination of language, social studies, natural science, and additional credits in English and mathematics.

Students entering the college of engineering must have 4 years of English, 4 years of mathematics, and 2 years of science in their high school work. The mathematics should include a minimum of 2 years of algebra, one of plane geometry, one-half of solid geometry, and one-half of trigonometry. The sciences must include physics and should include chemistry. Two years of foreign langauge are recommended.

Students entering the pre-professional pharmacy program in their freshman year at Ohio Northern University must have completed 4 years of English; 2½ years of mathematics—algebra and plane geometry—with priority given to students with additional credits; 2 to 3 years of science—biology, general science and chemistry or physics, or both. Priority will be given to students with 4 years of science subjects. To enter the college of pharmacy, junior year students must have 90 quarter hours—60 semester hours—pre-pharmacy studies, and approval of the committee on admissions of the college of pharmacy. Transfer students must present a transcript and a certificate "in good standing."

To enter the college of law, a student must have a degree from an accredited college or university.

The Ohio Northern University physical plant includes 19 well-equipped major buildings, conveniently arranged on a compact campus. An area of 120 acres, immediately west of the present campus, is under development and will feature: A science center, an engineering building, a common lecture hall, a chapel, and a field house. The beautiful new McIntosh Center, the new college of pharmacy building, the Continuation Studies Center, and four new residence halls were completed and occupied in 1965 and 1966 and the Heterick Library in 1968.

Preserving the tradition of "Great Teaching" at Ohio Northern University, all classes are taught by regular faculty members. The ratio of student to faculty, presently 15 to 1, is kept as small as possible to provide maximum individual attention.

A genuinely friendly relationship between faculty and students prevails at all times. A student's problem is considered the university's problem, and every effort is made to overcome any difficulty the student may have, whether it be financial, academic or personal.

It is a pleasure to pay tribute to Ohio Northern University, as it enters its centennial year, and it is gratifying personally to me that the House has today authorized the commemorative medal for this occasion.

EXTENSION OF MARKETING ORDER AUTHORITY TO APPLES PRODUCED IN COLORADO, UTAH, NEW MEXICO, ILLINOIS, AND OHIO

The Clerk called the bill (S. 1455) to amend section 8c(2)(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio.

There being no objection, the Clerk read the bill as follows:

S. 1455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (A) of the first sentence of section 8c(2) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is amended by striking out "and Connecticut" and inserting in lieu thereof "Connecticut, Colorado, Utah, New Mexico, Illinois, and Ohio".

The bill was ordered to be read a third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL ASSISTANCE FOR RESOURCE CONSERVATION AND DEVELOPMENT PROJECTS

The Clerk called the bill (S. 3598) to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes.

There being no objection, the Clerk read the bill as follows:

S. 3598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 32(e) of title III of the Bankhead-Jones

Farm Tenant Act (7 U.S.C. 1011), as amended, is amended by adding at the end thereof the following: "In providing assistance for carrying out plans developed under this title, the Secretary shall be authorized to bear such proportionate share of the costs of installing any works of improvement applicable to public water-based fish and wildlife or recreational development as is determined by him to be equitable in consideration of national needs and assistance authorized for similar purposes under other Federal programs: *Provided*, That all engineering and other technical assistance costs relating to such development may be borne by the Secretary: *Provided further*, That when a State or other public agency or local nonprofit organization participating in a plan developed under this title agrees to operate and maintain any reservoir or other area included in a plan for public water-based fish and wildlife or recreational development, the Secretary shall be authorized to bear not to exceed one-half of the costs of (a) the land, easements, or rights-of-way acquired or to be acquired by the State or other public agency or local nonprofit organization for such reservoir or other area, and (b) minimum basic facilities needed for public health and safety, access to, and use of such reservoir or other area for such purposes: *Provided further*, That in no event shall the Secretary share any portion of the cost of installing more than one such work of improvement for each seventy-five thousand acres in any project; and that any such public water-based fish and wildlife or recreational development shall be consistent with any existing comprehensive statewide outdoor recreation plan found adequate for purposes of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897); and that such cost-sharing assistance for any such development shall be authorized only if the Secretary determines that it cannot be provided under other existing authority."

Mr. ZWACH. Mr. Speaker, I am pleased that we are today giving final consideration to S. 3598, which would provide cost sharing in resource conservation and development projects for public water-based fish and wildlife or recreational development.

The success of resource conservation and development projects in the past have been very gratifying and have shown what communities can do to better the total environment. At the same time, these efforts have shown the tremendous potential that exists for community action to bring about multiple-purpose resource developments.

The measure we have before us today is one in which I have been deeply interested for a long time. In the 90th Congress, I introduced H.R. 19948; early in the 91st Congress, I introduced H.R. 4879. Both of these are forerunners to the present legislation. Last November, I introduced H.R. 14793. This proposed legislation has favorable recommendation of the U.S. Department of Agriculture, and has already passed the Senate.

All communities need more public water-based recreation and fish and wildlife facilities for their residents and for visitors. Recreation fulfills one of man's major environmental needs, provides more available jobs, and brings an area increased income from expenditures for equipment, vehicle services, food and lodging, and other benefits.

Communities need to properly plan public water-based recreation and fish and wildlife developments to make best use of their natural resource base, blend recreation with other resource development potentials and with population patterns, and provide the needed water-based recreational facilities at a reasonable cost.

Many of the communities which have these needs for water-based recreation or fish and wildlife developments are not financially able to meet the costs because of a low tax base, heavy financial burden for public facilities and services, and low income of residents. This legislation, to provide cost sharing would help many rural communities acquire the water-based recreation or fish and wildlife developments that they need.

The enactment of this legislation would add to the already substantial contribution being made to resource development opportunity in 55 resource conservation and development projects in the country.

Of these 55 current projects, the first resource conservation and development project in the entire Nation was organized in 1964 in west-central Minnesota. It started with four counties and has now expanded to nine. It stretches for 120 miles across the Minnesota heartland, includes 5 million acres, and 20 percent of the water area in Minnesota is within the project area.

In this project, residents and communities have helped develop a major canoe trail; a wilderness saddle trail; a scenic drive; several lakes and camps; and other new recreation areas as part of a larger effort to increase job opportunities and community services and improve the natural resource base.

But these projects are not only concerned with recreation. They are designed to better the total environment. One good example of this, and a major contribution within the west-central resource conservation and development project, is the pilot program for eutrophication research currently being done at Eagle Lake in Kandiyohi County. This project is to find new techniques in nutrient control from all sources, including sewage, farm drainage and the natural water supply. The knowledge gained from this project can then be applied to all those lakes suffering from rapid deterioration.

Resource conservation and development districts have broadened their initial concern with soil erosion and water runoff on farmland to include measures dealing with air and water pollution, water supply and management, solid waste disposal, recreation resource development, and related activities. These efforts have shown the tremendous potential that exists for community action to bring about multiple-purpose resource developments. These projects have joined neighboring counties, districts, cities, and towns in a team seeking to advance the well-being of people within their total geographic area. Resource conservation and development projects have also led soil conservation districts to direct major efforts to meeting the economic and social needs of people as they are related to the use and management of physical resources.

This is also the first time that there has been an instrument in which the local people have control and can make decisions in getting things done. The resource conservation and development approach to dealing with the natural resource base also supports the comprehensive planning goals of such districts. Such a program serves as a catalyst in stimulating investments in agricultural developments, new businesses, private and community recreation facilities, improved housing, and other recognized needs. It has clearly demonstrated how planning on a multicounty basis can lead to better living in rural areas.

This bill would give resource conservation and development communities the benefit of cost sharing to assist them in starting this chain which will lead to growth of our rural economy. It is in the Nation's interest to provide cost sharing. A better balance of resources and people's needs will result, and at substantially lower costs.

I am proud of the broad community action being taken by local people in the west-central Minnesota Resource Conservation and Development project. I want to help make that action even more effective, and aid local efforts in the other 54 resource conservation and development projects in the country and the dozens of other communities which have applied for resource conservation and development project assistance.

I am grateful for the broad, bipartisan support that this legislation has already received, and I respectfully urge the favorable consideration of the House on final passage of this legislation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPLE ADVERTISING UNDER FEDERAL MARKETING ORDERS

The Clerk called the bill (S. 1456) to amend section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising.

There being no objection, the Clerk read the bill as follows:

S. 1456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso at the end of section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is amended by striking out "or avocados" and inserting in lieu thereof "avocados, or apples".

SEC. 2. Section 2(3) of such Act is further amended by inserting ", such marketing research and development projects provided in section 8c(6)(I), and" immediately after "section 8c(6)(H)".

With the following committee amendment:

Page 1, line 7, insert the following:

"SEC. 2. Section 2(3) of such Act is further amended by inserting ', such marketing research and development projects provided in section 8c(6)(I), and' immediately after "section 8c(6)(H)'."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend sections 2(3) and 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising."

A motion to reconsider was laid on the table.

ALMOND ADVERTISING UNDER FEDERAL MARKETING ORDERS

The Clerk called the bill (H.R. 13978) to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would preface my remarks by stating that I am at a disadvantage inasmuch as I did not think these bills were eligible, under the interpretation of clause 4, rule XIII, as to the 3 requisite legislative days. However, I would like to inquire, Mr. Speaker, as to whether or not this is not a new departure and does not establish a precedent, insofar as marketing operations in research and promotional projects by brand name is concerned?

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. HALL. Yes, I yield to the gentleman from California.

Mr. SISK. I would like to be completely frank with my colleague from Missouri and state that this does set a precedent. This is a departure from the previous situation where advertising has been done by generic name only.

I might say that as I am sure my colleague has noted, the Department is supporting this bill. At the present time some brand advertising in connection with the Public Law 480 market promotion program is permitted. An example is the trade fair now going on in Japan. There are indications which lead the Department to believe that there are some very good points to be achieved through this departure.

This particular program in connection with almonds has been under consideration for the last 2 to 3 years looking to the idea of permitting a checkoff by those institutions or groups that are doing certain brand name advertising.

As I am sure my friend is familiar with the use of the word "diamond" in connection with brand name advertising but where they actually did not get credit for their contribution to the pool. But this is paid for by the producer and the processor marketing the product.

The Department felt this was a good commodity with which to experiment. No Government funds will be involved in the promotion activity. Almond handlers will simply be given a credit against their assessments levied under the Federal marketing order. We are not sure exactly how it is going to work, but we are hopeful it will be of assistance to this important industry.

This bill has the entire support of the almond industry which is a small and concentrated industry where you do not have a large number of people involved. The Department felt this was to be used more or less as a guinea pig and if it does not work out in an effective manner within a reasonable period of time, of course the industry itself will ultimately want to get rid of it, as well as the Department.

Of course, in the final analysis, as the gentleman knows, it will require a two-thirds vote of the almond industry to put it into effect in any case. But this does make it permissive to use brand advertising, as far as I know, for the first time. I want to be completely frank with my colleague.

Mr. HALL. Mr. Speaker, I thank the gentleman from California. I esteem the gentleman, and I know he is always forthright and frank not only with me but with all Members, and I want to be equally forthright in stating that I am not trying to be a nit-picker, and I have no fault to find with the almond industry, and certainly wish to state that as a matter of fact time has proved that these agricultural marketing acts and these promotional devices are quite all right in my opinion. My only question in raising this point is because of the unanimous consent that is involved, and the question of establishing a precedent. And I understand that this bill will permit domestic promotion of brand names, as we understand other laws now allow similar programs as in foreign overseas markets.

I would, I believe, at this time decry all of those who have marketing acts or promotional permissive orders coming in domestically to promote their products by brand names, for example, this dairy company versus that dairy company, with checking-off by the American Dairy Association, and I think we can open up a veritable Pandora's box if we do this. However, if I understand the assurances of the gentleman correctly, this is to be used by the Department of Agriculture and is still subject to a two-thirds vote of the almond producers as a pilot program or an experimental test program or, as the gentleman said, a guinea pig. However, I would certainly hate to mix the succulence of the almond with the dirty cages of the guinea pigs, although they are fine experimental animals; but this will be a test program, and then they will be back before the Congress before another checkoff is authorized, or for permission to use brand names domestic or foreign, would be automatically authorized, is that correct?

Mr. SISK. If the gentleman will yield further, I would say yes, that the gentleman has very well stated it, and quite explicitly, as to what the understanding was with the Department in connection with this.

Mr. HALL. Mr. Speaker, I thank the gentleman, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill,

There being no objection, the Clerk read the bill, as follows:

H.R. 13978

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section (8)(c)(6)(I) of the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, is further amended as follows by—

(1) inserting "almonds," before the word "cherries"; and

(2) striking the period at the end of the proviso and inserting in lieu thereof: "and with respect to almonds may provide for crediting the pro rata expense assessment obligations of a handler with all or any portion of his direct expenditures for such marketing promotion including paid advertising as may be authorized by the order."

With the following committee amendments:

Page 1, line 7, insert a comma after the word "almonds".

Page 1, line 8, strike out the word "and".

Page 2, line 1, after the words "end of the" insert the word "first".

Page 2, line 7, after the words "the order." insert "; and".

Page 2, line 7, insert the following:

(3) amending the second proviso to read as follows: ": *Provided further,* That the inclusion in a Federal marketing order of provisions for research and marketing promotion, including paid advertising, shall not be deemed to preclude, preempt, or supersede any such provisions in any State program covering the same commodity."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

EXTENDING THE REPORTING DATE OF THE NATIONAL COMMISSION ON CONSUMER FINANCE

Mr. REUSS. Mr. Speaker, in connection with the joint resolution just passed, House Joint Resolution 1238, on behalf of the Committee on Banking and Currency, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of a similar Senate joint resolution (S.J. Res. 201) to extend the reporting date of the National Commission on Consumer Finance, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 201

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404(b) of the Consumer Credit Protection Act (82 Stat. 165) is amended by striking out "January 1, 1971" and inserting "July 1, 1972" in lieu thereof.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 1238) was laid on the table.

STRATTON BILL WILL AMEND THE AIRPORT ACT TO PROVIDE FOR TRUTH IN TAXATION ON AIRLINE TICKETS

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STRATTON. Mr. Speaker, I think many of the Members of the House may not be aware of the fact that the transportation users' tax, which we passed 2 months ago to improve the Nation's airports, contains a very unique provision, put in in conference, which actually makes it illegal and involves a fine of $100 for any travel agent or airline to include on an airline ticket the specific amount of the 8-percent tax which has to be paid by the customer to finance the new Federal airport expansion and safety program.

The same fine is also imposed by this act—in a section that never appeared in the House, and never appeared in the Senate, but was added in conference—for any airline travel ad that lists the specific amount of Federal tax required as part of an airline fare.

How did it happen that Congress ever passed such a strange provision? It first came to my attention from a young lady attending the American Legion Auxiliary Girl's State in Albany, N.Y. I confess I found it hard to answer her question. And I am afraid we never quite realized the impact of this section.

The purpose of this provision, so the conferees said, was simply to speed up the issuance of airline tickets by requiring the writing of only one figure instead of three; and also to prevent misleading travel advertisements which quote less than the full cost which the customer has to pay.

These are both laudable objectives, but we are certainly heading down the wrong road in trying to achieve them by making it a crime to tell the customer how much Federal tax he has to pay on his own airplane tickets. Our bill makes it look as though Congress were trying to hide from the people the amount of taxes we are asking them to pay. Nothing could be more disruptive of confidence in our Government procedure. After all, this is an age of truth-in-lending. Surely we cannot now try to enjoin similar candor as far as taxation is concerned.

So I have today introduced legislation to correct this situation. My bill would amend the law to make it permissible for ticket agents to show the amount of the tax on each ticket if they so desire, or, if a one-price arrangement does speed up the issuance of airline tickets and cut down on long waiting lines at airline ticket counters, then they can, if they prefer, simply indicate on the face of the ticket that the overall price includes an 8-percent Federal users tax for airport expansion and aviation safety purposes.

The same procedure would also be permitted under my bill in airline travel ads. As long as the customer knows how much the total cost of his trip will be, he surely ought to have a right to know how much he is paying in taxes too. This is what we do on every gasoline pump. Surely we cannot do less with our airline tickets.

I believe we need to act quickly to correct what clearly we never intended to do. Of course, we all want to speed up air travel procedures. But just as certainly we also want complete truth in advertising as well as complete truth in taxes.

HOW STUDENT RIOTING IS HANDLED IN ENGLAND

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I passed through London, England, Saturday on the way home from a NATO meeting in Brussels. I picked up a newspaper which featured a story about the conviction of eight Cambridge University students for riot and destruction of property. They had attacked a dinner at the university about the aims of which they disagreed and had destroyed some $6,000 worth of university property—private property, at least.

The judge sentenced two of them to 18 months, two of them to 12 months in jail, two of them to 9 months and two of them to 6 months' borstal training, which I understand has to do with training in detention in a reformatory.

The judge apologized for the light sentences, but said that he did it because they were led by evil companions.

Perhaps a few such light sentences in this country might do a good deal toward instilling some respect for private property in the minds of some who have been trying to burn our universities down.

CAPITAL FLYER ROUTES

(Mr. GUDE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GUDE. Mr. Speaker, this morning the metropolitan council of governments instituted the fourth of the Capital Flyer routes which will do much to improve the quality of transportation and economic development for Metropolitan Washington. This coordinated two-way service is an example of what can be done with the cooperation of the several jurisdictions of our National Capital area to provide better access to jobs for both inner city residents and suburbanites alike.

Today along with Richmond M. Keeney, Montgomery County Councilman and vice chairman of the council of governments' transportation planning board and with other Montgomery Countians, I boarded the Capital Flyer at Montgomery Mall at 7:25 and in less than 50 minutes we were downtown at Fourth and C Streets SW., after discharging a number of passengers at other stops in the Washington business district. The morning bus service providing the flow out from the city also links the Cardozo and the Adams-Morgan sections of the District of Columbia with stops at the National Institutes of Health.

The possibility of a bus service to be truly "express" is limited when the entire route winds its way through stop-and-go residential and commercial streets. The recent linkup of the George Washington Parkway from Maryland into the District of Columbia has made possible an extended straight shot from Rockville into the District. With this problem overcome it was possible to inaugurate this service today.

If Washington's suburbs and the inner city are to be a healthy, economic unit we must have rapid, comfortable transportation. I commend the council of governments for their diligent work to achieve this through this new Capital Flyer service.

ROGERS EXPRESSES CONCERN OVER ACCURACY OF CENSUS

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, more than 3 months have passed since the Bureau of the Census began its formal count of the number of persons living in the United States.

This decennial counting of heads has a significant impact on the lives of us all, and many Federal, State, county, and municipal programs and services are directly affected by the enumeration.

I have grave reservations about the accuracy of the count and the thoroughness with which it is being conducted in my congressional district.

My home county of Palm Beach was tabulated at 345,553, an increase of 51 percent over the 1960 figure of 228,106. Yet, the city of West Palm Beach, the largest city in the county, showed only a 1-percent increase in population from the 1960 figure of 56,208 to the 1970 count of 56,865.

Such results as these lead to increasing concern that many residents are not being counted, and that the enumerators are not being thorough in their coverage.

I have received numerous communications from officials in Martin County, Fla., expressing concern that the district census office serving that county would be closed with only 60 percent of that county enumerated.

After contacting the Bureau of the Census, I was assured that such would not be the case, but this has not allayed the fears of many that only 70 to 80 percent of that county will be counted.

I believe that in the case of the city of West Palm Beach and in the case of Martin County, a thorough review of the enumeration procedure is warranted and I am today requesting the Bureau of the Census to look into the situation in these particular areas.

If this pattern develops in other areas

of this Nation, then I believe the American people would have serious misgivings about the accuracy of the census, and the possibility exists that the census would have to be retaken.

EXPEDITING ACT AMENDMENTS

Mr. HUNGATE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12807) to amend the act of February 11, 1903, commonly known as the Expediting Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 12807

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of February 11, 1903 (32 Stat. 823), as amended (15 U.S.C. 28; 49 U.S.C. 44), commonly known as the Expediting Act, is amended to read as follows:

"SECTION 1. In any civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, wherein the United States is plaintiff and equitable relief is sought, the Attorney General may file with the court, prior to the entry of final judgment, a certificate that, in his opinion, the case is of general public importance. Upon filing of such certificate, it shall be the duty of the judge designated to hear and determine the case, or the chief judge of the district court if no judge has as yet been designated, to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited."

SEC. 2. Section 2 of that Act (15 U.S.C. 29; 49 U.S.C. 45) is amended to read as follows:

"(a) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, in which the United States is the complainant and equitable relief is sought, any appeal from a final judgment entered in any such action shall be taken to the court of appeals pursuant to sections 1291 and 2107 of title 28 of the United States Code.

SEC. 2. Section 2 of that Act (15 U.S.C. 29; 49 U.S.C. 45) is amended to read as follows:

"(a) Except as otherwise expressly provided by this section, in every civil action brought in any district court of the United States under the Act entitled 'An Act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, or any other Acts having like purpose that have been or hereafter may be enacted, in which the United States is the complainant and equitable relief is sought, any appeal from a final judgment entered in any such action shall be taken to the court of appeals pursuant to sections 1291 and 2107 of title 28 of the United States Code. Any appeal from an interlocutory order entered in any such action shall be taken to the court of appeals pursuant to sections 1292(a)(1) and 2107 of title 28 of the United States Code but not otherwise. Any judgment entered by the court of appeals in any such action shall be subject to review by the Supreme Court upon a writ of certiorari as provided in section 1254(1) of title 28 of the United States Code.

"(b) An appeal from a final judgment pursuant to subsection (a) shall lie directly to the Supreme Court if:

"(1) upon application of a party filed within five days of the filing of a notice of appeal, the district judge who adjudicated the case enters an order stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice; or

"(2) the Attorney General files in the district court a certificate stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice; or

"(3) the district judge who adjudicated the case, sua sponte, enters an order stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice.

A court order pursuant to (1) or (3) or a certificate pursuant to (2) must be filed within fifteen days after the filing of a notice of appeal. When such an order or certificate is filed, the appeal and any cross appeal shall be docketed in the time and manner prescribed by the rules of the Supreme Court. That Court shall thereupon either (1) dispose of the appeal and any cross appeal in the same manner as any other direct appeal authorized by law, or (2) in its discretion, deny the direct appeal and remand the case to the court of appeals, which shall then have jurisdiction to hear and determine the same as if the appeal and any cross appeal therein had been docketed in the court of appeals in the first instance pursuant to subsection (a)."

SEC. 3. (a) Section 401(d) of the Communications Act of 1934 (47 U.S.C. 401(d)) is repealed.

(b) The proviso in section 3 of the Act of February 19, 1903, as amended (32 Stat. 848, 849; 49 U.S.C. 43), is repealed and the colon preceding it is changed to a period.

SEC. 4. The amendment made by section 2 shall not apply to an action in which a notice of appeal to the Supreme Court has been filed on or before the fifteenth day following the date of enactment of this Act. Appeal in any such action shall be taken pursuant to the provisions of section 2 of the Act of February 11, 1903 (32 Stat. 823), as amended (15 U.S.C. 29; 49 U.S.C. 45) which were in effect on the day preceding the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Missouri (Mr. HUNGATE) is recognized.

Mr. HUNGATE. Mr. Speaker, H.R. 12807 was proposed in an executive communication from the Attorney General dated July 14, 1969. Its enactment is unanimously recommended by the Committee on the Judiciary.

H.R. 12807 amends the Expediting Act of 1903. When first enacted in 1903, the Expediting Act was designed to insure speedy disposition of important civil antitrust cases brought by the United States. To that end, the Expediting Act empowered the Attorney General, if he certified that a Government civil antitrust case or a Government case under the Interstate Commerce Act was of general public importance, to require the designation of a three-judge Federal court. It was the duty of the judges to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

In addition to the expedited procedures under a special three-judge court, the Expediting Act of 1903 provided that every civil action brought by the United States under the antitrust laws or the Interstate Commerce Act could be appealed only to the Supreme Court. In such cases, the U.S. courts of appeals, which normally review Federal district court decisions were bypassed.

In the early period of Sherman Act enforcement, the provisions of the Expediting Act of 1903 were necessary and appropriate. Direct appeals to the Supreme Court were needed to give uniform and speedy decisions on the numerous constitutional questions generated by the novel antitrust laws. The special three-judge court had unusual prestige and it was able to deal more satisfactorily with novel and complex legal and economic issues.

The provisions for a three-judge court, however, have rarely been invoked by the Government. Presumably the reluctance of the Attorney General to request the impaneling of a three-judge court results from recognition, as a practical matter, that the judiciary was understandably reluctant to concentrate judicial manpower in the presence of already overcrowded dockets. In the last 30 years, the Department of Justice has used a three-judge court procedure in antitrust cases only seven times. In the last 10 years, only one antitrust case has been tried before a three-judge court.

Section 2 of the Expediting Act of 1903, which provides for the direct appeal to the Supreme Court has generated a great deal of criticism in Supreme Court opinions. The Supreme Court has complained that direct appeals of antitrust cases place a great burden on the Supreme Court by virtue of the necessity to review extensive trial court records. It also deprives the Supreme Court of the valuable assistance of the court of appeals.

As a result of these criticisms, since 1949 a number of bills have been introduced to amend the Expediting Act, and to change these procedures. In April 1963, Attorney General Kennedy recommended amendment of the Expediting Act. In that year, the American Bar Association and the Judicial Conference of the United States each endorsed proposals to amend the Expediting Act. In the 90th Congress, the Senate passed a bill for this purpose. The House, however, took no action. In the 91st Congress the present bill, H.R. 12807, is again sponsored by the Attorney General and by the administration.

H.R. 12807 changes the Expediting Act to eliminate the provision that requires that a three-judge court be impaneled on certification by the Attorney General. The bill retains, however, present law that requires the court to assign antitrust cases for hearing at the earliest practicable date and to cause antitrust cases to be in every way expedited when the Attorney General files a certificate that, in his opinion, the case is of general public importance.

Section 2 of the Expediting Act is amended by H.R. 12807 to eliminate mandatory direct appeal to the Supreme Court in antitrust cases brought by the United States in which equitable relief is sought. H.R. 12807, however, retains the Expediting Act's direct appeal to the Supreme Court when a case is of general

public importance. An appeal from a final judgment in a civil antitrust case brought by the United States will continue to lie directly to the Supreme Court on a finding that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice by order of the district judge upon application of a party, by order of the district judge on his own motion, or when the Attorney General so certifies.

The Judiciary Committee in its consideration of H.R. 12807 adopted the amendment which permits the district judge who adjudicated the case on his motion to enter an order stating that immediate consideration by the Supreme Court is of general public importance in the administration of justice.

If the antitrust case is not certified for direct appeal to the Supreme Court, appeals from the district court judgment shall be taken to the courts of appeals in the normal procedures for judicial review. Court of appeals judgments shall be subject to review by the Supreme Court upon a writ of certiorari.

H.R. 12807 also eliminates the ambiguity in present law to make it clear that there can be appellate review of district court orders granting, modifying, or denying preliminary injunctions in antitrust cases brought by the Government. The circuits of the courts of appeals are split at the present time as to whether the interlocutory statute—28 U.S.C. 1292 (a)—is available in cases falling within the Expediting Act.

Antitrust enforcement officials for a number of years have sought clarification of the right of the Government to an interlocutory appeal from the grant or denial of a preliminary injunction in Government antitrust cases. Assistant Attorney General Richard W. McLaren stated that this amendment to the Expediting Act is needed to implement the Antitrust Division program against mergers and acquisitions by conglomerate corporations. In this connection he stated:

> I might mention that in certain of our conglomerate merger cases, we believed that the records we had made entitled us to the issuance of a preliminary injunction, and if we had a clear right to an interlocutory appeal, we very probably would have taken such appeals in these cases. As a general proposition, it is my personal opinion that such appeals might result in somewhat fuller hearing records, and final disposition of many of these types of cases.

As I stated before, H.R. 12807 has support from all sides. It is a bill that provides necessary and clarifying procedures. The Judiciary Committee unanimously recommends that it be enacted.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from Ohio (Mr. MCCULLOCH).

Mr. McCULLOCH. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of House Resolution 12807, legislation to strengthen and modernize procedures for litigation in the Federal courts. To assist the tireless effort of the Nixon administration in improving the quality of justice in America, I introduced this important measure. Joining me as cosponsors were: Mr. GERALD R. FORD, Mr. JOHN ANDERSON, 11 Republican members of the Judiciary Committee, along with two of my Republican colleagues from Ohio. Moreover, the distinguished chairman of the House Judiciary Committee, Mr. CELLER, has introduced identical legislation.

H.R. 12807 would amend the Expediting Act of 1903—32 Stat. 823; 15 U.S.C. 28 ff—by tailoring it to the contemporary demands of litigation initiated by the United States. Under the present law, every civil antitrust action brought by the United States has only one exclusive avenue of appellate review of final judgments: Direct appeal to the Supreme Court. When this provision was enacted, 67 years ago, it was clearly justified. The antitrust laws were new and, for the most part, untested. Thus direct appeal to the Supreme Court achieved the salutary result of: First, providing an immediate and final determination of basic policy questions at a time when the general principles of the antitrust laws were unclear; and, second, insuring the development of a uniform set of precedents, upon which all could rely, from the Court which the Constitution had chartered to set national policy. For these reasons, at that time, every civil antitrust action brought by the United States arguably justified direct, expedited consideration by the Supreme Court.

Such justification is no longer relevant. Through the years, the Supreme Court has provided guidelines by developing a large body of precedents which stake out the contours of anticompetitive conduct. As a result, Government antitrust activities today concentrate more on regulation through settled legal principles than on the development of new theories of illegality. Moreover, the greatly increased caseload demands of the Supreme Court make it harder for the Court to exhaustively analyze the complex factual and legal issues involved in antitrust litigation. Further, the courts of appeals are now well recognized as competent tribunals, experienced in antitrust law, through their review of decisions of the Federal Trade Commission and of private antitrust litigation.

The Supreme Court itself, along with the American Bar Association, the American Law Institute and the Judicial Conference, has indicated the need for reform legislation. A similar bill passed the Senate in the 90th Congress. In 1962, Mr. Justice Clark, concurring in the case of *Brown Shoe Co.* v. *United States,* 370 U.S. 294, 355 (1962), said that:

> The Act declares that appeals in civil antitrust cases in which the United States is complainant lie only to this Court. It thus deprives the parties of an intermediate appeal and this Court of the benefit of consideration by a court of appeals. Under our system a party should be entitled to at least one appellate review, and since the sole opportunity in cases under the Expediting Act is in this Court, we usually note jurisdiction.

Moreover, in 1963, Mr. Justice Clark, speaking for the Court in *United States* v. *Singer Manufacturing Co.*, 374 U.S. 174, 175 n.1 (1963) stated:

> Whatever may have been wisdom of the Expediting Act in providing direct appeals in antitrust cases at the time of its enactment in 1903, time has proven it unsatisfactory. . . . Direct appeals not only place a great burden on the Court but also deprive us of the valuable assistance of the Court of Appeals.

See *United States* v. *duPont & Co.*, 366 U.S. 316, 324 (1961); cf. *Kennecott Copper Co.* v. *United States,* 381 U.S. 414 (1965) (Harlan and Goldberg, JJ., dissenting); but see *United States* v. *Singer Manufacturing Co., supra* at 197 (Opinion of White, J.). Thus the call for reform has been predicated on the assumption that today not every civil antitrust case instituted by the United States requires direct expedited consideration by the Supreme Court.

From time to time critics of legislation proposed to correct this situation have said that such reform would derogate from the importance of the antitrust laws in maintaining the vigor of competition in our economy. My reasoned judgment is to the contrary. Clearly the nature and extent of necessary appellate review of Government antitrust litigation can be divided into three fairly distinct classes. First, cases of paramount importance in the development and administration of the antitrust laws still, of course, require direct and immediate attention by the Supreme Court. Second, there are cases which should be reviewed by the courts of appeals but which, possibly, should ultimately be considered by the Supreme Court depending upon the issues involved, the decision rendered and the state of the record. Last, there are cases which properly should end in the court of appeals.

The legislation which we propose recognizes this relative importance of Government antitrust cases and is designed to implement much-needed reforms without weakening the effectiveness of the antitrust laws in promoting the vitality of the American economy. Section 2(a) of H.R. 12807 states that, except as otherwise provided, all appeals from final judgments entered in civil antitrust actions in which the United States is the complainant and equitable relief is sought shall be to the court of appeals pursuant to 28 U.S.C. 1291 and 2107. Thus this legislation contemplates that appellate review of Government antitrust litigation will be handled largely by the court of appeals rather than the Supreme Court. Of course, any judgment of the court of appeals may be reviewed by the Supreme Court pursuant to the discretionary writ of certiorari as provided in 28 U.S.C. 1254(1).

Section 2(b) contains the exception to the above general rule. It provides that appeals of actions in which the United States is the complainant and equitable relief is sought shall lie directly to the Supreme Court if the district court on its own motion or on application of a party enters an order or the Attorney General files a certificate stating that immediate consideration of the appeal by the Supreme Court is of general public importance in the administration of justice. The effectiveness of the antitrust laws is preserved by this expedited treatment of important cases.

The standard for direct expedited appeal, "general public importance in the administration of justice," should not be confused with the change of venue provision in 28 U.S.C. 1404 permitting transfer of civil actions "for the convenience of the parties and witnesses, in the interest of justice." The latter standard implies questions of court congestion, speedy trials, and burden on the parties which are not relevant to determining whether an antitrust case should have direct review in the Supreme Court. The phrase "general public importance in the administration of justice," would seem to imply issues of significant public, not private, importance in the development of substantive antitrust law, or in the enforcement of the antitrust laws.

The Supreme Court will finally determine what standard to apply since, under section 2(b) of the bill it is given the power to deny, in its discretion, the direct appeal and remand the case to the court of appeals. It would only seem reasonable, however, that the Court's discretion to deny direct appeals under section 2(b) should, because of the importance of effective enforcement of the antitrust laws, be narrower than its discretion to grant or deny a petition for a writ of certeriorari under 28 U.S.C. 1254(1).

In addition to the reform which I have outlined above, H.R. 12807 modernizes another provision of the Expediting Act. Presently, the law permits the Attorney General in a civil antitrust case in which the United States is the complainant to file a certificate stating that the case is of general public importance. Upon the filing of such a certificate, a three-judge court is required to be empaneled; the case is to be heard at the earliest possible date and to be in every way expedited. In light of enormous case backlogs that clog most Federal court dockets, the effect of convening a three-judge court to try a Government antitrust case can only be disruptive. While, perhaps, necessary when the antitrust laws were first enacted, the continued existence of this provision cannot be justified. Indeed, the Department of Justice has utilized this procedure only seven times in nearly 30 years and only once in the last decade.

Thus the legislation I propose discards the three-judge court provision and requires that civil antitrust cases brought by the United States be tried by a single Federal judge. However, H.R. 12807 still permits the Attorney General to file a certificate that the case is of general public importance and so require the case to be expedited in every way.

Similar provisions relating to direct appeals to the Supreme Court and to three-judge courts in cases brought by the Government under the Interstate Commerce Act and the Communications Act of 1934 are also repealed by H.R. 12807. See *Ambassador, Inc.* v. *United States,* 325 U.S. 317 (1945); see also H.R. 16479, 91st Congress, second session.

Last, H.R. 12807 clarifies the law with respect to appealability of interlocutory orders in civil antitrust cases brought by the Government. In virtually every antimerger action brought by the United States a preliminary injunction is sought to prevent the acquisition from being consummated until a final determination of the legality of the transaction is obtained. Whether interlocutory review in the court of appeals of district court orders granting, denying, or modifying preliminary injunctions may be achieved is unclear. Compare *United States* v. *Ingersoll Rand,* 320 F. 2d 509 (3d Cir. 1963) with *United States* v. *F.M.C. Corp.,* 321 F. 2d 534 (9th Cir.), application for temporary injunction denied, 84 S. Ct. 4 (1963) (Goldberg, J., in chambers); see also *Brown Shoe Co.* v. *United States,* 370 U.S. 294 at 305, n. 9 (1962); *United States* v. *California Cooperative Canneries,* 279 U.S. 553 (1929).

Regardless of what interpretation has been placed on the Expediting Act in this regard, interlocutory review of orders granting, modifying, or denying preliminary injunctions is very desirable. As Attorney General Mitchell stated in his letter, dated July 14, 1969, to the Speaker with respect to this matter:

> Such review is generally limited to the outset of a case and would not cause undue delay or disruption. The district court's discretion on injunctions can be reviewed, in substantial part separately from a determination of the ultimate merits of the case and court of appeals review is not, therefore, inconsistent with subsequent direct Supreme Court review of the final judgment in the event of certification. Moreover, the immediate impact of injunctive orders, whether the injunction is granted or denied, calls for appellate review as a matter of fairness. The public interest that possibly unlawful mergers not be consummated until their validity is adjudicated, in addition to the obvious desire of private business to avoid a costly and complicated unscrambling, would, in our view, benefit from making the provisions of section 1292(a)(1), title 28 of the United States Code, available in Expediting Act cases."

It should be made clear that the interlocutory review sanctioned here is limited only to review of orders under 28 U.S.C. 1292(a)(1) dealing with orders granting, denying, or modifying injunctions and not to any other interlocutory orders.

Mr. Speaker, in the last Congress I introduced similar legislation to make our antitrust laws more responsive to contemporary demands and I join now with the Nixon administration in their effort to improve the quality of justice available in the Federal courts by urging prompt action on this important measure.

Mr. McCULLOCH. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. TAFT).

Mr. TAFT. Mr. Speaker, I am happy to express my support for this legislation and to urge its passage by the House.

It would provide needed amendments to the longstanding Expediting Act applying to antitrust cases. As one who has had some experience as an attorney in quite a number of antitrust cases, I believe that the changes proposed will bring about simpler and quicker disposition of antitrust cases, while providing the Government and the private litigants prompter and more effective remedies.

The direct appeal to the Supreme Court would be available where justified and the three-judge trial court which has been rarely used, would be eliminated.

Most important, I believe, is the proposed change to make it possible to get quick appeals on temporary orders necessary to prevent proposed mergers without holding up the progress of the balance of the case.

As a matter of practical experience, I ran into this a number of times, and I think this change is much needed and overdue.

Mr. HUNGATE. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Missouri that the House suspend the rules and pass the bill, H.R. 12807, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 16595, NATIONAL SCIENCE FOUNDATION AUTHORIZATION BILL

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16595) to authorize appropriations for activities of the National Science Foundation, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none, and, without objection, appoints the following conferees: Messrs. MILLER of California, DADDARIO, DAVIS of Georgia, FULTON of Pennsylvania, and MOSHER.

There was no objection.

TAX TREATMENT OF INTEREST ON FARMERS HOME ADMINISTRATION INSURED LOANS

Mr. WATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15979) to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income.

The Clerk read as follows:

H.R. 15979

A bill to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 306(a)(1) of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926(a)(1)), is amended by adding at the end thereof the following new sentence: "When any loan made for a purpose specified in this paragraph is sold out of the Agricultural Credit Insurance Fund as an insured loan, the interest or other income thereon paid to an insured holder shall be included in gross income for purposes of chapter 1 of the Internal Revenue Code of 1954."

(b) The amendment made by subsection (a) shall apply to the insured loans sold out of the Agricultural Credit Insurance Fund after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WATTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of the pending bill, which was introduced by our colleague on the Committee on Ways and Means, the Honorable JOHN W. BYRNES of Wisconsin, is to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income.

The Consolidated Farmers Home Administration Act of 1961 authorizes the Farmers Home Administration to make loans both to local governmental units and to private bodies for such purposes as conservation, land use, water, and so forth, and to resell this debt to private parties as federally insured loans. The Internal Revenue Service has ruled that in those cases where the security originates with a local governmental unit the interest or other income paid on it continues to be exempt from Federal tax even after it is resold as a loan insured by the Federal Government. Because the Federal Government has concluded that the exemption of interest on these loans is costly and has inequitable results, it in recent years has been reluctant to make and then resell these loans on an insured basis to provide credit assistance to local governmental units. As Congressman BYRNES advised the House when he introduced this legislation on February 18, 1970, with the exception of $50 million of bonds sold in the fall of 1968, no tax-exempt bonds have been sold out of the Agricultural Credit Insurance Fund since July of 1967, and because of this, constructon of water and sewer treatment facilities urgently needed by smaller communities is being delayed.

H.R. 15979 would overcome this problem by providing that interest or other income paid to an insured holder on an insured loan out of the Agricultural Credit Insurance Fund is for income tax purposes to be included in gross income of the recipient of the interest. The effect of this action will be to make it practical to use federally insured loans to finance credit assistance to local governmental units for the purposes specified in the Consolidated Farmers Home Administration Act, and we can move forward in meeting the vital needs of small communities with respect to clean water and waste disposal.

This legislation is favored by the Department of the Treasury, and the Committee on Ways and Means unanimously recommends its enactment. I may also say, Mr. Speaker, that among the organizations supporting the pending bill are the American Farm Bureau Federation and the National Rural Electric Cooperative Association.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill is vitally necessary if we are to help our small rural communities proceed with water and sewer and waste treatment facilities.

We provided a program in 1965 under the Consolidated Farmers Home Administration Act to give assistance to small rural communities of fewer than 5,500 inhabitants, to help them borrow money for sewer and waste treatment facilities. At that time the Agriculture Committee noted that the establishment of adequate water and waste disposal systems was one of the crying needs of rural America. The committee stated in its report:

> City dwellers take these facilities for granted. All of their lives they have merely turned on a tap or flushed a toilet in a system provided by the community, which made water appear or waste disappear. They forget—or probably do not even realize—that no such magic takes place in the rural areas.
>
> If a rural resident wants these, he must provide them for himself at great expense and often with frustrating results of having systems that just do not quite work.

We adopted this program, the general approach being to permit the Farmers Home Administration to market bonds they purchase from rural communities. By permitting these funds to be revolved, additional funds are made available to meet the water and sewer needs of these rural communities.

Since these are loans to local communities, interest on the note or bond given by the local community is tax exempt under the Internal Revenue Code. If the Farmers Home Administration sells the bond subject to a Federal guarantee of principal and interest, this particular note would enjoy a higher preference than a U.S. Treasury bond, because the person buying it would not have to pay tax on the interest earned.

In view of this, the Treasury and the administration adopted a recommendation of the President's Committee on Federal Credit Programs against the Federal Government guaranteeing tax-exempt bonds. As a result, we no longer have a revolving fund for assisting small rural communities to finance vitally needed water and sewer facilities. As of April 30, we had over 2,000 applications from rural communities pending and we had over 4,000 communities that had submitted requests and were told that the funds were simply not available.

The purpose of this bill to remove this obstacle by making the interest on the federally guaranteed obligation taxable. When a loan is made to these rural communities under this program and the Federal Government resells that obligation to the public subject to a Federal guarantee, the holder will pay taxes on the interest received. The idea is that the guarantee of the U.S. Government has converted it into a new type of obligation. It is also clear that the cost to the Federal Government will be less if we remove the tax exemption from these bonds when they are resold, since the increased subsidy required by selling them on a taxable basis should be less than the additional tax revenue derived. All we are doing here is simply removing an obstacle to a program Congress has enacted to meet the great demand that exists and the great need that exists in our rural communities for waste treatment and water facilities.

Let me make it clear—because it seems there are some people who misunderstand it—that this does not affect the capacity of the municipalities to issue tax exempt securities. Any community that goes into the general market and sells its bonds to get money to build a waste treatment facility can do so, and that interest will continue to be tax exempt. The interest will be taxable only when the obligation is sold to the Farmers Home Administration and then resold by the Federal Government under the plan that Congress set up in 1965 to help these small communities that do not have the same access to the money markets that the bigger cities have.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman yielding and I appreciate the gentleman's explanation.

Do I understand therefrom that when these bonds are rolled over that they remain tax exempt unless they are sold back or dealt in by the FHA itself?

Mr. BYRNES of Wisconsin. No; what happens is this: When a small community of 5,500 or less cannot float a bond issue at 5 percent or less, the FHA will make a loan, if they have the money, to that community and take the community's note or bond. At the present time they just hold this bond since they cannot sell it to the public, and the inability to resolve these obligations has dried up the source of funds for these communities.

Mr. HALL. Mr. Speaker, if the distinguished gentleman will yield further, that of course is tax exempt?

Mr. BYRNES of Wisconsin. They would be tax exempt. The interest would be tax exempt to the holder, but there is a new element added when the obligation is resold by the FHA subject to a guarantee by the U.S. Government of both the principal and the interest in the same market that general Treasury obligations are sold.

We are saying that, when it goes through that process it takes on the nature of a Federal obligation which does not bear interest that is tax exempt. That is what this bill does.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, and I thank the gentleman for his explanation, I have two additional questions. No. 1, why is this type security, alone in this particular agency the only one affected, although it is now available to the purchaser on the market and, No. 2, in his opinion as the distinguished ranking minority member of the Committee on Ways and Means, will this subsequently be applied to other agencies' tax-exempt bonds?

Mr. BYRNES of Wisconsin. This is completely aside, I would say to my colleague from Missouri, from the right of the municipality to go into the market and sell its tax-exempt bonds and get the lower interest rate. We are saying when the obligation carries on the back of the note the endorsement of the United States then it no longer has those characteristics of a municipal bond that entitled it to tax exemption. The note in this case takes on the nature of a Federal Government obligation which is not tax exempt. By doing this we make it possible for FHA to sell these bonds in the market. At the present time these bonds are not sold in the market because they would have a higher status than U.S. Government bonds which are not tax exempt.

Mr. HALL. The gentleman from Missouri full well understands the backing of the full faith and credit of the United States and I believe the purchaser would appreciate that. But let us take a farmers' cooperative bank bond which now turns over at something like 7.62 percent. It is not backed by the good faith and confidence of the United States of America. Would it later be anticipated that this exemption—and, incidentally, I know that they are now not tax exempt—but would it be, in the opinion of the gentleman from Wisconsin, true that this failure to waive the exemption would apply to like cases that are tax exempt at the present time?

Mr. BYRNES of Wisconsin. No, I think it would not. I think there is a complete misunderstanding that this is a foot in the door to take away the tax-exempt status of municipal bonds. It is not.

This bill is directed at bonds sold by the Farmers Home Administration because they do have a Federal guarantee. That is all we are trying to do.

Mr. HALL. Mr. Speaker, I think this is a very important legislative record to make, and I appreciate the gentleman's response.

Mr. BYRNES of Wisconsin. Mr. Speaker, I appreciate the gentleman's comments.

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Ohio.

Mr. TAFT. Mr. Speaker, I thank the gentleman for yielding.

The questions I had to ask of the gentleman are basically the same as those asked by the gentleman from Missouri; however, I would like to carry on the discussion a little further, and I would like to ask the gentleman if he regards this bill in any extent as a precedent, and if not, why not?

And why can we not extend this to the other agencies? Why will we not come in next year and do something like this for the other agencies? And why have we not treated similarly all municipal bonds and other subdivisions of Government's bonds so that they might be built into such a guarantee system, even though I understand their tax problems. But in 1969 this very question was faced by Ways and Means and this House and was turned down.

Mr. BYRNES of Wisconsin. I cannot say what is going to be done in the future as far as the general area of tax exempt interest is concerned. I cannot tell you what Congress will do 2 years from now, or 3 or 4 years from now.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 3 additional minutes.

This certainly is not a foot in the door because that would relate to municipal bonds in general. The municipal bonds that this bill is concerned with are related to this specific program and take on the nature of a Federal bond by reason of the Federal guarantee underlying their sale by the FHA to the public. This, to me, is entirely different from the issue of whether or not interest on municipal bonds should continue to be tax exempt.

I think they both have to stand on their own feet. They are not interrelated.

Mr. TAFT. Mr. Speaker, I thank the gentleman.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from New York.

Mr. FISH. Mr. Speaker, I would like to commend the gentleman from Wisconsin for his initiative in this legislation. I come from a village, Millbrook, N.Y., of under 5,500 people which sorely needs and has been deprived of funds for sewage service.

Mr. BYRNES of Wisconsin. We thought we were doing something for these communities back in 1965, but the obstacles this bill will remove have thwarted what the Congress intended to do. All we are trying to do now is make the program work again.

Mr. FISH. I commend the gentleman, and I certainly hope the other body will act promptly on this needed legislation.

The SPEAKER. The time of the gentleman has again expired.

Mr. WATTS. Mr. Speaker, I have no further requests for time on this side.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. SKUBITZ. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Speaker, I rise in support of H.R. 15979—which is similar to a bill I introduced, H.R. 4607, January 27, 1969. This bill provides that the interest on certain insured loans sold out of the Agricultural Insurance Fund shall be included in gross income.

The proposed legislation would permit the use of insured funds to finance water and waste disposal projects for public bodies. Investors purchasing insured bonds from the Farmers Home Administration would pay Federal income tax on the interest earned on such bonds.

The proposed legislation would in no way affect the right of public bodies to issue tax-exempt bonds. The legislation will greatly enhance the ability of the Farmers Home Administration to finance water and waste disposal facilities for rural public bodies.

Under the proposed legislation, the program would be funded through the sale of insured notes to private investors and thus not be dependent on appropriations.

Mr. Speaker, I urge passage of this bill. This is the only way that rural America is going to carry out its water programs. Certainly the farmers of this country are entitled to a few luxuries, such as drinking water in their homes and indoor plumbing.

Mr. BROWN of Ohio. Mr. Speaker, there are several issues involved in this bill which I think should have been more broadly debated. There can be little argument with the desirability of the good works to be performed by the FHA loans covered by this act. But I also feel a fundamental question is the desirability of a legislative fiat which empowers an agency to change securities which are currently exempt from Federal taxes into taxable ones. Such a power is a most significant alteration in the relationship between the Federal Government and the governments of the several States and their subdivisions. I do not think that such an alteration is wisely extended on a program-by-program basis, if, indeed, it should be or can be extended at all.

But, aside from the legal difficulties with this selective abrogation of the doctrine of reciprocal tax immunity, I am most distressed by the financing mechanism that H.R. 15979 makes possible. I believe that the "loan brokering" which FHA plans to undertake, in an effort to fund an expenditure program outside the budget, represents yet one more attempt for an "easy way out" of the financial mess into which the Federal Government has progressively gotten itself. But this "easy way" may make the road longer and tougher in the end.

Certainly the distinction between repackaging direct loans and selling them as assets and the previously attempted device of selling loan participation certificates is a very fine one indeed. Moreover, the whole concept of financing deficit spending through selling agency securities, is questionable and very contrary to a restrictive credit policy we supposedly are following. It is only when we consider all these devices together that we have an accurate picture of the Federal demand for credit. Often—as last year—the demands for credit by Federal agencies and by the Treasury are moving in different directions. But when the two are added together, they have invariably shown an overall deficit and an intensifying of pressures on the credit market. Most discouraging of all, these agency demands are greatest when the markets are least able to absorb their securities.

All this is particularly lamentable, because such end runs around the Federal debt ceiling not only confuse almost everyone as to the extent of Federal credit demands, but also they have shown themselves to be a very expensive means of financing. As the Committee on

Government Operations recently reported in "Marketing or Federal Obligations—Participation Certificates"—House Report No. 91-772—asset sales such as participation certificates and agency financing always cost more than general Treasury borrowings. The interest rates are higher—one-half to 1 percent higher—and sales commissions and fees must be paid to private agents and dealers. But of greater consequence than the immediate costs of selling agency debt instruments and assets is the impact which they have on the credit markets.

The notion has somehow been perpetuated that by replacing tax-exempt obligations with taxable, insured obligations, such as the FHA wants to do, the Treasury is going to save money. Yet, the sad experience with participation certificates should have taught us that such tortured extensions of Federal credit are extremely expensive and can be largely self-defeating. An ever-growing pressure exerted by greater Federal credit demands, punctuated by new devices supposedly to lessen the impact on a particular sector, simply inflates the rates that must be paid on all obligations. And the competition is especially strong among the U.S. Government securities—those of Treasury and its agencies—as they force up one another's interest rates. The individual investor is increasingly pulled into the market when money is so scarce. Individuals withdraw their funds from the savings institutions. This disintermediation occasions a ratcheting upward of interest rates, brings on a new fringe of unsatisfied borrowing demands and, consequently, additional demands for a "Federal cushion" to insulate another hapless would-be borrower. And the above cycle is ready to be repeated.

My point is that our absorption with the impact on the budget of a particular program can blind us to the fact that it is the entire economy with which we should be concerned. The restraint must be total Federal monetary restraint—the Federal agencies' borrowings and asset sales included.

It is a perilous form of accountancy which leads us to the conclusion that the Federal Government can preempt the pool of credit by the strength of its guarantees and subsidies and yet somehow be held not accountable because these financial transactions do not appear in the budget. The practice can be subject to abuse and subverts the stewardship we must exercise for the entire economy. Who knows what we owe or have pledged the Government's good faith to repay in case of default—or how much Uncle Sam is really borrowing at any one time. The answers: No one knows. I cannot support measures which paper over fiscal irresponsibility by shucking the problem off to the capital markets and which, accordingly, add to the financial woes of the homeowner, State and local governments and small businessmen. Alternatives—straight-forward and sound ones—must be found so that priorities may be examined and chosen on a more rational basis.

The article follows:

[From the Wall Street Journal, May 18, 1970]

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Now that it has so little hope left for scoring a budget surplus any time soon, the Nixon Administration is understandably backing away from its earlier emphasis on the need for one. What was heresy a few months ago suddenly is doctrine: A few billion dollars of deficit can't make much real difference to an economy approaching the trillion-dollar mark, and shouldn't matter much psychologically.

The financial impact of a return to deficit is something else, officials admit, because the Treasury would have to cover it by extra borrowing. They are concerned that a deficit of, say, $3 billion would require the Treasury to divert about that much money away from competing borrowers in the marketplace. The concern is certainly valid, as far as it goes. But it is becoming clear that the annual arithmetic of the Federal budget only begins to hint at the Government's total financial impact.

One reason (which money market participants can overlook only at their own risk) is that the Treasury has temporary seasonal needs to borrow even in years in which the budget ends up balanced. And these borrowings can far overshadow whatever turns out to be the much more widely publicized net amount. The last fiscal year ended in mid-1969 with a $3.2 billion surplus, but in the July-December first half the Treasury nonetheless had to borrow $11.4 billion new cash.

In the first half of the fiscal year which will start July 1, the Treasury will have to raise between $13 billion and $15 billion new cash estimates Henry Kaufman of Salomon Brothers & Hutzler in New York, the major Government bond house. However, temporary those borrowings will prove to be, such a sum would roughly equal a whole year's net borrowings by all U.S. business corporations on the bond market.

In those same six months, besides the new borrowings, the maturing of an immense amount of securities will confront the Government. Presumably these must be replaced, so the Treasury faces the chore of coming up with attractive substitutes for about $12 billion of existing issues now in private hands.

The less-noticed part of its refunding task is even more massive. Every Monday, the Treasury routinely replaces $3 billion of maturing three-month and six-month bills, and once a month it auctions substitutes for another $1.5 billion of expiring nine-month and one year bills. If it continues to borrow a little extra each time, this would mean some $90 billion of churning in the coming half-year, as much money as all our state and local governments net on the bond markets during a decade.

That the Treasury's financing pace long will remain frenzied is almost guaranteed, moreover, by the awesome shortening of the length of the public debt. A World War I law forbids the Treasury to pay more than 4¼% interest on long-term marketable bonds, so the inflated interest rates of the Vietnam era have limited its new borrowings to shorter issues, those of no more than seven years' maturity.

Here's what the politically immovable ceiling has done. (The 1970 figures are as of March.)

[Dollars in billion]

	Average maturity, marketable debt	Amount due in 1 year
1965	5 years, 4 months	$87.6
1967	4 years, 7 months	89.6
1969	4 years	103.9
1970	3 years, 6 months	121.3

Many analysists believe the short securities are inherently inflationary, being so liquid that holders tend to behave as if they had that much cash in the bank. Moreover, most any Treasury financing these days can compel the Federal Reserve Board to suddenly pump out new money, as was demonstrated anew this month; when the Cambodian incursion undermined market as well as campus morale, the Fed had to buy up huge batches of old Treasury issues to make room in private portfolios for the new ones.

Even so, the Federal Government's financing demands might seem more or less manageable—if they were fully summed up by the budget and were coped with solely by the Treasury. However, that's not the case, as Congress has chartered a whole flotilla of Federal agencies which are empowered to do their own fund-raising. Some are inside the budget but others are out (on grounds that they are privately owned), and even the authorities are having trouble fathoming their impact.

A run through the roster readily shows why. Ranging from the Federal National Mortgage Association with its $11.7 billion debt down to the District of Columbia Stadium Fund with $20 million, the Treasury lists 11 Federal entities with about $44 billion of their own securities outstanding. The others: Commody Credit Corp., Export-Import Bank, Federal Housing Administration, Government National Mortgage Association, Tennessee Valley Authority, Banks for Cooperatives, Federal Home Loan Banks, Federal Intermediate Credit Banks and Federal Land Banks.

Their borrowing can cause confusing countercurrents in Federal finance. For instance, while the Treasury whittled down its marketable debt outstanding by $1 billion in 1969, the Federal National Mortgage Association alone flooded out an extra $4 billion.

If various Nixon Administration and Congressional proposals come to pass, the number of agencies free to forage for themselves in the capital market will expand further: The postal corporation, the Environmental Financing Authority (antipollution) and the National Development Bank (for housing) could easily generate billions of dollars worth of additional securities favored with some form of Federal status. Already, the new "mortgage-backed securities" which private lenders can issue come complete with a Government guarantee.

One day last week, Assistant Treasury Secretary Murray L. Weidenbaum reported that an Administration panel is "taking a fresh look at some of the implications for financial markets," and for the economy, of all this activity.

What the panelists will come up with isn't clear, but one thing is: It won't be a day too soon.

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. SEBELIUS. Mr. Speaker, I appreciate this opportunity to discuss H.R. 15979, legislation that I cosponsored to provide that interest on certain insured loans sold out of Agricultural Credit Insurance Fund shall be included in gross income for tax purposes.

Since 1967, the Treasury Department and the Bureau of the Budget have decreed that FHA cannot make insured loans to rural public bodies. It was determined that it cost the Government more to buy and sell tax-exempt bonds than to handle taxable bonds. Since insured funds have been available only to nonprofit corporations, a principle source of revenue for rural water district development has been eliminated.

Although many rural water and waste disposal systems have been aided by FHA grants, in Kansas alone, 31 water and waste disposal projects are stalled due to a lack of funds.

This legislation directly affects the quality of life in our rural and small town areas. This legislation would directly benefit the 35,000 towns under 5,500 population that lack water systems and the 44,000 towns that lack waste disposal facilities.

Without adequate water and sewage facilities, small towns have little chance of attracting new industry and will continue to see their citizens leave for our Nation's overcrowded cities.

Recently, the Department of Economics at Kansas State University studied the economic impact of a rural water district in Kansas. The report prepared by Mr. Patrick E. Smythe, extension economist, states:

> Based on information provided by members who returned questionnaires, the economic impact of this water district on the area for a five-year period totaled $1,194,156 or an average increase of $238,831 per year . . . Thus, a $125,000 investment resulted in an economic impact of 191 per cent to the area each year.

Secretary of Agriculture Clifford M. Hardin has stated:

> It is not enough that we think in terms of improving conditions and opportunity for the people living today in rural America, and thereby stemming the flow of people to the cities. We must do much more. We must make it a matter of urgent national policy that we create in, and around, the smaller cities and towns sufficiently good employment opportunity and living environments that large numbers of families will choose to rear their children there.

Development and completion of water systems and waste disposal systems made possible by enactment of H.R. 15979 will be a major step toward developing and revitalizing our communities in rural and small town areas.

Population estimates project a 100-million increase in the next 30 years. The population increase of 54 million in the last 20 years has all taken place in our urban areas. I urge passage of H.R. 15979 as a major step toward hastening the rural migration back to our rural and small town areas, and toward revitalizing the economy of rural and small town America.

Mr. RANDALL. Mr. Speaker, I rise in enthusiastic support of H.R. 15979, a measure to provide that the interest or other income paid to an insured holder on an insured loan sold out of the agriculture credit insurance fund is for income tax purposes to be included in the gross income of the recipient of the interest.

While this bill is considered under suspension of the rules, it is a very important matter. In fact, it is so important that failure to pass this bill can delay many rural communities that do not have adequate water systems and also many rural communities that are without adequate sewer facilities.

My own bill, H.R. 16706, is identical in every particular to H.R. 15979 being considered today. I salute the gentleman from Wisconsin (Mr. BYRNES), a member of the Ways and Means Committee, for his excellent research which led to the preparation of and introduction of H.R. 15979.

About as simple an explanation of the situation as I can provide is that without this bill most of the funding for rural water districts and sewer facilities for smaller communities would have to come from appropriations, if grants and loans to these smaller communities and rural areas were to continue.

The objective of this bill is to get the maximum amount of mileage out of the minimum amount of appropriated moneys to update water and sewer systems in America. The tax being imposed by this bill is merely an equalizing measure. It simply says that income derived from private investors in FHA water and sewer bonds should be taxable at the same rate as other income. In so doing, we will establish a fund that will replenish itself.

It is difficult in these times to support almost any kind of tax increase, but the purpose here is not really a tax increase but a tax equalizing measure. Moreover, it is for a most unusual cause surrounded by exceptionally meritorious circumstances.

GENERAL LEAVE TO EXTEND

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bill H.R. 15979.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 15979.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DUTY TREATMENT OF CERTAIN PREVIOUSLY EXPORTED AIRCRAFT

Mr. CORMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 17068) to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for certain transportation vehicles manufactured or produced in the United States with the use of foreign components imported under temporary importation bond, as amended.

The Clerk read as follows:

H.R. 17068

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) schedule 8, part 1A, of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by striking out item 804.00 and inserting in lieu thereof the following:

	"Articles previously exported from the United States which— except for headnote 1 of this subpart—would qualify for free entry under one of the foregoing items and are not otherwise free of duty:		
804.10...	Aircraft exported from the United States with benefit of drawback or item 864.05...	A duty equal to the duty upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation, and (b) the duty which would have been payable on any articles used in the manufacture or production of such aircraft had they not been entered and exported under item 864.05.	A duty equal to the duty upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation, and (b) the duty which would have been payable on any articles used in the manufacture or production of such aircraft had they not been entered and exported under item 864.05.
804.20...	Other, except articles excluded by headnote 1(c) of this subpart.	A duty (in lieu of any other duty or tax) equal to the sum of any duty and internal-revenue tax imposed upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation of the article, and (b) any internal-revenue tax imposed, at the time such article is entered, upon the importation of like articles not previously exported.	A duty (in lieu of any other duty or tax) equal to the sum of any duty and internal-revenue tax imposed upon the importation of like articles not previously exported, but in no case in excess of the sum of (a) any customs drawback proved to have been allowed upon such exportation of the article, and (b) any internal-revenue tax imposed, at the time such article is entered, upon the importation of like articles not previously exported."

(b) Headnotes 1 and 2, schedule 8, part 1A of such Schedules are each amended by striking out "item 804.00" and inserting in lieu thereof "items 804.10 and 804.20".

SEC. 2. The amendments made by the first section of this Act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CORMAN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the purpose of H.R. 17068, as reported by the Committee on Ways and Means, is to amend the Tariff Schedules of the United States (TSUS) to provide for a partial exemption from duty for returned American aircraft which were manufactured in the United States with the use of foreign components which had previously been admitted free of duty under bond. Under the bill as reported, the returned American aircraft would in general be subject to a duty equal to the amount of the duty which would have been payable on the foreign components had they not been entered free of duty under bond.

Under present customs practice, articles produced in the United States with the use of foreign articles and exported with the benefit of drawback may be imported under item 804.00 as American goods returned upon repayment of the drawback. However, under present customs practice, if the foreign articles used in producing a finished product in the United States were entered under a temporary duty-free bond arrangement, the entire value of the finished product after having been exported and reentered is dutiable on the basis of its total value rather than the value of the foreign components used in its production.

The committee is informed that in the manufacture of aircraft in the United States, it is fairly common practice to use some materials from abroad. Export sales of aircraft produced in the United States are significant, and normally, the duty paid on foreign articles used in the manufacture of such aircraft is subject to the drawback procedure under which 99 percent of the duty is refunded upon export of the completed aircraft. In some instances, however, foreign articles for aircraft have been entered under tariff item 864.05 free of duty under bond. Such temporary duty-free entry arrangement is apparently preferred by some manufacturers since no large amount of capital is committed to duty payment for the period between the original entry of the foreign component and the drawback of the duty upon exportation of the aircraft.

Over the years, both provisions, that is, drawback and temporary importation bond, have been used with respect to eliminating the cost of U.S. duty on foreign articles used in the domestic manufacture of aircraft which will subsequently be sold abroad. Your committee is informed that trade-in allowance for old aircraft is an important factor in obtaining contracts for sales of new aircraft abroad. Further, competition in the sales of new aircraft in world markets is rising. Under these circumstances, the dutiable status of the old aircraft being traded in and returned to the United States becomes important.

Your committee is of the opinion that in view of the growing importance of the trade in of aircraft to sales of aircraft abroad, it is important to provide similar customs treatment to aircraft produced in the United States which are sold abroad and returned whether the drawback or temporary import bond procedure was used with respect to foreign components. H.R. 17068, as amended, would provide such customs treatment for aircraft.

H.R. 17068 would also make certain technical amendments in the provisions of item 804.00 for the sake of clarity and such changes reflect existing customs practices.

As introduced, the bill would have applied to "vehicles' aircraft, and boats" manufactured with the use of foreign components imported under bond. In view of the lack of information on the applicability of the provisions to articles other than aircraft, the bill was amended by the Committee on Ways and Means to apply only to aircraft. In addition, H.R. 17068 is amended so that the new provision is to apply only to entries of aircraft made on or after the date of enactment of the bill.

No objection to the enactment of the bill as amended was received from any interested executive branch agency, and the bill is favorably reported by the Committee on Ways and Means.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Who will be the principal beneficiaries of this legislation?

Mr. CORMAN. The major airframe manufacturers, who have in the past had portions of their airplane imported from abroad, assembled in the aircraft, and then they have sold those aircraft abroad, and who are now in a position to sell new aircraft abroad and take in, in trade, those older airplanes which prior to this time had been exported. It is, though much larger in size, somewhat like trading an old car in for a new car.

The equity here lies in the fact that the manufacturer in the initial production had two methods of avoiding paying duty on foreign products which will be sold abroad. He could either pay the duty and get it back, or assemble the aircraft in what is the equivalent of a bonded warehouse. As it turns out now, if he paid the duty on the foreign components and got it back, he has an advantage. If he merely imported the components in bond and used them in the assembly of the aircraft and then exported it, he would have to pay the duty on the total value of the aircraft and not just on the value of the foreign components.

Mr. GROSS. Is it proposed to do the same thing with respect to foreign automobiles?

Mr. CORMAN. No, I am not aware of the fact that a similar circumstance prevails. I am not at all aware that there are partial assemblies coming from abroad, being imported, and being made a part of an American automobile, which is subsequently then sent abroad. A rather substantial amount of money per airplane is involved, and it puts the American airframe industry at a disadvantage with respect to how much they can allow for a trade-in airplane and so, for example, a 747 or an L–1011, as compared to the purchaser abroad buying from a British, Russian, or Japanese company.

Mr. GROSS. I thank the gentleman.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I yield to my colleague from California.

Mr. COHELAN. I thank the gentleman for yielding to me. I would like to take this opportunity to thank him and the distinguished members of his committee for bringing this matter to the floor.

I should like to associate myself with the remarks of the gentleman and urge passage of this legislation.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, would the gentleman explain to the Members of the House whether or not this takes into due consideration Government furnished equipment, for example, engines, and, second, where parts of planes are provided in part by a foreign national government or a manufacturer located in a sovereign foreign country which receives that Government's subsidies?

Mr. CORMAN. No, sir, this does not involve that. Let us take the manufacture of an airplane. Ten years ago possibly the tail assembly was manufactured in Canada. That tail assembly came in and was attached to an aircraft made in the United States. There would be no consideration as to how that was made. But if that airplane when finished was to be sold abroad, there would have to be a duty paid just on the foreign tail assembly. This is just to treat the manufacturers the same regardless of which method is used when the tail assembly is imported. As we said, at that moment 10 years ago he did not know this issue was going to arise. If he took it in under bond and paid no duty, it was treated differently than if he brought it in and paid a duty. Of course, it would be dutiable if it was to be sold in the United States, and duty would not be refunded. So it involves only those planes which are ultimately to be sold in a foreign market.

Mr. HALL. If the gentleman will yield further, I understand by the gentleman's analogy and know the CL–144 and others, but would the same thing apply, for instance, to a Rolls Royce engine or a U.S. patented Canadair—Pratt and Whitney—engine that was used in assembly, either in a bonded warehouse or otherwise with duty withheld in the United States, if it was then brought back for parts or reclamation, then would this bill apply only to that?

As the gentleman knows, part of my inquiry is based on the fact that I have been concerned regarding the gradually deteriorating engine capability of the United States reduced now to one and one-half manufacturers, and I can explain that further if need be, the one-half being on the part of a subsidy by a friendly nation—as I said, the example of the tail assembly the gentleman gave would be equally applicable to engines and would not further deteriorate the domestic based jet engine manufacturing capability?

Mr. CORMAN. Yes. That would be my understanding of the situation.

Mr. Speaker, I reserve the balance of my time.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I support H.R. 17068, a bill providing for a partial exemption from duty for airplanes produced in the United States with the use of foreign components when these aircraft are returned to the United States from abroad as trade-ins on new aircraft.

Under existing law, when an aircraft is produced in the United States with foreign parts, the duty on the foreign parts is forgiven when the new aircraft is exported. This result may be accomplished either by paying the duty and getting a "drawback" or refund when the new plane is exported, or importing the aircraft parts under bond, which insures that the duty will be paid if the parts are used for domestic aircraft. However, if aircraft sold abroad under these circumstances are returned in the future to the United States as trade-ins on new aircraft, the aircraft taken as trade-ins will be subject to a higher duty where the bonding procedure rather than the drawback procedure was originally used. Under present law, the entire value of the aircraft is subject to duty where the bonding procedure was used, while where the drawback procedure was used, only the duty that would have originally been owed on the foreign parts must be paid.

The committee felt that the rules should be the same in either case since the same end result is produced regardless of the procedure utilized. The bill therefore provides parallel treatment in these cases where domestically produced aircraft containing some foreign parts are sold abroad and subsequently returned to the United States as a trade-in on new planes. The committee was unanimous in recommending this improvement, and no objection was made to the bill as reported by any interested executive agency.

The SPEAKER pro tempore. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 17068, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for aircraft manufactured or produced in the United States with the use of foreign components imported under temporary importation bond."

A motion to reconsider was laid on the table.

DISTILLED SPIRITS

Mr. WATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10517) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 10517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5008(c)(1)(A) of the Internal Revenue Code of 1954 is amended by striking out "; or" and inserting in lieu thereof ", or (iii) by reason of accident while on the distilled spirits plant premises and amounts to 10 proof gallons or more in respect of any one accident; or".

SEC. 2. (a)(1) The first sentence of section 5008(b)(2) of the Internal Revenue Code of 1954 is amended to read as follows: "Any distilled spirits withdrawn from bond on payment or determination of tax for rectification or bottling may, before removal from the bottling premises of the distilled spirits plant to which removed from bond or after return to such bottling premises, on application to the Secretary or his delegate, be destroyed after such gauge and under such supervision as the Secretary or his delegate may by regulations prescribe."

(2) The second sentence of such section 5008(b)(2) is amended by striking out "the tax imposed under section 5001(a)(1)" and inserting in lieu thereof "the taxes imposed under section 5001(a)(1) or under subpart B of this part".

(b) Section 5008(c)(5) of such Code is amended to read as follows:

"(5) DISTILLED SPIRITS RETURNED TO BOTTLING PREMISES.—Distilled spirits withdrawn from bond on payment or determination of tax for rectification or bottling which are removed from bottling premises and subsequently returned to the premises from which removed may be dumped and gauged after such return under such regulations as the Secretary or his delegate may prescribe, and subsequent to such gauge shall be eligible for allowance of loss under this subsection as though they had not been removed from such bottling premises."

(c)(1) Section 5215(a) of such Code is amended to read as follows:

"(a) GENERAL.—On such application and under such regulations as the Secretary or his delegate may prescribe, distilled spirits withdrawn from bonded premises on payment or determination of tax (other than products to which any alcoholic ingredients other than such distilled spirits have been added) may be returned to the bonded premises of a distilled spirits plant. Such returned distilled spirits shall be destroyed, denatured, or redistilled, or shall be mingled as authorized in section 5234(a)(1) (other than subparagraph (C) thereof). All provisions of this chapter applicable to distilled spirits in bond shall be applicable to distilled spirits returned to bonded premises under the provisions of this section on such return."

(2) Section 5215(b) is repealed.

(3) Subsection (c) of section 5215 is redesignated as subsection (b).

SEC. 3. (a) Subpart E of part 1 of subchapter A of chapter 51 of the Internal Revenue Code of 1954 is amended by redesignating section 5066 as section 5067 and by inserting after section 5065 the following new section:

"SEC. 5066. DISTILLED SPIRITS FOR USE OF FOREIGN EMBASSIES, LEGATIONS, ETC.

"(a) ENTRY INTO CUSTOMS BONDED WAREHOUSES.—

"(1) DISTILLED SPIRITS BOTTLED IN BOND FOR EXPORT.—Under such regulations as the Secretary or his delegate may prescribe, distilled spirits bottled in bond for export under the provisions of section 5233 may be withdrawn from bonded premises as provided in section 5214(a)(4) for transfer to customs bonded warehouses in which imported distilled spirits are permitted to be stored in bond for entry therein pending withdrawal therefrom as provided in subsection (b). For the purposes of this chapter, the withdrawal of distilled spirits from bonded premises under the provisions of this paragraph shall be treated as a withdrawal for exportation and all provisions of law applicable to distilled spirits withdrawn for exportation under the provisions of section 5214(a)(4) shall apply with respect to spirits withdrawn under this paragraph.

"(2) BOTTLED DISTILLED SPIRITS ELIGIBLE FOR EXPORT WITH BENEFIT OF DRAWBACK.—Under such regulations as the Secretary or his delegate may prescribe, distilled spirits stamped or restamped, and marked, especially for export under the provisions of section 5062(b) may be shipped to a customs bonded warehouse in which imported distilled spirits are permitted to be stored, and entered in such warehouses pending withdrawal therefrom as provided in subsection (b), and the provisions of this chapter shall apply in respect of such distilled spirits as if such spirits were for exportation.

"(3) TIME DEEMED EXPORTED.—For the purposes of this chapter, distilled spirits entered into a customs bonded warehouse as provided in this subsection shall be deemed exported at the time so entered.

"(b) WITHDRAWAL FROM CUSTOMS BONDED WAREHOUSES.—Not withstanding any other provisions of law, distilled spirits entered into customs bonded warehouses under the provisions of subsection (a) or domestic distilled spirits transferred to customs bonded warehouses under section 5521(d)(2) may, under such regulations as the Secretary or his delegate may prescribe, be withdrawn from such warehouses for consumption in the United States by and for the official or family use of such foreign governments, organizations, and individuals who are entitled to withdraw imported distilled spirits from such warehouses free of tax. Distilled spirits transferred to customs bonded warehouses under the provisions of this section shall be entered, stored, and accounted for in such warehouses under such regulations and bonds as the Secretary or his delegate may prescribe, and may be withdrawn therefrom by such governments, organizations, and individuals free of tax under the same conditions and procedures as imported distilled spirits.

"(c) WITHDRAWAL FOR DOMESTIC USE.—Distilled spirits entered into customs bonded warehouses as authorized by this section may be withdrawn therefrom for domestic use, in which event they shall be treated as American goods exported and returned.

"(d) SALE OR UNAUTHORIZED USE PROHIBITED.—No distilled spirits withdrawn from customs bonded warehouses or otherwise brought into the United States free of tax for the official or family use of such foreign governments, organizations, or individuals as are authorized to obtain distilled spirits free of tax shall be sold, or shall be disposed of or possessed for any use other than an authorized use. The provisions of section 5001(a)(5) are hereby extended and made applicable to any person selling, disposing of, or possessing any distilled spirits in violation of the preceding sentence, and to the distilled spirits involved in any such violation."

(b) The table of sections for such subpart E is amended by striking out—

"Sec. 5066. Cross reference."

and inserting in lieu thereof

"Sec. 5066. Distilled spirits for use of foreign embassies, legations, etc.

"Sec. 5067. Cross reference."

SEC. 4. (a) Section 5173(b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new paragraph:

"(4) INVOLUNTARY LIEN.—In the case of a judgment, or other lien imposed on the property subject to lien under section 5004(b)(1) without the consent of the distiller, the distiller may file bond, approved by the Secretary or his delegate, in the amount of such judgment or other lien to indemnify the United States for any loss resulting from such encumbrance."

(b) Section 5173(b)(1) of such Code is amended by inserting "or to any judgment or other lien covered by a bond given under paragraph (4)" after "bond given under subparagraph (C)" in the first parenthetical matter.

(c) Section 5173(b)(2) of such Code is amended by inserting "or (4)" after "paragraph (1)(C)".

SEC. 5. Section 5178(a)(4)(A) of the Internal Revenue Code of 1954 is amended to read as follows:

"(A) The proprietor of a distilled spirits plant authorized to store distilled spirits in casks, packages, cases, or similar portable approved containers on bonded premises—

"(i) may establish a separate portion of such premises for the bottling in bond of distilled spirits under section 5233 prior to payment or determination of tax, or

"(ii) may elect to use facilities on his bottling premises established under subparagraph (B) or (C) for bottling in accordance with the conditions and requirements of section 5233 and under the supervision provided for in section 5202(g), but after determination of tax.

Distilled spirits bottled after determination of the internal revenue tax under clause (ii) shall be stamped and labeled in the same manner as distilled spirits bottled before determination of tax under clause (i)."

SEC. 6. This Act shall take effect on the first day of the first calendar month which begins more than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WATTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill, H.R. 10517, has been reported unanimously by the Ways and Means Committee. The Treasury Department has indicated that it has no objection to the bill's enactment.

This bill makes a series of amendments to the distilled spirits provisions of the Internal Revenue Code. In general, the changes are designed to remove restrictions that are no longer needed for effective enforcement of the revenue and regulatory aspects of the code. Briefly, the amendments make the following changes:

First, the bill extends the circumstances under which refunds of tax may be made if distilled spirits are lost through accident while on the distilled spirits plant premises. This change applies only to accidental losses of spirits physically in the area where existing law already permits refunds for losses resulting from flood, fire, or other disaster.

Second, the bill permits voluntary destruction of distilled spirits on the distilled spirits plant premises—the same area involved in the accidental loss situations I have just referred to. This voluntary destruction—which is authorized under present law if done before completion of the bottling process—must be accomplished under whatever supervision the Internal Revenue Service requires by Treasury regulations.

Third, present law makes the basic distilled spirits tax refundable where voluntary destruction is permitted, because the destroyed distilled spirits cannot be used. The same reasoning applies to the much smaller rectification tax, which can be as small as 30 cents per gallon or as high as $1.92 per gallon. The basic tax, which is already refundable, is $10.50 per gallon. The bill, then, allows this small rectification tax to be refunded where the basic tax is refundable in voluntary destruction situations.

Fourth, the bill provides that the accidental loss, casualty loss, and evaporation loss provisions will apply to distilled spirits returned to their original bottling premises, as well as to distilled spirits that have never left those premises. This provision applies only after the returned distilled spirits have been measured in accordance with Treasury regulations.

Fifth, the bill provides a method under which foreign embassies can purchase domestic distilled spirits tax free in the same way they can purchase imported distilled spirits tax free and free of customs duties. It provides the same safeguards against abuse of this privilege that present law provides in the case of foreign distilled spirits. The purpose of this provision is to enable domestic producers to compete on an equal basis with foreign producers for the Embassy market inside the United States.

Sixth, the bill provides that the Internal Revenue Code's penal bond provisions are to operate so as to protect the Federal Government's interest without being unreasonably burdensome to the distiller. For example, under present law if a $100 mechanic's lien is imposed on a distillery the distiller may be required to post—and to pay for—a $300,000 bond. Under the bill, the distiller would have to file only a $100 bond to cover the $100 mechanic's lien. That $100 bond would be subject to approval of the Internal Revenue Service so that the Government's interest would be protected.

Seventh, and last, the bill permits more efficient use of bottling facilities by authorizing bottled-in-bond treatment of distilled spirits bottled in the regular bottling plant premises, if the bottling is done under strict Internal Revenue Service supervision and if the appropriate proof requirements and other requirements are met.

Mr. Speaker, as I have indicated, the Ways and Means Committee was unanimous and the Treasury joined with us. The bill accomplishes a series of minor but desirable modernizations of the Internal Revenue Code's distilled spirits provisions. The bill should be approved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WATTS. Yes, sir. I yield to the gentleman.

Mr. GROSS. I thank the gentleman for yielding.

We were getting along pretty well until the gentleman read the No. 5 paragraph to exempt foreign Embassies from paying tax on American liquor. How much revenue are we going to lose by that?

Mr. WATTS. Not a bit.

Mr. GROSS. Not a bit?

Mr. WATTS. No, sir.

Mr. GROSS. If there is any revenue accruing from the purchase by foreign Embassies of whisky in this country that is about the only source of revenue we have from them; about the only way we have of getting anything back for the billions we have expended in foreign aid.

I would not want to see that forfeited.

Mr. WATTS. I would not, either.

Mr. GROSS. There is a lot of outflow to the foreigners but not much income.

Mr. WATTS. I would like to answer the gentleman. At the present time it is possible to send into this country all the Scotch and all the Canadian whisky you want to and you put it in a custom bonded warehouse. You can also send out of this country all of the bourbon whisky you want to Canada or Nassau, for example, and send it back into this country and keep it in the same bonded warehouse. Then the State Department can issue a letter to the custom bonded warehouse that in substance says a certain Embassy is entitled to order a certain amount of whisky. The Embassy may specify the amount of either bourbon or other imported spirits. Present law provides that there is no tax paid on that which is withdrawn from that custom bonded warehouse under the above circumstances, no tax paid either to the Federal Government or to the District government. Last year there were approximately 4,000 cases of bourbon whisky shipped out of this country and reshipped right back into this bonded warehouse so that these Embassies could get possession of it without having either to pay the District government or the Federal Government any tax. The only chance that the District government has to get any tax at all is if an Embassy should suddenly run out of imported whisky or should suddenly run out of bourbon whisky and have to run down to a liquor store and buy it.

But you know good and well, since they are going to get this for about $15 a case under their diplomatic privileges, they are not going to a regulary dispensary and pay $40 to $75 a case.

The only thing this bill does is it makes it possible for the bourbon manufacturer to take his whisky directly and put it in this customs warehouse and not have to ship it on to Nassau or to Canada—and that is what is going on and I have the figures on the amount of whisky shipped out of the country and shall be glad to furnish them to the gentleman from Iowa—but what happens is that under the bill he would not have to ship to Canada and then ship it back.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, do they not collect a tariff on it?

Mr. WATTS. No.

Mr. GROSS. Well, that is a good deal like the oil deal between the United States and Mexico.

Mr. WATTS. I do not know whether it is or not. But the only thing I am saying is let us not give foreign whiskies, foreign distilled spirits, more favorable treatment than we treat our own folks. What this bill does is put it exactly on par. I have in my hand a letter——

Mr. GROSS. Let us put that another

way. Let us do the home folks as we do the foreigners.

Mr. WATTS. We cannot do that, sir.

Mr. GROSS. I see. I thank my friend from Kentucky for yielding.

Mr. WATTS. I wish we could. If the gentleman will draw up a bill that will stick, I will join the gentleman in supporting it. However, it is impossible to do it. What I am pleading for is justice for the local people.

Mr. Serr, head of the Alcohol, Tobacco, and Firearms Directorate states in his letter of July 2, 1970, as follows in the next to the last paragraph:

> In view of the substantial difference in cost between tax free distilled spirits removed from customs custody and fully taxpaid domestic spirits available in the local market, it is reasonable to expect that embassies presently primarily purchase distilled spirits which they can obtain free of tax. Accordingly, this proposed provision is not expected to result in any significant loss in revenue.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I take this time simply to say that I believe the explanation of the gentleman from Kentucky (Mr. WATTS) amply covers the various provisions of the bill.

For the most part, the changes remove technicalities and provide greater equity in terms of repaying the tax when the distilled spirit has been destroyed by reason of an accident or similar events.

The other item relates to the conditions under which foreign embassies can purchase distilled spirits made in the United States. This is intended to create equity between domestically produced distilled spirits and foreign produced distilled spirits.

Mr. Speaker, the bill was unanimously reported by the Committee on Ways and Means and I urge its adoption.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 10517, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SEA GRANT AUTHORIZATION

Mr. LENNON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11766) to amend title II of the Marine Resources and Engineering Development Act of 1966.

The Clerk read as follows:

H.R. 11766

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title II of the Marine Resources and Engineering Development Act of 1966 is amended as follows:
>
> (1) Section 203(b)(1) of the Marine Resources and Engineering Development Act of 1966 is amended by inserting immediately after "for the fiscal year ending June 30, 1970, not to exceed the sum of $15,000,000," the following: "for the fiscal year ending June 30, 1971, not to exceed the sum of $20,000,000, for the fiscal year ending June 30, 1972, not to exceed the sum of $25,000,000, for the fiscal year ending June 30, 1973, not to exceed the sum of $30,000,000.".

The **SPEAKER** pro tempore. Is a second demanded?

Mr. MOSHER. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. LENNON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 11766 has as its purpose the extension of authorization for the sea grant program of the National Science Foundation for an additional 3 years. It would authorize funding up to $20 million for fiscal year 1971, $25 million for fiscal year 1972, and $30 million for fiscal year 1973.

The National Sea Grant College and Program Act was enacted in 1966 as title II or the Marine Resources and Engineering Development Act. This title authorized grants to qualified institutions not to exceed two-thirds of total costs to educate and train marine scientists, engineers, and technicians; to create programs of applied research in marine resource development; and for programs for basic education and research and dissemination of the results of that research to the user public. The program is somewhat analogous to the highly successful lend-grant program and has begun to do for marine affairs what that program has done for agriculture.

The program is presently administered by the National Science Foundation. It provides support through full-scale institutional grants, grants for individual research projects, and through a third category called "coherent area support" for institutions seeking full-scale support, but have not yet satisfied all of the criteria.

Last year, sea grant supported 63 organizations in 27 coastal and Great Lakes States. Eight institutions now have full institutional support: Oregon State University, the University of Rhode Island, the University of Washington, Texas A. & M. University, the University of Michigan, and the University of Hawaii. The State University of New York has been awarded a planning grant directed toward this end.

One of the notable characteristics of the sea grant program is that it is interdisciplinary in nature and enjoys wide geographical support. It concentrates its efforts heavily on coastal zone and environmental problems related to the oceans as well as pure scientific research.

The program is structured to stimulate State and private participation by requiring that the grantee furnish at least one-third of the total costs in cash or facilities.

I might point out that sea grant has produced many highly significant benefits. For example, scientists at the University of Hawaii, working through sea grant, have aided the Hawaiian tuna fishermen by prolonging bait life from 3 to 10 days, thereby extending the time that fishing vessels can remain at sea. University of Miami grantees have developed shrimp culture to a point where commercial firms have started pilot operations to utilize this information. University of Wisconsin and Rochester grantees have defined manganese deposits in Green Bay, and sand and gravel deposits in Lake Ontario which collectively provide a potential $300 million in value. The list of accomplishments is long, and it includes research in the social sciences as well as the more traditional oceanographic inquiries.

Your committee concluded from the testimony that the national sea grant program has contributed greatly to the national goals outlined in the Marine Science and Engineering Development Act of 1966. It is now well established as a necessary and viable part of our educational system having implications that are far reaching. In view of the recent announcement of the President's proposal to create a new National Oceanic and Atmospheric Agency within the Department of Commerce, it is even more apparent that our manpower needs for this legislation is accordingly stronger than ever before. In addition, Mr. Speaker, I might emphasize that the success of the sea grant program depends upon the ability to provide reasonable assurance of institutional support on a more or less continuing basis, thus we are requesting a 3-year authorization to encourage longer range planning.

All of the departmental reports were extremely favorable to this legislation. The only amendment suggested by these reports or in testimony was the suggestion by the National Science Foundation and the Council on Marine Resources and Engineering Development that the sea grant program be authorized "such sums as may be necessary." Your committee, however, does not favor open-ended funding, and recommends the bill as written.

Mr. Speaker, this legislation was unanimously reported by the Committee on Merchant Marine and Fisheries, and I wholeheartedly endorse the measure and urge its prompt passage as a part of a continuing and important educational program.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. LENNON. Mr. Speaker, I am now delighted to yield to one of the authors of this legislation, which was first passed in 1966, the distinguished gentleman from Florida (Mr. ROGERS), the ranking member of the committee.

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman for yielding, and I appreciate the gentleman's remarks.

Mr. Speaker, I rise in strong support of this legislation.

Mr. Speaker, I rise in support of H.R. 11766, a 3-year extension of the Sea Grant College Act.

For many years we have heard from scientists of high repute that the United States has a vast storehouse of untapped wealth just off our shores. This wealth comes in the form of food from the sea, medicine from sea creatures, minerals, oil, and plant life that will supply us with a variety of resources.

Indeed, so evident has been these ocean resources that I cannot recall even one voice of dissent. No one can challenge that the oceans offer great potential.

Yet we have been very tardy in beginning our adventure with the seas. If we look at all our national programs, we see that we have not even invested in the seas in proportion to what we have already taken out of the seas. The oceans have been putting money into the Federal Treasury for many years, but the Government has not reinvested proportionally.

The legislation which we are considering here today is one of the very few marine programs which the Government has supported. The Sea Grant Act is designed to produce manpower in the areas of marine science, engineering, and oceanography. It is designed to give us a greater interest and store of information from the seas. Through the sea grant college program we have moved to take advantage of our marine resources and increase our capabilities in the oceans.

I think that this program is the flagship of the Nation's marine efforts at this time so far as specific legislation is concerned.

The interest in this program has spread nationwide. Every State in the Union has sent in at least one inquiry from an institution or college. Possibly the only thing which we might fault the program for is the modesty of funding which the Congress has given it.

As of June 1, 1970, 63 institutions, organizations, colleges, or junior colleges were involved in the sea grant program. This covered 25 States, the District of Columbia, and the Virgin Islands.

Through education, research, training, and consultation, the Sea Grant Act has developed into one of the most productive and exciting programs in the National Science Foundation. Under the directorship of Robert Abel, the program is just reaching maturity and I hope that the additional funds which are proposed in this bill will greatly help satisfy the demand for more marine technology and manpower.

As many of my colleagues know, the President has recommended that a National Oceanic and Atmospheric Administration be formed to bring together a number of our marine programs. This would, if implemented, include the sea grant program.

I feel that if NOAA is organized properly, so that it includes all the necessary agencies, then the sea grant program will play a very vital and important role in this new agency. In the meantime, we should continue with this program and I ask that all my colleagues join with the 17 sponsors of H.R. 11766 for speedy passage.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I will be delighted to yield to the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Speaker, I am somewhat disturbed by what seems to me to be the fast takeoff in terms of money with respect to this legislation. If I understand it correctly the increase is from $9 million to $30 million in the third year, fiscal year 1973.

Mr. LENNON. That is true, I will say to the distinguished gentleman. The program started in fiscal year 1968, and the legislative committee made it crystal clear to the National Science Foundation which was handling this legislation that no university and no college and no technical institute or any institution of any kind could qualify for this funding unless it demonstrated the capacity and the capability. That is the reason the funds were so restricted in 1968, because it was a new program. It started off with $5 million, then it went to $6 million, and then the authorization for fiscal 1970 went to $15 million. But due to the fiscal restraint that the gentleman from Iowa knows about, the Committee on Appropriations only allowed $9 million for fiscal year 1970.

I might say further to the gentleman that the Committee on Appropriations has already considered, although they have not passed it in the general omnibus appropriation bill, and is including the sum of $13 million for 1971. It has grown, and it has grown until, as I indicated earlier, there are today, as I know the gentleman heard me say, 63 colleges, universities and technical institutions in 27 Coastal and Great Lakes States actively participating in this program today.

It has already in two instances through exploration located manganese deposits in certain areas of this country where they were not thought to exist and it will bring into the Treasury in these respective States and to the Federal Government something in excess of $300 million.

We think this is one of the most viable programs in existence today for complete exploration and ultimately to a greater economical exploitation of our coastal zones and our oceans and seas and estuaries.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman.

Mr. GROSS. I am not prepared to raise very much opposition to this bill, if any. But I am becoming alarmed by the amount of expenditures on oceanography, by the National Science Foundation, and a variety of other endeavors along these lines.

I just want to be sure we are getting value received for the money that has been expended in the past and that will be expended in the future.

Mr. LENNON. I know of the gentleman's feelings with respect to open ended authorizations. We were requested to make each of the fiscal years we are discussing an open ended authorization. We did not agree to that and I hope the gentleman will agree with our opposition to that. I would rather authorize something in excess of the amount that actually could be expended and leave it up to the Committee on Appropriations to make the final determination rather than to leave it an open ended authorization—and I believe the gentleman would agree with me.

Mr. GROSS. I commend the committee for putting specific amounts and dates in this bill rather than leaving it open ended as it was originally.

Mr. LENNON. I thank the gentleman.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. Lennon) has consumed 8 minutes.

Mr. MOSHER. Mr. Speaker, I join the gentleman from North Carolina and the gentleman from Florida in urging support of this legislation.

I think the gentleman from Iowa very wisely asks whether there is value received in this program. I think the testimony before our committee demonstrates that there is a value received. As he points out, it is a growing program, because there seems to be universal approval of the program and universal recognition of the fact that the national interest deserves a greater effort in the seas.

I think all of us in the House can take a lot of pride because of the fact that it was here that this program was initiated. It is not a program that was initiated by the executive branch of the Government, but it was here in the Congress that we created this program 3 years ago. I think it deserves our continued support.

H.R. 11766 will continue the sea grant college program through fiscal year 1973 and will authorize funds to support the program on an increasing scale beginning with $20 million for fiscal year 1971 and reaching $30 million for fiscal year 1973.

The $5 million was originally authorized for the sea grant college program for fiscal year 1967. The authorization for the year just ended was $15 million. Beginning slowly and with a modest authorization, the sea grant college program under the auspices of the National Science Foundation has become a model of Federal assistance to our institutions of higher learning, technical institutions and State agencies. Title II of the Marine Resources and Engineering Development Act was enacted in recognition of this Nation's great need to foster the training of scientific and technical personnel in the ocean sciences and to stimulate greater participation by private institutions in the expansion of our knowledge of the oceans and their resources.

The National Science Foundation has utilized this program to encourage a multidisciplinary approach to the development of knowledge of the oceans and our coastal zones, furthering team efforts with specialists from many different fields working together. This breaking down of traditional discipline barriers has now spread beyond the field of marine affairs into other scientific pursuits. Not only has the program brought about efforts which cross traditional lines within our institutions, but it has contributed significantly to the involvement of groups of universities cooperating under a joint grant.

Most sea grant programs involve the coastal zone where the principal scientific, engineering, economic, and social problems involving the marine environment are found. This area where our coastal lands and the oceans meet has the greatest concentration of people, and it is in the coastal zones where the most serious problem of pollution and environmental degradation exist.

Federal support under the sea grant college programs has been awarded to institutions in 25 States, the District of Columbia, and the Virgin Islands. Applications for assistance have far exceeded the funds available, and all too often the National Science Foundation has been compelled to award only a small fraction of the assistance sought.

The increased authorization for the sea grant program as provided in H.R. 11766 is entirely justified in light of the success which has been achieved since its establishment in 1966. Again, I urge my colleagues to support the passage of H.R. 11766.

Mr. LENNON. Mr. Speaker, I am delighted to yield to the distinguished chairman of the full Committee on Merchant Marine and Fisheries, the gentleman from Maryland (Mr. GARMATZ).

Mr. GARMATZ. Mr. Speaker, the House has many times over indicated its support for valuable continuing education programs in the United States. It has also been a leader in the development of a wise and progressive policy for the utilization of the oceans and seabeds within the area of the control of the United States. This interest has extended to the development and rehabilitation of the fisheries of the United States, the orderly development of the natural resources of the subsoil and seabed, and the rational use of these wet areas in such a way as to conserve this last great national resource.

For more than 10 years now, the House, through the Subcommittee on Oceanography of the Committee on Merchant Marine and Fisheries has guided and nurtured a coherent national policy which will soon, if all expectations are realized, come to fruition. But, as the Stratton Commission pointed out in its landmark report, "Our Nation and the Sea," a meaningful national program for marine affairs must include a way to satisfy the manpower needs for oceanography and related sciences, and for the development of social scientists trained in the disciplines necessary to create new policies.

The sea grant program, Mr. Speaker, has in my judgment been an unqualified success. The returns, both tangible and intangible, of this educational and research effort far exceed any conceivable drawbacks and these returns are growing at a rapid rate, far out of proportion to cost.

The educational and research institutions of the Nation have responded to it with tremendous enthusiasm and the list of sea grant directors of the various institutions receiving full-support include the leading men of U.S. marine affairs, including members of the Stratton Commission and the President's Task Force on Oceanography.

The sea grant program, under the capable leadership of its director, Dr. Robert Abel, is a necessary tool for uncovering and utilizing the secrets of the sea, and it deserves the enthusiastic support of the House.

Mr. Speaker, I support this most important bill and urge its rapid passage.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 11766.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

JELLYFISH CONTROL

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12943) to amend section 3 of the act of November 2, 1966, to extend for 3 years the authority to make appropriations to carry out such act.

The Clerk read as follows:

H.R. 12943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States, and for other purposes", approved November 2, 1966 (16 U.S.C. 1203), is amended by striking out "for the fiscal year ending June 30, 1970" and inserting in lieu thereof "for the period beginning July 1, 1969, and ending June 30, 1973".

The SPEAKER pro tempore. Is a second demanded?

Mr. PELLY. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. DINGELL. Mr. Speaker, this bill was reported unanimously by the Committee on Merchant Marine and Fisheries to this body.

Mr. Speaker, the purpose of H.R. 12943 is to extend for an additional 3 years the program to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States.

The need for this legislation arises from the fact that thousands of vacationers are being robbed of water-recreational opportunities and hundreds of businessmen are being deprived of untold revenues because of the large presence of jellyfish—sometimes known as Portuguese man-of-war in our coastal bays and estuaries. Unfortunately there is no known method of controlling these pests and their invasion each year affects a large segment of our economy and population.

As many of my colleagues will recall, in 1966 the Congress enacted Public Law 89-720, which authorized the Secretary of the Interior to cooperate with and provide assistance to the States—on a 50-50 matching fund basis—for a period of 3 years to discover ways to control or eliminate these pests in the coastal waters of the United States. Although much progress has been made, by necessity, project activities during the past 3 years have been directed toward research. This research has produced valuable technical information that will be needed to develop possible solutions to these problems in the future.

For example, Florida and Puerto Rico have developed information on the occurrence, seasonal distribution, abundance, and life history of the Portuguese man-of-war; Maryland has experimented with physical barriers and chemical control agents; Mississippi has discovered that jellyfish consume large quantities of larval menhaden, an important commercial resource to both Atlantic and gulf coast fisheries; New York has taken advantage of that part of the program which authorizes research for the purpose of controlling floating seaweed. There is an abundance of marine algae in Long Island Sound which is severely hampering the growth and harvesting of several species of shellfish. In addition, the algae is causing propellers and hooks to be fouled, thereby making sport fishing practically impossible. The States of Virginia and Connecticut have also taken advantage of the act and are making a valuable contribution toward this worthwhile program.

Mr. Speaker, the 1966 act authorized to be appropriated $500,000 for fiscal year 1968, $750,000 for fiscal year 1969, and $1 million for fiscal year 1970. During the 3-year period $100,000 was appropriated in fiscal year 1968, $225,000 in fiscal year 1969, and $267,000 in fiscal year 1970.

H.R. 12943 would merely extend the act for an additional 3-year period—until June 30, 1973—and, in addition, would authorize the balance of the unappropriated authorization for fiscal year 1970 to be available to be appropriated over the next 3 years of the program. More simply stated the bill would provide no new authorization of funds; it would simply authorize a total of $733,000 to be appropriated during the 3-year extension of the program, which authorization has been previously approved by the Congress.

Mr. Speaker, the legislation was unanimously reported by the Merchant Marine and Fisheries Committee. All departments reporting on the legislation and all witnesses testifying at the hearings strongly supported H.R. 12943, and I would like to urge its prompt passage.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to my good friend, the gentleman from Iowa.

Mr. GROSS. I thank my friend from Michigan. Tell me, what are the States doing by way of contributing to this program? For example, what is the great State of Maryland doing to eliminate the jellyfish and whatever other pests are interfering with swimmers in Chesapeake Bay?

Mr. DINGELL. I would tell my good friend that on page 4 of the report of the bill, which I will be happy to make available to my good friend, outlines the level of Federal-State expenditures for the fiscal years 1968, 1969, and 1970, and that the States are expending approximately one-half—not approximately but exactly one-half of the funds which are being expended.

I would tell my good friend that there are no programs in being for control. There are merely research programs. The reason is that we do not have the knowledge at this time to engage in active control measures, and in my opinion, it will be extremely unwise at this time, without more information, to try and engage in control measures.

Mr. GROSS. But once the research is carried out and means of control are found, I would assume that the bordering States will then take over, as well as the boatowners who like to jump off the rear ends of their boats and swim in the Chesapeake Bay, for instance. Will they be expected to contribute to the elimination of the sting rays, the jellyfish, and what have you?

Mr. DINGELL. It is hoped that when we finally evolve some control devices, we might be able to come forward with something of this kind. I would have to tell my good friend that one of the things that is coming from this program is a series of lotions and creams and things of that kind that may have the effect of eliminating the sting, which is quite noxious to those who do use the bay.

Mr. GROSS. The association of boatowners would be expected to contribute would they not, to the elimination of nettles in the Chesapeake Bay and other waters?

Mr. DINGELL. I would have to tell my good friend that we have not come that far yet. I do not anticipate that in the life of this bill, which is only 3 years, we will have arrived at the point at which we can actually begin any real control measures.

Mr. GROSS. I would hope that they would all be cut in so that the taxpayers of Iowa would not have to take care of the beaches of Maryland and Lake Michigan.

Mr. DINGELL. I will promise my good friend from Iowa that when we get to that point, we will bear his thoughts in mind.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to my friend, the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate my friend, the gentleman from Michigan, yielding, and I appreciate the inquiry of my friend, the gentleman from Iowa, but I wonder if, in view of those remarks, the gentleman has ever encountered the startling spectacle of a phosphorescent jellyfish being flushed through the head in the middle of the night when one least expects it?

Mr. DINGELL. I have never had that experience.

Mr. HALL. If the gentleman will yield further, I would say this is a frightening enough experience to the boat owners, from which perhaps the boat owners should be relieved and the landlubbers should be protected.

Mr. DINGELL. I will bear the thought of my friend, the gentleman from Missouri, well in mind, as well as the thoughts of my friend, the gentleman from Iowa.

Mr. Speaker, I yield to the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Maryland, such time as he may consume.

Mr. GARMATZ. Mr. Speaker, my bill, H.R. 12943, proposes to extend the so-called Jellyfish Act—or Public Law 89-720—for another 3 years. The original legislation, which I also introduced, became law November 2, 1966. Basically, it was designed to authorize $2.25 million for a 3-year research program into the problem of the stinging jellyfish—also known as sea nettles—and it includes the more toxic Portuguese man-of-war.

To some extent, the bill may be a misnomer, since it would also provide Federal aid for research into other forms of noxious marine pests, including undesirable forms of aquatic plantlife, such as algae and floating seaweed.

In general, this law authorized the Secretary of the Interior to make Federal funds available to the States on a 50-50 matching fund basis. I would like to emphasize, Mr. Speaker, that this has been a very popular program. Under Public Law 89-720, a total of $510,664 in Federal funds was expended in the following manner: Virginia, $194,827; Maryland, $100,000; Mississippi, $82,081; Florida, $67,760; New York, $30,475; and Puerto Rico, $27,776.

I am especially happy to note that this new bill to extend the act another 3 years does not require any more Federal funds than those already authorized under the original act. There remains a balance of $733,000 in unused money from the original authorization, and this is expected to be sufficient to fund all necessary research programs in new 3-year periods.

The committee held 2 days of hearings on H.R. 12943, and the members were pleased at the progress that is being made by the scientists working on jellyfish research. All of these programs are closely coordinated by the Department of Interior, so that there is no overlapping, or wasteful redundancy of research.

Despite the fact that these sea creatures have pestered man for years, no method of effectively controlling them has yet been found, and little has been known about the ecology of these marine organisms. Now, for the first time, information on the life cycle of the jellyfish and on its role in the total marine environment is being uncovered and documented, and the research made possible under the act is making a definite contribution to our knowledge of marine life.

Scientists from several States—especially Maryland and Virginia—are conducting a coordinated yet varied research program. Research includes experimenting with mechanical barriers to protect bathers, searching for a weak link in the jellyfish's life cycle, and the use of natural predators which could be used to control the water pests.

It should also be emphasized that Federal funds from this act have been aiding valuable research on several forms of harmful algae, an undesirable form of aquatic plant growth that is reproducing at an alarming rate in many of our valuable marine areas—including the Chesapeake Bay and other bays and tributaries. The presence of various forms of algae in our lakes, rivers, and bays is often closely associated with major pollution problems, usually from excessive nutrients of nitrates, phosphates, and so forth. These organisms have an adverse impact upon the shellfish industry and upon the recreational potential of many estuarine areas. In other words, this legislation will help to combat one of our major problems—pollution of our natural resources.

Mr. Speaker, this is a worthwhile piece of legislation, and I enthusiastically urge its rapid passage.

Mr. PELLY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise to join the distinguished chairman of the Fisheries and Wildlife Conservation Subcommittee, the gentleman from Michigan (Mr. DINGELL), in support of H.R. 12943, a bill to extend the jellyfish control program for an additional 3 years. The bill does not, of course, alter the scope of the program nor the authorized level of funding.

Public Law 89-720 was enacted in 1966 in recognition of the fact that the jellyfish or sea nettle had become a serious problem in many of our recreational waters along the eastern seacoast, particularly in the Chesapeake Bay of Maryland and Virginia. Further south in the waters of Florida, Puerto Rico, and the gulf areas, the Portuguese man-of-war is a serious threat to bathers and skindivers. Very little was known about the life cycle of these creatures, and there was no effective control program.

This legislation authorized the Secretary of the Interior in cooperation with the States concerned and the Commonwealth of Puerto Rico to conduct directly or by contract such studies and investigations as he deems advisable in order to bring about effective measures of control. The legislation provides that the cost of such programs shall be borne equally by the several States and the Federal Government.

The sum of $500,000 was authorized to be appropriated for the initial year of study. This sum increased to $750,000 for fiscal year 1969 and $1 million for fiscal year 1970.

The Department of the Interior and the States have made significant strides in furthering our knowledge of the jellyfish but effective control measures still remain to be developed. The basic scientific knowledge of the life cycle of these creatures is, however, a necessary starting point, and this has in large measure been accomplished. Hopefully, the additional 3 years' research under this program will see the effective development and application of means to rid our coastal waters of this pest. I therefore urge my colleagues to support the passage of H.R. 12943.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from Michigan that the House suspend the rules and pass the bill H.R. 12943.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **HUNT**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

Mr. **HAYS**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 198]

Adams
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Baring
Barrett
Bell, Calif.
Berry
Betts
Bevill
Biaggi
Bingham
Blatnik
Boggs
Bolling
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Cabell
Carey
Cederberg
Celler
Clark
Clay
Collier
Colmer
Conyers
Corbett
Coughlin
Daddario
Dawson
de la Garza
Delaney
Diggs
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Farbstein
Findley
Flowers
Ford, William D.
Foreman
Frelinghusen
Frey
Gallagher
Gilbert
Goldwater
Green, Pa.
Griffiths
Halpern
Hansen, Wash
Harrington
Harsha
Hastings
Hawkins
Hébert
Hogan
Hosmer
Ichord
Johnson, Pa.
Jonas
Jones, Tenn.
Kirwan
Landrum
Leggett
Lloyd
Long, La.
Lowenstein
Lujan
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
Madden
Mann
Martin
Mathias
May
Meskill
Michel
Mikva
Mills
Minshall
Mollohan
Morton
Moss
Murphy, N.Y.
Nichols
Obey
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Pettis
Pickle
Poage
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Reid, Ill.
Roberts
Robison
Roe
Rogers, Colo.
Rooney, N.Y.
Ruppe
St Germain
Sattlefield
Saylor
Schadeberg
Scheuer
Shipley
Shriver
Sikes
Stanton
Steed
Sullivan
Symington
Talcott
Teague, Calif.
Tunney
Udall
Vander Jagt
Watkins
Watson
Weicker
Whalley
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H.
Wold
Wright
Wyatt

The **SPEAKER**. On this rollcall 282 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CURBING TEXTILE IMPORTS

(Mr. **BROYHILL** of North Carolina asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **BROYHILL** of North Carolina. Mr. Speaker, I would like to place in the CONGRESSIONAL RECORD the following column by James J. Kilpatrick regarding the need for the passage of legislation to curb textile imports. I would like to recommend Mr. Kilpatrick's comments to my colleagues and to express my hearty agreement with his views.

The article follows:

HIGH TIME TO PLACE CURBS ON IMPORTS FROM JAPAN

(By James J. Kilpatrick)

With the collapse last week of textile trade agreement talks with Japan, Congress has but one course left open to it: This is to smack the Japanese with what is known in the trade as the Mills bill. And high time!

Granted, this is not a pleasant prospect for members of Congress who are dedicated to reducing trade barriers, not to raising them. Approval of the Mills bill would be a step backward from the lofty goal of free commerce envisioned under the international General Agreement on Trade and Tariffs. If protective quotas are granted to the textile-apparel industry, other industries hurt by foreign competition will be crying, "me, too."

There is this further objection, that by imposing even the mild and reasonable restraints proposed in the Mills bill, the United States would subject its diplomatic relations with Japan to additional strain. The leaders of last week's massive anti-government riots in Tokyo, protesting extension of the two nations' security treaty, presumably would pick up wider popular support.

Yet the case for a quota system, intended to protect the domestic textile-apparel industry, is supported by compelling evidence. And the record of patient efforts to reach a voluntary agreement suggests that the Japanese propose to stall indefinitely.

Time has run out. The U.S. industry is in deep trouble. Its profits are down. Employment has declined by 65,000 workers in the past 15 months. New capital investment has dropped sharply over the past year. The number of closed plants is increasing. The gloomy picture is almost entirely the result of one cause: The dramatic increase in textile imports.

Dramatic is the word for it. The picture began to change as far back as 1957, when textile imports for the first time exceeded our exports. Now the imbalance amounts to $1.4 billion annually; and more than a third of this imbalance winds up in the hands of Japanese. In the past five years, the volume of textile imports has tripled. If the increase is merely alarming in cotton and wool, it is staggering in the field of man-made fibers.

Several elements account for the situation. Primarily, the imbalance results from wage differentials. The typical American textile worker earns $2.43 an hour; his counterpart in Japan gets 53 cents. In Korea and Taiwan, the figure is 11 cents. The suit that is mail-ordered from Hong Kong is sewn together by tailors paid 25 cents an hour.

Another significant factor lies in trade policies here, and trade policies there. The Japanese, while they adamantly oppose quotas anywhere else, impose relentless import restrictions of their own. Within the European Economic Community, the same picture obtains. No nation in the world has a freer policy on imports than the U.S. As a consequence, one-third of Japanese production goes to American buyers.

Finally, Japanese manufacturers operate without the restraints of anti-trust law. Nothing prevents them from entering into price and market agreements that would be patently illegal here. It is a great convenience not to have a Justice Department breathing down one's neck.

The Mills bill, sponsored by Rep Wilbur Mills, D-Ark., and 200 other members of the House, would put a ceiling on imports of textiles, apparel and footwear geared to the levels of 1967–68. These limits would be adjusted annually to reflect increases or decreases in domestic consumption. A more reasonable or more generous policy scarcely could be proposed.

Opponents of the Mills bill contend that the effect of even thes mild limitations would be to raise the price of goods to the American consumer. It could happen, but the remarkable record of price stability within our domestic industry suggests otherwise. In any event, the consequences of continued inaction are as visible as a mini-skirt but much less attractive. Free trade is like peace: it is wonderful. But peace at any price is no bargain, and neither is free trade that imposes a ruinous cost on industry here at home.

CUSTOM SLAUGHTER EXEMPTION UNDER FEDERAL MEAT INSPECTION ACT

Mr. **FOLEY**. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3592) to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations.

The Clerk read as follows:

S. 3592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Meat Inspection Act (34 Stat. 1260, as amended by the Wholesome Meat Act, 81 Stat. 584), is hereby amended by deleting the proviso from paragraph (a) of section 23 of the Act, and the colon preceding said proviso, and substituting therefor the following: "; nor to the custom preparation by any person, firm, or corporation of carcasses, parts thereof, meat or meat food products, derived from the slaughter by any person of cattle, sheep, swine, or goats of his own raising, or from game animals, delivered by the owner thereof for such custom preparation, and transportation in commerce of such custom prepared articles, exclusively for use in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided,* That in cases where such person, firm, or corporation engages in such custom operations at an establishment at which inspection under this title is maintained, the Secretary may exempt from such inspection at such establishment any animals slaughtered or any meat or meat food products otherwise prepared on such custom basis: *Provided further,* That custom operations at any establishment shall be exempt from inspection requirements as provided by this section only if the establishment complies with regulations which the Secretary is hereby authorized to promulgate to assure that any carcasses, parts thereof, meat or meat food products wherever handled on a custom basis, or any containers or packages containing such articles, are separated at all times from carcasses, parts thereof, meat or meat food products prepared for sale, and that all such articles prepared on a custom basis, or any containers or packages containing such articles, are plainly marked 'Not for Sale' immediately after being prepared and kept so identified until delivered to the owner and that the establishment conducting the custom operation is maintained and operated in a sanitary manner."

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Washington is recognized for 20 minutes.

Mr. FOLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1967 Congress passed landmark consumer legislation in the enactment of the Wholesome Meat Act. That act, which updated the Federal Meat Inspection Act in its first major amendment since 1906, contained a provision relating to custom slaughtering operations. That provision permitted custom slaughtering to be carried on for the benefit of private customers for their use, the use of their families, nonpaying guests, and employees.

But the exemption for custom slaughtering contained a restriction that prohibited, as later interpreted by the Department, such custom slaughterers from engaging in the sale of any meat or meat products.

In many areas of the United States especially in rural areas so-called locker plants, and other custom slaughtering operations have been carried on side-by-side with the sale of inspected meat and meat products. This act would clarify the 1967 act and permit such simultaneous operations in the sale of inspected meat products, if certain conditions are met. The conditions are that the custom slaughterer must provide complete separation in his facility of those meat and meat parts that are slaughtered for the custom customer and those inspected meat products for sale to the public. In addition the custom slaughtered or processed meat must be clearly identified as "not for sale." Proper sanitation standards must be met at all times and proper records kept for examination.

This bill also provides authority for the custom slaughtering of game animals so that hunters and sportsmen who may wish to have game animals slaughtered in this fashion will be able to do so.

This amendment is not a weakening of the 1967 act, but indeed in providing continued opportunity for safe sanitary custom slaughtering of farm and game animals this amendment aids consumer protection, a clarification of it; hearings were held before the Subcommittee on Livestock and Grains of the Agriculture Committee without any opposition. A similar bill has been passed by the Senate and is the bill before the House today. When the Senate bill was considered by the committee of the other body, various consumer groups testified in support of it.

I am sure that many Members of the House will note with approval that the gentleman from Iowa (Mr. SMITH) who is perhaps the leading advocate of tight Federal meat inspection in the Congress and who was the principal sponsor of the 1967 Wholesome Meat Act, is a cosponsor of this legislation. I think it is a useful amendment to the law. It would clarify the position of the custom slaughterers so that they may continue to perform services that are needed in many rural areas, doing so under proper conditions that will be supervised by the Secretary of Agriculture for the full protection of the public.

Mr. Speaker, I reserve the balance of my time.

Mr. DENNEY. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Nebraska.

Mr. DENNEY. Mr. Speaker, I rise in support of this bill. In my district there are 17 of these custom slaughterers. I think there was an oversight. I agree with the Clean Meat Inspection Act we passed before, but definitely the local people will police these small quality plants.

I think this is an excellent bill. I rise in support of it and urge all Members to vote in favor of it.

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Nebraska.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I rise in support of this bill.

Passage of this bill is essential if smaller communities across the Nation are to continue having the services of custom meat slaughterers.

I have introduced similar legislation, H.R. 16908, which was the subject of subcommittee hearings.

The custom meat slaughterer often sells inspected meat in a meat market and also operates a locker freezing plant where community resident and area farmers can have livestock butchered and frozen for their own personal use. There is not enough financial gain in either portion of the business to maintain it alone. Therefore, if the prohibition against custom slaughterers and the sale of inspected meats contained in the Wholesome Meat Act were allowed to stand, these small businessmen would have to close their doors.

Mr. Speaker, this legislation has brought letters of support from all across my congressional district. I submit for the consideration of my colleagues a letter I received from the president of the Minnesota Farm Bureau and letters from two Farmers' Union locals:

MINNESOTA FARM BUREAU FEDERATION,
Saint Paul, Minn., January 29, 1970.

Hon. ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR AL: We are concerned with present federal laws pertaining to meat inspection. I am referring to the Wholesome Meat Act of 1967.

As is sometimes the case, we feel it is too far-reaching. Although legislation in this area has been long overdue, it does overlook the inability of many states to get geared up in the alloted length of time to meet requirements, which can cause us in Minnesota many problems where the small, private, custom slaughter is concerned. We feel these people do fill a very necessary need in our communities, therefore, I would appreciate your considering the Curtis amendment, or a similar one, dealing with this most important matter. Many thousands of rural people are affected; plus the fact that hosts of city people have learned of the satisfactory dealing with these small-town and community shops.

I would appreciate your giving this area your careful consideration.

Thank you, Al.

Very truly yours,
CARROLL G. WILSON,
President.

FARMERS UNION, HAYFIELD LOCAL,
DODGE COUNTY,
Hayfield, Minn., February 5, 1970.

DEAR REPRESENTATIVE QUIE: I understand that the Wholesome Meat Act of 1967 has a section in it that prohibits farmers from having their slaughtering and meat processing done as a custom service in small town locker plants. Is this so?

If this is so, how do these law makers expect us farmers to process our animals for our own eating? Are we going to have to go back to the days when we did our own butchering and cut the meat up on the kitchen table, or hung a half a beef in the woodshed to freeze in the winter?

I am asking you to look into this matter and do your best to change that section in the bill so we as farmers can continue to get the custom service for meat processing we have had in the past from these small town locker plants. Thank you.

Sincerely,
ROBERT BEAVER.

FARMERS UNION, A. & M. OF ADAMS
LOCAL, MOWER COUNTY,
Taopi, Minn., February 10, 1970.

HON. ALBERT QUIE,
House of Representatives,
Washington, D.C.

DEAR SIR: We, the members of the A and M Adams Local, Mower County, Minnesota, wish to submit our signatures to show our interest and concern in the Wholesome Meat Act Amendment, Section 23(a) introduced in Congress Identified in the Senate as S. 2983 Identified in the House of Representatives as H.R. 14457.

Will you please act in favor of these bills. Thank you.

Sincerely,
Mrs. Maxine Minnihan, Secretary of A. & M. Adams Local; Mr. W. J. Minnihan, Mr. Henry Himebaugh, Mr. and Mrs. David Gilderhus, Mr. and Mrs. Merle Hatle, Mr. and Mrs. Otto Flo, Mr. and Mrs. George Adams, Mr. and Mrs. Vernon Smith, Mr. Art Peterson.

I am also submitting a letter from a housewife who makes a very strong case for continued operation of small meat market custom slaughterer operations:

FEBRUARY 6, 1970.

DEAR SIR: Why are you people in Washington trying to pass laws forcing our meat markets in small towns to close. I'm sure they're just as sanitary as any meat market in the larger cities or people would not patronize them.

Where are the farmers and local people supposed to get their meat processed? We haven't the time and certainly can't afford to drive 40 or 50 miles every week for meat. Why not help these small towns to stay alive or do you people think we should all move to the big city ghettos?

We elect you people to help us—not to help the big to get bigger and richer.

Why don't you stop by Wabasha and see all the improvements our local meat market did about a year ago and we were so proud—now that isn't even good enough.

Another reason why I think they outrate our big city meat market; we have quite a few friends and relatives who come here and like to buy sausage and meat because it tastes so much better. What they buy seems so old and tough.

And that's how our Congressmen are helping us. Please try to work harder for us in small towns and localities as we do pay our share of taxes also.

Sincerely yours,

Mrs. Norbert Marx.

Wabasha, Minn.

In conclusion, Mr. Speaker, I submit a letter from the president of the Brownsdale Meat Service, Inc., and a copy of the advertisement he placed in local newspapers. This advertisement was very effective and brought many letters, of which I am submitting three examples:

Brownsdale Meat Service,
January 31, 1970.

Representative Al Quie,
House of Representatives,
Washington, D.C.

Dear Mr. Quie: As an owner of a small meat processing plant I am concerned for the future of my business and that of thousands of other locker and freezer provisioning establishments throughout the country. This industry has been of service to its small communities for many years and are now forced with regulations that could force many of us to close our doors. We are now and have been providing our customers with a wholesome product.

The Wholesome Meat Act of 1967 unwittingly included a provision, known as Section 23(a) that effectively prohibits us from engaging in the meat business if we perform custom services for farmers. This provision can be changed by the proposed amendment, Senate bill S. 2983 and House bill H.R. 14457. The adoption of these amendments in no way would weaken the purpose of the meat inspection program i.e.: to provide clean wholesome meat, processed in a sanitary manner. It would allow thousands of small independent businesses to exist and be of service to their communities in Rural America.

Our Minnesota State Inspection Program incorporates some of the provisions that are in these two amendments and allows us to sell inspected meats and perform custom services for the farmers of Minnesota. But we need this provision included in the Wholesome Meat Act so that our Minnesota program will be excepted by USDA and our State will share in the funds available for the administration of the State Program.

If you are concerned in the future of many of the nation's small businesses that are the main enterprise in many small towns I ask your support in getting these bills out of committee and for their passage on the floor.

Yours truly,

Eugene Gerhardt,
President.

A Message From the Brownsdale Meat Service

Dear Friends: We are faced with a very serious situation that we would like you to know about.

For many years our firm, like the thousands of other locker and freezer provisioning establishments throughout the country, has been serving its customers in various ways. Two things that all of us in the industry have in common are the following:

(1) *We sell inspected meat*, supplying sides, quarters and various other cuts of meat to household customers according to their instructions.

(2) *We perform custom services* for farmers, processing and freezing meat from farm-slaughtered animals so that farm people may consume animals they raise.

Selling inspected meat and performing custom services for farmers naturally go together. The combination of these activities, which involve the use of the same personnel, facilities and equipment, has made it possible for us to operate at a reasonable profit through the years while serving our customers.

Now, the very existence of our business and that of thousands of locker and freezer provisioners is threatened. When Congress passed the Wholesome Meat Act of 1967, it unwittingly included a provision, known as Section 23(a), that effectively prohibits us from engaging in the meat business if we perform custom services for farmers. This means that our firm and thousands like us throughout the nation are being forced to discontinue one or the other of our traditional services. Since we can't possibly exist on only part of our business we will be forced to close our doors.

A proposed amendment to Section 23(a) of the Wholesome Meat Act that would solve this problem has been introduced into Congress. In the Senate, the bill is sponsored by Senators Carl Curtis and Roman Hruska of Nebraska and is identified as S. 2983. A similar bill has been introduced into the House of Representatives by Congressman Tom Kleppe of North Dakota, and is known as H.R. 14457. If we can convince Congress to act favorably on these bills, our problem will be solved without in any way weakening the meat inspection program.

If *you are concerned about this* and are interested in seeing to it that our services continue to be available to you, we ask that *you assist us by writing to your Congressman and Senators about this matter.*

We hope that we can count on you for help.

Sincerely yours,

Brownsdale Meat Service.

First American State Bank of
Brownsdale, Minn.,
February 5, 1970.

Representative Albert H. Quie,
House of Representatives,
Washington, D.C.

Dear Al: We have a meat locker in our village that performs custom services for farmers in the area, such as processing their meat for them from their own animals that they have slaughtered; and they also sell inspected meat to household customers.

It is my understanding that under the Wholesome Meat Act of 1967, Section 23A, they would be prohibited from performing both these services. It is also my understanding that there has been an amendment to Section 23A that could correct this problem.

I am sure that many small communities in our state are similar to us in the respect that this is one of our main industries, and it would be a severe handicap to our community if they could not continue to perform both services.

I would therefore urge you that the best interest of the people in the State of Minnesota could best be served by your favorable support on this amendment.

Sincerely yours,

First American State Bank,
Dale C. Madison, *President.*

Sargeant, Minn.

Congressman Quie.

Dear Sir: I am sending you an article, which was in our small local paper.

Will you please look into this and use your influence in helping to pass these bills.

If we lose these small lockers, and our big chain stores get to sell the meat, then we will have to pay more for it, and it seems to me it is high enough as it is.

Thank you.

Sincerely,

Mrs. Oscar Johnson.

Waltham, Minn.,
February 5, 1970.

Hon. Albert Quie:

As a farmer's wife I am concerned that we are able to receive the services of our local locker and freezer plant in the future as we have in the past years. It is by far better that we have our meat processed by the methods of an experienced plant than to try to do our own at home under much less desirable conditions. It is also important that the Brownsdale Meat Service can continue selling meat to customers that don't wish to buy their meat in a super market because as a farm raised boy yourself, I am sure you have noticed the difference in quality and also the variety one gets from a whole beef or hog compared to the few cuts one would purchase in a super market. I would appreciate whatever you can do in Congress so that we can continue having our own farm raised animals processed at our local locker plant and that they can also continue to serve the people who wish to purchase processed meat from the locker plant.

Sincerely yours,

Mrs. Raeburn Hanson.

I urge approval of this legislation so that these communities will not lose the services of a custom slaughterer.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I thank the gentleman for yielding.

I would like to point out that when the original bill was passed, some of us had some concern about the fact that the bill might be detrimental to the interests of some of the small processors that give rural America great assistance. True enough, it did. The interpretation was too strict.

Under the terms of this bill, as pointed out, none of the sanitation measures are overlooked. It is a matter of trying to accommodate this situation, that will permit small processors to serve rural America as they have been served in the past.

I have introduced a companion bill to the one now under discussion, I congratulate the gentleman on the floor who has introduced this bill along with the gentleman from Iowa (Mr. Smith) and others, we hope proper accommodations have been provided and clarified.

Mr. BELCHER. Mr. Speaker, I yield 5 minutes to the gentleman from North Dakota (Mr. Kleppe).

Mr. KLEPPE. Mr. Speaker, I compliment the gentleman from Washington for his remarks in explaining the bill and I wish to indicate very specifically that this does not weaken our meat inspection law.

The amendment to the Wholesome Meat Act of 1967 which is before us today was unanimously approved by the House Agriculture Committee following its passage by the Senate.

Essentially what the amendment does is to permit plant operators to engage in both custom slaughtering and retail meat sales, if they keep the products segregated and meet sanitary standards. I emphasize that it would not lower sanitary standards.

Without this amendment, many North Dakota freezer locker operators may have to close down because they cannot operate profitably if they are restricted solely to custom slaughtering or retail meat sales. There are 193 such small operators in our State who would be subjected to the law who will be taken care of under this amendment.

North Dakota is the first State in

which all meat offered for sale must be federally inspected. The Federal takeover of inspection became effective June 23. Many other States, which were given an additional year to raise their meat inspection standards to the Federal level, face the prospect of Federal takeover of all meat inspection at the end of 1970. Within those States, literally thousands of small plant operators may be forced out of business unless this amendment is approved.

North Dakota meat processors had sought an injunction in Federal district court to prevent the Federal meat inspection takeover. This was denied. The Eighth Circuit Court of Appeals subsequently turned down a motion for a stay order pending appeal of the district court ruling. As the Members will notice in the report:

> The committee is also aware of the imminent deadline of June 23, 1970, when Federal inspection is scheduled to go into effect in the State of North Dakota. The committee, therefore, urges the Secretary to exercise reasonable administrative discretion in enforcing the custom slaughter provisions of the act until such time in the near future when the House has an opportunity to work its will upon this legislation.

Mr. Speaker, I think this is a very important provision and a very important statement in the report. This makes it especially urgent that the amendment to the Wholesome Meat Act be approved by the House today and sent along to the President for his signature. I know of no serious opposition to the amendment itself, which has the approval of the U.S. Department of Agriculture. Therefore, I strongly urge that the amendment be adopted.

Mr. ANDREWS of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. KLEPPE. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Speaker, I wish to associate myself with the remarks of my distinguished colleague, the gentleman from North Dakota, and point out to the House that at issue here is the basic right of the small businessman to continue in operation. This is about the small man who makes a net income of $5,000 or $6,000 a year, half from the retail sales and half from the custom slaughtering. He is forced under the present act—which was certainly not the intent of Congress—to close his doors. If he has to close his doors, it means poor quality meat will be sold in these communities.

This was certainly not the intent of the Congress when the Federal Meat Inspection Act originally passed.

This amendment is vitally needed.

The purpose of the amendment is simply to allow meat processors who are custom slaughterers to buy and sell meat at retail on the same premises as they slaughter.

It is, of course, the clear intent of this bill that nothing in it will be construed to weaken in any way the protection that the act affords consumers, and all the meat that is sold must be Government inspected.

On June 23, North Dakota was the first State in which the Federal Government took over meat inspection duties. The purpose of the Wholesome Meat Act as passed by the Congress in 1967 was to protect the health of the consumer by insuring that the meat that was sold across the counter was indeed clean. As happens so often with acts of Congress, however, the administration of the law in its early application has revealed weaknesses and drawbacks which could not have been envisioned beforehand. The law has created undue hardships and penalties for small meat processors that surely were not the intent of Congress.

I have received assurances of cooperation from USDA with regard to application of that section of the Wholesome Meat Act to be affected by this amendment. In the House Agriculture Committee report which accompanied the bill to the floor, the committee urged that the Secretary of Agriculture exercise reasonable administrative discretion in enforcing the custom slaughter provisions of the act until such time in the near future when the House has an opportunity to work its will upon this legislation.

The government of North Dakota was not able to provide evidence to the Federal Government that it was able to move in compliance with Federal regulations. The Federal Government therefore took over the job of meat inspection in our State, making us a proving ground for the act. The act is proving to be a ruinous and tragic law for many small, custom slaughterers whose livelihood rests jointly on the business of custom slaughtering and retail sale of meat. Forbidden to engage in both practices, these small operators are finding they cannot make a living in either one alone. As they are forced out of business, they and the communities they serve, are the victims of this testing period that all major legislation must go through.

The Wholesome Meat Act was passed to help insure wholesome meat products for consumers. It was not the intent of Congress to put small meat processors who are providing an essential service to their communities out of business.

The passage of the amendment would not impair the thrust of the law, but it will help the small meat processor in North Dakota or any other State that, in the future, fails to meet Federal regulations to stay in business to continue to serve the consumer with a high quality product.

Mr. KLEPPE. I thank the gentleman for his comments.

Mr. ZWACH. Mr. Speaker, I rise in support of S. 3592, the custom slaughter exemption under the Federal Meat Inspection Act.

The Federal Meat Inspection Act, dating back more than a half century and amended from time to time to meet changing conditions, is an excellent law. When we added the Wholesome Meat Act, we did not exempt custom operations from inspection if the person doing custom work engages in the business of buying or selling any meat or meat food products. However, in the district I represent, as well as in many other areas of the country, both these functions—custom slaughtering and custom processing, and the buying and selling of inspected meat products—are carried out at a single establishment. Such an establishment, which may well depend on both types of operations for survival, is often the only source of meat products of custom service in the community.

Without diluting the consumer protection provided in the Wholesale Meat Act, the amendment provided in S. 3592 would improve the effectiveness of the Federal meat inspection program. It would permit custom slaughterers to buy and sell inspected meat and meat products without losing the exemption for custom slaughtering. It also recognizes and protects the special needs of the custom slaughterer while maintaining the standards of consumer protection. This technical amendment makes the custom slaughterer exemption for retail and businesses dependent on those businesses buying and selling inspected meat and meat products. It also requires the slaughterer to physically segregate the custom-slaughtered meat and the inspected meat and meat products offered for sale to the public.

We need to protect the livelihood of these small businessmen in our communities and I urge the House to act favorably on this legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KLEPPE. I yield to the gentleman from Iowa.

Mr. GROSS. I, too, join the gentleman from North Dakota in saying this is a proviso that ought to have been in the original law. I am glad that is now being adopted.

Mr. KLEPPE. I thank the gentleman for his statement.

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. SEBELIUS).

Mr. SEBELIUS. Mr. Speaker, I appreciate this opportunity to discuss proposed amendments to the Federal Meat Inspection Act included in S. 3597.

Presently, the Federal Meat Inspection Act provides an exemption for custom slaughtering—the slaughter of an animal and the preparation of its meat by one person for another. This exemption, however, is contingent upon the custom slaughterer not engaging in the business of buying or selling any meat or meat products whatsoever.

S. 3592 simplifies administration of this act without reducing consumer protection. This legislation changes the exemption to permit custom slaughterers to conduct a separate inspected meat business. It also provides that the Secretary of Agriculture could exempt custom slaughtering and processing performed by an inspected establishment. For consumer protection, the custom-slaughtered articles must be marked "Not for Sale!" and separated at all times from articles prepared for sale.

In many areas of the country, a single establishment provides both custom slaughtering and custom processing. They also purchase inspected carcasses from larger federally inspected plants and process the carcasses for wholesale and retail trade. Many such establishments depend on both types of operations for survival.

In many cases, the volume in these locker plants is not sufficient for them to continue operation as a processor alone. Without enactment of this legislation, many communities will be deprived of a frozen food locker facility. This development would have yet another adverse effect on our rural areas, another step in hastening the rural migration of our citizens to our overcrowded urban areas.

Everyone supports the principle of a clean, wholesome product as specified in the Wholesome Meat Act. Approval of S. 3592 would mean absolutely no loss of consumer protection. The effect would sustain a vital community service and would protect the consumer's local outlet for fully inspected meat and meat food products.

Mr. BELCHER. Mr. Speaker, this is a good bill. It has been needed ever since the meat inspection act was passed. I am completely in support of this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. Scott).

Mr. SCOTT. Mr. Speaker, I rise in support of the bill.

I appreciate the gentleman's yielding. The bill under consideration is similar to H.R. 16895 which I sponsored. It is intended to correct an oversight in the Federal Meat Inspection Act which at present prevents a person performing custom slaughtering from selling any meat or meat product. This change, it is hoped, will be of benefit to the person who raises his own livestock and takes it to the local locker plant to be butchered. Under the changes brought about by the bill under consideration, the Secretary of Agriculture could exempt the locker plant which butchered animals from the current prohibition on custom slaughtering and allow him to continue processing, buying, and selling inspected meat products. His public customers, of course, would continue to be protected as any meat prepared for a private individual would have to be clearly marked as "not for sale" and would have to be clearly separated from inspected meat and meat products that are offered for sale to the public.

As previously stated, this bill will be of benefit to the person who raises his own stock as well as to the hunter who desires to have his game animals suitably prepared by a custom slaughterer. I hope the House will act favorably upon the measure.

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Idaho (Mr. McClure).

Mr. McCLURE. Mr. Speaker, I rise in support of the bill. I want to express my very strong support of this bill. The so-called Clean Meat Act has imposed hardships on small operators, many of whom were wholly or substantially serving the custom slaughter trade. While those who supported that bill now claim that it is regulations and interpretation that have caused the difficulties which this bill seeks to correct. I think it is only fair to remind them that many of us tried to tell them then what would happen. In their messianic zeal they blinded themselves to the facts and refused to listen to any warnings. Their bill was perfect, we were told, and our fears unjustified. Today they are conceding that correction is needed but are unwilling to admit their own responsibility for the problem.

This bill is both justified and needed. It does correct one of the glaring errors of the original legislation.

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. Winn).

Mr. WINN. Mr. Speaker, I am very pleased that we are today correcting an inequity in the Wholesome Meat Act which, had it been allowed to remain, would have forced a number of small meat processors in my district out of business. I refer to that provision which restricted the custom slaughterer from engaging in the business of buying or selling any meat or meat products.

After we had passed the Wholesome Meat Act, I was advised by several freezer and locker provisioners in my district that they would be forced to close because of the need to make a choice of whether to do custom work exclusively, eliminating all selling of meat, or doing commercial work, eliminating custom work. This provision had nothing whatever to do with improving the sanitary conditions in the industry which was the overall intent of the legislation but appeared to be an oversight in the preparation of the bill. I vigorously support the enactment of S. 3592, providing for this corrective amendment to the Federal Meat Inspection Act.

Mr. BELCHER. Mr. Speaker, I have no further requests for time.

Mr. FOLEY. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Iowa (Mr. Smith).

Mr. SMITH of Iowa. Mr. Speaker, I support this legislation. I want to commend the members of the committee, the gentleman from Washington (Mr. Foley) and the gentleman from Oklahoma and others for the work that has been done on this. It has been carefully worked out so as to cure a defect in the interpretation of the law and at the same time to give the protection and relief that is needed to those concerned.

Mr. Speaker, I support H.R. 16485, a bill I have cosponsored to amend the Wholesome Meat Act.

This bill clarifies the 1967 law and writes into law some strengthening or protective provision which might otherwise have been in regulations. H.R. 16485 would not change the intent of that law. It would not cost any additional money. It would, in fact, do what the U.S. Department of Agriculture originally stated that it could do by regulation. Passage of this bill is needed, however, to avoid working an unnecessary hardship on establishments which sell meat and meat food products to the general public and also engage in custom slaughtering operations—that is, the slaughtering of livestock for the owner who plans to consume it on the family table.

After the Wholesome Meat Act became law, a number of locker plant operators who handle meat on a custom basis and also sell some inspected meat at retail made inquiries regarding how it would apply to custom slaughtering operations. The Department's original position was that custom slaughtering would be permitted, by regulation, under section 5 of the act, which provides general authority for the entry into inspected plants of "carcasses, parts of carcasses, meat and meat food products, and other materials" under such conditions as are consistent with the purposes of the act. The Department later decided, however, that the term "carcasses" in section 5 applies only to livestock slaughtered prior to entry into the plant and, therefore, that a live animal cannot be allowed into a plant for custom slaughtering operations where meat is also sold even though the meat sold is handled in full compliance with the Federal meat inspection standards and came from an inspected slaughterer.

The Department also has given a strict interpretation to section 11 of the 1967 law, which added a new section 23(a) to the original Federal Meat Inspection Act. Section 23(a) now provides, in part, that custom slaughtering operations shall be exempt from inspection provided the custom operator does not engage in the buying or selling of meat or meat food products capable of use as human food. Many locker plants are engaged in both custom slaughtering and in preparing and selling meat to the general public, and because of the Department's present interpretation of the law it is necessary to revise section 23(a). Otherwise, those plants selling meat to the general public will be able to handle custom meat slaughtered outside the plant under less than high standards but not be able to handle meat slaughtered in the plant under top sanitary conditions.

This legislation will also protect the consumers who purchase meat from such an establishment. H.R. 16485 specifically provides that all meat prepared on a custom basis shall be kept separate at all times from meat prepared for sale to the general public, and that the custom-prepared meat be marked "not for sale" until it has been delivered to its owner. These provisions could have been included in regulations but were not spelled out in the 1967 law, and so the bill does contain an added measure of consumer protection.

As the subcommittee knows, the Senate has already passed legislation, S. 3592, which deals with custom slaughtering operations. The Senate-passed bill is identical to H.R. 16485, except for one technical amendment which makes clear that all custom operations, whether conducted at inspected or noninspected establishments, shall be subject to regulations requiring separation and marketing of custom-prepared meat. This will provide added assurance that meat prepared on a custom basis is returned to the owner and not sold to the general public, and I recommend to the subcommittee that H.R. 16485 be amended to conform to the bill as passed by the Senate.

Since the provisions of the Wholesome Meat Act relating to intrastate operations become fully effective on December 15 of this year and since some States are already affected, this legislation should be passed as quickly as possible so that operators who are bringing their plants up to Federal standards will know where they stand with regard to custom slaughtering operations and so that State officials will be aware of the requirements in advance. This bill has broad support and contains nothing which could be considered controversial except by someone who still opposes the 1967 act or hopes that preventing this clarification will help to secure an extension of the effective date. I do oppose any extension of the effective date of December 15, 1970, but I am hopeful that H.R. 16485 will be given prompt and favorable consideration.

Thank you.

Mr. **PRICE** of Texas. Mr. Speaker, as a representative of a major beef producing section of the Nation, I am greatly interested in the bill before the House today which would amend the Federal Meat Inspection Act and clarify its provisions relating to custom slaughtering operations.

The purpose of this bill is to improve the effectiveness of the Federal meat inspection program. It would, among other things, permit custom slaughterers to buy and sell inspected meat and meat food products without losing the exemption they currently have under the act.

The present law provides an exemption for custom slaughtering. This exemption is, however, dependent on the custom slaughterer not engaging in the business of buying or selling any meat or meat products whatsoever.

My colleagues on the Livestock and Grains Subcommittee, of which I am a member, have been quite concerned about the operation of this particular law. We feel its application works undue hardships in many instances. For my part, I have found this to be particularly true in the Texas Panhandle because there it is a common practice for small businessmen who employ standards equivalent to the Federal regulations to kill and dress animals for local customers.

In my opinion, the Federal Government has acted with precious little vision in applying the provisions of the Federal Meat Inspection Act to custom slaughterers. For under this law as it is now written, these small businesses would have to either cease providing this local and personal service or they would have to submit to the disproportionately costly and unwieldy Federal inspection process for their custom slaughtering operations. I believe this state of affairs serves neither the interest of the consumer nor the businessman.

It is significant to note this problem is such that both the subcommittee and the full committee unanimously approved the bill. They did so because the bill accomplishes two major objectives. It recognizes and protects the special needs of the custom slaughterer. And it continues to maintain the standards of consumer protection established by the Federal Meat Inspection Act. Among other things, the bill makes the custom slaughterer exemption for retail and businesses dependent on those businesses buying and selling inpected meat and meat products. It also requires the slaughterer to physically segregate the custom-slaughtered meat, the inspected meat and meat products offered for sale to the public.

Mr. Speaker, I urge my colleagues to support the bill before the House. It is fairly drawn and is reasonably calculated to meet the needs of both private enterprise and the American consumer. It is nonpolitical and nonpartisan. It is a bill which in justice and in equity should be passed by this Congress.

Mr. **MIZELL**. Mr. Speaker, I rise today in support of S. 3592, the Custom Slaughter Exemption under Federal Meat Inspection Act. This legislation, which will permit custom preparation of slaughtered livestock in the same business where inspected meats are sold, is vitally needed by many meathandlers in my district in North Carolina, as well as in other parts of the country.

Under the law as it is now written, it is illegal to custom slaughter animals for individual customers in conjunction with the selling of any meat products—even canned soup. In many areas, this law would require a small business to cease providing custom service or discontinue other sales of meat, even if this market is the only source of meat in the region. Many custom slaughterers would find it impossible to remain in business if they could not provide custom preparation of meat as well as general sale of meat products.

Under the provisions set down in S. 3592, sanitary standards must be maintained in custom slaughtering, and all articles handled on a custom basis will be designated "not for sale." Custom preparation would clearly operate as a separate part of the producer's business.

As custom slaughtering is an operation which helps provide a livelihood for many small businessmen, as well as a service enjoyed by customers, I urge the House to act favorably on this legislation and allow this service to continue.

Mr. **MacGREGOR**. Mr. Speaker, I rise is support of this bill to clarify the provisions relating to custom slaughtering operations contained in the Federal Meat Inspection Act.

At the time the wholesale meat act was passed, some of us in the Congress were concerned that it might be detrimental to the small meat processors who perform a valuable service for rural America. A very strict interpretation of the Wholesome Meat Act of 1967, which was the first major amendment of the Federal Meat Inspection Act since 1906, has in fact prohibited custom slaughterers from engaging in the sale of any meat or meat products.

The custom meat slaughterer generally operates a freezer locker for the convenience of butchering and storing meat for area farmers, as well as selling inspected meat on the retail market. Many of the small meat processors will be forced out of business if they are not allowed to continue both custom slaughtering and retail meat sales.

The bill which is before us today would permit both custom slaughtering and retail meat sales by the plant operators, if they keep the products separated and meet sanitary standards. I want to emphasize that this legislation in no way lowers sanitary standards.

This amendment to the Wholesale Meat Act of 1967 has been unanimously approved by the House Agriculture Committee following its passage by the Senate. It also has the approval of the U.S. Department of Agriculture.

I strongly urge the passage of this legislation so that small communities across Minnesota do not lose the services of the custom meat slaughterer.

Mr. **FOLEY**. Mr. Speaker, I have no further requests for time.

The **SPEAKER**. The question is on the motion of the gentleman from Washington that the House suspend the rules and pass the bill S. 3592.

The question was taken.

Mr. **O'KONSKI**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 2, not voting 132, as follows:

[Roll No. 199]

YEAS—297

Abbitt
Abernethy
Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ayres
Beall, Md.
Belcher
Bennett
Biester
Blackburn
Blanton
Blatnik
Boland
Bolling
Bow
Brademas
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carter
Casey
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collins
Conable
Conte
Corbett
Corman
Cowger
Cramer
Crane
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Fish
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Howard
Hull
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall

Kyl
Kyros
Landgrebe
Langen
Latta
Lennon
Long, Md.
Lujan
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McKneally
McMillan
Macdonald, Mass.
MacGregor
Mahon
Mailliard
Marsh
Matsunaga
Mayne
Meeds
Melcher
Michel
Miller, Calif.
Miller, Ohio
Minish
Mink
Mize
Mizell
Monagan
Montgomery
Moorhead
Morgan
Morse
Mosher
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara
O'Konski
Olsen
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Rodino
Rogers, Fla.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Rousselot
Roybal
Ruth
Sandman
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Taft
Taylor
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watts
Whalen
White
Whitehurst
Wilson, Bob
Winn
Wolff
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—2

Burton, Calif.
Ryan

NOT VOTING—132

Adams
Anderson, Ill.
Anderson, Tenn.
Ashbrook
Ashley
Aspinall
Baring
Barrett
Bell, Calif.
Berry
Betts
Bevill
Biaggi
Bingham
Boggs
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Cabell
Carey
Cederberg
Celler
Collier
Colmer
Conyers
Coughlin
Daddario
Dawson
Delaney
Diggs
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Farbstein
Findley
Flowers
Foreman
Frey
Gallagher
Gilbert
Goldwater
Green, Pa.
Griffiths
Halpern
Hansen, Wash.
Harrington
Harsha
Hastings
Hawkins
Hosmer
Ichord
Jones, Tenn.
Kirwan
Landrum
Leggett
Lloyd
Long, La.
Lowenstein
McDade
McDonald, Mich.
McEwen
McFall
Madden
Mann
Martin
Mathias
May
Meskill
Mikva
Mills
Minshall
Mollohan
Morton
Moss
Murphy, N.Y.
Nichols
Obey
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Pettis
Pickle
Poage
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Reid, Ill.
Roberts
Robison
Roe
Rogers, Colo.
Rooney, N.Y.
Ruppe
St Germain
Satterfield
Saylor
Schadeberg
Scheuer
Shipley
Shriver
Sikes
Stanton
Steed
Sullivan
Symington
Talcott
Teague, Calif.
Tunney
Vander Jagt
Watkins
Watson
Weicker
Whalley
Whitten
Widnall
Wiggins
Williams
Wilson, Charles H.
Wold
Wright
Wyatt

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Anderson of Illinois.

Mr. Passman with Mr. Ashbrook.

Mr. Rooney of New York with Mr. Cederberg.

Mr. Gilbert with Mr. Broomfield.

Mr. Sikes with Mr. Pettis.

Mr. Shipley with Mr. Burton of Utah.

Mr. Roberts with Mr. Pollock.

Mr. Delaney with Mr. McDonald of Michigan.

Mr. Daddario with Mr. Meskill.

Mr. Celler with Mr. Halpern.

Mr. Brooks with Mr. Findley.

Mr. Biaggi with Mr. Bell of California.

Mr. Madden with Mr. Collier.

Mr. Boggs with Mr. McDade.

Mr. Barrett with Mr. Williams.

Mr. Aspinall with Mr. Martin.

Mr. Brasco with Mr. Harsha.

Mr. Burleson of Texas with Mr. Bush.

Mr. Cabell with Mr. Berry.

Mr. Mills with Mr. Morton.

Mr. Nichols with Mr. Edwards of Alabama.

Mr. Murphy of New York with Mr. McEwen.

Mr. O'Neal of Georgia with Mr. Mathias.

Mr. Pickle with Mr. Foreman.

Mr. Edwards of California with Mr. Hosmer.

Mr. Edmondson with Mr. Lloyd.

Mr. Gallagher with Mrs. Reid of Illinois.

Mr. Rogers of Colorado with Mr. MacGregor.

Mr. Wright with Mr. Betts.

Mrs. Sullivan with Mrs. May.

Mr. Charles H. Wilson with Mr. Goldwater.

Mr. Ashley with Mr. Minshall.

Mr. Bevill with Mr. Brock.

Mr. Casey with Mr. Hastings.

Mr. Colmer with Mr. Frey.

Mr. Eilberg with Mr. Coughlin.

Mr. Jones of Tennessee with Mr. Stanton.

Mr. Adams with Mr. Weicker.

Mr. Long of Louisiana with Mr. Talcott.

Mr. Tunney with Mr. Powell.

Mr. Whitten with Mr. Shriver.

Mr. Mann with Mr. Teague of California.

Mr. Mikva with Mr. Conyers.

Mr. Burlison of Missouri with Mr. Vander Jagt.

Mr. Anderson of Tennessee with Mr. Whalley.

Mr. Pryor of Arkansas with Mr. Wiggins.

Mr. Purcell with Mr. Watson.

Mr. St Germain with Mr. Watkins.

Mr. Green of Pennsylvania with Mr. Robison.

Mrs. Hansen of Washington with Mr. Ruppe.

Mrs. Griffiths with Mr. Saylor.

Mr. Steed with Mr. Widnall.

Mr. Satterfield with Schadeberg.

Mr. Moss with Mr. Wold.

Mr. Mollohan with Mr. Hawkins.

Mr. Symington with Mr. Diggs.

Mr. Ichord with Mr. Wyatt.

Mr. Farbstein with Mr. Harrington.

Mr. Flower with Mr. Ottinger.

Mr. Obey with Mr. Scheuer.

Mr. McFall with Mr. Kirwan.

Mr. Baring with Mr. Bingham.

Mr. Brown of California with Mr. Lowenstein.

Mr. Leggett with Mr. Landrum.

Mr. Edwards of Louisiana with Mr. Rarick.

Mr. Roe with Mr. Dawson.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

NUMBER OF CIVILIANS KIDNAPED BY VIETCONG SHOWS SHARP RISE

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, according to an article in the Baltimore Sun by John Woodruff, the number of civilians kidnaped by the Vietcong has shown a sharp rise this year. So far in 1970, 3,700 Vietnamese civilians have been abducted. This compares to 2,800 during the same period last year.

Many of these people are community leaders who are temporarily abducted and then returned to their villages. During the time of their abduction the Communists attempt to sell them on the virtues of the Communist life.

This is half of the carrot and the stick approach by the Communists. The other half—the stick approach—is the callous and ruthless policy of force and terrorism, which the Communists also use to try to persuade those leaders to follow them, including frequent assassinations of noncooperating local leaders, and occasional mass murders.

A number of those who are kidnaped are young people. They are taken to North Vietnam, where there is a double hostage program carried out in which the young people are ordered to cooperate under the threat of harm to their families back home and their families back home are ordered to cooperate under threat of harm to their youngsters. This is a disturbing new development by the Vietcong, but it shows their weakness and their desperate need for more recruits.

The article referred to is as follows:

NUMBER OF CIVILIANS KIDNAPED BY VIETCONG SHOWS SHARP RISE

(By John E. Woodruff)

SAIGON, June 13.—The Viet Cong have vastly stepped up their kidnapings of Vietnamese civilians in recent months to a rate that could make 1970 by far their record-setting year.

Analysts here regard the increase in kidnapings as a demonstration both of the Communists' growing shortage of native South Vietnamese workers and of their continuing determination and ability to go on doing whatever is necessary to replenish their slowly thinning organizational ranks.

RATE COMPARABLE TO 1968

In the first five months of this year, the Communists abducted civilians at a rate comparable with that of 1968, the record year for kidnapings. They thus reversed the downward trend that had prevailed through most of 1969.

By the last two weeks of May, abductions had reached a rate which, if maintained for the rest of this year, would push the final 1970 total far beyond the 1968 record.

As usual, the vast majority of the kidnaped civilians are being returned to their home communities within days or at most weeks of their abduction.

COURTESY AND CONCERN

These people are often respected peasants or natural leaders of the villagers' poor. They are taken into the jungle for a few days of indoctrination and sent home, apparently mainly in the hope that at a minimum they will report on the courtesy they were shown and the impressive degrees of organization and concern for the people that purposely are made evident in the jungle camps.

This short-term kidnaping apparently constitutes the "carrot" in the Communist carrot-and-stick terror formula, giving villagers a glimpse of the prospects that await them if only they will help throw off the Saigon government.

The "stick" in this formula is the continuing assassinations and bombings and the rare massacre, such as the recent one at Thanh My, all designed to show how fragile life is under Saigon's tutelage, particularly for those who co-operate with the government.

The kidnapings also serve a longer-term purpose for the Communists. A substantial minority of the civilians abducted is taken to North Vietnam or to jungle bases to be molded into young revolutionaries for return to their home communities or other parts of South Vietnam at a vital moment probably some time after most American troops have gone home.

Vietnamese familiar with this operation say most of these youngsters are talked into going "voluntarily." The government regards all these departures as kidnapings, on the grounds that the teen-agers are not old enough to make such a decision on their own and that parental consent is rarely or never sought.

These youngsters become part of the Viet Cong's highly effective "double hostage" system, whereby they are ordered to cooperate on pain of harm to their families and their families are ordered to co-operate on pain of harm to the youngsters. They thus play a key role in the Communists' program of rebuilding their political structure by putting agents in place to lie low and prepare to strike again in the future.

THE 3,700 ABDUCTIONS

By late May, more than 3,700 Vietnamese civilians had been abducted, according to national police figures. This compares with about 2,800 in the similar period last year. The total kidnaped in the record year of 1968 was 8,759.

In the last two full weeks of May, with the campaign reaching what many here consider its maximum potential speed, 492 civilians were abducted. If this rate were maintained for the rest of 1970—probably a questionable assumption at least for the moment—the 1970 total could pass 11,000.

Even merely maintaining the over-all rate of the first months would slightly exceed the 1968 record.

TRUTH IS AGAIN A CASUALTY

(Mr. COHELAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. COHELAN. Mr. Speaker, since its inception as the Nike-X I have seriously questioned our need for an ABM system. My concern has been directed to the political advisability of the ABM as well as its technical competence. For over 5 years I have sought to clarify this issue and have tried to determine the necessity for ballistic missile defense. My research has led me to oppose the various ABM systems from the beginning, and nothing has transpired to change my mind.

The debate over the ABM has increased in intensity in the past 2 years. Yet we find ourselves more confused than ever before. The administration and supporters of the present Safeguard system have muddled rather than clarify this most important question.

Rather than join the issue, spokesmen for the ABM have treated Congress to contradictory rationales for this system. At one time the ABM is anti-Soviet—at another it is anti-Chinese. At one time it is areawide protection—at another it is Minuteman defense.

The technical objections have never been dispelled. I seriously doubt whether or not the proposed Safeguard system will work. The Department of Defense claims that it will, yet it offers no substantive assurances.

Recently, Dr. John S. Foster, Director of Research and Engineering for the Department of Defense, sought to bolster the Safeguard system by alluding to testimonials of the ABM efficiency by prominent scientists. As it turns out, a number of the scientists involved have clearly disavowed any sanction of the Safeguard ABM and have, in fact, again opposed it on technical grounds before the Senate Subcommittee on Arms Controls.

Mr. Speaker, throughout these years of debate we in Congress have been treated to a series of conflicting statements and half truths about this multibillion dollar program. The more I hear from the Department of Defense the more I am certain that my continuing opposition to the ABM is justified on both technical and strategic grounds.

This morning Marquis Childs discussed the latest developments in the fight between the scientific community and the Defense Department over the Safeguard system. Mr. Childs clearly shows the paucity of the Defense Establishment's position in trying to railroad support for this weapon system. However, according to one of the scientists involved, Dr. Marvin L. Goldberger of Princeton University, no group of scientists or any scientists of repute has ever supported the ABM.

I insert the Marquis Childs' column in my remarks and recommend it to the attention of my colleagues:

TRUTH IS CASUALTY IN STRUGGLE TO PUSH NIXON'S ABM PLANS

(By Marquis Childs)

The first casualty of war, truth is also a casualty of the fierce struggle over the next round in the nuclear arms race. This was dramatically demonstrated before the Senate Subcommittee on Arms Control in a series of exchanges that almost entirely escaped notice.

The chief propagandist for the Safeguard anti-ballistic missile program of the Nixon administration, John S. Foster Jr., Pentagon director for research and engineering, appeared before the committee early last month. Making his case for Phase II of Safeguard, Foster said he had called together a panel of six distinguished scientists. He asked them to put aside their political convictions and pass on the feasibility of the missile.

"Now there was considerable concern about this move," Foster testified, "but, as a matter of fact, the report was sent to the Secretary of Defense and what it said was that this equipment will do the jobs that the Department of Defense wants to do . . ."

The other day the committee called two of the scientists who served on that panel, Marvin L. Goldberger of Princeton University and Sidney D. Drell, deputy director of the Stanford Linear Accelerator Center. Both had served on the President's Advisory Committee on Science.

They both testified that there was no such statement as Foster had made in the report of the six scientists. Drell, somewhat more charitable than Goldberger, said he did not mean to impugn Foster's integrity and that since the scientists' report had been submitted six months ago he might "not have an accurate recollection" of what it said. The report is classified secret.

Both scientists were unalterably opposed to the work going forward on Phase I of Safeguard, to protect missile bases in Montana and North Dakota, and on Phase II extending the system, they testified. What is more, according to Goldberger, no group of scientists, or any scientist of repute has ever supported the Safeguard system.

The advocates of ABM presented before congressional committees by the Defense Department almost to a man avoided talking about the actual system, even though they were in closed session. Goldberger said:

"The most charitable interpretation one can put on this remarkable fact is that they could not, as men of scientific integrity, defend the system that was being proposed. They concentrated instead on the Soviet threat, the intransigence of the Chinese, national determination, the virtues of defensive weapons as extolled by Mr. Kosygin (the Soviet premier), etc., but never, never on the relation of Safeguard performance to the actual or projected threat."

The Senate will begin debate later this month on money for Safeguard. The Armed Services Committee has reported out a military authorization bill with the Chinese ABM umbrella sheared away and other facets of the administration program pared down. Nevertheless, the vote will be a test of this newest round in the arms race promising to cost billions upon billions of dollars.

The testimony of Drs. Goldberger and Drell goes into a scientific realm that often leaves the layman far behind. Nothing could better illustrate the bewildering complexity of these so-called weapons which, once deployed, take out of human control the choices of response. Their computerized operation is infinitely faster than the human mind, the eye, the hand.

Put in simplest terms—probably over simplified—the scientists' case against Safeguard ABM is as follows: the controlling device is a giant radar, a great brain, that responds to a series of warning impulses by sending defensive missiles into the air to knock down incoming offensive missiles. The scientists contend, one that the giant brain is altogether too vulnerable to attack and without it Safeguard is a zombie. Second, they contend that there is no proof whatsoever—quite on the contrary—that the defensive missiles will function when the heavens are exploding with incoming nuclear flack designed to thwart them.

One point in Drell's testimony is perfectly clear. The estimated cost of Phase II–A of Safeguard is $7 billion, which comes to $70 million apiece for Safeguards to protect 100 Minuteman missiles. But Minuteman III, an * * * tiple warheads, costs only $8 million. So a defense that is no defense at all, if one accepts the view of scientists who know most about this whole 21st century madness, costs 10 times as much as the offense.

This is what President Nixon called at a press conference in January a "virtually infallible" defense. Between the politicians and the scientists the credibility gap is appallingly wide.

LOUIS PEICK: TOUGH TEAMSTER—NEW RISING STAR ON AMERICA'S NATIONAL LABOR FRONT

The SPEAKER. Under a previous order of the House, the gentleman from

Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

(Mr. PUCINSKI asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, the lockout of truckdrivers in Chicago is over, and the main credit for the end to this long labor dispute is mainly the work of tough, but understanding, Louis Peick, secretary-treasurer of local 705 in Chicago.

Because of his determination and strong following by his membership, more than 450,000 teamster members in America will enjoy a substantial increase in their earnings over the next 3 years.

It was Louis Peick who insisted that his members in Chicago must receive a wage increase totaling $1.65 an hour spread over the next 3 years, and it was Louis Peick who finally won acceptance for his Chicago drivers of this wage package.

Louis Peick had the good fortune of being supported in his drive by Fred Joyce, head of local 710, and Ed Fenner, president of the independent truckdrivers of Chicago. They were the supporting team and stood resolutely behind Peick in his determination. They were also fortunate to have the unyielding support of Ray Schoessling, president of the joint teamsters council in Chicago, who never wavered in standing behind his men in the long struggle.

Even more important, more than 23,000 members of Peick's local and the members of the other two locals stood firm in their support of their leadership. This firm support brought to victory their 13-week struggle.

Seldom have so many union members stood as firmly behind their leader as the members of 705 stood behind Louis Peick.

As a result, more than 450,000 teamsters throughout America will benefit in wage increases totaling $1.85 an hour over the next 39 months. The new wage package signed by the teamster international leadership with the national truckers over the weekend, represents a substantial increase over the $1.10 an hour originally agreed to before Peick swung into action.

Many have asked why Louis Peick agreed to only $1.65 an hour over the next 36 months for his own membership while the national package calls for $1.85 an hour over the next 39 months.

This difference is a measure of and a tribute to the decency and the unwaiving credibility of Louis Peick. For 13 long and arduous weeks, Louis Peick insisted that he wanted $1.65 an hour spread over 36 months for his membership. No more and no less. He was offered $1.85 for his Chicago membership for 39 months, but he said during negotiations that he would not alter his basic course.

The fact that throughout this Nation teamsters will enjoy an increase of $1.85 instead of $1.10 as originally negotiated by the national leadership catapults Louis Peick into a new dimension of national respect and national leadership. He will negotiate new wage standards for his own membership for the additional 3 months of the national package and I am sure it will be more than the 20 cents difference in the national package.

The past 13 weeks were difficult for his membership, and there were those who counseled Louis Peick to tuck tail and run. But he is made of firmer stuff. As a result, he has carved for the teamster movement a new dimension of leadership, and for his membership a new dimension of earnings.

Recently, the Chicago Daily News carried an excellent article on Louis Peick, his stamina, and his dedication to trade unionism. It clearly indicated Peick's strength and determination not to yield in the face of pressure. Confident of his ultimate victory, he stood fast for 13 long and weary weeks.

Mr. Speaker, not only in Chicago but throughout the entire Nation we will hear more about Louis Peick and his leadership in the months to come. I place the Chicago Daily News article in the CONGRESSIONAL RECORD today with the hope that my colleagues will learn more of this outstanding labor leader.

The Daily News article follows:

LOUIS PEICK: TOUGH TEAMSTER FIGHTING TOUGH BATTLE

(By Lester Hausner)

Louis M. Peick, the chief Teamsters' Union spokesman in Chicago's 5-week-old trucking lockout and strike, did not take time out Saturday to celebrate his 57th birthday.

"What's to celebrate?" asked the hefty and tough-speaking secretary-treasurer of Teamster Local 705.

"We'll have reason enough when we sign all the companies to our new contract."

Peick is respected by the local's 23,000 members for his honesty and the hard position he takes with the truckers in contract negotiations.

"I tell the men who aren't working that if they want the $1.65 (an hour over three years) contract we're demanding, that they'd better be prepared to be out of work a long time.

"Men standing in line to buy food stamps (the union pays members $15 a week in strike or lockout benefits) tell me 'don't you even settle for $1.64, Louie.'

"I've got a mandate from my members to settle for $1.65. I won't even talk about that $1.10 (over 39 months) Teamsters are voting on in the rest of the country."

Although Pieck won't consider the $1.10 contract, which, if accepted, would apply to 450,000 Teamsters outside of Chicago, the large trucking companies here state they definitely won't go any higher in Chicago.

"This is a tough battle, all right," Peick said. "It's going to end when everyone here signs for $1.65."

He said he has signed up more than 1,300 companies to the $1.65 agreement.

When will the large companies sign? he was asked.

"I heard one of their spokesmen talking about Lake Michigan freezing over," Peick said.

"It doesn't have to be that long. I'm here every day ready to sign contracts."

Peick's salty speech and booming voice can easily be heard through the locked doors of rooms where he is negotiating with the truckers.

He became a member of the Teamsters as a warehouseman for National Tea in 1930. Two years later he was driving a truck, later becoming an employee in the office of Local 705.

He subsequently was made a business agent then office manager of the local.

In 1947, Peick was kidnaped and tortured by bandits who forced him to give them the combination to the union's safe, containing $25,000.

On June 2, 1950, he was beaten with a baseball bat and shot twice while walking near his home.

Police never determined whether Peick was attacked by would-be robbers or because of union strife.

As secretary-treasurer of Local 705, Peick has served as chief contract negotiator for as many as 11 Teamsters locals simultaneously.

"There are tougher jobs. I think the President of the United States should be paid $1 million a year, tax free. Look how a President ages after a few years in office," Peick said.

What about those Illinois House members, who just voted themselves a $3,000, or 25-per cent, pay raise?

"If those guys gave themselves that much, we may have to up our $1.65," Peick said.

RECENT TRAGIC EVENTS EMPHASIZING THE URGENCY OF ENACTING THE "ORGANIZED CRIME CONTROL ACT OF 1969"

The SPEAKER. Under a previous order of the House, the gentleman from Arizona (Mr. STEIGER) is recognized for 10 minutes.

Mr. STEIGER of Arizona. Mr. Speaker, I would like to draw the attention of Members of this body to three articles appearing recently in the Washington Post, concerning a trial currently going on in Trenton, N.J.—Saturday, June 20, 1970, page A6, column 1; Friday, June 26, 1970, page A3, column 3; Wednesday, July 1, 1970, page A4, col. 1. In that trial several defendants, including Hugh J. Addonizio, who until July 1 of this year was mayor of Newark, and Anthony "Tony Boy" Boiardo, an alleged Mafia lieutenant, face Federal charges of extortion and conspiracy in connection with Newark city contracts.

A great deal of interesting evidence has been presented in the trial, including sworn testimony that the former mayor personally received thousands of dollars in unlawful payments from a contractor. My purpose today, however, is not to dwell upon the merits of the criminal charges, but to mention certain circumstances surrounding the proceedings before and during the trial.

According to the newspaper articles to which I have referred, there have been two suspicious "accidents" fatal to Government witnesses before or during the trial. First, one of the defendants in the case, Mario T. Gallo, died on February 10, 1970, when the car in which he was driving alone left the road and struck a bridge abutment shortly after he allegedly had agreed to cooperate with Federal prosecutors and become a witness in the case. Second, a vice president of the First Jersey National Bank, Paul Anderson, died on June 19 when he suffered an apparent heart attack while driving alone on his way to testify for the prosecution, and the car left the road and struck a tree only two miles from the spot where Mr. Gallo's collision had occurred. Both fatal collisions are still under investigation, according to the news articles.

Six days after the second accident, the $50,000 bail on which Anthony Boiardo had been released for the pendency of his case was revoked by the Federal district court, though no reason was given at the time for the revocation. In that connection, one notes not only Mr. Boiardo's alleged position in La Cosa Nostra but also the conversations concerning him which were overheard during the FBI electronic surveillance disclosed in 1969 and 1970 by Federal district courts in New Jersey. One such conversation by Mr. Boiardo, which previously has been inserted in the CONGRESSIONAL RECORD, page 2437, February 4, 1970, was summarized by the New York Times as follows:

> With the thermometer outside at 20 degrees, [Angelo] DeCarlo, Tony Boy Boiardo and Simone Rizzo (Sam the Plumber) DeCavalcante gathered in the warmth of The Barn, DeCarlo's lodge at Mountainside, N.J., and regaled themselves with reminiscences of old Mafia murders.
>
> "How about the time we hit the Little Jew . . ." recalled Boiardo.
>
> "As little as they are, they struggle," was DeCarlo's remark.
>
> Boiardo, enthusing to this story, went on: "The Boot [Boiardo's father, Ruggiero] hit him with a hammer. The guy goes down and he comes up. So I get a crow bar this big, Ray [DeCarlo preferred the nickname Ray to that of Gyp.] Eight shots in the head! What do you think he finally did to me? He spit at me and said 'You (obscene)!'"

The most recent of the three Washington Post articles reports a news leak which could explain the bail revocation, and possibly, just possibly, the two fatal one-car automobile collisions. According to that article, Boiardo's bail was revoked when the district judge learned that the New York City police had relayed a message that individuals associated with Boiardo "were planning to 'get' members on the Government side," contemplating assassinations not only of Government witnesses but even of the prosecutors (Post, July 1, 1970). While the First Assistant U.S. Attorney has refused to confirm or deny the existence of the alleged plot, on the basis of a court ruling against disclosure of the situation, the newspaper reports that, when Boiardo's bail was revoked, U.S. marshals also were assigned to guard the prosecutor around the clock.

Of course, it is too early and the newspaper articles are too sketchy to permit the drawing of firm conclusions about the significance of all the events concerning the New Jersey trial. One cannot yet be sure, for example, what lessons that case can teach to a Congress considering passage of S. 30, the "Organized Crime Control Act." It is clear already, though, that Mr. Addonizio was the kind of mayor whose official conduct ought to be subject to the kind of citizen oversight which the grand jury reports permitted by title I of S. 30 would provide. Certainly, the report filed on January 9 of last year by the Essex County Grand Jury exposing the widespread gambling in the city of Newark and the failure of law enforcement to suppress it, and censuring Mayor Addonizio for public statements minimizing the significance of illegal gambling—a report prepared and published under less rigorous procedural protections than those required by title I, yet unanimously approved by the Appellate Division of the New Jersey Superior Court—illustrates the value of grand jury reports. (See CONGRESSIONAL RECORD, page 18029, June 3, 1970.)

Similarly, Anthony Boiardo, who was subjected to electronic surveillance a number of years ago and was overheard admitting participation in a brutal murder, exemplifies the danger of making unnecessary disclosure to defendants of confidential Government files on informants and investigations, and illustrates the need for enactment of the minimal restraints on such disclosure as provided by title VII of S. 30. His case may also demonstrate once again the value of title VI, authorizing the taking of depositions of witnesses, as a means of protecting the witnesses from retaliation and preserving their testimony in case they die or otherwise become unavailable.

Whether or not time proves the absence of laws such as those proposed in S. 30 to have affected the Addonizio and Boiardo case, the case is a reminder of the continuing risks to which the House of Representatives exposes all citizens if it fails to act promptly on the "Organized Crime Control Act." It would be intolerable if witnesses and law-enforcement officials were endangered by our hesitancy to act, and if people like Anthony Boiardo should therefore continue to flaunt society's laws and endanger all Americans. We must relieve the Nation of those dangers, and prompt passage of S. 30 will be a major step in doing so.

The articles follow:

[From the Washington Post, July 1, 1970]

PLOT TO SLAY WITNESSES IN NEW JERSEY TRIAL REPORTED

(By David C. Berliner)

TRENTON, N.J., June 30.—The abrupt and mysterious revocation last Thursday of reputed Mafia lieutenant Anthony (Tony Boy) Boiardo's $50,000 bail at the extortion-conspiracy trial of Newark Mayor Hugh J. Addonizio followed a tip that an assassination plot was developing against government prosecutors and witnesses.

Although the reason for the move was sealed in the record by Federal District Judge George Barlow, it was learned Monday night that New York City police had relayed a message Thursday reporting that individuals associated with Boiardo were planning to "get" members on the government side.

One of six remaining defendants charged with carrying out the alleged kickback scheme, Boiardo has been taken to jail in nearby Somerset County at the end of each court day.

Herbert Stern, first assistant U.S. attorney who has led the prosecution, cited a court ruling against disclosure of the situation in neither confirming nor denying existence of the alleged plot. On the same evening that Boiardo's bail was revoked, however, two U.S. marshals were assigned to guard Stern on a round-the-clock basis.

The trial has already lost two defendants and a government witness through death.

One defendant, Municipal Magistrate Anthony Juiliano, died of natural causes shortly after the 66-count indictment was handed up on Dec. 7, 1969. Mario Gallo, a contractor, was killed in February in a still-unexplained crash when his car swerved off a road in the community of West Orange and slammed into a bridge abutment.

Gallo reportedly had agreed only three hours before the accident to testify on behalf of the government.

Paul Anderson, a bank official, was also killed in a similar car crash several weeks ago. Driving to the trial where he was scheduled to appear for the prosecution, Anderson apparently lost control of his car and crashed into a tree. The mishap also occurred in West Orange. Investigations into both fatal accidents are continuing.

When court reconvenes here Wednesday, Addonizio will again sit quietly at a corner of the defense table watching the proceedings. But for the first time in eight years, he will not be mayor of Newark.

That is because Kenneth A. Gibson, a black engineer who defeated him by more than 12,000 votes in a runoff June 16, is scheduled to be sworn to office in the morning.

"I'd like to say 'God bless him,'" Addonizio said this afternoon at the end of a long day in court. "He has my deepest sympathy. I recognize the problems he is faced with."

Addonizio's attorney, Bernard Hellring, and Julius Feinberg, counsel for Newark Municipal Utilities Authority Director Anthony P. LaMorte, continued cross-examination today of Paul Rigo, the heavily protected government witness who has testified he was forced to kick back company funds as well as personally hand over tens of thousands of dollars in payoffs to Addonizio and other top Newark officials.

But while the trial dragged on today, interrupted frequently by increasingly bitter exchanges between defense and prosecution attorneys, Addonizio took time during a recess to muse on his current situation.

"I've never seen twelve people whose faces change as infrequently as this jury's," he commented. "We asked the judge immediately after the run-off to let them know the outcome of the election, but he ruled against it."

Later in the afternoon, Judge Barlow again turned down a petition by Hellring that the jury be informed of the incumbent mayor's loss. The information, Barlow said from the bench, was not pertinent to the case and would be indirect contradiction to the express reasoning behind the sequestering of the jury.

It had been assumed by most participants in the trial that Addonizio would try to keep the fact of his loss away from the panel because of its potential interpretation as an unofficial "guilty vote" on the part of the voting public.

ADDONIZIO WITNESS DIES IN AUTO CRASH

TRENTON, N.J., June 19.—A government witness on his way to testify at the extortion-conspiracy trial of Newark Mayor Hugh J. Addonizio today was killed in an auto accident. The trial of Addonizio and six others was recessed until Monday.

The victim was identified as Paul Anderson, about 65, a vice president of the First Jersey National Bank. The accident took place in West Orange, about two miles from the spot where another prospective government witness, Mario T. Gallo, was killed in a similar accident Feb. 10.

Police said Anderson apparently suffered a heart attack.

Gallo, a key figure in the case and one of its earlier defendants, died the morning after he had agreed to cooperate with federal prosecutors in the case.

Both men died in single-car accidents. Both were alone in their autos and on both accidents the cars went off the road and slammed into a solid object.

There were reports that the Gallo accident was the result of mechanical failure. However, his death still is under investigation and his car, which struck an abutment, remains impounded. Anderson's auto was wrecked when it crashed into a tree.

[From the Washington Post, June 26, 1970]

WITNESS: TESTIFIES TO PAYOFFS MADE DIRECTLY TO ADDONIZIO

(By David Berliner)

TRENTON, N.J., JUNE 25.—The key government witness today told a federal jury he twice walked into Newark City Hall in 1968 and personally handed thousands of dollars in payoffs to Mayor Hugh J. Addonizio and other top city officials.

Speaking without hesitation, contractor Paul Rigo testified he made secret deliveries of $29,000 in cash on the two trips, with $3,000 going to Addonizio. Before stepping down from the witness stand, he had ticked off a total of $43,500 that he said he doled out at City Hall during 1967 and 1968.

The testimony marked the first direct linking of the mayor to the alleged elaborate kickback scheme.

A further development late in the afternoon compounded the already high drama of the day's proceedings. After a half-hour delay and in-chamber conferences with attorneys, Federal Judge George Barlow revoked the bail of defendant Anthony (Tony Boy) Boiardo, a reputed Mafia lieutenant.

The mysterious action means Boiardo will be kept in custody while court is not in session. Judge Barlow sealed the minutes of the closed-door conference, but said in open court that he would reconsider the bail action when the prosecution completes its case.

Referring repeatedly to pocket-sized diaries which he compiled between 1964 and 1969, Rigo swore that Anthony P. LaMorte, then director of public works for the city of Newark, told him in late 1967 that Boiardo "was no longer free to make the distribution of the 10 per cent payments we had been making to the mayor and various members of the council and other officials and things."

So with Boiardo turning over the delivery chores to Rigo, Rigo said he still paid the same amount but now was giving a portion directly to the officials himself.

"The price was $10,000 apiece to each of eight councilmen and the mayor, and Mr. LaMorte felt he was entitled to $25,000 since he was the responsible public official."

Addonizio, LaMorte, Boiardo, two alleged Mafia figures and two other former councilmen are charged specifically in the 66-count indictment with extorting $253,000 from one of Rigo's firms, Constrad, Inc.

Constrad and other companies were involved in numerous engineering and construction jobs for the city of Newark during the years of the alleged kickbacks.

After testifying today that he handed out smaller amounts, Rigo said he had a business associate pay LaMorte $5,000 on Jan. 26, 1968. On Feb. 13 of that year, he said glancing repeatedly to decipher cryptic notations in the diaries, he paid $500 each to Lee Bernstein and Frank Addonizio, two former councilmen who were indicted but whose cases have been severed from this one. (Frank Addonizio is a distant cousin of the mayor.)

On March 22, 1968, Rigo said, he met the mayor "in his office" and gave him $2,000 in cash. LaMorte received another $5,000 on that visit and six councilmen were given $1,000 each. Two recipients also took $1,000 each for two absent councilmen, he said.

Two weeks later, on April 4, Rigo testified, he returned to City Hall and met his accountant, Charles Fallon, who had "a bag full of money." With the aid of Rigo's secretary, the two men carefully split up $14,000, placed the cash in small envelopes and personally paid Addonizio $1,000 of the total. The rest was divided among councilmen and LaMorte.

Asked by First Assistant U.S. Attorney Herbert Stern why he had agreed to make the direct payoffs, Rigo replied: "If I didn't do it, sir, I would have lost God knows how much money. In addition to that there was always this fear element, I think, involved in this."

The best method of making payoffs, he said, involved two companies owned by Fallon's father-in-law. "We worked out a system whereby they would give us vouchers for work not performed," Rigo explained. "We would give them checks and we would get 80 per cent back in cash."

THE MILITARY PROPAGANDA MACHINE

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, last December the Congress approved an amendment I offered to the fiscal year 1970 Defense Appropriation Act which provides that—

> No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress. (Section 601, Public Law 91–171, December 29, 1969).

Since then, I have tried to find out whether this amendment has had any effect on the Defense Department's $40 million-a-year public affairs juggernaut. I report, sadly, that it has not.

Propaganda and huckstering continues unabated. The Defense Department and the separate services continue to sponsor conferences and junkets at which leading civilians are feted, briefed, and cajoled, all with the goal of persuading them that the Department of Defense is doing good things with its $77 billion share of the Federal budget, and that it would do even better things with a bigger share.

I wrote to Secretary of Defense Laird on February 4, 1970, asking what plans the Defense Department had for making sure that the section 601 prohibition against propaganda was not violated. Assistant Secretary of Defense for Public Affairs Daniel Henkin replied on February 18, saying that Secretary Laird had told everybody on March 4, 1969:

> Propaganda has no place in Department of Defense public information programs.

And that all directives, policies, and public information plans which did not comply with that principle were to be "revised or rescinded." Mr. Henkin said he had sent out a memo reminding everyone of that on the very day he wrote me. The memo said the principle set out by Secretary Laird the year before was to be "strictly adhered to" in all public information programs and activities.

I was gratified that the Defense Department had been adhering to this salutary principle for all that time. Accordingly, I wrote back to Mr. Henkin on February 25 asking him for "a full report on all directives, policies, and public information plans which have been revised or rescinded since March, 1969" in order to comply with Secretary Laird's "no propaganda" directive.

A month later, on March 27, I got my reply, signed by Deputy Assistant Secretary for Public Affairs Jerry W. Friedheim. A total of two plans had been "revised or rescinded" as a result of Secretary Laird's directive. One was the ill-fated "master plan" for selling the Sentinel ABM System, which was revealed on February 16, 1969, by the Washington Post. Secretary Laird rescinded the plan 3 days later. The other change involved a classified plan. It can be said, however, that the revision made was purely cosmetic and of no significance.

An indication of the attitude around the Pentagon toward Secretary Laird's "no propaganda" directive can be found in a statement attributed to an Air Force information officer in an article in The Nation for April 20, 1970, "The Brass Image" by Derek Shearer:

> We all knew Laird didn't mean what he said. He had to say that for the press and Congress, but we still go on with our job. We're in the image-making business.

The Defense Department cannot be relied upon to police itself. The propaganda machine moves inexorably on.

There is a law, however, and laws are meant to be enforced. I therefore asked the General Accounting Office to undertake an extensive investigation of the Defense Department's public affairs activities to determine which of these activities might be a violation of the ban on propaganda. The GAO, we agreed, would report to me on those activities which might violate the ban, and I would select from among them certain activities and request a formal ruling from the Comptroller General on whether they constituted a violation.

The GAO's investigation lasted for nearly 3 months, and produced a pile of material almost 2 feet high. They had, they told me, merely scratched the surface of this $40 million-a-year operation. Nonetheless, I wrote to Comptroller General Elmer Staats on June 23 and requested a formal ruling on the legality of a number of the activities the GAO investigation had uncovered. I ask that this letter be printed in the RECORD at the conclusion of my remarks.

Let me describe briefly some of the public affairs activities which appear to me to violate the ban on propaganda in the Defense Appropriation Act, and on which I have asked the Comptroller General to rule.

JOINT CIVILIAN ORIENTATION CONFERENCE

This is an annual 8-day cross-country tour of military installations for approximately 75 leading civilians. It has been held every year since 1948 and is run by the Office of the Secretary of Defense. The civilians participating are nominated by the President, various Congressmen, and the Secretary and Assistant Secretaries of Defense. The nominees are to be "leading representatives of the educational, business, labor, religious, professional and industrial communities of the United States" and "particular consideration should be given to educators and members of the clergy"—memorandum from Assistant Secretary of Defense Daniel Z. Henkin on the 1970 JCOC, dated November 25, 1969.

The 1970 conference, held from April 19–28, began in Coronado, Calif., and ended in Washington, D.C., and included a visit to ships in the Pacific and stops at military bases in California, Colorado, Texas, North Carolina, and Maryland, with a sedulous laying on of briefings and demonstrations all along the way.

Somewhere in the course of all this activity there surely must have been something which fits into Webster's definition of "propaganda":

> Doctrines, ideas, arguments, facts, or allegations spread by deliberate effort through any medium of communication in order to further one's cause or to damage an opposing cause. (Webster's Third International Dictionary, 1961.)

Assistant Secretary of Defense Henkin, in the November 25, 1969, memorandum just quoted, said that the conference was to be "self-supporting financially." That sounds nice, but then Mr. Henkin went on to explain what he meant. The participants in the conference would, to be sure, pay their own way to and from the conference, and would be charged a fee for food, lodging, and so forth. But who was to pay for all the military arrangers and briefers and demonstrators—most of them high-ranking officers—and for the military transportation so abundantly provided? The taxpayers, that is who. For the 1969 conference, the per diem cost alone for the military personnel directly involved came to more than $2,000, and that is just the tip of the iceberg. See CONGRESSIONAL RECORD, volume 115, part 22, pages 36136–36138.

The total cost of these conferences may not come to much when compared to what the Pentagon spends on other things, but it certainly is enough to bring the conferences within the terms of the section 601 ban on propaganda:

> No part of any appropriation contained in this Act—

And so forth.

AIR FORCE CIVILIAN DISTINGUISHED VISITOR PROGRAM

This program consists of 2-day free tours for "civic leaders" to acquaint them with the Air Force "mission and capabilities"—memorandum from the commander in chief, Strategic Air Command, December 15, 1969.

For 1970, the Strategic Air Command has planned 26 of these junkets, and other Air Force units another 100 or so.

The tours usually originate in large cities and the "distinguished visitors" are then transported to various Air Force installations. As Senator FULBRIGHT reported last December:

> Popular spots to visit were Las Vegas, Hawaii, and Florida. (CONGRESSIONAL RECORD, vol. 115, part 27, p. 37013.)

The stated purpose of the trips, as reported to Air Force Headquarters, varies—one recent report uncovered by the GAO says that the intention of the trip—an April 28–30, 1970, junket for "20 civic leaders" from Laredo, Tex., to Peterson Field, Colo., and back—"is to expand local community leaders knowledge of U.S. aerospace activities and missions; to engender in these men a deeper appreciation of the variety, scope, and objectives of aerospace power; and to deepen their conviction that community support of Air Force activities contributes effectively to local public interests and national security."

Apparently the distinguished visitors are charged a small fee for meals and lodging, but Uncle Sam foots the bill for all the military planes that fly them about and the military officers and men that attend them.

Lest it be thought that the Air Force obtains no benefit from thus expending the taxpayers' money, let me quote the following testimonial from one visitor, Mr. F. H. Orbison, president of Appleton Mills and chairman of the Wisconsin Young Presidents Organization:

> We certainly learned firsthand (Mr. Obison wrote the Air Force) the reasons why our military technical programs require the vast sums of tax dollars and the people they utilize. (Quoted in "The Brass Image" by Derek Shearer, *The Nation*, April 20, 1970.)

SECRETARY OF THE NAVY GUEST CRUISE PROGRAM

The Secretary of the Navy guest cruise program allows the Navy to host a large number of civilian "opinion leaders" on a series of 3- to 5-day cruises each year. The most popular cruise is a 4½-day jaunt from California to Hawaii, held four times a year with around 15 guests on each occasion.

The purpose of these exercises is to "present the modern Navy to responsible community segments"—U.S. Navy Public Affairs Regulations, B–4204. Visitors are entertained with the usual plethora of briefings, supplemented by mock demonstrations of naval action.

Apparently the Navy does not normally schedule special cruises just for guest cruise purposes, but the regulations specify that they can do so if the fleet commander and the Chief of Naval Operations think it is a good idea—Navy Public Affairs Regulations, B–4204(3)(a).

The Navy's guests are told that they must make their own way to the port of embarkation, and pay for their own meals. However, they are assured that expenses for meals while on board will be "quite nominal." Furthermore, with the approval of the Chief of Naval Operations, Government air transportation to the point of embarkation and from the point of debarkation may be provided to the Navy's guest—Regulations, B–4204 (10)(b)(2).

I might add a note here for women's liberationists. Under the heading of "Criteria for Selection of Guests," the Navy regulations provide that "women will be permitted to take part in cruises only during daylight hours." The regulations do not disclose whether this discrimination, an apparent violation of the equal rights amendment, is for the protection of the ladies or for the protection of Navy personnel.

FILMS, SPEAKERS, RADIO AND TV PROGRAMS, AND MISCELLANEOUS EFFLUVIA

A sampling of public affairs effluvia emanating from the Defense Department and the various services every year follows:

FILMS

Anticommunism is a frequent theme, with chillers like "Red Nightmare," described as follows:

> An adaptation of the film "Freedom and You," this deals with the nightmare situation of an American citizen who finds himself in a Communist village and is rudely awakened to his civic responsibilities. 1965.

More recently, films on the Vietnam war have become popular. There is, for example, a half-hour color film entitled "The Unique War." The Defense Department's capsule description says:

> The film reviews basic concepts of the war in Vietnam with emphasis on the special task of the fighting man there. Shows how American servicemen are helping to build a nation at the grass roots level and winning the minds and hearts of the people. Points out the necessity of denying the enemy popular civilian support. 1966.

Then there is the Navy's "Eye of the Dragon," described as follows:

> The story of the American Navy Advisors to Vietnamese junk forces told in a panoramic style using a mortgage of sequences, native music and the Kipling theme of "East is East" and "West is West". 1968.

On the lighter side, the Navy Information Office distributes a film produced by the LTV Aerospace Corp. with Navy assistance called "The Ballad of John Green." The handsomely printed brochure describing the film features a full-page photograph of a rugged swimsuited naval aviator embracing an attractive bikini-clad young lady on a deserted ocean beach as the twilight gathers and the waves lap about their feet. The caption says:

> As romanticized by the soundtrack balladeer, this unusual film offers a penetrating look at today's Naval aviation.

SPEAKERS

High-ranking military officers apparently spend a lot of time making speeches. Last December, for example, the Defense Department reported to Senator FULBRIGHT that Gen. William Westmoreland had 59 separate speaking engagements in the 10-month period from August 1968 to May 1969—CONGRESSIONAL RECORD, volume 115, part 22, pages 36140–36141.

The most prolific military speaker in the last few months of 1969, a time of great controversy over the Vietnam war, was Gen. Lewis W. Walt, Assistant Commandant of the Marine Corps. According to the Shearer article in the Nation, referred to earlier General Walt delivered the same basic speech on the average of twice a week throughout October and November.

> In the past year, more than 10,000 Americans have been killed in Vietnam—

Walt told the Florida convention of the Red Cross—

> Those who dissent may not have fired the rifle or thrown the grenade. But they must bear a part of the responsibility for the losses of those gallant Americans.

In a November 6 speech to the Annapolis Rotary Club, Walt said:

> Those who are in positions of authority know the potential cost of a premature pullout. They know that the blood of millions of Vietnamese would be on their hands . . . Our premature withdrawal from Vietnam would become a major victory for the forces of international communism.

Military speakers do not always deal with political themes, however. Take this thought-for-the-day from an instructor at the Defense Information School—quoted in Shearer:

> The military establishment must learn, as successful industry already has, to use its

own qualified speakers or "salesmen." Proper use of such speakers is the best method of creating the "true image" of the military services in the mind of the public and inspiring public confidence in the military which is essential to the continued success of the military "corporation."

RADIO AND TV

Everybody gets into the act here.

The Army's thing is "The Big Picture," a million-dollar-a-year operation producing 30-minute color films which are provided free to 313 commercial and 53 educational TV stations. According to Shearer, 55 segments were produced in the latest 2-year period, 17 of them on Vietnam.

The Navy does "Victory at Sea." In 1968, it made 49 news film releases for TV, and 55 1-minute TV news featurettes.

The Air Force lacks a stirring title for its thing, but it still managed to put out 148 films and 36 TV film clips in 1968.

Nor is radio slighted. All three services supply tapes to commercial radio stations. A highlight of the Air Force radio operation is "Pro Sports Report," a weekly, 5-minute radio sports feature containing Air Force spot announcements and distributed to 150 major market commercial stations.

PASSIVE RESPONSE OR ACTIVE PROMOTION?

The public has a right to know how the Defense Department is spending the public's money. But it also has a right to be free from propaganda, huckersterism, and flackery conducted at public expense. How is the Defense Department to do one without slipping over into the other? Propaganda, after all, is frequently in the eye of the beholder. Or, as Superme Court Justice Potter Stewart once said of hard-core pornography:

> I can't define it, but I know it when I see it.

A workable guideline, I would suggest, is the following: If the information is made available to the public only in response to an unsolicited request, the activity is legitimate. But if films, speakers, radio and TV programs, and the like are actively promoted, the requests from the public are actively solicited, then the activity constitutes propaganda and the prohibition in section 601 is being violated. This is the standard I have asked the Comptroller General to adopt in his ruling.

Much of the Defense Department public affairs activity is of the former kind; but much of it, clearly, is not. Take, for example, these items uncovered by the GAO:

In a February 2, 1970, memorandum from the Air Force Systems Command to the Secretary of the Air Force, it is reported that the Speaker's Bureau at Holloman Air Force Base, N. Mex., has prepared a "colorful brochure" describing the services and topics available. The brochure, the memorandum says, was mailed to "clubs and organizations throughout southern New Mexico and southwestern Texas." There was a "tremendous response" to this mailing, the memorandum goes on, assuring that "this program will develop into an excellent vehicle for getting the Air Force story to civilian organizations through speakers and films, as well as making friends for the Air Force throughout the area."

In the daily summary of media contacts prepared by the Director of Information, Department of the Air Force, it is reported on February 27, 1970, that the Secretary of the Air Force, Office of Information—SAFOIN—"has interested NBC–TV in the possibility of AF public service announcements for use on network programs." On December 10, 1969, the magazine and book branch staff prepared a report on their visit to New York, where "a story on the importance of manned military aircraft in the 1970's and one on training for the C–5 were presented to editors who agreed to assign writers to do them." And on October 7, 1969, it is reported that "a total of 156 CONUS TV stations have requested the Air Force Christmas TV Show thus far." Noting that the deadline for requests was only a week away, the summary said:

> This week we are calling the Information Officer (IO) at each base near a market in which no acceptance have (sic) been received in an attmpt to get additional coverage for this 30-min. program.

CONCLUSION

Mr. Speaker, it is time to put the Pentagon's propaganda machine into low gear. I hope that the Comptroller General will rule soon on the public affairs activities I have just outlined. Outlawing this rampant hucksterism would be a big step forward in pollution control. It would also save the American taxpayer some money.

I include in the RECORD at this point my June 23, 1970, letter to Comptroller General Staats, as well as the article from the April 20, 1970, issue of The Nation by Derek Shearer, to which I have referred frequently:

JUNE 23, 1970.

Mr. ELMER STAATS,
Comptroller General,
General Accounting Office,
Washington, D.C.

DEAR MR. STAATS: On February 27 I wrote to you asking that you initiate a study of Department of Defense public affairs activities to determine in a preliminary way which of those activities might violate Section 601 of the Defense Appropriations Act for Fiscal year 1970. That Section provides that: "No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress." (Public Law 91–171, December 29, 1969.)

We agreed that the GAO would report to me on those public affairs activities which might violate the prohibition on propaganda, and that I would then select from among those certain activities and request a formal GAO ruling on whether they violated the prohibition.

I have now finished my review of the material you have supplied to me. Accordingly, I ask that you rule formally on the legality under Section 601 of Public Law 91–171 of the following public affairs activities of the Department of Defense:

(1) *Joint Civilian Orientation Conference (JCOC)*: a tour of military installations by approximately 75 leading civilians usually lasting about 8 days. Held annually since 1948. Although it is said that these conferences are to be "self-supporting financially," they are clearly not self-supporting in a strict accounting sense. The participants are not charged for the time of the military personnel involved, or for transportation between military installations. Appropriated funds are therefore being used, and Section 601 should apply to this type of activity. (Reference: Section A–15 of material provided by GAO.)

(2) *Air Force Civilian Distinguished Visitor Program:* An extensive series of two-day trips for "civic leaders" to acquaint them with the Air Force "mission and capabilities." As in (1), there is a substantial commitment of military personnel to these programs, and military aircraft are used for transportation. (Reference: Sections C–14 and C–20.)

(3) *Secretary of the Navy Guest Cruise Program:* Three to five day cruises conducted frequently throughout the year to "present the modern Navy to responsible community segments." Guests are charged a "nominal" fee for meals and must provide their own transportation to and from the point of embarkation, but this of course does not suffice to make this activity self-supporting. (Reference: Section D–10.)

(4) *Films, speakers, radio and TV programs, etc.:* There are innumerable examples of this kind of activity throughout the material provided to me. Much of the material of this sort reaches the public only in response to unsolicited requests. This can perhaps be viewed as legitimate distribution of information to interested persons. However, whenever films, speakers, radio and TV programs, and the like, are actively promoted, and requests from the public are actively solicited, it seems to me that there is a violation of Section 601's ban on propaganda. An example of the kind of active promotion I have in mind is contained in Section G–3 of the material provided to me. A memo dated February 2, 1970, from the Air Force Systems Command to the Secretary of the Air Force states that the Speaker's Bureau at Holloman AFB, New Mexico, prepared a "colorful brochure" describing the services and topics available.

The Brochure was mailed to "clubs and organizations throughout southern New Mexico and southwestern Texas." There was a "tremendous response" to this mailing, the memo says, assuring that "this program will develop into an excellent vehicle for getting the Air Force story to civilian organizations through speakers and films, as well as making friends for the Air Force throughout the area."

I appreciate very much the work you and your staff have done in gathering this material for me, and I shall await your formal ruling on the activities listed above. I realize that further investigation of these activities may be necessary before you can rule on their legality.

Sincerely,

HENRY S. REUSS,
Member of Congress.

[From the Nation, Apr. 20, 1970]

THE BRASS IMAGE

(By Derek Shearer)

(NOTE.—Mr. Shearer is affiliated with the Institute for Policy Studies in Washington and is a guest lecturer at the University of Maryland. He is co-editor of a study on National Security and the Pentagon to be published in the fall by Doubleday. This article is based on research sponsored by The Businessmen's Educational Fund.)

WASHINGTON.—In December 1969, Sen. J. William Fulbright offered in four consecutive speeches on the Senate floor a detailed picture of the public relations activities of the military establishment. The information unearthed by his staff, while it may have startled a few members of Congress, was really nothing new—a Pentagon propaganda machine has been in operation for more than two decades with the knowledge and support of America's civilian policy makers in the State Department and the White House. In fact, the civilian cold warriors laid down the fundamental tenets of anti-communism and fostered an atmosphere in which the public relations newspeak of the military has thrived.

It was Dean Acheson, a graduate of Yale and Harvard Law School, and a member of the law firm of Covington and Burling, who agreed with Senator Vandenberg that the American people and Congress had to be "scared" in supporting the Truman Doctrine which proclaimed America's willingness to intervene anywhere in the world. And it was Secretary of Defense James Forrestal, an investment banker from Wall Street, who told the first graduating class of the Armed Forces Information School in 1948 that "part of your task is to make people realize that the Army, Navy and Air Force are not external creations but come from and are a part of the people. It is your responsibility to make citizens aware of their responsibility to the services."

Under President Eisenhower, Secretary of State Dulles, with generous help from Sen. Joseph McCarthy, continued to encourage the anti-Communist hysteria. The "liberals" of the Kennedy administration—such men as Walt Roscow, Dean Rusk, Robert McNamara and McGeorge Bundy—were no different; they too taught people to see the world in cold-war terms. Under Kennedy and Johnson the funds allotted for military public relations increased tenfold, reaching $27,953,000 by 1969 (and the figure, based only on information made available by the Pentagon, is conservative). This money pays for films, speakers' bureaus, traveling art shows, civilian "orientation" tours and numerous publications, all designed to convince the public that the road to true national security lies in more sophisticated weapons systems, a worldwide counterrevolutionary military force, and a patriotism that supports any and all military adventures in the name of anti-communism.

As Michael Parenti states in his excellent *Anti-Communist Impulse*, "it was not the military that manufactured anti-communism, but anti-communism that built the military state." If the world is threatened by international communism, then naturally the United States must maintain an overwhelming military force to combat it—and the people must be convinced of this necessity if funds and support are to be won from Congress. What follows is a description of the lengths to which the Pentagon goes to propagandize the public and maintain its privileged power position in American society.

On the first floor of the Pentagon is the Office of the Assistant Secretary of Defense for Public Affairs (OASDPA). With a budget in fiscal year 1969 of $3,697,000 and a combined military and civilian staff of 200, OASDPA formulates public affairs policy guidelines for the services, and coordinates Department of Defense public relations. Within the Pentagon, each service maintains its own information office, OASDPA and the three services, plus the Marines, operate branch information offices in New York, Chicago and Los Angeles.

The joint-service Defense Information School (DINFOS) at Fort Benjamin Harrison, near Indianapolis, trains military information officers, photographers, journalists and radio and TV broadcasters. It was created in July 1964, when Secretary of Defense Robert McNamara merged the Army and Navy information schools. Enrollment has risen steadily: when the school opened there were 850 students; in fiscal year 1968, DINFOS trained more than 2,000 information experts. In addition to learning basic writing and broadcasting skills, students, according to *The Airman*, official magazine of the Air Force, "are taught how to identify the various opinion-making bodies and pressure groups likely to be found in a typical civilian community."

Upon taking office, Secretary of Defense Melvin Laird formally notified all information offices that "propaganda has no place in the Department of Defense public information programs." However, the distinction between information and propaganda is lost on military public relations men. As an information officer in the Air Force explained: "We all knew Laird didn't mean what he said. He had to say that for the press and Congress, but we still go on with our job. We're in the image-making business."

Creating the proper image necessitates a judicious use of all commercial media, particularly motion pictures and television. The Motion Picture branch of OASDPA assists companies whose films "will be in the interests of the Department of Defense."

In late 1968, the Navy and the Department of Defense agreed to cooperate with Twentieth Century Fox on a film called *Tora, Tora, Tora* (the name of the radio code signal that told Japanese commanders the attack on Pearl Harbor was a success). The Navy provided the 333,000-ton *Yorktown* to play the role of a Japanese carrier. U.S. Navy pilots flew planes simulating Japanese bombers. Altogether, eight Navy ships were involved, including three destroyers. This support came when the future of the aircraft carrier was being debated in Congress.

Rep. John M. Murphy (D., N.Y.) criticized the Navy's low-cost loan of the ships, and informed the public that a Navy crewman had been injured while on duty with Twentieth Century Fox. Responding to this criticism, Darryl Zanuck took full-page ads in *The New York Times* and *The Washington Post* stressing the public service rendered by *Tora, Tora, Tora,* which would remind the public to be ever vigilant against sneak attack.

In June 1969, Rep. Benjamin Rosenthal (D., N.Y.) revealed the extent of the help which the Army had provided to actor John Wayne and his company, BATJAC, in the filming of *The Green Berets.* Rosenthal angrily stated that "the glorified portrayal of the Vietnam War, which is the heart of this film, raises serious questions about the Defense Department's role in using tax funds for direct propaganda purposes. . . . This alliance of Hollywood and the Pentagon seems to have brought out the worst in both institutions."

A report from the Comptroller General's office (requested by Rosenthal disclosed that the amount charged Wayne for use of facilities at Fort Benning, Ga., did not accurately reflect the cost. Rosenthal asked what other films in past years had received DOD help. The Deputy Assistant Secretary of Defense for Public Affairs replied that all files on the subject more than two years old had been destroyed.

The Los Angeles Public Affairs Office does not wait for Hollywood to come to the military. The official "mission" book of the Air Force information office in Los Angeles states that the office must: "maintain close contact with Screen Witers Guild to stimulate interest in using USAF environment in conjugation with proposed film stories, and generate and submit story ideas and outlines to story editors and producers of network entertainment TV series." This office supplies technical advisers to TV shows. For example, an Air Force project officer was assigned to the ABC–TV series *12 O'Clock High.*

It is Air Force policy to refuse such aid to TV shows that it does not like. One such show was *I Dream of Jeannie.* While the Air Force would not appoint an official adviser to the series, the information office wanted to watch the show. "We didn't approve the show, of course," explained an officer in the Los Angeles office, "but we wanted to have some say in the production. Unofficial, you understand. So we sent over a couple of officers in uniform, medals and all, to observe. After they had been around for a few days, naturally the crew asked for some technical advice and our men provided it. We wanted the show to portray the Air Force as accurately as possible."

To make sure that the military "story" is given to the public "as accurately as possible," the Pentagon and the services also produce their own theatre and TV films.

The Department of Defense operated five camera teams in Vietnam in 1968. A release from the Public Affairs office in the Pentagon explains that "the purpose is to document, for relase to national television, the feature aspects of the military participation in Southeast Asia often ignored or bypassed by national media film crews because of the pressure of hard news events. They are not in competition with the civilian media. Rather, they supplement the coverage by major networks. The high usage of the material produced by these teams is indicative of the effectivenes of their efforts." The units produced 118 films in 1968. Topics included the humane treatment of Vietcong prisoners and activities of Thai medical forces near Kanchanaburi, Thailand, 125 miles northeast of Bangkok.

The Department of Defense has also produced over the years films of a more general, ideological nature. Some of them listed by OASDPA as available for public showing are: *A Free People* (folk music sung by Gordon McRae, the New Cristy Minstrels and Peter, Paul and Mary to accompany scenes showing the American way of life from colonial times to the present); *The Line Is Drawn* (a story, based on letters to his family from Capt. James P. Spruill, U.S.A., who was killed while on duty in Vietnam); *The Road to the Well* (James Cagney narrates a documentary on modern communism).

Third Challenge: Unconventional Warfare, which lasts forty-five minutes and shot in color, shows a fictional Third World country threatened by guerrilas. The leader of the insurgents is dressed in a Nazi-like uniform; his number-two man looks remarkably like Che Guevara. Trouble mounts, the insurgency grows; then the United States enters the scene. Loyal government troops, trained by us in counter-guerrilla measures, wipe out the rebels' stronghold. The guerrilla leader escapes in a small boat, to foment revolution in some other country (which is why American must be ever vigilant).

The hero of *Freedom and You* skips his union meetings for bowling. His wife reproves him, but he makes light of her. He dreams one night that the town has "gone Communist." His eldest daughter announces that she is leaving home to join a work brigade. On Sunday he tries to take the younger children to church, only to find that the church has been turned into a people's museum. He stares dumbfounded at exhibits of ancient telephones and airplanes which list Russians as the inventors. "Hey, Americans discovered these," he shouts, and commences breaking apart the displays. He is arrested and tried; his wife and children testify against him. Just as a pistol is being placed to his head, he awakens "to a full realization of the importance of his civic responsibilities."

Each of the services has its own film-making program. The headquarters for Army films is the Signal Corps Photographic Center in Long Island City, N.Y. It occupies one of the largest motion picture studios in the East, built at a cost of $10 million and purchased by the Army from Paramount in 1942.

A branch of the Signal Corps, the Special Photographic Office, was established during the Johnson administration to work overseas "for the purpose of obtaining filmed documentation of U.S. Army activities in the cold war, with a primary emphasis on counter-insurgency." In the third quarter of 1969, a team on duty in Korea shot 32,112 feet of motion picture film, and 1,344 still photos, including color 16 mm. footage of the Republic of Korea Armed Forces Day ceremonies; bridges, roads and rail lines throughout Korea, and the "Focus Retina" joint airlift exercise with U.S. and Korean forces.

The Big Picture is the Army program which makes thirty-minute, TV color films at a cost of almost $1 million a year. In the latest two-year period, fifty-five segments were produced and shown on overseas American Forces Television and in the United States on 313 commercial and fifty-three educational stations. Seventeen of the fifty-five segments dealt with Vietnam. These films, given free to stations, include *The Bridge*—in which John Daly plays host on a visit to the Army Chaplains' school at Fort Hamilton, N.Y.; *When the Chips are Down*, on the National Guard, with Bob Hope commenting merrily on the training and readiness of the citizen soldiers, and *Shotgun Rider*, a description of which reads: "The Shotgun Rider, protecting the stagecoach, blasted a colorful trail through the pages of American history. Today he still plays a colorful role, for the war in Vietnam has put the shotgun rider back in business. Not aboard a stagecoach, but in a helicopter. His weapon is no longer a shotgun, but a machine gun. His mission, however, is the same—to protect the interest of a free people as he stretches from his helicopter firing at enemy targets."

The Navy produces a similar series entitled *Victory at Sea*. In 1968, it made forty-nine news film releases for TV, and fifty-five one-minute TV "news featurettes." Two films on the dangerous effects of drugs, *A Trip to Where* and *LSD*, the Navy estimates, have been seen by 75 million people. The Navy also distributes *Stay in School and Graduate*. Not to be outdone by *Shotgun Rider*, the Navy has produced a twenty-eight-minute color film, *Eye of the Dragon*: "The story of the American Navy Advisors to Vietnamese junk forces, told in a panoramic style using a montage of sequences, native music and the Kipling theme of 'East is East' and 'West is West.' "

All three services supply tapes to commercial radio stations. The Air Force appears to be the most imaginative. It produces *Pro Sports Report*, a weekly, five-minute radio sports feature containing Air Force spot announcements (distributed to 150 major market commercial stations); and *Serenade in Blue*, a weekly thirty-minute radio feature starring the Air Force band, and broadcast by approximately 4,000 commercial and armed forces stations.

The Air Force also put out 148 films and thirty-six TV film clips in 1968. Its *Operation Pathfinder Exercise* deals with American forces in Spain. A description reads: "Depicts largest airborne training exercise in Europe. Demonstrates USAF, U.S. Army, and Spanish troops in hypothetical combat situation. Pictures Moron, Spain, center of activity, where men, equipment, and supplies are dropped in enemy territory. Portrays paratroopers in mass assault to secure airfield. Shows effective tactical air power with proud forces marching before commanders. Depicts bullfight and reception given by Spanish people in honor of participants."

When Senator Fulbright read this blurb to the Senate last December, Senator Gore of Tennessee inquired: "I do not quite get how closing a movie with a bullfight will get more money out of Congress. That might be the purpose, but how does it operate?" Fulbright replied that "the purpose of my comments is to show that they are not justified in the public interest, nor are they justified by, or even relevant to, the security of the United States."

Another 1968 edition to the Air Force film club is *The Other Side of the World*, which "documents civic action programs conducted in Thailand's rural areas by Air Forces' 606th Air Commando Squadron. Shows operation of medical and dental clinics, and construction of sanitation facilities. . . ." Senator Fulbright noted that until seeing the film, he had not known the United States was engaged in pacification-type activities in Thailand, and suggested that the Foreign Relations Committee "might learn more about the American presence around the world in watching Department of Defense movies than it does in briefings by Executive branch officers."

The military uses TV and movies to "inform" the general public. For more influential citizens, it prefers the personal touch—a firsthand visit to the Pentagon or to various military installations. Since 1948, the Department of Defense has held an annual series of Joint Orientation Conferences in which "a group of approximately seventy business, industrial and professional men are invited to visit representative military installations during this eight-day traveling conference."

Bennett Cerf, of Random House, described his reaction to such a conference in an article, "Ten Days with the Armed Forces," which appeared in the July 22, 1950 *Saturday Review*. He wrote of the invitation that "I consider [it] one of the biggest honors and luckiest breaks of my career." Cerf pointed out that the Secretary of Defense wanted leading citizens "to see and hear at first hand . . . how the Department of Defense was carrying out its own obligations . . . and count[s] on his guests to spread the good word as loudly and vehemently as they knew how. It worked like a charm."

After listening to speeches by generals and admirals, the group was flown to Fort Benning, Ga. There "a display of our remarkable new recoilless weapons (and other arms still considered secret) had the audience gasping." They also saw the airborne troops begin their parachute training. "It was at our next stop, Eglin Air Force Base, Florida, that I had my unforgettable ride in a jet fighter plane." After a harrowing thirty-one-minute flight "over the Gulf of Mexico at the modest speed of 510 miles an hour," Cerf "made a speech that sent all the others clamoring for jet rides. The air was full of petrified VIPs the next day. I must have caused the Air Force a pretty penny."

In recent years, a number of participants in the orientation conferences have been from Defense firms, and as Senator Fulbright suggested "would appear to be already familiar with Defense activities and no doubt assist in influencing the views of their fellow participants."

In the past two years, 188 VIP's enjoyed Navy hospitality on thirteen "orientation" cruises, most of them destined for Hawaii. One guest, Bertrand Harding, at the time director of the Office of Economic Opportunity, apparently liked his September 1968 trip to Hawaii on the U.S.S. *Coral Sea*, so much that he went back in March 1969 aboard another carrier.

Popular spots in the Air Force's "distinguished visitor program" include Las Vegas, Hawaii and Florida. Ogden and Salt Lake City civic officials made a trip to the Lockheed plant in Marietta, Ga., and "received a briefing on the C–5A and its meaning to future Air Force logistics." Newsmen from Kansas City traveled to Cape Kennedy "to build rapport and improve media relationships between this headquarters and greater Kansas City news media." Texas attorneys journeyed to the Air Force museum at Wright Patterson Air Force Base, Ohio, for an opportunity "to become more familiar with the Air Force's history and mission." The Strategic Air Command's most recent community relations report listed five groups of "distinguished visitors" from Boston, Minneapolis-St. Paul, New York City, Los Angeles, and San Antonio—and twelve "specialized groups," ranging from the Smaller Business Association of New England to New York artists, as visitors over a six-month period. Mr. F. H. Orbison, president of Appleton Mills, and chairman of Wisconsin's Young Presidents Organization, wrote the Air Force after his tour that "We certainly learned firsthand the reasons why our military technical programs require the vast sums of tax dollars and the people they utilize."

In some instances, military visitors' programs are designed with a specific purpose in mind. A fact sheet on the Army Air Defense Command's (ARADCOM) public relations program Operation Understanding states: "Poised on the doorsteps of America's mightiest cities, guarding against air attack, stands a phalanx of lethal Nike-Hercules and Hawk missiles, the muscle of the Army Air Defense Command (ARADCOM). These surface-to-air missiles, and their forebears, have defended city gates for more than ten years. Despite their protective role, their advent was not always welcome. City officials often opposed government acquisition of choice municipal land. The public did not always relish the idea of troops and lethal missiles in their back yards."

The pilot run of Operation Understanding came in May 1956, when ARADCOM took newsmen on a tour which included a trip to Red Canyon Missile Range, N.M., to view the firing of a missile and a visit to ARADCOM headquarters in Colorado Springs. A year later, Operation Understanding faced its first public test. The Los Angeles International Airport had been picked as the site for a nuclear Nike installation, and local citizens stories and grumblings by legislators followed were upset—demonstrations, critical news stories and grumblings by legislators followed the announcement. The Army invited the Mayor, other civic officials, prominent citizens and newsmen on a tour. "When Mayor Norris Poulson went on the air," says the fact sheet, "the opposition dissolved. He declared, 'I wish all the people of Los Angeles could have seen for themselves what the Nike can do for our city. Seeing is believing.' "

Close to 8,000 guests have participated in more than 400 tours in the years following the first junket for newsmen in 1956. The Army considers the program a dramatic success and boasts that "results are dramatically apparent. Following a New Jersey missile site explosion in 1958, enlightened communities in the area responded with sympathy and understanding; criticism was restrained and minimal. Missile men and their families had become accepted as valued members of the community, not as a 'necessary evil.' " The 1967 fact sheet states that an "enlightened public" can be counted on to aid in the acceptance of future Nike-X sites.

The military is not content to charm influential citizens with fancy tours; it also aims to provide them with a proper politico-economic outlook on the world. Established in 1948 by the Industrial College of the Armed Forces, the National Security Seminar program has been conducted in 163 cities with a total audience of 180,000. The purpose, explains *Air Force and Space Digest*, "is to present briefly and plainly the relationships among the military, political, economic and social factors that contribute to national power, together with a panoramic view of U.S. interests in a troubled and changing world." Those who attend the two-week sessions in selected cities each year include reservists from all the services and civilians from business, professional and community organizations. The seminars consist of a series of lectures by officers from the faculty of the Industrial College. In each city, the program is sponsored jointly by a military and a civic organization; a reserve headquarters is designated as military sponsor, and reservists who attend are awarded retention, promotion and retirement credits. The civilian sponsor, usually the local Chamber of Commerce, provides the auditorium and publicity.

Information given at these seminars is sometimes news even to Congress. Participants are told that "the U.S. has treaties with both Turkey and Iran—to defend them against Russia—if need be." (None that the Senate has ratified.) However, judging from the responses cited by the Industrial College, support for the educational program is enthusiastic. A Congresswoman said: "And thank goodness we have, in our democratic society, an informed military which is not only allowed, but encouraged, to share its knowledge with the public in seminars such as this." A minister from North Carolina wrote: "I attended the last seminar six years ago, and was so impressed and so well informed, that as a concerned citizen, I could not afford to miss this one. You can be assured that I will not contain this information within myself but shall spread it abroad." Each service also holds its own annual strategy seminars for prominent citizens.

Obviously, public speaking has become an important military skill. "The military establishment must learn, as successful industry already has, to use its own qualified speakers or 'salesmen,'" writes an instructor at the Defense Information School. "Proper use of such speakers is the best method of creating the 'true image' of the military services in the mind of the public and inspiring public confidence in the military which is essential to the continued success of the military 'corporation.'"

The public affairs office of the DOD in the Pentagon operates a speakers' bureau for high-ranking Pentagon officials. In late 1969, a flurry of activity surrounded President Nixon's policy statements on Vietnam. Military leaders addressing Rotary Clubs, ship launchings, Red Cross meetings, took a hard line, often more forceful than that of Vice President Spiro Agnew. The most prolific speaker was Gen. Lewis Walt, assistant commander of the Marine Corps, who delivered in October and November (the key moratorium months) the same basic speech on the average of twice a week.

"In the past year, more than 10,000 Americans have been killed in Vietnam," Walt told the Florida convention of the Red Cross. "Those who dissent may not have fired the rifle or thrown the grenade. But they must bear a part of the responsibility for the losses of those gallant Americans." In a November 6 speech to the Annapolis Rotary Club, Walt said: "Those who are in positions of authority know the potential cost of a premature pullout. They know that the blood of millions of Vietnamese would be on their hands. . . . Our premature withdrawal from Vietnam would become a major victory for the forces of international communism."

Early in 1965 a Navy Department Speech Bureau was established within the Navy Office of Information in the Pentagon. This is not simply another speakers' bureau. As a Navy publication points out, "The Navy Department Speech Bureau is the only known activity within the Executive Branch of the Federal Government which provides both speakers for public events and speech materials to be used by those speakers from a single office." One of the first acts of Rear Adm. H. L. Miller, Navy Chief of Information, was to publish a *Navy Speakers Guide,* designed to assist Navy speechmakers in their preparation and delivery of public addresses. The Navy also publishes *Speech Points*—a quarterly list of suggestions and references for speech topics. Speeches are collected in a yearly volume, *Outstanding Navy Speeches,* and selections of useful quotations are published each year in *Quotable Navy Quotes.*

The 1968 *Navy Speakers Guide* includes more than twenty-five articles by Navy and Army officers, speech professors and professionals from the fields of TV, radio and journalism. Members of the National Society for the Study of Communication and of the Speech Association of America prepared special articles on request, and the guide includes such useful discourses as "The Framework of a Dynamic Speech," "Mental Attitude and the Speaker," "How to Speak on TV" and "Speaking from Manuscript."

The Navy also provides training in the electronic media. The Naval Photographic Center in Washington has all the equipment used in commercial TV and film production and provides "coaching rehearsals for naval and Marine officers and civilians. These practice sessions include work with live cameras and teleprompters with video-tape equipment to allow the speechmaker to watch himself on playback." Located within the Speech Bureau in the Pentagon is the Navy Speech Evaluation Laboratory, available on request to Navy speakers who want to improve their speech delivery through practice and self-evaluation. "If you cannot come to Washington," notes an article in the *Navy Speakers Guide,* "Check with your Public Affairs Officer or Training Officer in regard to local opportunities for studio practice."

Through speakers' bureaus which each Army post is encouraged to maintain, an estimated 1,000 audiences a month are provided with Army speakers. Young, returned veterans from Vietnam are urged to address public gatherings; *Army Digest* noted proudly that, since returning from Vietnam, a Col. John G. Hughes had delivered 240 speeches. *The Washington Post* reported in December 1969 that an Army major was used by the Pentagon to provide public counterattacks to critics of the war. Maj. James Rowe, who spent five years as a captive of the Vietcong, filmed twenty television interviews and cut six radio tapes with Congressmen; the tapes were sent to the home stations of the Congressmen or used in Army information programs. In several of these appearances, Rowe questioned the patriotism of Sen. George McGovern, and charged that the American liberal press was printing material which breaks the morale of American prisoners. According to Col. Lloyd L. Burke, an Army legislative liaison officer and Rowe's sponsor in Washington, Army Chief of Staff Gen. William Westmoreland "knows of all his (Rowe's) activity on the Hill and approves of it."

Information officers are taught to seek out speaking engagements in the community, as is shown by a sample letter used for instructional purposes at the Defense Information School, Fort Benjamin Harrison, Ind. It reads:

"Dear . . .:

"Did you know that Fort Jackson maintains a Speakers Bureau, listing capable public speakers who are knowledgeable on many academic, business, and military subjects?

"If you have had difficulty in finding a qualified speaker to address a meeting of your organization, we may be able to help.

"As soldiers, we can speak best about our mission of training young men for the United States Army. But, we are also engineers, conservationists, law enforcement experts, dentists, lawyers, and similarly qualified professionals. . . .

"If this active Speakers Bureau is of interest to you, please contact. . . ."

Officers are encouraged to participate in the speaking program, Information officers are instructed to write to officers in an effort to solicit speakers for the bureau, and it is suggested that base commanders send letters of appreciation to participants in the speakers' bureau.

Under the rubric of community relations, the services operate traveling exhibits which tour the country, telling the military "story." The Army's Community Relations Branch estimates that some 13.5 million people viewed twenty-two of its traveling exhibits in the last half of 1968. The exhibits included such displays as "Communist Equipment in Use in Vietnam," "How the U.S. Army Meets the Third Challenge," "Adapting to Living in the Nuclear Age," "Chaplains Showcase" and "The Airmobile Soldier." The Air Force's traveling exhibits, operating from Wright-Patterson Air Base, Ohio, include a gigantic Titan missile and a Minuteman missile. However, its most elegant exhibit is the Air Force traveling art show, displayed primarily in shopping centers. "After all, it's where the people are these days," said a briefing officer with one exhibit.

Two Air Force personnel are assigned to each traveling exhibit. They work with the sponsor, usually the Chamber of Commerce or the shopping center association, to see that the show is properly arranged and given adequate publicity. The Air Force provides the sponsor with news releases which state that "a unique art exhibit featuring more than 40 original paintings from the U.S. Air Force Art Collection is now on display. The paintings portray dedicated American airmen serving in many lands and many ways . . . all preserving and extending freedom."

The thousands of Americans who wander through the exhibit gaze at such dramatic renderings as "The Cross and the Sword," a painting which depicts an F–102 fighter interceptor in the skies above a church in a remote Eskimo village north of Thule Air Base, Greenland. Other titles listed in an exhibition pamphlet include "Air Force Airlift for the UN—Kimina, Congo, September 1960"; "Buying Souvenirs in Seoul." "Pilots on Alert Duty Playing Chess" and "Good Old Pemmican Air Force Survival Training."

This art is the work of professional artists recruited for the task. In 1954, the Air Force invited members of the Society of Illustrators of New York to visit Air Force installations around the world. The first group went to bases in Europe; later groups were flown to the Far East, to South America, to Alaska and into the North African deserts.

In 1960, the Society of Illustrators in Los Angeles joined the program, followed soon by the San Francisco branch. The artists are given uniforms and the simulated rank of colonel while on the job. "It makes things easier for them," said an Air Force official. "And there is the prestige involved." The Air Force foots the bill for travel and expenses; the art becomes its property. If the Air Force does not like a piece, it will not display it. "We're not going to hang any thing that we think is unflattering to the Air Force, explained an Air Force information officer.

In October each year the artists who have completed work are invited to dinner in Washington and a reception at Bolling Air Force Base where new acquisitions are displayed. The Air Force has arranged with the Internal Revenue Service that the artists can deduct the value of the paintings which they "donate" to the Air Force.

It is the official duty of the Air Force to maintain close relations with the Boy Scouts of America. Twelve Air Force officers are stationed at bases located as near as possible to the twelve regional offices of the Boy Scouts. "Continuing contact between Air Force personnel and members of the Scouting movement will help assure our nation of capable leaders in the future," says Air Force Chief of Staff John P. McConnell. The program with the Boy Scouts is administered by the Continental Air Command, which provides tours, air flights, films and briefings for Scout troops. The Tactical Air Command sponsors a specific Air Explorer Wing, officially Explorer Post No. 54.

Since 1948, the Army has appointed for two-year terms a number of civilian aides to the Secretary of the Army. "In private life the Aides are leaders and authorities in their communities and in their respective fields," says the *Army Information Digest*. "Some are nationally renowned engineers, bankers, attorneys, scientists, editors, industrialists, surgeons, and educators. Most of them have a military background of their own and are, therefore, acutely conscious of the problems of the local commander. . . ." The civilian aides, who meet periodically with the local base commander, "recommend and assist in ways of enhancing understanding between the Army and the civilian community." Each year a national conference of civilian aides is held in Washington.

The Navy, however, has a better idea. Scattered strategically around the country are thirty-one Naval Reserve Public Affairs Companies, consisting of 409 officers and six enlisted men. Each company must submit an annual public relations plan to the Navy Office of Information on its selling activities in the local area. The basic duty of the companies is to "canvass local civic groups and organizations concerned with welfare and recreation of young men, e.g., P.T.A., school boards and church groups, with the purpose in mind of selling Navy as a future career for young men." These companies sponsor a "Day in the Navy" for high school journalists, and a high school Navy Science Day. They try, according to a Navy Office of Information report, to "promote the playing and singing of the Navy Hymn in local churches," particularly on the Navy Sabbath. In the Navy Science Cruiser Program, 220 boys and girls are selected from regional science fairs to ride on a Navy ship. In 1969, the Chicago Naval Public Reserve Company set up a project "to aid the Navy's 'Hands Across the Sea' program by providing six tons of chewing gum from the Wrigley Company for distribution in Spanish-speaking countries."

By 1972 there will be three times as many high school JROTC cadets in the country as enrollees in the college officers' training program. This too is a community relations program. The program cost the DOD $5 million in 1969. The ROTC Revitalization Act established the JROTC program for the Navy, Air Force and Marine Corps (an Army program had already existed with units in 295 high schools). Congress set a limit of 1,200 units—650 for the Army, 270 for the Air Force, 245 for the Navy and thirty for the Marines.

The official DOD justification for JROTC is that "since a major portion of the Federal budget is for the purpose of national defense and since all young men are subject to possible military service, it is considered beneficial that our high school students, as future taxpayers, voters and soldiers of America have an opportunity to learn about the basic elements and requirements for national security and their personal obligations as American citizens to participate in and contribute toward National Security."

Patriotism is the key word in the JROTC program. There is little career advantage for a student who enrolls in the high school program; he can enter enlisted service at the E–2 rather than the E–1 grade in which other enlistees must serve three months and he can transfer a limited number of JROTC credits to the college ROTC, but that's about all.

Comdr. Ralph T. Williams, head of JROTC activities for the Navy told *The Washington Post* that the Navy JROTC program "is young and therefore the Navy has no statistics to validate its worth as a recruiting program or even as a positive motivation plan for involvement of students in NROTC. However there are clear indications that these are reasonable expectations. The program must be considered primarily an 'image' in its current state of development, that is, a project which exhibits the Navy to the public eye and introduces the Navy to the community through the youth of the nation. Add to this the demonstrated effects of better citizenship that are evident where Navy JROTC units exist and the effort and expenditure of funds must be adjudged worthwhile."

JROTC instructors are usually retired officers or noncommissioned officers who receive retirement pay, plus a supplement to equal active-duty salary. The service and the school each pays half the supplement. Uniforms, except for shoes and weapons, and texts are furnished by the military; the schools provide classroom facilities and drill space. The approximate cost of setting up and operating a 170-cadre unit in the first year is $38,350; it drops to $17,500 after the initial outlay.

The role of the ROTC instructor is not limited to his classroom duties; he is also a community organizer. The *Infantry Journal* wrote that the "job is one of public relations—Kiwanis club on Wednesday, speaking to the Sons and Daughters of 'I will Arise' on Friday, cooperating with the Campfire Girls in their new project on Rifle Markmanship . . . training the girls' marching unit with the thought in mind of making them a 'Corps of Sponsors' for the ROTC some time in the future." The increase in the number of JROTC units will, of course, increase the number of such teachers.

How effective is the military propaganda machine? The question is important, and interestingly enough, the Defense Establishment finds it so. In 1965 the Navy hired Louis Harris and Associates to conduct a public-opinion poll on how Americans view the Navy and Marine Corps. The poll's summary concluded that "the Navy's reputation as a fighting force has diminished since World War II. That of the Marine Corps has remained high, perhaps increased." This finding was due, the report suggests, to the changing nature of warfare in the last two decades: Harris also noted that movies like *Mr. Roberts* and TV programs like *McHale's Navy* and *Ensign O'Toole* provided an inaccurate picture of Navy life (*McHale's Navy* especially angers information officers because, as one told me, "it shows blatant disrespect for authority"). "In the absence of popular fare to the contrary," say the pollsters, "the image of the Navy as a fun-loving, easygoing institution remains. . . . An element of toughness and discipline is missing . . . the feeling of 'easy' must be turned into a challenge of no nonsense." With the Marine Corps, on the other hand, "the only potential danger is that the picture may be carried too far, that a reputation for too much toughness, for being overly rugged, for exercise discipline may begin to grow. . . ."

Such findings seem trivial. Americans like a good laugh, even at the expense of the Navy (or any other service) and there is a tradition of making fun of the sergeant, but that does not mean that Americans question the underlying need for a large military establishment and the foreign policy it serves. The effect of more than twenty years of military propaganda, coupled with the continual anti-Communist statements by civilian policy makers has been to give the public a cold-war vocabulary and to teach them to see the world in those terms. The evidence (regardless of any poll) that this has worked is the willingness of the public to support larger and larger defense budgets. It can be said that America has been patriotic in the sense that the military desires—that is, it will pay for what the military wants. Rep. L. Mendel Rivers, chairman of the House Armed Services Committee, is correct when he claims that "the American people are not interested in a balanced budget when it comes to security. . . . I have traveled the length and breadth of this country. They say, 'We will forgo anything but our security.' "

The belief that national security can be purchased by spending more money for weapons systems, and deploying more Green Berets around the world, has been inculcated in the public. Patriotism is synonymous in this view with militarism; love of country is equated with an open pocketbook and proudly sending one's sons to die in a senseless Asian war.

The silent majority is not composed of bloodthirsty killers. Americans do not inherently desire to plunder the Third World, and they certainly don't want a nuclear confrontation with the Soviet Union. The trouble is that they have no alternative way of being Americans; there is no other citizenship open to them. Their choice of action has been defined by the Defense establishment (in concert, of course, with the elite policy makers, and with the help of the media), and it is difficult for them to imagine any other way of thinking, let alone acting. Thus the protest movement of the young is seen as un-American (rather than in the American tradition). The individual has become subordinated to the state. News stories to the effect that people have refused to sign a petition endorsing the Bill of Rights are not trivial.

A free press, then, is perhaps the answer. Unfortunately, the press, particularly the Pentagon press corps, has proved itself in most cases an arm of the Defense establishment. The Pentagon, as might be expected has done everything it could to carry favor with the press, and it has succeeded.

The Office of Public Affairs in the Pentagon maintains a magazine and book division to help writers prepare articles and books on the military. Friendly authors, of course, receive warm treatment. When Robin Moore, a former public relations man for Sheraton Hotels, decided to write a book about the Green Berets, the magazine and book division arranged for him to participate in action training at the Green Beret School at Fort Bragg, N.C., then to accompany Special Forces in action in Vietnam. The Directorate for Defense Information handles interviews, processes and releases speeches, and deals with newsmen. In 1969, it issued 1,604 releases.

Most members of the Pentagon press corps accept the assumptions of the military. Reporters who, in effect, "explain" the Pentagon to the public are invited to write for the various military journals. William Beecher, Pentagon correspondent for *The New York Times*, has contributed a number of stories to these publications. He is considered in Washington to be soft on the Department of Defense. In 1969, Beecher received the Mark Watson Memorial Award for distinguished military writing; he was chosen by the 165th Mobilization Department, U.S. Army Reserves, composed of newsmen who are reserve officers attached to the Army's Information Office.

During the Kennedy and Johnson administrations a reporter who wrote an unfriendly story or published information which the Pentagon wanted to withhold was often investigated. The FBI, or one of the special detective branches in the Pentagon such as the Civilian Security Agency, would harass him, question him about his sources, and, although it can't be proved, tap his phone. Such treatment was dealt reporters of *The Wall Street Journal*, the Associated Press and *Newsweek*, among others.

Such techniques make it hard for the newsmen to do a decent job; in part by scaring potential news sources. When he was Secretary of Defense, Robert McNamara enforced a rule that at the end of each working day every DOD official must report in writing all contacts with newsmen.

Each of the services rewards the "good" reporters, and hounds the "bad." Twice a year, the Navy invites a group of newsmen to spend a few days aboard ship. One of the duties of the thirty-one Naval Reserve Public Affairs units is, according to instructions issued in 1968 by the Secretary of the Navy, to "nominate top media executives for two yearly trips to Hawaii (fifteen per trip) on an aircraft carrier and return via Navy air to the West coast." Newsmen are, of course, included in the orientation programs described earlier. An Air Force Public Affairs report notes that "the use of this airlift [of newsmen], although not authorized in advance through OASDPA, further cemented the fine public and community relations support of an influential segment of the local press, radio, TV, and civilian leaders in the community. Exceptionally good coverage of the five Outstanding Airmen of the Year from Colorado resulted from this trip." Local military units are encouraged to make sure that the community press tells the military's "story." Instructions for the Naval Public Affairs reservists includes: "If the news is devoid of Navy activity, call the media and ask the simple question, "Where is the Navy news today?' "

Each service also supplies local papers and TV stations with stories, photos and film on the activity of soldiers from the neighborhood. The Army Home Town News Center in Kansas City, Mo., estimates that in fifteen years it has issued 32 million releases, a million and a half stills, 175,000 taped interviews and 40,000 motion pictures.

Too much can be made of the military's public relations activities. The American people are not automatons, and blacks and students through their own reading and experience have rejected the Pentagon's propaganda. Nevertheless, the problem is that the great majority of the American public has been affected by twenty-five years of cold-war propaganda, and that there is no countervailing source of information.

Those who wish to dismantle the military-industrial complex and alter officially America's foreign policy are finding it necessary to oppose the Pentagon's public relations machine with their own education program.

To offset military radio shorts, San Francisco peace groups have prepared anti-recruitment ads ("See your draft counselor, not your recruiter"), and have requested the Northern California stations to broadcast them. The basis for their request is the "Fairness Doctrine" of the FCC and the manner in which that doctrine has been applied to cigarette advertisements. In a letter to a local station, a lawyer for the peace groups contends that military service today "is a controversial issue of public importance—far more controversial and far more important than the issue of whether an individual ought to smoke cigarettes." Anti-war groups in other cities are following this lead. A group of business executives who oppose the war in Vietnam has compiled ten-second radio messages protesting the war from leading military men, among them former Marine Commandant David Shoup.

In December 1969, returned Vietnam veterans who opposed the war held a "Trial of the Army" at the University of Washington in response to official harassment of the GI coffeehouse, The Shelter Half. A jury of GIs and a crowd of 1,200 heard testimony against living conditions in the Army and the conduct of the war. Fred Gardner, one of those responsible for the coffeehouse movement, wrote that "the passion of the speeches and the impact on the crowd convinced some observers that the time is ripe for setting up a speakers' program for GIs and Vets. . . . There are so many men back from Vietnam now, yearning for a chance to dissociate themselves from the war machine, that we could confront the Army flacks whenever and wherever they ply their trade. And if a speakers' network were established, it would be the basis for a vets' anti-war organization that had roots in real work."

In January 1970 The Businessmen's Educational Fund, a nonpartisan group concerned about the impact of excessive military spending on national priorities, hired Ernest Fitzgerald, the efficiency expert who was fired by the Pentagon for exposing cost overruns in major weapons systems, and is sending him on a nationwide speaking tour to discuss how the Pentagon wastes taxpayers' money. Fitzgerald is the first in a line of experts critical of the military which the group plans to organize into a speakers' bureau. In Peoria, Ill., the local peace-action council is organizing counter-seminars to be held when the National Security Seminar comes to town in May.

Such education activities are just beginning. They must be greatly expanded and multiplied, if the anti-Communist reflex and the belief that the way to national security lies in more military spending are to be seriously challenged.

RICHARD KING MELLON

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 60 minutes.

Mr. DENT. Mr. Speaker and Members of the House, recently my district, my State, and our Nation lost one of its most outstanding citizens. My district in general, and the beautiful Ligonier Valley in particular have received bountiful benefits from the generosity of Richard King Mellon.

Richard King Mellon was known to all Pennsylvanians for his civic and public services over a long span of years. Many obituaries have catalogued his life's work, his many philanthropies, his career as a solider, banker, and public servant.

I chose to pick just one of his many kind and worthwhile deeds, his love and affectionate devotion to the the valley and rolling hills in and around Ligonier, Pa.

The Ligonier Echo, an authority on our valley, has written the following short tribute to Richard King Mellon, his day, and his life. I commend it to my colleagues:

[From the Ligonier Echo, June 10, 1970]

RICHARD KING MELLON, 1899–1970

In the weeks since the unexpected death of Richard King Mellon the press of the world has devoted columns to his biography, his preeminence in the business world, with particular emphasis on finance, his work as instigator of the entire renaissance of Pittsburgh, his many sizable contributions to hospitals and libraries, to colleges and universities. The roster of his civic achievements and benefactions is so great that it would take a volume to recount it with accuracy and completeness. Most news accounts, for instance, failed to mention his gifts which enabled the Marine Biological Laboratory at Woods Hole, Mass., and the Oceanic Foundation in Hawaii to function; or his favorite conservation organization, the Western Pennsylvania Conservancy.

Likewise his munificence to the Ligonier Valley escaped the attention of most obituary writers although the Valley is full of evidence of his devotion and interest. Mr. and Mrs. Mellon made the Valley the particular object of their affection for, although Pittsburgh was the capital of the Mellons' business empire, Ligonier was their home. And it was at Huntland Downs, the family estate in Rolling Rock Farms, that Mr. Mellon was laid to final rest.

ROLLING ROCK FARMS

The most extensive Mellon project in the Valley has been Rolling Rock Farms which began with a farm which Judge Thomas Mellon bought here in 1882 and grew until it now encompasses some 16,000 acres throughout the Valley and on the western slopes of Laurel Mountain (exclusive of more than 20,000 acres at Rachelwood, 1,500 in Powdermill, and similar installations). Nearly 200 Rolling Rock members own or rent property in the Ligonier area; the rolling hills of the estates and the horse-raising grounds have created an atmosphere which has spread through the whole Valley. Mr. Mellon was personally responsible for the establishment of the Rolling Rock Races, which in 32 annual meetings has become one of America's premier steeplechase events.

Powdermill Nature Reserve was a Mellon gift to Carnegie Museum; it is a center to study the flora and fauna of the Valley and maintains an important bird-banding station. Rachelwood Wildlife Research Preserve, which stretches from Waterford nearly to New Florence and Seward, studies ways in which animals from distant part of the world can acclimatize to Western Pennsylvania. The Mellon family developed Laurel Mountain Ski Resort in 1939, the first such installation in Pennsylvania, and donated it to the State in 1963. It is a cornerstone, along with Linn Run State Park in the new Laurel Ridge State Park which will stretch 57 miles from the Conemaugh River to Ohiopyle.

THE TOWN OF LIGONIER

Reconstruction of historic Fort Ligonier was initiated by the Chamber of Commerce in 1946 and, once it had won the active support of the people, became a major interest of the Mellons who have been the biggest contributors to its development and the building of the museum.

Many years ago Mr. and Mrs. Mellon began blocking out plans for the redevelopment of the business district of Ligonier. The Diamond itself was completely rebuilt, as was the picturesque bandstand. New buildings put up within the past four years include the Town Hall, the Library, the postoffice, commercial buildings on the north side of the Diamond and at 132 W. Main Street. Ligonier Lanes building was expanded and completely renovated; Ligonier Theater has been extensively modernized; and other buildings have been remodeled (such as Ivy Manor and John Everets stores). Mellon Park at W. Main & Walnut Streets was a Bicentennial gift to the town; and the playfield on N. Fairfield Street has become the community's most active recreation center. After the Town Hall and the Library were built. Mr. Mellon settled sizable endowments on them to underwrite their continued operation and management.

OTHER VALLEY PROJECTS

But he did not concentrate on Ligonier to the exclusion of the rest of the Valley. Latrobe Area Hospital and the Ligonier Valley Ambulance are important contributions to the community. Millions of dollars were given to the hospital to enable it to become one of the most modern institutions of its kind. Compass Inn in Laughlintown, a stage-coach hostelry dating from 1799, was purchased through a Mellon gift and launched on a restoration program by the Ligonier Valley Historical Society.

New Florence Community Library was able to put up a new building after a contribution from the Mellons; and many churches were aided by Mr. Mellon, notably Holy Trinity Catholic, Covenant and Fort Palmer Presbyterian, Kregar Community Church, Oak Church of Christ, St. Paul's Lutheran—Mr. Mellon drew no denominational lines. Volunteer fire companies received frequent assistance, such as Ligonier's new equipment and Darlington's fire hall. A grant will enable Talus Rock Girl Scout Council to develop its Hidden Valley Day Camp.

Valley School of Ligonier owes its existence entirely to the Mellons. Seton Hill and Saint Vincent Colleges have received important contributions to enable them to expand their facilities.

ON THE PERSONAL SIDE

Even these paragraphs are not a complete litany of the Mellon projects in the Ligonier Valley and vicinity. But they are enough to show that Mr. Mellon left an ineradicable mark on the Valley. Most of the projects were designed to serve not only the people who live here, but generations yet unborn.

Aside from the physical programs, there were Mr. Mellon's relationships with his neighbors and his employees. Stories abound of instances of personal concern with the well-being of people, particularly those in trouble. His loyalty to his employees and retainers is legendary; he remembered them at Christmas time and in retirement, in their old age and their illnesses, their accidents and their disasters. Hundreds of Valley people have their own stories to tell.

For the record, Richard King Mellon was born June 19, 1899, and died June 3, 1970. During that time he managed the family estates into one of the world's greatest fortunes (over $3 billion), he was a director and officer of some of the biggest corporations (Gulf Oil, Alcoa, Koppers, Mellon Bank, Penn Central Railroad, Carborundum, General Motors); he was a civic leader and community pacesetter without peer; he was a patron of arts, letters, education and history; he was an indefatigable outdoorsman and sportsman; he was a veteran of both World Wars, directed the Pennsylvania Selective Service program in 1943–45, and rose to lieutenant general. He was honored by organizations of all types and purposes, and won the affection of thousands of people whose lives he touched.

IMMIGRATION HEARINGS

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, the Immigration and Nationality Subcommittee of the Committee on the Judiciary will begin hearings on July 15 and 16, 1970 at 10 a.m. in room 2237, Rayburn Building.

In 1965, the Congress first imposed a ceiling of 120,000 immigrants from the Western Hemisphere. Currently, all applicants for visa from the Western Hemisphere face approximately a 1-year wait for issuance of a visa. Unlike the system devised for Eastern Hemisphere immigration, no preference or priority system, based on relationships or skills, is applied to the Western Hemisphere.

As part of the act of October 3, 1965, the Congress created a Select Commission on Western Hemisphere immigration. This Commission submitted a final report to the President and to the Congress on January 15, 1968. It is time to update and amplify the report of the Commission.

Specifically, our purpose will be to examine the socioeconomic development of the constituent countries of the Western Hemisphere and their past and prospective patterns of immigration to the United States. Unemployment in the United States by occupation and industry, particularly in the southern tier of States which receive the bulk of Western Hemisphere immigration, must also be analyzed. The need for establishment of a preference system for the Western Hemisphere and the structure of such a preference system will be considered, as well as a per country numerical limitation. The subcommittee will be particularly interested in the comments concerning the establishment of a worldwide ceiling and unified preference system.

Consequently, the subcommittee will consider the application of the present preference system on the Eastern Hemisphere and suggestions as to modification.

The subject of refugees will be considered as it pertains to the preference system.

The sections of H.R. 9112, H.R. 15092, and H.R. 17370, bills to amend the Immigration and Nationality Act will be considered in so far as they pertain to the subject of inquiry.

July 15 and 16 will be set aside for Members of Congress. Later in the month, the subcommittee will hear the testimony of officials from the Department of State; the Department of Labor; the Department of Justice; Richard Scammons, former Chairman of the Select Commission on Western Hemisphere Immigration; the Association of Immigration and Nationality Lawyers, and other public witnesses.

ADM. THOMAS H. MOORER, NEW CHAIRMAN OF JOINT CHIEFS OF STAFF

(Mr. ANDREWS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANDREWS of Alabama. Mr. Speaker, the selection of Adm. Thomas H. Moorer as the new Chairman of the Joint Chiefs of Staff was one of President Nixon's wisest decisions. The appointment assures that this Nation's military establishment will continue to be in highly capable hands.

The President's wisdom was further justified when Admiral Moorer gave his final address as Chief of Naval Operations during July 1 change-of-command ceremonies at the U.S. Naval Academy. Mrs. Andrews and I had the pleasure of attending those ceremonies.

Admiral Moorer's speech to the fine young midshipmen at Annapolis on that day was one of the greatest I have heard. Those who are dedicated to a strong national defense—modern and capable of meeting every contingency—may take great strength from the remarks of the new Joint Chiefs of Staff Chairman.

Mr. Speaker, I invite all of my colleagues to read this remarkable address, the complete text of which is provided below:

REMARKS BY ADM. THOMAS H. MOORER

Secretary Laird, Secretary Chafee, Admiral Zumwalt, Distinguished Guests, Midshipmen of the Naval Academy—and, particularly, the many old and dear friends I see here today.

I am sure you will understand when I say that it takes considerable self-control not to display the emotions I am experiencing this morning. This colorful ceremony marks a major milestone in my naval career. On this day I will bring to a close a long and, to me, very satisfying experience in the greatest Navy in the world.

It has been 41 years 18 days and 2 hours to be exact, since I entered the Main Gate of this fine institution only to be greeted by what appeared to me at the time to be stern upper classmen and the solid grey walls of Bancroft Hall. These were the days of the stock market crash, bread lines, and bank failures. So I suppose all young people, regardless of their generation, feel that their time is the worst time of all. Faced with this uncertain future I recall that my one burning thought was that I must not fail this great opportunity—I must not fail my parents—my shipmates—or my Country.

Subsequent to my graduation I have been in a position to observe and participate in the growth of our great Navy—the growth of its personnel as well as the growth of its ships—and, measured by any yardstick, this growth has been very spectacular.

Looking back, I find it not so easy to reduce the memories—the dramatic experiences—or the lessons learned in a lifetime into a few succinct statements. But, for instance, I am sure Secretary Laird will be interested in the fact that as I began my naval career our budget was $333 M, destroyers were selling for less than $3M, and aircraft for less than $200,000. Furthermore, the total officer and enlisted strength combined did not equal the officer strength of recent years. And, at the Naval Academy, we had just two electives—French or Spanish. Admiral Calvert tells me that there are in excess of 400 today.

But, as World War II approached, we began to grow into a two ocean Navy. Subsequently, as we kept pace with the threat and with expanding technology we witnessed rapid developments in such highly technical fields as nuclear power, missilery, super-sonic aircraft, and advanced electronics.

I have watched all of this growth with great professional interest and with great pride. But, as great as these things have been, my *real* pride, my *real* personal satisfaction, and my *real* admiration flows from the capabilities, courage, dedication and—above all—the integrity of the men and women who have worked together to make our Navy what it is today.

So—in looking back—if it were my choice to live a lifetime over again—I would not change a single minute.

So, I must admit, that I envy those young gentlemen who, today, stand where I stood, study where I studied, and dream where I dreamed here at Annapolis a very short 40 years ago.

I am certain they will find—as I did—*that beyond the waters edge—authority, responsibility* and *accountability*—take on meanings found no where else—*on, under* or *above* the face of this earth.

These characteristics are not, of course, the sole properties of men who go down to the sea in ships.

But, it does seem that increasingly, we are hard put to find these qualities where we might expect them to be and where they are most needed.

The Navy is fortunate to have these qualities insofar as our young sailors and marines are concerned. From personal observation I judge today's young Navyman and Marine to have few equals, if any, in the history of our Service.

In superiority of intellectual expertise, in the ability to adapt to unknown environments; and in unlimited courage, they have not only *not* been found wanting—but they have written new chapters in all our books. They carry the burden worldwide and, particularly, in Southeast Asia. We must be mindful that the cheers from the sidelines have, for the most part, been drowned out—which fact makes these young men all the more remarkable.

I am proud and humble to have commanded these gallant, quiet, and dedicated Sailors and Marines.

On this July day in these colorful surroundings, it happens that I hand over to my most able and respected successor—Admiral Bud Zumwalt—both promise and some problems.

I believe there is much *promise* in the fact that this nation's stake in the oceans has come to the fore.

We see—and must be prepared for—popular national opposition to what critics have called—foreign military involvements.

We see—and must be prepared for—a continued decline in the number and accessibility of our overseas bases.

We see—and must be prepared for—a possible decision on the part of the United States to reduce or eliminate its presence in some overseas areas.

We see—and must be prepared for—the probability that our defense budget will continue to be austere and minimal in the years just ahead.

Taken together, these factors and circumstances, many of which are beyond our control, focus *renewed attention* on the *oceans of the world*.

The challenge here is great; transition from *proposals* to *plans* to *production*—which in many cases is already underway—must take into account political as well as military doctrine; cost accounting as well as the mathematics of hull design and electronic circuits; domestic conflict from within—as well as the threat from without.

I am fully confident that, despite these problems, under the energetic leadership of Admiral Zumwalt, our Navy will meet this challenge in the years ahead. Bud, you have my very best wishes—we are all behind you.

In making these points about U.S. seapower, I am ever-mindful—as are most Navymen—of the value of balanced forces and joint action. If my position on this point is not well-known—it certainly should be.

As I have said many times, the Navy *does not* believe in a single strategy or a single weapons system.

The Navy *does* believe that the coordinated combat power of all our Armed Forces is required in any type of overseas conflict or in defense of the United States—and we fully recognize the Navy's role in the support of our sister Services.

This philosophy is not new. It is one of long-standing and one that, if wisdom prevails, will guide us safely into the future. (PAUSE)

With respect to the few problems I am leaving behind our Admiral Zumwalt, I think they are primarily reflected in what I would call "new attitudes" in our Country.

So in dealing with these new attitudes I believe that wisdom, cool heads and thick skins will serve us more often as not as we undertake what has started out as a rough voyage into the middle 70's.

The most significant syndrome affecting our perspective today is often called "anti-militarism." I look on it more as "anti-common sense." I believe common sense is lacking when the range of possible *intentions,* rather than the *capabilities,* of an intractable and unpredictable potential adversary is used by some in evaluating or devaluating our defense requirements. I am particularly concerned over the weakening impact which a series of budget cuts is having—and can have—upon our defense posture. Unfortunately, there are many of our citizens—in and out of government—who seem to think that the Defense budget represents a storehouse of unlimited funds which can be drawn upon—time and time again—to solve any fiscal problem. *Such is not the case.* Our cuts have already been severe. Inflation—combined with the modern day cost of personnel—have reduced the buying power of the Defense budget to the point where we are headed below our previous peacetime spending rate—despite the fact we are fighting a war.

So, to me, it is an alarming paradox that we are weakening our defenses to such a degree at the same time that others are making very significant build-ups. It is time that the citizens of our Country recognize this fact.

The Defense Budget is not a panacea to cure all domestic ills. Of course, all recognize the many things yet to be done *inside* our great Country. But, at the same time, we must never forget that in international gamesmanship there is no prize for second place. If we do not provide for the security of our Country, all other problems become moot.

So, my friends, from my remarks your thoughts may now be that today "I have hauled a lot of coal to Newcastle" and, undoubtedly so. I have planned it that way—since this is my last appearance in a "salt water" role. I am grateful to Admiral Calvert that it has happened on the steps of Bancroft Hall where it all began just 40 years ago.

My final assignment as Chief of Naval Operations has been an experience I shall never forget—and I am sure I have learned far more than I have taught.

I have *learned* that one in such a position must *persuade* and *lead* rather than blindly *demand* and *push*.

I have learned that no matter what authority he may have on the books in a legal sense, the Chief of Naval Operations never looks good if those who work for and support him do not want him to look good. And I have learned, that the Navy is far more than a cold organization—it is an institution—manned by men and women who demand the very highest code of conduct and performance from their seniors and who, in return, give forth with unlimited loyalty and professional support towards the achievement of a common goal.

So, at this time, I will simply close my remarks by acknowledging those who have done so much for me in the years gone by.

First, to Secretary Laird and Secretary Chafee I express my warm appreciation for their gifted and dedicated leadership in the Department of Defense. They deserve the loyal and profound support of all of us in uniform—as well as some 200 million other Americans we are dedicated to protect.

To Admiral Chick Clarey—and all of my Staff in the entire Washington complex—my appreciation for their hard work, their honest opinions freely rendered—and their dedication to the goal we all seek—that is—the maximum combat readiness of our forces afloat.

To our men in our shipyards, aircraft factories, laboratories, and all the bases ashore—industrial and military alike—my thanks for providing the vital support necessary to keep our Fleet modern and on the move.

To the men who man our ships at sea with such courage, physical stamina, dedication and just plain guts, my gratitude for making possible the seapower—so vital to the security of these United States of America.

To my many old friends who have joined us today, my deep appreciation. Your presence has added warmth and meaning on, what to me, is a very, very special occasion.

I might also pass on to the young Midshipmen who I am happy to see here today—that as the face the challenges of the future—they should never fail to remind themselves and others—of *these* basic tenents of their chosen profession:

For an island nation such as ours, strength at sea is indispensable.

For an island nation such as ours, a Navy—second to none—is a necessity and not a luxury, and

An island nation such as ours, with a Navy second to *others* may not long exist.

Finally—no one, at least to my satisfaction, has ever described adequately the "taken for granted" role of a good and true Navy wife. Although I may try in the case of Carrie, I shall fall far short of any true expression of her strength, her steadfastness, and her faith—of her wisdom, her convictions and her humor.

Some men have wives that make them successful and some men have wives that make them happy. Carrie does both. I readily acknowledge that such success as I have attained as well as the great happiness I have experienced for *so many* years, in *so many* places, and under *so many* different and demanding circumstances, is due entirely to her love and loyal support.

As a postscript, I suppose I should say something about myself. As this day approached, I asked myself: "Just *what* have *I* accomplished?" I finally concluded that, if nothing more, I have—with clear conscience—supported the things that I thought were *right* and *opposed* the things I thought were *wrong*. In the years ahead I shall continue to do just that.

Thank you and God bless you all.

JOSEPH S. RANSMEIER: IT IS UNIVERSITY LEADERS AND PARTISAN POLITICIANS WHO ARE DIVIDING US ON VIETNAM

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, during the 5 or 6 weeks that Cambodia was recently a "major issue," we were all innundated with letters, telegrams, and visitors, most of which were highly emotional in tone. Those of us who read our mail, and most of us did, could not help but note the unreasoning quality of some of the correspondence. The theme on both sides was largely one of slogans: "get out now," "support the amendment to end the war," or just "support our President."

Some of the opponents of the President's moves, were playing very heavily on their academic credentials. At least one went so far as to bluntly say:

> Support the view of the better informed (sic) people of your district.

Which sounded all too much like a call for a new voting requirement of intelligence or education.

Perhaps with more hope than realism, I had thought that our universities would encourage a search for knowledge and would provide us all with thoughtful reflection on the facts which emerged. Instead we were treated to emotional claims that the Thieu regime is a dictatorship—ignoring the fact that it is passing out guns by the thousands to the populace; that the United States is the aggressor in Vietnam—ignoring the fact of systematic Vietcong slaughters in places briefly held by them, like Hue; that we could not trust President Nixon to withdraw our troops from Cambodia by July 1—not justified then and now proven to be absolutely wrong, ad nauseam.

Based on this background, I was pleasantly surprised to receive a letter from a friend and constituent Joseph S. Ransmeier of Hopkinton, N.H. Joe wrote from a diversified background. He holds a Ph. D. in economics from Columbia University and was professor of economics at Dartmouth College for 7 years. From this point he went back to school to get a juris doctor degree from the University of Michigan, and then to join one of the leading law firms in New Hampshire, where he has been a partner since 1958. Additionally, he was a school board member for 6 years, and is now in his seventh year as selectman of his hometown of Hopkinton.

Joe Hansmeier's letter is one of the most thoughtful and articulate of all the letters I have received since the beginning of the Cambodia crisis. He makes a number of very telling points about opponents of the war and the quality of their opposition. It is the leaders from the universities and partisan politicians who are dividing us, he says, and I think he may be right.

I commend this thoughtful letter from my friend and constituent Joseph S. Ransmeier, of Hopkinton, N.H.:

CONCORD, N.H., *May 31, 1970.*

Hon. JAMES C. CLEVELAND,
House of Representatives,
Washington, D.C.

DEAR JIM: Well intentioned persons eager for peace, as we all are, hope to promote peace by the adoption of such legislation as the Cooper-Church amendment and the McGovern amendment. But it is an illusion to think that such legislation would help to bring peace. True peace in Southeast Asia may be established in either of two ways: By the gradual creation of a stable balance of forces or by some sort of negotiated settlement (which, itself, would probably not be effective if not backed up by a balance of forces). Neither would be helped by Congressional action requiring the withdrawal of American support from South Vietnam at any fixed date, nor by a mandate advising Hanoi that communist sanctuary retreats beyond established combat zones will be inviolate. American withdrawal should and will come. But peace will best be served if it is accomplished consistently with the steadily improving military situation and the growing ability of the South Vietnamese to protect themselves. Meanwhile, American flexibility in the field should be retained to ensure security both for Americans and South Vietnamese. Indeed, the present campaign against the Cambodian sanctuaries shows how crucially important such freedom of action is.

Contrary to the policies suggested above, much of academic America is engaged in a highly organized campaign advocating adoption of legislation to require troop withdrawals, cut off funds for the war, and prohibit future Cambodian operations. While the views of informed scholars are always deserving of consideration, in this instance it seems to me that the conduct of academic America is not to its credit, for it has allowed an intensely emotional reaction to Cambodia and Kent State to govern its conduct and to generate an intellectual environment on the campuses in which freedom of thought and expression cannot operate. This is truly dangerous. I would cite as an illustration those numerous schools which set up special one-week cram courses on the crises of the day in which many students participated in place of attending their usual classes. Having in mind that the organizers of these programs began with a proclaimed sense of outrage over administration policy and that the programs ended with seminars on techniques of political action, including advice as to hair cuts, student appearance during individual canvassing and manner of approach to voters and legislators, true "education" in the sense of free inquiry was not the goal of such programs.

Rather they were training sessions intended to give background information and lessons in the arts of persuasion to make effective the predetermined campaign for political action. As a result, it is not surprising that the arguments in support of "peace" legislation have ignored material facts and have misrepresented others. For example, they treat the war as a hopeless project, entirely disregarding the progress made in the last two years and the extent to which peace and security today have already been brought to most of South Vietnam. (Recently returned GI's and even occasional New York Times despatches during the past year bear this out.) They say all Vietnamese are alike, north and south being kept apart only by us, utterly disregarding the hundreds of thousands of refugees who fled from the north and the fact that the Viet Cong terror over the years has convinced most South Vietnamese that the communists are not their liberators but rather their enemies. No doubt this is why North Vietnam has rejected free elections, even under responsible international auspices. They use such slogans as "the war is immoral," or "Southeast Asia for southeast Asians," disregarding the immorality that would be involved if we were to abandon South Vietnam before it has had a reasonable opportunity to build up its own forces to hold off Hanoi, aided as it is by equipment from Russia and China. It is crucial to this issue to recall that South Vietnam wished to build up its own military and air power long before we allowed it to do so. Our delay in starting this program puts a burden on us now to remain in South Vietnam so long as the South Vietnamese are striving and appear to be rapidly acquiring the power to sustain themselves. The students and professors also attack the President for moving against Hanoi's sanctuaries only a few miles from the South Vietnamese frontier in areas of Cambodia under the control of Hanoi, not of the Cambodian sovereign, and they charge that this is comparable to an attack on mainland China. Surely it is not. They conveniently disregard Hanoi's long standing occupation of neutral Cambodia, the fact that Hanoi was already engaged in killing Cambodians before the President moved against the North Vietnamese in that country, and the fact that the effectiveness of the Cambodian campaign in impairing Hanoi's capacity to kill Americans and South Vietnamese over the months ahead can now scarcely be disputed.

It is not President Nixon who is dividing the country at this time. He is committed to withdrawing our troops, ending the war, and achieving a peace which will secure the safety of our friends in South Vietnam. More cannot be asked—yet leaders from our Universities and partisan politicians are dividing the nation by grasping this moment to attack the war and the President's conduct of it. The case for the President's policies in southeast Asia and the importance of uniting the country behind him to face not only southeast Asia, but the entire world scene, is too great for petty politics to prevail. America will be best served by the defeat of the Cooper-Church, McGovern, and all similar Congressional legislation with respect to the Vietnamese war at this time.

Very truly yours,

JOSEPH S. RANSMEIER.

MAFIA WAR ON THE A. & P.

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, organized crime affects the lives of all of us but most Americans are not keenly aware of this except for a vague fear of crime that has swept the entire Nation.

For east coast executives of the Great Atlantic & Pacific Tea Co.—A. & P.—however, the depredations of organized crime have become all to real. The A. & P. has, in fact, become a target for mobsters bent on forcing the A. & P. to do business with one of their business associates.

A. & P.'s refusal to stock and sell the product of this business associate of the mobsters has resulted in a series of A. & P. warehouse fires believed to have been set by arsonists. We have also seen the cold-blooded killing of three A. & P. store managers in the east. Two of these A. & P. store managers were slain in New York City in just the past 2 weeks.

Writer Eugene H. Methvin has detailed the story of the mobster's war against the A. & P. in an article in the July edition of the Reader's Digest.

The account came to my attention when a constituent of mine, Mrs. Lottie Jaehnig, wrote me and urged that the House take swift action on S. 30, the Senate-approved organized crime control bill, so that the Justice Department can wage more effective war against mobsters.

It so happens that Mrs Jaehnig's son, Howard T. Jaehnig, is the national director of personnel and industrial relations for A. & P., with offices in New York. So, says Mrs. Jaehnig, the shocking account of the mobsters' war against the A. & P. is "not news" to her.

Mr. Speaker, I feel sure that millions of Americans agree with writer Eugene Methvin and my constituent, Mr. Jaehnig, that the Justice Department should be given every legitimate weapon to fight organized crime.

The Senate passed its organized crime control bill, S. 30, last January 23. It is very disturbing to me, Mr. Speaker, that House hearings on S. 30 did not begin until last May 20.

Mr. Speaker, I urge that every effort be made to speed passage of S. 30 or similar legislation. The lives of decent Americans are at stake.

With the permission of the House, I would like to place in the RECORD at this point the Reader's Digest article describing the mobsters' war against the A. & P. The article follows:

MAFIA WAR ON THE A. & P.

(By Eugene H. Methvin)

Never have the Mafia's power, greed and ruthlessness been so awesomely demonstrated as in the war one of its families declared on the nation's largest food retailer, the Great Atlantic & Pacific Tea Co. (A. & P.), and on the welfare and pocketbooks of the ten million American families that shop at A. & P.'s 4700 stores. The story is complex and tragic, and it does not yet have an ending. But Americans must understand such murky episodes if they are to weigh wisely the desperate pleas of law-enforcement authorities for more legal weapons and manpower in the struggle to protect the public against Mafia predators.

Consider the cast of characters:

The Catena brothers, Jerry and Gene, by 1964 were in command of the nation's second largest Cosa Nostra family. Acting Boss Jerry, a dapper New Jersey businessman, controlled criminal and legitimate enterprises worth well over ten million dollars, and could pull strings reaching even into the New Jersey legislature and the U.S. Congress. His top aide, Gene, operated a cozy little racket from his "Best Sales Co." office in Newark. His pitch: signing brokerage agreements with manufacturers for a slice of their sales in return for using his "contacts" to promote their products.

The Catena brothers' "salesmen" were such Cosa Nostra members as Joe Pecora, racketeering boss of the 5000-member Teamster Local 863, whose vicious criminal record dates back 30 years, and Irving Kaplan, a non-Mafia associate who as boss of the 9700-member Amalgamated Meatcutters Local 464 was one of the highest-paid union local executives in the United States. Both Pecora's and Kaplan's union members worked for the A. & P.

Nathan Sobol, an ambitious Paterson, N.J., manufacturer, built his North American Chemical Corp. (NACC) from a tiny coin-operated laundry chain into a three-million-dollar-a-year business, manufacturing and packaging detergent for supermarket chains to sell under their own house-brand labels.

SALES PITCH, WITH PRESSURE

In 1964, Sobol learned that the A & P intended to market detergent under its own label. An old friend introduced Gene Catena to Sobol as a "broker" who might help him land the A & P account—which would triple NACC's gross sales. The two soon signed a bizarre ten-year agreement giving Catena a slice of all sales by Sobol's company. To Catena, the A & P account alone would have meant an estimated $1,500,000. Sobol also threw in an option on 40,000 shares of NACC stock, which would soar in price if the A & P deal worked out. But he quickly learned not to inquire too deeply into what sales efforts Catena would make in his behalf. "That's my business!" the Mafioso growled.

Catena had reason to believe he could "sell" A & P. In the early 1950s, after fighting off unions as long as possible, A & P's top executives delivered 10,000 new members and $500,000 a year in dues into Kaplan's Amalgamated Meatcutters. In return, A & P got a contract that saved the company, by its own estimate, several million dollars.

Now, Kaplan was to begin negotiations in a few months on a new A & P contract for his Local 464 members. Pecora agreed to add pressure by keeping his Teamsters from crossing Kaplan's picket lines if it came to a showdown. Faced with such pressure, why wouldn't the A & P stock Sobol's detergent.

When Sobol walked into A & P's executive suite high in Manhattan's Graybar Building, he was impressed by the reception he got. He made his standard sales pitch and left a detergent sample for testing. A & P's top executives were impressed, too. Of 12 manufacturers seeking their detergent business, Sobol was the only one to make his appointment through union chief Kaplan, who would soon be bargaining for thousands of their employes. Kaplan personally "recommended" his "friend's" product to the A & P labor-relations director and division president. And, for good measure, Joe Pecora added his endorsement. He did not have to remind A & P executives that a Teamster strike led by him had cost the company seven million dollars.

"KICK A. & P.'S BRAINS OUT!"

Unexpectedly, A & P stalled. Months passed. Catena paced, and squawked about the thousands of boxes of detergent piling up in the NACC warehouse. What was wrong?

To Kaplan's phone calls from Newark, the men in the Graybar Building answered evasively that the A & P's laboratory was still testing samples. This enraged Gene Catena. To Kaplan and brother Jerry he growled, "We'll kick A & P's brains out!"

John Mossner, a store manager in the Bronx, knew nothing of Gene Catena's salesmanship or of the A & P's marketing plans when two "hoods" came into his store one day in December 1964. They asked him to stock a detergent they touted. He politely referred them to his division headquarters. He did not relate their visit to an accident that occurred a few days later. After closing the store that day, he saw two men in the parking lot about to hurl firebombs on the roof. "Hey, what are you doing?" Mossner yelled. They ran, dropping what turned out to be plastic bottles filled with gasoline. Five hours later, an A & P store two miles away burned mysteriously—as had two others in recent months.

Mossner said nothing to his wife or employes, but he worried. On January 23, 1965, an assistant A & P manager in Brooklyn was gunned down gangland-style. Mossner quietly met with investigators who were probing the Mafia's control of the A & P's cartage contracts. They showed him photographs of known Mafia "torches."

Albert Joseph Maselli was the man whose photo Mossner identified as one of the men he had seen. At age 44, Maselli had spent 17 of his preceding 24 adult years in jail on convictions from arson to rape. (He is currently serving a life-plus-30-years prison sentence for the torture-murder of a 77-year-old widow.) A professional "torch," Maselli worked for Nick ("The Garbage King") Ratenni, a Catena mobster who controlled 90 percent of the garbage-removal business in New York's Westchester County.

On the evening of February 5, 1965, Mossner drove home to his wife and three children. Stepping from his car, he heard a voice say from the darkened doorway, "Hey, Mossner!" John Mossner turned and got a .22 slug in the stomach. Surprisingly, he charged, chasing the startled gunman down the driveway, yelling, "Help! Help! Stop him." At the curb, the gunman jumped into a waiting getaway car. Mossner lunged and threw a punch. Then, as the car pulled away, he and the gunman grappled. Another shot hit Mossner in the chest. The gunman locked his arms around Mossner's head, put the gun to his brow, fired two shots. Mossner died instantly.

"IT WOULD BE SMART"

As police, unaware of any Mafia implication, puzzled over the seemingly motiveless murder of an A & P store manager, Gene Catena fumed in his Newark office: "When is A & P gonna get the message?" His "salesmen," meanwhile, were busy. "Who the hell is running the organization?" Kaplan growled to A & P's labor-relations executive. "I want Sobol to get the detergent business!" By telephone, Pecora hauled an A & P man out of a National Labor Relations Board hearing in Connecticut. "It would be smart," he advised, "if you handled that product."

On April 5, 1965, A & P's top executives got the first hard proof that they were under deliberate attack: a fire marshal, sifting smoldering ruins in another burned store, found the distinct remains of Molotov-cocktail firebombs. This "message" sent the A & P's high command flying straight to the Justice Department, where the whole story was discussed. (The A & P had, at long last, a laboratory report: of the 12 manufacturers' samples tested, Sobol's NACC detergent rated lowest.)

Justice Department lawyers saw a clear-cut case of labor extortion, conspiracy and violation of federal labor laws. But they had a problem. Important information on the plottings of the Catena brothers had been picked up by an FBI "bug" planted in Gene Catena's office wall as part of Attorney General Robert F. Kennedy's drive on organized crime. To reveal information obtained by this "bug" would destroy it as a source of intelligence on Mafia machinations. And there was an even more difficult legal problem: Congress had never either authorized or outlawed electronic bugging, and federal courts had refused to admit electronic intercepts as evidence in criminal cases. Whether the government could prove the conspiracy without the tapes of the Catenas' plottings was doubtful.

Force and Counterforce. Meanwhile, the squeeze on A & P was growing desperate. When labor negotiations began on June 15, 1965, Kaplan pounded the table with outrageous demands. Justice Department officials and A & P's high command decided to squeeze back.

"You're not going to get our business," Sobol was told. "We don't like your Mafia connections." Sobol sputtered and threatened to sue for libel. Next day, both Kaplan and Pecora angrily telephoned the Graybar Building to say that Sobol was "insulted" and had better get a retraction and an apology.

But Sobol never sued—and the A & P never apologized. Instead, Kaplan scheduled a strike vote for all New York area employes. So, on July 21, 1965, ten days before the union contract expired, U.S. Attorney Robert Morgenthau summoned boss Jerry Catena before a Foley Square grand jury. Catena was surprised to find himself grilled on his "detergent marketing methods." To every question he droned the Fifth Amendment privilege against self-incrimination. Afterward, a tough Justice Department official invited Catena to lunch. Thumping a hard knuckle on the gangster's chest, he growled, "Lay off the A & P—or else." "I'm sorry," Catena mumbled. "I'm getting out of detergents."

Simultaneously, A & P's labor negotiator delivered a blunt message to Kaplan: the FBI was investigating Kaplan for violating federal labor-extortion laws by using his union position to force an inferior product into A & P's store shelves.

Five days after Catena's grand jury appearance, Kaplan came to the bargaining table and inked a contract that the A & P had offered ten weeks before. Everyone breathed a sigh of relief. For that same month President Johnson had forbidden all FBI electronic surveillance except in national-security cases, thus wrecking the anti-Mafia intelligence effort pushed by Robert Kennedy.

THE FLAMES MOUNT

For two years A & P had no further trouble. Then, on December 31, 1967, the A & P's giant warehouse in Elmsford, N.Y., suddenly exploded in flames—a total loss of $18,800,000. At first, no one linked the fire to A & P's previous arson troubles. But, on April 6, 1968, just as the night shift was clocking out of the big Queens warehouse serving Brooklyn, Queens and all Long Island, a building guard discovered a raging blaze in a second-floor cereal section. Minutes later, the first fire comapny to arrive found a second, and entirely separate, blaze on the first floor. "Obvious arson," concluded the fire marshal. The warehouse was a six-million-dollar loss.

Within hours, Queens County Chief Assistant District Attorney Fred J. Ludwig called together fire marshals and the top organized crime experts of the New York Police Department's Criminal Intelligence Division, one of the Mafia's oldest and most successful antagonists. Minutes before the Queens warehouse blaze, Ludwig's investigators learned, 11 employes had gathered in the coffee room and engaged in a bit of horseplay prior to clocking out. One employe, Jimmy Castorina, 19, had been elsewhere. When his foreman had gone looking for him, he found Castorina coming downstairs, apparently from the second floor, where the first fire was discovered. Ludwig's detectives concluded that Castorina alone had had an opportunity to set the two fires.

A dope addict, Castorina lived with his mother and her paramour, his "Uncle" Phil Ingrassia, a long-time A & P employe. Perhaps to clear his own skirts, Castorina told detectives a lot about this "uncle," whose job it was to let and supervise A & P's cartage contracts with Nick Ratenni and other Catena mobsters.

Investigators discovered that, nine weeks after the Elmsford fire, Ingrassia had deposited $5,075 in a new bank account, bringing his total bank balances, which had been $64.63 in January 1966, to over $22,600 in March 1968. Ingrassia was earning $9,000 a year at the time.

"They wanted to burn this place a long time," Uncle Phil allegedly had remarked the morning after the Elmsford warehouse fire, according to Castorina. And Castorina claimed he overheard Ingrassia tell his mother, "Garden City's next."

The Garden City, L.I., warehouse was the A & P's largest remaining storage facility. Its loss would wreck the company's entire distribution system in the Middle Atlantic states, where 42 percent of its stores are located.

"One more warehouse fire and we're out of business on the East Coast," an A & P executive confided. Yet, even as the investigators worked furiously, new disasters fell. In the ten-month period from July 1968 to April 1969, four attempts to burn A & P facilities were thwarted; three other major fires cost the company $706,000 in damage.

COUNTERATTACK

"By thunder, they *will* plow A & P under if we don't stop them!" Ludwig declared. He and Queens District Attorney Thomas J. Mackell decided on a bold legal counterattack. In June 1969, they went before TV cameramen and reporters to announce an indictment charging Jimmy Castorina with first-degree arson in the Queens warehouse fire. And they made front-page headlines with a flat declaration that Castorina was merely a pawn in the Mafia assault on A & P.

Since their announcement, the A & P has had one more catastrophic warehouse fire—in Newark. Meanwhile, Queens grand juries continue the probe. But they may never indict others. After eight months of legal maneuvering, a judge quashed the Castorina indictment, declaring that the evidence was "wholly circumstantial" and "does not even rise to the dignity of a reasonable suspicion." Replies District Attorney Mackell: "Two separate grand juries have seen fit to accuse this man on what they consider to be sufficient evidence." The judge's ruling is being appealed.

The FBI has questioned Ingrassia about his relations with gangsters. He admits knowing Catena mobsters, including Ratenni, who do business with the A & P. He denies making the comments that New York police claim Castorina attributed to him, and in turn charges that the police beat Castorina and "fed" the statements to him.

Although the FBI recordings of the Catenas' conspirings with Sobol, Kaplan and others can never be used in any prosecution, in the court of public opinion the A & P case adds up to compelling proof against the Catena mob. "We hope at least," says Ludwig, "that all the publicity will slow them up—and persuade others to do business with the Mob to stop."

That Mafia mobsters using extortion, labor racketeering and outright violence have been able to bring the world's largest food retailer to the brink of disaster demonstrates the grave imbalance in our system between criminal conspirators and law enforcement. Yet, for over a year, the House Judiciary Committee has bottled up the Senate-passed Organized Crime Control Act earnestly requested in 1969 by President Nixon. *You* can help, with a letter to your Congressman demanding action before the House adjourns in August. For, until law-enforcers' pleas for more manpower and legal weapons are heeded, no American family is beyond the reach of Mafia muscle.

ADVICE TO THE DUBIOUS: ABM ROAD TO SALT

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, one of the best reasons for supporting deployment of the President's Safeguard antiballistic-missile system is its use as a bargaining weapon at the Strategic Arms Limitation Talks. That argument now is buttressed by a statement from Foy Kohler, former Ambassador to Moscow, who declares that expansion of Safeguard improves the possibility that the SALT talks will produce a meaningful agreement. This entire thesis is cogently set forth in a recent editorial in the Detroit News. I recommend a reading of this editorial to all of my colleagues. The editorial follows:

ADVICE TO THE DUBIOUS: ABM ROAD TO SALT

When such an American expert on the Soviet Union's aims as Foy Kohler declares the expansion of our Safeguard (ABM) system will enhance the prospects of a meaningful agreement in the SALT (strategic arms limitation talks) in Vienna, it's time for the congressional combatants in the ABM dispute to stop arguing and to listen.

Kohler, along with George Kennan, Charles Bohlen and Llewellyn Thompson, comprised our Big Four in the State Department whose knowledge at first hand of what makes the Kremlin hierarchy tick, and why, is matched by none. All now retired. Each served as ambassador to Moscow, Kohler through the Cuban missile crisis, and they know what bargaining with the Soviet's tough men means.

As Kohler points out, Moscow, which had toyed with the idea for years, did not agree to enter into SALT until after Congress last year had approved the first phase of Safeguard. He could have added that neither our projected move into the second phase nor our deployment this month of our first Minuteman MIRVs has prompted the Russians to quit SALT.

Most congressional opponents of Safeguard have argued its expansion would ruin SALT prospects. Then why haven't the Russians reacted and spectacularly repeated Khrushchev's notorious walkout from the 1960 Paris summit after the U–2 incident?

The short answer is that the Russians are serious about containing our nuclear weapons program. One purpose of SALT is to find out what price they are prepared to pay for stabilizing the missile race now, not tomorrow, when mutual deployments of MIRVs could precipitate another burst in the arms race.

To accept the doubtful premise they'd immediately halt their increasing deployment of ICBM's if we halted Safeguard, which aims at countering that deployment, is to let them get away with a sharp deal without paying the price at all. Even a blackmailer expects to hand over, say, incriminating letters, provided he's paid his price. But we'd get nothing for our Safeguard forbearance if we just accepted the Russian promise they would reciprocate by cooling the arms race.

That's why continued work on Safeguard, and, to a limited degree, on MIRV deployment, is our strongest bargaining weapon in SALT. President Nixon surprised many Americans last month when he flatly predicted SALT would be a success. He will be denied his aim if Congress removes his chips at this poker game in which, as Kohler knows, the Russians are no novices.

BELLEVILLE, ILL., WEST HIGH SCHOOL BAND VISITS WASHINGTON

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, on June 18, it was my pleasure to welcome the Belleville, Ill., West High School Marching Band to the Capitol. The band, the majorettes, and their chaperons visited the Capitol before their 11 to 11:30 a.m. concert on the House steps. Because the band made such a lasting impression on me, my staff, and those who heard them play, I want to take this opportunity to salute them and to commend their able director, Mr. Ralph Schlesinger.

Today, we hear a great deal about what is wrong with our young people. The young people in the band belie this contention. They were one of the finest groups of young people that I have had the pleasure of meeting. It was because of their determination and industriousness that they were able to make the trip.

At this point in the Record, I would like to include an article from the June 24 Belleville News-Democrat regarding the band's trip. The article follows:

WEST BAND PLAYS CONCERT AT CAPITOL

At the end of a long rainbow of pancake breakfasts, car washes, bake sales, and concerts, the Belleville Township High School West Marching Maroons reached their pot of gold last week as the 100-member group and Ralph Schlesinger, their director, mixed a week of sightseeing with a concert on the Capitol steps in Washington, D.C.

After receiving an invitation from Congressman Melvin Price in late March, the band began money-raising activities and collected $8000 in four months. In addition to their own work, the Marching Maroons received donations from the West Pep Club, Concert Choir and the Belleville East Band.

With its goal achieved the band then chartered three buses and left for the nation's Capitol June 14 where they played an hour-long concert in honor of Congressman Price Thursday. While in Washington the group also toured the National Monument, Mt. Vernon, the Capitol, Gettysburg, and the Smithsonian Institute before arriving back in Belleville Saturday.

HIGHWAY SAFETY: THE PROBLEM BEHIND THE WHEEL—NO. 2

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, there has been a good deal of public attention focused recently on crime in the streets, and the insecurity it produces for many of our citizens. The front-page coverage given by the news media to the deaths and injuries which result from the crime is justified, because the people harmed by violence are disproportionately the old, the weak, and the poor. These are people who can ill afford the economic loss involved and to whom hospital bills are a major blow. If they are injured—or even worse killed—their families suffer badly, and are often pushed into poverty or at best insecurity. Money stolen from them is dearly missed—and for the old, it is often part or all of their meager savings or a recent social security check.

Yet there is in our society a group which is an even worse killer and maimer than street criminals: drunken drivers. They kill at least 28,000 people and cause over 800,000 accidents yearly. In terms of economic loss, the $8 billion caused by such drivers approximates that caused by street criminals—excluding organized crime and white collar crime.

The hardship caused is barely indicated even by these harsh, cold figures. Who knows what agony is wrought in the families of the 28,000 people they killed? Who knows how much human tragedy there is in the families of the people wounded and maimed? In this year of great interest in conservation, what greater waste—truly an absolute waste—of resources is there?

In an effort to bring some attention to the needless, senseless tragedy of our more than 50,000 highway deaths yearly, I have inserted a number of articles into the RECORD. Today's offering is from the Christian Science Monitor, the second article in a series of 10 written by Guy Halverson. This thoughtful article discusses tests and State laws which are currently in effect—and often not in effect—governing drunken driving.

Since I inserted Mr. Halverson's first article into the RECORD on June 29, I have been encouraged by the interest which has been shown by many of my colleagues and by my mail. One such letter from William Friel Heimlich of Falls Church, Va., made an eloquent statement which anticipated the theme of Mr. Halverson's second article, and which deserves consideration:

> The efforts of Congress to grapple with the problems of automobile safety, in my opinion, have been mis-directed. No amount of money or public relations effort spent on seatbelts, head pads and the new bumpers are going to reduce, in the slightest, the statistics of dead and injured. Only tough laws rigidly enforced will do the job. The Federal Government, obviously, can only lead the way. Success can come only when the states do their part and when public opinion is aroused to support new laws and the enforcement of old ones.

While I personally believe that automobile safety requires safe cars and safe roads in addition to tough laws, Mr. Heimlich's point is well taken that there will be no end to the carnage on the highways until an aroused public demands and supports tough laws which are toughly enforced.

The article referred to follows:

TESTS FOR DRUNKENNESS: THERE OUGHT TO BE A LAW THAT WORKS

(By Guy Halverson)

NEW ORLEANS.—"I won't take it. Go away," he shouted angrily, thrusting a clenched fist toward the startled policewoman.

The tall, emaciated looking man, his shabby clothes caked with dirt and grease, reeked with the smell of alcohol—and he was in serious trouble. In front of him at the main lockup of the New Orleans Police Department was a breathalyzer machine, used by most law-enforcement agencies to measure a person's blood-alcohol level.

The man had been apprehended earlier in the evening careening at a high rate of speed the wrong direction down a one-way street. But fortunately for the public, Louisiana has an "implied consent" statute. This means in effect that when a person takes out an operator's license, he consents to take a chemical test (blood, urine, or breath), if arrested for drunk driving. If he refuses, which is the suspect's choice, his license can be suspended. Louisiana also has a statute defining what constitutes a "presumptive blood level of intoxication"—in the case of this state, .10 percent.

The same kind of crusading zeal, safety experts say, that marked the federal government's routing of cigarette advertising from airwaves is needed to badger states into adopting the stiffest possible presumptive blood-level laws.

AMERICAN HODGEPODGE

Because this man, barely able to stand and obviously intoxicated, refused to take the breathalyzer test, he lost his driver's license. Theoretically, at least, that meant a major victory in the war against the drunk driver.

But such victories, one quickly learns after traveling throughout the United States, are neither common nor uniform. Indeed, the United States is a hodgepodge of laws and practices when it comes to the drunk driver, depending upon just which state you are in and which patrolman you happen to encounter.

Take what happened not so long ago in neighboring Mississippi. A police officer, looking in his rear-view mirror, notices a car apparently hurtling along behind him at a high rate of speed. As the officer slackens his speed, the approaching car does the same. After the vehicle is abreast, the officer pulls the vehicle to the side of the road and finds an attractive, articulate young woman behind the wheel. She is fully composed, although he notices that she seems a bit tired. Finding nothing technically wrong, he warns her against speeding and allows her to drive off.

Ten minutes later, away from the officer, the young woman, who in fact is intoxicated, as a breathalyzer test would have indicated, accelerates until she is whirling along at more than 90 miles an hour. She can barely see the highway or keep her eyes open.

She becomes a casualty in a major accident.

Unlike Louisiana, Mississippi has neither a "presumptive level of intoxication" nor an implied-consent statute. Because of this, the officer was reluctant to arrest the woman based on her appearance alone. Yet an arrest might have prevented the accident.

Though Louisiana and Mississippi each share a common border, they are in fact at two opposite ends of the pole when it comes to highway-safety legislation. On a time scale, Louisiana is in the present. Mississippi's approach, it must be reluctantly acknowledged, is still somewhere in the mid-1940's, as are too many other states.

There is no question but that implied-consent laws and statutory levels of intoxication are significant first steps in curtailing the mounting death rate on our nation's battle-scarred highways. That war is very real. Last year, drunk drivers killed more than 28,000 Americans, (more than all U.S. servicemen killed in Vietnam the same year), caused over 800,000 accidents, and rang up economic losses estimated at $8 billion.

STATES WITHOUT STATUTES

Highway-safety experts are in almost total agreement that if the death rate is to be significantly reduced, anti-drunk-driver legislation at the state level must be drastically tightened and upgraded—as well as standardized throughout the nation.

Four states—Illinois, Mississippi, Montana, Wyoming—and the District of Columbia still have no implied-consent statutes.

Three states—Texas, New Mexico, and Mississippi—still have no presumptive level of intoxication. In some 21 states and the District of Columbia, moreover, the presumptive level is set far too high—at .15 percent—equivalent to about eight shots of 80-proof whiskey or eight 12-ounce bottles of beer for the average adult male.

In a number of states with .10 percent presumptive levels, the law needs to be strengthened so that the .10 percent figure is an automatic, no-nonsense, cut-off point, punishable by fine and jail conviction. In Minnesota, for example, the current law says only that .10 *may* be prima facie evidence of being "under the influence."

At the same time, many safety authorities insist that the United States desperately needs to follow the European lead and adopt highway prearrest driver breath tests. Prearrest screening, however, has triggered a score of constitutional doubts.

For years the only way that a patrolman could identify a drunk driver was by some type of objective personal evaluation, such as observing erratic driving patterns, slurred speech or flushed face, or requiring the driver to "walk a straight line." But such tests, it is well known by policing agencies, are highly unreliable.

Ex-alcoholics, in fact, usually scoff outright at such objective criteria. One New York businessman, a recovered alcoholic, recollects that he escaped detection from a large cluster of patrolmen because they thought he was under shock from an accident, rather than drunk, as he was. "I had driven my car into the town pond, yet, still no police check for alcohol! Can you imagine that?" he says. "The water snapped me back to a facade of 'instant sobriety.' Had the police required a chemical test, they would have seen how drunk I was."

"A police officer on patrol may see a car weaving and it's obvious that something is wrong," says Dr. Robert F. Borkenstein, chairman of the Indiana University Department of Forensic Studies and a leading developer of the police breathalyzer. "But most courts demand clear-cut evidence of intoxication before they'll consider conviction.

"We know that many drinking drivers do not show evidence of drinking. They may only show aggressiveness, which, of course, can have other causes. So mere aggressive driving, plus mild personality changes in an individual whom an officer doesn't know, just usually are not enough to convey to a court the information needed to convict. The police, in effect, are saddled with using crude arrest criteria developed a generation back."

EUROPEAN LEVELS

In sharp contrast to the United States, most European nations have long held that a certain level of alcohol in the blood constituted a highway violation, no matter how correct one's driving habits. In East Europe the figure is very stiff, "satisfied by a mere sniff," laughs one North American police official. Poland, Norway and Sweden early set the level at .05 percent, Switzerland and Austria at .08 percent, Denmark at .10 percent. During Austria's first year at the .08 level, accidents plummeted 25 percent.

Canada, Great Britain, and Australia have also set the level at .08 percent.

In 1967 the British passed the landmark Road Safety Act, considered to be perhaps the most important single piece of highway safety legislation in the world. The act defined .08 percent as the presumptive level of intoxication and established fines and imprisonment, as well as possible license revocation, for offenders. More significantly, the act authorized prearrest chemical tests.

If a British policeman has reasonable cause to believe that a motorist is under the influence of liquor, has committed a moving violation, or if the driver is in some type of accident, the policeman considering arrest can request that the motorist take a breath test on the highway. The driver can refuse, subject to a possible fine. If the test registers positive the motorist is then arrested and taken to a station house where he is given the more formal breathalyzer test—the type administered in the United States only after arrest.

The British prearrest test cannot be used as court evidence.

Despite an initial outcry from civil libertarians and liquor interests (who feared a loss of business from the new law) public opinion quickly lined up behind the Road Act. Casualties dropped sharply, and some evidence suggests that the act has reduced the tendency to drink and then drive.

Chemical testing in the United States, though practiced for several decades, was given a great boost by the Highway Safety Act of 1966. The Safety Act authorized the National Highway Safety Bureau to post federal standards for state highway programs. The federal standards call for passage of both implied-consent status and a .10 percent presumptive level of intoxication. The Uniform Vehicle Code, compiled with by about two-thirds of all states, also calls for the .10 percent level.

While more than half the states have scrambled on the bandwagon to adopt implied-consent statutes during the past three years because of concerted federal pressures, most have poked, rather than gallopped into action, when it comes to the presumptive levels.

"Many legislatures just have no conception what these percent figures mean in lives lost," says a specialist from the Northwest University Traffic Institute. "Tell them that you're 25 times more likely to have an accident at the .15 level than at the lower European limit and they just shrug their shoulders."

By early 1970, only one state had adopted the .08 European level. Roughly half the states were above the federal standard of .10 or had no statutory level at all. Sensing a coming public revulsion against the drunk driver, nevertheless, a number of organizations, including the National Safety Council and its affiliated chapters, and private insurance companies, are hammering together expensive television and radio campaigns for more comprehensive legislation at the state level.

Intense lobbying is expected in a score of states in the upcoming 1971 legislative sessions. In Michigan, for example, a strong campaign is already being mounted through billboards and ads to slash the presumptive level from the present .15 to .10 percent, as well as enact legislation requiring mandatory blood tests on all victims of fatal accidents and all drivers who survive accidents.

ACCIDENT RATE DECLINED

A bill supported by Gov. William G. Milliken has passed the Senate but is jammed up in House committee partly because of backstage opposition of the liquor industry.

In addition, a number of legislatures, including Minnesota, Michigan, and California are mulling some type of prearrest testing along the lines of the British Road Act. Such testing was enacted late last year in New York State and the city of Baton Rouge, La.

Under the Baton Rouge experiment, undertaken in cooperation with the Insurance Institute for Highway Safety, the city can levy a 60-day jail sentence and a $200 fine against any motorist believed drunk who refuses to take a road breathalyzer test. More than 232 people have been evaluated as of this writing, and the largest chunk of them have registered positive. Though it is still too early to gauge results, local Baton Rouge police note that the December accident rate, traditionally high, scored a major decline.

In spite of the Baton Rouge and New York State experiments, however, a number of legal doubts persist about pretesting, including possible violations of Fourth Amendment protections against unreasonable search and seizure, Fifth Amendment guarantees against self-incrimination, and abridgement of the due-process clause of the 14th Amendment.

Advocates of testing before arrest argue the practice is merely a scientific replacement of the traditional roadside sobriety checks, such as picking up a coin and shouldn't be viewed as "illegal searches."

PORTABLE UNITS URGED

To underscore this contention, advocates note that state courts have gradually liberalized many police powers on the highway until today an officer, among other things, can request a license check, use a roadblock for a license check, and even require that a vehicle be weighed to see if it meets legal road allowances. Thus, pretesting, they reason, is the next logical step in the arrest process.

Whatever the eventual legal outcome on pre-arrest testing, which will most likely be resolved only after a Supreme Court decision, a number of safety experts, including Indiana University's Dr. Borkenstein, believe that development of small, portable chemical testing units opens up one of the most important and unexplored new areas in the war against the drunk driver.

Dr. Borkenstein maintains that if self-testing devices can be universally distributed, such as in retail outlets or taverns, then not only can the drinking public be shown when they are approaching the "danger level," but at the same time, a new, massive coalition of social drinkers (most of whom seldom reach the statutory presumptive levels), plus abstainers will be created that would swing behind strong legislative sanctions.

"We could make deviant drivers a virtual outgroup, against which could be rallied tremendous social pressures. That's something that just isn't happening now," says Dr. Borkenstein.

ANOTHER CASUALTY OF CAMPUS VIOLENCE

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, the warfare between the generations has transcended the "gap" between generations, and with tragic implications. If this Nation continues to allow the wisdom of age and the vision of youth to be used as instruments of battle aimed at discrediting both the adult and the young, then neither vision nor wisdom will endure and our Nation itself may fail.

Already casualties have occurred and they are foreboding.

Last week the distinguished president of Stanford University, Kenneth Pitzer, resigned, citing as reasons the gulf between the campus community and the society.

He said:

> Pressures tending to distract or disrupt the educational process have increased significantly. The growing polarization within society also has been reflected within the campus.
>
> These trends have made it increasingly difficult to obtain the very broad and active support from all those groups who together are responsible for the well-being of the University.

President Pitzer joins many other university presidents who have resigned their posts in the last 2 years due in part to campus turmoil and the untenable position in which they were placed because of the demands of students and faculty.

Former Health, Education, and Welfare Secretary and Stanford trustee, John Gardner, was grimly prophetic when he spoke at President Pitzer's inauguration just last June:

> I call to your attention, with some sorrow, that a number of fine university presidents have had their careers destroyed by the conflict that has raged on our campuses. Looking back at those incidents, I do not think they reflect credit on any of us—the faculty, students, trustees, or alumni.
>
> We have now proven beyond reasonable argument that a university community can make life unlivable for a president. We can make him the scapegoat for every failure of the institution, every failure of society. We can use him as a target for all the hostility that is in us. We can fight so savagely among ourselves that he is clawed to ribbons in the process. We have yet to prove that we can provide the kind of atmosphere in which a good man can survive.

Mr. Gardner's words regrettably came true. Stanford had a violent and disruptive spring. When it was over the expense to repair property damage and to pay overtime to campus police and repair crews totaled more than $580,000.

In addition Stanford has now lost its president.

Much of the blame must rest with the university community which allowed the institution to dissolve into its furious and passionate surroundings.

All who are committed to the goals of higher education in this country would be well advised to reflect on President Pitzer's words upon his resignation:

> From a purely personal standpoint, the prospect of a more scholarly life at a less hectic pace is most welcome. Entirely too much of my effort has been devoted to matters of a purely administrative or even of a police nature. Too little time has been available for the academic matters I most enjoy—the planning and implementing of innovations and improvement in teaching and research.
>
> In a broader context, however, I have reached this decision only after the most serious thought and with a great sense of regret and disappointment. The situation at Stanford represents another manifestation of the destructive nature of the current conflict. Both on campus and in society, support for reasoned discourse and nonviolent change has steadily diminished.
>
> John W. Gardner summarized the cumulative impact of these forces on the University presidency with great clarity in his address at my inaugural. While the conflicting pressures on the presidency at Stanford have not yet reached the full dimensions he described, nevertheless there are wounds and there is fatigue.
>
> In the coming months, I hope Stanford will have a new opportunity to bridge more effectively the widening gap between the campus community and outside society. I would earnestly hope that each of the many groups concerned with the University—students, faculty, staff, trustees, alumni, parents and friends will try to close this broad chasm.
>
> Stanford will endure; but its sustained excellence depends upon our common devotion to the due process and reasoned discourse in achieving the goals we share.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. There are more than twice as many higher education teachers in the United States than in the Soviet Union. In 1968, there were 481,000 such teachers in the United States, 201,000 in the Soviet Union, and 129,618 in India.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROBERTS (at the request of Mr. MILLER of California), for Monday, July 6, 1970, on account of official business.

Mr. CAREY (at the request of Mr. GARMATZ), for week of July 6, 1970, on account of illness in family.

Mr. PETTIS (at the request of Mr. GERALD R. FORD), for July 6 and 7, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONTGOMERY, for 60 minutes, on July 13.

Mr. FLOOD, for 1 hour on Monday, July 13, on the subject of the captive nations.

Mr. PUCINSKI, for 30 minutes, today.

(The following Members (at the request of Mr. FISH) to address the House and to revise and extend their remarks:)

Mr. STEIGER of Arizona, for 10 minutes, on July 6.

Mr. ADAIR (immediately following the gentleman from Mississippi, Mr. MONTGOMERY), for 1 hour on July 13.

(The following Members (at the request of Mr. ANDERSON of California) to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 60 minutes, today.

Mr. DENT, for 60 minutes, today.

Mr. FEIGHAN, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mrs. GREEN of Oregon and to include extraneous matter in 5 instances.

Mr. BOW to extend his remarks immediately following passage of H.R. 15118, to provide for striking of medals in commemoration of 100th anniversary of founding of Ohio Northern University.

Mr. ZWACH (at the request of Mr. FISH) to extend his remarks immediately preceding passage of S. 3598, amending Bankhead-Jones Farm Tenant Act.

Mr. RANDALL to extend his remarks prior to the vote on H.R. 15979, today.

Mr. RANDALL and to include extraneous matter.

Mr. GROSS and to include extraneous matter.

(The following Members (at the request of Mr. FISH) and to include extraneous matter:)

Mr. QUILLEN in four instances.

Mr. SMITH of New York.

Mr. GUDE.

Mr. CONTE.

Mr. HALPERN in two instances.

Mr. KING in four instances.

Mr. WYMAN in two instances.

Mr. LANGEN.

Mr. RAILSBACK.

Mr. HALL.

Mr. GOODLING.

Mr. ZWACH.

Mr. WHALEN.

Mr. SCHWENGEL.

Mr. GOLDWATER.

Mr. SCHERLE in five instances.

Mr. PRICE of Texas in three instances.

Mr. NELSEN.

Mr. SCHNEEBELI.

Mr. BRAY in three instances.

Mr. LUKENS in two instances.

Mr. MINSHALL in two instances.

Mr. MCCULLOCH.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. OTTINGER in three instances.

Mr. CORMAN in five instances.

Mr. MCFALL in six instances.

Mr. CELLER

Mr. WOLFF in five instances.

Mr. O'NEILL of Massachusetts in two instances.

Mr. DIGGS in two instances.

Mr. WALDIE.

Mr. VANIK in two instances.

Mr. BROWN of California in three instances.

Mr. PATTEN in two instances.

Mr. MOLLOHAN in five instances.

Mr. UDALL in 10 instances.

Mr. ANDERSON of California in three instances.

Mr. RYAN in two instances.

Mr. HATHAWAY in two instances.

Mr. BINGHAM in two instances.

Mr. BOLLING.

Mr. DANIEL of Virginia.

Mr. FOUNTAIN in two instances.

Mr. KLUCZYNSKI in two instances.

Mr. BRADEMAS in six instances.

Mr. HANNA in five instances.

Mr. RODINO in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 531. An act to establish the Capitol Reef National Park in the State of Utah; to the Committee on Interior and Insular Affairs.

S. 532. An act to establish the Arches National Park in the State of Utah; to the Committee on Interior and Insular Affairs.

S. 3074. An act to provide minimum disclosure standards for written warranties and guaranties of consumer products against defect or malfunction; to define minimum Federal content standards for such warranties and guaranties; and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3366. An act to make banks in American Samoa eligible for Federal deposit insurance under the Federal Deposit Insurance Act, and for other purposes; to the Committee on Banking and Currency.

S. 3600. An act for the relief of Kyung Ae Oh; to the Committee on the Judiciary.

S. 3649. An act relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes; to the Committee on the District of Columbia.

S. 3777. An act to authorize the Secretary of the Interior to enter into contracts for the protection of public lands from fires, in advance of appropriations therefor, and to twice renew such contracts; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills and Joint Resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 16739. An act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines;

H.R. 17868. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes;

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to "Coalinga Canal"; and

H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On July 1, 1970:

H.R. 12858. An act to provide for the disposition of certain funds awarded to the Tlingit and Haida Indians of Alaska by a judgment entered by the Court of Claims against the United States.

On July 2, 1970:

H.R. 2047. An act for the relief of Roseanne Jones; and

H.R. 5000. An act for the relief of Pedro Irizarry Guido.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 7 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 7, 1970 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2169. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 14, 1968, submitting a report, together with accompanying papers and an illustration, on shore of Lake Huron-Black River Harbor, Alcona County, Mich., in partial response to an item in the River and Harbor Act approved March 2, 1945 (H. Doc. 91-361); to the Committee on Public Works and ordered to be printed, with an illustration.

2170. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 9, 1969, submitting a report, together with accompanying papers and an illustration, on Scajaquada Creek and tributaries, New York, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 13, 1956 (H. Doc. 91-362); to the Committee on Public Works and ordered to be printed, with an illustration.

2171. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement, none of which provides more than 4,000 acre-feet of total capacity, prepared under the provisions of the Watershed Protection and Food Prevention Act, as amended; to the Committee on Agriculture.

2172. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank loans, insurance, and guarantees issued in April and May, 1970, in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

2173. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on manpower and training needs for air pollution control, pursuant to the provisions of section 305(b) of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

2174. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2175. A letter from the Commissioner, Immigration and Nationalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exersized in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

2176. A letter from the executive director, Military Chaplains Association of the United States of America, transmitting the audit report of the association for the calendar year 1969; to the Committee on the Judiciary.

2177. A letter from Ice, Miller, Donadio, & Ryan, Indianapolis, Ind., transmitting the annual report of the Board for Fundamental Education for the years 1967 to 1969 and a copy of the audit of its financial statements as of December 31, 1969, pursuant to the provisions of section 14(b) of Public Law 507, 83d Congress; to the Committee on the Judiciary.

2178. A letter from the Acting Director, Bureau of the Budget Executive Office of the President, transmitting plans for works of improvement, each of which provides more than 4,000 acre-feet of total capacity, prepared under the provisions of the Watershed Protection and Floor Prevention Act, as amended; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

2179. A letter from the Comptroller General of the United States, transmitting a report on problems resulting from deterioration of pavement on the Interstate Highway System, Federal Highway Administration, Department of Transportation; to the Committee on Government Operations.

2180. A letter from the Comptroller General of the United States, transmitting a report on improvement needed in the financial management activities of the Smithsonian Institution, Washington, D.C.; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MONTGOMERY: Select Committee on U.S. Involvement in Southeast Asia. Report on U.S. Involvement in Southeast Asia (Rept. No. 91-1276). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14237. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes; with an amendment (Rept. No. 91-1277). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 18300. A bill to prohibit favoritism in the distribution by the Government of coins having actual or potential numismatic value; to the Committee on Banking and Currency.

By Mr. BIESTER (for himself, Mrs. CHISHOLM, Mr. FULTON of Pennsylvania, Mr. LOWENSTEIN, Mr. SYMINGTON, and Mr. RAILSBACK):

H.R. 18301. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. GALLAGHER:

H.R. 18302. A bill to amend title II of the Social Security Act to provide that an individual's old-age insurance benefits or disability insurance benefits shall continue to be paid, after his death, to his surviving spouse; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 18303. A bill to prohibit federally insured financial institutions from engaging in certain promotional practices; to the Committee on Banking and Currency.

H.R. 18304. A bill to amend title 10 of the United States Code to eliminate certain service requirements with respect to eligibility for nonregular service retired pay; to the Committee on Armed Services.

By Mr. NELSEN (for himself, Mr. TIERNAN, Mr. THOMSON of Wisconsin, Mr. HALPERN, Mr. LUKENS, Mr. ADAMS, Mr. WINN, Mr. QUIE, Mr. MATSUNAGA, Mr. MOSS, Mr. MOORHEAD, Mr. SMITH of New York, Mr. ROSENTHAL, Mr. HOGAN, Mr. GUDE, Mr. GRAY, Mr. DENT, and Mr. DELLENBACK):

H.R.. 18305. A bill to direct the Secretary of State to transfer certain real property owned by the United States to the District of Columbia government for use as a site for the Washington Technical Institute; to the Committee on Public Works.

By Mr. PATMAN (for himself and Mr. REUSS):

H.R. 18306. A bill to authorize U.S. participation in increase in the resources of certain international financial institutions, to provide for an annual audit of the exchange stabilization fund by the General Accounting Office, and for other purposes; to the Committee on Banking and Currency.

By Mr. PEPPER (for himself, Mr. KOCH, Mr. OLSEN, Mr. RODINO, Mr. RYAN, and Mr. SYMINGTON):

H.R. 18307. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. ROGERS of Florida:

H.R. 18308. A bill to amend title 38 of the United States Code to extend group life insurance to Reservists and National Guardsmen when engaged in training; to the Committee on Veterans' Affairs.

By Mr. STRATTON:

H.R. 18309. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to permit airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, as well as the advertising related thereto, to show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 18310. A bill to provide that for purposes of the Internal Revenue Code of 1954 members of the Armed Forces serving in Cambodia or Laos shall be treated as serving in a combat zone; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 18311. A bill to provide certain retirement benefits under title 5, United States Code, for air traffic controllers; to the Committee on Post Office and Civil Service.

By Mr. LUKENS (for himself and Mr. MOSHER):

H.J. Res. 1290. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ZION:

H.J. Res. 1291. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on he Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

418. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to the calling of a convention to amend the Constitution of the United States wih respect to the power of Congress and the States to tax the interest on State and municipal bonds, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

533. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to reform of the U.S. bankruptcy laws, which was referred to the Committee on the Judiciary.

SENATE—*Monday, July 6, 1970*

The Senate met at 12 noon and was called to order by the Vice President.

Rabbi Jacob Handler, Ph. D., Temple Beth-Israel, Providence, R.I., offered the following prayer:

We reach out to Thee O Lord, for the right cause, so that those who have been delegated to speak for them, may be guided according to Thy light, Thy wisdom, and in full accordance with Thy will.

Give them the strength and the foresight fully to understand the problems facing our Nation and the world at large in order to render decisions with courage and fairness.

Down through the ages men have been speaking to Thee, O Lord, in varied tongues. We have cause to rejoice that in our blessed land of the free, the skeptic and the believer, the mystic and the rationalist, the humanist and the scientist can dwell together in harmony devoted to the common purpose of serving God and mankind.

May it be Thy will, O Lord, that unity, freedom, and justice may ever constitute our banner of glory.

Be with us, O Lord, and guide us on the path which leads to a better and a happier life—and a happier world to come. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 2, 1970, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE TODAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the able Senator from Wisconsin (Mr. PROXMIRE) be recognized at this time for not to exceed 20 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE ELECTRONIC BATTLEFIELD

Mr. PROXMIRE. Mr. President, I rise today to point out a classic example of the Pentagon's "foot-in-the-door technique," one of the main reasons why the military budget is out of control. I am informed that the Pentagon has already spent some $2 billion on a secret weapons system called the electronic battlefield. Some estimate its ultimate cost at $20 billion or more. To my knowledge this weapons system, as a weapons system, has never been directly authorized in the annual procurement bill in which major weapons systems are examined, judged, and passed on by the House and the Senate.

There are other ramifications as well. Among these are the fact that the system involves vast amounts of complicated electronic equipment—sensors, lasers, computers—which have been the major cause of cost overruns, late deliveries, and failures to meet specifications on a large number of other major weapons systems.

In addition to all of this, the electronic battlefield includes items which are difficult to control and which may well result in indiscriminate killing. Thus, there are reasons going beyond the huge potential cost of the system why public hearings and detailed reviews of the system should be held.

Mr. President, under article 1, section 8, of the Constitution, "The Congress shall have power to raise and support armies," and "to provide and maintain a Navy." The Constitution also provides that no appropriation of money for these uses shall be for a longer term than 2 years.

It is, therefore, widely assumed that Congress authorizes in the military authorization bill all of our major weapons systems—tanks, planes, ships, missiles, and the research which precedes them. Before the Pentagon builds a tank or a new airplane, Congress approves the project and authorizes the funds for its development. This system, of course, is not perfect. Even with congressional approval, as with the C–5A, the procurement of weapons systems leaves a great deal to be desired.

With regard to the electronic battlefield, I think it is safe to say that most Congressmen have never heard of it. Like Topsy, it just grew. It exemplifies, as few other examples can, why the military budget is out of control.

Yet, speaking of this new system, Gen. William Westmoreland has said: "It will revolutionize ground warfare."

An industry source has called it "as advanced as the main battle tank and as complicated as the canceled F–111 electronics system." Designed to kill anything that moves, it cannot discriminate between enemy soldiers and women and children. Despite the fact that as a weapons system it has never been specifically authorized, it has already cost the American taxpayer almost $2 billion. Some experts predict it will ultimately cost $20 billion, almost twice as much as we are spending on the ABM and four times as much as we have spent on the C–5A. What is this new system? Athough known by various code names, it has been called the automated battlefield by General Westmoreland. Among industry officials, it is more commonly known as the electronic battlefield. By any name, it is nothing less than an effort to develop a totally new method of waging ground warfare. Essentially, it is a system of sophisticated sensors designed to assist in the detection of enemy movements over wide areas. The system involves the use of data links, computer-assisted intelligence evaluation and automated fire controls. In a word, it is extremely complex. It requires vast amounts of complicated electronic equipment including:

First, whole families of acoustic, seismic, and magnetic devices to detect voices, footfalls, guns, and enemy troop carriers;

Second, high-powered lasers to illuminate targets with visible and invisible energy designed to guide bombs, rockets, and antitank weapons;

Third, millions of tiny "button bomblets" that give a sonic or radio signal to remote receivers, pinpointing the position of anything that steps on them; and

Fourth, elaborate electronic command and control displays that pull together all data gathered by the electronic network and automatically show troop movements over vast areas of terrain.

In short, the electronic battlefield involves an entirely new concept in ground warfare, and if widely adopted, will require fundamental changes in the way our men fight.

Yet, this revolutionary weapons system on which as much as $2 billion has already been spent, and upon which as much as $20 billion may well be spent, has gone ahead beyond the research and development stage without any specific authorization of Congress. We have never been asked, Do you wish to authorize billions of dollars for the automated battlefield?

The program was developed as an outgrowth of the ill-fated McNamara wall in Vietnam. That was a sophisticated electronic barrier between North and South

Vietnam which was designed to stop North Vietnamese infiltration. When the original barrier concept was discarded as unworkable, the program was reoriented and renamed the electronic battlefield. No longer designed to provide an electronic barrier, it is now intended to provide complete surveillance of enemy movements through the use of sophisticated sensoring devices backed by highly complex computer systems. First tested in Vietnam, the new devices are now undergoing intensive development for a variety of combat uses.

Perhaps the outstanding feature of the program is the sharp rise in costs which have been incurred. Although the official figures are secret, some published figures show how explosively the program costs have grown.

Research: In fiscal 1967 the Defense Department's Advanced Research Products Agency budgeted $3.5 million for sensor studies. One year later the amount spent on research for the electronic battlefield had grown to $82.8 million or over 25 times the amount spent the previous year.

Procurement: Two years after the start of the program, procurement costs for the new surveillance devices had risen from $192.6 million in fiscal 1967 to $524 million in fiscal 1969.

Although just over 2½ years old, the cost of the entire program, research, procurement, ammunition for testing, and funds from other sources—totals close to $2 billion.

The most frightening fact about all of this is that this may be just the beginning of a cost spiral. Should the Armed Forces decide to deploy these devices in large numbers, costs could rise astronomically. This is so because much of the program consists of very expensive electronic devices supported by computer systems. If the experience the Pentagon has had with other complicated electronic systems such as that used in the F-111 is any kind of indicator, costs could increase spectacularly while performance is continually compromised.

But, in view of the size and nature of the program, the most shocking fact about the electronic battlefield is that it has never been directly authorized by Congress. The program has never been subjected to public hearings or a detailed review.

But what is more, the military contractors know more about the program than most Congressmen and Senators. Early in January of this year more than 800 defense contractors jammed the National Bureau of Standards auditorium for a classified briefing on the program's future. All the reports and predictions made at the meeting were classified, as is practically all of the information relating to the program.

Major problems and questions: The program raises several fundamental questions regarding not only congressional control over military spending, but also control over the secret development of new weapons.

Perhaps most important, how is Congress to control expenditures if it does not even have knowledge, much less control, over major programs such as the electronic battlefield? The fact that the Pentagon could initiate such a large program without specific inclusion under the military authorization bill suggests that military spending may rise by several billion dollars more than we have been led to believe. How many more programs like the electronic battlefield costing millions of dollars and unknown to Congress has the Pentagon failed to include in the military authorization request? If Congress does not know about them, how can Congress approve them?

The second important set of questions which the program raises centers around the development of secret weapons and their future implications for military policy. General Westmoreland has said that the electronic battlefield will revolutionize ground combat. In a speech given last October before the Association of the U.S. Army, he declared:

> The Army has undergone in Vietnam a quiet revolution in ground warfare—tactics, techniques, and technology. The revolution is not fully understood by many.

The financial implications alone of this so-called revolution are frightening. Will the Congress suddenly be told that it is essential that all ground forces be equipped with the new electronic sensors before the full implications of such a decision are known? Will we be told that the expenditure of almost $20 billion is necessary if we are to match the Russians in ground capability? In short, will Congress be confronted with a "decision" on the electronic battlefield over which it has little control? These are just a few of the questions which are raised by the secret nature of the program.

The electronic battlefield also presents several other problems related to its use in combat. One of the biggest problems is that it may be an indiscriminate weapon. The sensors cannot tell the difference between soldiers and women and children. It has been pointed out that in such underdeveloped parts of the world as Vietnam, whole villages may be wiped out by seeding wide areas with air dropped explosive devices designed to kill anyone who ventures into their neighborhood. Once seeded, we would lose control over these devices and they could represent a permanent menace to the civilian population, much like old land mines.

A second major problem is presented by the extreme vulnerability of much of the electronic equipment to malfunction due to rough treatment. One infrared night observation device for use over medium range distances has already been abandoned because it could not withstand handling under combat conditions. In addition, the replacement costs alone for equipment damaged by rough handling could be enormous.

Finally, the most important, is the program really worth the money? Is combat capability increased to such an extent that the probable investment of billions of dollars is warranted? Once the Vietnam war is over, will we really need such a complicated system of sensors for combat operations?

These are all questions which should be carefully examined before the Congress approves any more money for the electronic battlefield. They should be answered before we become committed to it as a weapons system. The program may not necessarily be a bad investment. My remarks today should not be interpreted as meaning necessarily opposition to the program. I am saying that it needs to be very carefully studied before additional money is committed for its development. I am asking for information. In an effort to obtain more information on the program, I have written a letter to Secretary of Defense Laird requesting answers to several questions related to the purpose and application of the electronic battlefield. I also intend to raise questions about it when the military authorization bill is before us. I believe it should be subjected to a full review before it goes any further.

Mr. President, the fact that a program of this size and importance has never been specifically authorized and that the Pentagon has spent almost $2 billion on it, is outrageous. If Congress is to have any hope at all of controlling military spending it must have control over all major weapons systems. The electronic battlefield is no exception. It deserves the same detailed scrutiny to which all major weapons are subjected. I shall continue to work to see that it receives that review.

Mr. President, along that line, I think this is a perfect example of why we needed to have line items in the bills that come before Congress, even though it takes a 300- or 400-page bill. We should have a line item on each subject so that the Congress will know what it is voting on and will have a chance to find out where our money is going.

Mr. President, I yield the floor.

Mr. President, I ask unanimous consent that a copy of the letter I sent to Secretary Laird on this subject be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 28, 1970.

Hon. Melvin Laird,
Secretary of Defense,
Department of Defense,
Washington, D.C.

Dear Secretary Laird: Recently I learned of a new weapons system known as the electronic or automated battlefield. As I understand it, this is an integrated system of sensors which, according to General Westmoreland, "will revolutionize ground combat."

In view of the critical nature of the program, I would appreciate answers to the following questions. Although I am aware that much of the information related to the program is classified, I would like the responses to be unclassified?

1. When was this program started? What is the purpose of the program and which services are involved in its development?

2. When was the program authorized by Congress?

3. What costs have been incurred for research and procurement? What has been the total cost of the program to date?

4. What applications are planned for the program? Will the program be restricted to purely military intelligence?

5. What future developments are expected and what will be the probable cost of the program in the years ahead?

6. How effective have the sensors proven in actual combat? Where have they been used?

7. Are there any plans to equip all ground forces eventually with sensor devices and support systems? What would be the cost of such a decision?

Your answers to these questions will greatly improve understanding of the nature and purposes of the electronic battlefield program. Thank you for your cooperation and I shall look forward to hearing from you shortly.

Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

WAR PRISONERS NOT FORGOTTEN ON FOURTH OF JULY

Mr. GRIFFIN. Mr. President, over the past weekend most Americans looked at their country and themselves with fresh appreciation for what it means to be a citizen of the United States. For most it was a happy, indeed, a joyous occasion and there was a great outpouring of feeling and emotion.

The feelings of a small number of Americans, though, were tinged with sadness because their loved ones are still held incommunicado as prisoners of war by the North Vietnamese. Many of these families still do not know whether their men are alive or dead, whether they are well or ill.

At this time of rededication to freedom of all Americans, it is particularly appropriate to resolve that every effort shall be made to bring home those who are held prisoners as soon as possible so that, hopefully, the next Fourth of July will be as joyous an event for them as for the rest of America.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 1251) to authorize the President to designate the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America," in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 17868) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes, and it was signed by the Vice President.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 1251) to authorize the President to designate the period beginning August 2, 1970, and ending August 8, 1970, as "Professional Photography Week in America," was read twice by its title and referred to the Committee on the Judiciary.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Plans for Works of Improvement in Certain States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Simon Run watershed, Iowa; Mt. Hope watershed, Kans.; West Upper Maple River, Mich.; Moorhead Bayou, Miss.; Upper Bay River, N.C.; Starkweather watershed, N. Dak.; Grand Prairie watershed, Oreg.; Poplar River, Wis.; and Spring Brook, Wis. (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Relevant Laws and Regulations Applicable To Prevent Disruption of Government Functions by Civil Demonstrations and Disorders

A letter from the Attorney General, transmitting, pursuant to law, a report on relevant laws and regulations applicable to prevent disruption of Government functions by civil demonstrations and disorders (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Magnesium From the National Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of magnesium from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Selenium From the National Stockpile and the Supplemental Stockpile

A letter from the Assistant Administrator, General Services Administrator, transmitting a draft of proposed legislation to authorize the disposal of selenium from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Rare-Earth Materials From the National Stockpile and the Supplemental Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Vanadium From the National Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of vanadium from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Kyanite-Mullite From the National Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of kyanite-mullite from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Sisal From the National Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of sisal from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Metallurgical-Grade Chromite From the National Stockpile and the Supplemental Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of metallurgical-grade chromite from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Columbium From the National Stockpile and the Supplemental Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of columbium from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Abaca From the National Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of abaca from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposition of Chemical-Grade Chromite From the National Stockpile and the Supplemental Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of chemical-grade chromite from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Disposal of Antimony From the National Stockpile and the Supplemental Stockpile

A letter from the Assistant Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of antimony from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Report of Export-Import Bank of United States

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Export-Import Bank loans, insurance, and guarantees, issued in April and May 1970, in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on problems resulting from deterioration of pavement on the Interstate Highway System, Federal Highway Administration, Department of Transportation, dated June 30, 1970 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvement needed in financial management activities of the Smithsonian Institution, Washington, D.C., dated July 1, 1970 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the savings available to the Government by timing advances of loan and grant funds with actual cash requirements, Farmers Home Administration, Department of Agriculture, dated July 6, 1970 (with an accompanying report); to the Committee on Government Operations.

Report of Board for Fundamental Education

A letter from Ice, Miller, Donadio & Ryan, transmitting, pursuant to law, the annual report of the Board for Fundamental Education for the years 1967 to 1969 and a copy of the audit of the Board's financial statements as of December 31, 1969 (with accompanying reports); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Third- and Sixth-Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third- and sixth-preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Proposed Legislation To Provide for Periodic, Pro Rata Distributions of Unclaimed Postal Savings System Deposits

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for periodic, pro rata distribution among the states and other jurisdictions of deposit of available amounts of unclaimed Postal Savings System deposits, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

Report on Manpower and Training Needs for Air Pollution Control

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on Manpower and Training Needs for Air Pollution Control, dated June 1970 (with an accompanying report); to the Committee on Public Works.

Plans for Works of Improvement in Certain States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting pursuant to law, plans for works of improvement on Upper Ouachita River, Ark.; Crooked Arroyo watershed, Colo.; Clear Creek, Ill.; Fish Stream watershed, Maine; West Branch Westfield River, Mass.; East Upper Maple River, Mich.; Bahala Creek, Miss.; Newlan Creek, Mont.; McKay-Rock Creek, Oreg. (with accompanying papers); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the General Assembly of the State of Maryland; to the Committee on Armed Services:

"House Joint Resolution 68

("House Joint Resolution requesting the Congress of the United States to consider the possibility of converting and operating Fort Detrick, Maryland, as a center for the study of environmental pollution.)

"Whereas, environmental pollution is of great concern to the people of Maryland and the people of the United States; and

"Whereas, Fort Detrick is to be vacated as a center for the study of biological warfare; and

"Whereas, Fort Detrick has facilities and trained personnel for efficient study of the matter of environmental pollution; now, therefore, be it

"Resolved by the General Assembly of Maryland, That the Congress of the United States be requested to consider the possibility of converting and operating Fort Detrick as a center for the study of environmental pollution; and, be it further

"Resolved, That copies of this Resolution be sent, under the Great Seal of the State of Maryland, to the President and Vice President of the United States and members of the Maryland Delegation to the Congress of the United States."

A joint resolution of the General Assembly of the State of Maryland; to the Committee on Labor and Public Welfare:

"House Joint Resolution 22

"House Joint Resolution requesting the Congress of the United States to take favorable action on the Kerner Commission's recommendation that the federal government absorb the total cost of public welfare.

"Whereas, The Kerner Commission has recommended that the federal government absorb the total cost of public welfare; and

"Whereas, The present state budget for social services exclusive of correctional and juvenile services amounts to approximately 60 million dollars; and

"Whereas, The present state budget for community health and medical care services amounts to approximately 90 million dollars; and

"Whereas, The aforementioned appropriations for the public welfare currently comprise 19% of Maryland's annual budget; and

"Whereas, The counties and cities of this State contribute an additional 10 million dollars to the welfare program; and

"Whereas, the increasing costs of Medicaid under present conditions will appreciably add to state budgets in the future; and

"Whereas, Medicaid is a valuable program for the people of Maryland and should be continued; and

"Whereas, The cost of welfare programs is basically a federal responsibility; and

"Whereas, Absorption of welfare costs by the federal government would release hundreds of millions of dollars for both property tax reduction and needed new progressive programs for the underprivileged at the state level; now, therefore, be it

"Resolved by the General Assembly of Maryland, That this body strongly urges the Congress of the United States to take early favorable action on the aforementioned Kerner Commission recommendation so that appropriate planning for property tax reduction and needed new programs for the underprivileged can be initiated in the State; and be it further

"Resolved, That copies of this resolution be forwarded by the Secretary of State under the Great Seal of the State of Maryland to the President of the United States, the presiding officer of each branch of the Congress, and to the members thereof from the State."

A joint resolution of the General Assembly of the State of Maryland; to the Committee on Public Works:

"Senate Joint Resolution 42

("Senate Joint Resolution requesting the Department of Natural Resources to pursue discussions with the Federal Government and with adjoining States in order to secure their cooperation in stopping the pollution of the Maryland waters.)

"The members of the General Assembly of Maryland are requesting the Department of Natural Resources of this State to initiate and pursue discussions with the Federal Government and with appropriate officials of adjoining States in order to secure their cooperation in stopping and abating the sources of pollution which are affecting Maryland waters.

"The State of Maryland, by reason of its geographic position and the flow of its rivers into the Chesapeake Bay and the Atlantic Ocean, is strongly affected by the action and lack of action of its neighbors.

"Thus, each day the City of Washington discharges enormous amounts of raw sewage in the Potomac River which is a Maryland stream throughout all its length, except that portion of the River opposite the District of Columbia.

"Along the upper and lower reaches of the Potomac River, it is bordered by the States of West Virginia and Virginia and a number of its tributaries flow southward into the Potomac River from sources in the State of Pennsylvania.

"The great Susquehanna River, which accounts for approximately 83% of the fresh water import into the Chesapeake Bay flows completely through the State of Pennsylvania from a source in the State of New York.

"Other streams also flowing into portions of Maryland have their origins or tributaries into adjoining States.

"It is vital that the cooperation of the Federal Government, the City of Washington and the States of Virginia, West Virginia, Pennsylvania and Delaware be secured in order to reach the origin of sources of pollution in waters flowing into the State of Maryland; now, therefore, be it

"Resolved by the General Assembly of Maryland, That the Department of Natural Resources of this State is requested to initiate and pursue discussions with appropriate officials in the Federal Government and the City of Washington and, also, with appropriate officials and agencies in the States of Virginia, West Virginia, Pennsylvania and Delaware in order to do everything possible to reach and abate sources of pollution in the District of Columbia and in these other

States which ultimately affect the waters of the State of Maryland; and, be it further

"*Resolved*, That the Secretary of the State of Maryland is directed, under the Great Seal of the State of Maryland, to send copies of this Resolution to the President of the United States, the Vice-President of the United States, the Mayor of the City of Washington, the Governor of the Commonwealth of Virginia, the Governor of the State of West Virginia, the Governor of the Commonwealth of Pennsylvania, and the Governor of the State of Delaware."

A resolution adopted by the Missourians for National Security, Clayton, Missouri, praying for the issuance of an Executive Order to give the Subversive Activities Control Board authority to certify as subversive all domestic groups contributing to the communist threat; to the Committee on the Judiciary.

A resolution adopted by the City Council of Toledo, Ohio, praying for the enactment of legislation to provide for the funding of a program to provide part-time summer employment for the youth of the nation; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 3728. A bill to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–18) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27) (Rept. No. 91–1001).

By Mr. HATFIELD, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2036. An act to remove a cloud on the titles of certain property located in Malin, Oreg. (Rept. No. 91–1000).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

S. 3586. A bill to amend title VII of the Public Health Service Act to establish eligibility of new schools of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary medicine, and podiatry for institutional grants under section 771 thereof, to extend and improve the program relating to training of personnel in the allied health professions, and for other purposes (Rept. No. 91–1002).

REPORT OF AMERICAN REVOLUTION BICENTENNIAL COMMISSION—PRINTING AS A SENATE DOCUMENT (S. DOC. NO. 91–76)

Mr. GRIFFIN. Mr. President, the American Revolution Bicentennial Commission, created by an act of Congress, has submitted its required report to the President on the commemoration of the 200th year of the Nation's birth. Already, we are in what is termed the bicentennial era and many notable events are scheduled throughout this decade, centering around the year 1976.

It might be pointed out, Mr. President, that members of this Commission served long and hard, without any remuneration whatsoever, in order to produce this report.

From time to time, the Commission and its able staff, headed by Executive Director M. L. Spector, will issue studies and reports on individual events and projects.

Mr. President, I ask unanimous consent that the Commission's report be printed as a Senate document in accordance with the usual procedure.

The VICE PRESIDENT. Without objection, it is so ordered.

BILL INTRODUCED

A bill was introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BELLMON (for Mr. STEVENS):

S. 4058. A bill to forgive a portion of some Small Business Administration loans granted as a result of the Good Friday earthquake of 1964; to the Committee on Banking and Currency.)

(The remarks of Mr. BELLMON when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 4058—INTRODUCTION OF A BILL EXTENDING SBA LOAN FORGIVENESS TO GOOD FRIDAY EARTHQUAKE

Mr. BELLMON. Mr. President, Senator STEVENS is in Kodiak, Alaska, today participating in the joint Public Works and Commerce Committee hearings which are very important to his State. Had he been here today he would have presented to the Senate a bill of great importance to his people of Alaska. In his absence he has asked that I introduce the measure for him.

I am, therefore, introducing a bill on behalf of the senior Senator from Alaska which will extend partial forgiveness of Small Business Administration loans to those made as a result of the Good Friday earthquake which devastated large areas of Alaska and the west coast States on March 27, 1964.

With the passage of the Disaster Relief Act of 1969, Congress recognized—

> That a number of states have experienced extensive property loss and damage as a result of recent major disasters . . . and that there is a need for special measures designed to aid and accelerate the efforts of these affected states to reconstruct and rehabilitate the devastated areas.

The Disaster Relief Act of 1969 provided this special measure of aid by partial forgiveness of SBA loans incurred from disasters since July 1, 1967.

Senator STEVENS has been informed by the SBA that approximately 50 disaster areas have become eligible for the forgiveness feature of the 1969 Disaster Relief Act. These areas are:

State, counties and parishes	Cause	SBA Declaration Date
NORTHEASTERN AREA		
Maine: All areas		Dec. 31, 1969
NEW YORK AREA		
New York: Cattaraugus		Oct. 3, 1967
New Jersey: Bergen, Essex, Middlesex, Morris, Passaic, Somerset, Union		June 3, 1968
New York: Sullivan		Aug. 1, 1969
MIDDLE ATLANTIC AREA		
Kentucky: Bracken, Greenup, Jessamine, Mason, Pendleton (with Ohio)		Apr. 25, 1968
Ohio: Brown, Scioto (with Kentucky)		Apr. 25, 1968
Athens, Butler, Clinton, Gallia, Hocking, Jackson, Ross, Warren		May 29, 1968
Kentucky: Allen, Warren		June 25, 1969
Ohio: All areas		July 11, 1969
Pennsylvania: Carbon, Schuylkill		Aug. 8, 1969
Virginia: All areas	Rains[1]	Aug. 21, 1969
West Virginia: All areas	do	Aug. 22, 1969
Kentucky: Harlan County	Flood	Jan. 2, 1970
SOUTHEASTERN AREA		
Florida: All areas	(2)	Oct. 21, 1968
Tennessee: Macon		June 25, 1969
Mississippi: All areas	(1)	Aug. 18, 1969
Alabama:		
All areas	(1)	Do.
All areas affected	Tornado	Mar. 27, 1970
MIDWESTERN AREA		
Iowa: All areas		May 17, 1968
Illinois: All areas		Do.
Iowa: Black Hawk, Bremer, Buchanan, Butler.		July 19, 1968
Minnesota:		
Blue Earth		Aug. 12, 1968
All areas (with Iowa, North and South Dakota, and Wisconsin).		Apr. 15, 1968
Iowa: All areas (with Wisconsin, North and South Dakota, Iowa, and Minnesota).		Do.
Wisconsin: All areas (with Iowa, North and South Dakota, and Minnesota).		Do.
Illinois: Rock Island		May 5, 1969
Minnesota: Nobles		July 2, 1969
Iowa: Marshall, Tama		July 15, 1969
Illinois: Jo Daviess, Stephenson		July 8, 1969
SOUTHWESTERN AREA		
Texas: All areas	(3)	Sep. 20, 1967
Arkansas: Sebastian		Apr. 22, 1968
Arkansas: Garland, Pulaski, Sebastian, Sevier.		May 15, 1968
Arkansas: All areas		May 17, 1968
Oklahoma: Le Flore		May 21, 1968
Texas: All areas	Storm Candy	June 25 1968
Louisiana: All areas	(1)	Aug. 18, 1969
Texas:		
Northwest areas	Tornado	April 18, 1970
Lubbock County	do	May 12, 1970
Hayes County	Flood	May 15, 1970
ROCKY MOUNTAIN AREA		
Kansas:		
Ness		June 2, 1967
Garden City, Finney		June 26, 1967
Nebraska: All counties through which 183 passes, etc.		June 16, 1967
North Dakota: All areas (with (Minnesota, South Dakota, etc.).		Apr. 15, 1969
South Dakota: All areas (with North Dakota, etc.).		Do.
Kansas: Saline		June 25, 1969
Colorado: Boulder and Jefferson Counties.	Flood	Dec. 26, 1969
North Dakota: Ransom County	do	June 2, 1970
PACIFIC COASTAL AREA		
Alaska: Fairbanks, etc		Aug. 16, 1967
California:		
San Luis Obispo		Jan 21, 1969
Los Angeles		Jan. 23, 1969
Riverside		Jan. 27, 1969
Fresno, Tulare, Stanislaus		Jan. 29, 1969
Contra Costa		Mar. 3, 1969
Marin County	Flood	Dec. 30, 1969
All areas	Flood	Feb. 3, 1970

[1] Camille.
[2] Gladys.
[3] Beulah.

Florida, Mississippi, and Louisiana received forgiveness on loans resulting from the Hurricane Betsy disaster in September 1965, under a special forgiveness act similar to the one I am proposing today.

During the Good Friday earthquake and the ensuing tidal waves, the State of Alaska suffered damages totaling millions of dollars. Fatalities and tidal damage occurred as far south as Crescent City, Calif., and the Small Business Administration subsequently granted 1,325 loans for a total of $90,930,000 to assist in reconstruction. This earthquake was the most severe seismic disturbance ever registered in this country, and many of the victims of this disaster have not yet recovered. The bill I am introducing on behalf of Senator Stevens will match the provisions of section 7 of the Disaster Relief Act of 1969 and provide a forgiveness of SBA loans not to exceed $1,800 per loan.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4058) to forgive a portion of some Small Business Administration loans granted as a result of the Good Friday earthquake of 1964, introduced by Mr. Bellmon, for Mr. Stevens, was received, read twice by its title, and referred to the Committee on Banking and Currency.

ADDITIONAL COSPONSORS OF BILLS

S. 3723

Mr. McINTYRE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from North Dakota (Mr. Young), the Senator from Utah (Mr. Moss), and the Senator from Massachusetts (Mr. Brooke) be added as cosponsors of S. 3723, to provide for orderly trade in textile articles and articles of leather footwear, and for other purposes.

The PRESIDING OFFICER (Mr. Cranston). Without objection, it is so ordered.

S. 3752

Mr. PEARSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Tennessee (Mr. Baker) be added as a cosponsor of S. 3752, to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes.

The PRESIDING OFFICER (Mr. Cranston). Without objection, it is so ordered.

S. 3986

Mr. PEARSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Nevada (Mr. Cannon) be added as a cosponsor of S. 3986, to create the Rural Development Highways Act of 1970, to encourage a more balanced geographical dispersal of the Nation's people and industry and to generally promote the economic and social development of our rural communities and to discourage a continuing of those urban concentration trends which are considered to be undesirable, through a more effective use, location, and design of the federally aided highway system.

The PRESIDING OFFICER (Mr. Cranston). Without objection, it is so ordered.

S. 4041

Mr. TOWER. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Kansas (Mr. Pearson) be added as a cosponsor of S. 4041, to repeal section 7275 of the Internal Revenue Code of 1954, relating to amounts to be shown on airline tickets and advertising.

The PRESIDING OFFICER (Mr. Cranston). Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on July 1, 1970, he presented to the President of the United States the enrolled bill (S. 4012) to extend the Clean Air Act, as amended, and the Solid Waste Disposal Act, as amended, for a period of 60 days.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1971—AMENDMENT

AMENDMENT NO. 763

Mr. McGOVERN. Mr. President, the Senate will soon face the question of funding the food stamp program. The Appropriations Committee has recommended that only $1.25 billion of the $2 billion authorized by the Senate last fall be appropriated.

In testimony presented before the Select Committee on Nutrition on June 19, 1970, Assistant Secretary of Agriculture Lyng told of impressive increases in participation in the food stamp program.

But the Assistant Secretary also told my committee that the $1.25 billion appropriation requested last winter for food stamps would not permit further expansion of the program. He said:

> The acceptance of the food stamp program has been such that we may have some very real problems in the coming fiscal year 1971. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure (1.25 billion) will be insufficient.

While gains have been made, we must understand that the job of feeding America's hungry has only just begun. To stop now would be indefensible.

I, therefore, ask unanimous consent that the following tables which show the percentage of the poor in each State who are receiving either food stamps or commodities be inserted in the Record at the conclusion of my remarks.

Mr. President, I believe that these tables conclusively demonstrate the need for full funding of the food stamp program. I hope that my colleagues will agree and that they will join with me at the appropriate time to insure that this critical program is adequately funded.

I also ask unanimous consent that a statement by Jean Mayer, professor of nutrition at Harvard University and chairman of the First White House Conference on Food, Nutrition, and Health be printed in the Record.

Mr. President, it is my present intention to move at the appropriate time to raise the appropriation for the food stamp program to the full $2 billion authorized by the Senate last fall.

Mr. President, on behalf of myself and Senators Brooke, Gore, Hart, Hollings, Javits, Kennedy, Mondale, Schweiker, Spong, and Yarborough, I submit an amendment, intended to be proposed by us, jointly, to the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes. I ask unanimous consent that the amendment be printed in the Record.

The PRESIDING OFFICER (Mr. Dole). The amendment will be received and printed, and will lie on the table; and, without objection, the amendment, table, and statement will be printed in the Record.

On page 20, line 24, strike out "$1,250,000,000" and insert in lieu thereof "$2,000,000,000".

The table, presented by Mr. McGovern, is as follows:

State	Percentage of poor in food stamp program	Percentage of poor in commodity distribution program	Total percentage in programs
Alabama	16.3	27.5	43.8
Alaska	76		76
Arizona		47	47
Arkansas	28	3	31
California	41	14.5	55.5
Colorado	48		48
Connecticut	53	6.4	59.4
Delaware		56	56
District of Columbia	25		25
Florida	1.4	28	29.4
Georgia	11	19	30
Hawaii	24		24
Idaho		26	26
Illinois	36		36
Indiana	18	11	29
Iowa	24	1.7	25.7
Kansas	.7	13	13.7
Kentucky	28	10	38
Louisiana	38	5.6	43.6
Maine	5.7	52.5	58.2
Maryland	28	4.5	32.5
Massachusetts	.12	32.5	32.62
Michigan	29	8	37
Minnesota	21.5	4.1	25.6
Mississippi	37	15.5	52.5
Missouri	7.4	28	35.4
Montana	28	19.5	47.5
Nebraska	21	1.2	22.2
Nevada		25	25
New Jersey	41		41
New Hampshire		2.5	2.5
New Mexico	63	19	82
New York	5.4	40	45.4
North Carolina	11.5	13	24.5
North Dakota	15.5	18	33.5
Ohio	37	2.1	39.1
Oklahoma		57	57
Oregon	19	63	82
Pennsylvania	28	1.5	29.5
Rhode Island	42		42
South Carolina	27		27
South Dakota	16	20.0	36
Tennessee	27	3.3	30.3
Texas	6.2	15.0	21.2
Utah	26		26
Vermont	36		36
Virginia	11	6.3	17.3
Washington	80		80
West Virginia	52		52
Wisconsin	16.5	13.0	29.5
Wyoming	33	6.9	39.9
Total	22	14.0	36

Note: Based on USDA commodity distribution figures for March 1970, and USDA food stamp figure for April 1970.

The statement, presented by Mr. McGovern is as follows:

Last December, in his speech at the opening of the White House Conference on Food, Nutrition, and Health, the President pledged himself and the Nation—that is all of us—"to eliminate hunger and malnutrition due to poverty from America for all times." I believe that almost all Americans approved of this commitment. Surely, there is nothing more disgraceful—and more ridiculous—than for our Nation to spend close to six billion of dollars to keep our agricultural production down, when millions of Americans are deprived of sufficient wholesome foods to maintain good health.

The Congress has it in its power by devoting sufficient appropriations to the Food Stamp Program (a minimum of 2 billion dollars) as well as by finally passing a satisfactory Food Stamp Act with free food stamps for the very poor to fulfill our national commitment. Cutting down the appropriation to 1.25 billion means that millions will not be able to take advantage of this rational, dignified method of support and will be thrown back on the commodity program—"poor people's food."

Increasing the expenditures for food stamps should cut down significantly on the need for expenditures for price support. The fact that our productive capacity for food is much greater than our actual production also means that increased expenditures for food (as opposed to other goods or services in short supply) should have only little inflationary effect.

Finally, it is worth noting that recent deflationary measures which tend to increase unemployment and the delays in Congress in implementing the Family Assistance Plan both make the expansion of the Food Stamp Program particularly urgent. I urge the Congress to fully fund the program.

Jean Mayer,
Professor of Nutrition,
Harvard University.

July 3, 1970.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1971—AMENDMENT

AMENDMENT NO. 764

Mr. **PROXMIRE** submitted an amendment, intended to be proposed by him, to the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF HEARING ON S. 3354, TO ESTABLISH A NATIONAL LAND USE POLICY

Mr. JACKSON. Mr. President, a final hearing on S. 3354, my bill to amend the Water Resources Planning Act to establish a national land use policy, will be held before the Committee on Interior and Insular Affairs on Wednesday, July 8, 1970, at 10 a.m. in room 3110, New Senate Office Building.

In the hearings to date, the committee has heard from prominent officials of the Federal Government, including Chairman Russell Train of the Council on Environmental Quality, who testified on behalf of the Nixon administration; Representative Rogers Morton, of Maryland; Chairman John Nassikas, of the Federal Power Commission; and the Honorable John Carver, former Under Secretary of the Interior, who is now a member of the Federal Power Commission. State government, which would play a central role in the national land use policy, has been ably represented by Gov. John Love, of Colorado, chairman of the National Governor's Conference, who has played a leading role in State land use planning; and Gov. Francis Sargent, of Massachusetts, whose credentials as a public official concerned about the quality of the environment are widely known.

Citizen groups and experts in fields related to land use planning have also given the committee the benefit of their experience and expertise. The National Wildlife Federation, the National Association of Soil and Water Conservation Districts, and the American Forestry Association are among the organizations dedicated to conservation of the country's natural resources which have testified. Prominent attorneys, planners, architects, landscape architects, and foresters have also been heard by the committee in its consideration of the measure.

In addition to the oral testimony, the committee has solicited written comment on the bill from each of the State Governors, and their replies have been made a part of the hearing record. Many other valuable comments, both solicited and spontaneous, have been received and are given serious consideration.

The overwhelming reaction to S. 3354 has been that a national land use policy is an idea whose time has come. There have been many constructive suggestions concerning particular provisions of the bill, and the committee staff has carefully recorded them for our consideration. But such reservations as have been expressed concern questions of administration and method of implementation of the policy, not the need for a policy itself. I am truly gratified at the response the bill has received.

The final hearing will round out the committee's public consideration of S. 3354 by featuring representatives of industry and local government, as well as the conservation community. Mr. Harry Woodbury, senior vice president of the Consolidated Edison Co. of New York, along with Mr. James Turnbull, executive vice president of the National Forest Products Association, will present some industry viewpoints. A panel of county government planners, representing a broad spectrum of constituencies from urban to rural, will offer some local government perspectives. A spokesman for the Sierra Club is also expected to testify.

I am pleased to announce this hearing and to extend an invitation to each of the 18 cosponsors of S. 3354, and any other Senators who would care to come, to join the Commitee on Interior and Insular Affairs for this final morning of testimony on what I consider one of the most important pieces of environmental legislation now before the Senate.

ADDITIONAL STATEMENTS OF SENATORS

NATIONAL COMMITTEE OF CONSULTANTS ON THE CONQUEST OF CANCER STARTS WORK ON ITS IMPORTANT TASK

Mr. YARBOROUGH. Mr. President, on April 27, 1970, the Senate adopted Senate Resolution 376 which established the National Committee of Consultants on the Conquest of Cancer, under the jurisdiction of the Committee on Labor and Public Welfare.

As chairman of the Committee on Labor and Public Welfare, I want to report to the Senate that some of the Nation's best research, management, and organizational men have agreed to serve on this committee. On Monday, June 29, the committee held its first meeting. The committee met in the Labor and Public Welfare Committee hearing room with Mr. Benno Schmidt, chairman of the executive committee, board of trustees, Memorial Hospital for Cancer and Allied Diseases, Sloan-Kettering Institute for Cancer Research as the committee chairman and Dr. Sidney Farber, former president of the American Cancer Society and now director of research, Children's Cancer Research Foundation, Children's Hospital, Boston, Mass., as cochairman.

Other members of the committee are Mr. I. W. Abel, president, United Steelworkers of America, Pittsburgh, Pa.; Mr. Elmer Bobst, chairman of the board, Warner Lambert Pharmaceutical Co., New York, N.Y.; Mr. Emerson Foote, advertising consultant—former president, Foote, Cone & Belding; former president and chairman, McCann-Erickson, Inc.—New York, N.Y.; Mr. G. Keith Funston, former president of the New York Stock Exchange, now chairman of the board, Olin Corp., member of board, American Cancer Society, Stamford, Conn.; Mrs. Anna Rosenberg Hoffman—Mrs. Paul G. Hoffman—former Assistant Secretary of Defense; public information and labor relations consultant, New York, N.Y.; Mr. Emil Mazey, secretary-treasurer, United Automobile Workers, Detroit, Mich.; Mr. Jubel R. Parten, member of board, Fund for the Republic, former chairman of the board, Pure Oil Co., Bank of Southwest, Houston, Tex.; Mr. Laurance S. Rockefeller, president, Memorial Hospital, chairman, Rockefeller Brothers, Inc., New York, N.Y.; and Mr. William McC. Blair, Jr., general director, John F. Kennedy Center for Performing Arts—former U.S. Ambassador to the Philippines and Denmark—Washington, D.C.

Also, Dr. Joseph Burchenal, vice president, Sloan-Kettering Institute for Cancer Research, New York, N.Y.; Dr. R. Lee Clark, director, M. D. Anderson Institute, Houston, Tex.; Dr. Paul B. Cornely, president, American Public Health Association, Washington, D.C.; Dr. Solomon Garb, scientific director, American Medical Center at Denver, Spivak, Colo.; Dr. James F. Holland, chief of medicine A, Roswell Park Memorial Institute for Cancer Research, Buffalo, N.Y.; Dr. Mathilde Krim, associate, Sloan-Kettering Institute for Cancer Research, New York, N.Y.; Dr. Joshua Lederberg, professor of genetics, Stanford University School of Medicine, Palo Alto, Calif.; Dr. Jonathan E. Rhoads, professor and chairman, Department of Surgery, University of Pennsylvania School of Medicine, Philadelphia, Pa.; Dr. Harold Rusch, professor of cancer research, University of Wisconsin, Madison, Wis.; Dr. William B. Hutchinson, president and director, Pacific Northwest Research Foundation, Seattle, Wash.; and Dr. Wendell Scott, Washington University School of Medicine, St. Louis, Mo.

Mr. President, my remarks at the opening session outline the great need for this committee's work and its goals. I ask unanimous consent that my statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RALPH W. YARBOROUGH

On behalf of my 53 Senatorial colleagues from both major political parties who have sponsored the resolution authorizing this major study of cancer, I welcome you to this historic hearing room of the Senate Labor and Public Welfare Committee. Over the years, some of the most significant health legislation ever enacted by the Congress has been voted upon within these walls.

However, I venture to say that none of the previous challenges we have grappled with in this room exceeds in importance the crusade we have embarked upon today. As I told the Senate in introducing the authorizing resolution on March 25th of this year, we are asking this distinguished group of scientists and laymen to recommend to the Congress and to the American people what must be done to achieve cures for the major forms of cancer by 1976—the 200th anniversary of the founding of this great Republic. I need not point out to most of you who have spent your entire lives combating this insidious disease that the incidence of cancer in America has reached epidemic proportions. Last year, it killed more than 300,000 Americans—more than thirty times the number of young men who lost their lives in combat in Southeast Asia in that same year.

As you know, the purpose of this study, as specified in S. Res. 376, which authorized the creation of this group, is to make a complete study of any and all matters pertaining to: (1) the present scope of scientific research conducted by governmental and non-governmental agencies directed toward the causes and means for the treatment, cure, and elimination of Cancer; (2) the prospect for success in such endeavors; and (3) means and measures necessary or desirable to facilitate success in such endeavors at the earliest possible time. This distinguished panel will be expected to report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate Committee on Labor and Public Welfare.

In my 13 years of service in the Senate, I have frequently expressed my puzzlement that no large, goal-directed effort has ever been launched against this disease. In the atomic and nuclear energy fields, we set national goals and we achieved them; in outer space, President Kennedy in 1960 announced the goal of landing a man on the moon within a decade, and we have achieved it.

Why can we not apply the same managerial and organizational talents used in the physical sciences to the conquest of mankind's most dreaded enemy?

Over the years, we in the Senate have listened to the testimony of scientists expert in the field of cancer who have assured us time and time again that they could wipe this curse from the face of the earth if this nation so wills it, and if it is ready to spend the money necessary to complete the mission.

As a layman, I particularly welcome on this committee those of you who have broad managerial and industrial experience. I want you to take a long, hard look at the way in which cancer rips into the very fabric and strength of this democracy. Five years ago, a Presidential Commission estimated the cost of cancer to our economy as in excess of eight billion dollars a year. Losses in productivity and earning capacity are astounding—in the age group 25 to 64 years, which accounts for 45 percent of all cancer victims, 100,000 man years of productivity are lost annually. If this loss in productivity is multiplied by the working life span of the average American, the eight billion dollar estimated loss is only the tip of the iceberg.

The earlier 1964 Presidential Commission made recommendations which for one reason or another were not fully or effectively implemented. We cannot afford to let that happen again. We cannot afford to submit any recommendations without specifying how they should be implemented. Accordingly, the ultimate objective of this entire effort should be recommendations with plans for *implementation*. The recommendations should be practical and realistic and to the extent possible should indicate, step-by-step, precisely how the implementation should be accomplished. This implies the preparation of a coordinated plan.

As a nation, we cannot afford business-as-usual budgets in the battle to conquer cancer. After 33 years of existence, the current budget of the National Cancer Institute is less than $200,000,000. We spend ten times this sum in hospitalization costs for cancer victims each year. We spend twenty times this sum in federal expenditures alone for highway construction each year.

I know you can do the job. When I introduced the resolution setting up this committee last March, I thought I was doing a little bragging when I assured the Senate that "this committee will be composed of some of the nation's most distinguished scientists and lay leaders who have dedicated their lives to the eventual conquest of cancer." As I look around this room, I know now that I wasn't bragging—I was underestimating the caliber of the distinguished galaxy of Americans gathered here today. It is a source of the deepest satisfaction to me that all of you, with the tremendously demanding lives that you lead, are willing to make this sacrifice of time and effort to achieve our joint mission.

I pledge you the full cooperation of the Senate Labor and Public Welfare Committee in this endeavor. We look forward with the greatest anticipation to the completion of your report sometime this Fall, and we are confident that it will make a contribution which may very well change the course of the history of mankind.

A list of the Committee members can be found in the folders which each of you have before you.

HONOR AMERICA DAY

Mr. GRIFFIN. Mr. President, this past weekend between 250,000 and 400,000 Americans came to Washington, D.C., to celebrate Independence Day, the flag, and this experiment in liberty that we call the United States of America.

These were Americans who are proud of their country, unashamed in their affection for our history, and bearing peaceful witness to their faith in the American dream.

I ask unanimous consent that an editorial published in the Washington Daily News of July 6, 1970, and an article by David Lawrence, published in the Washington Evening Star of July 6, 1970, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, July 6, 1970]

FREAKS AND THE FOURTH OF JULY

There was an engagingly old-fashioned air to the Honor America Day goings-on in the nation's capital; shirt-sleeved family groups picnicking on the grass, listening to patriotic oratory and stirring band music, hearing about religion's role in building America, watching fireworks light up the night sky.

There was the same easy familiarity in the entertainment program put on by Bob Hope. If some of the stars seemed to have been around since the founding of the Republic, it was good to know that they were alive and well in Washington.

We think that most of the 250,000 people who took part in the day and many millions who watched it on TV had a good time. And many of them may have benefitted, in this time of division and doubt, from the day's reminder of how much is right and decent in this country.

What was not familiar, or likeable, about the day were efforts by a small number—about 4,000—of hippies and yippies to disrupt the celebrations. It may be news to beardies, weirdies, pot heads and freaks, but one of the things America is all about is fair play for the other fellow.

During the recent antiwar demonstrations here in Washington, we were struck by the restraint of the police and the majority of the citizenry who did not approve of the marchers. (Any attempt to interfere would, of course, have been met with loud cries of "Fascism!" or "Repression!")

But when Middle America gathered to honor the flag, a fringe of the New Left loosed obscene chants at Billy Graham and Kate Smith. It hurled bottles and firecrackers into crowds containing children, and it "liberated" (looted is a better word) refreshment stands.

There are, we think a few lessons in the yippie behavior during Washington's Fourth of July. One concerns those who sewed the American flag on their trouser seats or paraded in the nude. They are poor, pathetic creatures trying to shock the bourgeoisie, and you don't have to discuss the Vietnam war seriously with a clown with a bare behind.

A second concerns the bottle-throwers, platform-seizers, and obscenity-chanters. They are very few and not really dangerous, and there are plenty of disorderly-conduct laws to deal with them.

It would be a ludicrous mistake to be stampeded by a handful of violence-freaks into passing repressive laws that, in time, could restrict everybody's freedom.

[From the Washington Evening Star, July 6, 1970]

JULY 4 COULD STRESS REAL GOALS

(By David Lawrence)

A good, old-fashioned Fourth of July was symbolized in Washington by the "Honor America Day" celebration on Saturday which was witnessed by a crowd of 350,000 to 400,000 people on the grounds between the Lincoln Memorial and the Washington Monument. Not only did this touch the hearts of the "silent majority" who have tired of the outbursts of treasonable utterances and damaging disorders—known as "anti-war" demonstrations—but it also gratified millions of other citizens who feel that America is worth the love and reverence conveyed in the national anthem and patriotic songs.

Unfortunately, in contrast the news dispatches reported simultaneously that some of the "youth generation"—which is supposed to have new ideas and is demanding "change"—were engaging in a rock-music festival in Atlanta. Physicians there were pleading for state and federal help because the drug situation at the festival had gotten out of control.

The celebration in Washington got national and international attention. It was a well-planned effort to emphasize that Americans are still dedicated to the fundamental principles of free government and are happy with the progress that has been made in the 194 years of our history.

An interfaith religious service led by Billy Graham elicited much applause, and the entertainment by Bob Hope and other television stars wound up a day of celebration unique in history. Political subjects, moreover, were not touched upon.

It seems sad, though, that the program had to be so tactfully arranged as to eliminate any direct tribute to the thousands of American youth who have died in Vietnam. Yet they are true patriots of the era. For they have helped to prevent a third world war and to save the American people from suffering huge casualties. Dictatorships abroad were twice given the impression that "isolationist" had persuaded American public opinion to abandon the rest of the world. In each case, these miscalculations of American resoluteness led to world wars that could have been avoided if within the United States there had been solidarity and a nonpartisan attitude.

Today those in the "younger generation" who have been carrying on "anti-war demonstrations haven't been reading history carefully and haven't been observing the uneasiness of European and Asian countries lately about the supposed lessening of the American military presence on both continents.

In recent years, the Fourth of July has been a holiday celebrated mostly in pleasure-seeking hours. It would, however, be a constructive precedent if the day were used also for nationally televised speeches emphasizing the progress the United States has been making in a complex world in which the growing population presents undreamed-of challenges. Here, for instance, are only a few of the problems currently before Congress:

Pollution—The President advocates the use of state and federal funds to curb water pollution. The program would cost $10 billion over the next five years. Congress is working on the legislation.

Education—A $4.8 billion appropriation bill is pending to finance all major federal-aid-to-education projects and to help Southern schools meet the costs of desegregation.

Welfare—An administration plan has been passed by the House and sent to the Senate which would provide a family of four a minimum income of $1,600 a year. The family's income could rise as high as $3,290 before the $1,600 subsidy would be eliminated.

Housing—The Senate and House are working in conference on bills to encourage the housing mortgage market including bills to authorize $250 million to subsidize home-mortgage interest payments of a certain type.

Crime—The House has passed a three-year bill appropriating $3.2 billion for safe streets assistance, and the Senate has approved the organized crime bill. Hearings are being held on other proposals.

Lots of controversies and differences of opinion between the President and Congress prevail as to the amounts to be authorized. But in what other country in the world are there being spent, year after year, vast sums to provide for the safety and welfare of the population, which in America now has grown to more than 200 million? These are the things worth rejoicing over on the Fourth of July.

CHET HUNTLEY TO RETURN TO HIS NATIVE MONTANA

Mr. METCALF. Mr. President, yesterday, the New York Times published an article on the plans of Chet Huntley, NBC newscaster, to return to his native State of Montana. Chet Huntley has written of his early years in Montana, in his remembrances of his frontier boyhood, "The Generous Years." He grew up in a similar environment in northern Montana to mine in western Montana. It was nostalgic to read his book and a privilege to review it. Anyone who reads "The Generous Years" can understand why Chet wants to go home.

I ask unanimous consent that my review and the New York Times article be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

A Native Son Writes a Montana Love Story

(*Remembrances of a Frontier Boyhood*, by Chet Huntley; Random House, 215 pp., $4.95. Reviewed by Senator Lee Metcalf.)

Montanans are just a little prouder of native sons and daughters who become nationally famous than are the citizens of more populous states. At the same time, the men and women who leave Montana for the cities of the east and the west coast never lose their affection for their home state. Hence the popularity of such native Montanans as Gary Cooper and Myrna Loy and Chet Huntley in their home state.

Chet Huntley has written a love story about Montana in *The Generous Years*. Here he tells about his early life at a time that was singularly innocent compared with the hectic days of the 60s and at a place that was wonderful for a boy.

Chet Huntley's family homesteaded near Saco, Montana, along the Great Northern Railroad in 1913. He tells of a boyhood in Saco that is very like the boyhood I experienced in Stevensville during the same period. In a nostalgic and perceptive book, Chet Huntley has described his boyhood and adolescence on a Montana farm and in a typical small Montana town. The work on the farm, the harnessing of the horses, coping with the eccentricities of a Model T, working with the sheep and the cattle and the chickens, the thrill of the first visit to town which will never be recaptured on later trips to the great cities of the world are stories that will evoke memories from every farm boy and girl who grew up in the west during the period between World War I and World War II.

The epilogue is an eloquent, moving and poetic tribute to Montana and will be a part of the permanent literature of Montana. I predict that portions of it will be memorized by students in future years and recited at declamation contests, and it will be paraphrased by orators and politicians in future campaigns.

In reciting the saga of a pioneer boyhood, Chet has written an evocative and enjoyable book. But when he essays into other areas, he drops the ball. At times background in the history of Montana or statistics about Montana are necessary to understand the narrative. These are added. But somehow those born in Montana who have emigrated to the east feel a compulsion to tell about the war of the Copper Kings and the Anaconda company's domination of Montana in political and economic affairs of the 20s and 30s. And when Chet seeks to summarize that period, he proves that he is a better current commentator than historian.

He tells about W. A. Clark and his rivalry with Marcus Daly and describes how Clark won election to the Senate in the Montana legislature by the simple procedure of throwing bundles of $20-bills over the transom of legislators' rooms in Helena hotels. But then he says that Clark was met at the door of the U.S. Senate and barred by the sergeant at arms from taking his seat. In fact there was no objection to the seating of Clark. After he was seated, a petition was filed contesting his election.

Clark served in the Senate from Dec. 4, 1899, until May 15, 1900, when he addressed the Senate on a point of personal privilege and then resigned. Nor was Montana without a Senator for 11 years as a result of this struggle. Rather, it was about 17 months.

Chet's remarks about schools and school teachers will probably be reprinted by the Montana devotees of the one-room schoolhouse. It will be circulated to the Montana legislature to answer those who want to raise teachers' salaries and increase appropriations for operation of Montana schools. His comments on teachers' unions and dedicated teachers may have grown out of current unrest in our schools.

As a story of the life of a boy on a Montana farm in years when farming was a hard and difficult life, before the REA, before modern machinery, before paved highways, this is a book that will bring back memories to men and women everywhere who spent their childhood living close to the soil while their parents coped with the elements, with drought and grasshoppers and hail and frost and had no problems with farm bills and price supports and subsidies.

Forget about the historical inaccuracies and read about this book as a reminiscence of a typical, normal and delightful early life in a special place in the world, Montana and you will understand why Montana will always have a special meaning for all of us.

Good job, Chet.

Chet Gets Ready to Say, "Good-by, David"

(By Fred Ferretti)

Much of what he says, and many of the things he has done, bespeak in Chet Huntley a longing for another time.

Born and reared more than a half-century ago along the Northern Pacific's Montana right-of-way, he could just as easily have been any of those guys Gary Cooper played if he had not won a debating contest and drifted into broadcasting. He raises cattle and wears Stetsons. His boyhood hero was his grandfather, whom he remembers romantically as a superb saloon battler. A paternal decendant of John Adams and John Quincy Adams, Huntley reeks of independence. He subscribes to no political party. He refuses to be dropped into any ideological bag. Conservtives have called him Communist. Blacks have intimated that he's soft on segregation. He has been a Vietnam Hawk and an Indochina Dove.

He likes thrift and Boy Scouts and those anonymous doers of civic good, the Order of DeMolay. He likes the western desert and climbing hills and trout. He used to like May Day "in those innocent years before the proletariat turned it into a brash and chauvinistic holiday," and he still prefers one-room schoolhouses. "There was more happiness and contentment in those days when we had little." A philosophical maverick who is alternately square and with it, he has been called a scab by his union and a violator of the public interest by his government. Disputation has dogged his public life, yet it would appear that most often Huntley courted controversy, reveled in it, bathed in it.

Now at the top of his personal form, with only the barest hint of a downturn showing; with television news' influence at its peak; with Huntley lately emerged as one of broadcasting's more outspoken opponents of Spiro Agnew, he has decided to quit. And not surprisingly, the why of his departure has precipitated anger and opposition—out in his native Montana no less.

At the end of July, after 15 years, Chester Robert Huntley will say "Good night, David" to Brinkley for the last time and begin shilling for Big Sky, a rich man's all-service western resort out in Bozeman, Montana, that a few of the townsfolk believe will muck up the ecology of the Gallatin River Valley.

Recently, sitting in his fifth-floor office in the R.C.A. Building, glancing often * * * into Radio City Music Hall, Huntley spoke of Big Sky, of Montana, of himself, his trade and his future. Except for the steel filing cases at one end of the room and a tan linen sofa flat against a long wall, it could have been the set of Marshal Dillon's office on

"Gunsmoke." A perspective map of Helena, Montana. A huge old oaken rolltop desk ("My Dad's"). A street by street map bearing the legend "Virginia, City of Montana." An award, The Order of the Grizzly. And over the desk, a Winchester .73 rifle. On a chair next to the desk, a doe-colored Stetson. And Chet's face, lined, craggy, sincere.

Big Sky of Montana, Inc., has occupied most of Huntley's time for the last several months, "so much so that I guess I've been goofing off, not writing as much of the program as I'd like," he said. Big Sky, an estimated $15-million project, is projected as a resort for the well-to-do, with a full range of athletic facilities, private apartments, permanent homes and village facilities. It will be situated 45 miles south of Bozeman, near Yellowstone National Park in southwestern Montana. Most of the surrounding towns have indicated that they're anxiously awaiting the expected boom, but some cattlemen and conservationists see the resort, backed by the Chrysler Realty Corporation, "as the Big City east coming in and ruining our country."

Huntley called his latest opponents "a small group of people who do not qualify as conservationists. As far as I can determine, they have a track record of not liking anything. They're the same people who said 'We don't like airplanes,' and 'The Jet Set will be coming in here.' What they're saying is 'Let's keep Montana as our private little club.' If *that* happens, they'll be up for some *real* exploitation.

"I've fished and climbed and camped those 11,000 acres. I know them. And they're going to be preserved. We've had engineering studies done. There will be no spoilage. We're going to use total electric energy. There will be no smoke, no noxious gases. You know, before we bought the property there were 6,000 trees due to be cut. Now we've got the timber rights and that's not what's going to happen. We're not coming in to make a buck and run." Huntley says there will be "no hunting allowed. There's moose, elk, deer, bighorn sheep, mountain lions, and bear. They won't be touched."

* * * * *

His father was a telegrapher, and Huntley, who was born Dec. 10, 1911, in Cardwell, Montana, moved through Saco, Scoby, Willow Creek, Logan, Big Timber, Norris, Whitehall, Bozeman and Reedpoint before winning a scholarship to Montana State College in 1929. Three years of premed led nowhere, until he won a national oratory contest and a scholarship to the Cornish School of Arts in Seattle in 1932.

He switched to the University of Washington the next year, and "since my Dad was only working two days a week in the Depression," he supported himself by working as a waiter, a telegram delivery boy, by washing windows and selling pints of his blood. In 1934 he got a $10-a-month job with a 100-watt station, KCBC, in Seattle. In addition to his salary he was given laundry service and allowed to use sponsorship accounts to trade for food. At the time "there was no wire service for radio news, so I arranged to buy a Seattle Star and rewrote the news for a 15-minute newscast every night. For $10 a month." Estimates of Huntley's salary currently range from $150,000 to $200,000 annually.

In 1938 he went to CBS in Los Angeles, KNX, "because they began a genuine news network. I was correspondent for 11 western states." His salary during this period averaged about $65 a week and he augmented it by being the voice on scores of movie trailers, and by introducing dance bands on late-night broadcasts. During the war years he covered the West Coast CBS. In 1951 he became ABC's man in Los Angeles. During his stay there he criticized the late Senator Joseph McCarthy and was denounced as a communist. He sued his detractor and won a $10,000 judgment. "I never collected the money. I didn't want it, but the judgment still stands to keep the party from opening her mouth again."

In 1955 Huntley switched to NBC. "There was no specific assignment. I was just a staff correspondent." In the summer of 1956, he and David Brinkley were selected to anchor the Democratic Presidential convention in Chicago and the Republican convention in San Francisco. "The Huntley-Brinkley Report" began Oct. 29, 1956. Stop! Okay, TV buffs, whom did H-B replace? Give up? John Cameron Swayze, "hop-scotching the world for headlines."

Only recently was it learned, and it came as a surprise to Huntley, that he was third choice for the network news. Novelist John Hersey had turned down an NBC offer, and Henry Cabot Lodge was suggested before the NBC brass settled on Huntley. Over the years the H-B team became subjects for spoof and parody, their "Good nights" to each were mimicked, as were their voices. Both men maintain that their 15-year "marriage" has been happy, despite NBC insiders' reports that the men often bridled at each other. Says Chet: "We're both adults. We've never pretended that we have to travel in tandem," but, he maintains, "We've never had a harsh word."

A visible split came in 1967. The American Federation of Television and Radio Artists struck the television networks on March 29. Brinkley stayed away from work. Chet went through the Rockefeller Center picket lines and went to work. There was much bitterness as a result. Several staff writers refused to work with Huntley and were transferred to other programs. Huntley refused to honor the AFTRA picket line, despite threats of fines and union sanctions.

Huntley felt, he says, "that AFTRA didn't represent me. Newsmen just don't belong in there with actors, singers, dancers and announcers, and I wasn't about to stand still and be pushed around. I had to carry an AFTRA card to be on programs as an entertainer, like the Carson show, or the Como show. I didn't have to join AFTRA to be a journalist, and I was damned if they were going to push me into anything." Oddly enough, his feelings were shared by one of the men who will succeed him, Frank McGee, who also worked during the strike. Huntley says the time was especially difficult for him. "My home [an East Side brownstone] was picketed. Windows were broken. I got threatening phone calls and mail." Of late, he says, "people who then hated my guts have come to me and said 'You were so right.' "

Shortly afterward, Huntley was forced to sell 350 head of pedigreed breeding cattle and to close up a southern New Jersey farm because of rifle sniping and vandalism to the herd and to his ranch. He admits that "sometimes I guess it's just because I'm me" that there are attacks, "but it's part of the business."

In 1968 NBC was rebuked by the Federal Communications Commission for permitting Huntley to deliver on-the-air attacks on Federal meat inspection requirements while he had interests in a cattle feeding farm. Huntley is bitter over this. "They picked up a Jack Gould story. He said why didn't I start my report with a disclaimer. Damn! I owned one per cent of a feeding company. Does that mean that everybody who has a piece of stock in a company must issue disclaimers if he is to speak about related subjects? I don't see Congressmen filing disclaimers. I can't subscribe to that."

Huntley's name has, from time to time, been brought up as a Senatorial possibility from Montana. "Six years ago there was talk that it was going to be Mike's [Mansfield] last term. I did poke around, and found out Mike changed his mind and was going to run. That settled it for me. You'd be an idiot to run against Mansfield in Montana." Would he have run as a Democrat? "I guess so, although I'm a registered independent. I don't subscribe to the ideology of either party."

Huntley is a realistic about his role as a commentator. "TV journalism is group journalism," he says. "It doesn't cover all the news. It's not the papers. We transmit the top." He does, however, regard himself and his NBC colleagues—"there were 75 people working here in 1955, now there are 1,000"—as "newsmen, not entertainers." He is impatient with "new" ways to do television news, such as having panels and discussions within news programs. "There's one good way, and that's to sit a guy down and have him read the news."

His optimism for television as a news-conveying medium dips when Vice President Agnew's name is mentioned. "He knew clearly what he was doing. People were disturbed by adverse news. Of course. What was the response from the Government? 'Let's get those guys,' instead of trying to get rid of the aberrations and disturbances.

"Agnew assembled a big pool of discontent, and there seems to be a willingness to delete many provisions of the Bill of Rights if need be. You know it here in our shop. Every guy who sits down at a typewriter knows Agnew is tapping on his shoulder." Huntley adds, "Nixon is playing the whole thing like a virtuoso. I have a feeling we haven't heard it all from him yet."

He hopes he'll hear Agnew less in Montana when he goes there in a year with his wife, Tipton. Huntley has two daughters, Sharon and Leanne, by his first wife. He'll be in Manhattan rounding up backing for Big Sky for a year after he leaves NBC, and he'll be doing a syndicated television commentary, it is reported, for Horizon Communications Corporation, of which he is part owner and which operates two Long Island TV stations.

And after the year?

"I'm going to be on the Gallatin River working off a lot of spleen with a fishing pole."

THE FITZGERALD CASE: IS THE JUSTICE DEPARTMENT COVERING FOR THE AIR FORCE?

Mr. PROXMIRE. Mr. President, 225 days have passed since I wrote the Department of Justice seeking an investigation of the intimidation and firing of Mr. A. Ernest Fitzgerald by the Air Force. This case is a sad chapter in the history of the U.S. Air Force; it is rapidly becoming a sad chapter in the history of the Justice Department too.

It is clear that the Federal Criminal Code was violated when the Air Force fired Mr. Fitzgerald. Can there be any question about this when the code makes it a crime, punishable by up to 5 years in jail, to "injure" a witness on account of testifying before a congressional committee?

The only question to be determined is: Who in the Air Force made the decision to let Mr. Fitzgerald go? I am totally at a loss to understand how it can take 225 days to come up with an answer to this question.

Mr. President, is the Justice Department covering up for the Air Force? One begins to wonder.

THE CONTRIBUTION TO THE HEALTH OF MAN MADE BY VETERINARY MEDICINE

Mr. MONDALE. Mr. President, the University of Minnesota has a college of veterinary medicine of which we are immensely proud.

But few people, I think, have an appreciation of the very real contribution which veterinary medicine makes to man, not only indirectly through increasing the productivity of his livestock and the health of his pets, but directly through the eradication of many diseases which are carried by animals and which are fatal or injurious to man.

Dr. William Thorp, dean of the College of Veterinary Medicine of the University of Minnesota, recently revealed to me the significant contribution made by his field working in conjunction with all other health professions toward greater health care for our entire society. This is a contribution which we must recognize and which we must further in providing generous support to research in veterinary medicine.

I ask unanimous consent that his letter be printed in the RECORD. His testimony before the Senate Appropriations Subcommittee on Labor, and Health, Education, and Welfare and Related Agencies on June 16 elaborates upon these points. I commend it to anyone who wishes to give the matter further study.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MINNESOTA,
COLLEGE OF VETERINARY MEDICINE,
St. Paul, Minn., June 12, 1970.

Hon. WALTER F. MONDALE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: In my present position at the University of Minnesota as Dean of the College of Veterinary Medicine as well as chairman of the Joint Committee on Education for the American Veterinary Medical Association and the Association of Veterinary Medical Colleges I am very much concerned about the recommendations of the Executive branch of the government specifically President Nixon's recommendation this last February that $3,000,000 would be saved by phasing out Federal institutional grants for Veterinary Medicine. These grants are very important to these institutions in meeting the Health Manpower needs of this country. Further, I am concerned that this philosophy will extend to other grants for which Veterinary Medicine is eligible under the 1968 Health Manpower Act. There are already a large number of unfunded grants for teaching facilities not only for Veterinary Medicine but for all health professions.

As one has observed Veterinary Medicine and the profession over the past 35 years, it has gradually arrived at scientific maturity. I would refer to my experience in the U.S. Public Health Service while at the National Institutes of Health where I was concerned with those diseases of animals transmitted to man of which there are more than 100. Taking into consideration the diseases of animals transmitted to man and the importance of primary prevention of illness and disability, veterinarians have a particularly significant contribution to make to human health in terms of comparative medicine as well as controlling and eradicating diseases of animals which are transmitted to man.

As an example in 1950 more than 5000 human cases of brucellosis were reported in the United States. It appeared that the only way to substantially reduce the disease in man was to reduce or eliminate the diseases in animals. Through the combined efforts of veterinarians, physicians, and health scientists, a program was established aimed at the eradication of the disease in cattle and swine populations. In 1969 in the United States, as a result of a reduction of this disease in the animal population, less than 300 cases of brucellosis were reported in man. This is but one example of how the veterinary medical profession, working with other members of the health teams, has contributed to the primary prevention of disease in man and the reduction of health care costs associated with demands upon the hospitals and the health care personnel of the country. This also helped to prevent the mental anguish, physical pain, the pre-treatment disability, and the loss of productivity of the men and women affected by this disease.

Another example of primary prevention in man is associated with the program to eradicate bovine tuberculosis and the accompanying reduction of the transmission of the disease to children and men and women in the population. There are other examples which could be given as we continually work in the field of comparative medicine where the veterinary profession plays an important part. We are finding more and more diseases occurring in animals that are models of disease in man. A good example is bovine leukemia. Minnesota and several other institutions are working on this problem using bovine leukemia as a model system to study the disease as a comparative medical problem that will help to solve the problem in humans.

The May 29, 1970 issue of Science AAAS carried a report on "Feline Leukemia and Sarcoma Viruses: Susceptibility of Human Cells to Infection". The following is of interest: "We have recently found that cultured human embryonic cells are extremely susceptible to infection with newly isolated field strains of leukemia and sarcoma viruses of the cat. The leukemia and sarcoma viruses thus propagated in human cells are fully infectious for human, dog, and cat embryonic cells." "Although there is not evidence to implicate feline leukemia and sarcoma viruses in human cancer, further studies are necessary to determine the possible occurrence of some horizontal spread of cancer by this mode."

The reduction or elimination of Veterinary Medicine from health manpower programs developed for the purpose of increasing the health manpower would take away an important, but not always clearly understood, link in the health chain in the total effort to provide a better national health.

I sincerely appreciate your support in the past and your consideration of this very critical matter as far as our part of the health program is concerned.

Sincerely,
W. T. S. THORP, D.V.M.,
Dean.

HOW CHINA CURBS STUDENT REBELS

Mr. MILLER. Mr. President, for the benefit of those—and there are some—who still are not aware of what happens to students who dare question the policies of a Communist government, I ask unanimous consent that an article published in the New York Times of June 18 be printed in the RECORD. I believe no additional comment is necessary.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHINA TIGHTENS CURBS ON STUDENT REBELS

HONG KONG, June 17.—Communist China, which has enthusiastically endorsed the anti-Establishment activities of young people around the world, is adopting increasingly repressive measures against its own student rebels.

Chinese authorities have been calling for greater efforts in the indoctrination of young children "to raise their class awareness" and "to deepen their love" for Mao Tse-tung, chairman of the Chinese Communist party.

The aging Peking leader's preoccupation with the younger generation appears to reflect a continuing concern that the present political system might not endure when they step down. They are attempting to foster generations of "revolutionary successors," who will not succumb to the "sugar-coated bullets" of enemies at home or abroad.

A recent public meeting at Changchun, capital of Kirin Province, was told by a municipal official that class enemies were "trying by every means to win over to their side the young people and children."

MUST OBEY UNQUESTIONINGLY

"Imperialist conspirators also pin their hopes for a peaceful evolution on our young generation," he said. "It is imperative for us to smash this illusion of the imperialists."

In these circumstances, the young must follow Peking's edicts unquestioningly. Posters seen recently by travelers in China stated: "Decisively liquidate bad elements who fan the wind of criminal opposition among the youth."

A large proportion of the many hundreds recently executed in Kwangtung Province for various alleged crimes were young people. Many of them were students who had rebelled against being sent to work in the countryside and had turned to crime to feed themselves.

Most high school graduates are expected to undergo "reeducation" at the hands of the peasants. Millions have been sent from cities and towns to the countryside. In this way, the Chinese authorities have removed potential or known rebellious elements from the centers of power, reduced the urban population pressures and increased the rural labor force.

Hsinhua, the Chinese press agency, reported that "several million graduates from senior and junior middle schools" had settled down in the countryside since December, 1968. The students are expected to spend the rest of their lives with the peasants.

SOME SWIM TO HONG KONG

The campaign has met with persistent resistance. Many refugees who swim to Hong Kong are former students who were sent from Canton, capital of Kwangtung Province, to work in the countryside.

Many students from Canton and other urban areas in Kwangtung have been assigned to Hainan Island. A broadcast from Hainan Island recently complained that some workers "brought all kinds of nonproletarian ideas from their old schools."

It stated: "Some said: 'To study in school for over 10 years and to work as a docker is a waste of our talents.' Others feared hardship and fatigue."

The broadcast said that "class education" and study of the works of Chairman Mao "proved highly effective" in overcoming these tendencies and other anarchist trends."

For the very young, a new program of "red children's classes" has been introduced "to cultivate their children into successors to the proletarian revolutionary cause" by giving them daily doses of Mao's thought.

FIVE-YEAR-OLD IS EXAMPLE

A broadcast from Hofei, capital of Anhwei Province, reporting on the results of these classes, said a 5-year-old boy from a certain peasant production team used to pick up rice from the field and take it home.

The broadcast stated: "After attending the red children's class, he has come to realize that to take home the team's crops means acting from self-interest. With this new understanding in mind, he has not brought home any more crops picked up from the fields."

Hsinhua also had high praise for five children ranging in age from 10 to 15 who "died heroically in the course of putting out a forest fire."

"People saw them run into the flames and heard them recite Chairman Mao's great teaching 'When we die for the people it is a worthy death'," the agency said.

"In an instant, the five young heroes were surrounded by the conflagration, but people still heard shouts of 'Long live Chairman Mao!' loud and clear."

URGENCY OF PRESERVING THE BIG THICKET, A PROPOSED NATIONAL PARK

Mr. YARBOROUGH. Mr. President, concerned citizens are becoming more and more alarmed at the destruction of our areas of great natural beauty.

The Big Thicket of southeast Texas is such an area, and has unique scientific and esthetic values.

An excellent article on the Big Thicket by Dorthie Erwin appeared in the June 21, 1970, issue of the Dallas Morning News, on page 12-A, under the title "Time Running Out on Big Thicket Backers." This is one of the most outstanding articles ever published in any newspaper about the effort to preserve the Big Thicket. The substance of the article is superior, and the coverage given to this important issue is timely and worthy of study by every person who believes in saving the remaining undestroyed natural wonders in this country.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIME RUNNING OUT FOR BIG THICKET BACKERS

(By Dorthie Erwin)

"The question now comes, is the Big Thicket to pass into legend . . . or is this area to be protected and made available to those who enjoy the study of animate nature . . . Already the thinking people of Texas and the nation have decreed that the Big Thicket must be protected . . . An early acquisition of the property is desirable . . ."

These quotes are from a report of a biological survey by the Texas Agricultural Experiment Station in 1936. The first serious scientific investigations were being made of the wet woodlands of Southeast Texas which were already famous in lore and literature from the time of the earliest southwestward migrations.

The same pleas were made at the recent Senate subcommittee hearings in Beaumont on a proposed Big Thicket national park—but the passage of 34 years and the shrinkage of the thicket have given the arguments an ironic tone and a very shrill note of urgency.

The thicket spread over perhaps a million and a half acres in the 1930s. It is more like 300,000 acres now, and real estate developments, farming, logging and drainage imperil what is left of the unique biological community.

Nowhere in the national park system is there a piece of the once-vast southern hardwood forest—"and it is unthinkable that we would ignore a chance to save some representation of this forest," Dr. Donovan Correll, Texas Research Institute botanist testified.

A thicket park is nearer to reality than ever before, some of the park proponents thought after the hearing. They had put their strongest arguments to Sen. Alan Bible of Nevada, whose parks and recreations subcommittee (of the Senate Committee on Interior and Insular Affairs) will consider a park bill introduced by Sen. Ralph Yarborough.

Sen. Bible and National Park Service Director George B. Hartzog Jr. toured parts of the thicket after the hearing.

The Park Service will review the park potential and make a recommendation for the subcommittee at Bible's request.

Meanwhile, Interior Secretary Walter Hickel has expressed a strong personal interest in seeing the thicket preserved.

But the park is no cinch. It still needs concerted effort by Texans and national conservation organizations.

Some questions are yet to be answered—the size and cost of the park, and the compatibility of recreational use with preservation of its unique ecology for serious scientific study.

Either of two proposed plans would create a park of unusual configuration. There is not enough thicket left for a single continuous park.

A Park Service study team in 1967 prepared a plan for preserving nine separate natural areas, each botanically unique, in what was called a "string of pearls." Rep. John Dowdy, in whose district the park would lie, introduced a bill in the House to preserve the "pearls," comprising about 35,500 acres (or 55 square miles).

The largest area is the Big Thicket profile unit of about 18,000 acres. Other units are much smaller, ranging down to 50 acres.

The Texas Forestry Association and the lumber companies which own most of the land in question are supporting this concept.

Sen. Yarborough's bill, however, calls for a park of at least 100,000 acres.

The conservationist organizations which are allied in the Big Thicket Coordinating Committee support this plan, saying the natural specimen areas are too small to survive alone and that the park should include the "string" to connect the pearls. The larger acreage would take in environmental corridors along the streams and highways between the pearls.

The conservationists also urge preservation of the Saratoga-Kountze-Sour Lake triangle and the entire lower Neches River floodplain as wildlife areas, for restoration and protection of native animals and ultimately for restocking of game in outlying areas.

And they want the overall area designated an environmental conservation zone, in which logging, grazing and hunting would continue, within conservation concepts.

All of Hardin County and parts of four adjacent counties are in the zone. The Alabama-Coushatta Indian Reservation is at its northwest corner.

The corridors and natural specimen areas would amount to almost 100,000 acres, and the triangle would add about 40,000 acres.

The conservationists think the specimen areas should be acquired in fee, and that financing could come from the U.S. Land and Water Conservation Fund if the administration will release funds now tied up. Some other areas might be acquired as easements.

Total cost is not known. Coordinating committee Chairman Orrin Bonney of Houston said recent land sales indicate a value of $225 to $350 an acre for the different natural specimen areas.

The triangle, long regarded as the heart of the thicket, has little habitation. The Neches bottoms are largely unused by man and are in almost natural condition. Preservation of this river corridor as park land would have little impact on resident or timber operations in the area but would enhance the park, Bonney told the senators.

The potential effect on the timber industry is the controversial issue. Timber rules the area's economy. Some residents have mixed emotions about the park, fearing their homes would be taken or their jobs lost or businesses harmed if logging and sawmill operations are curtailed.

Witnesses at the hearing repeated often-voiced charges that timber interests want to delay the park acquisition until there is no thicket left worth preserving, and that some have deliberately destroyed or wasted fine hardwood trees and sprayed heron rookeries with insecticides to reduce the area's appeal as a park.

Temple Industries President Arthur Temple of Diboll, one of the industry spokesmen, responded that if such wanton damage is being done, the perpetrators are smaller timber owners and not the large companies.

The few large firms which own more than half the acreage in the unique specimen units have refrained from cutting there ever since the Park Service designated them—"a moratorium that was an unprecedented demonstration of good corporate citizenship," he said.

He said his company recognizes its social responsibilities, but it also is responsible to its employes who depend on it for their livelihood.

"The ecological balance is a fragile thing . . . but our economic balance too often teeters on the same precipice," he said.

Stung by conservationists' criticism of the industry for "denuding" the thicket, he said: "When I hear our good city brothers from Houston and Dallas tell us how we have messed up the countryside, I can't help wondering who messed up those cities they are trying to escape from when they come out to our poor denuded forests."

The argument of Sen. Yarborough and other large-park proponents is that it would help, not harm, the area's economy.

Southeast Texas would get "a new crop of tourists each year without damage to the area, instead of having to wait 10 years for a timber crop to grow," the senator said. The alternative, he said, is to be "condemned to a virtually no-growth timber economy." The area is not sharing in the state's general economic growth because of its dependence on one product which creates few new jobs, he added.

Other park partisans think the timber men are objecting to the larger acreage on principle rather than from fear of real harm to the industry. They say much of the extra land is stream bottoms not especially good for lumber production, and some areas would have to be drained before timber could be harvested.

Yarborough says the park would comprise only 3.3 per cent of the acreage of the counties affected.

"We don't want to put their pine plantations in the park," he stressed repeatedly.

Temple urges that the government buy only the "pearls" and not acquire "more land than can properly be used as a botanical laboratory." But the weight of scientific testimony at the hearing was that the specimen areas will not survive unless protected by buffer areas. Nearby development would starve them by altering drainage, witnesses said.

Selective harvesting of timber will not destroy the thicket, several witnesses agreed. The forest will renew itself if growing conditions remain stable.

("Don't worry about timber being taken now," Dr. Correll advised. "Get some of this cut-over land . . . This park is for our children!")

But the subcommittee heard a stern warning from naturalist Geraldine Watson of Silsbee, a trail guide in the thicket: "Water is its lifeblood . . . Any plan which doesn't preserve the waterways is little more than a farce."

And the real threat to the thicket, she believes, is "the forest industry's plan to convert its holdings to pine plantations at a rate of 30,000 acres a year. These are biological deserts, controlled by pesticides and herbicides."

Furthermore, said North Texas State University philosophy professor Dr. Peter Gunter, a new "soil-shredding" technique in forestry makes possible "total obliteration" of the ecology.

"We can learn more about the natural environment from the Big Thicket than from any area of comparable size in the United States," he said. "Does it make sense to dismantle this laboratory now when we are just beginning to grasp its significance?"

"Our future as a species depends on such knowledge as areas such as the Big Thicket can supply."

E. C. "Ned" Fritz of Dallas spoke for the Texas Committee on Natural Resources and the Nature Conservancy Inc.: The isolated natural areas (a string of green "emeralds" rather than "pearls," he suggested) would be vulnerable to urban and commercial encroachment and are too small to permit public use for camping or hunting.

Connecting waterways, on the other hand, would serve recreational purposes while embracing the specimen areas in buffer zones. For float trips, canoe trips and primitive camping, they would provide a "wilderness experience." They would also facilitate the park's educational, interpretive mission, by showing the role that streams play in the creation of the thicket.

The Thicket's appeal brought two longtime political foes—Yarborough and former governor and senator Price Daniel—into rare accord. Both were born and reared in the area and hunted in the thicket (separately) as boys.

At the hearing, Daniel said that as governor he had tried hard to persuade the state park board and the Legislature in the early 1960s that it was Texas' responsibility to save the thicket—"but the Legislature did nothing."

"The longer we wait, the less of this bounty of nature we are going to have for preservation," Daniel said, endorsing Yarborough's bill.

The bounty he spoke of is the uniquely rich and diverse plant and animal life in what is often called the "biological crossroads of North America." The climate and soil conditions permit overlapping of temperate and subtropical vegetation. The thicket contains elements common to the Everglades, the Okefenokee swamp, the Appalachian region, the Piedmont forests and the open woodlands of the coastal plains.

Birds, reptiles, fungi and rare plants abounded. Several species of trees have reached champion size there. Environmental ecology students can observe most of the plant communities of the United States within a small area.

If Texas does get its third national park in the thicket, Dallas will have an important stake in it. Nearer than the Big Bend and Guadalupe Parks, the wilderness "emeralds" will be within an easy morning's drive and will offer a recreational experience completely different from that of the western parks or the Padre Island national seashore.

The hearing record remains open until June 26 for further written statements or rebuttal. The next step, Bible says, will be consideration of the bill after the Interior Department has made its recommendation.

Yarborough, speaking to the annual meeting of the Big Thicket Association in Saratoga, said he would keep working for the park "in office and out." His term ends this year.

He urged the park proponents to "talk to every congressman you know."

"Get them committed to their public for this work, and we'll have it," he said.

AN EXAMPLE OF COURAGE AND LOYALTY

Mr. ALLOTT. Mr. President, you may recall that several weeks ago a number of Senators spoke in the Chamber with deep feeling about their reaction after having met Mrs. Bruce G. Johnson, the wife of an Air Force major who has been missing in Vietnam for 5 years. He was nearly ready to return home, having already completed nearly a year's duty in that area, when he was captured by the North Vietnamese Army.

Since that date she has had no word of him or from him. He has simply disappeared into limbo. Her children have not seen their father for 6 years and their youngest child, now 7, has no knowledge of what it is like to have a father. By sheer strength of her own loyalty and devotion, she is keeping him alive in their hearts as their father and family head.

The tragic humiliation through which Mrs. Johnson is passing and under which she has lived for 5 years can neither be appreciated nor understood by someone who has not experienced it. For 5 years she has been without her husband. Her children have been without a father. She does not know whether he is alive or dead. She does not know whether she is a wife or widow. She does not know whether to go on hoping for a better future, or give up and try to remake her life under a new set of circumstances. As of now, because of her situation, she is barred from all the regular adjustments which society and our culture have made possible for women who lose their husbands. She cannot borrow money without special action because, of course, her husband cannot sign the note with her. She cannot buy a house for her growing family without special arrangement. She cannot dispose of property which is in their joint names. She cannot remarry—not that she would want to so far as I know—even though she may indeed be 5 years a widow.

Mrs. Johnson and the other women in this position have suffered far more than anyone should be made to suffer. It is true that they have our Nation's sympathy and compassion. But in this particular case, at least, I wish to point out that she and some of the others are worthy of our boundless admiration as well.

A month ago I had occasion to send Mrs. Johnson a little booklet made up of excerpts from the CONGRESSIONAL RECORD showing that every day the Senate had met since her visit, notice was taken on the floor of our Chamber of the plight of prisoners of war held by our enemies. A few days ago I received a reply from Mrs. Johnson. It was such a heart-warming, dignified, courageous reply that it should be read and pondered by every thinking person in our country.

Mrs. Johnson and the other ladies like her are heroines in the truest and highest sense. We extend to them our boundless love, sympathy, and admiration and wish it were possible to do something, other than speak words, to alleviate the suffering which they are undergoing.

Mr. President, later on, when this problem has finally been resolved, Congress may feel called upon to make some special recognition of the sacrifices made by these women and the penalties they have endured at their country's behest. I know not what that recognition might or should consist of, nor what, indeed, we could properly do even to begin to assuage the pain and travail they have undergone. But do something we should; and do something, I feel certain, we shall. Mere words of comfort are easy, but they signify little in the face of a claim to our sympathy so great as this.

Mr. President, the letter which Mrs. Johnson has written to me is so outstanding an example of the high qualities of devotion, self-abnegation, and steadfast courage under adversity that I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SALINA, KANS., *June 28, 1970.*

HON. GORDON ALLOTT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: Earlier this month I was so pleased and encouraged to receive your letter of May 26, 1970 and the enclosures of the copies of speeches appearing in the Congressional Record as they pertain to America's Missing in Action and Prisoners of War. Thank you so much for your thoughtfulness in compiling these statements and for your sharing them with me in this way. Please convey to each Member of the Policy Committee and to each of the Senators who had attended that Tuesday Policy luncheon, my heartfelt thanks and gratefulness for their concern and for their initiative in making the plight of these, Our Men, a matter of priority each time the Senate of Our Land meets. I'm sure each of you already senses how desperately we wives, children, and parents look to you in the Senate, as well as to all our other elected Representatives and Officials, for the leadership, determination, effort and "caring" that would call for and bring about humane treatment for our beloved husbands, fathers and sons.

May God keep all of our hearts sensitive to these calls of human needs that still remain unanswered in the Prison Camps of Southeast Asia—the calls that only echo back into the ears of those who wait in the isolation cells of North Vietnam. May our hearts be sensitive too, to the echo of that call that returns void and unheard back to the deep jungle prison camps that engulf our men held in the South and may our hearts be attuned to those muffled pleas that arise from American men held in the prison pits of Laos.

These cries of Our Men are heard by loving hearts that prayerfully wait in so many homes across America—they are heard throughout endless days that stretch into month and years. They are heard in the night by little children who reach out to their fathers through dreams. They are heard by wives who spend sleepless nights sharing the long vigil of sorrow and loneliness with their husbands. They are heard by parents who yearn to return each night to the side of that son. They are heard by their Creator Who does grant strength and Courage and Hope.

I know too, that those cries will not return to them void, from the Senate of the United States—that sensitive hearts will hear and care and continue to act until these faithful Americans are granted humane rights as Prisoners and until that day of their return to us.

Sincerely,

KATHLEEN B. JOHNSON.

MILITARY SURVEILLANCE

Mr. FULBRIGHT. Mr. President, earlier this year I called the attention of the Senate to an article written by Christopher Pyle for the January issue of the Washington Monthly on the Army's CONUS intelligence program, designed to collect information on civilian political activities.

Along with others, I was considerably disturbed by the Army's involvement in surveillance of civilian political groups. I was one of several Senators who wrote to the Secretary of the Army on this subject.

Now, 6 months after his original article, Mr. Pyle has taken another look at the CONUS intelligence program in an article published in the July issue of the Washington Monthly. Mr. Pyle's article begins:

> The Army still watches civilian politics. Despite over 50 Congressional inquiries, the threat of House and Senate hearings, and a lawsuit by the American Civil Liberties Union, more than 1,000 plainclothes soldier-agents continue to monitor the political activities of law-abiding citizens.

Mr. President, I feel that these activities are clearly outside the proper sphere of the Army, and it is particularly distressing that the Army is apparently continuing some of these activities despite earlier denials.

Among the points made by Mr. Pyle in the article are these:

> 1. The blanket surveillance of civilian political activity by the Army, cut back in January, has resumed.
>
> 2. Non-computerized regional data banks on dissenters remain at field, region and headquarter offices of the Army Intelligence Command.
>
> 3. The Army intelligence reports continue to go to the FBI and to the Justice Department's interdivisional intelligence unit.
>
> 4. New security measures make public scrutiny of the Intelligence Command more difficult.

Mr. President, I ask unanimous consent that Mr. Pyle's article, entitled "CONUS Revisited: The Army Covers Up," and an article on the same subject written by Morton Kondracke of the Chicago Sun-Times, and published in the Washington Star of March 28, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

CONUS REVISITED: THE ARMY COVERS UP

(By Christopher H. Pyle)

The Army still watches civilian politics. Despite over 50 Congressional inquiries, the threat of House and Senate hearings, and a lawsuit by the American Civil Liberties Union, more than 1,000 plainclothes soldier-agents continue to monitor the political activities of lawabiding citizens.

Some reforms have occurred since this blanket surveillance was first revealed in the January issue of this magazine. The Army has admitted that its CONUS (Continental U.S.) intelligence program exceeded its needs in preparing for riots and has agreed to cut it back. It has also promised to destroy two widely circulated "blacklists" on dissenters and to scrap its computerized data banks containing records on the membership, ideology, programs, and practices of virtually every activist political group in the country, from the violence-prone Weathermen to the non-violent Urban League. Important as these reforms are, however, they are deceptive.

THE FIRST PLAUSIBLE DENIALS

When *The Washington Monthly* reached the newsstands on January 9, the Army high command dived for cover. The Pentagon's office of Public Information refused to comment. Reporters were told to submit their questions in writing. From its headquarters at Fort Holabird in Baltimore, the Army Intelligence Command flashed orders to each of its intelligence groups limiting the collection of domestic intelligence to only the most "essential elements of information." Agents were forbidden to discuss any aspect of the program with newsmen and were warned that any who did would be prosecuted for breach of national security. From his office on the second floor of the Pentagon, Robert E. Jordan III, Army General Counsel and Special Assistant to the Secretary for Civil Functions, suspended all replies to Congressional inquiries. In violation of its own regulations, the Army even refused to acknowledge receipt of them.

By the end of the month, however, the rising tide of criticism could not be ignored. Recognizing this, the Army issued, on January 26, the first in a series of partial admissions. In the jargon of the spy trade, such admissions are known as "plausible denials," because they are invested with just enough truth to mask an essential falsehood. Thus the Army confirmed the existence of the nationwide intelligence apparatus (true), but said that it collected political intelligence only "in connection with Army civil disturbance responsibilties" (false). "Civil disturbance incident reports are transmitted over [an] . . . automatic voice network teletype system to the U.S. Army Intelligence Command headquarters" (true) and "information on incidents by types and geographical location is placed in the data bank from key-punched cards" (also true). But: "This is incident information only and does not include individual biographies or personality data" (false).

The statement also acknowledged that the Army "does publish an identification list, sometimes with photos, of persons who have been active in past civil disturbance activity" (true), but failed to mention that the list (actually a booklet) also contained detailed descriptions of persons and organizations never involved in civil disturbances.

Finally, the Army admitted in a backhanded way that its agents had infiltrated civilian political groups: "For some time there has been a special prohibition against military persons undertaking such activities as undercover operations in the civilian community." Of course, it did not say when the order was issued, or whether it was being obeyed. (It is not.)

The "plausible denials" satisfied no one. Inquiries directed to the Secretary of the Army, Stanley R. Resor, poured forth from both Houses of Congress. Legislators of such diverse persuasions as Senators Williams of Delaware, Hart of Michigan, Dole of Kansas, Brooke of Massachusetts, Percy of Illinois, Fulbright of Arkansas, and Cook of Kentucky demanded to know if the charges were true and, if so, by what authority and for what purpose the Army was spying on law-abiding citizens.

Congressman Cornelius E. Gallagher (D-N.J.), Chairman of the House Invasion of Privacy Subcommittee, and Senator Sam J. Ervin, Jr. (D-N.C.), Chairman of the Senate Subcommittee on Constitutional Rights, led the attack. Gallagher wrote to Secretary Resor on January 26: "I am deeply concerned about the implications of collecting dossiers on Americans who are pursuing constitutionally protected activities, especially when they are to be imbedded in immediately available form in a computerized data system."

Senator Ervin, a member of the Armed Services Committee and a former judge, was more outspoken: "The Army," he said in a Senate speech on February 2, "has no business operating data banks for the surveillance of private citizens; nor do they have any business in domestic politics."

When the Army continued to avoid inquiries during the month of February, however, members of Congress expressed annoyance at being ignored. Congressman Gallagher, usually a staunch friend of the military, was especially fed up. After waiting over two weeks for the Army to acknowledge his letter, he threatened to hold hearings.

Still the Army stalled for time. It had good reason. Like Congress and the public, its civilian hierarchy first learned of the Intelligence Command's unbridled curiosity from the press. Unable to learn more from the Assistant Chief of Staff for Intelligence, who greatly downplayed the CONUS system's capabilities, the civilians resolved to conduct their own inquiry. This reached a point of revelation sometime in mid-February when Army General Counsel Jordan went to Fort Holabird and watched as the computer bank on dissidents disgorged a lengthy print-out on Mrs. Martin Luther King, Jr.

On February 25, Jordan dispatched the Army's first reply to more than 30 Congressional critics. Each received the same letter, regardless of the questions he had asked. It opened with a lengthy defense of the Intelligence Command's library of security clearance dossiers—never at issue—and closed with a brief confession: "There have been some activities which have been undertaken in the civil disturbance field which, on review, have been determined to be beyond the Army's mission requirements."

"For example, the Intelligence Command published . . . an identification list which included the names and descriptions of individuals who might become involved in civil disturbance situations." And: "The Intelligence Command has operated a computer data bank . . . which included information about potential incidents and individuals involved in potential civil disturbance incidents."

Jordan assured members of Congress that both the identification list and the data bank had been ordered destroyed. "Thus," he concluded, "the Army does not currently maintain the identification list referred to above. No computer data bank of civil disturbance information is being maintained . . . ."

Again, the denials were both plausible and deceptive. Jordan's seemingly candid letter failed to mention that in addition to the Fort Holabird computer (an IBM 1401) and the Intelligence Command's identification list (published in over 330 copies), the Army also maintained:

(1) over 375 copies of a two-volume, looseleaf encyclopedia on dissent entitled "Counterintelligence Research Project: Cities and Organizations of Interest and Individuals of Interest" but popularly known as "the Compendium." Compiled by the domestic intelligence section of the Counterintelligence Analysis Division (CIAD), a Pentagon-based unit responsible for briefing high Army officials like Jordan on protest politics, the Compendium contained descriptions of hundreds of organizations and individuals, including the John Birch Society, the Urban League, the Fifth Avenue Peace Parade Committee, Negro playwright LeRoi Jones, and the late Rev. Martin Luther King, Jr.

(2) a computer-indexed, microfilm archive of intelligence reports, newspaper clippings, and other records of political protests and civil disturbances at CIAD headquarters in Alexandria, Virginia. The index to this data bank is a computer print-out, 50 lines to a page, a foot-and-a-half thick. It catalogues microfilmed documents relating to such groups as Young Americans for Freedom, the Southern Christian Leadership Conference, and the Center for the Study of Democratic Institutions. Individuals listed include Rear

Admiral Arnold E. True and Brigadier General Hugh B. Hester (war critics), Georgia State Representative Julian Bond, and folk singers Joan Baez, Phil Ochs, and Arlo Guthrie.

(3) a computerized data bank on civil disturbances, political protests, and "resistance in the Army (RITA)" at the Continental Army Command headquarters, Fort Monroe, Virginia. The civil disturbance-political protest side of this data bank was developed because the Continental Army Command hoped to recapture supervision of its riot control troops from the Pentagon's special 180-man Directorate for Civil Disturbance Planning and Operations.

(4) non-computerized regional data banks at each stateside Army command and at many military installations. In addition to the usual agent reports, incident reports, and newspaper clippings, these records include booklet-size "CONUS intelligence summaries" published each month by the 1st, 3rd, 4th, 5th, and 6th Armies, and the Military District of Washington.

(5) non-computerized files at most of the Intelligence Command's 300 stateside intelligence group offices. These records on local political groups and individuals are similar to, but more detailed than, the records at Fort Holabird which the Army promised to destroy. The political files of the 108th Military Intelligence Group's Manhattan offices, for example, take up five four-drawer file cabinets and require a full-time custodian.

Congressional reactions to Jordan's admissions, omissions, and denials were mixed. Congressman Gallagher—although fully aware of the omissions—seemed pleased. Without withdrawing his threat of hearings, he announced to the press that the Army would no longer keep tabs on peaceful demonstrations or publish a list of individuals who might be involved in a riot. His announcement, repeated in interviews over the weekend, became the basis of widespread and erroneous newspaper reports. *The New York Times* of February 27 was typical: "Army Ends Watch on Civil Protests." Gallagher got the credit for the apparent victory.

Other members of Congress were slower to react and before they did Morton Kondracke of *The Chicago Sun-Times* reported on February 28: "The Army acknowledged yesterday that it maintains files on the political activities of civilians other than the computerized political data bank it told Congressmen it was closing down." Kondracke, a thorough reporter, listed them all.

The following Monday, Senator Ervin expressed his dissatisfaction with Jordan's letter. In a letter to the Secretary of the Army he reiterated his demand for a complete report to Congress, and in a Senate floor speech denounced the surveillance as a "usurpation of authority." "The business of the Army in [civil disturbance] . . . situations is to know about the conditions of highways, bridges, and facilities. It is not to predict trends and reactions by keeping track of the thoughts and actions of Americans exercising first amendment freedoms."

"If there ever were a case of military overkill," he added, "this is it. . . . I suggest the Army regroup and define its strategic objectives, lower its sights, and reidentify its enemy. Under our Constitution that enemy is not the American citizen."

THE ARMY REGROUPS

Within the Army, much regrouping was already going on. A letter received by Congressman Gallagher from sources close to the 116th Military Intelligence Group at Fort McNair in Washington, D.C., described what was happening at the lower echelons:

"On the morning after news reports about the dismantling of the CONUS system first appeared in the Washington papers . . . members of the 116th were . . . informed that their unit and its operations would be unaffected. . . . They were told that the only major effect of the Congressional and press criticism would be destruction of the national data bank and related files that were kept at Fort Holabird. Files kept by the regional M.I. Groups (which were the basis for the Fort Holabird file and contained more information) would remain intact, and members of the M.I. Groups would continue their operations of surveillance, infiltration, and reporting as previously.

"In addition, all files and operations of the 116th were to be classified to prevent the release of any information about them; disclosure of such information would subject people who released that information to court-martial or prosecution in civilian court for violation of national security.

"At the present time, the files of the 116th M.I. Group consist of a 5x7 card file on several thousand persons in the Washington area. On these cards are a picture of each person, background, a record of political groups with which he has been affiliated, notes on political meetings, rallies, and demonstrations which he has attended, and summaries of his views on political issues.

"To gather such information, the 116th routinely assigns some 20 of its men as full-time undercover agents to infiltrate political groups and observe politically active persons . . . Some of these officers have grown beards and long hair to pass as students on local college campuses. In addition, other members pose as members of the working press to obtain pictures of those involved in political activities; concealed tape recorders are also commonly used to record speeches and conversations at political events. Until very recently the 116th's standard equipment also included a full TV videotape camera and sound truck labeled 'Mid-West News' which was used to record major demonstrations."

Higher up the chain of command, officials at Fort Holabird also balked at carrying out the new policy. Questioned by Joseph Hanlon of *Computerworld* on March 10, an Intelligence Command spokesman refused to say whether the computer tapes there had actually been erased or merely placed in storage. He admitted, however, that the "input" to the data bank (presumably the keypunch cards) had not been destroyed.

Higher still, the civilians supposedly in charge of the Army struggled to find out what their military subordinates were doing. Robert Jordan, surprised by the *Washington Monthly* article and by his pilgrimage to the Fort Holabird computer, was taken aback once more on February 27 during a conference with Congressman Gallagher. Asked why his letter made no mention of the microfilm archives at CIAD, he replied: "I'll have to check into that."

To help Jordan out, Secretary Resor wrote to the Army Chief of Staff, General William C. Westmoreland, on March 5: "I would appreciate your asking all commanders in CONUS, Alaska, and Hawaii down to the installation level to report whether their command has any form of computerized data bank relating to civilians or civilian activities, other than data banks dealing with routine administrative matters. . . ."

THE UNDER SECRETARY TRIES HIS HAND

The results of this canvass have not been made known, but on March 20 Under Secretary of the Army Thaddeus R. Beal wrote long letters to both Ervin and Gallagher. He claimed: "The only other 'intelligence files' concerning civilians maintained by the Army consist of the files maintained by the Counterintelligence Analysis Division."

No reference was made in either letter to: 1) the Continental Army Command's computer files at Fort Monroe, about which Gallagher had made specific inquiries; 2) the regional data banks kept by most of the 300 offices of the Army Intelligence Command; or 3) similar records maintained by the G-2s (intelligence officers) of each stateside Army command and of many Army posts.

The microfilm archives at CIAD, Beal went on to say, contain only "limited files concerning political activity" in keeping with that unit's responsibility "for identifying factors which affect civil disturbance potential. . . ." He did not mention that these files take up over 200 rolls of microfilm, at 500 frames a roll. Nor did he acknowledge that the unit's domestic intelligence section, which is larger than any of its foreign intelligence sections, had charged its "left wing," "right wing," and "racial" desks with maintaining detailed card files on dissident individuals and groups. These files are in addition to mounds of current FBI and Army reports and newspaper clippings which are coded on key-punch cards (for the computerized index) and recorded on microfilm.

The Under Secretary's claim that the archive was used only in connection with civil disturbance planning was similarly misleading. According to former CIAD employees, one of the principal uses of this file— if not the main reason for its existence—has been to satisfy the curiosity of the Pentagon's brass. A not unusual assignment carried out by one domestic intelligence expert was to write an unclassified report on SDS for a general to send to his daughter at an exclusive Eastern women's college.

In addition to these "plausible denials," Beal also admitted that CIAD had compiled "an identification list . . . on individuals and organizations associated with civil disturbances." "This list," he contended, "was last updated in late [1969] true and is available to a limited number of Department of the Army organizations with civil disturbance responsibilities [false]." According to persons who helped compile it, the Compendium went out to over 150 Army intelligence and troop units, plus the FBI, the Justice Department, Naval and Air Force Intelligence, the CIA, and U.S. embassies in West Germany and Canada.

More important, Beal conceded that "the lists are now out of date, are not considered necessary. . . . [and] are being . . . destroyed . . ." In addition he promised that the Army would: 1) henceforth limit its curiosity to "incidents where there is a high potential for violence or disorder growing beyond the capability of state and local police and the National Guard to control;" and 2) destroy all existing *computerized* data banks on civilian politics.

No new computerized data banks, he said, would be established without the approval of both the Secretary of the Army and the Chief of Staff after "consultations with concerned committees of Congress."

The concessions were substantial. To Congressman Gallagher, they were sufficient. "In view of the Army's commendable action in reversing its former policy," he announced, "I see no further need for a Congressional hearing at this time."

To Senator Ervin, on the other hand, Beal's assurances were plainly inadequate. Only the press of other matters, such as preventive detention, bail reform, and the Government Employees' Privacy Bill kept him from calling his subcommittee into session for a full-scale review of all government political data systems, starting with the Army's.

THE ACLU GOES TO COURT

While Congressmen and Senators struggled with the Army's evasions and deceptions, the civilian intelligence program was being attacked in the courts. On February 17 the American Civil Liberties Union filed suit in Federal District Court in Washington, D.C., against the Secretary of Defense, the Secretary of the Army, the Army Chief of Staff, and the Commanding General of the Intelligence Command. The suit charged that the surveillance, data banks, and blacklists violated the Bill of Rights by reason of the chilling effect which knowledge of their existence can have upon the willingness of citizens to exercise their freedoms of speech, press, and association and their right to petition the government for redress of grievances.

The plaintiffs were 13 individuals and organizations whose non-violent, lawful politics had been the subject of widely distributed Army reports. The first was Arlo Tatum, executive director of the Quaker-sponsored Central Committee for Conscientious Objectors in Philadelphia. An IBM card prepared for his computer file at Fort Holabird showed only that he had once delivered a speech at the University of Oklahoma on the legal rights of conscientious objectors. Other plaintiffs included Women's Strike for Peace, Veterans for Peace, Conrad Lynn, and the Reverend Albert Cleage, Jr.

Even before filing suit, the ACLU was aware that a cover-up might be attempted at the lower, as well as higher, echelons of the Army. This suspicion was confirmed by the letter describing the activities of the 116th M.I. Group and by former intelligence agents who warned that many units would hide copies of blacklists and personality files, regardless of what their civilian superiors told them to do.

In an effort to prevent this, the ACLU asked the District Court on March 12 for a preliminary injunction ordering the Army to cease its destruction of the records and to deliver them (along with inventories, receipts, and certificates of destruction) to the court for safekeeping, pending the outcome of the suit. Then, if the plaintiffs were successful, the court would be in a position to assure complete destruction of the records.

A hearing on this request, and an opposing motion by the Army which asked that the entire suit be thrown out for failure to show that the program violated anyone's constitutional rights, was convened in Washington on April 22 before U.S. District Court Judge George L. Hart, Jr.

Judge Hart, a graduate of Virginia Military Institute and a battlefield colonel during World War II, was openly hostile to the ACLU's contentions. He began the proceedings with an announcement that he would not hear testimony.

In effect, this announcement meant that Hart had prejudged the ACLU's claims. Few, if any, judges would consider issuing an injunction against the government on the basis of affidavits (written statements by persons not present to testify). To do so, of course, would deny the government the opportunity to cross-examine the witnesses against it and would be regarded quite properly as an abuse of judicial discretion.

Hart's reasons became clearer as the hearing progressed. For example, when Frank Askin, the ACLU's chief counsel at the hearing, argued that it would be all right for members of Army intelligence to follow accounts of protest politics in the newspapers, but that they should not be permitted to maintain computerized files on the political activities of specific individuals, the judge scoffed: "It's all right if they remember it, but they can't take note of it. . . . Isn't that ridiculous?"

Nor could he understand why citizens should fear the military's surveillance any more than they should fear reporting of political activities by the news services. "Newspapers don't have guns and don't have jails," Askin responded. ". . . nobody is afraid that one of these days the newsmen are going to sweep into town and come to arrest the troublemakers."

But the judge was unimpressed: "There is no threat that the Army is going to come in and arrest you. . . ." "If it does," he added: "We still sit here with the writ of habeas corpus."

"But, your Honor, then why are they keeping these lists of people, that's the issue at stake. . . . They have no need for this. . . ."

"It may help them know what persons are likely to cause trouble [in civil disturbances] and thereby keep an eye on them," Hart replied, apparently forgetting that the Army had agreed to withdraw the lists precisely because they were not needed for that, or any other, purpose.

The ACLU's other contentions—that the surveillance had exceeded the Army's civil disturbance responsibilities, that riot control troops do not need blacklists to enforce curfews or clear streets, that the CONUS intelligence operations encroached upon the authority of civilian law enforcement agencies—were also rejected. Even Askin's offer to present a former intelligence agent who had infiltrated a coalition of church groups was brushed aside with the question: "Did they have a sign saying 'No Military Personnel Are Admitted'?"

"What . . . the plaintiffs are complaining of here," Hart decided, "is that the Army is keeping the type of information that is available to the news media in this country and which is in the morgues of the newspapers . . . and magazines . . . They show no unconstitutional action on the part of the Army; they show no threat to their rights." Accordingly, he refused to confiscate the records. Instead, he dismissed the suit.[1]

The likelihood that the CONUS intelligence program will be cut back soon is low. The ACLU has asked the Court of Appeals for a prompt hearing and reversal, but that court has yet to act. With summer here, chances of a hearing before fall are dim.

Chances are better that Judge Hart's decision will be overturned on appeal, but even that depends on which members of the relatively liberal Court of Appeals are assigned to review it. The panel could turn out to be as unsympathetic as Judge Hart, in which case the plaintiffs would have to take their appeal to the Supreme Court and suffer still more delays.

Thus, it will be many months at best before the witnesses testify, and perhaps years before a final judgment is rendered. Meanwhile, as the delays multiply and Army security restrictions tighten, the ACLU will find it increasingly difficult to keep its evidence up-to-date.

Odds for Congressional hearings are also poor. Representative Gallagher appears to have left the field, while Senator Ervin and his subcommittee staff are swamped by work on other matters. And although many members of Congress have expressed their personal concern about the surveillance, no other Congressional committees have taken up the fight.

Inside the executive branch, prospects are even worse. The Army's civilian leaders have said nothing since Beal's letters of March 20, while Pentagon press officers continue to evade inquiries with the excuse that to answer them would prejudice the ACLU lawsuit.[2] Moreover, the Justice Department has reasons of its own to put up a stiff legal battle to keep the Army contributing to the expanded surveillance of dissenters ordered by President Nixon. Were the court to end all military domestic intelligence operations, the FBI would have to run the civil disturbance early warning system—a politically risky and tedious task which it does not want—and the FBI and the Secret Service would have to find new alternatives to what has been a free source of supplementary manpower.[3] In addition, the Justice Department would be deprived of the Army's political wire service, upon which it depends to feed its political computer and to produce, each week, a four-volume guide to coming events on the political circuit.

No matter how discouraging the prospects for reform may seem, however, efforts to curb the CONUS intelligence program must go on. The initiative remains with Congress—particularly with those committees of Congress which have jurisdiction to hold hearings.[4]

Without the threat of hearings, the Army's civilian leaders are not likely to end their evasions and deceptions, admit the full scope of the program, or reconsider its needs or consequences. They are the crisis managers of their bureaucracy. Threats, not suggestions, determine their agenda.

But while hearings may command their attention, only skillful questioning can move them towards reform. Once the full scope of the program is established, the Army's officials must be pressed to concede what in effect they acknowledged by their promises—that blacklists and dossiers do not contribute to the prediction or control of riots. Having conceded that, they will be hard put to justify the continued pursuit of personality and organizational data in light of its cost, its effect on the willingness of people to participate in politics, and the mischief that could result were the records to fall into the hands of blackmailers, demagogues, or security clearance adjudicators.

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[1] At a press conference following the hearing, the ACLU's attorneys introduced several witnesses whose testimony Judge Hart refused to hear. One was Oliver Peirce, 25, a former agent assigned to the 5th Military Intelligence Detachment at Fort Carson, Colorado, during the summer and fall of 1969.

One of Peirce's assignments was to infiltrate a group called the Young Adults Project (YAP), which was established by a coalition of local church groups, the Young Democrats, and a ski club to operate a recreation center for emotionally disturbed young people. Although the project was entirely non-political, Peirce said, he and a soldier-informant were directed to make detailed reports on its meetings because one of the group's founders had attended anti-war demonstrations outside the fort and had once been a member of SDS.

In addition to watching YAP, the 5th MID also sent an informant to the 1968 SDS National Convention in Boulder, Colorado, assigned five undercover agents to monitor an anti-war vigil in the chapel of Colorado State College, maintained two full-time infiltrators within the local peace movement, and sent others to observe meetings of the Colorado Springs poverty board.

Operations such as these, Peirce said, were carried out even though they often duplicated political surveillances conducted by the FBI, state and local police, and the Colorado Springs office of the 113th Military Intelligence Group (part of the Army Intelligence Command).

[2] The rules against official comment on pending lawsuits, of course, were designed to protect criminal defendants from prejudicial pre-trial publicity. They do not exist to immunize the government from press inquiries when its officials are accused in civil court of exceeding their authority.

[3] During the 1968 Democratic National Convention in Chicago, for example, Army agents posed as TV camera crews, a naval intelligence agent tape-recorded speeches in Grant Park, and two plainclothesmen from the staff of the Army Assistant Chief of Staff for Intelligence occupied assigned seats within the convention hall. All of this assistance—and more—was given despite the Counter-intelligence Analysis Division's correct prediction that federal troops would not be needed.

[4] Besides Senator Ervin's Constitutional Rights Subcommittee (of the Judiciary Committee), these include Senator Edward M. Kennedy's Subcommittee on Administrative Practices and Procedures (also of the Judiciary Committee), Senator John Stennis' Armed Services Committee, Senator Abraham Ribicoff's Committee on Executive Reorganization (of the Committee on Government Operations), and Congressman Robert W. Kastenmeier's Subcommittee No. 3 (of the House Judiciary Committee).

To question the Army's needs, however, is not enough. The hearings should also define the Army's authority to monitor civilian politics in light of such principles as civilian control of the military, state and civilian primacy in law enforcement, compartmentalization and decentralizaiton of intelligence duties, and obedience to the constitutional scheme of separate branches of government sharing policy-making powers.

Finally, whether or not the hearings produce legislation, they should attempt to establish a consensus on what the lines between permissible and impermissible conduct for Army intelligence should be.

This will be the hardest task of all. There is no question that the Army must know about incidents and activities which bear upon the need for federal riot troops and the manner in which they may best be deployed. Similarly, there is no question that it does not need to know anything about the beliefs and actions of individuals and groups that pose no threat to military security or public order. Nor is there any reason to believe that Army agents must conduct undercover operations in order to calculate the size, location, and kind of riot troops may be called upon to quell.

The difficulty will come in determining (1) the extent to which military intelligence units in the field should be permitted to watch controversial political figures on the theory that "agitators" cause riots, and (2) the extent to which the Army, through CIAD or similar units, should be expected to analyze the political and social aspects of civil disturbances. There are strong reasons for leaving both of these functions up to civilian authorities. On the other hand, the domestic intelligence section of CIAD has a fairly good record for common sense and has more than once persuaded hard-nosed generals that demonstrators and rioters are not "the enemy," "insurgents," or part of "the Communist conspiracy."

Wherever the lines around the Army spy program are finally drawn, however, action on them should begin promptly. Incredible though it may seem, the Army has already assembled the apparatus of a police state. That apparatus must be disassembled before it falls into the hands of those who would deliberately or inadvertently misuse it.

THE CONUS INTELLIGENCE PROGRAM TODAY

From what various Army spokesmen have said publicly and privately, and from the observations of sources who cannot be identified, it is possible to assemble a description of the CONUS intelligence program today.

(1) The blanket surveillance of civilian political activity by the Army, cut back in January, has resumed.

(2) This surveillance is a part-time activity for more than 1,000 agents of the Army Intelligence Command, who work out of some 300 offices from coast to coast, and for hundreds of agents and informants associated with troop units and installations of the Continental Army Command.

(3) Sources of CONUS intelligence continue to include local and state police, the FBI, newspapers, and Army undercover operations. While most direct surveillances of lawful politics were to have ceased in January, Army plainclothesmen have been spotted recently on the Milwaukee and Madison campuses of the University of Wisconsin and at the University of Oklahoma.

(4) Non-computerized regional data banks on dissenters remain at most field, region, and headquarters offices of the Army Intelligence Command and within the G–2 (intelligence) offices of many troop units and installations of the Continental Army Command.

(5) One computerized data bank may continue to exist at Continental Army Command headquarters, Fort Monroe, Virginia.

(6) The Army has said that it intends to keep domestic political information in its microfilm archive at the Counterintelligence Analysis Division. It has given no assurances that these records will be purged of information about persons or groups posing no threat to the armed forces or to public order.

(7) Both the Intelligence Command's "identification list" and CIAD's "Compendium" have been ordered destroyed. Chances are excellent, however, that copies of both remain in circulation, along with another blacklist published by the Alabama state police and distributed by the Intelligence Command to the headquarters and region offices of each M.I. Group.

(8) It is also likely that copies of the magnetic tapes which made up the memory core of the Fort Holabird computer have been hidden away or transferred to other governmental agencies.

(9) The Army's intelligence reports continue to go to the FBI and to the Justice Department's interdivisional intelligence unit, where they are stored in a computer larger than the one abandoned at Fort Holabird.

(10) The Army's domestic intelligence operations appear to have been cut back because the locus of civil disturbance decision-making has shifted from the Pentagon to the Justice Department. In fact, however, the Army's operations have not decreased; only the spotlight has shifted.

(11) Meanwhile, new security measures make public scrutiny of the Intelligence Command more difficult. Aspects of its domestic intelligence effort have been classified (although they can hardly be of interest to foreign spies), the job of collecting political information has been re-assigned to career agents wherever possible, and all agents have been threatened with prosecution if they talk.

Despite Denials, Army Sends Spies to Rallies

(By Morton Kondracke)

Despite Army denials that it engages in such activity, a military intelligence unit in Washington regularly infiltrates and reports on civilian political groups.

And in spite of assurances the Army gave to a congressman, the unit has not destroyed its extensive political file on civilians. It has merely classified it to keep it secret.

Agents of the unit, the 116th Military Intelligence Group, have posed as newsmen and photographers at rallies to get pictures for their files and at one time the unit even maintained a video tape truck market "Midwest News."

NO LONGER HAS TRUCK

The truck and its taping equipment, purchased at the end of a fiscal year with unexpended funds, have been disposed of recently out of concern the civilian spying activity would be discovered and exposed.

Information on the unit's activites was given to the Sun-Times by sources who asked not to be identified. Col. Frederick Barrett, commander of the 116th, refused to grant a request for an interview saying Army regulations prohibited it.

Data on the 116th's activities has been supplied to Rep. Cornelius Gallagher, D-N.J., who, with Sen. Sam Ervin, D-N.C., has been probing Army civilian intelligence gathering.

Both Gallagher and Ervin earlier this year announced plans to hold hearings on intelligence gathering and evaluation programs maintained by the armed services and aimed at civilians in this country. Gallagher, however, called off the proposed House hearings earlier this month.

UNIT NOT MENTIONED

In his announcement of that cancellation, Gallagher made no mention of the activities of the 116th. The Army has not replied to a series of questions about the 116th submitted 10 days ago.

The activties of the 116th appear to contradict official assurances given by the Army on Jan. 26 that it never engages in undercover operations in the civilian community.

In answer to a question about general intelligence activities, the Army said that "for some time, there has been a specific prohibition against military personnel undertaking such activities as undercover operations in the civilian community.

"Exceptions to this policy may be made by appropriate civilian officials, but none have been made."

Despite this statement, the 116th maintains a staff of 20 agents whose jobs it is to infiltrate political groups and to observe politically active persons in the Washington area.

POSE AS STUDENTS

Some of the agents have grown beards and long hair to pass as students on college campuses in the Washington area. Others pose as members of the working press to obtain pictures of those involved in political activities.

The pictures are kept on file and are reproduced for agents attending demonstrations to enable them to identify those participating.

The unit has furnished tape recorders to agents attending rallies so they can clandestinely record speeches and conversations.

The videotape-sound truck was driven to demonstrations by agents posing as television newsmen for the nonexistent "Midwest News."

At one large demonstration, the Nov. 15 anti-war march on Washington, intelligence agents were assigned to bridges along the Baltimore-Washington parkway to count the number of buses heading for Washington bearing demonstrators.

OTHER UNITS USED

The political intelligence activities of the 116th are frequently undertaken in concert with two other groups, the 108th at Ft. Meade, Md., and the 902D, also located in Washington, which reports directly to the assistant chief of staff for intelligence.

Information collected by the 116th is transferred to a file of 5-by-7-inch index cards. The unit has several thousand such cards on file, each referring to a different activist in the Washington area.

The cards contain a picture of the person, his name, address, occupation and background, a list of the political groups to which he belongs, notes on political meetings and demonstrations he has attended, and a summary of his views on political issues.

One person known to be listed in the file is Julius Hobson, civil rights activist and former member of the Washington Board of Education.

Existence of such a file appears to contradict assurances the Army gave Gallagher that political intelligence records at local military intelligence groups would be destroyed.

ONE FILE DESTROYED

The Sun-Times received information from the Army, however, that the only file so far destroyed was the computerized data bank maintained at the Army intelligence center at Ft. Holabird in Baltimore.

Information that formerly fed the computer is still at Holabird on paper, and no order has been issued to destroy it or files kept at the local level.

Similar files are located at military intelligence units at Ft. Devens, Mass.; Ft. Meade; Ft. McPherson, Ga.; Ft. Sheridan, Ill.; Ft. Sam Houston, Tex.; San Francisco and Honolulu. Other files are located at Ft. Monroe, Va., and a microfilm file, containing FBI reports as well as Army information, is kept by the Army's counterintelligence analysis division in Alexandria, Va.

Shortly after Army general counsel Robert E. Jordan III gave Gallagher assurances about the destruction of these files, a meeting was held at the 116th to inform agents that the unit would continue most of its activities.

FILES CLASSIFIED

The only activity to be discontinued, the agents were told was operation of the computer in Baltimore. The agents were told they would continue to infiltrate and monitor local political groups.

However, the agents were informed that all files and operations of the 116th were to be classified to prevent release of any information about them to either the press or Congress.

The agents were warned that disclosure of the information would subject them to court-martial or prosecution in civilian courts "for violation of national security."

EMPHASIS REQUIRED ON PRODUCTIVITY

Mr. MILLER. Mr. President, President Nixon's recent statement on economic policy placed a much-needed perspective on some of our problems and added impetus to the Nixon administration's anti-inflationary policies.

In a condition in which the economy is moving from a wartime to a peacetime economy, it is more important than ever that the public realize the full impact of all that is taking place, especially the responsibility Congress has in implementing anti-inflationary policies.

An important contribution to the dialog in the inflation area was made by Charles Brophy, editor-in-chief of "The Bond Buyer," in the editions of June 1. While the article was written prior to the President's economic policy statement, it provides an insight into the reasons why emphasis is required on productivity. I ask unanimous consent that the article be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Snap Shot Is Productivity; Make It a Sure Shot and the Nixon Regime Could Bag Legal Limit for Decade

(By Charles Brophy)

Gaylord Freeman, who is chairman of the First National Bank of Chicago and who is one of the nation's finest banking leaders, said last month in Chicago that the U.S. Government will have either to institute wage and price controls, increase taxes, or reduce its own expenditures. He went on to say that "limitation of the money supply is the only alternative if you want to stop inflation and aren't willing to have wage and price controls or higher taxes or lower Government spending and limiting the money supply invariably means higher interest rates."

This general approach currently is the popular expression among our most astute business and financial leaders whose sound thinking and interest in the national welfare compels them to put forth possible remedies which may be, given their appreciation for the efficiency of a free economic society, either personally viewed as undesirable or even abhorrent.

Within the Federal Reserve System, even Alfred Hayes, who is not only president of the Federal Reserve Bank of New York but also vice chairman of the Federal Open Market Committee, has come around to the point of view this year that "wage and price guidelines" may serve some useful purpose even though they are a less desirable solution. For Mr. Hayes, this is quite a contrast to his earlier opposition to guidelines as being essentially worthless because they are unworkable.

A great many people are opposed, of course, to wage and price controls or wage and price guidelines, including President Nixon, on the basis that they are against them on principle, view them as unworkable, of themselves, or think they are politically unpalatable.

I think there is another way out of this dilemma which would sidestep the need for higher taxes, or the need for lower government expenditures, or the need for wage and price guidelines and wage and price contols, or the need for a persistently tight Federal Reserve credit policy.

In fact, this way out could produce higher gross Federal tax revenues with lower tax rates, could allow for higher government expenditures, could permit an expansive credit policy with substantially lower interest rates, and could erase the need for wage and price guidelines.

There is no sense in belaboring each of the points involved in this analysis, nor is there any point in reproducing the equations of the calculus which are essential, in their derivatives, to what is essentially a motion study in the classic "minimax" analysis.

The points, without belaboring them, should be made, however, and they are placed in several "sets."

The points are these in the first set:

1. Inflation is the most serious problem the nation faces and without its solution all else will be lost. The inflationary road we are on will lead us not to a "money panic" of the 1837 or 1907 variety because neither Washington nor the Federal Reserve believe that this is a possible "cure," given the social climate and the nation's illiquidity which could turn a money panic into something much worse. Instead, the inflationary road we are on, if it continues long enough, has a better chance of ending in the classic money inflation of Germany after World War I.

2. Despite the seriousness of the inflationary problem, the nation's populace is not really alarmed about inflation nor could it easily be aroused even with greater efforts to this purpose than have already been made. This is so in part because many people regard inflation as the inevitable dictum of an impersonal, impregnable economic machine; in part because so many people are insulated against inflation either through strong representations in wage negotiations by labor unions, or through cost of living clauses in retirement plans, or because they are at the stage in life where they are net sellers of assets (such as parcelling off accumulated land) rather than net buyers of assets, so that inflation is read by them as a positive benefit. In fact, one of the most critical problems of the present inflationary dilemma is that inflation, at this juncture in its course, is regarded more as a benefit rather than the other way around. Most people actually like moderate doses of inflation; what they own goes up in price, and this is good for the ego as well as the wallet.

The second set of points revolves around the insufficiencies in the standard list of remedies. Again, without belaboring them:

1. Both fiscal policy and Federal Reserve credit policy have fallen short of the goal of breaking inflationary expectations and bringing the rate of inflation down to a rational rate. More often than not, fiscal policy and credit policy have been out of step, with the one undoing the other, looked at from both aspects, since 1966. We are now at the point where we must look at both the fiscal and credit policy equations from a hard-headed practical view and recognize two things: Fiscal policy, from a practical point of view can make no more contribution to restraint than it already has, which has not been much. Credit policy has gone as far as it can go; it would be dangerous from a social political, financial and economic viewpoint to attempt to tighten credit any further now than it is, which is less than it was late last year by a substantial margin. On this score, credit policy has failed to contain inflation and is now in a position where it is obligatory to build the money supply at a faster rate than is desirable, given the continuing high rate of inflation we now have. At best, we will end up with a recession in business activity, accompanied by high costs and continuing inflation. An impossible combination? Think about it; it's what's happening, kiddo. At worst? Think about that, too.

2. Higher taxes, or even a continuance of the income tax surcharge beyond the end of June, are no solution for a variety of reasons. First there is the reality of the political problem. Second, they are high already, and, taken together with sharply rising State and local sales, property and income taxes are imposing a financial burden on the populace which is having the undesirable effect of a backlash against desirable social projects. Third, higher taxes are not all that deflationary because the U.S. Government spends the money. It does no good to say that the Government would spend the money anyway; the corollary to Parkinson's law is that Governments can never have more than monetary surpluses because Government spending rises to meet the new, higher level of receipts. Looked at this way higher taxes belong in the "transfer" category.

3. Lower Government expenditures, including Federal and State and local government spending, are politically difficult as cuts always hurt somebody, and beyond that, reductions in expenditures are in certain sectors socially undesirable.

4. Wage and price controls are politically impossible, are inefficient, and are really unworkable. Admitted, that World War II contained as much relative price stability as was possible, but no account is taken of the quality deterioration which was severe. As for wage and price guidelines, they are politically possible, but are really unworkable as they are generally challenged or ignored. They are undemocratic as they are not met with equal responsiveness from all sectors of the economy, thus serving to undermine national character. They raise ticklish legal questions. Regarding guidelines, what is the responsibility of a steel company president to abide by them, given his allegiance to stockholders, if the steel labor union ignores them?

The way out, it seems to me, is productivity and not a long-time-period secular increase, but a rapid inspired short-time-period increase of very dramatic nature. The complex relationship involving productivity, costs, prices, savings and eleven other factors is startlingly clear in the equations but it is plodding going in the English language.

Productivity involves rates of change, or ratios, as between physical units (not value) of input and physical units of output. Ordinarily, productivity is associated with capital formation, and that field has been well-tilled over the past two centuries. Historically, it runs from Adam Smith through the Marshallian analysis, in his quaint arithmetic and diagrammatic footnotes, through the Austrian school with its lengthening pyramid of production and in more recent times through the Swedish school.

As I mentioned above, the derivatives in productivity are associated generally with capital formation. Give a man a capital good in the form of a stapler, and he can staple four times as many sheets of paper together as he could previously put together with paper clips. Try it.

But, I am not talking about productivity from the side of capital formation. I am talking about it from the side of labor's contribution. I know of one indsutry where productivity, literally, could double if the contract restrictions were removed. Or, take the building trades industry, where urban and single-unit construction required in the next ten years, taking into account the "catch-up" from the low levels of the past several years, points to the biggest challenge in construction history.

I have seen estimates which suggest that the revamping of building codes and the removal of contract restrictions in the building industry could increase productivity by 30 per cent.

But, those are isolated examples. Let's take the points one-by-one.

1. The first thing which is required is to find out if a quantum jump in productivity is possible, and by that I mean a large, short-term jump to cover the 1970s, where the charting would be on a whole new scale. I happen to know that such a quantum jump is possible, but that isn't enough in this case. So, regrettably, what is needed is a Presidential Commission on the Nation's Productivity to report within three months. Productivity is coldly calculable so it won't take any longer.

2. The second thing which is required, after discovering the veins of gold to be mined from productivity on the labor side, is whether the mining is feasible, whether the whole idea is workable.

Let's look at the points involved in that.

1. As politics is the art of making the proper palatable, let's look at this first. Let's assume that, realistically, we will need to live with inflation around 3 per cent and let's assume, some may say not so realistically, that we can get productivity up to 4 per cent (it's now a slight negative factor). What does that mean in the form of President Nixon's domestic economic program for the 1970s, which oversteps in its vision the November elections. It means that the workingman can double his money income in ten years, which is not so far off, and it means he can increase his real income by better than half.

Push productivity to 7 per cent (improbable but not impossible), it's 15 per cent in Japan and he can double his real income in 10 years and double his money income in seven years.

2. The principal labor objection in this is the valid fear underlying contract restrictions. But, given the desired social programs and economic programs in this country, and given our responsibilities to under-pinning the growth of the under-developed nations, and this country is going to be chronically "labor short" in this decade.

3. Another labor objection is that transitional unemployment will arise. For this, there is the government guarantee of financing the transitional cases. There really won't be any transitional cases, as a practical matter.

4. As between costs and prices, there is presently a profit squeeze, and as profits are the real driving force in any enterprise economy, they cannot be ignored. To put prices up, thereby creating profits, is inflationary which is undesirable. There is, practically, no point in thinking wage rates are coming down in order to create a profit spread between costs and prices.

But, and the distinction is critical, through sharp increases in productivity there can be further wage increases and larger profits through the resultant sharp decline in labor unit costs. Growing wages, growing profits and lower labor unit costs. It's not an unmiscible equation.

As Lawrence Septimus Arnold, seventh son of the British brokerage firm of W. A. Arnold & Son, used to say every week at Ye Olde Chop House, the eternal verity is that people want more money.

Productivity is the way to give it to them, and start curbing inflation to boot.

THE SALT TALKS AND THE CBW PROTOCOL

Mr. PROXMIRE. Mr. President, yesterday I discussed the major arguments in favor of ratification of the Geneva Protocol of 1925 prohibiting chemical and biological warfare. Today I would like to analyze the major argument against ratification in light of the strategic arms limitation talks now being held in Helsinki. In one crucial sense, nuclear weapons and chemical and biological warfare agents are similar. Both types of weapons are so horrible that each side feels it must maintain a large arsenal in order to establish an effective deterrent against their use by the other. Reduced to its simplest form, this argument runs that if Russia has CBW, the United States must, too, and vice versa. This is exactly the argument which has provided the fuel for the nuclear arms race. It has been the basic argument which has been used to justify the construction of MIRV and the ABM. It is predicated on the fundamental belief that you can never trust the enemy. While denouncing such weapons as too horrible to use, both sides have continued to work feverishly toward perfecting even more terrible forms, all in the name of national defense. Like the nuclear arms race, the CBW race is a vicious cycle supported by fear and mistrust which can only be broken by one side admitting it might be able to trust the other.

This is where the SALT talks become particularly important. For the first time, both the United States and Russia have been willing to sit down and meaningfully negotiate over nuclear arms limitation. In view of the progress which has already been made, should not the United States seek a similar accord on the use of chemical and biological weapons? Certainly the time is ripe for such an initiative. Without question, the most important step we could now take to show our willingness to work with the Soviets on these weapons is to ratify the Geneva Protocol first drafted in 1925. I strongly urge President Nixon to resubmit this protocol to the Senate in order that it can be given speedy consideration.

THE LAW SCHOOL GRADUATE AND HIS PRIORITIES

Mr. HATFIELD. Mr. President, at this time thousands of 1970 law school graduates across the country are studying for bar examinations.

My good friend Justice Arno H. Denecke, of the Oregon Supreme Court, wrote an excellent article for the Willamette Lawyer aimed at those young men and women studying for the Oregon bar exam. I think his comments, however, have meaning for all new lawyers.

I ask unanimous consent that Justice Denecke's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GRADUATE AND HIS PRIORITIES

(By Justice Arno Denecke, Oregon Supreme Court)

From now to September are eventful months for the seniors,—J.D.s and licenses to practice law. The end of a long routine. The beginning of freedom. The end of no money. The beginning of some relative affluence. A time to indulge oneself.

Sometime, months or maybe years after the exhilaration of these next months, you become aware that there will not be any more graduations or bar admissions causing a complete change in your life style. You will then be doing basically what you will be doing the rest of your life. This is the date at which you consciously or sub-consciously will commence to establish priorities. What comes first? What comes second? I hope the practice of law and your wife and children occupy high priorities. You have additional priorities that you should consider.

You are a member of a profession; in my opinion the most influential profession of all. Our profession practices self-discipline and self-help to maintain our high professional status and to exert our profession's influence upon the rest of society. In order for this to continue you must give a high priority to activities needed in your profession. Thousands of lawyers are doing this today but the need grows greater.

Most of these activities are channeled through local, state and the American Bar Association. Some laymen and a few lawyers contemptuously think of the bar associations as "closed shop unions," and believe that the association's principal purpose is to restrict the number of lawyers so as to insure that the present members of the bar will have a sufficient number of clients and an adequate income. This is a completely erroneous impression.

In Oregon and in other states, the State Bar, as agents of the Supreme Court, handles the mechanics of admissions to the bar and disciplinary cases and makes recommendations to the Supreme Court. The only criterion is, what is in the public interest? The efficient performance of these two functions is perhaps the most time-consuming public service demanded of members of the bar yet this must be done well and has been done well. Your assistance in this capacity is one of the highest services you could perform for your profession and the public.

A segment of the lay community and some lawyers regard bar associations, particularly the American Bar Association, as the domain of the reactionaries. This again, is a misconception.

Like all other institutions, bar associations have members who are more conservative on more issues than the majority of lawyers or a majority of the public. When the views of these more conservative members coincide with the views of the majority of the moderates, this becomes the position of the bar association. However, conservative views do not always coincide with the views of the majority in bar associations.

A good contemporary picture of the outlook of the American Bar Association is contained in an address by the President of the Association to the Mississippi State Bar, reprinted in 40 Miss L J 461 (Oct. 1969), on the Administration of Justice. That section of the address dealing with the work in Mississippi of the Lawyers' Committee for Civil Rights Under Law is particularly revealing.

Outstanding Oregon lawyers, including partners in the largest firms in the state, have gone to Mississippi for the Civil Rights Committee for four to six weeks and have provided first-rate representation by local lawyers. This, of course, was provided for no compensation. Hopefully, this need will not exist for much longer.

However, there will be other needs in other places. Continuing legal education is a growing need for the profession. In some states the law schools take care of most of this need; however, in Oregon and elsewhere the practicing bench and bar, guided by a bar committee, do this for the profession. Certainly, the participants benefit from what they learn in preparation for such services, and the prestige of being selected to participate is personally gratifying as well as possibly business producing. However, the time is spent largely because of the knowledge that it is necessary for the good of the profession.

All of these gratuitous bar activities by lawyers may produce some indirect economic benefits; however, this is not the motivating factor for most participants. Lawyers perform these public services because of their sense of professional responsibility to the community.

In addition to participating in bar activities, many lawyers believe that they have an obligation, as lawyers, to lend their talents to other activities—governmental, educational, charitable, religious, etc.

Although we have recognized the lofty motives of such lawyers, we should be objective and also remember that lawyers as a class like to believe that they are essential to all important decisions. In this area you must periodically reassess your priorities. If you show a willingness to participate in some of these areas, as I believe you should, your services, without compensation, will be eagerly sought. It is easy to lose track of other responsibilities of high priority when deeply involved with matters of great public importance. Unless you exhibit some restraint you may soon be neglecting your practice and your family. There are only so many hours in a day.

We assume you will be good lawyers, take competent care of your clients, and provide reasonably well for yourself and family. We sincerely hope that you will also take the time and effort to honor your obligation to your profession and to your community.

CLARK MOLLENHOFF

Mr. **ALLOTT.** Mr. President, I am indeed sorry that Clark Mollenhoff will soon be leaving his position as a counselor to the President. I am aware of the many contributions Mr. Mollenhoff has made during this past year in his service at the White House, and I can only regret that the President will no longer have the benefit of his outstanding service.

However, all of us know the great record Mr. Mollenhoff has compiled as a member of the press corps for the past two decades. Now that he is returning once again to that profession, we shall all await the contributions we know he will make. I wish him only continued success in all his endeavors.

Mr. Mollenhoff's departure may be a loss to the President and the entire Nixon administration but his return to journalism is definitely a plus for the American newspaper readership as well as the effort in which so many of us have had an interest to provide greater balance and fairness in news coverage.

STATEMENT OF CUBAN EXILE COMMUNITY

Mr. **DOMINICK.** Mr. President, exiles and refugees from Castro's Cuba, since 1962, have been constantly harassed in their efforts to help liberate their own country. On June 6, 1970, Costa Rica's Foreign Minister Gonzalo Facio called for action by the nations of this hemisphere to rid Cuba of its Soviet overlord and to put an end to Castro's outflow of aggression and subversion against their governments.

I should like to point out in this connection that Mr. Facio speaks for no reactionary government, but for the liberal administration of that noted Latin American statesman, now President of Costa Rica, Don Jose Figueres. In his speech, Foreign Minister Facio said:

> The only effective solution I see to put a stop to Castroite aggression against his people and the rest of Latin America is to promote an internal uprising.

Mr. Facio then asked this question:

> Is this possible?

And answered:

> Judging from the internal situation in Cuba, my answer is a qualified yes.

He called for a catalyst in the form of effective leadership in exile, a vigorous psychological warfare program, and strong and effective support to groups of rebels inside Cuba who form the base of insurrection.

It appears, however, that our own State Department is still doing its best to prevent Cuban exile leaders from supporting the very measures that Mr. Facio has advocated. Many of those leaders, formerly divided as to tactics, although united in their ultimate goals, have signed a statement published in Diario las Americas on June 13, 1970. Among those signing this important document are two former Presidents and two former Vice Presidents of Cuba, Juanita Castro, the former Speaker of Cuba's House of Representatives, and action groups who are prevented from carrying the battle to Fidel Castro.

I ask unanimous consent that this document be printed in translation in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF POSITION—CUBAN EXILE COMMUNITY

Our fundamental conviction is that Cuba, our country, must be liberated from the Communist regime that represses it. It is no less our conviction that we Cubans have the duty to do so—within the limits of respect which we hold for the laws of the United States.

We therefore declare the following:

We cannot accept the position of the Department of State as transmitted to Cuban exile leaders "to apply certain norms or measures to any person or organization that combats the Cuban regime from this country or a third country (if such person or organization is headquartered in the United States.)" Some measures have already been initiated against certain Cubans for combatting the Castro regime.

OUR POSITION

Our declarations are not formulated out of mere ego nor made to promote useless confrontations at the expense of harming the historic ties that have always linked the destiny of our two countries.

Our struggle is deeply rooted in Christian ethic and democratic thought and cannot be analyzed, much less judged, by narrow legal interpretations.

Our right to fight for Cuba also involves the security of a continent now threatened by Communist aggression based in Cuba and is made in support of the preservation of the democratic institutions of the entire Western Hemisphere.

Our declarations, our position, is stimulated by the announced decision of the Department of State. They have a two-fold purpose. One is to express to the American public our cause; the other represents a respectful appeal to the President of the United States to rectify the errors made by officials of his departments and agencies. In our judgment, actions taken by such officials are wrong and violate the spirit of justice which is the foundation of this great nation.

OUR MUTUAL HISTORY

Joint resolution of 1898

The destiny of the Cuban nation was linked to that of the United States through the Joint Resolution of Congress signed by President McKinley on April 20. The resolution recognizes the right of the Cuban people to be free and independent and provided for assistance to the Cuban people to end Spanish domination.

The Bay of Pigs

Sixty-three years later, the American nation, in just alliance with the Cubans, again linked its destiny with Cuba. On April 17, 1961 Cuban and American blood ran at the Bay of Pigs in order to put an end to the totalitarian regime that today continues to oppress the Cubans.

Neutrality laws

On April 20, 1961, only three days following the Bay of Pigs disaster, the then Attorney General of the United States, Robert Kennedy, said of the neutrality laws:

"They are among the oldest laws on our statute books, and not designed for the kind of situation which exists in the world today. They were not designed to prevent individuals from leaving the United States to fight for a cause in which they believed. There is nothing in those laws which prevents refugees from Cuba from returning to that country to engage in fighting for freedom."

Title 18, Section 960 of the U.S. Code (one of the neutrality laws) prohibits certain actions against a nation with which the United States "is at peace"—a "friendly nation" with the United States and, by breaking diplomatic relations on January 3, 1961, the United States recognizes that Cuba is hardly a "friendly nation." We therefore conclude that this part of the "neutrality laws" cannot be applied against Cubans who are "fighting for freedom."

Joint resolution of 1962—P.L. 87–733

"The purpose of the resolution is to provide a means of expressing national unity regarding U.S. policies toward Cuba. To this end, the resolution declares the determination of the United States—

"(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

"(to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

"(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination."

This resolution, signed by President John F. Kennedy on October 3, 1961 is known as Public Law 87-733. As such, it has the force of law and represents the latest and strongest national position on Cuba.

We consider it to be against this law when members of the Executive branch of government applies measures and dispositions intended to prevent the Cubans from regaining their country.

We would also point out that a number of international agreements have been signed by the United States which uphold the right of "freedom-loving Cubans" to fight for their country. One of these came out of the VIII Meeting of the Council of Foreign Ministers of the OAS in July, 1964.

In its Declaration to the Cuban People the Council expressed: "Its deepest hope that the Cuban people, strengthened by confidence in the solidatrity with them of the other American peoples and governments, will be able, by their own endeavor, very soon to liberate themselves from the tyranny of the communist regime that oppresses them and to establish in that country a government freely elected by the will of the people that will assure respect for fundamental human rights."

It is the solidarity and spirit of the Joint Resolution of 1962 and the Declaration to the Cuban People that guide us in our efforts against the Communist regime in Cuba.

THE NIXON DOCTRINE

Though we fight to put an end to Communist slavery in our country and to a regime that threatens freedom in the Americas, we have not solicited the armed support of other nations nor endangered their security. Our principles are, in fact, strengthened by the Nixon Doctrine which recognizes "the right to assistance and help by any people who through their own efforts and dedication, fight against the oppressive forces of international Communism."

VIETNAM, CAMBODIA, CUBA

The spirit of universal justice contained in previous declarations, and the Nixon Doctrine, is apparent in interpretations surrounding the war in Southeast Asia. It is not evident in the prevention of Cubans from liberating their country only 90 miles away.

Cuban boys are fighting and dying in Vietnam and Cambodia for the same ideals that Cubans declare their right to fight for their own country. It is unexplicable to us that similar cases provoke entirely different interpretations and response from the same government.

CONGRESS HAS SPOKEN, STILL SPEAKS

It is clear from the record of Congressional action taken in the United States that the will of the people has been measured. It is no less clear that an increasing number of Congressmen today recognize the danger and support our cause.

Our cause is mutual. The United States and Cuba are two peoples formed from the same crucible of revolution against outside force. One of us has lost our country; but we have not lost our cause.

For these reasons we not only direct our appeal to the people of the United States but to the President, confident that the actions taken by members of the Government will be corrected. We recall with pride and emotion the words spoken by President Nixon on October 12, 1968:

"There is also on record a commitment which a new administration will reaffirm to the Cuban people. We do not accept as permanent the existence of Cuba as a Caribbean colony of the Soviet empire."

THE TRIUMPH OF FREE ENTERPRISE—ADDRESS BY ARTHUR F. BURNS

Mr. ALLOTT. Mr. President, last Thursday, July 2, in Tokyo, Arthur F. Burns, Chairman of the Board of Governors of the Federal Reserve System, delivered a most interesting and significant address entitled "The Triumph of Free Enterprise." It contained high praise for Japan's economic achievements in the last decade. It contained a forceful defense of the economic efficiency and political virtues of a free enterprise economic system.

In addition, it contained some useful thinking about the future of Asian development and about the role of free economies in that development.

So that all Senators may profit from the wisdom of Chairman Burns, I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE TRIUMPH OF FREE ENTERPRISE

(Address by Arthur F. Burns)

It is a great pleasure for me to visit Japan again. Four years have passed since I was here last, and while I have heard much of the progress and prosperity you have experienced, it is good to see the evidence with one's own eyes. My personal knowledge of Japan goes back some ten years. During my last visit, in early 1966, the mood was not one of universal optimism because you were then experiencing a readjustment in the rate of production and profits. There are always those who find any economic pause a justification for pessimism about the future. I have not been one of those. I have long been impressed by the great resiliency of the Japanese economy. I believe that you have discovered a formula for economic progress that will continue to bring excellent results in the future as it has in the past. That is not to say that you will not encounter problems. You will. But your resiliency lies in the skill you have developed in devising solutions to problems and your ability to work together as a nation to achieve your goals.

This is a particularly interesting time for an economist to visit Japan. As I am sure all of you recall, fiscal year 1970 was designated as a target year in the economic plan unveiled by Prime Minister Ikeda in 1961. In what many people then thought was a fantastically ambitious design for the future, he calmly announced that Japan planned to double her gross national product between the years 1960 and 1970.

It is therefore fitting, as we are gathered here today, to take note of how the actual achievement of Japan compared with Mr. Ikeda's bold projection of a decade ago. While his plan called for a national output that in this fiscal year would be twice that of 1960, it now appears that your national product will in fact be at least 180 per cent above 1960.

The Ikeda plan projected exports reaching $9.3 billion this year, while imports would rise to $9.9 billion. It is now believed that exports will come to nearly $20 billion and imports to nearly $19 billion.

The Ikeda plan foresaw Japanese steel production rising to 45 million tons this year. It will actually be around 80 million tons.

According to the Ikeda plan, a big expansion was to occur in automobile production. But while it was then thought that the output of passenger car, trucks, and buses would amount to about 2.2 million units, it now appears that well over 4 million vehicles will be produced this year.

I might go on with such comparisons, but it is not necessary to do so. Virtually all indicators tell the same story. Far from being overly optimistic, as many people then thought, Mr. Ikita and his colleagues—who drew up the ten-year plan at Prime Minister Ikeda's request—were very conservative in their projections. However, I am sure that no one will find fault with them for that. They would not have been believed had they forecast the achievements that have actually come to pass.

It is interesting to recall that a few years before Japan unveiled its income-doubling plan, the Soviet Union had already singled out the year 1970 as the date by which its economy would surpass the United States in production per capita and in the standard of living. It may be worth recalling Mr. Khrushchev's precise words:

"The superiority of the U.S.S.R. in the speed of growth of production will create a real basis for insuring that within a period of, say, five years following 1965, the level of U.S. production per capita should be equalled and overtaken. Thus by that time, perhaps even sooner, the U.S.S.R. will have captured first place in the world both in absolute volume of production and per capita production, which will insure the world's highest standard of living."

To achieve this goal, the U.S.S.R. would have been obliged to more than double its per capita GNP even if the United States made no further progress and simply maintained its per capita output at the 1960 level. However, unlike Japan, the U.S.S.R. fell far short of the goal that Khrushchev had set for 1970.

The economic contest between the U.S.S.R. and the United States enters the year 1970 with the United States holding a commanding lead. In 1969, total output per person in the United States was nearly $4,600. This was two-and-a-half times the corresponding Soviet figure. Measured in real terms, the gap between the per capita GNP of the United States and the Soviet Union was more than 25 per cent higher in 1969 than in 1960. While the Soviet growth rate was slightly higher than the American rate, the difference was so slight that if the same growth rates were maintained over the next 50 years, the per capita GNP of the United States would still be about double that of the Soviet Union in the year 2020.

The wide difference between the living standards of the Soviet Union and the United States is vividly portrayed by comparisons of the number of working hours required to earn enough to buy various goods and services. It turns out, for example, that the average worker in Moscow in April 1969 had to work nearly seven times as long as his counterpart in New York to earn enough to buy an identical supply of food sufficient to feed a family of four for one week. The difference for many non-food items was even larger. The following are the multiples by which the cost of certain goods in Moscow exceeded the cost in New York, when cost is measured in terms of working time: for bath soap—12.5 times, for nylon stockings—14 times, for a man's shirt—12 times, for a refrigerator—12 times.

These comparisons are based on official prices in Moscow, not black market prices, which are, in many cases, far higher. For example, a Volga sedan costing the equivalent of $7,700 reportedly sells for 2.5 times that amount on the Moscow black market.

LESSONS FROM THE EXPERIENCE OF JAPAN, THE U.S.S.R., AND THE UNITED STATES

Although the U.S.S.R. has failed even to come close to the economic performance of the United States, the per capita output of Japan has probably already overtaken that of the U.S.S.R. The official figure for per capita GNP of Japan in 1969 is very similar to our estimate for per capita GNP of the Soviet Union. If the figures are adjusted to allow for differences in the purchasing power of the currency that are not adequately reflected in the exchange rates, Japan appears to have surpassed the Soviet Union in 1969.

There are important lessons to be learned from Japan's extraordinary economic success and the concomitant shortcoming of the Soviet Union. The rather high rates of growth recorded for the Soviet Union in the early postwar years have not been sustained because of deficiencies inherent in the Soviet system. In a free economy, the relative strength of the demand for goods and services determines the allocation of productive resources. In the Soviet system, on the other hand, the path that production takes is basically shaped by the decisions of economic planners in Moscow.

Important economic decisions in the Soviet Union have therefore not been guided by sensitive signals such as are constantly being transmitted by costs and prices in a free market economy. To make matters worse, until recently, they were not even subject to correction by public criticism. Thus, economic success in the Soviet system came to be measured, traditionally, in terms of meeting targets set by the government, rather than in meeting the wants of consumers. This sometimes led to production of equipment that failed to work or to the output of some consumer goods far in excess of demand, while other goods continued to be in critically short supply. Such production might be expressed in a high rate of growth of GNP, but it did not spell progress in the elevation of living standards. In time, the waste involved in this process became a matter of grave concern to Soviet officials, particularly to economists and engineers.

As early as 1959, a Soviet econometrician, L. V. Kantorovich, pointed out that it might be advantageous if prices were allowed to play a bigger role in guiding the allocation of resources in the Soviet economy. Another Soviet economist, Professor Y. Liberman, proposed that profitability rather than achievement of planned targets be used as the measure of success or failure of productive enterprise.

Although the Soviet Union has tried some experiments with reforms along these lines, there has been no correction of the fundamental flaws of the Communist economic system either in the Soviet Union or in the satellite countries. In Cechoslovakia the frustration with the results of centralized decision-making, which reached a climax during the industrial recession of the sixties, was an important factor in the reform movement in 1967–68, but the courageous effort to rationalize the economy by giving greater play to individual decision-making was brought to an abrupt end by Soviet troops and tanks in the summer of 1968.

This result was no great surprise to those who recognized that the reforms required to rationalize the Soviet-style economic system would weaken, if not totally destroy, the political control wielded by the Communist party. Faced with a choice between introducing economic rationality and the maintenance of their political power, the Russian rulers chose power. Unless and until they are willing to change their approach, it seems likely that their own economy and that of their satellites will continue to lag far behind the United States and other advanced countries of the free world.

Japan, on the other hand, has relied on the free market system, and that system has served Japan well. The Ikeda ten-year income-doubling plan, whose goals have been so conspicuously exceeded, called for basic reliance on the private sector and on free market forces. The document which outlined the plan stated:

"In trying to achieve the economic policies contained in this plan, it is desirable for the Government to count on the originality and devices of private enterprises and individuals. It should refrain, as far as possible, from taking direct control measures for the purpose."

The authors of the plan recognized, of course, that the government had the responsibility of helping to create a climate conducive to economic growth. They pointed out, in particular, that it was the duty of the government to stabilize the value of the currency and to minimize business fluctuations through proper application of overall fiscal and monetary policies. But they left no doubt about their determination that the conduct of production and marketing was to be determined by private enterprises acting on their own initiative, not through state enterprises or state controls.

Japan's faith in the free market system has paid handsome dividends. Yet there were many economists and statesmen at the time when Krushchev made his extravagant predictions who took him seriously. They argued that freedom was a luxury that poor nations could ill afford, and that these countries would therefore need to resort to authoritarian control of economic activity, if not also to outright governmental ownership of industrial enterprises, in order to augment their income and wealth. And, in fact, a number of countries in Asia did adopt in varying degrees the policy of turning over to the government the decision-making functions that are performed by private citizens in countries that practice free enterprise.

Those who adopted this approach overlooked the fact that Adam Smith, the father of the idea that freedom was more conducive to economic growth than governmental control, had addressed himself to the problems of a nation that was then very poor and very underdeveloped—that is, to the England of 1776. Two hundred years, ago, English peasants, living at a substance level without any of the benefits of modern industry or science to ameliorate their condition, were probably worse off than their counterparts in most of free Asia today. And the French peasants lived in even greater poverty than the English.

Adam Smith examined the results of govermental intervention into economic activity in 18th century England and France with a perceptive eye. He came to the conclusion that the inefficient use of resources that he observed could be remedied and that wealth could be augmented if individuals had greater freedom to manage their economic affairs as they saw fit, instead of being tied down by minute and exacting regulations prescribed by bureaucrats. He saw that detailed ecoonmic regulations, often laid down by authorities far removed from the actual operations or needs of industry and commerce, produced undesirable results even though they may have been, or actually were, well-intentioned. In time, as the force of Smith's logic and evidence won adherents among men of authority, his revolutionary ideas proved instrumental in sweeping away much of the irrationality that had retarded economic progress. This paved the way for the extraordinary increase in living standards that has occurred in the West in the past two centuries.

It has been said that those who will not learn from the errors of the past are frequently doomed to repeat them. This has been the fate of much of Asia in the period following World War II. The Communists took control of all of the mainland China, and for a time the world was told in glowing terms of the great economic transformation they were effecting there. Indeed, it was widely believed for a time that the great political contest in the world between the advocates of democracy and the advocates of dictatorship hinged on the ability of the democratic countries in Asia to perform as well as authoritarian China. The attention of all Asia was reported to be riveted on this contest to demonstrate which system was economically superior.

THE FAILURE OF COMMUNIST CHINA'S GREAT LEAP FORWARD

The year 1958 was hailed as Communist China's "great leap forward." It was claimed that food output had been doubled in a single year, and that final victory had been achieved over hunger. However, these claims were soon exposed as wild exaggerations, as it became evident in 1959 and 1960 that serious food shortage had begun to reappear. Far from developing self-sufficiency in food and eliminating hunger, Communist China experienced critical food shortages in the early 1960's and was compelled to import huge quantities of grain from abroad to meet her requirements. The agricultural communes which had been so widely acclaimed as the realization of true communism were quietly abandoned or radically modified. Agriculture in China appears to have remained virtually stagnant throuhout the 1960's. Although production figures have been withheld, the available evidence suggests that output may not even have kept pace with the increase in population. In the early 1960's, the food shortages were attributed by government officials to bad weather, but this excuse was soon dropped as food imports continued to be required year after year.

The failures of agriculture had serious effects throughout the Communist Chinese economy. It soon became necessary to retrench drastically the plans for industry and transportation. Resources were simply not available to push forward the grandiose schemes that were supposed to show the rest of Asia how a country could rise from agricultural poverty to industrial affluence by pursuing the Communist path. Official statistics on economic performance of Communist China became very scarce as the boasted "great leap forward" failed to materialize. Talk of competition between Communist China and free Asia dropped to a whisper once it became evident that the free countries were well ahead in the contest.

ECONOMIC SUCCESS IN FREE ASIA

The countries of Asia that have retained the free market system and have avoided the centralization of economic decisions in the hands of the government have clearly been winning the economic contest. The countries that have done the least well have tended to be the ones that either rejected the free market or severely limited it by govmental controls.

The great economic success stories of Asia in the 1960's are found in countries like Japan, the Republic of Korea, Nationalist China, Thailand, Hong Kong, and Malaysia. These countries, in the 10 years ending in 1968, have all recorded average increases in real output of 6 per cent a year or more. Japan, of course, has been one of the outstanding performers, with an average annual growth rate of 11 per cent in this period.

Rates of growth of GNP can be misleading, especially in countries where the underlying statistical data are inadequate and of doubtful validity. It is therefore desirable to check the growth figures of GNP against other records. One useful indicator of underlying growth is the trend of exports, since this is a measure of a nation's ability to compete in world markets. Export performance is a test of a country's efficiency in keeping up with the standards being set elsewhere in the world.

Professor Ota Sik, the architect of the short-lived economic reform in Czechoslovakia, called attention to the fact that the Communist economies have had great difficulty in meeting the test of economic efficiency posed by exports. As he put it: "On the foreign markets, Czechoslovak production is absolutely unable to adjust to changes in demand." This has been largely due to the tendency to neglect quality in production. Over-priced, shoddy goods can be sold in a market that is shielded from foreign competition, but they have little chance in export markets.

It is significant, therefore, that the countries in Asia that have achieved high rates of overall economic growth have also done very well in expanding their exports. The whole world knows what an outstanding record Japan has piled up in export markets. In the period 1958–68, Japanese exports expanded at an average annual rate of 16 per cent a year. It is perhaps less well known that the Republic of Korea, Nationalist China, and Hong Kong have also expanded their exports at phenomenal rates.

There are fascinating stories behind the export statistics of free Asia. I have just come from Korea, and I am very impressed by the remarkable change that has taken place there in just the last decade. Korea's expansion of exports from almost nothing to over $600 million last year is a modern miracle. I am also impressed by the fact that tiny Hong Kong, with a population of only 4 million, exported about as much as all of India in 1969.

The experience of these Asian countries in achieving such outstanding success in the face of what many people once thought were overwhelming odds illustrates how difficult it is for any economist, no matter how far-sighted he may be, to chart the future course of a nation's development. I know that many of you could cite interesting examples from your own experience of the achievement of what once seemed practically impossible.

Some of you may recall the pessimism that prevailed in the years immediately after World War II about Japan's economic future. The development of nylon obviously posed a great threat to the future of silk, which had been one of Japan's leading exports before the war. No one foresaw at that time that Japan would become one of the world's great producers of synthetic fibers and fabrics and that Japan's exports of these goods would eventually far exceed the value of her prewar exports of silk.

Japan has demonstrated the shallowness of the belief that latecomers in economic development are unable to compete successfully with countries that have gotten a head start. I remember the late Prime Minister Ikeda telling me of the first tape recorder he had ever seen. It was on one of his visits to New York in the early 1950's. Neither he nor many of his compatriots then foresaw that tape recorders and other electronic products would play a major role in the tremendous expansion of Japanese exports that has occurred over the last decade.

One of the great strengths of a free economy is that it permits the development of the unexpected. Given proper incentives, the Japanese, the Chinese, and the Korean entrepreneurs have found new uses for their land, labor and capital. In many cases, the raw materials, such as wood for the plywood factories of Japan and Korea, had to be imported from distant lands. There were failures as well as successes, but the end result has been the rapid development of production and exports that had not been dreamed of, much less planned.

The lesson to be learned from these experiences is an old one. Where men are given the opportunity and the incentive to make and sell the products of their labor in free markets, they will tend to act in ways that increase productive efficiency and thereby raise the living standards of the country as a whole. To be sure, freedom of entrepreneurs, workers, and consumers to make their own decisions is by no means the sole determinant of how well a country will perform economically. A nation must also pursue sound monetary, fiscal, and trade policies in order to achieve its economic potential. But there cannot be the slightest doubt, in view of the experience accumulated over centuries, that free and competitive markets are a major determinant of economic growth and widespread prosperity.

It is no accident that the Asian countries that experienced the slowest rates of growth in 1958–68 were also the countries that leaned most heavily on centralized economic controls. The countries at the bottom of the scale in terms of growth of real GNP include Ceylon, Burma, India, and Indonesia. Each of these countries has experimented extensively with government ownership or control over economic activities.

Burma in particular has gone far toward economic authoritarianism. By exercising far-reaching controls over production, trade, and finance, both its production and distribution have been injured. Burma's main crop, rice, has been adversely affected by pricing policies that have denied producers adequate incentives. Over the past decade, neighboring Thailand has increased rice exports by 28 per cent, while Burma's exports of rice have fallen nearly two-thirds. The result is that Burma's total exports are now running at less than half the 1963 level. The ability to import has fallen correspondingly.

Indonesia under President Sukarno followed economic policies that were in some respects more disastrous than those of Burma. In addition to establishing stifling controls over production and trade, Sukarno's government borrowed heavily abroad, largely to build up a military machine, but partly also to finance ambitious projects that in the end yielded little or no economic return. The productive capital of the country was therefore badly eroded, exports fell sharply, living standards declined, and the country found itself saddled with huge foreign debts and with diminished ability to produce the exports needed to service the debt. Fortunately, Indonesia is now in the process of liberalizing her economy, but the country will require many years to recuperate from the damage wrought by the Sukarno policies.

The adverse impact of authoritarian economic policies has also been felt in India, though to a much lesser degree than in either Burma of Indonesia. India over the past decade and a half has emphasized strong centralized control over investment, backed by extensive restrictions on imports and foreign exchange expenditures. Fortunately, the earlier decisions to emphasize heavy industry at the expense of light industry and agriculture are now being questioned. The failure to provide incentives to exports has left India lagging far behind many other countries, and has contributed to balance-of-payments difficulties which necessitated ever tighter import restrictions. As a result, India has passed through a difficult period during which many of her industrial enterprises were deprived of the supplies and equipment needed to keep operating at reasonable rates.

Division of labor, territorial specialization, freedom of trade, and decentralization of economic decision-making—these were key elements in the thinking of the founder of classical economics, Adam Smith. It is gratifying to see that the practical statesmen of the world are gradually rediscovering these essential truths. In this rediscovery of truth, we owe a debt to countries like Japan, the Republic of Korea, Nationalist China, Hong Kong, and Thailand that have most recently demonstrated how nations practicing economic freedom can outperform authoritarian countries.

I see a basis for optimism about the future in the economic experience of both the countries that have forged ahead and those that have lagged behind. What has gone wrong, after all, is not something immutable. A country can change its future, for the better, by changing its policies. The countries that have lagged in the economic contests have the opportunity to learn from experience and to alter their course.

ECONOMIC ROLE OF THE UNITED STATES

In concentrating, as I have, on the power of free markets to spur economic growth, I am not unmindful of the responsibilities that the advanced industrialized countries have to assist the developing nations. We have, at times, overestimated our potential contribution. There has been a tendency to think that external technical assistance, or external capital, could of itself provide sufficient impetus to generate rapid growth all over the world.

We now know that the solutions are more complex. Nevertheless, technical assistance, capital flows, whether governmental or private, and liberal trade policies on the part of the industrialized countries can contribute significantly to the process of economic development.

It is even more important that the advanced countries maintain their own economic strength if the world economy as a whole is to prosper and international trade is to flourish. Clearly, the prosperity and growth of the developing countries depends heavily on the economic well-being of the advanced countries, which provide the major export markets as well as the principal source of the capital and technology required to promote rapid economic development.

I am fully aware of the importance of the role of the United States in keeping the world economy on a sound basis. At the present time, the exercise of our responsibilities in this regard requires that we bring an end to the inflationary pressures present in our own economy. This is proving to be a difficult task. As a result of restrictive monetary and fiscal policies pursued last year, the rate of economic expansion slowed appreciably and some lack has developed in markets for labor and other resources. However, while we have succeeded in eliminating excess demand in our economy, we are still experiencing rather strong upward pressures on costs and prices. Expectations of consumers, businesses, and workers have not yet fully adjusted to the current balance of aggregate demand and supply.

The continuance of rising costs and prices in the face of a sluggish economy has been deeply disturbing to many observers. Some have concluded that success in our battle against inflation might require so restrictive a monetary policy that a liquidity crisis could develop. Concern about this has given rise to some turbulence in our financial markets in recent weeks. Let me assure you that the Federal Reserve Board is fully aware of its responsibility to prevent anxieties of this kind from leading to a scramble for liquidity. Any such development could harm the world economy, as well as our own. Fortunately, we in the United States have the legislative authority, the tools, and—I believe—also the knowledge and wisdom to enable us to deal quickly and effectively with any problems of this nature that migtht emerge.

While the process of getting inflation under control in the United States has been difficult, there have been scattered signs recently of moderation in the rate of advance in some major categories of prices, and also of some improvement in the trend of productivity in the manufacturing sector of our economy. I believe we will be able to extend the progress that is beginning to emerge in these areas, by pursuing stabilization policies that prevent the reemergence of excess demand later in this year or in 1971. However, we must also be careful to ensure that the economic slowdown which began last fall does not become more pervasive or continue much longer. On this score, I think there is room for optimism too. Both monetary and fiscal policies have become less restrictive in recent months, and I believe we may look forward with reasonable confidence to a resumption of sustainable economic growth in the near future, as well as to a gradual dimunition in the rate of advance in prices.

For a time, however, we must expect to see a continuation of cost-push inflation, with increases in wage rates and prices reflecting the excess demand that existed in the past, the effects of which have not yet fully worked their way through the economic system. There are some who think that, under the circumstances, we should abandon our traditional reliance on market forces and impose mandatory controls on wages and prices to halt inflation. I have always been strongly opposed to direct controls, since they are discriminatory and a source of great inefficiency. But I think the Administration has taken a proper step in announcing the establishment of a procedure to review the economic implications of wage and price increase in key industries. In a transitional period of cost-plus inflation, such as we are now experiencing, the moderate incomes policy recently announced by the President should help us to avoid an increase in unemployment and yet hasten the return to reasonable price stability.

The task of bringing inflation under control has caused, and will continue to cause, some discomfort in many sectors of our economy. The anti-inflationary program pursued in the United States has had repercussions which have even extended as far as Japan, I understand. However, I can assure you that our economy is fundamentally sound and resilient. Just as I had confidence that the lulls in Japanese growth that I observed on some of my earlier visits were only temporary, so I have confidence that economic growth and progress will be resumed in the United States in the near future. We are still a long way from having exhausted the possibilities of improving our standard of living or increasing our productive capacity.

Man has taken a giant step forward in entering the era of interplanetary exploration. Our technology and education will continue to advance. How well the industrial countries or the less-developed countries use new knowledge to better man's lot in life will depend on many things. It will depend in part on the goals that we set for ourselves. It will depend in part on our ability to live together in peace and to maintain the kind of mutually beneficial relations that have existed between Japan and the United States for nearly a quarter of a century. It will depend on the willingness of the advanced nations to assist those that have lagged behind in the economic contest. But it will also depend in important measure on the extent to which the nations of the world recognize the great advantages of the free market system and are willing to pursue fiscal, monetary, and commercial policies that are compatible with its efficient operation.

OIL IMPORT QUOTA POLICY

Mr. TOWER. Mr. President, this Nation now stands at a most important crossroads in the establishment of sound policies which will insure the power resources required to meet our growing needs and maintain our national security. The issue quite plainly is whether we will choose to remain energy sufficient or whether we will choose to become energy dependent.

At present, the Nation, with only 6 percent of the world's population, consumes some 40 percent of the energy produced in the free world. Our consumption, moreover, is going to increase.

While three-quarters of the energy we consume is derived from petroleum resources, our domestic petroleum industry faces growing economic difficulties. Simultaneously, our national security continues to rest to a significant degree upon a healthy domestic oil industry.

National security demands that we have available the fuel reserves necessary to propel our Armed Forces when necessary and to maintain the mobility which is now so vital to military strength. But it means more than that. It means, also, worldwide bargaining power. We must maintain that international bargaining strength which is based upon the knowledge that this Nation can supply our own energy needs and those required to meet our commitments. Thus, national security includes the capability to provide for vital industrial and consumer needs.

We will require tremendous quantities of petroleum during the next 15 years. We are expected to consume 100 billion barrels of oil and 420 trillion cubic feet of gas by 1985. This is an amount equal to all the oil consumed in the United States from the discovery of oil in 1859 through 1967 and 80 trillion cubic feet of gas more than we have consumed to date.

It is thus clear that we must not jeopardize our supplies. In the past, operating under appropriate economic incentives, our capable domestic industry supplied this Nation with all the oil products it could consume. This is a fundamental reason this Nation is a leading world power today.

The continued ability of the domestic industry to supply these tremendous and vital needs depends on three elements: the existence of adequate undiscovered domestic reserves, continuation of economic incentive sufficient to encourage more exploration for these reserves, and the availability of the technical expertise, trained men and modern facilities necessary to find, produce, refine, and transport the oil products to the consumer. If these elements are present, there is no question that we can supply our needs.

We have the necessary reserves. The U.S. Geological Survey estimated undiscovered crude oil in place exceeds 2 trillion barrels within the United States and its continental shelves to a depth of 200 isobaths. This represents possibly a 200-year supply at present rates of consumption. Continued increasing rates of consumption, of course, shorten that supply. The Potential Gas Committee estimated that not less than 1,227 trillion cubic feet of gas remain to be discovered in the United States of which 260 trillion cubic feet are in existing fields and another 335 trillion cubic feet are in known producing areas.

It has been suggested that we save our petroleum resources by importing large amounts of oil from other countries. This step, however, would so weaken our exploration industry that we could not rely upon it to discover our vast domestic reserves. Revitalization of this capability would take many years. In practice, once we become dependent upon foreign oil, we will always be dependent upon it.

This is so for two reasons: Irreparable physical damage to the producing geologic formation and displacement of the personnel engaged in the exploration segment of the industry. When wells are shut-in for protracted periods of time, water encroaches, the formation may swell, and rust, scale and paraffin accumulate on the face of the formation. Once this ooccurs, production is either lost forever or materially reduced.

The exploration segment of the industry is composed of highly skilled specialists in fields such as seismology, geophysics, geology, and drilling and producing engineering to name a few. These specialists would be forced to seek employment in other industries. Even if the economic incentives were later restored, there is no assurance that these experts would return to the oil industry having made commitments elsewhere. And if they could return, there would be a time lag of several years from the beginning of the search for new reserves to shipping the crude and natural gas to market.

Today, the men, expertise, and facilities necessary to obtain crude oil exist. Because they do, this Nation enjoys a product price which has risen much less than the prices of most other commodities. This is true even though the industry has borne increased taxes and costs of production from the wellhead to the gas pump. The retail price of gasoline has risen only 13.8 percent since the 1957–59 base period, compared with 20.5 percent for all other commodities. The consumer price of natural gas is at virtually the same place it was during the depression. Our petroleum industry has done its job well.

It is clear, then, that adequate reserves, labor, expertise and facilities to supply our Nation's needs do exist. Thus the only essential element in doubt is the continued existence of proper economic incentives to assure that the labor, expertise and facilities available are used to discover and develop these reserves.

When the proper incentives are eliminated, it is easy to see what happens. For example, because the FPC has failed to recognize the need for a higher price for natural gas during past years, there has not been sufficient exploration and development of this resource to avoid the danger of an acute shortage of natural gas. Because the price of natural gas was held at artificially low levels for so long, there may not be sufficient natural gas available this summer and winter to meet the needs of users in some areas of the United States. This is particularly unfortunate, Mr. President, when one considers that natural gas is the one fuel which does not pollute the environment. If the FPC had earlier recognized the necessity of providing the proper incentives to the petroleum industry, in the form of a realistic price for natural gas, the Nation would not face a shortage of this fuel today.

Mr. President, we cannot afford to repeat these mistakes. We cannot be lulled into accepting the argument that short-term economic gains to the United States would occur if we eliminate the mandatory oil import quota system. If we do so, we will risk destroying an important segment of our economy and perhaps gain nothing for it. Many of the economic and consumer benefits which have been promised if the mandatory oil import quota system is eliminated are illusory.

The Task Force report to the President on the "Relationship of Oil Imports to the National Economy" advocated eliminating the present oil import quota system. We must not abandon this known, workable system unless we are certain that positive results will occur. This is especially important since we are dealing with an industry as basic and vital to the Nation's health and security as the domestic petroleum industry. Reasonable, well-founded assumptions must be the basis for such a change. Consider the likely consequences of a decision to rely entirely on imported crude for our needs.

First, as increased imports drive the price of crude down, the oil and gas exploration segment of the domestic industry would rapidly become nonexistent. There would be an accompanying loss of 268,000 jobs directly connected with the exploration of oil and gas and $750 million of taxes each year. Since the exploration for gas is inextricably bound to that of oil, a point virtually ignored in the report, we would very soon be substantially without gas. Therefore, we would be forced to import nearly all our needs of 20 trillion cubic feet of gas per year. The fact that natural gas must be compressed under high pressure into a liquid to be shipped adds substantially to its cost. The additional cost is approximately twice as much as that produced here. This increased cost would amount to over $5 billion per year. This is the amount which the report estimated would be saved by the U.S. consumer by importing cheaper foreign oil.

Further, the foreign supplies of crude and liquified natural gas could be shut off at will by the producer governments or even be halted through acts beyond the control of those governments. Bearing in mind that there is no substitute for petroleum, a total stoppage of the flow for whatever reason might well shut down the entire transportation industry—aircraft, truck, train, boat and auto movements could be drastically curtailed. Other industries would then cease to operate. Agriculture, which is becoming increasingly mechanized, would grind to a halt. Tens of millions of Americans would be without heat in their homes. Our economy would be in utter chaos and personal misery would prevail. Granted, this is a pessimistic picture. But I suggest that it is a far more accurate picture of the economic disturbance this Nation would suffer than that presented by the Task Force report.

But, Mr. President, this situation will not happen as long as there are sufficient economic incentives for producing hydrocarbons in the United States. The security and reliability of our supply is worth a price.

For what savings has the Task Force recommended a change, that if wrong, could wreak such havoc? Eight-tenths of 1 cent per gallon hydrocarbon consumed. Even if this is accurate, I submit that this is not an excessive amount for the U.S. consumer to pay to assure the continued supply of fuel and a firm national security.

But assuming for the sake of discussion that the supplier countries relied on by the Task Force report will be politically willing and physically able to deliver, I question their ability to discover and prepare for market enough new reserves to satisfy our needs.

The task force cited the North Slope of Alaska, Canada, and Latin America as our main sources of supply. The ability of these areas to deliver was seriously challenged recently in testimony before the House Ways and Means Committee by an eminently qualified authority on the subject—M. A. Wright, chairman of the Board of Humble Oil & Refining Co. He estimated that by 1980 the production from the Alaskan North Slope would be 2 million barrels per day—1.7 million barrels per day less than the amount stipulated in the report. This province is just too new and untested. Referring to the ability of Canada to deliver to us 1.6 million barrels per day, he estimated that Canada would have to find and ready for market 25 billion barrels of new reserves in the next 10 years. This is more than twice the amount found there in the past 20 years and an overly optimistic prediction by the task force. The ability of the Latin American countries to deliver the 2.7 million barrels per day as called for in the report was based largely on the assumption that Venezuela could produce a total of 5.4 million barrels per day. Mr. Wright estimates on the basis of on-the-ground experience and observations of his subsidiary companies, the 1980 Venezuelan production will remain at about the present level of 3.6 million barrels per day. These views differ by 50 percent. As to Eastern Hemisphere imports, Wright and the task force assumed a balancing of the U.S. demand from these unstable sources after first drawing on available Western Hemisphere supplies. Based on his calculations of the U.S. demand and Western Hemisphere supplies, he estimated that we would be importing 6.5 million barrels per day from the Eastern Hemisphere instead of the 500,000 barrels per day in the task force report.

Without laboring the point further, I think it can be seen that we must proceed slowly to change when the experts differ so widely on the basic assumptions of the source of supply impact on the Nation and saving to the consumer.

I suggest we consider enacting into law the present import quota system. Open and complete hearings would allow correcting its minor flaws as we do so. Furthermore, congressional hearings should be held as President Nixon suggested when he received the report.

Finally, we must recognize the outstanding accomplishments of our industry which has served the Nation so well in the past. I, for one, have great admiration for the men who stand ready today to risk the necessary capital to assure us of a continued, secure supply of this precious commodity. We in Congress must do our part to provide a stable economic climate in which these men can operate.

REPRESENTATIVE ALLARD LOWENSTEIN

Mr. CRANSTON. Mr. President, Allard Lowenstein is waging an uphill fight in New York to retain his congressional seat. Although his Nassau County district was gerrymandered, Representative Lowenstein has refused to step aside despite the odds against him.

This type of determination symbolizes Allard Lowenstein's commitment to the people of his district and his willingness to do battle for the ideals in which he believes.

I ask unanimous consent that James A. Wechsler's column entitled "A Bigger Battle" published in the New York Post of April 15, 1970, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Bigger Battle

Once again Allard Lowenstein has undertaken the "impossible" fight. His adversaries must be at least slightly shaken by his decision; his gift for confounding the odds has been demonstrated too often.

In choosing to run for reelection to Congress from a district cynically gerrymandered to force his retirement, Lowenstein is again defying all the calculations of the "pros". He may also have set the stage for another upset with large national repercussions.

The battleground is Nassau County's reshuffled Fifth Congressional District. When 41-year-old Lowenstein, the rebel-at-large who sparked the national Democratic political upsurge of 1968, first ran for Congress against a Republican backed Conservative that year, few conceded him any chance of victory. He won.

When the Republican statesman gathered behind closed doors last winter, he was a major target of their shabby "redistricting" maneuvers. By the time they were finished, the heart of Lowenstein's strength—Nassau's Five Towns—was severed from his district.

It was clearly the GOP expectation that Lowenstein would take the hint, either by entering the crowded Democratic Senate primary or bidding for a Congressional seat in more congenial territory.

Instead, on Monday night, he announced that he would fight it out on the newly-drawn lines. This time he faces what seem like significantly graver handicaps than he did in his first race. It is exactly the kind of encounter in which he flourishes and will rally the new generation of political veterans who won their battle stars at an early age in the Kennedy-McCarthy uprising.

Lowenstein and his young wife Jennie agonized for many weeks over the decision. Many of his supporters, in Nassau County and other areas, were imploring him to seek the Senate nomination; their entreaties mounted after the Democratic tumult in the Catskills. Lowenstein was especially moved by the voices of students who have been turned on by other aspirants and were prepared to make his Senate candidacy the "New Hampshire" of 1970. But this was not just a youth movement; he was receiving similar appeals from numerous Democrats who felt he could impart new life to a leaden atmosphere—both as a campaigner and as the ultimate occupant of the late Robert Kennedy's seat.

An ordinary political man would almost certainly have yielded to these pressures. In the scrambled Democratic Senate primary, Lowenstein's legion of adherents and own qualities of spirit would give him special advantage; he would have been a favorite over Goodell in the finals. The alternative was a grim uphill Congressional contest in a district redesigned for his discomfort.

In the end he chose the harder, less glamorous road. It was no political masochism that led to this decision—one he did not finally reach until a few moments before Monday night's Democratic county meeting.

It was based on judgments consistent with his whole history as a special breed of political man.

For one thing, he instinctively rejects the notion of backing away from the challenge embodied in the gerrymander. . . . He has a capacity for transforming a local clash into a national plebiscite. His opponent—State Senator Norman E. Lent—is a faithful follower of the Nixon-Agnew establishment on Vietnam and a cautious political trimmer on many other matters. Lowenstein sees the election as a clear test of the "silent majority" legend—rendered peculiarly dramatic by the gerrymander.

Yet Lowenstein's decision might have been different is he had sharp ideological conflicts with the Democrats already in the Senate field and if he regarded Goodell as an unreconstructed reactionary. In the last analysis, however, his declaration for the Senate would have required him to proclaim that he alone had the distinctive human qualifications that would fill a vacuum in the Democratic campaign.

Lowenstein, whatever his reservations about the announced Democrats—and Goodell was ultimately unable to imitate those who affirm their own indispensability. No matter how many people have told him that he is the man of the Senatorial hour, he could not visualize a venture that seemed to rest on that premise. And he would have been further troubled by the sense that he had picked a self-indulgent way of a hard fight in Nassau County.

Concerned about youths who may feel let down by his decision he believes that what he has already depicted as his test of "mini-Agnewism" will enlist their energies. He is at his best when unemcumbered by doubts about his mission; he knows he has been faithful to his own concept of political responsibility and his distaste for any course that seems to rationalize private ambition. Lowenstein's presence insures that his new battle will be memorable.

POLLUTION AND A CONCERNED PUBLIC

Mr. McINTYRE. Mr. President, in an excellent article published in the July issue of Current History magazine, Senator Gaylord Nelson, of Wisconsin, discusses the environmental crisis in the broad context, pointing that pollution knows no boundaries. He stresses the need for metropolitan, regional, national, and even international cooperation to solve these complex and pervasive problems. Further, he points out that what must provide the backbone of such efforts is an enlightened, active citizenry that insists on steps to protect the environment and the quality of human life. The article is very informative. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pollution and a Concerned Public

(By Gaylord Nelson)

("A concerned public holds the key to eventual success for environmental efforts. Without a sustained effort by millions of citizens, the best administered programs can fail.")

Rarely has anything been more romanticized than the air pollution of "foggy" Londontown. Victorian English literature would not have been the same without the London fog. Charles Dickens wrote of black soot particles which resembled snowflakes "gone into mourning for the death of the sun." T. S. Eliot wrote about the "yellow fog that rubs its back upon the window panes." Joseph Conrad and other novelists wrote books in which London's fog played a prominent part.

But today London's fog has virtually disappeared—and literature is the only loser. Only some three or four times a year does anything remotely resembling the fog of yore descend on the city and, even then, it is never the suffocating and sometimes lethal fog that it used to be.

The catalyst for a mammoth clean-up program was supplied by a disastrous smog that hit London in December, 1952, lasting for three days and killing 4,000 persons. This grim occurrence led to the Clean Air Act of 1956, which brought the gradual creation of smoke-control areas across the entire United Kingdom. Now, 74 per cent of London is covered by the control orders banning the burning of soft coal, and 80 per cent less smoke is emitted by homes and factories than was the case in 1952.

As a result, researchers say that the health of London's citizens has improved; the weather is much more pleasant and enjoyable to residents and tourists alike; and the clean air has inspired the scrubbing of such celebrated structures as the Tower of London, the National Gallery, Nelson's Column in Trafalgar Square, Westminster Abbey, St. Paul's Cathedral, and Buckingham Palace. In addition, plants and wildlife are thriving and long-absent birds have reappeared on the scene—138 species today compared with less than half that number 10 years ago.

London is a shining example of a city that tackled its air pollution problem successfully, with the help of a national Clean Air Act. But it cannot afford to rest its efforts now. While it still basks in the sunny success of its recent efforts, the auto boom threatens to return the city in the next few years to the days of haze. In an effort to meet that problem before it reaches crisis proportions, England has become the first country to put the electric auto into mass production.

In the United States, where the automobile causes 60 per cent of the country's air pollution (up to 90 per cent in some cities), the state of California in 1960 pioneered air pollution control legislation. And none too soon: with knowing looks at the growing clouds of smog, natives whispered that the end was near—the birds in Los Angeles had began to cough.

By 1965, thanks to the spadework in California, the auto industry could no longer avoid federal legislation. The 1968 models were the first to be affected, and more stringent federal controls were required of 1970 and 1971 models. Further smog reductions, which will leave our air cleaner, have been mapped out through 1980.

In the process, the internal combustion engine may have to go by the boards. A bill I introduced in the Senate would ban the internal combustion engine in 1978 if it does not meet certain emission standards. The bill provides for the development of alternatives to the internal combustion engine by 1976, the 200th anniversary of this country's independence.

The London and Los Angeles examples show that statewide, regional and national legislation is needed to deal with the environmental crisis. By nature, pollution problems span governmental jurisdictions, requiring cooperative action at all levels of government.

A NATIONWIDE PROBLEM

DDT sprayed on crops is carried far afield by wind and erosion and is absorbed by every living creature all over the world. It threatens the very survival of many species. Petroleum spilled from the U.S. Steel plant at the southern tip of Lake Michigan helps pollute the shores of Illinois, Indiana, Michigan and Wisconsin. Atomic radiation and nerve gas are carried by vagrant winds from testing sites to grazing land and even to metropolitan areas. Cities can dump raw sewage into a river flowing through them and extend the problem to all cities downstream.

Economic pressure on local units of government is particularly heavy. Sometimes allowing an industry to enter an area with an eye to the taxes it will pay is the only alternative a small community has to an unwanted jump in the general tax rate. Often an already present industry is the backbone of the community's economy and its interests influence decisions made by the local government. For example, Pima County, Arizona passed an air pollution ordinance that was high minded and effective in all but one respect: it exempted the copper smelting plants which are responsible for 90 per cent of the local air pollution.

Following the Federal Clean Air Act of 1967, Nevada adopted an air pollution control law which air pollution control officials described as "industry oriented." Since 1967, in Clark County (which includes Las Vegas), more than 1,000 "notices of violation" of even the mild existing regulations have been issued. Of these, only 35 cases have gone to court, and among these, there have been only three convictions. The highest fine imposed was $75.

Of course, political, bureaucratic and economic realities are not always the deciding factors in determining the success of antipollution measures.

Los Angeles has used a very successful formula for reducing industrial pollution: it offers the pollution sources a reasonable time to install fume control equipment or stop operating. Unfortunately, too many government units take the approach of imposing "after-the-fact" sanctions in which officials have to wait until a facility actually contaminates the air before beginning tortuous abatement proceedings that can end in no more than citation for a misdemeanor.

It is an encouraging aspect of the environmental picture that the public has begun to play an active part. Public opinion in action saved the San Francisco Bay from property owners who wanted to extend their land into the bay, and from the city of Berkeley which proposed to increase its size greatly by filling in 2,000 acres of the bay.

As reported in the April, 1970, issue of *The Progressive,*

"What happened next was an inspiring example of the power of an angry citizenry when aroused by a ruthless assault upon the environment. Mrs. Clark Kerr, wife of the then president of the University of California, and two friends enlisted the aid of the Sierra Club, the Save the Redwoods League, the Audubon Society, and other groups to save the Bay. The Save San Francisco Bay Association was formed and with the support of thousands of citizens defeated the Berkeley Bay fill plan by making it a local election issue.

"From this success, the Association went on to a broader approach. It lined up some key leaders of the California legislature and with massive citizen support succeeded in getting a bill passed that created a Bay Conservation and Development Commission to explore ways of developing San Francisco Bay's maximum values without harming its scenic or recreational potential. A key provision of the law prohibits any new fill during the Commission's three-year study without a public hearing and Commission approval.

"There was influential opposition to the legislation but Association members turned out en masse at Sacramento when the bill was before the legislature, flooded lawmakers with petitions, letters, telephone calls, and telegrams. Some inventive Oakland citizens mailed small bags of sand to their legislators with tags that read: 'You'll wonder where the water went, if you fill the Bay with sediment.' "

"The Commission's report, submitted in January, 1969, declared that the Bay must be protected as an asset belonging to the people of the area, state and nation. Powerful interests are lobbying against the Commission's position, but the citizens who halted the real estate developers and the industrial demand for land fills realize that while they have won a major battle, the war to save the Bay still goes on."[1]

In another example of the power of the public, the voters of New York in November, 1969, approved in a general election a constitutional amendment that gave the state government new powers and responsibility to stop air and water pollution, end unnecessary noise, and protect wetlands, shorelines and other priceless resources from reckless development and exploitation. The amendment passed by a margin of five to one, the greatest margin for any constitutional change in the history of New York. Other states, including Illinois, Massachusetts, Colorado and Maryland, are now embarked on similar attempts at legislation.

Other citizen efforts, notably the ones to save Seattle's Lake Washington and Florida's Everglades, have met with success. The concept is gaining that nature belongs to the people and that encroachments on it or degradations of it are contrary to the public interest.

A Gallup Poll taken for the National Wildlife Federation last year revealed that 51 per cent of all persons interviewed were deeply disturbed about the grim tide of pollution.

Growing student concern about the environment is a striking new development. A freshman college student attitude poll, conducted last fall by the American Council on Education, found that 89.9 per cent of all male freshmen believed that the federal government should be more involved in the control of pollution.

EFFECTS ON CONGRESS

Other national and local polls, the rising citizen attendance at public hearings on polluters, the letters that are pouring into Congressional offices—all indicate a vast new concern. As a dramatic indication of the degree to which the new citizen concern has reached Congress, more requests for information on environment come into the Legislative Reference Service (the research arm of Congress) than any other issue, including the traditional front-runners, crime and Vietnam.

In the *Congressional Record*, the amount of environmental material inserted in 1969 by Senators and Congressmen was exceeded only by material on Vietnam.

Congress in 1969 took the major initiative of appropriating $800 million in federal water pollution control funds—nearly four times the request of the present and previous administrations.

Concern for the environment has only recently jumped to the fore in the United States, but there can be no question that it has become an issue of paramount importance, with enormous public support. When I proposed a national Environmental Teach-In in September, 1969, in a speech in Seattle, I hoped for a good response but did not anticipate one so overwhelming—extending to 2,000 colleges, 10,000 high schools and 2,000 town halls across the nation. Nor did I expect that the movement would be endorsed by such divergent groups as the United Auto Workers and the American Library Association.

The nation has begun to recognize a disturbing new paradox: The mindless pursuit of quantity is destroying—not enhancing—the opportunity to achieve quality in our lives. In the words of the American balladeer, Pete Seeger, we have found ourselves "standing knee deep in garbage, throwing rockets at the moon." Cumulatively, Progress American Style adds up each year to 172 million tons of smoke and fumes, seven million junked cars, 100 million discarded tires, 20 million tons of paper, 48 billion cans, and 28 billion bottles. It also means bulldozers gnawing away at the landscape to make room for more unplanned expansion, more leisure time but less open space in which to spend it, and so much reckless progress that we face even now a hostile environment.

Today it can be said that there is no pure air left in the United States. Scientists are in general agreement that the last vestige of pure air was consumed near Flagstaff, Arizona, about six years ago.

Today it can also be said that there is no river or lake in the country that has not been affected by the pervasive wastes of our society. On Lake Superior, the last clean Great Lake, a mining company is dumping 60,000 tons of iron ore process wastes a day directly into the lake.

Tomorrow? Responsible scientists have predicted that if they are not checked, accelerating rates of air pollution could become so serious by the 1980's that in many cities people may be forced on the worst days to wear breathing helmets to survive outdoors.

It has also been predicted that in 20 years man will live in domed cities. Paul Ehrlich, an eminent California ecologist, and many other scientists predict the end of the oceans as a productive resource within the next 50 years unless pollution is stopped. The United States provides an estimated one-third to one-half of the industrial pollution of the sea. It is especially ironic that, even as we pollute the sea, there is hope that its resources can be used to feed tens of millions of hungry people.

In the face of it all, we must carry in our minds continually the chilling awareness that the fate of mankind itself may hang in the balance. If man can push hundreds of other species off the face of the earth, he can write his own obituary, too.

The sharpest indication that man can degrade his environment enough to threaten his own existence is that already he has caused the extinction of other species. S. Dillon Ripley, secretary of the Smithsonian Institution in Washington, D.C., believes that in 25 years somewhere between 75 and 80 per cent of all the species of living animals will be extinct.

Until recent years, species vanished at the rate of one per thousand years. At present, one species is dying out every year. For example, in just 100 years we exterminated five billion passenger pigeons.

The World Health Organization estimates that in the last 100 years over 550 species of mammals, birds and reptiles have been pushed to the brink of extinction. Unlike the dinosaur, which died out over a time span of millions of years, endangered species today are being wiped out in a second of geologic time. One hundred and ten kinds of mammals alone have succumbed in the Christian era, 70 per cent of them in the last century.

At present, the Department of the Interior's Office of Endangered Species has placed 89 creatures on the endangered list and has listed another 44 as rare. Included are the eastern timber wolf, the grizzly bear, the key deer, the jaguar, the American peregrine falcon, the whooping crane and the lake sturgeon.

An alarming aspect of this situation is the insidious way in which species are eradicated. No one wishes for their deaths. The Bermuda petrel, a rare oceanic bird of the North Atlantic that has no contact with any land treated with insecticides, nevertheless, lays eggs with 6.4 parts per million of DDT residues, acquired through eating contaminated sealife. Similarly, the eagle and the osprey face extinction because herbicides diminish their capacity to produce calcium and their eggs are no longer strong enough to contain the chicks.

The fate of the creatures cannot be decided through legislation, because the birds pay no attention to boundary lines. Some countries, notably Sweden and Denmark and, recently, Canada, have banned DDT. But that is just a beginning. Soil erosion, the tide and the chain of life itself carry pesticides to the farthest reaches of the world without regard to boundaries. In Antarctica, as remote a spot as there is in the world, 2,600 tons of DDT are estimated to have accumulated in the snow and ice.

Man is a more adaptable creature than many of the species he has endangered. He manages to survive in Arctic igloos, in steamy tropical jungles and in cities of concrete and steel. But adaptable as he is, he is part of the ecological system and by damaging the system he can make earth uninhabitable for himself.

JURISDICTIONAL CONFLICTS

The battle against pollution must overcome the jurisdictional boundary lines that carve the planet into separate sovereignties. The urban sprawl centered in Portland, Oregon, has 452 municipalities—local governments that under normal conditions operate without regard to one another; other metropolitan areas have similar jurisdictional difficulties. The problems are compounded when they are encountered on the international scene.

Some examples dramatically point up the need for international solutions to pollution problems:

An oil tanker from Country X ruptures a seam, and oil gushes out to mar the beauty of Country Y's beaches and to kill its sea fowl, marine life and underwater vegetation;

Rising acidity in rain and snow, attributed to wastes from Britain and possibly West Germany, threaten to destroy freshwater fish and forests in Norway if not controlled;

Radioactivity from an atom test in Country A spreads to far-off Country B, imperiling Country B's milk products;

Chemicals used by a large power at war in a small country create a fear that the chemicals may sterilize the land or at least drastically reduce its agricultural output for many years, or even permanently.

A report issued by the Secretary General of the United Nations in May, 1969, found a need for international agreement in the areas of radioactive fallout; protection across boundary lines for migratory birds, mammals and reptiles; and agreements in matters affecting the weather and climate.

These international problems fall within the purview of the United Nations. They are non-idealogical in nature, and they affect all the inhabitants of the world, human and otherwise. The U.N. Conference on Human Environment to be held in Stockholm in 1972 is a major first step toward using the United Nations to solve international pollution problems.

A study body operating under the auspices of the United Nations and funded by it would be a good start for a continuing attempt to monitor global environmental problems and to initiate proposals for meeting them.

To the extent that borders and political and economic interests are allowed to fragment and to weaken efforts to overcome environmental problems, those attempts will fail. But a very important ingredient in the battle to win back a quality environment is the will of the people, and the will is clearly present. It is now within the power of the people to elect to office candidates with strong environmental programs and deny office to those who are lukewarm on the environment.

Any rational approach to pollution or conservation matters requires the elimination of national and local rivalries. People the world over must start to think of one another as brothers with common afflictions and common needs.

Together, we can elect environmentally-committed candidates and then demand that they work for a quality environment. A concerned public holds the key to eventual success for environmental efforts. Without a sustained effort by millions of citizens, the best administered programs can fail.

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[1] *The Progressive*, April, 1970, pp. 62–63.

The goal is obvious: We must stop being a nation of conspicuous consumers and become a nation of conscientious conservers. We must spurn non-returnable bottles, demand biodegradable packaging, buy those products with the longest life expectancy, drive cars of reasonable size that do not spew tons of unnecessary pollutants into the air, and refuse to use detergents that will go from cleaning our homes to soiling our environment.

We have just begun to realize what we as individuals can do. We must not pass the buck. We must act on the fact that our security is again threatened—not from the outside, but from the inside—not by our enemies, but by ourselves. As Pogo quaintly puts it, "We have met the enemy and they is us."

INTERVIEW OF SENATOR FULBRIGHT ON "FACE THE NATION"

Mr. KENNEDY. Mr. President, yesterday the distinguished chairman of the Committee on Foreign Relations appeared on the CBS television broadcast "Face the Nation."

As he always is, Senator FULBRIGHT was insightful, cogent, and concise as he responded to his questioners, and I think his comments deserve the attention of his colleagues.

I, therefore, ask unanimous consent that the transcript of the telecast be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

"FACE THE NATION": AS BROADCAST OVER THE CBS TELEVISION NETWORK AND THE CBS RADIO NETWORK, SUNDAY, JULY 5, 1970

Mr. HERMAN. Senator Fulbright, President Nixon last week compared the Cambodian action with Stalingrad and the invasion of Normandy—decisive battles of World War II.

Do you see it in that kind of light?

Senator FULBRIGHT. No, I'm afraid I do not.

There really wasn't any battle in that sense. It was an incursion which I'm afraid now that he has withdrawn he has left us in a much more vulnerable and exposed position than we were before.

With responsibilities that can be much greater, that is the support of Thai troops, the Vietnamese activities and it has spread—the occupation—the area occupied by the Communists is far greater than it was before.

I don't think that at all.

ANNOUNCER. From CBS Washington in Color, "Face The Nation" a spontaneous and unrehearsed news interview with the Chairman of the Senate Foreign Relations Committee—Senator J. William Fulbright, Democrat of Arkansas.

Senator Fulbright will be questioned by CBS News Diplomatic Correspondent Marvin Kalb, Neil MacNeil Chief Congressional Correspondent of Time Magazine and CBS News Correspondent, George Herman.

Mr. HERMAN. Senator Fulbright in that same question and answer period with the President on television, Mr. Nixon under questioning refused to commit himself to the final statement that we would never go back into Cambodia.

Do you think that the Senate or the Congress can and should take some action to nail that down?

Senator FULBRIGHT. Well, the Cooper-Church Amendment assuming it can be passed into law would be the best restraint that I can think of in that it would make it illegal to spend money to do it.

But I agree that the Executive in recent years has shown a disposition to ignore the Constitution as well as the expression of the will by the Congress.

And it is a very difficult matter to make our Constitutional system work unless each of the branches has respect for the other and it followed the traditions of respecting the other's capacity.

If it comes to where you have to—where it's a matter of enforcement, obviously the Executive Branch can overrule both of the others because they control the Army and the Armed Forces and if it comes to that it means the complette loss of your constitutional democracy.

I don't expect it to come to that but I do think that the Church-Cooper Resolution—that is the Amendment to the Arms Sales Bill if it is respected would prevent the President going back into Cambodia.

Mr. MACNEIL. Senator, in public relations terms, in terms of the popularity poll, how do you argue with the success as President Nixon has called it of the Cambodian military venture?

Senator FULBRIGHT. Well, this is what we were speaking of earlier.

The television has given the President almost an exclusive access to the minds of the public of this country. I mean it is not that this program won't have some viewers but there is no program that compares to prime time with a Presidential address—there just isn't anything comparable to it.

And he can tell them these stories about the success which I think have no foundation and there is no way really to enlighten them. That's why you get these polls that have no relation to reality.

Mr. KALB. Senator, the President has appointed a new Ambassador to the Paris Peace Talks, Ambassador David Bruce.

Do you believe that this new Ambassador will be able to break the negotiating deadlock in Paris?

Senator FULBRIGHT. He's a very fine man. I've known him many years as everyone has in Government and he couldn't have picked a better man.

But neither he nor anyone else can do anything in Paris without a change in the attitude on the part of our Government.

Mr. KALB. What kind of change, Senator?

Senator FULBRIGHT. The acceptance of terms for the settlement which would be acceptable to the enemy which means in my view that then you would have to let the present Government of Viet Nam re-establish its basis with an open election which is not supervised and controlled by us or by them.

Some form of a free election there which would be satisfactory to the other side. The enemy accepted that principal in 1954. I am not sure they would now but we've never really offered it.

We've never offered it. We've used words sounding like that but they always were based upon the assumption of the present Government in South Viet Nam continuing to govern.

Mr. MACNEIL. Senator, if that is so, what purpose do the Paris Peace talks have at this point without such a change in our Government.

Is it merely window dressing?

Senator FULBRIGHT. Well, I've always had the hopes that there would be a change in our attitude. I've hoped—the main things we do in the Congress or try—that is, I do and my colleagues—to try to persuade the previous Administration and this Administration that this war is not in the interest of this country.

That we are sacrificing our own people and the interests of our own country for this illusion about the interests of bringing free elections to the people of South Viet Nam—is the current words they use, which I don't think really are the real reasons, but I think that this war is in the interest of and enhances the Communist people, the Russians and the Chinese.

I think in the light of history it will be shown that the confidence of most of the world including ourselves in our own system—in our own maturity and judgment has been greatly undermined by this adventure.

The European countries—countries all over the world are losing confidence in our judgment. This is a very serious thing and at the same time our influence is diminishing and here at home where our whole society is deteriorating.

Mr. HERMAN. Senator, you said a moment ago that the balance has shifted, the President has so much weight because of his ability to go to the people.

But how about a United States Senate? Now the United States Senate has been debating for some time where to go, what to do in Cambodia and Viet Nam and it's hardly come to a straight, clear decision of any kind yet.

Senator FULBRIGHT. Well, we had two very satisfactory votes. You understand the nature of democracy which we profess a belief in, although we don't practice it particularly in many ways.

But, we believe in it; I believe in it. And we had two votes within the last two weeks that did show in my view a very slight majority against the Cambodian adventure.

This is quite—well, and Vietnam. I wouldn't restrict it to Cambodia. Cambodia was the occasion for the votes, but I think it reflects their views about the Vietnam adventure as a whole. They are realizing what it's doing to our country.

Now, when a majority makes that decision, I think it's significant. But there is very, very limited way to bring this to the attention of the American people.

And with the use of television you create what used to be called the "Cult of the Personality." And the whole dignity and fortunes of the great country of 200 million seems to be focused and is typified by this one individual, and he becomes a kind of revival of the old Gods of the medieval and ancient days.

And people—I get these letters, we get hundreds of them; stand behind the President, as if he was infallible.

And yet—especially in foreign relations. They don't do that with regard to domestic relations.

Take the overriding of the veto on Hill-Burton. But in foreign relations it's another matter. He represents the whole mystique of the nation in foreign affairs and it is a very difficult thing to present any contrary view without appearing to be well, disloyal.

Mr. KALB. Senator, perhaps in this connection, the Vice President of the United States is sharply critical of you, of Ambassadors Harriman and Vance and a number of other people—number of other Senators, in fact and you speak about the American society deteriorating at this point.

Do you link the two—this kind of attack with an overall fear that you have about the course of American life at this point?

Senator FULBRIGHT. I certainly do.

I think that the Vice President's attacks are a symptom of a malaise in this country that is very serious. It's a revival of something like occurred under—when Senator McCarthy from Wisconsin was in the Senate.

The difference is that this man speaks for the Administration which is the whole power of the nation and is a very dangerous—is a much more dangerous thing.

Senator McCarthy didn't have any power

to actually do anything to anybody other than talk about them and he could ruin their reputation but he couldn't—didn't have the actual power of the State behind him.

This man may have—at least he intimidates people. I don't think there's any doubt about he intimidates. He inspires other people to radical actions.

I think these outbursts of threats through letters and telephone messages is an outgrowth of this kind of a spirit.

Mr. Herman. You're speaking of threats against your life and the lives of other Senators?

Senator Fulbright. Well and others. I'm not the only one.

Mr. Herman. What happens when in your mind, Senator Fulbright, when the Vice President or anybody else speaks out and denounces Averell Harriman and Cyrus Vance, implies that they sold out for a pair of horses from Stalin and so forth.

Why does the United States Senate not speak out in some public way to—if you feel this way—to defend him?

Senator Fulbright. Defend the Vice President.

Mr. Herman. No, No, sir. Mr. Harriman, Mr. Vance and so forth.

Senator Fulbright. Oh, well many people have.

But they have, of course everyone has enough job to defend himself, I mean on programs such as this whenever the occasion is proper why I would. I think it's disgraceful for these people to be subjected to this kind of criticism by an upstart man who has no standing really in this country comparable to the men he is criticizing.

And he's not entitled to it. But what does one do about it?

It's the same way with Joe McCarthy. When we finally censured him, of course, in that case but being a member of the Senate and as I said, he didn't have the power and didn't represent the power that this man does.

This is a very dangerous development in my view of having a leading member of the Executive Branch take up this kind of action.

Mr. MacNeil. Senator, I'd like to turn you back to the Senate's powers and the Congressional war powers.

President Nixon has said he does not rely on the Gulf of Tonkin Resolution to continue war in Viet Nam; that he instead depends on his Constitutional right and responsibility to protect American troops.

If that is so, since he also has the right to assign military troops, doesn't he under this theory have a general power to make war where he thinks it necessary?

Senator Fulbright. Well, Mr. MacNeil, we don't accept this at all.

I mean this is a theory which I think is strictly against the Constitution and it is most unusual for a so-called strict constructionist to adopt this new idea that our Constitution is obsolete and the President has the inherent power to do as he pleases.

This is part, I think of the illusion that grows out what I said the "Cult of the Personality" which is when he gets polls that say they support everything he does over the Congress and everything else—it gives people the illusion of grandeur and it's completely contrary to the Constitution.

Mr. Herman. Didn't you just approve——

Senator Fulbright. This is very significant in my view.

Let me say one thing. This is significant. The effort of the Senate to re-establish a balance is what I said I took some pleasure in.

There's not many things these days that I think are very, very beneficial or encouraging but these votes are in that the Senate is re-establishing beginning with the commitments resolution and then these votes—is re-establishing its traditional and constitutional role and I think it is of some significance that we do not accept the Presidential interpretation that as Commander-in-Chief he has all these powers.

Mr. Herman. But didn't you just approve an Amendment, actually as the Cooper Church Amendment was finally amended.

It says that nothing in this section shall be deemed to impugn the Constitutional power of the President, etc. etc.

Senator Fulbright. Well,——

Mr. Herman. According the exercise of that power where it may be necessary to protect the lives of United States troops anywhere.

Senator Fulbright. Well, what does the next sentence say? It says it doesn't impugn the right of the Congress either.

That was an exercise in futility brought upon by the—the second Byrd Amendment—we defeated the first Byrd Amendment and it was an out and out straight vote.

We defeated it from 52 to 47 as I recall it and it was what I thought a significant vote.

But Senator Byrd is a very admirable Senator. Everyone—he has great personal allegiance and he was determined to have a Byrd Amendment and they got the Byrd Amendment on there that is simply a recitation of language which people can read into it—

I did everything I could to prevent it and defeat it but then we had on the happy circumstance of having put that in, you put in on top of it the same kind of language of the Congress so I think that both of them were meaningless.

Mr. Herman. Well, it simply seems to me that you are saying here that you do not accept this right of the President and yet the Senate simply accepted an Amendment——

Senator Fulbright. No. No. What do you read into that? That language means——

Mr. Herman. He can protect the lives of American troops wherever they may be deployed in the world.

Senator Fulbright. There's a big question of his right to deploy them in other places—wherever they be—wherever they are he does have a right to protect them.

He certainly isn't supposed to go off and leave them but that doesn't mean he has a right to declare war and to take them wherever he likes.

The Congress can control this if it will. It has—you see it did pass the Tonkin resolution; however wrong it was and however deceitful the President—that Administration was nevertheless it passed.

While I maintain it was obtained by fraud nevertheless it was obtained and there it stood as an authority or a purported authority by the Congress to conduct the war.

Mr. Kalb. Senator?

Senator Fulbright. Yes.

Mr. Kalb. On another subject if we might—

Senator Fulbright. I confess, Constitution is a little complicated for this kind of program. It takes forever—

Mr. Kalb. The President and many high White House officials in the past week have expressed a new sense of alarm about a Russian military build up in the Middle East.

In fact the President said that he considered the Middle East more dangerous than Viet Nam.

Do you share the sense of alarm?

Senator Fulbright. Well, yes, it's an explosive situation.

I don't think it's more dangerous than Viet Nam. There's nothing more dangerous to the future of our country than Viet Nam because of what it's doing here at home in my view.

But I think that the Russians—I am sure and other people, too, are becoming much more concerned about the course of events, the apparent neglect of SALT talks which so many people had hopes in.

Our refusal, as I understand it although this is all kept secret and nobody really knows what is going on—our refusal to come to any agreement for example on ABM where there were some tentative reports that I am not sure are correct that the Russians offered to abandon the ABM or not go forward with the ABM and we refused. In fact, we apparently have made no progress yet.

And I noticed the other night the President didn't mention any SALT talks at all in this hour long, I believe it was, along with three men—it's amazing that this which—this activity to which we attach so much significance only a few months ago now is apparently just forgotten and shelved on the back shelf.

All of this leads to a general apprehension, I think that the cold war is heating up and is getting more dangerous and I think in that sense the President is correct.

Mr. MacNeil. Senator, do you think—do you believe the President when he states that he does in fact intend to end the Viet Nam war—to pull it down or are you of the school that believes he still wants to defeat the enemy?

Senator Fulbright. This was brought up, as you know—we've noticed it before. It's very hard to bring this home. I don't question his sincerity.

As I remember in that famous football game between Texas and Arkansas, I never did think that the coach of Arkansas intended to lose that game. He wanted to win but he made the wrong call.

I think the President wants to win—he wants to have a very reputable and satisfactory settlement of the war.

I think he makes the wrong call. I think the means he's adopted called Vietnamization and invasion of Cambodia is absolutely the wrong way to go about to achieve his announced purposes and—

Mr. Kalb. What's the right call?

Mr. MacNeil. Senator, can you—

Senator Fulbright. The right call, is the way as I've mentioned that the French did it when they were faced with a similar situation and they went to Geneva.

This is as near a signal, the right play to call that I can describe and it's very well known at least—those who've looked into it as how they did it.

Mr. Herman. Did you read anything into the President's call for negotiations. It was a very carefully balanced sentence—"in Paris or on all of Indo China"—one part of the sentence mentions a place and the other mentions all of Indochina and seems to imply a Geneva Conference.

Senator Fulbright. Well I think and other people have suggested a Geneva Conference and it would be—reconvene Geneva Conference—I mean many Senators and others from time to time have recommended it. I think even the President at some time has said that that might be acceptable but the Russians and British have not and particularly the Russians haven't been very enthusiastic about it—not wanting to I guess take the responsibility for it.

At least until the terms for—that would give some prospect for success have been agreed upon and such terms have never been approached, I don't think.

Mr. Kalb. Senator, you mentioned before the possibility of heating up of the cold war.

I wonder what you really—what are you trying to get at there? The heating up of the cold war? Do you feel that the President on the one hand is talking about an effort to have an era of negotiations—not an era of confrontation. And it would seem to be at least on the face of it diametrically opposite what he intends.

Senator Fulbright. Well, but I don't wish at any point to raise any question about his motives or his sincerity—it's only his judgment as to the means that he seeks to achieve the end that I raise questions about.

And I'm sure that he's as devoted to preserving the integrity of this country that I am or anybody else—it is the means that you choose and I think his means are very poorly adapted for that and so it isn't his intention.

I'm bound to say in his statements there creeps into it the idea of—that we are still on a crusade against Communism as an ideology.

Dean Rusk used to use this at times and it shifted on to a further obligation of a treaty nature and others of giving self-determination to South Viet Nam.

What does this all mean? It finally comes back, I think, to—that whether he admits it or not that he is determined that Communism, as such, shall not prevail in South Viet Nam under any circumstances even if it means the total destruction of this country apparently.

Mr. MacNeil. Senator, what role do you think the United States should play in Asia? In Southeast Asia and all Asia? Something in the nature of what the British have been doing with East of Suez—a pull back?

Senator Fulbright. Yes, we should be very friendly. We've had no previous experience there.

And it is very late in the game to start a colonial empire—I mean, that's out of place now and out of fashion.

The policy up until President Johnson or even Kennedy was not to become involved on the mainland of Asia—not to——

Mr. MacNeil. Where would you draw the line?

Senator Fulbright. Well, the most fashionable I think the best known is Walter Lipmann's—what does he call it—Blue Water?

That we have our bases in the Pacific. We have the largest Navy in the World and that's a big enough line. I mean maintain Hawaii and Guam—we have them. No one's talking about giving them up.

But really the idea that it's a vacuum there and unless we are there, the Russians are there, it doesn't appeal to me as a factual matter. This is an illusion developed or a theory developed by the colonial powers to justify their occupation of countries that have a longer history than we have.

These countries are quite able to manage their own affairs in my view without destruction such as we are wrecking now upon Cambodia.

I think it's a terrible thing to destroy these little countries with modern fire power and Napalm—it seems to me as inexcusable.

Mr. Herman. Senator, I hate to keep skipping around like this but I think we left part of the Middle Eastern question unanswered.

There has been a rash of stories saying that the Administration hopes to get Russian pilots actually flying planes out of Egypt by diplomatic action.

What do you think?

Senator Fulbright. Well I would hope we could.

Mr. Herman. You think it's possible?

Senator Fulbright. I think that—I'm not sure you can solve these problems one by one or just without again having a little different attitude toward your overall problems.

One of the greatest disappointments to me is SALT talks. SALT was supposed to be central to this. This is the Arms race between the two super powers.

Now if you aren't really interested in this—this carries a meaning all around the world, doesn't it.

I'm not saying all should be solved at one time because it's too complicated to put them all in one package and solve them.

It's the attitude you have toward these problems and especially the attitude the Russians have toward us and vice versa.

Mr. Herman. Well, if the question of the Soviet pilots is going to be solved as a single problem, what do we have to negotiate with? What pressures? What exchanges? What can we do to negotiate them out?

Senator Fulbright. Well, it's the danger, of course, of it becoming a conflagration.

I don't think that the Russians want to have a conflagration with us or a showdown or a nuclear war, if you like.

But I'm sure—what distresses me is that my own country is so reluctant, apparently, to make an agreement in the arms race.

You know what the Senate went through last year on the ABM.

This year we passed resolution 211, introduced, if you remember by Mr. Brooke and then amended which said no further deployment of offensive or defensive weapons.

It was 76 to six, or something like that and the Administration apparently pays no attention whatever to this.

It was intended to stop the deployment of MIRV if possible and other things to make it easier to approach agreements in SALT.

Nothing has happened. It is so relegated to the back burner that the President doesn't even mention it in an hour long broadcast.

Mr. Kalb. Senator, in fairness, he wasn't really asked about it.

Senator Fulbright. Well here were 3 of the most sophisticated men on television. Why didn't they ask him about it if they thought there was anything going on——

Mr. Herman. Well, let me turn it around.

Do you think that the lack of publicity means that nothing is happening at the SALT talks?

Senator Fulbright. I think so.

They are very secretive about it and they won't say——

Mr. Herman. Couldn't that be a sign of progress?

Senator Fulbright. And the other thing that bothers me is their insistence upon continuing with ABM. I mean the absolute negative attitude they take toward the Congress' effort in trying to cut back on some of these most extravagant programs.

Now, they veto a Bill like Hill-Burton but insist upon SSTs, upon ABMs, upon all these aircraft carriers and so on, indicating an attitude on their part that they really have no confidence whatever in arms control or even desire it.

Mr. Kalb. Secretary Rogers said that there has been progress in the SALT talks and he said that he would look forward to some kind of agreement—he hopes comprehensive but perhaps within a year. He has said that.

Senator Fulbright. Within a year—it's always a year or two years or three years. I mean I don't think you can wait this long with things moving as they are—our own economy—I don't want to bring it all up.

But you know such things as the Penn Central bankruptcy—the largest railroad organization in America. These are serious things going on here at home.

I didn't come here to——

Mr. Kalb. You think the economic issue may be the dominant issue in the campaign this year?

Senator Fulbright. Apparently you can't reason, so that may be the only thing.

As one of our witnesses said the other day if they won't listen to reason maybe a depression is the only thing that is going to bring us to our senses.

Mr. MacNeil. Senator, back in the Middle East, do you think the United States has a commitment or should have a commitment to Israel—to its territorial integrity?

Senator Fulbright We have no formal commitment—no treaty or otherwise. The commitment is the tremendous respect that the people of this country have for the Israeli and the Jewish race in general and the tremendous number we have and some of the best citizens we have in this country as a practical matter, leaving out commitment is a bad word for that.

I mean, if you say, will we go to great lengths to assist and protect Israel we will, but without any formal commitment.

That's in the nature of our country and the people who live in it and the respect that they have for the Israelis.

Mr. Herman. Senator, we have about 15 seconds left.

Now that the recall movement against you has failed in Arkansas, do you feel optimistic about your re-election?

Senator Fulbright. Oh, that's too far off and that's 4 years off but the people—I've always felt there were very discriminating people in Arkansas.

Mr. Herman. And the time has discriminated against us.

Thank you very much for being with us here today on Face The Nation.

Announcer. Today, on Face the Nation, the Chairman of the Senate Foreign Relations Committee, Senator J. William Fulbright, Democrat of Arkansas, was interviewed by CBS News Diplomatic Correspondent Marvin Kalb; Neil MacNeil, Chief Congressional Correspondent of Time Magazine; and CBS News Correspondent George Herman.

Next week, another prominent figure in the news will Face the Nation.

MILITARY AID TO GREECE STILL AN ISSUE

Mr. HARTKE. Mr. President, the vote on Monday, June 29, on my amendment to prohibit further military assistance to Greece reveals growing senatorial support for this position. When the issue was debated last December some Senators voted to sustain the Foreign Relations Committee without necessarily considering such a course to be desirable. On the other hand, several other Senators who voted to delete a similar provision last December have now actively joined those who believe that some gesture of U.S. disapproval of the practices of the present Greek regime is not only desirable, but necessary. As a July 1 editorial in the New York Times stated:

> President Nixon will make a mistake if he interprets the Senate's narrow rejection of an arms embargo against Greece as a signal for a full-scale resumption of military aid to the Athens junta.

As the Times editorial suggests, the only possible reason for our present policy is the expanded Soviet presence in the eastern Mediterranean. I was conscious of this increased danger when I offered my amendment. I believe that our present policy adds to our vulnerability in the Mediterranean and threatens the effectiveness of NATO. As was stated by the Times editorial:

> In its own interest the United States cannot ignore these expressions of outrage by its European friends and allies.

Mr. President, I ask unanimous consent that the New York Times editorial and an editorial from the Des Moines Register, supporting my amendment, be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, July 1, 1970]

Arms for the Colonels

President Nixon will make a mistake if he interprets the Senate's narrow rejection of an arms embargo against Greece as a signal for full-scale resumption of military aid to the Athens junta. Some Senators probably voted against Senator Hartke's ban on arms sales only because they were unwilling to tie the President's hands on a security matter, not because they wanted to help entrench the Papadopoulos regime.

A case of sorts can be made for resuming the shipment of major military items to Greece, but unfortunately the Administration never puts it candidly. It has nothing to do with any value for NATO of the Greek armed forces, purged long ago for political reasons of nearly all their experienced officers.

The case is simply that this military hardware for the colonels may help preserve for the United States Navy and Air Force facilities in Greece needed to cope with an expanded Soviet presence in the Eastern Mediterranean.

Even this case is questionable, however, for it presumes that the colonels will remain in power. Although they have survived three years, Colonel Papadopoulos and his henchmen are not yet secure enough even to lift the state of siege and put their own authoritarian constitution fully into effect. Appeasing the colonels with military hardware now may actually imperil the future use of those air and naval facilities under a successor Government.

Another serious aspect of continued appeasement is that it pits the United States against a rising tide of hostility to the Athens regime in Western Europe. Greece quit the Council of Europe to avoid expulsion. A European Commission found the junta guilty of flagrant violations of the European Convention on Human Rights. The European Economic Community is reconsidering customs and tariff concessions granted to Greece "because of the repeated offenses against human and civic rights."

In its own interest the United States cannot ignore these expressions of outrage by its European friends and allies. The Administration must weigh them carefully against the presumed short-run advantages of large-scale military aid for the colonels and an eight-vote "victory" in the Senate against an arms embargo.

Ban Arms Sales to Greece

The United States ought to have learned by now that often the major effect of selling or giving arms to dictators is to make it more difficult for their own people to get rid of them. But most dictators are generals, or perhaps colonels, and the Pentagon easily convinces itself that these officers are sound fellows and mighty bulwarks against Communism, and that American interest requires arming them.

There is a law on the books forbidding military guarantees or sales of arms to "military dictators" who "deny social progress to their own people." But that doesn't seem to stop arms sales. So the foreign military sales authorization bill now before the Senate adds a prohibition of arms sales to military dictators who "deny the growth of fundamental rights" to their own people.

This is pretty cloudy language, too, so Senator Vance Hartke (Dem., Ind.) is sponsoring a ban against arms sales to the present Greek government, which consists of a junta of colonels who seized power to prevent an election which they feared would elect a government they distrusted.

The colonels took off their uniforms and act as civilians now—but they suppress public criticism and jail and torture political opponents. They got Greece kicked out of the Council of Europe and criticized in the NATO foreign ministers council.

The United States did prohibit major arms sales (not small arms) to Greece after this coup, suspended the ban for a time after the Russian invasion of Czechoslovakia and is reported to be planning to drop it now. (The Pentagon denies the report.)

The Senate won't get to the Hartke amendment until it completes action on the Cooper-Church amendment to the same bill, to restrict future U.S. military activities in Cambodia. Administration supporters are stalling with amendments and talk, so the Hartke amendment will have to wait.

Hartke is right. The Greek junta of colonels is more than strong enough already.

DR. GEORGE JAMES: THE STRUGGLE FOR HEALTH

Mr. KENNEDY. Mr. President, 2 weeks ago, Dr. George James, president of the Mount Sinai Medical Center of New York and dean of the Mount Sinai Medical School, delivered a major address to the Conference on Medicine and the Federal Coal Mine Health and Safety Act of 1969.

In his address, Dr. James called for a substantial increase in preventive medicine activities by the Federal Government, and he suggested a number of ways in which cooperation among the concerned Federal agencies could be improved.

I share Dr. James' belief that an increase in preventive medicine is vital to the improvement of the health of the people of our Nation. Of course, curative medicine, long the major thrust of our Nation's health community, will continue to be important, but only by increasing our preventive efforts can we take the great strides we need to bring adequate health care to our citizens.

Mr. President, I believe that Dr. James' address will be of interest to all of us concerned with the quality of health care in America. I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Struggle For Health

(By George James, M.D.)

It is a great pleasure to accept the invitation of the program committee, specifically that of Dr. Lorin Kerr, to be your banquet speaker this evening. In asking me to come Dr. Kerr indicated that you were not seeking an expert on the health of the coal miner or on the struggles which led up to the final passage of the Federal Coal Mine Health and Safety Act of 1969. In this respect, Dr. Kerr certainly did his job successfully. This, therefore, has been a rare opportunity for me to learn a great deal about the problems of the health of the coal miner and the very fascinating story of the Health and Safety Act of 1969.

Last year at Consol No. 9 in West Virginia, a modern, "safe" mine, 78 coal miners were trapped and killed below ground in one of the most volcanic eruptions of explosion and fire in the memory of federal mine inspectors. At this "safe" mine, the daily methane emission was eight million cubic feet, enough to supply the heating and cooking needs of a small city if it were captured and sold.

In the 100 years that partial records of fatal mine accidents have been kept, more than 120,000 men have died violently in coal mines, an average of 100 every month for a century. This total does not include those who died of what passes for "natural causes" in work that is notoriously hazardous to health as it is to life and limb. The "natural" death rate of miners is eight times that of workers in any other major industrial occupation. The hazard of black lung, as the coal industry and physicians in its employ constantly point out, is as yet a qualitatively and quantitatively uncertain threat to life. It was real enough, however, to cause over 30,000 West Virginia miners to engage in wildcat strikes to demand that the State Legislature include black lung in the list of injuries and diseases for which the disabled miners are eligible to collect workmen's compensation benefits.

Studies emanating from the Pneumoconiosis Research Unit of Cardiff, Wales, have convincingly established that coal dust, per se, is a source of injury to the lung. It is unbelievable that today when vast sums of money are spent on cardiac and lung transplants, hearings are still being held to determine whether it is necessary to protect the coal miners from coal dust. It is disturbing that, though the new Federal Coal Mine Health and Safety Act of 1969 establishes what Congress considered "adequate standards" for the mines (and these "adequate" standards are the subject of much debate), the problem of enforcement and, therefore, prevention still has not been solved. Some coal miners are still being allowed to develop irreversible pulmonary disease although our knowledge of the art makes us fully capable of preventing anthracosis and anthracosilicosis.

The new Federal code of health and safety regulations for the nation's 150,000 coal miners was a historical achievement, but for many it was a little like the proverbial locking of the barn door. The record of death and injury in the coal mines has consistently been the worst of any major industry. While safety techniques have been recommended by engineers since the first terrible disasters in the 1870's, mine safety costs money, so the industry has preached the dictum that coal mining is dangerous business, and some deaths are inevitable. This, of course, need no longer be the case.

The new law imposes severe regulations on the industry. Inspections on the most gas-laden explosive mines will now occur once every five days instead of twice a year. The health and safety of the workers will, for the first time, come first. In this multi-million dollar reform the most expensive part will probably be the provision for reducing the contamination of mine air by microscopic coal dust—within 18 months—since this has recently been found to be the cause of the endemic "black lung".

Unfortunately, it usually takes a tragedy to bring about corrective measures, and in the case of the miners, it took a lifetime of tragedies. Now we must look ahead to see what can be done to prevent the loss of more lives. The true story of coal is not its statistics—tons and carloadings and days lost in strikes. The tale of the coal miner is as full of atrocities and evil personalities as a Charles Dickens novel. For behind the Appalachian coalfields, miners have been among the most systematically exploited and expendable classes in this country. The giant fans used to clear the air of methane are prey to weather conditions. The explosion in West Virginia last November occurred during what the United Mine Workers Journal calls the "explosion season." Every fall through 1967 the Journal had published warnings to their Union brothers to observe special precautions during the danger season. In this age when men walk on the moon, no effective research has yet been done on such meteorological coincidences which the industry terms "folklore".

Disaster prevention, in general, has been primitive to put it mildly. At every level of responsibility, from the individual miner to government groups, death and disease have been viewed with horror, yet dismissed with the rationalization that "mining is hazardous and people will die underground". As a result of the West Virginia disaster, mine inspections came to the fore and it is possible that we have at last begun prevention methods for disaster.

We are finally beginning to learn that occupational diseases can be controlled and, hopefully, done away with by improving the health and well-being of the worker and eventually that of his dependents. It is this belief that has prompted our Medical Schools and other health care agencies to lay new and special emphasis on the environmental health sciences. The health of the worker off the job must also become our responsibility. We must find ways and means to provide a high quality of medical care for him and his family.

Inaccessibility to the system is one of the major contributors to the "much-proclaimed health care crisis", Dr. Steinfeld recently told a group of industrial physicians. American industrial plans represent a "natural point of first contact" with the health care system for the employed population, and he called upon members of the Industrial Medical Association to design health care systems that involve the work place. A health center at the work place would have a very high potential for being used as the multipurpose primary care center for emphasizing health promotion and preventive medicine. There would be opportunities for using new health technologies and for the creation of new health careers for paraprofessionals. Developing such health care programs, Dr. Steinfeld said, would be to the best financial and professional interests of the private practitioner and occupational physician because such systems would function as stable referral and payments sources.

In the United States, increasing citizen demands for health care accompanied by sharply rising hospital costs, drug costs and physicians' fees have priced even marginal health care out of the reach of many citizens. Even the cost of health insurance itself has often exceeded the ability of people to afford it. As a result, labor leaders, doctors, Congressmen and even businessmen are all proposing health insurance plans of one sort or another. There will be no early solution.

There is no doubt that there is a real crisis in medical care in this country. The problem of the unequal distribution of medical care has become increasingly well known. Stories of large semi-urban and rural areas devoid of all local medical care are no longer startling. Communities which have taken the initiative to build office and treatment facilities in order to recruit a physician have seen these fine facilities go begging month after month. Many of our young physicians who have undertaken the task of meeting the physician service needs of such an area have had to leave when their wives insisted they would rather have a live husband who is making a less spectacular income than one whose years are limited because he is working himself to death. The government must seek to meet the rapidly increasing cost of medical care and at the same time satisfy a sharply rising citizen demand. The citizen with his increased sophistication, due largely to an unprecedented improvement in communication, now sees the large amounts of care which he is not receiving, and which he knows can be made available.

It is clear that the crisis is so great, its pace of increase so steep, that equality alone in modern medicine cannot be the answer even when coupled with top efficiency. Rather it is "quality" which we need so desperately, quality which provides a true yardstick of successful medical care—proof that the specific health problem has been solved. To an economist, a health program is good if it meets the public demand at reasonable cost. To a biologist, it is only good if it cures the disease. To an epidemiologist, it is at its best if it can prevent the onset of the disease in the first instance.

The best and least complex description of quality in health and medical care is the ability of a program to control death, disability and the development of disease. Many non-physician services are involved—sanitation programs, food processors, housing programs, drug makers, social services, accident control devices and health educators. These measures often do more for the control of disease than can our trained physicians. When a seventh grade school teacher can motivate her school children not to begin smoking, she is over ten times more effective in the control of lung cancer than our finest chest surgeon, who at best, is able to cure only one in fifteen of his patients. Those who put fluorides into New York City's water supply do more for the control of dental caries than is within the power of that city's 8,000 dentists working beyond what they are already doing. And when a national act protects the health of a coal miner, this is better than the construction of a dozen hospitals. Admittedly, this is not what is usually meant when people speak of medical care. What people demand is not health but medical services when they feel ill, even though, for our major accidents and degenerative diseases of today, this may often mean very little in the way of real disease control.

History clearly indicates that a major disease has rarely been controlled until we have learned how to attack it before the occurrence of its symptoms. The finest quality of medical care is preventive medicine including early pre-symptomatic diagnosis (which was sadly lacking for the miners), and the most prompt therapy of the disease while it is in its early, most preventable and most curable form.

The availability of successful preventive medicine, of course, depends heavily upon research. You will recall that in the 1950's our country had suffered polio outbreaks which were devastating to young and old, and each year seemed to bring more polio patients, polio deaths, and respirator patients beyond any expectations. Respirator centers were being built at unbelievable expense and still there was not enough. Meanwhile, in a Harvard laboratory, a scientist sat working—using a minimum of funds available to him—and came up with an answer which virtually put an end to poliomyelitis; and measles and German Measles as well. Before Dr. George N. Papanicolaou's discovery, cancer of the uterine cervix was a leading cause of female cancer deaths. Largely because of what is known as the "Pap Test", named for its discoverer, cancer deaths in women which once numbered 28,000 per year, have dropped by 50% to less than 14,000. It has been said that if every adult woman had this painless, inexpensive examination once a year, the number of such deaths would approach zero.

In the matter of smoking, though it would seem that all too few have heeded the news media in their warnings, a national survey indicates that 1.4 million Americans quit cigarette smoking between August 1967 and August 1968. The National Center for Health Statistics figures that this now brings the total who have quit since June 1966 to 2.5 million.

At the present time the country is faced with an unbelievable phenomenon. With a total expenditure for health care of sixty-three billion dollars, only 1.5 billion has been allocated for biological research in health and disease under the programs of the National Institutes of Health; and even this small amount is now in danger. It is short-sighted to say that too much money is spent on research when the solutions to the crisis in medical care can only truly come from that direction. There are those who feel that the one and one-half billion for biological research is far too much. But it is a fact that if the entire sum were put back into the mainstream of medical care, there would be no visible effects; no advancement in the real control of deadly illnesses, no sure surcease to the deepening crisis in medical care. Do you recall the era in our history when tuberculosis was the number one cause of death in the nation? Equality of care at that time meant the opportunity for the poor to have the purging, the blistering, and the bleeding which was the recommended and available treatment to the rich of that day. We are thankful that there were those willing to work toward the development of much more effective weapons. We are also fortunate that those who were devoted to equality in medicine in the old days did not prevent the continued search for quality.

As we await the research findings which will make it possible to improve quality, which is crucial in medical care, we must continue to press for increased efficiency in medicine. In addition to emphasis on prevention, we can do this through the use of engineering applied to medicine and through the use of more categories of allied health professional workers. It can be assumed that streamlining by the use of biomedical engineering and the development of more health workers of differing skills can present real hazards. They could, for example, lead to more malpractice problems, with the courts making the determination of what constitutes quality medical care. There is no doubt that a team effort is required: we need political scientists, economists, methods of reducing medical care costs and ways to rapidly train large numbers of health workers. But this should all be done in a way that exerts a steady pressure toward the improvement of the quality and effectiveness of the medical care itself. Among these techniques is the familiar NIH pattern of the best scientific peer review with selective funding of those projects deemed most productive, of highest quality and most capable of controlling disease. This NIH pattern is referable to quality in service programs. It is being utilized in the still rudimentary and financially starved Regional Medical Programs. With the exception of the coal miners, it is not yet being emphasized at all in programs of environmental health.

It is here that the well trained professional must teach, lead, and accept responsibility. Today institutions of higher education are beginning to respond to the environmental challenge, a major aspect of community health. In the major universities, there is a great impetus for the movement in both students and young faculty. This may be doing for science education in the 1970's what nuclear physics did in the 1950's. Those universities that have responded to the pressure to study the environment are finding that the study of ecology is a meeting ground for all the disciplines ranging from bio-medicine to the study of law. Of all the problems of pestilence, persecution, intolerance, inhumanity—only in the crises of ecology is man really faced with a challenge different from what he has ever faced before. These problems are becoming so acute, so intensive in their development, so irreversible, that we are running out of time, of space, and of resources with which to solve them. Vast problems of unbridled population growth, pollution, and depletion of natural resources cry out for solution while we yet have that small amount of time which remains. The effort must be comprehensive, long range, a true team effort with strong quality controls.

Although the National Science Foundation is augmenting funds to support some interdisciplinary study, the agency currently reflects the prevailing Federal grant policy. In recent years it has acted to lock university research into single-department programs, emphasizing short-range research geared to practical applications in terms of the mission of the funding agency. This leaves little room for innovation, or for hope of a real solution. Those Federal agencies which are ecologically oriented are the very ones that lack a tradition of supporting the universities in research and development. An example of the difficulties resulting from all of this is in the experience of the University of Oklahoma. This institution has already put together a faculty pool for broad environmental studies, but was turned down this year in its request for a Science Foundation grant. Thus far, to the best of my knowledge, the University has found no alternative source of funds.

It has been said that modern man has asbestos in his lungs, DDT in his fat, and strontium 90 in his bones. In addition, he is living longer, and thereby runs a greater risk that these accumulations may become extensive and serious. At last, a new dawn of awareness and action has appeared, and scientists—men of medicine, ecology, biology, botany, and other related disciplines who, after years of seeing their warnings go unheeded, are being sought for help. Federal law has, for the first time, focused national attention on pollution of the working environment of a major industry in so clear a way that it becomes imperative that *all* major industries, and, eventually, all cities, improve the quality of their environments.

Citizens are now fighting pollution with legal, economic and legislative weapons. In one instance, a youth group pinpointed an air polluter by training a searchlight on the smoking stack of an industrial plant. The arousal of public opinion generally precedes any forward social step. The serious problem with human intelligence is, that in spite of all the lessons of history, it has difficulty in responding preventively, but responds only to crisis situations. And each of these crises is potentially more serious than the last. We are, indeed, running out of time.

The role of the health professional today is a frustrating one. Society has invested heavily in his training to give him great competence in his field. To him the matter of high quality of care has great relevance. Yet he sees around him a different demand, a different definition of relevance. If he turns away from the clamor, he soon finds himself outside of the mainstream of human endeavor. If he submits, he is blamed for the ineffectiveness of much of medicine as well as the rapidly increasing demands and costs of medical care.

In the case of preventive medicine, we follow a curious policy, i.e., a preventive medicine technique must be entirely proved before it is employed. We must not risk creating a demand for it if none yet exists, unless we are certain of its effectiveness. It goes without saying that, for our major degenerative diseases, this is a qualification which is rarely either met or capable of being met on the basis of evidence to be available within our lifetime. In symptomatic disease, however, we try a suggested therapy which has not yet been completely proved because it is all we have and the patients demand care. This is, indeed, a curious double-standard.

Our Medicaid and Medicare laws have been written so that a physician who wishes to be paid for anticipating clinical illness under these programs must use subterfuge. The "deductibles" provided in these measures further discourage the patient from seeking care until the symptoms have become unbearable because of pain or anxiety.

The health professional owes it to society not only to become technically competent in his field but to remain so. The professional must be diligent in remaining abreast of major new developments in his field, and society should demand periodic proofs of competence by a review before one's peers instead of before the tribunals of the malpractice courts. Deans of medical schools are now urgently requested to change the standards for admission to medical school so as to accept individuals from less fortunate socioeconomic backgrounds. Though we learn to use a different yardstick to measure excellence for this deprived group, the accent must always remain on excellence.

There is no doubt that the field of community medicine is now among the most *socially* relevant branches of medicine. The attempt to reach its objective, i.e., to reduce the unmet health needs in the communities, is the pursuit of one of the highest social goals. Its broad reliance is upon *results* rather than *activity*. Community Medicine employs every useful technique, be it medical, nonmedical, social, economic or political. As health leaders we must accept the role of leadership and not be content with things "as they are". We share the responsibility with many others, but by virtue of our specialized training and experience we must attempt to gear government programs toward whatever we can do to exert pressures toward quality, insure prevention of disease and strive in the direction of what we hope can become the ultimate solution to our nation's unmet health needs.

Truly, we have not yet begun to scratch the surface of our potential in the use of known preventives, let alone given adequate priority to research efforts to find new ones. The similarity between the health problems of the rural wasteland and those of the urban ghetto dweller are striking and significant. Even middle class America shares this growing crisis in medical care. With the rising cost of medical care and the increase in demands, it is impossible to consider meeting the insatiable need through the use of the traditional methods of medical care. Medicare and Medicaid propose no changes in the structure of care, no change in the neglect of prevention, no change in the traditional physician-patient relationship, no change in the old fee-for-service arrangement. We must come up with new ideas, new techniques—and most of all—new knowledge.

What is needed, therefore, in this nation is a vast new effort to focus on unmet health needs. All groups of consumers and professional health workers alike must focus on this great mission. If the answers are disappointing to the particular desires of one professional group, then so be it. Perhaps our greatest health advances derive from non-medical ecological changes such as an improved environment and standard of living. The coal miner's Act does, indeed, touch all of the bases.

Under the programs established in the new Coal Mine Health and Safety Act by the Department of Interior, we find a set of regulations for guidance, a sensitivity to the control of health problems, a sense that the Federal government feels a responsibility for health problems, and a new spirit of health leadership. Here we find, too, a dedication to the importance of research, which dedication at times even surpasses that which we have come to expect from the programs supervised by our Department of Health, Education and Welfare.

The Coal Mine Health and Safety Act of 1969 is indeed a truly remarkable document. In it, the Federal government assumes a major responsibility for the health of the coal miners far beyond that which it accepts in relation to any other group of our citizens in the United States. This is an example of comprehensive Federal leadership involving several departments such as Commerce, HEW, Interior, National Science Foundation, and even the office of Science and Technology. The bill provides for a multi-faceted and pluralistic approach in order to create the greatest expertise in an important health problem, instead of the familiar and inadequate system of insisting on a single governmental agency in order to create leadership and fix responsibility. It is a far superior plan to involve the several departments concerned with the problem and insist that they work cooperatively in setting standards, holding public hearings, and in the development of adequate research to find real answers to the pertinent health and safety problems.

I am particularly delighted by the great emphasis on research and the bringing into cooperative relationships of the office of Science and Technology and the National Institutes of Health. In fact, many parts of the miners' Act—such as the Secretary's ability to establish interim standards, indicate clearly the great importance that Congress attaches to utilizing the best available knowledge in the quickest possible time. It would indeed be a sign of real progress if this Act could serve as a model to inspire similar arrangements for these scientific agencies to look into the quality of Medicare and Medicaid, so that these vast programs might eventually be rendered capable of meeting the health needs of our population. Why must Medicare and Medicaid be the concern primarily of the Social Security Agency whereas its real problems, especially its need to provide pressures toward the steady improvement in the effectiveness of medical care, really fall under the aegis of the National Institutes of Health and National Center for Health Services and Development? These latter agencies could be more capable of dealing with the quality of care given under Medicare and Medicaid which, at the present time, seem responsible only for grinding out vast quantities of unevaluated medical care.

It is true that the health and safety of the miner is a highly visible entity and also represents a relatively finite problem. There are just so many mines and miners, and one can pretty well predict the amount of money which must be allocated in order to meet the problems and programs for such a group. Yet, can we not learn from our highly visible groups some valuable lessons on how to attack the equally severe problems of our silent but needy majorities?

Providing medical care for the untold millions who now go without it, and developing the required new knowledge of medical care as well as improving the efficiency of existing medical programs are problems of tremendous scope. Their exploration could devour indeterminate huge sums of money. This leads to a tendency to veer off, to avoid solid planning in these areas and to take refuge in a mixture of pluralistic programs, each aimed at meeting some particular demand of some particular highly visible group. We perhaps should not deplore this pluralistic approach because it is through such a system that we have the particular Mine Health and Safety Act with which we are so pleased. We need pluralistic efforts; we need these specific examples of true government leadership. But it is tempting to speculate from such instances and ask ourselves why, if we are so concerned about what happens to the miners 500 ft. underground, are we not also concerned about them at sea level? If we are concerned about the coal dust he breathes into his lungs while in the mine, why do we not equally deplore the illnesses of his family and the air pollution of his community which may impair his use as a worker, disturb his mental outlook, and greatly influence his entire career as a miner?

Colonel Aldrin, on his return from the moon, implied in his press conference that we should use the same long range processes and planning that got us to the moon in solving other serious problems. Whether or not he was thinking of it specifically, his remarks are particularly pertinent to medical care. Certainly the crisis of medical care deserves our immediate attention, our persistent and untiring dedication, the creation of a set of long range plans and their methodical development.

A government which has shown the ability to develop a comprehensive approach to the total health and safety of the coal miners can certainly take on the challenge to attack the severely neglected health problems of the urban ghetto and rural Appalachia. With a country so rich in available resources and our national capitol so well endowed with a number of capable agencies, why cannot the Federal government involve them all cooperatively? Though its leadership for both centralized and decentralized programs, why can it not pool the great resources of the nation and develop standards for the evaluation of the quality, effectiveness and efficiency that could lead eventually to major definitive health programs for all of our local citizens?

There is, of course, one major difference between attempting to improve the health of our nation and protecting the health and safety of the coal miner. While one set of standards might work for all coal miners, it is inconceivable that one single detailed health plan could work for all the rest of us. But why do we not accept the fact that a particular program can work for the coal miners while an entirely different plan would operate for the asbestos worker or for the population of East Harlem in New York City, or for that of the Appalachias of Eastern Kentucky? Could we not, through Federal leadership and through the participation of responsible local officials qualified in the field of health and medical care, devise a pluralistic approach to solve our medical problems wherever they appear by whatever reasonable means it takes to solve them?

Perhaps some day when we, or more likely when our grandchildren look back upon this era, they will be able to consider the Coal Mine Health and Safety Act of 1969 as the first of a series of models, each capable of solving a highly unique situation. Let us hope this Act will, indeed, be followed by many other programs equally effective in solving the health care problems of other population groups.

The importance of the Coal Mine Health and Safety Act is not only that it is Federal and involves many Federal agencies, not only that it commits the most sophisticated of our experts, not only that it is so comprehensive in its approach; its greatest importance lies in the fact that it is a health program which is geared to *solve* the particular problem with which it is concerned, rather than merely to provide for a continuation of traditional efforts in that area. It does *not* speak of providing doctors, but of the services they must give. It does *not* ramble generally about the health of the worker; it speaks of the specific quality of the air he breathes. As well as the systematic tests he must undergo. How this emphasis and great reliance on performance standards differs from nearly all of our major health service programs, very especially Medicaid and Medicare! We will not solve the crisis in medical care by dissipating our resources in highly popular but woefully unevaluated and unvalidated efforts. We must eventually husband our resources by accenting that which is effective. The Federal Coal Mine Health and Safety Act suggests that this can be done.

I am told it is unique in the annals of health conferences to have one so well attended by experts which deals solely with the health of one group. Yet, we have had longer meetings dealing with the chemistry of a few specific molecules. Both such meetings are held for the same reason. We realize that our study of such specific problems and the resultant solutions have enormous generic value toward the eventual resolution of still greater and even more crucial issues. The fascinating and partially successful story of the health of the coal miner is a sāga which is worth telling, worth studying and well worth copying. The final pages have not yet been written, and a great deal more remains to be done. But this would indeed be a fortunate nation if even a small fraction of the dedication and approaches, the same overwhelming concern were available and expressed on behalf of the health and safety of our other citizens. In this effort, it is my belief that the present conference should prove enormously beneficial.

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2. U.S. Medicine; Vol. 6, No. 9; 5/1/70 Issue.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 963, H.R. 17548, the independent offices and Department of Housing and Urban Development appropriations, 1971.

The VICE PRESIDENT. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. PASTORE. Mr. President, the independent offices and Department of Housing and Urban Development appropriation bill for 1971, H.R. 17548, as reported, totals $17,919,603,500 in new obligational authority, which is $1,024,015,700 over the appropriations for 1970, $451,380,000 over the revised estimates for 1971, and $529,391,200 over the House bill.

In addition, the bill includes contract authority to make grants, as follows:

College housing	$9,300,000
Section 235, homeownership	130,000,000
Section 236, rental assistance	135,000,000
Rent supplement	75,000,000

The bill also funds three budget amendments sent to the Senate and not considered by the House, as follows:

Federal Home Loan Bank Board: Interest adjustment payments, as a result of the authorization that was passed by the Senate not long ago	$250,000,000
Office of Emergency Preparedness: Policy direction of oil import program	600,000
Council on Environmental Quality and Office of Environmental Quality	800,000

The largest amount included in the bill for one agency is $9,085,528,000 for the Veterans' Administration, of which $5,456,600,000 is for compensation and pensions of veterans and $1,857,200,000 is for their medical care.

The next largest amount is $3,321,871,000 for the Department of Housing and Urban Development, of which $1,300,000,000 is for urban renewal, $575,000,000 is for model cities, and $645,500,000 is for low-rent public housing annual contributions.

Next is National Aeronautics and Space Administration, at $3,319,303,000, then General Services Administration at $712,229,500, and National Science Foundation at $511,000,000.

That is the substance of the bill. It contains many other items.

This is my second year as chairman of this subcommittee. The Senator from Colorado (Mr. ALLOTT), who is my counterpart and the ranking Republican on the subcommittee, and a dear friend and colleague, who is very cooperative, is serving his 12th year. Mr. Cooper, who is the clerk of the subcommittee, has served on this bill for 22 years of his 27 years with the committee. I want to say at this juncture that Mr. Cooper is going to retire at the end of this month, and I think the members of the committee, the entire Senate, and the people of this country owe him a great debt of gratitude.

Mr. ALLOTT. Mr. President, will the Senator yield at that point?

Mr. PASTORE. I am happy to yield.

Mr. ALLOTT. I simply want to say "Amen" to the remarks of the Senator from Rhode Island about Mr. Cooper, who has been the clerk of this committee ever since I have been on it, which goes back to 1959. I think the committee took formal action the other day expressing their gratitude. I know we all feel that way.

Mr. PASTORE. I thank the Senator. The Senator is very gracious, and that is typical of him.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill as thus amended be regarded as original text for the purpose of amendment, that no point of order shall be considered to have been waived by reason thereof.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 22, after the word "expenses", strike out "$45,800,000" and insert "$47,800,000".

On page 6, line 3, after "5 U.S.C. 3109", strike out "$24,725,000" and insert "$24,900,000".

On page 6, line 12, after the word "expenses", strike out "$18,210,000" and insert "$18,350,000".

On page 7, line 11, after the word "moving", strike out "$335,250,000" and insert "$344,153,000".

On page 8, line 23, after the word "buildings", strike out "$142,024,300" and insert "$119,756,500"; on page 9, line 6, after the word "of", strike out "$48,473,200" and insert "$71,428,600"; in line 7, after the word "at", strike out "Augusta, Georgia, Honolulu, Hawaii, Indianapolis, Indiana, Houma, Louisiana, Albany, New York, Providence, Rhode Island, Denton, Texas, and Seattle, Washington," and insert "Honolulu, Hawaii, Indianapolis, Indiana, Frankfort, Kentucky, Fitchburg, Massachusetts, Albany, New York, Bronx, New York, Denton, Texas, and San Antonio, Texas,"; and, in line 13, after the word "the", strike out "Independent Offices Appropriation Act, 1964, and 1967, and the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968," and insert "Independent Offices Appropriation Act, 1967, and the Independent Offices and Department of Housing and Urban Development Appropriation Acts of 1968 and 1970".

On page 10, after line 13, insert:

"Post Office and Federal office building, Augusta, Georgia, in addition to the sum heretofore appropriated, $2,694,000;".

On page 10, after line 15, strike out:

"Courthouse and Federal office building, Alton, Illinois $1,500,000;".

On page 10, after line 20, strike out:

"Courthouse and Federal office building, Frankfort, Kentucky, in addition to the sum heretofore appropriated, $850,000;".

On page 10, after line 23, insert:

"Post Office and Federal office building, Houma, Louisiana, in addition to the sum heretofore appropriated, $2,064,000;".

On page 11, after line 10, strike out:

"Charles A. Buckley Post Office and Federal office building, Bronx, New York, in addition to the sum heretofore appropriated, $3,076,000;".

On page 11, after line 18, insert:

"Post Office and Federal office building, Providence, Rhode Island, in addition to the sum heretofore appropriated, $1,355,600;".

On page 12, line 23, after the word "furnishings", strike out "$1,000,000" and insert "$1,463,000".

On page 15, line 22, after the word "Administration", strike out "$1,000,000" and insert "$1,215,000".

On page 20, line 11, after the word "Administration", strike out "$2,500,000,000" and insert "$2,606,100,000".

On page 20, line 17, after the word "laws", strike out "$18,275,000" and insert "$34,478,000".

On page 21, line 4, after "$678,725,000", insert a comma and "of which $10,000,000 shall be available only for use at the Mississippi Test Facility/Slidell Computer Complex and at other NASA facilities which can accommodate earth environmental studies to furnish, on a nonreimbursable basis, basic institutional and technical services to Federal agencies, resident at the complexes, in pursuit of space and environmental missions:".

On page 23, line 2, after the word "services," strike out "$495,000,000" and insert "$511,000,000"; and, in line 6, after the word "institutes", insert "and other programs of supplementary training".

On page 24, line 11, after "5 U.S.C. 3109", strike out "$4,110,000" and insert "$4,235,000".

On page 24, line 16, after "$21,716,000", insert a comma and "including necessary funds to complete the Institutional Investors Study".

On page 26, line 24, after "(38 U.S.C. 641;", strike out "$1,777,200,000" and insert "$1,857,200,000".

On page 27, at the beginning of line 24, strike out "$1,000" and insert "$2,000".

On page 28, line 14, after the word "administration", strike out "$59,000,000" and insert "$79,000,000".

On page 31, after line 5, strike out:

"COUNCIL ON ENVIRONMENTAL QUALITY

"Salaries and Expenses

"For expenses necessary for the Council on Environmental Quality, in carrying out its functions under the National Environmental Policy Act of 1969 (Public Law 91–190), including partial support of the Environmental Quality Council and the Citizens' Advisory Committee on Environmental Quality, $650,000."

And, in lieu thereof, insert:

"Council on Environmental Quality and Office of Environmental Quality

"SALARIES AND EXPENSES

"For expenses necessary for the Council on Environmental Quality and the Office of Environmental Quality, in carrying out their functions under the National Environmental Policy Act of 1969 (Public Law 91–190) and the National Environmental Improvement Act of 1970 (Public Law 91–224), including hire of passenger vehicles, and support of the Cabinet Committee on the Environment and the Citizens' Advisory Committee on Environmental Quality established by Executive Order 11472 of May 29, 1969, as amended by Executive Order 11514 of March 5, 1970, $1,500,000."

On page 32, line 7, after "5 U.S.C. 3109", strike out "$400,000" and insert "$560,000".

On page 32, line 17, after the word "planning", strike out "$5,290,000" and insert "$5,890,000".

On page 32, line 22 after "5 U.S.C. 3109", strike out "$1,795,000" and insert "$3,300,000".

On page 33, line 12, after "5 U.S.C. 3109", strike out "$2,000,000" and insert "$2,175,000".

On page 33, line 20, after the word "expanded", strike out "$291,500,000" and insert "$295,500,000".

On page 34, line 19, after the word "law", strike out "$50,000,000" and insert "$51,000,000".

On page 36, line 4, after the word "services", strike out "$3,500,000" and insert "$3,755,000".

On page 36, line 19, after "(42 U.S.C. 1452a)", strike out "$1,000,000,000" and insert "$1,300,000,000".

On page 37, after line 10, insert:

"GRANTS FOR TENANT SERVICES

"For contracts for grants and for grants to public housing agencies, for tenant services, as authorized by Section 204 of the Housing and Urban Development Act of 1968 (42 U.S.C. 1415), $5,000,000 to remain available until expended."

On page 37, line 24, after the word "by", strike out "$7,200,000" and insert "$9,300,000".

On page 38, line 5, strike out "$41,000,000" and insert "$45,000,000".

On page 39, at the beginning of line 13, strike out "$500,000,000" and insert "$200,000,000".

On page 39, line 18, strike out "$8,000,000" and insert "$8,700,000".

On page 40, line 22, after "1968", strike out "$30,000,000" and insert "$55,000,000".

On page 41, line 18, after the word "by", strike out "$50,000,000" and insert "$75,000,000".

On page 42, line 13, after the word "and", where it appears the first time, strike out "section" and insert "sections 102 and"; at the beginning of line 15, insert "485"; and, in the same line, after the word "for", strike out "$3,500,000" and insert "$6,290,000".

On page 43, line 6, after "(34 Fed. Reg. 12985)", strike out "$7,000,000" and insert "$11,300,000".

On page 43, line 17, after the word "Department", strike out "$13,500,000" and insert "$14,500,000".

On page 44, line 19, after the word "of", strike out "$5,750,000" and insert "$6,625,000".

At the top of page 47, insert:

"Federal Home Loan Bank Board

"INTEREST ADJUSTMENT PAYMENTS

"For payments to Federal Home Loan Banks for the purpose of adjusting the effective interest rates charged by such banks, as authorized by section 101 of the Emergency Home Finance Act of 1970, $250,000,000, to remain available until expended: *Provided*, That this paragraph shall be effective only upon the enactment into law of S. 3685, 91st Congress, or similar legislation."

On page 50, line 1, after the word "exceed", strike out "$112,000,000" and insert "$125,550,000".

On page 55, after line 10, insert a new section, as follows:

"Sec. 512. No part of any appropriations contained in this Act shall be available for the procurement of or for the payment of the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of the General Services Administration or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions or except in accordance with procedures prescribed by section 6–104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970."

Mr. PASTORE. Mr. President, the committee has three amendments of a technical nature which were inadvertently omitted from the bill, and which do not change the appropriation amounts in the bill, as follows:

Page 22, line 22, strike out "$19,500,000" and insert in lieu thereof "$20,500,000".

This amendment raises to the budget estimate the limitation on program development and management expenses of the National Science Foundation.

The reason for this is the cut made by the House of $16 million. When the Senate restored the House cut, it is only logical to increase the expense limitation to budget estimate.

Page 25, line 3, after the word "only" insert "not to exceed $4,000 for official reception and representation expenses".

The committee is advised that the Director of the Selective Service System and his staff have been paying for such expenses personally at regional conferences and other meetings.

Page 40, line 24, strike out "$940,000" and insert in lieu thereof "$1,700,000.

This amendment raises to the budget estimate the limitation on administrative expenses for Urban Research and Technology in the Department of Housing and Urban Development. The restoration is correctly stated in the report.

Mr. President, I send these amendments to the desk and ask that they be considered and agreed to en bloc.

The PRESIDING OFFICER (Mr. Hughes). Without objection, the amendments are considered and agreed to en bloc.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Hughes). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I want to commend the chairman of our subcommittee, Senator Pastore, for the excellent and hard work he has put in on this bill during the lengthy hearings and committee considerations of the many, many items in the bill. As has always been the case, he has been most cooperative with me and I want him to know how much I enjoy working with him.

Mr. President, I will not go into detail now on the items in this bill. Chairman Pastore has covered this well and there will be several amendments offered at which time I expect there will be extended discussion.

For NASA the committee has recommended an appropriation of $3,319,303,000, which is $91,575,000 under the authorization approved by the Space Committees of the House and Senate. We have come a long way down in our space expenditures. In fiscal year 1966 the NASA budget was $5.932 billion. So this year we are talking about a $2.613 billion under that budget of 4 years ago. Partly this is because the most significant hardware has now been purchased for our Apollo flights; partly this is because through these few years this country has felt increasing pressure to reorder its priorities and to hone down space expenditures wherever possible. In 1966 there were 420,000 Americans working on NASA-funded projects and now there will be less than 144,000 Americans working on NASA-funded projects.

Some might argue that we should simply stop the space program. I will not expand on this subject here except to say that any serious cut below the figures reported by the Senate Committee on Appropriations may very well be tantamount to stopping the most significant parts of our space program. The NASA figures we will consider today have been cut, and cut, and cut from the time that the great experts in the space field first presented their budgets within the various divisions of NASA through the cutting process of the Bureau of the Budget and the Administration and then the Space Committees of the Congress. It may be that in the end Senators will have to ask themselves just one simple question: Are they for continuing the U.S. effort in space or do they wish to stop it now?

To go on to another item in the bill, we have all heard a great deal about the Veterans' Administration medical care programs. The Subcommittee on Independent Offices has taken extended testimony, first from the Veterans' Administration, then from outside witnesses, and from the junior Senator from California (Mr. Cranston), and then again after that from the Veterans' Administration. Much has been said and written on the subject of the level of care which this government is providing for its veterans. I do not think anyone in this Chamber wishes to cut down or lower the standards below what is absolutely "the best" for all our veterans. Through the years this committee has often recommended funds above budget estimates for medical research and this has paid off. Through the years this committee has always recommended the budget figure for medical care and I believe that this has paid off. This year the figure recommended by the committee is $105 million over the amended budget estimate. After initial submission of the budget, the Administration submitted an amendment increasing it by $50 million. One set of figures may put this in context. For fiscal year 1970 the appropriation was $1,655,201,000 for Veterans' Administration medical care. The committee recommendation this year—$1,857,200,000 for medical care—is an increase of $201,999,000. Of course, the costs of medical care continue to rise. But, more importantly, I am confident, and I know the chairman is confident that this recommended appropriation provides completely adequate funding for the best possible medical care of our veterans.

A small item in expense, but an important item is the committee's recommendation for the full funding of $560,000 for the National Aeronautics and Space Council. The House had cut this figure to $400,000, and there is some thought that testimony in the House had confused them as to the transfer of certain personnel to the office of the Vice President. The $560,000 is to fund 21 positions for the National Aeronautics and Space Council which under statute advises the Vice President and also advises the President on space and aeronautics priorities, across the board. Properly manned, these few experts can contribute tremendous benefits way beyond their cost in studying and assessing the recommendations of government departments in the space and aeronautics field.

Mr. President, the Subcommittee on Independent Offices has taken extended testimony from both HUD officials and from interested groups and persons across the country, and the chairman and I have met directly with various HUD officials in the study of the budget proposals for fiscal year 1971. I am pleased that the committee voted the full budget estimate of $55 million for the line item "urban research and technology." The Secretary of Housing and Urban Development has given this item first priority in his budget presentation. We all know the pressures working against development of new and superior housing in this country. We must have technological breakthroughs and we must have a reorientation of the process of building housing in this country. The pressures of the ever-increasing costs of labor and the costs of materials and the extremely high cost and unavailability of money must be met and turned back. "Operation Breakthrough" and other research projects must be funded and fully funded in the hope that we can move ahead in developing the capacity for building adequate housing in this country.

I know there will be a move to increase the amount recommended for urban renewal. The committee has recommended $300 million more than the budget estimate of $1 billion. I will not develop this subject further here except to remark that since urban renewal started in 1949 we have spent or obligated $9,015,500,000 of Federal funds on urban renewal programs.

I know that there will be a move to increase the committee recommendation for funds for grants for basic water and sewer facilities. I am for this program and I have before this year recommended increases over the budget requests. This year the committee has recommended $200 million, which is $50 million over the budget request, but $300 million under the House figure.

Senators will notice some report language on page 20 referring to section 508 of the bill. This is the same language as we had in the bill last year, and I am pleased to report that Government contracting under this language—which relates to research—has achieved a more fair sharing of costs of research with non-Government institutions. The report language makes clear that in those special instances where a small research organization's proposal leads to a contract wherein there is no tangible benefit to the organization, we should not expect cost sharing from that organization.

Mr. President, that is all I wish to say now about this bill. Again, I wish to thank the chairman (Mr. Pastore) for his cooperation and courtesy in the handing of this most difficult appropriation bill.

Mr. PASTORE. Mr. President, I thank the Senator from Colorado. He has been very cooperative. Frankly, I have never worked with a Member of the Senate under more pleasing and pleasurable circumstances than when I worked with the Senator from Colorado. We do not always agree. But we are never disagreeable in our disagreements.

Mr. ALLOTT. The Senator is correct.

Mr. PASTORE. Mr. President, I have a statement that has been handed to me by a staff member of the Senator from Vermont (Mr. Aiken), who could not be here today to read it himself.

The statement by Senator Aiken reads as follows:

STATEMENT BY SENATOR AIKEN

Mr. Aiken. Mr. President, I have always believed that first things come first.

In this case we should not spare any efforts in making sure that our Veterans who are laid up in the 166 VA Hospitals throughout the Nation get the best medical care they need and deserve.

Toward that end I would urge the Senate to adopt the recommendation of the Appropriations Committee and increase funding for the VA by an additional $100 million.

This would provide a total VA appropriation of just over $9 billion, for an increase of $646,518,000 over Fiscal 1970.

I would further urge that Senate conferees insist on the additional money for our Veterans when this matter is considered by a Conference Committee.

We should not forget for one moment that proper care for our Veterans is just another cost of war—although for many this is a hidden cost.

It is for that reason that we should take care of our injured veterans and provide benefits for their families and then redouble our efforts in trying to bring the war in Indo-China to an end which is only creating more injured Veterans, more widows and more orphans.

By adding this additional money for our VA Hospitals the Senate will be bringing to attention of the country once again the necessity for bringing this war to an early end.

We will also be giving some of our injured veterans hope that American people are not forgetting them or their families in this special time of need.

I would also like to call attention to the Senate that this Appropriations bill contains $5.3 million for modernizing the Veterans Center in White River Junction, Vermont.

This is a project which I have been urging since 1967 after I visited the White River facility and found conditions in need of much repair.

I might add here that the Senior Senator from Rhode Island, Mr. Pastore, has been most helpful to our Vermont Veterans in getting this project approved.

Also, Congressmen Olin Teague and Joe Evins have been most considerate and sympathetic of the problems of the Vermont Veterans and have helped to make the White River project a reality.

The Junior Senator from California, Mr. Cranston, should also be commended for his leadership in working for improvements for our VA hospitals.

The Senate will be serving the Nation well if this additional $100 million is added to the VA budget and I would hope this money is spent by the Administration in areas where it will do the most good.

Mr. President, I yield to the Senator from California.

Mr. CRANSTON. Mr. President, I thank the Senator from Rhode Island for yielding. I am deeply grateful to him for his cooperation with the Veterans' Affairs Subcommittee of the Committee on Labor and Public Welfare and also with me.

Mr. President, I rise to speak about appropriations for the VA hospital and medical program contained in H.R. 17548, the independent offices of appropriations bill, as reported to the Senate by the Appropriations Committee.

Almost 7 months ago—on Veterans Day last year—I rose to speak on this same matter in the bill, for fiscal year 1970, and at that time offered an amendment to increase the appropriation by $50 million.

After a colloquy with the distinguished chairman of the Independent Offices Appropriations Subcommittee, my colleague from Rhode Island, I withdrew that amendment at his suggestion in order that the Veterans' Affairs Subcommittee, which I am privileged to chair, could launch a full investigation of medical care for Vietnam veterans in VA hospitals.

At that time Senator PASTORE said:

> We should go into it in depth and find out exactly what the problem is, what needs to be done, and then do it and do it immediately.

Since that time, with enthusiastic participation and cooperation from the ranking majority member, the great chairman of the Labor and Public Welfare Committee (Mr. YARBOROUGH), and its able ranking minority member, my fellow junior colleague from Pennsylvania (Mr. SCHWEIKER), our Veterans' Affairs Subcommittee has conducted an extensive and intensive oversight investigation—with 7 days of hearings from November 21, 1969, to April 28, 1970.

We received testimony from 45 witnesses, including some of the most eminent deans of medical schools and medical experts in the United States, from seriously disabled veterans themselves and from the rehabilitation experts of the various veterans' organizations.

In addition, as part of our investigation, I and the subcommittee staff visited a number of VA hospitals, talking with patients, administrators, physicians, nurses, and other personnel there.

Mr. President, in order to illustrate the breadth of our hearings, I ask unanimous consent, that there be printed in the RECORD at this point the witness list from those hearings.

There being no objection, the list of witnesses was ordered to be printed in the RECORD, at follows:

CHRONOLOGICAL LIST OF WITNESSES

FRIDAY, NOVEMBER 21, 1969

Johnson, Donald E., Administrator of Veternas' Affairs, accompanied by Dr. H. Martin Engle, Chief Medical Director, Department of Medicine and Surgery; Dr. Chase, Assistant Chief Medical Director for Professional Services; John Peters, Director of Program Planning and Budgeting Services; D. C. Knapp, Acting General Counsel, J. H. Kerby and A. T. Bronaugh, Assistant General Counsels; John Shytle, Controller; Dr. Thomas C. Chalmers, Assistant Chief Medical Director for Research and Education; Dr. Paul Haber, Director, Extended Care Service; Daniel Rosen, Acting Director, Management Control Staff; Dr. Turner Camp, Regional Medical Director No. 2; Dr. Howard W. Kenney, Regional Medical Director No. 1; Dr. Harold Birnbaum, Deputy Regional Medical Director No. 5; Dr. Thomas J. Fitzgerald, Regional Medical Director No. 4; Dr. Oliver J. Harris, Regional Medical Director No. 3; Whitney Ashbridge, Office of the Administrator; L. A. Townsend, Deputy Director for Program Administration, Compensation, and Pension Service, DVB; and other Veterans' Administration officials.

Egeberg, Dr. Roger O., Assistant Secretary for Health and Sceintific Affairs, Department of Health, Education, and Welfare.

Lieberman, Dr. E. James, Consultant, National Institute of Mental Health testifying as a private citizen.

TUESDAY, NOVEMBER 25, 1969

Jennings, Lt. Gen. Hal B., Jr., the Surgeon General, Department of the Army; Brig. Gen. Thomas J. Whelan, Jr., Special Assistant to the Surgeon General for Medical Corps Affairs, Department of the Army; Brig. Gen. George J. Hayes, Director of Staff for Health Affairs; and Vernon McKenzie, Office of the Deputy Assistant Secretary of Defense for Health Affairs, Department of Defense.

Rhodes, Fred, Deputy Administrator of Veterans' Affairs; Dr. John D. Chase, Assistant Chief Medical Director for Professional Services; John Peters, Director of Program Planning and Budgeting Service; A. T. Broanaugh, Assistant General Counsel; D. C. Knapp, Assistant General Counsel; John Kerby, Assistant General Counsel; John Shytle, Controller; Dr. Thomas C. Chalmers, Assistant Chief Medical Director for Research and Education; Dr. Paul Haber, Director, Extended Care Service; L. A. Townsend, Deputy Director, Compensation, Pension, and Education Service; Dr. Cecil Peck, Chief Psychological Service; Dr. Harold Schoolman, Director, Education Service; and David Wall, Deputy Regional Medical Director, Veterans' Administration.

MONDAY, DECEMBER 15, 1969

Lee, Russel V. A., M.D., founder and consultant, Palo Alto Medical Clinic, and clinical professor of medicine emeritus, Stanford University.

Lee, Dr. Philip, former Assistant Secretary for Health, Education, and Welfare, and chancellor, University of California Medical Center, San Francisco, Calif.

Luckey, Dr. Hugh, president, New York Hospital-Cornell Medical Center, and vice president for medical affairs, Cornell University.

West, Dr. Louis Jolyon, professor and chairman of the Department of Psychiatry and Medical Director, Neuropsychiatric Institute, University of California at Los Angeles.

Wolf, Dr. Stewart, regents professor of medicine, University of Oklahoma School of Medicine, and head of Neurosciences Section, Oklahoma Medical Research Foundation, Oklahoma City, Okla.

Gonda, Dr. Thomas A., professor of psychiatry, associate dean, Stanford University Medical School, and director of the Stanford University Hospital, Stanford, Calif.

TUESDAY, DECEMBER 16, 1969

Mattingly, Charles E., assistant legislative director, the American Legion, accompanied by Edward H. Golembieski, director, Rehabilitation Commission, the American Legion; and I. B. Brick, M.D., senior medical consultant, National Rehabilitation Commission, the American Legion, and professor of medicine and chief of the Division of Gastroenterology, Georgetown Hospital.

Golembieski, Edward H., director, National Rehabilitation Commission, the American Legion.

Brick, I. B., senior medical consultant, National Rehabilitation Commission, the American Legion, and professor of medicine and chief of the Division of Gastroenterology, Georgetown Hospital.

Lassen, Peter L., executive director, Paralyzed Veterans of America, accompanied by Max Cleveland, a former officer in the 1st Air Cavalry in Vietnam.

Mead, Sedgwick, M.D., chief of physical medicine and neurology, Kaiser Foundation Hospital, Vallejo, Calif.

Huber, Charles, national director of legislation, William Flaherty, assistant national director of legislation, and Raymond P. Neal, national commander, Disabled American Veterans.

Klein, Dr. Donald C., coordinator for community affairs, National Training Laboratories for Applied Behavioral Sciences.

Stover, Francis, director of legislative service, Veterans of Foreign Wars, accompanied by Norman Jones, administrative director.

Schloss, Irvin P., past national president, Blinded Veterans Association, accompanied by Jack H. Street, administrative director.

Burkhardt, Edgar G., national commander, Veterans of World War I, accompanield by Waldron E. Leonard, senior national commander.

FRIDAY, JANUARY 9, 1970

Brill, Dr. Norman Q., professor of psychiatry, UCLA School of Medicine, consultant in psychiatry to Veterans' Administration Hospital, Brentwood.

May, Dr. Philip R. A., professor of psychiatry, UCLA School of Medicine, consultant in psychiatry to Veterans' Administration Hospital, Brentwood.

Capson, Wayne L., president, Paralyzed Veterans of America.

Burns, Michael W., president, California Paralyzed Veterans Association, Inc.

Bullock, William E., claims director, south, national service officer, Disabled American Veterans.

Long, George V., service officer, Alhambra Chapter 22, Disabled American Veterans, Alhambra, Calif.

Sloneker, Lewis S., director of rehabilitation, the American Legion, Department of California.

Strickland, William, past commander, 24th District, the American Legion, Department of California.

Menasco, Otis R., commander, Veterans of Foreign Wars, Department of California.

Rector, Edmund J., commander, Inland Hospital, Veterans Inland Hospital Committee, Riverside-San Bernardino Area, Calif.

Green, Frederick W., former patient, Brentwood VA Hospital.

Burke, Harry J., Vietnam casualty on active duty.

Roberts, Billy, disabled veteran.

Roberts, John, tax accountant.

TUESDAY, JANUARY 27, 1970

Pannill, F. Carter, M.D., dean, University of Texas Medical School.

Stewart, Douglas J., second-year resident in medicine, University of Miami School of Medicine.

Lifton, Dr. Robert Jay, Foundations' Fund Research professor of psychiatry, Yale University School of Medicine.

Dudrick, Dr. Stanley J., associate professor of surgery, University of Pennsylvania School of Medicine, chief of surgery, University of Pennsylvania Division, Veterans' Administration Hospital, Philadelphia, Pa.

Oliphant, Dr. Beverley, intern, Veterans' Administration Hospital, Washington, D.C., accompanied by Dr. Joseph Backer, first-year resident in medicine, Veterans' Administration Hospital, Washington, D.C.

Rossignuolo, Ralph, legislative director, AMVETS.

TUESDAY, APRIL 28, 1970

Davidson, Dr. J. Gary, Research Associate in Hematology, Wadsworth VA Hospital, accompanied by Dr. Bernhard Votteri, third-year resident at Wadsworth VA Hospital.

Bottone, Sam, Project Director, California Nurses Association, accompanied by Miss Helen Fogarty, R.N., Head Nurse Ward B4E, Wadsworth VA Hospital.

Lamson, Dr. Baldwin, Director of Hospitals and Clinics, UCLA School of Medicine, and member of the Deans Committee, VA Center, Los Angeles, Calif.

Mr. CRANSTON. Mr. President, then, in accordance with my agreement with the Senator from Rhode Island (Mr. PASTORE) on May 27 I appeared before his appropriations subcommittee to present the results of our subcommittee's oversight investigation. I recommended that $174 million be added to the VA appropriation in four appropriation bill items dealing with the hospital and medical program.

Mr. President, for the convenience of Senators, I ask unanimous consent that the full text of my May 27 testimony, including appendixes, be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ALAN CRANSTON, CHAIRMAN, SUBCOMMITTEE ON VETERANS' AFFAIRS

Mr. Chairman and distinguished members of the Subcommittee, it is a great privilege for me to appear this morning to offer my recommendations for the Veterans Administration's fiscal year 1971 appropriation. Although I will make recommendations in a number of areas, the major thrust of my statement will deal with the VA hospital and medical care program.

My medical care recommendations grow out of oversight hearings conducted over the last six months by the Veterans Affairs Subcommittee, which I am privideged to chair, of the Labor and Public Welfare Committee. The topic of the hearings was "Medical Care of Veterans Wounded in Vietnam." I announced these hearings last Veterans' Day when I discussed with Chairman Pastore on the Senate floor the problem of deficiences in the VA hospital program and increased demands upon it because of the war in Vietnam. I withdraw an amendment proposing a $50 million increase in the VA's FY 1970 medical care budget, to permit time for a detailed study of the needs of the VA hospital system and development of recommendations for necessary appropriations.

Our Veterans Affairs Subcommittee held a series of hearings stretching from November 21 to April 28. I am submitting for your official Subcommittee review and records the printed transcript of the first six days' hearings, and the prepared statements from the April 28 hearing. In connection with this latter hearing, which inquired into patient care at a typical VA hospital, the Wadsworth Hospital at the VA Center in Los Angeles, I am also submitting numerous affidavits from physicians and nurses corroborating the shocking testimony which we received about the totally unclean and life-risking and life-wasting conditions at that hospital. In addition, I have with me 27 photographs showing some of these conditions. Since there are no duplicates of these photographs, which are part of the official Labor and Public Welfare Committee record, I cannot submit them for your record, but I would be delighted to make them available to the Subcommittee should it wish to examine them.

This morning I am recommending that you add approximately $189 million to the total VA appropriation in H.R. 17548. The precise amounts and purposes are outlined in Appendix I to my statement. I recognize this is a very substantial increase, especially the $174 million for the four appropriation bill items dealing with the medical and hospital program. However, I wish to assure the Subcommittee at the outset that I have attempted to be conservative in my estimates of the needs and the dollars to meet them. I have also tried to ascertain to the maximum extent possible that all of these funds could be prudently and effectively obligated or expended in fiscal 1971 to meet real and pressing needs which will otherwise go unmet. We all know that, given this administration's anti-inflation policies, Veterans Administration officials are bound to state publicly that they cannot use additional funds. But I am convinced from private discussions and my personal inquiries that all the money I am requesting can be spent effectively and is urgently needed.

My recommendations fall into six major categories, and for each category I am submitting to the Subcommittee in Appendix II detailed backup data where necessary. I would like to sketch for you now the deficiencies as I see them in our veterans hospitals and outline some of the appropriation remedies that I propose. I also wish to stress, however, that to a considerable extent the problems presently besetting the VA hospital and medical care program cannot be cured by the appropriation of more money alone. Thus, I have prepared a comprehensive legislative program providing new authorities for the VA, which I will be introducing for consideration as soon as the FY 1971 appropriations process is completed.

In my 16 months as chairman of the Veterans Affairs Subcommittee, I have concluded that one vital precept should govern Congressional action regarding veterans' programs—the principle that the cost of providing first quality medical care, along with equitable education and other readjustment benefits, and disability and indemnity compensation, must be counted as part of the cost of war. They are just as integral a part of the cost of war as the money we spend on the weapons and armaments for combat. Sometimes we tend to lose sight of this. I think that the administration has overlooked this very basic premise. In its understandable desire to retard inflation, it is asking double sacrifices from the men who have answered their country's call to battle. The war they are fighting is itself a principle cause of inflation. To use inflation now as an excuse for denying these veterans the level of services and benefits they deserve is intolerable.

MEDICAL CARE

With that background, let us look at the FY '71 medical care appropriation item in the bill before the subcommittee. It is true that, as the Veterans Administration has stated repeatedly, the $1.752 billion proposed budget—to which the House added $25 million for a total of $1.777 billion—constitutes a record amount for VA medical care. But our subcommittee investigation and a careful scrutiny of the budget indicates that, actually, it is at best a standstill budget. And it may well be a regressive one. This is so even after the President's April 2 restoration of $50 million which the Bureau of the Budget had sliced from the VA's budget and of $25 million more won on the floor of the House of Representatives by my good friend, Chairman Teague of the House Veterans Affairs Committee.

This so-called record budget is still $50 million below the level estimated as necessary for FY 1971 more than a year ago by the Department of Medicine and Surgery, the VA's own chief physicians and medical administrators. And since that time both the demands for care and the cost of providing it have inflated beyond expectation.

The 1971 medical care figure in the bill is $122 million more than has been appropriated for fiscal year 1970, including the very urgently needed amounts contained in the House-passed FY '70 supplemental appropriation bill. Such a 7.5 percent increase barely meets the enormously inflating cost of providing medical care. And it certainly does not come near to dealing adequately with what I can only characterize as a dangerously enlarging crisis in the VA medical care system.

This crisis did not occur overnight. It did not occur in the last year or so. Rather, it is the result of a steady erosion over the last five years. Thus, both a Democratic and a Republican administration, as well as the Congress itself, share responsibility for the state of affairs that now confronts us in VA hospitals. Determining who is responsible is unimportant. The crucial thing is who can and will take action to make the needed major improvements.

It is a bitter irony that this deterioration in the quality of medical care we offer our disabled veterans is due largely to the war itself. It has been five years since our increased military involvement in Southeast Asia began to bring heavy casualties. Yet the VA still does not have an adequate plan to make the necessary adjustments and improvements in its hospital system to meet the desperate needs of our seriously disabled war veterans. This lack of a plan to convert from peace-time to war-time conditions has brought about a deplorable situation. Moreover, the cruel fact is that the cost of waging the war is preventing an adequate level of appropriations to care for our war-maimed. This is because of the monumental direct costs of the war and because of efforts to limit domestic expenditures because of the high level of war spending.

I have talked of a crisis, an enlarging one. It is a crisis caused by taking for granted that things could be done without adequate funds. The direct result is that in many—though fortunately not all—VA hospitals the quality of care provided has suffered from a combination of denial of budget requests largely within the executive branch and the most unfortunate personnel ceiling imposed by the Congress in 1968 and removed only a year ago. This has all led to a process of deferring, year after year, needed expenditures for purchase of equipment and supplies, renovation of facilities, construction of new facilities and acquisition and replacement of staff. And this in turn has yielded some highly tragic and insidious results by draining already hard-pressed direct patient care funds for some of these other vital purposes just to keep the system going.

This process of absorption and deferral of costs masterminded by the Bureau of the Budget has produced a slow but steady erosion which only time reveals. But that deterioration is plainly visible today at a time when greatly increased numbers of Vietnam veterans are entering VA hospitals for treatment. Vietnam veterans now constitute about 10 percent of VA medical workloads.

We all regret the tragic fact that more than 275,00 men have already been wounded in the Indochina war. About half of them require some degree of immediate hospitalization for their wounds and most of these will at some point seek VA hospital or outpatient care. In FY 1970 thus far, over 50,000 Vietnam veterans were admitted to VA hospitals and they made over 500,000 visits for outpatient medical care in FY 1969.

The horrible truth about the war is that it is the most crippling and seriously disabling war we have fought. Out of every 10 veterans wounded in the Vietnam war, one is wounded so grievously that he would have died in a previous war. The result is an increase of seriously disabled veterans—more quadriplegic veterans than ever before and more veterans with multiple injuries—requiring intensive care and rehabilitation in VA hospitals. For example, a survey of wounded Army personnel separated for disability shows a very high separatee rate for amputation or paralysis of extremities—together totalling almost 54 percent of all those separated for disability as compared with joint totals of about 28 percent from the Korean conflict and 21 percent from World War II. And over 50 percent of all those separations surveyed were caused by crippling diseases of bones and organs of movement—feet, legs and so forth. This is about double the previous rates from this cause.

These seriously disabled men are saved on the battlefield by excellent and unprecedented medical and surgical field procedures after rapid evacuation, often minutes after being hit from the battlefield by helicopters. But we have sadly discovered that the crisis, high-intensity, almost miraculous care they receive in the service is not often sustained when they end up in a VA hospital despite the dedicated efforts of highly trained and skilled VA medical personnel. For what these most seriously disabled war casualties often find is a deteriorating VA hospital system which I will now describe in more detail for you.

The principle deficiency in VA hospitals today is lack of staff. And this comes at a time when the VA is trying to activate some 150 badly-needed specialized medical services—such as intensive care units, coronary care units, open heart surgery units, pulmonary function units, and more spinal cord injury centers—all of which require intensive staffing directly limiting the staff available for the core hospital. Presently, VA hospitals have an overall staff-to-patient ratio of about 1.5 to 1, as compared to staffing ratios of about 2.7 to 1 for community hospitals. We can all agree that this is a great disparity. Although these two ratios may not be absolutely comparable in all respects, it cannot fairly be contended that those adjustments necessary to provide relative comparability could account for the enormity of this staffing gap.

Indeed, the chairman of the House Veterans Affairs Committee, Olin E. Teague, who with his most dedicated and able staff has been of great assistance to our investigation, has been proposing for the past five months that VA general hospitals reach a staffing ratio of 2:1, and psychiatric hospitals of 1:1. It would cost about $200 million more than I recommend today for staffing in order to achieve those very desirable levels. But I make no such recommendation now because I do not believe that such an enormous increase can be achieved within one fiscal year.

The VA needs substantial help to overcome the debilitating effects of the Revenue and Expenditure Control Act personnel ceiling. Thus, I am recommending adding about $51 million to fund an additional 5000 staff positions in VA hospitals. Along with the funds already included for staffing increases in the FY '71 medical care item—although there is a real question at this point whether the House-passed amount would really provide for these increases—this would increase staff ratios to 1.7:1, an improvement which should directly enhance the quality of care delivered to every veteran in each of the 166 VA hospitals.

The next glaring deficiency in the present budget is its failure to provide funds to eliminate equipment and maintenance and repair backlogs which have accumulated over the past several years. Conservative estimates show that these two backlogs total at present more than $46 million. The use of out-dated and broken-down life-saving and life-sustaining diagnostic and treatment equipment and the continued deterioration of equipment and physical surroundings not adequately maintained or repaired has reached an intolerable level and must be corrected immediately. I consider the elimination of these devastating backlogs essential to the fulfillment of the patient care improvement which is the goal of the improved staff ratio I am recommending. The best X-ray technician cannot function effectively with a defective or out-dated X-ray machine, any more than a highly skilled laboratory technician can perform with inadequate technical facilities.

Moreover, and this is an often overlooked point, VA hospital directors frantically juggling inadequate allotment of funds based on inadequate appropriation levels, are compelled time after time to choose between using funds to hire additional staff and using funds to purchase, renovate or repair urgently needed equipment or other facilities, when both are essential for quality medical care. I propose that we remove this unconscionable burden from the backs of hospital directors so they can get on with the job of recruiting and hiring the additional staff necessary to provide quality care to our veterans.

Now I would like to say a word about the now controversial article which appeared in the May 22 issue of LIFE magazine, copies of which I sent to all members of this Subcommittee last week. The article is entitled, "From Vietnam to a VA Hospital: Assignment to Neglect" This powerful piece of photographic journalism has aroused some extremely strong emotions as well as some rather startlingly categorical denials from Veterans Administration spokesmen. On the basis of the investigation the Subcommittee has conducted, I believe that the article is accurate with respect to the spinal cord injury center at the Bronx VA hospital and that, most shamefully and regrettably, these overcrowded, unsanitary, undermanned conditions do indeed exist for these maimed veterans on a day-to-day basis. Moreover, the lack of adequate numbers of staff characterizes these VA units throughout the country.

In order for the Subcommittee members themselves to judge the Veterans Administration denunciation of the LIFE article and its accusations about the integrity of the photographs, I have asked an individual who was present when the photographs were taken to be available this morning to answer any questions the Subcommittee might have about the circumstances under which the photographs were taken and the conditions that exist and have existed for a number of years in the Bronx VA hospital. I now ask that Donald Broderick, Executive Director of the Eastern Paralyzed Veterans Association, come forward. Mr. Broderick has been a paraplegic for fourteen years; he himself was rehabilitated at the Bronx VA hospital, and has been intimately familiar with its workings in his present capacity over the past two years. Mr. Broderick has advised me that he would welcome any questions you have regarding the article or hospital conditions for the spinal cord injured veteran.

Now I would like to return to the plight of our spinal cord injured and what I recommend be done to alleviate it. The ratio in the VA spinal cord injury units at present is approximately 1.02 staff to service each spinal cord injury bed. In striking and stark comparison, I have been advised by Dr. Howard Rusk, world famous director of the Institute of Rehabilitation Medicine in New York City, that the exactly comparable ratio at his institution is 2.17:1—a ratio more than twice as high. Nothing more graphically explains the problems at the Bronx VA spinal cord injury center. And no set of statistics more accurately illustrates to me why, when I visited the physical therapy facilities at Dr. Rusk's institution, I found a whirlwind of activity with at least fifteen patients attended by what seemed like twice as many staff actively engaged in the arduous and painful process of physical and spiritual rehabilitation. Whereas at VA spinal cord injury centers—many equipped with physical rehabilitation equipment every bit as good as that at the New York Institute—I have found at one time only a few patients actively engaged in therapy while others waited in a prone line for their turn and others no longer had the incentive to come and wait.

This is because the intensive and highly personal therapy needed to overcome the terrible disabilities which afflict these veterans is really a matter of two hands and a heart, rather than particularly sophisticated equipment. Therefore, I propose that by the end of fiscal 1971 we provide the Veterans Administration with sufficient funds for salaries—about $6 million in the first year—and provision of on-the-job training—about $4 million—to double the spinal cord injury staffing ratio and provide care comparable to that available at a facility like the Institute of Rehabilitation Medicine.

In making this SCI proposal, I wish to stress that it will be necessary for the VA to train the individuals to fill the approximately 1145 new positions, for these are scarce skills. Dr. Rusk has impressed upon me that it would be a grave misfortune if we were to drain off urgently needed rehabilitation personnel from the other relatively few physical medicine and rehabilitation facilities in this country. Rather, I propose that the VA enter upon a systematic program of training and education of the new personnel, the vast majority of whom fall in paramedical or paraprofessional categories, to deliver this priority treatment.

I am also recommending the addition of approximately $5.8 million to eliminate a dental examination and treatment backlog (44,700 examinations and 8,600 treatments) that will plague the VA by the close of the present fiscal year, as well as to provide 25,000 additional examinations and 20,000 additional treatments not estimated when the FY '71 budget was proposed. These examinations and treatments will be able to be carried out only through fee arrangements at the cost of approximately $232.43 per treatment and $29.88 per examination (in light of the VA's own dental staff being fully occupied in processing an unprecedented influx of dental applications from returning Vietnam veterans). I find it totally unacceptable that such veterans are forced to wait many, many months—some as much as six or more—from the time of application to the time they actually receive the dental care they require.

Although I have focused primarily upon increasing demands being made upon the VA hospital and medical care system by our disabled Vietnam veterans, we must not overlook the equally justifiable needs of our veterans of prior wars. And we must not permit our great concern over the large influx of Vietnam veterans into VA facilities to cause us to forget that the same inadequate conditions afflict all veterans—regardless of the war they fought. Of particular concern is the growing need for long-term care facilities for aging and infirm veterans not requiring intensive hospital care. Although the

FY 1971 budget contains funds to expand the VA's own nursing home system by about 1,000 beds, I believe that this continues to place too great a reliance on already pressed community nursing homes in the private sector, over which the VA does not exercise direct quality control. Since it is clear that there are a number of locations at which VA hospital beds are not presently in use and do not appear likely to be used in the future, given improved VA turnover rates, I propose an additional $6 million to provide for conversion of 1,000 such beds to nursing care use.

EDUCATION AND TRAINING OF HEALTH PERSONNEL

Presently within the medical care item the VA budget includes about $100 million for education and training of health personnel in VA hospitals and clinics. The VA system is the greatest single health personnel trainer in this country, and it has enormous potential for growth at a time when it is confronted by a large internal staffing shortfall, as well as by a great shortage of health personnel in the country generally. I thus propose the addition of approximately $19 million to provide for the training of approximately 1,274 more allied health professionals in over 20 specialties, 60 intensive care specialists and 210 physician's assistants, as well as for the training of the urgently needed approximately 1,150 spinal cord injury personnel I described earlier.

There are two very significant points I wish to make about the great importance of the health personnel education and training program in the VA. First, if the VA is ever to improve substantially its staffing ratios, it must do so with paramedical and paraprofessional personnel. There are not available in the general community enough physicians and registered nurses to meet the VA's, let alone the country's need for these professionals. Thus, I believe that it is an urgent priority for the VA to continue large education and training programs for the direct benefit of its veteran patients.

In addition, a vibrant, innovative and progressive education and training program is, along with major research efforts, an indispensable element in maintaining high quality professional staff with good morale and providing high quality patient care. Thus, the affiliation of over half of the VA's hospitals with 78 of the most outstanding medical schools in this country is the single most responsible factor for having sustained a reasonable quality of professional care in VA hospitals to date.

In order to ensure that education and training of health personnel assumes the importance I have just outlined in the VA budget picture, I strongly recommend to the subcommittee that (1) a separate item entitled, "Education and Training of Health Personnel" be established in the appropriation bill; (2) approximatey $118,909,000 be earmarked in this item to include the cost of trainee stipends, instructor salaries, necessary physical renovations, supplies, equipment, and miscellaneous expenses; and (3) along with creation of this appropriation item, the medical care item be decreased by approximately $66.5 million (including devotion to full-time patient care of those professionals now diverting some of their patient care attention to teaching activities). Establishment of this new appropriation item should serve to prevent the diversion of money appropriated for education purposes to providing patient care, an altogether understandable but, as I have tried to indicate, shortsighted practice to counteract inadequate provision of funds for patient care.

MEDICAL AND PROSTHETIC RESEARCH

I have two basic recommendations with respect to the medical and prosthetic research item presently earmarked at $59,200,000, a three percent increase over the fiscal year 1970 level. First, as I have indicated, an active large medical research program is absolutely indispensable to attracting and retaining high caliber personnel in the VA system. There are just no two ways about that fact. And the VA research program has been a most worthy one, making numerous major contributions to medical science. However, because it has operated at a funding level over the past several years permitting only a continuation of ongoing research and no significant new projects, the outstanding results it has achieved have not been translated into direct improvements in patient care. In order to provide for this process of direct application of research learning, I propose, first, that the title of this item in the appropriation bill be amended to add at the end "and development" and that $17 million be added largely to fund such developmental activities and other projects indicated in Appendix I aimed at providing greater relationship between research and improvement of patient care in VA hospitals. The addition of this $17 million merely provides the level of funding estimated to be necessary by the VA's own Department of Medicine and Surgery last year.

CONSTRUCTION OF HOSPITAL AND DOMICILIARY FACILITIES

Having been badly restricted in hospital construction by an over-all freeze on federal construction projects in FY 1970, the VA plans a major construction effort in FY 1971 with the appropriation of $10 million less than was appropriated last fiscal year and use of an equal amount of carryover funds. However, in several areas, I do not believe that adequate priority has been provided for urgently needed projects.

First, I was greatly shocked to learn in our hearings that there are 43 VA hospitals—in some of the hottest areas of our country—which, although qualifying for air conditioning, are not air conditioned and for which no air conditioning design funds are being requested in FY 1971. I think it is totally unacceptable for veterans in Amarillo and Kerrville, Texas; Wichita, Kansas; Bay Pines, Florida; Fayetteville, Arkansas; Gulfport, Mississippi, and numerous other similarly hot climates, to swelter in un-airconditioned facilities. I thus propose an addition of approximately $6.2 million in this appropriation item to prepare designs for air-conditioning of these 43 hospitals and an additional $540,000 for the necessary personnel to execute these designs (to be added to the Medical administration and miscellaneous operating expenses appropriation item).

Also regarding the construction item, in light of the disclosures in our hearings as well as in the recent LIFE article, of intolerable and wholly inadequate physical conditions for providing up-to-date hospital care, I recommend that a Congressional priority be established for creating design plans for constructing replacement hospitals at Bronx, New York and Wadsworth, Los Angeles VA Center. I also propose that funds be added for modernization of the Brentwood Hospital at that center. That neuro-psychiatric hospital is confronted with a continuation of being able to provide care only through drugs unless major improvements are made in its physical plant in order to alter this problem and attract qualified psychiatrists and psychiatric personnel to work at that center. For these three projects, I recommend an addition of $13 million.

Finally, with respect to the overall VA hospital and medical care situation, I wish to stress that the deteriorating conditions that I have outlined are not the rule at every VA hospital. In some VA hospitals a high quality of care is being offered. In all VA hospitals a most dedicated and highly skilled staff is doing its best, although too often under medieval working conditions. And they deserve the praise and recognition of all Americans.

At the same time, however, the conditions which have recently been publicized with respect to VA hospitals are by no means isolated instances. In our investigation and in the investigation carried out by the House Committee on Veterans Affairs numerous examples of similarly deteriorating situations at hospitals around the country were presented, and I will provide chapter and verse in this regard if the subcommittee wishes. Moreover, the deficiencies in the VA hospital system have been fully corroborated before our subcommittee by some of the most eminent medical school professors in the country as well as representatives of the various veterans organizations. Representative excerpts from their testimony are set forth in Appendix III.

One major caveat with respect to all the medical program recommendations I have made: neither the present FY 1971 medical and hospital program appropriation, nor the recommendations that I have made for increased staffing, take into account the recent six percent pay increase. That will cost the VA an estimated $60 million in medical personnel alone. It is vitally important that the VA not be required to absorb any of this pay raise in the funds ultimately appropriated to it in this bill. I urge the subcommittee to include in its report strong language indicating the clear expectation that supplemental funding will be sought in the next Congress to cover the pay increase and that the VA will receive a deficiency spending authorization in its initial quarterly allotment from the Bureau of the Budget.

GENERAL OPERATING EXPENSES

The final recommendation that I wish to make is the addition of some $15 million to the general operating expenses item. This is first, to provide for implementation of the new outreach services program established in the recently enacted Public Law 91–219 (implementing the VA estimate over two years). And second, it is to provide approximately 200 more Department of Veterans Benefits field personnel to assist in coping with the expected more than 33 percent increase in veterans' benefit applications over the level experienced in 1968 while processing personnel levels have increased only insignificantly since then and to eliminate repetition of the uneconomic and counter productive DVB policy of regularly authorizing overtime—more than $3 million in FY 1970.

I would be glad to answer any questions which the subcommittee might have about my testimony and our investigation of the VA hospital and medical care system.

APPENDIX I

ADDITIONAL FUNDS FOR AND OTHER AMENDMENTS TO VA 1971 APPROPRIATION IN H.R. 17548, INDEPENDENT OFFICES APPROPRIATIONS BILL, 1970, RECOMMENDED BY SENATOR ALAN CRANSTON, MAY 27, 1970

A. MEDICAL CARE ITEM

1. Funds for 5000 additional general medical care personnel to bring overall hospital staff ratio up to 1.7:1 (administration added funds for 3600 positions and House committee/Teague amendment added funds for 1000 more, equalling 4600; cumulative personnel increases sought by VA in FY 68 (3389), FY 69 (3376), and FY 70 (3586) total 10,351 less 866 added in FY 70 yield a deficiency of 9485; leaving about 5000 more funded positions needed @ approximately $10,300 per position), $51,500,000.

2. Funds for salaries to double present spinal cord injury staffing ratios by end of FY '71 (see item A.5.d. for training funding for these new personnel) (present VA SCI staffing level is 1.02:1 bed; whereas ratio (excluding research and teaching personnel) at Institute of Physical Medicine Rehabilitation (NYU) is 2.17:1; total salary costs for

present SCI 1145 FTE positions is $11,271,000 for FY '70; approximately one half of this—increased to $12,000,000 to cover 6 percent pay raise—is needed for salaries to reach 2:1 ratio), $6,000,000.

3. Funds to eliminate equipment and maintenance and repair backlogs ($49,000,000 backlog reported to House Veterans Affairs Committee by Administrator of Veterans Affairs on April 14; $5,000,000 added in FY 70 supplemental and assuming $12,000,000 in $50 million requested by President and granted by House and $10 million in House committee/Teague amendment were for this purpose, there now is $27 million provided for this purpose; this leaves $22 million needed for equipment; in addition, HVAC questionnaire to Hospital Directors showed in 1970 deferred maintenance and repair needs totalling $24,600,000 which are as yet unfunded), $46,600,000.

4. Funds for dental care to eliminate June 30, 1970, case backlog and meet revised FY 71 caseload projection based on recent FY 70 experience (end FY 1970 case backlog estimated at 44,700 examinations and 8600 treatments and for FY 1971 25,000 more examinations and 20,000 more treatments than originally projected; each fee examination costs $29.88 and each fee treatment costs $232.43, requiring $8,722,000; House Committee/Teague amendment restored $3 million for this purpose, leaving $5,722,000 still needed), $5,722,000.

5. Education and Training: (a) Physician's Assistant (210 students, 84 instructors, supplies and non-recurring costs), $4,830,000; (b) Allied Health Training (1274 trainees, 189 instructors, supplies and other costs, in over 20 specialties), $9,293,000; (c) Pilot Program to Train Health Specialists in Intensive Care (60 trainees, 24 instructors, equipment, space renovation, miscellaneous), $1,000,000; (d) Training of Spinal Cord Injury Personnel to double ratio at SCI centers (1145 trainees, 200 instructors, space renovation, supplies, miscellaneous), $4,000,000; subtotal, $19,123,000.

6. Activation of 1000 additional nursing care beds (through conversion of unused present hospital beds; FY '71 includes increase of such 1155 beds), $5,915,000.

Total, $134,860,000.

B. MEDICAL AND PROSTHETHIC RESEARCH ITEM

1. Amend title to add "and Development" (Present level of $59,200,000—a 3 percent increase over FY 1970—representing an actual cutback in research given 10 percent inflation costs in research; provides for no new appreciable research projects—"development" function is to translate research results directly to improvement of patient care).

2. Add 20% for development generally (Radioisotope; atomic medicine; pulmonary function labs; electron microscopy; automated laboratory procedures, and 65 medical and 6 paramedical additional patient care/research and education traineeships now approved but unfunded ($2,266,706)), $12,000,000.

3. Fund demonstration project for regionalization in Los Angeles, Southern Central California, area (Small construction projects, communications and travel to combine services of 5 hospitals and one domiciliary facility), $1,000,000.

4. New project to research and develop method of transferring total community-based mental health concept (including attitudinal therapy program) to VA general and NP hospitals to lead to more individualized, sympathetic and compassionate care (VA NP Hospital, Tuscaloosa, Alabama), $500,000.

5. Health facilities and services delivery R&D (Strongly recommended by former Ass't. Sec'y. for Health and Scientific Afrs.—presently Chancellor of San Francisco Medical Center—Dr. Philip Lee), $3,500,000.

Total (Brings research budget to $76,000,000 figure sought originally to DM&S within VA), $17,000,000.

C. MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES ITEM

1. Restore amount originally sought by DM&S and cut within VA (In order to carry out other recommended expanded medical programs), $2,487,000.

2. Fund twenty-seven more personnel positions (architect/engineers) to carry out 37 of the designs in D.1 at $20,000 per slot—only six additional designs can be made by present staff), $540,000.

Total, $3,027,000.

D. CONSTRUCTION OF HOSPITAL AND DOMICILIARY FACILITIES ITEM

1. Expedite design for air-conditioning of 43 VA hospitals qualifying for airconditioning but unairconditioned and without designs (Listed in Appendix II; at $140,000 per design), $6,020,000.

2. Modernization of Brentwood NP Hospital, $5,000,000.

3. Design plan for replacement hospital at Bronx, New York (8% of estimated costs), $4,000,000.

4. Design plan for replacement hospital at Wadsworth, L.A. VA Center, California (8% of estimated cost), $4,000,000.

Total, $19,020,000.

E. GENERAL OPERATING EXPENSES ITEM

1. Add to implement new "Outreach Services Program" of Public Law 91–219 (VA estimate in comment on proposed bill was $25,078,252; 2 years allowed for implementation), $12,539,000.

2. Add funds for 200 more DVB field staff to process benefit applications (to eliminate continual overtime costs which for FY 1970 are estimated to be—$3,150,000; cost of 200 staff full-time is about 30 percent cheaper than overtime cost for same services and about three new positions per field office, $2,226,000.

3. Add funds for 75 more clerical personnel to process dental care additional authorizations (see item A.4: $6.600 per position—average of 1½ persons needed at busiest 50 stations), $500,000.

Total, $15,265,000.

F. NEW EDUCATION AND TRAINING ITEM

1. Establish separate appropriation bill item for education and training of health personnel ($99,786,000 included in initial FY '71 budget for E&T plus $19,123,000 proposed to be added in item A.1; total to be earmarked is $118,909,000 including adequate funds for instructors).

2. Decrease total medical care item accordingly (by $66,447,000; less than total of initial E&T earmarking to preserve medical care staff who was devoting some time to teaching).

Grand total, $189,172,000.

APPENDIX II

PROPOSED INCRESAES TO ELIMINATE EQUIPMENT REPLACEMENT BACKLOG (ITEM A.3, APPENDIX I)

The Veterans Administration's approximately $49 million equipment replacement backlog which will exist at the beginning of FY 1971 includes equipment which, having lived its usual life according to established tables of amortization, will become eligible for possible replacement during the FY 1971.

According to studies made in the past to determine the distribution of the nearly $400,000,000 investment in personal property, approximately 45% of this backlog, or $22 million, consists of therapeutic and diagnostic equipment, such as:

Beds and other ward and clinical furniture and equipment, $8.8 million.

X-ray equipment, $6.3 million.

Blood and body chemistry analyses and other automated laboratory equipment, $3.2 million.

Equipment required in surgery, $3.3 million.

Dental diagnostic and treatment equipment, $0.7 million.

Studies indicate that approximately 55% of this backlog, or about $27 million, consists of general hospital equipment, some major categories of which are:

Furniture for patient day recreation & waiting rooms, solaria, visitor areas, libraries, quarters & offices, $5.3 million.

Machinery & equipment—therapy, laundry, cleaning, food conveyors, frozen food cabinets, dishwashers, etc., $4.6 million.

Ovens, ranges, stoves, bake shop and kitchen equipment, $3.6 million.

Office machines and equipment, $5.3 million.

Proposed pilot program to train health specialists in intensive care (Item A. 5c, Appendix I)

	Costs
Instructional Staff:	
5 physicians	$144,715
12 nurses	177,812
4 technical	43,663
3 administrative support	23,791
Subtotal	389,981
Trainee Stipends: 60 Trainees	406,769
Equipment	62,000
Space Renovation	86,250
Miscellaneous: (contractual services, etc.)	55,000
Grand total	1,000,000

PROPOSED PHYSICIAN'S ASSISTANT PROGRAM EXPANSION (ITEM A.5.a., APPENDIX I)

For an additional $4.8 million, 42 physician's assistant programs can be effectively mounted, as follows:

Radiologist's assistant	4
Physician's assistant (general)	11
Surgical assistant	10
Orthopedic assistant	5
Pathologist's assistant	9
Urologist's assistant	3
Total	42

The estimated costs would be:

5 students per program times 42 equals 210 students at $6,000	$1,260,000
2 instructors per program times 42 equals 84 instructors at $15,000	1,260,000
Supplies: $1,000 per student times 210 students	210,000
Nonrecurring costs, equipment and space $50,000 per program times 42	2,100,000
Total	4,830,000

Program sites would be as follows:

1. Radiologist's assistant (4): San Francisco, California; Indianapolis, Indiana; Wood, Wisconsin; Louisville, Kentucky.

2. Physician's ass't (gen'l) (11): Durham, North Carolina; Birmingham, Alabama; Dallas Texas; Houston, Texas; Buffalo, New York; Iowa City, Iowa; Nashville, Tennessee, Oklahoma City, Oklahoma; Minneapolis, Minnesota; San Francisco, California; Seattle, Washington.

3. Surgical assistant (10): Birmingham, Alabama; Durham, North Carolina; Richmond, Virginia; Denver, Colorado; Seattle, Washington; Chicago West Side, Illinois; Iowa City, Iowa; Houston, Texas; Miami, Florida; Nashville, Tennessee.

4. Orthopedic assistant (5): Seattle, Washington; San Francisco, California; Iowa City, Iowa; Birmingham, Alabama; Chicago Research, Illinois.

5. Pathologist's assistant (9): Durham, North Carolina; Kansas City, Kansas; Cleveland, Ohio; West Haven, Connecticut; Madison, Wisconsin; Birmingham, Alabama; Houston, Texas; Chicago West Side, Illinois; Salt Lake City, Utah.

6. Urologist's assistant (3): Minneapolis, Minnesota; Memphis, Tennessee; Undesignated.

APPENDIX II.—DETAILS OF PROPOSED TRAINING OF ALLIED HEALTH AND SPECIALIZED MEDICAL SERVICE PERSONNEL (ITEMS A.5 AND E.1 OF APPENDIX I)

Field	Additional funds required for						
	Trainees		Instructors		Space modification	Other costs	Total
	Number	Cost	Number	Cost			
Alcoholism counseling	20	$120,000	6	$75,000		$18,000	$213,000
Blind specialist	10	60,000					60,000
Dental training	150	405,000	15	182,000	$225,000	330,000	1,142,500
Electroencephalograph technician	20	54,000	2	20,000		10,000	84,000
Histopathology technician	10	27,000					27,000
Inhalation therapy	20	66,000	5	67,000		10,000	143,000
Medical technology	90	216,000	23	266,000	100,000	100,000	682,000
Nuclear medicine technician	10	37,000				10,000	47,000
Nurse anesthetist	50	180,000	16	210,000		50,000	440,000
Pharmacist's assistant	45	153,000	4	44,000		15,000	212,000
Pharmacy interns and residents	80	600,000	16	319,500			919,500
Psychology	150	900,000	15	304,000		8,000	1,212,000
Radiologic technician	80	160,000	22	242,000	57,000	100,000	559,000
Social work	150	480,000	11	184,000	5,000	31,000	700,000
Basic nurse	(a)	(a)	46	673,000	5,000	30,000	708,000
Registered nurse	50	330,000					330,000
Practical nurse	50	326,000					326,000
Nursing intern	6	36,000					36,000
Nursing resident	6	37,000					37,000
Biomedical instrumentation technician	25	75,000	8	120,000		55,000	250,000
Certified laboratory assistant	40	60,000					60,000
Audiologist and speech pathologist	80	360,000					
Dietetic intern	15	90,000					
Occupational therapy	50	155,000					
Rehabilitation technology	67	500,000					
Total	1,274	5,427,000	189	2,707,000	392,000	676,000	9,293,000

(a) Basic nursing students are not paid stipends.

The non-trainee costs do not pertain only to the increased numbers of trainees. They are applicable also to the increased need for instructors, etc., for trainees already in the system in order to improve quality of training.

The funds indicated above will be used in all states other than Alsaka and Hawaii. This is because there is training going on in all VA hospitals, and the wide variety of indicated training makes it a certainty that some funds will be distributed to VA hospitals in all States.

RATIONALE FOR ADDITION OF "DEVELOPMENT" TO RESEARCH ITEM

(Item B.1 and 2, Appendix I)

Two closely related issues are important to current efforts to improve the quality of health services in this country. The first is concerned with the timely translation of facts of scientific discovery into terms which can be effectively utilized by doctors in the day-to-day practice of medicine. The second is concerned with refining and coordinating methods, instruments, drugs, physical plants and human resources for the delivery of health services.

Accomplishing these goals is, in part, an educational function. In equal or larger part, however, it is a *developmental* function which bridges the gap separating the practitioner of medicine from the bio-medical researcher. This gap has long been recognized by industries of every type. Hence, research budgets, both public and private, are almost invariably coupled with funds for development. The well-established practice of Research and Development (R&D) funding provides a practical mechanism for the conversion of scientific knowledge to medical utility. In the industrial, physical, pharmaceutical, engineering and other sciences, developmental costs usually run at least 4 to 5 times the cost of basic research.

The failure to provide developmental funds in the health services industry has been a serious deterrent to progress in medicine. Many excellent examples can be drawn from experiences within the medical programs of the Veterans Administration.

Some years ago, VA research was instrumental in the discovery of basic facts, methods and instruments for the use of radioisotopes in the diagnosis and treatment of human illness. In succeeding years there was an inordinate lag in the practical application of these modalities. They were no longer topics of research, but neither were they truly ready to be put into the hands of practicing physicians.

The discoveries of pulmonary physiology have likewise necessitated the same prolonged transition. Basic facts from the research laboratory were too long in arriving at the bedside of patients with chronic diseases of the lung.

Work which is not clearly research cannot successfully compete for scarce dollars which are limited to research objectives. Developmental work, on the other hand, is highly suspect when it appeals for funds clearly intended for the immediate care of patients.

At a time when we urgently need to improve health care delivery, the vital developmental function is forced either to borrow from research funds, beg from patient care funds, or, as too often happens, remain unfunded. In the first two instances, the development work competes at a disadvantage and even under the shadow of intellectual dishonesty.

The recognition of development as an integral part of the VA research mission would permit the agency more quickly to advance such vital programs as computerization of clinical laboratories, introduction of new methods for behavior modification of psychiatric and senile patients, preparation of instructional and evaluative methods for hospital employees to assure the re-humanization of health care, automation and improved coordination of patient records, and production of model programs for health service delivery in many categories.

PROPOSED HEALTH FACILITIES AND SERVICES RESEARCH AND DEVELOPMENT

(Item B.5, Appendix I)

A new component in health care, called Health Services Research and Development has emerged with more than 300 staff people devoted to health services research. The VA has been in the vanguard of this new activity leading to the identification of criteria by which alternative courses of action may be defined for the best delivery of health care. The VA is in a unique position to undertake further major research in this field.

An area of great potential for improving patient care is research related to patient treatment. The use of the computer in physiological monitoring in intensive care units and the transmission, using telephone lines, of ECG data to a central point for interpretation are two VA projects in this general area. These projects represent only the barest beginning.

Though progress has been made in developing a patient treatment information system, research is needed to investigate and develop the automation of patient history and physical examination procedures.

An important task would be the development of one or more centers in which the interests, competencies and resources for good health services research are clustered.

The VA could play a major role in architectural design of hospitals and other facilities for optimum delivery of health care. A major emphasis of patient care research should be placed on biomedical engineering in the broadest sense to include integration of systems, structure, electronics, and computer applications.

PROPOSED INDEPENDENT APPROPRIATION FOR EDUCATION & TRAINING

(Item F.1 and 2, Appendix I)

The table on pages 1–9 of the FY 1971 Congressional Submission may be used for reference:

The appropriation for FY 1971 should be as indicated.

The amounts, totalling $6,126,000, under the heading "Medical Administration and Miscellaneous Operating Expenses" should be subtracted, without replacement, from the appropriation of that title.

The $60,321,000 for trainee stipends should be subtracted without replacement from "Medical Care." All trainees do not receive stipends. In future years, consideration may be directed to increasing the number of stipended trainees as this may be demonstrated as of value in increasing the total number of trainees.

The $27,335,000 for instructors should be included, but should not be taken out of "Medical Care". This would permit recruitment of instructors directly, and would permit reimbursement to "Medical Care" for such educational services as are provided.

The items for administrative support and other costs should be included in this appropriation and should not be taken out of "Medical Care".

UNAIRCONDITIONED VA HOSPITALS QUALIFYING FOR AIRCONDITIONING AND FOR WHICH NO DESIGN FUNDS ARE REQUESTED IN FY 1971

(Item D.1, Appendix I)

Albuquerque, N.M.; Amarillo, Tex.; Aspinwall, Pa.; Bay Pines, Fla.; Bonham, Tex.; Brecksville, O.; Castle Point, N.Y.; Chillicothe, O.; Coatesville, Pa.; Columbia, S.C.

Dayton, O., Newingtin, Conn.; N. Little Rock, Ark.; Perry Point, Md.; Poplar Bluff, Mo.; Downey, Ill.; E. Orange, N.J.; Fayetteville, Ark.; Fayetteville, N.C.; Fort Howard, Md.

Fort Lyon, Colo.; Fort Thomas, Ky.; Grand Island, Neb.; Grand Junction, Colo.; Gulfport, Miss.; Huntington, W. Va.; Salem Va.; Salisbury, N.C.; San Fernando, Cal.; Indianapolis, Ind. (CRS).

Kerrville, Tex.; Knoxville, Tenn.; Lebanon, Pa.; Lincoln, Neb.; Lyons, N.J.; Marion, Ind.; Martinsburg, W. Va.; Montrose, N.Y.; Mountain Home, Tenn.; Murfreesboro, Tenn.; Temple, Tex.; Tuscaloosa, Ala.; Wichita, Kan.

Appendix III

Excerpts of Testimony From Veterans Affairs Subcommittee Oversight Hearings (Nov. 21 to April 28)

Dr. Hugh Luckey, President of the New York Hospital-Cornell Medical Center: "Are we doing all we know how to do for our veterans? The answer is definitely no. Within the limitation of funds, personnel and physical resources, the Department of Medicine and Surgery is doing a fine job. However, we would be deceiving ourselves if we did not admit that we could do better. . . . Do we have reason to be apprehensive about the future of health care in the VA? I would say the answer must be a resounding yes.

"The VA is subject to the same pressures as exist in other areas of our health care system. Salaries of VA full-time professional personnel are not competitive. . . . Many VA facilities are becoming obsolete. Funds to support research are so limited as to restrict this important attraction of high-quality personnel. . . ."

Dr. Russel V. A. Lee, Founder and Consultant, Palo Alto Medical Clinic, and Clinical Professor of Medicine Emeritus, Stanford University: "The veterans hospitals have done a remarkably good job in rehabilitation in many of the hospitals. Some of them are really outstanding, but they are not prepared, without some extra help, for the new burden they are going to have of getting these people back to duty. That means not only physical rehabilitation of the people to their wounds, but vocational rehabilitation so that they will be fitted for some sort of useful life into the future."

Dr. Thomas A. Gonda, Professor of Psychiatry, Associate Dean, Stanford University Medical School, and Director of the Stanford University Hospital: "I won't belabor the point as far as quality is concerned Insofar as quantity is concerned, I have seen a gradual drift of personnel downward, and now we have an overall ratio of 1.2, or 1.25 personnel per patient in our Veterans' Administration hospital, which is a full teaching hospital; and this compares to a 3-to-1 staffing ratio at the university hospital.

"I think the answer lies somewhere in between for the most optimal veteran's care. Certainly hospitalized veterans deserve more than they are getting.

"[The X-ray facilities are] obsolete, in the worst sense of the word. Broken down in a very, very true sense. The equipment there has to be constantly repaired. . . . the hospital itself has been trying to do something about [it] for some time, and has run into snags, fiscal snags."

Dr. Norman Q. Brill, Professor of psychiatry, UCLA School of Medicine, Consultant in Psychiatry to VA Hospital, Brentwood: "Over the years, I have personally referred many young psychiatrists to the Brentwood Hospital when they have come here looking for jobs, but in almost every instance, they lost interest when told how many patients they would have to treat and that this heavy inpatient load precluded their having time for research. There were many who, if inclined to take a job in the VA expressed a preference for the Long Beach VA Hospital or a county hospital where the doctor-patient ratio on the psychiatric service is closer to 1 to 25.

"The acting hospital medical director is occupying three positions because he can't take any of his very few doctors off of their present assignment to patient care to give him some help; consequently, for almost 1 year, he has functioned as director, assistant director, and chief of professional education of the Brentwood VA Hospital."

Dr. Philip R. A. May, Professor of Psychiatry, UCLA School of Medicine, Consultant in psychiatry to VA Hospital, Brentwood: "As Doctor Brill told you, 20 years ago, Brentwood was the leading psychiatric center in southern California and at this time, the physical facilities are obsolete, the morale is low, treatment programs are handicapped by not being able to treat patients in the way they ought to be able to, as I see it. The overcrowding has been diminished and used to be appalling. I would say now it's only bad. . . . to take two simple examples, that there are just not enough toilets, not enough washbasins—the ones that they have lack privacy—the showers: two people take a shower at the same time in the same shower stall. This is not the kind of thing which I would expect in a modern psychiatric facility."

". . . I think in terms of the physical facilities, that Brentwood—for which I speak in particular—I think they are considerably below the level that there is now at many State hospitals. That at many State hospitals, each patient has far more space than they have in Brentwood Hospital at the present time; they have research programs; in terms of treatment, they have the ability and the permission and the authorization to follow patients out into the community and do just the kind of care that I was describing to you."

Dr. Beverly Oliphant, Intern, VA Hospital, Washington, D.C., and Dr. Joseph Backer, First-Year Resident in medicine, VA Hospital, Washington, D.C.: "Some of the medical students from the three university hospitals who rotate through the Veterans Administration hospital as part of their training have described their rotation as 'one of the most frustrating experiences during medical school,' due primarily to 'almost complete inadequacy of ancillary personnel' and 'grossly inadequate care which is the rule at this institution'."

"I would say the care is poor, and the patient, again, in certain aspects, has good care, as far as the doctors who are present to take care of the patients. But as far as the ancillary personnel, the nursing and the laboratory and X-ray, in all these respects, I feel that the care is very much lacking.

"I am very sorry to sit here and say it, but I find that much of the eagerness that I had when I went to the VA last July as a fresh, young intern, recently graduated from medical school, much of that compassion now has just changed into an apathetic feeling that really disgusts me."

Dr. Stewart Wolf, Regents Professor of Medicine at the University of Oklahoma School of Medicine and Head of Neurosciences of the Oklahoma Medical Research Foundation: "I should like to emphasize . . . the danger of deterioration of what has been a vital force in modern medicine in this country . . . . The current national priorities, as reflected in the personnel ceiling policy and budget cuts imposed on the VA threaten the quality of the veterans medical facilities at a time when they are about to be challenged by a great wave of discharged and handicapped GI's who were drafted to fight on the battlefield without glory. . . .

"In the recent past the VA has been able to attract the highest quality of professional staff. Today, however, there is a concern among potential recruits, in part because of the financial strictures, in part due to the vulnerability of the top administration to the winds of political change, but mainly as a consequence of a subtler problem, namely the feeling that the halcyon days are over. Thus, there is a real danger that the administration and the Congress are about to see veterans' hospitals revert to the mediocre status of the 20's and 30's, where tired physicians and political job holders provided the care for the defenders of our country."

Dr. Louis Jolyon West, Chairman of the Department of Psychiatry and Medical Director, Neuropsychiatric Institute, University of California at Los Angeles: "An unhappy example of this regrettable situation can be seen at the Brentwood hospital of the Los Angeles VA Center. Despite the staff's best efforts, Brentwood simply has lacked the resources to keep up with progress being made in state and private hospitals throughout California.

"The residency training program in psychiatry at Brentwood was the leading program in Southern California after the Second World War. However, since the middle '50's, there has been a steady and progressive relative loss of ground. Typically, as the educational program declined, patient care followed. Morale is low, training is stagnant, treatment facilities and treatment programs are lagging behind modern standards. In many aspects they have fallen considerably below the quality of state and county facilities in California today.

"To be blunt, the Brentwood hospital program in 1969 is operating at a level that is mostly still at, or even below the level of 20–25 years ago. The rapid progress that has been made in psychiatry is not reflected there, and Vietnam veterans who are sent to Brentwood do not receive first-class care.

"The physical plant and facilities have not been properly improved. Air-conditioning, standard in all modern hospitals in the area has not been provided. While the previous overcrowding has diminished, certain patient areas are still too crowded, and sanitary facilities are inadequate by current standards. The furniture is mostly old and unattractive. Treatment and testing facilities are inadequate. Staffing levels, especially for physicians, are low. A number of positions lie vacant.

". . . But Brentwood is by no means the worst in the system, and I have personally visited veterans hospitals, especially those that are remote from the large population centers . . . where I believe [there are] situations even worse than Brentwood.

"In the absence of the facilities . . . which is hard work and takes very skillful personnel, it is easy enough today for whatever staff exists to fall back upon chemicals, and with chemicals we can make a person comfortable and keep him quiet so he doesn't cause a fuss and upset the routine of the hospital. . . . [He would be] a man with an invisible barrier between him and the rest of the world, a chemical cocoon."

Dr. Philip Lee, Chancellor of the University of California Medical Center in San Francisco, and former Assistant Secretary for Health and Scientific Affairs at HEW: ". . . I believe the budget cuts and restrictions on personnel have seriously affected the improvements in patient care that are needed in the veterans' hospitals and clinics. I believe that a minimum of $100 million is needed merely to convert the personnel deficit that has resulted from the ceilings imposed in the past several years.

"Second, funds are needed—about $100 million annually to build new hospitals and modernize existing hospitals and clinics in order that first-rate care can be provided. . . . Third, funds are needed to construct research and teaching space. . . . These are urgent needs. They will improve patient care as no other investment by the VA can. . . . Fifth, adequate funds need to be provided the VA for a major program of health facilities and health services research.

"Finally, Mr. Chairman, in answer to your basic questions, 'Are we doing all we can about this problem? Are we doing all we must?,' the answer is an emphatic no. The tragic fact is we are asking the veteran to pay in his health for the anti-inflationary policies that are followed by the administration. I think we are asking him to pay too high a price."

Dr. Baldwin G. Lamson, Director, UCLA Hospital and Clinics: "At UCLA we are currently operating under some pressure as a result of a heavily worked nursing staff, with a nursing pattern established at 5.5 hours per patient day. In contrast, at the Wadsworth Hospital on a general orthopedic nursing unit, the staffing pattern is currently at 2.7 hours per patient day, and on a medical unit 2.8 hours per patient day.

"The medical intensive care unit was built over one year ago but has never been activated for medical patients. The medical nursing service, which does not have a general purpose intensive care unit, is also unable to provide special duty nurses for critically ill patients. These are often 'specialed' by relatively inexperienced nurses aides. Nursing coverage on the night shift commonly provides only one registered nurse for sixty patients.

"At the present time it will take $600,000 to replace obsolete equipment and procure needed units to bring the Department of Radiology up to acceptable modern standards for patient care. . . . The X-ray therapy department is overloaded and must be expanded. . . . Equipment should be purchased to replace present 10-year-old obsolete machinery for the radiation therapy department at Wadsworth Hospital to remain accredited for the training of personnel which are so urgently needed, and in order to give the best service to veterans.

"The hospital is badly in need of a second special procedures room to be used for cardiac catheterization and angiographic studies, because of the current waiting list of approximately two months before these procedures can be performed.

"Shortages of personnel require, in order that the critical functions of the hospital may be staffed twenty-four hours a day seven days a week, that several categories of personnel agree to rotate work shifts and serve periods of duty on the evening and night shifts. . . . It is imperative that night, evening, and weekend shifts be staffed with people whose circumstances make these particular shifts attractive to them. . . . In a modern, attractive, well-maintained, equipped and staffed facility, it is possible to obtain voluntary personnel for the unpopular shifts. In a borderline facility this becomes impossible."

Mr. Sam Bottone, Project Director, California Nurses Association, and Miss Dorothy Fogarty, RN., Los Angeles VA Center: "Nurses at Wadsworth have told me that instead of being able to provide nursing care, they often feel as if they are offering only custodial care. The director of the VA Center, Los Angeles, which includes Wadsworth has described patient care at the Center as 'subminimal' and the staff morale as 'atrocious'. An important reason why the morale is so bad is because nurses feel that they frequently leave work at the end of a tour knowing that they were unable to provide minimal care to their patients.

"In the extended care unit of Wadsworth the nursing hours per patient day is about 1.1 hours. The minimum criteria used by the California State Department of Public Health's Bureau of Licensing and Certification is 2.5 hours. If this unit were not a federal facility, it would not be licensed to operate in California."

Drs. J. Gary Davidson and Bernhard A. Votteri, Wadsworth Hospital: "The facilities can be summarily described as filthy. Housekeeping deficiencies lead to the accumulation of dirt including feces, bacterial counts rise, and a definite infective risk results. The facilities available for preventing the spread of infection can best be described as medieval. . . . Filthy conditions such as exist at Wadsworth daily were never seen when I was in Vietnam at the station hospital Danang. . . . We must pause to consider how this affects the patient. We have had patients with fevers of 102° and up with pain relieved only by injections, who have literally dragged themselves home rather than tolerate the above conditions. Patients who are dying from malignancies already have cause for depression without having the crowded, filthy environment as a constant depressing influence upon them."

Francis W. Stover, Director of the National Legislative Service of the Veterans of Foreign Wars: "Is the VA providing the quality of care intended by the Congress and to which veterans are entitled? The VFW regretfully answers this question in the negative. . . . Every indicator shows that the VA is not getting the money, personnel, equipment, services, and all those other factors which add up to the finest quality medical care. In the personnel area, the VFW has advocated and strongly recommends that the costs of medical care for veterans be considered as a war cost. . . .

"More basic than this, however, is the need for construction, renovation, and modernization funds. Back in the 1950s President Eisenhower inaugurated a 12-year $900 million program to renovate and modernize the VA hospital system. President Kennedy reviewed the program and made it a 15-year $1.3 billion program. It has been estimated that at least $90 million a year is necessary to keep this program going forward, as contemplated. In recent years, however, the budget for this category has been sharply reduced. For the year 1970 after having some of the money restored, the total is about $55 million. Because this is a discretionary item, it has suffered the deepest cuts in the VA budget."

Peter L. Lassen, executive director of the paralyzed Veterans of America: "We charge VA with letting down—or giving up—on those very seriously disabled who need so much help in all phases of their recovery and rehabilitation. Appearing before another committee earlier this year, Dr. Engle, Chief Medical Director of the VA, admitted: 'We asknowledge that we have been remiss and have not done an optimum job of preparing patients psychologically and socially for adjustment outside the hospital, and in many instances we may have fostered dependency by prolonged hospitalization.' "

E. H. Golembieski, Director of the American Legion's National Rehabilitation Commission: "The American Legion is gravely concerned over the effects of repeated reductions in budget requests for the Department of Medicine and Surgery on its ability to deliver first-class health services to eligible veterans. . . . The Veterans Administration is being forced to operate what was designed to be a second-to-none medical care program for the nation's sick and disabled veterans with inadequate and arbitrary personnel limitations. . . . At a time when the veteran population is rapidly expanding by the separation of severely disabled veterans of the Vietnam fighting and the continuing routine release of large numbers of servicemen by the armed forces, the VA hospital system is being contracted by the denial of funds necessary to provide for satisfactory professional staffing, operating expenses, the modernization and construction of necessary medical facilities, and utilization of life-saving and life-prolonging facilities and equipment."

Raymond P. Neal, National Commander, Disabled American Veterans: "In our own state of California, DAV reports reveal there are new medical units, equipment, beds and wards lying idle because of lack of funds for staffing. . . . similar situations exist in the VA hospitals at San Francisco and Palo Alto. The additional patient load of Vietnam veterans is placing a strain on current resources required for treatment of other eligible veterans.

"The following is a cross-section of the DAV National Service Officers' reports: 'VA hospital, Nashville, Tenn.: An intensive care unit valued at $500,000 is completely idle. A new cardiac unit costing approximately $200,000 is also idle for lack of funds.

" 'VA hospital, Jackson, Miss. Two intensive care units now under construction are urgently needed, but will remain idle unless additional funds are provided for necessary staffing.' "

Mr. CRANSTON. Mr. President, my statement outlined in detail exactly where in my judgment, based on the subcommittee's investigation, additional funds were necessary in order for the VA to provide high quality hospital and medical care to our disabled veterans. And I attempted to pinpoint the major deficiencies which today plague very many of the 166 VA hospitals and have produced the deteriorating situation and the dangerously enlarging crisis that our subcommittee found had developed in that system over the last 5 years. This deteriorating situation is aggravated by the increasing influx into VA hospitals of wounded Vietnam veterans.

I believe that the $100 million added by the Appropriations Committee will go a long way toward stemming this tragic process, and will permit the VA to make significant improvements in the quality of medical care for our veterans.

Although the $100 million increase recommended by the Appropriations Committee—$80 million for the medical care item and $20 million for construction—would not provide for all the improvements I outlined in my May 27 testimony, I strongly endorse the committee action. I extend my thanks for their outstanding cooperation and courtesy to Chairman PASTORE and the ranking minority member of that subcommittee, the Senator from Colorado (Mr. ALLOTT), as well as the acting chairman and ranking minority member of the full Appropriations Committee, the Senator from Louisiana (Mr. ELLENDER) and the Senator from North Dakota (Mr. YOUNG). Their dedication to providing quality medical care to our disabled veterans is of long standing and is nowhere more clearly manifested than in their recommending so substantial an increase above the administration budget request for VA medical and hospital program—an increase of $125 million, including the $25 million won in the other body by my good friend and associate, OLIN E. TEAGUE, the chairman of the House Veterans' Affairs Committee.

The $100 million figure was reached after discussions between ourselves and our subcommittee staffs taking account of Veterans' Administration's comments on my recommendations.

Based on the categorization in my testimony, which was in turn based upon our oversight investigation, I have prepared an allocation of the $100 million to meet those needs of highest priority. I trust that in determining the final allocation of any additional appropriations the Veterans' Administration will give due consideration to these recommendations.

Mr. President, I ask unanimous consent that a table showing a proposed reallocation of the additional funds recommended by the Appropriations Committee in the medical area and construction items among the categories recommended in my earlier testimony be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

REVISED RECOMMENDATIONS FOR $100,000,000 V.A. FISCAL YEAR 1971 APPROPRIATION INCREASE BASED ON CRANSTON MAY 27 RECOMMENDATIONS TO SENATE INDEPENDENT OFFICES APPROPRIATIONS SUBCOMMITTEE

Item	Cranston original recommendation	Allocation based on committee amendment
A. MEDICAL CARE ITEM		
1. Funds for 5,000 additional general medical care personnel to bring overall hospital staff ratio up to 1.7:1 (administration added funds for 3,600 positions and House committee/Teague amendment added funds for 1,000 more, equalling 4,600; cumulative personnel increases sought by VA in fiscal year 1968 (3389), fiscal year 1969 (3,376) and fiscal year 1970 (3,586) total 10,351 less 866 added in fiscal year 1970 yield a deficiency of 9,485; leaving about 5,000 more funded positions needed at approximately $10,300 per position)	$51,500,000	$25,000,000
2. Funds for salaries to double present spinal cord injury staffing ratios by end of fiscal year 1971 (see item A.5.d. for training funding for these new personnel) (present VA SCI staffing level is 1.02:1 bed; whereas ratio) (excluding research and teaching personnel) at Institute of Physical Medicine Rehabilitation (NYU) is 2.17:1; total salary costs for present SCI 1145 FTE positions is 811,271,000 for fiscal year 1970; approximately one half of this—increased to $12,000,000 to cover 6 percent pay raise—is needed for salaries to reach 2:1 ratio)	6,000,000	3,000,000
3. Funds to eliminate equipment and maintenance and repair backlogs ($49,000,000 backlog reported to House Veterans Affairs Committee by Administrator of Veterans Affairs on Apr. 14; $5,000,000 added in fiscal year 1970 supplemental and assuming $12,000,000 in $50,000,000 requested by President and granted by House and $10,000,000 in House committee/Teague amendment were for this purpose, there now is $27,000,000 provided for this purpose; this leaves $22,000,000 needed for equipment; in addition, HVAC questionnaire to hospital directors showed in 1970 deferred maintenance and repair needs totalling $24,600,000 which are as yet unfunded)	46,600,000	40,000,000
4. Funds for dental care to eliminate June 30, 1970, case backlog and meet revised fiscal year 1971 caseload projection based on recent fiscal year 1970 experience (end fiscal year 1970 case backlog estimated at 44,700 examinations and 8,600 treatments and for fiscal year 1971 25,000 more examinations and 20,000 more treatments than originally projected; each fee examination costs $20.88 and each fee treatment costs $232.43, requiring $8,722,000; House committee/Teague amendment restored $3,000,000 for this purpose, leaving $5,722,000 still needed)	5,722,000	5,000,000
5. Education and training:		
(a) Physician's assistants (210 students, 84 instructors, supplies, and nonrecurring costs)	$4,830,000	$2,000,000
(b) Allied Health Training (1274 trainees, 189 instructors, supplies and other costs, in over 20 specialties)	9,293,000	2,000,000
(c) Pilot program to train health specialists in intensive care (60 trainees, 24 instructors, equipment, space renovation, miscellaneous)	1,000,000	1,000,000
(d) Training of spinal cord injury personnel to double ratio at SCI centers (1145 trainees, 200 instructors, space renovation, supplies, miscellaneous)	4,000,000	2,000,000
Subtotal	19,123,000	7,000,000
6. Activation of 1,000 additional nursing care beds (through conversion of unused present hospital beds; fiscal year 1971 includes increase of such 1,155 beds)	5,915,000	0
Total	134,860,000	80,000,000
CONSTRUCTION OF HOSPITAL AND DOMICILIARY FACILITIES ITEM		
1. Expedite design for air conditioning of 43 VA hospitals qualifying for air conditioning but unairconditioned and without designs (listed in app. II; at $140,000 per design)	6,000,000	6,000,000
2. Modernization of Brentwood NP Hospital	5,000,000	5,000,000
3. Design plan for replacement hospital at Bronx, New York (8 percent of estimated cost)	4,000,000	4,000,000
4. Design plan for replacement hospital at Wadsworth, L.A. VA Center, California (8 percent of estimated cost)	4,000,000	4,000,000
5. Unallocated		1,000,000
Total	19,020,000	20,000,000
Grand total	153,880,000	100,000,000

Mr. CRANSTON. Mr. President, I do not propose to detail at this time the situation we found in VA hospitals during the investigation or the specifics of the increased demand made on VA hospitals by returning severely wounded Vietnam veterans. Both of these matters are fully discussed in my May 27 testimony which I have incorporated by reference in this statement.

I do wish to stress, however, that the Vietnam war is the most crippling and seriously disabling war we have ever fought. Nearly 150,000 men have been wounded in the Indochina war seriously enough to require immediate hospitalization, and most of them at some point will seek VA hospital or outpatient care. Their demands for this care from the VA are increasing daily and will continue to increase in the next several years.

The work that we have begun today in adding this $100 million will help meet that demand in the coming fiscal year. But we must insure that the VA hospital and medical system continues to be funded at a level to build upon this strong start in future fiscal years.

I pledge that we on the Veterans' Affairs Subcommittee, continuing our close cooperation with the House Veterans' Affairs Committee, will follow up on our oversight investigation this past year and be vigilant in examining the VA budget request for fiscal year 1972 and subsequent years.

In my 17 months as chairman of the Subcommittee on Veterans' Affairs I have concluded that one vital precept should govern congressional attitudes toward veterans' programs. That is the principle that the cost of first quality medical care, just as for equitable education and other readjustment benefits, and disability and indemnity compensation, should be counted as a basic part of the cost of war. They are just as integral a part of the cost of war as the money we spend on the weapons and armaments for combat.

I think that two administrations in succession have overlooked this fact. This is a nonpartisan matter. It began under the preceding Democratic administration. It continues under the present Republican administration. In their understandable desire to retard inflation, they ask double sacrifices from the men who have answered their country's call to battle. The war they are fighting is itself a principal cause of inflation. To use inflation as a reason for denying these veterans the level of services and benefits they deserve, is intolerable.

The addition of these badly needed additional funds thus represents not only a signal victory for all veterans but also for all Americans who share fully a total commitment to provide the very best care for those men called upon to make such grave sacrifices in battle.

However, our work is not finished today, for these gains can be dissipated unless the House Appropriations Committee in conference accepts the Senate increase and unless the Bureau of the Budget then releases the funds to the Veterans' Administration. I believe that the overwhelming support within the Senate for this $100 million increase will be clearly demonstrated on the floor today and should serve as the strongest possible mandate to our eventual Senate conferees on this appropriations bill to hold the line on that $100 million at all costs. I also believe that overwhelming support should provide clear indication to the administration of the urgency of releasing of all of the funds finally appropriated.

In closing, Mr. President, I wish once more to express my great appreciation for their help and dedication to the cause of caring for our war wounded to the great chairman of the Independent Offices Appropriations Subcommittee, the Senator from Rhode Island (Mr. PASTORE), and his distinguished ranking minority colleague, the Senator from Colorado (Mr. ALLOTT). They have performed a most noteworthy service for all Americans.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, again I want to say how much I appreciate the work the Senator from California has been doing in this matter of additional funding for Veterans' Administration hospitals.

On several occasions I have spoken on the need for additional funding for Veterans' Administration hospitals. I spoke at length on this subject on June 9 and indicated my support for Senator CRANSTON, who was taking the lead in trying to obtain more funds for upgrading and improving veterans care.

I understand that the Appropriations Committee has recommended an increase of $100 million in the medical and hospital appropriation categories, and this amount, plus the $25 million added in the House, should permit significant improvements in the care available in our VA hospitals.

I am pleased that the committee has made this recommendation and hope that it will be approved by the Senate. Further, I hope that having approved this additional $100 million, which is vitally needed for maintaining and improving VA hospitals, that the Senate conferees will not recede from this figure when the bill goes to conference.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the estimated allocation to Arkansas if the additional funds recommended by the Senator from California (Mr. CRANSTON) are approved.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated allocation to Arkansas of Veterans' Administration fiscal 1971 budget increase

Additional medical care personnel	$104,300
Elimination of equipment, maintenance and repair backlog	881,500
Elimination of dental case backlog	38,500
Air conditioning	280,000
Total	1,304,300

Mr. FULBRIGHT. Mr. President, again I thank the Senator for yielding to me and for doing what he has done in bringing this matter to the Senate.

Mr. CRANSTON. I thank the distinguished Senator from Arkansas very much for his helpful support throughout this effort.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield to the Senator from Florida.

Mr. GURNEY. Mr. President, I wish to commend the distinguished Senator from California (Mr. CRANSTON) for the lead he has taken in obtaining more funds for veterans hospitals. Certainly these funds are greatly needed.

We have had many recent reports concerning conditions in our veterans hospitals. My distinguished colleague from California (Mr. CRANSTON) recently testified before the Independent Offices Subcommittee of the Committee on Appropriations and gave a vivid and revealing recitation of how conditions have been allowed to deteriorate in many of the veterans hospitals. In my judgment, it is shameful for our Nation to let the deplorable conditions arise and persist. For several months now, I have been in contact with officials at the Veterans' Administration, Department of Health, Education, and Welfare, and the White House. On each occasion, I have been assured of their respective concerns for the problems and have been equally assured that help was forthcoming. The overriding problem is money. President Nixon has asked for additional money for fiscal year 1971 for the hospitals.

Our appropriations subcommittee under the leadership of my distinguished colleague from Rhode Island (Mr. PASTORE) has recommended an increase of $100 million and the full committee in its June 24 report, backed this increase. I rise now to support the committee recommendations.

We are in the midst of reassessing our national priorities. In doing so, we must not forget that our veterans deserve great consideration because of their sacrifices and their devotion to our country. We must assign our wounded or disabled veterans the highest priority—they deserve it and we are letting them them down if we do not recognize it. It is universally recognized in this Chamber, I think, that the men who have shed their blood for the country are entitled to the best medical care we can provide.

Let us honor our commitment to our wounded men and do what is necessary. Our committee and our distinguished colleagues on the committee have studied the matter, examined the complaints and reports of deteriorating care and have made their recommendation. It is a reasonable and a sensible and a humane recommendation. Let us act on their recommendation and vote it into law.

I would make one additional point—we can safely delay many projects such as dams, or office buildings with no loss to anyone—except in time. If we neglect such a project one year, we can get to it the next. This is not the case with veterans medical care—once that care is denied, it is denied for all time. Caring for wounds and war injuries and service-connected disabilities cannot wait. Help is needed now and at once. We cannot safely put off till next year what has to be done right now. Let us give our veterans the consideration they deserve.

Mr. CRANSTON. Mr. President, I thank the Senator for his support. I am grateful to him.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, it is a great honor to serve as a member of the Subcommittee on Veterans' Affairs under the creative leadership of the Senator from California. I am convinced the victory which we are winning today for improving hospital care for veterans would not have occurred had it not been for the gifted leadership which the Senator from California brought not only to the work of our committee but beyond that to a broad public understanding of the disastrous conditions in medical care for GI's in our veterans hospitals around the country.

Mr. President, rarely have our distorted priorities been as acutely and vividly revealed as in the recent discoveries of the kind of care being given to our sick, disabled, and wounded veterans. A touch of tragic irony is added to the ever-growing debate over national priorities when we consider how much we will spend to wage wars, and how little we are spending to repair the bodies and minds of our men who must fight them.

While reasonable men may debate the course of the war in Indochina, I think there can be no debate over the enormous debt we owe to the men who have given—and lost—so much fighting in this and other wars. This is not a matter of foreign policy, defense policy, military spending, or the wisdom of what we are doing or have done in Indochina.

This is a matter of human beings—victims of current and past wars—800,000 a year—who enter our veterans hospitals for care.

Nations make war and peace, but men, young and old, continue to pay the awful price long after they have left the battlefield. Today we give billions of dollars to the battlefield, but we have unconscionably shortchanged the hospitals and care facilities which we owe these men.

The Senator from California (Mr. CRANSTON) has done a magnificent job this year as chairman of the Labor and Public Welfare Subcommittee on Veterans' Affairs. He has conducted extensive hearings which have brought to light the shockingly inadequate care our veterans are now receiving. He has also calculated the amount of funds necessary this year to begin overcoming these inadequacies and begin providing the quality of care which we owe these men.

Mr. President, the Senator from California calculated that $174 million should be added to the administration budget request in order to meet these needs in the VA medical and hospital care programs. When we consider the $290 million requested for the SST, the $1.5 billion for the next step in the ABM, $3.5 billion for new space adventures, and nearly $30 million just for Pentagon public relation—I hardly think we should question $174 million more to begin righting our past neglect.

However, I realize that the budget is extraordinarily close this year. Far more important, I realize that the Appropriations Subcommittee on Independent Offices cannot, by itself, reorder our national priorities.

The chairman of this Appropriations Subcommittee, the Senator from Rhode Island (Mr. PASTORE) had done his best in meeting the recommendations of the

Senator from California (Mr. CRANSTON). I commend him for his efforts in adding $100 million to the House bill for VA medical and hospital care. The committee has risen ably to meet these needs, and I urge strong support of this item by my Senate colleagues.

In Minnesota, for example, this $100 million could provide up to $1,021,900 for our VA medical and hospital programs, including recommended figures of: $355,000 for additional general medical care equipment; $400,800 for elimination of equipment, maintenance, and repair backlog; $105,800 for elimination of dental care backlog; $95,200 for physician's assistants; and $65,100 for allied health and intensive care training.

I consider this an important step forward in setting our priorities in order. While it is a minimal figure, it will at least begin to erase our history of neglect for our veterans.

I urge the committee to insist upon this figure in conference, and I hope they will convey to the conferees of the other side the overwhelming support of the Senate for the $100 million increase.

Mr. President, I am delighted that we have made the progress reported today. I strongly commend the Senator from California for his inspired leadership.

Mr. CRANSTON. The Senator from Minnesota has been a very strong member of the Subcommittee on Veterans' Affairs, and he has worked hard on the matter before the Senate now. I am very grateful to him for the support he has given.

I now yield to the distinguished Senator from Massachusetts, my immediate predecessor as chairman of the Subcommittee on Veterans' Affairs.

(Mr. MONDALE assumed the chair as the Presiding Officer.)

Mr. KENNEDY. Mr. President, I want to commend the Senator from California for the fine work he had done in this area. And I also commend Senator PASTORE and the Appropriations Committee, for their interest and responsiveness to this most critical need. It is my understanding that in recent years the Appropriations Committee has actually appropriated the funds that have been requested by the Veterans' Administration. But we all know, particularly as a result of the work done by the distinguished Senator from California, that even the requests by the Veterans' Administration are not sufficient to come to grips with this great need. It is his leadership, along with the active concern and leadership of the Senator from Rhode Island, that has led to this additional $100 million for medical care and construction of medical and health facilities. And we must realize that even this amount does not quite reach the bare minimum additional requirements, which I understand are $174 million, about which the distinguished Senator from California has spoken.

I think we probably are most familiar with the problems that we face in our own States. For example, studies of the Veterans' Administration show that in Massachusetts we have a shortage of beds for returning servicemen who are treated at veterans hospitals up there and a serious shortage of personnel to take care of those veterans. I am sure that the situation in our State is mirrored in other States throughout the country. The serious needs and inadequate conditions have been adequately shown as a result of the hearings held by the Senator from California as chairman of the Subcommittee on Veterans' Affairs.

I think all of us realize that, in the kind of war we are faced with in South Vietnam, the guerrilla type of war, there perhaps are more wounded than in any other kind of war this country has been involved in. It is a boobytrap and a landmine type of war, which has caused the loss of arms and legs and other kinds of injuries which require years and years of rehabilitation and care.

I feel that when this country is prepared to spend so many billions of dollars in terms of our efforts in South Vietnam, it not only should certainly be prepared to spend what is really this minimum figure—which this additional appropriation approaches—but also should be prepared to spend what is the full figure necessary to provide the first-rate kind of care and attention these men so richly deserve.

The distinguished Senator from California has, I think, focused the attention of this body and that of all Americans on this critical national need.

I wish to support his urging that the Appropriations Committee stand by this minimum figure in the conference. There is a great need for it. The case has been made that it is the very least we ought to be prepared to do to meet the shortage in terms of facilities and personnel.

I again commend my colleague from California for the work and leadership he has provided in this field.

Mr. CRANSTON. I thank the Senator from Massachusetts for his helpful and constructive statement. As the Senator has stated, it is true that the Appropriations Committee has always given to the Veterans' Administration what it has requested. The fact is, however, that as to amounts above that figure, the Bureau of the Budget has refused to ask for what is needed. It is that gap which I think we have begun now to cure, with the help of the Appropriations Committee.

I yield now to the distinguished Senator from Iowa (Mr. HUGHES).

Mr. HUGHES. Mr. President, I wish to thank the distinguished Senator from California for yielding to me briefly to comment on this important subject.

There is one aspect of the war in Indochina on which we can all agree—that the brave men who have been wounded or otherwise disabled in the service of their country, now numbering more than 275,000, deserve the finest medical, hospital, and rehabilitation treatment that a grateful Nation can provide. Needless to say, the same first-rate treatment and care should be provided for those injured in previous wars.

The question before the Senate on H.R. 17548, the Independent Offices Appropriations for fiscal 1971, reported by the Appropriations Committee on June 24, is whether or not we are making adequate funding provision to give our wounded veterans the level of care to which they are entitled.

It is my privilege to serve on the Veterans' Subcommittee of the Labor and Public Welfare Committee, under the able chairmanship of Senator CRANSTON, of California.

In his detailed testimony before the Independent Offices Subcommittee of the Committee on Appropriations, Senator CRANSTON gave convincing evidence of the need for an increase of at least $174 million for the VA medical budget. This represents an increase of about 9 percent.

As you know, Mr. President, the proposed budget—to which the House added $25 million—is a record amount for VA medical care.

But this does not, in any sense, prove that we are meeting the true current needs.

We are engaged in the most crippling and seriously disabling war in our history. We are in a period of rapidly rising costs.

For these and other reasons, the total VA appropriation in H.R. 17548 is simply not enough to meet the standards of care needed for the 800,000 patients our VA hospital system treats each year.

The Senate Appropriations Committee recommended an increase of $100 million in the medical and hospital appropriation categories. This, added to the $25 million that was added to the budget in the House, will go a long way toward providing the kind of improvements in the quality of care in our VA hospitals that Senator CRANSTON showed us to be so vitally needed.

I would, therefore, with all of the persuasion at my command, urge the Senate conferees, when the time comes, to stand fast with the Senate figure and not recede.

I cannot believe that anyone could read Senator CRANSTON's eloquent, detailed, and thoroughly documented testimony, printed in the June 1 CONGRESSIONAL RECORD, without concluding that the proposed increase is indispensable to our common goal of keeping faith with our wounded veterans.

We all recognize the serious problem of inflation and the compelling need to keep Government spending at the lowest levels that can be justified.

But it would be ironic if, in the name of fighting inflation, we denied adequate care to the brave men who were maimed in fighting the very war that is the principal cause of the inflation.

It is a matter of the national conscience. I respectfully urge our colleagues on the conference committee to stand firm on the recommendation of the Committee on Appropriations which, I am confident, is to be the decision of the Senate.

I wish to thank the distinguished Senator from California once again for yielding for these comments and to compliment him for the helpful work he did in the subcommittee of the Committee on Labor and Public Welfare to bring to the attention of the American pepole these facts.

Mr. CRANSTON. I thank the Senator from Iowa very much for his stanch work on the Veterans' Affairs Subcommittee, and for his support, at this moment when the $100 million figure is of such great significance to the fulfillment of the effort that we have undertaken.

In my original statement before the Appropriations Subcommittee of which the distinguished Senator from Rhode Island (Mr. PASTORE) is chairman, I did talk in terms of $174 million for the purposes for which this lesser sum has now been recommended. I am satisfied that with the $100 million, we can accomplish a great part, or begin to accomplish a great part, of what needs to be done; and I, therefore, against stress that that figure is a highly satisfactory one, and I am very grateful to the committee.

I now yield with pleasure to the distinguished Senator from Missouri (Mr. EAGLETON).

Mr. EAGLETON. Mr. President, I thank the Senator from California.

I support the Appropriations Committee amendment to H.R. 17548 which adds $100 million to the amount appropriated by the House for medical care and construction for Veterans' Administration Hospitals. I want to commend the members of the Appropriations Committee, and especially the subcommittee chairman, the Senator from Rhode Island (Mr. PASTORE) for acting to meet the well-demonstrated needs of Veterans' Hospitals for additional funds.

This is a very substantial sum to add to the bill, but I believe that it is important to recognize that this addition represents, in large part, the price we must pay for having postponed necessary expenditures in past years. If we are to avoid continued deterioration of the VA hospital system, we must be prepared to appropriate the sums required for the kind of care of which, I am sure all would agree, veterans are deserving.

The gradual deterioration of the VA hospital system has been amply demonstrated through the painstaking investigation conducted by the Veterans' Affairs Subcommittee of the Labor and Public Welfare Committee, under the able chairmanship of the Senator from California (Mr. CRANSTON). This investigation brought to light the results of a process of deferring needed expenditures for provision of equipment and supplies, construction and renovation of facilities, and most important, failure to acquire new staff and replace staff members lost through attrition.

I want to join in the theme which runs through Senator CRANSTON's statements on the subject, that we must look upon the cost of veterans' programs, including the cost of providing first-rate medical care, as a part of the cost of war. For too long the VA hospitals have been funded as if there had been no war in Vietnam and as if there were no inflation constantly inflating costs.

The appropriations recommended in this bill will go a long way toward correcting the results of inadequate funding in the past. I pledge my support to the amounts recommended by the Appropriations Committee and I want to express my hope that the amounts in the Senate bill will emerge from conference as the amounts in the final bill approved by both Houses.

Mr. CRANSTON. I thank the Senator from Missouri very much for his very constructive comments, and for his support. It is very useful to have him join with others in this effort to assure that we do finally get the funds appropriated for the Veterans' Administration that have now been recommended by the Appropriations Committee.

Mr. President, I now with pleasure yield the floor back to the distinguished Senator from Rhode Island, with deep appreciation for his helpfulness.

Mr. PASTORE. Mr. President, I thank the distinguished Senator from California (Mr. CRANSTON), who I think did a fine service for the veterans with the investigation he conducted. I think he has brought this whole matter into proper focus; but I think we ought to say at this juncture that no American, whether he be a Member of Congress or outside Congress, ever intentionally, I am sure, did anything but the right thing for our veterans.

I have been in the Senate now for 20 years. I went all through the Korean aftermath, and now we have Vietnam. It is true that we are experiencing kinds of injuries today that were never thought of before, in previous wars. It is a very pathetic thing. Some of our veterans in wheelchairs cannot even light their own cigarettes. Sometimes it is only a question of having someone push a wheelchair to the window so that the patient can look outside and see the sunshine, which he cannot do without assistance. But the veterans' hospitals, like all our other hospitals, have been plagued with the difficulty of recruitment, finding the right people to do the right kind of job. That has really been their trouble.

They have taken the position before our committee that it was not so much a question of the money as of difficulty in getting some of these people. I have been one of those most critical of the fact that sometimes they have taken paraplegic cases to hospitals in areas other than hospitals where I thought recruitment would be a lot easier. But then you get down to the question of whether or not to move the veteran from his indigenous environment, and that raises another big question.

But we are appropriating $1,857,200,000 for medical care—the largest figure in the history of the country. Of course, we have more wounded veterans today than we have ever had before.

All of us on the committee, after we heard Senator CRANSTON, felt that if there was any question of doubt as to what we should do, the doubt should be resolved in favor of the veteran. That is exactly what we did. I want to say at this moment that Mr. Donald E. Johnson, the Veterans' Administrator today, and formerly the national commander of the American Legion, is a dedicated and devoted man, and I think he wants to do everything possible to see that the veterans get the best.

I say that we would not be doing our duty if we did not give our veterans, their widows, and their children the best possible care and the best possible attention that America can give. We have spent billions and billions of dollars to rehabilitate nations throughout the entire world, whether they were our friends, our allies, or our foes in war. We lifted them from their knees. We gave them full stature and full dignity; and I think we ought to do the same for our veterans. I do not think there is any Senator who would want to do otherwise.

I thank my colleague from California, who did such a marvelous job.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CRANSTON. Just very briefly, I again thank the distinguished Senator from Rhode Island and the distinguished Senator from Colorado for their understanding of this problem, and for their support. I do want to say, in respect to two of the comments just made by the Senator from Rhode Island, that first, I know that Mr. Johnson and others in the Veterans' Administration feel exactly the way the Senator from Rhode Island says they do. They wish to do all that is possible for the veterans. They are dedicated to giving them the best possible service and care; and were it not for the fact that they are, under the budget, constrained from higher prices in this administration, they would, I think, be able to do more and to express more their concern and their need for funds.

With regard to the recruiting problem the Senator from Rhode Island touched upon, a survey of the heads of veterans hospitals around the country in regard to their need for personnel and their ability to find the necessary personnel in the local community indicated they could locate and hire about 90 percent of what they needed, were they allocated the sort of funds we now propose to appropriate for that purpose.

Mr. ALLOTT. Mr. President, I would just like to add a word on this subject, because I feel, as I think most of us feel, particularly those of us who have been in the armed services at one time or another, that we owe a special obligation to our men who have represented this country in the military and who, by reason thereof, are injured or hurt, or are sick, and need help.

But I think there is one other factor in this matter that I did not hear the chairman speak of, and that is that in some of these instances there is not only the question of not moving a veteran out of his indigenous surroundings, that is, what would generally be considered his home area, but in many cases it would mean also moving them away from the highly specialized medical men and women who can give them the assistance they need.

Strangely enough, it is just in such places that the kind of personnel which we have been discussing, which the Senator from California and the distinguished chairman talked about, the ordinary personnel needed to care for these people, are hardest to get. In many of our hospitals, I think probably, the care would be much easier to get, but these are not necessarily the best places, because of the location of their homes and because of medical expertise and surgical expertise, that you have to put these men.

So I want to pay a compliment to the Administrator. I think he is doing a wonderful job. I think the additional money we have put in this bill at the insistence of the Senator from California will go a long way toward assuring us that these men are given all the aid, assistance, and comfort we can give them. It is a small and partial repayment—it is very small; it is paltry—with respect to what they have given up for us.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. BYRD of West Virginia. Mr. President, I congratulate the Senator from California (Mr. CRANSTON) on the effective work he is doing in behalf of our Nation's veterans.

As a member of the Appropriations Subcommittee and chairman of the Supplemental Appropriations Subcommittee, I have become increasingly concerned about conditions in VA hospitals. I enthusiastically agreed to the administration's request for $15 million more in the supplemental bill for the fiscal year 1970 for VA medical care and agreed to the $7 million more for this purpose added in the other body, a total of $22 million.

Now, for fiscal year 1971, the Appropriations Committee has followed up on these fiscal year 1970 supplemental appropriations just signed into law by adding $100 million above the House-passed level. And the House had already added $25 million above the administration amended budget request.

This additional $125 million should allow substantial improvements in our veterans' hospitals. The medical care we provided our wounded veterans must be first quality, and I believe we have done our duty to insure this by the Appropriations Committee's proposed increase. I strongly support this increase and urge my colleagues to approve the recommendation.

Mr. HOLLINGS. Mr. President, the veterans' hospitals in our Nation have done an outstanding job in attempting to meet the needs of medical care for our wounded servicemen. Regrettably, our Nation has failed to provide adequate medical care to the thousands and thousands of veterans who are entitled to the best care possible. The tragedies related to the Vietnam war have increased the demand and, in far too many instances, our servicemen who made such sacrifices are receiving second rate medical care. It is ironic that a Nation whose military technology has developed the most sophisticated resources to wage war is failing to devote the same energy and resources to medical care for the men who have fought in our armed conflicts.

The $100 million increase recommended for the medical and hospital appropriation categories to the Veterans' Administration appropriation will provide significant improvement on the quality of care in our veterans' hospitals throughout the Nation.

I believe it is incumbent upon the Congress to provide medical care that is second to none for our Nation's sick and disabled veterans. This is especially true at a time when the veteran population of our Nation is rapidly expanding by the separation of disabled veterans from the Vietnam conflict. Although I strongly advocate Congress taking steps to curb inflation by the reduction of Government spending, I cannot agree that this is an area where we should make cuts in the name of sound fiscal policy. These veterans deserve the best attention and treatment that this Nation can provide, and I urge that we support the increases recommended by the Senate and stand fast on this figure in conference.

Mr. SCHWEIKER. Mr. President, I rise to express my strong support for the action taken by the Committee on Appropriations with regard to Veterans' Administration medical funds in this bill.

The committee has recognized the urgent needs of our 166 Veterans' Administration hospitals for more staffing, more equipment, and more facilities to do their critical task. As a result, the committee, in this bill, recommends $100 million more for the Veterans' Administration medical program than was allowed in the House-passed version of H.R. 17548.

This increase breaks down as follows: for medical care, the committee provides $1,857,200,000 which is $80 million above the House figure. For hospital construction, the committee provides $79 million, which is $20 million above the House figure.

I would like to commend especially the distinguished Senator from Rhode Island (Mr. PASTORE), the chairman of the subcommittee writing this bill, for his judgment and foresight on this matter. I know that he will have the support of the entire Senate when he takes this bill to conference and works to keep these higher figures in the final bill.

As ranking minority member of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, I have been particularly close to the problems being faced by the veterans' hospitals.

Under the dynamic and tireless leadership of the subcommittee chairman, the able Senator from California (Mr. CRANSTON), our subcommittee began last November to investigate the status of medical care in veterans' hospitals for returning Vietnam veterans. We have held extensive hearings and the public spotlight has focused on some of the severe shortages in staff, equipment, and facilities. Finally, in this appropriations measure now before us, we can see some tangible results of our subcommittee's work in bringing the attention of the Senate and the public to bear on these areas of critical need in the veterans' medical care program.

The Nixon administration, to its great credit, has moved ahead dramatically on its own in the past year to rectify conditions in the hospitals brought on by years of relative neglect. One year ago Donald Johnson took office as Administrator of Veterans' Affairs, and was immediately directed by President Nixon to conduct a thorough review of the VA medical program. One result was the administration's budget request for this program for this year of $1,811,200,000 in medical care and construction funds. This was a record amount for a budget request and it was nearly $87 million more than what Congress appropriated in fiscal year 1970.

The President, it is clear, shares the wish of Congress that our veterans shall have the very best in medical care, as is only just, in view of the great personal sacrifices these men have made for a grateful Nation.

In conclusion, Mr. President, I congratulate the Committee on Appropriations for seeing the urgent necessity for additional funds for the VA hospital program. I know that the action the committee has taken will be overwhelmingly approved by the Senate, and that, above all, the American people will also overwhelmingly approve what we do here for our veterans.

CONGRESS RESPONDS TO THE NEEDS OF AMERICA'S WOUNDED VETERANS

Mr. YARBOROUGH. Mr. President, in recent months the conscience of America has been awakened to the pitiful plight of our wounded and disabled veterans who are depending on the Veterans' Administration medical and hospital programs to assist them in regaining some measure of their health. The investigation conducted by the Subcommittee on Veterans' Affairs of the Labor and Public Welfare Committee, under the able leadership of Senator ALAN CRANSTON, revealed to a startled Nation that the standard of care in many of the 166 VA hospitals and 202 out-patient clinics has steadily degenerated during the last few years until it has reached the point of being a national disgrace. The reason for the decline in veterans' hospital and medical care programs is quite clear. The administration and its budget officers have failed to request sufficient funds to meet the ever-increasing patient load that has been imposed on the Veterans' Administration health facilities as a result of the Indochina war.

From 1961 to June of this year, over 141,000 of our servicemen have sustained wounds of such severity that they have required hospitalization. Despite the increased responsibilities for the care and treatment of these wounded veterans imposed upon the Veterans' Administration, the budget for these important medical and hospital programs has not been sufficient to allow the Veterans' Administration to provide these veterans with the first-class care they so justly deserve. As a result, thousands of wounded and disabled veterans have been confined in hospitals and clinics that are understaffed, unclean, and outmoded. This is a sin on our public conscience and we cannot allow these deplorable conditions to continue.

Once these facts were brought to the attention of the Senate Labor and Public Welfare Committee, Senator CRANSTON urged the Subcommittee on Appropriations to increase the funds for Veterans' Administration hospital and medical care by at least $174 million to improve the hospital and medical care for veterans. I have supported this request both as a member of the Appropriations Committee, as senior member of the Veterans' Affairs Subcommittee, and as chairman of the Labor and Public Welfare Committee.

The distinguished chairman of the Subcommittee on Independent Offices Appropriations, Senator Pastore, responded to the urgent need for an increase in funds for Veterans' Administration medical and hospital programs and his subcommittee, together with the other members of the Senate Appropriations Committee, increased the funds for these vital programs by $100,000. As a member of the Appropriations Committee, I know the great responsibilities that the Subcommittee on Independent Offices must meet; therefore, I commend Senator Pastore and the members of his subcommittee on their action in increasing this appropriation. I strongly urge them to stand firm on this matter in conference.

This increase in funds will be of great benefit to the over 1,370,000 veterans in Texas. The nine Texas Veterans' Administration hospitals have the following deficiencies:

The Dallas Veterans' Administration hospital is short 65 staff positions and needs an additional $260,000 for drugs and other medical and dental supplies;

The Houston Veterans' Administration hospital needs funds to staff over 200 positions in the hospital and over $900,000 for medical and dental supplies;

The Amarillo Veterans' Administration hospital may have to divert $19,000 from much needed repair work to pay for the staff;

The Bonham Veterans' Administration hospital needs an additional $60,000 for staff and $40,000 for hospital operation;

The Kerrville Veterans' Administration has an urgent need for $77,000 for its community nursing home program;

The Marlin Veterans' Administration hospital needs $11,600 to purchase a fluoroscopic image intensifier which is required for X-ray work;

The Big Spring Veterans' Administration hospital has a need for $90,000 for its community nursing home program; and

The Temple Veterans' Administration hospital needs approximately $216,500 to meet increased staff and operational demands.

I am pleased that the administration has released the funds to begin the air-conditioning of the Waco Veterans' Administration hospital and the funds to begin the construction of the much needed San Antonio Veterans' Administration hospital during this fiscal year.

In addition to these inadequacies, there are no funds provided in the present budget for air-conditioning the Amarillo, Temple, or Kerrville Veterans' Administration hospitals. It is a disgrace in this age of technical progress to confine American fighting men to hospitals that are hot in a hot summer.

Mr. President, the veterans of America owe a debt of gratitude to Senator Cranston and Senator Pastore for their concern for their health and well-being. I wish again to express my strong support for these additional funds and urge the Senate conferees to not retreat 1 inch from the position taken by the Senate on this important matter. It is the least we can do for those who have given so much for our country.

VETERANS' CARE—AT THE TOP OF OUR PRIORITIES

Mr. McINTYRE. Mr. President, there are many needs our Nation must meet, but at the top of any listing of priorities must come the best possible medical care for our veterans.

Along with the leaders of our great veterans organizations—the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, AMVETS, and others—I urge in the strongest possible terms that we do not relax in the slightest our vigilance in the care of those who served this Nation in the Armed Forces.

I support the dedicated efforts of my colleagues such as my friend the distinguished Senator from California (Mr. Cranston) chairman of the Subcommittee on Veterans' Affairs, the most able Senator from Rhode Island (Mr. Pastore), the chairman of the Appropriations Subcommittee which handles Veterans' Administration funds, and the many others who have joined in diligently developing this legislation.

Veterans have a special place in the order of appreciated citizens. In most instances, they have given the best years of their lives to serve this country. And many have given not only their time in service—but their physical well-being as well.

Now our Nation is engaged in a war in which deaths from casualties are blessedly fewer than in previous wars. But while the death rate has fallen, the rate of permanent and disabling wounds has risen sharply.

Servicemen are being crippled in Vietnam at twice the rate of Korea and three times the rate of World War II.

This means, of course, that while fewer die in battle, more will require constant, competent medical care for nonfatal wounds and injuries.

What is disturbing, Mr. President, are recent studies by the House Veterans Affairs Committee, by committees of the Senate, and evaluations by the media and veterans organizations which make it clear that our Nation is not providing veterans with the care they deserve.

Under an ever-increasing workload, our veterans' hospitals must function with half the staff, proportionately, of other hospitals.

This year the VA medical program has been operating with fewer full-time permanent staff positions than 5 years ago. Yet 30,000 more veterans require care today than required it 5 years ago.

But let me quickly make it clear that I am criticizing neither veterans' hospitals nor staffs for this situation. They are doing, in most instances, the best they can under difficult circumstances.

I was deeply concerned when the administration failed to propose adequate funds for VA medical care in the budget it presented in January. And even though the administration did ask for an additional $50 million—shortly after the House Veterans Affairs Committee turned up further instances of serious VA medical care deficiencies, the additional funds asked still fall far short of hospital needs.

The House saw fit to recommend an additional $25 million in the legislation sent to the Senate, and I am most pleased that the Senate is considering a further increase of $100 million.

Mr. President, this increase will go a long way toward providing the kind of care we must assure our veterans. While it is still the minimum addition we can consider, I support it with enthusiasm because it is a step forward and will give us a stronger base on which to build for the future.

I urge that the Senate conferees who will be meeting with Members of the House to resolve differences between the Senate- and House-passed bills will stand firm for these increased funds which are so vitally needed.

Mr. MUSKIE. Mr. President, in recent months a great deal of attention has been focused on a particularly distressing problem, the lack of adequate care for veterans in this country. There have been shocking reports and photographs of Veterans' Administration hospitals whose dire conditions seem impossible in this time of advanced technology, expertise, and modern medical equipment. Under the leadership of the able Senator from California (Mr. Cranston), the Subcommittee on Veterans' Affairs has extensively investigated conditions in VA hospitals throughout the country. Its findings have underlined the immediate need for increased staffing, modernized surroundings, additional space and increased research and teaching space, so that every veteran will receive the proper treatment he may need and to which he is entitled.

We have a dedicated staff at the VA hospital in Togus, Maine. The Togus staff does an admirable job in administering to the needs of Maine veterans. However, improvements need to be made, for both the present and future needs of veterans. Although veterans with service-connected disabilities are being treated promptly, there is a considerable waiting list for veterans who have non-service-connected problems. Additional nursing care is needed, as well as additional construction and more technical specialists. At least two more psychiatrists are needed, and there is no neurosurgeon in residence. It is estimated that about $250,000 could be spent to alleviate backlogs, increase staffing and improve the overall functioning of the hospital.

I strongly support, and urge others to support, the increased appropriations of $100 million for VA appropriations contained in the Senate version of H.R. 17548, which the Appropriations Committee reported on June 24. This increase of $100 million is the minimum required to begin to meet the needs of our veterans. It will not erase the problems that exist, but it is a vital step towards insuring every veteran in this country of adequate medical care to which he is entitled.

Mr. President, our veterans deserve the best medical care this country can offer. The increase of $100 million in VA appropriations is a necessity and one that must be passed to meet the needs of all eligible veterans.

Mr. HATFIELD. Mr. President, I join the Senator from California (Mr. Cranston) in strongly urging the Senate to enact the Appropriations Committee's recommendations for the 1971 Veterans' Administration budget. I am convinced that the $100 million addition to the House-passed bill represents the minimal allocation which effectively will halt deterioration of VA hospitals and will secure measurable improvements in hospital conditions.

The fundamental objective of the Veterans' Administration medical program is to provide the best medical care possible for American veterans. Members of the 5,000-man VA research team have pioneered medical techniques which have made outstanding contributions to medicine. In addition to training more health personnel than any other medical institution in the world, the VA medical program facilitates the rapid dissemination of current medical knowledge.

One additional point should be emphasized: the VA medical program has always provided American veterans with excellent medical care in view of severe fiscal restrictions.

Mr. President, we must now exercise fiscal responsibility by appropriating adequate funds which are requisite to providing the best medical care possible.

For the past 8 months, conditions at VA hospitals have been subjected to a thorough investigation by the Subcommittee on Veterans' Affairs, chaired by the Senator from California (Mr. CRANSTON). These hearings indicate that the VA medical program has been denied reasonable operating funds. Regressive budgets have restricted the expansion of VA research projects, and have accelerated the deterioration of medical facilities.

The principal deficiency of the VA medical program is a shortage of staff members. Personnel-patient ratios at national community hospitals stand at 2.7 to 1; at university hospitals, they climb to between 3.5 and 4 to 1. The ratio for VA hospitals is a meager 1.5 to 1. The Revenue and Expenditure Control Act of 1968, in its blanket application to Federal employees, pushed VA staff employment back to the July 1966 level. Testimony before the Subcommittee on Veterans' Affairs indicates that as an unfortunate consequence, the VA hospitals presently find themselves short 10,000 staff members.

Budgetary limitations have resulted in the repeated deferment of the replacement of aging equipment. One witness who testified before the subcommittee documented the case of a VA hospital where X-ray facilities were, "obsolete, in the worst sense of the word." Forty-three VA hospitals—including those in Amarillo, Tex., Fayetteville, Ark., and Gulfport, Miss.—have no air-conditioning units. In one Tennessee VA hospital, a $500,000 intensive care unit and a $200-000 cardiac treatment unit are idle for lack of funds. Furthermore, hospital directors understandably have diverted funds from equipment purchases and hospital construction in order to hire and pay desperately needed personnel.

One-half of the VA hospital beds are occupied by psychiatric patients. The psychological trauma afflicting disabled veterans of the Vietnam war far surpasses the mental tensions caused by any previous war. Many men who have sustained spinal cord injuries and others who have required the amputation of two or three limbs, have survived this war where they would have died previously. The "wounded to kill ratio" is understandably higher than that in prior wars since helicopter evacuation techniques allow a man to be transported in less than 40 minutes' time from the battlefield to a nearby Army hospital, where pharmaceutical knowledge and surgical skills have been vastly updated. The increasing incidence of total disability among veterans, compounded by the belief of many veterans that their sacrifices were in vain, has bred widespread mental disorders.

VA psychiatrists battle these mental diseases with a limited array of medical weapons. The ratio of psychiatrists to psychiatric patients at VA hospitals is incredulously low: one psychiatrist for every 535 patients. In community hospitals, the figure is a much more reasonable one, one psychiatrist for every 25 patients. As a consequence of the crowded VA psychiatric wards, psychiatrists are allowed, on the average, only 4½ minutes per patient per week. There are now twice as many psychiatric admissions to VA hospitals as there were in 1964, with a psychiatric staff which is only half as large.

Other common disabilities include spinal cord injuries, which afflict 25 percent of the wounded veterans returning from Vietnam, an astonishing increase from the Korean war and World War II figures—6.9 and 3.13 percent. VA medical facilities have proven to be incapable of guaranteeing optimal medical attention. The staff-patient ratio stands at 1.02 employees per patient, while Dr. Howard Rusk, of the Institute of Rehabilitory Medicine in New York, indicates that even with the advanced equipment and therapeutic techniques available in the institute, outstanding patient care requires a ratio of 2.17 to 1, or better than twice the VA figure. Testimony indicates that many patients, who have become greatly demoralized by the irregular attention that they receive, have lost the incentive to participate in vital therapeutic programs. Because paralyzed veterans are highly susceptible to bladder and kidney disorders, for them the distinction between good health and serious illness is often very minute. Constant medical care is imperative for the maximum safety of these patients.

These deficiencies comprise a few of the prominent problems which occur in the VA hospital system. In order to insure that American veterans receive the highest quality medical care possible, these numerous inadequacies must be alleviated.

Mr. President, medical care and attention for American veterans which is consistent with current advances in medical knowledge will become a reality only after the VA medical program is adequately funded.

The Senator from California has conservatively estimated that the Veterans' Administration medical program needs $174 million in addition to the House-passed budget of $1.777 billion. He has concluded that to bring staff ratios to a reasonable level would require $200 million; and yet he recommended only $51 million, a compromise figure which is intended to allow the hiring of an additional 5,000 personnel. Backlogs for necessary equipment purchases total more than $40 million, and a $17 million increase in the research budget would have only brought it to the level suggested by the Department of Medicine and Surgery for the 1970 fiscal year. The $19 million for hospital and domiciliary construction and renovation was warranted by the continual deferral of construction in favor of paying salaries to health personnel.

If the budget were to remain at the level agreed upon in the House, its 7.5-percent increase over the past fiscal year would render it, at best, a status quo budget, granting only negligible improvements in conditions at VA hospitals. Testimony indicates that shortages of funds will compel administrators to weigh the quality of medical services against the quantity of people to whom these services may be provided. Because they refuse to lower their standards below designated requirements set by health agencies, they must close wards as their only alternative. The $100 million compromise recommended by the Appropriations Committee—which represents only 57 percent of the amount which the Subcommittee on Veterans' Affairs found to be desperately needed—is essential in its entirety if significant improvements in the VA medical program are to be realized. The steady erosion of VA programs must be halted before the foundation of the hospital system collapses.

Several critical VA programs have been neglected because of the funding crisis. One way to improve medical care at VA hospitals would be to intensify and expand affiliations between VA hospitals and medical schools. However, valuable programs between medical schools and VA hospitals are dependent upon the assumption that facilities and equipment are comparable in each of the institutions. The results of a study which were submitted to the subcommittee indicate that at a university or university affiliated hospital, only 14 percent of the patients receive less than optimal care. At a nonaffiliated hospital with a residence training program, the study noted that 45 percent of the patients receive less than optimal care, and in proprietary hospitals, that percentage reaches 57 percent. Clearly, a direct correlation exists between the quality of patient care, and training programs which incorporate medical school students. Presently, 94 VA hospitals are affiliated with 80 medical schools, and 39,000 health professionals—20 percent of all physicians and 50 percent of all medical students—receive some VA training.

In order to attract top faculty members to a VA hospital staff, the hospital must have outstanding training and research facilities. The patients in such a hospital then become double beneficiaries. They receive expert medical attention from outstanding physicians, plus the fringe benefit of being attended by the best interns and residents, who naturally follow the outstanding instructors. In order to obtain such high caliber personnel, the VA hospitals must bolster their research programs and must have competitive wage scales—neither of which is possible without increased appropriations.

Mr. President, throughout America, hospitals are plagued by a nationwide shortage of health personnel. Testimony before the Subcommittee on Veterans' Affairs indicates that approximately 9,000 more dentists, 50,000 additional physicians, 145,000 nurses, and 200,000 more allied health professionals are needed in order to adequately satisfy the current national demand for health manpower.

These shortages have been catastrophic for the VA Medical Program. Due to fiscal limitations, salaries of VA health personnel are not competitive with earnings of other professionals in the medical industry. Consequently, VA hospital directors cannot recruit the necessary personnel, and outstanding members of the VA staff often search for more lucrative opportunities elsewhere. Unless salary scales are increased, those medical students with the highest qualifications will not seek employment with the VA, and if the VA is unable to employ the best health professionals, it will also be incapable of providing the best medical care possible.

This problem will not be alleviated by appropriating funds for an additional 5,000 employees at present salary scales. Instead, VA salary scales at every level must be raised in order to compete with earning potentials offered by community and proprietary hospitals. Once reasonable salary bases are secured, additional funds must be appropriated in order to hire additional employees. But to appropriate funds for more staff members at present wage levels is an exercise in futility. It is unlikely that the 1971 6 percent pay increase for VA employees will appreciably increase the size of the VA hospital staffs this fiscal year. Substantial additions to VA staffs will not be made until wage increases make salaries for VA personnel truly competitive.

Another alternative which must be explored is the correlation of medical training which men receive in the Armed Forces with requirements for licensing health professionals. Army medics are currently unable to practice medical skills which they have acquired in the military even though they may be qualified to assist a physician in a limited capacity. One way to relieve the shortage of allied health professionals would be to intensify the training of military medical corpsmen and to make medical licensing requirements compatible with the training they receive. This is not to suggest that qualifications for medical practice should be relaxed. Rather, it means that the skills of men who are qualified must be utilized in order to reduce health personnel shortages.

Mr. President, as we examine the strengths and the weaknesses of the VA hospital system and identify those alternatives and programs which are necessary to rectify deficiencies in the program, we must remind ourselves of our obligations to American veterans.

We must recognize that American youth, whether they are drafted or they enlist, are introduced to a new life style when they enter the Armed Forces. Civilian attitudes and habits are incompatible with the rigorous demands of military discipline. Special training and instruction helps them adapt to military life. Conversely, when these men reenter civilian life, they inevitably find that they must make major readjustments if they are to become constructive members of society. As fellow Americans, it is our responsibility to help these men to overcome transitional problems in moving from the military to civilian life, just as we were obliged to provide them with training programs enabling them to adjust to the Armed Forces when they left civilian life. And though it be some small solace, we must guarantee the best medical care and rehabilitory opportunities possible to our disabled veterans, who have made innumerable sacrifices to preserve this Nation.

And yet, Mr. President, the entire fiscal budget for the VA medical program is roughly equivalent to the cost of 1 month of fighting in Vietnam. Paradoxically, the gradual degeneration of VA facilities has been accelerated by the war economy. This war economy has stimulated inflation, which has had drastic effects upon hospitalization programs. With full cognizance of the soaring medical expenses of VA programs, the Federal Government has attempted to retard inflation by shackling the VA to regressive budgets. The natural effect upon the VA hospital system is not to reduce the cost of services, but to instead reduce the number of medical services made available at higher costs.

A standstill budget has restricted research programs which have historically led the medical field in implementing experimental techniques and equipment. A high premium must be placed upon the contributions of research. Allocations which are designated for research projects cannot be reduced because more moneys are required to hire and pay additional personnel.

A few of the many attributes of the VA's research program, which is the largest of its kind in the world, include: the world's most advanced program for the study of mental disease, the development of the Pacemaker, a mechanism which combats heart disease by regulating the heartbeat, projects to investigate the value of the laser beam in surgery, the development of the artificial kidney, the employment of radio isotopes in medical prognosis, the utilization of a computer in the detection of heart disease, the use of surgery as a treatment for cancer, and many other worthwhile programs.

When these research programs decay, top VA scientists search for new research opportunities elsewhere. This destroys the quality of the VA hospital system, and also impedes the advancement of medical knowledge.

One final principle which the Senator from California has articulated must be reemphasized: the cost of providing American veterans with high quality medical attention, equitable educational and vocational opportunities, and reasonable compensation for disability, must be classified as a basic cost of war. Funds are lavishly spent in equipping a man with the weapons of war, and in instructing him in the military way of life. Our attention must instead be focused on enabling American veterans to readjust easily in making the transition from military to civilian life.

Mr. President, the prolonged deterioration of VA facilities and the retardation of VA programs will irreparably stigmatize the VA medical program. The broken morale of a dedicated staff will make the VA objective of providing the best possible medical care for American veterans an illusory goal.

Once again, Mr. President, I must strongly endorse the Appropriations Committee's recommendation for adding $100 million to the House-passed VA budget. I have been informed that in my State of Oregon, this could tentatively mean an additional $1,054,700 to be divided in the following fashion:

Purpose:	*Amount*
Additional general medical care personnel	$198,200
Elimination of equipment, maintenance, and repair backlog	761,400
Elimination of dental case backlog	60,000
Allied health and intensive care training	35,000
Total	1,054,700

These funds are critically important to the two VA hospitals in Oregon. Without these additional appropriations, the expansion of existing programs and the substantive improvement of medical services will be severely limited.

The recommendations of the Appropriations Committee culminate 8 months of research and six sessions of hearings held by the Subcommittee on Veterans' Affairs. The subcommittee has documented the deficiencies of the program, and has concluded that substantially increased appropriations are necessary in order to improve medical services and programs. The $100-million addition to the House-passed budget must be retained in its entirety, research programs must be expanded, salary levels must be made competitive, and qualified health personnel must be licensed if the deterioration of the VA medical program is to be halted, and if first class medical care is to be provided to American veterans.

Mr. DOLE. Mr. President, I support the efforts of the junior Senator from California, the chairman of the Veterans' Affairs Subcommittee, to increase the Veterans' Administration appropriation for 1971 by $100 million.

As a veteran who spent more than 3 years in Army hospitals after World War II, I understand the meaning of good medical care to the morale of a soldier in the field. The 166 Veterans' Administration hospitals have symbolized our concern for the well-being of American men injured in combat. These hospitals have in the past performed admirably, giving our wounded men the very best in medical care and pioneering the advancement of many fields of medicine.

With the Vietnam era, and especially in the last several years, new variables have begun to tax the VA system beyond its capacities. The nature of the war itself is different from World War II or the Korean war, and so is the medical technology available to aid our men in the field. The result is that far more men are surviving injuries in Vietnam—but surviving at a terrible price. A higher proportion of disabled veterans come back to this country blinded, paralyzed, as amputees, or with multiple injuries than in any other war we have ever fought. The bulk of the VA hospital system was built in another era for another war; it was not designed to handle the new strains introduced by the Vietnam war.

I join my colleagues in commending the Veterans' Administration for its efforts on behalf of the men it serves, and would add a word of thanks and appreciation to the 135,000 dedicated VA hospital employees who are doing their best in the face of some very serious practical difficulties. It is clearly time to give the VA hospitals more assistance. It is time to restore them to a preeminent position within America's hospital systems.

We have never skimped on providing funds for the VA. The Nixon administration, like all its predecessors, has sought to provide additional funds when the need arose; however, general Federal budget limitations have in recent years restricted the availability of funds for improving and expanding VA facilities and programs. Only 3 months ago the President proposed a substantial increase in the VA appropriation for fiscal year 1971, and at the same time he requested $15 million as a supplemental appropriation for the remaining part of fiscal year 1970 which has just ended.

Now, more than ever, we must assure the continued high morale of our forces overseas. We must provide our combat casualties, not with merely adequate care, but with the very best medical care available.

I endorse the Appropriations Committee's amendment increasing the VA medical and hospital program by $100 million for fiscal 1971, and I urge the Senate to adopt it. I hope the Senate conferees will hold firm on this $100 million figure and, when appropriated, the VA will be allotted these funds as soon as possible.

As I said on the floor of the Senate in April:

> More money in VA's medical program is an investment that strengthens our Nation and helps all citizens—veterans and nonveterans.

Mr. PELL. Mr. President, we have spent long hours in recent years debating the wisdom of our country's military commitments in Vietnam and in the world.

However, the doubt which I and others have expressed regarding the value of those military commitments should in no way indicate a lack of commitment to the men who must meet those military commitments.

Our military men deserve our full support. They deserve our support not only in battle, but they deserve our support here at home where many of them have returned either crippled or injured.

It is in recognition of this commitment that I support the increased appropriations for the Veterans' Administration that have been recommended by my able colleague from Rhode Island, Senator Pastore, and congratulate him on his action in this regard.

With the additional $100 million that Senator Pastore has provided, many of the funding shortages which Senator Cranston has brought to the Senate's attention in his recent hearings can be eliminated.

I have recently visited the Veterans' Hospital in my own State of Rhode Island where I found a very clean hospital. Also, I had the chance to chat with about half the patients there who almost invariably told me that they felt they were being cared for with concern and compassion. Nevertheless, the ratio of medical personnel in proportion to patients is less than is the case of civilian hospitals and far more support is needed. For this reason, I am delighted to learn that, with the increases made by Senator Pastore, the Providence Veterans' Hospital can be expected to receive an additional $311,500 in this fiscal year.

I would hope that the Senate would support this increase recommended by the Appropriations Committee and I would further ask that our Senate conferees stand firm in their defense of this increase.

Mr. BURDICK. Mr. President, all Senators have followed with great concern the efforts of the able chairman of the Senate Veterans' Affairs Subcommittee, Mr. Cranston, to present the full facts surrounding the quality of medical care available at our Veterans' Administration medical centers. The subcommittee findings, based on 6 months of hearings, were submitted to the Independent Offices Appropriations Subcommittee in support of a significantly increased funding level for the VA hospital and medical care program.

In the years I have been privileged to serve in the Senate, I have seldom seen a more meticulously documented case for the necessity of providing additional resources to permit a Federal program to discharge the responsibilities with which it is charged.

Budgetary restraint is required in an inflationary era such as the present. However, regardless of how we may differ as to other programs that should be cut, I would hope there is unanimous support for the goal of providing our veterans the unexcelled medical care to which they are entitled. At the base of our inflationary spiral is the enormous cost of our Southeast Asia commitment. Surely we cannot ask the returning Vietnam veterans, who have already paid the highest human cost of this war, to accept less than the best possible medical care.

Through the enlightened leadership of Chairman Pastore of the Independent Offices Appropriations Subcommittee, the bill we consider today (H.R. 17548) contains an additional $100 million for the VA medical and hospital care program. While this is a substantial increase over the budget request and amount provided in the House bill, it is clear that the need is great, indeed.

I would strongly urge that these additional funds be retained in the bill that emerges from the House-Senate conference on H.R. 17548.

Mr. CRANSTON. Mr. President, unfortunately, the distinguished senior Senator from Idaho (Mr. Church) is unable to be in attendance today due to a longstanding engagement away from Washington. He has requested that, in his absence, I submit for the Record his statement in support of the $100 million in additional funds granted by the Senate Appropriations Committee for use by the Veterans' Administration. I ask unanimous consent that his prepared remarks, as well as those of the Senator from Michigan (Mr. Hart), together with an insertion; the prepared remarks of the Senator from Tennessee (Mr. Gore); and the Senator from Utah (Mr. Moss); the Senator from New York (Mr. Javits); all of whom are necessarily absent today, appear at this point in the Record.

There being no objection, the statements and insertion were ordered to be printed in the Record, as follows:

Statement by Mr. Church

Mr. Church. Mr. President, earlier this year the state of Idaho was honored to have as a visitor the distinguished Senator from California (Mr. Cranston). While he was in our state, he and I toured the Veterans Administration facility in Boise, the capital city of Idaho.

The Idaho facility, fortunately, has managed, despite funding problems and personnel shortages, to maintain a high standard of care for returning veterans. It has largely been due to the hard-working and dedicated staff and administration in the Boise facility that the standard of care has been maintained under difficult conditions. For that the Idaho facility is to be commended. Unfortunately, however, in many of our larger VA centers, inadequate funding and serious personnel shortages have reduced the quality of care to second or third-rate status. Some have even described conditions as "medieval."

It is my feeling, Mr. President, and I know it is a feeling shared by every member of this body that, regardless of our respective beliefs regarding the war in Vietnam, there can be no doubt as to the necessity of providing the highest possible level of medical care to those men who have become the victims of the tragic war in Southeast Asia.

The Junior Senator from California has done an outstanding job in his efforts to assure our Vietnam veterans high quality medical care. In hearings which began in November of last year and stretched into April of 1970, Senator Cranston examined in depth the needs of our VA facilities. Upon the conclusion of these in-depth hearings, where shocking deficiencies were revealed in the care provided in some VA centers, Senator Cranston went to the Senate Appropriations Committee and carefully documented his case. At that time, he requested an additional $189 million for the Veterans Administration. The Committee has agreed to grant an additional $100 million for the VA, largely as a result of the efforts of Senator Cranston. Senator Cranston has my full support in his efforts to gain more funds for our veterans hospitals and the Committee has my full support in its action granting an additional $100 million for the VA.

The increase granted by the committee could result in a total of $77,500 in increased allocations to Idaho which could be used in the following ways: $51,400 could be utilized to hire additional general medical care personnel, $21,000 could be used to eliminate dental case backlogs, and $51,000 could be made available for allied health and intensive care training.

Mr. President, it is a tragic but all too obvious fact that our nation is at war in Asia. It is equally true that the very nature of this guerrilla war produces a large number of seriously injured veterans who need the finest we can provide in medical care when they return to the United States.

Mr. President, I first spoke out against the war in Vietnam in 1963. I have opposed this war; I have advised against it; I have tried to do everything in my power, as one Senator, to end it. However, Mr. President, I have also supported every appropriation to come before the Senate to provide the best of materiel to our men in the field. Once our men are there we must provide the best that money can offer until such time as we may bring them home. Just as I have supported all bills to grant aid to our men in the field, I intend to support legislation, such as the bill before this body today, which will grant them the finest in care when they return home with medical needs. It is our duty to provide the finest in medical care to our Vietnam veterans. I strongly support the Senator from California (Mr. Cranston) and the committee in their efforts to obtain more funds for the quality care of American boys who are wounded, either medically or psychologically, by the war in Vietnam.

STATEMENT BY MR. HART

Mr. HART. Mr. President, I want to add my support—my strong support—for the $125 million the Senate Appropriations Committee recommends over the budget request for Veterans Administration medical care programs.

On June 11, I wrote a letter to Senator Pastore, Chairman of the Independent Offices Appropriations Subcommittee, urging that more than $150 million be added to the budget request.

That request was based on three points.

First, the Senate Subcommittee on Veterans Affairs, under the outstanding leadership of Senator Cranston, investigated the quality of health care in VA facilities and came up with a detailed list of recommendations for additional funds.

Second, James L. Milliron, department commander, Department of Michigan, Veterans of Foreign Wars of the United States, sent me a copy of his investigation of deficiencies in the VA hospital at Allen Park.

And the findings of that study, part of the national VFW Project Alarm, are alarming indeed.

For example, Commander Milliron reported that the hospital had "a total funding deficiency of approximately $1 million, had an adverse staff-patient ratio, had a serious shortage of radiologists, and then went on to describe the Allen Park facility as "an architectural monstrosity."

"What we need is a new Veterans Administration Hospital for the metropolitan area of Detroit, rather than continue to try and repair and maintain this facility," Commander Milliron said.

So that the full text of Commander Milliron's report, questions and answers on which the report was based, and a press release relating to the report be available to all those interested in the quality of medical care in our VA hospitals, I ask unanimous consent that this material be printed at this point in the Record.

The material ordered to be printed in the RECORD is as follows:

APRIL 17, 1970.

RAYMOND A. GALLAGHER,
Commander in Chief, Veterans of Foreign Wars of the United States, VFW Memorial Building, Washington, D.C.

DEAR COMRADE GALLAGHER: On April 10, 1970, an on-the-site study of the deficiencies of the Veterans Administration Hospital, Allen Park, Michigan was accomplished in response to Project Alarm. Accompanying me were Richard Kuhn, M.D., Surgeon-General John Kulick, F.D.C., Member of the Department of Michigan Rehabilitation Committee, Raymond G. O'Neill, Department Service Officer, William J. Ash, Assistant Department Service Officer, assigned at Allen Park, and Constance J. Ebeling, also assigned at Allen Park, who served as our recording secretary in our meeting with Management.

A three-hour conference was held with Dr. Bernard W. Robinson, Hospital Director, Carl M. Mikail, Assistant Director, and Mr. Milton R. Weed, Chief of Staff, who were extremely cooperative. We have attached a copy of the questions that were presented at the meeting and the answers received. Our VFW party toured the hospital at the conclusion of the conference with Management. At 3:00 P.M., a press conference was held and the attached statement was released to all local news media. We have also attached a list of upstate papers that were furnished a copy of this statement. I regret to advise that there was no coverage given in the Detroit newspapers and we are checking with the upstate papers on their coverage. Any articles we receive from the various newspapers, we will forward them to you.

The following are my observations and opinions, as well as those of our visiting V.F.W. team, as they relate to some of the vital question areas:

Staff Deficiencies: There are 52 vacant positions at the Allen Park Veterans Administration Hospital. Twenty-nine of these positions should be filled immediately. The only way this staffing situation could be corrected would be to give them some additional funds. We need an additional $664,872.00 for the fiscal year of 1970–71 allocated for staff personnel to bring our hospital up to the staff level required to properly operate this hospital; therefore, the budgetary limitation should be lifted. We realize there is a shortage throughout the whole medical profession of radiologists and psychiatrists, but the situation at Allen Park is desperate. I will comment further on these items later in my report.

Rejection Rate: The rejection rate at this hospital is 42%. It is our feeling this rate is too high because of the strong possibility of selectivity of patients. We confronted Management on this aspect and they deny the selection of patients for training purposes. We wonder on this because of the surgical consultations that take place before admission is decided. Management advised that many of their rejections are in the area of veterans who did not plan to enter the hospital in the first place. The veteran merely wanted to come in for a physical for his own peace of mind. Since this is used as a reason for explanation of their rejection rate, it would be my recommendation that we ask the Veterans Administration Central Office to issue instructions to all hospitals in the country to keep a record of all rejected P–10's in two categories; (1) Veterans who withdraw their application because they did not have any intention of going into the hospital in the first place, and (2) those who were medically ineligible in fact and who had every intention of entering the hospital. This way, we would have a true picture when we discuss this type of situation with Management.

Waiting List: There was no waiting list, nor has there been one for some time. We have, however, received many complaints through our Service Office from veterans who are on pre-bed care, stating that they are told to go home and they will be told when to report back, but never receive a notice from the Veterans Administration Hospital. When this is brought to the attention of Management, it is merely acknowledged as an administrative error. Pre-bed and post-hospital care was a big boom to our Veterans Administration Hospital program, but I am wondering on the pre-bed care aspect if we might not be dealing with semantics. Veterans listed under pre-bed care could very well be in fact a waiting list.

Nursing Home Care: The underfunding in this category is $133,000.00. Nursing care is a big problem in the metropolitan area of Detroit. In the tri-county area of Wayne, Oakland, and Macomb, we have approximately 544,000 war veterans, and of this group, approximately 33,000 are of World War I vintage. On the basis of these figures, it is deductible we would have a great number of veterans requiring nursing care after they reach maximum hospital benefits at Allen Park.

Need of Special Care Units: We were informed that plans were being made to install a coronary intensive care unit, as well as some Cobalt treatment facilities. In response to our question about a hemodialysis unit, transplants, and spinal cord injury unit, we were told there were no plans for these because of the cost factor and facilities. It is our understanding that the hemodialysis treatment process runs about $10,000.00 per year per patient and the Veterans Administration is currently limited with the number they have in operation. There seems to be an increased amount of thought of using the kidney machine in the home where it would reduce the cost considerably. Despite the cost factor, we are a large metropolitan area and have cases that are in need of this treatment process and we feel that this type of care should be provided at the Allen Park Veterans Administration Hospital. This new life-saving technique is a must in modern application of medicine.

In-Patient Neuropsychiatric Ward: This 50-bed ward is closed. They are unable to hire psychiatrists at the present VA pay scale.

Medical and Surgical Rehabilitation Ward: This ward has been reduced from 62 to 26 beds.

Radiologists: There is a staff shortage of six. Much of the work is being farmed out on a fee-basis at an extremely high cost to the hospital. In our conference with Management, when asked for the cost factor on this item, we were informed that this was "privileged information" and we could not get the actual cost. It would be appreciated if you would look into this matter and find out what money is being paid by Allen Park.

Staff Elligible for Retirement in 1970–71: We were informed that there were 15 medical doctors and 10 dentists, as well as many other positions, eligible for retirement. We will be in trouble on this item because Allen Park will be unable to compete on the market with the present VA salary structure. I know this will probably be a problem throughout the whole Veterans Administration system when the Class of '45 retires.

Dental: We were informed that Allen Park recently received $507,000.00 from Central Office for the dental program and that the backlog on fee basis dental would be cleared up in approximately 5 weeks. They plan to work overtime to clear the backlog.

Medical Outpatient Treatment: There appears to be no problem in this area.

Patient Ratio: The Allen Park Veterans

Administration Hospital showed a 1.52 ratio. This item is further developed in my press release.

Propose New VA Hospital: In general, Allen Park as a physical plant, built in 1939, has served its usefulness. It is almost beyond description; you have to see it to believe it. It is no problem to get lost in the hospital, the way it is laid out. The hospital is an end product of several additions through the years, which has resulted in this architectural monstrosity. We feel that rather than put additional money in maintainence and repair into the existing hospital, the Veterans Administration should build a new hospital in Detroit. The veteran population I cited earlier warrants such construction. The Administrator of Veterans Affairs must be convinced of this need. A resolution will be forthcoming from the Department of Michigan on this aspect to be considered at the National Convention.

It is hopeful that we have given sufficient information on this facility for your purposes. Each of the items we treated are of the utmost importance, but if we were to go on a priority basis, it would be our recommendation that Priority #1 be that we use all our influence to change the Veterans Administration's pay scale for physicians. Our salary structure is disgraceful for the largest medical system in the world. Priority #2, almost as equally important, is the funding for new construction and maintenance. Priority #3 would be to provide more nursing care beds in the Veterans Administration hospital system.

I want to compliment you on Project Alarm. If there is any additional information required, please let me know.

Yours in comradeship,

JAMES L. MILLIRON,
Department Commander.

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1. Question: Are there any substantial staffing or funding deficiencies?

Answer: Yes, due to lack of funds and scarcity of certain types of staffing. VA pay is not competitive and psychiatrists are paid more by the State and private institutions. At the present time the hospital is in need of 29 staff physicians and could use 23 more for a total of 52. 300 more employees would be required in the hospital to get a ratio of 2.2 employees to each patient. Current funding deficiencies for the fiscal year are estimated at $988,207.

2. Question: Have you closed wards or beds in the last 6 months, or do you plan to do so?

Answer: No plans.

3. Question: What is the rejection rate? Is it increasing or decreasing?

Answer: 42%—staying about the same.

4. Question: Do you have a waiting list? If so, is it increasing or decreasing?

Answer: The Allen Park VA Hospital has not had a hospital waiting list in the past few years. It is now termed patients to be scheduled and they are not shown or indicated as waiting for hospitalization.

5. Question: Is the demand for hospital care, or in other words the application rate, increasing or decreasing?

Answer: Decreasing.

6. Question: Could outplacements to community nursing homes be increased if adequate funds were made available?

Answer: Outplacements to community nursing homes need $200,000 more for fiscal year.

7. Question: What treatment technique deficiencies, particularly new specialized treatment programs, exist? Which of these, if any, do you expect to establish within the next 12 months?

Answer: Scheduled for 1971 are coronary care unit and a medical intensive care unit. A cobalt therapy unit is needed but not scheduled.

8. Question. In general, is the physical plant deteriorating because of lack of maintenance and repair funds or major renovation projects?

Answer: Yes, for the current year no repair funds are being provided for any project under $5,000 unless it can be provided from the operating fund. This calls for diversion of funds of $50,000 for the fiscal year.

9. Question: What is the major physical plant project most desperately needed?

Answer: Renovation of air conditioning in the surgical suite at the cost of $385,000.

10. Question: What is the number of radiologists needed to completely staff the Allen Park VA Hospital and Outpatient Clinic? What is the estimated cost for fiscal year of two radiologists on staff, two consultant radiologists and clinic in Dearborn doing G.I. Series?

Answer: 6 radiologists are needed at a minimum and there are presently 2 on full time duty. Radiologists cannot be hired at the present pay scale of $25,000-$28,000 per year. The Hospital Director refused to answer the question of estimated cost for fiscal year on the grounds that it would invade the privacy of the Dearborn Outpatient Clinic. Presently 2 consultant radiologists, 2 fee basis radiologists and the private outpatient clinic are needed to supplement the 2 radiologists on duty.

11. Question: What is the number of operating beds? What is the number and type of beds unavailable because of lack of staff? What is the estimated A.D.P.L. for fiscal year? What is the A.D.P.L. to date? What is the present number of patients in hospital?

Answer: 770 operating beds; 76 beds unavailable; 650 beds A.D.P.L. for fiscal year; 608 beds A.D.P.L. to date; 552 beds occupied as of April 10, 1970.

12. Question: What is the number of staff physicians and dentists (hospital and outpatient) who will be eligible for retirement from present through 1972–1973 fiscal year? Are there any plans for replacement?

Answer: 15 staff physicians and 3 staff dentists—no plans for replacement.

13. Question: What is the present situation of funds on hand and anticipated need for balance of fiscal year of dental fee basis, medical fee basis, Prosthetic and Sensory Aids Unit?

Answer: Dental and medical funds are adequate, medical outpatient funds ars adequate. Prosthetic and Sensory Aids funds are needed—$45,000 more this year and $22,000 has been diverted from other funds.

14. Question: What is the current percentage of P.B.C. admissions?

Answer: 1.2 at present compared to 2.5 in 1968.

15. Question: What is the number of staff physicians and rotating residents on normal daily duty in admitting section?

Answer: 2 staff physicians—1 of whom has retired and not been replaced; also, 2 rotating surgical residents.

16. Question: What are the reasons new physicians cannot be recruited?

Answer: No money, unavailability, adverse image and lack of up to date equipment.

17. Question: What is the estimated cost of painting if done by contract in five year cycles instead of present situation?

Answer: $129,000 compared to $65,000 when work is done by hospital employees. Areas scheduled for painting are running 2–5 years behind.

18. Question: What is the fiscal amount of funds allocated to maintenance, repairs and equipment? What amount of funds are diverted, or scheduled for diversion, for salaries this fiscal year?

Answer: Indications now show that $167,835 will be diverted this year from other funds for salaries.

19. Question: What is the ratio of hospital employees to patients currently?

Answer: 1.52.

STATEMENT OF JAMES L. MILLIRON, DEPARTMENT COMMANDER, CONCERNING THE ALLEN PARK VETERANS' ADMINISTRATION HOSPITAL

The Veterans of Foreign Wars of the United States has recently expressed alarm concerning the numerous deficiencies in Veterans Administration Hospitals throughout the country. Staffing and funding inadequacies are alarming. Delay of purchase of new major equipment is common. Failure to operate available special medical service units, such as coronary intensive care units and kidney dialysis units, or to operate them with insufficient staffing is indefensible. Quality care depends on availability and proper operation of these new life-saving and life-prolonging techniques.

As Commander of the Department of Michigan, Veterans of Foreign Wars of the United States, I am especially interested in the Veterans Administration Hospitals in Michigan. I have today personally conducted a study of several glaring deficiencies at the Allen Park Veterans Administration Hospital and call attention to all veterans and the public of these vital deficiencies.

This hospital has a total funding deficiency of approximately one million dollars for the fiscal year ending June 30, 1970.

Utilization of private nursing homes at less than half the cost of hospitalization for patients who no longer require hospitalization is retarded by underfunding in the amount of $133,000. This is certainly false economy. There is a serious problem in the recruiting of physicians because of the present pay scale used by the Veterans Administration. They cannot compete with other governmental facilities and private hospitals because of the restricted pay levels.

We found that in some of the specialist fields, doctors in private hospitals have a starting salary at least double of that of specialists within the framework of the Veterans Administration. For example, the psychiatric in-patient service was closed at the Allen Park Veterans Administration Hospital a few years back because they were unable to recruit psychiatrists at the Veterans Administration pay grade authorized for this position.

This hospital was built in 1939. After our tour today, it is my judgment that the Allen Park Veterans Administration Hospital is an architectural monstrosity—it is not efficiently functional. Michigan has over one million veterans and approximately 50% of this amount reside in the Wayne, Oakland, and Macomb counties. What we need is a new Veterans Administration Hospital for the metropolitan area of Detroit, rather than continue to try and repair and maintain this facility.

The Veterans Administration staff-patient ratio throughout the system is only 1.5 with an increase to only 1.56 planned for the 1971 fiscal year. At the Allen Park Veterans Administration Hospital, the ratio is 1.52 staff for each patient. The average in general medical, community, state, and local government hospitals is 2.72. To bring the Veterans Administration staffing ratio to 2 employees per patient, which would still be substandard, would cost approximately $250 million for the entire system and 2.7 million dollars at the Allen Park Veterans Administration Hospital.

The Veterans of Foreign Wars of the United States is concerned by the failure of the Administration staffing ratio to provide the quantity and quality care to which veterans are entitled.

As Commander of the Department of Michigan, Veterans of Foreign Wars of the United States, I urge all veterans and all citizens interested in the quality and availability of the medical care for veterans who have served this nation in time of war to write to the President of the United States and to their Congressmen and Senators, requesting adequate funds and staffing for the Veterans Administration system. The young, wounded veterans returning from battle in Viet Nam should certainly be assured of first class medical care.

Mr. Hart. And finally, my third reason for asking for an increase in VA appropriations was based on hearings I have conducted as Chairman of the Senate Anti-Trust and Monopoly Subcommittee.

Those hearings on the high cost of hospital care made quite clear that the administration's budget request of $1.75 billion, while the highest in history, hardly meets the added cost of health care caused by inflation alone.

On top of that increase, we have the added cost of treating the growing number of persons wounded in Southeast Asia.

To refuse to increase the VA budget to meet the added costs of treating persons wounded in Southeast Asia is to ask our wounded to carry the brunt of two wars—the one in Southeast Asia and the one against inflation.

Certainly no veteran wounded in Vietnam should be asked to accept less than the best care because the Government wants to cut Federal spending.

While not pertinent to the budget considerations at hand, let me broaden that position to state that no veteran of any war, nor any person in the United States, should be asked to accept inferior health care resulting from a cutback in Federal funds.

Certainly we should not ask the wounded and sick to assume any portion of the cost of cooling the economy.

Mr. President, the $125 million increase for VA medical care and construction of VA health facilities is a big step in giving treatment of wounded veterans the priority it deserves.

I want to compliment both Senator Cranston and Senator Pastore for their leadership in this effort.

And as we look forward to a House-Senate Conference on this bill, I want to take this opportunity to make clear my support for this increase.

The committee recommendation is a minimum increase, and should not be reduced in conference.

VETERANS HOSPITALS: ONLY THE BEST WILL DO

Mr. Gore. One of the traditions of which our country can justly be proud is that of providing medical care to the veterans who have served this country. We, as a nation, have been committed to the proposition that our veterans are entitled to the finest medical care that can be afforded. And this is as it should be. For we can give no less to those who have been asked to give so much—their mental and physical health, and, indeed, their very lives—for all of us.

The cornerstone of medical services for veterans is our system of veterans hospitals. These hospitals, and the dedicated people who man them, have always done their best to see that adequate medical care is afforded our veterans.

But disturbing reports have been reaching me from my constituents that conditions in our veterans hospitals are not meeting those high standards which we all want to provide and which our veterans are entitled to expect. Such a situation cannot be tolerated. Whatever we may think of the policies that have produced the various wars in which our country has been engaged, I have always believed that it is our duty to provide the finest medical care to those who need it as the result of the performance of their duty in our armed services. I have, therefore, always strongly supported measures to insure adequate funds for our veterans hospitals.

With the rising cost of medical equipment and supplies, with the increased sophistication of medical treatment facilities, with the continuing development of new medical technology, it is imperative that the veterans hospitals be supplied with funds to enable them to provide our veterans with the best medical assistance that our society can offer. I hope and urge the Senate meet its responsibility by voting the funds necessary to bring our veterans hospitals up to the highest standards of medical care.

STATEMENT OF SENATOR JAVITS

Mr. President, if the Veterans Administration is to address itself to its most urgent inadequacies and doing all it can for our veterans, it is essential that we support the Appropriations Committee's $100,000,000 increase in funding for Veterans Administration medical care and construction of hospital and domiciliary facilities.

Many veterans hospitals face the dilema of skyrocketing medical and drug cost and ever-mounting workloads, on the one hand, and insufficient funding and staffing allocations on the other. There are four major problem areas: medical care, education and training of hospital personnel, medical and prosthetic research, and construction of hospital and domiciliary facilities.

In the medical care category, the principal deficiency is the lack of sufficient staff. In comparison to an average staff-to-patient ratio of 2.7 to 1 in community hospitals, and a 3 to 1 ratio in university hospitals connected with medical schools, the Veterans Administration ratio is 1.5 to 1. In every-day terms, this means that in the Buffalo VA hospital, a 30-bed psychiatric ward has been closed for lack of staff to man it and that in the Bronx VA hospital, there is from midnight to 8:00 a.m. one registered nurse to care for approximately 100 patients.

The staff shortage is especially acute in view of the trend toward more patients to be served. In the last year, Buffalo's VA hospital attended to 8500 patients in comparison to 8368 the previous year. With 16,000 more Vietnam veterans expected to come to VA hospitals for care in the coming year, the impending additional strain on personnel is all too obvious. Furthermore, to make use of the most efficient, advanced equipment for treating the acute needs of its veterans, the VA hospitals are trying to activate some 150 badly-needed special medical services. However, intensive care units, coronary care units, pulmonary functional units, and additional spinal cord injury centers, require intensive staffing which in turn drains the already scarce staff attending the core hospital.

The consequences of insufficient staffing are aggravated by a backlog of equipment shortages and maintenance repairs (estimated at $46 million) and many VA hospital directors are thus forced to reallocate funds that otherwise would have been used to purchase, renovate, or repair needed equipment or facilities, to instead pay hospital staffs.

If the VA is to improve its staffing ratios, it must do so with paramedical and paraprofessional personnel, for there are just not enough medical personnel available in the general community to meet the VA's needs. It is therefore essential that the VA receive adequate funding to continue its education programs, that it may train some 1274 allied health professionals in over 20 specialties, 60 intensive care specialties, 210 physician's assistants, and 1150 spinal cord personnel.

Essential to attracting and retaining high caliber personnel, and to improving the quality of care administered, is an active, large medical research program. Recent funding levels have restricted the VA programs to the extent that only ongoing research has been continued. In the absence of new projects, results of the former cannot possibly be translated into direct improvements in patient care. The VA's own Department of Medicine and Surgery last year estimated that $17 million is needed to bridge the gap between research and its application.

The House-approved $1.777 billion budget is an all-time high for VA medical care. However, that amount is still $50 million below the level estimated as necessary for FY 1971, more than a year ago by the VA's Department of Medicine and Surgery. The 7.5% increase H.R. 17548 now provides barely covers the tremendous demand and cost for care, both of which have inflated beyond expectation since that time.

I fully support the Committee's recommendation to add $80,000,000 for needed care to be expended by the Administrator for anything that he feels will add to the goal of attaining for all veterans the best medical service obtainable, whether it be intensive-care units, special care for spinal injuries, changing locations to obtain special help, or equipment for the comfort of the patient, or anything else that may be needed in the operation of the VA hospitals and its recommendation to add $20,000,000 for construction of hospitals and domiciliary facilities to be expended by the Administrator for air conditioning or anything else that he feels will add to the goal of attaining for all veterans the best medical service obtainable.

I believe we must establish as a national commitment the provision of the best health care money can buy for our wounded war veterans.

Mr. Moss. Mr. President, I support the $100 million increase for Veterans' Administration medical and hospital care programs added by the Senate Committee to the House-passed Independent Offices Appropriation bill. I urge that the Senate Conferees stand firm in their insistence that the higher figure be included in the bill which is sent to the President for signature.

There can be no question, surely, about the importance of improving the medical care which our veterans of the war in Vietnam are receiving. Our public media have been filled with pictures and stories of young men who have been tragically wounded in the war in Vietnam and who are getting second rate hospital and medical care from the country which sent them into battle.

It is one of the anomalies of our times—and a tragic one that we spend billions of dollars in producing the most sophisticated and deadly weapons of war to put in the hands of our fighting forces in Vietnam, but refuse to give those who are badly wounded and permanently incapacitated the best we have developed in medical care and treatment.

It is my understanding that if the 100 million dollar increase is allowed to stand, some $347,000 could be allocated to the Salt Lake Veterans Hospital to be used as follows:

Additional general medical care personnel	$208,000
Elimination of equipment, maintenance and repair backlog	29,200
Elimination of dental case blacklog	27,100
Physician's assistants	47,600
Allied health and intensive care training	35,100
Total	347,000

Not long ago I visted our Salt Lake Veterans Hospital, where I first went from ward to ward to talk with some of the patients and then met Hospital Director W. E. Stonebraker and Chief of Staff, Dr. Ralph B. Romney.

The fiscal year 1971 budget for the hospital is approximately 10 million dollars which is about an 8 per cent increase over last year. However, it requires between a 6 and 10 per cent increase each year simply to keep up with inflation, so the budget request increase would not cover any improvement in services or pay raises for personnel.

If it were not for the dedication of the present staff, Mr. Stonebreaker says, it would be impossible to maintain the level of care the hospital is now achieving. There is a

> need for an additional 30 to 35 people—mostly nurses and physicians to be used for the most part in intensive care, day hospital care and ward coverage.
>
> Mr. Stonebreaker says they also should re-establish a radioisotope service, which was closed last year because of lack of funds.
>
> The Salt Lake Veterans Hospital is now giving the best possible care to their patients with the funds and equipment it has—of this I am convinced. An increase in money would not allow the staff to care for more patients, but to give a better quality of care to patients. At the present time, Utah is "making do" with what they have. When they get more patients, the staff simply makes what they have to do for the increased number of people they must care for.
>
> This is not good enough for our veterans—not good enough for those who have sustained wounds, and in many instances become lifetime invalids—fighting the nation's wars.
>
> We must provide adequate funds to assure first-class treatment to every veteran in our VA hospitals everywhere.

VETERANS' ADMINISTRATION HOSPITALS

Mr. SAXBE. Mr. President, as a member of the Veterans' Affairs Subcommittee, I have followed closely the testimony from the hearings stretching from November 21 to April 28. I, too, am concerned at the lack of adequate care received by our veterans. Veterans' Administration hospitals should deliver quality medical care. Those who have been wounded in defense of their country must not be sent to understaffed and ill-equipped hospitals. I believe that the increase of $100 million in the medical and hospital appropriation recommended by the Appropriations Subcommittee is urgently needed and I strongly support it. I further would like to compliment the chairman of the Appropriations Subcommittee, the Senator from Rhode Island (Mr. PASTORE), and the chairman of the Veteran's Affairs Subcommittee (Mr. CRANSTON) for their efforts on its behalf.

Mr. HARTKE. Mr. President, in the month since Life magazine published its controversial expose of the deplorable conditions in our national veterans hospitals, the demand for an immediate end to this intolerable situation has grown. The consciences of millions of Americans were outraged when a subsequent television program showed helpless men, victims in their country's cause, waiting patiently for a glass of water or a bedpan which had been requested hours before.

Americans have been led to believe that only the finest medical treatment was to be provided for those men who have made the heaviest sacrifices in defending our freedom. It is therefore not surprising that the revelations of the shocking realities were met with expressions of disbelief and categorical denials. We owe a heavy debt of gratitude to Senator CRANSTON and the Veterans Affairs Subcommittee for documenting these allegations and making them credible. Senator PASTORE, who as chairman of the Labor and Public Welfare Committee further helped to focus the spotlight of public concern on this tragedy, also deserves our thanks.

What is in question in this debate, is not the skill or dedication of the staff of the veterans hospitals.. The sad truth is we have made it impossible for these devoted public servants to give the first-rate medical care necessary by refusing to provide funds for adequate personnel and facilities. Moreover, these conditions should not be assumed to exist in all veterans hospitals. Most of the veterans hospitals are doing a good job; some are truly outstanding; but in some, medical care borders on the medieval.

Doctors have described the facilities at Wadsworth Hospital in California as filthy. Even patients who are in severe pain are reluctant to remain there long. Not only is the atmosphere depressing but patients actually run the risk of infection because the wards are so unsanitary. Staff morale is understandably low, nurses feel as if they are only offering custodial care. Because the number of nursing hours per patient day in the extended care unit of Wadsworth is less than half the minimum criteria used by the California State Department of Public Health's bureau of licensing and certification, Wadsworth would not be licensed to operate in California were it not a Federal facility.

Fortunately, there are no such horror stories to report from Indiana. Nevertheless, major problems do exist, typical of those facing the majority of our veterans' hospitals.

The primary deficiency is the lack of staff. While general medical community hospitals and State and local government hospitals have an average staff ratio of 2.7 employees for each patient, the Veterans' Administration has only 1.5 staff members for each patient. Expert testimony suggests that the optimal staff ratio for optimal veterans care lies somewhere in between; a figure of two staff members per patient has been mentioned. Last year, the veterans hospital at Indianapolis had a ratio of staff to patients of 1.57; the hospital at Fort Wayne, a ratio of 1.4. The two hospitals together would require 298 additional positions to achieve what is regarded as an adequate staff-patient ratio.

Psychiatric facilities, such as the large hospital at Marion, while not requiring as many employees, a 1-to-1 ratio being thought acceptable, face very severe shortages in key areas. There is only one psychiatrist for every 535 patients in VA neuropsychiatric hospitals. To upgrade the quality of the Marion hospital, another 200 employees should be added.

Besides personnel shortages, the Indiana veterans' hospitals must cope with funding deficiencies for the community nursing care program and the fee basis dental care program which have increased workloads due to the return of Vietnam veterans. In December of last year, the director of the 670-bed Indianapolis hospital reported that the hospital was not fully funded for 22 positions at an annual cost of $252,000. He also reported a shortage of $444,000 in other operating expenses which included $32,000 for medical supplies, $20,000 for drugs and medicines, $60,000 for prosthetic appliances, and the balance in other operating supplies and services.

In order to make ends meet, the administrator of the Indianapolis hospital was forced to do what his counterparts around the country have had to do—divert funds allotted for new and replacement equipment and maintenance to the more immediate needs. Purchases deferred included anesthesia apparatus and the replacement of 52 hospital beds with manually operated adjustable beds. Under these circumstances, it is difficult to do everything possible to either speed the recovery and rehabilitation of our veterans or to make their position more comfortable.

Cutting corners to save money for the essentials has led to the use of obsolete equipment in antiquated buildings. Dr. Thomas Gonda, director of the Stanford University Hospital testified concerning this problem at his institution:

> The X-ray facilities are obsolete, in the worst sense of the word. Broken down in a very, very true sense. The equipment there has to be constantly repaired . . . the hospital itself has been trying to do something about it for some time, and has run into snags, fiscal snags.

Rundown and shabby buildings tie in very directly with the difficulty in attracting new personnel, in addition to demoralizing patients and staff alike. Brig. Gen. Thomas J. Whelan, Jr., special assistant to the Surgeon General, has stated that—

> Modern medicine can be practiced only in a modern facility, a modern hospital. Modernization of facilities and equipment is no longer a luxury but is a definite continuing necessity.

Yet, today, veterans hospitals lag far behind in this respect. Dr. Bennett, head of the Marion Hospital, reports:

> It would not be economically feasible to try to bring these old buildings up to modern day standards; however, in view of the anticipated workload and the time lag in new construction there must be a marked increase in the allocation of maintenance funds to provide the best possible patient facilities in the existing plant.

Air conditioning is almost a necessity for any modern hospital in a warm area; nevertheless, patients are sweltering in the summer heat in over 40 veterans hospitals from Gulfport, Miss., to Marion, Ind.

How has this state of affairs come about? The most crippling and seriously disabling war ever fought by this country caught the VA hospitals at a time when their budget requests were being denied and a ceiling, since removed, had been placed on their number of personnel. Veterans hospitals are being squeezed between higher medical and drug costs and rising workloads. In fiscal year 1970 the Veterans' Administration will treat 38,000 more patients than it did in fiscal year 1966 with almost 7,000 fewer hospital beds. Outpatient visits have shot up nearly 1,250,000 over the number in 1966. A large part of the increase consists of servicemen returning from Vietnam. Last year there were 50,000 admissions for Vietnam veterans and 520,000 visits made by Vietnam veterans for outpatient medical care.

The war in Southeast Asia has not only increased the workload of the VA hospitals but has also changed the nature of the problems they must be prepared to handle. Because of rapid helicopter evacuation from the battlefield and the use of modern antibiotics, the one out of every 10 wounded who would have died under World War II conditions, is saved. The seriously wounded thus saved have raised the number of amputees and spinal cord injured in our VA hospitals. It is one of the war's bitterest paradoxes that while we are able to save more lives than ever before on the battlefield, we are unable to give these men the intensive care necessary if they are to be returned to regular life. The national commander of the Disabled American Veterans states of the VA center in Los Angeles:

> Vietnam amputees at this facility are not receiving necessary social services, psychiatric and other necessary additional training due to lack of personnel.

Delays in treating spinal cord injuries in some cases may impair the patient for life. There is also the new problem of drug abuse—a special medical program may need to be developed especially for the treatment of this problem.

It is for these reasons that Senator CRANSTON's recommendation to increase the appropriation for the Veterans' Administration has my wholehearted support.

A large part of this increase will go toward funding the vital staff positions now unfilled, enhancing medical care at all the 166 VA hospitals. In hospitals, where equipment now goes unused because of staff shortages, long-awaited care can then be provided. Other hospitals where doctors have struggled along with inadequate and obsolete equipment will benefit from the substantial part of the increase which will go for eliminating the backlog of equipment and maintenance.

Special attention should be given to the provision to provide for more professionals in the field of spinal cord injuries. It would do little real good to drain these personnel away from other institutions around the country where they are sorely needed. The proposal would have the VA train individuals to fill about 1,000 new positions. This points up the fact that the VA system is the greatest single health personnel trainer in this country. At a time when we are confronted with a shortage of health professionals in all areas, it is essential that the VA continue in this role.

The proposal also calls for elimination of the backlog in dental examinations and treatment. Vietnam veterans are now having to wait up to 6 months for dental care. Institutions of a fee arrangement is the only way to end this delay.

Money would also be provided for research purposes. There is a distinct correlation between the quality of patient care and research. Nearly half of our veterans hospitals maintain some kind of relation with medical schools. Research is a bridge for many top quality personnel between the universities and the VA system.

Finally, funds would be set aside for air conditioning the hospitals mentioned previously. An attempt would be made to renovate some of the older buildings. Some, such as Wadsworth, will need to be replaced by new construction.

It would be a tragedy in an age where medicine promises better and better care, when the veteran population is rapidly rising, if Congress were to reject an appropriation to allow the Veterans' Administration to go forward, maintaining its past reputation for excellence.

Some will say that we cannot afford to have our veterans cared for in clean, pleasant surroundings; that providing the latest equipment devised by medical science is too expensive, or that the cost of rehabilitating these men is inflationary. Those who boast that no price is too great to pay where defense is concerned should remind themselves that veterans care is very much a part of that price. With rare unanimity, the American people have expressed the conviction that only the best medical care is good enough for our veterans.

VETERANS NEED ADEQUATE MEDICAL CARE—SENATOR CRANSTON PROVIDES EFFECTIVE LEADERSHIP

Mr. RANDOLPH. Mr. President, it is tragic for our young men wounded or even permanently disabled in the prime of their lives to be confined to medical facilities which are prohibited from providing adequate medical care because of a lack of funds. It is equally tragic that veterans of previous military campaigns who have earned and are entitled to VA medical care are not receiving needed services. This is false economy.

Even during times of inflation and tight money, it is our responsibility to insure that our veterans have the best possible medical care and treatment. This entails more than just giving them a hospital bed and a limited amount of attention. This is in no way a criticism of our Veterans' Administration personnel who are doing a commendable job under difficult circumstances.

The Vietnam conflict has caused us to recognize serious deficiencies in medical care available in veterans hospitals, due to improved medical capabilities on the battlefield and due to the nature of the fighting. This has been documented by the Veterans' Affairs Subcommittee under the chairmanship of the Senator from California (Mr. CRANSTON) in hearings covering a 6-month period from November 1969 through April 1970.

Matters pertaining to veterans are very dear to me. As a member of the Veterans' Affairs Subcommittee and a former chairman, I have been closely involved with their programs for a number of years. I commend Senator CRANSTON for his initiative and persistence in investigating the situation in our Veterans' Administration hospitals. I share his concern and stand with him in his endeavor to obtain adequate funds to meet the current need and eliminate critical backlogs in construction and equipment.

As Senators know, the Senate Appropriations Subcommittee on Independent Offices and Housing and Urban Development, which handles veterans matters, under the guidance of the able Senator from Rhode Island (Mr. PASTORE) has recommended in addition to the $25 million added by the House $100 million for medical care and construction in this fiscal year. This is $125 million over the President's request. This action was based, in large measure, on the record developed by the Veterans' Affairs Subcommittee.

I congratulate the senior Senator from Rhode Island and the members of the Appropriations Committee for recommending the additional funds. I stand behind them 100 percent. It is my belief based on the documentation which has been developed that this is the minimum acceptable level of funding. I urge that we stand fast on this figure when this bill is sent to House-Senate conference.

Veterans hospitals in my State of West Virginia have suffered due to the inadequate availability of funds. It has been reported that there are backlogs in repairs and equipment, curtailment in staffing, and required shifting of funds to meet personnel and operating expenses. The additional funds will allow hospitals in my State to better meet these critical deficiencies.

Mr. President, medical care for our veterans should be second to none. Time and money are required to insure this goal. Neither of these can be compromised. I urge the Senate and the Congress to speak with a firm and united voice by agreeing to funding proposals contained in the pending bill.

I ask unanimous consent to have printed in the RECORD an editorial published in the Huntington, W. Va., Advertiser.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NATION HAS OBLIGATION TO GIVE SERVICE MEN BEST MEDICAL CARE

Sen. Alan Cranston, D-Calif., as chairman of the Senate Veterans Affairs Subcommittee, has reported that service men wounded in Vietnam are receiving the best medical treatment in any U.S. war.

Prompt and skilled medical and surgical treatment in the field now save thousands that before would have died. Prompt evacuation often minutes after men are wounded saves time in more extensive hospital treatment and prevents many deaths.

Since the beginning of the war more than 275,000 have been wounded, and one out of every 10 of them would have died in any of the country's former wars.

This is a tribute to the medical men and the organiation that enables them to apply their skill promptly.

But Sen. Cranston's six-month study disclosed that, despite dedicated and highly trained medical personnel, this extraordinary care is not continued in most Veterans Administration hospitals.

The chairman told his subcommittee that excellent treatments are being given at some hospitals and that staffs are doing the best they can under difficult conditions.

Difficulties generally are caused by insufficient funds. Reports of inadequate financing, at the hospital here and at others throughout the country have previously been made.

As a result of his study, Sen. Cranston recommended that Congress raise the Veterans Administration budget by $189 million.

Almost $174 million would be allotted to improving medical care at the 166 hospitals and 202 outpatient clinics in the country.

The shortage of funds and personnel, the senator told his subcommittee, has precipitated a crisis. Year after year inadequate funds have forced the postponement of necessary outlays for supplies and equipment, building new facilities and expanding staffs to needed numbers.

Foot draggers in the administration contend, however, that the VA budget is already at a record level and that inflation requires economy.

That, the average American citizen will conclude, is a cold-blooded way of considering the needs of men who have laid their lives on the line and almost lost them for the country.

The hospital here and others in West Virginia have received two grants in recent months for new equipment and improved care, but still more is needed.

Individuals as well as veterans' organizations should apply whatever pressure is necessary to see that sufficient funds are provided to give every wounded serviceman the best treatment possible.

Anything less is unworthy of the nation that sends its men out to fight in the name of freedom.

Mr. CRANSTON. I want to express my deep thanks to the Senator from West Virginia (Mr. RANDOLPH), who served with distinction as chairman of the Veterans Subcommittee for almost 2 years, for his fine statement and his strong support. His dedication to the cause of justice for veterans is well known.

Mr. INOUYE. Mr. President, I strongly and fully support efforts by the Congress to economize and to reduce Federal governmental expenditures. This is an essential part of our national struggle against inflation—a struggle which must be won.

I particularly support efforts to reduce those questionable expenditures which are related to our military establishment and the current efforts to reorder our priorities. Too much of our Nation's wealth, and too much of our limited tax revenues, have been used for financing war and preparation for war.

But there is one aspect of our defense-related activities where our record is one of spending too little rather than too much. I refer to the disgraceful situation which prevails in our Nation's veterans hospitals, and to our insufficient national commitment to provide decent care for those who have given so much in the service of their country—our veterans.

We rightfully pride ourselves on the fact that, when the American fighting man goes into action, he has at his command the best equipment, the best training, and the best chance of survival that money can buy. This should be no less true when the wounded comes home, sometimes to a lifetime of disability and required medical care.

Unfortunately, our record here is tarnished. We seem to be short on remembering in a meaningful way our obligation to the brave fighting men who, due to injuries and illnesses, suffered in the line of duty now spend their days in hospitals or require other medical care. I believe our record here is a national disgrace.

In the Vietnam war we have performed medical and evacuation miracles. We save a far greater proportion of the wounded than was previously the case—and this record is a source of solace for some and of just pride for the medical personnel of our Armed Forces.

But our record of caring for these wounded when they are faced with months and years, and sometimes a lifetime, of hospital care because of the nature of their injuries is sad indeed. I, therefore, strongly support the recommendation of the Senate Appropriations Committee in urging an additional $100 million over the House-approved figure for the Veterans' Administration for medical assistance and hospital construction purposes.

I wish to take this opportunity to commend Senator JOHN PASTORE and Senator ALAN CRANSTON for their efforts on behalf of these too-often-forgotten Americans. While this action still falls short of meeting our moral obligation to these men, it does demonstrate our awareness and our concern. We can do no less.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1455. An act to amend section 8c(2)(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio:

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 16595) to authorize appropriations for activities of the National Science Foundation, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLER of California, Mr. DADDARIO, Mr. DAVIS of Georgia, Mr. FULTON of Pennsylvania, and Mr. MOSHER were appointed managers on the part of the House at the conference.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolutions:

H.R. 16739. An act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines;

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, California, to "Coalinga Canal"; and

H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. BYRD of West Virginia) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

AMENDMENT NO. 745

Mr. MONDALE. Mr. President, I call up Amendment No. 745, and ask unanimous consent that its reading be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 20, line 11, strike out "$2,606,-100,000" and insert in lieu thereof "$2,496,-100,000".

On page 20, line 12, insert before the period a colon and the following: "*Provided,* That this appropriation shall not be available for the design or definition of any space shuttle or space station".

Mr. MONDALE, Mr. President, this amendment is jointly sponsored by Senators CASE, JAVITS, PROXMIRE, and myself. It would reduce the NASA fiscal year 1971 appropriation for research and development by $110 million—the amount requested by NASA for design and definition of the space shuttle/station. The amendment also would prohibit the use of any part of the NASA appropriation for that purpose. This is the identical issue which the Senate debated on the NASA authorization a few weeks ago.

There are two basic aspects of this space shuttle/station project. The first is to develop a chemically fueled, two-stage reusable shuttle, which will operate between the surface of the earth and low earth orbit. The second is to develop a space station module as a permanent structure in orbit designed initially for the support of six to 12 occupants; ultimately, NASA hopes to erect a space base by joining together these space station modules, and this base will be capable of supporting between 50 and 100 men in earth orbit.

At the very minimum, this project represents what NASA itself calls "a new epoch in manned space flight." It is the beginning of a new phase of the manned space program—a phase as large or larger in scope than the Apollo program.

The $110 million requested for the coming fiscal year is only a small part of the project's ultimate cost. NASA's preliminary cost estimates for development of the space shuttle/station total almost $14 billion, and if the past is any basis for estimating, I believe that the cost could go far in excess of $14 billion. For example, the original $6 billion estimate for the shuttle has now risen to $10 billion, and NASA officials readily concede that these preliminary estimates are unreliable. Indeed, preliminary cost estimates in the space field are uniformly low, often only a fraction of ultimate cost. It is quite likely, therefore, that the ultimate cost of this project will greatly exceed $14 billion.

The space shuttle/station is intimately related to an even more ambitious effort. There is every reason to believe that NASA proposes to embark this year upon a new space program based upon new hardware, almost entirely in support of manned missions, with a manned Mars landing as the ultimate objective. The space shuttle station is the first step toward this objective.

Without the space shuttle and without the 100-man space station to assemble the various spacecraft and other paraphernalia to get men to Mars, no Mars program is possible. NASA has testified that as soon as the space shuttle and space station have been developed, it plans to spend for a manned Mars exploration program $100 million in fiscal year 1977, $300 million in fiscal 1978, and $1 billion in fiscal 1979. In other words, the Space Agency hopes to be spending $1 billion a year, at a minimum, in fiscal 1979, for the purpose of manned flight to Mars. If this is so, a space shuttle/station will be the initial phase of a program with an estimated cost of $50 to $100 billion over the next 15 years.

Once again, the Senate is asked to back into an enormously expensive program, with tremendous implications not only for the Space Agency but also for the allocation of this Nation's scientific and industrial resources; and we are asked to do so on a fairly innocent $110 million basis, which in fact involves a commitment eventually of somewhere between $50 and $100 billion.

Proponents of this project strongly deny that its approval in any way amounts to approval of a manned flight to Mars. But they concede that the space shuttle and station are essential first steps for such a flight.

To make the case for our amendment, however, it is not necessary to demonstrate the relationship between the shuttle/station and a planned manned landing on Mars. For no one denies that the space shuttle/station is the beginning of a new and expanded manned space program. Thus, our approval of this appropriation must be considered as initial congressional approval of this "new epoch in manned space flight."

Our amendment is a bipartisan effort to prevent Congress from sliding into such a commitment—a commitment which eventually will cost the American taxpayer billions of dollars.

The proponents of the space shuttle/station insist that the $110 million requested for design and definition does not commit us to its development. They contend that this money is for further "study," not development, and that the crucial decision whether to proceed with this project will be made next year by NASA and Congress.

Implicit in this argument is the notion that $110 million is a minor expenditure. It is not—$110 million is more than the administration has budgeted in fiscal year 1971 to combat air pollution; it is more than the $84 million special milk program, which the President wants to terminate as an "economy measure"; and it is twice what we spend for one of our most effective antipoverty efforts, OEO's legal services programs.

In any event, it is clear that the requested funding for design and definition of this project is for more than basic research—conducted in NASA's own laboratories. Design and definition is what NASA calls "Phase B" of a planned project. In fiscal year 1970, NASA spent $18.5 million to complete "Phase A," that is, to determine the feasibility of the shuttle and station. NASA now wants to move to "Phase B," and it has already awarded contracts for this purpose to several aerospace companies.

An $18.5 million expenditure has thus escalated into a request to spend an additional $110 million. Private contractors are involved, and industry is eagerly anticipating large contracts in the future.

If the past is any guide, NASA will ask Congress next year for several hundred million more for this project, and return again and again for hundreds of millions to continue its development. Congress will then be told that it is too late to stop the project—too late because of the enormous funds already invested.

It does not make a great deal of difference, then, whether one characterizes the $110 million in this bill as "development" or a "study." In either case, the approval of these funds might well put us on the road toward another multibillion dollar manned space program.

While maintaining that no commitment is involved in approving this appropriation, the project's proponents also argue that the shuttle will actually save the taxpayer's money. They contend that the shuttle, unlike present boosters, will be reusable, and could thereby reduce the cost per pound of payload in orbit by a factor of 10. But for reasons which I shall set forth for the Record, this assumes a tremendous increase in space flights in order to reduce the per-pound costs by that amount.

To begin with, it will cost billions of dollars to develop the space shuttle. Once developed, it has been estimated that the shuttle will cost hundreds of millions to procure, whereas the launch vehicles to be replaced by the space shuttle—Delta through Titan—cost from $3.5 million to $20 million for each vehicle. Given these extremely high development and procurement costs, the alleged "savings" by the use of the shuttle will occur only if the scope of U.S. space activities is greatly expanded in future years.

NASA officials are relying on such expansion. They have testified that a minimum of 30 flights per year by NASA and an equivalent number in support of DOD programs are anticipated.

The leading House opponent of the space shuttle/station—Congressman Joseph Karth of Minnesota, who is chairman of the Subcommittee on Space Science and Applications and a strong supporter of the space program—made the following observation about NASA's calculations:

> During the entire decade of the sixties, NASA exceeded 30 launches per year only once—36 in 1966—including Scouts and Saturn V's which are not to be replaced by the space shuttle. Assuming the space shuttle's payload capacity (of placing 50,000 pounds in orbit) would be fully utilized on each of the projected 60 yearly flights, this adds up to 3 million pounds of payload launched into orbit each year.
>
> How do 3 million pounds of payload in orbit compare with the space program of the past? In terms of cumulative payload launched, 1969 was NASA's biggest year with 442,358 pounds, over 97 percent of which was attributed to the four Apollo flights.

Congressman Karth notes that the NASA budget—which has declined annually since 1965—must increase dramatically during the next few years to support this project if the space shuttle is to fly by 1977; and their budget would have to increase even more after the shuttle becomes operational in order to support the kind of ambitious program it is designed to serve.

I question whether the United States can afford such an ambitious space program and whether the American taxpayer would be willing to support it. Rather than testing the taxpayer's endurance, we should follow the course recommended by seven members of the House Committee on Science and Astronautics—that is, cost effectiveness—studies should be conducted comparing the operation of the space shuttle with the continued use of existing expendable launch vehicles before sizable amounts of money are applied to the project.

I think it is clear that if we appropriate the funds requested here, we will be committing this Nation to a vastly more expensive and ambitious effort than the project's proponents would have us believe. But aside from the potential cost of both the shuttle and station, there are other basic reasons for opposing this project.

To begin with, it is premature to begin design and definition at this time. This project is based on the assumption that man will be able to function effectively in a space environment for long periods of time. Yet, at this point, we simply do not know the feasibility of long-duration operations in such an environment.

A 1969 report by the House Subcommittee on Space Science and Applications stated that:

> If there is an ultimate limiting factor (to exploring space), it may well be the length of time through which man can endure the influences of the hostile environments encountered beyond the earth. The extent and limits of human frailty or endurance have not yet been established.

Weightlessness and other special effects of the space environment may be extremely deleterious and even fatal to man after extended space flight.

I find this very peculiar—that NASA is asking for $110 million to design a space station when the feasibility for long duration manned flight is unknown.

We have made some effort to test this

with the Bio-satellite III mission which sent a monkey into earth orbit. This flight resulted in the death of the monkey after 8½ days of a scheduled 30-day flight. Medical experts believe that the monkey died of an excessive loss of bodily fluids due to weightlessness.

According to news accounts, the Soviet cosmonauts aboard Soyuz 9 have been troubled with instability of the cardiovascular system and difficulty in sleeping after their record space flight of nearly 18 days. A number of American scientists feel that the medical results of this flight reinforce their view that many unanswered questions remain about the biomedical effects of long-duration space flight.

I ask unanimous consent that a more detailed description of the medical effects of long-termed space flight be inserted in the Record at this point.

There being no objection, the description was ordered to be printed in the Record, as follows:

> To date, astronauts have flown for periods up to 14 days with no irreversible deleterious effects. Medical authorities have testified, however, that they do not yet understand the biological or physiological effects of *extended* manned space flight.
>
> There are many unknowns regarding the possible effects of prolonged weightlessness on major physiological systems of the human body, e.g. gastrointestinal, nervous, urinary, inner ear (balance), biological clock, etc.
>
> But the most severe effect of weightlessness appears to be on the cardiovascular system. Prolonged weightlessness results in what is called the Gauer Henry reflex. Briefly, this is described as follows: In a state of weightlessness a person's blood tends to concentrate around the heart, in the area of the chest cavity, and away from the body's extremities. Nervous sensors in the vicinity of the heart respond to the pooling of this excessive volume of blood around the heart by actuating a reflex mechanism which, in order to reestablish an appropriate level of fluid in that area causes large-scale losses of body fluid, primarily through perspiration. A new equilibrium is thereby established in which the total blood supply of the individual is substantially reduced.
>
> A potentially dangerous situation occurs when the individual is brought back to Earth and subjected to one or more "g's." The reason it is dangerous is that the reduced blood supply tends to be drawn away from the heart and to the lower extremities when the body is subjected to "g" forces. The heart may be so starved for blood at this point that it may cease to function.
>
> It is not known whether or how the body will adjust to these changes from weightlessness to a "g" environment, or what procedures or techniques may be needed to overcome the problem, and the Skylab project is designed to resolve this and similar questions. Skylab is specifically designed to test man's ability to survive and work in space first for 28 days and then 56 days. Essentially, Skylab will produce sufficient physiological data to determine whether extended manned space flight is feasible.
>
> The Biosatellite III mission is instructive on the effects of weightlessness on the cardiovascular system. That mission resulted in the death of a highly instrumented primate after eight and one-half days of a scheduled 30-day flight. Medical experts associated with Biosatellite III believe that the monkey died as a result of weightlessness and the Gauer Henry reflex.

Mr. MONDALE. Mr. President, NASA, of course, is most concerned about these important medical problems. The Sky Lab project, scheduled to begin in 1972, will be an earth orbiting manned station designed to determine the feasibility of manned operations in a space environment over extended periods of time. This project will utilize modified hardware already developed in the Apollo program.

The Sky Lab will be placed into earth orbit and each of three manned missions will rendezvous and dock with the workshop. The first of these missions will last for 28 days, and the second and third will each last for 56 days. According to the report of the House Space Committee, these missions "are a prelude to the operation of a space station and space shuttle" and their "greatest importance will be to demonstrate during long duration manned flights the interassociation of man and his experiments."

These Sky Lab missions are crucial to the future of long-duration manned space flight. For after hearing the testimony of a series of medical experts, the House Subcommittee on Space Science and Applications found that "the warning flags are already flying" with respect to the possible deleterious effects on men exposed to the hazards of long duration flight. The subcommittee's report came to the following conclusion:

> The ability to predict man's enduring tolerance to the environment of space, particularly prolonged weightlessness, is limited. The consensus is that current knowledge based on flights up to 14 days is adequate to proceed with planning the proposed 28-day Sky Lab mission. But it is illogical to conclude from the results of successful short flights that long duration flights can be scheduled without risk of *unacceptable consequences*. Accordingly, present knowledge is considered inadequate to safely proceed with the proposed 56-day flight, or longer flights to the planets, without adequate testing and satisfactory monitoring of astronauts on the 28-day flights, in carefully planned scientific experiments beyond any yet undertaken in manned flight.

In short, until this Sky Lab experiment is completed in 1973, we will not know whether or not man will be able to use the shuttle/station. If the Sky Lab missions demonstrate that man cannot operate effectively in space for long periods of time, then the enormous funds allocated for the space shuttle/station will have been wasted—regardless of whether the expenditure is labeled as a "study" or as development.

And even if it is demonstrated that man can survive in such an environment, the station will undoubtedly have to be tailored to solve various biomedical problems. It is therefore senseless to spend millions of dollars on design and definition before we know the answers to these problems.

As one Congressman noted, it is strange, indeed, to begin funding for a giant space station before we have even flown the small one which is supposed to test the concept of space station flight.

In addition to the unknowns about man's adaptability to long-duration space flight, extremely complex technical problems are posed by the shuttle and station. NASA acknowledges that design and development of the shuttle represents a new and formidable technical challenge, which will require maximum innovation on the part of the aerospace industry. Congressman Karth pointed out that before the space shuttle can become a reality, many difficult technological advances must occur in such areas as configuration and aerodynamics, heat protection, guidance and control, and propulsion. As a result of these technical complexities, a recent issue of Aviation Week and Space Technology notes that:

> There has developed within NASA a schism in approach to design-in size, configuration and operational requirements.

NASA originally planned to complete design and definition of the shuttle in 11 months. But according to recent news stories, this phase of the shuttle has been extended by another 6 months or perhaps longer in order to solve any persistent problems.

If it is true, as NASA claims, that the space shuttle station is not a crash project, then the results of the Sky Lab experiments should be considered and these technical problems should be resolved before moving to design and definition.

Even if it is demonstrated that man can adapt to extended space flight and that these technical problems can be overcome, serious doubt remains about the wisdom of funding a space shuttle station. For this project will insure the continued dominance of manned flights over unmanned flights—despite the fact that there are many persons, both defenders and critics of the space program, who argue that this program must achieve a better balance between manned and unmanned flights.

For example, in remarks before the House Committee on Science and Astronautics, the eminent space scientist, Dr. James A. Van Allen, stated.

> If, on a purely pragmatic basis, one or more men in the spacecraft is the cost effective technique for conducting any one of these missions, let it be done in that mode.
>
> But if, as I anticipate, this is not the case, let us not grieve nor devote ourselves to the invention of specious and inane reasons to the contrary. Rather let us get on with our . . . objectives in the most sensible and rational framework that we can devise.

Brian O'Leary, a former scientist, astronaut, and now an astronomy professor at Cornell, recently wrote that—

> We should encourage science looking for a mission rather than a mission looking for science; we should ask how we can best perform a mission manned or unmanned, not what we can do with the man.
>
> In these times of conflicting, uncertain goals both inside and outside NASA, I think the unmanned planetary program provides a good example of what can be done. The Mariner 6 and 7 flyby missions gave us remarkable pictures and valuable scientific information, yet each cost less than 15 percent of the price of sending two test pilots to the moon.

And Max Born, a distinguished physicist and Nobel Prize winner, has commented that the manned space program was a "triumph of intellect but a failure of reason." To him, the manned missions are senseless, because their cost so far outweighs their scientific value and the money is so badly needed elsewhere.

NASA has, in effect, ignored this type of criticism and is making no effort to redress the present imbalance between manned and unmanned flights. While NASA's projected budgets go from $4 billion in fiscal year 1972 to $6.8 billion in fiscal year 1979, the unmanned effort will remain at a constant level. NASA would like to see us spend $6.8 billion starting in 1979. I wonder how much they have programed for 1984. In fiscal year 1979, it is estimated that 68 percent of NASA's total budget will be spent on manned flight missions—including the space shuttle/station and the planning for a manned Mars landing.

Because of NASA's preoccupation with manned flights to the detriment of scientific investigation, an impressive group of scientists have already resigned from the space program. This list includes the chief scientist, the director of the Lunar Receiving Laboratory, the principal investigator of Apollo lunar surface geology, the curator of the lunar samples, and two scientist-astronauts.

Mr. President, I am about to read from letters I have just received from nationally recognized space scientists criticizing the manned flight programs.

From this whole pattern comes a clear and unavoidably clear conclusion that in the space program, the scientists themselves have lost the battle.

This is now no longer a scientific space program. It is a program by and for the space agency and the space industries which produce manned flight equipment.

I hate to make that charge, but I think the evidence from the resignations and the projected budget of NASA can lead to no other conclusion.

I think that if we continue on the course recommended by the Space Agency, it will be one of the most inexcusably wasteful programs ever conducted in the history of the United States.

It seems to me that it would be unwise to proceed further, especially at a time when we are confronted with so many overwhelming domestic problems.

I go through my State—north and south and east and west—and I hear the same problems mentioned that all of my colleagues do.

They mention the problems of inflation, unemployment, housing, decent farm prices, and the exploding cities all around the Nation.

Not once has a constituent come up to me and said, "We need a space shuttle station."

No one has said that except the manufacturers and the space agency. They are looking for something to do now that the manned lunar project is coming to an end.

I suggest that there is a better need for this money—an expenditure of $14 billion by NASA's own estimates—and it certainly will exceed that by several percentage points if our space experiences have taught us anything at all.

For all of these reasons, then, I believe that we should prohibit the use of any funds for design and definition of the space shuttle/station—pending the completion of the Sky Lab missions, the solution of technical problems, and a complete examination of the proper balance between manned and unmanned flights in the space program of the future. If we fail to do so, we will have missed a unique opportunity to reassess our entire space program.

It should be emphasized that the decision to delete funds for design and definition of the space shuttle/station will not kill the project. NASA officials have testified that approximately $80 million will be spent during fiscal year 1971 in direct support of this project by NASA's Office of Advance Research and Technology. This research is aimed at solving the difficult technical problems presented by the space shuttle/station.

Before undertaking the design and development of this project, we should first determine whether OART can resolve some of these technical difficulties.

It should also be kept in mind that deferring this project will not put an end to space exploration. The United States can have a meaningful and worthwhile space program in the next decade based upon existing technology and equipment.

But since the space shuttle/station involves the development of new technology and new equipment, it requires careful scrutiny. It is proposed as our next major effort in manned space flight—and it comes at a time of growing doubt in the scientific community about the value of future manned space flights, and at a time of even greater doubt about a manned flight to Mars.

Yet, there has been virtually no national debate as to whether our Government should undertake such a program.

I am convinced that if the American people understand the full implications of this space shuttle/station, they will decide that it is not in our national interest to proceed with the program at this time.

For, in the end, it comes down to a question of priorities. It is interesting to note that the report of the House Space Committee, in describing the space station, stated that its "living quarters will be attractive and comfortable." At a time when millions of Americans are living in substandard and rat-infested dwellings which are not "attractive and comfortable," it seems senseless to spend billions of dollars erecting decent housing hundreds of miles from earth.

I referred earlier to lettters which I had received from some of the top scientists in the field. I received one from Dr. Van Allen, who is at the University of Iowa, after whom the Van Allen Belt has been named. He is one of the Nation's most prestigious scientists. He is consultant to the Space Sciences Board of the National Academy of Science, a consultant to the President's Science Advisory Board, discoverer of the Van Allen Radiation Belt in space, and chairman of the Department of Physics and Astronomy of the University of Iowa.

In his letter he says:

> On these grounds I hold that large-scale engineering studies looking toward the development of a space shuttle are not sufficiently well-grounded in purpose or significance to justify a substantial commitment of national resources at this time.

Mr. President, I ask unanimous consent to have the letter from Dr. Van Allen printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The University of Iowa,
Iowa City, Iowa, June 29, 1970.

Hon. Walter Mondale,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: I am writing to give you my views on the proposed *space shuttle* program of the National Aeronautics and Space Administration, as outlined in testimony before the Committee on Aeronautical and Space Sciences of the United States Senate on 20 and 27 February 1970.

During over 24 years of professional experience in space research, I have come to the considered view that automated, commandable space equipment provides a much more economical method than do manned systems for the conduct of both utilitarian and scientific missions. Nothing within the Mercury, Gemini, and Apollo programs has changed my mind. On the contrary they have reinforced my stand in a massive way.

The current and proposed space shuttle studies are being conducted on a competent engineering basis and may very well demonstrate the technical feasibility of developing such a system for $6,000,000,000 or thereabouts.

The *real questions* are, however, the following:

(a) Do manned systems possess any unique, useful capabilities in space that an unmanned system can not be built to possess?

(b) Are manned systems at present or in the foreseeable future economically competitive for any specific purposes with automated, commandable systems?

(c) Can men operate alertly, intelligently, and healthfully for long periods of space flight?

I believe that the answers to Questions (a) and (b) are almost certainly "No". The answer to Question (c) is still unclear.

On these grounds I hold that large scale engineering studies looking toward the development of a space shuttle are not sufficiently well grounded in purpose or signficance to justify a substantial commitment of national resources at this time.

Sincerely yours,

J. A. Van Allen,
Head of Department.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. PROXMIRE. Mr. President, I congratulate the Senator from Minnesota on an excellent speech.

The Senator said that in going around his State, Minnesotans were saying that they need better farm programs, better housing programs, and better education programs. I find the same thing in my State.

The Senator pointed out that no one in his State had told him that our country needs a space shuttle or space station.

I suppose that one can say that only the scientists can appreciate the scientific value of this work. Yet the Senator from Minnesota documented the fact that scientists themselves are opposed to the expenditure of this money.

I think that this is certainly not the way to spend our money in space. We ought to spend it in unmanned exploration rather than in manned exploration—manned exploration is more glamorous but does not have the same payoff.

Mr. MONDALE. Mr. President, I have received a letter from Dr. W. Ross Adey, director of the space biology laboratory at the University of California at Los Angeles.

He was the principal investigator for NASA for the Biosatellite III program.

That is the mission that was aborted when the monkey died after 8½ days of flight.

Dr. Adey concludes in his very strong letter that the space program has become overwhelmed by the manned space lobby and by the so-called engineering efforts of this kind, and that scientists and scientific efforts have been largely diminished.

He concludes in this way:

> Therefore, it is submitted that the program for a Space Shuttle might well remain in the phase of fundamental research and feasibility studies, pending the outcome of medical investigations in the Skylab program. At the same time, avoiding commitment to heavy expenditure in this area would afford an excellent opportunity to redress the traditional imbalance between manned spaceflight programs and other more modest but highly important developments. These include fundamental space biology related to medical problems of man in space, and studies in the physical sciences in planetary programs, as well as in areas of the NASA Space Applications program.

I will not take the time of the Senate to read the entire letter. However, this is one of the most highly regarded and experienced scientists this Nation has, and he is writing and asking us to strike this program.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MONDALE. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, the Senator from Rhode Island finds himself in a rather awkward position, not only with reference to managing the bill, but also with regard to this particular amendment and several other amendments that will be proposed during the progress of debate. Other members of our committee will rise to take the opposite view.

If the amendment proposed by the Senator from Minnesota comes to a vote I propose to vote for the amendment. I so notified the Senator and the committee.

When the matter came up in committee it was soundly defeated. As a matter of fact, on the authorization it was beaten by a vote of 56 to 29, I think. The Senator from Minnesota is renewing his request for the elimination of this program. As I have said to Dr. Paine and to many of my colleagues, that this is not only the age of Aquarius, but it is also the age of priorities.

Whether or not there is a scientific feasibility here, of course, remains to be seen. I think our scientific community is able to accomplish anything that is possible. We proved it when we went to the moon.

President John Kennedy came before a joint session of Congress and said that we would go to the moon in 10 years. There was not a Congressman there who did not throw his hat in the air. Well, we did go to the moon and came back. We picked up a few rocks, and we went again and picked up a few more rocks. Now, we know the world and these rocks are 1 billion years old; maybe we will find that they are 5 billion years old. How far that will go in feeding the hungry, housing the unsheltered, and cleaning the pollution on man's earth is hard to determine.

I am not against the space program but I do think the space program should be placed in its proper perspective. So here we are. What are we going to do about urban renewal; and what are we going to do about legislation for sewage disposal in some of our rural areas? We have all these other priorities. I think we need to orient the space program according to our needs.

I am afraid some of our colleagues who are for the space program get the idea that every time we want to cut out a nickel from the budget request on NASA it is doing the entire scientific community and the space program a disservice. That is not intended by anyone.

This bill provides for $3⅓ billion, which is a lot of money. It is true the amount is one-half of what it was 5 or 6 years ago. Well, 5 or 6 years ago we had not gone to the moon and the whole program was geared to going to the moon. No one found fault with that, but now we have been to the moon twice.

I said before the committee, "Thank God, we were able to bring those men back on Apollo 13 when things went wrong." But I am afraid, judging from the investigation made on that abortive moon shot, that we must analyze what we have been doing. I think we are going a little too fast and biting off more than we can chew. I think we should more or less deescalate our outer space activity and escalate a little more on space activity, because not only is space closer to man and his problems on earth, but we also have communications, aerospace, and all these other matters that are closer to us and have a greater impact on man's happiness, his welfare, and his well-being.

The House cut the budget of the President's Space Council by $160,000 but we restored it in committee. The Space Council which is now headed by Astronaut Anders, who pledged to me that he is going to be absolutely independent and that he is going to take a good look at this matter of priorities in space. We expect some very good recommendations from him.

All I have to say, and I think the most dramatic argument made by the Senator from Minnesota, is that it is not so much that this is not feasible, but can this not wait a little longer? Could we not use this money to build homes for those who need them, to clear the air where it is needed, to clean up our waters, which need it so much, and all the other things to help men here on earth?

I am afraid if NASA keeps going at the rate it is going it is going to hurt itself. On Apollo 13 NASA could hardly get anyone interested in what was going on. It was only when the astronauts became involved in that near tragedy and had to be brought back to earth that America became conscious of what was going on and we fixed our eyes on television screens all over again. But I remember people were becoming more or less disenchanted. I agree with the Senator from Minnesota that when one walks down the street in Providence, R.I., and talks to the people, they are not against the space program, but they do want to know why. At the pace we are going, even though it is less than it was a year ago, the fact remains it is over $3 billion.

While we do not want to injure the program, at the same time we should keep our priorities in proper focus, and I think this is one program that can wait. This is what I asked Mr. Paine when he came before our committee. I asked if this is a dream in the scientist's eye or does there appear to be something desirable in this. He gave me a long answer and said that if we do what we have to do, and do that design and that design, it might be feasible.

However, the fact remains that at one time we had the ANP program to build a nuclear engine for an airplane. After we had spent millions of dollars we asked, "Who can stay up that long?" You could not keep a man up that long so we discarded the program. Then, we had the C-5A program. Senators remember the argument on the floor of the Senate.

I hope in this case we do not spend $110 million and decide next year to cut it out anyway. That has been the argument that has been made: If we find it is not feasible we can cut it back. If that is an argument to save money, I do not know.

Mr. MONDALE. Mr. President, will the Senator yield at that point?

Mr. PASTORE. I yield.

Mr. MONDALE. I think it is important to point out that when the word "science" is used, the most recognized independent scientists in this country all say we do not know if it is going to work or not.

Mr. FULBRIGHT. Mr. President, will the Senator yield for one comment?

Mr. MONDALE. I yield.

Mr. FULBRIGHT. I am reminded of what happened in connection with the ABM. When Mr. Foster was pressed as to whether any scientists outside the Pentagon approved that plan he named some. Those two men, Dr. Keller and Dr. Weinberger, came to our committee and they said Mr. Foster was completely mistaken and they did not believe it would do what the Pentagon expected. In other words, there was a direct contradiction in that testimony.

Mr. MONDALE. I suspect there is a relationship between the people who want to build the ABM and those who want to build the space shuttle station. They are pressing hard for these programs.

But that does not mean that it is not the responsibility of the Senate to impose priorities on what is most important.

Mr. FULBRIGHT. I agree completely with what the Senator said and I believe the Senator from Rhode Island said it extremely well. I shall certainly support them.

Mr. MONDALE. Mr. President, I would like to read from this additional letter from Dr. Thomas Gold, who is director of the Center for Radiophysics and Space Research for Cornell University.

He is not merely a scientist; he is

Chairman of the ad hoc Space Science Panel of the President's Science Advisory Committee, consultant to the National Aeronautics and Space Administration, and a member of the NASA Lunar and Planetary Missions Board. He writes a very strong letter opposed to the expenditure of $100 million on this space shuttle program. He says this, among other things:

> Manned earth orbital flight is of very doubtful value for either science or applications. The prestige value, once no doubt very great, is by now very low also and will not be heightened very much by merely increasing the number of men or the size of the ship.
>
> * * * * *
>
> When the success of the first Apollo landing had been achieved and when the end of the program was in sight, the whole question of the justification for a large manned operation should have been reviewed. The inertia of a large organization is a poor reason for the continuation of a program. I am sure this view is shared by most of the scientific community and even by many people within NASA. The argument only has been—

I would like to underscore this—

> The argument only has been that the availability of funds is so dependent on the popular appeal of manned flight that the alternatives were to do a job that is worth doing by uneconomical means or not at all.

In other words, this is a top space scientist saying that relying on the manned flight program is the only way money can be wrenched out of Congress, even though manned flights are uneconomical.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. PROXMIRE. Mr. President, in supporting the argument of the Senator from Rhode Island, with which I agree, I point out that he asked, "Why can't this wait?"

I would like to ask the Senator from Minnesota if it is not true that the space program, and particularly this program, might be better served if we did wait because of the fact that the Russian flight, the Soyuz flight, as well as the other flights the Senator from Minnesota referred to, indicate it is very possible, and perhaps even likely, that if man goes into space for any substantial length of time, it might have very serious adverse physiological effects on him. The findings indicate that the men in flight had some cardiovascular problems and weight loss. This is certainly a problem to be looked into to ascertain the results on man if he should stay up long enough to make this space shuttle program worthwhile. We have a Skylab experimentation program that could give us answers before we go ahead with this expensive space shuttle project.

Mr. MONDALE. We are in a difficult position in that NASA is seeking a space lab experimentation for the year 1972–73 to determine biomedical facts necessary for long duration space flights—to determine if such flight is indeed possible. And at the same time there is a request for $110 million to design a space vehicle before we know whether such flight is possible. That is set forth in a letter from Mr. Adey, who is in charge of UCLA's space biology lab. We are asked to provide $110 million, which we should not do until we know the results of the Skylab experiment. How can we provide $110 million for a given design when we do not know if it is possible to do it?

Mr. PROXMIRE. It may be $110 million this year, and $220 million next year, and then we may have to stop the program because we find that man cannot live under those conditions.

Mr. MONDALE. That is right.

Mr. PROXMIRE. Senators have urged us to support this program with the argument that it has international benefit, that it is not a program which has any peculiar benefit to the United States of America, and we ought to get international participation. We had been told over and over again, when we tried to get that cooperation on the moon shots, but that we had gone so far along on the program, and in view of the fact that only three astronauts were involved, it was not practical to get European countries to participate and to pay for the program. Now, I am told, there is great interest in this program on the part of western European countries, but if we go ahead and make this investment in the program, once again we will be told, "We have put up all the money and it is too late for them to come in." So here is another reason why it would be wise to postpone a program of this kind, costing $110 million, until we can determine whether or not we can get international participation.

Mr. MONDALE. No doubt it will be recalled that at the time we debated the issue during consideration of the authorization bill, mention was made that it would be a wonderful program for the Russians to participate in. The question was asked, "Has anybody asked the Russians if they want to cooperate?" No one had asked the Russians. It would be unrealistic to think, after we have spent $30 million on the program and the Russians had not participated with us, that suddenly, we might want to ask the Russians to cooperate. That is just dreaming.

Mr. PROXMIRE. I recall there was argument in the Appropriations Committee that the main benefit of this program would be military. I recall arguing that, from my standpoint, the military argument might be a telling and persuasive one if we could get a convincing documentation to that effect. But the fact is that if this program were primarily of military benefit, then it ought to come in the defense appropriations; second, the military has rejected a similar program, the manned orbiting lab, on the ground that it was not of sufficient consequence to be included even in a $70 billion budget.

It is true that there was some testimony, in the voluminous hearings, indicating that this space shuttle/station might be of military value, but the argument was generalized and not specific. There was no indication that I could get of what the particular benefits would be to us either from an intelligence or any other standpoint in the military area. Military value may be a persuasive argument, but this Senator cannot buy it until I know just how, when, where this military value is. I hope we have not reached the point where a Senator simply says military and receives $110 million for a project. And that is the case here.

On the question of military intelligence this may make the investment worthwhile. But we are not getting such a justification now. If it is of military value, we should ask the Defense Department to pay for it, and why should not the military be running it? On the other hand, if it is just a generalized and vague potential for the military not sufficient for the Defense Department to invest its own funds in, then it seems to me we are right in rejecting the argument that it is of military value.

Mr. MONDALE. As to the argument about international cooperation, we ought to know that there is a good reason for other nations to cooperate and participate in the cost of this program. It seems to me when $14 billion is being requested, we ought to have something more substantial than vague comments. The same applies with reference to the defense dimensions of the problem. That seems to be without basis.

As the Senator from Wisconsin pointed out, the Defense Department effort in this field, which was the manned orbiting lab, was eliminated by the Department itself as one of the most useless expenditures in its total budget. It cut out the manned orbiting lab.

In addition, NASA and the Department of Defense have often cooperated on space programs which had both civilian and defense factors involved. In this case, the Defense Department is not putting up one penny for the development or design of a space shuttle program. If the Defense Department thought it was important in the military sense, surely, as we have seen in the past, it would be very much interested.

This shows in perhaps a more eloquent way what the Defense Department really thinks about the military implications of the space shuttle station program. Also, I am told that the Defense Department made the decision that they could learn more from instrumented surveillance and other kinds of space vehicles than from these kinds of manned laboratories in space—once again showing that not only in the pure science field, but in the defense field as well, the advantages are to be found in unmanned instrumental flight, rather than in these doubtful, uneconomical, and dangerous long-duration manned flights.

I quote from the letter of Professor Gold, of Cornell. He said:

> The biomedical problems of prolonged space flight are almost certainly severe. The fact that short duration flights have not incapacitated men seriously must not be taken to mean that very long duration flights will be safe. The indications are indeed that major problems do arise, and medical science cannot at the present time foresee their solution. From this point of view also it would be foolish to commit large sums to the development of space technology for long duration manned flights, which it may then not be possible to undertake.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter of July 3, 1970, from Prof. Thomas Gold, of the Center for Radiophysics and Space Research, Cornell University, and the letter dated June 20, 1970 from Dr. W. Ross Adey, director, Space Biology Laboratory, University of California at Los Angeles.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CORNELL UNIVERSITY, CENTER FOR RADIOPHYSICS AND SPACE RESEARCH,
Ithaca, N.Y., July 3, 1970.

Senator WALTER MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: This is to present briefly my views as to the future importance to exploration, science, and technological development of manned and of unmanned, instrumented space flight.

1. The exploration and science of the planets is, in the foreseeable future, wholly in the hands of the unmanned instrumented space program.

The reason for this is that space flight by means of the presently known technology to the planet Mars will involve a round trip of more than 1½ years. This is so far removed from present day capabilities, and the uncertainties of prolonged manned space flight are so great, that no space program at the present time should be based on such a prospect. The suggestion that this prospect is a driving force behind the present space program has been made, but it is, in my view, irresponsible.

Planets other than Mars have circumstances that make a manned visit quite impracticable, and for the most part much longer travel times still would be involved. Asteroids and the satellites of the major planets are, it is true, no more inhospitable than the moon, but both because of their distance and the smaller intrinsic interest they have for us, the prospect for a manned visit is even smaller than for Mars.

On the other hand, complex remotely controlled instrumentation can be devised and is indeed being devised to perform almost all the actions in a remote location that a man could perform working under the constraints of space or Martian environment. One foresees a very successful period of instrumented discoveries in space, perhaps in the long run of great value to mankind.

2. Manned earth orbital flight is of very doubtful value for either science or applications. The prestige value, once no doubt very great, is by now very low also and will not be heightened very much by merely increasing the number of men or the size of the ship.

Many attempts have been made to find real uses for a group of men in earth orbital flight, but these have largely failed. Man in a spaceship is capable only of a rather limited and well-defined set of actions, and almost in all cases remote control mechanisms can be provided whereby all the information that would be available to him is equally available to the man on the ground, and whereby the actions that he could have taken can equally be initiated by the man on the ground. The man on the ground has, so to speak, remote eyes and hands in the space vehicle.

It is my opinion that all scientific experiments proposed for earth orbit can be done both more cheaply and better with suitable instruments. Repair and updating of expensive instruments is the one area where the methods of remote control would have to be advanced the most before they would be superior to the presence of a man in the remote location. Economically this will not make a case for a large manned space flight program. In any case, the remote control can be improved to take over this activity also.

3. The Apollo program was devised firstly as a great demonstration of capability and secondly for the exploration of the moon. Once this decision was taken, there was no point in competing in the lunar exploration with remotely controlled instrumentation. There will be good reasons, however, in continuing the exploration of the moon by unmanned devices at the end of the Apollo program.

When the success of the first Apollo landing had been achieved and when the end of the program was in sight, the whole question of the justification for a large manned operation should have been reviewed. The inertia of a large organization is a poor reason for the continuation of a program. I am sure this view is shared by most of the scientific community and even by many people within NASA. The argument only has been that the availability of funds is so dependent on the popular appeal of manned flight that the alternatives were to do a job that is worth doing by uneconomical means or not at all. That of course is a situation which the Congress could rectify.

4. Money spent on manned and on unmanned space flight has totally different consequences for general technological evolution and the economy. A large fraction of the money spent on manned flight goes into devising very large vehicles and the environment required by man. Comparatively little of this technology is applicable in other fields.

Sophisticated instrumentation, complex electronics, computers and remote control devices appear now to be the major line of evolution of technology, an evolution that promises to improve greatly all of industry. The economic value of these advances will be immense, and the leadership of the United States in these areas is essential if the country is to remain the major economic and military power in the world. The space program has significantly contributed in the last ten years to this technological evolution, and a large instrumented space program would be a decisive factor in the future.

In the field of economically valuable applications no case has been made for manned flight. Communication satellites and, before very long, direct broadcasting and TV to the individual consumer would provide a very large political and economic stimulus for instrumented space technology. Meteorological satellites and other sensing systems from orbit will of course also improve, but almost certainly without any need for the presence of a man in orbit.

5. The biomedical problems of prolonged space flight are almost certainly severe. The fact that short duration flights have not incapacitated men seriously must not be taken to mean that very long duration flights will be safe. The indications are indeed that major problems do arise, and medical science cannot at the present time foresee their solution. From this point of view also it would be foolish to commit large sums to the development of space technology for long duration manned flights, which it may then not be possible to undertake.

I hope these remarks are helpful to you, and I would of course be happy to give you and your colleagues in Congress more details and substantiation for them if this were desired.

Yours sincerely,

T. GOLD,
Director.

UNIVERSITY OF CALIFORNIA,
LOS ANGLES,
June 29, 1970.

Senator WALTER F. MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: With Senate action now pending on the Space Shuttle, I submit for your consideration the following viewpoints as important in the determination of priorities in the space program in the coming decade. I write as a concerned biomedical scientists who has participated in the space program for the past ten years, both as an investigator in manned and unmanned flights, and as a member of committees and review bodies with an advisory role to both government and NASA.

Priorities in the space program since its inception have placed major emphasis on manned programs, with particular emphasis on the engineering aspects of needed hardware for reliable mission accomplishment. Although there can be no quarrel with the development of spacecraft engineering with reliability assured for manned flight, the price paid has been very high, so high that it appears to have been markedly detrimental to a balance between manned and unmanned space developments. Moreover, emphasis within the manned program has been on man as a test pilot in evaluation of engineering goals, rather than as a biological system himself, requiring the same careful long-term and detailed evaluation if the goal of long-term space flight is to be accomplished.

Biomedical information currently available is not adequate in critically important areas for the design or construction of space stations or interplanetary spacecraft. Specifically, we do not know whether it will be necessary to provide artifical gravity by some form of rotation of part or all of the spacecraft. Biomedical evidence from the U.S. manned program, and particularly from the recent U.S. monkey biosatellite flights, and from the Soviet Soyuz-9 manned flight, all indicate that there are significant problems of cardiovascular instability, body weight loss, and associated disturbances in daily body rhythms and certain nervous functions.

Yet to build spacecraft with a full artifical gravity as on earth, provided by rotation, predicates systems of very large dimensions for acceptable human comfort. Moreover, levels of gravity much less than 1 G may be adequate to prevent medical deterioration, and it is possible that drug and hormone therapy, properly developed, may greatly assist on long missions.

No adequate biomedical basis for these engineering systems is now available, either in the NASA or in the biomedical community. Therefore, it is imperative that NASA collect comprehensive biomedical data as an engineering baseline for design of future spacecraft for prolonged human occupancy.

It is here that there are grounds for concern. NASA has a long history of making commitments to biomedical investigations, which have been repeatedly reduced or even shelved in favor of mission goals of a primarily engineering character. The proposed medical studies in the Skylab missions were initially designed to overcome many deficiencies in the current status of space medicine and physiology. Every effort should be made to safeguard the prime importance of the biomedical aspects of these missions.

In this context, development of a Space Shuttle should be reviewed in terms of its potential contribution to acquisition of needed biomedical information. Its use as an adjunct to physical and life science investigations should be evaluated against likely progress of biomedical research in the Skylab program in the absence of such a vehicle. Medical and psychological studies planned for Skylab will provide much needed information relevant to design of spacecraft for prolonged human occupancy. They are expected to settle many basic issues concerning needs for artificial gravity.

Therefore, it is submitted that the program for a Space Shuttle might well remain in the phase of fundamental research and feasibility studies, pending the outcome of medical investigations in the Skylab pro-

> gram. At the same time, avoiding commitment to heavy expenditure in this area would afford an excellent opportunity to redress the traditional imbalance between manned spaceflight programs and other more modest but highly important developments. These include fundamental space biology related to medical problems of man in space, and studies in the physical sciences and planetary programs, as well as in areas of the NASA Space Application program.
>
> Thank you for your consideration.
>
> Sincerely,
>
> W. Ross Adey, M.D.
> *Director, Space Biology Laboratory.*

Mr. MONDALE. Mr. President, if there was ever $100 million that could be cut painlessly from a $200 billion budget, this is it. It is, in my opinion, without redeeming features. It would call for the design, at a cost of $110 million, of a project about which the top scientists in this country are doubtful. The $110 million is for the beginning of a program which will cost at least $14 billion. It seems to me that our resources should be spent in meeting our real human needs—not in this highly wasteful and doubtful space effort.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. PASTORE. Does the Senator intend to ask for the yeas and nays on this amendment?

Mr. MONDALE. Yes. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MONDALE. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, we are arguing again the question that was brought up by my able friend the Senator from Minnesota at the time of the passage of the authorization bill. This question was debated at great length at that time. and the Senator's position was rejected by the Senate by a vote of 56 to 29.

I understand that the present amendment, while, of course, in different words, relates to exactly the same matter. It proposes to reduce the appropriations for NASA by about $110 million, to use a general figure, coupled with additional wording in the bill to prevent the use of any other NASA appropriations for the space shuttle program, if I am correct in my understanding.

Mr. MONDALE. There will be $80 million in this bill—which is not being contested—for general research on the space shuttle station program.

Mr. HOLLAND. Well, on the other provision that was inserted, in addition to the $110 million being cut off, which is put in for the research on the space shuttle, the wording reads as follows:

> Provided, that this appropriation shall not be available for the design or definition of any space shuttle or space station.

Mr. MONDALE. The Senator is correct.

Mr. HOLLAND. Mr. President, this is substantially the same question that we debated at length, that the Senate rejected as an amendment to the authorization bill by a vote of 56 to 29. I am not surprised at the Senator's bringing up the question again, because we all know of his perseverance. I have frequently had occasion to congratulate him upon being persevering. But frankly, I cannot understand his doing it at this stage, when we have had a demonstration in the last few days of the fact that our friends the Soviets are working on exactly this same kind of proposal.

They put up a manned space flight, and kept it in flight several days longer than the longest one that we had had before, testing one of the things that would have to be tested before the space shuttle could become practicable, and that is whether or not men can live in space—in orbital space, not way out yonder, but nevertheless clear out of the atmosphere of the earth—for longer periods of time than had customarily been thought, or than had been tried.

We all know perfectly well that the long-continued journey through space by the two Russian astronauts, or cosmonauts, as they call them, which terminated only a few days ago, was precisely for that purpose, because after it was concluded and after it was a success, the Soviets announced that that was the purpose, and that it was a success, that it had shown that their cosmonauts—who are human beings just like American astronauts—could live and come back healthy from much longer periods of time weightlessness in outer space than had ever been shown to be the case before.

Now we are being asked to desert and forget about the only part of the space program which is designed to work toward that same end, by putting a space vehicle in orbit around the earth which can be used as a shuttle station, so that men can go there, can stay there long periods of time, and can be relieved, then, by others who will come back to earth in the same vehicle that took the reinforcements up.

The purpose of the space shuttle—and incidentally, this $110 million does not commit us to it; it commits us to research to see whether it is possible or not, or whether there is reason to proceed with it, let us have that understood—has nothing to do with the projected trip to Mars or to outer space, which was argued quite extensively in the debate on the authorization bill. This has nothing to do with anything else than the question of whether or not we can have a laboratory moving out there around this earth at a reasonable distance, from which men can see and direct instruments, can see perfectly and can take pictures of any part of the earth which is visible, and can do any number of other things by way of communicating their information as well as the pictures of what they have discovered back to this earth.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. HOLLAND. The question is whether or not we shall proceed with the research to determine whether such a laboratory is feasible, and whether it is feasible to have reusable space shuttles through which we will reduce enormously the cost of vehicles by which we send up men. They are not reusable now; they are throw-aways, and one of the principal objectives in the whole thing is to keep them from being throw-aways, and to be able to use them over and over again, since they will be constructed of the most indestructible metals that have been found to be possible by way of alloying other well-known metals. Therefore, they can be reused, provided they can be returned, and go back and forth on repeated trips to the space laboratory.

Mr. MONDALE. Will the Senator yield?

Mr. HOLLAND. Just one moment, and I shall be happy to yield.

That is the question. And when I get through with that part of the question, I want to go very fully into the connection with the defense effort, because there is a very real connection with the defense effort.

I heard one of my good friends, the Senator from Wisconsin, indicate that he thought it was a rather evanescent connection. I do not believe he used that word; he probably used a better word.

Mr. PROXMIRE. Mr. President, I concede that "evanescent" is a better word.

Mr. HOLLAND. What is that?

Mr. PROXMIRE. I accept the Senator's word. I did not use it, but I think it characterizes well the nature of the connection.

Mr. HOLLAND. I thought perhaps I was interpreting the Senator's meaning more correctly than his own wording had stated it. At any rate, that is the real meaning of the space shuttle—to reduce greatly the cost of sending men up and bringing them back by making the vehicle useful not just for one trip but for many, many return trips. The purpose of the research is to see whether that is feasible and also to see how feasible it is to keep the men up in the space laboratory for long periods of time.

As I have just remarked—and nobody can contradict me on it, because they all know it is true—the Russians have just demonstrated better than we have been able to demonstrate here before that man can live for much longer periods in a weightless condition and in orbit around the earth than we had up to this time believed was possible.

Before I go into the military aspects of the matter, I yield to the Senator from Minnesota.

Mr. MONDALE. I think that what the Soyuz-9 manned flight demonstrates is that there are serious questions surrounding the physiological capability of prolonged space flight by man.

Dr. Ross Adey, who was principal investigator of the Biosatellite III program, says this in his letter of June 29. He is Director of the Space Biology Laboratory at the University of California. He says:

> Biomedical evidence from the U.S. manned program, and particularly from the recent U.S. monkey biosatellite flight, and from the Soviet Soyuz-9 manned flight, all indicate that there are significant problems of cardiovascular instability, body weight loss, and associated disturbances in daily body rhythms and certain nervous functions.

That was not the point I wish to make, however, when I rose.

Mr. HOLLAND. I thought the Senator was rising for a question, but I am glad for him to go further.

Mr. MONDALE. I just wanted to make

that point, because I think Soyuz–9 strengthens the case against spending money for design for the space shuttle program at this time.

Mr. HOLLAND. How many days longer did they stay up than anyone else before?

Mr. MONDALE. They were up for 18 days—4 days exceeding ours—and they experienced substantial physiological problems, as Dr. Adey points out.

The point I wanted to make concerns a fact that I think has to be clarified. The Senator from Florida has said that this $110 million was for the purpose of continuing research to determine its feasibility. I regret to differ with the Senator from Florida. There is $80 million in this appropriation which we are not seeking to delete, which is for the purpose of determining the research issues at stake surrounding the space shuttle station program.

In addition, there is the on-going Skylab program, to be completed in 1973—to determine, with existing equipment, the potential of man in long duration flight of up to 56 days. These expenditures will determine the possibilities of long duration manned flight and other questions concerning what must be done in the design of a space station in order to achieve long duration flight.

What I object to in this $110 million is that it is for the purpose of developing a design, which is why our amendment says that none of this money may be used for the purpose of design or definition. I think that has to be clarified, because this $110 million is not for research. It is for design and definition.

Mr. ALLOTT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. I wanted to address myself to this. This is not design. I am afraid the Senator is in error. When I discuss this later, I will try to refer to the proper documents.

Mr. MONDALE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield further.

Mr. MONDALE. I am searching for the language which NASA itself uses. But this is for design and definition. It is not for research. There is $80 million in this budget, which we are not seeking to delete, for the purpose of research. They have completed phase A, which they said determined the feasibility of the shuttle station, and they now want to move to phase B for the purpose of design and definition. So there is a fact issue that ought to be resolved. I think we went through it last time.

Mr. HOLLAND. Mr. President, while the Senator is looking up the earlier debate, I will tell him that it is on page 14382 of the Record of May 6.

Mr. MONDALE. I am looking for the specific language of the NASA agency, which I hope to find in a moment.

Mr. HOLLAND. Mr. President, I will continue, and I will be glad to yield again to the Senator when he finds what he is searching for.

This very point was discussed in the debate we had during the authorization argument. The able Senator from Minnesota raised the exact point and had quite a discussion on it, on pages 14381 and 14382, in the debate of May 6. After the Senator from Minnesota had made a long statement on the matter, the Senator from Mississippi made this statement, which I think pretty well winds up the matter:

> Mr. Stennis. Mr. President, the Senator has made my point. The basic research will go on anyway, but it cannot be applied to the space shuttle, which cannot get the benefit of it, unless we have this program for the $110 million. We will not get the benefit or the fruits of it. If we are to have this space system, we will have to move first into the field of definition studies.

And the Senator from Minnesota simply thanked the Senator from Mississippi for his explanation of the matter with these words:

> Mr. Mondale. I thank the Senator.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MONDALE. I think that underscores my understanding of the debate. He is referring to the fruits that come from research, and he refers to the word "definition"; and earlier in the debate there is the colloquy about hardening of the design. That is what we were referring to, and it is this design and definition purpose for which the $110 million is requested.

Mr. HOLLAND. The Senator from Minnesota, in his statement just before the Senator from Mississippi spoke, had this to say:

> My argument is that until we have been satisfied in the research field, until we have seen whether it is feasible as a system which assumes man's capacity to survive long duration flights, we should withhold this kind of starter costs which we may not have to make if we find it to be infeasible.

In other words, the Senator from Minnesota took the position that until we found out how long man can live in space and whether long enough to justify the station and the shuttle service in which the vehicles would be used over and over again, we should not go into the question of the design of the platform. The Senator from Mississippi answered that, I thought, not only capably but also conclusively in what he had to say.

Mr. President, there just is not any question about it—the Soviets as well as ourselves have been trying to find out how long men can exist in space with the best protection we are able to devise for them, without suffering too great results. The Russian experiment is the last one in that field and has shown that they can exist up to 4 days longer than was proven by us to be the case.

Mr. President, I hold in my hand a letter dated July 6, 1970, from the Director of Space Medicine in NASA, Maj. Gen. J. W. Humphreys, Jr., admitting that they have not been able to get all the facts, because, as we know, our friends, the Russians, are not so frank with giving out facts to the world as we are.

But he does say that many things have been determined if only from the news media. I read a part of his letter:

> At the present time, the only medical information on the results of Soyuz 9 which are available to us are those obtained from the Russian and American news media. Information derived from the news media seem to indicate:
>
> (1) The primary purpose of the mission was to evaluate the medical effects of manned space flight and test the life support system.

which is exactly what I have been saying awhile ago, that we have been trying to see how much longer we could go and which would be practical.

Continuing reading:

> (2) A reduced coordination of eye movements and disturbances of color perception were reported, but apparently were not of sufficient magnitude to disturb visual performance. (We are unable to interpret the precise meaning of this statement at this time.)
>
> (3) No significant impairment of health or performance occurred during the flight.
>
> (4) Reports of post flight findings are meager, but seem to indicate a subjective feeling of heaviness immediately post flight and an alteration of cardiovascular responses for the first few days following the flight. (Both of these findings have been noted in our own astronauts. It is very likely that when we are able to compare the actual data, the Russian findings will approximate our own.)

Mr. President, I ask unanimous consent to have the whole letter from Maj. Gen. J. W. Humphreys, Jr., printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

National Aeronautics and
Space Administration,
Washington, D.C., July 6, 1970.

To: C/Assistant Administrator, Office of Legislative Affairs. Attn: Mr. Gerald J. Mossinghoff.

From: MM/Director of Space Medicine.

Subject: Medical Information on Soyuz 9.

At the present time, the only medical information on the results of Soyuz 9 which are available to us are those obtained from the Russian and American news media. Information derived from the news media seems to indicate:

(1) The primary purpose of the mission was to evaluate the medical effects of manned space flight and to test the life support system.

(2) A reduced coordination of eye movements and disturbances of color perception were reported, but apparently were not of sufficient magnitude to disturb visual performance. (We are unable to interpret the precise meaning of this statement at this time.)

(3) No significant impairment of health or performance occurred during the flight.

(4) Reports of post flight findings are meager, but seem to indicate a subjective feeling of heaviness immediately post flight and an alteration of cardiovascular responses for the first few days following the flight. (Both of these findings have been noted in our own astronauts. It is very likely that when we are able to compare the actual data, the Russian findings will approximate our own.)

At this point we are unaware of any exceptional or unanticipated findings derived from the Soyuz 9 medical findings. The only possible exception is the indication of the occurrence of visual changes which are presently not amenable to precise interpretation. We have, however, been proceeding for the past three years with plans to provide an inflight capability to examine visual function, together with a great many other measurements aboard our future manned space flight missions. Opinions of various Russian experts, as reported in Tass and Iz-

> vestia, based on Soyuz 9, have varied considerably in their prognosis of man's ability to fly in a weightless environment for prolonged periods of time (one to 12 months and longer), but currently available medical information on Soyuz 9 provides no indication for altering our present approach to planning of future manned space flight.
>
> J. W. HUMPHREYS, Jr.,
> *Major General, USAF, MC.*

Mr. HOLLAND. Mr. President, apparently they are trying to find out as a preliminary to greater use of men, not in the distant outer space but in the space around the earth, how long men can survive without great disturbance of their bodily functions.

This last result was obtained by the Russians since our debate when we approved this amount by a vote of better than 2 to 1, as I remember it, which shows that we are finding out with each passing test that man can survive a little longer than any other machine known, not like the little monkey my friend from Minnesota refers to who could not survive very long because he lacked the intelligence to adapt himself to the conditions which arose while the flight was in progress.

Mr. President, as to the defense application, there is no question about the connection existing, because that was brought out clearly in testimony by Dr. Foster, Director, Defense Research and Engineering, the chief man for the Department of Defense research.

Let me read for the record portions of the Senate Space Committee hearing, on pages 880 and 881.

I am going to read some portions which were deleted because of secrecy—I cannot read what was deleted—but it will show how many matters there were which the Department of Defense thought were critically affected because of security so that they should be omitted from the hearing record.

It starts with the question by the distinguished Senator from Maine (Mrs SMITH), following the statement by Dr. Foster that the Manned Orbital Laboratory program of the Department of Defense was canceled at a total estimated saving of $1.5 billion, as I recall the amount:

> Senator SMITH of Maine. Perhaps for the record, Dr. Foster, you might give us in a little more detail, keeping the security aspects of the subject in mind, as to just how the Defense Department can see a possible future military use, for the space shuttle.
>
> Dr. FOSTER. I would be very pleased to put that in the record.

This he did. These things do not appear in the record except as a sanitized version, but it speaks rather strongly for the value of the program.

Here is what Dr. Foster said further:

> Once an economical and operationally effective STS is developed, we would expect to use it to launch essentially all DOD payloads into earth orbit. We hope thereby to reduce DOD launch costs by an order of magnitude.

Now, my friends who are undoubtedly led into this in their desire for economy, do not seem to realize that this is an economy effort, that this is the significant intention of this particular special shuttle effort, to be able to use the vehicle over and over again and to use men in space for as long a period as is found to be safe to use them.

Now, continuing to read:

> Not only will we economize from the point of view of reusable launch vehicles, but significant savings can accrue because repair and reuse of payloads will be possible and payload design criteria could become less stringent. In addition to all of this, we would expect to benefit from the STS technology resulting from NASA's development efforts.
>
> Senator SMITH of Maine. As you were talking with Senator Cannon about consolidating need of various agencies, would not the shuttle be that one that Defense and NASA could agree upon?
>
> Dr. FOSTER. Yes, Senator Smith, that is what I intended to point out.

Mr. President, that concludes the sanitized statement that was placed in the record, showing the importance to the Department of Defense o fthe space shuffle effort.

Now, maybe our friends do not think there is any saving of money in combining an expensive program which the Department of Defense was operating, which was known as the MOL, with another expensive program which NASA is planning or doing the research for; but I cannot agree with that at all, and I do not believe, on sober reflection, that my friend from Minnesota would agree.

Mr. MONDALE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. MONDALE. Is the Defense Department at this time contributing any money to research on the space shuttle station program, either to NASA or in cooperation with NASA?

Mr. HOLLAND. Not to my knowledge. I believe that the understanding was on agreeing that the MOL should be abandoned after it had spent so many millions of dollars on it. I see that the distinguished Senator from Nevada is in the Chamber, and he is a member of the Armed Services Committee, as well as being a distinguished man in aviation. He will be able to correct me if I am wrong about it, but they decided that it was much sounder to have one agency do the research with both having the advantage of that research. The sanitized statement placed in the record by Dr. Foster says:

> Once an economical and operationally effective STS is developed, we would expect to use it to launch essentially all DOD payloads into earth orbit.

If that does not sound like cooperation for the common use of a space system once it is determined to be feasible and then constructed for launch services, then I do not know how words can be found to state that.

Mr. MONDALE. Mr. President, did DOD testify in favor of the $110 million for design and definition of the space shuttle?

Mr. HOLLAND. I believe they did. The whole question is further discussed in the record. I have not had a chance to review it entirely this morning. But I believe that was Dr. Foster's purpose. His main purpose in coming was to make it clear that the Department of Defense wanted this particular program to go ahead and wanted the research work on it done.

I will continue to read, and perhaps we will find the specific wording.

Mr. MONDALE. Mr. President, I am not objecting to the research. But I am objecting to the $110 million in here for design and definition.

Mr. HOLLAND. The Senator is not objecting to the research insofar as individuals are concerned and the effort to find out what conditions they can survive under and the like. But he is objecting to research which has to do with research on the kind of design which should be used, how it shall be launched, and how long its life is apt to be once launched into orbit and all of those questions that have to do with the space system, which are connected with the $110 million.

Mr. MONDALE. Mr. President, this is a fundamental question. It seems to be a point of disagreement, not confusion, because the question of definition and design assumes a certain understanding about man's capacity for long duration flight.

Permit me to read a portion of the letter from Dr. Adey, director of the Space Biology Laboratory of the University of California at Los Angeles.

Mr. HOLLAND. Did the Senator not have that letter printed in the RECORD a while ago?

Mr. MONDALE. I did. But I want to make the distinction between definition and design. This is design money. There is research money provided in the bill.

Dr. Adey states:

> Biomedical information currently available is not adequate in critically important areas for the design or construction of space stations or interplanetary space craft. Specifically, we do not know whether it will be necessary to provide artificial gravity by some form of rotation of part or all of the spacecraft. Biomedical evidence from the U.S. manned program, and particularly from the recent U.S. monkey biosatellite flight, and from the Soviet Soyuz-9 manned flight, all indicate that there are significant problems of cardiovascular instability, body weight loss, and associated disturbances in daily body rhythms and certain nervous functions.
>
> Yet to build spacecraft with a full artificial gravity as on earth, provided by rotation, predicates systems of very lrage dimensions for acceptable human comfort. Moreover, levels of gravity much less than 1 G may be adequate to prevent medical deterioration, and it is possible that drug and hormone therapy, properly developed, may greatly assist on long missions.

Mr. HOLLAND. Mr. President, I think the Senator has overlooked the fact that the letter relates in part to research for interplanetary missions. The word was used in the letter.

Mr. MONDALE. Mr. President, permit me to state his conclusion. I think that will clarify the matter.

He states:

> Therefore, it is submitted that the program for a Space Shuttle might well remain in the phase of fundamental research and feasibility studies, pending the outcome of medical investigations in the Skylab program.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD again.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF CALIFORNIA,
LOS ANGELES,
Los Angeles, Calif., June 29, 1970.

Senator WALTER F. MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: With Senate action now pending on the Space Shuttle, I submit for your consideration the following viewpoints as important in the determination of priorities in the space program in the coming decade. I write as a concerned biomedical scientist who has participated in the space program for the past ten years, both as an investigator in manned and unmanned flights, and as a member of committees and review bodies with an advisory role to both government and NASA.

Priorities in the space program since its inception have placed major emphasis on manned programs, with particular emphasis on the engineering aspects of needed hardware for reliable mission accomplishment. Although there can be no quarrel with the development of spacecraft engineering with reliability assured for manned flight, the price paid has been very high, so high that it appears to have been markedly detrimental to a balance between manned and unmanned space developments. Moreover, emphasis within the manned program has been on man as a test pilot in evaluation of engineering goals, rather than as a biological system himself, requiring the same careful long-term and detailed evaluation if the goal of long-term space flight is to be accomplished.

Biomedical information currently available is not adequate in critically important areas for the design or construction of space stations or interplanetary spacecraft. Specifically, we do not know whether it will be necessary to provide artificial gravity by some form of rotation of part or all of the spacecraft. Biomedical evidence from the U.S. manned program, and particularly from the recent U.S. monkey biosatellite flight, and from the Soviet Soyuz-9 manned flight, all indicate that there are significant problems of cardiovascular instability, body weight loss, and associated disturbances in daily body rhythms and certain nervous functions.

Yet to build spacecraft with a full artificial gravity as on earth, provided by rotation, predicates systems of very large dimensions for acceptable human comfort. Moreover, levels of gravity much less than 1 G may be adequate to prevent medical deterioration, and it is possible that drug and hormone therapy, properly developed, may greatly assist on long missions.

No adequate biomedical basis for these engineering systems is now available, either in the NASA or in the biomedical community. Therefore, it is imperative that NASA collect comprehensive biomedical data as an engineering baseline for design of future spacecraft for prolonged human occupancy.

It is here that there are grounds for concern. NASA has a long history of making commitments to biomedical investigations, which have been repeatedly reduced or even shelved in favor of mission goals of a primarily engineering character. The proposed medical studies in the Skylab missions were initially designed to overcome many deficiencies in the current status of space medicine and physiology. Every effort should be made to safeguard the prime importance of the biomedical aspects of these missions.

In this context, development of a Space Shuttle should be reviewed in terms of its potential contribution to acquisition of needed biomedical information. Its use as an adjunct to physical and life science investigations should be evaluated against likely progress of biomedical research in the Skylab program in the absence of such a vehicle. Medical and psychological studies planned for Skylab will provide much needed information relevant to design of spacecraft for prolonged human occupancy. They are expected to settle many basic issues concerning needs for artificial gravity.

Therefore, it is submitted that the program for a Space Shuttle might well remain in the phase of fundamental research and feasibility studies, pending the outcome of medical investigations in the Skylab program. At the same time, avoiding commitment to heavy expenditure in this area would afford an excellent opportunity to redress the traditional imbalance between manned spaceflight programs and other more modest but highly important developments. These include fundamental space biology related to medical problems of man in space, and studies in the physical sciences in planetary programs, as well as in areas of the NASA Space Applications program.

Thank you for your consideration.

Sincerely,

W. ROSS ADEY, M.D.,
Director, Space Biology Laboratory University of California at Los Angeles.

Mr. HOLLAND. Mr. President, I think the letter expresses very clearly that it is directed in the main at interplanetary exploration and interplanetary flight and artificial gravity to be created by certain mechanical means in the event men are sent out into interplanetary spaces.

We are not talking about anything of that kind. We are talking plainly and simply about the research for and the design for the reusability of the craft after it is launched and the method of launch which would be different than anything we have ever had before. We are also talking about finding out whether it is feasible to have such a platform launched out in an area relatively close to earth, but nevertheless making constant orbits around earth

The letter very clearly shows that the bulk of it has to do in the first instance with biomedical facts and in the second instance with interplanetary flight and preparations therefor.

Mr. MONDALE. Mr. President, will the Senator yield further?

Mr. HOLLAND. I will yield. I had promised to yield to the Senator from Florida. However, I yield first to the Senator from Minnesota.

Mr. MONDALE. Mr. President, one cannot clearly read the letter from Dr. Adey without concluding that earth orbiting is precisely what he is referring to.

Let me repeat:

> Therefore it is submitted that the program for a Space Shuttle might well remain in the phase of fundamental research and feasibility studies, pending the outcome of medical investigations in the Skylab program.

That is the earth orbiting program.

Mr. HOLLAND. Mr. President, it seems clear to me that the Senator is overlooking entirely the earlier part of the letter in which he is talking about interplanetary flight.

Mr. MONDALE. And earth orbit.

Mr. HOLLAND. He is talking about the creation of artificial gravity which is so necessary in the case of interplanetary flight. He is talking about things that have no relation at all to what we are talking about here, as well as making some mention of the things we do have great concern about in the bill. However, the Senator is, I think, overlooking entirely the fact that the letter from which he reads, written by Dr. Adey, refers to a much broader group of subjects than we are talking about at the present time.

Mr. MONDALE. Mr. President, may I say that the problem of long-duration flight—either in earth orbit or interplanetary—is one about which we do not know the answers, as Dr. Adey says.

Mr. HOLLAND. Mr. President, the problem is so different that in the case of earth orbit, we might be talking about a period of a few weeks and, in interplanetary flights, we might be talking about a period of a few years. The difference is so great that the two can hardly be mentioned as the same problem.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I yield.

Mr. GURNEY. Mr. President, I think the Senator from Florida makes an able case for the space shuttle and the very problem we are talking about, man's ability to live in space.

As I gathered from the colloquy between the Senator from Florida and the Senator from Minnesota, and earlier from the colloquy between the Senator from Minnesota and the Senator from Wisconsin, they try to shoot down the space shuttle on the point that man cannot live long in space. There is no evidence that that is so.

From all of our own space flights so far—and we have had men orbiting for up to 13 days in space—they have suffered no ill effects.

As far as we know from the recent Soviet space flight which has lasted for just short of 18 days, there were no ill effects.

The reports have been fragmentary, as the Senator pointed out, in the letter from the space medical doctor on this matter.

But the Russian news reports which I have checked, and checked recently while listening to the colloquy, are that the Russian cosmonauts are entirely well and did not suffer any ill effects that could have come from long space flight.

The point is that we are now obviously in the neighborhood of 3 or 4 weeks in space. We know that men can live and get along all right.

If we have the space shuttle and if men suffer ill effects in space, we can bring them back in whatever period is necessary.

Obviously, the space shuttle as far as manned space flights are concerned backs up the facts already in existence.

So, I think that the argument the opposition is making about the space shuttle on the basis that we do not know how long men can live in space falls of its own weight because the space shuttle, as specified in the sky lab, works so well that we can bring our people home and substitute new men. So, we can have continuous surveillance and observation of men in space.

That is a good reason why we ought to have a space shuttle.

Mr. HOLLAND. Mr. President, I thank my colleague from Florida for bringing out that real and very worthwhile objective of the space shuttle; that is, the possibility of recovery, of relief given, and recovery made in the event something went wrong so that men in space could survive for the length of time they are able to survive, but still could not bring back their vehicle to the earth.

I do wish to correct one statement a while ago, which was a slight misstatement. I said in the authorization hearing this amendment was defeated by 2 to 1. The vote was 56 to 29, which is almost 2 to 1 but not quite 2 to 1.

I will continue to read from the hearings. The last question, I think, was by the Senator from Maine (Mrs. Smith). It must be remembered that she is the ranking minority member of the Committee on Armed Services and the ranking minority member of the space committee as well. More than any one individual she has kept check on the cooperative aspect of the programs of DOD and NASA.

> Senator Smith of Maine. As you were talking with Senator Cannon about consolidating need of various agencies, would not the shuttle be that one that Defense and NASA could agree upon?
>
> Dr. Foster. Yes, Senator Smith, that is what I intended to point out.

That is something they could cooperate on.

I see in the Chamber the distinguished Senator from Nevada (Mr. Cannon) who had been questioning Dr. Foster in an earlier part of the hearing. The Senator from Maine (Mrs. Smith) was referring to an earlier series of questions and answers in which the Senator from Nevada had been questioning Dr. Foster. Am I correct in that?

Mr. CANNON. The Senator is correct. Will the Senator yield at that point?

Mr. HOLLAND. I yield to the Senator from Nevada.

Mr. CANNON. I have before me the agreement that was entered into between the National Aeronautics and Space Administration with the Department of the Air Force concerning the space transportation system.

The Senator from Minnesota (Mr. Mondale) seems to imply that perhaps the Air Force or DOD needs have not been considered as a part of this program, that this was something NASA was undertaking, independent and apart from the military services.

This document, and I shall ask that it be made a part of the Record, establishes an agreement between NASA and the Department of the Air Force, acting as the agent of DOD "to insure that the proposed national space transportation system will be of maximum utility to both NASA and the DOD." This agreement is signed by Dr. Paine, Administrator of NASA, and Robert C. Seamans, Jr., Secretary of the Air Force, and it is dated February 17, 1970.

The agreement merely delegates to NASA the authority to proceed on behalf of both agencies in an effort to consolidate and not have two parallel programs going, but to get the job accomplished on behalf of both agencies.

Mr. President, I ask unanimous consent that a copy of the agreement may be printed in the Record.

There being no objection, the agreement was ordered to be printed in the Record, as follows:

AGREEMENT BETWEEN THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND THE DEPARTMENT OF THE AIR FORCE CONCERNING THE SPACE TRANSPORTATION SYSTEM

This document establishes an agreement between NASA and the Department of the Air Force, acting as the agent of DOD, to insure that the proposed National Space Transportation System will be of maximum utility to both NASA and the DOD.

I. OBJECTIVE OF THE SPACE TRANSPORTATION SYSTEM

The objective of the Space Transportation System (STS) is to provide the United States with an economical capability for delivering payloads of men, equipment, supplies, and other spacecraft to and from space by reducing operating costs an order of magnitude below those of present systems.

The program may involve international participation and use. The development of the STS will be managed by NASA. The project will be generally unclassified. For purposes of this agreement, the STS will consist of the earth-to-orbit space shuttle.

II. NASA/USAF STS COMMITTEE

A. Organization

In order that the STS be designed and developed to fulfill the objectives of both the NASA and the DOD in a manner that best serves the national interest, a NASA/USAF STS Committee is hereby established that will report jointly to the Administrator of the NASA and the Secretary of the Air Force. The Committee will consist of eight members, four to be appointed by the Administrator of the NASA and four to be appointed by the Secretary of the Air Force. The Co-Chairmen of the Committee will be the Associate Administrator for Manned Space Flight (NASA) and the Assistant Secretary for Research and Development (Air Force). Any proposal for changing the composition or functions of the Committee will be referred to the NASA Administrator and the Air Force Secretary for their joint consideration.

B. Function

The Committee will conduct a continuing review of the STS Program and will recommend steps to achieve the objectives of a system that meets DOD and NASA requirements. Specifically, the Committee will review and make recommendations to the Administrator of NASA and to the Secretary of the Air Force on the establishment and assessment of program objectives, operational applications, and development plans. This will include, but not be limited to: Development and operational aspects, technology status and needs, resource considerations, and interagency relationships.

Thomas O. Paine,
Administrator, NASA.
Date: 17 Feb. 1970.

Robert C. Seamans, Jr.,
Secretary of the Air Force.
Date: Feb. 17, 1970.

Mr. HOLLAND. Mr. President, I thank the Senator from Nevada who, as a member of the Committee on Armed Services, not only had knowledge of this agreement but of the fact that it was available publicly. I knew of the existence of the contract but I did not know if it could be made available publicly. I am very glad that it will be in the Record. I am sorry the Senator from Minnesota is not in the Chamber at the present time. It makes clear that some 3 months prior to our hearings the agreement had been entered into whereby DOD had assigned to NASA the doing of the very work which would be interfered with if this $110 million were cut out of the appropriations bill.

I shall continue to read from hearings where the Senator from Maine (Mrs. Smith) was asking questions of Dr. Foster.

> Senator Smith of Maine. I gathered that is what you were talking about.
>
> Dr. Foster, are you aware of the Budget Bureau request of the Defense Department and NASA to jointly prepare plans for possible further consolidation of the DOD Eastern Test Range and the NASA Cape Kennedy Space Center activities?
>
> Dr. Foster. Yes, I am, Senator; and we are making that review now. The date by which we have to submit that study to the Bureau of the Budget is May 1, 1970.

Which was a few days after our hearing.

I shall read one more exchange because I think it is so very full of meaning.

> Senator Smith of Maine. Doctor, you spoke of these joint committees and joint effort and so forth, between DOD and NASA. Are you finding full cooperation in this, or is there any lack of it on either side?
>
> Dr. Foster. The answer there is that we find full cooperation. I must say it is getting better as the budget gets tighter.
>
> Senator Smith of Maine. We have been asking this question for some years, and I never feel satisfied that there is the full cooperation that will bring about the results that some of us would like to see.
>
> Dr. Foster, does the United States have a capability to detect whether a Soviet spacecraft carries nuclear weapons?
>
> Dr. Foster. [Deleted.]
>
> Senator Smith of Maine. Is the Soviet [deleted] launch vehicle operational?
>
> Dr. Foster. [Deleted.]
>
> Senator Smith of Maine. [Deleted.]
>
> Dr. Foster. [Deleted.]
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> Senator Smith of Maine. [Deleted.]
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> Dr. Foster. [Deleted.]
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> Senator Smith of Maine. [Deleted.]
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> Dr. Foster. [Deleted.]
>
> Senator Smith of Maine. [Deleted.]
>
> Dr. Foster. [Deleted.]
>
> Senator Smith of Maine. [Deleted.]
>
> Dr. Foster. No.

The deletion of those questions and answers shows the importance to the security of our Nation, which is involved in this matter.

I would like to say to the Senator from Minnesota, who was called temporarily from the Chamber but who has now returned, that in his absence the distinguished Senator from Nevada placed in the Record the operational agreement between the Air Force, acting for DOD, and NASA, making a common program out of the space shuttle.

Mr. MONDALE. How much money does the Air Force contribute to that?

Mr. HOLLAND. I would be glad to yield to the Senator from Nevada if he knows the answer.

Mr. CANNON. I would assume they contribute nothing.

Mr. MONDALE. That is what I thought.

Mr. CANNON. DOD thought NASA was the organization to handle the project for both agencies. I assume all of the appropriation would be through the authorizing agency, the agency that is made manager of the project.

Mr. MONDALE. I think there have been many cases in the past where DOD and NASA jointly funded efforts, but in this one, DOD thinks so little of the project they will not spend a penny on it.

Mr. CANNON. Does the Senator have the idea that DOD gets money from other sources? Do they have some source, other than NASA has to go to, to receive their money for these projects? If so, I would like to know what it is. I thought the money came from appropriations by the Senate and House of Representatives.

Mr. MONDALE. If DOD thought that there was a critical defense need, it was my impression they have been more than able to come to Congress and get as much money as they requested—but in this instance they even canceled the MOL program.

Mr. HOLLAND. This is a program which, if proved to be successful, would be eminently useful for civilian purposes. They would save the vehicles and make use of them time and time again. It would be useful from the standpoint of the Department of Defense for the same purpose. There is no reason in the world why NASA should not have been agreed upon as the agency to do this work because it was trying to effect a method of economy, which the Senator from Minnesota is now seeking to destroy if he puts off new work that needs to be by way of research to make this effort successful.

There is one more point I wish to make and then I shall be finished. Generally speaking, there are three steps in the construction of a space system.

One of them is research and feasibility, which is covered in the $110 million. Second is detailed planning and preliminary design, which is also covered within that. The third, development and construction, which is not covered within it. We are not trying to commit ourselves to the latter at this time.

Of course, as the Senator knows, and as he has stated, and stated very properly, the research as to the ability of man to live, and under what kind of conditions he can live, and how long, in space, is something that is going on, not only in this particular program but in every other manned program of any great duration in which we are engaged.

I strongly hope that this amount will not be cut out of the appropriation. It seems to me that the Senate, having specifically approved this project, by a vote of 56 to 29, at the time of authorization, should feel even less inclined to approve the effort of the Senator from Minnesota, knowing that the latest Russian effort shows clearly, beyond any question, that they are experimenting in this same field—the biomedical part of it—and that they conducted a rather fine experiment, based upon what was released only recently, in keeping their two cosmonauts in space some 17 days-plus.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3592) to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

Mr. ALLOTT. Mr. President, I find myself in a very peculiar position this afternoon, as ranking Republican member of the subcommittee, in being asked to take the position for the committee of carrying the opposition to this amendment. I realize the feelings of the distinguished chairman of the committee. Nevertheless, I feel that this is a very important program, and the contributions of the distinguished senior Senator from Florida and the distinguished junior Senator from Florida, as well as the distinguished junior Senator from Nevada, have been very helpful.

The space shuttle will be the most important rocket vehicle in the U.S. space program and will be available in the late 1970's. This is one thing that the arguments this afternoon failed to take into consideration. It will replace all of the intermediate size launch vehicles and will also launch many of the payloads planned for the giant Saturn 5; and everyone knows that that is a very expensive vehicle. It will be used for science payloads as well as application payloads, and it will also be the only capability for manned space flights after 1974, when the last space flight is scheduled.

Without a shuttle, therefore, there will be no more manned space flights after 1970; and even if the shuttle is developed, as we hope it will be developed, there will be a gap in all manned space flights between 1975 to at least 1977, and perhaps 1978 or 1979.

I would like to speak now about the funding matter, because the funding requested in fiscal year 1971, which is $110 million, is basically for a conceptual design, and that is all. It does not constitute a commitment to move on to shuttle development, and such a commitment would only be made in terms of the fiscal year 1972 budget, and would have to be approved by the Senate next year when the 1972 budget is under consideration.

The major purpose of these design studies is to fully ascertain the space shuttle cost, and by the time NASA asks for a commitment, probably in 1972, to develop the shuttle, the cost range should be firm. However, we know, even out of the total, the shuttle development cost will be considerably less than stated in the press releases of various Senators.

Now I would like to define exactly what we are talking about here for this space shuttle, and I am going to read from the Extensions of Remarks appearing on page 21081 of the Congressional Record of June 23, 1970, a letter to Chairman Olin E. Teague, chairman of the Subcommittee on Manned Space Flight, Committee on Science and Astronautics, House of Representatives. This letter is dated May 28, and is signed by T. O. Paine, Administrator of NASA.

I want to read from it because it will clear up a lot of confusion that many of us really need not have. I skip the first paragraph. I shall place the whole letter in the Record, so it will be in the Record for all to read. Starting with the second paragraph:

> First, I would like to review briefly the NASA policy of phased project planning. Under this policy, major research and development programs are conducted in four sequential phases. The first phase (Phase A) consists primarily of an in-house analysis and preliminary study effort to determine whether the proposed technical approach is feasible. Phase B consists of detailed studies and definition, comparative analyses, and preliminary design directed toward facilitating the choice of a single approach from among the alternate approaches selected through the first phase.

So that phase B which is what we are talking about here, is simply detailed studies and definition, comparative analyses, looking toward the choice of a single approach from among the alternate approaches that might be selected.

Now, at a later point he says:

> Accordingly, we selected contractors on May 12 to proceed into the second or definition phase of detailed study, comparative analysis, and preliminary design directed *toward facilitating the choice of a single program approach.*

He said further:

> We will decide at the conclusion of this phase whether it is appropriate to settle on a single design or continue competitive approaches.

So it very clearly shows, from these two or three paragraphs I have read from Mr. Paine's letter, this is not for a design for a model, but, rather, a definition design, or what I have called previously a conceptual design, beyond which they hope to make some selection from alternatives.

Then he goes on in another paragraph and says:

> Similarly, these detailed definition studies will permit us to gain a thorough understanding of service life, frequently of utilization, and what is involved when we consider such matters as Air Force requirements. These detailed results will in turn supply the Department of Defense with the information it will need to determine how it will utilize the shuttle and what organizational, logistics, and financial support it should provide.

Then, reading from the penultimate part of the letter I read:

> Thus I believe it is clear that the responsible course to be taken is to invest now in the study efforts and proceed at an efficient pace in the future toward bringing into operation a system that will permit us to end the practice of discarding vehicles after a single flight. We will continue this work through the Phase B studies currently being initiated. Then at the conclusion of this phase we will reach another checkpoint at which we will be able to review the situation thoroughly.

I think that should clear up just exactly what we are doing here with the particular amendment that has been offered.

I ask unanimous consent that the letter from Mr. Paine to the Honorable OLIN E. TEAGUE be included at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, D.C., May 28, 1970.

Hon. OLIN E. TEAGUE,
Chairman, Subcommittee on Manned Space Flight, Committee on Science and Astronautics, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your significant and timely inquiries regarding the design, operations, and cost of the space shuttle and related booster system. Attached are specific answers to each of your questions. However, I would like to set forth some general comments on our space planning to establish a framework for the answers to your specific questions.

First, I would like to review briefly the NASA policy of phased project planning. Under this policy, major research and development programs are conducted in four sequential phases. The first phase (Phase A) consists primarily of an in-house analysis and preliminary study effort to determine whether the proposed technical approach is feasible. Phase B consists of detailed studies and definition, comparative analyses, and preliminary design directed toward facilitating the choice of a single approach from among the alternate approaches selected through the first phase. Phase C involves detailed systems design with mockups and test articles to assure the hardware is within the state-of-the-art and that the technical milestone schedules and resource estimates for the next phase are realistic. The final phase (Phase D) covers final hardware design development and project operations.

The phased project planning process provides that the work content of each of the first three phases is directed toward developing information needed to support the decision to proceed into the next phase.

The phased project planning process provides that the work content of each of the first three phases is directed toward developing information needed to support the decision to proceed into the next phase.

NASA and the DOD have been working for more than three years on the preliminary analysis of alternate approaches and concepts, and on the research and technology effort needed to determine whether it is appropriate to develop reusable vehicles that will substantially reduce the cost of operating in space. We have concluded that this is an achievable objective. We are convinced that availability of these vehicles will lead to significant changes in our concepts of operation in the space environment as well as reductions in costs.

Accordingly, we selected contractors on May 12 to proceed into the second or definition phase of detailed study, comparative analysis, and preliminary design directed *toward facilitating the choice of a single program approach*. These contractor efforts will take place over the next eleven months. However, to assure high flexibility as we proceed, we are continuing with first-phase studies of several alternative approaches.

The steps we are taking now will provide us with more complete information on the very significant questions you and others are asking. We will decide at the conclusion of this phase whether it is appropriate to settle on a single design or continue competitive approaches. We will be able then to take into account technical assessments and opinions throughout NASA, as well as those of other experts in industry, universities, and other government agencies. We can determine then whether the criteria described in the RFP comprise the most feasible and realistic system, all factors considered.

Similarly, these detailed definition studies will permit us to gain a thorough understanding of service life, frequently of utilization, and what is involved when we consider such matters as Air Force requirements. These detailed results will in turn supply the Department of Defense with the information it will need to determine how it will utilize the shuttle and what organizational, logistics, and financial support it should provide.

One objective of the space shuttle is economy based on broad and flexible utilization of this transportation system. The system will have the capability for a wide variety of future missions including logistic support of manned orbiting systems, delivery of unmanned payloads to orbit, recovery and return or on-orbit repair of satellites, and performance of independent short duration manned missions. We believe that the vehicle design will provide an inherent capability to meet additional applications which will materialize as we acquire experience in this type of space operation. Therefore, the problem of early "dead-ending" should not be experienced in the shuttle program.

This brings us to your third group of questions. Again I wish to emphasize that all of these matters are being pursued vigorously as we enter the definition phase. Alternate approaches are being considered. Formal reviews will be conducted every two or three months. Use of existing hardware and facilities will be fully considered along with the cost and impact of additional facilities, should they be required. Integrated plans were developed in support of the Space Task Group activity during 1969. These plans are being re-examined and updated with consideration of alternatives in the phasing of major program elements consistent with realistic consideration of the budget aspects of the transition from current systems to the space shuttle, space station, and other advanced systems in future years.

Finally, the plan to move toward reusability is based on studies that show the resulting savings will more than repay the cost of development. The economies of reusability will occur in both the vehicle and payload areas. Necessarily, these studies are based in part on assumptions. No one can predict all of the variable factors with certainty for a time period eight to ten years from now. But my associates and I are convinced we are at the very beginning of the utilization of space and space technology for the benefit of men on earth. We believe that these estimates are quite conservative, and that when the shuttle becomes available the traffic to and from earth orbit will increase rapidly. We expect that presently contemplated applications will expand sharply and that others not even foreseen at present will be introduced.

The benefits of the space shuttle are not limited to cost reduction. It is my expectation that this new capability will provide a significant contribution to our national security. It will also provide the capability to do things such as space rescue, which cannot now be done. Furthermore, there is reason to expect that the ability to retrieve, repair, and refurbish objects in space will provide additional improvements in the economy and effectiveness of space operations.

Thus I believe it is clear that the responsible course to be taken is to invest now in the study efforts and proceed at an efficient pace in the future toward bringing into operation a system that will permit us to end the practice of discarding vehicles after a single flight. We will continue this work through the Phase B studies currently being initiated. Then at the conclusion of this phase we will reach another checkpoint at which we will be able to review the situation thoroughly.

Therefore, in light of all these considerations, we believe that it was a sound decision to move ahead at this time with Phase B of the space shuttle.

Please call on me if I can be of further assistance.

Sincerely,

T. O. PAINE,
Administrator.

DESIGN

Question 1—Is it appropriate at this point in time to settle on a single design or concept when the risks and costs of the primary or alternate schemes are not clearly known?

Answer—NASA has not settled on a single design. The Phase B study proposals provide a point of departure for defining a reusable shuttle system. They encompass a range of configurations and design approaches. Technical risks and costs implicit in any of these design alternatives will be prime considerations of the study. Concurrent with Phase B, NASA will continue to study alternate approaches.

Question 2—Have divergencies of opinion within NASA as to basic concepts been taken fully into account?

Answer—Yes, NASA has considered many opinions and taken them into account in evolving the Phase B approach. Extensive in-house evaluation of configurations developed in earlier studies were made prior to release of the RFP. Positions from many sources including the NASA MSF centers and research centers and appropriate Air Force agencies have been melded together to establish the approach taken in our Phase B studies wherein these positions will be the subject of continued investigations and definition.

Question 3—Can the RFP be challenged as to its genuine substance, depth, and ultimate acceptance as the most feasible and realistic system, all factors considered?

Answer—The RFP was designed to define baseline requirements and a study plan whereby the contractors will consider alternate approaches and conduct extensive tradeoffs to define a feasible and realistic system.

NASA conducted extensive Design Reference Reviews and configuration studies and these together with the Phase A feasibility studies served as the basis for the RFP. The RFP including the Statement of Work was prepared and reviewed in depth through successive stages by NASA and the Air Force. Consequently, a wide range of expertise was utilized in the preparation and approval of the shuttle RFP.

OPERATIONS

Question 1—Has full consideration been given to Air Force requirements especially to the cross-range capability?

Answer—Yes, Air Force requirements are being given full consideration and especially as regards cross-range.

Under "Study Objectives and Approach" of Phase B Space Shuttle System Statement of Work in-depth study of the cross-range requirement is stipulated as a fundamental objective. The study effort will yield data to evaluate designs of the space shuttle system with the orbiter optimized for a high aerodynamic cross-range of 1500 n.m. and a low aerodynamic cross-range of 200 n.m. NASA will completely evaluate the results of the contractor's two design studies to explore in depth the overall influence of the cross-range performance requirement on the cost, schedule and capability of the space shuttle.

NASA and the Air Force have jointly developed the requirements for a national space transportation system and have developed a policy of mutual participation in such activities as design review, technology programs, preparation of work statements and Source Evaluation Boards.

Question 2—What is the service life of the shuttle and what is the frequency of utilization?

Answer—Based on previous systems and technology studies, a design goal of one hundred reuses of each vehicle has been established. When the shuttle becomes operational, each flight system will be capable of being readied for another mission within a turn-around time of two weeks. Requirements for these design goals will be evaluated during the Phase D studies.

Question 3—What potential military uses exist for the shuttle and at what point in time and under what circumstances will the Air Force assert its role, specify its missions, and provide organizational logistics and financial supports?

Answer—John S. Foster, Jr., Director of Defense Research and Engineering, for DOD stated to the Senate in March of this year that DOD fully supports the Space Shuttle studies in the following testimony.

"Once an economical and operationally effective STS is developed, we would expect to use it to launch essentially all DOD payloads into earth orbit. We hope thereby to reduce DOD launch costs by an order of magnitude. Not only will we economize from the point of view of a reusable launch vehicle, but significant savings can accrue because repair and reuse of payloads will be possible and payloads design criteria would become less stringent. In addition to all of this, we would expect to benefit from the STS technology resulting from NASA's development efforts."

The Air Force and NASA have worked very closely during the past several months to identify their respective missions and associated design requirements. This close working relationship is continuing and the requirements of both agencies are reflected in the Phase B study plan. The National Aeronautics and Space Administration and the Department of the Air Force have signed an agreement which establishes a Space Transportation Policy Board. It is the function of the Policy Board to assure that the Space Transportation System will fulfill the objectives of both agencies by establishing program objectives including operational aspects, technology status and needs, fiscal considerations and interagency relationship.

COST

Question 1—Have all possible approaches been fully considered to minimize cost and risk?

Answer—Preliminary cost analyses of the space shuttle system have been underway for a number of months, but a more comprehensive study must await the time when the data from the Phase B definition studies is available. Under the Phase B studies, cost, performance, and schedule and their associated technical risk will be prime tradeoff factors in all design decisions. This is consistent with the stated program objective: to provide a low-cost, economical space transportation system based on both minimized development and operational costs.

Question 2—What bench marks can be established in the program to assure that the lowest risk design has been chosen and is being developed at optimum cost?

Answer—During the period of performance of Phase B studies for the engines and systems, large scale formal reviews at the end of the third, sixth, eighth and eleventh months will be conducted by NASA to insure that the studies are proceeding in the desired manner. NASA will conduct in-house analyses of the contractors' efforts and will perform an in-depth examination of the Phase B results and a continuing appraisal of potential alternate approaches. In addition, design certification and operational program experience such as that gained in Apollo will enable NASA to insure that the proper system consistent with optimum cost, performance and low risk is carried forward for detailed design and development in later phases.

Question 3—Is existing hardware and facilities directly applicable and usable for the new shuttle being utilized to the maximum extent?

Answer—Several study activities are being initiated which will provide insight as to the capabilities of existing facilities to support the shuttle and to define possible additional facility requirements. The Phase B studies will identify major facility requirements for the shuttle. An independent assessment of all facility requirements will also be made.

Consideration is being given to the possible use of existing facilities for engine evaluations, wind tunnel tests, structural investigations, vacuum chamber simulations and operational planning. Also included is the consideration of existing launch and support facilities at KSC and WTR and the flight test facilities of NASA and the Air Force. At this time, only a limited effort has been initiated on the space shuttle that would require the use of facilities. Since the shuttle configurations are in an evolutionary state at this time it is not possible to make a final commitment on facility requirements.

Question 4—Has NASA prepared integrated plans for various systems with realistic consideration given to reasonable budget aspects during the period?

Answer—Yes. Integrated plans were developed in support of the Space Task Group activity during 1969. During the past year NASA has conducted continuous planning activities to further develop these integrated plans. Several alternative levels of funding were included in the Space Task Group studies. These integrated plans are being reassessed and updated with consideration of alternatives in the phasing of major program elements and development efforts to conform to realistic expectations with respect to annual budget levels.

Question 5—Has consideration been given fully to the cost and impact of additional facilities in new programs and proposals?

Answer—Consideration is being given to the cost and impact of additional facilities should any be necessary.

Space Shuttle facilities requirements will be examined during the Phase B system studies. In addition, NASA has established a Facilities Task Group whose function will be to prepare an overall Space Shuttle facilities plan. This plan will reflect recommendations as to the facilities necessary to support activities identified by the Phase B contractors and by NASA and DOD. Each proposed facility requirement will be evaluated against several factors including the possible utilization of existing facilities. New facilities requirements will be identified where the use of existing resources is not justified. Economic analysis and cost tradeoffs will be carefully weighed in each case.

Mr. ALLOTT. In substance, Mr. President, the remarks during the debate on this matter today have been exactly the same as the debate we heard when we had the authorization bill before the Senate. At that time there was offered an amendment to reduce the authorization and to take the space shuttle out of the authorization.

Mr. President, I wish to express, and express very strongly, that this is not a hardening of design. It is anything but that. It shows a very cautious, intelligent, and planned approach to the whole matter.

Another matter of which we have heard again this time is the "monkey argument." We heard the "monkey argument" during the course of the authorization at some length.

It was widely reported in the press that the Soviet cosmonauts suffered serious ill effects from their recent record-breaking flight. These reports have been used by some as a justification to reduce appropriations for our space program.

This argument, Mr. President, has been used again today, the argument being, of course, that because a monkey could not stand 8 days in space, the spacemen could not. We have orbited men 14 days, and the Soviets have orbited them almost 18 days; and while I am prone to say that there is a great deal of difference between a man and a monkey, there might be some who would argue with me.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HOLLAND. Does the Senator recall that a year or two ago, the Russians began their talk of launching a platform, and that a little after that, they had three satellites up at one time, to show that they could join them and enable transfers back and forth between them, and to show that there is an ability for joining between a spacecraft setup and a platform, if it were there in orbit?

Mr. ALLOTT. I recall that very well, yes.

Mr. HOLLAND. And yet we apparently pay no attention at all to the fact that, from those facts and from the discussions in those months, many months ago, it was quite clear that the Russians were moving toward exactly what we are moving toward, and they showed it even more clearly by this 17-day plus venture in space the other day, attempting to discover what was the biomedical situation.

Mr. ALLOTT. The Senator is entirely correct. I do not know how one could very well interpret those two aspects of the Russian activities in any other way.

I think there are two false assumptions in the argument for the amendment. The first, of course, is that we are talking here about sending men into far-out planetary exploration. There is no such purpose in this space shuttle whatever. It is not intended for that. It is intended for the more economical and expeditious use of our money, for which the very people have been arguing who now offer this amendment.

The second false assumption, I think, is that somehow or other we are planning to keep people in orbit all of their lives, send them up and leave them up there. I do not think anyone has that in mind. I know there is a limitation. I do not know exactly what those limitations are now.

But the amendment, it seeems to me, is based upon those two false assumptions. The space shutle is important, because then men may go up to orbiting laboratories and back without the very great expense which is attendant upon the use of our very heavy boosters, or even our intermediate boosters.

In a recent press conference with respect to the introduction of amendments cutting the NASA budget, it was stated that the reports on the Soviet Soyuz 9 flight were a major factor behind the decision to seek a substantial reduction in space funds.

We now know, Mr. President, that these reports were inaccurate.

A report by the Library of Congress concludes that the Soviets consider the flight a success. The chief designer of the Soyuz spacecraft stated that as a result of the flight:

> It is possible to conclude that man can stay and work in space for at least two or three months.

Let me quote further from the Library of Congress Report:

> On 23 June TASS issued a statement concerning the health of the cosmonauts which was subject to some unfortunate interpretation. The actual TASS statement reads as follows: "The general condition of the cardiovascular system [of the cosmonauts] is normal, although a certain instability is observed, and this indicates that the process of readaptation of the organism from weightlessness to terrestrial condition has not yet been completed. It is quite possible that it will be expedient to create artificial gravity on spacecraft or orbital stations. In a word, the adaptation of man to conventional conditions [of gravity] after a long journey in space is not so simple after all."
>
> The above statement was interpreted to mean that the cosmonauts were in serious cardiovascular trouble and that is was doubtful whether man could stand spaceflight without artificial gravity. These reports were widely circulated in the press and on the radio in the United States on June 24th. It should be noted that on the 24th TASS issued another statement of a more optimistic nature and retracted the implication that artificial gravity would be necessary. The TASS statement of 24 June indicated that man could stand weightlessness for up to one month.

Since the basic purpose of the flight was biomedical, it is obvious the Soviets would give close attention to the cosmonauts' condition.

It is unfortunate, however, that inaccurate information would be used as justification to curtail our own efforts in space, even though I know that the information was given in good faith.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. PASTORE. It has been said here several times today that these arguments have been made time and time again. My own position, of course, is not on the question of the desirability of the program; it is on the question of where we are going to place our priorities. The only thing I wish to say at this time is this: If it is inflationary, let us say, to provide funds for impacted areas, to keep our children in school and give them the proper kind of an education, the Senator from Rhode Island does not understand the necessity for this program and the pursuance of it at this particular time.

That is the only argument I make. There may be some distant military value to it. I do not dispute that. There might be some scientific value to it. All these programs are very desirable.

But for now, I feel inherently and innately that we have reached the time where we have to properly allocate the money available to us, and I think this is one of the things that can wait.

My reason for rising was that I have been told that there is a possibility of limiting debate on this amendment so that we could come to a vote. I ask the Senator from Colorado whether an hour and a half, with 45 minutes on each side, would do.

Mr. ALLOTT. Mr. President, I would like to say to the distinguished Senator that as far as I am concerned—and, of course, I am doing this at the chairman's request—if I may finish up in 10 minutes at the very maximum, which I think I can, the distinguished junior Senator from Florida has approximately 20 minutes, the Senator from South Carolina (Mr. THURMOND) and the Senator from Nevada (Mr. CANNON) have requested time——

Mr. BYRD of West Virginia. The Senator from Minnesota (Mr. MONDALE) wants 30 minutes.

Mr. ALLOTT. Let us make it 45 minutes on a side.

Mr. PASTORE. Mr. President, I ask unanimous consent that debate on the pending amendment and all amendments thereto be limited to 1½ hours, 45 minutes to the side.

Mr. ALLOTT. Mr. President, reserving the right to object, I ask unanimous consent that the time in opposition to the amendment be controlled by the Senator from Colorado.

Mr. PASTORE. By the Senator from Colorado, and the time of the proponents in behalf of the amendment will be controlled by the Senator from Minnesota, that is correct. The Senator from Rhode Island will be neutral.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Who yields time?

Mr. ALLOTT. I yield myself such time as I shall use.

Mr. President, it has been suggested that NASA should undertake more programs in cooperation with other nations. I believe the record is clear that NASA has pursued international cooperation in a most aggressive manner. This occurred not only under the present Administrator, Mr. Paine, who, incidentally, was an appointee of the previous administration, but also under Mr. James Webb, who was the former Administrator. There have been cooperative flight projects with other nations; there are such projects as the Helios project with West Germany underway today. I call the attention of my colleagues to part 3 of the hearings of the Senate Space Committee on the fiscal year 1971 NASA authorization which is devoted in its entirety to international space cooperation.

But most important to the space shuttle issue before the Senate today is the fact that NASA has invited participation of the European Space Community in the space shuttle and space station program. Dr. Paine, the Administrator of NASA, met with members of the European Space Community in Paris from June 3 to June 5 to outline the U.S. space station program and invite these nations to evaluate their strength and interests and thereby assess the participation they desire to have in the program.

A similar session is scheduled on the space shuttle program in Bonn, Germany, on July 7 and 8. The NASA team will be headed by Dr. Homer Newell, Associate Administrator of NASA. It is understood that the Europeans are greatly interested in assuming responsibility for selected modules or systems in the space shuttle program.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield, on the time of the Senator from Minnesota.

Mr. MONDALE. Have the European countries promised to contribute to this joint project?

Mr. ALLOTT. I do not have that information. It is too early to know. The first meetings were held in June. Another is scheduled on July 7 and 8.

Mr. MONDALE. Is it the impression of the Senator from Colorado that they will contribute substantial amounts of money to this joint project?

Mr. ALLOTT. As I read the report, I do not know that it is based upon that assumption, but, rather, that they would develop and finance certain modules or certain parts of the spacecraft in Europe.

The point is that it is not true that there have not been any efforts made to bring the European community in and they are just now getting in.

Mr. MONDALE. My only point is that I very much suspect that this is going to be the type of space cooperation we have seen before—where the other countries stand back and cooperate and we spend all the money. I was wondering whether this is likely to be the same kind of cooperation.

Mr. ALLOTT. I would not make any projections on that, because, so long as they can get us to spend our money, they will do it, and the Senator knows that.

However, for the Senator's information, just as great efforts have been made to get the cooperation of the Russians in a joint space program; and they obviously feel—contrary to what some people on the floor of the Senate feel—that there is a very close military application of this entire program, and they do not get very far with the rest of it.

Here are very active and current efforts on the part of NASA to engage international participation in these forward looking developments. This participation has been recommended on several occasions by those who would cut the NASA appropriation on the basis that our funds could be saved through joint funding. Yet today just when NASA is actively seeking this participation and cooperation, amendments are being proposed to prohibit further study of the space shuttle program in this country or to reduce NASA funding to such a level that it would be virtually impossible to fund such efforts. Mr. President, this is completely inconsistent. It is also, and probably most important, a damaging blow to international cooperation and certainly strains the credibility of the

United States as to the seriousness of its overtures to seek a greater degree of international cooperation.

Mr. President, I have heard the argument this afternoon that if this is a military vehicle, it should be over in military. Yet, the same people who so argue have been arguing for years that all these projects should be in one agency of the Government. They are now in one agency of the Government, and this is the way I think we will make the greatest progress.

In conclusion, I should just like to voice one thought: The Senator from Colorado was one of those who called and asked for some very hard studies at the time of the announcement by President Kennedy that we should send a man to the moon in the decade of the 1960's. I do not think that that was given the thought by our scientists that it should have been given, but we have done it. But the fallout of the space program—about which I will talk later—has been so fantastic in almost every field—the electronics field, the metallurgical field, the physics field, even the nuclear physics field, the field of astrophysics, and the medical field—that it is almost impossible for a single individual to understand it. But I will say this. I have watched these appropriations for research for many, many years, and no research program in the United States has provided the dynamic forward thrust and accomplishment that the space program has provided, because without it many of the things that are commonplace today—even including our computers—would not be here if there had not been the necessity for their development. Are we going to stop now and quit our space program? I hope not.

We are not talking about sending a man to Mars. We are not talking about sending a man to Venus. We are talking about orbital laboratories around the earth which will enable us to study, even to a greater extent, for example, spots on the sun, and all the things that can be studied outside the atmosphere of the earth, without the interference of the atmosphere of the earth.

So as we go into the next space age, do we want to leave the 5 years between 1974 and 1979 vacant while the Russians are developing this technology, or do we want to proceed at this point to try to define under phase B, as I read a few moments ago, the initial stages, so that at least a choice can be made of one or two directions in which the United States may go?

We are at the stage now that we were back in 1960, perhaps, when we were talking about the various forms of structures that might be used to get a man on the moon and retrieve a man from the moon. Now we are talking about the same thing. The big boosters that we have now are the horse and buggies of the future space age. They are expensive, they will continue to be expensive, and they will place a great financial burden upon the resources of this or any other country. There is one way in which that can be cut down, and that is by starting to define now the conceptual design of a space shuttle which, in fact, will take us into the second great era of our space program for which we have had so many benefits in every scientific area of the world.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield 20 minutes to the distinguished Senator from Florida.

Mr. GURNEY. Mr. President, I oppose this amendment to cut out the money for the space shuttle for this appropriation bill.

Essentially, what we have here is a replay of the authorization bill some months ago, earlier in the year. The same amendment was offered then, the same arguments were made, and the Senate rejected that, as the distinguished Senator from Florida pointed out, by a margin of almost 2 to 1; and I hope the Senate will reject the amendment again today by a similar margin.

The principal facts for the space shuttle program and also against the proponents of the amendment have been set out ably and in full by the ranking minority member of the subcommittee, as well as my own colleague from Florida, Mr. HOLLAND.

I should like to make some general remarks which will apply not only to the pending amendment but also to some others which are intended to be offered later, to cut out money from the bill.

Mr. President, the committee recommendation for a NASA appropriation of $3,319,303,000 is the absolute minimum amount necessary to retain the technical team and facilities we must have for an admittedly low key, but viable space program in the next decade.

A reduction of any magnitude will not merely result in further deferrals and delays. It will mean the termination of programs in which we have invested substantial amounts of money, which took years to build. It will mean a reversal of the President's Space Task Force directive for stable, long-range goals in space. If we cut back this amount we will be saying, in effect, that it is no longer a goal of this Nation to maintain its world leadership in technological achievement. We should not do this. We must not do this.

The President's Space Task Group was assigned the job of charting a new course in space for the next decade, one which would be consistent with austere budget goals. The reexamination of future directives in space, which is now being called for by the proponents of further cuts, was precisely the job of the Space Task Group. They developed three near- and long-term options based on the current economic climate, and technological capabilities of NASA.

NASA then recommended a budget level to implement the Space Task Group directives—a solid approach to space exploration without the waste pitfalls of a crash program. The NASA request to the Bureau of the Budget, based on the Space Task Group recommendation was $4.497 billion. The administration, in view of rising inflation, urgent domestic needs, and competing demands, felt it necessary to further reduce this figure to $3.333 billion. This amounted to a cut of over a billion dollars.

There has been a lot of argument made as to priorities. It seems to me that so far as priorities are concerned, the space program for the past 3 years has been placed in a low priority. If we place it any lower, we will place it out of business.

I point this out to show that NASA has already taken one of the biggest cuts proportionally, of any of the agencies so far this year. Compared to previous years, it is down by billions of dollars. The budget estimate is $2.5 billion below our 1966 space program. This means that it has been cut by 40 percent—close to half. Comparing it with expenditures in other fields over the last decade—while defense spending has gone up by 73 percent, domestic social programs spending has increased 222 percent—the space program has declined by 40 percent overall—down to almost half of its budget 4 years ago. To accommodate this lower funding, NASA made very substantial reductions in its program. Decisions were made to:

Reduce electronic research and close the Electronics Research Center in Boston, Mass.

Suspend the production of the Saturn V launch vehicle following vehicle No. 15.

Defer the launch of Skylab I, America's first experimental space station, by 4 months to late 1972.

Delay the Apollo 18 and 19 lunar landing missions from 1972 to 1974.

Delay the unmanned Viking Mars landing flight from 1973 to 1975.

Delay two advanced technology satellite missions incorporating direct broadcasting and other experiments, by 1 year, from 1972 and 1974 to 1973 and 1975.

Terminate the NASA sustaining university program.

The committee is to be commended for its recommendations to keep the appropriation amount in the research and development and construction of facility areas, on the level of the budget estimate. I was encouraged by the fact that the Appropriation Committee restored the $106 million in research and development taken out by the House appropriation.

The amount recommended for research and development however, is still $87 million under the authorization and almost $500 million under the 1970 appropriation. A further reduction by the Senate in this already austere budget of any amount whatever will not mean that NASA will have to just tighten its belt—it will mean crippling key programs and the loss of irreplaceable personnel.

In my judgment, NASA simply cannot take further reductions. When the House cut $106 million in research and development, it was done with the idea that the reduction could be accommodated by reducing the number of lunar landing missions during fiscal year 1971 from two to one.

The Deputy Administrator of NASA, Dr. George M. Low, has stated that this assumption is not borne out by the facts. Dr. Law said on May 11, 1970, that the maximum fiscal year 1971 cost reductions resulting from such a deferral are estimated to be from $10 to $20 million. Moreover, the House NASA oversight study recently reported that:

> A launch rate of less than two manned

> vehicles per year would materially increase the risk of mission failure in space flight.

According to Dr. Low, the $106 million, to say nothing of a larger cut, would require NASA to examine all of its research and development programs with a view toward further delays and terminations.

It is inconceivable to me that we could even consider a course of action which surely means slowly abandoning the continued leadership in space we enjoy today. Reducing this budget by $110 million—to say nothing of the 20 percent cut—$600 million—advocated by my colleagues, will mean just that.

The question has been raised as to whether to delete the research funds for a space shuttle. This has been suggested by some of my distinguished colleagues, and would constitute a crucial turning point for the U.S. space program. I suggest that it would constitute a decision to end our manned space flight capability after 1974. Based on our presented manned space flight program, we face a gap from 1975 to 1977. If the shuttle money is taken out of this budget now, the gap will be stretched to 3 and to possibly 5 years.

The space station/shuttle money is for research and design only. It is not even hardware money. It does not commit us to a Mars mission or to great future expenditures. Its whole purpose is just the opposite—to reduce costs through a reusable shuttle which can return men, cargo, and equipment back to earth, thereby producing economies in every aspect of space operations. It is being designed to enable us to continue a viable space exploration program at perhaps half the amount it has cost in the past to put payloads into earth orbit. It will also be available on short notice for Department of Defense use should that need ever arise.

Mr. President, we know the concept of a shuttle station has been studied in many countries in the last decade. Now that the technology is available, we cannot afford to throw away this opportunity to take the initiative and carry out an orderly program.

Dr. Paire, NASA Administrator, in testimony before the Senate space committee recently said:

> Space astronomy has come into being at an exciting time when astronomers are wrestling with some of the most puzzling problems ever turned up in man's investigation of the universe. Huge radio galaxies, quasars, pulsars, and numerous X-ray sources are still unexplained. Some of these objects emit energies at unbelievable and prodigious rates, suggesting that we may be witnessing new, powerful modes of energy production, different from those we have known in the past. Recalling that our present day knowledge of nuclear energy stemmed from inquiries into how the sun produced its radiant energy, we can speculate that today's space astronomy may eventually also yield results of tremendous technical importance. Satellites provide the means for making observations in the radio, infrared, ultra violet, X-ray, and gamma-ray-wave-lengths that cannot penetrate the earth's atmosphere to the ground so space astronomy is giving astronomers powerful new tools for investigating these challenging new questions.

I can candidly admit that many of us, as laymen, do not understand quasars and pulsars and the like—I cannot adequately explain them or their theoretical basis. But, on expert testimony, we know they are important and have implications which are far reaching. It is not difficult to speculate that the experimental conditions offered by a space station has the potential of leading to discoveries equal in magnitude to the breakthrough in our knowledge of atomic energy.

The leadtime for carrying out the development and putting into operation a space shuttle program is 7 to 10 years.

There is no question in my mind that the Soviet Union is pushing hard right now to put a manned earth-resources satellite into orbit in the next few years. They devote a good deal more of their national budget to space than we do. We cannot risk being confronted, once again, with a major Russian victory which may give its developer effective control of space.

When the Sputnik went up years ago, I remind my colleagues, it was the greatest propaganda defeat, in the eyes of the world, that this Nation ever suffered. It took us a decade to regain our position. A stop-start operation, which is what we are proposing by these further cuts in NASA's budget, necessarily involves the risk that at some future time we will have to produce another crash program, at a much greater expense.

I cannot emphasize strongly enough that any amount of reduction in this already austere budget will have serious consequences on our future space capabilities. As a result of the precipitious decline in funds since 1966, we are already witnessing the dismantling of the superb aerospace industry—the Government-academic team which it has taken years to build and which would take years to build again. We are closing some of our finest laboratories and contractor-operated facilities and others are rapidly phasing down. While these slowdowns are causing serious economic problems in the area affected, even more important is the consideration of the longrun loss to the Nation.

As I have said in the past, I think that it is our duty and responsibility in Congress to reorder our national priorities. We are on that road and it is good that we are. We have very often paid too much attention to the nostrums and catchwords of the past, while at the same time neglecting clear, pressing, and immediate needs that have arisen in the intervening years. The point I would make here is that NASA is not reactionary or backward looking. NASA is the wave of the future and we have it in our power to make our already substantial investment pay off in great dividends, not only for our own country but for humanity as a whole.

We all know many of the hard and tangible benefits that have sprung from the space program. The 50,000 gulf coast residents know that without NASA and its weather satellite detection and tracting, they might have lost their lives during Hurricane Camille.

We know the potential space photography has for monitoring water resources, agricultural activity, and assisting in our fight against pollution and our search for new resources.

We have begun to understand through our study of atmospheric dynamics the tremendous changes on earth has caused in the earth's fragile atmosphere. We can now measure these charges and potentially this understanding can be a powerful tool in environment control and in preserving a livable planet.

The global communications satellite network, that is a direct product of our space effort, is akin to a nervous system of humankind and civilized society—linking the nations of the world and filling a vital need.

The catalog of benefits directly attributable to our space progress is long. It is still growing. The potential for future spin-offs, byproducts, advances and benefits really cannot be estimated.

I think we could devote hours to recounting the dividends in any one of these fields: In medicine, in transportation or communications, in weather predictions, in computer technology, in oceanography; pollution control, the management of our environment, in education, in pure science.

If we call a halt to space exploration now, we have no idea what benefits we may be overlooking or bypassing, postponing or neglecting.

Let us not do that: Let us go on and continue to build on the base we have so laboriously and systematically—and yes, expensively—developed.

Quite apart from the direct and obvious byproducts of our space progress, we should not forget that the program has made a major contribution to our economy. It is a productive program and the investment we have made has multiplied and benefited the whole national economy. It has, over the last decade, cost us, in dollar investments, less than one-half of 1 percent of our gross national product but that investment has directly resulted in increasing the gross national product.

Economists estimate that approximately 50 percent of the real growth in the gross national product in the last decade can be attributed to the stimulus of new technological knowledge from research and development investments. Twenty-five percent of the Nation's total expenditures on research and development was carried out under our space program.

In the past, scientific and technological development has resulted, more often than not, from wartime competition—and at a horrible price. I suggest that in our time we have made a major effort to reverse that grisly picture. As President Eisenhower said at the beginning of the space age, space offers an opportunity for peaceful and hopefully friendly competition between the United States and the Soviet Union. The space race has stimulated advances in pure and applied science and related fields between our two countries which has benefited both, without the terror or misery of war. We have no way of precisely measuring the effect of this competition on the relations between the United States and the U.S.S.R. but I think we must recognize that in general terms, the competition has been good and it has helped promote the thaw we all want to see.

All of our intelligence indicates that the Soviets are pushing hard to develop a space station and to regain their lost advantage. As a matter of fact, of course, the most recent Soviet flight that went for 18 days must be directly in the thrust of the effort that the space station and the sky lab we are going to develop, and the space shuttle that is going to serve, it is going to. And certainly this is not the time for us to ponder and to cut out a program that the Soviets are pushing ahead on with full speed.

The Soviets know, perhaps better than we, the impact our spectacular successes in space have had on world opinion—and how their prestige as a leader in science and technology suffered thereby. We have the advantage—the momentum and opportunity now. It would be cruel and thoughtless and irresponsible to dissipate that lead at this time—not because we are unable to maintain it, but because we are unwilling to spend the comparatively small amount of money necessary to carry to a logical fruition that which has already been begun. In the long run, in my view, such a course will operate to our national disadvantage. In the long run, it will be false economy. It is shortsighted in the extreme. To fritter away our space program now is unrealistic and unwise, in my judgment. The budget before us is an austere and reasonable one that will allow us to realize a profit on the past investment.

I would certainly urge my colleagues to resist further cuts, the cut now pending before us in the matter of the space shuttle as well as others that may come after the pending amendment is dealt with.

The cuts in the already austere budget would bring us perilously close to crippling this fine and valuable program for all time.

In summary, I suppose one could really put it in this fashion, that if the pending amendment is agreed to and and the space shuttle is cut out of the budget, we might just as well wipe out manned space flight in the years ahead. We would have lost our advantage whereas our competition, of course, will go on with full speed ahead in this very effort.

If the day comes when we cannot match our competition in manned space flight and we take a back seat and second place in this all important research and development, engineering and scientific and technological venture, then I would say that this Nation would take second place in a lot of other areas, too.

Mr. President, I urge my colleagues to reject the pending amendment and any other effort to cut the budget which is already dangerously austere.

The **PRESIDING OFFICER**. Who yields time?

Mr. **ALLOTT**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Senator will state it.

Mr. **ALLOTT**. Mr. President, how much time remains?

The **PRESIDING OFFICER**. The Senator from Colorado has 18 minutes remaining. The Senator from Minnesota has 43 minutes remaining.

Mr. **ALLOTT**. Mr. President, I yield 3 minutes to the distinguished Senator from Oregon.

The **PRESIDING OFFICER**. (Mr. Dole). The Senator from Oregon is recognized for 3 minutes.

Mr. **HATFIELD**. Mr. President, during my tenure as a member of the Committee on Aeronautical and Space Sciences I have frequently questioned the cost of the Apollo program along with all other space expenditures. My questions have reflected the views of the public with whom I have had contact—their excitement and pride in the Nation's space achievements, but also the large expenditures necessitated by our commitment to the space program.

The question of expenditures is a very real one, and therefore, I was greatly impressed by the NASA presentation on technology transfer before the committee earlier this year. This data on benefits from the space program accruing to all mankind to help solve some of the problems on earth has been printed under the title space program benefits. I commend this document to my colleagues for their study.

Mr. President, I might add that I am having copies of this particular document sent to all libraries in my State of Oregon in order that there may be a broader public understanding of such benefits that accrue to us from space research.

Also during the committee review of the Apollo 13 mission, I asked Astronaut Lovell for his opinion on benefits accruing from the space program. He stated that in his travels throughout the United States he has found the stimulus to young people to pursue an education as one of the specific benefits resulting from the space program. This, I believe, is particularly important to a country that has a responsibility for world leadership.

It is on the basis of these more tangible factors that I urge my colleagues to support the NASA appropriation as reported to the Senate by the Subcommittee on Independent Offices.

The **PRESIDING OFFICER** (Mr. Dole). The Senator from Colorado has 15 minutes remaining.

Mr. **ALLOTT**. Mr. President, I yield 10 minutes to the Senator from Nevada.

The **PRESIDING OFFICER**. The Senator from Nevada is recognized.

Mr. **CANNON**. Mr. President, the junior Senator from Minnesota has proposed an amendment to cut $110 million from NASA's budget for the space shuttle-space station.

From his statement, I understand that the Senator's main objection is that this money represents the start of a new phase in our Nation's efforts in space, and that this authorization will bind us to a $14 billion commitment. Unfortunately, the Senator relied too heavily on information from outside sources and much of it is erroneous.

It is important to realize that the money for the space shuttle-space station is only to study these concepts. NASA stated before the appropriate congressional committees that this money was necessary to determine whether a shuttle was technically and economically feasible. Before the Space Committee, in response to close questioning by the senior Senator from Maine, NASA witnesses stated that NASA does not have approval to proceed with the development of either a space station or shuttle.

The Senator from Minnesota states that there should be studies to compare the operation of a shuttle with existing expendable boosters, and that the technical problems that still exist should be resolved before development of a shuttle is initiated, yet his amendment is designed to eliminate the means to fund the study he suggests and to resolve the problems he cites. He would delete the money that is needed to follow his suggestions.

But aside from that, what would the Senator's amendment do?

For a long time now, people have been asking for a greater return on our investment in space, and we have pointed with pride to our weather and communications satellites. Now we are on the verge of developing a totally new system that can place into orbit and return to earth men, spacecraft, experiments, and so forth, at considerably less cost than existing launch vehicles. The space station will be there expressly to develop earth applications.

This shuttle/station will give us the ability to operate in space; to repair the communications or scientific satellite that fails; to examine interesting events in space; to deliver and return film from the earth resources satellites; to manufacture in the space environment; to learn the effect of space on healing; to study the stars.

Let me say, Mr. President, that we hear a lot from those not too well informed about manned and unmanned spacecraft on the promise that unmanned spacecraft are cheaper than manned spacecraft. That artificial division is about to disappear. The space shuttle will be used to put automated spacecraft as well as all men into earth orbit because the shuttle gives every promise of being a cheaper way to get the automated spacecraft into orbit. Since it will be able to do the job cheaper, it is envisioned that all the NASA and Air Force boosters between the Scout and the Saturn V would disappear and their jobs taken over by the shuttle.

It is as foolish to retreat from the next era in space as it would have been to have built the railroad track across the continent and then not have funded the locomotives to take advantage of that track, or to have backed away from the jet aircraft for commercial use when we were doing all right with slower, less productive propeller aircraft.

Mr. President, we are in the space age. As John Kennedy said:

> Man, in his quest for knowledge and progress is determined and cannot be deterred. The exploration of space will go ahead, whether we join it or not, and it is one of the great adventures of all time, and no nation which expects to be the leader of other nations can expect to stay behind in this race for space.

If we are to maintain our place in the world, Mr. President, we must study with care the next major step, so as to understand clearly where the future in space lies. This money for the space shuttle-space station will make that study.

I urge the defeat of the amendment.

ORDER OF BUSINESS

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may yield to the Senator from Rhode Island (Mr. PELL) for a conference report, the time to be taken out of neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE—CONFERENCE REPORT

Mr. PELL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1519) to establish a National Commission on Libraries and Information Services, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 24, 1970, pp. 21284–21286, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PELL. Mr. President, the conferees appointed by the Senate and the House met in committee of conference on S. 1519, the National Commission on Libraries and Information Science Act and have resolved all differences between the two versions of the bill. Of the 10 differences to be resolved, three were of major importance. The other seven differences did not indicate a real difference of position between the two Houses and their resolution created no problem. Therefore, in reporting on the conference, I will confine my remarks to the three major differences.

The Senate bill established the Commission on Libraries and Information Science within the Office of the Secretary of Health, Education, and Welfare, while the House amendment established the Commission as an independent agency in the executive branch of the Government. The Senate recedes.

The Senate bill authorized the Commission to accept contributions of money and to disburse such contributions for the purposes of the Commission, while the House amendment did not. The House recedes.

Both the Senate bill and the House amendment authorized an appropriation of $500,000 for fiscal year 1970. The Senate limited the appropriation in the following fiscal years to $750,000 each year. The House amendment placed no ceiling on appropriations for fiscal years after fiscal year 1970. The conference report adopts this provision of the Senate bill.

As chairman of the conferees on the part of the Senate, I am satisfied that the bill is the best which could have been brought out of conference. All members of the committee of conference signed the report. I recommend its adoption. I move that the Senate adopt the report of the committee of conference on S. 1519.

Mr. YARBOROUGH. Mr. President, before us is the conference report on S. 1519, a bill I introduced for the purpose of creating a National Commission on Libraries and Information Science.

I urge upon the Senate the approval of the report. It will bring to fruition a recommendation that originated in 1966 with President Johnson, when he established by Executive order a National Advisory Commission on Libraries. Its mission was to study the role of libraries in education, and how they should be financed. The Commission report called for a continuous surveillance of library contributions and needs by a permanent Commission.

The bill carries out that recommendation.

Among the findings of financial need which the Presidential Commission reported was a lump sum of $1.6 billion to stock all school libraries optimally. Construction costs of public school libraries were estimated at $2.145 billion, and for general public libraries at $1.132 billion over a span of a decade.

Academic library costs are also large: $360 million is needed for construction and nearly $10 billion for books and materials over a 10-year period.

Clearly, the task of analyzing needs, focusing attention, and organizing efforts to support libraries is a long-term one. A sustained effort, unflagging enthusiasm, and professional background in the library field are needed to carry it out.

As provided in the conference report, the Commission will study library and informational needs and the means by which those needs may be met. It will advise Federal, State, local, and private agencies on library matters and develop plans for meeting national and local needs.

The Commission will submit reports to the President and to Congress.

The major difference between the House and Senate was over its administrative status. The Senate bill put the Commission into the Department of Health, Education, and Welfare; the House bill made it independent. I made the motion in conference that the Senate recede and accept the House view that it be independent.

Mr. President, books are not just for boys and girls. They are for students of every age and every walk of life and in every profession and occupation. President Kennedy reminded us that the doors to the library lead to the richest treasures of our open society: to the power of knowledge; to training and skills; to the wisdom, ideals, and culture which enrich life.

S. 1519 will help open those doors to every American.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

Mr. JACKSON. Mr. President, my able colleague from the State of Washington (Mr. MAGNUSON), is necessarily absent today, but he has prepared a statement that he asked me to insert in the RECORD. As the immediate past chairman of the Appropriations Subcommittee for Independent Offices, and as a member of the Aeronautical and Space Sciences Committee, Senator MAGNUSON'S views are worthy of the Senate's attention.

Senator MAGNUSON is opposed to a reduction in the budget of the National Aeronautics and Space Administration—NASA—and if he were here today he would vote to keep the recommendations of the Appropriations Committee intact.

I would like to call the attention of the Senate particularly to Senator MAGNUSON'S statement that—

> The space station is the next logical step in outer space and the space shuttle is the only logical step in cutting space costs. These programs may never be completed, if the research and development prove them to be unwarranted. But we can and we must give the space station/space shuttle concept a chance. It holds the promise, not only of cutting the cost of space exploration, but of dramatically increasing our knowledge of our planet, our solar system, and our universe. We cannot and we must not ignore the opportunity to obtain that knowledge.

Mr. President, I ask unanimous consent that Senator MAGNUSON'S statement be inserted in the RECORD at this point.

There being no objection, the statement by Senator MAGNUSON was ordered to be printed in the RECORD, as follows:

Mr. MAGNUSON. Mr. President, the remarks I have to make today are virtually the same as those I made when the Senate considered these same issues on May 6. At that time, we were debating an amendment to the authorization bill for NASA; today we are debating amendments to NASA's appropriation for the coming fiscal year.

The amendments today are of two basic types: first, an amendment to limit funds for the space station/space shuttle program, and second, amendments to reduce NASA's funds in general. While I fully agree with the sponsors of these amendments that economy in space is needed, and while I subscribe to the view that our Federal spending priorities must be reordered, I believe that the Senate should reject each of these amendments.

Mr. President, the terrifying adventure of Apollo 13 forced us to think about outer space and man's place in it with an intensity reminiscent of the launch of Sputnik, the first manned flight, or the first landing on the lunar surface. The Apollo 13 mission also emphasized how oriented we are in our thinking to particular missions, particular successes and crises, and how little public discussion we have devoted to the long-term questions of our space program and its purposes. That the space program has a future beyond the moon—and that man will benefit from that future—has largely been obscured or forgotten.

The pending amendments provide us with an opportunity and a responsibility to consider man's future in outer space. For many years we have heard cries for economy in outer space, cries that have been answered by a continual reduction in the budget of NASA, and cries that have been answered in the reduction in number of planned space missions. As the immediate past chairman of the appropriations subcommittee responsible for NASA's budget, I know that these calls for economy have also been answered by intense scrutiny of NASA's programs.

The current controversy over the space station/space shuttle programs, for example, comes at a time when many millions of Americans are questioning our role in space, the cost of that role, and the importance of that role relative to other pressing domestic needs. Unfortunately, too, the controversy arises during the aftermath of the Apollo 13 mission—a major failure that has added immensely to the number of critics of the space program. It would be tragic, however, if the Apollo 13 mission were used by critics of the space program to transform reasonable calls for economy into unreasonable demands for a fundamental retrenchment in outer space.

I think it is healthy and important to consider and to discuss fully the issues of priorities and of man's role in outer space. But I think it would be most harmful to the quality of that discussion to permit ourselves to be swayed by the emotion that the Apollo 13 mission has created. The space station/space shuttle issue—and in fact the whole NASA appropriation—can and should be looked at in the light of hard facts, not emotion, and I would like to present some of those facts today in connection with the pending amendments.

First, we must realize that the funds we appropriate this year for the space station/space shuttle project do not constitute a commitment to a multi-billion dollar new program. Rather, they are simply funds for advanced research and development of the space station/space shuttle concept—research and development that must be undertaken before we can make an intelligent and rational decision on whether to go ahead with production of these vehicles and outer space facilities. We are not, with these funds, abdicating responsibility for that production decision—indeed, we cannot avoid having to make that decision in future years. Congressional control over spending lies in continual review, annual decisions, and the retention of control over ultimate production decisions. Such control does not lie in giving a "green light" to such an expensive program, once and for all, at such an early stage in the program's development.

The funds we provide this year should bring the space station/space shuttle program to the point where we can make an intelligent decision in the future. By providing these funds, let me emphasize again, we are *not* making a final production decision. By *not* providing these funds, however, we would be making a premature decision *not* to go ahead with this program. Let us permit the research and development to continue until we reach that production decision point; let us not cancel this program in our haste to come to a premature decision about the program's merits.

Second, to cancel the space station/space shuttle program at this point would not be economical—rather, it would be false economy in the purest sense of the phrase. The program—particularly the space shuttle aspect—*is* an economy effort, an effort to lower the cost of space exploration by developing reusable space vehicles. Today it costs us almost $1000 per pound for every object we loft into space; tomorrow, with the aid of the reusable space shuttle, we may cut these costs by 90%. In other words, for the same dollar expenditure the space shuttle will allow us to put almost ten times as many missions into space; the scientific benefits of more missions, explorations, and manned flights will be achieved with dramatically lower costs. Imagine how much more we would know about the moon and the origins of our own planet, for example, if for the price of our past four Apollo missions we could have provided dozens or even scores of such missions.

I would emphasize additionally that the Senate has already taken a major economy step by reducing the House authorization for these programs by nearly $140 million. The $110 million remaining for the space station/space shuttle is, in the judgment of both the Aeronautical and Space Sciences Committee and the Appropriations Committee, a sufficient amount to proceed with the research and development of this program.

The space station is the next logical step in outer space and the space shuttle is the only logical step in cutting space costs. These programs may never be completed, if the research and development prove them to be unwarranted. But we can and we must give the space station/space shuttle concept a chance. It holds the promise, not only of cutting the cost of space exploration, but of dramatically increasing our knowledge of our planet, our solar system, and our universe. We cannot and we must not ignore the opportunity to obtain that knowledge.

With respect to those amendments seeking to cut NASA's funds, let me say that in our justified haste to divert funds to meet our growing domestic needs, we should not lose sight of where federal money is really being spent. The NASA budget is conspicuous, but it amounts to roughly 5 per cent of the amount we devote to *military* spending. The real "domestic surplus" will come from making needed cuts in our *military* budget, and through the elimination of costly and unnecessary new weapons systems. The $110 million for the space station/space shuttle program this year is less than *one per cent* of what we will have to pay for an unproven and potentially obsolete ABM, for example. It represents a small fraction of the money we have wasted in our unsuccessful attempt to develop a new Main Battle Tank. It is less than 20% of what we have been spending every year to develop murderous and unnecessary chemical and biological warfare agents.

My point is simply this. Just because the military budget has proven difficult to cut does not mean we should diminish our efforts to cut it; just because NASA is vulnerable and its budget easy to cut does not mean we should eliminate vital NASA programs whose cost is almost insignificant in comparison to the billions that go annually to the Defense Department.

Let us realize that man is in space to stay. The benefits of space exploration are largely unknown, but they may prove to be incalculable. The space program not only provides peaceful employment, peaceful applications of scientific knowledge, and peaceful commercial "spin-offs" to the entire nation—it also represents, in further contrast to our military spending, a peaceful and healthy form of competition and national mission in the United States and in the world as a whole. Someday, we all hope, it will provide the basis for peaceful cooperation between this nation and the Soviet Union, and undoubtedly it will aid us in our efforts to save the ecology of this planet.

Mr. MONDALE. I might say to the distinguished Senator from Colorado that it is not my intention to use the full time, and I would be guided by the plans of the manager of the bill.

Mr. ALLOTT. I had promised to yield to the Senator from South Carolina.

I yield 8 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I emphatically oppose any amendment which would cripple the efforts of NASA to maintain the U.S. position of leadership in the exploration of space.

This is not the time to cut funds for this vital program. If we reduce the NASA program and the Soviets achieve a technological breakthrough in space for military purposes, then our Nation is in great jeopardy, especially in view of the growing Soviet threat.

Mr. President, the Soviets are exploring space for a military advantage. They are working feverishly on their space laboratory. It would be disastrous for our Nation to permit the Soviets to forge ahead in both space and nuclear weapons which they are attempting to accomplish.

Mr. President, aside from the needs of the Nation's security, there are many peaceful benefits to mankind which will result and are resulting from the NASA program. Scientists know that space exploration holds many promises for the peaceful benefits of all nations.

If we would relate the Nation to the body of man we would see that 200 universities throughout the country which worked on fundamental problems for NASA, 2,100 doctorates funded by NASA, improved curricula in science and mathematics throughout our school system, and 34 new scientific laboratories and research facilities on college campuses have certainly improved the educational level of the United States.

In addition, NASA and its contractors have all supplied extensive in-house as well as outside training for their personnel. It is probably safer to estimate that of the half million people who have worked on the space program at one time or another over the past 12 years, at least half of them, or a quarter of a million people, have learned new skills which were essential to meet the challenges of the space adventure. Especially in the southeast, at Marshall Space Flight Center and at Cape Kennedy, a large part of the available labor force were formerly either subsistence farmers or technologically untrained. The efforts of NASA and its contractors to employ indigenous workers and supply training rather than to import labor have resulted in the employment and training of large numbers of minority groups.

Mr. President, scientific results are already abundantly evident, even though the "time lag" between scientific discovery and application is traditionally very long. Our first satellite discovered the existence of the Van Allen radiation belt beyond the earth. Other such phenomena have been discovered.

Meteorology has been revolutionized by earth orbiting satellites, and weather forecasting and the gains from the greater precision of that art have been enormous.

Astronomy, according to Stanford Research, has become almost a new science within the last decade. It would be reasonable to say that as much has been learned in the past decade as astronomers learned in the previous 2,000 years. But the application of this new knowledge will take time.

Mr. President, one area in which all the rules were broken regarding "time lag," however, was in communications. Almost as fast as it could be built, the first Comsat was in operation, revolutionizing worldwide communications. This is the first major commercial result of the space program, followed closely by its companion, Intelsat.

New metals and alloys were developed which are essential for the extreme requirements in space. There is greater understanding of metal strength and of stress and other forms of corrosion. These problems are still under intensive study by NASA and other laboratories.

Mr. President, medicine, biology, psychology, physiology all taught much to the interdisciplinary teams which prepared our astronauts for their journeys into space and to the moon. NASA has contributed masses of information about the behavior of well men in stressful and unusual conditions.

All of the earth sciences have been revitalized as man finally saw the earth as a whole. Agronomy, geodesy, cartography, oceanography, hydrology—in all of these it is as if the age-old barriers to knowledge have been removed and searchers are at last able to explore without hindrance as they examine the earth from the vantage point of space.

Mr. President, while education and science are essential parts of the national body, we know that within a capitalistic society, nothing is more important than economic health and growth. And in this industrialized civilization, the leading technological nation is consequently the nation most secure in its economic growth. New technology is the seed from which grow the new industries, new products and new jobs which account for the growth and prosperity of the people, and the country. No peaceful object in the history of the world has ever produced even a fraction of the new products, materials, systems, and techniques that continue to flow from the space program.

Paper which will not burn and metals which will not burst—glass that bends and will not break and films strong enough to carry a man but weigh only a few ounces, are only a few of the hundreds of new materials which have emanated from the demands of space. Thousands of new products have already found their way into our daily lives, and the number increases as the "time lag" is dissipated.

Mr. President, the total results of the expedition into space will really not be measurable within this century—any more than the impact of the discovery of America was measurable by the end of the 15th century. It will not be measurable in numbers of things which have been produced, or even in the amount of new knowledge which has been acquired—but rather, I believe it will manifest itself most significantly in the changes of mankind, all barriers to our free movement throughout our solar system have been removed. Our horizons are the edges of the universe. Nothing now constrains us from the improvement of life on earth for all mankind.

The PRESIDING OFFICER. Who yields time? The Senator from Minnesota has 43 minutes remaining. The Senator from Colorado has 3 minutes remaining.

Mr. MONDALE. Mr. President, I will ask the Senator from Colorado what the time plans are for the opponents of the amendment.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. How much time remains?

The PRESIDING OFFICER. The Senator from Colorado has 3 minutes remaining; the Senator from Minnesota has 43 minutes remaining.

Mr. ALLOTT. We have used most of our time. I shall be glad to have the Senator from Minnesota proceed to use some of his time.

Mr. MONDALE. Mr. President, I propose to use only a few moments, and then I shall be prepared to yield back my time.

The comments by the Senator from South Carolina are instructive. I think further analysis is necessary. For example, how many of these useful spin-offs from the space program have been derived from unmanned instrumented flights and how many of them that are of direct use to the people of our country and to mankind have resulted from manned flights?

I think an analysis will show that the overwhelming amount of useful information available for navigation or international communication—knowledge of the Van Allen Belt, for example—have been derived as a result of unmanned instrumented flights—that part of the space program which, by all odds, has been the least expensive and concerning which there is no risk to human life; and that part of the space program which the knowledgeable scientists of this country—those who are not employed by the Space Agency or space industry—think is being starved by the present allocations of the space budget. These scientists believe that unmanned flights will be increasingly starved and will be allocated a disproportionately smaller percentage of the space budget under the present bias of the Space Agency.

The space program now is dominated by the manned flight lobby and the manned flight industry. Many of the key scientists in the space agency have resigned, and many highly experienced scientists, such as Dr. Van Allen, Dr. Adey, Dr. Gold, and others, are convinced of the biased attitude in the present space program. It is this bias that is being reflected in the pellmell rush to have this shuttle station program even before it is established that such a program is physiologically possible.

The Biosatellite III program, which was NASA's best effort to determine long duration flight problems, resulted in a dead monkey. Now we are told it was because the monkey had a low IQ. Well, it seems to me that before spending several million dollars on that program, we might have administered the Minnesota multiphasic test, or some equivalent, to that poor monkey before we killed him.

Soyuz-9 sent two Russian cosmonauts into orbit. They lasted 18 days; they came down; and they had physiological problems, which have reinforced the fears of many of our scientists—including Dr. Adey and others— about the biomedical problems inherent in long-duration space flight.

We are spending in excess of $1 billion on a Skylab program—to be completed in 1973—to determine whether what we are attempting to design is even possible, or whether it has to be designed to meet technical problems about which we know little. Yet NASA says, "Go on, let us spend $110 million for a program which may or may not be useful, or may or may not be possible, because we may get some value out of that program."

We are told that the Defense Department is interested in this program. First of all, NASA is a civilian agency. The organic act setting up NASA, I think, clearly states, or implies, that it is for the purpose of achieving civilian-related space objectives. If the shuttle station has a Defense objective, I think it is for the Defense Department to come in and argue for a budget to support this project. They have not done that. Moreover, they canceled their only program akin to the shuttle station—the MOL—because the rest of their budget was more important; and even though, in the past, the Defense Department and the space agency have both contributed funds to joint efforts, in this case the Defense Department is so unimpressed that it refuses to give so much as a penny to the shuttle station program. They have offered feeble verbal support. They have offered to share in any dividends which come out of the experimentation which has cost them nothing; but they offer no money.

I think that shows how highly the Defense Department values the space shuttle station program for its purposes.

Second, it has been suggested that this program offers such rich possibilities of international cooperation that we should be willing to spend the estimated $14 billion—or double that amount with possible overruns—on this program in order to offer this chance for the countries of the world to gather together in an exciting international effort.

Since this is such an exciting possibility, the question is how much do other countries wish to contribute to bring mankind together around a space shuttle?

The answer is that we do not know. I strongly suspect—as in the case of our previous space cooperation efforts—that the full tab or most of the tab will rest upon Uncle Sam, at a time when we could very well use the $14 billion plus for projects and efforts here at home which so desperately cry out for solution.

The next argument is that we will save money with a reusable space shuttle. That is a most interesting mathematical calculation. At this time, we do not know what a space shuttle will ultimately cost to develop. We do not know how much it will haul. We know very little about it.

But we have a calculation, nevertheless, that it will save money. I have yet to hear how much a space shuttle will ultimately cost, or how much a space station will ultimately cost. The distinguished chairman of the House subcommittee, Mr. Karth—who is recognized as one of the strong proponents of the space programs, and one of NASA's strong allies—came out against this space shuttle station program because he said it would be a waste of money. He and six other members of the House Space Committee were opposed to it on many grounds—including the tremendous waste of money involved—and they asked that there be a cost-benefit study to determine the cost of the program, and whether it would be cost-effective.

No such study has been made—instead, there has been merely a repetition of the assertion that for $14 billion, we are going to save some money on this space shuttle station program.

Finally we are asked to proceed with a program which assumes man's capacity to function effective in long-duration flights. Earlier in this debate, I placed in the Record three letters, one from Dr. Adey, the director of the space biology laboratory at the University of California; another from Dr. Van Allen, one of the most distinguished space scientists in the world; and another from Dr. Gold of Cornell University.

These three distinguished scientists all raised serious doubts about the physiological capacity of man for long-duration space flight. They also raised questions about the value of this program and about the relative importance of unmanned instrumented flight over manned flight—which is the key decision inherent in the decision to go ahead.

With these highly recognized and distinguished scientists speaking so strongly against this program, and with only those who have something to gain—that is, the space agency and the space industry—arguing so strongly for it, without even knowing whether it is physiologically possible to do what we propose to do, surely we can wait a few years to determine whether these hundreds of millions of dollars should be spent.

It seems to me that if the word "priority" means anything to any of us we should delete this $110 million. If we believe that the Federal budget should be allocated differently—to provide more hope for our young people, with better education and better opportunity, better housing, and with an effort to do something about our environment—both the air and the water; we should not embark upon this costly project. If our domestic problems which involve a cost of hundreds of billions of dollars are to be responded to with an appropriate application of Federal support, surely it is in areas such as these where the cuts must come. This is the truth of the issue of priorities.

This is not vague Fourth of July oratory about spending our money more wisely. It is a key test. These are the kinds of key tests which will determine whether we are the kind of nation we know we should be—spending our money and our resources on those matters that are most important to bringing hope and opportunity to millions of Americans, and doing something about saving the very environment upon which our life depends.

If we find that these things are less important than a space shuttle and a space station and the $50 to $100 billion that a manned flight to Mars will cost, then I think we are going to be hard put when we talk to our constituents about the future of this country and what we think is important. If we cannot win this kind of fight, then what is the hope for that revision of priorities?

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield myself 1 minute. A matter has just come over the ticker from Cape Kennedy beginning "Paine notes the United States has been involved in more than 250 space agreements with 80 nations." I ask unanimous consent that the text of this news item be printed in the Record at this point.

There being no objection, the item was ordered to be printed in the Record, as follows:

> Paine notes the United States has been involved in more than 250 space agreements with 80 nations. These include launching foreign satellites on U.S. rockets, placing experiments of other nations on American spacecraft, sharing Moon rocks with scientists of other lands and use of foreign ground stations for tracking and receipt of data from communications, weather and other types of satellites.
>
> "By pooling the resources of many of these countries, we can work on larger projects with greater promise of return to all nations," the administrator said in an interview. "It would create a new capability for man to explore and utilize space.
>
> "The United States is going to build the space station and the space shuttle," he said. "But I would like to see this project carried out as an international laboratory in space. If it's truly going to be a cooperative project, other nations should pick up part of the cost as well as provide the kinds of talent which they have available."
>
> He said many countries could share in the practical benefits of a space station, such as communications, weather observation, survey of Earth's resources, and engineering, medical and scientific research.

Mr. ALLOTT. Mr. President, I am prepared to yield back the remainder of my time, if the Senator is prepared to yield back his. I suggest, though, that we do it with the understanding that we will have a very short quorum call in order to inform the membership of the Senate.

Mr. MONDALE. Mr. President, with that understanding, I yield back the remainder of my time.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time on the amendment has been yielded back.

Mr. MONDALE. Mr. President, I ask unanimous consent that the Senator from Mississippi be given 2 minutes before the vote.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. I thank the Senator from Minnesota and the Senator from Colorado for their courtesy.

Mr. President, as chairman of the Armed Services Committee and as a member of the Space Committee, I have been greatly interested in maximizing cooperation between the Department of Defense and NASA to achieve economies in developing technology for our national aeronautical and space programs. I believe the record is clear that the Senate Space Committee has continually encouraged and has been successful in achieving results in this area.

Over a year ago the executive branch terminated the Air Force manned orbiting laboratory program, the only Air Force experiment to determine the potential application of earth orbital manned space flight to the military mission of providing for the security of the Nation; therefore, this year I was greatly encouraged when NASA and the Air Force entered into a formal agreement to insure that the space shuttle vehicle currently under study by NASA will meet the maximum number of requirements of the Department of Defense. This agreement is intended to assure the fullest preplanning of this program and to eliminate the necessity for independent development by the Department of Defense. The result of this is a single development by NASA of a new space transportation technology which the Air Force can use to support its military activities in space.

I would be the first to agree that these activities are not now completely known. However, it is clear that we are talking about a system which would not be available before the latter part of this decade, a time sufficiently far in advance that we do not know what defensive systems the security of this Nation may require; but prudent judgment behooves us to be prepared in all areas, particularly the medium of space.

In this regard, I cite testimony of Dr. John S. Foster, Jr., Director of Defense Research and Engineering, before the Senate Space Committee earlier this year. Dr. Foster said:

> I think when one looks ahead a decade, the kind of things one could then do might be so different from what we were able to do in planning the MOL program that we could well see a major change in our approach to all military operations in space. The kind of things we may want to do could be done with the space shuttle if its promise of economy and flexibility is achieved.

In view of the fact that the national security demands that we preserve our options and the national economy demands economy in our governmental programs, I urge that the space shuttle study program be fully supported and the amendment to curtail this study before we know what promise the system offers should be rejected. If the space shuttle study is denied, we are also denying the Nation the ability to preserve its options for defense systems that might be needed in the future.

I favored the canceling of the MOL, although that was done by Secretary of Defense Laird rather than our committee. Under all the circumstances, I thought it was a wise move. I am very pleased that we have a working arrangement now between the Department of Defense and NASA, that this shuttle program, as it is called, will be based upon possibilities broad enough, at a maximum degree, that might be helpful with reference to our preparedness problems in the decades ahead. For that reason, I support the committee position with reference to this matter.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Minnesota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE (after having voted in the affirmative). On this vote I have a pair with the distinguished Senator from Washington (Mr. MAGNUSON). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Nevada (Mr. BIBLE), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Washington (Mr. MAGNUSON), the Senator from Montana (Mr. MANSFIELD), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), the Senator from Wisconsin (Mr. NELSON), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), and the Senator from Alabama (Mr. SPARKMAN), are necessarily absent.

I also announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), and the Senator from Ohio (Mr. YOUNG), are absent on official business.

On this vote, the Senator from Michigan (Mr. HART), is paired with the Senator from Nevada (Mr. BIBLE). If present and voting, the Senator from Michigan would vote "yea" and the Senator from Nevada would vote "nay."

On this vote, the Senator from Idaho (Mr. CHURCH) is paired with the Senator from North Carolina (Mr. JORDAN). If present and voting, the Senator from Idaho would vote "yea" and the Senator from North Carolina would vote "nay."

I further announce that, if present and voting, the Senator from Oklahoma (Mr. HARRIS), and the Senator from Connecticut (Mr. RIBICOFF), would each vote "yea."

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN), would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Vermont (Mr. AIKEN), the Senator from Utah (Mr. BENNETT), the Senator from Massachusetts (Mr. BROOKE), the Senator from Nebraska (Mr. CURTIS), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from Maryland (Mr. MATHIAS), the Senator from California (Mr. MURPHY), the Senator from Vermont (Mr. PROUTY), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Maine (Mrs. SMITH), and the Senator from North Dakota (Mr. YOUNG) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Massachusetts (Mr. BROOKE), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) would each vote "nay."

The result was announced—yeas 28, nays 32, as follows:

[No. 211 Leg.]

YEAS—28

Bayh
Bellmon
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Cotton
Eagleton
Fulbright
Goodell
Hartke
Hollings
Hughes
Inouye
Kennedy
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Muskie
Pearson
Pell
Proxmire
Randolph
Spong
Williams, N.J.
Williams, Del.

NAYS—32

Allen
Allott
Baker
Boggs
Cannon
Cooper
Cranston
Dole
Dominick
Ellender
Griffin
Gurney
Hatfield
Holland
Hruska
Jackson
Jordan, Idaho
Long
McClellan
Miller
Montoya
Packwood
Saxbe
Schweiker
Smith, Ill.
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Yarborough

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Pastore, for.

NOT VOTING—39

Aiken
Anderson
Bennett
Bible
Brooke
Church
Cook
Curtis
Dodd
Eastland
Ervin
Fannin
Fong
Goldwater
Gore
Gravel
Hansen
Harris
Hart
Javits
Jordan, N.C.
Magnuson
Mansfield
Mathias
McGee
Moss
Mundt
Murphy
Nelson
Percy
Prouty
Ribicoff
Russell
Scott
Smith, Maine
Sparkman
Stevens
Young, N. Dak.
Young, Ohio

So Mr. MONDALE'S amendment was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARRIS. Mr. President, I wish to commend the distinguished Senator from Rhode Island (Mr. PASTORE) and the other members of the Appropriations Subcommitee for the fine job they have done in reporting the independent offices appropriation bill to the Senate for its consideration. Further, Mr. President, I am happy that the subcommitee and the full Appropriations Committee recommended an increase in appropriations for the Veterans' Administration of $100 million under the medical and hospital appropriations categories. Eighty million dollars of this increase is to be used for medical care and $20 million to be used for construction of new facilities for the veterans medical and hospital program. I am sure, Mr. President, that we would all agree that this increase represents a bare minimum and that, due to the high numbers of men who have suffered Vietnam casualties and who are returning to our veterans hospitals for extended medical care, we must continue to provide the funds necessary to enlarge and update our facilities and hire the staff necessary to give these young men the kind of medical care they so richly deserve.

In my own State of Oklahoma, while the Veterans' Administration hospitals do an excellent job toward meeting the health needs of our returning Vietnam veterans, as well as veterans of previous wars, we still need additional facilities and additional personnel in order to fully take care of the health needs of these young men. It is my understanding that with its share of the additional $100 million approved by the Appropriations Committee, Oklahoma should employ additional general medical care personnel at a cost of $198,200. These needed personnel have not been employed previously because funds were not available. Additionally, Oklahoma could utilize $1,112,100 of these funds to eliminate its equipment maintenance and repair backlog in the veterans hospitals and $62,100 of the funds could be utilized to eliminate the dental case backlog; $47,600 could be utilized to employ additional physician's assistants with $35,100 to be used for allied health and intensive care training programs.

Mr. President, I think that the needs of Oklahoma can be repeated over and over throughout the Nation in Veterans' Administration hospitals—275,000 young men have been wounded in the Indochina war. About one-half of this number require some degree of immediate hospitalization and most will at some point in the future seek Veterans' Administration hospital or outptaient care. As the distinguished Senator from California (Mr. CRANSTON) pointed out in his testimony before the Subcommittee on Independent Offices Appropriations:

> In 1970, over 50,000 Vietnam veterans so far have been admitted to VA hospitals, and in 1969, Vietnam veterans made over 500,000 visits for outpatient medical care at VA facilities.

This increased caseload, coupled with

care for pre-Vietnam veterans makes it more necessary for us to expand our veteran health care delivery system.

Mr. President, I feel very strongly that the VA offers an outstanding health care program to those who have served us in the military. However, rising costs and increasing numbers of wounded make it imperative that we provide additional funds to enable the VA to enlarge its medical facilities and employ the personnel necessary to assure these young men the best health care that money can buy. I, therefore, feel that the $100 million added to the appropriation for health care and hospital facilities for the Veterans' Administration is a very bare minimum that is required. I certainly hope that the Senate will approve this additional amount and that the Senate conferees will stand firm for this additional appropriation in the conference with the House of Representatives.

FUNDS FOR SAN ANTONIO FEDERAL BUILDING

Mr. TOWER. Mr. President, the independent agencies appropriations bill as reported by the Senate Appropriations Committee makes a change in the House bill that seems unfortunate and will be unnecessarily costly to the taxpayers. The committee bill would reprogram money for the proposed Federal building in San Antonio, Tex. This would result in at least a 2- to 3-year delay in the construction of the building and would no doubt increase its cost.

The reason suggested for the change by the General Services Administration is that the determination has not yet been made as to whether part of the physical facilities of the HemisFair pavilion will be incorporated in the Federal building complex, and, therefore, the project is not yet ready for construction. I believe such a decision could be made in a very short time, however, if necessary, and that construction of the main building could be started virtually as soon as funds are made available. All basic construction planning has already been completed. Rising construction costs and replanning expenses are certain to be encountered if we delay this project by reprograming its funds as the committee has recommended.

I hope the conferees on this bill will reconsider the situation of this project and will agree to the House view on the merits of funding the San Antonio Federal building this year.

UNANIMOUS-CONSENT AGREEMENT

Mr. PASTORE. Mr. President, we have been discussing a time limitation on the debate. It seems to be perfectly agreeable to all parties concerned. Subject to the consent of the Senate, I should like to propound a unanimous consent agreement.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. CRANSTON). There will be order in the Senate Chamber.

Mr. PASTORE. Mr. President, I understand that if we obtain this unanimous-consent agreement, there will be no further votes tonight.

I ask unanimous consent that starting tomorrow there be a time limitation on the debate of 1 hour on each amendment, 30 minutes to the side, 1 hour on any amendments thereto, and 2 hours on the bill.

Mr. STENNIS. Mr. President, reserving the right to object, when does the time limitation commence?

Mr. PASTORE. It will commence right after the amendment is offered.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

RECOGNITION OF SENATOR HATFIELD TOMORROW

Mr. KENNEDY. Mr. President, it is the intention of the leadership to have the Senate convene at 11 o'clock tomorrow morning and that an hour will be afforded to the distinguished Senator from Oregon (Mr. HATFIELD). There will then be a short morning hour and we will then commence the debate.

Mr. PASTORE. The debate will start at about 12:30 or so.

The PRESIDING OFFICER (Mr. CRANSTON). Does the Senator ask that be in the usual form?

Mr. PASTORE. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement subsequently reduced to writing is as follows:

Ordered, That, effective on Tuesday, July 7, 1970, during the further consideration of the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to two hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

ESTABLISHMENT OF A PILOT PROGRAM DESIGNATED AS THE YOUTH CONSERVATION CORPS

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1076.

The PRESIDING OFFICER (Mr. CRANSTON) laid before the Senate the amendment of the House of Representatives to the bill (S. 1076) to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes, which was to strike out all after the enacting clause, and insert:

POLICY AND PURPOSE

SECTION 1. The Congress finds that the gainful employment of American youth, representing all segments of society, in the healthful outdoor atmosphere afforded in the national park system, the national forest system, the national wildlife refuge system, and other public land and water areas creates an opportunity for understanding and appreciation of the Nation's natural environment and heritage. Accordingly, it is the purpose of this Act to further the development and maintenance of natural resources of the United States by the youth, upon whom will fall the ultimate responsibility for maintaining and managing these resources for the American people.

YOUTH CONSERVATION CORPS

SEC. 2. (a) To carry out the purposes of this Act, there is hereby established in the Department of the Interior and the Department of Agriculture a three-year pilot program designated as the Youth Conservation Corps (hereinafter referred to as the "Corps"). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, or possessions, who have attained age sixteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ during the summer months without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining lands and waters of the United States under the jurisdiction of the appropriate Secretary.

(b) The Corps shall be open to youth of both sexes and youth of all social, economic, and racial classifications, with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

SECRETARIAL DUTIES

SEC. 3. (a) The Secretary of the Interior and the Secretary of Agriculture shall:

(1) designate the public lands upon which members of the Corps can be effectively utilized in conservation work, and coordinate Corps efforts with those holding jurisdiction over the respective public lands;

(2) determine the rates of pay, hours, and other conditions of employment in the Corps: *Provided*, That members of the Corps shall not be deemed to be Federal employees, other than for the purposes of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

(3) arrange directly or by contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for five years for transportation, lodging, subsistence, other services and equipment for the needs of members of the Corps in fulfilling their duties: *Provided*, That whenever economically feasible, existing but unoccupied Federal facilities (including abandoned military installations) shall be utilized for the purposes of the Corps, And *Provided further*, That to minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

(4) promulgate regulations to insure the safety, health, and welfare of the Corps members;

(5) prepare a report, indicating the most efficient method for initiating a cost-shar-

ing youth conservation program with State natural resource, conservation, or outdoor recreation agencies, which report shall be submitted to the President not later than one year following enactment of this Act for transmittal to the Congress for review and appropriate action.

(b) The provision of title II of the Revenue and Expenditure Control Act of 1968 (82 Stat. 251, 270) shall not apply to appointments made to the Corps, to temporary supervisory personnel, or to temporary program support staff.

SECRETARIAL REPORTS

SEC. 4. Upon completion of each year's pilot program, the Secretary of the Interior and Secretary of Agriculture shall prepare a joint report detailing the contribution of the program toward achieving the purposes of the Act and providing recommendations. Each report shall be submitted to the President not later than one hundred and eighty days following completion of that year's pilot program. The President shall transmit the report to the Congress for review and appropriate action.

AUTHORIZATION OF FUNDS

SEC. 5. For three years following enactment of this Act, there are hereby authorized to be appropriated amounts not to exceed $3,500,000 annually to be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act.

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendment of the House on S. 1076 and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. CRANSTON) appointed Mr. JACKSON, Mr. BIBLE, Mr. MOSS, Mr. ALLOTT, and Mr. STEVENS, conferees on the part of the Senate.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

Mr. PROXMIRE. Mr. President, I submit an amendment to the pending bill. I will not discuss it tonight. The amendment would cut back the base appropriations to the House levels. It would be a reduction of about $122 million.

I will call up the amendment tomorrow and discuss it at that time and ask for a rollcall vote on tomorrow.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

ANSWER TO CRITICISM OF THE VICE PRESIDENT BY MR. BERNARD SEGAL

Mr. DOLE. Mr. President, Vice President AGNEW has been unfairly criticized by Mr. Bernard Segal, president of the American Bar Association.

I ask unanimous consent that there be printed at this point in the RECORD an answer by the Vice President to the criticism of Mr. Segal.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE VICE PRESIDENT

Mr. Bernard Segal, President of the American Bar Association, has stated that my recent criticism of remarks made by Mr. Joseph Rhodes shows that I am inconsistent about dissent.

Mr. Segal is apparently confused about the thrust of my criticism. It had nothing to do with Mr. Rhodes' right to dissent as a private citizen, but rather dealt with the basic requirement that, in fairness, fact-finding investigations do not properly begin with a recitation of unsubstantiated opinion by the investigators.

Mr. Rhodes, among other visceral comments, stated: "Governor Reagan was bent on killing people for his own political gain." This pronouncement is immature and ridiculous for Rhodes the citizen to make, but it is within his right of dissent. But for Rhodes, the Federal commissioned investigator, to make such a gratuitous observation to the press about the most visible symbol of establishment resistance against student violence is outrageous and, more important, disqualifying because it shows a transparent bias and a closed mind on the subject matter under examination.

Before the Commission was even organized, member Rhodes had allowed his emotions to indict and condemn Governor Reagan without even a rudimentary investigation of the facts.

It is frankly surprising that I have to make this distinction clear to the President of the American Bar Association, of all people. He should know that there can be no justice in a determination made by those who have made their decisions before the evidence is received. Mr. Rhodes' sour-stomached statement was not a disagreement based on fact, but a hare-brained unprovable bluster.

PROGRAM

Mr. HOLLAND. Mr. President, will the acting majority leader yield for a question?

Mr. KENNEDY. I yield.

Mr. HOLLAND. Mr. President, am I correct in my understanding that when the pending appropriations bill is disposed of, the next item to be taken up will be the agricultural appropriations bill?

Mr. KENNEDY. That is the intention of the majority leader, as I understand it.

Mr. HOLLAND. Does the Senator know now at what time the agricultural appropriations bill will come up? Certain Senators want to be notified so that they can be present.

Mr. KENNEDY. Mr. President, it is the best judgment of the leadership at the present time that there are at least five known amendments to the pending bill. So, upon that basis I would hope that we could finish the pending business some time in the middle of tomorrow afternoon. I am sure that the majority leader would want to begin the agricultural appropriations bill on tomorrow afternoon. The majority leader will be back the first thing in the morning, and we can respond at that time. I would hope that we could begin on the agricultural appropriations bill tomorrow afternoon.

Mr. GRIFFIN. Mr. President, I understand that the Senator from Oregon (Mr. HATFIELD) is to be recognized for an hour tomorrow morning.

Mr. KENNEDY. The Senator is correct.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate adjourn, it adjourn until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HATFIELD AT 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that immediately after the reading of the Journal on tomorrow, the Senator from Oregon (Mr. HATFIELD) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, it will then be the intention after the distinguished Senator from Oregon has completed, to have a short morning hour, the time to be limited to 3 minutes, and then to get started on the amendment of the Senator from Wisconsin as close to 12:30 as possible.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 15 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 7, 1970, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate July 6, 1970:

DEPARTMENT OF LABOR

Malcolm R. Lovell, Jr., of Michigan, to be an Assistant Secretary of Labor, vice Arnold R. Weber.

OFFICE OF EMERGENCY PREPAREDNESS

Darrell M. Trent, of Kansas, to be Deputy Director of the Office of Emergency Preparedness, vice Fred J. Russell.

EXTENSIONS OF REMARKS

IMPORT CURBS ON JAPANESE TEXTILES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, July 6, 1970

Mr. THURMOND. Mr. President, a recent column by the distinguished writer, James J. Kilpatrick, provided an excellent summary of the case for import curbs on Japanese textile goods.

This article appeared in the June 30, 1970, issue of the Washington Star newspaper and deserves the attention of the Congress and the Nation.

Mr. President, I ask unanimous consent that this column be printed in the Extensions of Remarks.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

HIGH TIME TO PLACE CURBS ON IMPORTS FROM JAPAN

(By James J. Kilpatrick)

With the collapse last week of textile trade agreement talks with Japan, Congress has but one course left open to it: This is to smack the Japanese with what is known in the trade as the Mills bill. And high time!

Granted, this is not a pleasant prospect for members of Congress who are dedicated to reducing trade barriers, not to raising them. Approval of the Mills bill would be a step backward from the lofty goal of free commerce envisioned under the international General Agreement on Trade and Tariffs. If protective quotas are granted to the textile-apparel industry, other industries hurt by foreign competition will be crying, "me, too."

There is this further objection, that by imposing even the mild and reasonable restraints proposed in the Mills bill, the United States would subject its diplomatic relations with Japan to additional strain. The leaders of last week's massive anti-government riots in Tokyo, protesting extension of the two nations' security treaty, presumably would pick up wider popular support.

Yet the case for a quota system, intended to protect the domestic textile-apparel industry, is supported by compelling evidence. And the record of patient efforts to reach a voluntary agreement suggests that the Japanese propose to stall indefinitely.

Time has run out. The U.S. industry is in deep trouble. Its profits are down. Employment has declined by 65,000 workers in the past 15 months. New capital investment has dropped sharply over the past year. The number of closed plants is increasing. The gloomy picture is almost entirely the result of one cause: The dramatic increase in textile imports.

Dramatic is the word for it. The picture began to change as far back as 1957, when textile imports for the first time exceeded our exports. Now the imbalance amounts to $1.4 billion annually; and more than a third of this imbalance winds up in the hands of Japanese. In the past five years, the volume of textile imports has tripled. If the increase is merely alarming in cotton and wool. It is staggering in the field of man-made fibers.

Several elements account for the situation. Primarily, the imbalance results from wage differentials. The typical American textile worker earns $2.43 an hour; his counterpart in Japan gets 53 cents. In Korea and Taiwan, the figure is 11 cents. The suit that is mail-ordered from Hong Kong is sewn together by tailors paid 25 cents an hour.

Another significant factor lies in trade policies here, and trade policies there. The Japanese, while they adamantly oppose quotas anywhere else, impose relentless import restrictions of their own. Within the European Economic Community, the same picture obtains. No nation in the world has a freer policy on imports than the U.S. As a consequence, one-third of Japanese production goes to American buyers.

Finally, Japanese manufacturers operate without the restraints of anti-trust law. Nothing prevents them from entering into price and market agreements that would be patently illegal here. It is a great convenience not to have a Justice Department breathing down one's neck.

The Mills bill, sponsored by Rep. Wilbur Mills, D-Ark., and 200 other members of the House, would put a ceiling on imports of textiles, apparel and footwear geared to the levels of 1967-68. These limits would be adjusted annually to reflect increases or decreases in domestic consumption. A more reasonable or more generous policy scarcely could be proposed.

Opponents of the Mills bill contend that the effect of even these mild limitations would be to raise the price of goods to the American consumer. It could happen, but the remarkable record of price stability within our domestic industry suggests otherwise. In any event, the consequences of continued inaction are as visible as a mini-skirt but much less attractive. Free trade is like peace: it is wonderful. But peace at any price is no bargain, and neither is free trade that imposes a ruinous cost on industry here at home.

RESULTS OF QUESTIONNAIRE

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. KING. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include the results of my annual questionnaire which was sent to all the postal patrons in the 30th Congressional District. In my opinion, the heavy response I received to the poll reflects a high level of interest from the people in my area on national affairs.

Tabulated results of the 1970 questionnaire:

[In percent]

	Yes	No	Other
1. Do you approve of the President's plan to end the Vietnam war by gradually withdrawing our troops?	80	16	4
2. Should Congress approve the President's $10,000,000,000 nationwide clean waters program?	88	8	4
3. Do you favor my bill granting tax incentives to private industry to aid and assist in the pollution abatement problem?	76	20	4
4. Do you believe Congress should grant local law enforcement agencies greater financial support?	60	34	6
5. Should the Federal Government do more to control the dissemination of pornography?	71	25	4
6. Do you believe additional Federal laws are needed to protect the consumer?	73	22	5
7. Should we adopt wage and price controls to help slow down inflation?	61	32	7
8. Should the Federal Government assume total responsibility for all welfare programs?	30	65	5
9. Should the farm program be changed to gradually reduce dependence on price supports?	83	8	9
10. Do you favor removing the limitation on earnings on those who receive Social Security benefits?	71	26	3
11. Should we step up space spending to put a man on Mars?	12	85	3
12. Should a percentage of Federal income tax money be shared with the cities and States for use as they see fit?	48	45	7
13. Do you favor actions of the Administration to try and balance the budget and pay on the national debt?	88	8	4
14. Do you approve of the overall course of the present administration?	67	24	9

Mr. Speaker, at the time I prepared these tabulated results to my 1970 questionnaire, I was, like so many of my colleagues, receiving hundreds of letters both opposing and supporting the recent U.S. military moves against the Cambodian sanctuaries. Because I feel that our involvement in Southeast Asia is the most pressing issue before the country today, I included another poll in my Washington Report which listed the results of the 1970 questionnaire. I would also like to include the results of this poll which I believe will be of interest to my colleagues. As far as the percentage result to the first question is concerned, I can only draw the conclusion that the President's courageous move into Cambodia had the overwhelming approval of the people I am privileged to represent.

The results of the poll are as follows:

[In percent]

	Approve	Disapprove	Other
1. Do you approve of the President's move across the Cambodian border to eliminate sanctuaries of the North Vietnamese and the Vietcong?	84	14	2
2. Colleges and Universities have been active in protests against the President's Cambodian decision. Do you approve or disapprove of these student protestors?	13	84	3
3. Some colleges and universities have closed down as a result of student protests over the war in Vietnam. Do you approve or disapprove of closing down colleges and universities for this reason?	17	80	3
4. Several thousand students conducted a demonstration in Washington early in May against the President's Vietnam policies. Do you approve or disapprove of this Washington demonstration?	18	78	4

THE DANGER OF THE COOPER-CHURCH AMENDMENT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, July 6, 1970

Mr. THURMOND. Mr. President, one of the Nation's most outstanding opinion makers is syndicated columnist David Lawrence.

The danger of the Cooper-Church amendment and other actions of the Senate in recent days is succinctly pointed out by Mr. Lawrence in a column published in the Washington Star of June 30, 1970.

Mr. President, I ask unanimous consent that this column titled "Isolationists in Senate Cause Harm" be printed in the Extensions of Remarks following my comments.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

"ISOLATIONISTS" IN SENATE CAUSE HARM

(By David Lawrence)

American combat troops got out of Cambodia a day ahead of schedule, though during seven weeks of debate in the Senate expressions of doubt were frequently heard that President Nixon would keep his word. The harm done to the prestige of the United States abroad and to the conduct of foreign policy by such political opposition tactics will be felt for a long time to come. Indeed, one Democrat already has had the temerity to make the following statement in the Senate:

"I submit that our national interest would best be served by a unified Vietnam even if under Communist rule, as it would then serve as a relatively firm barrier to Chinese expansion."

This is hardly good news to certain members of the Southeast Asia Treaty Organization—Australia, New Zealand, the Philippine Republic and Thailand. They have regarded the pledges of the United States as obligations that would be honored in the event that communism endeavored again to impair the right of self-determination of peoples covered by the treaty.

The speech is reminiscent of what used to be heard prior to World War II and prior to World War I, when "isolationists" in the Senate were giving foreign governments the impression that they need not fear opposition from the United States if free countries were invaded and their independence threatened.

America's participation in World War I began 53 years ago, and in World War II nearly 29 years ago. After each war period new generations grow up, and history is not re-examined even by lots of members of the American Congress. Yet, both World Wars were in part the direct result of a belief by autocratic governments in Europe that the United States would not give military aid to the countries attacked.

Today some members of the United States Senate are, in effect, telling the world once more that the United States, because of a costly experience in Vietnam, isn't going to help the small nations in Asia—or perhaps even in Europe—and that communism is free to take over wherever it chooses on the continent of Asia.

This means there could be an outbreak of a major war within a few years—and a catastrophe for the whole world could ensue—unless the policies of the United States are enunciated with such resoluteness that there could be no mistaking the intention of our government to uphold its treaty commitments.

Those members of the Senate, of course, who preach "isolationism" think this is popular at home. Certainly it would seem that everybody would applaud a speech which is against war. But the conflict in Vietnam is a small affair compared to a world war, and the casualties insignificant in number as against the millions of deaths in a world war, particularly nowadays when nuclear weapons are likely to be used. The foreign policy of the United States needs, therefore, to be made unequivocally clear.

The Senate has a Foreign Relations Committee which has the right to discuss foreign policy, but not to make it. Comments are supposed to be advisory and not obstructive. Now that the whole Cambodian expedition has been finished, the Senate Foreign Relations Committee is still inclined to meddle. But very little objection can be raised, as the American effort has been completed and South Vietnam has taken over the task.

To declare, however, that it would be better policy for the United States to favor a "unified Vietnam even if under Communist rule" is to undermine the strength of the South Vietnamese government and to invite more trouble in Indochina by indicating that the supporting arm of the United States is weakening.

There are senators who recognize the dangers and want to continue to supply financial and military assistance not only to South Vietnam but to other countries which may wish to help Cambodia.

The President has not the slightest intention to turn to "isolationism" and let the Communists grab whatever countries they wish. Such a course might be less expensive, but it would be a discreditable policy for the free nation which leads the world in its help for humane causes. But will the Communists risk a big war and bet on what they mistakenly believe is "public opinion" in America?

ADDRESS BY MAJ. GEN. GEORGE J. RICHARDS

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. GOODLING. Mr. Speaker, Memorial Day has come and gone, but the echoes of some very fine addresses made on this day are still with us. One such address was presented by Maj. Gen. George J. Richards, U.S. Army, retired, at the annual Memorial services of the Society of the 28th Division at Boalsburg, Pa. Because this was a deep and meaningful presentation, I insert it into the RECORD for the attention of my colleagues:

ADDRESS BY MAJ. GEN. GEORGE J. RICHARDS, U.S. ARMY, RETIRED

INTRODUCTION

Mr. Gallagher, General Kafkalas, Dr. Stevens, Members of the Society of the 28th Division, Members of the 28th Division, Distinguished Guests, Relatives and Friends.

Here in this lovely vale, peace and serenity prevail today. Undisturbed, we can philosophize about the past and meditate about the future.

THE CONSTITUTIONAL GUARANTEES

As to the past, our forefathers in a long and tenacious struggle, won freedom from England. At Philadelphia, they wrote our Constitution which established the principles of Freedom and the concepts of Democracy. A great Civil War challenged these concepts. In his Gettysburg Address, President Lincoln put it this way: This Civil War is "testing whether this Nation or any Nation so conceived and so dedicated can long endure." The North won, and these concepts have thus far prevailed.

Prophetic, perhaps of present times, President Lincoln in his Emancipation Proclamation "enjoined upon the people declared free to abstain from all violence." Today, this broadly applies to those of us who are descendants of the settlers in the original thirteen colonies and to those of us who ourselves or through our ancestors, sought asylum in this Country from oppression elsewhere.

Peaceful and effective avenues of approach are provided: (1) by the First Amendment to the Constitution, Ratified December 15, 1791, which stipulates:

"Congress shall make no law * * * abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the Government for a redress of Grievances."

(2) Amendment No. 15 to the Constitution, Ratified February 3, 1870, which states:

"Section 1. The right of citizens of the United States to vote, shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

Thus, the First and Fifteenth Amendments have placed in the hands of us common folks, powerful yet peaceful means of making ourselves heard.

A WORLD POWER

Subsequent to these harrowing Civil War days which pitted family against family, brother against brother, we expanded west to the Pacific Coast, then to Hawaii and north to include Alaska. Thus our Nation was consolidated both territorially and domestically.

Our participation in the Spanish-American War, World War I, World War II, the Korean Conflict and now the struggle in Vietnam, has identified us as a World Power, presently the strongest of all.

HOMAGE TO THE DEAD

These internal and international struggles have resulted in the attainment of the objectives for which we have fought. They have been achieved by sacrifices on the part of our ancestors, our own generation and our children. Many gave their all; made the supreme sacrifice. It is to honor these, particularly those of the 28th Division, that we are assembled today.

Mr. Norman D. Fenner, Commander of the Society of the 28th Division, has already outlined the Division's service on the Mexican Border, its participation in World War I and in World War II, and its standby for Korea. To this I should like to add our appreciation of its splendid work in disaster relief and its competence in assisting in the enforcement of law and order. At thousands of other sacred cemeteries and shrines, both here and abroad, similar exercises will be held.

Thus we pay homage to those who have died on the field of battle.

Also we must express concern for their survivors. A personal interest in their welfare, a word of encouragement and a helping hand mean so much to them.

Finally, we must tenaciously "Carry on" to preserve those rights and privileges for which they, our honored dead, have paid so dearly.

THE FAR EAST

The Japanese annexed Korea as a colony in 1910. In fact they considered the Southeastern Coast of Asia so important, that early in World War II they seized it and controlled the coastal areas from Korea to Singapore.

Near the end of World War II, Russian troops entered North Korea. A month later American forces landed in the South. Purely administratively, these two countries agreed on the 48th Parallel as the dividing line between North and South Korea.

The Russians established a Communist Government in the north, while the pro-allied government of Syngman Rhee was established in the south. In June 1950, the North Koreans attacked South Korea without warning. The Korean War ensued. In 1953 an armistice was signed. This the North Koreans violate from time to time without compunction.

On August 2, 1964, North Korean torpedo boats attacked a US Destroyer on the high seas. On August 7, 1964, five days later, Congress in the Tonkin Gulf Resolution, gave the President the power "to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

The North Koreans captured the Pueblo on the high seas early in 1968. They retained the vessel permanently and released the crew only after eleven months of imprisonment and torture.

So much for Korea, now for Vietnam.

In Vietnam, Dien Bien Phu fell on May 8, 1954 and the French pulled out of Vietnam. The Geneva Conference in July of that same year partitioned Vietnam along the 17th Parallel. President Eisenhower followed by offering the South Vietnamese economic aid; and on February 12, 1955 agreed to train the South Vietnamese Army. Seven days later, on February 19, 1955, a South Eastern Treaty Organization Protocol extended the protective cover of SEATO to South Vietnam. On December 14, 1961, President Kennedy declared the United States was prepared to help the Republic of South Vietnam preserve its independence. Consequently, US Forces have moved into South Vietnam, inflicted severe losses on the enemy, aided in bringing 90% of the Country under government control and greatly aided the South Vietnamese in improving their way of life. Except for a relatively few news media such as US News & World Report, the Wall Street Journal, some of our western newspapers, and a few others, the minor accomplishments of the Viet Cong and the North Vietnamese have been magnified, emblazoned on front pages and in TV headlines. The splendid accomplishments of our own forces in battle, in pacification and in reconstruction, have been given minor mention or none at all. Vice President Agnew is quite forcefully bringing this to our attention, and as far as the news media are concerned, it is hurting.

To hasten the withdrawal of US troops from Vietnam, the President, our Commander-in-Chief, has ordered a limited objective advance into Cambodia, coordinated with the South Vietnamese and the Cambodians, to capture or destroy enemy sanctuaries, mobilization centers, rest camps and assembly areas, and to seize all possible munitions of war. The mission accomplished, US troops will return to South Vietnam not later than July 1, 1970 and eventually to the United States. This destruction of enemy assets, together with the prolonged monsoons, will greatly delay any major assumption of the offensive by the Viet Cong and the North Vietnamese; and will give the South Vietnamese corresponding additional time, possibly eight months to a year, to equip and train their own forces. In my opinion, this coordinated limited objective attack will prove to be an outstanding success.

Heretofore, the economic potential of South Vietnam has scarcely been mentioned. The Mekong Delta is one of the leading rice producing areas of the world. Rubber is the chief export and the GNP is $3 billion. The population is 17,414,000.

Cambodia, with a population of 6,557,000, 87% of which is rural, is largely a farming country (rice, rubber, fish and corn). It has appreciable deposits of phosphate, iron ore and limestone which are undeveloped. Its GNP is $843 million.

SOCIAL PROBLEMS

At home, the poverty and social isolation of the minority groups in central cities is the single most serious problem of our cities today. Both President Johnson and President Nixon have done much to improve conditions. However, although headlines in the news media fail to reflect it, the disorders, riots, fires, destruction of property, loss of life and injury to both rioters and law enforcement officers, have alienated the support of by far, the majority of the American people. I commend to you the article in the May issue of the Reader's Digest by Jesse Owens. Jesse Owens rose from a thin and sickly cotton sharecropper's son in Oakville, Alabama, to the winner of four gold medals at the Berlin Olympics in 1936 in front of Hitler. Jesse's best friend who encouraged him in accomplishing this, was the German Champion, Lutz Long, the Aryan whom Hitler wanted to win. Says Jesse Owens today: "the soapboxing blackthinkers, the angry extremists, the nationalists, represent a very small element of today's Negroes. The violence, hate, and self-pity they preach are the easy way out. What we need is self-control, true assertiveness and long range planning." The draft-dodgers, white and black, are in the same category. What they need more than anything else is patriotism and guts.

These same characteristics might well apply to those like the College Professor and four College Students who visited Congressman Goodling's Office to relate their views on Vietnam, Cambodia and other subjects. The Congressman listened to them and then enumerated the many sources, domestic and foreign, which reported facts to the President. Then he asked the Professor and students what facts they had which the President did not have and on which they had based their views. They were flustered and silent. Similarly, much of what we hear is based on hot air or wishful thinking.

TROUBLES ON THE CAMPUSES

As to our troubles in the Colleges, those Colleges with students having a white working-class background, have experienced many fewer disruptions than have those colleges with students of middle and upper class background. The former have the traditional urge to work and to get ahead. The latter have had relatively few responsibilities such as jobs. They believe a college graduate can earn $10,000 a year and live comfortably without working very hard. It is these who are concerned with abstract ideas and are more willing to erupt when led by black and/or white minority group students. The majority by far, of our students, are going to college to learn. But they do not make the headlines in the news media.

STRATEGIC BALANCE OF POWER

Much has been said about reducing our forces in Europe. "Two world wars have taught us that political stability in Europe must be founded on a policy of collective security and a common defense." For twenty-one years NATO has helped provide Western Europe considerable political stability, while the region has attained the highest level of prosperity in its history. This is greatly important to our own commercial and economic advantage. The Soviets, on the other hand, are opportunists. They will chip away at Europe if they think the time is ripe and they can use their military forces as needed without interference from the West. The Soviets are building up their conventional forces, are augmenting their sea-power in the Atlantic, the Mediterranean and the Indian Ocean, and are increasing their influence in the Near East.

There is now a general balance of military power strategically between the United States and the Soviet Union; and tactically, NATO has adequate forces to maintain a credible deterrent. Should we reduce our approximate nuclear parity and the strategic balance, there surely would be a greater likelihood of threats, blackmail and attempts at domination. We have no assurance that the Soviets would not respond to such an opportunity to spread their influence by military means if the occasion presented itself.

INTRIGUE OF THE SOVIET UNION

I have outlined to you the growing ambition of the Soviet Union to become the dominant world power militarily. Korea, Vietnam, Europe, the Atlantic, the Mediterranean, the Near East and the Indian Ocean. The pattern to weaken us internally conforms to a pattern which the Soviets have developed and use elsewhere. To overthrow Chiang Kai-Shek in mainland China, it was Communist cells, bribery and opium. I was in Chung King and Kunming, China, in September 1945. The same system: similar cells on campuses and in cities, plenty of money and the increased use of drugs are in operation here today. I emphasize the similarity of the patterns. Assuredly none of these are strengthening us and none are contributing to our national unity.

THE PRESIDENT: INTERNATIONALLY

The National Policy of our President is to restore and maintain peace. To negotiate rather than confront. To have a world community of cooperating independent nations, rather than a world community of warring nations.

NATIONALLY

Domestically, President Nixon's goals are the same as those of the framers of the Constitution:

Freedom of Speech.

The Right to Peaceably Assemble.

The Right to Petition the Government for a Redress of Grievances.

The Right of Free Enterprise.

Like Lincoln in his Emancipation Proclamation, President Nixon "enjoins upon us to abstain from all violence."

As in Lincoln's Gettysburg Speech, we are presently testing whether this Nation, established on the principles of freedom and concepts of democracy, "can long endure."

These are the principles for which our ancestors, our fathers, our sons and daughters have fought and died. They established the greatest nation on earth.

I have given you a summary of the facts pertaining to the national and international aspects of our Country as they are today. With these in mind, as we honor the dead of the 28th Division and of the other elements of our Armed Forces, let us resolve to support our leader, the President of the United States, as he so earnestly strives for peace abroad and tranquility at home.

Preserve the Union and keep strong.

NEW YORK STATE COLLEGE OF OPTOMETRY

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. HALPERN. Mr. Speaker, as a Member of Congress concerned about quality health care in our Nation, I point with pride to an action taken by my fellow New Yorkers in this regard. Recently, Gov. Nelson Rockfeller signed into law the State legislation which creates a New York State College of Optometry effective September 1, 1970.

This is an institution the State of New York has needed desperately since the old Columbia University School of Optometry was closed in 1956.

The new college of optometry will be supervised by the trustees of the New York State University, whose operating representative will be the Optometric Center of New York City, a well-established research and teaching facility. I have every confidence the new college will produce outstanding optometric practitioners in the years ahead. Present plans call for enrolling the first class of 10 first-year students in the fall of 1971. It is expected that within 10 years, the New York State College of Optometry will graduate 100 to 140 optometrists per year.

In a 1958 study conducted by the office of the mayor of New York City, it was shown that professional vision care was one of the greatest unmet needs of persons aged 65 and over who lived in Brooklyn's Vladek housing project. The relatively low ratio of practitioners to population was then, and certainly is now, a factor in the availability and accessibility of vision care.

With the establishment of the New York State College of Optometry, the first important step will have been taken toward meeting this great need.

I congratulate the State Legislature and the Governor for their forward-looking action in approving this legislation. I hope those of us here in the Congress will continue to have similar opportunities to consider legislation that serves to strengthen education for the health professions so that we can, as a nation, provide every citizen with high quality comprehensive health care.

ENVIRONMENTAL QUALITY

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. RAILSBACK. Mr. Speaker, I am pleased that the esteemed Committee on Ways and Means has unanimously reported H.R. 15979. This Congress has demonstrated an awareness of the tremendous problems facing our smaller towns and rural areas in trying to improve the quality of their environment. I strongly support this measure to make possible the use of federally insured loans to finance additional credit assistance to local government units for use in water and sewer projects.

I testified before both the House Subcommittee on Agricultural Appropriations and the Senate Subcommittee on Agricultural Appropriations. My message was that the rural towns and areas are in a terrible financial bind—they simply do not have the financial capability of paying cash for improving the water and sewer facilities in their areas. These local areas must have financing to assist them in their efforts to improve the environment. The Consolidated Farmers Home Administration Act was designed by Congress to provide just such assistance to these rural areas. The act provides that FHA can make grants and loans to towns of 5,500-and-under population for use in improvements for water and sewers. I urged that the requested appropriations be increased over what the budget document had provided. I was most pleased to note that the House committee more than doubled such funds and I was again pleased when the House by floor amendment increased such funds even more.

For those who may not completely understand the depth of the problem facing these areas, I call to your attention a survey made by the Farmers Home Administration in December 1969 to determine the need of the communities of 5,500-and-less population for water and sewer systems in the rural areas. The survey reveals that a total of $11 billion—$11,283,280,000—will be required to improve and/or provide adequate water and sewer systems in our rural areas. These costs are estimated on the basis of the 1969 dollars; however, experience has shown that costs for such construction rise at a rate of about 10 percent a year and this cost rise is continuing. I submit a summary of the total national need as revealed by the FHA survey, and include it at this point in the RECORD:

TOTALS FOR NATIONAL REQUIREMENTS—RURAL WATER AND SEWER SYSTEMS (COMMUNITIES OF 5,000 POPULATION OR LESS)

	Communities	Households	Commercia establishments
I. Water systems:			
A. With water systems	14, 267	5, 636, 764	420, 641
With adequate systems		387, 418	15, 630
Without adequate systems		5, 249, 346	405, 011
Cost of improvement	$1, 716, 439, 000		
B. Without water systems	17, 476	2, 181, 268	
Number of systems needed	13, 517		
No water	5, 801		
Water bad	4, 527		
Costs excessive	2, 139		
Need central treatment	1, 050		
Cost of systems	$2, 445, 074, 000		
II. Sewer systems:			
A. With sewer systems	6, 823	3, 738, 463	324, 140
With adequate systems		299, 467	15, 858
Without adequate systems		3, 438, 996	298, 282
Cost of improvement	$1, 476, 545, 000		
B. Without sewer systems	23, 356	3, 731, 327	
Number of systems needed	16, 985		
Below health regulations	13, 209		
Need central treatment	3, 776		
Cost of systems	$5, 645, 222, 000		
Total costs to improve and/or provide adequate water and sewer systems	$11, 283, 280, 000		

I think we should be reminded also of the wonderful record of these FHA borrowers in terms of the very few defaults on FHA loans granted to these communities. But, in the face of the staggering need, the funds available through FHA are admittedly limited. It is necessary therefore to look to private lending sources for help. With the FHA insuring the loans, private lending institutions can and will provide funds for water and sewer facilities in these rural communities. The bill before us today corrects a serious difficulty in this regard. Under legislation and Treasury Department rulings, the situation is that private lenders cannot enjoy income tax exemption on insured loans to small municipal governments and other local public bodies whose bond issues are tax exempt. In that it is a wasteful and unjustifiable practice, the FHA has been unwilling to insure any tax-exempt loans. This prevents the sale or use of tax-exempt obligations in the agricultural insurance fund. There is currently $24 million in tax-exempt loans that cannot be sold out of this fund. In order to make it possible for FHA to insure loans and have the authority to sell the obligations, this bill would change the tax-exempt nature of interest on certain insured loans sold out of the Agricultural Credit Insurance Fund and make the interest taxable as gross income.

The result of this change would be that the FHA would buy tax-exempt bonds from small towns or public districts at interest rates not to exceed 5 percent. FHA would then resell these loans to private lenders, who would receive a higher insured loan interest rate from the FHA. In practical effect, there would be no net outlay from the U.S. Treasury. True, the FHA would be subsidizing the interest rate, but the difference would be more than offset by the taxes paid on the loans. At the present time there is no tax paid on these loans and because of that fact, the FHA is unwilling to subsidize the interest rate. We can stimulate the greater use of private capital in improving rural water and sewer facilities by passing this legislation. It will not result in a raid on the U.S. Treasury, but it will result in a raid on pollution and unsanitary conditions in our smaller towns and rural areas.

A similar measure passed the other body as an amendment last Congress, but was dropped in conference. This bill is favored by the Treasury Department, the Department of Agriculture, and the FHA and was reported unanimously from the Ways and Means Committee. It should also have our support and I urge my colleagues to pass it promptly.

THE WASHINGTON TECHNICAL INSTITUTE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. NELSEN. Mr. Speaker, in the 89th Congress, I introduced H.R. 16958, a bill that was subsequently enacted into law as the District of Columbia Public Higher Education Act, Public Law 89–791. This act established the Federal City College, which offers a 4-year program with attendant graduate programs, and the Washington Technical Institute, which offers a 2-year program in vocational and technical training designed to fit individuals for useful employment in recognized skills and occupations.

I have always been particularly concerned that the Washington Technical Institute be given every opportunity to grow and develop, because I considered that it filled several of the needs of this city. There is considerable demand for technically trained people in the trades, crafts, and service industries of this city. The Washington Technical Institute provides this kind of training, and the graduates, I am informed upon attending the Institute's first commencement exercise in early June, are all finding employment at good salaries.

By almost any standard, the Washington Technical Institute has been a success. I believe that it will continue to be successful and will in fact flourish if given the proper opportunities.

However, the technical institute is faced with a rather pressing problem at the present time in that it does not have a permanent site. It has been given quarters at a site that had previously been occupied by the Bureau of Standards. This site provides an adequate, if not an ideal, location for the institute in that the buildings, parking facilities, availability to transportation, including the proposed subway, and so forth, all lend themselves to this type of school and the students whom it serves.

The long-range plans for this former Bureau of Standards site, especially that utilized by the institute, is to develop it for sites for the chanceries of foreign governments and a new location for the Organization of American States—OAS. This is pursuant to the provisions of Public Law 90–553. As a result, these adequate, durable buildings now utilized by the Washington Technical Institute will be demolished and the taxpayers of the entire country and the District of Columbia may have to bear not only the cost of the acquisition of a new site, but the additional tremendous capital outlay for construction of new buildings at some new site. The total cost will certainly run into the millions, and possibly even hundreds of millions, of dollars at a time when District officials claim that they are scraping the bottom of the barrel as to tax revenue sources, the District "operating" budget is soaring, and the President is proposing legislation that moneys to be used in the construction of the Washington Technical Institute would come from Federal grants rather than from District funds. Meanwhile, I fear for the future of the Washington Technical Institute, if it must operate over the next few years without a permanent site and be buffeted about from pillar to post in these important early years of its operations.

Nationwide, we have seen unrest in our colleges and disturbances of many descriptions, but there has not been evidence of this problem at the Washington Technical Institute; and, a tremendous job of administration is being done at this school under the very competent leadership of Dr. Cleveland Dennard, president of the institute.

Accordingly, I have this date introduced a bill to transfer to the government of the District of Columbia for use as a permanent site for the Washington Technical Institute certain real property—about 22 acres—owned by the United States and generally known as the Old National Bureau of Standards site located off Connecticut Avenue and Tilden Street NW. This would leave approximately 8 acres to be used by Organization of American States as its new permanent site and 4 acres for foreign chancery sites. In addition, approximately 30 acres will be available in the near future at the Diamond Laboratory site—across the street from the Bureau of Standards site—for additional foreign chancery sites and a Federal office building complex.

Listed below are some of the factors which I consider to be important in connection with allowing the Washington Technical Institute to continue to use its present site at the National Bureau of Standards location.

First. The District government to date has spent $4.8 million to put the buildings used by the Washington Technical Institute on the old National Bureau of Standards site in reasonably good condition and to equip them, and this expenditure would be largely if not entirely wasted if the institute should be required to move to a new location.

Second. The District of Columbia Capital Program Financing Act which has been proposed by the administration contains, among other provisions, one which woulld provide that the moneys to be utilized in the construction of the facilities of the Washington Technical Institute shall be from Federal grants, rather than from District funds. The institute plans a $70 million construction program, but it is estimated that if the institute should remain at its present location, $45 million of this amount could be saved, and this would be a direct saving of Federal funds.

Third. The area proposed to be used by the institute is within a few hundred feet of the planned Van Ness Street stop on the Metro, and thus would be convenient to the entire city.

Fourth. The area bounded by Connecticut Avenue, Tilden Street, Reno Road, and Van Ness Street, is approximately 34 acres in extent. The portion utilized by the institute is about two-thirds of this, leaving approximately 12 acres for possible use by the Organization of American States and foreign chanceries. In addition, present plans call for the location of chanceries in the westerly portion of the old National Bureau of Standards site north of Van Ness Street, in addition to the planned use of a portion of the area by the Federal Government. Accordingly, the continued use of the site presently occupied by the Washington Technical Institute would not preclude the use of the majority of the old National Bureau of Standards site by the OAS, a number of foreign governments, and by the Federal Government.

Fifth. Use of the old National Bureau of Standards site by the Washington Technical Institute will result in no loss of real property taxes by the District of Columbia, since the land is already exempt from taxation. Relocation of the institute elsewhere in the District may, and probably would, result in the taking of revenue-producing real property, thereby further reducing the already depleted tax base of the District, and further limiting the area of the District available for residential and business use.

IMPORT QUOTA

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. WHALEN. Mr. Speaker, on June 28, the Dayton Daily News editorialized on the subject of import quotas.

The editorial does not hesitate to label a hyprocrisy the contention that quotas will reduce the cost of living. Rather, as in the case of textiles, which it singles out, the fact is that imports have helped reduce the cost of clothing.

I wholeheartedly agree with the views expressed in the editorial, and I ask unanimous consent to bring it to the attention of my colleagues by inserting it at this point in the RECORD:

TEXTILE FOLLY WILL BOOMERANG

The plot to impose import quotas on textiles shows how short-sighted and selfish the vision of some politicians can be, and underscores the hypocrisy of their rhetoric about reducing the cost of living.

Politicians from textile manufacturing states, mostly in the South, don't like the competition from Japan, South Korea and Taiwan, and complain that "floods" of textile imports are hurting U.S. business. Since Japan isn't limiting its shipments, Rep. Wilbur Mills is pushing a bill to restrict imports of textiles. The Nixon administration, primed with its campaign promises to southern politicians, has "reluctantly" endorsed the bill.

It is true that Japan has been irresponsibly protective in its own trade policies. But Japan's irresponsibility should not be allowed to provoke the United States into an explosive and costly move that could be self-defeating..

American textile firms have not proven they are being hurt by the imports. The Nixon administration and textile spokesmen have not approached the General Agreement on Tariffs and Trade (GATT) with the proof of damage. In fact, only three per cent of the sales of synthetic textile sales to U.S. buyers is imported.

But the imports have helped reduce the cost of clothing. Import quotas will give a thriving industry more protection in raising its prices.

Furthermore, the protectionist legislation also applies to shoe imports. It is likely to be extended to cover steel, meat, dairy products, electronic equipment, pottery and other products.

The legislation will hurt developing countries which are trying to establish basic industries. It will threaten retaliation against American exports. It will raise inflationary pressures and costs.

President Nixon ought to be using all his persuasive powers to fight such stupidity, not to encourage it.

CONFERENCE OF FOREIGN AGRICULTURAL ATTACHES

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. LANGEN. Mr. Speaker, I recently attended a conference of foreign agricultural attachés in Canberra, Australia, which agricultural attachés from major market areas in the Far East attended. Discussions during this conference brought out the fact that many of these areas represent untapped markets for U.S. commodity exports which should be explored and exploited to the fullest extent possible. I would like to share with my colleagues some views on the U.S. commodity export market in the Far East which resulted from this conference.

The material follows:

U.S. COMMODITY EXPORT MARKET IN THE FAR EAST

The United States, as a world trade market, must expand its exports to the Far East and South Asia by making commodities as competitive as possible in availability, quality, and price. As the nations of the Far East and South Asia increase rapidly in both population and per capita national income they are becoming more diversified and are increasing their demand for various food products, including beef.

In recent years per capita food consumption has registered a moderate increase in most Asian countries. The basic food for most people remains rice, but diets are diversifying, as a result of economic growth and urbanization.

As a prime example of what change can mean, Taiwan had a per capita national income of one hundred dollars in 1958, compared to the $221 per capita national income in 1967. It had more than doubled in this ten year period. The Chinese in Taiwan have reacted as people everywhere to rising incomes, they want more food and better food. Japan is another example of the speeding rise in the economy of a country in the Far East. Per capita income was $1,400 in 1969, $500 more than it was four years ago. These countries have also experienced a marked increase in population. The population of Japan was 98 million in 1965, while in 1970 the population is 103.5 million, a jump of 5.5 million people. Taiwan, as a small country of 14 million people has increased in population by 1.6 million in only the last five years.

All of the fourteen Far East and South Asian countries discussed in the Far East Agricultural Attachés Conference in Canberra, Australia, had shown sizable gains in both their economy and population. The annual increase of population of most rice-consuming developing countries ranges between two and three percent, compared to the one percent rate of growth of the United States. It is likely that as the death rates fall, the population growth may even accelerate in the future in some areas. To further emphasize the fact that these nations are increasing in both population and per capita income I have enclosed two graphs.

One evidence of the growth in purchasing power is the increasing demand for meat in many parts of the world. In America, the demand for livestock and poultry is certainly related to our standard of good living, and there is evidence that this is increasingly true elsewhere. The point is that economic growth in other countries is bringing change in food preference and effective demand.

While it is too early to accurately read all signals, the market for beef appears to be expanding throughout the world. The demand for higher meat diets is a product of affluence, and production of all types of meat has expanded as reflected in the use of more feed grain and protein meals.

Per capita consumption of meats in many parts of the world which have relatively high incomes are still very low, as an example Western Europe and Japan. But we seem to be observing now a higher degree of discrimination in the meat market favoring beef over other meats.

With over 100 million people and low consumption Japan can be expected to become a major world beef import market. In Australia improved management will be a major factor in the increased production of beef. Australia and New Zealand will continue their efforts to find additional markets, but the U.S. seems likely to be the most attractive outlet.

Enclosed is a graph on the per capita consumption of both rice and beef in all available countries in the Far East and South Asia. While consumption of rice is far greater than the consumption of beef and veal, per capita consumption of rice has declined in several countries and a rise in per capita consumption of beef is projected.

At higher levels of income, as in Japan now, rice is beginning to be displaced by meat and other non-cereal foods. If these countries continue to expand as they are doing, they will have to turn to other countries to meet this demand. The United States, as the world's most efficient producer should be in a position to have a part of this growth. Our export future depends on our success in meeting this opportunity. We must expand our markets so that we can help meet the demands of these nations, and become more competitive so that our own agricultural markets benefit.

I include the following tables:

1970 WORLD POPULATION DATA SHEET, POPULATION REFERENCE BUREAU, INC.

Country	Population estimates mid-1970 (millions)	Current rate of population growth	Per capita gross national product (U.S. dollars)	Population increase 1965–70 (millions)
India	554.6	2.6	$90	67.9
Pakistan	136.9	3.3	90	20.6
Burma	27.7	2.3	70	3.0
Indonesia	121.2	2.9	100	16.3
Malaysia	10.8	2.8	290	1.4
Philippines	38.1	3.4	180	5.8
Thailand	36.2	3.3	130	5.4
South Vietnam	21.2	2.1	120	1.8
China (Mainland)	759.6	1.8	90	64.6
Hong Kong	4.2	2.5	620	0.5
Japan	103.5	1.1	1,000	5.5
Australia	12.5	1.9	1,970	1.1
New Zealand	2.9	1.7	1,890	0.2
China (Taiwan)	14.0	2.3	250	1.6
United States	205.2	1.0	3,670	11.4

PER CAPITA NATIONAL INCOME AT FACTOR COST[1]

Country	1958	1963	1966	1967
Burma	$53	$59	$59	$59
China (Taiwan)	100	151	199	221
Hong-Kong	245	298		
India	64	80	77	
Indonesia	81	82	41	
Japan	284	559	791	921
Malaysia	194	224	255	
Pakistan	62	82	108	
Philippines	193	218	226	233
Thailand	88	98	123	127
South Vietnam	91	82		
United States	2,115	2,562	3,175	3,303

[1] Some per capita income figures at factor cost are not presently available.

PER CAPITA CONSUMPTION IN KILOS OF MILLED RICE—1961–63 AVERAGE AND 1964–66 AVERAGE

[In kilos]

Country	1961–63 average	1964-66 average
Burma	137	143
China (Taiwan)	134	134
Hong Kong	105	94
India	71	69
Indonesia	85	83
Malaysia:		
West	116	103
Sabah	134	154
Sarawak	154	128
Pakistan	100	101
Philippines	89	90
Thailand	123	142
South Vietnam	167	167
Japan	117	111
Australia	1.7	2.1
United States	3	3

Source: Food and Agriculture Organization. Study Group on Rice, 14th session. "Recent Trends and Patterns in Rice Trade and Possible Lines of Action." Apr. 6, 1970.

PER CAPITA CONSUMPTION IN KILOS OF BEEF AND VEAL 1961–63 AVERAGE AND PROJECTIONS FOR 1975

[In kilos]

Country	1961–63 average	Projections for 1975
Japan	1.7	4.4
Australia	45.2	52.4
New Zealand	47.5	47.5
Asia centrally planned countries (Mainland China, North Vietnam, North Korea)	2.6	4.2
South Asia	0.7	1.0
East and Southeast Asia	1.7	2.3
United States	43.1	51.5

Source: Food and Agriculture Organization. Ad hoc consultation on meat and poultry. "Meat: Projection for 1975 and 1985." April 29, 1969.

BLYTHE RICHARDS

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. McFALL. Mr. Speaker, the Pony Express riders would have been proud of some of the western men who followed them in service to the Post Office Department. Such a man is Blythe Richards, postmaster at Tracy, Calif., who will soon retire after almost half a century of service.

I have known Blythe for many years and his service to people never stopped in just handling the mail. Throughout his distinguished career, he has been of outstanding service to his community. Among his many achievements he served as a volunteer fireman for 26 years. For his exceptional service to the Boy Scouts of America, he was the recipient of scouting's highest honor for an adult, the Silver Beaver Award. His active participation in civic affairs includes his long membership in the Tracy Lions Club.

Blythe Richards began his service in the Tracy Post Office in 1923 as a 50-cents-per-hour clerk. In 1949, he was elevated to the position of assistant postmaster. President Eisenhower appointed Blythe postmaster of Tracy in 1954. He has served in this capacity and a credit to the Post Office Department since that time. On July 25, he will begin to reap the harvest of a well-deserved retirement.

His retirement has focused attention on the interesting history of the Tracy Post Office and chronicled in the Tracy Press on June 10 by its managing editor, Roy G. Miller. I insert in the RECORD at this point Mr. Miller's most interesting article:

POSTMASTER TO RETIRE

(By Roy G. Miller)

After nearly 47 years' service in the Tracy post office, Postmaster Blythe W. Richards this week announced plans to retire on July 25.

During his long career, the annual gross business of the Tracy post office has grown from $14,281 to $333,211, and personnel from five employees in 1923 when he started work as a substitute clerk at 50 cents an hour to 46 men and women at present.

During the span of years, one of the most spectacular crimes in Tracy's history occurred in 1928 when the office was held up by three gunmen and robbed of $28,000 in cash consigned to the Tracy branch of Bank of America. Richards was on duty at the time, and Postmaster George H. Gischel narrowly escaped being hit by bullets fired by the bandits.

Richards also recalls that during the 1920's when holdups of payrolls dispatched by mail on trains were common in the central California area, and, for some time, all trains carrying mail also carried U.S. Marines as guards.

At one time, there were 18 trains carrying mail in and out of Tracy daily. This number had dropped to four by 1966 and today no mail is received or dispatched by the local post office on trains.

Tracy post office services have been conducted in four different locations during Richards' long tenure. When he started work under George Gischel who was appointed postmaster in 1923, the office was on Sixth Street. Later on, on May 1, 1923, it was moved to the building on Central Avenue where the Calderon jewelry store is now located. On August 16, 1937, the move to the new building on Adam Street was made, and on March 23, 1967, the present post office building on W. Ninth Street was occupied.

Carrier service was provided Tracy residents for the first time in 1927, when two foot carriers and one parcel post carrier were added to the post office staff. Boundaries of the carrier service area at that time were Highland Ave. on the north, South Street on the south, East Street on the east; and West Street on the west. Annual receipts had increased to $19,796 by that time, justifying the new service.

When the office was moved to Adam Street in 1937, another foot carrier was added, and by 1966, the carrier staff had grown to 10 in the city and three rural carriers, and receipts had increased to $267,588.

At present there are five rural routes out of the Tracy post office, and 11 carriers serving the urban district.

An added service provided by the local post office in recent years is the handling of a huge volume of mail and parcel post items from Defense Depot Tracy, which is not included in the annual cash business of the office. An estimate of the valuation of this service a few years ago was that it was in excess of a quarter million dollars annually.

Richards advanced to the position of assistant postmaster in June, 1949; and became acting postmaster on April 1, 1953, when Gischel retired. His appointment as postmaster came on March 1, 1954.

During his long term of service, Richards has found time for many civic activities, especially in work with Boy Scouts. He received the Silver Beaver, highest Scouter award, in 1962, and at present is serving on the house committee of the Tracy Boy Scout Center on Bessie Ave.

He was a member of the volunteer fire department for 26 years; has been a member of the Tracy Lions Club since 1953; and served as secretary-treasurer of the Tracy Rifle and Pistol Club for 17 years. He is a past president of the regional Post Office Supervisors Association.

Following retirement, Richards plans to spend more time at his favorite hobbies of hunting and fishing, and may resume golf in his spare time. An outdoors enthusiast, the retiring postmaster and his wife, Mrs. Bertha Richards, take several camping trips each year to mountain and other areas and these vacations will be more frequent and more extended in the future, he states.

RARITAN VALLEY, N.J., HADASSAH CHAPTER HELPS STUDENTS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. PATTEN. Mr. Speaker, the Raritan Valley, N.J., Chapter of Hadassah—as part of its American affairs program—is providing valuable educational assistance to students who need help by tutoring them.

The tutoring, which is free, ranges from spelling to mathematics. Word of the program's great success in Highland Park, N.J., has spread and at least three area townships are also planning to initiate free tutoring to help students in need of educational aid.

Mr. Speaker, I am proud of the outstanding work the Raritan Valley Chapter of Hadassah is doing in the vital field of education, and I am sure that the students who are benefiting are deeply grateful.

I commend this highly respected and active organization for starting and developing such a fine and constructive program—and all those who are taking part in it.

Because I would like Members of Congress to know about the great educational work Hadassah is doing, I am inserting an article entitled, "Volunteer Tutoring Pays Dividends," written by Doris E. Brown in the New Brunswick, N.J., Sunday Home News of April 12, 1970:

VOLUNTEER TUTORING PAYS DIVIDENDS

(By Doris E. Brown)

HIGHLAND PARK.—A boy at Lafayette School has benefitted so much from two hours of free tutoring weekly since the start of 1970, that the school has hired a five day a week tutor for him.

That's just one of the rewards of the new volunteer tutoring service provided by Raritan Valley Chapter of Hadassah as part of its American Affairs program.

Mrs. Lawrence Lerner, a former Carteret school teacher who's now the mother of three youngsters in borough schools, finds her two days a week service "very good for me. It is so rewarding."

She only regrets her inability to offer daily tutoring to the boy at Lafayette School, who had been her first pupil. But as a mother of a kindergartener, she could not spare the time.

"The boy was so disappointed when I couldn't continue to teach him daily. He looked forward to working with me," said Mrs. Lerner, who now is tutoring a week in the new math and spelling.

Mrs. Lerner is one of six women from Raritan Valley Chapter of Hadassah helping borough children with their school work, each donating two hours a week to tutoring a child.

Three students at Lafayette School and another three at Hamilton School are receiving this personal tutoring during school hours, thanks to the volunteer service that the Hadassah started to provide when school resumed after the Christmas holidays.

Mrs. David Levine, one of six Hadassah volunteers in Highland Park public schools, uses flash cards to teach spelling to second graders at Hamilton School.

The chapter, which has joined Hadassah nationwide in offering this new service as part of its American Affairs program, hopes to expand tutoring to other Highland Park Schools. Three area townships soon may be benefiting too from help by Hadassah volunteers.

The big need is for more women to volunteer their time, according to Mrs. Herman Harris here, the chapter American Affairs chairman.

"One does not have to be a member of Hadassah to be a volunteer," she said. "This is a community project."

Noting that she is not a college graduate, Mrs. Harris also pointed out, "One does not have to have had advanced education to help a child read a book."

A very interested principal in East Brunswick has asked that township's board of education for permission to offer the Hadassah tutoring service in a school there. The Hadassah volunteers may even start this school year, believes Mrs. Harris.

A chapter volunteer in Franklin wants to tutor in that township and another seeks to do the same in Piscataway, she said.

Main emphasis to date is on helping children with reading and mathematics, but tutoring in other subjects will be provided if needed, according to Mrs. Harris.

A Mercer chapter has geared its volunteer service to help the children of migrant workers.

Since the program was launched nationwide in June, Hadassah is providing this free educational help in schools from the East to the West Coast, as well as in Texas and Ohio.

FACTORIES SEEK SMALL TOWNS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. ZWACH. Mr. Speaker, I am a firm believer in the future of the countryside. I hold that we must reverse the migration to our over-crowded, crime-ridden cities and get people moving back to the good life of the country.

I have introduced legislation aimed at that end.

Gradually, this idea is catching on. People are beginning to realize the folly of crowding 70 percent of our population on only 3 percent of our land.

Recently I read an article in a publication of the Chase National Bank about this policy.

With your permission, I would like to share this article with my colleagues by inserting it in the CONGRESSIONAL RECORD.

FACTORIES SEEK SMALL TOWNS

Not all the plants springing up in rural areas in recent years have been botanical. Factories are being built in the towns and small cities of the rural countryside. So many are going up, indeed, that a remarkable statement can be made: Nonfarm job opportunities have grown faster in rural and semi-rural counties than in metropolitan areas during the '60s.

There's increasing awareness that four out of five rural jobs are off the farm, that a widening difference exists between commercial farming and those who have been trying to eke a living from the soil, and that the problems of the crowded cities have been compounded by the exodus from the rural areas.

Nonfarm employment has been gaining 4 percent a year outside the metropolitan areas. That compares with a metropolitan growth rate of 3.6 percent. Three out of every ten net new jobs created since 1962 were outside the 193 largest labor market areas—essentially the metropolitan counties. And at least half of these jobs were in strictly rural areas.

Fastest-growing among the sources of employment away from the big cities have been the service industries and government. Jobs in both these sectors have increased about 5.5 percent a year—about the same as the gain in service and government jobs in urban areas.

Construction has been the next most rapidly expanding source of rural employment. Building jobs increased 5 percent a year—well above the 2.9 percent rate of metropolitan expansion. The countryside, with 28 percent of construction employment in 1962, got 40 percent of the subsequent gain.

Finance, insurance and real estate jobs also increased faster away from the big cities—3.8 percent per year compared with 2.7 percent.

But perhaps the most dynamic force behind the pickup in employment in small cities, towns and rural areas has been manufacturing. In 1962, 27 percent of the factory jobs were outside the metropolitan areas; 37 percent of the additional jobs created in the following years were out in the country. Compared with a growth rate of 2.4 percent a year in large labor markets, manufacturing employment rose 3.7 percent a year in the countryside.

It was not at all unusual for a single large factory or several small ones to move into a rural community during the '60s and double or triple its income. A wide variety of manufacturers contributed to this increased prosperity in rural areas. Some service industries—resort and recreation facilities, small private colleges, farm producer and distributive cooperatives, commercial laboratories, data processing centers, business consulting services and federal installations—also moved in, adding to incomes.

The new prosperity has yet to generate much employment in retailing or services for local residents. Shopping centers were already available in many communities, and local government services have not kept pace. But continued expansion in incomes in time will increase local markets and service needs.

After decades of increasing concentration in the large cities, what is causing the dispersion of industry through the countryside? Changes in transportation technology—construction of the interstate highway system, the expanded relative volume of trucking, the accessibility of small cities by air, and the prevalence of automobile ownership among potential employees—along with the increasing congestion in the cities, have had an important role. The advancing value of manufactures in relation to their weight, the expansion of markets permitting regional plants, and improvements in communications helped, too.

Some plants were built in the countryside when the difficulty of finding a suitable site at a reasonable price or of complying with the entangling regulations of the city proved too great. Some were located near a water supply. And many firms moved to take advantage of the available labor supply. The disadvantages of living in the megalopolis became apparent, and the country environment seemed increasingly attractive.

THE PARADOX OF NONVIOLENT WAR IN VIETNAM

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. BOLLING. Mr. Speaker, the following guest editorial which appeared in Life magazine describing the paradox of nonviolent war in Vietnam is a thoughtful analysis by one who is well qualified to discuss this serious controversy. The author, Ithiel de Sola Pool, a professor of political science at MIT, was formerly chairman of the Council on Vietnamese Studies. The editorial from the July 4, 1970, issue of Life follows:

THE PARADOX OF NONVIOLENT WAR IN VIETNAM

(By Ithiel de Sola Pool)

On one thing about Vietnam all sides agree: the Vietnamese must ultimately settle their problems for themselves. That is what Vietnamization is all about. But is it working, and what can we do to speed it? My own answers to these questions are based on three years of research on Vietnam, half a dozen trips there, and hundreds of interviews with the Vietnamese.

Here in America, we usually judge the progress of Vietnamization by how fiercely the army of Vietnam (ARVN) fights. But just winning battles will not keep South Vietnam independent. In the end, if the Vietcong lose, it will be because the people of South Vietnam deny them protection and resources, not because they lose pitched battles.

Vietnamese culture has a well-developed knack for avoidance of violent confrontation. To the dismay of American advisers, Vietnamese on both sides work out their silent accommodations so as to carry on their conflict in an elaborate minuet that evades head-on combat and reduces the danger of being killed.

American policy for the last two years seemed to be moving to awareness of the wisdom of such accommodations. In 1965 and 1966 we sent nearly 400,000 men to Vietnam to fight the only kind of war we then understood, a conventional big-battle war. Gradually, experience changed our strategy to one that limited casualties and emphasized pacification. Elections were held. The elected village officials were given a budget for local improvements and were put in control of their own self-defense forces. Increasingly, the peasants saw that the government could give them more of what they wanted than could the Vietcong. But which side would be more solicitious of their lives?

The side that wins the war in Vietnam is likely to be the side that is most restrained in its use of force, and is least violent in its chosen means. Earlier, that side was the Vietcong. Their assassinations were more selective than ARVN's forays or than American bombing and artillery. But that is no longer so. The Tet offensive of 1968 was a turning point. In Vietnamese eyes, in that offensive the Vietcong, without any possibility of winning, used the population as hostage by moving into populated areas and drawing fire upon themselves there. The Vietcong's popularity, which had been slipping for several years, plummeted. Today they have serious trouble recruiting and can count on at most 20% of the peasants, and a mere handful in the cities.

To reduce the level of combat requires the same kind of judgment by the government of Vietnam that a college president must use in bringing police on campus. When a disturbance passes a certain point, he needs police to restore peace, but below that point the police may only inflame a limited turmoil.

Internal war takes the same sort of subtle balancing act. Perhaps General Abrams understands that. Going into Cambodia, however, while it improved security inside South Vietnam, may have returned U.S. and ARVN forces to a conventional military approach.

South Vietnam with a population of 18 million has a million men under arms. They can handle anything the Vietcong or Hanoi has in the South today. The foray in Cambodia will boost ARVN's self-confidence and efficacy further. But the increased prestige of an ARVN with foreign conquests to its record may also accentuate the military character of the Saigon regime. That may, in the end, hinder establishment of a stable non-Communist system in South Vietnam.

It is not so much ARVN as the provincial Regional Forces and the village Popular Forces that protect the population. In regard to ARVN, our main objective should be its reform, not its strengthening. It needs to allow uneducated peasant boys to become officers. It needs a commissary system so that soldiers need not steal the peasants' chickens. Improving the behavior of troops and making promotions more democratic will achieve far more than increasing firepower and combativeness.

To a large degree our side has now won military superiority. The bulk of the Vietnamese population lives in substantial security day and night. In general, roads are open and the writ of the government runs where the population lives.

What can still be done by military means can be done largely without American infantry. When the problem is to cope with furtive guerillas, little squads with rocket launchers, and terrorists without uniforms, then large, heavily armed military units of foreigners who do not know the language are almost useless. In fact, the presence of American fighting men may do more harm than good. There are no American ground combat forces in the Delta, an area of relative Vietcong strength. But the government of Vietnam maintains control at least as easily there as anywhere else.

As American combat troops depart, they will leave South Vietnam with a government beyond the powers of the Vietcong to overthrow, although endemic terrorism, violence and small-scale warfare will go on for the indefinite future. That much of a victory Vietnamization can produce in the next year or two.

The only way to a better outcome is by negotiation. Only a treaty could end terrorism. If Israel cannot keep guerrillas from crossing her frontier, Vietnam cannot hope to seal a longer, wilder and largely unguardable border. A treaty, such as we seek in Paris, would give amnesty to the Vietcong and allow them a role in Vietnamese life. Without that, victory in Vietnam will mean not peace, but only that the Vietcong no longer can take over populated areas, no matter how many murders they commit, how many mortars, rockets and mines they manage to set off. Victory in that sense is near, but peace depends on a settlement at Paris and a sharing of power in Saigon.

THE SPECIAL OLYMPICS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. ANDERSON of California. Mr. Speaker, recently I had the pleasure of attending a most worthwhile and heartwarming event—the 1970 California State Special Olympics, held at California State College in Long Beach. This program, which began a year and a half ago, with a single meet in Chicago for 1,000 mentally retarded children, has grown to some 1,400 local, area, and State meets administered by Special Olympic organizations in 45 States and the District of Columbia. This year, some 150,000 children are expected to participate in the meets around the Nation.

The stated purpose of the Special Olympics, sponsored by the Joseph P. Kennedy Foundation, is to bring sports, competition, and athletic training to the mentally handicapped. But, I feel that it accomplishes much more. All who participate, not only the children, but the thousands of volunteers, the friends, the families, and the spectators, left the event with a new sense of accomplishment. The feeling of one participant, expressed by Burton Chace, a member of the Los Angeles County Board of Supervisors, was the feeling held by all in attendance. Mr. Chace stated that the Special Olympics had given his grandson, Bobby, "a feeling of adequacy and happy accomplishment." This feeling of pride—the acceptance of the challenge—the gaining of confidence, all contribute greatly to the development of these youngsters.

The mayor of Long Beach, Calif., Edwin Wade, recognized the many facets of the Special Olympics when he stated that:

> The Special Olympics program has been established to give the mentally retarded a chance to develop their skills, experience success, and grow both physically and mentally through an organized program of physical fitness.

It was especially gratifying to see former international medal winners such as Pat McCormick and Rafer Johnson. Their presence, instruction, and encouragement added immensely to the tremendous success of the event, as did that of Mrs. Ethel Kennedy and Roosevelt Grier. Their dedication insured that there were no losers at the Special Olympics—everyone won.

Mr. Speaker, particularly moving was a song written and sung especially for this event by Randy Cobb entitled, "A Dream To Grow On." The words are simple, but the meaning is deep:

> Sittin' by a window
> Wishing he could play.
> He knows what people
> Are thinking and why they turn away . . .
>
> He needs a dream to grow on,
> A chance to say "I am me."

Because of the Special Olympics, the children are no longer "wishing they could play." Instead, they were able to compete on equal terms with children of their own age and capabilities.

TRAGEDY THAT DID NOT HAVE TO TAKE PLACE

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. SMITH of New York. Mr. Speaker, just the other day a tragic event occurred here in Washington that provides just one more bit of dramatic evidence of the need for change in the District of Columbia Bail Reform Act. One man was shot to death and a police officer gravely wounded in a gun battle following a liquor store holdup. Had the court been able to hold him, as provided in the pretrial detention area of bail reform, the dead man would probably now be alive, and his most recent offense would probably never have occurred. The story is detailed in the June 29 edition of the Republican Congressional Committee Newsletter, as follows:

TRAGEDY THAT DID NOT HAVE TO TAKE PLACE

One man lay dead and a courageous police officer underwent major surgery recently for bullet wounds received in the Nation's Capital.

Both tragedies could have been prevented if a Nixon Administration proposal for pretrial detention had been voted into law by a foot-dragging Democratic Congress. Yet, critics of the proposal on Capitol Hill are still attempting to kill it.

The dead man was one of two fleeing liquor-store robbery suspects the policeman was pursuing. When the officer halted the escape car, one of the suspects shot him in the neck and chest. Despite his wounds, the officer fired six shots at the two men who were running from the car. Three shots hit and killed one of the pair. The other was caught a few hours later.

Investigation of police records by Rep. Lawrence J. Hogan (R., Md.), whom President Nixon has commended for his vigorous support of the bill in question, and Sen. William B. Saxbe (R., Ohio), showed that the dead man, a drug addict, had a long criminal record, including conviction for assault on a police officer. His latest arrests were in January and June of this year, both for armed robbery.

At the time of the liquor-store robbery, he was free on bond after a June 1 arrest for purse snatching.

Why was he free? Because under the District of Columbia Bail Reform Act of 1966, it's virtually impossible for a judge to hold a defendant—even if the record shows he is a dangerous criminal and a drug addict, as in this case, likely to commit other crimes to support his habit.

Legislation now under consideration by House and Senate conferees would permit a judge to consider two factors in deciding whether to hold a suspect: likelihood that he will flee and likelihood that he will pose a danger to the community. It allows for a 60-day detention, but could only apply to a felony defendant who was a drug addict, or free on bail from an earlier offense, or convicted of a violent felony in the previous 10 years, or who had threatened a juror or trial witness.

As Senator Saxbe noted last week: "For well over a year, the President . . . has asked Congress to give courts the authority to hold hardcore recidivists [repeaters] for a limited period before trial." Sen. Robert P. Griffin (R., Mich.) pointed out that in Washington, D.C., there is a 70-percent rearrest record for indicated robbers prior to trial.

But the crime problem isn't limited to the Nation's Capital. Yet, despite an increase in crime across the country, Rep. George Bush (R., Tex.) noted the other day, "not one of the 20 crime bills sent to Congress by the President has reached his desk for signature, although most of them were introduced in 1969."

Representative Hogan summed it up: "How many more persons will be killed, assaulted, raped or robbed; how many more police officers wounded or slain in performing their duties, before Congress gives us the laws we need to control crime?"

That's what we'd like to know also. The answer may have to wait until the November 3 elections.

MAJOR POWER FAILURE PREDICTED

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. HATHAWAY. Mr. Speaker, the President's science adviser, Dr. Lee A. DuBridge, speaking in Los Angeles, has been quoted by the Washington Post as pointing to the "possibility of a—major—power failure which could produce enforced blackouts of disastrous proportions."

To the people of New England, such a prospect is especially ominous, for they realize that their electric power needs are already greater than anywhere in the Nation.

Mr. Speaker, the 91st Congress still has before it an excellent opportunity to help meet these truly urgent needs of the citizens of New England. I expect that the Senate Committee on Appropriations will soon reinsert an $807,000 budget request for continued preconstruction planning and design of the proposed Dickey-Lincoln School hydroelectric power project into the House-passed public works appropriations bill for the present fiscal year. And I am confident that the full Senate will endorse this action by a strong majority.

I am hopeful that a conference committee will consent to the Senate's amendment, and that this body will subsequently accede to the conference report as regards the recommended Dickey funding.

I know that this hope is shared by the great majority of the citizens of my own State of Maine. I think I can say with assurance that it is also shared by the people of all New England. I, therefore, call upon the members of our Appropriations Committee, as well as all the Members of this House, to help make our hope a reality.

The Post article follows:

Nation Warned On Power Failure

Los Angeles.—The President's science adviser, Dr. Lee A. DuBridge, says a nationwide campaign to turn off unnecessary lights and air conditioners may be necessary to prevent power cutoffs this summer.

"Even more drastic measures may have to be taken, such as voltage reductions, which have already occurred, and curtailing of selected loads or partial blackouts or even shutting down certain industrial plants," DuBridge said Wednesday.

DuBridge, a former president of California Institute of Technology, addressed the American Nuclear Society.

He said there was "the possibility of a major failure which could produce enforced blackouts of disastrous proportions. Fortunately, the utilities have taken steps in recent years to greatly minimize the risk of a total blackout such as occurred in New York in 1965."

PERIL IN SEA-LEVEL CANAL

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. HALL. Mr. Speaker, for a number of years there has been discussion over a sea-level canal to connect the Atlantic and Pacific at the Central American isthmus. Presently, a Presidential group is studying the problem and is to report their findings this year.

A recent news item from the Christian Science Monitor brings to light important factors that we, as legislators, should be aware of. The article follows:

Peril to Sea Life Seen in Plan for New Atlantic-Pacific Canal

(By Neal Stanford)

Washington.—It will certainly be years, and probably decades, before a sea-level canal is dug through the central American isthmus—if ever.

Some basic, unresolved questions continue. What would be the biological consequences of digging such a canal? How would it affect ocean life on either side of the isthmus? Would such a ditch be biologically "safe?"

A group of scientists named by the National Academy of Sciences (at the request of the President's Atlantic-Pacific Interoceanic Canal Study Commission) has been wrestling with these questions for several months.

They have just recently concluded that they can't say positively yes or no. The more they sought answers to the problem the more they discovered how little real knowledge they had to go on to make a decision. The study group, headed by Prof. Ernst Mayr of Harvard University, believes, then, there has to be much more research, even extending over a decade or so, before one can speak with any confidence on what a sea-level ditch across the isthmus might do to ocean life on both sides.

When the Academy of Sciences set up the study group, it commented: "Many scientists believe that the invasion of competitive marine fauna on either coast might result in large-scale extinction of many species, an irrevocable catastrophe to science, and a loss to future generations of men." The eminent biologists, scientists, and oceanographers participating in the study still feel that could be the result, but they are not prepared to say it will or won't be.

The President's canal-study group, which must report this year on whether an interocean canal should be built, pointed out that ocean-life effects were only part of the problem. Others are: Should nuclear excavation be attempted? How do the relative costs of various ways of construction compare? Finally, what site should be selected for a canal?

TWO EDITORIAL COLUMNS BY ROSCOE DRUMMOND ON TODAY'S ISSUES

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. SCHNEEBELI. Mr. Speaker, while reading the Christian Science Monitor recently, I discovered two editorial columns by Roscoe Drummond which I believe provide interesting insights into some of today's issues. The first article, published June 27, comments on Congress and warmaking powers. The second, published June 30, contains some interesting observations of President Nixon's relationship with young people.

I would like to share these articles with my colleagues:

Worse Than Nothing

(By Roscoe Drummond)

Washington.—If Congress wants to get a firmer grip on the war-making powers which rightly belong to it, why doesn't it do something about it?

Instead of just picking at the edges and doing nothing but add more confusion?

For nearly six weeks now the Senate has been debating the Cooper-Church proposal which looks as though it would prevent President Nixon from putting troops back into Cambodia without approval of Congress. But it wouldn't do any such thing and most of its sponsors know it.

HIDE-AND-SEEK

It is a fake and a facade because it doesn't accomplish anything whatsoever toward enabling Congress to recover its constitutional warmaking power. And it will not become law because the House is not likely to approve it and, if it does, it would not survive a presidential veto.

This leads to the heart of the matter. Why does Congress shun doing anything of substance about warmaking and devote itself to playing with the appearances of the matter rather than dealing with its realities?

I can think of only one explanation. It is that the majority in Congress wants to appear to be eager to recapture the warmaking authority but does not want to take the responsibility of making the hard decisions of national security and survival which go with it.

Let me illustrate the way the Senate has been playing hide-and-seek with this vital matter.

A majority of the senators say they don't want the President to use United States troops in Cambodia again without first coming to Congress for approval. They could assert that power decisively by taking an action which would cut off funds if the President did so.

PRACTICAL COURSE

But Congress does not move in this direction because that would mean really taking responsibility for the hard decision it shuns.

Instead the Senate toys with the Cooper-Church resolution which settles nothing, leaves everything gray, and keeps the responsibility on the shoulders of the President while creating the impression that he might be exceeding his constitutional power if he acts on his own to protect American troops still in Vietnam.

There is another solid action Congress could take if it were willing to accept the responsibility which goes with it.

Sen. Charles H. Percy (R) of Illinois offers a very practical course because his resolution would bring President Nixon and Congress together in affirming that U.S. troops should not be used in combat anywhere without advance congressional approval unless American territory or American forces are attacked.

There are good reasons to support the Percy approach.

Richard Nixon has stated that he would not commit the U.S. to any war comparable to Korea or Vietnam without going to Congress. The Percy resolution would put this important agreement into a congressional resolution and thus strengthen the warmaking authority of Congress.

A FACADE

There are three reasons why the Cooper-Church approach is the wrong way to go about strengthening the warmaking control of Congress.

It is vague. It increases vagueness on the relative roles of Congress and the Commander in Chief. It stipulates that the President must not use troops again in Cambodia without congressional approval, but also states that nothing in the resolution affects the powers of the Commander in Chief. Thus it can be interpreted to mean much, or little or nothing.

Cooper-Church is trying to deal with the past rather than the future. It proposes to curtail the actions of the President to wind down a war Congress explicitly approved rather than to reaffirm the authority of Congress to keep out of any war it won't approve.

Cooper-Church fails to discriminate between the power of the Congress to declare war and the power of the President to conduct war.

These are the reasons why Cooper-Church is a kind of facade behind which many senators can make it look as though they were doing something big but are in reality shrinking from responsibility by doing almost nothing at all.

Nixon—A Worrisome Question

(By Roscoe Drummond)

Washington.—Some knowledgeable and fair-minded commentators validly raise a very worrisome question.

Stewart Alsop, for example, puts it this way in Newsweek: "What will President Nixon do if he gets into bad trouble?"

By "bad trouble" Mr. Alsop means if withdrawal from Vietnam runs into some calamity, if prices keep going up and employment keeps going down and if Richard Nixon's popularity plunges to a new low.

This would be the kind of bad trouble which would certainly force Mr. Nixon to do something.

What? Mr. Alsop suggests that the President would be greatly tempted—tempted to the point of very seriously considering it—to shift sharply to the political right.

It is the American middle class, the "silent majority," which makes up Mr. Nixon's natural constituency and undoubtedly he could galvanize it to his side by sharpening the fears which are near the surface throughout the nation.

The political climate could become more adverse to Richard Nixon than it now is and these are the reasons:

The inflation problem is proving to be far more stubborn than the administration expected and what we are still experiencing is a very paradoxical state of the economy—inflation and deflation at the same time, rising prices and rising unemployment.

And will the military successes of clearing out the enemy sanctuaries count for much with United States public opinion if the Cambodian Government falls to the Communists not long after American troops pull out?

Majority opinion is still on the side that the President should withdraw U.S. forces from Vietnam faster than he is doing.

Young White House aides on the basis of their own campus soundings reported frankly to Mr. Nixon that he has presently lost the support of the "sons and daughters of the silent majority" and that students are antiadministration almost en bloc.

All of this has led some White House political strategists—Murray Chotiner for one—to conclude that nothing would be more politically helpful than for the President to start campaigning against the unpopular students and to use their unpopularity as a means to rally the American middle class more actively, more emotionally behind the administration.

Will Richard Nixon take this line if and when he should feel the need politically?

So far it seems to me that despite present and potential temptations, the President is showing by his actions that he is not doing any such thing. Note these developments which all point in the other direction:

The appointment of the Scranton Commission on Campus Troubles shows Mr. Nixon intent upon getting at the cause of student unrest, not exploiting it.

He demonstrated his own breadth of view by naming four leading Negroes to the nine-man commission, among them a 22-year-old Harvard Fellow, and by not being influenced by Vice-President Agnew's ill-conceived attack on the students.

The administration is not being swerved from its school integration policies by the primary election victory of George Wallace and expects to accomplish more school desegregation this fall than ever before.

At the initiative of the President, the White House is arranging two conferences "of youth, for youth, and by youth" in the next few months. Its purpose is to enable young people from 14 to 24 exchange ideas with each other and communicate them to government.

My judgment is that Richard Nixon is aware that exploiting campus unrest might have some short-term political dividends, would at most build a negative majority but that it would be a mistake because it would at most build a negative majority and make it even more difficult for him to deal with the nation's real problems.

I think the evidence already suggests that Mr. Nixon would risk his political future rather than to get locked into negative politics.

THE PERILS OF LIVING IN LOS ANGELES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. WALDIE. Mr. Speaker, I have long sympathized with my friends and colleagues residing in the Los Angeles area and who must put up with some natural and cultural conditions taxing on mind and body.

But, Mr. Speaker, I really had no idea of the burdens of life the Los Angeles area brings until I read an Associated Press dispatch in the Richmond Independent of June 25, 1970.

I would like to place this news story in the CONGRESSIONAL RECORD so that I can share my admiration and sympathy for southern Californians with my colleagues in the Congress:

L.A. SMOG DRIVES THE RATS TO DRINK

LOS ANGELES.—Rats forced to breathe air polluted with carbon monoxide at the levels found on Los Angeles freeways develop a marked taste for alcohol, according to a public health researcher.

Dr. Robert S. Poground of the UCLA School of Public Health said extrapolating the results to the urban human being was speculative.

However, he noted that motorists are exposed to even greater levels of carbon monoxide during peak traffic.

Poground forced one group of rats to breathe the polluted air and one group to breathe "clean" air. Then the two groups were given a choice of four fluids; water, and solutions of alcohol, glucose and saccharine.

The clean air rats stuck with water but the dirty air rats preferred alcohol.

The rats with the alcohol preference had been exposed to 200 parts per million of carbon dioxide and freeway motorists breathe levels as high as 300 ppm during heavy traffic, Poground said.

MALAWI INDEPENDENCE DAY GREETINGS

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. DIGGS. Mr. Speaker, as chairman of the African Subcommittee of the House Foreign Affairs Committee, I should like to take this opportunity to congratulate the people of Malawi on the sixth anniversary of their independence and the fourth anniversary of their declaration of a republic, which occurs today.

In the 6 years since attaining independence Malawi has sought balanced economic growth with emphasis on diversity. While concentrating much of its development effort on the agricultural sector, the country has also devoted considerable amounts to infrastructure and to encouragement of commerce and light industry. Recently Malawi has begun to promote tourism, and with her beautiful scenery, pleasant climate, and many varieties of exotic animals, the outlook is promising.

But Malawi's efforts have not been directed solely at attacking problems of agricultural and commercial production. Educational improvements have received very high priority, and enrollment of secondary school students has increased tenfold since independence. An estimated 375,000 children are now attending school in the primary grades. In addition, under the leadership of President H. Kamuzu Banda, Malawi is endeavoring to build a society open to all races—a society which it hopes will serve as an example of multiracial cooperation to the minority white regimes in southern Africa.

On the occasion of National Day, the people of the United States express to the people of Malawi their best wishes for continued success in their nation-building endeavors.

DISMAL SWAMP

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. GROSS. Mr. Speaker, some of the fallacies and misconceptions in the report of the President's Task Force on International Development are set forth in the following analysis.

The analysis is prepared and signed by the three trustees of the Taxpayers Committee To End Foreign Aid, Mr. Walter Harnischfeger, widely known industrialist; Mr. Clarence E. Mannion, former dean of the College of Law, Notre Dame University and well-known radio commentator, and retired Gen. Bonner Fellers who has rendered yeoman service in the long fight against dissipation of the American taxpayers' substance through foreign aid and through the attempts of misguided officials of the U.S. Government to police and finance the world.

The analysis follows:

DISMAL SWAMP

FOREWORD

Last September President Nixon established a "task force" of private citizens "to provide him with comprehensive recommendations concerning the role of the United States in assistance to less developed countries in the 1970's."

Their Report was submitted on March 4, 1970. It stated that the Task Force had had "meetings with Members of Congress," and with citizens and groups representing a diversity of views and interests. However, the Task Force did not solicit the views of the two members of the Congress most thoroughly informed on foreign aid, Otto A. Passman, of Louisiana, Chairman of the House Appropriations Subcommittee responsible for foreign aid appropriations, and H. R. Gross, of Iowa, a member of the House Foreign Affairs Committee. Nor did it invite the views of the Citizens Foreign Aid Committee, whose members comprised some of the leading citizens of the country, and whose representatives over a period of ten years presented before committees of the Congress qualified testimony, observations and analyses on the operations of foreign aid.

Because of the importance given to the Report as a guide to public policy, a further analysis of the question is required. The purpose of the following is to examine some of the assumptions and premises as well as statements in the Report.

SUMMARY OF TASK FORCE ERRORS

The Task Force Report lacks objectivity in the following respects:

(a) It is not responsive to the assignment given it, which was "to look into the rationale for these programs, *to take nothing for granted*, and to recommend policies that serve the best interests of *our* Nation" (italics ours). It does none of these. Instead:

(b) The Report accepts without examination various questionable premises as to the nature, purpose, and effectiveness of foreign aid.

(c) It presents no analysis of the actual nature and extent of the responsibilities of this government toward other peoples. Without such examination, no statement of the role of foreign aid can have meaning.

(d) It offers no critical examination of the effectiveness of foreign aid as a guide to the shape and direction of future policy.

(e) It ignores all the critical studies and findings as to the failures of foreign aid, presented by the General Accounting Office, the House Subcommittee on Foreign Operations, the reports of the Senate Foreign Relations Committee and the House Foreign Affairs Committee, the House Subcommittee on Appropriations, the special reports of on-the-ground investigations by members of Congress on foreign aid, the reports and testimony of the Citizens Foreign Aid Committee, as well as a great body of critical literature on foreign aid.

FALSE TASK FORCE ASSUMPTIONS

I. "The United States has . . . responsibilities in international development." (Report: Introduction)

Individuals and private groups and organizations may have a moral responsibility for international development, but there is nothing in the Constitution, in the writings of the Founding Fathers, in our historic political policy, or in the generally accepted theory of international relations, that our government, or any government, has responsibility for the development of another country not within its sovereignty. The essence of sovereignty is independence. The Report assumes as proper the invasion of the sovereignty of other governments, by accepting responsibilities for public welfare of their citizens that is the responsibility of those governments themselves.

The foreign aid program by its essence interferes in the sovereign responsibilities of other governments by attempting to introduce, if not actually impose, American ideas of the good life, standard of living, and cultural mores.

As a result of foreign aid—and to save the face for foreign aid proponents—increasing intervention in the affairs of the recipient countries becomes a necessity. This is naively revealed by Gunnar Myrdal, the noted exponent of foreign aid and world government, in his book *Asian Drama: An Inquiry into the Poverty of Nations* (New York, 1968). He states, "There is little hope in South Asia for rapid development without greater social discipline" and adds that such social discipline "will not appear without regulations backed by compulsion." (p. 895)

K. S. Krishnaswamy, Director of the Economic Development Institute of the World Bank, points out in the Bank's official quarterly that Myrdal's inquiry seems only "to bring out the trite but important fact that good intentions and noble objectives are not in themselves capable of moving a poor society out of its stagnation." He cites the caste system in India, its drag on progress, and the tenacity of its hold as evidence that fundamental social mores are the real cause of economic stagnation, and that until they are *voluntarily* abandoned, injections of capital and techniques from abroad, via foreign aid, are ineffectual.

II. "All peoples, rich or poor alike, have common interests in peace, in eradication of poverty and disease, in a healthful environment, and in higher living standards." (Task Force Report: p. 2)

This is rewriting human nature in the image of the Peace Corps idealists and foreign aid devotees. If the statement is true, why do military costs consume 50 per cent of the U.S. budget and 52 per cent of foreign aid in 1969 (as stated in the Report)? Why so little progress in eradicating poverty in the so-called underdeveloped countries? Is it not rather a fact that throughout history eradication of poverty and disease have been minimal concerns of the race, in comparison with pomp and circumstance, the satisfaction of the lusts of power and display and personal aggrandizement? Are people today much different from the ancient Egyptians who were content to expend a hundred thousand lives to glorify their kings with a pyramid that would outlast the ages?

Thus, according to the *New York Times* for April 10, 1970, Pakistan, a land of intense poverty, which has absorbed $4.2 billion of U.S. aid, has spent $300 million on a new capital in the desert built from scratch, including a Presidential Palace to be built on a 2,000 foot high hill, a grand national mosque to hold 100,000 worshippers, and new international airport. As if this were not enough, $40 million has been spent on a co-capitol for East Pakistan, where the National Assembly will sit half the year.

Another *New York Times* dispatch in the April 14, 1970, issue reports that Pakistanis spend the equivalent of $70 million a year on betel nut chewing. Since $148 million is programmed for Pakistan under the U.S. aid program for the current year,[1] this is ample to take care of the betel nut requirements of the Pakistani people, and to finance the continuing cost of the two new capitols.

III. "In the past . . . the U.S. faced a divided world, in which foreign assistance was justified in terms of the conflict between East and West. Today all countries have *a common interest* in building and maintaining a global environment in which each can prosper." (Task Force Report: p. 7)

If all countries have a "common interest, etc." why the tensions in the world today that require the U.S. to spend half its budget in defense, and other countries in similar proportion? Why the Arab-Israeli conflict, the Pakistan-India conflict, the North-South Korea conflict, the Honduras-Salvador conflict, the Southeast Asia conflict, the Iran-Iraq tensions, the East-West conflict in Europe, the Zambia-Rhodesia tension, the two Germanys conflict, to name a few? In addition to all the external conflicts, there exist revolutionary movements within many countries, particularly those of South America.

Has foreign aid reduced these tensions over the years? Have they not rather multiplied as the foreign aid allowed many of these countries to divert energies from economic problems to military build-up, and has not U.S. military assistance fanned many of these conflicts?

IV. "Development can help make political and social change more orderly." (Task Force Report: p. 7)

This assumes a correlation between material input and cultural output. It assumes also that material progress will be accompanied by political contentment, docility and peaceability. It does not explain why Europe has been the scene and origin of two World Wars, or why prosperous Japan became the aggressor in 1937, rather than poorer China.

IMMATURE TASK FORCE CONCLUSIONS

"The Task Force believes that establishing an international investment insurance program against the risks of expropriation would improve the climate for private foreign investment."

This is an example of putting the cart before the horse. It is on the same level as the British system of providing drug addicts with subsidized heroin, which has multiplied the number of addicts by ten in the past decade. The only true foundation for international trade and investment is respect for the sanctity of contract. When the U.S. State Department acquiesced in 1951 in the Iranian abrogation of the foreign oil concessions it dropped into the stream of international intercourse an infection which has polluted relations ever since. The correct solution is political, to cut off political relations with governments that abrogate treaties, and to cut off investment to countries whose governments disregard their contracts. Currently several Latin American countries have expropriated U.S. investments by one device or another with little or no protest from this government.

INCONSISTENCIES IN TASK FORCE RECOMMENDATIONS

I. "The Task Force recommends . . . a U.S. International Development Bank for capital and technical assistance loans." (Task Force Report: p. 4)

But on p. 10 the Report states:

"The debt burden of many developing countries is now an urgent problem."

The fact is that under the pressure and persuasion of foreign aid the developing countries have gone headlong into debt so that the debt of service is maintained only through stretch-outs, concealed suspensions, or more loans to pay interest on old. The solvency of these international lending institutions is preserved only by continual injections of new capital and lending debtors the means to pay interest on their existing loans. Thus, the *New York Times* for April 28, 1970, reports a quasi-moratorium on Indonesia's $1.7 billion overseas debts through a stretch-out of repayments.

II. The goal of Security Assistance is "to improve the military defense of our allies and move them toward greater military self-reliance." (Task Force Report: p. 6) (See also p. 12)

How do continued gifts of military equipment make the recipient countries more self-reliant? Does it not rather make them steadily more dependent upon U.S. assistance?

If, however, these countries do become more militarily self-reliant, how does this serve U.S. security? Does it not rather create a new source of political hostility? How about the veiled hostility of de Gaulle, who was the military creation of the U.S., whose country was restored to military independence by the U.S. and has received $7 billion in aid since 1946? How about India, which spends $1.5 billion a year on its military establishment while receiving a nearly equivalent amount in foreign aid from all sources?

It is notable that many of those who support gifts of arms to immature and irresponsible governments in the naive faith that such a procedure will reduce warfare are the same ones who urge Congress to deny the sale of arms to responsible U.S. citizens on the theory that it will reduce violence at home.

INCREASE IN IRRESPONSIBILITY AND AUTHORITARIANISM

At present, the U.S. contributes to six international agencies engaged in providing investment capital to other countries. To make them palatable to the tax-paying public, most of them are called "banks" but they are banks in name only. None are under effective administrative control or responsive to any superior authority. They are all self-perpetuating bureaucracies. None of the officials of these agencies, for instance, report, or deign to appear, before any committee of the U.S. Congress or any other legislative body for that matter. None of them are subject to audit by the General Accounting Office. None of them, for that matter, are subject to any outside audit. While the U.S. has provided the bulk of the funds employed by these agencies, the administrative liaison hangs on a thread, and this thread was for a time completely severed. Thus, according to an official statement of the Department of Commerce, the U.S. member of the directorate of these agencies is "instructed by the National Advisory Council on International Monetary and Financial Problems."[2]

But what is this Council? It is not listed in the official telephone or agency directory; one must inquire diligently to find its quarters located in an obscure corner of the Treasury; it consists of six persons, whose principal duties are elsewhere (such as the Secretary of the Treasury), aided by a secretary and an office staff of half a dozen. So insignificant is it that in 1966 it completetly disappeared in an executive reorganization and it was not until this hiatus was called to public attention by the testimony of Elgin Groseclose before the House Banking and

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[1] House Appropriations Subcommittee Hearings, 1969, p. 947.

[2] International Commerce, November 16, 1964.

Currency Committee (January 27, 1966) that the official thread was restored.

If foreign countries need short term or investment capital they should apply to the existing widespread commercial and investment banking network, justifying the use of the funds on a business-like basis, which means the capacity of the proposed use to yield economic return. In particular, they should, as a primary requisite, create the legal and administrative atmosphere necessary if investment is to fertilize economic growth—and the assurances that capital will not be drained away by excessive regulations, taxation and unwarranted expropriation.

In cases where export credit is needed to meet credit terms available to foreign exporters, such credit should be supplied on a priority basis only through the Export-Import Bank on a business-like basis at prevailing commercial interest rates, with reasonable reserves for potential losses, supported by independent engineering and economic justification properly documented.

EARLY WARNINGS

In the first critical analysis of foreign aid (Foreign Aid and You) by the Citizens Foreign Aid Committee, on March 16, 1959, precise warnings were issued as to the ultimate consequences of foreign aid policy. The current disastrous condition of the economy, the deterioration of U.S. influence abroad, and the involvement in an Asiatic war which nobody wants, are the consequences of neglect of these warnings. These warnings may be recapitulated:

(a) Our assumption of European defense has caused Europe to neglect the Communist threat, now increasingly present in Egypt and North Africa. There should be systematic withdrawal of U.S. troops.

(b) Foreign aid promotes political philosophies and regimes akin to communism. Today, India is moving steadily toward a socialistic system. Indonesia, communist oriented under Sukarno, revolted after foreign aid was discontinued, and returned to its traditional political system.

(c) Foreign aid is inflationary. The current chaos in the financial markets amply bears out this warning.

(d) Foreign aid promotes corruption. The evidence may be found in a score of reports of the GAO and other investigations.

(e) Unless foreign aid is terminated, the country faces economic peril. This is all too apparent today. Total foreign aid through June 30, 1969, consumed over $182 billion and today is accountable for half of the public debt burden. (Cong. Record, August 1, 1969.)

MILITARY EXPENDITURES AND FOREIGN AID RECEIVED, IN U.S. DOLLARS AT CURRENT PRICES AND EXCHANGE RATES—SELECTED COUNTRIES

[In millions of dollars]

Country	1964 military expenditures	1965 military expenditures	1966		1967	
			Military expenditures	Foreign aid received	Military expenditures	Foreign aid received
Total	6,316	7,269	7,720	5,497	8,813	5,579
Turkey	385	425	445	210	511	214
Argentina	203	163	279	84	271	85
Bolivia	12	15	17	33	15	31
Brazil	337	425	798	354	940	283
Chile	44	64	113	167	115	141
Colombia	60	72	92	127	84	146
Dominican Republic	35	35	34	54	31	67
Ecuador	21	24	25	31	27	34
El Salvador	9	9	10	23	10	16
Guatemala	11	14	15	10	16	21
Guyana			1	10	2	
Honduras	6	6	7	1	8	13
Mexico	128	134	166	166	168	161
Nicaragua	7	8	9	18	10	19
Panama	1	1	1	27	1	24
Paraguay	5	7	8	14	10	22
Peru	72	80	83	94	134	80
Uruguay	4	7	26	13	28	10
Venezuela	152	174	182	94	202	82
Burma	104	110	113	17	103	11
Cambodia	45	53	54	11	47	14
China, Republic of	218	218	350	65	415	92
Indonesia	121	87	165	87	172	255
Korea, Republic of	123	113	150	215	184	270
Laos	17	27	35	69	35	74
Malaysia	90	117	121	50	123	
Philippines	72	76	84	73	108	127
Thailand	86	84	97	59	133	68
Vietnam, Republic of	267	258	302	510	419	450
Afghanistan	13	23	15	54	16	41
India	1,800	2,077	1,400	1,325	1,486	1,447
Nepal	5	5	7	13	6	14
Pakistan	287	588	483	426	492	553
Iran	233	296	328	58	418	82
Israel	372	413	400	134	428	85
Iraq	140	197	207	9	268	14
Jordan	59	60	61	73	77	50
Lebanon	26	30	38	8	40	8
Syria	100	95	97	6	125	20
United Arab Republic	300	392	461	87	666	51
Algeria	70	100	99	123	100	103
Ethiopia	22	30	34	40	37	32
Ghana	39	36	25	84	39	72
Liberia	2	3	3	53	3	45
Libya	17	28	27	1	30	4
Morocco	113	103	103	94	75	76
Nigeria	48	66	66	96	89	84
Sudan	30	33	47	19	50	21
Tunisia	7	14	17	76	14	110
Zambia	9	9	20	32	21	70

Source: U.S. Arms Control and Disarmament Agency; World Military Expenditures, 1966–67; Ibid., 1969. Aid figures represent assistance from all sources.

TOPICS: AMERICA IS PART OF THE BODY COUNT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. OTTINGER. Mr. Speaker, a most touching and poignant editorial by the distinguished writer, Mr. Frederic Morton, appeared in the June 27 New York Times. Mr. Morton's piece goes penetratingly to the dangers inherent in America's role as a world power, particularly as to what the full employment of our destructive potential in Southeast Asia is doing to us as a people and as a symbol for the rest of the world. To give this excellent analysis the widest dissemination possible, I insert the article in full at this point in the RECORD, and I urge my colleagues to give it their early attention:

TOPICS: AMERICA IS PART OF THE BODY COUNT

(By Frederic Morton)

I've seen elaborate wreaths by the plaque which commemorates the six million Jewish dead. I've seen dramatic flower arrangements, and streamers with gilt letters proclaiming sorrow. Since my afternoon walks take me past there, on Riverside Promenade at 83d Street, I've gotten used to it. But a couple of weeks ago I came on something different. A simple cardboard leaned against the fence which protects the plaque. And on it somebody had written:

"Twenty members of two families gathered here today to remember the loss of their loved ones and of countless others who died because of the madness of political [sic] leaders. We hope and we have prayed to God here that please, this blackest page in human history should not repeat itself today."

A shaky hand had scrawled the words with a black marker. Late blossoms from a nearby tree were strewn across the plaque. It was the season in which, 25 years ago, American G.I.'s had opened the concentration camps in Germany. But it was also the springtime of Cambodia and Kent State in 1970. A little girl threw a frisbee, and I had to fight the sudden moisture in my eyes.

I'm not an easy crier. And the crying inside me was not about my two granddaughters, my uncles and my aunts who figure among the number engraved on the plaque. By now there are strong calluses around those hurts. In fact the plaque made me feel fortunate, as usual. My father, who had spent months in Dachau, now read the paper a few blocks downtown. No, something else had me by the throat.

In part the emotion was familiar: I've put my name on the petitions; I've marched the peace marches; I've done the dove-bit in the media; I've come to suspect that the abomination I escaped then may not be much different from the abomination I'm financing with my taxes now. But the anguish on that cardboard plunged me into something sadder still. I wanted to cry about the world's loss of America.

DREAM AND MIRAGE

Here is a Goshen going down the drain. The country that had snatched us away from the gas ovens now burns another people elsewhere. The irony seems excruciating—but not just for the likes of me. For hundreds of years victims everywhere could see (and sustain) themselves as future Yankees. America was what you could hope for when things became too miserable and murderous, it was the place where the sun shone for sure, chock-full of up for the underdog, in for the outsiders, and ah so full of gleaming dollars for the poor.

And even if much of that was mirage, it was a mirage hallowed, potent, durable, made official by the Lady in the Harbor. It kept on beckoning through its very elusiveness. You got past the immigration officer, you consumed your way toward the sacraments of inner citizenship, toward your boat in the marina, your boy at Harvard. Usually you didn't attain America. No matter how new your Chevy, you just kept on emigrating, up the ladder if no longer across the sea. But that was all right because the trip itself was the core of the faith.

It remained all right for a long time, long enough for the sons to continue the journey when fathers dropped. And suddenly—as sudden as the sight of the cardboard—you are told that this heaven by which you set your sights is of a piece with the hell from which you fled. Hence the fury of the hard-hats. After their long arduous travel they are told, by some wild-haired princeling much closer to the destination, that they are all wrong-way Corrigans. For want of a better defense against such news, they beat up its messenger.

TO RE-INVENT AMERICA

And I, who fear them, share their shock. Who can escape being shaken by it? Our globe has lost a source of deliverance. Each time another Asian village goes up in flames, another bit of the saving America turns into trash—before the eyes of the whole world. It is an awful thing to know what only our ghettos (and our Thoreaus) have known all along—that the United States can be as monstrous as any giant.

Still the word "hope" is on that wracked cardboard. Still our young do so much clamorous hoping. Our young—far from being blasphemers—really carry on the same strenuous faith that once sailed in steerage. They are not just trying to reach Jerusalem but to right Jerusalem fallen. Even with excesses, they want to re-invent America the Church. If they fail, and if that spire is dust forever, where can any of us go?

UPHOLDING THE RULE OF LAW

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. DERWINSKI. Mr. Speaker, the concept that public employees should not strike has been fundamental in labor relations, yet we have suffered in recent years from strikes staged by public employees. In May of 1967, schools in Chicago and Cook County have been disrupted by strikes and legal steps were taken to control the situation.

A very timely concise editorial commentary in Chicago Today, Wednesday, July 1, emphasized the principle of law involved.

The article follows:

UPHOLDING THE RULE OF LAW

A principle of law that can't be affirmed too often is that laws must apply equally. There can't be any class of people whose aims or feelings excuse them from the rule of law or the authority of courts. We are grateful to the Illinois Appellate court for nailing down that point again.

The court last week upheld contempt convictions against the Cook County College Teachers union and its president, Norman G. Swenson. They were convicted in May, 1967, for continuing a strike in defiance of an injunction issued by Circuit court Judge Daniel Covelli; the judge sentenced Swenson to 30 days in jail and a $1,000 fine, and fined the union $5,000.

In his decision, concurred in by Judges Robert English and Joseph Drucker, Appellate Judge George N. Leighton said: "We must remind teachers and public employes that the interests of unionism do not justify standing in defiance of the law."

We would add only this: A person may defy the law if his conscience dictates it, and consider himself justified. But he cannot expect the law to submit itself to his conscience; if it did it would no longer be law. And upholding the rule of law is everybody's business.

TELEPHONE CONSUMERS WIN A VICTORY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. BINGHAM. Mr. Speaker, the pattern of ever-increasing local telephone rates has received a long overdue reexamination by the New York State Public Service Commission and the consumer is the victor. In a decision handed down by the PSC on July 1, the New York Telephone Co. was ordered to refund an estimated $13 million to telephone subscribers. The refund represents the difference between a $137.6 million annual rate hike granted on an interim basis by the PSC last February and the $104.9 million increase the commission has finally approved. The telephone company had originally requested an annual increase of $175 million.

Although the average subscriber will now be paying 60 cents more each month above the pre-February rate schedules, this must not be regarded as a pyrrhic victory, for the consumer has won on two important counts. First, the commission, in handing down its decision, has recognized that the quality of service rendered by the telephone company is an important consideration in ratemaking. The decision suggested that the phone company would have received a bigger rate hike if its service was better.

Second, the commission has ordered a refund on a provisionally approved increase for the first time in 15 years. This is only one of several indications that the commission, under its new chairman, Joseph Swidler, will reassert its responsibility to act in the public interest.

The New York Telephone Co. should recognize this decision as a warning that profits will not be guaranteed irrespective of the quality of service. While New York Bell has made efforts to upgrade its service, it still has a long way to go and until such time as the quality of service returns to the high standards we can justly expect in this modern age, the telephone company must bear the consequences of their poor planning.

A copy of the New York Times article of July 2 announcing the PSC decision follows:

A $104 MILLION RISE IN PHONE CHARGES GRANTED BY PSC: COMPANY ORDERED TO MAKE REFUNDS ON INTERIM RATE GRANTED IN FEBRUARY

(By Richard Phalon)

The State Public Service Commission approved a $104.9-million rate increase for the New York Telephone Company yesterday and at the same time said it would order the utility to make refunds to customers on an interim increase granted last February.

On an annual basis, the refund could total $31.8-million—the difference between the $136.7-million addition to revenues the P.S.C. approved last February and the amount it approved yesterday.

The P.S.C. suggested that New York Telephone might have been granted a bigger rate increase if its system was working better.

USE PATTERNS VARY

Noting that telephone use patterns vary widely, a company spokesman said the interim rate increase lifted the "average" residential bill in the city from $12 to about $12.75 a month. The P.S.C. action yesterday could cut that figure to around $12.60.

A spokesman for that agency said it was the first time in 15 years that the P.S.C. had ordered a refund on a provisionally approved increase.

Governor Rockefeller, who is running for re-election, ordered a reorganization of the five-man commission early this year, partly because it had come under political fire as being "too lenient" on the utilities it regulates.

REFUND IS INDEFINITE

The P.S.C. spokesman said it was "impossible to tell" precisely how much the refund would be because he did not know when the new rates would become effective.

That depends on when the utility files a new rate schedule with the P.S.C. detailing how the increase ordered yesterday will be apportioned among different classes of customers. The company was given until July 20 to do so.

If the new rates went into effect on that date, subscribers would be entitled to a refund of about $13-million—a prorated figure covering the five months during which the interim increase applied.

If the P.S.C. decision holds up, New York Telephone customers would presumably be given the option of taking the refunds as a credit on their bills.

New York Telephone, however, intends to appeal. C. W. Owens, president, said the P.S.C. had been notified that the company would request a stay of yesterday's order and ask for a rehearing on the $175-million rate increase it filed for 15 months ago.

The P.S.C. denied that request as "excessive" when it approved the temporary increase last February, pending a final determination of the company's needs as embodied in yesterday's decision.

A spokesman for the American Telephone Consumers Council, which represents business and residential phone customers, said the council would appeal to the State Supreme Court within a few days to have the $104.9-million increase rescinded.

He said that former City Council President Francis X. Smith, acting as attorney for the consumer group, would challenge the phone company's bookkeeping and account practices, among other things.

The P.S.C., in a three-to-one decision to which Commissioner Edward P. Larkin dissented, took note of the company's service difficulties.

The majority said it had ordered a lower "rate of return than it could have granted" because "consumers cannot fairly be asked" to pay as much "for a poor as for a high quality of service."

Mr. Owens said the P.S.C. decision "fails to deal with today's realities," and was "based largely on 1968 conditions."

"Even with the interim rates that went into effect a few months ago," his statement continued, "we are earning only 5.75 per cent on intrastate investments. This is clearly confiscatory."

The P.S.C. order, Mr. Owens said, "would reduce the rate of earnings still further" and "deny the company the rates it needs to provide service."

The company, he continued, spent more than $700-million on new plants last year and will spend close to $1-billion this year.

"We need adequate rates to attract the large amounts of capital required to provide service," he said.

The P.S.C. conceded that New York Telephone's efforts to improve service have been expensive. The commission maintained, however, that the agency had put $25-million additional into the increase approved yesterday to cover those costs.

THE STATES AND THE URBAN CRISIS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. GUDE. Mr. Speaker, the George Washington University, in cooperation with the American Assembly, recently sponsored a meeting at Airlie House to discuss and make recommendations on the question of the States and the urban crisis. Public officials, legislators, and experts on urban problems, many from Maryland, Virginia, and West Virginia, and the District of Columbia participated in the 4-day meeting, and they have produced a series of thoughtful and succinct proposals. The recommendations range from reform of the property tax, to regional planning under State auspices, to Federal revenue sharing and welfare reform. The unique problems of the District of Columbia as a congressional colony are highlighted.

I commend the report of the meeting to my colleagues as an excellent action program for dealing with urban problems:

THE STATES AND THE URBAN CRISIS

The urban crisis is real and explosive. Urgent issues, including racism and poverty, underlie the proliferating rhetoric concerned with urban problems. These issues are reflected in the stagnation and decay of major parts of every metropolitan area, the decline in many rural areas, the breakdown of critical public services, the rise in the crime rate, the difficulties of accommodating continued increase in new urban growth, and in the downward trend of public confidence in traditional democratic values and institutions. These conditions have produced a pernicious blight and social disorganization beyond the means of individual jurisdictions to cure.

The Nation is a victim of its self-indulgence. We have always assumed an unlimited supply of natural resources and capital. The objective of public policy has been to exploit resources in pursuit of unlimited growth. The new reality is that we must deal in shared liabilities and hardships. Moreover, we have let our faith in individualism and progress take the place of coherent policies and planning so that we resist all but very rudimentary restraints upon exploitation of resources by our citizens.

Several forms of response are required to gain control of the forces of change that have produced the current crisis: Federal, state, and local governments acting individually and in concert; private enterprise engaging directly in remedial activities as well as in new urban development; individuals and community groups actively participating in the development of priorities and decisions which affect their lives. However, these responses will require more than merely mechanical adjustments and constitutional changes; they will require new forms of political bargaining, a new political vitality, and creativity at every level of government.

The states have the greatest potential of unused institutional resources available for dealing with general and specific problems inherent in the urban crisis. They possess the essential powers to develop needed social and economic programs, including health care, welfare, housing, education, transportation, and environmental quality control. The states have basic authority to tax and to spend, and they can provide the context of regional scale in which many problems affecting urban areas must be considered.

The state has the responsibility to provide the form and functions of local government and the ground rules within which they operate. Imaginative use of the power to deal with urban problems has been neglected by the states themselves, the Federal establishment, and the public at large.

A realistic assessment of the states as a resource for managing the urban crisis must include a recognition of the probability that as suburban representation increases in the state legislatures, there will be a tendency to favor the interests of suburban populations. However, if we are to solve central city problems, states must ensure that no citizens are denied public benefits solely because of where they live.

In defining a proper role in the urban crisis for all levels of government, including the states, new forms must be developed that will permit cooperation between governments and between private interests and individuals in determining priorities and courses of action.

No one level of government is ideally equipped to deal with the urban crisis. For example, the states may be geographically limited in the solutions they can contribute to the problems of metropolitan areas embracing more than one state.

Assembly deliberation suggested the following measures in dealing with urban problems. These conclusions represent the top priority measures upon which consensus was reached.

1. States should formulate development policies for their own urban growth and rehabilitation efforts.

2. The administration and funding of local government services should be reoriented to coincide with those levels of government that are most appropriate to perform the functions. This could involve the separation of administration and financing for specific services.

3. States should increase their revenue base by taking larger portions of the income tax. We encourage Federal policy with respect to the income tax to evolve in such a way as to share this important resource with the states. This could include tax credits, revenue sharing, bloc grants, and direct assumption of welfare expenditures.

4. Property tax reform is required. Reform should include steps to remove its regressive impact on the poor, encouragement of proper development and use of land and structures, and establishment of uniform assessment procedures.

5. States should utilize their powers, particularly through grants-in-aid, to encourage interjurisdictional planning and governmental cooperation on a metropolitan and other area-wide levels. States should also enact enabling legislation authorizing broader cooperation among jurisdictions including interlocal cooperation and areawide planning (including interstate) development agencies and other instrumentalities to meet regional and metropolitanwide problems.

6. States should set areawide standards for education, health, housing, transportation, and other services.

7. States should upgrade the skills and sensitivity of their administrative units and political subdivisions which deal with community services and development.

8. State, as well as local regulatory functions, must be free from control by the interest being regulated. This is of particular importance in controls on land use and development, in assuring access to occupations and professions under regulation, in the licensing of health and welfare organizations and facilities, and in similar functions subject to public regulation. One essential means to this end is to include consumer representation on regulatory bodies.

9. States should begin to exercise a more vigorous role in the provision of decent housing, particularly for families of low and moderate income. This role should include the provision of financial assistance, establishment of minimum housing and building codes, code enforcement, provision of basic public facilities, prohibition of exclusionary zoning, and direct participation in the assembly of land and in housing development.

10. States need enactment of a national severance tax on extractable natural resources to return revenue to the areas from which the resources have been taken. The adoption of appropriate tax policies has been inhibited by the threat of interstate competition. Such legislation would enable states and localities in parts of this three-state region to meet the demand for public services in their areas.

11. State constitutions should be modified when they inhibit the ability of states or localities to deal with contemporary problems.

This emphasis on the potential role of states should not obscure the responsibilities which are properly those of the Federal government.

The Federal government has several responsibilities with respect to the urban crisis. The states comprise a single nation, and the Federal government, in part because of the increasing mobility of its people, has a responsibility to assure all its citizens, urban and rural, equal access to an education, welfare and health services, and adequate housing in a decent neighborhood. We recommend enactment of a national growth policy under which national goals and priorities affecting the allocation of Federal resources to the urban crisis in relation to other needs can be established. Resources should be made available to those states that actively respond to urban needs, subject to explicit standards of performance and assurance that the rights of all citizens will be protected. Leadership should be provided in identifying the nature and extent of urban problems and supplying creative solutions to such problems.

The Federal government should establish and finance a uniform welfare system. The fragmentation of the public welfare programs based on a multitude of state and local agencies is both inequitable and inefficient. Under the present system, the processes of population growth and migration have placed an intolerable welfare burden on central cities in metropolitan areas and upon poor communities everywhere. In effect, these jurisdictions are required to cure a problem they did not create and cannot control.

For this regional assembly, it is important to call attention to the unique status of the District of Columbia. Although it shares the problems typical of other metropolitan areas, it is subject under the Constitution to the exclusive legislative jurisdiction of the Congress of the United States. The effects of this arrangement have been to deny the residents of the District the opportunity for self-government, to inhibit the efficient delivery of essential services, and to stifle full participation of the District with other communities in the metropolitan area in dealing with urban problems.

The problems growing out of the unique governmental structure of the District of Columbia must be raised to the level of national concern. Although we recognize a Federal interest in the National Capital, the goals should be the attainment of self-government for the residents of the District of Columbia, including fair representation in Congress and the right to raise revenue to complement continuing Federal support.

Other national and international problems should not be allowed to divert our attention from or foreshorten our perspective on the visibility and dimension of urban problems.

DEBT OF NEW GENERATION TO THE PAST

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. DULSKI. Mr. Speaker, commencement time has been with us once again. Many words have been spoken, much counsel has been offered.

The president of the Buffalo, N.Y., Evening News, Mrs. Edward H. Butler, has called my attention to the text of a commencement speech made several months ago by the president of Pennsylvania State University, Dr. Eric A. Walker.

Mrs. Butler very properly comments that it is such a timely and splendid speech that she is surprised that it went relatively unnoticed for so long.

Indeed, it is a splendid speech which—as the newspaper says in its preface—seems even more appropriate today than when it was made months ago.

Mr. Speaker, following is the excellent charge to the graduates made by the university president:

NEW GENERATION'S DEBT TO THE PAST

(By Dr. Eric A. Walker)

Ladies and gentlemen of the graduating class and those who got advanced degrees. Let me extend to each of you my personal congratulations and those of the entire university on the degree you have earned today.

This ceremony marks the completion of an important phase of your life. It is an occasion in which all who know you can share in your sense of pride and accomplishment. But no one has more pride in your accomplishments than the older generation. But I am not going to tell that older generation how bright you are. Nor am I going to say we have made a mess of things and you—the younger ones—are the hope of mankind.

I would like to reverse that process. For if you of the graduating class will look over into the bleachers to your left or right, I will re-introduce you to representatives of some of the most remarkable people ever to walk the earth. People you might want to thank on this graduation day.

These are people you already know—your parents and grandparents. And, if you will bear with me for five minutes, I think you will agree that a remarkable people they are indeed. Let me tell you about them.

A LITTLE BACKGROUND

Not long ago an educator from Northwestern University by the name of Bergen Evans, a radio performer known to your parents, got together some facts about these two generations—your parents and grandparents. I'd like to share some of these facts with you.

These—your parents and grandparents—are the people who within just five decades—1919–1969—have by their work increased your life expectancy by approximately 50 percent—who, while cutting the working day by a third, have more than doubled per capita output.

These are the people who have given you a healthier world than they found. And because of this you no longer have to fear epidemics of flu, typhus, diptheria, smallpox, scarlet fever, measles or mumps that they knew in their youth. And the dreaded polio is no longer a medical factor, while TB is almost unheard of.

Let me remind you that these remarkable people lived through history's greatest depression. Many of these people know what it is to be poor, what it is to be hungry and cold. And because of this, they determined that it would not happen to you, that you would have a better life, you would have food to eat, milk to drink, vitamins to nourish you, a warm home, better schools and greater opportunities to succeed than they had.

BEST GENERATION EVER

Because they gave you the best, you are the tallest, healthiest, brightest and probably best looking generation to inhabit the land.

And because they were materialistic, you will work fewer hours, learn more, have more leisure time, travel to more distant places, and have more of a chance to follow your life's ambition.

These are also the people who fought man's grisliest war. They are the people who defeated the tyranny of Hitler, and who when it was all over, had the compassion to spend billions of dollars to help their former enemies rebuild their homelands. And these are the people who had the sense to begin the United Nations.

It was representatives of these two generations, who through the highest court of the land, fought racial discrimination at every turn to begin a new era in civil rights.

EDUCATION FOR EVERYONE

They built thousands of high schools, trained and hired tens of thousands of better teachers, and at the same time made higher education a very real possibility for millions of youngsters—where once it was only the dream of a wealthy few.

And they made a start—although a late one—in healing the scars of the earth and in fighting pollution and the destruction of our natural environment. They set into motion new laws giving conservation new meaning, and setting aside land for you and your children to enjoy for generations to come.

They also hold the dubious record for paying taxes—although you will probably exceed them in this.

THINGS LEFT TO DO

While they have done all these things, they have had some failures. They have not yet found an alternative for war, nor for racial hatred. Perhaps you, the members of this graduating class, will perfect the social mechanisms by which all men may follow their ambitions without the threat of force—so that the earth will no longer need police to enforce the laws, nor armies to prevent some men from trespassing against others.

But they—those generations—made more progress by the sweat of their brows than in any previous era, and don't you forget it. And, if your generations can make as much progress in as many areas as these two generations have, you should be able to solve a good many of the world's remaining ills.

It is my hope, and I know the hope of these two generations, that you find the answers to many of these problems that plague mankind.

But it won't be easy. And you won't do it by negative thoughts, nor by tearing down or belittling. You may and can do it by hard work, humility, hope and faith in mankind. Try it.

Goodbye and good luck to all of you.

TRIBUTE TO THE LATE DAN A. GREENE OF MARTINSVILLE, VA.

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. DANIEL of Virginia. Mr. Speaker, the community of Martinsville, Va., was shocked and saddened recently by the untimely death of a valued and personal friend, Mr. Dan A. Greene. Dan Greene was a man who gave of himself untiringly, unstintingly, and unselfishly for the benefit of others and in the interest of the community and the State in which he lived. His passing has left a void which will be difficult to fill.

On June 22 there appeared in the Martinsville Bulletin an editorial concerning the late Dan Greene, and I insert this in the RECORD:

DAN GREENE WILL LONG BE KNOWN FOR HIS CONTRIBUTIONS TO ALL

To say the least, our community was shocked by the news of the sudden illness and death of Dan A. Greene.

He had lived here since 1940, or for 30 years. Yet he was still a relatively young man when he died of a heart attack at the age of 54 last Friday evening.

Nonetheless, those 54 years were filled with incomparable contributions to his neighbors and friends. And they numbered in the many thousands because his work and concern embraced citizens of all ages and walks of life.

Recognized as a highly successful businessman, Dan A. Greene will be remembered longer, however, as a civic leader whose compassion and interest embraced about every facet of community life.

He was interested in our youth. This was evidenced by his activity in and support of the Boy Scout movement, his original efforts in helping to organize and continued support of baseball programs for youngsters of all ages, and his assistance in the organization of the Martinsville Recreation Association.

He was interested in the needy, as evidenced by his efforts in organizing Christmas Cheer and his subsequent election by its members as a lifetime director.

He was interested in racial harmony and community progress. He was interested in everything that stood to benefit his fellowman; and he was not only generous with his time and leadership but was equally as generous with his financial assistance to every worthwhile civic and community project.

Ebullient and gregarious, he made friends easily and warmed their hearts with his vitality and interest in their personal lives and successes.

He was both the champion of the underdog and an admirer of the qualities possessed by the true champion, whatever his field.

He was a sentimentalist and a sensitive man, particularly when and if he detected what seemed to be an intrusion of injustice, bias and prejudice or oppression and exploitation. But he was a courageous man, too, and worked against all those things with the same sort of fervor and determination that marked all his contributions to his fellowman.

He was not a good loser in that he accepted attacks on or reversals of his principles without a hard fight. He believed any game worth playing was worth winning; any project started, worth completing.

This community will miss Dan Greene—and greatly. But it has profited more than we can relate here for having had him as a citizen and neighbor for the past 30 years;

and for that, we are extremely grateful.

To his fine family, The Bulletin expresses its heartfelt sympathy, knowing that we express the sentiments of thousands and thousands of others who are appreciative of the vital part Dan Greene played in giving us a better community.

Mr. Speaker, Dan Greene was especially interested in the wholesome development of young people. Shortly before his death he delivered a speech to the youth of his area. In the address, Dan Greene discussed an aspect of the Vietnam war which is all too seldom publicized. He classified the war in Southeast Asia as merely one stage of a much longer and more extensive confrontation—the war between the free world and the Communists. This battle between ideologies has been raging in many places since the origin of the Communist doctrine. If its form has differed from time to time, the change was instituted only to serve the immediate situation. For the goal of the Communists remains that of world domination.

Mr. Speaker, I insert in the Record Mr. Greene's speech which he entitled "What's Right With America":

What's Right With America

Hippies, Yippies, new left, student unrest, radicals, SDS, beatniks, peaceniks, protesters, draft card burners, militants, anarchists, dissenters, activists—these are some of the emotion filled terms often used today in reference to the young people of the world.

As a result there is a large bridge of misunderstanding between a significant portion of our young people and many of their elders. The distrust, conflict and frustration that has seemingly grown up between the generations needs to be underscored to be resolved.

Why do we have this thing called "the generation gap" and why is there so much unrest among young people and the student class? These same questions are being asked not only in the U.S. but, in Mexico, Japan, Germany, Italy, Spain and Iran and in practically all other democratic lands around the world.

No generation has been more examined, probed or less understood than today's younger generation. Our young people are called the "Now" generation, and with good reason. They find it hard to relate to the past. They find it easier to relate to the future. They are different from any other generation that has gone before, with a difference that goes beyond the fact that they are better fed, healthier, educated and certainly more sophisticated.

We also live in an age of youth not just because there are so many young people, but because our entire society is directed towards extending youth. We have made youth the "Ideal." Youth has become a major economic, social, and political factor. Our clothes, cars, entertainment and other facets of daily living all have the youth accent.

Young people demonstrate today not only because they believe in causes, but because demonstrations work. Young people generally feel that the older generation has not done a proper job in particularly two fields—the field of world peace and that of social progress.

Certainly we see today in more articulate young people, the intellectual and sensitive ones, a preference for a more humanistic and democratic society. They are showing it in the accent on people related jobs—social science, social service, the ministry and humanities.

Unfortunately too much of the attention of our news media and some of our leaders has been directed towards the minority of our young people. The ones who through their actions in sit-ins, violence, utter disregards for the other person's rights, their abuse of their God given freedom to destroy freedom, and other demonstrations tend to bestow a mantle of shame upon all young people. Our adult generation needs very much to reform ourselves in order to eliminate this generation gap.

Speaking as one of this so called adult generation I am asking your help and understanding as future leaders of our great country to control this radical minority that is bent on destroying everything precious in this world of ours.

Wars cannot be abolished. It is true that one of the main reasons the younger generation is so disturbed is that they never really understood the true meaning of America's presence in Southeast Asia. Likewise, many millions of citizens who have read adverse comments on the war or in the press or heard the criticisms of the administration on television are not aware of the background of the vital issues.

We all agree that the universal question today is how to end the war in Vietnam. It must be and is the major concern of our national leadership. The whole world is watching, waiting and wondering. There has never been a popular war particularly with the men who fought it. But I doubt if there has ever been a more unpopular war nor a war more criticized. But it is a war and we are in it. It is a real war to the thousands of boys who have been killed so far and it is real to their families. It is real in the sense that it is costing over 2 billion a month. It is real to the over half a million men in Vietnam and Cambodia today.

It is real to the extent of turmoil it is creating among ourselves. It is real, it is tragic. Worse still it seems to be no closer to the end than when we started, although we have been told we will be out of Cambodia by July 1st and 150,000 of our boys will be out by next year.

I don't know how many of you feel as I do that the war in Vietnam is part of a much larger and much longer war—a war between the Communists and the Free World. It was declared by the Communists. It was declared by Karl Marx before there was a Communist country in the world. It was declared by Lenin. It was waged by Stalin, it has been relentlessly waged by every communist leader since. It is being waged on many fronts in many forms. It is both a cold and a hot war. It is an economic war and a political war. It is a propaganda war and an ideological war. It is waged according to a Communist timetable on battlefields of their own chooseing. It has a single objective, Communist control of the entire world. So far our generation has seen a divided Germany; a sectored Berlin; a Russian occupation of Eastern Europe, Northern China, Poland, Hungary, Turkey, Czechoslovakia; invasion of South Korea. Missile crisis in Cuba; Algeria, and the forcing of the French to withdraw from Southeast Asia. Our determination to help free people to maintain their free institutions and their national integrity and to prevent Communism from carrying out their threat to *encompass the world* is without any doubt the main reason we are in this present conflict.

We are the world's one hope to contain communism until it destroys itself. We must not fail the freedom loving people throughout the world.

Everyone of us, whether we be young or old, is sickened by war. Evangelist Billy Graham in a talk recently before 3000 business leaders attending the Annual Convention of the U.S. Chamber of Commerce said "As long as we have one man in the world who hates, who has prejudice and intolerance, we have the danger of another world war that could tear civilization apart. Something is wrong with the human race that civilization has not solved, something that culture has not solved, something that social opportunities and economic advantage have not solved. It is man who must solve the problem of himself before he can solve the problems of the world in which we live. The only solution to this dilemma is to regenerate human nature so that hate is replaced by love, intolerance by charity, so that prejudice, lust and hate are taken away and men will not fight in wars nor resort to violence."

This is easy for Billy Graham to say. But, can we actually do anything about it. First, we must realize that man must create his own happiness. A man is not mature until he relates himself to the universe. He is not educated until he has disciplined his emotions. Whenever one goes counter to the basic strong currents of life, he shall one day find that he was merely deluding himself. This challenge demands more than understanding and sympathy, more than just token performance. It demands the developing of the sense of personal responsibility and initiative to bring order to a heartsick world. However, in trying to do our personal thing to help bring about this order we must act orderly.

In every game or situation throughout life there must be a set of rules. We cannot as we call it play the game unless these rules are clearly defined and then lived up to.

Someone in authority has set out the rules and regulations of all the sports represented;—be it baseball, tennis, track or golf which we must respect in order to play correctly. Ignorance especially in this special world of sports is no excuse.

Today the word rules is a real "red flag" term to some people. They don't like "rules" and they let the world know how they feel about them.

It is human nature to resist barriers. It seems to irritate our urge or drive for self survival. Even animals don't like cages or restrictions of any sort. They want to be free. Man usually desires freedom of expression. When this is stymied he resists it in various ways. Therefore, it is easy to see why some people react unfavorably to any type of rules and regulations. In a civilized society man can be free only when he obeys laws and abides by rules.

Order makes life possible. Order is books for hats, racks for shoes, procedures for traffic and a place for everything. Order is the frame without which all values lose shape. Order is the ground beneath our feet. Those who cry for immediate and drastic changes at the time of disorder and violence should recall that without order no one can have anything. Order is rules and regulations that are so vitally necessary to preserve our liberty. The youth minority that I spoke of earlier feel that this precious liberty that we have and are fighting so hard for means doing just what they please. Don't allow them to confuse you.

The Liberty of one person ends where the liberty of other persons begins. In order to have liberty there must be responsibility and observance of laws. Rules and regulations are vitally necessary for the preservation of law and order. Any other means will lead to chaos and disorder. Liberty does not confer the privilege of infringing on the rights of others. It must be exercised within reason, kept under control. It must be within the law. As good Americans, proud of our country we must be ever ready to defend our rights, and under God, exercise our heritage as law abiding citizens.

Today the greatest thing in the world is not money, not big buildings, nor armies of atomic power but character.

When Horace Greeley was dying he exclaimed "Fame is a vapor, popularity an accident, riches take wings, those who cheer today will curse tomorrow only one thing endures, character!"

These weighty words bid all remember that life's one task is the making of manhood—

our world is a college, events are teachers, happiness is the graduating point, character is the diploma God gives man.

This world of ours needs men who can be depended upon, who puts others before themselves and who are not afraid to be counted. Those who are able to add something to the uplifting of political life, something to the brotherhood of social life, something to the practical efficiency of spiritual life, the ability to agree to disagree without being disagreeable and the good old common sense to weigh all the values before making a decision. Then and only then will we have done mankind a real service.

Life is good if we play according to the rules. But we cannot live and make ourselves better for ourselves alone. While self preservation is a fundamental instinct of human nature, consideration for others is a primary law of society. This primary law should be our doctrine in our quest and hope for the blessings of a real and lasting peace.

The noted critic John Mason Brown gave vivid testimony to the joy of service in these words and I quote: "No one I am convinced, can be happy who lives only for himself, better, more enduring and worthier than we are. People, ideas, causes—these offer the one possible escape not merely from selfishness but from the hungers of solitude and the sorrows of aimlessness."

The pitiful people are those who in their living elect to be spectators rather than participants; the tragic ones are those sightseers who turn their backs deliberately on the procession. The only true happiness comes from squandering ourselves for a purpose. In the struggle in which the free world is now engaged there is no assurance that we shall survive, unless as individual men and women we possess those qualities of character which determine, finally whether a civilization lives or whether it dies. So my friends, lets get involved, but lets remember the rules. Our future is unlimited to the extent of what we can do as civilized human beings, as good members of our community, as good Americans imbued with the doctrine of the four freedoms to further and expound the precepts and ideals of peace, brotherly love, democracy and "Whats right with America" for all mankind.

UNNECESSARY SPENDING

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. WOLFF. Mr. Speaker, underlying all of our action here in the Congress is the question of what should be our national priorities. I, for one, feel we can cut a great deal of unnecessary spending in the Department of Defense, in public works, and other areas where billions of dollars are being wasted at a time when there is too little money for education, health care, and advancement of the arts and humanities.

Recently, I received an excellent letter from a constituent, Mrs. Carleton H. Palmer of Centre Island, in which she addressed herself to this question. I regard Mrs. Palmer's letter as a clear, direct, and forceful statement of this issue and I agree fully with her perspective.

Because Mrs. Palmer's letter go so well to the heart of this issue. I would like all my colleagues to have the benefit of her comments and, under leave to extend my remarks, I include Mrs. Palmer's letter in the Record at this point:

Oyster Bay, N.Y.,
June 23, 1970.

Hon. Lester L. Wolff,
House Office Building,
Washington, D.C.

Dear Congressman Wolff: May I ask you to bring to the attention of the appropriate committees in the Congress that, as a citizen of the United States and a respecter of the great traditions of our country, I condemn the excessive expenditures for space, nuclear weapons and general hullabaloo on the part of the Pentagon, which is little more than sword rattling and flag waving, a cheap exhibitionism not worthy of the great American tradition.

Meanwhile, our language is being corrupted and our young people denied the inspiration of Shakespeare and great music because taxes pay for hardware and the instruments of military bureaucracy.

You will kindly communicate this statement to the President of the United States whose duty it is to set a much finer example in a restraint of threat and a support of art.

Sincerely yours,
Mrs. Carleton H. Palmer.

STUDENT LOANS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. HANNA. Mr. Speaker, it is with marked concern that I have watched the recent drop in the country in student loans for higher education. Apparently, our students have been assigned a less and less favorable spot on the borrowing bench in the money market.

However, I have received encouraging news in the form of a letter from a bank in New York which shows a significant deviation from this alarming trend. It is a matter of sincere satisfaction to me to see that not all banks are curtailing their activity in this demanding market. The following letter clearly indicates that not any bank need take such a discriminatory course of action which denies our promising students the availability of financing necessary for their education:

Marine Midland Banks, Inc.
Buffalo, N.Y., June 24, 1970.

Hon. Richard Hanna,
House Banking and Currency Committee,
Cannon House Office Building, Washington, D.C.

Dear Congressman Hanna: There is much talk nowadays that bankers are withdrawing funds from residential mortgages and educational loans, so you might be interested that Marine Midland banks as a system is carrying residential mortgages exceeding $330 million, an increase of some $7 million last year, a period in which our individual savings account deposits dropped $38 million. We are continuing to expand our support and have set a specific goal of increasing residential mortgages by more than $22 million in 1970.

Our educational loans total in excess of $22 million, an increase last year of 1,000 loans for $2¼ million. In New York State only two banks (Chase and First National City, both over twice our asset size) exceed the volume of educational loans we make through the New York Higher Education Assistance Corporation; we have 5% of the commercial bank deposits and hold 7.4% of the NYHEAC loans made by commercial banks.

Very truly yours,
Arthur B. Ziegler.

P.S.—Particularly in periods of high construction costs, many people remodel or enlarge their homes rather than move into new residences and in this respect we are presently financing over 28,000 home improvement loans for $43 million.

PROTECT WEST'S STEEL MARKET

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. BURTON of Utah. Mr. Speaker, I was pleased recently to have the Daily Herald in Provo, Utah, give editorial endorsement to my proposal that foreign steel imports be kept within reasonable limits and distributed equitably on a regional basis so that no one market area is unduly hurt. I plan to submit this proposal to the House in legislative form sometime this week and hope that it will be accorded favorable consideration. The supporting editorial follows:

Protect West's Steel Market

There is great merit in the proposal of Rep. Laurence J. Burton of Utah for distribution of foreign steel imports on a regional basis.

The Utah Congressman told members of the powerful House Ways and Means Committee that the concentration of Japanese steel imports on West Coast markets poses a serious threat to Utah's Geneva Works of U.S. Steel Corp.

The uniform distribution idea on imports, Rep. Burton declared, should be put into effect whether there are voluntary import quota agreements or Congress acts to set legislated quotas.

A second request made by the Utah solon proposed field hearings on import quota questions in all parts of the country. The idea seems especially pertinent insofar as the West's concern with steel imports is concerned.

Backing up his contention that steel imports should be distributed on a regional basis, Rep. Burton noted that an import tonnage into the western market, principally from Japan, will reach a new record of 3,000,000 tons in 1970. "If these predictions are correct, this would represent an increase of 100,000 tons over the 1969 import figures."

Such a boost in foreign imports would represent a serious blow, including the loss of any potential for growth of the steel industry in Utah and satellite mining operations in Utah, Wyoming and Colorado, the Utah congressman said.

The total western steel market in 1968 was 10.5 million tons, of which 2.2 million tons came from imports, leaving domestic producers about 7.7 million tons to market. Imports amounted to about 26 per cent of the total that year.

The 1970 market forecast is for a total of 9.5 million tons in the West and foreign imports, if unchecked, should take roughly 3 million tons of the total, Mr. Burton told the committee. "This would leave an available market for domestic producers of some 6.5 million tons, compared to 7.7 million tons in 1968."

Geneva Works traditionally has supplied about 25 per cent of the total western steel market for the products manufactured at the Utah County plant—structural, plate, hot rolled sheets and tubular. However, imported steel, again mostly from Japan, has grown to a point where it takes roughly 31 per cent of the total western market, again cutting into Geneva's market share.

As the congressman pointed out, only an exceptional individual and team performance by Geneva employees to meet the challenge from overseas has enabled the plant to maintain pre-import levels of production and employment.

"Had Geneva been able to maintain its traditional 25 per cent of growth in the western steel market for products manufactured here, the production and work force at the plant could have been increased by about one-third," the Utahan argued. "This could have meant new jobs for approximately 2000 persons at the plant and in its satellite mining operations. Such an employment increase in a basic industry in Utah would have been a tremendous boost to the economy of the state and the region."

Mr. Burton made another vital point—that Japan, if successful in bidding on a proposed 48-inch pipeline designed to bring oil from new Alaskan fields to shipping or refining points, be required to include this steel as part of its voluntary quota pledge.

"It is my contention that if Japan is successful bidder on this project, such steel should definitely be included in their quota, thus freeing some portion of the market for domestic producers."

The Herald commends Congressman Burton for his strong appeal he made before the House Ways and Means Committee. Other Utah solons are to be commended also for their concern for the welfare of the steel industry in their home state.

Mr. Burton's contention that steel imports should be kept within reasonable limits and distributed equitably across the board so that no one market area is unfairly hurt seems logical and sound.

It is hoped that broad support for this point of view may be forthcoming. A healthy steel industry here in Utah and in the West depends upon it.

VFW GROUP SUPPORTS CONFLICT IN INDOCHINA

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. QUILLEN. Mr. Speaker, through the mail I receive in my Washington and Kingsport offices, I have found that a majority of the residents of the First District approve of the way President Nixon is handling the conflict in Indochina. I also support him in his efforts to end the war there.

I also receive letters from citizens and groups from other parts of the country expressing their support of the President in this conflict.

One such expression of support came from the Graves-Ray-Stark Post 9851, Veterans of Foreign Wars, in Hendersonville, Tenn. This veterans group adopted a resolution on June 25 and will present the President with a petition signed by members of the post expressing their "total and complete" support.

For readers of the RECORD, I would like to submit a copy of their resolution and petition:

RESOLUTION

Whereas, the members of the Graves-Ray-Stark Post No. 9851, Veterans of Foreign Wars of the United States of America, Hendersonville, Sumner County, Tennessee, in a regular meeting, June 25, 1970, resolved to adopt and sponsor a Petition presented to the said Post, a Petition addressed to the President of the United States, which Petition or copy thereof, is attached hereto as Exhibit "A" to this Resolution, and further the said Petition generally providing an expression of our approval of the President and his administration's efforts to bring about an honorable peace in Indo-China and for the President to continue his efforts to preserve our freedom and democracy.

Now, therefore, be it resolved, by Graves-Ray-Stark Post No. 9851, Veterans of Foreign Wars of the United States of America, Hendersonville, Sumner County, Tennessee; That said Petition, addressed to the President of the United States, attached hereto as your Exhibit "A" to this Resolution, be presented to the membership of our Post for their voluntary execution and participation and to all other interested citizens in the United States of America, and thereafter that said Petition, be presented to the President of the United States of America, his Excellency, Mr. Richard Milhous Nixon.

Be it further resolved, that our Post assume and execute the responsibility for the circulation and presentment of this Petition.

Be it further resolved, that this Post will with due diligence and dispatch, with dedication and devotion, comply with the provisions of this Resolution.

Be it further resolved, that the Petition referred to hereinabove, Exhibit "A" to this Resolution, is hereby officially adopted as our Petition and we acknowledge our sponsorship of same.

Be it further resolved, that we will urge all other Locals, the members of the Graves-Ray-Stark Post No. 9851, Veterans of Foreign Wars of the United States of America, Hendersonville, Tennessee, and other citizens of the United States of America, to likewise join with us in this Petition and this Cause.

In Witness Whereof, we have hereunto set our hands and seal, this VFW Post, this the 25th day of June, 1970.

Graves-Ray-Stark Post No. 9851 VFW of the U.S.A., Hendersonville, Sumner County, Tennessee.

GRADY A. MUNDY,
Commander.

ALAN BAUSELL,
Adjutant.

PETITION

To: His Excellency, Mr. Richard Milhous Nixon, President of the United States of America.

From: The undersigned Members of VFW-Post 9851 of Hendersonville, Tennessee and other Members of Other VFW Posts and Other Citizens of the United States of America, as Their Names Appear Hereinafter.

Mr. President: We, the undersigned, wish to express to you our total and complete support of you and your administration's efforts to bring about an honorable peace for the people of Indochina. We wish and desire to encourage and urge all of the people of the world to place a greater value, emphasis, on freedom. We wish and desire that we muster and acquire the necessary self-determination as can be gained through legal and peaceful means to convince the enemies of freedom and justice, and those who are subconsciously or ill-advisedly or through inadvertence, that their cause is without hope and can never be accomplished or realized.

We wish to assure you of our support and approval of your efforts and that of your administration to restore peace at home and abroad and your efforts to develop, acquire a sense of direction in meeting the problems on our domestic scene, particularly in our colleges and universities and among the different races of the people of this great nation and between the more economically fortunate and unfortunate.

We urge you, Mr. President, and your administration to seek always a fair and honorable agreement and solution for all concerned; however, we also urge you to stand firm for what you believe to be in the best interest of a free people, a free democracy, and for what you believe is acceptable in the Eyes of our Creater.

We know the price of appeasement and we want none of it.

We know the price of expediency and we will have none of it.

We know the price of moral and social decay and we seek to resist it with all our powers and to align ourselves on God's Side.

Mr. President, we will support you in every way as long as we are convinced you are working and fighting for freedom of choice and for our betterment and the betterment of all people, be it morally, socially, economically, or politically. Keep us on your side by resisting all pressures and forces of evil in whatever disguise, and may God be with you in your office. Our freedom, our democracy, cannot and must not be compromised or placed in jeopardy!

CALIFORNIA'S FARMWORKERS ARE WINNING THEIR LONG STRUGGLE FOR RECOGNITION OF ECONOMIC RIGHTS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. ROYBAL. Mr. Speaker, this morning's edition of the Washington Post carried a front-page story entitled, "California Grape Growers Signing With Once Hated Union," written by Staff Writer Leroy F. Aarons, and datelined Delano, Calif.

The article reveals one of the most heartening stories in American life today—the approaching victory of California's agricultural workers in achieving their goal of full recognition of the economic rights of farmworkers everywhere to a decent life, decent working conditions, and an income level sufficient to enable them to live and support their families in dignity.

Although many people in California, and across the country, have contributed to this achievement, certainly the major share of credit goes to the outstanding qualities of leadership, sincere personal dedication and steady perseverance of Mr. Cesar Chavez of the United Farmworkers Organizing Committee.

Through the long years of struggle it has been Cesar Chavez, more than anyone else, who led the lonely, difficult, and often dangerous effort to end, once and for all, America's harvest of shame.

Mr. Speaker, I include the text of this most significant article from the Washington Post in the CONGRESSIONAL RECORD at this point:

CALIFORNIA GRAPE GROWERS SIGNING WITH ONCE HATED UNION

(By Leroy F. Aarons)

DELANO, CALIF.—All over California's grape country, growers have been signing contracts with the once-despised United Farmworkers Organizing Committee.

On a recent day, for example, a huge agricultural combine owned by Tenneco Inc., representing 11,000 acres of grapes and 1,200 acres of plums, signed with the AFL–CIO union. And on the same day, a disputed election of workers in the Coachella Valley was held again and came out overwhelmingly in favor of the union—bringing in another 1,400 acres.

At one point in the last days of June, contracts were being signed at the rate of three or four a day. By the middle of last week, UFWOC had signed roughly 70 per cent of the Coachella Valley grapes, 60 per cent in the Arvin-Lamont country around Bakersfield and—as a kind of bonus—nearly half of the grapes in Arizona.

Still largely a holdout, however, is Delano in the San Joaquin Valley, the heart of California's table grape industry and the place where the grape strike started. Delano (pronounced de-LAY-no) accounts for about 60 per cent of the table grapes shipped from the state. But the harvest won't reach Delano until mid-July. Then, when the crunch is on, UFWOC will know whether it is within reach of total victory.

After five years of struggle, it now appears that victory over the grape growers will come to Cesar Chavez's ragtag army of farm laborers, hippies, clergymen and housewives—if not this year, then next. In addition, the movement already is moving into plums, peaches, melons and other products in the state's cornucopic agricultural industry.

"Within two years," predicts one major grower, "the whole state will be organized on most commodities."

This is all the more impressive when one considers that Chavez is succeeding in a state in which agriculture is not only the biggest business ($4 billion a year gross, a billion more than the nearest competitor, Iowa), but in which agriculture is intimately linked with the oil industry, the banks, the government and the University of California.

HAS UGLY HISTORY

Moreover, he is succeeding in a state which has an ugly 100-year history of exploitation and of violence against a succession of ethnic minorities imported to harvest crops—first the Chinese, then Japanese, Hindus, Filipinos and finally Mexicans and Mexican Americans.

What accounts for the union's recent victories? There was, of course, the impact of moral suasion, the fasts, the eliciting of liberal and new left support, the sophisticated assistance of AFL-CIO organizers like William Kircher, and the crucial high-level committee of Catholic bishops. But all of this by itself would have had little effect on the growers—who themselves spent several hundreds of thousands on an anti-union publicity campaign. What turned it around was the one thing farmers, as businessmen, really understand—economics. The grape boycott squeeze was threatening to put them out of the grape business.

Many of the holdout growers still pretend that the beycott has not been a success. (Their current literature quotes "market sources" as confirming that the boycott "has had little over-all effect.")

But Lionel Steinberg, the large Coachella grower who last April broke the growers' united front by signing with the union, said recently: "The Coachella growers collectively lost $3 million last year, primarily the result of the boycott. That represented a 10 percent loss on their capital investment. Thirty-three growers went out of business."

PRICES ARE UP

This year, said Steinberg, grapes shipped from unionized farms in Coachell are getting $1 to $2 a box more than non-union grapes did last year. "The present prices—if they hold—insure a return of the cost of production and a reasonable return on the investment," Steinberg said.

The success of union label grapes on the national market has had two effects—it has served to reinforce the boycott workers in the cities, and has brought increased pressure on holdout growers to sign with the union. Instrumental to that success has been the boycott's ability to clear non-union grapes from the counters of most of the nation's large chains. Boycott pressure (coercion, say the growers and some chain officials, like those of Jewel Tea in Chicago) has led Giant in Washington, Acme in Philadelphia and most chains in the New York and Chicago areas either to drop grapes entirely or stock only union grapes. According to one grower, 80 per cent of California's food produce is marketed in the chains, and their impact has been enormous.

The grape boycott began in 1967, when the union realized it could not win through its strike efforts in the fields. At first the going was slow. But by last February, when UFWOC officials, other union people and non-union strategists met in Santa Barbara to assess and plan for the future, Chavez knew that the growers were hurting.

"The first solid indication was at the end of 1968 when the growers began to ship less pre-sold grapes and more on consignment," said Chavez, who was interviewed last week at a retreat rented by the UFWOC in the beautiful Techachapi mountains.

A short, modest, gentle-eyed man with a quality of inner tranquility, Chavez added that by the end of 1969, "we saw that prices were going down rapidly.

"We began to get reports from workers on the farms that things weren't going well. More grapes were being held in cold storage, we were able to stop grapes from being loaded on ships, and we began to knock out some of the large chains.

"We are very confident that something would have to happen this year."

BOYCOTT BEEFED UP

To make sure, UFWOC beefed up its boycott operations in early spring. It increased the number of cities with full-time workers from 41 to 55, with volunteer organizations in about 200 others.

Boycotts costs went up from $20,000 to $30,000 dollars a month. The Rev. Jim Drake of the California migrant ministry, who was assigned to "close out" New Jersey; and other top workers were dispatched. The UFWOC headquarters, a mile outside Delano, was left virtually deserted.

One way in which the boycott worked was described by Kit Bricca, former teacher who heads the operation in San Mateo County, south of San Francisco. "In San Mateo there is a social justice group in the Catholic church; each person is responsible for checking on three or four stores. Once a box of scab grapes shows up, they contact us. If it's a chain, I contact other cities. We then go to the store and ask to see their boxes. If there are scab grapes, we hold rallies, we do all the usual pressure things. Most often the scab grapes disappear pretty fast."

Now growers who called Chavez a Communist and his movement Marxist-inspired are urging their workers to ratify contracts they have already signed with the union.

Beyond that, some growers, convinced that resistance to inevitable unionization is bad business, are actively recruiting among their holdout colleagues. Hollis Roberts, a major San Joaquin grower-manager, who recently placed 48,000 acres of holdings (mostly non-grape) under union jurisdiction, said frankly:

"I'm encouraging grape growers to join. I've been calling and talking to the farmers. The farms are in a depression as a result of this boycott, and I believe values would go up $500 an acre in 30 days if everybody joined."

MOVE FOR CONTROL SEEN

To the holdout farmers, the picture is not so optimistic, said John Guimarra Sr., one of 11 Glumarras who jointly run one of the largest grape vineyards in Delano (Tippacres):

"If this outfit is successful, it will be one of the saddest days for America. It's not a question of wages, it's a question of harnessing all of agriculture and ultimately taking a bigger chunk of the consumer's check for food. I think Chavez is looking to get control of agriculture in the United States, and this is the jumping off place."

To the Giumarras, all the traditional arguments made against unionism in the 1930s would hold true for agriculture. They predict the disappearance of the small grower and the takeover by big combines that would decide food prices in concert with the union—in short, the coming of auto industry economics and the destruction of free competition in food markets.

California farm wages, which were $1.10 to $1.25 an hour when the strike started in 1965, were higher than in almost any other farm state. (They are now up to $1.75 on union farms, and the holdouts have gone up to match.)

Moreover, the table grape growers are mostly smallish family firms, built up from next to nothing, and, in Delano, run primarily by farmers of Yugoslav and Italian descent. They are conservative but not Birchite, paternalistic, and desperately fearful of union encroachment on their independence.

Finally conceding that some form of unionism is inevitable, the holdout growers are trying to push legislation that would introduce it in its most hospitable form. A bill by Sen. George Murphy (R-Calif.) would rule out secondary boycotts and strikes at harvest time.

On the other side, union leaders who for years had sought to end the exclusion of farmworkers from labor legislation are now opposing any kind of legislation for fear that it could be used as a union-busting device in agriculture.

With the bill stalemated, the growers have come up with a proposal, ostensibly and belatedly originated by Gov. Ronald Reagan, for state-supervised elections in the table grape industry.

RESPONSE IS "PHOOEY"

The union response was quick and sharp. "Phooey," said Larry Itliong, the tart Filipino who is assistant director of UFWOC. "We asked for elections five years ago and they told us we didn't represent anybody. Why should we give them two bites of the apple after five years of struggle" (Filipinos, incidentally make up a large if rarely mentioned minority of farmworkers who migrated here in the 20s and 30s. Barred until 1948 from marrying white women, most of them are aging bachelors.)

When and if the battle is won, there are huge problems ahead. The union is becoming the hiring agent for all unionized farms, eliminating the long-time institution of the labor contractor. There is also the task of winning over the workers still suspicious or openly hostile to the union. Finally, and vitally important, there is the job of helping the ailing grape industry to recover.

One large grower who recently signed with the union described the situation now as "chaotic." "They are rank amateurs," he said. "It will take them five years to know what they're doing. Trying to hire 10–15–20,000 workers a day, they're just not geared for it. They're not providing workers; we're using the same guys we had before the contract."

Chavez, in his immutable way, did not seem concerned about the job ahead. "My first hope," he said, "is that the remaining table grape growers will come to their senses. That will give us time to turn the boycott around, publicize the grapes, create more jobs and get the industry back on its feet again. Then we will have our people home again and get together with their families and plan what to do next."

He sees the flame started by the grape strike spreading everywhere, and does not rule out the possibility of a general agricultural strike nationally."

"Workers have lost the fear of employers.

There have already been strikes in melons, plums and peaches," he said.

"I guess the time is ripe. We've won the major battle. The idea has been firmly implanted in the minds of people. The other is just a matter of time."

SCIENCE AND THE QUALITY OF OUR ENVIRONMENT

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. McCLOSKEY. Mr. Speaker, the Director of U.S. Geological Survey, Dr. William Pecora, recently spoke to the graduating class at George Washington University. His words are worthy of careful consideration, and I commend them to my colleagues:

SCIENCE AND THE QUALITY OF OUR ENVIRONMENT

(By W. T. Pecora)

I want to talk to you about a new ethic that is developing in American science. I hope it is not a fad and will persist in future years. Scientists who years ago merely looked out of the windows of their ivory towers are now walking down the steps to join the world around them.

Primitive man took what he could from nature to stay alive, and he stood in awe at natural phenomena he could not understand. From this precarious beginning evolved a complex society which still takes from nature to fulfill its needs. In some quarters, man is now indicted for all his environmental ills; and yet in others, it is held that nature must be shaped as man requires it.

The ability to maintain an acceptable environment, however, can be hindered by failure to recognize fundamental earth processes. Environmental degradation is a natural procedure on earth; but man is beginning to contribute to that degradation in large measures in certain areas. Not all modification of our environment is degrading. Some alteration is acceptable. Hazardous changes must certainly be avoided. It is inexcusable that we should fail to predict responses of nature consequent to our own actions. Man has begun to develop an awareness that better housekeeping of the earth must be practiced as he continues to take from the earth the things he needs and uses.

MAN IS EARTHBOUND

For some 5 billion years the planet Earth has revolved about the sun; and there is good reason to believe its journey will extend beyond another 5 billion years. Throughout this period the earth has undergone constant change—mountains have risen where oceans formerly existed; animal and plant species have flourished and become extinct; earthquakes and volcanoes have always been with us; rivers and plains have appeared and reappeared; and glaciers have covered large segments of the planet many times. Although on Earth but a few million years at the most, man has in the past 200 years unraveled a great deal of earth history and learned how to use the planet to meet his growing needs for survival.

As earthbound residents, we look constantly, nevertheless, to other planets. The moon, satellite of the earth, has already been visited and found to be totally hostile to man. The surface of Venus is too hot for us, and Mars offers little, if any hope. The other planets are out of the question. Man, indeed, is earthbound and we must learn to accept this inescapable circumstance however great our expectations.

WHAT IS THE MEASURE OF PROGRESS?

Man has achieved phenomenal advance over 10,000 years in the face of a world population increase from a few million then to 3½ billion today. The complex development of society over this period was accomplished because man has an intellect that could innovate, plan, acquire information, store it, pass it along to succeeding generations, and increase the level of his systemic intellect through research and development.

Man now truly inhabits the entire planet. He has crossed mountains and oceans, explored the poles, and burrowed deeply underground. The primitive observer of nature has developed into the creative scientist of modern society. Those quinqueremes of Ninevah have developed into sleek jet aircraft; simple mathematical devices that were developed separately in different civilizations have grown into complex modern computer systems; signal drums have blossomed into telecommunications systems that link hemispheres. Real time for man now has real meaning. Status quo may have meaning for other species on earth; but for man there is no status quo because of his intellectual capability.

RESOURCE NEEDS OF THE UNITED STATES

Let's take a look at the mineral resource needs of the society that makes up the United States of America. Within the life span of 200 million people now living in the United States, this nation will consume from the earth: 6½ quadrillion gallons of water; 7½ billion tons of iron ore; 1½ billion tons of aluminum ore; 1 billion tons of phosphate rock; 100 million tons of copper; and so forth. . . .

In 40 years, our population will double. Just think of the added requirements of the next generation!

Water usage will triple by the year 2000.

Energy requirements will triple by the year 2000.

By the year 2000 we will have to construct as many houses and other facilities as now exist in the United States.

This staggering amount of natural mineral resources upon which the sustenance of the Nation depends imposes a tremendous task of new discovery, and new development. How can we do this without changing the character of our environment; for society must also provide against excessive noise, excessive pollution, and excess degradation of the landscape, water-scape, and sea-scape.

If this be the situation for the United States, certainly resource needs for the rest of the world command even greater attention. Developing nations seek fulfillment in health and economic betterment. The crust of the earth which provides these resources is worldwide and knowledge about it gained in one country can be used to good advantage by scientists and engineers in others. Does the crust of the earth have the potential to provide for man's needs? The problem for mankind is universal—planetary—not national. War must cease and man's society must one day be planetized if the species, Homo sapiens, shall persist on this earth.

If we must therefore take from the earth to provide for ourselves we must employ value judgment and trade-off concepts in deciding how much to take from our environment, where to take it, and how to leave it in the taking and using. Take and use we must or we cannot survive as a species on earth.

THE NEED FOR INVENTORY

If the earth shall provide the materials for survival of man's society, then a prudent society must provide for an intimate understanding of the earth, inquiry into geologic processes that have operated over the span of earth history—and operate today—continuing inventory of current and potential resources, and continuing effort to develop new techniques for information-gathering systems. Research is a costly investment; but it pays off handsomely in long term benefits. Too often a society thinks only of "now." The cumulative benefit of early research endeavors, on hindsight, is a superb demonstration that today's long term is tomorrow's short term. Time, for man, is a long continuum.

The best example of this is the research mapping systems that have been developed in the past. These include base topographic maps, geologic maps, hydrologic maps, geophysical maps, geochemical maps, and thematic, environmental, special subject maps. All of these are the products of intensive research effort. I am concerned that the pace of doing this kind of work has slowed down in recent years and I predict that our society will suffer for it because decisions will be made without background information. Our program priorities will have to be reordered because of increasing needs and resource conflicts of a World society that has a divine right under God to utilize our planet's total natural resources and to better the lot of man on earth.

PRIMARY NATIONAL GOALS

The United States, from its very inception, has been accused of placing too much emphasis upon the accumulation of wealth and too much effort in raising, through industry, its so-called standard of living. This view was first stated unequivocally in 1831 by Alexis de Tocqueville, a French Nobleman who visited this country when it had 24 states and 13 million people. Similar views are being stated today, as we have grown to 50 states and 200 million people. The American democracy and its free enterprise system is a great and successful experiment, the first of its kind in the history of civilization. I, personally, see nothing wrong with dedication of individuals, or groups, toward amassment of wealth through honest industry. But in the process of achieving these goals our mature society unwittingly, or knowingly, has permitted deterioration of other values, not measurable in dollars or numbers, and which affect the quality of individual life in many ways. Has the growth of science and technology in discovery and utilization of our basic resources failed in some ways and in many places to retain or fortify man's natural environment, or was the failure a result of inadequate planning—or perhaps too much of economics?

SOME MYTHS ABOUT OUR ENVIRONMENT

It is believed by many people in this country that it is man who is degrading and polluting his environment because of our modern industrial society. Some myths, however, need to be destroyed. Let me cite a few to demonstrate that natural processes are by far the principal agents in modifying our environment. This is not to excuse or put aside what man does, but rather to put man's actions in proper natural perspective. Those individuals who speak about restoring our inherited environment of pure air, pure rain, pure rivers, pure lakes, and pure coastlines never had a course in geology.

It has been calculated that more than 100 million tons of fixed nitrogen in the form of ammonia and nitrates is annually transferred from the atmosphere to the surface of the earth as part of a natural precipitation process. In the United States alone there falls upon the face of our land annually more than 4 million tons of table salt, 2½ million tons of sodium sulphate, and 36 million tons of calcium compounds—all in rain water.

Particulate matter and natural gases dispersed from the volcanoes is a continuing phenomenon. From three eruptions alone, the Krakatau eruption in Java (1883), the Mount Katmai eruption in Alaska (1912), and the Hekla eruption in Iceland (1947) were particulate matter in the form of dust and ash and more combined gases were ejected into the atmosphere than from all of mankind's activity. Add to known volcanic activity the normal action of winds, forest fires, and evaporation from the sea, and we can readily conclude that man is an insignificant agent in the total picture, although he is becoming an important agent in extremely local context.

We have long been led to believe that water issuing from natural springs is pure and beneficial to health because of its purity. The springs issuing into the Arkansas and Red Rivers carry 17 tons of salt per minute. In the Lower Colorado River salt springs carry 1,500 tons of salt per day. The Lemonade Springs in New Mexico carry 900 pounds of sulphuric acid per million pounds of water (900 ppm) which is ten times the acid concentration of most acid mine streams in the country. Hot Springs in Yellowstone Park is likewise many times more acidic than the typical acid stream in a coal mining district. The Azure Yampah spring in Colorado contains eight times the radium that the Public Health Service sets as a safe limit.

The lakes and ponds throughout geologic history have gone through a life cycle of birth, maturity, old age, and disappearance. No lake is truly permanent. The Great Salt Lake is nearing its dying stages. Once 20,000 sq. mi. in area, (Lake Bonneville), it is now only 950 sq. mi. in area. Many thousands of years ago it was essentially a fresh water lake, fed during the pluvial period of the Great Ice Age, and now it is about ten times as salty as sea water.

We frequently hear that Lake Erie is dead. This is pure rubbish. Lake Erie is the shallowest of the Great Lakes, was created 10,000 to 20,000 years ago and, barring another Ice Age, has several thousands of years yet to go before senility. The western part of the lake is an extremely shallow shelf and receives a large amount of natural organic material transported from the surrounding terrain. Here is where the algae growth has always been present. Lake Erie, according to J. E. Kinney, has continually produced about 50% of the fish catch of the entire Great Lakes system, consistently over the past 100 years. This is not a mark of a dead lake. Green Bay, Michigan, so named by the first settlers because of the green color of the algae so prevalent in the Bay is, like the western shallow part of Lake Erie, the source of a great amount of organic matter—and fish! The food supply for aquatic life is high in these environments. The oxygen supply, unfortunately, diminishes as algae growth increases, as this portion of the lake becomes more and more shallow and as organic material is swept into the water, whether from natural or human sources. Every lake or pond, whether natural or manmade, faces a similar life history. Shallow estuaries—likewise. This is the natural law.

The rivers of our Nation are being called dirty because of the works of man. We must understand that rivers are the natural transport systems for sediment and humus (organic matter) washed downhill by the rains that fall upon the land. It is estimated that the Mississippi River carries into the Gulf a load of more than 2 million tons of sediment per day. This is equivalent to a daily load of 40,000 freight cars. The Paria River in Arizona is probably the dirtiest river in the world. It carries 500 times as much sediment as the Mississippi River per unit volume of water. This is a continuing condition year after year. Chemicals are also transported by streams in phenomenal amounts. The Brazos River of Texas, for example, transports 25,000 tons of dissolved salt per day. Peace Creek in Florida carries twice the concentration of fluoride that is harmful to teeth. Many rivers and streams throughout the Nation have natural qualities that do not meet the public health standards for drinking water.

The ocean has been the natural waste sink for the large-scale, natural pollution process of the earth. The character of the ocean itself has changed slowly throughout geologic time, while it has continually supported abundant life of all varieties.

MAN AS A GEOLOGIC AGENT

It must be quite evident that, although natural earth processes dwarf the actions of man in a total context, man can become a major geologic agent in a specific or local context. This inter reaction of man with nature is without question a most important issue of future years. In a society that has reached maturity in the industrial sense, the issue of environmental alteration becomes more and more acute. It is within this framework that certain actions 100 or 200 years ago are now considered sinful. What are some solutions to our dilemma?

The philosophy of engineering project cost is being modified to allow for certain actions which in the past were not factored into our cost analyses. A mineral resource, for example, should not be developed unless it is rich enough to support proper restoration or reutilization of the land. A major pipeline traversing Alaska some 800 miles should not be constructed without added safeguards to protect the natural environment. Offshore drilling for petroleum should not be endorsed without the added cost of providing maximum safeguard against pollution. Cities and industries should not use the water available from natural sources without factoring in the cost of returning the water to a usable state. The smokestacks of our refineries and energy plants must not use materials that put unwanted matter into our air. The science and technology which has made possible the great advance of mankind can surely pay attention to these matters and resolve them.

Who will bear the cost, however? Who will make the policy decisions? We know that government agencies have been urged by the people to regulate these matters, but who will pay the cost, I ask, for what I am convinced science and technology can do to ameliorate the situation. It must be the people. Whether through their tax participation or whether it be in the higher cost of a product, the people must pay the cost both in dollars and in acceptable landscape changes for taking from the environment what mankind needs. We who represent science and technology should be able to show how resources can be utilized with minimal alteration or degradation of the environment. We can do this, however, only by making a complete inventory of cause and effect—in other words—spelling out our costs and trade offs in more than just dollars.

A LOOK TO THE FUTURE

We find ourselves in the midst of a conflict between the need to develop the earth's resources and the desire to preserve the earth's environment—both, presumably, for the salvation of mankind. Industrial development has become synonymous with Wall Street; and American industry, envied around the world, is in trouble within its own country because of past abuses to the environment in the name of lowest cost. Profit has become an ugly word and the concept of science and engineering, once honored as a service to mankind, is now being ridiculed in many places.

Must one choose between the two concepts or can one seek balance as we move into the future? The first judgment must distinguish between danger and aesthetics; because change is inevitable in any developing society. The pace of change is a function of the choice of people, as it should be, if the people will speak out. Let us think about the words of Lowell in his tribute to Cromwell:

"New times demand new measures and new
men;
The World advances, and in time outgrows
The laws that in our father's day were best;
And doubtless, after us some better scheme
Will be shaped out by wiser men than we,
Made wiser by the steady growth of truth."

INFINITY

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. GOLDWATER. Mr. Speaker, recently, an excellent article was printed in the California Van Nuys News and Green Sheet, written by long-time writer Bill Deming. His column "Infinity" in the May 17th edition of the paper is a rational description of the campus problem as it now exists in California. I, therefore, wish to insert this article for the benefit of my colleagues:

INFINITY

(By Bill Deming)

Nation should be aware that:

"Students, on whom much of the academic uproar is blamed, are victims of the moral and intellectual climate prevailing on campus. Thanks to the statutory draft exemption for college students, coupled with generous U.S. financial assistance, the groves of academe are overpopulated, and qualified teaching personnel is scarce.

"Moreover, facilities and administrators agree that their institutions no longer should act 'in loco parentis'—students are considered adults, acting on their own responsibility. Since, all over the land, college presidents and professors preach 'militancy,' young men and women risk life and limb on campuses turned into battlegrounds.

"Such militancy mirrors the way most faculty members in the humanities are recruited. Americans for Democratic Action, a group devoted to the denigration of the U.S., has become the chief employment agency for professors.

"Hence indoctrination rather than education prevails in most academic institutions. Last week, academic spokesmen finally claimed their students must be free to condemn the U.S. government, but the latter must stop replying. No wonder that an abyss has opened between 'town and gown'." From Barron's "The World at Work." May 11, 1970.

QUESTION: ARE YOU INTERESTED IN WHAT YOUR EDUCATIONAL DOLLAR BUYS?

For many years, I have written Infinity with a continuing consciousness of two factors in our higher educational system that is supported by state and local taxes, pleading for both attention and action. One has been the increased radicalism of many university and college instructors and the other the absolute unaudited waste of public money.

Until Gov. Reagan assumed office, no top public official seemed even aware of the professors who not only taught treason, but compounded their philosophy by the consequential deaths of American servicemen in Vietnam.

There can be no doubt but that tens of thousands of young Americans died at the hands of an enemy encouraged by these outspoken traitors. Only Reagan has attempted to expose and remove them, and you must be aware of his frustration by that thing called "academic freedom"!

The waste of educational tax dollars has been the subject of many an Infinity column—and I join the Governor in a feeling of frustration for so deeply hidden from general view are the expenditures deserving of public examination, that effective criticism is difficult.

When the Governor first demanded tuition to cover a part of the costs of study at the universities and state colleges, I said he had failed to do his homework.

I strongly support tuition for certain areas of higher learning but for those whose destiny lies in a future contribution to the economy of these United States—in plain words, for those men and women who seek a higher education for the direct purpose of earning a living and ultimately paying taxes to support the institutions which prepared them for their career—I would never demand tuition for their studies.

This does not mean that I would deny anyone the privilege of studying under UCLA's Donald Kalish or Angela Davis or spending years learning all about medieval dancing and folklore—but not in a tax supported university.

If the good professor can find time to devote to scholarship rather than the organization of riots, perhaps he might head a new university system not obligated to the taxpayers.

Actually, what I mean about public supported higher learning is clearly expressed by publisher William Randolph Hearst Jr. in a recent study of California State Polytechnic College up near San Luis Obispo. He notes that Cal Poly . . . has a remarkable achievement record. Only five years ago it was a relatively small college with an enrollment of about 5000 . . .

He then observes, "Today it is a full-fledged state institution with an enrollment of nearly 12,000. Its faculty and staff number more than 1400. It has schools of agriculture, architecture, journalism, applied arts, applied science, engineering and business, among others.

"Unlike so many other colleges and universities, the whole academic emphasis is on preparing students for specific practical careers upon graduation. The students begin majoring in the subject of their choice as freshmen, rather than as juniors, and have very few opportunities to take what are known elsewhere as elective snap courses in various theories."

Isn't this really what a public paid education should be? Must we provide tax supported training grounds for anarchy? I think not. I am sick and tired and beyond patience with listening to campus echoes of Moscow—originated plans for the destruction of these United States.

THE CONTROL OF SEA NETTLES

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. ROTH. Mr. Speaker, I would like to explain my vote on H.R. 12943. Although little is known about sea nettles or "jellyfish," those of us from coastal States are well aware of the harm which these animals cause each year. In Delaware, the problem is particularly acute during the summer months when the summer sea nettle appears in abundance. Perhaps some of the Members have encountered these nettles during their trips to Rehoboth Beach and the other recreation areas of Delaware. The animal appears most commonly as an umbrella-shaped object floating innocently in the water. The tentacles which dangle from the sea nettle's body, however, are loaded with poison barbs which can kill small animals within seconds. Fortunately, the sea nettles found on the coast of Delaware are not lethal enough to kill a human; they can, however, cause brief periods of intense pain, followed by unsightly red welts.

The presence of large numbers of sea nettles in ocean waters effectively prevents use of these areas for recreation. Equally important, the sea nettles deprive businessmen of untold revenues. Because there is no known method of controlling jellyfish, their annual invasions affect large segments of the economy and the population. In addition to causing pain and suffering, the jellyfish can clog water intakes, nets, lines, and many other types of underwater equipment.

Mr. Speaker, it is apparent that much time and study must be invested to find a useful way of controlling the ubiquitous jellyfish. Much knowledge has already been gained since 1966 when this program was enacted. I hope that all Members will vote for this legislation, and thus insure eventual control of the jellyfish and other such pests.

HONOR AMERICA DAY

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. PRICE of Texas. Mr. Speaker, the Honor America Day ceremonies here in Washington and across the Nation were a great success. They were graphic and dramatic demonstrations of the love that Americans have for our country, our institutions, and our form of government.

Here in Washington hundreds of thousands of Americans participated in Honor America Day ceremonies. Throughout the day and evening, the festivities were marked by occasional disruptions by intemperate individuals. These people and the organizations that support them were blind to the fact that their personal rights of dissent depend directly on society's granting them freedom of expression. For it is only with free expression that dissent can be voiced.

This same freedom of expression which permits dissent also permits those who have faith in society and believe in its processes of government to voice their feelings also. Thus, by trying to deny to the vast numbers of Americans their right to express their love for their country, the dissenters were, in effect, proclaiming their disdain for the freedom of expression which gives rise to their ability to dissent from Government practices and policies they disagree with.

In essence then Mr. Speaker, I hope that in the aftermath of Honor America Day all Americans whether they agree with or disagree with current Government policies will realize that preserving freedom of expression and observing the rights of others are cardinal values that must be cherished if any American is to be able to freely voice his point of view.

SECRETARY HARDIN ADDRESSES NATIONAL NEWSPAPER ASSOCIATION

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. SCHWENGEL. Mr. Speaker, I recently had the pleasure of being in Iowa with Secretary of Agriculture Clifford Hardin. We were honored to have the Secretary in the Great State of Iowa, the breadbasket of the Nation.

The Secretary was in Iowa to address the National Newspaper Association's annual meeting in Des Moines. The Secretary's address was an excellent review of major problems facing agriculture in the Midwest. I would like to share the address with my colleagues, as follows:

ADDRESS OF SECRETARY OF AGRICULTURE CLIFFORD M. HARDIN

It is a pleasure to be with you today. No communications medium is closer to agriculture than small newspapers—most of you share with the Department of Agriculture our direct concern for the farm economy. Those of you who publish in rural communities serve the same constituents that we do. There is indeed mutuality of interest.

I was glad to learn, accordingly, that my good friend, your President Jack Lough, appointed a joint committee of NNA and the American Newspaper Representatives to work with the Department of Agriculture toward achieving closer relations and developing areas of mutual interest. I believe that such collaboration can prove to be of benefit to the people we all serve.

To take the wide view, the goals of agriculture are vitally important to your entire membership—publishers in urban areas have as much at stake as their rural colleagues in the preservation of a sound, strong home base for agriculture.

I should like to touch on a few of the more significant matters that have to do with strengthening the base of agricultural capability—a base of programs which will continue to assure an abundance of food at reasonable prices and which, indeed, can eliminate hunger from our land.

This base also underlies the vast agribusiness complex—the industries that sustain jobs for millions of people, many of them in cities, as they transform agricultural commodities into consumer products.

One of our immediate objectives in strengthening that base is to obtain new farm legislation, because the statutory life of several major programs expires this year.

We have been working with the Congress many months to evolve a farm bill that will be as widely acceptable as possible in light of the divergent positions of major farm groups. I am confident a good law will be passed.

The bill which is still in committee and which the Administration is anxious to support will provide for total payments to farmers at approximately current levels. It will give the individual farmer more flexibility in deciding what crops he will grow, and will provide greater opportunity to develop foreign markets and recover some of the export business that has slipped in recent years, especially in cotton and wheat. At the same time, cotton and feed grain producers are given the opportunity to benefit from increased prices in the market place.

Farm income needs to be enhanced in the

years ahead, and I feel confident the proposed legislation, known as Committee Print 7, will make this possible.

The matter of farm prices and farm income is crucial. Even though farm income has improved somewhat during the past year, returns for labor and for capital invested in agriculture remain far below those of the rest of the economy. Somehow, someway, we need to convince our urban friends that effective farm programs are essential if farmers are to participate equitably in the benefits of our expanding technology.

You can help greatly with this; and you can help also by putting the story of food prices in better perspective. Although retail prices of food have been rising, it is significant that they have not advanced as much as other items in the cost of living index, but it is hard for many people to accept that fact.

Many shoppers may not fully appreciate the values they are getting in terms of available abundance, wholesomeness, variety, and built-in convenience. These are factors you can help point out.

Or to put it another way, food prices simply have not gone up as rapidly in the past decade as individual incomes. This is evidenced by the fact that the average United States consumer can buy his family's food supply for 16½ percent of his income after taxes—the lowest percentage it has ever been in this country and lower, by a substantial margin, than for any country in the world.

Much of this has been accomplished by the remarkable efficiencies that have been built into our great food industry. For this, agricultural people can take pride. But to the extent that it has occurred through reduced farm incomes, we must try to obtain corrective action.

Speaking from a platform in the Midwest almost dictates that I make reference to the perplexing boxcar shortage. Some of you may be interested to learn that a major railroad is taking steps to help cope with the situation.

As of June 20, the Rock Island road started expanding its "substituted truck for rail car service" on bulk grain in Kansas and Nebraska. Through its subsidiary truck operation and use of contract truckers, the Rock Island will move grain from country elevator points in Oklahoma, Kansas and Nebraska to major terminals in those States, including Missouri River crossing locations. Freight rates and transit arrangements will be the same as though the grain were carried in rail cars. While this marks only a small step in the efforts needed to alleviate the situation, I am told this may be a constructive development and I am wondering whether other rialroads might find this action worth exploring.

In the 17 months since the Nixon Administration took office, the Department of Agriculture has moved forward on numerous programs of broad significance. A review of what has been achieved in many different fields would run longer than my time permits, but a few highlights merit special attention:

Through the expanded outreach of food distribution programs for the needy, America has turned the corner in its drive to eliminate hunger and malnutrition. We have been gratified with the interest and support of farm interests in this endeavor. Ten million people are now benefitting from either the Food Stamp Program or the Commodity Distribution Program.

A year ago, some 400 counties still had no access to these programs and no plans for one. Now, the number is down to less than 20 of the Nation's 3,129 counties and independent cities and we are making strenuous efforts to get a food program commitment for every one of these last few counties.

In addition to providing food or Food Stamps to needy people, one of the great needs is to help them use these resources wisely. We are particularly proud of our USDA Extension Service nutrition aides. These are nonprofessional workers recruited from among the people they work with, and trained to teach practical nutrition. Some 6,900 of these aides are helping more than 500,000 in what I consider to be a real educational breakthrough.

Another significant development taking place is the increasing amount of 4-H Club activity in urban areas and among inner-city youngsters. No doubt some of you have been 4-H Club members or leaders and if so, you know the special value of 4-H experience—a program of wholesome, constructive activity. It succeeds for at least two important reasons, in my opinion: It catches youngsters at age 9 or 10, before they get sidetracked into other interests, and it creates healthy relationship with adults outside their homes and schools. The trained 4-H leaders are a special breed, and it is all to the good that their influence is becoming increasingly felt in cities.

Procedures for handling pesticide registrations have been reorganized to reassure the safeguarding of the public's health. The new arrangement brings in the Departments of Health, Education, and Welfare, and of the Interior, to the extent that they have veto power over registrations. This kind of interagency cooperation in an area of such great public concern makes sense, in my opinion. Should a decision be made to group together the several agency bureaus and divisions involved with protecting the quality of air and water, I would find it difficult to argue against having pesticide registration built into that kind of organization. The Department of Agriculture would continue, however, its efforts to safeguard the interests of farm producers and the general public alike in the unceasing war that must be waged against the natural enemies of crops and livestock.

Those of you from the Midwest may remember the concern a year ago when soybean supports were lowered—and you know what has happened since. Soybeans have had the largest growth in domestic use and exports ever to take place in any one year, and they are aggressively competitive in the market place.

Looking ahead, one of agriculture's greatest challenges arises in rural development—creative growth for a healthy distribution of population in the Nation's heartland. I know that this is a subject of special interest to your Association.

It is imperative that there be orderly growth outside the already congested cities. This means the development of productive employment opportunities, better educational facilities, and a wholesome environment for millions of people. It means that a significant part of the half a trillion dollar increase in Gross National Product expected in the decade of the 70's will need to occur in the non-metropolitan areas.

It will require decision-making and cooperation among some 60,000 local governmental units outside the urban areas—plans and initiatives by local people such as yourselves. The Federal and State governments can provide guidance and perhaps some financing, but in the final analysis the decisions—and the work—will be the responsibility of people. Which is as it should be in a great democracy.

All the important programs so urgently needed for building the better Nation of tomorrow depend on resolving two basic problems, however—war and inflation.

No one wants a conclusion of the Vietnam war more than President Nixon. By the end of this month, as he pledged, our forces will be out of Cambodia. The success of the Cambodian operation bought precious time and greatly increased the safe conditions for withdrawal from Vietnam.

Meanwhile, we are making the difficult transition from years of war orientation to a peacetime economy. The task will be a tough one, after eight years of deficit financing. But the goal will be worth the struggle. That goal is, in the President's words, to "deliver a higher standard of living to a people living in peace."

There is one more ingredient, and a very important one. Once again I am reminded of the President's words when he said we Americans could have the best of everything and still be the unhappiest people in the world without "that indefinable spirit—the lift of a driving dream which has made America from its beginning the hope of the world."

These are times that urgently call for a revival of that spirit. We need a sharpened sense of national purpose, and it needs to be infused into people's awareness. You can take part in this task. I urge that you do your best to bring new perspective and purpose to our national spirit, that it may become a bright torch leading us to a better future.

U.S. CONFERENCE OF MAYORS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. MILLER of California. Mr. Speaker, Mayor Jack Maltester of San Leandro, Calif., the outgoing president of the Conference of Mayors, in addressing the 27th annual conference in Denver, Colo., set the tone for the conference in his keynote speech when he said:

> City problems are the No. 1 claimant on the wealth and prosperity of our nation, but are neglected nationally.

Reviewing developments since he took office a year earlier, Maltester said:

> President Nixon must know, as we know, that to abolish hunger, provide employment and minimum incomes, assure better housing, improve transportation, health and education, reduce crime, improve our air, water and open spaces will require a refocusing of what has been our national commitment. There is no place better to start this refocusing than in the national budget. This has not been the case.
>
> The full $80 billion of national defense expenditures is given number one priority. All of the rest must line up below. Why not examine each of the domestic items and rebuild the priority ladder? Surely, the health and safety of our troops in the field must come first in a national budget, but of equal status should be the health and safety and the economic wellbeing of the people of the cities of America.
>
> No Administration, Democratic or Republican, has ever undertaken such a critical examination of the whole national budget and put the individual pieces where they should fall on the scale. Until this is done, we in the cities will continue to suffer from national neglect.

Mayor James H. Tate of Philadelphia was installed as the new president of the U.S. Conference of Mayors to succeed Mayor Maltester.

NATIONAL GALLERY OF ART CALENDAR OF EVENTS, JULY 1970

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the calendar of events of the National Gallery of Art for the month of July 1970. As usual, the National Gallery has planned an outstanding series of events which I am glad to call to the attention of my colleagues and the American people. I would like to especially call attention to the summer schedule for the excellent film series "Civilisation." This film series by Kenneth Clark, produced for the BBC, is so outstanding that the National Gallery in a special appeal raised the necessary funds to purchase a copy of the series for their permanent collection.

The American people are very fortunate to have this outstanding Gallery, and I urge everybody to take advantage of its excellent programs.

The calendar of events follows:

CALENDAR OF EVENTS, JULY 1970

EVENING SHOWINGS OF "CIVILISATION"

A new schedule for the National Gallery of Art's popular film series, "Civilisation," will be in effect every evening during the summer months, from June 28 through Labor Day. The films, which have been shown at the Gallery since November, have now accumulated a total audience of nearly 250,000 persons.

In the new schedule, the entire series of thirteen programs will be exhibited each week. The new evening hours will accommodate not only Washington's many summer visitors, but also those who were unable to come to the Gallery for the previous daytime screenings, and the many regular views who may have missed a few programs. The films, which are fifty minutes in length, have been scheduled with a forty-minute break to permit views to avail themselves of the Gallery's cafeteria adjoining the auditorium, or to explore related periods of art exhibited upstairs.

Over 3,300 people responded to the Gallery's appeal for funds to purchase its own 35-mm print of Kenneth Clark's series, produced for the BBC. Thse who have made contributions of five dollars or more toward the purchase fund may make telephone reservations for the film's daily summer showings.

A schedule of the summer "Civilisation" film series follows:

Sundays

6:30: I—The Skin of Our Teeth.
8:00: I—The Skin of Our Teeth.

Mondays

6:30: II—The Great Thaw.
8:00: III—Romance and Reality.

Tuesdays

6:30: IV—Man—The Measure of All Things.
8:00 V—The Hero as Artist.

Wednesdays

6:30: VI—Protect and Communication.
8:00: VII Grandeur and Obedience.

Thursdays

6:30: VIII—The Light of Experience.
8:30 IX—The Pursuit of Happiness.

Fridays

6:30: X—The Smile of Reason.
8:00: XI—The Worship of Nature.

Saturdays

6:30: XII—The Fallacies of Hope.
8:00: XIII—Heroic Materialism.

NEW SUMMER LECTURE SERIES

During the exhibition, "Selections from the Nathan Cummings Collection", which will be on view through Labor Day, the National Gallery will present a summer series of lectures on Sunday afternoons at 4 o'clock.

The lectures will emphasize outstanding examples by eighteen major artists of the 19th and 20th centuries, including Monet, Gauguin, Picasso, Braque, Kandinsky, Léger, and sculptors Giacometti and Henry Moore. They will cover the history of modern art, discussing the important movements from 19th-century Realism, Impressionism, and Post-Impressionism through contemporary painting and sculpture. The individual lecture topics are carried in the weekly schedule listings of this Calendar.

The series begins on July 5 and continues through August 30 and is open free of charge to the public. Illustrated by slides, the lectures will be given in the auditorium by members of the National Gallery staff.

ADDITIONAL FILM PROGRAMS

Also showing daily this summer in the auditorium are two films which have been based on collections in the Gallery. *The American Vision*, written and directed in 1966 by J. Carter Brown, is an award-winning film illustrating the panorama of the American experience as exemplified by outstanding works of the 18th through the early 20th centuries. *In Search of Rembrandt*, produced last year by National Educational Television (NET), is a study of the artist seen through his own work (some of which are part of the Gallery's collection) and scenes of present-day Holland. Refer to the weekly listings of this Calendar for details.

MONDAY, JUNE 29, THROUGH SUNDAY, JULY 5

Painting of the week: Benjamin West. *The Battle of La Hogue.* (Andrew Mellon Fund)-Gallery 62. Tues. through Thurs., and Sat. 12 & 2; Sun. 3:30 & 6.

Tour: *Introduction to the Collection.* Rotunda. Mon. through Sat. 11, 1 & 3; Sun. 2:30 & 5.

Sunday lecture: *Modern Art: Daumier and Manet. Speaker:* Margaret Bouton., Curator in Charge of Educational Work, National Gallery of Art. Auditorium 4.

Sunday film: *In Search of Rembrandt*, 1.

Weekday films: *The American Vision*, 2; *In Search of Rembrandt*, 4.

MONDAY, JULY 6, THROUGH SUNDAY, JULY 12

Painting of the week: Carpaccio. *The Virgin Reading* (Samuel H. Kress Collection), Gallery 20. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour: *Introduction to the Collection.* Rotunda. Mon. through Sat. 11, 1 & 3; Sun. 2:30 & 5.

Sunday lecture: *Modern Art: Monet and Pissarro. Speaker:* Ann W. Kaiser, Staff Lecturer, National Gallery of Art. Auditorium 4.

Sunday film: *In Search of Rembrandt*, 1.

Weekday films: *The American Vision*, 2; *In Search of Rembrandt*, 4.

MONDAY, JULY 13, THROUGH SUNDAY, JULY 19

Painting of the week: Magnasco. *The Baptism of Christ* (Samuel H. Kress Collection), Gallery 34. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour: *Introduction to the Collection.* Rotunda. Mon. through Sat. 11, 1 & 3; Sun. 2:30 & 5.

Sunday lecture: *Modern Art: Gauguin and van Gogh. Speaker:* Richard Saito Staff Lecturer, National Gallery of Art. Auditorium 4.

Sunday film: *In Search of Rembrandt*, 1.

Weekday films: *The American Vision*, 2; *In Search of Rembrandt*, 4.

MONDAY, JULY 20 THROUGH SUNDAY, JULY 26

Painting of the week: Titian. *Saint John the Evangelist on Patmos* (Samuel H. Kress Collection) Gallery 25. Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour: *Introduction to the Collection.* Rotunda. Mon. through Sat. 11, 1 & 3; Sun. 2:30 & 5.

Sunday lecture: *Modern Art: Henry Moore and Alberto Giacometti. Speaker:* William J. Williams, Staff Lecturer, National Gallery of Art. Auditorium 4.

Sunday film: *In Search of Rembrandt*, 1.

Weekday films: *The American Vision*, 2; *In Search of Rembrandt*, 4.

Gallery hours: Weekdays and Saturdays, 10 a.m. to 9 p.m.; Sundays, 12 noon to 10 p.m.

PATRIOTISM: 1776–1970

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. BROWN of California. Mr. Speaker, patriotism is not a polemic.

Despite all the flag waving, the shouting, the taunting, the invective, we must not draw lines demarking degrees of love and tribute for our Nation.

Violence will not—cannot—force patriotism.

Nor can patriotism be correlated with a person's appearance.

Rather, patriotism is a very individual, personal feeling.

These days, many persons attempt to use patriotism as a means of stifling dissent, of homogenizing national feelings, to "line everybody up" behind certain leaders and policies.

I do not agree with such moves.

America has survived since 1776 only because it could allow for dissent and a wide variety of views and positions.

And in doing so, it created a powerful patriotism, a love revered throughout the world.

We cannot allow that to change now.

As we celebrate this Nation's 194th birthday, we should look back at the roles of the Founding Fathers, how they were seen in their society, and the place of dissent and patriotism in the 1770's. In an interesting column written by Phyllis Battelle last November, these points were analyzed, and I now put that column in the RECORD:

[From the Los Angeles Examiner, Nov. 25, 1969]

VOCAL MINORITY OF 1776

(By Phyllis Battelle)

In the year 1776, there was a "vocal minority" in America. Most of them had long hair, some wore beards. All were revolutionaries. At the second Continental Congress, they drew up and signed the Declaration of Independence.

The "silent majority" in the Colonies was outraged. In every colony, the majority of the people were Loyalists. And they got even with the "vocal minority." . . .

"Many of the men who signed for independence were wealthy—the most elegant, well-heeled revolutionaries in history. Many of them lost their fortunes—returning to their colonies to find their estates burned to the ground. Others were hounded to death by angry people of the majority.

"Some, like Button Gwinnett, were killed in political duels. Two set sail from Philadelphia to return home. were captured by a British man-of-war, and spent years in prison on Barbados. Many men left the Congress and were homeless; the people forced them to leave their colony."

Sherman Edwards, who spent 10 years researching and writing the award-winning musical, "1776," added quietly: "Most things good happen in a country because a vocal minority calls attention to what is bad."

Further, "the vocal minority often love their country as much, or even more, than the silent majority. I think that is probably true today, I think the young people who are protesting today have pride in the idea that this country was founded on, and are terribly hurt, disappointed and angry that the dream has been allowed to go sour.

"They have a great sense of fairness, and they believe in the American legend of 'don't hit first; let the other guy get the first shot and then finish him off, if you must; but don't hit first.' They feel, in Vietnam, we have been bullies."

Edwards, a former history professor, feels for America's youth because of the hundreds of letters he receives from the young who have seen his show which depicts, in vivid musical-dramatic terms, the birth of this nation. These kids don't put their country down. They just ask, 'What happened to the dream? Where did it go?' "

Another aspect of today's world that troubles the 49-year-old historian and musician is the attitude of many adults toward young people's long hair. "Hair," he says, "signifyeth nothing! My God, we're not a coiffure culture. We are a culture of brain power.

"And these same adults who place so much importance on hair lengths are, in the meantime, wearing mini-skirts and trying to act like boyfriends or girlfriends to their own children. A child doesn't want that. He wants a cadre of adults around him."

Sherman Edwards isn't really angry. In fact, with three Tonys and Drama Critics Circle awards on his New Jersey mantel, and standing-room-only at his show, he is a happy man. His problem, he says, is only that as a student of history—and a specialist in revolutions—he thinks perhaps America is handling its latest revolution all wrong.

"If there is a 'silent majority', I am not saying that they are not right. I've often thought, in fact, that if I were at the Continental Congress, I might not have signed the Declaration of Independence. It took an inordinate amount of courage to do so. But unlike the silent majority of 1776, I could wish that today's Americans would look on its young revolutionaries with understanding. They are vexed, and they hurt, and sometimes this makes them over-positive and overbearing.

"But let us not put down new ideas because we don't like the cut of the person presenting them . . ."

HEARINGS SCHEDULED ON BOMB CONTROL LEGISLATION

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. CELLER. Mr. Speaker, I am pleased to announce that Subcommittee No. 5 of the Committee on the Judiciary has scheduled public hearings on H.R. 17154, H.R. 16699, and related measures, to amend title 18 of the United States Code to provide for better control of interstate traffic in explosives.

These hearings have been scheduled for Wednesday, July 15, and Thursday, July 16, 1970. Additional days may be scheduled.

Interested parties wishing to testify or submit statements for the hearing record should communicate with the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

LIBERTY—NOT LICENSE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. DERWINSKI. Mr. Speaker, one of the most impressive Fourth of July parades in my district took place in Blue Island, Ill., where, incidently, Miss America was a featured participant.

However, the great spirit, enthusiasm, and record participation of citizens reflected the great feelings of the community on our Independence Day.

In turn this feeling was certainly stimulated by an editorial in the July 2 Blue Island Sun Standard which was a tremendous expression of the concept of liberty and freedom that has been an American tradition.

The editorial follows:

LIBERTY—NOT LICENSE

Take yourself back in mind's eye 196 years ago!

It is an early morning hour of July 4, 1776. High in the steeple of the state house in Philadelphia, Pa., the bell ringer stands, impatiently waiting an order which will be emblazoned on the pages of history books for all time.

High over his head hangs a huge metal bell. On the hard metal, engraved for evermore, are the words of Leviticus 25:10:

"Proclaim liberty throughout all the land unto all the inhabitants thereof."

At last the news was brought to his ears, he grasped at the rope, pulled with all his strength and freedom's voice pealed forth.

Now, 196 years later, many of us apparently are not sure just what true liberty means. Too many think only of liberty as freedom from responsibility or restraint rather than looking on liberty as freedom for the exercise of wisdom and good will.

To be truly free, we must learn to want to do what we ought to do and to do it because we want to and not because we are forced to do so.

Today we should give special thought to just what liberty means.

Is it freedom from what we consider negative and unpleasant?

Is liberty a license to do as we please?

Does liberty mean we have the right to obey only those laws which we consider just? What is the relation between liberty and license, between rights and responsibilities?

There is much loud demanding "rights" today. But the silence at the mention of "responsibilities' 'is deafening.

Does liberty come from within or is it a "grant" or gift from some government? Once again, let us go to the Declaration of Independence and Constitution of the United States. It is clearly evident that our liberties were considered as God-given by the framers of these two great documents.

Thus, "with a firm reliance on the protection of divine Providence," they pledged their "Lives, . . . Fortunes . . . and sacred Honor."

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

Need Americans today be reminded that our national emblem is the American Eagle and not Mother Hen?

Should the government be called upon to guarantee us a worry-free and effortless existence under the all embracing feathers of Mother Hen?

Too many give a negative interpretation to freedom. This new idea of freedom evidently considers freedom as a freedom from everything in life they consider in an unfavorable light and demand that the government do away with these things.

This new nation was founded nearly 200 years go by men and women who had fled the tyrannies of powerful governments in Europe, braving the perilous voyage across the Atlantic with the dream of making new homes in a strange land.

Our forefathers had first hand experience with the heavy hand of the tyrant, the oppressor. They knew from actual experience the difference between freedom and oppression and therefore set up a government which provided there was to be equal opportunity for all and special privileges for none.

The child who never is permitted to do for himself, to make his own decisions, never will become a constructive citizen of a free society. If he lacks the spark of initiative, good moral training and a sense of self control, he will not make a competent citizen.

It can not be denied by any that there was a strong religious concept in both these documents. "Our fathers, God to Thee, Author of liberty."

The ink on the constitution of the United States was hardly dry when the founding fathers added the first 10 amendments known as the Bill of Rights. These were added to "secure more thoroughly the blessings of our God-Given liberty."

It is the power of the U.S. Supreme court to interpret the constitution. These judges determine that what they feel is either "constitutional" or "unconstitutional."

Decisions of the Supreme court have been revised or reversed from time to time. Decisions often are not based on precedent and many times seem to reflect popular opinion.

We must never lack timidity in speaking out when it seems our freedoms are being cut away in the "land of the free and home of the brave."

We must never forget that freedom and liberty are not rewards for a benevolent government to hand out or revoke!

We must never forget that our liberty and freedom are God-given gifts that a just government must guarantee to all citizens!

AMBASSADOR DAVID K. E. BRUCE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. WOLFF. Mr. Speaker, I wish to record my pleasure at President Nixon's announcement that Ambassador David K. E. Bruce has been appointed to head our negotiating team in Paris.

For some time I have called upon the President to appoint a top-level Ambassador to the peace talks and I reiterated my strong feeling on this matter to the President personally when he met with the Foreign Affairs Committee several weeks ago.

While the negotiations in Paris have been somewhat frustrating it is essential that we have a top-level negotiator ready to deal for peace with all the parties to this conflict. Ambassador Bruce brings to his new assignment excellent credentials and my only regret at his appointment is that it was not sooner in coming.

But now he is ready to take on this new responsibility. I wish him the best of luck and hope he is given sufficient flexibility to guarantee an effective negotiating position, for negotiations cannot take place in an atmosphere of rigidity.

THE NEED TO PROVIDE A RATIONAL ENVIRONMENT IN OUR SCHOOLS DURING A PERIOD OF SOCIETAL UNREST

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to call the House's attention to a subject matter which concerns me greatly. I wish to enter into the RECORD an excellent speech given by Mr. Robert I. Sperber, superintendent of schools in Brookline, Mass., on June 18, 1970, entitled "The Need To Provide a Rational Environment in Our Schools During a Period of Societal Unrest."

I heartily agree with Mr. Sperber's hope that the public school system will always operate as an open forum of discussion. In order to insure debate involving all opinions, we must begin with our schools. They should remain a neutral playing field, so that no student should feel uncomfortable about expressing a dissenting viewpoint. The schools, as tax-supported institutions, also hold the responsibility to the community at large to incorporate all the various opinions of its constituents. Most importantly, the public schools should provide the educated public to help improve society, rather than act as primary agents for social reconstruction.

Superintendent Sperber perceptively notes that teachers hold important responsibilities because they have strong personal influence on their students. Each faculty member should, therefore, instruct his students to make careful examination of propaganda and to avoid making judgments based on stereotyped slogans.

In order to slow down the dangerous polarization growing in our society, every citizen must make a conscious effort to maintain an open mind, and, more importantly, to never lose sight of the cohesive effect of a little kindness and humility. Public education must establish an atmosphere where open discussion is constantly encouraged and maintained.

I commend Superintendent Sperber for his thoughtful ideas and well-stated remarks. I am happy to place the full text of Mr. Sperber's speech in the RECORD at this point:

THE NEED TO PROVIDE A RATIONAL ENVIRONMENT IN OUR SCHOOLS DURING A PERIOD OF SOCIETAL UNREST

(Sixth annual talk to the faculty, by Robert I. Sperber)

My usual end-of-the-year speech in the past few years has been a summary of the accomplishments of the faculty. I am departing from this practice because the extraordinary times we live in demand that I do so. What I should like to talk about this afternoon is the need for the faculty to provide, through their relationship with their students and their personal actions, a more rational environment for our children to help them through this period of societal unrest.

Let me briefly indicate why this is our most important task. On June 1, Senator Margaret Chase Smith, speaking on the twentieth anniversary of a speech in which she attacked the late Senator Joseph McCarthy for irresponsible political tactics, said, "I spoke as I did 20 years ago because of what I considered to be the great threat from the radical right—the threat of a government of repression. I speak today," she said, "because of what I consider to be the great threat from the radical left that advocates and practices violence and defiance of the law—again, the threat of the ultimate result of a reaction of repression." She went on to warn the American public that they were being forced to choose between anarchy and repression—". . . And make no mistake about it, if that narrow choice has to be made, the American people, even if with reluctance and misgivings, will choose repression. Ironically, the excesses of dissent in the extreme left can result in repression of dissent," she added. "For repression is preferable to anarchy and nihilism to most Americans." She went on to stress that many Americans are intimidated and made mute by the emotional violence of the extreme left. "It is time that the greater center of our people," she continued, "those who reject the violence and unreasonableness of both the extreme right and extreme left, searched their consciences, mustered their moral and physical courage, shed their intimidated silence, and declared their consciences."

Given my concerns for faculty help to students in this time of unrest and Senator Smith's outstanding statement of June 1, which sets forth the problem, I'd like next to share with you my feelings about the role of the public school in dealing with significant social problems, because I think this is an important guideline for all of you in helping your students. As I indicated in an earlier general faculty speech, philosophically I think the public schools must provide a neutral forum for the examination of all significant issues with a deep commitment to help students make up their own minds in their search for truth. This school cannot itself be a primary agent for social reconstruction althought it may make significant contributions both directly and indirectly to the improvement of society. Its primary role is to provide its graduates, through rigorous teaching and examination of issues, with the ability to go forth in the world and to be able, if they wish, to help reconstruct society. Undergirding this philosophy is a personal strong feeling I hold against indoctrinative teaching. Teachers, of course, must be allowed to hold to and express their own point of view, but no child must be made to feel uncomfortable because he holds an opposing viewpoint. In a political sense, I hold strongly to the need for the public schools to be a neutral forum because, as a tax-supported institution, we must represent the views of the entire community. Given this general guideline, what can we do as educators to help provide a rational environment for students in this period of great world unrest?

First, we have to recognize the tremendous personal impact we have on our students. We must set before them, through our actions, not our rhetoric, an adult model that is worthy of emulation. One of the most valuable lessons that all teachers have to learn is that the most effective way to reach students is not to act as one of the "gang," not to try and be popular, not to try and build a following, but rather to earn the respect of students by being fair and upholding reasonable standards. In the long run, our students have more respect for us if we show that we are proud of our adulthood and proud of the wisdom that accrues to many people as they get older. We must never confuse our feeling of compassion for a child by becoming childish.

The role of setting reasonable standards suggests a second task. Some of our students have never had any adults in their lifetime set any outside limits for them, nor have any adults ever enforced reasonable rules that have been established. Children have to be taught for their own benefit that they cannot expect instant gratification for every request. Never saying "no" to a child robs him of a precious experience. We are being cruel to youngsters if we do not help them learn that life in the outside, beyond the protection of home and school, will not respond so quickly with a "yes" to each request.

A third role for teachers is to help their students approach the analysis of social issues with high standards of intellectual rigor. Students must see that careful investigation must underlie the examination of controversial issues. Much of the materials, pro and con, which analyse the war in Idochina are filled with unsupported facts. As teachers we must teach our students the importance of distinguishing between propaganda and truth, to examine why propaganda is used. We must help our students understand that in the study of complex issues, no side has the monopoly on truth; that political movements involve people; and that the human beings involved in these movements—no matter how noble the cause—are subject to the same foibles of all people: greed, selfishness, and a quest for power.

Fourth, we must also teach our students to listen to all humanity. Two calls I received during the strike at Brookline High School illustrate this role for the teacher. One call came from a man who had lost his son in Vietnam. He had tried to explain to the students that we had a responsibility to be in Vietnam, but he had failed. The students working for peace had not heard his anguished voice. Another caller, a mother, equally upset, said that her child was being intimidated by students because she was active in the "peace now" activities. I mention these incidents only to undersore our critical role in trying to help all our students to hear the arguments, and to understand the emotions, of these who disagree with them.

Another important role for teachers to help students in this period of unrest is to demonstrate by actions, the importance of the simple acts of human kindness and understanding. We must teach our intellectually gifted students the value of humility. We must teach our slow children that they have a contribution to make, no matter how humble their role in society. We must teach our students the "joy of differences" among the many ethnic, racial, and religious groups that make up the student body in this community. We must help our students learn an important lesson of life, that the way to improve the quality of life is by being kind and sensitive to the needs of other people, that we can dissolve hostility and hatred and rancor, even among people of varying viewpoints, by individual acts of caring and service.

Finally, we can help our students by teaching them not to characterize a person's beliefs or ideas by reacting to symbols and slogans. No symbol today has been more caught up in the distortions of our times than the American flag. It was thus very appropriate that the New York Times, on Flag Day, repeated a very beautiful editorial written on June 14, 1940, entitled "What's a Flag?" They brought the editorial up to date by commenting, ". . . it is a measure of the bitter divisions of the era in which we live that the symbolism of that flag should have become distorted and degraded by the partisan extremists of both New Left and Old Right. The flag must not be captured either by the repressive legions of the right who employ it daily to prove they are for Agnew and against the students; nor must its meaning be destroyed by the frustrated demagogues of the left who find a cheap and easy outlet by reviling it and dragging it in the dust. The flag is a symbol of the unity of America. We must not allow it to be perverted by the forces of disunity, whether the Birchers or Weathermen, that today are abroad in this land." (New York Times, June 14, (1970). It is also a sad lesson that we must teach our students, that the two slogans that the forces of anarchy and repression use to characterize the human race are "pig" and "bum." If we can't, as teachers, influence our students to describe mankind in more noble terms, then we have failed in our job.

I have been talking about what teachers can do to help provide a rational environment for their students. Let me now spend a few minutes suggesting what we must do personally to create a more rational environment.

First, I would suggest we improve the house of education. Unless we do so, the voices of the educational muckrakers, who have suggested that we are committing educational murder in the classroom (especially in the cities and in rural America), are going to be joined by the radical left, fiscally conservative citizens, and the primary victims of poor schools, the poor and the minorities, and they will run the public schools right out of business! Unless classroom teachers and administrators assume a greater sense of responsibility and accountability for their actions, we will have no public left to back this enterprise. I shall talk about this particular subject in greater depth in September.

Second, the faculty of this school system must adopt a high sense of personal ethics. We cannot afford, if we are to maintain an excellent adult model for the students, to engage in public disagreements about one another's behavior. We must eliminate our tendency, even in the privacy of the faculty room or the principal's office, to make "gossipy" statements about our colleagues.

Third, those of this faculty, who represent the broad spectrum of the middle, must be willing to speak out and work with their colleagues and with students to make sure that significant issues are dealt with fairly. As a faculty, we must never cease to work with students on all their social concerns. If we do, if we remain apathetic or uninvolved, then constructive ideas can be warped by unreasonable people. Unless the moderate or centrist members of this faculty increase their efforts to talk and listen and work with our students, we invite our own form of anarchy or repression.

This has been an eventful year in the history of the Brookline Public Schools. We have received major support from Town Meeting for our elementary school building program. With the unanimous approval of construction funds for a new Pierce School, two days ago, we shall soon have a school facility that will be second to none in this country. Faculty salaries have remained in an historical position of leadership. We have launched, with School Committee support on June 15, a planning study to create prototype programs for preschool education, involving children and their parents, that will blaze exciting new trails. We are getting into planning-programming-budgeting systems that will help us define our priority objectives for instruction. A small task force of teachers and administrators will begin next week to develop a proposal for a total staff training program as we begin to shift our emphasis in the next five years from developing curriculum to improving the quality of teaching and administration. Our collaboration with other Greater Boston suburbs and cities is laying the groundwork for the establishment of future, formal educational regional associations. At Brookline High School, the faculty and administration have begun the tough, tenuous task of improving human relations among faculty, students, parents, and community, and to build new organizational structures that will someday lead to more freedom with responsibility for its adolescent population and its teaching faculty.

None of these enterprises, and many more which are emerging with the strong, unified leadership of the School Committee and the encouragement of official bodies in Brookline, will prosper unless students, teachers, administrators, parents, and the community work together in a spirit of reasonableness. Each one of us, those over thirty and those under thirty, can make a significant contribution to this goal by being selfless, hardworking, moral human beings. There are no new or great solutions to the vexing problems of mankind. No one has yet discovered a better solution than being decent and concerned about another human being. As we leave now for varying tasks in the next eleven weeks, let us each resolve to be a little kinder to the next person, be he student or colleague—or stranger.

APPROPRIATIONS HEARINGS VOLUMES RELEASED

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. MAHON. Mr. Speaker, the Committee on Appropriations has released the following committee hearings volumes in recent weeks:

BILL, VOLUME, AND RELEASED

Labor-HEW, part 2, Food and Drug Administration and health items, Friday, June 12.

Public Works-AEC, part 4, AEC, TVA, and Panama Canal, Tuesday, June 16.

Public Works-AEC, part 5, Members of Congress and other public witnesses, Thursday, June 18.

Labor-HEW, part 3, NIH, Monday, June 22.

Labor-HEW, part 5, Department of Labor, Thursday, June 25.

Defense, part 5, procurement, Monday, June 29.

Labor-HEW, part 4, Social Security, Social and Rehabilitation Service, department management and special institutions, Tuesday, June 30.

Labor-HEW, part 6, related agencies—OEO, and so forth—Tuesday, July 7.

To be released shortly are Labor-HEW, part 7, testimony of Members of Congress and other interested individuals and organizations; Defense, part 6, research, development, test, and evaluation; and Defense, part 7, testimony of Admiral Rickover.

Copies are available to Members and others at the committee room, H-218, Capitol Building, extension 2771, as long as the supply lasts.

MY YOUNGER GENERATION

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. HALPERN. Mr. Speaker, a most significant and topical article, "My Younger Generation," appeared in the May 13 edition of the Page One magazine of the Newspaper Guild of New York. Because of the timeliness and appropriateness of its contents, I would like to share this piece with my colleagues in the House.

The article was written by a noted publicist and writer from my district in Queens, N.Y., Robert I. Queen, a resident of Flushing. Some of the Members of this House may recall Bob Queen when he served as an assistant to Congressman Alfred E. Santangelo from 1960 to 1963.

Mr. Queen has enjoyed a most enviable record in the field of public relations and has authored many books, a recent one being "Creative PR for Your Special Events," which is currently a reference text at a large number of universities throughout the country. Robert Queen has also written for such dramatic productions as "Suspense," "The Green Hornet," "The Web," and for Greater New York Fund panel shows and interview programs.

Besides his literary achievements, Bob Queen serves as public relations counsel to the distinguished and able State senator from Nassau County, N.Y., John R. Dunne, and has performed public relations activities for the New York City Transit Police Patrolman's Benevolent Association, the Housing Police PBA, the Police Athletic League, and the New York City Health and Hospitals Corporation Task Force.

This is surely a most commendable record of activity, experience, and achievement and I am pleased to extend my heartiest compliments to Mr. Queen.

The article follows:

MY YOUNGER GENERATION

(By Robert I. Queen)

In the last few years much emphasis has been placed on encouraging creativity and individuality in children. With absolutely no encouragement of that sort, we seem to have landed in the forefront of the movement.

We are raising three individualists with no effort on our part, though we have to admit that our nerves are shot.

Our apprenticeship started early with our first born, Alan. Once he had finished "peopling" our home with a score of imaginary persons and animals, he faced the realities of life seriously. At age four he announced that when he grew up he planned to be a "turtle doctor" and a "thinker."

At seven he decided to be an "inventor" and he refers to himself as "Con Edison Jr." When not inventing, he plans to be an artist. Meanwhile a good part of all level surfaces in the apartment are covered with his inventions, paintings and sculptures, all of which are expected to be preserved indefinitely.

Our younger son, Joseph, who at time of writing is almost five, is in love with the English language. He plays with words as other children play with toys. In addition, he is a genuine wit and something of a philosopher.

Joseph's approach to getting into a locked bathroom is simple. First he knocks. When told to wait a few minutes, he resorts to words. He tries "abbacadrabbra," "dump truck," "tiger" and "Winnie the Pooh." When these fail, he gives up and just kicks at the door.

From the time he learned to talk, Joseph never used a one syllable word when a multisyllable word would do as well. At two, his excuse for doing something that he wasn't supposed to do was that he was doing it "tempowarilly."

At three, he informed his nursery school teacher that he was wet because he was "aspiring." At four, he made a mistake in writing his name because he was "abstracted" in the course of his endeavor.

Ann Claire, who is fifteen months old, shows every indication of being as much of a character as her brothers. Her approach to picture books, for example, is strictly in terms of individualized research. She sits off by herself and pores over her books until she finds something of special interest. Then she comes to one of her sources of information and points.

Told that she was pointing at a "doggy" who goes "bow wow," she goes off again and ponders the implications of this scientific information.

When shelves were put into her room recently, her first act was to gather up all her books and put them on the one shelf she could reach.

What she will be like at age 15 staggers our imagination.

She definitely prefers red tights to mundane white ones and when not "researching" likes to dance in front of a mirror. This we accept as a hopeful sign.

All three children have entered into a solemn mutual assistance pact against parents. They quickly drop all internecine arguments to resist the common parental enemy.

TRIBUTE TO SAMUEL BROWN

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. CONTE. Mr. Speaker, I sadly rise today to inform this body of the recent death of a devoted public servant, Mr. Samuel Brown, assistant director of the legislative research bureau at the Massachusetts statehouse in Boston.

Samuel Brown was a good friend and valuable associate of mine. While I was State senator, I served as chairman of the legislative research council, and during that period, I had a very productive working relationship with him.

A graduate of Bates College and Boston College Law School, Samuel Brown was a conscientious citizen who spent most of his life in government. He was dedicated to the ideal of an efficient and reformed government and devoted a good deal of his time to the Special Committee To Study the Structure of State Government, the "Little Hoover Commission."

One of Samuel Brown's lifelong interests was public welfare. Upon his graduation from college, he went to work for the Massachusetts Department of Public Welfare. Later, as assistant director of the legislative research bureau, he maintained and expanded his special knowledge of both welfare and housing, and he was of invaluable assistance to all the members of the State legislature.

Samuel Brown was also active in the affairs of his synagogue and community. He served, for example, as the Government appeals agent for the draft board of Winthrop, Mass.

Mr. Speaker, Samuel Brown will be missed by all who knew him. I am sure I speak for all Members of the House when I extend our sympathies and regrets to his bereaved wife Jennie, and his devoted sons Louis and Richard.

CAB'S PROPOSED NEW RULES ON CHARTER FLIGHTS

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. OTTINGER. Mr. Speaker, as several of my distinguished colleagues have done in the past several weeks, I would also like to place in the record of this Congress my objections to the manner in which the Civil Aeronautics Board is carrying out its public responsibilities.

On June 12, I filed my objections to the CAB regarding proposed regulations on charter travel, which the Board published on May 8. Mr. Speaker, I would like to attach a copy of that letter to these remarks. My primary objection then was the arbitrary and capricious ceiling of 20,000 members that the CAB placed on groups that sought to be charterworthy. I noted also the lack of logic and consistency that ran through the proposed exceptions to this proposed rule. Here was a clear instance of a regulatory agency regulating not an industry but the general public.

Since that time, the President has put forth the statement of international air transportation policy. It is now the policy of this Nation in maintaining leadership in the air.

Even a quick reading of the President's statement of policy will reveal that the CAB is acting in direct opposition to what this country wants in air transport. The CAB's proposal is restrictive, arbitrary, narrow in concept, impossible to enforce, completely isolated from the real world of travel. It attacks air carriers, organizations of citizens, travel agents, and tour operators. It is totally disruptive. It is the document of a spoiler, not of a responsible Federal regulatory agency.

I am especially aware of the consequences of such a document, since my State of New York is—and has been for over a century—the gateway to America. Passengers and shippers the world over are familiar with John F. Kennedy International Airport, one of the busiest air terminals anywhere on earth. The Kennedy Airport is not without its problems, thanks to years of meager, stop-gap planning, favoritism, and lack of strong governmental interest. But whatever the problems may be, the solution is not to disrupt, discredit, or discourage the air transport industry, which is the approach of the CAB. On the contrary, the solution would be to follow through on some of the ideas in this statement of policy.

As contained in that statement, this country "should work for the broadest range of profitable services, designed to appeal to the broadest consumer market and based on the lowest cost of operating an efficient air transportation system." We should also take note of the idea that—

> The economic and technological benefits we seek can best be achieved by encouraging competition and by a relative freedom from government restriction.

It bewilders me, as I am sure it bewilders many of my colleagues, how such a statement of policy, with its forward-thinking, positive tone, could come from the same administration that harbors the CAB and its view of the traveling public. To those of us who carry the responsibility of congressional membership, it may be time to write into law just what the public interest is and how the CAB ought to respect it.

Mr. Speaker, since filing my letter with the CAB, I have also received objections to various aspects of the proposed new rules from the following:

Mr. Ronald P. Schwemm, potentate, Cyprus Temple, Albany, N.Y.

Mr. Harold S. Low, president and chairman of the board, AITS, Inc., Chestnut Hill, Mass.

Mr. Shelby Edward Southard, the Cooperative League of the USA, Chicago, Ill.

Mr. David A. Randall, president, Travel Consultants, Inc., Washington, D.C.

Mr. Glenn A. Cramer, chairman of the board, Trans International Airlines, Oakland, Calif.

Mr. Gerard Farley, president, New York City Civil Service Retired Employees Association, New York, N.Y.

Msgr. R. J. McCarthy, pastor, St. James Church, Gouverneur, N.Y.

Dr. John P. Scullin, president, the Fifth District Dental Society, De Witt, N.Y.

It is obvious that the proposed amendments will work hardships on many legitimate organizations and their members. I am certain that many of my colleagues are receiving similar complaints, and we must act now to see that the public interest is not overridden by the CAB's ill-advised action. My June 12 letter follows:

Hon. SECOR D. BROWNE,
Chairman, Civil Aeronautics Board,
Universal Building,
Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to offer my comments regarding the proposed amendments to the Board's Economic Regulations as set forth in Docket No. 22174 dated May 8, 1970.

I wish to raise objections to the amendment to Section 208.210 which proposes that charter arrangements made by organizations with a total membership of more than 20,000 shall be presumed to be solicited from the general public and shall not be eligible for charter participation unless granted a waiver. There is no explanation in the proposal as to what criteria the Board used in establishing a ceiling of 20,000 members for organizations wishing to offer the advantages of charter flights to its membership. The consequence of this amendment, if approved, will be to exclude a whole range of legitimate organizations, particularly our larger labor unions, many of which have over 20,000 members who should not be denied the right to benefit from the reduced costs made possible by charter tour arrangements.

The Board has recognized the legitimacy of exceptions to this rule in granting an automatic waiver to students and educational staff of a single school, to participants in a study group, and to employees of a single government agency, industrial plant, or mercantile establishment. I believe that the Board has erred in not including all organizations whose memberships may exceed 20,000, just as in the groups listed above, and that the list of exceptions must be broadened or the 20,000 ceiling eliminated entirely.

It appears grossly discriminatory to make a presumption as to the legitimacy for charter flight purposes of, for example, a large automotive manufacturing plant or the Department of Agriculture, and then withhold the same privilege for a bona fide labor union, or any other organization, which individuals have joined in good faith for all the benefits that membership in such organization may confer, including reduced charter tour rates.

I respectfully request that the proposed amendment be re-worded to make it clear that all organizations composed of individuals with a common occupation, avocation, or central interest shall be presumed to be bona fide organizations with the right to arrange charter tours for its members without having to apply for a waiver.

Sincerely,

RICHARD L. OTTINGER,
Member of Congress.

GALLUP POLL SUPPORTS NATIONAL SERVICE ACT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. BINGHAM. Mr. Speaker, a Gallup poll, published this past Sunday in the Washington Post, shows that 71 percent of the American people would have their Congressman support the National Service Act of 1970 (H.R. 18025), which I introduced less than a month ago with bipartisan support. Cosponsors of this legislation are:

Hon. DANIEL E. BUTTON, Republican of New York.

Hon. JOHN D. DINGELL, Democrat of Michigan.

Hon. JAMES G. FULTON, Republican of Pennsylvania.

Hon. SEYMOUR HALPERN, Republican of New York.

Hon. WILLIAM D. HATHAWAY, Democrat of Maine.

Hon. HENRY HELSTOSKI, Democrat of New Jersey.

Hon. THOMAS M. REES, Democrat of California.

Hon. JAMES H. SCHEUER, Democrat of New York.

Hon. FRANK THOMPSON, JR., Democrat of New Jersey.

The Gallup poll shows that 71 percent favor the National Service Act, 20 percent are opposed and 9 percent have no opinion. Although the data is not included in the Post article, Mr. Gallup has informed my office that in the 21 to 29 age group, 80 percent favor the plan, 18 percent are opposed and 2 percent have no opinion. A further breakdown of the poll is being forwarded to me and I will place it in the RECORD as soon as I receive it.

Mr. Speaker, the overwhelming nationwide support that this bill has received makes it more imperative than ever that the Armed Services Committee hold comprehensive hearings on draft reform this year. Certainly a bill with as much support as H.R. 18025 should be a major focus of such hearings.

The text of the Washington Post article follows:

THE GALLUP POLL: 71 PERCENT FAVOR CHOICE FOR DRAFTEES

(By George Gallup)

PRINCETON, N.J., July 4.—The American people vote overwhelmingly in favor of a bill recently introduced in Congress which would replace our present military draft with a National Service System and allow young men to choose civilian service as an alternative to military service.

To see how the American people would like their congressmen to vote on such a bill, the following question was put to a sample of 1519 adults in a survey conducted June 19–21 in more than 300 scientifically selected areas of the country:

Congress is now considering a proposal to replace the Selective Service System—that is, the draft—with a National Service System. Under this system a young man of 18 could choose to do any one of these three things: (1) He could volunteer for military service; (2) he could volunteer for civilian service—for example, helping in hospitals, teaching school, working in programs like VISTA, or (3) he could take his chances on being drafted.

How does this plan sound to you—would you like to have your congressman vote for or against this proposal?

Here is the national vote:

Would like congressman to vote in favor	71
Against	20
No opinion	9
	100

VETERANS' ADMINISTRATION HOSPITAL

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. QUIE. Mr. Speaker, some of the Veterans' Administration hospitals have received adverse publicity because of an article in the May 22 Life magazine.

I have just received a letter from a veteran who received excellent care at the Veterans' Administration hospital in Minneapolis.

To provide a balanced picture of the Veterans' Administration medical program, I am submitting his letter for printing in the RECORD at this point:

DENNISON, MINN.,
June 30, 1970.

DEAR MR. QUIE: I want to let you know what sort of care I received at the V.A. Hospital in Minneapolis. It was the finest care by doctors, nurses and all the rest of the help. After spending 19 days there, I came out in pretty good shape for I was a very sick man when I went in. It was the greatest care I received that put me back on my feet.

Your friend,

JOHN ARTHUR AHERN.

TIME FOR CONSUMER PROTECTION

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. ROYBAL. Mr. Speaker, as the author of H.R. 18269, the Consumer Protection Act of 1970, a bill to establish an Office of Consumer Affairs in the Executive Office of the President, and to create an independent Consumer Protection Agency to help secure effective representation of the vital interests of the Nation's consumers at the highest levels of the Federal Government, I was delighted to read two excellent editorials endorsing this legislation, which have appeared in recent editions of the New York Times and the Washington Post.

With this kind of broad editorial support developing across the country, with the House Government Operations Committee's favorable report on the measure, and with good prospects for approval of a similar bill in the Senate, I am hopeful that this landmark consumer protection statute can be enacted into law during the present session of Congress.

In view of the importance of the subject, Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD the two editorials mentioned previously, plus a narrative summary of the major provisions of H.R. 18269, the Consumer Protection Act of 1970:

[From the New York Times, June 29, 1970]

CONSUMER CROSSROADS

The failure for many years of many manufacturers in various fields to turn out safe products, and the inability of traditional Government agencies to protect the public from resultant accidents and deaths, are leading to a legislative crossroad.

The House Government Operations Committee has already approved an important consumer bill, which, if not undermined by the Senate when a parallel version is taken up, could well result in a major forward step in consumer protection. Sponsored by Representatives Rosenthal of New York and Dwyer of New Jersey, the House bill would create an independent Consumer Protection Agency, encompassing product safety and other aspects of consumer affairs. The agency would speak up for consumers before Federal bureaus and the courts, receive and transmit complaints to the dozens of agencies in the Government that maintain consumer programs of varying degrees of effectiveness, disclose the results of testing and continue the work of the National Commission on Product Safety.

This is a handful; but only a central independent agency, staffed with economists, attorneys, investigators, could do the job. Only such an agency could intervene effectively before courts and other Federal bodies. The Rosenthal-Dwyer bill would also establish a consumer affairs office in the White House and a consumer advisory council to provide supprt for the agency.

Such a combined independent agency and strengthened White House office could have greater meaning than the Administration's own plan to divide consumer responsibilities between a White House office and the Justice Department. Its ambitious package of anticrime bills makes no mention of consumer offenses or redress; the fact is that Justice concentrates in another area and already has its work cut out. Taking on consumer problems would dissipate enforcement.

If doubts exist about the need for an independent consumer agency, a reading of the final report of the National Commission on Product Safety should be educational—and frightening. The commission cites literally millions of burnings, explosions, poisonings and injuries caused by dangerous appliances in everyday use—from coffeepots to power mowers, from detergents to pesticides.

Industry self-regulation apparently does not work. The consumer cannot set up his own testing office in the garage. A turnaround in basic attitudes by Government is at the core of the commission's recommendations: controlling and limiting hazards "not at the option of the producer but as a matter of right to the consumer." Now there is a chance for Congress to establish an independent agency with full powers to represent all Americans in their year-round role, regardless of income or station, as consumers.

[From the Washington Post, July 6, 1970]

The Time for Consumer Protection

Suppose that on the first day of every year 140,000 Americans were selected at random and told they would be either permanently disabled or killed during the coming 12 months. Few people could remain oblivious to this horror and fewer still would be silent. Yet, according to the recent and important report of the congressionally appointed National Commission on Product Safety, 30,000 citizens are killed every year, and 110,000 permanently disabled, merely because they bought or used consumer products that were unsafe. The hazardous items include a number of makes, models and types of products ranging from infant furniture to rotary lawnmowers.

Many consumers—excluding the surviving victims who now know better—probably think the government is protecting them through such agencies as the Federal Trade Commission or the Food and Drug Administration. Or they think that no company would dare sell an unsafe product. The consumer with notions like that is a dreamer. "Federal authority to curb hazards in consumer products," said the Product Safety Commission, "is virtually nonexistent." As for industries regulating themselves, well, forget it, said the commission; this "is legally unenforceable and patently inadequate."

With 140,000 lives on the line, plus some 20 million others whose accidents luckily stop short of death or permanent injury, the commission recommends, among other things, an independent consumer protection agency. This is obviously needed and should be quickly formed. However, safety is not the only right of the innocent consumer; in all, he has four rights, as President Kennedy said in 1962: the right to safety, to be informed, to choose, and to be heard. Currently going beyond the commission proposal are two bills before Congress that would, for once, protect these consumer rights. In the House, the Rosenthal-Dwyer bill has bipartisan support, has been voted favorably by a full committee and now awaits floor action. In the Senate, a similar bill has come out of a subcommittee chaired by Senator Ribicoff. The independent consumer agency called for by both bills would, among other things, represent consumer interests before federal regulatory agencies and in the courts; it would also test products and release results by brand names.

To no one's surprise, the Rosenthal-Dwyer and Ribicoff bills are now open targets for probusiness lobbies such as the National Association of Manufacturers and the Chamber of Commerce. What is surprising, at least initially, is that the Nixon administration is also opposing the bills, though not in the wide-open style of the business lobby. Instead, it offers a plan that would divide consumer responsibilities between a White House office and the Justice Department. Despite the pretty ribbons tying this package together, the White House plan is an empty box. Its office for consumer affairs is already a weak operation—despite the hard work and good intentions of its staff—so why spread it out?

The Congress, after years of talking about consumer rights and protection going back to the Kefauver days, now has the chance for strong action. If any politicians are in doubt about the need for an independent consumer protection agency, they should talk to the widows and orphans of men killed by unvented gas heaters, or the parents of children blinded in one eye because of defective glass bottles, or the bloodied who walk into glass doors that were not safety-glazed. These are the people, among a few, who know something about the need for safety.

Summary of H.R. 18269, the Consumer Protection Act of 1970

To establish an Office of Consumer Affairs and a Consumer Protection Agency in order to secure within the Federal Government effective protection and representation of the interests of consumers, and for other purposes.

Its major features follow:

An *Office of Consumer Affairs* will be established in the Executive Office of the President to coordinate consumer programs and activities in the executive agencies and to assist in the development of such programs and activities throughout the Government. An independent *Consumer Protection Agency* will be created to represent the interests of consumers in proceedings before Federal agencies and the courts, and to gather and make available the results of tests and analyses of products. Also, there will be a *Consumer Advisory Council* composed of 15 members to advise the heads of the two agencies noted above.

The *Office of Consumer Affairs* will be headed by a Director, appointed by the President and confirmed by the Senate, who will direct the work of the *Office* and have the usual powers of appointing and supervising personnel, making contracts and promulgating rules. The *Consumer Protection Agency* will have an administrator, appointed by the President and confirmed by the Senate, who will have administrative powers similar to the Director of the *Office*. They both shall make annual reports to Congress which will include an evaluation of consumer programs of each Federal agency and make recommendations for needed legislation. Both shall keep appropriate committees of Congress fully and currently informed of all their activities.

FUNCTIONS OF THE OFFICE OF CONSUMER AFFAIRS

The *Office* will coordinate consumer programs and activities of all Federal agencies; help develop and implement such programs; assure that consumer interests are taken into account in formulating Government policies; transmit complaints from the public to appropriate agencies; conduct conferences and investigations on consumer problems but not duplicate activities of other agencies; develop information from other Federal agencies and from public and private sources on test results and analyses of products and services and of trade practices adversely affecting consumers; encourage consumer education and research; publish a Consumer Register of Federal agency actions and other useful information, among other functions.

FUNCTIONS OF THE CONSUMER PROTECTIVE AGENCY

The *Agency* will formally represent the interests of consumers in proceedings before Federal agencies and the courts; receive and transmit complaints to appropriate Federal agencies; develop and disseminate information from other Federal agencies and from public and private sources of benefit to consumers, including the results of tests and analyses of products and information concerning commercial and trade practices and practices of Federal, State and local governments which adversely affect consumers; encourage and initiate research and testing pursuant to the Act; and continue the work of the National Commission on Product Safety, among other functions. The *Agency* may request another Federal agency to initiate an investigation appropriate to its authority if it determines that it is in the consumer interest.

CONSUMER COMPLAINTS

When consumer complaints are received or developed by the *Office* or *Agency* such action may be taken as is within the authority of each body. If the complaint is referred to another Federal agency the extent of the action taken thereon shall be ascertained. Duplication of the *Agency* and the *Office* in the handling of complaints will be avoided.

A *public document room* will be maintained for public inspection of complaints but in order to reduce the number and effect of frivolous or unsubstantiated complaints a complaint will only be available for public inspection with the permission of the complainant and after the party complained against has had a reasonable time, but not less than 60 days, to comment and the agency to which the complaint has been referred has indicated how it intends to handle the complaint.

PUBLIC INFORMATION AND TESTING

The *Agency* and the *Office* shall develop on their own initiatives, gather from other sources and disseminate to the public information of value to consumers. In order to assure complete fairness in the dissemination of test results which dispose product names, it shall be made clear if all products of a competitive nature have not been tested and that there is no intent or purpose to rate products tested over those not tested. No Federal agency is to declare one product to be better or a better buy than any other product. Federal agencies with testing facilities are directed to cooperate with the *Agency*.

CONSUMER ADVISORY COUNCIL

The *Council* will advise the Director and the Administrator on consumer matters and evaluate the effectiveness of laws and programs. It will have access to information in either the *Office* or the *Agency*.

PROTECTION OF CONSUMER INTERESTS

All Federal agencies in taking actions or making decisions are required to give due consideration to the valid interests of consumers and announce publicly the effect of their actions or decisions on consumer interests and the basis upon which the action was taken in keeping with the interests of consumers.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

WE SERIOUSLY ERRED IN CAMBODIA

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. ULLMAN. Mr. Speaker, the administration has withdrawn American troops from Cambodia according to its self-appointed deadline, proclaiming that our incursion into a neutral country was a profound strategic success. I do not believe that the expansion of the war into Cambodia was a wise decision, nor do I believe that it has brought military success. In my judgment, time may well show that we seriously erred in Cambodia by opening up the entire country as a battleground in the Indochina war. We may also discover that we have destroyed all hopes for success in the administration's Vietnamization and pacification programs.

This is certainly the opinion of a friend who is an expert on the Vietnam pacification programs, Mr. Clifford Ouellette. Mr. Ouellette has recently completed 3 years of distinguished service in Vietnam for the Agency for International Development. He has worked closely with the South Vietnamese Government and people on the staff of CORDS—Civil Operations Rural Development Service—the pacification program coordinator, first as a district representative, then as a province representative, and finally as senior representative in the II Corps District. As chief liaison between the U.S. pacification program and the South Vietnamese Army in II Corps, he was in a unique position to evaluate the successes and failures of our effort.

Mr. Ouellette recently retired from Federal service, but in a letter to me expressed his opinion of the effect of the Cambodian invasion on the pacification program. His evaluation is pessimistic, but I believe clear sighted. It should give pause to those who would so quickly proclaim the Cambodia invasion a great success. I commend Mr. Ouellette's important and expert comments to the attention of my colleagues:

JUNE 27, 1970.

DEAR CONGRESSMAN ULLMAN: Although very fragile and subject to a number of unknown "ifs," there was hope, in April of this year that Vietnamization, withdrawal of American troops, and the Pacification Program, could give the Saigon Government enough stability to provide self determination for the people of South Viet Nam. Enough hope, at least, to inspire thousands of Vietnamese and Americans to work long and hard on the national strategy of political, social and economic offensive implicit in the 1970 Pacification Program. There was a chance.

Each day since the Cambodian invasion has reduced the possibility of success in Pacification. Today, in South Viet Nam you would be hard put to find a handful of advisors, working in the field on the Pacification Program, who think we have any chance left.

There were many factors in the hopes raised by the 1970 Pacification Plan, a document indicating more understanding of the Vietnamese War than any prior paper. The plan sought to provide political stability through programs of local action in health, education, administration, economic assistance and most important local autonomy to solve local problems. An essential factor in its initial success was the vigor and enthusiasm of the Vietnamese civil servants and military personnel who would administer the program. It was there. Another factor was the reaction of the population. In II Corps alone over 150,000 refugees moved, in late 1969, from their safe havens back to their farms, many with only garden tools and without shelter or farm animals. A vital factor in the hoped for success of the Pacification Program, and repeatedly stressed over many years by our military leaders at all levels, was the absolute necessity for a security shield within which pacification programs could take root and grow. The Cambodian invasion removed that shield.

In the last half of 1969 and early 1970 we worked on the assumption that our government had concluded that a military resolution in Viet Nam was not feasible; that the conflict was essentially a political one and ultimately would have to be solved politically; that priorities and efforts would be adjusted accordingly. In spite of U.S. military leaders who continued to think in terms of herbicide operations, napalming of forest covers, massive bombing attacks, and combat offensive operations by U.S. military forces, we made these assumptions, and were reassured by withdrawals of American troops.

What happened? Perhaps we were wrong in our assumptions. I doubt it. Perhaps our military establishment, once committed to a military resolution of the Vietnamese War cannot—even if they suspect might have been wrong initially—cannot change to tactics of hold and withdraw. Perhaps there are too many reputations of high ranking officers such as Wheeler, Johnson, Westmoreland and Abrams, whose places in the military history books demand a military resolution.

The next few years, and perhaps the coming months, will prove that our objectives in Viet Nam of self determination for the South Vietnamese, and the more subtle and complex factor of our own national interest became totally unattainable with the Cambodian invasion. This invasion destroyed the last slim chance that remained. We will still leave S.E. Asia, but we will leave almost totally defeated. Rather than our greatest military victory as described by the Vice President, the Cambodian invasion will prove, in the near future, to be our greatest military blunder.

The Cambodian invasion will not achieve any of its stated objectives. Months before April 30th, the North Vietnamese and the Viet Cong had changed their tactics and strategy. Except for the major confrontations in the Highlands (in II and III Corps), which kept large numbers of ARVN and U.S. forces tied up, the enemy had broken down into small units for hit and run attacks. Kidnappings and terrorism increased. There were more and more attacks by small units in the spring of 1970. The enemy took dead aim on the pacification programs because he realized that this political, social and economic effort was what the fight was all about. Only on this front could he lose the war.

The Cambodian invasion will not insure, or even enhance, the safety of our forces in Viet Nam, because there never was, in 1970, any real danger of major U.S. units being overrun. The suggested threat of another Dien Bien Phu was not and is not justified. The armed forces of South Viet Nam are today strong enough to conduct more than a dozen large offensive operations, in a foreign country, hundreds of miles from their main bases. We can expect them to continue to improve, and have been so re-assured by our military leaders for the past 18 months. The air, the sea, more than 85% of the people, and more than 70% of the real estate in South Viet Nam is, according to our military leaders, under the control of the government of South Viet Nam. Under these circumstances, (which would probably change only if the North and its allies escalate with new weaponry and tactics), it is difficult to understand how our armed forces were so endangered. I think it also must be conceded that what supplies and arms that have been captured in Cambodia will have been replaced long before the last of our troops leave—when the danger to them will be the greatest.

The Cambodian invasion has added further burdens to the South Vietnamese war against inflation. We worked on programs that were aimed at holding inflation to 30% a year. There was never any assurance that these programs would work, but there was hope. The present rate is above 50% and rising. Every passing day increases the possibility that there will be a military take over of the government of South Viet Nam because of the increasing economic chaos.

The Cambodian invasion will destroy what little support we had left, internationally, for our efforts in South Viet Nam.

The Cambodian invasion has caused and is causing repercussions here at home that intensify our divisions. It has destroyed the President's credibility in the minds of millions.

The Cambodian invasion has restored the priorities of military actions. The small but necessary hope that had been stirred in 1969 and early 1970 will be, if it has not already been, buried under the conviction of the South Vietnamese that pacification was just another drill. Military escalation in any form smothers the possibility of political stability. The loud and war like noises coming again from Vice President Ky and his followers are the result of the Cambodian invasion.

The Cambodian invasion is being debated today on the basis of Constitutional Powers, and the best interest of the United States. Who speaks for the Cambodians? We have invaded a nation of seven million people with no more regard for the consequences to them than those invaders whom history has classified as despots and dictators. And we cannot excuse ourselves by pointing at the sanctuaries of the North Vietnamese, because the Cambodians would not and cannot do anything about it.

The Cambodian invasion has destroyed thousands of homes, hamlets and villages. Today we continue our bombing and destruction of Cambodian homes in every part of their country. As Cambodian homes go up in flames, and Cambodians die, United States Cabinet members have the effrontery to say that there is a benefit to the Cambodians from the bombing! I cannot believe that there is a single American soldier, sailor, marine or airman in South Viet Nam who wants to be protected by the destruction of Cambodian homes. We and our descendants will burn in shame at this fantastic blunder.

I cannot impugn the patriotism or good intentions of those involved in the Cambodian invasion. I still feel that the President of the United States wants to withdraw completely from Southeast Asia. There is a sadness and horror from a growing conviction that our military and defense establishment is out of control and has evolved into a system that cannot see the world as it is. I can find no other explanation for the tragic and horrendous error of the Cambodian invasion.

CLIFFORD OUELLETTE.

VANCOUVER, WASH.

THE CAMBODIAN CRISIS: REASON AND EMOTION

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. WOLFF. Mr. Speaker, a constituent, Mr. Nathan H. Sauberman of Great Neck, has forwarded to me an interesting editorial in the June 5, 1970, issue of Science, published by the American Association for the Advancement of Science.

This thoughtful editorial, by Carroll E. Izard of Vanderbilt University, is addressed to the matter of the war in Indochina and its effect on this country. Since this editorial raises some interesting questions that we in the Congress should ponder, I would like to include the aforementioned editorial in the Record at this point:

The Cambodian Crisis: Reason and Emotion

(By Carroll E. Izard)

The invasion of Cambodia was a step backward in the struggle of today's youth to find a new humaneness. President Nixon's decision was a product of reason and, once again, reason has failed.

We can ill afford to reject reason for emotion. But we must accept the place of emotion in individual life and human affairs. We must learn to let emotion play its proper role in the reasoning process and must find the ways to channel the force of emotion appropriately. We have been taught that the emotions, especially what we call negative emotions, are dangerous and bad. But each of the emotions, like any other significant part of the human being, has an inherently adaptive function.

Distress can lead to personal discouragement and crippling depression. But unless we feel something of the personal distress of the loved ones of the wounded or dying man, whether friend or foe, we cannot have an adequately human perspective on this or any war.

Disgust with yourself can lead to alienation and aloneness, and disgust with the world can lead to dangerous indifference. But unless we experience some disgust with ourselves for the complacency over the miseries and massacres of war we cannot have an adequately human perspective on this crisis.

Contempt of self can lead to the disaster of self-rejection, and contempt of others can sustain prejudice, misconception, and conflict between peoples. But unless we have some measure of contempt for killers of men and contempt for the act of killing, we cannot have an adequately human perspective on war's destruction of humanity.

The shame of defeat would strike deep at the heartstrings of a proud nation. But unless we can find greater shame in inflicting suffering and death than in a lost or stalemated war, we cannot have the kind of perspective that can lead to peace and progress in a search for a new humanness and a new humanity.

Anger can make a mockery of man's hope for reasoned negotiation and can increase the likelihood of destructive aggression. But a little anger properly channeled can defend a new kind of personal integrity and a new kind of integrity for humanity that disallows war's miseries and massacres.

Fear is the most toxic of all the emotions. This is not a time for panic, but, unless we have some fear of war, we cannot see the Cambodian crisis in true perspective.

I am not asking that you let distress lead to depression, disgust to indifference, contempt to aloofness, shame to withdrawal, anger to destruction, or fear to panic. I am asking you to be sad over war-inflicted suffering and death. I am asking you to be a little disgusted with complacency and a little contemptuous of the forces and conditions that lead to war. I ask us all to be a little ashamed of the inability of the most powerful nation on earth to accept defeat—or simply to redefine it as a colossal mistake.

I ask you to be a little angry at the grave threat that deepening and continuing commitment to war poses to our humanness and to our very survival. I ask you to be a little afraid of the horror of becoming extinct or, perhaps even worse, of becoming less and less human. I ask you to respond to each of these emotions with constructive effort before the emotion is dissipated and comes to nought or before it goes awry and wreaks destruction.—Carroll E. Izard, *Vanderbilt University.*

DOCTOR OF ARTS DEGREE

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. HANSEN of Idaho. Mr. Speaker, I was happy to receive the news recently that Idaho State University is among 10 universities throughout the Nation selected to receive a Carnegie planning grant to develop a far-reaching new degree program—the doctor of arts.

The doctor of arts is expected to offer an alternative to the narrow specialization of the Ph. D., which has become increasingly divorced from the needs of mass higher education. It is designed to produce teachers with broader academic training and a deeper understanding of education as well as specific training in teaching itself.

The Carnegie Corp. is to be commended for the decision to fund the establishment of this innovative teacher-oriented advanced degree and to include ISU among the universities receiving grants. I am confident that ISU, with its outstanding faculty and its exceptionally talented president, William E. Davis, will play a leading role in developing a successful new program as it moves to the top ranks among universities across the country.

I commend to the attention of my colleagues the following statement to the press from the Carnegie Corp. and report by the Council of Graduate Schools in the United States on the doctor of arts degree:

Statement to Press From Carnegie Corp.

New York.—Ten universities have received grants totaling $935,000 from Carnegie Corporation to plan new graduate programs aimed at improving the quality of college teaching. In announcing the awards, Alan Pifer, president of the educational foundation, said, "The highly specialized research required for the Ph. D. is simply not appropriate training for much of undergraduate teaching. These ten institutions are dedicated to designing a new kind of degree that will attract first-rate students to teaching careers. With one possible exception, the planning envisages that this will be the Doctor of Arts degree."

The recipients of the planning grants include: Ball State University ($35,000), Brown University ($85,000), Claremont University Center ($123,000), Dartmouth College ($103,000), Idaho State University ($81,000), Massachusetts Institute of Technology ($100,000), University of Michigan ($80,000), State University of New York at Albany ($108,000), University of Washington ($140,000), and Washington State University ($80,000).

Financial stringency and the much publicized "surplus" of Ph. D. holders are causing many graduate schools to reassess their doctoral programs. At the same time, there is a growing market for people trained primarily as teachers rather than researchers in the rapidly expanding community colleges and four-year state colleges, which already enroll well over fifty percent of all undergraduates. Mr. Pifer stated that "We need to encourage rather substantial numbers of Ph. D. aspirants to work toward a different kind of degree, one which will provide training appropriate for the jobs that are open."

Interest in the Doctor of Arts (D.A.) degree is developing rapidly. The first D.A. program was established in 1967 at Carnegie-Mellon University with support from a previous Corporation grant. Both the Council of Graduate Schools and the American Association of State Colleges and Universities have issued guidelines for universities interested in developing the new degree. At latest count, some seventy-five institutions are considering the idea. Clark Kerr, chairman of the Carnegie Commission on Higher Education, has recently stated, "The Doctor of Arts should become the standard degree for college teaching in the United States."

The new degree programs being planned by the ten grant recipients will begin in the fall of 1971. They will entail a minimum of three years' study beyond the bachelor's degree and will be designed to produce college teachers with broad academic training and a solid understanding of higher education. The programs will include work on a major project or dissertation focused on the organization and teaching of existing knowledge rather than the creation of new knowledge. Supervised teaching experience will also be required in most cases. All ten institutions will plan to hire, promote, and pay graduates of the new programs as they do Ph. D. holders.

Carnegie Corporation was founded in 1911 by Andrew Carnegie for the advancement and diffusion of knowledge and understanding among the peoples of the United States and of certain British Commonwealth countries. Its assets now total approximately $280 million at market value.

Report on Doctor of Arts by the Council of Graduate Schools in the United States

INTRODUCTION

The Executive Committee of the Council of Graduate Schools and the Council have in principle recommended the establishment of graduate programs leading to the degree Doctor of Arts to prepare graduate students for a lifetime of effective teaching at the college level.

The Doctor of Arts program should be of such rigor that the degree will take its place among other respected doctoral degrees such as the Doctor of Philosophy, Doctor of Education, Doctor of Medicine, Juris Doctor, and others.

The new title is proposed in the belief that the Ph.D. degree has traditionally so emphasized research that it may be counter-productive in that many graduate students are trained along lines other than those which they will actually follow in their careers as college teachers. The Ph.D. is and should be the highest research degree; many of its recipients do in fact become excellent teaching scholars. However, others are led into expectations that will not in fact be realized, and, as a result, their level of discontent and dissatisfaction may be magnified. Relevance is achieved best if the degree structure is appropriate to the career aims and possibilities of the students as well as to the primary role of most as teaching scholars.

For many doctoral students, a program emphasizing broad subject matter competence and teaching skills and the development of synthesizing and disseminating abilities will be most appropriate. The title Doctor of Arts should connote this great emphasis on preparation of college teaching.

The orientation and preparation inherent in the Doctor of Arts degree have advantages beyond those for the teaching faculty who will find a greater continuity between their training and their actual careers. Colleges will be placed under less pressure to create research facilities if research accomplishment is no longer held up as the one single mark of success of undergraduate faculties. The present influence of research specialization on the undergraduate curriculum would also be reduced, and many students will welcome a broader orientation in curricular offerings. Much of the undergraduate curriculum today is oriented toward the research interest of the faculty members or toward the two percent of the students who will eventually seek the Ph. D. degree. We should now recognize that the great growth in enrollments and thus in teaching positions in the future will be in the community colleges, the comprehensive regional colleges, and in the university colleges—not in the research positions available in the universities or elsewhere.

The Committee recognizes that it is neither feasible nor desirable to separate sharply a university professor's teaching and research functions. Research activity is in many cases an essential element of a professor's teaching effectiveness and all graduate study must include research components. But the importance of research as a component of college teaching is considerably less for those not teaching at the Ph.D. level, and this group constitutes the majority of teachers in higher education. The necessity for research competence and activities at these other levels varies at least quantitatively and in emphasis, depending upon the subject being taught. For most college faculty it seems clear that the research competence required for the great majority of college teachers can be obtained through the proposed Doctor of Arts program.

GENERAL CHARACTERISTICS

The Degree Doctor of Arts identifies a person with at least three years of graduate study and is designed to prepare students for careers as college teachers.

The program leading to the Doctor of Arts degree will parallel other doctoral programs but will be oriented toward developing teaching competence in a broad subject matter area. In contrast, the Doctor of Philosophy program is designed to prepare a graduate student for a lifetime of creative activity and research, although it will often be in association with a career in teaching at a university or college. The degree Doctor of Education (Ed.D.) should mark a professionally oriented program at the doctoral level in the field of education.

The Doctor of Arts program should be offered only by institutions with faculty, facilities, and equipment adequate to provide for the offering of these practice-oriented Doctor of Arts programs; they must be comparable in quality, although different in character, to accepted research-oriented Ph.D. programs.

Admission, retention, and degree standards for a Doctor of Arts program should be as rigorous as those prevailing for a Ph.D. program and should be under the control of the graduate faculty of the subject-matter field. Under no circumstances should the Doctor of Arts be utilized as a consolation prize or second class, attenuated Ph. D. While program requirements will inevitably differ because of different objectives, requirements for the Doctor of Arts should be no less demanding. If it is awarded at the completion of a program equal in quality and rigor to the Ph. D., its recipients should be employed in their areas of competence on a comparable basis to those holding the Ph.D. The standards and reputation of the graduate school awarding the degree are the significant determinants.

SPECIAL CHARACTERISTICS

To insure adequate preparation of college teachers, the Doctor of Arts program should provide for the following:

First, the formal course work in the Doctor of Arts program will deal preponderantly with the subject matter to be taught by the prospective teacher. Course selection will typically be broader within a particular discipline than for the Ph. D. and may also bridge several related disciplines. The individual courses in the Doctor of Arts program will be conducted at the same high level as Ph. D. courses and where the two programs exist side by side may well be the same courses in many instances. Foreign language or other research tool requirements will be truly functional. A comprehensive examination which is typically broader and less specialized than the usual Ph. D. comprehensive examination but not less demanding will be required upon the completion of formal course work.

Second, prospective college teachers will take an appropriate amount of formal course work and seminars in such areas as the psychology of learning, the history and sociology of higher education, and the responsibilities of faculty members within an institutional setting.

Third, as a parallel to the traditional research training for the Ph. D. degree, a structured teaching or other appropriate internship will be required. This normally will not be met by the usual teaching assistantships. The teaching internship will include progressive and responsible classroom experience in regular courses, preferably in more than one kind of course. The internship will normally be held for one year and it will be supervised, criticized, and evaluated by experienced faculty members and reinforced by relevant course work in teaching methods which are applicable to the student's particular discipline.

Fourth, the development of the capacity and habit of reading, understanding, and interpreting the results of new research and pedagogical developments appearing in the literature of the field will be encouraged.

Fifth, development of the student's ability to apply new, significant disciplinary research and teaching techniques for the benefit of college teaching is a significant part of the student's graduate education for the Doctor of Arts degree.

Sixth, independent investigation of an area in the subject matter field will lead to a suitable written thesis. Such an investigation might take the form of research on teaching problems and may make a contribution to the teaching of the subject matter. The evaluation and synthesis of materials that are potentially valuable in college teaching but have not yet been reviewed may also be acceptable.

SENATE—*Tuesday, July 7, 1970*

The Senate met at 11 a.m. and was called to order by Hon. THOMAS F. EAGLETON, a Senator from the State of Missouri.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God of all grace, whose word teaches "Keep thy heart with all diligence; for out of it are the issues of life," we pause this morning hour for a more vivid sense of Thy presence so that we may work not alone but in partnership with Thee. As we grapple daily with perplexing problems, help us to lay hold on those spiritual resources Thou hast placed at our disposal and appropriate them by faith.

As we give ourselves to the service of the Nation, may we and all the people honor America not only on one day with words, but every day with our lives. May we never be content with the lesser good and with small achievements when the higher way of Thy kingdom is open to all who follow Thee in sincerity and in truth.

Through Jesus Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 7, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. THOMAS F. EAGLETON, a Senator from the State of Missouri, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. EAGLETON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 6, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, with the concurrence of the distinguished Senator from Oregon (Mr. HATFIELD), I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Oregon (Mr. HATFIELD) is now recognized for 1 hour.

THE MILITARY PROCUREMENT AUTHORIZATION ACT—AMENDMENT

AMENDMENT NO. 765

Mr. HATFIELD. Mr. President, I submit an amendment intended to be proposed by me and my colleagues jointly, Senators GOLDWATER, CRANSTON, SCOTT, McGOVERN, PACKWOOD, YOUNG of Ohio, DOLE, STEVENS, HARTKE, SCHWEIKER, and GOODELL, to the bill, H.R. 17123, to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 765) was referred to the Committee on Armed Services.

Mr. HATFIELD. Mr. President, I ask unanimous consent that at the conclusion of my remarks there be printed in the RECORD a brief statement made by Daniel Webster in 1814 on the floor of the House of Representatives and a brief outline of a statement by H. B. Liddell Hart in 1945 relating to the subject of conscription.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. HATFIELD. Mr. President, three times in our history, we have had national military conscription, and each time it has met with strong opposition from those directly affected by it. In response to President Lincoln's announcement in 1863 that a draft was being instituted, there were 10 days of rioting in New York alone, with over 1,000 fatalities resulting. Conscription was again introduced for a short period of time during World War I, and 250,000 draftees failed to appear for induction. The first time that conscription had virtually universal acceptance was during World War II when it was instituted for a third time. The past two decades, however, have marked a new era in American history with the advent of peacetime conscription. Today an estimated 60,000 young men have left this country for Canada and hundreds have gone to prison—because of the draft. Yet, the desirability of the draft or any possible alternative has generally gone unquestioned, and our Government has reflected the complacency of the public.

In March of this year, a Commission appointed by President Nixon over 1 year ago to study an alternative to the draft, made its findings public. The Commission was headed by former Secretary of Defense Thomas Gates and was composed of individuals from various walks of life, including the economist Milton Friedman, the executive director of the NAACP, Roy Wilkins, and two former Supreme Allied Commanders, Gen. Lauris Norstad, and Gen. Alfred Gruenther. Their conclusions were unanimous: the draft is not the best method of maintaining our Armed Forces. It is inefficient, inequitable, and unjust. Their report stated, further, that the best alternative to conscription is an all-volunteer system, which is not only more ideologically compatible with our traditions, but economically preferable as well.

It has been generally assumed that conscription has been and is needed to maintain our Armed Forces, thus perpetuating the idea that the draft is a necessary evil whereby a small precent of our young men are compelled to join the military.

According to the Gates Commission report:

> During the early 1960's, 95 percent of those between the ages of 18 and 35 were excluded from the 1–A and 1–A–O pool. . . . The escalation of the Vietnam War in 1965 once again focused attention on the draft. . . . Of the 6 million men who have served in the Armed Forces during the Vietnam War, 25 percent have been draftees.

But is this a needed inequity? Is conconscription absolutely necessary to maintain our national security? The Gates Commission concluded that an all-volunteer military is feasible regardless of the manpower requirements of Vietnam. Today we have approximately 3 million men in our Armed Forces. It is anticipated by the Department of Defense that within 1 year the total force level will be 2.5 million or less. Our present mixed force, draftees, draft-induced volunteers, and volunteers, requires 584,000 annual accessions with 184,000 annual Army draft calls. The Gates Commission projects that the required accessions for the same total strength force, 3 million men, would be 410,000 with 193,000 going to the Army. This lower rate of accessions in an all-volunteer force would be the result of higher retention rates. Higher retention would result from numerous factors, including higher pay, higher reenlistment rates, and the absence of draftees, more than 90 percent of whom leave the Army after serving only 2 years. Furthermore, the report states:

> The higher retention rate for true volunteers inevitably produces a more experienced force. . . . Projections indicate that by 1980 (in an all volunteer force), 45 percent of Army enlisted men will have four years or more of service experience, as compared with 31 percent for a mixed force of the same size. Since experience involves on-the-job training, a more experienced force is more productive than a less experienced one.

Thus, a 3-million-man volunteer force would be more effective than a mixed force of the some number. In other words, because a volunteer force would have fewer noneffective men, it can be smaller than a mixed force and be just as effective.

What must be done to effect an all-volunteer military? The move cannot occur overnight, but the transition can occur within the next year. However, to accomplish this by July 1971, we need to have improved conditions within the military sufficiently to induce 75,000 more men annually, in addition to the 250,000 true volunteers who are presently enlisting each year. That assumes a force level of 2.5 million men by July 1971. There is an excellent possibility, based upon various statements and possible projections of the Defense Department, that the manpower level will be significantly less than 2.5 million.

Further, Congress could, of course, choose to reduce the manpower requirements. In either case, reductions below the 2.5-million level would reduce further the number of additional needed enlistees above the current 250,000 true volunteers. The additional men will come predominantly from the 1.5 million men who annually turn 19 and who meet the mental, moral, and physical requirements of the Armed Forces. Raising the accession rate to the necessary level will result from reasonable improvements in pay and benefits which, states the Commission, and in which I concur, should occur regardless of the fate of the draft.

To better comprehend this situation one must understand the difference between two methods of taxation that any government may use. The first, which can be called tax-in-kind, is the compulsory rendering of services or property by citizens on the behalf of the government. The other method of taxation is that of bearing the government's cost of goods and services through monetary taxes levied on the general public. Conscription is the first method of taxation—a tax-in-kind. There are few such taxes today in our Nation, and most governments no longer tax through the means of coercing the services of their citizens, or directly acquiring portions of their property. Such tax-in-kind is generally regarded as a medieval and outmoded form of taxation. The draft, however, is a modern-day continuation of such a form of taxation.

The average level of basic pay for military personnel is $180 per month. This is approximately 60 percent of what he could be earning in civilian life. In other words, the average first-term enlistee is being taxed 40 percent of what he could and would normally earn. And taking into account the income tax and indirect costs imposed on the enlistee, his total tax rate is in the neighborhood of 51 percent.

The Commission recommends increasing the pay of the first-term enlistee to $315 per month. Including fringe benefits, clothing, food and lodging, the total compensation would rise from $301 per month to $437 per month. This would make the pay within the military roughly comparable to that of civilian life, which, as I stated earlier, should occur irrespective of the fate of the draft. The budgetary cost to effect an all-volunteer force by July of next year would be a maximum of $3.24 billion for fiscal 1971. That is assuming that we maintain the high manpower force level of 2.5 million men by that date. Reductions in this force level would result in significantly lower costs. This maximum estimate of costs would include increases in basic pay of $2.68 billion, proficiency pay increase of $210 million, reserve pay increases of $150 million, additional medical corps expense of $120 million, and recruiting, ROTC and miscellaneous increases of $80 million. Further, this cost does not take into account substantial savings in operation that would be created by a voluntary military.

But one must consider the difference between budgetary cost and actual cost. The first-term enlistee is bearing the burden of 60 percent of the cost of his service. And, as the Commission states in its report:

> When the hidden costs of conscription are fully recognized, the cost of an all-volunteer armed force is unquestionably less than the cost of a force of equal size and quality manned wholly or partly through conscription.

The draft often results in the inefficient use of manpower by the military. A recently released study by the Defense Department points to one aspect of this problem. This report indicated that of the 41,974 college graduates entering the Army in 1969, 5,722 had acquired academic training that would have qualified them for certain military specialties with little or no further training. Of these 5,722 qualified men, only 222, approximately 4 percent, were assigned to the specialty for which they were qualified, while approximately one-third of them were assigned to combat infantry training. Specific examples which the study held to be generally valid included the following:

Of the college graduates who entered the Army last year, 270 had degrees in architecture. Eight were placed in this specialty while the Army had a need for 394 architects.

Sixty-two men who qualified for the Army accounting specialty were placed in those slots, while the Army had 463 openings for accountants and had inducted 912 men who had accounting degrees.

Generally stated, because budget expenses are presently underestimated for the cost of the first-term enlistees, the Armed Services, as the Commission points out, "are led to use more of them than they otherwise would." With compensation raised to equitable levels, the service would be forced to economize.

Perhaps the most costly factor of the present system is the low reenlistment rates among first-term servicemen, creating unduly high turnover rates. Two factors affect this: First, most inductees and draft-induced volunteers are not interested in military careers; second, the inductees' tour of duty is only 2 years in contrast to 3- and 4-year terms for enlistees.

> With an all-volunteer force—

The Commission concluded—

> these longer terms of enlistment will also reduce turnovers and the need for accessions.

The Commission estimates that the annual turnover rate for a volunteer force would be approximately 325,000 men in contrast to roughly 440,000 for a mixed force of 2.5 million men.

Consequently, real savings will be generated. In terms of dollars, the annual savings caused by increased retention for a peacetime force of 2.5 million men is estimated to be $675 million. Furthermore, there would be an annual savings of $61 million for the same force due to reduced transportation and administrative costs. In terms of manpower, a volunteer military would reduce the required size of the forces, thus reducing the number of men needed. For instance, it is estimated by the Commission that a 2.5-million man force of conscripts and volunteers would be effectively equivalent to an all-volunteer force of 2.44 million men.

Yet there are additional savings that a volunteer force would induce. These would result in eliminating what the Commission calls "subtle costs" of the present system. Although these are difficult to estimate in monetary terms, we can still analyze their potential influence. As the Gates Commission report states:

> The draft erodes ideals of patriotism and service by alienating many of the young who bear the burden. . . . It thwarts the natural desire of youths to commit themselves to society. . . .
>
> Young men distort their career and personal plans to take advantage of opportunities to postpone or avoid being drafted. . . . 'channeling' young men into college, occupations, marriage or fatherhood is not in their best interests, nor those of society in general.

It is these factors and others that indicate the great loss to society that the draft generates. One indirect method of gaging this in economic terms was stated in the Commission's report:

> Prospective inductees also incur costs in their efforts to escape conscription—costs which manifest themselves in a variety of ways such as additional college attendance, movement into occupations which carry deferments, immigration, etc. Indirect evidence suggests these costs may be 1.5 times the implicit tax (i.e., the tax-in-kind born by the draftee). . . . Thus for each $1.00 of tax-in-kind collected, an average of $2.50 is forgone by the public. Quite apart from considerations of equity and freedom, this feature of conscription is enough to call it into question.

The institution of an all-volunteer military is desirable not only from economic and moral points of view, but also from a governmental and constitutional perspective. According to article I, section 8 of the Constitution, the Congress has the power—and the responsibility—to raise the armies and provide for the common defense. A volunteer military is a direct extension of this constitutional responsibility and would draw the military closer to the civilian population in general.

A volunteer force will be highly flexible, as conceived by the Commission, although the need for a great influx of men into the military such as required during World War II is not a realistic possibility because of the highly technical nature of warfare today—whether guerrilla or nuclear war. Nevertheless, the Commission recommended a limited standby registration should a sudden influx of men be required.

Aside from economic questions, one of the most often heard objections to a volunteer military is that it would put an undue burden on the black and the poverty stricken within our society. The assumption here is that with increased pay and benefits in a volunteer system a disproportionate number of our minority groups and depressed people would join the military. The Gates Commission report and other studies before it have amply demonstrated that this would not be the case.

Presently there are more than two times as many whites classified below the poverty line as blacks—17.6 million whites compared to 8.3 million blacks by 1967 figures. This year it is estimated that up to 63 percent, 628,740, of the black male population between the ages of 17 and 20—the age group from which first-term enlistments usually originate—will be eligible for military duty—that is, they will pass the physical, moral, and mental requirements for entrance into the Armed Forces. Under our present mixed recruitment system, blacks comprise 10.6 percent of the total force or slightly less than their proportion to the total population.

The Commission, taking these figures into consideration, projects that in a volunteer force of comparable effectiveness to a mixed force of 2.5 million men, blacks would comprise approximately 15 percent of that population—between 5,000 and 10,000 more blacks than a mixed force of the same effective size. In other words, the racial composition of the military will change very little between a mixed force and an all-volunteer force.

Monetary compensation is only one factor in attracting potential employees. Job security, opportunity for advancement, and fringe benefits are other considerations which influence a potential employee. While the attractiveness of the military will increase for the black in a volunteer force, it will increase more greatly among whites.

With present mental, moral, and physical standards of eligibility for military service, 30 percent of the men examined are not acceptable. Of this group a disproportionate number comes from the lower socioeconomic sector of our society. And although a recent study indicates there are over 12,000 military personnel on welfare today, compensation within the Armed Forces in most cases is above the income level of those below the poverty line. Consequently, the monetary attraction to the Armed Forces with regard to those individuals below the poverty level is already existent. To increase pay and benefits regardless of the method of recruitment will induce more qualified individuals to join than are presently attracted. Thus, the general composition of a volunteer military would not be significantly different from a conscripted force.

These facts notwithstanding, objections to an all-volunteer military based on fear of its creating an unfair burden on the black and poverty stricken are misdirected. Not only do these objections question the poor and the black's capacity to make decisions in their own best interest but they also ignore the fact that it is the causes of racism and poverty in our country which should be attacked and not the military or any other institution that may provide people an opportunity for greater economic gain and increased social status.

Just as these questions are ill conceived and shortsighted so are those that assert an all-volunteer armed force would be a group of unquestioning mercenaries who would be loyal only to their commanders, isolated from civilian control, pose a threat to the internal security of our country, and increase the likelihood of foreign adventurism. A mercenary is a foreigner who is hired by another country to fight its wars. This certainly is not the case with a volunteer military. And to argue that there is something regrettable about a professional, equitably paid enlistee is overlooking the fact that our officer corps have been well paid and virtually totally voluntary. To question the loyalty of a soldier because he is paid a fair salary is like questioning the loyalty of doctors, lawyers or any other professionals who are well paid for the services they render. If the country is to have an effective military force, its members should be paid in an equitable manner. And an all-volunteer method of recruitment is one method of insuring this equity.

Critics have argued that a volunteer military would somehow increase the isolation of the military, and that conscription is an effective means of maintaining a civilian influence in the military. The Constitution could not be more explicit about its intention to insure that the army be fully under civilian control. However, it never intended that this be accomplished through military conscription. In fact, appropriations for the military have to be approved every 2 years specifically because the Founding Fathers wanted the entire idea of a standing army to be reviewed that often. The very thought of a peacetime conscription would have been viewed by them as reminiscent of the tyranny of European kings and contrary to the ideals of freedom which caused them to travel to the New World.

Civilian control over the military, as provided for by the Constitution, is to be maintained by the Chief Executive serving as Commander in Chief, and by the very broad powers and responsibilities given to the Congress for raising and supporting the armies. Civilian control should not and cannot be maintained by forcing unwilling citizens to serve for 2 years in the lowest ranks of the army. Further, a volunteer military will not mean that our Armed Forces are suddenly put into some kind of total isolation from civilian life. As I pointed out earlier, the annual turnover rate under a volunteer military a year from now would be approximately 325,000 men. That is a reduction of only about 115,000 from the turnover rate of 440,000 under a mixed force of equal size. Thus, there would still be a very significant flow of men in and out of the Armed Forces each year. So it is fictitious and contrary to evidence to suggest that a volunteer military will in any way create an armed force that is isolated from civilian influence or control.

It may well be that the principle of civilian control over the military is in danger of eroding in our land today. But if that is true, the issue must be solved by perfecting the constitutional relationship between the Congress and the executive branch, and between the Chief Executive and the Armed Forces. Maintaining conscription as a means to preserve civilian control is not only ineffective, but completely contrary to the spirit and the intention of the Constitution.

This is also the case with regard to foreign adventurism. One aspect of the question as to the commitment of troops to war is the preparedness of those troops, and admittedly a volunteer force would be more effective than a conscripted force. However, as the Gates Commission points out:

> Decisions by a government to use force or to threaten the use of force during crises are extremely difficult. The high cost of military resources, the moral burden of risking human lives, political costs at home and overseas, and the overshadowing risk of nuclear confrontation . . . enter into such decisions. It is absurd to argue that issues of such importance would be ignored. . . . To the extent that there is pressure to seek military solutions to foreign policy problems, such pressure already exists and will not be affected by ending conscription.

This pressure is in the form of foreign policy and the already totally volunteer officers corps which makes policy decisions within the Armed Forces. Today we have the worst of two worlds: conscription at the lower ranks and isolation at the upper—to the extent that our officer corps are isolated. An all-volunteer military would have two controls inherent within it that are not present in a conscripted force.

First, Congress would control the manpower level of the military by regulating the budget; the economic incentives to join would diminish beyond a certain manpower limit agreed upon by the President and the Congress. The military could have only a certain number of men in its ranks, which would be an additional constraint on the scope of foreign military involvement. With conscription the President has virtually unlimited manpower resources directly at his command.

This would not be the case with an all-volunteer force. To reinstitute the draft the President would have to make a request to Congress, and conscription could then be reinstituted by the joint resolution of the Senate and House of Representatives. This would be well within the purview of article I, section 8 of the Constitution and be a significant contribution to Congress' reassertion of its rights and responsibilities in the area of raising armies, declaring war, and influencing foreign policy.

Another frequently encountered argument is that the abolition of the draft and the institution of an all-volunteer military is important but not as high a priority as eliminating poverty, crime, racism, and other inequities our society needs to resolve. Consequently, the argument continues, we cannot afford at this time to spend the money necessary to create a volunteer armed force. This argument, however, overlooks the major difference between the draft on one hand and the other forms of inequities on the other: conscription is a government institution, created and sustained by the Government which bears the primary responsibility for the Selective Service System, its inequities, injustices, and inefficiencies.

It has been suggested that some form of universal service be implemented in order to equalize the burden among our youth. I favor the concept of service as long as it is voluntary in nature. But compulsory service is not only a contradiction in terms; it is inimical to the fiber of our republic as well. Compulsory national service, assuming there were no deferments and that it were for 1 year's tour of duty, would mean the employment of 8 million people, if women were to serve, and 4 million if only men. With a conservatively estimated expense of between $4,000 and $5,000 per person, the total annual cost of universal national service would range between $16 billion and $40 billion. As the Gates Commission points out, this would be an amount greater than the entire manpower budget of the Department of Defense and would be highly economically prohibitive.

If universal military training were to be adopted with no deferments, more than 2 million men in noncareer positions would have to be employed in the Armed Forces at any one time, assuming the current eligibility standards and a 2-year tour of duty. One year's service would be unrealistic because most of that year would be spent training. Universal military training would be a radical departure from our founding traditions. It would spread the burden of the tax-in-kind to all of our young men and give the military more men than could be productively employed.

Several sections of the legislation I am introducing today deal with important aspects of a volunteer military. These have not received much attention in the past, but the Gates Commission dealt with them in a very thorough and consistent manner. The military is similar in many ways to a business firm. And some of its jobs could be easily performed by civilian personnel requiring no special military training. Consequently, it is recommended that the Armed Forces increase and expand utilization of civilian personnel through lateral hiring, saving an estimated $100 million.

Furthermore, the Commission proposes an improved and expanded recruiting program for not only enlisted personnel but officers as well. In this connection, ROTC scholarships should be increased from 5,500 to 10,000 per service and specialist educational programs should be expanded as well.

Another important change recommended by the Commission is the formulation of a new pay structure which would provide salary schedules combining basic pay, and quarters and subsistence allowances. The new pay structure should also include another much needed benefit—cash contributions to a retirement system similar to Federal civilian employees. Directions to the Secretary of Defense within this legislation instruct him to have a basic pay table for enlisted personnel and officers developed which will be utilized until the salary system is implemented, although I am hopeful that within the next month and before the final vote on this legislation I will be able to provide such a pay table.

The Gates Commission also called for an increase in combat pay from $65 to $200 for those who are actually taking the primary risks and not merely physically present in a combat zone. This would make combat pay more meaningful for those bearing the primary burden of war—those actually participating in combat—while avoiding some of the misuses of the present method of compensating those in combat zones.

One other aspect of military compensation and organization to which the Gates Commission directed its attention was medical treatment. Within its report the Commission recommends that those physicians serving in the military receive special pay increases, that the utilization of civilian medical facilities be maximized, and that a medical insurance program be created for all military personnel. If implemented, these changes would greatly enhance the medical treatment of military personnel while keeping costs to a minimum.

It is ironic that so unjust and inequitable an institution as peacetime conscription, with all of its inefficiencies, should be maintained by unproven assumptions, groundless fears, and the mere momentum of the past 20 years. Even more unfortunate is how the focus of concern is so easily lost when the issue of conscription is discussed. We always proceed by assuming that the status quo is naturally virtuous and preferable, unless proven otherwise. But in this case especially, the first question to ask should not be, will a volunteer military work, or how much will it cost, or what advantages would it have—rather, the first question to ask is why should we maintain conscription?

There is no institution of our Government more contrary to our democratic ideals, more limiting of our freedom, and more disruptive to the lives of our youth than the draft. Further, the draft is laden with inherent inefficiencies, and seems to be a clearly ineffective manner to provide for our Armed Forces and their needs. This opinion now has the support of a Presidential Commission. At long last, the time has arrived to take the first steps toward restoring military service to the degree of respect and regard and prestige it deserves, and to insure that such service will be the free choice of its citizens. In June of 1971, the Selective Service Act will expire. If we act now, and begin the process of building a volunteer military force, it will not be necessary to perpetuate conscription beyond that time. That must be the aim of all Americans who cherish freedom and value our democratic traditions and who want to meet the needs of our military organization.

Exhibit 1

In Brief

CONSCRIPTION

(Editor's Note.—Daniel Webster in 1814 voiced a warning and a prophesy which B. H. Liddell Hart verified in 1945 when he reviewed historical events during the interim.

(It has been said of Daniel Webster (1782–1852), the great American statesman and orator, that his massive mind needed the spur of a great national crisis to make him render his best with words befitting a nation hanging in the balance. Such a situation, he felt, was that of the closing months of 1814, shortly before the end of the conflict with England. Under the pressure of war needs for men and money, a conscription bill was then before Congress, backed by the Secretary of War, in order to further the conflict for the conquest of Canada. The following is extracted from his speech in the House of Representatives on December 9, 1814, a copy of which is on exhibit at the New Hampshire Historical Society.)

This bill indeed is less undisguised in its object, & less direct in its means, than some of the measures proposed. It is an attempt to exercise the power of forcing the free men of this country into the ranks of an army, for the general purposes of war, under color of a military service. It is a distinct system, introduced for new purposes, & not connected with any power, which the Constitution has conferred on Congress.

But, Sir, there is another consideration. The services of the men to be raised under this act are not limited to those cases in which alone this Government is entitled to the aid of the militia of the States. These cases are particularly stated in the Constitution—"to repel invasion, suppress insurrection, or execute the laws." But this bill has no limitation in this respect. The usual mode of legislating on the subject is abandoned. The only section which would have confined the service of the Militia, proposed to be raised, within the United States has been stricken out; & if the President should not march them into the Provinces of England at the North, or of Spain at the South, it will not be because he is prohibited by any provision in this act.

This, then, Sir, is a bill for calling out the Militia, not according to its existing organization, but by draft from new created classes;—not merely for the purpose of "repelling invasion, suppressing insurrection, or executing the laws," but for the general objects of war—for defending ourselves, or invading others, as may be thought expedient;—not for a sudden emergency, or for a short time, but for long stated periods; for two years, if the proposition of the Senate should finally prevail; for one year, if the amendment of the House should be adopted What is this, Sir, but raising a standing army out of the Militia by draft, and to be recruited by draft in like manner, as often as occasion may require?

The question is nothing less, than whether the most essential rights of personal liberty shall be surrendered, & despotism embraced in its worst form.

I have risen, on this occasion, with anxious & painful emotions, to add my admonition to what has been said by others. Admonition & remonstrance, I am aware, are not acceptable strains. They are duties of unpleasant performance. But they are, in my judgment, the duties which the condition of a falling state imposes. They are duties which sink deep in his conscience, who believes it probable that they may be the last services, which he may be able to render to the Government of his Country. On the issue of this discussion, I believe the fate of this Government may rest. Its duration is incompatible, in my opinion, with the existence of the measures in contemplation. A crisis has at last arrived, to which the course of things has long tended, & which may be decisive upon the happiness of present & future generations. If there be anything important in the concerns of men, the considerations which fill the present hour are important. I am anxious, above all things, to stand acquitted before GOD, & my own conscience, & in the public judgments, of all participations in the Counsels, which have brought us to our present condition, & which now threaten the dissolution of the Government. When the present generation of men shall be swept away, & that this Government ever existed shall be a matter of history only, I desire that it may then be known, that you have not proceeded in your course unadmonished & unforewarned. Let it then be known, that there were those, who would have stopped you, in the career of your measures, & held you back, as by the skirts of your garments, from the precipice, over which you are plunging, & drawing after you the Government of your Country.

It is time for Congress to examine & decide for itself. It has taken things on trust long enough. It has followed Executive recommendation, till there remains no hope of finding safety in that path. What is there, Sir, that makes it the duty of this people now to grant new confidence to the administration, & to surrender their most important rights to its discretion? On what merits of its own does it rest this extraordinary claim? When it calls thus loudly for the treasure & the lives of the people, what pledge does it offer, that it will not waste all in the same preposterous pursuits, which have hitherto engaged it? In the failure of all past promises, do we see any assurance of future performance? Are we to measure out our confidence in proportion to our disgraces, & now at last to grant away every thing, because all that we have heretofore granted has been wasted or misapplied? What is there in our condition, that bespeakes a wise or an able Government? What is the evidence, that the protection of the country is the object principally regarded?

Conscription is chosen as the most promising instrument, both of overcoming reluctance to the Service, & of subduing the difficulties which arise from the deficiencies of the Exchequer. The administration asserts the right to fill the ranks of the regular army by compulsion. It contends that it may now take one out of every twenty-five men, & any part or the whole of the rest, whenever its occasions require. Persons thus taken by force, & put into an army, may be compelled to serve there, during the war, or for life. They may be put on any service, at home or abroad, for defence or for invasion, according to the will & pleasure of Government. This power does not grow out of any invasion of the country, or even out of a state of war. It belongs to Government at all times, in peace as well as in war, & is to be exercised under all circumstances, according to its mere discretion. This, Sir, is the amount of the principle contended for by the Secretary of War.

Is this, Sir, consistent with the character of a free Government? Is this civil liberty? Is this the real character of our Constitution? No, Sir, indeed it is not. The Constitution is libelled, foully libelled. The people of this country have not established for themselves such a fabric of despotism. They have not purchased at a vast expense of their own treasure & their own blood a Magna Carta to be slaves. Where is it written in the Constitution, in what article or section is it contained, that you may take children from their parents, & parents from their children, & compel them to fight the battles of any war, in which the folley or the wickedness of Government may engage it? Under what concealment has this power lain hidden, which now for the first time comes forth, with a tremendous & baleful aspect, to trample down & destroy the dearest rights of personal liberty? Who will show me any constitutional injunction, which makes it the duty of the American people to surrender every thing valuable in life, & even life itself, not when the safety of their country & its liberties may demand the sacrifice, but whenever the purposes of an ambitious & mischievous Government may require it? Sir, I almost disdain to go to quotations & references to prove that such an abominable doctrine has no foundation in the Constitution of the country. It is enough to know that that instrument was intended as the basis of a free Government, & that the power contended for is incompatible with any notion of personal liberty. An attempt to maintain this doctrine upon the provisions of the Constitution is an exercise of perverse ingenuity to extract slavery from the substance of a free Government. It is an attempt to show, by proof & argument, that we ourselves are subjects of despotism, & that we have a right to chains & bondage, firmly secured to us & our children, by the provisions of our Government.

The supporters of the measures before us act on the principle that it is their task to raise arbitrary powers, by construction, out of a plain written charter of National Liberty. It is their pleasing duty to free us of the delusion, which we have fondly cherished, that we are the subjects of a mild free & limited Government, & to demonstrate by a regular chain of premises & conclusions, that Government possesses over us a power more tyrannical, more arbitrary, more dangerous, more allied to blood & murder, more full of every form of mischief, more productive of every sort & degree of misery, than has been exercised by any civilized Government, with a single exception, in modern times.

But it is said, that it might happen that an army would not be raised by voluntary enlistment, in which case the power to raise armies would be granted in vain, unless they might be raised by compulsion. If this reasoning could prove anything, it would equally show, that whenever the legitimate powers of the Constitution should be so badly administered as to cease to answer the great ends intended by them, such new powers may be assumed or usurped, as any existing administration may deem expedient. This is a result of his own reasoning, to which the Secretary does not profess to go. But it is a true result. For if it is to be assumed that all powers were granted, which might by possibility become necessary, & that Government itself is the judge of this possible necessity, then the powers of Government are precisely what it chooses they should be. Apply the same reasoning to any other power granted to Congress, & test its accuracy by the result.

If the Secretary of War has proved the right of Congress to enact a law enforcing a draft of men out of the Militia into the regular army, he will at anytime be able to prove, quite as clearly, that Congress has power to create a Dictator. The arguments which have helped him in one case, will equally aid him in the other. The same reason of a supposed or possible state necessity, which is urged now, may be repeated then, with equal pertinency & effect.

Sir, in granting Congress the power to raise armies, the People have granted all the means which are ordinary & usual, & which are consistent with the liberties & security of the People themselves; and they have granted no others. To talk about the unlimited power of the Government over the means to execute its authority, is to hold a language which is true only in regard to despotism. The tyranny of Arbitrary Government consists as much in its means as in its end; & it would be a ridiculous & absurd constitution which should be less cautious to guard against abuses in the one case than in the other. All the means & instruments which a free Government exercises, as well as the ends & objects which it pursues, are to partake of its own essential character, & to be conformed to its genuine spirit. A free Government with arbitrary means to administer it is a contradiction; a free Government without adequate provision for personal security is an absurdity; a free Government, with an uncontrolled power of military conscription, is a solecism, at once the most ridiculous & abominable that ever entered into the head of man.

Sir, I invite the supporters of the measures before you to look to their actual operation. Let the men who have so often pledged their own fortunes and their own lives to the support of this war, look to the wanton sacrifice which they are about to make of their lives and fortunes. They may talk as they will about substitutes, and compensations, and exemptions. It must come to the draft at last. If the Government cannot hire men voluntarily to fight its battles, neither can individuals.

Into the paradise of domestic life you enter, not indeed by temptations and sorceries, but by open force and violence.

Nor is it, Sir, for the defense of his own house and home, that he who is the subject of military draft is to perform the task allotted to him. You will put him upon a service equally foreign to his interests and abhorrent to his feelings. With his aid you are to push your purposes of conquest. The battles which he is to fight are the battles of invasion; battles which he detests perhaps and abhors, less from the danger and the death that gather over them, and the blood with which they drench the plain, than from the principles in which they have their origin. If, Sir, in this strife he fall—if, while ready to obey every rightful command of Government, he is forced from home against right, not to contend for the defence of his country, but to prosecute a miserable and detestable project of invasion, and in that strife he fall, 'tis murder. It may stalk above the cognizance of human law, but in the sight of Heaven it is murder; and though millions of years may roll away, while his ashes and yours lie mingled together in the earth, the day will yet come, when his spirit and the spirits of his children must be met at the bar of omnipotent justice. May God, in his compassion, shield me from any participation in the enormity of this guilt.

The operation of measures thus unconstitutional and illegal ought to be prevented, by a resort to other measures which are both constitutional and legal. I express these sentiments here, Sir, because I shall express them to my constituents. Both they and myself live under a Constitution which teaches us, that "the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind." With the same earnestness with which I now exhort you to forbear from these measures, I shall exhort them to exercise their unquestionable right of providing for the security of their own liberties.

A military force cannot be raised, in this manner, but by the means of a military force. If administration has found that it cannot form an army without conscription, it will find, if it venture on these experiments, that it cannot enforce conscription without an army. The Government was not constituted for such purposes. Framed in the spirit of liberty, and in the love of peace, it has no powers which render it able to enforce such laws. The attempt, if we rashly make it, will fail; and having already thrown away our peace, we may thereby throw away our Government.

CONSCRIPTION

(The following extract is from the notable book 'Why Don't We Learn From History," by B. H. Liddell Hart (London: George Allen & Unwin, Ltd., 1944). The author, a distinguished British military authority, is the Military Historian and Critic for *Encyclopedia Britannica.*)

We learn from history that the compulsory principle always breaks down in practice. The principle of restraint, or regulation, is essentially justifiable in so far as its application is needed to check interference with others' freedom. But it is not, in reality, possible to make men do something without risking more than is gained from the compelled effort. The method may appear practicable, because it often works when applied to those who are merely hesitant. When applied to those who are definitely unwilling it fails, however, because it generates friction and fosters subtle forms of evasion that spoil the effect which is sought. The test of whether a principle works is to be found in the product.

Efficiency springs from enthusiasm—because this alone can develop a dynamic impulse. Enthusiasm is incompatible with compulsion—because it is essentially spontaneous. Compulsion is thus bound to deaden enthusiasm—because it dries up the source. The more an individual, or a nation, has been accustomed to freedom, the more deadening will be the effect of a change to compulsion.

These logical deductions are confirmed by analysis of historical experience. The modern system of military conscription was born in France—it was, ironically, the misbegotten child of Revolutionary enthusiasm. Within a generation, its application had become so obnoxious that its abolition was the primary demand of the French people following Napoleon's downfall. Meanwhile, however, it had been transplanted to more suitable soil—in Prussia. And just over half a century later, the victories that Prussia gained led to the resurrection of conscription in France. Its reimposition was all the easier because the renewed autocracy of Napoleon III had accustomed the French people to the interference and constraints of bureaucracy. In the generation that followed, the revival of the spirit of freedom in France was accompanied by a growth of the petty bureaucracy, parasites feeding on the body politic. From this, the French could never succeed in shaking free; and in their efforts they merely developed corruption—which is the natural consequence of an ineffective effort to loosen the grip of compulsion by evasion.

It is generally recognized today that this rampant growth of bureaucratically-induced corruption was the dry-rot of the Third Republic. But on deeper examination the cause can be traced further back—to the misunderstanding of their own principles which led a section of the creators of the French Revolution to adopt a method fundamentally opposed to their fulfillment.

It might be thought that conscription should be less detrimental to the Germans, since they are more responsive to regulation, and have no deeply rooted tradition of freedom. Nevertheless, it is of significance that the Nazi movement was essentially a voluntary movement—exclusive rather than comprehensive—and that the most important sections of the German forces—the air force and the tank force—have been recruited on a semi-voluntary basis. There is little evidence to suggest that the ordinary "mass" of the German army has anything like the same enthusiasm; and considerable evidence to suggest that this conscripted mass constitutes a basic weakness in Germany's apparent strength.

Twenty-five years spent in the study of war, a study which gradually went beyond its current technique to its well-springs, changed my earlier and conventional belief in the value of conscription. It brought me to see that the compulsory principle was fundamentally inefficient, and the conscriptive method out of date—a method that clung, like the ivy, to quantitative standards in an age when the trend of warfare was becoming increasingly qualitative. For it sustained the fetish of mere numbers at a time when skill and enthusiasm were becoming ever more necessary for the effective handling of the new weapons.

Conscription does not fit the conditions of modern warfare—its specialized technical equipment, mobile operations, and fluid situations. Success increasingly depends on individual initiative, which in turn springs from a sense of personal responsibility—these senses are atrophied by compulsion. Moreover, every unwilling man is a germ-carrier, spreading infection to an extent altogether disproportionate to the value of the service he is forced to contribute.

Looking still further into the question, and thinking deeper, I came to see, also, that the greatest contributory factor to the Great Wars which had racked the world in recent generations had been the conscriptive system—the system which sprang out of the muddled thought of the French Revolution, was then exploited by Napoleon in his selfish ambition, and subsequently turned to serve the interests of Prussian militarism. After undermining the eighteenth century "age of reason," it had paved the way for the reign of unreason in the modern age.

Conscription serves to precipitate war, but not to accelerate it—except in the negative sense of accelerating the growth of war-weariness and other unlying causes of defeat. Conscription precipitated war in 1914, owing to the way that the mobilization of conscript armies disrupted national life and produced an atmosphere in which negotiation became impossible—confirming the warning, "mobilization means war." During that war its effect can be traced in the symptoms which preceded the collapse of the Russian, Austrian and German armies, as well as the decline of the French and Italian armies. It was the least free States which collapsed under the strain of war—and they collapsed in the order of their degree of unfreedom. By contrast, the best fighting force in the fourth year of war was, by general recognition, the Australian Corps—the force which had rejected conscription, and in which there was the least insistence on unthinking obedience.

A system of conscription entails the suppression of individual judgment—the Englishman's most cherished right. It violates the cardinal principle of a free community: that there shall be no restriction of individual freedom save where this is used for active interference with others' freedom. Our tradition of individual freedom is the slow-ripening fruit of centuries of effort. To surrender it within after fighting to defend it against dangers without would be a supremely ironical turn of our history.

An argument in favor of conscription has long been the rule in the continental countries, including those which remain democracies, we need not fear the effect of adopting it here. But the deeper I have gone into the study of war and the history of the past century, the further I have come towards the conclusion that the development of conscription has damaged the growth of the idea of freedom in the continental countries, and thereby damaged their efficiency, also—by undermining the sense of personal responsibility. There is only too much evidence that our temporary adoption of conscription in the last war had a permanent effect harmful to the development of freedom and democracy here. For my own part, I have come to my present conviction of the supreme importance of freedom through the pursuit of efficiency. I believe that freedom is the foundation of efficiency, both national and military. Thus it is a practical folly as well as a spiritual surrender to "go totalitarian" as a result of fighting for existence against the totalitarian States. Cut off the incentive to freely given service, and you dry up the life-source of a free community.

We ought to realize that it is easier to adopt the compulsory principle of national life than to shake it off. Once compulsion for personal service is adopted in peacetime, it will be hard to resist the extension of the principle to all other aspects of the nation's life, including freedom of thought, speech, and writing. We ought to think carefully, and to think ahead, before taking a decisive step towards totalitarianism. Or are we so accustomed to our chains that we are no longer conscious of them?

"If, to please the people, we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise and honest can repair. The event is in the hand of God."—Attributed to George Washington during the Constitutional Convention.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. GOLDWATER. A question first: I understand the Senator had 1 hour, by unanimous consent.

Mr. HATFIELD. Yes.

Mr. GOLDWATER. I hope my name appears as a cosponsor on that legislation. I think the Senator has done, as usual, an excellent job in preparing his remarks and in studying the problem.

I might point out, before I make a few remarks of my own, some of the forces that might be working against the volunteer idea without really understanding what they are doing.

One of the reasons, I think, that we can go to volunteer force, is that the Army, which is the great user of men, is depending upon what our friend from Wisconsin (Mr. PROXMIRE) discussed as the "electronic battlefield" yesterday. He did it in a very critical way, and I might say it is so highly classified that even the Armed Services Committee has not been able to hold hearings on it; but as long as he has sprung it, so to speak, I can mention it.

Seventy-five percent of the ground forces are used to discover the enemy; roughly 25 percent are used to destroy it. If the electronic battlefield will do as we feel it will do, and as I have seen it work in Vietnam, we can talk about a standing Army greatly reduced. I would hate to hazard the number.

It was on this discovery that General Westmoreland made a speech on the subject, "The Size of the American Army." I have put it in the RECORD. He is depending on this electronic-type sensing, plus the C–5 for rapid transport which removes the need to depend on large shipping that takes perhaps a month to get to a battlefield, plus heavy helicopters to lift from the C–5.

So I hope our colleagues, as we approach the debate on military appropriations—most of whom will support the voluntary military measure, I am sure—will realize that the C–5A, the heavy-lift helicopters, and the continued development of the sensor system are a necessary counterpart to this proposal.

I am sure the Senator from Oregon knows this, but the draft has not been with us forever. In fact, it took Napoleon to discover it. He, by an edict, drafted horses, men, and women. Up until that time, armies were pretty much volunteer. But since that time, because of Napoleon's discovery, we have the ability to raise vast armies, and this is a temptation to countries to engage in vast wars.

If the Senator will yield to me enough time to put perhaps 6½ pages into the RECORD, I would certainly appreciate it.

Mr. HATFIELD. I am happy to yield.

DO AWAY WITH THE DRAFT

Mr. GOLDWATER. Mr. President, it is a great pleasure for me to join today in the introduction of legislation that will abolish the draft and will put this Nation back on the course of a completely voluntary military system.

There is one thing that the American people—particularly young Americans—must understand about this measure. We who offer it mean business.

We have seen all the studies that we want. We know that our plan is a practical one. We believe it is right. We are going to get the job done.

Mr. President, first and foremost, this is a moral matter. As a conservative, I believe that the most precious and fundamental right of man is his right to live his own life.

When force is used to tell a young man how he shall spend several years of his life, then I consider this to be an invasion of his basic personal liberty. In the words of the late Senator Robert Taft, the compulsory draft "is far more typical of totalitarian nations than of democratic nations. It is absolutely opposed to the principles of individual liberty which have always been considered a part of American democracy."

Mr. President, not only is the draft wrong, but it is also wrong to assume that free men have to be forced to fight for their country. I am just old fashioned enough to believe that there still live among us a great many Americans who think enough of their freedom that they are willing to fight for it.

Furthermore, I think the rest of Americans are willing to pay those who do serve in the military forces a good and ample wage for shouldering the task.

Mr. President, these are not new principles to me. I have expressed this position time and time again. I might say, Mr. President, that I came to the conclusion to support this position during the last 5 years of my military service of 37 years as a Reserve officer, during which I served as Deputy Chief of Staff for Personnel of the Air Force. I became convinced, watching the expense of maintaining the involuntary system, that this will work. I am proud that the Republican national platform of 1964 pledged to end the draft altogether, and as soon as possible. I can remember that the very first speech of my 1964 campaign came down strong on the goal of replacing the draft with an efficient voluntary system.

While I missed the opportunity to do something about it right after 1964, I am reaffirming my intent during this session of Congress, and as many more as I am here, to devote as much of my energies as it takes to get action on an all-volunteer military force.

Not since 1948 has there been such an excellent chance for dismantling the draft. The President of the United States is solidly on record in support of doing away with it.

On March 27 of last year, President Nixon announced that he had appointed a blue-ribbon Commission on an All-volunteer Armed Force. The members of the Commission and its working staff were selected from among highly competent individuals of many diverse views and experiences.

The Commission was headed by former Secretary of Defense Thomas Gates, Jr. The Commission members were charged with developing "a comprehensive plan for eliminating conscription and moving toward an all-volunteer armed force."

This is exactly what it did. Indeed, I believe that the Commission not only produced a comprehensive report, but it has written the definitive study on the voluntary military proposal.

Its report is so thorough and so well documented that there can no longer be any doubt in anyone's mind that the voluntary military is practical.

The members of the Commission determined unanimously that the all-volunteer force is feasible, and I am happy to see that President Nixon agrees with this finding. On April 23 of this year, he said:

> I support the basic conclusion of the Commission. I agree that we should move now toward ending the draft.

The legislation that the Senator from Oregon has introduced today, with other Senators and of which I am a cosponsor, will accomplish the Commission's objectives. It will implement the recommendations made by the Gates Commission.

This includes ending the draft entirely by July 1, 1971. It includes raising the current value of basic pay for first-term enlisted men and first-term officers by almost 50 percent. In addition, it includes making numerous other changes that will cause military service to be more attractive.

For example, enlisted men generally should be granted discharges upon request; proficiency pay should be made available to all exceptional personnel, not merely those in the career force; promotions should be accelerated for the highly skilled; and military men should acquire vested rights to military retirement benefits after only 5 years of service just the same as civil service employees now acquire a vested interest in their civilian retirement benefits.

Mr. President, the recommendations of the Gates Commission are practical. In the first place, people must understand that a return to a voluntary military is not all that drastic a change from the present system.

The truth is that our current military forces are made up predominately of volunteers. Thirty-eight percent of the total Armed Forces are beyond any question true volunteers. This many men have more than 4 years of service.

Also, true volunteers now provide some 250,000 enlisted men annually. These are men who would have enlisted even had there been no threat of the draft looming in their future.

With this base of volunteers already available, the Gates Commission found:

> A fully volunteer force of 2.5 million men can be achieved by improving pay and conditions of service sufficiently to induce approximately 75,000 additional young men to enlist each year.

I repeat that all it will take to put a voluntary military force on its feet will be an additional 75,000 enlistees a year. This would cost no more than $3.2 billion in the first few years and would drop to $2.1 billion once the voluntary force is operating on a continuing basis.

These are not figures calculated to scare anyone. They are well within the bounds of reason. In fact, they look downright persuasive in demonstrating that the voluntary system will work.

It should be noted that the Commission study takes due account of the more difficult problem which the Army has in staffing itself in competition with the other services. The Commission wisely set its compensation tables at levels high enough to provide the Army with the quantity and quality of volunteers required by it. The Commission noted:

> The evidence is overwhelming that, if compensation is set at levels which satisfy Army requirements, the other services will be able to attract enough qualified volunteers to meet their respective requirements.

With President Nixon bent on fulfilling his promise to bring home all combat forces from Vietnam by next year, I am convinced that a level of 2.5 million men is a sensible one to project for mid-1971.

Indeed, the President's budget message of April 1969, suggested that active duty force levels will be brought down to 2 to 2.5 million men in post-Vietnam conditions.

Even so, the critics might ask, What do you do about grave national emergencies?

Again, the voluntary system must be considered in the correct perspective. For in the event of a national emergency it is not the ability to draft untrained men that will meet the Nation's immediate needs. I agree with the Gates Commission that when a rapid increase in the number of men under arms is required "the first recourse should be to Ready Reserves, including the National Guard."

The Commission continues:

> Whatever advantages may be claimed for it, conscription cannot provide emergency forces: it takes many months of training for civilians to become soldiers.

Thus, it will be the reserve forces who provide immediate support to the Active Forces. Like the active duty members, the reserves will have been recruited on a voluntary basis. Our legislation will automatically increase the drill pay for reserve participation at the same time that it provides pay increases for the active duty component. This increase should be enough to encourage reserve enlistments sufficient to provide a voluntary reserve force large enough to support the voluntary active duty force.

Furthermore, our proposal takes the commonsense approach of allowing for a standby draft. But the standby system can only take effect by means of an act of Congress at the request of the President. Thereby, the country could muster a major increase in its forces over an extended period in times of dire emergency.

Although I do not believe the standby system will ever need to be used, it will guarantee that the national security will be protected in any contingency.

Mr. President, the voluntary military proposal is sensible and it is morally justified. It represents a return to the best traditions of our country.

Few people remember their history. People I talk to seem surprised when they learn that up to the time of the Civil War there was no draft in America. The draft only appeared in this Nation in 1863, 1917, and 1940, and then only as a wartime expedient.

Prior to 1948, the draft was ended after each major war. The fact that it has continued since 1948 is contrary to almost the entire course of American history.

It is a practice that has no place in our scheme of things except as a temporary, last resort safeguard. It unquestionably deprives individual citizens of their personal freedom to live their lives where and how they choose.

On the other hand, as it was so well expressed by the Gates Commission:

> A force made up of men freely choosing to serve should enhance the dignity and prestige of the military. Every man in uniform will be serving as a matter of choice rather than coercion.

For these basic reasons, I urge Congress to act affirmatively and swiftly on voluntary military legislation.

I thank the distinguished Senator from Oregon, one, for having reintroduced his proposal and, two, for allowing me to be a participant.

Mr. HATFIELD. I am very grateful to the Senator from Arizona for the persuasive argument he has presented this morning on behalf of a voluntary army.

So far as his very succinct point about meeting a national emergency is concerned, when we had such a case, both in the situation of Korea and the Berlin Airlift, we found very clearly that we could not depend upon a draft system to produce the manpower, and we had to recall veterans from World War II to meet both of those emergencies.

This is further evidence to bear out the point that the crisis or national emergency will not be met by a conscription system but by a reserve, adequately trained, and the National Guards of the the various States.

Mr. GOLDWATER. The Senator is correct. I think this is a point that everyone in this body should heed as we go into the debate on the military authorization and appropriation.

Over the week, I read the story of the Air Corps during the 1930's and the efforts we were making to enlarge it to 15,000 men, and the efforts we went through in 1939, 1940, 1941, and 1942 to train people for a new body of our military. This experience makes it likely that the draft would have to be used in a large-scale world war. But if we can keep our air forces, our Navy transportation—and particular keep the C–5A and the heavy lift helicopter—if we can improve the sensory capability of all the electronic systems we have developed for the ground forces and the air forces, and if we envision a battlefield that encompasses the sea and the land and the air, probably controlled from some airborne command center or centers that we will call AWACS when we finally get them into service, then I think we are looking at a greatly reduced overall military that will even be able to fight much larger wars than Vietnam, but will also be small enough to maintain on a completely voluntary basis.

Mr. HATFIELD. I thank the Senator from Arizona.

I yield to the Senator from Pennsylvania.

Mr. SCHWEIKER. I thank the distinguished Senator from Oregon for yielding.

Mr. President, I am pleased to join the Senator from Oregon in cosponsoring this important legislation. I was impressed with the thoroughness of the report of the Gates Commission, and am delighted that the Congress will now have before it legislation implementing many of the Commission's recommendations.

In my view, one of our most important national priorities is the early establishment of an all-volunteer armed force. As early as 1965, as a Member of the House of Representatives, I spoke out about the many inequities which existed, and continued to exist, in the Selective Service System. Then, in 1967, four of my House colleagues and I coauthored a book entitled "How To End the Draft—The Case for an All-Volunteer Army," outlining our views on the need for such changes in our military personnel recruitment policies. I continue to believe that this approach is both feasible and necessary if this country is to maintain an efficient, well-trained, and highly motivated uniformed service for our Nation's defense. I commend the distinguished Senator from Oregon for the leadership he has given to this effort in the Senate.

For some years I have fought for and supported legislation to increase pay for enlisted men, particularly those in their initial term of service. I am pleased that the Gates Commission recognized the inherent inequities in the present pay structure for these individuals. I commend the President for his announced intention to propose such pay increases, beginning in 1971, and hope his proposals and this legislation can serve as the focus of long overdue congressional action in this area.

There are strong indications that the administration is moving toward its stated objective of zero draft calls. While I have long favored major reform of the many unfair aspects of the draft, I believe that the most desirable reform of all is to end the draft, preserving only a provision to register young men and reinstitute the draft at the request of the President by joint resolution of Congress in time of national emergency.

The senior Senator from Oregon has outlined the details of the worthwhile provisions of this bill, and I join him in the hope that our colleagues will give these proposals their close consideration. Many of our Nation's youth have expressed, in the strongest terms, their dissatisfaction with the draft as it presently exists. Many of their parents have also indicated their belief that the system is unfair in many ways. They look to this administration and to the Congress to take steps to change the system.

I have said previously: If there is something wrong with the system, let us change it. I believe there is something wrong with our draft system, and I believe we should change it—by eliminating it. It seems clear that the Nixon administration and a substantial number of Members of both Houses of Congress agree on this point.

I, for one, pledge to do all I can to achieve that goal, and hope that many more of our colleagues will join in this effort.

Mr. HATFIELD. I appreciate the eloquent comments of the Senator from Pennsylvania. I believe that his support will be very meaningful, as a member of the Committee on Armed Services, and that the long background he has achieved in military and veterans legislation will be helpful, also.

I yield to the Senator from Kansas (Mr. DOLE).

Mr. DOLE. Mr. President, first, let me commend the distinguished Senator from Oregon (Mr. HATFIELD) for his leadership in this bipartisan effort to bring about a volunteer armed force.

Mr. President, during his campaign for the Presidency, President Nixon announced his support for the concept of a volunteer armed force for the United States. He, as many in Congress and among the general public, recognized that the present conscription system was inherently inequitable and ill suited to the maintenance of top-quality and efficient military establishment. Soon after he assumed office President Nixon appointed a commission to study our draft system and make recommendations replacing it with an all-volunteer armed force. As was pointed out on the floor this morning, Thomas Gates, former Secretary of the Navy, was chosen to head the Commission.

While the Commission was conducting its study, the President took several steps to improve the existing system, and in response to several Presidential recommendations, the Congress passed legislation granting him discretionary authority to institute a lottery to determine the order of induction.

These efforts, while they improved the draft system, did not fundamentally change it, for the basic statutory framework remained. In response to this situation, I joined the Senator from Oregon (Mr. HATFIELD) in introducing a proposal in January of this year which would end the draft and replace it with a voluntary military manpower program.

The Gates Commission report was issued in February, and it specifically proposed an end to all inductions by July 1, 1971, with the expiration of the present draft law. It also made a number of recommendations for improving military pay scales and for reducing the high turnover rate in the Armed Forces and making military life more attractive as a career for dedicated Americans.

My colleague from Oregon has now authored a bill which incorporates the findings and recommendations of the Gates Commission. I am pleased to join as a cosponsor.

In addition to halting inductions, the bill provides a pay increase focusing on the enlisted ranks and continuing registration in the event it becomes necessary to reinstate the draft. Specifically, this bill provides $3.2 billion to make the pay scale of the armed services competitive with opportunities in civilian life, and directs the Secretary of Defense to improve and expand specialist education, officer training, and recruitment programs. Moreover, in a time when the Reserve Officers Training Corps is being placed under more stringent academic regulation, this legislation allows for an increase in ROTC scholarships—which may help to offset the credit restrictions imposed at many institutions.

There are some who argue that an army of volunteers would be an army of the poor, the nonwhite, or mercenaries. Yet these arguments ignore our history, throughout which we have relied on volunteer service, and only in the past 30 years has the United States used its power of conscription to raise a standing military force. Such arguments also ignore the improved compensation and better service conditions which this bill provides, and they ignore the projections of the Gates Commission which demonstrate that the turnover in an all-volunteer force would be three-quarters of the turnover in a comparable mixed force.

As we consider this legislation, we cannot ignore the lessons of the post-World War I return to volunteerism which collapsed on a wage structure too fragile to support national manpower requirements. This legislation is realistic. It recognizes that the armed services cannot survive the competition for human talent without a viable salary structure or worthwhile career training.

This proposal makes the armed services more than the purgatory between education and employment. It makes them a respected and gainful career. And it demonstrates our awareness that a Nation's greatness does not lie in its power of conscription but in its ability to raise an army without it.

Again, I commend the Senator from Oregon.

Mr. HATFIELD. Mr. President, I am grateful to the Senator from Kansas. He has one of the most distinguished military service records of any Member of this body. I thank him for his perceptive and clear analysis of the amendment and for his support and cosponsorship of it.

Mr. President, I yield the floor.

HONOR AMERICA DAY

Mr. DOLE. Mr. President, on July 4, Washington witnessed something in the way of a unique happening for this era, an affirmative, even joyful, mass demonstration. It was affirmative in the sense that, rather than focusing on problems, or differences, or shortcomings of our society, it attempted to point up those aspects of our life and Nation which set us apart from the rest of the world in terms of traditions, spirit, and heritage.

Widely publicized as a nonpartisan, nonideological celebration, Honor America Day was carried off with a smoothness and polish which attested to both the enthusiasm and competence of its principal organizers and participants.

In any account of the day, special tribute must be paid to the three men who, more than any others, made it a reality and a success, Bob Hope, the Reverend Billy Graham, and J. Willard Marriott. Their energy, imagination, and dedication to celebrating America's greatness were translated through the assistance of hundreds of entertainers and thousands of supporters, into a truly memorable Fourth of July.

The broad base of support and encouragement behind the event encompassed the entire spectrum of responsible political and social viewpoints, and that the day's festivities were shunned by both poles of radical opinion is some evidence of its catholic outlook and freedom from ax grinding.

While between 350,000 to 400,000 people attended the festivities in Washington, and millions more across the country watched on television, perhaps the most significant impact of the day's activities is to be found in other nations around the world. One of the favorite worldwide pastimes these days seems to have become speculation on the internal woes and weaknesses of this great country.

The foreign press has devoted considerable space to analysis and examination of America's ills—riots, marches, conflict, and upheaval. No wonder that many people throughout the world have come to question whether America still believes in itself and the ideals upon which it was founded.

I cannot but believe that Honor America Day had a tremendous impact on the peoples of the world, whether in friendly neutral or Communist states. In marked contrast to national day celebrations in most other countries, Honor America Day lacked the sober tones of militarism, the dismal regularity of governmentally organized demonstrations, and the flat, colorless rhetoric of politicians. Instead, Honor America Day was lighthearted, colorful, and relaxed. It was also a genuine and unregimented outpouring of pride, affection, and respect for our country—something which was not lost on the rest of the world. The United States was on display in its best light, and just as the American people were at least momentarily refreshed, so was the idea of America in the minds of people throughout the world.

Mr. President, I again express my congratulations to all those who took part in Honor America Day, the organizers, the performers, and the spectators. It was a Fourth of July we will all remember.

I ask unanimous consent to have the lead editorial from the July 6 Washington Daily News printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FREAKS AND THE FOURTH OF JULY

There was an engagingly old-fashioned air to the Honor America Day goings-on in the nation's capital: shirt-sleeved family groups picnicking on the grass, listening to patriotic oratory and stirring band music, hearing about religion's role in building America, watching fireworks light up the night sky.

There was the same easy familiarity in the entertainment program put on by Bob Hope. If some of the stars seemed to have been around since the founding of the Republic, it was good to know that they were alive and well in Washington.

We think that most of the 250,000 people who took part in the day and many millions who watched it on TV had a good time. And many of them may have benefitted, in this time of division and doubt, from the day's reminder of how much is right and decent in this country.

What was not familiar, or likeable about the day were efforts by a small number—about 4,000—of hippies and yippies to disrupt the celebrations. It may be news to beardies, weirdies, pot heads and freaks, but one of the things America is all about is fair play for the other fellow.

During the recent antiwar demonstrations here in Washington, we were struck by the restraint of the police and the majority of the citizenry who did not approve of the marchers. (Any attempt to interfere would, of course, have been met with loud cries of "Fascism!" or "Repression!")

But when Middle America gathered to honor the flag, a fringe of the New Left loosed obscene chants at Billy Graham and Kate Smith. It hurled bottles and firecrackers into crowds containing children, and it "liberated" (looted is a better word) refreshment stands.

There are, we think, a few lessons in the yippie behavior during Washington's Fourth of July. One concerns those who sewed the American flag on their trouser seats or paraded in the nude. They are poor, pathetic creatures trying to shock the bourgeoisie, and you don't have to discuss the Vietnam war seriously with a clown with a bare behind.

A second concerns the bottle-throwers, platform-seizers and obscenity-chanters. They are very few and not really dangerous, and there are plenty of disorderly-conduct laws to deal with them.

It would be a ludicrous mistake to be stampeded by a handful of violence-freaks into passing repressive laws that, in time, could restrict everybody's freedom.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. HARRIS). Is there further morning business?

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3274) to implement the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1456) to amend section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 5106) for the relief of Rogelio Tabhan.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 9311. An act to declare that certain lands shall be held by the United States in trust for the Makah Indian Tribe, Washington;

H.R. 10517. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes;

H.R. 11766. An act to amend title II of the Marine Resources and Engineering Development Act of 1966;

H.R. 12807. An act to amend the Act of February 11, 1903, commonly known as the Expediting Act, and for other purposes;

H.R. 12943. An act to amend section 3 of the act of November 2, 1966, to extend for 3 years the authority to make appropriations to carry out such act;

H.R. 13978. An act to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds;

H.R. 14453. An act to authorize the Public Printer to grant time off as compensation for overtime worked by certain employees of the Government Printing Office, and for other purposes;

H.R. 15118. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University;

H.R. 15979. An act to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income; and

H.R. 17068. An act to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for aircraft manufactured or produced in the United States with the use of foreign components imported under temporary importation bond.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 1455. An act to amend section 8c(2)(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 9311. An act to declare that certain lands shall be held by the United States in trust for the Makah Indian Tribe, Washington; to the Committee on Interior and Insular Affairs.

H.R. 10517. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes;

H.R. 15979. An act to provide that the interest on certain insured loans sold out of the Agricultural Credit Insurance Fund shall be included in gross income; and

H.R. 17068. An act to amend the Tariff Schedules of the United States to provide for a partial exemption from duty for aircraft manufactured or produced in the United States with the use of foreign components imported under temporary importation bond; to the Committee on Finance.

H.R. 11766. An act to amend title II of the Marine Resources and Engineering Development Act of 1966; and

H.R. 12943. An act to amend section 3 of the act of November 2, 1966, to extend for three years the authority to make appropriations to carry out such act; to the Committee on Commerce.

H.R. 12807. An act to amend the Act of February 11, 1903, commonly known as the Expediting Act, and for other purposes; to the Committee on the Judiciary.

H.R. 13978. An act to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Act of 1937, as amended, to authorize marketing research and promotion projects including paid advertising for almonds; to the Committee on Agriculture and Forestry.

H.R. 14453. An act to authorize the Public Printer to grant time off as compensation for overtime worked by certain employees of the Government Printing Office, and for other purposes; to the Committee on Rules and Administration.

H.R. 15118. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University; to the Committee on Banking and Currency.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The ACTING PRESIDENT pro tempore (Mr. EAGLETON) announced that on today, July 7, 1970, he signed the following enrolled bill and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

H.R. 16739. An act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines;

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, California, to "Coalinga Canal"; and

H.J. Res. 746. Joint resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. EAGLETON) laid before the Senate the following letters, which were referred as indicated:

REPORT OF DIRECTOR OF SELECTIVE SERVICE

A letter from the Director, Selective Service System, Washington, D.C., transmitting, pursuant to law, his report for the 6-month period ended December 31, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT OF THE ALASKA POWER ADMINISTRATION

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the second annual report of the Alaska Power Administration for the fiscal year ended June 30, 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. EAGLETON):

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on the Judiciary:

"SENATE CONCURRENT RESOLUTION NO. 25

"A concurrent resolution memorializing the Congress of the United States with respect to the calling of a convention for the purpose of proposing an amendment to the Constitution of the United States relative to the power of Congress and the states to levy and collect taxes upon the income derived from interest paid on evidences of indebtedness of the United States, the states and any political subdivision, agency or instrumentality of the United States or the states.

"Whereas, the imposition of taxes by the United States Government on the interest earned on indebtedness of States, their political subdivisions, and the agencies and instrumentalities thereof, would create a burden on and restrict the power of state and local governments to fund money; and

"Whereas, the constantly recurring attempts of Congress and the Treasury Department of the United States to impose or attempt to impose such taxes, directly or indirectly, has severely damaged and continues to threaten great damage to the ability of all state and local governmental units to borrow money for needed public improvements and has delayed many improvements and substantially increased the cost of those undertaken, to the detriment of the taxpayer; and

"Whereas, the continued attempts to impose such taxes violates the constitutional principle of reciprocal intergovernmental tax immunity first enunciated by the Supreme Court of the United States in *McCulloch* v. *Maryland* (4 Wheat 316) in the year 1819 and more specifically applied by that court in *Pollack* v. *Farmers' Loan & Trust Co.* (157 U.S. 429) and later cases; and

"Whereas, it is urgent and essential to the best interest of the citizens of this and all other states that definitive action be taken to insure against further attempts on the part of Congress to tax such interests earnings by amending the Constitution of the United States to unequivocally reaffirm the principle of reciprocal intergovernmental tax immunity and thereby to restore investor confidence in the market for such evidences of indebtedness and consequently reduce the burden incident to borrowing by the states, their political subdivisions, agencies and instrumentalities, and ultimately the burden on the taxpayer.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring that, in conformity with Article V of the Constitution of the United States, application is hereby made by the Legislature of Louisiana to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States which shall read substantially as follows:

" 'Article—.

" 'Without the consent of a state, the Congress shall have no power to levy or provide for the collection of any tax, direct or indirect, upon income derived from interest paid on evidences of indebtedness of such state or of any political subdivision, agency or instrumentality thereof, nor shall any state have power, without the consent of Congress, to levy and collect any tax, direct or indirect, upon income derived from interest paid on obligations of the United States or any agency or instrumentality thereof.'

"Be it further resolved that duly attested copies of this Concurrent Resolution shall be transmitted immediately by the Secretary of State of Louisiana to the President and Secretary of the Senate of the Congress of the United States, to the Speaker and Clerk of the House of Representatives of the Congress of the United States, to the Secretary of State of the United States and to each member of the Congress from the State of Louisiana.

"Be it further resolved that this Concurrent Resolution shall continue in full force and effect until December 31, 1975."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

H.R. 7618. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla. (Rept. No. 91–1003).

By Mr. EAGLETON, from the Committee on Labor and Public Welfare, with amendments:

S. 2108. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes (Rept. No. 91–1004).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. KENNEDY (for himself, Mr. Harris, Mr. Mansfield, Mr. McGovern, Mr. Mondale, Mr. Montoya, and Mr. Yarborough):

S. 4059. A bill to amend the Elementary and Secondary Education Act of 1965 in order to authorize pilot and demonstration projects for the improvement of educational opportunities for American Indian children, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Kennedy when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MANSFIELD:

S. 4060. A bill for the relief of Col. Paul E. Greiner, U.S. Air Force, retired; to the Committee on Armed Services.

By Mr. McINTYRE:

S. 4061. A bill for the relief of Elvira Russo Rossetti; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 4062. A bill to provide for the conveyance of certain real property, of the United States to the University of North Dakota, State of North Dakota; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 4063. A bill to transfer the enforcement functions of the Secretary of the Interior under the Federal Coal Mine Health and Safety Act of 1969, and the Federal Metal and Nonmetallic Mine Safety Act to the Secretary of Labor; to the Committee on Labor and Public Welfare.

By Mr. McCARTHY:

S. 4064. A bill to provide for payment of survivor annuities to the widows of certain former Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. MONDALE:

S. 4065. A bill for the relief of Peter Nicholas Pagotelis; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 4066. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act to provide the Law Enforcement Assistance Administration with the authority to render assistance to State and local civil courts; to the Committee on the Judiciary.

(The remarks of Mr. Tydings when he introduced the bill appear later in the Record under the appropriate heading.)

S. 4059—INTRODUCTION OF A BILL TO AUTHORIZE PILOT AND DEMONSTRATION PROJECTS FOR THE IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR AMERICAN INDIAN CHILDREN

Mr. KENNEDY. Mr. President, the Special Subcommittee on Indian Education, after extensive investigations and hearings, issued a final report with 60 specific recommendations. The first three recommendations were that a national policy commitment be made to establishing educational excellence for American Indians and maximum participation and control by Indians, and that the United States set specific objectives for fulfilling the education, health, housing and employment needs of American Indians. So far there has been some activity within the Bureau of Indian Affairs, and a lot of rhetoric in the Interior Department and from the National Council on Indian Opportunity, but substantive national goals and commitments have yet to be announced by this administration. The Indian people of this country have been waiting decades for our Government to make good on its obligations—obligations undertaken in return for cession of millions of acres of Indian lands—to provide the kinds of programs and services that can assure them a standard of living on or off the reservations commensurate with that of the general population. They should not have to wait another decade.

The majority of the Indian Education Subcommittees' recommendations were very specific, calling for legislative and administrative changes to strengthen Indian education programs. Some of these have been put into effect, including legislative action in the areas of bilingual education, school construction assistance, and the Teacher Corps. Within a short time I plan to introduce a general bill to implement further a number of legislative recommendations of the Subcommittee. Today I am introducing a bill to provide for grants for innovative demonstration projects to improve the education of Indian children.

Recommendation 21 of the Subcommittee Report:

> The Federal Indian School System be developed into an exemplary system, which can play an important role in improving education for Indian children.

The bill that I am introducing, with the cosponsorship of Senators Harris, Mansfield, McGovern, Mondale, Montoya, and Yarborough would provide funds for planning, developing, and operating exemplary programs, including innovative programs related to the education of deprived children; bilingual and bicultural education projects; special health and nutrition and related services; coordinating, planning, and operation of other Federal programs; in service and preservice training for personnel; and evaluation activities.

The benefits to be derived from demonstration projects are already seen in the activities at the Rough Rock Navajo School. The need for extending this concept is likewise clear.

The Rough Rock Demonstration School represented an attempt to break the conventional unimaginative educational practices of the previous century of Indian education. The Bureau of Indian Affairs agreed to turn over a new, $3 million school on the Navajo Reservation in Arizona, and the money allotted for its operation, to the Navajos for a new type of school. The Office of Economic Opportunity was anxious to stimulate experimental efforts at changing the traditional educational opportunities available to American Indians and granted over $300,000 for demonstration projects in native community involvement in education.

Rough Rock is run by a five-member Navajo school board. Only two of the members have had any formal education, and weekly board meetings are conducted in Navajo. The school is committed to the involvement of Indians in "their" school, and thus has become a symbol of Indian participation and control and has been extremely influential in shaping a new policy in Indian education.

Earlier this year the Navajo community at Ramah, N. Mex., initiated negotiations with the Bureau of Indian Affairs to reestablish a high school in that community. Although the elementary public school was still in operation, the high school was closed in 1967 and students were sent to off-reservation boarding schools. This winter the community decided to stop waiting for outside help and to take the initiative on their problem; they voted without dissent in favor of forming a school board and elected five members, only one of whom has gone beyond ninth grade in school. The community's ambition was the permanent establishment of a high school in the community, with local control of it.

After long negotiations the Bureau was able to respond, at least in part, to the problems at Ramah and in April committed itself to contributing a sum of money for each Indian child equal to the average per pupil cost of educating one Navajo child at a boarding school. The Office of Economic Opportunity and private foundations have committed additional assistance, and next fall Ramah will open with an enrollment of about 150 students.

At Rocky Boy, Mont., the Chippewa-Cree Tribe this past winter gained approval for controlling its own elementary school. The school will be financed through outside State aid and Federal impacted-area assistance, with some outside foundation grants. The community felt the importance of self-determination in educating its youth, and it presently appears that its efforts will be rewarded.

The history of the efforts at Rough Rock, Ramah, and Rocky Boy, however, does not suggest the ease with which progress and innovation come to Indian education projects. Rather, it attests first to the perseverance of individuals and communities in the drive for excellence and self-determination, and second to the kinds of results that can be obtained from Government commitments on exemplary and demonstration projects.

But these commitments are long in coming, and there is never sufficient funding or sufficient statutory leeway for innovative planning and coordination. What is needed is an injection of new funds and new flexibility in the planning Indian education programs. The legislation I am introducing today will provide the necessary ingredients.

I ask unanimous consent that a letter to the Vice President, together with a resolution of the Governor's Task Force on Indian Problems, be printed in the Record.

The ACTING PRESIDENT pro tempore (Mr. Eagleton). The bill will be received and appropriately referred; and, without objection, the letter and resolution will be printed in the Record.

The bill (S. 4059) to amend the Elementary and Secondary Education Act of 1965 in order to authorize pilot and demonstration projects for the improvement of educational opportunities for American Indian children, and for other purposes, introduced by Mr. Kennedy (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The material, presented by Mr. KENNEDY, is as follows:

U.S. SENATE,
Washington, D.C., June 26, 1970.

Hon. SPIRO AGNEW,
Chairman, National Council on Indian Opportunity, Washington, D.C.

DEAR MR. VICE PRESIDENT: One of the main concerns of the Senate Indian Education Subcommittee was the lack of coordination between Federal departments and agencies involved in Indian education programs. For example, the Subcommittee pointed out that both the Bureau of Indian Affairs and the U.S. Office of Education are concerned with quality education for Indian children, yet there is little, if any, sharing of ideas and resources between the two units.

To alleviate this situation, the Subcommittee recommended a more coordinated effort in this area by all departments and agencies concerned. The specific recommendation of the Subcommittee was:

"That the Department of Health, Education, and Welfare and the Department of the Interior, together with the National Council on Indian Opportunity, jointly devise a plan of action for a united effort between the two Departments for the development of a quality education program for Indian children, and that such plan be submitted to the Congress no later than March 1, 1970." (Recommendation 20)

Four months have elapsed since the March 1 deadline, and we have had no response from either of the Departments or from the NCIO.

This recommendation was endorsed by all members of the Subcommittee, and we therefore encourage your prompt response.

Sincerely,

EDWARD M. KENNEDY, RALPH W. YARBOROUGH, HAROLD E. HUGHES, W. B. SAXBE, WALTER F. MONDALE, PETER H. DOMINICK, HARRISON WILLIAMS, GEORGE MURPHY, ——— ———.

RESOLUTION BY GOVERNOR'S TASK FORCE ON INDIAN PROBLEMS

Whereas, Report No. 91-501 of the Special Subcommittee on Indian Education of the Committee on Labor and Public Welfare of the United States Senate made the following numbered recommendations with regard to the administration and funding of the Johnson-O'Malley Act, to-wit:

48. That each state applying for a Johnson-O'Malley contract should be required to submit a definite plan for meeting the needs of its Indian students.

49. That better accountability and evaluation procedures should be instituted at state and local levels.

50. That Indians should be involved in the planning, executing and evaluating of Johnson-O'Malley programs. A state or district's Johnson-O'Malley plan should be subject to the approval of the Indian participants.

51. That technical assistants should be hired by the Bureau of Indian Affairs to work with local agencies, State departments of education and Indian participant groups in helping to identify special Indian needs and in developing programs which would meet those needs.

52. That Johnson-O'Malley funding should not be conditioned by the presence of tax-exempt land.

53. That the expanded contracting authority authorized by the Act's 1936 amendment should be utilized for the development of curriculum relevant to Indian culture and the training of teachers of Indian students.

54. That tribes and Indian communities should be added to the list of agencies with which the Bureau of Indian Affairs can negotiate Johnson-O'Malley contracts and that full use be made of this new contracting authority to permit tribes to develop their own education and programs, and

Whereas, The Governor's Indian Task Force of the State of Montana meeting in Billings on this 4th day of April, 1970, concurs in said recommendations and wishes to express its full support of the same.

Now, therefore, be it resolved that recommendations numbered 48 through 54 inclusive, of said report are fully endorsed by the Governor's Indian Task Force, and the Task Force further urges all concerned units and responsible officers of the Federal and State Governments and the Congress of the United States and the Montana Legislature to take appropriate action to implement said recommendations.

S. 4066—INTRODUCTION OF A BILL TO AMEND THE SAFE STREETS ACT TO IMPROVE THE COURTS OF OUR NATION

Mr. TYDINGS. Mr. President, the serious problems of court congestion and delay produced by the use of archaic, inefficient judicial machinery continues to plague the courts of our Nation. In both our criminal and civil courts, the maxim "justice delayed is justice denied" has been woefully illustrated time and again.

Our national blue-ribbon commissions on crime, most notably President Johnson's Commission on Law Enforcement and the Eisenhower Commission on Crime, have stated that if we want to put safety back on the streets this must change. They have concluded that court reform must rank as a major front in our war against crime.

As part of the Safe Streets Act of 1968, Congress sought to meet this challenge. Unfortunately, however, the measure we adopted with regard to judicial reform represents only a half step. For while we authorize the Law Enforcement Assistance Administration to channel funds and information to the criminal courts of our State and local governments, we failed to also grant the LEAA express authority to provide similar assistance to our civil courts.

Mr. President, in the field of judicial administration, one thing is elementary. It is impossible to adequately cure the problems of our criminal courts without attending to the ills of our civil courts as well. The judicial machinery of many of our civil courts is highly enmeshed with the machinery of our criminal courts. And backlogs and delays on one side breed backlogs and delays on the other. Indeed, to try to solve the problems of our criminal courts without reforming our civil courts is to try to sweep back the tide with a broom.

Moreover, we must not forget the important bearing that our civil courts independently have upon law enforcement. Peaceful settlement of disputes in an appropriate forum is a basic concept of our democratic process. Indeed, our civil courts constitute an important part of the domestic peacekeeping operations of government. If our citizens lose faith in the courts as a means of settling their disputes and instead seek alternative answers for redress, our social order will be weakened, if not destroyed. Indeed, our urban disorders, in their own cryptic way, express a lack of confidence in the ability or willingness of our courts and other legal institutions to redress those grievances which helped seed the violence.

Mr. President, in the 89th Congress and again in the 90th Congress, I introduced the National Court Assistance Act, a bill that is designed to comprehensively meet the serious problems of our State and local courts—both civil and criminal.

The National Court Assistance Act has two main features. First, it establishes a grant-in-aid program to encourage and financially assist the modernization and improvement of judicial machinery in our State and local courts. Second, it serves to create a national reservoir of up-to-date information on court management and organization.

On December 22, 1969, I reintroduced this measure. And in February 1970, the Subcommittee on Improvements in Judicial Machinery, which I chair, held hearings on the subject matter.

At that time, Mr. Richard W. Velde, the Associate Administrator of the Law Enforcement Assistance Administration testified that the National Court Assistance Act was unnecessary because, in his words:

> Every major aim of this bill can be accomplished through the present statutory authority of LEAA.

Mr. Velde's interpretation that LEAA is authorized to provide grants and technical advice to civil courts was indeed encouraging news. But the more I talked to other knowledgeable officials about this problem, the clearer it became, unfortunately, that Mr. Velde's interpretation was strictly his own. This construction of the act has never been promulgated to State court judges and judicial administrators. It is unknown to State officials serving on State law enforcement planning agencies. And, this construction of the act is virtually unknown to other ranking officials within LEAA, itself.

Mr. President, when it comes to the critical task of improving our courts and fighting crime, I do not think Federal law can afford to be vague. Congress must articulate its understanding that slow-moving, congested, and inefficient civil courts can surely poison an otherwise healthy criminal justice system. And Congress must make it indelibly clear that LEAA has the authority to solve the serious problems existing in our civil as well as our criminal courts.

Mr. President, with this in mind, today I am introducing legislation designed to amend the Omnibus Crime Control and Safe Streets Act to make it clear that LEAA has the authority to assist the civil courts of our Nation.

I request that this bill be expeditiously referred to the Subcommittee on Criminal Laws and Procedures so that it may be considered in conjunction with other measures amending the Safe Streets Act that are now before this subcommittee.

Mr. President, I ask unanimous consent that my bill be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. BURDICK). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4066) to amend title I of

the Omnibus Crime Control and Safe Streets Act to provide the Law Enforcement Assistance Administration with the authority to render assistance to State and local civil courts, introduced by Mr. Tydings, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 4066

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307 of The Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, is hereby amended by adding immediately after subsection 307(b) a new subsection, 307(c) as follows:

"307(c) In making grants under this part, the Administration and each State planning agency shall construe the phrase 'comprehensive law enforcement plan' as found in section 201 and 'programs and projects to improve and strengthen law enforcement' as found in section 301 to encompass any plan, program, or project that is designed to improve the civil as well as the criminal courts of a State. Also, 'law enforcement' as found in Part D section 401 shall be construed as covering the activities of the civil as well as the criminal courts of a State."

ADDITIONAL COSPONSORS OF BILLS

S. 2108

Mr. EAGLETON. Mr. President, I ask unanimous consent that at the next printing the names of the Senator from Montana (Mr. Mansfield), the Senator from Oregon (Mr. Hatfield), the Senator from Wyoming (Mr. McGee), the Senator from Wisconsin (Mr. Nelson), the Senator from Missouri (Mr. Eagleton), and the Senator from New York (Mr. Javits) be added as cosponsors to S. 2108, a bill to promote public health and welfare by expanding, improving, and coordinating the family planning services and population research activities of the Federal Government, and for other purposes.

The **PRESIDING OFFICER** (Mr. Bellmon). Without objection, it is so ordered.

S. 3752

Mr. PEARSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Missouri (Mr. Eagleton) be added as a cosponsor of S. 3752, to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes.

The **PRESIDING OFFICER** (Mr. Bellmon). Without objection, it is so ordered.

THE MILITARY PROCUREMENT AUTHORIZATION ACT—AMENDMENT

AMENDMENT NO. 765

Mr. HATFIELD (for himself, Mr. Goldwater, Mr. Cranston, Mr. Scott, Mr. McGovern, Mr. Packwood, Mr. Young of Ohio, Mr. Dole, Mr. Stevens, Mr. Hartke, Mr. Schweiker, and Mr. Goodell) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, which was referred to the Committee on Armed Services and ordered to be printed.

(The remarks of Mr. Hatfield when he submitted the amendment appear earlier in the Record under the appropriate heading.)

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1971—AMENDMENT

AMENDMENT NO. 776

Mr. NELSON. Mr. President, on behalf of the Senator from California (Mr. Cranston), the Senator from Wisconsin (Mr. Proxmire), the Senator from Missouri (Mr. Eagleton), the Senator from Minnesota (Mr. McCarthy), the Senator from Indiana (Mr. Bayh), the Senator from New Mexico (Mr. Montoya), the Senator from New York (Mr. Goodell) and myself, I submit an amendment intended to be proposed by us, jointly, to H.R. 17923, the appropriations bill for the U.S. Department of Agriculture and related agencies, which will restore $4.5 million to support research to seek improved means of nonchemical means of pest control. These funds were initially requested by the Agricultural Research Service for research in this area but were deleted by the Department or the Bureau of the Budget.

Last fall, the U.S. Department of Agriculture announced plans to curtail the nonessential uses of DDT and other hazardous pesticides. The Department's first action to cancel four specific uses of DDT has been indefinitely stalled by the manufacturers of DDT who have initiated a long series of appeals which could delay final action for as much as 2 years.

In response to this delaying action, the Environmental Defense Fund, the Sierra Club, West Michigan Environmental Action Council, National Audubon Society, and Izaak Walton League filed suit in the U.S. Court of Appeals for the District of Columbia to force the Agriculture Department to suspend immediately all uses of DDT. The court was strongly persuaded by the case presented by the environmental lawyers and ordered the Agriculture Department to show cause why DDT should not be suspended immediately.

The Department responded last Monday that while "scientific evidence indicates that there are some adverse effects upon certain species of fish and wildlife" caused by DDT, it does not constitute an imminent hazard to human health. The Department further stated that it will not eliminate any uses of DDT which are essential to the public health and safety.

But which of the current uses of any pesticides can be considered "nonessential" in the absence of effective alternative means of pest control? Many effective, economical, alternative means or pest control have been developed to make many currently used persistent pesticides obsolete.

For example, the U.S. Department of Agriculture suggests an effective alternative for DDT on virtually every crop on which this most persistent pesticide is presently used. In addition, a host of nonchemical means of pest control have been applied with great success in many parts of the country, including the development of crop varieties that resist insect attack, the introduction of natural enemies into the pest's environment, insect sterilization, and integrated procedures which combine chemical and biological control measures.

However, it is my judgment that additional effective, economic alternatives could have been developed if the Agriculture Research Service had received the funds which it could have effectively used in recent years.

The Agriculture Department has admitted that its budget for the coming fiscal year lacks more than $4 million that could be effectively used for research in this area. Similar pest control research programs were underfunded by at least $4 million for the 1970 fiscal year. These funds were requested by the Agriculture Research Service but were deleted by the Department or the Bureau of the Budget.

Unless Congress provides the Agriculture Department with a firm mandate and sufficient funds for seeking improved nonchemical means of pest control, I am afraid most existing pesticide uses will be considered "essential." The result will find our environment further polluted by these long lived chemicals.

When the Senate considers the Agriculture Department's appropriation bill for the 1971 fiscal year, I plan to call up this amendment to restore $4.5 million to support additional research in this area.

I ask unanimous consent that the full text of this amendment together with a fact sheet outlining its purpose be printed in the Record at this point.

The **PRESIDING OFFICER** (Mr. Bellmon). The amendment will be received and printed, and will lie on the table; and, without objection, the amendment and fact sheet will be printed in the Record.

The amendment (No. 766) is as follows:

On page 3, lines 14 and 15, strike out "$157,346,200" and insert in lieu thereof "$161,846,200."

The fact sheet, presented by Mr. Nelson, is as follows:

Funds for Pest Control Research

(Senator Nelson's amendment to the agricultural appropriations bill)

PURPOSE

To restore $4.5 million for research to seek improved methods of nonchemical pest control.

WHY

This increase must be made now in order to accelerate development of effective substitutes for the persistent chemical pesticides now harming the environment.

BACKGROUND

In its agency budget proposal, the Agriculture Research Service requested an increase of more than $4 million for nonchemical pest control research. However, the Agriculture Department or the Bureau of the

Budget failed to approve the request. As a result, the ARS must not only reduce ongoing programs, but is prevented from accelerating already promising work and initiating essential new research.

EXAMPLES

Biological control—Using insect parasites, predators, and diseases to eliminate harmful pests.

Hormones—Disrupting the natural growth and development of pests by introducing certain hormones into its system at critical times.

Sterilization—Inducing sexual sterility in male pests through radiation or chemicals to reduce breeding potential.

Attractants—Using sex or food attractants to lure pests into a trap.

Integrated control—Primary use of biological control with limited use of selective chemicals.

PROGRAMS TO BE FUNDED

$2,165,000—Establishment of a research and development fund to implement pilot programs testing and evaluating biological control techniques in the field. Arizona, California, Florida, Georgia, Hawaii, Illinois, Kansas, Maine, Oklahoma, Washington, Wisconsin.

$1,500,000—Eradication of the cotton boll weevil against which 75% of all DDT is used. Columbus, Mississippi.

$165,000—Research on biological control of citrus fruit insects. Orlando, Florida.

$165,000—Research on biological control of tropical fruit flies. Miami, Florida.

$165,000—Research on development of hormones to disrupt insect growth. Beltsville, Maryland.

$110,000—Research on Biological control of grain sorghum insects. Stillwater, Oklahoma.

$110,000—Research on the use of sterile males, attractants and other biological controls of cotton insects. Phoenix, Arizona.

$60,000—Research on the control of horse parasites by nonchemical means. Beltsville, Maryland.

$60,000—Research on the use of harmless insects for the control of water weeds. Fort Lauderdale, Florida.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 763

Mr. McGOVERN. Mr. President, I ask unanimous consent, that, at the next printing, the names of the Senator from West Virginia (Mr. BYRD), the Senator from Indiana (Mr. BAYH), and the Senator from California (Mr. CRANSTON) be added as cosponsors of amendment No. 763 to H.R. 17923, the agricultural appropriation bill.

The PRESIDING OFFICER (Mr. BELLMON). Without objection, it is so ordered.

NOTICE OF HEARING BEFORE THE SUBCOMMITTEE ON SECURITIES ON SENATE JOINT RESOLUTION 202

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that the Subcommittee on Securities of the Committee on Banking and Currency will meet on Thurday, July 16, 1970, to hold a hearing on Senate Joint Resolution 202, to extend the time required for the Securities and Exchange Commission to file a report on its institutional investors study.

The hearing will be held at 2 p.m. in room 5302, New Senate Office Building.

NOTICE OF HEARINGS BEFORE SUBCOMMITTEE ON SECURITIES ON S. 2348, S. 3988, AND S. 3989

Mr. WILLIAMS of New Jersey. Mr. President, I wish to announce that the Subcommittee on Securities of the Committee on Banking and Currency will meet on Thursday, July 16, 1970, to continue hearings on S. 2348, a bill to establish a Federal Broker-Dealer Insurance Corporation.

During this hearing the subcommittee will also consider the bills S. 3988 and S. 3989, to provide greater protection for customers of registered brokers and dealers and members of national securities exchanges.

The hearing will begin at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this hearing should notify Mr. Stephen J. Paradise, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington D.C. 20510; telephone 225-7391.

NOTICE OF HEARING ON NOMINATION OF G. THOMAS EISELE, OF ARKANSAS

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, July 17, 1970, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

G. Thomas Eisele, of Arkansas, to be U.S. district judge for the eastern district of Arkansas, vice Gordon E. Young, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), chairman, the Senator from Nebraska (Mr. HRUSKA), and myself.

ADDITIONAL STATEMENTS OF SENATORS

USE OF TELEVISION BY BOTH POLITICAL PARTIES

Mr. MUSKIE. Mr. President, a most perceptive editorial appeared in the San Francisco Examiner, on Monday, June 29, 1970, commenting on the nationwide address of June 24, 1970, by the distinguished majority leader (Mr. MANSFIELD). Not only did the editorial agree with the substance, the true, and the spirit of cooperation reflected by the address, but further appreciated the significance of the majority party of Congress having the opportunity to respond to the growing use of television by the executive branch to advocate positions upon important national issues. The coequal status of Congress under the Constitution with the executive branch was fully intended by our Founding Fathers. As the editorial states:

> Similar rebuttals on a regular basis would result in a better informed public, and thus a sounder democracy.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TV REBUTTAL IS HELP TO PUBLIC

There is no denying that President Nixon, thanks to television, enjoys a tremendous political advantage over his critics. As the nation's chief executive, he—like his recent predecessors—gets free network time whenever he desires to explain and defend the activities of his Republican Administration.

A belated attempt to correct this basically unfair situation got under way last week. At the request of Democratic lawmakers, NBC-TV gave equal time to Senate Majority Leader Mike Mansfield for a reply to the President's noontime address on the economy exactly a week earlier.

Sen. Mansfield, a man we always have respected even while often disagreeing with him, came across just fine as spokesman for the loyal opposition. In disputing Mr. Nixon's assessment of the economy, and telling why, he gave the public a broader understanding of controversial issues than otherwise would have been fully presented.

It was the President's view that the Nation's economy, while admittedly unhealthy, is slowly responding to his tight money policies. Everything will be all right, he claimed, if the public has patience and if Congress gives him more cooperation in passing legislation he recommends.

Senator Mansfield was far less sanguine. In his view—and that of his colleagues—the economy not only is unhealthy but definitely in a worsening recession. Instead of hopefully waiting for good news, he said, the President should exercise far more vigorous leadership to halt inflation—and promised him every Democratic assistance if he would do so.

The Mansfield rebuttal, in our opinion, was a much needed response to Mr. Nixon's too optimistic report. It echoed our own conviction that the President could be taking firmer measures to ease the country's economic pains. It also helped correct the President's partisan innuendo that Democratic inaction is largely responsible for those pains.

We hope that the Mansfield broadcast will turn out to be a pilot program for similar rebuttals on a regular basis—a possibility now under discussion with the networks. Giving the President's responsible opposition equal time to reply to his broadcasts would result in a better informed public, and thus a sounder democracy.

PARTNERSHIP BETWEEN BUSINESS AND GOVERNMENT

Mr. FANNIN. Mr. President, there has been an increasing partnership between business and government in approaching our social problems.

A nation that, with the coordination of governmental and industrial talent, can put a man on the moon within a decade of concentrated effort, certainly can solve its other problems.

Illustrative of this new corporate awareness and attention is a recent publication by the Chase Manhattan Bank, reviewing its efforts in urban affairs.

Mr. President, I ask unanimous consent that the publication be printed in the RECORD.

There being no objection, the publication was ordered to be printed in the RECORD, as follows:

ONE CORPORATION'S EFFORTS IN URBAN AFFAIRS

American corporations have become increasingly involved in urban problem-solving since the late 1960s and have learned from the experience that there are no easy solutions to the hard problems of housing, education, employment and environment.

Along with other major corporations, commercial banks have clearly recognized the need for direct action on social issues. Three years ago, The Chase Manhattan Bank established a full-time Urban Affairs unit and formed an Urban Affairs Advisory Committee of 14 senior officers to coordinate its expanding range of programs.

Since that time the bank has planned, developed and implemented numerous programs for job training, community economic development, housing, remedial education, children's activities and financial grants.

Experience gained from these efforts has resulted in a continued modification of many activities and an intensified commitment for the future.

As David Rockefeller, chairman of The Chase Manhattan Bank, said recently, "We have to expand our social consciousness as we expand our range of technical conquests unless we are to conclude that all progress is bound to founder on the shoals of democracy. Profit must remain the yardstick, because it is the measure of our efficiency, but profit must be based more and more on calculations of social costs and benefits as well as private costs and benefits. We must accept the fact that economic growth is not an end in itself, but rather a means to a greater number of social as well as private ends."

MANPOWER TRAINING

Manpower training is both a social and economic need that has been a major action area for many corporations. Chase Manhattan has stepped up its efforts to recruit blacks and Puerto Ricans. Minority groups now constitute approximately one-third of the bank's nearly 20,000 employees in the New York Metropolitan area, in jobs ranging from entry level to officerships.

Many of the applicants are high school dropouts from New York's ghettos and depressed areas. Often, the traditional training programs of brief orientation and on-the-job experience are not enough to ensure the capability to move up to better and more meaningful jobs.

To counteract some of these problems, Chase in 1967 started the Job Opportunities in Business (JOB) program which couples remedial education with skills and job training over a six-month period. More than 300 high school dropouts or young men without marketable job skills have graduated from JOB.

Initially, the program was designed to help every student receive a high school equivalency certificate. "Then after two years' experience," says Arthur Humphrey, director of JOB, "we found out that the program wasn't really relevant to the guys. They told us so and we changed it. Six months wasn't enough time for many of the students to prepare for high school equivalency exams and they made us realize that we shouldn't be a substitute for the public education system. Now we have developed two tracks—one for those who want to prepare for the exam as well as for their job training and one for those who want academic instruction only as it relates to job skills."

Trainees previously underwent six weeks of full-time study in mathematics, language skills, and business fundamentals. Then they received on-the-job training for six months with two hours off daily for tutorial help. Under the new structure, JOB participants get four weeks of full-time remedial education. Then they move into a five-month period of alternate weeks on the job and in the classroom. Students are paired so that when one is on the job, the other is in the classroom. As a result, each student gets 350 hours of job training and 350 hours of remedial education.

Since 1964, the bank has also tried to encourage potential dropouts to stay in school through its Business Experience Training (BET) program which provides part-time jobs, training and bank orientation for high school seniors from high dropout areas. They get on-the-job training five days a week after school and are eligible for full-time positions upon graduation. Nearly 80 per cent of the BET participants have stayed with the bank after graduation.

COMMUNITY ECONOMIC DEVELOPMENT

Employee training programs are only one part of the picture in upgrading employment opportunities for the disadvantaged. Just as businesses need people to operate, cities need economically healthy neighborhoods to survive. The infusion of new business and new ideas is vital to stemming the tide of decay. For these reasons, Chase as a matter of policy has made an intensive effort to increase its loans to minority businessmen and to promote economically viable ventures in disadvantaged areas.

There are a lot of reasons why banks like Chase Manhattan must continue to make high-risk loans, the most basic being that banks are tied to the economy of the areas in which they operate. If the area does well, the banks do well.

Chase executive vice president, Thomas W. McMahon, Jr., chairman of the Urban Affairs committee of the American Bankers Association, recently announced the ABA's goal of $1 billion in minority entrepreneurial loans. In 50 urban areas, commercial banks including Chase Manhattan will strive to meet this goal for minority business by 1975. Managerial assistance in operations, accounting, marketing, and other areas will be offered by participating banks.

Experience has taught the bank that it is not enough to set a man up in business in this highly competitive environment if you don't help him obtain the assistance and knowledge to be successful in it. The learning process in high risk business development has been a challenging one for both the lender and the businessman.

"It would have been easier for the bank to continue to make high-risk loans only through a headquarters program," says Lawrence J. Toal, Chase vice president and director of the Community Economic Development program. "But, by working through the branches, it will be possible to reach many more people who have the potential to contribute to the economic betterment of the city. Our hope for the future is that many more loans can be made in New York City to people who for too many reasons and too many years have been excluded from the mainstream of economic growth."

As one Chase lending officer says, "It takes a lot more time to make a small business loan to a new entrepreneur than it does to make a loan of several million dollars to a major corporation. Many lenders have been scared off by this time cost, and probably all have had to deal with the problem of loan officers who may have considered a corporate loan more valuable to their career record than a lot of time spent on a small business loan.

"There sometimes seems no end to the difficulties in getting a small business started, particularly in ghetto or fringe neighborhoods. Even when you get an experienced businessman who understands pricing, marketing, quality control and all the other complex problems of running a small shop, he can still be wiped out overnight by a robbery. We know of one case where a shopowner was robbed six times in eight months. It's not easy to get insurance in a neighborhood with that high an incidence rate."

Until recently, most of Chase's entrepreneurial development loans were made through regular outlets such as its headquarters installment credit division, branches and its small business investment subsidiary, The Chase Manhattan Capital Corporation.

To strengthen its effort, the bank established the CED program to coordinate all high-risk lending and ensure managerial assistance to developing businesses.

Loans under this program are available for sound business proposals which cannot get funding through traditional lending channels because of inadequate capital or unproven managerial experience.

Responsibility for each loan is spread among a Community Economic Development officer, a Chase credit analyst and the branch lending person. Each coordinates with the other to make sure the entrepreneur is developing according to his projected rate.

"Managerial assistance is probably the most important factor in the Community Economic Development Program," says Mr. Toal. "Experience has taught us that loans don't go bad when the proper kind of assistance is provided. And, this means we spend a lot of time finding the right person for the job, be it an accountant, a quality-control expert or an industry specialist."

Since its inception, the Community Economic Development Program has made 134 loans totalling $3.5 million, the majority of them in retail, service and light manufacturing operations.

Loan proposals now come not only from Chase lending officers, but also from organizations such as the Small Business Administration, the Interracial Council for Business Opportunity, Coalition Venture Corporation, Bedford Stuyvesant Restoration and Development Corporation and Capital Formation.

Through its small business subsidiary, The Chase Manhattan Capital Corporation, the bank has established a program to increase the number of meaningful opportunities for veterans in developing small businesses. The Entrepreneurial Development Program, begun in February, 1970, with a small group combines expert bank counseling with classroom instruction and guarantees financing upon successful completion of the program. Each veteran has a senior and junior bank counselor to offer advice. Weekly three-hour classes are conducted in the evening by the Workshop for Business Opportunities at the Harlem YWCA. At the end of the training period, the veteran qualifies for a $25,000 loan from Chase Capital to start his business.

The Chase Manhattan Capital Corporation is one of the largest lenders to minority entrepreneurs among small business investment companies in the United States. This spring, CMCC announced the purchase of the $1 million-plus Watts Manufacturing Company, which was born in the aftermath of riots in the Watts section of Los Angeles in 1965. Under the purhase plan, 80% of the company's stock will be placed by CMCC in a trust fund for purchase by Watts employees. By 1977, the Watts Manufacturing Company will be the largest minority employee-owned and managed manufacturing enterprise in the United States.

HOUSING

The shortage of adequate housing facilities has reached crisis proportions in New York City. There is no indication that the demands of the future can be easily met.

It has become increasingly apparent that business can build good housing more cheaply and faster than government and is beginning to do so under the "turnkey" concept. Turnkey refers to housing financed and built by private developers and sold upon completion to the city government.

The Chase Manhattan Bank in the past year has financed a joint venture of the Celanese Corporation and American Standard, Inc. to develop five turnkey projects under Construction for Progress. The first was a 66-unit project built in Harlem in seven months, a construction time far below that of public developers. Four others in the South Bronx are now planned.

At present, Chase has made loans or has commitments outstanding for rehabilitation and renewal efforts in the city amounting to nearly $80 million. The bank's Real Estate and Mortgage Loan Department has also joined with other financial institutions to provide $100 million in mortgage funds for the rehabilitation and renewal of the Bedford-Stuyvesant area of Brooklyn.

In addition, the bank's senior management is closely involved in the efforts of such groups as the National Corporation for Housing Partnership and the National Urban Coalition Housing Task Force which are developing more efficient and effective means of housing production.

NEIGHBORHOOD ACTIVITIES

Government and business are by no means alone in working to solve the problems of the cities. Some of the most important contributions to neighborhood betterment in New York are coming from the people who live there. Grass roots organizations are tackling some of the most sensitive and difficult-to-solve urban problems.

The Chase Manhattan Bank Foundation makes annual grants totalling one and a half million dollars to organizations contributing to the well-being of the various communities served by the bank.

Most of the recipients of these grants have traditionally been well-established organizations in the social welfare, education and cultural fields. To increase its impact, however, the Foundation has established a Special Fund for Grants to Neighborhood Projects to provide grants of up to $1,000 to community organizations, especially smaller ones, many of which do not have the means or experience to seek support through normal foundation channels.

One such grant to Jobs for Youth, Inc. helps this small community organization in the Yorkville section of Manhattan offer job counseling, training and placement service to young people including a significant number of juvenile offenders referred by corrections authorities. Another grant supports a day care center. The Highbridge Conservation Program in the West Bronx has used its grant to help reverse the tide of neighborhood decay. An upper Park Avenue Community Association grant was used to develop a basic skills program for East Harlem residents.

Through its regular donations to nonprofit groups, the bank function has become involved in such areas as addiction control, civil rights, cancer research, consumer education, environmental control and conservation.

Financial aid to community projects is often coupled with "people aid" through the Chase Volunteers for Community Action program. CVCA was established to encourage staff members to become involved in the urban crisis and acts as a clearing house for matching volunteers with organizations Nearly 200 staff member volunteers have spent hours in the evening and on weekends tutoring, organizing sports activities and providing general assistance. In good weather, they sponsor field trips for young people to points of interest in and around New York City.

Chase Manhattan also sponsors a Summer-Interns-In-Public-Service program to give college juniors and seniors an opportunity to learn more about the urban problems of New York City and contribute to their solutions. Twelve students from colleges across the country are selected to work for ten weeks with private and public urban action projects in New York. The students receive weekly salaries of $125.

"All of these programs indicate an increased commitment by the bank toward social progress," says Chase urban affairs officer John B. Davies, Jr. "The field of corporate responsibility is still very young, however, and it will be many years before we fully understand how to solve our urban problems.

SOME CONCERNS ABOUT NATIONAL SECURITY—ADDRESS BY LT. GEN. IRA C. EAKER

Mr. TALMADGE. Mr. President, there was recently brought to my attention an excellent address delivered by Lt. Gen. Ira C. Eaker, U.S. Air Force, retired, at the Air War College on June 5.

General Eaker, who has a brilliant military record, was commanding general of all U.S. Army Air Forces in the United Kingdom in 1943, and in January 1944, was made Air Commander in Chief of the Mediterranean Allied Forces. Two years before his retirement in 1947, General Eaker was deputy commander of the Army Air Forces and Chief of the Air Staff. General Eaker, addressing the Air War College graduating class, delivered a thought-provoking speech on national security that I believe deserves the attention of the Senate.

I ask unanimous consent that General Eaker's address be printed in the RECORD at the conclusion of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SOME CONCERNS ABOUT NATIONAL SECURITY

(By Ira C. Eaker at Air War College, June 5, 1970)

General Clark, General Blank, Members of The Air War College Graduating Class, Ladies and Gentlemen.

No one here knows what I shall say today and none is responsible in any way for any of my comments. I alone bear the responsibility. This statement, like the warning on the cigarette package, is for your protection and continued good health.

There are two reasons for my presence here this morning. The first is illustrated by a war-time story I heard General Eisenhower tell in the summer of 1944, shortly after his forces crossed the English Channel to free Europe from the Nazis. He went on the night before D-Day to visit the 82nd Airborne Division, a few hours prior to the time it was to parachute behind the German lines. There he saw a little fellow who was obviously very frightened. The boy was probably only 16 years old. He had mis-stated his age by at least two years in order to be in the service at all. The General, in an effort to reassure the boy, engaged him in conversation. He said, "Son, do you like to fly in airplanes?" The boy said, "No, Sir, I hate it." He then asked, "Do you like to jump in parachutes?" The boy said, "No, Sir, it frightens me to death." General Eisenhower then said, "Well, paratroop units are voluntary organizations, why then are you in an airborne division?" The boy said, "Sir, I guess I just like to be with people who fly in airplanes and jump in parachutes."

Paraphrasing the frightened little paratrooper, I like to be with military people and especially professional leaders long dedicated to the security of our country.

The second reason for my being here is because my major interest and concern for fifty three years, since entering the military service in May 1917, has been the national security. I believe our country is in greater danger today than at any time in its history. Despite the fact that it is faced with the most powerful enemy it has ever had, it is now, incredibly, engaged in disarming.

Our people appear unaware of their peril and there is an alarming paralysis of leadership. We have no Churchill or Lincoln with the vision and courage to warn and unite our citizens to the effort required for survival.

It is my hope that by sharing my concerns I can enlist, if not your support in remedial action, at least your thoughtful consideration of some of our problems with possible solutions.

My remarks will fall into three subdivisions, a brief look at the Vietnam War, my analysis of President Nixon's defense policy and some suggestions on what we in the military service could and should do to awaken our people to their peril.

I

It would never occur to me, in speaking to a War College class, not to discuss a war in progress, especially one of the magnitude of the Vietnam War. It is now the longest war in our history; more than six million Americans have been engaged; 50,000 have died and 200,000 have been wounded, and it has cost us more than $100 billion.

I have sometimes summarized the Vietnam War by saying that if we had fought World War II like we have Vietnam, Hitler would control all of Europe today and Japan all of Eastern and Southeastern Asia and the Pacific west of Honolulu.

When a nation with the resources of the U.S. fails to accomplish a military mission against a nation the size of North Vietnam, it must be obvious to the most myopic that there have been errors in strategy or tactics or both.

The first and fundamental error of course was to fight an undeclared war and the failure of our leadership to marshal our resources and obtain popular support, as in our earlier wars (except Korea where we failed to win anything but truce and stalemate).

The next decisive error, made by our political leadership, was to engage in a massive land war where every advantage lay with the enemy and the failure properly to employ naval and air power. This, combined with the creation of sanctuaries for the enemy, and placing unreasonable restrictions on our forces has made victory impossible.

Another major concern about the Vietnam War is the widely held contention that air power has failed in Vietnam. I see or hear almost every day some commentator's statement that "of course air power is ineffective in a guerrilla war."

As a matter of fact it has been clearly demonstrated in Vietnam that air power alone has the quick response and the detection capability to deal effectively with guerrillas. When guerrillas cannot, even in the densest jungle, light a fire to cook their rice and boil their tea without being detected and suffering a rain of bombs, it should be obvious that it was not air power which failed in Vietnam but the fact that it has been employed improperly.

This degradation of air power in this war must not be allowed to prevail for this will adversely affect force structure and weapons procurement in the future. I do not need to labor this point with this audience, since many of you have served in Vietnam and all of you know why we have not long since ended that conflict. But I do suggest that all of us must make a much greater effort to inform our people and convince our leadership of these facts. Otherwise our future security is in certain jeopardy.

II

My next major concern about national security lies in the loss of the deterrent credibility of our strategic posture.

I was deeply concerned during the eight years when McNamara was Secretary of Defense, in his unilateral disarmament program, based naively upon the conviction that the USSR would be happy to follow suit. I thought when it was initiated that it was unsafe and unwise and subsequent events have completely verified this estimate.

At the time of the Cuban missile crisis our strategic superiority was four or five to one. The Kremlin had no alternative but to comply with President Kennedy's ultimatum.

The Politburo learned that lesson well, threw Khrushchev out, and began at once an all-out effort to gain strategic superiority. This they have now achieved. Secretary of Defense Laird recently told a Congressional Committee that Russia's nuclear delivery capability was at least twice that of the U.S. in megatonnage. It is long since evident that the Kremlin is not satisfied with strategic parity, since they continue to improve their strategic posture at forced draft.

In this situation the critical question is: What will the President, our Commander-in-Chief do? Is he aware of the loss of our strategic superiority and what will he do about it? When he was a candidate for the Presidency, Mr. Nixon's campaign speeches expressed grave concern about Russia's growing strategic strength coincident with our unilateral disarmament. It has surprised me therefore that the process of U.S. disarmament has accelerated under the first two Nixon budgets.

This is my present analysis of the Nixon defense policy:

He will go to the country this Fall, in an effort to elect a Republican Congress, by reminding our people that he expressed the hope that we are leaving a period of confrontation with the Reds and moving into a period of negotiation. Since he became President, therefore, he has reduced our defense budgets by more than $10 billion and has not deployed a single offensive strategic weapon, relying upon SALT to provide for our continued security through negotiation. In the meantime, Mr. Nixon will continue to wind down the Vietnam War, reducing by more than half the extent and cost of that conflict and reducing our armed forces by about one million men, military and civilian.

Whether this plan will be politically effective, resulting in Republican control of Congress, I cannot say, not being a politician or political commentator. But I am certain, having spent fifty years as a Red watcher, that it will not favorably influence Kremlin policy. The USSR will never agree to return to strategic inferiority or parity at Vienna or anywhere else. There is no evidence that they have abandoned their plans for world domination and they know that parity is not the route to success in that area.

Instead of the period of negotiation, for which the President hopes, we shall, I believe, have a period of Red nuclear blackmail. Taking advantage of their strategic superiority, the Reds will begin to show their muscle and make hostile demands. Already since achieving superiority they have become much more aggressive. Their air and sea bases in North Africa, their missiles and fighters in Egypt, their growing naval thrusts into the Mediterranean Sea and Indian Ocean provide unmistakeable evidence of this.

On May 20th last their missile ships returned to Cuban waters and U.S. intelligence reports that Russian bombers are now using Cuban bases.

Faced then with positive evidence of Red truculence and blackmail, President Nixon will go to the American people in his own reelection bid in 1972 reminding our people and all the world that he bent over backward in an effort to support SALT. He even continued our own strategic disarmament for two years despite certain evidences of the Red strategic arms build-up. Since this effort failed, he proposes to begin at once to restore the strategic imbalance. He can point out that since we have twice the economic resources of the USSR we can and will do this without further delay. Such a campaign promise will be very effective as our people will by then have ample warning of the hazard in strategic inferiority, the loss of the credibility of our deterrent posture.

There is a danger in the Nixon defense strategy as I have outlined it. The Reds may not permit our rearmament. Over the Hot Line from Moscow could come this ultimatum: "As you know, Mr. President, we now have your land-based ICBM's well covered with our SS9's. Your own Secretary of Defense has told your Congress that we can destroy 95% of your ICBM capability in a surprise first strike. The only thing we now have to fear is your Polaris and Poseidon nuclear submarines. We now order you to send these vessels into the Black Sea where we can be sure they are disarmed. You will be wise to comply, since each of your subs at sea is now tailed by two of our killer subs which can destroy your ships at will."

In such a circumstance, when the USSR has about the same strategic superiority, four to one, which we enjoyed at the time of the Cuban missile crisis, the President will have no alternative but to comply with the Red ultimatum as Khrushchev responded in 1961.

What can be done to avoid such a tragic surrender?

First, at least half of our bomber force must be on airborne alert at all times. This bomber force must be modernized by the early development of the B–1 including its decoys and missiles.

Next, the Minuteman III and MIRV program must be pushed at maximum effort.

Then these more long-ranged steps must be taken, but initiated now:

The AWACS (Air Borne Warning and Control) system must be expedited.

We must make our land-based ICM's mobile, putting them on trucks as the USSR is now doing.

The Navy's recommendation for faster, quieter submarines must be approved.

In the meantime the ABM deployment must be expedited. It is obvious that such a system improves the credibility of our deterrent posture. The Reds believe in ABM effectiveness. They continue to develop and deploy such a system.

High on our priority list must be the rehabilitation of our Air Defense Command, including the earliest possible deployment of an interceptor like the F–12, capable in performance and in numbers of dealing with the Red bomber force. For the first time it now exceeds our own bomber capability. They now have two or three hundred heavy bombers capable of reaching any U.S. target and 700 medium bombers which can reach any U.S. target with air refuelling and they have such refuelling capability. The USSR also is now flight-testing a supersonic bomber like our proposed B–1.

Our own bomber force, as all of you know, numbers 450 B–52's now 20 years old plus 150 F–111's, medium ranged bombers which are grounded.

One of the most effective measures to restore the credibility of our ICBM deterrence would be to devise a system for automatic launch, sometimes called launch on warning. If an enemy knew that when his ABM's were launched it would trigger the release of our own and that the SS9's would hit empty silos, there would be little prospect that even a mad man like Hitler would try a pre-emptive attack.

All the evidence suggests that the USSR is marking an extensive effort in space weapon capability. To their FOBS capability has lately been added the launch of a space weapon capable of destroying our reconnaissance satellites. Without our spy satellites our warning vanishes and our deterrent capability entirely disappears. We then become the "helpless, blind giant," recently referred to by President Nixon.

The U.S. must develop a space capability to overhaul, inspect, and, if need be, destroy any enemy space weapon or satellite.

Perhaps our greatest present deficit vis-a-vis the USSR is in research and development. The U.S. program in R&D has become less and less, year by year and it is now considerably inferior, by any measurement, to that of the USSR. This assures the dismal prospect that in the years ahead the Reds will have strategic weapons of superior quality. Herein probably lies our greatest future danger.

With budgets at present levels, each of the armed services must review their weapons needs and establish priorities. These priorities must be coordinated at the JCS and DOD levels to insure that they mesh, are reciprocal and eventually will cover the whole security spectrum without duplication.

III

I am aware, of course, as you probably are, that few if any of these courses of action I have suggested as necessary to regain and retain the credibility of our deterrent strategic posture can be taken in the present political climate in this country.

We are now tragically and incredibly, for the first time in our history, witnessing large-scale treason. A traitor traditionally is one who knowingly gives aid and comfort to the enemy. A considerable number of our citizens, some in high places, have been engaged in treasonable acts and statements for some time. They hide behind the legal fiction that we are engaged in an undeclared war and there is therefore no official enemy.

I believe that when some historian of the future does the job on us which Gibbon did on Rome he will find that the first certain evidence of our decline was our tolerance of treason.

Another popular and political manifestation inimical to the national security is the attack on the military establishment and its people. The left-wing spate of invective and antipathy against the so-called Military-Industrial Complex and the demand of many college presidents, faculty members and campus revolutionaries that ROTC be eliminated are two other very dangerous manifestations of this condition.

The determination of pacifist groups and Congressional doves to reduce defense appriations and deny needed new weapons systems is but further evidence of the dangerous political and popular climate in which we live today. While some of this is, of course, Communist inspired and agitated by the traitors I mentioned earlier, many patriotic citizens simply do not believe that the Reds represent a menace to our present and future security.

In earlier times since World War II, whenever our defenses were at low level and military appropriations were reduced dangerously, the men in the Kremlin always came to our rescue. They invariably made some offensive gesture or took some definite hostile action to warn our people and our leaders of their hazard. Greece, the blockade of Berlin, Korea, the Cuban missile crisis and the invasion of South Vietnam fall in this category.

Some observers feel the present Soviet leaders are too smart to make that mistake now. I do not agree. I think they are showing more truculence, more muscle and less evidence of a desire for peaceful co-existence and accord than at any previous time. Their expanding fleets in the Mediterranean Sea and Indian Oceans, their missile ships sailing into the Caribbean, their bombers in Cuba and their missiles and fighters in Egypt, give ample evidence of aggressive designs.

The new factor in this warning process is that Russian aggression no longer worries U.S. leaders or disturbs the American people. Those who urge us to continue unilateral disarmament really do not believe the Reds represent a threat to the U.S. or to Free World security.

Now we come to the crux of the matter. What can we who realize our hazards do to awaken our people to their peril?

Military men have a dual responsibility. They must, of course, maintain the highest professional competence. They must at all times be prepared to execute any mission directed by the Commander-in-Chief despite any private opinion or personal hazard.

In addition they must exercise maximum influence to acquaint their fellow citizens with all pertinent facts concerning the strategy, tactics and weapons essential to that security. It is in this area I think we of the military have been most remiss in recent years. I credit McNamara's extraordinary effort to muzzle the military with much of the silence and detachment of men in uniform during the last few years. But McNamara is gone, fortuitously, and leaders of greater wisdom and sounder judgment have replaced him. Military men can regain their citizenship.

In earlier times when we had only a few thousand military officers we made a much greater effort and were much more successful in communicating with our people on all aspects of national security. If we do not return to this effort, achieve greater success and obtain more support and resources for the defense mission we shall not have the weapons, the forces, the budget and the popular support requisite to a safe defense posture.

I am doing all that I can in this area, more than at any time in my life, since the need is now infinitely greater, and I exhort each of you wherever you are and in whatever way you can to inform and influence our people about what must be their number one concern, the credibility of our defense posture, the security of our country.

I regret that I have not delivered a more cheerful message today. But these are not happy days. They are dangerous times. They call for extraordinary concern and involvement by all patriotic citizens and demand the careful selection of courageous leaders.

The Air Force is not the only military element in our defense system, of course. The land and sea approaches must be protected as well as the air and space frontiers. But there can be no credible deterrent defense posture without an effective aerospace force. For that reason I shall be hoping and praying for your complete success in your future professional careers. As you its future leaders go, so goes the Air Force. As the Air Force goes, so goes the national security.

SENATOR WILLIAM PROXMIRE: WHAT MAKES HIM RUN?

Mr. SYMINGTON. Mr. President, an interesting article about the distinguished Senator from Wisconsin (Mr. PROXMIRE) appeared in the June 19 issue of Science magazine. As one who has had the privilege of serving with him on the Joint Economic Committee, I believe the author correctly points out the very important role Senator PROXMIRE has had in revealing the gigantic waste of the taxpayers' money which has been characteristic of many of our defense programs.

In order that other Senators will have an opportunity to read this article, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR WILLIAM PROXMIRE: WHAT MAKES HIM RUN?

(By William Connelly)

(NOTE.—William Connelly is the Washington correspondent for the Winston-Salem, N.C., Journal and Sentinel.)

Senator William Proxmire, one of the Pentagon's most persistent critics, leads the kind of disciplined life that a military man might admire. He awakens each morning at 6:30, performs a half-hour of calisthenics, eats a breakfast of juice, whole wheat toast, and skimmed milk, and then runs the full 5 miles from his home in Washington's Cleveland Park to Capitol Hill.

"Remember, now. He doesn't jog He runs," cautions a friend. "The distinction is important to him." Consistency is also important to him. The running and exercise are always observed, even if he has an early morning appointment or if he is in another city. At age 54, the senior senator from Wisconsin is lean, muscular, and youthful from this regimen.

His workday is as disciplined and programmed as the chaotic nature of Senate life will allow. But no matter how busy the schedule, he refuses to miss a roll call vote on the Senate floor. He has not missed one since 1966, probably a record in the modern era of year-round sessions.

Proxmire's office also has a spartan, military character. No paintings or pictures grace the walls. The furnishings are plain and functional—a stark contrast to the carpeted elegance in which most of his colleagues like to work. Even the staff meets high disciplinary standards: an employee who is tardy on too many mornings loses part of his vacation.

Despite this well-ordered style of life, Proxmire is not dour, stuffy, or unpleasant. He is as amiable and well liked as anyone in the Senate. But it is easy to understand why, many years ago, his classmates at the Hill School in Pottstown, Pennsylvania, voted him the "Biggest Grind."

In many ways he has become the biggest grind in the Senate during the past 13 years—a grinding critic of wasteful spending, a scourge of the Pentagon, a tormentor of sacred cows (except those that produce milk in Wisconsin), and an advocate of strict senatorial ethics. He manages to combine all these roles with a consistent social liberalism, a demonstrated concern for the poor, the black, and the young.

Proxmire has emerged in the past 2 years as an important figure in the growing public debate over national priorities. As chairman of the Joint Economic Committee of Congress, an advisory and investigative body, he has searched for waste in the federal budget and has criticized many of the choices this country has made in its public spending. He has also contributed to the dialog by holding unique hearings—in July 1969 and again this month—at which national leaders from many fields are invited to say what they think the nation's goals should be.

Proxmire's committee assignments do not give him much direct leverage in scientific or environmental affairs, but he sometimes plays a useful provocative role with respect to such matters. In April, for example, Proxmire was the first witness to appear at subcommittee hearings chaired by Senator Edmund S. Muskie of Maine on legislation to curb water pollution. He proposed a system of "effluent charges" which would require firms to pay in proportion to the strength and quantity of the wastes they discharge into rivers and streams.

QUESTIONS SST

Although the effluent charge concept is neither new nor proven, Proxmire was pushing the subcommittee to consider an idea that has not received the careful consideration it deserves. He had first become interested in the idea through the testimony of a resource economist before his Joint Economic Committee. Recently, Proxmire threw cold water on the administration's supersonic transport project by holding hearings at which two administration officials—Russell E. Train, chairman of the Council on Environmental Quality, and Gordon J. F. MacDonald, a member of the Council—acknowledged that the SST might be too noisy to operate and that this aircraft might produce major and possibly disastrous, environmental effects by susbtantially increasing the water vapor in the atmosphere.

Although Proxmire is not one of the more powerful senators, he is not without influence in asserting his views. He is in line to succeed John Sparkman, the 70-year-old Alabama Democrat, as chairman of the Banking and Currency Committee, which deals not only with business and financial institutions but also with housing and urban assistance programs. He is also on the Appropriations Committee, where every seat is one of influence.

The scientific community has an obvious stake in the outcome of the debate over allocation of national resources. But some of its members have a more immediate interest in Proxmire's activities. He is now scrutinizing the $800 million that federal contractors in the defense and aerospace industries receive each year to pay overhead costs of independent research and development. The companies do not have to account specifically for how these funds are spent in bolstering their research capability. But if Proxmire has his way, these unrestricted payments will be eliminated almost entirely, and each R & D project will have to be contracted for a specific government purpose.

Proxmire's admirers see him as a freewheeling critic and educator, a loner who makes a full-time job of sniffing out abuses, raising sensitive issues, and demanding that something be done about them. "Some senators concentrate on influencing their colleagues," says a friend. "He tries to get the word to the public and let the public influence his colleagues."

During his early Senate years, Proxmire's detractors said he talked too much on too many subjects and with too little authority. Some still make that complaint. But in recent years he has chosen his targets well, has hit his share of bull's-eyes, and is beginning to draw an audience.

Most recently, Proxmire has sought to impose some discipline on the Pentagon's weapons-procurement officers and on their friends in the giant defense industry. He has done much to make it socially and patriotically acceptable in Congress to question the $80 billion annual defense budget, which consumes almost half of each tax dollar.

As chairman of the Joint Economic Committee in 1969, Proxmire conducted hearings that the military-industrial complex will not soon forget. He revealed billion-dollar cost overruns on major weapons systems such as the C–5A cargo plane, the Minuteman missile, and the Navy's submarine rescue vehicle. Even worse, Proxmire showed that many new weapons are delivered late and do not work according to specifications—yet the contractors are not penalized.

Most important, perhaps, the Proxmire hearings shed light on the interlocking relationship between the Pentagon and the defense industry: some 2100 retired military officers now work for the 100 major defense contractors, and many Pentagon officials came to their jobs after working for these contractors.

Revelations such as these, combined with public disenchantment over the Vietnam war, have been largely responsible for the new congressional skepticism about military spending. Although the Pentagon budget is still wrapped in the flag, as far as most congressmen are concerned, it has been less sacrosanct since Proxmire and a few others, began producing evidence of waste.

In the Senate's clubby atmosphere, it sometimes takes a loner, a maverick, to step to the front on a sensitive issue like military spending. But Proxmire has always been willing to stick his neck out. He had been in the Senate less than 18 months when, in 1959, he took the floor to criticize the leadership methods of Senator Lyndon B. Johnson, then the all-powerful majority leader.

He was one of the early critics of the space program, arguing that manned flights were too expensive unless undertaken jointly with other nations. He was among the first to oppose funds for the supersonic transport. He has even startled his colleagues by questioning the need for certain public works projects in their states. And he has argued that senators should be required to disclose their financial interests to the public.

THE LA FOLLETTE TRADITION

Such performances generally please the voters of Wisconsin, the state that during the first half of this century cherished the political independence, idealism, and aggressive liberalism of Robert M. La Follette and his Progressive Party. To some extent, Proxmire's record in the Senate is in the La Follette tradition. Certainly it is a marked contrast to the career of Proxmire's predecessor, Joseph R. McCarthy, who shocked the nation and discredited himself with his abrasive tactics in searching for Communists in government. Some of Proxmire's friends like to feel that he has, in a sense, redeemed the Senate seat by using the investigative process responsibly and effectively.

Proxmire's life has been characterized by a spirit of independence and persistence. He grew up in a conservative Republican family in Lake Forest, Illinois, a Chicago suburb, where his father, Dr. Theodore Proxmire, was a prominent physician. "My father was always a very tolerant man," the senator recalls. "But his window on the world was the Chicago Tribune editorial page . . . He just wasn't exposed to other views, as I have been."

After Bill Proxmire entered politics, his father was once quoted as saying, "I didn't raise my boy to be a Democrat. Harvard's where it happened." That was pretty accurate. Proxmire graduated from Yale in 1938 and from Harvard Business School in 1940, then followed a well-worn path to Wall Street, where he worked briefly for J. P. Morgan & Co. While stationed in Washington with Army Intelligence during World War II, he acquired an interest in politics. After the war, he returned to Harvard for a degree in public administration (1948), did some teaching, and became a registered Democrat.

"I began to notice," Proxmire recalled in an interview, "that on all the critical problems the Republicans found reasons not to act, while the Democrats worked at solving the problems. It made a tremendous impression on me."

Proxmire is candid about his reason for moving to Wisconsin. He was looking for political opportunity and had narrowed his prospects to New Mexico, California, and Wisconsin. Wisconsin seemed promising because its Democratic Party, always small and ineffective, was beginning to show new signs of life. For years, the Wisconsin Democrats had run a poor third to La Follett's Progressives and the Republicans. But when the La Follette party disbanded after World War II, the Democrats were presented a golden chance to rebuild. The party had much to offer a young man in a hurry.

As a foothold, Proxmire took a reporting job with the Madison *Capital Times*, a liberal Democratic newspaper. It was a short and unhappy association. Proxmire was fired within 7 months, after frequent arguments with his editor over what constituted objectivity. But by then he had enough contacts to land another job there with the *Union Labor News*, which proved a more appropriate outlet for his enthusiasm.

Soon Proxmire was deeply involved with the young, liberal forces, centered mainly at the University of Wisconsin, which were seeking to revive the Democratic Party. He won a seat in the legislature in 1950, after an exhausting campaign in which he claims to have visited every home in his district and to have mailed each family a handwritten letter. (To this day, he is known as a tireless campaigner who thrives on handshaking and personal contact.)

For this feat, he was given the Democratic nomination for governor in 1952. To no one's surprise, he lost. He tried again in 1954 and in 1956, coming closer each time but still losing. By every normal measure, his career was finished. Already he had become, like Harold Stassen, the brunt of jokes about perennial candidacy.

After this 1956 loss, Proxmire married Ellen Hodges, an officer of the state Democratic Party. (Both were divorced; both had two children.) He settled to a quiet life running a printing business. But when Senator McCarthy died on 2 May 1957, Proxmire's ambitions were revived. He was, after all, the best known and most experienced statewide Democratic candidate, and he could prepare quickly for the August special election, which would fill the Senate seat for the remaining 16 months of McCarthy's term.

He warmed up by defeating Congressman Clement Zablocki of Milwaukee in a primary. Then he was, as expected, a decided underdog in the special election against Governor Walter J. Kohler, who had beaten him in 1954 and 1956. *Time* magazine brushed Proxmire off as "a chronic candidate . . . classed in Wisconsin among the political sideshows."

But the scoffers were overlooking the progress that Proxmire and his party had made in the three previous races and in the passionate but losing presidential campaigns for Adlai Stevenson. Proxmire may, in fact, have turned the loser image to his favor. He told the voters, "My opponent doesn't know what it is to lose. I do. And I'll welcome the support of the voters who do too. I'll take the losers. I'll take the debtors. I'll take those who've lost in love, or baseball, or business. I'll take the Milwaukee Braves. The next senator from Wisconsin should be one who has known defeat."

To almost everyone's astonishment, Proxmire won.

He proceeded to a wild first year in Washington, during which his mind was constantly on the coming 1958 election. He almost set a record for speeches on the Senate floor (a reported 450 pages in the *Congressional Record*), conducted a one-man filibuster on the Chicago lake diversion bill, and proposed programs that would have added $23 billion a year to the federal budget.

Proxmire won his own 6-year term by a 57 percent vote in 1958. But those spending bills haunted him in the campaign. The Republicans called him "Billion-Buck Bill." President Eisenhower and Vice President Nixon singled him out in campaign speeches as a big spender. "It was only after that experience," says a Wisconsin Republican, "that Proxmire became the watchdog of the Treasury."

If the talkative, aggressive Proxmire was taken lightly during his early days in the Senate, that is no longer the case. He has developed a reputation as a thorough, persistent legislator who does his homework.

If he is a maverick, he is a popular one. "He's so pleasant and accommodating," says one Senate friend, "that no one really dislikes him. . . . But he's so beautifully disciplined and programmed that sometimes we wonder what the real 'Prox' is like. He's the kind of guy you'd like to slip three or four drinks, just to see what would happen."

His reputation as a maverick may be overstated. The Democratic leadership, for example, is usually confident of getting Proxmire's vote on social legislation and on important party issues. "He votes on the low side for appropriations for a program," says one man, "but he always votes for the program. We consider him a liberal."

Yet there is a conservative streak in Proxmire that surfaces repeatedly. For one thing, his economic views are frequently those of a businessman. And he gets ample opportunity to assert them on the Banking and Currency Committee and on the Appropriations Committee. He also has made a valuable forum of the Joint Economic Committee, on which he rotates the chairmanship annually with Representative Wright Patman of Texas.

Certainly two presidents, John F. Kennedy and Lyndon Johnson, have called Proxmire a maverick. They found that neither friendship nor party loyalty would keep the Wisconsin senator in line.

Early in the New Frontier administration, when congressional Democrats were striving to help the new president, Proxmire exhibited his stubbornness. He filibustered for 19 hours in an unsuccessful attempt to block Kennedy's appointment of Lawrence J. O'Connor, Jr., a former oil company executive, to the Federal Power Commission. Then he blocked a key Kennedy farm program. But when the Milwaukee Democratic chairman complained, Proxmire retorted, "I was elected by the people of Wisconsin, not by the President."

Lyndon Johnson's first sting from Proxmire came on Washington's birthday, 1959, when the new senator from Wisconsin took the floor to deplore Majority Leader Johnson's domination of the Senate. To Johnson, this was rank ingratitude. Only a few months earlier, Johnson had bypassed older members to give Proxmire a seat on the Agriculture Committee, an ideal spot for a dairy-state senator. But to Proxmire, all that mattered was that more senators should have a hand in making party policy.

After the speech, there was a saying that on 23 February the Senate heard two addresses: Washington's Farewell Address (read annually) and Proxmire's Farewell Address. "Other senators called me and said 'Give it to 'im, Proxmire,' " he recalls. "But nobody would join me. . . ." Some say L.B.J. never forgot that speech. Proxmire insists, however, that it was not held against him. "President Johnson was a professional politician," he says. "He didn't bear that kind of grudge."

Some of Proxmire's closest friends in the Senate have also been known as maverick Democrats—Paul Douglas of Illinois, Wayne Morse of Oregon, and Joseph Clark of Pennsylvania. All three are gone now—Douglas was defeated in 1966, Morse and Clark in 1968—but Proxmire continues to operate in their tradition of outspokenness and independence.

He was especially close to Douglas, a respected professional economist, and has carried on much of Douglas' work. It was Douglas who initiated, a decade ago, the slow and unpopular inquiry into Pentagon spending. The administrative assistant who helped Douglas in the early effort, Howard Shuman, now works for Proxmire.

The year after Douglas' defeat, Proxmire picked up a truth-in-lending bill that Douglas had been pushing for 7 years, agreed to a few compromises, and got it through the Senate by a vote of 92 to 0. Proxmire also developed and put into the 1968 housing act some of Douglas' ideas for stimulating innovative housing experiments.

Proxmire and Douglas were allies in at least one historic floor fight. In July 1965, they began a filibuster that ultimately defeated Senator Everett Dirksen's proposal for a constitutional amendment to overturn the the Supreme Court's one-man-one-vote ruling on apportionment of state legislatures.

Now, with his disclosure of the Pentagon's financial excesses, Proxmire has made an important contribution to a growing campaign to reduce defense spending. The military budget still is hard to touch in Congress, as evidenced by the easy House passage last month of the huge procurement appropriation for fiscal year 1971. But this year, for the first time, there was an organized lobbying effort aimed at cutting this budget.

Proxmire points out that, since his committee's hearings and since the Senate debate on the Safeguard antiballistic missile system, both Congress and the Administration have been cutting the defense budget. The Pentagon got $77.9 billion in fiscal 1969, but its budget in fiscal 1971 will be about $71.2 billion. "I think we are creating an atmosphere now in which the budget can be cut," Proxmire says. "I think we are just beginning."

In his recently published book *Report from Wasteland,* Proxmire contends that the United States could cut $10 billion from annual defense spending without endangering national security. He deplores the arms race, which he feels is based on an exaggerated view of the Soviet Union's military and economic strength. And he advocates establishment of an independent civilian arms procurement agency to act as the military's purchasing office.

Proxmire also warns, as President Eisenhower did a decade ago, about the influence of the military industrial complex. "The complex has more tentacles than an octopus," he says in the book. "Its dimensions are almost infinite. It is a military-industrial-bureaucratic-trade association-labor union-intellectual-academic-service club-political complex whose pervasiveness touches nearly every citizen."

His battles with this creature should put Proxmire in good position for his reelection bid this year. By opposing Pentagon waste and favoring withdrawal of U.S. troops from Vietnam, he has staked out what appear to be generally popular positions in Wisconsin. Some Republicans believe, though, that a dramatic turn in the war—for good or ill—could make him vulnerable on the issue of support for President Nixon.

Proxmire's Republican opponent seems certain to be John Erickson, general manager of the Milwaukee Bucks basketball team and a former coach at the University of Wisconsin. Erickson, a moderate conservative, is a good speaker and is well known in the state. He received the endorsement of the state Republican convention recently but could still be challenged in a primary. (James Lovell, the astronaut, considered the race but then backed off.)

Unless the war and military spending develop as issues, the Republicans are expected to use much the same arguments they employed against Proxmire in 1964. They will question his effectiveness as a senator, particularly his ability—and willingness—to deliver from the pork barrel. They will charge that he talks economy but votes for big spending programs. But Proxmire is likely to be heavily favored. He prepares for campaigns as much as 4 years in advance, perhaps remembering the defeats of the 1950's. And he still can be expected to stump the state as energetically as he did 20 years ago. "What can you do," asks one exasperated Wisconsin Republican, "with a guy who talks like a Republican and votes like a Democrat? . . . That sort of thing just happens to be popular in this state."

Proxmire has not become one of the truly powerful men of Congress. He has never been a member of the Senate "club," nor has he been particularly respectful of its traditions. He has never been regarded as a likely candidate for national office, except for an occasional mention as a dark horse choice for vice president. But he has created a role all his own as an informed critic and educator, and time may prove that it was a powerful role after all.

RETURN OF GEORGE TODT AS A NEWSPAPER COLUMNIST

Mr. FANNIN. Mr. President, after a 3-year layoff, George Todt is back as a newspaper columnist. For more than 15 years his column appeared in the Los Angeles area.

A native of Mesa, Ariz., whose heritage is of pioneer Western stock, Mr. Todt has been a rewarding independent voice for freedom and free enterprise and the American values.

Through the years, his column appeared often in the CONGRESSIONAL RECORD.

Mr. President, I ask unanimous consent to have printed in the RECORD his "return" column published in the Conejo Valley Times of April 29, 1970.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

"MASS MEDIA IMBALANCE"

"It is a condition that confronts us—not a theory."—Grover Cleveland—Annual Message, 1877.

It is sometimes remarked that the journalistic pen is mightier than the sword. After an interim of three years layoff, I have decided to commence writing my editorial column again. Before that it ran successfully for more than 15 years in Los Angeles.

Most of them were happy years in which I wrote my opinion in an honest and forthright manner under moderately conservative editors and publishers, with but one exception. Usually I was afforded the luxury of intellectual honesty, without pressure brought against me.

In writing an opinion based on moderately conservative views as honestly interpreted by this columnist, a large following expressed their friendly approval in letters to the newspapers involved. Circulation figures went up.

As I continued to bear down for many years on such icons of the ultra-liberals as the world government syndrome (one of whose top leaders is a certain California Senator), AFL–CIO Committee on Political Education, Secretary of Disarmament Robert S. McNamara, leftwing peaceniks and Communist subversives, et cetera—ultimately a strange thing happened: I disappeared. Period. Mighty intolerant, what?

What happened to George Todt's right to dissent with the Liberals in the newspaper? Or, simply stated, was Spiro Agnew right? I think so!

Without going into boring personalities, this columnist is one who has observed the intolerance of some of the liberal masters of the mass communications media at first hand. As one who believes, like Voltaire, in the right of others to differ in their honest opinions in America—meaning to dissent—I find this hard to take.

According to recent Gallup and Harris polls, the conservatives and those who consider themselves moderate conservatives number 70 per cent of the nation. They deserve appropriate representation in the mass media.

Yet the sad truth is that upwards of 90 per cent of the "opinion formers" in the media—columnists, commentators, editorial writers, reporters, et al—range from "moderate liberal" to "extreme radical".

Such proportions are decidely unfair to the American people. The American people are getting sand-bagged by the wicked arithmetic of the situation. The actual conservative majority of the public is made to believe they are an unpopular minority.

The radical liberals in the media have helped unleash the new, new leftist revolution on our people by conditioning us to believe the old standards of religion, morality and ethics no longer apply to our evolving modern generation.

They have deliberately lowered our aesthetic standards in order to confuse us so we cannot distinguish readily between good and evil any longer.

Today the mass media is busily engaged in concentration on some of the most degenerate garbage the world has ever suffered—and calls it news.

Sometimes I believe the revolution we have in our midst nowadays, so cunningly maneuvered by the scheming subversives, has been brought upon us by perhaps 200 radical "thinkers" and 5000 irresponsible television cameramen. We have been taken for a king-sized ride.

Certainly I believe now, as before, that there is a minority of Liberals in the Republic of the United States and they have a right to be heard. But not to the practical exclusion of the Conservative majority of the public. It has a right to dissent, too.

Today the great fault of the mass media lies in its imbalance. This is what Vice President Agnew was driving at in his recent blasts at those who have offended grossly in this area, particularly in the television networks.

The media is not the only offender against proper balance of American ideological composition. There is the matter of the United States Supreme Court, as an added example. At the moment we have one Moderate Conservative, eight Liberals seated.

Listen to the outraged screams of the Liberals in the Senate when the President of the United States has the temerity to suggest a second Conservative.

The radicals in our country have lost their sense of balance, belief in tolerance and the right of others besides themselves to dissent.

Time to pick up the sword of truth again, it says here.

A LABOR UNION AND A LARGE CORPORATION HELP BRIDGE THE RETIREMENT GAP

Mr. WILLIAMS of New Jersey. Mr. President, the dream of retiring to a "promised land" where living is easy and the climate is mild after years of hard work is not new. Americans have nurtured this dream through their working years for generations. What is new today is that our increased mobility has enabled more and more retirees to make that dream a reality.

Unfortunately, when one pulls up stakes and moves away from lifelong ties the dream may be shattered by the unforeseen problems of settling in a new community. That cozy retirement village may not prove so ideal after all. Apartment rentals may be high, and food prices higher than anticipated. Those who move to another State to be near their children may find the new locality unfamiliar and unfriendly compared to the easy familiarity that comes from a lifetime spent in one place, building long friendships. The resulting loneliness can be unbearable—especially for those who have spent their entire work life with one firm.

For these retirees even staying in the same city can be much like pulling up stakes and moving away. After the gold watch and the testimonial dinner most retirees lose contact with coworkers; the daily routine that was comfortable and rewarding is abruptly broken with no time to adjust to a new life style.

For all of these people some form of contact with the old firm could bridge the gap between work and retirement.

I recently came across two syndicated articles in the Record, a newspaper published in Hackensack, N.J. One was by Martin E. Segal and the other by Theodor Schuchat. They discuss how a labor union and a large corporation are recognizing the lifelong devotion of employees in very personal terms.

The United Auto Workers is developing a temporary retirement community in Florida for union members who wish to retire to that State. The retirees may rent mobile units in the community until they find permanent retirement homes. The union will also provide information and counseling about apartment rentals, home sites, and retirement communities.

Western Electric has had a "Pension Visitors" program since 1906 and the program has grown with the company until today 1,300 retirees are visited throughout the United States. The Pension Visitors do more than "friendly visiting." They also contact hospitals, nursing homes, and social security offices across the country, explaining Western Electric's retirement benefits, thus making it easier for retirees to take advantage of benefits, wherever they reside.

I feel this is an important trend—and one that should be encouraged.

Therefore, I ask unanimous consent that both articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

UNION IS HELPING FLORIDA RETIREES

(By Martin E. Segal)

Where to live in retirement is one of the most important questions older folks have to answer. Not only is it important to consider such matters as present housing, retirement budget, conveniences, friends and neighbors; it is also essential to take into account personal feelings.

Again and again it has been found that this matter of personality may be more important than plumbing, stairs, climate, or anything else in the decision to move or not to move. In some of the most pleasant retirement communities, there are people who moved and regretted what they had done. The new place just wasn't right for them, although others in the same community loved it.

For example, pulling up stakes and moving to a place with an ideal climate in search of a cozy retirement cottage can prove to be a very costly and harrowing experience. All too often, retired persons who blithely pull up stakes find upon arriving at their chosen destination that they have no place to go and nowhere to turn for help. And when confronted by the sometimes confusing claims of land developers, these retired homeseekers may make hasty and unwise investments or down payments. Some return home broke and very disillusioned after such discouraging journeys. Others stick it out because they don't want to admit failure to their family and friends.

FLORIDA VILLAGE

The United Auto Workers Union has conceived a plan which hopefully will spare their retired members much grief and expense. It recently created the UAW Retirees Village in Palatka, Fla. This centrally located village is designed to provide a place where retirees can stay temporarily at reasonable rates while they shop for permanent homes at various retirement sites in Florida.

According to Raymond Berndt, UAW regional director in Indiana and one of the original planners of UAW Retirees Village: "The main objective of this program is to help UAW retirees find permanent living quarters. The international union is ready to provide them with accurate information about legitimate real estate developers and steer them away from land speculators."

The village located on a 31-acre site adjacent to the St. Johns River is comprised of 80 new mobile homes. It also features a modern community center overlooking the river and a colorful marina with a 50-foot canal leading into the river. UAW retiree couples will be able to rent a mobile home unit for $100 per month including utilities. Tenancy will be limited to a maximum of two months in order for the village to accommodate the greatest number of retirees.

EVERYTHING PROVIDED

Each five-room mobile home unit contains a large double bedroom, complete bathroom, living room, dinette, and kitchen. The units come equipped with air conditioners and heaters. Also provided are all utensils necessary for light housekeeping, including electric toasters, coffee makers, dishes, cutlery, bed linens, and towels.

"UAW retirees renting these 12 by 50 foot mobile homes will enjoy most of the comforts of home," said Berndt. "All they have to bring with them is their luggage, groceries, fishing poles, and golf clubs."

The village community center will contain a recreation-lounge, storage room, and open porch with shuffleboard. It will also house a laundry room with automatic washers, dryers, and vending machines. A picnic area is located next to the center.

The design for the village itself calls for eight circular courts each containing 10 mobile homes with large patios and paved walks linking the units with nearby parking areas. The village will have its own sewage treatment plant and water supply pump.

According to a spokesman for the union, all UAW retirees will be eligible to rent the trailers on a first-come, first-serve basis.

THE FIRM KEEPS IN TOUCH

(By Theodor Schuchat)

You spend a big part of your life working for a company, working hard, giving the firm your skill, intelligence, ambition, and time. The company keeps its end of the bargain, with paychecks, benefits and a pension.

When you retire, what of the company? A monthly check comes, and perhaps magazines or a company newsletter. Contact with the company and its people on a personal basis usually ends, however, especially if the retiree moves away.

Except at Western Electric. In 1906, when the first 10 Western Electric employees retired on pension, company people visited them all. They still do. By the end of 1970, there will be nearly 14,700 Western Electric retirees, and most will be visited this year by a man from the company.

Western Electric's 12 pension visitors cover the country, each keeping in personal contact with about 1,300 retirees. Together, they visit each State except Alaska, calling on 90 per cent of the company's retirees each year.

The pension visitors take a personal interest in the retirees. Are they getting their pension checks on time and at the right address? Are they taking advantage of the company's medical, insurance and other employee benefits? How about Social Security and Medicare?

Howard Ring has been visiting Western Electric retirees since 1948, working out of the Hawthorne Works in Chicago at first. Since 1964, the pension visitors have been headquartered at regional benefit offices instead of local plants and offices.

"I've met many neighbors of Western Electric retirees who are surprised that a company would keep up an interest in someone who is no longer active," Ring comments. "By word of mouth, the visitation program is letting people know the company cares."

Howard covers Iowa, Missouri, and parts of Wisconsin and Illinois. He recently logged 2,300 miles in three weeks of visiting retirees, all in Illinois.

From Newark, N.J., Ernie Roberts visits retirees in southern New Jersey, Maryland, Delaware, Pennsylvania, and the District of Columbia.

"Previously, each location had its own method of keeping in touch with its retirees," he explains. "Now pension visitors across the country have a uniform program. Our training is thorough and the program well defined."

One pension visitor, Jerry Vanatta, concentrates on 1,200 Western Electric retirees in Florida. From his home in Largo, he travels about 20,000 miles a year, calling on retirees. He also explains Western Electric's retirement benefits at hospitals, nursing homes, and Social Security offices.

"Western Electric is the only company I know of that tries to maintain personal contact with its retirees coast to coast," he says. "I'm proud to be a part of the program. I can't imagine work any more rewarding."

Western Electric's retirees find the visits rewarding too. After C. I. Armstrong visited a retiree in Arkansas, the company received a letter from the grateful senior.

"We feel that we have especially benefited from his visit inasmuch as when the Extraordinary Medical Expense benefit was fully explained we found that each year since retirement we were entitled to that benefit and so have already filled in the proper forms for the past two years," the retiree wrote.

"As we have a continuing medical and drug problem," he added, "words cannot express to you what this means to us and will mean in the future."

AID TO RUMANIAN FLOOD VICTIMS

Mr. BROOKE. Mr. President, while Mrs. Nixon's gracious and generous visit to Peru has dramatized as no other act could the tragedy in Peru and our country's determination to help that beleaguered country, the less heralded but no less tragic floods in Rumania also deserve the attention of the American people. These long, catastrophic floods which have ravaged the nation since May 12, and which continue to produce substantial damage, will leave scars on the Rumanian countryside which will not be erased for many years.

Since the floods began, more than 2 million acres have been inundated with the resulting loss of vitally needed crops, homes, buildings, and other structures which lay in the path of the waters. More than 1 million acres remained under water as of last week; 70,000 homes had been destroyed or badly damaged; more than 80,000 people remained homeless; and approximately 170 persons were known dead in this tragic natural disaster. In addition, approximately 40,000 animals have perished; and 2,000 bridges and more than 2,000 miles of highways and roads have been damaged or destroyed. In all, the property damage is approaching $1 billion.

I am sure that all Americans were saddened by the losses of life and property which have been visited on the Rumanian people. President Nixon spoke for the nation when he stated that this Nation stands ready and willing to provide assistance to ease the suffering of the injured, bereaved and homeless, and to help restore the losses of property and productive capacity which have occurred.

The White House has announced that approximately $11 million in relief assistance will be made available to Rumania. In addition I have sent a list of much needed medical supplies to the American Pharmaceutical Association in the hopes that their memberships or other interested parties will be able to provide some assistance.

I am pleased that the demonstration of compassion and good will on the part of President Nixon follows other positive initiatives which have been taken in recent months to foster improved relations between this country and Rumania.

Earlier this year the administration moved to delist some 200 items which had been previously subject to export control restrictions when destined for Rumania. This move toward greater trade with Rumania is in line with the passage, late last year, of the Export Administration Act. That legislation signified an end to cold war trade policies and the beginning of a new era of mutually beneficial trade with the countries of Eastern Europe, where such trade does not adversely affect the national security or foreign policy interests of the United States.

I have been informed that the State Department is also endeavoring to promote private lending to Rumania and I commend the administration for such initiatives. We must demonstrate a zeal for self-improvement and which foster an attitude of mutual understanding with the nations of the world.

The time has also come to reexamine other policies governing trade with the Rumanians. I am hopeful that most favored nation treatment will be accorded Rumania shortly and that other inhibitions on mutually beneficial trade will be removed. I look forward to the day when Rumania and the United States will enjoy healthy trade relations as well as expanded cultural programs designed to develop improved understanding between the peoples of the two countries.

I hope that other governments will join in a common relief effort with the United States at this crucial time.

Finally, I salute the Rumanian people for their efforts to restore normality to their country. I am confident that with the aid of concerned friends in the world community they will meet with success.

TIME FOR ADMINISTRATION TO MEET UNEMPLOYMENT THREAT

Mr. PROXMIRE. Mr. President, today I am releasing a letter to Secretary of Labor James D. Hodgson, asking him to come prepared on July 21 to recommend to the Joint Economic Committee a shelf of specific programs and proposals to relieve the unemployment situation.

Secretary Hodgson is scheduled to appear before the committee when it conducts its mid-year review of the economy.

Unemployment has been rising. The drop in the unemployment rate in June to 4.7 percent may well be only a temporary fluctuation. Secretary Hodgson himself had estimated that it could rise to 5.6 percent this year.

> The better part of wisdom demands that we be prepared to act.
>
> Equally important, the rate for Negroes rose from 8.0 to 8.7 percent, or more than double the 4.2 June unemployment rate for whites.

In my letter I said:

> The Nation deserves to know what positive action will be taken both to halt the rise in unemployment and to put idle men to work during the period when unemployment is excessively high.

In addition to Secretary Hodgson's 5.6 percent estimate, other estimates, including those given by several eminent economists before the Subcommittee on Economy in Government of the Joint Economic Committee recently, range to 6 percent and above. Some of the other estimates follow:

> I believe that when unemployment reaches the 5.5 percent level, the Federal government should have ready a series of programs and proposals which can stimulate employment in constructive endeavor for those who are able and willing and urgently desire to work. I was dismayed in recent hearings when representatives of the Administration testified, essentially, that no such shelf of programs was available. The fight to stop inflation must not be waged largely or exclusively through an increase in unemployment.
>
> I am concerned with the absence of such a comprehensive program to provide for the useful and constructive employment of those who desire to work during periods of economic slack. I hope that you share this concern and that idle men and idle resources should be put to work in productive ways. Such action is not inflationary and it need not be costly.
>
> It can be done, in my judgment, with the outlay of relatively small sums. The matching of those out of work in one area with the available jobs in another, is one long overdue step which could be taken now. Channeling federal purchases into areas of high unemployment is another. Where federal funds are needed, relatively small amounts can often stimulate much larger amounts from the private sector. For example, for less than $100 million or the cost of two C–5A airplanes, some 150,000 low income houses can be subsidized for a full year under the new low interest rate housing programs. That small sum would not only buy bricks and mortar and provide employment for the construction trades, but it would stimulate a wide number of other industries, such as furniture and appliances which are closely associated with housing.

Mr. President, I ask unanimous consent that the complete text of the letter I wrote to Secretary Hodgson be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 1, 1970.

Hon. JAMES D. HODGSON,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: On July 21st you are scheduled to appear before the Joint Economic Committee when it conducts its mid-year review of the economy. The current high level of unemployment, together with the increasingly strong evidence that unemployment will go even higher, make this set of hearings and your participation in them especially important.

By your own recent estimate, unemployment is expected to reach 5.6 percent this year. Other estimates, including those given by several eminent economists before the Subcommittee on Economy in Government of the Joint Economic Committee recently, range to 6 percent and above.

I believe that when unemployment reaches the 5.5 percent level, the Federal Government should have ready a series of programs and proposals which can stimulate employment in constructive endeavor for those who are able and willing and urgently desire to work. I was dismayed in recent hearings when representatives of the Administration testified, essentially, that no such shelf of programs was available. The fight to stop inflation must not be waged largely or exclusively through an increase in unemployment.

I am concerned with the absence of such a comprehensive program to provide for the useful and constructive employment of those who desire to work during periods of economic slack. I hope that you share this concern and that idle men and idle resources should be put to work in productive ways. Such action is not inflationary and it need not be costly.

It can be done, in my judgment, with the outlay of relatively small sums. The matching of those out of work in one area with the available jobs in another, is one long overdue step which could be taken now. Channeling federal purchases into areas of high unemployment is another. Where federal funds are needed, relatively small amounts can often stimualte much larger amounts from the private sector. For example, for less than $100 million or the cost of two C–5A airplanes, some 150,000 low income houses can be subsidized for a full year under the new low interest rate housing programs. That small sum would not only buy bricks and mortar and provide employment for the construction trades, but it would stimulate a wide number of other industries, such as furniture and appliances which are closely associated with housing.

I am writing, therefore, to request that when you testify before the Joint Economic Committee you give us your detailed views on the specific steps which can be taken if unemployment continues to rise, and the specific steps the Administration intends to recommend to relieve high unemployment.

In this connection I would like to call to your attention the recommendation made by the Joint Economic Committee in its 1970 annual report that:

"If it has not already done so, the administration should prepare immediately a coordinated program of specific discretionary actions which could be taken quickly in the event that the magnitude of the current economic downturn exceeds present expectations. This coordinated program should include measures to quickly channel additional funds into low and moderate cost housing and State and local public facility construction."

Since unemployment has already exceeded the levels anticipated at the time of our annual hearings last February, and is still rising, great urgency now attaches to this recommendation.

The nation deserves to know what positive action will be taken both to halt the rise in unemployment and to put idle men to work during the period when unemployment is excessively high.

With best wishes.

Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

APPROPRIATIONS FOR VETERANS' ADMINISTRATION HOSPITALS CONTAINED IN H.R. 17548

Mr. PROUTY. Mr. President, I am gratified that the independent offices appropriations bill (H.R. 17548) as reported by the Appropriations Committee recognizes the need for additional funds for medical care of our wounded Vietnam veterans.

The bill as reported by the committee provides $100 million more for such care than the House-passed version of H.R. 17548. I commend the members of the Appropriations Committee for their judgment in raising this appropriation.

As Senators are aware, the Subcommittee on Veterans' Affairs of the Labor and Public Welfare Committee has completed a 5-month study of conditions in our Nation's 166 Veterans' Administration hospitals. The subcommittee's report proves conclusively that for the past 5 years there has been a slow but steady erosion of VA health care for wounded veterans. This period is coincident with our combat presence in Vietnam.

We have asked so much of these men, and they have given so much. We cannot let them down.

In our list of priorities, we must put these brave young men first.

We cannot hesitate for a moment to provide all the funds necessary to give our wounded men the best health care our country can provide.

The additional $100 million contained in H.R. 17548, as reported by the committee, must be considered the very minimum additional appropriation over the House figure necessary to provide the health care our wounded veterans need and deserve.

I commend the chairman of the Veterans' Affairs Subcommittee (Mr. CRANSTON) for bringing the VA health care crisis to our attention. I also commend the members of the Appropriations Committee for their well considered response.

I urge the Senate conferees on this measure to hold fast to the additional $100 million. We cannot afford to let our brave young veterans down.

DRUG ABUSE EDUCATION DEVICE HELPS BOTH YOUTH AND ADDICT

Mr. WILLIAMS of New Jersey. Mr. President, in many metropolitan areas of our country, private individuals and organizations are trying to meet the challenges of drug abuse education and rehabilitation. These are dedicated men and women, some of them former addicts, who have devoted their time and talents to helping others out of their own valley of despair.

I have had opportunity to discuss some of these programs with their originators and administrators, to visit their facilities, and talk with some of the residents.

Mr. President, my visits have convinced me that, while there is no panacea, these privately organized facilities are making a contribution to drug abuse rehabilitation. It is a measure of my hope for their effectiveness that on April 15, 1969, I introduced S. 1816. This bill, titled the Drug Abuse Prevention and Rehabilitation Act, specifies that a substantial portion of Federal grant funds go to private organizations, and particularly to those developing and utilizing innovative methods of user rehabilitation.

One such center, located in Newark, N.J., is titled "DARE," meaning "Drug Addiction Rehabilitation Enterprise."

DARE, like other privately organized and responsibly administered groups, needs continued evaluation to help them achieve the effectiveness we would all like to see. They need and deserve our support. The problems of drug abuse and rehabilitation are so broad that the approach must necessarily be full-spectrum. We must consider all possibilities for rehabilitation at the same time increasing our educational efforts as the real long term solution. We must present facts and let our youth come to the hopefully obvious conclusions.

DARE, founded by Mr. Richard Roselli, recently has begun distribution of educational tools to combat drug experimentation and abuse. A recent addition to their educational aides is called "Dial AIDE For a Friend" wheel. This device is a slide wheel permitting one to dial a specific drug or narcotic. There then appears on the wheel the drug type, medical purpose, method of use, slang terms, identification, and signs of abuse. This educational tool can serve a very useful purpose, if distributed widely enough to educators, parents and our youth. I mention the wheel because it is an easily used device, requiring no reading of extended text. It requires no study and is worded in terms that are easily understood.

Mr. President, the scope of this problem is such that we must search for and encourage such programs. I urge my colleagues to continue their interest in private organizations in their own States and to consider favorably legislation that provides grants for their programs. They can become an evermore effective force in our total commitment to ridding our youth and our country of this scourge.

RURAL MEDICAL DIAGNOSIS AND TREATMENT BY TELEVISION

Mr. FANNIN. Mr. President, I am proud to report on an Arizona project that brings hopes for better and faster medical and diagnostic care for people living in rural areas.

This project and its hopeful expansion in the future will mean improved health for our citizens in rural and isolated areas.

I ask unanimous consent that a report prepared by Mrs. Natalie Denney of Bisbee concerning the project be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

BISBEE, ARIZ.—An experiment in medical and diagnostic care for people living in rural areas of our country was carried out in Southern Arizona on April 4, and appears destined to have a tremendous impact of far-reaching significance.

With a portable medical laboratory and a van equipped with television equipment, Jack Reeves, director of Arizona Rural Effort programs in a five-county area of southern Arizona, undertook the experiment. Through it, patients were photographed on the cameras, necessary laboratory tests were run by B. L. Mart of Bisbee, Arizona, and, through telemetry and the television equipment, Dr. Ken Dregseth, Dr. David E. Glow of the nearby Sierra Vista Community Hospital were able to provide diagnoses and treatment for the patients.

Mrs. Lois Holland, Sierra Vista registered nurse, and Mrs. Margarite Hanley, Santa Cruz Public Health nurse, assisted with the project.

The project is an outgrowth of the dreams of Reeves, whose job is assistance for poverty groups in the rural areas. Reeves submitted the program to the federal government, and funding came through a special grant from the Research and Demonstration Division of the Office of Economic Opportunity.

A "van" was equipped with the necessary television and recording equipment, at a cost of about $35,000. The lab equipment which was used was the property of B. L. Mart, technician for the Warren Medical Laboratories in Bisbee, Arizona.

Reeves got the utmost cooperation from people in Bisbee and Sierra Vista, when he presented the plans to them, through which medical care can be taken to people in outlying areas where they find it difficult, if not impossible, to get into a community where doctors are available.

Realizing that about 60 per cent of the poverty families are in rural areas, and having other supporting statistics from John Segura, director of Cochise United Recovery Enterprise (the OEO community action agency in Cochise County, Arizona), Reeves wants to bring better health care to these people.

He envisions a future plan which could be brought to everyone in rural areas; those who cannot take the time to go into a city for care; those who have no transportation; and those who are "afraid" to go to the doctor in the city.

Reeves believes that symptoms of incipient illness can be detected by doctors, before the patient is aware of them himself; thus, avoiding possible hospitalization, or a need for emergency treatment.

The Saturday pilot experiment was most successful, Reeves said. The doctors who participated, apparently, felt that the program could be of great value to them, also, in that they can remain in their offices, and treat many, many people via television successfully, where office calls are more time consuming.

With the constantly rising costs of hospital care creating problems for people, everyone concerned in the project feels that this could be, at least, a partial answer and solution to many of the people.

Reeves and representatives of agencies who have heard about the experiment feel that the television medical care program might be used, also, in the performance of delicate operations, by doctors who could be in constant contact with specialists, via satellite, as they perform operations.

In fact, enthusiasm is running rampant about the television medical-diagnostic care for rural areas, and Reeves spends considerable time on the telephone these days, explaining and discussing the project with interested people throughout the U.S. Foreign countries are interested, and Indian peoples on reservations in the Southwest feel that it is a made-to-order plan for their nations.

With the success of the experiment in Arizona, it would appear that the next step is for qualified agencies to step up and get the program working all over the country. Said Reeves, "Now, we have the technological knowledge, let's use it."

THE NEED FOR JUSTICE

Mr. GOODELL. Mr. President, I commend to the attention of Senators a speech by Charles H. Silver, consultant to the mayor of New York, which describes the tragic plight of Iraqui Jews. Mr. Silver gives eloquent expression to the need for a sensitive awareness to the rights of all men.

I ask unanimous consent that the text of Mr. Silver's thoughtful address, which he gave on February 1, 1970 at Congregation Kehilath Jeshurun, be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Hon. Charles H. Silver Regarding Jewish Population of Iraq, Congregation Kehilath Jeshurun, February 1, 1970

Sometimes the greatest horror is that there is no horror.

Perhaps because of the constant impact of surprise and violence in the world around us, we are becoming immune to shock.

Much of the last century has seen outrage of such enormity in other lands that we not only look back upon the nightmare of Hitler, but view such current human calamities as the slaughter of civilians in Saigon with a certain cool detachment.

That is why our gathering today does even more credit to its sponsors. The plight of the Jewish population in Iraq which has been hanging delicately on the balance for many decades now is hanging on a public gallows.

And I am particulary proud that one of your inspired leaders is an eminent member of the professional staff of Beth Israel Medical Center, our cherished friend, Dr. Heskel Haddad.

Standing in the shadow of that gallows is the terrified remnant of a community that numbered 150,000 less than twenty years ago. Today, there are only 2500 persecuted and tormented Jews left in Iraq.

After the war of 1948, the Jewish exodus began, and, by 1951, more than 98% had left their homes and everything they owned. Those who remained were required to carry yellow identity cards. By gradual oppressive steps, they have been deprived of the means to earn a living, stripped of their civil rights and denied the common liberties of any civilized land. Prominent Jewish citizens have been flung into jail without a trial or even a hearing. Many died, more are still being detained.

Jews have been dismissed from employment not only in public office, but in private firms as well. The young people are refused admission to colleges and universities. Jewish homes are not permitted to have telephones. Jews are not able to travel or to sell their property. When a new government seized power in 1968, these unbearable restrictions became but the prelude to outright terrorism and torture, to false accusations, mass arrests and public hangings.

There have been contrived incidents, secret trials, and life in Iraq for any Jew has turned into a nightmare from which there seems to be no escape, for they are not allowed to emigrate to other lands or to Israel.

A year ago, when 14 accused spies were hanged in Bagdad and Basra, nine of them were Jews, and other Jews have been executed since. The victims were charged with spying for the United States or for Israel, but the so-called "trials" were a farce and the hangman conducted a circus of savagery with military bands and entertainment in the public square, with radio and television urging people to come and view the dangling bodies.

And as the entire civilized world watched in disbelief, crowds numbering up to half-a-million gathered to shout and dance in a bloody carnival of race hatred.

Pope Paul joined world leaders in denouncing the barbaric display, which he said caused "dismay and disgust in the entire world." Indeed, the Holy Father stated the fact that nine of the executed men were of the Jewish Faith generates the suspicion that racism is the motive.

We are here because we have blood ties with the Jews of Iraq—and blood is thicker than water—even thousands of miles of ocean between us. And history will prove that the ties of blood are stronger than the greed for oil.

You don't need me to tell you what a sorry mess is being made of the whole mixed-up Middle Eastern foreign policy. Arms that have been ordered and paid for have been denied to the little state of Israel by the faithless French government while the overwhelming power of its menacing Arab neighbors is fortified by jet planes, tanks and guns of French and Communist origin.

This is a matter of tremendous impact upon the fate of humanity and the preservation of freedom. The death of one Jew in Iraq . . . the bombing of one kibutz in Israel . . . the persecution of the Jews of the Soviet Union . . . all are part of a general pattern that pushes peace farther into the remote future. It is not a question of who sells planes to Egypt or tanks to Arabia, or what percentage of those hanged in Bagdad are Jews. It is a question of how long civilized people will remain silent while the fearmakers and merchants of death destroy our last hope of security in a world without war.

Every human being should feel, as do those in this room, that we cannot be truly civilized while limitations are placed on any man's freedom in any area of the globe. Although I address myself—as do all of you by your presence today—particularly to the position of our own people, my remarks are equally pertinent to all minorities who are victims of repression, restraint or persecution. The Jew is not the only object of oppression and hatred. His is not the only cause for us to plead, and Iraq is not the only land where ethnic, racial and religious suppression is rife.

The lofty ethical and humane policies of true social justice which were the dominant concern of those who founded our Democracy have become dimmed with time. There seems to be a tarnish on the words "justice, equality and brotherhood." But it is still true, as it was in the time of Isaiah, that we must "undo the heavy burdens and let the oppressed go free."

And while the immediate spark which touches off the flame of our outrage against the crimes committed on the gallows of Bagdad should spur us to contact our Senators and Congressmen, to write the White House, to organize every possible means of pressure against the government of Iraq, we must not end there.

As members of the American Jewish community, we must dedicate ourselves to the creation of a climate of increasing confidence and fellowship. In these days of momentous decision, we must appeal to the simple everyday men and women of every country to resolve their differences and to join together in building the better world we hope to achieve. Here in America we must dramatize the soul-stirring principles of democracy and bring them to life in the classroom—and keep them alive in the minds and hearts of our children.

We must rededicate ourselves to this task within our own borders, on the far-flung boundaries where our troops do battle, on the seething frontiers of Israel, in Moscow, in Warsaw, in Geneva, in Bagdad and wherever there is evil to be undone . . . and men and women of good will to undo it.

America will remain the Land of the Free only so long as it remains the Home of the Brave. We must be brave enough to say "So far you have gone—but no further" to the murderers in Iraq, the madman in Egypt and the tyrants in many other lands. We must share the price of liberty with those who are paying with their lives. We must stand by them always, eternally bound together in faith and freedom so that they will know they are not alone.

So that they will know we will fight for liberty beside them . . . for their cause is our cause.

CAPTIVE NATIONS WEEK

Mr. SCHWEIKER. Mr. President, the week of July 12 to 18 has been set aside for the official annual observance of Captive Nations Week.

Captive Nations Week gains significant recognition in 1970, because this year marks the 25th anniversary of the conclusion of World War II in Europe. I wish to commend the people of these nations for their display of self-determination and for demonstrating their dedication to freedom to those governments which limit or deny these rights to the people under their rule.

I express my deep concern for the unfortunate circumstances under which the people of these nations live and hope for the ultimate triumph of justice, even though they have been deprived of their sovereignty and independence at this time.

AMERICAN PRISONERS OF WAR

Mr. COTTON. Mr. President, we continue to wait for some sign that North Vietnam's intransigence toward prisoners of war will end; that North Vietnam will begin to abide by the Geneva Convention; that a complete list of captives will be made public; that mail will be delivered. Autumn to winter, winter into spring, spring into summer, summer into fall we wait; and we pray for the safekeeping of our men.

NEW ENGLAND'S FUEL OIL NEEDS

Mr. PROUTY. Mr. President, I wish to support and commend the work of the distinguished senior Senator from Rhode Island (Mr. Pastore) for his efforts in insuring adequate funding for further study of New England's fuel oil needs by the Office of Emergency Preparedness. The committee, in its report on H.R. 17548, has included a special $600,000 appropriation to provide the resources needed to monitor the supply and price changes resulting from the June 17th proclamation providing 40,000 barrels a day of No. 2 fuel oil for New England. This is in keeping with President Nixon's assurances that a constant review will be made of New England's fuel oil needs.

President Nixon's recognition of our region's special fuel oil hardship is a commendable first step. I hope that it will evolve into a major program whereby our region will be given adequate relief from high prices and short supplies of home heating oil.

The appropriation of $600,000 is an essential step toward the goal of fair treatment for New England. It will provide the resources for careful and constant study of the needs of our region, and it will allow the compiling of facts and figures to establish precisely the extent of those needs.

Therefore, I again commend the fine efforts of Senator PASTORE, who has worked long and hard with other Senators from New England on this matter, for his work in achieving the necessary money to carry out further reform.

OIL POLLUTION AND HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, in recent months there has been a surge of interest in a new human right: The right to a clean environment. Although this new right has not yet been included in the constitutions of any nations, it is becoming increasingly accepted as more nations recognize the threat which environmental pollution poses to their citizens. One of the most serious forms of pollution is that caused by oil leaks and spills. Recently President Nixon submitted two treaties to the Senate which are aimed at curbing one of the most dangerous and visible forms of pollution—oil spills on the high seas. One convention would, if ratified, empower the United States by international agreement to take preventive action against vessels on the high seas which threaten imminent pollution danger to American coasts. Nixon told the Senate in a message:

> Had this treaty been in force at the time of the Torrey Canyon disaster in 1967, effective action could have been initiated without delay to prevent or limit the damaging effects.

A second convention imposes strict civil liability upon the owner of vessels responsible for pollution damage to coastal areas, regardless of the location of the vessel.

Mr. President, these are two very important treaties which will provide invaluable assistance in the fight to limit oil pollution of the Nation's coastal areas. In the next few days I shall explore the problem of oil pollution further.

Both of these treaties deserve immediate Senate consideration. They represent the first step toward a truly international solution to the pollution problems facing the planet.

HAROLD STRASSNER—AN INSPIRATION TO THE HANDICAPPED

Mr. GOODELL. Mr. President, a column by Peter B. Taub, published in the Rochester, N.Y., Times-Union, caught my attention with a story of personal courage that I would like to share with Senators.

Mr. Taub wrote about Harold L. Strassner, blind since the age of 4, who has become a valued employee of the Kodak Corp. in Rochester.

I found Mr. Strassner's conquest of blindness an inspiration, and I hope that it will be an example for handicapped people throughout the Nation.

I ask unanimous consent the column and my letter to Mr. Strassner be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

MAKES CAMERAS HE HAS NEVER SEEN

(By Peter B. Taub)

For almost 20 years Harold L. Strassner has been putting together cameras he's never seen.

Sightless as a result of an accident 42 years ago when he was 4, Strassner has adjusted so well to blindness that it's no longer a handicap.

Not only has he mastered 12 assembly operations in the Still Camera Department at Kodak Apparatus Division's Elmgrove Plant, but he's also come up with improvements.

His duties include placing 16 millimeter magazines on a conveyor belt feeding a machine designed to remove residue gum. Feeling the magazines after they'd been processed, Strassner came across traces of gum. Also, the machine often broke down.

He suggested the operation could be done more efficiently and economically by hand. The idea, his third suggestion award, won him $1,760.

A blind man's battle, Strassner says, isn't in doing assigned jobs but in convincing others to let him try. After five years with another company, he was dropped in 1948. Three years later he joined Kodak, where his record is free of accidents and absences.

Strassner, married and the father of four children, all with normal vision, doesn't use a cane or Seeing Eye dog.

He could probably get around the plant by himself, but, because of safety regulations, a friend guides him from one work area to another.

Strassner attended the State School for the Blind at Batavia from kindergarten to high school.

"They teach you to be independent, that you can do anything you want to do," he said.

Strassner has earned his fellow workers' respect as well as their friendship.

"He amazes me," a colleague said. "He's twice as fast as any of us with good eyesight."

JULY 2, 1970.

HAROLD L. STRASSNER,
Rochester, N.Y.

DEAR MR. STRASSNER: Occasionally, I see an item in the newspapers that is not only informative but inspirational.

Such a story was Peter B. Taub's column on your many accomplishments.

I was inspired, as I'm sure many other readers were, by how you have overcome blindness to become a highly regarded worker, citizen, husband and father.

In the hope that your accomplishments may be an example to handicapped people beyond the Rochester area, I am inserting Mr. Taub's column in the *Congressional Record*.

It is an honor to represent you in the Senate. If I may ever be of service to you, please contact me.

Sincerely,

CHARLES E. GOODELL.

EXPERIENCES AND OBSERVATIONS IN CAMBODIA—ARTICLES BY RICHARD DUDMAN

Mr. FULBRIGHT. Mr. President, Richard Dudman, the chief Washington correspondent of the St. Louis Post-Dispatch, has written a fascinating series of articles describing his experiences and observations during the 5 weeks he was held in enemy hands in Cambodia. I believe that the articles speak most eloquently for themselves and, without further comment, ask unanimous consent that the six articles which appeared in the St. Louis Post-Dispatch be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, June 22, 1970]

EXPERIENCES AND OBSERVATIONS IN CAMBODIA

(By Richard Dudman)

The rice paddies stretched emptily on both sides of us. The countryside was deserted. We were frighteningly alone.

Suddenly a Vietnamese in a sports shirt and carrying a Chinese-made automatic rifle slid from behind a big tree. We stopped our car and scrambled out, hands up.

"Don't shoot," called Mike. "We are journalists."

That was the beginning of my 40 days with the guerrillas. We were prisoners in Cambodia.

It was the start of an extraordinary experience in the new war that America is fighting in Cambodia. Of 23 correspondents who have been captured there by the enemy, we three are the only ones held for any length of time who have been released.

TIMES OF TERROR

In nearly six weeks of hiding in jungle and paddyland there were times of terror when our lives were at stake. There also were much boredom and occasional happy times playing chess with our captors and making a feast of roast dog. We lost weight, but except for some ant bites, minor infections and dysentery, we came out in reasonably good health.

It also was a newspaperman's once-in-a-lifetime opportunity to see life on the other side in the chaotic new conflict that has spilled over from the war in Vietnam.

We saw a well-organized movement of Cambodian and Vietnamese guerrillas in a determined war against American tanks and planes. We gradually learned about their hatred of America, their tactics, their relationship with the Cambodian peasants and what kind of people they are, as we traveled with them on foot, bicycle and occasionally by truck from one village to another.

Being the first to be released, we feel an obligation to the 20 correspondents still missing. Although we made no deal for our release, we decided to withhold a few details, such as the exact place of our release, for fear of jeopardizing our colleagues.

TAKEN FOR SPIES

Our captors suspected us of being spies for the Central Intelligence Agency, and we are determined to avoid doing anything that would feed their suspicion of other correspondents they have captured.

It was May 7 when it all started. Just a week earlier President Richard M. Nixon had opened a new dimension of the war in Southeast Asia by announcing that American and South Vietnamese troops were invading Cambodia.

At noon Miss Elizabeth Pond of the Christian Science Monitor, Michael Morrow of Dispatch News Service International and I set out from Saigon to see how far the invasion had penetrated.

Driving down Highway 1, the main route from Saigon to Phnom Penh, we were waved on at a checkpoint manned by friendly Cambodian forces. The sentry gave us no warning, but suddenly about a mile west of Svay Rieng, in the Parrot's Beak area of Cambodia, we realized we were alone. The rice fields were deserted. No peasant trudged along the highway.

When we reached a blown-up bridge with no warning sign, we knew the worst. We had unwittingly entered the no man's land between Allied forces and the guerrilla troops supporting Norodom Sihanouk, the ousted Cambodian head of state.

Swiftly we turned our International Scout and headed back along the destered road toward Svay Rieng. We had gone only 100 yards or so when a Vietnamese with an automatic rifle stopped us. In a moment a Cambodian joined him.

With rifles trained on us, they ordered us to empty our pockets on the pavement and then motioned to us to start walking. Hands raised, we clambered down a collapsed bridge span and up the rubble on the other side.

CAPTORS STARTLED

The sudden throb of a helicopter engine alarmed our captors. "Di, di, di (hurry, hurry, hurry)"—they ordered us to run. There was no cover except an occasional tree. Some of the trees had been felled and lay across the highway as makeshift roadblocks.

When Beth lagged behind, a man on a bicycle who had joined us gave her a lift. After running about two miles, we were led down a side path. In a thatched-roof hut, Mike and I had to take off our pants and shoes. They were returned to us after a thorough search and we were given cups of tea.

Our first interrogation began a few minutes later in another hut. A young man wearing a pistol did the questioning. Mike explained in Vietnamese that we were international journalists. He said that he and Beth are Canadians, and I was an American.

An older man with one eye, who had been listening skeptically, took over the questioning. He accused us of being CIA agents. It was the first of many such accusations that would be made against us in the next five weeks.

A young man who spoke French arrived and took a friendlier tone. He said he was a Cambodian student from Phnom Penh and was working the Cambodians and Vietnamese revolutionary forces fighting the Americans and South Vietnamese. He told us we would not be shot in any event. If we were what we said we were, he promised, we would be set free.

But the friendly tone vanished when a gray-haired man with a stern manner arrived. He didn't believe a word of our story. Over and over Mike told him how we had set out from Saigon that morning to see and report what was happening in Cambodia.

After more questions we were taken from the hamlet on bicycles. We pedaled two or three kilometers and then came to a big Czech-made truck. Camouflaged with tree branches, it stood at the side of the road in what appeared to be a large village. We were herded into the vehicle with about 10 Cambodian soldiers. One carried a Chinese AK-47 automatic rifle; another, a light machine gun.

Their mood was getting more dangerous. The Cambodians watched us intently but impassively. We offered a smile; no response. The soldier with the automatic rifle kept it pointed at my chest. When I motioned politely to him to point it to one side, he waved it angrily at me and put the gun to my head. He kept it there all the while the truck bounced along jungle roads.

ANGRY CROWDS

The danger mounted at each village, an angry-faced crowd of men and women gathered and climbed the tailgate of the truck for a look at the hated Westerners. The French-speaking Cambodian student got into the spirit of the capture, and his friendly manner disappeared.

Each time the truck slowed, he leaned out to boast about "the three Americans" inside. I suppose the villagers thought we were downed flyers from one of the American planes that had been bombing Cambodia since Sihanouk's overthrow.

At the last stop—at a sizable village—hatred reached a critical level. In twos and threes boys and young men climbed the cab and tailgate of our truck to glare down at us. They shook their fists. Several made obscene gestures. At one point an older man clambered to the cab roof and berated us.

There was a respite when a young Vietnamese soldier arrived and ordered the villagers off the truck. He asked a few questions and then he, too, assured us we would not be shot. He and others tied strips of toweling tightly around our heads, blindfolding us. Someone took me by the hand. Linking hands with Mike and he with Beth, we climbed over the tailgate to the ground.

A slip knot of binder twine went over my right wrist, and the other end was tied to a motorbike. Mike's wrist was tied the same way. "Di, di, di" came the command. Blindfolded, stumbling, fearful of breaking an ankle, we ran as fast as we could to keep up with the bike.

Several hundred villagers had gathered, and the motorbike pulled up through their gantlet. Fists and hands hit and shoved us from both sides. "Beat the Americans to death," the people shouted angrily.

Eventually the voices faded. The motorbike kept going, and we kept running. We must have run half a mile. I could feel under foot the path trailing off into heavy dust or sand. All I could think of were the mass graves I had seen outside Hue for civilians killed there by Communist forces during the Tet invasion of South Vietnam in 1968.

I was sure we were being taken out of town to be shot.

At last the motorbike stopped. We were cut loose. Then our hands were lashed tightly behind our backs.

We were led into a darkened building with a dirt floor. I heard a muttered conversation, then a sharp crack and a moan. It was Mike. I felt him slump to the floor. I thought he had been shot. I knew I was next.

Someone struck me on the back of the head with a wooden club and I dropped to the floor. Mike was unconscious for a few moments, but I was not. I lay there expecting to be kicked and beaten. Instead, I was yanked to a sitting position and ordered to spread my legs.

Our captors barked questions at Mike accusing us of being American spies. Then they were quiet. In the distance I thought I heard a woman's voice shrieking in pain. I was sure Beth, who had been separated from us when Mike and I were tied to the motorbike, was being tortured.

The first kindly voice we heard was that of a man who said he was a lieutenant. He asked if we were frightened. We said we were.

He said, "You are not going to be shot."

In a moment he brought a metal bowl of water and held it to our lips. He loosened Mike's bindings, which were so tight they had impaired his circulation.

Another period of silence—then we were told to get to our feet. We were led to another building, this one with a concrete floor. Beth was already there. She helped the soldiers remove our blindfolds and wrist bindings. I must have imagined those screams; she had not been harmed. She said a Cambodian soldier had make a half-hearted effort to rape her. Quick-witted, she had told him that he (the soldier) was her brother and she his sister and he stopped.

Six long hours had passed since our capture at noon; it was early evening and dark. Our captors brought a large can of water, and we bathed. The room looked like a school room or briefing room. A blackboard on a crude easel was moved to the corner as an improvised screen behind which Beth could bathe in privacy.

We also washed our clothes. Our captors brought in the small bags we had been carrying with a change of clothing and toilet articles and a few medicines. My bag contained three small cakes of soap that I had taken from an airliner in case of emergency. Later we shared the soap with the guerrillas.

After a meal of rice and chicken, apparently left over from our captor's dinner, a tall man in uniform whom we had not seen before visited us. He said our beatings had been a mistake.

"Cambodian peasants hate all Americans because of the invasion and bombings, and they can still try to hurt you," he told us. "We Vietnamese know that there are good Americans and bad Americans, but the Cambodians still think they are all bad."

We judged this tall man with the broad confident smile to be a North Vietnamese. This officer turned out to be a most important figure in our entire captivity. By the end, I was convinced he was North Vietnam's senior military adviser for the region.

With an air of authority he told us that a thin-faced Vietnamese who was at his side would remain with us. His job was to protect us and, said the tall man, explain that we were "good people"—a phrase we were to hear many times in the days ahead. He explained that they would investigate to make certain we actually were news correspondents and not spies. After telling us to rest, the tall officer departed.

Not long afterward, the thinfaced Vietnamese returned with several other soldiers. They led us out single-file in the moonlight to a Land Rover parked nearby. We were to spend many nights in it in the weeks ahead traveling through eastern Cambodia. Among the men with us were four guerrillas who were to remain with us throughout our captivity.

We drove for several hours through the soft, warm night. Finally the car stopped and we were blindfolded briefly again and led up a ladder into a house on stilts. We found ourselves in a wooden house with tile roof, which appeared to be the home of a prosperous farmer. There we had the only bed of the entire 40 days—one bed for the three of us.

We came to know the Cambodian man and woman who lived there and their 4-year-old daughter, who playfully kept peeking through the curtain of the room assigned to us, the best in the house. We came to know, too, a 9-year-old neighbor girl whose parents, we were told, had just been killed in a bombing raid.

Two days later we were taken from the house hurriedly to escape an attack. After our eventual release we were told that South Vietnamese troops had found in the house Beth's bag containing my White House press pass, my notebook and other papers.

We learned also that it had been announced in Saigon that three Viet Cong had been killed in that building in a ground attack by South Vietnamese troops.

Our captors told us at first that those killed were the man, woman and small daughter we had come to know. Later they said they had additional information that the child and the orphan girl had survived. But the 4-year-old had lost an arm. It was shot off.

[From the St. Louis Post-Dispatch, June 23, 1970]

EXPERIENCES AND OBSERVATIONS IN CAMBODIA

(By Richard Dudman)

For more than two weeks we and our captors fled westward in the midst of a massive migration of guerrilla troops and Cambodian peasants.

Night after night our Land Rover overtook long lines of shadowy figures, walking in single file or sprawled on the edge of the dirt roads.

A dirty rear curtain was kept down much of the time. At frequent stops, where a silent sentry sometimes gave a brief signal with a flashlight, we usually were directed to shield our faces with the cotton batik sarongs that had been given us for a change of clothing.

But sometimes, by moonlight or the frequent phosphorus flares protecting Allied outposts a few miles away, we could make out that the troops carried mostly repeating rifles or carbines. Some bore the small haversacks that we came to know as standard guerrilla equipment.

It was impossible to judge the nationality of the troops we saw. We thought it would be unwise to ask directly where a man or woman had come from. Even later, the five guerrillas who held us—Miss Elizabeth Pond of the Christian Science Monitor, Michael Morrow of Dispatch News Service International and me—prisoner in Cambodia for 40 days gave us only limited information about themselves.

The fleeing peasants had with them all the household goods they could carry—mostly pots, dishware and a little food. Several women whom we picked up with babies in their arms, as well as lugging bundles and chickens, spoke only Cambodian. Occasionally they shouted greetings to acquaintances among the troops that had pased them earlier and whom our automobile overtook.

We saw hundreds of persons, both civilian and military. One night alone, I counted 200.

SIGNIFICANCE OF UNITY

In this massive migration we felt that we were watching the terrorization of the peasants of Cambodia. We felt we were observing the welding together of the local population with the guerrillas. The peasants were turning to the fighters as their best friends. We felt that this held the most serious significance for American policy.

At each house where we stopped the villagers appeared to offer willing co-operation and friendship to the guerrillas. Our guards told us that our rice was furnished free by the peasants when it was available, but that side dishes such as vegetables, chicken, dog, and in one case porcupine, were purchased. We saw the soldier in charge of supplies for our little group peel off a few riels to pay for a chicken.

Our guards often lived under the bamboo-slatted floors of the houses, which were raised on stilts. They stayed with the farm implements, the pigs, chickens and ducks while we always had the best place in the house. The owners of the houses went to work each day in the rice paddies, apparently unworried at leaving their families and homes at the disposal of armed strangers.

In the late afternoons and evenings, by fading daylight or the tiny flames of a guerrilla's kerosene lamp, those of our guards who spoke Vietnamese sat around with the Cambodian villagers taking the first step in friendship—learning each other's language.

In political discussions, our guards told us repeatedly of "the solidarity of the peoples of Vietnam, Cambodia and Laos, and of their unified struggle that will continue until all Americans are driven out and all of Indochina is free and independent." They represented Norodom Sihanouk, the deposed ruler of Cambodia, as a key figure in this partnership.

GESTURE OF RESPECT

We noticed that when our guards passed a pagoda they unobtrusively removed their hats. It was a gesture of respect for local religious beliefs—all the more marked, because, as we learned later, they were atheists.

In the first few days of our capture we had three tough sessions of up to two hours each with harsh investigators from a higher headquarters. They accused us of being spies for the Central Intelligence Agency. They said the first announcement of our capture described us as American personnel, not as journalists.

Fortunately, neither Beth Pond, Mike nor I was wearing military-style clothing. All three of us customarily avoided such attire to be sure we were not mistaken for military personnel. In white duck and white French polo shirt, I was about as far from a military uniform as it was possible to get.

The interrogation sessions were frightening. Questions were barked at us and the strain was intense, especially for Mike. Speaking Vietnamese, he bore the brunt and translated for Beth and me. Once I had to massage his back for 15 minutes to help him relax afterward.

One of our questioners was a stern-faced soldier whom I judged to be a North Vietnamese. He was in uniform and carried an official-looking khaki pouch. He ordered us to write statements giving details leading up to our capture—whether we had ever reported to the CIA or knew anyone connected with the agency, the dates on which we had visited Paris, Vientiane, Hanoi and Saigon and a summary of all stories we had written, as well as a list of personal references in those cities and elsewhere, and "international journalists" whom we knew personally.

Later he said our reports were not neat enough nor complete. He thought they contained errors and told us to rewrite them. Mike was convinced that it was the old Chinese technique of asking a prisoner to rewrite a statement time after time as a form of torture or punishment—to wear him down and catch discrepancies.

SECOND STATEMENT ACCEPTED

The second statement, however, proved to be the last, except for a later addendum when they wanted us to state that everything we had written was true.

Another interrogator—a shifty-eyed, French-speaking man whom I took to be Vietnamese—told Beth in French, "We notice you have very peculiar cameras. They don't look like press cameras."

One of the most unpleasant persons we encountered, he always spoke with his hand held over his mouth, covering his buck teeth.

But the interrogations ended, and our relations with our captors began to ease a few days after we were catured. I sensed a change when the guerrilla beside me in the Land Rover, before getting out to ask the way one night, slipped off his pistol and cartridge belt and laid them in my lap. Often Beth, Mike and I were left alone in the back of the car with half a dozen Chinese and American repeating rifles, carbines and machine guns.

It never occurred to us to make a break. The guards surely would have shot us if we had tried. And if we had escaped them, we still would have been caught in a strange country among a totally hostile population without even the protection of our team of guerrillas.

Gradually we came to think of the five guerrillas who had us in tow as escorts rather than guards. Before we were released, they were describing us as "not prisoners of war but travelers who lost their way."

Our life began to have its little pleasures. Sometimes our two meals a day of mainly rice were augmented with a snack of sweetened condensed milk, or a glass of tea with three heaping spoons of coarse sugar. Twice we had pastry similar to Boston crullers. Once we had fresh pineapple. On May 19, the guerrillas gave us one of the blocks of sweetened popped rice that were a special treat in their celebration of Ho Chi Minh's birthday. It was something like candied popcorn.

PREPARING FOR ACTION

At the big house where we had been staying, Friday, May 22, was a day of rest and preparation, but Saturday began as a day of action that was the longest and hardest yet.

We had driven much of Thursday night. On Friday morning everyone seemed to be getting ready for something. One of the soldiers was using a needle and thread to repair his shirt. A nurse was filling her kerosene lamp.

Three other young South Vietnamese nurses, looking calm and gentle in their fitted blue blouses and black satin pajama pants, sat in the center of the slatted bamboo floor combing their long, black hair, inserting silver clips and braiding it. Later we saw the nurses, whom I judged to be from the National Liberation Front, march off in the dusk across the paddies, packs on their backs and rifles on their shoulders.

A thin-faced Vietnamese soldier—this was Anh Ba—spotted a big gecko, a kind of lizard, twitching upside down on one of the rafters looking for insects. With a bamboo spear he poked at it until he pried loose its suction feet and it dropped to the floor. Grabbing it by the back of the head, to keep clear of the jaws, he took it to the kitchen for an addition to the evening's soup.

At three o'clock Saturday morning Anh Tu (number four brother) woke us with a touch and said, "Get ready to go." Presently he brought a snack of rice gruel and salted peanuts and told us to eat quickly. Moments later we slipped out of the house and climbed into the Land Rover among packs, repeating rifles and a small wicker basket of chirping chicks.

After driving several hours we arrived at another village at dawn and were hustled into a house. We had a big breakfast and had just lain down together on the floor when suddenly we were told to get ready to go quickly. We ran barefoot down a back ladder. I carried my shoes, the laces tied together and slung through the straps of my flight bag.

Soldiers and townspeople were running, too. One soldier carried a dog. Another, a live chicken. A woman with a baby ran with us. They stared in utter amazement when, on hearing someone puffing alongside them, they looked around and saw an American.

RUN FOR COVER

We ran a mile across paddies, some of them nearly a foot under water. The helicopters came into sight only 10 minutes after we reached the brush country. The soldiers who had been fleeing with us went in another direction and we and our escorts ran on through the brush for another half mile or so. Then we three correspondents were separated.

I went with a guerrilla we called Twitch, because of his slight facial tic. He ordered me into a small burrow in a thicket where it looked as if a small tree had been felled under a larger one, to make even thicker cover.

"Be nam hai," said Twitch. That means B-52 in Vietnamese. I thought I could hear the big bombers overhead. After we had settled in our shelter, Twitch opened his pack and pulled out some cotton. He gave me two wads and motioned for me to put them in my ears. He signaled for me to close my eyes and push my face down into the dirt. I didn't know for sure whether this was in the event of a bombing attack or whether he was going to shoot me.

But, sensing my fear, he pointed to his unsnapped pistol holster and indicated that it was not for me but for the plane. Then he gave me six lumps of sugar in a scrap of paper.

I was on an ant hill and only a few feet from a swarm of bees. For several hours we could hear smaller bombs striking within four or five miles of us, but the huge bombs from the B–52s never fell.

TANKS APPROACH

Helicopters flew very close to us. At one point we heard a tank column approach within a couple of kilometers, but the sound soon receded. A little later Twitch and I joined Beth and Mike and their guards. At sunset, when the raid was over and a villager brought word that it was safe, we went back across the paddies and brushland.

A few days later, Anh Hai and Anh Ba told us what had happened that day. They said that 110 tanks and 3000 men—apparently Americans and South Vietnamese—had taken part in a drive that came within two miles of the burrow in which we had hidden. "But the tanks stayed on the road," they said.

The night of the bombing raid we had dinner with our captors for the first time. Previously, we had eaten separately, usually after them. This night we all joined the family of the house. There was lots of rice with many side dishes—fish pastes, peanut paste and chicken soup. Then we passed the rice wine around, each drinking from the same glass.

It was a pleasant dinner but a fast one. It wasn't a safe place. Anh Ba said, "Eat fast. We must go."

[From the St. Louis Post-Dispatch, June 24, 1970]

EXPERIENCES AND OBSERVATIONS IN CAMBODIA

(By Richard Dudman)

"As long as there is one of us left, we will fight on."

The toughness and dedication of the guerrillas in Cambodia, as we came to know them in 40 days of captivity there, made that seem a statement of fact rather than a propaganda slogan.

During the two weeks we spent in and around a base camp behind the guerrilla lines, we three correspondents from America—Miss Elizabeth Pond of the Christian Science Monitor, Michael Morrow of Dispatch News Service International and I—often heard our captors discuss the revolution they are waging against heavy odds.

None of them seemed to doubt for a moment that victory is inevitable. How long it would take did not seem to matter.

Several guerrillas told us, in almost identical words, "To live without our freedom and independence is as good as being dead. To die for the revolution is nothing."

The individual is submerged in the struggle. Even the family, so important in Asia, takes second place to the revolution.

Anh Qui, one of our five guards, told us one day, "We miss our families, but we have an obligation to oppose American aggression. When we have won we will go home and live in peace."

Qui, 31 years old and of Chinese extraction, had left a comfortable life in Phnom Penh a few months before the March 18 coup that overthrew Norodom Sihanouk as ruler of Cambodia. He was the bookkeeper and purchasing agent for our little task force.

Another of the five, Anh Tu, once showed us a photograph of his wife and said that she had been killed in a bombing raid and that his young daughter had been left with friends. This pained him, he said, but he would not resume the responsibilities of parenthood until the revolution was won.

The political officer, Anh Hai, said, "A revolutionary either has no family or leaves it. He takes all the people as his mother, father, brothers and sisters. When the revolution is won, then he can return to his family and home and lead a normal life.

He spoke to us one day squatting at the door of our room in a house where we had stopped. He was a short, stocky man with a constant smile and a shock of graying hair in a two-inch brush cut. A 25-year veteran of a hundred battles against both French and Americans, he was concerned when we were bored or depressed.

"Talk is a good thing at driving away sadness," he said. That led him to some observations about the joys and sadnesses in the life of a revolutionary. He said:

"A revolutionary is sad when the people are poor or when they are oppressed or colonized. But this is not the sadness that makes him do like this"—he buried his face in his hands—"but the kind of sadness that makes him fight.

"The revolutionary is happy when the people are liberated, when there is a good and improving society, and when the working class is well cared for.

"This is the complete opposite of the imperialist. He is happy only when he holds the control of many countries and can exploit their people and resources for his own interests, and he has many wives and children and an easy life."

He turned to strategy. He told us how the guerrillas deal with the B–52, the terror weapon that drops loads of bombs, each one blasting a hole the size of a house. American military men consider the planes extremely effective in keeping enemy forces off balance.

But Anh Hai was disdainful of them. "I have been through three B–52 raids," he remarked. "Once you have the experience, you don't fear it next time." Jumping to a crouching position on hands and feet, he showed how to ride out the jolts of the raid.

"Only a direct hit can hurt you," he said. "The radius of destruction is small."

Two weeks had passed since our capture by the guerrillas on May 7. We had spent most of the time moving from village to village. We drove at night, sometimes without lights, usually on narrow dirt roads. One night our Land Rover went off the road at a broken culvert and became mired in a rice paddy.

The moonlight was bright, and the phosphorous flares from Allied fire bases came closer. Long lines of guerrilla troops in a variety of uniforms passed us carrying all kinds of weapons, including an enormous rifle or rocket launcher that I had never seen before. Many of the soldiers were on crutches—I counted 10 in a row once. Sometimes two of the men carried a pole between them with a suspended hammock containing a fighter who had been wounded too badly to walk.

We were ordered to sit at the side of the road with our batik sarongs pulled over our heads. Several times when a soldier caught a glimpse of our faces and saw we were Westerners, he would pull one of his companions to the side and point excitedly as if to say, "See, I told you."

Those who passed carried word of our difficulty to the next village. Before long 20 young Cambodian men arrived. By sheer manpower they shoved our automobile back up on the road. When the Rover was freed, everyone clapped in the peculiar manner they have, hands above their heads.

They stayed with us for mile or so along the hazardous dike road running between paddies two feet deep in water. Whenever we came to another broken culvert where the vehicle could have slipped off again, they grabbed chunks of mud and brush from the paddies and literally rebuilt the road.

The guerrillas pointed out to us that the incident showed they were getting co-operation from villagers. They said the young men had come out voluntarily to help us.

We eventually came to a better road, only to be stopped at a crossroads. Without explanation we were ordered out of the Land Rover—that was the last we ever saw of it—and began marching single file down a side road. We had hiked for about seven miles when it became apparent that something was wrong. We were told to wait in a little hatched-roof shelter. We were so tired that Mike lay down on the ground and Beth leaned against a tree while I stretched out on a bench.

At dawn we set off to walk for another hour. We went from house to house. We waited outside each while one of the guerrillas went inside to see whether we could stay there. At each place the answer was no. Finally we were taken in at a little hut.

This was an unusual ordeal, and the next morning Anh Tu, the mild-mannered guard who looked after our personal needs, gave us the explanation: "The people here didn't know us, and when they saw we were with three Westerners they would not believe we were with the United National Cambodian Front (the name the guerrillas always gave their movement). We had to show them pictures of Norodom Sihanouk and Ho Chi Minh, and finally we were able to convince them. Now they have made us welcome and brought us gifts of food.

"The Thieu-Ky (South Vietnamese government) soldiers are not like this. They arrest anyone who does not give them what they want."

Without any apparent reason we shifted from house to house frequently during this period in the base-camp area. Long lines of soldiers passed often, 100 or more at a time. The troops apparently were returning from battle, for usually there were wounded with them.

At one little house where we spent a week we began to develop a kind of friendship with the guerrillas. The turning point came one night when Anh Hai and a soldier whom we called Yogi because he resembled Yogi Bear in the comics—began clowning. With Yogi singing weird Cambodian music. Anh Hai, joined by Anh Tu in his blue sport shirt and green pants, began prancing around the room in a kind of modern dance. Later, to the amusement of the others, Yogi wrapped himself in a blanket and piled three pillows on his head so that looked vaguely like a Buddist monk. In a pointed ridicule, this atheist spent 20 minutes in a hilarious recitation of a Buddist chart.

A few nights later we provided the entertainment. We heard their radio playing a Cambodian song containing animal sounds. It sounded almost like "Old MacDonald had a farm," so after the music ended we sang it for them. I think they liked it because several days later Anh Tu suddenly asked, "Would you sing that song about the animals again?

This week saw a quiet period in which the guerrillas replenished their packs, refilling the salami-shaped cotton sacks of rice that they carried over their shoulders and cleaning their rifles. They cut one anothers hair carefully and shaved their sparse beards, using a kind of nail clipper attached by a chain to their cigarette lighters. One of them gave Mike a very good haircut. They were very clean. They wore thin shirts and pants of nylon or a similar synthetic material. They would dry in an hour after washing. They wore dark clothing at night for going outside. But most of them had crisp white sport shirts to wear around the house.

CAMBODIAN TIC-TAC-TOE

Our guards began too think that we were getting listless by being penned up too much. So they began taking us out to exercise in a wood about half a mile away. On the first of these outings we were a bit bored and passed the time playing Cambodian tic-tac-toe with Yogi. The game has an unlimited number of squares and requires five x's in a row instead of only three to win. We used a mat of woven palm leaves as the playing surface.

When the novelty of the game waned, Mike and I began carving chessmen from tree branches, using my pocketknife. It was a two-day project and the guerrillas watched us with great interest. Beth carved the pawns. We turned out a good little chess set. We shaved the bark off one set, and that became the white team and the other served as the black set.

QUICK ANALYSIS

Anh Hai watched Mike and me play the first game and caught on immediately. He already was familiar with elephant chess, a somewhat similar Oriental game. Anh Tu joined him to play a game against Mike, with the two guerrillas arguing with one another over the moves to make. They lost, but when it was over, Anh Hai offered a typically obscure Oriental remark—"we can't lose yet because we have never won from you. We're just like Nixon in Southeast Asia."

The two guerrillas soon were playing pretty good chess. They delayed only a few seconds between moves. They would size up a situation instantly. If they lost a man, they did not seem to mind. They would fight with what was left. When Anh Hai finished one particularly hard game, we asked him whether he wanted to play another.

"No," he replied. "Fight, fight—sleep, sleep." He unrolled his mat and lay down for a nap.

It later turned out that the chess set we had carved was the only thing the guerrillas would accept from us as a parting gift when we were released.

We had given them a chess set. But it soon turned out that they would give us our lives.

It happened on June 9. We and the guerrillas were spending another of our several days in a wooded area. We did some exercises—bend-downs and running in place. Then we squatted around the rice pot for a late breakfast and talked of poetry, Chinese history and America and of what our first meal would be like if we were released.

The tedium broke with a snap when we heard some United States helicopters coming closer than they had all month. We pulled down some shirts and underwear we had hung out to dry, and with our knees under our chins, we hunched back in a little thatched shack where we would go to get out of the rain. Yogi crouched with his carbine and pack next to a tree. Anh Ba grabbed his M-16. Warning us to stay out of sight and, whatever happened, not to run, he took off along a trail through the forest.

Helicopters began zooming low. They sounded right overhead although we could not see them through the canopy of branches and vines. We heard one burst from a machine gun—probably "reconnaissance by fire."

45-MINUTE RAID

At a lull in the attack Yogi told us to scramble beneath the stilted shack. We thought the five 50-kilogram rice sacks on the floor above would stop machine gun bullets. But they would have been no protection against rockets. The raid lasted about 45 minutes as the helicopters circled repeatedly and dived almost at us.

When the choppers left, we were ordered to leave the hut, for it was too good a target. Yogi led us along tangled paths a quarter of a mile to a fall-back hide-away under a bushy tree where additional brush had been placed over the branches to make a dense cover. For an hour we sat silent and motionless against the chance that the attackers would return or that the air raid would be followed by a ground attack.

Finally Anh Ba returned, and we learned what a close call we had had. Brushing aside the leaves and twigs to make a bare spot on the dirt, he scratched a map and showed where we had hidden in the hut. A circle marked where one of the five helicopters, just 50 yards away, had been swooping down looking for a target. It was so low over the treetops—only about 150 feet above the ground—that Anh Ba said the rotor wash swayed the trees and could easily have disclosed the location of our hut.

DREW COPTER FIRE

Drawing a circular line around the attack zone, he showed how he had skirted the area to a point on the opposite side. He said he showed himself and fired three shots at the lowest helicopter to draw its attention away from us. He very probably had saved our lives.

Anh Ba slapped the captured American M-16 he had used. "This is an inferior weapon," he remarked. "I could have hit it if I had been using an AK-47." He said he thought the Chinese repeating rifle could bring down a plane from an altitude of 500 meters (about 550 yards). He said he had shot down six U.S. planes during the course of the war, including a helicopter just a few days before we were captured and put in his charge.

The raid had brought us all closer together. When the choppers had gone and all was quiet, we returned to our house. As we drank tea, Anh Ba told us, "The worst thing you could have done would have been to run into the open and show yourselves to the Americans. I carry this pistol on my hip, and if that had happened, I would have had to shoot you. But no matter what happened I would not have shot you because I know you would not do that. I don't say very much, but I have been observing you carefully. I know that you are good people."

[From the St. Louis Post-Dispatch, June 25, 1970]

EXPERIENCES AND OBSERVATIONS IN CAMBODIA

(By Richard Dudman)

In our long talks with Anh Hai, he always controlled the conversation.

He didn't seem to want us to interject questions or observations. Sometimes I would try to add a thought of my own. But it wasn't a two-way dialogue. He was talking and we were listening.

We had a number of these political discussions with the guerrillas in the 40 days we spent as their prisoners in Cambodia. The conversations were revealing, for they showed a shrewd political sophistication and knowledge of the United States.

We decided soon after our capture on May 7 that we would not argue with our five guards. The three of us—Miss Elizabeth Pond of the Christian Science Monitor, Michael Morrow of Dispatch News Service International and I—agreed that we were in no position to do so. Even when they said something patently false, we just let it pass.

There never was any attempt to brainwash us. We experienced none of the brainwashing techniques you hear of. There was no effort to humiliate us, to starve us or tire us so that our resistance would weaken.

In all of these discussions there was never any denial that the Viet Cong and North Vietnam have a lot of troops in Cambodia, although both the National Liberation Front (Viet Cong) and Hanoi maintain the fiction that they are not involved. The guerrillas did not admit openly the presence of outside troops, but it was implied in a number of things they said.

Yogi, the former Cambodian army officer who joined the guerrillas as a plain soldier the day before Norodom Sihanouk was ousted, touched on this point one day. With more candor than the others had displayed, he said he could see that the Cambodian United National Front could not succeed by itself and that it had to have the support of the people of Laos, North Vietnam and the National Liberation Front of South Vietnam.

There was no hard-sell to the approach. Nor, except in one instance, was there any catechizing. We were not asked to repeat what they told us. What they were doing was telling us their story.

Anh Hai, whom we came to like personally, told us one night that 21 governments had recognized Sihanouk's government in exile whereas only Saigon, the United States and a few others had recognized the regime of Prime Minister Lon Nol, leader of the March 18 coup.

Sihanouk is well known in Cambodia Anh Hai said, and led his country in 15 years of peace. Lon Nol, he went on, is little known and has brought war to the Cambodian countryside. He said that Lon Nol had doubled the pay of the Cambodian government's soldiers, but that morale remained poor.

"Six of Lon Nol's 30 battalions have come over to our side during the month of May," he related. "The others sit home. Youth is with us. Those young men who came from across the rice paddies to help us," he said, recalling a night when our Land Rover ran off the road, "they were not asked to come. They heard of the difficulty and that we were from the revolutionary front and came to help."

We had seen for ourselves the willing help given by the young men, but we had no way of knowing whether we were hearing the truth about desertions or about the recognition of the rival Cambodian governments. The U.S. Department of State says 24 nations have recognized the Lon Nol regime against 17 for Sihanouk.

Anh Hai was both critical and scornful of American policy in Southeast Asia. He said, "President Nixon's invasion into Cambodia has played right into the hands of DRV (North Vietnam) and the NLF.

"First, the invasion has brought the Cambodian and Laotian people together in a unified struggle along with the DRV and the NLF against American aggression.

"Second, it has taken troops out of South Vietnam and has made it easier for us to fight the Americans there. Finally, it has made new difficulties for Nixon in the United States, strengthening the opposition in Congress and among students."

A veteran of 100 battles against both the French and Americans, Anh Hai was disdainful of his enemy.

"The American strategy in Cambodia is easy for us to counter," he told us. "They all stay together. When they go to a place, we go somewhere else. We just stay out of their way. We are happy when they use up their ammunition and fly their planes.

"You have traveled with us several times now by truck at night, and you see how we live. We keep moving. Wherever the Thieu-Ky (South Vietnamese) forces are not, there we are. If there is the smallest space within a territory that they occupy, we fill it.

"They are nowhere; we are everywhere."

Anh Hai said that if American troops had not been sent to Cambodia, "the Lon Nol government would have collapsed," and added, "If Nixon had sent only weapons we would have captured them."

We asked whether at some point the Paris peace talks would become an important element in settling the war.

"The Paris talks are like a show," he replied. "They are just a place to make statements that the press can carry around the world."

The guerrillas have a shrewd understanding of America and a sophisticated grasp of how deeply the country is torn by the war. Their knowledge comes largely from nightly Vietnamese language news broadcasts of the BBC. They listen to the British broadcasting network more than to their own radio stations.

On one occasion Anh Hai remarked, "This is the BBC. This is not propaganda."

Names of some of the major members of

the Senate were familiar to them, especially those of J. William Fulbright (Dem.), Arkansas; Mike Mansfield (Dem.), Montana, who have been critical of American policy in Southeast Asia.

They were watching developments on the Cooper-Church amendment designed to assure that American troops are not kept in Cambodia beyond June 30. They knew about the committee that President Richard M. Nixon sent to report on the American invasion of Cambodia. They had great hopes for it at first, but because the group was made up of hawks and Administration supporters, they soon changed their view and called it a fraud.

They listened to their radios every night for news of any new student demonstrations in the U.S. or protests against the war.

Some of our discussions were not of high caliber. There was a 30-year-old Vietnamese photographer who came to take pictures of us. A nonstop talker, he told us he had spent six years in the liberation movement, first as an undercover agent in Saigon and then as a guerrilla in Cambodia. Two sisters were secret agents in Saigon, one of them was on assignment to shoot Americans from the back of a motorbike. He claimed she could shoot a pistol with either hand.

He strongly defended the presence of Viet Cong and North Vietnamese troops in Cambodia.

"We do not look upon our coming here to help the Cambodians as aggression or expanding our country," he asserted. "We look upon it as helping poor and oppressed peoples who resist aggression."

Talking on, he urged me to give a special message to Senator Fulbright.

"You must tell him for me," he said, "that what he needs is not many strategies, but just one strategy.

"He should just go and live and work with the poor and oppressed. Where there is poverty and oppression there is war. Where poverty and oppression are eliminated, there is peace."

Then, apparently struck by a second thought, he continued, "Before you give this message to Fulbright, I would like to check it with my superiors because I am just an ordinary soldier."

I worried at times lest the guerrillas think we could be used as propagandists for their revolution. I was afraid that perhaps we had been too docile in our responses. The worry was fed by several other developments. Once Anh Hai said that by living with them we could write articles "and maybe a book of great historical significance about the successful war of one small nation against the U.S., which would be read around the world, especially by other small nations that want to oppose the U.S. and want to know how."

At the guerrillas' request Mike had written two or three articles about our experiences. They said they would be transmitted to his news agency. But like the single letter each of us was allowed to write, they never were.

All of these factors made me worry that they might try to use us as propagandists. I made up my mind that if such suggestions were made, I would quote the old American saying, "My country right or wrong; if right, to be kept right; if wrong, to be set right." I would try to make them understand that I could never work for a foreign government.

After four weeks of captivity we were worried and doubtful. We were sure we would not be killed. But we couldn't tell how long we would be held. On June 7 our first month was up, and there was no firm indication whether we would be released soon or held for the duration of the war, perhaps to be "re-educated."

About this time we began to get a few hopeful hints. One day Anh Hai asked unexpectedly how long we would like to spend in the "liberated zone" if we could have our preference. He noted carefully that it was just a hypothetical question because it had not yet been determined whether we were "good people"—that familiar phrase we had first heard the day we were captured.

We suggested that a month as accredited journalists would give us full advantage of this opportunity if we could then be released.

"Good answer," said Anh Hai.

A day or two later Anh Tu asked whether we missed our families. We said, "Yes, very much." He then told us he hadn't seen his for seven years and that a month or two would not be so very long. Our families would be happy to see us if we were released at the end of that time, he told us.

On June 9, after our escape from the helicopter attack had brought us and our guards closer together, Anh Ba began to reminisce. "Do you remember on the day you were 'arrested,' and you were sitting tied and blindfolded?" he asked.

"I was the one who gave you water and loosened the ropes and said that you would not be shot and that if you were truly journalists, you would be freed.

"That was a very dangerous situation for you. The people wanted to beat you to death. Some wanted to hurt madam (Beth).

"And that evening," he went on, "do you remember when you talked with the big man and he told you that I would take care of you? He told me that you were my personal responsibility, to protect your security no matter what happened, and this has been my major concern the weeks we have been together.

"I want you to live. I want to see you safely back with your families. The Americans have told your families that you are dead (this was untrue). I just want them to see your faces again.

"Nobody has told you yet, but it has been decided. You will be freed."

After dinner the guerrillas told us we would be visited by someone of higher authority. So we put on our shirts, which we often didn't wear, and combed our hair. Then we sat crosslegged on the floor waiting for what we thought was going to be good news.

We heard a step on the rickety ladder leading up to the door of our hut, and then there appeared the smiling face of the big, authoritative man whom we had not seen since the day of our capture. He was in plain khaki uniform. There was no evidence of his rank as North Vietnam's senior military officer in that region, as I judged him to be.

Followed by a natty aide with a red bandana knotted around his neck, the commander stepped into the little room. With a powerful grip and using both hands, he shook hands with each of us.

Our visitors sat down opposite us. Then over tiny glasses of tea, the big officer smiled and asked almost teasingly, "Why do you think I'm here?"

I said, "I hope it is that you have found that we are what we said we were."

"Yes," he replied, "that is it. You will be released. The decision has been made by the general staff of the United Front of the Cambodian nation under Norodom Sihanouk that you will be released as soon as arrangements can be made. This took a long time because of this war situation."

The whole interview took only about 10 minutes. The commander said he could not stay with us long.

"I must leave," he said. "And you must be prepared to walk 13 miles tonight."

[From the St. Louis Post-Dispatch, June 26, 1970]

EXPERIENCES AND OBSERVATIONS IN CAMBODIA

(By Richard Dudman)

Under a new moon we set out on a 13-mile hike that took us eventually to freedom.

It was just over a month since we had been captured. It would be another week before we would be out from behind the guerrilla lines in Cambodia.

The tall North Vietnamese officer had just given us the happy news that at last we were to be set free.

When he had left, Anh Ba, the military leader of our guards, squatted beside my two fellow correspondents and me as we made ready and told us we would have to move fast because there might be some bombing.

Beth—Miss Elizabeth Pond of the Christian Science Monitor—put the batik sarong the guerrillas had given her around her shoulders to conceal her face if necessary. Mike—Michael Morrow of Dispatch News Service International—and I each had a 10-pound, salami-shaped sack of rice over our shoulders. "If we see people," said Anh Ba, "they will think you are soldiers."

It was a long silent and exhausting march with three stops. The sliver of moon shone brightly for an hour or so and then it became very dark. We traveled through forests and a long open prairie. In the distance we could see the light from an American military base on Black Widow Mountain across the border in South Vietnam. Near the start we met several dozen soldiers, each carrying two projectiles of some kind in a pack.

At 3 a.m.—six hours after we started—we reached our destination. To our surprise we found ourselves back in the big Cambodian house from which we had fled three weeks earlier ahead of a predawn attack by Allied forces.

After we had slept for awhile, Beth, Mike and I set to work on a joint statement that the North Vietnamese officer had asked us to prepare. He wanted us to tell of our treatment, to compare the actions of the guerrillas and the Allied forces and to evaluate the results of the invasion.

We recounted our experiences, including the rough treatment Mike and I underwent the first day and the relationship between guerrillas and villagers. We concluded by saying:

"On the basis of our observations we believe that the invasion of Cambodia by American and Saigon troops cannot be successful. It has done nothing except to bring a bitter and prolonged war to a peaceful country and has made peace in the Indochina war more difficult to achieve."

A day or so later the guerrillas asked us to record something for use on their radio station. They suggested that I read our joint statement and that Mike record an article he had prepared for his news agency. It was the only such request they ever made of us. I don't know whether they ever broadcast our remarks.

While we were waiting for our release to be arranged, we decided to show our guards that we appreciated the safety they had given us. At a small ceremony we offered them little farewell gifts—Beth's scarf for Chi Tinh, a Vietnamese nurse who was with us for a few days; Mike's door key for Anh Ba; my beret for Anh Tu, who had admired it; my nail clippers for natty Anh Qui, the young man who had an eye for women; my knife to Yogi, who was fond of slicing up strange little fruit that he was always gathering in the woods; and to Anh Hai, the chess set that Mike and I had carved.

They were touched but refused to keep anything but the chessmen. Anh Ba explained, "We understand that these things do not have much value. They are very simple little mementos, but in another way they are very important things. For example, the key that you have given me means that at any time I want to I can go into your house. It means that your house is my house and symbolizes that we all are very close friends."

They offered us no gifts, because they said, "You still have some difficult times to go through." The maintenance of face was involved here, for reciprocity is a firm rule in the Orient. So is the concept that to return something you might like is to have a higher virtue than to accept it.

This gift-giving ceremony must seem strange to people in this country who see our captivity as an ordeal. We didn't feel that way about it at all. I told our guards when we offered them our gifts that I wouldn't have missed the whole experience for the world. I still feel that way. During the 40 days we were prisoners, I often said jokingly, "If we get out of this alive, we'll have one helluva story."

On June 14 a number of strangers came to the big house where we were staying. There was the shifty-eyed little man who always spoke with his hand covering his buck teeth. Two local village chairmen arrived for tea and told us they were happy that we decided to come and visit them.

Another arrival was the talkative photographer who earlier gave me a message for Democratic Senator J. William Fulbright of Arkansas. Anh Hai had told us earlier they would take a picture of us with the gifts we had offered them. But then there was an abrupt change in our plans. The gifts were omitted and the only guerrilla shown with us in the picture was Yogi, the former Cambodian army officer, who was posed wearing a pistol as if to guard dangerous prisoners. The photographer apparently had suddenly been ordered to emphasize the Cambodians and omit the Vietnamese.

That day, too, we received a promised interview with a local Cambodian military commander. We had been required to submit written questions several days earlier. He arrived that day with seven other armed men, walking single file along a path through the rice paddies at noon. From our little room a bit later we could hear the commander going over the answers that were to be given to us.

Mike, Beth and I reported his remarks immediately after we were set free. Although we could not verify his claims, we regarded them as potentially significant. He said that forces loyal to Norodom Sihanouk, the ousted head of state, completely controlled three provinces of eastern Cambodia and a total population there and elsewhere of 2,000,000 persons.

During that interview we saw for the first time the flag of the Cambodian Liberation Front. It uses the Cambodian national flag with blue stripe top and bottom and an outline of the ruins of Angkor Wat on a red field. The revolutionaries have added in white the letters FUNK, standing for the French name of the front, Front Uni de la Nation Khmer.

DINNER AND SPEECHES

When the Cambodian commander and his party had marched off, we feasted on rice, dog meat and other dishes contributed by neighbors. They gave us each a neat stack of 5000 piasters in crisp new bills and 100 Cambodian riels. At black market rates it comes to about $15 for each of us. Several of our guards made speeches, for this was our farewell dinner. The time for our departure had arrived although it was to prove a false start.

About 2:30 p.m. we three correspondents and all five of our guards piled into a small Italian taxi-bus. With a single motorbike escort patrolling ahead, we took off. It was the first time we had traveled in daytime except when fleeing from imminent attack.

It must have been a comic sight. We were well known in the area by this time so we waved to people as we drove along. Youngsters on bicycles would do a double-take and then race after our car as we passed through hamlets.

Nearing a large village, we saw people from the surrounding countryside streaming along the road toward a parade ground in front of the elementary school. Our taxi-bus pulled to a halt at the grounds, and we suddenly realize that this was a mass meeting in our honor.

TABLE IN PARADE AREA

About 1000 persons had gathered. We were ushered into the parade area and seated at a table covered with blue paper. Thirty Cambodian soldiers, armed with a variety of Communist-made and captured American weapons, kept the crowd in place.

Red and blue banners with gold letters were carried on poles. One said, "Long live the Khmer people" and another, "Long live solidarity of the Indochina people." A third that appeared to be brand new said, "We thank the American people who support our struggle for independence."

When the speeches started, I took off my beret, and a snicker swept the crowd. Bald heads are rare in Cambodia.

An officer spoke to the crowd in Vietnamese over a public address system, expressing "thanks to the American people who support our struggle. Unfortunately," he added, "the American people have at their head Richard Nixon, who is an aggressor."

A rainstorm broke up the meeting. The crowd began dispersing. We sought shelter on the porch of the elementary school. By then it was dark and we were directed to climb through a window.

In the dark classroom we sat at a table with an attached bench. Then a dim flashlight was switched on and we found ourselves once again face to face with the tall North Vietnamese army commander who was such a key figure in our whole experience, as well as the Cambodian commander who had given us the interview.

They gave us safe-conduct passes. Typed in Cambodian on flimsy onion-skin paper with our names inserted in ink, they were headed "Military region 203—independent Cambodian front. Certificate of release of prisoners."

FAIR TREATMENT

We learned later that the passes contained a peculiar statement to the effect that they were releasing us because they considered us "awakened." I take this to mean that they believed they would be given fair treatment in any accounts we wrote of our experience.

The passes were to be shown only to any guerrilla forces we might encounter after our release but not to Allied troops. In addition, we carried truce flags that they helped us fashion out of my two handkerchiefs and a piece of white cloth.

We were told to keep the little flags with us at all times. If an attack occurred, we were not to run with the guerrillas but, instead, to show ourselves and hold up our flags. Our guards would run the other way.

The monsoon rain had caused an unexpected hitch in our release. The pathway had become so muddy that it would be difficult to travel on the motorbikes we were to use for the rest of the journey. Disappointed, we returned to our house.

We set out again the next afternoon after a second farewell dinner and more speeches. Anh Hai had left us by then and Anh Ba was in charge. With his khaki-colored pith helmet and square sunglass with blue lenses and silver rims, he was an impressive figure as he sat in the front seat of the green jeep we were using and watched for Allied helicopters.

GUARDS, MOTORBIKES

At dark we left the jeep and climbed aboard motorbikes. Each of us rode on the back seat of a bike behind an armed guard. In the column were four other bikes ridden by three of our guards—Anh Tu, Anh Ba and Anh Qui—and by a stranger, a heavy-set smiling soldier wearing a Mao Tse-tung medallion.

The stranger, who clearly was of Chinese descent, led the way on tiny, winding paths in the forest and over narrow dike roads between rice paddies. Using relays of bikes, we bounced along the bumpy pathways at speeds up to 25 miles an hour.

Toward the end of our three-hour ride we turned off our lights and proceeded by bright moonlight for several miles. Then we came to a stop while two of the guerrillas went 200 yards ahead to reconnoiter. They came back to report it was safe, and we rode our bikes onto Highway 1, the same road on which we had been captured 40 days earlier.

We pulled under the marquee of a darkened restaurant. Our guards roused the owner, and he brought us a snack of tea and a sweetened Chinese pastry wrapped around chopped meat. We were supposed to spend the rest of the night at the restaurant, but the owner balked.

Straddling our motorbikes again, we rode a quarter of a mile down the highway to another building. We shook hands and embraced the three guerrillas who had been with us throughout our captivity. They warned us to be sure to use our white flags. We urged them to hurry back to a safer area.

As they climbed onto their bikes, one of us asked, "What time is it?" One of them answered, "Ten minutes to eleven." Then they were gone, putting off in the direction from which we had come. It seemed a strange ending.

TEN HOUSES, 200 MILES

We were free at last. We had stayed in 10 Cambodian houses. We estimated we had traveled 200 miles.

For the first time since we had been taken prisoner on May 7, Beth, Mike and I were alone again. I can't think of two persons I would rather have shared such an experience with. I had come to admire Mike's coolness and good judgment and Beth's courage and placid nature.

I think Mike's knowledge of the Vietnamese language saved our lives the first day and it proved invaluable the rest of the time. Beth complained only once in nearly six weeks—when beetles were falling from the ceiling of one of our houses into her soup. I'm sure the three of us will remain good friends the rest of our lives.

We agreed that night as we stood on the deserted highway that we would not disclose the exact place on Highway 1 where we were released. We were afraid that to do so might jeopardize the chances of other Western correspondents still held prisoner. We had asked for information about these colleagues a number of times but could learn nothing. We can only hope that they will be as fortunate as we were.

After sleeping that night in the building where the guerrillas had left us, we were up at dawn on June 16 to hitchhike into Saigon. All the traffic seemed to be going in the opposite direction, and it was four hours before an American army truck picked us up and took us part of the way.

A few minutes later we caught a ride in a 24-truck convoy of South Vietnamese forces returning empty from Phnom Penh to Saigon. Because they did not have to stop at checkpoints, we arrived in town shortly after noon without anyone knowing it.

CABLE TO SIHANOUK

We tried to hide to avoid interviews, knowing our most important work was to write our own stories as quickly as possible. One of the first things we did on reaching Saigon was to send a cablegram to Sihanouk, expressing appreciation for our release and saying it gave us hope that our colleagues still missing in Cambodia also would be set free.

We still don't know why we, rather than others, were released. I suspect it is partly because of the enormous amount of publicity over our capture and certain personal appeals made to Sihanouk and the government of North Vietnam.

Until we arrived in Saigon we had no idea of the massive effort that had been made to obtain our release. Pleas had been sent through diplomatic channels, peace groups, private and public organizations. Newspapermen throughout the world had helped. I am most grateful to all of them.

Almost the first thing I did on arriving in Saigon was to place a telephone call to my home in Washington, D.C. Surprisingly, it got through without much delay.

I heard the operator say, "I have a call from Richard Dudman in Saigon." There was a gasp at the other end, and then I heard my wife saying over and over, "Richard, Richard, Richard."

[From the St. Louis Post-Dispatch, June 28, 1970]

Experiences and Observations in Cambodia

(By Richard Dudman)

From behind guerrilla lines the great success that President Richard M. Nixon has claimed in Cambodia has the doubtful look of imminent failure.

I feel some hesitancy about making broad judgments of this kind because in the 40 days that I was a prisoner of Cambodian guerrillas I saw only a small slice of the new war that is raging there. I had no opportunity to talk to high-level policy makers.

Yet it was a unique chance to see the war from the other side. As a result, in this final article describing my experiences I feel a responsibility to do what a reporter seldom does—express some personal opinions.

What I saw and heard during nearly six weeks as a captive in "liberated" Cambodia convinced me that President Nixon's policies inadvertently were helping to create conditions for a Communist-controlled "people's war," a savage, prolonged struggle by an elusive, determined guerrilla front with strong popular support.

The two-month-old invasion by the United States and South Vietnam has not succeeded despite the capture of enemy weapons and supplies. Instead it has created hatred of the United States and strengthened the influence of both North Vietnam and the Viet Cong in Cambodia.

I saw the early development of what appears to be a Cambodian people's movement: the Front Uni de la Nation Khmer, popularly known as FUNK. It is loyal, not to the shaky government of Premier Lon Nol, but to Norodom Sihanouk, who was ousted in a military coup March 18 and now heads a government in exile from Peking and Hanoi.

The American action, when viewed from the enemy's side of the combat zone in Cambodia rather than from Washington or Saigon, appears to be the latest in a series of disastrous moves that have carried the U.S. deeper into the conflict in Indochina ever since 1954. I saw no reasonable prospect of a successful outcome or even of an end to the fighting.

These are some of the impressions that developed as my two fellow prisoners—Miss Elizabeth Pond of the Christian Science Monitor and Michael Morrow of Dispatch News Service International—and I were taken from one hiding place to another. We were well treated as we traveled through a large area of eastern Cambodia where enemy forces appear to operate at will despite the presence of thousands of American and South Vietnamese troops.

Our captors let us keep notes of our experiences, occasionally even going to a village to get a new ball point pen when one of ours wore out. One night in a Cambodian farmer's hut, by the flickering light of a tiny kerosene lamp, I jotted down some of my conclusions. Here is what I wrote:

Three weeks after the United States and South Vietnam crossed the border into Cambodia it appears evident from this vantage point that the results will be the exact opposite of what was intended.

The Cambodian "sanctuaries," far from being wiped out, are being forced to spread out over wider territory, with no foreseeable limit on their westward expansion.

The Cambodian countryside, where most of the population lives, is being radicalized and quickly turned into a massive, dedicated and effective revolutionary base. Already friendly relations between the Cambodian people of the countryside and the Vietnamese revolutionists who have been living and operating here for a decade are being strengthened to form a solid revolutionary front with Sihanouk as its leader and Ho Chi Minh as something approaching a saint.

Above all, what was once properly called the Vietnam War, has been widened to the point where it involves all of former French Indochina, and no limit is in sight either in breadth or duration.

Even if President Nixon keeps his pledge to remove American troops from Cambodia by June 30, the forces of the U.S.-sponsored government of South Vietnam are expected to remain indefinitely on Cambodian soil in an effort to maintain the fragile Lon Nol regime.

Meanwhile, the thunder of B–52 strikes and the frequent rumble of smaller U.S. bombs and artillery foreshadow continued and increasing use of American firepower in Cambodia after the American troops leave. So Asians will be fighting Asians while the U.S. reduces its own casualties by releasing the indiscriminate terror of bombs and shells from the relative safety of the sky and distant fire bases.

It is the full flowering of the Nixon doctrine for cheap victory in Asia. But that is not to say that it will work.

I have seen a massive movement of Cambodians and ethnic Vietnamese, treking westward by night and sleeping in thatched huts by day, in the face of Allied bombing raids and advancing tank and infantry columns.

Instead of a narrow band of safe havens along the eastern frontier for Viet Cong and North Vietnamese troops and their Cambodian allies, their zone of operations is spreading over much of rural Cambodia.

The geographic result of Mr. Nixon's strategy is one thing. More important is the political result, evident everywhere we have traveled in Cambodia's so-called liberated territory.

At each plantation or farmer's hut where Beth, Mike and I have been secluded for two or three days at a time, we have seen evidence of allegiance to Sihanouk and of its counterpoint—extreme hatred of the United States and President Nixon.

American shells and bombs mean to Cambodians that the U.S. is waging unprovoked, colonialist war against them. They see America as a would-be successor to the French, trying to turn back the clock of history in the face of a swelling spirit of Asia for Asians.

The war has built empathy among the Cambodians and Laotians for Communist North Vietnam and the Viet Cong.

Those are the notes I wrote that night in Cambodia. The date was May 22, just 15 days after our capture. I still feel as I did then.

There is a great danger of self-delusion by the U.S. in regard to Cambodia. American miliary leaders have long argued that enemy troops can't fight in the monsoon season. But the guerrillas accompanying us made it plain that this was a myth.

Anh Hai, the political leader of our band, told us that the rains, which were starting two weeks before our release on June 15, would mean a change in the pattern of guerrilla life. Few government officials or foreigners would remain with the soldiers, he said, adding, "The soldiers will no longer live with the people in their houses but will go out into the forest and countryside and will begin their rainy-season offensive." The guerrillas like the monsoons because they inhibit Allied aerial attacks.

There is danger, too, of the kind of self-deception we have practiced in connection with the Vietnamese conflict. Official U.S. descriptions of the guerrilla war there as a simple case of aggression from North Vietnam stood in the way of a sensible American approach, if one was possible at all.

The war was far more than it appeared. It contained important elements of a civil struggle. There was an indigenous movement, although, of course, with close ties to North Vietnam.

OVERSIMPLIFIED EXPLANATIONS

An explanation of what is happening in Cambodia may blind the U.S. to an understanding of the reality of the struggle there.

Despite denials by North Vietnam and the Viet Cong, it is clear that both have troops in Cambodia. Our captors made no effort to deny that this was the case. The presence of outside forces was even tacitly admitted in constant references to "solidarity among all the people in Indochina."

It was implied in other things they said. For example, Anh Tu, one of our guards, had been talking one day about the guerrillas' identification with the people of Cambodia. I told him, "I suppose you are familiar with Mao Tse-tung's analogy of fish swimming in the sea." The fish are the guerrillas and the sea, the sympathetic countryside providing information and shelter to the fighters.

"Yes," he replied. "The fish must have the sea, but without the fish the sea is useless."

Although we were convinced that one of our guards was from North Vietnam and another from South Vietnam, all five always described themselves as representatives of FUNK, the Cambodian National Front. On the basis of my experiences, it is difficult to tell how real an organization it is. I saw and heard many indications that it receives substantial military assistance from North Vietnam and the National Liberation Front (Viet Cong). We could not tell how much political influence or control Hanoi and the NFL exert over FUNK.

It is equally difficult to judge if Sihanouk is a puppet of Hanoi. I suspect he may be. The attitude of the villagers we saw indicated clearly that Sihanouk remains a highly popular leader in Cambodia.

The national front acknowledges that it is Communist-controlled. This came out in an interview that Beth, Mike and I had with the front's local Cambodian military commander on the day before we were set free. He described the front as being "under the direction of the Communist Party in Cambodia." This was a reference to the Khmer Rouge, the Communist faction that long has operated in Cambodia.

Of course, there has been leftist and Communist sentiment in Cambodia for many years, particularly in the "liberated" area in which we were held. But we felt it was being strengthened. The American invasion bolstered the Communists' argument that the U.S., not the guerrilla, is the aggressor that turned a peaceful country into a battleground.

As a result of the war, we saw poverty developing in a land of plenty. In what appeared to be rather frank discussions our guards told us that prices of many things were skyrocketing. They were worried because their rations were cut from 3 cents a day a man in April to one cent in June. The allowance covers the cost of everything but rice, which is provided free. They claimed that the reduction resulted from the increasing number of Cambodians who were joining the front.

Our team of guards was diverse in its makeup; but obviously handpicked for its assignment. Anh Hai, the political chief, was a 25-year veteran of the revolution, and his back bore the scars of bullet wounds from a hundred battles. I was convinced he was a North Vietnamese although he said he was from Hue in South Vietnam.

Anh Ba was a natty soldier with flashy silver-rimmed sunglasses. I believed him to be of delta stock from deep in South Vietnam.

He fought the French in Vietnam for six years, and then after a period in Phnom Penh as a student he rejoined the guerrilla movement in 1960. He was the military tactician, and responsible for our safety.

Anh Tu was a sensitive, rather shy man who left his family to join the revolutionary movement 11 years ago. He said his wife was killed in a bombing raid and that he has had no contact with a young daughter whom he left behind. I had the feeling that he was a member of the Viet Cong.

Anh Qui and Yogi were both Cambodians, although Qui was of Chinese stock. A student from a well-to-do-family, he knew something about Western music. He had joined the revolution only a few months before we were captured.

Yogi enlisted in the front as an ordinary soldier the day before Sihanouk was overthrown in March. He had been an officer in the Cambodian army in a unit guarding Lon Nol, who deposed Sihanouk. He was not a Communist but said he would remain in the front for the duration. He was a rugged, handsome man with curly hair and the deep bronze coloring characteristic of Cambodians. Six gold teeth added more color to his face.

All were in their early or mid-thirties except Anh Qui, who was about 26, and Anh Hai, who was 44. All carried copies of the famous little red book that contains Ho Chi Minh's philosophy of revolution, and they often quoted Uncle Ho.

Our five, who said they had never been assigned together before, became fast friends as they looked after us. On the whole, they seemed to live a happy and comfortable life and probably ate better than most South Vietnamese troops. The big house where we spent several days reminded me of a youth hostel more than a military billet.

FEARS UNJUSTIFIED

In the beginning we were afraid of them. We thought they might shoot us in the back. But all our fears proved to be unjustified. They treated us well and as far as we could tell, they were straightforward in their dealings with us.

They refused our request to be taken to Hanoi or into areas under attack by the Allies. They rejected our repeated requests for information about other Western correspondents captured in Cambodia and about American prisoners of war. At one point they told us that some letters and other things we had been permitted to write had been mailed to America. But it later turned out that nothing except perhaps the letters, had been sent.

They treated us well and looked after our safety, but except for minor matters like lending us a needle and thread, they granted none of the requests we made. They decided everything. We had very little freedom of action.

I saw them as representatives of a tough revolutionary force entirely confident of their success and determined and able to fight on indefinitely.

ORDERLY PROGRESS ON SAFEGUARD SYSTEM SHOULD NOT BE PLACED IN ESCROW

Mr. TOWER. Mr. President, recently, I have noted some rather vague suggestions in various media apparently advocating that we place a key portion of our Nation's future strategic deterrent in something called escrow by postponing all orderly progress on the Safeguard defensive missile system. While "escrow" is a rather useful legal term which is of considerable value in real estate transactions, it has no place in any realistic defense policy. Consequently, I rather doubt that anyone would actually propose such a concept in the form of binding legislation. Nevertheless, I should like to take this opportunity to discuss the matter briefly.

Quite aside from the fact that this course of action would add costs and time, I find it inconceivable that anyone would seriously consider placing American national security in escrow.

Particularly, I cannot believe anybody really wants to deny the President the important SALT bargaining chip of Safeguard just at a time when all public reports tell us progress is being made at Vienna.

I ask those who would place American national security in escrow to take a careful look at Soviet strategic systems. I defy them to find for me a single system that the Soviets have placed in escrow.

The Soviets continue their buildup momentum in numbers of strategic land-based offensive missiles. That is not escrow.

The Soviets continue to test and to deploy ABM launchers and huge ABM radars. That is not escrow.

The Soviets have new bomber aircraft under construction. That is not escrow.

The Soviets are deploying new missile submarines at a steady, methodical pace and at the same time testing new types of submarine-launched missiles. That is now escrow.

The Soviet Navy is steadily increasing in size and is expanding its operations along America's coasts. That is not escrow.

Soviet military research and development costs and programs are increasing as they probe advanced scientific disciplines. That is not escrow.

In short, the Soviets are not approaching SALT by placing a single thing in escrow. Yet, the United States already has limited its numbers of ICBM launchers, retired scores of bombers, placed hundreds of ships in drydock, delayed and stretched out its ABM plans so that even a beginning Safeguard system is years away, and cut billions from the defense budget.

If it is "escrow" somebody wants, I say to them that the United States already is exercising the greatest restraint. We are walking the extra mile for success at SALT. But it would be worse than imprudent; it would be downright dangerous—both for SALT and for the American people—for us to match Soviet momentum with only an escrow Safeguard.

SALT is working. Orderly Safeguard progress is helping it work. Safeguard in total escrow could doom SALT and endanger American lives.

PROPOSED CHANGES IN OUT-OF-SCHOOL PROGRAM

Mr. GOODELL. Mr. President, during the past several months Senators and other concerned Americans have expressed a continuing concern over rising unemployment. As is always the case during times of economic stress, minority groups and young people are hit hardest because they often have less job skills and training than the population as a whole. For this reason, I was particularly disturbed by the Department of Labor's decision to make changes in the out-of-school segment of the Neighborhood Youth Corps program. These changes will seriously hamper the program's recruitment efforts as well as its effectiveness in directing low-income high school dropouts toward permanent employment.

We cannot fill job opportunities that are created if we do not have qualified people to hold a job. We cannot talk about "opportunity" if people are not given the tools to realize their potential. The Neighborhood Youth Corps deals with young people who have serious social or emotional problems in getting and keeping jobs. It is vital that no changes be made in the out-of-school program which would prevent it from effectively pursuing this goal.

I have sent to the Secretary of Labor a telegram which outlines my specific objections to the changes to be implemented in the out-of-school program. I ask unanimous consent that the telegram be printed in the RECORD. I urge Senators to join me in this appeal to the Department of Labor.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JUNE 26, 1970.

Hon. JAMES D. HODGSON,
Secretary,
Department of Labor,
Washington, D.C.:

I am writing to urge you to cancel three counterproductive changes proposed for the out-of-school segment of the Neighborhood Youth Corps (NYC) program.

Firstly, the new program design (NYC–2) is laudable for its increased emphasis on remedial education and training, and there certainly is a need to improve this aspect of the out-of-school program and encourage enrollees to return to school. However, by mandating that enrollees can spend no more than ⅓ of their time in work training and the remaining ⅔'s of their time in classrooms, the Labor Department has deprived program directors of the flexibility they need to meet the individual needs of the participants. Moreover, by permitting educational efforts to take precedence over on-the-job training, it would appear that NYC–2 contradicts the will of Congress as expressed in section 123(A)(2) of the Economic Opportunity Act as amended.

Given the nature of the individuals that NYC attempts to train, the approach employed by NYC–2 is unrealistic in that it seeks to return the high school drop-out to an educational environment that he has already rejected. It is unclear how the Labor Department intends to motivate low-income high school drop-outs to go back to school after our entire educational system has, for one reason or another, already failed them.

Secondly, the present program design pays enrollees the minimum hourly wage for the time they spend working and receiving remedial education, usually for a total of thirty hours per week. The new program design pays the enrollee the minimum hourly wage only for the time he is receiving work training, although he also will receive a small stipend for the time he spends in the classroom. In effect, NYC–2 reduces the enrollee's average wage to 97½ cents per hour while increasing the length of time he is required to participate to forty hours per week. This change can only serve to seriously diminish the program's economic incentives and discourage potential enrollees from joining.

The third objectionable aspect of NYC–2 is that it limits enrollment to persons sixteen and seventeen years of age. As such, the program excludes many individuals who could profit from the type of approach employed by the out-of-school program. I realize that an attempt has been made to incorporate persons eighteen years of age and older into other programs. However, a survey of a number of NYC program directors conducted by my staff has revealed that manpower programs cited by the Labor Department as likely to absorb older youth were either nonexistent in many areas of New York State or already filled to capacity with long waiting lists. Also, the current rise in unemployment has seriously hampered manpower programs that cooperate with the private sector. Finally, almost all of the programs cited by the Labor Department in this regard lacked the vital supportive services that are provided by the out-of-school program.

I recognize that the percentage of youths succssfully directed towards permanent employment by the out-of-school program has not always been consistently high. In this instance, however, statistics can be deceiving. NYC deals with young people who have serious social, mental or emotional problems in getting and keeping jobs. Because these individuals would most likely join the ranks of the hard-core unemployed or underemployed, even a modest rate of success would indicate that the program is serving the purpose for which it was created.

The aspects of NYC–2 described above will have an adverse effect upon the goals and recruitment efforts of the out-of-school program. At a time when unemployment is on the rise, I feel it would be unwise to implement any changes in the NYC program which might reduce its effectiveness in rehabilitating people who would almost certainly be unemployable were it not for the out-of-school program. Accordingly, I urge you to rescind those sections of NYC–2 which exclude persons over eighteen years of age and preclude enrollees from devoting more than ⅓ of their time to work experience. In addition, I urge that out-of-school participants be paid the minimum hourly wage for the entire time they participate in the program.

CHARLES E. GOODELL,
U.S. Senate.

IMPORT CURBS VERSUS FREE TRADE

Mr. THURMOND. Mr. President, the millions of workers whose wages are tied directly or indirectly to the U.S. textile industry are grateful the Nixon administration has given its support to the Mills bill pending in the U.S. House of Representatives.

However, as this legislation moves through the Congress we will no doubt hear a lot about free trade and how it is imperiled by the Mills bill.

An excellent editorial in the Tuesday, June 30, 1970, issue of the State newspaper in Columbia, S.C., deals effectively with this issue. This is done by pointing to the recent remarks of the distinguished Senator from New Hampshire (Mr. COTTON) who said free trade is a two-way street, otherwise it is not free trade.

Mr. President, I will let the editorial speak for itself. The editors of the State newspaper are to be commended for such forceful and sensible words. I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IMPORT CURBS SHOULD NOT DAMAGE FOREIGN RELATIONS

At long last, the Nixon administration has flashed the green light for textile import curbs. It has come not a moment too soon. American textile jobs are being washed away every day by the flood of imports from the Far East.

It is therefore imperative that the House finish work on the bill, chiefly sponsored by House Ways and Means Committee Chairman Wilbur Mills, and that the Senate, which seems to prefer debates of limited purpose to substantive action, give the legislation priority attention.

We can expect more speeches, of course, to the effect that this bill is protectionist, that it goes counter to America's long commitment to free trade. Perhaps it is, to an extent, but it must be remembered that the United States is about the only real free trader in the world today.

New Hampshire Sen. Norris Cotton made this point most forcefully in a major speech in support of the Mills bill two weeks ago.

"The free flow of goods—free trade—should be our goal. At present, we do not have a free flow of goods. Every nation with whom we trade has, in some form and to some extent, barriers against American goods—tariffs, quotas, import licenses and so on. We alone raise no such barriers . . . Free trade must be a two-way street; otherwise it is not free trade."

There has been a good, solid, historic reason for America's big-hearted view toward international trade. For decades, the United States has been the world's economic and industrial Goliath. After World War II, we set out to rebuild the shattered economies of Europe and Japan. We could afford to take a generous view and we repeatedly gave up more in trade negotiations than we received.

This attitude helped our friends and allies abroad to regain their economic strength. As strong foreign competitors appeared in virtually every industry, American Presidents were reluctant to risk damage to foreign relations by taking a stronger stand in trade negotiations, by administratively restraining imports undercutting U.S. industry, or by supporting legislation to do this.

But, as Senator Cotton has said, "the world of the 1970s is a very different world from the one we knew in the past. We can no longer afford to squander economic advantage for uncertain political or foreign relations gains."

The Japanese, who have raised the greatest hue and cry over the Mills bill, are in no position to charge the United States with protectionism. While Japan's own bustling industries have a well-protected corner on the rich home market, that nation has built up a $1.5 billion annual trade surplus with the United States, which of course poses a terrific strain on the dollar.

Furthermore, the Nixon administration, and its predecessors, have negotiated in good faith with the Japanese over a long period of time in an effort to gain voluntary controls over imports of woolens and man-made fibers (items covered by the Mills bill). The Japanese have been unyielding, even after it was all but certain that they were forcing Congress' hand. When the last round of talks collapsed last week, the Administration had only one responsible course of action left—support the Mills bill.

Senator Cotton believes this will impose no foreign relations risk. "Rather, I suspect we will gain further respect from them (the Japanese). They are able competitors and they are known to respect strength in those they deal with in business and government."

The Mills bill will not by any means shut Japan and other Far East exporters of cut-rate textiles out of the American market. It will merely limit imports to allow the severely damaged American textile industry to recover. Furthermore, the Mills bill has a handy clause which will exclude from its provisions any country which negotiates voluntary restraints. It will be, in effect, a lever, a bargaining tool.

We will be very surprised indeed if the Japanese or other nations attempt any serious reprisals as a result of this legislation. They need us and we need them. They must learn to sympathize with our problems as we sympathize with theirs. The relationship is too strong and the business too good to make a trade war likely.

"SPEED"

Mr. GOODELL. Mr. President, on June 21, the New York Times magazine published a disturbing article on the abuse of a category of drugs collectively known as "speed." Of late, Federal, State, and local efforts have concentrated on halting the spread of heroin and other hard narcotics. Marihuana has been widely used and more widely discussed, but little attention has been given to the effects of amphetamines and other soft drugs.

Often used as diet aides and pep pills, varieties of speed are manufactured by the billions in the United States. "Speed" users do not fit society's stereotype of the addict for they are most commonly middle-class mothers, professionals, truckdrivers, secretaries, students, and the like.

In the face of the threat of drug abuse, the optimal approach, it seems to me, is embodied in S. 2921, the Drug Abuse and Marihuana Services Act of 1969, which I have introduced. That measure aims at prevention of drug abuse, and provides for a comprehensive rehabilitation services program for the person whom society has been unable to aid prior to his addiction.

Mr. Jonathan Black's article, entitled "The 'Speed' That Kills—or Worse," is illuminating and terrifying. In the hope that it will alert more people to the menace posed by amphetamine abuse, I ask unanimous consent that that article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE "SPEED" THAT KILLS—OR WORSE

(By Jonathan Black)

In his senior year at college, Norman found himself with an unfinished thesis and a deadline only two days away. No-Doz pried his eyes open, but his brain seemed to turn to rubber after hours of typing. So his slightly overweight girl friend came up with some little yellow diet pills, 10 milligrams apiece. With the first pill, Norman's mind clicked into gear and his fingers pattered over the keyboard as intricate insights streamed out of his head. After 10 hours he took a break and cleaned out all the drawers of his desk, arranged the pens and pencils in precise parallels, and stacked all his books so that the bottom corners were exactly even. Then he slid the pile so it coincided perfectly with the right angle at the corner of his desk. He stared at the pile for 20 minutes. Then he popped another pill, whistled through 10 more hours of typing and polished up the conclusion of his thesis with some more rather arcane insights. Norman drank half a quart of orange juice, emptied the icebox, and cleaned out all the shelves. Then he retyped some earlier pages which a dirty eraser had smudged, called up his girl and chattered gaily for 40 minutes. Then Norman passed out for 10 hours with dreams of an A in his head. He got a B-plus.

Norman was speeding, but well under the limit. "Speed" is the street name for amphetamines and amphetamine-related drugs, drugs which act as stimulants to the central nervous system. Norman's flirtation with speed, and his drug-induced reactions, are not at all unusual. Amphetamines are commonly used by students and housewives and G.I.'s and truck drivers and tax lawyers. Increasingly, however, speed is also being abused by students and housewives and G.I.'s and truck drivers and tax lawyers—not to mention members of the drug culture.

Unlike barbiturates, which are "downs," amphetamines are "ups." They are energizers that kill the desire to eat and sleep, speed up the heart, and deliver a neural charge to the cortex. Precisely how they work is uncertain. One theory holds that they act directly on nerve-circuit receptors; a more widely held view is that amphetamines act indirectly by releasing chemicals at the synapse—the juncture of two nerve ends that carries the impulse from one nerve to the other.

The most basic amphetamine compound—1-phenyl-2-aminopropane—is marketed Benzedrine. The *d* form* of that compound, dextroamphetamine sulphate, is known as Dexedrine; if a methyl group is added onto the final nitrogen atom, the molecule becomes *d*-desoxyn, or Methedrine. The two *d*-amphetamine compounds are more potent than Benzedrine, but there is no chemical evidence to support the widespread street myth that Methedrine is any more powerful than Dexedrine.

Cocaine, an alkaloid extracted from dried cocoa leaves, produces almost identical symptoms, though of shorter duration, when taken intravenously. The opiate derivatives like heroin and morphine, differ in that they produce drowsiness and lethargy. Marijuana can bring on an alert euphoria that approximates the effects of small doses of amphetamines.

Psychedelic or hallucinogenic drugs, like LSD and mescaline, are much more selective than amphetamines in their stimulation of the central nervous system. However, amphetamines may also produce hallucinations at certain stages of intoxication or withdrawal. And other drug confections, brewed up by underground "cooks" and labeled with such initials as D.O.M. and S.T.P., often mimic speed and bridge the gap between amphetamines and hallucinogens.

Amphetamines are a sprawling family, marketed by several large pharmaceutical companies under about 75 brand names for over-the-counter sales. With a prescription, amphetamines are completely legal and very cheap—about 5 cents per 5-milligram tablet. Besides selling as Methedrine, Desoxyn, Benzedrine and Dexedrine, they may be combined with barbiturates under such trade names as Desbutal and Dexamyl or, abroad, Preludin and Ritalin. On the street and in the black market, speed is "splash," "crank," "rhythm," "meth" or "crystal" (the last term referring to the pure powdered form of methamphetamine hydrochloride).

Thousands and probably millions use amphetamines without becoming wild-eyed "speed freaks." They drop pills to finish papers, wax floors, lose weight, write songs, sing songs, have conferences, sculpt, wake up and think more clearly. When amphetamines were first synthesized in 1927, they were intended solely as a decongestant in the treatment of bronchial asthma. They are now prescribed for a minimum of other uses: to treat obesity, mild depressions and rarer occurrences of narcolepsy, and to treat hyperkinetic brain-damaged children. As antidepressants, amphetamines are beneficial only for a matter of days. Then a tolerance builds, and larger doses only bring on the risk of dependence and deeper depression. As diet pills, amphetamines can produce a maximum weight loss of 5 to 10 pounds over several weeks, most studies report, although some doctors question even that figure, crediting it to a placebo effect. Any attempt to lose more weight by using speed can open the Pandora's box of amphetamine abuse.

The term "abuse" is more accurate than "addiction"; in fact, amphetamines appear not to be physically addictive. Because the body quickly builds up a tolerance to the drug, however, doses must be escalated to maintain the high. Eventually, a pill-popper may be drawn to snorting (sniffing amphetamine powder) or "shooting" (injecting speed into the veins). Speed freaks may experience the physical withdrawal cravings common to narcotics addicts, but for the most part it is the psychological vise of the drug that turns users into abusers and abusers into "addicts." Speed stretches the emotional sine curve; euphoric peaks are followed by troughs that are unbearable wells of despair and depression. The desire to duplicate the first and the need to avoid the second—the "crash"—leads to the amphetamine habit.

The speed epidemic blossomed about three years ago in San Francisco's Haight-Ashbury district and quickly popped up in the nation's other hippie drug haven, New York's East Village. Quiet flower children became ravaged scarecrows. The cannibalism of speed was easy to spot: emaciated bodies cocked in twisted postures; caved-in jaws, grinding and grinding; pockmarked skin, torn and scratched and white, and a constant talking, talking, talking.

Amphetamine abuse has leveled off in the Haight and the East Village. Nationwide, however, speed abuse is increasing, and the amphetamine industry booms. Ten billlion pills are produced annually, about 50 tablets for every man, woman and child in the United States. That is about three times the production of barbiturates. Amphetamine drugs account for about 8 per cent of all prescriptions filled in the United States, according to one estimate.

At least half of that production is diverted into illicit sales, via fake prescriptions, fake doctors and manufacturers who just want to unload their pills. A recent investigation by the House Select Committee on Crime revealed that a pharmaceutical firm had shipped 1.5 million amphetamines to a Mexican "wholesaler" whose address turned out to be the 11th hole of the Tijuana Country Club. "If it's that easy to fool a pharmaceutic firm," commented Representative Jerome R. Waldie, Democrat of California, "I fear even to hazard a guess as to how many millions of pills find their way into the black market."

The quantity of illegally manufactured speed rivals the amount that is produced legally and then diverted illicitly. On the "home factory" level, the Food and Drug Administration reports, "speed is the most popular drug of clandestine chemists." Of 36 underground drug labs raided since last July, the F.D.A. says the majority were involved in the manufacture of meth. In a year-end survey of 10 national districts, the Bureau of Drug Abuse Control of the F.D.A. reported illegal speed "readily available" in five major areas: New York, Chicago, Minneapolis-St. Paul, Dallas and Seattle. Only three areas reported any scarcity, and there were no statistics from California, the speed capital of the world. Dr. David Smith of the Haight-Ashbury Free Medical Clinic, a street-speed expert, says: "There isn't a place in the United States where speed doesn't exist."

Manufacturers range from the small street dealer with a "bathroom" lab, selling ounces to support a habit, to the large distributor with a weekly profit measured in the thousands of dollars. Predictably, the quality of underground speed varies. Police raided an East Village lab in New York recently and discovered a $500,000 operation churning out meth. "He was making Ajax," complained one former customer. "One shot and you turned into a raisin."

Death from an overdose of speed is rare. The record for injection of speed within a single 24-hour period goes to one young man who survived 15,000 milligrams or about 1,000 times any medically sanctioned dosage. It is possible to "overamp," of course, but there is only scattered evidence to support the caution "Speed kills" directly. Speed freaks do commit suicide (a celebrated Lower East Sider recently "fell" off the roof of a six-floor tenement), contract hepatitis and other deadly liver diseases, or occasionally OD (overdose) on heroin or barbiturates while attempting to "come down" from too much speed.

Speed maims and destroys, however. Large doses create extreme suspiciousness and hyperactivity, which often combine to produce a hostile, belligerent temper. "There are no gentle folk on speed," says one ex-user. "They all turn vicious." Dr. John Kramer of the California Rehabilitation Center in Corona reports that "most high-dose amphetamine users describe involvement in episodes in which murder or mayhem was avoided by the slimmest of margins." And a study in the Haight described the difficulties many users have in obtaining speed, and the necessity for "rip-offs" (thefts): "This kind of activity related to the marketplace, coupled with the paranoia induced by long runs on speed, accounts for the excessive amount of violence which prevails in a speed-using community."

In small doses amphetamines do enable greater concentration. But the line between "enough" and "too much" is fragile, and even a single pill can befuddle. "I recall taking one 5-milligram tablet of dextroamphetamine," says Dr. Sidney Cohen of the National Institute of Mental Health, "and I was high and jittery for eight hours." Often, speed produces a grotesque hyperconcentration. Dr. John Griffith, a leading amphetamine researcher, reports: "A graduate student hired as a temporary employe was discovered to be a chronic amphetamine user. This was first suspected when, after being asked to comment on a minor research project, he turned out a 453-page book which was largely unintelligible."

Even the increase in mechanical dexterity under amphetamines is more than offset by the bizarre perceptions that guide that dexterity. One speed freak, attempting to fix a radio, dismantled 12 other perfectly good radios and couldn't put any of them back together. Subjective "brilliance" is often warped by obsessive compulsions. For every apocryphal college student who memorized an astronomy book on speed while coasting to a Phi Beta Kappa, there is the sad story of his friend who wrote a stunning final exam, but all on the first line of his blue book. A speed freak in the quiescent phase may string beads interminably, pour out endless writings, empty a purse for hours, or sit curled in a chair and fill every corner of a piece of paper with tiny, intricate, repeating curlicues.

Speed becomes most dangerous when ingested by snorting or shooting. The size of intravenous doses is awesome: single injections of as much as 500 and 1,000 milligrams per syringe are often repeated every few hours. The advantage in shooting speed, besides the enormous amount of the drug that can be slammed through a needle, is the enveloping "rush" that comes as the drug wallops into the central nervous system. In his "Underground Journal," Herbert Huncke, guru to the early Beats, writes:

"I felt it almost instantly, and the rush to my head like a short circuit. My body began to pulsate or grow tiny antennae all quivering in anticipation—and my aliveness took on new substance and was alerted to the waves of energetic forces sweeping around me. My personal force developed an awareness and it was as though I would receive communication at telepathic level. The surroundings were already capable of absorbing force, drive, spirit, and the flow of magic sensed, never seen. I was thoroughly elated."

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*A term used by organic chemists to distinguish between two molecules of identical atomic components but different structure.

Speed is a tempting siren. Unlike first experiences with many hard drugs, those with speed are almost always pleasurable. Many users step up the dosage simply to duplicate that first gorgeous rush. Then, as the body builds up tolerance, the dosage must be increased still more. On high doses, sleep becomes impossible, and the somewhat irregular life style of the casual amphetamine abuser is swallowed up into the splintered world of the speed freak in a debilitating series of "runs" and "crashes."

The crash can trigger a state of intense irritability or despair. To avoid it, the speeder may take some "downs" in an effort to sleep—or take more speed. This solution can lead to typical runs of from several days on up to one or two weeks. During that period it is impossible to sleep or eat—food literally cannot be swallowed—and speed's cannibalism of the body begins: "I knew I was dying," one speeder recalls. "My tongue was shredded, my lips were cracked, the whole inside of my mouth was eaten out. My skin was itching all over, my fingernails were flaking off, and my hair and teeth seemed to be falling out."

"Speed is a hundred times more dangerous than heroin," says one amphetamine researcher at Rockefeller University. "A lifetime intravenous drip of pure heroin would produce no medical damage." But speed knocks out the body's defenses by pushing it beyond the limits of endurance with hyperactivity while depriving it of rest and nourishment. Common speed damage includes colds, infections, muscle tremors, cardiac problems, nausea, cramps, respiratory difficulties and hepatitis—the last not only a frequent result of using unsterile needles but probably stemming in part from the toxicity of Methedrine itself. Malnutrition symptoms appear without exception, and there is a high incidence of minor accidents: cuts, scratches, sprains and bruises.

Besides the physical destruction, there is the psychic damage. Although amphetamines provide a brief glow of potency and confidence, the other end of the saw is nothingness:

"I make lots of plans, but I don't ever carry any of them out," says one speed freak. "I get into this megalomaniac bag about five hours into speed, and I'll build these mountainous castles in my mind, all the far-out things I'm going to do, and all the money I'm going to make. I'll be driving a Rolls-Royce and have two speed labs going at once, a heroin refining plant, my own private two-engine plane. I'll be running the Mafia. And when I start to come down I realize that none of it is going to exist and it's like someone pulled the bottom out of your brain. I feel empty and suicidal in about four or five hours."

Heavy speeding invariably produces two psychic nightmares: hallucinations and paranoia. The hallucinations go beyond gentle spiritual probes and sumptuous psychedelic distortion; they are bizarre and mystical and violent, mimicking the traits of a schizoid psychosis:

"I saw energy patterns in the air," a speeder said, "and eventually began to see people no one else saw. They'd walk into shadows of buildings and disappear. Two out of every three people I saw didn't exist. I'd see them come dancing down the street, out from cars. I refused to believe I was hallucinating—I never hallucinated on acid or D.M..T. or S.T.P., and I was dropping two and three tabs (amphetamine tablets) a day—so I started reading up on antimatter physics. I developed a theory of antimen, A-men, and I was in contact with them. I was their leader. I began building machines out of television sets so I could contact them on other planets and in other galaxies, but men with motorcycles would dive around my house and up the walls and order me to stop."

One common hallucination is that one's body is infested with sores and vermin. "When I was speeding," says one resident at Phoenix House, a therapeutic drug community on Manhattan's Upper West Side, "I'd look at my skin and it was all moving and crawling. There were millions of bugs and pimples and scars. I'd pick at them, tear at my skin, and later I'd look at my skin and I'd destroyed myself." More compulsive speed freaks commonly attack themselves with tweezers, and have been known to cut away pieces of flesh.

Paranoia seems to occur almost without exception. This is not the everyday paranoia about tapped wires and plainclothes policemen and the unhidden stash, but a full-blown terror of The Plot, of pursuit by criminals, gangs, the Mafia, assassins, the devil, friends and relatives. It is the terror of buildings falling, rooms and tunnels collapsing, the terror that everyone knows exactly what you are thinking all the time, that you are being watched and followed and discussed, that you are the center of attention of complete strangers. "Two guys would be walking toward me on the sidewalk," says one speed freak, "and one would say to the other, 'You better not do that,' but he was talking to me. And two more strangers would come by, and one would say, 'I don't think that's a very good idea,' and he was looking at me." Eventually the paranoia causes such eccentricity of behavior that the speed freak is likely to be carted off to Bellevue, as in the case of one terrified man who was recently found by police cowering in a truck under the West Side Highway, or another who was attempting to stop traffic on the Brooklyn-Queens Expressway under the delusion that he was being pursued by the Mafia and had to get help.

One of the most intriguing qualities of speed in large doses is its ability to trigger symptoms mirroring those of paranoid schizophrenia. It was in 1958 that Dr. P. H. Connell published a classic monograph, "Amphetamine Psychosis," reporting his study of 42 patients at five British hospitals. Connell's conclusion: "The clinical picture is primarily a paranoid psychosis with ideas of reference, delusions of persecution, auditory and visual hallucinations in a setting of clear consciousness. . . . The mental picture may be indistinguishable from acute or chronic paranoid schizophrenia."

Since then, scholarly debate has been quietly raging in medical journals over two questions: Is amphetamine psychosis actually created by the drug or does it only precipitate an undetected schizophrenia? Second, is the amphetamine psychosis a "true" psychosis, or are there differences, such as a lack of auditory hallucinations, or a lack of genuine thought disorders? Bellevue speeders between 1966 and 1968 tended to confirm Connell's findings. Hallucinations and thought disorders were correlated with urine tests, which can determine the amount of amphetamines in the blood; it appeared that hallucinations peaked in the most advanced states of toxicity.

Recently, experimenters have attempted to induce the psychosis in controlled hospital settings. At Bellevue, for example, four experienced amphetamine abusers, all judged nonschizophrenic, were given closely monitored doses of methamphetamine, and their reactions and behavior recorded. One subject was given 595 milligrams over a 46-hour period. Here are some descriptions of his reactions, as logged by the experimenters:

"Slight headache. Talking about manliness and Thomas Wolfe. 'He had being a man in the palm of his hand.' 'That book was his guts,' etc.

"Tearfully discusses mother's promiscuity, abandonment by parents and grandfather, wife's infidelity, and homosexual attacks by relatives.

"Hostile to nursing staff, and feels that their attitude is disparaging. Unaware of his own provocativeness.

"Agitated philosophic diatribe with riddles that make little sense.

"Returns from patients' movie after a half-hour, frightened. Feels he can judge at a glance which patients are dangerous and 'sensed the presence of danger' at the movie.

"Speaking of revelations but is unable to explain what has been revealed.

"Writing and talking excitedly, constantly.

"Preaching loud and constantly. Content as above.

"Preaching at maximum volume. Unable to cooperate with interviews or psychological testing. Amphetamine cut."

Not all speed freaks manifest the acute dislocations of amphetamine psychosis. A few have worked out weekend "binges," and hold down 9-to-5 jobs in between. Others simply resist the temptation of massive doses, or of upping the ante by snorting or shooting—happily protected by their middle-class squeamishness about needles. That inhibition, however, is beginning to disappear with the enveloping drug promiscuity, and it is also possible to become quite adequately freaked out by dropping a handful of mother's little diet pills.

In addition, speed encourages the use of other drugs, not just out of a desire for further experimentation, but specifically to come down from over-amping. Barbiturates are widely used, but frequently orally taken doses may not act strongly enough, and the speeder turns to shooting heroin or barbiturates. When injected, barbiturates are peculiarly dangerous because they can collapse veins and, if veins are missed, can produce dangerous abscesses.

When the ups and downs, the physical deterioration and the paranoia become too overwhelming, many speed freaks try to stop. For some, it can be surprisingly easy. For others, it is impossible; even the worsening trip is not enough to offset the psychological dependence induced by the drug.

Those who can stop usually recover remarkably, although it may take months. There are some, however, who feel that something in their heads has been permanently affected, and they usually say it is the memory. There has been experimental evidence that animals have suffered permanent brain damage from heavy amphetamine doses, and studies following a "speed epidemic" in Japan several years ago point to possibility of similar brain-cell changes in man. Any number of speed freaks feel a vague emotional certainty that they are branded for life, such as one girl at Phoenix House who described her unresolved drug odyssey:

"I've done everything, shot everything, but I flipped out on speed. I would do three days of speed, and then shoot heroin to come down, and then do more speed to get up. But even when you're clean, you still carry around the habit. My nerves are so shot, sometimes in encounter [group therapy] all I can do is shake."

It becomes more and more difficult to characterize the typical amphetamine abuser, though certain occupational groups stand out. One study found widespread amphetamine abuse highest among medical personnel, with housewives and "nocturnal workers" ranking second and third. The study also found amphetamine abuse high in various underworld callings—among petty thieves, convicts, and prostitutes. "Successful" criminals, however, were reported unlikely to be involved with speed. At Bellevue, the mean age in a survey of 60 amphetamine abusers was 25. Most had police records, and about one-third had heavy drinking histories. "They're sure as hell not flower children," says Bellevue's speed expert, Dr. Burton Angrust. "They're tough and psychotic. Delinquents. What we used to call hoods."

A soon-to-be published report on the Interstate Commerce Commission by Ralph Nader and his Raiders finds an alarming dependence on habit-forming drugs (mostly Bennies) among truckers: "Almost 80 per cent of the drivers in our survey described the use of such drugs as 'widespread.' They disclosed that 'Hey, you got a pill?' is now a most common question among drivers at truck stops and terminals. Occasionally, drivers have prescriptions; more often, they get the pills from the black market, from truck stops, and from other drivers. Some use their wives' reducing pills. . . . After getting hopped up on pills, some drivers often need liquor to relax in order to sleep."

Although it is difficult to document, one subgroup, homosexuals, appear to be over-represented among speedsters. The Bellevue survey noted an abnormally high ratio of homosexuals among amphetamine-abuse patients. It seems more likely that speed appeals to the gay world, rather than that the drug has any power of sexual conversion. Any harassed "outcast" group might turn to speed, with its promise of confidence and power. The psychotic drug paranoia of speed may replicate the paranoia inflicted on homosexuals by straight society; perhaps it is easier to live with the paranoia induced by drugs than that induced by sex. And in the freaked-out world of heavy speed use, being gay is at worst a sprout of eccentricity in a riotous garden of psychosis.

Speed is still not a ghetto drug, however, and probably will never be. Heroin makes the junkie oblivious to rats and roaches and garbage; speed only makes him acutely aware of his surroundings. Financial considerations, too, prevent speed from becoming popular in the ghetto. Like the heroin addict, the speed freak often works up a costly habit, and the poor must hustle to pay for drugs. Although speed and junk are in the same street price range, the junkie is relatively cool between hits. But the speed freak is generally so completely disorientated and trapped on his private, paranoiac 24-hour treadmill that hustling is out of the question.

While some speed freaks get high alone, many are part of groups. One reason is that the life style of the heavy speed user does not exactly coincide with that of the non-speed world. Speeders have their own language, their own rituals, their own disjointed schedule. Also, speed for many is a social drug; the changes it induces often demand an audience. Finally, the dedicated speed freak inevitably reaches a state of such acute psychic dislocation that he becomes incoherent and intolerable to anyone but another incoherent, intolerable speed freak.

New York City probably has had more than its share of off-beat amphetamine sets in the "cultural underground." One, the Theater of the Ridiculous, paid in-group tribute to the speed legacy with a recent production "from the Crystal Amphetamine Room of the Heroin Hilton." There is also the Warhol set, with its coterie of superstars, its tapes, movies, performances, and, most recently, the book "a."

And for jet-set exotica, there was the group of celebrated actors, writers, musicians and public figures who poured in and out of the Frankenstein lab of "Dr. Feelgood," one of New York's fabled Park Avenue "vitamin doctors." There speed and any number of novel concoctions were injected by the glassful. Ultimately, the bizarre activities reached such a level that even Dr. Feelgood's most obsessive patients were forced to drop out. "My last shot," recalls a survivor of one of those final sessions, "was a blood-red thing about a foot long. I went blind for two days, and when my eyesight finally came back, I threw away all my speed and hung up my works on the livingroom lampshade."

Two years ago, Dr. Donald Louria, author of "The Drug Scene," predicted it was only a matter of years before speed became America's No. 1 drug problem. He now says he has had to qualify that ominous prophecy because of the unforeseen phenomenon of multidrug abuse. The most surprising development over the last few years has been the "give-me-Librium-or-give-me-meth" syndrome within the drug culture, the supermarket spree from drug to drug.

Drugs are being brewed together in unholy combinations and cut with virtually anything that comes to hand; more and more new drugs, especially psychedelics, are being churned out in labs. And certain drugs—once untouchable—are becoming fashionable. "The social stigma of the junkie is gone," said one staff member at Phoenix House. "A year ago, heroin was a dumb thing. Now junk's cool."

Nevertheless, despite the multidrug spree, the Louria prediction about speed's growing popularity was not far wrong. "I emphasize that there has been a major and substantial increase in amphetamine use and abuse in the drug subculture, on college campuses and on Wall Street," testified the Haight-Ashbury Clinic's David Smith before the Senate Special Subcommittee on Alcoholism and Narcotics. "And if you had to pick out a drug with which you should be most concerned, it should be amphetamine, because this is a drug that is completely out of control in our society."

Speed is every bit as lethal as heroin, although its toll may not show up as directly as in the weekend body counts of heroin overdoses. But, because amphetamines have a twilight medical legitimacy, most drug laws are lenient about speed. In New York City, for instance, the possession of any amount of speed—even with acknowledged intent to sell—is punishable only as a misdemeanor with a maximum of one year in jail. With heroin, possession of one-eighth of an ounce is a felony, and possession of more than one pound can mean a life sentence. For the year 1969, 77.8 per cent of all drug arrests made by the New York City Narcotics Bureau were for heroin, and only 0.2 per cent for amphetamines and hallucinogens.

The United States is not the only country to endure the amphetamine carnage. Japan's troubles have been mentioned; England has had a seesawing heroin/speed problem and in Canada the use of amphetamines is growing. Sweden's troubles with speed have reached crisis proportions in recent years. In 1965, Sweden attempted to halt the growing illegal use of speed by making Preludin available to everyone, free and without a prescription. Instead of stemming the tide of amphetamine abuse, legalization doubled the number of addicts in two years. Cases of hepatitis increased more than twofold. In 1967, the experiment was ended, but Sweden's speed problem remained, and there is no end in sight.

Right now the United States seems to be on a heroin binge. But drug use is faddish and cyclical, and speed is probably more popular now than ever. "In the winter," explained one East Villager, "I switch to heroin so I won't catch pneumonia. In the spring I go back to speed."

INCREASED FEDERAL FUNDING NEEDED FOR HEALTH RESEARCH

Mr. HATFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I submitted to a subcommittee of the Committee on Appropriations presided over by the Senator from Washington (Mr. MAGNUSON) on the need for increased Federal funding for health research.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HATFIELD

Mr. Chairman, I hope this subcommittee will change the apparent future course of medical history.

In a move to fight inflation caused by a war-heated economy the Federal Government has cut back support for medical research. The rationale employed for this affront to medical science is that we now need to concentrate our efforts and funds on the *delivery* of health care and forego initiating research projects. Medical scientists in Oregon have assured me that this national goal of securing the delivery of health services is long overdue and is heralded by the medical field.

However, these same Oregon scientists hasten to add that it is our great misfortune to curtail funding of basic research at instiutions of learning to release funds for delivery. We need both research and delivery. We need an emphasis on both. We need a commensurate financial commitment.

It is the research carried out at centers of learning that has provided the latest clinical techniques, methods of detection, treatment, and preventives which have enabled universities to take the lead in creating community health centers, training more health personnel, and extending good medical care into the ghetto and general community.

Dr. Philip Handler, President of the National Academy of Sciences, in his excellent summary of the plight of science today and the erosion and disaffection it has suffered in the public eye, has noted that delivery of health care cannot be carried out at the expense of curtailing research and investigation: "Even if the $1 billion Federal contribution to biomedical research and education were diverted to improvement of health care, it could have but trivial impact thereon, while a vital national resource, our biomedical research capability, would be destroyed."

The losses medical research and society have suffered already at this point in time are staggering. For the last four fiscal years the reduction in effort or capability in our research institutions has been of the order of 25%. We must see to it that the pendulum will swing back this year and favor medical research, restoring it to the priority position it deserves.

Today I wish to address my remarks to the damage done by cutbacks in medical research in Oregon and elsewhere, with particular emphasis to the field of cancer.

What has this federal cutback in research funds meant in Oregon? Dr. William K. Riker, Professor and Chairman, Department of Pharmacology, from the University of Oregon Medical School, tells me that the federal cutback in research support has reduced the indirect cost income of the University of Oregon Medical School by more than $100,000 this year. At the same time, Oregon is a small population state, with a small budget that has had to trim its support of the Medical School by 1½% in order to combat inflation. In Dr. Riker's Department a training grant renewal application was "approved" but not funded, adversely affecting three graduate students. Four of seven staff members find themselves without research grant support. The heavy burden falls on the school itself to somehow come up with these funds—and this will only occur at the expense of other desirable goals and programs.

Dr. Riker points out the high irony of the Administration fighting inflation by hampering the interwoven complex of teaching and research in medicine whose goals are to train more doctors and find better treatments and preventives, which will in turn save us billions in the delivery of health services.

At this point I include excerpts of Dr. Riker's letter, which eloquently describes the plight of biomedicine at the hands of a Federal Government bent on treating health crisis problems by fiscal blood-letting:

UNIVERSITY OF OREGON
MEDICAL SCHOOL,
Portland, Oreg., June 19, 1970.

Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATFIELD: Your telegram arrived shortly before a scheduled UOMS Executive Faculty meeting, at which we learned that the cutback in research support by the Federal government has reduced the indirect cost income of this school by more than $100,000 this year. This significant loss and the State's budget reduction of 1½%, coupled with the increasing inflationary spiral, leads all of us to believe that the New York Times article of June 9, 1970, "Medical Schools Reported in Trouble", is the understatement of the year.

Biomedicine, the interwoven complex of teaching and research in medicine and its allied fields, is on the verge of a terminal illness which the Federal physician seems bent on treating by fiscal blood-letting. The wounds in our department alone may not heal. A training grant renewal application was "approved" but not funded, abruptly cutting off support for three graduate students in the middle of their careers. Fortunately, this school's humanism will assure their continued support, though obviously at the expense of other desirable goals and programs. Four of our seven staff members are without research grant support; prospects of their obtaining support in the future are remote indeed!

This vignette of one department's problems is multiplied and magnified many times in all American medical schools today. The serious cuts in Federal support of research and training are now having their impact on the educational objectives of medical schools. The need for more faculty, to meet the demands that we train more physicians, is not going to be realized, simply because the medical schools do not have the money. Moreover, it is inevitable that schools will also *lose* faculty, as some have already done, because of salary cutbacks. The University of Pennsylvania has imposed an 8% cut in faculty salaries, and the University of California will have no salary increases this year. The latter, because of inflation, obviously represents a real salary cut. Oregon, at the moment, is not at this desperate stage, but I am certain our relative good fortune is only temporary.

The reasons for this Federal schizophrenia, in which the government demands more physicians and greater delivery of health care while fiscally emasculating the training and health care centers, are admittedly complex. They are, I believe, most lucidly stated by Dr. Phillip Handler in his article "Science and the Federal government: which way to go" (Federation Proceedings, *29*:1089–1097 (Copy enclosed)). Essentially, he states that there is some disenchantment because of strident voices, within the scientific community, which have reached the public and legislative ear with a denouncement of technology, and without any recognition of man's beneficial and noble scientific achievements.

Some disenchantment also stems from the fact that some "spokesmen" for science, self-appointed or real, have made unwise promises to the Federal government about *imminent* practical applications of scientific research; promises which could not be kept. I doubt that many of these men really understood biomedicine. The simple facts are these: (1) Fundamental research is the cornerstone of practical technology, and the development of the latter from the former is inevitable. No one can possibly predict, however, whether that development will take one year or a millenium. (2) Scientific research, training, and teaching are inseparable, interdependent components of excellent medical education. If one of these three legs is cut off, the entire structure topples. The current preeminence of American biomedicine stems directly from our recognition, heretofore, of the need for all three legs.

Though this is a letter from a single individual, I am confident that I speak also for a constituency in urging you to salvage American medical education at this critical time by pressing for healthy levels of Federal support for research, training, and teaching.

On behalf of all members of this department, I extend also an appreciation for your awareness of the problems, and your communication with us. If we can be of any consultative aid to you, in regard to health, education, drug and drug control legislation, we are at your service.

With kind regards,
Sincerely,
WILLIAM K. RIKER, M.D.,
Professor and Chairman.

The Government is out of touch with reality when on the one hand it demands more physicians and greater delivery of health care and on the other hand cuts off support to these training and health care centers.

Dr. Robert Campbell, Associate Professor of Pediatrics and Director of the Renal Metabolic Research Laboratory at the University of Oregon Medical School also pleads the case for basic research funding when he discusses the personnel needs of universities. Mr. Chairman, the intent of the Administration to train more doctors, and to concentrate on quantity because it's cheaper cannot be done at the expense of quality training. Our physicians today need to know a great deal more than they formerly did, and they need quality teachers at the forefront of their fields to train them adequately. In the past medical scientists with inquisitive minds whose interest was research were attracted to universities where they took lower pay in order to have available the pursuit of investigation. The excitement of academic environment lay with the availability of research grants to pursue projects.

We simply are not going to be able to retain top men to man the posts at medical schools if we don't provide the research grants that attract them. They will leave, and in too many cases they will have to leave for lack of support (half of all medical school faculty members are supported in part by research grants). They will leave in spite of the fact that we have 1600 vacancies in academic medicine and 600 vacancies in academic dentistry in this country.

Dr. Campbell states that in spite of these personnel needs and the requirements of expanding medical class sizes, the University of Oregon's medical facilities, graduate training programs, postdoctoral medical fellowship stipends and the medical research grants to sustain the institution are being withdrawn.

At this point I include in full Dr. Campbell's letter:

UNIVERSITY OF OREGON
MEDICAL SCHOOL,
Portland, Oreg., June 23, 1970.

Senator MARK O. HATFIELD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HATFIELD: Along with many of my colleagues in medicine and medical science, I am increasingly perplexed by the paradoxical and erratic federal policies governing the course and development of our health resources.

It is abundantly clear to most everyone who has pondered our health problem that a sustained, balanced building and staffing program is essential. Increased above our present rate of growth, more new medical schools are an absolute necessity if we are ever to catch up with our expanding population. Moreover, if we are to significantly improve the quality of the care as well, a further bulge and another growth slope must be introduced. In addition our presently established schools need expanded facilities to train additional physicians, medical scientists, nurses, and other professional people in related paramedical specialties.

When we contemplate the above needs in the light of the fact that we currently have 1600 vacancies in academic medicine and 600 vacancies in academic dentistry, it is obvious that our first and foremost effort must be directed to an increase in our life blood, capital goods, namely our training facilities and trained people to man them. Not only are we badly in need of this added intellectual capital, but we must have progressively better capital, consistent with an increasing technologic, diagnostic and therapeutic complexities of our time. The doctor product we send out to the community must not be poorly informed, thus, in the face of the present information explosion in medicine, there is a greater necessity to have faculty who can understand, collate, integrate and disseminate the kinds of information, and provide the training experience necessary to make the physician of tomorrow. Most people would agree that an improperly trained physician is almost as bad as no physician at all.

Despite the above considerations and the need to expand our medical facilities, graduate training programs, post-doctoral medical fellowship stipends and the medical research grants to sustain our institution are being withdrawn. Several federally supported training programs for graduate students at our medical school are in jeopardy and will be amputated unless a transfusion of some kind is soon undertaken. The present outlook would lead one to believe that the present graduate student program, which is the life blood of the basic biomedical atmosphere at the University of Oregon Medical School, will be cut to about one-half or one-third in a year or two. This will mean that support for some faculty salaries made possible by these training grants will no longer be available. This will mean that much basic biomedical research will perforce grind to a stop. Therefore we will not be turning out many professional leaders and scholars in the fields of bacteriology, physiology, biochemistry, anatomy or pharmacology. I am reminded of our physiological laboratory experiments, the object of which was to determine how much blood loss our dogs could tolerate before they went into shock.

Curtailment of medical research grants continue and the burners and lights are going out in the laboratories. Loyal and experienced workers of long standing are being let go for lack of funds. The principle investigator, losing a grant, frequently loses part of his salary support as well. Where does this teacher-researcher-scholar get his support? Hard-earned tenure is no protection if the state legislature, unwilling to go into debt, is unable to provide a salary floor. Curtailment of medical research grants has another adverse effect. Overhead, which is a part of every biomedical research grant, is being lost. These overhead funds often provide salary support for the members of the teaching faculty of our biomedical institutions. It can be seen that teaching and training are intimately related to research programs. Thus they both are damaged further. These mechanisms are at work in Oregon.

Now let us take up the postdoctoral clinical fellowships. These serve a multiple function. Most importantly, the fellow of today is the academician of tomorrow. Further, they allow the clinician, with his fellows, to organize and properly analyze the body of information about problem patients being treated so that better approaches can be developed. It allows the director of the program to devise and develop new tests clinically not yet available, thus better serving the patients with serious and difficult management problems. These programs are a remarkable stimulus to thinking, for the faculty member in charge, but as well for the fellows, residents, interns and students with whom they are in continuous contact. If these post-doctoral fellowship programs are not maintained, it is very likely that some of the faculty will have to leave this institution. Why? Because, while faculty members must give direct service to the ill patients on the wards and in the clinics, his function primarily is to be a teacher of fellows, residents, interns and students in amplifying and enriching their professional experiences. If the fellows are not available, some faculty would be so barraged with day to day patient care problems they could neither teach, study, write or do clinical research.

With declining tax receipts in Oregon, and Oregon being a relatively poor state, even tenured professors are in no position to feel secure. Oregon is a "soft-money school," that is to say much of our money comes from the outside, and many faculty members' salaries are derived from these sources. Oregon's vigorous faculty has constantly generated income from outside the state through hard work in maintaining its competitive position.

As money contracts, and the work-load expands with our increasing population, each faculty member must do more and more. If clinical faculty members leave because they are "under the stretch," and their research programs are cut, this just makes it increasingly difficult for those remaining behind to have "esprit de corps" and a reasonable morale.

This hits the faculty in many other ways. Travel to national scientific meetings is abrogated. Some of our faculty members were unable to attend medical meetings in the field of their interest this year. Our summer research college and medical student programs are contracting. In the past these programs have helped get the students through and broadened their experience. Student loans have been curtailed.

Direct financial transfusions to our medical and dental schools are needed now. We have talented administrative and faculty people who know their schools, their state, local and intramural biomedical problems well. They know how, where and when assistance can best be directed during these difficult times. Prolonged "study" or the setting up of commissions "to review the problem" or setting up of new bureaucratic programs to treat the symptoms rather than the cause will only cause further delay, dislocation and deterioration. In my opinion, the Deans of our medical and dental institutions should be provided with *direct emergency funds* to maintain viability of these cherished resources. In truth, only they know the minimum required to prevent a major health catastrophe in the next two years.

Sincerely,

Robert A. Campbell, M.D.,
Associate Professor of Pediatrics, Director, Renal Metabolic Research Laboratory.

Mr. Chairman, I wish to include at this point a letter received from Dr. Ralph D. Tanz, associate professor, Department of Pharmacology, University of Oregon Medical School. Dr. Tanz is a cardiovascular pharmacologist who took a reduction in salary to return to the university setting after working in private industry because he believed he could contribute more to society in doing so. Lack of research funds has prevented Dr. Tanz from taking on post-doctoral fellows who desire further training and has curtailed his program:

University of Oregon Medical School,
Portland, Oreg., June 22, 1970.

Hon. Mark O. Hatfield,
Senate Office Building,
Washington, D.C.

Dear Senator Hatfield: Your recent inquiry for substantiative information regarding the effect of federal cutbacks in biomedical support prompts me to write this letter.

I am a cardiovascular pharmacologist, having been employed both in academic and industrial positions. In the latter I headed the cardiovascular research conducted throughout the world by one of the largest pharmaceutical firms. A year ago I accepted Dr. Riker's offer to return to academic medicine because I was convinced that the type of research conducted in private industry is of little long range value to our society. In so doing, I accepted an immediate 25% reduction in income! In the belief that I could better serve society by assisting in the education of future physicians, nurses and research workers (graduate students), I was willing to make this financial sacrifice. This year my salary will be less than last year's because of inflation, increased taxes and a minor salary raise.

Lack of research funds has prevented my taking on post-doctoral students who desire further training. Sources of private funds are drying up. In cardiovascular research one can apply for funds from the National Heart Institute (NIH), the American Heart Association, and local heart associations. Formerly, one could also apply to pharmaceutical firms and the Life Insurance Medical Research Foundation. Recently I received an announcement that the Life Insurance Medical Research Foundation is discontinuing its research grants program. Accordingly, when one gets turned down (as happens so often these days) by the NIH, you apply to the other agencies. And in desperation you write letters to pharmaceutical firms. But so does everyone else! And without funds to operate a laboratory, my ability to serve this school is severely limited. Recently I have received two very financially attractive inquiries to return to industry. My family would be better off, but would society?

Indeed, if this Administration is sincerely interested in returning the economy of this nation to a peacetime economy, what better way is there than supporting biomedical research? Funds would spur peace-minded industries to produce items such as computers, microscopes, multi-channeled recorders, and interesting chemicals (some of which might be useful as drugs); to say nothing of giving employment to people who have trained themselves for biomedical research. (I would like to hire two technicians—I've got the space and the work—but not the funds.)

Sincerely yours,

Ralph D. Tanz, Ph. D.,
Associate Professor.

The plight of Dr. Tanz is not atypical. I know that his plight is replicated in many institutions in many States. I know that the damage in loss of personnel and in loss of training new investigators besides the loss of the fruits of the research itself is not found only at the University of Oregon Medical School, but exists elsewhere across the country.

There have been many studies nationwide to indicate the range and nature of hardships already caused by cutbacks.

Mr. Chairman, I wish to include at this point an article from the Wall Street Journal of Nov. 10, 1969, which well describes the hardships incurred by medical scientists throughout the country:

[From the Wall Street Journal, Nov. 10, 1969]

Research Pinch: Cuts in Federal Funds Curtail Investigations of Medical Scientists

(By Jonathan Spivak)

Buffalo.—Dr. George E. Moore, director of research for the New York State Health Department, spends some of his time washing laboratory glassware these days at Roswell Park Memorial Institute, a noted cancer research center here.

Dr. James Grace, who heads the institute, has abandoned his efforts to determine whether certain common respiratory germs, known as adenoviruses, cause cancer in humans as they do in test animals.

Roswell Park's tobacco researchers, who seek to develop safer cigarets, are cutting corners by using fewer test animals to assess their findings. "If I get red-hot positive results, I'm home free, but if I get wishy-washy results, I'm dead," frets Fred Bock, who directs the program.

In such ways is the current cutback in Federal research funds coming home to Roswell Park, a New York state institution. In the fiscal year ended last June, the institute lost $750,000 of its $6 million in Federal support, and officials fear further reductions of 10% to 15% in the current year. The institute has already lost 15 young researchers out of a staff of 300, postponed clinical trials of several promising anticancer drugs and curtailed by 30% its work on a vaccine against infectious mononucleosis, a debilitating blood disease that may cause one form of cancer, leukemia.

LEANER RATIONS

Roswell Park's plight mirrors the current pinch at many of the nation's medical schools and research centers, which are being forced to adjust, at times abruptly, to leaner rations from Washington after years of favored treatment.

Nixon Administration officials insist the science budget-cutting is no more severe than other spending retrenchments being made in the effort to fight inflation. But they are deliberately trying to put more emphasis on actual medical care rather than on research, contending the greater need now is for better care. In any case, the squeeze on health research programs actually began with budget cuts imposed in the last two years of the Johnson Administration; Mr. Nixon has merely stepped up the process.

Until the pinch came, some officials privately say, a plethora of Federal funds led to indiscriminate support of science research projects, without due assessment of their value. Hence the squeeze is having some salutary effects, forcing researchers to pick their priorities carefully, dispense with unproductive work and justify their once-unquestioned endeavors to the public and the politicians. The change has also impelled some institutions to seek more private financial help, though without notable success so far.

On the minus side, medical researchers say, promising projects are being dropped or delayed, trained personnel are drifting away and expensive research facilities, mainly built with Federal funds, are being employed ineffectively. So far no one can accurately assess the final consequences. "You really can't predict how much it will set you back; you don't know what insights you have lost," says Dr. Grace, the Roswell Park head.

HURTING IN ALL AREAS

The austerity pains are widespread. M. D. Anderson Hospital and Tumor Clinic in Houston is bracing for a loss of $1.5 million of its $8 million a year in Federal research funds; a drug-testing program has already been reduced from $1 million to $700,000 a year. The hospital is able to staff only part of a large new clinical research facility that was five years in preparation, says Dr. R. Lee Clark, president.

"We are just hurting in about all areas of operation—increased costs and decreased funding," complains Dr. Douglas Walker, associate dean of Johns Hopkins University School of Medicine in Baltimore, which ordinarily derives 80% of its budget from Federal funds. The school expects this year to run a deficit of about $1.5 million—its first—and will draw on endowment principal to make up the difference.

In New York City, the New York University Medical Center anticipates a reduction of $1.5 million in Federal research grants this year; among projects to be shelved will be the field trial of a new blood test aimed at reducing the danger of transmitting hepatitis through blood transfusions. "We were getting ready for the payoff in terms of patient care," complains Dr. Ivan Bennett, vice president for medical affairs.

Similar problems prevail at Mt. Sinai School of Medicine, Sloan-Kettering Memorial Institute and Albert Einstein College of Medicine in New York City, at the University of California's San Francisco Medical Center and at Northwestern University Medical School in Chicago, among other institutions.

CUTS IN NIH OUTLAYS

Until 1968, the budgets of Uncle Sam's National Institutes of Health, the mainstay of the nation's biomedical research effort through its grants, had been rising at least 10% a year, and about the last thing a medical scientist worried about was money. Costly, large-scale projects were undertaken in the expectation of an ever-increasing flow of Federal cash, and young researchers were attracted to the field by prospects of steady financial support.

But now all that has changed. NIH outlays for research by other institutions, still running more than $600 million annually, will probably be trimmed 7% below the Nixon budget plan made last spring for this fiscal year; the sum then proposed was a bit above last year's actual spending. Certain projects will be shut down entirely. Some researchers are getting only part of the Federal dollars originally earmarked for their work. And only 60% of the projects approved by NIH are actually receiving funds, compared with 75% in the past. "It's just a matter of luck," says one scientist.

Moreover, the general budget squeeze is also holding down Federal grants for nonmedical scientific research—money dispensed by the National Science Foundation, the Atomic Energy Commission and other agencies. "The pyramid of science is being reduced," warns William McElroy, director of the National Science Foundation.

"A renewed period of real growth in the nation's investment in basic science is a high-priority item as soon as the fiscal situation permits," comments Lee DuBridge, White House science adviser.

But the situation seems particularly severe for the medical researchers. Federal money has been furnishing more than half the operating costs of many medical research centers. Inflation has been escalating research costs by 6% or more annually. Medical schools, which do much of the NIH-backed research, have taken on added financial burdens in training more needy students requiring scholarship aid.

These pressures have caused medical men to mount an impassioned lobbying campaign for Federal funds. The effort is being coordinated by a loose alliance known as the "Ad Hoc Committee on the Nation's Health Crisis," which includes the AFL–CIO, the American Medical Association, the American Cancer Society and other medical groups.

A FLOOD OF REQUESTS

For lack of more Federal dollars, many of Roswell Park's senior researchers are now spending substantial time seeking funds from foundations, drug companies or grateful patients. "Everyone is scratching like hell to find additional money," observed Dr. Joseph Sokal, who heads one of the main research operations in Roswell's 313-bed hospital. "It's not what I entered medical research for." The major private givers of medical funds, such as the American Cancer Society and the Hartford Foundation, have been inundated and are able to fill few of the researchers' requests.

Roswell Park's problems illustrate the sensitivity of medical research to fluctuation in Federal funds. The institution's main goal is cancer research, but its basic biological studies have implications for treatment of many diseases, including diabetes and bacterial infections, and for successful organ transplants.

Even though New York state furnishes $14 million a year, or about two-thirds of Roswell's budget, the Federal aid cutbacks have had a major impact on productivity here, according to the administrators. A freeze has been imposed on most hiring, and researchers are struggling to make do with less help.

Dr. Julian Ambrus, who heads the Springville Laboratories, a unit of Roswell Park, faces a specific problem: He has the funds to test on animals a possible protective substance against certain bacteria but lacks the money to go ahead with trials on human beings. The bacteria are called "gram negative," and they include the salmonella that causes food poisoning; they are common, highly resistant to drugs and pose special problems to cancer patients.

OTHER TESTS DELAYED

Dr. Ralph Jones Jr. has a similar problem. He lacks funds to begin trials on human beings of a group of substances that could have valuable anticancer effects. The substances, derived from the spleen and liver, might regulate the wild reproduction of cancer cells without harming their healthy neighbors.

Roswell Park also serves as headquarters for a group of 20 hospitals collaborating in NIH-sponsored trials of more established anti-cancer drugs. Their aim is to develop more effective methods of employing the drugs, in massive doses and sustained sequence, to eradicate every single cancer cell and thus prevent spread of the disease. Directed by Dr. James Holland, the work has helped lead to longer survival for youthful victims of leukemia and to the hope of curing some eventually.

But the gains are not being extended rapidly enough to other types of cancer, complains Dr. Holland. NIH funds for the hospital members of the group have been cut by 5% to 30%, and he fears he can't hire enough staff to decipher and disseminate to other physicians the data already acquired. "It's a national tragedy," he contends.

Time magazine of February 16, 1970, very clearly states the crisis created by the cutting off of these medical research grants throughout the country. I include this article in full at this point:

RESEARCH CRISIS: CUTTING OFF THE PLANT AT THE ROOTS

Richard M. Nixon—"Scientific activity cannot be turned on and off like a faucet."

It was a campaign statement, delivered in a speech on Oct. 5, 1968, and made a point that is no less true today. Yet now, in the near-unanimous opinion of U.S. scientists, President Nixon is ignoring what Candidate Nixon said. At a time when drastic, all-around budget trimming is obviously necessary—confronting the Administration with some painful choices—sensible scientists do not expect research appropriations to keep growing at the beanstalk rate of the early 1960s, but they have hoped to maintain reasonable, normal growth. Instead, they have suffered cutbacks and hold-downs for two years, and now the Administration has submitted a budget that, despite rising costs, will keep the level of federal spending for research virtually unchanged through June 1971. As a result, some important programs will be cut down severely or actually eliminated. The net effect, says Physicist Philip H. Abelson, editor of *Science*, has been harshly called a "mindless dismantling of American science."

According to Dr. Lee A. DuBridge, the President's science adviser, the overall effect of the new budget, after allowing for inflation, will be to reduce net buying power for research by about 3%. Others think the reduction will be much greater—in some cases as much as 20% in areas of fundamental scientific research that offer no immediate, practical payoffs. This is generally called "basic research," a favorite target of administrators and legislators with little patience and less vision. Out of apparently aimless inquiries have come antibiotics and transistors, vaccines and computers, transplants and spaceships. Government budget makers who try to judge a program's worth by the crude criterion "How soon will it pay off?" are bound to be wrong much of the time.

So-called basic research in the U.S. mushroomed after the Soviets' first Sputnik in 1957. From 1958 through 1965, federal expenditures for basic research increased at an annual rate of 19%, climbing from $1 billion to $3 billion. For the next five years, however, the average increase was only 5.5% boosting the annual sum to its present $4 billion—and that has been barely enough to keep up with inflation. For the coming fiscal year the percentage increase is near zero—hence the net loss after inflation. Some institutions hope to keep their key programs coasting on tighter budgets. Others will simply be shut down.

BREEDER REACTOR

One casualty is the Princeton-Pennsylvania proton synchrotron on the Princeton campus, which is used for basic particle research by 14 universities. From a recent budget of $5,000,000 annually, the synchrotron funds have now been cut to $3.5 million, and will be down to $2,000,000 next year. Beyond that the Atomic Energy Commission is cutting off funds completely—after a total investment of $30 million on a project that, according to Director Milton White, has not yet had a chance to reach its peak efficiency. Another important tool for probing the secrets of the atom, the Cambridge Electron Accelerator at Harvard University, is in jeopardy; its budget has been cut 25%. "This," says M.I.T. Professor Victor Weisskopf, "essentially means that it will go out of business." Budget cuts have already paralyzed a less costly but still formidable piece of hardware: a $35,000 electron microscope given by New York City to New York University's department of medicine. It is lying idle because operating funds expected from the National Institutes of Health will not, after all, be supplied.

At the Naval Research Laboratory in Washington, Dr. Herbert Friedman, one of the world's foremost X-ray astronomers, estimates that budget cuts combined with inflation have reduced the effective level of his support by 40% in three years. Able to afford only half as many trainees as he had expected and with no new equipment, Friedman has drastically curtailed his studies of X-ray galaxies. He has also reduced his work on quasars and pulsars, those mysterious sources of energy in outer space that promise not only a clearer understanding of the nature of the universe and of basic physical laws but also might provide clues for developing new energy sources on earth.

Although scientists complain that the Atomic Energy Commission, along with the Department of Defense and NASA, gets a disproportionate share of federal research funds, the AEC itself has had to shut down its molten-salt breeder reactor at Oak Ridge. The Bureau of the Budget simply did not release $3,000,000 authorized for it by Congress. This was especially dismaying to environmentalists, because the breeder reactor promises, eventually, to be the cleanest and most efficient fuel source for electric power.

BARNACLES AND TEETH

Until recently, the Department of Defense generously funded research projects that had no foreseeable military applications. That will no longer be possible. An amendment attached to a military procurement bill by Senate Majority Leader Mike Mansfield requires that research must be "mission-oriented" if it is to win DOD support. Mansfield learned 1) that researchers were trying to ferret out the magically strong adhesive produced by barnacles, in the hope of using it to secure fillings in teeth, and 2) that the Navy was backing barnacle research. Actually, barnacle-tooth research at the University of Akron has been funded, at a mere $40,000 a year, not by DOD but by the National Institutes of Health. The Navy has spent probably twice as much on its own barnacle research, and with good reason: scraping the adhesive crustaceans from hulls and buoys costs the Navy, Coast Guard and private shipping interests $700 million a year.

Mansfield's action points up the interlocking of many facets of research. Advances in the design of nuclear reactors and of private accelerators have brought progress in the treatment of cancer. Vitallium alloy, developed in the 1930s for dentures, later proved valuable for its heat resistance in jet engines. Immunology depends ultimately upon the study of reactions among protein molecules. Its applications extend from the obvious field of infectious diseases and vaccination to allergies, autoimmune disorders like some forms of arthritis, to cancer, heart and kidney disease, and most dramatically, to organ transplants.

CUTS AND NIBBLES

Within medicine, research cannot be separated from teaching and treatment. Cuts in federal grants to medical institutions mean not only that research will be slowed down but also that fewer doctors will receive the specialized training that will enable them to give better care in the future. No fewer than 19 clinical research centers affiliated with major universities are due to be shut down. Among them: a small and always overtaxed unit at Children's Memorial Hospital in Chicago, for children with severe digestive and metabolic problems; a twelve-bed center for acutely ill patients (including many suffering from burns) at Albert Einstein Medical Center in New York; a research institute at Indiana University, studying and treating patients (including children) with brain tumors and disorders of bone metabolism such as osteoporosis.

Prestige is no protection against the budgeteers' knives. Recent Nobel laureates in medicine, chemistry and physics have had their funds cut. So have most of the nation's great medical centers. Programs at Massachusetts General Hospital are "only being nibbled at" now, admits its tart-tongued director, Dr. John Knowles. "But," he adds, "we'll really feel it in a year if the cutbacks continue, and if they go on too long you are going to wing the country for ten years." One of the affected M.G.H. programs turned out technicians trained to read electroencephalograms (brain-wave recordings). These specialists are in short supply at many hospitals. "When there's a shortage," says Dr. Robert Schwab, who runs M.G.H's program, "it doesn't mean that the EEGs are not read. It simply means that they are read by somebody who's no good. This is scandalous and dangerous." Another nibble victim, down corridor, is Dr. Paul S. Russell, a top surgeon at M.G.H., whose research on anti-lymphocyte globulin (used to suppress the rejection reaction after heart, kidney and liver transplants) has been curtailed. Under current limitations, his staff can produce only 20% of the ALG it needs.

A lower budget forced Children's Hospital in Los Angeles to reduce the number of research beds from six to three in its genetic-disease unit, setting off a howl of community protests, including a petition to President Nixon with 20,000 signatures. (The cut has not yet been rescinded.) In many cases the drying-up of funds means not only that progress will be slowed but that money already spent will be wasted. M. D. Anderson Hospital and Tumor Institute in Houston, which lost $1.5 million of its $8 million in federal funds, cannot add a needed and long-planned 350-bed unit. After spending years and $1,752,000 of N.I.H. money raising monkeys in an almost germ-free environment and injecting them with cancer material and viruses, Bionetics Research Labs at Bethesda, Md., expected some to start developing tumors. Then the budget ax fell. At first it was thought that the 320 monkeys would have to be destroyed, because each costs $3 a day in upkeep. Then the monkeys were reprieved and shipped out in batches to other primate centers. Whether the experiment has been ruined because of changes in their environment is not yet known.

Heart-artery diseases are America's No. 1 killer, and the No. 1 research project on their cause has been the Framingham Study. Since 1947, more than 5,000 residents of the Massachusetts town have been given regular examinations. The results, almost but not yet quite conclusive, indicate that smoking and high blood pressure and cholesterol are the most important factors in increasing the risk of early death from heart disease. The study is to be terminated June 30—to the despair of heart researchers all over the U.S.

RADICAL SURGERY

Manhattan's Sloan-Kettering Institute for Cancer Research proclaims in its very name that it meets the Government jargon specification of being "mission-oriented." That has not saved it from radical budget surgery. Five years ago, says Director Frank L. Horsfall Jr., the Government supplied 51% of S.K.I.'s income. In 1968, with a federal cut and inflation, S.K.I. went $1.2 million in the red. Next year the deficit was $1.8 million, and was met by dipping into capital. Faced with still deeper federal cuts and a probable deficit of $2.6 million for 1970, the trustees have set a deficit ceiling of $1.6 million and required expenditures to be cut by $1,000,000. As a result, seven out of 69 laboratories have had to be closed, while nine others have taken cuts of 20% to 30%. Both professional and technical staffs have been reduced and further curtailment next year is inevitable.

In Buffalo, Roswell Park Memorial Institute's director, Dr. James T. Grace, has had to abandon a five-year study designed to show whether adenoviruses are a cause of cancer in man as they can be in animals.

Cancer may eventually be conquered only by a crash program along the lines of the Manhattan Project. It is equally possible that vital cancer clues will come from some seemingly unrelated "basic" research in biology. Yet the likelihood of this discovery is reduced by the decrease in the number of investigators in all the life sciences. That is where the budget cuts are hurting, and inflicting wounds that will not heal for years. The National Institutes of Health are losing valuable experienced investigators, as are the complexes of hospitals, medical schools and research institutes.

By the late 1970's, the effect on medical research could be disastrous. It is the younger men who are being dropped in the economy wave and there are no funds for replacing them next year or the year after. Says Dr. Russel V. Lee, founder of the Palo Alto Clinic: "The principal loss, to my mind, will be the great discouragement in recruitment of young men for medical research. We are cutting off the plant at the roots." Virtually all the men responsible for directing research in both the life sciences and the physical sciences share that view.

Thus there is a crisis in research that today imparts even more urgency to words spoken only 16 months ago: "In the name of economy, the current Administration cut into muscle. The U.S. must end this depreciation of research and development in its order of national priorities." That demand was made by Richard Nixon.

Mr. Chairman, I have spoken about the dangers incurred in Oregon and elsewhere by medical research cutbacks in general. I wish now to address my remarks to the area of cancer research, where assuredly there is a clear-cut need for more research, and where the University of Oregon Medical School has been hit severely. At this point I include a letter from Dr. Adam Lis of the University of Oregon Medical School who provides the statistics to indicate the shocking reductions of support for medical research at our Oregon Medical school as well as the withdrawal of support for his long-standing cancer project:

University of Oregon Medical School,
Portland, Oreg., June 23, 1970.

Hon. Mark O. Hatfield,
U.S. Senate,
Washington, D.C.

Dear Sir: This letter is a follow-up of the telegram sent to you on June 20, pertaining to the cutbacks our school is experiencing at this time.

Due to natural demands and expansion of services, we are increasing enrollment in medicine by 22%. At the same time our research and research training budget is reduced from six to four million with accompanying inflationary depreciation.

In the period extending from October 1969 to April 1970 we submitted 56 research grant applications. Out of this number there were:

Approved and funded	28
Disapproved	12
Approved but not funded	16

That represents 28% of approved, but not funded projects. Some of these projects have to be abandoned entirely, postponed, or submitted for competitive reapplication which in itself is costly in time, effort and expense.

The University of Oregon Medical School expended approximately $6,115,000 for research and research training in the fiscal year 1968–1969. We estimate that comparable expenditures for 1969–1970 will equal $5,823,000, a reduction of $292,000. In addition, we project expenditures for 1970–1971 at a $5,122,000 level and for 1971–1972 at a $4,056,000 level.

These reductions will take our federal program expenditures from the $6,000,000 level to a $4,000,000 level in a matter of only 3 years. This one-third reduction cannot be offset with other funds and most assuredly will reduce the amount of research and training the institution is able to perform. We are concerned about a loss of both professional and non-professional personnel because of this reduction. It will necessitate a substantial decrease in our basic science training program with a considerable reduction in the number of people being trained for careers in research and academic medicine.

The projected reduction in total expenditures has been made after discussion with staff members who are intimately involved in the National Institutes of Health funding activities. We understand that graduate training grant, i.e. pre-doctoral levels, will be severely cut and that the basic type of research the Medical School has performed will meet with further cuts in the years to come including a reduction in the institutional general research support grant.

It is noteworthy that many University of Oregon Medical School faculty are paid from so-called institutional research support, but that too is being reduced or eliminated. What seems to be most devastating and demoralizing is the futility and hopelessness of the direction research is taking.

Since research at U.O.M.S. is almost entirely supported by individual or departmental grants from the Federal government, money from other sources is not, and has never been, earmarked for this purpose. Now that this method of financing is being drastically reduced, there is little opportunity for other avenues of support.

I appreciate your great interest in education and training and hope I have given you some information that you can take before the committee.

Yours respectfully,
ADAM W. LIS, Ph. D.,
Associate Professor and Training Program Director.

An indication that much good and highly recommended cancer research is not being funded can be seen from Dr. Lis' application and correspondence received by me regarding the cancellation of his funds, which letters I include at this point:

UNIVERSITY OF OREGON MEDICAL SCHOOL,
Portland, Oreg., April 16, 1970.
Hon. MARK O. HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SIR: Because of your great interest in education and training, I am writing this letter to ask for your assistance, As you know, drastic cuts in research funds have been carried out for the last two years by NIH and NSF. It is therefore essential at this time, that you contact and intervene with appropriate government agencies on our behalf.

Our project which has been terminated as of 1 July 1970, is a training program in experimental and clinical oncology for trainees with M.D. and Ph.D. degrees. This is a joint program which includes the various departments of the University of Oregon Medical School.

Our Training Program attracted dedicated physicians and postdoctoral fellows. One typical example is Dr. Ernest Lane, who abandoned his private medical practice of 15 years to join the program in order to obtain a Ph.D. degree in Biochemistry of cancer. This would enable him to enter into the field of academic research in obstetrics and gynecology and other related fields—an area in great need of research trained clinicians. As you well know, our State resources are very limited and we depend in great measure on Federal support. Because of this, it has become increasingly difficult to retain even key staff personnel when many other projects are being discontinued.

It is quite clear that in many instances, federal granting agencies have been more concerned with getting new programs started than with seeing that established programs are able to improve their quality and continue to develop their potential. Definitely a stimulation of new programs is highly desirable; however, to allow well established training programs to be terminated in order to establish new ones should be done with extreme caution.

The loss of personnel, such as Dr. Lane, of research programs half completed, the use of expensive equipment halted due to lack of personnel is nothing short of criminal at the time when more highly trained individuals are needed to solve pressing problems of the effects of malnutrition, drugs, disease, infection, as well as "the pill" on pregnant women and newly born generations.

Our laboratories have excellent equipment and facilities, all of which will soon sit idle due to termination of funds for personnel. The public is informed about reductions whereas we are experiencing complete terminations of support.

These cuts affect small states very deeply due to lack of other resources. The unemployment has risen to 5.6% in Oregon while the nation was at 4.5% level. We believe that all foreign research support should be terminated before domestic research is reduced. However, as our laboratories are closing and graduate students forced to surrender higher degrees requiring only a year or less for completion, the country still retains very generous research agencies in various foreign capitals. On the other hand, all of the various news media are crying out for more individuals to enter into technical fields, more students to continue their education to obtain higher degrees, more need for research in medicine, biochemistry, psychology, etc. Yet, no one is willing to support the individuals already half-way or nearer to such drastically needed fields. This can hardly encourage anyone considering a graduate career.

We should therefore like to request strong consideration by you and other members of Congress to make the following recommendations—not for the 1980's but as emergency measures *now.*

(1) Cancel all support of foreign research until such time as all worthy American research and training programs are adequately financed.

(2) Investigate and reduce wherever possible, wasteful duplication of administration of public health projects in Washington in order to free funds for research and training.

There is far more money spent for administration of funds for research than spent on actual laboratory research and student training (administrating overhead exceeds 40%). One branch of Public Health Service (Welfare) spends 78% of their funds on administration and only 22% on the service itself.

(3) Any project funded should not be terminated until all students already in training have been allowed to complete their training.

I am enclosing a copy of the letter we recently received as an example of the tragedy of the plight of hundreds of scientists throughout the country. For a project to be approved but not funded is a contradiction of absurd proportion. With the elimination of similar projects all over the country, these people have no place to apply for similar positions.

Any assistance you can give or suggestions you may have as to a solution of this problem will be most appreciated.

Yours respectfully,
ADAM W. LIS, Ph.D.,
Association Professor and Program Director.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Bethesda, Md., March 26, 1970.
Our Reference: T01 CA–05081–09 CAN
Dr. ADAM W. LIS,
Associate Professor, Department, Obstetrics and Gynecology, University of Oregon Medical School, Portland, Oreg.

DEAR DOCTOR LIS: This is to inform you that the National Advisory Cancer Council, at its meeting on March 16–17, 1970, recommended approval of support for the training program described in application T01 CA–05081–09, however, for a reduced period of one year and in the reduced amount of $38,868.

The action taken by the Council represents a recommendation for a year of terminal support. As a consequence of existing fiscal constraints the National Cancer Institute will not be in a position to award any portion of the amount recommended and we are, therefore, administratively withdrawing the application. If you anticipate an unexpended balance remaining in the grant as of June 30, 1970, an extension of the grant period, without additional funds, may be requested in a letter from an official of the University of Oregon Medical School.

We regret very much that the National Cancer Institute is unable to fund a number of the approved programs and that support for your program will not be continued.

Sincerely yours,
ARTHUR L. SCHIPPER, PH.D.,
Awards and Training Officer, Special Programs Branch, Extramural Activities, National Cancer Institute.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Bethesda, Md., May 14, 1970.
Hon. MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: Your letter to The Honorable Robert Finch, Secretary of Health, Education, and Welfare has been sent to the National Cancer Institute for reply. Your inquiry concerned the cutback in funding of cancer research, especially as it has affected the training program in experimental and clinical oncology, directed by Dr. Adam W. Lis of the University of Oregon Medical School.

The National Cancer Institute supported Dr. Lis' training program for the past nine years, but now finds it necessary to terminate this grant (T01 CA 05081) because of insufficient funds.

As you know, the research and training supported by the National Cancer Institute is financed through Congressional appropriations which while rising steadily in past years, have now begun to decline. The Institute's fiscal year 1969 operating budget was approximately $182 million, compared with a fiscal 1970 operating budget of approximately $181 million. By necessity, the lowered amount means that almost all programs must be reduced. Additional reductions in programs may be required since we also have to take into account continuing inflationary trends which even further erode the capacity to do research.

Dr. Lis' letter refers to a number of recommendations concerning Federal funding; the issues raised by Dr. Lis are important and timely and for this reason we have made every attempt to answer them completely and forthrightly.

The recommendation that all foreign support be terminated until all worthy American support receives financing needs clarification. The National Cancer Institute foreign research program is an important one because these studies by necessity, must be unique. They are unique because these investigations meet the criteria that they cannot or will not be accomplished in this country; other stringent criteria must also be met. Additionally, the National Cancer Institute supports, on a dollar basis, an extremely small foreign program since the total dollar amount is less than $200 thousand out of a possible $98.5 million (less than 0.2%). This amounts to only 11 foreign grants out of a total of 1,250 awarded. Also, the National Cancer Institute has never awarded a training grant to a foreign institution nor has it permitted foreign nationals to receive stipendary support from National Cancer Institute training programs for the past five years.

The recommendation concerning administrative expenses as it relates to management of the grants and training program needs explaining. I don't know if Dr. Lis is referring to the National Cancer Institute when he states that "administrating overhead exceeds 40% . . .", since FY 1969 total dollars appropriated NCI amounted to $98,546,000 for Extramural Activities with an appropriation of $2,508,000 provided for administration of the program, including review and approval. Administrative costs amount to approximately 2.5% of the total dollar amount awarded for research projects, training projects and fellowships. This is indeed a small part of the total investment, considering the number of professionals needed to administer a program as large and as important as the extramural program of the National Cancer Institute. However, it should be pointed out that an average of 33% of the total funds awarded an institution go for overhead costs, this money is used to reimburse the institution for expenses incurred while doing research.

We are in complete agreement with the third recommendation ". . . project funded should not be terminated until all students . . . have been allowed to complete their training," and only wish that we could honor this principle. It was not until this year that the National Cancer Institute did not honor its commitment to trainees. Unfortunately the funds available to us for support of graduate research training does not permit us at this time to honor that which was policy in the past. In order to cushion somewhat the impact of termination of training programs, the Institute has permitted the use of unexpended balances to be used over extended project periods, without awarding additional funds. The institute is short approximately $22.5 million for FY 1970 where it concerns awards for approved, but unfunded research and training projects. It can be seen that the money gained from extramural administration ($2.5 million) and the foreign program ($200 thousand) would be a mere pittance compared to what is needed to pay all of the approved applications which have gone unfunded.

In general, the cutbacks have reduced the number of approved grants that can be funded and make it necessary to reduce the amounts committed to support of all ongoing grants. In fiscal year 1969 all funded grants were reduced an average of 5.7 percent. In fiscal year 1970, the average reduction in grants will be more than twice this amount. Only with extreme reluctance have these reductions been effected, and this must be done if we are to maintain a balanced research program. Particularly hard hit are the young investigators just entering the research field, for they are the ones whose grants are found in the "new grant" category. Despite a 15 percent cutback in all grants the number of new grants funded, *even after approval* amounts to only 20 percent. In the case of competing renewal grants, the NCI hopefully expects to pay 50 percent of the approved applications. As far as this fiscal year is concerned, it appears that the NCI will not be able to make any new training grant awards, especially since less than 50 percent of approved competing renewals will be funded. One should be mindful of the fact that initial review groups continue to evaluate grants mainly on a scientific basis, and not on a monetary or other basis even though we are living in a period of budgetary constraints.

We are in complete sympathy with Dr. Lis on many of the issues he has raised, but in times like the present, when competing demands must be carefully weighed by the Administration and Congress, the judicious distribution of available funds requires making some painful decisions. There is no question that increased funding of cancer research and training efforts could be utilized to advantage in making continued progress toward conquering this dread disease.

Your interest in Federal funding of medical research is appreciated.

Sincerely yours,
Carl G. Baker, M.D.,
Acting Director, National Cancer Institute.

To receive approval of a program and favorable recommendation and at the same time, to lose government funds and support, is surely a cruel irony. It is unconscionable that in the wealthiest country in the world good research projects in cancer, like that of Dr. Lis, go unfunded in spite of the recommendation of leading scientists.

What could deserve the national spending priority in the area of research if not cancer research? During this year alone 330,000 will die of cancer; over 52 million Americans now living will eventually be stricken with the disease. Along with immeasureable suffering and grief, cancer costs Americans an estimated 15 million dollars annually.

Dr. Jonathan E. Rhoads, representing the American Cancer Society, said in his testimony before this subcommittee June 9: "It is reasonable to believe that if financial impediments were removed, enough progress could be made to save the expenditures several times over in the costs of medical care now financed through the federal government."

The results of cancer research in the past are good evidence that future gains can be achieved by a financial commitment to cancer research. The money poured into cancer research since the Second World War has paid off high dividends. Today there are 1,500,000 Americans alive who have been cured of cancer. Surgery, radiotherapy, and chemotherapy have been improved so that many more patients are being cured while others have their lives prolonged considerably.

As Dr. James T. Grace, Director of Roswell Park Memorial Institute in Buffalo, said to the American Cancer Society in January of this year, "Our only hope of really controlling devastating diseases and their enormous costs is through research. A cure for cancer would do more for our citizens than a thousand Regional Medical Programs—at a fraction of the cost—and it can only come through research."

Still, the National Cancer Institute, with its over 6% inflationary rise, has had several million dollars less to spend than Congress authorized. At this point I wish to include a letter written by Dr. John Kalberer, Jr., of the National Cancer Institute, explaining what cutbacks to the Institute have meant in terms of reduction of support to researchers throughout the country:

Department of Health, Education, and Welfare,
Bethesda, Md., December 5, 1969.

Mr. Alan Davis,
Science Editor, American Cancer Society, Inc., New York, N.Y.

Dear Mr. Davis: This letter is in response to your telephone conversation of December 4, 1969 with Dr. J. Palmer Saunders, concerning cutbacks in Federal funding. Dr. Saunders has asked me to give you a brief sketch of what the impact of financial restraints has been on research in cancer.

In general, the cutbacks have reduced new project starts and expansion of ongoing intramural research; reduced the numbers of approved grants that could be funded and made it necessary to reduce the amounts on all grants. In fiscal year 1969 all funded grants were reduced an average of 5.7 percent. In fiscal year 1970 the average reduction in grants will be about 15 percent, even greater.

Because biomedical research rarely produces a quantifiable product within any measureable time, it has not been possible to measure what these cutbacks mean in terms of output. We cut back contracts and do not start new ones against a background of constantly changing endeavors. Grants are individually reduced across the board and only about one-half of approved new grants are awarded. Only about one-half of ongoing grants up for renewal are approved after competitive merit review each year. Many of the ongoing organized research teams therefore may be disbanded or must find support elsewhere, and this is becoming more difficult because of Government-wide cutbacks. Particularly hard hit are young investigators entering the field for they are the ones whose grants are found in the "new grant" category whose funding rate even after approval is about 40 percent.

The largest part of the NCI appropriation (in fiscal year 1969, $146 million out of a total of $185 million) is spent to support research conducted outside the walls of the Institute. This support takes the form either of grants for research projects initiated by scientists in universities, medical schools, and other non-profit organizations for training cancer researchers or physicians, and for support of cancer research institutions (over $96 million); or of contracts, which are initiated by NCI staff (approximately $50 million). Contractors may come from the same groups as grantees, and also from the commercial or "for-profit" sector of the economy.

Grantee research covers the entire range of biomedical sciences as well as clinical problems peculiar to that group of diseases we call cancer. Reduction of support for grantees therefore reduces the chances of making new discoveries or developing fruitful leads in any aspect of cancer.

One large research institution (Sloan-Kettering) receiving about 40 percent of its support from NCI has already had to make the following retrenchments: 20 staff members have been dismissed with further dismissals anticipated; seven research sections will be phased out by January 1, 1970, and ten more sections will be cut back by up to 30 percent; $729,000 has to be cut out of a budget of $10.5 million (for 1970). For the past two years this institution has been running at an annual deficit of a million dollars, drawing on its endowment capital, which is obviously not inexhaustible.

Other cancer research organizations dependent for much of their support on the NCI are having to reduce the number of cancer beds and, in several cases, to postpone indefinitely the activation of new facilities because funds have run out before they were constructed, or, if construction was completed, before they were equipped or staffed. It should be noted that some cancer research equipment is costly; plans to install a prototype radiation therapy device in a West Coast medical school have had to be suspended for want of the $500,000 required.

I hope this information proves useful, and if you should have further questions please do not hesitate to let me know.

Sincerely yours,
John T. Kalberer, Jr., Ph.D.,
Special Assistant to Associate Director for Extramural Activities, National Cancer Institute.

In spite of the $20 million projected increase over the previous year, the 1970–71 budget for the National Cancer Institute is not sufficient to reverse the downtrend which has occurred throughout the country, because of cutbacks in the last few years. I concur in the American Cancer Society's belief that Congress should increase the President's recommended budget for the National Cancer Institute by no less than $50 million in the coming year and probably by a larger amount in the succeeding because while the delivery system must be improved, in the cancer field we need most of all to improve the care available to be delivered. In view of Administration restraints on the budget, however, I ask that this subcommittee raise the 1971 budget substantially over the $200 million request to what the subcommittee deems a reasonable amount at this time.

We must remember that each American's share of the Vietnam war is $125. Each American's share of the national defense outlay is $395. Each American's share of the cancer research is only 91 cents. One billion was poured into an atomic-powered airplane program—to build an airplane that will never fly. This is seven times the National Cancer Institute budget. It was estimated that a minimum of $350 million was spent last year for chemical and biological warfare research. This was almost double the amount spent for cancer research.

Besides cancer research, there are other areas of health funding of concern to Oregonians that are suffering the loss of government support.

The Oregon Kidney Association and the Good Samaritan Hospital in Portland have urged me to secure funds for research into kidney disease, funded through the National Institute of Arthritis and Metabolic Diseases.

Mr. President, testimony has made abundantly clear that due to the enormous costs to the nation in loss of lives and in treatment of the disease, the ultimate solution to kidney disease is its prevention. Senator Hartke pointed out in his testimony that kidney disease is the fifth most costly in the Nation. Because kidney diseases are likely to cause death of patients in their most productive years, they make a great economic impact and cost this country around $1.4 billion annually in lost future income. These terrific costs point out clearly the need for constructive, long range action now. Yet the National Institute of Arthritis and Metabolic Diseases has not received the support it deserves during the last few years. Over half the requests for research fellowship grants by young capable physicians and scientists wishing to specialize in kidney disease were turned away in 1969. I ask this subcommittee to consider raising the amount spent for the National Institute of Arthritis and Metabolic Diseases.

Discussions have been underway within the Administration on Aging on the possibility of shifting funds away from educational institutions to a more heavy emphasis on organizations and units within the private sector for research, demonstration and training programs as authorized under Title IV and V of the Older Americans Act.

The State of Oregon has one of the largest Title V Administration on Aging Grants in the nation. The training program in gerontology supported largely by this grant involves three campuses and soon a fourth. Graduates from the training program have been placed in important positions in the field of aging, and 20 or so professors in the program are carrying on research in the field of aging on these campuses.

In considering the new budget for 1971, I would urge this subcommittee to note we need more university-based training, not less, if we are to begin producing professionals in sufficient quantity and quality to meet the demands of our aged citizens. Mrs. Frances G. Scott, Director of the Oregon Center for Gerontology, in her letters sent to this committee and to me has assured us that while there is an obvious role to be played by training sources within the private sector, to promote this approach at the risk of a setback to university-based training and research would be most unwise. I urge you to insure that the intent of Congress when it constructed Title IV and V of the Older Americans Act is not abrogated and that the system of research in gerontology developed in Oregon's universities will not lose support for its worthy research and education programs.

At this point I wish to include in the record a letter received from the Bi-State Mental Health Planning Committee regarding appropriations to the National Institute of Mental Health, which is also experiencing cutbacks in center establishments and staffing:

June 1, 1970.

Memo to: Senator Frank Church, Senator Len B. Jordan, Senator Mark O. Hatfield, Senator Robert Packwood, Representative Al Ullman, and Representative James McClure.

From: Bi-State Mental Health Planning Committee.

Subject: Budget level for staffing of the Comprehensive Mental Health Centers Act.

In January, 1970, the advisory boards of three separate outpatient mental health services serving four counties in southwestern Idaho and Malheur County in Oregon met to organize a 20-member Planning Committee and to formulate plans for a comprehensive mental health service for this bi-state region. Mrs. James Donart, Weiser, was elected chairman and Mr. Ace Lloyd, Ontario, was elected vice chairman.

Under the Community Mental Health Centers program of the National Institute of Mental Health and the existing state and county mental health programs within the region, an enlarged comprehensive mental health service could be available to this region through joint county-state-federal cooperation by January, 1971.

The Bi-State Planning Committee was encouraged that the Renewal and Amendments of 1970 to the Community Mental Health Centers Act was passed by Congress earlier this year. Since this bi-state area is a "rural poverty" region, the Committee noted that the new level of financial support to such regions, as provided in the 1970 Renewal and Amendments, would greatly benefit our plans for initiating mental health services.

Although the participating counties will continue their financial support of mental health within the comprehensive service, and although the states have increased their funding for such regional mental health services, the financial aid and standards-of-care provided by NIMH are essential to assure the quality and quantity of mental health services developed within our region.

Such a comprehensive mental health service has been a long-time goal of many agencies and individuals within this region of Idaho and Oregon since it will provide the early counseling and treatment for the prevention of serious long-term mental illness. You can understand how particularly valuable this regionally-based preventive service would be to children and to young couples in need of such help for whom the services of the distant state mental hospitals are both undesired and inappropriate. Since mental illness takes a tremendous toll in both human and economic terms, support of accessible preventive services is a judicious use of funds and of professional skills.

We are, therefore, gravely concerned at the figures presented in The President's Fiscal-1971 Budget. The proposed amount for staffing of the Community Mental Health Centers Act is $60.1 million. This amount will not cover the continuation of existing staffing grants and the funding of 1970-approved grants . . . much less meet the new requests for 1971, such as our bi-state comprehensive mental health service!

We strongly urge you to support a Budget Request of $100 million for staffing of Community Mental Health Centers for fiscal 1971.

Our national resources spent in this manner will provide far greater human and financial returns to our people and to our nation than many other proposed federal expenditures, including those weapons-systems of questionable value. Without additional funds for staffing these mental health programs, this bi-state project will not be possible. Therefore, your active support of this higher-level budget request will greatly aid the quality of life for many of the 100,000 people living within our bi-state region.

Mrs. James Donart,
Chairman.
Mr. Ace Lloyd,
Vice Chairman.

A bi-state project benefiting a region of 100,000 people will not be possible without additional funds for staffing, and I urge a substantial increase for the staffing of Community Health Centers for fiscal 1971.

Mr. Chairman, I should like to suggest that the Committee give some consideration to raising the 1971 budget request for migrant health funds under the Public Health Service Act from $15 million to the authorized figure of $20 million.

My own State of Oregon is suffering from lack of sufficient Federal or State money to care for the influx of up to 50,000 migrants a season. An additional $5 million is insufficient in the face of the staggering health problems of these people, but it would provide some additional sources of health care which they do not have at present.

The average life span of a migrant laborer is 49 years; the tuberculosis rate is 17 times that of the average American; the venereal disease rate is 18 times more than average; the infestation of worms is 35 times that of average, which is an indictment of our health care for these workers who are so vitally needed in our agricultural fields.

Still another area of concern to Oregonians, which is funded through this subcommittee and is suffering as a result of federal cutbacks, is nursing education.

While there has been an increasing demand on schools to turn out more physicians, nurses, and paramedical personnel, in Good Samaritan Hospital and Medical Center in Portland federal aid in 1969, including grants, loans, scholarships, decreased by 20% from the previous year. At this point I wish to include a letter received from Administrator Chester L. Stocks who provides information concerning the urgent need for greater federal assistance to hospital schools of nursing:

June 18, 1970.

Hon. Mark Hatfield,
U.S. Senate,
Washington, D.C.

Dear Senator Hatfield: My urgent concern regarding the welfare of diploma schools of nursing in Oregon prompts my writing this letter to you. Regarding the funding of Title II of the Health Manpower Act of 1968, I would like to encourage your support for full funding for nursing education student loan and scholarship programs.

Since 1967 our School has experienced a marked growth in both educational facilities and student enrollment. The increased student enrollment, in fact, is a direct result of a planned expansion program. By September of 1968 a new nine story student dormitory and a new Nursing Education Building allowed for the expansion of enrollment to 300 students. In this year the School enrolled its largest freshman class totaling 125 students. It was hoped that this phased growth would be met by proportionately more Federal funds (scholarships, loans, and grants) to lend financial assistance to an expanding student enrollment. Quite the opposite occurred as the figures presented below indicate:

STUDENT ENROLLMENT

		Increase (percent)	Federal aid (includes grants, loans, scholarships)	Increase or decrease (percent)
1967	189		$66,000	
1968	239	26	88,520	+33
1969	266	11	69,966	−20

In September of 1969, with a freshman class of 121 and total enrollment of 266, loans were made possible to only 74 students. Tuition for our School of Nursing at present is $3,900 for a total of 33 months' schooling (this figure includes use of dormitory facilities).

It is evident that while our student enrollment has increased substantially, Federal assistance to nursing students (which is minimal support in terms of total student enrollment) has been drastically cut back this past year. Inadequate Federal funding will further compound the problem as we expect our student enrollment to approximate 300 in September of 1970.

All of this means that a greater financial burden for the operation of the School at a substantial deficit each year. This must be done in order to charge tuition which will be competitive with State supported educational institutions and attract high school students to careers in nursing.

Current critical interest in cost of hospital care may jeopardize minimum funding of hospital supported schools of nursing.

According to recent statistics taken from the Oregon State System of Higher Education "Nursing Education in Oregon", in 1969, professional nurses graduated in Oregon numbered 120 from baccalaureate programs, 185 from diploma programs, and 53 from associate degree schools. More than half of all graduates were from the only two existing diploma programs in the state.

Our future supply of hospital based school of nursing graduates (who bring immediate work capability) to staff hospitals throughout the state of Oregon are vital for the provision of quality nursing care.

I hope that this letter will provide you with some facts and information concerning the urgent need for greater Federal assistance for hospital schools of nursing—indeed, all nursing education programs.

Cordially yours,

CHESTER L. STOCKS,
Administrator.

In conclusion, in my study of materials made available to me by leading Oregon medical scientists, I have been convinced that research funds and the training of medical personnel are intimately bound to the delivery of health service in this country. In cutting back research funds in the field of cancer, kidney disease, etc., we have only succeeded in placing a heavy load on our centers of learning and care which have been forced to foreclose projects and reduce research and teaching.

When disease costs so much to this nation, in suffering and death, and in dollars (heart disease and stroke alone cost between $20–$30 billion annually), it seems incredible that in the last few years we have considered funds for the health care needs of our people expendable when the going gets rough. How did we let this happen when in this decade we have spent $100 billion on the war and $25 billion on space?

Ironically, at the same time as we pursue the false economy of cutting back funds to medical research, we tell ourselves that we have arrived at a point in civilization where we can talk about the right to health and the right to adequate medical care. I contend that we shall be a Congress of a false spurious rhetoric if these setbacks to health research are not reversed. It is my earnest wish that this subcommittee attempt to remedy the situation as expediently as possible.

GEORGE SURGEON: AN OUTSTANDING EDUCATOR

Mr. TYDINGS. Mr. President, I invite the attention of the Senators to the outstanding contributions of a fine Marylander in the field of education.

In today's complex world, the ability to reason clearly and precisely is essential, and tomorrow's leaders will be determined by the competence of today's educators. To be a great teacher is not only to relay fact; but to train young people to think for themselves.

Such an educator is George Surgeon, 16 years principal of Brooklyn Park Elementary School in Anne Arundel County. The basis of his method is a simple one—direct and vigorous communication with his students.

In addition, Mr. Surgeon is a leader in his community as a whole as president of the Brooklyn Park Community Council and chairman of the Brooklyn Park Protection Association.

I ask unanimous consent that an article published in the Anne Arundel Times of June 7, 1970, which deservedly recognizes Mr. Surgeon's impressive achievements be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PORTRAIT OF A PRINCIPAL

George E. Surgeon gets to his office every day at 6:30 in the morning. He seldom leaves before 5 p.m. It's usually closer to 6.

Surgeon spends his day communicating ideas and exchanging thoughts with a wide variety of people. The door to his office always open, as is his mind to new ideas and new concepts. Thus, Surgeon has turned the institution which he heads into one of the most dynamic and successful of its kind.

Surgeon is not the director of a multimillion dollar industrial complex, a brilliant stock market specialist or the head of an important scientific study team. Yet his job is no less important to the progress of this county, to the success of its Democratic system and to the happiness of its people.

George Surgeon is an elementary school principal.

Specifically, he is principal of the Brooklyn Park Elementary School in Anne Arundel County. (There as those on his staff and those in the county school system who say he is about as fine a principal as one would ever hope to find. A model upon which others might build.)

Surgeon's reputation has spread far and wide, and the scope of his accomplishments increases with each passing day.

What makes a good school principal?

At a time when technology is playing an ever increasing role in today's society and in today's educational programming, Surgeon still thinks the answer is personal and individual attention. To pupils. To parents. To teachers. To all manner of problems. Thus, Surgeon's school is highly personalized.

Surgeon knows everyone of his 550 students on a first name basis. He knows their parents just as well.

Concerned with the quality of education offered the students at his school and with the progress that each of the children under his guidance makes, Surgeon relates well to whatever situation arises at the school, throws himself into the center of activity and makes things happen.

Teachers at the school bring Surgeon their problems and Surgeon works with the teachers to solve them. Students, too, regularly are in the office, chatting with their principal, bringing him ideas—ideas which he encourages.

What Surgeon is doing at Brooklyn Park Elementary is what education experts across the country say must be done if the educational system is to remain relevant to today's world.

He is moving into the community, making the school more and more a part of that community, and making the community more and more a part of the school.

The daily newspaper, Surgeon says, provides an excellent basis to bridge the gap—to bring the outside world into the classroom and extend the classroom into the outside world in a very real way.

"We use the newspapers all the time," he says, "to make the children aware of what is happening around them.

"We use them as a springboard for discussion, for examination, for careful study of the issues which concern their parents. It's entirely possible for a day's total curriculum to be based on the newspaper."

Teachers are encouraged to relate daily events to concepts and ideas which pupils might find difficult to grasp in intangible terms. Concepts such as honesty, integrity, courage.

A story on the front page about a taxi driver who discovered a passenger had left $3,000 in the back seat of his cab and who found the passenger and returned the money might make a practical tool for pushing home the principles of honesty and integrity, for instance, Surgeon says.

But this is just one of the ways in which Surgeon makes his school come alive as few elementary schools do on a day-to-day basis.

The principal has encouraged the publication, by the students themselves, of their own newspaper and literary magazine.

Both publications have repeatedly won first place national awards for excellence from the Columbia University Scholastic Press Association. They won first place awards in their respective categories again this year.

In the publications, the students themselves do the writing, communicating with other students on a variety of topics and through a variety of written forms: prose, poetry, straight news writing, etc.

The results has been multi-fold. The students have a sense of how to communicate, a sense of accomplishment at the results of effective communication, and a sense of achievement when this accomplishment is recognized.

It is difficult to imagine a child at Surgeon's school feeling stifled or unable to create. Surgeon, by placing the emphasis upon individualized instructions at the school, has keyed his teachers' programming to the specific talents of each student.

Pupils are allowed to progress through the subjects at their own rate of learning. They are encouraged to move ahead quickly in areas where they appear to excell.

Again, the individual approach of the principal himself plays a major role in keeping the pupil motivated, stimulated. Surgeon never passes up a chance to congratulate a student on an accomplishment in which he knows the pupil takes pride—no matter how small it may seem to others.

And, Surgeon does it in writing, not by means of a quick pat on the head in the corridor.

"I send students letters all the time from this office, complete with stationery from the school, in which I offer them my personal congratulations and the congratulations of the staff on what it is they have achieved.

"For many of these youngsters, this may be the first letter they've ever received. It can make quite a lasting impression."

Surgeon encourages his pupils to take an active interest in the world about them and to participate actively in projects to better the world.

A recent drive to raise funds for a family burnt out of its home and in need of food and clothing met with instant success at the school.

The young pupils each year also collect food, clothing and other items to place in special gift baskets at Christmas and Thanksgiving for needy folks.

One of the reasons for the exceptionally high quality of the work being done at Brooklyn Park Elementary, Surgeon feels, is the fact that the faculty, which the principal calls "outstanding in every respect," has set a high standard for itself and for the students.

"We give students opportunities to do things," Surgeon says, "and we encourage them to shoot for the stars. . . ."

A tribute to Surgeon's leadership and ability, the turnover rate on the school's faculty is amazingly low. "Most of our teachers here have been here a good, long time."

This provides strength from continuity and a fine base for in-depth development of long-term educational concepts and programs not possible at schools where the faculty turnover rate is very high and where projects die off right and left because of it.

Surgeon believes that a school principal—and teachers as well—should and must become involved not only in the lives of the students, but in the community at large.

Thus, he is a close friend of many parents of pupils in the school, has thrust himself into the forefront of community activities, never failing to accept responsibility and to give advice and assistance when he has been asked.

Surgeon is president of the Brooklyn Park Community Council, an organization of some 28 smaller organizations in the Brooklyn Park area.

He is chairman of the Brooklyn Park Protection Association, a group which tries to help young people in trouble.

He also serves on the county's Library Board of Trustees.

Surgeon has been principal of Brooklyn Park Elementary for 16 years. They have been 16 years of progress for the school and the community, progress for which Surgeon in no small measure is responsible.

TRIBUTE TO SENATOR MANSFIELD

Mr. HRUSKA. Mr. President, on June 19 the senior Senator from Montana (Mr. MANSFIELD) achieved the distinction of having served as majority leader of the Senate for a period longer than any of his predecessors. I want to join my colleagues on both sides of the aisle in a symbolic toast of this occasion. To the many good wishes which have been extended, may I add the best of health and the hope that we in this body may be fortunate to long have his good counsel and helping hand.

In addition, it is my hope that MIKE MANSFIELD will continue to be the leader of the Democratic Party in the Senate at least until he has held that office longer than anyone else—sometime in August 1974. But I must concur in the sentiment of the senior Senator from Vermont who expressed the hope that the record will be broken, but as minority rather than majority leader.

In this Chamber we labor long hours, sometimes at the request of the Senator from Montana exceedingly long, on important matters in the glare of public scrutiny. In such an atmosphere we come to know our colleagues well. I think no one can argue that MIKE MANSFIELD has stood the tests of time, of friendship, of loyalty and of courtesy with the best of them. Although I sometimes disagree with him on matters of substance, I have complete faith in his integrity and in his word. We know that when he says something will be done, it is; and when he says something will not be done, it is not. That is an exceedingly important quality to have in a majority leader. We are most fortunate that this leader has those qualities.

My closest relations with MIKE MANSFIELD perhaps have been on issues which are common to our two States, particularly beef imports. We have joined to introduce bills, initiate debates, and garner votes on this question, and I have always found his assistance helpful and his counsel wise. It is my hope that together, joined by a majority in this body, we shall be able to make certain that regulations concerning these imports are tightened and quotas imposed.

Again, let me offer congratulations and best wishes to the majority leader. Long may he have a front row desk in this Chamber.

CAMBODIA ACHIEVEMENTS?

Mr. McGOVERN. Mr. President, recent descriptions of the results of the dispatch of American troops into Cambodia might leave a gullible observer wondering why the war is not already over.

The President described it on June 3 as "the most successful operation of this long and difficult war." The Vice President has used similar expansive language, in fact describing it as a victory. On his recent telecast, the President likened this step to the World War II assault on the Normandy beaches.

In my view, such conclusions will soon become very false, indeed. We shall, I think, come to regret the Cambodian invasion as an error exceeded only by our original involvement in Vietnam.

We should recall that when the invasion was announced, the issue was whether the United States should supply military assistance to the new government in Cambodia. Many Members of the Senate, including the chairman of the Armed Services Committee, had expressed opposition to a new commitment in Indochina.

There was no doubt that the Lon Nol government was in trouble because of the reaction to its attacks on Vietcong sanctuaries within Cambodian borders. It seems quite plausible that, based on our past practices, Lon Nol conducted those assaults in the belief that American aid would soon be forthcoming. But in any case, regardless of the adminstration's receptivity to the idea of assisting the new Cambodian government, there appeared to be little sympathy for such assistance in the Senate.

Now, after 2 months of combat in new jungle battlefields, American air power, Vietnamese manpower, and U.S. military assistance have all somehow become unequivocally committed to the survival of the Cambodian regime. We have been sucked in, and the Vietnam war now encompasses another country and another wobbly dictatorship.

Moreover, it would be extremely difficult to find a less favorable environment for the expanded struggle. To begin with, assistance to Cambodia belies the basic aim professed by the President in South Vietnam—that of self-determination. Sihanouk had been elected by his people, and he still enjoys broad support among them. Lon Nol is in power only because he holds contempt for the processes of such elections and has therefore no qualms about seizing power by force.

But if we are unable to see our mission there as an effort to solidify the new military government, we can at least be sure that the Cambodian people see it that way. And they have seen us fight side by side with their traditional enemies, the South Vietnamese, who still remain in Cambodia and who still practice their unfortunate habits of looting Cambodian villages and raping Cambodian women. The popular, nimble neutralist, Prince Sihanouk, is now no longer neutral. He waits in Peking to inspire the Cambodian theatre of an Indochinese people's war for which—in light of the political consequences of our activities—we have helped trigger.

The Cambodian action has been a political disaster. Militarily, it has not been much better.

I fail to see, for example, how it is within the realm of reason to describe the action as a success when the Vietcong now either hold or contest roughly two thirds of the total land area of Cambodia, much of it bordering on South Vietnam. This amounts to a massive expansion of the small sanctuaries which were said to be our targets.

Nor are the statistics on captured rice and weapons particularly impressive. The President states, for example, that we captured 15 million rounds of small arms ammunition. Based on the average use between January 1, 1966, and March 31, 1970, that amount of small arms ammunition would be enough to last our side a little more than 2 days. We consume about 190 million rounds—more than 12 times the amount captured—each month. And in any case, all of those supplies can be quickly replenished.

Such is the questionable nature of the gains for which we sent American forces into Cambodia where 339 were killed and another 1,501 were wounded. The tactician who would term this venture a success would doubtless have proclaimed a victory for the Trojans.

Mr. President, in this morning's Washington Post Robert Kaiser has supplied an account of how U.S. officials in Vietnam assess the results of the Cambodian action. He points out that of all the rifles captured, only about 2,000 were the AK-47's which is the basic individual weapon used in South Vietnam. He quotes officials as saying the whole cache-counting syndrome is sterile because "it can all be replaced with one boat-load."

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OFFICIALS QUESTION CAMBODIAN ACHIEVEMENTS

(By Robert G. Kaiser)

SAIGON.—"We don't know very much," an American intelligence officer said last week, discussing the Indochina situation after the American offensive into Cambodia, "except that people who are doing much more talking know much less than we do."

If anyone speaks for the babel of voices in Vietnam at the end of the Cambodian operation, that officer does. His rebuke was intended partly for the President of the United States. Richard Nixon's unqualified assurances about the enormous achievements of the offensive are not freely endorsed by U.S. officials in Vietnam. The dominant feeling here seems to be uncertainty.

Nevertheless, many of those who speak critically of presidential rhetoric feel the situation in South Vietnam is better than it was before April 30. For local, tactical reasons, soldiers and civilian officials here generally think the Cambodian incursions were useful.

CONCLUSIONS DIFFERENT

It is impossible to reach any clear-cut conclusions about the Cambodian offensive. Measured in terms of its effect on the war in southern South Vietnam, the operation was probably very effective, though not decisive. Judged as a contribution to solving the United States' enormous problems in Indochina, the offensive into Cambodia may have been helpful, but it may also have done more harm than good.

Officers in the field report that they were able to search only a small fraction of the real estate in the known Communist base areas. Many miles of the frontier were never entered by ground forces. Areas where soldiers searched were seldom scoured. "You know," one officer said, "If you walk down a trail (in the jungle), what's four feet away from you, you can't see."

Senior American commanders have estimated that the U.S. and Saigon forces found 30 to 50 per cent of the material the Communists had stored in their old Cambodian sanctuaries. These are really just guesses, but the strange variety of materiel captured indicates that the allies missed a good deal.

For instance, nearly half the ammunition U.S. troops found in the Fishhook area was .51-calibre antiaircraft rounds, yet this has been a relatively small item in the Communist inventory in the past. Of all the rifles captured in the Cambodian incursion, only about 2,000 were AK–47s, the Communists' basic individual weapon.

Some officials here, including military intelligence officers, say the whole cache-counting syndrome is self-defending. "It doesn't matter," one officer said, "it can all be replaced with one boatload."

NOT SMOOTH

Cambodia was not a smooth operation. It began clumsily, with its planners not knowing how long they could stay in Cambodia, how far they could go, or what exactly they were after.

For all that, the operation seems certain to have a positive effect on the course of the war in the Mekong Delta, where North Vietnamese units have been fighting during the last 16 months.

U.S. officials think those units have depended heavily on sanctuaries and supply lines that no longer exist. Moreover, the southern Cambodian sanctuaries are in the open—unlike the jungle redoubts in the Fishhook, which can be rebuilt under cover—and will not be maintainable if Saigon continues operations in the area.

It seems likely that the North Vietnamese will be unable to move any more units into the southern delta in the near future. Those already there may find life more difficult, though that is at best an educated guess.

SERIOUS BLOW

In the III Corps region around Saigon, the operation also has dealt a serious blow to the Communists' rear. One of the six Vietcong subregions in the Saigon area has been virtually decimated, losing many key personnel including its deputy chief, who is now in government hands.

(This man, incidentally, was the highest Vietcong official the allies found in the operation.)

All the Vietcong organizations in the western half of III Corps lost sanctuaries in the Parrot's Beak that had become increasingly important to them.

By disrupting the well-organized supply depot system in the Fishhook, the allies have also forced the Communists to make greater efforts than ever to keep their forces equipped. U.S. intelligence estimates that the III Corps Vietcong logistical system used to require the services of 6,000 men, and will now need 18,000. This may be an exaggeration, but the Communists' new difficulties are real and grave.

Moreover, the South Vietnamese Army has had valuable new fighting experience, and has shown that it can cope with the North Vietnamese—when the South Vietnamese can fight in large units on open, foreign terrain, supported heavily by U.S. airplanes. Many officials here think the Army's morale is soaring as a result of its success in Cambodia, though this view is not universal.

Whatever the Cambodian offensive achievements, the war in South Vietnam is not over yet. Once again, it seems likely to shift into a new pattern.

NORTHERN FIGHTING

For example, officials here predict that big-unit fighting will now occur almost exclusively in the I and II Corps areas, the northern half of the country, but this was expected to happen soon anyhow. The remaining American units in III Corps were already scheduled to leave, probably before the end of this year. (There are no U.S. combat troops in the delta).

The Communists will have to develop the new supply line down the Sekong and Mekong Rivers from Laos into northeastern Cambodia. The enemy's rear will be further back than ever. The last time the Communists had to move their headquarters—after operations Junction City and Cedar Falls in 1967—they were able to launch the Tet offensive eight months later.

The Communists have been conserving their forces recently, and seem likely to continue doing so. Infiltration rates are still declining, and are now far below the highs of 1968. Yet the Communists have been inflicting significant damage and casualties (though nothing like what they managed in 1968), while suffering fewer losses themselves.

And, as a result of new intelligence gathered during the Cambodian operation, U.S. estimates of the enemy's strength in South Vietnam and Cambodia have risen by nearly 40,000 men.

The Communists do not seem to be capable of expanding the small amount of territory they still control, but by a judicious use of terrorism and military action they can continue to influence the population, harass the government and kill U.S. and South Vietnamese soldiers.

A major North Vietnamese effort in northern I Corps could collapse the government's presence there, though it would cost the Communists a fearful price. The war in the north could continue "for 10 years," regardless of the success of Vietnamization, in the view of one of the most experienced Americans in Vietnam.

CONSUMER CLASS ACTION—WEAPON FOR EFFECTIVE JUSTICE

Mr. TYDINGS. Mr. President, although there has been increased public awareness of the need for consumer protection programs in recent years, there has been no significant reduction in the incidents of fraud. Despite good intentions and the proliferation of consumer protection laws and agencies, our society continues to require that the "buyer beware." For the past year I have been working to provide the American consumer with an effective weapon against fraud and deception, the consumer class action.

A consumer class action compensates for the inability of individual consumers to litigate small individual losses by enabling one or more representatives of a group of consumers with similar injuries to place the group injury in issue. The aggregate group claim is generally large enough to warrant the outlay of the necessary expenses and more significantly, to make it possible to obtain private counsel on reasonable terms.

Last July, during hearings on the initial consumer class action litigation, S. 1980, Virginia Knauer, Special Assistant to the President for Consumer Affairs, strongly supported the basic principles of the legislation. Subsequently my proposal came under the attack of numerous special interest groups and the administration retreated from the strong position taken by Mrs. Knauer. The administration proposed instead a sorry substitute for meaningful consumer class action protection: A private remedy that is not self-starting but must be triggered by successful determination of a Government suit.

Not only would this proposal make for excessive delay, but it leaves to a Government agency rather than an injured party, the power to determine which consumers are to be protected. The administration's proposal will not provide the American public with the protection to which they are entitled.

In a recent issue of Trial magazine, Jerry S. Cohen, Esquire, of Washington, D.C., wrote a thoughtful article entitled "Weapon for Effective Justice" in which he compared the legislation that I have introduced with the administration's proposal. Mr. Cohen not only exposes the ineffectiveness of the administration's proposal, but answers persuasively the attacks which have been directed at my legislation. I recommend Mr. Cohen's article to my colleagues.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Weapon for Effective Justice

(By Jerry S. Cohen)

The notion of consumer protection now has been warmly embraced by both Democrats and Republicans. But the question of how best to assist the consumer has become centered in a battle now taking place in the United States Senate Commerce Committee on the appropriate role of the class action.

Indeed traditional philosophical positions have been reversed. The Democrats are arguing for self-help through greater use of class actions. The Administration believes that the government is in the best position to decide what is best for the consumer.

Two pieces of legislation are involved—the Administration bill (S. 3201) and the Tydings bill (S. 3092).

The Administration bill permits the Federal Trade Commission to move against deceptive advertising or "any practice which is unfair or deceptive to a consumer and is prohibited by section 5." Sec. 5(a) (1) says: "Unfair methods of competition in commerce and unfair or deceptive acts or practices in commerce are hereby declared unlawful."

It permits the Justice Department to seek injunctions against a host of unfair and deceptive practices affecting consumers. The "hooker" is that no private action may be brought in federal court until there is a successful end to the government's lawsuit.

The Tydings bill is strictly a class action bill. It authorizes private class actions for violation of section 5 and "any act that gives rise to a civil action by a consumer or consumers under State, statutory or decisional law for the benefit of consumers."

The basis for federal jurisdiction assumes that the acts complained of are in commerce.

Both bills enlarge the jurisdiction of the federal courts. Under present law, no private action can be brought for violation of section 5 (although Senator Philip A. Hart has a bill on the sidelines, S. 3338, which would allow precisely that). Both bills would have the effect also of overriding in part *Snyder* v. *Harris*, 394 U.S. 332, which held that generally in federal actions depending on diversity for jurisdiction, the claims cannot be aggregated to meet the $10,000 jurisdictional requirement.

But the battle lines are drawn on the issue of self-help v. government pre-emption.

The Administration looks aghast at increasing the use of class actions because it would lead to "harassment" and would place an "undue burden" on the court. It would, one Administration witness said, turn the federal courts into small claim courts.

A basic principle is therefore at issue. What is the proper function of the court? Do courts exist to dispense justice or to provide a legal forum for those who can afford large attorney fees and who have only large claims?

If the basic purpose is "justice," then meritorious suits should be allowed, no matter how many they may be. Certainly justice denied to the small claimant is a blot on the concept of justice in general.

An old fable concerns the famous battle cry of the drunken admiral who, when approaching a drawbridge that threatened to take the top of his ship, cried out, "Don't raise the bridge men, lower the water."

The analogy is obvious. If so many wrongs are perpetrated that court dockets are clogged the cry "don't enlarge the courts, deny redress" has a somewhat ludicrous ring in these days of critical self-evaluation.

But those who raise the cry miss another basic point. The purpose of the class action since at least the 18th century has been to expedite the work of courts, not clog it. When claims, for instance, are aggregated, the single amount sought is somewhat greater than one might expect in small claims courts. The settlement offered to meet "small claims" in the recent antibiotics cases is $125 million.

The class action is the ultimate in judicial efficiency. Instead of hundreds or thousands of individual lawsuits, there is, in effect, only one. That the technique works well has been demonstrated in an increasing number of class actions in antitrust and Securities and Exchange Commission cases.

In the antibiotic cases, for instance, the class is all users of the antibiotics. The court has had no major problem in developing methods to deal with the huge numbers of plaintiffs represented by the class. Major innovations like the establishment of a multidistrict litigation panel to consolidate all pre-trial discovery has resulted in new frontiers of judicial efficiency. The experience of class action cases in the antitrust field has demonstrated conclusively that this device is an efficient and expeditious way of enabling the courts to handle massive numbers of plaintiffs without interfering with the efficient functioning of the courts.

What may really be behind the opposition to the Tydings bill has been described best by Attorney Aaron Fine of Philadelphia in a recent address to the ABA:

"P. T. Ryan of Philadelphia, not related to Sylvester, last month warned the Ninth Judicial Circuit that Rule 23 (the amended class action rule) goes entirely too far in giving poor litigants a chance to combine their resources, and might lead to the Welfare State, reminding us all of the Duke of Wellington's strong opposition to the development of British railroads because 'They would encourage the lower classes to move about. . . .' "

The argument that class actions will clog the courts rests on the same philosophy and has as little merit.

What about harassment? This argument is somewhat denigrating to the same courts the Administration is trying to save from clogging. It assumes the court is not able to handle its business properly.

Of course, the definition of harassment has its chameleon-like aspects depending on whether one is harassor or harassee. What is simple justice to the plaintiff may be simple harassment to the defendant. Giving a right to bring a class action does not mean that the court has to allow it. Indeed many class actions have been thrown out as such because the court did not think the requirements of Rule 23 had been met. And many lawsuits—as we all know so painfully—have been thrown out on motions to dismiss or for summary judgments. The court is able and sometimes, all too willing, to deal harshly with lawsuits it considers without merit.

Those who charge the Tydings class action bill will lead only to harassment of legitimate businessmen can charitably be described as those who have not litigated many cases in federal court—at least not as plaintiff's counsel.

But a more important issue is involved. There are a relative handful of lawyers in the FTC and the Justice Department. (And both the Justice Department and FTC will be delighted to back up my statement that they are understaffed.) Yet the country is populated (probably overpopulated) by thousands of competent counsel, many of whom are not overworked. And a number of them believe they can recognize a good lawsuit when they see it.

The laws of economics are also at work. Most lawyers are not going to handle a class action on a contingent fee basis unless their chances of success are good, which is another way of saying "unless they have a good case."

Why then should these many have to wait on the decisions of the few? What imbues the overworked government lawyer with a special wisdom as to what cases should be brought and which should not? Why should the wronged consumer have to wait contritely and patiently for the government to decide whether or not to give him a hand? All he asks is a chance to help himself, freeing government lawyers for other matters like enforcing the antitrust laws against price fixing and illegal mergers, or better yet, to beefing up their fight on organized crime. Indeed there is something almost paternalistic about the attitude that the government knows best when a consumer has been wronged.

It is time that even the American Bar Association realizes that the class action is here to stay; that it makes good sense and good justice; that the courts are mature enough to handle their internal problems.

And it is time for Congress to realize that the consumer is asking merely for the opportunity to protect himself; that there is a potent and court-proved legal weapon to allow him to do this—the class action. Consumer frustration in this land deserves something better than rhetoric and shadow legislation.

When all the fat is boiled away, the real fear of the class action is that it is an effective way to achieve justice for the consumer. And one thing should now be clear: the consumer will not long endure two standards of justice, court congestion and harassment notwithstanding.

APPOINTMENT OF DAVID K. E. BRUCE TO BE THE CHIEF OF THE UNITED STATES PEACE DELEGATION TO THE VIETNAM PEACE TALKS IN PARIS

Mr. COOPER. Mr. President, I am pleased that President Nixon last week announced the appointment of Mr. David K. E. Bruce to head the United States' delegation in Paris for the Vietnam peace talks.

Mr. Bruce brings to these difficult negotiations a broad knowledge and wide diplomatic experience gained in a distinguished service to his country covering several decades. During the late 1940's he served as chief of the ECA mission in France, and as U.S. Ambassador to France. Later he served as Under Secretary of State, Ambassador to Germany, and Ambassador to Great Britain.

Mr. Bruce is highly respected as a diplomat in the capitals of Europe and the wisdom, tact and judgment he has demonstrated in the many difficult negotiations he has conducted in the past will enable him to make a major contribution in arriving at a settlement of the Vietnam issue and lead toward a settlement for Southeast Asia.

Mr. President, I ask unanimous consent that a brief biographical sketch concerning Mr. Bruce, which was published in the New York Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIVE PRESIDENTS AGREED: BRUCE IS A "GIANT"

When he retired in March, 1969, after eight years as United States Ambassador to the Court of St. James's—the longest anyone had held that post—David K. E. Bruce, was America's senior Ambassador. Before the London assignment he had been Ambassador in Paris and Bonn. At the age of 72, he is the only man ever to have served in this country's three leading embassies in Western Europe.

President Nixon, who named Mr. Bruce yesterday to head the United States delegation for the Vietnam peace talks in Paris, said more than a year ago that he and his four predecessors in the White House had disagreed on many things but "agreed that David Bruce was a giant."

Mr. Bruce, it has been noted, is a man of reason, able to be polite and analytical on the most controversial subjects. When anti-American groups came to him to complain, he first poured coffee. He knows books and silver and furniture. He can talk and he is above all, kind.

David Kirkpatrick Este Bruce was born in Baltimore on Feb. 12, 1898. His father, William Cabell Bruce, had served as United States Senator from Maryland from 1923 to 1929.

Reared in Baltimore, David Bruce entered Princeton University in 1915. Two years later he left to enlist in the Army and served in the field artillery in France. He was promoted on the battlefield and was discharged a lieutenant.

After the war, Mr. Bruce served briefly as a diplomatic courier in Europe. On his return to the United States he attended the law schools of the University of Virginia and the University of Maryland. He was admitted to the Maryland bar in 1921.

Mr. Bruce entered public life in 1924 when he was elected to the Maryland House of Delegates.

In World War II he went to London as representative of the American Red Cross, then shifted to an intelligence role there in the Office of Strategic Services. He later became a colonel in charge of O.S.S. operations in Europe.

From then on, Mr. Bruce was committed to public service. In addition to the ambassadorial positions, he was assistant Secretary of Commerce, United States aid administrator in France, representative to the Coal and Steel Community and for two years, Under Secretary of State.

AMERICA'S OBLIGATION TO HER VETERANS

Mr. TYDINGS. Mr. President, the May issue of Life carried a shocking article on the deplorable conditions that exist in many of our Veterans' Administration hospitals as the result of insufficient resources for staff and operations. Entitled "From Vietnam to a Veterans' Administration Hospital: Assignment to Neglect," the article rightly stimulated a great deal of public concern and indignation.

In order to determine whether the Life story applied here in Maryland, I met personally on June 8 with the heads of veterans organizations in Maryland and then toured the major Veterans' Administration health facilities in the State. I was deeply moved and distressed by what I discovered.

Additional funds were needed everywhere to employ and train Veterans' Administration employees to inform veterans of the many rehabilitation, education, and career preparation services that are available to them. Often the great tragedy was the fact that programs existed to help veterans pick up their lives where they had left off and to successfully reenter American life, but the men did not know of them. All of the education, financial, and career benefits Congress enacts for veterans and the taxpayers support are worthless if the men for whom they are intended are not informed about them.

In the Veterans' Administration hospital at Fort Howard, which is located 15 miles from Baltimore, I found another tragic and unacceptable situation: Owing to a lack of funds, it was impossible to provide transportation to the hospital for volunteers to work with veterans and, worst of all, for families of veterans who were without private means of transportation.

Of all the pain suffered by the men in veterans hospitals—and I saw brave men suffering from wounds and injuries that would make the strongest man weep—none cuts so deeply or is as unendurable as loneliness. As any doctor will tell you, the support and encouragement of friends and family is the strongest medicine for a sick man. Yet it was this medicine—the love and concern of relatives and community volunteers—that many of the veterans at Fort Howard were being denied because of a lack of funds for transportation of volunteers and relatives from surrounding towns, train stations, and bus depots. There is something desperately wrong when a nation which has the money to send men a quarter-of-a-million miles to the moon fails to provide resources to transport the loved ones of Fort Howard Hospital veterans the 15 miles from Baltimore.

At the Veterans' Administration hospital at Loch Raven, Md., the problem was even more basic. Given the shortage of Veterans' Administration hospital facilities throughout the Nation, Loch Raven was converted several years ago from a TB sanitarium to a general veterans hospital. But right from the beginning, the resources needed for a complete conversion have been lacking. On my visit, it became evident that not enough money was available to hire many key medical personnel. According to hospital officials, at least $114,000 more is needed to fill the remaining health service void at Loch Raven.

And as the Senate Subcommittee on Veterans Affairs so ably chaired by the distinguished Senator from California (Mr. CRANSTON) has demonstrated, the unacceptable conditions I witnessed in Maryland can be found in virtually every State in the Union. Inadequate funding for our veterans hospitals is clearly a problem of national dimensions.

Mr. President, the sad truth is we suddenly find ourselves confronted with a grave crisis in veterans health care in this country. Much of the sudden shortage of facilities and staff is attributable to the great increase in the number of veterans requiring medical care as a result of the conflict in Southeast Asia.

To date, more than 275,000 American boys have been wounded in action. Roughly half of them must be immediately hospitalized for their wounds and most of these at some point will need Veterans' Administration hospital or outpatient care. In the past year alone more than 50,000 Vietnam veterans were admitted to Veterans' Administration hospitals. Last year, the level of outpatient visits required reached 500,000.

Our wounded veterans, according to reports, are receiving excellent care while in overseas hospitals in Vietnam and elsewhere. But this level of excellence is not being maintained when they are shipped home to Veterans' Administration facilities in the States. Despite the 5-year time span since our increased military involvement in Southeast Asia began to cause heavy casualties, Veterans' Administration facilities remain inadequate. And to the best of my knowledge, the Veterans' Administration still is without an overall plan to meet the exigencies of this wartime situation.

The additional $100 million for Veterans' Administration medical care contained in the Senate version of the Independent Offices appropriations bill for fiscal year 1971 constitutes a major step in what must become a national campaign to insure that American veterans receive the best medical care this Nation can offer. Appropriating this additional $100 million would help to eliminate a number of serious deficiencies in our Veterans' Administration health system:

First, the ratio of staff to patients in Veterans' Administration hospitals could be raised on a par with that in our community hospitals. The overall staff-to-patient ratio for Veterans' Administration hospitals is 1.5 to 1, comparing poorly to the 2.7 to 1 community hospitals. In some Veterans' Administration hospitals, a single nurse is forced to minister to anywhere from 80 to 140 patients at one time.

Second, the equipment and maintenance and repair backlogs in Veterans' Administration hospitals that total more than $46 million according to conservative estimates could be reduced.

Third, many veterans currently are forced to wait up to 6 months for the hospital examinations and treatment they need. Additional Veterans' Administration funds would help relieve this backlog of 44,200 examinations and 8,600 treatments.

Fourth, badly needed long-term care facilities for aging and infirm veterans no longer requiring intensive hospital care could be constructed.

Fifth, funds are required for the education and training of top notch health personnel to man Veterans' Administration hospitals.

Sixth, it is considered absolutely essential that the Veterans' Administration conduct medical research if the Veterans' Administration system is to attract and retain high caliber personnel. More money would permit the initiation of new research projects.

Seventh, appropriating an additional $100 million would provide an opportunity to eliminate some of the disgraceful physical conditions that exist in our Veterans' Administration hospitals; the leaking roofs, the infestation with rats and mice, the numerous hospitals that have no air conditioning despite their location in some of the hottest parts of the Nation. The Veterans' Administration hospitals at Perry Point and Fort Howard in Maryland, for example, are desperately in need of air conditioning.

Mr. President, since my election to the Senate, I have devoted a great deal of time and energy to the area of veterans health care and other veterans benefits. If we can ask many of our young men to risk their lives for the security and future of the Nation, we can do no less than provide them with the best care when they suffer injury or sickness in the conduct of their duty. To do less is to betray them.

It is essential that Congress appropriate this additional $100 million for the health care of our veterans. I, for one, shall do everything in my power to see that this money is made available for those who so richly deserve it.

OUT OF INDOCHINA IN 18 MONTHS

Mr. CHURCH. Mr. President, during the course of the Senate debate on the Cooper-Church amendment, the distinguished Senator from Maine (Mr. MUSKIE) called for the adoption of a national policy of complete disengagement of all American forces from Indochina. Our withdrawal, he declared, should be "responsible and orderly, but it should be completed by the end of 1971."

As a longtime advocate of complete disengagement, I commend the Muskie article, which appeared recently in the New York Times magazine. It is "must" reading for anyone who may not yet realize that President Nixon's "Vietnamization" program is not designed to extricate the United States from Vietnam, but can only result in perpetuating the war and prolonging our participation in it.

I ask unanimous consent that this important, factual, and highly informative article be printed in the RECORD.

SENATOR MUSKIE ON A WITHDRAWAL FROM VIETNAM

Mr. MONDALE. Mr. President, while it is getting more and more difficult to find fresh insight into the awful tragedy of the Indochina war, the distinguished Senator from Maine (Mr. MUSKIE) has recently made a most valuable contribution to the debate over how to extricate ourselves from our terrible dilemma.

His article published in last Sunday's New York Times magazine presents one of the clearest and most forceful arguments I have seen for the need to set a timetable for the withdrawal of American troops from Vietnam.

Senator MUSKIE points to the "frustration, fear, and sense of drift" which has enveloped this country due to our continuing and deepening involvement in the struggles of the Indochinese people. But his argument for a withdrawal schedule is based on much more than an assessment of what the war has done to the spirit and capacity of our Nation.

He argues forcefully and persuasively that nothing short of a scheduled withdrawal can break the hopeless deadlock which now grips the negotiating table. "Vietnamization," as presently revealed by the President's decision to invade Cambodia, is nothing more than "more of the same"—depending upon the assumption that President Nixon's military pressure will cause the North Vietnamese to break, even where the past administration failed. It is a policy not for getting us out, but keeping us in—and perhaps for broadening our commitment to the defense of the entire Indochinese peninsula.

Only a scheduled withdrawal of all U.S. troops can force the South Vietnamese and the other side to come to political terms and place the control of America's destining back in our hands. Whatever we could ever have accomplished has been done. We must now, as Senator MUSKIE argues, withdraw all of our troops in a reasonable period, contingent only on the return of our prisoners and the safety of our troops.

I join the Senator from Idaho in asking unanimous consent that Senator MUSKIE's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUT OF INDOCHINA IN 18 MONTHS

(By EDMUND S. MUSKIE)

WASHINGTON.—When President Nixon took office, most Americans hoped that his Administration would find the key to the Vietnam problem. We wanted to end our preoccupation with the war and get on with unfinished national business. Unfortunately, the Administration has not found the key, and the war in Indochina continues to dominate our lives. Having invaded Cambodia in an attempt to score dramatic military gains, the Administration finds itself ever more tightly bound to the war and its consequences. We cannot pry ourselves loose by force of arms, and we cannot dictate the peace.

We can, however, move to create conditions favorable to a political settlement, and that should be our objective. If we adopt that goal, we must have a clear commitment to withdraw all American forces from Indochina. The withdrawal should be responsible and orderly, but it should be completed by the end of 1971.

Such a withdrawal contrasts sharply with the Nixon Administration's policy, which calls for reductions in strength just large enough to maintain the hope of complete withdrawal—and thereby mute domestic opposition to the war—while preserving the military balance and continuing the hostilities. No matter what its aims, the net effect of the President's policy is to perpetuate the war.

We have only to look at what has happened in Indochina and at what is happening in our country to see the folly of this policy. The war has frustrated young people who question our national morality. Its consequences have frustrated their parents, who are paying for inadequate housing, overcrowded schools, poor transportation systems, inefficient medical services and a polluted environment. More and more Americans are losing faith in the capacity of our system to meet national needs.

Frustration, fear and a sense of drift have poisoned our relations with one another. Students have protested, and a few have been killed. Students and workers, both of whom want a better America, find themselves at sword's point. Black and white families, competing for limited housing, school facilities and job opportunities, are divided at a time when it is essential that they work together.

The Administration has not acted to end these divisions; it has widened them. While freedom of speech is applauded in principle, it is condemned when it is used to criticize the Administration's policies. While freedom of the press is called a virtue, all "unfavorable" press articles are described as biased. Silent majorities have been invented to oppose all those who disagree with the President. Insinuations have been made that Americans who die in Indochina are the victims of Americans who dissent.

And for what? Are hundreds of Americans and thousands of Vietnamese dying each week to stop a Communist threat to our national security, or are we fighting merely to preserve the military dictatorship in Saigon? Are we fighting in Cambodia to save Vietnam? Will we have to step up the fighting in Laos to save Cambodia? Where will we have to fight next to save Laos?

We are told that "Vietnamization" is the way to withdraw from Indochina but that it cannot succeed unless we destroy the enemy's sanctuaries in adjacent neutral territory. If this is so, Vietnamization is not a viable policy for withdrawal, for the Cambodian sanctuaries are only part of the vast network of hiding places available to the North Vietnamese and their local Communist counterparts. The clearing of the sanctuaries therefore means military activity not just in Cambodia, but in Laos and the demilitarized zone as well. Such a campaign would violate our international commitments in the area and vastly expand the war. American troops would have to be called up, not sent home.

Though President Nixon's Vietnamization strategy risks a greatly widened war as a precondition for peace, the Administration has struggled to justify it and the Cambodian operation as ways to achieve our disengagement in Southeast Asia. The absence of any logical connection between the means and the end is reflected in the gross exaggerations and shifting explanations that have accompanied each step of the Cambodian incursion.

The President told us on April 30, for instance, that his Cambodian target was "the key control center" of the North Vietnamese and the Vietcong for South Vietnam. In his June 3 progress report he made no reference to this point, and for good reason. Press articles and statements from our military men disclose that the headquarters could not be found, let alone attacked.

The President also said on April 30 that the North Vietnamese were "concentrating [their] main forces in [the Cambodian sanctuaries] . . . for massive attacks on our forces and those of South Vietnam." Yet in the very next paragraph of that speech he said that North Vietnamese troops had left their Cambodian sanctuaries and were "encircling" Phnom Penh. How is it that their movement away from our forces toward a distant objective could constitute an "immediate threat" to the Americans and South Vietnamese?

The President said that the Communist thrusts into the interior of Cambodia would make that country "a vast enemy staging area and a springboard for attacks." But look at the map of the situation in Cambodia before and after our invasion. We have not been able to drive all of the enemy forces out of their sanctuaries, and they have—despite the American attacks—taken control of a large land mass. When our forces vacate the sanctuaries, the Communists will return to them, too, in great numbers. The weeks since our incursion into Cambodia have seen an increase, not a decrease, in Communist control of Cambodian territory.

The President says that the vast amount of ammunition and the great number of weapons we have captured will mean fewer American deaths in South Vietnam. I wish this were true, but the statistics are not reassuring. Administration officials say that at most we have captured 40 to 50 percent of the Communist stockpile in Cambodia. According to these same sources, this amounts to supplies for about six months. In other words, the enemy still possesses sufficient material for at least the next six months, and has six months to replenish its stocks. Moreover, if what we captured in a limited area in Cambodia can be described as "vast," then what the North Vietnamese have stockpiled in South Vietnam, Laos and North Vietnam can only be imagined as enormous.

Administration officials repeatedly disclaim any new U.S. commitment to the Cambodian military regime of Lon Nol. But what have we seen? In his April 30 speech, the President pledged "small arms and other equipment" for the Cambodians. More recently, we have been told that our Government has agreed to pay for several thousand Thai volunteers and Thai aircraft to help Lon Nol. Now we've been informed that several thousand Cambodian mercenaries trained by U.S. special Forces in Vietnam have been airlifted to Cambodia. Is this not a new commitment?

The President said he moved into Cambodia to show the Soviet Union, China and North Vietnam that we are not a "pitiful, helpless giant," but his strategy has not worked. Both Moscow and Peking have agreed to step up their assistance to North Vietnam, and Peking has begun to exert more, not less, influence in Indochina. North Vietnam has increased the level of its military activity in Laos, Cambodia and South Vietnam. All of northeast Cambodia and southern Laos are now under virtual North Vietnamese control. When the President removed the limitations on U.S. military operations and invaded the Cambodian sanctuaries, North Vietnam ended its self-restraint elsewhere.

On June 3 the President said, "We have insured the continuance and success of our withdrawal program," adding that 50,000 troops would be withdrawn by Oct. 15. He may not have realized that he was addressing the same people who heard him promise on April 20 that he would reduce American forces in Vietnam by 150,000 men by June, 1971—an average reduction of 12,500 a month. If that rate were maintained, we'd be withdrawing 75,000 rather than 50,000 troops between April 20 and Oct. 15. Apparently, the "successful" Cambodian invasion has slowed our withdrawal.

The decision to invade Cambodia was not one President Nixon inherited; it was a new action that broadened the war. This adventure, therefore, gives us a much clearer understanding of the President's Vietnamization policy.

What is Vietnamization? The President says it is "a plan in which the United States would withdraw all of its combat forces if Vietnamese forces were trained and able to take over the fighting." He has added that the timing of the plan would depend on "the level of enemy activity, the progress in the Paris peace talks and, of course, other matters—the problems particularly with regard to the rate of training of the Vietnamese forces."

All of this suggests that the President's plan is for the reduction of U.S. forces, not for their full withdrawal. The conclusion to be drawn from his withdrawal announcements is that 284,000 American troops would still be in Vietnam by the middle of next year. He has said nothing about reductions after June, 1971, except that they are contingent upon Hanoi's restraint, South Vietnamese military progress or a breakthrough in Paris. This leaves our future subject to the initiatives of Hanoi and Saigon, and it raises doubts about whether the President contemplates any significant reductions after June, 1971.

Mr. Nixon further describes Vietnamization as the road to a negotiated settlement, but a look at the situation in Paris makes it difficult to believe that negotiations are the top priority for the Administration. Our delegation in Paris has not been headed by an Ambassador vested wth the authority of the President for more than seven months, and there have been no announcements of new approaches or proposals at the talks for an even longer period.

Even if the highest priority *were* established for a negotiated settlement, however, Vietnamization does not seem likely to move us toward it. It is an essentially military strategy that cannot deal effectively with the political nature of the struggle.

The North Vietnamese and Vietcong, though they have suffered through 25 years of war, show no signs of being near the breaking point. They can still control the level of combat—nothing in the Nixon plan prevents them from continuing to do so—and they will probably not give up the fight or make major concessions at the negotiating table as long as that is true.

Then there are the Saigon forces, upon whom Vietnamization really depends. While they have improved over the years, their basic weaknesses persist. They still avoid night patrols; their officer corps, most of whose members are still chosen on the basis of social status, is widely regarded as incompetent, and the gross desertion rate runs as high as 10,000 a month. While some South Vietnamese units are reported to have performed well in Cambodia, they required extensive American support.

Behind the South Vietnamese military, of course, is the Thieu-Ky regime, which neither deserves nor receives much popular support. Though we contend that 90 per cent of the population of the hamlets is "pacified," roughly half the hamlets are still subject to significant Vietcong influence. Even at this stage of the war, the Saigon Government has no meaningful control over half of its country. Anyone who speaks out against the regime is jailed and hounded, while we stand silently by.

And despite the opposition of the Government to such talk, there persists among several South Vietnamese groups support for a peaceful settlement. In the 1967 elections, which brought President Thieu to power, 60 per cent of those who voted cast ballots for candidates who espoused some form of accommodation for peace.

In these circumstances, Mr. Nixon apparently hopes to confront Hanoi with the choice of accepting a political settlement or seeing an American military force remain in South Vietnam, propping up the Thieu-Ky regime indefinitely. If this is his strategy, he must convince Hanoi that the American people will permit him to keep 150,000 or even 200,000 American soldiers in Vietnam for the foreseeable future. On that basis, he expects Hanoi to negotiate.

Hanoi will not negotiate unless it has no other choice, and obviously that is not the case now. Moreover, the Saigon leaders, given our assurance that we will remain if there is no settlement, will be in no mood to compromise. And without Hanoi and Saigon, after all, there will be no negotiations.

What, then, are the probable consequences of the Vietnamization policy? When we have drawn our forces down to about a quarter of a million men, Hanoi will have greater freedom to step up the level of hostilities, inflicting heavy casualties on South Vietnamese units and keeping American casualties at high levels. The President clearly recognizes that Hanoi will have the military capacity to do this; that is why in every one of his statements on the fighting he has warned Hanoi that if it expands the conflict as American forces are withdrawing, he will act decisively. He clearly hopes to deter Hanoi, but his threats may have no effect.

Faced with the choice of negotiating with an intransigent South Vietnamese regime, permitting us to remain indefinitely in Vietnam or increasing the level of fighting, Hanoi is likely to choose the third course and step up the fighting, as it has in the past.

If this sequence occurs, the President will face another unpalatable choice: accepting the higher casualties, withdrawing all U.S. forces "precipitously" under pressure or escalating. He has told us that he would escalate, and—remembering his deeds as well as his words—we must take this assertion seriously. He has also said that this escalation would not be incremental but "strong and decisive." This presumably means a massive bombing campaign against North Vietnam coupled with an effort to close Haiphong harbor.

Here is the gravest danger in the President's policy. It will lead us not to the withdrawal of all American forces and an end to the fighting but to greater escalation. And if we have learned anything from our experience in Indochina it is that escalation leads not to less conflict and involvement but to more.

To raise such doubts about the wisdom of the President's policy is not to have a lack of concern for the welfare of our troops or to question their ability. It is, rather, to adopt the philosophy of Lord Chatham, who said in 1777, in discussing the American Revolution: "I love and honor the English troops; I know their virtues and their valor; I know they can achieve anything except impossibilities; and I know that the conquest of English America is an impossibility."

If the conquest of the Indochinese Communists is also an impossibility, what alternatives do we have? I believe that the answer lies in what the Congress has been doing and trying to do this last year. While the President has been committing himself more and more to Vietnamization, Congress has been seeking ways to prevent further escalation and to go beyond the President's troop-reduction policy to one of full withdrawal.

Among the major attempts to prevent further escalation was the amendment passed last year to prohibit spending for U.S. combat operations in Laos and in Thailand and the Cooper-Church Amendment, designed to prohibit the use of U.S. funds to support the war in Cambodia after June 30, the President's deadline for the Cambodian operation.

A second group of measures under discussion concerns prohibitions on the resumption of our bombings in North Vietnam and limitations on the President's authority to commit U.S. forces to combat after a certain date. A related effort is designed to insure that all of our forces will be out of Vietnam by a specific date unless the President comes to Congress, justifies a continuation of the fighting and obtains further approval. Part of this campaign is the McGovern-Hatfield Amendment, which provides for the cut-off of funds for offensive operations by Dec. 31, 1970, and the total elimination of funds for military activities in Indochina by June 30, 1971.

Another approach is the resolution I have offered to move us toward peace in Indochina. It would commit the Senate to a policy aimed at a cease-fire, complete withdrawal by a specified deadline, a political settlement and the reconstruction of the area. The resolution calls upon the President to present to Congress a plan for the full withdrawal of U.S. personnel during the 18 months after the adoption of the resolution. It also directs the appropriate committees of the Senate to submit the necessary implementing legislation.

Neither the President nor Congress should act alone in finding our way out of Indochina. Congress has the constitutional responsibility to authorize and appropriate funds; the President is Commander-in-Chief. They therefore share policymaking responsibilities.

I am convinced that a withdrawal timetable makes sense; given the choices we face, it is the only way to bring peace.

My proposal is a very simple one: The United States should develop a fixed timetable for the withdrawal of all its forces from Indochina. We should stick to that timetable, subject only to Hanoi's willingness to release all American prisoners of war and to its acceptance of measures to insure the safety of the withdrawing Americans. While I believe that all American forces should be out of Indochina in 18 months, we should be prepared to shorten this time if Hanoi agrees to a cease-fire.

One common criticism of fixed withdrawal programs, of course, is that they would lead to a "bloodbath" in South Vietnam. But that objection, like others the President has raised, has more emotional than factual validity. In the first place, the war itself is a bloodbath. The possibility of persecution after a withdrawal must be balanced against the certainty that thousands will be slaughtered if the war continues. At any rate, no settlement, political or military—and certainly nothing in our present policy—can provide a guarantee against a bloodbath. (Even if the President were to achieve his goal of a settlement based on free elections, the Communists could win power at the polls, then do as they pleased.) And in formulating our withdrawal plan, we must, of course, accept the responsibility for evacuating and resettling those who wish to leave Vietnam.

Just as a bloodbath is only a possibility, it is by no means certain that the Communists would force their way into power in South Vietnam if all U.S. forces were withdrawn in 18 months. The military situation could be inconclusive for some time.

On the political side, one can only speculate about the problems that would be created for any government by the multiplicity of forces that would be buffeting South Vietnam without the dominating appeal of a Ho Chi Minh. The resulting uncertainties could generate the political pressures that lead to accommodation rather than the battlefield pressures that produced a Hue.

Because we are often told that our withdrawal would leave the South Vietnamese at a military disadvantage, many Americans have an image of a small people in South Vietnam left at the mercy of a giant Communist neighbor. We are easily convinced that we would be leaving a "Belgium" to fight a "Russia," while the real analogy in terms of economic and military potential is that we would be leaving a "Germany" to fight a "France." The total populations of South Vietnam and North Vietnam are approximately equal. The total number of South Vietnamese under arms is two or three times greater than the combined strength of the Vietcong and North Vietnamese. The military aid we have given to the South Vietnamese is far more extensive and sophisticated than that supplied to North Vietnam by the Soviet Union and China. The South Vietnamese are fighting at home to defend their families and villages; the enemy soldiers must travel for months over tortuous trails to fight in a strange land.

If we withdraw in 18 months, we will have had American soldiers in South Vietnam for seven years, killing the best enemy troops and training South Vietnamese. After all of this, the South Vietnamese should be able to hold their own. If they can't, no nation can accuse us of failing to meet our commitments.

In his Nov. 3 speech, the President used two other arguments against a fixed withdrawal timetable. He said that it would give Hanoi no incentive to negotiate seriously in Paris. But, by his own admission, the negotiations are at a virtual standstill and there seems to be no prospect for improvement. He also argued that Hanoi could simply wait until U.S. withdrawals had reduced our forces to the point of vulnerability in South Vietnam, then attack. But is it not perfectly clear that Hanoi could wait for this moment even if the withdrawal timetable were not fixed and announced.

In short, I find the arguments advanced by the President and others against the fixed withdrawal timetable totally unpersuasive, and the advantages of a clear-cut withdrawal announcement are considerable.

Perhaps the most important advantage is that control of our conduct will be put in our hands, not those of the North and South Vietnamese. The President's Vietnamization policy explicitly links American withdrawals to progress in Paris, the level of fighting in Indochina and the improvement in South Vietnamese capability. The first two factors are controlled by Hanoi and the third by Saigon. With a fixed timetable we would be saying to both sides that American interests, both foreign and domestic, compel our withdrawal. The Vietnamese would, at long last, be required to adjust to American interests rather than the reverse.

Only by announcing our willingness to withdraw on a fixed schedule can we hope to create a climate in which meaningful negotiations will be possible. On the things we most care about—the return of our men held as prisoners of war (some of them, incidentally, held longer than any soldiers in our history) and the safety of our troops as we withdraw—there is every likelihood of reaching an understanding with Hanoi once we indicate our willingness to set a firm date for our withdrawal. Hanoi has hinted that it might be prepared to negotiate on these issues. By contrast, the President's indeterminate schedule, which would keep a large U.S. force in Vietnam indefinitely, might force Hanoi to move against the remaining Americans, triggering a new round of escalation. It offers no prospect for the early return of our men held in North Vietnam, to whom our obligation is surely very great.

Prospects for a broader political settlement in Vietnam will also improve if we commit ourselves to a fixed withdrawal schedule. Without an American deadline, the generals who control the South Vietnamese Government will not consider a sharing of power, even with neutralists. Until they know that their weakness can no longer keep us in Vietnam, the generals will not be prepared to broaden the Government. Any truly representative government in South Vietnam would make a serious effort to negotiate with North Vietnam. And once they know we are leaving, the Hanoi leaders might also be ready for serious negotiations.

America is a very powerful nation. It is in a position now to make decisions that can help lay the foundation for a political settlement in Southeast Asia and prepare the way for the reconstruction of that area. Then, perhaps, we can turn our attention to meeting our commitments to our own people for "life, liberty and the pursuit of happiness."

History must judge the wisdom of our involvement in Vietnam and the wisdom of our method for ending that involvement. We have no control over the former, but we do have an opportunity to determine the way in which we end the war and set the stage for future development in Southeast Asia.

JAMES SUMNER JULIAN

Mr. TYDINGS. Mr. President. On May 14, 1970, the lifelong dream of James Sumner Julian came true. It was on this date that his sixth child received a B.A. from DePauw University.

With the help of a normal schoolteacher in Danville, Ind., James Julian received a high school education. He desired to continue on to DePauw, but was financially unable to do so. He vowed at the time that all of his children would graduate from DePauw—quite an ambitious dream for a railway mail clerk.

Five of his children did graduate from DePauw. The sixth, James Julian began at Depauw in 1920, but transferred to the University of Chicago where the subject matter was better suited to his needs. He obtained a medical degree from Howard University, taught at Howard, and later practiced medicine in Baltimore, Md.

On May 14, 1970, Dr. James Julian was awarded a B.A. from DePauw, conferred by university president, Dr. William Kerstetter. At this time the Julians established a memorial fund of over $25,000 at DePauw honoring their deceased parents.

The other children who received degrees from DePauw are: Dr. Emerson R. Julian, Dr. Percy Julian, a world renowned scientist who found the chemical breakthrough that permitted the mass production of cortisone; Mrs. Mattie Julian Brown, former WYCA executive; Mrs. Elizabeth Julian White, Baltimore high school language teacher; and Mrs. Irma Raybon, former social worker.

All Americans can take pride in James Sumner Julian's dream and its realization. I ask unanimous consent that the article from the Baltimore Sun of Wednesday, June 10, 1970, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Family Dream Comes True: Dr. Julian Is Sixth in Family to Get DePauw Degree

(By Sue Miller)

Back in 1886, James Sumner Julian was helping his mother, Lavonia Julian, a vigorous litte black woman who was born a slave, sell produce in Montgomery, Ala.

In the marketplace that sunny April day, the 16-year-old youth had a conversation with a young white woman teacher. It changed the course of his life and in later years the lives of his six children.

The talk centered on the future education of the black youth, who had just completed the sixth grade, the end of the line in public school education at that time for Negroes in Alabama.

It blossomed into a dream that was not fully realized until May 14, 1970, 84 years later.

On that day, James Julian's 68-year-old son, Dr. James S. Julian, Jr., who has practiced medicine in Baltimore for 36 years, received a B.A. degree from DePauw University.

FATHER'S DREAM

The ceremony capped the dream of Dr. Julian's father, an ambitious railway mail clerk—that his six children graduate from DePauw, even though it did not work out for him.

"I feel now as if I belong," said Dr. Julian, who is the brother of Dr. Emerson R. Julian, the Baltimore city councilman and also a physician.

He added, "I won't have to explain why the others did and I didn't graduate. To some people I have appeared to be a black sheep."

The degree conferred by Dr. William Kerstetter, president of the predominantly white university, was awarded by vote of DePauw's faculty and board of trustees.

Dr. Julian described the awarding of the degree as "a pleasant surprise," and as an experience "that nothing will ever equal."

PAID TRIBUTE TO FAMILY

Recalling the ceremony, he said, "They paid tribute to the family, as a DePauw family. I don't think I'll ever be able to experience that pleasure, joy and happiness again."

Sharing in the unusual occasion were Dr. Percy Julian, Chicago scientist who gained international fame for finding the chemical breakthrough that permitted the mass production of cortisone, class of 1920.

Also, Dr. Emerson R. Julian, 1938; Mrs. Mattie Julian Brown of Washington, former YWCA executive whose husband has been in the United States diplomatic corps, 1926; Mrs. Elizabeth Julian White, Baltimore high school language teacher, 1928, and Mrs. Irma Julian Raybon, former social worker in Brooklyn who now resides in St. Louis, 1933.

The event took place on the 100th anniversary of the birth of the man with the DePauw dream, the 50th anniversary of Dr. Percy Julian's graduation as class valedictorian and Dr. James Julian's entry to DePauw in 1920. Shortly afterward, he transfered to the University of Chicago.

MEMORIAL FUND ESTABLISHED

The Julians made the day more memorable by announcing the establishment of a memorial fund of over $25,000 at DePauw honoring their deceased parents.

Looking back, Dr. Julian feels his parents were "extremely courageous." He explains, "They gave up their home in Alabama to move to Greencastle, Ind., so we'd have the advantage of a high school education and be able to go on to DePauw."

He added, "I don't like to recall those days in Alabama." He was alluding somewhat bitterly, to the recrimination faced by blacks in the days of his youth in Alabama.

"I want to escape ever hating again," he said. "I like to feel sorry for people who do things sometimes in that respect."

The "inspiration" for the Julian-DePauw dream says Dr. Julian, was Joan Stuart of Danville, Ind., who was a teacher in the State Normal School in Montgomery when Jimmie Julian was his mother's marketplace helper.

WENT TO NORMAL SCHOOL

Miss Stuart and Mrs. Julian agreed that each week the boy's mother would give the teacher part of her produce earnings. In exchange, Miss Stuart took the youth into the State Normal School.

Miss Stuart wanted Jimmie to go on to DePauw, but financially that goal was out of reach.

As the years went by, Dr. Julian explains, he regretted that he didn't stick it out at DePauw. But, as a young man, he was in a hurry to get where he was going and the DePauw route seemed "a burden."

After finishing high school in three and a half years, he entered DePauw in 1920 at midsemester. Some of the courses he wanted were not being offered. He had trouble fitting other courses into his schedule because of his late arrival. He found himself attending other colleges in the summer.

It seemed easier, he said, to transfer to the University of Chicago, where every course began at the start of each quarter and where the subject matter suited his specific needs.

After receiving a bachelor of science degree there, he went on to Howard University where he graduated with honors from the medical school in 1934.

Before entering practice in Baltimore, Dr. Julian taught for three years in the department of bacteriology and immunology at the Howard University Medical school.

For the past 25 years, he and his wife the former Betty Taylor, of Washington, have made their home on Julianwood road in Pikesville.

Although Dr. and Mrs. Julian's three children are all college graduates, none chose DePauw.

"But we hope to pick up the tradition with the grandchildren," says Dr. Julian echoing his father's dream.

STATEMENT BY SENATOR MUSKIE

Due to mechanical limitations, Senator MUSKIE's statement on "Water Pollution Control Needs for Next 6 Years" will appear in a subsequent edition of the RECORD.

CONCLUSION OF MORNING BUSINESS

Mr. GRIFFIN. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. HARRIS). Is there further morning business? If not, morning business is concluded.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

There being no objection, the Senate resumed the consideration of the bill.

Mr. GOLDWATER. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. HARRIS). The amendment will be stated.

The legislative clerk read as follows:

On page 20, line 17, strike "$34,478,000" and insert "$34,600,000".

On page 21, line 4, strike "$678,725,000" and insert "$692,300,000".

The PRESIDING OFFICER. Does the Senator desire that the amendments be considered en bloc?

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Mr. President, are we under controlled time?

The PRESIDING OFFICER. Under the previous unanimous-consent agreement, the debate on each amendment is limited to 1 hour, the time to be equally divided, and the time limitation on the bill is 2 hours.

Mr. GOLDWATER. Mr. President, I yield myself such time as I might require.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. GOLDWATER. Mr. President, what I am attempting to do by the amendment is to return the figure we are now working on to the budget figure that was submitted.

What we are talking about as having come from the Senate Appropriations Committee is $3,319,303,000. What was requested in the budget was $3,333,000,000.

Mr. President, I know that it is very easy for us to talk about expensive programs and to say that we should cut them back or cut them out altogether and apply those funds to the needs of the cities, domestic needs, transportation, and so forth. Let me say that if some comprehensive plan ever rears its head in the Senate as to how we should spend these billions of dollars to help the large cities, I will be the first one to hop on the wagon. But we have been dumping billions of dollars into the cities of this country, and I cannot see any improvement. So I think the philosophy of merely spending dollars is not going to help the plight of the cities.

I remember very well back in the early 1930's working in New York City during the depression. And I have to say with all charity to that city that it was a better place to live in then than it is now. Hundreds of millions of dollars have been spent there.

Mr. President, I do not know if we all realize what we are doing in supporting this rather drastic cut. This cut represents a 15-percent cut under last year's NASA budget. When we figure that in 1966 NASA had a budget of $3,932 billion, and that this year the budget submitted by the President was $3.333 billion, and that we are now working on legislation which will appropriate $3.319 billion roughly, then we are talking about a much higher cut than has been taken by any other department of Government that I know of.

For example, in looking through figures that were submitted by Dr. Freeman, not too many days ago in a speech made somewhere in Oregon, he called attention to the fact that defense spending in this country dropped from $80 billion in 1945 to between $12 and $13 billion annually in 1948 to 1950. Then, there was an increase when the Korean war came along when defense costs went up to $50 billion. Since that time defense expenditures have increased 49 percent, approximately equal to the simultaneous rate of price increases.

But I call to the attention of Senators who say there are great advantages to putting the money in other places that spending for health, education, welfare, and labor increased 944 percent, and for all other functions it increased 182 percent. More than one-half of the $129 billion increase in Federal expenditures between 1953 and fiscal year 1971, was applied to social purposes, and less than one-fifth to defense—and much less to NASA, the subject we are talking about today.

With only 6 percent of the world's population and between one-fourth and one-third of its developed resources, the American people today invest in educational institutions almost as much as all other nations combined.

I have to ask this question as a father and as a grandfather: Has the educational quality in this country increased that much? I do not think it has. Over the past 20 years support of schools and colleges has multiplied about eight times while personal consumption expenditures increased only somewhat more than three times.

We are asked to take a cut in the department we know as NASA. We must keep in mind not only the successful moon ventures but also the development of new ideas in aircraft fuselages and aircraft engines, and other sources of propulsion. It is not just space we are talking about. We are talking about the whole subject of aeronautics which is coupled with the space program. It is the National Aeronautics and Space Administration.

To bring this figure a little more closely to the attention of Senators, there were 420,000 people working for NASA at the peak back in 1966. At the end of fiscal 1970 that figure had dropped to 195,000 people, and if we put this budget through it will drop another 45,000. Mr. President, you might say, "Well, what relation has this to what we are talking about?"

I was in Los Angeles 2 weeks ago. I was driven from the airport to my hotel by a most attractive young man, and we engaged in conversation. I asked him what his trade was. He said, "I am a college graduate. I have a doctor's degree from MIT in aeronautical engineering, but I am out of a job so I am driving a taxicab."

So I believe we go through the process of cutting the figure for NASA without giving due thought to it. I sometimes wonder what the comparison would be. Here we have almost 200,000 people out of work because of the previous cut. How much is it going to cost the Federal Government to keep those people on the unemployment rolls? I would like to have someone make the computations. I think it would be a startling figure, even though it might not equal the amount being paid. Nevertheless, as we get the knockdown effect or dribble down effect from those people who are put out of work who should not be put out of work, and who really need the work more than the person just let out of a defense plant, particularly an aerospace plant, I think we have to take all of that into consideration.

Mr. President, these drops we are talking about are not astronomical, nor is the increase. Actually what we are talking about here in the overall is about $13.575 million added to the present bill, and if we take the first amendment I have offered—considering them en bloc—it is $1.22 million.

Sometimes we in Congress are prone to believe that the only accomplishment of NASA has been to put men on the Moon, or to develop the ability to land on Mars if we want to, or the ability to put mechanized probes on Mars and visit other planets on the way back to Earth.

To calm down that idea I have had placed on the desk of each Senator this morning a Senate print entitled "Space Program Benefits." The Space Committee asked NASA if it would develop such a catalog of things we call "skinout," or "fallout" might be better. This book is interesting to read. It is nearly 400 pages long. It lists nearly thousands of ideas that have been or can be patented to make income available to people and many new jobs.

Anyone reading this booklet of space program benefits, which contains the testimony of experts in the field, cannot help but come to the conclusion that this book may well contain the nuclei of employment in the future, the basic new ideas that our young people are going to have to carry on.

I speak as a conservative. It may sound peculiar for a conservative to want to increase the budget, but money and budgets are not our only concern. I am amazed to hear liberals stand on the floor of the Senate and attack conservatives like me of wanting to go backward, and these same liberals do not want to go forward. I think it was Vice President Hubert Humphrey who once said that they were going to pull them kicking and screaming into the 20th century. If we read through this book we will realize how far we have always lagged behind even though we are the greatest technological country in the world.

Although the Wright Brothers invented the airplane there was little support for it here. During World War I our pilots flew only French and British planes. There was no U.S. aviation industry. In World War II the German Messerschmitt plane was operational while we were still testing. The British flew the first jet transport. The first supersonic transport will be the Anglo-French Concorde and the Russian Tu-144. International competition in aviation is intensifying.

Yet through expenditures of these billions of dollars we have made some rather remarkable contributions to aviation. We now have a fireproof substance that is being applied to the inside of fuselages, I understand, of United airplanes. It will be applied inside of all fuselages and to the wing surfaces of new airplanes. It is about one-eighth of an inch thick and it makes it absolutely impossible to burn that airplane. Mr. President, you could fill it with gasoline and light it and it would not burn. How much would this be worth to say there will be no future deaths by fire resulting from aircraft accidents?

I do not think those benefits can be measured in dollars and cents.

We have another little idea that dropped out of NASA, completely accidental—I have talked about it before—a little device that we think will work—its prototype has—which will tell another pilot there is another airplane at such and such an altitude, at such and such a heading, approaching at so many miles. This would be an aircraft proximity warner. Let us say it will be successful. We think it will be. How much would it be worth to say to every passenger who rides in an airplane, "There will be no more midair collisions"?

Not so long ago, in the Space Committee room, we were shown an interesting demonstration that I would hope every Member of the House and the Senate would see. In fact, we are urging NASA to "put it on the road," as we say, to demonstrate to American housewives and businessmen the possibility we now have—not possibility; it is now a fact—of fireproof material. I do not mean just a piece of cloth, but anything. Under that process, one could fireproof his house, his furniture, his rugs, his clothing, and those materials could not burn.

So what would it be worth someday to be able to say to the American people, "Forget about your fire insurance. We will put something in houses that would not let you burn them if you tried"?

This has all been a spin-off of the space program.

When we are asked, for example, to take the biggest cut in the area of research and program management, I think we are using a little penny foolishness here. Construction of facilities has remained approximately the same. Research and development has remained the same. But in research and program management we see a rather sizable drop, a drop I would like to return by my amendment.

I might say that in voting for my amendment Senators will vote to bring this sum up to a workable figure. Thousands of highly trained engineers will be permitted to stay at work in studies and in fields that are vitally needed for the future of our country and for technological knowledge.

As I have said, sometimes we forget just what comes out of all the studies and all the research that has been done. We forget that hundreds of colleges throughout the country have been receiving aid and have been contributing greatly to NASA's effort in space. We forget little fallout benefits that can be made available not only for the people of the United States, through patent and manufacturing purposes, thereby giving employment to more and more people, but also devices which, through patent use, could be used by nations friendly to us. All of this is important.

While I recognize the desire of Members of Congress to cut budgets and get spending down, I think there are other places where we can do it. Although I come from an interior State, I see nothing holy about keeping the Interior budget as high as it is. I see nothing holy about keeping agricultural spending as high as it has been all through these years.

We could go on down through all these domestic programs, but, no, we keep on the space program and we keep on the military program, on the assumption that we can divert that money to other purposes.

As I said at the outset, if somebody can stand on the floor someday and develop a formula for me that will convince me that the expenditure of $1 billion or $10 billion or more will save our cities, I will be the first one to support it.

I do not think this reduction is a responsible proposal. I think we had better consider it very carefully.

Mr. President, I know other Senators will want to be heard, and I do not want to take too much time. It is a rather simple amendment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. PASTORE. I want to see if I understand the Senator's amendments correctly. I have done a little adding and subtracting here. The Senator has added $13,687,000?

Mr. GOLDWATER. $13,575,000, but that is close.

Mr. PASTORE. What disturbs me about the amendment is that the Senator's proposal is over the authorization. What has the Senator to say to that?

Mr. GOLDWATER. Yes. I wanted to bring it back to the budget figure, which would total——

Mr. PASTORE. I mean, it is beyond the authorization. If the Senator insists on his figure, $34,478,000 for construction was the figure authorized, and I do not see how the Senator can increase it above the authorization.

Mr. GOLDWATER. The Senate Appropriations Committee has authorized $34,478,000.

Mr. PASTORE. That is right, but the Senator would raise it up to $34.6 million.

Mr. GOLDWATER. I would want to bring it up to $34.6 million, to the amount recommended by the President.

Mr. PASTORE. I know, but the authorization by the Senate committee was $34,478,000, and that has been signed by the President.

Then there is the difficulty on the other item, on research and management. The amount put in by the committee was $678,675,000; the authorized amount was $683,300,000. The Senator's amendment would raise that to $692,300,000. So the Senator would again be over the authorization.

Mr. GOLDWATER. That is correct.

Mr. PASTORE. I do not think the Senator can get away with it.

Mr. GOLDWATER. We can try.

Mr. PASTORE. It would be out of order. It is clearly out of order. We cannot provide more than is authorized. We can provide more than is estimated, but we cannot provide more than is authorized, because it is subject to a point of order.

Mr. GOLDWATER. My understanding is that on a report like this it can be done.

Mr. PASTORE. I will ask the Parliamentarian.

Mr. President, is an amendment which exceeds the authorization subject to a point of order?

The PRESIDING OFFICER. The Chair is advised, and so rules, that such a point of order would not be well taken if the appropriation intended by the amendment was within the budget estimates. As the Chair is informed, the amendment of the Senator from Arizona is.

Mr. PASTORE. Within the budget estimate?

The PRESIDING OFFICER. The Chair is so informed by the Parliamentarian. The Chair will call the attention of the Senator to the last clause in paragraph 1 of rule XVI, titled "Amendments to Appropriation Bills," which reads "or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law" as the budget estimate is.

Mr. PASTORE. Does the Chair mean if the figure proposed by the Senator from Arizona, which we are contemplating now, is within the President's budget estimate?

The PRESIDING OFFICER. The Chair will read the entire paragraph 1 of rule XVI:

> All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or——

Mr. PASTORE. If the Chair will stop right there, we passed the authorization.

The PRESIDING OFFICER. Let the Chair finish——

> or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

The Chair is informed that the committee's report carries the budget estimate for the purpose sought to be amended, and the amendment is, therefore, within the budget estimate.

Mr. PASTORE. But, if I may pursue this, because, after all, I think we ought to get it correct, the Senate has already agreed to a conference report which has become law which establishes the amount now authorized.

The question that I am asking the Parliamentarian is this: Once the Senate, in this session—as it did only 2 weeks ago—has passed an authorization conference report which contains a figure below the one that is being suggested now, can we lawfully increase the amount that has already been authorized by the vehicle of an appropriation bill?

My understanding is that the authorization governs the amount, the ceiling. Otherwise the authorization would mean nothing. That is the question. I think the juridical law does say something about authorization in the same session of Congress. We have already authorized an amount less than that being suggested now. Can we do this without legislation?

My argument is that you have got to increase the authorization before you can vote it. I am not going to pursue this matter any further, but it seems to me that what this would do is vitiate the whole process of authorization. If you can appropriate more than the authorized amount, then you do not need authorization. That is the point I am making.

The PRESIDING OFFICER (Mr. HARRIS). I think the Senator makes a point which is certainly entitled to very serious consideration by the Chair before making a final statement; and I therefore ask Senators to suspend debate for a moment until the matter has been considered.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator will have to state on whose time.

Mr. PASTORE. The time to be equally divided. It makes no difference. Either that, or take it all out of my time. Or take it out of the bill. I ask unanimous consent that the time be taken out of the time on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Now I raise my parliamentary inquiry again. Is it in order——

The PRESIDING OFFICER. The Chair is informed that Congress has previously passed, at this session, an authorization bill which has become law and has reduced the authorization for this specific purpose, and therefore the authorization is also, by reason of that law, below the amount that this amendment proposes to appropriate. Therefore, the Senator from Rhode Island is quite correct in raising a parliamentary inquiry as to a possible point of order against the pending amendment, and a point of order could——

Several Senators addressed the Chair.

Mr. PASTORE. Mr. President, will the Chair catch its second breath and withhold its ruling?

The PRESIDING OFFICER. The Chair will catch its second breath and withhold final reply on the point of order.

Mr. PASTORE. The only suggestion I would like to make is that there is one item where the authorization is above the amount that has been recommended by the committee, and that figure is that the committee recommended, for research and program management, $678,725,000. The Senator from Arizona, by his amendment, would raise that amount to $692,300,000. The authorized figure is $683,300,000. So if he will modify his amendment to raise the amount to that figure, it would not be subject to a point of order. That is the reason I make the suggestion. If he will modify his amendment, it could go to a vote.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry to complete this colloquy.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Are there any circumstances under which an authorized amount could be increased?

The PRESIDING OFFICER. The Chair is informed, and so responds, that the Appropriations Committee can bring in an appropriation above the estimate or above the authorization, but such amendments are not in order from the floor of the Senate by a Senator.

Mr. GOLDWATER. Mr. President—I think I still have the floor—does it require unanimous consent to modify an amendment?

The PRESIDING OFFICER. Since the yeas and nays have not been ordered, and no action has been taken in regard to the amendment, it may be modified by the Senator as he wishes.

Mr. GOLDWATER. Mr. President, the amendment is really in two parts. I would strike the first part, and modify the second part to read, "$683,300,000", instead of, "$692,300,000".

The PRESIDING OFFICER. The amendment is so modified. The Clerk will state the amendment as modified.

The LEGISLATIVE CLERK. The amendment of the Senator from Arizona (Mr. GOLDWATER), as modified, is as follows:

> On page 21, line 4, strike "$678,725,000" and insert "$683,300,000".

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, will the Senator from Arizona yield to me on my own time, so that I may secure clarification of the ruling?

Mr. GOLDWATER. I yield.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. First, do I correctly construe the Presiding Officer's advice on the parliamentary point raised by the chairman of the committee to be that the controlling items in the authorization are the line items, if the authorization is by line item, even though a proposed amendment would still be under the total authorization?

The PRESIDING OFFICER. For the purpose of further informing the Chair and the Parliamentarian, the Senator from Colorado, as I understand his parliamentary inquiry, is asking whether an amendment to an appropriation bill would be in order if it were within the overall authorized amount, but in excess of a specific item sought to be appropriated for. Is that correct?

Mr. ALLOTT. That is correct—what we call a line item within either the authorization or the appropriation.

The PRESIDING OFFICER. The Senator's parliamentary inquiry is answered as follows: Such an amendment would not be in order.

Mr. ALLOTT. Such an amendment would not be in order if it exceeded a line item——

The PRESIDING OFFICER. Set by law.

Mr. ALLOTT. A specific authorization within the authorization bill.

The PRESIDING OFFICER. That is correct.

Mr. ALLOTT. Even though it was not in excess of the total authorization?

The PRESIDING OFFICER. That is correct.

Mr. ALLOTT. I think we have that clear.

Now I would like to raise a second parliamentary inquiry.

The PRESIDING OFFICER. To whose time is this to be charged?

Mr. PASTORE. I yield the Senator whatever time he needs.

The PRESIDING OFFICER. Out of the bill.

Mr. ALLOTT. I have a second parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. In the ruling of the Chair a few moments ago as to the inquiry of the Senator from Arizona as to whether there were any circumstances under which an authorization could be exceeded, the response by the Presiding Officer was that it could be done by the committee. I would like to propound this parliamentary inquiry: Since an excess of the authorization by an amendment would have to be done by language, is it not true that any Senator could do so by providing the language and going in excess of the authorization if he gave the proper notice to the Senate? In other words, this power is not limited to the committee alone.

The PRESIDING OFFICER. The Chair is informed, and holds, in response to the parliamentary inquiry, that a Senator could, of course, file notice of intention to move to suspend the rules, and under that procedure might accomplish what he sought.

Mr. ALLOTT. That is all I desire to clear up. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. What is the time situation?

The PRESIDING OFFICER. The Senator from Arizona has 5 minutes remaining.

Mr. PASTORE. Does the Senator want more time?

Mr. President, how much time do we have?

The PRESIDING OFFICER. The Senator has used none of his 30 minutes on the amendment.

Mr. PASTORE. Does the Senator want any further time?

Mr. GURNEY. Will the Senator yield me 5 minutes?

Mr. PASTORE. I yield 5 minutes of my time to the Senator from Florida.

Mr. GURNEY. Mr. President, I support the Senator from Arizona in this amendment as wholeheartedly as I can. Actually, this is identical to the amendment I was going to submit later, which is joined in by Senator MURPHY, Senator TOWER, Senator SPARKMAN, Senator ALLEN, and Senator THURMOND.

What this amendment does is to restore approximately five to six hundred people in the research and program management of NASA. I should like to point out that before NASA submitted its budget this year, it eliminated 800 people from its personnel. With the cut that is in this bill, as it comes out of the Senate committee, it means that in addition to the 800 people NASA has already clipped off its work force in research and program management, it will have to trim another one to two thousand people from the payroll.

All we are talking about is \$4½ million. I have been in this Chamber in the last few weeks when we have sailed through \$150 million, and later today there will be a proposal with respect to \$1 billion. But for \$4½ million, we can keep on about five or six hundred very highly skilled personnel in NASA.

Why is this important? It is extremely important because we have already lost a good deal of our industrial base, our skilled people, who are working in the industry. We had a peak employment in this program of 425,000 3 years ago. It is now down to 190,000. That is Government and industry. By the end of next year, it will be down to 144,000.

The argument is made, "What is 500 or 600 people? If we crack this program up, later we can go out in industry and get them." The point is that they cannot be obtained. They will not be there. They have been fired. They have gone on to other employment.

What we are trying to do in this employment is to keep a skilled cadre in NASA so that we can keep this on-going program. One of the things NASA did all during the year—and the employment figures show this—is that the top employment peak of NASA was 35,000, as I recall, and that was 3 or 4 years ago. I said that in government and industry we had 425,000. NASA has always tried to keep a fairly low level of employment—so that when the space cuts came—and everybody knew they were going to come 3 or 4 years ago, that we would never be able to keep up the high rate of employment we had back in 1966. NASA kept its employment figures down so that it could continue a highly skilled cadre when the cutbacks came. That is what it is trying to do under this amendment, and that is what Senator GOLDWATER and I seek to do here—to keep on 500 or 600 highly skilled employees, so that we do have a backbone of skilled employees to carry on this program.

Another thing is important in this connection: What is going to happen if we cut out the 1,000 to 2,000 people the Senate appropriation bill will cut out if it stays in its present form? Of course, what you are going to do is to go down in the level of employment in NASA. You are not going to get the older people who have been there for many years. Those who will be cut off are the younger people, who run the missions, the research people, the planning people—the young men who are needed mostly, of rather low salaries, in comparison with the other salaries—the \$10,000 and \$12,000 bracket. But those are the kinds of people we need to keep on, with the necessary skills—to fly the missions, provide the safety measures, and all the rest of the things that make this a very successful research and development experiment in the United States.

But if we continue with the Senate appropriation as it now is, we are going to eliminate these younger men, and then perhaps when we want to go back and pick them up 2 or 3 years from now, if we have other programs, they will not be there. They will have been lost. They will have sought other employment.

Frankly, I think that what the committee ought to do is to accept the amendment, but I certainly hope they will not press too hard and try to knock it out. For the small, almost paltry, sum of \$4½ million, we can keep approximately five or six hundred very highly skilled people in this program, and we need them. If we do not put this money back into the program, we are going to be pennywise and pound foolish.

I hope the Senate will adopt the amendment.

Mr. PASTORE. Mr. President, I hope no one has the impression that either I or my counterpart, the ranking Republican on the subcommittee, is against the space program, because we certainly are not. What we are saying is that the space program has to be kept in proper context with all the other priorities that face this Nation.

Our President made a speech the other day in which he said he is going to cut down Government spending, and he is going to do it in order to cut down inflation, in order to balance the budget, and in order not to come back here next year and ask for \$18 billion more to raise the debt ceiling of the Nation.

After all, when we look at the problems confronting our people, let alone the problems in space, we have problems on this earth and we have to meet them. Naturally, there are only so many dollars to go around. In my State we have naval installations, and every time the defense budget is cut, and there is always a push on the floor here to cut it, and people are laid off, of course, there is sorrow. Sometimes an injustice is done to a man who has worked for his Government loyally and faithfully over a period of years. But, on the other hand, we have got to take into account that we have been appropriating a great deal of money for space. I am talking about $3,319,000,000. So that I believe we are talking about a lot of money. This idea that a cut or a failure to increase it by $4½ million is going to do irreparable harm to the program, of course, does not sound like a logical argument to me. I do not want to say that it is specious because that is not a kind word to use, but the fact remains that if we are going to look at the priorities of the Nation, we have to look at the question of housing. That will come up later on. We have the question of housing for the elderly. That will come up later on. We have the question of pollution. That will come up later on. We have the question of pollution of our water. That will come up later on. Thus, we have all these problems.

The question is: Where do we put the money? Do we put it in space or do we put it here on earth?

That is about the size of it.

I am not saying, let us crucify the space program. I think we have been generous with the space program. But I have not been convinced yet, and I have said this to Dr. Paine, who is a great friend of mine, an alumnus of Brown University of which I am a trustee, where he was given an honorary degree, and he is a great scientist and has done wonderful work, but they have not convinced me yet why we have got to go to the moon five or six times.

Naturally, we would discover something new every time we went there. There is no question about that. I think that every time we take a walk down Constitution Avenue, we should discover something new. But the fact remains, we have got to put the program in its proper context. We cannot talk out of both sides of our mouths.

If we are going to cut down on inflation by cutting the budget, we have got to look where we can do the cutting. I think myself that the two legislative committees, which are influential committees of the Senate, composed of the most influential men in the Senate and the House, have scrutinized the budget and have come up with a figure which I think is a reasonable figure. As a matter of fact, I think the figure is a little too generous. But there we are. I hope that Dr. Paine, all his fellow scientists, and all his technicians do not get the idea that we are trying to decimate the space program. All we are trying to do is to be sensible in the spending of our money in relation to all the obligations, commitments, and priorities that we have.

I know that perhaps three or four hundred people might be laid off. I realize that difficulty and I feel sorry about the loss of a single job. They had to close down the installation in Massachusetts. We are sorry about that. But, by the same token, in appropriating $6 billion, my question is: Where is the money going to come from, and who will pay it? How do we answer to the taxpayers?

Mr. GURNEY. The Senator from Rhode Island makes a good point about priorities, that here in the Senate on appropriations we have to establish priorities, but I would ask the Senator: Is not the appropriation now before the Senate more than $1 billion under what the budget request was on NASA?

Mr. PASTORE. Will the Senator ask that question again, please?

Mr. GURNEY. Is not the appropriation we have before us now about $1 billion less than the NASA request for this fiscal year?

Mr. PASTORE. I doubt that. The Senator means the President's request on NASA?

Mr. GURNEY. No. I am talking about NASA's.

Mr. PASTORE. Well, if we ran the Government according to what every department wanted, the budget would be $400 billion, not $200 billion. I went all through that when I was Governor of Rhode Island. If we gave every department every nickel it wanted, we would have to double the taxes. Thus, I know they asked for $400 million and President Nixon said cut it down. So they came back and made it a little less. The President said go back and cut it some more, so they went back and came back later and it was a little less. All I am asking them to do is to go back once again and cut it a little more. The President had a crack at them three times, and I should like to get a crack at them just once.

Mr. GURNEY. For the Senator's information, it was a billion dollars under the request. Since the Senator from Rhode Island is interested in priorities, let me pose another question to him: How much is this appropriation under last year's appropriation?

Mr. PASTORE. The Senator means on NASA?

Mr. GURNEY. Yes.

Mr. PASTORE. Much less.

Mr. GURNEY. How much?

Mr. PASTORE. It was the smallest one.

Mr. GURNEY. Well, for the Senator's information, it is one-half a billion dollars.

Mr. PASTORE. $700 million, I understand.

Mr. GURNEY. Well, that is even more. I had $500 million. The Senator said $700 million. I will take the Senator's figure.

Mr. PASTORE. The Senator can see how generous I am.

Mr. GURNEY. Is that not considerably less?

Mr. PASTORE. Of course it is.

Mr. GURNEY. Does that not establish a priority?

Mr. PASTORE. To a certain extent, but the Senator must realize that the last moon mission was aborted. We have to admit that was a costly item. It was suggested that they make a review and make further inspections, and that they also conduct an investigation to find out whether they were being careful enough. Let me say this to the Senator that, if the astronauts on Apollo 13 were still spinning up there in a circulating, orbiting tomb, that would have been a devastating blow to the space program.

All I am asking is that we be careful when we send three men up there. I am told there was no reason why the accident should have happened if they had been a little more careful. I do not want to make any accusation, but, after all, we should slow down and be as safe as possible.

Mr. GURNEY. Will the Senator from Rhode Island yield further?

Mr. PASTORE. I yield.

Mr. GURNEY. The very people the Senator intends to cut off in this appropriation bill, the five or six hundred people, are the very people who are now working on safety programs, the very program that will make future flight programs safer.

Mr. PASTORE. There is nothing in the budget that says they have to lay off people working for safety. We have $3,319,000,000 here for space and there is no reason why those working on safety should be cut.

Mr. GURNEY. Let me ask the Senator this question. Is the Senator saying if the appropriation stays at the level it now is, that NASA will not have to leave any people there out of it?

Mr. PASTORE.. I will not say that, but it will not be that many.

Mr. GURNEY. How many will it be?

Mr. PASTORE. I do not know. The Senator will have to ask Dr. Paine that.

Mr. GURNEY. It is between 1,000 and 2,000.

Mr. PASTORE. I do not think the Senator means that. Does he tell me that $4½ million lays off 2,000 experts?

Mr. GURNEY. I am asking the Senator. That is the information I have.

Mr. PASTORE. That is not the question. The question is: Is it necessary? Now the Senator says it is. I do not think it is. I think this matter should come to a vote in the Senate. I get the point of the Senator from Florida. I think he has made his case. All I am trying to say here is that if we appropriated all the money everyone wants, there just would not be enough money to take care of everyone's requests and we would have to increase taxes. Let us face it.

Mr. GURNEY. Let me say that the Senator from Rhode Island is always generous with his time and always listens to arguments by those who oppose him. I appreciate that very much. I simply say that I think we have made this priority and built it into the program by cutting it about one-half billion dollars, or $700 million, if we use the Senator's figure, from last year. I would also make the observation that I doubt if any Senator here, or anyone on this floor at this moment, could indicate any welfare program that has been cut, any welfare program that has not gone up in the appropriations for this year. I simply say that for $4.5 million, that is all we are talking about in a budget that greatly exceeds the $200 billion, we can save 500 to 600 highly skilled personnel that I think the program needs.

I thank the Senator from Rhode Island.

Mr. PASTORE. I hope the Senator realizes the problem that faces the Senator from Rhode Island. The Senator from New York is contemplating an amendment to cut the present $600 million below the figure reported by the committee. The Senator from Wisconsin is going to suggest an amendment to go back to the House figure. So, there we are. We have got it coming and going. Therefore, this is a matter for the Senate to decide and I shall abide by its decision.

I shall vote against the increase, because I must; but I say, in full fairness to those who will vote, that they are sincere and well-motivated; but it is a question that we on the committee had to face, the question of where to put the money, and I think we have done about the best job we could.

Mr. PROXMIRE. Mr. President, I should like to ask the Senator from Rhode Island: Is it not true that although the Apollo program has been largely accomplished as to allow a cutback on Apollo of $956 million, the fact is that the bill now before us, before it is amended, provides for $3 million more than last year's appropriation. Even the House bill provides $212 million over last year's appropriation.

It is true that there is an overall cut, but this is because the Apollo program, the moonshot, the lunar landing program, has been achieved. So I think the provisions made by the Appropriations Committee led by the distinguished Senator from Rhode Island are generous and, as he pointed out, I will try to establish in a few minutes, after we vote on the pending amendment, that they are too generous.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PASTORE. Mr. President, I yield to the Senator from Florida whatever time he needs within the limits of my time.

Mr. HOLLAND. Mr. President, I am in a very difficult position. I happen to be a member of the Committee on Aeronautical and Space Sciences and a member of the Appropriations Committee. On both of these committees I have helped to work out the program to the best of my ability.

Much as I would like to support the amendment, since I think it would mean the retention of people whom I would hate to see go, I cannot do it, because there has been this long give and take in the Subcommittee on Appropriations and in the full committee.

The chairman of the subcommittee will remember that I wanted to pull them out of the authorization, which is about $14 million more than the committee bill involved. The committee bill is something over $400 million below the appropriations for last year. We worked out this arrangement and, so far as I am concerned, I feel bound by the give and take that took place there, because there are many in the subcommittee and in the full committee that wanted to cut it much more. We finally agreed on this figure.

I say to the chairman of the subcommittee that I will stick with him on this amendment regretfully—and maybe hurtfully, so far as my own State is concerned. But I remember all of the give and take on both committees, and I think we should stand by the appropriation as it finally came from the Appropriations Committee.

I hope that others on the Appropriations Committee who wanted much bigger cuts will take the same position, because if they do we will be able to speedily dispose of this matter and get along with the other business.

Mr. PASTORE. Mr. President, I thank the Senator. It it typical of him that he always speaks as a statesman.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I am glad to yield to my distinguished junior colleague.

Mr. GURNEY. Mr. President, the NASA appropriation figure for research and program management now under consideration is $13.575 million less than the already low budget request for $678,725,000. The authorization figure for research and program management was $683,300,000, $9 million less than the budget request. The Appropriations Committee recommendation in research and program management is $4.575 million less than the authorization level. My amendment restores this $4.575 million, thereby raising the total amount for research and program management to the authorization figure of $683,300 million. If my amendment is passed, NASA would still have to absorb a reduction of $9 million in research and program management.

Mr. President, as we know, research and program management, among other things provides the costs of operating and maintaining our field centers throughout the space agency. Over 70 percent of this appropriation goes for personnel compensation and benefits. The remaining 30 percent is used for institutional support, such as facilities and technical services of NASA civil service employees. The size of the NASA budget for institutional support has been constantly reduced over the past few years. Institutional support has gone down from a level of $236 million in fiscal year 1967 to a level of $177 million in fiscal year 1971 budget. This reduction of $59 million in 4 years has been absorbed despite continued cost increases.

Due to a personnel limitation in the authorization bill which prevents NASA from reprograming funds from other areas to research and program management, the major portion—70 percent—of the recommended $13-million-plus reduction will have to be applied to personnel cutbacks.

Mr. President, I strongly feel that NASA cannot absorb such a large reduction in personnel without jeopardizing future mission success and safety. NASA has estimated that to accommodate a cut of this magnitude would require a reduction in force of approximately 1,200 to 2,000 employees. This number is in addition to the 800 positions already abolished by the space agency before their request was submitted to Congress. If we take the $13 million reduction the committee is now proposing, and it is applied strictly to personnel compensation, we will, in effect, be laying off and firing up to 2,000 people in NASA this next fiscal year.

NASA has determined that by applying stringent economy measures, such as reduction of overtime and summer employment and the closing of the Electronics Research Center, coupled with normal attrition, and planned separations, a cut of $4 million can be absorbed.

If my amendment is adopted and the total cut amounts to only $9 million instead of $13 million, NASA will be in a much more favorable position. Assuming a $4 million cut can be absorbed by NASA, the $13 million cut will mean a reduction of 1,200 to 2,000 permanent employees. Under my amendment, the layoffs could be reduced by half—to roughly 600 to 1,000 employees. That is why the additional $4.575 million is so important. The deeper the cut beyond the $4 million level, the more profound the effect on NASA personnel. In my judgment the $4.5 million spent in this area for this specific purpose will have a very salutary effect on NASA—its morale and its effectiveness. It is a comparatively small sum, but one that has far-reaching and substantial effects on the space program.

NASA's work force in its field centers is already down to what is approaching skeleton proportions. At Cape Kennedy, we have steadily made severe cuts in manpower over the last 4 years. NASA has already reduced its strength in permanent positions substantially: 1,655 people in 1968 left NASA; 1,338 left in 1969; 798 left in 1970. We know that the closing of the Electronics Research Center in Boston and other cutbacks will eliminate 800 additional employees in 1971, exclusive of those who will be forced to leave if the committee recommendation in research and program management is adopted. This means between 1967 and 1971, NASA will have reduced its strength by 4,591. This, of course, does not include the thousands of contractor personnel laid off. Already our aerospace team—industry, civil service, and universities—has dwindled from 420,000 people 3 years ago, to 190,000 today. By the end of fiscal year 1971, the number of people engaged in space activities will drop to an estimated 144,000. How can we calculate the loss in expertise and skill, built up during the sixties? We must not and should not break up this team to the point that we risk mission safety and the ability to reconstruct the team when the need arises—as surely it must in some future day.

The space program is vital to the economy—one need only look at what is happening in the aerospace industry. The Labor Department recently said the Nation's sharp rise in unemployment this year has hit hardest among skilled white-collar workers in aircraft and aerospace industries, especially in the Midwest and west coast. The analysis by the Bureau of Labor Statistics said:

> This suggests that cutbacks in the defense and aerospace fields, the impacts of which are also being felt in many other industries have been primary factors in halting the growth of factory employment since mid-1969, one of the surprising facts about

> the recent rise in unemployment has been the extent to which it has affected workers in high skill jobs. The jobless rate for the professional and technical group has now returned to a level last attained—and then for only a very brief period—in 1963.

The Labor Department said recently:

> The aerospace cutbacks have affected not only the big contractors but also dozens of small suppliers and subcontractors. Many are already bankrupt, and others have been reduced to skeleton crews with little or no backlog.

The Wall Street Journal not long ago headlined an article "From Apollo to Tastee Freez" to show the severe impact the space budget cuts have had on skilled professionals—the engineers, technicians, and scientists—who make up the backbone of a highly industrialized society. To quote from the article:

> A 50-year-old man (name—Gene Aldrich), with two engineering degrees and 25 years of experience in the aerospace business, who helped design the Apollo command and service modules, now drives a yellow cab and considers himself lucky. Thousands of other out-of-work aerospace scientists are drawing $65-a-week unemployment compensation. Some try with little success to sell real estate or life insurance, others use life savings to buy fried chicken franchises, and a few cut lawns or wash dishes. They call themselves the "Aero-braceros" and vow that their sons will never become engineers.

I can recount from personal knowledge the depression that has hit Brevard County in my own State. Brevard as we know is the site of Cape Kennedy; unemployment in Brevard County as of May 30 is almost 5 percent. This is higher than the national average. At the cape, in June 1969, we had almost 24,000 people—23,600—civil service and contractor personnel actively engaged in the space program. As of May 1970, the figure is down to 17,000—16,866—roughly 7,000 people have been shut out within the last 12 months.

I realize we are in the midst of developing a new set of national priorities. I do not quarrel with that. NASA already has been assigned a low priority. Let us not put it out of business. I suggest that NASA is not a marginal or expendable program. At the time of the debate on the NASA authorization the record was filled with examples of how the technology developed by NASA had important and immediate domestic application—in medicine, in physics, in astronomy, new transportation communication and management systems, computer networks, environmental control, improved metallurgy, weather prediction, methods of recycling air and water. The list goes on and on; we all know these byproducts and the immense contribution they have made to our country. Now is not the time to destroy NASA: it has produced so much that is good and valuable. The glamour, we are told, is gone and now is the time to cut NASA. Well, the glamour is not what we should interest ourselves in—we should recognize the critical fact that the space program is a great deal more than just hardware or landing men on the moon. It is an investment in the future—a sound investment which has paid great national dividends already and will continue to do so if we have the courage and the foresight to act responsibly now.

I most sincerely, emphatically urge my colleagues to give this amendment favorable consideration.

Mr. ALLEN. Mr. President, I rise in support of the amendment offered by the Senator from Arizona (Mr. GOLDWATER) the Senator from Florida (Mr. GURNEY) and other Senators. This amendment simply restores $4.575 million to the NASA research and program account, and is fully authorized by the conference report on the NASA authorization bill which the Senate adopted on June 22.

I support this amendment because it will prevent further deep cuts into NASA personnel. Even under the authorized total of $683,300,000 for research and program management, NASA estimates it will have to conduct a reduction in force of 600 to 1,000 employees, which is on top of an 800 reduction already planned for the 1971 budget. NASA employment has been going down steadily in the past few years; there has been a total reduction of over 4,500 employees just since fiscal year 1967. This has been an orderly process. The deep and unexpected cut in the committee bill, however, disrupts this orderly process and in my opinion might well jeopardize the safety and efficiency of NASA mission operations.

If this amendment should fail, it is possible that NASA will have to discharge an additional 600 employees above the 600 to 1,000. I ask my colleagues to think seriously of the adverse effect such a serious reduction would have on the viability of the national space program and indeed—by its rippling effect—on the U.S. aerospace industry which is already in serious decline.

I commend the Senator from Florida for proposing this amendment, and I am happy to be a cosponsor of it. Because of its great importance, I would like to explain some of the details and circumstances surrounding it.

Research and program management is one of the three accounts in which NASA receives its total appropriation—the others being research and development and construction of facilities. About 75 percent of the R. & P.M. request of $692.3 million is for personnel and personnel related costs. The authorization bill reduced this $692.3 million to $683.3 million—a reduction of $9 million—and directed that all of the reduction be taken in the personnel category. This accounts for the contemplated reduction of 600 to 1,000 employees—which is, as I have noted, on top of an 800 reduction already planned for.

The appropriation bill before us further reduces research and program management by $4.575 million, to a level of $678,725,000. This lower level is the same figure contained in the bill as passed by the House. It is this $4.575 million that the Gurney amendment seeks to restore.

It might well be asked, if a $9 million reduction results in a reduction in force of 600 to 1,000, why would an additional cut of only $4.575 million result in almost doubling that figure? Why would it not take a second $9 million cut to double the RIF? I have looked into this, and can provide the following answer.

Under the $9 million cut in personnel costs, NASA planning provides for certain economies in such things as overtime pay and temporary employment, and for savings in the turnover of the NASA Electronics Research Center at Cambridge, Mass., to the Department of Transportation. But roughly $4.5 million of this $9 million must be directed at people, and the equivalent of $4.5 million is 600 to 1,000 people. Therefore, we can see that another $4.5 million, to which the Gurney amendment is addressed, could well produce the loss of another 600 to 1,000 jobs, since the possibilities for savings in the overtime, temporary-employee, and other categories would be virtually exhausted.

There are, of course, several other elements in the R. & P.M. category—the other 25 percent of the total. These are such functions as travel, automatic data processing, facilities services, technical services, and administrative support. They are referred to in total as "institutional support." However, institutional support has been reduced $59 million in 4 years, and a further cut of $4.575 million in an already austere plan would be virtually unacceptable.

Mr. President, the matter before us is not really as complicated as I may have made it appear. But it is as serious as I have made it appear. You just cannot cut this agency down to the very bone and still expect to maintain the worldwide prestige that the space program has brought to the United States. You run the risk of denying a very bright and exciting future for the broadening of man's knowledge of the universe and the application of space technology to the solution of earthly problems and the benefit of all mankind.

Mr. President, I urge adoption of the Gurney amendment.

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

Mr. GOLDWATER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Arizona. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mr. ERVIN), the Senator from Tennessee (Mr. GORE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), the Senator from Maryland (Mr. TYDINGS), and the Senator from Texas (Mr. YARBOROUGH), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL), and the Senator from Washington (Mr. MAGNUSON), would each vote "yea."

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF) would vote nay.

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Kansas (Mr. PEARSON) is detained on official business.

If present and voting, the Senator from Maine (Mrs. SMITH) would vote "nay."

On this vote, the Senator from Nebraska (Mr. CURTIS) is paired with the Senator from South Dakota (Mr. MUNDT). If present and voting, the Senator from Nebraska would vote "yea" and the Senator from South Dakota would vote "nay."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from Kansas (Mr. PEARSON). If present and voting, the Senator from California would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 15, nays 58 as follows:

[No. 212 Leg.]

YEAS—15

Aiken
Allen
Cooper
Cranston
Fannin
Goldwater
Gurney
Hatfield
Jackson
Long
Montoya
Scott
Sparkman
Thurmond
Tower

NAYS—58

Allott
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Cotton
Dole
Dominick
Eagleton
Eastland
Ellender
Fulbright
Goodell
Griffin
Harris
Hart
Hartke
Holland
Hollings
Hruska
Hughes
Inouye
Jordan, Idaho
Kennedy
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Muskie
Nelson
Packwood
Pastore
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Smith, Ill.
Spong
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—27

Anderson
Church
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Javits
Jordan, N.C.
Magnuson
Mathias
McCarthy
Moss
Mundt
Murphy
Pearson
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Tydings
Yarborough
Young, Ohio

So Mr. GOLDWATER's amendment, as modified, was rejected.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMERICA'S VA HOSPITALS ARE BECOMING A NATIONAL DISGRACE

Mr. MONTOYA. Mr. President, we hear an awful lot about fiscal responsibility these days. Those words fill the air like bullets in a war. Well, we have a war and it is producing devastating numbers of crippled American boys. These ever growing lists are added to the millions of veterans already present in our society and deserving of first-rate medical care. It is time that society learn about what happens to these boys after they have served their country—after they have come home—after they have passed through the pain and aggravation of the battlefield and combat zone.

There are 166 VA hospitals around the Nation—the largest system of its kind anywhere. Millions of veterans are supposed to be able to look to and find first-class, specialized care of any type in them. Yet it is increasingly obvious that this is not the case. Denials have filled the air, as many have beaten their breasts and complained that these accusations have not got a shred of truth to them. The facts, particularly in several nationally distributed exposés, say otherwise. It is hard indeed to refute the grim, horrible testimony of crippled veterans lying unattended in shabby, grimy surroundings. Yet this is exactly what has been portrayed. It is impossible for any number of denials to attain credibility. The unvarnished truth is that many veterans are being neglected—are not receiving first-class care—are not being accorded intense care—are not receiving benefits of the latest in medical technology. It is America's shame. It is America's disgrace. Even dictatorships have been known not to turn their backs on their veterans. It is a shabby way to save money, and I want no part of it.

New Mexico veterans are suffering consequences of this medical care crisis. In December of 1969, the House Veterans' Administration Committee investigation of the Albuquerque VA hospital revealed a funding deficiency of almost $500,000 for fiscal year 1970. Subsequent allocations of funds reduced this only to $400,000.

This is the only VA hospital facility in our entire State. These 138,000 New Mexico veterans are utterly dependent upon it for the care the Government has promised them. This number of veterans is swelling constantly as a result of the war in Southeast Asia.

This hospital requires more specialized equipment, additional drugs and chemical supplies, food, blood and blood products. It needs at least 38 more qualified staff members.

Special facilities available, such as intensive care and coronary care units, special X-ray procedures and speech pathology services cannot be fully utilized due to insufficient personnel and operating funds. I do not question the devotion of the National and State Veterans' Administration people. From the Administrator on down, these people are devoted to the well being and health of the Nation's veterans. But it is impossible to restore good health or maintain decent health when money is lacking—when commitment is lacking—when penny-pinching replaces compassion as far as our veterans are concerned.

The committee here has recommended an extra $80 million for medical care within the VA for our veterans. Such money would be expended by the Administrator for anything he feels will help the veterans under his care. It could go for intensive care units, special treatment for spinal injuries or anything else. In the case of the Albuquerque VA facility, psychiatric care and extra funds for the deficiencies I listed earlier would change the lives of a good many veterans there. I shall support this increase on behalf of the veterans of the State of New Mexico.

Further, I congratulate the committee and its chairman for living up to their clear responsibility to the veterans of the United States.

WILMINGTON'S VA HOSPITAL

Mr. BOGGS. Mr. President, yesterday the distinguished Senator from California (Mr. CRANSTON) and others discussed at length the problems facing our Veterans' Administration hospitals.

I am quite in agreement with them that the situation regarding funding and staffing of the Veterans' Administration medical programs is a serious one. The Congress, I believe, must make the funds available for improvement in the care we provide our wounded and ill veterans.

The distinguished Senator from Rhode Island (Mr. PASTORE), the distinguished Senator from Colorado (Mr. ALLOTT) and the members of the Independent Offices Subcommittee are to be congratulated for the foresight they have shown in this area.

The $100 million they added to the bill for veterans' care will go far toward correcting some of the more critical shortcomings of the system. Much remains to be done, however.

I would like to point out, though, that the personnel who operate our veterans' hospitals in most cases are dedicated, hard-working people who get the most out of the money they have available.

The Veterans' Administration hospital in Wilmington, Del., is a good example of this fine attitude. Just this morning a newspaper article by Mr. Henry F. Davidson of the Wilmington Evening Journal came across my desk.

Headlined, "Hospital Serves Many Vets Well," the article explains in depth the efforts of the hospital administrators to provide compassionate and efficient care to our veterans.

We in Delaware are proud of our Veterans' Administration hospital, which has served the veterans of many States for 20 years.

I would like to congratulate Dr. Harry E. Walkup and the members of his staff for their excellent efforts on behalf of our veterans and Mr. Davidson for his recognition of those efforts.

They have been doing their best with what is available. I hope that in the future they have more available to do even better.

Mr. President, I ask unanimous consent that Mr. Davidson's article, which appeared in yesterday's Evening Journal be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEEKS COMMUNITY TIES: HOSPITAL SERVES MANY VETS WELL

(By Henry F. Davidson)

Patients at the Wilmington Veterans Administration Hospital get better care than they would elsewhere, in the opinion of the chief of medical service, and somehow it is done at a lower cost.

Dr. William G. Jones, recently promoted to chief of staff and currently wearing both hats, gets essentially the same kind of patients as a voluntary private hospital.

It is classed as a general medical-surgical hospital. The nearest like it is in East Orange, N.J., so patients pour in from the Eastern Shore of Maryland, southern New Jersey and nearby Pennsylvania, as well as Delaware.

The Wilmington hospital does not get badly wounded veterans from Vietnam, who need extended care, although it may occasionally receive a Delaware veteran who needs some hospitalization after discharge and prefers to be in his own community.

The hospital director, Dr. Harry E. Walkup, tries to keep the beds filled by notifying the Philadelphia V.A. hospital of vacancies but on Friday there were about 60 empty beds—a cyclical situation experienced by most hospitals.

The hospital which has had 48,000 patients since it opened 20 years ago, has had 3,481 admissions so far this fiscal year for a total of 82,141 patient days.

The average length of a patient stay is 23.7 days. This is much longer than in a voluntary general hospital for several reasons, including the older age of many of the patients.

The major reason, explained by Robert J. Ryan, the assistant director, is that a person may come in for a specific reason such as appendicitis.

In a private hospital, he would most likely have it out and go home but at the V.A., he is given an over-all physical examination and might end up with another operation for hemorrhoids and some dental work. If he has high blood pressure, this might be stabilized before discharge, all adding days.

There is an income restriction for nonservice-connected medical problems, so most of the patients are of relatively modest means. A certain group of more well-to-do come when they need long hospitalization, such as after a heart attack, which is financially devastating without insurance, even for middle-income veterans. Ryan says the patient type changes with the economy and resulting layoffs and hirings.

Eligibility for admission for nonservice-connected illness requires certification by a doctor that hospitalization is needed, the availability of a bed, and a signed form stating that the veteran cannot afford private hospitalization.

Even with the problem of determining eligibility, Ryan says a first admission takes only about an hour, and subsequent ones much less time.

The operating budget—called a "target allowance" in Veterans Administrationese—was $5.4 million in fiscal 1970 and is up to $6,374,000 for the year beginning July 1. Dividing patient days into the 1970 figure produces a daily cost of $44.46, substantially below other Wilmington hospitals.

There always seems to be construction going on at the Elsmere plant. A $1 million research building is fairly well set for construction next year. At present, a major internal remodeling is converting the former neuropsychiatric service into something else—perhaps medical beds but possibly a neurosensory center combining neurological and neurosurgical facilities, which could be a treatment center for veterans from a large geographic area.

It's difficult for an outsider to grasp the complexities of V.A. construction programs. Ryan is a layman and business manager of the works. He explains that, within the target allowance, a sum is set aside which can be spent for projects under $5,000 at the discretion of the director.

Some parking lots are being built under this allowance but parking will still be a problem which becomes serious when weekends bring a heavy load of visitors, although most of the staff is off then.

Projects between $5,000 and $25,000 require approval from V.A. headquarters but Ryan said this isn't usually a stumbling block and being so close to Washington is convenient, since a visit is much more effective than a telephone call.

Anything above $25,000 goes into the national budget and requires approval first by a congressional committee. This involves politics and can be time-consuming. The Wilmington hospital was authorized by Congress in 1944 and funds were appropriated in 1947. Construction began the next year and the first patients moved in from the temporary hospital at the Greater Wilmington Airport on March 21, 1950.

Ryan takes a tour of the hospital weekly with a nurse, engineer and maintenance official to spot deficiencies. A layman who went along for the hour-and-a-half trek from the ninth floor down couldn't find anything amiss and, except in the construction areas, nothing but spotlessness.

Robert L. Angelini, chief of the building management division, went on the rounds and said no deodorant is used in cleaning the building to mask odors. He explained a recent change to a glossy but nonslip floor wax.

R. Leighton Brown, assistant chief engineering officer, brought Ryan up to date on construction.

Angelini noted with regret the budget only permits cleaning the outside windows twice a year. His own crew is too shorthanded to tackle the job; it is contracted out. It's relatively dangerous work and, since veterans receive preference in hiring, some of them are partially disabled and can't take it on.

Ryan says a small hospital is easier to administer, but it suffers from a lack of personnel-in-depth, making it difficult to schedule vacations. There is a large group at Elsmere with 15 years service, who get 26 days off or five full weeks plus a day.

When there are only two or three employes doing the same thing, this mandates split vacations but Ryan says he tries to make sure everyone gets at least two weeks of prime vacation time.

But despite the difficulties, Ryan likes a small hospital after experience with big 1,500-bed ones where, he says, people are always building empires in corners and if something goes wrong, it can be years before the administration finds out. His every-Wednesday rounds are part of his way of keeping in touch with things.

Jones says his problem is a shortage of doctors although Ryan promises him he can have a few more if qualified ones can be found. One woman physician introduced on the rounds, Dr. Ulker P. Texcan, said pleadingly, "We really need help."

Jones says the major appeal of VA work to compensate for low salaries is the chance to practice good medicine and still have time for a normal family life. Since his wife is also a staff physician, their combined salaries put them well up in their profession.

Ryan says a comprehensive set of rules forbids doctors having private practice although they may teach and they have abundant opportunities for research, this being outside the target allowance which may be a major reason patient costs are much below room rates in university medical centers.

Jones feels the hospital has established itself as a valuable asset to the state, not just because it has 17 per cent of the 2,026 general hospital beds or more than 6 per cent of the total beds counting specialized institutions, but because of its sharing programs.

A major one is the training of University of Delaware nursing students in their major clinical work. There will be a start to a master's degree program plus refresher courses to help older nurses back into practice next year.

Consultants, mainly from Bryn Mawr Hospital and Jefferson Medical School, but also from the Wilmington medical and dental communities, also tie the hospital to the community, Jones feels.

Jones said he'd like to see the hospital more and more involved in community medicine and there are many ways the community can legally use the hospital. One missed chance, he feels, came about when the Wilmington Medical Center decided to go ahead with its cardiac catheterization expansion just at the time the VA Hospital was going forward on an advanced cardiac catheterization laboratory which Jones feels could have served the entire state.

The major achievement of such laboratories is injecting dyes into the blood stream and taking motion pictures of the heart in operation.

There is a gulf of sorts between the hospital and the local medical profession—there are different economic interests and few VA staff members belong to the local medical societies.

Two other laboratories in the process of being equipped are an isotope laboratory, which uses radioactive materials to harmlessly plot the location of tumors on photographic film, and a pulmonary function center, which will be able to do very sophisticated diagnoses of lung diseases.

More construction is going on in what was a 39-bed nursing-home care unit being transferred to Ft. Howard, Md. Most patients needing nursing-home care are now put in private institutions with the VA paying the bills. Ryan said this runs around $15 or $17 a day, rates negotiated with the institution by Washington, and is much less expensive than hospitalization.

Because of all the construction going on, there are only 300 beds but there will be 350 when things quiet down.

One reason not much is known about the hospital in the community is that most of its patients are from out-of-state. It covers Delaware, the Eastern Shore of Maryland and parts of Pennsylvania and New Jersey, although a veteran has the right to go to any hospital in the country he wants.

Some idea of the patient load can be gleaned from a recent day when there were 90 surgical patients and 148 medical, of whom 23 were seriously ill. In fiscal year 1969, there were 278 deaths, more than there will be this year.

There is an enormous volunteer program at the hospital with help from all the veterans organizations and such others as the Masons and churches as well as individual volunteers.

VA HOSPITALS

Mr. NELSON. Mr. President, the Appropriations Committee has responded effectively to the urgent needs of our hospitalized veterans by recommending $1.857 billion in the 1971 fiscal year for medical care and $79 million for construction of veterans hospital facilities.

Hearings conducted by the Senate Veterans Affairs Subcommittee clearly documented that these funds are a bare minimum of what is required to prevent a tragic reduction in the quality of the medical services available to our veterans.

The administration proposed a spending level of $1.752 billion for veterans medical needs while the House of Representatives approved a figure of $1.777 billion. Both of those amounts represent record high funding for this area of activity for the Veterans Administration. However, with a greater number of veterans to serve and inflation causing medical costs to soar, even the amount passed by the House is only a standstill figure that may keep pace with rising expenses.

Several major problem areas were revealed in the hearings conducted by the Senator from California (Mr. CRANSTON) in the Senate and the Congressman from Texas (Mr. TEAGUE) in the House. One is the lack of adequate staffing in our veterans medical facilities. While the staffing ratio for an average community or State hospital is 2.72 employees for each patient, the staffing ratio for VA hospitals is about 1.5 to 1. Congressman TEAGUE has set a staffing ratio of 2 to 1 as the goal for veterans hospitals to attain in order to insure hospitalized veterans of adequate medical attention.

Two additional problems now facing the VA involve a backlog of $46 million for required equipment and maintenance expenses and the growing demand for new and expanded facilities, which is greatly complicated by the overall freeze on Federal construction announced in the last fiscal year.

A brief review of the current operation of the veterans hospitals in Wisconsin indicates the serious difficulties that the Veterans Administration is typically encountering. In 1969 Wisconsin Veterans Administration hospitals faced funding deficiencies for fiscal year 1970 of over $2.2 million—a deficit which was only slightly reduced to $1.8 million by the supplemental appropriations approved by Congress during the year. The Madison VA hospital operated in 1969 at a deficit of $637,000 including $356,000 for staff and $197,000 for maintenance and repair funds. The addition of $77,930 in 1970 has done little to relieve this problem. The staffing ratio for the hospital is 1.4 staff to each patient, and in order to reach a staffing ratio of two staff to each patient the Madison hospital would need to hire 177 additional employees at an annual cost of $1,413,000.

The Tomah psychiatric hospital reported a funding deficiency for 1969 of $276,000, most of which is attributable to personnel and maintenance costs. The addition of $48,646 in 1970 still left a considerable deficit which will require a reduction of the hospital staff. At this time in order to achieve the desired staffing ratio of 2 to 1, the hospital would require an additional $984,000.

The Wood general medical and surgical hospital had a deficit in 1969 of $1.3 million, and though an additional $262,869 was received in 1970, the hospital director was forced to state:

> We must continue to restrict expenditures for all purposes very severely in order to avoid an anti-deficiency violation.

An additional $916,000 would be needed to achieve a staffing ratio of 2 to 1.

If the Senate committee's recommendations become law, the proposed funded level would provide my State of Wisconsin with an additional $1,766,100 in assistance. According to an estimated breakdown cited by Senator CRANSTON, the funds would be allocated in Wisconsin on the following basis: $276,600 for additional general medical care personnel, $138,000 for spinal cord injury staff and personnel, $1,082,100 for the elimination of equipment, maintenance, and repair backlogs, $124,100 for the elimination of dental case backlog, $95,200 for physicians's assistants, and $50,100 for allied health and intensive care training.

I strongly support the committee's action and commend the chairman of the Appropriations Subcommittee on Independent Offices, Mr. PASTORE, and the chairman of the Veterans Affairs Subcommittee, Mr. CRANSTON, for their leadership at this critical time for our hospitalized veterans.

The **PRESIDING OFFICER**. The bill is open to further amendment.

AMENDMENTS NO. 764

Mr. **PROXMIRE**. Mr. President, I call up my amendments No. 764.

I ask unanimous consent that reading of the amendments be dispensed with. I shall explain them.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Amendments No. 764 are as follows:

> On page 20, line 11, strike "$2,606,100,000" and insert in lieu thereof "$2,500,000,000".
>
> On page 20, line 17, strike "$34,478,000" and insert in lieu thereof "$18,275,000".

Mr. **PROXMIRE**. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER**. How much time does the Senator yield himself?

Mr. **PROXMIRE**. Fifteen minutes.

Mr. President, the amendment would cut back the funds to be appropriated for the National Aeronautics and Space Administration for fiscal year 1971 to the level approved by the House of Representatives.

In the line item designated research and development, the House approved $2½ billion for this fiscal year. The Senate Appropriations Committee increased this figure to $2,606,100,000. And for the line item designated construction of facilities, the House approved $18,275,000. This was increased to $34,478,000 by the Senate Appropriations Committee.

My amendment would cut both of these figures back to the House-approved level—a cut of $122,303,000.

Mr. President, the amount to be cut by my amendment is not an overwhelming sum of money. It amounts to less than 4 percent of the total space budget for the coming fiscal year. But it is hardly a trifling sum.

The $122 million to be cut by my amendment is more than the entire amount budgeted this year for air pollution control. It exceeds by $16 million the total to be spent this year on the school milk program. This $122 million would be sufficient to provide a subsidy for the building of some 125,000 to 150,000 new low- and moderate-income housing units under the section 235 and 236 programs.

Perhaps one of the most ironic contrasts of all is in this very bill we are considering today. In title III, providing money for the HUD programs, the administration has budgeted $75 million for the open space program—a highly worthwhile program which makes Federal money available to provide desperately needed parks and recreational areas for our teeming urban centers. The open space program in title III limps along with $75 million, while we tack on an additional $122 million for outer space. But which program provides tangible benefits to our people? The open space program wins hands down.

Mr. President, a couple of years back, we were engaged in a torrid race with the Soviet Union to achieve the first manned lunar landing. The space budget was several hundreds of million dollars higher, reflecting the cost of running that race. Mr. President, we have now won that race. We have established ourselves as first in technology, first in scientific exploration, and first in national dedication. Now that Apollo 11 is behind us, we should no longer feel the desperate need to prove ourselves. We have done that—and with the whole world looking on.

Mr. President, the modest amendment I am proposing today would not involve any drastic curtailment in our space program. It would still permit the Apollo program to go ahead as presently scheduled. It would still allow NASA to begin development of the space shuttle-space station program—although I personally believe that program should be postponed. It would still allow the Sky Lab program to proceed. And it would also permit NASA's many very worthwhile unmanned programs—programs which I believe should be receiving the lion's share of the NASA budget—to proceed as scheduled.

Nevertheless, Mr. President, I think it is essential that the Senate go on record in favor of the leanest possible space budget. I say essential not only because I believe that our spending priorities should be reordered, with space given a lower priority; I believe this is essential if we are to ever make good on our determination to do something about inflation, and about the ever-increasing wage-price spiral. We cannot expect the private sector to exercise restraint unless and until we are willing to restrain our own spending. And increasing the NASA budget by $122 million is not the way to do it.

Mr. President, only by paring the NASA budget to the absolute minimum can we begin to hold down some of the gargantuan costs this program has entailed in the past. Mr. President, everything about the space program seems to be many, many times as expensive as comparable programs here on earth. For example, if I were to order a set of tongs, a scoop, and a long-handled hammer to do some work around the house, these tools would hardly cost much more than $100 or so. But these same tools, ordered for use by the Apollo 11 astronauts for their moon flight, to pick up moon rocks, and perform simple lunar experiments, cost NASA $45,000. This figure, astronomical enough at first glance, becomes even more astronomical when one considers that these items are used just once, and then discarded on the moon. New tools, presumably costing no less, will have to be procured for each subsequent landing.

Other examples:

The lunar package ALSEP—Apollo Lunar Surface Exploration Package—being built by Bendix Corp., will cost NASA $25 million.

The lunar rover, the small jeep to be used to drive around a limited area by the astronauts, will cost close to $5 million each.

Back packs for each astronaut, used to keep them alive during their walks on the moon, and which are then discarded on the lunar surface before the return to earth, cost $200,000 each.

The TV camera used on Apollo 11 to send TV pictures from the lunar surface cost $250,000. It was discarded also.

Spacesuits worn by the astronauts, exclusive of the back packs, cost $100,000 each.

In addition to the overwhelming costs of our space projects, and the need to reorder our priorities, the other major reason for paring the space budget to a minimum is to improve chances of international cooperation.

Here is an area where the benefits, Mr. President, are international. We make no attempt to restrict what we have learned in our space explorations to this country. They are given to scientists throughout the world. Since the benefits are distributed throughout the world, why should not the costs be shared; or why should we not invite other countries, at least, to share them with us?

By going ahead full steam with our space program, and especially by beginning new programs, we lose the opportunity to bring in other nations on our space program.

This was a problem we ran into repeatedly with Apollo. Every time we suggested international cooperation, we were told that procedures and technology was too far along—that we could not possibly expect other countries to come in with the program so far along.

But, if we pare down our space programs, and particularly the development of new programs—such as the space shuttle—we vastly increase the chances of international participation. And there are encouraging indications that some of the Western European nations may be interested in getting in on the ground floor of the space shuttle. We should do all we can to encourage this, and increasing our space budget is not the way to do it.

Are other nations, in fact, willing to join us? This is really the crux of the issue as far as international cooperation is concerned. I suggested last year, and I reiterate it, that we have not done anywhere near all we can to encourage international participation in space. One of the problems arises from the fact that NASA has carried the ball in this area by itself—the same NASA whose number one goal since its inception in 1958 has been to establish American superiority in space. It is only natural that NASA might be of two minds in its pursuit of cooperation from abroad, and that its efforts in this area might not have been as vigorous or as hospitable as they might have been if conducted independently and apart from NASA. To this end, Mr. President, last year I introduced Senate Resolution 285, which would have the Senate Foreign Relations Committee make a thorough study of the potential for international cooperation in space exploration. Such a study would provide the independent perspective on this which up until now has been absent.

Senate Resolution 285 lists two possible approaches:

First. An international consortium, similar to INTELSAT, to handle all space flights, with NASA acting as the American manager, similar to the role COMSAT plays in the international communications consortium. Other countries would contribute according to their ability and financial resources.

Second. Set up a United Nations Space Council, under the jurisdiction of the United Nations—an organization similar in structure to the World Health Organization.

This country has shouldered the burden of space exploration alone for too long. We cannot expect this to change unless we curtail our expenditures on space. I strongly urge the Senate to cut the space budget back to the House-approved figure of $3.197 billion.

Finally, Mr. President, in summary, the amendment to be voted on today would bring the figures for NASA, as I say, back into line with the figures enacted by the House of Representatives.

The House-approved budget for NASA of $3.197 billion is still a very generous budget, and does not impose curtailment of any major program. It will still permit:

The Apollo moon landings to proceed as presently scheduled.

Beginning the space shuttle-space station program.

Development of the Sky Lab project.

Continuation of NASA's unmanned programs—including Mariner, Explorer, Viking, Nimbus—weather—and the Earth Resources Technology Satellite.

The Apollo program accounts for virtually all of the cutback in NASA spending from prior fiscal years.

This is a point that I think we should be especially aware of, because the principal argument against reductions in the space program below the action taken by the Appropriations Committee is that it has already been cut, it is lower than it was in 1969, it is lower than it was in 1968, and so forth.

Mr. President, there is a reason for that. The reason is because the Apollo program is well over the hump in expenditures. Procurement is out of the way, and that program can be reduced, and everyone expects that it should be reduced.

This year, the reduction in Apollo is $730 million. What we have to do is compare that reduction in the Apollo program with the overall reduction. When we do that, we see that, except for Apollo, the House-approved figure, which this amendment would secure, represents an overall increase—an increase of $212 million over last year's appropriation.

So, Mr. President, anyone who says we are cutting the space program, without recognizing that it is really simply an automatic cutback which we would assume we would normally have in the Apollo program, is deceiving himself.

The Senate committee appropriation provides a $334 million increase in the total appropriation, laying aside the Apollo program. The House appropriation, which this modest amendment would provide, would still permit a $212 million increase in the funds for the space program aside from Apollo.

Mr. President, I reserve the remainder of my time.

Mr. PASTORE. Mr. President, I made my intention on this amendment known to the committee.

There have been several amendments discussed in excess of this proposed reduction of $136 million, which was the cut made by the House of Representatives. I do not think I would have gone further than the $136 million, but I intend to vote for this amendment.

The committee, I repeat, knows my position. But in deference to the committee, because the vote was overwhelmingly in favor of the amount in the bill, I assign the time on this amendment to the Senator from Colorado (Mr. ALLOTT), who will control the time in opposition.

Mr. BIBLE. Mr. President, will the Senator from Colorado yield me 5 minutes?

Mr. ALLOTT. Mr. President, I yield 5 minutes to the Senator from Nevada.

Mr. BIBLE. Mr. President, because of the severe impact any additional reductions would have on our Nation's space program, I feel a responsibility to speak in opposition to the pending amendment.

We are making decisions today, Mr. President, that transcend appropriation considerations and spending priorities. These decisions go far beyond the National Aeronautics and Space Administration budget. They go to the heart of our Nation's vitality today and its course in the future. We are deciding whether the United States shall continue to exert leadership in science, technology, and industry and blaze new trails into mankind's future, or whether we shall retrench and abandon the demands of the future in favor of concentrating on the domestic problems of today.

Perhaps that sounds like an unfair generalization. I think it is not. We can take all the arguments that have been advanced for reducing NASA's budget and boil them down to one basic contention—that we should put off our sophisticated space exploration and divert the money instead to the Nation's serious domestic needs. It is a declaration, essentially, that we have too many problems, too many needs, right here at home to afford any serious and effective activity in space. It is an argument that is powerfully persuasive—and politically attractive in these troubled times. But it is a policy that could turn this great Nation from the road to future greatness and send it down a dead end street of muddled mediocrity.

We must do everything we can to deal with today's problems of housing and poverty and education and opportunity. In the process, however, we must avoid the temptation of ignoring the equally pressing needs of the future.

Mankind would still be stumbling around in the dark ages if it had tried to solve all of its domestic problems before exploring the challenges of the unknown. There were problems at home when Columbus set sail for the new world. The money that was spent to build a railroad across this continent—surely it could have been better used to improve education and working conditions here in the East. The Wright brothers would have had less ridicule and criticsm if they had concentrated their inventive genius helping the poor. I could go on indefinitely.

The point is that every important advance in the history of mankind would never have occurred if it had been put off until other, more immediate needs were handled. But each of these advances brought benefits to mankind that far outweighed the alternatives that might have been offered. Who could have forecast early in this century, for example, that the Wright brothers' tinkering with a kite and an engine would lead to the mammoth transportation industry—and all the benefits that industry provides—in little more than 50 years? We can only begin to surmise some of the benefits that await our continuing exploration of space.

The unprecedented successes and achievements already made by the space program and the extremely valuable future benefits the program holds for all mankind, demand that its progress not be impeded further.

In science, our space program has already given us new insight into our universe and promises to be a significant factor in the understanding of the earth environment. Our automated satellites have revolutionized world communications and produce daily weather patterns now used in more than 50 countries. Space program developments made available to industry for public use range from fire-resistant materials and automotive safety devices to applications in medicine involving cancer research, clinical X-rays and remote sensing devices for heart patients.

Although these space achievements have proved extremely beneficial to people everywhere, future developments promise to far excel what already has been done. Air, sea, and land traffic control by satellite will make transportation more safe and efficient. New global environment information systems will help in a better understanding of the intricate processes of the oceans, in the production of food and better management of our mineral and natural resources.

And this is just a preliminary glimpse. Undreamed of advances lie beyond if we have the courage to support the fine beginning we have made in space.

I do not think it has to be an either/or decision. I believe we can provide at least minimum support for our space program while we accelerate our efforts to solve domestic programs. But the reduction in the NASA budget proposed in the pending amendment does make it an either/or situation because of the crippling effect it would have on the space program.

The appropriation before us is already a bare-bones budget for space. It was cut severely before it came to Congress. We have cut it further in committee. But the slash taken by the House would be crippling. To chop that deeply—and close the door to any reasonable conference negotiation—would be costly and shortsighted.

Mr. President, I must in good conscience support the NASA appropriation as reported by the committee. It is the lowest effective figure. Even at $3,319,303,000, the bill would provide the smallest space budget since fiscal year 1962.

I believe it would be unconscionable not to continue the progress of the space program at the minimum level recommended by the committee. Therefore, I urge each of my colleagues to vote against the amendment.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, the NASA fiscal year 1971 appropriation merits the support of every Senator. Not only have the NASA aeronautical and space programs been extraordinarily successful during the past few years, but also, that success has been achieved during years of constantly decreasing budgets. An agency that produces that kind of result should have the support of Congress.

The amount reported out by the committee will permit a fiscal year 1971 budget plan for NASA that will be about $540 million less than the budget plan for the current fiscal year, 1970. This will cause a further slowdown in the space program. So we should not expect the continued forward thrust of the program that we have become accustomed to during the past few years. One cannot cut a program continuously for 5 years in a row, so that its total appropriation for fiscal year 1971 will become 36 percent less than it was in fiscal year 1965, and expect the same results.

However, the program represented by the appropriation reported by the committee will preserve and emphasize the ingredients of a strong future capability in space. It is centered on the development over a period of years of an economical, reusable space transportation system, including the space shuttle and the space station.

Mr. President, since the space shuttle is under attack, I point out that the space shuttle is a transportation system that would put both manned and unmanned or automated systems into earth orbit. It is not strictly a manned program—in fact, the artificial division between manned and unmanned spacecraft in the old sense is disappearing, as it should.

However, neither the shuttle nor the space station is an approved program for development. The funds provided by this appropriation will permit the study of the space shuttle and the space station to continue. Only if the results of these studies are favorable will the executive branch be faced with whether or not to move forward with this as a development program; and, only if the executive branch decides to move forward with it, will Congress have to decide whether or not it wants to support a space shuttle and/or space station development program.

Other NASA programs provided for in this appropriations are to:

First, continue strong efforts on the practical applications of space technology for the benefit of mankind;

Second, continue lunar exploration with the remaining Apollo hardware and to conduct the Apollo applications earth orbital flights with Apollo hardware previously under procurement in a way so as to derive the maximum scientific and technical value;

Third, continue with some stretchouts and deferrals, planetary exploration and the scientific investigation of space;

Fourth, continue increasing the amount of resources directed to aeronautics, which is very important, and I want to emphasize it, because sometimes we think of NASA as only a space agency; it also includes aeronautics; and

Fifth, maintain the essential technical, operational, and management capabilities in NASA on which the future in aeronautics and space depends.

Mr. President, some difficult decisions had to be made in order to reduce this budget down to where it is. The most significant decisions include:

First, closing down the Electronics Research Center in Cambridge, Mass.;

Second, suspending the production of the Saturn V launch vehicle after the original 15 vehicles;

Third, placing the Mississippi Test Facility in a mothball status after the final Saturn V test in December 1970; reducing the work force at the Michoud Assembly in New Orleans to the minimum necessary to support Saturn V flights and placing on a standby status the White Sands Test Facility in New Mexico late in fiscal year 1971;

Fourth, canceling the Apollo 20 lunar mission;

Fifth, delaying the initial Apollo applications project flights by 4 months to late 1972;

Sixth, delaying the Apollo 18 and 19 lunar missions until 1974;

Seventh, delaying the unmanned Viking Mars missions from 1973 to 1975;

Eighth, delaying the launch of the ATS application technology satellites F and G by 12 months;

Ninth, canceling the NASA sustaining university program.

The effects of these actions are going to be felt in many sections of the country. Employment on the space program will continue to drop. Employment on the space program has already dropped from 420,000 to less than 190,000 and by the end of fiscal year 1971, is expected to be down to about 144,000. This is regrettable, but the spending on a program cannot be reduced by $2½ billion without some people losing their jobs. However, Mr. President, I think the program has been cut enough. A strong program in aeronautics and space is important to the United States. It is important for the scientific and technical results. Benefits derived from it are important to the people. It is important to the country's market position in the world. It is important to our country's prestige.

Mr. President, let me read a single sentence in answer to a question put by the senior Senator from Maine (Mrs. SMITH):

> There is no question that the success of the Apollo mission did more to bolster American prestige abroad than any single event since the termination of the Pacific War in 1945.

Mr. President, I do not think anybody can put a dollar value on what the prestige of the United States is worth to her people, but any program that can elicit such a statement from our Department of State merits support.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield 1 minute to the distinguished Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I hope other Members of the Senate will join me in voting against the pending amendment to reduce the NASA appropriation by $122 million. In effect, this amendment would set NASA funding at the $3 billion, $197 million figure previously approved by the House. This amount, however, is $136 million less than President Nixon's request for NASA for the next fiscal year, and it is $213 million less than the authorization agreed to between the House and Senate and signed into law by the President.

Although Senator MONDALE's amendment of yesterday was directed specifically at the space shuttle program, it should be noted that the amendment before us today would accomplish an even greater reduction in NASA spending than the amendment which the Senate rejected yesterday. With a reduction of this magnitude, NASA would be forced to terminate, or at least drastically curtail, important space projects which could include the NERVA nuclear rocket program, future Apollo lunar flights the orbiting astronomical observatory, known at OAO, and the next phase of the applications technology satellite, ATS.

Of these, the NERVA and ATS projects are important especially to the Commonwealth of Pennsylvania. Not only my State, however, but the States of New York, Massachusetts, Ohio, Florida, Alabama, Mississippi, Louisiana, Texas Nevada, California and Washington are also the homes of firms participating in our national space effort. Indirectly, as the home of subcontractors or in other ways, a great many other States are also involved.

Mr. President, what we are talking about today can be directly translated into one term—jobs. The amendment now before us, if approved, would take off NASA payrolls an additional 7,000 to 10,000 employees beyond the 45,000 who would have been phased out, in any event, under the administration's budget.

It is always popular, Mr. President, to attack the space budget when one talks of cutting nonessential Federal expenditures. This problem, which occurs yearly for NASA, has in many ways the same effect as termites in the foundation of a house. The gradual nibbling away goes unnoticed for several years until a part of the house collapses due to lack of support. Although it is politically attractive to represent a cutting away of agency fat from all estimates, we are coming dangerously close to incapacitating NASA by the continuing yearly budget cuts by those who fail to understand the long-range significance of these cuts.

Mr. President, there has already been a considerable reordering of priorities reflected in space program cutbacks. Total nationwide employment, which reached a peak of 420,000 for NASA in early 1966, will fall to 144,000 under the administration's budget request—and will go much further downward with this amendment. The fact, remains, however, that we can go only so far without reaching essentially an abandonment of America's role in space. We are already dangerously near that point—even without this amendment. I hope it will be defeated.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. SCOTT. If the Senator will yield me additional time, I will yield to the Senator from Alabama.

Mr. ALLOTT. I yield to the Senator from Pennsylvania.

Mr. ALLEN. I ask the distinguished Senator from Pennsylvania whether it is not a fact that the first section of the amendment under consideration is really a question that we decided yesterday, whether it applies to the very same item and practically the same amount, because yesterday the amendment seeking a $110 million cut was rejected, and the first section of this amendment provides for a $106 million cut as to the same item.

Mr. SCOTT. It is my understanding that it applies to the same general item, although it is no longer pinpointed toward the shuttle program.

Mr. PROXMIRE. Mr. President, will the Senator yield on my time?

Mr. SCOTT. I yield.

Mr. PROXMIRE. Mr. President, I yield myself 2 minutes.

The response of the Senator from Pennsylvania was correct. This is not a restriction on the space shuttle station at all. This is simply a cut. Yesterday's amendment was a restriction, not a reduction. This is a reduction of $106 million in research and $16 million in construction. I quote from what the House found when it made this recommendation. Let me read it:

> The appropriation of $2.5 billion which is recommended for research and development is a reduction of $106 million from the budget estimate of $2.6 billion. The funds recommended will provide for one Apollo flight instead of two for fiscal 1971.

So what this would do is not to restrict the space shuttle station but would provide that next year there would be one lunar flight instead of two.

If this constitutes any substantial scientific loss, I should like to know what it is.

Mr. SCOTT. Mr. President, I yield back the remainder of my time.

Mr. ALLOTT. Mr. President, first of all, I want to agree very much with the splendid statements made by the Senator from Nevada, the Senator from Pennsylvania, as well as my colleague from Arizona. I should like to cover two or three things now with respect to this amendment. I think it is possible that the question of cutting funds for research and development is being fuzzed over.

The amendment does not specifically eliminate moneys for the space shuttle program. The Senator from Wisconsin is absolutely right on that. However, the cut which he proposes in that particular line item of research and development, if effected, would necessarily also affect the space shuttle program. Thus, to that extent, it is a reflection upon the space shuttle program which we voted on yesterday.

Mr. CANNON. Mr. President, will the Senator from Colorado yield?

The PRESIDING OFFICER (Mr. CASE). Does the Senator from Colorado yield to the Senator from Nevada?

Mr. ALLOTT. I yield.

Mr. CANNON. The Senator from Wisconsin also pointed out that this would result principally from slippage of Apollo 15. The report indicates, however, that they claim that would represent a saving of over $100 million. NASA has already scheduled the changes. NASA comes up with a report that that will really only result in a saving of $20 million but that the schedule has already been made, that is, the slippage. They also estimate that as a result of the investigation into the unfortunate incident which occurred, there will have to be a modifiation of the oxygen tank on the service module on Apollos 14 and 15 and that will cost between $10 million and $15 million. So, what we are talking about, really, is a small and insignificant figure here in the overall adjustments over those particular figures, so that the cut, if applied by the Senator from Wisconsin's amendment, would not be able to effect those savings in the manner he suggested.

Mr. ALLOTT. Mr. President, I thank the Senator for bringing this matter up because in that he is absolutely right.

Mr. President, may I inquire how much time is left?

The PRESIDING OFFICER (Mr. CASE). The Senator from Colorado has 15 minutes remaining.

Mr. ALLOTT. I thank the Chair.

Mr. President, I want to yield subsequently to the distinguished Senator from Florida (Mr. HOLLAND), so that I will now make my remarks necessarily very brief.

As the distinguished chairman of the subcommittee has stated, the NASA budget was cut three times by the Bureau of the Budget. It has had its budget cut by the House. As a result of these cuts NASA will have a bare bones program for fiscal year 1971.

It may be difficult to convey the impact of a cut like this to a person not acquainted with the space structure. But once we have spent so much time in this country, 12 years, in bringing together the vast complex of contractors, private contractors, scientists, and engineers in this kind of team effort, we cannot just cut it off and the replace it tomorrow. This argument was made yesterday, particularly with the space shuttle. If the space shuttle does not go forward, we will have no means of putting men in an orbital laboratory between 1974 and perhaps 1977 or 1978. Thus, in that period, there would be a complete hiatus so far as American space programs are concerned.

There is a continued stretchout of all planetary explorations. Unless anyone should harbor the wrong idea, there are no plans on the board now to send men to Mars or to Venus, or anywhere else. We are not talking about the present Apollo program. The Space Committee—and several members of that committee are now in the Chamber—has the opportunity, any time, to limit the flights it wishes to limit. Now, already, this year, they have suspended for an indefinite period production of additional Saturn V's after the original 15. That places the two test facilities in Mississippi on a standby status in 1971, after the Saturn V test is completed this December. They have reduced the work force of the facility in New Orleans to the minimum necessary to support a limited future Saturn flight, canceled the Apollo 20 lunar mission, and suspended production of the lunar command.

As the distinguished Senator from Nevada has pointed out, I do not know whether he used a specific date, but I believe Apollo 14 has already been set back for some time in the next calendar year, some time in January. This will mean a delay in the initial sky laboratory prototype space station flight by 4 months, to late 1972; a delay in Apollos 18 and 19 to maybe 1973 or 1974; a delay in the Viking Mars mission, which will be an unmanned mission, not a manned mission, from 1973 to 1975, and a delay in the application of technology satellites by about 1 year.

In terms of what we are talking about, one can use a lot of figures. I should like to state a few.

The whole of the space program here accounts for about 1½ percent of the total Federal budget, the total Federal expenditures.

On a per capita basis, we spend $134 a year on restaurants and bars; $104 on telephone services; on laundry and cleaning $37; on automobile repairs $25; on television sets, $20; on automobile tires, $20; on tobacco $18; on social action programs $386; and on defense $368. On space we only spend $17 annually per person.

Thus, out of these 10 or 12 categories, space is easily clear down at the bottom of the list on a per capita basis.

Now, just one other word, and then I will yield to the distinguished Senator from Florida. Those of us on this committee particularly, who have had the opportunity to view the scientific programs in this country, agree that the entire space program has provided more forward thrust and more dynamic qualities to our whole scientific effort than any other scientific program we have in the United States. It has done more in medicine, more in metallurgy, more in physics, more in astrophysics—name the field—the field of space has provided more drive forward than any other scientific program.

In concluding, Mr. President—and I hope I am not being improper in saying this—the distinguished senior Senator from Maine (Mrs. SMITH) has been detained, but I want to say that as one of the members of the Space Committee, she was very, very insistent and fought hard in committee for the figure that the committee reported to the Senate.

In view of the studious qualities which she always gives to her work—I hope she is able to be in the Chamber before the Senate votes—Senators will be interested in her views. I also have a telegram from a distinguished Senator who cannot be here today addressed to me, and it reads:

> DEAR SENATOR: In connection with H.R. 17548, the Independent Offices Appropriations Bill for 1971, I strongly support the recommendations of the Appropriations Committee relative to the NASA appropriation and hope that it will be supported by the Senate.
>
> Sincerely yours,
>
> CLINTON P. ANDERSON.
>
> *Chairman, Committee on Astronautical and Space Sciences.*

Mr. President, I hope the amendment will be rejected. I yield to the distinguished Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I thank the Senator for yielding. I want to say first that I have already been placed in a difficult situation today by having to vote against an amendment which would have increased the bill and kept it within the authorization and within the budget. I did so because of the immense amount of work which was done—and I was one who helped to do it—in the Appropriations Subcommittee and in the full Appropriations Committee and, prior to that even, in the Aeronautical and Space Sciences Legislative Committee in trying to bring out a bill which would meet the situation as best we could and at the same time recognize the economic conditions of the Nation.

The report of the able chairman of the subcommittee, who worked very hard on this matter, shows very clearly on page 10 that the amount recommended in the bill is $415,330,000 under the 1970 appropriation. It also shows that it is $13,697,000 under the estimate, and $91 million plus under the authorization. Mr. President, that indicates something about the careful way in which the committee went through the various items in the bill.

I want to call attention to the fact that the amendment of the Senator from Wisconsin does just this—he attempts to substitute the judgment of the House Committee on Appropriations for the judgment of the Senate Committee on Appropriations when, in the House committee, there is no representation by the Legislative Committee members, whereas in the Senate committee we had on our committee which worked with this matter very carefully, the chairman of the Legislative Committee, the Senator from New Mexico (Mr. ANDERSON); the ranking minority member of the Legislative Committee, the Senator from Maine (Mrs. SMITH); the Senator from Florida, one of the members; the Senator from Washington (Mr. MAGNUSON), one of the members; and the Senator from Mississippi (Mr. STENNIS), one of the members of the Legislative Committee.

There is no such situation on the House side. So, we had at least five participating members in the Appropriations Committee that marked up the bill who had also been members of the Legislative Committee, including the two senior members of that committee.

We very carefully examined just what the House committee had done by way of reductions and then, we met in part what they had done. For instance, in the matter of the first part of this amendment, the House committee on page 9 of its report shows that it reduced the research and development figure from $2,606,000,000 to $2,500,000,000 and explained it with these words:

> The funds recommended will provide for one Apollo flight instead of two flights in fiscal year 1971.

Mr. President, that was a mathematical computation which did not happen to be in accord with the actual facts, because the actual facts, as shown to us in careful hearings, were these, that the skeleton crews which are required to do everything that is necessary in connection with the launching, in connection with spacecraft tracking at the distant points of the earth and the reporting of the information to Houston, and in connection with the operation of mission control were the smallest that could be kept together and still do the job, the very careful and complicated job that is required.

We cannot just divide in two the sum that is provided for the launching of two Apollos and say, "We will cut one item out. Therefore, we will cut out half the amount."

We took this testimony very carefully, and there is only a $20 million cut possible in the launching of just one Apollo, if we launch only one flight in this fiscal year, as compared with the launching of two.

I think that Senators can see very easily why that is true, because we cannot release the whole personnel complement which is required to do the careful countdown and all of the other things, including tracking and data acquisition all the way around the earth, and then get them back together again a year later for a second, similar effort.

To the contrary, about a $20 million saving was the most that was possible, and that was reflected in the report of the bill by the Senate committee. That is the major item involved in the difference between the House bill and the Senate bill.

I trust that my distinguished friend, the Senator from Wisconsin, who is following very closely what I am saying, will realize that it is absolutely true that when we have to hold together all of the personnel to handle the intricate launching operation and all the observation, transmissions, and communications which are required, it makes very little difference whether we will launch one or two Apollos in the course of this fiscal year.

We will launch one in January. We may launch the other before the end of this year. We may launch it right after the end of the year. But it makes very little difference in the total amount required.

I wanted to make that point completely clear. I wanted to make it completely clear that the Senate committee had among its membership the people who knew something about this program, because we sat upon the legislative hearings week after week and, as a matter of fact, year after year. There are at least five such members who were also members of the Appropriations Committee which marked up this bill.

I advocated the entire authorized amount, as my friend, the distinguished Senator from Rhode Island, knows. However, at the same time I stood by the committee finding as to what reduction could be accepted, and that is a reduction of about $14 million as I remember the figure.

It is difficult for me and it is hard to explain in Florida, where I come from, why this was done. There was an extended give and take that took place in that committee, aided also by the comments of the people who had worked hard during all the hearings both on the legislative side and on the appropriations side.

I cannot say too much for the distinguished Senator from Colorado (Mr. ALLOTT) who has been most faithful in his attendance upon the Appropriations Subcommittee as the ranking minority member, and who has made many contributions to the final decision that was made.

The PRESIDING OFFICER (Mr. CASE). The time of the Senator from Florida has expired.

Mr. PROXMIRE. Mr. President, I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the Senator if he can give me 3 more minutes.

Mr. PROXMIRE. Mr. President, I yield 3 additional minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 3 additional minutes.

Mr. HOLLAND. Mr. President, a more difficult thing to understand is the cut in the facilities request, because the House committee did provide for certain facilities work—and the amounts are not large—that was necessary in connection with the ongoing space program. And yet that cut in the facilities request that was worked out by the Appropriations Committee in the House, which, as I say, had no legislative background, would simply disallow certain small facilities construction—no item of it is more than $3 million or $4 million—which is necessary in connection with programs that are moving ahead under other parts of the bill.

The Senator from Nevada knows perfectly well that there is one such facility in his own State which is necessary to support a program approved elsewhere in the bill. And the same thing could be said with reference to the other facilities items that are cut out.

This is a very carefully worked out bill, and it provides for a cut of some $415 million from last year. It provides for an amount little more than half as much as we were spending 4 years ago. It provides for the carrying on of this program with every saving that we knew how to accomplish which could be sustained and still have a practical program move ahead.

Mr. President, I hope that Members of the Senate will decide that their own committee, composed as it is, not only of members of the Committee on Appropriations, but also of at least five members of the Legislative Committee, has a little better background against which to bring out a strong bill than was the case in the other body. Sometimes the situation is reversed but in this matter the Senate committee had, by all means, the better chance to understand these manifold programs and bring out a dovetail program under which we could move ahead without too great a loss of motion and still approve the objectives to which this Nation is dedicated.

Mr. President, I hope the amendment of the Senator from Wisconsin is rejected.

Mr. STENNIS. Mr. President, I wish to inquire how much time remains on the other side.

The PRESIDING OFFICER. The time has expired.

Mr. PASTORE. We yield time to the Senator on the bill. How much time does the Senator desire?

Mr. STENNIS. Five minutes.

Mr. PASTORE. I yield 5 minutes to the Senator on the bill.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 5 minutes.

Mr. STENNIS. Mr. President, I wish to emphasize that throughout this entire year I have never seen any bill worked on more carefully, and more assiduously, and given more time by the Space Committee. There was very little contribution I made to that work myself, even though I do have the privilege of being on the committee. At the markup, in the conference, and in many of the consultations I was able to attend I noticed a searching review all the way through for these 6 months of the calendar year for this entire program. Then, over at Appropriations we had a very lively and splendid discussion of the major parts, virtually all parts of the bill. There was some division of opinion but we got together on this matter in the end.

In committee there was not a unanimous vote on the major items but it was fairly close to it. I have never had more confidence in a bill representing the composite view of the Senate—both the authorization and the appropriation—than the bill we have before us. I think the paring has been very timely and very sound.

We do not have a large part at all of the operation of the space program in my State. But we have a very valuable installation there of some of the finest setups of computers, laboratories, machine shops, and like matters to be found anywhere in the world that we believe should be used, and we believe will be used, and I am confident they will be used to some extent by other departments of the Government.

After the committee heard all the facts in that connection they gladly included an amount for not just the preservation of that facility, but to keep enough technicians and scientists there to have it open for a year at least. I am glad to report progress is being made in using these facilities that were put there to support the testing in all kinds of different activities by the various departments of Government. I mention that because it is an outstanding illustration of salvaging and saving a further investment.

I am content to rest my argument on the careful and sound consideration by these committees. This has been passed on, in effect by the membership of this body, which has shown confidence in the figures.

I thank the Senator for yielding. I yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I wish to say to the distinguished Senator from Mississippi that the Mississippi installation would not be touched by my amendment. That is in a separate part of the bill. It would not touch the language or the appropriation.

Mr. STENNIS. I wanted to touch on that subject matter. I thank the Senator for yielding.

Mr. MILLER. Mr. President, will the Senator from Wisconsin yield 2 minutes to me so that I may ask a question?

Mr. PROXMIRE. I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, I have listened to the discussion with a great deal of interest. I must say that, as a nonmember of the committee, the essence of the arguments in opposition to the amendment seems to be that the committee made an unusually in-depth study of this phase of the appropriations bill. While I appreciate that very much, I am still listening for a response to the point made by the Senator from Wisconsin which was that the cut in the amount of the appropriations is traceable almost entirely to the Apollo program, and that the cut has been offset somewhat by increases in other areas of the research and development program. If that is so, then it seems to me that we are not endangering a loss of our fine industrial scientific complex that has been built into the space program. I would like to have an answer.

Several Senators addressed the chair.

Mr. GOLDWATER. I would be glad to give the Senator the answer, as I understand it.

The PRESIDING OFFICER. Who yields time?

Mr. PASTORE. Mr. President, I yield 2 minutes for this question and answer.

Mr. GOLDWATER. Testimony received the other day from NASA was to the effect that to allow the Nation two flights on Apollo will require an expenditure of between $10 million and $16 million. This money has to be spent to improve the oxygen system. NASA owns all the hardware, if they want to continue to Apollo 20, so it is not an expenditure for more equipment at all. Included in here would be sums for administration, payment of salaries, and so forth.

If we go to one lunar exploration a year in about 2 years we will be out of crews. When we talk about the training of crews, we are talking about a little more money than there is here.

What the Senator from Wisconsin is doing is no more than NASA has already done in reducing to one flight a year.

Mr. MILLER. Mr. President, I appreciate the Senator's response, but I am not sure I understand it yet. I understood the Senator from Wisconsin to say the reduction in the amount of the appropriation bill, as compared to last year, is almost entirely in the Apollo program.

Mr. PROXMIRE. I think I can clarify that. I read a part of the House report that states as follows:

> An appropriation of $2.5 billion is recommended for research and development. This is a reduction of $106.1 million from the budget estimate of $2.606 billion. The funds recommended will provide for one Apollo flight instead of two flights in Fiscal Year 1971.

I understood from what the Senator from Nevada said that the estimate of NASA is that this particular change will save only about $20 million. I do not challenge the Senator from Nevada. I am not sure the NASA estimate is correct, although it may be correct.

However, if we read further in the House report, they stress that this would require careful study. They did say that space shuttle should go ahead and they favor it going ahead.

This would mean they would have to pare programs elsewhere. This would amount to a cut of $122 million out of a $3 billion program, or a 4-percent cut.

Mr. PASTORE. That is correct.

Mr. PROXMIRE. It is my view this kind of reduction can be made without serious injury to the overall program.

Mr. PASTORE. Mr. President, I yield myself 5 minutes on the bill.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, I think this matter has been debated enough and everyone has made up his mind on how he is going to vote. I want to make one point clear.

This is not a question of whether we are going to have a space program or not have a space program. All we are saying is this. It was contemplated originally we would have so many flights to the moon. It does not necessarily mean just because we have the hardware we have to use it, no matter what we are looking for.

I would like to have one of the Members on the floor who have been discussing the matter for the benefit of NASA, to stand up and tell me why we have to go to the moon four or five times more. I have not been able to get a rational answer to that question.

Is it just because we have the hardware that we have to keep going to the moon? Will somebody please tell me what we are going to discover there the third time, what we are going to discover there the fourth time, what we are going to discover there the fifth time? And what is it we are looking for that is more important than improving the education of our children on earth, building homes for the elderly, and so forth? Will somebody please answer that question for me? I have not heard the answer yet.

We are not going to cut out the space program, but there was a mishap on Apollo 13. There is going to be a slowdown. The cut is only 4 percent. That is a cut that is within reason, so we can proceed after a close scrutiny. I do not think it is going to paralyze the space program. All it is going to do is make the program go a little more slowly and bring this matter into proper perspective in view of the other needs of the Nation. I do not believe it is going to hurt the space program. They will live with it.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GOLDWATER. NASA has slowed down. One space flight is planned, not two. Now they are talking about Apollo 15, and the end, not Apollo 22. The testimony before the committee indicated that.

Mr. PASTORE. The Senator said that will be about the end. Why should it not be the end? Tell us any good reason why they have to keep going to the moon. Will somebody answer that question? (Applause in the galleries.)

Mr. GOLDWATER. I tried to.

Mr. PASTORE. I have not heard the answer.

Mr. GOLDWATER. The Senator has not given me much of a chance. They are planned programs and scientific studies relating to the earth itself that will be of value to the earth itself, perhaps not to the group of people the Senator indicated we ought to help, but there is under possible study military use of the moon. We have navigational problems that might be studied with better understanding of what can be handled from the moon itself. I think these are two areas in which addition to man's knowledge will be served.

I think we would be taking a real backward step by agreeing to this amendment. I am surprised that it would be the liberals, who are always criticizing us for going backward, who would make this proposal. It looks like they want to shut the door.

Mr. PASTORE. We do not want to shut the door. The Senator has not given me an answer to my question. All he has given me is generalities. That is what we heard in the committee. They said it is going to be for the scientific improvement of mankind. I understand that, but we have to take care of the immediate needs of man on earth. I am saying, let us not shut off the space program, but let us cut it by 4 percent. Is that so bad when we have need of so many other things?

I asked the question, Do we go to the moon for all this knowledge that will help mankind? The answer was "Yes." Why does the taxpayer of America always have to take care of all mankind? Why do we not look in the mirror once in a while and see the image of America and see what we need to do here?

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GOLDWATER. I am in complete agreement when the Senator from Rhode Island questions where the money is going to come from. The Senator from Arizone has been asking that question for the last 20 years. We keep spending and spending and spending. Yet, as I indicated, in partial response to the Senator's question as to why we want to go to the moon and why they want to do it, I have yet to see a plan come out here on the floor for spending $20 billion, or whatever the amount is, to save our cities and help our transportation needs. I would like to see one.

Mr. PASTORE. It is going to come up right after this one.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, I yield 2 more minutes.

There is going to be a movement to raise funds for urban renewal. We will see what happens on that.

Mr. ALLOTT. Mr. President, will the Senator yield me 1 minute?

Mr. PASTORE. I yield.

Mr. ALLOTT. The Senator has asked why we sould go four or five more times to the moon. I just want to point out that this is a decision for the Aeronautical and Space Sciences Committee, and the chairman of this subcommittee, being a member of that committee, can participate in that decision. But with reference to the budget, there is only one flight to the moon planned for this fiscal year, and that is what we are talking about now, and that flight has been deferred to the first of the calendar year.

Mr. PASTORE. Originally two had been provided for. If Apollo 13 had not been aborted, there would have been two more. Because of that happening, we are going to have one.

My argument is, let us look at this carefully. Let us not go ahead full speed. We have reached the moon. We proved to the world that we could get there first. We threw our hats in the air the first time. Wonderful. We went there the second time to pick up more stones.

What benefit is there in a third trip to pick up more stones?

Mr. PROXMIRE. Mr. President, I yield 5 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I do not think I can add to what the Senator from Rhode Island has said, because he has said it as well as anyone could. I want the record to show my support of his views.

I think the news in the morning's press makes more evident than ever that this country is in serious condition, and that we cannot afford this kind of luxury. This might have been justified in days when we thought we had unlimited wealth and had that responsibility, but I cannot see the justification for our continuing to explore the moon, as the

Senator from Rhode Island has said, three or four or 10 times, when we need this money for so many needs here on earth.

The idea that this bill was carefully worked out does not seem to be relevant whatever to the real question. I have no doubt that it was carefully prepared. With the kind of industrial support it has, and the way the installations have been spread throughout the country, I suppose it has as large a constituency as any program we have, outside the Pentagon itself.

I do not want to be self-righteous about it. I would be bound to confess that if I had a $100 million installation in my State, I would be tempted to vote against a proposal to cut it. I would be hard put to vote against an agricultural program. In fact, I do find it difficult to vote against agriculture programs. I have never voted against them. But I cannot understand why a Senator who does not have a $100 million installation in his State would vote against this proposal, because he surely is sensitive to the needs in other areas. Much though we might have to adjust to the demands of our constituents—and I am not the least bit reluctant to confess I have to do it, as does everyone else—it is a question of judgment in reconciling our national interests to our local interests. Having no such local interest, I think it comes to a matter of priorities, and this demand is far below the demands of education, health, pollution, and so forth.

Yesterday morning the newspapers had a story that right across the river they are dumping raw sewage into the Potomac because they do not have the money to provide adequate sewage treatment, and they do not have any real prospects of getting the money. One reason they do not is that we tax them so heavily for going to the moon and for fighting the war in Vietnam.

I read in the newspapers that the administration is going to ask for an extra $100 million, in addition to the $365 million spent this year, for one little country. Cambodia is asking for more money, according to the papers. The stories are that the Thais are asking for a similar amount for sending troops to Cambodia that we paid them to send to South Vietnam. No doubt the administration will do it, although not with my approval. All these demands, however, are brought to our attention.

I think we have to make up our minds and choose between these matters. It seems very strange to me when I hear that "conservatives" are for the space program. That is to me a very strange use of the terms "conservative" and "liberal." I can see nothing whatever conservative about voting to expand or maintain the space program at its present level. That would seem to me to be radical and irresponsible, in view of the needs of the rest of this country.

As to the need for the war in Vietnam, as everyone knows, I would like to see it brought to a conclusion by a negotiated settlement; but if the administration is unable to do that, and does not do it, no doubt there will be the demand for money to pay for the continuation of it.

We cannot continue to go to the moon and still maintain armies—not only our own armies, but everyone else's armies in Vietnam. This is what is bringing on the bankruptcy of the biggest railroad in this country; and no doubt there will be other bankruptcies. The market continues to move down—not that that in itself is that important, but it is a sign that the leading financial brains of this country are very pessimistic about our economic future.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROXMIRE. Mr. President, I yield the Senator 1 additional minute.

Mr. FULBRIGHT. I cannot understand, if "conservative" means seeking to conserve the basic democratic capitalistic system in this country, how anyone who calls himself a conservative could be so imprudent and profligate as to vote to spend money at this level on matters which are not directly and positively necessary for the continuation of our system.

I believe the Senator from Rhode Island is absolutely correct. He has asked a question that has not been answered. He asked yesterday a very similar question. It was not answered then, and it was not answered today. It certainly is no answer to say it was carefully prepared, or to say that we have the computers, and they ought to be put to work, whether or not they serve a useful purpose.

Are we never going to be able to extricate ourselves from the mistakes of the past? We have computers of all kinds, all over this country, and if we have to keep them working on questionable programs just because we built them in the first place, I certainly cannot see the logic in that argument.

I hope the amendment will be agreed to.

Mr. PROXMIRE. Mr. President, I yield 1 minute to the Senator from New York.

Mr. GOODELL. Mr. President, I support the amendment of the Senator from Wisconsin. It has been contended that we do not have programs in which we can spend money effectively to help our own people. A little later in the debate, I intend to offer an amendment which will increase the amount available for grants for construction of sewage disposal facilities, as provided for in this bill, from $200 million to $500 million. HUD tells us that they have applications ready to go to spend that money effectively. We know our communities do not have the funds available. The House passed the bill with that figure at $500 million. The committee bill provides $200 million.

I support the amendment of the Senator from Wisconsin as a way to cut some money out of this bill that it is unnecessary for us to spend, and then come back and put some money into the places where we so desperately need to solve problems in this country.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. PROXMIRE. Mr. President, I have just 1 minute remaining. I use it to point out that even if this amendment is accepted, and we go back to the House figure, the fact will be that we will still be spending $212 million more than we spent for space last year, leaving the Apollo program aside. The fact is that all of that reduction has been in the Apollo program, which, as we know, is over the hump anyway. I urge the adoption of the amendment.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. PASTORE. Mr. President, I allot 2 minutes on the bill to the Senator from Florida (Mr. HOLLAND).

Mr. HOLLAND. Mr. President, I thank the generous Senator from Rhode Island.

Mr. President, I call the attention of the Senate to pages 693 and 694 of the committee hearings, wherein specific questions were raised about the reduction in expense to be accomplished by going from two lunar flights a year to one. I am quoting, now, from the testimony of Dr. Paine, talking to the Senator from Rhode Island (Mr. PASTORE):

> So, I do not know of any other Government programs, outside of an end of a war, which have decreased as much as we have. We have dropped from 420,000 Americans working on NASA programs to the present 190,000 and will go down to 145,000 by the end of fiscal year 1971.

Then Senator PASTORE asked the specific question:

> But I am talking now about these lunar landings, and I would like to have you direct yourself to that. Do you need the same backup for two as you might need for one, or need the same backup for one as you might need for two?
>
> Dr. PAINE. Yes.
>
> Senator PASTORE. What is the problem here?
>
> Dr. PAINE. Two Apollo flights per year is the minimum number that we would feel comfortable about firing on an 8-hour day, 40-hour week, one-shift basis. We have to have enough people on this one-shift operation, and we have to keep their skills up.

Also, in the testimony on the Apollo 13 accident before the Senate Space Committee on June 30, when I myself was questioning Mr. Myers, the NASA Assistant Administrator for Manned Space Flight, as to the saving, here is his answer to me, as found on page 118 of the transcript:

> Mr. MYERS. Our estimate is that that change in the schedule would save approximately $20 million, rather than the $106 million.

There is no question about it, Mr. President. The House of Representatives, acting without the benefit of a single member of their legislative committee on their Appropriations Committee, did not come to a sound conclusion. The Senate had on its Appropriations Committee, as shown by the hearings record, five members of the legislative committee, including the chairman and the ranking minority member.

Mr. President, I hope the amendment will be defeated.

Mr. CANNON. Mr. President, I oppose the amendment offered by the Senator from Wisconsin (Mr. PROXMIRE). Although the stated intention is to reduce expenditures in our Nation which is faced with growing social problems, the ultimate effect is to kill the proverbial goose which lays the golden egg.

NASA has established a unique record of success during its lifetime in performing tremendously complex space missions. This record culminated with a great and historic achievement on July 20, 1969, when the United States landed men safely on the moon and returned them to earth for deserved acclaim by people around the world. The first mission was followed closely by a second landing, and then the recent superb performance of three brave astronauts who safely returned their space craft after the racking explosion in the service module of Apollo 13.

The really significant point to all this is the demonstrated capability of the United States to state its intention to undertake a long-range goal and perform it despite a variety of highly complex requirements and problems which confront such missions. Our ability to accomplish such missions has established us as the world leader in the field of technology.

By the National Aeronautics and Space Act of 1958, Congress created NASA and directed it to conduct its program so as to contribute to one or more of eight objectives. Among these were the establishment of long-range studies of the problems involved in various space activities, the development and operation of the vehicles necessary to carry equipment and organisms through space, and to preserve the role of the United States as the leader in aeronautic and space science and technology.

Having responded to the mandate of Congress, and after having established a leadership role for the United States in space exploration, we are now at a decision point—whether or not to maintain this role and capability to support future space objectives.

Through the past decade, we have found one thing to be clear: if we are going to continue to be the world leader in science and technology we must continue to support fully a broad-based program of space science and exploration. Many of our programs and projects do not catch public attention as do the manned space missions. But, it is the pursuit of just such research tasks and the establishment of new technologies that will enable our Nation to undertake future aeronautical and space activities and to maintain world leadership in the broader fields of science and technology. Many of these tasks involve discovering fundamentals and advancing the state of the art. By their very nature they are long lead-time projects. They are not always susceptible to precise scheduling of results. Thus, the most severe danger is that they are vulnerable to attack by those who seek ways of eliminating expenditures which do not have immediate results.

The amendment with which we are dealing attempts to reverse the trend in manned space exploration, or to prohibit NASA from undertaking further manned space flight. However, following several years of careful hearings before the Committee on Aeronautical and Space Sciences and studying the planning documents of NASA and the President's Space Task Group, it is clear that a forward looking space program for the future for this Nation should include continuation of manned space flight activity.

The objectives recommended by the Space Task Group state that the United States should emphasize various program activities, including the development of new systems and technology for space operations with emphasis on: first, commonality, second, reuseability, and third, economy—and I wish to emphasize that word—through a program directed initially toward development of a new transportation space capability and space station modules which utilize this new capability.

In April I had the privilege of chairing the Senate Committee on Aeronautics and Space Sciences which was investigating space benefits. I pointed out to Dr. Paine who was the first witness that people frequently ask the question: "What good is it doing?" The testimony and colloquy which followed should be read by all who would threaten the future viability of our space effort or, as I said before, would kill the golden goose.

Our space program has had a great and revolutionary impact on technology, such as computers, aviation, aerospace, the research and development process; on science, such as space astronomy, space photography, space geodesy; on meteorology, where we have already improved our weather forecasting, on communications, where we can now see world events at the very time of their occurrence. New management techniques have been developed through the space program which have revolutionized our ability to get difficult things done in this country.

But, equally important, though a bit harder to define, is the effect our manned space program has had on stabilizing world affairs among the major powers. In a letter to Dr. Thomas Paine, U. Alexis Johnson stated on April 3, 1970:

> The unprecedented success of the program, the free and unfettered openness with which it has been conducted, its contributions to science and to commerce, and the technical and diplomatic skills of our astronauts, all have added greatly to the prestige of the United States in the eyes of the world and to our influence in world affairs . . . contributions of the space program to America's strength are too large and too obvious to need specification in this statement. . . . The success and character of the space program have had an important and highly beneficial effect on our posture in the world and on our foreign relations. It has added to our national strength in many ways, and promoted national security.

Put another way, the Space Task Group noted that:

> The landing on the moon has captured the imagination of the world. It is now abundantly clear to the man in the street, as well as to the political leaders of the world, that mankind now has at its service a new technological capability, an important characteristic of which is that its applicability transcends national boundaries. If we retain the identification of the world with our space program, we have an opportunity for significant political effects on nations and peoples and on their relationships to each other, which in the long run may be quite profound.

The PRESIDING OFFICER (Mr. PEARSON). All time having expired, the question is on agreeing to the amendment of the Senator from Wisconsin (Mr. PROXMIRE). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia (when his name was called). On this vote I have a pair with the senior Senator from Georgia (Mr. RUSSELL). If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from New Mexico (Mr. ANDERSON). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. METCALF (after having voted in the affirmative). On this vote I have a pair with the Senator from Washington (Mr. MAGNUSON). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mr. ERVIN), the Senator from Tennessee (Mr. GORE), the Senator from Washington (Mr. MAGNUSON), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), and the Senator from Texas (Mr. YARBOROUGH), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG), are absent on official business.

I further announce that, if present and voting, the Senator from North Carolina (Mr. JORDAN), and the Senator from Alaska (Mr. GRAVEL), would each vote "nay."

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF), would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Illinois (Mr. PERCY) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), and the Senator from Maine (Mrs. SMITH) would each vote "nay."

On this vote, the Senator from New York (Mr. JAVITS) is paired with the

Senator from California (Mr. MURPHY). If present and voting, the Senator from New York would vote "yea" and the Senator from California would vote "nay."

The result was announced—yeas 35, nays 38, as follows:

[No. 213 Leg.]

YEAS—35

Bayh
Brooke
Burdick
Case
Eagleton
Fulbright
Goodell
Harris
Hart
Hartke
Hollings
Hughes
Inouye
Kennedy
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Schweiker
Spong
Symington
Tydings
Williams, N.J.
Williams, Del.

NAYS—38

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Bible
Boggs
Byrd, Va.
Cannon
Cooper
Cotton
Cranston
Dole
Dominick
Eastland
Ellender
Fannin
Goldwater
Griffin
Gurney
Hatfield
Holland
Hruska
Jackson
Jordan, Idaho
Long
McClellan
Montoya
Saxbe
Scott
Smith, Ill.
Sparkman
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Byrd of West Virginia, for.
Mansfield, for.
Metcalf, for.

NOT VOTING—24

Anderson
Church
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Javits
Jordan, N.C.
Magnuson
Mathias
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Yarborough
Young, Ohio

So Mr. PROXMIRE's amendment was rejected.

Mr. **ALLOTT**. Mr. President, I move that the vote by which the amendment was rejected be considered

Mr. **SCOTT**. Mr. President, I move that the motion to reconsider be laid on the table.

Mr. **PROXMIRE**. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER** (Mr. BELLMON). The question is on agreeing to the motion to table the motion to reconsider the vote by which the Proxmire amendment was rejected.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **METCALF** (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Washington (Mr. MAGNUSON). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. **MANSFIELD** (after having voted in the negative). On this vote I have a pair with the distinguished Senator from New Mexico (Mr. ANDERSON). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. **BYRD** of West Virginia (when his name was called). On this vote I have a pair with the distinguished Senator from Georgia (Mr. RUSSELL). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. **KENNEDY**. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mr. ERVIN), the Senator from Tennessee (Mr. GORE), the Senator from Washington (Mr. MAGNUSON), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), and the Senator from Texas (Mr. YARBOROUGH), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Ohio (Mr. YOUNG), and the Senator from Connecticut (Mr. RIBICOFF) are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF) would vote "nay."

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL) and the Senator from Texas (Mr. YARBOROUGH) would each vote "yea."

Mr. **GRIFFIN**. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), and the Senator from Maine (Mrs. SMITH) would each vote "yea."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from New York (Mr. JAVITS). If present and voting, the Senator from California would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 39, nays 34, as follows:

[No. 214 Leg.]

YEAS—39

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Bible
Boggs
Byrd, Va.
Cannon
Cooper
Cotton
Cranston
Dole
Dominick
Eastland
Ellender
Fannin
Goldwater
Griffin
Gurney
Hatfield
Holland
Hruska
Jackson
Jordan, Idaho
Long
McClellan
Montoya
Packwood
Saxbe
Scott
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

NAYS—34

Bayh
Brooke
Burdick
Case
Eagleton
Fulbright
Goodell
Harris
Hart
Hartke
Hollings
Hughes
Inouye
Kennedy
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Schweiker
Spong
Symington
Tydings
Williams, N.J.
Williams, Del.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Mansfield, against.
Metcalf, against.
Byrd of West Virginia, against.

NOT VOTING—24

Anderson
Church
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Javits
Jordan, N.C.
Magnuson
Mathias
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Yarborough
Young, Ohio

So the motion to table the motion to reconsider was agreed to.

The **PRESIDING OFFICER** (Mr. BELLMON). The bill is open to further amendment.

Mr. **METCALF**. Mr. President, I send an amendment to the desk and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. **METCALF**. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 8, lines 23 and 24, strike "$119,756,500" and insert in lieu thereof "$120,672,500."

On page 9, line 6, strike out "$71,428,600" and insert in lieu thereof "$70,512,600."

On page 9, line 12, strike out "Denton, Texas."

Mr. **METCALF**. Mr. President, I yield 1 minute to the Senator from Missouri.

EXTENSION OF TIME FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO REPORT ON S. 2108

Mr. **EAGLETON**. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare may have until midnight tonight to file a report on S. 2108, the bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes.

The **PRESIDING OFFICER** (Mr. BELLMON). Without objection, it is so ordered.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

Mr. METCALF. Mr. President, if we may have order for 1 minute, I can explain the amendment.

The amendment is offered on behalf of the Senator from Texas (Mr. Yarborough), who is very concerned about this matter. However, he was called out of Washington because of the funeral of one of his dearest and closest friends. The Senator from Texas has asked me to offer the amendment in his behalf.

The amendment would provide that the city of Denton, Tex.—a city for which he has great concern—would not be deferred. Set aside in the bill is $916,000 to be provided for the construction of a public building in Denton, Tex.

Mr. President, I have talked with the Senators in charge of the bill on both sides, and they feel that Denton is not one of the projects that should be deferred.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. PASTORE. Mr. President, I discussed this matter with the Senator from Texas yesterday afternoon and with the Senator from Montana (Mr. Metcalf). I have talked the matter over with my counterpart, the ranking member of the subcommittee, the Senator from Colorado (Mr. Allott), and we are willing to take the amendment to conference.

Mr. METCALF. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Texas (Mr. Yarborough) be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Post Office Construction Funds

Mr. Yarborough. Mr. President, I commend the distinguished senior Senator from Rhode Island (Mr. Pastore) and the members of his Subcommittee for the excellent work they have done on this appropriation bill for the Independent Offices and the Department of Housing and Urban Development.

I would like to call attention to just one item in this measure and discuss it briefly. The need to proceed on this measure expeditiously is appreciated, but I would be remiss in my duty to the people of Texas if I failed to call attention to this important matter.

Under the heading "Construction, Public Building Projects," in the appropriation for the General Services Administration, on page 8 and 9 of the bill, a proviso defers a project of great importance to Texas. This project is the construction of a Post Office and Federal Office Building at Denton, Texas. The deletion of this project which has already been funded and planned is a cause of serious concern.

It is difficult to discern a defensible reason for scuttling this project which was long ago planned, approved and funded. Certainly we are all concerned with the need to exercise fiscal responsibility in these times when the nation's economy has been so badly manipulated toward inflation and recession.

However, I can only describe as fiscally irresponsible action which halts orderly progress toward providing facilities where the need has long ago been demonstrated and amply justified.

The Post Office and office building in Denton, Texas, was proposed in 1964 and was originally scheduled for completion over two years ago. This needed facility should not be delayed and postponed further.

In its budget for 1971, the Administration recommended the "deferral" of this project in Denton, Texas. The amount of money needed to insure orderly progress is not a great amount in relation to that devoted to such construction projects. The amount needed is only $916,000.

While this is a relatively insignificant part of this bill which appropriates nearly $18 billion, it is very important to those citizens of Denton, Texas, who are suffering from the lack of adequate postal facilities. These facilities are necessary in order to provide them with the type of postal service they need and have the right to expect.

I submit that it is an injustice to these citizens to force them to continue to bear the burden of inconvenience and of inefficient mail service caused by inadequate facilities.

In view of the great amount of planning and preparation that has already gone into this project, I believe that it is particularly important that this amendment to permit the funds previously appropriated for the Denton Post Office to be used for the orderly continuation of this project.

This inclusion of this project is of particular concern to me because if the Senate does not take action at this time, the item cannot even be considered when the bill is in Conference. I urge that my amendment be adopted.

Mr. METCALF. Mr. President, I yield back the remainder of my time.

Mr. PASTORE. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Bellmon). The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

AMENDMENT NO. 758

Mr. GOODELL. Mr. President, I call up amendment No. 758 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 39, line 13, strike out "$200,000,000" and insert the following: $500,000,000".

Mr. GOODELL. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GOODELL. Mr. President, the amendment is cosponsored by the Senator from Louisiana (Mr. Long) and me.

My amendment No. 758 would increase appropriations for grants for basic water and sewer facilities from $200 million to $500 million in fiscal year 1971.

This HUD program generally provides financial assistance to communities with a population of 5,500 or more for the construction of water and sewer facilities. The assistance is made in the form of grants of up to 50 percent of the total project cost.

A budget request of $150 million was made for the program for fiscal year 1971. The House approved an appropriation of $500 million and the Senate Appropriations Committee has recommended a figure of $200 million.

This program is essential for the development of our larger villages and towns. Without adequate systems these communities will be unable to attract industry so that they might grow. They will be unable to persuade their youth to look forward to a bright future by remaining in their communities. Mayor after mayor has appealed to me, saying. "We are losing our businesses; we are losing our youth to the big cities—please help us in our efforts to retain a viable community."

At the present time I am making every effort to obtain funds for a water system for the town of Eden, outside of Buffalo. The town is unable to open its new $15 million school because it has an inadequate water system. Because it is reaching its debt limit, the town is unable to finance the school, a water system, and a sewer system. It must have help.

This situation could be repeated, I am sure, in every State in the Union. Another example is the village of Delhi, in Delaware County, N.Y.

The village of Delhi had a 1960 population of 2,307. It was thus eligible to apply for Farmers Home Administration funds.

However, HUD accepted the application due to the characteristics of the community and its projected growth.

The village applied for HUD funds in 1966, 1967 and 1968; the applications were denied because of "lack of funds." The application was returned, with the suggestion that Delhi seek other means of financing.

HUD made no effort to advise the Farmers Home Administration (FHA). Farmers Home knew nothing of these declines—even if it had, they could do nothing with an application until it was officially referred from HUD to FHA.

The community obviously did not know what to do; they wrote me in April 1970 asking if they were now required to file with FHA.

I wrote to HUD on May 12 and reviewed the situation and pointed out that the village had lost 4 years in the FHA pipeline for funding.

HUD responded on May 26 and said they would be glad to consider another application from Delhi, and that they would "be of all possible help within the funding limitations of the program."

The funding limitation have caused the same frustration, delay among countless other communities.

Since the House passed the additional $300 million, I have been in communication with officials of the Department of Housing and Urban Development to ascertain the capabilities of communities to proceed immediately. We all know that there is a grave need for water and sewer facilities in the communities of this Nation. Because of underfunding, thousands of localities have been deterred from providing adequate water and sewer facilities for the people of the community. In some cases, they have been forced to rely on old out-of-date systems or worse, no system at all.

For this reason, I have introduced the amendment to increase the appropriations for the water and sewer grant program from $200 million to the House-passed level of $500 million.

I would like to share the information I received from HUD regarding the program funding problems and I ask that my correspondence with the Department be included in the Record here. The information clearly demonstrates the need for additional funds.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., May 13, 1970.

Mr. W. GERARD LYONS,
Senior Assistant for Congressional Relations, Department of Housing and Urban Development, Washington, D.C.

DEAR MR. LYONS: I am writing to request information with regard to your Department's program of matching grants for basic water and sewer facilities, under Section 702 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3102) as amended.

As you know, the House on May 12 appropriated $500 million for this program, and I would like the following information as soon as possible so that it can be analyzed prior to Senate consideration of the Fiscal Year 1971 Appropriations bill:

1. *Authorizations/Appropriations/Expenditures* (*actual or estimated*).

Fiscal year	Authorization	Appropriation	Expenditures (actual or estimated)
1966	$200,000,000	$100,000,000	[1] $5,684,000
1967	200,000,000	100,000,000	[1] 137,270,000
1968	350,000,000	165,000,000	[1] 156,281,000
1969	200,000,000	165,000,000	[1] 166,830,000
1970	115,000,000	135,000,000	[2] 150,407,000
Subtotal		665,000,000	616,472,000
1971	100,000,000	150,000,000	150,000,000
Total	1,165,000,000		

[1] Actual.
[2] Estimated.

As you know the Act provides that "Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1971."

The above appropriations and expenditures were reflected in the Budget Appendices for Fiscal Year 1968 through Fiscal Year 1971.

I would appreciate it if you would confirm or clarify the following conclusions that I have made in light of this data:

Appropriations.—In view of the fact that funds appropriated by Congress are available until expended, it would appear that $48,528,000 is available for expenditure prior to June 30, 1970.

Authorizations.—It would appear that $500 million in authorization remains available for appropriation for Fiscal Year 1971.

2. FEDERAL MATCHING

Although the Act permits up to 50 per cent matching by the Federal Government, what is the actual average percentage of Federal matching?

Under certain circumstances the Act permits up to 90 per cent Federal matching for communities of less than 10,000. What is HUD's record in providing matching over 50%?

3. HUD DENIAL OF APPLICATIONS

Beginning with Fiscal Year 1966, how many, and what is the Federal share of the cost of, applications have been denied by HUD because of lack of funds, and for which applications have not been resubmitted?

With regard to the Federal cost, I realize that it might be time consuming to provide this data on a basis other than 50–50 matching. However, if time permits, I would like the information to reflect as accurate a picture as possible.

4. REFERRALS TO FARMERS HOME ADMINISTRATION

Beginning with Fiscal Year 1966, how many applications have been referred to the Farmers Home Administration? What is their total Federal cost?

5. PENDING APPLICATIONS

a. Approximately how many eligible applications are pending in Washington that are ready to move if funds were available? I would like the information to reflect the States (or if this is not quickly available, the regions) from which the applications originated. What is their total Federal cost?

b. I would like the same information on applications that are in the various stages of processing in the Regional Offices.

c. Could HUD efficiently obligate $549 million (the balance authorized and the amount in budgetary reserve from previous appropriations) before the end of Fiscal Year 1971?

6. POPULATION LIMITATION ON AREAS ELIGIBLE FOR RURAL HOUSING PROGRAMS

In Conference Report 91–740 of December 12, 1969, House-Senate Conferees agreed that HUD and the Agriculture Department should conduct a joint study on the 5500 population limit on areas for Farmers Home Administration programs. The conferees recognized that there is a distinct gap that exists in rural America that have populations of more than 5500 which are not adequately served by either HUD or Agriculture.

Is this joint study presently under way? When will a report (or an interim report) be issued?

Thank you very much for your cooperation in providing the above information.

Sincerely,

CHARLES E. GOODELL.

DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., May 26, 1970.

Hon. CHARLES GOODELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GOODELL: Thank you for your letter of May 13 regarding our Water and Sewer Facilities Grant Program.

We offer the following comments on the conclusions set forth in your letter.

1. AUTHORIZATION/APPROPRIATION/EXPENDITURES

The $616,472,000 in estimated cumulative obligations as of June 30, 1970, represents projects approvals for which formal grant agreements have been executed. Additional implied commitments, totaling approximately $48 million, are estimated to be oustanding as of June 30, 1970, in the form of fund reservations. Accordingly, total approvals at the end of this fiscal year are estimated to amount to very close to the cumulative appropriation of $665 million, so that the $48,528,000 you have assumed as additionally available for the program has in fact already been placed under fund reservation.

Your conclusion that $500 million in authorization remains available for appropriation for FY 1971 is correct.

2. FEDERAL MATCHING

The average Federal grant participation is 31.5 percent. This percentage is in large measure attributable to the fact that our ceiling on individual grants is $1.5 million so that on large projects (ranging, say, from $4–10 million) the Federal percentage is relatively low.

Ten grants of more than 50 percent, totaling $5,355,461, have been approved to date. Eligibility requirements for such grants sharply curtail the number of under 10,000 communities that can qualify.

3. HUD DENIAL OF APPLICATIONS

Immediately available figures indicate that approximately 2,259 applications, totaling $1,436,000 have been disapproved because of program funding limitations. We have no data available on the number and amount of these disapproved applications which have been resubmitted. The estimated total project costs for these disapproved applications amounts to $3 billion.

4. REFERRALS TO FARMERS HOME ADMINISTRATION

A total of 1,606 requests aggregating $340,377,262 have been referred by HUD to the Farmers Home Administration.

5. PENDING APPLICATIONS

We have no grant applications on hand in Washington, since program operations are decentralized and are administered by our Regional Offices. As of April 30, 1970, the Regional Offices had a backlog of 254 projects, which on the basis of full applications, appear to be legally eligible for grants. These applications request grant funds aggregating $135.1 million. In addition to these full applications, the Regional Offices have on hand preliminary applications (as to which they have made no determination of eligibility) covering an additional 529 projects totaling $292.7 million. Past experience would suggest that from one-third to one-half of these would probably result in full applications for eligible projects.

These raw numbers do not tell the whole story, however. Legally eligible applications must undergo further review to select those which are most deserving and to ascertain the local financial capability to proceed. In this connection, we find that in today's capital market many communities are having great difficulty in financing the local share of project cost.

Therefore, the backlog figures set forth above do not accurately measure the opportunity for efficient use of funds within the program. It is impossible to give you an exact figure without very detailed analysis of the project backlog.

The distribution of the backlog (preliminary and full applications) among the Regional Offices is as follows: Region I (New York), 2.3 percent; Region II (Philadelphia), 16.1 percent; Region III (Atlanta), 19.0 percent; Region IV (Chicago), 37.5 percent; Region V (Fort Worth), 11.5 percent; Region VI (San Francisco), 13.0 percent; and Region VII (Puerto Rico), 0.6 percent.

6. POPULATION LIMITATION ON AREAS ELIGIBLE FOR RURAL HOUSING PROGRAMS

A HUD–USDA Task Force has issued its joint report on this item, as set forth in the enclosed excerpt from the October 6, 1969, issue of the Congressional Record. The Interagency Task Force is continuing to hold regular meetings to develop the implementation of the 16-point program recommended in the report.

I shall be happy to supply any further aid you may require.

Sincerely yours,

W. GERARD LYONS,
Senior Assistant for Congressional Relations.

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., May 29, 1970.

Mr. W. GERARD LYONS,
Senior Assistant for Congressional Relations, Department of Housing and Urban Development, Washington, D.C.

DEAR MR. LYONS: Thank you very much for your letter of the 26th, which was in response to my request of the 13th regarding HUD's Water and Sewer Facilities Grant Program. There are several points on which I would like to have clarification:

1. AUTHORIZATIONS/APPROPRIATIONS/EXPENDITURES

You state that HUD has made additional implied commitments totaling approximately $48 million and these commitments are thus outstanding in the form of fund reservations.

Were these implied commitments made by the Regional Offices?

Is the $48,528,000 not now in budgetary reserve?

2. FEDERAL MATCHING

What is the average Federal grant participation on individual grants that are $1.5 million or under?

What is the average Federal grant participation on individual grants that are over $1.5 million?

How many communities of under 10,000 that met the eligibility requirements for over 50 percent matching were not funded because of program funding limitations?

Of the 10 grants of over 50 percent matching that have been approved to date, what is the average Federal grant participation?

3. HUD DENIAL OF APPLICATION

Of the 2,259 applications that have been disapproved because of program funding limitations, how many of these have come from communities of less than 10,000? Of less than 15,000?

I appreciate your cooperation in providing me with this additional information.

Sincerely,

CHARLES E. GOODELL.

DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., June 18, 1970.

HON. CHARLES E. GOODELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GOODELL: Thank you for your recent letter requesting additional information about the Water and Sewer Facilities Grant Program.

We offer the following comments in response to your questions.

1. AUTHORIZATION/APPROPRIATION/EXPENDITURES

The $48 million represents absolute commitments by this Department for specific water and sewer projects. These funds have been committed but formal grant agreements have not as yet been executed by the Government. This money is not in a budgetary reserve but in fact has been committed for approved projects.

2. FEDERAL MATCHING

The average Federal grant for water and sewer projects is $448,849 or approximately 30% of the total project cost. With the exception of two grants which barely exceeded $1.5 million due solely to relocation expenses, the Department has approved only one water and sewer grant in excess of $1.5 million. This grant of $2.5 million will fund approximately 41% of the total project costs of $6 million.

I find that no projects from communities under 10,000 population which requested a grant in excess of 50% were disapproved because of program funding limitations.

The average grant for the ten projects in excess of 50% Federal participation is $535,546.00 or 70.6% of the total project cost.

3. HUD DENIAL OF APPLICATIONS

I regret to advise you that we do not have available a breakdown of applications from communities of less than 10,000 population or less than 15,000 population which have been disapproved because of program funding limitations. This type of data must be computed manually and unfortunately because of our limited staff we are unable to furnish this type of information at this time.

I appreciate your interest and shall be happy to supply any further information you may require.

Sincerely yours,

W. GERARD LYONS,
Senior Assistant for Congressional Relations.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. LONG. Mr. President, I commend the Senator from New York for offering this amendment. I am aware of the fact that these small communities—and I do not know the situation in New York but I do know the situation in Louisiana—very much want to provide water facilities and sewerage facilities.

The usual experience when they come in with an application for facilities that are desperately needed by the community is that they will inquire of the district office and then be told that they are out of money, and they can file the application if they want to, but there is no money available.

Mr. President, if Senators want to do something about pollution, the place to start is here where communities cannot provide sewerage facilities because the money is not available. In addition, many communities do not have the money to pay the interest rate, and if they could, some of them are bonded to the full extent to which they can bond themselves.

The Senator's proposal would make available this amount of money on a matching basis, is that correct?

Mr. GOODELL. Yes.

Mr. LONG. So for $500 million I am sure the Senator would achieve $1 billion worth of pollution control and sanitation.

Mr. GOODELL. I thank the Senator for his comments and his support. It would be more than $1 billion. The average grant now provided by the Federal Government is 30 percent of the total project costs. Although the law authorizes them to go to 50 percent, in most cases they have not gone to 50 percent matching. The additional $300 million provided in this amendment would provide in antipollution programs well over $1 billion. This is a desperately needed program.

Mr. LONG. The Senator is aware of the fact that we have before the Committee on Finance at the present time a family assistance proposal as part of the welfare package that would increase the cost of Government by about $4 billion a year. We are aware that when that bill comes before the Senate amendments will be offered to run that bill up to perhaps $12 billion a year. This Senator is not too much concerned about the dollar figure for welfare, but I am concerned about what we get for that dollar figure.

The money which the Senator proposes to spend would not only put many people to work in small communities in this country, but also it would help carry out essential program of sanitation, cleanliness, and pollution control. Every job provided in that category is needed, not only for the employment it would provide, but even more for the services to be rendered.

In this area where we are providing something to benefit everyone in the country—and very greatly to those who need it most—we would do well to agree to the Senator's amendment. I shall be pleased to vote for the amendment.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. TALMADGE. Mr. President, I commend the Senator from New York for offering the amendment. I shall support the amendment.

Mr. President, I talk frequently with the mayors in my State. Almost all of them plead and beg for funds for sewer facilities. We hear a great deal of discussion about the problems of our cities, and they are vast problems, indeed. We will never solve the problems of our urban areas until we make it more attractive for people to live in the small towns and villages.

We have water and sewer problems in those small villages and towns that make it utterly impossible for them to attract and hold industries in order to make jobs available to people who are born and reared in those areas.

I have seen the manifold benefits that are produced when towns and villages and small communities in Georgia are able to provide water and sewer systems. Frequently they are able to attract industries to their areas that they were not able to attract before. In that way, they are able to provide jobs for people and when that happens, the people will not go off to the cities where they become the objects of welfare.

This amendment would restore to the pending bill the full amount authorized to be appropriated by section 702 of the Housing and Urban Development Act of 1965, the $500 million for fiscal year 1971.

When the pending bill was reported out of the House Appropriations Committee, it contained only $150 million for the Department of Housing and Urban Development to make grants to communities for basic water and sewer facilities. The present amendment would restore to H.R. 17548 the funds added on the House floor by my good friend, the Representative of the 10th Congressional District of Georgia, BOB STEPHENS. Congressmen STEPHENS successfully led the fight to amend H.R. 17548 to provide $500 million for water and sewer grants to small communities. BOB STEPHENS fought for this amendment because he realized the great unmet need for water and sewer facilities in the small towns and communities of his district.

In December 1969, the Farmers Home Administration conducted a survey of all communities with populations of 5,500 or less to determine the need for water and sewer systems in the rural areas of the Nation. This survey showed that there were 1,003 communities in Georgia without a water system and 1,359 communities without a sewer system. The Georgia Municipal Association has estimated that only about 50 percent of Georgia's population is on public sewerage, and only about one-half this percentage is connected to systems which provide adequate sewage treatment. The 250 million gallons of industrial waste and 225 million gallons of raw sewage are being dumped daily into Georgia streams.

When I talk to mayors and other local officials, I frequently hear desperate tales of raw sewage running in the streets.

In the face of these glaring facts, the attitude of this administration is disturbing. It has taken considerable prodding from Members of the Congress to get the administration to expend the funds appropriated for the use of the Farmers Home Administration for grants to water and waste disposal systems in small villages. When the House of Representatives was debating this issue in May, the administration reported that it had $43 million uncommitted from the funds appropriated for water and sewer for fiscal 1970.

The Department of Housing and Urban Development is authorized to make grants for basic water and sewer systems to communities with populations of 2,000 and above. However, HUD has been referring most of the applications from communities with population between 2,000 and 5,500 to the Farmers Home Administration, which has even less money than HUD.

I hope that if the present amendment is approved, HUD will face up to its responsibility to meet the pressing needs of the smaller communities as well as the larger ones. Some of the most desperate situations in my own State are in communities with less than 5,500 people.

Mr. President, I am shocked, not only by the administration's reluctance to spend water and sewer money appropriated by the Congress; I am also chagrined by the failure of the administration to request more than $150 million to meet a need which requires billions. I realize that the current budget is one of the tightest that we have ever seen. I know that the administration, in making its budget requests, must go through an intricate process of balancing its priorities. However, I submit that the administration's priorities are wrong if it cannot squeeze more than $150 million out of a $200 billion budget to remedy this disgraceful situation. The failure of the administration to request adequate funds for this program is rather typical of an unfortunate set of priorities which plagues our Nation.

Certainly, I would be the last to deny that the explosive situation in our inner cities demands our best efforts. The largest cities of this Nation are fast becoming both unlivable and ungovernable.

However, we can never expect to solve these problems as long as our congested, overcrowded cities are burdened with a continued influx of rural immigrants. Every year, almost half a million people move from the rural to urban areas of this Nation. Some of these are eager youngsters who have moved to the city for an education or for a good job. However, most of this number is poorly educated and ill-equipped to cope with the pressures and problems of urban living. They are fuel on the tinderboxes of our inner cities.

Trying to solve the problems of the inner city while failing to cope with the problem of rural outmigration is like trying to repair a war-torn city while the bombs are still falling.

Unfortunately, we as a Nation have never come to realize this. We scurry about trying to plug holes to avert a crisis here and stop a riot there. We never sit still long enough to determine what must be done to build a healthy society and a society in which everyone will have a chance for a decent kind of life, a quality environment. We must reorder our priorities. We must make a national commitment to not only stop the problem of rural outmigration, but to reverse the trend and relieve the population pressures of our cities.

In regard to the immediate problem, we must, as a bare minimum, provide adequate water and sewage facilities for the small towns and communities of the Nation. Industries cannot be expected to locate in areas without an adequate water supply and without an adequate sewage facility. Rural residents can be expected to leave areas where they do not event have access to these very basic requisites of a decent standard of living.

Increased funding of the water-sewer grant program will not provide a new life for the country. It will not solve the problems of rural America. However, it is a starting point. It is a basic requisite in our attempt to raise the quality of life of rural America and make it an area where people want to live and work.

If we want to do something about pollution, and I think we do, I know of no better place to start than by the installation of water and sewer facilities in the towns, villages, and cities of this country.

I commend the Senator. I shall support the amendment.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. SPARKMAN. Mr. President, I wish to say to the Senator from New York that I had an indentical amendment prepared that I was going to offer when I learned that the Senator from New York was going to offer this amendment. I thought I was one of the sponsors. I would like to be included as a cosponsor of the amendment.

Mr. GOODELL. Mr. President, I ask unanimous consent that the Senator from Alabama may be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I commend the Senator for taking the lead in this matter.

I strongly support the full funding of the HUD water-sewer program. Ever since this program got started in the mid-1960's, it has been evident that it is one of the most sought-after Federal assistance programs we have. Every Member of the Senate, I venture to say, has heard from local governments in his State, time and time again, to help them with an application for a critically needed project in their community. Each of us probably receives more calls on water-sewers applications than for any other Federal program.

There just is no question about the needs of local governments for greater Federal assistance in providing water and sewer lines to the newly urbanizing areas of our country. The program has been running at the level of only $150 million a year, which is completely inadequate. HUD records show that over $2.5 billion in local applications have been turned down, mostly for lack of Federal funds. Total project costs of these grant applications would amount to $5.5 billion. All of us know that this $2.5 billion in turned-down applications does not indicate the real needs of counties and municipalities for water-sewer assistance. During the last 2 or 3 years the HUD regional offices have had a deliberate policy of discouraging further applications because of the lack of funds. If local governments were able to submit applications for all their eligible projects, I think it would be safe to estimate that there would be a backlog of at least three or four times the amount shown in HUD records.

I would like to submit for the RECORD a State-by-State listing of the number of grant applications turned down by HUD. Included in this tabulation are the dollar amounts of grant applications and the dollar amounts of total project costs. I would like to pick out a few States to illustrate what has been happening in this program:

My own State, Alabama, is not as badly situated as some, but we have 51 grant applications for water and sewer assistance, amounting to $15 million, which have not been funded by HUD. California has 271 unfunded applications, for $158 million in grants toward projects costing $365 million. Louisiana applicants have 107 projects unfunded. These amount to more than $70 million.

New York communities are waiting for funding for 426 applications, amounting to $441 million—and so on.

Every State has its communities, desperately in need of water and sewer facilities, which have applied for assistance from HUD. There are more than 4,000 of these unfunded applications, totaling $2,496,750,000.

At a time when we are talking so much about the need for fighting pollution, we ought not to hold up this appropriation designed to help communities to offer their citizens pure water and a healthful waste-disposal system. I am asking that the full list of unfunded applications, by States, be printed at the close of my remarks.

The availability of community facilities, especially water and sewer lines, is directly related to the construction of critically needed new housing. How can we begin to meet our national housing goals—determined by the Congress in the 1968 Housing Act—if we do not provide the necessary public facilities for the development of housing in our newly urbanizing areas? This is particularly important in the current housing market. This is the time to get basic public facilities in place so that when money conditions ease, we will have a start made in at least one area.

I commend the Members of the House for having the foresight and the courage to vote the full $500 million on the House floor. They demonstrated their keen sensitivity to the need and demand for this program. I strongly urge the Members of this body to show the same sensitivity.

Mr. President, I ask unanimous consent that a list of pending grant applications be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LOCAL GOVERNMENT GRANT APPLICATIONS FOR WATER AND SEWER ASSISTANCE NOT FUNDED BY DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

State	Number of grant applications	Grant applications amount (in millions)	Total project cost (in millions)
Alabama	51	$15.68	$33.66
Alaska	15	7.27	17.15
Arizona	31	11.85	26.30
Arkansas	52	20.97	45.57
California	271	158.17	365.25
Colorado	73	19.71	48.62
Connecticut	95	59.82	155.36
Delaware	8	3.30	6.99
Florida	135	69.12	164.03
Georgia	43	19.64	46.39
Hawaii	19	5.78	14.12
Idaho	3	.69	1.39
Illinois	191	89.58	201.96
Indiana	77	48.57	131.00
Iowa	67	20.58	44.89
Kansas	60	13.60	28.89
Kentucky	28	55.89	136.54
Louisiana	107	70.17	158.16
Maine	48	8.31	18.58
Maryland	47	22.44	51.12
Massachusetts	225	93.33	227.23
Michigan	308	331.20	722.95
Minnesota	63	42.49	68.76
Mississippi	29	10.88	28.48
Missouri	104	34.06	80.56
Montana	14	2.47	4.89
Nebraska	45	16.80	48.64
Nevada	16	4.30	11.27
New Hampshire	27	11.84	27.00
New Jersey	163	92.55	209.20
New Mexico	13	2.61	6.83
New York	426	441.50	887.13
North Carolina	48	19.12	51.30
North Dakota	7	2.01	3.51
Ohio	255	204.45	420.62
Oklahoma	51	15.31	36.68
Oregon	47	26.18	65.68
Pennsylvania	317	158.68	343.72
Rhode Island	26	16.93	39.08
South Carolina	44	16.63	48.40
South Dakota	17	3.76	8.07
Tennessee	47	16.33	38.91
Texas	224	55.39	130.52
Utah	60	14.01	33.41
Vermont	33	7.41	16.89
Virginia	55	47.10	101.47
Washington	63	17.06	40.51
West Virginia	36	25.13	35.54
Wisconsin	85	37.79	84.74
Wyoming	5	.37	.79
Puerto Rico	25	5.78	13.81
Virgin Islands	1	.14	.29
National total	4,308	2,496.75	5,538.22

Mr. GOODELL. Mr. President, I thank the Senator from Alabama for his remarks. I am delighted to be able to cosponsor this measure with him.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. LONG. Mr. President, apropos what the Senator said. I was unaware of the thousands of applications that are pending for help in connection with water and sewer services. But there is no doubt in my mind from my experience there would be many thousands more than that applying if they thought the money were available. This is one of the primary services people need. If anyone wants to fight pollution, this is the place to start.

In many instances the pollution begins in these small cities, it flows down the river, and contaminates as it moves along. If the situation were taken care of in the small towns there could be clear water all the way down the river.

I hope the amendment is agreed to.

Mr. GOODELL. The Senator is absolutely right.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. FULBRIGHT. Has the Senator requested the yeas and nays on the amendment?

Mr. GOODELL. Yes.

Mr. FULBRIGHT. I wish to be a cosponsor of the amendment. Mr. President, I ask unanimous consent that my name may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOODELL. Mr. President, I am delighted to have the Senator from Arkansas as a cosponsor of the amendment.

As of April 30, the Department had a backlog of 254 projects that were eligible for funding, for which $135.1 million in grant funds were requested. By the end of fiscal year 1970, about $35 million should have been approved from the remaining funds available, leaving a balance of approximately $100 million in eligible projects that cannot be financed until fiscal year 1971 funds become available.

In addition, on April 30, the Regional Offices had on hand preliminary applications covering 529 projects totaling $292.7 million. HUD advises that from one-third to one-half of these are likely to result in full applications for eiligible projects.

Over the past 5 years, from fiscal year 1966 to the present, HUD has denied 2,259 community applications because of funding limitations. These had a total project cost of approximately $3 billion.

Although HUD officials could give no information on the number of communities that have resubmitted their applications, if my mail from New York is any indication, a great many communities have not resubmitted applications since they feel it is a hopeless effort to apply for funds that are in such short supply, as indicated by the Senator from Louisiana.

HUD has also referred to the Farmers Home Administration a total of 1,606 requests aggregating $340 million. Parenthetically, I should like to note at this point that these applications, however valid the reasons were for referral, add to an already extremely severe financing problem faced by the Farmers Home Administration under its rural water and sewer program for communities of 5,500 or less. For this program, the administration has budgeted for fiscal year 1971 only $20 million in development grants and $40 million in direct loans. I have proposed an amendment to the agriculture appropriations bill which would increase the appropriations for this program, and I will call the proposal up at the appropriate time during the consideration of that bill.

First of all it is apparent to me that the total of projects that could be financed by the Department of Housing and Urban Development in fiscal year 1971 would actually require over $500 million in Federal funds as provided in my amendment.

In addition, I have learned from HUD that the average Federal grant made for a water and sewer facility project is approximately $450,000 which amounts to about 30 percent of a total project cost. Because individual grants are limited to $1.5 million, only smaller communities are able to realize any meaningful assistance from this program. I would submit to my colleagues that this sum would be far from adequate for large cities and much more appropriate for the development of a more modest system.

Mr. President, I felt a responsibility to introduce this amendment. I believe that the fortunes of rural, suburban and urban America are inextricably bound together. Because of our failure to realize this interrelationship in the past, the fortunes of all three have suffered.

The rural and small town communities have been drained of both human and natural resources. The vitality and dynamism that once made these localities the backbone of our society and economy has been sapped.

The urban areas, on the other hand, have been overwhelmed by the tragic migration of people from the rural areas. This migration has created demands to which the city systems and services have not been able to respond. As a result, industry has left for the suburbs and the people have been abandoned in the center city—jobless, poor, and ill-housed.

The suburbs—the ever-widening circles of affluence outside our depressed cities—have entirely different problems than the urban or rural areas. They also suffer from an isolation, both geographical and spiritual, from other communities.

The interrelationship between our communities and the subsequent interdependence has never been integrated into national policy. As a result, each group has become indifferent and even suspicious of the other. Where simultaneous growth should exist for the benefit of all, the resources of one are left to atrophy while those of another are nurtured and cultivated.

For example, today we are discussing the problems of urban renewal and the urgent need to restore our cities. We must recognize that this same need exists in smaller cities, towns, villages, and rural areas. A grant program for the development and construction of water and sewer facilities is an integral part of the restoration or development of our small communities.

Mr. President, I believe the increase to $500 million for the water and sewer grant program appropriation is most warranted.

Since the average HUD grant is approximately $500,000, the additional $300 million, if passed today, may give financial assistance for the construction and development of water and sewer grants to 600 additional communities.

As I mentioned before, these facilities are an essential component in the redevelopment of localities, particularly smaller towns and villages.

In addition, many of the communities that have been denied assistance in the past because of underfunding, will be encouraged to resubmit their applications for grant assistance.

Mr. President, increased funding would also indirectly provide greater assistance to poorer communities—those with a lower tax base.

Currently, the authorizing statute, section 702 of the Housing and Urban Development Act of 1965, as stated previously, permits up to 50 percent Federal matching for the total project cost. The actual Federal share, however, averages 30 percent. Understandably, this practice has been utilized to achieve a wider distribution of funds to a greater number of communities. As a result, however, the local share for water and sewer projects has amounted to 70 percent of the total project cost.

Many localities are simply unable to finance the 70 percent—the lion's share of the financial burden.

The disturbing conclusion is borne out in a May 26 letter to me from HUD which states:

> Legally eligible applications must undergo further review to select those which are most deserving and to ascertain the local financial capability to proceed. In this connection, we find that in today's capital market many communities are having great difficulty in financing the local share of project cost.

In effect, then, many communities become ineligible for Federal assistance.

Mr. President, I submit that if more Federal funds were appropriated, the Department would be in a better position to provide 50 percent of the costs of the projects. Matching at 50 percent would enable many communities that must stay within their statutory debt ceiling to borrow funds to provide their share of the cost of their projects.

Finally, increased Federal funding would allow many localities to move ahead rapidly with their environmental protection programs. They recognize the urgent need to clean up our rivers and lakes so that water is fit to drink. They look forward to the time when polluted waterways can once again become recreation areas.

President Nixon stated in his message on the quality of the American environment:

> At the turn of the century, our chief environmental concern was to conserve what we had—and out of this concern grew the often embattled but always determined conservation movement. Today, conservation is as important as ever—but no longer is it enough to conserve what we have; we must also restore what we have lost. We have to go beyond conservation to embrace restoration. The task of cleaning up our environment calls for a total mobilization by all of us. It involves governments at every level; it requires the help of every citizen.

The Nation's communities want to respond to this call for action. However, they need the wherewithal—the financial assistance—to mobilize for this campaign. At present, the HUD basic water and sewer facilities program is the only program available for restoring clean water to their communities.

As long as the program goes underfunded, these communities will suffer from lack of adequate water and sewer facilities. In addition, because of the interrelationship that exists with others, the people living in communities located downstream or on the same body of water or within a reasonable distance will also have to pay the price for polluted waterways.

As long as insufficient funds are appropriated for this program, real progress toward cleaning up our environment is in jeopardy.

Mr. President, we cannot provide the essential water and sewer facilities for our communities without adequate funding. These facilities are not amenities—they are essential to the health and well-being of our people and critical to the preservation of our environment.

I urge my colleagues to support this amendment, which would provide a total of $500 million for this important program in fiscal year 1971.

Mr. PASTORE. Mr. President, the official budget estimate on this item was $150 million; $150 million was voted out by the House Appropriations Committee, and there was an amendment on the floor to raise the figure from $150 million to $500 million. A teller vote was taken, and it was 73 to 63. About 130 votes were cast.

It came over to our side, and, excepting for the Secretary of Housing and Urban Development, nobody else appeared to testify before our committee.

There was considerable discussion in our committee as to what we should do with that item.

In view of the fact that no presentation had been made, except by the Secretary of Housing and Urban Development, who suggested that we delete the $350 million, the committee increased the sum of $50 million over the budget making it $200 million. The committee felt that in this way the matter would be in conference and open for further discussion.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HOLLAND. As a matter of fact, did we not raise the appropriation last year from $135 million to $200 million, which is a very generous raise?

Mr. PASTORE. That is correct. There is no question at all that the Senator is right. Water is very essential in the communities. Sanitation is very essential. Even in my own State of Rhode Island, where we have a congested population and metropolitan problems, we do have our rural areas, and I know they have difficulties there living with septic tanks. The soil can only absorb so much, and we may have a pestilence or typhoid fever in the future, and then it will be too late to do something about it.

I am not arguing against the amendment. I am going to let the Senate decide what it should do. I certainly am not going to go to conference with a space program of $3.319 billion and say we cannot have sanitation. I tell you very frankly, Mr. President, after what we voted for for space, to argue against this amendment is like arguing against the Ten Commandments, and I am all for the Ten Commandments. If any Senator wants to talk against it, I will give him all the time he needs.

Mr. ALLOTT. Mr. President, I suppose I have been as interested in this particular problem as anyone on the Senate floor has. One of the first speeches I made in the Senate was about pollution in the Potomac, and I found very few interested listeners at that time. That was 15 years ago.

I do not think there is any question that the money the Senator proposes can be used. I do not think there is any question that we could put 10 times the amount of money we are putting into our cities—and we are putting in about $35 billion a year at the present time—and that it could be used. And I do not think there is any limitation on the amount of money that can be used as long as the Federal Government is putting up the major share of the moneys that the cities expend.

This is not an easy thing for me to say, but the Federal Government really is no different from a family. At some time every faimly—at least it was true in my family—has to decide whether it is going to buy Johnny a new pair of shoes or Joe a new pair of pants or Susie a new dress or Joanie a new hat or coat.

We have been talking loosely about what we should do on the floor of the Senate. It is the President's responsibility to come up to Congress with a budget. It is our responsibility to first authorize and then later to appropriate. In this particular bill we are already several hundred million dollars over the budget, and somewhere, some time, somebody has to stand up and point out that we have some responsibilities with respect to our fiscal situation, because with the projected situation as it now looks, we face a $7 billion deficit this year.

I have listened to the economists of President Kennedy and President Johnson, and I have listened to the economists of President Nixon. I heard Gardner Ackley, in the presence of the Secretary of the Treasury, Mr. Fowler, say that the economic impact of deficit spending was in the relationship of $3 or $4 to $1, so that, if we go $7 billion in debt, the inflationary impact on the country is 3 to 4 times that amount, or from $21 billion to $28 billion—the equivalent of printing that amount. The present economic adviser makes the more conservative estimate of 2 to 1.

So we have to decide here among things that we all want. I have many cities which want this money also. I think all of us—or at least I do—have to ask ourselves whether or not, in the whole concept of the needs of this country, building this item up by $300 million above the figure recommended by the committee is being financially responsible, in consideration of the inflationary pressures that are being exerted on the economy.

In my opinion, this is the worst and toughest problem that faces the people of the United States—the problem of whipping inflation. But if we continue with all other bills as we have started, if we fail to pass the revenue measures that we need—and so far there has been very little action on anything on that score—then we are certainly going to be in a deficit position, and a very serious deficit position, which in turn will nullify almost every effort we can make to stop inflation.

I do not quarrel with the junior Senator from New York about the need for this expenditure, nor about its advisability. I point out that my position is to stand with the committee position, and the committee position was already

$50 million over the budget. That was the situation with the $200 million provided in the bill. My chairman apparently, from what he has just said, feels differently. Of course, that is his prerogative, as it is the prerogative of any Senator.

But we have to consider what we are doing to the economy. I point out that I myself, in the past—and I point specifically to the last year—made a motion in committee which raised the amount for this particular item above the budget.

It is meritorious, it is praiseworthy, and it is needed. But we need money, hundreds of millions of dollars, for transportation in our cities. We need hundreds of millions of dollars for new airport facilities all around the country. We need hundreds of millions of dollars to rebuild our cities. We need hundreds of billions of dollars, perhaps, ultimately, to take care of all the needs of our people. We need hundreds of millions of dollars in education. We need hundreds of millions of dollars in research. In fact, any way we look, we need and could use hundreds of millions of dollars.

So, somewhere along the line, we have to chisel out these hundreds of millions—and sometimes billions—of dollars, the need for which faces us on every hand.

Because I thought the committee was taking a responsible position, even though I have gone over the budget before, and I was willing to go over the budget this time, I personally, regardless of how other Senators may feel, out of a sense of responsibility to our whole financial and fiscal picture, intend to vote against the amendment.

I have only one other thing to say, and that is that there is an additional value to the figure placed here by the committee. That value is this: We are going to have many serious items in controversy between the House of Representatives and the Senate. If this figure is put in at $500 million, it would detract and take away from the Senate one of the strong bargaining positions which we now have.

I think that is the whole story, Mr. President, as far as I am concerned. We cannot, on each bill that comes before us say, "This is the only important thing." If we can spend money for this, why can we not do it for space? If we can spend money on that, why can we not do it on sewers? If we can spend money on this, why can we not do it on education? If we can spend money on this, why can we not even build the transportation systems necessary to our cities?

This argument can be used ad infinitum. If we can spend money on transportation for our big cities, why can we not put so much more in cancer research, or schools? We hear this argument day after day, year after year. Simply because I believe that, in this whole concept, it is the responsible position to hold to the figure recommended by the committee, I shall vote against the amendment.

The **PRESIDING OFFICER**. Who yields time?

Mr. **GOODELL**. Mr. President, I ask unanimous consent that the name of the Senator from Louisiana (Mr. LONG) be added as a cosponsor of the amendment.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **GOODELL**. Mr. President, I respect very much what the Senator from Colorado has said. I would simply point out that this country, right now, is in danger of becoming one big national cesspool. I think we can find the money within the restraints of an anti-inflationary policy to build the sewage facilities that have to be built in order to clean up our water.

I yield back the remainder of my time.

The **PRESIDING OFFICER**. Who yields time?

Mr. **PASTORE**. I yield 1 minute to the Senator from Arkansas.

Mr. **FULBRIGHT**. Mr. President, I ask unanimous consent to have printed in the RECORD a list of the unfunded applications for grants for water and sewer facilities in my State of Arkansas as of May 31, 1970, which shows 16 unfunded projects, with a total amount requested of $4,804,000. I merely wish the RECORD to show the situation in my State.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANTS FOR BASIC WATER AND SEWER FACILITIES PENDING AS OF MAY 31, 1970—STATE OF ARKANSAS

City	County	Project No.	Applicant	Project	Grant amount (thousands)
White Hall	Jefferson	WS-0013	City of White Hall	Sewer	$164
North Little Rock	Pulaski	WS-0054	Impr. District No. 104	Water	29
Center Hill	Greene	WS-0067	City of Center Hill	Water and sewer	196
Gosnell	Mississippi	WS-0072	Town of Gosnell	Sewer	180
Conway	Faulkner	WS-0074	Municipal Impr. District No. 5	Water	60
Clarkville	Johnson	WS-0075	City of Clarkville	do	248
Nashville	Howard	WS-0077	City of Nashville	Water and sewer	709
Benton	Saline	WS-0081	City of Benton		57
Malvern	Hot Springs	WS-0082	City of Malvern	Water and sewer	432
Crossett	Ashley	WS-0080	City of Crossett	Water	417
West Fork	Washington	WS-0083	City of West Fork	Sewer	87
Little Rock	Pulaski	WS-0084	City of Little Rock	do	433
North Little Rock	Pulaski	WS-0085	Impr. District No. 96	do	82
Nashville	Howard	WS-0086	City of Nashville	Water and sewer	569
Maumella	New Pulaski	WS-0087	Maumella New Town Water and Sewer Impr. District	do	1,015
Jacksonville	Pulaski	WS-0088	Jacksonville Pulaski	Sewer	26
Total		16			4,804

The **PRESIDING OFFICER**. Who yields time?

Mr. **PASTORE**. Mr. President, I am ready to yield back the remainder of my time.

The **PRESIDING OFFICER**. All time having been yielded back, the question is on agreeing to the amendment of the Senator from New York (Mr. GOODELL). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. **HOLLAND**. Mr. President, will the Senator from Rhode Island yield me just one moment?

Mr. **PASTORE**. I yield.

Mr. **HOLLAND**. Mr. President, I agree completely with the position just stated by the Senator from Colorado. I think the amount we have added to last year's appropriation of $135 million and the budget estimate of $150 million, to make the total of $200 million recommended, is a very generous and very substantial increase.

I call attention to the fact that by no means does this figure measure the total amount of the developments that are involved. I have inquired, and have not been able to obtain the exact facts. I understand from one of the able Senators that his understanding is that the grants cannot exceed 50 percent of the total cost of the development. I do not recall. I am not on the legislative committee which handles this particular matter.

Mr. **ALLOTT**. Mr. President, will the Senator yield at that point?

Mr. **HOLLAND**. I yield to the Senator from Colorado.

Mr. **ALLOTT**. I have just ascertained, having been told by a staff member, that the figure the Senator has used of a maximum of 50 percent is correct; but, because of the number of applications, the funding averages out to about 37 percent.

Mr. **HOLLAND**. It would mean that if the same average applied, the $200 million grants recommended by the committee would be swelled to nearly three times that amount—somewhere between $550 million and $600 million of expenditures—for this excellent purpose in 1971.

I want the RECORD to show that this by no means represents the full amount of the developments which would be involved. It seems to me that we would not only be greatly surpassing what would be a reasonable increase—and the committee has recommended an increase from $135 million to $200 million, which is $50 million more than the House committee recommended—but it would also be such a tremendous increase that I think we would be asking for trouble from the Executive. Of course, I have no authority whatever to speak for the Executive and do not know what his attitude would be; but I certainly feel that such a jump, from $135 million to $500 million, as here proposed, for the grant part of these financial arrangements for basic water and sewer facilities is much too great an increase, and I think it would bring the charge of irresponsibility.

I shall, of course, vote against the amendment.

Mr. PASTORE. Mr. President, the word "irresponsibility" has been batted around. It all depends on what foot your shoe is on. After all, we just got through voting $3,319,303,000 for the space program; and the same people who are now saying that this amount for sewers is inflationary, for some reason had every argument to justify our going to the moon. I say that if we never go to the moon again, I think we can live with it; but if we do not have the proper sewers and we have pestilence, then God help us.

GRANTS FOR BASIC WATER AND SEWER FACILITIES

Mr. HART. Mr. President, the House increased the appropriation for basic water and sewer facility grants from the budget request of $150 million to $500 million.

It is my understanding that persons opposing that increase claim there is no backlog of applications under this program.

That is technically correct because HUD invites a formal application only when it appears that money is available for the project.

Perhaps the best way to make that point would be to quote from testimony offered a House appropriations subcommittee by Samuel C. Jackson, Assistant Secretary to Metropolitan Planning and Development.

In answer to a question about the difference between preliminary and full applications, Mr. Jackson said:

> We have a procedure here, Mr. Chairman, where we have a preliminary application where we take the community through a period of a careful assessment of plans and also we make sure we do not conflict with other water programs, water-sewer programs of one of the other agencies with programs similar to ours. We invite them to file a formal application when it appears that we have the money to actually proceed with that project during that fiscal year.

Testimony indicates that HUD has 1,000 preliminary applications for basic water and sewer grants, but because of the limit of $150 million, HUD will only accept 300 formal applications.

Mr. President, the demand for the full authorization under this program exists. I urge that the Senate concur with the House action.

Mr. BYRD of Virginia. Mr. President, I favor the grant program for water and sewer facilities. It is an important and desirable program.

The Bureau of the Budget recommends the appropriation of $150 million. The Senate committee would increase that to $200 million. I support the $50 million increase, but with a budget so badly out of balance, I cannot support the amendment offered by the distinguished Senator from New York to add an additional $300 million.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of North Dakota (when his name was called). On this vote I have a pair with the distinguished Senator from Georgia (Mr. Russell). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. GRIFFIN (after having voted in the negative). On this vote I have a pair with the distinguished Senator from New York (Mr. Javits). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Idaho (Mr. Church), the Senator from Connnecticut (Mr. Dodd), the Senator from North Carolina (Mr. Ervin), the Senator from Tennessee (Mr. Gore), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Utah (Mr. Moss), the Senator from Georgia (Mr. Russell), and the Senator from Texas (Mr. Yarborough) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Ohio (Mr. Young), and the Senator from Connecticut (Mr. Ribicoff) are absent on official business.

I further announce that, if present and voting, the Senator from Idaho (Mr. Church), the Senator from Alaska (Mr. Gravel), the Senator from Washington (Mr. Magnuson), the Senator from Connecticut (Mr. Ribicoff), the Senator from Texas (Mr. Yarborough), and the Senator from North Carolina (Mr. Jordan) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from Hawaii (Mr. Fong), the Senator from Wyoming (Mr. Hansen), the Senator from California (Mr. Murphy), and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from South Dakota (Mr. Mundt) and the Senator from Maine (Mrs. Smith) would each vote "nay."

The pair of the Senator from New York (Mr. Javits) has been previously announced.

On this vote, the Senator from California (Mr. Murphy) is paired with the Senator from Nebraska (Mr. Curtis). If present and voting, the Senator from California would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 55, nays 17, as follows:

[No. 215 Leg.]

YEAS—55

Aiken
Baker
Bayh
Bible
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Cooper
Cotton
Cranston
Eagleton
Eastland
Ellender
Fulbright
Goodell
Harris
Hart
Hartke
Hatfield
Hollings
Hughes
Inouye
Jackson
Kennedy
Long
Mansfield
McClellan
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.

NAYS—17

Allen
Allott
Bellmon
Bennett
Byrd, Va.
Dole
Dominick
Fannin
Goldwater
Gurney
Holland
Hruska
Jordan, Idaho
Miller
Thurmond
Tower
Williams, Del.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Young of North Dakota, against.
Griffin, against.

NOT VOTING—26

Anderson
Church
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Javits
Jordan, N.C.
Magnuson
Mathias
McCarthy
McGee
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Yarborough
Young, Ohio

So Mr. Goodell's amendment was agreed to.

Mr. FULBRIGHT. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. GOODELL and Mr. PASTORE moved to lay the motion on the table.

The motion to lay on the table was agreed to.

VA HOSPITAL

Mr. CRANSTON. Mr. President, the ranking minority member of the full Labor and Public Welfare Committee, the Senator from New York (Mr. Javits), and his able staff have closely followed and participated in the investigation of the Veterans' Administration hospitals by the Subcommittee on Veterans' Affairs, Senator Javits would have voiced his strong support for the Appropriations Committee amendment to add $100 million to the VA medical and hospital program appropriation had he not been unavoidably absent during consideration of the independent offices appropriations bill, H.R. 17548.

AMENDMENT NO. 762

Mr. HART. Mr. President, I call up my amendment No. 762 and ask that it be stated.

The PRESIDING OFFICER (Mr. Bellmon). Without objection, the amendment will be stated.

The legislative clerk read the amendment, as follows:

AMENDMENT No. 762

> On page 36, line 20, delete the figure "$1,300,000,000" and insert in place thereof the figure "$2,287,500,000".

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HART. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

Mr. HART. Mr. President, this amendment, offered by Senator JAVITS and me, is cosponsored by Senators BAYH, BROOKE, CANNON, CASE, CRANSTON, EAGLETON, GOODELL, GORE, GRAVEL, HARRIS, HUGHES, KENNEDY, MUSKIE, SCHWEIKER, and WILLIAMS of New Jersey.

In addition, 31 Senators joined Senator JAVITS and me in signing a May 26 letter urging the Independent Offices Appropriations Subcommittee to fund the urban renewal program at its full authorization.

I ask unanimous consent, at the conclusion of my remarks, to have a copy of the letter printed in the RECORD.

The PRESIDING OFFICER (Mr. BELLMON). Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. Mr. President, in seeking that full authorization, we honor a commitment made last November when we failed by three votes to add $587,500,000 to the budget request for urban renewal for fiscal year 1970.

What we tried to do then, and what we are trying to do today involves a commitment Congress and the executive branch made to our Nation's cities when the urban renewal program was established in 1949.

That commitment was a promise to help our cities rehabilitate areas of blight.

That we have not lived up to that commitment is evident today by the facts that demand exceeds authorizations approved for urban renewal, that the administration does not even ask for full authorizations, and that Congress fails to appropriate the full amount possible.

Let me break down the authorization-appropriation situation for urban renewal.

Last year's appropriation of $1 billion was $587 million short of the full authorization. That authorization is still available.

On July 1, a new authorization of $1.7 billion became available.

That means Congress can appropriate about $2.3 billion, which is what we seek to do.

If our amendment is accepted, the Senate will add $1.3 billion to the administration's budget request and to the House approved figure, and $1 billion to the total of $1.3 billion recommended by the Senate Appropriations Committee.

The Senate, in addition to last year's vote and the letter signed by 33 Senators this year, has shown strong support for increasing the urban renewal appropriation above the committee's recommendation of $1.3 billion.

On June 22, less than 1 month ago, the Senate, in approving an amendment offered by Senator PASTORE, the able chairman of the Appropriations Subcommittee handling the HUD budget requests, voted 70 to 12 to add about $600 million to the supplemental appropriations bill. Adding that figure to the committee recommendation of $1.3 billion, it can be said that there is clear Senate support for a minimum funding level of about $1.9 billion.

Unhappily, in acting on the conference report, the House struck the $600 million from the supplemental. However, before anyone raises the argument that the House action on that bill indicates the futility of approving an appropriation of $2.3 billion, I would like to quote the position taken in that debate by the chairman of the House Appropriations Committee. Representative MAHON said:

> The 1971 bill is the appropriate and orderly place and time to decide the funding level for urban renewal. . . . The other body will provide whatever sum it decides to provide. Then we will go to conference with the Senate to determine what the final figure will be for the fiscal year. . .

Mr. MAHON based that position on the fact that the supplemental was being considered just 8 days before the end of the fiscal year, and it was hard to claim any urgency in adding the urban renewal funds to that measure.

My point in quoting from the CONGRESSIONAL RECORD is not to support or dispute the position taken by Mr. MAHON, but rather to point out that there is no reason to believe that the position taken by the House on the supplemental will be repeated in a conference on this appropriations bill. More to the point, it seems to me, the position taken by Mr. MAHON argues strongly that the Senate should appropriate the full authorization so as to be in as strong a position as possible in the conference.

But the case for the full authorization for urban renewal rests on far stronger ground than merely seeking to strengthen the Senate's bargaining position.

In correspondence from George Romney, Secretary of Housing and Urban Development, and in testimony by a department witness before a House Appropriations Subcommittee, it was reported that the value of unfunded urban renewal applications on hand at the start of the fiscal year would total $3 billion.

On March 2, in response to a letter from Senator PASTORE, Senator JAVITS and me, Secretary Romney wrote:

> The demand for renewal funds is continuing high. The backlog of applications on hand totalled $2.7 billion on January 1, 1970. We expect this to rise to about $3 billion by the end of the fiscal year after utilizing all funds available.

Lawrence Cox, Assistant Secretary for Renewal and Housing Management, testifying before a House appropriations subcommittee on March 16, said:

> To indicate the need and support for the program, after the $1 billion appropriated for fiscal year 1970 is spent, the Department will have a backlog of urban renewal applications totalling approximately $3 billion.

While some later estimates, I understand, have set the figure at slightly under the $3 billion, the demand on hand still exceeds the full authorization of $2.3 billion, and the short fall will grow as new applications are received during the year.

And in that regard, it is important to remember that HUD cannot approve projects whose costs total more than the amount of money which has been appropriated for urban renewal.

Last year, Secretary Romney testified that new applications are received at the rate of about $200 million a month.

This year, Assistant Secretary Cox, while not projecting a dollar figure, told the House subcommittee that HUD expected that probably "as many as 400" projects would reach the funding stage in fiscal year 1971.

In its budget justification, the Department divided its appropriation request of $1 billion this way:

The $400 million for existing urban renewal programs;

The $300 million for neighborhood development programs;

The $125 million for other existing programs funded by urban renewal appropriations;

And only $175 million for new programs.

According to Mr. Cox, HUD anticipates funding only about 53 new urban renewal projects this year.

Even more serious, the $400 million to be allocated to existing programs for amendatories is $300 million short of the need.

That means, under the budget request, for example, 11 Michigan cities with unfunded neighborhood development programs pending, and another 17 Michigan cities with conventional urban renewal programs pending will have little chance of receiving Federal funds during the coming fiscal year.

That also means that even if we appropriate the full authorization, we will be short of the demand on hand, and only a limited number of new projects will be funded.

Mr. President, the importance of the urban renewal program to rehabilitating our cities perhaps can best be stated in the words of administration officials.

Referring again to his appearance before a House Appropriations Subcommittee, Secretary Cox said:

> The restoration of our decayed and deteriorating urban areas is important for the simple reason that our cities are the core and lifeblood of the surrounding areas. They sustain a wide range of economic, social, educational and cultural activities that might not otherwise be available to the vast majority of people who live in our cities, towns and metropolitan areas.
>
> The urban renewal program is one of our most important instruments for combating environmental problems of all kinds—decayed, rat-infested buildings, overcrowded living conditons and dirty streets, visual ugliness and traffic congestion, inadequate water and unseparated sewer facilities, and even air pollution.

Last year, Secretary Romney made such statements as:

> To meet the 10-year housing goals, urban renewal must provide sites for a substantial portion of the new dwelling units required for low and moderate income persons in locations where they are most needed.
>
> Extensive urban renewal assistance is a prime component in the designated neighborhoods of the 150 model cities. These neighborhoods represent large blighted areas where public facilities and improvements have been inadequate and where a high pro-

portion of the dilapidated and substandard structures are inhabited by low income people. The model city activities cannot succeed without timely assistance from the Urban Renewal Program.

I would like to go back to my comments on Breakthrough and just make one additional point. Breakthrough is only going to succeed if we have adequate funding of the housing programs that are contained in the various housing statutes. This includes 235, home ownership, 236, the rent subsidy, and the rent supplement program, as well as urban renewal. One of the toughest parts in this Breakthrough program is going to be to secure the land for the housing, and urban renewal is one means of securing suitable land for such volume housing projection.

Mr. President, I think that the Secretary made the case for full funding last year, and these remarks are as true today as they were then.

There are those who will contend that any increase in urban renewal expenditures will fuel inflation. I reject that contention on two grounds.

First, according to officials of the National League of Cities and U.S. Conference of Mayors, who support this amendment, as well as officials at HUD, it is my understanding that because of lead time required for planning, little, if any of the money appropriated for urban renewal, regardless of the amount, is spent in the year it is appropriated.

The budget outlay of slightly more than $1 billion was actually appropriated in previous years. However, to repeat, the level of appropriations available controls the number of new projects which can be approved.

Equally important, urban renewal expenditures are not inflationary for, unlike dollars going for ABM, they put goods into the marketplace and increase the tax base for communities.

For example, in the city of Detroit, urban renewal has financed construction or rehabilitation of more than 8,000 moderate and low-rent housing units and added $150 million to the city's tax base.

And the same holds true for small towns which participate in the program. For example, I am told that when a renewal project is completed in the town of Santa Fe Springs, Calif., population, 16,000, the assessed valuation will jump from $146,360 to $1.7 million, with a corresponding increase in tax revenues.

Mr. President, I ask unanimous consent that a report on the accomplishments of the urban renewal program and a list of specific examples of the effect of urban renewal on local tax revenues and assessed valuations prepared by the National League of Cities and U.S. Conference of Mayors be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ACCOMPLISHMENTS OF THE PROGRAM

Housing—Over a quarter of a million new or rehabilitated housing units have already been started or completed (53% low and moderate income housing). When all redevelopment in programs approved through June 30, 1969, is completed, it will have generated nearly 1.3 million housing units (66% low and moderate income).

Jobs—Currently over 5,000 commercial, industrial, and institutional structures have been completed or are under construction. This activity has generated about half a million permanent jobs. When present planned redevelopment is completed, over 2.2 million jobs will have been generated.

Investment—Approximately $5.30 of local private and public investment has been generated for each federal urban renewal dollar.

Tax Base—The assessed tax valuation of land and improvements has increased an average of 240% in completed renewal projects, thus expanding the local tax base.

Selected Examples of the Effect of Urban Renewal on Local Tax Revenue:

1. National City, California (47,000)—Has a renewal project in survey and planning stage. Current assessed value of the area= $595,279; when project is completed there will be a 400% increase to $3,058,912. Real estate taxes will increase from $60,000 to $250,000 a year. In addition, project is expected to generate an additional $100,000 in sales taxes.

2. Santa Fe Springs, Calif. (16,000).

Prerenewal 1964:	
Assessed value	$416,360
Tax revenue	41,730
Postrenewal 1972:	
Assessed value	1,700,000
Tax revenue	170,000

3. Cumberland, Md. (31,000).

Tax revenue before renewal	45,000
Tax revenue after renewal	290,460

4. Tulsa, Okla. (325,000).

Assessed property value before renewal	6,836,000
Assessed property value after renewal	127,734,000

5. Franklin, Pa. (10,000). When project completed, taxes will be approximately $100,000, as opposed to $7,500 prior to renewal.

Examples of increases in assessed or market value of property as a result of renewal (completed projects, existing projects, and proposed projects):

[Rounded figures in millions]

1. San Francisco, California	19.3
2. Los Angeles, California	24.1
3. Hartford, Connecticut	52.8
4. Wilmington, Delaware	3.9
5. Torrington, Connecticut	5
6. Evansville, Indiana	5
7. Wichita, Kansas	11,399,800
8. Baltimore, Maryland	104,355,000
9. Lawrence, Massachusetts	1
10. Boston, Massachusetts	36
11. Flint, Michigan	8.5
12. Muskegon, Michigan	1
13. Atlantic City, New Jersey	3
14. Paterson, New Jersey	7.7
15. Binghamton, New York	20
16. Cincinnati, Ohio	108
17. Toledo, Ohio	14
18. Akron, Ohio	54
19. Oklahoma City, Oklahoma	25
20. Pittsburgh, Pennsylvania	140
21. Lancaster, Pennsylvania	30
22. Providence, Rhode Island	23
23. Whitesboro, Texas	1.065
24. Milwaukee, Wisconsin	6.5
25. New Britain, Connecticut	10
26. Richmond, California	32
27. New Castle, Pennsylvania	100

Examples of Increased Annual Tax Revenue as a Result of Pending, Ongoing or Completed Projects:

	Per year
1. Sylacauga, Alabama	$15,748
2. San Leandro, California	100,000
3. Daytona Beach, Florida	17,000
4. Hilo, Hawaii	125,000
5. Gary, Indiana	30,000
6. Brockton, Massachusetts	40,000
7. Lansing, Michigan	100,000
8. Chisholm, Minnesota	$5,000
9. Columbia, Missouri	78,000
10. Albany, New York	140,000
11. Raleigh, North Carolina	37,500
12. Winston-Salem, North Carolina	1,247,710
13. Middletown, Ohio	14,200
14. Altoona, Pennsylvania	10,000
15. Pawtucket, Rhode Island	300,000
16. Sioux Falls, South Dakota	150,000
17. Morrison, Tennessee	79,000
18. Memphis, Tennessee	381,000
19. Newport News, Virginia	173,857
20. Richmond, Virginia	142,228
21. Hoquiam, Washington	8,000
22. Milwaukee, Wisconsin	724,045
23. Anderson, Indiana	40,000
24. Portland, Maine	33,000
25. Danville, Kentucky	20,000

Examples of percentage increase in assessed property values as a result of pending, ongoing, or completed projects:

	Percent
1. Huntsville, Alabama	500
2. Little Rock, Arkansas	251
3. Stockton, California	600
4. Atlanta, Georgia	200
5. Perth Amboy, New Jersey	400
6. Dayton, Ohio	100
7. Charleston, West Virginia	300

Mr. HART. Mr. President, I think even a brief review of that material indicates that urban renewal programs help cities help themselves.

And finally, Mr. President, there are those who will contend that the administration may not release any of the funds we may add to the budget request.

That possibility should not affect our course of action.

Congress has a responsibility to help determine national spending priorities.

Congress has a responsibility to live up to commitments it has made to the Nation's cities when it established the urban renewal program.

To refuse to add to the budget request is to foreclose any chance that the administration will change its priorities. To refuse to appropriate the full authorization is to break our commitment to our cities.

Mr. President, during last year's floor debate on adding $600 million in urban renewal funds, I said there were four strong reasons for appropriating the full authorization.

Those reasons are as valid today as they were then.

First, the demand for even more than the full authorization is clear.

Second, in establishing urban renewal programs the Congress made a commitment to help rebuild cities. City residents have better reason than most to question the value of such commitments. We should not go back on that commitment now. If we do, we can add urban renewal to the long list of promises that the Federal Government makes but never fulfills.

Third, the level of appropriations controls the number of new starts, whether or not the money is spent the same year.

And fourth, by appropriating the full authorization the Senate can greatly strengthen the hand of its conferees when they meet to settle differences between the House and Senate versions of the bills.

Mr. President, I hope very much that we would appropriate the sum which we have authorized for urban renewal. I know that there are competing demands for various programs. However, as I came in by plane this morning, I happened to read in the current Newsweek magazine of July 13, 1970, a rather dramatic 2-page color advertisement promoting the sale of Caterpillar tractors.

That advertisement showed an urban renewal project in the city of New York captioned "He's Tearing Down New York's Crime Rate."

The advertisement made the point that 591 American cities have picked up the challenge to fight crime by attacking frustrated dreams and hopes in which crime breeds. In fighting crime through urban renewal, we fight the cancer in our midst, the cause of which crime is a symptom.

The advertisement makes the point that we must recognize that crime is a consequence of urban decay.

I urge the Senate to appropriate in full the amount we have authorized to make that fight.

EXHIBIT 1

U.S. SENATE,
Washington, D.C., May 26, 1970.

Hon. JOHN O. PASTORE,
Chairman, Appropriation Subcommittee, Independent Offices and Department of Housing and Urban Development, Senate Office Building, Washington, D.C.

DEAR SENATOR PASTORE: We urge that the urban renewal program of the Department of Housing and Urban Development be funded at its full authorization of $2,287,500,000 for fiscal year 1971.

As you know, late last year 28 Senators joined you in a letter asking Secretary Romney to detail what the total demand for urban renewal funds would be through June 30, 1970. Mr. Romney responded that the demand would total $3 billion after utilizing all funds available.

The urban renewal appropriation for the current fiscal year was $1 billion, which was $587.5 million less than the full authorization. The unused authorization is still available.

On July 1, 1970, a new authorization of $1.7 billion will become available for urban renewal.

If the full authorization were to be appropriated ($2.3 billion), the program would still be $700 million short of the demand on hand at the start of the fiscal year, a short fall which would be increased as new applications are received during the year.

However, the budget request for fiscal year 1971 is once again only $1 billion.

In order to start meeting the tremendous demand for urban renewal funds, we request that the Subcommittee approve the addition of the sum of $1,287,500,000 to the 1971 budget request of $1 billion for urban renewal. The urban renewal program is very important to many communities, both large and small, throughout the country. Indeed, 1000 communities have or are participating in the program. It is most essential that important projects in these communities be funded to the extent possible within the authorization limits.

Sincerely,

Jacob K. Javits, Philip A. Hart, Birch Bayh, Edward W. Brooke, Clifford P. Case, Alan Cranston, Thomas Eagleton, Charles E. Goodell, Mike Gravel, Fred R. Harris, Vance Hartke,

Ernest F. Hollings, Edward M. Kennedy, Walter F. Mondale, Joseph M. Montoya, Edmund S. Muskie, George S. McGovern, Gaylord Nelson, Abraham Ribicoff, Joseph D. Tydings, Richard S. Schweiker, Stuart Symington, William B. Saxbe,

Harrison A. Williams, Jr., Stephen M. Young, Harold E. Hughes, Daniel K. Inouye, Quentin N. Burdick, Thomas J. Dodd, Albert Gore, Howard W. Cannon, J. W. Fulbright, Jennings Randolph.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. PASTORE. Mr. President, I agree with everything that the Senator from Michigan has said. I dare say that no one in the Senate has seen the merit of this program more than the senior Senator from Rhode Island. No one in the Senate has fought harder for it not only in the committee but also on the floor and especially in the conference.

It was agreed that we should offer an amendment on the floor, because I carried out an agreement with the Senator from New York. My colleagues will confirm what I say. When we went to conference, we hit a stone wall, so much so that they wanted us to agree that we would delete the amount because they said that was not the proper place to bring it. They said that just because the money was authorized did not necessarily mean that it had to be funded.

I insisted and insisted and insisted. I would not agree to a compromise. Nor would I agree to the deletion. I insisted that they take it back in disagreement, hoping that if they took it back in disagreement, it would come up for a vote on the floor of the House and that in the meantime the mayors would get to work and come down and talk with their Representatives.

We had telegrams sent out to these mayors. We used the telephone to talk with these mayors. The upshot of it all was that we suffered a tremendous disappointment. When the vote came up on the floor of the House, they sustained their conferees by a vote of 236 to 136. By a margin of 100 the House said no to $587.5 million. What is the Senator from Rhode Island driving at? I have talked with my colleagues, colleagues who are not so sympathetic to this program but who are very understanding of the problem. We inserted in our bill $300 million over the amount allowed by the House which was $1 billion. We made it $1.3 billion. But they gave me a promise that if I hit a stone wall in conference on the $587.5 million they would go along with me on the total authorization for fiscal 1971, which is $700 million.

I do not want the Senator from Michigan to retreat. I do not want him to compromise. I merely want him to understand that when we get through on the floor of the Senate that is only the beginning of the task. The job is in that conference and the job is in the House. I am imploring the Senator from Michigan. I know the problem and I know every nickel of it can be spent. But I have to be reasonable.

I do not know how we will make out in conference. I must say to the Senator from Michigan that if he insists on his increase of $987.5 million in addition to the $1.3 billion already voted, not only do I think there is a possibility we could lose it on the floor, but it might damage our chances for getting $700 million. So I am imploring my good friend from Michigan, for once in his life, to have an understanding of the problem we are up against and agree to modify his amendment to make it $1.7 billion. I think we can get a vote on the floor and get it to conference. In the meantime I hope that he picks up the telephone and calls up all of the mayors in Michigan who talked to their Representatives because I am going to do the same thing with my mayors in Rhode Island, and ask them to come to Washington to talk to Senators as they did to Representatives.

I think we will get the job done. The need is not completely understood in the House, for some reason which I cannot comprehend. The fact remains they threw it down completely; they rejected the $587.5 million by a majority of 100 votes. Do not make me take that back again and hit that stone wall again.

Mr. HART. Mr. President, I yield myself 10 minutes, if all the time has not been exhausted.

Mr. PASTORE. Mr. President, I yield the Senator my time if he will agree.

Mr. HART. Mr. President, I hope the Senator from Rhode Island does not contend that if I did agree it would be the first time I ever understood his position.

Mr. PASTORE. No, no, no.

Mr. HART. Mr. President, if I may respond, I yield myself 5 minutes.

Mr. PASTORE. I will give the Senator 5 minutes from my time.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, we do understand, first, the deep concern the Senator from Rhode Island over the years has taken in the problem of trying to rehabilitate urban centers. We do understand the problem he had in conference with the House in mid-June. I wish to explain some of my problems. Thirty-two other Senators have urged us in writing to do what this amendment seeks to do. For that reason alone I would feel under an obligation not to "retreat."

Second, the issue was presented in the House so late in the fiscal year that I can interpret the House vote, to which the Senator from Rhode Island made reference, as accepting the strong concern of the chairman of the House Committee on Appropriations when he said that with just 8 days remaining in the fiscal year, the 1971 bill is the appropriate and orderly place in time to decide the funding level for urban renewal.

He continues:

> The other body will provide whatever form it decides to provide.

Parenthetically, I hope we provide them with the full amount authorized.

The chairman said:

> Then, we will go to conference with the Senate to determine the final figure for the fiscal year.

The chairman of the House Committee on Appropriations was basing his statement on the fact that the supplemental bill was being considered 8 days before the end of the fiscal year.

Mr. PASTORE. The language is there and the authorization is there.

Mr. HART. The point is that the 1971 bill was the appropriate place to do it.

Mr. PASTORE. He was not talking about the full amount.

Mr. HART. He was talking to his colleagues who voted as the Senator indicated.

Mr. PASTORE. But I called up the mayors and told them the right story and they could have contacted Representatives.

Mr. HART. The mayors had 2 days to get the message to the House. They were geared and they are now geared to insure the message gets to them because they anticipate, as the chairman of the House committee was urging, that this is the bill on which to make the fight, and we do make the fight and the plea.

I told the Senator from Florida I would yield to him.

Mr. HOLLAND. I thank the Senator for yielding.

First, I want to say I have never seen a more combatant head of an effort in conference than the distinguished Senator from Rhode Island in the item of $587.5 million on the supplemental bill. I do not mean he was pugnacious to the extent of being offensive because he was not; but he was completely unyielding.

I want the RECORD to show that every member of the conference committee of the Senate stuck with him on that position. I am one Senator who told him at that time if it were reported in disagreement and if it were turned down by the House I would stand by him to get the $587.5 million on this bill—not the $700 million. I still feel that way.

I hope other Senators will realize what a courageous fight the Senator from Rhode Island put up and I hope Senators will realize what a terrific problem it is that you ask conferees to take on if you add too heavily to the amount to be placed in the bill. As a matter of fact, I thought that the Senator had done a splendid job when he got his committee to agree to add $300 million on to the $1 billion which came over from the House. I have nothing but admiration, respect, and affection for the Senator from Rhode Island, because I saw him under fire. I know he is telling the truth when he told the Senator from Michigan what the situation is.

Mr. HART. I do know without being told that no man in this body would fight more vigorously to obtain moneys for urban renewal than the Senator from Rhode Island. I am sure all of us know that.

I suggest he and his fellow conferees would have their hand strengthened enormously if we sent them there with the full figure and they could bargain down from that if they must.

I yield to the Senator from New York.

Mr. GOODELL. Mr. President, I am a cosponsor of this amendment and it has my strong support. We have a backlog of $3 billion in applications for urban renewal funds. The amount in the amendment of the Senator from Michigan would still not meet the demand.

Urban renewal is a creature of urban neglect. As we have fouled the quality of the air and water around us, as we have desecrated our countryside with a kaleidoscope of neon and billboards, so have we permitted the destruction of our cities. We have rendered them lifeless and decaying in the wake of unemployment, poverty and deterioration.

Now, with the new awareness of environmental quality, we know our resources, both human and natural, are by no means limitless. We realize that we cannot continue to pollute air and water and move on to cleaner air and water. We cannot continue to let our cities decay and deteriorate for there is no escape from this death.

With this emphasis on conservation and restoration of our environment, the urban renewal program has become our most effective weapon for eliminating urban blight and providing a better urban environment.

The urban renewal program provides financial assistance to local communities for the purpose of redeveloping slums and blighted or deteriorating areas. In turn, the local communities must obligate one-third the cost of the project and present a comprehensive plan for the redevelopment of the area. Since the program is highly flexible and dependent upon local initiative, cities are able to undertake a variety of methods to restore and revitalize themselves including the production of housing, commercial development and the construction of public facilities such as schools, libraries, parks, water and sewer lines. The locality may choose any improvement it feels will best help create a decent living environment.

The principal goal of this restoration is to direct the reshaping of urban communities so that they are fit, once again, for human habitation.

It is not difficult to understand that urban renewal funds are much in demand by the mayors of our cities. Since 1949, when the program was enacted, the Federal Government has approved over $8.2 billion in grants to over 1,000 communities participating in the program.

The need for funds continues to increase. Secretary George Romney of the Department of Housing and Urban Development estimates that by the end of June 30, 1970, total demand for urban renewal funds, including projects in model cities, will be approximately $3 billion, after present fiscal year 1970 appropriations have been spent.

Of this $3 billion backlog, HUD records as of March 31, 1970, show actual applications pending from some 500 cities totaling $2.1 billion. In conventional urban renewal alone, there is a backlog of approximately 425 applications, but HUD estimates it can fund only 53 of these next year if the present funding level of $41 billion is continued.

In my own State of New York, there are 75 pending or proposed applications totaling approximately $356,497,000. Without additional funds many cities in New York and other States will be forced to curtail, postpone, or cancel needed community improvement projects.

I have received telegrams and letters from many leaders in New York including the mayors of several cities including Peekskill, Utica, Amsterdam, Syracuse, Ogdensburg, and Rochester regarding the urgent need for urban renewal funds. Understandably, they all support full funding of the program at the $2.3 billion level. The Governor of New York State, Nelson A. Rockefeller, wrote to the distinguished chairman (Mr. PASTORE) expressing this same opinion. For the benefit of my colleagues, I ask that these messages of support be included at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See exhibit 1.]

Mr. GOODELL. Mr. President, against this background of need what funds are available? Congress has authorized, but not appropriated, a total of $2.287 billion, which is made up of: $400 million authorized for fiscal year 1970 in addition to the $1 billion already appropriated; $187.5 million authorized for renewal in model cities areas; and $1.7 billion authorized for fiscal year 1971.

The appropriation of funds, however, has been inadequate. The administration has asked Congress for a $1 billion appropriation for fiscal year 1971. The House approved this request. The $1 billion is totally insufficient. It is $1.287 billion short of what Congress itself has said is needed, as reflected by amounts it has authorized; and $2 billion short of what is needed, as shown by the backlog in pending, unfunded applications.

In addition, since the $1 billion is the same amount appropriated in fiscal year 1970, the administration and the House have made no allowance for increased costs due to inflation. In terms of 1970 dollars then, the fiscal year 1971 appropriation is worth less than the fiscal 1970 funds.

The Senate Appropriations Committee has responded by recommending $1.3 billion for urban renewal. This amount does reflect the realities of inflation with a $300 million increase over last year's appropriation. However, it provides little funding for the tremendous increase in new renewal applications, which I understand are received at a rate of $200 million a month at HUD.

I urge my colleagues to support this amendment which would increase the appropriation by $1 billion to $2.3 billion.

This request for an additional $1 billion is a result of a yearlong struggle in the Senate, which I have supported every step of the way, to increase the funds for urban renewal. In the fiscal 1970 appropriations bill $1 billion was recommended by the administration and Senate committee for urban renewal. An effort was made on the floor to increase the appropriation by $587 million to its authorization level. The amendment was defeated by three votes.

In view of the support for increased urban renewal funds, 29 Members of this body signed a letter to HUD Secretary George Romney, in which he was asked to detail what the total demand for urban renewal funds would be through June 30, 1970. Secretary Romney responded that the demand would total $3 billion after all available funds had been obligated.

Because of this funding backlog 33 Members of this body appealed to the distinguished chairman of the HUD Appropriations Subcommittee to recommend the remaining available authorization of almost $600 million and fiscal 1971 urban renewal authorization of $41.7 billion for a total of approximately $2.3 billion. Even at this much expanded funding level for fiscal 1971 we would be $700 million short of the demand already on hand. The committee's recommendation, as we know, is $1.3 billion.

A successful amendment was introduced by the Senator from Rhode Island (Mr. Pastore) to include the remaining fiscal year 1970 authorization, $587 million to the second supplemental appropriations bill. Although this amendment passed overwhelmingly in the Senate by a vote of 70 to 12, it was not accepted by the House.

The additional appropriation of $1 billion, as provided for in the amendment, should be accepted by the Senate.

I believe it makes economic sense to fully fund the program. If we do not, our expenses will be increased in the future. As long as the program goes underfunded, urban blight will continue to spread unchecked. As it does, the price tag for urban restoration will be greater for two reasons; first, the scope and level of funding will have to be substantially expanded to meet the need and, second, the costs of redevelopment, including labor, land, and materials, will have increased independently because of inflation.

In the past, the urban renewal program has created some disruptions among the affected communities. When the program was first created in 1949, adequate provision for the relocation of people displaced by the renewal activities were not made. As a result, the influx of homeless families compounded the problems of the already overcrowded ghettos. The problem has been largely remedied by legislation and administrative measures which provide more generous reallocation funds and priority for displaced families in publicly assisted housing.

Another problem has been that the housing stock within the urban renewal sites has decreased. Many municipalities, stuggling under a decreasing tax base, have favored construction of commercial and industrial sites which can be assessed at a higher tax rate than residential sites.

The result has been an acute shortage of housing for low- and moderate-income families. This problem was attacked last year with a requirement that whenever a dwelling unit occupied by a low- or moderate-income family is demolished in an urban renewal program, that unit must be replaced on a 1-to-1 basis somewhere within the community.

In addition, one of the major criticisms of the program has been the redtape and delay. During the uncertain planning phase community residents and businessmen have no incentive to maintain or improve their property. This neglect further degrades the neighborhood environment.

After the program begins and the city blocks are leveled, they produce no tax revenues for the municipality. The longer it takes to complete a project, and this often takes 10 years or more, the greater the financial drain on the communities.

Many of these problems are being corrected by Secretary Romney and the HUD staff. They are to be commended for their efforts. The major problem, however, remains—a shortage of funds.

I believe the additional appropriations will help eliminate this delay and redtape. Assistant Secretary Lawrence Cox, Director of Renewal and Housing Management, has stated that inadequate funding lies at the root of the problem. In a recent report, he stated:

> Again, there are many external factors that contribute to these delays. Perhaps most serious are the uncertainties of the Congressional authorization and appropriations process, and the sheer shortage of funds.
>
> A project that spends three years in planning may spend nearly half that time awaiting approval by HUD. But often a large portion of waiting time is due to lack of federal funds to carry out projects that have increased substantially in cost above the initial, preliminary estimates.

I agree with Secretary Cox—the funds have not been available to do the job. The Senate, however, has voiced strong sentiment in the past for higher funding. We do not want the urban renewal program to stifle under the uncertainties of our actions.

We have demonstrated our commitment to this program before by voting for increased appropriations. I urge my colleagues to once again express this commitment by supporting this amendment to provide a total fiscal year 1971 appropriations of $2.3 billion for urban renewal.

EXHIBIT 1

Hon. John O. Pastore,
Chairman, Appropriations Subcommittee, Department of Housing and Urban Development, Senate Office Building, Washington, D.C.:

The crisis in the nation's cities requires a federal financial commitment commensurate with the problem if state and local governments are to successfully halt the spread of urban decay and provide a suitable environment in which to live and work.

Adequate funding of the Urban Renewal Program is essential to meeting these objectives. Since 1961, the State of New York has committed more than $100 million to 60 communities to pay one-half of their costs under the urban renewal program. In recognition of the need to cut red tape and to speed up the building process I recommended to the State Legislature the creation of the Urban Development Corporation which was enacted in 1968. Many states have expressed an interest in this agency and I understand that several are planning to create similar organizations. In less than two years of operation the UDC has signed agreements with over twenty cities and communities in the State for the creation of approximately 29,000 units of housing, nine million square feet of commercial industrial space and a variety of civic facilities. Many of these agreements are for rebuilding urban renewal areas which lay barren for several years due to lack of sponsors from the private sector which the UDC has been successfully able to attract.

I support the Javits-Hart proposal and strongly urge the Subcommittee to approve and recommend to the full Committee that the urban renewal program of the Department of Housing and Urban Development be funded at its full authorization of $2,287,500,000 for fiscal year 1971. The State of New York has the need and the ability to utilize its share of these funds.

Nelson A. Rockefeller.

June 22, 1970.

Peekskill, N.Y.,
May 25, 1970.

Senator Charles Goodell,
New Senate Office Building,
Washington, D.C.

Dear Senator Goodell: As the mayor of Peekskill, New York, a city deeply involved in urban reconstruction having completed two years of a significant urban program I strongly urge your support of full appropriation of 2.3 billion dollars authorization previously approved by the Congress. Without such funding our urban program simply cannot be brought to successful conclusion.

With three billion dollars worth of renewal now awaiting HUD approval in Washington the one billion dollars appropriated by the administration for fiscal 1971 falls far short of needs.

The city of Peekskill will be grateful for any assistance you can give in this most serious matter.

Mich Dibart,
Mayor.

Utica, N.Y.,
May 25, 1970.

Senator Charles Goodell,
Urban Renewal Funding Rally, Senate Office Auditorium, Washington, D.C.:

Due to heavy calendar, regret inability to attend nationwide urban renewal funding rally. Due to rising costs Utica strongly feels the urgency for more realistic budgetary commitment for urban renewal. Respectfully request you use your utmost effort to obtain maximum funding in excess of amount presently contemplated in national budget for urban renewal.

Mayor Dominick Assaro,
Chairman, Urban Renewal Agency.

Amsterdam, N.Y.,
May 22, 1970.

Senator Charles H. Goodell,
Senate Office Building,
Washington, D.C.:

Maximum funding in excess of the amount presently contemplated in the national budget for urban renewal is desperately needed. Without additional funding by Congress of urban renewal funds, Amsterdam's urban renewal projects will be in jeopardy. I urge you who represent us in Washington to do everything possible to secure full funding.

John P. Gomulka,
Mayor.

City of Syracuse,
May 22, 1970.

Senator Charles Goodell,
U.S. Senate,
Washington, D.C.

Dear Senator Goodell: I wish to express to you my personal and deep concern regarding the funding crisis on the federal level which not only threatens the effective continuation of the urban renewal program but also will result in serious consequences for the future of the nations' cities, most certainly including my own.

Syracuse, typically, is beset with a wide range of problems—from the provision of new low and moderate income housing, to creating new jobs for the unemployed and underemployed, to providing land for parks, schools and health centers, to the improvement of declining neighborhoods, to the need for increasing essential services. A strong program of urban renewal is vital to the solution of these problems—which otherwise can only become more serious and acute.

It is our present estimate that some $30 million of federal funds will be needed locally over the next 2-3 years, both to complete existing projects now in execution and to successfully and meaningfully carry out those programs anticipated to result from Model Cities planning. Looking ahead over the decade of the 70's to 1980, a total of some $70 million in federal grant funds may well be required. We believe these estimates are conservative and represent the minimum amount of federal support necessary to supplement state and local financial efforts to meet the basic and essential needs of this city's residents.

It is my belief that sufficient national resources can and must be made available to assure resolution of our urban problems, if necessary by redirecting our national priorities to reflect the urgency of the crisis facing our cities.

I have asked our Urban Renewal Director, John W. Hildebrandt, to represent me and contact you in Washington on Monday and Tuesday, May 25-26, to convey to you the necessity for Congress to meet the critical need for federal committment by appropriating the full amount of urban renewal funds authorized, $2.3 billion, and to ask for your support in this effort.

Sincerely,

LEE ALEXANDER,
Mayor.

ROCHESTER, N.Y.,
May 26, 1970.

Senator CHARLES GOODELL,
Senate Office Building, Washington, D.C.:

Essential that city of Rochester and other urban centers receive not only current level of urban renewal funding but also increased assistance. This city has entered into execution phases of several programs that are revitalizing our community by providing new housing, new commercial construction, new tax base (and new and more federal tax revenues) and has others in survey and planning and in the HUD pipeline. Without adequate federal supports, these programs—and this city—will not survive. We are at the virtual limit of money we can raise through local real property taxes. We are beset by monumental socio-economic problems not of our own making. I urge the President, the Congress and HUD to understand our problems and to respond accordingly.

STEPHEN MAY, *Mayor.*

OGDENSBURG, N.Y.,
May 22, 1970.

Senator CHARLES E. GOODELL,
Senate Office Building, Washington, D.C.:

Urban renewal in the United States will be seriously hampered and damaged if maximum funding in excess of presently contemplated amounts in the national budget is not done at once. Our cities are in direct need of complete repair and cannot wait for any reason. People priority must be put ahead of money priority.

JOHN F. BURNS, *Mayor.*

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. PASTORE. Right after we passed it, I talked with the senior Senator from New York (Mr. JAVITS). It was a Member of Congress from the Senator's own State who moved that they go back to the figure. He explained on the floor what it was all about. He could have refuted anything Representative MAHON said. He was knocked down by a majority of 100 votes.

Let us be practical. Everybody talks about the merits. I do not question the merits, but I am talking about the practical situation. I am the one who has to be there.

Mr. GOODELL. Mr. President, will the Senator yield me 1 minute?

Mr. PASTORE. I yield.

Mr. GOODELL. I served for 10 years in the House and I know the Representatives who serve on the committees. I respect the fact that the Senator from Rhode Island had this problem. Some of those Members do not appreciate the potentials of the urban renewal programs as the Senator from Rhode Island understands it. But we do not deal with conferees by giving in ahead of time in the Senate. The Senator has to take the ammunition there. We are trying to strengthen the hand of the Senator from Rhode Island when he goes to conference. We recognize that he will have a difficult time. But we ought to vote the money necessary, and then go back to battle with the conferees.

Mr. PASTORE. What if the amendment fails on the floor? How strong is my hand then, or have we not thought about that?

Mr. GOODELL. Yes; I am sure the Senator from Michigan and I have thought about it. I think we might then go back with a substitute amendment.

Mr. PASTORE. Then God knows what is going to happen to the substitute. That is the point I am making.

Mr. GOODELL. Perhaps we should go for the figure we have now, and then we will go for a compromise if we do not have the votes.

Mr. HART. Mr. President, I yield 1 minute to the Senator from Oklahoma (Mr. HARRIS).

Mr. HARRIS. Mr. President, as a cosponsor, I rise to support the amendment offered by the distinguished Senator from Michigan and I add my voice to those who have lauded the efforts of the distinguished Senator from Rhode Island.

Mr. President, the urban renewal program created under the Housing Act of 1949 has done much to clean up slums and improve the general living conditions of millions of Americans. The program has helped many small communities as well as the larger urban areas. It is estimated that at least 40 percent of urban renewal funds have gone to cities of 100,000 population or less.

In creating the program in 1949, the Congress committed itself to helping cities rehabilitate blighted areas. Over a period of 20 years—1949-1969—urban renewal contributed substantially to the rehabilitation of our cities. For example, the program has demolished more than 460,000 substandard dwelling units; relocated approximately 270,000 families and 141,000 individuals from grant assisted areas; it has begun or completed 257,000 new or rehabilitated housing units. In addition, urban renewal has generated over 500,000 permanent jobs.

In Oklahoma City the property redeveloped downtown has doubled the real estate tax base. During the 6-year span projected for completion of redevelopment, urban renewal will have generated a $500 million impact on the local economy. This in turn has had and continues to have a twofold effect on the community: first, living conditions of the city's residents are being improved; and second, in a time of high unemployment and inflation, jobs have been produced.

The Oklahoma City urban renewal program is the largest program west of the Mississippi. The three projects involve 12,577.8 acres. In the medical center project alone, the urban renewal program is expected to generate jobs for approximately 10,000 persons by 1975.

Over the years, however, many problems have plagued urban renewal programs, often resulting in needless delays in the completion of programs according to projected timetables. A large portion of the waiting time results from a lack of Federal funds to carry out projects the costs of which have increased above initial preliminary estimates.

It is my understanding that the Department of Housing and Urban Development expects at least 400 projects to reach the funding stage in fiscal 1971. In its budget proposal HUD requested $1 billion for urban renewal with $400 million for existing programs; $300 million for the neighborhood development programs; $125 million for other existing programs funded by urban renewal appropriations; and $175 million for new programs. It is important to note that the $400 million proposed to be allocated to existing programs for amendatories is $300 million short of the need.

The problem and need, however, is more clearly demonstrated by the testimony of Mr. Lawrence Cox, Assistant Secretary for Renewal and Housing Management, before the House Appropriations Subcommittee, in which he stated:

> After the $1 billion appropriated for fiscal year 1970 is spent, the Department will have a backlog of urban renewal applications totaling approximately $3 billion.

Therefore, Mr. President, even if the Congress were to appropriate the full authorization of $2,287,500,000—$1.7 billion available July 1 and approximately $600 million carried over from fiscal 1970—the urban renewal program would still be at least $700 million short of the funds needed to meet the demands at the beginning of fiscal 1971.

Spokesmen for the National League of Cities and the U.S. Conference of Mayors told the Senate Appropriations Subcommittee that at least $2.3 billion was needed and that "never before have so many city officials and community spokesmen—of cities large and small, North and South, East and West—came together for such a commanding purpose as the adequate funding of urban renewal." It was further stated:

> Frankly, we can't go on much longer without your fullest help. It is possible under urban renewal to revitalize, restore, and rehabilitate an entire downtown area—to energize business, to expand a tax base dramatically, and to provide new urban space and buildings to satisfy both the eye and soul.

For these reasons, Mr. President, as a cosponsor of the pending amendment, I strongly urge its adoption. I will have to be absent from the Senate this afternoon and tomorrow in order to be in Oklahoma. I hope this vote will come soon enough for me to vote for it. Otherwise, I will attempt to secure a pair, because I want the amendment to be adopted, and I certainly hope that, if it is adopted, it will be retained in conference.

Mr. ALLOTT. Mr. President, we are now a week into the new fiscal year, and it is appropriate that we take note of the status of the budget. It is especially appropriate that we do this prior to taking any action that would increase the budget deficit.

Further, it is doubly important that we do this prior to voting yet another unanticipated alteration in the budget for fiscal year 1971.

Mr. President, the full and alarming facts about the status of the fiscal year 1971 budget can be found in a report produced by a congressional committee universally respected by all Senators. I am referring to the Joint Committee on Reduction of Federal Expenditures, and to the joint committee's staff report No. 6 which was published last week.

The three-page introduction to that report tells the story and the story is that Congress may be in the process of adding—by action and inaction—as much as $7 billion to the budget deficit for fiscal year 1971.

The joint committee's report tells the story in tables of figures. We all know the story in component parts.

The Congress has voted several expenditures beyond those anticipated by the President when he put together the budget for fiscal year 1971, but the Congress has not acted upon many of the proposals which the President has made in an attempt to raise revenues sufficient to hold the line on the deficit.

Let me give some examples.

First. The Congress has voted a pay raise for Federal employees. This expenditure, which resulted from unexpected difficulties with the postal service, was supposed to be partially matched by revenues raised from increases in postal rates. These increases are supposed to include an 8-cent first-class rate, and are supposed to raise $1.6 billion. Thus far we have not had a chance to vote on this matter, one way or another.

Second. In another effort to offset the cost of Federal pay raises, it has been proposed that the Government speed up the collection of estate and gift taxes. The bill that would effect this has not yet come to a vote, and this is a serious matter because the speedup would net an estimated $1.5 billion.

Third. Another projected $1.6 billion in revenues is at stake in the President's proposal to impose a tax on the lead in gasoline. It has been widely rumored that this proposal is encountering rough sledding in the Congress. However that may be, it is incumbent upon us to bring the matter to a vote, up or down.

Mr. President, just considering these three measures we have $4.7 billion in projected revenues that have not been acted on by the Congress. And these three measures do not tell the whole story.

For example, we should all bear in mind the minitempest occasioned in the Federal teapot when the President suggested the clear and present expendability of the Federal teatasters. This suggestion was made in connection with the President's comprehensive series of suggestions for abolishing or altering various programs. The changes the President suggested would save the Federal Government an estimated $700 million.

All of this takes on special importance when we realize the changes that have been made in appropriations bills and other laws having an impact on fiscal year 1971. These changes include increased expenditures of $500 million already enacted and $1.5 billion in changes that are in progress through the Congress.

Mr. President, these remarks are not meant either to assign blame or to voice a plaintive mea culpa. We all know how hard it is today to exercise efficient and careful control over the massive Federal budget. We all know that this becomes doubly difficult in times of economic uncertainty, and especially when a runaway inflation is being cooled. In circumstances such as these, it is very hard to make projections about revenues.

Still, it is clear that part of our problem stems from a human weakness that is aggravated by a political fact. The human weakness is that we all find it easier to spend money than to raise it. The political fact that aggravates this weakness is the fact that this is a year divisible by two, and that means that there are going to be elections in November.

The last thing our economy needs, and the last thing the American people want, is for the appropriations bills for fiscal year 1971 to be treated like political footballs. We must not allow any partisanship to control our actions on these matters.

There is some speculation in the press these days to the effect that the Congress and the White House may be heading for a series of collisions whereby the Congress passes appropriations bills that exceed the President's anti-inflation guidelines, and then the President vetoes the offending bills, and much political speechmaking is done by all sides.

I very much hope this will not come to pass. I hope that those who criticize the President's tactics in the war on inflation, and especially those who suggest the need for wage and price controls, will talk less about restraining others and more about exercising restraint right here—spending restraint.

Mr. President, I hope I may have the attention of the Senator from Michigan (Mr. HART). In what I am about to say, I do not doubt the sincerity of any Senator, but the Senator from Florida stated the case very well a few minutes ago, as did the chairman of the committee. The chairman of the committee and I do not look at this problem in the same way. That is a fact, and we do not mind admitting that fact. But he has not expressed too strongly at all the situation he found himself in when he was in conference on the supplemental bill, and he had the support of all the Senate conferees present at that meeting.

In view of that fact, and in view of the fact that it was pending, I told the distinguished Senator from Rhode Island in committee, when we were marking up the bill, that if he got $300 million or $400 million, whatever it was, out of that bill—and we thought he would get a compromise at that time—we would put in some money here, which would bring it up to the $700 million point.

I have a commitment that I would go, if we got to it on the floor here, to the $700 million point, and I will go to that point with him.

I ask the chairman if those facts are correct.

Mr. PASTORE. Yes.

Mr. ALLOTT. The practicalities of the situation, in my opinion, are that if we go to conference with the amendment the Senator has offered, we will literally be laughed out of the conference and, in my opinion, we will have a worse bargaining position than we would have had if we had accepted the suggestion that the Senator from Rhode Island, chairman of the committee, has made. The way he fought for this item was not exaggerated by the Senator from Florida at all.

I do not have enthusiasm for the program. I think it high time that our committees looked into a reformation of the urban renewal program. It has done much good, but in some places a lot of things have gone wrong, also, and it is time for that active legislative oversight which we need so badly in many of our programs.

However, if the sponsor of the amendment is not willing to accede to the proposition made by the chairman of the committee, we will just have to vote, and I shall have to vote against the amendment.

Mr. HART. Mr. President, I yield myself 1 minute.

I think I will take the point the chairman of the committee made, that we look at the merits, and leave to others the problem of so-called practicalities. I would much rather vote for it on its merits.

Now I yield 2 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as a cosponsor, I urge passage of the amendment to add $1 billion to the appropriations for urban development. The program is basically sound, and the need is overwhelming.

At the present time, there is a backlog of $3 billion in applications for urban renewal. And new applications during the coming year are expected at the rate of close to $200 million a month.

Yet the bill itself now calls for only $1.3 billion in appropriations.

The proposed amendment would bring Federal spending for urban renewal to a total of $2.3 billion for fiscal 1971—the authorized maximum, but still far short of demand.

Mr. President, in all of our major cities overcrowding, underdevelopment, lack of services, shortage of jobs, filth, pollution, poor schools, inadequate health facilities—these and other problems are becoming more serious every day.

Garbage fouls the air that people breathe;

Endless columns of automobiles rush at each other day after day, helplessly ensnarled in traffic, while slumdwellers wait hours for a bus;

Teachers discard the challenge of learning and become human custodians;

And perhaps worst of all, men and women in countless brick and mortar hovels turn off the lights each night and pray they will not hear the sound of rats moving across the floorboards.

These are facts of life today in this Nation. They are not immutable. They can be changed. But it requires a President and a Congress willing to follow through on our commitment to the rebuilding and rebirth of our urban area.

Mr. President, in my own State of Massachusetts, the backlog of applications for urban renewal is close to $200 million. Yet far less than half of these applications can be funded at present. Passage of this amendment would mean perhaps $60 million more for Massachusetts alone.

Yesterday morning in Boston I met with 35 mayors, planning officials, and other representatives from cities and towns in Massachusetts to discuss urban development. They confirmed that the need for Federal funds is desperate.

The mayor of the city of Boston pointed out that in 1968 the city applied for $76.2 million in additional funds for ongoing projects. Already the delay in funding has added $20 million more to the need, as interest rates and construction costs continue to rise.

The mayor of our smallest city, Newburyport, said that his city's hopes for revitalizing the commercial area have been constantly dashed by the failure of the HUD regional office even to forward the application to Washington.

A representative from Lowell noted that 5 years ago that city's Hale-Howard urban renewal project was announced. The area has since deteriorated, with buildings abandoned and the land useless, while the city cools its heels waiting for Federal funds.

A spokesman for the Massachusetts' selectmen pointed out that towns and smaller communities have serious housing and other problems but get almost no help at all. Officials discourage them from even filing applications.

The mayor of Fitchburg conveyed the depressing psychological effect on citizens when the Federal Government fails to follow through on its promise of urban assistance. Citizens become involved in facing up to their development problems and planning for solutions. The Federal Government holds out the promise of assistance. The city and its residents develop detailed applications and start working through the Federal red tape.

But then, as the mayor pointed out:

> By the time the application is funded, it is often only 50 percent of what is needed.

People foresee the problem, but then are frustrated by late and inadequate funding, if the application is approved at all.

The conclusion of those at my meeting was unanimous: Adequate funding of urban development is vital to the quality of life in our cities for the 1970's and beyond.

I ask unanimous consent that the following material be printed in the RECORD at the conclusion of my remarks: A list of participants in the July 6 meeting; a city-by-city breakdown of unmet pending or proposed applications from Massachusetts; several letters given to me at the meeting describing urban needs; and a statement which I issued in connection with the meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. KENNEDY. Mr. President, the record shows that, when Federal development funds have not been too little and too late, the benefits have been substantial.

First, urban development is anti-inflationary. It helps to meet the critical shortage of housing at a time when costs and interest rates are at an alltime high, and it generates over $5 in local private and public investment for every Federal dollar spent. Moreover, the $2.3 billion which I hope the Senate approves today would be spread out over the life of the projects involved, often as much as 10 or 15 years.

Second, urban development lessens the rise in taxes. I was impressed with the statement made by one mayor of a city in the Commonwealth of Massachusetts who has been in office for several years, and who has taken advantage of the urban renewal programs. He showed to this group a comparison of what has happened to the taxpayers over the period of the last 10 years, and compared the tax base there with that of communities in surrounding areas that have not taken advantage of those Federal funds.

The significance is that he was able to show that, as a result of the increase in the base of the taxable property, with the increased jobs, with the increased businesses that came into the city, the tax rates have been dramatically reduced in comparison with those in effect in surrounding communities.

Nationally, the tax base of land developed with Federal assistance has increased by an average of 240 percent.

Third, urban development creates jobs. In Boston, it has meant 12,000 new permanent jobs in the last decade. Nationally, there will be over 2 million new jobs when present projects are completed.

Fourth, urban development supplies badly needed housing. In Boston, it has meant over 13,000 new or rehabilitated housing units worth $170 million. In 1968, Congress set a goal of 26 million additional housing units by 1978. On the basis of funding to date, we are proceeding at less than half the necessary pace to achieve that goal.

Fifth, urban development attracts business. A refurbished downtown commercial area, an industrial park, or simply the availability of attractive housing—all of these bring new business into an area and give a strong boost to the economy.

Sixth, urban development offers new public services—schools, libraries, health facilities, water and sewer facilities, new streets, and so on.

In short, Mr. President, federally supported urban development offers new hope and new opportunity to millions of citizens. It brings life and vitality to deteriorating neighborhoods and troubled cities. It opens the door for expansion and prosperity in the decades ahead.

Certainly the program is not perfect. It still does not concentrate enough on low- and middle-income housing. Despite recent regulations that any housing units destroyed must be replaced, we are behind on this. And there still are some problems concerning adequate community consultation and representation in urban renewal decisions. Congress must follow these matters closely, and make appropriate changes when required.

But by and large urban development has been a success.

Ultimately, Mr. President, the amendment we are considering today raises a broader question: Does the Federal Government intend to help our cities at a time of urban crisis, or are we willing to write them off?

One expert on cities described the problem this way:

> The policy of the public authorities of never taking an initiative, and always waiting to be urged to do their duty, is obviously fatal in a neighborhood where there is little initiative among the citizens. The idea underlying our self-government breaks down in such a ward. The streets are inexpressibly dirty, the number of schools inadequate, sanitary legislation unenforced, the street lighting bad, the paving miserable . . . The older and richer inhabitants seem anxious to move away as rapidly as they can afford it.

That paragraph was written nearly 80 years ago by Jane Addams to describe the slums of Chicago. Yet today it is a strikingly accurate description of ever larger sections of every major American city.

Small wonder that one of the mayors I spoke with Monday said:

> People are losing faith in the ability of the government to act.

Frustration at the lack of urban renewal funds is turning to a pessimism about whether the Federal Government really cares.

Mr. President, another mayor I spoke with perhaps summed up the situation best when he said:

> Our cities are deteriorating and our towns are deteriorating and we must reorder our national priorities in Washington.

I fully endorse that sentiment. And I am deeply concerned that in a whole range of areas vital to cities and urban areas alike, the administration is holding back rather than moving ahead.

Education is the key to advancement; school districts are more badly strapped for funds than ever before. Yet the President vetoes education spending.

Health facilities and services are still wholly inadequate. Yet the President vetoes the Hill-Burton health bill.

The backlog of urban development applications is over $3 billion. Yet the administration requests only $1 million.

Water and sewer facilities are the necessary first step to developing new neighborhoods. Yet the administration discourages applications, and asks for only one-third of the needed funding.

Drug abuse pervades our cities. Experts and laymen alike agree that we must make a comprehensive attack—stressing education, rehabilitation, and research, covering the medical, social, and psychological factors underlying the turn to drugs. Yet the administration pushed a very narrow bill which deals only with law enforcement.

Mr. President, today we have the opportunity to take a great formal stride in at least one of these areas: The revitalization of our cities. Today millions of Americans are living in dilapidated houses, infested with rats, with no heat in the winter and scorching heat in the summer, buried in the ghetto, struggling to eke out a minimum standard of living. Less than half the demand for Federal funds for low-income rental housing is being met.

Yet the headlines this morning proclaim that the administration plans to build 100,000 new houses over the next 5 years for the families of Vietnamese soldiers. The administration says we cannot spend on housing at home, because of our heavy military expenditures abroad; and then it turns around and spends money on housing in the very country we are destroying in an unwanted war.

In conclusion, Mr. President, I feel that the mayors from Massachusetts whom I talked with made a very powerful argument in terms of the urban renewal programs and other Federal assistance programs to the cities. In hearing from the mayors of the Commonwealth about their experiences, about the increasing job opportunities that have been made available because of urban renewal programs, about the new sites for housing programs which have been provided, about the beneficial impact on taxes, and about other accomplishments, I thought that they effectively rebutted arguments against these funds, including the argument which is made so often that this is an inflationary expenditure of funds.

They pointed out only too well that unfortunately by the time many of these communities get the funds in order to complete their programs, anywhere from 2 to 3 years or more have passed.

I thought they were able to meet very well what I think have been the longtime objections to these increases in a most important and convincing way. So, Mr. President, I hope that the pending amendment will be adopted. I feel, as has been stated here, that with the backlog which exists, and with the new applications totalling some $200 million a month that are coming into HUD at the present time, there is an extraordinary need for these programs by the cities and the smaller communities around the country. I urge that the amendment be agreed to.

EXHIBIT I

MAYORS AND OTHER PARTICIPANTS IN JULY 6, 1970, WITH SENATOR KENNEDY ON URBAN RENEWAL

Rev. James J. Bretta, Funding Coordinator, Somerville.

S. Lester Ralph, Mayor, Somerville.

James F. Silk, CDA Administrator, Lowell.

William A. Kealy, CDA Director, Lowell.

Louis Sinclitico, Chairman NARA, North Adams.

Joseph R. Bianco, Mayor, North Adams.

Alan Marden, Ex. Dir. NARA, North Adams.

Henry Z. Horn, Asst. Exec. Director, New Bedford Redev. Authority.

Kevin H. White, Mayor, Boston.

E. William Richardson, Dep. Commissioner DCA, Boston.

Elliott Friedman, Boston Redevelopment Authority, Boston.

Thomas J. Conry, Jr., Mayor's Adm. Assist., Fitchburg.

Dixie Swanson, Mass. League of Cities and Towns.

William G. Flynn, Mayor, Fitchburg.

Larry Duffy, Assessors Chairman, Waltham.

Thomas F. Sullivan, Mayor, Melrose.

Arthur J. Clark, Mayor, Waltham.

Byron J. Matthews, Mayor, Newburyport.

John Blake, Jr., Administrator, Malden.

Walter J. Kelliher, Mayor, Malden.

Gerald Gallagher, Mass. Mayors Assoc., Malden.

Frederick C. Conley, Mass. League of Cities and Towns.

Earl Riley, Chairman PRA, Representing Mayor Mavroulas.

Kenneth Pickard, Mass. League of Cities and Towns.

Thomas A. Piggott, Mayor, Attleboro.

Robert P. McManus, Asst. to Mayor, Lynn.

Robert E. Donelan, Administrator, Lynn Redevelopment Authority.

Paul Levenson, Esq., Special Counsel, Everett.

Sean Dunphy, Mayor, Northampton.

Joseph Ferrecchiu, Marlboro Redevelopment Authority.

Peter Panagone, Marlboro Redev. Authority, Exec. Director.

Henry D. Hersey, Alderman, Needham.

URBAN RENEWAL NEEDS IN MASSACHUSETTS

The Massachusetts League of Cities and Towns has been a strong proponent of full funding of the $2.3 billion authorization for urban renewal for fiscal year 1971. In various publications, it has reported Congressional action in this regard, as received from the National League of Cities and other sources, and urged action among the State's mayors, managers and selectmen in obtaining Congressional recognition for the additional $1.3 billion necessary to reach that amount.

In the course of this effort, the League has found that apparently no agency of government in the Commonwealth has a tabulation that readily provides a state-wide summary of project needs, both existing and planned . . . which is valuable information for Congressional debate. It has had to resort to its own interpretation and analysis of certain computer printouts of urban renewal project data, which for the most part, provide only a sketchy summary of the actual dollar needs.

However, for what it is worth, the League can report that an apparent $206,734,000 is needed to complete existing projects in the Commonwealth. Boston alone needs $80,000,000, as is indicated in the attached document, which shows the amounts for all municipalities with urban renewal programs. Obviously, projects planned but not submitted to HUD are absent from this tabulation, as are existing projects without dollar amounts reported.

Regardless of whether actual needs are $206,734,000 or something greater, the fact remains that necessary projects stand incomplete and vulnerable to economic factors which will only raise their costs, such as tight money and construction prices that are currently increasing ten percent annually, some $20,000,000 per year in this instance.

Without a doubt, full funding is indeed necessary.

A LISTING OF URBAN RENEWAL FUNDING NEEDS IN MASSACHUSETTS BY MUNICIPALITIES AND IN ACCORDANCE WITH PROJECTS REPORTED BY HUD AS OF FEB 28, 1970

Community	Type of program	Dollar amount
Adams	Urban renewal	2,838,000
Beverly	do	4,559,000
Boston	No breakdown	[1] 80,000,000
Brockton	Urban renewal	6,425,000
	do	4,422,000
Brookline	do	6,409,000
	do	3,333,000
	do	163,000
Cambridge	Community renewal	186,000
Fall River	do	80,000
	Urban renewal	9,174,000
Fitchburg	Urban renewal	3,731,000
Framingham	do	1,621,000
Glouchester	do	1,986,000
Haverhill	Neighborhood development program.	1,930,000
Holyoke	Community renewal	91,000
	Urban renewal	3,411,000
Hull	do	2,499,000
	do	28,000
Lawrence	do	2,155,000
	do	3,776,000
	Code enforcement	967,000
Lowell	Urban renewal	4,724,000
	do	6,572,000
	Demolition	95,000
Lynn	Urban renewal	668,000
Malden	do	5,232,000
	do	9,270,000
	do	454,000
Marlboro	do	3,470,000
New Bedford	do	6,334,000
	do	10,846,000
Newton	do	1,684,000
	Code enforcement	444,000
Peabody	Urban renewal	4,576,000
Quincy	Code enforcement	250,000
Springfield	Urban renewal	8,941,000
Woburn	Neighborhood development program.	2,134,000
Worcester	Urban renewal	1,256,000
Massachusetts total		206,734,000

[1] HUD printout provides no dollar amounts for many Boston projects. Total figure for that city, according to redevelopment authority, is approximately $80,000,000.

Source: U.S. Department of Housing and Urban Development, Locality Status Report, Feb. 28, 1970.

MARLBOROUGH, MASS.,
July 3, 1970.

Senator EDWARD M. KENNEDY,
J.F.K. Federal Building,
Boston, Mass.

DEAR SENATOR KENNEDY: The status of the project Mass R–136 in our City is as follows:

The local public agency is preparing Part 1 for submission for the offices of Housing and Urban Development some time in July 1970.

This project has been funded for 3.5 million dollars and our nearest estimate at this time of additional funding reserve that will be required is 2.8 million dollars, placing our needs at 6.2 million dollars for execution of this project.

In attendance at this meeting, I shall send as my representatives, the Executive Director, Peter Panagore, and the Relocation Director, Joseph Ferrecchia.

If there are any further questions, please feel free to ask Mr. Panagore at this meeting.

Very truly yours,
FREDERIC A. COLE,
Mayor.

NEW BEDFORD, MASS.,
July 3, 1970.

Hon. EDWARD M. KENNEDY,
Senator from the Commonwealth of Massachusetts, New Senate Office Building, Washington, D.C.

DEAR SENATOR KENNEDY: In response to your request concerning the City of New Beford's fiscal needs and requirements concerning urban renewal activities within our City, I have been informed by the Executive Director of the New Bedford Redevelopment Authority that the below listed amounts will be necessary to fulfill this City's present programs:

South Terminal (Mass. R-96)	$2,700,000
North Terminal (Mass. R-109)	2,500,000
West End (Mass. R-143)	1,500,000
Model Cities Improvement	12,500,000
Total	19,200,000

In addition to the above listed $19,200,000 added to the $55,000,000 presently approved or reserved there are at least three other prime areas delienated in our Community Renewal Program (CRP) currently estimated at approximately $40,000,000 that will be necessary within the next few years.

We would consequently, endorse any and all efforts on your part to restore and add funds to the federal renewal budget at the best means available in solving the most serious physical environment problems that this City and other urban communities cannot undertake without federal assistance.

Respectfully yours,

GEORGE ROGERS,
Mayor of the City of New Bedford.

NORTH ADAMS REDEVELOPMENT AUTHORITY,
North Adams, Mass., July 6, 1970.

Senator EDWARD M. KENNEDY,
J. F. K. Federal Building,
Boston, Mass.

DEAR SENATOR KENNEDY: It is a pleasure to present the following account of the fiscal status of Massachusetts R-91, the Main Street Urban Renewal Project of the North Adams Redevelopment Authority.

The Authority is currently in the first quarter of the executive stages of Mass. R-91. This project has a total approved budgetary figure of $4,518,003.00, $2,965,332 of which has been expended to date.

It is the best estimate of the Authority staff, at this time, that it will require an additional $250,000.00 to complete Mass. R-91.

I would respectfully suggest, also, that the North Adams Redevelopment is expecting to make application for two additional urban renewal projects—both devoted to create and renovate housing units in and for the City of North Adams.

It is essential, both for the completion of Mass. R-91, and for initiation of sorely needed housing programs, that adequate federal funding be continued in the three-party governmental program—federal, state and local, which has proved so effective in curing the physical urban problems of our cities.

Respectfully submitted.

LOUIS R. SINCLITICO,
Chairman, N.A.R.A.
JOSEPH R. BIANCO,
Mayor.

FITCHBURG, MASS.,
July 6, 1970.

Senator EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: Thank you for giving the City of Fitchburg an opportunity to personally bring our plea for assistance in securing an Urban Renewal Planning Grant to your attention.

For nearly two years, during the process of preparing our Urban Renewal Application, the citizens of the College Area Neighborhood have had to live in a state of uncertainty which has affected their personal and financial well-being. Since September of 1969 the city completed all the work that it could do to assist these people. During these past ten months the city fathers have been waiting for some sort of assistance from Washington. To this very day we have no real assurances that all of our efforts will bear fruit.

I have prepared for your examination a record of all recent developments pertaining to our Urban Renewal Application. With but just a quick reading you will be able to sense the frustration that comes with such a lengthy and involved process.

Senator, the citizens of Fitchburg are trying to improve their city, but quite frankly the lack of assurances of federal help, despite months and years of local effort, makes one wonder if it is all really worth it.

We respectfully ask for your personal efforts in behalf of our Urban Renewal Application.

Very truly yours,

WILLIAM G. FLYNN,
Mayor, City of Fitchburg.

STATEMENT OF SENATOR EDWARD M. KENNEDY URGING SENATE PASSAGE OF ADDITIONAL $1 BILLION FOR URBAN DEVELOPMENT PROGRAMS

I am pleased to have the opportunity to meet this morning with mayors and planning officials from 30 cities and towns in Massachusetts to discuss urban development. And I strongly urge and hope that the United States Senate will pass the amendment which I have sponsored with 14 colleagues to add $1 billion to the urban renewal program. For full funding of the program is vital to any lasting solution to our urban crisis.

At present, there is a backlog of over $3 billion in requests to the Department of Housing and Urban Development. And new applications for urban renewal are expected at a rate of perhaps $200 million a month. Passage of this amendment would permit funding of $2.3 billion in fiscal year 1971—the authorized maximum, but still far short of demand.

In Massachusetts alone, about 40 communities have pending or proposed applications totaling close to $200 million. Yet at present, far less than half can be funded. The amendment I support would mean roughly $60 million more to Massachusetts.

Federally-supported urban development has a proven record of success. Especially here in the oldest part of our great nation, it has produced renewed progress and growth during a time of severe economic pressure on the cities. In communities across the Commonwealth, it has meant new hope and new opportunity for hundreds of thousands of citizens—attracting business, creating jobs, providing housing, holding down taxes, improving the quality of life.

Let us look at the record:

The record shows that urban development is a sound, anti-inflationary investment. It helps meet the shortage of housing which has driven costs and interest rates so high. And it generates an average of $5.30 of local private and public investment for each federal dollar spent.

The record shows that urban development holds taxes down. Nationally, urban renewal programs have increased the tax base of the land involved by an average of 240 percent. In Boston alone, they have raised the tax base by $36 million. In Malden, which has a vigorous development program, taxes in the last decade have risen at less than half the rate of the surrounding communities without active programs.

The record shows that urban development creates jobs. In the last few years, renewal programs have generated 12,000 new permanent jobs in Boston, 1,500 in Lawrence, and hundreds or thousands in each of the other participating communities. Nationally, there will be over 2 million new jobs when present projects are completed.

The record shows that urban development produces thousands of housing units for needy citizens, revitalizes business, improves public services, and brings a new life to deteriorating urban neighborhoods.

In the last 20 years, Massachusetts has received close to half a billion dollars for urban renewal. This has translated into critically needed housing for the elderly and for low-income and other families, commercial development, libraries, schools and health facilities, streets, sewer facilities, and other important facilities.

In Worcester, renewal has meant 800 new and rehabilitated housing units; 12 retail commercial facilities; a school, a library, a park; new water and sewer facilities worth $10.5 million; and other important developments.

In Boston, it has meant 13,000 housing units worth $170 million; 5 medical facilities; 5 libraries; 4 police and fire stations; 4 schools; 10 other public buildings; 13 retail commercial facilities; 20 manufacturing plants; 4 parks and playgrounds; and many other facilities.

In close to 40 communities in Massachusetts, it has meant a strong boost to the economy and improvement in the standard of living.

In 1949, this nation made a commitment to develop urban areas and help meet the housing shortage with passage of the first urban renewal act. In 1968, we reaffirmed that commitment in a broad new housing bill. We set a goal of 26 million additional housing units by 1978; yet so far we are proceeding at less than half the necessary pace. We pledged to follow through on programs to improve the urban environment; yet throughout Massachusetts and the nation projects are half-finished and idle because the Federal Government has held back on promised funds.

We cannot afford to give our cities second-class treatment any longer. With most of our population clustered in and around cities, continued development is necessary if we are to renew deteriorating neighborhoods, provide an adequate standard of living for urban dwellers, and end the one-way flight of residents out of cities and into suburbs.

Vigorous, active, prosperous cities were once the pride of America. Today, too often they are the working-day way-station for commuters; or worse, they have simply lost their industrial resources. In either event, they lack an adequate tax base or other resources to serve those who live in the core. As a result, crime is up; services are down; commercial business from surrounding communities has fallen off.

Cities are caught in a desperate vicious circle. We must pursue every effort to make them safe, attractive, profitable places in which to live and work.

Especially in this time of economic crisis, Congress has an obligation to reorder national priorities.

I support cuts in military spending—in the C5-A, in the ABM, in the Vietnam War, and in other padded pet projects. I support cuts in the several billion dollars a year the Federal Government pays farmers not to work. I support cuts in pork-barrel public works projects. I support cuts in a whole range of other wasteful, low-priority federal programs.

But I am not willing to renege on our commitment to cities and to urban dwellers here at home. I am not willing to leave neighborhoods torn up—with projects half finished because federal funds have been cut off. I am not willing to say that our cities are beyond hope, and therefore beyond help.

I support full funding of urban renewal as a major step towards solving the urban crisis. In the long run, we cannot afford a lesser effort.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. PASTORE. All I want to say to my distinguished colleague from Massachusetts is that I will accept his strategy if I must, but when I come back with a disappointment because he will not follow my strategy, I hope there will not be any gnashing of teeth.

URBAN RENEWAL—A MATTER OF STRICT ECONOMIC PRIORITY

Mr. WILLIAMS of New Jersey. Mr. President, the Senate is presently considering an amendment to add $987,500,500 to the pending appropriations bill. The figure in the amendment does not represent an increase beyond authorization. It is not an increase in funding for a program whose tangible economic benefits are subject to any significant controversy. The administration and the Congress both agree on the unquestionable short- and long-term benefits of urban renewal. This amendment, which I support and cosponsor, would merely return appropriated funding to the authorized level—to the level which the Senate essentially approved in sending the supplemental appropriations bill to conference, with an urban renewal item of $587,500,000.

The issue seems quite clear to me, Mr. President. The Congress has already authorized funds at the level represented by the pending amendment. We did this, recognizing the ever more urgent need for housing starts, commercial construction starts, neighborhood development, model cities, pilot projects, and comprehensive program planning.

There is continued worried discussion about the state of the economy and what measures the Federal Government must take to control the price spiral, return interest rates to reasonable levels, restore high employment, and foster controlled-growth private investment in vital social and economic impact programs.

Mr. President, if anyone has eyes to see, it should be clear that urban renewal provides all these benefits. It also has the additional attraction of being an expenditure of Federal funds which provide noninflationary products and services.

Unemployment figures are at record highs, interest rates are at record highs, housing starts are at record lows, the cities continue to disintegrate, the move to the suburbs of both families and businesses continues to erode the urban tax base. But the one program designed to combat this catalog of economic ills directly and effectively at a time of general economic weakness, is being given short shrift. The national administration that will be held accountable for these ills and their worsening is ignoring this particular tool of controlled economic growth.

Mr. President, I call the Senate's attention to the direct economic benefits of this program. These are figures based on data compiled by the National League of Cities and the U.S. Conference of Mayors. They are not, like so many projections with which we are regaled, wishful thinking on the part of program planners of exotic but economically barren mirages.

First. Over a quarter of a million new or rehabilitated housing units have already been started or completed—53 percent low- and moderate-income housing. When all redevelopment in programs approved through June 30, 1969, is completed, it will have generated nearly 1.3 million housing units—66 percent low and moderate income.

Second. Currently over 5,000 commercial, industrial, and institutional structures have been completed or are under construction. This activity has generated about half a million permanent jobs. When present planned redevelopment is completed, over 2.2 million jobs will have been generated.

Third. Approximately $5.30 of local private and public investment have been generated for each Federal urban renewal dollar.

Fourth. The assessed tax valuation of land and improvements has increased an average of 240 percent in completed renewal projects, thus expanding the local tax base.

Mr. President, these figures speak for themselves. I am truly amazed that this administration, which continually sees economic recovery just around the corner, has not requested at least the amount authorized. The economic impact of these programs is immediate. It goes to those very areas that are most in need of attention and there is a continuing multiplier and fiscal benefit for both Federal and local government.

The Congress has authorized $2,287,000,000. We should appropriate that same figure. The Congress, it seems to me, has a far more accurate feel for what this country should have as its priorities, and what its people more and more are beginning to demand from Washington.

Hopefully, the age of glorious boondoggles is drawing to a close. The increasing fiscal and program sophistication of Americans will no longer permit the expenditure of billions and billions of hard-earned tax dollars for the "nice-to-have." Priority is to be given to the "must-have."

Mr. President, I ask unanimous consent that a letter I received from the National League of Cities and the U.S. Conference of Mayors be inserted in the RECORD. The letter outlines the status of fund requests and what voting against this amendment would do to urban renewal projects in the State of every Senator here.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL LEAGUE OF CITIES,
U.S. CONFERENCE OF MAYORS,
June 29, 1970.

Hon. HARRISON A. WILLIAMS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: We are writing to request your assistance in obtaining the full $2.3 billion authorized for urban renewal. We appreciated your vote in favor of adding $587.5 million for urban renewal to the FY 1970 Supplemental Appropriation bill. Unfortunately, the House deleted that item from the conference report.

The House has approved $1 billion for renewal for FY 1971, and the Senate Appropriations Committee has recommended a FY 1971 figure of $1.3 billion. When the Independent Offices and HUD appropriation bill comes to the floor, Senators Philip Hart and Jacob Javits will offer an amendment to add an additional $987.5 million for urban renewal. We urge you to support that amendment.

Without this $2.3 billion, urban renewal faces a financial crisis which jeopardizes its orderly continuation. Since its inception in 1949, urban renewal has been the key element in the efforts of over 1,000 communities to bring about a renaissance in their deteriorating neighborhoods. Slum clearance, neighborhood rehabilitation, downtown revitalization, new housing, and industrial development have been the by-products of this program. In your state alone, there are currently 172 projects involving a grant reservation of $471,726,000. As you know, this program is not limited to large metropolitan areas, but is used by communities of all sizes; in fact, over half of all current projects nationwide are located in cities with a population under 25,000.

Without additional funds, many cities will be forced to curtail, postpone or cancel needed community improvement projects. Currently, there is a $3 billion backlog of applications, and funds for fiscal year 1970 have been exhausted. This $3 billion does not include applications from new cities, applications for new projects or amendments to existing projects which will be received during fiscal year 1971. In your state, for example, there are 77 pending or proposed applications totaling approximately $191,011,000. To begin to meet the national need. Congress must appropriate the nearly $2.3 billion presently authorized for urban renewal.

For your information, we are attaching a summary of pending or proposed projects in your state as of April 30, 1970, and an urban renewal fact sheet.

Sincerely,

PATRICK HEALY,
Executive Vice President,
National League of Cities.
JOHN J. GUNTHER,
Executive Director,
U.S. Conference of Mayors.

Mr. CRANSTON. Mr. President, I fully support and have cosponsored, the amendment proposed by the Senator from Michigan (Mr. HART), which would increase by almost $1 billion, the funds appropriated for the Nation's urban renewal programs for the next fiscal year.

Throughout our Nation, substandard housing is still a reality for millions of Americans. Today, our cities are in a state of general decay. Millions of Americans live and raise their families in the rat infested slums of our urban ghettos. The shortage of decent housing for all of our citizens is one of the major social problems facing the country today.

We cannot afford to ignore this problem or institute halfway measures. We must do all that is necessary to solve the problems now. The urban renewal programs currently on the books would, if fully funded, go a long way toward getting millions of Americans into decent housing. Unfortunately the $1 billion for urban renewal funds appropriated by the House falls short of the amount needed.

Although I applaud the Senate Appropriations Committee for increasing this amount by $300 million, I feel that the amount is still woefully inadequate.

The $987,500,000 increase proposed by Senator HART is certainly realistic in light of the demonstrated need.

Today we not only have the opportunity, but the resources to give new life to a program which will help provide every American with a decent home in which to reside and a decent city in which to live. Indeed, this is a stated national goal.

I call on every Senator to support the amendment. We in the U.S. Senate must show the Nation that we are committed to solving a major social ill which has existed for too long.

The PRESIDING OFFICER. Who yields time? Do the Senators yield back their time?

Mr. PASTORE. I yield back the remainder of my time.

Mr. HART. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Bellmon). All time having been yielded back, the question is on agreeing to the amendment of the Senator from Michigan (Mr. Hart). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. ELLENDER (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Missouri (Mr. Symington). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BENNETT (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Maryland (Mr. Mathias). If he were present and voting, he would vote "yea." If I were at liberty tc vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. LONG (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Washington (Mr. Magnuson). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. GURNEY (when his name was called). On this vote, I have a pair with the Senator from Connecticut (Mr. Ribicoff). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from North Carolina (Mr. Ervin), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), the Senator from Utah (Mr. Moss), the Senator from Georgia (Mr. Russell), the Senator from Texas (Mr. Yarborough), and the Senator from Missouri (Mr. Symington) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Ohio (Mr. Young) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. Gravel), and the Senator from Washington (Mr. Magnuson) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from Hawaii (Mr. Fong), the Senator from Wyoming (Mr. Hansen), the Senator from California (Mr. Murphy) and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from Illinois (Mr. Percy) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from South Dakota (Mr. Mundt), and the Senator from Maine (Mrs. Smith) would each vote "nay."

The pair of the Senator from Maryland (Mr. Mathias) has been previously announced.

On this vote, the Senator from California (Mr. Murphy) is paired with the Senator from Nebraska (Mr. Curtis). If present and voting, the Senator from California would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from New York (Mr. Javits) is paired with the Senator from Illinois (Mr. Percy). If present and voting, the Senator from New York would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 33, nays 38, as follows:

[No. 216 Leg.]

YEAS—33

Bayh
Bible
Brooke
Byrd, W. Va.
Cannon
Case
Church
Cranston
Eagleton
Fulbright
Goodell
Harris
Hart
Hartke
Hatfield
Hughes
Inouye
Jackson
Kennedy
Mansfield
McCarthy
McGovern
Metcalf
Mondale
Muskie
Nelson
Pastore
Pell
Saxbe
Schweiker
Sparkman
Tydings
Williams, N.J.

NAYS—38

Aiken
Allen
Allott
Baker
Bellmon
Boggs
Burdick
Byrd, Va.
Cooper
Cotton
Dole
Dominick
Eastland
Fannin
Goldwater
Griffin
Holland
Hollings
Hruska
Jordan, Idaho
McClellan
McIntyre
Miller
Montoya
Packwood
Pearson
Prouty
Proxmire
Randolph
Scott
Smith, Ill.
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—4

Bennett, against.
Ellender, against.
Gurney, against.
Long, against.

NOT VOTING—25

Anderson
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Javits
Jordan, N.C.
Magnuson
Mathias
McGee
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Symington
Yarborough
Young, Ohio

So Mr. Hart's amendment was rejected.

Mr. ALLOTT. I move to reconsider the vote by which the amendment was rejected.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HART and Mr. FULBRIGHT addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I call up an amendment which I have sent to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 21, after line 25, insert the following:

"Provided further, That not more than $3,019,303,000 of the appropriations to the National Aeronautics and Space Administration by this Act may be made available for all of the above programs during the fiscal year ending June 30, 1971."

Mr. FULBRIGHT. Mr. President, I did not understand that the Senator from Michigan has another amendment on the same subject. I did not mean to get in between his last amendment and the next one, if he was going to offer it, because it is on the same subject.

Is that correct?

Mr. HART. The Senator is correct.

Mr. FULBRIGHT. Therefore, I assume the vote would come very quickly. I do not wish to destroy the continuity, and I ask unanimous consent to temporarily withdraw my amendment and allow the Senator from Michigan to call up his next amendment.

The PRESIDING OFFICER. The Senator has a right to withdraw his amendment.

Mr. FULBRIGHT. I may say that I shall take only a few minutes on my amendment. Therefore, it should not delay the Senate. But I withdraw it temporarily.

Mr. HART. Mr. President, I send an amendment to the desk and ask that it be stated.

Meanwhile, may I express my appreciation to the Senator from Arkansas for his thoughtfulness. The discussion will be very limited on this amendment, and I anticipate a vote very quickly.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 36, line 20, delete the figure "$1,300,000,000" and insert in place thereof the figure "$1,887,500".

Mr. HART. Mr. President, the figure here represents the total of the figure recommended by the committee, $1.3 billion, and the figure of $587.5 million, which, by a vote of 70 to 12, the Senate adopted several weeks ago. I hope very much that we will send our conferees to the conference armed with this figure.

While I regret that we would not be able to persuade the majority that the full authorization is in order, at least the combination of the committee's action and the very recent action of the Senate itself would, to me, make very clear and good sense.

Mr. HART. I hope very much that this figure is agreed to, and I would hope very much that the Senator from Rhode Island will not be embarrased by the effort to meet this need. I hope that his support of the earlier amendment did not embarrass him, because it proves his recognition of the urgency of the problem, a point he has voiced to the country for many long years.

Mr. PASTORE. I tried very hard to be realistic and I implored the Senator that I had an agreement with those who did not have sympathy with the program that if we went to the $1.7 billion we would not have any trouble but that I knew the Senator would meet with some defeat. I voted for his amendment because I believe there is merit in it. I do not believe in attacking this by dribs and drabs. The figure is $1.7 billion and if we agree to it, we can pass it.

Mr. HART. The figure is $1.7 billion if we do not try for more.

Mr. PASTORE. All right——

Mr. HART. I said that I would accept——

Mr. PASTORE. All right——

Mr. HART. The proposition of the Senator from Rhode Island that the merits called for the full authorization.

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

Mr. HART. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, I send a substitute to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. Bellmon). The substitute will be stated.

The Assistant Legislative Clerk. It is proposed by the Senator from Louisiana, on page 36, line 20, strike the numeral and insert $1,700,000,000.

Mr. ELLENDER. Mr. President, this amendment will set the figure for urban renewal at the amount the distinguished chairman of the subcommittee referred to earlier. It was agreed, in committee, that if the amount for urban renewal did not exceed $1,700,000,000, some Members, who were not favorably disposed to increasing funds for this item, would support the position of the Senator from Rhode Island.

My substitute amendment accomplishes the objective sought by the Senator from Rhode Island and agreed to by certain Members of the Senate. I feel the position of the Senator from Rhode Island is a sound one, and therefore I urge the adoption of my substitute amendment.

Mr. PASTORE. Did not this figure come about after I pleaded with members of the committee to realize the merits of the whole project and there were some who were rather reluctant?

Mr. ELLENDER. The Senator is correct. His argument was very persuasive.

Mr. PASTORE. Finally, what happened was they came along and they agreed. That is what I am trying to convey to the Senate today.

Mr. ELLENDER. The Senator is correct.

Mr. President, I yield back the remainder of my time.

Mr. HART. Mr. President, I yield back the remainder of my time.

Mr. President, I ask for the yeas and nays on the substitute.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry. What is the figure we are about to vote on now?

The PRESIDING OFFICER (Mr. Bellmon). The $1,700,000,000.

All time on this substitute has now been yielded back. The question is on agreeing to the substitute amendment of the Senator from Louisiana (Mr. Ellender).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from North Carolina (Mr. Ervin), the Senator from Tennessee (Mr. Gore), the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Utah (Mr. Moss), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough), are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Ohio (Mr. Young) are absent on official business.

I further announce that, if present and voting, the Senator from Oklahoma (Mr. Harris) and the Senator from Washington (Mr. Magnuson) would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from Hawaii (Mr. Fong), the Senator from Wyoming (Mr. Hansen), the Senator from California (Mr. Murphy) and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), and the Senator from Illinois (Mr. Percy) would each vote "yea."

If present and voting, the Senator from Maine (Mrs. Smith) would vote "nay."

The result was announced—yeas 43, nays 30, as follows:

[No. 217 Leg.]

YEAS—43

Allen
Allott
Baker
Bellmon
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cotton
Dole
Eastland
Ellender
Fulbright
Griffin
Holland
Hollings
Hruska
Inouye
Jordan, Idaho
Long
McClellan
McGovern
McIntyre
Miller
Montoya
Packwood
Pastore
Pearson
Pell
Prouty
Randolph
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—30

Aiken
Bayh
Bennett
Brooke
Burdick
Case
Cooper
Cranston
Dominick
Eagleton
Fannin
Goldwater
Goodell
Gurney
Hart
Hartke
Hatfield
Hughes
Jackson
Kennedy
Mansfield
Metcalf
Mondale
Muskie
Nelson
Proxmire
Saxbe
Schweiker
Tydings
Williams, N.J.

NOT VOTING—27

Anderson
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Harris
Javits
Jordan, N.C.
Magnuson
Mathias
McCarthy
McGee
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Symington
Yarborough
Young, Ohio

So Mr. Ellender's amendment was agreed to.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ELLENDER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. Mondale). The question now recurs on the Hart amendment as amended. On this question the yeas and nays have been ordered and the clerk will call the roll.

Mr. PASTORE. Mr. President, has all the time been yielded?

The PRESIDING OFFICER. The Senator is correct.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. Mondale). The Senator will state it.

Mr. ALLOTT. Mr. President, a vote "aye" for the amendment as now amended means that it is a vote for the $1,700 million in the urban renewal.

The PRESIDING OFFICER. That is the effect of it.

Mr. ALLOTT. And a vote "nay" would revert to the committee recommendation which was $1.3 billion.

The PRESIDING OFFICER. The Senator is correct.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS (when his name was called). On this vote I have a pair with the Senator from Missouri (Mr. Symington). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay:" I withhold my vote.

The rollcall was concluded.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from North Carolina (Mr. Ervin), the Senator from Tennessee (Mr. Gore), the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Maine (Mr. McIntyre), the Senator from Utah (Mr. Moss), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Ohio (Mr. Young) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. Gravel), the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Magnuson), and the Senator from New Hampshire (Mr. McIntyre) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from Hawaii (Mr. Fong), the Senator from Wyoming (Mr. Hansen), the Senator from California (Mr. Murphy), and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from South Dakota (Mr. Mundt) and the Senator from Illinois (Mr. Percy) would each vote "yea."

If present and voting, the Senator from Maine (Mrs. Smith) would vote "nay."

On this vote, the Senator from California (Mr. Murphy) is paired with the Senator from Nebraska (Mr. Curtis). If present and voting, the Senator from California would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 49, nays 22, as follows:

[No. 218 Leg.]

YEAS—49

Allott
Baker
Bayh
Bible
Boggs
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Eagleton
Eastland
Ellender
Fulbright
Goodell
Griffin
Hart
Hartke
Hatfield
Hughes
Inouye
Jackson
Jordan, Idaho
Kennedy
Long
Mansfield
McClellan
McGovern
Metcalf
Mondale
Montoya
Muskie
Nelson
Pastore
Pell
Prouty
Randolph
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Tydings
Williams, N.J.

NAYS—22

Aiken
Allen
Bellmon
Bennett
Byrd, Va.
Cotton
Dole
Dominick
Fannin
Goldwater
Gurney
Holland
Hruska
Miller
Packwood
Pearson
Proxmire
Smith, Ill.
Thurmond
Tower
Williams, Del.
Young, N. Dak.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Hollings, against.

NOT VOTING—28

Anderson
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Harris
Javits
Jordan, N.C.
Magnuson
Mathias
McCarthy
McGee
McIntyre
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Symington
Yarborough
Young, Ohio

So Mr. Hart's amendment, as amended, was agreed to.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, if I may have the attention of Senators, as far as I know there are two amendments, one to be offered by the Senator from Arkansas (Mr. Fulbright)—and I understand he will not take more than 5 or 10 minutes to explain it—and the other to be offered by the Senator from Massachusetts (Mr. Kennedy). I do not know of any other amendment. Then, I think we can go to third reading and pass the bill.

Mr. FULBRIGHT. Mr. President, I can assure the Senate I will not take more than 10 minutes.

Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 21, after line 25, insert the following:

"*Provided further*, That not more than $3,019,303,000 of the appropriations to the National Aeronautics and Space Administration by this Act may be made available for all of the above programs during the fiscal year ending June 30, 1971."

Mr. FULBRIGHT. Mr. President, the amendment is very simple. The principle has been debated. I shall not take very long.

Two things have happened since the vote on the Proxmire amendment which I think made it worthwhile for the Senate to have an opportunity to vote on this amendment. One is that the Senate has just now added $400 million to the bill. This amendment would subtract $300 million from the bill; not all of it but three-fourths of the amount which was just added by the last amendment.

The other matter is a dispatch reporting a conversation at the White House. I am sure all Members of the Senate are anxious to help the leadership, if possible. This is an AP dispatch which has just been handed to me a few minutes ago and it reads as follows:

Washington.—Republican legislative leaders accused the Democratic-controlled Congress today of being spendthrift in fiscal matters, but laggard in voting in the administration's bills to ease unemployment and cushion the transition from wartime to peace.

Sen. Hugh Scott, of Pennsylvania, Senate Republican leader, and Rep. Gerald Ford, of Michigan, House Republican leader, told reporters after a two-hour White House briefing that inflation was being dampened.

Ford quoted Chairman Paul W. McCracken of the President's Council of Economic Advisers as bringing encouraging news to President Nixon and the GOP lawmakers.

"He said we were in a period of transition from wartime to peacetime in the economy, doing it without a recession and hopefully achieving price stability," Ford reported.

But Scott said the President listed "five or six proposals in which Congress has been laggard"—improved unemployment compensation, emergency home financing legislation, job training, increased social security benefits for 30 million Americans, and the welfare overhaul providing a new family assistance program.

"Congress can legitimately be blamed for not acting quickly enough to help the transition from a wartime to a peacetime economy," Ford said.

Mr. President, in view of the fact the President feels we are spendthrifts, I think we all should have an opportunity to help balance the current bill. This is a large item for NASA. This amendment is roughly a 10-percent decrease and will to some extent make up for the increase just voted on the bill.

I am sure we are all very anxious to get behind the President on these matters in the domestic matters as well as on Cambodia, Southeast Asia.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. FULBRIGHT. I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. PASTORE. Mr. President, I assign all time to the Senator from Colorado (Mr. Allott), inasmuch as this is a Democrat-Republican matter.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ALLOTT. Mr. President, I yield 3 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, I listened with a great deal of interest to my distinguished colleague from Arkansas, but I must say his logic escapes me. If what he said is true, the time to have voted on the suggestion that he is offering was the preceding rollcall vote and not now. He knows as well as all of us that the committee has gone into these items very carefully. What the Senate did in the rollcall before was to repudiate the committee and increase its figure by $400 million.

Now he is suggesting that we repudiate the committee again and cut $300 million beyond what the committee has recommended.

So I must say his argument is not matching his usual logical manner. I think it is specious and frivolous, and I regret that his statement was not made before the last rollcall vote.

Mr. FULBRIGHT. Mr. President, this dispatch just came over the wires. Obviously the Republican legislative leaders are preparing to accuse the Congress of being a spendthrift Congress. That will be the issue, if I am any judge, in the congressional election. I do not wish to contribute to making this Congress a spendthrift Congress, and I think we ought to cut this appropriation back by $300 million.

Mr. MILLER. The time to make that was before the last vote.

Mr. FULBRIGHT. This just came over the wire. It is an AP dispatch from the White House.

Mr. MILLER. The Senator from Iowa is not questioning the source of it. The time to have read that was a few minutes ago, when the Senator first received it.

Mr. FULBRIGHT. When?

Mr. MILLER. As I understand it, the Senator received the message before the last rollcall vote. That was the time to read it, rather than now.

Mr. FULBRIGHT. That is true, but the Senator from Michigan was already underway with his amendment, and I did not wish to contribute to the discontinuity of his argument. Obviously the Senate has made the decision to increase the appropriation by $400 million. If this Congress, especially the Democrats, do not wish to be accused of being a spendthrift, no-good Congress, as the

80th Congress was by a Democratic President, I would say they would wish to support this amendment.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Is this an accurate report of what he said?

Mr. ALLOTT. Mr. President, the time is under the control of the chairman.

I yield to the Senator from Pennsylvania such time as he needs.

Mr. SCOTT. Three minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I must admit that I speak without information, which I would be glad to have had from the Senator in advance of his speech. Since I was not certain what the Senator would say, I would rather not surmise. I have been told, however, that he has taken some degree of umbrage at the fact that I said we had in the 1960's a spendthrift situation and that the Democratic Congress spent a great deal of money. If that is what he said, I repeat it, it is true, and the deficit during that period ran up to $57 billion. I do not know how long it will take to explain the $57 billion away, but I will be glad to give him the opportunity.

Mr. FULBRIGHT. Mr. President, I yield myself——

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. FULBRIGHT. I yield myself 5 minutes.

Mr. ALLOTT. Mr. President, the Senator from Arkansas has yielded back his time.

Mr. FULBRIGHT. I said I was prepared to yield back my time if the chairman was. I am not going to yield back my time if the Senator does not. If the Senator is willing to yield it back, I am willing to.

I am not going to go into the merits of the space program, which has been argued. We had a vote on it. Some Senators voted aganst a smaller cut perhaps on the thought that it was too small, and not enough. If they want to do something more significant, they can do it on this amendment, which is a cut of 10 percent in a program of $3⅓ billion.

I will say to the Senator from Pennsylvania that I was reading a dispatch attributing to him a statement made by him after conferring with the President. I was not speculating about the Congress during the 1960's. I assume it is correct. If he wishes me to read it again, I shall be glad to do so. But the implication is that the Senator from Pennsylvania and Representative Ford accused a Democratically controlled Congress of being spendthrift in fiscal matters. That was all. I was not making an argument on the merits of the space bill. If the dispatch is incorrect, the Senator can correct it. This came off the AP wire. I took it off the ticker a few moments ago.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SCOTT. I think the count is 57 to 43. I think we can view it as a Democratically controlled Congress.

Mr. FULBRIGHT. I do not contest that. I would say it is fiscally irresponsible if it does not cut the NASA appropriation. Here is an opportunity for the Democratically controlled Congress to be fiscally responsible by cutting it. The amount appropriated as a result of my amendment would be just over $3.019 billion, which I think is ample under present conditions to support this agency.

Mr. ALLOTT. Mr. President, I promised to yield to the Senator from Florida first. How much time does the Senator want?

Mr. HOLLAND. Five minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, it is really pleasant to see the workings of the mind of the distinguished Senator from Arkansas, who now tells us that because we have just stepped up the budget item for one project by $700 million——

Mr. FULBRIGHT. $400 million.

Mr. HOLLAND. $400 million from the committee report, $700 million from the budget, that we now should, therefore, use a broadax approach and knock down an appropriation—which we have had up three times on the merits, I think, and passed upon it rather finally—by 10 percent, or $300 million.

His mathematics are interesting. His tactics are simply marvelous. When I see them operate it makes me regret more and more that I did not get a chance to go over there on that Rhodes scholarship I almost got one time, because this is a marvelous way to see how one's mind can act. We just stepped up a budgeted item by $700 million, we just stepped up a reported item by $400 million, therefore, we should step down a committee item which is already more than $400 million—$415 million, to be exact—below the appropriation for last year and below the budget item for this year and below the authorization for this year, and step it down by $300 million in revenge for our own action just taken in this other very dissimilar matter.

I hope Senators will remember that we have passed upon the merits of the space program in three different votes already, and that we will allow the merits of that program to again govern us in knocking down this broadax approach that does not say where any reductions shall be made, which delegates the decision power of Congress to an agency to apply $300 million as it sees fit to the reduction of an already greatly reduced budget item.

I hope the amendment will be rejected.

Mr. PASTORE. Mr. President, I yield myself a few minutes.

I would seriously hope that we have all had our turn the Republicans having had their turn in making their accusation, the Senator from Florida having had his turn in refuting it, and I would hope we could come to a third reading of the bill and that the Senator would withdraw the amendment.

Mr. FULBRIGHT. Mr. President, I will take my own time. I cannot let the sarcasm from the Senator from Florida pass. He is very generous in his sarcasm, as some other Members have been.

What is involved in this is in an effort by Congress to reorient our priorities. There is nothing in the Constitution which requires the Senate to accept priorities set by the budget.

Of course, I realize the Senator from Florida comes from a State which has billions of dollars invested in it. As I said earlier, if had in my State interests comparable to what the Senator from Florida has, I probably would fight for it and defend it. I am not at all sure I would insult my colleagues who are trying to exercise an independent voice in the matter because they do not have a Cape Kennedy in their States. If I had a Cape Kennedy in my State, as I have already admitted, very likely, in order to assure my reputation and the good will of my constituents, I would get up and plead for it longer than all the other Members together and defend this as a great program on its merits. I would say this is the salvation of this country and of the world and humanity.

All we were trying to do on the last vote on the urban renewal is to reorient the impact of spending in this country from going to the moon, as the Senator from Rhode Island said so well, to doing something here on this earth.

We voted for sewers. Certainly sewers, I would think, are more important than rocks from the moon. That is what this Congress is trying to do—change our priorities; and I think the Senate, in that vote, exercised very good judgment.

I recognize that the sewer companies are not as well organized or financed as the space companies. And, of course, the space companies take people on junkets to Cape Kennedy; they offer to pay their hotel bills and entertain them. There is no organization of sewer companies comparable to it.

Everyone has to judge the matter on its merits, but there has been a good deal of indication that sewage and its disposal is important—quite as important as getting another rock from the moon and putting it in the Smithsonian Institution.

Have Senators seen it? It invokes a great thrill—not as great a thrill as to smell the Potomac, however. You can go down there and smell it tonight, if you like.

The Senator from Florida thinks it is shocking and terrible for me to suggest that it is more important to put more money into our festering cities for sewer plants than into Cape Kennedy in Florida. I congratulate him on his influence in keeping money in this bill. Probably no one else could do it better than the Senator from Florida—with the aid, of course, of the Senators from Texas, California, Mississippi, Arizona, and one or two other places.

But what of people who do not have that kind of constituency pressure, under conditions in which the largest transportation company in the world has already gone bankrupt, and the President is talking about the switch to peacetime? What about the judgment of our capitalistic leaders in markets in New York? You may not have stocks yourself, but what is it doing to the whole business outlook of this country?

I do not understand, frankly, I say to the Senator from Florida, why he thinks it is not important to give some priority to business on this earth, here in the United States, rather than to continue to spend our substance on going to the moon. That is all this is about.

The argument about what is in this NASA program has already been made. But this is a serious amendment. I am serious about trying to change the priorities of this country, and trying to do something for the people in my State. I have towns in my State—I put the list in the RECORD—which want a sewer system. I think that is just as important for my people as sending another rocket to the moon. And I did not learn that at Oxford.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLAND. Mr. President, will the Senator from Colorado yield me 2 minutes?

Mr. ALLOTT. I yield 2 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I want to make it very clear to the distinguished Senator from Arkansas that I meant, under no guise at all, to insult him.

Mr. FULBRIGHT. A little gentle sarcasm is all.

Mr. HOLLAND. I am very fond of the Senator. I am fond of noticing the way his mind works.

I wish to call to his attention that not only did our committee step up the sewer fund from the $135 million of last year to the $200 million which we recommended, but that, in the agriculture bill, which I happened to handle, and which has a similar program, there is an even larger step-up in exactly the same field; and there is a third program still, I think it is under the Department of Commerce, for this field. We are all for it, and we all support it.

But my whole point is that I see no connection at all between an action of the Senate in stepping up one program by $700 million over the budget and by $400 million over well-considered committee action, in an effort now to undo what has been done in three very serious votes, after arguments on the merits of the space program.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. The point I am trying to make is that the building of sewer and water systems and urban renewal is of so much greater importance and significance to this country than continuing to go to the moon that there is no comparison. The question is that there is not enough money to do everything. This dispatch from the White House indicates that. I am quite certain that in this fall's election this will be an issue. It is a legitimate issue, I may say to the Senators from Pennsylvania—I do not complain that it is not a legitimate issue—to accuse us of being improvident. I think we are grossly improvident to continue to spend the kind of money we are on these moon shots, on the SST, and on the ABM and that kind of thing. We simply cannot afford it.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. This is the only point I make. It has nothing to do with the action of the committee. We are trying, of course, to reorient those priorities.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I am willing to yield further time to the Senator from Florida if he wishes it. But, Mr. President, I would like to say just a few words at this point.

We have been over the basic area of the amendment of the Senator from Arkansas three times, I believe, in the last 2 days, and have had three votes. The first vote, I believe, was on the amendment offered by the Senator from Wisconsin (Mr. PROXMIRE) to cut the bill by a little over $100 million. That was defeated. Then there was another one defeated. Now here is one to cut it $300 million. It seems the strategy is that if you do not succeed on a small figure, you try a big one.

I say to the Senator from Arkansas that I have been designated the responsibility, at least, for the control of this time by the chairman of the committee; that I have supported the space program; and I have no space installations in my State whatever—none anywhere. I do it because I still feel that in the whole scientific thrust, there is no effort in this country that matches the thrust, even in the field of pollution, of the scientific work that has been done in the space program. There are thousands, literally thousands, of fallouts—here is just one book on them—that have inured to the benefit of the whole Nation, and will contribute to our benefit for years to come.

If it were just a matter of financing more trips to the moon, I would probably join with the Senator. I have yet to be shown that there is great efficacy in repeated trips to the moon. There is one vehicle on the launch pad. The chairman of the Space Committee, the Senator from New Mexico (Mr. ANDERSON) and the Senator from Florida (Mr. HOLLAND) who is a member of the committee, know that the trips can be stopped. They can be stopped very easily if we want to stop them.

But let us not rip up the space program under the concept that it is just another trip up to the moon to bring home some rock. There is another trip planned. There is a vehicle on the pad which will go up sometime after the first of the year.

Let us put this on the basis of what it has done for the country. I do not think there is anyone here who did not take great pride when the first vehicle landed on the moon. I did, even though I have been somewhat skeptical of the scientific benefits from just landing on the moon itself.

But in the whole space program, whether you take it in the medical field, the physics field, the metallurgical field, or whatever place you take it, the space program has provided greater thrust forward for scientific achievements and our excellence over any other country in the world than any other program in this country.

Let us not now dump it by voting for this amendment.

Mr. HRUSKA. Mr. President, I rise to oppose the pending amendment.

Mr. President, there have been few thrills in our lifetime to match the moment on Sunday night, July 20th of last year, when Astronaut Neil Armstrong made man's first footprint on the moon. There also have been few if any moments in our history when we have experienced greater pride in our Nation.

Since that time, our space experts have launched another successful Apollo mission to the moon, and safely returned a third mission which had to be aborted because of spacecraft malfunctions.

While most of the world has observed these facts in open-mouthed wonderment, our space program has forged ahead under increasingly stringent budget restrictions at home.

This year is no exception. The National Aeronautics and Space Administration's budget request for fiscal year 1971 marks the low point in a budget which has been declining steadily for the past 6 years. Despite this fact, and the impressive fact that the agency's 1971 budget request was some $364 million less than the 1970 appropriation, I am concerned to note that several Members of this body seek to reduce the appropriation still further.

Let me review the NASA budgets of recent years, beginning with 1965 when spending for space research reached its peak:

[In billions]

1965	$5.250
1966	5.175
1967	4.968
1968	4.589
1969	3.995
1970	3.697

Those figures represent a reduction of $1.553 billion in the space of 5 years, quite a significant reduction for a new and progressive program. It might also be noted this is a reduction of almost 30 percent during that period. If each of our Federal agencies could effect a similar reduction in a similar time period, it seems fair to predict we would solve a good many of our fiscal problems.

As for the 1971 fiscal year, NASA requested a budget of $3.333 billion. The House of Representatives approved $3.319 billion. It is from this latter amount that an effort is being made to withhold further funds.

I oppose such a reduction, Mr. President. I do so in full sympathy and understanding with the argument of those who would reduce the appropriation, and those who ask why we continue to spend money on space programs when there are still hungry people in the Nation.

This is a valid question and it deserves thoughtful consideration.

I would like to summarize my answer to it by saying there are four important reasons why our space program must not be neglected:

First. Prestige. It is a most important weapon for maintaining U.S. prestige in a world where our prestige is urgently needed.

Second. Progress. The spin-off of space

technology into everyday products and processes is much greater than is generally realized and much more important to progress in every phase of our existence.

Third. Protection. Manned space flight capability bears importantly on our national security.

Fourth. People. The program has paid valuable dividends in demonstrating the ultimate in inter-disciplinary cooperation and has furnished peaceful employment to technically-oriented people.

Let me discuss each of these points briefly, Mr. President.

PRESTIGE

First, there can be no doubt that our major factor in maintaining U.S. prestige throughout the world. The fact is not lost on the world that not only are we far ahead of Russia in our technological feats, but we started far behind them and overtook them in a few short years, and within the time frame which we had publicly promised to fulfill.

If the results of our space programs were measured only in terms of prestige, it is my belief that the expenditure would have been more than justified. Who can forget the overwhelming worldwide reaction to Apollo 11, as the leaders of hundreds of countries paid tribute to the dynamic success of capitalism over collectivism, and the unmatched technological and scientific skill of the United States.

There is certainly a relationship between our international economic situation and our prestige, and the space program has also been helpful in this area. In a period when one of our continuing problems is our international balance of payments, which customarily is weighted heavily against the United States, the space program furnishes refreshing relief. In 1966, for instance, we received $1.32 billion from other countries for royalties, licenses, rentals, and manufacturing services in connection with our aerospace research and experimentation. This was approximately 10 times the amount of money paid out to foreign countries for similar items, a ratio which contributes effectively to keeping our balance of payments from being more unfavorable than it is.

PROGRESS

My second point, Mr. President, is the dramatic effect which space research is having upon our national progress in medicine, industry, and virtually every other aspect of our existence. These benefits are spinoffs of the program which would not have been possible if the pioneering work had not been performed by aerospace scientists, and the demanding jobs of existing and operating in the hazardous conditions of space and other planets had not furnished a most demanding testing ground.

Comprehensive documents have been composed about the byproducts of space exploration. For my purposes, let me cite very briefly some of the more interesting developments which have resulted from pioneer research performed by our space technologists:

Miniaturization—applied to smaller appliances, improved color television, intricate medical and surgical equipment and other fields—is perhaps one of the principal benefits.

Lubricants is another area in which industry and transportation are benefiting from space-oriented research. Our repertoire of lubricants now can withstand such extremes of temperature as 330° below zero or 260° above on a Fahrenheit scale.

Space research has taught us how to utilize energy generated from within the body to provide power for hearing aids, and for the direction and control of artificial limbs.

New alloys have been developed which, because of superior strength and ductility, will replace outmoded alloys.

Paints which resist temperature extremes, abrasions, and acids are being manufactured for general use.

Many electronic and telemetry developments are improving fire alarm systems, automotive controls and road signs.

Improved fuel cells now promise to supply total home power without pollution, and at some future time perhaps, will provide total waste disposal as well.

The flammability characteristics of hundreds of materials have been tested and made available to industry.

The astronauts' life-support system, composed of a compact life-giving backpack, will ultimately enable man to go anywhere in the universe. It is said eventually that its cost will be $1,000, and with it man can exist anywhere in the universe.

A new instrument called an oscillometer will detect life in one who seems to be dead.

The astronaut helmet has been adapted for treatment of asthmatic children, and a gadget designed as a lunar walker is proving helpful to paraplegics and other crippled persons.

A delicate sensor developed for moon photography has been programed to detect Parkinson's disease long before its onset, and permit early treatment.

The list goes on and on, Mr. President, but it should be obvious that from this sample which I have mentioned that the products of space research will be paying their dividends to our society and economy for years to come.

PROTECTION

My third point is the national protection factor which the program offers. While our space program is directed at peaceful goals, resulting developments have a great number of applications to our national defense defense structure. We pray they will not need to be called into use, but they are reassuring to have in our arsenal at any rate.

The President's aeronautics and space report of January 1970 called special attention to the national security aspects of the space program. The report stated:

> The space programs of the United States are providing benefits to the Nation in the form of enhanced national security. These benefits derive from the applicability of space technology to those military programs that are consistent with our commitments as a signatory to the Outer Space Treaty.
>
> The capabilities of space systems have a direct effect on our national defense posture through such areas as communications, navigation, surveillance, and mapping, and weather forecasting. During the past year, two new Vela satellites were successfully placed in orbit to detect nuclear detonations occurring at any place outward from the surface of the earth. In addition, this program has provided radiation data from manned lunar flights.
>
> The Titan III family of launch vehicles, among other systems, is providing boosters for these military needs as well as a growing number of civil uses. The Titan IIIC launch vehicle research and development programs was completed in the past year with two successful flights.
>
> The scientific knowledge and technical expertise of the United States were clearly displayed to an international audience by the successful lunar landings and Mars flybys in 1969, as well as by the long series of preceding missions. Apollo 11 and Apollo 12, whose television pictures were transmitted live around the world by means of communications satellites, were compelling examples of great accomplishment and peaceful purpose. The furtherance of world peace and our image as a strong and peace-minded people were directly served by these historic accomplishments.
>
> Space offers both a medium for the protection of our freedoms and those of our friends, as well as an increasing opportunity to demonstrate our peaceful intent.

I also want to recall a statement made by the senior Senator from Florida (Mr. HOLLAND) before this body on May 6. He said—and I quote—

> There is no question about one thing; namely, that our competition, the Russians, are deeply involved in the space program and have been for many years. They devote a good deal more of their national budget to space proportionately than we do. They place much greater emphasis on it.
>
> I think it is extremely interesting that in the last issue of Newsweek magazine, under the item called Periscope, there is this observation about the Soviet Union:
>
> The Soviet Union is pushing hard to orbit the first manned earth-resources satellite within the next two years. The vehicle would carry infrared cameras, microwave radar and high-resolution film to collect data on crops, mineral deposits, ocean currents and fishing grounds. The Russians also have a long-range project for orbiting an "institute in space" that would dwarf the three-man U.S. skylab planned for 1973: their "institute" would be manned by 24 pilots, scientists and technicians at a time. They would shuttle back and forth on six-month tours of duty.
>
> Mr. President, there is no question where the competition is going. I remind this body that when the original sputnik went up years ago, and Russia beat us first in space, it was the greatest propaganda defeat in the eyes of the world that this Nation ever suffered. It took us years to come back from the defeat which we suffered at that time. We regained our position, I think, in world opinion, only when we landed a man on the moon.

PEOPLE

My fourth and last point is that the space program has spawned a gigantic industry of hundreds of thousands of space specialists—not simply a commercial industry, but a vast interdisciplinary network of governmental, industrial, and educational elements working closely together in behalf of an engrossing and rewarding peacetime goal.

This immense and far-flung space team has not only learned a valuable lesson in cooperation, dedication, and single-mindedness of purpose. It has taught the world the same lesson. It is a lesson which would stand us in good stead today if it could be applied to our international ventures and achievement of a successful and rapid conclusion of the war in Vietnam.

This progress and these lessons certainly have not been easily accomplished or cheaply purchased. But neither can they be looked upon as an investment which is now behind us, whose dividends are now in the realm of history.

They continue to pay off daily, in improving our life on earth, adding to our knowledge of the universe and our ultimate ability to utilize it, adding to our arsenal for protecting our country against its enemies, and teaching the world a valuable lesson in capitalism's unlimited potential when it directs its unlimited talents to a common goal.

We have many responsibilities, Mr. President. Not the least of these is endeavoring to help people to find a better life on this planet. But in our concentration on this enduring task and enviable goal, let us not forget that space research is contributing at an increasing rate to the meeting of human needs, that it is performing a vital function in preservation of our international prestige and security, and that it can ill afford to be neglected just because we have gone to the moon and some members of this body think there is nowhere to go next.

LET US NOT DESTROY OUR WORLD LEADERSHIP

Mr. GOLDWATER. Mr. President, although the Russians have not been to the moon, they have continued to pursue a vigorous and ambitious space program. So far this year they have launched 14 unmanned scientific and applications satellites, while we have launched only five. And now, after several years of American supremacy in manned spaceflight, the Soviet Union has scored another first of their own. The flight of Soyuz 9 broke the endurance mark for space travel of 13 days and 18 hours set in 1965 by Astronauts James Lovell and Frank Borman aboard Gemini 7. The two Soviet cosmonauts landed safely after almost 18 days in orbit. And once again, the eyes of the world turned toward Russia.

It has now been 12 years since the Soviets awakened an overconfident United States by orbiting the first artificial earth satellite, Sputnik I. Nine years ago, in April 1961, Yuri Gagarin became the first man to orbit the earth followed nearly a year later by John Glenn. Last summer, when all of us watched Neil Armstrong and Edwin Aldrin take the first steps on the moon, we knew and the whole world knew that the United States had recaptured the technological and scientific lead in a race that could have been so easily lost if our country had not responded in the proper fashion.

In Apollo, the United States developed a resource which never before had existed in the world. This resource was nearly a half million trained men and women who learned how to build a space transportation system. Such a force, it is said, could build anything designers could imagine. The Apollo 11 venture proved that this was true and the world took note.

There is no doubt that the success of the Apollo 11 mission did more to bolster American prestige abroad than any single event since the termination of World War II. Communications satellites made it possible for hundreds of millions of people in nearly all parts of the world to watch—to feel personal involvement in the lunar landing. The State Department missions throughout the world were nearly unanimous in reporting a massive and emotional response during that memorable day last July. Except in the Communist areas of East Asia, press reaction was overwhelmingly favorable. The visits of the Apollo 11 astronauts to many nations and the displays of moon rocks in nearly 70 countries have all been warmly received and have helped greatly in extending and deepening the sense of personal involvement of the peoples of the world in our space program.

The success of Apollo 12 in December was accepted as ample demonstration that the Apollo program is far more than a one-time spectacular and that it is a serious and continuing effort to expand man's scope, knowledge, and capabilities.

Even in the light of what has been termed a "magnificent failure," the flight of Apollo 13 demonstrated that total success is not a prerequisite for world admiration. Never have so many people of all nations thought together so intensely, shared an experience together so much, and never did they pray so fervently for the safe return of our astronauts.

These flights of Apollo convinced practically all nations except the U.S.S.R. that the United States was the indisputable leader in science and technology. They profoundly impressed the world's intellectual community, moving many to believe that a new stage in man's development had been reached. Government leaders and businessmen took it to mean that the Americans had developed new systems for management that might usefully be applied to earthly problems. To most people, the Apollo flights meant less the culmination of a space race than a unique achievement of earth men that hopefully could serve the cause of peace by giving humanity a new perspective of planet earth and its problems.

For ambassadors and U.S. missions abroad the success of Apollo meant a new flexibility in approaching a host of problems whose approaches were otherwise frozen. The good will and new avenues provided by Apollo were expanded by the visits of the astronauts to foreign nations. By their modesty, expertise, and warmth, the astronauts projected an image of the kind of Americans other nations would like us to be, that we would like to be, and that the astronauts actually are. On a bread-and-butter level, U.S. Embassy officers, even off the astronauts travel track, suddenly found doors opening and contacts available that had been denied for years.

No one could possibly hope or expect that this euphoric burst of enthusiasm felt by most of the world toward our country could be maintained at a high level for long—nor has it been. We are left, however, with a very substantial residue of admiration and prestige. While the benefits are difficult to measure in quantitative terms, these gains should be of very real value with respect to our posture in the world and our relations abroad for many years to come.

Our country is now faced with a decision as to what it will do next in space, and as to the kind of program it should have during the coming decade. These decisions will be as important for the 1970's as were those early decisions at the start of the 1960's. They will be crucial with respect to America's position of leadership in space exploration.

We have established what may be characterized as an initial foothold in space. But man will go farther. Will America continue to lead, or will some other nation build on what we have started?

The Soviet challenge is not trivial. The U.S.S.R. has a long list of impressive space firsts including the first man in orbit. Where the United States has led, it has been by virtue of vigor and industry as well as competence. The Soviet program has been expanding steadily for many years, and it is comparable in size and scope to our own. Although there had been a hiatus in Soviet manned space flight activity until the flight of Soyuz 9, it is clear from Soviet statements and from their rendezvous and crew-exchange dual manned flights, that the U.S.S.R. is preparing for significant advances in this area. For the last few years the Soviets have consistently launched more earth-orbital missions than we have. They achieved the first circumlunar, soft landing, and orbital missions to the moon and, from their own statements, continue to have a strong interest in lunar exploration. From the very start of the space program, their planetary effort has been many times ours, and is recently achieving spectacular successes. Although we developed space applications much earlier than the U.S.S.R., in recent years the Soviets have made a number of practical applications of space. The Soviets clearly regard the space program as of value not only in itself, but also as a means of maintaining the image of Soviet strength in the eyes of the world. It must be assumed that the Soviets will continue to strive for leadership for a variety of reasons, and especially to minimize both the current U.S. benefits of world standing and the future plaudits of history for America.

There is clearly no need for this to happen—and it must not happen. The appropriations bill before us today is the first step in preventing this from happening. The NASA budget has been trimmed to the point of pure austerity but it is a workable budget clearly oriented toward the future and clearly directed toward insuring that the United States maintains its position as the world's leading spacefaring nation.

Mr. FULBRIGHT. Mr. President, I do not want to go into all of the merits or demerits of space again. The Senator from Minnesota and others made the argument on the merits. But there is a great question in the minds of the leading physicists of this country as to all this beneficial fallout. They would dispute the statement of the Senator from Colorado. I certainly do not accept his statement as to this fallout effect. We have spent more than $30 billion on this program, and I do not think we have anything like the comparable results from it as could have been received from spending that amount here at home.

I do not want to further dispute the merits. The case has been made, and I think it is proper now to have a vote on it.

The PRESIDING OFFICER (Mr. Mondale). The question is on agreeing to the amendment of the Senator from Arkansas (Mr. Fulbright). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. METCALF (after having voted in the affirmative). On this vote I have a pair with the Senator from Washington (Mr. Magnuson). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the senior Senator from New Mexico (Mr. Anderson). If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia (when his name was called). On this vote I have a pair with the senior Senator from Georgia (Mr. Russell). If he were present and voting, he would vote 'nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from North Carolina (Mr. Ervin), the Senator from Tennessee (Mr. Gore), the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Utah (Mr. Moss), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff) and the Senator from Ohio (Mr. Young), are absent on official business.

I further announce that, if present and voting, the Senator from Oklahoma (Mr. Harris), and the Senator from Connecticut (Mr. Ribicoff), would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from Hawaii (Mr. Fong), the Senator from Wyoming (Mr. Hansen), the Senator from California (Mr. Murphy), and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

The Senator from New Jersey (Mr. Case) is detained on official business.

If present and voting, the Senator from South Dakota (Mr. Mundt), and the Senator from Maine (Mrs. Smith) would each vote "nay."

On this vote, the Senator from New Jersey (Mr. Case) is paired with the Senator from California. Mr. Murphy). If present and voting, the Senator from New Jersey would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from New York (Mr. Javits) is paired with the Senator from Nebraska (Mr. Curtis). If present and voting, the Senator from New York would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 32, nays 37, as follows:

[No. 219 Leg.]

YEAS—32

Baker
Bayh
Brooke
Burdick
Church
Cooper
Cotton
Eagleton
Fulbright
Goodell
Hart
Hartke
Hollings
Hughes
Inouye
Kennedy
McGovern
Mondale
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Smith, Ill.
Talmadge
Tydings
Williams, N.J.
Williams, Del.

NAYS—37

Aiken
Allen
Allott
Bellmon
Bennett
Bible
Boggs
Byrd, Va.
Cannon
Cranston
Dole
Dominick
Eastland
Ellender
Fannin
Goldwater
Griffin
Gurney
Hatfield
Holland
Hruska
Jackson
Jordan, Idaho
Long
McClellan
McIntyre
Miller
Montoya
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Thurmond
Tower
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Metcalf, for.
Mansfield, for.
Byrd of West Virginia, for.

NOT VOTING—28

Anderson
Case
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Harris
Javits
Jordan, N.C.
Magnuson
Mathias
McCarthy
McGee
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Symington
Yarborough
Young, Ohio

So Mr. Fulbright's amendment was rejected.

Mr. ALLOTT. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. GRIFFIN. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, Johnny Smith is 19 years old, a recent graduate from a New Jersey high school, and has enlisted in the Marine Corps to fulfill his military commitment. Six months ago he found himself on patrol through a free-fire area in I Corps tactical zone, Vietnam. The shell from an AK-47 hit him in the back, sending him spiraling face downward into the muddy water of a stream, critically wounded.

Fifteen minutes later, Johnny was aboard a medivac helicopter speeding toward a large hospital outside of DaNang. After a 4-hour operation demanding the highest skill, knowledge, and perseverance, a team of military doctors and nurses miraculously saved his life despite the severity of his spinal wound—a feat impossible to achieve less than 20 years ago during our Nation's struggle in Korea.

However, the damage to Johnny's spinal cord required that he be flown immediately to the United States for intensive care within one of our 166 separate VA institutions. And there began a story of frustration and shame for which all of us must share the burden of responsibility.

He arrived in one of the 43 VA hospitals without air conditioning, with a 1.02 staff ratio to service each spinal cord injury bed—less than half that required for satisfactory attention—with inadequate, outdated equipment serviced by overworked and undermanned staffs. After having been literally saved on the battlefield by unprecedented medical and surgical field procedures, he was evacuated to a veterans hospital which, by any standard, was less than that rightfully demanded by the American people for their returning sons and husbands.

Unfortunately, this is not an isolated case. One out of 10 wounded Vietnam veterans, over 27,000 men, would have died in a previous war if it were not for new techniques in lifesaving, high-intensity field procedures. But the tragic fact is that, while we have suffered over 275,000 casualties in Vietnam, half of them requiring some degree of immediate hospitalization, medical care once they returned to the safety of their homeland and the love of their families has been sorely substandard.

I wish to stress that this has not been the fault of personnel serving in the VA hospitals, as their dedication and ability have garnered for them international recognition. Rather, the fault lies squarely with the Federal Government: the administrations have not called for enough funds to meet adequately the growing crisis; and the Congress must take the initiative forfeited by the executive branch in resolving those critical problems now existent.

Under the extraordinary leadership of the Senator from California (Mr. Cranston), the Senator from Rhode Island (Mr. Pastore), and the chairman of the House Veterans' Affairs Committee, Mr. Teague, Congress will this year meet head-on the challenge of giving superior care to our country's veterans who have sacrificed so much for the United States.

The committee bill fully recognizes the perilous conditions which the VA medical care and hospital construction programs confront. Specifically, $80 million more for medical care and $20 million more for hospital construction have been recommended by the committee in addition to the funds provided by the House. As Senator CRANSTON stated:

> This $100 million, when added to the $25 million which Chairman Teague secured in the House, will permit significant improvements in the quality of care in VA hospitals around the country.

To resolve satisfactorily the crisis of understaffing, equipment, maintenance, and repair backlogs, tremendous dental caseloads, inadequate numbers of nursing care beds, and lack of research, training, and construction moneys the Congress must expeditiously provide sufficient appropriations. I believe that the committee has taken a significant step toward that goal, and we in the Senate cannot, must not, recede from insisting that the full amounts be appropriated.

We deplore deeply the situation found in our VA facilities, and we accept the responsibility for correcting the problems. It is absolutely imperative that we not ask our young men to make sacrifices on foreign battlefields and then hold back on giving them first-class treatment when they are brought home in wheelchairs and stretchers.

Mr. KENNEDY. Mr. President, I send to the desk an amendment and ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. MONDALE). Without objection, the further reading of the amendment will be dispensed with; and the amendment will be printed in the RECORD.

The text of the amendment of the Senator from Massachusetts is as follows:

> On page 23, line 2, strike out "$511,000,000" and insert "$538,500,000".
>
> On page 23, line 3, after the colon insert the following: "*Provided*, That of the foregoing amount not less than $9,500,000 shall be available for first-year graduate traineeships, and"

Mr. KENNEDY. Mr. President, this amendment is extremely simple. It is introduced by myslef and the Senator from Vermont (Mr. PROUTY) who is a member of the Subcommittee on the National Science Foundation. It would increase appropriations for the National Science Foundation by $27.5 million.

Over the course of the hearings of the NSF Subcommittee we heard from four former science advisors to Presidents; Dr. Killian, and Dr. Kistiakowsky, Dr. Wiesner, and Dr. Hornig—all of whom gave impressive testimony that the various mission-oriented agencies, such as the National Institutes of Health, the AEC, and the Department of Defense, and NASA, have reduced their support for basic research by at least $60.

What we are trying to do here is to increase the appropriation for the National Science Foundation for funding of research projects by $18 million. The National Science Foundation will continue to use its own criteria to decide which research programs will get the funding.

The other part of the amendment provides for $9.5 million for the graduate traineeship program. The administration budget effectively cut out all new starts in the traineeship program for next year.

There are some 5,200 traineeship students now at 219 universities throughout the Nation. This has been one of the most popular NSF programs because it assists universities in every part of the country, unlike the fellowship program which goes directly to students who then tend to cluster at the elite universities.

This amendment would provide for the traineeship program to continue next year at the present level. If it is not put in, then all we will have in the traineeship program will be funds to assist those trainees presently in the program.

The four science advisers to our Presidents all agree that the traineeship program should be continued. They indicated that in their testimony. They think it has been an extremely important part of the whole effort to train scientists in this country.

Mr. DOMINICK. Mr. President, will the Senator from Massachusetts yield for some questions.

Mr. KENNEDY. I yield.

Mr. DOMINICK. It is my understanding that the committee recommends now $16 million above the House in order to take care of the research projects which were cut out of the Defense, NASA, and others, under the Mansfield amendment. Is that correct?

Mr. KENNEDY. The committee recommendation, which is the same as the administration request, allocates $10 million to cover research dropped pursuant to the Mansfield amendment and because of general budgetary reductions.

Mr. DOMINICK. $10 million, not $16 million.

Mr. KENNEDY. That is correct.

Mr. DOMINICK. So, presumably, then, so far as the Mansfield impact is concerned, that has been taken care of by the committee.

Mr. KENNEDY. The $10 million takes in the $8.8 million dropped under the Mansfield amendment.

Mr. DOMINICK. The Senator referred to the impacts of other agencies. Is the Senator talking about a general cutback in other agency budgets for research programs?

Mr. KENNEDY. That is correct.

Mr. DOMINICK. In other words, this is not an action that has been taken specifically. It is just a general cutback in the agencies on research.

Mr. KENNEDY. These are the cutbacks in the various agency programs in the fields of science and scientific research. Let me stress to respond fully to the Senator from Colorado, a point made by Dr. Killian, Dr. Hornig, and others. The programs which were cut back most quickly by the various Federal agencies were the long-range research programs, even though, in so many instances, it is the long-range research programs which are really the most important to the preservation of our standard of living, our health, and the quality of our lives.

Mr. DOMINICK. Mr. President, am I not correct that Dr. Killian and MIT came together to say that they did not want to have any more Government-oriented research programs going on there that might even conceivably be connected with defense?

Mr. KENNEDY. If the Senator is referring to the report made at MIT by a group of students, faculty, and trustees as well, recommending a phaseout of defense research at Lincoln Laboratories, a report that received widespread support, I believe he is correct.

Mr. DOMINICK. So now he is coming here to say that they do not want that kind of money, but they do want some other kind of money. Is that correct?

Mr. KENNEDY. I do not know Dr. Killion's personal view on the Lincoln Laboratories issue. I do know that he is a great and distinguished educator who feels that if we as a nation are going to move out of defense-oriented research, we have a compelling need to expand research in a lot of areas of domestic need.

If what is being suggested by the Senator from Colorado is that MIT is feeling the pinch, I would agree. And so are many other universities and colleges that are participating in National Science Foundation programs.

Mr. DOMINICK. One more question. The $27.5 million, what does the Senator expect that will be used for?

Mr. KENNEDY. The traineeship program would account for $9.5 million.

There were no funds at all for new trainees for next year. There are some for some individuals who already are studying at 219 universities around the country. But it cuts off the trainee program for the future.

That would be $9.5 million and, together with the $18 million for research, makes a total of $27.5 million.

The criteria for use of the $18 million would be exactly the same as those established for all research applications to NSF. This amendment would not attempt, nor should it, to use those resources automatically to try to aid the particular colleges and universities around the country that have lost DOD or other contracts. The $18 million would be spent on whichever of the various research programs the NSF feels are particularly deserving.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. PASTORE. Mr. President, Dr. McElroy appeared before our committee and testified to a budget estimate of $511 million. The House cut it to $495 million, a reduction of $16 million.

It was my understanding that in the allocation of these funds—because this is not a line item—that if we did not restore the $16 million, the Foundation would delete the program for trainees.

I suggested to the Senator from Massachusetts that possibly what would be more desirable would be to write some language in here to the effect that no less than "*x*" number of dollars should be used for the training program.

When they appeared before our committee, the one program—the most dramatic of all—was the trainee program. They said that if we cut out the $16 million, they would cut out the trainee program.

As I stated there is no line items for the trainee program. And if we include the money, there is nothing that says they have to use it for the trainee program, as I understand it.

Mr. KENNEDY. Mr. President, in the amendment, we provide that of the foregoing amount, not less than $9.5 million shall be available for first year traineeships.

Mr. PASTORE. That has not been in the law before.

Mr. KENNEDY. The Senator is correct.

Mr. PASTORE. And that is supplying the money for the trainee program. My argument is that they can do the trainee program within the $511 million.

Mr. KENNEDY. The point is that they cannot support the trainee program under the administration budget.

Mr. PASTORE. That is why we ought to write it into the law.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. ALLOTT. Mr. President, I call attention to page 11 of the committee report. It reads:

> The committee has received several requests to earmark specific programs, which the committee is reluctant to do, preferring instead to leave the funding of programs to the better judgment of the Director and his assistants.

There is an Advisory Board to the National Science Foundation. It consists of some very prominent scientists and scholars in the United States. I believe that the Board is composed of about 20 or 25 members.

Mr. PASTORE. The Senator is correct.

Mr. ALLOTT. We felt that in marking the bill up we should leave it to them. And we felt that we were being very generous in raising this to that amount.

If the Senator wants to leave the language in, personally I would still feel as the committee felt, that it would be better to leave it to the judgment of the Director and the assistants to the National Advisory Board.

They certainly are very capable people. They are as capable as any people in the country. That would be my suggestion.

Mr. PASTORE. Mr. President, may we have order, please?

The PRESIDING OFFICER (Mr. BURDICK). The Senator will suspend until we get complete order.

The Senator may proceed.

Mr. KENNEDY. Mr. President, it is my understanding that there would be no training programs under the Budget Bureau recommendations.

I would like to point out that the Chairman of the National Science Board, Mr. Philip Handler, when asked to comment on traineeships, said:

> In my view, it is shortsighted in the extreme to tamper with the national system for the production of scientists based only on current fiscal considerations or projections of science support in the next few years. The productive life of scientists is limited to 20 to 30 years at most. Our country is currently in the process of revising its national philosophy with respect to science, but one fact remains clear: Science remains the most powerful instrument we have for shaping the national future. No vision of that future is rational without an expanding body of scientists engaged in increasingly difficult investigative endeavors. The graduate students supported today will not be independent working scientists for almost ten years. If, a decade hence, it is clear that we shall wish to substantially expand the scientific endeavor—a projection which I cannot doubt—we will have foreclosed that option if funds are not provided today for the training of young scientists. It is not inconceivable that we will wish to rethink the mechanisms by which such support is to be provided. But until a decision is clearly rendered, I would be much disturbed if we were to compromise the national future and foreclose our future options for lack of an adequate cadre of trained scientists.

What we are attempting to do is to insure continuation of the traineeship program because the Bureau of the Budget was really quite clear in turning this program down.

Mr. ALLOTT. Mr. President, I do not recall the testimony. I think the Senator from Rhode Island put his finger on the problem. If we say we have to cut anywhere, they say that they will cut the most popular program. That has always been the insistence of the House committee, the Senate committee, and the Senate itself in supporting the training programs.

I hope that we will continue, but I think that it is unwise to do it in this way. I think we ought to leave it to the National Science Foundation Advisory Board and its Director. In that way we would get a better balanced program.

Mr. KENNEDY. Mr. President, I am delighted, because they support the traineeship program. It was the Budget Bureau that cut the program out. But the National Science Board does not want to finance the program if it means sacrificing research programs.

It is the attempt of this language to provide a continuation at the present level of the traineeship programs at least for next year, but not at the expense of any research programs.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. KENNEDY. If the Senator would withhold, I should like to yield some time first to the Senator from Vermont and to the Senator from New Hampshire. I will then be glad to respond to the Senator.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. BURDICK). The Senator has 13 minutes remaining.

Mr. KENNEDY. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. PROUTY. Mr. President, I wish to lend my full support as a cosponsor to the amendment of the Senator from Massachusetts (Mr. KENNEDY). This amendment would increase the appropriations for the National Science Foundation by $27,500,000; $18,000,000 of the extra funds would be used to augment the Foundation's support of basic academic research projects dropped by mission-oriented agencies and $9,500,000 would be used to fund the graduate traineeships, dropped in the administration's budget request.

Last Wednesday the Senate passed H.R. 16595 as amended in the Committee of Labor and Public Welfare. The Senate version of H.R. 16595 authorizes appropriations in the amount of $548,000,000 for the activities of the National Science Foundation in the fiscal year ending June 30, 1971. The House-passed version of H.R. 16595 authorized appropriations of $525,630,000 for the same period. It is significant to note that both the House and Senate concurred in the need to increase the authorizations for the NSF above the $498,000,000 budget request.

Studies by the House and Senate NSF subcommittees revealed an urgent need to bolster Federal support for basic scientific research.

Both subcommittees estimated that the Department of Defense, NASA and the AEC have reduced their support for basic academic research by at least $60 million in fiscal 1970.

These cutbacks have not been carried out with a disregard for basic research, but rather with a view to the budget restraints on the mission oriented agencies. In its budget request, the administration has recognized the need to support worthwhile projects dropped by the mission-oriented agencies and has provided $10 million for this purpose. This amendment will provide an additional $18 million for the NSF to support such worthwhile projects. If this amendment is adopted $28 million will be provided to support projects dropped by the mission-oriented agencies.

Mr. President, even with this amendment we will still support only one-half of the projects which have been curtailed. In this regard the amendment which I am cosponsoring with the chairman of the Special Subcommittee on the National Science Foundation (Mr. KENNEDY) is a modest and reasonable response to the need to continue Federal support for basic academic research.

In addition to the extra $18 million this amendment would provide for basic research, in the amount of $9.5 million for the Foundation's first year graduate traineeships. In the authorization bill—H.R. 16595—both the House and Senate reinstated this program.

The NSF supports graduate students through fellowships and traineeships. The fellowships are awarded to individuals, who tend to cluster in the major university complexes while the traineeships are awarded to universities throughout the country.

Thus the traineeship program strengthens all our universities and provides for a geographical balance to scientific education and research.

Mr. President, I realize the great and urgent demands on our limited resources. I am painfully aware of our need to tighten our belts. However, I contend in this instance the $27.5 million provided by this amendment is essential to prevent a serious disruption in scientific education and research. This is seed money, which will help us reap a bountiful harvest.

I hope very much that the amendment will receive the approval of the Senate.

Mr. KENNEDY. Mr. President, I yield 2 minutes to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I rise briefly today to support the amendment offered by the Senator from Massachusetts.

The purpose of the amendment is to increase the budget of the National Science Foundation by $27.5 million, in order to offset cuts made during fiscal year 1970 in the research budgets of the Defense Department and other mission agencies.

I am concerned about this amendment primarily because of its relationship to cuts in defense research and especially to section 203 of last year's military procurement authorization bill, which provides that no defense funds are to be used for research which lacks "a direct and apparent relationship to a specific military function or operation."

Passage of this amendment is essential if section 203 is to have the effect intended by its sponsors last year.

In explanation of this point, and as background to the debate on this amendment, I would like to say a few words at this point as regards the Armed Services Committee's position on section 203 as far as this year's military procurement authorization bill is concerned.

The committee recommends the reenactment, as section 515, of section 203 of last year's bill.

This section was intended to alter what was viewed as a serious structural imbalance in the Government's support and encouragement of scientific research. It was hoped that it would lead to significant reductions in Department of Defense research programs and that these reductions would be offset by corresponding increases in the research budgets of the National Science Foundation and domestic oriented departments and agencies.

To date it has not had the effect intended.

In the first place, a Department of Defense review of its entire 6.1, basic research program resulted in the identification of only $8.2 million worth of projects which did not meet the standard of section 203, an amount far less than the $64 million reduction in the 6.1 research program as the result of direct congressional cuts in last year's budget.

At the same time, this $64 million cut has itself had unfortunate consequences in many universities and other research centers across the Nation. Because the cut has not been offset by increased funding in other areas, many investigators have found themselves cut off from the funds needed if their research efforts are to continue.

Finally, the section has been interpreted by some in a manner not intended either by its principal sponsors or by the members of this committee when they accepted it as a floor amendment last year. It has been suggested, for example, that the section flatly prohibits the Department of Defense from funding any basic research on our Nation's campuses. In recommending retention of the section in this year's bill, the Armed Services Committee firmly rejects this interpretation. The Department of Defense must have the advice and criticism of experts in the academic community in making the difficult policy choices which confront it.

The committee recommends the reenactment of the section, notwithstanding its lack of effect to date, because it strongly endorses its underlying intent. Ever since the first days of the cold war, Department of Defense requests for research funds have been warmly received, while other agencies and departments, strained generally for funds, have found room for few research dollars in their budgets and have had many of those dollars trimmed by the Congress. As a consequence, and as the breadth of its own activities has increased markedly, the Department of Defense has often undertaken research of equal or greater relevancy to other departments and agencies.

The Armed Services Committee believes that the section can best be implemented, not by another review of the "direct and apparent" relevancy of individual projects, but by executive branch action in the preparation of the fiscal year 1972 budget. It is the hope of the committee that the Bureau of the Budget will take steps in that regard to reflect the desire expressed by Congress for a restructuring of the channels of research support by giving greater recognition to the research needs of domestic mission agencies and the National Science Foundation within an undiminished overall program of Government support for research in this country.

In its review of the fiscal year 1971 Department of Defense research budget, the committee has purposely kept its reduction in the 6.1 area at a modest level, in an attempt to avoid complicating the already rather harsh effects which prior reductions in funding have had on the research community.

This restraint, coupled with executive branch action next year, can insure in the future that our research programs continue at a responsible overall level.

It is only through this amendment, however, that we can offset the effects of previous cuts and effectuate the intent of section 203. Accordingly, I urge the passage of this amendment.

Mr. PASTORE. Mr. President, I yield 5 minutes to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I am in sympathy with the purpose of this amendment. During the years I had the privilege to serve in the House on the Subcommittee on Independent Offices when the National Science Foundation was in its early years and I came in touch with the needs of this basic research.

It has been suggested here that because of the reluctance of colleges and because of the policy of the Department of Defense, colleges would be suffering because of the lack of contracts for research. Without reflecting at all on the distinction of basic research and its necessity, before we decide on this amendment it should be brought to the attention of the Senate or the Senate should be reminded that last year the Subcommittee on Health, Education, and Welfare was compelled to reduce the research features in the various institutions of health—medical research—that go out by contract; and the place where the committee reluctantly tightened up was on research training which is so important in order to produce future scientists in the field of health research such as cancer, stroke, heart, and all the rest of these problems.

In addition to that, because of the Presidential veto, we again slightly reduced this appropriation for medical research. I think every member of the Subcommittee on Health, Education, and Welfare, including its distinguished chairman, the Senator from Washington, knows that this year the committee must replace, insofar as it can, the funds for medical research which will go out to the colleges, and particularly that aspect of medical research goes to produce scientists to keep alive future research.

With respect to the suggestion which has been made that one reason for adopting this amendment is to keep our colleges and research activities in colleges going, let me predict to you, Mr. President, that not only will the Subcommittee on Health, Education, and Welfare be obliged to come in with more liberal recommendations than last year, but unless my experience over the years is proven entirely in vain, that amount will be raised again when it gets to the floor of the Senate. So in deciding on rejecting that recommendation and making this increase, please bear in mind that research for the colleges and universities—and the type of research that will not offend their tender sensibilities about national defense—will be before the Senate again, and I think the amounts will be far greater than this suggested amendment.

Mr. GOLDWATER. Mr. President, will the Senator yield for 1 minute?

Mr. PASTORE. I yield.

Mr. GOLDWATER. Mr. President, I am inclined to vote for the amendment, but I cannot help but note the inconsistencies of a large number of Senators.

I am looking at page 324 of the booklet entitled, "Space Program Benefits," which shows a picture of the Massachusetts Institute of Technology. Beneath the picture it is stated:

> CENTER FOR SPACE RESEARCH
>
> This building accommodates the Institute's effort in multidisciplinary space-related research and flight experiments. It is interconnected with other science and engineering facilities on campus where research efforts include plasma and cosmic ray probes, exploration of the solar corona, heat transfer under zero gravity, optical and infrared masers, radio astronomy, and re-entry physics. Twenty-nine predoctoral trainees working in these and related areas have been awarded doctoral degrees.

Yet just a few moments ago we came very close to disallowing $319 million to be spent proportionately in all these programs which we find in 37 colleges across the country.

I might be able to vote for the amendment, but I think many Members should realize they came awfully close to cutting off studies at their own universities, as in the case of the Senator from Massachusetts who voted with the Fulbright amendment which would have hurt the MIT studies.

Mr. PASTORE. In the supplemental bill we took the $8.8 million suggested by the Mansfield amendment and there again we ran into a stone wall. The argument made by committee members was that they had interrogated the National Science Foundation about what contracts they had taken over from the Department of Defense, and they were not prepared to be specific. Because of the Mansfield amendment some of these contracts in basic research which have been within the jurisdiction of the Defense Department will now have to go to the National Science Foundation, but it is a question of what they can allot according to what they get.

The Senator from Colorado (Mr. ALLOTT) and I felt in subcommittee that the $511 million was sufficient. It was mainly a matter of allocation.

It is true that if many of the basic programs which have been heretofore under the aegis of the Department of Defense are shifted to the National Science Foundation, and they embrace them all, there is no question we will have to increase their funding, but for the time being I do not think that process has started.

I would suggest to the Senator from Massachusetts two alternatives. I do not think my counterpart will subscribe to the first alternative that rather than $27 million we take back the $9 million, with the traineeship provision over and above the $511 million. As an alternative if my colleague does not agree, we write language that within the $511 million no less than $9 million shall be used for the traineeship program, because the Senator from Massachusetts is correct in stating that the traineeship program for next year is on ice.

They are making a study to see if they can develop a loan program, but in the meantime, the traineeship program for this year has come to a halt. How damaging that will be and what the result will be I do not know.

My personal opinion is that $511 million, with the limitation we put in, would be sufficient for them normally to carry on the National Science Foundation and take care of this program.

If that will not do, I suggest, it is the feeling of the Senate, that rather than $27 million, we take that part for the traineeship program and add it to the budget estimate of $511 million. That is merely a suggestion.

Mr. ALLOTT. Mr. President, I would take the second portion of what the chairman suggested and I would think that would be satisfactory. We had extensive hearings on this matter. We do not have the witnesses before us in the Senate now. We did go into these matters thoroughly.

In 1960, which I believe was the first year—the second year I was on the committee—I was the one who with Dr. Allen Waterman and the former Senator from Massachusetts, Leverett Saltonstall, first raised the amount for the National Science Foundation over $100 million. That jumped to $175.8 million in 1961; by 1965 it had jumped to $420 million; last year it was $438 million; and this year it is $511 million plus $2 million more in foreign currency.

Frankly, I do not think we do ourselves a service, after the committee met and spent so much time on this, to jump over the budget on an item like this. As far as the language is concerned, I have no objection to that, and I would hope the Senator from Massachusetts would put that in the language. Certainly it would be acceptable to me. He would leave it in where it is, which is the budget figure, which is the difference between $538 million and $513 million, which is quite a substantial increase in 1 year.

Mr. PASTORE. Mr. President, if the Senator will yield, of course, we are up against the practical proposition that the House cut it by $16 million. If we do not put it in there, we are going to have to compromise the $16 million, cut it in two, and compromise other programs.

I wonder if the Senator would not be willing to confine it to the traineeship program and allow us to take it to conference. The $16 million is in conference. I doubt if the House is going to give us all of that. If we put a limitation on that, we will constrict the other programs.

I hope the Senator from Colorado would agree to that. I also hope the Senator from Massachusetts would agree to it and let us get it over with.

Mr. KENNEDY. Mr. President, I would like to say just a couple of words in response to what the Senator from Colorado has suggested.

First of all, I think there is a movement, as the Senator from New Hampshire (Mr. MCINTYRE) mentioned, to switch support for basic research from the Department of Defense to the National Science Foundation. That movement has started. But if we want this to happen, we are going to have to provide the necessary resources.

I would like to quote Dr. Hornig:

> In my view, the present budget for the National Science Foundation is inadequate to the needs of the country. It cannot take over the high-quality projects which are being abandoned by the Department of Defense or the National Institutes of Health. Nor can it act as the organizational center of scientific development and be the agency to grasp new opportunities as they appear. It can at best hang on, and I predict that in a decade we will pay dearly for these economies now.

Dr. Killian said at our NSF hearings:

> I believe, sir, that the $50 million increase—

We are talking now about $27.5 million; he is referring to a proposed $50 million increase—

> Is a minimum amount that we should really get to prevent the kind of baneful effects we have been trying to delineate here. Of course, it depends on what happens to other agencies, too. The situation will remain unstable and uncertain without order of increase.

So those who have dealt with this problem of scientific research in the period of the buildup following Sputnik realize that there is an extraordinary need for additional resources. The $18 million for research is a significant sum, but as compared with what has been outlined as a basic need, it really is not extraordinary.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. KENNEDY. I yield.

Mr. ALLOTT. I would like to ask two questions. Does the Senator realize that the figures he has quoted have been exceeded considerably by the committee already, in that we have provided $73 million over last year's budget? Many of these research projects never pick up that money. Does the Senator realize it has been exceeded by the committee already?

Mr. KENNEDY. As Dr. Hornig pointed out, the last 2 or 3 years they had expenditures considerably in excess of appropriations.

Mr. ALLOTT. They had no right to do that.

Mr. KENNEDY. We should compare the $511 million for 1971 with the $480 million for 1966.

Mr. ALLOTT. I am looking at the committee print of the bill. It shows $438 million for last year. The Senator must be using some carryover figures.

Mr. KENNEDY. The $480 million is for 1966.

Mr. ALLOTT. The $479,999,000.

Mr. KENNEDY. The $480 million is for 1966 as compared with $511 million in 1971. When one considers the inflation since 1966, one realizes there has actually been a decrease since then.

Mr. ALLOTT. I just want to take this out of here out of any other context: 1968—was the year when the budget of 1969—the appropriations being made in the National Science Foundation was dropped from $480 million to $400 million. Then it was picked up last year to $438 million. This year it was picked up to $511 million, plus $2 million in foreign currencies.

Is it the position of the Senator that he would not want to earmark the $9 million within the $511 million for the traineeship program

Mr. KENNEDY. We are talking about adding $9.5 million now.

Mr. ALLOTT. The Senator says, no, he would not?

Mr. KENNEDY. No; I would not take the position that we just earmark it under the present funding level. The amendment is to add $9.5 million plus $18 million. If the Senator is proposing what the Senator from Rhode Island suggested, that is different from what the Senator from Colorado has outlined here.

Mr. PASTORE. Mr. President, if the Senator will yield, when Dr. McElroy was before our committee, he said that $511 million was needed to finance all the ongoing programs, which excluded the traineeship program. So if funds were earmarked for that program it would have to be derived from the $511 million. Why do we not add the $9.5 million and earmark the amount for the traineeship program and let us take it to conference, because we are going to have a job, anyway?

Mr. President, I understand the Senator from Massachusetts is ready to modify his amendment.

Mr. MANSFIELD. Mr. President, while the manager of the bill and the ranking minority member are consulting, I would like to state that the estimate of the overall cuts in basic science governmentwide this past year has ranged between $48 million and $60 million. It is my understanding that the National Science Foundation has screened the projects and found that $33 million are of such high quality that they would be picked up by the National Science Foundation if the funds are made available. To get to the $8.8 million mentioned as directly attributable to section 203, the Senate acceded to adding this modest amount to the supplemental appropriation bill, but the amount was eliminated by the House; however, I must emphasize that the $8.8 million was the direct effect last year of section 203. It is the estimate of the Department of Defense of the amount eliminated last fiscal year. It does not account for the general budgetary squeeze on funds nor does it account for the effects in the coming fiscal year of projects that will be eliminated.

What is its status now in view of the fact that it was knocked out in the supplemental appropriation bill?

Mr. PASTORE. When we were before the conference committee on the supplemental appropriation bill, Dr. McElroy was not prepared to give the names and types and character of the programs. That is all they are waiting for. Dr. McElroy ought to go before the authorization and appropriation committee of the House and explain the projects that are being shifted. They have not done that.

Mr. MANSFIELD. But did the Senator not promise it would be done in this bill?

Mr. ALLOTT. We did.

Mr. PASTORE. That is why we put the $16 million back.

Mr. ALLOTT. We did. I want to make my position very clear, because when we accepted Senator Mansfield's amendment that night—and I have the colloquy here—I said to him:

> I shall not oppose the amendment, but since it does take up certain things that have been considered in the request that is being made by the National Science Foundation, I think it is only fair to say that we ought to adjust and will attempt to adjust the National Science Foundation appropriation accordingly when the subcommittee meets tomorrow.
>
> The Presiding Officer. The question is on agreeing to the amendment.
>
> Mr. Mansfield. Mr. President, I agree with the distinguished chairman.

The Senator promoted me inadvertently there .

Then he continued:

> As I say, I think it is very fair. It allows us to meet a need for this fiscal year.

So we did. At this time, we were faced with the figure 495 from the House of Representatives. After discussing it with the chairman, we recommended the full budget, which more than took care of the $8.8 million of the Senator from Montana. This was my intention, and this was my understanding, that I promised him we would do, and we did do it.

Mr. MANSFIELD. I thank the manager of the bill and the ranking Republican member. I would like to read the rest of the colloquy which I had with the distinguished Senator from Colorado last year. The Senator correctly quoted me as saying:

> As I say, I think it is very fair. It allows us to meet a need for this fiscal year,

I continued:

> And, to keep faith with the representations that were made last year when section 203 became the law. The general level of funding of the National Science Foundation should consider not only the direct effects of section 203, but also the reduction in the Federal contribution to the sponsorship of basic science generally, caused primarily by the budgetary squeeze throughout the Federal Establishment. The level of basic research sponsored by the Federal Government should not be reduced but the emphasis for channeling these funds should be shifted from Defense to the National Science Foundation.

I wanted that in the Record, so that the intent of the debate last year will now be reinforced at this time, and made more plain, both as to the supplemental and now as to this bill.

Mr. KENNEDY. Mr. President, I yield myself 2 minutes. If I may have the attention of the Senator from Montana for 1 minute. Under this appropriation bill, the research cut out by the Mansfield amendment is going to have to compete with all of the other projects which the distinguished Senator from Montana has mentioned here—the $33 million worth of research projects.

Mr. PASTORE. That is right.

Mr. KENNEDY. So it should be perfectly understood that by allocating an additional $10 million for research, you are not going to be taking care of the $8.8 million worth of research projects dropped because of the Mansfield amendment. You are not, because these projects are going to have to compete with all the other projects which have been dropped.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. PASTORE. Does the Senator not think the House is entitled to know what these programs are before they fund them?

Mr. KENNEDY. Sure.

Mr. PASTORE. That is what we are waiting for. We are trying to get some information. I mean we are all talking in a bag, for the most part. The fact remains that once these programs are shifted, analyzed, and studied, some of them will be discarded and some accepted. Those accepted, we will have to put the money in for. But they take the position in the House that "we want to know what they are and what they do before we fund them." I think that is a reasonable position.

Mr. KENNEDY. What about the traineeships?

Mr. PASTORE. The traineeships, if the Senator will modify his amendment, I think we are ready to accept.

Mr. ALLOTT. Let us take it.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record a statement prepared by the Senator from Oklahoma (Mr. Harris) in support of this amendment.

There being no objection, the statement by Senator Harris was ordered to be printed in the Record, as follows:

Statement by Senator Harris

Mr. Harris. Mr. President, as Senators know, I previously served as Chairman of the Subcommittee on Government Research of the Senate Government Operations Committee. In that capacity, in past years. I conducted extensive hearings on national needs in the field of science and social science education and research, basic and applied. I have been very much disturbed about the tightening of funds available for these purposes, which are so fundamental to so many aspects of our national life.

Two decades ago, the Congress determined that the future of this Nation was very much bound up with a strong and sustained Federal investment in the various aspects of basic and applied science and research. This determination subsequently led to the establishment of the National Science Foundation.

Prior to the creation of the National Science Foundation, there were no more than twenty colleges and universities in the country which could be considered outstanding scientific centers, and a majority of these institutions were concentrated in the Northeast and western coastal regions.

Today, there are perhaps two hundred or more institutions throughout the country which have the potential for making major contributions to the nation's scientific capabilities.

The significance of the National Science Foundation goes beyond any single project or program. It involves all science research and education in America. We are moving into a period in which continued life on this planet will depend largely upon our capacity to control our environment, to recycle the by-products of society, and to understand and to increase our knowledge of how to effectively deal with the complex social problems of our time. In this latter connection, a matter of special interest to me, Dr. Philip Handler, Chairman of the National Science Foundation Board and President of the National Academy of Sciences, stated in testimony before the Senate Appropriations Subcommittee that "the Foundation is being looked to, beginning in fiscal year 1971, to expand its efforts to provide a base of fundamental knowledge more directly applicable to solutions of problems of our society."

To this end, I have strongly urged the passage of S. 508 which I introduced with 33 cosponsors to establish a National Social Science Foundation to deal specifically but not exclusively with social science research and education. I hope this bill will be passed, but, in any event, I hope that the National Science Foundation will be able to do more in this vital field as well.

In the last half of fiscal year 1970, I am glad to note that the National Science Foundation, among other things, awarded a $320,000 grant to the Council of State Governments for a project to assist states in organizing and using science technology, provided international travel grants to eighty young scientists to attend thirty-nine NATO Advanced Study Institutes in Europe this summer and provided grant support to more than six thousand graduate students studying for advanced degrees in science, mathematics and engineering, and supplemental training for approximately sixteen thousand secondary school teachers and supervisors of science training.

In order to keep pace with the growing needs in science education and research, federal support in the form of increased appropriations is necessary. Otherwise, we could experience a chain reaction, producing results just the opposite of what the National Science Foundation has been trying to accomplish for the last twenty years. I am also greatly interested in seeing sufficient and increased funds for the development of institutional excellence on a much more extensive basis throughout the entire United States.

For these reasons, Mr. President, I support the pending amendment to increase the National Science foundation appropriation.

Mr. KENNEDY. Mr. President, I modify my amendment in the following way:

To provide in effect that the appropriation would be increased by $9.5 million, and not less than $9.5 million shall be available for first-year graduate traineeships.

Mr. KENNEDY's amendment, as modified, is as follows:

On page 23, line 2, strike $511,000,000 and insert $520,500,000 and on page 23, line 3 after the colon, insert the following:

"*Provided*, That of the foregoing amount not less than $9,500,000 shall be available for first-year graduate traineeships, and."

Mr. PASTORE. Mr. President, I understand the yeas and nays have not been ordered. We are prepared to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts, as modified.

The amendment was agreed to.

Mr. WILLIAMS of New Jersey. Mr. President, I call up an amendment which I have at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from New Jersey (Mr. WILLIAMS) (on behalf of himself and the Senator from Vermont (Mr. PROUTY)) proposes an amendment as follows:

At the end of the bill add the following:

"Loans for housing and related facilities for elderly or handicapped families.

"For loans authorized by section 202 of the Housing Act of 1959 (42 U.S.C. 1701q), $25,000,000."

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. PASTORE. Mr. President, this amendment has to do with the financing of housing for the elderly. HUD has been in the process of shifting the financing of housing for the elderly to sections 235 and 236 of the Housing Act. In the meantime, the program is financed by the "revolving fund" created by Congress some years ago through the appropriation of $455 million.

The program financed from this fund totaled $60 million in fiscal year 1970 and the committee has been informed that $27 million will be used out of the revolving fund in fiscal year 1971. Is that correct?

Mr. WILLIAMS of New Jersey. Yes.

Mr. President, it is with a sense of urgency that I offer an amendment to H.R. 17548, the independent offices-Department of Housing and Urban Development appropriations bill.

My amendment would provide much-needed funding in the amount of $25 million for the highly successful section 202 housing program for the elderly and handicapped.

At this time when low-cost housing is such a critical problem for practically all Americans, it is usually out of the reach of the elderly, who live on limited, fixed incomes.

In the past, nonprofit sponsors have been able to make use of the low-interest loans under section 202 to provide pleasant housing units at a relatively low cost for older Americans.

Last year in the Housing Act of 1969, the Congress enthusiastically supported the extension of the section 202 program by authorizing $150 million for this purpose.

Congress should follow up this commitment, I believe, with funding to carry out this mandate through this fiscal year.

However, this is the second consecutive year that the administration has refused to request appropriations for this program—in spite of its proven success.

The administration has in effect abandoned the section 202 program and placed its emphasis on the section 236 interest subsidy program for rental housing.

This means a less flexible response to the critical housing needs of the aged.

In addition, section 236 rental housing is more costly in the long run for the Federal Government than units under the 202 program. For example, in testifying before the Senate Banking and Currency Committee last year, Rev. Richard Fullerton, representing the American Institute of Housing Consultants, Inc., pointed out that the Federal outlay for interest under section 236 can cost the taxpayer 3½ times more than a 202 loan.

At a time when housing is such a scarce and expensive commodity, we should use the most economic means possible to build critically needed units.

Last year we made a commitment to continue the 202 program. And, I believe that the intent of Congress should be carried out, particularly because the housing needs of older Americans are so desperate.

Today many elderly homeowners are being forced to sell their houses because prohibitive property taxes and other rapidly rising costs make it impossible to live in their homes.

But, without suitable rental housing at reasonable prices, the elderly may find themselves in an impossible situation. They cannot remain in their homes because it costs too much to continue living there. Yet, they cannot move to alternative units because present programs are inadequate for their needs.

My amendment for $25 million—the same amount as appropriated in fiscal 1969 for section 202—would help to meet this critical problem.

Mr. President, the need for the 202 program is well-documented in hearings by the Senate Committee on Aging and in letters to its members.

The most recent evidence was provided on June 8 at a committee hearing on "Sources of Community Support for Federal Programs Serving the Elderly."

Our original purpose had been to explore ways in which churches and other nonprofit sponsors could make constructive use of existing or potential Federal resources on behalf of older Americans.

At the June 8 session—which dealt only with housing needs—it soon became obvious, however, that the major topic of the day would be the apparent abandonment of the 202 program over the protests of would-be and actual sponsors of projects under that program.

Several clergymen who have been associated with individual projects told us of the high quality of housing made possible under 202.

Typical of their concern was this statement from the director of a 202 project in Miami, Fla.:

Limited incomes that are in our inflationary society have made adequate housing for senior Americans a catastrophic problem. These people are prevented from getting decent, dignified housing, so they rot away in the hovels and slums without hope, without being found by their community to see what the community could do for them, without their knowing how they can meet these problems.

Obviously, senior housing could bring these people together, to be identified, to be made productive. Section 202 was a crown of achievement for creative federalism. Red tape, though considerable, was much less than through other programs.

The 202 government agencies have the attitude of family, that they were not there to dictate but to help find answers.

The 202 programs turned out to be highly successful, strongly motivated by nonprofit sponsors. They continue to be highly successful, beating all laws of average. This type of nonprofit sponsorship guarantees more service, less cost for buildings and management, and great dedication.

Mr. President, the reasons are compelling to continue appropriations for the 202 program, and I urge favorable consideration of this amendment.

I might add that I am well aware that the appendix to the budget for fiscal year 1971 reports that $27 million in 1971 is expected to be reserved for 202 loans to provide 1,900 housing units.

This statement fails to convince me of the intentions of the administration as regards the 202 program, for the following reasons:

First. For one thing, it is less than half of the $60 million reserved for loans in fiscal 1970. If the administration is really serious about coping with the housing needs of the elderly it should at least equal its 1970 commitment.

Second. The money for such loans is provided from a revolving fund in which new loan reservations are made from authority released by cancellations of previous loan reservations, and not from actual new appropriations. Even though the budget appendix makes it appear that these loans are provided to sponsors under the 202 program, I am informed that the recipients of such loans are required to convert such loans almost immediately to loans under the 236 program. Within the past 24 hours, I have been told that as of June 30 HUD will not even bother to go through this formality.

In view of the overt resistance to the 202 program, I think it is more important than ever that the Congress continue to express its intention of support for that program.

For that reason I offer this amendment.

Mr. PASTORE. Mr. President, we will take this to conference.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. WILLIAMS of New Jersey. I yield back the remainder of my time.

Mr. PASTORE. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. PROXMIRE. Mr. President, will the Senator from Rhode Island yield very briefly?

Mr. PASTORE. I yield.

Mr. PROXMIRE. The House Appropriations Committee in its report on the independent offices bill earmarks $23,300,000 for the National Science Foundation's summer institutes program. This is the present support level.

On page 11 of the Senate committee report the committee recommends adding "and other programs of supplementary training" to the earmarking of funds for summer institutes. Concern has been expressed in my State that this means almost all of the earmarked $23,300,000 or at least a very substantial part of it could be spent on programs other than summer institutes. Would the Senator from Rhode Island give me his thoughts on the meaning of this Appropriations Committee language?

Mr. PASTORE. As expressed in a letter from the Director of the National Foundation, the intended effect of the language is as follows:

> The effect of this language change, as written by the House Committee, gives the Foundation not the $16.0 million reduction but actually a $24.0 cut because it introduces a programming inflexibility by line item when considered in light of our budget request as submitted. The language as proposed by the House Committee reads as follows:
>
> On page 22, lines 11 through 15: "until expended: *Provided*, That of the foregoing amount not less than $23,300,000 shall be available for tuition, grants, and allowances in connection with a program of summer institutes for secondary school science and mathematics teachers: * * *."
>
> The Foundation's request for summer institutes in the appropriation request was $15.44 million—the House Committee action would require obligations of a minimum of $23.30—an increase of $7.86 million which will have to be provided by curtailment of other planned program activities in other Foundation education or research programs.
>
> The summer institutes are but a single segment of the Foundation's past, present and planned broad based program to improve secondary school science education.

Mr. PROXMIRE. I take it the Senator is saying that while some of this $23,300,000 might be used for other purposes, most of it—I presume $16 million or more—would continue to be used for summer institutes?

Mr. PASTORE. I would say that is the interpretation.

Mr. PROXMIRE. I thank the Senator.

Mr. PASTORE. I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. BOGGS. Mr. President, this bill contains an appropriation of $9,127,000 for a new courthouse, customhouse, and Federal office building to be built by the General Services Administration in Wilmington, Del.

This building is the oldest authorized and unbuilt GSA structure in the country. It was authorized in 1959. Now—11 years later—the building has not been started.

The need, recognized so long ago, is much greater now. Much of the east side of downtown Wilmington has been leveled as part of an urban renewal project, and much of the west side has been removed for a limited-access freeway. The result has been severe economic and housing dislocation.

The governmental, economic, and civic leaders of the State of Delaware and the city of Wilmington are committed to a revitalization of downtown—an effort to bring business back to the center of the city and to provide employment opportunities for those who live in the inner city.

A number of things have been done on the local level, but the key to this revitalization remains the Federal building. Upon its construction hinges an entire complex which will revamp Wilmington's skyline, improve the economic opportunity it can provide its citizens, make it attractive as a shopping and business center, and—most importantly—bolster confidence in Government's ability to meet its obligations.

I believe it is vitally important at this juncture that the Federal Government take action to back up its 10-year-old obligation.

The PRESIDING OFFICER. Do Senators yield back their time on the bill?

Mr. PASTORE. I yield back the remainder of my time.

Mr. ALLOTT. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back and the bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mr. ERVIN), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from North Carolina (Mr. JORDAN), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Washington (Mr. MAGNUSON) would each vote "yea."

I further announce that, if present and voting, the Senator from Ohio (Mr. YOUNG) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH), are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Oregon (Mr. PACKWOOD) is detained on official business.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from Hawaii (Mr. FONG), the Senator from New York (Mr. JAVITS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Oregon (Mr. PACKWOOD), the Senator from Illinois (Mr. PERCY), and the Senator from Maine (Mrs. SMITH) would each vote "yea."

The result was announced—yeas 68, nays 4, as follows:

[No. 220 Leg.]

YEAS—68

Aiken
Allen
Allott
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Dole
Dominick
Eagleton
Eastland
Ellender
Fannin
Fulbright
Goodell
Griffin
Gurney
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Jordan, Idaho
Kennedy
Long
Mansfield
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Talmadge
Tower
Tydings
Williams, N.J.
Young, N. Dak.

NAYS—4

Cotton
Goldwater
Thurmond
Williams, Del.

NOT VOTING—28

Anderson
Cook
Curtis
Dodd
Ervin
Fong
Gore
Gravel
Hansen
Harris
Javits
Jordan, N.C.
Magnuson
Mathias
McCarthy
McGee
Moss
Mundt
Murphy
Packwood
Percy
Ribicoff
Russell
Smith, Maine
Stevens
Symington
Yarborough
Young, Ohio

So the bill (H.R. 17548) was passed.

Mr. PASTORE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Chair appointed Mr. PASTORE, Mr. MAGNUSON, Mr. ELLENDER, Mr. HOLLAND, Mr. ANDERSON, Mr. ALLOTT, Mrs. SMITH of Maine, Mr. HRUSKA, and Mr. YOUNG of North Dakota conferees on the part of the Senate.

TRIBUTE TO EARL W. COOPER, PROFESSIONAL STAFF MEMBER ON THE COMMITTEE ON APPROPRIATIONS.

Mr. PASTORE. Mr. President, I already said this at the beginning, but I should like to repeat it for the benefit of Senators, that this is the last appearance of Earl W. Cooper the clerk to the subcommittee. Earl has been a faithful public servant for many years and served on the Appropriations Committee with distinction and honor. He is retiring at the end of this month.

The Senate and the country owes Mr. Cooper a debt of gratitude for his valuable service.

Mr. MANSFIELD. Mr. President, I wish to join in what the distinguished senior Senator from Rhode Island, the chairman of the committee considering the measure which just passed the Senate, has said.

I look back with fondness, affection, and respect over the years that I have served with Earl Cooper.

I am personally very much indebted to him for the great work he did in helping to save the veterans' hospital in Miles City, in Montana, when a Democratic President undertook to eradicate it, liquidate it, and do away with it.

So when it comes to "Coop," he has my undying affection, admiration, and respect.

I am very sorry that he is leaving us so soon.

Mr. HRUSKA. Mr. President, may I join in the sentiments just expressed by the majority leader and the chairman of the committee, about the man who will soon retire.

Earl Cooper has served here for a long time. He has rendered untold valuable service not only to the Senate and to the membership at large but also from personal testimony, I can say that he takes unto his bosom the younger, inexperienced Members who come to the Senate and he properly indoctrinates and orients them as to proper procedures here. He has been doing that for a long, long time.

Everyone in the Senate will miss Earl Cooper. We all wish him well in the future and many years of good and solid health.

Mr. KENNEDY. Mr. President, men such as Earl Cooper serve in the Senate for a long period of time and work without the kind of acclamation Members receive. But they make our task here a great deal easier.

I know by reputation the splendid service that Mr. Cooper has rendered and I should like to be included among those who are paying tribute to his great contribution to the Senate and to the country.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1001 and 1003.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

CONVEYANCE OF CERTAIN PUBLIC LAND HELD UNDER COLOR OF TITLE

The Senate proceeded to consider the bill (H.R. 5365) to provide for the conveyance of certain public land held under color of title to Mrs. Jessie L. Gaines, of Mobile, Ala., which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 10, after the word "to", strike out "Mrs. Jessie L. Gaines" and insert "Miss Adelaide Gaines".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to provide for the conveyance of certain public land held under color of title to Miss Adelaide Gaines of Mobile, Ala."

UNAUTHORIZED MANUFACTURE AND USE OF THE CHARACTER "JOHNNY HORIZON"

The bill (S. 3838) to prevent the unauthorized manufacture and use of the character "Johnny Horizon," and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3838

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may establish and collect use or royalty fees for the manufacture, reproduction, or use of the character "Johnny Horizon," originated by the Bureau of Land Management and announced in the July 3, 1968, issue of the Federal Register (33 Federal Register 9677) as the official symbol for a public service antilitter program to maintain the beauty and utility of the Nation's public lands.

SEC. 2. The Secretary of the Interior shall deposit into a special account all fees collected pursuant to this Act. Such fees are hereby made available for obligation and expenditure for the purpose of furthering nationwide antilitter campaigns.

SEC. 3. Chapter 33 of title 18 of the United States Code is amended by adding a new section to be known as section 714, as follows:

"§ 714 .'JOHNNY HORIZON' CHARACTER OR NAME

"As used in this Act, the name of character 'Johnny Horizon', means the representation of a tall, lean man, with strong facial features, who wears slacks and sport shirt buttoned to the collar (both green, when colored), no tie, a field jacket (red, when colored), boot-type shoes (brown, when colored) and who carries a backpack, which was originated by the Bureau of Land Management, United States Department of the Interior, as the official symbol for a public service antilitter program to maintain the beauty and utility of the Nation's public lands.

"Whoever, except as authorized under rules and regulations issued by the Secretary of the Interior, knowingly manufactures, reproduces, or uses the character 'Johnny Horizon', or any facsimile thereof, or the name 'Johnny Horizon' as a trade name or mark, or in such a manner as suggests the character 'Johnny Horizon', so that such use is likely to cause confusion, or to cause mistake, or to deceive, shall be fined not more than $250 or imprisoned not more than six months, or both.

"This section shall not make unlawful the use of any such emblem, sign, insignia, or words which was lawful on the date of enactment of this Act.

"A violation of this section may be enjoined at the suit of the United States attorney, upon complaint by the Secretary of the Interior."

SEC. 4. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"714. 'Johnny Horizon' character or name."

SEC. 5. The rights in the name and character "Johnny Horizon" shall terminate if the use by the Secretary of the Interior of the name and character "Johnny Horizon" is abandoned. Nonuse for a period of two years shall constitute abandonment.

AUTHORIZATION FOR PRESIDENT'S COMMISSION ON CAMPUS UNREST TO COMPEL ATTENDANCE AND TESTIMONY OF WITNESSES AND PRODUCTION OF EVIDENCE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 1284.

The PRESIDING OFFICER (Mr. BURDICK) laid before the Senate House Joint Resolution 1284, authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witnesses and the production of evidence, and for other purposes, which was read twice by its title.

Mr. MANSFIELD. I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, read the third time, and passed.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 991, H.R. 17923, and that it be laid before the Senate and made the pending business. I do this so that it will become the pending business tomorrow.

The PRESIDING OFFICER (Mr. BURDICK). The clerk will state the bill by title.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 991, H.R. 17923, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes, which was reported from the Committee on Appropriations, with amendments.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

SENATE DOCUMENT 91–94

AMENDMENTS TO THE BUDGET FOR FISCAL 1971 FOR CHILD NUTRITION PROGRAMS (H.R. 17923)

Mr. HOLLAND. Mr. President, since the agricultural appropriation bill for fiscal 1971, H.R. 17923, was reported to the Senate on June 29 there has been transmitted directly to the Senate, budget amendments providing for additional financing during fiscal 1971 of the child nutrition programs. The total increase requested in the amendments is $216,579,000. The bill as reported to the Senate and which will be debated tomorrow provides the full amount of the budget estimate of $323,753,000 for the direct appropriations for the child nutrition programs. The additional amounts recommended bring this total to $540,332,000.

At the appropriate time during consideration of the agricultural appropriation bill, I have been authorized by the committee to recommend adoption of the amendments to the budget proposed in Senate Document 91–94.

Mr. President, I request that Senate Document 91–94 be printed in the Record at this point, together with a letter dated July 6 from the Secretary of Agriculture, Mr. Clifford M. Hardin, to which is attached a summary explanation of the requested budget amendments. I also request that the justifications submitted to the committee by the Department be printed in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

The White House,
Washington, July 1, 1970.

The President of the Senate.

Sir: I ask the Congress to consider an amendment to the requests for appropriations in the budget for fiscal year 1971 in the amount of $216,579,000 for the Department of Agriculture for the Child Nutrition Programs to carry out Public Law 91–238.

As I stated on approving this legislation on May 14, "This legislation will help the Administration achieve its goal of expanding the school lunch program for all children and providing free or reduced price lunches for every needy child."

Further details of this proposal and the necessity therefor are set forth in the enclosed letter from the Director of the Bureau of the Budget, with whose comments and recommendations I concur.

Respectfully yours,

Richard Nixon.

Executive Office of the President,
Bureau of the Budget,
Washington, D.C., June 30, 1970.

The President,
The White House.

Sir: I have the honor to submit for your consideration an amendment to the request for appropriations transmitted in the budget for the fiscal year 1971 in the amount of $216,579,000 for the Department of Agriculture as follows:

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

Budget appendix page 144, Child nutrition programs	
Request pending	$323, 753, 000
Proposed amendment	$216, 579, 000
Revised request	$540, 332, 000

(Delete the paragraph under this heading and insert in lieu thereof the following:)

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751–1761; *Public Law 91–248*) and the applicable provisions other than section 3 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1773–1785; *Public Law 91–248*), [$252,441,000] *$476,007,000,* of which [$129,941,000] *$174,033,000 shall be derived by transfer* from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That of the foregoing total amount there shall be available [$44,800,000] *$204,747,000* for special assistance to needy [schools] *school children,* [$10,000,000] *$12,000,000* for the school breakfast program, [$10,000,000] *$15,000,000* for the nonfood assistance program, [$750,000] *$1,500,000* for State administrative expenses, and [$15,000,000] *$12,000,000* for special food service programs for children [to remain available until September 30 of the next succeeding fiscal year]: *Provided further, That funds provided herein shall remain available until expended in accordance with section 3 of the National School Lunch Act, as amended: Provided further,* That no part of this appropriation shall be used for nonfood assistance under section 5 of the National School Lunch Act, as amended: *Provided further,* That an additional $64,325,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act, as amended: *Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109.*

This amendment to the budget is to carry out H.R. 515 (Public Law 91–248) amending the National School Lunch and Child Nutrition Acts. This amendment will permit the administration in partnership with the States to develop a program before the next school year to assure that every needy child in school receives a lunch free or at a reduced price.

I recommend that this amendment to the budget for the fiscal year 1971 be transmitted to the Congress.

Respectfully yours,

James R. Schlesinger,
Acting Director of the Bureau of the Budget.

Department of Agriculture,
Office of the Secretary,
Washington, D.C., July 6, 1970.

Hon. Spessard L. Holland,
Chairman, Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, D.C.

Dear Senator Holland: We have furnished your Committee the justifications to support the additional $216,579,000 requested by the President on July 1 for Child Nutrition Programs. There is attached a summary explanation of this estimate.

Public Law 91–248 significantly amended the National School Lunch and Child Nutrition Acts in several respects. Among other new provisions, it establishes priorities for school food service to needy children and actions to be accomplished by specified dates during the 1971 fiscal year.

The new law provides for the establishment of a national minimum eligibility standard for free and reduced price meals, and authorizes Federal funds to be used to assist schools that need such assistance in financing all or part of the operating costs of a school lunch program. It also provides for increased emphasis on nutritional training. The Act emphasizes that access to the school lunch program shall be available to children in all schools.

Additional Federal funds are needed to carry out the intent of the new Act. In order to meet the requirements by the dates specified in the law, the additional funds should be provided in the regular 1971 Appropriation Bill. State educational agencies must be given assurance of increased funding to meet the goals established for fiscal year 1971.

Sincerely,

Clifford M. Hardin,
Secretary.

SUMMARY EXPLANATION OF REQUESTED BUDGET AMENDMENT

On May 14, 1970, the President signed P.L. 91–248 to strengthen our National School Lunch and Child Nutrition Programs. The Act emphasizes that access to the school lunch program shall be available to all children in all schools. It establishes a priority goal of reaching needy children with free or reduced price lunches. To meet these goals the new law provides for the establishment of a national minimum eligibility standard for free and reduced price meals, establishes a maximum price that may be charged children for reduced price meals and authorizes State agencies to use Federal funds to assist schools in financing all or part of the operating costs of a school lunch program.

Public Law 91–248 creates an immediate need for increased Federal funding of the school lunch program. Consequently, a budget amendment has been submitted by the President which will provide funds to permit the USDA, in partnership with the States, to develop a program before the upcoming school year. This program will assure that at least 6.6 million needy children in schools receive a lunch free or at a reduced price daily.

An increase of $216,579,000 is needed to finance the additional costs of a lunch program which will provide lunches daily to 25 million school children. This includes an average of 6.6 million needy children. The increase would be used as follows:

For section 4, an additional $55,279,000 would be used to provide an average of 5¢ per lunch for all lunches served regardless of whether they are served free, at a reduced price or at the regular price. In other words, the total available under section 4, $225,000,000, would provide a Federal contribution of 5¢ a lunch for 25 million children. The previous budget request did not provide section 4 financing for needy children receiving section 11 special assistance financing. These children *will* receive the section 4 contribution of 5¢ a meal. They will also be entitled to their share of State and local lunch funds.

An increase of $156,400,000 will be used for the Section 11 Special Assistance Program. It will provide an average of 30¢ per free and reduced price lunch (in addition to the 5¢ under Section 4) to a daily average of 6.6 million needy children. This makes a total of 35¢ Federal cash contributions for free and reduced price meals. This cash would be supplemented by approximately 7¢ worth of donated commodities to provide an average Federal contribution of 42¢ per free and reduced price lunch. Children's payments averaging 4¢ a lunch for the reduced price meals plus State and local contributions would provide the remaining funds to cover the cost of about 60¢ to serve a lunch. The previous budget provided a reimbursement rate of 20¢ in Federal cash under the old legislation which is not adequate to meet the needs under the new Act.

An additional $2,500,000 is requested for nonfood assistance grants. These funds would provide for equipment assistance to about 250 more schools than were planned for in the original budget. Our new legislation requires access to a lunch program be provided for all children. The pace of getting schools equipped must be stepped up to meet this requirement.

An increase of $750,000 is needed to provide assistance to State educational agencies in fulfilling the many new requirements under P.L. 91-248. This increase would provide about one employee per State.

An increase of $750,000 is needed to finance nutritional training and studies and surveys of food service requirements. The Act gives increased emphasis to nutritional training for workers, cooperators, and for participants, with particular emphasis on the training of managerial workers, at the supervisory, school system and local levels.

An increase of $900,000 is requested for Federal operating expenses. The Department must provide leadership, guidance and monitoring for the many new requirements in the new Act. In addition it must conduct the program in many private schools not administered by State educational agencies.

These estimates are based on the best current information available. Section 8 of P.L. 91-248 provides for adjustment between programs if necessary to meet developing program needs.

These are the uses, in summary, that will be made of the $216,579,000 that is requested in this budget amendment. These funds will make it possible to achieve the goal that was contemplated when this law was enacted—to make increasingly effective use of the facilities of the school food delivery system as a means to improve the health and well-being of all of our children, and particularly of those who suffer the disadvantage to come from a family whose resources are limited.

U.S. DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE

Child nutrition programs, 1971 budget amendment

Budget appendix page 144.

Child Nutrition Programs

Request pending	$323,753,000
Proposed amendment	+216,579,000
Revised request	540,332,000

(Delete the paragraph under this heading and insert in lieu thereof the following:)

For necessary expenses to carry out the provisions of the National School Lunch Act, as amended (42 U.S.C. 1751-1761; *Public Law 91-248*) and the applicable provisions other than section 3 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1773-1785; *Public Law 91-248*), [$252,441,000] *$476,007,000,* of which [$129,941,000] *$174,033,000* shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That of the foregoing total amount there shall be available [$44,800,000] *$204,747,000* for special assistance to needy [schools] *school children,* [$10,000,000] *$12,000,000* for the school breakfast program, [$10,000,000] *$15,000,000* for the nonfood assistance program, [$750,000] *$1,500,000* for State administrative expenses, and [$15,000,000] *$12,000,000* for special food service programs for children [to remain available until September 30 of the next succeeding fiscal year]: *Provided further, That funds provided herein shall remain available until expended in accordance with section 3 of the National School Lunch Act, as amended: Provided further,* That no part of this appropriation shall be used for nonfood assistance under section 5 of the National School Lunch Act, as amended: *Provided further,* That an additional $64,325,000 shall be transferred to this appropriation from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612), for purchase and distribution of agricultural commodities and other foods pursuant to section 6 of the National School Lunch Act, as amended: *Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment, under 5 U.S.C. 3109.*

EXPLANATION OF LANGUAGE

The proposed language would provide an increase of $216,579,000 for fiscal year 1971 to meet necessary costs of providing food services to school children in accordance with the intent of P.L. 91-248 of May 14, 1970. The language also inserts reference to P.L. 91-248 and changes the wording under special assistance to reflect the new provisions contained in P.L. 91-248 which provide for serving free or reduced price lunches to needy children regardless of the type of school they attend.

The proposed language also would delete the wording providing availability of funds until September 30 of the next succeeding fiscal year under the special food service programs for children. Public Law 91-248 provides that any funds appropriated to carry out the National School Lunch and Child Nutrition Acts shall remain available until expended, and this is included in the proposed appropriation language.

PURPOSE AND NEED FOR BUDGET AMENDMENT

The increased funds requested would enable the Secretary and cooperating State agencies to implement the revised requirements of the new Act. The new law provides for the establishment of a national minimum eligibility standard for free and reduced price meals, establishes a maximum price that may be charged children for reduced price meals, and authorizes State agencies to use Federal funds to assist schools in financing all or part of the operating costs of a school lunch program. The Act clearly establishes that priority shall be given to reaching needy children. It also provides for increased emphasis on nutritional training as related to workers, cooperators, and participants. The Act emphasizes that access to the school lunch program shall be available to children in all schools.

P.L. 91-248 creates an immediate need for increased Federal funding for child nutrition programs. The requirement that needy children shall be served free school meals means that the Federal contribution to each State's school feeding program should enable that State to meet that legal obligation. The new legislation is also expected to increase the number of children eligible to receive free and reduced price meals. The estimate provides for 7.3 million such children with an average of 6.6 million participating daily. Total participation is expected to rise from a previously expected year end total of 24.4 million to year end figure of 26.0 million, with the average participation for the year running at about a 25 million level.

The revised budget estimates will allow every State to meet its obligation to provide free and reduced price meals for every needy child by using special assistance funds available under Section 11 of the National School Lunch Act together with a share of Section 4 funds and donated commodities proportionate to the number of needy children to be fed, and a like proportionate share of State and local school lunch funds. In areas where State and local funding for school lunch programs falls below the national average, the free and reduced price lunch obligation created by P.L. 91-248 can be met by applying more than a proportionate share of Section 4 funds and commodities to the use and benefit of needy children.

This revised budget estimate also provides for the initiation of the program of nutritional training called for by P.L. 91-248, an increase in the level of equipment expenditures, and increased State and Federal operating expenses.

U.S. DEPARTMENT OF AGRICULTURE—FOOD AND NUTRITION SERVICE

JUSTIFICATION OF BUDGET AMENDMENT FOR "CHILD NUTRITION PROGRAMS"

Project	Request pending 1971	Proposed amendment 1971	Revised request 1971
1. Cash payments to States:			
(a) School lunch program	$169,721,000	+$55,279,000	$225,000,000
(b) Special assistance	48,347,000	+156,400,000	204,747,000
(d) Nonfood assistance program	12,500,000	+2,500,000	15,000,000
(e) State administrative expenses	750,000	+750,000	1,500,000
2. Nutritional training activities		+750,000	750,000
3. Operating expense	4,110,000	+900,000	5,010,000
4. All other	88,325,000		88,325,000
Total	323,753,000	+216,579,000	540,332,000

Public Law 91-248 passed by the 91st Congress became law on May 14, 1970. This Act amends provisions of the National School Lunch and Child Nutrition Acts related to the providing of free and reduced price meals and preventing discrimination against children; revises program matching requirements; provides for revised apportionment formulas to States; strengthens the nutritional training benefits of the programs; and otherwise amends the basic Acts to strengthen food service programs in schools and service institutions.

The provisions of PL 91-248 raise the expectation that Federal support for free and reduced price lunches will allow participating States to meet their mandatory obligation under the statute. The previous average reimbursement rate of 20 cents per meal for free and reduced price lunches is not adequate for this purpose. A revised average reimbursement rate of 30 cents per lunch will allow States to meet their obligations under the Act when combined with a share of other funds available for child feeding from Federal, State and local sources proportionate to the number of needy children being fed. The increase requested of $156,400,000 above the previous estimate would provide a total of $204,747,000 for the Section 11 appropriation. Including the $151,653,000 available from the Section 32 Special Feeding Program, a total of $356,400,000 would be available for free and reduced price lunches.

Under previous law only children in designated needy schools were eligible for Section 11 assistance and Section 4 funding was not budgeted for 5.5 million needy children in Section 11 schools. Under the new legislation, needy children are eligible for Section 11 assistance wherever they attend school and also a share of regular Federal, State and local lunch funding proportionate to their numbers. Making Section 4 benefits available to 5.5 million needy children not covered by the previous request and for an estimated increase in total program participation of .6 million will require an additional $55,279,000 in Section 4 funds above the $169,721,000 previously requested.

The increased Section 11 and Section 4 funds described above will allow States to receive amounts averaging 30¢ under Section 11 and 5¢ under Section 4 per meal for every needy student currently estimated to be eligible as defined by the Secretary pursuant to PL 91-248. These amounts when combined with the approximately 7¢ per meal worth of commodities will provide an average Federal support level for every free and reduced price lunch of 42¢. In addition State and local administrators will be expected to allot needy children their proportionate share of the State and local funds which for FY 1970 is estimated at a total of $575 million or 14.5¢ per lunch. If 20% of lunches are served at a reduced price of 20¢ (the maximum price permissible under the new law), this will provide an average of 4¢ per lunch. These available monies will allow States providing average support for school lunch programs to serve every needy child. Decisions as to how to allocate money within each State will be left to that State. States providing less than average support for their school lunch program can meet their legal obligations by applying more than a proportionate share of commodities and Section 4 funds to providing free and reduced price lunches for needy students.

The amended budget would also provide for some additional funds for equipment assistance to schools, for initiating a program for improved nutritional training for workers and necessary surveys of requirements for food service programs, and for State and Federal operating expenses.

An increase of 20% over the previous request is estimated for equipment assistance. This would provide funds to assist about 250 additional schools for a total of 1500, the same as estimated for 1970. PL 91–248 requires that access to the lunch program be provided for all children and the number of children in schools without service is a factor in the new apportionate formula. Therefore, the pace of getting schools equipped and operative needs to be stepped up.

The Act authorizes up to 1 percent of the total funds available to be used for nutritional training and studies and surveys of food service requirements. Use of $750,000 is proposed to begin these activities on a modest scale. The first area of concentration will be on managerial workers at the supervisory, school system and local levels to assure effective delivery of nutritionally adequate meals to children. This will be carried out primarily through grants to States for seminars, short courses, training materials, etc., or through contractual arrangements on a regional basis. This will be followed with outreach to other cooperators and participants.

The State educational agencies are faced with many new requirements under PL 91–248. These include obtaining semiannual statistical estimates from all schools of eligible needy children, developing detailed annual plans of operation for Federal approval, and follow through school by school, and practically child by child, to assure the program is initiated and carried out. The estimate of $750,000 will provide 50 to 55 manyears, or an average of but one additional employee per State.

An additional $900,000 is requested for Federal operating expenses. This will provide 60 positions. For the States to discharge their responsibilities, the Department must (a) develop new regulations and procedures, (b) establish criteria for State operations, (c) review and approve State plans for extending programs to reach all needy children, (d) provide technical back-stopping information to the States on nutrition, food service delivery systems, and program management, (e) monitor the several specific new program requirements. Also the Department must develop and conduct similar operations for private schools. It must provide executive secretariat and technical staff assistance to the National Advisory Council on Child Nutrition established by the Act.

The increase requested was based on the following estimates:

1. Special assistance for needy children (section 11) calculated on basis of 7.3 million needy children at an average of 30¢ per lunch with a lapse of about 10 percent for absenteeism less amount available in original budget	+$156,400,000
2. General cash assistance (section 4) calculated on basis of average daily participation of 25 million children at an average reimbursement of 5¢ per lunch less amount available in original budget	+55,279,000
3. Nonfood assistance	+2,500,000
4. Nutritional training and surveys	+750,000
5. State administrative expense assistance	+750,000
6. Federal operating expenses	+900,000
Total	+216,579,000

To relate the available funds to the implied mandates in PL 91–248 requires flexibility in 1971 in allocating funds among the programs and activities authorized under the amended Acts. The minimum national standards for such eligibility, the State and local policies for implementation, and the required October 1, 1970, estimates of the number of eligibles are not yet developed and the impact of new apportionment formulas may require fund adjustments between programs. Therefore, the above calculations by program and activity would be subject to adjustment as authorized by Section 8 of PL 91–248. Also, no additional funds are estimated for other authorized activities such as school breakfasts. Practical means for meeting nutritional requirements of needy children may necessitate a part of the additional funds be used for such programs.

Mr. HOLLAND. Mr. President, I also request that the seven amendments pursuant to Senate Document 91–94, which has been printed in the RECORD, be printed in the RECORD at this point together with a brief explanation of each of these amendments.

There being no objection, the amendments and summaries were ordered to be printed in the RECORD, as follows:

AMENDMENT No. 1

Page 19, line 19, following "1751–1761)" insert "; Public Law 91–248."

The first amendment inserts the code citation to the recent amendments to the Child Nutrition Act, Public Law 91–248, approved May 14, 1970.

AMENDMENT No. 2

Page 19, line 21, strike ", $259,428,000" and insert "; Public Law 91–248, $476,007,000."

This amendment increases the total appropriation figure for the Child Nutrition Programs from $259,428,000 to $476,007,000, an increase of $216,579,000.

AMENDMENT No. 3

Page 20, line 2, strike "$48,347,000" and insert "$204,747,000."

This amendment increases the amount available by direct appropriation for Special Assistance to Needy Schools from $48,347,000 to $204,747,000, an increase of $156,400,000 over the original budget estimate and an increase of $159,947,000 over the amount available in fiscal year 1970. In addition, with transfers of $151,653,000 for the same pur- $356,400,000 represents an increase of $221,- pose from Section 32 funds, a total of $356,- 400,000 will be available for Section 11 assistance in fiscal 1971. The total funding of 600,000 over the amount available in 1970 of $134,800,000.

AMENDMENT No. 4

Page 20, line 3, strike the word "schools" and insert "school children".

This amendment relates to the clarification of eligibility under Section 11, to make it clear that all needy children are reached irrespective of whether they attend a school which is predominately a needy school or a more affluent school. The Committee is advised by the Department that in the past there has been some difficulty in the interpretation on this point and the amendment proposed would make it clear that it is the "needy" children that are to be reached, irrespective of the type of school they attend.

AMENDMENT No. 5

Page 20, line 4, strike "$12,500,000" and insert "$15,000,000".

This amendment increases the non-food assistance from $12,500,000 to $15,000,000, an increase of $2,500,000 over the original budget estimate and $2,500,000 over the 1970 availability, and $2,500,000 under the amount carried in the House bill.

AMENDMENT No. 6

Page 20, line 5, strike "$750,000" and insert "$1,500,000".

This amendment proposes an increase in State administrative expenses of $750,000, making a total of $1,500,000 available for fiscal 1971. With the transfer of $2,000,000 from the Section 11 Special Feeding Program, this will make a total of $3,500,000 available to meet these expenses.

AMENDMENT No. 7

Page 20, lines 7 and 8, strike "to remain available until Setpember 20 of the next succeeding fiscal year" and insert ": Provided further, that funds provided herein shall remain available until expended in accordance with section 3 of the National School Lunch Act, as amended".

This is the last amendment and it inserts a provision in the bill pursuant to Section 3 of the National School Lunch Act, as amended, which would continue unused appropriations until expended in lieu of continuing them to remain available until September 30 of the next succeeding fiscal year. The broader provision on the availability of funds should enable the Child Nutrition Programs to operate on an orderly basis throughout the year, including special summer camp feeding programs and other specialized activities.

Mr. President, as previously indicated, following the adoption of the committee amendments on H.R. 17923, as reported from the committee, I intend to propose that the seven amendments referred to above be reported and adopted en bloc. I feel that the membership of the Senate should be on notice as to the content of the budget amendments submitted in Senate Document 91–94, together with the supporting information referred to which I have received as chairman of the subcommittee for the Department of Agriculture and related agencies.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business this evening, it stand in adjournment until 10 a.m. tomorrow.

The **PRESIDING OFFICER** (Mr. BURDICK). Without objection, it is so ordered.

TRIBUTE TO SENATOR PASTORE

Mr. MANSFIELD. Mr. President, I want to make some well-deserved remarks about the distinguished senior

Senator from Rhode Island (Mr. PASTORE).

It gives me an unusual amount of pleasure to have the privilege of commending one of the best—if not the best—floor managers of legislation in this body.

I refer, of course, to the giant from Rhode Island, the distinguished senior Senator from Rhode Island (Mr. PASTORE), the man who knows his subject, who is able to answer all questions, who is always courteous in the extreme, and is always aware of what it takes to make the Senate run and what it takes to make the Senate accomplish things.

The distinguished Senator from Rhode Island, with whom I have had the pleasure of serving for 18 years—but he has been here longer than that—has made a name for himself in the Senate which will not be surpassed by anyone anywhere, in his own State or throughout the Nation.

He has performed with remarkable sagacity and understanding. He has held high the standard of his great State of Rhode Island on all occasions. He has performed in a manner that many of the rest of us would like to emulate, but we do not have this man's integrity, his capability, his understanding, or his deep knowledge of the subjects which he is called upon to manage. He is a man who can keep abreast of the times—who realizes that the answers of yesterday are not necessarily tomorrow's solutions—who recognizes that changed circumstances demand fresh approaches.

If I had my choice of any one man in this body to manage a bill for me, that man would be the distinguished senior Senator from Rhode Island (Mr. PASTORE). He has made his mark on the Senate down through the years. He has won the affection, the respect, and the great admiration of all his colleagues on both sides of the aisle, a man whom I expect to see manage bills in this Chamber for many, many years to come.

In addition, Mr. President, I wish to commend the distinguished ranking member of the subcommittee, the Senator from Colorado (Mr. ALLOTT), whose work and efforts within the subcommittee have made it possible to bring this bill to the floor and final passage in such an expeditious manner. To all Members of the Senate who have raised specific issues, the Senator from Wisconsin (Mr. PROXMIRE), the Senator from Arizona (Mr. GOLDWATER), the Senator from Minnesota (Mr. MONDALE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Michigan (Mr. HART), the leadership owes a special note of appreciation for the quality of the debate and the expeditious handling of amendments.

The Senate again has demonstrated that it can get the job done and still maintain the deliberativeness that marks the Senate as an essential but unique institution in our form of government.

The passage of this bill continues the fine accomplishments to date of the Senate this session of Congress.

Mr. GRIFFIN. Mr. President, as a rather junior Member of this body in the minority leadership, I join the distinguished majority leader in paying tribute to the distinguished senior Senator from Rhode Island (Mr. PASTORE) who has done such an outstanding job in managing the bill just passed.

I know that he would share my views if I were to add that the distinguished Senator from Colorado (Mr. ALLOTT), the ranking Republican member, also did an outstanding job on the bill.

Mr. PASTORE. I thank the Senator from Michigan very much.

AUTHORIZATION OF APPROPRIATIONS FOR ACTIVITIES OF THE NATIONAL SCIENCE FOUNDATION

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 16595.

The PRESIDING OFFICER (Mr. BURDICK), laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 16595) to authorize appropriations for activities of the National Science Foundation, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KENNEDY. I move that the Senate insist upon its amendment and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KENNEDY, Mr. PELL, Mr. EAGLETON, Mr. PROUTY, and Mr. DOMINICK conferees on the part of the Senate.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL COSPONSORS OF BILLS

S. 2108

Mr. KENNEDY. Mr. President, on behalf of the Senator from Maine (Mr. MUSKIE), I ask unanimous consent that his name be added as a cosponsor of S. 2108, to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

S. 2400

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at the next printing, the names of my colleague from Nebraska (Mr. CURTIS), the Senator from Oklahoma (Mr. BELLMON), and the Senator from New Mexico (Mr. MONTOYA) be added as cosponsors of S. 2400, to revise the quota-control system on the importation of certain meat and meat products.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

S. 3137

Mr. KENNEDY. Mr. President, on behalf of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that at the next printing, the names of the Senators from Pennsylvania (Mr. SCOTT and Mr. SCHWEIKER), be added as cosponsors of S. 3137, to cancel the indebtedness of the St. Lawrence Seaway Development Corporation to the United States.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

S. 3546 AND S. 3687

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maine (Mr. MUSKIE), I ask unanimous consent that, at the next printing, the name of the Senator from Washington (Mr. JACKSON) be added as a cosponsor of S. 3546, the National Air Quality Standards Act of 1970, which would accelerate the designation of air quality control regions required by the Air Quality Act of 1967, and of S. 3687, the National Water Quality Standards Act of 1970, which would increase the Federal grant authorization for waste treatment facilities to $2.5 billion a year for 5 fiscal years and extend the standards program to all navigable waters.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

S. 3941

Mr. GRIFFIN. Mr. President, on behalf of the Senator from Pennsylvania (Mr. SCHWEIKER), I ask unanimous consent that, at the next printing, the name of the Senator from Texas (Mr. TOWER) be added as a cosponsor of S. 3941, to provide civil penalties for the use of lead-based paint in certain dwellings.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 762

Mr. KENNEDY. Mr. President, on Wednesday the Senator from Michigan (Mr. HART) on behalf of a number of Senators, submitted amendment 762, to H.R. 17548, to appropriate the full authorization of $2.3 billion for urban renewal.

Inadvertently the names of Senators BAYH, CANNON, GORE, HARRIS, HUGHES, and KENNEDY were omitted as original cosponsors.

On behalf of the Senator from Michigan, I ask unanimous consent that, at its next printing, those senators be added as original cosponsors to amendment 762.

The PRESIDING OFFICER (Mr. BURDICK). Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 8, 1970, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Tuesday, July 7, 1970*

The House met at 12 o'clock noon.

Rev. William A. Van Croft, rector, St. Luke's Episcopal Church, Washington, D.C., offered the following prayer:

O Lord, who has commanded us to make prayers and intercession for all men, we implore Thy blessing more especially upon this, our country, its Government, and upon its people. May Thy Holy Spirit look with favor upon Thy servants, the President, the Vice President, the Congress, and all others in authority. Grant that they may govern in Thy faith and fear, striving to put down all evil, and to encourage and support all that is good. Give Thy spirit of wisdom to those whose business it is to make laws for us. Grant that they may understand and feel how great a work Thou hast given them to do, that they may not do it lightly or foolishly, but gravely, soberly, and with a godly spirit, enacting always things just, things wise, and things merciful to the advancement of the true welfare of Thy people. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1076) entitled "An act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. BIBLE, Mr. MOSS, Mr. ALLOTT, and Mr. STEVENS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1519) entitled "An act to establish a National Commission on Libraries and Information Science, and for other purposes."

SOL KAMINSKY ELECTED STATE COMMANDER, NEW YORK DAV

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. Mr. Speaker, I would like to bring to the attention of my colleagues the recent election of Mr. Sol Kaminsky as commander, New York State Department, Disabled American Veterans. It has been my privilege to know Sol Kaminsky for a number of years and I have always enjoyed a fine working relationship with him.

Sol has served as senior vice president of the Department of New York, DAV, and in prior years as department adjutant and junior vice commander. He is a member of the National Amputation Chapter, No. 76, having served as commander and most recently as chapter adjutant. He is also past president and currently secretary of the National Amputation Foundation, an organization founded for the purpose of distributing funds for the rehabilitation and welfare of amputee disabled veterans.

Sol is a recipient of the "Amputee of the Year" award from his chapter and has also been named outstanding Disabled American Veteran for 2 consecutive years by the New York State Department. Sol is a double amputee and has given hope to thousands of disabled veterans through his outstanding achievements in the area of rehabilitation and veteran activities.

I want to take this opportunity to extend my congratulations to Sol, his wife, and three children, on his election as State commander for the 1970–71 term. I am sure he will be a fine commander and I look forward to working with him in connection with his new responsibilities.

SUPPLEMENTAL VIEWS ON SOUTHEAST ASIA INVESTIGATION

Mr. HAWKINS. Mr. Speaker, I have two unanimous-consent requests to make. One is that my supplemental views on the investigation in Southeast Asia by the select committee be included in that report as a supplemental report; and, second, that my supplemental views be included in the RECORD as of today so that the readers may have those views available to them.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

GAO REPORT SUBSTANTIATES TRUCK DAMAGE TO HIGHWAYS

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHWENGEL. Mr. Speaker, the General Accounting Office released yesterday a report which substantiates charges which I and others have made with respect to the damage done to our highways by big trucks. This important report further emphasizes the need for a study of all factors involved in proposals to increase the size and weight of the trucks which use our Nation's highways. My bill, H.R. 15051, would deal with the problem presented by the GAO report.

The report indicates that—

> The cost of overlays for the entire Interstate System would vastly exceed the 1968 cost estimate.

The study commission proposed by my bill would determine not only the actual costs of these overlays, but would make recommendations as to who should pay for them.

I urge every Member to obtain and read a copy of this very important report.

A summary of the report, together with a story from today's Washington Post, and the text of my bill will appear in today's Extensions of Remarks.

POLL OF PHOENIX, ARIZ., BUSINESSMEN ON IMPORTANT QUESTIONS WHICH CONFRONT FEDERAL, STATE, AND LOCAL GOVERNMENTS

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, I received a telegram from Mr. Thomas N. Fannin, president of the Phoenix Chamber of Commerce, informing me that the chamber recently polled its membership consisting of 3,074 Phoenix businessmen representing 2,250 member firms concerning important questions which confront our Federal, State, and local governments. The response to the questionnaire was 38 percent. There were three Federal issues covered, with the following results:

The first question was, "Do you approve of the Nixon administration's approach toward disengagement from Southeast Asia, including the destruction of North Vietnamese sanctuaries in Cambodia?" The response to that question was "Yes," 89 percent; "No," 11 percent.

The second question was, "Do you believe that the Nixon administration should furnish additional military hardware to Israel in connection with the crisis in the Middle East?" The response was "Yes," 65 percent; "No," 35 percent.

The third question was, "Do you believe that the Nixon administration should impose wage and price controls as a method of combating inflation?" The response was "Yes," 41 percent; "No," 59 percent.

Mr. Speaker, it was a real service to me as a Representative in Congress to have this information and I congratulate the Phoenix Chamber of Commerce upon making the results of this poll available to me.

SOVIET CONTROL OVER SAM-3 MISSILES IN EGYPT SAME AS IN CUBA

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, anyone who still doubts Soviet military advisers are firing SAM-3 missiles at Israel planes over the Suez Canal need only look at similar installations in Cuba where no Cuban personnel at all are permitted near Soviet-maintained missile sites.

American intelligence information has long ago established that the Soviet Union has a policy of not permitting anyone but Soviet personnel to operate Soviet-installed missile bases.

SAM-3 installations in Cuba are in

compounds run and operated exclusively by Soviet personnel and no Cuban soldiers, not even Castro himself, can get close to the installation. Because of this longstanding Soviet policy, there should be no further doubt that the Soviet Union is now fully involved and fully in charge of operations against Israel in the Middle East.

President Nixon can delay no longer the assignment to Israel of an additional 125 jet fighters which Israel desperately needs if the balance of power is to be preserved in the Middle East, and a full scale military conflict is to be avoided.

The SAM-3 missile operations in Cuba are defensive and differ substantially from long-range offensive missiles which became the subject of an American-Soviet confrontation in 1962.

TRAVELING PUBLIC MUST BE PROTECTED

(Mr. TIERNAN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. TIERNAN. Mr. Speaker, this morning's Washington Post had in it an article with regard to a Cincinnati firm that has filed a petition in bankruptcy. The name of the firm is the World Academy Schools for Foreign Study, Inc. They have estimated that there are now in Europe and other parts of the world 3,000 American students who, as a result of this action, will find themselves without accommodations or meals to eat.

Right now at the present time there are over 200 students in New York stranded as a result of this firm's action.

Last February 26 I introduced a bill, H.R. 7786, which would have provided for the regulation of travel agencies and travel bureaus.

I believe this action, which I surely hope will not be allowed to continue, fully dramatizes the need for the Federal Government to step in and make sure that these companies that hold themselves out as travel agencies for students or others who wish to travel abroad will be required to protect the traveling public, and to protect the money that these citizens put down.

In this instance this firm has debts of over $4 million and assets of only $800,000.

I think that some action should be taken by the Congress concerning this situation as soon as possible.

ADDITION TO LEGISLATIVE PROGRAM

(Mr. ALBERT asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, I take this time to advise Members that the distinguished gentleman from New York (Mr. DULSKI) has advised me that on Thursday he will ask the House to agree to the conference requested by the Senate on H.R. 17070, the Postal Reorganization and Salary Adjustment Act of 1970.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

JOSE LUIS CALLEJA-PEREZ

The Clerk called the bill (H.R. 1747) for the relief of Jose Luis Calleja-Perez.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. ANTHONY S. MASTRIAN

The Clerk called the bill (H.R. 15760) for the relief of Dr. Anthony S. Mastrian.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ATKINSON, HASERICK & CO., INC.

The Clerk called the bill (H.R. 10534) for the relief of Atkinson, Haserick & Co., Inc.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CLAUDE G. HANSEN

The Clerk called the bill (H.R. 13807) for the relief of Claude G. Hansen.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

JOHN R. GOSNELL

The Clerk called the bill (H.R. 13469) for the relief of John R. Gosnell.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CAL C. DAVIS AND LYNDON A. DEAN

The Clerk called the bill (S. 2427) for the relief of Cal C. Davis and Lyndon A. Dean.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CERTAIN INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF THE AIR FORCE AT KELLY AIR FORCE BASE, TEX.

The Clerk called the bill (H.R. 10150) for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SAMUEL R. STEPHENSON

The Clerk called the bill (H.R. 10704) for the relief of Samuel R. Stephenson.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DAVID L. KENNISON

The Clerk called the bill (H.R. 15272) for the relief of David L. Kennison.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

GEORGE F. MILLS

The Clerk called the bill (H.R. 15415) for the relief of George F. Mills.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MRS. FERNANDE M. ALLEN

The Clerk called the bill (H.R. 15478) for the relief of Mrs. Fernande M. Allen.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SHERMAN WEBB AND OTHERS

The Clerk called the bill (H.R. 17734) for the relief of Sherman Webb and others.

There being no objection, the Clerk read the bill, as follows:

H.R. 17734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in accordance with the findings of fact and conclusions of the review panel of commissioners of the United States Court of Claims contained in Congressional Reference Case No. 1-68, filed May 1, 1970, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the individuals named in subsection (b) of this section the amount set forth opposite his name in full settlement of all claims of each such individual against the United States for damages arising in connection with the flooding of certain lands as the result of the unnecessary release of excessive amounts of water from the Wappapello Dam and Reservoir (Wayne County, Missouri) in September 1965, at which time it was in operation under the control of the United States Army Corps of Engineers.

(b) The individuals referred to in subsection (a) of this section and the amount of money due each of them, are as follows:

Name	*Amount*
Sherman Webb of Qulin, Missouri	$3,587.50
Hershel O. Vernon of Fisk, Missouri	2,104.00
Taylor Underwood of Fisk, Missouri	1,052.00
T. D. Burleson of Dexter, Missouri	3,261.34
Louise Bombolaski of Dudley, Missouri	13,294.85
Leroy Cato of Dudley, Missouri	3,306.67
E. B. Bowie of Dudley, Missouri	64,728.63
Milburn Taylor of Dudley, Missouri	2,200.00
Loyd Thompson of St. Francis, Arkansas	1,366.67
Marlin Tinsley of Granite City, Illinois	683.33
Pete Sandlin of Dudley, Missouri	3,876.00
Arvil Bowie of Dudley, Missouri	5,197.34
Ben W. White of Campbell, Missouri	4,100.00
H. L. Underwood of Campbell, Missouri	492.00
Joe Vanderfeltz of Campbell, Missouri	252.00
Clem Bader of Campbell, Missouri	1,414.00
W. H. Bowling of Dudley, Missouri	7,462.67
Virgil T. Low of Piggott, Arkansas	4,760.00
Lawrence Sherfius of Dudley, Missouri	5,835.50
Robert Feiser of Campbell, Missouri	2,456.66
John Feiser of Campbell, Missouri	376.66
Armstrong Cork Company of Campbell, Missouri	443.34
L. F. Feiser of Campbell, Missouri	$163.34
John F. Stenger of Campbell, Missouri	602.80
Marvin Fadler of Bernie	16,565.51
Joe Osborn & Jack Osborn (Partners) of Kennett, Missouri	14,649.02
J. D. Flagg of Piggott, Arkansas	1,608.73
Robert White of Bernie, Missouri	15,950.00
Jerrell Stone of Bernie, Missouri	2,930.34
Billie J. Barker of Bernie, Missouri	1,465.16
Rex Young of Bernie, Missouri	7,757.87
Jack Bowie of Dudley, Missouri	3,878.93
Cranston C. Smith of Bernie, Missouri	$3,787.50
Omas Shipman of Bernie, Missouri	1,355.47
Elmo Moore of Piggott, Arkansas	677.73
Kenneth Minton of Dexter, Missouri	11,790.00
E. A. Hawkins & H. A. Hawkins of Kennett, Missouri	17,766.67
Amos Linville of Campbell, Missouri	2,003.00
Jess Creecy of Dudley, Missouri	4,503.01
John L. Bowie of Fisk, Missouri	18,918.67
Hauzie Wingfield of Campbell, Missouri	3,587.50
Lofton Linderman of Fisk, Missouri	1,182.00
Mike Feiser of Campbell, Missouri	848.70
H. B. Talkington of Dexter, Missouri	5,491.20
B. N. Maxwell of Campbell, Missouri	1,687.50
John Clodfelter of Bernie, Missouri	4,312.00
Dud C. Lewis of Piggott, Arkansas	2,938.46
Fred Templemire of Bernie, Missouri	519.85
Lee Lipsey of Campbell, Missouri	1,080.00
O. G. Branch of Dudley, Missouri	2,017.34
Robert Stoner of Dudley, Missouri	11,781.34
Elmer Battles of Dudley, Missouri	1,669.34

SEC. 2. No part of the amount appropriated in this Act in excess of 25 per centum thereof shall be paid or delivered or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 3, line 1: Strike "the" and insert "each".

Page 3, line 2: Strike "25" and insert "15".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REFERENCE OF H.R. 1390 TO THE CHIEF COMMISSIONER OF THE COURT OF CLAIMS

The Clerk called House Resolution 108, referring H.R. 1390 to the Chief Commissioner of the Court of Claims.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THOMAS J. BECK

The Clerk called the bill (H.R. 4982) for the relief of Thomas J. Beck.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

KEUM JO KIM

The Clerk called the bill (H.R. 2043) for the relief of Keum Jo Kim.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

OK YON (MRS. CHARLES G.) KIRSCH

The Clerk called the bill (H.R. 4670) for the relief of Ok Yon (Mrs. Charles G.) Kirsch.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LOW YIN (ALSO KNOWN AS LOW YING)

The Clerk called the bill (H.R. 5655) for the relief of Low Yin (also known as Low Ying).

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan.

There was no objection.

TAE PUNG HILLS

The Clerk called the bill (H.R. 12400) for the relief of Tae Pung Hills.

Mr. BROWN of Michigan. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON JOSE GUADALUPE ESPARZA-MONTOYA

The Clerk called the bill (H.R. 12446) to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya.

There being no objection, the Clerk read the bill as follows:

H.R. 12446

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Guadalupe Esparza Montoya, formerly a national of Mexico, who was serving with the United States Army in Vietnam when he was killed in action on May 20, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: That Jose Guadalupe Esparza-Montoya, a native of Mexico, who served honorably in the United States Army from August 21, 1968, until his death on May 20, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read:

To confer United States citizenship posthumously upon Jose Guadalupe Esparza-Montoya.

A motion to reconsider was laid on the table.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON L. CPL. FRANK J. KREC

The Clerk called the bill (H.R. 13265) to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec.

There being no objection, the Clerk read the bill as follows:

H.R. 13265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lance Corporal Frank J. Krec, a native of Italy, who served honorably in the United States Marine Corps from September 6, 1966, until his death on March 2, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON S. SGT. RYUZO SOMMA

The Clerk called the bill (H.R. 13997) to confer citizenship to S. Sgt. Ryuzo Somma, deceased.

There being no objection, the Clerk read the bill as follows:

H.R. 13997

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Staff Sergeant Ryuzo Somma (51622652), a native of Japan, who served honorably in the United States Army from September 19, 1966, until his death on March 4, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To confer U.S. citizenship posthumously upon S. Sgt. Ryuzo Somma."

A motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ROGELIO TABHAN

Mr. RODINO. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5106) for the relief of Rogelio Tabhan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That, for the purposes of sections 203(a)(2) and 204 of the Immigration and Nationality Act, the minor child, Rogelio Tabhan, shall be held and considered to be the natural-born alien child of Mrs. Araceli T. Pixler, a lawful permanent resident of the United States: *Provided,* That the natural mother, brothers, or sisters of the said Rogelio Tabhan shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 16327, PEACE CORPS ACT AMENDMENTS OF 1970

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1119 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1119

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16327) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 16327, the Committee on Foreign Affairs shall be discharged from the further consideration of the bill S. 3430, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 16327 as passed by the House.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1119 provides an open rule with 1 hour of general debate for consideration of H.R. 16327 to amend the Peace Corps Act to authorize additional appropriations, and for other purposes. After passage of the House bill, the Committee on Foreign Affairs shall be discharged from the further consideration of S. 3430 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The purpose of H.R. 16327 is to authorize an appropriation of $98,800,000 to finance the operation of the Peace Corps during fiscal year 1971. The appropriation for fiscal year 1970 was $98,450,000.

The bill includes a number of amendments to the Peace Corps Act in order to facilitate the implementation of a new policy to make greater use of volunteers who are experienced in farming, industry and other fields, the services of which are required by the less developed countries.

An important element in such implementation is to make it possible for married couples with dependent children to serve as volunteers where the skill of the husband is unusually important and not available from single volunteers.

Technical amendments are made to the Peace Corps Act to reflect codification of title 5 of the United States Code into positive law by Public Law 89-554.

The size of the Peace Corps has declined from an average overseas strength of 10,229 in fiscal year 1969 to 8,425 estimated for fiscal year 1970 and 7,703 projected for fiscal year 1971. The total Peace Corps administrative personnel for fiscal year 1971 is estimated at 993 compared to 996 in fiscal year 1970 and 1,088 in fiscal year 1969.

The Peace Corps is redirecting its program to give greater emphasis to volunteers with practical experience and technical skills and sufficient funds should be provided to permit the Peace Corps to continue its operations at the current level and to implement its new policies.

Mr. Speaker, I urge the adoption of House Resolution 1119.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1119 makes in order for consideration of H.R. 16327 under an open rule with 1 hour of debate.

The purpose of the bill is to provide authorizations for the Peace Corps during fiscal 1971.

The authorization contained in the bill is for $98,800,000. This sum will finance the operations of the administrative structure as well as approximately 7,703 volunteers serving in foreign countries.

Technical amendments to the organic statute are included in the bill which: First, will insure that volunteers who are skilled in farming, industry, and related fields will be utilized more fully, as these are the skills particularly needed in most developing countries; and second, to make it possible for married couples with minor children to serve as volunteers where the father has a necessary skill not available from single volunteers.

Finally, the bill provides clear authority for the Director of the Peace Corps to issue regulations applicable to volunteers to assure that no individual shall engage in any activity determined by the Director to be detrimental to the best interest of the United States. The amendment will not require issuance of any regulations, but it will make it clear that final responsibility rests with the Director.

No departmental views are contained in the report.

Supplemental views are filed by a bipartisan group of 10 committee members. They oppose the amendment providing for regulations to insure that no Peace Corps member will engage in any activity detrimental to the best interests of the United States. They believe the Director already has ample authority and that the language can be viewed as a slap at our youth.

I am opposed to the Peace Corps and it is my hope that the bill will be defeated.

I have no further request for time but I reserve the balance of my time.

Mr. **YOUNG**. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 8673, GOLD AND SILVER ARTICLES—CONSUMER PROTECTION

Mr. **DELANEY**. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1092 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1092

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 8673, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 1046, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 8673 as passed by the House.

Mr. **DELANEY**. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1092 provides an open rule with 1 hour of general debate for consideration of H.R. 8673 to amend the National Gold and Silver Stamping Act. The resolution also provides that, after passage of the House bill, the Committee on Interstate and Foreign Commerce shall be discharged from further consideration of S. 1046 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

The National Gold and Silver Stamping Act provides that any gold or silver article shipped in interstate commerce must be properly marked as to content and the act contains criminal sanctions for violations. Despite indications of repeated and substantial violations of the act, however, the Department of Justice has never enforced the statute.

H.R. 8673 would amend the act to provide relief through civil action. Any customer, competitor, or subsequent purchaser of an article which has been marked in violation of the act may obtain injunctive relief, restraining that person from future violations. The plaintiff could recover damages, the costs of the suit, and a reasonable attorney's fee.

A duly organized and existing jewelry trade association would also be entitled to injunctive relief and could recover costs of the suit, including a reasonable attorney's fee, but would not be eligible to recover any damages. If the court should find that action was sought "frivolously," the court may award punitive damages to the defendant.

In the event that an action is terminated without a finding of a violation by the defendant, the defendant will be entitled to recover costs, plus a reasonable attorney's fee.

Enactment of the legislation would not involve additional costs to the Government.

Mr. Speaker, I urge the adoption of the rule, House Resolution 1092.

Mr. **QUILLEN**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New York (Mr. DELANEY) has ably explained the measure.

The purpose of the bill is to provide a way to enforce the National Gold and Silver Stamping Act of 1906 to insure that persons buying articles made in whole or in part of gold or silver may rely upon representations made concerning the quality of such articles.

Present law requires proper marking of all such articles shipped in interstate commerce. Recent test purchases have disclosed that many articles are mislabeled or misrepresented as to their quality and precious metal content. No suit to enforce compliance with the present labeling law has ever been instituted by the Department of Justice.

The bill provides a remedy. It permits a businessman-competitor, customer, or a jewelry trade association to file suit to enjoin such actions. A successful plaintiff could recover his costs, including attorney's fees, plus an injunction. An unsuccessful plaintiff would be liable to the defendant for his costs, including attorney's fees. In any frivolous suit, brought to harass a businessman, punitive damages could be awarded.

There are no minority views. The administration opposes the bill through the Department of Justice. The Department fears that permitting competitors and associations to bring suits could lead to harassment of some businesses. They, instead, support the administration's bill (H.R. 14931) which gives the Attorney General and the customer the right to sue in appropriate cases.

Mr. Speaker, I have no further requests for time but I reserve the balance of my time.

Mr. **DELANEY**. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **PELLY**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. **MONAGAN**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 200]

Abbitt
Anderson, Ill.
Aspinall
Baring
Bell, Calif.
Berry
Blatnik
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Burleson, Tex.
Burton, Utah
Cabell
Carey
Clay
Colmer
Conyers
Coughlin
Cramer
Dawson
Diggs
Edwards, La.
Findley
Foreman
Frey
Fuqua
Gallagher
Garmatz
Gilbert
Gray
Green, Pa.
Gubser
Hansen, Wash.
Hastings
Hathaway
Hébert
Hosmer
Hungate
Ichord
Jarman
Jones, Tenn.
Kee
Kirwan
Landrum
Long, La.
McDonald, Mich.
McFall
Meskill
Minshall
Montgomery
Morton
Nichols
Ottinger
Passman
Pettis
Poage
Pollock
Powell
Price, Tex.
Pryor, Ark.
Purcell
Rarick
Rees
Rivers
Roberts
Rogers, Colo.
Ruppe
Saylor
Scheuer
Shipley
Sisk
Skubitz
Sullivan
Taft
Talcott
Weicker
Whitten
Wilson, Charles H.
Wright
Wyatt

The **SPEAKER**. On this rollcall 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

STATEMENT OF POSITION ON VOTES DURING ABSENCE ON ACCOUNT OF ILLNESS

(Mr. FULTON of Pennsylvania asked and was given permission to address the House for 1 minute and to include extraneous material.)

Mr. **FULTON** of Pennsylvania. Mr. Speaker, if I were present I would have voted: On April 7, 1970, I would have voted "yea" to rollcall No. 66, on H.R. 514, elementary and secondary education the adoption of the conference report on the bill extending ESEA for 3 years providing authorization of $24.6 billion.

On rollcall No. 67, I would have voted "yea" on the passage of H.R. 15733, temporarily increasing by 15 percent benefits paid to retired workers under the Railroad Retirement Act of 1937.

On April 9, 1970, on rollcall No. 70, on H.R. 16844, Federal Employees Salary Act, the motion to recommit, I would have voted "nay."

On rollcall No. 71, on passage of the Postal Employees Salary Act, H.R. 16844, I would have voted "yea."

On April 13, 1970, on H.R. 16900, passage of the fiscal year 1971 appropriations for the Treasury, Post Office, and Executive Office of the President and related agencies, rollcall No. 73, I would have voted "yea."

On rollcall No. 75 on April 14, 1970, I would have voted "yea" to House Resolution 909, to concur in Senate amendments to Federal Employees Salary Act.

On April 15, 1970, on rollcall No. 77, I would have voted "yea" to House Resolution 916, on rule to consider H.R. 16311, the Family Assistance Act of 1970, and I would have voted "nay" to rollcall No. 80, to adjourn the House.

On April 16, 1970, I would have voted "nay" to recommit the Family Assistance Act, H.R. 16311, and on rollcall No. 83 I would have voted "yea" on the passage of the Family Assistance Act, H.R. 16311.

On April 20, 1970, on H.R. 10666, I would have voted "yea" for passage to establish a National Commission on Libraries and Information Sciences, and on rollcall No. 86, I would have voted "yea" on passage of H.R. 780, authorizing $28.5 million for construction of dam and flood control and irrigation facilities at Merlin division, Rogue River Basin project.

PEACE CORPS ACT AMENDMENTS OF 1970

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16327) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16327, with Mr. Natcher in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. Morgan) will be recognized for 30 minutes, and the gentleman from Indiana (Mr. Adair) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 16327. As far as my personal observation goes, every report that has appeared in the newspapers in recent months about the Peace Corps has been unfavorable.

We are all aware that a group of demonstrators occupied a number of offices in the Peace Corps building for 2 days during the antiwar demonstrations in early May.

In passing, let me point out that although some of them were former Peace Corps volunteers who had returned to the United States, no one was involved who is currently either a volunteer or an employee of the Peace Corps.

All of us have also seen accounts of volunteers who are serving overseas who have demonstrated against U.S. policy toward Vietnam and reports of people being sent back to the United States because of their participation in such activities.

There have also been stories about the Peace Corps being asked to leave countries in which it has been operating.

Now, Mr. Chairman, H.R. 16327 authorizes $98,800,000 to finance the operations of the Peace Corps during the fiscal year 1971.

This is a lot of money. It is too much money to spend on the Peace Corps if it is turning sour.

Before anyone makes up his mind that the Peace Corps has outlived its usefulness, or that it may be stirring up trouble in the less-developed countries rather than helping these countries with their problems, I urge you to consider some basic facts that apparently do not find their way into the newspapers.

In the first place, everyone should recognize that the Peace Corps is a large operation. There were last year over 10,000 volunteers and trainees in service, and the funds for which authorization is requested will maintain the number at a little below that level.

Bear this in mind when considering the statement appearing in the papers last March that 12 volunteers were being sent home for improper political activities. Three of these were in Turkey, two were in Thailand, two in Ethiopia, and five in Ecuador.

Instead of deciding that because 12 volunteers were sent home, the Peace Corps is made up of troublemakers, give credit to the 10,000 men and women, most of them young but some of them retired nurses, teachers, and farmers who are rendering important services, living under unfavorable conditions, for which they receive $75 a month after they return home.

Keep in mind the fact that the Peace Corps is serving in 61 foreign countries and that more are requesting that volunteers be sent to help them. The authorization in this bill provides funds to add three new countries to the list.

There are none of these countries that wants to import troublemakers. All of them grow enough troublemakers at home. The Peace Corps volunteers go to a country because the country wants them, because each government is convinced that the volunteers can render services for which it cannot find enough of its own people who are qualified.

Now I do not mean to argue that the Peace Corps is perfect, or that it does not have problems.

It is a fact that since the Peace Corps got started in 1961, it has withdrawn from 10 countries. In two cases, it has gone back again.

In none of these cases was the withdrawal caused by any misbehavior on the part of the volunteers.

The most common reason for terminating Peace Corps operations in a country has been a change in government, where the new government wanted to show that it was free from foreign influence.

In Mauritania, a Moslem country in North Africa, the Peace Corps and all other Americans was ordered out on 48 hours' notice at the time of the 1967 war with Israel.

The Peace Corps was ordered out of Ceylon when the lady who has just been elected Prime Minister was first elected to that office. The government that succeeded her asked the Peace Corps to come back. I have seen reports in the papers that she plans to throw the Peace Corps out again. I do not believe that this sort of thing reflects any discredit on the Peace Corps.

One of the major problems confronting the Peace Corps at present is the fact that many of the less developed countries where the Peace Corps is operating want more skilled mechanics, farmers, and other technicians to work with and help train their own people. At the same time, they do not want as many Peace Corps volunteers to serve as teachers as in previous years.

Many young college graduates are qualified to serve as teachers, and they are relatively easy to recruit. There have always been many more applicants than vacancies to be filled.

It is hard to find skilled technicians, such as bricklayers, auto mechanics, and farmers, who are in a position to serve as volunteers. There are many qualified people who have the idealism and the desire to help the people in the less developed countries, but they are already earning a living and many of them have families.

In order to make it possible for people with the technical skills desired by the less developed countries to become Peace Corps volunteers, the bill before us includes a number of provisions to authorize the Peace Corps to pay for the transportation, training, health care, and storage of furniture in the United States for families of volunteers so that these people can serve overseas for 2 years.

The program for volunteer families is being set up for an estimated 200 families with a total cost for dependents of $955,000.

Both the man and wife will be volunteers, and the bill authorizes a readjustment allowance of $125 a month for one member of the family; the other will receive $75 a month, the same as all other volunteers.

It should be remembered that all volunteers get a subsistence allowance to take care of their living costs while in service, and then a so-called readjustment allowance of $75 a month for each month of service, which is paid to them after they get home. The bill authorizes an increase in this allowance to $125 a month for one member of a volunteer family.

The bill authorizes $98,800,000 for fiscal year 1971. This is $350,000 more than was appropriated for fiscal year 1970. This does not reflect any expansion of the Peace Corps. The number of volunteers is to be reduced from 10,500 to 10,000, and the number of employees has been cut from 1,088 in fiscal year 1969 to 996 in fiscal year 1970; and a further cut to 993 in fiscal year 1971 is planned.

This small increase in cost for fiscal

year 1971 is due primarily to the need to train 500 more volunteers than were trained in fiscal year 1970. During the last few years, there have been more volunteers coming home than have been entering training. As a result, it is necessary to train more people in order to hold the level at 10,000.

The cost of training per volunteer has been going down. In 1970, it was $2,905, and the estimate for fiscal year 1971 is $2,887.

Mr. Chairman, the Peace Corps means a lot to the United States. Over 40,000 of our people have returned from overseas service as volunteers. Our young people regard Peace Corps service as an opportunity to consider in planning their careers. They come from every State in the Union, and almost every community has people in service or who have returned from service in the Peace Corps.

The more than 60 countries in which volunteers are serving value their services and depend on their help.

It is in our national interest to continue to maintain 10,000 of our young college graduates and skilled, experienced technicians in service in countries that need and desire their help.

I urge the House to authorize the funds necessary to continue this important program.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

If I understand the gentleman correctly, the number of personnel is going to be substantially reduced, yet the cost is going up. Do I understand the gentleman correctly on that?

Mr. MORGAN. The personnel has been reduced. As the gentleman knows, because he is serving both on the Committee on Foreign Affairs and the great Committee on Post Office and Civil Service, there has been legislation from the latter committee which has resulted in pay raises.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, I yield myself 2 additional minutes.

The pay raise alone represents an increase of $1.6 million in administrative expenses. These built-in mandatory raises have contributed to the increase that the gentleman is speaking of.

Mr. GROSS. But the fact is that there has been a rather substantial cut of more than 700. Down goes the number of personnel and up goes the cost; 700 is no inconsequential cut in the number of those on the payroll. If I remember correctly, the administrative costs are high in this organization. This is not a bare bones operation as far as administrative personnel is concerned. I wonder if that accounts for some of the increase.

Mr. MORGAN. I agree with the gentleman that the administrative cost is quite high. It runs about 31 percent of the budget, but it includes both the employees in this country and overseas.

Mr. GROSS. Would the gentleman from Pennsylvania have any idea where we are going to get the money to keep paying bills of this kind, in this case $98.8 million? I notice in the morning paper that the administration is already apparently committed to another $100 million in Vietnam for some kind of economic purposes and $50 million more, apparently, is to be agreed upon for new housing in Vietnam. I thought we needed housing in this country, but away goes more millions upon millions of dollars overseas for this purpose. Where is the money going to come from to float this enterprise?

Mr. MORGAN. The gentleman knows and I know that it will come from the taxes we all pay, where all the money comes from.

Mr. GROSS. Taxes were reduced on July 1, and we are still far from balancing our budget.

Mr. ADAIR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong support of H.R. 16327, which would authorize funds for the Peace Corps for fiscal year 1971.

The Peace Corps is making great strides under the leadership of Joseph H. Blatchford, who has reduced administrative expenditures while sharpening the impact of the Peace Corps abroad by making it more relevant to the needs of the host countries.

Since June 30, 1969, the Peace Corps has cut administrative staff by 22 percent to produce savings of almost $1 million.

The Peace Corps has taken steps to increase its effectiveness overseas. Without losing sight of its role as a vehicle through which young people can demonstrate their concern for their world neighbors, it has opened its doors to those of more experience, more specific practical skills that serve the needs of developing nations. These countries have said to the Peace Corps: give us farmers, give us mechanics, give us more people with practical skills as well as dedication and enthusiasm. This, the Peace Corps has begun to do.

Recently the Peace Corps Director made a speech in Pittsburgh, and I am told that as a result, there were 200 walk-in applications from farmers, architects, experienced teachers, and engineers.

A mailing to farmers brought a response of 6,000 letters from farmers who wanted to apply for service overseas as Peace Corps volunteers.

The labor unions are cooperating with the Peace Corps in recruiting volunteers and in advising on new projects overseas that are relevant to the Peace Corps' new directions.

Since its inception, the Peace Corps has sent over 42,000 volunteers abroad. While we, from time to time, learn from the press of certain volunteers who have served their country poorly, these individuals are only a minute proportion of those who have served as volunteers.

Seldom reported are the stories of those dedicated Americans who serve their country well. We tend not to hear about the efforts of volunteers such as those in Bolivia who are helping the campesinos of that country upgrade their sheep production. Nor do we hear about the volunteer in Peru who extended his service, and worked for more than 2 years with a group of small rice farmers to form a cooperative and construct a much-needed rice mill.

I am convinced that the Peace Corps is moving in the right direction and urge your support of the authorization bill we are considering today.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I rise in strong support of the pending legislation.

I think, by and large, over the years those of us who have worked in the field of foreign affairs and have seen this program operate recognize the fact that it has done an outstanding job.

I think the changes which are suggested in the program to change its direction are excellent. After all, we have to remember that when representatives of the United States go into a country at the request of that country, we must necessarily leave at the request of that country, and I find nothing unusual about either of those events. I think that is the way the program ought to work regardless of whether there may be political motives behind either request. I think that the fact that in a few countries we have left at the request of the country is not particularly important.

Mr. Chairman, what I think is important is that we continue to encourage in this country the efforts on the part of the people of all ages who are willing to help people of underdeveloped countries, when these people want that help. The fact that our help may be interrupted from time to time because of changes in the country, I do not feel should detract one iota from our recognition of the good work done by the people of the Peace Corps. The change in direction which has been discussed by the Peace Corps is a change which will improve the program and, as I say, is an excellent one. In my judgment, I do not think there is any need as great as the need today in the underdeveloped countries for the transfer to and assimilation of technical know-how. Until now, this need has been largely frustrated despite the best efforts on the part of the underdeveloped countries because they lack both capital and human resources.

Mr. Chairman, what this program would seek to do now would be, in that highly critical area of skills, to encourage people in the underdeveloped countries to take over some of the jobs the Peace Corps has been doing so the Peace Corps can get away from the educational sector primarily and go primarily into the transfer of technical skills when the local skills are insufficient. In other words, we would be supplying a resource that does not exist in the country, so that the people in the country themselves would develop a program which would eventually fulfill their own needs.

Mr. Chairman, this is an ambitious program and I do not know that it can ever be fulfilled. Certainly, we could not put the responsibility on the Peace Corps of fulfilling all the requirements in the underdeveloped countries.

But it can make a substantial contribution.

After all, that problem has not been solved by all of the multilateral programs, financial institutions, and bilateral programs of technical assistance that are now sponsored by the developed countries for the benefit of the underdeveloped countries. The need is too great, Mr. Chairman. There is a fantastic need for the transfer of technical skills to the underdeveloped countries to help them do the things that they must eventually be able to do for themselves.

Therefore the change of emphasis in the Peace Corps program toward that objective is a very important one, and ought to be strongly supported.

Another significant change will be in ages of volunteers. The average age today of the Peace Corps volunteer is 24.1 years. In the effort to get the necessary technical skills we are going to people of an older age, and this includes people who have families. I believe that the proposed pilot program in this regard will prove to be an excellent solution. In any event, we ought to try it. I think we ought to encourage that effort on the part of the Peace Corps.

With reference to the funding of the program, I think the funding changes are minimal. The major cost increase of course is for the additional training of some 500 volunteers, although, even with this increase in the number trained, there is a reduction in the number of people in that level. As the gentleman from Iowa has pointed out, the fact is that, while the number of volunteers is being decreased to 10,000, there will be a new group of some 500 trainees which will be an input into the program costing an additional $1.7 million. This is offset, however, by the total effort made by the Peace Corps in cutting their administrative cost. They have come in with administrative cost decreases of about $700,000. When you apply that administrative cut which they have made against the total administrative cost we must agree that there is a very significant reduction.

The other changes are minor. The increase over last year's appropriation seems to be minimal.

Mr. Chairman, for all of these reasons, and the reasons which are fully set out in the report, I would hope that we could get a very substantial, if not unanimous, vote on this legislation.

Mr. ADAIR. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MAILLIARD).

Mr. MAILLIARD. Mr. Chairman, I rise today in support of H.R. 16327 to amend the Peace Corps Act of 1961, to authorize the additional appropriations required to continue the worthy efforts of the Peace Corps volunteers.

Historically, American assistance to foreign countries has taken the form of Government-to-Government programs patterned after the highly successful Marshall plan. After war-torn Europe was reconstructed, our aid programs were primarily directed to the needs of the less-developed nations. Although billions of dollars were earmarked for development purposes, the basic needs of those at the local level often went unnoticed. In 1961, the Peace Corps was established in an effort to bridge this gap in our aid programs to the less developed countries.

From its inception, the Peace Corps has done a great deal to dispel the "ugly American" image too often projected by U.S. representatives abroad. Operating on a person-to-person basis, the volunteers have demonstrated to Asians, Africans, and Latin Americans that the overwhelming majority of Americans are peace-loving people who are dedicated to improving the human condition.

But the Peace Corps has not been just a boon to our image abroad. It has also served as a vehicle for bringing many of our young people into public service while giving them a better perspective of the United States vis-a-vis the "third world" nations. While the Corps, as is the case of any other internationally oriented organization, has had some unfortunate problems with a few host countries, these isolated incidents ought not diminish the little-reported but substantial contributions made by American men and women who have volunteered their services.

When compared to our other development assistance programs, the success of Peace Corps operations has been one of the best returns on American tax dollars devoted to foreign aid. Moreover, the Peace Corps has not become, as have so many internationally oriented governmental agencies, overloaded at the administrative level in Washington. Rather than succumbing to the siren call of bureaucratic redtape, the Peace Corps, in fact, has reduced its Washington-based staff.

While the Peace Corps is not trying to expand, it is redirecting its program to give greater emphasis to volunteers with practical experience and technical skills. Such specialists are required if the Corps is to be effective in helping the people of the poorer nations to help themselves in the basic areas of agriculture, public health, education, and community development.

Under the able direction of Mr. Joseph Blatchford, who brings to government a distinguished record of achievement with Acción—a private organization similar to the Peace Corps—I am convinced that the Peace Corps will continue to play a useful role in projecting the United States image abroad.

Mr. Chairman, I therefore urge that sufficient funds be authorized to permit the Peace Corps to continue its good work and to implement its new policies.

(Mr. ANDERSON of Illinois, at the request of Mr. ADAIR, was granted permission to extend his remarks at this point in the RECORD.)

Mr. ANDERSON of Illinois. Mr. Chairman, I want to express my enthusiastic support for H.R. 16327, the Peace Corps authorization for fiscal 1971. I especially want to commend the House Committee on Foreign Affairs for recommending the full $98.8 million which was requested by the administration. It seems to me this is a fair measure of the trust and support the Peace Corps continues to enjoy from this body and from the people of this Nation.

I particularly wanted to make that observation because there have appeared, in recent times, several articles critical of the Peace Corps and its new directions under the Nixon administration. It struck me as rather ironic while reading these pieces that here were liberal columnists and reporters assuming a totally reactionary position with regard to the Peace Corps. I say "reactionary" because their only substantive criticism was that the Peace Corps of today is not like the Peace Corps of old, and would it not be nice if we could somehow turn back the clock to the early sixties and Camelot when these young, idealistic knights in shining armor—hairshirts—sallied forth on foreign shores to tilt with those ancient enemies: ignorance, poverty, and disease.

As one who has consistently supported the Peace Corps from its very inception, I am not saying all this in criticism of its earlier efforts. I think the Peace Corps has served this country and the world well over the last decade, and I am confident, given its new directions and new leadership, that it will continue to make a valuable contribution. But what its contemporary critics fail to recognize or admit is: First, that their Camelot Peace Corps was more myth than reality; and second, that the world—and our role in it—has changed considerably over the last 10 years and that if the Peace Corps was to remain relevant and viable, it too must change.

When Joseph Blatchford took over the helm of the Peace Corps last year, he had no illusions about restoring Camelot because he realized that Camelot itself was an illusion. Moreover, the developing countries had learned that it takes more than dreams and idealism to build nations, as valuable as those qualities are. Almost without exception, these countries were asking for more technical assistance and more skilled expatriate volunteers. The new policy of the Peace Corps takes full cognizance of these changing conditions and changing needs. It also recognizes that the United States is moving from an era of paternalism to partnership in world affairs, and if any U.S. overseas operation can make partnership a reality in our relations with other countries, it is the Peace Corps with its people-to-people approach.

To meet the growing needs for more skilled volunteers, the Peace Corps has been recruiting more volunteers with special skills including craftsmen, teachers, farmers, and mechanics. You will notice that the bill before us contains provisions which would permit the recruitment, training, and assignment of volunteers having minor dependent children. By so doing, we will be able to attract volunteers having special skills and experience.

To encourage greater partnership, the Peace Corps has included host country nationals in all aspects of its operation including planning, selection, recruitment, training, placement, and evaluation. They have taken Peace Corps staff positions and are becoming increasingly involved in various Peace Corps projects. This is the essence of parnership.

A great number of other reforms have been undertaken by the Peace Corps to improve its effectiveness and impact. The size of the staff has been reduced by 20 percent; much of the paternalistic red-tape has been removed, allowing volunteers to assume greater responsibility for themselves; American minority groups are being recruited in greater numbers than ever before; programs have been refashioned to better fit the needs and priorities set by the host countries; and Peace Corps trainees are receiving better training and support in the field.

In summary, the agency is undergoing a necessary transformation to better equip it to meet the third world needs of the seventies. This may not go down with liberal reactionary critics who are still living in the sixties, but I can assure you that it is being well received by those for whom the assistance is intended, and that should be, after all, our primary criteria.

And so, Mr. Chairman, I urge the passage of this legislation so that the Peace Corps may continue to function as one of the most successful and popular overseas assistance programs ever conceived and implemented by this Nation.

Mr. ADAIR. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of the legislation before us today, and express enthusiasm for the change in direction, or at least the change in emphasis which I see in the Peace Corps over the past several months.

I believe the House should be aware that there has been a move toward increasing the professional abilities of those serving as volunteers in the Peace Corps. While applications from those of all ages able to teach commercial subjects in business colleges are up 121 percent, other rather specialized areas of business knowledge and teaching skill show significant increases that would be beneficial to our training effort abroad through Peace Corps activities.

For instance, applications to the Peace Corps from those with degrees in industrial arts and vocational education have increased 41 percent in the last year. Applications from Americans with degrees in agriculture have increased 47 percent. Perhaps agriculture is one of the most significant American talents which needs dissemination through the Peace Corps effort. Applications from members of unions who can teach vocational subjects such as electronics and mechanics and masonry are up 37 percent.

The number of applications from Americans over 30 years of age has also increased by about 45 percent in the past year. There has been an increase in active volunteers over 30 in the total Peace Corps membership from 5 percent last year to an estimated 12 percent this year. To cut this statistic into smaller pieces, applications for teachers with graduate degrees in education in the over 30 category are up 110 percent. One of the things the Philippines, for instance, is asking of the Peace Corps is experienced teachers. Last year the Peace Corps was able to come up with only 35 to 40 people in this category. This year they will be able to send to the Philippines 140 people who have experience in teaching. Experienced primary teachers, in this total, incidentally, have increased 130 percent.

Applications from farmers with practical experience have increased 40 percent. The increase in those with business administration degrees and working experience after receiving the degree increased 120 percent.

This year for the first time full families will be moving into the Peace Corps. An estimated 200 will be included in the program before this year is out.

So, Mr. Chairman, I feel, with the change in emphasis in the Peace Corps, we would be ill advised to discourage these new directions by cutting back on the amount of money funded for this program. The budget request of $98.8 million would provide for trainee input of 7,000 trainees this year. If that is cut substantially, the reduction in trainees will be cut even more sharply. So I would hope we will see renewed confidence expressed in the Peace Corps this year, particularly in light of the new directions this organization is taking.

Mr. COHELAN. Mr. Chairman, I rise in strong support for the Peace Corps authorization bill for fiscal year 1971.

The Peace Corps has been and continues to be a beneficial extension of our foreign policy. The Corps employs the idealism of our Nation's citizens in helping our less fortunate brethren overseas. It must be admitted that all the activities of the Peace Corps have not been unqualified successes, but in my capacity as a member of the Foreign Operations Appropriations Subcommittee, I have made it a point to check on these activities in many nations. I have been impressed with the dedication and work of the volunteers. This people-to-people approach has proven itself in numerous instances to be a most efficacious way to translate the ideals of the United States to other nations.

Mr. Chairman, I feel that the Foreign Affairs Committee has, on balance, reported a good bill. I know that the $98.8 million authorization will be an adequate figure to keep the Corps operating at an efficient level. The committee's amendment allowing volunteers with minor children is another constructive amendment. I feel that the Peace Corps should be broadened to allow more skills, but I do not feel that this commendable goal should be elevated over the idealism that has permeated and motivated the Corps since its inception.

It is for this reason I am opposed to the committee amendment authorizing the Director to issue regulations to prohibit Corpsmen from any activity determined by him to be detrimental to the "best interests of the United States." Mr. Chairman, the Director already has this authority, but by putting it into the bill, I am concerned that many present and future volunteers will see it as a congressional attempt to limit their freedom of speech.

Mr. Chairman, I have always been impressed with the idealism, dedication and work of the Peace Corps in many nations. Peace Corps volunteers are truly an asset to this Nation overseas. They bear witness to all that our Nation stands for—its ideals, its humanity, its compassion. I urge my colleagues to support this authorization.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong support of H.R. 16327. This bill was discussed thoroughly in our committee, and I trust it will be approved overwhelmingly.

In the years since the Peace Corps was first established much has happened and much has been accomplished. In my opinion the objectives and operations of the Peace Corps have developed in a constructive way. It has received broad support in this body in previous years and it should receive such support now.

Others have pointed out that Mr. Blatchford, currently Director of the Peace Corps, has taken the initiative in emphasizing the importance of skilled volunteers. There is new emphasis now also on the usefulness of older persons, and of individuals who are married and who have children.

The funds authorized in this bill do not provide for a major expansion of the Peace Corps, but will make possible a further redirection in its objectives. Finding individuals with graphic and appropriate skills is not an easy task but it is already bearing fruit. In the coming year, we hope to see the Peace Corps a practical and an increasingly useful instrument by which this country provides assistance to others.

Mr. RODINO. Mr. Chairman, I am pleased to rise in support of the legislation before us to authorize appropriations for continuance of the work of our U.S. Peace Corps.

We are all vitally concerned about peace. I cannot conceive in this day and age of anything that is more important to any American citizen than the goal of securing peace throughout the world.

It is tragic that mankind—so successful in developing the most intricate technological devices, in discovering the most obscure and complex secrets of nature and in conquering vast new worlds through space exploration—has failed so miserably at the task of living peacefully with his fellow man. We have reached the moon—and has the time not come to achieve the adventure of a peaceful earth?

To me, the Peace Corps represents a small but crucial way in which we are working toward world peace. At a time when young people throughout the country are often expressing their discontent with our imperfect society in violence and disruption and a revolt against law and order, it is truly inspiring to know of the young Peace Corps volunteers whose discontent has led them to join in this unselfish and dedicated effort to help others and in small ways to improve the lot of people throughout the world.

Someone has said that "I am for the future. I expect to live the rest of my life there."

So, Mr. Chairman, all of us here are going to live the rest of our lives in the future, which will be a better one because of the Peace Corps. I most strongly urge my colleagues to give support to this legislation to assure its continuance.

Mr. DERWINSKI. Mr. Chairman, I support H.R. 16327, since I recognize that the Peace Corps is now a permanent operation. We must, however, modify the program to adjust to changing conditions and to the needs of the countries which welcome the volunteers.

Obviously the administrators of the program must have the practical flexibility required for efficient management. This must include the authority to discipline individuals or groups of volunteers whose behavior causes problems in the nations to which they are assigned or who pursue a course of action contrary to the best interest of the United States.

I concur with the reemphasis of practical rather than theoretical training, and believe that individuals recruited as Peace Corps personnel should, whenever possible, have practical experience and knowledge related to the subjects to which they are assigned.

I believe the bill presented by our committee is a realistic measure in tune with current problems facing the Peace Corps.

Mr. PRICE of Texas. Mr. Chairman, the legislation before the House today would amend the Peace Corps Act to authorize, among other things, an additional appropriation for fiscal year 1971 in the amount of $350,000. In my judgment I do not think this additional expenditure to be a wise one.

I base my conclusion on two basic reasons. Inasmuch as our economy is gripped with spiraling inflation which the Nixon administration is trying to turn around without causing a recession, I do not think this year to be an appropriate time for making any but the most-needed Federal expenditures. I do not put this additional Peace Corps appropriation in the category of vitally needed or strictly essential expenditures. Second, it appears that every time an American dignitary such as the Secretary of State or a Presidential representative on a factfinding tour goes abroad, he has been subjected to bitter and violent demonstrations, many of which have been organized and promoted by Peace Corps volunteers. These reprehensible activities have reached such epidemic proportions that Peace Corps purposes and programs have been undermined in the eyes of this Nation and the world.

I realize a provision is made in the proposed amendments to give the Peace Corps Director discretionary authority to set forth regulations which would have the effect of prohibiting Peace Corps volunteers from engaging in anti-American activities while serving abroad. In my judgment, however, this does not go far enough. I believe these odious activities have such grave foreign policy implications that Congress has a great responsibility to make this authority mandatory rather than discretionary.

In summary then, Mr. Chairman, I do not believe that either current economic conditions or the current state of Peace Corps operations are such that the Congress can justify spending additional funds on the program at this time.

Mr. ROTH. Mr. Chairman, since it came into being in 1961, the Peace Corps has challenged and inspired the young people of our Nation to involve themselves in the battle against illiteracy, disease, hunger, and despair around the world. More than any other program of the Federal Government, it has given the youth of America a chance to show how their idealism and energy can be put to work to help our less fortunate neighbors. Indeed, the Peace Corps has come to be a symbol of American interest and compassion.

I strongly urge all my colleagues on the Foreign Affairs Committee and in the House to give their support to this year's Peace Corps Act. In it there are a number of important amendments which reflect changing needs and conditions in the host countries. Under the dynamic leadership of its director, Joseph Blatchford, the Peace Corps has become increasingly flexible and responsive in designing programs to meet these changing needs.

Perhaps the most promising and significant changes of H.R. 16327 are those that would facilitate the implementation of a new policy to make greater use of volunteers who are experienced in farming, industry, and other fields, whose services are required by the less developed countries. With the cooperation of labor and industry the Peace Corps hopes to attract 200 volunteers this year in fields as varied as industrial and management consulting, educational television, city services, and agriculture and engineering research. Eventually, it is hoped that from 25 to 30 percent of all volunteers will come from such highly specialized occupations.

Mr. Chairman, I believe the Peace Corps is entitled to the support and encouragement of Congress. At a time when the tides of suspicion and hatred among the nations and peoples of the world seem to run higher than ever before, our Peace Corps volunteers can help spread the precious message of good will, brotherhood, and hope wherever they go.

Finally, and perhaps most important of all, the Peace Corps is vitally important to the youth of our country. Through the Peace Corps, young Americans have had and will continue to have the opportunity to show that Americans, despite the blessings of our material prosperity, will never complacently accept the sufferings of those who have been less fortunate. I urge my colleagues to support this vitally important program which means so much, both to our youth and to the nations of the developing world who have such an urgent need for their talents and contributions.

Mr. ADAIR. Mr. Chairman, I have no further requests for time.

Mr. MORGAN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 16327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act (22 U.S.C. 2502 (b)), which authorizes appropriations to carry out the purposes of that Act, is amended—

(1) by striking out "1970" and "$98,450,000" and inserting in lieu thereof "1971" and "98,800,000", respectively; and

(2) by striking out the last sentence thereof.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment:

On page 1, strike out all of lines 3 through 9 and insert:

"That section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), which authorizes appropriations to carry out the purposes of that Act, is amended by striking out '1970' and '$98,450,000' and inserting in lieu thereof '1971' and '$98,800,000', respectively."

AMENDMENT OFFERED BY MR. GROSS TO THE COMMITTEE AMENDMENT

Mr. GROSS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS to the committee amendment: On page 2, line 5, strike out "$98,800,000" and insert in lieu thereof "$70,000,000".

Mr. GROSS. Mr. Chairman, somewhere, somehow, someday Congress is going to have to make a downpayment on the debt of this country. I cannot think of a better place to begin than right here. If I had my way, if I had my "druthers," I would abolish this so-called Peace Corps program here and now. Let no one labor under any illusions as to where I stand. I offer this amendment in an effort to save some money and make a payment on some of the other pressing demands in this country.

As I said a few moments ago, in a short colloquy with the distinguished chairman of the House Foreign Affairs Committee, I read in the newspaper this morning that we are about to turn over another $100 million for some kind of economic aid to Vietnam. I do not know where that $100 million is going to come from.

The same story says that we are committed or about to become committed to another $50 million to build houses in Vietnam. That is just two examples of spending these days. It is so easy to spend the taxpayers' money without any regard to where the money is coming from. Borrow and spend, borrow and spend.

Someone spoke of the great accomplishments of this organization. I have not heard anybody deal in specifics. We have no peace but we do have more enemies around the world today than we ever had, despite all of the millions that have been spent on the Peace Corps.

I was around here when this program got into motion, and I remember the start—$10,000 for a feasibility study of the Peace Corps. Do you know where that originated? In the 1960 political campaign there was the suggestion for a Peace Corps. And faster than you say "New Frontier" or "2 o'clock in the morning," it took off in 1961. Without even permanent legislation $17,500,000 was spent to get this Peace Corps show on the road. That is the way this boondoggle has been going. And I say again, we have more enemies around the world today than ever, despite all the millions that have been pumped into this organization.

Remember Mauritius, which the British turned loose not too long ago? Well, we imported 10 natives from that country to Washington to teach 27 members of the Peace Corps to speak the language of that little island, although it had been under British control for years and most of the population spoke English. Moreover, why should we take over a responsibility that belonged to the British?

In Guinea, the Peace Corps provided $32,500 for 17 automobile mechanics to maintain a bus line for that country's dictator.

Things got so bad in the Peace Corps that they had to hire an advertising agency not too long ago to paint a glowing picture of its alleged achievements, achievements that nobody here today is prepared to support with specifics.

Someone spoke about the administrative costs. The submission by the Peace Corps, by Mr. Blatchford himself, shows that the biggest item of the expenditure proposed for fiscal 1971, the bill here today, is for administrative costs.

The Senate hearings show that 193 of the Peace Corps staff, out of a total of 1,100 employees, make $20,000 or more—and this is the "bare-bones" organization we heard so much about.

The biggest spending, the biggest cut out of this pie of $98,800,000 is for administrative costs. That is the submission. Blatchford says he is going to put the Peace Corps on a "diet," he is going to cut it back. He cuts the personnel and then increases the amount. What a "diet."

All I am trying to do with my amendment is to salvage a little bit out of this program to apply somewhere else.

When—when is the House of Representatives, when is this Congress going to do something but smile when some of us mention $385 billion of Federal debt and not one dime being paid on that debt? Instead, it was increased $18 billion the other day, with a ceiling of $395 billion. When is there going to be some concern for fiscal sanity in this country? When are we going to talk about a payment on the Federal debt? How do we reduce the annual $20 billion of interest on the Federal debt unless we pay something on the debt itself? Or do we want to see this country dissolved in the throes of bankruptcy?

I have not heard of any cutback of technical assistance in the foreign handout program. This Peace Corps program was supposed to replace the so-called technicians in the foreign aid program. It never did any such thing.

The **CHAIRMAN**. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. Gross was allowed to proceed for 5 additional minutes.)

Mr. **GROSS**. I know just one thing: That we cannot go on policing and financing the world. We, who are 6 percent of the world's population, cannot go on underwriting this kind of responsibility. We are bogged down in a war with no real end in sight. It is about time we cut back and cut to the bone—and I mean cut to the bone—expenditures for this and every other wet-nursing program we now have going around the world.

Mr. Chairman, I urge the adoption of my amendment in the interest of just a little bit of fiscal sanity.

Mr. **MORGAN**. Mr. Chairman, I rise in opposition to the gentleman's amendment. I listened to the gentleman's discussion about saving money on our programs around the world and reducing the budget. I expected the gentleman to make that kind of speech the other day when the veto message of the President was before the House, but he did not make such a speech that day. He voted for spending money.

Mr. **GROSS**. Mr. Chairman, will the gentleman yield?

Mr. **MORGAN**. I yield to the gentleman from Iowa.

Mr. **GROSS**. Mr. Chairman, at least that money may yet be spent in behalf of the people of this country and not on some ingrate standing on the street-corner with a tin cup somewhere else in the world.

Mr. **MORGAN**. Mr. Chairman, I still think the Peace Corps money is being spent for the interest of the people of this country.

The gentleman, of course, covered the waterfront including Vietnam. I do not think the Peace Corps has a single thing to do with Vietnam. We do not have Peace Corps volunteers in Vietnam. The headlines in the paper say an additional $100 million in economic aid, is going to be allocated to Vietnam and I am sure no one is going to object to $100 million in economic aid if it will help us get out of Vietnam.

But, Mr. Chairman, the gentleman's cut of $20 million is a deep and serious cut to this program. Many people are already in training because the Peace Corps year does not coincide with the fiscal year. We have invested money in these trainees who will be ready to go overseas this fall, and, a cut of this kind is going to cripple this program.

It would be a serious blow to the Peace Corps.

I want to emphasize what the gentleman from Indiana, Mr. Adair, said about the new Director of the Peace Corps. I believe he is trying to cut the program back. He has cut the number of volunteers back, from 10,500 to 10,000. He has reduce the overall number of employees by 22 percent. This is a saving of over a million dollars in actual money.

I believe this man has done an impressive job in trying to turn the Peace Corps in a new direction, by recruiting skilled laborers and technicians.

The amendment offered by my friend the gentleman from Iowa of course will put one third of the Peace Corps out of business. If we do that perhaps we might as well put it all out of business. There are 2,500 new volunteers who will be ready to leave in September. This will cripple the whole program.

I ask the Members to stand with the committee. The same type of amendment was offered in the committee and was defeated.

The bill came out of the Committee on Foreign Affairs by a vote of 30 to 2. The gentleman from Iowa was successful in getting an amendment in the bill, which was adopted after it was amended. The bill went through the committee with the endorsement of an overwhelming the majority of the committee.

Mr. **FASCELL**. Mr. Chairman, will the gentleman yield?

Mr. **MORGAN**. I yield to the gentleman from Florida.

Mr. **FASCELL**. I asked the gentleman to yield only to set the record straight on one matter.

The charge has been made that the administrative costs exceed all other parts of the expenditures for this program. As a matter of fact, is it not true that the fiscal year 1971 program costs are $67.4 million and administrative costs are only $31.4 million?

Mr. **MORGAN**. That is correct. The gentleman from Iowa indicated that a major part of the money was for administrative costs. Of course, most of it is for program costs.

Mr. **FRELINGHUYSEN**. Mr. Chairman, will the gentleman yield?

Mr. **MORGAN**. I yield to the gentleman from New Jersey.

Mr. **FRELINGHUYSEN**. Is it not also true that the proposed spending for administrative cost is something like $700,000 less than was spent in fiscal year 1970? In other words, there is a very tight control on the administrative cost. There are fewer employees, and a lesser amount to be spent, in spite of the higher wage scales.

I believe the amendment offered by the gentleman from Iowa should be opposed. This kind of cut would be far too drastic. It would be not only a cutting to the bone but a serious crippling of a worthwhile program.

Mr. **MORGAN**. The gentleman is correct.

Mr. Chairman, I ask for defeat of the amendment.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from Iowa (Mr. Gross) to the committee amendment.

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 14, noes 38.

So the amendment to the committee amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS TO THE COMMITTEE AMENDMENT

Mr. **GROSS**. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross to the committee amendment: On page 2, line 5, strike "98,800,000" and insert "$90,000,000".

Mr. **GROSS**. Mr. Chairman, I shall not take 5 minutes. It is not necessary to do so to explain the amendment.

This would reduce the the authorization in the bill to $90 million, which is the figure already approved by the other body. It is just that simple. The other body has already approved $90 million, and I should dislike very much to think that the House had suddenly become the big spending body in the Congress. If you want to save a few million dollars and not saddle that much more debt upon your children and grandchildren, you can make a start, a very slight start, right here.

Mr. **ADAIR**. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa.

Mr. Chairman, in addition to the points already made during the debate on the previous proposal of the gentleman from Iowa, I would simply add this: We were informed during the hearings that most of any cut at this time would be reflected in a lesser input of volunteers into the program. So a cut of this size, $8.8 million, would have an effect for 2 or possibly 3 years in that the number of volunteers in training and in service would be reduced. Therefore, if we are to continue this program at the somewhat reduced level which is proposed here, it would be desirable to defeat the amendment offered by the gentleman from Iowa.

Mr. MORGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am not going to repeat what I said before on the gentleman's previous amendment to cut $28 million. He now proposes a cut of $8.8 million and has based it on what was done in the other body. In our hearings on this bill we looked at the program carefully. I want to say this: If you are going to have a change in emphasis in this program where you will try to move away from the young college graduate to the skilled technician, you will need these additional funds. It is very important that the amendment offered by the gentleman from Iowa be defeated. If you are interested in seeing a new emphasis in a new Peace Corps moving forward without the older type of volunteer, I ask for the defeat of the amendment.

Mr. CONTE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise today to strongly oppose this ill-advised attempt to cut the authorization for the Peace Corps by $8.8 million.

This bill authorizes a 1-year expenditure of only $98.8 million—not an overwhelming amount when compared to the tens of billions this body annually approves for a multitude of other programs, including more than $70 billion for defense.

Yet, dollar for dollar, few, if any, programs can offer the rewards in good works and good will that the Peace Corps has reaped for this Nation in the relatively few years of its existence.

At a time, Mr. Chairman, when so many Members of this body and people across our land are talking peace, can we not afford $98.8 million for peace?

At a time when so many Members of this body are urging the youth of America to stay within the system, work within the system, help to improve the system, can we afford to start shutting one of the few doors that are open to them to follow this course?

And, at a time when the Peace Corps itself is moving in new directions long advocated by many in this body, can we afford to slap down this effort to gear this program for the 1970's.

The Peace Corps, Mr. Chairman, is broadening its appeal to include Americans of all ages and of greater competence. It now admits families and draws from the professions, farming, and labor.

As I stated in this Chamber last month, this new recruitment effort is in full swing. It already has succeeded in doubling the number of applicants over 30 years of age; in doubling the number of farmers available for service; in increasing by 50 percent the number of applicants with craft skills such as mechanics, carpentry and welding; and in increasing by 40 percent the number of experienced teachers who have applied.

In the interests of economy and efficiency, the Corps has reduced the size of its Washington staff by 22 percent. This is not an inflated budget geared to providing comfortable jobs for a huge Washington headquarters. The great bulk of this budget is needed to support existing programs.

So if there is a cutback, it will result in direct reductions of the number of new trainees who can be accommodated. This is a point I urge my colleagues to remember—a reduction in this modest request will not simply slice away some fat, it will carve a vital portion from the heart of this worthwhile and noble program.

Let me give you just one example: A 20-percent reduction in this authorization would result in a 50-percent cut in new trainees. If this body concurs with such an action, it had better be prepared to admit that, in effect, it voted to end the Peace Corps, for I believe that this would be the result of such a reduction.

And, finally, I would remind my colleagues that this will be our only chance to act on this measure this year. Since the entire Peace Corps appropriations for fiscal year 1971 was dropped from the foreign aid appropriations bill last month, this is the time to make our wishes known on this matter.

On April 10 of this year, Senator BARRY GOLDWATER spoke on the Senate floor in favor of full funding for the Peace Corps. Senator GOLDWATER said at that time:

> To me the Peace Corps is the best thing we have going in the field of foreign relations. It is the type thing that I think we must do more of—the person-to-person approach in foreign countries where the young people and the older people are able to show the people of other lands how we accomplish things with our hands.

Mr. Chairman, this is what this bill before us today will do. It will allow us to continue to give to others around the world the skills and the knowledge we have acquired through the years.

And, in the simple act of giving this help, we will be strengthening our ties with those people and also our national spirit. And we will be exhibiting the type of selflessness that has made this country great. I strongly urge the defeat of this amendment which would damage that noble effort.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to commend the gentleman from Massachusetts on a very eloquent statement. He has provided us with ample evidence as to why this amendment should be rejected. Certainly it is no argument at all that we should accept what the other body has done and, in effect, be a rubberstamp. If we think a program is good and needs adequate funding, we should vote for the full amount recommended by the committee.

Mr. CONTE. I thank the gentleman.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I did not intend to get into this debate, but I cannot help being amused by the speech which Mr. Blatchford sent up and which was just delivered, a speech singing his own praises.

I do not care whether you people in the minority listen or not, but I want to talk to the majority. I want to tell you about Mr. Blatchford that they have been praising. He is a Republican hatchetman. He has been going around the country making speeches, until I pulled him up short as chairman of the subcommittee which has legislative oversight, demanding and asking that they knock Democrats out of Congress. I am not surprised that he sends glowing speeches up here about the great job which he is doing. He is adept at blowing his own horn. He is also adept at being a political hatchetman.

Mr. Chairman, I shall not argue about the relative merits as to the results which he has been obtaining for himself in traveling all over the world and indoctrinating any and all who would listen with his own particular type of propaganda. I do not think we need to get too much really worried about it. He was a candidate for Congress and he could not get elected in one congressional district. So, I do not think he is going to change the whole complexion of the House of Representatives.

However, Mr. Chairman, I am not going to sit around here and have everyone tell us what a great genius he is and how he has taken this great organization and made it so good, because it just is not so.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. Yes; I yield to the gentleman from Iowa.

Mr. GROSS. Blatchford might better have spent his time dislodging that bunch of Peace Corps demonstrators who took over and held the headquarters in Washington for 36 or 37 hours in the course of which they hung the Vietcong flag out the window. He might better have spent his time correcting that situation.

Mr. HAYS. I do not know why he did not do that or anything about it. But I want to tell you one thing. He has motivated me in just the opposite direction by the speeches which he has sent up here. I am going to send him a letter tomorrow and ask him how much money they spent in travel last year. You know, I did that in the AID agency but I have not had a chance to go over it in detail.

But I thought you might like to know, while we are talking about the administration which is saving so much money, that last year the AID agency from their Washington headquarters alone spent 21,000 days in travel, 21,000 accumulated days. Now, the people upstairs like to talk about the junketeering Congressmen, that is probably more days than all the Congresses in the history of the

United States have spent in travel. That is one agency in 1 year from their Washington headquarters.

So as a result of the eloquent speech which you just delivered, let me say I will find out how much money they spent in travel.

Mr. CONTE. Mr. Chairman, will the gentleman yield at that point?

Mr. HAYS. I will yield to the gentleman from Massachusetts, at his own risk. I will yield to you.

Mr. CONTE. First of all I want you to know that that speech I gave and delivered, that I read and did my own research on my own subject.

Mr. HAYS. Let me tell you something—Mr. Chairman, I do not yield any further to the gentleman from Massachusetts.

Mr. CONTE. You have probably beaten everybody out as far as travel goes.

Mr. HAYS. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman from Ohio declines to yield further to the gentleman from Massachusetts.

Mr. HAYS. That is the same speech that Mr. Blatchford sent up——

Mr. CONTE. Mr. Chairman——

Mr. HAYS. To the Democratic side, but nobody wanted to read it.

The CHAIRMAN. The gentleman declines to yield further.

Mr. HAYS. It is just barely possible, that by some coincidence you thought the same things they thought and said them the same way, and I accept your statement. If you say it was your speech, it was your speech.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 6, insert:

"Sec. 2. Section 4(c) of such Act (22 U.S.C. 2503(c)) is amended by adding at the end thereof the following new paragraph:

"'(4) The Director of the Peace Corps may prescribe such regulations as may be necessary to assure that no individual performing service for the Peace Corps under any authority contained in this Act shall engage in any activity determined by the Director to be detrimental to the best interests of the United States.'"

The committee amendment was agreed to.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The remainder of the bill is as follows:

Sec. 2. (a) Section 5(c) of such Act (22 U.S.C. 2504(c)), which relates to a readjustment allowance for volunteers, is amended—

(1) by inserting immediately before the period at the end of the first sentence thereof the following: "; except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed $125 for each month of satisfactory service as determined by the President"; and

(2) by striking out "the Act of August 3, 1950, chapter 518, section 1 (5 U.S.C. 61f)" and inserting in lieu thereof "section 5582(b) of title 5, United States Code".

(b) Section 5 of such Act (5 U.S.C. 2504), which relates to Peace Corps volunteers, is amended by adding at the end thereof the following new subsections:

"(m) The minor children of a volunteer living with the volunteer may receive—

"(1) such living, travel, education, and leave allowances, such housing, transportation, subsistence, and essential special items of clothing as the President may determine;

"(2) such health care, including health care following the volunteer's service for illness or injury incurred during such service, and health and accident insurance, as the President may determine and upon such terms as he may determine, including health care in any facility referred to in subsection (e) of this section, subject to such conditions as the President may prescribe and subject to reimbursement of appropriations as provided in such subsection (e);

"(3) such orientation, language, and other training necessary to accomplish the purposes of this Act as the President may determine; and

"(4) the benefits of subsection (1) of this section on the same basis as volunteers.

"(n) The costs of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of a volunteer who has one or more minor children at the time of his entering a period of preenrollment training may be paid from the date of his departure from his place of residence to enter training until no later than three months after termination of his service."

Sec. 3. Clause (3) of section 6 of such Act (22 U.S.C. 2505), which relates to Peace Corps volunteer leaders, is amended by striking out ", and a married volunteer's child if born during the volunteer's service,".

Sec. 4. Paragraph (3) of section 7(a) of such Act (22 U.S.C. 2506(a)), which relates to Peace Corps employees, is amended to read as follows:

"(3) The President may specify what additional allowance authorized by section 5941 of title 5, United States Code, and which of the allowances and differentials authorized by sections 5923 through 5925 of such title 5, may be granted to any person employed, appointed, or assigned under this subsection and may determine the rates thereof not to exceed the rates otherwise granted to employees under the sections of title 5, United States Code, referred to in this paragraph."

Sec. 5. (a) Subsection (a) of section 13 of such Act (22 U.S.C. 2512), which relates to experts and consultants, is amended—

(1) by striking out "section 15 of the Act of August 12, 1946, as amended (5 U.S.C. 55a)" and inserting in lieu thereof "section 3109 of title 5, United States Code"; and

(2) by striking out "$75 per diem" and inserting in lieu thereof "the per diem equivalent of the highest rate payable under section 5332 of title 5, United States Code".

(b) Subsection (b) of such section 13 is amended by striking out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and "section 201 of the Dual Compensation Act" and inserting in lieu thereof "sections 3323(b) and 8344 of title 5, United States Code" and "section 5532 of title 5, United States Code", respectively.

Sec. 6. Subsection (b) of section 14 of such Act (22 U.S.C. 2513), which relates to detailing personnel to foreign governments and international organizations, is amended by striking out "section 1765 of the Revised Statutes (5 U.S.C. 70)" and inserting in lieu thereof "section 5536 of title 5, United States Code".

Sec. 7. (a) Clause (3) of subsection (a) of section 301 of such Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out all that follows "and participation in," and inserting in lieu thereof "international voluntary service programs and activities."

(b) Paragraph (2) of subsection (b) of such section 301 is amended to read as follows:

"(2) Not more than $300,000 may be used in fiscal year 1971 to carry out the provisions of clause (3) of subsection (a) of this section. Such funds may be contributed to educational institutions, private voluntary organizations, international organizations, and foreign governments or agencies thereof, to pay a fair and proportionate share of the costs of encouraging the development of, and participation in, international voluntary programs and activities."

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 15, strike out "Sec. 2." and insert in lieu thereof "Sec. 3."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 7, strike out "preenrollment" and insert in lieu thereof "pre-enrollment."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 11, strike out "Sec. 5." and insert in lieu thereof "Sec. 4."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 15, strike out "Sec. 4." and insert in lieu thereof "Sec. 5."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 3, strike out "Sec. 5." and insert in lieu thereof "Sec. 6."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 7, strike out "12," and insert in lieu thereof "2,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 21, strike out "Sec. 6." and insert in lieu thereof "Sec. 7."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 6, immediately after line 2, insert the following:

"Sec. 8. Subsection (g) of section 25 of such Act (22 U.S.C. 2522) is amended by striking out 'and 6(2)' and inserting in lieu thereof ', 5(m), and 6(2)'."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 6, line 6, strike out "Sec. 7." and insert in lieu thereof "Sec. 9."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. Natcher, Chairman of the Committee of the Whole House on the State of Union, reported that that Committee having had under consideration the bill (H.R. 16327) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes, pursuant to House Resolution 1119, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit the bill H.R. 16327, to the Committee on Foreign Affairs with instructions to report the bill back forthwith with the following amendment: Page 2, line 5, strike out "$98,800,000" and insert in lieu thereof "$70,000,000."

The SPEAKER Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 118, nays 245, not voting 68, as follows:

[Roll No. 201]

YEAS—118

Abernethy
Andrews, Ala.
Ashbrook
Ayres
Belcher
Betts
Bevill
Blackburn
Bray
Brinkley
Broyhill, Va.
Burke, Fla.
Burlison, Mo.
Caffery
Camp
Carter
Chappell
Clancy
Clawson, Del
Collins
Cowger
Crane
Daniel, Va.
Davis, Wis.
de la Garza
Delaney
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Eshleman
Evins, Tenn.
Fisher
Flowers
Flynt
Fountain
Fuqua
Galifianakis
Gettys
Giaimo
Goldwater
Goodling
Green, Oreg.
Griffin
Gross
Hagan
Haley
Hall
Hammerschmidt
Harsha
Hébert
Henderson
Hogan
Hull
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
King
Kleppe
Kuykendall
Kyl
Landgrebe
Langen
Latta
Lennon
Lowenstein
Lujan
Lukens
McEwen
McMillan
Mann
Marsh
Martin
Mayne
Miller, Ohio
Mills
Mizell
Nelsen
O'Konski
O'Neal, Ga.
Price, Tex.
Quillen
Rivers
Rogers, Fla.
Roudebush
Rousselot
Ruth
Satterfield
Schadeberg
Scherle
Schmitz
Scott
Sebelius
Sikes
Smith, Calif.
Smith, Iowa
Snyder
Steiger, Ariz.
Taylor
Thompson, Ga.
Waggonner
Watkins
Watson
Whitehurst
Wiggins
Williams
Winn
Wold
Wylie
Wyman
Zion

NAYS—245

Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Barrett
Beall, Md.
Bennett
Biaggi
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Casey
Cederberg
Celler
Chamberlain
Chisholm
Clark
Clausen, Don H.
Clay
Cleveland
Cohelan
Collier
Conable
Conte
Corbett
Corman
Culver
Cunningham
Daddario
Daniels, N.J.
Davis, Ga.
Dellenback
Dent
Derwinski
Dingell
Donohue
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gaydos
Gibbons
Gilbert
Gonzalez
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Harrington
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Howard
Jacobs
Johnson, Calif.
Kastenmeier
Kazen
Keith
Kluczynski
Koch
Kyros
Leggett
Lloyd
Long, Md.
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mathias
Matsunaga
May
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Minish
Mink
Mize
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Pucinski
Quie
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Robison
Rodino
Roe
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Ruppe
Ryan
St Germain
Sandman
Schneebeli
Schwengel
Shriver
Sisk
Skubitz
Slack
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watts
Whalen
Whalley
White
Widnall
Wilson, Bob
Wolff
Wyatt
Wydler
Yates
Yatron
Young
Zablocki
Zwach

NOT VOTING—68

Abbitt
Anderson, Ill.
Anderson, Tenn.
Aspinall
Baring
Bell, Calif.
Berry
Blatnik
Brock
Brooks
Broomfield
Brown, Calif.
Burleson, Tex.
Burton, Utah
Cabell
Carey
Colmer
Conyers
Coughlin
Cramer
Dawson
Diggs
Edwards, La.
Findley
Foreman
Frey
Gallagher
Garmatz
Gray
Hansen, Wash.
Hastings
Hosmer
Hungate
Ichord
Jones, Tenn.
Karth
Kee
Kirwan
Landrum
Long, La.
McDonald, Mich.
McFall
Meskill
Minshall
Montgomery
Morton
Nichols
Ottinger
Passman
Pettis
Poage
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Roberts
Rogers, Colo.
Saylor
Scheuer
Shipley
Sullivan
Taft
Talcott
Weicker
Whitten
Wilson, Charles H.
Wright

So the motion to recommit was rejected.

The Clerk announced the following pairs.

On this vote:

Mr. Long of Louisiana for, with Mr. Garmatz against.

Mr. Baring for, with Mr. Shipley against.

Mr. Nichols for, with Mr. Roberts against.

Mr. Passman for, with Mr. Gallagher against.

Mr. Rarick for, with Mr. Gray against.

Mr. Whitten for, with Mr. Rogers of Colorado against.

Mr. Colmer for, with Mr. Aspinall against.

Mr. Frey for, with Mr. Hosmer against.

Mr. Cramer for, with Mr. Saylor against.

Mr. Foreman for, with Mr. Anderson of Illinois, against.

Mr. Berry for, with Mr. Pettis against.

Mr. Abbitt for, with Mr. Kee against.

Until further notice:

Mr. Hungate with Mr. Coughlin.

Mr. Brooks with Mr. Findley.

Mr. Ichord with Mr. Bell of California.

Mr. Carey with Mr. Hastings.

Mr. McFall with Mr. McDonald of Michigan.

Mr. Burleson of Texas with Mr. Brock.

Mr. Cabell with Mr. Minshall.

Mr. Edwards of Louisiana with Mr. Burton of Utah.

Mrs. Hansen of Washington with Mr. Morton.

Mrs. Sullivan with Mr. Meskill.

Mr. Wright with Mr. Pollock.

Mr. Jones of Tennessee with Mr. Talcott.

Mr. Pryor of Arkansas with Mr. Purcell.

Mr. Karth with Mr. Weicker.

Mr. Anderson of Tennessee with Mr. Taft.

Mr. Brown of California with Mr. Diggs.

Mr. Kirwan with Mr. Conyers.

Mr. Ottinger with Mr. Powell.

Mr. Scheuer with Mr. Dawson.

Mr. Charles H. Wilson with Mr. Landrum.

Messrs. **BARRETT, WILLIAM D. FORD, VIGORITO, ARENDS, REIFEL, MIZE,** and **GUBSER,** and Mrs. **REID** of Illinois changed their votes from "yea" to "nay."

Mr. **DOWNING** changed his vote from "nay" to "yea."

The result of the vote was announecd as above recorded.

The doors were opened.

The **SPEAKER.** The question is on the passage of the bill.

Mr. **GERALD R. FORD.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 316, nays 46, not voting 69, as follows:

[Roll No. 202]

YEAS—316

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Betts
Biaggi
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Casey
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Collins
Conable
Conte
Corbett
Corman
Cowger
Crane
Culver
Cunningham
Daddario
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Dingell
Donohue
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fish
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Keith
King
Kleppe
Koch
Kuykendall
Kyl
Kyros
Langen
Latta
Leggett
Lennon
Lloyd
Long, Md.
Lowenstein
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McEwen
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Marsh
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Minish
Mink
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Pucinski
Quie
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Ruppe
Ruth
Ryan
St Germain
Sandman
Schadeberg
Schneebeli
Schwengel
Sebelius
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wyatt
Wydler
Wyman
Yates
Yatron
Young
Zion
Zwach

NAYS—46

Abbitt
Abernethy
Andrews, Ala.
Ashbrook
Bevill
Burke, Fla.
Caffery
Camp
Carter
Daniel, Va.
Devine
Dickinson
Dorn
Dowdy
Fisher
Flynt
Goodling
Griffin
Gross
Hagan
Haley
Hall
Johnson, Pa.
Landgrebe
Lujan
Lukens
McMillan
Martin
Miller, Ohio
Mills
O'Neal, Ga.
Price, Tex.
Quillen
Rivers
Rousselot
Satterfield
Scherle
Schmitz
Scott
Sikes
Snyder
Steiger, Ariz.
Teague, Tex.
Waggonner
Watson
Wylie

NOT VOTING—69

Alexander
Anderson, Ill.
Anderson, Tenn.
Aspinall
Baring
Bell, Calif.
Berry
Blatnik
Brock
Brooks
Broomfield
Brown, Calif.
Burleson, Tex.
Burton, Utah
Cabell
Carey
Celler
Colmer
Conyers
Coughlin
Cramer
Dawson
Diggs
Edwards, La.
Findley
Foreman
Frey
Gallagher
Garmatz
Hansen, Wash.
Hastings
Hungate
Ichord
Jones, Tenn.
Kee
Kirwan
Kluczynski
Landrum
Long, La.
McDonald, Mich.
McFall
Mann
Meskill
Minshall
Montgomery
Morton
Nichols
Ottinger
Passman
Pettis
Poage
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Roberts
Rogers, Colo.
Saylor
Scheuer
Shipley
Sullivan
Talcott
Udall
Weicker
Whitten
Wilson, Charles H.
Wright
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

Mr. Garmatz with Mr. Morton.

Mr. Kluczynski with Mr. Anderson of Illinois.

Mr. Blatnik with Mr. Broomfield.

Mrs. Sullivan with Mr. Coughlin.

Mr. McFall with Mr. Pettis.

Mr. Montgomery with Mr. Berry.

Mr. Nichols with Mr. Brock.

Mr. Roberts with Mr. Cramer.

Mr. Shipley with Mr. Findley.

Mr. Rogers of Colorado with Mr. McDonald of Michigan.

Mr. Aspinall with Mr. Meskill.

Mr. Zablocki with Mr. Burton of Utah.

Mr. Long of Louisiana with Mr. Foreman.

Mr. Cabell with Mr. Frey.

Mr. Carey with Mr. Hastings.

Mr. Edwards of Louisiana with Mr. Pollock.

Mr. Celler with Mr. Saylor.

Mr. Brooks with Mr. Minshall.

Mr. Ichord with Mr. Talcott.

Mr. Charles H. Wilson with Mr. Bell of California.

Mr. Passman with Mr. Hungate.

Mr. Gallagher with Mr. Weicker.

Mr. Pryor of Arkansas with Mr. Alexander.

Mr. Whitten with Mr. Wright.

Mr. Anderson of Tennessee with Mr. Landrum.

Mr. Baring with Mr. Rarick.

Mr. Brown of California with Mr. Conyers.

Mr. Burleson of Texas with Mr. Udall.

Mr. Mann with Mr. Purcell.

Mr. Colmer with Mr. Jones of Tennessee.

Mr. Scheuer with Mr. Powell.

Mr. Ottinger with Mr. Diggs.

Mr. Dawson with Mr. Kirwan.

Mrs. Hansen of Washington with Mr. Kee.

The result of the vote was announced as above recorded.

The **SPEAKER.** Pursuant to the provisions of House Resolution 1119, the Committee on Foreign Affairs is discharged from further consideration of the bill S. 3430.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. MORGAN

Mr. **MORGAN.** Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. MORGAN: Strike out all after the enacting clause of S. 3430 and insert in lieu thereof the provisions of H.R. 16327, as passed, as follows:

The section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1970" and "$98,450,000" and inserting in lieu thereof "1971" and $98,800,000", respectively.

SEC. 2. Section 4(c) of such Act (22 U.S.C. 2503(c)) is amended by adding at the end thereof the following new paragraph:

"(4) The Director of the Peace Corps may prescribe such regulations as may be necessary to assure that no individual performing service for the Peace Corps under any authority contained in this Act shall engage in any activity determined by the Director to be detrimental to the best interests of the United States."

SEC. 3. (a) Section 5(c) of such Act (22 U.S.C. 2504(c)), which relates to a readjustment allowance for volunteers, is amended—

(1) by inserting immediately before the period at the end of the first sentence thereof the following: "; except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed $125 for each month of satisfactory service as determined by the President"; and

(2) by striking out "the Act of August 3, 1950, chapter 518, section 1 (5 U.S.C. 61f)" and inserting in lieu thereof "section 5582(b) of title 5, United States Code".

(b) Section 5 of such Act (5 U.S.C. 2504), which relates to Peace Corps volunteers, is amended by adding at the end thereof the following new subsections:

"(m) The minor children of a volunteer living with the volunteer may receive—

"(1) such living, travel, education, and leave allowances, such housing, transportation, subsistence, and essential special items of clothing as the President may determine;

"(2) such health care, including health care following the volunteer's service for illness or injury occurred during such service, and health and accident insurance, as the President may determine and upon such terms as he may determine, including health care in any facility referred to in subsection (e) of this section, subject to such conditions as the President may prescribe and subject to reimbursement of appropriations as provided in such subsection (e);

"(3) such orientation, language, and other training necessary to accomplish the purposes of this Act as the President may determine; and

"(4) the benefits of subsection (l) of this section on the same basis as volunteers.

"(n) The costs of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of a volunteer who has one or more minor children at the time of his entering a period of pre-enrollment training may be paid from the date of his departure from his place of residence to enter training until no later than three months after termination of his service."

Sec. 4. Clause (3) of section 6 of such Act (22 U.S.C. 2505), which relates to Peace Corps volunteer leaders, is amended by striking out ", and a married volunteer's child if born during the volunteer's service,".

Sec. 5. Paragraph (3) of section 7(a) of such Act (22 U.S.C. 2506(a)), which relates to Peace Corps employees, is amended to read as follows:

"(3) The President may specify what additional allowance authorized by section 5941 of title 5, United States Code, and which of the allowances and differentials authorized by sections 5923 through 5925 of such title 5, may be granted to any person employed, appointed, or assigned under this subsection and may determine the rates thereof not to exceed the rates otherwise granted to employees under the sections of title 5, United States Code, referred to in this paragraph."

Sec. 6. (a) Subsection (a) of section 13 of such Act (22 U.S.C. 2512), which relates to experts and consultants, is amended—

(1) by striking out "section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and inserting in lieu thereof "section 3109 of title 5, United States Code"; and

(2) by striking out "$75 per diem" and inserting in lieu thereof 'the per diem equivalent of the highest rate payable under section 5332 of title 5, United States Code".

(b) Subsection (b) of such section 13 is amended by striking out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and "section 201 of the Dual Compensation Act" and inserting in lieu thereof "sections 3323 (b) and 8344 of title 5, United States Code" and "section 5532 of title 5, United States Code", respectively.

Sec. 7. Subsection (b) of section 14 of such Act (22 U.S.C. 2513), which relates to detailing personnel to foreign governments and international organizations, is amended by striking out "section 1765 of the Revised Statutes (5 U.S.C. 70)" and inserting in lieu thereof "section 5536 of title 5, United States Code".

Sec. 8. Subsection (g) of section 25 of such Act (22 U.S.C. 2522) is amended by striking out "and 6(2)" and inserting in lieu thereof ", 5(m), and 6(2)".

Sec. 9. (a) Clause (3) of subsection (a) of section 301 of such Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out all that follows "and participation in," and inserting in lieu thereof "international voluntary service programs and activities."

(b) Paragraph (2) of subsection (b) of such section 301 is amended to read as follows:

"(2) Not more than $300,000 may be used in fiscal year 1971 to carry out the provisions of clause (3) of subsection (a) of this section. Such funds may be contributed to educational institutions, private voluntary organizations, international organizations, and foreign governments or agencies thereof, to pay a fair and proportionate share of the costs of encouraging the development of, and participation in, international voluntary programs and activities."

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 16327) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERSONAL EXPLANATION

Mr. ZABLOCKI. Mr. Speaker, on this last rollcall, No. 202, I was unavoidably detained. Had I been here I would have voted "yea."

GOLD AND SILVER ARTICLES—CONSUMER PROTECTION

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8673) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. Staggers).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8673, with Mr. Natcher in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. Staggers) will be recognized for 30 minutes, and the gentleman from Illinois, (Mr. Springer) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. Staggers).

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purposes of this legislation is to amend the National Gold and Silver Stamping Act of 1906 to provide a civil remedy for misrepresentation of the quality of articles made from gold and silver. The persons who would be entitled to seek civil relief would be any competitor, customer, or competitor of a customer of any person in violation of the requirements of the act, as well as a jewelry trade association.

At present the act contains only criminal sanctions for any violations of its provisions. However, despite indications of repeated and substantial violations of the act, the Department of Justice has never brought a suit to enforce this statute. In the course of hearings held by the Subcommittee on Commerce and Finance, representatives of the Jewelers Vigilance Committee testified concerning recent instances of repeated and extensive violations of the act.

Under the provisions of this legislation a successful plaintiff would be able to obtain an injunction and could recover his court costs and a reasonable attorney's fee. In addition, persons and firms, other than trade associations, could recover for any damages which they may have suffered as a result of the false marking. Conversely, an unsuccessful plaintiff would be liable to the defendant for the defendant's cost of defending the suit, including a reasonable attorney's fee, and if the action was brought by a trade association "frivolously, for purposes of harassment, or an implementation of any scheme in restraint of trade," the defendant could also recover punitive damages.

A substantially similar bill, S. 1046, has already been passed by the other body, and I trust that this body will support this legislation. I want to be candid in stating to the House that the Department of Justice has submitted an adverse report on this legislation based on the Department's apprehension that a trade association might use the enforcement authority conferred by this legislation to exert pressures upon individual companies to secure results which are inconsistent with the spirit of the antitrust laws. The committee has carefully considered this objection, but believes that there are adequate safeguards in this bill, including punitive damages, to prevent such a result. The fact cannot be overlooked that the Department of Justice has never brought a suit to enforce the Gold and Silver Stamping Act. This makes it necessary, in the opinion of the committee, to look to private attorneys general—and in this case particularly to interested trade associations—to enforce the provisions of the act and thus protect consumers who have no way of protecting themselves.

There are two reasons why it is not practicable for consumers to bring individual damage suits in case they have been defrauded by providing jewelry which does not contain gold or silver of the fineness indicated by the stamp: First, the value of the articles is usually too small to justify individual suits; and, second, the correct gold or silver content may be determined only by melting the article down.

Consequently, the legislation before the House offers the only practical recourse and I hope the House will vote for it.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, 64 years ago Congress was concerned that gold and silver articles could be sold without an indication of the content of such metals and the value that such content would impart. Consequently the National Gold and Silver Stamping Act of 1906 required that any article of merchandise which was made in whole or in part of gold and silver and which was shipped in interstate commerce be properly marked as to such content.

As consumers we have been relying upon these markings over the years. I am sure that most of us when buying jewelry or similar articles will look to see whether it claims to be 14 karat gold or whatever. The buying public has trusted these markings assuming that the requirement for them was also followed up by some agency of the government to make sure that they were accurate and honest.

As a matter of fact this has not been so. The markings cannot be relied upon and the buying public has been victimized for many years. Having a criminal law on the books or promulgating a rule or regulation does not in itself afford any protection. Only vigorous enforcement can do that. It can hardly be said that the Federal Government has seen fit to enforce the Stamping Act with vigor. There have been no prosecutions as yet.

Since this state of affairs has existed since just after the turn of the century it would hardly be encouraging or satisfying to now receive assurances that enforcement would start.

The bill before us today would not change the Stamping Act in any way. If enforcement did begin, it would be a good thing. The bill before us adds a remedy on the civil side. It says to a buyer, a competitor or an interested trade association that they need not wait for criminal action but can proceed through ordinary legal channels to obtain self help.

I think it would be interesting to the Members of the House to note the extent to which violations have become routine in the trade. The Jewelers Vigilance Committee, made up of reputable dealers in the field anxious to insure compliance with the statute, bought 15 quality articles of jewelry from nine different stores. Two-thirds of the items were falsely marked. Recently 26 items selling for less than $5 were purchased. All of them were in violation. Some did accurately cite the gold or silver content, but in such cases the required trademark was omitted.

I have mentioned that the bill would allow customers, competitors, and trade associations to proceed against violators for injunctive relief and in the case of individuals, damages. There is some concern in the Department of Justice about allowing trade associations to be plaintiffs in such suits. They point to the possibility of the use of such suits to control prices, restrain trade, and force membership in the organizations. The committee did not find these arguments to be convincing under all the circumstances. First of all the bill is designed to discourage any such activities. If frivolous suits are brought punitive damages can be awarded against such a plaintiff. The bill includes recovery of suit costs and attorney fees by either party and this should discourage lawsuits which are not based on sound evidence.

The nature of the jewelry trade is such that many different trade associations exist representing various elements of the industry. None of these associations is predominate and many of them are made up of members who participate in other associations. There seems to be adequate balance of power in this area to avoid the dangers which bother the Justice Department. In addition, the bill makes such that associations who qualify as parties to lawsuits under this bill are those that are actually directed toward the improvement of business conditions.

Another factor of these lawsuits I think is significant. The proof of compliance or noncompliance is very simple. A quick and very accurate test can be used to tell whether or not a piece of jewelry actually meets the quality of the marking thereon. This feature works in two directions. Because it is a simple matter there is very little excuse for a manufacturer to produce articles which do not live up to their billing. At the same time it is a very straight-forward and simple issue to be presented in a lawsuit.

This is not the first time that this committee and this Congress have extended the remedy of self help where Government action has historically been inadequate. You will recall that enforcement of safety regulations for trucks in interstate commerce were merely orders on paper because of the lack of manpower in the proper agency to enforce them. In 1966 we passed what was referred to as the Gray Area bill to allow among other things customers and competitors of trucks which were in patent violation of the rules to proceed directly against them.

This is a similar situation. The reputable dealers in gold and silver articles want the markings to be reliable to make such that the customer gets what he is paying for. This is commendable. As long as there are reputable and interested people in the marketplace they should be encouraged and helped in their effort to protect their customers.

I recommend that the House pass H.R. 8673.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's statement, but what is wrong with the existing laws to prevent this sort of occurrence from happening? It is not quite clear to me why we need this additional consumer protection.

Mr. SPRINGER. Simply because there has not been any enforcement of that statute. We are now adding enforcement by people who are either aggrieved or offended by what they have been sold or what any other person puts on the market and which is mismarked or unmarked.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, what he is saying, then, is that this bill, which first appeared before the whole House on the Consent Calendar as No. 145 on April 7 of this year, and has been put over because of departmental objection to it—and I think that is the principal reason, plus the fact that there were those who felt that a bill of this magnitude should not be handled by unanimous consent of all Members present——

Mr. SPRINGER. I think that is a fair statement the gentleman makes.

Mr. HALL. But it also follows, does it not, that the very department that was in objection to it was a department of a Cabinet branch of Government that has not enforced the existing law. I wonder if maybe the way to correct it is to change the department rather than to pass additional punitive legislation and put it in the hands of the aggrieved, because I can envisage a situation wherein this might get to be picayunish and there might be a host of people who would claim false marking, and there would be great court costs, costs of defense, and so forth, under this new bill.

I think insofar as that part is concerned, the Department of Justice had some objection to the unanimous-consent bill, but, of course, I can never see why they did not pursue the existing law. We do have bills against false marking and collusion and against restraint of trade. I just wonder why the paradox situation, of a department objecting and stilll not agreeing to enforce the older existing law.

Mr. SPRINGER. I did not think they gave us any really valid reason why to date we should not add this provision to the law in view of their own action.

Mr. HALL. Does the gentleman not feel, Mr. Chairman, that if there are frivolous suits brought by the alleged plaintiff, that this could also result in harassment or restraint of trade?

Mr. SPRINGER. We also provide punitive damages for harassment by an association.

Mr. HALL. I understand the new legislation provides penalties in both directions.

Mr. SPRINGER. That is correct. We have tried to deal with this in an even-handed way so that there could not be harassment, by giving the person who is harassed the punitive damage rights against the association harasser.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, what reason is there to think if the present laws dealing with misrepresentation and fraud have not been enforced, that this one will be?

Mr. SPRINGER. Because we have testimony before the committee which indicated that there would be suits brought by those who are in association with and who are in a position of having a valid interest in the industry. This is an industry where there has been terrible discrimination against people who were necessarily ignorant of the requirements of the law.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, it occurs to me that possibly one of the reasons there have been no prosecutions might be because we do not have a serious problem. If we do not have a serious problem, I wonder if we need legislation? And if we do have a serious problem, I wonder whether it would not be a good idea, instead of putting new legislation on the books, to just make the Department of Justice do what it should do?

Mr. SPRINGER. If I may answer the first question first, the gentleman makes an assumption that the problem is inconsequential. There was evidence that this was widespread, existing coast to coast and in all States. That is not inconsequential.

On the second question, if the gentleman will refresh me, I will answer it.

Mr. DENNIS. My second question is, if, in fact there is a serious problem, why should we not encourage the department to do what it is supposed to do instead of worrying about new legislation?

Mr. SPRINGER. These people have asked the Department for enforcement and have not got it. I do not know why the attorneys over the years since 1907, under the administrations, both Democrat and Republican, have not enforced this law.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I think I might offer a worthwhile contribution on that particular question. The Subcommittee on Legal and Monetary Affairs of the Committee on Government Operations held extensive hearings as a matter of fact, with testimony by the Department of Justice and the Veterans' Administration, on the defaults on mortgages.

In the course of these hearings we found that the U.S. attorneys' offices, which are the offices in the field that do the work for the Department of Justice, simply are in each and every instance and in each and every region of the country understaffed and overworked. As a result thereof, they concentrate in areas of criminal infractions where they feel it is most important, where the infractions are of a type that are hurting people physically and causing monetary damage to a great degree, and they ignore the type of criminal penalty involved here, because while perhaps an individual may have paid 50 percent or 75 percent more than he should have paid for an item that was mislabeled, in the other areas the Department of Justice has had cases where much more harm is done.

It is a question of the U.S. attorney's office having to choose the more important cases and prosecuting those. Unfortunately this is a fact in the country today. The Department of Justice and the local U.S. attorneys' offices in the various regions and districts in many instances are ignoring infractions of the law because they have to pick out those which they think are more important.

As I say, getting back to the VA cases, it was the feeling of some of us on that subcommittee that they should have allowed the Veterans' Administration to continue handling the cases for defaults on mortgages and to go after the debtors. As a matter of fact, that is still a big problem remaining with us. The Federal Government is owed billions and billions of dollars, and this is not being collected because we do not have sufficient manpower and personnel in the Department of Justice to do that work. If they cannot do that work to make money for the Government, certainly they also could be expected to ignore this type of thing.

I thank the gentleman for yielding.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. DENNIS. It seems to me, if I may remark in passing, I am not particularly against this legislation; I am just against passing something unnecessary, if we are. We do too much of that.

It seems to me it is an odd reason to pass legislation at this time, to give us the reason that the Department of Justice is failing and refusing to discharge its functions.

If that is a fact—I do not know, but I assume it is from what has been said—it seems to me perhaps the way to do this is to get them to go to work, instead of loading down the books with legislation. Surely we are not going to pass legislation of this kind every time they do not do their job.

Mr. SPRINGER. My only reply to the gentleman would be that if he can get them down at the Department of Justice to take on the project, and get them to do it, perhaps no one will have to enforce this law when we have it on the books.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from North Carolina.

Mr. JONAS. In reading the letter to the committee chairman from the Attorney General, I find that general legislation has been proposed to accomplish the same purpose sought under this bill. It would provide the Attorney General, and therefore ultimately the consumers themselves, the authority to prevent unlawful acts affecting consumers, including the acts against which this bill is directed.

It strikes me we are going pretty far in legislation when, for the first time in history, we authorize a trade association, which is composed of a selected number of competitors who combine themselves into an association, to bring suits as parties in interest against small operators who are at a disadvantage in contesting with these powerful trade organizations.

It strikes me that this presents a very serious problem, and we should be careful before embarking on that course. If we incorporate this kind of authority for gold and silver articles in the law, what is to prevent us next week from expanding this and abolishing the functions of the Federal Trade Commission, which was created to accomplish this very same objective.

Mr. SPRINGER. The gentleman, I believe, has spoken the truth; but the Federal Trade Commission has not enforced the law.

Mr. JONAS. We already have legislation on the books dealing with deceptive practices, false advertising and mislabeling. Why legislation granting special privileges to trade associations involving gold and silver?

Mr. SPRINGER. Yes. Those are all acts, just as this is.

Mr. JONAS. They are not covered by this.

Mr. SPRINGER. They are not covered by this.

Mr. JONAS. What is the purpose of picking out these products and enacting a separate piece of legislation to deal with them, when we have the Federal Trade Commission dealing with all sorts?

Mr. SPRINGER. That may be true, but the Federal Trade Commission has not enforced the law. The gentleman is asking me why. They claim to have no jurisdiction.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. Under the original act the Justice Department has been designated as the party to enforce the provisions of the act. That is why the Federal Trade Commission has always said, "We do not have jurisdiction over it. It is up to the Justice Department to enforce the provisions of the act, because that is what the act says."

Mr. JONAS. May I respond to that, please?

Mr. SPRINGER. I yield to the gentleman from North Carolina.

Mr. JONAS. I believe the reason for that is that the law on the books now covering this subject deals with penal provisions.

Mr. TIERNAN. That is correct.

Mr. JONAS. It makes it a crime. That obviously is a function of the Department of Justice.

Another problem arising here is that you are going to confer on Federal district courts the jurisdiction to entertain suits without any limit on the amount involved. This is contrary to the Federal general statutes which fix a maximum as the amount involved before Federal courts are available in suits between individuals. If this is followed as a precedent, then all other complaints of consumers in this field could follow. The Federal courts are going to be loaded down with a multiplicity of suits that the Federal Trade Commission, in my opinion, has a responsibility of supervising now.

Mr. SPRINGER. I do not know of any effort to bring anybody else into it.

Mr. JONAS. You establish a precedent if the Congress does it in this instance. Is it not reasonable to assume that then other groups next week will want the same privilege?

Mr. SPRINGER. It is reasonable to assume that, I suppose, and you may be faced with it in the next few weeks.

Mr. JONAS. How can we justify picking out one group of products just because they have gold or silver in them?

Mr. SPRINGER. It seemed to me that the evidence indicated there was a necessity for it. The gentleman will have to make up his mind as to whether it is necessary in these other instances.

Mr. JONAS. What about other legislation in this general field?

Mr. SPRINGER. There is a great deal of division in the committee as to what kind of a bill shall come forth. Nobody has agreed yet as to what kind of a bill we will bring out to the floor.

Mr. JONAS. At least the Attorney General says it is without precedent in the history of the country. Never before has the Congress authorized a trade association to become a party in interest. This is a form of class action to be instituted by a trade association which could be a representative of the entire industry or only a part of the industry or a small group of people engaged in this business who combine into an association. The Attorney General fears that it opens up a Pandora's box and that the courts will be flooded with a multiplicity of harassing suits. The provision in the bill in which you undertake to deal with protection against harassment means that first he has to be able to satisfy a judge that this is not a frivolous suit. He may have difficulty in doing that. The economic power of a trade association far outweighs that of an individual against whom a complaint might be made. I thought that the comments of the Attorney General were strong and deserve consideration. Like the gentleman from Indiana, I do not know how I will vote on this bill, but I thought in the course of the debate that we ought to pay some attention to, and more than just casual attention to, the arguments advanced by the Attorney General that this is not the way to approach this problem.

Mr. SPRINGER. May I say to the distinguished gentleman in reply that this is one instance in which I thought this kind of action was necessary. I am not saying that every action is valid. So there is no misunderstanding about that, I want to make that clear. But I am saying in this instance I think it is, and I will certainly want to be very discriminating.

Mr. JONAS. If the gentleman will yield further, may I say I concur in that view.

Mr. SPRINGER. No; I do not think anyone at this point is certain as to whether they are for or against it; that is, until we see the bill. If it comes out in one form, I shall not support it but if it comes out in another form I shall support it. May I say it was a very carefully drawn piece of legislation when it came before the committee.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. In looking over the bill, as set forth on page 9, of the report, under the Ramseyer rule, I notice that the provision with regard to protection against frivolous and harassing suits, that that provision apparently is applicable only as to suits in which a trade association is made a party. It does not appear to apply to a suit brought by an individual customer under subsection (b).

It seems to me, if that is a correct interpretation, that we have not cut off the likelihood of harassing and frivolous suits brought by individuals wholly independent of a trade association but some customer might feel himself aggrieved and there might be a tremendous number of such suits started individually without any threat of punitive damages because punitive damages apparently apply only under subsection (c) instead of subsection (b).

Would the gentleman from Illinois care to respond to that?

Mr. SPRINGER. No; I think the gentleman has interpreted it correctly.

Mr. McCLURE. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Yes; I yield to the gentleman from Idaho.

Mr. McCLURE. I have a little different interpretation of the language as contained in the bill than the gentleman who just spoke and the gentleman who spoke before him, the gentleman from North Carolina (Mr. JONAS), with reference to the recovery of the cost of defense together with reasonable attorney fees. I do not see that the language of the bill restricts that to trade association suits and I do not see it requires a finding that the suits be frivolous.

Under subsection (d) which appears at the bottom of page 9 of the report and the top of page 10 of the committee report on this bill there is this language:

> Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

This language as contained in this portion of the bill does not confine it simply to association suits. It does not require a finding that the action is frivolous but simply requires that the plaintiff fail in his suit.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Yes; I yield to the gentleman.

Mr. TIERNAN. That is with respect to the defendant in a suit. If the plaintiff does not prove his case, then the defendant is awarded his cost and a reasonable attorney fee. The other gentleman was speaking of the plaintiff recovering attorney's fees and cost of court if he prevails in his action.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. Yes.

Mr. JONAS. I think the language in the bill is very clear——

Mr. SPRINGER. May I put it this way. I think I have the answer, and that is simply this: that punitive damages can only go to trade associations.

Mr. JONAS. Right.

Mr. SPRINGER. Attorney's fees and costs would apply otherwise.

Mr. McCLURE. Mr. Chairman, would the gentleman yield further?

Mr. SPRINGER. I yield further to the gentleman from Idaho.

Mr. McCLURE. Is it not correct that the provision in the bill requiring a finding that it be a frivolous suit refers to the section on frivolous suits? This does not refer to the section having to do with court costs and reasonable attorney's fees?

Mr. SPRINGER. The gentleman is correct.

Mr. McCLURE. I thank the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to my distinguished colleague, the gentlewoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Chairman, I want to voice my strong support of this bill to protect the public from buying fraudulent gold and silver merchandise. This, I feel, is necessary legislation.

In an era in which consumer protection is becoming more significant this is perhaps just a first step, and will lead to further legislation in the broad area of consumer protection.

When the average person, or the retail dealer, buys an article marked "sterling silver" or "14 karat gold" he relies on the trade stamp to assure the quality of the product. But if the article is incorrectly or fraudulently stamped the consumer is defrauded. Under existing law this person can only complain to the Justice Department, which has never, since the enactment of the National Gold and Silver Stamping Act of 1906, brought a suit to enforce this law.

This bill provides a means of relief which is long overdue.

It seems to me that the committee deserves special commendation for its wisdom in providing the safeguards involved in the bill which permit the court to determine and punish illegal actions such as frivolous suits and harassments.

I am familiar with these various problems since my district, the 10th Congressional District of Massachusetts, is a major center of the jewelry industry. The city of Attleboro and the town of North Attleboro have numerous jewelry manufacturers as well as firms producing jewelers' machinery, molds, castings, findings, metal, and other components of the industry. The Attleboros are the home of numerous reputable dealers. This is a fine and respected industry, which contributes to the employment and economic well-being of many of my constituents. I think the leadership of the jewelry industry in the Attleboros is deeply concerned with the need to protect the consumer from either error or fraudulent practices in the marketing of jewelry, and has in fact been vigilant in the self-policing of its members.

Literally thousands of upright, hard-working Americans are employed by this industry who want to see its high standards maintained. They are working in companies living up to the highest standards, and yet not all Americans are receiving the benefits of high standards and practices. The ethical are at a disadvantage against those who defraud, which is why these employees and their employers are supporting enhanced consumer protection and effective means to eradicate fraud and deceit in the industry.

The fraudulent marking of gold or silver jewelry or other merchandise is a serious problem today, and the enforcement of the law against mismarking is essential to protect the individual consumer and the industry as a whole. I believe that this particular piece of legislation is a vital step in the long path toward consumer protection, which is a means of self-protection for all of us. We have had no protection in this field for 64 years since the original act was passed, due to this lack of enforcement, and I think we have tolerated this ineffectiveness for far too long. It is time to protect the public by passing this legislation.

Again I commend the committee, and especially the gentleman from Rhode Island (Mr. TIERNAN), for his efforts in this direction.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas, a member of the committee (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, first I want to compliment the gentlewoman from Massachusetts (Mrs. HECKLER) for her statement which I think is exactly accurate as to the purposes of the bill. I also want to add that this bill is extremely carefully and extremely narrowly drawn.

The right to bring an action on the part of the defendant against a plaintiff rests on action brought by a competitor or a customer or a trade organization, but we have distinguished between two proceedings. The Senate did not make this distinction. We did, and I think it is a proper one.

We provide that where a competitor or customer brings a suit, and the suit is ultimately found to be without validity, the defendant may bring an action against him for damages and for attorneys' fees. This is in section (d) of the act. Such would also be true where a trade association brings the suit. But in addition in the case of a trade association, if the suit is brought frivolously, the defendant may not only recover damages and attorneys' fees, but also punitive damages.

Now, the reason for that was that we wanted to make it quite certain that a trade association would not use this bill to violate the antitrust act or to harass competition.

But in both instances if the act is used improperly as an action just for the purpose of harassment, whether it be by a customer or a competitor, or a trade association, damages may be recovered, including attorneys' fees, by the defendant, but in the case of the trade association also punitive damages may be recovered.

I just wanted to make sure that the House knew that this act covers suits under both (b) and (c).

Now, I submit that it may be true that governmental agencies should protect customers, but I think one of the most dependable agencies to protect persons whose interests have been injured by others are the courts of the United States, and this self-help in this area, particularly as narrowly drawn as it is in this bill, is the most dependable way to enforce the provisions of the National Gold and Silver Stamping Act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. ST GERMAIN).

Mr. ST GERMAIN. Mr. Chairman, it is my sincere pleasure to register my support of H.R. 8673, providing consumer protection for gold and silver articles.

In particular, I want to commend my colleague from Rhode Island for his initiative in introducing this legislation, and for his efforts in having it brought out of committee and to the floor of the House.

The need for this legislation is clear. By requiring simple marking of content, the National Gold and Silver Stamping Act of 1906 was designed to protect the consumer who has no way of knowing the true fineness of gold or silver articles he purchases. Yet continuous violations have flouted the protections of the act while the Justice Department has brought no enforcement action.

Not a single suit has been brought by the Justice Department, in whose jurisdiction the act falls, against a manufacturer for misrepresenting the content of his jewelry. The 1906 act specifies criminal suit against violators, and the Justice Department may be reluctant to bring action when criminal penalties often seem far too severe for the particular infraction involved. And as I stated earlier in the debate, the Justice Department and the U.S. attorneys offices which are a part of the Department are simply overloaded with work. Mismarking of jewelry items may be considered minor and relegated to the bottom of the pile.

The provisions of H.R. 8673 would remedy these circumstances by providing for civil suits by customers and competitors, as well as jewelry trade associations. By the same token, this bill is also very important to the consumer—for instance, the young couple buying articles for their home, or the man wishing to buy a wedding ring. At the price which precious metal is selling for today, everyone has a right to be certain of the quality of an article he is buying.

We can note that the benefits realized through this bill will bring no additional costs to the Government. And avoidance of a suit by compliance with the law is very easy within the broad tolerances established by the 1906 act.

For all of the aforestated reasons, I am happy to urge passage of this legislation.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. McCLURE).

Mr. McCLURE. Mr. Chairman, I thank the gentleman from Texas for bringing out the distinction I was trying to make a moment ago with respect to the distinction between subsection (c) and subsection (d) actions and the penalties that might be involved and the cost recoveries that might prevail or be attendant in such action.

I want to point out, as has been pointed out before, that there is no protection really for the small consumer under existing law because it depends on enforcement by Federal agencies, and unless you provide some means by which they can act collectively through an association, they will not have the protection of the courts at the behest of the Federal Trade Commission or of the Department of Justice.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. McCLURE. I yield to the gentleman.

Mr. ECKHARDT. Mr. Chairman, I think one thing else should be added, and that is with respect to the ordinary trade organization, they can only bring an injunctive action, they may not bring a damage suit—so in that area no aspect of class-action suit is involved.

Mr. McCLURE. I think the problem, the general problem of class actions, is a very difficult one and has been referred to in connection with other pending legislation.

I think this bill, very carefully drawn as it is, does avoid the problems in the broader context, and I support this bill in its entirety.

I am concerned about the fact that criminal penalties alone will not protect the consumer where small amounts of money are involved, and neither will civil enforcement, because Federal agencies just will not bring such action.

I think a good example, and parallel to this, is the theft of goods in interstate commerce. This theft of goods of shippers in interstate commerce amounts to millions of dollars per year and, yet, no agency of the Government will bring action attempting to deal with any one of the many individual small thefts although in the aggregate such losses from interstate shipments are a large and growing problem. This is much the same kind of thing we are dealing with here. I hope the committee will take some action in this field stimulating some protection for shippers and consumers from losses in interstate shipment.

I had originally intended, or thought it might be possible for me to include in this bill some protection that I have sought in two other bills that I introduced earlier dealing with the fraudulent production and dissemination of what are supposed to be coins for collectors. I introduced two such bills, H.R. 9448 and H.R. 9449, dealing with that problem of the authenticity of coins, some of which are silver and some of which are gold, but not all of which are composed of such substances.

But I am convinced, after reading this bill, that my bills deal in a slightly different area. They deal only with criminal penalties and this bill that is now pending deals with the expansion of civil remedies. I, therefore, concluded that I should attempt to get passage of my bills, H.R. 9448 and H.R. 9449, or other similar legislation without appending them to this.

But I think, as the gentleman from North Carolina has pointed out, that this does not deal with anything except one area—and we have many such areas. But, nevertheless, I support this bill as being a very helpful step forward in an area that has been troublesome to consumers. I commend the committee.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may require to the author of the bill, the gentleman from Rhode Island (Mr. TIERNAN).

Mr. TIERNAN. Mr. Chairman, I rise today to speak on behalf of H.R. 8673 which I introduced over a year ago.

This legislation would amend the National Gold and Silver Stamping Act of 1906 to provide a civil remedy, by means of a court injunction, for the misrepresentation of the quality of articles composed, in whole or in part, of gold and silver.

The 1906 Stamping Act was the first attempt by our Government to actually regulate commerce itself. Its original intent was to protect the public and the jewelry industry from fraudulent misrepresentation.

When Congressman Edward Vreeland of New York first proposed his legislation in 1905, he recommended that all quality markings be accompanied by a registered trademark of the party responsible for the quality mark. Unfortunately this feature was eliminated from the original proposal. However, in 1961, 55 years after enactment of this law, the Congress amended the act to include this provision. This represents the only change in the law since its enactment.

Regrettably the act has never been enforced. The Justice Department has failed to act on any one complaint since Congressman Vreeland's bill became law. Obviously the Department has been forced to give enforcement of this act with its present criminal provisions a rather low priority. This is understandable.

But it is no reason why he should allow the act to remain a dead letter. We have a responsibility to make this law enforceable and meaningful.

Consumers of jewelry and silverware buy largely on faith and as a consequence must rely on the markings provided by the manufacturer. The industry has attempted to keep faith with the public by its creation in 1917 of a jewelers vigilance committee.

I now seek the enactment of this bill to insure better protection against misuse of quality markings and to put a halt to fraudulent manufacturers and merchandisers.

Mr. Chairman, the cost of false markings both to the consumer and the jewelry industry has been high and damaging as well.

In my view, the National Gold and Silver Stamping Act need not remain a failure. That it was a high original and innovative piece of legislation in 1906 and that it needs new life are evident conclusions.

My bill provides an effective and appropriate solution and I respectfully ask that it be given favorable consideration.

Also, Mr. Chairman, I think the points covered by both you and the ranking minority Member (Mr. SPRINGER), have certainly helped to clear up some of the questions on the bill.

One of the points I would like to make reference to is on page 3 of the report which clearly answers some of the objections of the Attorney General or the Department of Justice where there are set forth seven answers to those objections.

One of the main things which the subcommittee that considered the bill did was to adopt the amendment offered by the gentleman from Texas (Mr. ECKHARDT) with regard to punitive damages in a case in which a trade association would bring an action. That, we feel, would be a safeguard to protect anyone from that type of abuse of this act.

The key thing here is that there have been many examples of articles that have been sold as sterling silver and 12- and 14-carat gold that in fact were not. In 1963 the case was presented to the Department of Justice in which one man was actually selling silver-plated articles as sterling silver and gold-plated articles as 12- and 14-carat filled gold. That case was never prosecuted.

Therefore, this act would provide for self-help, as has been indicated by the previous speaker.

Another example that was brought to my attention is that of the young woman with pierced ears who purchases earrings. In that case the earrings that she purchased for her pierced ears would be required to be gold earrings rather than goldplated, because the copper under the plating would cause blood poisoning. As it turned out, the earrings that she purchased were not in fact gold but were goldplated, and they caused irritation, necessitating treatment by a doctor for a long period of time.

Mr. Chairman, the bill is a good bill and I support it.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. TIERNAN. I am happy to yield to the gentleman from Indiana.

Mr. DENNIS. Am I correct that, in the case of the defendant in a suit against him, brought by an individual, in which the defendant prevails, in order to recover his attorney's fees and costs, the defendant must turn around and bring a separate action against the plaintiff?

Mr. TIERNAN. No; in the case of an individual, competitor, or customer, in a suit in which he did not prevail, the act specifically provides that the defendant will be awarded attorney's fees and costs under section (d) of the act.

Mr. DENNIS. That is what I am asking, because, I believe it is clear under section (c), where a trade association is involved; the bill provides in that case, where there is a harassing suit, that, if the court determines that the action has been brought "frivolously" it may award punitive damages. But when you come to section (d), where the suit is brought by an individual plaintiff, it states that any defendant who prevails is entitled to recover attorney's fees and costs, and I was not sure whether that indicated he would have to bring a separate action or whether the attorney's fees and costs would be awarded to him in the original case.

Mr. TIERNAN. It is my understanding that if the plaintiff did not prevail, the defendant would then be entitled to his attorney's fees and court costs.

Mr. DENNIS. Certainly there would be much more effective protection that way, but there seems to be a difference in language between the two sections.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. TIERNAN. I yield to the gentleman from Texas.

Mr. ECKHARDT. The reason I understand this section was added at the end of section (c) was to provide an especially tough recovery against a trade association, but in both instances, as I understand it, the recovery by the defendant could be in the same suit in a cross action.

Mr. TIERNAN. That is correct.

Mr. DENNIS. Is that the understanding also of the chairman and the gentleman from Illinois, Mr. Chairman?

Mr. SPRINGER. That is my understanding.

Mr. STAGGERS. That is my understanding.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. TIERNAN. I yield to the gentleman from Indiana.

Mr. JACOBS. From hearing the debate, I am not quite sure I understand. Does the gentleman mean that if an unsuccessful plaintiff was not proved to have abused the process he nevertheless would be liable to attorney's fees to a successful defendant?

Mr. TIERNAN. If he brought an action under this act, yes. The court could award the defendant attorney's fees and costs of his suit.

Mr. JACOBS. That should discourage a lot of poor people from bringing suits. If they are meritorius suits, and there is not proved to be an abuse of process, it seems to me you would effectively scare off any consumer who might want to file suit.

Mr. TIERNAN. I would suggest to the gentleman I do not think anyone would bring suit unless he were pretty sure of recovery.

Mr. JACOBS. But being pretty sure of recovery means good faith. As I understand, in normal jurisprudence a man must prove abuse of process in order to recover; for example, if the case is brought maliciously or not in good faith.

Mr. SPRINGER. The reason that provision was put in there was so there could be no misunderstanding, but the evidence before our committee was conclusive that the elements of such a case are easy to prove. That is the reason.

That is the reason. There is not any question when an expert opinion on it immediately reveals it is either 14-karat gold or it is not. It is not a question open to a great deal of evidence as to whether the article is or is not.

Mr. STAGGERS. Mr. Chairman, I yield 1 minute to the gentleman from Texas.

Mr. KAZEN. Mr. Chairman, I just want to get into the thing a little. It is the same judge who would find the action frivolous and he is the one who would have heard the evidence in the case.

Mr. TIERNAN. If the gentleman will yield, that is only with regard to the action under section (c) where there is a trade association bringing a suit. That part of it would be where the court would award punitive damages.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Chairman, the gentleman from Texas has referred to a finding of frivolous action. If I understand the provision of the law, no such finding would be required. The mere failure to prevail by the plaintiff would establish the right to require the attorney's fees to be paid.

Mr. TIERNAN. That is correct.

Mr. JACOBS. There would not have to be any finding of frivolous action.

Mr. STAGGERS. Mr. Chairman, I might explain that in the case of getting punitive damages, it would require a finding that they brought a frivolous suit, that there was harassment, but in any case in which the plaintiff cannot prevail in his suit then he is charged with defendant's attorneys fees and court costs.

Mr. HALPERN. Mr. Chairman, I am grateful for this opportunity to express my support of the bill, H.R. 8673, which is one more expression of congressional concern in the important field of consumer protection. In this case, we are dealing with a field in which it is almost impossible for the average consumer to know whether or not he is getting full value for the money he is spending unless both manufacturer and dealer exercise complete integrity and honesty. I am referring to those consumers purchasing articles made in whole or part of gold and silver. Hearings held by the Subcommittee on Commerce and Finance of the House Committee on Interstate and Foreign Commerce on this bill last December made abundantly clear that far too often consumers shopping for jewelry are receiving substantially less than they think they are buying. Day in and day out gold and silver articles are sold in violation of the National Gold and Silver Stamping Act. Items are either falsely marked as to gold or silver content, or fail to carry the identifying trademark required under the law.

Clearly, further legislative action is called for. Legislation is needed both to help consumers receive full value for their dollar expenditures, and to protect ethical members of the jewelry industry from unfair competition of those who are mismarking the quality of their merchandise or failing to indicate the quality. This bill is designed to fulfill these objects by means of authorizing civil injunctive relief, thereby creating an enforcement mechanism to deter the unscrupulous from misrepresenting their goods.

Specifically, H.R. 8673, as reported by the Committee on Interstate and Foreign Commerce, would amend the National Gold and Silver Stamping Act of 1906 to provide a civil remedy for misrepresentation of the quality of articles made from gold and silver. It will enable any competitor, customer, or competitor of a customer, as well as jewelry trade association, to seek civil relief. A successful plaintiff would be able to obtain an injunction and could recover his court costs and a reasonable attorney's fee. Further, persons and firms, other than trade associations, could recover for any damages which they may have suffered as a result of the false marking of a gold or silver article.

Conversely, an unsuccessful plaintiff would be liable to the defendant for the defendant's cost of defending the suit, and if the action was brought by a trade association frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, the defendant could also recover punitive damage.

I will not go so far as to say that this measure ranks in importance to the consumer with the Food and Drug Act. It is however a measure which should be enacted as an integral element in the legislative armor against the corrosive and insidious attempts to deceive and defraud the American consumer. I, therefore, urge its prompt adoption.

Mr. KEITH. Mr. Chairman, this bill posed one of the most clear-cut issues facing the Commerce Committee in this Congress. Should Congress provide consumers and manufacturers of gold and silver articles a civil remedy in the courts or should the criminal statute prohibiting mislabeling remain unenforced by the Justice Department?

After receiving testimony which indicated a serious problem, unmet by law enforcement authorities, our committee unanimously reported out H.R. 8673.

This bill will enable consumers to go into court, obtain injunctions against mismarking and recover damages. Once this measure is enacted, I am sure that the threat of civil lawsuit will deter most illegal mismarking activities by unscrupulous jewelry manufacturers.

The Justice Department, apparently unwilling to surrender part of its unused enforcement powers to consumers, has opposed enactment of this legislation. This agency maintains that the civil remedy given consumers and manufacturers will result in coercion by associations of manufacturers who may be vigorous competitors or unwilling to join the trade associations. As amended by the committee, however, H.R. 8673 eliminates this objection.

The proof involved in this type of case is not complex. A simple and inexpensive assay will determine whether the jewelry is mismarked. Should an association or rival manufacturer proceed in court without this readily obtainable proof, he would be liable for court costs and reasonable attorneys' fees. Further, if the court finds that the suit were brought for purposes of harassment or restraint of trade, it could award punitive damages to the defendant. Finally, the lack of a dominant industry or trade association in this business indicates that no preponderant force exists which could use this bill to coerce less powerful segments of the industry.

Mr. Chairman, this bill is overdue and entirely in line with the national effort for greater consumer protection. I urge all my colleagues to vote for its passage.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 8673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "an Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.), is amended by—

(a) Inserting immediately after the section number "SEC. 5." the subsection designation "(a)".

(b) Adding at the end of the newly designated subsection "SEC. 5. (a)" the following new subsections:

"(b) Any competitor, customer, or competitor of a customer of any person in violation of section 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act, shall be entitled to injunctive relief restraining further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney fee.

"(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act from further violation of this Act and may sue therefor as the real party in interest in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act."

(c) Inserting immediately after the section number "SEC. 6." the subsection designation "(a)".

(d) Adding at the end of the newly designated subsection "SEC. 6. (a)" the following new subsections:

"(b) The term 'person' means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association' means an organization, consisting primarily of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the improvement of business conditions in the jewelry or related businesses."

(e) Changing paragraph (A), subsection (b), of section 4 to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and"

SEC. 2. If any provision of this Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

SEC. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

SEC. 4. This Act shall take effect three months after enactment.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment:

On page 2, line 23, after the period insert: If the court determines that the action has been brought frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, it may award punitive damages to the defendant.

The committee amendment was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I am intrigued by this sudden interest in gold and silver. I can remember not so long ago when the House and the Congress with the greatest of ease and even gleefully foreswore the use of gold as a backing for our currency. Only a few months ago gold was an anachronism. It was a barbaric metal. Remember? That is how the then Chairman of the Federal Reserve Board described it. Get rid of it. It is evil. And silver got about the same treatment around here. Congress gleefully substituted scrap metal for the silver in our coins. That is what we have in our pockets today—scrap metal.

So why the sudden interest today in gold and silver. Suddenly it has become an object of class legislation, special legislation. What is this all about? On one hand, Congress foreswears the use of gold, and then we get a bill to protect the purchasers of gold. When will we get a bill to protect the purchasers of diamonds? There is a great deal of fraud in the sale of diamonds. Are we about to get a bill dealing with diamonds and platinum and other metals and stones?

I happen to own an automobile. Are we going to get a bill to provide that the metal must be of a certain quality and a certain gage; that the vital parts of that vehicle must be of a certain standard or suit may be brought against the manufacturer? How much of this legislation are we going to get?

But the thing that really intrigues me is the fact that, with the greatest of ease and the greatest of abandon, we say, "Take our gold and sell or give it to the foreigners. Sell the silver to the foreigners."

Members of the House will remember that the Government sold 44 million ounces of silver to foreign countries in the same year that Congress approved taking all the silver out of our coins. Now we are stuck with a bunch of scrap metal in our pockets, currency without the slightest intrinsic value.

All this intrigues me. It is a part of this wonderful world of make-believe that is Washington, D.C., and the Congress of the United States is the center of the world of make-believe.

We talk about economy, yet a few minutes ago the House approved almost $100 million for one of the biggest frauds, the Peace Corps, that has ever perpetrated on this country. There is no peace and we have more enemies than ever around the world.

Balancing the budget and fiscal responsibility is a lost art.

You take it from there in this world of make-believe.

Yes; I am for consumer protection but I am not for preferential, special class legislation of this type.

There is in this Government what is known as the Federal Trade Commission on which we expend millions of dollars a year. Either that agency of Government ought to be made to function in behalf of the people of this country or it ought to be abolished.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8673) to protect consumer by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes, pursuant to House Resolution 1092, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. TEAGUE of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 351, nays 9, not voting 71, as follows:

[Roll No. 203]

YEAS—351

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Collins
Conable
Conte
Corbett
Corman
Cowger
Culver
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Denney
Dennis
Dent
Derwinski
Devine
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karth
Kastenmeier
Kazen
Keith
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Langen
Latta
Leggett
Lennon
Lloyd
Long, Md.
Lowenstein
Lujan
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Rousselot
Roybal
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder

Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Symington
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—9

Ashbrook
Brown, Mich.
Crane
Evins, Tenn.
Flynt
Gross
Hall
Landgrebe
Schmitz

NOT VOTING—71

Anderson, Ill.
Anderson, Tenn.
Aspinall
Baring
Bell, Calif.
Brock
Brooks
Broomfield
Brown, Calif.
Burleson, Tex.
Burton, Utah
Cabell
Carey
Celler
Chisholm
Clancy
Colmer
Conyers
Coughlin
Cramer
Cunningham
Dawson
Dellenback
Dickinson
Edwards, La.
Findley
Foreman
Frey
Gallagher
Garmatz
Gilbert
Hansen, Wash.
Hastings
Hungate
Ichord
Jones, N.C.
Jones, Tenn.
Kee
King
Kirwan
Landrum
Long, La.
McDonald, Mich.
McEwen
McFall
Meskill
Minshall
Montgomery
Morton
Nichols
Ottinger
Passman
Pettis
Poage
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Roberts
Rogers, Colo.
Saylor
Scheuer
Shipley
Sullivan
Taft
Talcott
Weicker
Whitten
Wilson, Charles H.
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Garmatz with Mr. Morton.
Mr. Jones of North Carolina with Mr. Frey.
Mr. Wright with Mr. Dellenback.
Mrs. Sullivan with Mr. Anderson of Illinois.
Mr. McFall with Mr. Bell of California.
Mr. Montgomery with Mr. Foreman.
Mr. Nichols with Mr. Brock.
Mr. Roberts with Mr. McDonald of Michigan.
Mr. Shipley with Mr. Findley.
Mr. Rogers of Colorado with Mr. Burton of Utah.
Mr. Aspinall with Mr. Broomfield.
Mr. Landrum with Mr. Cunningham.
Mr. Long of Louisiana with Mr. Dickinson.
Mr. Cabell with Mr. Clancy.
Mr. Carey with Mr. McEwen.
Mr. Edwards of Louisiana with Mr. Talcott.
Mr. Celler with Mr. Hastings.
Mr. Brooks with Mr. Coughlin.
Mr. Charles H. Wilson with Mr. Saylor.
Mr. Passman with Mr. Cramer.
Mr. Gallagher with Mr. Meskill.
Mr. Pryor of Arkansas with Mr. Pollock.
Mr. Whitten with Mr. King.
Mr. Anderson of Tennessee with Mr. Minshall.
Mr. Baring with Mr. Taft.
Mr. Brown of California with Mr. Conyers.
Mr. Burleson of Texas with Mr. Pettis.
Mr. Colmer with Mr. Kee.
Mr. Scheuer with Mr. Kirwan.
Mr. Ottinger with Mr. Dawson.
Mrs. Hansen of Washington with Mr. Weicker.
Mr. Jones of Tennessee with Mr. Hungate.
Mr. Ichord with Mr. Purcell.
Mr. Gilbert with Mr. Rarick.
Mrs. Chisholm with Mr. Powell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1092, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of S. 1046.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of S. 1046 and to insert in lieu thereof the provisions contained in H.R. 8673, as passed, as follows:

That the Act entitled "an Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.), is amended by—

(a) Inserting immediately after the section number "SEC. 5." the subsection designation "(a)".

(b) Adding at the end of the newly designated subsection "SEC. 5. (a)" the following new subsections:

"(b) Any competitor, customer, or competitor of a customer of any person in violation of section 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act, shall be entitled to injunctive relief restraining further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney's fee.

"(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act from further violation of this Act and may sue therefor as the real party in interest in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee. If the court determines that the action has been brought frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, it may award punitive damages to the defendant.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act."

(c) Inserting immediately after the section number "SEC. 6." the subsection designation "(a)".

(d) Adding at the end of the newly designated subsection "SEC. 6. (a)" the following new subsections:

"(b) The term 'person' means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association' means an organization, consisting primarily of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the improvement of business conditions in the jewelry or related businesses."

(e) Changing paragraph (A), subsection (b), of section 4 to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and"

SEC. 2. If any provision of this Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

SEC. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

SEC. 4. This Act shall take effect three months after enactment.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8673) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

CAN YOU BELIEVE

(Mr. UDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. UDALL. Mr. Speaker, just last week the President signed into law the Airport and Airway Development Act of 1970, an important step toward needed development of this Nation's air transportation facilities.

This is an ambitious program, and it is going to be expensive. Wisely, I think, it will derive its funding from the very people who enjoy the benefits of it—the users of the airways. While no one likes to pay higher taxes, I believe that the American people are willing to shoulder these increased taxes as long as their government uses the money wisely and is honest with them.

Unfortunately, Mr. Speaker, this Government is not being honest with the taxpayers of the country when it sets out to conceal from the traveling public the new taxes they are going to pay. Yet that is precisely what the Congress has done in passing this new law.

I am speaking specifically of section 7275 of that act, the section entitled

"Penalty for offenses relating to certain airline tickets and advertising."

This section of the new law is an outrage. It was not contained in the bill when it passed the House. It was not contained in the bill when it passed the Senate. But it somehow mysteriously found its way into the conference report and became law before most Members even knew of its existence.

Mr. Speaker, according to this section of the Airport and Airway Development Act it is a crime to inform travelers or would-be travelers what portion of their airline fares is going to Federal taxes. A ticket clerk found guilty of such a heinous act would be subject to a fine of $100.

Similarly, this section of the new law prohibits such disclosure in airline advertising, even in the tiniest type at the bottom of the page. Any statement concerning the price of an airline ticket must show the overall price with tax included. The amount of the tax itself must be kept secret. Presumably it is not in the public interest for the public to know the true cost of our new airport program.

What an insult to the American people. What an embarrassment to the Congress.

Mr. Speaker, it is one thing for the Congress and the President to have allowed this "secret tax" provision to become law; it is another to allow it to remain on the books. To that end I have introduced today H.R. 18346, a bill to repeal section 7275 of the Airport and Airway Development Act of 1970. I hope and trust that many of my colleagues will join me in this effort and that the House will have an early opportunity to rectify its error.

Recently the Arizona Republic in Phoenix published an excellent article and a most persuasive editorial on this subject which I commend to my colleagues. Without objection I will insert them at this point in the RECORD:

[From the Arizona Republic, June 18, 1970]

AIRLINE FARE TAX HIGHER; PASSENGERS WON'T BE TOLD

(By Jesus A. Barker)

Beginning July 1, domestic commercial airline passengers will be paying more taxes to fly, but they'll have to ask to find out how much.

On July 1, the 1970 Airports and Airways Act goes into effect and thanks to an amendment introduced by Sen. Russell Long, D-La., and accepted by both houses of Congress, any ticket agent who discloses the amount of federal taxes on an airline ticket, unless specifically asked will be subject to a misdemeanor criminal charge with a maximum $100 fine.

As a result of the legislation, federal air transportation taxes and taxes on aircraft fuels will increase on July 1.

The federal transportation tax will increase from 5 per cent of the basic ticket price to 8 per cent. In addition, the new legislation imposes a federal tax hike of 3 cents per gallon on aviation gasoline and 7 cents per gallon on jet fuel used on noncommercial aircraft.

Although there was no congressional explanation for the action, it was apparently an attempt to prevent widespread public awareness of the increased tax.

The new law provides that fuel delivered into fuel supply tanks of commercial aircraft may be taxfree, provided that the airline has filled out the proper forms.

Long's amendment to the bill, which made it mandatory that the ticket seller not list a breakdown of base price and federal taxes on the ticket, was approved in a conference committee.

So now ticket agents are faced with the problem of making a ticket for the customer listing only the total price, while on the copies of the same ticket for auditors and the airline there has to be a breakdown showing the base price, the tax and the total.

In a bulletin sent to all airline ticket agents by the Air Traffic Conference of America, the agents are reminded that if they disclose the amount of the tax and basic price without a specific request from a customer, they are liable to a misdemeanor criminal charge and maximum $100 fine penalty.

A spokesman for the Air Traffic Conference in Washington said yesterday that the ATC was against the Long measure, "but it was approved by the House-Senate conference committee" and it was now too late to change it.

The regulation limiting the breakdown of basic price and taxes on a ticket does not apply on international flights.

But on commercial flights, it may only be listed on the carbon copies of each ticket that go to the airline and the auditor concerned.

[From the Arizona Republic, Phoenix, Ariz., June 22, 1970]

CAN YOU BELIEVE . . .

We hope you didn't miss the incredible story that appeared several days ago, by Republic reporter Jesus Barker.

Barker reported that beginning July 1, when the 1970 Airports and Airways Act goes into effect, domestic commercial airline passengers will be paying additional taxes to fly. But a ticket agent who discloses the amount of federal taxes on an airline ticket, unless specifically asked, will be subject to a misdemeanor criminal charge with a maximum $100 fine.

Can you believe that?

Frankly, we had trouble believing that Congress—which has made such a big thing about truth-in-packaging, truth-in-lending, and truth-in-advertising—would resort to such a palpable subterfuge.

But there it is in black and white, in a bulletin sent to airline ticket agents by the Air Traffic Conference of America, reminding them that if they disclose the amount of the tax and basic price without a specific request from a customer, they are liable to misdemeanor criminal charge and maximum $100 penalty.

Frankly, we can't remember when we last heard of a bill which shows such arrogance and contempt for the public.

ESTABLISHMENT OF CITIZENSHIP WITH NATIVE LANGUAGE

(Mr. EDWARDS of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of California. Mr. Speaker, today my colleague from California (Mr. ROYBAL) and I introduced legislation that would enable applicants for citizenship to establish their ability to read and write, to understand the Constitution and the Government, in their native language or in the language in which they are most literate.

The statutory requirement from English literacy was enacted in September 1950, as part of the Internal Security Act. Prior to that time, the only statutory language requirement for naturalization was the ability to speak English and to sign one's name, a proviso of the Naturalization Act of 1906. That requirement was carried over in subsequent acts until 1950.

Both the Naturalization Act of 1906 and the Internal Security Act of 1950 became law when antiforeign feelings were in ascendance in America. They were not the fruit of patriotism or any other generous impulse. They were the fruit of suspicion, fear, greed, and racism. They were the result of impulses that are the antithesis of the American ideal, the American dream of a free and open society.

The 1950 act exempted from the English-literary requirement a group of older aliens who were otherwise qualified for naturalization. Those who had been legally residing in the United States for 20 years and were over 50 years of age were exempted. The date fixed for calculating residence and qualifying age was September 23, 1950, the date of enactment. That date was extended to December 24, 1952, in the Immigration and Nationality Act. A bill to eliminate the cutoff date and to extend the exception on a continuing basis passed this House in May 1969, some 14 years after the second cutoff date was established. Though the bill raised no new question of policy, and though there is no apparent reason why it should not be promptly enacted, the bill has been gathering dust in the other House of Congress for more than a year.

The Voting Rights Act of 1965 declared that English literacy was not necessary to be an informed, voting citizen. Under that act, Puerto Ricans of New York, who were citizens by virtue of their Commonwealth status, were given the vote through tests in the Spanish language. States such as Hawaii and Louisiana, having sizable numbers of non-English-speaking citizens, had earlier removed English literacy requirements for voting. In a recent landmark ruling, the California Supreme Court struck down the English literacy requirement for voting, thereby extending full voting rights to some 200,000 Spanish-speaking Californians.

Across the country, Spanish-speaking peoples have developed their communications networks, newspapers and other educational and informational materials which inform them about the history, government, and present activities of the Nation. Three daily Spanish-language newspapers have national circulation. In California and Texas there are some 40 Spanish-language newspapers and 25 radio and television stations. In New York City alone, there are three Spanish-language newspapers and a Spanish-language radio station. A similar proliferation of written and electronic media has been developed by other linguistic minorities. People of Chinese, Japanese, Portuguese, Italian, German, and Filipino descent all have their means of communication.

It has been estimated that in the West and Southwest alone, a half million American residents of Mexican descent have been deprived of citizenship by the

English literacy requirement. The number among other linguistic minorities must be in the tens of thousands.

There is much irony in this—bitter irony for those who are so deprived, Spaniards and Mexicans were the first colonizers of the Southwest. Spanish not English, is the lingua franca of the surviving American Indians of the region. In the California case, the irony was compounded by the fact that the author of that State's English literacy requirement was a member of the vigilante Committee of 15 which expelled every person of Chinese ancestry from Humboldt County in 1886. The thinking of this man, A. J. Bledsoe, deserves to be quoted at length for the light it sheds on the attitudes which then prevailed. Quoting from article V of the 1890 platform of one of the major political parties, Bledsoe declared the purpose of his proposed constitutional amendment:

> We look with alarm upon the increased immigration of the illiterate and unassimilated elements of Europe, and believe that every agency should be invoked to preserve our public lands from alien grasp, to shield American labor from this destructive competition, and to protect the purity of the ballot-box from the corrupting influences of the disturbing elements . . . from abroad.
>
> If we do not take some steps to prevent the ignorant classes, who are coming here from Europe, unloading the refuse of the world upon our shores, from exercising the right of suffrage . . . . it will soon come to pass that this element will direct in our politics and our institutions will be overthrown.

We can look back on that period of our history with remorse and a terrible sense of loss. How much of cultural richness and diversity was lost to us by such folly? What opportunities there were then to nurture cultural diversity within a greater society. How many today feel cut off from their cultural roots because it was then unpopular, even perilous, to remain loyal to them? How many forfeited the gift of true biculturalism and bilingualism because they were made to feel ashamed of their foreign origins? Our past insecurity has taken a heavy toll, but it is not too late to correct the error.

In striking contrast to Bledsoe's view, closer both to reality and to our American ideal, is the statement of State Senator Joe Bernal of San Antonio, Tex., in his recent appearance before the executive committee of the Urban Coalition's Action Council:

> Our country was formed on a pluralism of cultures and religious beliefs. We have continued to draw from this wealth of diversity. Congress, in passing the Immigration and Nationality Act of 1952, did make exceptions for older people . . . The basis then for older American residents to become citizens shifted meaningfully from language to a knowledge and understanding of the fundamentals of history and the principles and form of government in the United States. Why should this not be applied to anyone, regardless of age?

Why not, indeed. Abolition of the English literacy requirement would give hundreds of thousands of otherwise qualified residents access to citizenship and the opportunity for full participation in our democratic institutions. It would be a big step toward removing the stigma imposed on linguistic minorities in an earlier era of selfishness and ethnocentricity. It would carry us a long way on the road to becoming the mature, confident and cosmopolitan society toward which we aspire.

A CENTURY OF COPYRIGHT IN THE LIBRARY OF CONGRESS

(Mr. KASTENMEIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KASTENMEIER. Mr. Speaker, the Constitution states that the Congress shall have the power to "promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

This is the only place in our Constitution where the word progress is used. Thus it seems clear that the founders of the National Government had a special purpose in mind with respect to the writings of authors and the discoveries of inventors. Moreover, it is almost certain that they were as aware as we are today that progress in these areas depends upon the accumulation and dissemination of knowledge and culture.

We mark this year the 100th anniversary of a very significant date in the application of this idea of progress by the collection of the record of man's thoughts, for this year we celebrate a century of copyright in the Library of Congress.

It was on July 8, 1870, that the law was enacted centralizing in the Library of Congress both the registration of copyrights and the deposit of the books and other materials covered by these copyrights. Between 1790, the date of the first Federal copyright law, and 1870, registration had been in the U.S. district courts throughout the country, and the provisions regarding deposit and disposition of the works had varied in bewildering succession.

Therefore, 1870 was the year when the Library of Congress began to move most swiftly toward the first rank of the world's libraries, where its place today is unsurpassed. And so it is that on July 8, 1970, we observe a most meaningful date for one of America's most honored institutions, an institution of which the Congress should be particularly proud since it is in the legislative branch of the Government.

Our congratulations go to the Librarian of Congress and the Register of Copyrights on this occasion, together with an expression of the hope that circumstances in time to come will permit the further development and modernization of our copyright laws in what must be our continuing effort to adapt our great constitutional principle to a changing world.

ELEMENTARY AND SECONDARY EDUCATION ACT

(Mr. GAYDOS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. GAYDOS. Mr. Speaker, on behalf of myself and Congressman JOHN DENT I wish to commend to our colleagues the testimony of the Pennsylvania Department of Education, in support of title I of the Elementary and Secondary Education Act of 1965—Public Law 89–10—as presented to the Education and Labor Committee of the U.S. House of Representatives, on Tuesday, July 7, 1970, by Dr. B. Anton Hess, commissioner for basic education of the Pennsylvania Department of Education. I have also included the testimony of David A. Horowitz, deputy superintendent for instruction, city of Philadelphia. The combined testimony of these two outstanding Pennsylvania educators is particularly informative and timely.

The material referred to follows:

PENNSYLVANIA DEPARTMENT OF EDUCATION

Title I of the Elementary and Secondary Education Act Report to the Education and Labor Committee of the United States House of Representatives Hearing on Elementary and Secondary Education Act, Title I Program.

1.0 POSITIVE RESULTS

1.1 Reading Sampling: In an attempt to validate the effectiveness of Title I Programs the Division of Compensatory Programs selected 1968–1969 reading programs for third and sixth grade for its target sampling. A valid sample (about 60 of the 200 districts that involved elementary reading projects) was selected. Data was collected in the form of pre- and post-program test results. The information was requested in the form of grade equivalents. Only those results where the same test was used for both pre- and post-data is accepted. (See Chart I, Appendix A.) The results indicate that children involved gained up to 1½ years in reading level skills in a one year Title I program. There were some negative gains.

1.2 On-Site Evaluations: Fiscal 1970 saw the initial phase of the state on-site evaluations. These evaluations were conducted by specialists from the Pennsylvania Department of Education or other specialists approved by the Department in 276 districts. Follow-up summaries of recommendations were sent by letter to the evaluated local educational agencies. In many cases, these have resulted in immdiate changes and improvements or consideration of changes for next years' projects. In addition, these evaluations certify that the local educational agencies are conducting their projects as had been proposed in their applications.

1.3 Needs: There is substantial evidence that the basic goals of Title I programs are being met. The long-range objective of breaking the cycle of poverty has not, by any means, been fully achieved; however, a significant beginning has been established. The vital aspect of Title I is that it has made funds available to local school districts (See Chart II, Appendix A), enabling them to develop educational programs specially designed to meet the individual needs of disadvantaged youth in their locale. (See Chart III, IV and V, Appendix A.) The many and varied problems being attacked by Title I programs are of such long-standing duration, complex origin, and dependent on so many extenuating cultural, social and economic factors, that even minimal progress toward realizing the objectives is encouraging.

1.4 Federal Programs Conference: The Pennsylvania Department of Education's Bureau of Curriculum Development and Evaluation, the Pennsylvania Association of Federal Program Coordinators and the Four-State Committee on Follow Through cooperatively sponsored a Federal Program Conference at Tamiment, Pennsylvania, April 27–30, 1970. The purpose of the conference was to disseminate information to local educational agencies and other agencies regarding the status, function, planning and regulations of federal programs administered by the Commonwealth through the Department of Education. Approximately 1200 persons (school administrators, curriculum coordinators and school business administrators, follow-through conference participants, neglected and delinquent institution representatives, migrant program representatives, model/partner city representatives, non-public school representatives, project supervisors, project writers, teachers and Title III representatives) were in attendance. Although little time has elapsed since the Tamiment Conference, early positive results of the conference seem to indicate improvement in the finality of program projects submitted.

1.5 Non-Public School Participation: Title I programs have been significant in bringing together both public and non-public school personnel, recognizing that their goals and objectives for educating children are identical. (See Chart VI, Appendix A.)

1.6 Exemplary Programs: While there are no statistical bases for these reactions, the Pennsylvania Department of Education Title I staff has noted that the overall impact of Title I in Pennsylvania has been tremendous. Appendix B details many of the more successful programs of the 1969–70 school year.

2.0 ANTICIPATED ACTIONS

2.1 Accountability: The state of Pennsylvania has long recognized the need to improve the accountability of Title I projects. As a result, several procedures have been initiated.

2.1.1 The Pennsylvania Department of Education has requested that the student outcome objectives for 1970–71 Title I program proposals be written in measurable behavioral terms. The rationale for this procedure is that when objectives are written in measurable terms they usually include terminal outcomes. This enables the local educational agencies and the Pennsylvania Department of Education to determine more readily if the objectives are achieved.

2.1.2 The continuation of the on-site evaluations (see 1.2 above) will be placed on three-year schedule, with approximately ⅓ of the participating local educational agencies to be evaluated each year.

2.2 Comparability: For fiscal 1971 a new form, DEBE 679 (Assurance of Comparability (see Chart VII, Appendix A), has been made part of the standard application. This form compares non-participating schools with Title I schools in local educational agencies in relation to teacher load and per pupil expenditure from the general fund. It is expected that Title I will supplement the effort in the target schools. Although it is impossible at this time to know exactly how many school districts have used local funds to supplement Title I funds when full funding is not available, a conservative estimate would be 250 districts. This number is about one half of the local educational agencies participating. Many local educational agencies have also freely contributed part of their regular staff's time to Title I activities.

2.3 Quality Assessment: The Bureau of Educational Quality Assessment in cooperation with Penn State University is conducting a statewide survey to measure student achievement in terms of Pennsylvania's ten goals of Quality Education. The results of this survey will be used by the Bureau of Curriculum Development and Evaluation's Title I staff to establish state priorities for Title I activities.

CHART I

APPENDIX A—RESULTS OF READING PROJECTS AS MEASURED BY A COMPARISON OF PRE AND POST TEST RESULTS FROM A RANDOM SAMPLE OF 3D AND 6TH GRADE STUDIES IN E.S.E.A. TITLE I PROJECTS IN PENNSYLVANIA, 1968–69

Test used	3d grade			6th grade		
	Number of students tested	Average gain per year as indicated by pre test for each student before enrollment in title I projects	Average gain per year as indicated by a post test for each student involved in title I	Number of students tested	Average gain per year as indicated by pre test for each student before enrollment in title projects	Average gain per year as indicated by a post test for for each student involved in title I
Gates MacGintie reading test	269	0.61	1.11	196	0.66	1.22
Metropolitan reading test	227	.82	.72	255	.71	1.55
California reading test	117	.68	1.0	141	.44	.58
Stanford reading test	462	.65	.70	306	.69	.66

Note: All results are given in the from of grade equivalents where 1.0=growth for any normal child in a school year.

CHART II

1969–70 TITLE I ESEA DATA (AS OF APRIL 17, 1970)

	Amount	Percent
Budgeted:		
Salaries	$28,551,943.70	79.1
Contracted services	1,286,725.75	3.6
Other expenses	5,843,792.97	16.2
Other equipment	31,384.62	.1
Instructional equipment	359,753.28	1.0
Sites	$975.00	----
Building	3,863.21	----
Remodeling	1,500.00	----
Total amount approved	36,079,948.52	----
All equipment	391,137.90	1.1
Construction (sites, building, remodeling)	6,308.21	.01

Note: Entitlement, Pennsylvania (local educational agencies)—$52,600,148.70.

CHART III

TITLE I, ESEA INSTRUCTIONAL ACTIVITIES (REGULAR TERM) 1968–69

Activity	Public	Private	Total number of children	Neglected and delinquent	Estimated cost
1. English	122,495	16,898	139,393	2,161	$8,612,688
2. Mathematics	35,651	7,262	42,913	690	1,736,846
3. Pre-kindergarten and kindergarten			16,591	----	1,603,786
4. English language arts	17,059	1,281	18,340	135	811,034
5. Teacher aides	16,088	3,042	19,130	0	733,065
6. Cultural enrichment	47,713	14,452	62,165	766	670,703
7. Music	24,594	4,662	29,256	177	642,929
8. Art	45,530	6,811	52,341	346	598,080
9. Science, social	13,011	1,277	14,288	114	461,281
10. English, speech	17,683	1,239	18,922	132	456,328
11. Physical education/recreation	26,723	4,368	31,091	481	401,105
12. Science, natural	18,520	2,661	21,181	170	376,780
13. Handicapped	1,587	147	1,734	99	327,811
14. Evaluation	73,800	18,800	92,600	0	250,000
15. English, 2d language	1,201	286	1,487	3	221,376
16. Television	32,045	9,762	41,807	77	202,930
17. Vocational education	1,446	59	1,505	5	152,943
18. Business education	3,164	781	3,927	184	115,077
19. Tutorial	2,233	300	2,533	325	$76,494
20. Speech education	249	50	299	50	43,259
21. Industrial arts	1,228	146	1,374	160	34,766
22 Home economics	558	210	768	110	24,669
23. Remedial 1st grade	40	10	50	0	19,893
24. Audio visual	771	154	925	101	17,960
25. Day care center	110	0	110	0	16,296
26. Work study program	198	25	223	0	14,423
27. Agriculture	198	0	198	0	14,131
28. Foreign language	944	70	1,014	0	13,357
29. Camping	133	25	158	26	13,000
30. Learning center	227	26	253	19	7,338
31. Perception development	125	20	145	0	2,550
32. Computer programing	67	0	67	0	2,000
33. Continuing education	80	0	80	0	1,900
34. Curriculum materials center	465	0	465	0	1,739
35. Photography	100	0	100	0	1,000
36. Driver education	2	0	2	0	95

Note: The Title I programs submitted to the State by the 492 participating L.E.A.'s served 251,149 public school students and 47,029 non-public school students at an estimated cost of $42,053,472.

CHART IV

TITLE I, ESEA SUPPORTIVE ACTIVITIES (REGULAR TERM)

Service	Public	Private	Total of number children	Neglected and delinquent	Estimated cost
1. Library	114,385	19,819	134,204	625	$3,825,567
2. Guidance counseling	72,414	16,547	88,961	768	2,215,292
3. Community service	47,310	14,720	62,030	0	1,174,503
4. Food	27,379	2,664	30,043	224	724,378
5. Social work	18,864	2,234	21,098	581	480,575
6. Transportation	29,374	4,238	33,612	532	363,073
7. Psychological	12,606	2,432	15,029	357	307,728
8. Health, dental	30,961	3,749	34,710	122	288,383
9. Health, medical	27,683	3,725	31,408	213	201,866
10. Attendance	12,758	1,177	13,935	105	183,073
11. Aides	3,451	487	3,938	0	$141,150
12. Speech therapy	3,606	1,044	4,650	59	83,381
13. Home and school visits	4,457	330	4,787	64	44,194
14. Curriculum materials	1,429	144	1,573	0	44,194
15. Clerical	3,846	499	4,345	36	40,486
16. Clothing	1,727	289	2,016	10	27,490
17. Learning center	550	0	550	0	14,500
18. Psychiatric	112	13	125	0	11,423
19. Handicapped	218	47	265	0	10,200
20. Day care center	33	0	33	0	6,370

CHART V

TITLE I STAFF—PENNSYLVANIA

Staff	Number	Salary
1. Teaching prekindergarten	89	$300,998
2. Teaching kindergarten	244	685,381
3. Teaching elementary	3,603	8,219,182
4. Teaching secondary	1,752	2,893,132
5. Teaching handicapped	82	331,998
6. Teacher aide	2,722	3,813,190
7. Librarian	245	788,691
8. Librarian aide	553	1,249,075
9. Supervision	336	1,532,630
10. Direction and management	374	1,395,735
11. Counseling	353	1,872,128
12. Psychologist	93	304,853
13. Testing	59	285,405
14. Social work	121	983,862
15. Attendance	53	144,373
16. Nurse	160	231,737
17. Physician	47	43,123
18. Dentist	60	64,022
19. Dental hygienist	32	114,693
20. Clerical	650	1,164,981
21. Others	1,000	2,068,219
Total	12,628	28,487,408

CHART VI

NUMBER OF STUDENTS SERVED (1968-69)

	Public	Private	Total
Regular school	251,149	47,029	298,178
Summer school	102,836	20,175	123,011

APPENDIX B.—EXEMPLARY TITLE I PROJECTS

SCHOOL-COMMUNITY COORDINATOR SERVICE

This service has been developed to improve lines of communication between the schools in disadvantaged areas and the communities they serve. One or more coordinators—lay persons who reside within the school boundaries and who are "opinion leaders" of the community and people of demonstrated leadership ability—are supervised by an assistant director of the Division of Pupil Personnel and Counseling. Bi-lingual Spanish-speaking coordinators are assigned to schools in Puerto Rican communities. They interpret the school system's program to the communities, inform school people of the aspirations and needs of the community, develop and support school-community activities designed to improve the neighborhood and visit individual homes to gain information which will enable schools to operate more knowledgeably. Coordinators' work hours are flexible to permit them to work before, during and/or after school and on weekends. This project has been termed very successful in utilization of lay people to improve communications. It may not have been wise for these coordinators to make it known initially that they were employes of the school district.—Philadelphia City School District, Dr. Mark R. Shedd.

(Chester City has also adopted a similar program called block parents, in which the communities select their representatives to act as "proxy parents" in liaison with the schools.)

CUSTER STREET SCHOOL FOR REMEDIAL AND CULTURAL EDUCATION

The Day Care Center section of the Custer Street School provides a training program for severely retarded children who have other handicaps or problems and who do not meet the requirements for trainable classes in public schools. Two groups of students are accepted into the program: (1) children five to ten years of age who have possibilities of becoming eligible for trainable classes and (2) children five to seventeen years of age who will never be eligible for public school.

The purposes of the school are to provide the parents of these children with relief from severe tensions, which are difficult to escape, and to create a better home atmosphere by counseling the parents and by training the child in a minimum of responsibilities while improving his self-concept. The children are also provided with medical and dental treatment which is often neglected by the parents.—Wilkes-Barre City School District, Walter C. Wood.

MOBILE SPEECH AND HEARING PROGRAM

The Mobile Speech and Hearing Program provides diagnostic services for speech and/or hearing handicapped students within the physical setting of three mobile units adapted for such specialized use. Therapeutic counseling and educational services are then available to those students selected on the basis of favorable prognosis and/or problem severity. Twenty-one schools in three areas of Pittsburgh are serviced by the mobile units.

Enrolled students achieve correct or substantially improved speech production as a direct result of the therapy programs. Indirectly, the students benefit socially due to their improved speech production. Additionally, a study reports significant improvement in educational achievement as a result of participation in speech and hearing therapy programs. Benefits also accrue from cooperative hospital, clinic, educational and agency services among which the sharing of records and reports is constant. Throughout the school year, personnel meet regularly to participate in professional workshops and to discuss and evaluate the total program, plan for its improvement and implement change.—Pittsburgh School District, Vaughan Weber.

TID—TALENT IDENTIFICATION AND DEVELOPMENT

As the title implies, TID was designed to provide a compensatory fine arts program of individualized instruction for culturally deprived students in grades three to twelve. The program was founded on the concept that urban area students, especially deprived ones, require a cultural anthropological prerequisite to the psychological process of learning school subjects.

By providing this cultural prelude as an adjunct to routine classroom learning patterns, the identification and development of a viable talent in art, music, ballet and dramatics engenders certain outcomes: (1) a positive drive to achieve better in traditional academic subjects; (2) an improved self-image as reflected in personality growth and confidence and (3) a discovery and realization that this trained talent can lead to a successful life career.

TID students receive instruction from professional artists in studios, schools and colleges in the local Chester area and in the Metropolitan Philadelphia area, as well as from colleges and campuses offering summer classes in the fine arts. Students are given all the paraphernalia required for art, music, ballet, etc., including food and transportation costs as well as the proper clothing to attend lessons with pride and dignity.

The success of this program is multileveled and ranges from more students attending professional performances of concerts, operas and ballets to a more cooperative relationship between the professional artist and the school personnel than previously existed.—Chester City School District, John J. Vaul.

WALNUT STREET CENTER

The Walnut Street Center houses preschool and first grade classes in a day-care (7 a.m. to 7 p.m.) school setting with a non-school atmosphere. The philosophy of this nationally-known enterprise includes the belief that it must be "a place where the child can grow fully in an atmosphere of warmth and complete acceptance" and he must "be helped to believe in himself and his abilities and all he may become."

Most of the 400 students are "poverty children" but there are also some children from affluent families who proved to be good "teachers" of manners, deportment, pronounciation, etc. Field trips by bus are an essential part of the program and parents are drawn intimately into the activities from the time of the pre-admittance interview: they act as aides, guides on trips and tutors.

In addition to the teaching staff there is a dietician, a chauffeur, a psychologist, a nurse, social workers, a home and school coordinator and the director who bring together the competencies which are essential to the success of this creatively-oriented center.—Philadelphia City School District, Dr. Mark R. Shedd.

PENNSYLVANIA ADVANCEMENT SCHOOL

Established in Philadelphia in 1967, the PAS is a non-profit corporation under contract to the School District of Philadelphia. Its funding has been derived from a number of federal, local and private sources. Its ultimate goal is to develop a model educational program which fosters integrated emotional, intellectual and social growth in urban children.

The school is an experimental institution which has as its student body seventh and eighth grade under achieving boys from Philadelphia public and parochial schools. At first the boys attended the school for a single fourteen-week term although now some boys remain for an entire year. The staff is comprised of some 50 professionals, including teachers, curriculum development specialists, administrators, writers, researchers, follow up workers and ancillary educational personnel, many of whom are not certified teachers. The school provides a laboratory for testing new methods and materials and for demonstrating to others new models for educating urban children. Several thousand visitors have observed its operations during its existence. PAS personnel conduct an intensive summer program for school district personnel and are engaged in curriculum development and dissemination, community liaison, follow up of its graduates and external staff development and research.

Many opinions have been voiced about the effectiveness of the school's program on the educational rehabilitation of its students. Most reports indicate that it has achieved success in this respect, but concern has also been expressed that the confidence in abilities and independence which the boys achieve here will be suppressed when they return to their originating schools. The school has been reproved for its lack of teacher certification, measurement devices and attendance reports, although one of its strengths is its autonomy as a non-profit corporation.—Philadelphia City School District, Dr. Mark R. Shedd.

IMPROVING SCIENCE SKILLS

Disadvantaged children with deficiencies in communication skills, literacy, computational skills and attitudes toward learning are given special assistance through inquiry-oriented science experiences to improve general learning and performance skills. Teachers learn through a thirty hour interaction analysis workshop to use the inquiry-based materials developed by the American Association for the Advancement of Science's "Science—A Process Approach", the Elementary Science Study and Science Curriculum Improvement Study programs to involve children in small group science experiences which will result in growth in communication and learning skills and social interaction. Through their interaction analysis training, the teachers can then evaluate their observations of pupil behavior in order to determine the success and/or additional needs of the program for each child.—Philadelphia City School District, Dr. Mark R. Shedd.

PSYCHOLOGICAL CENTER AND TALKING TYPEWRITERS

Chester City's experiment in clinical education has attempted to diagnose and treat the specific educational needs of the disadvantaged child in order to retain him in the normal educational continuum. Operation IMPETUS introduced modern psychological and psychiatric techniques for treatment, evaluation and readjustment into the educational system.

The district acquired a building and converted the offices into a Psychological Center, which remains open fifty weeks a year, 8:30 a.m. to 9:00 p.m., five days a week and half a day on Saturday. It is staffed by specialists in the fields of clinical psychology, psychiatry, neurology, dentistry and social work. The implied and actual impediments of the children to which these specialists apply their treatment include paucity of clothing, cultural enrichment voids, lack of convenient transportation and tenuous home and school relationships. The center has caused marked improvements in the attitudes and skills of the students, etc., who have benefited by its operations.

The Psychological Center houses the "Talking Typewriter." Many elementary school staff members, after using several varieties of instructional materials in programs that were especially designed for disadvantaged readers, felt they had failed. An entirely new approach had to be found and the thought of the "Talking Typewriter" offered a "Court of Last Appeal." The "Talking Typewriter" program consists of thirty hours of actual instructional time. Students are scheduled to receive these thirty hours in sessions of fifteen minutes each. Each fifteen minute session on the machine is followed by another fifteen minutes of a post session dialogue with a reading clinician in the "Talking Typewriter" laboratory at which time the student's daily activities on the machine and his typed "print out" are given as a homework reading lesson. A special elementary school reading program has been designed using the "Talking Typewriter" for the "hard core poor readers."—Chester City School District, John J. Vaul.

OPPORTUNITY SCHOOL

The Opportunity School, which is located in a YMCA, provides an educational program for emotionally disturbed boys with case histories of delinquency. The public school presently has no means to treat such boys and must refer them to the Juvenile Court. In most cases the court previously committed them to an institution.

In order to improve the boys' academic achievement, the school provides small, informal class sessions in communications skills, mathematics, social studies and physical education. After the school day, the boys are taken to the school vocational shops for practical training. During the evening the boys are aided in developing self-concepts through working in the arts. Instruments are provided for those interested in music while others work with ceramics, etc.

Transportation is provided for the boys to the school in the morning and to their homes at night. Three meals are provided at the YMCA for the enrollees. One full time parole officer is provided by Juvenile Court for the boys while other services are made available by the Pittsburgh Board of Education, the Juvenile Court, the University of Pittsburgh Graduate Schools and the Department of Welfare.—Pittsburgh City School District, Louis J. Kishkunus.

EDUCATIONAL-MEDICAL SCHOOL

Approximately 150 pregnant girls enroll each year in this school in order to avoid the four month absence from school during later pregnancy and childbirth. Instruction in English, social studies, mathematics and science for grades seven through twelve is provided. The girls attend for a semester and then are readmitted to the regular classroom upon a physicians approval. The public health nurse and a social worker collaborate with appropriate community agencies to insure proper prenatal care and post-natal care and to provide counseling and other services. The school staff consists of a director, a social worker, five teachers, a half-time remedial reading teacher and two teacher aides. Classes are held in an annex of Allegheny General Hospital.—Pittsburgh City School District, Louis J. Kishkunas.

LANGUAGE ARTS PROGRAMS (STATE-WIDE)

Significant improvement was realized in many aspects of the language arts program within the Commonwealth. Improvement in interest, attitude and increased self-confidence were reported as valuable outcomes. In the remedial and developmental reading programs, standardized test results indicated marked improvement in the majority of students tested. Teachers reported that students who had not previously taken an active part in activities began to feel secure enough to volunteer information in class discussions and group activities, due, in large measure to emphasis on individualized and small group instruction. Of equal importance, the reinforcement of reading skills at the elementary level has enabled deprived children to overcome a lack of readiness. Small group instruction has provided time for individual help and attention which the educationally deprived child needs but does not receive at home or in the regular classroom. Materials and instruction are now better designed for reaching the child where he is and moving him toward his ultimate potential.

Moreover, small group remedial attention has provided ideal intra-personal relationships, improved attitudes and general interest. Whereas in the past, the school experience was one of frustration and ineffectiveness, it is now (according to a majority of the reports received) a meaningful experience for the disadvantaged. Pupil interest and knowledge is being stimulated toward books and the library, due, in large measure to emphasis on varied programs in the language arts.

PARAPROFESSIONALS (STATE-WIDE)

The presence of paraprofessionals performing non-instructional duties was instrumental in affording classroom teachers additional time to work with educationally disadvantaged children. A direct result of this extra time and personal attention was a much better attitude towards school. Reports indicated that Title I children now attend school with greater regularity, are creating fewer discipline problems and, in general, are experiencing success in many of their classes. Parents, too, are showing increased interest in their children and the educational programs of the school, as evidenced by a majority of the evaluation data. The classroom teachers were able to provide a greater variety of lessons for their pupils, utilize audio-visual presentations to a greater extent, and reported that they were able to do things they could only think about doing in the past.

NUMBER OF TEACHER-AIDES AND PARENTS RECEIVING INSERVICE TRAINING (1968-69)

	Teachers	Aides	Parents
Regular school (10,535)	6,754	2,300	1,481
Summer school (1,169)	766	288	115

AID—ASSIST INDIVIDUALS' DEVELOPMENT

The community action agency was a considerable help in suggesting programs to be conducted at the Early Childhood Development Center. Dr. Donald W. Strang, Project Director, indicated he was well pleased with parental concern and involvement in the planning stage. The school district identified a group of students that could be considered potential dropouts. Each child was assigned a teacher as a personal advisor. The teacher contacted the childs parents and kept them informed of the situation. In several cases the parents became active participants in the program, doing all they could at home or in school to encourage the child and to prevent him from dropping out.

A summer recreation program was perhaps the most successful part of the project. Two target areas were selected in the school district. Summer recreation programs were established. Successful attempts were made to involve parents in the program. Many activities were planned where the parent and child could cooperate in a joint venture. Picnics and other outings planned were a great success. The major contribution of the project was increased understanding and appreciation of parent for child and child for parent where very little had existed before.

The success of this part of the project was so gratifying that an expanded program was planned for fiscal 1970.

Although no target area students or parents were employed with Title I funds, several students under the Neighborhood Youth Corp Program worked in the Summer Recreation Project.—Baldwin-Whitehall School District, Dr. Donald W. Strang.

TESTIMONY OF DAVID A. HOROWITZ, DEPUTY SUPERINTENDENT FOR INSTRUCTION, BEFORE THE HOUSE EDUCATION AND LABOR COMMITTEE, WASHINGTON, D.C., JULY 7, 1970

My understanding is that you are not interested in programs with fancy names or promises but in research data that hold the promise of being able to rationally predict future success for "target children" and which relate measurable outcomes to the specific goals and objectives of an institution. I intend to provide you with some data about some of the programs we are operating in Philadelphia, but first let me review the problem as I see it. In this way you can get some idea of the constraints that shape the direction of our resource allocation, determine the structure of our programs and throw obstacles in the way of data collection. These constraints plague every big-city system, private and public. Therefore Philadelphia may serve as an example.

The academic deficiencies within the schools in the United States as a whole are considerable. One out of every four students, nationwide, has significant reading difficulties and about half of the unemployed youth between the ages of sixteen and twenty-one are functionally illiterate.

Within the adult population it is estimated that there are more than three million illiterates. In a recent United States Armed Forces program called Project 100,000 it was found that over sixty-eight percent of the young men performed below the seventh grade level in reading and general academic ability.

The problems of the large cities are even greater. A study of juvenile offenders in New York City indicated that seventy-six percent of delinquents screened for educational problems were at least two years retarded in reading. In Philadelphia, the problem is equally acute. There are over 200,000 adults who cannot read well enough to interpret signs or read the newspaper. That is ten percent of the population of the city. Obviously, the problem can be traced to the schools. Among poor achievers, patterns of disinterest, truancy, and attrition may be found. These realities cannot be separated from the conditions of life in the city which have in the past been seen as social, economic, or political issues. They are all of these, but they are also educational. Reports from the school district of Philadelphia's Division of testing have shown that . . . "On the Iowa tests of basic skills, the average child in second grade scores four months below national norms; six years later, this deficit has increased to twelve months."

The problems which are engendered by the academic deficencies in the school district are staggering by themselves. However, there is an additional constraint placed upon the system. This is the financial problem.

The "Taxpayers Revolt", the diminishing tax base caused by the flight of the middle class to the suburbs, the unwillingness or inability of state and local governments to increase resources, and a federal cutback in spending has hurled the school district into the grips of a severe financial crisis. As a result, we are carrying a deficit of $15 million from the budgets of fiscal 1968 and 1969. The deficit from this past year's operation was nearly $8 million. Thus, the school district is carrying a deficit of over $20 million into this next fiscal year.

This deficit represents more than 15% of our budget. With such severe financial limitations we have been unable to provide new or expanded services in the areas of greatest need. In fact, it has become necessary to reduce or eliminate many programs. Saturday morning, after school, and summer programs have suffered greatly. Experimentation and innovation have been curtailed in an era which has been demanding increased attention to new strategies, techniques, and curricula for the youth of the future.

Those who suffer the most are those who can afford it the least. The educationally and socio-economically disadvantaged. Besides being burdened and hindered by the conditions affecting the entire school district, the "disadvantaged" children in urban centers have become further and further disrelated because their need for supplementary educational experiences has not been met to the extent mandated by their low functional levels.

The school district of Philadelphia is well aware of the situation at hand—as is the community as a whole. Increased interest and concern has been expressed for the improvement of the educational offerings presently available. Within the limits imposed by financial conditions the school district has been responsive to these concerns. Priorities have been established for reading, basic skills development, and early childhood education.

The utilization of State and Federal resources is and will be an essential part of our program for improving the educational status of Philadelphia's pupil population. Commitments have been made and resources have beeen allocated to provide a comprehensive program designed to improve reading. The focus on early childhood education is reflected in our participation in programs such as Headstart and Follow Through. All of these programs cost money. Monies which must be allocated at levels above those available through the operating budget. The future of a great number of our pupils, in fact, the future of our city, is at stake.

Thus, ESEA funds have become an essential part of our program in the school district of Philadelphia for two basic reasons. The first lies simply in the nature of the programs we have been able to mount and will be able to continue only with Federal funds. They are essential programs.

The second is that ESEA funds constitute for us, and I believe for most big cities, the critical increment—the change dollar necessary to overcome institutional inertia and produce institutional change. I don't have to cite for you, I am sure, the statistics on drop-outs, semi-literate or functionally illiterate high school students, low pupil achievement levels and their inevitable outcomes—unemployment and high crime rates. We're haunted by these statistics in Philadelphia and they are, by and large, as frightening in Philadelphia as they are in every big city. Nothing makes clearer the need for dramatic improvement and change in the institution of public education but it can't be done without money.

At this point, I would like to describe some of the title I and title III programs that we have been able to mount despite problems of historical neglect and financial crisis. Many of these programs are designed to change the nature and quality of the educational process. Other efforts have been focused directly upon specific areas of academic deficiency.

A description of each program will be followed by a discussion of the research findings that are relevant to these programs. The Office of Research and Evaluation has provided project administrators and other decision makers with valuable and timely information on both the operation and the effects of our federally funded programs. Their information is based upon carefully controlled evaluation techniques which include constant project monitoring as well as pre- and post-testing. Two years of experience in the school district and the availability of reports from previous years has helped insure the relevance of this research effort.

A number of innovative programs have been established through ESEA. One of these is *the Pennsylvania Advancement School.* The school takes 7th and 8th grade boys from regular schools and attempts to restore their interest in education. It is a voluntary program designed for underachievers. The boys come for 3 to 9 months and then return to their regular school.

The purpose of the program is to affect the attitudes of the students toward learning; to change them from disinterested underachievers to excited questioning, searching learners.

The staff attempts to achieve this by creating an atmosphere of acceptance, excitement, and understanding. Students are free to explore free-wheeling courses—like improvisational drama and urban geography—which involve them emotionally and physically as well as intellectually. The environment bombards the student's senses with color, and other stimuli such as carpeted floors and movable partitions. A wide range of audio and visual media are used to attract the attention of the students. The theory behind all of this is that learning is best achieved when as many of the senses as possible are involved and when the sense stimuli are relevant to the student's environment. This is a practical application of McLuhan's statement that the "medium is the message." The advancement school attempts to convey the message of learning through the media that stimulate and excite the senses of the learner.

Formal research observations have confirmed the positive feelings of the students toward the program. Their attitudes toward school and learning have changed drastically. Longitudinal data indicates that the students felt that the advancement school was better than their regular teachers; that they learned more than in their regular schools; that the experience would help them get better grades in their regular school; that they would be able to get along better with the people in the old school; that the advancement school was more interesting than regular school, and that the experience made them want to work more in school. The great majority of the students would have attended the advancement school as long as they could if they had been allowed to continue instead of spending only 3 to 9 months there.

A second innovative program has established *learning centers*. These are located in some lower schools and serve as learning laboratories. Children from regular classes come at regular intervals and participate in a variety of learning experiences. Children are free to explore a wide range of materials—science equipment, books, games, etc. They go where their interest lies. The teacher is a monitor and facilitator of exploration experiences.

In addition to informal studies which indicate increased student excitement, enthusiasm and involvement, as well as teacher acceptance of a new style of teaching, there is hard data available which indicates that when compared to three control groups learning center children are from 2 to 3 times better at solving problems of all types, and persisting at their work. The data indicates that there is only one chance in 100 that these dramatic differences in children exposed to the learning centers can be attributed to chance.

Another promising program, *Project Grow,* is the largest operational program in computer-assisted instruction in the country. The project is located in two junior high schools and two senior high schools in Philadelphia. The research reports have been encouraging. They have shown that, despite some problems in the hardware system, achievement in reading by computer-taught students was significantly higher than that of control group students.

In addition to the programs I have described in detail, there are some others that have yielded hard data that indicate successful instructional approaches.

The *salable vocational skills program,* a voluntary Saturday class designed to reinforce skill training, demonstrates that students significantly improve their skills in typing and data processing, obtain a higher employment rate upon graduation, and have a better attitude toward school than a control group of students who did not participate in the program. In data processing, students showed an improvement of 64% over their initial efforts, and in typing their improvement increased by 84%.

Our *English as a second language project* indicates that emphasis on the development of literacy in Spanish in the early grades has enabled our Puerto Rican students to acquire significantly better command of written and spoken English than students who do not undergo such instruction. This program serves 847 children in 16 public and 6 nonpublic schools.

In the area of remedial reading, a crucial concern in inner-city schools, Philadelphia's *"improving reading skills"* project, which provides reading centers and individually prescribed instruction for 1,626 elementary school students, results in considerable progress in overall reading achievement for these students. Research reports show that classes in reading skill centers are extremely well organized and that the atmosphere is one of general cooperation and desire to work and learn. Prior to Project Operation only 19% of the skill center pupils had attained mastery in vocabulary and word attack skills. After one year in the program, 53% of the children had obtained mastery in reading comprehension, only 12% of the children had failed to show growth. 48% gained two reading levels.

The *out-of-school science program for paired schools* promotes better understanding between students of different ethnic and social backgrounds by bringing together students from different schools for participation in a science program at the Franklin Institute, a nationally known science museum and laboratory. It has been found that students who participated in the program attained significantly higher scores on a science achievement test than control students from the same schools. Student interaction data revealed that pupils were positive and cordial in their behavior towards one another. They worked cooperatively towards the accomplishment of the project's goals about 94% of the time. No example of pupil aggression was observed. The overall conclusions were:

1. It is feasible to bring children of different racial, religious and ethnic backgrounds together for joint educational experiences at a "neutral" site.

2. The paired-school children interact positively with one another and will work cooperatively in pursuit of the project's goals.

3. The paired-school children significantly exceeded control groups with respect to science achievement.

We are finding that an effective means of improving the lines of communication between the school and the community is the school-community coordinator program. School-community coordinators serve as liaison persons between the schools and the community, convey and update information, develop supportive school-community activities, and visit homes. They have been responsible for heightening and involvement, responsiveness, and knowledgeability of the community as well as for aiding school personnel by making them aware of the community factors which affect the operational conditions of the schools. A recent survey across the city revealed that 87% of the parents perceived the program positively. In addition, 83% believed that the schools have become more responsive to community needs via this project.

The intensive learning center program uses three strategies for learning; individually prescribed instruction, discovery, and a combination of these two approaches; in the education of later elementary school children. The results of this year's evaluation show that attendance of children at the intensive learning center is well above that of the home schools of these children. The achievement patterns in both reading and arithmetic are indicative of the effectiveness of this program. In some instances the rate of growth has accelerated to three times what it had been before the pupils' entrance into the program.

A class for mentally retarded-emotionally disturbed children has been established to deal with the problems of severely handicapped students. The project was successful in reducing the frequency of non-relevant student behaviors by over 70%, in raising language ability by an average of 7 months, and in effecting the satisfactory adjustment of 80% of the students into regular classrooms.

Philadelphia's motivation program serves over 5,000 students and is designed to aid and encourage able and potentially able students to continue their education after high school. Besides the regular school program, enrichment classes in English and mathematics, counseling, college visitations, and cultural programs are available. A major emphasis is placed upon parental involvement. Returns from a questionnaire showed that 81% of the motivation students who graduated in 1969 were attending a college or university while the district-wide figure was 35%.

Our own experience with the federally-funded follow through program indicated that even severely disadvantaged children perform well in school when they are provided sufficient resources. The evidence indicates that inner-city schools can do the job if they can provide students intensive support and instructional services. But the margin between success or failure for the inner-city school is a wide one and can only be bridged with a heavy increase of funding.

Gentlemen, I believe we are at a critical juncture in federal involvement in the funding of public education precisely because we are at a point where the clear gains realized through ESEA will either be consolidated and expanded, or they will wither away.

It is a simple fact of life that extension of ESEA at the level of appropriation recommended for the fiscal year 1971 will simply permit the withering to begin: High expectations, in the community as well as among educators, will turn to frustration—and that is a most volatile kind of alchemy.

Recommended funding levels for title III, for instance, will merely provide for continuance of present programs. Yet this is the title which, in my judgment, may produce the greatest long-range pay-off. But no effort to disseminate current gains and broaden them will be possible.

The same should be said for title I. It is important to point out that simply continuing funding at the same dollar level is in effect a decrease in available resources, because of inflation. At present rates, a ten percent increment is needed annually just to maintain the current level of services.

If ESEA is to fulfill its promise, and if it is to speak to the pressing needs of the cities, I would urge the following actions:

1. Fund all titles at the level of authorization. This would be a minimal start—and I stress the word minimal.

2. Fund ESEA programs sufficiently in advance for school districts to plan for the expenditure of funds. We begin planning, in considerable detail, our operating budget ten months before the fiscal year begins. Our planning is guided by a five-year budget projection. But we never know how much ESEA money we will receive until well into the fiscal year for which it is appropriated. Sound planning and management are all but impossible under these conditions. They are replaced by a kind of fiscal roulette.

3. In closing, let me simply reiterate that, we are at a critical point in the history of federal support of public education. Federal funding has enabled us to begin structural changes in the schools which will release the talents of teachers and students alike. Teachers have been given more effective tools and materials to work with. The system itself has begun to respond to individual needs. To turn back, or to stand still, ultimately will produce chaos in the schools and add to the chaos in our cities. It is imperative that education receive the priority in dollar terms that it must have if the cities—and the country—are to survive "the urban crisis."

It is just possible that we can accomplish the needed revolution in American education. And in so doing, we will disprove the conventional wisdom that it is not possible for one institution in society to stand against and repair the damage done by all the rest of society.

MISS NODJI OLSON SELECTED AS 1970 AMERICAN HONEY QUEEN

(Mr. THOMSON of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMSON of Wisconsin. Mr. Speaker, I am honored that one of my constituents, Miss Nodji Olson, daughter of Mr. and Mrs. Theodore Olson, Warrens, Wis., has been selected as the 1970 American Honey Queen. Miss Olson was chosen in competition with other State finalists at the American Beekeeping National Convention in San Diego last January. Her duties include: representing the American honey industry at food shows, State fairs, and conventions, and promotion of honey through demonstrations and talks all over the United States.

Miss Olson is a fine example of American youth. At La Crosse State University from where she recently graduated, Nodji participated extensively in the school's music program and sorority activities; nevertheless she found time to teach Bible school and maintain the interest in beekeeping she learned as a youngster on her father's cranberry acreage. Many of her other activities classify Miss Olson as a real Wisconsinite. She enjoys fishing, boating, hunting, and snowmobiling.

Mr. Speaker, it was my privilege and pleasure to welcome this attractive and accomplished young lady to the Nation's Capital today. I am certain that Miss Olson is demonstrating that the American honey industry chose well when it selected her as their representative for the beekeeping industry of America.

LEGISLATION DEALING WITH ENVIRONMENTAL PROBLEMS

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. OBEY. Mr. Speaker, there are few subjects of concern today which are discussed more in the Congress, on the campus, in the media, or over the back fence than the need for curing our environmental ills.

In part this certainly should not surprise us, for the degradation of our environment is uncomfortably obvious.

Water pollution is difficult to ignore when lake by lake becomes a community disgrace. It is difficult not to notice the smell of engine exhausts or the belching of smoke stacks when driving through almost any fair-sized city. With increasing and disturbing frequency sports fishing has turned into just "fun fishing," as fishermen are told they can fish all they want as long as they do not eat what they catch—because those fish contain pesticide or mercury residues.

In short, pollution control has become a popular topic of conversation. Unfortunately, I think it is fair to say that rhetoric about the environment far exceeds the resolve to do something about it. While the Congress has passed legislation establishing an Environmental Quality Council and more stringent regulations for maintaining water quality, I think it can also be said that relatively little, far too little, has been done in the Congress to date to indicate that the serious and immediate threat to our environment has really been recognized.

In an effort to bring before the House legislation which, if enacted, could deal with a great many of these problems, I am today introducing a package of bills dealing with various environmental problems.

As part of this package I have included legislation which would bring to 90 percent the Federal financing on water pollution abatement projects. The bill would allow Federal grants up to 90 percent of the total cost of waste treatment construction projects, if the project is located in a river basin and if the other 10 percent comes from the States and localities in the basin. This legislation would also change the present formula under which pollution grants are made, so that the funds appropriated by Congress could be reallocated after 6 months from States unable to use the funds to those which can, instead of the 18 months now required before reallocation can take place.

Mr. Speaker, as we all know, in the 1950's President Eisenhower financed the construction of a massive interstate highway system with a 90-percent Federal financing formula. Certainly clean water is every bit as important to the Nation as good highways.

A number of the bills which I am introducing today are identical to those requested by President Nixon in his environmental message to the Congress last February. This includes legislation increasing funds for the land and water conservation fund which is used for land acquisition, a bill establishing an environmental financing authority to assure local communities that an inability to sell State or local bonds will not prevent them from undertaking antipollution projects, a bill increasing State grants for the development of advance waste treatment and industrial waste facilities, and a bill making it easier for the Secretary of the Interior to call an enforcement conference if he finds pollution which violates water quality standards or endangers the public health and welfare. The latter bill is particularly significant if we are going to be able to act quickly when pollution threatens interstate bodies of water such as the Great Lakes.

The one area in which I disagree strongly with the President is his proposal for sewage treatment construction grants. Last year the Congress appropriated $800 million for these grants. The House has passed legislation this year which increased this to $1 billion for 1971. Yet the President has proposed legislation which would cut the 1971 outlay for this program to only $50 million, hardly enough to handle the thousands of requests for sewage treatment construction projects, totaling about $2 billion, which are being presented by communities throughout the country.

That is why the pollution financing bill which I am introducing today would authorize $4 billion annually from 1972 to 1976 for grants for waste treatment disposal plants. If fully funded, this legislation would generate $22 billion annually for pollution abatement facilities.

There is no doubt that a good many of the bills endorsed by the President, other than his financing proposals, would significantly strengthen the laws we now have on the books with regard to pollution control. The House has already passed, almost unanimously, the President's major proposals with regard to air pollution and solid waste disposal. However, while I endorse many of the President's proposals, I have changed several of them in a number of ways.

For example, the President's proposal for bringing together many of the research and training activities of the Federal Government with regard to water pollution deleted from the present law a provision which directs the Secretary of the Interior to conduct research and make studies of the quality of the waters of the Great Lakes. I have retained this provision and feel that continued research in the Great Lakes is needed to protect a group of lakes which is unique in the world but seriously threatened by pollution from industrial dumping, phosphates, and inadequately treated sewage.

I have also added a provision to the President's proposal which would increase to 90 percent the Federal funds available for the cost of projects which demonstrate storm water and sewer separation techniques and those which demonstrate advanced waste treatment methods.

According to the Federal Water Quality Administration waste collection systems of more than 1,300 communities with a total population of 25.8 million people discharge combined storm water and sanitary wastes during and after heavy rains. Another 630 cities with almost 33.1 million people have systems which consist in part of combined sewers. The Public Health Service estimated the average overflow from a combined sewer may contain from 3 to 5 percent raw sewage, and during storm peaks as much as 95 percent of the sanitary sewage in the sewer may overflow directly into the receiving stream.

This obviously has a disastrous effect upon the rivers, streams, lakes, and bays which receive such discharges. It is estimated that complete separation of the combined sewer systems in this country would cost up to $30 billion. The cost to the city of Milwaukee alone would amount to $214 for every resident of that city.

If we are to come to grips with this kind of pollution problem, it will take money. A program which pays up to 90 percent of the cost of these separation projects would encourage the construction of them, and subsequently aid our overall pollution abatement efforts.

Mr. Speaker, I am also introducing today a number of bills previously introduced in the Senate by Senator GAYLORD NELSON, of Wisconsin. These bills include—

First, an amendment to the U.S. Constitution declaring that "every person has the inalienable right to a decent environment";

Second, a bill prohibiting the sale or shipment of eight persistent pesticides, including aldrin, lindane, heptachlor, DDD-TDE, chlordane, endrin, dieldrin, and texaphene;

Third, a bill encouraging programs for shoreline protection and lake use management;

Fourth, a bill which would, in 5 years, prohibit the dumping of wastes into the ocean and the Great Lakes;

Fifth, a bill banning phosphates in detergents by June 1972, and establishing national standards for all detergent ingredients;

Sixth, a bill banning the internal combustion engine by 1978 and giving the Department of Transportation authority to initiate research for economic and nonpolluting alternatives to this engine;

Seventh, a bill setting standards on all pesticides which would include their toxicity and public health effects;

Eighth, a bill providing economic incentives for recycling and reusing solid waste which would include packaging charges; and

Ninth, a bill which would halt further oil drilling in the oceans until it can be extracted with no damage to the environment.

Mr. Speaker, I make no pretense that these bills are "mine," because except for changes which I have made in a number of them to reflect my concern over the Great Lakes and over adequate financing for construction grants, they are not.

What these bills do represent is an attempt to put together in one package what appears to me to be the best available legislation yet introduced in the Congress in a number of areas of environmental control. Most of these have been introduced in the Senate, and while many are undergoing scrutiny in the Senate committees, the fact remains that not enough is happening here in the House. With the introduction of these bills today, the House committees which have jurisdiction over environmental matters will have the opportunity to study them, to hold hearings, and to bring them to the floor of this House for consideration.

FEDERAL RADIATION PROTECTION STANDARDS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 20 minutes.

Mr. **HOLIFIELD**. Mr. Speaker, the Members of this body are well aware of the tremendous upsurge of interest throughout this Nation in the subject of the environment. The CONGRESSIONAL RECORD has for many months been replete with statements and proposed legislation by Members expressing concern or suggesting solutions for our environmental problems. The quest for an improved environment pervades many of our functions and activities throughout this Nation—in government, in private industry, in the academic world, and in our private lives.

With respect to the beneficial utilization of atomic energy and its relationship to the environment, the concerns that have been raised relate principally to thermal discharges from nuclear powerplants and the adequacy of our present radiation protection standards.

What I wish to call attention to today deals principally with the adequacy of our radiation protection standards. Essentially, these have been established by the Federal Radiation Council which was statutorily created for this purpose in 1959. This body advises the President and formulates the radiation standards guidelines for all Federal agencies to follow. The radiation standards used by the AEC are necessarily based strictly on the FRC guides. The FRC guides are in turn based upon recommendations by the National Council on Radiation Protection and Measurements which is made up of 65 scientists of high national and international reputation in the field of biological effects of radiation. Without objection I would like to place in the RECORD at this point a letter I wrote to the FRC on March 20, 1970, and the reply I received on May 4, 1970:

JOINT COMMITTEE ON ATOMIC ENERGY,
Washington, D.C., March 20, 1970.
Hon. ROBERT H. FINCH,
Chairman, Federal Radiation Council, Washington, D.C.

DEAR MR. CHAIRMAN: On January 28, 1970, you had occasion to write to Senator Muskie, Chairman of the Subcommittee on Air and Water Pollution of the Public Works Committee, relative to testimony of Dr. Gofman and Dr. Tamplin before that Subcommittee. Also on January 28, 1970, Dr. John Gofman appeared as a witness before the Joint Committee on Atomic Energy in the course of this Committee's hearings on the environmental effects of producing electric power, and he presented written testimony in support of his contention that there should be an immediate ten-fold reduction in the Federal Radiation Council guidelines for radiation exposure to the population at large. Dr. Gofman's written material consisted of nine documents which are listed on the attachment to this letter; he stated that the material was being furnished concurrently to the Federal Radiation Council for review.

I understand from your letter to Senator Muskie that as Chairman of the FRC you have recommended that the Council undertake a complete review of the present FRC guidelines in the light of all available scientific information. As Chairman of the Joint Committee on Atomic Energy, I thoroughly believe in the advisability of a full-scale review. My belief is not motivated by the views of Drs. Gofman and Tamplin; rather, it has seemed to me that the effective discharge of FRC's responsibilities under Sec. 274h. of the Atomic Energy Act of 1954, as amended, should entail thorough periodic reviews to take advantage of factual and meaningfully evidentiary developments. My own thought is that a complete reexamination should, as a minimum, be conducted every five years. FRC's knowledgeable conclusions, following such a review and evaluation on a sound scientific basis, should serve to reinforce general confidence in the integrity of FRC's performance of its statutory duties, as well as to help Federal agencies and the public who will be affected by the guidelines.

I would expect that such reviews of radiation protection guidelines will be conducted in accordance with the highest procedural and substantive standards of true scientific inquiry.

Please let this Committee know what the FRC's plans are in regard to the review of the guidelines for radiation protection. Your cooperation in this important matter is appreciated.

I am sending a copy of this letter to the other members of the Council.

Sincerely yours,
CHET HOLIFIELD,
Chairman.

FEDERAL RADIATION COUNCIL,
Washington, D.C., May 4, 1970.
Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of March 20 in which you inquired about Federal Radiation Council plans to review its basic guidelines for radiation protection. My recommendation that the Council review its basic guidelines is before the other members for their consideration. We are in full agreement with your expectation that such a review must be conducted with the highest procedural and substantive standards of scientific inquiry. With this in mind, the Executive Director has asked the NAS Advisory Committee to the FRC to recommend how the suggested review can best be accomplished. The Academy's recommendations will be given careful consideration by the FRC in the development of implementing procedures.

We will, of course, keep your committee fully informed of Council activities associated with this problem as our plans develop.

Sincerely,
ROBERT H. FINCH,
Chairman.

DOCUMENTS SUBMITTED BY DR. JOHN W. GOFMAN TO THE JOINT COMMITTEE ON ATOMIC ENERGY, JANUARY 28, 1970

1. "A Proposal for at Least a Ten-Fold Reduction in the FRC Guidelines for Radiation Exposure to the Population-at-Large Supportive Evidence," by John W. Gofman and Arthur R. Tamplin, Bio-Medical Research Division, Lawrence Radiation Laboratory, and Division of Medical Physics (Berkeley), University of California.
2. "Studies of Radium-Exposed Humans II: Further Refutation of the R. D. Evans' Claim that 'The Linear, Non-Threshold Model of Human Radiation Carcinogenesis is Incorrect'," by John W. Gofman and Arthur R. Tamplin.
3. "The Colorado Plateau: Joachimsthal Revisited? An Analysis of the Lung Cancer Problem in Uranium and Hardrock Miners," by Arthur R. Tamplin and John W. Gofman.
4. "Radiation-Induction of Human Breast Cancer," by Arthur R. Tamplin and John W. Gofman.
5. "Radiation-Induction of Human Lung Cancer," by John W. Gofman and Arthur R. Tamplin.
6. "The Mechanism of Radiation Carcinogenesis," by John W. Gofman and Arthur R. Tamplin.
7. "ICRP Publication 14 vs. The Gofman-Tamplin Report," by Arthur R. Tamplin and John W. Gofman.
8. "Major Fallacies in the AEC Staff Comments on the Gofman-Tamplin Papers and Congressional Testimony," by John W. Gofman and Arthur R. Tamplin.
9. "Radiation Induction of Breast Cancer in the Rat (A Validation of the Linear Hypothesis of Radiation Carcinogenesis over the Range 0–600 rads)," by John W. Gofman and Arthur R. Tamplin.

The following letter from Dr. Dunham of the National Academy of Sciences-National Research Council to the Federal Radiation Council indicates the willingness of the Academy's advisory committee to the FRC to undertake further consideration of the interpretation of data relative to estimating risks associated with low levels of radiation exposure and to clarify the philosophy underlying decisions involving the weighing and apportionment of risks versus benefits in standards setting:

NATIONAL RESEARCH COUNCIL,
Washington, D.C., April 24, 1970.
Dr. PAUL C. TOMPKINS,
Executive Director, Federal Radiation Council, Washington, D.C.

DEAR DR. TOMPKINS: As you know the National Academy of Sciences-National Research Council, Advisory Committee to the Federal Radiation Council met on March 25, 1970 concerning the recent challenges to radiation protection guides particularly raised before Congressional Committees.

The Advisory Committee passed a resolution to be forwarded to the President of the National Academy of Sciences, which is directly responsive to the problem of urgency concerning the challenges brought forward by various sources. A copy of the resolution by the Committee is attached for your information.

In addition, the Committee proposed a plan of action to be undertaken by the Committee to reevaluate the existing radiation protection guides. This reevaluation would be done by basically four subcommittees over a period of the next year or two and would result in a "White Paper" from the Advisory Committee detailing its findings as well as its recommendations concerning protection guides in view of benefit-risk, relative risks to existing levels of population exposure, and varying methods of estimating potential risk. The four subcommittees planned are: 1) somatic risk evaluation, 2) genetic risk evaluation, 3) teratogenic effects, and 4) environmental effects (food chain contamination, etc.). The leadership of each subcommittee would be one of the present Advisory Committee members. The membership of each subcommittee would be chosen to represent the best expertise available throughout the scientific community.

The funding of this effort by the Advisory Committee to the Federal Radiation Council would be requested in additional funds to the normal annual operating funds for the Committee.

A copy of the full minutes of the meeting of the Advisory Committee is available for your review in either my office or the office of Dr. Hilberg of my staff.

In summary, the Advisory Committee has suggested a comprehensive plan of action to be undertaken but in no sense was there expressed a feeling of urgency or crisis which needed to be met in any superficial way. I recommend to you the advice and suggestions of the Advisory Committee and assure you that the Division of Medical Sciences, NAS–NRC, is ready to proceed in the direction deemed most practical at this time to all concerned.

If you have any questions or comments please do not hesitate to contact either me or Dr. Hilberg, Staff Officer for the Advisory Committee.

Best regards,
Sincerely,
CHARLES L. DUNHAM, M.D.,
Chairman of Division.

NATIONAL RESEARCH COUNCIL,
Washington, D.C., April 27, 1970.
CHARLES L. DUNHAM, M.D.,
National Academy of Sciences,
Division of Medical Sciences,
Washington, D.C.

DEAR DR. DUNHAM: The Advisory Committee to the Federal Radiation Council has prepared the following statement and would appreciate having this statement forwarded to the President of the National Academy of Sciences through your office.

Recently the adequacy of radiation protection standards has been questioned. Allegations have been made that insufficient attention has been paid to human data that have become available in the past few years, and that as a result that risks to the public are being grossly underestimated, and that maximum permissible levels should therefore be reduced immediately.

Radiation Protection Standards are formulated by several independent national and international bodies, namely, the NCRP, ICRP, and FRC. In addition, periodic scholarly reviews of pertinent data are provided by UNSCEAR. Recent reviews by these groups (ICRP 1966, 1969; UNSCEAR 1964, 1966, 1969) have considered in depth essentially all of the available data relevant to the setting of standards. These bodies have found no evidence that warrants a downward revision of the basic radiation standard of 5 rems per 30 years of 170 mrems per year to the general population.

Pertinent data have been under continuous review by the NAS-NRC Advisory Committee to the FRC. This Committee has specifically reviewed the statements presented before Congressional Committees and elsewhere to support the allegations referred to above and conclude that these statements contain no data that would significantly alter the base upon which current standards were established. There is no evidence available to the Committee that exposure of the public will increase at a rate that would in any way justify an emergency revision of the existing standards.

Because of the allegations and widespread public concern the Committee feels it must plan further consideration of the interpretation of data relative to estimating risks associated with low levels of radiation exposure and the utilization of such interpretations for establishment of radiation standards.

The public's attention has for the most part been directed to hazards associated with nuclear power production. This apprehension is, paradoxically, partly a result of the detailed public information now available on radiation hazards of nuclear power and the relative lack of information on the hazards of other modes of power production. What is needed is a comprehensive study of the biological hazards of non-nuclear power production, therefore, the Committee feels that simultaneously there should be a comprehensive comparison of the biological and social costs of nuclear versus alternative sources of energy. Furthermore, there exists a need for clarification of the philosophy underlying decisions involving the weighing and apportionment of risks vs. benefits in standards setting.

This Committee is especially aware of a need to consider radiation standards within the context of the broader aspects of societal needs and is anxious to contribute in any way possible as the matter develops.

Sincerely,

DR. CYRIL L. COMAR,
Chairman, Committee.

Probably the most outspoken critics of the presently applicable FRC radiation standards, which incidentally accord with the standards of the International Commission on Radiological Protection, are Drs. John Gofman and Arthur Tamplin of the Lawrence Radiation Laboratory at Livermore, Calif. Undeterred by the rejection of their opinion by their scientific peers, and undaunted by the finding of the Federal court in the Rulison case that their scientific views were unsubstantiated, they continue to do their own thing in the limelight of the mass media and public forums to exacerbate the public anxiety. Late last year, they publicly proclaimed their own judgment that the present FRC protection guides should be made more conservative by at least a factor of 10. Without objection, I would like to place in the RECORD at this point a letter on this subject which I received in April of this year, signed by 29 scientists highly knowledgable in the fields of medical research, medical training, and medical practice. In this letter these distinguished professionals reaffirm their confidence in the integrity of the procedures used in establishing the present radiation protection standards and in the scientific judgment inherent therein.

The letter follows:

ATHERTON, CALIF.,
March 30, 1970.
HON. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, U.S. Congress, Washington, D.C.

SIR: We are increasingly concerned at the prominence given to the alarmist views of a tiny minority of experts on the effects of ionizing radiation in the general population.

Several reports have appeared suggesting that the authorities responsible for guide lines for the safe uses of ionizing radiation have been grossly complacent and even in error in setting their current radiation standards. Unfortunately, adequate rebuttal requires a somewhat lengthy and technical reply unsuitable for publication in the press.

Such material as is necessary is contained in the publications of Federal Radiation Council (FRC), the National Council on Radiation Protection and Measurements (NCRP) and the International Commission on Radiological Protection (ICRP). These reports show evidence of the great competence of these bodies, and their concern for public health.

The difficulty of presenting an adequately balanced view through the news media has, however, led to some public alarm and loss of confidence. Public confidence in those bodies and individuals responsible for the establishment of radiation safety standards is vital if the development of the peaceful uses of nuclear power and the beneficial uses of ionizing radiation are to move ahead in an efficient and orderly manner.

Bodies of the stature of ICRP, NCRP, and the FRC are under a severe handicap in replying to attacks on their competence representing, as they do, the collective wisdom of many tens or hundreds of experts in widely differing specialties. We, the undersigned, feel it to be necessary at this time to speak out, reaffirming our confidence in the integrity of the procedures used to establish radiation standards. We all assume that, in the absence of firm scientific facts, all unnecessary radiation exposure is to be avoided and, like the FRC, NCRP, and ICRP, agree that standards should be set on the assumption that all man-made radiation is potentially harmful. This concept was introduced into the scientific literature more than twenty years ago and has been discussed since that time. It is most important to stress, however, that it is not yet known with scientific certainty whether radiation exposures at the levels permitted by the radiation standards are deleterious, of no consequence or even beneficial to man. These problems will continue to be subject to scientific investigation until resolved. In the meantime the assumption that all radiation exposure to man is potentially harmful is prudent and is made by all regulatory bodies.

At present FRC recommendations are directly derived from those of the ICRP, an international body that draws upon the accumulated wisdom of experts from the entire world.

In setting the current radiation standards, the ICRP in 1958 considered the then available evidence relating to somatic and genetic damage induced in human beings by radiation. Whenever data were contradictory or obscure the commission consciously and consistently took the more conservative (safer) interpretation. They concluded the risk to the general population due to the development of the nuclear power industry within these safety standards "to be not unacceptable" and indeed very small compared to the risks we subject ourselves to in our everyday lives. At the present time the vast majority of experts in the field of human response to ionizing radiation who have been involved in setting current radiation standards are convinced that these standards are based upon the best scientific evidence available and the deepest concern for public health.

Matters relative to public health should of course be subject to continuous scrutiny, but we believe the record of activities of the ICRP, NCRP, and FRC demonstrates this to be their proven policy.

The ICRP has reviewed its work frequently, most recently in 1969. It has concluded that no change in the relevant safety standards is warranted at the present time. If concerned members of the general public will read the publications of the ICRP, NCRP, and FRC, we are convinced that they will find that current radiation standards are based on a sound foundation.

Finally, it is also relevant to recognize to what extent those involved in the development of the beneficial uses of ionizing radiation have lived within not only the letter of the law but, perhaps more importantly, the spirit of the view of ICRP, NCRP, and FRC that all unnecessary radiation exposure be avoided. Radiation exposures to members of the general population from all man-made sources (excluding medical sources) have been, in fact, only a very small fraction of those permitted by the FRC.

LIST OF SIGNATORIES

Professor William F. Bale, Radiation Biology and Biophysics, School of Medicine and Dentistry, Rochester, New York 14620.

Dr. Victor P. Bond, Associate Director, Brookhaven National Laboratory, Upton, Long Island, New York 11973.

Professor Leo Bustad, Professor of Radiation Biology and Director of Radiobiology and Comparative Oncology Labs., University of California, Davis, California 95616.

Eugene P. Cronkite, M.D., Chairman, Medical Department, Brookhaven National Laboratory, Upton, Long Island, New York 11973.

Dr. Merril Eisenbud, Professor and Director of Laboratory for Environmental Studies, New York University Medical Center, New York, New York 10007.

Alexander Gottschalk, M.D., Director, Argonne Cancer Research Hospital and Professor of Radiology, University of Chicago, Chicago, Illinois 60637.

Alexander Grendon, Consultant Biophysicist, Donner Laboratory, University of California, Berkeley, California 94720.

Dr. Hardin Jones, Professor of Medical Physics and Physiology, Assistant Director, Donner Laboratory, University of California, Berkeley, California 94720.

Dr. Harry A. Kornberg, Consultant to the Director, Battelle-Northwest, Richland, Washington 99352.

Dr. W. H. Langham, Group Leader, Biomedical Research, Los Alamos Scientific Laboratory, Los Alamos, New Mexico 87544.

Dr. J. S. Laughlin, Radiation Safety Officer, Memorial Hospital, Chief, Division of Biophysics, Sloan-Kettering Institute, 410 E. 68th Street, New York, New York 10021.

John H. Lawrence, M.D., Director, Donner Laboratory, University of California, Berkeley, California 94720.

George V. LeRoy, M.D., Director, Student and Employees Health Clinic and Professor, Department of Medicine, University of Chicago, Chicago, Illinois 60637.

Dr. Richard C. McCall, Head, Health Physics Department, Stanford Linear Accelerator Center, Stanford, California 94305.

Roger O. McClellan, D.V.M., Director, Fission Product Inhalation Program, The Lovelace Foundation, Fission Products Inhalation Laboratory, Building 9200, Area Y, Sandia Base, Albuquerque, New Mexico 87115.

Carl V. Moore, M.D., Busch Professor of Medicine, Washington University School of Medicine, 440 Scott Avenue, St. Louis, Missouri 63110.

Russell H. Morgan, M.D., Professor and Chairman, Department of Radiological Sciences, The Johns Hopkins Medical Institution, 615 North Wolfe Street, Baltimore, Maryland 21205.

Robert D. Moseley, Jr., M.D., Professor and Chairman, Department of Radiology, Director of Radiation Protection Service, University of Chicago, Chicago, Illinois 60637.

James V. Neel, M.D., Lee R. Dice, University Professor of Human Genetics, The University of Michigan Medical School, Ann Arbor, Michigan 48104.

Dr. Harvey M. Patt, Professor of Radiobiology, University of California Medical Center, San Francisco, California 94122.

H. Wade Patterson, Certified Health Physicist, Chairman-Elect American Board of Health Physics, Lawrence Radiation Laboratory, University of California, Berkeley, California 94720.

Leonard A. Sagan, M.D., Associate Director, Department of Environmental Medicine, Palo Alto Medical Clinic, 300 Homer Avenue, Palo Alto, California 94301.

Eugene L. Saenger, M.D., Department of Radiology and Medicine, University of Cincinnati School of Medicine, Cincinnati, Ohio 45219.

William J. Schull, Professor of Human Genetics, University of Michigan, Ann Arbor, Michigan 48104. Currently: Visiting Professor, Institut fur Anthropologie und Humangenetik, Der Universitat Heidelberg, 69 Heidelberg, Germany.

John B. Storer, M.D., Scientific Director for Pathology and Immunology, Biology Division, Oak Ridge National Laboratory, P.O. Box X, Oak Ridge, Tennessee 37830.

Dr. Ralph H. Thomas, Certified Health Physicist, Lawrence Radiation Laboratory, Berkeley, California 94720.

Dr. Roger Wallace, Lecturer in Medical Physics and Nuclear Engineering, Health Physicist, Lawrence Radiation Laboratory, University of California, Berkeley, California 94720.

Shields Warren, M.D., Cancer Research Institute, New England Deaconess Hospital, 185 Pilgrim Road, Boston, Massachusetts 02215.

Robert W. Wissler, Ph. D., M.D., Professor and Chairman, Department of Pathology, University of Chicago, Chicago, Illinois 60637.

(The views expressed here are solely the responsibility of the signers of this document and in no way should be construed as representing a statement of opinion by the institution identified.)

As a further point, since both Drs. Gofman and Tamplin are employees of the Lawrence Radiation Laboratory, which is funded by the Atomic Energy Commission and operated under contract by the University of California, there is some inference that their recommendations to make more stringent the radiation protection standards may in fact be the position of the laboratory. This is not the case and I wish to call this fact to the attention of my colleagues. I would like to place in the RECORD a letter sent by Dr. Michael May, director of the laboratory, to Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, clarifying this situation:

UNIVERSITY OF CALIFORNIA,
Livermore, Calif., April 8, 1970.

Dr. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission, Washington, D.C.

DEAR GLENN: For the past several months, Drs. Gofman and Tamplin, of this Laboratory, have been making estimates of how much cancer might be caused by exposure to low level radiation. They have called for a lowering of the Federal Radiation Council exposure guidelines by a factor of ten on the basis of their estimates.

I believe, along with a number of other scientists here, that Drs. Gofman and Tamplin have not shown that the guidelines ought to be lowered by a factor of ten. They did not compare the risks of nuclear reactors, for instance, to those of other power sources under similarly conservative assumptions. In fact, they did not estimate realistically the population exposure that would result from present guidelines as they are actually applied. Before deciding whether to lower the guidelines, a comprehensive, realistic, consistent evaluation of the risks inherent in the several competing sources of power (or other applications) should be made. Otherwise, we are not likely to arrive at a balanced set of regulations, that will allow us to obtain power and other benefits at the least overall risk.

The Laboratory has provided the resources for Drs. Gofman's and Tamplin's technical research, including publication of their technical papers. This work consists of taking existing data connecting cancer with radiation at high doses, and extrapolating to low doses on the basis of various assumptions (such as linearity, doubling dose concept, disregard of possible repair mechanisms, etc.). The same type of extrapolation has been made by others, in ICRP publications and elsewhere, although some of the assumptions differed. The assumptions are a matter of debate in the biological community since not enough data and experiments are available to determine the correct ones.

In some statements, Drs. Gofman and Tamplin have treated their connection of low level radiation with cancer as fact or "law", whereas it is really a hypothesis. The hypothesis may or may not be a prudent one from the standpoint of public health planning, but either way, it is *not* a known fact that "32,000 extra Americans would die of cancer and leukemia if everyone got this 'safe' dose," (i.e., the 0.17 rads per year guideline) as Dr. Gofman states. Treating this hypothesis as fact does not help either the regulation makers who must reach reasonable decisions, or the public who must understand and appraise these decisions.

In summary, over the past several years, the Laboratory provided the resources for Dr. Gofman's and Dr. Tamplin's technical work in connection with these estimates and in other fields. A number of scientists here, however, do not agree with the Gofman-Tamplin recommendations concerning new guidelines. Dr. Gofman's and Dr. Tamplin's search for public support of their recommendations is an activity they carry out as individuals and is not a course of action endorsed by the Laboratory.

Sincerely,

MICHAEL M. MAY,
Director, LRL, Livermore.

Mr. Speaker, a July 5 article in the Washington Post states that the Atomic Energy Commission has been harassing Drs. Gofman and Tamplin in their work at the Lawrence Radiation Laboratory. Without objection, I would like to include a press release I issued this morning stating that I have asked the Commission for a full report on this matter. If the situation warrants, the Joint Committee will schedule public hearings in order to obtain all of the pertinent information.

STATEMENT BY CONGRESSMAN CHET HOLIFIELD, CHAIRMAN JOINT COMMITTEE ON ATOMIC ENERGY, REGARDING AN ALLEGATION THAT AEC IS HARRASSING TWO SCIENTISTS AT THE LAWRENCE RADIATION LABORATORY, LIVERMORE, CALIF.

I read the *Washington Post* article of July 5, 1970, concerning Drs. Gofman and Tamplin of the Lawrence Radiation Laboratory at Livermore, California.

It tells a story which suggests that retaliatory tactics are being used against these two scientists because of their openly expressed scientific judgment on radiation standards, which is at odds with the standards adopted by the Atomic Energy Commission in accordance with the guidelines established by the Federal Radiation Council. This article may be the basis for a charge which I understand Ralph Nader has made to the effect that AEC is harrassing these two scientists.

I have asked the Commission promptly to provide the Joint Committee on Atomic Energy with a complete and detailed account of this matter. The Committee will look into it fully, and, if the situation warrants, it will hold hearings to obtain all the facts.

With respect to the fundamental issue which forms the basis for the estrangement between Drs. Gofman and Tamplin and the Atomic Energy Commission, namely, the setting of basic radiation protection standards, the following observation can be made. Drs. Gofman and Tamplin have recommended to the Congress that the present Federal Radiation Council standards for exposure of the general population to ionizing radiation be made more conservative by at least a factor of ten. On March 20 of this year I wrote to the Chairman of the Federal Radiation Council urging that a review be made of the FRC standards now in use and at the same time expressed the opinion that future periodic review should be made of such standards, in the light of new scientific evidence which may develop.

I have been informed that arrangements are under way by the Federal Radiation Council to obtain the advice of the National Council on Radiation Protection and Measurements and the National Academy of Sciences with respect to an initial review of the FRC's radiation standards. The Committee expects to follow closely progress by the Council and its advisors in this effort. I would not attempt to predict the outcome of the review, but it is fair to say that although Drs. Gofman and Tamplin publicly proclaimed their recommendations on this matter in October of last year, the intervening time has produced little or no support among those in the scientific community knowledgeable in the field of biological effects of radiation.

In addition to the review under way nationally, I have corresponded with the International Commission on Radiological Protection (ICRP) and invited their comments upon certain interpretations Drs. Gofman and Tamplin have made of technical material published by the ICRP and utilized by Drs. Gofman and Tamplin in support of their hypothesis.

This morning I received a preliminary statement from the Atomic Energy Commission which acknowledges my request that a full report be made to the Joint Committee and provides preliminary information on programmatic changes and re-assignment of personnel at the Lawrence Radiation Laboratory.

A copy of the AEC statement is attached.

Statement by the Atomic Energy Commission

Stories have appeared in the press during the last few days concerning programmatic changes and reassignment of personnel at the Atomic Energy Commission's Lawrence Radiation Laboratory at Livermore, California, operated by the University of California. These stories have quoted two laboratory employees, Drs. John Gofman and Arthur Tamplin, concerning their work at the laboratory.

Here are the facts concerning the programmatic changes and reassignments:

First, none of the persons previously associated with Drs. Tamplin and Gofman has been terminated; they have been reassigned by the laboratory.

The Commission is undergoing substantial budget cuts at its major laboratories, requiring reallocation of programs and positions. During the two-year period from July 1, 1969, to June 30, 1971, it is expected that a total of 4000 positions will have been eliminated at AEC laboratories. The cuts are based upon national programs priorities and budgetary stringencies. At all three of the weapons laboratories, of which Livermore is one, and at all six of the major multipurpose laboratories it has been necessary to reduce personnel. In the year ending June 30, 1971, alone, projected reductions involve more than 500 persons at Brookhaven on Long Island; some 250 at Lawrence Radiation Laboratory, Berkeley; about 280 at Livermore; and 240 at Oak Ridge.

Within the biology and medicine program, which includes the work of Drs. Gofman and Tamplin, three laboratories will have funds reduction in 1971; Brookhaven National Laboratory in New York, the Lawrence Radiation Laboratory at Berkeley, and the Lawrence Radiation Laboratory at Livermore. In this program it has been necessary for the AEC to give increased emphasis to certain key technical areas while at the same time absorbing cuts in its over-all program. These areas include research on the thermal effects of warm water discharges from power plants and experimental studies on plutonium hazards. These changes in program emphasis including the impact on Livermore were discussed in advance in detail with the AEC's independent Advisory Committee for Biology and Medicine.

Laboratory directors are expected to exercise considerable discretion in the management and direction of these complex multimillion dollar laboratories. The Livermore Laboratory has informed the AEC that the decision to reassign within the laboratory 10 persons who formerly worked under Dr. Tamplin was based upon its judgment of relative program priorities. As a matter of fact, the laboratory has advised AEC that seven of the 10 were split off to form a new group at the suggestion of Dr. Tamplin.

Dr. Tamplin's project continues to receive AEC support at a level of about $70,000 per year and Dr. Gofman's research is supported at a level of about $270,000 a year. These levels do represent a substantial reduction from the funding of previous years, consistent with the reassignment of personnel. Both Dr. Gofman and Dr. Tamplin were aware of the problems of finding funds for higher priority laboratory programs before reductions in their own projects were made.

The laboratory, with the concurrence of the AEC, has maintained a policy of encouraging free scientific discussion. Contrary to published reports, neither the AEC nor the laboratory has abridged the freedom of Drs. Gofman and Tamplin to speak out on issues.

The laboratory has funded travel to meetings and the publication of papers by Drs. Gofman and Tamplin, depending upon the scientific character of the meeting or publication, and its relevance to their work at the laboratory. On other occasions, they have been free to travel or publish on their own time and with resources not provided by the laboratory. There is no indication that Drs. Gofman and Tamplin have been inhibited in their public criticisms.

In response to a request from Rep. Chet Holifield, Chairman of the Congressional Joint Committee on Atomic Energy, the AEC is preparing a full report on the matter to be sent to the Joint Committee.

I endorse a copy of the statement made on behalf of the Lawrence Radiation Laboratory concerning the alleged pressures exerted on Drs. Gofman and Tamplin which I would also like to include in the Record at this point:

Statement of Dr. Roger E. Batzel, Associate Director, Lawrence Radiation Laboratory, Livermore

We have been asked to comment on public statements attributed to Drs. John Gofman and Arthur Tamplin concerning alleged pressures exerted on them by the LRL management.

1. One statement attributed to Dr. Gofman states that the LRL Director "has just recently threatened him (Gofman) with dismissal for rebuttals he has made against his critics."

Dr. Michael May, the Director, has told Dr. Gofman that he would have to stop making personal attacks on individuals who disagreed or leave the laboratory. An example of one such personal attack Dr. Gofman made on his critics is the attached letter to the Atomic Industrial Forum. A copy of the letter, as it went out on Laboratory stationery.

We do not believe this kind of attack by Dr. Gofman on the character and motives of those who disagree with him is in the interest of science, the Laboratory, or enlightened public debate.

2. Allegations of budgetary action of a punitive nature against Drs. Gofman and Tamplin have been attributed to them.

The reports have correctly stated that Dr. Gofman's research program has been cut slightly, in line with Federal budgetary reductions in the Laboratory and throughout the AEC system for the fiscal year 1971.

Regarding the 11 people under Dr. Tamplin, 7 were made an independent unit by mutual agreement arrived at with Dr. Tamplin a year ago and made effective last December. Three more were assigned to other work last week when it was clear that support for the work was not warranted in the light of budget and scientific priorities. All 11 staff members, as well as Dr. Tamplin, are still employed in the Laboratory.

Dr. Tamplin and his remaining associate have Laboratory, technical staff, and secretarial support for their work, for which an annual estimate of $70 thousand is allocated.

It is important to note that the statements and publications by Drs. Gofman and Tamplin about effects of low dose radiation are not based on the research being terminated but are based on their analysis and interpretation of data developed by others. The work terminated is one of many radiobiological efforts and is not designed with any special promise that it will either substantiate or refute the Gofman-Tamplin estimates of nuclear radiation hazards.

3. Allegations concerning travel expenses and vacation time.

The policy of LRL is to pay the expenses and salary of staff scientists traveling to scientific meetings to present scientific data or to testify before official bodies such as congressional committees. We have given such support to Drs. Gorman and Tamplin. The Laboratory does not support staff members on trips to other meetings which they attend as individuals expressing their personal opinions.

4. There have been allegations of "censorship" of Drs. Gofman and Tamplin especially in connection with a paper by Tamplin at the American Association for the Advancement of Science meeting last December.

The facts are as follows: Dr. Tamplin proposed to present at this meeting his views on the licensing of nuclear power plants. Our position was that if he wished to present a scientific paper based on his research, the Laboratory would sponsor him and his trip. We advised him that if he wished to present his personal opinion on nuclear power he was free to do so as an individual using non-Laboratory resources. Dr. Tamplin did present a scientific paper, and the Laboratory did sponsor him. The Laboratory's action in this matter was not influenced by the alleged threat of Dr. Gofman to write to the AAAS.

University of California,
Livermore, Calif., May 14, 1970.

Public Affairs and Information Program,
Atomic Industrial Forum, Inc.,
New York, N.Y.

Gentlemen: I find repugnant in the extreme the lies and distortions in your Info News Release of Mr. Carl Goldstein, for April 24, 1970. Both the Bond discussion and the AIF release are so filled with lies, half-truths, and *deliberate* distortions that I would consider them to represent criminal irresponsibility.

The AIF, the AEC, and Dr. Bond all seem to believe that a stupid set of lies will enable them to ram ill-considered atomic programs down the throats of the American public. It is becoming so obvious to citizens and the Congress that all of you represent a despicable fraud. The more you all lie, hide the facts, and deliberately and unashamedly distort every responsible criticism, the earlier will be the celebrated demise of your outrageous activities.

Cordially,

John W. Gofman, M.D.,
Professor, Medical Physics.

BEN REIFEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDade) is recognized for 5 minutes.

Mr. McDADE. Mr. Speaker, it was with great pride that I learned that on the occasion of the Department of the Interior's 38th Honor Awards Convocation June 30, Secretary Hickel presented to Congressman Ben Reifel a commendation in recognition of his contributions to the programs of the Department.

With the close of the 91st Congress, this body will lose in Ben Reifel one of its most valuable and dedicated Members. Since learning of his intention to retire, I have anticipated the great degree of leadership and legislative ability which will pass with him.

After 22 years of service with the Bureau of Indian Affairs, Mr. Reifel's energies and talents were properly channeled to the Appropriations Subcommittee for the Department of the Interior and related agencies. His belief in the American Indian, his high regard for our precious natural resources, and his personal consideration of the individual problems and needs of every area of our Nation have been reflected in his endless contribution of knowledge to and support of the committee's work. His sincere regard for his fellow man is so obvious to those of us who have served with him and who have depended on him for strength and guidance.

We all can appreciate the extensive work and expertise that goes into a piece of legislation such as an appropriation bill. We know too that each such bill is largely the product of the efforts of a few. Unquestionably, Congressman **Reifel** has always been in the forefront of this activity—his contribution invaluable in this as well as other phases of the legislative process.

His ability and efforts will be missed in another area as well, however. For now with the long overdue concern and urgency for the critical needs of our environment finally being manifested, the Interior Appropriations Subcommittee will realize a broadening of its responsibilities. More than ever in the planning and work that lies ahead, the Congress and the Nation could greatly benefit from the knowledge, experience, and sensitivity of our capable colleague.

Ben will be sorely missed as a Congressman and as a friend; but the memory of his deeds, of his kind and sympathetic attitude toward his colleagues and of his devotion to duty will be his monument here. The Department of Interior's commendation to **Ben Reifel** is an honor well earned and well deserved.

JAMES E. KENNEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. **Conte**) is recognized for 5 minutes.

Mr. CONTE. Mr. Speaker, this month the Federal Government is losing the services of one of its most devoted officials, a man who has labored long and hard for his Government and his country.

James E. Kenney, staff attorney with the Board of Immigration Appeals at the Department of Justice, will be retiring this month after 10 years of service. This service has not often been in the limelight, but his actions, his concern for his department and his exemplary performance of his duties certainly deserve the limelight for it is this type of public servant that day in and day out keeps this Government functioning.

In the words of his coworkers, Mr. Kenney has been the "big production man" at the Board and has written many of the major decisions for that body which is the last word on the administrative level for immigration, deportation, and expulsion.

Throughout his long career he has been an important force at the Board of Immigration Appeals and a strong advocate of enforcement of the laws of this country.

But his career, Mr. Speaker, goes beyond his service on the Board. I am proud to say that Jim Kenney is a native of my hometown, Pittsfield, Mass. He came to Washington, D.C., as a young man and joined the District Police Department.

As a detective sergeant, he was wounded in the arm in the line of duty. While still on the police force, he often served as bodyguard for visiting dignitaries. In fact, the late Al Smith, Governor of New York and presidential candidate, when he came to Washington in 1928, personally requested Jim Kenney as a bodyguard.

Despite the wounded arm he received on police duty, Jim was still able to enter the Army when World War II broke out. He served in combat in the Pacific and was discharged as a captain.

This Friday, July 10, the many personal and professional friends of Jim Kenney will gather at a reception for him here and next week Jim will officially leave the Board. I wanted the members of this body to know of his retirement because Jim has been a superior public servant. I congratulate him for all his achievements and his contributions to his country. And I wish him and his lovely wife Agnes much joy in their retirement.

THE INVESTIGATION OF JUSTICE DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. **Wyman**) is recognized for 15 minutes.

Mr. WYMAN. Mr. Speaker, I am concerned that the special Judiciary Subcommittee looking into the question of the impeachment of Justice William O. Douglas has not yet taken a single word of testimony under oath. Just the other day this subcommittee was granted an additional 60 days within which to file a report.

This 60 days expires the 20th of next month and it is difficult to see how the subcommittee can compile a meaningful and reliable report unless it does examine witnesses under oath and subject to penalties of perjury.

Shortly after the investigation was begun, I submitted to the subcommittee a seven-page letter outlining certain suggestions with respect to the calling of witnesses and making the point that in the exercise of the responsibility of the House of Representatives in impeachment proceedings it is unavoidable that to a certain extent, at least, such an investigation must be adversary. There is disturbing indication that to this point the investigation has not been conducted in this tenor but rather in the spirit of so-called voluntary cooperation.

At stake are some of the most important issues and fundamental responsibilities of our constitutional system. There is a serious question as to whether or not Justice Douglas has been practicing law while a member of the Supreme Court. It is a matter of public record that the Justice received a thousand dollars a month from a foundation incorporated with his legal advice and assistance over a period of many years, all while still on the Supreme Court.

The Justice has also chosen to write for pay, while on the court, articles and a book, encouraging if not advocating violence to "restructure" the present Government of the United States, which he refers to as the "establishment."

In addition to the foregoing there have been serious charges that the Justice has written articles for pay for persons whose cases have been pending before or on appeal to the Supreme Court on which the Justice was sitting.

In these circumstances I believe that the Celler subcommittee should promptly proceed to implement the recommendations made to it for the taking of testimony pursuant to subpena and under oath in open hearing, or turn the investigating responsibility over to the select committee called for by House Resolution 922 and companion resolutions cosponsored by more than 110 Members of the House and now pending before the Rules Committee.

In this connection, the following article by James Kilpatrick appearing in tonight's Evening Star is significant; also a recent column by William Edwards from the Chicago Tribune.

The material follows:

[From the Washington (D.C.) Evening Star, July 7, 1970]

FORTAS SHOWED DOUGLAS HOW TO SPARE COURT

(By James J. Kilpatrick)

The longer one gazes upon William O. Douglas, associate justice of the U.S. Supreme Court, the better Abe Fortas looks. Fortas had the grace to resign. Douglas is adamantly staying on.

Some of the parallel circumstances doubtless will be developed by a House subcommittee now looking into the Douglas record. Meanwhile, a paperback book has just appeared, "Dossier on Douglas," by Allan C. Brownfeld, in which the case against Douglas is competently summarized.

Brownfeld's book, to give him a plug, may be ordered at $3 from the New Majority Book Club, 1835 R. St. N.W. in Washington. Unhappily, the work suffers typographically from the haste with which it was rushed into print, but Brownfeld's tone is moderate, not shrill. The author, a William and Mary law graduate, formerly was on the staff of the Senate internal security subcommittee. Here he has done a workmanlike job.

The parallels between Justice Fortas and Justice Douglas emerge with remarkable clarity from Brownfeld's report.

One of the charges against Fortas, it will be recalled, was that he engaged as a justice in extra-curricular policy matters unrelated to the law. Specifically, he was supposed to have advised Lyndon Johnson on Vietnam.

Douglas, for his part, also has involved himself in policies remote from the bench. He has publicly waged war upon the Army Corps of Engineers. He has urged recognition of Red China. In 1968, when Ernest Gruening was running for re-election as a senator from Alaska, Douglas publicly endorsed him.

Another of the charges against Fortas stemmed from his acceptance of a $15,000 fee for conducting a few seminars for American University. The university served, in effect, as a conduit for channeling tax-exempt private funds into his hands.

Precisely the same situation has obtained with Douglas in his role as chairman of the Center for the Study of Democratic Institutions in Santa Barbara. Here Douglas received fees of $500 a day for participating in seminars.

Still another charge against Fortas was that he once refused to disqualify himself in a pornography case before the high court, involving a defendant he had represented in the past. The companion charge against Douglas is that he refused to disqualify himself in January in a pornography case involving a defendant, Ralph Ginzburg, publisher of a magazine that paid Douglas for an article.

Fortas was charged with moonlighting as a justice by making lectures for high fees.

Douglas, for his part, is a frequent contributor to Playboy magazine, which reportedly pays the highest fees in the magazine field.

The most serious charge against Fortas—the charge that led to his resignation—resulted from his agreement to serve as a $20,000-a-year adviser to a family foundation created by financier Louis Wolfson.

There is no substantial difference in the matter of Douglas and the Albert Parvin Foundation. Between 1961 and 1969, Douglas accepted $12,000 a year, plus expenses, for services (what services, one wonders?) as president of the outfit.

There is, however, this great difference between the two justices. Fortas felt keenly about the reputation of the court on which he sat. The controversy over his role with the Wolfson Foundation, he concluded, would adversely affect that reputation.

"In these circumstances," said Fortas, "it seems clear to me that it is not my duty to remain on the court, but rather to resign in the hope that this will enable the court to proceed with its vital work free from extraneous stress."

It is the saddest part of the record of Justice Douglas, perhaps, that he cannot see the need for providing still one more parallel with the record of the departed Justice Fortas.

[From the Chicago (Ill.) Tribune]

Word for Douglas Case—Delay

(By Willard Edwards)

Washington, July 3.—The votes are available, in the opinion of Capitol Hill headcounters, to impeach Supreme Court Justice William O. Douglas. For that very reason, legislative veterans agree, the possibility of a vote before election day, Nov. 3, has almost vanished.

An impeachment resolution, entrusted last April to a special five-man House judiciary subcommittee, is quietly being smothered thru delaying tactics which mock the initial promise of action within 60 days.

The deadline for a report has now been postponed until late August, at a time when the House will be anxious to adjourn for the fall campaigning. The pressures will be heavy to put off a record vote until Congress returns next January.

Such pressures will come mainly from pro-Douglas liberals who have informed leaders that they cannot take the political risk of voting in support of Douglas.

They have pleaded for escape from a record vote. Their cries are being heeded.

Chairman Emanuel Celler [D., N. Y.] and Rep. William M. McCulloch [R., Ohio] head the special subcommittee, which is loaded, 4 to 1, for clearing Douglas of charges of misbehavior. They promised "neither witch-hunt nor white-wash" when given the impeachment resolution.

The subcommittee's only product thus far has been a 53-page staff study, stamped "Confidential." It is so secret that it has not been leaked to the press. Even the Republican minority leader, Gerald R. Ford [Mich.], who first raised the impeachment issue, had great difficulty in securing a copy.

The reason for this extraordinary secrecy became apparent when the document's contents were studied. It appears to be largely the handiwork of Douglas' attorney, former Federal Judge Simon Rifkind, and includes a slashing attack on the "McCarthyite" tactics of those who have impugned Douglas' integrity thru "guilt by association" with unsavory characters.

Rifkind, however, does not scorn to argue "innocence by association," noting that his client enjoyed the confidence of great men like the late Adlai E. Stevenson and John F. Kennedy.

Rifkind supplied a detailed defense to the charges against Douglas, which include practicing law for private benefit while on the bench; writing for erotic magazines; espousing revolution; and profitable connections with a foundation funded from Las Vegas gambling casinos.

He reportedly has been aided by a "board of strategy" consisting of two former Supreme Court justices [Arthur Goldberg, now seeking to be governor of New York, and Abe Fortas, who resigned under fire] and a former defense secretary [Clark Clifford].

In asking and obtaining the 60-day postponement on June 24, the staff noted that a huge mass of documents from government agencies must be examined before "final assessment of the validity of the charges." Such a "final assessment," critics note, is not the subcommittee's assignment. That verdict is reserved to the Senate, which sits as a trial court if the House finds probable cause for such a proceeding in the public interest.

For those interested in a scholarly, unbiased and fascinating paperback summary of this controversial case, "Dossier on Douglas," by Allan C. Brownfeld [New Majority Book Club, 1835 K St., N.W., Washington, D.C.], costing $3, is recommended. The private and public lives of William O. Douglas provide the ingredients for a remarkable tale.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore (Mr. Ashley). Under a previous order of the House the gentleman from Ohio (Mr. Miller) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The United States is the world's largest milk producer. In 1968 the United States produced 117,234 million pounds of milk compared to 68,343 million produced by France, the second-ranked nation.

CURRENT TREND IN STEEL IMPORTS HITS HARD AT SPECIALTY TUBING MANUFACTURERS IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. Clark) is recognized for 10 minutes.

Mr. CLARK. Mr. Speaker, at the recent midyear general meeting of the Welded Steel Tube Institute in Cleveland, Ohio, member companies expressed grave concern that unless the current trend in steel imports is reversed, domestic production of specialty steel products could be in jeopardy. Many of these stainless, tool and alloy steels and specialty tubing products are critical to national defense.

According to these leading suppliers of carbon and stainless steel tubing, the voluntary import quota plan in effect since early 1969 has created serious problems for specialty steel firms in this country. Although foreign producers have remained within tonnage quotas, they have steadily increased their imports of higher priced steel products such as specialty tubing.

WSTI members cited examples of increases in imports of specialty steel products in 1969, the first year of voluntary quotas when overall steel import tonnage was reduced as compared to 1968: alloy and tool steel imports up 16 percent; stainless imports up 7.7 percent; welded steel tubing imports up 3 percent.

This trend has accelerated in 1970. According to an AISI—American Iron & Steel Institute—announcement on June 5 citing U.S. Commerce Department reports:

> A shift in the product mix of steel imports has made welded pipe and tubing the most heavily imported steel mill product of 1970.

WSTI companies made the specialty items in this category, such as welded boiler tube, welded stainless pipe and tubing and sophisticated types of mechanical tubing used in metalworking industry. In 1968, 3,641 tons of welded alloy pipe and tubing—most of which is stainless—were imported. This jump to 5,682 tons in 1969 and during the first 4 months of 1970 accelerated to 3,713 tons, or an annual rate exceeding 10,000 tons.

Members in explaining the reasons for their growing concern, point out that specialty tube mills are expensive. It is uneconomical to build and operate a small mill since large tonnage production is required to be practical. Domestic manufacturers are capable of producing and supplying the entire country's needs, with surplus available for export. Now, with imports capturing a larger share of the U.S. market and with export markets decreasing, domestic manufacturers of specialty tubing are beginning to question seriously whether their share of foreign and domestic markets is sufficient to support profitable operations.

Mr. Speaker, the pertinent Government agencies involved should reexamine the voluntary quota systems and their effect on manufacturers of higher priced specialty steel items.

WATER POLLUTION—PART I

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, we are all deeply concerned about the pollution of our water, but often feel powerless to do anything about this contamination. In the Borough of Manhattan we are an island bounded by the Hudson and East Rivers. Daily more than a billion gallons of sewage and industrial waste are poured into those rivers. Industrial users by the hundreds throughout the State daily pollute our waterways. The ordinary citizen feels frustrated but there is something that can be done. There is a little known but powerful Federal statute known as the Refuse Act of 1899. The statute provides that anyone discharging refuse into navigable waters without a special dumping permit from the Army Corps of Engineers is liable to the extent of a fine of $500 to $2,500 for each day of pollution and a jail sentence of from 30 days to 1 year. I have written to the Army Corps of Engineers and have ascertained that no such permits have been issued. Since the inception of the New York State pure waters program of 1965, the State department of health has kept a list of such polluters. I have secured the names of those polluters and have called upon the U.S. attorneys in the southern and eastern districts of New York, covering the entire city of New York, vigorously to prosecute those offenders.

In my affidavit filed with the U.S. attorneys, I named the 10 polluters doing business in New York City who, as of January 1970, were listed by the State department of health as polluters of major importance. Moreover, they had done the least to abate their pollution. Since filing my affidavit, two of the firms which I named have had final abatement plans approved by the department of health.

It is important to note that under the Refuse Act of 1899 any citizen who provides the U.S. attorney's office with information that leads to a conviction is entitled to one-half of whatever fine may be set by the court. In the event I were to be awarded part of such a fine, I would, of course, turn it back to the city and State of New York for use in cleaning up our waterways. I would hope that Congressmen and individuals across the country would call upon the U.S. attorneys in their districts to prosecute these industrial water polluters. For those interested in having all of the material pertinent to that law, Congressman HENRY REUSS, of Wisconsin, Congressman MICHAEL HARRINGTON, of Massachusetts, and I have put together for our constituents an environmental do it yourself enforcement packet. I would be pleased to provide any citizen with it.

ESSENTIALITY OF CONGRESSMEN BECOMING KNOWLEDGEABLE OF NUANCES OF MODERN WEAPONRY AND STRATEGY

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include related material.)

Mr. HALL. Mr. Speaker, with the Soviet Union's recent buildup in SS–9 ICBM's capable of destroying Minuteman missiles positioned in their silos, and thereby reducing or destroying our "second-strike" capability; with the Chinese recent advancements in both hydrogen nuclear weapons and delivery systems—they exploded their first hydrogen bomb 3 years ago, June 17, 1967, and orbited their first satellite on April 24, 1970; and with the extremely essential SALT talks now in progress, it is most essential that all Congressmen become knowledgeable of the nuances of modern weaponry and strategy.

We still live in a world of nations who, as a matter of policy, are willing to resort to force in order to achieve their national goods and interests. As Congressmen we must provide this country with sufficient means whereby to resist the attempts of others to impose their interest over ours.

I, therefore include the following article which appeared in the June 20, 1970, issue of Barrons, written by Dr. James D. Atkinson, professor of government, Georgetown University, a member of the National Strategy Committee of the American Security Council, and a member of the British Institute for Strategic Studies, in the RECORD for the benefit of all:

TIPPING THE BALANCE: WASHINGTON MUST COUNTER MOSCOW'S GROWING NUCLEAR MIGHT

When former Secretary of Defense McNamara stated in September 1967 that the United States would proceed with a "relatively light and reliable Chinese-oriented ABM system," it might still have been possible to be moderately complacent about defending America from either a Soviet or a Chinese Communist missile attack. In June 1970 any slightest cause for complacency has vanished, although our people are not yet fully aware of the magnitude of the threat. In short, the on-going pace of military-technological innovation has become such that a country which forecloses defensive options in the nuclear-missile age places itself at the mercy of a country which is less scrupulous in the build-up of both advanced offensive and defensive weapons systems. And the Czechs are prepared to testify that mercy is currently in short supply among the leaders of the Soviet Union.

The pioneering study of the American Security Council entitled "The ABM and the Changed Military Balance," published in May 1969, was an excellent analysis of the growing Soviet threat. It was a warning signal of the necessity for a U.S. ballistic missile defense to prevent the Soviets from being tempted into launching a surprise nuclear strike on our country.

But although it pointed out that the Soviet Union had already surpassed the United States in overall strategic missile strength, the Soviets have pressed even more strongly since the publication of the American Security Council study. Thus, for example, the Soviet Union has test-fired double the number of strategic missiles compared to the United States from November 1969 to April 1970. And, ironically, November was the month in which SALT—Strategic Arms Limitations Talks—negotiations began between the United States and the Soviet Union.

An even more convincing argument for early deployment of the Safeguard ABM than the number of test missiles fired is the developing qualitative factor. The splashdown pattern—the technical terminology is the "footprint"—of recent multiple test missiles fired from the Soviet Union into the Pacific Ocean was approximately 60 miles apart. *And our Minutemen missile silos are roughly* 60 *miles apart.*

A convincing example of how the Soviets have been running while the U.S. has been standing still is given by the recent Report of the House Armed Services Committee, dated April 24 and released April 27, 1970. The Report points out that "in the past five years the Soviets have increased their strategic offensive missiles from around 300 to around 1,500 and have achieved a fourfold increase in the megatonnage of their strategic arsenal. The U.S., by contrast, is proceeding on a strategic offensive force level that was determined in the mid-1960s and in which no essential change has been made despite the change in the nature of the threat. In the comparable time frame, the U.S. has reduced its nuclear megatonnage by more than 40%."

The Report went on to state that "in considering these facts, it should be kept in mind that the decision to make MIRV a part of the U.S. Minuteman force was made in the 1965-to-1967 time frame. Since this step was considered appropriate and necessary for U.S. security against the then-projected threat, it should be apparent that the continuation of MIRV and ABM programs are but the continuation of deployment for a deterrent policy formulated on a global strategic threat of considerably smaller magnitude than that which now faces us. Despite this, the U.S. has not taken any further steps to increase its strategic offensive force. *There has not been an arms race; the Soviets have been running at full speed all by themselves.*" (Emphasis supplied.)

The Committee also gave the following figures, which graphically illustrate the speed of the Soviet strategic arms build-up: "Five years ago the Soviets had neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System. The Soviets have tested both types of systems and could have an operational version deployed. The U.S. has no such systems. Five years ago the Soviets had about 25 submarine-launched ballistic missiles (SLBMs) on submarines. The Soviets now have over 200 SLBMs and in the next two years could have over 400 to 500 SLBMs on Polaris-type submarines."

Ominously, too, the Soviets now have 64 ballistic missile defense launch vehicles actually deployed around Moscow, and are testing either a new ABM system or an advanced version of their present Galosh ABM system. By contrast, only two U.S. Safeguard ABM sites have been authorized and—unless we speed up our defense effort—these Safeguard sites will not be operational before 1974–1975.

Although the Chinese Communist threat is presently a lower-risk one than the high-risk threat of the Soviet Union, it gives us no cause for complacency. The Chinese Communists exploded their first H-bomb on June 17, 1967. It was apparently a sophisticated implosion type in the two-to-seven megaton range. The complicated electronic triggering and measuring devices that were required in this and in other Chinese tests were a warning that the Chinese were much further advanced in military technology than we had been led to believe. If any doubts remained, they were resolved when, on April 24, 1970, the Chinese Communists put their first satellite vehicle into orbit. It is noteworthy that the Chinese Communist satellite was heavier than either that of the United States or the Soviet first-launch satellites. We can expect, therefore, that the Chinese will have an ICBM capability well in advance of previous estimates in the West.

The high-risk Soviet threat, and the lower-risk but growing Chinese Communist threat, pose problems to the survival of the United States. The Soviets quite soon, and the Chinese Communists at a later time phase, will be able to hold a nuclear pistol at Uncle Sam's head. No amount of wishful thinking will make these hard, unpleasant facts go away. Those who still live in a world of dreams rather than the real world might well ponder the words of Soviet Party leader Brezhnev. On April 21, 1970, with the other 10 members of the Politburo ruling group standing behind him, Brezhnev made a highly significant speech, "The Living and Triumphant Cause of Lenin." He said that not only would the Soviet Union move forward in the present arms build-up, but that the policy of the USSR was to "equip our army with the most up-to-date weapons." In other words, both quantitatively and qualitatively, the Soviet goal is to become the mightiest military-technological power the world has ever seen.

With the rapid growth of the massive megaton pay-load SS-9 Soviet ICBM (220 operational now, and 60 being built) and its approaching multiple independently targetable capability, if, indeed, this MIT capability has not already been achieved, the locust years of complacency are ended. This is reinforced by the fact that the Soviet Y-class nuclear submarines, with Polaris-equivalent 16-tube ballistic missile launchers, are now believed to be operating off our Atlantic coast.

Surely no American would argue that we can put a price tag on the lives of our people. Yet this is what we shall do, if we ignore these threats. And, if we ignore the nuclear war threat, such vexing problems as air pollution and other irritants of modern life will have been solved for us. But the solution will be in rather a different way than we would like.

The urgency of the threat indicates the following courses of action for the common defense and the protection of the people of the United States:

1. The Safeguard ABM System. We should move forward more vigorously to deploy this land-based system on a faster time phase than presently contemplated. As we deploy the system, we have a solid technological base for refinement and increased reliability of ballistic missile defense, and we reduce the risk of nuclear war, a course of action on which all Americans would surely agree.

2. Deployment of a Sea-Based Missile Defense. A sea-based missile defense system (Sabmis) would not replace the Safeguard land-based system, but supplement it. The two systems are not in competition, but are complementary, since each would support the other. As the then Chief of Naval Operations and now Chairman of the Joint Chiefs of Staff, Admiral Thomas H. Moorer, testified before the Senate Armed Services Committee two years ago, the Safeguard and Sabmis systems are not competitive. He indicated, instead, that deployment of both Safeguard and Sabmis would constitute a "defense in depth mix" which "would be an effective combination to deal with future sophisticated weapons that Soviet and Chinese technology will be able to produce." Now, in 1970, we can see that Admiral Moorer's 1968 analysis was correct. Soviet and Chinese Communist technology is providing them with sophisticated weaponry.

A sea-based ABM would be a highly valuable addition to the protection of the American people offered by the Safeguard ABM, since it can be geographically positioned so that America can use the oceans to offset the land mass advantages which the Soviet Union especially possesses, and which Communist China has to a lesser extent over the United States.

An additional advantage is that a sea-based ABM defense would permit mid-course interception of missiles fired against the American homeland. This is especially important with reference to multiple warhead vehicles, since interception early in flight would permit killing the main vehicle before multiple warheads and/or peneration devices could separate from the main body. It may also be envisioned that knocking out some of the warheads in a mid-course interception would prevent overwhelming terminally-based defense ABM sites by the simultaneous arrival of several warheads.

We must be honest and admit that this would be expensive. But what Englishman would have refused to pay for air defenses in 1937, if he had been fully informed of the high-risk threat of air attack on Great Britain? In 1970 and beyond, the risk, as we study the continuing Soviet technological advances in weaponry, will be far greater for Americans than it was for Britons before the Second World War.

In 1937, too, Winston Churchill—even though he was a voice crying in the wilderness—told the truth to the British people. Who, in 1970, will give the hard but nuclear-war-preventing facts to the American people? Above all, who will put a price tag on the lives of the American people?

NUTMEG RAILROAD PROBLEMS

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the recent debacle of the Penn Central has emphasized the critical state of public transportation in the State of Connecticut. The Cheshire Herald and Wallingford Post recently published a column on this subject in which one of my constituents, Mr. R. L. McLaughlin of Cheshire, Conn., graphically stated the plight of the railroad customer who desires to use a passenger train in Connecticut today.

I have assured Mr. McLaughlin of my concurrence with him in his objective and I stressed my support in the past of Federal legislation dedicated to providing funds for the general improvement of our transportation and the establishment of turbotrain and Metroliner runs.

The Penn Central crisis has served to emphasize the predicament of our railroads today and it is my earnest hope that with this crisis freshly before us, even though the current bankruptcy has complicated matters, all concerned with this national problem will concentrate our efforts and work to bring about a long-term revival of our railways.

I am not now prepared to discuss in depth the question of Federal assistance, but certainly any help of whatever character that the Federal Government might consider granting should be conditioned on: first, the discovery and placing in office of competent and public-minded executives; and second, the maintenance and expansion of adequate, fast, clean, and reasonably priced railroad passenger service.

The column referred to, follows:

Please, Mr. Monagan

On this 300th anniversary of our sister town of Wallingford, let me appeal publically to our shared Congressman Monagan to please, Sir, save the railroad service at Wallingford:

Every morning 20 to 30 people come out of the Wallingford station—an architectural prize, by the way—and board the train at 7:35 for New Haven and Grand Central Terminal. There are no other stops. Actually this is the old "eight o'clock" out of New Haven and in more colorful times past was known as the "Bankers' "—the fast express to the city. It arrives in Grand Central at 9:25, a perfect train for a day's business.

Through the long travail on the old "New Haven", the Bankers' usually reached the city on time. The cars were dirty and jampacked and the ride was too rough for comfortable reading. But, basically, the thing worked. To return to Wallingford you knew you could leave Grand Central on the hour every two hours. In other words, trains left at 2:00, 4:00, 6:00, 8:00 and 10:00. All stopped at Wallingford.

THE INCREDIBLE YEAR

Then the Penn-Central took over and there was hope. Many of us thought passenger service would improve. But look what has happened to that hope. Although the Bankers' still stops at Wallingford in the morning and sometimes reaches Grand Central on time, only the 4:00 returns to Wallingford. Like it or not, the Cheshire businessman must take the 4:00. There is no real alternative. But look what has happened even to this train. Someone, somewhere down in the depths of the railroad changed the Grand Central starting time from 4:00 to 4:01. (What on earth for, do you suppose!) But what is worse, it no longer arrives at Wallingford at 6:05 in the evening as it systematically did when the much better New Haven ran it. Again, someone, somewhere in the depths of the railroad changed the arrival time to 6:14. This is bad enough. But in the last four trips I never arrived back by 6:30, so you can really see what the Penn-Central has done to passenger service after only a year. The fact is, they have all but ruined it.

OUR "NEW" NATIONAL RESOURCE

Our American enterprise system has ALWAYS had this rule: if it can be done adequately by private means, do it privately; if it cannot be done adequately by private means, then public means must be brought to bear. TVA could not have been built with private funds. The Post Office could not be run as a totally private firm, because you couldn't afford to mail a letter. We must now face up to the fact that railroad passenger service can no longer be a profit-making, private enterprise. How long overdue can a public need be?

I will make my case even stronger. The railroads in this nation were built privately at great expense by virtually every immigrant group. The Irish, the Italians and the Chinese served nobly in this enterprise, not to mention black people who immigrated long before. They were built from one end of this country to the other. They pierce into every nook and cranny of this great land. They are a rich and indispensible national resource. They should be taken over by the U.S. Government as a scarce national resource. These roadbeds should then be leased back to profit-making organizations that will use them. All railroad passenger traffic should be subsidized by the U.S. Government in the same way that the mail is subsidized. The passenger mile subsidy—which, by the way, virtually built our aviation industry—must be attractive enough to make railroad companies want to seek the service.

The railroads, which long ago were the image of plunder out in the West, have long since become the victims of plunder. They tried to compete against trucks which had all the flexibility, the lobbies and the tax benefits going for them. Virtually every small town in America, through which ran a railroad, saw the track right-of-way as a tax windfall. No railroad right-of-way should any longer be taxed—by anyone! Even if they are discontinued as railroads, these rights-of-way represent invaluable land for highways. They are level, longsettled, with small grades and mild curves. They will be indispensable as the traffic jam of future years builds up.

MR. MONAGAN, DO SOMETHING

Wallingford is celebrating its tercentenary. And we wish them all the best. We also wish their perfectly marvelous railroad station could be saved as a local architectural wonder. And we wish it could be again a place for coming and going. Mr. Monagan, go to Wallingford's celebration. And then go back to Washington and become the first Congressman to really try to re-build our railroads. Our country cannot do without them. Only you and your fellow Congressmen can save them

SUPPLEMENTAL VIEWS ON SOUTHEAST ASIA INVESTIGATION

(Mr. HAWKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HAWKINS. Mr. Speaker, I include herein the views which I have filed along with certain exhibits in their support:

Supplemental Views to Report of the Select Committee on U.S Involvement in Southeast Asia

(Submitted by Hon. Augustus F. Hawkins, committee member)

In submitting these supplemental views, I seek in some measure of proper balance to reflect the human and social dimensions of the investigation conducted by the Select Committee on Southeast Asia.

In my dissent on a number of matters, I believe the difference is accounted for in the greater emphasis I have given to views of South Vietnamese people, student leaders and religious groups as distinguished from the military establishment.

About Southeast Asia. U Thant was never more right than when he said: In times of war, the first casualty is truth. I found that what was cited as facts in Washington seldom coincided with realities in Saigon. And what we saw in the Vietnamese countryside seldom resembled what the central government told the people.

U.S. POLICY QUESTIONED

I am saddened but obligated to report that we are not winning the war or support of the people in Southeast Asia. The military is performing its mission well but within the context of a foreign policy geared to a conventional military victory instead of a political settlement. The United States emphasis is on getting more countries involved in the war rather than encouraging peaceful settlements with their neighbors.

The basis of that policy regards the conflict to be between communism and the "free world." Halting Red China, not achieving self-determination for South Vietnam is the United States official concern. Our policy is in direct conflict with the aspirations of the South Vietnamese who seek independence from all foreign powers and national pride. Most of the people are suspicious of our real intentions. They cite, when permitted, our support of corrupt, unpopular, military dictatorships who are for war as their means of getting American dollars and military backing to stay in power.

CAMBODIA

Our invasion of Cambodia is seen by many as another example of western imperialism. Great caution is warranted in describing the operation as a success since this depends on the objectives sought. The bulk of the Communists we pushed out of the sanctuaries are now occupying almost half of Cambodia's territory. The tensions we found in Phnom Penh and Bangkok certainly do not justify optimism that the United States military "success" has helped Cambodia and the rest of Southeast Asia. Everyone is now asking what will we do for a helpless nation.

Newsmen in Phnom Penh regarded our Cambodian operation as imposing on that country military and economic problems it cannot bear without massive United States assistance. The new military cost alone will exceed its current total national budget. Its revenues are almost shut off and its export trade interrupted. The North Vietnamese occupy many of its rubber plantations, a major resource.

Conflicting reports are heard in Cambodia concerning United States airpower already being in operation more than one hundred miles inland and in use other than "interdiction of supply routes." Cambodia can easily become our second "Vietnam-type mistake."

VIETNAM

In South Vietnam, we are ostensibly fighting for the self-determination of the people. Yet, every act of ours reflects paternalism: we direct their military, we select their political regimes, pay their armies, and even act as their negotiators. It was common throughout our trip to see American "advisers" answering our questions and even making the decisions while their South Vietnam counterparts merely nodded approval.

Mennonite missionaries in Vietnam in testifying before the Select Committee expressed it this way: "Vietnamese apparently see America as only replacing French imperialism; the feeling of being used still pervades their life and spirit . . . and causes nationalism to burn brighter among opposition elements."

That the "opposition elements" constitute a majority can be deduced from the last time a national election was permitted in Vietnam. Somehow, Ambassador Bunker's assessment of the situation of President Thieu as bringing "democracy" and effective government to Vietnam doesn't ring true.

ELECTIONS

In the presidential election in 1967, General Thieu won with only 35 percent of the votes cast which represented about 20 percent of the electorate. But this hardly describes the real facts.

Every conceivable means was used to suppress the opposition which was divided among many splinter parties.

Candidates and voters alike were prohibited from discussing relevant issues, including peace. Popular candidates were jailed for their views. Freedom of the press and of assembly were curtailed.

Much publicity is being given to the recent local elections for province and city councils as being fair and popular in voter interest. Actually most persons regard these local bodies as meaningless and without any real power and duties. The real power lies in provincial chiefs who act as military governors and are appointed by the central government in Saigon.

In my opinion the most troublesome aspect of the situation in Vietnam is the suppression by the Thieu-Ky regime of those noncommunist elements out of which a popular, independent, and peace-loving government can be created.

In a country where it is illegal to discuss peace, and where "neutralists" and "pacifists" are jailed for their views, there is little hope for much needed social change or ending the war.

Hopefully, I listened to such national leaders as Mrs. Tanh (Vice President of National Progressive Movement) who had been held in jail without trial twice for a total of over two years merely because she proposed a government of conciliation which would organize an election with all concerned parties in agreement.

Most productive was a personal interview I was granted with the venerable Thien Hoa, Rector of the Buddhist Institute and a leading force in the powerful Buddhist religion whose faith commands 87 percent of the people.

I listened as he described the people's image of the Thieu-Ky regime and of his peoples struggle for independence, nationalism, and freedom from outside forces. I marveled at his great insight and belief that a popular government, one not corrupt and evil, could stand strong and resist both communism and imperialism. Failure to use such powerful figures as this religious leader is one of the most tragic mistakes of the Thieu government.

With sadness, Thich Thien Hoa, described how such forces as the Buddhist, students, and disabled war veterans—forces upon which a sound anticommunist government could be built—were being oppressed, tortured, and jailed.

Significantly, therefore, there are alternatives to war being proposed by indigenous leaders whose voices are being suppressed by a government which stays in power only because it is supported by the United States. Is there any wonder then that so many South Vietnamese express the belief that if American military powers were withdrawn the people in Vietam could solve their problems among themselves.

As I listened to young students who had been arrested, tortured and imprisoned for expressing their opposition to the war and government corruption, I became more critical of what is happening to the people in Southeast Asia. At first, it was hard for me to believe the stories of detention, interrogation, and torture of those who opposed a corrupt government and an absurd war. On my last day in Vietnam, I decided to visit Con Son Prison in search of a truth I hoped did not exist.

CON SON

Con Son is a South Vietnamese National Prison located on a remote island in the South China sea. Four of us, Congressman Anderson, myself, a staff member Tom Harkins, and an interpreter, Don Luce made the trip. We were accompanied by the Director of Public Safety for the American program CORDS, Frank E. Walton, and other United States AID personnel. Our government furnishes a modest amount of aid for improvement of the national prison system.

On Con Son Island we were escorted through the prison facilities by the Commandant, Colonel Nguyen Van Ve.

After routinely visiting the more visible cell compounds, our group by virtue of unique and ingenuous circumstances observed certain areas of the prison known as the Tiger Cages in which are kept political prisoners who had the courage to express their belief in peace.

No one can possibly describe this compound except one who has experienced the brutal torture of these chambers. Attached to my report is a statement of persons who have. After observing the torture cells and talking to many of their occupants, I believe all that is reported by them.

The Tiger Cages are cells approximately 5 feet wide and 10 feet long. Five persons are crowded into this space surrounded by cement walls and floors on which inmates sleep. About a foot off the floor is an iron rod to which the legs of the inmates are shackled. Lying in this position for years causes a paralysis of the legs.

Occupants are fed a small portion of rice and a few dried fish, often molded, and always an inadequate amount of water which forces the prisoners through exhaustion to drink their urine.

At the top of the cages are kept boxes of lime which is sprinkled into the cages to quiet any noise or disturbance. More often, however, those who protest against their treatment are beaten by trustees who thereby earn special privileges.

In opposition to prison officials, we used the walkway atop the cages to interview various prisoners. Among them several students, a Buddhist monk, and an elderly woman 60 years of age who was blinded from beatings. None we interviewed had criminal records but generally had been imprisoned, often without judicial trial merely for participating in peace demonstrations. Although many were sick, medical care was practically nonexistent. The only merciful thing observed was a separation of men and women.

I described Con Son in some detail because it represents the evils of a government that can only stay in power by suppressing the people and limiting their constitutional rights.

Con Son is a symbol of how some American officials will cooperate in corruption and torture because they too want to see the war continued and the government they put in power protected.

Con Son dramatizes what war does to the countryside, the villages and hamlets that our planes and firepower have devastated and the thousands of civilians we have maimed, killed or made homeless.

Con Son is the type of "not-looking-at-our-own-faults-and-atrocities" that endangers our American prisoners of war held by the Communists. By exposing and opposing torture regardless of by whom committed, I believe we can best help those Americans for whom we plead humane treatment and a safe return.

VIETNAMIZATION, PACIFICATION, AND LAND REFORM

Much of the Committee's time was devoted to exploring the question of what happens if and when the Americans withdraw. Vietnamization and the pacification programs have been upheld as assuring a safe and viable society. Land reform has been cited as a means of providing self-help among the peasants who have either been displaced or relocated.

In theory, there is not much to disagree with the objectives of these programs even though the statistics seem inflated with unwarranted optimism. Statistics on pacification indicate an increase in American casualties since December and in the number of Viet Cong terroristic attacks. These may be temporary trends of course.

In the final analysis, I agree with the venerable Thien Hoa's appraisal of these programs, that their success depends on the quality of the government that administers them.

RACE RELATIONS

The militant young black soldiers in Vietnam is one of the war's touchiest aspects. I was always suspiciously regarded by top brass whenever I talked to black soldiers apart from their officers.

Even in the military stockade at Long Bien when I requested the opportunity to meet privately with soldiers from my own state, the group assembled for me did not contain a single black soldier although 61 percent of the stockade population is black.

When asked the reason for this high percentage, Colonel Jones, the Confinement Officer, himself a Negro replied: The black soldier is anti-establishment and anti-war. I suppose in this respect our black soldiers and South Vietnamese people are soul brothers. But other reasons may lie beneath; racial bias, unequal assignment, double standards, and a lack of understanding at the command level. I intend to explore further.

I can report our black soldiers are fighting with gallantry. Thirteen percent of battle deaths are black . . . Many raised questions about conditions back home. They spoke cynically of violence and discrimination against blacks in America. Many sent messages to their families that I will deliver in person.

In barracks everywhere I noticed a great variety of black pinups that displayed not only genuine beauty but pride and black awareness that in a subtle way indicated a new manhood.

Many fine directives on human relations were evident and I interviewed members of human relations councils in various command areas. Although non-minority personnel were generally of good intentions, I often sensed a lack of communication and sensitivity.

I strongly urge appointment of black civilian personnel at top level in the Department of Defense whose duties will involve monitoring and making more effective these human relations councils and assuring equal opportunity and treatment.

PRESIDENT THIEU

In our visit to the Palace and interview with President Thieu, I was struck with what can best be described as a smug and pleasantly-indefinite attitude. Two of his statements seemed highly important in being imprecise, one:

"I cannot say when the last United States soldier will leave. I believe we can replace them in 1971 except some for logistical support of United States bases."

The other as I recall was this: "The North Vietnamese are tired and don't want to continue but they may have been pushed to invade Vietnam and beyond, and they are pushed to continue the war, to continue their mission of 'liberation.' It is difficult for Hanoi to admit they were wrong."

Somehow this last statement does not exactly fit an enemy that was often described to us as "hard, cruel, and a tough fighter," or these words to be those of a seasoned military general.

Unlike Cambodia's Lon Nol, President Thieu seemed more irrelevant to his country and to his people's needs and I am not sure which of the two I may be doing an injustice.

A third dimension is added to an understanding of the nature of what we face in Southeast Asia by the many dedicated workers of volunteer agencies operating in Vietnam.

One such individual is Don Luce of the Fellowship of Reconciliation and former head of International Voluntary Services in Vietnam. Mr. Luce, who was our interpreter on Con Son, has done an outstanding service in revealing "the repressive nature of the Thieu-Ky regime which claims to be our ally in the search for peace." (See Congressional Record, June 8, 1970, page 18820.) Mr. Luce described to members of our committee his personal experience of many years in Vietnam the brutal torture used by Saigon police to stifle dissent against the war by students.

In sharp contrast but of a contradictory nature was the testimony before the full committee of General Ainsworth of World Vision, another volunteer agency. The following are excerpts from his presentation in respect to my questioning him on the extent of the student unrest after he had charged "only a negligible number was involved":

Q: Back to student unrest. Only a few hundred students: Are you saying that these individuals closed up all the schools for two months? Your statements seem to be in very sharp contrast to insertions in the Congressional Record about repression by the Government of students participating in dissent. There has been an indication of a very strong movement by the government to crush student unrest—including torture. How can these two things be reconciled?

A. I believe that out of the 50,000 students you would get a very small percentage (of students participating in dissent).

Q. Why were the schools closed for two months, then?

A. I believe that this government is so afraid it will be criticized by opposition for being undemocratic. The schools were closed because the students were throwing rocks at people who were going by on the streets and burning Hondas.

Q. Do you know if the allegations of prison torture are accurate?

A. That also happens in the United States, in Arkansas, with people being killed and buried. Is there any difference?

Q. Yes there is a difference when it is sanctioned. Do you know if the allegations of prison torture are accurate?

A. Imprisonment in the orient is not the same. I don't know, but it is possible.

Q. Do you think this police force is generally cruel to the people?

A. I do not believe that these police are purposefully cruel.

Our recent "incursion" into Cambodia complicates the whole process of our withdrawal from Southeast Asia for this tragic "strategy" mistake involves us more deeply in the internal affairs of other nations.

Basically, however, it is South Vietnam and how we deal with this question that will determine both our role and our image in Southeast Asia, for the Vietnamese represent the plight of millions of Asians whose lives have been bitterly affected by colonialism. It is Vietnam that will always be on our conscience and serve as our test of world leadership.

Certainly the United States' involvement in the internal affairs of nations in Southeast Asia has caused enough suffering in the world and created too many divisions among its own citizens here at home. The vigor and respect for us of our youth are being destroyed.

As the world's most powerful military power, we can with dignity become its strongest leader for peace. Our deeds, however, must match our words. The first step is to withdraw our military from Indo-China and leave its peoples to determine their own way of life.

EXHIBIT IN SUPPORT OF VIEWS

CON-DAO PRISON

To: Our Fellow Countrymen, Distinguished and Notable Guests, Fellow University and High School Students who have already been in prison and who have not yet been in prison, including also the fathers, the mother's the older brothers, the younger brothers and sisters, the young friends of all the prisoners in all the prison wards of South Viet Nam.

(Report of five students who have been returned from Con Dao Prison. They were released from Con Son Island on May 25, 1970)

Distinguished guests, Deputies, from the Joint Committee on Internal Affairs and Justice of the House of Representatives, dear friends, student representatives from the Saigon Student Union, the Joint Council of the Faculties of Hue University, and the Can Tho University, Chairman of the Committee to Oppose Repression of University and High School students, Chairman of the General Confederation of High School Students of Saigon, and close relatives of the prisoners on Con Son Island.

If we had to report to you everything about Con Son Prison, a prison which was established in 1939 and which has experienced many cruel regimes, colonialist, fascist, French, Japanese, and the one existing today, it would be impossible to do so.

To report about the existence of the more than 10,000 prisoners on Con Son Island, we are not yet able to act as their official representatives. So we only intend for the present, to simply report to you about a small portion of the situation of the prisoners on Con Dao, based on those facts from our own experience, we being the principle victims of a system they call "Re-education", a system we lived under, endured, and suffered under for the year and more just past. We are prepared to testify in more details before any agency related to the government about the incidents, the affairs, the facts which we report here.

We appeal to the enlightment and the frankness of our guests and honored deputies, those remaining people in this regime that we can still believe in. We hope that with the help of your spirit, guests, deputies, distinguished persons and our brothers who have been in prison, as well as those who have not yet been in prison, we can eradicate completely all of the evils of the prison system, and re-establish justice and reason for all those people who have lost their freedom.

We also call on all the communication media, both in and outside of the country, particularly the Saigon press, to print this report which reflects accurately and fully the prison system of Con Dao, though this is only a very small part of the infinitely tragic situation that has existed there for many years.

After being beaten and held in the Central Police Headquarters for more than 2 months; and having appeared before the so-called "Field" court; and having received a sentence of imprisonment from 2 to 3 years based on a prepared statement, forcibly signed after many beatings, the members of the Field Court could find no way to clarify what they called our "crime" except by calling it a "disturbance of national security" as the government had already decided in advance. The frankness of our self-defense before the members of the Court was met with threats from the Military Police who also escorted us wherever we went, revealing their violent intentions in the face of and with the consent of the men on the bench (that is, the Field Court) who chose to ignore what was happening. The right of self-defense of a person convicted on no grounds, as we had all been, was rudely denied. The arguments of the Government Commissioner now only revolved clumsily around the words, "stubbornness, stubbornness . . ." and we were sentenced for "2 years imprisonment, 3 years imprisonment." Today we have returned for all to see. What do those sitting on the bench think of the sentences which they have passed in the name of justice. What does the government think of the years we were ill-treated in their prisons, of the months we were tortured to confess in the police stations. I am sure you know whose responsibility it is.

After being held for many months "imprisonment" in Chi Hoa prison, it was decided by the Prison Master there to transfer us to "hard labor." His intention to transfer us resulted in deportation to Con Son Island. Of course we could never accept this sentence, especially as he had decided by himself to change the sentence from "imprisonment" to "hard labor." Without warning, the Chi Hoa Prison Master sent us off to the island in an enclosed truck aboard a Navy boat #403; our legs shackled from the time we left the vessel and arrived on the Island, where we were welcomed by more than 300 Prison Orderlies (These are the prison's beating-specialists). We were forced to keep our heads bent down toward the ground and were hurried off to the prison ward amid sounds of rude cursing and swearing, amid the whipping rods of the people welcoming us. "This is Con Son, boy, do you hear!" "The Last Place They Will See." One old man, over 60 years old, from Bien Hoa, could not keep up as we went along because he was so old and weak. The orderlies beat and kicked him, rapped him on the head with a cane. "Be smart and you'll live." "Slowness Means Being Whipped, do you hear, boy?" The old man was beaten numberless times and suffered more than anyone during the welcoming that day. After one day in the prison ward they sent us to the Tiger Cage where our legs were shackled together from that day on, until we left the Island.

This is a room, or more correctly a small cage about 3 meters (10 feet) long and 1½ meters (5 feet) wide, in an area separated from the other cages by many walls and totally isolated from all life outside. They threw 5 people into this narrow cage. On the average, each person had only about 2 hand breadths of space in which to lie and live. The legs were shackled and held high day and night—even while eating, sleeping, washing—fastened to a metal rod about 4 or 5 meters (14 to 17 feet) long. They forced us to lie in silence; we couldn't sit or stir in this hot, narrow, dark cage. The cages are separated by stone walls more than a meter thick. A small door is kept tightly shut all day, except for a few minutes when it is opened and reclosed during meals. Above it are metal bars running horizontally lengthwise, with a small space or passageway left for the orderlies who make regular checks. We had to lie there all day. Sitting or standing (during the first months) was not allowed. We only had to murmer one or two words ever so softly under our breath and we had to pay for it with the cruel lashings of the orderlies, as ordered by the Administration of the prison. Even when the latrine barrel was open and leaking all over so the floor had a pasty covering, we still had to lie quietly and endure it. The tile roof had leaked for years and never been repaired, and during the rains the water poured down into the cage, not to mention the sand pebbles, and blinding dust that came in on windy days. The ground where we lay was uneven, rough, bumpy with sand, pebbles and dirt since it was many years since the last time it had been cleaned. We were kept here continuously for the first four months. They now throw girls and women prisoners into these places.

The second place was the Cow Cage. This is a prison, located near a cattle feeding shed from the days of the French, which was built by the government in 1970. It was no different from the Tiger Cage except that it was bigger and hotter, 17 people being all thrown together into one of these cages. We were put in chains, and existed as before. Let me describe here what sort of food the government reserved for us.

The food regimen was officially determined for the more than 8000 prisoners in the various locations, wards, and underground cells, according to the various categories of prisoners that the government has set up here: military prisoners, political prisoners, general security prisoners, female prisoners (including children) and more than 2,300 prisoners whose cases were being reexamined.

We want to affirm clearly, at the beginning, that all year round our fellow prisoners are continuously and regularly given just 2 main things to eat, namely fish sauce and a dried fish, along with rice. This was all decided by the Administration, the quantity always being limited and regularly insufficient, not to mention the quality of the food we had to eat.

Besides the matter of allotting an insufficient amount of rice, there were many other ways of keeping us hungry, such as making us eat very fast (so it was impossible to eat much or enough to make us full). Specifically, in the Tiger Cage we were given 3 minutes to eat. A second way was to cook the rice and gruel so it was pasty and liquid, which rapidly filled your stomach so you could eat no more, but then even more rapidly left you hungry again, only an hour or 2 after eating. A third method the government used here to limit the prisoners' rice consumption was simply that most of the rice was mixed with sand and pebbles. Until the prisoners stand up to demand a re-organization of these conditions, they will continue to have little to eat and must accept a state of endless and constant hunger.

Finally, as you know, rice and gruel can't be eaten alone, but must have some flavoring to help get the rice past the throat, but here there was nothing but one kind of dried rotten fish that the prisoners all call dried Quinine because it is so bitter. People in the South of Viet Nam often buy this to use as compost for plants. Even among the most miserable Vietnamese or the people of the most remote minority groups, I have yet to see anyone use it for either human or animal food. There is no word that can adequately describe the quality of this dried Quinine. This dried substance was brought to the island in great quantities whenever it was selling cheap. They stored it for long periods, from 3 to 6 months, which made it even more bitter and decayed. If there was a little oil they half-fried it, if not they boiled it by pouring on a scalding liquid to make something called "stew"; if there was not enough they poured in more water. At times they roasted it until it was burned black like a piece of coal. For this reason, only prisoners know how to find the saltiness in the bitterness of this dry rot; choked with tears, they swallow the rice grains, washing them down with resentment.

Aside from this dried quinine, there was also a "fermented sauce stirred into plain water." So much water was added to the sauce that you could only see a bit of shrimp residue barely coloring the bottom. We still remember many times when this food was brought into the cage it made us nauseous enough to vomit. So our deepest wish now is to eat rice with some grains of salt or sprinkled with a little salty water. That is enough to make it seem delicious. They only gave us salt a few times when they were in a good mood. But if they happened to be in a bad mood when you asked, you were liable to be beaten, as was one of our friends here who was called up to the Specialist Section and beaten and required to testify this past May 16th.

All year, month after month spent in the cage, not once did we ever see a bit of green vegetable or anything that could have been called fresh. Only a few times during New Years (the day when love appears among people). During the New Years holidays we only received a special piece of fried pork fat as big as the end of your finger. We understood that this piece of fat was no bigger now because it had "evaporated" enroute, through the intermediary hands of the orderlies, the organizers, the overseers of the prison. For lack of fresh food over a long period of time, most teeth became rotten and loose, even the biggest and hardest teeth. The only way to solve this condition was to find some leaves to eat, even if they were those distributed later to use to go to the bathroom, but which we had temporarily and painfully to call the "vegetables" of the Administration. Or we could look for insects, crickets, fleas, flying white ants, beetles, and even lizards, unfortunately flying past the prison door or unintentionally chased and falling off the top of the wall. We ate them alive, biting off and sharing pieces, saving some for the weakest among us who had never once in all these years been given a vitamin pill or eaten a bite of vegetable leaf that could serve as vitamins.

In order to get some vitamins or something fresh, sometimes after being called before the Specialist Section for a beating, though totally exhausted we tried to pick some blades of dry grass growing near the road and stick them secretly under our arm to bring back to the sick prisoners. That was the only "fresh" thing that we were ever able to get for food throughout that whole year, month after month of dried rotten fish and watery sauce.

We ate and drank only twice a day, first around 8 a.m., which we called lunch, and then again around 2 in the afternoon which we called dinner. The time between the afternoon and next morning's meal was 18 hours, out of the 24. They only gave us water to drink twice a day along with our meals; each time we received a small sweetened condensed milk can about one-third full of water. Since it was so hot and humid all year round in the crowded and dark cell, we mutually quenched our thirst with our collected urine. In the first terribly hot months our throats were so dry we could'nt swallow any rice, the esophagus and tongue got numb from thirst and there was only one other kind of water to be had, the water that remains from the latrine barrel after it had been roughly rinsed out. And so we had to use this unsanitary germ-ridden water because of the cruelty of the chief of the specialists and the tight squeeze of the prison orderlies, and we were prepared not to tolerate or submit ourselves to them though we had to accept germs, though we had to accept sacrifice.

Due to these conditions of eating and drinking, most of us were sick, in addition to the symptoms we had after the savage beatings of the prison system. Some had stomach trouble from eating too fast and from eating the mixture of sand and pebbles, or suffered from chronic dysentry from having to drink cold water as we did in the Cow Cage. When we were sick like this, or physically exhausted, or when we could not eat at all, the problem of reporting this and getting permission to eat rice soup was very difficult indeed. Each sick person could only have a small bowl of rice soup and he had to talk endlessly before he even got that. If he reported he was sick and still got no soup, he got so hungry he had to stave off the hunger by eating a few spoonfuls of the gruel of one of the other prisoners beside him, knowing that if the orderlies caught him he would be beaten with a rod until he would have to give up eating for many days . . . as happened to one of our friends here who was beaten by an orderly who used his elbows and knees to pound him, and as happened to someone on a day in September 1969, because he had eaten one spoon of rice that a fellow prisoner had saved for him when he was sick. Though he called out, "I am sick. Why do you keep beating me so?," the orderly did not cease striking him except to answer shortly, "You're sick. Then let me beat you to death."

To sum up the issue of food and drink, we constantly were in a state of insufficiency, misery, and—compared with an animal who has someone to feed him—we were much worse off, even if you don't consider the savage beatings we received as compared with the lot of a family pet. But still we continued to endure this for more than 13 months, because we dared oppose the injustice and beastiality of the individuals who belong to the cruel government of Con Son Island.

These living conditions were all created by the Island Master and his committees, and the causes of these conditions originated in a policy called "5 year plan for economic self-sufficiency" which Mr. Le Canh Ve drew up in 1964. In direct requests, the Island Master began going around the usual contractor because he found that otherwise he could not divide things up and get as much as he wanted. On the economic self-sufficiency theory it was easy to deceive and flatter the government on the mainland. And he achieved the goals of his policy by exploiting the prisoners, limiting their food and drink, letting his men distribute the food supply, over which he held a complete monopoly, as they wished; he could arrange for supply any way he wished, he could grant anything he pleased. And at the end of each contract bid term, he didn't have to laboriously run up and down conniving with the contractor like the other Province Chiefs did before him . . . In this way Mr. Le Canh Bo was filled to overflowing on the starving, suffering, needy bellies of more than 8,000 prisoners.

Many times when the prisoners stood up and demanded an improvement in their living under the dynasty of Mr. Ve, it had seemed that a fierce accusation of the policy of economic self-sufficiency he had created, which meant a direct collision with his interests, was always answered by the Island Master with beatings by the group of specialist orderlies and security orderlies that he had set up and supported. Many unscrupulously corrupt Province Chiefs in South Viet Nam who exploit the very bones and marrow of their own countrymen, have been protested by the people in favorable situations, but still succeeded without suffering revenge. The case of uncovering the unscrupulous corruption of the Province Chief of Con Son was not so easy, because the struggle of the prisoners could be labeled a "revolt," "Communist rebel struggle," "prisoners daring to resist," by the Province Chief and his friends. Thus their suspicious activities continue over many years concealed from the eyes of the Saigon government and from public opinion despite the hatred and anger at injustices of the prisoners and all the people.

All this time the ration allotted to the prisoners was never made clear to the public. The Con Son government has put the blame on the Ministry of the Interior. Since the Re-Education Center has not granted them enough, the prisoners must accept their lot. Thus every struggle to demand an improvement in the life of the prisoners has no base to stand on and is always accused of "violating internal regulations" and is thus punished. Ultimately only 2 solutions were left to the Con Dao prisoners, namely to:

Surrender and submit themselves to the cruelty, and live forever a miserable existence, slowly dying in need and oppression until the very end.

Or continue the struggle by voluntarily sacrificing so that ones fellow prisoners could live more easily than before, though it was necessary to sacrifice ones body, go on a hunger strike to the death, slit ones stomach, or disembowel oneself, in order to force the Island Master and his cohorts to find solutions to the minimum and simple aspirations of the prisoners (as happened on May 14, 1970, in the 4th Ward, where an unsuccessful request was made to meet with the head of the Specialist Section in order to demand a solution to the food problem of the prisoners.).

Besides the "Food" problem, we also had to cope with a modern method of "Washing" that came out of the Con Son Prison Masters many years of experience in overseeing the prison, as well as the extraordinary code of "Dressing" practiced in the prison in the Tiger Cages. We called it "bathing in shackles" and "dressing stark naked, at least nearly so."

The day they first pushed us into the Tiger Cages, our clothes, money, and medicines and all the other things an individual finds essential were taken, put all together and simply appropriated immediately by the orderlies, following the orders of the Administration. They purposely created a situation where everyone's individual material possessions were all mixed up, using the pretext of having made a mistake in order to rudely steal from us. They deliberately recorded incorrectly the amounts of money they kept from us because a criminal in the "discipline cells" has no right to possess money. So each prisoner had to bear a loss of anywhere from 100$ to 1500$ piasters, which was a lot of money for us. And the grand total of all this stolen money was not so small considering that there were over 1000 prisoners that they called "isolated" prisoners. A classical example, in my case I lost all my clothes, and possessions, including all the letters that my family sent. How can one tolerate a situation of injustice and robbery right in the place that the government calls a "re-education center," a "reformatory." If we complained then the overseer whom we called Mr. Chin Rong issued the order for a merciless beating as revenge for our complaint which he called "daring to protest" (in the case of university student Nguyen van Chin). Sometimes the complaints were ignored and left unsolved as in the case of Mr. Nguyen Tuan Kiet and Mr. Tran van Long, not to mention all the other prisoners who have had similar experiences.

We still continued to struggle and complain about their oppressive, barbarian and inhumane actions until the morning we were returned to mainland. Only then did we get their answer: "You already have your freedom; what are all those little things you lost worth compared to that." How ironic and bitter is the price of freedom for a prisoner.

We could only keep one outfit. In this single outfit we had to pass all the terribly hot days and months, as well as the months of winter on Con Dao when the cold penetrated us to the very bone. There were no blankets, no sleeping mats; we lay flat on the earth floor, our skin covered with ulcers from the gravel we lay on for long days and months. As for washing, during the first months (April, May, June, July) we were only allowed to wash once a week, and then our feet were kept chained to this short metal bar. We sat together and the orderly poured a tub of water over the 5 of us. Naturally the water never got our whole body wet. Moreover, during the past 13 months, washing our mouths or brushing our teeth was unheard of. Brushing the teeth and washing the mouth was something the authorities, the "discipline" keepers, absolutely forbade us. We couldn't even go to the bathroom; for toilet paper we had to use a small scrap of cloth ripped from a shirt or pants pocket, which we carefully washed out with urine so it could be used again and again.

Living under these conditions of eating, dressing, and shelter, the prisoners had to endure confusion and serious disease. Food was inadequate, beatings were regular, feet were shackled day and night. Most of our fellow prisoners in the cages were paralyzed, on the average 2 out of the 5 persons were paralyzed, not to mention the number suffering from chronic dysentery (resulting from the drinking water); tuberculosis due to long-term physical exhaustion; stomach disorders from the beatings by the orderlies, from eating sand and pebbles, from eating too fast; gangrenous feet from a lack of vitamins; and endless other diseases and medical problems such as mumps, swellings, etc. Medicine was dispensed as the person in charge of medical problems was inspired to do so. Here, every time we wanted to ask for medicine we had to wait until we were in agony and then we generally only received a few aspirin tablets. Any medicine more valuable than this was all hoarded by the orderlies and their accomplices in the administration and was taken away and sold. The situation now is even more tragic than when we were in the Cow Cage around February, March, April, May of 1970. Weakness, pain, or the effects of beatings over many days and death during the subsequent period was nothing unusual.

No matter what medical problem the prisoner has: T.B., diphtheria, . . . he is still thrown in with all the others who are not sick, all still eat out of the same bowl, sleep together, shackled to the same rope. We know of no other place on earth where human lives are so cheap as in Con Dao, to the degree that the government and the orderlies there dared to state openly to us that "If you die it only costs us a piece of paper." A sheet of paper which they call the announcement to the Re-education Center of the Ministry of the Interior. This evidence can serve to help you all see clearly what our conditions of life and death were like.

Medical problems on Con Dao were entrusted to a lieutenant in the medical corps. We had heard his name, but never once did any of us see his face, even though we were taking our very last breath. Seeing this Doctor in charge was a remote dream for us political prisoners because, in the name of this ideal or that ideal, he avoided having to treat directly these people he called V.C. . . . especially the sick who were in agony and really needed him. Thus medical work was entrusted to people under him: Some were truly capable but lacked the needed medicines and supplies; others had just studied their profession for 2 or 3 months and only understood the names of drugs. There was one male nurse one time who was very capable and wanted to cure us of our diarrhea and asked the administration for more drugs. He was suspected of being an accomplice of the V.C. and could have been thrown into the cells too for doing something like that. Though we were dying, the medicine our families sent us never reached our hands, for the simple reason that we were being disciplined and could not receive pills. Many people have died in spite of the piles of medicine their families sent them, which was kept stored in the warehouse of the specialists.

Deputies, student representatives and relatives of the prisoners at Con Son.

Through our report of the Con Son government's treatment as concerns our food, our diseases, the squeezing of our means and their robberies, the shameful acts of the Province Chief and his fellows, we hope to have given you some small views of the prisoners' life at Con Dao. The corruption of the Con Son government has not been reported despite the bitter resentment of the prisoners who have lost their freedom and who have been in agony. These facts are not as barbarous and violent as the beatings, repressions, mental and physical terrorisms they carry out on us. To perform these cruel scenes, special committees have been set up. The security-committee, responsible to the province chief has at its head a proctor, with "3 grades" named "Mr. Chin Khuong", his assistant, "Mr. Chin Rong" directly commands over a thousand orderlies who specialize in beatings. The office of beating is near Camp 2, area with its stores of lime powder, canes, chains, shackles and other equipments for torture. Whenever the prisoner is tortured and beaten, he must sign under the following statement: "Not being beaten at all" and similar statements such as "the dried fish are deliciously fried and we prisoners ask for more" in case of food problems.

In order to explain the silent and subtle killing "machine" and the violent barbarian beating "machine" that the Island Master set up, we will successively report the following situations.

Being political prisoners, we sympathize with and feel pity for the fate of our fellow-prisoners. On the other hand we feel broken hearted at the sight of some prisoners who work as "orderlies", order and security specialists, which we recognize, are part of the terrible policy of "division for government" by the Con Son government to crush the prisoners. A most painful case publicized by the press, was the death of 7 prisoners on May 31, 1970, most of them political prisoners. The rest are seriously injured and in agony. At Con Dao there are a number of prisoners convicted of robbery, killing people, and raping who are sentenced from 5 to 20 years of hard labor, and death punishment. These include military culprits who could have been re-trained, by the government in order to participate in the equal life of the Vietnamese community. However the Con Son government encouraged their cruelty and barbarism by giving them the title of "Order Guard" of the prison. They use materialistic means and allow a certain indulgence to attract and increase the cruelties of the "Order and Security" prisoners, while they could have ended these acts.

Some of the prisoners who were attracted by these materialistic means, once again sold their soul to take the responsibility of "keeping the order". They are used as reformative cadres because they directly beat and control the lives of prisoners in the various prison wards and cells. Their inhumane acts of beating, of killing and disposing of us increase the "prestige" of the administrators, and the confidence and favors on the part of the authorities. They have much hope of having their sentences reduced through the report of the Administrative Committee that "they behave well". Thus the orderlies' killing actions were easy activities, even pastime hobbies.

The Con Son government's toleration of these barbarous acts of the orderlies encourages their bestial desires, most clearly, through the acceptance of their lusty activities: visiting the prostitute houses, injection of marijuanas and opium and gambling. This type of life has been and is still being public at Con Son. Smuggled opium is bought through the intermediary of the proctors. Gambling is tolerated by the upper proctors. Prostitution is provided by a series of girls. The orderlies fight in these activities, sometimes even killing each other. With the support of the Con Son authorities and with their assigned positions, they publicly grab our money. Some of them possess as great a sum as 4 or 500,000 piasters from these "activities" (as is the case of the orderly Tam Kinh) or are released after having been able to kill too many political prisoners (as is the case of Muol Mau).

The Island Master and the heads of the committees protect these acts that they themselves have planned, and destroy the evidences of robbery and acts of cheating the prisoners of their food ration in order to raise poultry for their own benefit.

At the island, a prisoner who wants to buy something must get it through the order-committee, i.e. through a "filter" who fixes the price of the items. The prisoner has only a choice either to buy it or not, either to need it from the prison or not. Money coming from the prisoners of the tiger-cages may reach a million piasters, and this is freely divided among the chiefs. Prisoners who want to get the money they had or the money sent to them by their families run into many difficulties, some of them have had to fight and sacrifice their lives in order to get it.

With the support of the government, the orderlies have a new profession: that of killing people without being accused, that of torturing which was reserved only to the secret police, that of reformative cadres of the prison and the Administration. A more tragic profession is the acting as a health assistant. Such is the case of Mr. Pham Van Mong, who, after having beaten us to death, is now assigned the job of health assistant in order to try medicines on us and use us as experimental animals, shooting needles into our bodies in place of the previous clubs on our heads. Of course, we never forget the devoted help of the doctors, health assistants who are here as political prisoners and who, despite suffering and continuous threats by the authorities, still manage to give cure to many of us. We also do not forget some of the orderlies who still treat us with some sympathy. We can never forget their grace. Some of them were barbarously beaten by the Administration when they tried to help us.

Once again, we are thankful to their sympathies and help for us. On the other side we are forced to accept the daily cruelty and the insults. Some of them use the most vulgar words and in our struggles for improvement of conditions some of them have become torture-specialists by applying lime powder on our bodies so that some of the prisoners are choked and vomit blood. The orderlies are equipped with masks and gloves while beating us. In one of the most typical and recent cases in December, some women political prisoners were covered with lime powder and two of them were beaten to death. Each 4 orderlies are in charge of torturing and beating one of us as in the case of February 28, 1970 at Camp, where the repression was carried out under direction of the proctors Tha, Chin Khuong, Chin Rong and high ranking officer named Duc. On May 5, as we asked to see the head of the committee for improvement of conditions, we had to decide on the last means of struggle—that we were ready to accept death through a non-violent protest: an unlimited hunger strike. The strike lasted over a week. Still we could not see Mr. Chin Khuong. He remained indifferent to our minimum and just demands. One fellow prisoner, Mr. Ho Van Chin, 23 years old, of Dien Ban district province of Quang Nam sacrificed himself in this struggle. His corpse was robbed and his death was given a falsified reason "dead because of illness" with the complice of the health service and the police department of the Island.

Under the direction of the Island Master Le Canh Ve, we are constantly under threats of being beaten or killed. Just an act of unbuttoning your shirt because of the heat, or a noise caused by your leg as you unvoluntarily move it under the chains, or your not bending the head as you pass the office, and you are punished with a series of beatings and insults for the reason of not observing the rules of the center.

Here, the orderlies have the opportunity to use the modern ways of the hooligans which have the name of "Rubbing the Heel", "Crushing the Pepper" or "Used Bolts": they use their feet, or long heavy sticks which were used to bar the doors (called Red Bars) or iron bolts to hit on our heads and necks, especially on the weak parts of the body. Besides this, they continually keep us under shackles. In the past year, we were free from the shackles only for 8 days, 4 days at New Year, 3 days at Wandering-Soul holiday, and one day before we returned home. This "grace" to the prisoner is very valuable as we were at ease being able to move our legs when we slept after days and months of being paralyzed. We always remember these feelings and are grateful for those who have created these holidays, to save the conscience of these people here who have lost most of their human qualities.

We had the "opportunity" to be under two kinds of shackles belonging to two different periods:

Shackles of the period of the French colonists which are round and smooth under the legs.

And shackles of this period which are made of F.8-iron provided by U.S. aide for the construction of houses. These iron bars are shaped to the form of shackles. They are full of sharp, pointed thorns which cause violent pain reaching to your heart and brain when you have your leg under it. Later, these sharp teeth cut the legs and make painful wounds around them: each time he moves to one side or the other, is a misery for the prisoner. Such is the shrewdness and cruelty of this present regime and of F.8-iron aide.

As for the prisoners with hard labor sentence, whenever they struggle to ask for more rice and salt, they are punished by the "disciplinarians" who shut them up in cave-cells.

The shape of the caves is a half-circle. It is very narrow, without enough light and air for 10 people jailed together. The prisoners collapse in extreme insufficiency and because of continuous tortures to death. The call "Mr. Orderly, we have a dead man in our cell" or "Mr. Orderly, someone is in agony" is very common to us. Each time we hear the call, our heart is broken and we think of our own fate.

To protest against this situation, the prisoner accepts sacrificing himself so that his friends may "live" in a better condition, or he surrenders to the cruelty of the men, thus letting his friends live in a worse condition. We choose the former, because we cannot let the proctors and the island master exploit human strength, through hard labor, causing death to the prisoners when they slipped from the top of a high hill or were smashed by a fallen tree. The master robbed part of the wood that the prisoners have chopped, what remains is divided among the other proctors (as the case of the Proctor Danh Sinh and his fellows). They used about 10 prisoners in their families as slaves, 3 to cultivate land for the family's food, one to take care of their children, 2 to cook, 2 to wash clothes, one to be messenger. In case the prisoner has some education, he is used as preceptor without wages to the administrators' children against his will. Selling their education in order not to be whipped! Selling their education in order not to be shackled! Such is the fate of the intellectual in prison who is forced to accept the regime, to overlook it, even though it is cruel. Does one accept to stay in prison in order to learn more slavery or to learn to fight against injustice in the tiger-cages. Most of us students in the whole country take the second choice.

If in Saigon, there are continuous campaigns in favor of lowly romantic love, and family ties to avoid the struggle against injustice, this type of reformative education is strictly not applied to us in prison. The love of brothers, sons, fathers in dangers, prisons. . . . is repressed by "discipline." One is not allowed to write letters to his family, to meet his relatives. They publicly call these love sentiments "lowly", so that the prisoner gives in his desire to see his relatives. The authorities have created scenes of unhappy mothers and wives weeping day and night for their sons, husbands and fathers. The authorities rudely accuse the prisoners of "having no sentimentality" i.e. having no lowly love as they expected, giving pretext that these prisoners who dare struggle against cruelty have a higher love and a higher and more determinate love for their country.

However, in front of the infinite unhappiness of mothers and wives, can the authorities always remain silent? For, no matter how violent they are, they cannot in the name of cruelty destroy family relations and human love. We have experienced the deprivation of love and we have escaped this. But what is the fate of thousands of our fellow prisoners who still remain there?

Here, we have to raise a question. How can the authorities at Con Son plan and carry out these barbarous acts without being discovered? How can the province chief succeed in taking bribes, squeezing out the prisoners if the "special committees," "the organization of the order committee," "the division of benefits among the province chief and the proctors" are being openly reported?

The province chief classifies the jails into different categories—jails for the prisoners with and without sentence; jails for the prisoners with hard labor sentence and the isolated prisoners; jails for the prisoners with a light sentence and political prisoners; but most typical are the jails for the "undisciplined" and the "disciplined."

The system of re-training the prisoners through series of barbarous whippings, through forcing their labor by the chief of Con Son island has transformed these prisoners without freedom into complete physical and mental slaves. The degree of slavery depends on the degree of "correction" given by the Con Son Administration. At the very beginning when we first came to the prison we were warned by Mr. Ve's words: "Obey us, bend to force and misery. Otherwise we'll treat your stubborness by breaking your bones."

We had to obey, and follow the orders, sell our labor. If we protest if we dare stand up against violence, whether we are numerous or not, no matter what means we use, we will be beaten to death. They try to correct us through violence, threats, cheating us of our food. Correction here means violence, and robbery by the Con Son authorities. Yet, they are not yet satisfied. They deceive the outsiders who come and visit us through false "democracy at the island." How can there be democracy here? Only prisons. Therefore the master of the people is the King of the Island Le Canh Ve. In order to see how powerful he is, how much authority he has over the slave prisoners, he has the idea of setting up a letter box to receive the people's opinions. For more than 4 years, he has only received several letters from the box. As a result, the authors of the letters were summoned to a special committee to get answers, in form of terrible whippings. "Who tells you to denounce us?," "who gives you the right to give opinion?" "Remember boy, this is a prison." From then on, the letter box gets rusted through time, still it remains on the wall. We wonder if any of the congressmen group who came to visit the island has noticed the rust on the lock of the box though the words "People's Opinion" still remain, together with Mr. Le Canh Ve.

When there are teams who come to visit, or investigate the order, the special committee takes care of giving us some "wipe." We get a chance to wash ourselves lest we stink. They have us cut our hair and whiskers so that we look less wild and they do not forget to warn us carefully "Don't you breathe a word to the team, beware of death, we will not forgive you. Hear it?" We note that when some of the members of the team have the generous idea of asking about the conditions in the tiger-cages, cell No. 2, the cow-cage, they are given such answers as "that was in the French period, it no longer exists today." Stacks of firewood were piled in front of the doors of the cells to hide the cells, cow-cages, and the tiger cages. "It no longer exists" says Le Canh Ve.

Sirs, countrymen, friends, Student Representatives of the Saigon Student Union, the Joint Councils of the Faculties of Van Hanh University, and Can Tho, Hue Universities, the Committee to Oppose Repression of the Students of Van Hanh, Saigon, Hue and Can Tho Universities and of the Saigon High Schools and relatives of the prisoners all over South Vietnam.

We hope to have reported to you only a very small part of the violence and cruelty of the prison system. What does the Government think? Sirs, what must we do to reestablish equality and justice to the people deprived of freedom, those who can never speak out for their human rights, those who silently and continuously struggle against the injustices of a sinful and vulgar society.

Saigon, June 19, 1970.

TRAN VAN LONG
CAAO NGUYEN LOI
NGUYEN THANH TONG
NGUYEN TUAN KIET
NGUYEN MINH TRI.

ROLES OF CONGRESS AND PRESIDENT—AMERICAN MILITARY COMMITMENTS

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, the war in Southeast Asia has revived the continuing debate over the roles of Congress and the President in the direction of American military commitments abroad. A touch of historical perspective is essential, for the question of balancing the war powers between the legislature and the executive is as old as the Constitution and as current as Cambodia.

My Maryland colleague in the other body, Senator CHARLES MCC. MATHIAS, has contributed this perspective in a most thoughtful analysis of the war power, presented in an article in the May 24, 1969, issue of the Baltimore Sun. I agree with his conclusion that the division of war powers conceived by the Founding Fathers is still workable today. The President's powers as Commander in Chief are embedded in our Constitution and traditions. Congress has no power to limit his authority to act in an emergency to protect our servicemen or the lives of Americans at home or abroad. In a case which does not qualify as an emergency, however, our Constitution and traditions require consultation with Congress, which has the power to declare war, to raise and support armies, and to ratify treaties. A division of powers centuries old can continue to serve the Nation well, provided that we in Congress live up to our responsibilities in the field of military commitments, and the Executive recognizes our obligation to do so.

The article follows:

NOT BETWEEN CONGRESS AND PRESIDENT: MATHIAS

(By CHARLES MCC. MATHIAS, Jr.)

In ordering the United States Navy to protect American shipping from attacks by the French Navy nearly two centuries ago, President John Adams presented the country with its first experience in balancing the war powers of the Congress and the executive. He acted only after receiving congressional authorization to protect U.S. commerce on the seas.

A few years later, Jefferson faced a similar problem in the course of a dispute with Spain. Jefferson, and after him Presidents Monroe and John Quincy Adams, maintained the position that, in Jefferson's words, "It is my duty to await their (congressional) authority before using force in any degree which could be avoided." Since that early period of our history, Presidents have taken varying positions on the locus of war authority. Twentieth Century Presidents, with the notable exception of President Eisenhower, have claimed the power to commit our forces abroad with little or no congressional authorization.

The issue raised by John Adams thus remains with us today, as American combat troops march across an international boundary into Cambodia at the direction of the President, acting alone under his constitutional authority as commander-in-chief.

NO GROUNDS?

Administration spokesmen have told me that the specific role of Congress in matters of war and peace is the object of a 190-year constitutional controversy. The President, they imply, cannot wait until it is resolved before he acts. This is partly true. But there is no 190-year debate over the question of whether Congress should have any role at all. Yet Congress was not consulted—indeed was not even informed—before the recent decisions expanding the war. When the troops moved out for Cambodia we were not told whether they were on the road to peace or the road to Mandalay.

It is said that this invasion of yet another country in Southeast Asia was based on purely military considerations, which the Senate has no grounds to second-guess. But these decisions caused the stock market to plummet and our campuses to explode. On any reasonable scale of nonmilitary priorities—or any scale of more than short-term military interests—the future of our economy and educational system is far more important to the United States than the future of Fishook and Parrots Beak—or even of Saigon. Even more vital is the avoidance of a confrontation between the United States and the Soviet Union in the Middle East. Yet our appeals for Soviet restraint are drowned amid the cries of battle in Southeast Asia. A further concern is the maintenance of good relations between the United States and the Soviet Union at the Vienna negotiations on strategic armaments, designed to halt the dangerous and costly arms race.

The Constitution divided authority between the exclusively civilian Congress and the partly military executive in large measure to assure that such nonmilitary concerns would receive an adequate hearing. In our current military crisis it is of particular importance for us to transcend a bombsight view.

ALL TOO REAL

American policy in Southeast Asia seems trapped in a room of distorting mirrors. Everywhere we go we encounter a crazily perverted reflection of our own ideas. We are winning a "victory," the President tells us. Yet no policy-maker has been able to define the concept of victory in a meaningful way—whether in the self-abasing terms of a body count or in the idiom of self-determination, deprived of all meaning by a decade of massive American intervention. The situation does not accord with the rhetoric of either side: "American imperialism," "Vietnamese self-determination," "American military victory," "South Vietnamese democracy" are all phantom concepts in this terrible conflict. The words pursue the realities and never catch them in the jungle of an all-engrossing war. All ideals tend to be dissolved by the cruel logic of combat.

For, regardless of the phantom quality of much of our thinking about Vietnam, the bombs and bullets are all too real. And all too real, also, are the perversions of American democracy to which the war has so heavily contributed, particularly in the constitutional relationship between the executive and Congress in the making of American military commitments and policies.

An important step in restoring the balance was taken last June by the Senate and the national commitments resolution. This enactment affirms the need for specific congressional approval for any foreign commitment or engagement of American troops. Since that clear expression of the will of the Senate was promulgated, however, there have been new military engagements in Laos and Cambodia without any congressional action whatsoever. And the administration has reasserted its position that the President has "inherent powers" to intervene overseas without legislation authorization.

OPTIONAL?

The recent reassertion of the theory of executive "inherent" powers to make war came in response to a bill introduced by Majority Leader Mike Mansfield and myself to repeal the Tonkin Gulf and other Cold War resolutions based on this broad view of presidential authority. The administration stated with regard to the Tonkin Gulf enactment that it did not oppose repeal because the President as commander-in-chief already has ample authority to conduct military operations in Vietnam and related areas.

There are two theories designed to support the notion that congressional action must be optional on matters of war and peace in the modern age. One is the big-war theory—that in the nuclear age wars may be too large and cataclysmic to allow a congressional role. And I would be the first to admit that during a nuclear war the role of Congress would be problematical. The other theory is the reverse of the big-war theory. It is that in the modern age wars tend to be too small, secret and intricate to allow a congressional role.

It is this small-war theory that increasing numbers of senators and congressmen are now rejecting, because if it is accepted it means that Congress cannot intervene in the war-making process until it has gotten out of hand, until war is a fait accompli. Just because in the nuclear age wars often take the form of insurgencies, preservation of meaningful congressional war powers requires that they be applied to this kind of conflict. We must overcome the pervasive notion that congressional military authority consists only of the crude instruments of war declaration and purse-string garotte which may be applicable only after a military commitment has gone amuck.

My own conclusion is that our experience with the new conditions of the nuclear age—big wars, small wars, secret wars and non-wars—affirms rather than impugns the durability of the insights of the founding fathers. Their reservation to the President of the right to repel attack remains valid in terms of a strategy of deterrence. Their reservation to the Congress of the power to ratify treaties, declare war, raise and regulate our military forces and define and punish piracies and other violations of international law—in other words, the vesting of comprehensive war powers in the Congress—remains eminently desirable. The alternative, which the framers of the Constitution feared, is to grant dictatorial powers to the executive in this realm. This approach has been tried, notably in Southeast Asia, and it has produced a near constitutional crisis and a state of national demoralization in relation to the legitimacy of our foreign and military policies.

The resolution introduced by Senator Mansfield and myself is a joint resolution, with the force of law when passed by both houses and signed by the President. Beyond its provision repealing old foreign crisis resolutions, it also would extend specific authority to the President to pursue essentially defensive military polices in Vietnam in the context of a continued commitment to total withdrawal and to negotiations. If the President signs this bill, it will symbolize his acceptance of a reassertion of congressional powers on matters of war and peace. If he refuses, then the Congress may plausibly reach for its more extreme powers, though there may not be sufficent congressional support to employ them today.

In correcting the constitutional imbalance and withdrawing our troops, I hope we can also end the Vietnamization of American politics. We can restore balance to our vision of the world and our country. We can see again what is important and what is not, and how America can again become the best hope for mankind.

TRANSFER OF EAST-WEST CENTER IN HAWAII TO THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. MINK. Mr. Speaker, today I am introducing legislation to provide for the transfer of the East-West Center in Hawaii from the Department of State to the Department of Health, Education, and Welfare.

For some years I have been convinced that this transfer should be effected in the interest of obtaining maximum educational advantages for the students in this great new institution. Recent events evolving from efforts to reorganize the center into a problem-solving organization have placed in focus the need to determine our ultimate objectives in establishing the center.

As one who has always felt that the Center for Cultural and Technical Interchange Between East and West should serve primarily an educational objective—the interchange of ideas by scholars and faculty from the East and our Western society—I feel that these new problem-oriented directions are significantly different from the goals envisioned by Congress in creating this institution shortly after Hawaii became a State.

The tendency seems to be to make the center more dependent on the goals and aspirations of the State Department and the Agency for International Development rather than an independent educational institution attuned to the ideals of academic freedom and reasoned discourse. While I recognize the need for our State Department to pursue the ends of our international relations, I do not feel that it is the role of the East-West Center to become merely an instrument of U.S. foreign policy.

Congress never intended the East-West Center to be an appendage of American diplomacy, but through budget pressures the State Department has gradually been enforcing its will on the institution. Now it appears that unless a transfer to the Department of Health, Education, and Welfare is implemented, the last vestiges of the original concept will soon be destroyed.

The center was officially authorized on May 14, 1960, when President Eisenhower signed into law the Mutual Security Act of 1960, which included an amendment establishing the center. Five months later, on October 25, the State Department and the University of Hawaii signed a memorandum of agreement approving a $10 million grant "to enable the university to establish and operate" the center.

The signing of the agreement followed more than a year of concentrated efforts by Hawaii's Governor, Senators and Representatives, the University of Hawaii, and members of the Hawaii community, all of whom worked to make the center a reality.

It all began on April 16, 1959, when then Senator Lyndon B. Johnson in an address to the American Society of Newspaper Editors in Washington, D.C., called for the establishment in Hawaii of an "international university" as a meeting-place for the intellectuals of the East and West.

Less than a month earlier, President Eisenhower had signed into law the bill that would make Hawaii a State on August 21. With statehood only a few months off, many considered it an ideal time to replace the idea of Hawaii as an "outpost" in the Pacific with the reality of Hawaii as the Nation's bridge to Asia and the Pacific Ocean area.

Thus, from the very start, it was thought that communications would be on a two-way street, not on a one-way basis with the United States furnishing the talking and Asia furnishing the listening.

In August the State Department established an interagency working group to study the factors involved in the center's establishment. The group's investigations were focused on the proposals of the Congress as contained in the Mutual Security Act of 1959 and on those submitted to the Secretary of the State by the Governor, William F. Quinn.

Governor Quinn's proposals represented the thinking of a community advisory committee which envisioned two programs, one dealing with higher learning and the other dealing with technical training. He said:

> The programs are mutually supporting and complementary; each serves a different range of needs and interests.

I agree with this concept and wish to make no criticism of programs at the center to impart technical training and expertise to Asian students. All who are familiar with the challenges faced by Asians realize that there is a great need for engineers and scientists and technicians of all types who can bring the technology of the West to the benefit of the people of the East.

I fear, however, that the needs of the equally important sphere of higher education are being overlooked in the new directions the center has been taking. This has been my belief for some time, particularly since the unfortunate case of Mr. Chen Yu-hsi, a Taiwanese student who attended the center from 1964 to 1966 and later, while working in Japan, was apprehended and flown to Taiwan, charged with treason, and sentenced to 7 years of imprisonment.

It was alleged in the original bill of particulars that Mr. Yu-hsi was being charged for reading Communist literature at the University of Hawaii; this charge was later deleted and it was denied by Taiwanese authorities such a charge had even been contemplated. But the arrest disclosed widespread reports at the center that student "spies" at the center employed by Taiwan and other Asian governments were reporting to those governments on statements and activities of their students at the center. This, of course, was directly contrary to the ideal of academic freedom since students facing arrest on their return home could not be expected to participate freely in academic interchange of ideas.

It is also true that our State Department, which is responsible for the operation of the center, has been unable to take firm action to prevent this type of interference by Asian governments because it is our foreign policy to support the governments involved. Again, I do not question the Department's interest in promoting our foreign policy, but it should not be done at the expense of students' academic freedom at the East-West Center if another alternative is feasible.

I believe that such problems could largely be eliminated through transfer of the Center to the Department of Health, Education, and Welfare where the emphasis would be on education rather than implementation of foreign policy objectives.

CRIME CONTROL AND SAFE STREETS ACT

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, let me first offer a public apology for my absence from this body on Monday, June 29, when the House voted on H.R. 17825, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968. I was absent on official business, the nature of which was indeed harmonious with the vote on this floor. I was in New York City, chairing hearings of this body's Select Committee on Crime. Our hearings centered on the devastating problem of heroin abuse, which contributes greatly to crime wherever that vicious drug gains a foothold.

So, while I could not cast an affirmative vote when the roll was called last Monday, I wish now to state publicly my support for the bill and its purposes.

For the past 14 months, sitting as chairman of the Select Committee on Crime, I have been daily occupied with the complex problem of crime in America and I have been daily impressed with the toll crime exacts from American society and its fine citizens. Probably no other domestic problem affects so many Americans as crime and the fear that crime engenders. And probably no other problem cries out quite so loudly for a rapid solution.

While I am sure that there is not a single Member of this body who thinks there ought to be a national police force to fight crime, I think the role of the Federal Government in helping local jurisdictions fight crime is clear.

The Members of this body recognized that responsibility in passing the Omnibus Crime Control and Safe Streets Act of 1968. And we continue to recognize that responsibility in passing the amendments to that act in order to improve and streamline the administration of that legislation.

There is no question in my mind that had I been here Monday, instead of in New York on official business, I would have voted for the passage of H.R. 17825. But there is also no question in my mind that the amendment does not go far enough, does not provide sufficient funds to carry out effectively the ideals and aspirations of this legislation.

I was deeply pained when the administration, which came into office vowing a war on crime, requested for the Law Enforcement Assistance Administration only $480 million for fiscal 1971. That figure, I am sorry to say, indicated that there was more rhetoric than cash in their proposed war on crime. I am pleased, on the other hand, that the Judiciary Committee of this body saw fit to raise the authorization to $650 million, a marked improvement over the administration request.

But while we are all painfully aware of the somewhat strained economic condition of the country today, it seems clear to me that the time to spend money to fight crime is now, not tomorrow. The bill this body has passed includes a fiscal 1972 authorization of $1 billion and a fiscal 1973 authorization of $1.5 billion.

I say that we should be spending that $1 billion now, not next year.

We should be using our big guns now, not holding them in reserve. We should be attacking the problem with every resource at our command, not waiting to see if mild measures will do the job. The dollar we do not spend today will probably cost us $2 or $3 in the future.

When I testified before the Judiciary Committee on behalf of my bill authorizing a $1 billion appropriation for LEAA in fiscal 1971, I told the committee of the plea we have heard across the country. Wherever your Select Committee on Crime has held hearings, it has heard the same cry from local officials: please give us the tools so that we can do the job ourselves. Their request is certainly not immoderate. Had they the funds in the first place, the problem of crime might not have burgeoned so greatly. Now there is a nationwide awareness of what must be done. The Federal Government should be standing foursquare behind the local officials in their fight against crime, ready to hand them anything they need.

Now, in addition to the fact that not enough money is available overall, I think there has to be a greater recognition of the need for massive improvements in the criminal justice system. In the past, the courts, probation, and parole systems, prosecutors' offices have all been somewhat neglected when LEAA money was handed out. This is a grievous error, for in many ways these are the groups who can make or break a criminal justice system. Our constitutional commitment to a speedy trial is obeyed now more often in the breach. Our commitment to rehabilitating prisoners, rather than merely confining them, is also something we talk about more than act on.

It is foolhardy to expect that we will ever solve the problem of crime if our prisons harden criminals, instead of rehabilitate them, or turn juvenile offenders into adult offenders.

Perhaps the greatest failing of our criminal justice system, in fact, is in its treatment of juvenile offenders. In theory, we have an enlightened outlook. In most States, juvenile offenders are considered "misguided youths," rather than criminals. We theoretically send them away to places that will make decent citizens of them. But, in fact, our juvenile correctional facilities are all too often far worse environments for young people than the streets they came from.

And we pay heavily for this. A juvenile who is rehabilitated is one of the best investments society can make. A juvenile, with a mind that is still open to new ideas, is a far better target for rehabilitation that an adult. And yet we all too often pass up this opportunity, and when the juvenile offender becomes an adult offender we ask him, "Where did you go wrong?" In fact, we should be asking, "Where did we go wrong?"

More money simply must be spent in this area if we are ever to rise proudly in this Chamber and say, "The Law Enforcement Assistance Administration is no longer needed. It succeeded so well that we can proudly lay it to rest."

Mr. Speaker, I look forward to that day, I pray for that day, but I do not see it coming until our commitment to fight crime is reflected in our deeds.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HUNGATE, for July 7, 1970, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 20 minutes, today.

(The following Members (at the request of Mr. FISH) to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. MCDADE, for 5 minutes, today.

Mr. CONTE, for 5 minutes, today.

Mr. WYMAN, for 15 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. PREYER of North Carolina) to revise and extend their remarks and include extraneous matter:)

Mr. CLARK, for 10 minutes, today.

Mr. TUNNEY, for 30 minutes, on July 9.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SCHWENGEL and to include a report and other substantive material.

Mr. RANDALL and to include extraneous matter.

(The following Members (at the request of Mr. FISH), and to include extraneous matter:)

Mr. MCCLOSKEY in two instances.
Mr. ROBISON.
Mr. WINN.
Mr. HALPERN.
Mr. BURTON of Utah in five instances.
Mr. GUBSER.
Mr. PELLY.
Mr. DUNCAN in two instances.
Mr. MYERS.
Mr. ZWACH.
Mr. DEL CLAWSON.
Mr. MCEWEN.
Mr. STEIGER of Arizona.
Mr. LUKENS.
Mr. THOMPSON of Georgia.
Mr. WYMAN in two instances.
Mr. POFF.
Mr. WOLD.
Mr. HOGAN.
Mr. MCCLORY.
Mr. ASHBROOK in two instances.
Mr. STEIGER of Wisconsin.
Mr. SCHWENGEL.
Mr. PRICE of Texas.
Mr. MCDADE.
Mr. HORTON.
Mr. DON H. CLAUSEN in two instances.
Mr. SPRINGER.
Mr. NELSEN in four instances.

(The following Members (at the request of Mr. PREYER of North Carolina), and to include extraneous matter:)

Mr. STOKES in two instances.
Mr. LOWENSTEIN in five instances.
Mrs. GRIFFITHS in two instances.
Mr. BINGHAM in three instances.
Mr. MINISH.
Mr. CHARLES H. WILSON in five instances.
Mr. BURTON of California in two instances.
Mr. RODINO in three instances.
Mr. WOLFF in two instances.
Mr. FRASER.
Mr. GALLAGHER in two instances.
Mr. JACOBS.
Mr. ANDERSON of California.
Mr. PICKLE in two instances.
Mr. BOLLING in two instances.
Mr. DINGELL.
Mr. KOCH in two instances.
Mr. DORN in three instances.
Mr. MELCHER in five instances.
Mr. KLUCZYNSKI in two instances.
Mr. FOUNTAIN in two instances.
Mr. OBEY in six instances.
Mr. HATHAWAY in two instances.

SENATE ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1455. An act to amend section 8c(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On July 6, 1970:

H.R. 17868. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1971, and for other purposes.

On July 7, 1970:

H.R. 16739. An act to extend until July 3, 1974, the existing authority of the Administrator of Veterans' Affairs to maintain offices in the Republic of the Philippines.

H.J. Res. 224. A resolution to change the name of Pleasant Valley Canal, California, to Coalings Canal.

H.J. Res. 746. A resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History.

ADJOURNMENT

Mr. PREYER of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 8, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2181. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a proposal for the transfer of the submarine U.S.S. *Piper* to the Rehabilitation Clinic, Inc., Madison Heights, Mich., pursuant to the provisions of 10 U.S.C. 7308; to the Committee on Armed Services.

2182. A letter from the Director, Selective Service System, transmitting his fifth semiannual report, covering the period July 1, through December 31, 1969, pursuant to the provisions of section 10(g) of the Military Selective Service Act of 1967; Committee on Armed Services.

2183. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of abaca from the national stockpile; to the Committee on Armed Services.

2184. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of antimony from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2185. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of chemical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2186. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2187. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of columbium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2188. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of kyanite-mullite from the national stockpile; to the Committee on Armed Services.

2189. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of magnesium from the national stockpile; to the Committee on Armed Services.

2190. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2191. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of selenium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2192. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of sisal from the national stockpile; to the Committee on Armed Services.

2193. A letter from the Assistant Administrator of General Services, transmitting a draft of proposed legislation to authorize the disposal of vanadium from the national stockpile; to the Committee on Armed Services.

2194. A letter from the Acting Comptroller of the Currency, the Vice Chairman of the Board of Governors of the Federal Reserve System, the Chairman of the Federal Deposit Insurance Corporation, and the Chairman of the Federal Home Loan Bank Board, transmitting a report on the feasibility and desirability of insurance premium rate differentials based on the installation, maintenance, and operation of security devices and procedures in member financial institutions, pursuant to the provisions of section 4 of the Bank Protection Act of 1968; to the Committee on Banking and Currency.

2195. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the text of a recommendation concerning the preservation of cultural property endangered by public or private works, adopted by the General Conference of the United Nations Educational, Scientific, and Cultural Organization to the Committee on Foreign Affairs.

2196. A letter from the Assistant Secretary of the Interior, transmitting the second annual report of the Alaska Power Administration, for fiscal year 1969; to the Committee on Interior and Insular Affairs.

2197. A letter from the Assistant Secretary of the Interior, transmitting the initial annual report of the U.S. Government Comptroller for Guam for the fiscal year 1969, pursuant to the provisions of Public Law 90-497; to the Committee on Interior and Insular Affairs.

2198. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2199. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2200. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2201. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for periodic, pro rata distributions among the States and other jurisdictions of deposit of available amounts of unclaimed Postal Savings System deposits, and for other purposes; to the Committee on Post Office and Civil Service.

2202. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 14, 1969, submitting a report, together with accompanying papers and illustrations, on a beach erosion control study, Martin County, Fla., requested by resolutions of the Committee on Public Works, House of Representatives, adopted June 19, 1963 and October 19, 1967; to the Committee on Public Works.

2203. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 3, 1969, submitting a report, together with accompanying papers and illustrations, on Nauset Harbor, Mass., authorized by the River and Harbor Act approved July 14, 1960; to the Committee on Public Works.

Received From the Comptroller General

2204. A letter from the Comptroller General of the United States, transmitting a report on savings available to the Government by timing advances of loan and grant funds with actual cash requirements, Farmers Home Administration, Department of Agriculture; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FALLON: Committee on Public Works. H.R. 18104. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority (Rept. No. 91-1278). Referred to the Committee of the Whole House on the State of the Union.

Mr. GALLAGHER: Canada-United States Interparliamentary Group. Report of the 13th meeting of the Canada-United States Interparliamentary Group (Rept. No. 91-1279). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 9306. A bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes; with an amendment (Rept. 91-1280). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUTTON:

H.R. 18312. A bill to amend section 7275 of the Internal Revenue Code of 1954 to provide that airline tickets and advertising which are required to show or state the total cost shall also show or state the amount paid for transportation and the amount of tax; to the Committee on Ways and Means.

By Mr. EDWARDS of California (for himself and Mr. Roybal):

H.R. 18313. A bill to amend section 312(1) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ERLENBORN (for himself and Mr. Thompson of New Jersey):

H.R. 18314. A bill to amend title IV of the Higher Education Act of 1965 to establish a Student Loan Marketing Association; to the Committee on Education and Labor.

By Mr. FISHER:

H.R. 18315. A bill to promote public health and welfare by expanding, improving and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 18316. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 18317. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 18318. A bill to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH:

H.R. 18319. A bill to establish a Transportation Trust Fund, to encourage urban mass transportation, and for other purposes; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 18320. A bill to authorize emergency loans under subtitle C of the Consolidated Farmers Home Administration Act of 1961 to mink farmers who suffer severe losses caused by economic conditions; to the Committee on Agriculture.

H.R. 18321. A bill to provide for orderly trade in textile articles, articles of leather footwear, and minkskins; to the Committee on Ways and Means.

By Mr. LOWENSTEIN:

H.R. 18322. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.R. 18323. A bill to provide general revenues to the U.S. Treasury, to regulate and establish fees for the importation and exportation of controlled dangerous substances, to amend the narcotic and drug laws, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 18324. A bill to authorize the Secretary of the Interior to construct certain pumping facilities for the Mammoth Spring National Fish Hatchery, Arkansas; to the Committee on Merchant Marine and Fisheries.

By Mr. OBEY:

H.R. 18325. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as aldrin; to the Committee on Agriculture.

H.R. 18326. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as chlordane; to the Committee on Agriculture.

H.R. 18327. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as dieldrin; to the Committee on Agriculture.

H.R. 18328. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as DDD/TDE; to the Committee on Agriculture.

H.R. 18329. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as endrin; to the Committee on Agriculture.

H.R. 18330. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as heptachlor; to the Committee on Agriculture.

H.R. 18331. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as lindane; to the Committee on Agriculture.

H.R. 18332. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as toxaphene; to the Committee on Agriculture.

H.R. 18333. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Government Operations.

H.R. 18334. A bill to amend the Solid Waste Disposal Act in order to establish economic incentives for the return, reuse, and recycling of packaging, to reduce the public costs of packaging and other solid waste disposal, to require national standards for controlling the amount and environmental quality of packaging, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 18335. A bill to provide for the development of a low-emission engine for motor vehicles and for assistance to American industry in putting such engine into production as a replacement for the internal combustion engine; to the Committee on Interstate and Foreign Commerce.

H.R. 18336. A bill to amend the Federal Water Pollution Control Act to ban polyphosphates in detergents and to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

H.R. 18337. A bill to amend the Federal Water Pollution Control Act to protect the navigable waters of the United States from further pollution by requiring that pesticides manufactured for use in the United States or imported for use in the United States comply with certain standards of biodegradability and toxicity; to the Committee on Public Works.

H.R. 18338. A bill to amend sections 5, 6, and 7 of the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

H.R. 18339. A bill to amend sections 1, 3, 10, and 13 of the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

H.R. 18340. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 18341. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

H.R. 18342. A bill to preserve, protect, develop, restore, and make accessible the lake areas of the Nation by establishing a National Lake Areas System and authorizing programs of lake and lake areas research, and for other purposes, to the Committee on Public Works.

H.R. 18343. A bill to establish an Environmental Financing Authority to assist in the financing of waste treatment facilities, and for other purposes; to the Committee on Public Works.

By Mr. POFF:

H.R. 18344. A bill to carry into effect a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden, July 14, 1967; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 18345. A bill to amend the act entitled "An Act to establish a contiguous fishery zone beyond the territorial sea of the United States," approved October 14, 1966, to extend the seaward boundary of the contiguous fishery zone to 200 nautical miles; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL:

H.R. 18346. A bill to repeal certain provisions of the Airport and Airway Development Act of 1970; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 18347. A bill to transfer the Center for Cultural and Technical Interchange between East and West from the Secretary of State to the Secretary of Health, Education, and Welfare; to the Committee on Foreign Affairs.

By Mr. OBEY:

H.R. 18348. A bill to amend the Outer Continental Shelf Lands Act, to establish a National Marine Mineral Resources Trust, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. STEIGER of Arizona:

H.R. 18349. A bill to provide for disclosure of political fund-raising fees; to the Committee on House Administration.

By Mr. ALEXANDER:

H.J. Res. 1292. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. CARTER:

H.J. Res. 1293. Joint resolution to authorize the President to proclaim the month of January of each year as "National Blood Donor Month"; to the Committee on the Judiciary.

By Mr. OBEY:

H.J. Res. 1294. Joint resolution proposing an amendment to the Constitution of the United States declaring that every person has an inalienable right to a decent environment; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.J. Res. 1295. Joint resolution authorizing the President to proclaim the period August 1 through August 7, 1970, as National Roller Skating Week; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:

H. Res. 1128. Resolution designating January 22 of each year as Ukrainian Independence Day; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. FARBSTEIN introduced a bill (H.R. 18350) for the relief of Benedicta Torremonia, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ITALIAN-AMERICAN UNITY DAY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ANDERSON of California. Mr. Speaker, Italian-American Unity Day was celebrated throughout the country on June 29 to recognize the contributions which the Italian people have made to our Nation. It is most fitting that we stop at this time, to reflect upon the benefits we enjoy as a result of the influence of the Italian culture and heritage.

Ever since Cristoforo Colombo discovered America, Giovanni Cabota—John Cabot—first explored its mainland, and Amerigo Vespucci gave it its name, the Italians have participated in and contributed fully to every aspect of American life and culture from the arts and sciences to industry and government. President Nicholas Butler of Columbia University once wrote:

> You can subtract Italian culture from civilization only by destroying that civilization.

Many Italians are known throughout the world for their contributions to the various fields of human endeavor. In science, both Galileo's discovery of the telescope and Enrico Fermi's discovery of atomic power advanced their fields. The artistry of Da Vinci, Michelangelo, Rafaello and Cellini is recognized around the world. The writings of Dante, Petrarca, and Boccaccio, and the philosophy of Giordano Bruno, are still studied widely, just as the music of Verdi, Toscanini, Menotti, Caruso and Mario Lanza are enjoyed everywhere. In the fields of sports and entertainment, millions know Nino Benvenuti, Mario Andretti, Jimmy Durante, Anne Bancroft, Jerry Colonna, and Perry Como.

However much the Italians have been recognized by the world community, few Americans realize the contributions made by Italians right here in our own country. How many know that it was an Italian friend and adviser of Thomas Jefferson, Filippo Mazzei, who first penned the phrase, "All men are by nature created free and independent—It is necessary that all men be equal to each other in natural rights," which was used as the basis for the immortal "All men are created equal" phrase in our Declaration of Independence?

Italians discovered and explored many parts of the country—Alfonso Tonti aided Cadillac in the founding of Detroit and became its governor; Allessandro Malaspina was the first white man to explore Alaska and Vancouver; Father Marco da Nizza led Coronado's expedition beyond the Grand Canyon; Giovanni Verrazano discovered New York Harbor; and Umberti Beltrami traced the sources of the Mississippi.

In defending our country, Italians have played a major role from Francesco Vigo, the fur trader who made possible the victory of George Rogers Clark at Vincennes; to Salvatore Catalano, who aided Stephen Decatur in the war against the Barbary Pirates; to the estimated 845,000 Italian men who served in the Armed Forces of the United States during World War II.

Right here in the Nation's Capital, we find numerous examples of the brilliant artistry of the Italians. Most of the frescoes, paintings, and sculptures are the works of Joseph Franzoni, John Andrei, and Constantine Brumidi, who conceived and executed the magnificent rotunda in the Capitol building, winning for himself the title "Michelangelo of the Capitol."

Many Italians are famed in a variety of other fields including education, industry, and government. These include the renowned child psychologist Angelo Patri; the gifted philologist Dr. Mario Pei; the Cuneo Brothers who founded the world's greatest printing establishment; Amadeo Giannini who founded one of the largest banking institutions in the world; Senator JOHN O. PASTORE; former Secretary of Health, Education, and Welfare Anthony J. Celebrezze; and New York's most famous mayor Fiorello La Guardia, for whom a hit Broadway show was named.

Although the Italian-Americans are among the most recent people to come to America as a group, they have already enhanced and enriched our culture immeasurably. It is with a great deal of pleasure that I pay tribute to them today.

FREEDOM FOR CHOICE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 7, 1970

Mr. THURMOND. Mr. President, oftentimes we hear contrasts between the revolutionaries of today and those of 1776.

Our national press has chosen to give endless coverage to those who preach revolution. Few if any editors in the "name" newspapers or commentators on the television networks take these dissidents to task. Some opinion makers argue the Rubins and Hoffmans are not notable enough for such treatment, but this runs counter to the coverage they receive in the news columns.

A succinct editorial on revolutionaries, past and present, appeared in the Thursday, July 2, 1970, issue of the North Augusta Star in North Augusta, S.C.

Appearing under the title "Freedom for Choice" the Star editor, Samuel Woodring, used only a few words to bring home dramatically the liberalism of 1776 versus the liberalism of 1970. I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FREEDOM FOR CHOICE

One hundred ninety-four years ago come Saturday, a dissident group of British traitors signed their names to a document unique in the annals of the political history of the world.

The words of these men have echoed through the centuries with a clarity never misunderstood. Let us pause and weigh the weight of these words with the words of some traitors in our midst today.

First, from that document in 1776:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Government long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future Security."

Now let us review the words of today's revolutionary leader, one Jerry Rubin, leader of the Youth International Party (Yippie) spoken at Kent State University on or about April 10 of 1970:

"The first part of the Yippie program, you know, is kill your parents. And I mean that quite seriously because until you're prepared to kill your parents you're not really prepared to change the country because our parents are our first oppressors."

Interviewed at the Washington, D.C., antiwar demonstration on May 9, Yippie coleader Abbie Hoffman said he agreed with Rubin: "Revolution begins at home. Yeah, I've already written that in my book . . . I think the way to bridge the generation gap is to eliminate one half of it."

While there may exist varying degrees of liberalism in our nation today, this may be regarded as the ultimate toward which liberalism leads.

The liberalism of 1776 versus the liberalism of 1970.

Where do you stand as we approach Independence Day, 1970?

TAKE PRIDE IN AMERICA

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. STEIGER of Arizona. Mr. Speaker, my distinguished colleague from Ohio, CLARENCE E. MILLER, has championed a campaign greatly overlooked amidst the debate and furor surrounding our social problems. Mr. MILLER's daily "Take Pride in America" series in the CONGRESSIONAL RECORD is directed toward countering a cancerous pessimistic attitude in this Nation, and it serves as a reminder that America is a progressive and productive land. When our Nation is under verbal attack from various quarters it is refreshing, indeed, for someone to point up what is right with America. In addition, it is important to note that Mr. MILLER's effort preceded the idea which sparkled the successful Honor America Day activities celebrated across our country. Due recognition was given Mr. MILLER in a July 6 article by David Broder of the Washington Post. I would like to take this opportunity to bring it to the attention of this body and wish my colleague continued success in his endeavor.

The article follows:

"TAKE PRIDE IN AMERICA": LEGISLATOR GOES ON RECORD OVER WHAT IS GOOD IN UNITED STATES

(By David S. Broder)

"Mr. Speaker," the paragraph in the Congressional Record began, "today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation."

It continued: "The United States is the world's largest producer of frozen vegetables. In 1965 the United States produced 1,569,000 metric tons of frozen vegetables. This was 15 times more than produced by West Germany, the second-ranked nation."

On virtually every day the House has been in session since last November, Rep. Clarence E. Miller (R-Ohio) has dropped a similarly intriguing item of information into the Record for the edification of his colleagues and the 49,000 subscribers to that document.

Under the standing headline, "Take Pride in America," and with the same introductory sentence each time, Miller, a 53-year-old second-termer has been waging a one-man war of attrition against what he calls "the general outlook of negativensss toward our country and our government."

Saturday, while most of his colleagues were weekending in cool vacation spots, Miller was one of the thousands who gathered at the Lincoln Memorial for the "Honor America" day ceremonies.

"I think it's a wonderful idea," he said of the patriotic celebration. "It's a continuation of what we've been talking about since last Thanksgiving."

Actually, it was two days before Thanksgiving that the graying former mayor of Lancaster, Ohio, made one of his rare floor speeches since coming to Congress.

Taking note of the approaching holiday, he said, "Some of us might ask today: Just what have we got to be thankful for? Daily we see stories . . . of riots and crime . . . economic peril. Some say a war drains our money and kills our fine young men . . . our campuses are aflame with disorder and disruption. Black is pitted against white in some cities—it would seem to some that we have little to be thankful for."

But Miller quickly affirmed his own confidence. "The important thing," he said, "is that we in America are moving forward. We are trying to improve—we are tackling our problems, and making progress in many areas."

He concluded with the announcement that henceforth he would put into the Record every day "a specific fact illustrative of our nation's great economic, cultural and spiritual achievements to serve as a daily reminder of the success of the American way that is emulated throughout the world."

Providing those daily facts has been something of a challenge to the staff that Miller—always the positive thinker—earnestly proclaims is "the best on Capitol Hill." The Legislative Reference Service of the Library of Congress came up with a preliminary listing of American "mosts," and when that was in danger of exhaustion, Miller sent a letter around to industry and trade groups, inviting them to brag a bit about their superlatives.

RESPONSE HEAVY

The response was so heavy that Miller now has a healthy backlog of diverse American accomplishments, in addition to the 70 or 80 already noted in the Record. Although some might think Wednesday's frozen vegetable item indicated he was scraping bottom, that is not the Congressman's view. "I believe," he said Friday, "that I can keep this going as long as I'm here."

The "Take Pride in America" series has developed quite a following among close readers of the Record.

After reading through a long argument over an appropriations bill, it comes as a refreshing respite to see, for example: "In 1967 there were 285 million radios in the United States. This was three-and-a-half times more than the number in the Soviet Union, the second leading nation."

Or: "In 1966 there were 1,678,700 private hospital beds in the United States. This was more than any other country. Japan was second with 1,077,700."

Miller, a self-made man who studied electrical engineering through the International Correspondence School, believes his own optimism about America reflects the views of his constituents.

"That's the way most people feel," he said, "but they're bombarded daily by ideas that would tend to make them think otherwise."

He has done little to publicize his single-minded enterprise and ventured the guess that "not many people in my district even know of it."

But Saturday's outpouring on the Mall led him to believe that he may be the unheralded vanguard of a mass movement to restore "pride in America."

DIALOG ON DEBT: SENATOR BYRD'S QUESTIONS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 7, 1970

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Dialog on Debt: Senator Byrd's Questions," published in the Norfolk Ledger-Star of July 3, 1970.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DIALOG ON DEBT: SENATOR BYRD'S QUESTIONS

We don't want to make matters sound too dolorous, what with the weather, but have you thought about the national debt lately? Or the interest you, as a taxpayer, help to pay annually on that debt?

Well, Senator Harry Byrd met in discussion recently with the Secretary of the Treasury, Mr. David Kennedy, and Mr. Robert Mayo, the Budget Director, concerning the need to raise the ceiling on the national debt by $18 billion—from the present $376 billion to $395 billion.

The debt limit has been raised just about every other year or so since we can remember; in 1940 our national debt was $43 billion, in 1950 it was $257 billion and it has increased each year since. The limit has been raised as well, for unless the legal ceiling is removed when the U.S. debt bangs its head against it, the United States couldn't legally pay its bills. So Congress increased the debt limit last year by $12 billion, and this year will show an increase of $18 billion.

This debt of $395 billion will need servicing, of course; that is, the government must keep selling bonds, notes and the like to pay off other debts when they come due, so the effect is like a circus juggler keeping a dozen balls going in the air at once.

And so we come to the increase the taxpayers must pay on the national debt of close to $400 billion. Let's tune in on the dialogue in the Senate Committee on Finance:

Senator BYRD. May I ask you the figure in the fiscal 1971 budget for the interest on the public debt, just in round figures?

Mr. MAYO. Yes. It is now $20 billion even, I believe, with the revisions we published May 19th.

Senator BYRD. Let me get this straight now. Fiscal 1971 will call for interest payments of $20 billion?

Mr. MAYO. Yes, $20 billion.

Senator BYRD. $20 billion. What were the interest payments for fiscal 1970?

Mr. MAYO. Let me see here. Current estimates, $19,350,000,000.

Senator BYRD. $19.3 billion. What have you for fiscal 1969?

Mr. MAYO. $16.6 billion.

Senator BYRD. Fiscal 1968?

Mr. MAYO. $14.6 billion.

Senator BYRD. So that in that four-year period—fiscal 1968 through fiscal 1971, that four-year period, the interest on the debt has increased from $14.6 billion to $20 billion?

Mr. MAYO. Yes, sir.

Senator BYRD. An increase of $5.4 billion or percentagewise in that short period of time it has increased about 40 percent.

Mr. MAYO. Yes, that is correct.

Senator BYRD. So I am correct in this assertion that the $20 billion interest charge figure in the fiscal year 1971 budget will be the second highest non-defense item in the budget, the highest being for HEW?

Mr. MAYO. I think that is a correct statement, lumping it in that way.

Senator BYRD. And for that $20 billion the taxpayers get no programs, and they get nothing for that interest payment of $20 billion.

Now that tells us what inflation's all about. The interest on the debt jumped 40 percent in about four years for two reasons: The Treasury had to keep selling U.S. obligations and the obligations, in order to compete in the money markets, had to pay a higher interest.

The question to ask now is, Why does the government have to keep selling more and more obligations? and the answer is that the government has got to raise money to pay for all the spending it does that can't be paid for by its annual receipts. When the government budget is out of balance, which is most of the time, the government has to borrow money to pay its debts. And the more government dollars around to chase goods and services, the higher in cost the goods and services will go. Result: Inflation.

A lot of funny-money economists tell us that the debt, and the interest the taxpayers pay on the debt, don't really mean a thing because it's all only money we owe to ourselves. Well, we'd personally like to pay off ourselves with some of that money we owe us, and if somebody could tell us how to do it we wouldn't worry so much about having to turn our pockets inside-out helping to raise just the interest.

LIBERTY LIVES

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. WOLD. Mr. Speaker, at times it seems a troubled spirit walks the American land. The events of Independence Day in Washington and across the land show, however, that most Americans still hold to the values and ideals of liberty which are the cornerstone of our Republic.

Our Nation is founded on reality—on the blood of millions of men in thousands of battles. We keep the reality of these events in the symbols and documents of our Nation.

James M. Flinchum, editor of the Wyoming State Tribune, captured the views of Americans in a vivid and living editorial commemorating Independence Day. I am inserting the editorial from the July 3, 1970, issue of the Tribune in the RECORD:

THE "SPIRIT" STILL LIVES

Daniel Webster, Discourse in Commemoration of Adams and Jefferson, Faneuil Hall, Boston, August 2, 1826—"I shall enter on no enconium upon Massachusetts; she needs none. There she is. Behold her, and judge for yourselves. There is her history; the world knows it by heart. The past, at least is secure. There is Boston and Concord and Lexington and Bunker Hill; and there they will remain forever."

America tomorrow celebrates its most important national holiday, only a half dozen years short of the second centennial of its independence as a free nation of free men.

In the mere act of decreeing its independence, the gathering of representative men of the former British Colonies of North America who assembled in Philadelphia under the jerry-built structure of an agency known as the Continental Congress required vast courage and great vision to take such a step which marked the beginning of a long struggle to achieve their purpose.

If they were representative, it probably was only of a minority of the people of the American colonies; certainly, something less than a majority came forward to take part in the American Revolution either as soldiers or as civilian supporters.

The Declaration of Independence itself probably was productive of a series of relatively minor clashes beginning first with the so-called Boston Massacre and the Battle of Lexington and Concord, a mere skirmish that within the context of today's modern wars would scarcely rate a mention by a war zone headquarters press briefing officer.

It is to this that we wish to address ourselves today on the eve of the 194th observance of the signing of the Declaration of Independence; for this latter act amounted to a desperate gamble on the part of the signers, a contract that bound them to one of two very definite futures; a glorious triumph which would mean the emergence of a new nation, or else their hanging from the Crown's gallows. All of this was the product of some relatively trifling conflicts at arms that can scarcely be graced with the appellation of "battle" even though there were such events celebrated in history as the "Battle" of Lexington and Concord and the "Battle" of Bunker Hill.

This week, after the President of the United States had concluded a television address to the nation about a phase of a latter-day conflict, the Cambodian operation of the Vietnam war, a United States senator scornfully offered a comparative reference of the Cambodian affair with World War II.

Said Sen. George McGovern, D., S.D., who only by grossest understatement can be described as a nonsupporter of the Vietnam War: "For the President to compare the Cambodian fiasco with the great decisive battles of World War II such as Stalingrad indicates he is living in Disneyland." Senator McGovern's two-pronged sneer suggests, however, that his acute prejudices have blinded him to the American ideals of representative government of free men that have persisted almost two centuries now.

One also wonders how McGovern, a history professor at Dakota Wesleyan University before the people of his state unfortunately chose him for high office, would regard Lexington and Concord. Certainly it was no Stalingrad, a titanic struggle between two totalitarian forces representing the very antithesis of the American ideal, that decimated entire armies of the Russians and Germans before it was concluded in the former's favor. Yet even Stalingrad hardly compares with the gigantic struggles of World War I which cost millions of lives.

But it is not in terms of loss of life or armies committed that we measure these events, but their future impact of peoples and the course of the world.

Lexington and Concord and Bunker Hill set in motion the entire panoply of American history. Regardless of their comparative puniness, they loom today as gigantic events because of what they ultimately produced, in the Declaration of Independence for one the firm resolve by the leaders of the American Colonies to form their own government based on the 18th Century ideas that government is best for all concerned if their authority is derived with the consent of the governed.

It is that American ideal that has persisted down through the 195 years since the Battle of Lexington and Concord, a tiny clash in which only a handful of men died in what was little better than a reconnaissance-in-force patrol of the British Army, that fought a motley group of citizens.

But it was a most decisive affair; it must be said to be perhaps one of the greatest such events in human experience, for it has given us one of the most just governments ever known; and greater than that, perpetuated an ideal that leads men to lay down their lives in this very day and age for the belief that it is a living legacy that thrives in the souls of Americans as strongly, perhaps even more strongly, today as it did on the very first Fourth of July, 1776.

That legacy led this nation into Asia to give succor to beleaguered peoples beset by forces of oppression as dark and bitter as any known to man in his long history of despotism and terror; it is this "Cambodian fiasco" that the likes of Sen. George McGovern speak with such mocking disdain.

The future does not afford us the opportunity at this point of determining whether Cambodia or indeed the entire Vietnam War are decisive events in world history; but neither, it can be said, did Lexington and Concord at the time.

It is only when we look back down through the long corridors of time that we see their importance.

Cambodia, and the U.S. role in Southeast Asia, prove one thing.

Americans still revere liberty and many of them are still willing, if need be, to lay down their lives for it, not only for themselves but for others.

For if we be free and all others be slaves, what matter if it only we have our liberty? If that be so, we too shall soon lose it.

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood,
And fired the shot heard round the world.

—Emerson's Hymn sung at the completion of the battle monument at Concord, July 4, 1837.

SENATOR HUGH SCOTT'S RECORD ON CIVIL RIGHTS LEGISLATION

HON. EDWARD W. BROOKE

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Tuesday, July 7, 1970

Mr. BROOKE. Mr. President, Senator HUGH SCOTT has fought the battle for civil rights for over 25 years. While still a Congressman representing a district in which few blacks resided, Senator SCOTT urged his fellow Members of Congress to respect the equality of all men.

Now serving as the Republican leader, Senator SCOTT is continuing his struggle for equal rights. Be it in the area of civil rights activity, voting, housing, education or employment, Senator SCOTT has always been in the forefront, doing what is right for all Americans.

I ask unanimous consent to insert in the RECORD a summary of Senator SCOTT's civil rights record.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF SENATOR HUGH SCOTT'S RECORD ON CIVIL RIGHTS LEGISLATION

THE 91ST CONGRESS

Legislation

S. 818. To extend the 1965 Voting Rights Act for five years in order to ensure against use of discriminatory tests and devices to deny the vote of any eligible American.

Senate Joint Resolution 14. To designate January 15 of each year as "Martin Luther King Day."

S. 2029. Omnibus Civil Rights Act—To prevent discrimination because of race, color or creed on jury selection, and to authorize the Equal Employment Opportunity Commission to take action against unlawful employment practices.

S. 2375. To permit the Attorney General of the United States to take action toward desegregation of public schools in order to ensure equal educational opportunities for all Americans.

S. 2453. Equal Employment Opportunities Enforcement Act.—To allow any person who has been discriminated against by unfair employment practices which are against State law to seek action from the Equal Employment Opportunity Commission if action is not taken in State within sixty days after complaint is filed there.

S. 2455. To authorize funds to carry out all provisions of the Civil Rights Act of 1957.

S. 2806. Equal Employment Opportunity Act—To grant the Equal Employment Opportunity Commission freedom to file a complaint in Federal district court against any employer who appears to have violated equal employment laws when attempts at conciliation by the EEOC have failed.

S. 3643. To authorize the striking of a gold medal to be presented by the President to Mrs. Martin Luther King in commemoration of the life and work of Dr. Martin Luther King, Jr., and to authorize striking of duplicate medals in bronze to be furnished to Morehouse College and the King family for sale, the proceeds of which will go to scholarship and building funds.

Votes

Voted to increase by $500,000 funds available for grants to State equal employment practice commissions, and to increase by $4.4 million funds for the Equal Employment Opportunity Commission.

Voted for Scott amendment to declare it the policy of the United States to apply uniformly in all regions of the United States guidelines and criteria in dealing with conditions of unconstitutional segregation in schools by race.

Voted to create a Senate Select Committee on Equal Educational Opportunity.

Voted not to remove from any U.S. court, department, officer or employee, jurisdiction or power to require a State or local agency to bus public school pupils to alter the racial composition of the student body.

Voted to express the sense of Congress that the Departments of Justice and HEW should request such additional funds as were necessary to apply uniformly throughout the United States a policy of dealing with segregation in schools.

Voted for Scott-Hart amendment to extend the Voting Rights Act for an additional five years.

Voted against all amendments to the Voting Rights Act of 1969 that would have weakened its effectiveness of enforcement powers.

THE 90TH CONGRESS

Legislation

S. 1026. The Civil Rights Act of 1967—To ensure equal rights to all Americans in areas of employment, jury selection, housing and personal liberties by strengthening and expanding Federal jurisdiction in these areas.

S. 1358. Fair Housing Act—To prohibit discrimination on account of race, color, religion, or national origin in sale or rental, financing or provision of brokerage service in connection with purchase or rental of dwelling facilities.

S. 1359. To extend for five years the Civil Rights Commission.

S. 2979. To establish a Commission on Negro History and Culture.

S. 3249. National Manpower Act—To aid in the reduction of unemployment rates, to establish community service employment program for the hard-core unemployed, to create new jobs in areas of high unemployment or low-income population.

Votes

Voted to strengthen provisions relating to open housing.

Voted to provide Federal protection for persons engaged in civil rights work.

THE 89TH CONGRESS

Legislation

S. 1497. Protection Against Unlawful Official Violence Act—To set forth criminal penalties for law enforcement officials who deprive persons of civil rights.

S. 1564. Voting Rights of 1965—To prohibit any voting qualification or procedure designed to deny or abridge the right to vote on account of race or color.

S. 1654. To increase criminal penalties against those who interfere with the exercising of civil rights with violence or threat of violence.

S. 2548. To prohibit transmission of material which defames racial or religious groups.

S. 2846. To make it a Federal offense to take unlawful violence against civil rights workers.

S. 3451. To assist in provision of adequate housing in areas where a shortage of housing credit exists as a result of civil disorder.

Votes

Voted to strengthen and pass the Voting Rights Act of 1965.

Voted to increase funds for civil rights educational activities from $5 million to $8 million.

THE 88TH CONGRESS

Legislation

S. 772. To facilitate desegregation of public schools by requiring school boards to file desegregation plans with the Department of Health, Education and Welfare, and to authorize grants to assist in meeting the additional costs incurred during desegregation.

S. 773. Federal Fair Employment Practice Act—To make it an unlawful employment practice for an employer or labor organization to discriminate because of race, color, religion or national origin: to create a Fair Employment Practice Commission to carry out the law.

S. 1211. To establish the Equal Employment Opportunity Commission to ensure that no discriminatory practices exist in Federal employment.

S. 1212. To prohibit discrimination in employment in Washington, D.C.

S. 1213. To require states to assure decent housing be available to families displaced by Interstate Highway System.

S. 1214. Federal Voting Rights Act—To provide that successful completion of six or more grades of formal education shall satisfy requirement of any literacy test to determine qualification of voter.

S. 1217. To prohibit discrimination in furnishing hotel or motel accommodations.

S. 1218. To prohibit discrimination on account of race, color or creed by any hospital which receives Federal aid; to require such hospitals to provide adequate facilities for indigent persons.

S. 1219. To provide that Civil Rights Commission be a permanent Federal agency and that it serve as national clearing house for civil rights matters.

S. 1590. To allow the Department of Justice to sue for preventive relief in Federal court to prevent infringement of rights of students at public schools.

S. 1591. To prohibit discrimination in furnishing services or facilities for business under State license; to permit the Attorney General of the U.S. to seek Federal court action to prevent such discrimination.

S. 1731. Civil Rights Act—To encourage equality in voting, public accommodations, public schools, and employment by establishing a Community Relations Service to aid with resolution of disputes relative to discriminatory practices and by withholding

Federal funds from any programs which individuals participating in or benefitting from are discriminated against.

S. 1732. Interstate Public Accommodations Act—To prohibit discrimination in places of public accommodations.

Votes

Voted to increase by $60,000 funds for the Civil Rights Division, Department of Justice.

Voted to provide special training for school officials to deal with integration problems.

Voted to establish the Equal Employment Opportunity Commission and to strengthen its powers.

Voted *not* to delay the effective date for the "public accommodations" provision of the 1964 Civil Rights bill; and to strengthen further this provision.

Voted to allow the Attorney General to enter into agreements with State and local authorities respecting literacy tests for voting.

Voted to authorize the Attorney General to intervene in any action in any Federal court seeking relief from denial of equal protection of the laws under the 14th Amendment on account of race, color, religion or national origin, if he certified that case was of general public importance.

Voted to allow Federal action to require any person in sale or lease of residential housing to negotiate or enter into any contract with a person not of his own choosing.

Voted to allow busing of students.

Voted to retain a Community Relations Service within the Department of Commerce.

THE 87TH CONGRESS

Legislation

S.J. Res. 58.—To propose amendment to the Constitution specifying that the right to vote shall not be conditioned upon payment of any poll or other tax or property qualification.

S. Res. 5.—To amend cloture rule on Senate debate in order to avoid delaying filibuster on civil rights legislation.

S. 1256.—Federal Anti-lynching Act—To clearly establish the definition of a lynching and to provide for strict penalties to persons who participate in or aid such lynchings and to law enforcement officials who do not act to prevent such lynchings.

S. 1253.—To ensure all persons equal privilege on public conveyences operated by common carrier engaged in interstate or foreign commerce without discrimination or segregation based on race or color with fines for any person who does not provide equal privileges.

S. 2981.—Federal Equal Employment Opportunity Act—To prohibit membership discrimination by labor unions.

S. Res. 313.—To authorize funds for study of discriminatory practices by institutions making real estate loans with the objective of ending any such discrimination.

Votes

Voted to extend the Civil Rights Commission for two years (has voted the same way every time since).

THE 86TH CONGRESS

Legislation

S. 456.—To authorize the Attorney General of the U.S. to take injunctive proceedings against local officials who deprive any person of his civil rights as guaranteed in the 14th Amendment when such person is financially unable to bring suit.

S. 942.—To create a Commission on Equal Job Opportunities Under Government Contracts to ensure equal employment opportunities for all persons, regardless or race, color, or creed, in performance of Government contracts.

S. 2868.—To prohibit States to impose any poll tax, property tax, or property ownership qualification or property tax in order to vote in Federal elections.

S. 3001.—To strengthen enforcement of civil rights laws by prohibiting interference with court orders in desegregation cases; by making it a Federal crime for any suspect to flee from one state to another to avoid prosecution for bombing schools or churches; and by providing grants to states or communities in order to hasten desegregation.

S. 3821.—To strengthen guarantees of civil rights by specifying areas in which legislative and administrative action should be concentrated: employment, voting, housing and justice in courts.

S. 3823.—To provide for dissemination of information to employers to eliminate employment discrimination and to provide for grants to help finance state agencies in desegregation process.

Because of Senator Scott's activities in the field of civil rights, Americans who belong to minority groups have achieved, by law, many rights which they were previously denied. Senator Scott recognizes, however, that civil rights laws are not the final answer. He will continue his fight to remove all the stains of inequality from American life, be they through law or custom.

LET US NOT BLAME OUR KIDS FOR ALL CAMPUS PROBLEMS

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. THOMPSON of Georgia. Mr. Speaker, one of the most outspoken journalists in my State and perhaps in the Southeastern United States is Mr. John F. Yarbrough, editor and publisher of the Southeastern Poultry Times, published in Gainesville, Ga. This newspaper is considered the bible of the poultry industry which Georgia has consistently led for many years.

In its July 1 issue, the Poultry Times carried an editorial by Mr. Yarbrough which is sparkling in its logic and clarity. The editorial dealt not only with the Cambodian situation but also with campus violence and the failure of college administrators to deal firmly with disorders. I insert the editorial in the RECORD at this point so that others may see it:

LET US NOT BLAME OUR KIDS FOR ALL CAMPUS PROBLEMS

(By John F. Yarbrough)

DEAR FOLKS: Reports from Saigon Monday brought news that all of the U.S. fighting troops sent into Cambodia two months ago have now returned to Viet Nam. The President and Commander in Chief said they would be returned by July 1 and they were.

Success of the mission can be counted in the capture or destruction of 29,627 weapons, more than 11,000 tons of munitions and more than 8,5000 tons of rice. In addition, a total of 14,488 North Vietnamese and Viet Cong were killed and 1,427 were captured.

The U.S. lost 339 men killed and 1,509 wounded in the Cambodian operation with 866 South Vietnamese killed and 3,724 wounded.

These facts and statistics add up to a substantial victory in our view.

Looking back on the violence and disturbances that flamed across this country at the beginning of the Cambodian campaign, leads us to wonder when city, county, state and federal law enforcement authorities and the administrators and teaching staffs of our colleges and universities are going to really start coping with the violence and acts of destruction and mobbism on our campuses.

The deaths of college students at Kent State and in Jackson, Miss., surely could have been prevented if we, the adult majority in this nation, had long ago lived up to our responsibilities and had taken any and all of the necessary action to keep the lid on our campuses.

Weak and timid college administrators must bear part of the responsibility. Wild-eyed, liberal teachers by the droves must accept an even greater share of the responsibility for they have spent too much of their time egging on the students under the guise of freedom of speech, academic freedom, etc., and entirely too little of their time demonstrating the responsibilities of citizenship which go hand in glove with freedom.

That the general population of this country has allowed the climate on our campuses to ferment until every point of political difference brings about a rash of clashes on the campus, is a responsibility every tax paying, voting, citizen must accept.

We are not prone to believe that under every bushy beard there lurks a communist conspirator, even though there undoubtedly are a good many operating in this country. The real problem, as we see it, is that we have not demanded that our colleges and universities be used for the purposes originally intended—as seats of learning—rather than as seedbeds for every cause celebre that appears on the political horizon.

The kids who don't want to go to college classes to learn and to prepare themselves for a more fulfilling life frankly don't have any business taking up space at our schools of higher learning. We don't think they have learned enough or earned the right to rule over the political decisions being made on a day to day basis in this country.

In addition, we think their methods are even worse than some of our decisions or indecisions, as the case may be. Mob violence is no fair substitute for the system of government and law, the birth of which we celebrate this Saturday, the 4th of July.

Independence, our forefathers learned, wasn't just a case of rising up against external oppressors, it was, and still is, the net result of good that can be and most of the time is achieved through a government of law rather than a hodge-podge of continually fomenting anarchistic violence.

But let's not put all the blame on the kids. They only rule with violence when we fail to act with fairness and, yes, firmness.

(NOTE.—Southeastern Poultry Times is independently owned and published by Southeastern Poultry Times, a limited partnership, Gainesville, Ga. The opinions expressed in this column are the opinions of the by-lined writer and do not necessarily represent the opinions of any poultry industry organization and should not be so construed.)

BEHIND THE DRIVE TO DESTROY ROTC

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 7, 1970

Mr. THURMOND. Mr. President, in May, just a few miles from the Nation's Capital, extensive damage was done to the Reserve Officers Training Corps building at the University of Maryland.

This disgraceful incident was but one of many similar episodes taking place on college and university campuses across the Nation.

The ROTC, as much as any one military training organization, has been responsible for the ability of this Nation to retain its civilian character while at the same time having the strength to meet military emergencies. It is an organization which has always had the support of the Congress and the American people.

The destructive force of the drive against ROTC was dramatically illustrated in the June 29, 1970 issue of U.S. News & World Report magazine in an article titled "Behind the Drive To Destroy ROTC." I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEHIND THE DRIVE TO DESTROY ROTC

Not in decades, since the program began, has the ROTC—Reserve Officers' Training Corps—been dealt such a devastating blow.

In the college year just ended, buildings used by ROTC units across the land were fire-bombed and dynamited. Classrooms were fire-bombed and dynamited. Classrooms were vandalized. Students were taunted for wearing the uniform.

Records kept by the Army, Navy and Air Force show more than 400 anti-ROTC incidents at many of the 364 schools where ROTC units function.

One result of this continuing harassment: ROTC enrollment dropped from 212,416 in 1968–69 to 157,830.

The Pentagon, after detailed investigation, reported that most of the violence was intended as a protest against the war in Southeast Asia.

There is a suspicion, however, among both military and federal law-enforcement officers, that some of the violence was perpetrated by radical groups with a wider goal: the overthrow of the "Establishment."

Student radicals—many from other schools—zeroed in on Kent State University, in Ohio, because it houses the Liquid Crystal Institute, home of research projects with military potential. The interest of the armed forces was anathema to the radicals. The campus erupted in early May—and four students were killed by National Guardsmen. At Kent State, radicals had also made ROTC a special target. The ROTC building was burned on May 2.

Although hundreds of students have been arrested around the country, few have been brought to trial. Those who faced a judge escaped, for the most part, with small fines for misdemeanors.

There have been only three arrests on federal charges of sabotage and destruction of Government property.

Law-enforcement officials, State and federal, complain they have trouble getting students or school authorities to identify anyone involved in the anti-ROTC incidents.

At the University of Michigan at Ann Arbor, on May 7, a group of students occupied the ROTC building for nearly 24 hours. A fire was started in the basement. No one was punished, university authorities said, because none of the vandals could be identified.

While many incidents in 1969–70 involved only verbal abuse of cadets and brief disruptions of classes by demonstrators, others were serious enough to cause military instructors to send reports to the Pentagon. Those reports show:

At 76 colleges, ROTC units were singled out for 145 attacks resulting in property damage or personal injury.

There were 73 attempts to burn or blow up buildings provided by the schools for ROTC use.

Military instructors were assaulted at the Universities of Washington and Oregon and at Cameron State Agricultural College in Oklahoma.

At the University of Wisconsin, the home of a military instructor was firebombed. At Stanford, three shots were fired into the residence of an ROTC instructor.

There were at least 67 instances of vandalism in which ROTC offices were entered, records destroyed, weapons and ammunition stolen, trophies shattered, pictures slashed, furniture overturned, windows broken and walls defaced with paint and obscenities.

By way of comparison, there were a total of 95 anti-ROTC incidents of all kinds recorded by the Pentagon in 1968–69, including 20 attempts to destroy buildings by fire or bombs.

What all this has cost taxpayers, no one knows. Most of the damage was to State-owned university property.

Before the Department of Defense establishes an ROTC unit at a school, the college or university must agree to provide classroom and office facilities. The Federal Government supplies instructors, books, uniforms and teaching aids, such as sextants for courses in navigation.

The ROTC idea originated in 1819 on the campus of what is now Norwich University at Northfield, Vt. Then it was known as the American Literary, Scientific and Military Academy. It was the first school, aside from West Point, where military studies were included in the curriculum.

REMINDERS OF WAR

Why was the ROTC singled out for special attention? Pentagon officials conclude that cadets with their uniforms, neat haircuts and shined shoes are ever-present reminders on campus of the Vietnam war. Thus the student soldiers become handy whipping boys for those who were protesting against both the draft and the "Establishment."

In discussing the inability of the Federal Government to make more than three arrests, a Justice Department official said:

"If we could identify more, we would prosecute. We have some tough laws on the books."

College students and faculty members generally are shocked when they learn how tough those laws are.

On the statute books is a 1917 law making any attempt "to interfere with and obstruct the United States in preparing for and carrying on defense activities" an act of criminal sabotage. This carries a penalty of 30 years in prison and a $10,000 fine.

The destruction of Government property is punishable by 10 years in jail. It also carries a $10,000 fine.

On May 28, a federal grand jury in St. Louis, Mo., indicted two men for sabotage and destruction of Government property in the burning of an ROTC building at Washington University. Both were school employes. They await trial.

On Feb. 10, 1969, a student at the same university pleaded guilty to a charge of criminal sabotage that grew out of an attempt to bomb an ROTC building. He was sentenced to five years.

In all, the 1969–70 school year was one of guerrilla and psychological warfare against the presence of military men on campus.

An Army survey shows how the drive against ROTC has fared.

Since April 30, nine schools have voted to discontinue ROTC. In three instances, both students and faculty took part in the voting. On six campuses, the faculty alone voted.

On June 12, the Army announced that Yale University would drop ROTC after the 1970–71 academic year. The Navy's reserve program at Yale is scheduled to end in 1973. Other Ivy League schools that are dropping ROTC: Harvard, Dartmouth and Columbia.

In the same period—since April 30—18 schools voted to retain ROTC. Students were allowed to participate in six of those decisions.

Paradoxically, while the enrollment in Army ROTC fell from 150,982 to 109,705 between the academic years 1968–69 and 1969–70, the number of units rose from 268 to 283. Applications from 42 other schools are on file.

Both the Navy and Air Force plan to withdraw units from eight schools in the autumn. Neither service is certain how many new ROTC units will be formed.

The Navy hopes to have at least 50 units in the next academic year. The Air Force wants about 175. This would keep both services close to their present ROTC level.

Some officers insist the over-all problem does not worry them. They say that the decline in the number of cadets is probably a good thing. Their reason: The armed forces themselves are undergoing sharp reduction.

Still, the anti-ROTC violence and the over-all decrease in enrollment have alarmed the Pentagon.

After noting that the Army has signed up nearly 63 per cent of its newly commissioned officers from ROTC ranks in the past decade, one general made this comment:

"We really need these people—for our sake and the country's. If we have to take all our officers from the ranks, from West Point and officer-candidate schools, the Army is liable to become ingrown and stagnant. We need fresh ideas and a few mavericks."

A House committee recently asked Vice Adm. Charles K. Duncan, Chief of Naval Personnel, to account for the decline in Naval ROTC applicants. The Admiral replied:

". . . The man enrolled in NROTC today is sometimes mentally or in some cases physically harassed or abused on campus. Of course, this is only our estimate, but the young man possibly shies away from being a ROTC member in view of this sometimes hostile environment."

Many high-ranking officers associated with ROTC programs expect to see a further decline in enrollment next autumn.

One such officer told "U.S. News & World Report" he considered the trend to be dangerous. In his words—

"I can think of no faster way to arrive at a militaristic armed force in this country than to have an officer corps that is rejected by the intellectual community and is forced to feed upon its own professional problems and grievances."

DR. L. EUGENE ROOT HONORED

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. GUBSER. Mr. Speaker, a group of my constituents will gather in Palo Alto, Calif., in a few days to mark the retirement of a distinguished American, Dr. L. Eugene Root. Gene Root, as an engineer, scientist, adviser to our Government, and industrial leader has made tremendous contributions to the scientific standing and military security of our Nation, and I believe it is fitting that these contributions be noted here.

A graduate of the University of the Pacific and the California Institute of Technology, Gene Root began designing airplanes in 1934. Milestone airplanes like the DC–3 and World War II winners like the C–54, the SBD's, and the A–20 series flowed from his board. Named one of America's 10 outstanding young men in 1945, he was one of the first four engineers named to the group which later became Project RAND.

Over a period of 25 years, he served as a valued consultant to his Government—as a member of the Defense Science Board, the Scientific Advisory Board to the Air Force Chief of Staff, the National Advisory Committee for Aeronautics, as chairman of the Aerodynamics Advisory Panel to the Atomic Energy Commission, adviser to the USAF Institute of Air Weapons Research, and on and on.

As president of his company, the Lockheed Missiles & Space Co., Gene Root led his thousands of fellow employees in the programs that produced the critically needed Polaris missile years ahead of schedule, that designed and built the Agena satellite which has served America in both defense roles and in the scientific exploration of space, and in the Gemini-Agena program, provided a vital link in mankind's voyage to the moon. For his efforts in these and other programs, Dr. Root was awarded NASA's Public Service Award, the Air Force's Exceptional Service Award, the Navy's Distinguished Public Service Award. Both his alma maters named him among their outstanding alumni, and the National Management Association gave him its highest award for managerial leadership.

And finally, Gene Root in recent years planted the seeds that today are growing into programs—in his company and throughout his industry—to apply aerospace technology to the solution of a wide range of human needs, solutions we all hope will lead to better lives, in a cleaner environment, in a peaceful world.

Mr. Speaker, it is highly fitting that we note today for the record the contributions this distinguished scientist and industrial leader has made to our Nation's technology, to its security, and to mankind's continuing benefit. Thank you.

VOLUNTEERS HELP YOUNGSTERS ON 1-TO-1 BASIS

HON. HARRISON A. WILLIAMS, JR.

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Tuesday, July 7, 1970

Mr. WILLIAMS of New Jersey. Mr. President, I wish to pay special tribute to Mrs. Genevieve Collins of Montclair, N.J., our State's "Teacher of the Year."

Mrs. Collins has taught on the staff of Glenfield Elementary School in Montclair for the last 11 years. In 1966, recognizing that the regular school year did not provide enough time for her pupils to get started adequately in reading skills, she asked her superiors for permission to keep her schoolroom open for 6 weeks during the summer. Mrs. Collins then invited all of her pupils to participate without applying pressure to attend the sessions. She was so satisfied with the outstanding results of the program that she expanded it the next summer and recruited a group of volunteers to help in a common effort.

The tutorials subsequently caught the eye of Mr. Robert W. Blanchard, superintendent of schools, who asked Mrs. Collins to incorporate the program into their year-round school curriculum. A corps of 128 volunteers now participates in the project to tutor the children during regular class time.

For this truly superior achievement, Mrs. Collins was named New Jersey's "Teacher of the Year."

The July 3, 1970 edition of the Christian Science Monitor contains an excellent article concerning her innovative program, and I commend it to my colleagues so that they might learn of the magnitude of Mrs. Collins' accomplishments.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VOLUNTEERS HELP YOUNGSTERS ON 1-TO-1 BASIS

(By a staff writer of the Christian Science Monitor)

MONTCLAIR, N.J.—Mrs. Genevieve Collins is proud to be New Jersey's "teacher of the year," but she's even more proud of the schoolchildren who made it all possible.

Mrs. Collins is on the staff of the Glenfield elementary school here in Montclair, where she's taught for 11 of her 14 years in the profession.

A motherly type, Mrs. Collins takes a personal interest in the progress of her first graders. Some years ago she became concerned that her pupils weren't getting the best start in reading. She decided to do something about it.

Glenfield school is 99 percent black. Montclair has a reputation as an upper-class community, on the fringe of New York. But Mrs. Collins points out that actually the description fits the neighboring town of Upper Montclair. Montclair itself is "another world," she says.

"I saw that 180 days [the school year] weren't enough for black kids to get started in reading," she explains. "So I went to the principal [Dr. Roland Patterson, now administrator of the inner-city decentralized district in Seattle] and asked him to keep my room open for six weeks in the summer. That was in 1966. He agreed."

Mrs. Collins mailed a letter to the parents of all 25 children in her class. It was an invitation to send the youngsters back to school three mornings a week during half of the summer vacation. No pressure was applied, the teacher comments.

Sixteen of the 25 pupils came, and all stayed for the full six weeks.

Two high-school girls served as volunteer aides to Mrs. Collins that first summer.

So satisfied was the teacher with the results of this initial effort that she pressed for, and was granted, an expanded program the next summer. This time, pupils in all three first-grade classes at Glenfield were welcomed, and a corps of unpaid helpers was recruited.

Twenty-eight children came to be taught, and a matching number of volunteers responded—26 from the National Council of Jewish Women, one from the National Council of Negro Women, and the wife of a school board member.

Before summer was out, the success of the tutorials caught the attention of Dr. Robert W. Blanchard, then superintendent of schools, who now holds the top post in the Portland, Ore., school system.

Visiting the classrooms one day, Dr. Blanchard spoke with each child and volunteer. He then asked Mrs. Collins to develop the project into a regular feature of the year-round school program.

The one-to-one tutoring moved ahead rapidly under Mrs. Collins's direction. Teachers asked for help for their pupils, and available volunteers soon numbered 128. Now every teacher at Glenfield sends youngsters to the volunteers during class time, and the plan has spread to other local schools.

When each child reports to his tutor, he brings along materials from class and a notebook. The notebook is the communicator, Mrs. Collins says. In it the teacher suggests what she wants the volunteer to cover. And at the end of the session, the volunteer enters comments on the pupil's progress that day.

The fact that teachers and tutors don't have frequent face-to-face contact does not mean that volunteers function in a vacuum, Mrs. Collins emphasizes. There are training sessions and conferences, which she as coordinator, arranges.

"We had a workshop last Tuesday, with a social worker, a psychologist, and other specialists talking to the volunteers," she declares. "A discussion period followed. The volunteers need to know about particular learning difficulties, both physical and social or cultural."

It was because of the one-to-one tutoring that Mrs. Collins was nominated for the teacher-of-the-year award.

She didn't really expect to win the title, she reports; there were 50 entrants.

But win she did, and incidental honors continued for several months. Her board of education presented her with a plaque. The local PTA declared a "day" in her honor. And, most touching of all to Mrs. Collins, the pupils at Glenfield also set aside a "day" for her, complete with a school assembly program.

But the state's teacher of the year feels a need to share the recognition.

"It's not a Mrs. Collins thing," she comments. "If one thing characterizes the program, it's enthusiasm—the enthusiasm of the tutors and the enthusiasm of the students. The volunteers and the students are here because they both want to be. That's why the program works," she adds.

An observer might wonder whether Mrs. Collins's own enthusiasm isn't also a contributing factor.

THE SELECTIVE SERVICE SYSTEM GOING UNDER—ABANDON SHIP

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 30, 1970

Mr. BINGHAM. Mr. Speaker, the New York Post, in an article published June 26, reported that the entire five-man draft board in Kosciusko County, Ind., resigned with a blast at the Supreme Court for widening the definition of conscientious objector and thus making their task impossible. Mr. Speaker, I feel that although the Court's decision was correct, it does present local draft boards with the impossible task of determining whose beliefs are "deeply held".

The National Service Act of 1970 (H.R. 18025), which I recently introduced with bipartisan support, will leave the important decision of how to serve our country up to the individual. It will permit maximum freedom for the individual while retaining a draft lottery to meet military manpower requirements.

Mr. Speaker, we must completely reform our military draft. The Selective Service System is going down. Abandon ship.

The text of the New York Post article follows:

A Draft Board's Adieu to Arms

With a blast at the U.S. Supreme Court's recent ruling expanding the grounds for conscientious objection, the entire five-man draft board of Kosciusko County, Indiana, has resigned.

The five said the high court's decision made the Selective Service Act unworkable and the position of local draft boards intolerable.

" I don't know how we could do it," said board member L. Russell Bolinger, 61, a factory worker, referring to the task of implementing the guidelines and judging men.

"It's like they can thumb their noses at you and say they aren't going to go," he added. "You can't get the bite on anybody now. I don't know how we're going to get anybody drafted."

IT'S UNPOPULAR

He said the ruling is "very unpopular with local draft boards, not just here but everywhere."

The other members of the board who resigned yesterday were Charles O. Wainwright, 72, a retired railroad engineer who was the chairman; and Fred Beeson, Wendell L. Gusler and Herbert Creamer. Wainwright said the age range of the other four is "from 35 to my age."

Beeson is a farmer near Etna Green, and the others are residents of Warsaw, the 7000-population county seat in the predominantly rural and deeply conservative county, one of the few in Indiana to give the majority of its vote to Barry Goldwater for President in 1964.

Draft activities were suspended in the county until a new board could be named.

Wainwright said today that "in a small town you can find out whether they're really religious or not. But under this court decision anybody can claim to be a conscientious objector. He doesn't have to belong to a church; he doesn't have to have any religion. Out of a blue sky he can say he's an objector and be deferred. And we have no argument."

COURT RULING

The high court had said a draft-age youth may qualify as a conscientious objector if he "deeply and sincerely holds beliefs which are purely ethical or moral . . . which impose upon him a duty of conscience to refrain from participating in any war at any time . . ."

Wainwright, speaking firmly but without any apparent bitterness, said: "The court decision gives the irresponsible person a cloak to hide under. There are sincere objectors, but this gives anybody a place to hide.

"Our board didn't believe in that type of law."

Wainwright said no pressure had been applied on any of the five members and that the decision to resign was entirely their own.

"In this county," he went on, "there are about 8000 [draft] registrants. Less than one-half of one per cent are what I would call bad boys; that would only be 40. The court decision gives a loophole to unpatriotic and nonreligious boys."

INDEPENDENCE DAY IN INDEPENDENCE, MO.

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. RANDALL. Mr. Speaker, all across our land the Fourth of July this year was called Honor America Day. In Independence, Mo., we honored our country by a well-attended ceremony which featured the ringing of a replica of the Liberty Bell.

Since 1958 it has been the custom of the citizens of Independence to assemble on the south front steps of the Truman Library. During most of these years we have listened to an address by former President Harry S. Truman. Last year he was unable to attend. Again this year Mr. Truman could not be present, and this year the speaker was Congressman RICHARD BOLLING of the Fifth Missouri District.

Speaking at the 12th annual July the Fourth celebration held at the Truman Library, Mr. BOLLING told the audience of the threats and dangers our country faces at home and abroad. He emphasized the fact that we are a free country today only because of the wisdom and courage of our farsighted leaders.

The sizable audience applauded Congressman BOLLING's words when he paid tribute to former President Truman for his work in reestablishing the free nations wasted by war, and for his courage in resisting aggression, both of which contributed greatly to the avoidance of a nuclear war.

Mr. BOLLING's remarks follow:

Remarks by Congressman Richard Bolling

Today we meet to celebrate the 194th anniversary of our country's declaration of independence.

It is well to remember that our declaration of independence preceded by several bitter years of fratricidal war the actual achievement of our independence. We must not forget either that we have remained independent—which is another way to say free—only because of the courage and wisdom of a succession of brave and farsighted men, political leaders who brought out the best in us—the American people—and often in the face of seemingly impossible odds led us to face up to the threats and dangers at home and abroad.

So far we have responded in time—sometimes just in time—to the call of our great Presidents Washington, Lincoln, Roosevelt, and Truman.

It is fitting that on this day and at this place we speak of our own President, Harry S. Truman.

A little more than twenty-five years ago he acceded to the Presidency. In a few short weeks the European war was done, in a few months the Asian war was over. In a few short hours after the Japanese surrendered on September 2, 1945, the American people began to force that disintegration of our military power which resulted in our unilateral disarmament.

By March of 1947, this had gone so far that the Selective Service Act, the draft, had been allowed to expire.

It was not until August of 1948 that it was reinstated.

Against all odds and with a "peace party" drawing votes away from him and his party, Harry Truman fought almost singlehandedly to achieve re-election in 1948.

He and his able lieutenants, George Marshall and Dean Acheson, created the economic and political concepts which restored free Europe to economic health and a measure of political stability. But it required every resource and every skill at his command to lead the American people to these great acts of humanitarianism, decency, and enlightened, long-range self-interest.

There was no such success in Asia. China fell to the communists. In June of 1949, the last U.S. troops were withdrawn from Korea. Almost exactly a year later the North Koreans attacked South Korea and the bloody rest we know.

There is no end to trouble in a divided world. Today we are deeply involved in Indo-China and the Soviet threatens freedom through its Arab agents in the Middle East. There is no peace.

But for twenty-five years, we have avoided the nuclear holocaust every sane man fears and our independence remains.

Had we not had Harry Truman and his Truman doctrine, his aid to Greece and Turkey, his Marshall plan, his North Atlantic Treaty Organization, his will to stand against aggression in Berlin and in South Korea, who can guarantee that we would still be free.

So I repeat, it is fitting on this day and at this place to honor our great President who led us to do the honorable task of re-establishing free nations wasted by war, who led us to do the courageous task of resisting aggression, and who by doing all this helped us avoid a nuclear war.

Let us today rededicate ourselves to the politics of honor, to the politics of courage so well exemplified by the man of Independence, the captain with the mighty heart, our great President Harry S Truman.

FUNDS FOR HEALTH PROGRAMS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. COLLIER. Mr. Speaker, for many months we have been almost deafened by loud and angry voices accusing the Nixon administration of being indifferent to the Nation's health needs. The facts are to the contrary.

Both the executive branch, headed by the President, and the legislative branch, of which this body is one of the coequal branches, have been generous as far as funds for various health and medical programs are concerned. While the Chief Executive cannot himself appropriate the funds necessary to operate these programs, he has, through the budget mechanism, recommended whatever is needed. Both the House and the other body have conscientiously endeavored to provide sufficient money for the many Federal health programs.

While we must be certain that all programs dealing with the health needs of the Nation are adequately supplied with money, we must not forget that the source of the money is the taxpayer. Our justified concern for the physical health of our constituents must be tempered with a proper concern for their financial health.

When we consider the appropriations bill that will in due course come before us, we ought to scrutinize the figures carefully. As far as I am concerned, it is more important to heed the calls of our constitutents for greater resistance to the demands of the spenders than to worry unduly about the anguished cries of those who believe that all human problems can be solved with huge transfusions of other people's money.

Let us continue to seek victories in our continuing war against disease. As far as money can help win the battles, let us provide it, but let us at the same time exercise prudence and insist that it be spent as efficiently as possible.

The tables which I am submitting for the RECORD as part of my remarks show the amounts that have been appropriated for the National Institutes of Health and other agencies of the Department of Health, Education, and Welfare, as well as the amounts that have been provided for various programs directed against particular diseases and for other health programs.

Mr. Speaker, I hope that those who have been accusing the present administration of acting stingy toward those who are in need of medical attention will seek the truth by taking a look at these tables.

The tables and explanatory data follow:

[In thousands of dollars]

	Fiscal 1961	Fiscal 1962	Fiscal 1963	Fiscal 1964	Fiscal 1965	Fiscal 1966	Fiscal 1967	Fiscal 1968	Fiscal 1969	Estimate, fiscal 1970	Estimate, fiscal 1971
NATIONAL INSTITUTES OF HEALTH											
Health manpower							500	155, 028	172, 176	234, 470	242, 234
National Cancer Institute	111, 000	142, 836	155, 742	144, 340	148, 970	163, 768	175, 656	183, 356	185, 150	190, 363	202, 383
National Heart Lung Institute	86, 900	132, 912	147, 398	129, 325	125, 171	141, 462	164, 770	167, 954	166, 928	171, 257	171, 747
National Institute of General Medical Sciences						127, 188	145, 113	160, 284	163, 514	164, 644	148, 376
National Institute of Arthritis and Metabolic Diseases	61, 200	81, 831	103, 388	113, 679	113, 344	123, 203	135, 687	143, 954	143, 888	146, 334	132, 152
Construction of health educational, research, and library facilities	30, 000	30, 000	50, 000	56, 000	168, 782	146, 599	216, 727	238, 000	93, 200	126, 100	126, 100
National Institute of Allergy and Infectious Diseases	44, 000	56, 091	66, 142	68, 723	70, 100	77, 987	90, 670	94, 422	96, 842	103, 695	99, 219
National Institute of Neurological Diseases and Stroke	56, 600	70, 812	83, 506	87, 675	88, 089	101, 153	116, 296	128, 633	128, 935	106, 978	96, 972
National Institute of Child Health and Human Development				34, 000	42, 696	55, 024	64, 922	68, 621	73, 127	76, 949	93, 303
Research resources	83, 900	127, 637	159, 826	163, 869	164, 759	60, 469	68, 534	81, 141	84, 809	76, 658	63, 701
General research support grants		20, 000	30, 000	30, 000	45, 000	45, 200	51, 700	61, 700	60, 700	60, 700	45, 977
National Institute of Dental Research	15, 500	17, 340	21, 199	19, 689	20, 190	23, 677	28, 308	30, 307	29, 984	30, 645	34, 563
National Eye Institute										24, 343	25, 686
National Institute of Environmental Health Sciences				4, 239	9, 380	15, 983	24, 298	17, 289	17, 820	18, 328	19, 843
National Library of Medicine	1, 738	2, 066	3, 335	4, 074	3, 958	9, 685	20, 192	19, 912	18, 161	19, 682	19, 769
Dental health		2, 500	3, 006	6, 270	7, 228	8, 383	9, 693	9, 635	10, 224	11, 722	10, 954
Biologics standards				4, 787	4, 969	6, 806	7, 904	8, 649	8, 499	8, 225	8, 640
International Center for Advanced Study in the Health Sciences								500	600	2, 954	2, 664

The figures for 1971 are from the Budget; all others represent appropriations.

The National Cancer Institute figure for 1965 includes $10,000,000 for Special Cancer Research.

Congress authorized the transfer of $34,000,000 from other NIH appropriations to establish the National Institute of Child Health and Human Development in 1964.

Beginning with 1966, the figure for Research Resources excludes the National Institute of General Medical Sciences, which is listed as a separate appropriation from 1966 on. The figure for 1971 for Research Resources excludes the Division of Computer Research and Technology, which will be incorporated into the National Institutes of Health Management Fund (not included in these tabulations) in 1971.

[In thousands of dollars]

	Fiscal 1961	Fiscal 1962	Fiscal 1963	Fiscal 1964	Fiscal 1965	Fiscal 1966	Fiscal 1967	Fiscal 1968	Fiscal 1969	Estimate, fiscal 1970	Estimate, fiscal 1971
OTHER HEW HEALTH PROGRAMS											
Mental health	100, 900	108, 876	143, 599	183, 288	223, 273	283, 169	315, 619	346, 909	350, 439	360, 302	346, 656
Maternal and child health	38, 167	50, 000	50, 000	66, 500	88, 000	139, 000	173, 900	179, 900	209, 200	228, 200	255, 339
Comprehensive health planning and services							4, 250	140, 676	176, 704	224, 033	251, 498
Air pollution control		8, 800	11, 069	12, 999	20, 995	26, 662	40, 061	64, 185	88, 733	108, 800	106, 003
Food and drug control	18, 848	23, 000	29, 065	35, 805	40, 370	53, 079	61, 685	66, 000	67, 296	72, 353	89, 549
Medical facilities construction	186, 200	211, 500	226, 220	231, 287	266, 907	303, 304	313, 525	293, 357	273, 368	186, 123	89, 321
Patient care and special health services	56, 023	50, 009	48, 820	49, 962	55, 064	58, 980	64, 121	63, 230	70, 443	72, 224	79, 889
Health services research and development	27, 277	24, 336	26, 526	29, 644	33, 230	82, 182	138, 665	54, 234	49, 931	44, 975	57, 403
Environmental control		7, 424	8, 536	9, 073	9, 170	13, 842	21, 963	41, 750	42, 995	55, 208	50, 780
Communicable diseases	9, 579	10, 000	18, 892	28, 405	29, 974	40, 497	44, 220	72, 109	62, 144	38, 638	41, 538
National health statistics		4, 642	5, 150	5, 949	6, 304	7, 230	9, 312	8, 317	8, 230	8, 841	9, 918
VARIOUS HEALTH PROGRAMS											
Training grants	109, 928	114, 585	135, 502	164, 895	178, 617	208, 784	134, 403	134, 951	141, 565	131, 751	131, 970
Research career program		10, 012	14, 224	19, 811	22, 448	25, 937	25, 292	26, 840	27, 987	28, 399	28, 558
Population research						5, 400	7, 700	7, 700	11, 500	15, 500	28, 300
Chemotherapy research							26, 746	27, 346	27, 370	25, 464	25, 546
Regular research fellowships	14, 245	15, 812	20, 137	21, 215	24, 003	26, 679	22, 153	23, 789	26, 647	18, 202	16, 089
Primate research centers program		9, 495	4, 444	6, 194	7, 000	7, 000	9, 000	10, 500	10, 500	9, 907	
Animal resources					819	1, 527	3, 100	5, 100	4, 568	4, 317	12, 474
Special research resources		4, 329	6, 117	5, 077	8, 169	10, 618	10, 850	10, 529	10, 494	9, 867	9, 617
Dental research institutes (centers)							2, 996	3, 000	3, 000	3, 400	4, 200
Pharmacology-toxicology research centers						1, 000	3, 359	3, 500	3, 500	3, 325	3, 325
Respiratory vaccines							4, 192	2, 719	3, 414	3, 209	3, 257
Environmental health science centers							2, 529	3, 000	2, 993	2, 850	3, 050
Anesthesiology and diagnostic radiology centers							500	1, 000	1, 000	950	950
International postdoctoral fellowships	700	700	1, 198	1, 199	1, 177	1, 199	1, 200	1, 378	1, 419	897	609

Note: The figures for 1971 are from tha Budget; all others represent appropriations. The figure for 1971 for maternal and child health includes amounts for direct operations which, prior to 1971, are included in accounts that are no longer in existence.

Training grants. These grants support training in specified aspects of health, medicine, and allied fields with the major objectives of (a) insuring an adequate supply of competent research and teaching manpower, and (b) facilitating within the student bodies of health-related professional schools the development of knowledge about special areas of disease that have particular significance.

Research career program. This program is designed to increase the number of stable full-time career opportunities for scientists of superior potential and capability in the sciences related to health.

Population research. Two important developments in July, 1969, increased the scope of the responsibilities of the Center for Population Research. First, the programs of research and training grants in reproductive biology and population of the National Institute of Child Health and Human Development were transferred to the Center, thus bringing together responsibility for all of the Institute's extramural programs in the population field. The second important development was President Nixon's call in his population message for "additional research on birth control methods of all types and the sociology of population growth."

Chemotherapy research. Under the stimulus of the National Cancer Institute's Chemotherapy program, new chemical agents are being discovered and developed into cancer drugs.

Regular research fellowships. The purpose of this program is to increase the supply of manpower available for research and teaching by providing qualified individuals with support for training in health related fields.

Primate research centers program. This program provides support for the operation of seven primate centers which provide a unique research environment where scientists can conduct biomedical and behavioral research using the nonhuman primate as an experimental animal.

Animal resources. This program assists institutions in providing animal resources required for medical research and education through grants for special animal colonies that support research related to improving animal health and care, disease diagnosis and control, studies directed to enhancing the usefulness of animal models for research, and general improvement of management and accommodations for institutional animal resources.

Special research resources. This program provides grants to nonfederal research institutions for the support of specialized resources concerned with the technology and expertise vital to modern biomedical research and patient care. The primary emphasis is on computers (including those used in diagnosis of heart disease and monitoring of the critically ill); molecular spectroscopy (used for determining the molecular structure of chemical substances that comprise or interact with living organisms); biological materials preparation (such as enzymes or cultures otherwise unobtainable); and electron microscopy (which provides biomedical scientists with information about the detailed structure of living material which has not been available before).

Dental research institutes (centers). This program provides funds for the development and operation of dental research institutes as centers of excellence in the sciences related to oral health.

Pharmacology-toxicology research centers. This program extends the program efforts of the National Institute of General Medical Sciences in pharmacology and toxicology and provides funds for the planning, initiation, and support of centers or large scale projects for research in areas of pharmacology and toxicology related to the use of drugs and chemical intoxication.

Respiratory vaccines. Research programs aimed at control and prevention of acute respiratory diseases, including those caused by bacterial and viral organisms, make up an important part of the current activities of the National Institute of Allergy and Infectious Diseases.

Environmental health science centers. The purpose of the environmental health science centers is to establish university-based resources for both research and training which are embedded in the substance of graduate education.

Anesthesiology and diagnostic radiology centers. The anesthesiology and diagnostic radiology centers program provides research support for clinical and laboratory investigation related to teaching and patient care in these fields.

International postdoctoral fellowships. This program provides awards to promising foreign scientists to support their training in the United States. While these awards contribute to the improvement of foreign research capabilities, the primary objectives of this program are domestic. These objectives are achieved by enabling foreign investigators to share their ideas and background with American colleagues, and by encouraging foreign scientists to participate in research bearing on American health problems.

[In thousands of dollars]

Programs directed at particular diseases	Fiscal 1965	Fiscal 1966	Fiscal 1967	Fiscal 1968	Fiscal 1969	Estimate, fiscal 1970	Estimate, fiscal 1971
National Heart and Lung Institute: Research and training activities; arteriosclerosis and coronary heart disease			46,976	47,459	42,646	39,535	55,515
Special virus leukemia program (1967, 1968); special virus cancer program (1969 to 1971)			18,610	19,480	20,786	19,159	40,752
Specialized research centers: Heart, cancer, neurology					14,070	13,754	20,504
Kidney disease			11,821	13,830	15,250	13,651	13,769
Artificial kidney program (included in preceding item)			3,900	5,096	5,456	4,661	4,665
Arthritis, rheumatic diseases, and bone disorders			10,717	11,100	11,746	10,935	11,106
Diabetes			6,675	7,542	9,040	8,354	8,520
Heart cooperative drug study	447	1,770	3,433	3,820	3,812	4,579	4,579
Epilepsy			3,494	3,036	3,260	3,014	3,031
Cystis fibrosis			1,385	2,000	2,588	2,883	2,947
Parkinson's disease			2,468	2,901	2,673	2,472	2,472
Leukemia research support centers		824	1,425	1,257	1,491	1,401	1,401
Cleft palate and related speech disorders			1,800	1,600	1,400	1,200	1,200

Note: The figures for 1971 are from the budget; all others represent appropriations.

Diet, drug, and hormone therapy in heart disease. The major thrusts of the National Heart and Lung Institute's research program directed against coronary heart disease are (a) the earliest possible identification of the highly susceptible individual; (b) modification or elimination, where possible, of factors known to increase coronary heart disease risk in the hope of preventing the development of the disease or else aborting or delaying the onset of its severer consequences, such as acute heart attacks; (c) development of improved techniques of diagnosis, patient monitoring, and treatment to improve survival among victims of acute heart attacks; and (d) the development and evaluation of therapeutic measures to minimize residual disability among heart attack survivors and to protect them against recurrent attacks and other complications of preexisting coronary heart disease.

Leukemias and other cancers. Beginning with the Special Virus Leukemia Program, which was enlarged in 1969 to the Special Virus Cancer Program, and which now embraces all types of cancer, the National Cancer Institute has developed an effective system for the conduct of major research efforts aimed at elucidating the human situation. The Institute has also developed the means for controlling certain animal cancers induced by viruses.

Specialized research centers. The initial design of this program was to provide support for planning and operational grants for specialized centers in the heart disease, cancer, and stroke areas.

Kidney disease, including artificial kidney program. The National Institute of Arthritis and Metabolic Diseases has a primary responsibility for research in urological disorders and kidney diseases. This Institute also is the center for a centrally directed program of research and development in the fields of artificial kidneys and chronic renal failure (uremia), and seeks to advance kidney transplantation research and capabilities.

Arthritis, rhematic diseases, and bone disorders. Most of the nation's research efforts to prevent or control arthritic and rheumatic disorders are centered in the National Institute of Arthritis and Metabolic Diseases. Research conducted and supported by the Institute emphasizes finding the basic cause of the most common and crippling rheumatoid form of arthritis. Two main theories see the disease as an end result of either a disorder of immunity (autoimmunity) in which the body directs antibodies against its own tissues or of a virus infection. Extensive exploration of other areas continues to bring better drugs for control of arthritic diseases, an increased understanding of fundamental mechanisms of inflammation and tissue breakdown pertinent to a number of connective tissue disorders, and new information concerning bone formation and dissolution in health and disease.

Diabetes. The National Institute of Arthritis and Metabolic Diseases conducts, fosters, and coordinates research into the cause, prevention, diagnosis, and treatment of diabetes mellitus.

Heart cooperative drug study. This program is designed and organized as a national cooperative study to determine whether several lipid-lowering drugs will, over prolonged periods of use, reduce the mortality or morbidity of coronary heart disease.

Epilepsy. The epilepsy program of the National Institute of Neurological Diseases and Stroke includes basic brain research, research relating to medical and surgical treatment, better communications among scientists, training of scientists, and education of the public, to ease the social and economic pressures on victims of epilepsy.

Cystic fibrosis. The research conducted and supported by the National Institute of Arthritis and Metabolic Diseases is aimed at specifically defining clinical manifestations and biochemical aberrations responsible for this inherited metabolic disorder.

Parkinson's disease. The program in Parkinson's disease of the National Institute of Neurological Diseases and Strokes includes the grant support of individual research projects in universities and other centers; the grant support of basal ganglia disease clinical research centers; an intramural research program centered around surgery; support of training in neurology, neuropharmacology, neurosurgery, and the many other disciplines bearing on the problem; efforts to aid communication in the field through sponsorship of meetings, production of publications, and the provision of information services; and the continuing monitoring of all basic and clinical research to provide for coordination of research efforts and early but prudent use of research findings.

Leukemia research support centers. These centers are utilized to make platelet transfusions and domiciliary care available to children under treatment of leukemia. Platelet transfusions are an essential factor in the modern treatment of childhood leukemia. The massive platelet transfusions required have not been widely available and this program provides for the preparation, administration, and evaluation of platelet transfusions in institutions across the country responsible for the care of leukemic children.

Cleft palate and related speech disorders. Through support provided by the National Institute of Dental Research over the past ten years, dramatic progress has been made in improved diagnostic, surgical, and speech techniques to restore afflicted children to near-normal appearance and function. More recently, psychological studies are contributing valuable insights to the problem of total rehabilitation. Greater research emphasis is now being placed on etiology, focusing on genetic and environmental factors.

[In thousands of dollars]

Health professions scholarships	Fiscal 1967	Fiscal 1968	Fiscal 1969	Estimate, fiscal 1970	Estimate, fiscal 1971
Medicine	1,769	3,293	5,293	7,258	6,828
Pharmacy	1,003	1,895	2,731	3,087	3,330
Dentistry	808	1,476	2,354	3,165	2,915
Veterinary medicine				908	896
Optometry	146	249	393	504	465
Osteopathy	98	177	288	392	362
Podiatry	51	109	160	227	206
Total	3,875	7,198	11,219	15,541	15,000

Note: The figures for 1971 are from the Budget; all others represent appropriations.

COLLEGE FACULTY COMPOSITION

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 7, 1970

Mr. THURMOND. Mr. President, Dr. S. I. Hayakawa, president of San Francisco State College in California, recently published a column in which he warned that many teachers in the Nation's top institutions of learning are telling their students America is rotten to the core.

Dr. Hayakawa also stated that some colleges still provide the basis for a sound education, but noted the trend in the wrong direction was serious and deserved attention.

Mr. President, all of us have a responsibility to see that our young people are not hoodwinked by narrow-minded college professors who have no faith in the system which insures them the liberties they so freely abuse.

I ask unanimous consent that this column, which appeared in the Thursday, July 2, 1970, issue of the Washington Daily News, be printed in the Extensions of Remarks.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

IT IS SIMPLY INCREDIBLE HOW RADICAL TEACHERS CAN BRAINWASH SO MANY BRIGHT YOUNG STUDENTS

(By S. I. Hayakawa)

It is incredible how many students, especially in prestigious colleges and universities, have been persuaded by their teachers that American society is rotten to the core. How can such a false idea be sold to an otherwise bright generation? Simply by inculcating in students the assumption that the scornful rejection of "middle-class values" and American institutions is a hallmark of intellectual distinction.

Are there any campuses today on which students are not being subjected daily to this anti-intellectual brainwashing by radical faculty? Of course there are. They just don't make headlines.

I delivered the commencement address recently at just such a college. From the rolling hills of the Santa Lucia chain of mountains by the Pacific coast, the California State Polytechnic College at San Luis Obispo has attracted more than 11,000 students to this sparsely populated and beautiful smog-free area of the state. More than 2,300 students received masters and bachelors degrees in a ceremony that overflowed the 7,000 seat stadium. Cal Poly, as it is popularly known, is, like my own institution, San Francisco State College, one of the 19 California state colleges. Unlike most of the others it did not evolve from normal schools and teachers colleges. Nor has it assumed the mantle of academic respectability by calling itself a "liberal arts" college.

Instead Cal Poly grew up from a little state vocational school established by the legislature in 1901. In the 33 year period from 1933 to 1966 Cal Poly was guided by the late Julian A. McPhee, a giant among educational leaders in California. He fought an uphill battle to make occupationally-centered college-level education an acceptable partner with the so-called "liberal arts." He retired at 70, having served 33 years as president. He died a year later.

Despite its merger into the California state college system, McPhee maintained the individuality, personality and local autonomy of Cal Poly. By law Cal Poly can offer liberal arts programs. But the emphasis is on occupational education leading to careers in agriculture, engineering, business, home economics and other applied fields. Even an English major finds himself in the "school of applied arts."

Cal Poly has always sought faculty members who have both stout academic records and practical experience in the professions and occupations directly associated with the courses they teach. This requirement, according to President Robert E. Kennedy, for 30 years a faculty member of Cal Poly and a disciple of Julian McPhee, squares with some recent scientific research into what can be done to improve all institutions of higher education.

Dr. Kennedy calls attention to a recommendation made by 14 psychologists and psychiatrists who worked with Joseph Katz in a four year study of Stanford and University of California at Berkeley graduates. One of their conclusions: "Present faculties tend to represent only one segment of humanity, primarily people with strong cognitive orientation and the tendency to exercise thought in a non-applied fashion. The students represent a much larger variety of interests and orientation. . . . Yet they are segregated from much of the adult world, so that in a period in life when they are particularly open to change, they are secluded from potentially significant adults."

The conclusion of the study and President Bob Kennedy's opinions, based on a 30-year observation of results at Cal Poly, are basically the same: Colleges and universities need a considerable diversification of the kinds of people with whom we bring our students in contact. We must stop the academic inbreeding of appointing to universities faculties men and women who have never worked in any productive labor outside of their years as students, graduate students and teachers.

What better model could there be for some college student heading into a career in engineering than a licensed engineer who has successfully built bridges, dams and high rises before deciding on a second career as a college teacher? People of this kind, in all walks of life, frequently have a great desire to teach and to be in contact with young people. Such faculty "models" at Cal Poly influence their students not only through their intellectual knowledge, but also through the wisdom they have gained from practical experience.

Perhaps that's what all colleges need—especially liberal arts colleges. More professors who are acquainted with the world outside the classroom. Fewer professors who live in that dream world in which the Peace and Freedom parties seem the only logical choice.

THE MINERAL KING CONTROVERSY CONTINUES

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BROWN of California. Mr. Speaker, time may be running out in the struggle to save the natural values of the lovely Mineral King Valley in California.

Government and private plans call for "developing" the Mineral King area into a huge year-round resort, and, despite massive protest from conservation and environmental spokesmen, it appears that construction may start within the near future.

I do not oppose development of the Mineral King area.

I do oppose the unlimited, ravaging style of "development" blueprinted for the valley.

California desperately requires additional recreational land, but that need should not be met at the expense of perpetual ruin of the relatively few wildlife areas left in the State.

Last August I introduced H.R. 13521 which calls for enlarging Sequoia National Park to encompass the Mineral King area. If this bill were to pass, development at Mineral King could still take place, but under much more stringent conditions than are now planned.

Recently I received a study of the Mineral King controversy, made by Mrs. J. P. Reames, of Yorba Linda, Calif.

I believe Mrs. Reames' study is a valuable introduction and summary of the issues at hand in Mineral King, and I would like to insert it in the RECORD at this point.

The study follows:

MINERAL KING

(By Mrs. J. P. Reames)

FROM "AUGURIES OF INNOCENCE"

(By William Blake (1757–1827))

To see a World in a grain of sand,
And a Heaven in a wild flower,
Hold Infinity in the palm of your hand
And Eternity in an hour.

PREFACE

I chose to write about the dispute over Mineral King because it contains much of what we have studied in class—power, alienation, bureaucracy, social action, courts. In places I have stated opinions of clubs or individuals without citing a reference. These were obtained from personal letters and reports so graciously loaned to me by two members of the Sierra Club.

I have included lines from the poem, *Auguries of Innocence,* because William Blake said so eloquently much of what I feel about nature, and, also, because there is significance in the fact that he was not understood in his own lifetime. Society had to evolve before his works became fully appreciated. During his lifetime he was thought crazy by many.

There it was—the natural dry fall that the other hiker had told us about. It was 25 feet high at least and, even with our rope, we could not get ourselves and our three children up it because we were not experienced enough. We had been hiking for about an hour and one half in Grotto Canyon in Death Valley. There was no trail; we simply followed the floor of the canyon and wound in and out of beautiful rock formations caused by roaring water rushing down the narrow canyon in the rare times that Death Valley has rain. Many times during the hike the floor of the canyon had jutted abruptly straight up, and we had scrambled up using rope or opposite leverage. Now we had come as far as we could go, and with reluctance, we turned around and started back along the route we had come. And then, as we wound out of the high canyon walls, I suddenly saw the floor of the valley. Except for a couple of roads winding through it, it was essentially the same as when that first hapless wagon train ventured into it in 1849.[1]

As I looked at the valley floor, I could not help but wonder if perhaps the Los Angeles Basin had looked very similar to it at one time. True, the Basin must have had more vegetation, and it had several rivers flowing through it; but it also must have had the vast open spaces and the beautiful terrain that this valley has. It has it no more because man with his bulldozers has cut down the mountain tops to place houses there. He has filled the basin with tracks of houses, factories, office buildings, and across it all he has cut and filled to build those giant interchanges and freeways over which cars travel filling the air with smog and the Basin with more noise. I thought of another valley that I had visited two and a half years before, a valley over which a battle is being waged right now, Mineral King, and I wondered if it too could be saved, or if it will become another victim of our society.

Mineral King is located about 250 miles north of Los Angeles in the southern part of the Sierra Mountains and is bordered on three sides by Sequoia National Park. When the park was formed, Mineral King was not included because some mining was being done in the area at that time. However, the mining did not prove profitable, so the area remains largely undeveloped.[2] Both Mineral King and Sequoia National Park are administered by the executive segment of our federal government, but by different departments. Sequoia National Park is administered by the National Park Service, a division of the Department of Interior. Mineral King is administered by the U.S. Forest Service which is a division of the Department of Agriculture. In 1926 an act of Congress made Mineral King a national game refuge.[2]

To reach Mineral King by car one has to take a 25 mile access road which is paved only part of the way and which winds in and out with the land and around large trees. Sunset Magazine reported that it had at least 700 road curves,[3] and indeed it does! It takes two hours to travel by car the 25 miles to Mineral King Valley. It is not a road for one in a hurry, but the patience and time spent traveling to this area is well rewarded. The road ends in a beautiful alpine meadow through which flows a sparkling clear stream. The meadow which is at 7,800 feet is rimmed by snow topped mountains 12,000 feet high.[2] If one hikes along the mountain trails he will be rewarded with the sight of marmots scurrying back and forth over the meadows, and by the springs he will hear the sound of the lark. There is peace and solitude here that is unknown in the daily hustle of city life. The air is clean and fresh with a smell of pine, and the quiet is not an absence of sound, but the absence of noise, for nature is never silent, but her sound is gentle music. Wildlife abounds in this area. Mule deer, bears, grouse, larks, bluejays, marmots, squirrels and rabbits all live here. The area has remained basically untouched and unchanged by man. There are about 50 to 60 summer homes, a general store, and a post office in the valley, but no asphalt parking lots, crisscrosses of roads or bulldozed hills mar the landscape. Unlike the Los Angeles Basin, Mineral King sits as a whole, but if a segment of our society has its way, it too will be divided—segmented—destroyed.

Our society seems to have but one way to look at problems and to solve them—one step at a time, one consideration at a time, and each consideration in its proper sequence, like the Winnie-the-Pooh game. If we look at the Winnie-the-Pooh game we will find that it is linear and segmented. It consists of a playing board which has a road or line drawn upon it and which line is divided (or segmented) into many parts. These parts are different colored. There is a starting point on the board and a finishing point. Each player places a plastic man on the starting point. Then each player in turn draws a plastic piece from a bag. The color of the plastic piece determine where he can move his man. If it is red, he moves ahead to the next red space, if blue he moves ahead to the next blue space, etc. If he lands on Pooh's Corner, he pays a penalty—he loses one turn. There is only one consideration to make in each play, and each player is concerned only with himself. The first player to have his plastic man reach the finish is the winner.

This step by step method of thinking has its place. If we look at an address on an envelop we will see that it is addressed this way: name, street, town, state. If it were addressed in any other sequence, much confusion would result and the letter would probably never reach its destination. The address in such a logical order facilitates delivery of the letter. This is good.

We also have division of labor. Each person has a specific job and it is not necessary for him to know another's job. This has given us our assembly line and has facilitated the rapid production of goods so that many may enjoy the benefits of these goods. The clothes we wear, the appliances we use, and the food we eat are all products of our linear and segmented society. Our division of labor has made it possible for man to pursue new ideas and to develop new technologies by freeing him from having to find or to produce everything he eats or wears.

Our society has probably given us more creature comforts than any other society, and yet, because we solve all problems the same way—one segment at a time—we quite often "fail to see the forest because of the trees" and, therefore, create even more and greater problems.

Like children playing the Winnie-the-Pooh game, we tend to think of self. We separate ourselves from nature and look upon it as merely something for man's pleasure or use; so we tamper with nature without thought to the consequences. We have cut down the forests for lumber without realizing their importance as vital water sheds, as a result we have caused mudslides, flooding, and lowering of underground water tables. We have disposed of our wastes into rivers, destroying their beauty and killing fish, water fowl and plants. We have lowered the death rate and lengthened the life span because of advances made in industry, agriculture and medicine, but at the same time we have failed to appreciably lower the birth rate. As a result the earth's population is increasing at the rate of 2% a year. In thirty-five years it will have doubled. (4) This ever increasing population encroaches more and more on nature. More lumber is needed for houses, more wastes are created for disposal, more mountains are cut down to make room for houses or roads to the houses, more outdoor recreation is needed, etc. Homes for deer, rabbits, birds, coyotes and other animals become playgrounds for people instead. And so into the picture comes Mineral King.

The U. S. Forest Service, responding to the ever increasing demand for more "developed" outdoor recreational areas, decided to ask for private bids to "develop' Mineral King for skiing and other outdoor recreational pursuits. There were six plans submitted, and out of these the Walt Disney Productions' plan was chosen. (Six played, one won.) The plan calls for an expenditures of $35 million and will take up 300 acres of land. The proposal plans to accommodate 5,000 to 10,000 visitors a day in the valley. It calls for a year-around alpine village with a five story hotel that will sleep 3,310 guests, 22 ski lifts to serve as many as 8,500 skiers per day, theater, heated swimming pool, golf course, tennis courts, heliport, hospital, maintainance shops, restaurants (one on a bulldozed mountain top), parking places for 3,600 cars, cog railway to run between the parking area and the village, and a reservoir to replace the river and meadow that now occupy the valley floor.[2] All this on three hundred acres of land—eighty of which Walt Disney Productions will lease for thirty years. The other 220 acres will be leased on a year-to-year basis.[5]

Of the Walt Disney Productions' plan the Forest Service states: "It will be a mountain recreation area of the finest quality, developed—and used—according to Forest Service approved plans and wholly in harmony with its superlative surroundings."[6] Like children playing the Winnie-the-Pooh game, the Forest Service is dealing with only what can be seen. Perhaps a village "which will be built to an 'American Alpine' motif reminiscent (but not a copy) of European mountain resort communities"[6] will look like it belongs in the landscape. But if those in the Forest Service would close their eyes, they would hear the tramp of 10,000 to 20,000 human feet on the valley, and they would hear voices echoing off the mountain walls until the peace and solitude of the valley is no more—no more—no more—no more— — —. They would smell the odor of man and of man-made things. And if they were to reach out to touch a flower, they would feel its crushed petals. If they would open their eyes and look up, away from the valley floor, they

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Footnotes at end of article.

would see a scarred mountain top and slopes marred by ski lifts.

"Wholly in harmony"? No thought has been given to the animals that now call Mineral King their home, the animals that are supposedly in a national game refuge. No provisions are made for the marmots, the mule deer, the grouse whose very lives depend upon the valley meadow—the meadow that is to be replaced by buildings, people and reservoir. The ecological balance will be upset, animals will die, merely because of man's greed for money and pleasure.

There are many places where man can golf, play tennis, swim, eat and lodge, and there are places where man can ski. There are few remaining places for our wild animals to eat, play and lodge. So, too, are there few remaining places where man can escape this society for a while, where he can forget about time, and all his cares, and identify with nature. There are few places where he can observe the handiwork of God unspoiled by human hand and feel His presence. If we continue to approach the demand for more outdoor recreation by opening up wilderness areas, there will be no wilderness area left. Man will have destroyed it for all time purely for a passing pleasure. Right now in the United States only about 2% of our land remains wilderness.[7] We must preserve it like misers if future generations are to see, feel, smell and hear it. Otherwise they will only be able to read about it in history books.

Many conservationists and conservation minded organizations, such as the Sierra Club, were unaware of the extent to which Mineral King was going to be "developed" until the plans were already approved by the Forest Service. When these plans became known, much opposition was encountered.[5] The Sierra Club and other conservationists felt the project was too big for the valley. The National Park Service was afraid that so many people in Mineral King would endanger the Sequoia Park wilderness areas surrounding Mineral King. The Forest Service, however, was unrelenting.

Attention was also focused on the plans for a new road. If the Walt Disney Production plan was to be realized, a new road that would move traffic much faster and that could be kept open all year would have to be constructed. The state of California was asked to finance and to build it. Many felt this was unjust and argued that the people would be paying for a road that primarily helped a private enterprise. Yet others felt that the road would benefit the people of the state by making a new winter resort accessible. The state of California approved the funding of the road despite its cost of $25 million. Since the road would go through nine miles of Sequoia National Park, the state needed the approval of the Secretary of Interior. At that time Mr. Stewart Udall was secretary, and he was reluctant to give his approval stating: "I am honestly worried by the thought that we will not be honored 25 years from now if we make a decision to violate this valley by a road." [5] Many conservationists wrote to him urging him not to approve the road. The road would threaten some 40 giant sequoias, trees that were seedlings at the time of Christ. Also a road that would move some 1,200 [6] vehicles per hour would also bring problems such as noise and air pollution. But pressure was also brought to bear from others who saw the development of Mineral King so that it could be used by many as a good thing. Skiers, especially, were anxious to have this area opened up by a new access road. Many had the feeling that if a natural resource is not used to the utmost by man, it is being wasted. Of course, the Department of Agriculture was anxious for the road to be built since it was its division that had asked for bids and approved the plan in the first place. So a power struggle developed between two departments of the executive portion of the federal government. It finally developed to such proportions that it became an embarrassment to the President [5] and the deputy budget director was asked to help settle it. Since the Secretary of Agriculture had given in on the last dispute, the Secretary of Interior was told he should relent this time. He finally did so.

Just as it began to look as if all obstacles had been overcome and all battles had been waged and won for Walt Disney Productions, the Sierra Club filed a lawsuit charging the Department of Agriculture had acted improperly in granting Disney a lease on 80 acres of land for thirty years and a year-to-year lease on 220 acres. The Club claims that this is merely a way to get around the 80 acre limit set by Congress. The Club also charges that the Department of Agriculture should have held public hearings on the project and that the Department of Interior had no right to approve a road through National Park lands. In August 1969 the Club sought, and was granted, an injunction halting all work on the project until the case can be heard in court. Walt Disney Productions had landed on Pooh's Corner and lost one turn!

Time has become a very important commodity in our society. The Sierra Club is hoping that continued delay will discourage Walt Disney Productions and make it unprofitable for them to proceed with their plans. They also hope that in the time interval they will be able to generate enough adverse public reaction so that Walt Disney Productions will no longer feel it is desirable to continue with its project.

Meanwhile, a bill that would make Mineral King a part of Sequoia National Park has been introduced in Congress by George E. Brown of California.[8] It has been referred to the Committee on Interior and Insular Affairs. No action as yet has been taken.

And so, the game of Mineral King is almost finished. The players have used the available segments—state government, federal government, Forest Service, Department of Agriculture, National Park Service, Department of Interior, Congress, Legislature, judicial system. Walt Disney Productions has lost a turn. The winner is now anybody's guess.

The conflict over Mineral King, like the game of Winnie-the-Pooh, is a part of and a result of our society. There is hope for Mineral King. Many people are becoming increasingly aware of the fact that projects such as the one envisioned by Walt Disney Productions only bring us closer to a dead-end, and if the Sierra Club manages to stall the project long enough, public sentiment might well rise against the plans. So, too, is there hope for our society as there is an increasing awareness of the interrelationship of problems within it. Man is not perfect. He will always make mistakes. But if he goes forward ever aware of his imperfections, he can change, and with him, society.

"When I was a child, I used to talk like a child, and think like a child, and argue like a child, but now I am a man, all childish ways are put behind me. We are seeing a dim reflection in a mirror; but then we shall be seeing face to face. The knowledge that I have now is imperfect; but then I shall know as fully as I am known."—1 Corinthians 13: 11, 12.[9]

FOOTNOTES

[1] Kirk, Ruth, *Exploring Death Valley*, Stanford University Press, Stanford, California. 1965.

[2] "Mineral King at the Crossroads," *Sierra Club Outdoor Newsletter*, Volume 5, No. 1, May 19, 1969.

[3] "After 700 road curves, there's old Mineral King . . . your destination or jumping-off place," *Sunset Magazine*, June 1967, pp. 42–52.

[4] Bengelsdorf, Irving S., *Spaceship Earth: People and Pollution*, Fox-Mathis Publications, Los Angeles, Calif., n.d.

[5] Cahn, Robert, "Disney project sets off 'battle for sequoias,'" *The Christian Science Monitor*, June 7, 1969.

[6] "Mineral King, A Planned Recreation Development," *U.S. Department of Agriculture Bulletin*, February 1969.

[7] Hope, Jack, "The King Besieged," *Natural History Magazine*, November 1968.

[8] "House of Representatives Bill 13521," *Ninety-first Congress, First Session*, August 13, 1969.

[9] *The Jerusalem Bible*, Doubleday and Company, Inc., Garden City, New York, 1966.

YOUNG MARYLAND SOLDIER AWARDED BRONZE STAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Thomas H. Wallace, Jr., a young man from Maryland, was recently awarded the Bronze Star Medal with "V" device for valor and the Purple Heart, in Vietnam. I should like to commend his heroism by including the following article in the RECORD:

YOUNG SOLDIER AWARDED BRONZE STAR FOR SAVING BUDDIES' LIVES

Spec. Four Thomas H. Wallace, Jr., attached to the Americal Division in South Vietnam, has been awarded the Bronze Star Medal with "V" device for valor and the Purple Heart.

Wallace's wife, Regina, and their seven-week-old son, Thomas, III, live with his parents, Mr. and Mrs. Thomas H. Wallace, Sr., in White Hall.

The 19-year-old soldier is the eldest son of Mr. and Mrs. Wallace. He has five brothers and two sisters.

According to the citation accompanying the Bronze Star, "Private Wallace's unit was conducting a reconnaissance patrol near Tam Ky City when it encountered a well entrenched company size North Vietnamese Army force.

"The initial burst of hostile small arms and automatic weapons fire took the friendly unit by complete surprise, seriously wounding four of Private Wallace's comrades and pinning down the remainder of the patrol.

"With utter disregard for his personal safety, Private Wallace maneuvered through the intense enemy fire to the fallen soldiers and removed one of them to a more secure area.

"After administering emergency first aid to the wounded man, Private Wallace again made his way through concentrated enemy fire in returning to the site of the three other casualties.

"After administering first aid to two of the wounded personnel, Private Wallace then engaged the enemy with suppressive small arms fire, enabling the other members of the patrol to evacuate the wounded men from the contact area.

"Private Wallace's timely and heroic actions were instrumental in saving the lives of several of his fellow soldiers and served as an inspiration to the remainder of his unit."

Wallace was promoted to his present rank last May 16. At the time of the action for which he was decorated he was a private first class. In South Vietnam since last January, he is expected to return home in December.

WHAT 42,000 MEN DID NOT DIE FOR

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. NELSEN. Mr. Speaker, a most thoughtful editorial appeared in the Worthington Daily Globe of Worthington, Minn., over the recent Memorial Day period, and I wish to bring it to the attention of my colleagues. The paper, edited by Ray Crippen, suggests several conditions for which our brave American men were killed in Vietnam obviously did not sacrifice themselves:

WHAT 42,000 MEN DID NOT DIE FOR

Few issues in modern times have so divided the American nation as the continuing war in Southeast Asia. The cost of lives and dollars has been staggering. Victory, even a stalemate, continues to prove elusive. The President has pledged our ultimate withdrawal, but within the past month, the scale of conflict has broadened importantly.

Critics and supporters of the President both have reason for sober reflection on Memorial Day Saturday. The losses of more than 42,000 Americans killed and 278,000 wounded is more than grim statistics. They are real facts which have spelled heartbreak in many American homes. They are awesome sacrifices in the name of service to country.

Some will ask Saturday: Were these sacrifices in vain? We are unable to answer that question, and we sincerely wonder whether any American has a good answer. In the cold weightings of big-power politics, gains can be cited. Indonesia, once a pawn of Soviet policy, has reversed its colors. Advocates of the domino theory argue that drawing the line in Vietnam has stopped the march of communism into other Asian nations. These gains, however, have not been cheaply won. Besides the price in lives and treasure, national prestige in the eyes of world opinion has suffered greatly. The division of the nation at home has been a bitter dividend. So, too, are rampant inflation in the economy and the "crisis of confidence" on Wall Street. Finally, it can be argued that the Saigon government is in no better control of its country than it was when American forces were first dispatched. Most of Laos is under communist rule, much of Cambodia and a portion of Thailand. A tremendous treasure has been invested; accomplishments are not easy to find.

But it is not our purpose here to rehash all of the pros and cons of the war. These arguments are well known.

Rather, we would suggest there is a consideration in the sacrifice of 42,000 of our countrymen that all of us should weigh. While there may be disagreement among citizens as to why these men died, there can be a degree of certainty as to what they weren't fighting for. We list some of these here:

These brave sacrifices were not made in the name of national disunity. And for obvious reasons. Grave problems in addition to Vietnam confront today's America: the threat of war in the Middle East; worsening economic conditions at home; a worldwide problem of environmental pollution; the still-unresolved East-West conflict, to name only a few. A divided America can marshal only limited resources in tackling these ills. A divided citizenry undermines our efforts. Problems as big as these depend upon a broad consensus for successful solutions. A contentious society must first heal the wound of division before it can be strong.

Our mourned servicemen did not die to invalidate the nation's ideals. When we speak of servicemen who made this sacrifice, the list includes black and white, Protestant, Catholic and Jew. Young men nearly all, they possessed the vital, idealistic visions of youth, the idea of a more-perfect America which practices the letter of freedom and equality of opportunity. This realization should suggest to the nation some important unfinished business.

Our dead in Vietnam did not die to dishonor the flag. Though there may have been many who doubted the wisdom of our Vietnam involvement, they honored the concept of citizen contribution for national needs. This fact was implicit in their service.

Our lost GIs, Marines, airmen and sailors did not die to fatten the Swiss bank accounts of war profiteers, domestic or Vietnamese. Though this was not their purpose, the profiteering goes on, in Saigon and DaNang, in San Diego, Los Angeles and Washington. There may be an instruction to the American people in this fact.

The 42,000 now-dead Americans did not die to enhance the chances of World War III. This is obvious. Knowing the horror of war, they, more than anyone at home, could value peace. For those of us remaining, the question is pertinent: What is the substance of our current efforts to prevent a World War III? Are we making adequate attempts to reduce tensions and build the foundations for lasting peace?

Sober questions, all of these. And important ones. Appropriate topics for thought on Saturday.

How, for example, do we build unity? Do we raise our voices? Do we resort to violent protest? Do we misread other's motives? Do we react emotionally to the ideas of those with whom we disagree?

Or do we realize that our mutual stake in unity as Americans may be preciously important to all of us? Shouldn't we attempt to understand, if not agree with, the viewpoints of those which don't immediately square with ours? Shouldn't we beware of emotional overreaction? Shouldn't we place more emphasis on discussion, less on debate?

What are your answers?

A TRIBUTE TO DANIEL NARCISO

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. McEWEN. Mr. Speaker, I call to your attention today the name of Daniel Narciso, a student at the State University of New York College at Oswego, N.Y. I am sure that you will agree with me that this college student is to be commended for a recent act of valor in Oswego, N.Y.

While crossing a bridge over the Oswego River on June 19, Mr. Narciso saw a man falling from the bridge to the water some 40 feet below. Rather than concerning himself with personal danger to his own well being, he acted to save another. In attempting the rescue, Mr. Narciso plunged from the bridge into the waters below.

While he was unable to save the man's life, Mr. Narciso demonstrated great courage.

At 22, he is a highly respected student at Oswego and is an outstanding member of his college wrestling team.

His actions, I believe, are more typical of the character of our young people than the antisocial behavior of the noisy few who make the headlines. I believe that his courage and concern for another are representative of the fine ideals that motivate the vast majority of our college students and other young people in whose hands the future of our Nation lies.

COLONEL ELLENBERG'S PRAYER

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. DORN. Mr. Speaker, one of the last services which Col. Julian S. Ellenberg rendered before his untimely passing on June 13 was to organize a beautiful and appropriate memorial service to our veterans in my hometown of Greenwood, S.C., on Memorial Day. Colonel Ellenberg's career of spiritual and military service is one of national significance. He participated in the Normandy landings on Utah Beach on D-day, served with our occupation forces in both Japan and Germany, and while serving in Japan was chaplain to Gen. Douglas MacArthur. Even after retirement from the Army in 1959, Colonel Ellenberg continued to be active in National, State, and community affairs as a member of the American Legion, the Kiwanis Club, and the Shriners. He was elected to four terms as grand aumonier of the South Carolina 40 & 8, and then was chosen aumonier national for the 40 & 8 last summer. Colonel Ellenberg was a dear personal friend of mine, a devoted patriot, and an outstanding American. The following prayer, which I commend to the attention of my colleagues in the Congress and the people of our country, was written by Colonel Ellenberg for the memorial service in Greenwood:

MEMORIAL DAY PRAYER—1970

Dear Lord, Kind Lord, Gracious Lord we pray,
Guide us, love us and protect us this Memorial Day;
Help us when we fail Thee; fail to turn this tiny planet
Into a province, into a province, into a province of The Kingdom of God.
In public proclamation, and in private legion,
For God and Country, For God and Country
We ask strength to uphold and defend law and order.

Dear Lord, Kind Lord, Gracious Lord we pray
Asking Thy forgiveness for the foolish things things we say.
Those who are departed, those who are departed;
Those who nobly sacrificed,
Lived and died, lived and died that we might live in
A greater America, a greater America, a part of a better world.
They're trampling, they trampling,
They're marching, they're marching,
Rejoicing and singing praises unto Thee, most High and Holy God.

Dear Lord, Kind Lord, Gracious Lord we pray,
Guide us, love us and protect us this Memorial Day.
All Armed Forces, in the air, on the land and on the sea;
Keep them safe;
Our Beloved America, America, America.
Lord make us harmonies of Thy Peace on This Memorial Day,
That all wars may cease!
A-men! A-men! A-men!

JULIAN ELLENBURG,
Lieutenant Colonel, Retired.

NATIONAL HEALTH INSURANCE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mrs. GRIFFITHS. Mr. Speaker, last February I introduced H.R. 15779 to provide a national health insurance program for all residents of the United States.

Twenty colleagues from nine States have since cosponsored the bill. In addition, four other Members have introduced bills identical to H.R. 15779. No committee action has been taken nor is any scheduled by the House in the remainder of the second session of the 91st Congress on national health insurance.

So, for the reasons I shall give now, I plan to reintroduce my bill early in the next Congress.

There are two points I wish to make about the need for national health insurance legislation at this time.

One is that the cost of medical care has reached such astronomical proportions that only the very rich can afford to get sick in America.

The second is that we cannot afford to delay enactment of a program to control escalating health care costs. The longer we put off a comprehensive national health insurance program, the more it is going to cost when we finally implement it.

Mr. Speaker, H.R. 15779 is the only NHI bill pending in Congress which would control costs effectively and in a manner acceptable to all concerned. It permits the Federal Government to negotiate and contract with the providers of health services to deliver health care.

The providers would organize themselves into medical and dental groups, which would be responsible for fulfilling the contract.

The amount of the contract would actually set a budget within which doctors, dentists, hospitals, and laboratories would have to operate. Excessive care and unnecessary services by providers would reduce their profits. Efficiency would show up as budget surpluses and greater profits.

The medical and dental groups would pay their members in any way they chose. Presumably, the predominant method for paying for medical and dental services would continue to be fee-for-service, since a majority of physicians and dentists continue to prefer this method of payment.

However, the sum total of individual charges could not exceed the overall budget of the group. This is the cost control mechanism in my bill.

Unlike medicare and medicaid which simply underwrite the cost of care, as determined solely by the providers, with no objective restraints on excessive charges or unnecessary services, my bill establishes three national budgets: one for hospital services, one for medical services, and one for dental service. I believe this is the preferable way to put controls on runaway health and medical costs.

With regard to the expense of delaying national health insurance, when I first began researching it a year and half ago, the cost of H.R. 15779 was estimated to be 7 percent of covered payrolls. That estimate was based on the latest available national health expenditure data, which was for the calendar year 1967.

At that time, it was felt that the providers of health services could live with and, in fact, prosper within the framework of a budget which raised 7 percent of taxable payrolls—1 percent from employees, 3 percent from employers, and 3 percent from general revenues.

After national health expenditure data became available for fiscal 1969, I asked for revised cost estimates. Using the same assumptions, the cost of my bill would now be 7.9 percent of taxable payroll. Obviously health care costs are rising much faster than taxable payrolls.

I should like further to point out, Mr. Speaker, that if health expenditures continue to absorb an increasing proportion of the gross national product at the same rate as has occurred during the last 10 years, then in just 30 years the proportion of GNP Americans will be spending for health care will have doubled; that is from 6.7 percent now to 13.4 percent in the year 2000.

This is why I believe it is imperative to bring the Nation's health delivery system under budgetary control as soon as possible.

The only questions that require answers are whether the providers of health care and services could live within the budget and whether the budget is one under which the quality of service would improve.

The point was succinctly made by Blue Cross Association President Walter J. McNerney in a speech before the 1969 annual convention of the Group Health Association of America. In that speech, Mr. McNerney referred to the capitation system of reimbursing medical groups, which is how prepaid group practice plans pay for medical services. He said:

> Let me recall that the pressures for productivity, less fragmentation and greater access are growing. A scheme that is built on a service benefit, includes a broad scope of services with a heavy accent on prevention, contemplates a close working relationship between ambulatory and bed care, involves a utilization review structure that spans an episode of illness, keeps decisions close to the problems involved, *and features a prenegotiated rate within which the system will live* (emphasis supplied) . . . seems to bear directly on the key economic problems we face while respecting the need of the practitioner to make important clinical decision.

Mr. Speaker, because of shocking health cost escalations, I will reintroduce my national health insurance bill in the next Congress. While I still think the providers could live within a 7-percent budget, such a budget would, I am afraid, cause too much of an adjustment problem. The new bill will contain some improvements over H.R. 15779 and will provide for increased revenue through raising the tax rate from 7 to 8 percent of payroll. I plan to raise the tax on employers to 3.5 percent and raise the matching Federal contribution to 3.5 percent, leaving the tax on employees at 1 percent.

On the basis of current trends, failure to enact a national health insurance program with effective cost control in the next Congress can only mean further increases in future costs.

I do not believe Congress can afford to let runaway costs and inadequate care go on much longer.

Certainly the vast majority of Americans are ready for a change in the system.

SIGMA DELTA CHI SUPPORTS ANTISECRECY AMENDMENTS TO H.R. 17654

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. STEIGER of Wisconsin. Mr. Speaker, the House will be considering next week the first bill to propose major changes in congressional procedures and operations in more than 20 years.

Many of us feel that while the bill marks a step forward it is lacking in several areas. In particular, a bipartisan group, of which I am a member, will introduce a series of antisecrecy amendments. These include: The recording of teller votes; requiring disclosure of how committee members voted on issues considered by their committees; requiring a rollcall vote to close a House Committee hearing or meeting to the public and allowing a committee to convene if a majority of its members so desired.

Sigma Delta Chi, the professional journalistic society, recently issued a statement in support of these antisecrecy amendments. The society's release indicates a keen awareness of the importance of these proposals. In order to do his job properly, the journalist needs access to, and information about, the various parts of the Congress. As a result, the public's right to know is enhanced.

The following is the society's statement on the antisecrecy amendments:

> SIGMA DELTA CHI SUPPORTS ANTISECRECY AMENDMENTS TO H.R. 17654
>
> CHICAGO, ILL.—A call for elimination of secrecy in Congress was issued today by Sigma Delta Chi, Professional Journalism Society.
>
> SDX announced support for a bipartisan effort which will get under way July 13 when the Legislative Reorganization Act of 1970 (H.R. 17654) is scheduled to come up for debate on the floor of the House of Representatives.
>
> The bill—first major attempt to revise congressional procedures to emerge from a House committee in 24 years—nevertheless has been called "an empty vessel" by a Democratic spokesman and "Pablum" by a leading Republican critic.
>
> "It is our hope that, in the amendment process on the House floor, the 'vessel' can be filled and the 'Pablum' fortified," Frank Angelo, managing editor of the Detroit Free Press and SDX national president, said:
>
> "Americans are entitled to have far more scrutiny of how their affairs are handled in the Congress they elect," Angelo added.
>
> "This bill, and the amendments that will

be proposed to it, represent no 'pie in the sky' approach," Angelo said. "The amendments to be proposed represent a hard-headed, realistic approach aimed simply at opening up to greater public view the conduct of the public's business in Congress. This effort deserves far wider public understanding than it has received, and broad support, in this election year, by news media and the voting public."

The SDX national president said he hopes that announcement of the society's support for attempts to strengthen the reorganization bill—particularly as it relates to congressional secrecy—will induce SDX chapters to encourage their local members of Congress to support the effort, and will result in more news coverage and editorial endorsement for the campaign.

Emphasizing that the effort to amend the bill will be fully bipartisan, Angelo quoted a report by the Democratic Study Group that claims, "Secrecy pervades the legislative process in the House of Representatives."

"Secrecy is corrosive," the report adds. "It undermines the democratic process by denying members information they need to make intelligent legislative decisions and by denying voters information they need to make informed electoral decisions."

The DSG report takes special note of the effect of congressional secrecy on the press, radio and television—news media represented in the SDX membership.

"Closed committee meetings, secret or nonrecord votes and lack of information prevent the press from meeting its obligation to fully and accurately inform the public about the conduct of public business in the house." the report declares.

Reporters excluded from House committee sessions become dependent on "leaks," the report notes, pointing out that this not only may result in misleading reports but in "outright manipulation" if the information leaked is deliberately slanted to favor a particular point of view.

The bipartisan effort to broaden the bill will have as its major objective obtaining a record of how each House member votes on legislative amendments when the House is sitting as the "committee of the whole."

At present, amendments are voted upon either by voice vote, by standup "division of the house" or by "teller-votes"—where members file past tellers who count them—but do not record their names.

"Those in the gallery who might wish to record how members vote are thwarted by the fact that only the press is permitted to take notes in the House galleries, and the press cannot see members' faces during teller votes because the teller lines go in the opposite direction," the DSG report declares.

In addition to proposing a method of recording house members on teller votes, the bipartisan anti-secrecy campaign is likely to focus on such additional issues as:

—Requiring a rollcall vote to declare a House committee meeting or hearing closed to the press and public. Almost half such sessions in the House are now closed.

—Requiring public disclosure of how each member voted on issues in committee and subcommittee.

—Requiring that all committee reports—and particularly reports of conference committees, which reconcile legislative difference between actions of the House and Senate—be made available to members and the press earlier than at present. This would permit congressmen and newsmen to familiarize themselves with the contents of such reports before the House votes on them.

—Convening of House committees by majority vote of committee members, in the event a chairman refuses to call a meeting on request.

—Retaining in the legislation provision for radio-TV broadcast coverage of House committee meetings, subject to several restrictions: majority vote of the committee, a ban on broadcasting testimony of witnesses appearing under subpoena without their consent and a further ban on commercial sponsorship of such broadcasts.

A similar measure, revising Senate procedures, has been awaiting floor action in the upper house for more than a year.

JERRY FORD—A SUPERB LEADER

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. SPRINGER. Mr. Speaker, as Myra MacPherson wrote in last Sunday's Washington Post, the position of minority leader in the House of Representatives is "a job that requires a measure of toughness and unswerving dedication to the Republican administration" of President Richard M. Nixon.

The President is indeed fortunate in having in JERRY FORD a man of these qualities. Time and again on this floor JERRY has proved himself a superb legislative leader, welding the Members on our side of the aisle into a cohesive force with an impact that often extends beyond our numerical strength.

Miss MacPherson's article follows:

GERALD FORD: THE CRUSADER—THE MAN WHO WANTS JUSTICE DOUGLAS GONE

(By Myra MacPherson)

House Minority Leader Gerald Ford has been called a combination of Tom Swift and Horatio Alger.

He is easily pictured as a small town Kiwanis president, organizer of the Jaycees and Boy Scout Troop leader.

Colleagues describe him as pleasant, dogged, straight-arrow, ambitious and humorless. On first meeting Ford appears to be a cordial man who sincerely believes in all that embodies what has now become a cliche—the American way of life.

Gerald Ford brings this personality to a job that requires a measure of toughness and unswerving dedication to the Republican administration. In his congressional battles, it is sometimes difficult to know whether it is his personality or his partisanship that shapes his reactions.

For example, Ford currently is crusading for the impeachment of Supreme Court Justice William O. Douglas. Democrats and critics say the move to investigate Douglas is purely political—a Republican retaliatory measure for the defeat of G. Harrold Carswell's nomination to the Supreme Court. Ford seems to have other reasons for instigating the investigation. He shows genuine shock at the behavior and writings of the four-times married Justice.

A few months ago, when part of Douglas' controversial book, "Points of Rebellion," was reprinted in Evergreen Review, Ford said, "If there was ever any doubt about the need to impeach Justice Douglas it was eliminated by publication of the April issue of 'Evergreen' magazine."

Why is writing a book critical of the Establishment, and having parts of it appear in a magazine considered by some to be pornographic, an impeachable offense?

Wearing his Burning Tree Country Club blazer, Ford sat down and sipped the iced tea he had fixed in his knotty pine and brick kitchen. "I don't think a man's lifestyle or his writing *are* impeachable," he said. "But for a Supreme Court Justice to be reprinted in that magazine . . . Have you seen 'Evergreen?' Several pages prior to his article there is as much hard core pornography of a man and woman as you can get."

He said that by allowing his writings to appear in a magazine like that, Douglas "shows some degree of insensitivity to his responsibility as one of the nine justices on the Supreme Court" and to "the popular conception of the role of the Supreme Court Justice."

As for others, such as Senators who have had articles published in Playboy, Ford said, "That's different. A Senator is elected every six years. There's a check and balance."

Ford says that the comments of Vice President Agnew or any other elected official are also different.

"The public citizen has a check rein," by refusing to vote for the person. But with the Supreme Court Justice, who is appointed for life, there is no check, "except the impeachment process."

Only in passing does Ford mention the charge of financial conflict of interest against Douglas—his connection with the Parvin Foundation, which had ties with Las Vegas casinos.

Ford again brings up the morality issue when speaking of Michigan's liberal Senator Philip Hart and his wife—she was convicted of violating an ordinance while taking part in a peace Mass at the Pentagon. Ford says, only half in jest, "Well, he's (Hart) had only one wife, that I know of."

A strong moralistic attitude about life and marriage was easy to acquire in the kind of middle-America Ford was exposed to. He grew up in Grand Rapids, Mich., where he won all-state honors in high school football and went to church often. His wife, Betty, used to teach Sunday School and Ford sometimes ushers at the Episcopal church his family attends near their home in Alexandria.

The Fords are conventional, pleasant and self-styled squares. Mrs. Ford said, "Jack (their 18-year-old son) told me the other night we were too conservative. I said, "don't you know, Jack, we're just . . ." and then she finished the sentence by making the shape of a square in the air.

Ford said, "I learned something from Jack. I implied all long-haired people were liberals and he corrected me. He said some were very conservative."

The Ford home is an unpretentious suburban home, with a green and blue living room, knotty pine den off the kitchen, a patio and pool built nine years ago when Ford felt he wasn't getting enough exercise. He uses it religiously at 6:15 in the morning, five months of the year.

There is an American flag on the front door screen and several elephants—ceramic, glass, papier mache—around the house. In their bedroom is a picture of Mrs. Ford and a family friend, General William Westmoreland. Pinned on a bulletin board in the bedroom is a poem, "Just a Boy." ("Got to Understand the Lad, He's Not Eager To Be Bad . . .").

Mrs. Ford is a tall, slim woman who was a fashion coordinator before her marriage. Her sons think she looks like Lady Bird Johnson, and there is some resemblance.

Mike, 20, puts his arms around his mother and said, "She holds down the fort. She's the anchor for the whole family."

Mrs. Ford said that she was "fairly firm" about raising Jack, Mike, Steven, 14, and Susan, who will be 13 this month.

"Gerry was gone a lot. It was not difficult, but challenging to be in a way both a mother and father. Of course, when Daddy was coming home it was a big event. Naturally, Gerry didn't want to come home to problems. He wanted it to be happy."

Ford instinctively defends the administration's foreign policy. When told that someone had called him a "natural born hawk," Ford laughed and said, "I believe we have to be prepared. We also have to have the conviction to use our strength." He is pro-ABM, and refers often to the Communist threat.

"I think you have to find a proper balance between defense expenditures and nondefense. In the world in which we live today, when there are potential threats from the Soviet Union and other Communists, we can't afford to be unprepared."

He feels the U.S. must constantly advance its weaponry because "the Soviet Union has gone up dramatically in strategic capability."

Ford sees meaning in the conflict in Vietnam. "The actions of five presidents have been aimed at keeping us as a global power. That's our fate, whether we like it or not."

As for giving priority to domestic problems, Ford said, "If we lose (in conflicts), we don't have the opportunity to do any of these things at home."

Of his own domestic record he commented, "I was one of the cosponsors of the President's family assistance program and cosponsor of water pollution and solid waste proposals."

Ford, who turned down pro football offers to go to Yale law school, relaxes with his family in a way he knows well—sports. They take skiing vacations together and he takes the boys out for golf and tennis.

His sons are conservative, like their father and have volunteered to campaign for Republican candidates this fall.

Mike, who went off on a Sigma Chi fraternity weekend with classmates at Wake Forest University during the May protest against our involvement in Cambodia, said, "I argue a lot about the war in college. The college atmosphere is antiwar. I more or less try to defend us in general and President Nixon. I get a lot more information."

Looking at his father he said, "I have much better resources, although we're the ones who have to bring politics up when Dad's home.

"I think some students are dogmatic and really don't try to listen to anyone else," he added.

But there has been a change in Mike.

"I was for bombing Hanoi at one point, but my viewpoint changed in school. Now I just want to get out of the war."

Ford thinks our involvement in Cambodia will be considered a success and will help, rather than hinder, Republicans in congressional elections this year.

Referring to Nixon's acceptance of a hard hat from the construction workers who support him, Ford said, "Well, I think he has to listen to everybody. He has to acknowledge those who support him and they certainly dramatically support his policy."

Nixon, whom he has known for 20 years, talks to Ford two or three times a week on the phone. They both have an affinity not only in politics but in their love of sports.

This was not the case with Ford and Lyndon B. Johnson. Once, when President Johnson was angered at Ford's ability to trim some of Johnson's pet Great Society programs, he took a slam at Ford's mental capabilities.

Tapping his head in mock sorrow the President is reported to have said, "Too bad, too bad—that's what happens when you play football too long without a helmet."

The other day Ford laughed at that and said, "you know, we've now become very good friends."

MEMBER OF GERMAN BUNDESTAG SUPPORTS AMERICA'S POLICY AND IMAGE

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. LUKENS. Mr. Speaker, in a time when there seems to be little vocal support by foreigners of America's policy decisions and image, it is refreshing to receive a letter such as the one I received from Dr. Walter Becher, a member of the German Bundestag.

I would like to share his letter with my colleagues:

MÜNCHEN, GERMANY,
June 24, 1970.

Hon. DONALD E. LUKENS,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE LUKENS: On the occasion of July 4, the American Independence Day, I would like to send you the best wishes and congratulations.

In a time when many voices in the world criticize the U.S.A., because it has stood up for freedom, this day is a special occasion for me to greet your great country. Nobody in the free world could resist the pressure coming from the Soviet side if there were not the mighty counterbalance by the United States.

As a Member of the Foreign Relations Committee of the German Bundestag, I appreciate the efforts by your country to keep the peace in alliance with the free nations. Nobody can claim these efforts only for Europe, and—as many have done also over here—condemn them as far as Asia is concerned.

The right for freedom is indivisible. July 4 is therefore the Independence Day for all nations.

With best personal regards and wishes for you and your great country,

Yours very sincerely,
DR. WALTER BECHER,
Member of the German Bundestag.

THE DEPRESSION AND FARM LEGISLATION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ZWACH. Mr. Speaker, back in the 1930's, there was no protection for the price of the products of our farms. As a result, prices dropped disastrously and the entire economy of our Nation suffered.

Because many of my colleagues do not remember those days, and to refresh the memory of those of us who were through them, I would like, with your permission, to insert an editorial by O. B. Augustson, in the West Central Daily Tribune, in the CONGRESSIONAL RECORD.

As Editor Auguston says:

> Those were the days of the deflation of agriculture, the basic industry of the land. No wonder during that period the country plunged into a panic.

Mr. Speaker, I insert this editorial as a warning of what could happen if Congress fails to provide meaningful farm legislation:

A LA DEPRESSION

A gentleman by the name of O. M. Haaland of Glenwood came in the other day to renew his subscription. He used to live in rural Clarkfield. Brought in some farm produce sales slips from the depression years. Those prices made you sit up and notice the extent to which the bottom fell out of farm prices in that period. A 1490 lb. bull sold for $2.75 per cwt which with some deductions brought only $35.95. Then two hogs—490 lbs.—$2.60 per cwt and with deductions brought only $6.49. No. 1 wheat—56c; barley—35c; No. 2 corn—32c and eggs 8c a dozen. Those were the days of the deflation of agriculture, the basic industry of the land. No wonder during that period the country plunged into a panic, called at that time by a gentler term—depression.

RIVERWAYS AREA IN THE OZARKS OF SOUTHEAST MISSOURI

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BOLLING. Mr. Speaker, if you enjoy the beauty of nature—crystal clear water with a challenging current and good fishing, songbirds, flowers, and trees, in a breathtaking wilderness setting—I commend to you the Riverways Area in the Ozarks of Southeast Missouri. The Ozarks project, first in the Nation, was established and maintained under Public Law 88-492, approved by the 88th Congress. I am proud of my role in establishing and maintaining this scenic riverway and as one of the strong advocates and supporters of this measure, I cherish the pen President Johnson presented to me which he used to sign the bill at a ceremony in the White House in 1964.

The Kansas City Star magazine feature story on this scenic riverway, by Jim Lapham, with pictures by Wes Lyle, which appeared in the July 5 issue emphasizes the importance of timely congressional action to assure, as the story points out, that "here, for just one time, nature does not yield." The article follows:

THE WILD CURRENT RIVER TO STAY WILD

(By Jim Lapham)

The silence. The silence!

There is no sound with which to contrast the silence. There is no civilization with which to contrast the wilderness. There is no human life with which to contrast the isolation. And you feel like this could go on for empty miles and empty hours and empty days.

Of course it couldn't, but here on the Current river can be glimpsed the balance of nature at work as it has been for millions of years before man created the need for a science to teach him to live in harmony with his environment. Man calls his new balance of nature ecology.

Public law 88-492 was approved by the 88th Congress August 27, 1964. It provided for establishment of what is known as the Ozark National Scenic Riverways. Involved were more than 100 miles of the Current river and a substantially lesser stretch of a tributary stream, Jacks Fork. The project was unique, the first in the nation.

The Riverways area is in four counties in the Ozarks of Southeast Missouri. It is 300 miles southeast of Kansas City, 145 miles east of Springfield and 50 miles west of Poplar Bluff. The Current river section starts at Montauk Springs.

Sometime this year in all likelihood, by the simple act of publication in the Federal Register, the secretary of the interior will determine in accordance with the authorizing law "that lands and waters, or interests therein, have been acquired by the United States in sufficient quantity to provide an administrable unit."

Then, as it was the first authorized scenic riverway in the nation, this Ozarks project will be the first established. Since the pioneer undertaking, eight other National Scenic Riverways have been designated. Also in Southeast Missouri is the Eleven Point river. Wisconsin has two rivers scheduled for national park status, the Wolf and St. Croix. Idaho has two projected national riverways, the Clearwater and the Salmon. Oregon's Rogue river and California's Feather river presently complete the select group.

Before Missouri achieved statehood, one of its territorial laws read that "the Mississippi and Missouri rivers and the navigable waters flowing into them, and the carrying places between the same, shall be common highways and forever free to the public."

At some time between then and now that territorial law faded into oblivion. It is hoped that federal legislation will be of more enduring nature.

Coming out of Owls Bend below Ebb and Flow, upriver from Blue Spring and Paint Rock hollow, in what is generally overlooked by Cardareva mountain, is the Powder Mill ferry. Powder Mill is north of Van Buren and east of Eminence. Powder Mill is one of only half a dozen ferries still functioning in Missouri.

"Can't miss it," Willie Parks, of Van Buren, enthused.

"Road'll take you rat to th' river," Willie assured. "John an' I will meet you there. We'll have two john boats an' you cain't miss John. Big. He so big he look like a skinned mule.

Thanks to having lost 40 pounds over the winter. John Voyles of Ellington, Mo., easily fitted back into the forest green Explorer Scout shirt he had earned several springs before.

A veteran of 30 years as a river guide, Willie Parks gave every assurance that if it was solitude we were seeking he was just the fellow to find it for us.

"See you at Powder Mill at 7:30 in th' mornin'" Willie said. "By t'morrow night we'll camp on a little old gravel bar so quiet you couldn't raise a racket there with a quart of whisky."

The ferry was easy enough to spot as a red pickup truck was being winched across at Powder Mill. Big John towered beside a grinning Willie Parks as they waited by two of the forest green john boats that seem almost indigenous to the Current river.

John slid one boat into the river and with an experienced eye began picking the way into deeper water.

"There's just enough current to aggravate you here and just enough rocks that we'll probably hit one or two," John commented.

La Riviere Courante its French explorers had appropriately named this, the running river. Subsequent English speaking settlers changed *Courante* to Current but the river suffered little in the translation. Fed by boiling springs, its current runs through deep ravines and past towering bluffs.

The brown pebbled river bottom flew beneath the boat which seemed suspended in air, so clear was the water, until it left the shallow rapids and moved into the deep green channel. Around the first bend and all signs of man's presence were gone as if the turning of the river had turned back time as well.

Bright columbine clung somehow to a rock cliff and hidden near the top a rain crow mournfully exhorted the blue sky to deliver rain. Though there was no visible evidence the crow was doing anything but wasting his time, a deluge arrived less than 48 hours later.

At Blue Spring we were near the center of the widest, protected strip of land that insulates the river from the world. The sun had been pouring heat into the river valley for several hours when we ran up on the bank where the waters of Blue Spring come flooding into the river, an average of 65 million or more gallons a day.

Stepping into the valley from which the icy spring water issued was like entering a walk-in refrigerator as the spring chilled the air. A pool at the base of a cliff was the visible source. Its depth has never been plumbed although divers have gone below the 200-foot mark.

John Voyles had a thermos to fill from the spring. Spring and river water, Willie insisted make the best coffee in the world. John carefully permitted a young dragon fly to investigate his finger tip.

"A bird must have roughed him up," John remarked. "He seems to be havin' trouble moving."

Secure in the knowledge that he looked like the rest of the little oval brown pebbles, a small, tan toad solemnly observed this intrusion. A bright red star of a wild flower nodded on a short spike of a stem and watercress swayed in an eddy at the pool's edge.

Set back from the pool on a stone, low enough to be noticed only by those who really cared, was a tablet which proclaimed: "Richard D. Hager owned and preserved this spring. 1920–1945."

Back at the river, heron and kingfisher plied their trade. Floating in the cool shade away from the sound of spring and rapids only the occasional song of birds broke the still. A kerplunk from the other side of the river, as if a boulder had been heaved in, signaled a turtle flopping from a log into the water, a sharp punctuation mark to the silence.

An even dozen buzzards spiraled in interlocking circles far above. In shadowy depths, bass bedded near the bank. A lone bullfrog sounded his first, deep, drowsy afternoon croak of the day.

Forests of oak and hickory and pine, predominantly, along with huge, riverbank sycamore and cottonwood, made a seemingly impenetrable green curtain along the river. The Current itself occupies center stage with its tawny, speckled bronze shallows and jade green to sapphire blue deeps strung on the chains of quick silver rapids, a jeweled necklace indeed.

On the right, Bee Bluff came into view, so called because bees use the hollows in the rock face for their hives. On the left, gray veils of moss hang from cliffside pines. Nowhere else along the river does either phenomenon occur.

In a young willow growth at the head of the gravel bar where we were to camp for the night, indigo bunting and goldfinch made brilliant sparks of blue and yellow as they darted back and forth.

As the sun sank lower in the sky a cardinal began its sweet clear whistling and deeper in the woods a big, crow-sized pileated woodpecker set up its wildly insane cry, sounding much like the laughter of the Australian kookaburra bird.

With dark, those kings of noisemakers, the frogs, took over. The high trilling of the little tree frogs sounds like all the crickets in the world singing over a powerful amplifier.

But it is the booming bull frog that furnishes the bass drum accompaniment to the night-time symphony. At times this bull frog vocalizing sounds almost like a pack of hunting dogs in full cry. And for sheer monotony the whippoorwill has no peer. Apparently this insomniac of the bird world does all its breathing in the daytime for it never seems to pause to do so at night.

River-wise guide that he is, Willie sets a lantern on the other side of the gravel bar as a lure for insects and takes up a position downwind from the campfire on which he has just tossed a chunk of cedar. Mosquitos avoid cedar smoke, he said.

Dawn comes early but gradually to these Ozarks mountain valleys. The stars disappear from the black velvet sky as it lightens through every shade of gray, bits of that gray seeming to break off to hang in the high valleys as morning mist until the long arisen sun peers down at full strength from the bluff top to drive all thought of night from the river.

As we floated silently around a bend in the river it was, as usual, John's sharp eye that alerted us. A deer was just picking its way down to the river. Unaware of our approach, it leaped into the water, right in front of our boat.

If the appearance of eye and ear and panting mouth was any gauge, the doe was terrified when she saw us and began swimming desperately for a gravel bank. Photographer Wes Lyle, in the front of the boat, gave a graphic demonstration of what is known as buck fever. His skin was covered with goose bumps from the moment the doe appeared.

John held the boat back against the current so the doe could reach the gravel bar. She emerged, streaming water, then disappeared into the wood with a warning flirt of her white tail.

"How could anyone ever shoot a deer" Lyle asked.

"Humph," John grunted. "A farmer near here found three dead deer in his field. Hunters had shot them and never even touched them. Just left them laying there. He had to haul them away so he could work the field."

In Van Buren is the National Park service office where David D. Thompson, jr., has his headquarters. Thompson is superintendent of the Ozark National Scenic Riverways. Ultimately this will embrace approximately 84,000 acres along 101 miles of the Current and 39 miles of Jacks Fork.

At the first of this year, Bib Alley and Round Spring state parks were turned over to the federal government as part of the scenic riverway system.

Not only has this project pioneered the National Scenic Riverways program but, Thompson said, it also has become a model for state-federal co-operation regarding wildlife management. State hunting and fishing regulations have been adopted by the federal government as applicable on its lands. State agents still man all fire lookout towers, but, of course, make no distinction as to whether it is local or federal land that is threatened.

With the many special and conflicting interests over the rivers, Thompson said it was indeed a happy bonus to find such freely meshing co-operation on the state and national levels.

Canoe enthusiasts delight in the challenge of these rivers. Fishermen see it as primarily the source for their favorite pastime. Some look to the potential for commercial exploitation. Last year an estimated 2 million persons visited the area. To still others, it was home and farm.

Although the administration of the riverway manages to accommodate these wishes with varying degrees of success, its true aim is alien to man's history on this earth. Here, for just one time, nature does not yield to man. Man is yielding to nature—albeit not always with good grace.

"We were lucky to get a river that really hadn't been touched to any great degree by man," Thompson said.

The principal idea of a scenic riverway, Thompson said, is to have it look and sound as if man had never been on the river.

Thompson is prepared to go to great lengths to do this. No standing vegetation, dead or alive, can be cut or knocked down. The only authorized wood cutters here are beaver. The raw white stub of a sawed off limb flashes unmistakable evidence of man.

If a leaning tree or hanging branch threatens a campsite or river passage, guides must now report it to the park service. Moving in from the landward side, winch and long cable may be used to snare the offending growth out or artistically lay it over as if stormfelled. The natural appearance of the river is maintained.

As a sort of compromise, both to project funding and to prevent hardship, a system of scenic easements has been worked out where some resident property owners are permitted to occupy some existing structures for their lifetime. No additional improvements are to be made and, through planting, those who occupy scenic easements are encouraged to partly screen structures on the river side.

Occasional power lines cross the river, betraying the presence of man uncontrovertibly. Thompson is philosophical about this setback, realizing that to route the lines around the area might involve hundreds of miles. At least where these lines march across the area they are not emphasized by the wide, denuded swath that normally marks the right of way of power transmission lines.

At the 14 campsites, campers must bring their own wood or purchase it from concessionaires. This also is to prevent them from leaving visible evidence of their passage. No overflow camping is permitted and sites are on a first-come basis. Camping also is permitted on gravel bars, and wood washed up there finds its way into the campfire.

Campers are urged to keep their fires small and to maintain quiet between 10 o'clock at night and 6 in the morning. Nails are not to be driven in trees, nor are trees to be stripped of bark or foliage.

A paramount rule is to carry out everything that you carry in.

This is what a scenic riverway is. Obviously, such stringent regulations along the river and extending back from it a minimum of one-eighth of a mile (and in most cases farther) do not always meet the interests of special groups.

Many frankly can see little practical use in going to all this effort just to have a strip of beauty untouched—to all outward appearance—by man.

"But," Thompson said, "it is exactly to preserve the natural aspect of this country that we have set this up."

Man has been used to being landlord and not tenant, making earth and all it contains yield to his immediate desire. In the Ozark National Scenic Riverways it is refreshing to see him belatedly, and in small measure, make some amends for the incalculable violence he has done his environment and those with whom he shares it.

APARTHEID AND WEAPONS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 6, 1970

Mr. FRASER. Mr. Speaker, recently four articles written by two distinguished foreign journalists have come to my attention. They deal with the conditions that exist in Southern Africa, especially in the Union of South Africa, and with the possible sale of military equipment to South Africa.

Mr. Jonathan Steele reports on the implementation of apartheid in South Africa in the first two articles. Mr. Colin Legum reports on the probabilities should various countries sell arms to the white regimes of Rhodesia and South Africa.

As has been proven by the National Guard in this country, equipment such as armored vehicles and helicopters are effective when used as weapons to control groups of citizens, and not for external defense. Juxtaposing these two series of articles, then, it is evident what a profoundly negative effect sale of this equipment would have on the black majorities of these two states.

The articles follow:

[From the London Guardian, Mar. 2, 1970]

THE OTHER SOUTH AFRICA

(The first of a series of reports from Jonathan Steele)

In the strange terminology of the Department of Bantu Administration Dientjie is called a "township." But with scarcely a hundred houses it looks more like a village from the road. And even that description is flattering. Some of the houses are at best just shacks, propped up with corrugated iron, or sheets of cardboard from packing cases. There is hardly a tree for shade in the whole place.

Dientjie is a dump. One of the many places in South Africa which the Government sees fit to create as a dumping-ground for African families who are unwanted in "white" areas. All over the Republic out of sight, and usually out of mind of most white South Africans, these extraordinary resettlement townships have sprung up. Thousands and thousands of men, women, and children are being uprooted and transported from where they live and work, and deposited on the veldt. Needless to say, these places are not on show to visitors.

Fortunately, in one particular, Dientjie is an exception. You can see it clearly from the tourist highway that runs along the rim cf the spectacular Blyde River Canyon. Most of the resettlement townships are deep in the reserves, out of bounds and well away from prying eyes and vulnerable consciences. This one is on the edge of a much-frequented beauty spot. Less than two miles away the Transvaal Provincial Administration is lavishing hundreds of thousands of pounds on building a holiday resort for whites.

Dientjie is less well endowed. A patch of dry and barren veldt on the lower slopes of a mountain, its amenities consist of two stores, a primary school, and a small pipe that emits an uncertain trickle of water if you are lucky. When it moved the first families in here ten years ago, the Government provided no electricity, no sanitation, no house-to-house water supply.

Not even houses. The people are simply brought to Dientjie and shown a plot to veldt, fifty feet square. This is supposed to be their home. If you ask them if they received any compensation for giving up their old homes, they smile politely at the question. Families who have been there for some time have built themselves houses out of home-made bricks, moulded and dried from the sunburnt ochre of the veldt soil.

Two families had just arrived the day I visited Dientjie. They sat woodenly on empty oildrums, with roped-up suitcases, a mound of bedding and cheap furniture around them. Blackened cooking-pots lay on the ground. An out-of-date calendar flapped on the side of an upturned dresser. Away across the veldt the rim of the eroded and pitted canyon loomed magnificently. But what use is a view like that to women and children facing a night in the open in a "homeland" they never wanted to see?

Other families who had been in Dientjie for some days had already made a shelter out of corrugated iron sheets. Children gathered round some of the half-built homes watching the growing embryo of a community that only the Government wanted.

The families' trouble was that they were tenants on land belonging to white farmers in the nearby region. Whole families worked to pay the rent. Children often had to stay out of school to help in the fields. But under the Government's policy of relocating Africans out of "white" areas and into their own "homelands" the families were told to move. The very first settlers were brought to Dientjie in 1960. Other groups followed in 1965 and 1968. Now a new trickle is coming in.

Mostly they came from three or four large white farms. They were discouraged, though not prevented, from bringing their own cattle with them. But the land is poor for grazing and water is scarce. Many cows have died.

Now, as a result of another unexplained change in Government policy, they tell you, Dientjie is being redesignated as a "township" instead of a Bantu trust area. This means that it is not meant to be an agricultural community any more, and the remaining cattle will have to be killed.

It is not clear what kind of agricultural community it was ever meant to be. The soil is too poor to support more than a few vegetables. There was only common land for grazing. The men have to work in the white towns fifteen or twenty miles away, or as migrant labourers on the very farms where they used to live as tenants. Some have to go as far as Johannesburg to find work. Bus services even to the nearby towns are inadequate and fares high.

The Government is authorized to provide emergency rations if necessary, but the families who had just arrived had seen nothing of them. Some children, I was told, were near starvation. There was no way of verifying this on a short visit. There is certainly no doctor nearby.

A year or so ago, a storm broke out in the South African Parliament about conditions in one or two of these resettlement townships. Limehill in Natal received particular attention when dozens of people, many of them children, died of an outbreak of typhoid and gastroenteritis. Clergymen, volunteers and reporters converged on the area. Since then the issue has faded again. There is little publicity now. It is virtually impossible to get permits to visit them. If you go without, you risk prosecution.

It is not sudden death that faces the people in Dientjie. Just a slow deterioration in their diet, an ever-deepening decline in morale, and a disruption of normal family life. The men who go away to work are the community's lifeline with the world. But they often form other attachments in the town. The postal orders dwindle to a trickle or stop outright.

Girls from the township who go away to work when they leave school run the risk of pregnancy. The cities are too full of men living artificial bachelor-type lives. The girls come home pregnant, have their babies, and the same bleak future closes in on them as on their mothers. You scratch at the soil for what it's worth. You wait for money from an absent man for what that's worth. Both are meagre.

People in Dientjie know better than to bombard a stranger with too many complaints. A family might like a sympathetic ear, but "if we say too much, the Government will say we're meddling in politics." That much they know, so they only give you the bare facts. A man adds: "We don't believe the people in Pretoria know what conditions are like here. The officials up at Bushbuckridge just send in good reports."

Surrounded by this misery, you can understand their incredulity. You don't like to tell them that in Mr. Vorster's South Africa Dientjie and places like it are central Government policy.

[From the London Guardian, Mar. 3, 1970]

THE OTHER SOUTH AFRICA—HOME IS WHERE YOU ARE TOLD TO GO

(The second report from Jonathan Steele)

In spite of limited opposition from a few white voices, even on occasion from within sections of the Dutch Reformed Church, Dr. Vorster's policy of disrupting African family life is being intensified. It makes nonsense of the label "verligte" ("enlightened") which is used to differentiate Dr. Vorster from his ultra-extremist right wing. Marginally more flexible in his sports policy, and in his dealings with nearby black African states, Dr. Vorster is as rock-solid on apartheid as any of his right-wingers.

There are no official figures on the number of Africans being forced into the homelands every year, but the available evidence is that the trend is constantly being increased. Eyewitness reports from Johannesburg station suggest that about 70 people a day were being "endorsed" out of that city alone at the end of last year, an increase over previous months.

The policy under which this uprooting of human beings takes place is best explained in the words of an official circular from the Department of Bantu Administration, dated December 12, 1967. "It is accepted Government policy that Bantu are only temporarily resident in European areas as long as they offer labour." "Bantu in European areas who are normally regarded as non-productive and have to be resettled in home land are (a) the aged, the unfit, women with dependent children, squatters on mission stations, etc., (b) professional Bantu such as doctors, attorneys, industrialists."

The twin pillars of this policy were devised long ago, and are still supported by English-speaking South Africans. They are the "pass laws" which control the movements of every African and the reservation of 87 per cent of the country's land as "white." What the Afrikaner Nationalist Government has done is give ideological stiffening to English pragmatism, and attempt to take to its ruthless conclusion the traditional policy of racial segregation.

The task the Government has set itself is to move four million human beings against their will. In May 1968, Mr. G. F. van L. Froneman, the deputy chairman of the Bantu Affairs Commission, confirmed that six million people, half the African population, were living in "white" areas. Of these, only two million were economically active, he said. The four million others who were not "active labour units" would be settled in homelands. By the end of the year one million had already been removed.

Some are luckier than others. In a few cases, existing African townships have been re-designated as homelands, and no one moved at all. In others, homeland boundaries are drawn so that they abut conveniently on white industrial areas. The Government can then maintain the bureaucratic fiction that more and more Bantustans are being created while still having a ready supply of labour on tap.

It is the agricultural "homelands" where the worst hardship is found. These are the rural settlement areas that are often economically quite unviable, the rural slums that have no industry nearby. These are for the Africans whom the whites no longer want, dumping-grounds for people who have ceased to serve white South Africa's purposes; landless tenants or squatters on white farms, people who own small chunks of land in "white" areas (known charmingly as "black spots"), and the aged, the widows, the doctors, and all the other "non-productive units" endorsed out of the towns.

The Government claim that people are not removed forcibly. But since they can and are prosecuted for staying in areas once their permits run out, the fact that some choose to leave a few days before being prosecuted hardly comes under the normal definition of what is voluntary.

In some of these settlements the Government builds houses before the people arrive. But in most they do not. They are either dumped on the open veldt, or allowed to rent tents. They have to dig their own latrines. The water supply is often poor.

In Natal alone there are estimated to be 500,00 tenant farmers liable for removal. By the beginning of last year, 86,000 Africans had been removed from "black spots" in Natal. As for "non-productive" Africans in the white urban areas, the process of endorsing them out is being stepped up. Any woman in a township in a white area, who becomes widowed or divorced has to pack up and go with her children, unless she is entitled in her own right to stay.

For this she has to have been born in the area and have worked there continuously, or have worked there for at least 15 years, or for the same employer for 10 years. As a magnanimous concession, the Johannesburg City Council recently allowed the wives of men killed in a train crash to stay on in Soweto, the African township. Women whose husbands die naturally are not so favoured.

Even in the homelands which have long been designated for Africans there is little basis for economic development. The Transkei, the one area that has come near being a self-governing "Bantustan," is at least a geographical unit. The other seven African "national units" are administrative disguises for about 276 separate pockets of land, dotted arbitrarily here and there, some large, some small, on mostly poor and unproductive land.

When, for example, the Minister recently inaugurated the new territorial authority of the Tsonga people, in their own capital and with their own exceutive council of government-subsidised chiefs the meeting took place in a marquee. No amount of fanfare could disguise the fact that no capital city, let alone a reasonable-sized town, existed.

In the Transkei itself there are only 1,700 Africans employed in industry. But agriculture cannot support the population either, and 80 percent of the Bantustan male labour force has to work as migrants in other parts of South Africa.

It is statistics like this that are causing more and more voices to be raised saying the Government's policy of separate development has failed. The Government tries to keep more Africans out of the towns by giving white industrialists incentives to expand their businesses into the border areas on the edge of the homelands. But between 1960 and 1968 only 54,000 new jobs were created. In a desperate reversal of Mr. Verwoerd's policy, the Government is new encouraging businessmen to invest in the "homelands" as well.

But whatever the Government does, the African urban population is expected to increase rapidly. The chief economist of the Africa Institute, Dr. G. M. Leistner, predicts that the African population will be 30 million by the year 2,000. Fifty-three percent of them will be in urban areas, and there will be 25 Africans in towns for every 10 whites. New projections which suggest that 35 or 40 million may be a better estimate will not alter the proportion of Africans who will live in the towns.

Like Sisyphus with his stone, Dr. Vorster goes on with the impossible task of forcing Africans into the reserves. As the human cost of the operation becomes more and more colossal and more and more families are smashed up, there is no sign that even the economic folly of it all is realised in Pretoria.

[From the London Observer, June 24, 1970]

South Africa's Friends in Power in Britain

(By Colin Legum)

London, June 24.—The new Conservative British Government favours the resumption of arms sales to South Africa for two reasons. First, to improve the climate of trade relations between the two countries, somewhat chilled by the previous Labour Government's decision to maintain a complete arms embargo since 1964, in compliance with an earlier United Nations Security Council decision; and, secondly, to develop a strong naval alliance for the South Atlantic and Indian Ocean, based on the Cape port of Simonstown.

The new Foreign Secretary, Sir Alec Douglas-Home, has described the Cape sea route as "the main artery to the Western world, which must be kept secure."

Until 1955 Simonstown was a British naval base, serving as the headquarters for the South Atlantic Fleet. It was under British authority and control. This position was changed in that year, when the sovereignty of the base was restored to South Africa, but on condition that the British Navy could use its facilities, as well as those of Durban, freely in peacetime; and in wartime Britain and her allies—including the United States—could resume full control over Simonstown.

As part of this agreement South Africa accepted a larger share in protecting the security of the Cape route. Acknowledging this role, Britain agreed to supply South Africa with a number of warships and to provide her with equipment necessary to the defence of Simonstown.

The Simonstown agreement was slightly varied in 1961, when South Africa was forced to leave the Commonwealth. Then the dockyard itself passed over into South Africa's ownership; but the right of British warships to use Simonstown for victualling and repairs was protected.

Although the Simonstown Agreement was renewed in 1967, the South Africans have been threatening to end it since 1968, when Britain refused their demands for submarines, frigates, radar installations, sea-to-air missiles, and aircraft (particularly Buccaneers.)

At one point, in 1968, their threats produced a Cabinet crisis when the then-British Minister of Defence, Mr. Dennis Healey, led a Ministerial revolt demanding the sale of arms for South Africa's external defence. But the Prime Minister, Mr. Harold Wilson, defeated the move.

The Conservatives promised that if they were returned to power they would reverse the Labour Government's ban—a pledge made on behalf of the Tory (Conservative) Party by its chairman, Mr. Anthony Barber, as well as by Sir Alec Douglas-Home.

Both, however, insisted that the only arms to be supplied would be for South Africa's external defense, and both coupled their promise with sharp criticisms of the system of *apartheid*.

The problem that faces the British Government is to decide what arms are likely to be used only for external defense purposes, and what are likely to be used for internal repression.

The Buccaneer aircraft, a fast, low-flying bomber originally designed for naval use, was sold for South Africa's external defense. But it has been used extensively in fighting the infiltrating guerrillas in the Caprivi Strip—the northern military frontier area between South-west Africa, Botswana, Zambia and Rhodesia. Similarly, British-supplied Saracen armoured cars were used in suppressing local protest movements at the time of Sharpeville in 1960. And French-supplied helicopters—intended only for external defense—are used continuously in fighting the guerrillas.

The helicopters and Buccaneers are used not only on South Africa's frontiers, but also along the Rhodesian-Zambian frontiers.

Despite these difficulties, it must be assumed that Sir Alec Douglas-Home, using a licensing system for arms sales, will seek to reassure the Security Council—as the French have done—that supplying arms for South Africa's external defense is not contrary to its arms embargo. But there is bound to be a serious row over this new development.

For Sir Alec, however, conflicts with the UN are no new thing; he faced them over his controversial policies in the Congo at the time of Katanga's secession.

But Sir Alec's design for Simonstown goes much further than simply selling arms to South Africa. He is one of the foremost exponents of a naval strategy to counteract the expanding Russian naval presence in the Mediterranean and the Indian Ocean.

In a pamphlet he wrote for the Conservative Party in August 1969, entitled "Britain's Place in the World," he questioned whether in concentrating on the North Atlantic Treaty Organisation (NATO) the British were looking far enough afield for their national security.

"It so happens," he wrote, "that Britain and Britain alone is placed to ensure that these trade routes are in all circumstances safe; we have the Simonstown Agreement with South Africa."

The South Africans have been hard at work in recent years developing the idea of converting Simonstown into a naval base for a much wider military alliance, to include not only NATO, but also Australia and New Zealand. Latterly, they have also made approaches to Argentina and Brazil to join in a sea defense alliance to "defend" the South Atlantic and Indian Ocean from penetration by the Russian Navy.

South Africa has a clear interest in getting the major Western Powers involved with her in such alliance. The Republic has strong supporters among NATO's military leaders, who have shown themselves critical of the attitude adopted by NATO's member-Governments for being unwilling to become closely associated with a regime whose policies are so widely unpopular.

The United States—even more than Britain—has in the past been reluctant to enter into a close relationship with South Africa; partly because of the domestic repercussions on her Negro population, and partly because of the damage to her image in the international community. Even under President Nixon, the U.S. Navy has avoided calling at South African ports, on the ground that the coloured American sailors could not be expected to be treated equally if they went on shore leave.

But with the closure of the Suez Canal, with the build-up of the Russian Navy, and now with Sir Alec Douglas-Home at the British Foreign Office, it would seem that South Africa's hopes of becoming an acceptable part of a Western alliance may be closer to fulfillment than they have been ever since the disastrous massacre at Sharpeville in 1960.

[From the London Observer, June 25, 1970]

BLACK AFRICA'S WORRIES ABOUT CONSERVATIVE PLANS

(By Colin Legum)

LONDON, June 25.—The new British Conservative Government has started off on the wrong foot in Africa. Its pre-election promises to resume arms sales to South Africa and to reactivate the Simonstown naval agreement to defend the Cape route in the South Atlantic have created the impression that British-South African relations are likely to improve—an impression which Mr. John Vorster's *apartheid* regime is doing its best to promote.

This prospect has immediately raised the anger and suspicions of many African States, vociferously led by Zambia's President, Dr. Kenneth Kaunda. He fears that the arms sale and the Simonstown agreement are only the first of a number of other crucial British decisions that may be taken in southern Africa.

Even while Mr. Wilson's administration was in office, Dr. Kaunda was anxious about the possibility of a deal over Rhodesia with the rebel regime led by Mr. Ian Smith; now that the Tories [Conservatives] are in power his suspicions are much stronger. He is also concerned about the future of Anglo-Portuguese relations in connection with the two Portuguese colonies, Angola and Mozambique, where guerrilla warfare has been going on since 1960.

There are three aspects of these relations which most deeply concern Zambia's President. The first is over the naval blockade of Beira, the main Mozambique port through which the Rhodesians operate their sanctions-busting operations. If the Conservatives were to end the blockade—as they promised to do when in Opposition—he would see this as the thin end of the wedge in further weakening the international sanctions campaign against Rhodesia.

Secondly, he is watching to see whether the new British Government will rescind the Labour Government's discouragement of British firms participating in the £170 million Cabora-Bassa hydro-electric project in Mozambique which, in his view, is designed to strengthen the economic and strategic interests of Portugal, South Africa and Rhodesia.

This project has been designed by the Portuguese, in cooperation with the South Africans, to achieve a number of objectives: to strengthen Portugal's economic hold on Mozambique in its struggle with FRELIMO, the leading Mozambique liberation movement, by creating an important new industrial base which will enable the Lisbon Government to fulfill its ambition of sending another one million Portuguese settlers to strengthen its present 100,000 settler population in the territory, and to supply additional electric power to South Africa and Rhodesia.

Apart from Barclays Bank DCO, which is involved in the project through its South Africa subsidiary, two other British firms have indicated a keen interest to participate in the development of Cabora-Bassa—English Electric and Guest, Keen and Nettlefold (GKN). The Wilson Government advised English Electric that participation in Cabora-Bassa might lay it open to charges under the sanctions laws against Rhodesia; as a result of this warning they withheld their participation. GKN has subsidiaries in South Africa and Rhodesia, as well as holding a controlling interest in a company registered in Zambia.

There is every likelihood that if British firms were to be given the green light at Cabora-Bassa, Zambia and other African countries would consider taking action against firms who became involved, as well as against their associates and subsidiaries.

The third aspect of President Kaunda's anxieties is the possibility of Portugal becoming involved with Britain and South Africa in a naval agreement centered on Simonstown.

As the neighbour country to Rhodesia, as well as to the Portuguese territories and South Africa, whose northernmost military base is located in the Caprivi Strip—his country is directly exposed to any increased pressures that might build up in Southern Africa. Hence his concern about British policies in that part of the world.

He has become increasingly concerned about the military vulnerability of Zambia, and on his recent European tour held discussions with various leaders about his future defence needs. The Yugoslavs are known to have offered their help. The Italians are already engaged in helping to train Zambia's air force.

President Kaunda is today the most influential African leader in Southern Africa. His country is economically strong and one of Britain's most important African trading partners. Even after the recent nationalisation of the copper industry, the two copper mining giants, American Metal Climax and Mr. Harry Oppenheimer's Anglo-American Company, have a large stake in the country's copper wealth.

Relations between Zambia and Britain cooled considerably even under the Labour Government, and as a result President Kaunda has ben trying to diversify the range of foreign firms engaged in developing his country's resources. Any further deterioration in Anglo-Zambian relations could be greatly damaging to British interests.

Nor does President Kaunda stand alone; as chairman of the 14-nation East and Central African Region he is able to play an important leadership role within a group of African countries extending southwards from Ethiopia and Somalia, through East Africa and the Congo, down to Botswana on Zambia's southern flank.

He is also a highly respected and influential member of the Commonwealth of Nations, which is due to hold its next meeting in Singapore next January. His Ambassador at the United Nations has already been given instructions to take an initiative in helping to mobilise the 42 African member-States to challenge British policies at a special meeting of the Security Council.

The very last thing Mr. Heath's new Government could wish for is to start its career by an open confrontation at the United Nations with the African members and their supporters, with its inevitable fallout at the next Commonwealth meeting.

Therefore the task facing Sir Alec Douglas-Home as the new Foreign Secretary is how to fulfill the Conservatives' pro-election pledges to South Africa without creating a new crisis of relations between Britain and the rest of Africa and the Commonwealth.

GAO REPORT SUBSTANTIATES TRUCK DAMAGE TO HIGHWAYS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. SCHWENGEL. Mr. Speaker, I would like to insert in the RECORD a summary of a report released yesterday by the General Accounting Office on the question of the damage done to our highways by big trucks. I would also like to insert a story on this subject which appeared in this morning's Washington Post, and the text of my bill, H.R. 15051.

The material follows:

PROBLEMS RESULTING FROM DETERIORATION OF PAVEMENT ON THE INTERSTATE HIGHWAY SYSTEM

(Comptroller General's report to the Congress)

WHY THE REVIEW WAS MADE

The Federal-Aid Highway Act of 1956 authorized construction of the Interstate Highway System and made Federal funds available to the States on a 90–10 participating basis (90 percent Federal) for construction of the system.

The 1956 act provided that highways be designed to carry the types and volumes of traffic foretcast for the year 1975. A 1963 amendment to the act eliminated reference to the year 1975 and provided that highways be designed to carry the types and volumes of traffic forecast for 20 years from the date of approval.

In January 1967, the Federal Highway Administration directed that a reevaluation be made of those sections of pavements authorized for construction prior to October 24, 1963 (the date of the 1963 amendment to the act), and authorized placement of an added layer of pavement (called overlay) where it was determined that the existing pavement, with normal maintenance, would not provide adequate performance for 20 years. The estimated costs of such overlays of as 1968 were $200 million. (See p. 9.)

During a review of the 1968 estimate of the cost to complete the Interstate System, the General Accounting Office (GAO) noted that:

A substantial number of such overlays had been programmed for placement.

Overlays, although considered by the Federal Highway Administration to be new construction, appeared to relieve the States of some of their responsibility for maintaining the completed segments of the Interstate System.

GAO undertook this review to determine the nature and magnitude of the overlay program and the relationship between the overlay program and the statutory responsibility of the States to maintain, at their expense completed segments of the Interstate System.

FINDINGS AND CONCLUSIONS

As of January 1, 1970, about 70 percent of the 42,500-mile system was open to traffic, 11 percent was under construction, 15 percent was in the process of engineering and right-of-way activities, and 4 percent was in a preliminary status. About $39 billion of Federal-aid funds have been obligated for interstate highway projects.

GAO's review of the overlay program in nine States showed that:

The overlay program provided for extending the design period to 20 years for previously completed segments of the Interstate System that were initially designed to carry traffic for the year 1975. Since it is unclear whether the Congress intended that interstate highway funds be used to extend the design period of these segments, GAO concluded that the nature and magnitude of this program should be presented fully to the Congress. (See ch. 2.)

The overlay program thus far had been applied only to certain segments of interstate highways authorized prior to October 24, 1963.

There would be a continuing need for periodic overlays of the Interstate System, a need that would increase with the passage of time and with the expected increases in weights and volumes of traffic.

The cost of overlays for the entire Interstate System would vastly exceed the 1968 cost estimate. (See ch. 2.)

Although maintenance of the Interstate System was, by law, the responsibility of the States, overlays relieved States of their responsibility to maintain smooth and safe riding surfaces. (See p. 27.)

There were significant differences among the States in (1) the methods used for evaluating the condition of the highway surface to determine whether an overlay was necessary and (2) the design procedures used to establish the amount of overlay needed. (See ch. 4.)

There was a need for more precise procedures to ensure that overlays are placed at the proper times and at depths needed to provide necessary servicability.

RECOMMENDATIONS OR SUGGESTIONS

The Secretary of Transportation should require the Federal Highway Administration to:

Establish maintenance standards that define a State's maintenance responsibility and recognize (1) that overlays are required from time to time to provide a safe and efficient riding surface and (2) such overlays represent normal maintenance and, as such, the costs should be borne by the State. (See p. 39.)

Require that, when overlays are necessary to add structural strength to existing pavements, the costs of the portions of the overlays which would otherwise be required to provide new riding surfaces be classified as State maintenance responsibilities. (See p. 39.)

Amend its regulations to require uniform application of overlay standards by taking positive action to improve the pavement rating system to achieve optimum use of the existing pavement and by establishing design methods which will provide greater assurance that a State is applying the proper amount of overlay to serve the design period. (See p. 52.)

AGENCY ACTIONS AND UNRESOLVED ISSUES

The Assistant Secretary for Administration, Department of Transportation, advised GAO that the Department did not concur in the need for the actions proposed. He also questioned the need to report this matter to the Congress, because he believed that (1) the overlay program was a long-standing program which was well known to the Congress and (2) the Congress had acquiesced in the Federal Highway Administration's interpretation of the statutes.

The Assistant Secretary's comments are included as appendix II and are discussed in the appropriate chapters of this report.

Although not all the nine States commented specifically on each of the issues discussed in this report, there was general agreement with GAO's views that there would be a substantial future need for overlays, that the need would not be restricted to highway segments authorized before October 24, 1963, and that improvements were needed in the methods used for determining overlay requirements.

With regard to the relationship of overlays to the maintenance responsibilities of the States, the States' comments were too diverse to indicate general agreement or disagreement with GAO's views. Comments by officials of the nine States are discussed in the appropriate chapters of the report and are included as appendixes III to XI.

MATTERS FOR CONSIDERATION BY THE CONGRESS

This report is being submitted to the Congress to present the nature and magnitude of the overlay program. The Congress may wish to consider the long-term need for overlays in its deliberations on the funding of the Interstate System, any future expansion thereof, or any follow-on highway program. The Congress may wish also to express its intent relative to the use of interstate funds for overlaying completed highway segments.

GAO wishes to present its views to the Congress on the administration of the program with regard to the need for the Federal Highway Administration to:

Establish maintenance standards for the Interstate System.

Recognize that overlays relieve a State of a portion of its maintenance responsibilities.

Amend its regulations to establish a uniform method for determining overlay requirements.

[From the Washington Post, July 7, 1970]

INTERSTATE HIGHWAYS CRACKING

The nation's interstate highways are cracking up from heavy truck traffic that may force many hundreds of millions of dollars in repairs, government investigators reported yesterday.

The $200 million spent so far to add new layers of concrete surfacing on top of badly cracked superhighways is only a start, the General Accounting Office said, The final cost may vastly exceed that amount, it warned.

After a nine-state study, the GAO, which is the congressional watchdog on federal programs, said virtually all of the interstate highways may need the added layers eventually.

The GAO report quoted officials as saying the cracks came from improper design of roads due to misjudgment of such factors as bad weather, underlying soil and truck weights.

"The crucial factor is truck traffic," said Bernard Sacks, who headed the GAO investigation.

The GAO report said the federal government should set new maintenance standards for the 42,500-mile interstate system and require the states to pay the cost for adding the new layers to cracked roads.

The Department of Transportation, in a letter included with the report, turned down these recommendations.

By law, states pay all highway maintenance costs. But federal highway officials have defined the new layers as part of the construction program. Federal funds provide 90 percent of all construction costs.

H.R. 15051

A bill to establish a commission to study the effects on highway safety and expense of changing the existing limitations on the weight and dimensions of motor vehicles using the highways of this Nation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission on Highway Safety and Expense (hereafter referred to in this Act as the "Commission").

SEC. 2. The Commission shall make a full and complete investigation and study of all effects on highway safety and the expense of constructing, reconstructing, repairing, and maintaining highways resulting from any changes in the weight and dimension limitations established by section 127 of title 23, United States Code, including the possible imposition of weight and dimension limitations on other highways. Such investigation and study shall include, but not be limited to, a specific examination of the following:

(1) What share of highway construction and maintenance costs is allocable to each class of highway users?

(2) What would be the effect on the costs of the Federal-aid highway systems (both original costs and recurring costs) of permitting motor vehicles having greater weights or dimensions, or both, than those permitted under existing law to use the highways?

(3) What overall economic benefits would accrue from permitting motor vehicles having greater weights or dimensions, or both, than those permitted under existing law to use the highways, and which sectors of the economy would receive these benefits?

(4) How would the costs referred to in paragraph (2) be allocated on the basis of the economic benefits referred to in paragraph (3)?

(5) What would be the effect of permitting motor vehicles having greater weights or dimensions, or both, than those permitted under existing law to use the highways on all aspects of highway safety?

SEC. 3. (a) The Commission shall be composed of 15 members appointed by the President, one of whom he shall appoint as Chairman, and shall serve at the pleasure of the President. Two members shall be Members of the House of Representatives, one from the majority political party and one from the minority political party. Two members shall be Members of the Senate, one from the majority political party and one from the minority political party. One member shall represent the American Trucking Association, one the American Automobile Association, one the American Association of State Highway Officials, one the National League of Cities, one the American Association of County Engineers, one the National Safety Council, one the National Highway Safety Bureau, and three members shall represent the general public.

(b) A vacancy in the Commission shall be filled in the same manner as the original appointment.

SEC. 4. (a) Except as provided in subsection (b), members of the Commission shall each be entitled to receive $100 for each day (including traveltime) during which they are engaged in the actual performance of duties vested in the Commission.

(b) Members of the Commission who are Members of Congress or full-time officers or employees of the United States shall receive no additional compensation on account of their service on the Commission.

(c) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

SEC. 5. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable.

(b) The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

SEC. 6. (a) The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b)(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter which the Commission is empowered to investigate by section 2 of this Act. Such attendance of witnesses and the production of such evidence may be required from any place within the United States.

(2) If a person issued a subpena under paragraph (1) refuses to obey such subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpenas of the Commission shall be served in the manner provided for subpenas issued by a district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) All process of any court to which application may be made under this section may be served in the judicial district wherein the person required to be served resides or many be found.

SEC. 7. (a) The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman of the Commission such department or agency shall furnish such information to the Commission.

(b) The Commission shall, in carrying out this Act, utilize the existing test and other facilities of the departments, agencies, and instrumentalities of the United States, to the fullest extent possible.

SEC. 8. Not later than two years after the date of enactment of this Act the Commission shall submit a report of the results of the investigation and study required by this Act to each House of Congress, and to the President, together with its recommendations, including specific recommendations with respect to each matter referred to in paragraphs (1) through (5) of section 2 of this Act.

SEC. 9. The Commission shall cease to exist ninety days after submitting its final report pursuant to section 8.

A CLEANER ENVIRONMENT

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BURTON of Utah. Mr. Speaker, disposal of solid wastes is an acute problem of considerable magnitude. Large urban areas are in danger of being overwhelmed by trash-disposal problems. One factor is the high cost of disposal. Recycling of solid materials is a necessary goal toward which we are turning our efforts; however, the collection and sorting of materials is a complicated and expensive problem in itself. Machinery for recycling of some types of solid wastes is either not available or not located at readily available geographic intervals. Throw-away bottles and cans create one of the more obvious disposal problems. In this instance, instead of recycling, which involves costly collection, sorting and melting down of materials, a return to reuse of containers is a more economic solution; and a first step toward eventual recycling of all materials.

Not only must a cost factor be considered, but methods presently used for disposal, such as land fill, permeate the soil and create soil pollution which eventually, through percolation of water, reaches our water resources, too. Moreover, finding sufficient land for landfill areas is a growing problem. Suggestions have been made for moving materials to be disposed by train to outlying areas; but it would seem to me that a wiser suggestion would be to conserve our diminishing mineral resources through reuse of containers and eventually work toward the recycling of all solid waste materials.

Following is a fact sheet containing pertinent information on this subject:

CONSUMER ECONOMICS IN THE PURCHASE OF SOFT DRINKS IN RETURNABLE AND THROW-AWAY CONTAINERS

With the problem of keeping a cleaner environment and the ever increasing costs of solid waste management, many consumers and government officials are asking just *how much can the consumer save if he buys his soft drinks in returnable bottles.*

The Crusade for a Cleaner Environment has made some initial investigations in the Washington, D.C. and Richmond, Virginia areas and has obtained these figures on nationally distributed "Coca-Cola."

[In cents]

	Washington retail	Richmond retail
6-pack of 12 ounce cans (throw-away)	0.89	0.83
6-pack of 12 ounce bottles (returnable)	.69	.59
Saving per 6-pack	.20	.24
Saving per bottle	.367	.04
Percent savings	22.5	28.9

If similar savings could be made on a nation-wide basis, the *American public could save* an estimated *$600,000,000* if the 15,000,000,000 soft drinks now purchased in throw-away cans and bottles were purchased in returnable bottles. If similar savings were made on the 21,330,000,000 throw-away cans and bottles of beer, another $840,000,000 could be saved.

While solid waste management—trash pick-up and disposal—figures for throw-away bottles and cans are hard to separate from the total cost of these services to consumers and taxpayers, they are significant and probably run into the hundreds of millions of dollars per year. In *Detroit alone,* the sanitation department says it costs them *$4,000 each day to dispose of bottles.* Based on a five day week, this *amounts to over $1,000,000 per year.* In addition, the cost of *picking up litter* across the country (as distinct from regular refuse collection) is estimated to be *over $500,000,000 annually.* A substantial portion of this is attributed to throw-away soft drink and beer bottles and cans.

Sources: *New York Times,* May 25, 1970; *Detroit News,* June 2, 1970; Coca-Cola Bottling Company, Washington, D.C.

A COMMUNITY NEED

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. RODINO. Mr. Speaker, a recent editorial in the Nutley Sun articulates the critical lack of attention to the needs of elder citizens, both economic and social, which exists in communities throughout our Nation. Mrs. Charles Sherwood was suggested as director of a program so oriented. I fully support that nomination, for Mrs. Sherwood has always proved herself to be concerned and dedicated and able.

I am pleased to bring this editorial to the attention of my colleagues:

A COMMUNITY NEED

Our community—town officials, appointed and elected, civic leaders, civic organizations, and just plain citizens are not doing enough to help the plight of those among us who arrive at retirement age and desire to remain in and continue to be a part of—Nutley—a town which means home to those fortunate enough to have lived long enough to retire.

One of the most vexing problems of this age group is the economics of everyday life. For the most part these people live on fixed incomes. With the spiraling cost of food and shelter they find themselves in a financial bind. We have suggested a meaningful real estate tax subsidy for this age group. Around the country there are different plans already in effect providing for reduced rates for this age group using public transportation.

Here in Nutley we have a problem somewhat different than the big cities. Our older people have no community center where they can visit daily and exchange hellos. We believe an everyday program should be initiated by the Town Commission to provide our senior citizens with a community center available to them all day everyday.

There must be a room somewhere in town-owned facilities that can be made available for these people who have contributed so much toward making our town the good place that it is.

Our nominee to head up such an activity is a young lady who has dedicated most of her adult life to the service of our community, Mrs. Charles Sherwood.

Dorothy Sherwood, as she is known by at least half of the town, brings spiritual leadership to any activity or group lucky enough to claim her. Knowledgeable and dedicated, alert and energetic, Dorothy very easily could come up with an activities program designed to make life for our elders just a bit more worthwhile.

Tax free buildings in the community owned by religious, veteran and fraternal organizations are secondary places that may be available if a study shows that no town owned facility is available.

For the most part the religious, veteran and fraternal organizations do not carry on day time activities, thus opening up to community service thousands of square feet of building and grounds which are on our tax-exempt rolls.

We know most of the religious, veteran and fraternal leaders. We are confident a plea to these people to assist our elders would be favorably received.

IS BIOLOGICAL AGING INEVITABLE?

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. DUNCAN. Mr. Speaker, a constituent of mine has called attention to a very thoughtprovoking and timely article on aging. Entitled "Is Biological Aging Inevitable," the discussion appeared in the December 1969, issue of Analog Science Fiction and Science Fact.

I want to share this with my colleagues and other readers of the RECORD, but because of its length, I would like to insert it in the RECORD in three parts, the first to follow herewith:

IS BIOLOGICAL AGING INEVITABLE?

(By Major Donald G. Carpenter and Captain John E. Wrobel, Jr.)

Must man biologically age? Is it forever ordained that we must gradually lose our capability to fend off incipient disease, until death finally intervenes? These are critical questions . . . for no one dies of old age! Each of us dies of specific, often multiple, diseases resulting from the progressive weakening of our system as we grow older. Certainly aging—and its mistress, death—seem to be as intrinsic to us as breathing and eating, but is this necessarily so? Through the creeping millennia, man has emotionally argued these vital questions, often resorting to devious religious, philosophical and protoscientific reasonings. Some of the resultant ideas have played prominent roles in our evolving culture and they influence us strongly, even today.

Yet, until recently, precious little had been done to alleviate this seemingly inevitable bane. In fact, many men have actually suggested that aging should not be studied—that biological aging and death are somehow-beneficial both to individuals and to mankind. But their arguments sound suspiciously similar to those which were used against anatomical research during the Renaissance; and fortunately, not all humans pay attention to them. We'll discuss some of those arguments later but right now let's look at some creative efforts in the endeavor to conquer aging.

EARLY SCIENTIFIC EFFORTS

Only in the last century and a half has consideration of biological aging slowly shifted to a scientific approach. Rather than succumb to the lethargy which accompanies hopelessness, some scientists have studied—often in a most primitive way—the aging process. At first the proposed theories and experiments appeared completely unrelated to each other; the situation was somewhat like that of the blind men and the elephant—all were seeing different aspects of the same thing. Although all were partially wrong, they were also partially right. And continually, the scientists have had to struggle against both active opposition and lack of interest . . . a result of the subtle apologistic themes intricately interwoven throughout the warf and woof of our culture.

There were isolated, groping attempts at scientific approaches during the seventeenth, eighteenth and nineteenth centuries, but mankind was lacking the necessary tools and essential background knowledge, and there was little solid progress. Perhaps the first successful attempt to formulate a mathematical model was made by Gompertz in 1825. He plotted the log of the death rate of different sample groups of humans as a function of age and, not unexpectedly, found that the death rate—or the probability of death at any age—for each sample group increased rapidly as the group aged (Figure 1). Although this empirical model did not establish a cause of aging, it did demonstrate that death is not a purely random event[1] and that people become increasingly unable to withstand the stresses of their environment as they age.

With the beginning of this century came increased, less crude attempts to study the phenomenon of aging. In 1908, Ruebner astutely observed that among a wide variety of animals there is a curious relationship between the metabolic rate and the life span: the greater the metabolic rate, the shorter the life span. For example, mouse and man each expend approximately seven hundred calories per gram of tissue throughout their lives but the mouse expends its energy at roughly thirty times the rate that man does—and lives about one thirtieth as long. The basic reason for the mouse's greater rate of energy expenditure is that each gram of mouse tissue has far more surface area—on the mouse's skin—through which to lose heat than does each gram of human tissue—through human skin. Thus, the mouse must have a greater metabolic rate just to maintain the same body temperature.

The important point is that a variety of animals undergo similar aging changes given the same amount of chemical activity. This relationship seemed to imply that exercise should be taken only in very small doses—if at all. The lower rate of energy expenditure should then result in an extended life span. That concept was eventually developed into a "Rate of Living" theory. Twenty years after Ruebner's original observations, the "Rate of Living" theory was hopefully tested by Pearl on one type of organism—man; however, no consistent relationship could be shown between life span and the amount of work done. It has since been suggested that compensating factors are involved, and that while the theory tends to hold between different types of organisms, these compensating factors mask the effect between organisms of the same type. This may well be true. The beneficial effects of exercise could easily outweigh the adverse effects of greater metabolic activity, and the only conclusion that could be reached forty years ago was that the degenerative changes which are associated with aging are also related in some unknown chemical fashion to the metabolic rate.

In 1923, Carroll and Eberling evolved what was actually an improvement upon Ruebner's "Rate of Living" concept. They suggested a specific way in which an organism's metabolic rate might be related to its life span. They came up with the interesting idea that some metabolic waste products might not be excreted as rapidly as they are formed—a concept which could have evolved from Aristotle's "clash of the body's elements." Those waste products would then accumulate, slowly poisoning the organism or otherwise interfering with its operation. Such a "Waste Product" theory is easy to test: Carroll and Eberling ran a series of experiments in which they examined the blood of older people, looking for molecules which might inhibit growth or metabolism. However, they were unable to obtain conclusive evidence for this theory. Part of the reason for their failure was that they were looking in the wrong place. Later researchers have found chemically-inert collections of molecules within the body cells—not the blood—of organisms. Some of these molecules appear to be metabolic waste products while other molecules appear to be normal body molecules that have been oxidized or chemically-bound to other molecules, thus "clogging the system" as visualized by the "Waste Product" theory.

In the case of human nerve and muscle cells, some of those chemically-inert collections of molecules form fluorescent lipofuscins which are, at present, believed to be multi-oxidized lysosome molecules. (Lysosome molecules are digestive enzymes which are contained in sacs within the body's cells. When a cell is damaged sufficiently for an internal sac's wall to become ruptured, the lysosome molecules are freed. They proceed to disassemble the damaged cell.) If the lysosome molecules within a cell become chemically inert—multi-oxidized—they not only are unable to disassemble the cell when it becomes damaged, but they also may interfere with the cell's metabolism.

In the human heart muscle, the fluorescent lipofuscins can accumulate with age to where they total as much as 30% of the heart muscle's weight. It would be strange if replacement of 30% of a muscle by inert material did not have some adverse effect upon the muscle's performance! However, no firm conclusion can be reached regarding the validity of the "Waste Product" theory until we learn how to remove the waste products and other inert molecules without damaging the organism. Then, we can see if removal of the useless material noticeably benefits the organism. Until then, all we have succeeded in finding is a correlation between aging and the accumulation of inert molecules. Of course, that correlation does not prove that the accumulation of inert molecules produces aging. There is a definite correlation between baldness and aging but would you claim that baldness causes aging?

A more dramatic approach was tried by Serge Voronoff. During the 1920s he observed that serious hormonal imbalances occurred in elderly people. Voronoff attempted to rectify partially the imbalance condition in elderly men by transplanting—to over 1,000 of them—testicles from male chimpanzees. This produced only temporary improvement in the elderly men . . . and none in the chimpanzees. Perhaps he would have been slightly more successful with the men if he had been able to control the body's immunologic rejection of foreign tissue. Unfortunately, such important knowledge was not available in his day, but even if it had been, he might not have achieved any great success against aging.

Hormonal therapy is in use today, and although side effects and lack of knowledge limit the effectiveness of treatment, there is little solid evidence that those limitations are preventing man from achieving large extensions in lifespan. However, further experimentation is necessary to resolve this matter. (Proper practice of preventative endocrinology could add between five and ten years to the mean life span, as well as make the later years more vigorous, healthy and enjoyable.)

In the late 1930s, the last of the early empirical scientific efforts against aging was initiated. Bogomoletz studied a group of Russians whose age ranged from 107 to 138 years. After many extremely detailed physical examinations and postmortems he concluded that the state of preservation of the connective tissue has a major effect upon life span. He then developed a serum which was intended to improve the condition of elderly connective tissue but the serum had little, if any, effect on life span. As a result both Bogomoletz and his serum fell into disrepute with Western scientists. Recently though, new evidence suggests that his basic conclusion was at least partially right—only his serum was completely wrong. It should be pointed out that Bogomoletz and his theory are still held in high esteem among Russian gerontologists.

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[1] If death were a purely random event, the probability of death during any one year timespan would remain constant throughout life. But the probability of death does not remain constant, instead it increases with age.

RECENT SCIENTIFIC PROGRESS

In 1941, the first of the exciting modern scientific efforts against aging was begun. John Bjorksten brilliantly proposed his "Crosslinkage" theory of aging (crosslinked-chemically-bound-together) in which he originally viewed monatonically increasing crosslinkage between protein and/or nucleic acid molecules as the basic cause of biological aging. That view has now been broadened to include crosslinkage between all types of large, biologically important molecules as being the basic cause of biological aging. It is well known that when a given molecule chemically combines with another atom or molecule, the original molecule's chemical and physical behavior is altered, and frequently the original molecule is then unable to perform its proper function. Thus, the progressive crosslinkage of molecules in an organism would lead to the progressive deterioration of chemical and physical performance, and to the eventual death of the organism. This theory has received increasing experimental support over the past quarter century and now stands as one of the most impressive of the modern theories.

On interesting side point is that essentially this same crosslinkage theory has been independently proposed by three different scientists working from three different viewpoints. Johan Bjorksten was first by about fifteen years; with his customary genius, he evolved the theory from the most difficulty viewpoint—that of a chemist. Frederick Verzár deduced a variation of the theory next. He did this in 1956 from the viewpoint of a medical doctor and biochemist. The last individual to independently arrive at essentially the same conclusion was Donald Carpenter; in 1959 he reached this conclusion from studies of nuclear science and radiation effects. The important point is that three scientists independently evolved their own variations of essentially the same theory—each without knowledge of the other's work, and each working from a different scientific viewpoint. Of course, that proves only that the concept is highly plausible.

The variation developed by Verzár in 1956 has been referred to by many as "Collagen" theory. In essence, this theory holds that collagen—a fibrous protein accounting for about 40% of a human's total protein—tends both to increase in amount and to crosslink slowly, but progressively, with age. The progressive crosslinkage causes the collagen fibers to shrink with age[2] and to "choke-off" the surrounding tissue; thus the surrounding tissue becomes increasingly anoxic—oxygen-starved—and wrinkled. Such an environment forms an excellent breeding ground for cancer, and cancers do indeed tend to form in the crosslinked collagenous regions which exist along the edges of old scars.

The variation developed by Carpenter in 1959 is called "Diffusion" theory. This theory holds that biological aging can be treated as a diffusion phenomenon: some large molecules in the organism are produced at a more rapid rate than that at which they are removed. These accumulating molecules can be produced by both normal and abnormal chemical reactions within the body. The successes of "Diffusion" theory are in explaining: (a) the accumulation of crosslinkage in rat tendon collagen (cross-linked collagen molecules are limiting cases with diffusion rates of zero); (b) the lack of observable biological aging in rapidly growing tissue; and (c) the accumulation of lipofuscins in the human heart muscle. On the other hand, this theory's greatest failure has been its inability to explain the "Lansing Effect" in which there is an inverse relationship between the mother's age at the birth of her offspring and the life span of that offspring.

In 1956, the dean of stress research—Hans Selye—proposed a "Stress" theory of biological aging in which he assumed that the every-day stress of life causes wear and tear upon the body. He suggested that a stressful situation would produce damage to the organism, and that a good rest would almost, but not quite, return the organism, to its pre-stress condition. This gradually increasing sum of stress-damage is thus what we call aging. "Stress" theory not only has all of the good points of the old "Rate of Living" theory—also called the "Wear and Tear" theory—but it also emphasizes the fact that excessive stress can terminate an organism's life. Furthermore, it emphasizes the fact that the older an organism is, the less stress it can withstand before becoming either ill or dead. Unfortunately, experimental data do not reveal a very direct correspondence between stress and aging.

Another 1956 development was the important proposal by Joseph Still of a "Cybernetic" theory of aging. Still quite correctly pointed out that every organism must be treated as a system and that organismal death can occur without any vital cells being dead. (He pointed to the possibility that the system could be disrupted by small changes in nerve transmission time.) From this viewpoint, aging is due to a gradual loss of the nervous system's control over the organism's cells; death results from passing a limit of the system. In providing experimental evidence to support this theory, Still succeeded in proving that nerve cells contain stable chemical materials. These materials could be removed from the metabolic pool through cross-linkage. Thus, Still's "Cybernetic" theory and Bjorksten's "Crosslinkage" theory are not only compatible, they are actually supplementary. In addition, the "Cybernetic" theory links physiological aging to molecular changes in the organism, but the theory is very general in nature. One has the distinct impression that this theory should be used as a framework within which other theories act as functional blocks.

In 1958, a "Mutation" theory of aging was suggested independently by Curtis and Gebhard, Szilard, and Failla. Within this group of scientists, only Howard Curtis has pressed this approach vigorously. The mutation approach postulates that the organism's somatic cells develop spontaneous mutations in the same way as do the organism's germ cells. Mutations can be produced by both crosslinkage and dissociation, as well as by deletions—vacancies—and nucleotide substitutions—replacements—when in radiation environments. These mutations can be propagated by subsequent cell divisions, and eventually the organism may be carrying a heavy body burden of mutations.

The mutations can cause essential body cells to lose the ability to translate certain chemical code "words," and such a loss of translation ability limits the cells' abilities to synthesize molecules. Because almost all mutations are harmful, the organism's cells become less like their original appearances and much less efficient. Eventually, the organism becomes so inefficient that it is unable to survive. Curtis has gathered much impressive evidence supporting this outstanding theory. For example, the number of mutations in an organism increases with age, and those species with higher mutation rates tend to have shorter life spans. However, Curtis has also pointed out that the amount of somatic mutations in an organism at any given time is inadequate to explain aging and death, unless some other factors are involved.

Another such factor was suggested by Raymond Walford in 1962. He advanced the "Immunologic" theory of aging, in which it is postulated that mutated cells stimulate immunologic reactions within the organism's system, and that those immunologic reactions degrade and eventually destroy the organism. This important concept is supported by the increased incidence of immunologic diseases—such as arthritis—with age, but is opposed by the fact that not all elderly people develop immunologic diseases. Also, when twenty-two mice were fed 100 mg. of Imuran—an immunologic reaction suppressor—per kg. of food, their mean life span was only about 10% longer than that of the twenty-five specimens in the control group. This implies that the "Immunologic" theory is valid, but is only a part of the total picture.

Also proposed in 1962 was the "Free Radical" theory of Denham Harmon. Harmon suggested that chemical free radicals within an organism cause aging through combination with biologically important molecules. Chemicals which decrease the density of free radicals were administered to LAF_1 mice in a program of preventative therapy, and mean life span extensions of up to 50% were reported. Of course, this theory primarily emphasizes that crosslinkages can occur through the action of free radicals, but actual organisms contain many other crosslinkage agents besides free radicals—e.g., Aldehydes, Lipid oxidation products, Sulphur, Alkylating agents, et cetera. Again, we have here a prominent theory which appears to be correct so far as it goes, but which accounts for only a small part of the total effect.

U.S. HOUSE OF REPRESENTATIVES SALUTES GRAYSLAKE, ILL., ON ITS DIAMOND JUBILEE

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. McCLORY. Mr. Speaker, it is with special pride that I call to the attention of the Members of the House of Representatives the Diamond Jubilee Celebration at Grayslake, Ill.—in my congressional district. This community of more than 5,000 population was incorporated in 1890 in a part of Avon Township—Lake County, Ill.

Avon Township is appropriately named, since many of the original settlers—who displaced the native Indian population—came from England's Avon River valley.

Among the early pioneers were Elijah Haines and John Gray who helped to develop the area's agricultural potential. Both the lake, which is located within the community, as well as the village itself took their names from John Gray. Elijah Haines is commemorated in the name of the adjoining community of Hainesville.

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[2] As in the twisting of a rope, which causes to "shrink" in length.

In honoring its 75th anniversary, the Grayslake Diamond Jubilee Committee has designated August 8 through August 18, 1970, for appropriate ceremonies. These include a pageant, a parade, and many other special events which will recall the history and development of this community in the heartland of America.

I am pleased today to extend my personal congratulations to the village of Grayslake, to its president—Warren Chard, to the diamond jubilee chairman—Raymond Marotte, to the headquarter chairman—Marshall Schroeder, and to all who are organizing and participating in the Grayslake Diamond Jubilee celebration.

It is my intention to join the citizens of Grayslake and many other public officials and friends on Sunday, August 9 to pay tribute to this community's past and to express good wishes for its promising future.

COMPTON-LYNWOOD BOARD OF REALTORS SPONSOR ESSAY CONTEST

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. DEL CLAWSON. Mr. Speaker, three young people in my congressional district were responsible for the sort of constructive thinking which is much needed in contemporary society. They were prize winners in an essay contest sponsored by the Compton-Lynwood Board of Realtors and their subject was "The Advantages of a Make America Better Program." Miss Karen Smith of Lynwood wrote the essay which won first prize at Lynwood High School, Miss Donna Edward received first place honors from Dominguez High School. Donna is a resident of Compton, Calif. The grand prize winner, Miss Karla Ellis of Lynwood will be a competitor at the California Real Estate Convention to be held in September. At this point in the RECORD I include these prize-winning essays.

THE ADVANTAGES OF A MAKE AMERICA BETTER PROGRAM

(By Miss Karla Ellis)

"Make America Better," a patriotic project, was conceived out of growing concern for the lack of involvement on the part of American citizens in community affairs, social unrest, disharmony among various racial and economic factions, the war crisis, and the ever-increasing decay of the moral fiber of this great nation. This particular program is designed to stimulate the minds of the people and motivate them into assuming a more responsible role in their society. The program, if to succeed, requires the active involvement and participation of each and every individual regardless of race or social standing. It also necessitates the uniting of all people into one, unseverable alliance, in a common struggle to combat and overcome current internal problems plaguing America and the utilization of their ability to procure peace and understanding among themselves. Such a program encourages people to adopt, as well as develop, new and more open attitudes in an effort to mend the wounds America has suffered in recent years as a result of unfounded prejudices. Because people too often tend to take their position in life too lightly, a "Make America Better Program" would help to create a new awareness, a new insight into just exactly what the duties of an American citizen actually involve. Consequently, the fate of America lies in the hands of its inhabitants and therefore desires, and unquestionably deserves, the loyal universal support of its patriots. These patriots, in order to express their gratitude, must preserve their beloved homeland and the basic ideals and principles upon which America was founded—for without such support, America would face total oblivion.

WHAT ARE THE ADVANTAGES OF A MAKE AMERICA BETTER PROGRAM?

(By Miss Donna Edwards)

The advantages of a "Make America Better Program" are numerous. Let's not kid ourselves anymore. There are so many things we need to do for this country of ours. We've always said and heard that America is perfect and everything is right about it. I still think it's the best country in the world but we still have our problems here and there throughout the country and they've been more plentiful lately!

Pollution, over-pollution, starvation, wars, and campus violence are all part of America's problems. But none of these can be handled without accomplishing our simplest, but seemingly hardest, problem—understanding one another. Once we show each other that we're concerned about all, we can really get together and work out the badly needed answers to the problems surrounding us. We all want a peaceful, happy nation. A peaceful nation doesn't happen over night, unfortunately. It starts first in each little city, town, or community in which one lives. This takes team effort. Team effort must have individual effort in order to be a part of that team. Our own effort put with the efforts of others will help to make solutions to our problems possible and workable.

Today, the youth are crying out for love and for peace. Is this really asking too much? A part of the love and peace they are talking about is designated for all the world as one. This is great, but how about first starting to find the love and peace in this country. Most important of all, how about finding it in our own hearts. That is where it must begin!

WHAT ARE THE ADVANTAGES OF A MAKE AMERICA BETTER PROGRAM

(By Miss Karen Smith)

The advantages of a "Make America Better Program" are infinite. Although America is ahead of other countries in the rights to its individuals, it has many problems that need solving. Some of the improvements needed are educational facilities, better housing and building restrictions, and the involvement of the American with his own environment.

The American educational system needs improvement. Because of lack of government funds, students are forced to attend overcrowded schools. They are denied proper supplies and adequate facilities such as cafeterias and well-heated classrooms. Without appropriate funds, there are fewer teachers, and these teachers must do the best job they can with the limited materials they have. The advantages of a better education are better jobs and leaders for the up-coming America. A student who has the proper education is a well-adjusted person who will be ready to cope with the many problems he will find confronting him.

A better housing program and building restrictions insure fewer ghettos. The advantages of this type of program are undefinable. A person raised in healthy surroundings is less likely to be bitter and abject. He is more likely to take pride in his community and himself. A better housing program would reduce crime as the reason for most crime is the gain of material wealth and power in the eyes of one's peers. With restrictions on the methods of constructing buildings, America could insure its population of well-built, stable establishments

What should be considered the most important objective in a "Make America Better" program is the involvement of the American with his government and personal surroundings. Although Americans have the right to vote, there aren't many who have interest enough to cast a ballot. Many people are ignorant of the system of voting. Although Americans see and hear what is happening on our campuses and in our ghettos and prisons, few of them care enough to get involved. As well as being aware, Americans should become a part of their social problems so that a "Make America Better" program would be unnecessary. Then each American would be bent on making America better.

Education, housing, and involvement in their environment are but a few of the problems that plague America and its people. But, with the vast amount of advantages that a "Make America Better" program holds, America has a chance of becoming, if not the best, the most content nation in the world.

THE UNITED STATES IS STILL THE GREATEST

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. NELSEN. Mr. Speaker, Dr. Nicholas Nyaradi, formerly of Bulgaria, gave the commencement address this year at Windom High School, Windom, Minn., and received a standing ovation for his eloquent defense of America. Afterwards, the editor of the Windom Citizen, Ken Anderson, attributed the appreciative response by local citizens to the recognition that—

> There are too many today who are willing to downgrade and destroy our nation and its institutions and we need something to counteract this sickness.

I believe this is generally true throughout the Nation and I am pleased to insert Mr. Anderson's full editorial in the RECORD:

THE UNITED STATES IS STILL THE GREATEST

Whether one agrees with him or not, the concensus seems to be that WHS commencement speaker Dr. Nicholas Nyaradi, gave the most challenging and provocative graduation speech heard here in some time.

Usually at most graduations you get the "rah, rah, go-out-and-get-'em" speech which everybody has heard before.

Not so with Dr. Nyaradi. He said things that needed to be said—straight from the shoulder—about our country and its institutions.

As one who lost his freedom in Bulgaria and then regained it in the United States, Dr. Nyaradi is in a position to define more clearly than anyone else just how precious our freedoms are in this country.

It was good to be reminded once again that, despite all of its faults, the United States is still the greatest free country in the world and that we who live here are blessed by Divine Providence.

No one claims that our nation is perfect. But the fact remains tnat our system of government is still the best devised by the mind of man and we should appreciate it.

Dr. Nyaradi reminded that audience, too, that you can't build by tearing down, a fallacy that seems to be sweeping our university and college campuses. Nor can you—or should you—change a system overnight that has been almost two centuries in the making.

Dr. Nyaradi reminded us that the price of freedom comes high. No one should know better than he, but it is a lesson we tend to forget in today's affluent society.

This is one commencement address which really gave both the graduates and the audience something to think about. It may have been old-fashioned flag-waving at its best, but we think it's something our country badly needs. There are too many today who are willing to downgrade and destroy our nation and its institution. and we need something to counteract this sickness.

Apparently most of the people at the graduation exercise agreed with Dr. Nyaradi. If they had not, they certainly wouldn't have given him a well-deserved standing ovation.

Mr. Speaker, Gordon Blakely, editor and publisher of the Sherburn Advance-Standard and the Welcome Times, attended the Sherburn High School's commencement where Mr. Erik Dundurs, formerly of Latvia, also took a strong stand in defense of America. I am also pleased to insert Mr. Blakely's editorial observations in the RECORD:

PROUD TO BE AN AMERICAN

"I'm damn proud to be an American," the speaker literally shouted from the stage of the Sherburn High School auditorium during the Memorial Day services held Saturday. The speaker, Erik Dundurs, added, "It may be considered corny to say such things, but now that I have a second chance at freedom, I don't care how corny it sounds. That is exactly how I feel."

Dundurs is in a position to know what being an American means and what America stands for.

He grew up and went to school in Latvia. He interrupted his medical studies there and left his native country in 1944, escaping the Soviets. He has lived in Minnesota for many years and became an American citizen in 1955—getting that second chance at freedom, which he obviously values much higher than many people who have never known anything else.

He told how proud he was to be a Latvian, especially on their Independence Day when the towns and cities were decorated with flags and flowers. Apparently he lived in the Capitol because he said the President's house would be decorated and the "fleet," consisting of a half-dozen small vessels, would be anchored in the river nearby on that special day. "When I walked down the street and looked at people's faces I was so damn glad to be a Latvian that shivers ran up and down my spine," he said. Then he told about the Communists' take-over and the change from freedom to slavery. That led up to the remark about how happy he was to be an American and living in a free country again.

Dundurs warned that the Communist's blueprint still calls for global domination and that the United States is the prime target.

He said that the enemy is not only attempting to encircle us, but is also working from within to attain their goal. The moral decline and the tremendous increase in lawlessness in the U.S. today is playing right into the hands of the Communists, he says. To stop this deterioration from within we must improve our moral values, get involved, and insist on law enforcement on all fronts, he said, "Freedom," he added, "is like a delicate flower. It must be cared for and nourished constantly or it will die."

We thought about his "proud to be an American" and the fact that many do think it corney to express the thought out loud, but it shouldn't be and we should all be glad and proud we're Americans, although judging from the actions of some makes us wonder what they really think.

Let's look at the record. Consider the tremendous advances we Americans have made in the past generation or two—in every field. We have led all nations in the search for world peace; suffering and death has been alleviated by people willing to spend long hours and hard work in research; we've improved transportation and communications to the point where it seems there is no place to go from here; machines are doing much of the hard work necessarily performed by people a few years ago; we've raised the standard of living to undreamed heights; flown to the moon, and so on and on. Every year more and more money and effort goes toward the improvement of mankind's lot in one way or another.

It is true that we also have polluted our land, gotten involved in what appears to be a never-ending war in Southeast Asia, and we kill thousands on our highways every year. And there are other things—many of them—that aren't just as we would like to have them.

We did not create an utopia, but we were not led to believe that we would or could. We felt we would do well to continue to make advances and improvements, hoping to leave the world, but more especially our country, better when we left it than when we entered. We've remained free and continued strong.

To some all this isn't enough. Some want everything right now, preferably without effort, work, or expense. Perhaps they have a valid point—it isn't healthy or wise to be too satisfied, but we don't think that we, the so-called Establishment, need have any apologies about the state of the nation or its progress during the lifetime of the last generation or two.

Yes, Mr. Dundurs, we too are damn proud to be Americans!

AWARDS FOR "SESAME STREET"

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BRADEMAS. Mr. Speaker, "Sesame Street"—in just 1 year's time—has become a household word for approximately one-half of the 12 million preschoolers across the Nation. "Sesame Street" as I am sure my colleagues know, is the extraordinary educational television series produced by the Children's Television Workshop. It has just finished its first season of programing and all indications point to a most successful future for the workshop in educational programing for children of all ages.

It should not be surprising, when one views the impact of this series, that "Sesame Street" received almost all of the honors in its class from the communications industry in 1970.

The list of awards received in "Sesame Street" includes three Emmys for outstanding achievement in children's programing; the Saturday Review Award for best in children's programing; the George Foster Peabody Award for imaginative use of television in teaching; the Newspaper Enterprise Association Award for show of the year; the Silver Anvil Award for contribution to public service; a special citation from TV Clio Awards for the use of a commercial-sell approach in the education of children; and the Prix-Jeunesse, an international broadcasting award.

Mr. Speaker, the Corporation for Public Broadcasting informs me that the 1970 fall season for "Sesame Street" will begin on October 19 with an expanded curriculum embracing many new concepts in mathematics, language arts, reasoning and problem solving skills. The series will also give more attention to the Spanish language than it did this past year.

At this time, the Children's Television Workshop is also working on a new daily half-hour show, projected for viewing during the 1971 fall season, which will emphasize reading skills for children in the age 7 to 10 bracket.

Mr. Speaker, the Sesame Street series was created in 1968 and financed through a unique cooperative effort by the U.S. Office of Education, the Ford Foundation, and the Carnegie Corp. These agencies advanced sufficient funds so that extensive research could be made into the most effective method of reaching and holding the interest of the preschool audience. This meticulous study, which explored children's reactions, learning ability, and rate of retention has certainly proved productive—the results of preliminary tests in three States—Maine, New York, and Tennessee—showed that poor children who watched Sesame Street regularly during a 6-week interval made gains in the recognition of letters, numbers, and geometric forms two and one-half times as great those made by poor children who did not watch the program during this time. And preschoolers are not the only ones who are avid watchers of Sesame Street; this series has mesmerized parents and educators as well.

The ultimate success of the 1970 schedule and the future development and expansion of the Sesame Street concept will depend on the support received from both Federal and non-Federal sources. The 1971 budget for Children's Television Workshop will be financed mainly by the U.S. Office of Education and the Corporation for Public Broadcasting, with additional funding coming from the Ford Foundation, Carnegie Corporation, and other notable philanthropic organizations.

Sesame Street is presently shown on over 200 television stations from Maine to America Samoa, mainly through the free use of the Public Broadcasting Service network facilities supplied by Corporation for Public Broadcasting funds. This arrangement allows millions of children, many not able to attend nurseries, to receive this valuable instruction and entertainment in their own homes.

Mr. Speaker, "Sesame Street" was public broadcasting's show of the year—and this series did much to awaken commercial networks to the possibility and potential of quality programing. Since the success of "Sesame Street," all three commercial networks have appointed vice presidents for children's programing.

I have nothing but optimistic hope for the future of the workshop.

At this time, Mr. Speaker, I insert in the CONGRESSIONAL RECORD a most interesting and comprehensive article on "Sesame Street," by John Culhane, which appeared in the New York Times magazine of May 24, 1970.

REPORT CARD ON SESAME STREET

(By John Culhane)

From Watts to Westchester County, one recent Monday morning, preschoolers were watching a "Batman" cartoon on television. Batman and Robin were up in a tall building watching a crook over in the next building through open windows in their room and his. The problem perplexing the dynamic duo was how to get around the thugs who were guarding the crook's hideout. Readers of the Gotham City Times Magazine can presumably picture this scene because of our familiarity with the relational concepts "up," "through" and "around." But preschoolers often do not understand these terms unless they can see them demonstrated—which is exactly what the Caped Crusader and Boy Wonder did next:

ROBIN: Gee, Batman—if we could only get that guy without having to go through the guard.

BATMAN (*producing a bat boomerang from beneath his cape*): I believe this will assist us in apprehending that arch criminal, Robin. I'll tie this rope around the bat boomerang—like this. . . . Up in the air it goes and through that open window. (*The bat boomerang sails from one building to the other, makes a midair turn inside the crook's hideout and hooks the archcriminal so that Batman can haul him in.*)

ROBIN: Holy vocabulary, Batman! You got him!

BATMAN: Understanding the meaning of "up," "through," and "around" always leads us in the right direction, Robin.

That 33-second bit of "Batman" animation is part of "Sesame Street," the experimental educational series for preschoolers that ends its first season on May 29. Specifically designed to improve the language, numerical and reasoning skills of children between the ages of 3 and 5, this offering of the Children's Television Workshop of National Educational Television (NET) has proved to be such rollicking entertainment that commercial stations are running it, too. In New York, the hour-long show is seen on five channels, six times a day in all, and the latest Nielsen ratings estimate that almost half of the 12 million preschoolers in the nation watch it on 200 public and commercial stations from coast to coast. In Chicago, showing on a public TV station, it topped such formidable competition for daytime viewing as the "Beverly Hillbillies," "Concentration," a movie and an exercise show—as Variety said: "Probably the first time anywhere that an educational television station has topped the commercial competition."

So well known are the residents of Sesame Street that when lanky beaky Peter Janssen resigned as Newsweek's education editor recently to join NET, almost everyone at his farewell party got the joke when it was announced that he had been signed to play Big Bird. And on Alcatraz Island out in San Francisco Bay, where 42 Indian preschoolers watch the show on a set donated by the community utilization representative of the Children's Television Workshop, the rocky road to their nursery school bears the sign: "Pathway to Sesame Street." In short, nearly everyone likes the show. Still, if this educational experiment were to get a report card at the end of its first season what academic grades would it deserve?

Obviously, it gets high marks from the Government and the private foundations that jointly provided $8-million for its groundwork and first season, because they have recently pledged a fresh $6-million to cover the cost of producing and broadcasting a second season of 130 new shows. And clearly, the funding agencies have confidence in "Sesame Street's" ability to work on its own: the Children's Television Workshop will sever its ties with NET next season to become an independent corporation, with Mrs. Joan Ganz Cooney, this season's executive director, as president.

Also in the works is a second "Sesame"-type program, this one for grade-school children, aged 7 to 10, which should make its debut in the fall of 1971. "If these fresh attempts are as successful as 'Sesame Street' in capturing the attention and enthusiasm of the young people of America," said James E. Allen, United States Commissioner of Education, "our national campaign to assure by the end of the nineteen-seventies that no boy or girl will leave school without the skill and the desire to read to the utmost of his capacity will be off to a great start." What teacher ever wrote anything more laudatory on a report card?

And what prize pupil ever did better on Awards Day than "Sesame Street," which received television's coveted George Foster Peabody Award last month for "meretorious service to broadcasting"? The citation from the Henry W. Grady School of Journalism of the University of Georgia, which administers the awards, praises the series for demonstrating "what thoughtful, creative educators are doing for tomorrow's leadership."

Mrs. Cooney grades here own show A for appeal and entertainment value and A for teaching letters—but B for teaching numbers. "We set our sights too low," she explained. "We taught children to count from 1 to 10—we could at least have taught them to count from 1 to 20. Next year, we're going to do that and sets and simple addition and subtraction besides." In teaching reasoning skills, she gives the show a low B. "Buddy and Jim [the Laurel and Hardy of the show: adults functioning the way 3-year-olds do] are about the only thing we had that tried to get at reasoning and problem solving, and yet that was one of our principal goals."

But the final test has not yet been mentioned: the disadvantaged child. While the agencies that funded "Sesame Street" wanted to find out how television could give some advance help to all children not yet old enough for school, they particularly wanted to reach those children in the big city ghettos, Indian reservations and Appalachian enclaves who start school not knowing their letters and numbers like middle-class kids, and who get discouraged and lag farther and farther behind as they are shunted from one grade to the next. Have these children been reached? To answer that, one must first see "Sesame Street" as a child sees it.

An adult watching the entire show the day that Batman threw the concept-teaching boomerang would have seen "Sesame Street" as a series of little lessons in symbolic representation, cognitive organization, reasoning, problem solving, and various aspects of the child's world. Yet, if the show was to be successful, the child would see the same bits as a bunch of quick, funny and entertaining moments—like a collection of the catchy commercials that most young children chant around the house. Even the show's theme song is part of the experiment:

Sunny day, keeping the clouds away
On my way to where the air is sweet,
Can you tell me how to get,
How to get to Sesame Street? . . .

Joe Raposo's melody is bouncy by design, because tests have shown that this kind of beat best attracts the attention of preschoolers. The words of the song are accompanied by quick shots of things preschoolers are interested in—shots of kids their age swinging on a jungle gym and following-the-leader through a field of grain; of a white girl riding a tricycle and a black boy sitting on a tractor; a big brother helping his sister down a slide; kids roller-skating, kids running; a seal wiggling his whiskers . . .

"Every element in "Sesame Street" must say to every preschooler, 'This is for you,'" said Dr. Edward L. Palmer, the Workshop's 36-year-old research director. Before joining the Workshop, he was involved in pioneering research in children's TV-watching habits as associate professor of research with the Oregon State System of Higher Education.

How does a 3-year-old child, wrestling with his first phrases, let Dr. Palmer know whether a segment of the show is for him? "The answers we're looking for come from what they indicate by their behavior while watching a segment," he explained. "We watch the children as they watch." For example, during "Sesame Street's" five preseason test shows, Dr. Palmer relied on a device be called a distractor. It was, in fact, a small screen set up next to a television set on which color slides were projected from time to time. If the child watching "Sesame Street" was easily distracted, it was a tip-off that the material being shown was not sufficiently absorbing.

"The children we used for our appeal studies were all poor children in day-care centers," said Mrs. Cooney, "but it turned out that all preschoolers have pretty much the same concerns—and they're all conditioned by the same television shows: 'Batman,' 'Get Smart,' 'Laugh-In.' "

On the television, the theme song fades away, and Sesame Street itself fades in. It is actually a set on a television soundstage on Manhattan's West Side, but it could be any street in East Harlem. ("It looks real, except there's no litter," said one young visitor to the set—and the fact that his attention was immediaely attracted by the ideal is the reason the litter is absent.) The viewer sees an aged brownstone, No. 123. If he's a regular viewer, he knows that Gordon and Susan and Bob live there. Gordon (Matt Robinson) and Susan (Loretta Long) are married and they are black. Gordon is a high-school science teacher. Bob (Bob McGrath) is also a high-school teacher and he is white. There is a front stoop from which they greet their friends and neighbors, who are integrated not only by race but—if you count live animals and even fantasy figures like Big Bird—by species. Big Bird is actually a man named Carroll Spinney wearing a bird costume with gorgeous yellow plumage.

On one side of the street are the famous Sesame Street garbage cans, lids tightly shut, including the can that is the home of Oscar the Grouch, one of Jim Henson's band of hand puppets, called Muppets. (Oscar is operated by Spinney when Spinney isn't being Big Bird.) A vacant lot separates 123 Sesame Street from the candy store owned by Mr. Hooper (Will Lee), an elderly white man. The folks on Sesame Street relate even to senior citizens.

Each show starts on this street, and is loosely tied together by a little running story about the people and creatures in the neighborhood. Today, Gordon is host: he'll introduce the various segments of the program's so-called "magazine format." Other days, Bob or Mr. Hooper will do the honors, or Susan will act as hostess. Each segment has a specific educational goal. These goals were set by research groups made up of educators, psychologists, advertising people, film makers and children's authors who met at five three-day seminars in the summer of 1968. For example, the Batman segment was actually called "Relational Concepts—Around/Up/Through" in the outline given the show's writers.

The show begins: the camera pans to the vacant lot, where the viewer sees Gordon, sitting on a lawn chair, reading a newspaper. We see the headline: "Nurse Shortage Critical." Today's running story has been introduced.

"Oh, hi," says Gordon, putting down the newspaper and looking into the camera. ". . . Today, the entire hour of 'Sesame Street' is coming to you through the courtesy of the letter L, the letter U, and the numbers 4 and 5, but most especially by this letter . . ." Gordon holds up a plastic letter Y and the camera zooms in on it. "You know what letter that is? The letter Y."

Each show is "sponsored" by different letters and numbers that the Workshop wants to teach, and, in the time-honored television tradition, must frequently pause for "messages" from its various sponsors. Naturally, repetition of the messages will cause the child to remember the letter M, for instance, just as it causes him to remember M&M, the chocolate-covered candies ("No Mess!").

Now the camera cuts to a commercial for the letter Y called "Yellow Yahoo"—listed in the script as a 1-minute 10-second film essay in symbolic representation. The screen shows a Y-shaped tree: "This a letter, the letter Y," says a perky narrator. "You know how I know? It looks like the trunk of the tree where the Yellow Yahoos go—listen . . ."

"Yahoo," yells a voice.

"There's the Yahoo now," says the narrator, and he tells of the beautiful yellow bird in many words that begin with Y—which immediately appear on the screen: "When you ask him if his lunch was good, he says, 'Yes, quite Yummy'—and then he Yawns . . ."

Fade-in: a frog Muppet named Kermit. "Today," says Kermit, "we are fortunate to have with us Professor Hastings, who is going to lecture on the letter Y. Professor."

Professor Hastings is also a Muppet, with a white walrus mustache and heavylidded Ping-Pong-ball eyes. He and the frog engage in a kind of "Who's on First?" bit to teach the letter Y. "Young man, what am I here to talk about?" asks the professor. "Y," says Kermit. "Because I forgot," answers Hastings.

Cut to Sesame Street again. Susan goes next door to Mr. Hooper's candy store to buy a magazine. But Mr. Hooper is closing early.

"Is something wrong?" Susan asks. (The outline told the writer to prepare a minute-and-a-half "Reasoning and Problem Solving" segment to illustrate "Problem Sensitivity—What's Wrong Here?" This is his illustration.)

"My sister Emily is sick again," answers Mr. Hooper. "We tried to get a nurse but they're all so busy, so I'm going to stay with her for a while. She lives alone."

"Well, I could stay for you," offers Susan, "because, you know, I was a nurse before I got married to Gordon."

"Thank you, Susan, but she's expecting me," Mr. Hooper says. "I don't think it's too serious. . . ."

"Well, listen, if there's anything I can do, be sure and let me know. I'd be happy to go stay with her."

In addition to "Reasoning and Problem Solving," this brief vignette is intended to dramatize not only the concern of the good neighbor, but the idea that a woman's place is not necessarily in the home.

Next comes a counting film. This one teaches the number 4, so it shows four of many objects in syncopated rhythm—while little boys wait for the inevitable counting-film climax in which a waiter appears at the top of a flight of stairs carrying a tray holding four (or whatever) coconut-cream pies—then falls head-over-heels down the stairs.

"I don't like it," Mrs. Cooney says flatly of the pratfall finale. "Banana-peel humor is male and it's from age 4 on. Younger children—2-year-olds, say—think he's hurt." Then why does the guy stay? "The show," said Mrs. Cooney, "is definitely male-oriented."

"Sesame Street" is male-oriented for the same reason that the character of Gordon dominates the series. "This was done in order to upgrade the black male," said Mrs. Cooney. "We felt very strongly that it would be a good thing to show a black male who works and is strong and who is the force in the Sesame Street community, because the father is missing in so many slum homes."

Yet Gordon as *the* force in the Sesame Street community does not necessarily reflect the views of Mrs. Cooney. "I am a feminist, myself," said the executive director, who, though married, is childless. "Our society doesn't need more babies, we need more doctors." So she pushed for Susan, who is portrayed as also married but childless, to get a job outside the home. "We felt we had put her down a little in making Gordon so important," Mrs. Cooney said. "Susan was just the little woman in the kitchen. We talked about making her a doctor, but it didn't seem real, with them living where they live."

So the next scene in the continuing story of the people of Sesame Street has Susan discuss with her husband whether she should go back into nursing. "The reason we chose public-health nurse," said Mrs. Cooney, "was that the medical services in this country are going to need more and more people. Then, too, we wanted a job with a uniform that little girls could identify."

In the script, Susan wants Gordon to approve her intention to go down to the Public Health Department and renew her license, and Gordon approves. However, the dialogue is partly improvised; like many of "Sesame Street's" improvisational scenes, it is partly clumsy; and for that very reason, it is rather revealing. Susan tells Gordon that she wants to discuss whether or not she should go back to work, but no discussion actually takes place. "After all," she begins, "I'm a trained nurse and I just think they could use my services, and I was wondering what—how you felt about it, what you thought about it?" To this awkwardly phrased question, Gordon replies that he had spoken to her when she came back from Mr. Hooper's store, but she walked right by him without answering. Susan apologizes, explaining that the critical nursing shortage was on her mind. "If it bugs you that much, I'll tell you what," Gordon grumpily concludes: "Try it and see how it works out."

Neil Smith, who has been directing the first season but is now leaving to return to soap operas, says that he would have liked more time to rehearse the improvisational material. "The show has a soft underbelly," said Smith. "It's on five hours a week, so we have to turn out a lot of tape. Some things have to go in the can, not because they are the way I want to see them, but because we've got to produce a certain amount of tape each week." This scene is clearly a case in point: what chiefly comes through is the ambivalence of actor Matt Robinson as a person toward the situation on which he is being asked to improvise. Off screen, Robinson says he realizes that feminists want to use "Sesame Street" to upgrade the female; still, he says, many black Americans consider that the most important role black women can play at present is as ego supports for their husbands. The problem with the scene as played is that it gives the impression that Gordon is acquiescing to Susan's desire to go back to work ("If it bugs you that much . . ."), but doesn't really approve. The effect is hardly a contribution to building a strong male image. I felt that this scene, at least, should not have gone into the can until there was agreement on the effect "Sesame Street" wanted it to achieve.

The transition from this segment to the next is accomplished by Gordon as he watches Susan go off to the nurse's registry. "Well, she's happy now," he rather moodily tells a black child named Kwame and a white child named Ann. "And, speaking of happy people, take a look down there. . . ."

Down the street, Bob McGrath sings "Happiness Is" to another group of children in that gentle, quiet-voiced, non-threatening Misterogers manner that is the staple of most television for middle-class preschoolers.

But immediately afterward, Oscar the Grouch raises the lid of his garbage can to sing his antihero's version ("Happiness is . . . sand in your sandwich, rocks in your sneakers . . .") and this acerbic touch, to a rock beat, is the kind of thing that keeps "Sesame Street" from getting too bland for the kid who loves "Laugh-In."

Since the relational concepts being taught this particular day include "up," there is now a film of the Muppets singing "Up, Up and Away" while doing a comedy turn in a beautiful balloon.

When the filmed musical number is finished, the camera focuses on the street again. Gordon gives a coffee can with both ends removed to a black boy named Chet and an Oriental girl named Mia and lets them demonstrate the meaning of "through" with their hands—which leads into the Batman film on "up," "through" and "around."

And so the show progresses, from street to segment and back again. Just before Susan returns to Sesame Street in her visiting nurse's uniform, bringing the internal story to a conclusion, the "Yellow Yahoo" cartoon and another Y commercial are repeated. Why? Watching in Chicago, Sarah Biggins, who was a Head Start teacher before she began to teach remedial reading in inner-city schools, knew immediately. "I can see that 'Sesame Street' is definitely geared to preschool because of its repetition," she said. "My nephew, who is 2 and a half, knows most of the numbers 1 to 10, and points them out. But the older kids can get a lot out of it because of the goldmine of creativity involved in the production. Man! Those guys sure know how to get to the young minds."

It is a talent they exercise cautiously. To teach the concept of roundness for example, a script called for the camera to show such round objects as a button, a coin, a pop-bottle top—"and the writer had written in the peace symbol," said Lutrello Horne, the studio producer. "I deleted the peace symbol and substituted something else." Horne touched the peace symbol on his own coat: "I wear that button, but it's not for this show. I couldn't see it as part of 'Sesame Street.' "

"Can you tell me how to get to Sesame Street?" ask the bright yellow buttons that have sprouted all over the land on preschoolers and graduate students alike. The story of how the creators of Sesame Street got their starts in February, 1966, at a dinner party that Joan Cooney gave in her Manhattan apartment. Among the guests were Lewis Freedman, director of programing at Channel 13 and Mrs. Cooney's boss at the time, and Lloyd Morrisett, then vice president of the Carnegie Corporation and now chairman of the newly independent Children's Television Workshop.

"Channel 13 had been having a sensational season," Mrs. Cooney recalled, (Indeed: she won an Emmy in 1966 for a three-hour documentary on the Federal poverty program.) "Lew was saying, 'Television is the new educational tool, whether it's educating now formally or not.' Since Carnegie was in preschool research, something clicked in Lloyd's mind: Why not marry television to preschool education? Within a few weeks he called me and said, 'how would you like to do a study for us on the potential of television in preschool education?'

"I'd never seen a children's show," Mrs. Cooney confessed. "I knew what I knew from McLuhan: kids were watching shows like 'Batman' and 'Get Smart' and they were watching a lot of commercials. I was in television and I'd majored in education at the University of Arizona, but I wasn't in commercial television and I wasn't an educator. But that was what Lloyd wanted: someone in television who could figure it all out for them without any axes to grind on what kind of preschool theory triumphed."

By November, 1966, her report was ready. "Spend a lot of money on this," she recommended. And while Morrisett went after financing, Mrs. Cooney began to look for a staff.

The way to Sesame Street was eventually paved by a two-year grant of $8 million jointly from the Carnegie, Ford and Markle Foundations, Operation Head Start, the Corporation for Public Broadcasting and the U.S. Office of Education. "When the project was announced, I was the only staff," said Joan Cooney. "I had been appointed by the heads of the funding organizations to be the executive director. Within a day or two after the story broke in The Times, I got a letter from Michael Dann, senior vice president of C.B.S., whom I had never met. 'You are faced with a very serious problem—whom are you going to select as your executive producer?' he said. 'You are going to make a terrible mistake if you don't go for a guy who has had some experience in volume producing.' "

Dann recommended David D. Connell, who had been executive producer of Robert Keeshan Associates, which produces "Captain Kangaroo." "Kangaroo" is the commercial networks' only daily children's show. While it and "Sesame Street" are both basically entertainment with an informational content, the Captain's quiet conversation and gentle fantasy are oriented toward middle-class kids. Besides, he isn't watched in the slums, because ghetto kids go to bed late and get up after the early-morning "Kangaroo" is over.

"Bob Keeshan deserves all kinds of credit for 'Sesame Street,' " said Mrs. Cooney of the man who is the Captain. "He built extraordinary talent, and although his turnover rate is not high at all, most of the guys who have been very interested in high-quality children's television have passed through his show."

The problem for such men was: "After 'Kangaroo,' what?" As Connell said: "I left 'Kangaroo' because I'd been with the show for 12 years and producing it for 9, and I was at an age and a stage where I thought that if I was going to do something else, I'd better move. But I was discouraged enough about the direction of children's television that I didn't care if I ever did it again."

To produce "Seasame Street," Connell left a vice presidency at Ken Snyder Enterprises, producers of TV, industrial and documentary films, where he did not work on children's shows. Then, as the first of a series of reunions of "Kangaroo" veterans, he lured back a writer named Jon Stone who had fled TV for a freelancer's hideout in Vermont.

"Jon Stone has really been the creative spark," said Mrs. Cooney. "He thought through the format, wrote the pilot, and is the head writer now. We were always talking about short segments in various production styles. Jon came up with the idea: 'Why not an inner-city street where these people live and they're neighbors?' "

"It seemed to me that a street in an urban run-down area would give the children we were most interested in reaching a neighborhood to identify with," said Stone, a brown-bearded man with a sense of comedy, an awareness of the possibilities and limitations of the electronic medium and a 38-year-old mind that digs the 3-to-5-year-old mind. "It would be depressing in color scheme, as these streets are, but totally and happily integrated—a street in which the people who live take tremendous pride."

"Initially," said Connell, "we felt we should keep the street very realistic. Initially, it was not a place where fantasy would happen. But we found that when we cut away from the street to a piece of animation, for example, the child's interest went up. Conclusion: we've got to make the street more exciting. So it turned into a street where Oscar can come out of a trash can or Big Bird can come wandering by."

Matt Robinson, for example, who plays Gordon, had been a staff writer, producer and performer for WCAV–TV in Philadelphia. Connell originally hired him as a producer to supervise the making of the live-action films that are dropped into "Sesame Street" as part of the carefully calculated package. Robinson was not to remain a producer long, for Connell was having trouble casting the key role of Gordon. "One day, we asked Matt to read. About two minutes into the first audition, we knew he was the right guy," Connell recalled.

About one minute into any installment of "Sesame Street," viewers know that Connell has the right guy: a big, self-confident man who wears an Afro, a mustache and bushy sideburns, and speaks to children of all colors in a tone that exudes color-blindness. Still, he thinks of himself as a black performer: "Somewhere around 4 or 5," he said, "a black kid is going to learn he's black. He's going to learn that that's positive or negative. What I want to project is a positive image."

"One of our biggest problems," said Joan Cooney, "was naming this street. We had suggestions as square as 'Fun Street' to as hip as '123 Avenue B.' A writer submitted 'Sesame Street.' We got some flack on it. Some people thought the kids would pronounce it 'See Same Street.' But that's because they were linear types thinking of children only reading rather than reading *and hearing.*"

In grading "Sesame Street," which does not, after all, have the captive audience of even the most uninspiring nursery-school teacher, the first yardstick must be: is it being watched by its target audience of preschoolers—from the inner city and rural poverty areas?

A. C. Nielsen has no problem in measuring middle-class viewing: During one week in December, he found 2.2 million homes watching at least part of the show each day. Using rater's formulas for numbers of viewers per set and adding an estimate for the large numbers of group viewers in nursery schools and elsewhere, the Workshop projected a daily viewing audience of between five and six million children. That is still short of the 6.6 million in the age group who watch the major network shows on Saturday morning—designed to teach children to recognize products, rather than letters and numbers.

The viewing habits of the poor, however, are seldom market-researched, though 90 per cent of America's families with incomes under $5,000 have television sets. So, to learn if the poor child was watching, an in-depth study of 500 families in New York's low-income Bedford-Stuyvesant area was conducted for the Workshop last March by the Daniel Yankelovich public-opinion polling firm. Their findings: 90 per cent of the children between the ages of 2 and 5 who spend their days at home rather than in day-care centers or nursery schools watch "Sesame Street." Even more promising, half of the children tune in the set themselves each day without waiting for prompting or help from their elders. The audience in rural poverty areas still hasn't been measured.

Next year, the Workshop will increase its efforts to reach more poor children by waging the kind of promotion and utilization campaigns that it carried out this season in Bedford-Stuyvesant and among the Indians of Alcatraz in 15 or 20 larger cities. The Workshop will be helped, of course, by the self-help of various communities. In New Orleans, this past season, for example, block parties for "Sesame"-watching have been held, with mothers taking turns supervising the children, and the Housing Authority of New Orleans has used its resources to encourage tenants to get preschoolers to take in the show.

But in an area of few expectations in Detroit, a first-grade teacher commented that "Sesame Street" seems irrelevant to the disadvantaged ghetto children. "They have no motivation to watch it, especially at home. Whereas, the black and white, middleclass mothers encourage their children to watch it, the lower-class mother isn't around to encourage it. We tried looking at it in our classroom, but the kids were uninterested. They did enjoy the numbers because they were so fast, but they just didn't want to watch the rest."

Still, the first studies suggest that "Sesame Street" is achieving its limited but quite specific goals. Dr. Palmer gave an example: "When we defined our goals in the seminars, one of them was: 'If a child is shown a rectangle, he can supply its name.' Nothing ambiguous about that. But nothing easy about it, either, if you're 3. I have a nephew who got 'circle,' 'square' and 'triangle'—but instead of 'rectangle,' he said 'refrigerator.' He knew it was some big word that started with an R."

The first impact studies focused on 130 poor children in day-care centers in Tennessee, Long Island and Maine. Half were viewers, half non-viewers; both groups were divided about equally racially. Children who watched "Sesame Street" regularly in its first six weeks made gains two-and-one-half times as great as the gains made by those who did not watch it. One result that Dr. Palmer found dramatic was the learning gains made in letter recognition. The letter W was featured regularly on the early shows through frequent repetition of the 1-minute cartoon spot about Wanda the Witch, Who Walked to the Well one Wednesday in Winter to get Water to Wash her Wig. (If you must know, the Wig was Whipped aWay by a Wild Wind. Moral: Witches Who Wash their Wigs on Windy Winter Wednesdays are Wacky.) Before Wanda and the series got started, one out of four in the viewing group could name the letter. Six weeks later, their numbers had doubled. Yet there was virtually no gain in recognition among the control group of non-viewers. Substantial increases were also noted in the experimental group's ability to solve simple logic, sorting, classification and enumeration problems.

But it is the goals themselves that are challenged by Frank Garfunkel, professor of education at Boston University, who contemptuously refers to "Sesame Street" as "the great palliative."

"If what people want is for children to memorize numbers and letters without regard to their meaning or use . . . without regard to the differences between children, then 'Sesame Street' is truly responsive," Professor Garfunkel wrote to The Boston Globe.

"To give a child 30 seconds of one thing and then to switch it and give him 30 seconds of another," he says, "is to nurture irrelevance and to give reinforcement to a type of intellectual process that can never engage in sustained and developed thought."

Professor Garfunkel's objections were challenged, in turn, by Dr. Gerald S. Lesser, professor of education and developmental psychology at Harvard University, and an adviser to the producers. "Different children learn in different ways and profit from different experiences," Dr. Lesser wrote to the Globe, "and 'Sesame Street' is an effort to provide one option, one alternative that may be useful to some children. We do not intend that this one television series . . . will substitute for all other forms of educational experiences young children need, 'personalized' experiences included. We are providing one small component of what ultimately must become a full range of educational opportunities for all young children."

The use of television techniques to teach continues to gnaw at educators. Carl Bereiter, a professor at the Ontario Institute for Studies in Education and an authority on preschool learning, complains that what he has seen of 'Sesame Street' has been too far removed from "structured" teaching. He says that the show has been "based entirely on audience appeal and is not really teaching anything in particular."

Probably the principal objection to the use of television for preschool education, however, is that while the middleclass child will learn the things TV can teach anyway, from a rich environment of books and records and vacations and parental conversations overheard, the ghetto child needs much more than its smattering of cognitive learning. "Mainly to meet the demands of minority group parents," wrote critic Robert Lewis Shayon in The Saturday Review, "'Sesame Street' stressed cognitive learning—the teaching of numbers and letters of the alphabet." Shayon conceded that "early results suggest that minority children do learn from the programs"; still, he is one of those who feel that preschoolers most need the kind of affective learning—learning related to feelings and emotions—that calls for a teacher. "The acquisition of cognitive skills is important," wrote Shayon, "but they are hardly the answer to our society's social and personal ills."

Indeed, it is the fear that "Sesame Street" will become a substitute for "personalized experiences," rather than a supplement to them, that worries educators with long experience in preschool education in the ghetto. "If 'Sesame Street' is the only thing ghetto kids have, I don't think it's going to do much good," said Sister Mary Mel O'Dowd, who drew up the curriculum for Chicago's Archdiocesan Head Start program and now directs the curriculum of Capitol Head Start in Washington, D.C. "It never hurts a child to be able to count to 10 or recognize the letters of the alphabet, but without the guidance of a teacher, he'll be like one of our preschoolers who was able to write 'CAUTION' on the blackboard after seeing it on the back of so many busses, and told me 'That says 'Stop.'"

Significantly, Joan Ganz Cooney is in agreement. "Television is a very poor substitute for a comprehensive preschool development," she said. "All the effective and certain cognitive things are better done by a teacher."

In our racially polarized society, however, one *affective* thing "Sesame Street" can do that many teachers are prevented by circumstances from doing is to show blacks and whites living together in harmony. "Racial equality is being instilled by showing no distinction between races," as Cheri Chamberlain, a fifth-grade teacher in Buffalo Grove, Ill., observed. Or as one mother in New Jersey observed: "When my 4-year-old first started watching 'Sesame Street,' she thought Susan and Gordon were bad people. When asked why, she said, 'They are different from us. Their hair and skin are all funny.' After watching the show for some time, one day she said, 'Mommy, Susan and Gordon are not really funny or bad people. They still have different skin and hair, but now I know them . . .'"

"The black and white being together—that means a lot," a black Bedford-Stuyvesant mother told a black interviewer. On the other hand, a white, middle-class liberal who has spent a lifetime in television calls the show "a white, middle-class cop-out."

Well, if the show gives in to the temptation to capitalize on its great appeal to the middle class at the expense of the disadvantaged, then it will be a cop-out. But "Sesame Street's" plans for the future don't look that way. For next season, Mrs. Cooney has already promised "new material designed to better reach key ethnic groups, specifically the teaching of English vocabulary to Spanish-speaking children."

A more likely cop-out is that the Federal Government—which provides half of "Sesame Street's" funds, will decide to make the television show a money-saving substitute for Head Start. Mrs. Cooney has anticipated this reaction: "I think the project is going to be attractive to Government officials and Congress because it seems to be cost-effective and an answer to preschool education," she said, "whereas, in my view, it is a project that could help make effective—and enrich—preschool programs. I see its great importance to the innercity child as a supplement."

President Nixon has written Mrs. Cooney that "the Children's Television Workshop certainly deserves the high praise it has been getting from young and old alike in every corner of the nation. This Administration is enthusiastically committed to opening up opportunities for every youngster, particularly during his first five years of life, and is pleased to be among the sponsors of your distinguished program."

"Sesame Street" alone, of course, will not open up those opportunities. An illustration of why it cannot was in a recent Head Start newsletter in which Oralie McAfee of the New Nursery School at Colorado State College discussed "Using 'Sesame Street' in the Early Childhood Classroom."

"Some things," she wrote, "can really be learned only by doing . . . On television, a concept such as 'round' can be presented only in two dimensions, which really is inadequate. So we would supplement . . . with actual round objects. Eat oranges, grapefruit, and wieners; notice that the clay balls and snakes the children make are round; blow bubbles. . . ."

Making "Sesame Street" a substitute for Head Start would not only be a pennywise cop out, but would bode ill for "Sesame's" future. Head Start was a does-no-wrong darling of the middle-class when it had its fad five years ago, and now it is being faulted for failing to outweigh all the defects of life in the ghetto. How much more vulnerable will a television show be to that criticism. Poor kids, like affluent kids, must live in a three-dimensional world, relating to people, not images, and the opportunities that a society offers can't all be on a screen.

Perhaps the best way to evaluate "Sesame Street" at its first season is to consider what it has taught the commercial networks. Before "Sesame Street," the same vice president of daytime programming who worried about whether soap operas were selling soap also worried about whether kids' shows were selling toys and cereal. "The concensus among agencies and executives then was that quality programming for Saturday TV was not commercial," said Jon Stone. "They believed that the kids would tune out. We hope that, what we've proved with this show is that this isn't the case—that kids will watch quality shows and will choose them over sleazy competition. The real gain is that our ratings have shown the networks that quality television is commercially viable."

So now, the eyes of parents who have seen "Sesame Street" are on George Heinemann, vice president of children's programs for NBC; on Allen Ducovny, supervisor of the children's line-up at CBS; on Charles (Chuck) Jones, executive director of children's programming for ABC. If the next commercial season is as wasteful of children's time as this one was, at least there'll be high-salaried executives to blame.

In "The Medium is the Message," Marshall McLuhan reproduced a New Yorker cartoon from 1965. It showed a boob watching the tube and commenting to his wife: "When you consider television's awesome power to educate, aren't you thankful that it doesn't?" The kids watched it anyway, of course, and, anyway, it does. Just before the first "Sesame Street" program was shown to Head Start Children in the Abraham Lincoln Community Center in Harlem, one mother mentioned what TV had already taught her 3-year-old: "He learn the cigarette commercial, the one about you come a long way, baby."

Now we have "Sesame Street," and in New Jersey, recently, a regular viewer—also 3 years old—burst into his parents' bedroom in the middle of the night, shouting and clutching his pillow. His parents woke with a start, thinking: An accident! But the child was shouting: "Mommy, Daddy! My pillow—it's a rectangle!"

We've come a long way, baby.

EXCERPTS FROM SPEECH BY NAACP HEAD CALLING ADMINISTRATION ANTI-NEGRO

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. STOKES. Mr. Speaker, I wish to call attention to the remarks of the chairman of the board of the National Association for the Advancement of Colored People, Bishop Stephen G. Spottswood, delivered in his keynote address to the 61st annual convention of that organization at Cincinnati, Ohio, on June 29, 1970, and partially reprinted in the June 30 issue of the New York Times. I feel these remarks are significant because they indicate the growing disillusionment of a large number of responsible black citizens in this country with the policies and practices of the Nixon administration.

The history of the NAACP as a courageous organization not given to extreme action or inflammatory rhetoric is too well known to require documentation. It would be tragic indeed if that fine group became convinced that its longstanding commitment to the realization of equality for black people within the American system of government was no longer a realistic course to follow. This can only be prevented by the administration's immediate recognition of its obligation to formulate national policies which are responsive to the needs of all Americans, not just the so-called silent majority.

Bishop Spottswood's remarks follow:

EXCERPTS FROM SPEECH BY NAACP HEAD CALLING ADMINISTRATION ANTI-NEGRO

CINCINNATI, June 29.—Following are excerpts from the keynote address of Bishop Stephen G. Spottswood, chairman of the board of directors of the National Association for the Advancement of Colored People, at the association's annual convention here today:

Two years ago, former Attorney General Ramsey Clark, speaking for the Kerner commission, called for "the reaffirmation of our faith in one society," and the commission itself sounded a warning that the nation is moving in the direction of two societies—one black, one white—separate and unequal.

Today, the signs are even more ominous. On every hand, the commentators and the politicians, the fainthearted liberals and the tragically misguided black separatists, are announcing the end of integration, especially in the schools.

For the first time since Woodrow Wilson, we have a national Administration that can be rightly characterized as anti-Negro.

This is the first time since 1920 that the national Administration has made it a matter of calculated policy to work against the needs and aspirations of the largest minority of its citizens.

Here are a few instances supporting our contention of the Administration's anti-Negro policy:

1. Signing of defense contracts with textile companies long in violation of contract requirements versus our recommendations that these contracts be canceled.

2. The pull-back on school desegregation. The Administration went into court to secure delays in already ordered desegregation. Thank God, the Supreme Court struck down these attempts.

HIGH COURT NOMINATIONS

3. The nominations of Clement Haynsworth and G. Harrold Carswell to the United States Supreme Court (which nominations were defeated by the leadership of the N.A.A.C.P., along with other organizations, including the Leadership Conference on Civil Rights, of which Roy Wilkins is chairman and in which fight our Clarence Mitchell demonstrated his superb skills on Capitol Hill as truly the 101st Senator).

4. The Administration at Washington weakened our hard-won voting rights act in the House.

5. The Administration opposed the cease-and-desist order power of the Equal Employment Opportunity Commission.

6. The Administration supported the Stennis amendment on the school appropriation bill.

7. The Administration produced the Moynihan memorandum calling for "benign neglect."

8. The Administration supports tax exemption for white, separate private schools, designed to avert desegregation of the public schools.

9. On April 9, after the rejection of his nominee, Judge Carswell, for the Supreme Court, the President described the ideal judge as "someone who believes in the strict construction of the Constitution, as I do—a judge who will not use the power of the Court to seek social change by freely interpreting the law or constitutional clauses." This is the Administration's expressed opposition to the equal protection clauses of the 14th amendment.

The effect of this has been exactly what was predicted. It has given encouragement to the Southern racists whose fullpage advertisements have exposed their radical retreat to the calendar level of the 1870's, such as produced by Senator [John C.] Stennis of Mississippi and Gov. [John J.] McKeithen of Louisiana, to say nothing of the melodramatic pose of Florida's Gov. [Claude R.] Kirk in defying the Federal court's orders to desegregate the Public schools of the Everglades State.

Before us today, in the solution of the problem of a single society, are the issues arising from what seems to many the futility of our effort toward integration. There is a tremendous white backlash as we have forged a difficult path through the metallic barriers in housing, employment and politics.

A small but vociferous number of Negroes has effected the black retreat, as indicated in the black college students' demands for separate dormitories, separate cafeterias, separate curricula and separate facilities. Incidentally, we should sympathize—even as we disagree—with young black youth whose bitter and bloody experiences on white college campuses have driven them to "the black retreat."

ACCENTUATING POLARITY

The white backlash on the one hand and the black retreat on the other hand have combined to accentuate the racial polarity of which the Kerner commission warned.

At this juncture in our national life, we of the N.A.A.C.P., recalling Abraham Lincoln's declaration that "this nation cannot endure half free and half slave," emphatically paraphrase Mr. Lincoln and declare "this country cannot endure half white and half black." If American democracy is to survive, we shall be one society, as the Declaration of Independence visioned and the Constitution declares.

Ours is a national problem affecting all Americans, and no matter where we live, the problem of one society is before us. For instance, it is easy for Northern Negroes to forget the South because local needs are urgent and desperate, but they do so at their own peril.

Fifty-two per cent of black Americans still live in the South, mostly in cities, where the problems of overcrowding, housing, crime, discrimination, poor education are the same as the North's. In addition, they have the Southern segregation traditions, white supremacy ideology and wanton murderousness.

KILLINGS BY POLICE

Even as lynching was the Roman holiday sport of the 19th century America, killing black Americans promiscuously has been the 20th century pastime of our police, whose primary duty is law enforcement and keeping the peace.

I'm thinking of the six Negroes killed in Augusta, Ga., all shot in the back; of the Panthers slain in their beds in Chicago; of the students slain at Jackson State College; of the almost daily news stories of the indiscriminate, ruthless slaying of black Americans by police and civilians, under the guise of "law and order," but actually fulfilling the guidelines of a bitter, white majority, whose vain effort to keep us "in our place" leads them to resort to the policeman's pistol and kangaroo court trials.

The white liberals and the churches have not been conspicuous in the fight for freedom lately. No one questions the demand for an immediate end of the Vietnam war. We ask again, why is it that white people always manage to find some issue other than race to which they give their priority attention, the latest of which is pollution and the ecology?

If racial justice and civil rights had commanded just 10 per cent of the attention that white liberals have given to the Vietnam war, we would not be in the position we are today—and it is unlikely that we would have Nixon in the White House either.

We must counteract some black authors who have tried to show that bad English grammar and slurred consonants and special terminology found among poorly educated Negroes (and poorly educated white people) are really a different language which should be learned and used in ghetto school teaching. Recently a black architect has been working on the theory that Negroes should have distinctive type housing—one which adequately accommodates their tribal instincts inherited from our African past—reductio ad absurdum!

Then, after the long series of suggestions of self-imposed apartheid, we must beware of those who once stood on the solid ground of full freedom for all Americans and have now retreated to the wabbling field of compromise and sinking sands of surrender.

For example, Roy Innis, national director of CORE, recently made a Deep South visit where he was warmly received by Govs. John Bell Williams of Mississippi, John J. McKeithen of Louisiana, Albert Brewer of Alabama and Lester (Ax-Handle) Maddox of Georgia.

FOR DUAL SYSTEM

He was there to solicit their interest and support of the Innis plan to re-establish a dual school system. His scheme is not to have separate black and white systems by race—oh, no—but to split the city in half along residential lines, with the white half under its school system and the black half under its system.

You can imagine how the Governors were delighted with the Innis proposal.

There are others who advocate a separate nation, to be set up somewhere, or for autonomous neighborhoods or districts in the cities—to run our own police, fire department, hospitals, schools and everything else. But they always make it clear that they expect to get the money from the rest of the community. There is no such thing as autonomy on someone else's money.

No major problem afflicting black Americans can be solved except by solving them for all Americans.

We have worked too long and too hard, made too many sacrifices, spent too much money, shed too much blood, lost too many lives fighting to vindicate our manhood as full participants in the American system to allow our victories to be nullified by phony liberals, die-hard racists, discouraged and demoralized Negroes and power-seeking politicians.

A BILL TO CREATE A SINGLE TRANSPORTATION TRUST FUND

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. KOCH. Mr. Speaker, I have introduced today a bill to create a single transportation trust fund to meet the total transportation needs of this country in the 1970's and beyond. My bill is designed to cut across the rigid modal patterns that today restrict the development of a balanced transportation system and which result in inefficient and distorted uses of our transportation resources. It is a vital step toward achieving our national goals for safe and efficient transportation for everyone.

In section 3 of the recently enacted Airport and Airway Development Act of 1970, the Secretary of Transportation is called upon to formulate and recommend a national transportation policy to the Congress within 1 year. The act requires the Secretary to take into consideration "the coordinated development and improvement of all modes of transportation, together with the priority which shall be assigned to the development and improvement of each mode of transportation." For any policy to be turned into reality, the means must be provided to apply resources in the transportation areas where they are most needed. This cannot be done if we are to continue to maintain separate trust funds for highways and for airport and airway development and if urban mass transportation is to be denied an equally stable, long-term source of revenue. We need a unified, systematic approach to deal with America's transportation problems.

In the Department of Transportation Act passed by the 89th Congress, Congress stated that its purpose is to "assure the coordinated effective administration of the transportation programs of the Federal Government." The Department of Transportation has not achieved this goal, and it cannot do so under its present statutory authorities. While the Secretary of Transportation is granted broad policymaking functions, actual responsibility for transportation programs remains split among the modal administrations as it was before passage of the Department of Transportation Act. Most importantly, moneys are separately provided for and expended for each of the modes of transportation without effective coordination and assessment of their relation to the country's total transportation needs.

If we are to make our hopes for a balanced and coordinated national transportation system into reality, two things must be done. There must be centralized administration of transportation resources that can put the money where the needs are; and second, there must be a reorganization of transportation authority and operations within the Government that will make balanced and effective transportation planning possible.

The bill I have introduced today lays the foundation for making these changes in our Government's approach to transportation problems and in moving forward towards a balanced national transportation system. Title I of the bill requires the Secretary of Transportation to develop a comprehensive plan for the utilization of the Nation's transportation resources to implement the national transportation policy. It supplements section 3 of the Airport and Airway Development Act calling for the development of a national transportation policy by requiring detailed and specific recommendations as to what is to be done with respect to funds in the next decade. It also calls for recommendation for changes in Government organization to make it better equipped to effectuate the national transportation policy.

Title II of my bill will create a single transportation trust fund which will be available for expenditures in accordance with the comprehensive national transportation plan to be approved by the Congress. It will unify and coordinate the way we spend our money on transportation and lead to more effective utilization of our resources.

Title III of my bill amends the Urban Mass Transportation Act to provide increased revenues for, and expand the effectiveness of, our programs for dealing with our most urgent national transportation problem—the movement of people in our crowded cities. This portion of the present bill is based upon the bill which I introduced on February 18, 1969, to create an urban mass transportation trust fund and which now has 106 sponsors. It is designed in the context of my present bill to bring urban mass transit into the single transportation trust fund on a more equal basis with highways and aviation.

The time for a reassessment of transportation priorities is long past. The time for action to redress the imbalance created by the present isolation of transportation programs is upon us. My bill would get us started on this vital work.

I am aware, Mr. Speaker, that however urgent the need, the reorientation of our Nation's transportation system that my bill calls for cannot be accomplished overnight. I have, therefore, provided for a series of measured steps to be taken toward that goal. By taking the appropriate action now, we will be in a position to effectively implement the national transportation policy that we will hopefully approve in the next session of Congress.

The steps envisioned in by bill are these:

Effective July 1, 1971, the bill would create a single transportation trust fund consisting of first, the present highway trust fund; second, the airport and airway fund adopted by the Congress this year; and third, a new urban mass transportation fund based on the automobile excise tax. In 1972 all highway trust fund moneys would be included in the single transportation trust fund. This new unified trust fund would be the source of all transportation expenditures for the decade of the 1970's.

Until 1972 when the comprehensive plan for the implementation of the Nation's transportation policy has been approved by the Congress, my bill would, in effect, continue the highway trust fund and the airport and airway trust fund while adding an urban mass transportation trust fund to be funded from the automobile excise tax. No more than 10 percent of the funds for any of those programs could be shifted to another program. Lopsided as our present allocation may be among the various transportation modes, I do not think it appropriate to propose very substantial changes until the Congress, through the approval of the comprehensive plan, has determined the direction in which it wants our transportation system to move. During the first stage, the single transportation trust fund would be basically a consolidated conduit for transportation money. It would, however, establish the foundation upon which a later reallocation of resources can be made in accordance with the national transportation policy approved by the Congress.

In order to move expeditiously to the second step, my bill would require the Secretary of Transportation to submit a comprehensive plan in 1971 along with his recommendations on national transportation policy to the Congress for approval. In that plan the Secretary would outline the expenditures required during the next decade in order to achieve a balanced transportation system in accordance with the national transportation policy. He would also recommend to the Congress how the transportation functions within the Government should be reorganized in order to assure effective coordinated policy management cutting across rigid modal lines.

Finally, Congress will then adopt a plan for utilization of the Nation's transportation resources, providing for an allocation among the transportation modes and among various sections or regions of the country. Until that time, no fundamental changes will be made except for the establishment in the bill of new resources for urban mass transportation.

Mr. Speaker, many months may be required for the development and approval of a comprehensive plan for our Nation's transportation, but it is not too soon to start to lay the foundation for its implementation through the creation of a single transportation trust fund. New approaches to America's transportation problems are already long overdue. If we are to prevent strangulation of this Nation's transportation life line, we must act now.

LILLY FIRM COMMENDED FOR ENVIRONMENTAL CONTROLS

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. MYERS. Mr. Speaker, I would like to share with my colleagues details of a most significant decision by Eli Lilly & Co. of Indianapolis, Ind. Already recognized as one of the major pharmaceutical firms in the world, Eli Lilly recently disclosed initiatives in the construction of its newest facility north of Clinton, Ind., which qualify the company as a leader in the effort to improve our environment.

The Lilly laboratories now under construction on a 684-acre site along the Wabash River in western Indiana will become the company's fourth fermentation facility, on a worldwide basis, and its third major chemical manufacturing plant. Scheduled to begin operations this summer, the plant will employ a work force of about 300 persons.

As explained by Mr. Burton Beck, president of Eli Lilly, at a recent news conference, the primary goal is that the operation of this major plant will not cause pollution or degradation of the environment for the people who live in Clinton, Terre Haute, and surrounding communities. At the same time Lilly has committed itself to achieving the same degree of control at other plants in Indianapolis and Lafayette.

I applaud Eli Lilly & Co. for its initiative in this field. As Mr. Beck said in his public statement:

> In our opinion, industry must accept a greater degree of responsibility for disposing of the wastes which it creates. We are hopeful that innovations in our new plant at Clinton may also serve the purpose of pointing the way for other industries to a new approach for more effective control of pollution.

What follows is the text of the Lilly announcement which outlines the program for maximum pollution control:

ELI LILLY & CO.

CLINTON, IND.—Eli Lilly and Company is building a plant here which will generate about 175,000 pounds of industrial waste every working day. But if the plans of Lilly engineers work out as pilot studies indicate, this massive waste will be converted each day into steam for power generation, harmless gases, a high-protein feed additive for farm animals, and about 1,200 pounds of ashes.

A total of 6,340,000 gallons of water will be discharged by the plant daily, but only 192,000 gallons will need to pass through the treatment plant for removal of impurities. Process treatment at the source will reduce by two-thirds the hydraulic burden on the waste treatment plant. The only liquid effluent will be clear water.

The disposal of pollutants without contamination of the air and of surface and underground water resources will be achieved largely through the drying and incineration of solid wastes, the scrubbing of gaseous effluents, and the recycling of water and processing chemicals.

The chemical manufacturing and fermentation facility, located near here and about 17 miles north of Terre Haute, is scheduled to begin operations in July with a work force of about 300 persons.

Viewed as something of a pioneering effort in the field of pollution control, the Clinton Laboratories have been designed from the ground up to provide a plant with "maximum—not just acceptable—control of wastes."

Eugene N. Beesley, Lilly chairman of the Board, points out that more than a year ago it was decided that waste treatment was to be of primary concern in the design of the plant.

"At that time," he said, "members of our corporate engineering component were asked to seek new approaches to waste disposal even if this meant designing new manufacturing processes." As a consequence, many processes have been changed to concentrate potential pollutants for recycling or disposal.

The new ground rules were outlined by Lilly management at a meeting January 31, 1969. The following decisions resulted:

Deep-well disposal would not be used.

Organic wastes would not be buried, nor would they be removed from the plant site.

Thermal input to the adjacent Wabash River would be kept at a minimum.

Optimum recycling of process and cooling water would be used.

The maximum recycling of solvents and other waste streams would be provided for even if economics favored purchasing new materials.

Biological treatment would be used only as a last resort, since many of the wastes do not biodegrade well.

Plant design would conform to, or be better than, the most stringent requirements of all Indiana regional air and water pollution agencies.

It is estimated that the cost of facilities required to meet these criteria will be between $8–10 million. Total operating costs for waste treatment are expected to exceed $1.5 million annually.

Plant design calls for automatic, around-the-clock surveillance of effluents. A control center and laboratory will contain recording monitors reporting the rate of flow and pH (acid-base values) from selected waste streams. In addition, the monitors will record and report the time of any unusual solvent flows in the key production buildings. The absence of floor drains in many buildings will make it nearly impossible for tank overflows to escape proper treatment and planned disposal.

An electronic recording monitor also will be installed to perform automatically seven tests on all treated watery effluents before their discharge into the river. The monitor will report test results, recording the information once each hour. The Lilly company has volunteered to connect the monitor also to recorders of the state Stream Pollution Control Board, when such state equipment becomes available and if state authorities wish it.

Several basic concepts have governed plant design:

Water will be recirculated in all high heat-load areas, and cooling towers will be used to avoid thermal pollution of the Wabash River.

Purification processes for fermentation products have been modified so there will be no high-BOD (biochemical oxygen demand) spent fermentation broths to treat, as in conventional plants.

Waste-water overloads in the system will be minimized by the use of recirculation and dry-equipment cleaning methods and by neutralizing regenerants from ion exchange columns at the source.

Oversized stripping columns will be used to recover 99.99 percent or more of solvents from waste streams for reuse.

While solvent recovery at such a high level is usually uneconomic, it is dictated by the policy of maximum waste control.

The system is unique in that waste control is built into the production processes. The idea of isolating all wastes as concentrates at their sources avoids the extremely difficult task of attempting to completely treat large amounts of mixed and more dilute wastes at the "end of the line."

According to Raymond E. Crandall, Lilly vice-president of facilities and operations planning, "The utilization of 'closed systems'—in which potential pollutants and waste streams are recovered and recirculated—is probably unique in industry, especially on the scale which will be attempted at the Clinton Laboratories.

"As a corporation, we feel that the ultimate solution to the control of waste streams will be through the use of closed systems, and we are continually working in this direction. The segregation and separate treatment of all classes of wastes should be a useful approach for other industries."

Every waste product in the plant will be identified, categorized, and controlled until final disposal in a waste treatment system. Six different systems will be used in handling pollutants.

The major components of the treatment plant will include:

Two incinerator systems for burning mixed concentrated organic and inorganic wastes. The nontoxic combustion gases from these operations will be "scrubbed" to remove fly ash before being exhausted through a 75-foot stack.

A dehydration process for concentrating and incinerating waste solids from high-BOD watery waste streams. This process will result in the generation of steam which then will power the waste treatment complex.

A multichambered, enclosed rotary-kiln incinerator for the burning of trash and rubbish.

Special evaporation and stripping columns in the solvent-recovery areas of the plant.

A sanitary treatment plant capable of handling wastes from a population of 1,000. It will provide treatment equivalent to the more sophisticated biological degradation systems.

Lilly engineers said they found that solution of one problem in pollution control often created another. For example, to avoid polluting the atmosphere with fly ash from the incinerator, "scrubbers" were installed. These utilize a large volume of water which is heated to about 180 degrees (F.) by passage through the incinerator exhaust. But it is cooled again by dilution with water from cooling towers and processes. Thermal pollution of the Wabash is thus avoided.

Eighteen cooling towers will recirculate and reuse about 42,000 gallons of water each minute. Recirculation will also have the indirect benefit of conserving the area's supply of fresh water.

The plant will reuse approximately 91.4 percent of its total water requirements. Only 4,000 gallons of water per minute will be discharged into the river, or less than one-tenth of 1 percent of the average flow of river water at the site.

Lilly engineers say that products and processes at the Clinton Laboratories are not expected to produce substantial amounts of objectionable odors.

Noise generated by such machines as natural-gas-driven engines, air compressors, and gear reducers will be lessened through the use of various types of mufflers and by additional acoustical control devices, if necessary. The noise is expected to be kept at least within the limits set forth in antinoise laws now in effect in several of the nation's larger cities.

The Clinton Laboratories will continue to maintain, and strive to advance, the high standard of waste control set by Lilly plants since the early 1950's, Lilly engineers say. In 1966 the Lilly company's Tippecanoe Laboratories, situated on the Wabash River near Lafayette, Indiana, received the Wabash Valley Association's top award for excellence in handling wastes.

The citation termed the Tippecanoe plant "an outstanding example of a modern corporation's efforts to live in harmony with its environment."

When the Tippecanoe plant was opened in May, 1954, its waste treatment facilities were larger than those of the city of Lafayette (about 39,000 population at the time). Today these Lilly facilities remove BOD and solids equivalent to the waste from 800,000 to one million people from biochemical manufacturing waste streams.

The Tippecanoe pollution control program continues to expand rapidly, and the corporate intent is to see that Tippecanoe remains in the forefront of industrial plants in the disposal of wastes.

The new approach developed by Lilly engineers can be applied more rapidly at Clinton because the plant is new and it was possible to make provision for concentrating and minimizing wastes in the design stage.

Robert H. Ells II, manager of plant engineering for the Clinton Laboratories, said: "Although the system will not be proved until we are under full operation later this year, we are confident that the results of our design, investigations, and small-scale pilot studies will be satisfactory. For example, we expect the entire system to reduce BOD wastes by 99.4 percent. This may be the most efficient system in the world.

"Of course, we anticipate that some 'bugs' will turn up and may require a year to eighteen months after operations begin for their elimination, but a very high goal has been set. We have every intention of reaching it."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks:

"How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

TRAINING ASSISTANCE FOR LOCAL SCHOOL BOARD MEMBERS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. RYAN. Mr. Speaker, in the last session I introduced H.R. 15031, to amend the Education Professions Development Act to authorize training of local school board members. Much of the concentration on education has concerned the quality, or lack thereof, of teaching and teaching methods, on the one hand, and the performance of the students, on the other hand. Yet, a very significant aspect of the educational complex is composed of those citizens who sit on school boards and make the very real, and very important, decisions which affect the operations of the schools in the district for which the board is responsible.

In my own district, and in New York City as a whole, school board members will be assuming new and increased responsibilities in the coming academic year as a result of New York's new school decentralization law, yet very little has been done to prepare for this transition of power.

An article in this month's issue of the American School Board Journal discusses the urgent need for training felt by many school board members. I think it offers in very understandable and very compelling terms justification for the passage of my bill, H.R. 15031, and I commend it to my colleagues.

The article follows:

THE NEW BOARDMANSHIP: BETTER—LOTS BETTER—TRAINING IS NEEDED FOR NEW BOARD MEMBERS—AND HOW

(By John Francois)

Hand them the board policy manual, a copy of school regulations, maybe minutes from past board meetings—and be certain to include wishes for good luck in their new positions.

Sound familiar?

Too familiar, according to a survey of school board orientation practices that shows a majority of new school board members have not been trained well, if at all, to assume their duties. Reason: Few school districts devote more than the slightest effort to orientation program for new boardmen.

And where some orientation is provided, be it comprehensive and well organized or otherwise, the task falls mainly to the superintendent with little help from the board president or veteran board members, who seem willing to let their new colleagues sink or swim.

Furthermore, boardmen and administrators do not have the same ideas about what should be stressed in an orientation program (page 10). For example, superintendents rated board policies and rules as the subject calling for top priority in board orientation, but board presidents placed much less emphasis on that subject; they tended, instead, to stress the ages-old question of what differences still exist between policy making and administration, a topic superintendents, surprisingly, seem to shun. The area of second most importance to boardmen—the nonlegal status of board members outside of the body corporate—was placed halfway down the list of priorities by superintendents.

The survey set out to test the logical assumption that school board members must be highly qualified, highly motivated and highly conscientious citizens, given the facts that collectively they devote more than 20 million hours a year to board business, spend at least $35 billion of the taxpayers' money, and are responsible for the education and welfare of more than 44 million school children. Any group of such qualified and conscientious people, the assumption was, would have developed a fairly comprehensive program of orientation and training for new members.

Conducted in 45 school districts scientifically selected on the basis of pupil enrollment, size, and geographic location, the survey consisted of a seven-point questionnaire sent to board presidents in a majority of the 45 districts. Some questionnaires were mailed to superintendents only, others to both board presidents and superintendents in the same district.

Responses were received from 33 of the 45 school districts, and ranged from a solitary No at the top of the questionnaire to lengthy personal letters accompanying the completed form.

Survey findings indicated most school districts have some minimum program of board orientation that needs upgrading. The average boardman's orientation and training consists of little more than being given reading materials, having a private conference with the superintendent, and touring a few schools. As would be expected, new board members, most of whom take office at the time they are elected, receive their limited training after they are on the job.

The lists of topics boardmen and administrators would stress in an orientation program contain few surprises other than no mention of specific problem areas, such as school finance or collective bargaining or rights of students or curriculum controversy.

When a majority of boardmen agree that their orientation could have been much better, it *is* surprising, if not amazing, that the number of effective school board members is as large as it certainly seems to be.

Here are the questions asked in the survey, and the way they were answered by school board presidents and superintendents:

1. Does your district have an orientation program for new school board members?

*69%—Yes.

9%—No.

12%—Answered, along with Yes or No, "an informal one."

2. Is your district's orientation program considered comprehensive or less than that?

15%—Comprehensive.

51%—Minimum.

9%—Insufficient.

9%—Between "Minimum" and "Insufficient."

3. Indicate the items that are used in your orientation program for new board members (if your district has such a program).

A. Reading material:

69%—School board policy guide.

52%—Minutes of board meetings.

60%—School regulations.

45%—Other (literature from school board association and commercial sources; board reports, curriculum and budgetary materials; state codes; seminars; group sessions).

B. A private conference in which problems and issues are covered:

30%—With the superintendent.

0%—With the board president.

45%—With both the superintendent and the board president (an additional .03% indicated a conference with a staff member below the rank of superintendent).

C. Visits to the district's offices and schools:

42%—With the superintendent.

24%—With other board members, a principal or a central staff employe.

D. A letter of welcome and congratulations:

45%—From the superintendent.

18%—From the board president.

4. When does the new board member receive his orientation?

18%—Before taking office.

45%—After taking office.

18%—Before and after taking office.

5. Who indoctrinates the new board member?

39%—Both the board president and the superintendent.

33%—The superintendent (an additional .03% indicated just the board president).

33%—Other (board secretary; county and state staff; other board members; a principal).

6. On reflection, do you wish you had received a better orientation to your seat on the school board?

30%—Yes.

.06%—No.

20%—Don't know.

7. If you were orienting a new board member, what points would you stress to him as most important?

How board members replied:

1. Policy making and administration: the differentiation between them and the responsibility for them.
2. Lack of legal status outside of board meetings.
3. Board policies, rules and regulations.
4. Conditions and needs of the district.
5. Meaning of membership in a group.
6. Familiarity with responsibilities of school board committees.
7. Personnel employment: delineating responsibilities for recommendation and employment.
8. Study of board minutes from past years.
9. Establishment of personal contacts with principals and teachers.
10. Time required to perform effectively.
11. Reasons for not fearing change—and the importance of investigating, trying, recommending, asking questions.
12. Rules of conducting a meeting and conduct at it.
13. Attendance at conferences (NSFA, AASA, ASBO, etc.).
14. Importance of being informed before taking action.
15. School philosophy.

How superintendents replied:

1. Board policies, rules and regulations.
2. Proper role of a board member.
3. Value of touring schools to observe conditions and needs.
4. Informal conferences with staff.
5. Importance of not obligating the entire board when discussing school business with patrons.
6. Keeping the superintendent informed of community wishes.
7. The board member's legal obligations and duties.
8. The need to study problems carefully before jumping to conclusions.
9. Past history of school board operation in the district.
10. Importance of being a good listener.

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*Percentages that total less than 100 indicate that not all persons responding answered the question. Percentages that total more than 100 indicate that some respondents provided more than one answer to the question.

11. Importance of not playing superintendent.
12. Program planning and evaluation in conjunction with superintendent and staff.
13. Possible board pitfalls.
14. Difference between policy making and administration.
15. District's financial structure.

LYNCHBURG, VA.

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. POFF. Mr. Speaker, the rich and colorful history of Lynchburg, Va., cannot successfully be capsuled.

However, I have found in the July-August 1969 issue of Generator, published by one of her most important industrial citizens, Babcock & Wilcox, a little article which pays appropriate tribute to the city. Under leave to extend my remarks, I quote the article in full:

LYNCHBURG, THE CENTER OF VIRGINIA

At first glance Lynchburg, Va., which hugs the James River in the foothills of the Blue Ridge Mountains, seems a rural southern town surrounded by history and natural beauty. A closer look reveals a city with a thriving economy located where the South's two main railroads intersect—and at the crossroads of modern highway and air transportation.

If the Lynchburg area—home of B&W's Naval Nuclear Fuel division, Power Generation division facilities and nuclear Research and Development division operations—needed a further qualification as a good place to live and work, it would be that these two aspects are perfectly balanced.

The enterprising spirit that settled Lynchburg has remained with the city. It began in 1757 when John Lynch, son of an Irish immigrant tobacco planter, recognized the need for a ferry across the James River and saw it through to completion at a crossing used by Indians and traders. In 1786 he secured a charter for a townsite and donated 45 acres of his land near the ferry for that purpose.

In spite of Lynchburg's hilly terrain, the city became a tobacco market of importance in the 18th century. Careful attention to grading the land made the town famous for its dark leaf tobacco, which when flavored with licorice, became a favorite chewing tobacco throughout the South.

As the only intersecting point for the two main rail systems in the South, Lynchburg played a vital role as one of the most strategic supply depots for the Confederacy during the War Between the States. After the war Lynchburg boomed and became one of the first industrial cities in the predominately agricultural South.

In recent years the Piedmont area's natural resources, overlooked during the rush West in the country's early days, have been recognized. The area abounds in timber, minerals, building stone, semi-precious stones and other resources. Retail and service establishments within the city of Lynchburg have grown in number to more than 800, and the city lays claim to diverse industries.

Lynchburg's location in the geographical center of Virginia—combined with transportation facilities that few cities of equal size can offer—have contributed to its growth rate. Today about 60,000 people live in the city, with an estimated 25,000 more in the immediate suburbs. About 150,000 people live within a radius of 25 miles, the area served by the city's trade and industrial facilities.

Area residents are also in the midst of the state's richest historical and cultural region, as thousands of new tourists are discovering each year. So centralized is Lynchburg, that most of them find it easier to stay in or near the city and make day trips in various directions, finding this preferable to packing and unpacking suitcases each day.

For the sightseer, nearby are Appomattox, the reconstructed 19th century village that saw the surrender of Lee to Grant; Red Hill, the last home and burial place of Patrick Henry; Monticello, Jefferson's classic residence; Fort Early, a memorial to General Jubal Early who built the stronghold and other landmarks.

A willingness to support education has made Lynchburg one of the leading education centers in the state. Within its limits are Randolph-Macon Woman's College, Lynchburg College, University of Virginia Extension and five other institutions of higher learning. Nearby are Washington and Lee and the Virginia Military Institute, both in Lexington, Sweet Briar College in Amherst County and others.

For viewing nature at its best, Lynchburgers have close at hand a number of resort areas, including Smith Mountain and Leesville Lakes (offering over 500 miles of coastline); Peaks of Otter, offering a panorama of the surrounding country; and Natural Bridge, with indoor and outdoor, summer and winter activities.

For the less energetic, in the heart of Lynchburg is the Fine Arts Center, supported by private membership, but open to the Lynchburg public. The galleries, studios and rehearsal rooms are available for a variety of uses, with an auditorium seating 550 people. The center is the home of the Lynchburg Little Theater, Lynchburg Art Center, Lynchburg Civic Music Club, Virginia Grass Roots Opera and other affiliated groups.

AGRICULTURE BARS DDT STOP ORDER

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. OBEY. Mr. Speaker, regrettably, the U.S. Department of Agriculture has decided to contest further the suspension of the use of DDT.

When the Court of Appeals for the District of Columbia gave the USDA 30 days in which to either suspend immediately the registration of DDT or give its reasons for not doing so, the opportunity was at hand for ridding our environment of a pesticide which has been proven time and again to be a hazard to fish and wildlife and man himself.

The fact that the USDA chose the other alternative—to stick by its reasons for not banning DDT—is truly unfortunate. It is a missed opportunity, but not a forgotten one. The fight against DDT has been long and frustrating.

I believe the case against DDT is convincing. I have confidence that sooner or later these facts will become compellingly clear to the Department of Agriculture.

A copy of a news article explaining the USDA action appears below:

[From the Washington Post, June 30, 1970]

AGRICULTURE BARS DDT STOP ORDER

(By Peter Osnos)

The Departemnt of Agriculture refused yesterday to order an immediate suspension on general use of DDT and asserted that the pesticide does not pose "an imminent hazard to human health."

Agriculture took its position in papers submitted to the U.S. Court of Appeals here, which told the department May 28 either to suspend use of DDT or explain its reason for not doing so.

Yesterday's response, signed by Ned D. Bayley, Agriculture's director of science and education, amounts to an endorsement of the department's policy of eventually—but not immediately—cutting out all but essential uses of DDT.

The court was acting on a suit brought by five conservationist groups which maintain that the danger of DDT is so great that it should be removed from the market at once while the question of a permanent ban is decided.

Agriculture ordered last November that all but essential uses of DDT be phased out by 1971. That ruling, however, was nullified temporarily when it was appealed by six major pesticide companies.

REFUSAL EXPLAINED

In explaining its refusal to withdraw the pesticide while the companies' appeal makes its way through the department and then, in all likelihood, the courts, Agriculture said:

"The scientific evidence now available does not establish that the use of DDT constitutes an imminent hazard to human health.

"Scientific evidence indicates that there are some adverse effects upon certain species of fish and wildlife . . . but such effects do not constitute an imminent hazard to fish and wildlife or the environment.

"DDT has indisputably important and beneficial uses in connection with human health and agriculture, and there are not yet available suitable substitutes for all essential uses.

"The use of DDT should continue to be reduced in an orderly, practical manner which will not deprive mankind of uses which are essential to the public health and welfare."

The statement added that research into possible harm and benefits of DDT is continuing. A group of outside experts are reported to have just completed a study of DDT, but the statement does not indicate when the report will be made public.

Agriculture's position about "imminent hazard" apparently differs from that of the Interior Department, which earlier this month banned the use of the pesticide on 534 million acres of public lands.

The next move in the conservationists' suit is up to the Court of Appeals, which could order Agriculture to impose a ban. In his opinion last month, Chief Judge David Bazelon called the evidence against DDT presented by the conservationists "impressive."

SMITHSONIAN INSTITUTION CALENDAR OF EVENTS, JULY 1970

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the excellent schedule of events of the Smithsonian

Institution for the month of July 1970. The Smithsonian Institution is to be congratulated for their outstanding programs and events which I am glad to call to the attention of my colleagues and the American people:

Calendar of Events

July 1: Festival of American Folklife: This 4th annual gala on the Mall, sponsored by the Smithsonian Division of Performing Arts, runs through July 5.

Daily demonstrations of traditional folk crafts and folk foods begin at 11 a.m. and continue until 5 p.m. Informal music workshops throughout the day and nightly music concerts at 8 p.m. at Sylvan Theater (except for July 4).

The State of Arkansas will be featured this year with a mule-drawn sorghum mill, craftsmen such as a cooper who makes one barrel each day, one who hand carves fiddles, and a split oak cotton-basket maker. A lady who cooks jelly from smashed up corn cobs, a gentleman skilled in the making of turkey callers, and a fishing fly tier are all from the razorback state. Other craftsmen will be making saddles, knives and tools, corn husk brooms, quilts, and chairs. One area of the Festival will be devoted to a presentation of the Southern Plains Indians culture, including the demonstration of bone carving, finger weaving, hide tanning and leather work, drum making, feather and bead working and doll making. There will also be a presentation of tribal Plains Indians' dances as well as tribal ceremonial and contest dances.

A special exhibit on dairying will feature milking demonstrations, butter churning, cheese making, and songs of the farm and dairy.

Among the foods to be sold at the Festival will be barbecued buffalo meat, Indian fried bread, Arkansas barbecued chicken, and blackberry cobbler prepared Ozark style.

Exhibit. Indian Images. Photographs of North American Indians 1847–1928. Rotunda, National Museum of Natural History. Through August.

July 2: Exhibition: Five Paintings from Thomas Nast's Grand Caricaturama. At the National Collection of Fine Arts through August.

Creative Screen: Leonard Baskin. This production presents a tantalizing view of Baskin's sculpture and wood engravings. Continuous showings on the half-hour from 11 a.m. to 2:30 p.m., at the National Collection of Fine Arts.

July 4: Creative Screen: Leonard Baskin. See July 2 for details.

July 10: Dorothy Liebes: Retrospective. An exhibit tracing the work of the famous textile designer over thirty years. At the Arts and Industries Building through September 28.

July 11: Pageantry on the Mall: The 1st Maryland Regiment, in authentic Continental uniforms and equipment, will make camp on the Mall; demonstrate the camp routine; and march to an 18th century "band of musick." A musketry and artillery display will climax the show. 2 p.m. to 4 p.m.

July 14: Gallery Talk: Leonard Baskin. By Alan Fern of the Library of Congress. 11 a.m., third floor exhibition area, National Collection of Fine Arts.

July 16: Creative Screen: Leonard Baskin. See July 2 for details.

July 17: Photo Exhibition: Reptile Behavior and Feeding Habits. National Museum of Natural History. Through September 8.

July 18. Creative Screen: Leonard Baskin. See July 2 for details.

Smithsonian Resident Puppet Theatre

Confetti, presented by Bob Brown Marionettes. This production, which continues through September 7, is a half-hour of merriment aimed to delight children and adults alike. Summer hours: 11 a.m., 1 p.m. and 3 p.m., Wednesday through Sunday. Reservations are advised and can be obtained by telephoning 381–5241. The Puppet Theatre is located on the third floor of the National Museum of History and Technology and is produced by the Smithsonian's Division of Performing Arts.

Radio Smithsonian

You can listen to the Smithsonian every Sunday night from 7:30 to 8:00 p.m. on radio station WGMS (570 AM & 103.5 FM). The weekly Radio Smithsonian program presents music and conversation growing out of the Institution's exhibits, research and other activities and interests. Program schedule for July:

5. India Chintz; Jacquard Mechanism and 19th Century Jacquard Woven Coverlets.

12. The Hamilton College Choir.

19. Music: New recording featuring instruments from the Smithsonian collection.

26. Same as July 19.

Radio Smithsonian is also heard on WAMU-FM and WETA.

Museum Tours

NATIONAL COLLECTION OF FINE ARTS

Weekday tours 11 a.m. and 1 p.m. For advance reservations and full information, call 381–4188 or 381–6100; messages 381–5180.

NATIONAL PORTRAIT GALLERY

Adult tours, Thursday and Friday, 11 a.m. and 12 noon.

Student tours, Monday-Wednesday, 10 and 11 a.m.

A Presidential Portrait tour is available by appointment.

To arrange for special tours call 381–5380 (adult) or 381–5680 (children).

MUSEUM OF HISTORY AND TECHNOLOGY

Highlight Tours of the Building—Meet at the Pendulum.

Weekday tours arranged through Office of Academic Programs call 381–5680, 381–5019.

Early American Furnishings—Monday through Friday.

First Ladies Gowns—Monday through Friday.

Ceramics—mornings by request.

Foreign Study Tours

The Smithsonian has organized several special tours concerned with archaeology, architectural history, art museums, private collections, and natural history.

Classical Greece: July 6–27; a tour designed for first-time visitors to Greece. (Itinerary available, but waiting list only.)

Medieval Greece: July 6–27. Dr. Howland will accompany a group of 22; Byzantine churches, Salonica, Mt. Athos, and Patmos are included; 7 day cruise on private yacht "Blue Horizon." $1,575, of which $350 is tax-deductible. (Itinerary available.)

Decorative Arts & Textile Tour: England, centering in Oxford and Cotswolds; emphasis on needlework, weaving, etc., with lectures and visits to public and private collections, under the direction of Mrs. W. L. Markrich. Leaving September 10th, for two weeks, with a third week free for members' arrangements at will in Europe. (Itinerary available.)

Northern Italy: Palladian Tour of Venice, Vicenza and Verona. Leaving September 14th for two weeks, with a third week free for members' arrangements at will in Europe. $1,300, of which $350 is tax-deductible. (Itinery available.)

For reservations and details contact Miss Kennedy, Smithsonian Institution, Washington, D.C. 20560, or call 202—381–5520.

Demonstrations in The Museum of History and Technology

A printing demonstration of the 19th-Century Columbian Printing Press:

Where: Graphic Arts Hall 3rd floor.

When: Thursday from 2:00 to 4:00.

Spinning:

Where: Special Exhibits 1st floor.

When: Tuesday and Friday 10:00 to 12:00.

Power Machinery—steam engines and pumping engines:

Where: Power Machinery Hall 1st floor.

When: Wednesday, Thursday and Friday 2:00 to 3:30.

Saturday and Sunday 10:30 to 12:00 and 1:00 to 3:30.

Summer Adventures

(Sponsored by the Smithsonian Associates)

Archeology dig (July 19–25). Six days of working on an archeological dig in New Hampshire. Digging and lab work under supervision of Franklin Pierce College staff. For information call 381–6158.

Mineral and Gem Collecting (August 27–30). Three days of collecting in quarries of northwestern Maine, under supervision of Dr. Thomas Feininger, Smithsonian mineralogist. For information call 381–5159.

(Note.—Added starters: As the Journal went to press, two informal concerts were scheduled. The dates for these performances, using instruments from Smithsonian collection, are July 8 and 22 at 1:30 p.m. in the Hall of Musical Instruments, Museum of History and Technology.)

Permanent Exhibit: Ice Age Hall Features Giant Creatures

(By Tom Harney)

The extinction of wildlife in our century can almost always be blamed upon the activities of one agent—man. But 10,000 to 15,000 years ago there was a wave of extinctions that remains mysterious to this day. The Great Ice Age mammals, the Megatheres, Woolly Mammoths and Mastodons vanished from the Earth.

What happened to these giant vertebrate creatures is still a matter of speculation and controversy, although there is a respectable body of scientific opinion that the villain may have been the same creature who more recently has threatened the existence of the Bald Eagle, the Atlantic Salmon, and the American Alligator.

Who else but man, who in the one million year period of the Ice Age established himself as the world's preeminent mammal.

Whether in fact he was the villain may never be known because as Smithsonian Institution paleontologist Dr. Clayton E. Ray says, "It's very difficult to solve the problem of Ice Age extinction. Scientists find it very difficult to even figure out what to study for the answers."

The fascination of these mega-mammals and their disappearance is dramatized freshly by the recent opening of portions of a new exhibit hall at the National Museum of Natural History. The area contains awesome Ice Age skeletons, reconstructed under the supervision of Dr. Ray and Lucius Lomax of NMNH's Office of Exhibits.

Dominating the center of the Hall are skeletons of two huge prehistoric ground sloths (Megatheres), one of them rearing up 15 feet high, supported by a large tail and two colossal hind feet that measure 36 inches from heel to claw, possibly the largest of any land animal.

The remains of these grotesquely unwieldy and sluggish beasts were discovered by a 1950 Smithsonian Institution expedition at El Hatillo, Panama, led by NMNH paleontologist Dr. C. Lewis Gazin.

He shipped hundreds of fossil fragments to the National Museum of Natural History. Specialists in the Museum's Preparation Laboratory spent thousands of man hours accurately reassembling the skeletons.

The Quaternary Age that the Hall describes was characterized by radical changes in the physical environment—the advance and retreat of four great ice sheets, fluctuations between cold and warm, wet and dry climates and low and high sea levels.

No less spectacular were its biological events—which saw the amazing proliferation of large mammals like the Megathere and his two peers in body size, the Mastodon and the Woolly Mammoth.

Ten-foot high skeletons of the Mastodon and the Woolly Mammoth stand in the Hall nearby the Megathere.

We know that prehistoric man hunted these giant animals because spear points and other artifacts have been discovered associated with their remains. Drawings by paleolithic men on the walls of caves depict mammoths complete with sweeping curved tusks, great bulbous heads, sloping backs and fur trailing to their ankles.

"Some believe that man was directly responsible for the Ice Age extinctions through hunting or indirectly responsible because of the changes he produced in the habitats and communities of the mega-mammals," Dr. Ray says.

Jay Matternes, the noted science illustrator, has prepared a mural for the hall that recreates the variety of mammals, including peccaries, antelopes, ground sloths and saber-toothed cats that lived three million years ago along the Snake River at Hagerman, Idaho. Matternes is currently doing research on a second mural for the hall that will depict Quaternary Age Alaskan wildlife.

In another section of the hall Lomax has used innovative design techniques to illustrate Ice Age deaths at the La Brea tar pits (an area located in what is now a park in the center of Los Angeles). Thousands of animals became mired in the pits and their struggles often lured carnivores like wolves and sabertoothed cats into the same trap.

One of the Hall's exhibits is devoted to man, the "Super-survivor" of the Quaternary Age, who some pessimists fear may be headed for the same fate as the Mastodons, Mammoths and Megatheres.

"It should be remembered that man evolved along with other Ice Age plants and animals. Some live today, others are extinct. Why? There are important lessons to be learned in this hall at a time when we are so concerned about our environment," Dr. Ray says.

Continuing Exhibitions: Homer Show Focuses on his Early Works

(By Benjamin Ruhe)

A warm, winning exhibition of art by Winslow Homer, the great 19th century American painter, is featured at the National Collection of Fine Arts.

Most of the 51 oils, watercolors, drawings and graphics are from Homer's popular early period, and all but 10 of the works are on loan from a sister Smithsonian art museum, the Cooper Hewitt Museum of Decorative Arts and Design, in New York City. The showing, on the second floor of the NCFA, will be kept on display indefinitely.

Dr. Joshua Taylor, Director of the NCFA, says of the collection: "It is an extraordinary group of small Homers, giving an intimate view of Homer's work and suggesting how he saw things. Many of the paintings show the artist's delight in just 'seeing'. And Homer always saw with a fresh eye."

The majority of the works date to the 1860s and 1870s, when Homer sketched camp and campaign life of the Union troops for *Harper's Weekly*, went to Paris, and on his return to America settled in New York, spending summers hunting, fishing, and painting in the Adirondacks and the White Mountains. His work is in a mode characterized thus by Henry James: "Mr. Homer goes in, as the phrase is, for perfect realism. . . . He is a genuine painter; . . . he naturally sees everything at one with its envelope of light and air. He sees not in lines, but in masses, in gross, broad masses. Things come already modelled to his eye. . . ."

OTHER CONTINUING EXHIBITIONS

Arts and Industries Building

1. Arts Protis—closing indefinite.
2. Air Force Art—through July 12.
3. Gutenberg: Printing Transforms the World—through July 27.
4. Moon Rock—indefinite.
5. Polish Folk Art—through September 21.

Museum of History and Technology

1. Voyage of the U.S.S. Manhattan—through August 31.
2. Photographs by Elliot Erwitt—through July 12.
3. Women and Politics—closing indefinite.
4. Laser 10—through Labor Day.
5. Weather—through July.
6. The Demand for Water—through September 15.
7. Westward to Promontory—through July 14.
8. Spanish in North America—permanent.

Museum of Natural History

1. South African Costumes—closing indefinite.
2. Vanishing Totems of Alaska—closing indefinite.
3. Malay Archipelago—July.
4. Coral-eating Starfish—indefinite.

Freer Gallery of Art

1. Whistler's Landscapes and Seascapes—closing indefinite.

National Portrait Gallery

1. Language of African Sculpture—through September 7.
2. Portrait of Robert F. Kennedy—through July 19.

National Collection of Fine Arts

1. Leonard Baskin—through July 26.

SUMMER HOURS

Smithsonian Museums are open to the public 7 days a week. Hours: 10 a.m. to 5:30 p.m. daily. Museum of History and Technology: 10 am. to 9 pm daily through August.

Dial-A-Museum—737-8811 for daily announcements on new exhibits and special events.

Dial-A-Phenomenon—737-8855 for daily announcements of satellite passages and worldwide occurrences of short-lived natural phenomena.

The Smithsonian Monthly Calendar of Events is prepared by the Office of Public Affairs, 381-5911. Deadline for August Calendar: July 8.

Mailing list requests and change of address should be sent to the Smithsonian Calendar, 425 Smithsonian Institution Bldg., Washington, D.C. 20560.

HOURS AT NATIONAL ZOO

Gates open 6 a.m., close 6:00 p.m.
Buildings open 9 a.m., close 6:30 p.m.

Special Report: Naked Came the President—Congress Was Aghast

(By Mary Krug)

George Washington, Richard Henry Lee eulogized, was "first in war, first in peace, and first in the hearts of his countrymen." A statue of the Founding Father, however—ironically bearing that famous quotation—has not found such popularity.

The Horatio Greenough statue, commissioned by Congress in 1832, has been maligned by the public, damaged by the elements, and moved to four different locations. In the process it has lost three pedestals, including the one with the quotation, before coming to rest in the National Museum of History and Technology.

Despite—or because of—its difficult life, the heroic Greenough figure is an important American work, historically and artistically. Congress invited Greenough, the first U.S. citizen to make sculpture his full-time occupation, to produce the statue for a tomb of George Washington in the Capitol rotunda. Because Washington's heirs would not allow his remains to be removed from Mt. Vernon, however, the crypt was never built, portending the other mischances the sculpture would later encounter.

Greenough was instructed "to execute, in marble, a full length pedestrian statue of Washington, to be placed in the centre of the rotunda of the capitol; the head to be a copy of Houdon's Washington, and the accessories to be left to the judgment of the artist."

Secretary of State Edward Livingston added to the instructions the admonition that "Never did a leader better deserve the epithet of Good; never was it more important to imbody the expression of his virtues, and, by the touch of genius, to restore life and animation to features which, in a very short time, no one living will have beheld."

Their high hopes were dashed nine years later when the Navy delivered from Florence, Italy, an 11½ foot, 20-ton George Washington, half nude and seated on a chair embellished with a similarly attired Christopher Columbus, an American Indian, and figures from Greek mythology. The head, as ordered, was modeled after Houdon. The bare body was possibly that of an Italian; Greenough's expense account lists $166.95 for "Salaries of the life models who stood for the naked."

The general public was outraged at the sight of Washington's muscular chest. One Congressman called it "the most horrid phantasmagoria I have ever seen." Greenough wasn't happy either, when he got back to the U.S. and saw his work in place. Light struck it at the wrong angle, he said, and distorted its features. Nor was it standing at the right height. He had recommended an elevation at which, "at the distance of 30 feet from the pedestal in front, the fold of skin above the navel may be visible, and not hidden by the knees."

Thus, in 1843, the statue made its first move, to the Capitol grounds, and acquired a new pedestal, granite with the Lee quotation. Now instead of problems of public opinion and lighting, there was deterioration from the weather to be faced. A Congressman noted, "It is not designed for an outdoor work, and in its present location the seminude figure of Washington excites pity rather than admiration."

By 1908 Congress wanted to get the statue in out of the rain, and offered it to the Smithsonian's National Museum, "not as an object of art, as an object of historic value."

Debating the proposal, a Representative remarked that "I will say that an old artist who is skilled in interpreting the meaning of works of art was asked what Washington was doing, what he meant by extending his hand and the artist replied that he was reaching for his clothes, which were down in the Smithsonian Institution. So it would seem proper that the statue itself should go there."

So disintegrated that the marble was "little better than chalk," Greenough's work, sans pedestal, was moved down the Mall to the old Smithsonian building. There it sat while movers and officials debated how to get it inside and worried about the onset of winter and "mischievous boys in this section, to whom the statue is an object of great interest."

George Washington finally entered the Smithsonian through a hole in the wall and rested in peace on a new base for 55 years. Then he was moved—without incident and without pedestal—to the new Museum of History and Technology, where he exemplifies the classical revival in the United States after the American Revolution.

The original lower base of the statue wound up in the Capitol architect's reservation area. The upper base, with inscription, became the cornerstone of the Capitol Power Plant building.

The first President's half-draped figure still shocks tourists unfazed by the topless-a-go-go movement. Greenough himself observed that "... the same purblind squeamishness which gazed without alarm at the lascivious Fandango, awoke with a roar at the colossal nakedness of Washington's manly breast."

The artistic value of Greenough's statue might still be debated, but it was defended by no less a thinker than Ralph Waldo Emerson. And Harper's New Monthly Magazine stated unequivocally in 1853, "This is a magnificent work of art, and not unworthy of any age. It is purely classical in design, and hence it finds little favor with strict admirers of modern art."

MORE JET NOISE AND AIR POLLUTION AT LOS ANGELES INTERNATIONAL AIRPORT

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. CHARLES H. WILSON. Mr. Speaker, I rise today to report another incident of injustice and lack of sensitivity that has occurred in our land. While I am not speaking of the trampling of minority group rights because of their race, religion or creed, I am speaking out against the harm being done to the people living near Los Angeles International Airport. These individuals constitute a minority group within the Greater Los Angeles community and accordingly are being treated as second-class citizens whose interests are subverted due to corporate pressures and an unresponsive bureaucracy.

At a time when our country is beset by inflation and rising unemployment, when interest rates have never been higher and when taxes are soaring, at a time of war in Southeast Asia and another war threatening in the Middle East, when we have a widening gap between generations and between workers and students, at a time of race polarization, of lunatic left and right fringe groups, of talk of assassination and burning of cities, at such a time the problems of jet-caused noise and air pollution must necessarily be assigned a place on the second rung of priorities by those responsible for reaching solutions to the myriad of problems besetting our Nation. But taking a second rung does not mean being ignored. Taking a position of secondary importance should not be taken to reflect an unconcern or a denigration of the harmful effects that are occurring. And doing less than is possible to alleviate the situation should not be tolerated.

Air and noise pollution are killers. They are not the bringers of quick death that America has gotten used to through actual wars and through television violence but they are killers nonetheless. And the people existing adjacent to airports such as Los Angeles International, Kennedy, Logan, O'Hare, and others, are daily being exposed to an increasingly menacing danger brought about by the fact that available technology is not to be utilized to save lives because the cost is high and the powers that be and the special interest groups behind them refuse to pay it. With this type of thinking prevailing, it is no wonder that the United States faces so very many grave problems. The placing of the dollar before life, which many of the youth of today sincerely rebel against, is manifested in so many different ways in our country that one wonders if the changes urgently needed to improve this land can be brought about in time to save it.

Getting back to specifics and on a more mundane level, I applaud the recent resolution passed by the Los Angeles City Council under the sponsorship of Councilwoman Pat Russell. This resolution calls for restricted use of the new north runway opened June 29 which is now causing increased noise and air pollution. As reported in the Los Angeles Times, housewives are talking of revolution with conversations spiked with words such as "bomb," "dynamite," and "blowup." The residents of this area are doubly afflicted by the problems caused by the aircraft arriving and departing Los Angeles International. Besides the pollution problems, residents cannot move out even if they desired to since banks and loan companies will not finance new buyers and property values in the area have suffered due to the airport's annually increasing encroachments.

The north runway supposedly had to be put into operation so that the terminal's three other runways could be rebuilt to handle the heavier aircraft now being introduced. These heavier aircraft, specifically the 747's, have, by the way, been granted immunity from the Federal Aviation Administration's new noise regulations. Taking this as one example of the bureauracy's insensitivity to the needs of the people, I can hardly wait to experience the din to be created by the unfortunately federally subsidized SST.

While the noise problem created by jets may still be fairly limited to airport neighborhoods, the air pollution problem is spreading literally across the country. The problems now faced by the citizens near Los Angeles International Airport will be faced by citizens throughout the Nation in the near future. I am, therefore, urging my colleagues to take steps now to evidence their concern with this problem, to apply pressure on the FAA to get tough with polluters, to inform airport commissioners that they must be more responsive to the needs of their communities rather than merely to airline companies and manufacturers and to support legislation to remedy a situation that has grown intolerable to some and will continue to grow, reaching more and more Americans everyday. Let us act now for time is running out.

For my colleagues' additional information, I now include in the RECORD, the text of the city council's resolution and a pertinent article that appeared in the Los Angeles Times. The material follows:

CITY OF LOS ANGELES RESOLUTION

Whereas, the new north runway (24R) at Los Angeles International Airport opened on Monday, June 29th; and,

Whereas, the use of 24R is causing critical noise problems for the residents to the north of LAX jeopardizing their health and welfare;

Now therefore be it resolved, that the City Council of the City of Los Angeles request the Board of Airport Commissioners to restrict the use of 24R to 747's and aircraft under 12,000 pounds for a period of at least four months.

Presented by:

PAT RUSSELL,
Councilman, Sixth District.

Seconded by:

THOMAS BRADLEY,
Councilman, Tenth District.

HOUSEWIVES TALK OF "REVOLUTION" AS RUNWAY OPENS

(By Richard West)

Housewives gathered in little groups in front of their middle-class homes in the residential area alongside International Airport's new north runway Monday and talked of "revolution."

At times the angry voices of the women drowned out the roar of jet airliners taking off from the runway, which went into operation for the first time Monday morning.

"He ought to be tarred and feathered," Mrs. Michael Fontecchio of 7401 W. 93rd Place, a blonde mother of six, said of one official in the airport's noise abatement office.

"No," she added, "that's too good for him—he ought to be hanged by his toes."

Mrs. Fontecchio heads North Runway Residents, an organization of homeowners which fought unsuccessfully to keep the airport's second north runway from going into operation.

"GETTING CLOSE TO REVOLUTION"

"It's getting close to revolution," she said.

"You should hear some of the telephone calls I get from neighbors about this situation. Words such as 'bomb,' 'blowup' and 'dynamite' are common.

"Naturally, I wouldn't sanction such talk or actions."

Another housewife referred to a certain city councilman as "a very nasty man" because of the cavalier manner in which he assertedly heard their complaints.

"My elderly mother is trying to give a piano lesson to a child across the street," said still another woman. "This will probably put her out of business."

Mrs. Clemens Kroll, who has lived at 7265 W. 94th St. for the last 18 years, contended that it was untrue that the airport was there first.

When she first moved to the neighborhood, she said, the airport was east of Sepulveda Blvd. Later the airport jumped Sepulveda and moved north, she added.

"The airport moved—we didn't," she said.

Mrs. Fontecchio said there are 292 homes in the area immediately adjacent to the new runway, and a total of 1,300 homes in the general area.

Residents cannot move out, she said, because banks and loan companies will not finance new buyers—if any could be found.

The housewives said the new runway started off with heavy volume. Three big Boeing 747s and an assortment of Boeing 707s and 727s and smaller airliners took to the air during the morning hours.

An airport spokesman said the new 8,925-foot north runway had to be put into operation so that the terminal's three other runways—two south and one north—can be rebuilt to handle the heavier aircraft now being introduced.

The old runways will be rebuilt one at a time, he said, and the airport needs three runways in operation every day.

He said the north runways will not operate between 10 p.m. and 7 a.m.—except in unusual cases or in emergencies.

A preliminary injunction to restrict use of the north runways by jets was denied June 15 by Superior Judge Richard Schauer.

The judge warned, though, that such a prohibition could be ordered if large numbers of homeowners should seek court relief from the noise, vibrations and air pollution.

RUBELLA VACCINATION PROGRAM REDUCES DISEASE THREAT

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. NELSEN. Mr. Speaker, as ranking Republican on the House Commerce Committee's Public Health and Welfare Subcommittee, I have been pleased to play a role in expediting the availability of rubella vaccine on the market and in forcing price reductions which have made the vaccine more readily available.

So I was delighted to note an article which appeared in the New York Times on June 17 reporting that areas of the Nation where the vaccine is being widely used show reductions in the incidence of this German measles disease, including my own State of Minnesota.

The article reports that in the State of Minnesota, where 86.3 percent of the population aged 1 through 12 has been vaccinated, had a drop in measles incidence of 46.1 percent during the 12-month period ending May 23, 1970. By comparison, Florida, where only 9.4 percent of the children aged 1 through 12 were vaccinated, had an increase of 82.8 percent in rubella cases.

Rubella has always been a tragic disease because when it infects expectant mothers, it often causes birth defects in their unborn children. It is good to know that our national rubella vaccination program is beginning to reduce the risks that this tragedy will occur.

I insert the full news account from the Times at this point in my remarks:

RUBELLA DECLINES IN STATES USING VACCINE WIDELY

German measles vaccine appears to be reducing the incidence of the disease in states where the vaccine is widely used, the National Foundation–March of Dimes said yesterday.

Dr. Virginia Apgar, the foundation's vice president for medical affairs, said nine out of 10 states with "high vaccine coverage" had reported reduced incidence. Eight of ten states with poor coverage, she said, reported increases in German measles, also called rubella or three-day measles.

"While the data are not yet conclusive," Dr. Apgar said, "they do offer encouragement that widespread use of the vaccine among children may eliminate the disease as a threat to unborn babies."

The Federal Government began a $50-million campaign last summer with the aim of vaccinating 40 million to 60 million children between the ages of 1 and 12.

The program is directed at children to prevent the transmission of the German measles virus to women, since contraction of the disease during early pregnancy can cause birth defects.

Women are not being directly vaccinated because doctors fear infecting a woman who may be pregnant and not know it.

The National Foundation found a 37 per cent decline in rubella in the 10 states with the highest percentage of vaccination in children aged 1 to 12. The states with the lowest percentages reported a 54 per cent increase.

The survey was based on the number of cases for the year ending May 24, 1969 compared to the year ending May 23, 1970.

Examples of states with declines were: Minnesota, with 86.3 per cent of the population aged 1–12 vaccinated, had a drop in measles incidence of 46.1 per cent; Hawaii, 75.5 per cent covered, a drop of 71.3 per cent; and Alaska, 62.7 per cent covered a drop of 65.6.

Examples of states with increases were: Florida, 9.4 per cent vaccination coverage, 92.2 per cent increase in cases; Texas, 6.3 per cent coverage, 154.0 per cent increase; and Alabama, 5.4 per cent coverage, 140.6 per cent increase.

GRADUATION ADDRESS BY THOMAS B. SPRATT III

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. DORN. Mr. Speaker, in the following class address delivered at Dentsville High School in Columbia, S.C., Thomas Benjamin Spratt III reflects upon the significance of the National Anthem to young people in our present troubled times. Tom was an outstanding athlete, scholar, and student government leader during his high school years, and his remarks concerning the challenge inherent in "The Star Spangled Banner" are perceptive and thought-provoking. Tom Spratt is himself a superb example of a young American deeply concerned over our country and its future, and I commend his address to the attention of the Members of Congress and the citizens of our Nation:

GRADUATION ADDRESS BY THOMAS B. SPRATT III

Mr. Havird, Mr. Gardner, Members of the Board of Trustees, School District No. 2, Faculty Members of Dentsville High School, Honored Guests, Fellow Students, Ladies and Gentlemen: This graduation exercise has a special significance. Tonight my fellow classmates and I will be the last students who will wear these red and white caps and gowns of Dentsville High School. As you know, Dentsville will be replaced next fall by Spring Valley High. We look at these changes with more than just mixed emotions. On the one hand, this is the price for progress. I speak for all of our class when I say that our best wishes for success go to this new institution, and especially to the Viking athletic teams.

But, it is not without a feeling of sorrow that we watch Dentsville High School, our Alma Mata, closing its doors, never to open again under that name.

If I may depart from the customary graduation day practice a few moments, I would like to address myself to a matter which strikes me as being especially significant today. Each of us has sung the National Anthem on many occasions . . . probably most often at the beginning of a sports event. Its words . . . in this context . . . are often wasted on us, because we are anxious to get on with the game. But I wonder how many of us realize that the National Anthem is not so much a statement as it is a question. The final passage, for example, is in itself a question, asking "Oh, say does that Star Spangled Banner yet wave, o'er the land of the free and the home of the brave?" I do not think it is an accident that the anthem ends in a question. Its writer intended this question to be answered and re-answered by each succeeding generation of Americans.

It is a challenge to all generations that we cannot take our heritage for granted; that all of us, young and old alike, must be constantly vigilant to the principles which make our nation great.

Tonight, as we separate ourselves from the familiar surroundings of high school, we feel a *special* concern about the future. All of us have had warnings from parents and those in the other generations saying "In my day, this wouldn't have happened," "When I was in high school, we didn't do things that way." But our generation is stepping forward into a new and highly significant role in the development of our society, the responsibility, if you will, for the maintenance of the things that make our country great. There is a difference between "their day" and "our day," and I say this with the deepest affection for the parents and the others who have contributed so much to bringing us where we are now, graduation night, after twelve long years of work and study.

Our generation is faced with many unique problems; problems, unheard of in past generations, problems which relate only to this day and age. There are those who will say that we represent the newest recruits for the Battle of the Generations, and that we will be called upon to continue the confrontations, demonstrations and provocations which have split our nation apart. There are also others who will undoubtedly look to us to sustain the outdated institutions and traditions which have given rise to so much unrest in our nation today.

Neither group is correct.

Simply because we are young does not commit us to fighting our elders. Simply because we are young loyal Americans does not blind us to the problems which our nation faces.

To those who would enlist us on the side of the political battles which are splitting our nation, I would suggest that we are a new generation, a generation which will seek to unite, and not split, our nation further. Whatever our individual futures may bring . . . college . . . military service . . . employment, our generation will be called upon to mature more rapidly than any generation that has preceded us. If we are to respond to these pressures, we must go away from here tonight with at least an awareness of our role. In 1936, President Roosevelt said, "This generation of Americans has a rendezvous with destiny." Twenty-five years later, President Kennedy said, "the torch has been passed to a new generation of Americans, born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed."

If we look at the world today in this kind of perspective, we see that the words of both these great men have special meaning for us; for ours is the generation which now falls heir to their hopes and promises.

We have witnessed in recent years the fruitlessness of violence, and the utter failure of a whole generation to either express itself or to achieve its purposes. Its only accomplishments have been bitter distrust and fear throughout the nation, and the kind of public alarm which retards, instead of encouraging, progress.

Let our generation be determined to reject the appeals of those who now claim to speak for the younger generation. They speak only for themselves. We have become the young men and women who must once again ask, "Oh say does that Star Spangled Banner yet wave, o'er the land of the free and the home of the brave?" And we must answer our own question.

Let this challenge be the purpose for which our generation now commits its full energies and capabilities in the crucial times which lie ahead.

YOUR OPINION, PLEASE: 1970

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BRAY. Mr. Speaker, the country has plenty of persons eager to tell the citizens of the American Republic what to think, but it is relatively rare when anyone goes directly to these same citizens and asks them straight out what they think. It is especially important, however, for a public official to follow the latter.

This is a course I have taken for some years, and once again I am asking for "Your Opinion, Please." A public opinion poll serves as an extremely useful supplement to the normal contacts by letters, wires, phone calls, and personal meetings. For the constituent, it generates new and revived interest in the major issues of the day; for the Congressman, it gives him new angles, approaches, and perspective to these same issues.

It is hard, I will admit, to answer some questions with just "yes" or "no" but these are the only answers open to Members when a vote comes up in the Congress.

Issues change, but interest remains the same. The questions, and their possible answers, have all been mentioned, at various times by various sources. The replies will be tabulated, the results inserted in the CONGRESSIONAL RECORD, and a copy of the results sent to all those who were polled.

The questions follow:

QUESTIONNAIRE

	Yes	*No*	*No Opinion*
1. Do you think President Nixon has charted a good course to end the Vietnam War?	( )	( )	( )
2. Should the voting age be lowered to 18?	( )	( )	( )
3. Do you favor continuation of draft deferments for college students?	( )	( )	( )
4. The Administration estimates five years and $110 billion needed to deal with pollution. How should this be financed:			
a. Tax credits to private industry?	( )	( )	( )
b. Special tax on business and individuals?	( )	( )	( )
c. Cut other Federal programs where possible?	( )	( )	( )
d. Some equitable combination of all the above?	( )	( )	( )
5. Do you favor the expulsion of students in tax-supported schools who, by intimidation or violence, upset normal academic routine, disrupt university life and cause destruction of property?	( )	( )	( )
6. In the fight against crime, would you favor:			
a. Making bail bond more difficult for repeated offenders?	( )	( )	( )
b. The "no knock" principle in serving search warrants?	( )	( )	( )
c. Legislation insuring speedier trials?	( )	( )	( )
7. What should we do in the future if a nation friendly to us is threatened?			
a. Whatever aid is needed including troops.	( )	( )	( )
b. Arms and equipment only, except if U.S. is attacked.	( )	( )	( )
c. Arms and equipment only.	( )	( )	( )
d. Stay completely neutral.	( )	( )	( )
8. This is admittedly a troubled and unsettled time for the world and for our country. Nevertheless, does your basic belief in the American Republic, its institutions and our way of life remain firm and steadfast?	( )	( )	( )

ACTION ON THE MILLS BILL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. WYMAN. Mr. Speaker, as James Kilpatrick reports in his recent column, it is indeed high time in the protection of certain industries in this country that Congress take action to limit the floods of cheap foreign imports. In this regard, it is vitally important that all should clearly understand that the Mills bill, and its prototype orderly marketing legislation, does not shut off imports in the future; nor does it materially, or even significantly, reduce them.

Rather, it provides that they shall not exceed the amount prevailing during a designated base period. Foreign producers of shoes and textiles will enjoy the same access to the American market they had during the base period, 1967–68, but will be prevented from increasing their dangerously and disproportionately high share of our market, now up to 32 percent. This is urgently needed legislation, and in this connection an exchange of letters between Mr. John E. Mellor, Chief, International Business Affairs Division, Department of State and Mr. Mark Richardson, president and executive officer, American Footwear Manufacturers Association is most telling.

The article and letters referred to follow:

HIGH TIME TO PLACE CURBS ON IMPORTS FROM JAPAN

(By James J. Kilpatrick)

With the collapse last week of textile trade agreement talks with Japan, Congress has but one course left open to it. This is to smack the Japanese with what is known in the trade as the Mills bill. And high time!

Granted, this is not a pleasant prospect for members of Congress who are dedicated to reducing trade barriers, not to raising them. Approval of the Mills bill would be a step backward from the lofty goal of free commerce envisioned under the international General Agreement on Trade and Tariffs. If protective quotas are granted to the textile-apparel industry, other industries hurt by foreign competition will be crying, "me, too."

There is this further objection, that by imposing even the mild and reasonable restraints proposed in the Mills bill, the United States would subject its diplomatic relations with Japan to additional strain. The leaders of last week's massive anti-government riots in Tokyo, protesting extension of the two nations' security treaty presumably would pick up wider popular support.

Yet the case for a quota system, intended to protect the domestic textile-apparel industry, is supported by compelling evidence. And the record of patient efforts to reach a voluntary agreement suggests that the Japanese propose to stall indefinitely.

Time has run out. The U.S. industry is in deep trouble. Its profits are down. Employment has declined by 65,000 workers in the past 15 months. New capital investment has dropped sharply over the past year. The number of closed plants is increasing. The gloomy picture is almost entirely the result of one cause: The dramatic increase in textile imports.

Dramatic is the word for it. The picture began to change as far back as 1957, when textile imports for the first time exceeded our exports. Now the imbalance amounts to $1.4 billion annually; and more than a third of this imbalance winds up in the hands of Japanese. In the past five years, the volume of textile imports has tripled. If the increase is merely alarming in cotton and wool, it is staggering in the field of man-made fibers.

Several elements account for the situation. Primarily, the imbalance results from wage differentials. The typical American textile worker earns $2.43 an hour; his counterpart in Japan gets 53 cents. In Korea and Taiwan, the figure is 11 cents. The suit that is mail-ordered from Hong Kong is sewn together by tailors paid 25 cents an hour.

Another significant factor lies in trade policies here, and trade policies there. The Japanese, while they adamantly oppose quotas anywhere else, impose relentless import restrictions of their own. Within the European Economic Community, the same picture obtains. No nation in the world has a freer policy on imports than the U.S. As a consequence, one-third of Japanese production goes to American buyers.

Finally, Japanese manufacturers operate without the restraints of anti-trust law. Nothing prevents them from entering into price and market agreements that would be patently illegal here. It is a great convenience not to have a Justice Department breathing down one's neck.

The Mills bill, sponsored by Rep. Wilbur Mills, D-Ark., and 200 other members of the House, would put a ceiling on imports of textiles, apparel and footwear geared to the levels of 1967–68. These limits would be adjusted annually to reflect increases or decreases in domestic consumption. A more reasonable or more generous policy scarcely could be proposed.

Opponents of the Mills bill contend that the effect of even these mild limitations would be to raise the price of goods to the American consumer. It could happen, but the remarkable record of price stability within our domestic industry suggests otherwise. In any event, the consequences of continued inaction are as visible as a mini-skirt but much less attractive. Free trade is like peace: it is wonderful. But peace at any price is no bargain, and neither is free trade that imposes a ruinous cost on industry here at home.

DEPARTMENT OF STATE,
Washington, D.C., June 12, 1970.

Mr. MARK RICHARDSON,
President and Executive Officer, American Footwear Manufacturers Association, New York, N.Y.

DEAR MR. RICHARDSON: Mr. Samuels has asked me to respond to your questions, submitted at the Commerce Department's May 13 Conference on U.S. International Business Problems and Prospects and relayed to us a few days ago by the Commerce Department. The questions were: (1) "The Hudson Institute and other organizations have predicted that by the turn of the century, Japan will be the world's No. 1 industrial nation. What policies, sir, have they been following in order to achieve this marvelous growth?" (2) "You state: 'Our exports to Japan are up 160 percent.' Would you please also indicate what the growth of Japanese exports to the U.S. has been?"

Japan's phenomenal economic growth is not, as popularly believed in the United States and Japan, based primarily upon exports. Instead, it is the result of massive plant and equipment investments financed by a high rate of domestic savings which serve a rapidly growing domestic economy, in which the growth of *per capita* purchasing power has been accelerated by a low rate of population growth. (The enclosed article from the *Scientific American* may be of interest to you in this regard.)

Japanese national priorities have meant, however, that growth rates in different parts of the economy have been uneven. It now appears, for example, that Japan is beginning to consider placing greater attention on such items as housing, environmental control, and other social investments which were largely ignored during the country's dedication to economic growth.

During the period 1960–1969, U.S. exports to Japan increased from $1.3 billion to $3.5 billion. Japanese exports to the U.S. increased during the same period from $1.1 billion to $4.9 billion. Each country began and ended the decade as the largest overseas market of the other.

We are pleased to have this opportunity to respond to your interest.

Sincerely yours,
JOHN E. MELLOR,
Chief, International Business Affairs Division.

AMERICAN FOOTWEAR MANUFACTURERS ASSOCIATION,
New York, N.Y., June 22, 1970.

Mr. JOHN E. MELLOR,
Chief, International Business Affairs Division, Department of State, Washington, D.C.

DEAR MR. MELLOR: I have your letter of June 12 purporting to be responsive to my questions submitted at the Commerce Department's May 13 conference on U.S. international business problems. I have read your "reply" with a certain amount of wry amusement.

You state that "Japan's phenomenal economic growth is not, as popularly believed in the United States and Japan, based primarily upon exports." This may or may not be true, depending in major part upon what definition one cares to assign to the word "primarily." However, it was the contention of Mr. Samuels, to whom I addressed my question, that we should continue our present "free trade" policies because of the dependency of the Japanese government upon exports.

In addition, your enclosed article—which I had read—from the Scientific American indicates quite clearly that Japan's annual growth rate is running at 13 or 14 percent—and that exports represent 10 to 12 percent of their total national output.

This is two to three times the percentage of our G.N.P. involved in exports, and hence my question again arises: How does it happen that the world's most protectionist nation has substantially greater exports percentage-wise than the United States if the premise of the State Department that "protectionism" limits the opportunity for exports is accurate? Nothing in your response clarifies for me why protectionism, which has served Japan very well in enhancing its domestic and external growth rates, is "per se" bad for a country attempting to increase exports.

Your answer to my second question is even more interesting, and I am left with the impression that you must not be familiar with Mr. Samuel's speech. He had asserted that we should not place any limitations on imports into the United States from Japan because "our exports to Japan are up 160 percent" (really closer to 170 percent). From your own figures, it becomes quite clear that whereas our exports to Japan are up by about 170 percent, Japan's exports to the United States are up 345 percent—hence, affecting most adversely our balance-of-payments problem vis-a-vis the Japanese. This would appear to be diametrically opposed to Mr. Samuels' premise that we should not limit imports from Japan because of its affect on our trade.

In effect, both of your answers when analyzed establish beyond a doubt that the policies followed by Japan (strong protectionist attitudes) have been highly successful and in that nation's best interest. Since this was exactly what I was attempting to point out by my questions, I am still at a loss to understand on what basis the U.S. Department of State advocates an opposite position as being in the best interests of the United States.

In particular, I am deeply concerned that any spokesman for the Government would seek to advocate a position by supporting it with carefully selected data which tends to deceive the layman into feeling that the position being advocated is the only possible course of action. Any deliberate hiding of relevant information (e.g., that the Japanese are heading toward becoming the world's No. 1 industrial nation while pursuing very highly protectionist policies, and that we are losing our position as No. 1 because our "free trade" approach is causing our balance of payments to be adversely affected due to increased imports from Japan and other nations—far exceeding our exports to those other nations) is unworthy of responsible government officials.

Sincerely yours,
MARK E. RICHARDSON.

I believe it is significant to note that programs were established for the oil industry when foreign imports exceeded 12 percent of the domestic market; that the steel industry was protected when market penetration reached 20 percent; and that similar quotas have been invoked to prevent excessive importing of certain agricultural products.

BALTIMORE GI KILLED IN VIETNAM FIGHTING

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Joseph Turowski, a courageous young man from Maryland, was killed recently in Vietnam. I should like to honor his memory by including the following article in the RECORD:

BALTIMORE GI KILLED IN VIETNAM FIGHTING

A Baltimore infantryman who never told his family of the tough fighting he was doing in Vietnam has been killed in the Southeast Asian war, the Defense Department announced yesterday.

Spec. 4 Joseph M. Turowski, Jr., 21, of Brooklyn, was killed June 22 by a booby trap while on patrol in Vietnam, his family said.

WROTE OF QUIET

Mrs. Joseph M. Turowski, Sr., recalled that her son always wrote that "it's quiet here and nothing is happening."

"But he wrote to a friend and said he was so tired that he felt like 40 and could hardly keep his eyes open," she said.

A 1967 graduate of Poly, her son worked for two years as a cable repairman at the Chesapeake and Potomac Telephone Company before being drafted in March, 1969.

He was sent to Vietnam last August as a member of the 4th Battalion, 21st Infantry Division, 11th Brigade and by the time he was killed had only about two months to go before being sent home, according to Mrs. Turowski.

The soldier was engaged to Miss Brenda Carter, of Linthicum, his mother said.

Besides his parents, he is survived by three brothers, Richard, James and Patrick, all of Baltimore.

DOCTOR SHORTAGE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. HOGAN. Mr. Speaker, over 14 years ago this Nation was stunned and shaken into a reappraisal of its educational system by a single event—the orbiting of a small satellite named Sputnik.

That feat by the Soviet Union opened a deep questioning of national educational priorities and opened the race for the conquest of outer space.

At the time, there was a great clamor for more and better qualified engineers and scientists, for a redoubling of efforts by universities to educate a new generation of technicians.

We as a nation met that crisis. We did it through a mobilization of the public temper that was unprecedented in a peaceful venture. We declared, in essence, a peaceful war, a war of technology.

Although most Americans knew of Sputnik and demanded new priorities, few, if any, were touched personally by the event.

Today, we are faced with a crisis of the same nature and a crisis that calls for the same kind of national reappraisal, but one where there is no shocking impetus—no figurative Sputnik.

We are faced with a medical manpower shortage that touches each of us. To fill that shortage tomorrow, the Nation's medical colleges would have to graduate 50,000 new physicians and another 5,000 in a year's time. Unfortunately, that is not about to happen overnight.

The public must be made sharply aware of the crisis and must demand a national commitment to provide doctors and other skilled medical personnel to meet the growing needs of the sick.

I want to commend the efforts of the Washington Star in spotlighting this issue in a lead editorial appearing in the Sunday, July 5 edition, and commend that editorial comment to the attention of my colleagues. It follows:

DOCTOR SHORTAGE AT BASE OF HEALTH WOES

This country's health-care system is wretchedly inadequate and seems headed for a crisis that could provoke an angry public reaction. The President, Congress and the American Medical Association are well aware of that, and are constantly being reminded of it by a bevy of groups that propose national health insurance, more public clinics for the poor and other remedies. As the Southeast Asia war winds down, the debate over national health proposals could become the political sizzler of the 1970s.

At this point, however, there is incredible apathy about the key deficiency: There simply aren't enough doctors and nurses, nor will there be in the foreseeable future.

A year ago, President Nixon sounded an uncommonly loud alarm: "We face a massive crisis in this area (health care), and unless action is taken both administratively and legislatively to meet the crisis within the next two or three years, we will have a breakdown in our medical care system which could have consequences affecting millions of people . . ." One year of the President's "two or three" has passed and there is less momentum toward solutions than when he made the speech.

For there can be no serious grappling with the paltry supply and spiraling costs of medical services until the critical shortage of medical personnel is alleviated. The outlook for that is gloomier than ever. Many medical schools are in desperate financial straits, largely because of declining federal grants, and curtailments of already insufficient programs are being planned for next year.

The physician shortage is estimated at more than 50,000 and is worsening by about 5,000 a year. By some estimates, about a fourth of the nursing posts in the country are unfilled. Our medical schools annually turn down thousands of qualified applicants for lack of space, and about 3,000 Americans are attending foreign medical colleges. Conversely, the United States is raiding the schools of other countries, importing every year almost as many foreign doctors as American medical schools graduate. Without the yearly influx of some 7,000 physicians from abroad, many of our metropolitan hospitals would be out of business.

Just last week Congress demonstrated, by overriding a presidential veto, that it is concerned about the nation's health, or at least that it is acutely aware of a political backlash in the making. With only the briefest of debate, it shoved through a $2.8 billion health aid bill that Mr. Nixon said was fiscally irresponsible and that Senator Yarborough of Texas hailed as "the greatest, most comprehensive hospital construction program ever passed by Congress."

But the senator didn't say who will staff all those new and expanded hospitals. There may be some lonely corridors if more federal money isn't made available for enlargement of medical training, accompanied by some long-needed changes in curricula.

Retrenchment is the immediate prospect for some medical schools, and there are hints that a few might close if more federal aid doesn't arrive soon. More than a dozen institutions are severely wracked, including the redoubtable Johns Hopkins, which projects a med-school deficit of $900,000 and has lost more than $1.5 million in federal financing. The medical and dental schools of George Washington and Georgetown Universities may have to close if they can't obtain special funding from Congress. More than half of the nation's medical schools have been receiving federal distress grants, and many are planning program scaledowns as those funds ebb in the administration's anti-inflation drive. Education costs are still inflating, but there is a slackening of the dollar flow for medical college operating costs, construction, research and student loans.

That is a dismal commentary on priority-setting. Of course colleges of all kinds across the nation are financially strapped, but—let's face it—medical education is in a privileged category. That is implicit in the extraordinary chunk of the cost of doctor training that always has been borne by the taxpayers. The public rates good health care ahead of legal defense or musical excellence—probably ahead of anything except national defense. But it is not training the people needed to man the massive health enterprise—not enough to meet current requirements, much less the strains that will accompany population growth in the rest of this decade.

This is traditionally an "industry-regulated" field, and the American Medical Association has long drawn fire for allegedly preventing the expansion of medical schools through admissions controls and political influence. For many years the AMA opposed direct federal subsidy of medical education. But this year, perceiving a Frankenstein monster on the horizon, the organization reversed gears dramatically, approving the abolition of the one-year internship training which most doctors must serve before being licensed. That will increase the physician force in the near future, but it is only a stopgap measure. More promising are suggestions by Dr. Walter C. Bornemeier, the new AMA president, for two-year shortening of the education period and for training through field apprenticeships. He said the No. 1 priority of the AMA and the nation should be a sharp increase in the output of physicians.

Dr. Bornemeier's call to action was right on the mark. We hope the nation heeds, and especially the responsible people at the federal level. A Department of Health, Education and Welfare report on the medical education dilemma is expected soon. It may recommend, as the AMA head does, truncated training and other changes to reduce costs. Apparently there is much waste in some medical schools, and HEW quite properly is anxious to achieve better use of resources and especially of federal dollars.

Still, the federal contribution is growing thinner and apparently no proposal is in the works for heavier financing in the future. No doubt Mr. Nixon has more on his hands than he wants in the veto-overridden health spending bill that will place more strain on existing manpower without contributing significantly to medical training. But systematic changes alone are unlikely to forestall the health care crisis that seems to be bearing in.

It is senseless to talk about adequate medical care for all, regardless of economic station—that is a popular political cliche—until this core problem has been whipped. The medical schools must not only be saved from fiscal calamity, but expanded, and the administration should not ignore the necessity for heavier federal funding.

OUR SACRED HONOR

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Felix McKnight, editor of the Dallas Times Herald, Dallas, Tex., has written what I believe to be one of the finest editorials on Independence Day that I have read. Perhaps many of us have lost sight of the meaning of the Fourth of July, but Mr. McKnight has recalled this meaning and under leave to extend my remarks, herewith is his editorial:

OUR SACRED HONOR . . .

(By Felix R. McKnight)

Tomorrow provides the moment for Americans to get up their guts and go old-fashioned; to pause and ponder, to seek the way to recapture values temporarily lost in canyons of confusion.

It shouldn't take a special day like the Fourth of July to move this country to a positive posture—free of discord, distrust and strife.

It is a strange and uncomfortable task to exhort Americans to rediscover patriotism.

But in this nation today are elements that have sprayed a fog of doubt about the proven values of respect for each other, respect for a symbolic flag, respect for leadership.

The people are timid about patriotism—afraid a neighbor might catch them flying a flag; firmly repeating, and not mumbling, an oath of allegiance or singing The Star-Spangled Banner.

Are we such fools that we do not realize that the very absence of such fervor is the reason for our ills?

Once we had a national fiber that withstood internal cleavages; that permitted free and open expression of dissent without the slightest fear of it turning to anarchy. We had it because each citizen knew he had privileges in a free society. He respected a nation that guaranteed him those privileges, and he bristled if a malcontent debased his America.

We are defaulters. We have permitted a gang of nobodies to get our minds off America.

On this Fourth of July—and from that day hence—there should be personal resolves to proudly support this greatest free bastion of the world. To honestly dissent, not chide and demean and destroy. To become a "flag waver" and not give a damn about those who snicker.

Trite words?

It wasn't very trite on July 4, 1776, when men with fortitude assumed the most positive attitude the world had known to free themselves of bonds and declare:

". . . And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor."

Tomorrow, plain citizen Bob Hope will stand on the Washington Monument grounds and make a few simple requests—like, "Will you assume true citizenship in these United States of America?"

It is a good question on this July 4, 1970. Citizen Hope, and 200 million more like him, would like some answers.

It has been said before. It can be said again.

Nations and civilizations have died of many things . . . Some died of old age . . . Some committed suicide . . . Some were murdered.

The ultimate disaster would be for this nation to die in its sleep . . .

HEW'S TAX-PAID ATTACK ON NIXON

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ASHBROOK. Mr. Speaker, many of our citizens who are not close to national politics or the intricacies of Federal agencies usually do not appreciate the "holdover" problem which faces each incoming administration especially when it supplants the machine of the opposite political party. I do not refer to the many hundreds of thousands of Federal employees who give top priority to Federal service over their political persuasions. Each administration, regardless of political alinement, receives from these employees services devoid of political motivations. Unfortunately, promoting the general welfare via Federal employment is of secondary importance to some ensconced in positions in various agencies who await a return to a friendly administration and who are not above sandbagging the present administration's programs.

The July 11 issue of Human Events, the alert newsweekly here in Washington, made public some late developments in the never-ending holdover problem at HEW. While some recent changes in this Department have caused some degree of satisfaction, the Human Events account underlines the complications which are confronted with employees who are less than sympathetic and whose ideas of promoting the national welfare are secondary to their own political and ideological designs.

I insert the article, "HEW's Tax-Paid Attack on Nixon," in the Record, at this point:

HEW's Tax-Paid Attack on Nixon

For a full hour last week, some 250 student interns and veteran employes at the Department of Health, Education and Welfare were entertained by a "radical political light show" called "Days of Listening." Introduced by a hippie wearing American flag pants, the show treated the assembled group to slides and films of a "nation in crisis"—Viet Nam, campus protest, etc.—all superimposed over an official portrait of President Nixon.

With rock music blaring in the background, the group viewed pictures of nude bodies, David Eisenhower and a flickering sign that read: "Get your improved Dickie doll," an obvious swipe at the President. "We wanted the first day to be a real shocker," explained Bob Purvin, who helped the show which began an Office of Education summer program with a bang.

Budgeted at $5,000, the program's purpose is to make the Office of Education "aware" of the student scene and will allow student interns one day off their normal jobs each week to participate in seminars, hear guest speakers, produce films or visit government officials.

"The coordinators look at this as a continuation of the student lobbying that began after Kent State," said Purvin. "We see this as an encouraging opportunity to have an avenue of communication opened for us." HEW officials claimed to be upset at the vehemence of the attacks on the Nixon Administration, and Deputy Associate Commissioner Hal Lyon acknowledged the film was "a little too one-sided. . . ."

But he added that HEW has more potential for far-reaching social change than any other department, and without these young people we "can't achieve it."

The staging of anti-Administration propaganda within HEW is only the latest sign of the Administration's loss of control over its own department. For the truth is that HEW has been eliminating Administration supporters at a steady pace.

Robert Myers, chief actuary of the Social Security Administration for many years, had his resignation abruptly accepted last May 25 when he began to criticize hold-over Democrats who were pushing for wildly expansionist programs within the Administration. When Myers left, he was the sole Republican in the Social Security hierarchy, although the Social Security Administration is the largest agency in HEW, with more than 50,000 employes. Commissioner Robert Ball, who now firmly holds sway over his powerful agency, is a dyed-in-the-wool Democrat.

Nor is this all. When Secretary Robert Finch left HEW on June 19, leaving with him was his talented young aide Alan May, who has processed political appointments and checked on the loyalties of hold-overs.

May says he left because it is the tradition for aides to resign when a new HEW secretory comes in. Yet White House and HEW sources maintain that May, a former helicopter pilot in Viet Nam, was moved out to appease the HEW liberals who have long marked May for political extinction because of his loyalties to the Administration.

Indeed, Jonathan Spivak, when describing Finch's troubles at HEW, wrote in the June 10 *Wall Street Journal* that Finch could "probably have recovered the confidence of many HEW civil servants by a symbolic gesture that was clearly within his power. He was urged to get rid of a highly conservative young aide named Alan May. . . ." When Spivak speaks of recovering the confidence of HEW civil servants, he means, whether intentionally or not, liberal Democrats.

May had earned the wrath of HEW liberals for a wide variety of loyalist activities, including his efforts to block the promotion of Robert Aptekar, a peacenik Democrat who had even been branded as "disruptive" by the Office of Economic Opportunity. Thus May's departure is viewed by many as a new effort to appease the liberal Democrats at HEW.

The result of all this weeding out of loyal Republicans has been more than the staging of a radical light show. As *Human Events* has revealed, for instance, the Social Security Administration recently produced a training film, "Urban Black America," filled with militant black rhetoric. Moreover, the film, which cost $50,000, tended to blame the whites for the condition of poor blacks.

A secret memorandum from Russell R. Jalbert, a holdover Democrat, to Robert Ball, however, shows how the film was approved.

Jalbert showed it to more than a dozen people, including such holdover Democrats as Stu Hunter, Maurice MacDonald and Irving Goldberg. He also showed it to such un-Republican Republicans as James Farmer and Donald Wendell, a militant anti-Nixonite and a Farmer assistant.

"Reactions from these people have been decidedly favorable," said Jalbert. "Mr. Farmer says it is a good, useful film, and he is now discussing with his staff how it might be used within HEW. The Community Service Division of SRS hopes to use the film to train its people involved in inner city programs. Most representatives of the other agencies are requesting the materials for use in their EEO and inner-city programs."

Only two people really criticized it, said Jalbert. And the "only substantial criticism I have heard of the film inside SSA the [Social Security Administration] came from Bob Myers, who considers it racist and inaccurate."

Myers, of course, is no longer around to protest racist films or anything else. In short, HEW is a liberal Democratic bureaucracy, and it will take all the powers of new HEW Secretary Elliot Richardson to turn the department into an ally of the Nixon Administration.

OUR VITAL RELATIONS WITH THE JAPANESE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. COHELAN. Mr. Speaker, the question of import barriers and trade protection will be considered by the House of Representatives shortly.

I am disturbed by what may be the unforeseen results of the current protectionism cycle, results not only affecting the total trade picture, but also our diplomatic posture throughout the world.

I recommend to my colleagues attention the following article by Mr. Henry Owen, which most clearly points out the inherent dangers in the current trade trends—danger to our most pressing diplomatic problems:

Our Vital Relations With the Japanese

(By Henry Owen)

The collapse of U.S.-Japanese negotiations reminds us that the central long-term issue in Asia is the U.S.-Japanese relationship. Japan is where the power in Asia is; if present trends continue and our relation with Japan goes sour, the resulting damage could overshadow anything that happens in Southeast Asia.

The immediate issue is textiles. President Nixon—like Mr. Humphrey—promised Southern textile firms and labor unions in 1968 that he would protect them against cheap Japanese imports. But the textile industry and unions are also powerful in Japan, where the issue has become a focus for reviving nationalism and latent anti-Americanism. The United States and Japan have not been able to agree on the terms of a voluntary limit on Japanese exports. This sets the stage for congressional action on proposals for a mandatory limit on U.S. imports—which could trigger a chain of retaliation whose end is hard to foresee. In the end, the textile question will probably be compromised; the two sides will learn to live with each other. But some damage will have been done along the way, and a vivid illustration given of the greater damage that lies ahead if the U.S. and Japanese governments are not able to take account of each other's domestic political problems in addressing issues which concern them both.

The skillful way in which the Okinawa question was handled shows that the problem can be licked, if both sides work at it. The trick will be to repeat that success in dealing with two upcoming key issues: the U.S. security role in Asia, and Japan's nuclear status. On each of these issues, attitudes are changing on one side of the Pacific but there is great insensitivity to that change on the other. This could end badly.

First, as to the U.S. security role: In the past, the United States fixed that role on the basis of what it took to be its own interests in Asia. If the Japanese felt that their interests were also being advanced, they applauded; if not, they were critical privately and silent publicly. American governments enjoyed the luxury of deciding what to do without having to defend U.S. actions to their own public.

But now the United States is moving toward a lower profile and coming increasingly to see its interests in Asia as centering on the main aggregation of power in that area—Japan. Future U.S. governments will probably be reluctant to undertake Asian military actions or commitments which do not relate clearly to that interest. This means that they will wish to consult closely with the Japanese, and prefer to act only when explicit U.S.-Japanese agreement can be secured. They will not expect Japan to join in military action, but they will want and expect public Japanese *political* support.

But most Japanese are still living in the 1950s: when told that U.S. action will henceforth be geared to U.S.-Japanese concert, they feel an uncontrollable urge to change the subject. The U.S.-Japanese relationship of the 1950s enabled them to escape unwelcome responsibilities, and many of them want to keep it that way. The end result, if an effective U.S.-Japanese dialogue on security issues cannot be developed, may well be a more rapid U.S. withdrawal from Asia than most Japanese desire. This, in turn, could hasten the advent of the second looming problem in U.S.-Japanese relations: the nuclear issue.

Japan signed the nonproliferation treaty, but has not ratified it; no one should be so foolish as to think that the matter is settled. The Japanese see two European countries inferior to them in economic power—England and France—swanning about as members of the supposedly exclusive nuclear club. China is setting off nuclear explosions close at hand, and India may follow suit; Japan would not relish being the only major Asian country without first class weapons. Add to this the alleged industrial-technological benefits of going nuclear, plus fears that the U.S. will cop out of Asia, and the stage is set for a major Japanese debate on this issue in the late 1970s.

But Americans are as insensitive to changing Japanese nuclear attitudes as Japanese are to changing American views of the U.S. security role in Asia. This makes Americans as reluctant to consider what it takes to offer Japan a viable alternative to going nuclear, as the Japanese are to help define U.S. security interests in Asia. The two sides are talking past each other; it is a dialogue of the deaf. The outcome could be the emergence of a Gaullist-type Japan, relying on its own nuclear strength to protect its own interests, separated from an increasingly isolated United States by a widening Pacific.

This is not a nightmare; it could happen. The way to make sure it doesn't is for both countries to discard the past cliches which now color their views of each other. It is a job not only for governments but for Americans and Japanese in private life. When a skeptical Japanese emperor was being told by his military in 1941 that they could win a war with America, he reminded them that this was what they had said before the Sino-Japanese war, and an embarrassed army chief replied that China was a very big country. The emperor answered caustically that if China was large, the Pacific was boundless. The task for both Americans and Japanese in the 1970's is to make it less so: to bring the two powerful countries which border its western and eastern shores closer together. This will be a lot harder than most people now realize. The textile issue illustrates the point, but the real test will come when security and nuclear issues come to the fore.

CAPITOL PAGE SCHOOL GRADUATES CLASS OF 1970

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. RODINO. Mr. Speaker, the Capitol Page School held its graduation exercises on Monday evening, June 8, 1970, in the Ways and Means Committee room, Longworth House Office Building. Twenty-six graduates were addressed by the Honorable David H. Pryor, former Capitol Page School graduate, and Representative of Arkansas Fourth Congressional District. Mrs. Anita F. Allen, president of the Board of Education of the District of Columbia Public Schools, awarded the diplomas. In addition to his diploma, each graduate received a certificate of recognition from President Richard M. Nixon. The Reverend Dr. Jack P. Lowndes, pastor of the Memorial Baptist Church offered the invocation and benediction. The U.S. Navy Band under the direction of Comdr. Donald W. Stauffer provided the music. And, senior class president, Frank Gordon, presided.

Mr. Speaker, the following pages were awarded diplomas:

William R. Anderson, Eric Louis Anchuetz, Raul Cleafas Blanco, Danny R. Day, James Phillip DiMeglio, Gerard F. Gehring, Frank Stephen Gordon, Michael Gross, Robert C. Henry, Ralph Everett Hood, Kim Joel Hughes, Kenneth Randall Jackson and William David Kiser.

Forrest Wayne Lacy, Edward Joseph Leonard, Stephen Frank Lowndes, Dennis Michael Miller, Lowell Vincent Muse, Daniel F. O'Reilly, Sammy I. Paradice, Dennis John Phillips, Russell William Royal, Philip Leonard Tannenbaum, Clifford H. Tutelian, Karl Kuldrian Warner, and Walter Robert Weiss.

Mr. Speaker, the following honors and special awards were presented by John C. Hoffman, principal of the Capitol Page School.

Danforth Award for character and leadership awarded to Walter Weiss.

Rensselaer Award for excellence in Science and Math awarded to Richard Holland.

Bausch and Lomb Award for excellence in Math awarded to Phillip White.

Journalism Award to Frank Gordon.

Salutatorian Medal awarded to Gerard Gehring.

Valedictorian Medal awarded to Walter Weiss.

School letters for academic achievement and service to the school awarded to Mark Pelish, Lowell Muse, Kim Hughes, Dennis Miller, Walter Weiss, Scott McGeary, David Faderle, Craig Graves, and Geoffrey Spencer.

Letter and star to Gerard Gehring.

Letter and four stars to Frank Gordon, outstanding school citizen for being editor of the yearbook, student council president, senior class president, and member of the National Honor Society.

National Honor Society members—Gerard Gehring, Dennis Miller, Craig Graves, Phillip White, Mark Pelish, Richard Monroe, Richard Holland, Frank Gordon, and Walter Weiss.

Appointments to the U.S. Military Academy—Dennis Miller and Karl Warner.

Varsity basketball letters to Gerard Gehring, Mark George, Steve Lowndes, Ed Leonard, Ralph Hood, Raul Blanco, Bob Bergin, Karl Warner, Kim Hughes, and Dennis Phillips.

Athletic Award to Gerard Gehring.

The results of achievement scores in algebra and geometry disclosed that the Capitol Page School median score in algebra was 10 points above the national norm and 10.2 in geometry. In respect to citywide norms we were 21 points above the median in geometry.

Some of the institutions of higher learning who have accepted our 1970 graduates are Amherst, Virginia, V.P.I., Vanderbilt, L.S.U., Oklahoma, Drexel, Missouri, Michigan, California, Catholic University, Maryland University, George Washington University, Texas, Washington, American, Columbia, Fairleigh Dickinson, Tulane, Duke, Rider, Hawaii, and the U.S. Military Academy.

Esprit de corps was evidenced at the graduation as 20 of the 22 members of the class of 1969 were present, including Paul Tucker, Harvard scholarship recipient. Not uncommon is the fact that these boys are attending college for in a follow-up survey taken in the fall of 1969 of the 191 former pages of whom we received information there were 94 bachelor degree recipients, 44 master degrees, 24 doctorates, as well as 15 graduate students, 24 seniors, 22 juniors, 17 sophomores and 24 freshmen now attending. Our graduates matriculated at 72 different outstanding colleges and universities and professional occupations include Congressmen, attorneys, ministers, professors, physicians, surgeons, psychiatrists, teachers, newspaper correspondents, and biochemists.

Mr. Speaker, following are the proceedings of the commencement exercises of the Capitol Page School, June 8, 1970:

CONGRESSIONAL PAGE GRADUATION CEREMONY

INVOCATION BY THE REVEREND DR. JACK P. LOWNDES

Lord, we are thankful for the young men of Page School, their work and their achievements. We realize that many influences have brought them to this hour. Homes, teachers, friends, experiences have all made a contribution and we give thanks for all that has motivated them.

Now as they are ready to take the next step, be with them. Guide them unerringly with Thy hand into the place Thou has appointed for them. May each one, grateful for their opportunities, mindful of their responsibilities, and eager for heroic tasks in a distracted world, be used by the Lord of men and nations to help bring peace and a better world for all mankind. Let none hold life lightly nor carelessly spend the precious years allotted to them. May each be used in carrying to completion Thy wise and loving plans for man.

In His Name. Amen.

SALUTATORY ADDRESS OF GERARD GEHRING

It is my pleasure to welcome our honored guests, parents, friends, and associates of the 1970 graduating class of Capitol Page School.

Tonight, we are ending one phase of our education. Our school and work experiences have given us a foundation for thinking, doubting, and drawing our own conclusions about life. But learning is a continuous process. Whether we go to college or pursue a career upon graduation, we must keep our education alive. Winston Churchill stressed a need for education when he said, "no generation in history has been bequeathed the responsibility that we will face."

We will be confronted by those who advocate violent disruption to the orderly processes of business, education, government, and society. Those who threaten our educational processes will probably be the imminent menace to our well-being. This small minority on campus condemns the past, curses the present, and ignores the future. Some are against everything and for nothing, and their vocabulary is limited to "destroy, destroy, destroy." An old saying might apply to this misguided few: "It takes a carpenter to build a barn, but any jackass can kick it down." Our recent campus disorders have shown us the need to work for social reform in a peaceful and lawful manner.

This is just the beginning of our responsibilities. For the extent of our stay on campus, in the military, in various business pursuits, or in our personal life, we will face the irresponsible, the cringing coward, the hate-blinded racist, the "something-for-nothing" hustler, the slavery-peddling narcotics pusher, the maoist agitator, and the greedy criminal. Despite the seriousness of these threats, I feel confident that we the class of "70" are prepared to meet these challenges.

I realize that none of us would be here tonight without the guidance of our parents and teachers; so I salute them.

But in closing I wish to salute the graduates. And also to remind them of the responsibilities that follow them when they leave here. Daniel Webster stated this very aptly when he said, "a sense of duty pursues us ever. It is omnipresent, like the Deity. If we take to ourselves the wings of the morning, and dwell in the outermost parts of the sea, duty performed or duty violated is still with us, for our happiness, or our misery. If we say the darkness shall cover us, in the darkness as in the light our obligations are yet with us."

Another American statesman put it a little more succinctly when he said, "I believe that every right implies a responsibility; every opportunity an obligation; every possession a duty."

ADDRESS DELIVERED BY CONGRESSMAN DAVID PRYOR, OF ARKANSAS

You do me a great and undeserved honor tonight by inviting me to speak during your graduation exercises. I want you to know that I am very grateful. I must admit that I thought of a thousand things which I might say this evening, but each time I sat down to compose my thoughts, I was reminded of the fourth-grade girl I recently read about who was assigned to write a short essay on the life of Socrates. It consisted of two lines: "Socrates went about giving people advice—they killed him." Now, claiming neither great wisdom nor yearning for an early demise, I shall be sparing in advice to you tonight.

You have been a part of America's most unique school and also a working part of the world's most unique form of government.

Already, whether you believe it, or like it, you are also a part of "THE SYSTEM" which in some quarters today is a somewhat sinister word. You know its strengths, and let's be honest—you also know some of its weaknesses.

You know, for example, that the allegations now being heaped upon it that it is "too slow" to respond are in some instances too true. You know that sometimes it is sluggish, cumbersome, and prone to error. You and I both know that it is not perfect, but that it is a mere reflection of the human character and the human condition. And most importantly, I hope you know that it will and must be YOU and YOUR generation who care enough to make it better, rediscover and redefine its purposes, reestablish its goals and chart its future course.

We commonly refer to an event such as this as "commencement" or a beginning. Also, I hope we could think of this evening as a Dedication . . . a dedication by you and me, by all of us, to the basic concept that man IS capable of governing himself and that we somehow will find the wisdom to pass this concept of self-government on to future generations.

For, today, that concept is being challenged. We see its fibre tested. We see its survival doubted. We see some of its nobility tarnished. We seem, at least momentarily, to have "lost our way."

Yes, it is our greatest time of testing. But I am confident that you will be a participant in the great cause of meeting that test.

Crisis is not new to us. This nation was conceived in crises. For 180 years, we as a people, as a nation, have never been removed from the throes of crises. Famine, pestilence, disease, war, civil strife, depression. But, somehow, the deep and strong foundations have resisted its adversaries. The anvil has outlasted the hammers and our basic premises remain intact.

It has not been an easy road. It has not been a road for the fainthearted or the quibbler; and tomorrow promises to be no easier.

As Robert Frost has said, we do have "promises to keep" and miles to go before we sleep.

I remember vividly some of those long afternoons 19 years ago, when I too sat on the page bench looking over the Speaker's chair to see chiseled in stone for the first time those words of Webster:

"Let us see whether we in our own generation may not perform something worthy to be remembered."

Yes, a very noble part of America is personified in this room tonight. It is the excitement of youth anticipating a challenge, hoping, but yet just a little nervous about being called into battle . . . the desire to create, produce and to construct.

You and I know that it is simple enough to "flail away" at all the accumulated evils of mankind. It is easy enough to raise false hopes or false fears—both sins of equal magnitude. It is something else to work to correct those evils.

But when we look back at the decade of the 60's, we see it as a time when we found the problems, accentuated our differences, drew the battle lines—

Race against race.

Poor against rich.

Urban against rural.

Section against section.

And finally American against American.

We all talked. No one listened. We became polarized. I sometimes agree with Pogo: "We have just met the enemy and they is us."

Yes, we became our own worst enemy. We accentuated the negative. We became too busy stereotyping each other and we sometimes forgot: the odious act of Lamar does not represent the South; the unspeakable violence and destruction of Newark is not the North; Oswald was not Dallas; Kent is not the National Guard.

We consumed ourselves with each other's wrongs—we forget each other's rights. We exploited fears—a seed of suspicion planted in just the right place, just the right time, just the right way. Codewords became battlecrys. Man against man—neighbor against neighbor. The sinew torn, the purpose dissipated, the dreams shattered. Yes, we somehow lost in the hysteria the admonition of John F. Kennedy: "Let us not emphasize our differences, but our common interests."

And if we continue down the same path, we will defeat our strengths. We will fragment our purpose. We will scuttle our dreams.

It will be you in this room tonight who will make us come together, reason together and walk together. It will be you in this room who are saying and will continue saying "let's try, before it is too late." It will be you who will answer Webster by saying, "We did indeed, in our generation, perform something worthy to be remembered" and chisel it deeply and surely in the stones of history. More love than hate; more wisdom than wrath. No two societies in America cannot exist. There cannot be a North and a South, a rural and an urban, a black and a white. There cannot be a super-rich and a super-poor, a well and a sick, a full and a hungry.

America is one. That is its purpose. That must be its promise. America must not be a memory; America must be a hope.

There is a long and uncertain road ahead. We must walk it together, step by step, mile by mile.

Not only do we honor you tonight and thank you, but, most importantly, in you we place our hope and faith.

VALEDICTORY ADDRESS OF WALTER ROBERT WEISS

Congressman Pryor, Mrs. Allen, Dr. Lowndes, Mr. Hoffman, classmates, parents and friends:

At this time of year across the nation people are talking to this year's graduates, talking about this year's graduates, giving them words of advice, ideas to ponder, and phrases to rememeber. I do not intend to offer words of advice, ideas to ponder, or phrases to rememeber. I do not feel qualified to do so. What I would like to do on behalf of my class is to reflect upon the recent past, the near future, and, as graduates, attempt to see how they affect us.

It has often been said by Valedictorians of past years that when we graduate from high school we are immediately thrown out into that cold, cruel, and demanding world—that upon graduation, we begin our long, arduous search for the immediate solutions to the pressing problems which confront us as individuals in that world. I cannot agree with that statement.

In reflecting upon our recent experiences as Pages in the Congress of the United States a number of things come to mind. Today as I stood in the Capitol and glanced around, I thought to myself; "Look where my classmates and I are." Here in the Nation's Capital, our high school education has been completed, not only in the most unique school in the nation, but also in the halls of Congress. We have absorbed knowledge in the formal learning situation of the classroom, but in addition we have also absorbed the knowledge of how the so-called "system" works. What people in Los Angeles see on the six o'clock news each evening is what each of us has witnessed in person: the President addressing a joint session of Congress, a voting rights bill being debated, or a march for peace. Yes—we have witnessed history. And, this is what we must reflect upon tonight. In between our duties of delivering messages and packages and placing phone calls for the members, we have become aware!

We have become aware of the complex nation and world we live in—aware of its many problems and achievements. We have seen and become aware of people from all parts of the country, from all ways of life. This has greatly increased our knowledge and insight into this world of ours.

However, no matter what our experiences at Capitol Page School and on the Hill were, we are not fully matured, not capable of solving the problems of society. This is why I cannot agree with opinions of many valedictorians. This maturing process has been started and will continue for the rest of our lives, whether we go on to college, to military service, to the Peace Corps, or whatever the future holds. We are now aware of politics, of the workings of our government and of the complexities of today. From this awareness must and will come a maturing, a sense of responsibility to contribute. We are fortunate to have become aware at such an early age; therefore our responsibility to contribute to society is increased because the feeling of awareness diminishes with the passage of time. We have been educated, and we will continue to be educated. We have grown, and we willl continue to grow. And, as we learn and grow so must we go out beyond ourselves as individuals to each member of our society. An individual must reach out and offer himself to others.

The world we face today is like no other one in history? Our society is prosperous, yet it suffers. Our citizens probably enjoy more freedom and democracy than any others in the world, yet we lack equal opportunity for all because we fail to practice our Forefather's ideals. We have peace on our soil, yet we suffer from a war effort elsewhere. Our leaders are among the most dedicated men in the nation, yet blind adherence to tradition often clouds these men's minds. Our education system is one of the best, yet we see campus after campus marred by violence and bloodshed. We are wealthy, but our dollar power is falling. Our technology has taken us into space, yet on earth our waters and skies are polluted by industry and technology.

What is wrong? Who can answer that? I cannot. But something is wrong. Whatever the reasons for our problems, there is one thing I do know. We, as a society have yet fully to accept the challenges brought about by our problems—challenges which can be met only through the application of every public and private resource backed by a deep and sincere concern on the part of all citizens and national leaders.

The problems of this country have not been solved because of the manner in which we approached them. Too long have we taken a piecemeal approach; a momentary enthusiasm and a "lets-do-something-about-it-now-attitude" have been the manner in which we attacked our problems. People got excited and jumped on the bandwagon, but in a few months or years, if no solutions had been achieved, they gave up and drifted into some other activity. Ten years ago it was poverty—today it is pollution. We can no longer attack our problems in this manner, for these are problems that will not be overcome easily or quickly. The nation's attempts to solve its problems, despite some important accomplishments in the past decade, have scarcely scratched the surface.

With the insight and awareness that we have gained at school and on the Hill, we hopefully can go beyond the traditional and find new ways of attacking these problems. We can make things better for ourselves, for those near us, and for society in general. As Thomas Wolfe said in writing about the land he loved and all its people:

"Go, seeker, if you will, throughout the land, and you will find us burning in the night. To every man his chance, to every man, regardless of his birth, his shining golden opportunity—to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him—this, seeker, is the promise of America."

The vision of Thomas Wolfe is my vision for America and for all of our citizens. All should have the right to live, to work, to be themselves, to become whatever their manhood and vision can combine to make them.

With our awareness of the world to guide and support us, we can contribute to a better life for all. This is the task and the challenge of the young men assembled here this evening: not to make our world a utopian society overnight but to help each other, to make more people aware. And if we can accomplish this, we will succeed. I thank you.

BENEDICTION—THE REV. DR. JACK P. LOWNDES

Again we thank Thee for our schools and teachers and others who have made successful the school years now closing. Let us not be satisfied with educating the mind alone. Give us respect for moral and spiritual values.

Bless the young men of this class with Thine own presence. Help them to remember their Creator in the days of their youth. Keep them mindful of the meaning which Thou alone can give to life. Grant them the satisfaction of genuine success and the joy of real accomplishment in the years ahead.

In our Lord's Name.

Amen.

Recently, we inquired of the present status (college, employment, etc.) of two hundred fifty (250) Capitol Page Alumni. To date, we have information relative to one hundred ninety-one (191) former school Pages.

We submit, for your information, a compilation of statistical data received thus far with the hope that you share our interest and concern.

Sincerely,

JOHN C. HOFFMAN,
Principal.

EDUCATIONAL STATUS

Bachelor degrees	94
Master degrees	44
Doctorates	24
Graduates students	15
College seniors	24
College juniors	22
College sophomores	17
College freshmen	24

COLLEGES AND UNIVERSITIES ATTENDED

Air Force Academy, Alabama, American, Amherst, Auburn, Beckley, Bowdoin, Brandeis, Columbia, Copenhagen.

Dartmouth, De Pauw, Duke, East Carolina, Emory, Florida, Florida Southern, Franklin, Frostburg State, Georgetown.

George Washington, Harvard, Haverford, Howard, Indiana, Indiana State, Iowa State, Johns Hopkins, Louisiana State, Loyola of the South.

Lycoming, Maryland, Merchant Marine Academy, Michigan, Michigan State, Mississippi, Montgomery Jr., Naval Academy, N.Y.U. North Carolina, Northern Virginia Jr.

Northwestern, Ohio Wesleyan, Oklahoma, Oxford, Pennsylvania, Princeton, Rensselaer, Richmond, Sacramento State, Santa Fe.

Southeastern, Southwestern State, St. Olaf, Stanford, Swarthmore, Syracuse, Tennessee, Texas, Tulane, U.C.L.A.

Virginia, Wake Forest, Washington, West Point, West Virginia, West Virginia State, William and Mary, Wisconsin, Wittenberg, Xavier, Yale.

PROFESSIONAL STATUS

Attorneys, Bankers, Bio-chemists, Congressmen, C. P. A.'s, Draftees, Industrialists, Military Careers, Ministers, Newspaper Correspondents.

Peace Corps, Police Officers, Physicians, Professors, Psychiatrists, State Senators.

NAVIGATION AIDS

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BURTON of California. Mr. Speaker, recently the Coast Guard discontinued the navigation aids upon Alcatraz Island in San Francisco Bay as part of a General Services Administration campaign to make the island uninhabitable to American Indians residing there.

The American Indians have continued to maintain the lighthouse beacon with auxiliary generators. Other aids to navigation have ceased to operate.

The heavy traffic of shipping in San Francisco Bay is therefore exposed to the danger of an unmarked island adjacent to the main shipping channels.

A potential for marine disaster exists in this petty spite of the Federal Government. Representatives of the pilots, officers, and seamen who are responsible for the safety of vessels in the bay have requested that the light be restored promptly.

In a letter to the editor of the San Francisco Chronicle these men state:

NAVIGATION AIDS

EDITOR—We the undersigned request that the aids to navigation on Alcatraz island be reestablished as soon as possible.

Alcatraz island's location in the bay relative to the inbound and outbound traffic pattern with frequent fog and strong currents makes its mandatory that the fog horns, the flood lights on the fog horns and the amber perimeter lights be restored.

Alcatraz lighthouse was established in 1854, the first aide to navigation in the bay. This alone indicates its importance to Maritime commerce.

The United States Coast Guard has long been known for its careful attention to safety and we are certain that it would not voluntarily do anything to endanger safe navigation in San Francisco Bay.

Jack W. Hall, International Longshoremen and Warehousemen's Union; Louis Goldblatt, International Longshoremen and Warehousemen's Union; O. Larson, Masters, Mates and Pilots, Local 90; A. M. Simenstad, S.F. Bar Pilots-Masters, Mates and Pilots, Local 89; Morris Weisberger, Sailors Union of the Pacific; C. Black, Marine Engineers Beneficial Association; Al Clem, Operating Engineers, Local 3; Norman Wainwright, California Inland Pilots Association, San Francisco.

DISMAY OVER SITUATION IN VA HOSPITALS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. WOLFF. Mr. Speaker, recently I visited the Kingsbridge Veterans Hospital in Bronx, N.Y., along with several of my distinguished colleagues. My colleagues, the House Veterans' Committee chairman, the gentleman from Texas (Mr. TEAGUE), and Hospital Subcommittee chairman, the gentleman from Florida (Mr. HALEY), have done an outstanding job investigating the plight of the VA hospitals.

Both citizens and Members of Congress are distressed over the current situation in these hospitals. Therefore, I would like to extend my remarks today to include a petition I recently received which expresses some of the dismay that people have expressed over the current situation in VA hospitals:

HOUSE COMMITTEE ON VETERANS' AFFAIRS, CONGRESS OF UNITED STATES OF AMERICA

We, the undersigned, hereby petition this honorable body for the purpose of investigating a grave injustice and indignation that is occuring at the Kingsbridge Veterans Hospital, Bronx, New York.

This hospital is a rehabilitation center and permanent home for approximately 90 paraplegia and quadraplegic who can never lead a normal life due to the ravages of war. That these men should receive the best of care is a fact that can never be disputed by anyone. This is not the case however, as a recent issue of Life Magazine demonstrated, (May 22). One issue was not mentioned in the magazine but is very important to the 90 men who are the focus of our attention. These men come from all over the country to Kingsbridge Veterans Hospital, some from as far away as North Dakota. They very rarely see their family, loved ones, and friends. This denial of companionship amounts to a cruelty that can only be remedied by this august body. What is needed is action by the Congress of the United States to create and make available more facilities in existing Veterans Hospitals throughout the country.

These are men who served their country nobly when they were called upon.

Now, they are calling upon the Congress of the United States and you for consideration and action in remedying this deplorable situation.

Thomas C. McNally, Joseph R. Schmit, James F. Sewins, Andre Schwed, Louise Schwed, Sigmund Pehel, R. L. Hansen, George E. Hoffman, Rose M. Hoffman.

SPEAKER McCORMACK

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. MINISH. Mr. Speaker, it has been a great honor to serve under the Speakership of John W. McCormack through my entire tenure in the House of Representatives. I shall always cherish these years and my friendship with this remarkable legislator.

John McCormack has served his country as a Member of this body for more than 42 years—as a Member, as whip, as majority leader, and as our Speaker. He has held the high office of Speaker longer continuously than any other man in the history of our Republic—nearly 8½ years—and his total service in that position is second only to that of the late Sam Rayburn.

Speaker McCormack has distinguished himself as a man who always put his country above his party, regardless of the issue involved. The true measure of his leadership can be found in the respect accorded him by all Members of the House. He has always been exceedingly fair and impartial in the discharge of his duties as Speaker, and for that he has rightfully earned admiration from both sides of the aisle.

John McCormack also was a battler for causes he believed in. He has played a leading role in the formulation of the myriad pieces of progressive legislation that have marked the last four decades.

Although I have been here only four terms and have not known the Speaker as long or as well as many of my senior colleagues, I am, nevertheless, grateful for the opportunity to have benefited from his guidance and counsel. I know I speak for all Members of both political parties when I say that we shall miss the outstanding leader from Massachusetts, John W. McCormack.

J. HOWARD PEW TALKS COMMONSENSE ON INFLATION

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. COLLINS. Mr. Speaker, the other day at home I heard one of our Southern Baptist leaders say:

> I know of no finer Christian layman in America than J. Howard Pew."

Most folks in Texas have known and respected Mr. Pew as the progressive, dynamic, business executive leading Sun Oil Co. Combined with his active leadership as a layman and business executive has been his devotion to Americanism in our U.S. Government.

Just this weekend, I had the opportunity of reading a speech he made on May 21 to the William Penn Award Dinner. J. Howard Pew of Philadelphia has a message that all of us in Congress should carefully consider. It follows:

SPEECH OF J. HOWARD PEW

We of the Delaware Valley are the beneficiaries of the greatest heritage ever handed down to posterity. Not only did we inherit the wisdom of some of the greatest minds of all time, but we were bequeathed a vast industrial empire—an empire which is now being so eroded by inflation that its very survival is in doubt.

Inflation is generally supposed to be the result of the increase in the quantity of money and credit. This is no doubt true, but it is not as simple as that. The increase in the quantity of money and credit may be but the symptom of the disease. As government has absolute control over our monetary system, government alone is responsible for inflation. Inflation operates by reducing the purchasing power of the assets of the people and of corporations. Just as the people and corporations are hurt, to that extent the government is benefited. Inflation, therefore, is a device by which the government in effect becomes a legalized counterfeiter. Because inflation is a hidden tax and most of the peoples of the world do not recognize it as such, governments have for thousands of years periodically employed inflation for the purpose of swindling the people out of their savings. President Nixon, with the counsel and advice of some of the greatest economic minds in this country, is making a real effort to control inflation. However, as the government has for 35 years imposed inflation upon the American people, it is inconceivable that it can be stopped in a month or in a year or in several years, and it can never be stopped as long as the Federal, state, and local governments impose a tax on the American people of $336 billions of dollars per year.

The measure of inflation, as I have already pointed out, is the increase in the quantity of money and credit. In my talk here tonight, I am using the words credit and debt interchangeably. In 1945, at the end of World War II, the total of all private and public debt was approximately 400 billions of dollars. If we take the 24 years from 1945 to 1969 and divide them into four 6-year periods, we find in the first period total debt increased 29% to $519 billions. In the second period it had increased 40% to $728 billions. In the third period it increased 47% to 1,071 billions. In the fourth period, ending in 1969, it increased 56% to 1,669 billions. Or, putting it another way, the increase in the last 6-year period ending in 1969 equalled 1½ times the total debt that existed at the end of World War II. This is such a fabulous debt that the mere interest on it at 8% amounts to 133 billions of dollars per year, which is equivalent of $2,600 for every family in the United States.

As I pointed out a moment ago, the total taxes which the American people must pay to the Federal, state, and local governments totaled last year $336 billions. This is such a fantastic figure that our minds cannot comprehend it. It is the equivalent of $6,600 for every family in the United States. Obviously, it is impossible for the American people to carry such a burden.

Government has not been generous to American industry. It has not allowed industry to adequately depreciate its property. American industry should be permitted to include in its operating expenses a fund sufficient to reproduce such of its plant and equipment as has become worn out or obsolete. But government will not permit depreciation to be increased by inflationary costs. An understatement of depreciation results in an overstatement of earnings and an increase in federal taxes. The United States Steel Corporation, in its last annual report to stockholders, had this to say about depreciation, and I quote:

"The current tax formula for the recovery of capital and investment of plant and equipment is based on charges for the depreciation of dollars invested in the past, but because of inflation these dollars have less buying power today. Thus allowance for depreciation is too small even to maintain existing investment."

American industry has made this country a great nation, and yet last year, according to the Federal Trade Commission, the consolidated earnings of all manufacturing corporations in this country were $58 billions. This $58 billions was after the allowed depreciation but before federal taxes. Now we know that the average life of an American industrial plant is 17 years. We also know that the cost of such a plant is 2¼ times what it was 17 years ago. As the allowed depreciation was $23 billion, it becomes obvious that the inadequacy of depreciation was $28 billion. Thus the real earnings, before Federal taxes, of American corporations were not $58 billions but only $30 billions. Of this amount, industry paid over to the Federal government in taxes $25 billions, leaving the real net earnings of American industry $5 billions. But industry paid to its stockholders last year in the form of dividends $15 billions, a large part of which was paid over to the government in taxes by the stockholders. This amount of taxes which the government obtained, directly and indirectly, as a result of the operations of American industry, was more than industry actually earned. American industry normally creates 83% of the wealth in this country. As American industry produced no wealth last year, where did the wealth come from to support the government? Obviously, it came from the borrowings of the people and of the corporations which was eventually paid over to the government under the guise of taxes.

Harry Hopkins, one of the early bureaucrats, is reputed to have said: "We will spend and spend and tax and tax and elect and elect." Whether he said it or not, the orgy of government spending has been unprecedented. To satisfy government's appetite for more and more taxes, American industry and individuals have been compelled to borrow vast sums of money—money which was created by the government at no cost to itself. This is the real source of inflation. This situation cannot be cured until the government drastically curtails its spending—until the government comes to understand that it is not its responsibility to provide for welfare, security, agriculture, education, health, foreign aid, etc. This is an entirely different concept than that which exists in government circles.

I would not have you believe, from what I have said, that I am opposed to aid for the needy. I am not. But this is the responsibility of the churches and other charitable institutions. It is not the responsibility of the government. America can survive only if a sufficient number of knowledgeable and dedicated men are willing to involve themselves in bringing the government back to its proper perspective—the Constitution of the United States, as conceived and interpreted by our founding fathers.

CURBING DRUG USE

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ROBISON. Mr. Speaker, the last of the Christian Science Monitor's series on drug trafficking deals with an analysis of the different methods available to curb drug uses. What is necessary is a complete assault on the drug traffic, from the point of origin to the point of use. A good part of the emphasis should be placed on methods to assist users to "kick the habit"; for if we can stop the buyer from consuming drugs, then the problem will solve itself. To help the addict, we must not only think in terms of punishing those who use drugs, but also understand the reasons people resort to drugs and assist them in overcoming those problems. It is a difficult challenge, but one which we must meet.

I commend this article to the attention of my colleagues:

REFORM OF ADDICT WILL CURB TRAFFICKING: "SOLUTION TO HIS PROBLEM MUST BE A METAPHYSICAL ONE"—PART X

(By John Hughes)

(At one end of the narcotics pipeline the solution to the drug menace rests with the addict. Cure him by education and regeneration and the junk merchants' market will dwindle. But there is a lot to be done at the other end—by elimination of narcotics sources. In the last of 10 reports: some recommendations.)

WASHINGTON.—In the course of this series I have talked with hundreds of people deeply involved with the international narcotics traffic.

On the one hand there have been pushers, junkies, Mafia types. On the other there have been undercover narcotics agents, doctors, police chiefs, government officials.

The interview which stands out above all others, however, is one which took place on a spring day in the Swiss city of Geneva, the United Nations European headquarters.

A senior international civil servant, with long experience in the narcotics field, was analyzing the problem.

"In the long run," he said reflectively, "the solution must be worked out on the metaphysical level. Programs to cut back the flow of drugs are important. Those of us involved in them are fascinated by the technique. But this is basically cops-and-robbers stuff.

"It all ends up with the user, the addict. The solution to his problem must be a metaphysical one. He has to work out the riddle: what is man? And can he find himself through drugs?

"The drug is no more than a placebo. Medical experiments show you can get the same effect on a user by injecting ordinary water. What the addict is seeking is escape, and the ultimate escape into oblivion is suicide. Many of them attempt this. But clearly, it's not the answer."

CRUX OF PROBLEM INDICATED

Five months of investigation into the narcotics traffic around the world lead one to a similar conclusion: that the crux of the problem is the education and regeneration of the actual user—and perhaps, too, of the society which contributes to his degradation.

At the other end of the pipeline, much more can be done to eliminate the sources of narcotics. More can be done, too, to disrupt the traffic en route to major consuming areas like the United States and Western Europe.

But if one looks to these two aspects alone, the prospect of substantially reducing, let alone eliminating, drug addiction is dismal. As long as there is a market, the junk merchants will somehow get some of their high-paying "merchandise" through.

The gloomiest of those in the antinarcotic business argue that without reform of the addict, successful disruption of the narcotics traffic would create crisis in such countries as the United States. Says one:

"We'll get drugstores held up, and doctors and hospitals will be robbed as addicts try to get their hands on anything they can."

Whether or not this picture is overdrawn, elimination of the illegal inflow of narcotic drugs seems hardly an early prospect.

Opium is still pouring out of Turkey, the main source of naturally produced narcotics for the American and West European markets. Despite government promises to get out of the business, Turkey still produces opium legally for medical needs. Along with this goes a massive flow of illegally grown opium, which the government has proved unable to halt.

Turkish politics complicates the issue. Prime Minister Suleyman Demirel is under public fire. He needs all the support he can get, and he is unlikely to alienate 110,000 Turkish opium farmers just at this moment by banning their principal crops.

France, whose clandestine laboratories around Marseille turn opium and morphine into heroin for the American market, is the other big offender. The French have promised a more vigorous drive against narcotics traffickers, but the resources and manpower of their police narcotics squads are slender. Promises have yet to become reality.

OTHER COUNTRIES INVOLVED

While 80 percent of heroin used in the United States comes from Turkey and France, Mexico cuts itself a substantial 15 percent share of the American heroin market.

The Mexican Government, too, has pledged itself to eliminate opium crops and cut back the narcotics flow into the United States. But these good intentions are snarled in a web of bureaucracy, lethargy, and corruption. So far there has been no significant decline in drug traffic across the border.

Should these traditional sources be eliminated, growers and traffickers have stockpiled enough narcotics to keep the existing market supplied for several years.

New sources beyond this are not difficult to pinpoint. The flow of opium out of Afghanistan is practically uncontrolled and could be expanded.

Iran, once one of the world's major opium producers, is back in the legal business after banning opium production for 13 years. Despite harsh penalties for trafficking, legal production will probably mean some diversion to the illegal market.

Beyond this are the opium-growing lands of Burma, Laos, and Thailand. American syndicates are already showing interest in this Southeast Asian source.

As for cannabis, the plant which provides marijuana and hashish, this sprouts like a weed in countries throughout the world.

Against this background, top narcotics agents are cautious in their claims for the future. Not a single one I have talked to speaks of total eradication. Says one agent:

"The best we can hope for is to disrupt the traffic, to keep the producers and the traffickers off balance. The rest of the job has to be done at home."

CROSS SECTION OF EXPERT OPINION

This is not to say that disrupting the traffic is not important. Here, extracted from a cross section of expert opinion, are some moves that might help:

1. A bigger role for the United Nations. Member nations are never likely to give the UN a policeman's assignment, with UN narcotics agents deployed operationally. But the UN could do more to replace opium with better, cash-paying crops.

Afghanistan says it would welcome UN help—although it is reluctant to make any contribution of its own. One way to reduce opium growing in backward countries is to uplift the economy in general. The UN could assist.

This involves a great deal of money, and thus a far deeper commitment on the part of member nations to narcotics eradication. It is also a long-term project.

2. More pressure on major offending countries. Some of this could come from the UN. Says one narcotics expert:

"If the UN had been tougher about Turkey earlier, we would be further ahead than we are today."

Most of the pressure now comes from the United States. John E. Ingersoll, the dynamic director of the United States Justice Department's Bureau of Narcotics and Dangerous Drugs, has spoken out publicly and bluntly about Turkey's performance. Those around him believe he will not stop there. Says a U.S. narcotics agent:

"The time has come to stop being nice guys around the world. This problem is too serious."

But though President Nixon is personally enthusiastic about the antinarcotics campaign, other U.S. Government agencies have differing priorities.

Turkey may be the source of murderous heroin, but it plays a key role in NATO. It has a strategic position in the eastern Mediterranean at a time when Soviet influence and military power in the area are expanding fast. The State Department does not want the present Turkish administration ruffled.

DEVELOPMENT LOAN AUTHORIZED

Therefore the White House has just reportedly authorized a new $40 million development loan to Turkey. Narcotics officials would like to see that kind of money used to exert leverage on the Turks to hasten their exit from the opium business.

More overt pressure from countries other than the United States might also help. But these have so far tended to dismiss the narcotics traffic as primarily an American problem. This may change. Some of these countries now have discovered they too have serious addiction problems.

3. Strengthening of antinarcotics agencies. In the United States this is being done, largely as the result of public concern over the narcotics problem.

At a time when other departments are fighting for funds, the Bureau of Narcotics budget is booming. This year it is $27 million compared with $18 million last year. The bureau has 835 agents in the field, and between 50 and 60 in Washington.

Earlier this month, the bureau chalked up a major success with nationwide raids against a ring of narcotics wholesalers. Federal agents arrested some 130 people and seized substantial quantities of heroin and cocaine.

But even when funds are on hand, it takes time to train good new agents, and more time for them to become experienced. One possible shortcut: more office staff and back-up personnel for agents in the field who complain they spend too much time at their desks.

The Treasury Department's Bureau of Customs also got an additional $8,750,000 this year for antinarcotics works. As a result, it is boosting its personnel by 879.

Though some other countries are spending more than previously on antinarcotics work, none is putting this kind of effort into the task.

PROMISING DEVICES PRODUCED

4. Research. So far the scientists have made no dramatic breakthroughs with equipment that might eliminate the narcotics traffic. But they should go on trying.

The Vietnam war has produced several promising devices, notably ground sensors to monitor movement across remote borders, as well as "sensing," or "sniffing" devices to detect opium and marijuana growth from the air.

The Atomic Energy Commission is working on a portable atomic camera to pinpoint narcotics shipments hidden in cargoes and suitcases.

Research is under way to trace chemical waste from clandestine heroin factories.

Most of all this is still in the experimental stage. Best results so far have come from the old-fashioned police dog, specially trained to sniff out narcotics.

5. Stiffer legislation and court action. This is a tricky area. Almost without exception, narcotics officers feel restricted and on the defensive when they go into court these days. Almost unanimously they want tougher legislation against narcotics offenders. If they do not have the "no-knock" provision when raiding suspect narcotics dives, for example, they contend traffickers can always get rid of drugs (usually down the toilet) before opening up to lawmen.

Narcotics agents are frustrated, for instance, when a San Bernardino, Calif., judge throws out a case in which they discovered heroin being smuggled in a baby's diapers. The judge ruled the search unconstitutional because the nine-month-old baby did not consent to the search.

CLEANUP OF CRIMINALS ORDERED

Agents complain that some judges undermine their work. Last fall President Nixon ordered a cleanup of criminals in the Washington area. The Bureau of Narcotics moved in crack agents, expended considerable time and money, and brought 42 alleged traffickers to court. Today 38 of them are out on bond. Those who are traffickers are presumably back pushing drugs.

The problem, of course, is that the desire for tougher action against narcotics offenders runs slap into the opposition of groups and individuals sensitive to any diminution of civil liberties.

Even so, the trend in a number of countries is toward tougher penalties for traffickers, with greater leniency for drug users. This is the pattern of new legislation in Britain, where drug addiction has suddenly emerged as a major problem.

Some lawmen, like Paris-based Interpol chief Jean Népote, want improved extradiction procedures for traffickers, Mr. Népote favors more severe penalties for traffickers. He would like to see them punished not only for narcotics crimes in the country of arrest, but also for offenses committed previously in other countries.

If these suggestions proved acceptable and desirable, and could be implemented, they still, however, would not touch the problem of the addict's own reform.

Is the addict "sick" or a criminal"? How best can he be reached? Young dabblers in narcotics, particularly those on "soft" drugs like marijuana, are often "turned off" by drug-education lectures that "preach."

What role can reformed addicts play in getting through to potential addicts? How about pop disc jockeys? Some radio programs, both commercial and underground, have encouraged drug taking. Now a number of disc jockeys are working with narcotics officials to combat this trend.

What can industry and business do? They should be concerned. According to the Research Institute of America, leading American companies now consider drug taking by employees a serious problem.

Along the international narcotics trail, brave young agents can work long and difficult hours, sometimes putting their lives on the line, to brake the traffic.

But their dedication is meaningless unless questions like these are answered at home.

INVESTIGATION OF FAMOUS WRITERS REQUESTED

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BURTON of Utah. Mr. Speaker, I would like to voice strong concern over a recent article in the Atlantic magazine describing deceptive sales practices of the Famous Writers Correspondence School.

I have written to both the Federal Trade Commission's Bureau of Deceptive Practices, and the Veterans' Administration, registering my concern, and requesting that they provide reports on the activities of the Famous Writers School.

If these allegations are correct, I am concerned that elderly widows, veterans, or anyone who does not have genuine need for, nor adequate ability to utilize such a course, might be encouraged to enroll. If there is a real desire to learn to write, there are apparently cheaper and more effective courses. High-pressure tactics and misleading information should not be used to gain enrollments for a course which would not attract enrollees on its merits. I believe the people of this country are entitled to protection from such unfair practices. The article follows:

LET US NOW APPRAISE FAMOUS WRITERS

(By Jessica Mitford)

First thing in the morning write down "The." Then follow with another word, then another . . . Such advice and more goes out to the would-be author from the Stratford-on-Avon of correspondence schools. A successful author, self-taught, here tells about the fun and profit, or profit at least, in teaching writing for fun and profit.

"Beware of the scribes who like to go about in long robes, and love salutations in the marketplaces . . . and the places of honor at feasts; who devour widow's houses . . ." (Luke 20: 46, 47.)

In recent years, I have become aware of fifteen Famous Faces looking me straight in the eye from the pages of innumerable magazines, newspapers, foldout advertisements, sometimes in black and white, sometimes in living color, sometimes posed in a group around a table, sometimes shown singly, pipe in hand in book-lined study or strolling through a woodsy countryside: the Guiding Faculty of the Famous Writers School. They are Faith Baldwin, John Caples, Bruce Catton, Bennett Cerf, Mignon G. Eberhart, Paul Engle, Bergen Evans, Clifton Fadiman, Rudolf Flesch, Phyllis McGinley, J. D. Ratcliff, Rod Serling, Max Shulman, Red Smith, Mark Wiseman.

Here is Bennett Cerf, most famous of them all, his kindly, humorous face aglow with sincerity, speaking to us in the first person from a mini-billboard tucked into our Sunday newspaper: "If you want to write, my colleagues and I would like to test your writing aptitude. We'll help you find out whether you can be trained to become a successful writer." And Faith Baldwin, looking up from her typewriter with an expression of ardent concern for that vast, unfulfilled sisterhood of nonwriters: "It's a shame more women don't take up writing. Writing can be an ideal profession for women. . . . Beyond the thrill of that first sale, writing brings intangible rewards." J. D. Ratcliff, billed in the ads as "one of America's highest-paid free-lance authors," thinks it's a shame, too: "I can't understand why more beginners don't take the short road to publication by writing articles for magazines and newspapers. It's a wonderful life."

The short road is attained, the ads imply, via the aptitude test which Bennett Cerf and his colleagues would like you take so they may grade it "without charge." If you are one of the fortunate ones who do well on the test, you may "enroll for professional training." After that, your future is virtually assured for the ads promise that "Fifteen Famous Writers will teach you to write successfully at home."

These offers are motivated, the ads make clear, by a degree of altruism not often found in those at the top of the ladder. The Fifteen have never forgotten the tough times, the "sheer blood, sweat and rejection slips," as J. D. Ratcliff puts it, through which they suffered as beginning writers; and now they want to extend a helping hand to those still at the bottom rung. "When I look back, I can't help thinking of all the time and agony I would have saved if I could have found a real 'pro' to work with me," say Ratcliff.

How can Bennett Cerf—chairman of the board of Random House, columnist, television personality—and his renowned colleagues find time to grade all the thousands of aptitude tests that must come pouring in, and on top of that fulfill their pledge to "teach you to write successfully at home"? What are the standards for admission to the school? How many graduates actually find their way into the "huge market that will pay well for pieces of almost any length," which, says J. D. Ratcliff, exists for the beginning writer? What are the "secrets of success" that the Famous Fifteen say they have "poured into a set of specially created textbooks"? And how much does it cost to be initiated into these secrets?

My mild curiosity about these matters might never have been satisfied had I not learned, coincidentally, about two candidates for the professional training offered by the Famous Writers who passed the aptitude test with flying colors: a seventy-two-year-old foreign-born widow living on social security, and a fictitious character named Louella Mae Burns.

The adventures of these two impelled me to talk with Bennett Cerf and other members of the Guiding Faculty, to interview former students, to examine the "set of specially created textbooks" (and the annual stockholders' reports, which proved in some ways more instructive), and eventually to visit the school's headquarters in Westport, Connecticut.

An Oakland lawyer told me about the seventy-two-year-old widow. She had come to him in some distress; a salesman had charmed his way into her home and at the end of his sales pitch had relieved her of $200 (her entire bank account) as a down payment on a $900 contract, the balance of which would be paid off in monthly installments. A familiar story, for like all urban communities ours is fertile ground for roving commission salesmen skilled in unloading on the unwary housewife anything from vacuum cleaners to deep freezers to encyclopedias to grave plots, at vastly inflated prices. The unusual aspect of this old lady's tale was the merchandise she had been sold. No sooner had the salesman left than she thought better of it, and when the lessons arrived, she returned them unopened.

To her pleas to be released from the contract, the Famous Writers replied: "Please understand that you are involved in a legal and binding contract," and added that the school's policy requires a doctor's certificate attesting to ill health before a student is permitted to withdraw.

There was a short, sharp struggle. The lawyer wrote an angry letter to the school demanding prompt return of the $200 "fraudulently taken" from the widow, and got an equally stiff refusal in reply. He then asked the old lady to write out in her own words a description of the salesman's visit. She produced a garbled, semiliterate account, which he forwarded to the school with the comment: "This is the lady whom your salesman found to be 'very qualified' to take your writing course. I wonder if Mr. Cerf is aware of the cruel deceptions to which he lends his name?" At the bottom of his letter, the lawyer wrote the magic words, "Carbon copies to Bennett Cerf and to Consumer Frauds Division, office of the Attorney-General." Presto! The school suddenly caved in and returned the money in full to the widow.

Louella Mae Burns, the other successful candidate, is the brainchild of Robert Byrne and his wife. I met her in the pages of Byrne's informative and often hilarious book *Writing Rackets* (Lyle Stuart, 1969, $4.00), which examines the lures held out to would-be writers by high-priced correspondence schools, phony agents who demand a fee for reading manuscripts, the "vanity" presses that will publish your book for a price.

Mrs. Byrne set out to discover at how low a level of talent one might be accepted as a candidate for "professional training" by the Famous Writers. Assuming the personality of a sixty-three-year-old widow of little education, she tackled the aptitude test.

The crux of the test is the essay, in which the applicant is invited to "tell of an experience you have had at some time in your life." Here, Louella Mae outdid herself: "I think I can truthfully say to the best of my knowledge that the following is truly the most arresting experience I have ever undergone. My husband, Fred, and I, had only been married but a short time . . ." Continuing in this vein, she describes "one beautiful cloudless day in springtime" and "a flock of people who started merging along the sidewalk. . . . When out of the blue came a honking and cars and motorcycles and policemen. It was really something! Everybody started shouting and waving and we finally essayed to see the reason of all this. In a sleek black limousine we saw real close Mr. Calvin Coolidge, the President Himself! It was truly an unforgettable experience and one which I shall surely long remember."

This effort drew a two-and-a-half-page typewritten letter from Donald T. Clark, registrar of Famous Writers School, which read in part: "Dear Mrs. Burns, Congratulations! The enclosed Test unquestionable qualifies you for enrollment . . . only a fraction of our students receive higher grades. . . . In our opinion, you have a basic writing aptitude which justifies professional training." And the clincher: "You couldn't consider breaking into writing at a better time than today. Everything indicates that the demand for good prose is growing much faster than the supply of trained talent. Just consider how a single article can cause a magazine's newsstand sales to soar; how a novel can bring hundreds of thousands in movie rights . . ."

There is something spooky about this exchange, for I later found out that letters to successful applicants are written not by a "registrar," but by copywriters in the Madison Avenue office of the school's advertising department—Donald T. Clark's ghostwriter in earnest correspondence with ghost Louella Mae Burns.

Perhaps these two applicants are not typical of the student body. What of students who show genuine promise, those capable of "mastering the basic skills" and achieving a level of professional competence? Will they, as the school suggests, find their way into "glamorous careers" and be "launched on a secure future" as writers?

Robert Byrne gives a gloomy account of the true state of the market for "good prose" and "trained talent." He says that of all lines of work, free-lance writing is one of the most precarious and worst paid (as who should know better than Bennett Cerf & Co.?). He cites a survey of the country's twenty-six top magazines: of 79,812 unsolicited-article manuscripts, fewer than a thousand were accepted. Unsolicited fiction manuscripts fared far worse. Of 182,505 submitted, only 560 were accepted. Furthermore, a study based on the earnings of established writers, members of the Authors League with published books to their credit, shows that the average free-lance earns just over $3000 a year, an income which, Byrne points out, "very nearly qualifies him for emergency welfare assistance."

What have the Famous Fifteen to say for themselves about all of this? Precious little, it turns out. Most of those with whom I spoke were quick to disavow any responsibility for the school's day-to-day operating methods and were unable to answer the most rudimentary questions: qualifications for admission, teacher-student ratio, cost of the course. They seemed astonished, even pained to think people might be naive enough to take the advertising at face value.

"If anyone thinks we've got time to look at the aptitude tests that come in, they're out of their mind!" said Bennett Cerf. And Phyllis McGinley: "I'm only a figurehead. I thought a person had to be qualified to take the course, but since I never see any of the applications or the lessons, I don't know. Of course, somebody with a real gift for writing wouldn't have to be taught to write."

One of the FWS brochures says, "On a short story or novel you have at hand the professional counsel of Faith Baldwin . . . all these eminent authors in effect are looking over your shoulder as you learn." Doesn't that mean in plain English, I asked Miss Baldwin, that she will personally counsel students? "Oh, that's just one of those things about advertising . . ." she replied. "Anyone with common sense would know that the fifteen of us are much too busy to read the manuscripts the students send in."

Famous Writer Mark Wiseman, himself an adman, explained the alluring promises of "financial success and independence," the "secure future as a writer" held out in the school's advertising. "That's just a fault of our civilization," he said. "You have to overpersuade people, make it all look optimistic, not mention obstacles and hurdles." Why does the school send out fleets of salesmen instead of handling all applications by mail? "If we didn't have salesmen, not nearly as many sales would be made. It's impossible, you see, to explain it all by mail, or answer questions people may have about the course." (That is to say, the school that claims to be able to impart the techniques requisite to becoming a best-selling author by mail, cannot explain the details of its course to prospects and answer their questions in the same fashion; but perhaps that is just another fault of our civilization.)

Professor Paul Engle, a poet who directed the Writers' Workshop at the University of Iowa, is the only professional educator among the fifteen. But like the others he pleads ignorance of the basics. The school's admissions policy, its teaching methods and selling techniques are a closed book to him. "I'm the least informed of all people," he said. "I only go there once in a great while. There's a distinction between the *guiding* faculty, which actually works with the students—who've spent really quite a lot of money on the course!" Professor Engle has met only once with the Guiding Faculty, to pose for a publicity photograph: "It was no meeting in the sense of gathering for the exchange of useful ideas. But I think the school is not so much interested in the work done by the guiding faculty as in the prestige of the names. When Bennett Cerf was on *What's My Line?* his name was a household word!"

How did professor Engle become a member of the Guiding Faculty in the first place? "That fascinated *me!*" he said. "I got a letter from a man named Gordon Carroll, asking me to come to Westport the next time I was in New York. So I did go and see him. He ask me if I would join the Guiding Faculty. I said, 'What do I guide?' We talked awhile, and I said, well, it seems all right, so I signed on." How could it come about that the Oakland widow and Louella Mae Burns were judged "highly qualified" to enroll? "I'm not trying to weasel out, or evade your questions, but I'm so very far away from all that."

Bennett Cerf received me most cordially in his wonderfully posh office at Random House. Each of us was (I think, in retrospect) bent on putting the other thoroughly at ease. "May I call you Jessica?" he said at one point. "I don't see why not, *Mortuary Management* always does." We had a good laugh over that.

He told me that the school was first organized in the late fifties (it opened for business in February, 1961) as an offshoot of the immensely profitable Famous Artists correspondence school, after which it was closely modeled. Prime movers in recruiting Famous Writers for the Guiding Faculty were the late Albert Dorne, an illustrator and president of Famous Artists, Gordon Carroll, sometime editor of *Coronet* and *Reader's Digest*, and Mr. Cerf. "We approached representative writers, the best we could get in each field: fiction, advertising, sports writing, television. The idea was to give the school some prestige."

Like his colleagues on the Guiding Faculty, Mr. Cerf does no teaching, takes no hand in recruiting instructors or establishing standards for the teaching program, does not pass on advertising copy except that which purports to quote him, does not supervise the school's business practices: I know *nothing* about the business and selling end and I care *less*. I've nothing to do with how the school is run; I can't put that too strongly to you. But it's been run extremely cleanly. I mean that from my heart, Jessica." What, then, is his guiding role? "I go up there once or twice a year to talk to the staff." The Guiding Faculty, he said, helped to write the original textbooks. His own contribution to these was a section on how to prepare a manuscript for publication: I spent about a week talking into a tape machine about how a manuscript is turned into a book—practical advice about double-spacing the typescript, how it is turned into galleys, through every stage until publication." How many books by FWS students has Random House published? "Oh, come on, you must be pulling my leg—no person of any sophistication, whose book we'd publish, would have to take a mail-order course to learn how to write."

However, the school does serve an extremely valuable purpose, he said, in teaching history professors, chemistry professors, lawyers, and businessmen to write intelligibly. I was curious to know why a professor would take a correspondence course in preference to writing classes available in the English department of his own university—who are all these professors? Mr. Cerf said he did not know their names, or at which colleges they were presently teaching.

While Mr. Cerf is by no means uncritical of some aspects of mail-order selling, he philosophically accepts them as inevitable in the cold-blooded world of big business—so different, one gathers, from his own cultured world of letters. "I think mail-order selling has several built-in deficiencies," he said. "The crux of it is a very hard sales pitch, an appeal to the gullible. Of course, once somebody has signed a contract with Famous Writers he can't get out of it, but that's true with every business in the country." Noticing that I was writing this down, he said in alarm, "For God's sake, don't quote me on that 'gullible' business—you'll have all the mail-order houses in the country down on my neck!" "Then would you like to paraphrase it?" I asked, suddenly getting very firm. "Well—you could say in general I don't like the hard sell, yet it's the basis of all American business." "Sorry, I don't call that a paraphrase, I shall have to use both of them," I said, in a positively governessy tone of voice. "Anyway, why do you lend your name to this hard-sell proposition?" Bennett Cerf (with his melting grin): "Frankly, if you must know, I'm an awful ham—I love to see my name in the papers!"

On the delicate question of their compensation, the Famous ones are understandably reticent. "That's a private matter," Bennett Cerf said, "but it's quite generous, and we were given stock in the company, which has enhanced a great deal." I asked Phyllis McGinley about a report in *Business Week* some years ago that in addition to their substantial stock holdings each member of the Guiding Faculty receives 1.6 percent of the school's annual gross revenue, which then amounted to $4400 apiece. "Oh?—Well, I may have a price on my soul, but it's not *that* low; we get a lot more than that!" she answered gaily.

With one accord the Famous Writers urged me to seek answers to questions about advertising policy, enrollment figures, costs, and the like from the director of the school, Mr. John Lawrence, former president of William Morrow publishing company. Mr. Lawrence invited me to Westport so that I could see the school in operation and meet Mr. Gordon Carroll, who is now serving as director of International Famous Writers Schools.

The Famous Schools are housed in a row of boxlike buildings at the edge of Westport ("It's Westport's leading industry," a former resident told me), which looks from the outside like a small modern factory. Inside, everything reflects expansion and progress. The spacious reception rooms are decorated with the works of Famous Artists, the parent school, and Famous Photographers, organized in 1964.

The success story, and something of the *modus operandi,* can be read at a glance in the annual shareholders' report and the daily stockmarket quotations (the schools have gone public and are now listed on the New York Stock Exchange as FAS).

Tuition revenue for the schools zoomed from $7 million in 1960 to $48 million in 1969. During this period the price per share of common stock rose from $5 to $40 (it has fallen sharply, however, in recent months).

The Schools' interest in selling as compared with teaching is reflected more accurately in the corporate balance sheets than in the brochures sent to prospective students. In 1966 (the last time this revealing breakdown was given), when total tuition revenue was $28 million, $10.8 million was spent on "advertising and selling" compared with $4.8 million on "cost of grading and materials."

The Famous Schools have picked up many another property along the way: they now own the Evelyn Wood Reading Dynamics, Welcome Wagon, International Accountants Society (also a correspondence school), Linguaphone Institute, Computer College Selection Service. Their empire extends to Japan, Australia, Sweden, France, Germany, Switzerland, Austria. An invasion of Great Britain[1] is planned (the report warns) as soon as the English prove themselves worthy of it by stabilizing their currency situation. In the "market-testing stage" are plans for a Famous Musicians School, Business Courses for Women, a Writing for Young Readers Course.

Summarizing these accomplishments, the shareholders' report states: "We are in the vanguard of education throughout the world, the acknowledged leader in independent study and an innovator in all types of learning. We will continue to think boldly, to act with wisdom and daring, to be simultaneously visionary and effective." The schools mindful of "the deepening of the worldwide crisis in education" are casting predatory looks in the direction of "the total educational establishment, both academic and industrial." The shareholders' report observes sententiously, "As grave times produce great men to cope with them, so do they produce great ideas."

From Messrs. Lawrence and Carroll I learned these salient facts about Famous writers School:

The cost of the course (never mentioned in the advertising, nor in the letters to successful applicants, and revealed only by the salesman at the point where the prospect is ready to sign the contract): $785, if the student makes a onetime payment. But only about 10 percent pay in a lump sum. The cost to the 90 percent who make time payments, including interest, is about $900, or roughly twenty times the cost of extension and correspondence courses offered by universities.

Current enrollment is 65,000, of which three quarters are enrolled in the fiction course, the balance in nonfiction, advertising, business writing. Teaching faculty: 55, or 1181⅘ students per instructor. Almost 2000 veterans are taking the course at the taxpayer's expense through the GI Bill.

There are 800 salesmen deployed throughout the country (14⅗ salesmen to every instructor), working on a straight commission basis. I asked about the salesmen's kits: might I have one? "You'd need a dray horse to carry it!" Mr. Carroll assured me. He added that they are currently experimenting with a movie of the school, prepared by Famous Writer Rod Serling, to show in prospects' homes.

I was surprised to learn that despite the school's accreditation by such public agencies as the Veterans Administration and the National Home Study Council, it preserves considerable secrecy about some sectors of its operation. Included in the "confidential" category, which school personnel told me could not be divulged, are:

The amount of commission paid to salesmen.

Breakdown of the "sales and advertising" item in the shareholders' report as between sales commissions and advertising budget.

Breakdown of the income from tuition fees as between Writers, Artists, Photographers.

Terms of the school's contract with Guiding Faculty members.

If Bennett Cerf and his colleagues haven't time to grade the aptitude tests, who has? Their stand-ins are two full-timers and some forty pieceworkers, mostly housewives, who "help you find out whether you can be trained to become a successful writer" in the privacy of their homes. They grade the tests at the rate of one every ten minutes. There are no standards for admission to FWS, one of the full-timers explained. "It's not the same thing as a grade on a college theme. The test is designed to indicate your *potential* as a writer, not your present ability." Only about 10 percent of the applicants are advised they lack this "potential," and are rejected.

The instructors guide the students from cheerful little cubicles equipped with machines into which they dictate the "two-page letter of criticism and advice" promised in the advertising. They are, Gordon Carroll told me, former free-lance writers and people with editorial background: "We never hire professional teachers, they're too *dull!* Ph.D's are the worst of all!" (Conversely, a trained teacher accustomed to all that the classroom offers might find an unrelieved diet of FWS students' manuscripts somewhat monotonous.) The starting salary for instructors is $8500 a year, falling a bit short of the affluent and glamorous life dangled before their students in the school's advertising.

As I watched the instructors at work, I detected a generous inclination to accentuate the positive in the material submitted. Given an assignment to describe a period in time, a student had chosen 1933. Her first paragraph, about the election of FDR and the economic situation in the country, could have been copied out of any almanac. She had followed this with "There were breadlines everywhere." I watched the instructor underline the breadlines in red, and write in the margin: "Good work, Mrs. Smith! It's a pleasure working with you. You have recaptured the atmosphere of those days."

Although the key to the school's financial success is its huge dropout rate ("We couldn't make any money if all the students finished." Famous Writer Phyllis McGinley had told me in her candid fashion), the precise percentage of dropouts is hard to come by. "I don't know exactly what it is, or where to get the figures," said Mr. Lawrence. "The last time we analyzed it, it related to the national figure for high school and college dropouts; let's say about two thirds of the enrollments."

However, according to my arithmetic, based on figures furnished by the school, the dropout rate must be closer to 90 percent. Each student is supposed to send in twenty-four assignments over a three-year period, an average of eight a year. With 65,000 enrolled, this would amount to more than half a million lessons a year, and the fifty-five instructors would have to race along correcting these at a clip of one every few minutes. But in fact (the instructors assured me), they spend an hour or more on each lesson, and grade a total of only about 50,000 a year. "What happens to the other 470,000 lessons? "That's baffling," said Mr. Carroll. "I guess you can take a horse to the water, but you can't make him drink."

These balky nags are, however, legally bound by the contract whether or not they ever crack a textbook or send in an assignment. What happens to the defaulter who refuses to pay? Are many taken to court? "None," said Mr. Lawrence. "It's against our policy to sue in court." Why, if the school considers the contract legally binding? "Well—there's a question of morality involved. You'd hardly take a person to court for failing to complete a correspondence course."

Mrs. Virginia Knauer, the President's special assistant for consumer affairs, with whom I discussed this later, suspects there is another question involved. "The Famous Writers would never win in court," she said indignantly. "A lawsuit would expose them—somebody should take *them* to court. Their advertising is reprehensible, it's very close to being misleading." Needless to say the debtors are not informed of the school's moral scruples against lawsuits. On the contrary, a Finnish immigrant, whose husband complained to Mrs. Knauer that although she speaks little English she had been coerced into signing for the course by an importunate salesman, was bombarded with dunning letters and telegrams full of implied threats to sue.

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[1] FAS announced in May that it had acquired Sir Isaac Pitman & Sons Ltd., London.

A fanciful idea occurred to me: since the school avers that it does not sue delinquents, I could make a fortune by advertising in the literary monthlies: "For $10 I will tell you how to take the Famous Writers course for nothing." To those who sent in their $10, I would return a postcard saying merely, "Enroll in the course and make no payments." I tried this out on Mr. Carroll, and subsequently on Bennett Cerf. Their reactions were identical. "You'd find yourself behind bars if you did that!" "Why? Whom would I have defrauded?" A question they were unable to answer, although Bennett Cerf, in mock horror, declared that the inventive mail-order industry would certainly find *some* legal means to frustrate my iniquitous plan.

Both Mr. Lawrence and Mr. Carroll were unhappy about the case of the seventy-two-year-old widow when I told them about it—it had not previously come to their attention. It was an unfortunate and unusual occurrence, they assured me, one of those slipups that may happen from time to time in any large corporation.

On the whole, they said, FWS salesmen are very carefully screened; only one applicant in ten is accepted. They receive a rigorous training in ethical salesmanship, every effort is made to see that they do not "oversell" the course or stray from the truth in their home presentation.

Eventually I had the opportunity to observe a presentation in the home of a neighbor who conjured up a salesman for me by sending in the aptitude test. A few days later she got a printed form letter (undated) saying that a field representative of the school would be in the area next week for a very short while and asking her to specify a convenient time when he might telephone for an appointment. There was something a little fuzzy around the edges here—for she had not yet heard from the school about the results of her test—but she let that pass.

The "field representative" (like the cemetery industry, the Famous Writers avoid the term "salesman") when he arrived had a ready explanation: The school had telephoned to notify him that my neighbor had passed the test, and to tell him that luckily for her there were "a few openings still left in this enrollment period"—it might be months before this opportunity would come again!

The fantasy he spun for us, which far outstripped anything in the advertising, would have done credit to the school's fiction course.

Pressed for facts and figures, he told us that two or three of the Famous Fifteen are in Westport at all times working with a staff of forty or fifty experts in their specialty, evaluating and correcting student manuscripts. . . . Your Guiding Faculty member, could be Bennett Cerf, could be Rod Serling depending on your subject, will review at least one of your manuscripts and may suggest a publisher for it . . . there are 300 instructors for 3000 students ["You mean, one teacher for every ten students?" I asked. "That's correct, it's a ratio unexcelled by any college in the country," said the field representative without batting an eye] . . . hundreds of university professors are currently enrolled . . . 75 percent of the students publish in their first year, and the majority more than pay for the course through their sales . . . there are very few dropouts because only serious, qualified applicants (like my neighbor) are permitted to enroll. . . .

During his two-hour discourse he casually mentioned three books recently published by students he personally enrolled; one is already being made into a movie! "Do tell us the names, so we can order them?" But he couldn't remember, offhand: "I get so darn many announcements of books published by our students."

The course itself is packaged for maximum eye appeal in four hefty "two-toned, buckram bound" volumes with matching loose-leaf binders for the lessons. The textbooks contain all sorts of curious and disconnected matter: examples of advertisements that "pull," right and wrong ways of ending business letters, paragraphs from the *Saturday Evening Post, This Week, Reader's Digest,* quotations from successful writers like William Shakespeare, Faith Baldwin, Mark Twain, Mark Wiseman, Winston Churchill, Red Smith, an elementary grammar lesson ("*Verbs* are action words. A *noun* is the name of a person, place or thing"), a glossary of commonly misspelled words, a standard list of printer's proof-marking symbols.

There is many a homespun suggestion for the would-be Famous Writer on what to write about, how to start writing: "Writing ideas—ready-made aids for the writer—are available everywhere. In every waking hour you hear and see and feel. . . ." "How do you get started on a piece of writing? One successful author writes down the word 'The' the moment he gets to the typewriter in the morning. He follows 'The' with another word, then another. . . ." (But the text writer, ignoring his own good advice, starts a sentence with "As," and tangles himself in an unparsable sentence: "As with so many professional writers, Marjorie Holmes keeps a notebook handy. . . .")

Throughout the course the allusion is fostered that the student is, or soon will be, writing for publication: "Suppose you're sitting in the office of a magazine editor discussing an assignment for next month's issue." The set of books includes a volume entitled *How to Turn Your Writing into Dollars,* which winds up on a triumphal note with a sample publisher's contract and a sample agreement with a Hollywood agent.

In short, there is really nothing useful in these books that could not be found in any number of writing and style manuals, grammar texts, marketing guides, free for the asking in the public library. (Or, for under $20 a writer can assemble his own textbook library. Everyone has his preferences; among my own favorites, sources of endless pleasure and instruction, are Fowler's *Modern English Usage; The Art of Writing* by Sir Arthur Quiller-Couch; *The Elements of Style* by William Strunk, Jr., and E. B. White; Roget's *Thesaurus;* Bartlett's *Familiar Quotations.*)

Thrown in as part of the $785–$900 course is a "free" subscription to *Famous Writers* magazine, a quarterly in which stories written by students appear under this hyperbolic caption: "Writers Worth Watching: In this section, magazine editors and book publishers can appraise the quality of work being done by FWS students." According to the school's literature, "each issue of the magazine is received and read by some 2,000 editors, publishers and other key figures in the writing world." However, Messrs. Carroll and Lawrence were unable to enlighten me about these key figures—who they are, how it is known that they read each issue, whether they have ever bought manuscripts from students after appraising the quality of their work.

The student sales department of the magazine is also worth watching. Presumably the school puts its best foot forward here, yet the total of all success stories recorded therein each year is only about thirty-five, heavily weighted in the direction of small denominational magazines, local newspapers, pet-lovers' journals, and the like. Once in a while a student strikes it rich with a sale to *Reader's Digest, Redbook, McCall's,* generally in "discovery" departments of these magazines that specifically solicit first-person anecdotes from their readers as distinct from professional writers: Most Unforgettable Character, Turning Point, Suddenly it Happens to You.

The school gets enormous mileage out of these few student sales. The same old successful students turn up time and again in the promotional literature. Thus an ad in the January 4, 1970, issue of the New York *Times Magazine* features seven testimonials: "I've just received a big, beautiful check from the Reader's Digest . . ." "I've just received good news and a check from Ellery Queen's Mystery Magazine . . ." "Recently, I've sold three more articles . . ." How recently? Checking back through old copies of *Famous Writers magazine,* I found the latest of these success stories had appeared in the student sales department of a 1968 issue; the rest had been lifted from issues of 1964 and 1965.

As for the quality of individual instruction, the reactions of several former FWS students with whom I spoke were varied. Only one, a "success story" lady featured in FWS advertising who has published four juvenile books, expressed unqualified enthusiasm. Two other successes of yesteryear, featured in the school's 1970 ad, said they had never finished the course and had published nothing since 1965.

An FWS graduate who had completed the entire course (and has not, to date, sold any of her stories) echoed the views of many: "It's tremendously overblown, there's a lot of busy work, unnecessary padding to make you think you're getting your money's worth. One peculiar thing is you get a different instructor for each assignment, so there's not much of the 'personal attention' promised in the brochures." However, she added, "I have to be fair. It did get me started, and it did make me keep writing."

The staggering dropout rate cannot, I was soon convinced, be laid entirely at the door of rapacious salesmen who sign up semiliterates and other incompetents. Many of those who told me of their experience with the school are articulate, intelligent people. manifestly capable of disciplined self-study that could help them to improve their prose style. Why should adults of sound mind and resolute purpose first enroll in FWS and then throw away their substantial investment? One letter goes far to explain:

"My husband and I bought the course for two main reasons. The first was that we were in the boondocks of Arkansas and we truly felt that the Famous Writers School under the sponsorship of Bennett Cerf etc. was new in concept and would have more to offer than other courses we had seen advertised. The second was the fact that we had a definite project in mind: a fictionalized account of our experiences in the American labor movement.

"I guess the worst part of our experience was the realization that the school could not live up to its advertised promise. It is in the area of the assignments and criticism that the course falls down. Because you get a different instructor each time, there is no continuity. This results in the student failing to get any understanding of story and structure from the very beginning.

"My husband completed about eight assignments, but felt so intensely frustrated with the course that he could not go on. He couldn't get any satisfaction from the criticism.

"While the school is careful to advise that no one can teach writing talent, they constantly encourage their students toward a belief in a market that doesn't exist for beginning writers. For us, it was an expensive and disappointing experience."

Another frequently voiced criticism: "The school attempts to indoctrinate its students with a universally palatable style geared strictly to the closest farm and garden market. They don't expect, or accept, experimental work. Forty years ago the sort of bland writing they encourage might have found a home in the mass circulation family magazines—I doubt if it would today."

I showed to an English professor some corrected lessons that fell into my hands. One assignment: "to inject new life and color and dimension into a simple declarative sentence." From the sentence "The cat washed its paws," the student had fashioned this: "With fastidious fussiness, the cat flicked his pink tongue over his paws, laying the fur down neatly and symmetrically." The instructor had crossed out "cat" and substituted "the burly gray tomcat." With fastidious fussiness, the lanky tweed-suited English professor clutched at his balding, pink pate and emitted a low, agonized groan of bleak and undisguised despair: "Exactly the sort of wordly stuff we try to get students to *avoid*."

The phenomenal success of FWS in attracting students (if not in holding them) does point to an undeniable yearning on the part of large numbers of people not only to see their work published, but also for the sort of self-improvement the school purports to offer. As Robert Byrne points out, what can be learned about writing from a writing course can be of great value in many areas of life "from love letters to suicide notes." For shut-ins, people living in remote rural areas, and others unable to get classroom instruction, correspondence courses may provide the only opportunity for supervised study.

Recognizing the need, some fifteen state universities offer correspondence courses that seem to me superior to the Famous Writers course for a fraction of the cost. True, the universities neither package nor push their courses, they provide no handsome buckram-bound two-tone loose-leaf binders, no matching textbooks, no sample Hollywood contract.

Unobtrusively tucked away in the Lifelong Learning bulletin of the University of California Extension at Berkeley are two such offerings: magazine-article writing, 18 assignments, fee $55, and short-story theory and practice, 15 assignments, fee $35 ($5 more for out-of-state enrollees). There are no academic requirements for these courses; anybody can enroll. No danger here of the Oakland widow or Louella Mae Burns getting sucked in, for those who in the instructor's opinion prove to be unqualified are advised to switch to an elementary course in grammar and composition.

Cecilia Bartholomew, who has taught the shortstory course by correspondence for the past twelve years, is herself the author of two novels and numerous short stories. She cringes at the thought of drumming up business for the course: "I'd be a terrible double-dealer to try to *sell* people on it," she said. Like the Famous Writers instructors, Mrs. Bartholomew sends her students a lengthy criticism of each assignment, but unlike them she does not cast herself in the role of editor revising stories for publication: "It's the improvement in their writing technique that's important. The aim of my course is to develop in each student a professional standard of writing. I'll tell him when a piece is good enough to submit to an editor, but I'll never tell him it will sell." Have any of her students sold their pieces? "Yes, quite a few. Some have published in volumes of juvenile stories, some in Hitchcock Mysteries. But we don't stress this at all."

In contrast, Louise Boggess, who teaches magazine-article writing by correspondence in addition to her classes in "professional writing" at the College of San Mateo, exudes go-ahead salesmanship: she believes that most of her students will eventually find a market for their work. The author of several how-to-do-it books (among them *Writing Articles that Sell,* which she uses as the text for her course), she points her students straight toward the mass writing market. In her streamlined, practical lessons the emphasis is unabashedly on formula writing that will sell. Her very first assignment is how to write a "hook," meaning an arresting opening sentence. What does she think of the word "The" for an opener? It doesn't exactly grab her, she admitted.

During the eighteen months she has been teaching the correspondence course, several of her 102 students have already sold pieces to such magazines as *Pageant, Parents', Lady's Circle, Family Weekly;* she has had about six drop-outs, an enviable record by FWS standards.

My brief excursion into correspondence-school-land taught me little, after all, that the canny consumer does not already know about the difference between buying and being sold. As Faith Baldwin said, most advertising is sometimes misleading; as Bennett Cerf said, the crux of mail-order selling is a hard pitch to the gullible. We know that the commission salesman will, if we let him into our homes, dazzle and bemuse us with the beauty, durability, unexcelled value of his product, whatever it is.

As for the tens of thousands who sign up with FWS when they could get a better and cheaper correspondence course through the universities (or, if they live in a city, adult-education extension courses), we know from reading Vance Packard that people tend to prefer things that come in fancy packages and cost more.

There is probably nothing illegal in the FWS operation, although the consumer watchdogs have their eye on it.

Robert Hughes, counsel for the Federal Trade Commission's Bureau of Deceptive Practices, told me he has received a number of complaints about the school, mostly relating to the high-pressure and misleading sales pitch. "The real evil is in the solicitation and enrollment procedures," he said. "There's a basic contradiction involved when you have profit-making organizations in the field of education. There's pressure to maximize the number of enrollments to make more profit. Surgery is needed in the enrollment procedure."

There is also something askew with the cast of characters in the foregoing drama which would no doubt be quickly spotted by FWS instructors in television-script writing ("where the greatest market lies for the beginning writer," as the school tells us).

I can visualize the helpful comment on my paper: "Good work, Miss Mitford. The Oakland widow's problem was well thought through. But characterization is weak. You could have made your script more believable had you chosen a group of shifty-eyed hucksters out to make a buck, one step ahead of the sheriff, instead of these fifteen eminently successful and solidly respectable writers, who are well liked and admired by the American viewing public. For pointers on how to make your characters come to life in a way we can all identify with, I suggest you study Rod Serling's script *The Twilight Zone* in the kit you received from us. Your grade is D—. It has been a pleasure working with you. Good luck!"

HIGHWAY SAFETY LEADERSHIP

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. DON H. CLAUSEN. Mr. Speaker, the need for State and local initiative in developing traffic safety programs was very graphically pointed out by Brad Crittenden, Director of Traffic Program Services of the Transportation Department's National Highway Safety Bureau, in a recent speech.

Mr. Crittenden, who was formerly the head of the California Highway Patrol, has made it crystal clear that if the slaughter on the Nation's highways is to be reduced, State and local governments "must lead and bring forth the impetus in creation of traffic safety programs, highway planning, driver education and law enforcement."

I commend Mr. Crittenden for his outstanding analysis of the Nation's traffic safety program made before the National Assembly of Local Leaders for Traffic Safety here in Washington recently.

I would also like to point out that Mr. Crittenden was high in his praise of the efforts of the National Association of Counties to upgrade State and local safety.

I urge that my colleagues take the time to read Mr. Crittenden's outstanding remarks and I hope that it will be brought to the attention of local government officials throughout the country. They follow:

PROGRESS IN IMPLEMENTATION OF HIGHWAY SAFETY STANDARDS

I am complimented, as the director of the Traffic Safety Programs Service, to have the opportunity to talk to your organization. It is no overstatement to describe your group as one of the most influential bodies of decisionmakers in the country. I welcome this chance to plead for your help and counsel.

In the past year we killed about 1100 persons a week, about 155 a day. These statistics have been repeated frequently in this and other conferences. They are familiar to you. You also know that those who were killed were not "out there" in never-never land. They were in our counties. They were our friends, relatives and close ones. Their deaths have left unfillable voids, created indescribably tragic family situations, and made a ghoulish art of calculating the incalculable cost of the deaths and injuries on the highways. But I repeat, they happened on our highways. They came about for a variety of frequently complex and interrelated reasons, but on our roads, in our communities and political jurisdictions.

From this preface, that you all know so well, let me address myself to the role of local governments in highway safety.

The National Highway Safety Bureau recently concluded its evaluation of State highway safety plans as required in our basic legislation, Public Law 564 of the 89th Congress. The charge to the bureau, as laid down in that law reads as follows:

"1. Each State shall have a highway safety program, *approved by the Secretary.*

"2. He shall *not* approve any program which does not authorize political subdivisions to carry out highway safety programs within their jurisdictions. . . . In accordance with the uniform standards promulgated under this section.

"3. The plan *shall provide* that *at least* 40 per centum of all Federal funds apportioned (for this purpose) will be expended by the political subdivisions of such State. . . . And

"4. After December 31, 1969, the Secretary shall not apportion any funds . . . to any State which is not implementing a highway safety program approved by the Secretary in accordance to this section as well as reduce Federal aid highway funds by 10% until the State is implementing an approved highway safety program."

The law further requires the intensive involvement of local governments with explicit references to local governments in—

1. Stating the authority of the Secretary to assist and cooperate with them;
2. Authorizing local government participation;
3. Prescribing minimum financial benefits;
4. Interpreting base year aggregates to include local government participation;
5. Including their requirements in highway safety research and development; and
6. Providing for their representation on the National Highway Safety Advisory Committee.

Further, the Secretary must evaluate the effectiveness of local safety programs and include in his detailed cost estimates recommendations for local as well as State and Federal matching funds.

The concern of the Congress to provide help for local governments and to hold local governments responsible for providing traffic safety is thus explicit throughout the law.

Since the inception of the Highway Safety Bureau's programs we have had evidence of problems in getting local governments' attention to highway safety, and our review confirmed these misgivings. Let me quote from some of our letters to the States:

"Inadequate involvement of the State's local governments."

"Local government participation is lacking."

"Considerable weaknesses in programs at local levels."

"Local government programs reflect a somewhat lower level of participation."

"There is a need for fuller involvement of local governments."

"There is a need for much more participation by local governments."

"The absence of local government participation is a significant deficiency."

"The program is weak in most programs at the local government level."

Thus, it may be fairly stated, that one of the real disappointments in the reviews of State safety plans, was the confirmation that too little effort was being expended by local governments.

We are aware of the intense competition for the tax dollar. We are aware of the fiscal problems in all local governments. But it is a fair question to ask if local governments are doing all they can to reduce the incredibly high price being paid on the Nation's roads. We don't think they are and we don't believe they are pressing for all the help they could get from their States and the Federal Government.

Our resources are not unlimited but we are most anxious to share them—our skills, our manpower, our finances and our research with you. But in the traffic safety programs administered in local governments the demands for attention to highway safety are too few and its voices are too weak. It is necessary that local government officials call for attention from their Governors' representatives for highway safety and from us. Only in that way can all concerned become responsive to these very obvious needs.

Your citizens are asking questions about:

The alcoholic driver,

How long do I have to wait for an ambulance if I am in a traffic crash?

Whom do I call for such services?

Why aren't older drivers reexamined more often?

Why aren't traffic laws uniform in this country?

Why can drunk drivers get away with only a fine for reckless driving?

Why can't the curve in the road near my home be improved?

Why are there so many confusing signs on the road?

Why don't we ever see a policeman when we need one?

One State is proposing a 50 percent increase in availability of driver education to high school students. Another has found a cost reduction by the use of simulators. Already, over 135,000 professionals and technicians in highway safety have, by this law, been provided training of all types. First aid, police training, emergency medical personnel, school bus drivers are only a few disciplines receiving this training. One state found that 22 percent of people renewing their driver licenses did *not* pass the initial vision tests. More than half of the federally funded projects in the alcohol area are at the local level.

One state has aready conducted over 1800 on-site accident investigations resulting in safety improvements to over 400 of them. Seventeen thousand policemen have been given specialized training as a result of this program. Twenty thousand others have been given training in alcohol testing.

Normally it is the local policeman who investigates vehicle crashes, arrests the drunken driver, and administers the alcohol test following the arrest; it is the local judge who hears cases involving traffic violations; it is the secondary school teacher who provides training for prospective drivers; and it is the local traffic engineer who is responsible for improving the street system and modernizing traffic control devices.

Local government officials are in the best position to know what the problems are in their communities. The traffic engineer can determine where the high accident locations are and the steps which are needed to correct the problems. And the police chief is familiar with the rising trend in traffic deaths and injuries that stem from the abuse of alcohol and the kind of preventive action which should be taken to protect innocent drivers and pedestrians.

When you go home, take a look at what needs to be done to improve traffic safety in your county. Look into driver education in your schools. Is driver education available to all youths of licensing age? Is there a traffic education program for all children from kindergarten through high school?

Has your community provided for adequate emergency medical services? Community emergency medical services are vital to the survival of the seriously injured, and, in many instances, determine the extent of the aftereffects of the injury.

Maybe you will find that the intoxicated alcoholic driver is a major cause of traffic fatalities in your community. Recent studies have shown that alcohol is the largest single factor leading to fatal crashes.

We have found that the use of alcohol by drivers and pedestrians is a factor in about 25,000 traffic deaths and in at least 800,000 crashes in the United States each year.

Within the standards we have recognized the role of local governments. In driver education, for example, the standard calls for each State, in cooperation with its political subdivisions to have a driver education and training program which provides, among other things for the driver to learn the local motor vehicle laws and ordinances.

In codes and laws our standard requires a plan to achieve rules of the road in all jurisdictions of the State.

In traffic courts the standard provides that all courts complement and support local highway safety objectives.

In alcohol the State is required, in cooperation with its political subdivisions, to develop and implement a program to achieve a reduction in traffic accidents resulting from persons driving under the influence of alcohol.

Our engineering standards call for cooperation between State and county and other local governments in identifying and maintaining surveillance of high accident locations, in highway design, maintenance and construction, in programs relating to the use of traffic control devices.

Other standards prescribe cooperation between State and local political subdivision, police services, traffic supervision, and emergency medical services.

However, the next step is up to the local officials. Action programs to meet these needs depend upon their initiative. They must identify the problems, develop proposed programs and submit them to the Governor's representative for inclusion in the State's comprehensive highway safety program.

Ask questions to determine what the situation is. Examine local resources to see whether you are getting the greatest payoff from current activities. For example, maybe a little more money in the field would result in improved pedestrian safety for school children and would not hurt other programs.

Local planning and solid effort are essential if we are to succeed in bringing about a reduction in traffic deaths and injuries. This can only be accomplished through the interest and active support of local government officials.

To assist local governments in their overall plans for highway safety activities, the National Highway Safety Bureau recently published a booklet entitled, "Local Participation in State and Community Highway Safety Programs." I brought several copies with me for those of you who are interested, and you are welcome to take a copy if you so desire.

You will note that instead of the complicated instructions generally accompanying a Federal program, we have tried to keep the procedures as simple as possible, and you will also note that in 12 of the 16 standard areas, local government activity can be an effective means of reducing crashes and resulting tragedies.

The booklet covers representative projects and identifies where the Federal Government may participate in their cost, and also contains a copy of the standards and the methodology which must be followed to apply for a grant.

In order to make it easier for you to find out more about this program, I have brought a list of the Governor's highway safety representatives from the various States in this area, copies of these are also available.

I hope this information will assist you in helping your Governor develop truly comprehensive and effective State programs for highway safety in your area.

You will be interested to know that as of a month ago almost 47% of our section 402 grant in aid moneys were being spent by or for the benefit of local political subdivisions. This was in contrast to under 41% a year ago. This is an indication that the percentage of our funds going to local governments has increased in most States. For example, in two Southern States the increase was from 45 to 59%, 39 to 51%, 26 to 37% and from 14 to 43%. In two Midwestern States from 33 to 81% and 21 to 65%.

On the other hand local government participation in other States slid from 56 to 49%, 39 to 32.5% and 42 to 36%. And there are yet a few States not doing enough to involve their local governments. For example, one State rose from 31 to 34% but this is inadequate. One fell from 24 to 22%. One remains at about 26%. One rose from 19 to 29% but this is also far short, and one State fell from 42 to 29%.

Our recent reorganization, to which Mr. Toms addressed himself, will make it easier for your governments and the States to be heard at the top levels of the Department of Transportation. And within the Bureau, our nine regional offices are anxious to help you and your Governors' representatives. Those offices are strategically located in principal cities around the country—from San Francisco to Albany, and from Atlanta to Portland, Oregon.

But there are actions you can take to make your roads safer, to educate your drivers, to enforce safety laws and most of all, to make your citizenry aware of the increasing peril that attends our daily driving and what they must do to reduce the terrible price we are paying.

Call on us and on your States for help. We and they will respond. I have recently read part of the draft of a NACO guide on "responsibilities of local officials to participate in the implementation of the National Highway Safety Standards." I found the following quote thoroughly commendable:

1. "Like all successful programs, highway safety—at any level of government—demands interaction, coordination and planning among the various elements in the community.

2. "Highway safety is not regarded by local governments as a primary function and is treated as a complementary function in relation to other services such as public works, health, and safety. People are being needlessly killed as a result of motor vehicle accidents. Obviously, various jurisdictions and their elected officials are yielding to the temptation of openly and enthusiastically supporting first and foremost the programs that do not seem to cost much and do not seem to need any more of an input than normal.

"The fact still remains that someone has to take the initiative to make highway safety a reality; to make it something that requires effort, but is worth far more than the effort; to make it something that is measured as expensive, not because it costs money and time, but rather because its absence measures expense in life and limb. . . .

"Highway safety programs must be implemented. Local elected officials, alone, have access to the machinery necessary to make highway safety an important issue. Local elected officials, alone, have the forum through which support for such programs can be gathered. Local elected officials, alone, have access to the statistics that can be used to make highway safety an economically desirable goal. And local elected officials, alone, are the dominant subjects in the local daily papers which can generate, arrest and manipulate public opinion in favor of such programs. No elected official should deny his responsibility in implementing traffic accident measures in his community."

GOODBYE, BOOKER T.

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. STOKES. Mr. Speaker, it is not often in these days of polarized thought to hear voices which express balanced, reasoned, and objective views on the problems which confront our Nation.

One such exposition recently appeared in the Spring issue of Beacon, which is published by the Emerson College Press. The article, entitled "Goodbye, Booker T," was written by a young Cleveland attorney, Robert Storey. Mr. Storey is a trustee of Exeter, of the Ohio Foundation of Independent Colleges and an elected director of the Associated Harvard Alumni. I felt that his plea for change within a framework of unity and understanding is most articulate and recommend it to the attention of my colleagues. The article follows:

GOODBYE, BOOKER T.

(By Robert Storey)

For a period of approximately one and a half years before he entered Hampton Institute, Booker T. Washington worked as a house boy in the Virginia home of General Lewis Ruffner and his wife, Viola. In his book *Up from Slavery*, Washington recalled that Mrs. Ruffner was a Yankee lady from Vermont with a reputation for strictness in her dealings with domestics. She "wanted things done promptly and systematically . . . Nothing must be sloven or slipshod; every door, every fence must be kept in repair." The President of Tuskegee Institute reflecting on this experience wrote that "the lessons I learned in the home of Mrs. Ruffner were as valuable to me as any education I have ever gotten anywhere since."

This attitude perhaps best illustrates why Booker T. Washington is no idol to young black people in America today. Washington, with his unfailing faith in industry, perseverance, learning, and the ultimate triumph of individual merit, is about as fashionable in youthful black circles today as is his white counterpart, Horatio Alger, among the membership of SDS. In today's parlance neither is exactly a household word. Indeed, they are the enemy. They are the enemy because they personify the kind of individual success which no longer placates young Americans—black, brown, yellow, red or white—who see themselves as shock troops in new mass revolutions. Men such as Roosevelt, Churchill, Eisenhower, and DeGaulle who continued to inspire even my college generation of the Fifties are of no consequence, except in a negative sense, to today's young activists. Such men devoted their lives to preserving a socio-economic system which is the common object of assault by Weathermen, Black Panthers, The Indian Patrol, and Chinese Red Guard. The latter groups find their culture heroes in such men as Malcolm X, Mao Tse-tung, Ho Chi Minh, and Fidel Castro—men who advocate major, radical surgery to mend a society that has not responded to what is regarded, as heretofore minor treatment.

Perplexed parents, college officials, and employers understandably wish to know how all this has come about and what can be done about it.

When a black seamstress named Rosa Parks refused to yield her seat on a Montgomery, Alabama bus to a white man on December 1, 1955, it occurred to few people, least of all Mrs. Parks, that her simple act of defiance of local custom would touch off one of the greatest and broadest reform movements that this country has ever known. What southern segregationists saw as an act of an arrogant black woman and northern liberals saw as a *cause célèbre* was probably best and most perceptively described by Martin Luther King, Jr. when he called it "her intrepid affirmation that she had had enough. It was an individual expression of a timeless longing for human dignity and freedom."

It was the genius of King that permitted him to grasp the universality of Rosa Parks' defiance and to help transform that act into the broadly based civil rights movement of the late Fifties and early Sixties. Under his leadership, black and white, young and old worked together across religious, economic, and state lines "to overcome." Young collegians especially delighted in the exhilaration of commitment and participation demonstrated by sit-ins, wade-ins, kneel-ins, and the like. Voter registration drives allowed them to assert personally what they had only theorized about in political science classes. They came to believe that they could indeed have an immediate role in making America a better place and increasing numbers of them determined to make the effort.

The Civil Rights Movement of the early Sixties was an affirmation of hope that injustices accumulated over the years could be eradicated by appealing to the rational and moral sense of the nation. It was an acting out of the stated American belief that citizens may effectively petition government for the redress of grievances. The guiding philosophy of the Civil Rights era was the concept of nonviolent resistance. There were five elements of nonviolent protest, according to Dr. King. The first was to use the process of mind and emotion to persuade your opponent that he is wrong. Second, the nonviolent protester did not seek to defeat or humiliate his adversary but rather to win his friendship and understanding. Third, protest was to be centered not against persons but rather against "forces of evil." As King said to the people of Montgomery:

"The tension in this city is not between white people and Negro people. The tension is, at bottom, between justice and injustice, between the forces of light and the forces of darkness. And if there is a victory, it will be a victory not merely for fifty thousand Negroes, but a victory for justice and the forces of light. We are out to defeat injustice and not white persons who may be unjust."

The fourth point of nonviolence, as advocated by King, was a willingness to accept suffering without retaliation, to be hit without hitting back. Fifth, the nonviolent resister had to avoid what King called violence of the spirit. He must not only refuse to shoot his opponent but must also refuse to hate him. "To retaliate in kind," wrote Dr. King, "would do nothing but intensify the existence of hate in the universe; along the way of life, someone must have sense enough and morality enough to cut off the chain of hate. This can only be done by projecting the ethic of love to the center of our lives."

One need only reflect on the events growing out of the 1968 Democratic Convention, the many confrontations on university campuses, and even shooot-outs between police and militants in our cities to see to what degree protesters have abandoned the King approach. There are undoubtedly a number of reasons why this has occurred, but the major explanation is that a growing number of persons have despaired of the demanding methods of, and slow response to, nonviolent protest. To these people, the 1963 March on Washington, which was the crowning achievement of the bi-racial Civil Rights Movement, was a fraud because the nation and its leaders did not respond adequately to the urgency of the plea. The problem of jobs, housing, and education for the black masses remained largely unattended to, and the nonviolent approach to solutions came under critical scrutiny.

The central figure in the attack on nonviolence of action and spirit was Malcolm X. Malcolm was a man of great talent and insight whose ideas converted the intellectual and bi-racial Civil Rights Movement into a struggle for identity for the masses of black people. Whereas King sought to appeal to the minds and hearts of all Americans, Malcolm aimed for the jugular of what he termed the collective white man. "You cannot find one black man," he wrote, "who has not been personally damaged in some way by the devilish acts of the collective white man."

The issue and the goal were quite clear to Malcolm:

"Human rights! Respect as human beings! That's what America's black masses want. That's the true problem. The black masses want not to be shrunk from as though they are plague ridden. They want not to be walled up in slums, in the ghettos, like animals. They want to live in an open, free society where they can walk with their heads up, like men and women."

The nonviolent Civil Rights Movement was bound to fail, in Malcolm's view, because it appealed to instincts and qualities which were present in too few white Americans. "The problem here in America," he wrote, "is that we meet such a small minority of individual so-called 'good' or 'brotherly' white people. Here in the United States, notwithstanding those few 'good' white people, it is the collective 150 million white people whom the collective 22 million black people have to deal with!"

The assassination of Malcolm X brought to the fore a number of would-be successors to the throne of radical protest. Through the medium of television and the front pages of the newspapers, they have been paraded before the American consciousness. One of them, Stokely Carmichael, popularized the concept of "black power." "We are oppressed as a group because we are black," Carmichael said. "We are oppressed because we are black, and in order to get out of that oppression, one must feel the group power that one has. Not the individual power which . . . is called in this country . . . integration." The failing of the concept of integration, according to Carmichael, is that it is a concept of, by, and for a few. He addressed himself to the problem of the many in these words in a 1966 speech at Berkeley:

". . . we cannot afford to be concerned about six percent of the children in this country. I mean the black children who you allow to come into white schools We have 94 percent who still live in shacks. We are concerned about [that] 94 percent. You ought to be concerned about them, too. . . . Are we willing to be concerned about the black people who will never get to Berkeley, who will never get to Harvard and cannot get an education . . . ? The question is, how can white society begin to move to see black people as human beings? I am black, therefore I am. Not that I am black and I must go to college to prove myself. I am black, therefore I am."

We are now in a situation in America where the rhetoric and techniques of the last stages of the Civil Rights Movement have been adopted by disenchanted youths across the land. The hallowed procedures of protest, negotiation, and compromise are being discarded by young radicals of every hue. As one of their contemporary heroes, Eldridge Cleaver, states it:

". . . problems . . . can no longer be compromised or swept cleverly under that national rug of self-delusion. . . Those who are victimized by these 'social problems'—Negroes, the aged, unemployed and unemployable, the poor, the miseducated and dissatisfied students, the haters of war and lovers of man—have flung back the rug in outraged rebellion, refusing to be silenced until their grievances are uncompromisingly redressed. America has come alive deep down in its raw guts, and vast contending forces of revolutionary momentum are squaring off in this land for decisive showdowns from which no one can purchase sanctuary."

As viewed by Cleaver and his black, white, brown, red, and yellow adherents, the fundamental political problem facing the world today is whether America moves decisively to the right or to the left. Who are the true patriots, he asks, the new right or the new left?

It seems to me that the only answer to this question must be that neither the new right nor the new left should be allowed to claim the exclusive banner of true patriotism. America must restore and reactivate the broad national concensus for change which was in the process of development during the Civil Rights era. Significant and lasting change can only come about within an institutional framework. Therefore we must make the institutions of this nation—political, financial, legal, educational, and union—responsive to just demands and proper grievances. Students and ghetto leaders are not in a position to bring about the necessary changes; they can only focus our attention on the problems. Those who sit in a position to bring about orderly change within commonly respected institutions must do so or the consequences will be severe for America.

This is not to say that every demand of student or ghetto spokesmen is a just one or can be acted upon immediately. However, many can be, and it is the task of enlightened leadership to determine what ought to be done and how to go about doing it.

In order to go about what President Kennedy termed "America's unfinished business," we must first rid our minds of diversionary attitudes and biases. We must not permit inconsequential matters such as age, dress, hair style, or skin color to derail us. We must also acknowledge that no group of people, whatever their age, mode of dress, or pigmentation, can legitimately claim a monopoly on wisdom. There are probably as many fools under thirty as over.

Once we have cleared the air of such polluting irrelevancies, thereby permitting the patient to breathe, we must acknowledge such illnesses as exist in the body of our institutions and go about healing them. We should accept, as the radicals point out, that aspirin will not cure the patient but will merely make it easier to live with the problem. Where major surgery is required, we must prepare the patient for the operation and enlist the skills of the needed specialists to do the jobs.

The task of leadership in the Seventies is not to close the door on needed change or to attempt to censor or silence its adherents. My generation in particular, branded "silent" in the Fifties, must let contemporary America know that silence is neither golden nor necessarily virtuous. Articulation of problems and the related struggle to correct them are necessary ingredients of change. As Frederick Douglass said:

"If there is no struggle, there is no progress. Those who profess to favor freedom, and yet deprecate agitation, are men who want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean without the awful roar of its waters."

We shall need all the talent and support which can be mustered for this great effort and it will require nothing less than a broad national commitment. It must be the kind of effort which has the delivery capacity to repudiate not only the new left but also the new right. Fundamentally, we must demonstrate to America and the world that black and white together, young and old in concert, rich and poor united, we can overcome. Then and only then can we say with authority that Booker T. Washington's faith in America was not misplaced.

BATTLE OF THE BOTTLENECK RUMBLING ON

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BINGHAM. Mr. Speaker, a recent article from the New York Times documents various "bottlenecks" faced each day by the commuter who drives in and out of New York City during rush hours. A number of facts cited in the article are of particular interest.

First, 18,000 cars are parked illegally in Manhattan every day. Second, 10,000 cars receive parking tickets each day. Third, despite a citywide crackdown on illegal parkers that has raised the cost of retrieving a towed car to $75, only 320 of the 18,000 illegally parked cars can be towed away each day.

The article also states that a New York Times survey showed that many drivers stated that in spite of the predictable traffic jams, driving to work was still quicker or more comfortable than using mass transit. Mr. Speaker, this must change. We must provide modern, fast, and economical mass transportation systems to our cities if they are to survive.

I want to urge, once again, that the Congress adopt measures which will permit the use of money from the highway trust fund for mass transportation. Such money truly would benefit highway users since it would unclog our bottlenecks without contributing to the ever-increasing paving of our countryside.

The text of the New York Times article follows:

BATTLE OF THE BOTTLENECK RUMBLING ON

(By Edward C. Burks)

On a 10th Avenue parking lot about 5 P.M. the other day, a natty young man from Nyack stood beside his auto with all the jauntiness of an Errol Flynn about to launch himself against Baron von Richthofen.

He had that same glazed look of the World War I ace as he headed for "doomsday alley," in his case, the cobbled West Side Highway.

As one of some 700,000 drivers who creep, honk, lane-jump, zoom and squeeze their way into Manhattan each day—bumper to bumper, fender to fender, temper to temper—the man from Nyack was intent on proving that it was possible to get out again.

Why do they do it? Why do they undergo the daily torture of battling inch by inch across a no-man's land of overstuffed tunnels, overcrowded highways, and overage pavement especially when the "fearless forecaster" in the helicopter is radioing down to them the implausibility of it all?

How do they do it when every "expressway" has a way of becoming a traffic trap at peak periods? There are so many traffic terrors around town that the Automobile Club of New York, an organization of 400,000 motorists, has drawn up its own "hit parade" of 11 most horrible cases—and decided to stop right there. Any motorist could add a dozen more.

THE JANGLED WEBS

The automobile club's examples range from "kamikaze circle"—the $65-million wrangle in the Bronx at Bruckner Circle, where an interchange of three expressways is under construction—to chronically overloaded spots on the Franklin D. Roosevelt Drive, and various Expressways.

Many drivers questioned in a New York Times survey said that, despite everything, the ride by car is still quicker, or at least far more comfortable, than rapid transit or commuter railroad. Quite a few are business or sales people like the man from Nyack, and can write off the $1.50 to $4.50 daily parking fee.

Many others are "gamblers" who take a chance on street parking. Eighteen thousand of them, according to the Automobile Club, park illegally on a given day in Manhattan, remaining minutes or hours.

Nearly 10,000 drivers throughout the city get parking tickets every day, and 320 each day find their vehicles have been towed away by the police. (The charge to recover a car is $50 plus the $25 parking fine.)

At day's end, the man from Nyack and countless thousands of others roar up the ramps onto the elevated West Side Highway, which is a twisting affair, because of engineering problems of the past, and rough, because its stone roadbed is too thin for proper rebuilding.

THE BIG-TIME PROBLEMS

But the driver bouncing along the West Side Highway, must know that, for all his bravado, he is viewed as an amusing amateur, no more, by drivers "in the big time" for instance, by fellows on the East River Drive, that noxious nightmare that the official maps call the Franklin D. Roosevelt

Drive. The same goes for the fellows on the glutted Brooklyn-Queens Expressway ("Snooze Alley" at "rush" hour on the Kosciusko Bridge), and of course on the "big parking lot," the Long Island Expressway.

In spite of all problems, Traffic Commissioner Theodore Karagheuzoff and top officials of the Automobile Club agree that traffic flow has improved a bit generally in the past five years, or at least is no worse.

"We are stuck with too many compromises in design standards from years ago," Mr. Karagheuzoff said recently, "often because of public pressure when the highways were built. Even so, it's a lot faster now from point to point in the metropolitan area than five years ago."

IMPROVEMENTS NOTED

In an interview at his Long Island City, Queens, headquarters, he pointed to these major improvements:

Computers controlling 350 traffic lights on major Queens arteries, and plans to extend the system to Brooklyn and the Bronx early next year; the reconstruction of Queens Boulevard; a new signal system to limit access to expressways through use of quick-changing ramp lights allowing only one car at a time to enter; a proposed system of television surveillance on major highways; express-bus service to Manhattan; and a new "pusher service" to expedite removal of cars that break down on the West Side highway.

But the number of vehicles on the streets here keeps increasing at a rate of 3.5 per cent per year. Gilbert B. Phillips, president of the Automobile Club of New York, says that "the city doesn't have a comprehensive transportation program," and that the Planning Commission has virtually sabotaged a Traffic Department plan for more municipally owned midtown parking garages.

WORST BOTTLENECKS

Paul Petrillo, director of traffic engineering for the Automobile Club, lists the following "worst bottlenecks."

Grand Central Parkway in Queens, where eastbound traffic has to use a single exit lane to reach the ramp to the Whitestone Expressway and to Northern Boulevard. Mr. Karagheuzoff says that having two exit lanes would only slow parkway traffic. He is "working" on the problem.

East River Drive at 48th Street, where northbound traffic at the rate of 900 to 1,200 cars an hour during peak periods tries to force its way onto the drive by an entry ramp that leads into the fast lane of traffic. A signal light on the ramp to limit access to the drive to one car at a time has been suggested.

East River Drive at 96th Street, where again, during the evening rush hours, the northbound traffic entering from the ramp overloads the drive. The Traffic Department says that the drive is "pretty much outmoded" and running to capacity. It suggests that northbound traffic in the area use First Avenue.

Eighth Avenue in midtown. The traffic signals are progressive, but the flow is so heavy, especially turning in from cross-streets during the evening peak period, that it cannot clear the intersection before the light changes. The Automobile Club suggests a "simultaneous" system with lights up and down the avenue all green at one time. Mr. Karagheuzoff disagrees.

The Long Island Expressway, eastbound on the steep upgrade from Springfield Boulevard to Little Neck Parkway, where trucks pass and double pass, often slowing down the fast lane of the three-lane roadway. The Traffic Department already has signs warning trucks to keep out of the fast lane and also plans to limit rush-hour traffic entering the roadway from the Cross-Island Parkway.

George Washington Bridge exit ramps, where southbound traffic headed for the Henry Hudson Parkway or Riverside Drive has a difficult "merge" with traffic coming off the Cross-Bronx Expressway and moving in same direction.

Major Deegan Expressway in the Bronx at the southbound exit at 138th Street, where the exit suddenly narrows to one lane for a short stretch and then leads onto a busy intersection of local streets. The eventual plan, says the Traffic Department, is to put in "more sophisticated" signals.

West Side Highway, southbound at the curving underpass approach to the Brooklyn-Battery tunnel. The Automobile Club feels that overhead signs are needed to show that both lanes are through lanes. The Traffic Department counters that traffic tends to crowd into the left lane because up ahead (and most drivers know it) heavy truck traffic is entering in the right lane.

Bruckner Traffic Circle in the Bronx, where the Bruckner and Cross-Bronx Expressways come together in an antiquated circle. A mammoth construction job taking years will create a complex interchange of the two roads, as well as the Hutchinson River Parkway below them. Meanwhile, big trucks and cars creep around the circle and try to scissor across each other to get on different roads.

East River Drive, southbound, at the ramp leading to the Brooklyn Bridge. The ramp overloads and spills traffic back onto the drive.

The Brooklyn-Queens Expressway, where it merges with the Grand Central Parkway in Queens. The motorist who wants to go eastbound on the Grand Central finds that traffic exiting from the "B-Q" is funneled into one lane and then has to merge with a heavy stream coming from Astoria Boulevard to the Grand Central. The Traffic Department is considering a plan that would force traffic exiting from the "B-Q" at peak periods to use Astoria Boulevard instead of Grand Central.

Mr. Karagheuzoff favors "a hard-nosed policy on enforcement of parking regulations" and soon expects to add one hundred meter maids to the present staff of 250.

In 1969, policemen and the "meter maids" issued a total of 3.5 million tickets, an increase of 750,000 over the 1965 total.

Mr. Gilbert B. Phillips of the Automobile Club complains that the politicians allow relatively small minorities to block major arterial improvements, such as the Lower Manhattan and Cross-Brooklyn Expressways, which he finds are indispensable to the general welfare.

INDIAN EDUCATION: THE RED MAN'S BURDEN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BROWN of California. Mr. Speaker, while Congress, the anthropologists, the White House, the Bureau of Indian Affairs, and a myriad of other agencies, disciplines, and groups all continue "studying" them; the role and place of the American Indian people in our society keeps deteriorating.

I do not intend to make a long-winded, rhetorical statement on the "Indian problem"; rather, I prefer the facts to make the case in point.

We should remember one thing, though. Studies are not action. Nor does spreading the blame around really solve problems.

Today I would like to focus upon one critical area in Indian policy: education. The following two articles—one from Saturday Review and one from Ramparts—tell a dismal story. But they also highlight what can—indeed, must—be done. These are very important articles because they do not mince words. So much of the future of the American Indian people relates to the type and quality education they are offered.

I pledge myself to seeing that such quality education is available for every American Indian adult and child as soon as possible, and I hope that other Members will join me in this action.

The articles follow:

[From the Saturday Review, Jan. 24, 1970]

AN ISSUE FOR THE SEVENTIES

(By James Cass)

Community involvement in the schools is an old objective that has taken on new meaning in recent years. For a generation or more before World War II, the education literature regularly paid its respects to the need for citizen participation in school affairs, and the PTA provided limited liaison between school and parent. It wasn't until the 1950s, however, that the National Citizens Commission for the Public Schools set out to alert the business and professional communities to the central position that education must occupy in the postwar world. The effort was successful and, combined with other forces at work during the decade—James Bryant Conant's study of *The American High School Today,* the activities of a number of foundations, and the advent of Sputnik, for instance—served to focus public attention on both the needs and the problems of the schools. But the message of the NCCPS, and the state and local committees it fostered, was directed primarily to the middle class.

During the 1960s, community participation took a new and dramatic turn as inner-city leaders and parents increasingly demanded a role in determining policy for the schools that were failing to educate their children. Appearing originally as part of the black civil rights movement, the demand was taken up by other urban minority groups—notably the Puerto Ricans and Mexican Americans.

Members of still another minority—the American Indians—have been less vocal in their demands for a controlling voice in the management of the schools that educate their children, because they have been less united and because they are primarily rural rather than urban peoples. But indications are that their demands will be no less persistent than those of other minorities, and their claims have a special appeal in the light of the shameful history of Indian-white relations.

Professor Estelle Fuchs reviews this history in these pages as background for discussion of the issues that face us today in planning for the future of Indian education. We may hope that attempts to use the schools as instruments for the forced assimilation of Indians into the white man's world, and the efforts to destroy the Indian cultures are things of the past. But too often the schools still see their mission as that of "civilizing the natives," and sensitivity to cross-cultural conflicts is all too rare.

A few experimental attempts to involve the Indian community in the management of its own schools offer some promise for more effective educational programs in the future. The employment of more Indians in the schools, bilingual instruction, teaching English as a second language for the high percentage of students who come to school speaking only their native tongues, and efforts to incorporate studies of tribal cultures in the curriculum can, seemingly, be successful, though many problems of understanding and commitment remain.

The federal government has traditionally been reluctant to become involved in local educational issues, perhaps with good reason, yet, in this instance, where its responsibility is unequivocal, its record has been singularly undistinguished. But the basic problem is that white, middle-class America has long paid lip service to cultural diversity—the richness that alien cultures have added to American life—while rejecting the culturally different in practice. It may be that the time has come for us to learn from our own rhetoric, to accept in practice as well as in theory the values of diversity, and to provide an environment in which minority cultures can flourish. In the process we are almost certain to find that the result will be not only more effective education, but better Americans as well.

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AMERICAN INDIAN EDUCATION: TIME TO REDEEM AN OLD PROMISE

(By Estelle Fuchs)

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The complexity of the issues raised by Indian education and the passion that pervades discussion of them can be understood only as part of the long and tortured history of Indian-white relations in this country. The Indian cannot easily forget the white man's attempts to exterminate his people, their forcible removal from ancestral lands, the efforts to convert them from their ancient religions, and the guarantees of rights to traditional homelands that were so often broken in practice. The record is varied; no one tribe's story is an exact duplicate of another's. But all share a history of subjugation and deliberate attempts to destroy their diverse cultures—sometimes by force, at other times by missionary zeal. And always their very identity and diversity (as Navahos, Pimas, Cherokees, Pawnees, etc.) were obscured by the common misnomer "Indian."

Concern for the education of American Indians appeared early in the history of the English colonies in the New World. Dartmouth was founded for the education of "youth of Indian tribes . . . and also of English youth and others." Harvard was established for the schooling of English and Indian youth, and the campus of William and Mary still treasures an early building erected for Indians. But the issues raised by the white man's efforts to extend the benefits of his educational tradition to the natives of the New World were clearly defined at an early date—and still endure. Benjamin Franklin told of the response by Indian leaders to an offer of education for Indian youth:

"You who are wise must know that different nations have different conceptions of things and will therefore not take it amiss if our ideas of this kind of education happen not to be the same as yours. We have had some experience with it. Several of our young people were formerly brought up at the colleges of the northern provinces; but when they came back to us, they were bad runners, ignorant of every means of living in the woods . . . totally good for nothing. We are, however . . . obliged by your kind offer . . . and to show our grateful sense of it, if the gentlemen of Virginia will send up a dozen of their sons, we will take great care of their educations; instruct them in all we know and make men of them."

Today, nearly a quarter of a million Indian children are in American schools. About half of them are the educational responsibility of the Bureau of Indian Affairs (BIA), which is an agency in the Department of the Interior. But the problems of education and cultural differences remain. After two years of exhaustive hearings on Indian education, a recent Senate subcommittee report was entitled "Indian Education: A National Tragedy—A National Challenge."

The dimensions of the problem are indicated by the record of absenteeism, retardation, and dropout rates in Indian schools. Yet, despite the dreary statistics, more Indian children are coming to school, and they are remaining in school longer. Thus, the issues in Indian education today cut to the core of the problems facing all American education—the quality of educational environment, its responsiveness to the rich diversity of American life, the roles of federal and state governments in supporting the educational enterprise, and, perhaps most important of all, the degree to which the local community shall share in educational decision making.

The position of the Indian differs from that of other minorities, because Congress, as it extended its rule across the continent, recognized the Indian tribes as sovereign nations, and concluded some 400 separate treaties with them. Many of these agreements promised education as one of the federal services that would be provided in exchange for Indian lands.

From the beginning the federal government was uneasy about running schools itself and sought to turn over responsibility to other agencies. During the late nineteenth century, funds were distributed to various religious denominations to maintain mission schools. But public protest against federal aid to sectarian schools led the government to discontinue the practice. As a result, a system of federally operated schools was developed. (The government chose to close down two successful nineteenth century Indian school systems organized by the Cherokee and the Choctaw.)

Paying little attention to the multitude of linguistic and other cultural differences among the tribes, and the varied traditions of child rearing in preparation for adulthood in the tribal communities, the government entered the school business with a vigor that caused consternation among the Indians. The package deal that accompanied literacy included continuing efforts to "civilize the natives." Old abandoned Army forts were converted into boarding schools, children were removed—sometimes forcibly—long distances from their homes, the use of Indian languages by children was forbidden under threat of corporal punishment, students were boarded out to white families during vacation times, and native religions were suppressed. These practices were rationalized by the notion that the removal from the influence of home and tribe was the most effective means of preparing the Indian child to become an American.

The Carlisle Indian School in Pennsylvania, perhaps best known for its famous alumnus, the athlete Jim Thorpe, helped to usher in this ignominious period in the history of education for Indians. The policy might even have succeeded in obliterating Indian cultures and destroying Indian children, if it had not been for two factors. First, the facilities available were totally inadequate, leaving enormous numbers of children untouched by the policy's influence, and second, children resisted the system by running away, and lower echelon BIA personnel sometimes conspired with Indian families to keep the children at home.

Attempts to force Indians into the white man's mold extended to economic policy as well. The Dawes Act of 1887, ignoring the fact that the Indian had no tradition of private ownership of land, and that some tribes did no farming, distributed tracts of reservation lands, called allotments, in parcels of forty to 160 acres. The result was disastrous for the Indians, because the land left over after the allotments were made was declared surplus by the government, and some unsuccessful Indians lost even their allotments. But the result was extremely profitable for those who, by 1934, had managed to grab ninety million acres of former Indian lands.

Both the educational and the economic policies of this period led to the impoverishment of the Indians and to the shattering of their morale. The bitterness of that era remains in the living memory of many older Indians today.

The general pattern of corruption and intolerance of cultural differences that was characteristic of American society in the 1920s pervaded the Indian Service as well, and led to a Senate investigation that produced the best critical survey of federal Indian programs conducted to that date. The Meriam Report of 1928 called for a reversal of former policy in order to strengthen the Indian family and social structure rather than destroy it, to expand day schools and to humanize the boarding schools, to stimulate community participation and to relate needs of Indian youth.

The ensuing years ushered in a more humane and creative period in Indian affairs. It was the era of the New Deal and generally progressive legislation. John Collier, commissioner of Indian Affairs, was empathetic to Indian problems and a strong proponent of the value of cultural diversity and the rights of Indian people. The Indian Reorganization Act, passed in 1934, put a stop to land allotments. Tribal governments were formed, funds were pooled for the purchase of lost lands, and community schools were built. Although problems of poverty and economic development remained to be solved fully, it was a generally exciting and hopeful period.

World War II brought a cutback in federal spending for the New Deal Indian programs, and before they could be vigorously renewed another radical reversal in policy took place that today leaves its mark in anger, suspicion, and fear that will not be easily erased.

The new policy, known as "termination," was instituted in the 1950s and aimed to sever reservations from the services of the Bureau of Indian Affairs. Although different in form, it smacked of the allotment era and other previous attempts by the government to escape its obligations to Indians by forcing them into the general population. Even when they received large sums of money for their lands, the Indians enjoyed little lasting benefit, and many former reservation residents became city dwellers—too often lower-class with their income from tribal resources gone. The experience of the Klamath of Oregon who lost their timberland income, has served as a warning to all reservation Indians. They are wary of any program leading in the direction of hated termination.

Although the termination policy has been currently halted, all contemporary issues in Indian affairs—including Indian education—are interpreted in the light of possible relationship to the ending of federal services to Indians.

Within this shifting pattern of government policy, the federal school system for Indians has grown tremendously in size and complexity from its small beginning at the turn of the century. At present, the BIA operates 226 schools located in Alaska, Arizona, New Mexico, North Dakota, and South Dakota—states where the greatest concentrations of Indians are to be found. There are schools also in California, Florida, Iowa, Kansas, Louisiana, Mississippi, Montana, Nevada, North Carolina, Oklahoma, Oregon, and Utah.

Most of the schools located off reservations are secondary schools with boarding facilities. The majority of elementary schools, both day and boarding, are located on reservations. Attending this far-flung school system are almost 35,000 Indian children in boarding schools, more than 15,000 in day schools, and nearly 4,000 who are housed in dormitories close to reservations, while attending local public schools. The BIA also administers federal funds under the Johnson-O'Malley Act for some 63,000 Indian youngsters attending public schools on or near reservations, runs programs for some 30,000 adults, and offers a modest scholarship program for 4,000 college undergraduates.

Like other growing school systems, enrollment in the BIA schools doubled from 1959 to 1967. The present rate of growth of the Indian population on reservations is 3.3 per cent per year, three times the rate of increase for the national population at large. More than 200,000 Indians out of a total estimated population of fewer than a million are of school age, and the bureau is responsible for educating nearly half of them.

This natural population increase is compounded by the rather recent acceptance of universal schooling on the part of the Indians generally, and the growing expectation that it extend through secondary school and into college. At present, grades eight and ten have the highest dropout rates, but the numbers remaining in school longer appear to be growing yearly. A generation ago, for example, only one child out of four school-age Navahos was in school. Today, more than 90 per cent of the children are, and dropout rates are no greater than the national levels. The Hopi too are making extraordinary progress. But in some tribes the picture is far less bright.

To keep pace with growing enrollment, the BIA has sought to provide classroom space by a crash program of building schools both on and off the reservations. And because the federal government has not instituted the kind of road building program that would have made school attendance more feasible in remote areas, an extensive pattern of boarding schools has been maintained, and transfers to public schools have been encouraged.

Like schools all over the country, those for Indians are a mixed lot. While older buildings with unattractive barracks-like dormitories remain, the newer BIA schools are modern structures that could sit comfortably in any of the more affluent suburbs of the nation. Complete with inviting cafeterias, spacious dormitories with semiprivate sleeping quarters, large social halls, and auditorium-gymnasiums, they include modern classrooms with the latest textbooks and equipment. If these new school plants are to be subjected to any criticism, it is that they are too conventional, too much like schools that might be anywhere. They have not been imaginatively styled for the communities they serve. While conditions vary depending upon the administration, often the interiors of these suburban-type school buildings offer no indication that the children within them are Indian. There are, of course, notable exceptions, among them the Indian Arts and Crafts School at Santa Fe, which, although in an older building, clearly honors the Indian heritage of its students.

It is characteristic, too, that the usual federal school sits apart from the Indian community it serves. Located on or off reservation, in a compound surrounded by a fence, it is an enclave of federal property. On reservation, the life of the staff tends to be quite separate from that of the local people. The schools are characterized by what has come to be called "compound culture," in which staff members generally socialize with one another rather than with the Indians. There is little visiting back and forth in the community.

The BIA system has its share of concerned professionals as well as those who find safety within the protective confines of a tenured civil service system. And staff turnover is high; the isolation and the compound culture do not appeal to many.

With rare exceptions, employment in the schools of the BIA is subject to the rules and regulations of the federal civil service system. Consequently, teachers in Indian schools meet national standards. The civil service requires at least a B.A. degree from an accredited university and training in education or relatively high scores on national teaching tests. Salaries have also risen to national levels, ranging at present from $7,649 to $12,119. These standards represent a vast improvement over the past, and there are generally few differences between BIA teachers and public school teachers in regard to educational background, sex, experience, and age.

However, the establishment of rigid requirements for certification within the system seems to be operating to keep Indians from easily entering the teaching ranks. Efforts to improve this situation by the employment of paraprofessionals are being made, but these do not solve the problem of moving increasing numbers of Indians professionals into decision-making positions within the schools themselves.

At present, 16 per cent of the teachers in BIA schools are Indians. But fewer Indians are entering teaching now, compared with twenty years ago, and most Indian teachers are not assigned to teach in their home communities.

Controversy over goals for Indian education becomes evident in the area of curriculum. Inhumane, forced assimilationist practices are largely a thing of the past. Today, some would like to see the schools emphasize traditional Indian life. Others see the schools serving the function of teaching "Anglo" culture. Growing among Indians and educators alike is the desire to develop curricula that are pluralistic in emphases—retaining respect for the various Indian traditions and for Indian identity while teaching skills needed for life in urban, industrial America as well as on the reservations, where new economic and political developments are taking place.

The complexity of the curriculum problem is indicated by the fact that even today two-thirds of all Indian children entering BIA schools have little or no skill in English. There are nearly 300 Indian languages in use today; more than one-half of the Indian youth between the ages of six and eighteen use their native tongue. All Indians express a concern that the schools teach English, and experience indicates that programs in Teaching English as a Second Language (TESL) provide a more valid and humane way to teach English than to depend upon exposure. TESL programs have been developed and instituted, but funding language programs in both BIA and public schools is a perennial problem. Of the $7.5-million appropriated for the National Bilingual Education Act, only $300,000 is being spent on Indian programs benefiting 773 children.

Aside from the TESL program, curriculum and methodology for Indian children are little different from those employed in schools throughout America. Minimum or no attention is given to the Indian heritage, or to contemporary issues in Indian life. On the whole, attention to the pedagogical complexities of cross-cultural education has been neglected by educators despite their clear relationship to school success or failure, and very few social scientists have concerned themselves with Indian children and the preparation of teachers to work especially in this setting. It is usual for the schools to ignore the cultural heritage of the children as if it didn't exist—or worse, as if it required eradication.

An exciting departure in Indian education is provided by the program of the DINE (Demonstration in Navaho Education) experimental school at Rough Rock, Arizona. Instruction in Navaho language and culture is part of the curriculum, and the school itself is supervised by an all-Navaho school board. The newly organized first Indian college, the Navaho Junior College at Many Farms, is also gearing its curriculum to the special needs of Indian students. These are among the first tribal-run schools since the Choctaw and the Cherokee ran their own school systems during the last century.

Critics of the BIA and its schools are responding to conditions that are sometimes peculiar to the BIA, but in other cases are not unlike those found throughout American education: the discontinuity between teacher education institutions and the schools in which their graduates will be teaching; the inadequate number of Indians recruited into teaching; the lack of understanding and empathy for the culturally different and the poor; unsuitable instructional materials; inadequate professional leadership; and the lack of involvement of the communities being served.

Aside from its inheritance of distrust and suspicion stemming from an earlier era, the BIA is also beset with all the usual problems faced by an entrenched bureaucratic system. Official policy from above is often frustrated by inadequate execution in the field. Indeed, the educational staff in the field is responsible to BIA area offices concerned with many matters other than education, rather than to the director of educational programs.

Also, the system tends to encourage the maintenance of the traditional structure and methods; advancement into administration is through the ranks and encourages the promotion of those defensive of the system rather than those who are innovative or experimentally inclined. Most important, responsibility and accountability, at all levels, are to the bureau rather than to the Indian communities.

Part of the BIA's difficulty is due to the fact that, while it maintains an educational system of its own, it has been committed to the principle that, whenever possible, Indian children should be placed in public schools. This policy is in keeping with assimilationist goals, the general reluctance of the federal government to run a school system, and the unwillingness, except on a small experimental basis, to allow Indians to run their own schools. This ambivalent position of presiding over a school system dedicated to its own demise is not conducive to adequate Congressional funding, support, and planning.

States and local communities generally have been unwilling to assume educational responsibility for Indians living on reservations because the land is tax-free. Therefore, the federal government has provided subsidies to reimburse public schools for the education of Indian students.

But the transfer of Indians to public schools is a two-edged sword. On the one hand, it seems reasonable that public education allows the Indian child access to common schooling along with others. It appears to encourage integration, and it supports the rights of states to oversee education. It appeals to liberals as a means of rescuing Indians from the custodianship of the BIA, which smacks of a colonial service.

On the other hand, attendance at public schools has frequently placed the Indian child in the position of a minority group within a largely white institution. It often puts him in a position of economic and social disadvantage, especially in areas with long histories of antipathy toward the Indian population. Sometimes the public schools are a greater distance from home than the bureau day schools, and in some instances the federally supervised BIA school is superior to the local public school in facilities and staff, as well as in attention to the special needs of Indian children.

In addition, Indians have rarely been in a strong political position in their local communities, and thus have had little say over the design of programs and the allocation of funds received for their people by the local school districts. And again, in the light of the long history of Indian-white relations, transfer to public schools without approval of the local Indian community is suspected as a policy of reneging on the federal obligations to provide education.

Growing Indian political consciousness has led several Rio Grande pueblos to institute court actions charging misappropriations of federal funds by local public school boards; Indians are exercising their vote to elect school board members; and demands are being made that no school transfers take place without community approval.

Increasingly, nevertheless, the problems of Indian education are likely to be found in the public schools. Since World War II, growing numbers of American Indians, together with other rural Americans, have moved to the cities. Some have gone on their own, searching for jobs, others in urban relocation programs designed by the federal government to assist young Indians to move from the reservations to urban employment. One-third of the Indian population now lives in cities, although for many reservation ties remain strong and there is much moving back and forth.

For those Indian children who are recent migrants to the city, school generally means attendance at a large inner-city slum school, where they are submerged among the rest of the "disadvantaged" children of the city. The absence of special programs to meet their particular needs, plus the high transiency rate typical of many, is not conducive to successful completion of school programs, and dropout rates are high. As members of the urban poor, they lose out in the competition with other larger and more powerful minorities as recipients of federal programs.

Virtually every critic of American Indian education has pointed to the urgent need to elevate the BIA, which is now a relatively low-level bureau within the Department of the Interior. Some, such as Alvin M. Josephy reporting to President Kennedy, have argued for transferring the BIA to the executive office of the President where it would be more visible and have a mandate for change. Others have urged that it be transferred to the Department of Health, Education, and Welfare, kept intact, and be placed under an Assistant Secretary or Administrator for Indian Affairs. Still others have proposed that the educational functions of the BIA be transferred to the Office of Education in HEW. A proposal for a more fundamental change was made in a Carnegie Corporation report that called for the creation of a federal commission to assume control of Indian education, with an explicit mandate to transfer this control to Indian communities within five years. The report was careful to state that it was not calling for termination, but rather the continuation of federal responsibility except with Indian control.

The recent Senate subcommittee report elected to retain the BIA in an elevated position within the Department of the Interior. Taking a strong stand in favor of fulfilling federal responsibilities to Indians, it urged that the federal Indian school system be developed into an exemplary system that can play an important role in improving education for Indian children. In addition, it recommended increased and extended funding to public schools, calling for the involvement of Indians in the planning, execution, and evaluation of the use to which the funds are put. Over and above the strengthening of existing schools, it urged policies that permit tribal governments and Indian communities to run their own schools.

In calling for the government to commit itself to a national policy of educational excellence for Indian children, the report emphasized the need for maximum participation and control by Indian adults and communities, more demonstration and experimental programs, and a substantial increase in appropriations to achieve these goals.

The 1960s was a period of intense search and evaluation concerning American Indian education. It began with great hope for change with President Kennedy's proposed task force to examine the problems, and ended with a call for a national commitment to excellence. In the interim, while termination practices have halted, little has happened to change the Indians' basic position of powerlessness, and Indian affairs have continued to take a back seat in Department of the Interior programs.

It is too soon to judge the policies of the 1970s, but certain aspects are clear. The myths of the vanishing and silent Indians have been shattered. Active participation and organization by American Indians themselves are growing, whether in the National Congress of American Indian Tribes, meetings such as the National Indian Education Conference, or the proliferating groups of organized college students and "Red Power" advocates.

Despite the pessimistic past there are still time and great promise for America. The heterogeneity of the Indian populations matches that of the nation. If we can be responsive to the education needs of culturally different groups, many of whose members resist loss of identity in a common, bland "melting pot," if we can provide flexible programs with massive federal funding that allows people themselves to engage in the educational enterprise and to develop the programs best suited for their children, we will have gone a long way in tackling the needs of all American education.

The old chiefs are gone; the young men are to be found in school rather than in the woods, but the lesson is clear. It is not just the Indian who has to learn from us, there is much to be learned from him—the values inherent in group identity; respect for nature; the right of men to participate in the institutions that affect their lives; and that no policy or program, regardless of how well intended, will succeed without his approval.

[From Ramparts, February 1970]

THE RED MAN'S BURDEN

(By Peter Collier)

When fourteen Indian college students invaded Alcatraz on a cold, foggy morning in the first part of November—claiming ownership "by right of discovery," and citing an 1868 treaty allowing the Sioux possession of unused federal lands—they seemed in a lighthearted mood. After establishing their beachhead, they told the press that they had come there because Alcatraz already had all the necessary features of a reservation; dangerously uninhabitable buildings; no fresh water; inadequate sanitation; and the certainty of total unemployment. They said they were planning to make the five full-time caretakers wards of a Bureau of Caucasian Affairs. and offered to take this troublesome real estate off the white man's hands for $24, payment to be made in glass beads. The newspapers played it up big, calling the Indians a "raiding party." When, after a 19-hour stay, the Indians were persuaded to leave the island, everyone agreed that it had been a good publicity stunt.

If the Indians had ever been joking about Alcatraz, however, it was with the bitter irony that fills colonial subjects' discourse with the mother-country. When they returned to the mainland, they didn't fall back into the cigar-store stoicism that is supposedly the red man's prime virtue. In fact, their first invasion ignited a series of meetings and strategy-sessions; two weeks later they returned to the rock, this time with a force of nearly 100 persons, a supply network, and the clear intention of staying. What had begun as a way of drawing attention to the position of the contemporary Indian, developed into a plan for doing something about it. And when the government, acting through the General Services Administration, gave them a deadline for leaving, the Indians replied with demands of their own: Alcatraz was theirs, they said, and it would take U.S. Marshals to remove them and their families; they planned to turn the island into a major cultural center and research facility; they would negotiate only the mechanics of deeding over the land, and that only with Interior Secretary Walter Hickel during a face to face meeting. The Secretary never showed up, but the government's deadlines were withdrawn.

"On this island, I saw not whether the people had personal property, for it seemed to me that whatever one had, they all took share of, especially of eatable things."—Christopher Columbus.

Alcatraz is Indian territory: The old warning to "Keep Off U.S. Property" now reads "Keep off Indian Property;" security guards with red armbands stand near the docks to make sure it is obeyed. Women tend fires beneath huge iron cauldrons filled with food, while their kids play frisbee in what was once a convicts' exercise yard. Some of the men work on the prison's wiring system or try to get more cellblocks cleared out for the Indian people who are arriving daily from all over the country; others sit fishing on the wharf with hand-lines, watching quietly as the rip-tides churn in the Bay. During the day, rock music plays over portable radios and a series of soap operas flit across a TV; at night, the prison is filled with the soft sounds of ceremonial drums and eerie songs in Sioux, Kiowa and Navajo.

In the few weeks of its occupation, Alcatraz has become a mecca, a sort of red man's Selma. Indian people come, stay a few days, and then leave, taking with them a sense of wonderment that it has happened. Middle-aged "establishment" Indians are there. They mix with younger insurgents like Lehman Brightman (the militant Sioux who heads a red power organization called the United Native Americans), Mad-Bear Anderson (the Iroquois traditionalist from upstate New York who fought to get the United Nations to stop the U.S. Army Corps of Engineers' flooding of precious Seneca Indian lands), Sid Mills (the young Yakima who demanded a discharge from the Army after returning from Viet-Nam so that he could fight his real war—against the state of Washington's denial of his people's fishing rights), and Al Bridges (one of the leaders of the first Washington fish-ins in 1964, who now faces a possible ten-year prison sentence for defying the state Fish and Game Commission). The composition of the ad hoc Indian Community changes constantly, but the purpose remains the same: to make Alcatraz a powerful symbol of liberation springing out of the long American imprisonment.

The people enjoy themselves, spending a lot of time sitting around the campfire talking and gossiping. But there is a sense of urgency beneath the apparent lassitude. Richard Oakes, a 27-year-old Mohawk who worked in high steel construction before coming West to go to college, is one of the elected spokesmen. Sitting at a desk in the old Warden's Office, he talks about the hope of beginning a new organization, the Confederacy of American Indian Nations, to weld Indian groups all over the country into one body capable of taking power away from the white bureaucracy. He acknowledges that the pan-Indian movements which have sprung up before have always been crushed. "But time is running out for us," he says. "We have everything at stake. And if we don't make it now, then we'll get trapped at the bottom of that white world out there, and wind up as some kind of Jack Jones with a social security number and that's all. Not just on Alcatraz, but every place else, the Indian is in his last stand for cultural survival."

This sentiment is reflected in the slogans lettered on walls all over the prison, the red paint bleeding down onto the concrete. One of them declared: "Better Red than Dead."

"*I also heard of numerous instances in which our men had cut out the private parts of females and wore them in their hats while riding in the ranks.*"—A U.S. Army lieutenant, testifying about the Sand Creek Massacre of 1864.

The Alcatraz occupation is still popularly regarded as the engaging fun and games of Indian college kids. In its news coverage of the U.S. Coast Guard's feeble attempt to blockade ships running supplies to the island, one local television station found amusement in showing their films to the musical accompaniment of U.S. cavalry bugle calls. It was not so amusing to the occupiers, however. The California Indians now on the Rock know that their people were decimated from a population of 100,000 in 1850 when the gold rush settlers arrived, to about 15,000 thirty years later, and that whole tribes, languages and cultures were erased from the face of the earth. There are South Dakota Indians there whose grandparents were alive in 1890 when several hundred Sioux, mostly women and children leaving the reservation to find food, were caught at Wounded Knee, killed, and buried in a common grave—the old daguerreotypes still showing heavily-mustachioed soldiers standing stiffly over the frozen bodies like hunters with their trophies. Cowboys and Indians is not a pleasant game for the Alcatraz Indians and some must wonder whether, in another 150 years, German children will be gaily playing Nazis and Jews.

But the past is not really at issue. What is at stake today, as Richard Oakes says, is cultural survival. Some of the occupiers have known Indian culture all their lives; some have been partially assimilated away from it and are now trying to return. All understand that it is in jeopardy, and they want some assurance that Indian-ness will be available to their children. It sounds like a fair request, but fairness has never ruled the destiny of the Indian in America. In fighting for survival, the Indians of Alcatraz are challenging the lies perpetuated by anthropologists and bureaucrats alike, who insist that the red man is two things: an incompetent "ward" addicted to the paternalism of government, and an anachronism whose past is imprisoned in white history and whose only future is as an invisible swimmer in the American mainstream. The people on Alcatraz have entered a struggle on a large scale that parallels the smaller, individual struggles for survival that many of them have known themselves; it is the will to exist as individuals that brought them together in determination to exist as a people.

"*When Robert Kennedy came, that was the only day they ever showed any respect for the Indian, just on that one day, and after that, they couldn't care less.*"—A freshman student at Blackfoot, Idaho, High School.

One of the original 14 on Alcatraz was a pretty 22-year-old Shoshone-Bannock girl named La Nada Means. Her hair is long and reddish-black; her nose arches slightly and prominent cheekbones square out her face. Her walk is slightly pidgeon-toed, the result of a childhood disease for which she never received treatment. If you tell her that she looks very Indian, she will thank you, but with a searching look that suggests she has heard the same comment before, and not as a compliment.

"When I was little," she says, "I remember my family as being very poor. There were 12 of us kids, and we were always hungry. I remember sometimes getting to the point where I'd eat anything I could get my hands on—leaves, small pieces of wood, anything. The other thing I remember is the meanness of the small towns around the reservation. Blackfoot, Pocatello—they all had signs in the store windows to keep Indians out. One of them I'll never forget; it said, 'No Indians or Dogs Allowed.' There were Indians stalls in the public bathrooms; Indians weren't served in a lot of the restaurants; and we just naturally all sat in the balcony of the theaters. You learn early what all that means. It becomes part of the way you look at yourself."

She grew up on the Fort Hall reservation in southern Idaho. The Jim Crow atmosphere of the surrounding small towns has lessened somewhat with the passage of time and the coming of the civil-rights bills, but it is still very much present in the attitude of white townsfolk towards Indians. And while there are no longer the small outbreaks of famine that occurred on the reservation when La Nada was growing up in the 50's, Fort Hall is still one of the bleakest areas in the country, and the people there are among the poorest.

Like most Indian children of her generation (and like a great many today), La Nada Means was sent away to school. Her youth became a series of separations from home and family, each more traumatic than the one before. The first school she attended was St. Mary's School for Indian Girls in Springfield, South Dakota. "I took a lot of classes in subjects like 'Laundry' " she remembers, "where the classwork was washing the headmaster's clothes. All Indian people are supposed to be good with their hands, you know, and also hard workers, so we didn't do too much regular schoolwork at St. Mary's. They also had what they called a Summer Home Program where you're sent out during the summer break to live with a white family. It was supposed to teach you white etiquette and things like that, and make you forget your savage Indian ways. When I was 13, I was sent up to Minnesota where I became a sort of housekeeper for the summer. I don't remember too much about it, except that the wages I got, about $5 a week, were sent back to St. Mary's and I never saw them. After being at that school a little while, I got all upset. They said I was 'too outspoken,' and expelled me. After I got back to Fort Hall, I had my first breakdown."

For awhile she attended public school in Blackfoot, the small town bordering the reservation. She was suspended because she objected to the racial slurs against Indians which were built into the curriculum. She was 15 when the Bureau of Indian Affairs (BIA) sent her to its boarding school in Chilocco, Oklahoma. On her first day there, the matrons ordered her to lower the hems on the two dresses she owned. She refused and was immediately classified as a troublemaker. "At Chilocco, you're either a 'good girl' or a 'bad girl,' " she says. "They put me in the bad girls' dormitory right away with Indians mainly from the Northwest. The Oklahoma Indians were in the good girls' dorm, and the matrons constantly tried to keep us agitated by setting the tribes to fighting with each other. Everything was like the Army. There were bells, drills and set hours for everything. The food was called 'GI Chow.' There was a lot of brutality, but it was used mainly on the boys, who lived in another wing. Occasionally they'd let the boys and girls get together. You all stood in this big square; you could hold hands, but if the matrons saw you getting too close, they'd blow a whistle and then you'd have to march back to the dorm."

La Nada made the honor roll, but was expelled from Chilocco after a two-month stay for being involved in a fight. "The matrons just had it in for me, I guess. They got about 100 other Indian girls against me and a few other 'bad girls.' They put us in a small room and when the fight was ready to begin, they turned out the lights and walked out, locking the doors behind them. We had a "riot," and I got beat up. The next day, the head of the school called me into his office and said that I didn't fit in."

She was sent off with one dollar, a sack lunch, and a one-way bus ticket from Chilocco back to Idaho. She lived with her family for a few months, helping her father collect data about conditions at Fort Hall, and then was sent by the BIA to another of its boarding schools, Stewart Institute, in Carson City, Nevada. Her reputation as a "difficult Indian" followed her, and she was again sent home after being at Stewart for less than a day. The BIA threatened to send her to "reform" school; then it forgot about her. "I stayed around the reservation for awhile," she says, "and when I got to be 17, I took GED [high school equivalent] exams. I only had about nine real years of schooling, but I scored pretty well and got into Idaho State College. I lasted there for a semester, and then quit. I didn't really know what to do. At Fort Hall, you either work in some kind of menial job with the BIA agency there, or you go off the reservation to find a job in one of the towns. If you choose the BIA, you know that they'll try to drill a subservient mentality into you; and in the towns, the discrimination is pretty bad."

La Nada again spent time working with her father, a former tribal chairman. They sent out letters to congressmen and senators describing conditions on the reservations, and tried to get the Bureau of Indian Affairs office to respond. As a result, her father was harassed by local law enforcement officials. La Nada drifted for a time and then asked the BIA for "relocation" off the reservation. Many of the Fort Hall Indians have taken this route and 80 percent of them return to the reservation, because, as La Nada says, "things in the slums where you wind up are even worse than on the reservation, and you don't have your people to support you."

The BIA gave her a one-way ticket to San Francisco, one of eight major relocation centers in the country. When she first arrived, she sat in the local BIA office from 8 to 5 for a few days, waiting for them to help her find a job. They didn't, and she found a series of temporary clerk jobs by herself. As soon as she found work, the BIA cut off her $140 a month relocation payment. She wound up spending a lot of time in the "Indian bars" which are found in San Francisco and every other relocation town. She worked as a housekeeper in the private home for Indian girls where the BIA had first sent her, and as a barmaid in a beer parlor. She was "drunk most of the time," and she became pregnant. She was 17 years old.

"After I had the baby," she says, "my mother came out from the reservation and got him. She said they'd take care of him back home until I got on my feet. I really didn't know what to do. The only programs the BIA has are vocational training for menial jobs, and I didn't especially want to be a beautician. Actually, I wanted to try college again, but when I told this to a BIA counselor, he said they didn't have any money for that and told me I was being 'irrational and unrealistic.'

"All types of problems develop when you're on relocation. The Indian who has come to the city is like a man without a country. Whose jurisdiction are you under, the BIA's or the state's? You go to a county hospital when you're sick and they say, 'Aren't you taken care of by the Indian Affairs people?" It's very confusing. You hang around with other Indians, but they are as bad off as you are. Anyway, I started sinking lower and lower. I married this Sioux and lived with his family awhile. I got pregnant again. But things didn't work out in the marriage, and

I left. After I had the baby, I ended up in the San Francisco General psychiatric ward for a few weeks. I was at the bottom, really at the bottom. Indian people get to this point all the time, especially when they're relocated into the big city and are living in the slums. At that point, you've got two choices: either kill yourself and get it all over with—a lot of Indians do this—or try to go all the way up, and this is almost impossible."

As she looks at it now, La Nada feels she was "lucky." She tried to get admitted to the local colleges, but was refused because of her school record. Finally, because the University of California "needed a token Indian in its Economic Opportunity Program for minority students," she was admitted in the fall of 1968. She did well in her classes and became increasingly active, helping to found the United Native Americans organization and working to get more Indian students admitted into the EOP program. "After my first year there," she says, "everything was going all right. I liked school and everything, and I felt I was doing some good. But I felt myself getting swallowed up by something that was bigger than me. The thing was that I didn't want to stop being an Indian, and there were all these pressures, very hidden ones, that were trying to make me white." At the summer break she went back to the reservation and spent some time with her family. The next quarter she became involved in the Third World Liberation Front strike at Berkeley, fighting for a school of Ethnic Studies, including a Native American program. She was suspended by the University.

La Nada's experiences, far from being extreme cases, are like those of most young Indians. If she is unique at all, it is because she learned the value of fighting back.

"We need fewer and fewer 'experts' on Indians. What we need is a cultural leave-us-alone agreement, in spirit and in fact."—Vine Deloria, Jr.

Each generation of Americans rediscovers for itself what is fashionably called the "plight" of the Indian. The American Indian today has a life expectancy of approximately 44 years, more than 25 years below the national average. He has the highest infant mortality rate in the country (among the more than 50,000 Alaskan natives, one of every four babies dies before reaching his first birthday). He suffers from epidemics of diseases which were supposed to have disappeared from America long ago.

A recent Department of Public Health report states that among California Indians, "water from contaminated sources is used in 38 to 42 per cent of the homes, and water must be hauled under unsanitary conditions by 40 to 50 per cent of all Indian families." Conditions are similar in other states. A high proportion of reservation housing throughout the country is officially classified as "substandard," an antiseptic term which fails to conjure up a tiny, two-room log cabin holding a family of 13 at Fort Hall; a crumbling Navajo hogan surrounded by broken plumbing fixtures hauled in to serve as woodbins; or a gutted automobile body in which a Pine Ridge Sioux family huddles against the South Dakota winter.

On most reservations, a 50 percent unemployment rate is not considered high. Income per family among Indian people is just over $1500 per year—the lowest of any group in the country. But this, like the other figures, is deceptive. It does not suggest, for instance, the quality of the daily life of families on the Navajo reservation who live on $600 per year (exchanging sheep's wool and hand-woven rugs with white traders for beans and flour), who never have real money and who are perpetually sinking a little further into credit debt.

To most Americans, the conditions under which the Indian is forced to live are a perennial relevation. On one level, the symptoms are always being tinkered with halfheartedly and the causes ignored; on another level, the whole thrust of the Government's Indian policy appears calculated to perpetuate the Indians' "plight." This is why La Nada Means and the other Indians have joined what Janet McCloud, a leader of the Washington fishing protests, calls "the last, continuing Indian War." The enemies are legion, and they press in from every side: the studiously ignorant politicians, the continuously negligent Department of the Interior, and the white business interests who are allowed to prey upon the reservations' manpower and resources. But as the Indian has struggled to free himself from the suffocating embrace of white history, no enemy has held the death grip more tightly than has his supposed guardian, in effect his "keeper": the Bureau of Indian Affairs.

The Bureau came into being in 1834 as a division of the War Department. Fifteen years later it was shifted to the Department of the Interior, the transition symbolizing the fact that the Indian was beginning to be seen not as a member of a sovereign, independent nation, but as a "ward," his land and life requiring constant management. This is the view that has informed the BIA for over a century. With its 16,000 employees and its outposts all over the country, the Bureau has become what Cherokee anthropologist Robert Thomas calls "the most complete colonial system in the world."

It is also a classic bureaucratic miasma. A recent book on Indian Affairs, *Our Brother's Keeper*, notes that on the large Pine Ridge reservation, "$8040 a year is spent per family to help the Oglala Sioux Indians out of poverty. Yet median income among these Indians is $1910 per family. At last count there was nearly one bureaucrat for each and every family on the reservation."

The paternalism of the BIA, endless and debilitating, is calculated to keep the Indian in a state of perpetual juvenilization, without rights, dependent upon the meager and capricious beneficence of power. The Bureau's power over its "wards," whom it defines and treats as children, seems limitless. The BIA takes care of the Indian's money, doling it out to him when it considers his requests worthy; it determines the use of the Indian's land; it is in charge of the development of his natural resources; it relocates him from the reservation to the big city ghetto; it educates his children. It relinquishes its hold over him only reluctantly, even deciding whether or not his will is valid after he dies.

This bureaucratic paternalism hems the Indian in with an incomprehensible maze of procedures and regulations, never allowing him to know quite where he stands or what he can demand and how. Over 5000 laws, statutes and court decisions apply to the Indians alone. As one Indian student says, "Our people have to go to law school just to live a daily life."

The BIA is the Indian's point of contact with the white world, the concrete expression of this society's attitude towards him. The BIA manifests both stupidity and malice; but it is purely neither. It is guided by something more elusive, a whole world view regarding the Indian and what is good for him. Thus the BIA's overseership of human devastation begins by teaching bright-eyed youngsters the first formative lessons in what it is to be an Indian.

"It is unnecessary to mention the power which schools would have over the rising generation of Indians. Next to teaching them to work, the most important thing is to teach them the English language. Into their own language there is woven so much mythology and sorcery that a new one is needed in order to aid them in advancing beyond their baneful superstitions."—John Wesley Powell.

The Darwinian educational system which La Nada Means endured is not a thing of the past. Last spring, for instance, the BIA's own Educational Division studied Chilocco and came to the following conclusions: "There is evidence of criminal malpractice, not to mention physical and mental perversion, by certain staff members." The report went on to outline the disastrous conditions at the school, noting among other things that "youngsters reported they were handcuffed for as long as 18 hours in the dormitory . . . or chained to a basement pillar or from a suspended pipe. One team member . . . verified a youngster's hurt arms, the deformed hands of another boy, and an obviously broken rib of another. . ."

The BIA responded to this report by suppressing it and transferring the investigators who submitted it. The principal of Chilocco was fired, but more as punishment for letting such things be discovered than for the conditions themselves. The same story is repeated at other BIA boarding schools. At the Intermountain Indian School in Utah, Indian children suspected of drinking have their heads ducked into filthy toilets by school disciplinarians. At Sherman Institute in Riverside, California, students of high school age are fed on a budget of 76 cents a day.

But there is a far more damaging and subtle kind of violence at work in the school as well. It is, in the jargon of educational psychology, the initiation of a "failure-orientation," and it derives from the fact that the children and their culture are held in such obviously low regard. Twenty-five per cent of all BIA teachers admit that they would rather be teaching whites; up to 70 per cent leave the BIA schools after one year. If a teacher has any knowledge at all of his student's needs and backgrounds, he gets it from a two-week non-compulsory course offered at the beginning of the year. One teacher, a former Peace Corps volunteer who returned to teach at the Navajo reservation, told the Senate Subcommittee on Indian Education that the principal of her BIA school habitually made statements such as "All Navajos are brain-damaged," and "Navajo culture belongs in a museum."

The results of the Indian's education, whether it be supervised by the BIA or by the public school system, indicates how greatly the system fails him. Twenty per cent of all Indian men have less than five years of schooling. According to a recent report to the Carnegie Foundation, there is a 60 per cent drop-out rate among Indian children as a whole, and those who do manage to stay in school fall further behind the longer they attend. A study of the Stewart Institute in Carson City, Nevada, for instance, shows that Indian sixth graders, score 5.2 on the California Achievement Test. Six years later, at graduation, their achievement level is 8.4.

In a strange sense, the Indian student's education does prepare him for what lies ahead. What it teaches him is that he is powerless and inferior, and that he was destined to be so when he was born an Indian. Having spent his youth being managed and manhandled, the Indian is accustomed to the notion that his business must be taken care of for him. He is thus ideally equipped to stand by and watch the BIA collect mortgages on his future.

"We should test our thinking against the thinking of the wisest Indians and their friends, [but] *this does not mean that we are going to let, as someone put it, Indian people themselves decide what the policy should be."*—Stewart Udall.

The Indians of California have more than their share of troubles—in part because they never received an adequate land base by government treaty. They are scattered up and down the state on reservations which are rarely larger than 10,000 acres and on rancherias as small as one acre. It takes a special determination to find these Indians, for most of them live in backwoods shacks, hidden from view as well as from water and electricity.

They have to struggle for every bit of federal service they get; disservice, however, comes easy. In 1969 the only irrigation money the BIA spent in all of Southern California, where water is an especially precious commodity to the Indians, was not for an Indian at all, but for a white farmer who had bought an Indian's land on the Pala reservation. The BIA spent $2500—of money appropriated by Congress for the Indians—to run a 900-foot pipeline to this white man's land. The Indians at Pala have been asking for irrigation lines for years, but less than one-half of their lands have them.

At the Resighini rancheria, a 228-acre reservation in Northern California, the Simpson Timber Company had been paying the Indians 25 cents per 1000 feet for the lumber it transported across their land. The total paid to the Indians in 1964 was $4725, and the right of way was increasing in value every year. Then the BIA, acting without warning, sold the right of way outright to Simpson Timber Company for $2500, or something less than one-half its yearly value.

The tiny Agua Caliente band of Indians sits on top of some of the most valuable land in the country: over 600 acres in the heart of Palm Springs. In the late '50's, the BIA, reacting to pressure from developers, obligingly transferred its jurisdiction over the Agua Caliente to a judge of the State Superior Court in the Palm Springs area who appointed "conservators" and "guardians" to make sure that the Indians would not be swindled as development took place. Ten years later, in 1967, a Riverside Press Enterprise reporter wrote a devastating series of articles showing th incredible fees collected for "protecting" the Agua Calientes. One conservator collected a fee of $9000 from his Indian's $9170 bank account; an Indian minor wound up with $3000 out of a $23,000 income, his guardian taking the rest. The "abdication of responsibility" with which the BIA was charged is surely a mild description of what happened to the Agua Calientes, who are supposedly the "richest Indians in the world" living on what is regarded as "an ermine-lined reservation."

The Indian Claims Commission was set up in the 1940's to compensate tribes for the lands stolen during the period of white conquest. In the California claims award of 1964, the Indians were given 47 cents an acre, based on the land's fair market value in 1851. The total sum, $29 million, less "offsets" for the BIA's services over the years, still has not been distributed. When it is, the per capita payout will come to about $600, and the poorest Indians in the state, will have to go off welfare to spend it. The BIA opposed an amendment to the Claims Award which would have exempted this money in determining welfare eligibility. The BIA testified that such an amendment constituted preferential treatment, and that it had been struggling for years to get *equal* treatment for the Indian. The amendment failed, and California's Indians will have to pay for a few months bread and rent with the money they are getting in return for the land that was taken from them.

Cases such as these exist in every state where Indian people live. If the Indian is the Vanishing American, it is the BIA's magic which makes him so. California Indians are fortunate only in one respect: they have an OEO-funded legal rights organization, the California Indian Legal Services, which attempts to minimize the depredations. Most Indians have no one to protect them from the agency which is supposed to be their advocate.

"Once we were happy in our own country and we were seldom hungry, for then the two-leggeds and the four-leggeds lived together like relatives, and there was plenty for them and for us. But the Wasichus [*white men*] *came, and they have made little islands for us . . . and always these islands are becoming smaller, for around them surges the gnawing floods of the Wasichu; and it is dirty with lies and greed. . . ."*—Black Elk, an Oglala Holy Man.

At the entrance to the Fort Hall reservation, where La Nada Means grew up, there is a plaque which commemorates the appearance in 1834 of the first white traders and indicates that the Hudson Bay Company later acquired the Fort and made it into an important stopover on the Oregon Trail. But other aspects of the history of Fort Hall are left unmentioned. It is not noted, for instance, that by the time a formal treaty was signed with the Bannock and Northern Shoshone in 1863, the whites who settled this part of Southern Idaho were paying between $25 and $100 for a good Indian scalp.

Today, the approximately 2800 Shoshone-Bannocks live on the 520,000-acre reservation, all that remains of 1.8 million acres of their land which the treaty originally set aside for their ancestors to keep. The largest single reduction came in 1900, when the government took over 416,000 acres, paying the Indians a little more than $1 an acre for the land. As late as the beginning World War II, the government took over another 3000 acres to make an airfield. It paid the Indians $10 an acre; after the war, it deeded the land to the city of Pocatello for $1 an acre, for use as a municipal airport. Each acre is now worth $500.

But the big problem on the Fort Hall reservation today is not the loss of large sections of land; rather it is the slow and steady attrition of Indian holdings and their absolute powerlessness to do anything about it. In 1887, the Dawes Allotment Act was passed as a major piece of "progressive" Indian legislation, providing for the break-up of community held reservation land so that each individual Indian would receive his plot of irrigable farming land and some grazing land. The federal government would still hold the land in trust, so it could be sold only with BIA approval, the assumption being that an individual holding would give the Indian incentive to be a farmer and thus ease him into American agricultural patterns. Fort Hall shows that the law had quite different effects.

Today, some of these original allotments are owned by anywhere from two to 40 heirs. Because of the complexity of kinship relationships, some Indian people own fractional interests in several of these "heirship lands" but have no ground that is all their own. These lands are one of the symbols of the ambiguity and inertia that rule at Fort Hall. As Edward Boyer, a former chairman of the tribal council, says "Some of the people, they might want to exchange interests in the land or buy some of the other heirs out so they can have a piece of ground to build a house on and do some farming. Also, a lot of us would like the tribe to buy these lands up and then assign them to the young people who don't have any place of their own. But the BIA has this policy of leasing out these lands to the white farmers. A lot of the time the owners don't even know about it."

The BIA at Fort Hall doesn't like the idea of any Indian lands laying idle. And the land is rich, some of the best potato-growing land there is. Its value and its yield are increasing every year. Driving through the reservation, you can't avoid being struck by the green symmetry of the long cultivated rows and by the efficiency of the army of men and machinery working them. The only trouble is that the men are white, and the profits from Fort Hall's rich land all flow out of the Indian community. The BIA is like any technocracy: it is more interested in "efficient" use than in proper use. The most "efficient" way for Fort Hall's lands to be used is by white industrialist-farmers with capital. Thus the pattern has been established: white lessees using Indian land, irrigating with Indian water, and then harvesting with bracero workers.

All leases must be approved by the BIA Superintendent's office; they may be and are given without the consent of the Indians who own the land. The BIA has also allowed white lessees to seek "consents" from the Indians, which in effect provide for blank leases, the specific terms to be filled in later on. The BIA authorizes extremely long leases of the land. This leads to what a recent field study of Fort Hall, conducted by the Senate Subcommittee on Indian Education, calls "small fortunes" for white developers: "One non-Indian in 1964 leased a large tract of Indian land for 13 years at $.30–$.50/acre/year. While the lease did stipulate that once the lessee installed sprinkler irrigation the annual rent would rise to $1.50–$2.00/acre, Indians in 1968 could have demanded $20-$30 for such land. Meanwhile, the independent University Agriculture Extension Service estimates that such potato operations bring the non-Indian lessees an annual *net* profit of $200 per acre." In addition, these leases are usually given by the BIA on a non-competitive, non-bidding basis to assure "the good will of the surrounding community." Fort Hall has rich and loamy land, but Indian people now work less than 17 per cent of it themselves and the figure is declining.

The power of white farmer-developers and businessmen within the local Bureau of Indian Affairs office is a sore point with most people at Fort Hall. They have rich lands, but theirs is one of the poorest reservations. They are told that much revenue comes both to the tribe and to individuals as a result of the BIA farm and mine leasing program, yet they know that if all the revenues were divided up the yield would be about $300 per capita a year. But for some of them, men like Joseph "Frank" Thorpe, Jr., the question of farming and mining leases is academic. Thorpe was a successful cattleman until BIA policies cut down the herds; now he is in the business of lettting other people's cattle graze on his land.

Livestock are something of a fixation with Thorpe. He comes from a people who were proud horsemen, and he owns an Apaloosa mare and a couple of other horses. As he drives over the reservation, he often stops to look at others' cattle. In the basement of his home are several scrapbooks filled with documents tracing the destruction of the cattle business at Fort Hall. There is a yellowing clipping from the Salt Lake City Tribune of November 4, 1950, which says: "Fort Hall Indians have been more successful in cattle raising than any other activity. Theirs is the oldest Indian Cattleman's Association in the country. Association members raise more than 10,000 head of purebred herefords, and plan gradually to increase the herd. . . ." That was how it was 20 years ago. Thorpe, just back from war-time duty with the Marines, worked his herd and provided jobs for many of his kinsmen; the future was promising. Yet by 1958, there were only 3000 head of Indian owned cattle left, and today there are only ten families still involved in full-time cattle operation.

"Around the early '50s," Thorpe says, "the BIA decided that the Indians who'd been using tribal grazing lands without paying a grazing fee were going to be charged. The BIA also made us cattle people set up a sinking fund to pay grazing fees in advance. The bills just got higher and higher, and pretty soon we found we had to start selling off our seed stock to pay them."

Less than 30 per cent of all Fort Hall Indians are permanently employed today. Men like Frank Thorpe once had a going business that harked back to the old times and also provided jobs on the reservation. The BIA had decided that the best use for Fort Hall land was farming; it removed the Indians' cattle from trust status, which meant they could be sold, and began the accelerated program of leasing Indian lands to whites that is still in effect today.

Thorpe spends a good deal of time driving his dust-covered station wagon along the reservation's unpaved roads. A former tribal chairman, he spends much time checking up on the BIA and trying to function as a sort of ombudsman. He drives slowly down the dirt highways where magpies pick at the remains of rabbits slaughtered by cars. He points out where white farmers have begun to crop-dust their leased fields from airplanes. "The game, rabbits and pheasants and all, is disappearing," he says. "Our Indian people here rely on them for food, but the animals are dying out because of the sprays. And sometimes our kids get real sick. These sprays, they drift over and get in the swimming holes. The kids get real bad coughs and sometimes rashes all over their bodies."

Near the BIA agency office on the reservation sits a squat, weathered concrete building. "That's the old blouse factory," he says. "The BIA cooked up this deal where some outfit from Salt Lake City came in here to start a garment plant. The tribe put up the money for the factory, about $30,000, and in return the Salt Lake people were going to hire Indians and train them to sew. It lasted for about a year, and now we've still got the building. The last few years, they've used it to store the government surplus food that a lot of Indians get."

The old blouse factory is one symbol of the despair that has seized Fort Hall. Thorpe points out another one nearby. It is known as a "holding center," and it is a place for Fort Hall Indians who are suspected of being suicidal. The reservation has one of the highest suicide rates in the nation. Last year there were 35 attempts, mostly among the 18–25 age group. Many of them occurred in the nearby Blackfoot City Jail.

Blackfoot town authorities, embarrassed by the number of Indian suicides which have occurred in their jail, now use the holding facility at Fort Hall. It is headed by John Bopp, a former Navy man who is the public health officer on the reservation. "I guess kids here just feel that their future is cut off," he says. "A lot of them are dropouts and rejects from schools. They look around and see their elders pretty downtrodden. They get angry, but the only thing they can do is take it out on themselves. From reading some of their suicide notes, I'd say that they see it as an honorable way out of a bad situation."

"The young people," says Thorpe, "they're our only hope. They've got to clean things up here. But a lot of our young guys, they've just given up." The human resources at Fort Hall, like the land, seem to be slipping away. The best interpretation that could be placed on the BIA's role in it all is to use the words of a teacher at nearby Idaho State College who says that they are "guardians of the poorhouse."

There are other reservations that seem to be in better shape. One is the mammoth Navajo reservation, whose 25,000 square miles reach into portions of Arizona, New Mexico, Utah and Colorado. On the one hand, it too is a place of despair: many of the 120,000 Navajos live in shocking poverty, doing a little subsistence farming and sheep-raising, suffering severe discrimination when they go outside the reservation for a job, and being preyed upon by the white traders and the exotic diseases which infest the reservation. But it is also a place of hope: Navajo-land is rich in resources—coal, oil, uranium, and other minerals—and the tribe gets about $30 million a year from rents and royalties. While this would come to less than $1000 a year if distributed to each family, the Navajos have tried, and to some extent succeeded, in using it as seed money to begin a small but growing series of tribal industries—a sawmill, a handcrafts center, a tourist motel—which provide valuable jobs and income organized around the tribal community.

Private enterprise has also come onto the reservation, epitomized by the large Fairchild Industries plant. There has been much discussion of giving tax incentives to get industry to locate on reservations all over the country, but in general little has come of it. Of an estimated 10,000 jobs opened up by industries on Indian lands, more than half of them have been filled by whites. On the Navajo reservation, however, the tribe has seen to it that practically all the employees hired are Indian, and it seems like a good beginning. Everything there, in fact, appears to be on the upswing; the Navajos seem to be the one tribe that is beginning to solve its problems. This, however, is an oversimplification.

As far as private enterprise is concerned, the plants are mainly defense-oriented: they use federal money for job training and then work on a cost-plus basis. In effect, the government is underwriting private profit, when the same money could have gone into setting up community businesses. The Navajos do get about 1000 jobs, but they are generally low-paying and are given to women, thus destroying the ecology of the Indian family.

Roughly the same thing applies to the rapid development of their natural resources. The way in which these resources are explotted—be it strip-mining or otherwise—depends on the desires of the businesses exploiting them, not on what the Navajos want or need. One result is that the Navajos have no way of planning the development of resources for their own future needs as a community. Navajos get royalties, but private concerns off the reservation get the profits (as well as the depletion allowances, though it is Navajo resources which are being depleted). Indian people have often brought up the possibility of joint economic development of their reservation with the help of private firms. This is always rejected by the BIA, which has an age-old bias against "socialistic" tribal enterprise as well as a very contemporary regard for big business.

The Navajos are seemingly doing well, but their environment is in the hands of others who are interested only in revenue, and not in the Indians' future. The Navajos are thankful, however, for short-term gains, which most tribes don't have; and they have no choice but to leave tomorrow up to the BIA. As anthropologist, David Aberle has pointed out, "Let us suppose that we cut a cross-section through the reservation territory . . . and make a rapid-motion picture of the flow of population, money and resources . . . We would see oil, helium, coal, uranium, and vanadium draining off into the surrounding economy; we would see rents and royalties flowing into the tribal treasury but, of course, major profits accruing to the corporations exploiting the reservation. We would see the slow development of roads, water for stock and drinking, government facilities, and so forth, and a flow of welfare funds coming in, to go out again via the trader. The net flow of many physical resources would be outward; the flow of profits would be outward; and the only major increases to be seen would be population, with a minor increment in physical facilities and consumer goods. This is the picture of a colony."

The BIA is an easy organization to whip. Its abuses are flagrant, and the Indians it is charged with protecting are in great jeopardy. But if places like the Navajo reservation resemble a colony, the BIA is no more than a corps of colonial officers whose role is not to make policy but rather to carry it out. It is impossible not to feel that the Bureau itself has, over the years, taken on the most outstanding feature of the Indians it administers: their utter lack of power. It could make life on the reservation less complicated and cruel and establish some provisions for the Indians' cultural future, but it could never solve the larger issues that lie behind federal Indian policy. The BIA is only a unit within the Department of Interior, and not a very important one at that—certainly nothing like the powerful Bureaus of Land Management and Reclamation. It is the Department of Interior itself which is involved in the big power moves in Indian affairs. As trustees both for the Indians' private trust lands and for public trust lands, it is involved in an irremediable conflict of interest which it solves by taking from the red man's vanishing domains.

"It can be said without overstatement that when the Indians were put on these reservations they were not considered to be located in the most desirable area of the Nation. It is impossible to believe that when Congress created the great Colorado River Indian reservation . . . they were unaware that most of the lands were of the desert kind—hot, scorching sands—and that water from the river would be essential to the life of the Indian people. . . ."—California vs. Arizona.

The Navajo Reservation is mainly arid, and alkaline deposits gather at the foot of the small hills like snowdrifts. Here, as on other reservations, water is a precious asset, and groundwater is minimal. And when the tribal council recently almost gave away the Navajo's rights to the Colorado River, it didn't do so willingly or with forethought; it was conned.

The population of the Colorado River Basin has exploded during this century, and there has been much feuding among the various states over water. The 1922 Colorado River Compact apportioned the Colorado River water between the Upper Basin states (Colorado Utah, Wyoming, New Mexico and Arizona) and those of the Lower Basin (California, Nevada, and again, Arizona). After the Supreme Court water decision of 1963, Arizona conceived an ingenious plan to use the water it had been allotted: the annual 50,000 acre-feet of Upper Basin it had been awarded would be used for power to pump its Lower Basin water (2.8 million acre-feet per year), into the gigantic Central Arizona Project, thus irrigating much of the state and providing for its industrial development. The only thing standing in the way of this plan was the Navajos.

Water rights are one of the few Indian prerogatives laid out in clear judicial terms. They are considered an intrinsic part of the reservation the Indians occupy, and the so-called Winters Doctrine, most recently validated in *California vs. Arizona*, specifies that Indians have priority in the use of waters adjacent to, surrounding, or underneath their land, and that upstream and downstream non-Indian users can have only that which is left over after Indian needs are fulfilled. These rights are guaranteed, and not subject to some "use it or lose it" free for all.

The Navajos have never yet asserted a claim to the Colorado River because their underdevelopment has not required it. But if and when they do, most water lawyers feel that their award could be very large, especially since a much smaller group of Indian tribes on the lower Colorado was awarded one million annual acre-feet in 1963 in *California vs Arizona*. The Navajos could, in fact, probably get enough of the Colorado to turn their reservation into an oasis. For this reason, and because their potential rights could destroy Arizona's plan for using the water it had been awarded (not to mention the whole basis for the apportionment of water among the Upper and Lower basin states), the Navajo tribal council was persuaded, in December 1968, to waive virtually all rights to the River "for the lifetime of the [pumping] plant, or for the next 50 years, whichever occurs first." In return for passing this resolution, the council received some minor considerations, including a $125,000 grant for its new Navajo Community College. The deal was presented casually as an administrative courtesy with adequate compensation, and the tribe was not aware of what lay behind it.

Actually, the Navajos were caught in the middle of some high level mañeuvers. Wayne Aspinall, congressman from Colorado and chairman of the House Subcommittee on Interior and Insular Affairs, had made it clear to the Department of Interior that he would kill legislation funding the Central Arizona Project unless this waiver of the Navajos' Upper Basin Claim—which could affect his own state—was obtained. By the same token, then Secretary of the Interior Stuart Udall was committed to the Central Arizona Project which, among other things, would benefit his own home state. Thus it was he who had the resolution drafted and sent to the tribal council via the local BIA superintendent's office.

All of this would probably have gone unchallenged, perhaps to be discovered several years later, if it hadn't been for the OEO-funded legal rights organization on the reservation. This group, the DNA (the acronym derived from the Navajo phrase meaning "economic revitalization of the people"), has been a constant irritation to those who are accustomed to raiding Navajo resources, and it has earned both a large grassroots following and the enmity of the BIA-influenced tribal hierarchy. The DNA found out about the politics behind the waiver last Spring, documented its implication for the Navajos' future, and by early summer was able to persuade the tribal council to rescind its resolution.

The Fort Mojaves of California are currently involved in another fight related to the Colorado River. They have learned, over the last few months, the truth of the maxim widely quoted in California parapolitics: "Water is the name of the game." The Fort Mojaves woke up one morning to find that the State of California, working in concert with the Interior Department's Bureau of Land Management, had swindled them out of 1500 acres of invaluable river frontage.

The state had had its eyes on this acreage for many years. It first tried to grab it in 1910, using provisions of the Swamp and Overflow Act of 1850 (which allows swampland created by a river to be placed under state jurisdiction). This initial attempt failed, as did others over the years. Then, early in 1967, the state, supported by the Bureau of Land management, finally succeeded in obtaining the land, again citing the Swamp and Overflow Act because its regular powers of eminent domain did not apply to tribal land. The Mojaves didn't even know that hearings on the matter were taking place; they found out that their land had been confiscated only several months afterward, and then it was by accident.

The acreage claimed by California is clearly too high to have ever been a swamp. Moreover, in 1850 when the Swamp and Overflow Act applied, the wild Colorado River's course ran nowhere near the 1500 supposedly swampy acres, having been "channelized" into its present regular course only in the early 1940's. Independent hydrologists' studies have proven conclusively that the contested area was never part of the river bed.

The state is driven to assert fraudulent claims to land in this apparently low-value desert area, just as Interior is bound to back them up, because of their fear that the Mojaves will develop the area. Private developers are eager to come in: they feel that the Colorado River area will become invaluable, especially as Southern California's population spills outward in search of recreation space. Indian water rights are the prime water rights and developers know that even if there is a water shortage, the Indians will get their allotment first because of the Winters Doctrine, spelled out in *California vs. Arizona.*

The state of California and the Bureau of Land Management, reacting to pressure from the powerful Metropolitan Water District of Southern California, do not want this development to take place, even though it is a key to the Indians' future survival. They fear a water shortage and they are fighting it in the easiest way—by confiscating the prior water rights attached to Indian land out of the Indians' hands.

"The Earth is our Mother, and we cannot sell our Mother."—Iroquois saying.

Behind the machinations of the BIA and the grander larcenies of the Department of Interior stands the Indians' final enemy, that vague sense of doom called federal policy. It has always been sinister, and no less so today than in the days when Indian tribes were nearly annihilated by the white man's gifts of blankets saturated in smallpox. The current mode of attack began in the 1950's, with by far the most ominous title in the lexicon of Indian affairs: termination. Its objectives were stated innocuously in a 1953 act of Congress: "It's is the policy of Congress, as rapidly as possilbe to make the Indians within the United States subject to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship. . . ." Cultural assassination always come cloaked in such altruisms, and the crucial phrase, "to end their status as wards of the United States," was neatly circumscribed by florid rhetoric. But that phrase was the heart of the resolution, and its impact was disastrous.

Over the last two decades, the Indian has learned that he must fear most those who want to eliminate the Bureau of Indian Affairs and who make pompous statements about it being time "for this country to get out of the Indian business." A hundred and fifty years ago, perhaps, attaining such equilibrium with the red man would have been laudable; but America got into the Indian business for good when it stole a continent and put its inhabitants in land-locked jails. While the Indian knows that the BIA works against him most of the time, he also realizes its symbolic value as the embodiment of promises made in the treaties which secure his land and culture. Indian people and lands have been, and continue to be, terribly damaged by their relationship to the federal government. But their federal trust status guarantees their Indian-ness. And if it is terminated, they know there will be nothing left to mismanage.

The reservations which were actually terminated as a result of this sudden shift in federal policy in the '50s provide ample warning. The Minominees of Wisconsin, for instance, whose termination began in 1954 and was completed in 1961, had a stable pattern of life which was destroyed. They owned a thriving tribally-run sawmill. They had a hospital and other community services; they had a fairly large tribal bank account. Then came termination, which made the Minominees citizens of Wisconsin and nothing more. The hospital had to close down because it didn't meet state standards; the tribal bank account was doled out to the tribesmen in per capita payments, which were quickly dissipated. The sawmill became a corporation and floundered because of mismanagement, thereby no longer providing the Minominees with jobs. The Indians were supposed to become just like everyone else in Wisconsin, but today they still stand apart as among the poorest people in the state. Much of their land, which was not taxable when held in trust, has been sold at forced auctions to make up defaulted state property taxes.

Another classic case of termination is that of the Klamaths of Oregon. As part of the proceedings in 1954, their richly-forested reservation was sold off and the receipts distributed equally among enrolled members of the tribe. The payout came to over $40,000 per person, and even before it was made the predators began to descend, offering high-interest loans and a treasure house of consumer goods. A few years after termination was accomplished, many of the Klamaths were destitute and on welfare; they had no land left, no money and no future. As one member of the tribe said, "My grandchildren won't have anything, not even the right to call themselves Indian."

Because of the disasters it caused, termination is now "voluntary," although the Congressional resolution which authorized it has yet to be rescinded. Temporarily, at least, it has taken a backseat to the New Frontierish strategies like luring private enterprise onto the reservation and allocating meager OEO funds. However, today there are still tribes in the process of termination—several small ones in California and the Colvilles of Washington—and no attempt is made to stop the misinformation given Indians about the benefits that will result from such an option. Nor will termination ever disappear for good until Indians hold in their own hands the life and death powers over their communities which others now wield. Every time an Indian is "successfully" relocated in a city far from his people, it is a kind of termination, as it is when a plot of ground or the rights to water slip out of his hands. It is not necessary for Indian people to have Secretary of Interior Hickel tell them that they should "cut the cord" that binds them to their reservation, to know that termination exists as the final solution to the Indian Problem.

"He is dispossessed in life, and unforgiving. He doesn't believe in us and our civilization and so he is our mystic enemy, for we push him off the face of the earth."—D. H. Lawrence.

Strangled in bureaucracy, swindled out of lands, forcibly alienated from his own culture, the Indian continues to be victimized by the white man's symbolism: he has been both loved and hated to death. On the one hand, the white looked out at him from his own constricted universe of acquisition and grasping egocentrism and saw a Noble Savage, an innocent at peace with his world. Here was a relic of a better time, to be protected and preserved. But on the other hand the white saw an uncivilized creature possessing, but not exploiting, great riches; the vision was conjured up of the Murdering Redskin whose bestiality provided the justification for wiping him out and taking his land. The Indian's "plight" has always inspired recurrent orgies of remorse, but never has it forced us to digest the implications of a nation and culture conceived in genocide. We act as if the blood-debt of the past cannot be canceled until the Indian has no future; the guiltier he has made us, the more frantic have been the attempts to make him disappear.

Yet, having paid out almost everything he has, the Indian has survived the long exercise in white schizophrenia. And there are some, like Hopi mystic Thomas Banyaka, who give out prophecies that the red man will still be here long after whites have been destroyed in a holocaust of their own making.

LITTLE PROGRESS ABATING SMOG

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. BROWN of California. Mr. Speaker, just 10 months ago the public was startled when the Justice Department—

after a series of closed-door negotiations—offered to settle the antitrust action brought against automobile manufacturers for their alleged conspiracy to retard development of smog controls.

That settlement finally went through, but the case served notice of the ever-deepening air pollution crisis this country already is in.

As public demand for a clean and healthy environment mounted, so did the rhetoric from suddenly enlightened politicians and industrialists.

The President's state of the Union address heavily concentrated on environmental issues. Earth Day came and national support hit a peak.

Now, strangely, the furor has subsided—but the problem is still extremely dangerous. January and February promises of solid action have proved hollow words.

For California, the smog danger begins worsening this time of the year. I wonder how many additional deaths and illnesses will occur this year because—once again—profits are equated with pollution?

The following three letters from Californians in the northern, peninsula, and southern region of our State express a sampling of the outrage and dismay held by residents of my home State.

I sympathize with these citizens, but sympathy is no palliative. Action is needed today, strong action by local, State, and Federal government. Technology exists right now to conquer smog. Enough stringent legislation and proposed amendments to existing laws have been introduced in the Congress. All we lack is positive, forward action.

The letters follow:

SAN JOSE, CALIF.

The EDITOR,
San Francisco Chronicle,
San Francisco, Calif.

DEAR SIR: This letter is addressed particularly to anyone who may still believe that automobile firms will take it upon themselves to eliminate smog.

Until February 19 of this year I was an employe of the General Motors exhaust emission lab in Fremont. This lab tests 16 cars per day for their performance against California emission standards. Cars are randomly selected for testing just before shipment. Following are some observations and experiences of mine during my stay in this lab:

1. Cars brought into the lab for testing could often not be tested because of serious defects, although they were "ready for shipment." No brakes, defective transmission, cracked spark plugs are examples which were not uncommon;

2. Tests were often not counted because the smog prevention equipemnt was not hooked up or not working, thus causing the test car to "flunk";

3. The public relations value of the lab seems to be greater than the actual scientific value—before visitors came to the lab it was shut down for special cleaning; cars were then not run until the visit so the lab would not "get dirty." When newsmen were to come to film the lab's work, it was filled with cars which had already been checked to assure they would pass the test and not embarrass G.M. When G.M. President Edward Cole was to come extraordinary precautions were taken to have the lab appear well-cared for. A look-out was placed so we could start working just as he approached. Mr. Cole came to the factory but did not design to visit our facility or the factory itself, stayed in the front office;

4. My specific instructions were to say "as little as possible" to any visitor, particularly State of California Pollution Control employes, especially in regard to the frequent breakdown of equipment and the poor performance of the cars;

5. In talking to inspection foremen in the plant regarding repetitious defects, I was told that they do not have "near enough men" to inspect the cars "as they should be." They cannot, of course, petition for more help to cost-conscious managers;

6. It is widely known among salary employes in the factory and office that anti-smog equipment is efficient only as long as the engine is completely tuned up, that some cars reach customers without ever being properly tuned up (our lab gave each car a complete tune-up prior to the test), that it is impossible to maintain an engine to specifications without huge expenses at the dealer.

Independently of my work in the lab, I have been interested in the recent environmental activities, and being a student at San Jose State, especially the one—"Survival Faire"—held on that campus in February. Many other G.M. employes were interested in the week-long activities and asked me about them. On February 19 an acquaintance at G.M. told me he had seen our supervisor, Mr. Ernie Johnson, enraged over an anti-automobile part of the "Faire" and had told Mr. Johnson in passing that I was "in on that." The next day I was sent to the personnel office, told that I was being laid-off, and sent immediately home. Since then I have been in contact with several friends still at G.M., who tell me that it is no secret why I was fired—for anti-pollution activities considered "harmful" to G.M.'s image. In using me as an example, supervision has also cited my conversations with hourly employees, during which I "advocated rapid transit." Following my dismissal, another employee was called into the office and warned about his interest in the "Survival Faire" and his association with me.

General Motors is concerned about the public reaction against the pollution caused by its factories and products, but instead of making an energetic fight to eliminate pollution, they seem much more interested in avoiding criticism. During my time in the Fremont Plant, I was made to watch movies produced by G.M. which "proved" how much smog was being eliminated by their new devices, and how the problem was "practically solved." The movie was followed by a lecture absolving G.M. of any blame. I was also made to read leaflets criticizing Ralph Nadar's work.

Yours truly,

JOHN HOWARD.

MANHATTAN BEACH, CALIF.

The LOS ANGELES TIMES,
Los Angeles, Calif.

DEAR SIRS: One month ago my wife was stopped by an officer of the Los Angeles County and cited for emitting excessive engine exhaust. Pursuant to that citation my wife had to make a personal court appearance, with the attendant inconvenience of missing a day's work. It is costing us about $100 to remedy that problem. Candidly, I felt a nudge of resistance when forced by judicial decree to comply with the law of our state. However, I am an engineer, actively engaged in air pollution research at the public expense and it would be a miscarriage of social fiduciary responsibility to do anything but comply with the will of our citizens. Here comes the rub. Today, an exceptionally windy day in L.A., finds Standard Oil of California at El Segundo, that spirited capital servant and founder of F-310, emitting dense black smoke into the Los Angeles Basin and indirectly, I assure you, into our lungs. Perhaps they were taking advantage of the wind to do during the day what they normally do only at night.

I took pictures of their efflux and my best engineering judgment leads me to estimate that Standard Oil was emitting 200 to 400 times the mass flow of pollutants of my auto. Where was the policeman on Monday, April 24? He could have issued one citation and efficiently taken care of literally hundreds of costly highway arrests. *Why is Standard Oil privileged to do in mass what an individual citizen may not do in miniature?* Does the fact that Mr. James Daily, *PR* man for Standard Oil, is a member of the Scientific Committee of the APCD help to explain this obvious absurdity?

When our political and industrial institutions are geared to produce results of the aforementioned type I suggest to you and your readers that change must be effected. If the silent majority boggles at the discontent of youth, let them look and think of examples such as these.

Very truly yours,

W. S. HART.

DEAR CONGRESSMAN BROWN: About a week ago I was very pleased to receive your Questionnaire concerning "Environmental Pollution" and immediately prepared a detailed reply including comments and information concerning my views on auto smog control. I was ready to send it to you but then read last nites paper and as a result threw it away—Why?—because to my great satisfaction I read that you had a technical background in Physics and Civil Engineering and my original reply was intended for a non-technical person. I hope that at long last I may have reached a man with a rare combination of talents—an engineer in the political arena. This may be somewhat like a "bull in a china shop" but at least *I'll* be able to "communicate with *you*"!!

I am writing to advise you that *I have a solution to the smog problem* (automative portion) just like a hundred other "nuts" probably have already informed you. There is, in my case I hope, one significant difference; namely—that I feel I'm qualified by *training* and *experience* (23 years intensive effort in the highly specialized auto smog control field) to at least express an opinion on the subject.

I have a number of patents in the auto smog control field and have demonstrated the technical and practical feasibility of at least one device which is *actually being used on production automobiles.* The device I refer to is the brand new evaporation control device used for the first time on 1970 Ford and General Motors cars. This device is covered by my Patent No. 3,191,587.

I have an advanced "Closed Cycle Concept" to control the *smog forming potential* (photochemical) of the auto exhaust *to essential zero* (estimate 99.9% control). It is relatively expensive but can be "paid for" by "trade-off" of "luxury items" for smog control devices—(e.g. I don't need the $400 air conditioner on my car, whitewall tires, etc., etc. Trade this off by taxation, say a 25% tax on luxury items—use this money for smog control devices).

The proposed "Closed Cycle Concept" involves a *device and a "system".* Pertinent features may be described as follows:

1. It is *not* a "revolutionary" new device operating on some "magic", "mysterious" new principles. (It operates on principles well known to all air pollution engineers, any of whom would concede that the device will "work"—the objection would be simply that "it costs too much").

2. The "Integrated System" approach is the "heart" of the proposal. It provides the means to pay for the relatively "high cost" of the system *at no net increase in cost* to the average "reasonable man" who is more

concerned with environmental pollution than he is with supporting the Madison Avenue "horsepower, styling and luxury-gadget" race. (via the "trade-off principle, i.e. trade off needless luxury items for smog control)

3. Current tax laws should be utilized to the fullest extent which favor air pollution control devices by "fast tax writeoff", subsidy, grants, etc. New laws should be passed to add a cent or two to the gasoline tax, a 25% luxury tax on needless auto accessories (exclude safety, air pollution devices, standard non-luxury equipment, and give a "bonus" for small-small cars) Initial cost of an air pollution control device for cars should be "tax deductible" for the car owner.

4. It allows those industries (auto, oil) which are primarily responsible for the auto smog problem to participate in a meaningful way (not only dollars *but* directly in "service") along with the man on the street in a really effective solution to the auto "smog" problem.

5. In addition to controlling the *auto exhaust* smog problem the system would also control service station emissions (sizeable but not now controlled—23 tons per day in Bay Area District) and auto evaporation loss by a new no-extra-cost system.

6. The device and system are immediately applicable to both *new and old cars alike*. (This is immensely important to a meaningful system which can become effective in "our life-time")

7. Works on *out-of-tune* cars as well as on *tuned-up cars*—(extremely important—most cars on the road are "out-of-tune" and furthermore current exhaust devices as well as catalytic mufflers and flame afterburners *are extremely sensitive* to tune-up condition)

8. Buy device only once—depreciate it off over 10 years or more. Change it from car to car if you so desire.

9. Device can be readily taken off when cars leave control areas permanently. Also very easy to install and could be required on all cars (rent the device) coming into the area of a control district for say over two weeks.

In addition to the above, I have completed your Questionnaire which is attached. I might say that in all my 23 years (started building auto smog control devices in 1947) you are the only person who has ever *asked* me for my opinion.

I appreciate the opportunity to express my opinion and if you have further interest you can be assured of my fullest cooperation.

FRED V. HALL,
Registered Professional Engineer.

H.R. 11550

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. McCLOSKEY. Mr. Speaker, a bill now pending before the Congress, H.R. 11550, has recently received the considered evaluation of the California Interagency Council on Family Planning. Their comments on this legislation are submitted for the consideration of the House:

STATEMENT OF THE CALIFORNIA INTERAGENCY COUNCIL ON FAMILY PLANNING IN FAVOR OF H.R. 11550

Since one of the primary objectives of the Council is "to promote the establishment, expansion and improvement of comprehensive family planning programs so that services and information will be readily available to all Californians who desire such assistance," we support H.R. 11550 because we believe that it will help California agencies and organizations to make considerable progress toward attaining this goal.

We are particularly pleased with the provisions of the bill which authorize direct grants to the states on the basis of population, and those which provide for statewide coordination, planning and evaluation. The additional money allocated is certainly a great improvement over the current funding levels, although we believe that larger amounts will be needed to do the job effectively.

The manner in which family planning and population are tied together throughout the bill is a matter of concern to us, however. We recognize the need to control the rate of growth of the total population, develop a national policy, and engage in population research, but we believe such efforts should not be confused with family planning.

As an Interagency Council, working with a wide variety of groups throughout California, we have become increasingly aware of the apprehensions of the disadvantaged in regard to population control, and their rejection of family planning when it is linked to population limitation. We have also noted that family planning is not only accepted by the poor, it is frequently welcomed, when it is provided as part of good health care with the goal of achieving healthy families and healthier children. We urge therefore, that minor amendments be made in the bill to keep these two concepts distinct and separate.

The Council strongly supports the provision in H.R. 11550 which authorizes the Secretary to make direct grants, and we believe that these grants should not be subject to veto by state or local officials. In California, however, where there is a great deal of interest in and support of family planning, the expert advice of state and local family planning groups should be utilized. We feel, therefore, that it would be a valuable addition to the bill if provision was made for review and comment by state and local agencies (in those states where such agencies exist).

We strongly urge you to use your influence to expedite hearings on the bill, since the long delay is preventing many excellent family planning projects in California from being established or expanded, and the need is great.

Thank you for the opportunity to express our support of H.R. 11550.

Sincerely,
STEPHEN A. CORAY, M.D.,
MRS. ALBERT W. GATOV,
Co-Chairmen.

CONGRESS ACTS TO ASSURE BEST MEDICAL CARE FOR AMERICA'S WOUNDED AND DISABLED VETERANS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ROYBAL. Mr. Speaker, every Member of the 91st Congress has a right to be proud of the decisive action taken by the House and Senate this year to assure the very best medical care for America's wounded and disabled service veterans.

The House, by adding $97 million to the Veterans' Administration hospital and medical budget—beyond the administration's original request—and the Senate, by increasing this figure by $100 million—for an overall congressionally sponsored VA appropriations increase of nearly $200 million—have moved with commendable speed to halt the deterioration in the quality of medical care provided our veteran population, as well as to overcome the nationwide staffing and funding deficiencies in the VA's 166 hospitals and 202 outpatient clinics—caused by a series of shortsighted budget cuts over the past several years.

As a member of the House Veterans' Affairs Committee, I believe we have a time-honored national commitment to recognize the tremendous personal sacrifices made by our veterans who helped protect and preserve the freedoms we all enjoy.

An essential part of that commitment is to maintain a top-flight medical program, absolutely necessary to guarantee the finest possible care for those who have served their country in uniform, and espeically those who have suffered wounds or service-connected disabilities.

So, by acting decisively to meet a situation at some VA hospitals that can only be described as approaching the dimensions of a national disgrace, the Congress has also acted responsibly to reverse the trend toward overcrowded, unsanitary, and undermanned conditions resulting from many veterans' hospitals being caught in an impossible budgetary squeeze between ever higher medical and drug costs and rising workloads, without receiving proportionally increased funding and staffing allocations.

In the face of the inflation-aggravated financial crisis threatening even further cutbacks in vital medical programs for the country's ex-servicemen and women, it would have been nothing short of tragic, therefore, if this, the richest Nation on earth, were to have allowed a fine VA medical program to deteriorate into a second-rate system of health care for those who have already given so much to their country.

The intent of Congress in rectifying this situation was well expressed in today's Washington Evening Star editorial, "Debt of Honor," which declared: "Whatever is needed to make VA medical care the best there is, the American people ought to provide it."

Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD at this point the full text of the Star's editorial, as well as an excellent article written by James McCartney, entitled "Senators Hear Testimony on Poor VA Medical Care," which also appeared in the Washington Star:

DEBT OF HONOR

It would seem to be an elementary rule of decency that men wounded in our nation's wars should be cared for by the people for whom they fought. Yet a combination of budget-scrimping, ignorance and bureaucratic failure—all of it amounting to neglect—has resulted unconscionably in an increase of suffering for some victims of the hostilities in Vietnam.

The evidence of this neglect cannot be discounted. Testimony before a subcommittee headed by Senator Cranston of California included authoritative accounts of filthy conditions, inadequate staffing, obsolete and uncomfortable buildings, broken equipment and lack of space in many Veterans Administration hospitals. Assurances from the VA that all is well have a hollow sound besides the tales of disillusioned veterans who thought their country would do what it could to compensate for their sacrifice.

Making the VA mess all the more inexplicable is the fact that, in other respects, our soldiers are treated better than ever. Their equipment is the best in the world, and they enjoy more amenities in the battle zones than their counterparts in past wars. They have a better chance of surviving serious wounds because of efficient evacuation methods and quickly surgical attention. There have been few complaints about the military hospitals, where most of the wounded recuperate for further duty.

But the level of attention to the needs of the wounded man drops off sharply at the point where it is determined he cannot return to duty and must be discharged and sent to a VA hospital for long-term care. In such a case the patient may be permanently disabled, having paid a price as great as death itself for the privilege of serving his country.

It is particularly fitting in the wake of the star-studded Fourth of July festivities—at which we were exhorted to realize how great a nation we are—to consider whether we seem so great to a paralyzed veteran waiting to be tended in an understaffed hospital.

There is plenty of blame to spread—among this administration, Congress and their predecessors—for the failure to provide the best possible care for the most seriously wounded of the returning veterans. It is more important, though, to rectify the situation immediately.

The administration has asked for a $122 million increase in the VA medical budget, and Cranston would add another $174 million. These amounts may not be enough. But whatever is needed to make VA medical care the best there is, the American people ought to provide it.

Senators Hear Testimony on Poor VA Medical Care

(By James McCartney)

Tens of thousands of U.S. soldiers injured in Vietnam are getting second-rate medical care—or worse—in the nation's Veterans Administration hospitals.

Their plight across the country has been documented in many days of testimony recently before a Senate subcommittee on Veterans Affairs.

Sen. Alan Cranston, D-Calif., who conducted the hearings, called the situation a "dangerously enlarging crisis."

The showdown is yet to come in the Senate on whether money will be voted to do much about it. It is expected early this month.

Highlights of the situation as outlined in testimony:

Many hospitals are filthy. Rats have been reported on patients' beds. Sanitary facilities are often inadequate. Patients can't be kept clean.

A doctor at Wadsworth Hospital in Los Angeles said: "The facilities available for preventing the spread of infection can best be described as medieval . . .

"We have had patients with fevers 102 and up with pain relieved only by injections, who have literally dragged themselves home rather than tolerate conditions."

Staffing is inadequate in practically every VA hospital in the country. Patients have died as result and often are left in pain, without care.

VA hospitals have 1.5 staff members per patient. Practically all other hospitals in the country average about 2.5 staff members per patient.

At the VA hospital here, a group of medical students reported "an almost complete inadequacy" of nurses. Testimony showed the same problem at other hospitals across the country.

One VA doctor said X-ray facilities in his hospital are "obsolete, in the worst sense of the word. Broken down in a very, very true sense. The equipment has to be constantly repaired."

Air conditioning—which is common even in war zones throughout Vietnam—is absent in many veterans' hospitals. Forty-three of the 166 VA hospitals, many in the hottest parts of the country, are not air conditioned. And the VA has not requested funds to do it.

Millions of dollars worth of equipment is lying idle for lack of funds to hire staff in hospitals from coast to coast.

Only half the beds are occupied in the new 1,020-bed hospital in Miami.

An intensive care unit valued at $500,000 is completely idle in Nashville, Tenn. So is a $200,000 cardiac unit.

Two new intensive-care units are under construction in Jackson, Miss., but no funds have been appropriated to hire personnel to man them.

The VA denies there is any trouble. Though he has asknowledged the hospitals are understaffed, Donald E. Johnson, administrator of veterans affairs, said:

"I believe we are giving to the service-connected veterans and to all veterans excellent medical care, top-quality care, and in particular to the Vietnam-era veterans."

SYSTEM IN CRISIS

But witness after witness, many of them doctors, at the hearings painted a picture of a vast hospital system in crisis—unable to meet the needs of a flood of incoming Vietnam wounded.

One of them, Dr. Stanley J. Dudrick, chief of surgery at the University of Pennsylvania division of the VA hospital in Philadelphia, said in his position, "I am charged with the responsibility for providing the best possible medical and surgical care to all patients . . .

"To state that I have fulfilled my charge, or could conceivably fulfill my charge under present conditions, would constitute an act of perjury."

Dudrick itemized his reasons for failure:

Inadequate beds and inadequately sized hospital for the population served.

Insufficient and, in many instances, antiquated equipment and supplies.

Insufficient personnel at the administrative, professional, nursing paramedical and ancillary (auxiliary) levels.

Grossly inadequate support in specific crucial areas such as radiology, pathology, clinical laboratory, psychiatry, physical medicine and rehabilitation, social service, and the out-patient department.

Inadequate space and resources for performance of research vital to maintaining continued high quality of medical care.

Inadequate facilities for teaching at all levels.

Inadequate sharing of major facilities and services.

LACK OF FUNDS

Inadequate funds to support the demands for services now, much less those imposed by the increasing numbers of Vietnam veterans.

In addition, he said, salary scales for staff physicians are "absolutely noncompetitive."

At the Miami VA hospital, Douglas J. Stewart, a second-year resident in medicine at the University of Miami School of Medicine said:

"I have often stood at a patient's bedside watching him vomit large amounts of bood and attempting to keep him alive while waiting for transfusible blood unnecessarily delayed in processing due to lack of clerical help, transporters and laboratory personnel."

"There is often only one nurse responsible for 40 acutely ill patients. If an emergency situation develops, the other 39 patients may go unseen for an hour or more.

"To have two emergency situations develop in a ward at the same time, a not infrequent occurrence, can only be described as utter, tragic chaos."

A case history illustrating the kinds of problems some veterans have had was furnished by former Army Capt. Max Cleland, 27, of Atlanta, a triple amputee.

He lost both legs and his right arm in an accidental grenade explosion near Khe Sanh in April 1968.

He said the medical treatment and evacuation system in Vietnam itself is so good it probably saved his life—and probably has saved the lives of thousands of others.

But once he got back home, he said, it took a full year for him to be fitted for artificial legs—and it could have been done much more quickly.

"There is no doubt in my mind that my rehabilitation time could have been cut in half."

He said he encountered one administrative foulup after another. At one point he went without pay for two months. It was a year before he was able to get a wheelchair of his own. In seeking to select a hospital, he found "a dire lack of information."

Much of the pressure on VA hospitals has resulted because of the differences between medical efforts in the Vietnam war and those of the past.

In past wars the armed services built hospitals abroad to handle the wounded. But modern evacuation systems and modern transportation have made it possible to return wounded men to the United States rapidly—in a matter of days or weeks.

In addition, more men are suffering more serious injuries—and surviving—in the Vietnam war. The evacuation system helps them survive, but new hospital facilities have not been created in the United States to help them recover in maximum comfort.

The Nixon administration budget proposed for the fiscal year that started Wednesday includes a record request for VA medical care—$1.7 billion, an increase of $122 million over last year.

Cranston has proposed adding another $174 million, but there is strong pressure to hold the budget down because the government seeks to curb inflation.

That pressure began during the Johnson administration, as the war was increasing in intensity, and at the height of the war—in 1968—Congress imposed an arbitrary personnel ceiling on the VA hospital system that made it impossible to add hospital personnel—just as Vietnam casualties began to pour in.

For this year, the administration estimates its proposed increase for the year would add about 5,000 hospital staff members.

Pushing for his proposed increase—which he said would add 10,000 personnel—Cranston said. "It seems to me that the administration is trying to balance the budget at the expense of the veterans. The war they're fighting is itself a principal cause of inflation . . ."

OBSERVATIONS ON STOCK MARKET

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. SCHWENGEL. Mr. Speaker, Mr. Allan Whitefield of Des Moines, Iowa, has recently had the occasion to make some observations on the current problems of the stock market. Mr. Whitefield is a well-respected lawyer and financial leader not only in Des Moines but throughout the Nation. His observations will be of interest to many Members:

Today's Stock Market—Whither Goest Thou?

Today's hot gossip item is the stock market—what is the market doing? The question is timely because the answers reflect (a) inflation and deflation trends, (b) involvement in wars and de facto wars, (c) politics and political careers, (d) possible solvency or bankruptcy for companies and individuals, (e) consumer spending, (f) domestic harmony; and a host of other matters.

This is an over-simplified analysis of how we have arrived at our present priority question.

Over a fifty year period, by various direct and indirect moves, our nation has moved to average the risks of our system of free enterprise. Basically it is a system based upon two simple premises: (a) constructive work by individuals must be rewarded adequately and in proportion to the results achieved, and (b) the system must be fair—i.e., in every day life apply the golden rule.

Our system, being administered and applied by human beings (who themselves are diverse in abilities and opportunities), of necessity is imperfect.

The price rise of stocks to dizzy heights, followed by recent major declines, illustrates an area where our system has not yet developed methods for reasonable averaging of the risks of capital investments.

In many areas of our economy, methods of averaging the risks are well established. Risks of longevity of life, health, fire and accident are averaged through insurance. Risks of loss on savings deposits in banks and buildings and loan associations; risks of unemployment; risks of credit extended for home ownership; risks of credit extended through foreign trade; risks of inadequate savings to permit retirement with dignity and increasingly standards of living are averaged through various funds and guarantees.

These moves have monetized (i.e., made liquidity of investments and some capital resources) a partial reality. This has strengthened public confidence and protected partially losses to the public.

In the stock markets, in theory we have monetized the prices of stocks by accepting as fact the market values of stocks as quoted daily (particularly those stocks listed on the public exchanges and in the market pages of the newspapers). In truth, most people believe that on demand owners of stocks can sell their stock for cash at the quoted prices. Financial statements, estimates on wealth, spending decisions, extensions of credit are made upon this belief. Mutual funds, as investment funds committed to investments in stocks and securities, are represented to be liquid 100% for cash on demand. The belief is only partly true—the ability to sell stocks for cash at quoted prices is real only if the offering for sale of stocks is in limited amounts and the existence of would-be buyers of stocks at approximately the quoted prices. The stock market has no adequate secondary reserve or liquidity factor which will protect owners of stocks from unreasonable downside price savings.

The overkill of certain types of government regulations, presented to the public as necessary to protect stock investors against losses, in operation is (a) destroying the smaller institutions engaged in making markets for stocks, (b) concentrating ownership and distribution of stocks into too few organizations, and (c) causing a greater concentration of business in larger units.

Unless and until liquidity is available for stocks (at least in minimum amounts and at a reasonable margin under soundly established averages) pressure may be expected to continue on prices and public confidence will be eroded.

Investments in stocks by an increasing number of people must be continued.

Among methods which should be explored are insured investment guaranty contracts for mutual funds, preferably by private enterprise; adjustments by regulatory authorities to simplify maintenance of markets for stocks; establishment of standards of liquidity and market fluctuations.

SALES TAXES ARE NOT THE SOLUTION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. FRASER. Mr. Speaker, the pressing financial problems being faced by cities throughout the country require new and creative methods of financing.

Making Federal funds more available must be a major solution. Congress has under consideration Federal revenue sharing, block grants, and increased Federal shares for matching fund programs.

All of these are much more equitable and have the possibility for growth necessary to a lasting solution.

The following is an excellent editorial from the Minneapolis Spokesman pointing out the unfairness and inadequacies of municipal sales taxes:

The Sales Tax as a Non Solution of City Problems

The League of Municipalities has come out for more sales taxes. This shocking espousal of a bankrupt idea, an outrageously immoral and impractical tax, is an astonishing revelation of the quality of thinking which is now going into problems of municipal administration. In its baldest terms—in the municipal context—it is a proposal to extract a larger proportion of the money needed to run local government from those least able to pay that cost, in order to relieve the better-heeled property owners. It is another raid on those who devote the larger part of their incomes to providing necessities for their families, for the benefit of the better fixed. It is similar in kind if not in degree to the outrageous massive shift of personal property tax liability from business to the wage earners.

We hear that the municipalities need more money, and this might be true. The taxpayers would be more impressed about this need if some concern were visible about possible economies. What about the economies that might be made, for example, by consolidating the half a hundred or so ridiculously uneconomic little muncipalities that have proliferated around the Twin Cities—primarily for the benefit some people suspect, of real estate speculators.

It is most disquieting to observe such signs of utter sterility of thinking, such complete absence of any evidence of a workable philosophy of local government among our municipal representatives, especially at a time when our society as a whole is moving dynamically forward. How did this backwash of dull and mindless reaction develop?

We think the electorate would do well to give attention to this problem, because we cannot afford municipal leaders who respond to municipal needs with such non-solutions as this. If they have not the courage or the wit to face realities and relate themselves and their problems to the times, then it is high time that the electorate begin looking for people who can and will.

We think the sales tax is a non-solution on two counts. One, it will not solve the municipalities' fiscal problems; and two, it is not available as a solution, since it would depend on legislative action. And the legislators are, after all, realists, even if the municipal fathers are not.

NARCOTIC ADDICTION

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. RODINO. Mr. Speaker, the fight against the horrors of narcotic addiction is showing evidence of gaining momentum. Drug education and narcotic control programs are taking root in many communities where the need is great, and where the rate of addiction has been rising sharply. The battle against narcotic addiction must be fought on every level of government, and it must enlist the active support of our citizenry.

Essex County's United Community Service has just initiated a drug abuse program and it is heartening to note the quick response to the need for funds to launch this community service.

I am happy to bring to the attention of my colleagues a recent editorial which appeared in the Montclair Times and the Verona-Cedar Grove Times:

Quick and Effective Mobilization Against Drugs

The twin facts that the United Community Service drug abuse program is in operation and that more than 67 per cent of the required $150,000 has been raised in a very short time leads to some heartening conclusions.

In the first place, these facts demonstrate that when the cause is worthwhile the people living in this area will respond with contributions.

They also show that a good cause will merit quick and effective mobilization of resources of individuals. This includes both those people living in the immediate area and specialists brought into the vicinity for specific purposes.

At the same time, this is a time when with the goals practically in sight, there is an even greater need to press on as quickly as possible to make all 3 phases operational and to raise the additional funds necessary.

Already in operation is a Help-Line (228-0800), which can be called 24 hours a day 7 days a week. Plans are nearing fruition for establishment of a Youth Center in Montclair. Staff has been hired for prevention and treatment services.

Montclair residents have shown in the immediate past their recognition of the importance of this work.

The information that the $150,000 for yearly future operational expenses will come from United Fund campaigns should spur additional contributions now.

A VIEW OF JAPAN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. DORN. Mr. Speaker, in his column printed in the Hearst Newspapers on June 28, the distinguished editor and journalist, William Randolph Hearst, Jr., offered various personal observations made during his trip to Japan. His remarks cover international understanding and features of Expo '70, and in closing he especially notes the friendship of Japan's Premier Sato toward the United States. I commend his interesting, informative, and enlightening article to the Congress and to the American people:

The Strongest Tie

(By William Randolph Hearst, Jr.)

Tokyo.—After quite a few years of globe trotting, I am convinced that speaking or even understanding a common language is the strongest tie that binds peoples of different nationalities, yes, even races.

In a tie for second, I would put an active sense of humor and the ability and even eagerness to convey one's thoughts or wishes in what is descriptively known as sign language.

What brings these perhaps trite thoughts to mind today is our presence this past week in Japan.

(My son Will, who was 21 last week, joined Joe Kingsbury Smith, Bob Considine and me here Tuesday, having flown from Malaga, Spain, via Paris and Moscow to enlist in our Task Force, and am I pleased and proud to have him.)

Now all of us know enough French—Italian—German—or Spanish to eat, shop, drive in the country and find the men's room from one corner of Europe to the other.

But what to say and more importantly what they are saying in Japanese, Chinese or Vietnamese is, to coin an Oriental cliche, "another cup of tea."

Throughout Europe, the languages are derived from the same root words as our own. Namely, Greek, Latin, Germanic and Anglo-Saxon. Besides we have the same alphabet.

But over here, absolutely nothing. Rien—niente—nada—nicht is familiar or offers a clue in sound or script.

As a consequence it is sign language or nothing—more often nothing. It calls for a bit of imagination and skill in portraying a thought pictorially, which the other guy must understand. Too often you find yourself repeating over and over with increasing impatience and mounting irritation, a charade which obviously is not getting through to your audience.

This language barrier, though insurmountable in the streets of Tokyo, is minimized at Expo '70, the great international Oriental fair in Osaka.

Fairs represent more than mere fun and frolic. They express the will, determination and pride (often false) of the exhibiting nation, and they are more revealing in many cases than an exclusive interview with the prime minister of the country involved, or a six-week visit.

Only about half a million Americans will make it to Expo '70, the way being long and costly. They will probably agree with what I now say: This is the best display America ever presented before the eyes of fair-going multitudes—at least, it's the best in my somewhat considerable experience.

We could could have built the biggest pavilion on the Expo grounds and loaded it to the rafters with everything in our arsenal of technological, scientific and artistic products (the Russians have done just that, predictably).

Instead, we show a bit of this, a bit of that: Frederic Remington's magnificently vital "Cavalry Charge on the Southern Plains," and a hunk of the moon; John Trumbull's virile "Washington Before the Battle of Trenton," and a snazzy yellow Stutz Bearcat; Apollo 8's scarred command module, and Babe Ruth's bat, Indian and Eskimo folk art; helium neon laser beams and great photographic murals—both still and moving.

But we must be saying something that has appeal to the people, in our modest way. Ten million of them have browsed through our unique inflated-ceilinged building—some of them after waiting in an inching along queue for two and a half hours. They've literally worn out the pavilion's rugs already.

However, our prize exhibit is the staff that runs our show, headed by Howard Chernoff, ex-San Diego newsman and acquaintance from London in WW II. Chernoff has ambassadorial rank during the run of Expo, but he hardly fits the pattern of the bow-and-scrape school of diplomacy.

He has been known to "tell off" an occasional foreign official who abused our hospitality. But I saw him impulsively pick up a beautiful little Japanese child and pose for parental pictures with it on his lap, while he sat in John Glenn's capsule seat.

As for Chernoff's staff, all of whom speak Japanese, they are the kind of American kids you want your sons and daughters to grow up to be.

The Russians, as earlier noted, are showing everything but the kitchen sink, and perhaps the only reason it isn't in their cluttered pavilion is that they haven't invented it yet.

One thing you absolutely can't miss in the U.S.S.R.'s show is Vladimir Ilyich Lenin. This is the centennial of his birth. He's all over their lot, in heroic size statues, 1917 newsreels, paintings, whatnot—as compared to our lone portrait of the Father of Our Country.

Moscow artisans turned out so many images of Lenin that they spill over into the pavilions of neighboring Iron Curtain countries, including, alas, the always beautiful Czechoslovakian exhibition. Lenin sticks out like a sore thumb in what the Czechs hoped would be (as it has been in previous fairs), the "sleeper" of the whole show.

My personal "sleeper" is the tiny Irish pavilion. It features Irish hamburgers, Guinness, Irish coffee, and red hair.

Oh yes, one item more. We're leading the other 76 nations in pickpocketing. More than 500 such heists have been committed on our reservation. Confirming an old saying—"Ply your trade where the money is."

On returning to Tokyo Friday night, we learned that our request for an interview with Japanese Prime Minister Eisaku Sato was set for Saturday morning. In my book, he is an ideal world leader in this day and age. Patriotism and his nation's interest come first, as they should, but he feels a strong bond of friendship for the United States.

To top it off, he is philosophically attuned to the times of today and the facts of life. War to him is not the answer for the settlement of international problems. In fact, he seems to exclude even the possibility of there ever being a nuclear holocaust.

Purely and simply, he feels that, as everyone knows, it would lead to total destruction and possibly the annihilation of mankind and civilization as we know it today. However, he recognizes, as he said, that there may someday be "crazy people around," and we should take whatever measures we can to protect ourselves.

Before you conclude that there is an element of contradiction, if not fence-straddling, in the prime minister's line of reasoning, let me assure you he is a pragmatic realist.

Furthermore, he recognizes what America has been trying to do in Vietnam and Cambodia. In fact, he showed a much greater understanding of the President's move into Cambodia than many of our senators and congressmen. He said he felt there has been a lot of inaccurate reporting about the American move into Cambodia, especially by the Japanese press.

It was not, in his opinion, President Nixon who escalated the war in Cambodia, but the Communists, who went in there first and built up their forces.

Since Japan's constitution forbids the country from participating in any wars except in defense of its own territory, Japan's contribution to resisting the spread of Communism in Free Asia has been to extend economic aid to the under-developed nations.

Sato seemed to subscribe to my suggestion that Japan might increase its contribution of yen instead of men and help promote an Asiatic Marshall Plan to strengthen the stability of the non-Communist nations in this part of the world.

As long as he remains prime minister, we won't have to worry about Japan as an ally and reliable friend.

IS IT ALWAYS RIGHT TO BE RIGHT?

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. ROYBAL. Mr. Speaker, Dr. Warren H. Schmidt, a behavioral scientist and assistant dean of the Graduate School of Business Administration at the University of California at Los Angeles, has written a very eloquent, moving and thought-provoking statement on one of America's most urgent problems.

In these days of division and dissent, of polarization and partisanship, I believe Dean Schmidt's message, a parable of poetic simplicity, is well worth considering, and I would like to include it in the Congressional Record at this point:

Is It Always Right To Be Right? Some Reflections on Tensions and Hopes

(By Warren H. Schmidt)

There once was a land where men were always right. They knew it . . . and they were proud of it.

It was a land where a man was proud to say, "I am right" and "You are wrong." For these were words of conviction, of strength and of courage.

No one was ever heard to say, "I may be wrong" or "You may be right," for these were words of weakness, uncertainty and cowardice.

When differences arose among the people of this land they sought not to re-examine and explore; but only to justify and persuade.

When differences arose between the old and the young, the *older* would say,

"We have worked hard to build this great and prosperous land. We have produced cars and highways that permit us to move quickly from place to place. We have built planes that surpass the speed of sound. We have produced computers which solve complex problems in milliseconds. We have even touched the moon. We expect those who inherit this good land to appreciate what we have accomplished and to build on the heritage we have given to them."

These older people were right, of course . . . and they knew it and were proud of it.

But the younger people of that land would respond:

"We see around us a land that has been befouled and exploited. People starve where food is plentiful. Laws and practices prevent some from having an equal chance to develop and to influence. Noble and moral words are matched by selfish and sordid deeds. Leaders urge us to fight wars to preserve peace—and the fighting does not end. The whole scene is phony and polluted and inhuman and out of control. We want no part of this money-mad Establishment."

These younger people were right, of course . . . and they knew it and were proud of it.

And the gap between the generations grew wider.

When differences arose between men of different races, those from the majority race would say:

"We are working steadily to build a land of justice and equality for all our citizens. We have made considerable progress—but social progress does not come swiftly. Those whom we seek to help and lift can only hurt their own cause when they push and intrude and pressure us. Let them show some patience—and let them use more fully the opportunities we have already supplied. Then we will feel like doing even more for them."

These people of the majority where right, of course . . . and they knew it and they were proud of it.

But those from the minority group would reply:

"We have been pushed around too long and we are angry. We have been confined to a ghetto. Our children's education has been stunted in second-rate schools.

"We have seen jobs go to less qualified while our people are rejected or shunted into menial tasks. We see a thousand subtle signs that brand us and our children as second-class citizens in this land. We will tolerate lofty promises and meagre deeds no longer."

These people from the minority were right, of course . . . and they knew it and were proud of it.

And the gap between the races grew wider.

And so it went in this land . . .

Group after group defined the right. And took their stand. And upheld their position against those who opposed them. It happened between those who taught in the school and those who provided the funds. It happened between those who gave priority to a strong defense and those who gave priority to better cities. It happened between those who pleaded for peace at almost any price and those who argued for national honor at almost any cost.

Everyone was right, of course . . . and they knew it and were proud of it.

And the gaps between groups grew wider. Until the day came when the rigidity of rightness caused all activity to come to a halt.

Each group stood in its solitary rightness. Glaring with proud eyes at those too blind to see their truth. Determined to maintain their position at all costs (for this is the responsibility of being right).

But the quality of life in the land declined. And grew more grim. And the people became more angry. And violence increased.

People had more things, but their sense of well-being and personal fulfillment diminished.

Some measured the costs in tasks undone and energy wasted. Others in loneliness and fear. Most felt powerless and without hope.

But through the tense days of confusion and gaps of all kinds. Some maintained their vision of a time when men would again value their differences . . . As a source of richness. As a stimulant to learning. As a base for creativity.

Then . . . One day a strange new sound was heard in the land. Someone said, "I may be wrong . . . You may be right." The people were shocked that anyone could be so weak and so confused. But the voice persisted. And when the people looked, they saw that it came from one who was known for his strength and wisdom.

And some people began to listen in a different way. It now seemed safe to listen to opposing—and even "wrong"—views.

As they listened, they discovered common beliefs they had not known before. They even began to see signs of humanity and noble purpose in those who they once only knew as adversaries.

Here and there men expressed their common desires in deeds—and bright examples of joint action were seen in the land.

With each new effort, men's faith in one another grew . . . and their faith in the future . . . and in their ability to shape their own destiny.

They stated these beliefs in a Declaration of Interdependence which read in part . . . "All men are created equal—but each develops in a unique way. All men are endowed with certain inalienable rights—but each must assume certain inevitable responsibilities. For the happiness and fulfillment of all depends on the commitment of each to accept and support equality and uniqueness, rights and responsibilities."

In this land men had learned how two rights could make a costly wrong. That it may take less courage to point a finger than to extend a hand and less wisdom to defend a narrow right than to search for truth.

Most important of all, the people of this land had learned that the quest for truth is never over; that the challenge is always the same . . .

To stop fighting long enough to listen. To learn from those who differ. To try new approaches. To seek and test new relationships. And to keep at a task that never ends.

WORTHINGTON GLOBE LAYS IT ON THE LINE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 1970

Mr. NELSEN. Mr. Speaker, the Worthington Daily Globe of Worthington, Minn., edited by Ray Crippen, recently sought to underscore the fundamental importance of individual responsibility and local community responsibility in the fight against pollution. It is a recognition that some have found more comfortable to overlook. So I am pleased to call this commentary to the attention of my colleagues as a fine example of the community responsibility that can be encouraged by a responsible press:

OUR LOCAL POLLUTION RESPONSIBILITIES

Earth Day, April 22, was a sober success in Worthington. College and high school students walked to the courthouse as a climax of a day of talk, study and education on pollution problems. All levels of education here were involved, from first grade through second year college, in the nationwide educational effort on pollution problems.

The discovery of pollution as an issue has been popular with politicians of all political persuasions. Every elected official in the country hates pollution as intensely as he hates inflation and unemployment, and a good many have a patented solution to all the ills of the environment.

But there comes a time when the tumult and the shouting dies, a time when words become hollow, a time when the rhetoric is translated into either action of lethargy, a time either to fish or cut bait.

That time is right now. And the place to begin is not Pittsburgh or Los Angeles, but Worthington—right here in River City. A concerted local effort is needed, an effort that demands cooperation (and some sacrifices) from individual citizens, farmers, businessmen, industry, and city, township, and county government.

Perhaps the local problem of pollution that demands our first attention in Worthington is Lake Okabena. Okabena, a lake that should properly be a prairie jewel, is rapidly being spoiled for recreation. Comes the summer months and accumulations of algae and bacteria rapidly turn the lake into a pond unfit for swimming. Beaches are closed and deserted. Only a small wind, a zephyr, roils its water.

The offenders are many, and cleaning the lake will require the cooperation of all. Part of the problem arises from effluent from septic tanks from homes and trailer courts in the area draining into the lake. Part of the problem is from feed lots and farm tiles draining into water courses feeding Lake Okabena. Part of the problem is top soil washed into water courses after every rain that silts the lake.

The accumulation of silt results in turbid water when the wind blows, and the accumulation of bacteria results in coliform counts that close the lake to swimming by mid-summer. But the problem could be solved with effort and through good will. One thing that will be required is unselfishness on the part of offenders, the realization that a person's right to live in a particular spot does not include the right to pollute his environment. Local government, too, must be ready to extend necessary water and sewer services.

But the silt in the lake represents only a minor portion of the top soil washed and blown from the land. Nobles County's Soil Conservation District has been operating for 20 years, and there is still much work to be done.

Despite the many programs designed to save the few inches of top soil that make the land productive, every rain washes new gullies and every wind fills the air with grit. Good soil conservation practices not only preserve the farmer's means of livelihood, but they prevent further pollution. And once again it is largely a matter of the individual practicing good citizenship.

Pollution is to a great extent an individual affair. A recent television program pointed out that the average individual accounted for about four pounds of solid waste each day, waste that must be disposed of and is a major source of pollution. Here again pollution control rests with the individual. The housewife shopping can do much to control pollution by buying soft drinks in returnable rather than disposable bottles, purchasing detergents that break down quickly after use, and similar practices. Once again, pollution control is a matter of good citizenship.

Worthington and Nobles County and all the southwest Minnesota-northwest Iowa area have not yet lost the battle. Our job of cleaning up our environment is still relatively simple compared to the problems faced by metropolitan areas across the nation.

Right here in Worthington and the surrounding countryside practicing good citizenship and taking care to observe the rights of one's neighbors to live in an unpolluted environment could rather quickly result in nearly pollution free surroundings. What is needed to achieve that desirable end is to acknowledge that the results are worthwhile and then to move determinedly in that direction.

It may mean, for example, that a farmer will have to move a feedlot away from a waterway in deference to his neighbors down the stream. It may mean that a septic tank or sewer tile draining into a farm tile and then into a stream will have to be changed. It may mean that the stewardship of the land calls for placing some present cropland in grassland. It may mean that the housewife shopping will have to read detergent labels more carefully and refuse to buy products that generate problems in hard waste disposal. It may mean that the grocer will have to refuse to stock detergents that do not break down after use and rid his shelves of packages that create disposal problems. It may mean that local units of government will have to take steps that will cause some inconvenience and expense to the citizens. Our city's sewage lagoons do not have to smell; proper management of the lagoons can solve the problem.

The course is quite clear. We can get down to business and do something about the problems of pollution plaguing us, or after this first burst of enthusiasm lapse again into lethargy.

If we do fail to act, the consequences are clear. Unsightly clutters of rubbish and burning dumps will offend the eye and pinch the nose. The lake will become a green morass fit only for carp and bullheads.

We make no such prediction that Worthington will be a moonscape unfit for habitation. But the place will be a lot less attractive than it is now, and that is reason enough to get busy.

HOUSE OF REPRESENTATIVES—*Wednesday, July 8, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Every good tree bringeth forth good fruit.—Matthew 7: 17.

We open our minds unto Thee, our Father, and pray that Thy spirit may come anew into our hearts, giving us power for the living of these days. Remove from within us any bitterness that blights our lives, any resentment that ruins our dispositions, and any worry that wearies us and wears us out.

Help us to think cleanly and clearly, to speak forcefully and faithfully, to work heartily and hopefully, and to live trustfully and truly. In this spirit may we learn to do what is best for our country and good for our world.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 1284. Joint resolution authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witnesses and the production of evidence, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5365. An act to provide for the conveyance of certain public lands held under color of title to Mrs. Jessie L. Gaines of Mobile, Ala.; and

H.R. 17548. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17548) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Pastore, Mr. Magnuson, Mr. Ellender, Mr. Holland, Mr. Anderson, Mr. Allott, Mrs. Smith of Maine, Mr. Hruska, and Mr. Young of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 16595) entitled "An act to authorize appropriations for activities of the National Science Foundation, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Kennedy, Mr. Pell, Mr. Eagleton, Mr. Prouty, and Mr. Dominick to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3838. An act to prevent the unauthorized manufacture and use of the character "Johnny Horizon", and for other purposes.

SUPPLEMENTAL VIEWS ON SOUTHEAST ASIA INVESTIGATION

Mr. ANDERSON of Tennessee. Mr. Speaker, I have two unanimous-consent requests to make. One is that my supplemental views on the investigation in Southeast Asia by the select committee be included in that report as a supplemental report; and, second, that my supplemental views be included in the Record as of today so that the readers may have those views available to them.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

DEPRAVED TREATMENT OF PRISONERS IN SOUTH VIETNAM

(Mr. TUNNEY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. TUNNEY. Mr. Speaker, the revelations in the last couple of days that have been brought out to the Nation by my colleagues, the gentleman from Tennessee (Mr. Anderson), and the gentleman from California (Mr. Hawkins), regarding Con Son Prison and the depraved treatment of POW's and political prisoners shows very clearly that it is not just the North Vietnamese and the Vietcong who treat in such a fashion people of their own race and of their own nation with whom they are at war. It is also the Saigon Government which participates in cruel and inhuman handling of their prisoners.

The fact that U.S. dollars are supporting such an effort and the fact that American advisers are over there advising the Vietnamese makes it clear how far you can have a bureaucracy become completely insensate to the problems of man's inhumanity to man.

I am afraid that this is another example of what this Asian war has done to our spirit as a nation. I want to make it very clear that I do not think it is the fault of the Nixon administration any more than I think it is the fault of the Johnson administration. But I think the fault lies in the endeavor—this military endeavor—which can lead a moral nation like the United States—a generous nation like the United States and allow its visions of charitable sacrifice to produce monsters.

This, it seems to me, necessitates a Presidential commission to go over and take a look at what is going on in Con Son, and other political prisons in South Vietnam so that when we speak about inhuman treatment of American prisoners of war, we may speak with the knowledge that we are doing everything we can to keep the Vietnamese—be they South Vietnamese or North Vietnamese—to keep prisoners from being treated inhumanly in our prisons or in prisons sponsored by our client government in Saigon.

THE PLIGHT OF THE VETERANS' ADMINISTRATION HOSPITALS

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, I recently attended a tour of the Kingsbridge VA Hospital. This tour was part of the investigation which was undertaken by the

House Veterans' Affairs Committee. Both the committee headed by Mr. TEAGUE and the Subcommittee on Hospitals headed by Mr. HALEY have devoted considerable man-hours to probing what is happening with the Nation's VA hospitals. What they found is shocking, especially in New York VA hospitals.

As Mr. TEAGUE noted:

> The Vietnam veteran has contributed enough when he fights the shooting war and he should not be expected to fight the inflation war at the expense of his health.

Yet, I have seen the heroes of battles living in continual tragedy.

We are not doing all we can when we allot 11,000 beds in New York VA hospitals to serve more than 2½ million veterans. And we are shirking our duty when we permit our New York VA hospitals to be short staffed by more than 3,300 hospital personnel.

Can you believe our veterans' hospitals have half the attendants that private hospitals have to care for paraplegics—men who cannot move? Are the veteran paraplegics half as much men?

How can we expect men to get well when they are given half a chance to be rehabilitated? As a result, we are finding everincreasing numbers of veterans who are permanent hospital residents. We are not helping them enough, so they are not able to return to society.

CONGRESS SHOULD LEAD THE WAY

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, on June 30, the distinguished chairman of the House Committee on Appropriations (Mr. MAHON) addressed the House on the subject of the deteriorating Federal budgetary situation. He warned the Congress of the President's reestimated fiscal 1971 deficit, excluding trust funds, and that the Federal Government would be $11 billion in the red.

Meanwhile, the national debt has climbed, as of June 30, the end of the Government's fiscal year, to $373 billion.

Mr. Speaker, Congress has to deal with inflation and this overspending, and in this connection, I would suggest that we set an example ourselves by reducing our own salaries and the salaries of all top jobs in Government, including the President and Cabinet members by at least 10 percent.

The dollars thereby saved would not make much of a dent in the deficit, but it would set an example in the way of establishing a pattern of restraint in the fight against inflation.

Mr. Speaker, Congress cannot ask others to do something which itself is unwilling to do. If voluntary restraints are to work, the Government should lead the way.

THE SILENT MAJORITY SPEAKS

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, yes, there is a silent majority.

And 300,000 to 400,000 of them turned out in the Capital of their Nation Saturday night to honor America.

Americans from every State and every city and almost every crossroads of the Nation came to pray, and to salute their flag, and to listen to their fellow patriots and to celebrate the independence of the greatest Nation in the history of the world.

Yes, Mr. Speaker, there is a silent majority. And it consists of something like 95 percent of the American people—the decent, honest, hardworking Americans who respect the rights of others, who love liberty and love their country, who obey her laws, and who serve her in her hour of need.

These are the people who were represented here on Saturday night.

And it is they who will defend a great America today and will build a better America tomorrow.

Mr. Speaker, we should all thank God for the fact that America does indeed have a silent and patriotic and law-abiding majority.

CAPTIVE NATIONS WEEK

(Mr. SCHERLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHERLE. Mr. Speaker, this week, from July 12 to July 18, has been designated "Captive Nations Week." Congress has set aside 1 week for this purpose every year since the resolution was passed in 1959 to remind us of what we, in our good fortune, are liable to forget: that 1 billion people remain shackled in the chains of Communist domination.

Compared to the sufferings of the oppressed peoples of Eastern Europe and Communist Asia, the cries of repression of academic freedoms and police brutality in this country seem merely ludicrous. Paradoxically, the government which allows the greatest freedom of dissent is the most frequent target of criticism while the Communist system which permits none is outwardly calm and undivided by dissent. But it is an uneasy quiet which prevails in the streets of Communist citadels, a tenuous political peace born out of the barrel of a gun.

The citizens—we should rather call them subjects—of these countries rarely and at great peril to themselves raise their voices in protest. But they are nonetheless patriotic for that. They are the silent allies of freedom. They wait patiently for some sign of hope. And they will no doubt be, when their countries are finally liberated, the staunchest defenders of freedom, for they know from bitter experience what it means to live without it. I understand this because I have relatives behind the Iron Curtain in Hungary and East Germany.

We must not forget them and we must not fail them. Freedom is not merely the prerogative of Americans, but the precious heritage of all mankind of which we are privileged to act as guardians. We must be watchful lest it slip from our unwitting grasp. We cannot surrender to those who would threaten it from without and we cannot capitulate to those who would undermine it from within.

THE IMPORTANCE OF THE EMERGENCY PUBLIC INTEREST PROTECTION ACT

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, congressional inaction on President Nixon's Emergency Public Interest Protection Act of 1970 is absolutely incomprehensible.

We have had a sudden strike against the Nation's railroads. The President has aborted the strike by employing his authority under the Railway Labor Act to order the men back to work for 60 days while an Emergency Board studies the situation and recommends a settlement. Now Northwest Airlines has also been struck.

These actions point up the absurdity of the position in which the Nation finds itself.

The country is without adequate means to deal with national emergency labor disputes in transportation and yet hearings have not even been scheduled in either the House or the Senate on the President's proposed Emergency Public Interest Protection Act.

It was last February 27 that the President sent Congress a message detailing his proposal covering emergency disputes in the transportation industries. Why has no action been taken? Why do such disputes reach the point where Congress has to legislate a special solution which in most cases amounts to compulsory arbitration? I think these questions demand an answer. I think the American people will insist upon an answer.

As President Nixon has pointed out, the Railway Labor Act has a very bad record. It discourages genuine collective bargaining.

The President's Emergency Public Interest Protection Act is designed to promote collective bargaining—to promote a solution short of special congressional action in a crisis atmosphere. This makes sense to me, and it should make sense to every other Member of Congress.

I urge that the Congress move immediately to consider the Emergency Public Interest Protection Act.

RECORD OF THE 91ST CONGRESS, FIRST SESSION

(Mr. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BOGGS. Mr. Speaker, I am certain that the appropriate committees will give expeditious consideration to the specific legislation that the gentleman from Michigan just referred to.

The gentleman from Michigan is alleged to have emerged on yesterday from the White House characterizing this Congress as a spendthrift Congress and making other rather uncomplimentary remarks about the record of this Congress. I might say to the gentleman for his edification that we have passed practically every appropriation in the House of Representatives for this session—which incidentally is a record—and we actually reduced the President's budget by at least a half billion dollars.

Let it be pointed out that we have set up a system of priorities. We have increased funds for health, for education, for housing, for urban renewal, for pollution and sewerage. We have indeed exceeded the President's budget in these fields. I was happy on yesterday to see the other body maintain the action of this body in connection with some of those programs.

Just about a week ago or 10 days ago the President sent down a veto message on the Hill-Burton program, and fortunately more than two-thirds of the Members of this body repudiated that veto and well over two-thirds of the Members of the other body did so.

I would suggest to the gentleman from Michigan that he get the record straight.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I anticipated that my friend, the gentleman from Louisiana, might make such a speech. Fortunately I happened to be reading last Sunday's New York Times, the issue of July 5, 1970, page E-3. Will the gentleman please let me continue. In the article, the heading of which is "Budget: Nixon Proposes, Congress Disposes," there is a paragraph by the author, Edwin L. Dale, which is most important and it reads in part as follows:

> The box score by the once obscure but now important Joint Committee on Reduction of Federal Expenditures shows that Congress is well on its way to adding more than $7 billion to the budget deficit in the fiscal year that has just begun.

Mr. BOGGS. The gentleman's quotation may or may not be correct. This is one of the few times I have seen the gentleman use the New York Times in defense of the administration policy. I could find some other comments in that newspaper that might be quite different.

But let me say to the gentleman that he is facing in this fiscal year under his Bureau of the Budget one of the biggest deficits in the entire history of the United States. No question about it.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the majority leader.

Mr. ALBERT. How many amendments—I can recall one—have the Republicans offered to cut the appropriations this year?

Mr. BOGGS. This administration has succeeded in giving us an inflation and—the gentleman emerged from the White House not long ago, and he said the chance of a recession is nil. All I can say to my good friend Jerry Ford is he just does not know what a recession is.

DEFICITS AND THE ECONOMY

(Mr. CEDERBERG asked and was given permission to address the House for 1 minute.)

Mr. CEDERBERG. Mr. Speaker, I have listened with interest to the majority whip. His comment about recession and unemployment is quite interesting.

The unemployment rate under the Democrats in 1961, 1962, 1963, and 1964 was higher than it is now. Then we got involved in Vietnam under the Democratic administration. They put the boys in the Army and sent them to Vietnam, and the unemployment rate went down.

Now what we are trying to do is that we are moving to a peacetime economy. It is true unemployment is up. The adjustment to a peace economy is not without problems.

The gentleman referred to the budget. That is interesting. He evidently has not discussed this matter with the chairman of the Appropriations Committee. I serve on that committee. We get a lecture almost every time we come into our full committee meeting, telling us about what we are doing to the budget, and the concern of the Democratic chairman of the Appropriations Committee.

And the phony cuts that we are making. Almost a half billion of them in the Commodity Credit Corporation alone that we have not funded.

So if we want to analyze the budget, to see exactly what has happened, we have deferred and we have failed to take certain actions, to make the budget look a little lower than it is, but those chickens are coming home to roost. The facts are this Congress has not reduced the budget.

Now, the gentleman talks about deficits. Why, the next to last year the Johnson administration had a deficit of $25 billion. That is the record. The record is not under this administration.

Every effort is being made to hold the line and to produce some fiscal responsibility.

Mr. WOLFF. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from New York.

Mr. WOLFF. Is the gentleman aware of the statement made by the Director of the Bureau of the Budget and the Council of Economic Advisers that a little unemployment will help to stop inflation, that this was one of the answers offered by the administration?

Mr. CEDERBERG. I am not aware of that statement; and nobody wants unemployment.

Mr. WOLFF. On February 21, 1970, Business Week reported the Presidents Council of Economic Advisers appeared before a congressional committee and maintained that "A moderate rise in unemployment is necessary to start winding down inflation" this is an unconscionable method of combating inflation—causing people to lose jobs.

Mr. CEDERBERG. There is a possibility, and I could say that Mr. Heller, who was the chairman of the Committee of Economic Advisers to both President Kennedy and President Johnson, said exactly the same thing. He was under the Democrats. These adjustments are always unpleasant.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Louisiana.

Mr. BOGGS. Does the gentleman consider the loss of $300 billion in securities in this country in the last 18 months healthy?

Mr. CEDERBERG. No; I do not consider it healthy. If we had practiced a little fiscal responsibility, and had not had a $25 billion deficit under the Democrats, this would not have happened.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 204]

Adams
Anderson, Ill.
Anderson, Tenn.
Ashley
Aspinall
Baring
Bell, Calif.
Blatnik
Brock
Broomfield
Brown, Calif.
Caffery
Carey
Celler
Clark
Clay
Collier
Conyers
Cramer
Daddario
Dawson
Denney
Dorn
Edwards, La.
Findley
Foreman
Gallagher
Giaimo
Gilbert
Gray
Hanna
Hansen, Wash.
Hathaway
Holifield
Kirwan
Landgrebe
Leggett
Long, La.
Long, Md.
McEwen
McMillan
Moorhead
Morse
Morton
Nedzi
Nichols
Ottinger
Passman
Pepper
Podell
Pollock
Powell
Price, Tex.
Pryor, Ark.
Rarick
Reifel
Rogers, Colo.
Saylor
Scheuer
Shipley
Stuckey
Sullivan
Ullman
Whitten
Wilson, Charles H.

The SPEAKER pro tempore (Mr. Boggs). On this rollcall 366 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE AMERICAN INDIANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-363)

The SPEAKER pro tempore (Mr. Boggs) laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on Interior and Insular Affairs and ordered to be printed:

To the Congress of the United States:

The first Americans—the Indians—are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement—employment, income, education, health—the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demeaning.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country—to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

SELF-DETERMINATION WITHOUT TERMINATION

The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal government and Indian communuities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the one hand, it has—at various times during previous Administrations—been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of the Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people: to strengthen the Indian's sense of autonomy without threatening his sense of community. We must assure the Indian that he can assume control of his own life without being separated involuntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy.

1. REJECTING TERMINATION

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and right to continued existence of all Indian tribes and Alaska native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. It would guarantee that whenever Indian groups decided to assume control or responsibility for government service programs, they could do so and still receive adequate Federal financial support. In short, such a resolution would reaffirm for the Legislative branch—as I hereby affirm for the Executive branch—that the historic relationship between the Federal government and the Indian communities cannot be abridged without the consent of the Indians.

2. THE RIGHT TO CONTROL AND OPERATE FEDERAL PROGRAMS

Even as we reject the goal of forced termination, so must we reject the suffocating pattern of paternalism. But how can we best do this? In the past, we have often assumed that because the government is obliged to provide certain services for Indians, it therefore must administer those same services. And to get rid of Federal administration, by the same token, often meant getting rid of the whole Federal program. But there is no necessary reason for this assumption. Federal support programs for non-Indian communities—hospitals and schools are two ready examples—are ordinarily administered by local authorities. There is no reason why Indian communities should be deprived of the privilege of self-determination merely because they receive monetary support from the Federal government. Nor should they lose Federal money because they reject Federal control.

For years we have talked about encouraging Indians to exercise greater self-determination, but our progress has never been commensurate with our promises. Part of the reason for this situation has been the threat of termination. But another reason is the fact that when a decision is made as to whether a Federal program will be turned over to Indian administration, it is the Federal authorities and not the Indian people who finally make that decision.

This situation should be reversed. In my judgment, it should be up to the Indian tribe to determine whether it is willing and able to assume administrative responsibility for a service program which is presently administered by a Federal agency. To this end, I am proposing legislation which would empower a tribe or a group of tribes or any other Indian community to take over the control or operation of Federally-funded and administered programs in the Department of the Interior and the Department of Health, Education and Welfare whenever the tribal council or comparable community governing group voted to do so.

Under this legislation, it would not be necessary for the Federal agency administering the program to approve the transfer of responsibility. It is my hope and expectation that most such transfers of power would still take place consensually as a result of negotiations between the local community and the Federal government. But in those cases in which an impasse arises between the two parties, the final determination should rest with the Indian community.

Under the proposed legislation, Indian control of Indian programs would always be a wholly voluntary matter. It would be possible for an Indian group to select that program or that specified portion of a program that it wants to run without assuming responsibility for other components. The "right of retrocession" would also be guaranteed; this means that if the local community elected to administer a program and then later decided to give it back to the Federal government, it would always be able to do so.

Appropriate technical assistance to help local organizations successfully operate these programs would be provided by the Federal government. No tribe would risk economic disadvantage from managing its own programs; under the proposed legislation, locally-administered programs would be funded on equal terms with similar services still administered by Federal authorities. The legislation I propose would include appropriate protections against any action which endangered the rights, the health, the safety or the welfare of individuals. It would also contain accountability procedures to guard against gross negligence or mismanagement of Federal funds.

This legislation would apply only to services which go directly from the Federal government to the Indian community; those services which are channeled through State or local governments could still be turned over to Indian control by mutual consent. To run the activities for which they have assumed control, the Indian groups could employ local people or outside experts. If they chose to hire Federal employees who had formerly administered these projects, those employees would still enjoy the privileges of Federal employee benefit programs—under special legislation which will also be submitted to the Congress.

Legislation which guarantees the right of Indians to contract for the control or operation of Federal programs would directly channel more money into Indian communities, since Indians themselves would be administering programs and drawing salaries which now often go to non-Indian administrators. The potential for Indian control is significant, for we are talking about programs which annually spend over $400 million in Federal funds. A policy which encourages Indian administration of these programs will help build greater pride and resourcefulness within the Indian community. At the same time, programs which are managed and operated by Indians are likely to be more effective in meeting Indian needs.

I speak with added confidence about these anticipated results because of the favorable experience of programs which have already been turned over to Indian control. Under the auspices of the Office of Economic Opportunity, Indian communities now run more than 60 community action agencies which are located on Federal reservations. OEO is planning to spend some $57 million in Fiscal Year 1971 through Indian-controlled grantees. For over four years, many OEO-funded programs have operated under the control of local Indian organizations and the results have been most heartening.

Two Indian tribes—the Salt River Tribe and the Zuni Tribe—have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them. Many Federal officials, including the Agency Superintendent, have been replaced by elected tribal officers or tribal employees. The time has now come to build on these experiences and to extend local Indian control—at a rate and to the degree that the Indians themselves establish.

3. RESTORING THE SACRED LANDS NEAR BLUE LAKE

No government policy toward Indians can be fully effective unless there is a relationship of trust and confidence between the Federal Government and the Indian people. Such a relationship cannot be completed overnight; it is inevitably the product of a long series of words and actions. But we can contribute significantly to such a relationship by responding to just grievances which are especially important to the Indian people.

One such grievance concerns the sacred Indian lands at and near Blue Lake in New Mexico. From the fourteenth century, the Taos Pueblo Indians used these areas for religious and tribal purposes. In 1906, however, the United States Government appropriated these lands for the creation of a national forest. According to a recent determination of the Indian Claims Commission, the government "took said lands from petitioner without compensation."

For 64 years, the Taos Pueblo has been trying to regain possession of this sacred lake and watershed area in order to preserve it in its natural condition and limit its non-Indian use. The Taos Indians consider such action essential to the protection and expression of their religious faith.

The restoration of the Blue Lake lands to the Taos Pueblo Indians is an issue of unique and critical importance to Indians throughout the country. I therefore take this opportunity wholeheartedly to endorse legislation which would restore 48,000 acres of sacred land to the Taos Pueblo people, with the statutory promise that they would be able to use these lands for traditional purposes and that except for such uses the lands would remain forever wild.

With the addition of some perfecting amendments, legislation now pending in the Congress would properly achieve this goal. That legislation (H.R. 471) should promptly be amended and enacted. Such action would stand as an important symbol of this Government's responsiveness to the just grievances of the American Indians.

4. INDIAN EDUCATION

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Drop-out rates for Indians are twice the national average and the average educational level for all Indians under Federal supervision is less than six school years. Again, at least a part of the problem stems from the fact that the Federal Government is trying to do for Indians what many Indians could do better for themselves.

The Federal government now has responsibility for some 221,000 Indian children of school age. While over 50,000 of these children attend schools which are operated directly by the Bureau of Indian Affairs, only 750 Indian children are enrolled in schools where the responsibility for education has been contracted by the BIA to Indian school boards. Fortunately, this condition is beginning to change. The Ramah Navajo Community of New Mexico and the Rough Rock and Black Water Schools in Arizona are notable examples of schools which have recently been brought under local Indian control. Several other communities are now negotiating for similar arrangements.

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee will provide technical assistance to Indian

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communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control. This Subcommittee will act as a transitional mechanism; its objective should not be self-perpetuation but the actual transfer of Indian education to Indian communities.

We must also take specific action to benefit Indian children in public schools. Some 141,000 Indian children presently attend general public schools near their homes. Fifty-two thousand of these are absorbed by local school districts without special Federal aid. But 89,000 Indian children attend public schools in such high concentrations that the State or local school districts involved are eligible for special Federal assistance under the Johnson-O'Malley Act. In Fiscal Year 1971, the Johnson-O'Malley program will be funded at a level of some $20 million.

This Johnson-O'Malley money is designed to help Indian students, but since funds go directly to the school districts, the Indians have little if any influence over the way in which the money is spent. I therefore propose that the Congress amend the Johnson-O'Malley Act so as to authorize the Secretary of the Interior to channel funds under this act directly to Indian tribes and communities. Such a provision would give Indians the ability to help shape the schools which their children attend and, in some instances, to set up new school systems of their own. At the same time, I am directing the Secretary of the Interior to make every effort to ensure that Johnson-O'Malley funds which are presently directed to public school districts are actually spent to improve the education of Indian children in these districts.

5. ECONOMIC DEVELOPMENT LEGISLATION

Economic deprivation is among the most serious of Indian problems. Unemployment among Indians is ten times the national average; the unemployment rate runs as high as 80 percent on some of the poorest reservations. Eighty percent of reservation Indians have an income which falls below the poverty line; the average annual income for such families is only $1,500. As I said in September of 1968, it is critically important that the Federal government support and encourage efforts which help Indians develop their own economic infrastructure. To that end, I am proposing the "Indian Financing Act of 1970."

This act would do two things:

1. It would broaden the existing Revolving Loan Fund, which loans money for Indian economic development projects. I am asking that the authorization for this fund be increased from approximately $25 million to $75 million.

2. It would provide additional incentives in the form of loan guarantees, loan insurance and interest subsidies to encourage *private* lenders to loan more money for Indian economic projects. An aggregate amount of $200 million would be authorized for loan guarantee and loan insurance purposes.

I also urge that legislation be enacted which would permit any tribe which chooses to do so to enter into leases of its land for up to 99 years. Indian people now own over 50 million acres of land that are held in trust by the Federal Government. In order to compete in attracting investment capital for commercial, industrial, and recreational development of these lands, it is essential that the tribes be able to offer long-term leases. Long-term leasing is preferable to selling such property since it enables tribes to preserve the trust ownership of their reservation homelands. But existing law limits the length of time for which many tribes can enter into such leases. Moreover, when long-term leasing is allowed, it has been granted by Congress on a case-by-case basis, a policy which again reflects a deep-rooted pattern of paternalism. The twenty reservations which have already been given authority for long-term leasing have realized important benefits from that privilege and this opportunity should now be extended to all Indian tribes.

Economic planning is another area where our efforts can be significantly improved. The comprehensive economic development plans that have been created by both the Pima-Maricopa and the Zuni Tribes provide outstanding examples of interagency cooperation in fostering Indian economic growth. The Zuni Plan, for example, extends for at least five years and involves a total of $55 million from the Departments of Interior, Housing and Urban Development, and Health, Education, and Welfare and from the Office of Economic Opportunity and the Economic Development Administration. I am directing the Secretary of the Interior to play an active role in coordinating additional projects of this kind.

6. MORE MONEY FOR INDIAN HEALTH

Despite significant improvements in the past decade and a half, the health of Indian people still lags 20 to 25 years behind that of the general population. The average age at death among Indians is 44 years, about one-third less than the national average. Infant mortality is nearly 50 percent higher for Indians and Alaska natives than for the population at large; the tuberculosis rate is eight times as high and the suicide rate is twice that of the general population. Many infectious diseases such as trachoma and dysentery that have all but disappeared among other Americans continue to afflict the Indian people.

This Administration is determined that the health status of the first Americans will be improved. In order to initiate expanded efforts in this area, I will request the allocation of an additional $10 million for Indian health programs for the current fiscal year. This strengthened Federal effort will enable us to address ourselves more effectively to those health problems which are particularly important to the Indian community. We understand, for example, that areas of greatest concern to Indians include the prevention and control of alcoholism, the promotion of mental health and the control of middle-ear disease. We hope that the ravages of middle-ear disease—a particularly acute disease among Indians—can be brought under control within five years.

These and other Indian health programs will be most effective if more Indians are involved in running them. Yet—almost unbelievably—we are presently able to identify in this country only 30 physicians and fewer than 400 nurses of Indian descent. To meet this situation, we will expand our efforts to train Indians for health careers.

7. HELPING URBAN INDIANS

Our new census will probably show that a larger proportion of American Indians are living off the reservation than ever before in our history. Some authorities even estimate that more Indians are living in cities and towns than are remaining on the reservation. Of those American Indians who are now dwelling in urban areas, approximately three-fourths are living in poverty.

The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

But misunderstandings are not the most important problem confronting urban Indians. The biggest barrier faced by those Federal, State and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservations and urban areas. Language and cultural differences compound these problems. As a result, Federal, State and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This Administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, State and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

These efforts represent an important beginning in recognizing and alleviating the severe problems faced by urban Indians. We hope to learn a great deal from these projects and to expand our efforts as rapidly as possible. I am directing the Office of Economic Opportunity to lead these efforts.

8. INDIAN TRUST COUNSEL AUTHORITY

The United States Government acts as a legal trustee for the land and water rights of American Indians. These rights are often of critical economic importance to the Indian people; frequently they are also the subject of extensive legal dispute. In many of these legal confrontations, the Federal government is faced with an inherent conflict of interest. The Secretary of the Interior and the Attorney General must at the same time advance *both* the *national* interest in the use of land and water rights *and* the *private* interests of Indians in land which the government holds as trustee.

Every trustee has a legal obligation to advance the interests of the beneficiaries of the trust without reservation and with the highest degree of diligence and skill. Under present conditions, it is often difficult for the Department of the Interior and the Department of Justice to fulfill this obligation. No self-respecting law firm would ever allow itself to represent two opposing clients in one dispute; yet the Federal government has frequently found itself in precisely that position. There is considerable evidence that the Indians are the losers when such situations arise. More than that, the credibility of the Federal government is damaged whenever it appears that such a conflict of interest exists.

In order to correct this situation, I am calling on the Congress to establish an Indian Trust Counsel Authority to assure independent legal representation for the Indians' natural resource rights. This Authority would be governed by a three-man board of directors, appointed by the President with the advice and consent of the Senate. At least two of the board members would be Indian. The chief legal officer of the Authority would be designated as the Indian Trust Counsel.

The Indian Trust Counsel Authority would be independent of the Departments of the Interior and Justice and would be expressly empowered to bring suit in the name of the United States in its trustee capacity. The United States would waive its sovereign immunity from suit in connection with litigation involving the Authority.

9. ASSISTANT SECRETARY FOR INDIAN AND TERRITORIAL AFFAIRS

To help guide the implementation of a new national policy concerning American Indians, I am recommending to the Congress the establishment of a new position in the Department of the Interior—Assistant Secretary for Indian and Territorial Affairs. At present, the Commissioner of Indian Affairs reports to the Secretary of the Interior through the Assistant Secretary for Public Land Management—an officer who has many responsibilities in the natural resources area which compete with his concern for Indians. A new Assistant Secretary for Indian and Territorial Affairs would have only one concern—the Indian and territorial peoples, their land, and their progress and well-being. Secretary Hickel and I both believe this new position represents an elevation of Indian affairs to their proper role within the Department of the Interior and we urge Congress to act favorably on this proposal.

CONTINUING PROGRAMS

Many of the new programs which are outlined in this message have grown out of this administration's experience with other Indian projects that have been initiated or expanded during the last 17 months.

The Office of Economic Opportunity has been particularly active in the development of new and experimental efforts. OEO's fiscal year 1971 budget request for Indian-related activities is up 18 percent from 1969 spending. In the last year alone—to mention just two examples—OEO doubled its funds for Indian economic development and tripled its expenditures for alcoholism and recovery programs. In areas such as housing and home improvement, health care, emergency food, legal services, and education, OEO programs have been significantly expanded. As I said in my recent speech on the economy, I hope that the Congress will support this valuable work by appropriating the full amount requested for the Economic Opportunity Act.

The Bureau of Indian Affairs has already begun to implement our policy of contracting with local Indians for the operation of Government programs. As I have noted, the Salt River Tribe and the Zuni Tribe have taken over the bulk of Federal services; other projects ranging from job training centers to high-school counseling programs have been contracted out to Indian groups on an individual basis in many areas of the country.

Economic development has also been stepped up. Of 195 commercial and industrial enterprises which have been established in Indian areas with BIA assistance, 71 have come into operation within the last 2 years. These enterprises provide jobs for more than 6,000 Indians and are expected to employ substantially more when full capacity is reached. A number of these businesses are now owned by Indians and many others are managed by them. To further increase individual Indian ownership, the BIA has this month initiated the Indian Business Development Fund which provides equity capital to Indians who go into business in reservation areas.

Since late 1967, the Economic Development Administration has approved approximately $80 million in projects on Indian reservations, including nearly $60 million in public works projects. The impact of such activities can be tremendous; on the Gila River Reservation in Arizona, for example, economic development projects over the last 3 years have helped to lower the unemployment rate from 56 to 18 percent, increase the median family income by 150 percent and cut the welfare rate by 50 percent.

There has been additional progress on many other fronts since January of 1969. New "Indian Desks" have been created in each of the human resource departments of the Federal Government to help coordinate and accelerate Indian programs. We have supported an increase in funding of $4 million for the Navajo Irrigation Project. Housing efforts have picked up substantially; a new Indian Police Academy has been set up; Indian education efforts have been expanded—including an increase of $848,000 in scholarships for Indian college students and the establishment of the Navajo Community College, the first college in America planned, developed and operated by and for Indians. Altogether, obligational authority for Indian programs run by the Federal Government has increased from a little over $598 million in Fiscal Year 1970 to almost $626 million in Fiscal Year 1971

Finally, I would mention the impact on the Indian population of the series of welfare reform proposals I have sent to the Congress. Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan and the proposed Family Health Insurance Plan. It is estimated, for example, that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

This Administration has broken a good deal of new ground with respect to Indian problems in the last 17 months. We have learned many things and as a result we have been able to formulate a new approach to Indian affairs. Throughout this entire process, we have regularly consulted the opinions of the Indian people and their views have played a major role in the formulation of Federal policy.

As we move ahead in this important work, it is essential that the Indian people continue to lead the way by participating in policy development to the greatest possible degree. In order to facilitate such participation, I am asking the Indian members of the National Council on Indian Opportunity to sponsor field hearings throughout the nation in order to establish a continuing dialogue between the Executive branch of government and the Indian population of our country. I have asked the Vice President to see that the first round of field hearings are completed before October.

The recommendations of this Administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal Government and the Indian community play complementary roles.

But most importantly, we have turned from the question of *whether* the Federal government has a responsibility to Indians to the question of *how* that responsibility can best be fulfilled. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance—this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

Richard Nixon.

The White House, *July 8, 1970.*

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

LOBBYING PRACTICES AND POLITICAL CAMPAIGN CONTRIBUTIONS AFFECTING THE HOUSE OF REPRESENTATIVES

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1031 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1031

Resolved, That (a) clause 19 of rule XI of the Rules of the House of Representatives is amended by inserting immediately below paragraph (b) thereof the following new paragraphs:

"(c) Measures relating to activities designed to (1) assist in defeating, passing, or amending any legislation by the House or (2) influence, directly or indirectly, the passage or defeat of any legislation by the House.

"(d) Measures relating to the raising, reporting, and use of campaign contributions for candidates for the office of Representative in the House of Representatives and of Resident Commissioner to the United States from Puerto Rico.".

(b) Clause 19 of rule XI of the Rules of the House of Representatives is further amended by inserting immediately below paragraph (d) thereof the following new paragraph:

"(g) The Committee on Standards of Official Conduct, acting as a whole or by subcommittee, is authorized to conduct investigations and studies, from time to time, of the laws, rules, regulations, procedures, practices, and activities pertaining to (1) lobbying activities as described in subparagraphs (1) and (2) of paragraph (c) of this clause, or (2) the raising, reporting, and use of political campaign contributions as described in paragraph (d) of this clause, or (3) both. Each such investigation and study may include all pertinent matters which would assist the Congress in connection with necessary remedial legislation. The committee may obtain the views of all parties familiar with the subject matter covered by the investigation and study. The committee shall report to the House (or to the Clerk of the House if the House is not in session) the results of each such investigation and study, together with such recommendations as the committee considers advisable.".

Sec. 2. The Committee on Standards of Official Conduct shall conduct its first investigation and study under authority of the amendments made by the first section of this resolution during the remainder of the Ninety-first Congress, and shall submit to the House (or to the Clerk of the House if the House is not in session), at the earliest practicable date prior to the close of the Ninety-first Congress, a report of the results of that investigation and study. Such report shall contain such recommendations as the committee considers advisable, including a draft of proposed legislation to carry out such recommendations.

Sec. 3. The following technical and conforming amendments are hereby made to clause 19 of rule XI of the Rules of the House of Representatives:

(1) Paragraph (c) of clause 19—

(A) is redesignated as paragraph (e) of such clause; and

(B) as so redesignated, is amended by striking out "paragraph (d) of this clause" and inserting in lieu thereof "paragraph (f) of this clause".

(2) Paragraph (d) of clause 19 is redesignated as paragraph (f) of such clause.

(3) Paragraph (e) of clause 19 is redesignated as paragraph (h) of such clause.

The SPEAKER pro tempore. The gentleman from Mississippi (Mr. Colmer) is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith) pending which I yield myself such time as I may consume.

Mr. Speaker, this is a rather brief, simple, and yet comprehensive resolution. First, Mr. Speaker, permit me to say that the Committee on Rules, and particularly the Subcommittee on the Reorganization of the Congress, headed by the very able and distinguished and diligent member of the Committee on Rules, the gentleman from California (Mr. Sisk), have done a very diligent and able job in attacking the very complex subject of congressional reorganization.

One of the facets of this reorganization program was the question of amending the House rules with reference to lobbying activities. This matter gave your rules committee, and particularly the subcommittee, considerable concern. It was finally decided that because of the depth and the complexity of the matter that the appropriate place for the lobbying provision was in the Standing Committee on Standards of Official Conduct.

So, primarily, this resolution authorizes the Committee on Standards of Official Conduct to make a study of this matter and report back to the Congress by the end of this session. It also provides that the subject of campaign contributions shall likewise be studied and a report made back to this Congress by the Committee on Standards of Official Conduct.

Mr. Speaker, in brief that is what the resolution does.

However, I think I should again remind the Members of the House that this resolution is only one facet of the overall reorganization bill which your committee has had under study for the past several months. The general bill, H.R. 17654, as you are aware, has been approved and it, together with the report accompanying H.R. 17654 to improve the operation of the legislative branch of the Federal Government, has been finalized. Moreover, I should remind the House that this bill is scheduled for consideration on the floor for next Monday, July 13.

This has been a rather arduous task. The subcommittee, consisting of Mr. Sisk, chairman, and Messrs. Bolling and Young of the majority, and Messrs. Smith of California and Latta, has devoted many weeks of long study and hearings on the bill. And, in spite of the many complexities, the many points of view, and the monumental tasks with which the Subcommittee on Reorganization and the full Committee on Rules, in my judgment, have performed a very good job. Of course, the bill does not meet, I am sure, with the unanimous approval of the House, and I am sure, that some of the committee members themselves, including myself, have some reservations on some particular provisions of the bill. However, as in the enactment of all legislation there must be some give as well as take, but I think it is significant that in the final analysis the bill was unanimously approved by the full 15 members of the Rules Committee. No doubt there will be considerable discussion, with possibly many amendments offered. Some of the amendments offered, I am sure, will be of a wholesome and constructive nature, but I am in hopes that the membership, like the committee, will not pursue the idea of change merely for the sake of change.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, before detailing the provisions of House Resolution 1031, I think a little history of the Federal Regulation of Lobbying Act might be helpful to the Members.

The original Federal Regulation of Lobbying Act was passed as a part of the 1946 Reorganization Act. It provided for a quarterly registration by lobbyists with the Secretary of the Senate and the Clerk of the House, and a reporting of expenditures made in an effort to influence legislation during the preceding quarter.

The act has never been very successful in its primary intent, which was to require registration of all lobbyists and reporting of all expenditures made to influence legislation. All lobbyists have not registered during the years and all of their expenditures have not been reported. There are weaknesses in the language of the act. Neither officer of the Congress has any way to verify the reporting. The weakness of the act can be seen from the fact that Members have, over the years, introduced legislation to amend it.

The Joint Committee on the Organization of Congress, created in 1965, included amendments to the Lobbying Act in its omnibus reorganization bill, S. 355. This legislation passed the Senate in 1967, but was not acted upon by the House.

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At the beginning of the 91st Congress, a number of Members introduced reorganization bills including amendments to the lobbying statute. On January 6, 1969, I introduced H.R. 2186, H.R. 2187, and H.R. 2188. The first included regulation of lobbying under title V. H.R. 2187 eliminated title V—lobbying regulations. These two bills were referred to the Rules Committee. H.R. 2188 contained identical language in connection with Federal regulation of lobbying as set forth in title V of H.R. 2186. This bill was referred to the Judiciary Committee.

The provisions of the various lobbying proposals in the many bills introduced were very similar. They called for the registration of lobbyists and the reporting of their expenditures. They varied as to whom the reporting would be made to, including the Attorney General, the Comptroller General, as well as a joint congressional committee.

Your Committee on Rules believes that the original intent of Congress, requiring that registration and expenditure reporting be made to the Congress was a wise decision. It is the Congress, after all, which is the subject, directly or indirectly, of most efforts of organized lobbying pressures. And, it is the general public, along with the Congress, who is most interested in knowing the amount of expenditures made in behalf of organized pressure groups. This is now insured by the requirement that reported expenditures and those making them be printed in the CONGRESSIONAL RECORD on a quarterly basis.

In April of 1969, the Committee on Rules appointed a special subcommittee to study the problem of congressional reorganization, examine Federal lobbying statutes, and report legislation. It has taken over a year to conclude this work, including extensive public hearings held last fall. The subcommittee was aware that no hearings were held by the joint committee or any other committee with respect to the Lobbying Act. The subcommittee supported by the full Committee on Rules, felt that such major legislation should not be amended without holding full hearings on the prpoosed amendments. It became obvious that it would not be possible to complete hearings on lobbying and reorganization of Congress. Having made this determination, and at the same time recognizing the need to reform the Lobbying Act now, the committee decided to vest a standing committee of the Congress with this responsibility and to require legislative recommendations during the 91st Congress. Therefore, your committee reported House Resolution 1031.

Mr. Speaker, I have personally received extensive briefs from the American Bar Association, the Washington Bar Association, and many learned attorneys, as well as various corporations and organizations regarding the language which they think should be contained in any lobbying act. A large number of them have requested to testify. The one difficult determination is regarding the word "substantial." Most bills introduced on lobbying require them to register and report if they spend a "substantial" amount of their time in that activity. This will be one of the difficult decisions which the Committee on Standards of Official Conduct will have to make. It can only be determined after appropriate hearings and a study of the court decisions interpreting the word, "substantial."

Mr. Speaker, I am somewhat familiar with this type of legislation inasmuch as I participated in writing the original lobby act for the California State Legislature. I am keenly aware of the problems and the necessity for adequate hearings and study. I think the California act has worked quite well.

House Resolution 1031 gives continuing jurisdiction over "measures relating to activities designed to first, assist in defeating, passing, or amending any legislation by the House, or second, influence, directly or indirectly, the passage or defeat of any legislation by the House" to the Committee on Standards of Official Conduct.

The resolution also grants to the committee continuing jurisdiction over "measures relating to the raising, reporting and use of campaign contributions for candidates for the office of Representative in the House of Representatives."

There are several reasons why the Committee on Rules believes that the jurisdiction over both the Federal lobby statute, as well as over campaign fund raising and usage, should be vested in the Committee on Standards of Official Conduct. First, in its short period of existence, the committee has proven itself to be more than able in discharging its present responsibilities. Second, matters contained in this resolution are of a nature as to clearly fall within the natural jurisdiction of that committee, and they are so interrelated that divided jurisdiction over them cannot be effectively discharged. Additionally, by vesting this jurisdiction with the committee, the House will be giving this important matter to a committee which does not have substantial duties in other areas that could compete for its energies and time.

Further, the committee has an able and adequate staff and sufficient office space to assume this additional responsibility. In addition, it is a bipartisan committee from the standpoint of its membership—there being six Democrats and six Republicans. It also has adequate provisions to maintain confidential information.

The resolution also requires that during the remainder of the 91st Congress a study and investigation shall be conducted, and a report containing "such recommendations as the committee considers advisable, including a draft of proposed legislation to carry out such recommendations" must be made to the House. The Committee on Rules has recommended this provision because of the need to bring the Federal Regulation of Lobbying Act up to date now, rather than later.

Mr. Speaker, I strongly support House Resolution 1031 and urge that it be passed.

Mr. COLMER. Mr. Speaker, I yield 10 minutes to the gentleman from California, the chairman of the subcommittee (Mr. SISK).

Mr. SISK. Mr. Speaker, to make it clear to the House I do not expect to consume the 10 minutes. I do want very briefly to say it is the belief and conviction of the Subcommittee on Legislative Reorganization that this is the best way of handling what has been a somewhat troublesome problem in connection with the operation of the Congress. This is in the matter of the regulation, control, and policing of lobbying and lobbying activities, and along with that, of course, giving to the Committee on Standards of Official Conduct the legislative jurisdiction in connection with the matter of campaign contributions, which are tied to lobbying and lobbying activities in many instances.

So basically we feel that the Committee on Standards of Official Conduct is probably as well geared or better geared to make a thorough study, a study in depth of these problems and of the matters of concern and to report back to the House with such recommendations for legislation as they may feel are justified. So we look forward to their recommendations.

With that, Mr. Speaker, we, of course, would urge adoption of the resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. Mr. Speaker, I yield to the gentleman from Missouri (Mr. HALL). I understand he may have some questions in connection with that.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman, the chairman of the subcommittee that brings House Resolution 1031 before us, yielding to me. Certainly, I want to compliment him and his subcommittee as well as the full Committee on Rules for the manner in which they are handling this delicate problem.

First of all, Mr. Speaker, I rise for clarification and to make some legislative record. Having served for several years on the Joint Commission on the Reorganization of Congress and Related Agencies, I am very interested in the subject, and I believe the subcommittee and the Committee on Rules is handling the whole original title V of that commission's bill and report in a very erudite, considerate, and judicial manner.

I am also one of those people who has always believed lobbying is an honorable state, if indeed we can depend on the individually elected Representatives to separate the wheat from the chaff and to consider information brought by the lobbyists not as intelligence but as information from which we distill intelligence. If people cannot depend on their elected representatives for this, our system is bound to fail. With that conviction, I am also well aware of the Federal laws already in existence having to do with lobbying and how some of them have been used.

With that little preamble and background, Mr. Speaker, I would like to ask the gentleman about the language on page 2 of House Resolution 1031, beginning about on line 7, where it says the Committee on Standards of Official Conduct is delegated authority:

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> To conduct investigations and studies, from time to time, of the laws, rules, regulations, procedures, practices, and activities pertaining to (1) lobbying activities as described in subparagraphs (1) and (2) of paragraph (c) of this clause, or

Mr. Speaker, in the gentleman's opinion does that also apply to and permit such studies and investigations—by which I presume the committee means surveillance and review and oversight—of executive agencies that might be lobbying the legislative branch? To point this up, I have an old telegram in my hand here from a certain department, which is not only a threat that unless Congress acts certain things will happen; but it also states that the executive branch will make certain recommendations to do or not to do certain things to the interest of our constituents, if Congress does not act within such a time in a certain and allegedly proper way.

This is, of course, a telegram paid for at the taxpayers' expense in direct violation of existing law. I, for one, would certainly hope it would be in the purview of this new committee under this resolution, and that the gentleman would so indicate at this time, in order to preclude such lobbying activities of the legislative branch by the executive.

Is that the gentleman's interpretation of the intent?

Mr. SISK. Let me thank my colleague from Missouri very much for the statement he has made. I join him in his concern about some of the activities which he has discussed.

It is my understanding that his statement is correct, that the language is sufficiently broad here to permit the Committee on Standards of Official Conduct to make a study and to look into that phase of it and to make legislative recommendations as to handling that part of what we might call the executive lobbying, along with all other kinds and types of lobbying.

My answer would be "yes," emphatically it would be my understanding that is the intent of the language herein contained.

Mr. HALL. I thank the gentleman.

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Maryland.

Mr. FRIEDEL. I have a few things on my mind.

Under rule XI, section 9(k) relating to the jurisdiction of the Committee on House Administration the rule reads:

> Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.

I believe the proposal, so far as the lobby is concerned, might be in order, but I believe the rest is usurping the jurisdiction of the Committee on House Administration. We have a bill right now before our committee relating to elections, campaign contributions and expenditures and the reporting thereof. We have had hearings on this subject. We intend to pursue it all the way through. We are pursuing this under our assigned authority concerned with corrupt practices of which contributions and expenditures are a part.

Obviously the purpose of this resolution would encroach upon the jurisdiction of the Committee on House Administration.

Mr. SISK. If the gentleman will permit me to comment, of course, it was certainly not the intention of the Committee on Rules, or of the subcommittee, to invade in any sense the jurisdiction of the Committee on House Administration. As we interpret the rule which the gentleman read, which I have before me, there would be no jurisdictional question, at least in our opinion.

As the gentleman knows, the committee does have jurisdiction over contested elections and over matters which arise therefrom, and has a subcommittee which looks into these matters.

Mr. FRIEDEL. And also contributions and disbursements which are within the Corrupt Practices Act.

Mr. SISK. Let me make this clear. It is not the intent of the subcommittee nor of the Committee on Rules, as I understand it—I hope my friend from California, Mr. SMITH, will keep his ears open to this, and if I make a mistake please correct me—to turn over to the Committee on Standards of Official Conduct the matter of contested elections or the matter of dealing specifically with elections of the President and Vice President, et cetera, as listed here under subsection (k).

The jurisdiction which we are here discussing might better be termed a part of the jurisdiction, for example, of the Committee on the Judiciary. I believe there is no question that they have certain jurisdiction.

On the other hand, it was the decision of the committee to turn over to them the lobbying. The question then arose as to campaign expenditures and possible ramifications, as would be of concern to the American public as well as Members of Congress, as it might tie to lobbying activities. It was felt that these two items should go together.

It was the recommendation, then, of their staff, as well as some other people with whom we consulted.

Again, as I say, there is no intent to invade or step on the toes of our good friends on the Committee on House Administration.

Mr. FRIEDEL. If there was no intention, just strike it from the measure, because we have a reform bill before our committee on Federal elections involving specifically the matters of contributions and expenditures, which was referred to our committee under the rules of the House. We are having hearings, as I said earlier. Consequently we can just strike it from this measure here. We are going to be very concerned.

Mr. SISK. Let me say to my good friend from Maryland, all this resolution before us does is to call for the Committee on Standards of Official Conduct to make a study, to make an investigation of the subjects of lobbying and campaign expenditures, and to report back to the House.

As the gentleman will notice, they are required to make the first report before the end of this year and report back as to what they have accomplished between now and the time the 92d Congress would convene.

The SPEAKER. The time of the gentleman has again expired.

Mr. COLMER. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. SISK. I thank the gentleman for yielding the additional time. I had not intended to use the entire 10 minutes.

Basically, I would say to my friend from Maryland, let us see what they come up with in the way of discussing what their investigation amounts to. I am certain that the House in no way desires to strip from the House Administration Committee any of its jurisdiction. I would say if in their recommendations they find that there might be a need for some changes in connection with campaign expenditures, that could very well be acted on legislatively by the gentleman's committee either accepting or rejecting the recommendations.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. SISK. Yes. I yield to the gentleman.

Mr. KYL. The situation is not as simple as the gentleman from California would make it. First, before the Committee on Ethics can proceed with any investigation, the funds to be used in the investigation must be approved by the House Administration Committee.

Mr. SISK. We well recognize that. There is no problem there.

Mr. KYL. Second, the House Administration Committee as a matter of very firm policy does not provide any funds for any investigation which is a duplication of another committee's investigation. Therefore, if the House Administration Committee is indeed investigating a particular matter relating to lobbying and so forth, under its policy, it could not give money to the Ethics Committee to conduct a similar survey.

Mr. SISK. I still do not necessarily followup that what the gentleman said represents any particular problem. The House, of course, again has the right to make any changes in jurisdiction that it seeks to do, if it gives to any committee such jurisdiction. In this case the Committee on Rules having made a considerable study of this matter and frankly having been asked to do this very thing in connection with our own work, by recognizing the complexities of the problem, simply decided that it was a matter of good procedure to permit the Committee on Ethics to proceed with it. Of course, again it is a matter that the House can accept or reject. It is up to them to be the final judge.

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. SISK. Yes. I am glad to yield to the gentleman.

Mr. KYL. The point I am trying to make is unless this bill also removes authority from the House Administration Committee, then the House Administration Committee can in every instance deny funds for investigation, because the Committee on House Administration itself is, under the rules, given authority to cover exactly the same subject material.

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Mr. SMITH of California. Will the gentleman yield?

Mr. SISK. Yes. I yield to the gentleman.

Mr. SMITH of California. Let us talk about what we are discussing here for a minute. Let us read section (k) of the rule we are referring to, rule 9:

> Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.

Let us read what this resolution does. This says:

> Measures relating to the raising, reporting, and use of campaign contributions for candidates.

It has to do with raising money and funds and giving effective authority to investigate if they are contested. We are not changing your authority at all. You are left in the same position. When we change the rules and give the authority, they will have to get some money to operate.

Mr. KYL. Will the gentleman yield further?

Mr. SISK. I am glad to yield to the gentleman.

Mr. KYL. I would say to the other gentleman from California that again I am not in contention with his desire. What I am trying to indicate is unless your piece of legislation, your resolution, does remove from the House Administration Committee certain authority which it now has under the rules, they could effectively block every anticipated effort of the Ethics Committee.

Mr. SMITH of California. I do not think so. That is not the way I read it. I do not think that committee would do it. The jurisdiction is clear. It is a changing of the rules of the House.

Mr. SISK. Let me make clear——

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. SISK. Yes, I yield to the gentleman from Maryland.

Mr. FRIEDEL. This resolution embodies what the Committee on House Administration is doing at the present time. They are investigating these very matters. Of course, you can bring in legislation to correct and reform things that are wrong. However, we are doing it right now. It is a part of our basic jurisdiction under the rules of the House, Rule XI, section 9(k) wherein "corrupt practices" is spelled out, and campaign contributions and expenditures, and the reporting thereof constitute an important segment of the Corrupt Practices Act.

The SPEAKER pro tempore (Mr. Boggs). The time of the gentleman from California has again expired.

Mr. COLMER. Mr. Speaker, I yield the gentleman from California 1 additional minute.

Mr. SISK. Mr. Speaker, in looking at the legislation I note that a bracket on page 3, line 3, is omitted. I ask unanimous consent, on page 3, line 3, after the word "session," to delete the comma and insert a bracket simply to close the language which was intended to be closed with a bracket.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COLMER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. Vanik).

Mr. VANIK. Mr. Speaker, I am in support of this resolution. But I want to take this time to call the attention of the Rules Committee to the need for a comparable resolution which would authorize the Committee on Ethics and Official Conduct to investigate and establish some guidelines on outside support for the conduct and the operation of the congressional offices.

Mr. Speaker, more and more Members of this body are finding it impossible to operate their offices within the present personnel and expenditure limitations provided for under the law and are relying upon outside sources.

Now, I am not passing judgment on whether this is good or bad. However, I do believe there is need for a system of reporting the use of such outside personnel or outside financial help to the Ethics Committee so that the committee can have a record of the nature and the extent of outside support. My fear is that outside contributions and outside personnel might result in outside interests taking over and utilizing a congressional office for a nonpublic purpose. I certainly hope that the Committee on Rules and the Committee on Ethics and Official Conduct, will consider this problem at an early date.

Mr. COLMER. I thank the gentleman from Ohio for his suggestion. I am sure the Committee on Rules will take his suggestion under consideration.

Mr. BENNETT. Mr. Speaker, I am pleased to support vigorously the resolution before the House of Representatives today, House Resolution 1031, to amend the Rules of the House with respect to lobbying practices and campaign contributions and expenditures. This committee, by the nature of its other jurisdiction, should be empowered to act in these additional fields.

In its recent report on congressional ethics, the special committee of the Association of the Bar of the City of New York called for a special study on campaign financing, and House Resolution 1031 will meet that appropriate suggestion.

The bill before us today calls for studies and investigations of lobbying practices and in the raising, reporting, and use of campaign contributions for candidates for the House. These studies would be made by the House Committee on Standards of Official Conduct, which is the logical committee to have this responsibility.

Because the resolution involves two critical areas requiring public trust of Members of Congress and millions of dollars, I want to bring to the attention of the Members and to the country my bills in these fields.

My bill to add teeth and better policing measures to the lobbying regulation laws now on the books is H.R. 953, pending in the House Judiciary Committee. I first introduced this bill in the 89th Congress, and it has had the support of the Department of Justice and the General Accounting Office.

The other bill is H.R. 958, in the Committee on Rules, which would provide for public disclosure of campaign finances by Members and candidates of the House of Representatives. This bill requires public disclosure of campaign contributions and expenditures, outside income, and gifts and carries a criminal penalty for incomplete or false reports.

It has always been my thought that lobbying is a right derived from freedom of speech and the right to petition the government. My interest in this legislation is not for the prevention of pressures, as some pressures are proper, but the disclosures of who do lobby, and whether such pressures include resort to bribery and corruption. Lobbying can be and often is an honest and respectable pursuit; a proper function of democratic government. However, lobbying amounts to millions of dollars of expenditures by business and labor, private individuals and other special interests. Congressional Quarterly reported that lobbying efforts in 1968 directed at the Congress totaled $4,298,387 by 266 different organizations. These are only the reported figures and the major costs of lobbying are obscured because of inadequacies in the present law.

The other section of the bill before us today covers a delicate area—public disclosure of campaign financing. It has been said that the disclosure idea comes as close as anything to being the all-purpose cleanser of American politics. It attaches no moral overtones to the financial situation of a particular Member or candidate. Rather, it recognizes that the final arbiter in any controversy is the public, who must have the knowledge of all such facts in order to express their opinions on the behavior of their elected representatives. As public office is a public trust, so must public disclosure be the responsibility of any public official. This is necessary today, particularly in light of the tremendous amounts of money spent in political campaigns. It has been reported that $100 million was spent by the three contending parties and others in the 1968 presidential campaign. While official reports reveal that all congressional campaigners spent $8,482,857 in 1968, unofficial reports are that at least that much was spent in a single State. Incomplete reporting provides a public trust gap for our elected officials. In a Gallup poll, 69 percent of the American people said they favored disclosure of financial assets of Members of Congress.

Mr. Speaker, I support the resolution before us today. It gives the responsibility for lobbying information and campaign fund reporting to the Committee on Standards of Official Conduct. I offer my assistance to the committee in legislating in this difficult area, and I propose my two bills before mentioned to the committee for recommendations to the full House of Representatives.

Mr. FASCELL. Mr. Speaker, I rise in support of House Resolution 1031 to amend the House Rules with respect to

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lobbying practices and political campaign contributions affecting the House of Representatives.

As one of the original sponsors of legislation to establish the Committee on Standards of Official Conduct, I feel strongly that the Congress should continue to insure its own integrity and reassure the American people that the affairs of Congress are being conducted with propriety.

As we all know, the committee was instrumental in establishing an official Code of Ethics for Members and employees of the House of Representatives and, most recently, the House enacted the committee's recommendations for financial disclosure. I commend the committee on its initiative and leadership in these two areas.

Because, in my judgment, the Committee on Standards of Official Conduct has demonstrated that it is well-equipped to handle its responsibility of insuring governmental integrity, I recommend that we approve House Resolution 1031, giving the committee jurisdiction over lobbying practices and campaign financing.

Mr. HOGAN. Mr. Speaker, I would like to offer my wholehearted support for the resolution now being considered and I hope it will pass the House unanimously.

In the last several years, the credibility gap between what Government promises and what it delivers has widened into a deep and divisive chasm. More and more Americans have chosen to disbelieve the statements of their leaders and listen instead to the utterings of those outside the system who are attempting to destroy it. Political leaders and elected officials in particular bear the brunt of the layman's animosity because it is our responsibility to translate ideas into actions and too often the system becomes bogged down before any action results.

This body is today being given the opportunity to help restore its credibility in the reporting of campaign financing. It is imperative that the Committee on Standards of Official Conduct be authorized to examine lobbying activities and the reporting of campaign contributions if true reform in this area is ever to be accomplished.

I would like to go on record as favoring full disclosure of all contributions and expenses by all candidates for office. Because of the complexity of the Federal law and of the myriad State laws in regard to disclosure of campaign contributions, it is vitally necessary that a committee study all the suggested reforms before making recommendations to amend the current law. Unfortunately, some politicians are as clever in evading provisions of law as legislators are careful in trying to formulate them. Therefore, this body should set forth specific and stringent disclosure regulations and make them as airtight as possible.

I urge my colleagues to support this resolution to increase the authority of the Committee on Standards of Official Conduct so that recommendations for reform will be rapidly forthcoming.

Mr. SMITH of California. Mr. Speaker, I have no further requests for time.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SMITH of California. Mr. Speaker, in view of the fact that this is an important change in the rules of the House, I think we should have a recorded vote and, therefore, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 382, nays 0, not voting 49, as follows:

[Roll No. 205]

YEAS—382

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Camp
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collins
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Crane
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lloyd
Lowenstein
Lujan
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Monagan
Montgomery
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Rousselot
Roybal
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Schadeberg
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—49

Anderson, Ill.
Anderson, Tenn.
Aspinall
Baring
Bell, Calif.
Blatnik
Brock
Broomfield
Brown, Calif.
Cabell
Caffery
Collier
Conyers
Cramer
Daddario
Dawson
Denney
Dorn
Edwards, La.
Findley
Foreman
Hansen, Wash.
Hawkins
Kirwan
Long, La.
Long, Md.
McEwen
Mollohan
Moorhead
Morton
Nedzi
Nichols
Ottinger
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Purcell
Rarick
Reifel
Rogers, Colo.
Saylor
Scheuer
Shipley
Stuckey
Sullivan
Whitten
Wilson, Charles H.

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Aspinall with Mr. Anderson of Illinois.

Mr. Daddario with Mr. McEwen.

Mr. Shipley with Mr. Findley.

Mr. Rogers of Colorado with Mr. Denney.

Mrs. Sullivan with Mr. Morton.

Mr. Charles H. Wilson with Mr. Bell of California.

Mr. Nichols with Mr. Brock.

Mr. Pepper with Mr. Cramer.

Mr. Edwards of Louisiana with Mr. Foreman.

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Mr. Dorn with Mr. Reifel.
Mr. Cabell with Mr. Pollock.
Mr. Caffery with Mr. Collier.
Mr. Blatnik with Mr. Saylor.
Mr. Long of Louisiana with Mr. Kirwan.
Mr. Nedzi with Mr. Broomfield.
Mr. Ottinger with Mr. Baring.
Mr. Anderson of Tennessee with Mr. Mollohan.
Mr. Brown of California with Mr. Conyers.
Mr. Whitten with Mr. Pryor of Arkansas.
Mr. Purcell with Mr. Rarick.
Mr. Stuckey with Mrs. Hansen of Washington.
Mr. Hawkins with Mr. Scheuer.
Mr. Powell with Mr. Dawson.
Mr. Podell with Mr. Long of Indiana.

Mr. FRIEDEL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "Amending clause 19 of rule XI of the Rules of the House of Representatives with respect to lobbying practices and political campaign contributions affecting the House of Representatives, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 17548, INDEPENDENT OFFICES AND DEPARTMENT OF HUD APPROPRIATIONS, 1971

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. RYAN. Mr. Speaker, reserving the right to object, and I shall not object, I would like to take this opportunity to urge the distinguished chairman of the subcommittee and the conferees to support the Senate position on urban renewal. Yesterday the other body appropriated $700 million more than the House. I feel very strongly that that amount should be supported if the crisis in our cities is to be seriously confronted.

In passing H.R. 17548, the fiscal year 1971 appropriation bill for independent offices and the Department of Housing and Urban Development, the Senate appropriated $1.7 billion for urban renewal—$700 million more than that appropriated by the House on May 12. Communities throughout the country are desperate for urban renewal funds.

I am sure every Member can point to urban renewal projects in his own State, since over 1,000 communities, in all 50 States, have participated or are participating in the program. Allow me to point to the needs in New York State for a moment. There are currently 204 projects involving a grant reservation of $1.08 billion in the State; 86 cities have pending or proposed applications amounting to $356.5 million. New York City alone currently has four unfunded urban renewal projects pending.

One billion dollars—the amount appropriated by the House—in no way meets the needs of a nation of over 200 million people attempting to rebuild its decaying cities and towns. Even the additional $700 million provided by the Senate only minimally meets these needs.

In supporting a supplemental appropriation of $587.5 million for urban renewal funds for fiscal year 1970 this past June 25, I said:

> Urban renewal is a sound investment in the future of America.

I would go even further: Urban renewal is an essential investment for the future of America.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee? The Chair hears none, and, without objection, appoints the following conferees: Messrs. EVINS of Tennessee, BOLAND, SHIPLEY, GIAIMO, MARSH, PRYOR of Arkansas, MAHON, JONAS, TALCOTT, MCDADE, DEL CLAWSON, and BOW.

NEWSPAPER PRESERVATION ACT

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1121 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1121

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 279) to exempt from the antitrust laws certain joint newspaper operating arrangements. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 279, the Committee on the Judiciary shall be discharged from the further consideration of the bill S. 1520, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 279 as passed by the House.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1121 provides an open rule with 2 hours of general debate for consideration of H.R. 279 to exempt from the antitrust laws certain joint newspaper operating arrangements. It shall be in order to consider the committee substitute as an original bill for the purpose of amendment and, after passage of the House bill, the Committee on the Judiciary shall be discharged from further consideration of S. 1520 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

H.R. 279, the so-called Newspaper Preservation Act, would declare it to be the public policy to preserve the publication of newspapers in an area where a joint operating arangement has been heretofore entered into because of economic distress, or is effected in the future in accordance with provisions of the act.

A "joint newspaper operating arrangement" would include the contractual and operating relationships established for joint production, distribution, and sale of newspapers. Such arrangements are presently existent in 22 cities of the United States. Any merger, combination, or amalgamation of editorial or reportorial staffs is prohibited and the bill requires that editorial policies be independently determined.

The bill applies to joint newspaper operating arrangements entered into prior to the effective date of the act. If, at the time the arrangement was entered into, not more than one of the publications involved was likely to remain or become financially sound, exemption from the antitrust laws applies.

Any new or renewed arrangement entered into after enactment of the legislation must be filed with the Department of Justice, in order to be exempt, and prior written consent from the Attorney General must be obtained.

The exemption from antitrust laws does not include predatory pricing or practices or other conduct which would be otherwise unlawful.

The participants in the joint operating arrangement in Tucson, Ariz., which was in effect on January 1, 1965, would be permitted to reinstate the agreement notwithstanding the ruling of the U.S. Supreme Court in the Tucson case. The definition of "failing newspaper" is a departure from the "failing company" doctrine enunciated by the Supreme Court in that case. A "failing newspaper" is one determined to be in probable danger of financial failure under this act.

The antitrust exemption shall apply to the determination of any antitrust action pending in any U.S. district court at the time of enactment of this bill.

Enactment of the legislation will necessarily entail additional paper work for the Department of Justice, but it is not anticipated that the cost of operations will increase materially.

Mr. Speaker, the Newspaper Preservation Act proposes to do only that which is now legal where two or more newspapers are completely merged under one ownership. What H.R. 279 proposes to do is to keep in these 22 cities two editorial voices alive under two separate and distinct ownerships.

Mr. Speaker, during the general debate on the bill itself I will have more to say on this matter, but at this point I urge the adoption of House Resolution 1121 in order that H.R. 279 may be considered by the House.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1121 makes in order for consideration of H.R. 279 under an open rule with 2 hours of general debate.

The purpose of the bill is to provide for an exemption from the antitrust laws for: First, newspapers operating under joint arrangements entered into prior to the effective date of this legislation; and, second, newspapers which enter into any subsequent joint operating arrangement which has the prior written approval of the Attorney General.

Joint newspaper operating arrangements have been a part of the newspaper industry for over 30 years. Such agreements provide a method of reducing costs by sharing between the newspapers of many cost items required to produce a newspaper. These include such items as plant and printing equipment, distribution and circulation facilities and equipment, and technical employees. At the same time, such newspapers are able to maintain their own separate voice by operating with separate editorial and news reporting staff and policies.

By 1966 there were 22 such joint operating agreements covering 44 newspapers in 19 States. In 1965 the Department of Justice brought suit against two newspapers in Tucson, Ariz., which were operating under a joint agreement which, in addition to the joint activities mentioned earlier, also provided for price fixing and profit pooling under an agreed-on formula.

The district court struck down this agreement as a per se violation of the Sherman Antitrust Act because of the price-fixing and profit-pooling features. This decision has now been affirmed by the Supreme Court. This bill is an attempt by newspapers which have already entered into similar joint operating agreements—apparently with price-fixing and profit-pooling features in them—to, by law, avoid the effects of the Court decision.

The bill grants an exemption from antitrust laws for all current joint operating arrangements. Similar future agreements between newspapers will also qualify for the exemption if they receive prior written approval of the Attorney General. Finally, the bill would reinstate the joint operating agreement in Tucson, Ariz., which the Supreme Court found to be in violation of antitrust law.

The bill is supported by the Department of Commerce, which is apparently speaking for the administration. The Department of Justice opposes the bill, as does the American Bar Association.

Mr. MacGregor, the gentleman from Minnesota and Mr. Mikva, the gentleman from Illinois, have jointly filed individual views opposing the bill as special interest legislation aimed at sanctioning clear violations of the antitrust laws by some 44 newspapers. They point out that the Tucson case does not prohibit joint newspaper operations and, in fact, specifically authorizes such items as joint printing and distribution facilities and staff, joint administrative and clerical staff, a combined advertising rate and a joint Sunday edition. What the court did prohibit was price fixing and profit pooling by the newspapers. These Members do not believe that a blanket antitrust exemption should be granted to permit such clearly illegal activities.

In rising in support of the rule, I feel that it is relevant to make known to the House the importance of the Newspaper Preservation Act to the State of Tennessee. In my State we have three joint newspaper operating arrangements. The first was established in Nashville, the capital city, in 1936. The second, in Bristol, Tenn., and her sister city, Bristol, Va., was entered into in 1950. And the third was begun in Knoxville in 1957.

From my personal experience and my knowledge of the newspapers involved, I can state unequivocally that in each of these three cities, the two newspapers provide two separate and competing news and editorial voices. Even though commercial competition between the Nashville Banner and the Nashville Tennessean ceased in 1936, there can be no doubt but that these two fine papers compete most effectively in their editorial and reportorial functions. The basic philosophies of the papers are at opposite ends of the political spectrum. I need not remind my colleagues how important this is to all involved at the seat of the State government.

The same news and editorial competition is clearly discernible to those who read the Herald Courier and the Virginia-Tennessean in Bristol. For 20 years these papers have provided to the public the fullest panoply of news and editorial opinion. Neither paper would think of echoing the other—but each relishes the independence of thought which, I might say with pride, is so typical of Tennessee.

And in Knoxville, the Journal and the News-Sentinel have carried on this tradition of competition since 1957, when their commercial competition was terminated. As in the other cities with joint newspaper operating arrangements, the news and editorial departments of these two newspapers are totally separated, and each paper is published independently and competitively.

Now I have heard comment made, and in good faith, that if two newspapers have ended their commercial competition, they will not long continue editorial and reportorial competition. This cynical view is totally unfounded. The fact is, the news and editorial competition not only continues, but is strengthened because of the financial independence enjoyed by both papers in a joint operating arrangement. Both papers can strengthen their news and editorial staffs, subscribe to news and feature services, and thereby provide their readers with a full panoply of views.

In Nashville, the news and editorial competition has not abated in the last 34 years. Nor has it diminished one whit in 20 years in Bristol, or in 13 years in Knoxville.

When the cynic says competition will not long survive, he is speculating. When I state that the competition has survived and continues without a sign of diminution, that is fact. And it is a fact well known to the people of Tennessee. I have been advised by those from other cities with joint operating arrangements, that their newspapers have also maintained their editorial and reportorial competition. Thus the cynic is answered on the basis of experience—that the competition of thoughts and ideas, so essential to our Government, does survive and is preserved by a joint operating arrangement.

The State of Tennessee also provides the answer to another argument which has been made against the Newspaper Preservation Act. This argument is that the joint newspaper operating arrangement is no longer needed, and that the papers involved could revert to commercial as well as editorial competition. But the facts, again, have proved quite the opposite. The two newspapers in Chattanooga were in a joint operating arrangement for a number of years before they terminated their arrangement and returned to economic competition. The result was predictable. Each paper has suffered substantial losses in the millions of dollars since the joint arrangement was ended. I do not believe that either paper has denied such losses, and each is now suing the other, trying to recover at least a portion of the sums lost.

Without the joint operating arrangement provided by the Newspaper Preservation Act, there is no question but we would be left with only one newspaper and one editorial voice in each of the 22 cities which today enjoy editorial diversity with joint arrangements. The so-called Tucson plan is unrealistic and economic projections demonstrate that if it were applied to the remaining joint operating arrangements, one of the papers in Nashville, Bristol, Knoxville, and 13 other cities would immediately begin operating in the red, and necessarily fail. I have been advised that in the other cities, at least one of the papers would be, at best, only marginal, with the handwriting on the wall for its early demise.

The provisions of the Newspaper Preservation Act reported by the Judiciary Committee offer a limited and tightly restricted exemption to the antitrust laws. The bill is pragmatic, recognizing the realities of newspaper publication today. Moreover, this bill, while recognizing that economic competition cannot be maintained by the newspapers in many cities, does provide for a continuation and preservation of editorial and news competition.

By way of summation, let me state that this bill is in the public interest for this entire Nation. Closer to home, however, it is absolutely essential for the people of Nashville, Bristol, and Knoxville, and for the State of Tennessee. We are indeed fortunate to have the newspaper voices we now enjoy. I ask my colleagues to join with me in preserving these voices, by voting for this rule, and then for the Newspaper Preservation Act.

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Speaker, we hear the plea that we should not have economic competition in the news field in a particular city. In my city of Atlanta, Ga., we do not have economic competition. I am not a big advertiser, but every 2 years I do seem to do some advertising in the newspapers. I know that during my last campaign I wanted to buy time or buy space in only one paper. I was told by the advertising department, "No, I am sorry, you cannot do that. You are going to have to buy it in both papers."

I violently objected, and finally, after 3 or 4 hours, he called me back and said, "Well, we can make a special exception here. It is our rule to require that if you advertise in one paper you are going to advertise in the other. But if you pay about 85 percent of the total rate, we will let you advertise in one paper."

I say the public has an interest in this. This should not be a bill simply to provide exemption from the antitrust laws to the newspapers. Why should they be treated any differently from any other business? I can see no reason to do so.

We hear the statement that we must eliminate economic competition. I think economic competition is good. Economic competition is the basis upon which this country was founded.

Then, of course, we hear the statement, "Well, one of the newspapers may fail."

I daresay in most cities in which there is joint publication that would not be the case. But if one were to fail, then so be it. Out of that failure may very well come a newspaper which would better serve the needs of the community and the people and be a stronger and more viable voice.

The argument is made, "Well, you have two separate editorial policies."

Maybe you do in some areas. But in other areas you certainly do not because of the very close relationship. If there is a so-called separate editorial policy, then one may well believe that the managers of the two newspapers get together and one decides, "Well, now, which side are you going to take? Which side am I going to take? Let us not be too extreme on this. Let us kind of work together."

So I am somewhat amazed that the Congress of the United States would consider a measure such as this. But I remember my father telling me this story when I was about 8 or 10 years old. He was talking about a bribery case in which a multimillionaire was charged with bribing a lowly public employee. Two separate jurisdictions were involved. One court held that the public employee was guilty of accepting a bribe from this millionaire. The other court acquitted the millionaire from having given a bribe. I remember asking my father how this could be. He said, "Son, you cannot put $15 or $20 million in jail."

I would like to submit the power of the press is overpowering as far as elected officials are concerned—why? Because they are the one who elect officials and they create our image, whether we like it or not. There are many people who will go along with the press rather than irritate the press.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman for yielding.

I want to be sure I understand the gentleman's argument. Did I understand the gentleman to say that the practice prevailed in the city of Atlanta of requiring the gentleman to run an ad in both newspapers?

Mr. THOMPSON of Georgia. That is precisely correct.

Mr. EDMONDSON. Would the gentleman yield further on that point?

Mr. THOMPSON of Georgia. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is the gentleman under the impression that the Atlanta newspapers are covered by this bill or affected by it in any way?

Mr. THOMPSON of Georgia. No; they are not. They are jointly owned newspapers, publishing the Atlanta Constitution in the morning and the Journal in the afternoon, but either one buys in both, or he gets no ad.

In fact, I will offer a series of amendments during the consideration of this bill to extend the antitrust laws to prohibit single ownership of two newspapers within one city as well as to prohibit the joint operation or joint publication of industry-owned newspapers.

Mr. EDMONDSON. I thank the gentleman for making clear his point. He is not really objecting to what this bill does. He is objecting to something done by the newspapers not directly affected by this.

Mr. THOMPSON of Georgia. I am objecting to what this bill does.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. MACGREGOR).

Mr. MACGREGOR. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as a member of the Antitrust Subcommittee and of the full Committee on the Judiciary, it is not my intention now to speak to the merits of the bill. I am certain this rule will be approved, and even though I willl vote against the bill, I will, of course, vote for the rule. It continues to be my belief that when a legislative committee of this House has worked as laboriously as we have on this bill, the bill deserves to be fully debated in this Chamber, thus the rule should of course be granted.

I take this time merely to indicate some of the weight of the informed opinion which stands opposed to the passage of the so-called Newspaper Preservation Act. Earlier this year the section of antitrust law of the American Bar Association recommended to the board of governors of the ABA adoption of the following resolution:

> *Resolved,* That the American Bar Association opposes enactment of S. 1520, 91st Congress, or any equivalent measure designed to create an antitrust exemption for joint operating arrangements among newspapers; and
>
> *Further resolved,* That the Section of Antitrust Law is authorized to urge the foregoing views of the American Bar Association on the Committees on the Judiciary of the United States Senate and House of Representatives.

This resolution was adopted by the board of governors of the American Bar Association on May 23, 1970. And H.R. 279 is just such an "equivalent measure."

Mr. RHODES. Mr. Speaker, will the gentleman yield on that point?

Mr. MACGREGOR. The gentleman from Arizona is always so obliging that I cannot refuse his request.

Mr. RHODES. Mr. Speaker, I am obliged to the gentleman for yielding.

I want to ask the gentleman if it is not true that in the section of antitrust law of the American Bar Association, the resolution which the gentleman quoted was adopted by one vote.

I believe the vote was 8 to 7, or 7 to 6, so there was really not an overwhelming consensus.

Mr. MACGREGOR. I would not presume to suggest it was unanimous, just as I do not expect that we will get a unanimous vote on the bill. At least, I hope it will be closely divided, and that the negative side will prevail.

Also standing opposed to the bill is the prestigious Committee on Trade Regulation of the Association of the Bar of the City of New York. This group submitted a report in opposition to the passage of the Newspaper Preservation Act.

All of us have received a letter under date of July 7 from representatives of the American Newspaper Guild. I should like to quote briefly two paragraphs:

> Rhetoric aside, the bill's sole aim remains to retroactively and perpetually legalize profit pooling, price fixing and market splitting by newspapers which have agreed to and all or some competition in the market place.
>
> In our view none of the committee amendments to H.R. 279 has done anything to alter the characterization of it by conventions both of the AFL–CIO and the American Newspaper Guild as a vehicle for "broad, unnecessary unregulated and perpetual antitrust immunity for the business practices of the newspaper industry."

Finally, Mr. Speaker, the National Newspaper Association under date of July 2 wrote to me—and I assume to other Members—expressing itself in these terms:

> In our opinion, all that this legislation seeks to accomplish is to legitimatize price fixing and profit pooling for twenty-two joint newspaper operators. Neither of these activities constitute an economy in the operation of a newspaper. They only represent deliber-

> ate and very effective elimination of competition.
>
> We would like you to know that there are presently thirty-seven cities in the United States in which independent, wholly separate newspapers compete and survive. If they can exist in a competitive market, we ask why the "joint newspaper operators" benefitted by H.R. 279 cannot also survive without special legislation?
>
> We do not believe that the failure to pass H.R. 279 will result in the abandonment of existing joint printing arrangements. Neither will the failure to adopt this legislation require the curtailment of joint distribution, joint accounting and business operation, the offering of combination (morning and evening) advertising rates or a joint Sunday edition, if one exists.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MacGREGOR. Mr. Speaker, I thank the gentleman for yielding.

I continue to quote:

> All of these practices are acceptable under existing law, as recently established in the Tucson newspaper suit which gave rise to the request for this legislation. Federal Judge James A. Walsh has issued a final order in the Tucson case which allows all these joint activities and, in addition, the joint sale of combination advertising.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Ohio (Mr. Brown).

Mr. BROWN of Ohio. As I understand it, all the bill does, really, is to exempt certain newspapers from the provisions of the antitrust law?

Mr. MacGREGOR. Certain newspapers which meet certain requirements.

Mr. BROWN of Ohio. If this legislation were to exempt steel mills, let us say, from the provisions of the antitrust law, or some retail establishment or other manufacturing establishment, does the gentleman believe this bill ever would have gotten before us?

Mr. MacGREGOR. Some of the newspaper editors and publishers who are for this legislation are those who editorialize most strongly against any exemption from the antitrust laws for others and any discriminatory special interest legislation, which this is.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has again expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. MacGREGOR. Mr. Speaker, I yield further to the gentleman from Ohio.

Mr. BROWN of Ohio. If this were a bill to establish such an exemption for some other means of communication, such as a UHF television station, does the gentleman feel it might have gotten here for consideration? Is there something peculiar about the communications media which brings this bill to the floor of the House?

Mr. MacGREGOR. I rather think that the gentleman's question answers itself.

Mr. BROWN of Ohio. One final question, then. Could the gentleman tell me, in that vote of the bar association committee, if those who supported the provisions of this legislation were candidates for public office? Or were they just lawyers not seeking office?

Mr. MacGREGOR. I do not know that any of the 15 referred to by the gentleman from Arizona (Mr. Rhodes) were or have been or contemplate being candidates for public office. The closely divided vote in the committee on antitrust is not the significant thing, but the important thing here is the adoption of the resolution by the board of governors of the ABA.

Mr. BELCHER. Will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman.

Mr. BELCHER. Do you know what line of business the gentleman from Ohio is in?

Mr. MacGREGOR. He is in the legislative business.

Mr. BELCHER. He is in the newspaper business.

Mr. MacGREGOR. In my associations with him, he has been a very competent legislator.

Mr. BELCHER. He is also a competent newspaperman.

Mr. MacGREGOR. I am pleased that we have colleagues who have competence in outside fields to advise us in technical areas of this kind, and I think that the gentleman from Ohio, by virtue of his extensive experience in this field will be of great help to us.

Mr. BELCHER. He is trying to protect his industry here, and he has a perfect right to do that.

But with regard to this bar in New York, how many newspapers in New York have gone broke? Do you know that?

Mr. MacGREGOR. Now the gentleman brings up a very interesting point. Like population, which is growing in suburbia, as it shrinks in the central cities——

Mr. BELCHER. The gentleman can give me a better answer than that.

Mr. MacGREGOR. The total number of newspapers is growing in suburbia even as the numbers decrease in the central cities.

Mr. BELCHER. The gentleman can give me a better answer than that.

Mr. MacGREGOR. I thought my answer was a darn good one. Does the gentleman want me to agree that there has been a decrease of newspapers in the core cities? I have done so.

Mr. BELCHER. Newspapers all over the United States have gone broke. Of course, the gentleman's newspapers in Ohio never have, but a lot of others have gone broke. In addition to that, I would say in these 22 cities, if one bought out the other, that would not violate the antitrust law, would it?

Mr. MacGREGOR. No.

Mr. BELCHER. But if you keep them separate it does violate it, does it not? However, when you put it under one man and under one head and under one corporation, it does not violate it. The gentleman is a better lawyer than that.

Mr. MacGREGOR. As the gentleman knows—and I have discussed this with him—he is familiar with the final order handed down in the Tucson case, and he knows that in seven specific operations it is now established in Federal law that joint newspaper operations are legitimate and do not violate the antitrust laws.

Our whole thesis, may I say to the gentleman from Oklahoma, is that this bill is unnecessary because settled Federal law, in accordance with the order handed down by Judge Walsh in Tucson, permits these jointly operating newspapers like you have in Tulsa, Okla., to survive by doing certain things jointly but it does not let them fix prices or pool profits.

Mr. BELCHER. It may not hurt the gentleman's newspapers in Ohio, but it certainly does hurt my newspapers in Tulsa, Okla.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman.

Mr. BROWN of Ohio. Let me say in response to the comments of the gentleman from Oklahoma that I am in the newspaper business in real life and I would like to suggest that those newspapers operate successfully without asking for any special exemption from the provisions of the antitrust law. We do not violate the antitrust law, but we do joint printing for the newspapers which we own and for other newspapers which we do not own. We do it successfully without violation of the law. We ask for no special exemption. I do not want to be a part of seeking a special exemption for any portion of the industry in which I am involved outside of my responsibilities in this body or for any other industry, let me say to the gentleman.

The SPEAKER. The time of the gentleman has expired again.

Mr. MATSUNAGA. Mr. Speaker, I yield 1 additional minute to the gentleman.

Will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman.

Mr. MATSUNAGA. Is the gentleman opposed to the rule?

Mr. MacGREGOR. No. I indicated at the outset I was seeking this time not to argue the merits of the bill but, rather, to spread on the Record the prestigious list of highly informed, qualified people who have registered opposition to the bill.

Although I oppose the bill it deserves to be debated, and thus I will vote for the rule.

Mr. MATSUNAGA. I am glad that the gentleman will. Of course, the gentleman, as I recall it, did vote to grant exemptions to banks from the antitrust law and to cooperatives and to small business and to football, also. I do not know which way the gentleman went on that football issue, which came before his committee.

Mr. MacGREGOR. The list is entirely long enough and I feel that we should not add one more to it.

Mr. MATSUNAGA. Actually, what this bill proposes to do is to keep competition between two newspapers alive. This is surely in keeping with the intent and purpose of the antitrust law.

Mr. MacGREGOR. May I say to my good friend, the gentleman from Hawaii, that beneficiaries of this bill can shout that speech from the top of the Capitol

Dome and I respect your right to say it, but I do not believe it for one moment.

I yield further to the gentleman from Hawaii if he so desires.

Mr. MATSUNAGA. Of course, if the gentleman comes here with a closed mind, I would rather reserve the balance of my time.

Mr. MacGREGOR. I do not come with a closed mind because as a member of the Judiciary Committee I have spent more than a year studying these issues.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has again expired.

Mr. MATSUNAGA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, with reference to the statement made by the gentleman from Georgia, the fact that he had to advertise in two newspapers to advertise in one is another reason why we need this bill. Because in his city of Atlanta there were two newspapers under one ownership, the one owner could dictate to the gentleman from Georgia as an advertiser, "You take an ad in my second paper or you take nothing."

We are trying to preserve two independent newspapers in the 22 cities so that the gentleman from Georgia can go to any of these cities and say, "I want to advertise in just one paper," and he will readily be granted that privilege. What the gentleman from Georgia experienced in Atlanta is exactly what we are trying to avoid. The present law does not prevent that one owner of those two newspapers in Atlanta from doing what it did to him. Under this bill the two newspapers in any of the 22 cities would be prohibited from doing what that one owner of the two papers did to the gentleman in Georgia.

Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Speaker, I take this time merely to respond to one point mentioned by the able gentleman from Minnesota and to the argument which he has made to the effect that the Tucson decision takes care of the situation.

If the gentleman has talked to any of the participants in the 22 cities that hold that view and agree with that view, I would like to know who they are.

Are there any of the participating newspapers in the 22 cities covered by this bill who will agree that the Tucson decision takes care of the situation adequately for them?

Mr. MacGREGOR. Mr. Speaker, if the gentleman will yield, I think I have heard from seven executives of the companies who are present participants in one or more of the joint operating arrangements, and I have asked these gentlemen whether all of their professional colleagues and associates involved in these 22 groups that we are giving special benefits to here today, whether they all agreed. Several of the seven who have talked to me have said, "No, we do not all agree." But I must say to the gentleman from Oklahoma I am not able to name one who has had the intestinal fortitude to come forward——

Mr. EDMONDSON. The gentleman has answered my question and I do not yield further on that point. The gentleman says he cannot name one who says it does take care of the situation.

The Tucson decision as referred to by my good friend from Minnesota does say that they can share revenues and profits on the Sunday editions.

Mr. MacGREGOR. That is correct.

Mr. EDMONDSON. And it says they cannot do it the other 6 days of the week. There is a complete reversal. It reminds me of that old tune about "Never on Sunday." In the case of the Tucson decision the Court legalizes on Sunday what they regard as reprehensivle the other 6 days of the week. That is how reasonable and intelligent the Tucson decision is.

Mr. RHODES. Mr. Speaker, will the gentleman from Oklahoma yield to me?

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman from Hawaii yield 30 seconds to me so that I can answer a question he referred to me?

Mr. MATSUNAGA. Mr. Speaker, I yield 1 minute to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Mr. Speaker, I thank the distinguished gentleman for yielding me this time.

The gentleman from Hawaii made the statement that this particular bill would prohibit the requiring, in a city where there is a single ownership of two newspapers, of advertising in both papers. If that is the case, it certainly would have my support.

Mr. MATSUNAGA. It does not.

Mr. THOMPSON of Georgia. Then I misunderstood the gentleman. I thought that was the statement made by the gentleman.

Mr. MATSUNAGA. What I did say was that this bill would prohibit what happened to the gentleman in Atlanta, by insuring separate and independent ownerships of the two newspapers in each of the 22 cities involved.

Mr. THOMPSON of Georgia. I am still not quite clear. This would have no bearing, then——

Mr. MATSUNAGA. Let me clarify the situation. In Atlanta you have two newspapers——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MATSUNAGA. Mr. Speaker, I yield myself 1 minute.

In the city of Atlanta there are two newspapers under a single ownership. What we are trying to do here by this bill is to continue two independent ownerships in 22 American cities.

Mr. THOMPSON of Georgia. I recognize that.

Mr. MATSUNAGA. Two separate newspapers, so that when you go to one newspaper it will not require you to advertise in the other paper before it will accept your advertisement for the first.

Mr. THOMPSON of Georgia. But this bill will have no bearing on the requirement by the ownership—of a morning and afternoon paper—requiring you to advertise in both papers?

Mr. MATSUNAGA. The gentleman is correct, the bill does not pertain to fully merged newspapers. The situation the gentleman finds in Atlanta arises, because there is only one owner of two papers, and he can require anything of you. Our present antitrust laws impose no restriction in this respect on him.

Mr. THOMPSON of Georgia. Mr. Speaker, I thank the gentleman for yielding. I will have an amendment to offer which will prohibit such a practice.

Mr. MATSUNAGA. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. KASTENMEIER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 279) to exempt from the antitrust laws certain joint newspaper operating arrangements.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin Mr. KASTENMEIER).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 279) with Mr. STEED in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Wisconsin (Mr. KASTENMEIER) will be recognized for 1 hour, and the gentleman from Ohio (Mr. MCCULLOCH) will be recognized for 1 hour.

The Chair recognizes the gentleman from Wisconsin, (Mr. KASTENMEIER).

Mr. KASTENMEIER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we have already in the debate on the rule had an excellent part of the description and purpose of the bill which we are undertaking today to discuss.

I would like to pay my compliments to both the gentleman from Hawaii (Mr. MATSUNAGA), whose bill it is, and the gentleman from Tennessee (Mr. QUILLEN), who explained in detail the effects of the newspaper preservation act.

I would like to express my gratitude to my chairman, the gentleman from New York (Mr. CELLER) for granting me the privilege of handling the bill on the floor this afternoon.

Indeed, at the outset of the hearings the chairman expressed the point of view, and I quote him:

> The antitrust laws embody concepts and principles which long have been considered to be the bedrock of our economic institutions. Piecemeal exemptions from the antitrust laws to cope with problems of particular industries have been given reluctantly and only after there has been a clear showing of overriding need.

Mr. Chairman, that overriding need is with us today. This bill is designed to clarify the legal standing under the antitrust laws of joint newspaper operating arrangements.

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As I have indicated, the House Committee on the Judiciary rarely recommends to the House of Representatives exemptions or exceptions to the antitrust laws.

How then did we get here today? The road starts a very long time ago. Thirty-seven years ago in Albuquerque a joint newspaper operating agreement was reached. Thereafter in America throughout the depression years, when the newspaper industry along with much of the rest of American enterprise felt the hard times, certain newspapers in additional communities resorted to joint operating agreements. El Paso, Tex., in 1936 and Nashville, Tenn., in 1937 are examples. Thereafter agreements were entered in Indiana, Arizona, Oklahoma, Wisconsin, Virginia, Tennessee, Alabama, Nebraska, Utah, Louisiana, Pennsylvania, Ohio, Missouri, Hawaii, California, and Florida throughout this country.

The purpose was to preserve their independence. Throughout the country the testimony that your committee received was that thousands of American papers were involved. In 1910 there were 2,202 dailies in the United States during those years and thereafter this condition worsened so that the number of newspapers declined to 1,746 serving 1,500 communities.

Indeed, today there are only 45 communities in this country at the most that can claim to have independent, separate dailies; 22 communities have joint newspaper operations. In 150 communities the two newspapers operating in the city are owned by a single entity.

It is economics with which we are confronted. The purpose of the bill is to preserve editorial and newsgathering independence. The newspapers have sought to do this by entering into economic arrangements whereby the circulation, the printing, the advertising and, yes, the sharing of profits is agreed to. They enter into the arrangement on the basis that each paper will maintain its own integrity as an entity so far as the newsgathering and editorial writing is concerned.

These are not American steel companies or other producing industries—and I am sure the Members of this body, Mr. Chairman, understand the difference in commercial enterprise between an American newspaper and the steel industry. Newspapers play a special role in maintaining a democracy and diversity of opinion in this Republic.

By the year 1965 we had 22 cities and 44 papers involved. Then, for the first time, the Department of Justice started an antitrust suit. Today, these collective newspapers have operated on an average of 19 years under such arrangements, but the Department of Justice would cause them now to be separated. The "siamese twin" effect of economically linking these two newspapers would be removed; they would be separated. I dare say, the result would not be to create more independence in newspapers throughout the land but to destroy the existing independence of those that are in a joint operating agreement.

The original bill was introduced by former Senator Hayden in the Senate, several years ago, to meet the threat to newspapers throughout the country. That bill was much broader than that which we consider today. The reason I point this out is to show the legislative history. I observe that this is not a great exemption from the antitrust laws but one that is relatively modest and has been limited during the course of congressional action. The bill before you now is the third generation of such bills.

At first, the bill literally provided a general exemption for mergers, combinations, and offer joint arrangements in American newspapers. That bill was later amended to affect joint operating agreements alone. It allows prospective arrangements, in the same fashion as those 22 existing cities with joint newspaper operations were affected. Your committee, through a number of amendments, principally proposed by the gentleman from Illinois (Mr. RAILSBACK) further limited the bill to provide a far more stringent test for any future joint operating agreements for newspapers which would in the future hope to become involved in a joint operating agreement to preserve themselves. They would have to go to the Attorney General to obtain his approval and prove that they are in fact a failing newspaper. By definition under the bill, this requires a publication which, regardless of its ownership or affiliations, is in probable danger of financial failure.

So this is not a bill designed to be of relief to wealthy papers but, rather, one to prevent the future failure of papers throughout this country. Really, the unsettling effect, the radical effect of the law in this case is suggested by the Justice Department by threatening action against all joint operating agreements. The economic reality is that we will not have more newspapers or more independent newspapers but that we will force those joint operating agreement papers to do one of two things: Either one newspaper will close its doors and the other will survive, or one newspaper will buy out the other. Then you will have a total merger, a single ownership of both newspapers.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from Ohio.

Mr. FEIGHAN. It seems to me that the term "probable danger of financial failure" is rather loosely drawn. I would propose the words "in imminent danger of financial collapse" in order to have a more proper definition of a failing newspaper. The committee report by the gentleman on page 10, paragraph 5, states:

> The definition of the term "failing newspaper" is a departure from the failing company doctrine that has been enunciated by the Supreme Court in the Tucson case and the cases there cited.

Mr. KASTENMEIER. I thank the gentleman for his comment. The term "in probable danger of financial failure" is one that has a legislative history. It comes out of the Bank Merger Act. It is understood by the courts in the field, and happens to be a term that is well known.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding and call his attention to the report accompanying the bill and the first words of the individual views of two members of the Judiciary Committee, which are in the nature of a minority report. Those words are as follows:

> The Newspaper Preservation Act sanctions conduct—price-fixing, profit pooling and market allocation.

I shall not take the gentleman's time to read the rest of it.

Does the gentleman agree that this legislation would do those three things: sanction price fixing, profit pooling, and market allocation?

Mr. KASTENMEIER. I will candidly answer my friend, the gentleman from Iowa, and say a qualified yes, in the sense, there is market allocation; there is agreement that one newspaper operate in the morning market and the other in the afternoon. It does pool profits. If there were not profit pooling, the weak paper would fail. This is the only possibility of maintaining both papers when there is a failing situation. It does have a profit-sharing provision in most of the contracts involved in these various cities.

Mr. GROSS. What about price fixing?

Mr. KASTENMEIER. Price fixing as far as advertising and circulation, certainly.

Mr. GROSS. I thank the gentleman for his response.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from Illinois.

Mr. RAILSBACK. Mr. Chairman, I thank the gentleman for yielding.

I ask the gentleman, is it not also true that despite the questions and answers just given, this is preferable, in the case of a failing newspaper, which is required in all of these cases, to an arrangement of an outright sale of a dying newspaper to somebody who will be a single owner and who would then be able to control not only these things, but also the editorial viewpoints of both newspapers, which is not true under this bill.

Mr. KASTENMEIER. Of course, the gentleman is eminently correct. The fact remains that what is complained about, if I may conclude, are those same things that are permitted when we have outright mergers, as in 160 American cities. These papers, singly owned, may do all these things without the same threats that these are crimes, or this conduct ought not be sanctioned. In 160 cities this is done without any sanction whatsoever.

Indeed, to permit these papers to continue to survive as two papers and to maintain the separate editorial opinion and to maintain separate books, we think is preferable.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, what we are talking about is what is in the best

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public interest. Would the public interest best be served by the antitrust legislation, or would the public interest best be served by this legislation?

Mr. KASTENMEIER. That is it exactly.

Mr. FASCELL. And it is more in the public interest to preserve the competitive rights that exist between the two newspapers.

Mr. KASTENMEIER. That is it, and this is presented in the bill before us.

Mr. FASCELL. What actually happens is that the public interest is better served by the two newspaper identities. Would the gentleman agree with that?

Mr. KASTENMEIER. Yes.

Mr. FASCELL. I would say from my own observation, because Miami, Fla., is one of the areas that would be affected by this legislation, I can state that, in fact, notwithstanding the pool operating agreement and the arrangement they have, these two newspapers have a violently independent editorial policy, and they do maintain very clearly independent news gathering positions, and despite their operating arrangements, they serve a very useful competitive purpose in the community to the best interest of the public.

Mr. KASTENMEIER. And that experience, may I comment, is found in all or nearly all the other cities. We have adequate testimony as to this, and we do not have to guess as to what would happen, because we have over 400 years combined experience in testimony before committees in both the House and the other body.

Mr. FASCELL. I thank the gentleman for yielding.

I am in strong support of the bill.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I think the question asked by the gentleman from Iowa with reference to the first sentence in the minority or individual views logically calls for a reference to the provisions on page 8 of the committee bill, appearing at line 6, making it very clear that—

> Nothing contained in this Act shall be construed to exempt from any antitrust law any predatory pricing, any predatory practice, or any other conduct in the otherwise lawful operations of a joint newspaper operating arrangement which would be unlawful under any antitrust law if engaged in by a single entity.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. KASTENMEIER. Mr. Chairman, I yield myself 3 additional minutes.

I appreciate the gentleman's comment. This was gone into in the committee.

Indeed, these papers may not undercut competition by predatory pricing, by cutting down advertising, for example.

On the other hand, the House committee had absolutely no advertiser individually or represented by any group appear before it and complain about this bill. Why? Because the practices of these papers have not been offensive to advertisers.

As a matter of fact, as the gentleman from Hawaii cited, the Hawaiian experience points out advertisers generally fare better. If these papers were separate, the advertising costs would be greater.

That is why Members have not heard from advertisers and have not heard from people individually who receive the papers in their homes, in opposition to this bill.

Mr. Chairman, this does preserve something in this country. I suggest that one ought to be extremely cautious in considering any amendment which might be offered, because this industry, I suppose, as the gentleman from Ohio well knows, is a delicate industry.

Indeed, if I belonged to the National Newspaper Association and had others proposing to break up newspaper arrangements in cities, I could be a beneficiary of this, so I believe it is understandable why members of NNA might oppose the bill. But they are not the ones in principal interest, I would suggest.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to my friend from Ohio.

Mr. BROWN of Ohio. I concur with the gentleman. I suppose if I were representing an area dominated by one of the newspapers benefiting under this legislation I might be tempted to support the legislation myself. Since that is not the case, I am free to express my viewpoint with reference to the economics of it.

As I understand, the gentleman wants to support this bill so as to maintain the editorial independence of the benefited newspapers; is that correct?

Mr. KASTENMEIER. That is certainly one of the main purposes of the bill.

Mr. BROWN of Ohio. Could the gentleman tell me if there is anything the single owner of a pair of newspapers in the same community can do that is not permitted by this bill? In other words, this bill allows separate owners of exempted newspapers to do what a single owner to two newspapers could do if the two newspapers were owned by the same ownership.

Mr. KASTENMEIER. Well, to secure the exemption one would have to maintain a separate editorial and news gathering function. That is certainly something no singly owned paper can do.

Mr. BROWN of Ohio. Let us say that one of these papers folded and was bought by the "competition," whatever that means, under this bill—I do not believe it means much. Suppose it was bought by the competition and the single ownership then operated the two newspapers. Could the owner do anything with single ownership of two newspapers that the supposedly separate and exempted ownership cannot do under this bill?

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to my friend from Illinois.

Mr. BROWN of Ohio. May I have an answer?

Mr. RAILSBACK. If the gentleman will yield, the most obvious thing is that he could have separate editorial voices on both newspapers. That is the major thing.

Mr. BROWN of Ohio. That is the point I am making. I happen to know of a number of situations, including newspapers in Dayton, Ohio, owned by the same chain which owns a newspaper in Miami it would like to have exempted under this bill. In Dayton, where the two newspapers are owned by the same ownership, they have violently conflicting editorial views. It seems to me one can accomplish the same purpose by letting some of these newspapers fold or be purchased by the competition, and then letting them go ahead to operate independent editorially.

What the gentleman is telling me is that the person who pays the piper calls the tune. It seems to me just as applicable where there is single ownership of two newspapers, as where there is separate ownership that allows a "sweetheart" deal, such as is allowed in this legislation.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. KASTENMEIER. Mr. Chairman, I yield myself 1 additional minute.

I would say in conclusion that this bill is supported by the administration. This bill in fact passed the Senate by an overwhelming vote earlier this year.

As you know, the House leadership supports this bill. The Committee on the Judiciary reports this bill out to you favorably, and 101 of your colleagues have sponsored this bill. I think it is necessary, and I urge its passage.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield

Mr. KASTENMEIER. I yield to the gentleman from Texas.

Mr. ECKHARDT. There is one point I should like to clear up. On page 7, the term "a failing newspaper" is described to mean "a newspaper publication which" and then there are the words "which regardless of its ownership or affiliations is in probable danger of financial failure."

Suppose a newspaper is owned by a corporation which owns, let us say, a few hotels, a bank, and other business establishments within a community all of which are lucrative, but the publication itself is failing. Of course, this could be manipulated within a total corporate structure. Would such a newspaper be a failing newspaper under the definition when the term "regardless of its ownership or affiliations" is included?

Mr. KASTENMEIER. Yes; it would be, if the newspaper corporation as such were the single entity you are referring to.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. McCULLOCH. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 279, the Newspaper Preservation Act. As legislators, it is our historic role to sometimes balance apparently conflicting interests to reach a reasonable and fair accommodation that will justly serve the public interest. Such is our task today, as we attempt to weigh the need for commercial competition in the newspaper industry with the necessity, in a free society, for competition in ideas.

The problems inherent in the dual—commercial and editorial—character of newspapers are manifest by Judge

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Learned Hand in *United States* v. *Associated Press*, 52 F. Supp. 362 (1943) when he said:

> A newspaper serves one of the most vital of all general interests: the dissemination of news from as many different facets and colors as is possible. That interest is closely akin to, if indeed it is not the same as, the interest protected by the First Amendment; it presupposes that right conclusions are more likely to be gathered out of a multitude of tongues, than through any kind of authoritative selection. (52 F. Supp. at 372.)

Yet, the Supreme Court in affirming the decision of Judge Hand said:

> Newspaper owners are engaged in business for profit exactly as are other businessmen who sell food, steel, aluminum or anything else people need or want. All are alike covered by the Sherman Act. The fact that the publisher handles news while others handle food does not afford the publisher a peculiar constitutional sanctuary in which he can with impunity violate laws regulating his business practice. (*Associated Press* v. *United States*, 326 U.S. 1, 7 (1945).)

It is the potentially conflicting interest of commercial competition and editorial competition that we have pondered in our consideration of the Newspaper Preservation Act.

The newspaper industry has for many years suffered from a curious paradox. While, in general, the newspaper business has been and continues to be relatively healthy and profitable, the vitality of competing ideas which is produced by editorial and reportorial diversity is being lost. Soaring costs, competition from other media, and the growth and insularity of the suburbs have caused countless newspaper failures and mergers across the country. Often where once there were two independent newspaper voices, a newspaper failure or merger has ended competition and tended to produce a stultifying monopoly on news and opinion.

For example, while between 1880 and 1968 daily newspaper circulation increased from 3,093,000 to 61,561,000 and the number of daily newspapers increased from 850 to 1,749, during the same period, the number of cities with two or more commercially competing dailies decreased from 239 to 45. In my own State of Ohio from 1930 to the present, the following daily newspapers, of substantial general circulation in cities of 100,000 or more have merged with another paper or have suspended publication:

Newspaper	City	Year of failure or merger
News	Canton	1930
Commercial Tribune	Cincinnati	1931
Sentinel	do	1933
Vindicator and Telegram	Youngstown	1936
Gross Daytoner Zeitung	Dayton	1937
Times Press	Akron	1938
Journal and Herald	Dayton	1949
Times-Star and Post	Cincinnati	1958
Citizen and Ohio State Journal	Columbus	1959
News and Press	Cleveland	1960

Moreover, there have been no newspapers started to effectively replace these lost voices. Indeed, throughout the country, since the depression, there have been virtually no daily newspapers of general circulation successfully started in any city of substantial size. Thus, unless dramatic action were taken, the public would have less and less competition in ideas.

The joint newspaper operating arrangement was created to cope with this problem. Through substantial cost-savings achieved by the execution of these joint agreements, newspapers were able to survive financially and were able to provide the public with diversity in viewpoints. In the capital city of Ohio, Columbus, two newspapers, the Dispatch and the Citizens-Journal, executed a joint newspaper operating agreement in 1959. Since then the arrangement has permitted one of the newspapers to recover from what appeared to be certain failure and has provided the people living in the Columbus metropolitan area with two distinct editorial and reportorial voices. However, the legality and continued existence of these arrangements all over the country have been threatened by the decision in Citizens Publishing Co. against United States, 394 U.S. 131 (1969). To negate this possibility, the Newspaper Preservation Act was proposed.

This legislation, along with its predecessor, the Failing Newspaper Act, has been thoroughly examined by both bodies. Thirty-three days of hearings have been held in the 90th and 91st Congresses. Over 5,200 pages of testimony and exhibits have been generated. During the House Judiciary Committee's consideration of this legislation, a wide range of testimony was heard. Various departments of the executive branch, publishers of newspapers of varying size, labor unions and academicians have provided suggestions on the scope and propriety of this legislation. Moreover, each of the 22 currently existing joint newspaper operating arrangements was examined in detail. The financial posture of each newspaper currently and at the time these joint operating arrangements were created was closely studied. As a product of this analysis, the bill that has been reported by the Judiciary Committee is considerably narrower and more precise than the legislation as it was first introduced or as passed by the other body.

Originally, the Failing Newspaper Act permitted virtually unchecked mergers and consolidations of newspapers. Such a broad provision would have virtually eliminated the possibility of editorial and reportorial competition in many cities across the country. However, the legislation, now denominated the Newspaper Preservation Act has been rewritten to exempt from the antitrust laws certain specified activities of joint newspaper operating arrangements only to the extent necessary to preserve and promote diversity in viewpoint. In addition, the prospective application of this exemption now is carefully circumscribed by requiring the consent of the Attorney General for any future joint newspaper arrangements. With such safeguards, the future availability of the antitrust exemption for newspapers in other cities should be limited only to those situations where a joint newspaper operating arrangement is demonstrably essential to prevent a newspaper failure and to promote editorial and reportorial competition.

Mr. Chairman, the Newspaper Preservation Act has been the subject of thorough analysis. It has been substantially refined and improved. I urge its prompt enactment to insure the continued promotion and stimulation of competitions in ideas. A free society can have no greater calling.

Mr. KASTENMEIER. Mr. Chairman, I yield 5 minutes to the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Chairman, first of all, may I commend the distinguished gentleman from Wisconsin for the very able manner in which he explained this bill and its definitive concepts. I also commend our distinguished friend and able lawyer, the gentleman from Ohio (Mr. MCCULLOCH), and the distinguished gentleman fom Hawaii (Mr. MATSUNAGA), whose committee has made this bill in order by resolution, and join them in support of this bill.

Mr. Chairman, I can add very little to what has been said. One of the 22 cities in which newspapers are located which will be affected by this legislation is located in the State of Oklahoma but not in my congressional district. However, it is important to the entire State of Oklahoma that these two newspapers maintain their separate identity and their separate newsgathering and editorial policies.

This is very important to the eastern part of the State in which I live. This bill is not a partisan measure. More than 100 Members representing both parties have joined in sponsoring the legislation.

The purpose of this bill is to clear up the result, as the Members well know, of the Supreme Court decision which creates somewhat of an anomalous situation. Under existing antitrust laws total merger of two separately owned newspapers which includes combining all of their commercial, newsgathering and editorial operations is legal. This is allowed when one of the newspapers has failed, but, Mr. Chairman, certainly the inequity of such a law is evident. The basic need for editorial competition is a fundamental prerequisite for an informed citizenry. It lies at the very heart of the freedom-of-the-press provisions of the first amendment to the Constitution. The need for opposing opinions to be evidenced in newspaper editorials is paramount.

A 1968 survey reported that although 1,500 cities are served by a daily newspaper, 85.6 percent are one-newspaper towns. Another 150 cities are served by two dailies, but these are under single ownership. Therefore over 95 percent of the communities have newspapers that are controlled by a single owner.

This makes it abundantly clear that we need to maintain editorially competitive newspapers in the 22 cities affected by this act.

Mr. Chairman, the newspaper operating arrangement that is presently being threatened by antitrust suits has been in operation since 1933. And as the distinguished gentleman from Wisconsin (Mr. KASTENMEIER) pointed out, this practice was not threatened until the Justice Department brought a suit in 1965.

Mr. Chairman, this act would allow these 22 newspapers to continue their own operations exempt from antitrust laws only as long as they do not violate other provisions of those laws. This act does not exempt these newspapers from unlawful conduct such as predatory pricing or other monopolizing practices.

Mr. Chairman, the purpose of our antitrust laws is to preserve competition. That is the identical purpose, as I understand it, of this legislation. This bill will prevent monopoly in one of the most important areas of our national life.

Mr. Chairman, if the Newspaper Preservation Act fails to pass, the voices of 22 newspapers that have given their readers the other side of every issue will be silenced. Remaining will be 22 newspapers that may offer only one point of view. This is monopoly at its worst.

I urge, therefore, Mr. Chairman, that this bill be adopted.

Mr. Chairman, I yield back the balance of my time.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. Johnson).

Mr. JOHNSON of Pennsylvania. Mr. Chairman, I am a cosponsor of the Newspaper Preservation Act, and I urge its passage.

One of the 10 counties in my district is the county of Venango, and two of the largest cities in the county are Oil City and Franklin. The population of the county is 60,514, according to the 1970 census.

There is published for Oil City a daily newspaper called The Derrick, and there is published for Franklin a daily newspaper known as the News-Herald.

For many years these two daily newspapers published independently in a separate plant, but in 1956, because of rising costs and other factors, these two newspapers found it necessary for survival that they both publish from the same plant, using the same printing presses and printers. They also have a joint circulation department and a joint advertising staff. But that is where the community of interest ends. They compete fiercely for the news, and keep their editorial and news staffs entirely separate and isolated.

I feel that both newspapers make a valuable contribution to the economic, social, and intellectual life of the county and their respective communities. If these two newspapers were now forced to separate entirely and duplicate most of their efforts, one of the papers could well fold, and Venango County, Pa., would be a one newspaper county. This would not be a beneficial result as far as this county is concerned. There is no semblance of an organization in restraint of trade as contemplated by the Sherman Act in this instance. In fact this arrangement of which I speak is entirely the opposite.

It has been pointed out that the best interests of this Nation require a free press, wide dissemination of the news, and the opportunity for the news media to operate at a reasonable profit.

This bill makes all these possible. I urge you to vote yes on H.R. 279.

Mr. McCULLOCH. Mr. Chariman, I yield to the gentleman from Minnesota (Mr. MacGregor) 5 minutes.

Mr. MacGREGOR. Mr. Chairman, let me say at the outset that the gentleman from Wisconsin (Mr. Kastenmeier) is deserving of great credit for his candor in responding to the inquiry of the gentleman from Iowa (Mr. Gross).

I do appreciate, may I say to the gentleman from Wisconsin, his candor in admitting that the passage of the so-called Newspaper Preservation Act would amount to the sanctioning of such conduct as price fixing, profit pooling, and market allocation.

I urge those who may be undecided on this bill to refer to the hearings before our subcommittee so as to see just how the public interest would be damaged by the adoption of this legislation. I specifically refer you to page 254 of serial No. 8 of the printed hearings on the bill, H.R. 279.

There you will find testimony contained in a statement by Stephen Barnett, professor of law, University of California, Berkeley, Calif. May I quote him briefly:

> I would like now to focus on the situation in San Francisco, and to tell you how the joint operating combination has been working there. That combination would be legalized and perpetuated by this bill, so the citizens of the San Francisco area have a significant stake in what this Committee does. I think you should know what kind of arrangement you would be forcing us to live with—probably forever. Also, the situation in San Francisco, where the joint-operating agreement is only four years old, affords a particularly good opportunity to isolate the effects of such an arrangement, and thus to get a graphic idea of the impact this bill would have—or, conversely, the impact a return to newspaper competition might have—in cities across the country.

Now listen to these statistics about how advertising rates were jacked up and manipulated after the execution of the joint operating agreement in San Francisco, and I continue to quote from Professor Barnett's testimony:

> At the Senate hearings in July 1967, J. Hart Clinton, publisher of a suburban evening paper, the *San Mateo Times*, described and documented the way the *Chronicle* and *Examiner* had changed their advertising rates immediately after the merger. As he showed (and no one has challenged his data), the basic "open" display ad rate for space in the *Chronicle* was all but doubled as a result of the merger—from $1.20 per line in January 1965 to $2.32 per line effective October 1. (pp. 647, 654) This whopping increase could not be justified by the gain in the *Chronicle's* circulation resulting from its new morning monopoly, for that gain was only about 33 percent. (p. 656) The obvious explanation was, rather, that with advertisers now dependent on the *Chronicle* as the city's only morning paper, the *Chronicle's* ad rate was set as high as the monopoly traffic would bear.
>
> The *Examiner*, meanwhile, still faced competition from the *Oakland Tribune* and the various other evening papers in the suburbs. Its basic ad rate was increased after the merger by only about 50 percent—from $1.03 to $1.55 per line. (pp. 649, 654)
>
> The real squeeze, however, lay in the new combination rate for both papers. This was set at $2.58 per line—only $.26 more than the rate for the *Chronicle* alone. (pp. 654–655) Advertisers needing the *Chronicle* thus had little choice, after paying its monopoly-inflated rate, than to take the "bargain" combination rate giving them the *Examiner* as well. They would have had to pay much more than $.26 per line for some evening paper in the suburbs—or for some new paper that might otherwise enter the market in San Francisco itself.

For those of you—and there are many that I see here in the Chamber, who diligently approach their decisionmaking on legislation—I refer you to other testimony contained in our hearings of a comparable nature covering the situation in other cities where there is a joint operating agreement.

Mr. Chairman, I must respectfully disagree with the analysis of my colleagues regarding the necessity and propriety of the Newspaper Preservation Act. I submit that the purpose of this legislation is not to serve the public by providing diversity in editorial and reportorial opinion but rather to preserve the right of certain newspaper publishers to enjoy monopoly profits. Accordingly, I must concur with an editorial that appeared in the New Yorker magazine of January 31, 1970, which stated:

> Any newspaper which has to be preserved this way might as well be preserved in formaldehyde.

The Newspaper Preservation Act legalizes price fixing, profit pooling, and market allocation which are crimes punishable by fine and imprisonment. Unless we delude ourselves into believing that such criminal conduct should be casually sanctioned, surely a manifestly clear showing of justification should be made before this legislation is passed. Such has not been the case. There has been no substantial evidence to justify this sweeping repudiation of competition in the newspaper industry.

Proponents of the legislation argue that without the Newspaper Preservation Act the public will be deprived of the benefit of diversity in editorial and reportorial viewpoint. No one would deny that competition in ideas is one of the foundations upon which the greatness of our society is based. If this were the actual raison d'être for the bill, no fault could be found with it. But this rationale is a thin facade which is not supported by the content of our hearings and which cannot stand searching analysis.

The situation in San Francisco offers a graphic example of the degree to which some of the proponents of this legislation have distorted the facts. Sponsors of the bill strongly argue that without the Newspaper Preservation Act the public would be faced with a monopoly in communications. If the loss of one of the newspapers involved in the joint newspaper operating arrangement in San Francisco would leave only one editorial and reportorial voice in the area, public policy might dictate legislative action. Yet the facts clearly indicate that the situation in San Francisco is not one of near monopoly, but rather one of intense competition. Indeed, there are 21 daily newspapers and countless weekly newspapers which regularly compete with the two joint-operation newspapers

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in San Francisco. Some of these newspapers are currently small and have only limited circulation; others, however, are comparable in size to their counterparts in San Francisco who seek this protective legislation. In San Francisco it is clear that this legislation will not serve the public by promoting editorial and reportorial competition. Rather it will serve the private interests of two newspaper publishers by protecting them from other newspapers who, without this legislation, would surely continue to provide stimulating commercial and editorial competition and thereby better serve the public. Yes, this is a newspaper preservation act, but it is preservation for only a chosen few. As the New York Times editorialized on January 31, 1970:

> Far from encouraging a free and independent press, such immunity could become a shield to established publishers against the entrance of new journalistic competitors. Even without that effect, the sheltered environment of a carefully divided market is a poor spur to editorial ingenuity and creativity.

It is urged by the proponents of this legislation that the decision in *Citizens Publishing Co.* v. *United States*, 394 U.S. 131 (1969)—the Tucson case—requires the passage of this legislation. To enforce the Sherman Act's criminal prohibitions of price-fixing, profit pooling and market allocation, they argue, would destroy many newspapers who cannot compete, as independent entities, with other newspapers. Plainly, this reasoning is fallacious. The Tucson case does not require the complete termination of any joint newspaper operating arrangement. The final order entered in that case on January 26, 1970, provides a reasonable and workable formula for maximizing the opportunities for editorial and commercial competition. The decree recognizes the cost-savings that can legitimately be derived from certain joint activity and, accordingly, specifically permits: joint printing; joint distribution; joint clerical and administrative staff; an optional, fully cost-justified combination advertising rate; allocation of markets; a joint Sunday edition; and a single advertising staff to handle combination advertising.

It is important to note that the Department of Justice has indicated that the rules of the Tucson case could be applied successfully to all the joint newspaper arrangements that are currently in operation. In this manner the requirements of each individual community could be analyzed and the existing agreements modified to the extent necessary to promote diversity in editorial viewpoint and to stimulate commercial competition. Thus the newspapers operating under joint arrangement would be permitted almost all the economies which they now enjoy and would be required to suspend only those otherwise criminal activities which were really never essential to their survival. Clearly, the very fair and reasonable formula produced by the final decree in the Tucson case makes this legislation unnecessary.

But even if some legislation were appropriate, the redrafted and ambiguous provisions of the Newspaper Preservation Act will not still the controversy which has surrounded this special interest bill but, rather, will provide a source of continual vexation for all concerned as the legislation is interpreted in the future. This bill does not grant antitrust immunity to all 22 joint operating arrangements. Such an exemption attaches only if the requirement in section 4(a) is satisfied that not more than one of the newspapers involved was a publication that "was likely to remain or become a financially sound publication." Whatever this standard means, it applies only when a particular joint operating arrangement was created. It seems clear that under this provision each arrangement could be tested by either the Department of Justice or by a private party seeking treble damages and could be found not to meet the test.

But, in addition, the only retroactive language in the bill is in section 5. Section 4, the antitrust exemption, does not purport to sanction the activities of these joint operating arrangements before the enactment of this legislation. Accordingly, because of the limited retroactive language in section 5(b), it seems arguable that the treble damage actions might be brought after the date of enactment of this act regarding conduct, declared unlawful in the Tucson case, but occurring before the enactment of this legislation.

An additional serious problem of interpretation involves the scope of the Attorney General's power under section 4(b). Clearly, the language of section 4(b) does not require the Attorney General to approve a joint operating arrangement even if he finds that not more than one of the newspapers is nonfailing. Section 4(b) says merely that prior to approval the Attorney General must find a "failing newspaper." The subsection does not mandate him or otherwise limit his power except to say that the Attorney General must find that his "approval of such arrangement would effectuate the policy and purpose of this act." Whatever the ultimate scope of this authority, to vest a Government official with such unfettered power over the life or death of particular newspapers may make the subsection unconstitutional because of the guarantee in the first amendment of freedom of the press.

Mr. Chairman, not only is this bill unwise and unnecessary, but also its passage would do the public a distinct disservice. This legislation definitely does not serve the public interest. It serves the private interests of 44 publishers who want a special advantage. Passage of this bill will lessen competition by handicapping the ability of other newspapers to be established, to grow and to provide the public with an independent view of the news. It will force businessmen to pay a price for advertising space determined not on the basis of competition, but on what the traffic will bear. This private legislation should be soundly rejected by the House of Representatives.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Illinois.

Mr. RAILSBACK. I want to thank the gentleman for yielding. I merely wish to ask a question. I have read with interest his statement in the report, and I do take issue with it. It refers to practices that the gentleman is against and which he claims are crimes punishable by law. The gentleman is not suggesting that predatory price fixing is permitted under this bill?

Mr. MacGREGOR. I am not suggesting anything——

Mr. RAILSBACK. In others words, anything that is a crime right now, a violation of the antitrust laws, as far as predatory price fixing or monopolistic practices which result from lack of competition. The gentleman is not suggesting that the bill legalize that, is he?

Mr. MacGREGOR. The gentleman has alluded in his question to a number of practices, some of which this bill would legalize and some of which it would not.

Mr. RAILSBACK. The gentleman is aware of that section which specifically reserves application of the antitrust laws so far as predatory price fixing is concerned, which may be the case in respect to the San Francisco newspapers?

Mr. MacGREGOR. May I say to the gentleman that I am thoroughly familiar, of course, with each and every line of this bill because I participated with the gentleman both in the subcommittee and in the full committee in the drafting of the bill. I think a great deal of credit goes to the gentleman from Illinois (Mr. RAILSBACK), who undertook the principal burden of seeking to improve the Senate-passed bill. The gentleman knows that he and I disagree, but I have great respect for the work he has done on this bill in making it less undesirable.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Chairman, Arizona has a definite need for the enactment of this legislation. Tucson, Ariz., is one of the 22 cities in which there exists a joint-operating agreement that would be affected by the Newspaper Preservation Act. Other newspapers in the State of Arizona could also be affected. However, I would like to comment specifically on the serious news media problem that Tucson could face if this proposed bill is not enacted.

In 1940, the Tucson Daily Citizen and the Arizona Daily Star negotiated a joint-operating agreement which provided for each paper to retain its news and editorial departments and corporate identity, and for the general integration of business operations. This agreement was renewed in 1953 to extend until 1990. The editorial policies of these two papers are often contrasting and provide the people of Tucson with both sides of the difficult issues facing the Tucson community and our Nation. Without the enactment of this legislation, there is a high probability that Tucson would be presented with only one editorial viewpoint because both newspapers could not survive as completely separate entities.

H.R. 279 proposes to legalize only that which is now legal for the single owner of two or more newspapers to do, or for two or more newspapers to do after a full merger. H.R. 279 would save for the public benefit competition between two separately owned independent newspapers in news coverage and editorial views. Failure to enact the bill could result in the irretrievable loss of divergent editorial views.

Congress has in the past approved exemptions from the antitrust laws for certain activities of labor organizations, small businesses, agricultural cooperatives, banks, and professional football. It seems obvious that the social values to be gained by the maintenance of competitive news coverage and editorial voices are at least equal to, if not greater than, those deemed worth safeguarding in the antitrust exemptions just mentioned.

In summary, there are conflicting considerations which bear on this legislation. The case for not making an exception to the antitrust laws is a strong one; but I believe that a better case has been made for the preservation of more than one editorial voice in a city. I think the underlying rationale behind the antitrust laws supports this position.

Thus far, both sides of this complicated issue have been extensively debated. The central point remains that a single newspaper city is not to be sought. If joint-operating agreements are disallowed, it is probable that this will precipitate the single newspaper phenomenon that we seek to avoid.

Mr. KASTENMEIER. Mr. Chairman, I yield to the gentleman from Louisiana (Mr. WAGGONNER), such time as he may consume.

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Mr. WAGGONNER. Mr. Chairman, I support the bill, H.R. 279, the Newspaper Preservation Act. Operations in Shreveport, La., since 1953 show it is needed to preserve editorial independence.

The Newspaper Preservation Act is intended to correct an inequity in the antitrust laws. Under the law as it exists today, two separately owned newspapers in the same city, at least one of which is failing, can legally enter into a total merger—combining all of their commercial and editorial operations. However, if these same two newspapers, at least one of which is failing, enter into a joint operating arrangement, whereby they combine all of their commercial operations but retain separate and competing news and editorial departments, this would constitute a per se violation of the antitrust laws. Thus, the law allows a total merger with the elimination of commercial and editorial competition, but prohibits a commercial merger which preserves news and editorial competition.

The Newspaper Preservation Act would give joint newspaper operating arrangements the same legal standing as a total merger. The bill provides a narrowly circumscribed exemption to the antitrust laws for the owners of newspapers in the 22 cities where there are now joint operating arrangements—and for the 35 cities which still have two or more separately owned newspapers, and which conceivably could seek to enter such arrangements in the future—giving them the same status as the owners of the newspapers in over 150 cities where the morning, evening, and Sunday papers are part of a total merger.

The Newspaper Preservation Act specifically prohibits predatory practices, and would pose no danger or threat to weekly newspapers or competing suburban dailies. It is needed now.

Mr. KASTENMEIER. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Chairman, I have listened with considerable interest to the extended arguments of my friend, the gentleman from Minnesota (Mr. MACGREGOR) against this bill. It seems they boil down principally to the fact that there is prestigious opposition to it represented by the City Bar Association of New York and the antitrust section of the American Bar Association, and the Newspaper Guild, principally, and I believe it includes a Berkeley, Calif., professor whose testimony has apparently supplied about 75 percent of the content of the speech made by the gentleman from Minnesota a few moments ago.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Chairman, I am sure the gentleman would want to mention also the Board of Governors of the American Bar Association who adopted the recommendation of the section on antitrust.

Mr. EDMONDSON. It was adopted by the antitrust section, I understand, by a margin of one vote. I am a member of the American Bar Association and I do not remember ever having been asked my opinion. The gentleman from Oklahoma (Mr. BELCHER) is a member also, and I do not know if he has been asked. But I have a feeling this is like many other organizational positions: The rank and file were not consulted.

The National Newspaper Association is being mentioned as in opposition, but it is my understanding that the individual newspaper members were not polled.

Mr. MACGREGOR. Mr. Chairman, if the gentleman will yield, that is not the situation in my State. It may be in Oklahoma. I am advised that in my State the members of the newspaper association, which is affiliated with the National Newspaper Association, have been polled.

Mr. EDMONDSON. I am interested because the Oklahoma Press Association has come out unanimously through its board of directors in support of this bill, so apparently the National Newspaper Association is not speaking for all its members. It is my personal view that in Oklahoma, where literally hundreds of weekly newspapers and daily newspapers operate, they have been able to live with this arrangement in the principal city on the eastern side of the State. If there were anything predatory about it or anything unfair to the other competitors, I am sure we would have heard about it pretty strongly in the Oklahoma congressional delegation.

As a matter of fact, I represent 17 counties, and I have many weekly newspapers and a number of daily newspapers who might be said to be in competition with the Tulsa Daily World, and the Tulsa Tribune, for the circulation areas of those papers cover a good part of my district, but I have yet to hear from any newspaper publisher or working newsman in the 17 counties I represent in opposition to this bill.

I am stating the Oklahoma situation. I am concerned primarily about what the working newspaper people think about this bill in the States where this arrangement works effectively and honestly and aboveboard in 22 communities. That is certainly the situation in the State of Oklahoma.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, is it not a fact that during the hearings before the Judiciary Committee not a single witness testified to the effect that in the 22 cities there was any predatory price fixing?

Mr. EDMONDSON. I am unaware of any advertiser who testified on that point.

The gentleman from Minnesota quoted at some length from a Berkeley professor who apparently is a witness against the bill, testifying to what is wrong with it and testifying there is something undesirable about the San Francisco arrangement. It seems to me rather curious, if this San Francisco arrangement is so bad, that we did not have some advertisers up in the San Francisco area complaining about the practices in San Francisco, instead of a professor at Berkeley setting himself forth as a big expert on this question.

Mr. MATSUNAGA. I come from one of the 22 cities, the city of Honolulu, and I can say that the entire community, not only of Honolulu but of the State of Hawaii, supports this legislation. In fact, every chamber of commerce and the retail board of the Chamber of Commerce of Hawaii, consisting of more than 600 members, have endorsed this. They are the ones who pay the bill for advertising. They are in support of this measure.

As a matter of fact, in Honolulu the experience has been a favorable one for the advertisers because the price of joint advertising actually has gone down.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. KASTENMEIER. Mr. Chairman, I yield the gentleman from Oklahoma 1 additional minute.

Mr. EDMONDSON. I thank the gentleman for yielding.

If it is a matter of prestigious supporters or opponents for the bill, I am perfectly willing to put the supporters for this bill, who include the President of the United States, the Secretary of Commerce, the minority leader of the House of Representatives, the majority leader of the House of Representatives, and 100 colleagues in the House of Representatives, up against the Berkeley professor any time.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDMONSON. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I believe the gentleman may be beginning to appeal to me on this legislation, when he points out a number of papers could be considered competitive with the metropolitan papers in Tulsa which would be benefited by this bill.

Would it be the gentleman's contention that later we can bring those papers in under this bill, in case they get into economic trouble, and thereby allow them to avoid the provisions of the antitrust laws?

Mr. EDMONDSON. The bill speaks for itself on that point. If a newspaper is a failing newspaper in a community where there is another newspaper that is willing to enter into a joint operating arrangement with it, under the provisions of the bill, if it can satisfy the Attorney General that the operating arrangement is in the public interest and is not violative of the antitrust laws, it would be eligible to come in and participate in the future.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. BELCHER).

Mr. BELCHER. Mr. Chairman, I should like to ask the gentleman from Oklahoma (Mr. EDMONDSON), a question. If the newspapers that the gentleman from Ohio represents should get in trouble, could they not come under the act just the same?

Mr. EDMONDSON. If they meet the qualifications of the act and could satisfy the Attorney General that it would be in the public interest to have a joint operating arrangement approved, they could come in to it, and I believe they should be able to.

Mr. BELCHER. Then the gentleman from Ohio is not so much concerned, is he?

Mr. EDMONDSON. I could not answer for the gentleman from Ohio on that subject.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, I thank the distinguished gentleman from Ohio for yielding. I rise in opposition to this measure.

Mr. Chairman, the so-called Newspaper Preservation Act is one which has given me some difficulty, since it involves a field in which I have no specialized knowledge; and in reading about the bill and the problem to which it is addressed, and in listening to my colleagues, I have read and heard persuasive arguments on both sides.

Nevertheless, I have to cast a vote and, on balance, I have decided to vote against this legislation on the basis of the following considerations:

First. Whatever the merits of the bill and whatever the reasons for it, it remains true that this is special legislation in favor of 22 particular situations, granting to them an exemption from the antitrust laws which is not extended to anyone else. Such a move requires very strong justification.

Second. I am persuaded from my reading and from the debate that most of the operating economies claimed for the joint newspaper operating arrangement are apparently permissible according to present law under the court decree finally entered in the district court in the Tucson case, in implementation of the decision of the Supreme Court. The things prohibited seem to be price fixing and profit pooling, and I am not convinced that these are either necessary to economic survival, or, in any case, legitimate. Under these circumstances it does not seem to me that the showing necessary to justify this special legislation has been made out.

Third. I note, further, that many smaller newspapers, the American Newspaper Guild, and also the American Bar Association and its antitrust committee have taken positions in opposition to this bill. Such opposition from groups such as these, which are knowledgeable in this field, are quite persuasive.

Fourth. I note, further, that in my own congressional district—as no doubt elsewhere—we have notable cases where two newspapers are published by one owner, and yet these papers maintain vigorous conflicting editorial policies. This indicates that the joint newspaper operating agreement is not essential to the maintenance of a separate or an independent editorial voice.

Fifth. In general, I believe in free enterprise and in the philosophy of the antitrust laws, reasonably administered, which are designed to preserve it. The burden of proof lies upon those who want a special exception; and I am not persuaded that, in this instance, the burden of proof has been sustained by the proponents of this bill.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. DEVINE).

Mr. DEVINE. Mr. Chairman, I rise in support of this legislation and urge its adoption.

If the Members will look at page 4 of the committee report, they will find there the remarks of the gentleman from Hawaii (Mr. MATSUNAGA). In effect, Mr. MATSUNAGA notes that the newspaper industry itself developed the joint newspaper operating arrangement some 40 years ago with a twofold purpose; first, to reduce cost; and, second, to maintain editorial independence.

The arrangement has resulted in a substantial reduction in cost and the elimination of duplication of equipment and manpower.

I am a cosponsor of H.R. 8768. I introduced the bill partly because of a specific situation in my own community, Columbus, Ohio.

We have two major newspapers in this area. The city of Columbus has a population between 500,000 and 600,000. The greater Columbus area has about 850,000.

These two newspapers service this area. The presses are owned by the Dispatch Printing Co., which prints the Columbus Dispatch, having a daily and a Sunday publication with a circulation daily of 250,000 to 300,000 and a Sunday circulation in excess of 300,000.

The other paper is owned by the Scripps-Howard chain. It has a daily newspaper publishing 6 days a week. The circulation is about half that of the Dispatch Printing Co.

I would say to you, based on the information available to me, if this bill fails there is a strong likelihood that the smaller paper would fail. This paper does not necessarily support the gentleman in the well. Nevertheless, I think it is essential across this Nation, particularly in large capital cities, that we have two editorial policies and two philosophies represented.

That is why I feel this bill is so necessary.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for a question?

Mr. DEVINE. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Have you had any substantial complaint during the entire time that the arrangement has been in effect between the Dispatch and the Citizen about the cost of the newspaper or the cost of the advertising or any other complaint that you can think of at this time?

Mr. DEVINE. I would say to the gentleman that I not only have had no substantial complaint but I have had no complaints whatsoever. This arrangement between the Citizen Journal and the Columbus Dispatch has been in operation for several years and they are able to produce these two papers and maintain their existence and yet maintain completely separate business policies and completely separate editorial policies.

Mr. McCULLOCH. Mr. Chairman, if the gentleman will yield further: Is it true that from the capital city of Ohio these newspapers go to almost every section of Ohio carrying the story of Ohio government and other pertinent activities about which the people of Ohio have a right to know.

Mr. DEVINE. Yes, that is true.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KASTENMEIER. Mr. Chairman, I yield 5 minutes to the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Chairman, as the introducer of H.R. 279, the so-called "Newspaper Preservation Act," I rise in its support. It should be noted at the outset that more than 100 members of this House have cosponsored similar bills.

The underlying premise from which H.R. 279 proceeds is a simple one: That it is in the public interest in a democracy such as ours to have more than one newspaper editorial viewpoint expressed in any particular city.

Unfortunately, rising production costs and increased competition for advertising revenues from radio and television have spelled disaster for many fine, independent newspapers in dozens of major cities across the country. As population has shifted away from central cities, the newspaper advertising dollar has shifted also, and suburban news publications have profited at the expense of the major dailies in the cities.

These downward pressures on newspaper revenues have been accompanied by a substantial rise in the cost of publishing. The price of manpower, the most important cost involved in newspaper production, has almost tripled since the end of World War II. Newsprint, the

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second largest expense item, has more than doubled in price during the same period.

Faced with severe financial difficulties, in recent years, the independent newspaper publishers have had to make a choice among a few bleak alternatives in order to survive. Some of them who had unrelated financial interests subsidized their newspapers for as long as the other resources held out. Others have sold out—usually to another newspaper in the same city. Still others have merged with other newspapers, thereby achieving sufficient economies through a combined operation so that both newspapers could continue to be published under a single ownership.

In all of these alternatives, the consuming public has lost out, for it has been deprived more and more of the benefits of the wholesomeness of reportorial and editorial competition.

A final alternative open to the publisher of a failing newspaper until last year was to enter into a joint operating agreement with another newspaper, generally in sound financial condition. These agreements generally provided for use of joint production facilities, joint distribution system, and joint advertising solicitation, but provided for the retention of separate and independent editorial policies. The two newspapers remained separate entities, competing and operating as distinct news and editorial sources.

This final alternative was the choice selected by two leading dailies, one morning and one afternoon newspaper, in my own city of Honolulu. About 8 years ago, the morning paper found itself in severe financial straits, and negotiated an agreement with the afternoon paper to combine commercial operations, while keeping separate news-gathering operations, editorial staffs, and ownership. As a consequence both newspapers have not only managed to survive, but by the savings resulting from the joint operating agreement have proceeded actually to improve editorial service to the public with enlarged editorial budgets.

The joint operating agreement was an attractive and desirable alternative, one that had been employed effectively by publishers in 22 cities, until March 10, 1969, when the U.S. Supreme Court ruled that such agreements were in violation of the Federal antitrust laws, in the case of Citizen Publishing Co. against United States, involving two daily newspapers in Tucson, Ariz. In its decision, the Court refused to consider the economic circumstances which had led to the agreement in the first place. It followed the precedent of an earlier case in which the Court declared that any decision to consider such economic factors would be—in the Court's words—"a policy matter committed to congressional or executive resolution."

That decision of the Supreme Court has forced the Congress into determining what this country's policy should be—whether or not it would be in the public interest to approve a limited exemption to the antitrust laws for newspapers whose only chance of survival lies in entering a joint operating agreement. Indeed, some Members of Congress would phrase the question differently: Should we take necessary action to preserve a free press, or should we preserve the technical sanctity of the antitrust laws? Mr. Chairman, H.R. 279 decides that question in favor of a free press.

Although an exemption to the antitrust laws should not be allowed merely because a particular industry says it needs one, Congress has, over the years, voted a number of such exemptions. My colleagues know the list as well or better than I—some small businesses, agricultural cooperatives, certain labor union activities, banks, professional sports, and others. In each of these exemptions, Congress decided that some aspect of our national interest which was involved was more important than keeping the antitrust laws inviolate.

I submit, Mr. Chairman, that maintaining divergent newspaper editorial voices in our country's great cities is as much if not more in the national interest as those activities which I just mentioned and which this Congress has deemed worthy of safeguarding by exemptions in our antitrust laws.

Some critics of the Newspaper Preservation Act have voiced their fears with respect to possible anticompetitive effects from the approval of these joint operating agreements. Advertisers would be compelled to pay inflated rates, they say, and the labor forces of the two newspapers would be drastically cut to effect economy. But these fears are groundless. In the Tucson case itself the Supreme Court found in fact that the advertising rates of the two newspapers remained reasonable and competitive with other media. I know personally that in Honolulu, joint advertising rates right now are actually lower than they were before the joint operating agreement was signed. This perhaps explains why the various chambers of commerce in Hawaii, whose members are very much concerned about advertising rates and practices, have enthusiastically endorsed this bill.

As for labor, Mr. Chairman, it may interest my colleagues to know that all labor and craft unions involved in the newspaper industry in Hawaii have stanchly supported the Newspaper Preservation Act. They recognize that were it not for the 1962 joint operating agreement, Honolulu today would have only one daily newspaper, and there would be fewer jobs for those whose skills are needed to publish a daily metropolitan newspaper.

Mr. Chairman, H.R. 279 meets an urgent need by providing a narrow exemption from the antitrust laws for a financially failing newspaper to enter into a joint operating agreement with a newspaper that is not failing.

What this bill would legalize is no more than what is allowed under existing law to a single owner of two or more newspapers after a full merger. The real and important difference is that the reading public would continue to enjoy the benefits of competition between two separate and independent news presentations and editorial viewpoints under a joint operating agreement which the bill would legalize.

In effect, therefore, the pending bill does not violate but actually advances, the spirit and the purpose of the antitrust laws. It would in fact foster competition in news coverage and editorial views where economic realities would otherwise force all but one newspaper publisher out of business. As a case in point, I invite the attention of my colleagues to Honolulu where the editorial departments of the two dailies are fiercely competitive and the quality of their work never before better. This was the judgment expressed by the editors of a competing monthly magazine. Clearly, then, the proposed legislation is not designed to perpetuate mediocrity in print, as some have claimed. Many of the newspapers that would be saved by the Newspaper Preservation Act, including the Honolulu Advertiser, have been recognized for editorial excellence in national competition.

Unless this legislation is enacted, many of these outstanding newspapers will be irretrievably lost. Such a result would clearly be against the public interest.

Mr. Chairman, let us make no mistake about it, we are here being forced into making a choice between preserving a free press as opposed to keeping the sanctity of the antitrust laws. In a democratic society such as ours the choice is obvious—the free press must be preserved. This is what the Newspaper Preservation Act proposes to do. This is why it deserves our support.

Mr. EVINS of Tennessee. Mr. Chairman, as a cosponsor of the legislation I wish to associate myself with the excellent remarks of the gentleman from Hawaii (Mr. MATSUNAGA) and commend him for his leadership in advancing the cause of a free press. If we are to preserve the multiple voices of a free press in this country, I believe that the adoption of H.R. 279, the Newspaper Preservation Act, is imperative.

This bill would eliminate a present inequity in the Federal antitrust statutes as the courts have construed them. Presently, if a newspaper owner sells his paper to, or merges it with, another newspaper company in the same city, that new joint entity can obviously set up combined operations for every newspaper function. Not only can all commercial activity be consolidated, but both newspapers can express the same editorial viewpoints and carry much of the same news. Indeed, the single ownership of the two papers makes such result virtually certain.

In the event, however, that the newspaper in financial difficulty agrees with a financially healthy newspaper to share commercial expenses and revenues while maintaining separate ownership, newsgathering staffs, and editorial policies, the courts have decided that there is a violation per se of the antitrust laws.

As I understand it, the Newspaper Preservation Act would simply amend the antitrust laws so that the independent newspapers with joint commercial operating agreements would be treated equally with the product of a newspaper merger. This is certainly a realistic step to take, since a joint operating agreement is nothing more than a merger of certain commercial functions. Of course,

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the public benefits from such an arrangement because of the preservation of distinct and competing editorial staffs and news-gathering organizations.

In preserving this competition of ideas, the legislation we are considering is in keeping with the finest purposes of the antitrust laws, and it deserves our favorable vote.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. Mr. Chairman, I strongly support the enactment of H.R. 279—the Newspaper Preservation Act.

This important measure will help preserve and promote competition in ideas by stimulating editorial and reportorial diversity. Increasingly, the newspaper industry is plagued with newspaper failures and mergers as rapidly rising costs make it harder and harder for publications to survive. With each failure and each merger, editorial, and reportorial voices, capable of curbing the trend toward monopoly power in communications, are lost.

The joint operating arrangement provides a solution to this problem. By engaging in certain joint activities which effect substantial cost savings, the newspapers involved in these joint arrangements can survive independently, can pursue separate editorial policies, and can insure diversity of opinion in their community. In other words, duplication of equipment and manpower may be eliminated and more efficient use of plant facilities may be achieved. Through such joint activities, overhead may be sharply reduced and financial stability of the papers may be achieved. Under such conditions, editorial and reportorial independence may flourish so that the public may enjoy competition, rather than monopoly in ideas.

Recognizing the value of such joint activities, newspapers in 22 cities have instituted such arrangements. Many of these arrangements have been in effect since the depression—a majority of them for over 20 years. During this period, all of these arrangements operated with, at least, the tacit approval of the Government agencies charged with the enforcement of the antitrust laws.

However, this reasonable solution to the very real economic crisis in the newspaper industry has been threatened by the unjustifiably restrictive decision in *Citizens Publishing Co.* v. *United States*, 394 U.S. 131 (1969). In the logic of the Court, if one of the newspapers had been a "failing company" at the time the arrangement, under scrutiny there, was effected, then it would not have violated the antitrust laws. However, when the Supreme Court apparently adopted the trial court's standard of "failure" stating:

> At the time Star Publishing and Citizens Publishing entered into the operating agreement, and at the time the agreement became effective, Citizen Publishing was not then on the verge of going out of business, nor was there a serious probability at that time that Citizens Publishing would terminate its business and liquidate its assets unless Star Publishing and Citizens Publishing entered into an operating agreement.

It departed from the traditional "failing company" doctrine and applied a much more restrictive standard to judge the legality of the arrangement. See *United States* v. *Diebold*, 369 U.S. 654 (1962); *International Shoe Co.* v. *Federal Trade Commission*, 280 U.S. 291 (1930). Given the reality of competition for advertising and circulation revenues in the newspaper industry, this decision sounded the deathknell for these joint operating arrangements and foreshadowed the concomitant end of editorial and reportorial competition in an increasing number of cities across the country. To meet the threatened termination of these arrangements, the Newspaper Preservation Act was proposed.

This legislation has been the subject of a comprehensive examination. Hearings were held in both the 91st and the 90th Congresses. As a result of this intensive scrutiny, the legislation as reported by the House Judiciary Committee represents a substantial improvement over the bill as introduced and as passed by the other body. The scope of the antitrust exemption provided by the Newspaper Preservation Act has been reduced and made more precise. Originally, the predecessor of this legislation, the Failing Newspaper Act, permitted any combination of newspapers if, at the time the transaction was undertaken, not more than one of the newspapers involved was a publication that was likely to remain or become a financially sound publication. If adopted, this provision would have given a virtual blank check to newspaper mergers and would have resulted in a very detrimental loss of editorial and reportorial diversity. Now the antitrust exemption contained in the legislation sanctions only a limited and specifically designated number of joint activities involved in the commercial operation of newspapers. The bill, as amended, makes it clear that there may be no merger, combination or amalgamation of editorial or reportorial staffs and policies.

Moreover, the legislation now distinguishes between currently existing joint newspaper operating arrangements and arrangements which may be created in the future. Recognizing the historic inactivity on the part of the enforcement agencies and the reliance upon such inactivity by various newspapers in effecting the currently existing joint newspaper operating arrangements, the bill provides a relatively more liberal standard for determining whether the antitrust exemption applies to such arrangements. Nevertheless, prospective availability of the exemption has been sharply restricted by requiring the consent of the Attorney General for any future joint arrangement and by circumscribing his power to consent through the use of a strict definition of "failing newspaper."

Mr. Chairman, I speak as one member of the Committee on the Judiciary who, I can say without any fear of contradiction, has had no ax to grind. I do not have any of the so-called joint operating newspapers within my district. I have felt no great pressures from newspapers. I must say too, in the beginning, that when I first heard the testimony of some of the witnesses I had reservations about this particular legislation, but I believe that the House Committee on the Judiciary, by some of the amendments that it has made to the language of the bill that was passed overwhelmingly by the other body, has greatly improved the bill that we have before us.

Mr. Chairman, I want to thank my chairman, and I want to thank the ranking Republican member on the committee, the gentleman from Ohio (Mr. McCULLOCH) for the work that they have done, and to say at the outset that this particular bill has undergone a great deal of consideration, and I submit I think that there have been some substantial improvements that make it a meritorious bill.

The history of the newspaper industry strikingly reveals the dangerous trend toward a complete elimination of competition between daily newspapers in the same city. From 1880 to 1968 the number of cities with two or more commercially competing dailies had fallen from 239 to 45. While in 1880 38.3 percent of the cities in this country had only one daily newspaper, and while there existed then only one city with single ownership of two newspapers, in 1968 85.6 percent of our cities had but one daily newspaper.

The dangerous significance of this trend becomes clearly apparent when one considers that since 1941 there have been no newspapers of general content and circulation successfully established in cities of 200,000 or more. Whether caused by rising costs, by the growth of the suburbs, by increasing competition from radio and television, or by the changing appetite of newspaper readers, the result is the same: fewer and fewer voices to express diverse editorial and reportorial voices.

In an open society like ours such a trend toward monopoly in communications can only be destructive of the freedom upon which the vitality of this Nation is based.

Mr. Chairman, the Newspaper Preservation Act has been attacked as special-interest legislation for the benefit of certain newspapers. I submit that if there is any special interest served it is the special interest of providing the people served by these newspapers with diversity in communications.

This bill is not a panacea for the ills of the newspaper industry, but it is much-needed legislation. It is a reasonable and fair solution to the complex problem of accommodating the demands of commercial competition with the desirability if not absolute necessity in a free society for editorial and reportorial competition.

Mr. Chairman, what changes have been made in this legislation in my opinion to make it meritorious? Well, No. 1, as passed by the whole body, there was a very loosely worded definition of "failing newspaper," that has been substantially changed so that in the case of any kind of a prospective application a tougher definition of "failing newspaper" has been added to the bill.

What does that mean? It means that before any future joint operating arrangements will be permitted, those newspapers that want to enter into this kind of arrangement must go to the Attorney General and they must get his approval—and the Attorney General will use this stringent definition of a failing newspaper—much more stringent than the one enacted in the whole body to determine whether he should approve of the arrangement.

Second, why do we make a distinction? Nobody has answered that question—why do we make a distinction in the case of the 22 joint operating arrangements? Well, No. 1—some of them have been in existence—one of them has been in existence since 1940 but the Department of Justice did not act for over 25 years while those 22 joint operating arrangements were coming into existence.

Now what happens without some legislation in this particular area? It means that where there is a failing newspaper—and there are many failing newspapers in these cities—in the case of the Tucson paper, they lost their revenue for many years and, yet, the Supreme Court did not hold that that was a failing newspaper. But they actually had losses and the owner of the paper was actually paying some of the costs out of his own pocket and was drawing no salary.

It means that a newspaper, a failing newspaper, would have been permitted to sell to an outside interest. But if there was no outside interest, then it would have been permitted to sell outright and completely to the other paper, if that other paper had been willing to buy it, which it probably would have been willing to do.

What is the end result of this? It means that there would be a reduction of competition because then there would be one single owner instead of two owners with diverse editorial policies. This is the reason for this legislation.

But, bear in mind, we are not making any great exemption, so far as the prospective application. It is true that we are making a distinction as to these 22 existing arrangements because the Department of Justice did not do anything for about 25 years.

This particular legislation specifically provides—and this is something we did in the House, the Senate did not have this language in it—we specifically provide there must be separate reportorial staffs and separate editorial staffs plus separate editorial policies. This is another thing that I think has substantially improved this legislation.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman.

Mr. BELCHER. I think the reason the Attorney General or the Department of Justice waited for 25 years to file that suit is—and I represented Tulsa during the 18 years in which one of these operations have been operating between the World and the Tribune—and I have never had in the 18 years one single letter from anybody complaining about that operation. That is the reason why the Department of Justice never got interested—because nobody ever complained about it. If there was anything wrong with that kind of an operation, most certainly you would have found people complaining about it.

Mr. RAILSBACK. Not only that—and I thank the gentleman—but the Department of Justice, the Assistant Attorney General, in appearing before our committee recognized exactly what the gentleman has said in arguing that trouble damages should not be permitted against those existing arrangements.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman.

Mr. BURTON of California. I, too, would like to join in support of this measure.

The fact is that if the joint operating agreement was prohibited, not permitted to proceed in our city as is currently the case, where we have two newspapers with two entirely different and distinct editorial policies, we would either have one newspaper or we would have two newspapers owned by one firm. So in our experience the utilization of this joint operating agreement has worked well. The passage of this bill would allay any concern there may be that this kind of operation could be prohibited by the intervention of the Justice Department.

For that reason, based upon our own experience in San Francisco, I join with my many colleagues in support of this legislation.

Mr. RAILSBACK. I thank the gentleman.

Mr. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Utah.

Mr. LLOYD. I would like to compliment the gentleman in the well for the many constructive contributions he has made to the bill. As a matter of legislative record, I would like to inquire of the gentleman concerning section 4(a).

With respect to the standard in section 4(a), do I correctly understand the bill, in concluding that by employing the term "financially sound publication" as to existing joint operating arrangements a court would not look only to imminency of failure as the proper test, but rather would look to the prospects of success as revealed by such factors as declining income or net losses, accounting ratios such as net income as a percentage of invested capital, and as a percentage of gross income, gross income as a percentage of invested capital, curent assets to current liabilities, and other such ratios which bear upon financial stability? In addition, that a court should consider long-term indebtedness, declining circulation trends, increased costs, increased advertising and circulation rates without corresponding increases in income, declining trends in percentage of newspaper columns used for advertising purposes, extent of investment required for fixed assets, adverse legal developments, and financial instability shown by reliance upon stockholders or parent companies rather than inherent strength of the publication itself.

Will the gentleman tell me if I am correct in that interpretation?

Mr. RAILSBACK. I would say that is correct, and I wish to point out that section 4(a) is the retroactive section and would not apply to future arrangements, which would come under the definition of failing newspaper, which appears in the preceding section.

Mr. LLOYD. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Chairman, I rise to express my full support for H.R. 279, the Newspaper Preservation Act, and to urge favorable action by the House of Representatives on this important legislation today. Last year I joined a number of my colleagues in introducing legislation similar to the measure before us today because of my sincere belief that such action is clearly in the public interest.

I am certain that we are all aware of the tragic loss of many excellent newspapers throughout the country during the past several years. Rising production costs and increasing competition from other news media have placed a great many newspapers in such critical financial straits that in many cities only one daily newspaper has survived; while in others the existing dailies have merged under one ownership. Mr. Speaker, each paper that dies takes with it a separate editorial voice—and this Nation is weakened by the loss of this diversity of opinion. If the present trend continues unabated, there is a danger that no city in the United States will have more than one printed news and editorial voice.

In 22 U.S. cities, however, newspaper publishers have developed what has, in my judgment, proved to be a viable and reasonable solution to the foregoing economic dilemma. They have entered into agreements with other publishers in the same city to combine their commercial and production facilities, while fully maintaining their separate editorial policies and separate ownership.

Although such joint operating agreements have survived an average period of over 20 years and have thus afforded their reading population with the diversity of editorial and news presentation so important to an informed public, they are now faced with dissolution as a result of a 1969 Supreme Court decision declaring one such joint agreement to be in violation of the Federal antitrust laws.

In this decision, affecting a Tucson, Ariz., agreement, the Court did not address itself to any of the economic considerations which led to the agreement or which would result from a dissolution of the joint operating arrangement. In basing its decision on a narrow reading of the antitrust laws, the Court declared such economic considerations to be outside the province of the courts and a matter to be decided by congressional or Executive action.

The legislation before us today would decide this policy question in a manner which, by preserving news competition in at least 22 cities, is fully in line with the intent and purpose of our Nation's antitrust laws. H.R. 279 would grant a limited exemption in the antitrust laws to legalize the existing joint operating agreements and would allow future agreements between viable and failing

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newspapers upon approval by the Attorney General.

Mr. Chairman, the threat of the current economic problems confronting the newspaper industry as well as of a failure by the House to act today in response to the 1969 Supreme Court decision is felt quite keenly in my congressional district. In Birmingham, Ala., we are fortunate to have two separate and distinct editorial voices—in the Birmingham News and the Birmingham Post-Herald. These two papers were in complete competition—commercial and editorial—up until 1950. However, in the late 1940's, the News began to materially increase its circulation, while the Post-Herald was unable to keep pace. As the News increased its circulation, it obtained more advertising. The Post lost advertisers as it fell behind in circulation. Soon the limited profits of the Post turned into substantial losses. And, because of the increasing expense of newspaper production—with tremendous increases in the costs of newsprint and of labor—the News had only modest profits.

At the same time, the newspapers in Birmingham, as in all other sections of the country, were meeting increased competition for advertising revenue from broadcasting—radio and television—magazines, and the suburban press.

It was during this financial squeeze that the Post and the News entered into a joint operating arrangement. This arrangement recognized that Birmingham could not support two competing papers, but while the two newspapers could no longer compete commercially, they could provide for continued competition in news and editorial opinion. As I understand the situation, the papers have merged commercially, yet the Post has complete control over its news and editorial content, and the News has like controls in its paper.

Maybe, if this were the best of all possible worlds, we in Birmingham would have complete competition between our two papers, or maybe even a third or fourth daily paper. But that is just not the case today, nor is there any indication that the future offers any hope for a revival of big-city newspapers.

We must do what we can to maintain those editorial voices we still are fortunate enough to have. We, in Birmingham, do not believe that we would be better off if the Post and News were required to break up their joint operating arrangement—as apparently is required by the Department of Justice pursuant to the decision in the Tucson case. If this should occur in Birmingham, we fear the result would be only one paper, or the morning and evening papers owned by one publisher. We have little hope that a new newspaper would fill the void left by a closing or merger, since we are all too aware of the results of the attempt at starting a paper in Atlanta a few years back. The people of Birmingham think they are better off today than they would be if the joint operation were terminated.

I firmly believe this Nation finds its strength in the free confrontation of widely differing ideas. The Newspaper Preservation Act is, in my judgment, urgently needed to assure the separate news and editorial voices in our Nation's newspapers. In this important sense it will preserve, rather than adversely affect, free competition. It would seem proper to me, furthermore, that the antitrust laws should be so written as to take into account the effect of their enforcement upon the public, particularly in such a vital area as the newspaper industry.

Mr. Chairman, the cosponsorship of this and similar bills by over 100 Members of the House of Representatives as well as the favorable action already taken by the Senate on its Newspaper Preservation bill (S. 1520) clearly indicates the extent of concern in the Congress about this matter. This legislation is also endorsed by both the administration and the House leadership. I cannot urge too strongly that my colleagues join me today in giving a firm stamp of approval to this important legislation.

Mr. KASTENMEIER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. FEIGHAN), a member of the Judiciary Committee.

Mr. FEIGHAN. Mr. Chairman, the antitrust laws of the United States, as embodied in the Sherman Act, the Clayton Act, the Federal Trade Commission Act, the Robinson-Patman Act, and the Celler-Kefauver Act are designed to guarantee to the public the natural economic advantages of the competitive marketplace. Exemptions from the antitrust laws should only be sanctioned where the public interest would be seriously threatened by the strict application of traditional antitrust concepts. Congress, within its wisdom, has granted such exemptions most sparingly, for instance, the pooling of separate rights in the telecasting of professional sports events, the merging of professional football clubs, the failing of banks, and certain activities of labor organizations, small businesses, and agricultural cooperatives. No substantial evidence has been produced to justify the sweeping exemption from the antitrust laws which would result from enactment of this bill. In my testimony before Subcommittee No. 5 of the Judiciary Committee, I stated that any legislation granting an exemption from the antitrust laws for newspapers must be carefully drawn so that the public interest will not be endangered through practices traditionally prohibited by the antitrust laws.

In its present form, this bill would grant too broad and indefinite an exemption.

H.R. 279 would permit price-fixing, profit pooling and market allocation between publications entering into joint operating agreements. The Sherman Act has continuously struck down these activities as per se violations of its provisions. No evidence has been presented which demonstrates that price fixing and profit pooling are necessary to the successful joint operation of newspapers. Permitting joint printing, production, distribution, business departments, and advertising rates should be sufficient to assure the viability of the newspapers involved. The guidelines set forth by the Supreme Court in *Citizens Publishing Co.* v. *United States*, 394 U.S. 131 (1969) do not forbid such activities. Significantly, there is no proof that any of the present joint operations would not operate profitably within the confines of the Court's decision.

Moreover, enactment of this bill would be detrimental to the successful operation of small weekly newspapers soliciting advertising.

The definition of a failing newspaper as a publication which is in probable danger of financial failure is not specific enough adequately to protect the public from joint activities between traditional competitors where one newspaper is experiencing financial difficulty because of poor management. The exemption should be confined to newspapers which would actually cease to function without entering into a joint agreement. A publication, initially realizing that it may lose money, frequently will be sold to a third party who feels that he can compete effectively in the market. Allowing such a publication to enter into a joint agreement at the point of probable danger of financial failure does not serve the public interest.

For these reasons, I urge defeat of H.R. 279.

Mr. KASTENMEIER. Mr. Chairman, for a diversity of editorial opinion, I yield 4 minutes to the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Chairman, free enterprise is always easier to defend in theory than it is in practice. Like the people who advocate open occupancy, so long as it is not next door, many of the publishers who advocate this bill sermonize against all kinds of interferences with the free market—until their ox is gored. The Newspaper Preservation Act is bad legislation. It is special interest legislation, and sets an unwise precedent by creating a special exception for monopolistic, anticompetitive practices—an exception which this House will be pressured to follow for other industries.

H.R. 279 NOT NECESSARY UNDER EXISTING LAW

The Newspaper Preservation Act, formerly called the Failing Newspaper Act, was ill-conceived from the outset. The bill was originally introduced in reaction to the Supreme Court's decision in *Citizen Publishing Co.* v. *U.S.*, 394 U.S. 131 (1969). That decision affirmed the finding of the U.S. District Court for Arizona, 280 F. Supp. 978 (D. Ariz., 1968), which held that a joint operating agreement between the Tucson Daily Citizen and the Arizona Daily Star violated the antitrust laws.

But the agreement which was struck down by the Court was the most aggravated kind of anticompetitive behavior. It included profit pooling—which has long been considered a per se violation of the antitrust laws, 280 F. Supp. at 980–81. It specifically contemplated price-fixing by the newspapers involved, 180 F. Supp. at 982—finding of fact No. 38. It was intended to, and did, insure that the two newspapers involved could control entry into the daily newspaper business in Tucson, 280 F. Supp. at 983—finding of fact No. 49. The Citizen Publishing case also

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involved an illegal acquisition of one of the newspapers involved by the stockholders of the other in direct violation of the antimerger provisions of the Celler-Kefauver Act. In short, the activities found illegal in the Citizen case were the most heinous and obvious kind of antitrust violations. And it was these activities which the Supreme Court found illegal.

Under the Supreme Court's decision in Citizen, any number of joint activities are still entirely legal and proper. The decree permits joint printing; joint distribution; joint clerical and administrative staffs; an optional, fully cost-justified combination advertising rate; allocation of markets; a joint Sunday edition; and a single advertising staff to handle combination advertising. In light of the seriousness of the anticompetitive practices involved in Citizen Publishing, and in light of the wide latitude which the Court left for legal joint activities, the argument by sponsors of this bill that the Court adopted a "narrow reading of the antitrust laws in the Citizen Publishing Co. case," is totally unconvincing. Far from a narrow reading, the Court took care to condemn only the most offensive anticompetitive activities—profit pooling, price fixing, and market allocation. It left a wide field for legitimate joint activities which were not intended to promote monopoly power and which do not do so. Admittedly it did not do what this bill seeks to do; namely, give newspapers a virtual "pass" through to antitrust laws. It is argued that no one is against this bill. Well the AFL–CIO is against it, the Newspaper Guild is against it, and so is the public interest. I include a letter from the AFL–CIO to that effect:

AFL–CIO,
Washington, D.C., July 8, 1970.

Hon. Abner J. Mikva,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman: On July 8, 1970, the House of Representatives is scheduled to consider H.R. 279, the "Newspaper Preservation Act."

H.R. 279 is designed to legalize joint publishing arrangements between newspapers in Tucson, Arizona and 22 other cities. Although the stated purpose of the bill is to provide for diversity of news coverage and ideological viewpoint, this would be at the expense of a retroactive exemption from the antitrust laws' prohibitions against price-fixing, profit-pooling and market-splitting.

We do not believe that exemption from the antitrust laws is justifiable or necessary to achieve the objectives which joint operating arrangements seek to accomplish. The greater economies result from merged printing and distribution facilities and the courts have found that this is not forbidden by the antitrust laws. Nor do we believe that the exemption is without danger to independence of news coverage and ideological viewpoint, as the sponsors of the legislation contend.

In October 1969 the 8th Constitutional Convention of the AFL–CIO adopted a resolution stating the opposition of the AFL–CIO to "enactment of the broad, unnecessary unregulated and perpetual antitrust immunity of the newspaper preservation bill." This resolution confirmed a position taken two years earlier by the AFL–CIO on similar legislation. I am enclosing herewith a copy of the resolution adopted by the 8th Constitutional Convention in Atlantic City, New Jersey on October 6, 1969.

I would appreciate it if you would make known to the members of the House of Representatives the strong objections of the AFL–CIO to H.R. 279 and the fact that we believe that this bill, which we believe to be a "newspaper enrichment bill", should be rejected by the House of Representatives.

Sincerely,

Andrew J. Biemiller,
Director, Department of Legislation.

AFL–CIO Resolution—Newspaper Antitrust Exemption

The U.S. Federal Courts, including the Supreme Court, have found the price-fixing, profit-pooling and market-splitting provisions of a joint publishing arrangement between two newspapers in Tucson, Arizona, to be in violation of the nation's antitrust laws and ordered the joint arrangement modified to eliminate those provisions.

The Supreme Court further ruled that the Tucson papers' anticompetitive operations could not be justified under the "Failing Company" doctrine since one of the papers was not "on the verge of going out of business, nor was there a serious probability" that one would "terminate its business and liquidate its assets" unless it joined with its competitor.

Newspaper publishers involved in joint publishing arrangements in Tucson and 22 other U.S. cities for more than two years have been attempting to persuade the Congress to grant them unregulated, retroactive and perpetual exemption from the antitrust laws' prohibitions against price-fixing, profit-pooling and market-splitting. (Bills to accomplish this now before Congress are S. 1520 and H.R. 279, titled the "Newspaper Preservation Act." Predecessor bills before the 90th Congress were S. 1312 and H.R. 7446, known as the "Failing Newspaper Act.")

These publishers also are asking Congress for a special definition of "Failing Company" as it applies to a newspaper: one which, "regardless of its ownership or affiliations, appears unlikely to remain or become a financially sound publication."

These same publishers in more than 30 days of hearings before the antitrust subcommittees of the Senate and House have failed to demonstrate that price-fixing, profit-pooling and market-splitting are vital to continued publication of more than one newspaper in the 23 cities in which joint publishing arrangements exist.

Jointly operating publishers in more candid days have stated, however, that the greatest economies of joint publishing are had from merged printing and distribution facilities, which, the Courts have pointed out, are not forbidden by the antitrust laws.

The stated purpose of the proposed antitrust exemption is to preserve diversity of news coverage and ideological viewpoint, but neither the bills now before Congress nor their predecessors carry any guarantee of such diversity.

Newspaper combinations involving such close community of economic interest as price-fixing and profit pooling have resulted largely in less diversity of news coverage and muted expressions of ideological differences, while virtually precluding establishment of newspapers which would provide true diversity and commercial competition.

The 1967 AFL–CIO Convention went on record during the 90th Congress "strongly opposing" enactment of S. 1312 and its companion bill H.R. 7446, known as the Failing Newspaper Act. Therefore, be it

Resolved: The 8th Constitutional Convention of the AFL–CIO opposes enactment of the broad, unnecessary, unregulated and perpetual antitrust immunity for the business practices of the newspaper industry embodied in the Newspaper Preservation bill, S. 1520 and H.R. 279.

And further, this Convention calls upon affiliates to use all means at their disposal to inform union members everywhere of the nature of this antitrust exemption continue to convey to Congress our opposition to passage of the measure.

FAILING NEWSPAPERS ALREADY PROTECTED

The sponsors of this special interest legislation—designed to protect the newspapers in 22 cities which already have joint operating agreements even if they purposely violate the antitrust laws—do not say much about the financial condition of the publications they are seeking to shelter here. In its former incarnation, this bill was called the Failing Newspaper Act. There are two very good reasons why the sponsors of this bill did not call it the Failing Newspaper Act when it was reintroduced in the 91st Congress.

In the first place, these newspapers which are now party to joint operating agreements have made no showing that they are, in fact, failing. The financial data obtained by the committee has been—by agreement with the newspapers involved—kept secret. In the absence of a compelling showing of the threat of failure, this House should be most skeptical of inferring that the danger of newspaper failure is the real motive behind this bill. In any case, H.R. 279 does not even require that a newspaper be failing in order to justify a joint operating agreement which includes profit pooling, price-fixing and market allocation. Most of the joint agreements now in effect were made in earlier years and under different economic circumstances than prevail today. Moreover, 15 of the newspapers involved are not lonely, one-city publications, but affiliates of massive newspaper chains like Hearst, Knight, Newhouse, and Scripps-Howard.

Indeed, the widespread support which this measure has amassed is much more a measure of the "clout" of these nationwide newspaper chains than it is of the failing economic condition of the papers involved.

The second reason that this bill could not and cannot be sold as an aid to failing newspapers is that the antitrust laws already contain a judicially created exception for businesses which are in dire economic condition. Indeed, it was this very exception which the defendants in Citizen Publishing tried unsuccessfully to use as a defense. The Supreme Court specifically cited the district court's finding that:

> Citizen Publishing was not then—at the time the joint operating agreement was entered—on the verge of going out of business, nor was there a serious probability at that time that Citizen Publishing would terminate its business. . . . (*Citizen Publishing Co.* v. *U.S.*, Slip Opinion at 5–6.)

PROPOSED JUSTIFICATIONS NOT CONVINCING

The supporters of H.R. 279 offer two justifications for this otherwise extraordinary exemptions from the Federal antitrust laws. They argue, first, that enactment of H.R. 279 will allow the 44 newspapers in 22 cities which are now parties to joint operating agreements to continue to "compete" in the realm of editorial policy, news coverage, and idea dissemination. They argue, second, that the bill will allow newspapers which experience financial difficulties in the future to enter joint operating agreements, with the approval of the Attorney General, and thus spare the Nation the loss of still further newspapers.

The fact that joint operating agreements would allow editorial and news competition does not mean that it would guarantee such competition. In fact, the likelihood is that editorial and news competition will be reduced by this bill, rather than promoted. The reason for this is that while H.R. 279 would guarantee the existence of two newspapers—although not guaranteeing two independent editorial or news policies—it would virtually insure that there are no more than two newspapers in any city where a joint operating agreement is in effect. Thus two existing papers in any city where a joint operating agreement now applies can divide markets, pool profits, and fix prices in such a way that they absolutely preclude the entry of any new competitors. Indeed, this was the stated objective of the Tucson agreement, and that was—the court found—its precise effect. Having the market and the profits neatly divided among themselves, they will insure that their comfortable arrangement is not upset by any upstart newcomers. The almost inevitable effect is to guarantee their comfort at the expense of potential competition.

The proponents of this special interest legislation would like to wrap themselves in the mantle of the first amendment—just as the defendants in Citizens Publishing Co. tried to do. The Supreme Court would not buy this phony justification. I do not believe that this House should either. The Court said, citing an earlier decision in *Associated Press* v. *U.S.*, 326 U.S. 1, 20:

> The First Amendment, far from providing an argument against application of the Sherman Act, here provides powerful reasons to the contrary. The Amendment rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public, that a free press is a condition of a free society. Surely a command that the government itself shall not impede the free flow if ideas does not afford non-governmental combinations a refuge if they impose restraints upon that constitutionally guaranteed freedom. Freedom to publish means freedom for all and not for some. Freedom to publish is guaranteed by the Constitution, but freedom to combine to keep others from publishing is not. Freedom of the press from governmental interference under the First Amendment does not sanction repression of that freedom by private interests. The First Amendment affords not the slightest support for the contention that a combination to restrain trade in news and views has any constitutional immunity. (*Citizen Publishing Co.* v. *U.S.*, slip opinion at 7–8.)

The second justification of proponents of this bill is no more convincing than the first. The fact that some failing newspapers will be allowed, with the Attorney General's consent, to enter joint operating agreements will not guarantee the survival of any publication. In fact, by encouraging this kind of artificial shelter from the competition of the newspaper marketplace, the potential antitrust exemption may be a positive detriment to the newspaper business. It will keep alive old, tired, noncompetitive newspapers at the expense of other new, more vigorous potential entrants into the market.

H.R. 279 IS ONLY THE BEGINNING

Finally, Mr. Chairman, I predict that the special exemption which we are creating in H.R. 279 is only the beginning. If this bill passes, it will create a new class of industry—a class of industry which is exempt from the long-standing rule of a capitalistic economy: that over the long term, the consumer will benefit most by vigorous but fair economic competition among producers. This rule applies as well to producers of news and advertising—to newspapers—as to producers of automobiles, aircraft, breakfast cereals, computers, or any of a thousand products and services.

As soon as this exemption is written into the law on the basis of the special position of the newspaper industry, we will be hearing from the automobile industry, which is also special. Next from the textile industry, which is also special. Then from the defense industry, then from oil industry, then from the mining industry, and so on ad infinitum. Every conceivable industry can make an argument about why it is special. If it is not under the first amendment, it will be on grounds of national defense, or economic welfare, or foreign competition. We are opening a Pandora's box with this bill. I dare say that there will be members of this House and of the Committee on the Judiciary who will come to regret the day that the first exception was made, for it opens the door to all the others.

To me the acid test of whether this bill is in the interest of the newspaper industry as a whole—or only in the interest of 44 newspapers in 22 cities—is the reaction of the little guy, the small publisher. And in my experience the small publishers consider this bill as special interest legislation for the big guy. What is almost as important is the effect which this bill will have on entry into the market by those who may not even be competitors or potential competitors at present. What we are sanctioning here are agreements which will allow those publications which already exist to continue existing and to make it more difficult for new competition to arise. We are doing nothing to insure that real competition—either economic or editorial—is fostered and encouraged.

As I said at the beginning, free enterprise is a hard way to go. Some enterprises will fall by the way. But the genius of the system is that it lets the people decide who should serve them. When we leave that guiding fundamental, whether by licensing or by allowing or encouraging monopoly to exist, we look only to the impact on the pockets of those involved. This may be good legislation for the profits of the 44 newspapers involved. It is very bad for the people. I will vote no.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. ZION).

Mr. ZION. Mr. Chairman, my interest in this legislation, the bill H.R. 279, relates to the preservation and survival, if you will, of two outstanding daily newspapers published in the congressional district which I serve. I share with my good friends, the gentleman from Ohio (Mr. DEVINE), the gentleman from Illinois (Mr. RAILSBACK), the gentleman from Oklahoma, and the gentleman from Hawaii, the same interest they have, in that these papers are in the district which I serve.

The two papers I refer to are the Evansville Press, published 6 days a week in the afternoon, and owned by the Scripps-Howard Newspapers, and the Evansville Courier, locally owned and published 6 mornings a week.

Both of these newspapers combine, on a half-and-half ownership basis, to publish an outstanding Sunday newspaper, the Evansville Sunday Courier and Press. All three of these newspapers serve a wide area of southwestern Indiana, and also have substantial circulation in neighboring Illinois and Kentucky.

These newspapers have operated under a joint agreement in which business, circulation and mechanical operations are combined in the interest of economy and survival.

What we have in Evansville, Mr. Chairman, are three newspapers each with a separate identity. From my own observation in the civil life of the community before coming to Congress, and in my role as representative here for that area, I can tell you that this is a healthy situation. There is keen competition in the news-gathering activities of each publication. This competition exists among the individual staffs for news, society, sports, and in the editorial departments. There has always been considerable comment about the daily Courier and Press being "at odds with each other" on editorial policy, and in their respective approaches to news gathering. One of these newspapers endorsed me in my 1966 candidacy; the other was neutral. Each endorsed opposing candidates for the office of mayor in the recent city elections. Indeed, I could give many examples of divergent opinions which stimulated community thought and action.

Without this joint arrangement, Evansville and the tristate area would be without competing newspaper voices. I am told that only one newspaper could survive, were it not for the economies effected in the joint printing and business operating agreement. Without this joint publishing operation, Evansville could indeed become a one-newspaper community.

I am urging that the House look favorably upon this legislation which will permit these Evansville newspapers, each with separate identity, to continue to serve the tristate area under a healthy cooperative arrangement which has proved so fruitful over the past 30 years.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. FULTON).

Mr. FULTON of Pennsylvania. Mr. Chairman, I favor this legislation strongly. As a newspaperman myself, I feel it is a very fine approach.

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I strongly support passage of the Newspaper Preservation Act, H.R. 279. This is well-conceived and well-written legislation, and will actually contribute to the sustaining of healthy competition.

Likewise, this legislation will preserve in cities independence of news reporting and independence of editorial judgment and opinion, while permitting the joint use of plants, printing facilities, and certain business management joint operations. This results in much-needed economies and better efficiency in service to the public.

As one of the original cosponsors of the bills filed in 1967, 90th Congress, first session, I have followed closely the progress of the original bill—H.R. 7446—of Congressman MATSUNAGA and the House Judiciary Committee work through its Antitrust Subcommittee. My own bill—H.R. 8938 of the 90th Congress—was the third original cosponsorship under the leadership of Congressman MATSUNAGA.

In the 91st current Congress, I have cosponsored H.R. 8765, the present Newspaper Preservation Act, similar to H.R. 279, now under consideration, filed January 3, 1969, by Congressman MATSUNAGA.

I would call special attention to the purpose of the bill, as amended, from the committee report:

PURPOSE OF BILL AS AMENDED

H.R. 279 as amended by the Committee is designed to accomplish the following objectives:

1. To declare a public policy applicable to certain joint newspaper operating arrangements in the interest of maintaining a newspaper press editorially and reportorially independent and competitive in all parts of the United States.

2. To grant a limited exemption from the antitrust laws for joint newspaper operating arrangements that have been entered into prior to the effective date of this Act in twenty-two cities, communities, or metropolitan areas of the United States.

3. To provide a limited exemption from the antitrust laws for joint newspaper operating arrangements entered into in the future with the prior written consent of the Attorney General of the United States after the Attorney General has made certain determinations defined in the Act.

4. To permit the joint newspaper operating arrangement in Tucson, Arizona, to be reinstituted notwithstanding the opinion of the Supreme Court in *Citizens Publishing Company* v. *United States,* 394 U.S. 131 (1969).

5. To declare that the limited antitrust exemption provided in the Act shall apply to the determination of any civil or criminal antitrust action pending in any district court of the United States on the date of enactment wherein it is alleged that a joint newspaper arrangement is unlawful under any antitrust law.

I believe portions of the statement of the committee should be specially emphasized, also the testimony of Mr. MATSUNAGA:

STATEMENT

Joint newspaper operating arrangements are a product of the depression years. During the 1930's many metropolitan daily newspapers found that vigorous competition resulted in financial difficulty. Failure or elimination of a weaker newspaper competitor necessarily reduced the availability to the public of diverse and independent editorial viewpoints and news policies. The joint newspaper operating arrangement, first launched in Albuquerque, New Mexico, provided a method to reduce costs by combining the economic and business aspects of newspaper production, and at the same time permitted the newspaper participants to maintain separate editorial and reportorial staffs and independent editorial and news policies.

Representative Spark M. Matsunaga, who testified as spokesman for 59 of the more than 100 sponsors of this legislation, described the economic condition of the newspaper industry, and the utility of joint operating arrangements to preserve a diversity in editorial viewpoint.

Mr. Matsunaga stated:

"The history of newspaper economies demonstrates that although the total number of newspapers in operation has not changed radically over the years, nevertheless, economic conditions have created a situation in which a large majority of American communities have already become one owner newspaper communities.

"In 1910 there were an all-time high of 2,202 English language dailies in the United States. In the communities served by these newspapers, 1,307 or slightly over 40% were served by just one newspaper, and almost 60% had two or more. By 1945 total dailies had fallen to 1,744, but at the beginning of 1968, the number was almost exactly the same, 1,746. During the years from 1910 to 1968 a number of new newspapers had been commenced in new communities, often in suburbia and in older smaller communities that had experienced rapid growth in recent years, so that by 1968 the number of communities served by at least one newspaper had risen to 1,500.

"But the number of one-newspaper towns had risen sharply in that time, reflecting an important change in competitive conditions. Of the 1,500 cities served by a daily newspaper, 85.6% were one-newspaper towns. Although another 150 cities were served by two dailies, these dailies were under single ownership. Thus, in total, over 95% of the communities of the country at the beginning of 1968 had newspapers that were controlled by a single owner.

"There are, nonetheless, still a significant number of communities that have two or more newspapers owned by different persons. By the beginning of 1968, 45 of the 1,500 daily newspaper cities had two or more competing dailies; five cities had more than two dailies, but in only three of those cities are there more than two newspaper owners (i.e., Washington, D.C., Boston and New York—Chicago has four dailies published by two publishers and Philadelphia has three newspapers published by a total of two publishers.) In addition, editorial competition between different publishers has been maintained in 22 cities by resort to the joint operating arrangement. Although commercial competition may have been affected to some extent by these arrangements, they have achieved the more important objective of preserving separate editorial voices.

* * * * *

"In response to these conditions, the newspaper industry itself developed the joint newspaper operating arrangement some 40 years ago. The purpose was two-fold: (1) To reduce costs and thereby eliminate potential losses and (2) to maintain editorial independence. Under these arrangements, two newspapers, at least one of which was in a threatened economic condition, were able to maintain their editorial independence by combining their production and business operations. This permitted a substantial reduction in costs by the elimination of duplication of equipment and manpower and especially by the more efficient utilization of expensive plant facilities for printing of two newspapers."

In the period from 1933, when the first joint newspaper operating arrangement was started in Albuquerque, New Mexico, to 1966, twenty-two joint arrangements have been put into operation in 19 States. The communities, the participants, and the year of organization, of joint newspaper operating arrangements that now are in operation are set forth below:

City, year, and participants

(a) Birmingham, Ala., 1950, Birmingham News Co.; Birmingham Post Co.

(b) Tucson, Ariz., 1940, Citizen Publishing Co.; Arden Publishing Co.; Tucson Newspapers, Inc.

(c) San Francisco, Calif., 1964, Chronicle Publishing Co.; Hearst Publishing Co.; San Francisco Newspaper, Printing Co.

(d) Miami, Fla., 1966, Miami Daily News, Inc.; Miami Herald Publishing Co.

(e) Honolulu, Hawaii, 1962, Hawaii Newspaper Agency, Inc.; Honolulu Star Bulletin, Inc.; Advertiser Publishing Co., Ltd.

(f) Evansville, Ind., 1938, Evansville Courier, Inc.; Evansville Press Co.; Evansville Printing Corp.

(g) Fort Wayne, Ind., 1953, News Publishing Co.; Journal-Gazette Co.; Fort Wayne Newspapers, Inc.

(h) Shreveport, La., 1953, Times Publishing Co., Ltd.; Journal Publishing Co.; Newspaper Productions Co.

(i) St. Louis, Mo., 1957, Globe Democrat Publishing Co.; Pulitzer Publishing Co.

(j) Albuquerque, N. Mex., 1933, Journal Publishing Co.; New Mexico State Tribune; Albuquerque Publishing Co.

(k) Lincoln, Nebr., 1950, Journal-Star Printing Co.; Star Publishing Co.; State Journal Co.

(l) Columbus, Ohio, 1959, Dispatch Printing Co.; E. W. Scripps Co. (Columbus Citizen-Journal).

(m) Tulsa, Okla., 1941, Tulsa Tribune Co.: World Publishing Co.; Newspaper Printing Corp.

(n) Franklin-Oil City, Pa., 1956, Venango Newspapers, Inc.; News-Herald Printing Co., Derrick Publishing Co.

(o) Pittsburgh, Pa., 1961, Pittsburgh Press Co.; Post-Gazette Publishing Co.

(p) Bristol, Tenn.-Va., 1950, Bristol Independent Publishing Corp.; Bristol Newspaper Printing Corp.; Bristol Herald Courier Publishing Corp.

(q) Knoxville, Tenn., 1957, Knoxville News-Sentinel Co.; Roy N. Lotspeich Publishing Co., Inc.

(r) Nashville, Tenn., 1937, Nashville Banner Publishing Co.; Tennessean Newspapers, Inc.; Newspaper Printing Corp.

(s) El Paso, Tex., 1936, El Paso Times, Inc.; Herald-Post Publishing Co.; Newspaper Printing Co.

(t) Salt Lake City, Utah, 1952, Salt Lake Tribune Publishing Co.; Deseret News Publishing Co.; Newspaper Agency Corp.

(u) Charleston, W. Va., 1958, Daily Gazette Co.; Charleston Mail Association; Newspaper Agency Corp.

(v) Madison, Wis., 1948, Wisconsin State Journal Co.; Madison Newspapers, Inc.; Capital Times Co.

A number of the participants in the existing joint newspaper operating arrangements are members of newspaper chains. Multiple-newspaper owner participation in the several joint newspaper operating arrangements are as follows:

Chain, city, and paper

Block newspapers, Pittsburgh, Pa., Post Gazette Publishing Co.

James M. Cox newspapers, Miami, Fla., Miami Daily News, Inc.

Hearst newspapers, San Francisco, Calif., Examiner.

Knight newspapers, Miami, Fla., Miami Herald Publishing Co.

Lee newspapers, Midwest: Lincoln, Nebr., Star Publishing Co.; Madison, Wis., Wisconsin State Journal Co.

Newhouse newspapers: Birmingham, Ala., Birmingham News Co.; St. Louis, Mo., Globe Democrat Publishing Co.

Scripps-Howard newspapers: Birmingham, Ala., Birmingham Post Co.; Evansville, Ind., Evansville Press Co.; Albuquerque, N. Mex., New Mexico State Tribune; Columbus, Ohio, Columbus Citizens-Journal; Pittsburgh, Pa., Pittsburgh Press Co.; Knoxville, Tenn., Knoxville News-Sentinel Co.; El Paso, Tex., Herald Post Publishing Co.

In Pittsburgh, Pa., we have two excellent city and countywide newspapers that are operated under these joint business management, and joint printing arrangements—the Pittsburgh Press and the Pittsburgh Post Gazette. Each of these newspapers have separate and independent news gathering and reporting facilities and practices. Likewise each paper maintains a separate and independent editorial staff, and diversity of opinion is maintained in our area.

Other smaller newspapers in Western Pennsylvania can likewise be immensely benefited through joint business arrangements of the type that will be approved under the exception and exemption to the antitrust acts provided by this legislation. Therefore, the bill should be passed by the House by a large majority, which I strongly urge.

(Mr. FULTON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN).

(Mr. DUNCAN asked and was given permission to revise and extend his remarks.)

Mr. DUNCAN. Mr. Chairman, I rise in support of H.R. 279, known as the Newspaper Preservation Act.

A similar bill passed the Senate in January by a healthy margin of 64 to 13. Members of the House of Representatives have shown great support with at least a fourth of the membership actively backing this bill to preserve newspapers that might otherwise be forced out of business.

More than ever before, I believe we need more than one voice speaking to us in our cities. People need exposure to all sides of an issue. At stake now is the freedom of choice of information in 22 major cities. In each case two newspapers share plant and bookkeeping facilities, but maintain separate news and editorial policies and staffs.

These cities cannot support two full daily newspaper operations regardless of how badly they want two separate operations.

With advertising limits coupled with increasing costs some newspapers cannot help but disband. The closing of a newspaper is more than depriving citizens of another version of the news. With no competition the surviving newspaper could tend to lag in its job, giving citizens less objective reports than before.

It takes many employees to operate a newspaper, and when the paper is gone so are their jobs. Thus, enacting the Newspaper Preservation Act provides for continued employment.

The enactment of this legislation would not have adverse effects on competing media because the publishers of the cooperative papers would still be subject to provisions of and limitations of the antitrust laws—the joint operators being considered the same as a one-owner situation.

At this time 22 cities have newspapers that will be jeopardized if some measure is not enacted since the Supreme Court has affirmed that a joint operating arrangement is in violation of the antitrust laws. There are 35 cities which still have two or more separately owned newspapers and which could seek to enter into such arrangement should one paper begin to fail.

Under the Newspaper Preservation Act the joint operating arrangement would stand as a total merger, but the independent and competing editorial voices would still be heard.

In my district the Knoxville News-Sentinel and the Knoxville Journal "merged" plant, advertising, circulation, and related functions in 1957. However, they maintain a healthy competitiveness that their readers appreciate. The Sentinel publishes daily, evening, and Sunday and the Journal Monday through Saturday, mornings. In Tennessee's capital city, Nashville, are two excellent newspapers that are good examples of the public value of the joint operating arrangement—the Nashville Banner and the Nashville Tennessean.

Joint newspaper operating arrangements have proved their worth and value to the public for 40 years. They bring good rather than ill effects on our economy, and they, most important, give our citizens a choice of opinions. I urge my colleagues to vote for H.R. 279.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. STEIGER).

Mr. STEIGER of Arizona. Mr. Chairman, I, too, come to you as a supporter of this legislation, without the onus of a particular parochial interest.

In fact, within my State the two newspapers involved have the distinction of probably agreeing on only one thing; that is, that STEIGER has done nothing of note. I would point out, not only do they not support me, but also they go out of their way to ignore me, which I find, as all of you I am sure will recognize, the grossest insult of all.

I would point out that really, in back of all this verbiage, lies a relative simple principle.

The gentleman from Chicago was outraged because we were legalizing profit pooling. Others were concerned that the advertiser is going to be victimized. Others were concerned that there will not be genuine editorial difference.

I agree. We are not going to legislate genuine editorial difference. But the alternative to this legislation is one-owner rule or one-owner domination within the same community.

I believe the most sophisticated Member will be hard pressed to say that we are going to get a greater editorial difference under one owner or that the advertiser is going to get a greater break under one owner. That would not be sophistry, gentlemen; that would be the sheerest of nonsense.

I will state that this is good legislatin because it is specifically designed to protect the institution, if journalism can be classified as that, that is in serious jeopardy through virtually no fault of its own.

I congratulate the committee. I even congratulate the opponents, because their arguments have been obviously unable to convince any of us who support the legislation, and, therefore, they have not been excessive in their abuse of the truth.

Thank you, Mr. Chairman.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Utah (Mr. LLOYD).

Mr. LLOYD. Mr. Chairman, most of us would like to live under ideal conditions which would allow the operation of a large number of newspapers in every market, competitive in every detail, including not only editorial policy, but also the price charged for advertising lineage, the retail price of newspapers, and all the rest. The overwhelming evidence in this country, however, is that newspapers do not survive under these ideal circumstances, and so we are faced not with the option of the survival of many competing newspapers within a single market but with the reality of providing those conditions under which a community hopefully may be served by more than one newspaper so that competition in editorial and reportorial content can be preserved and readers provided with a larger variety of opinion from editorial writers, from columnists, and from reporters than one newspaper can provide.

In Salt Lake City, which I represent, the survival of two newspapers has been made possible by the combination of advertising, printing, circulation, and certain business operations, and by the reasonable pooling of profits. This agreement was entered into 18 years ago. Our smaller newspaper, which is the afternoon newspaper, the Deseret News, is church owned. Spokesmen for this newspaper have convinced me both by their testimony and by the factual evidence that this newspaper cannot survive without a subsidy to cover losses unless the combination of services, entered into 18 years ago, including advertising services, is permitted.

The larger newspaper, the Salt Lake Tribune, which is a morning paper, has presented testimony to show that the combination of services allowed by the decision in Tucson would result in a larger profit to that newspaper than would be possible under H.R. 279, and conversely the afternoon newspaper would barely exist and undoubtedly be forced to operate at a loss within a short time under the provisions set forth in the Tucson decision. The question naturally arises, therefore, as to why the larger newspaper, the Salt Lake Tribune, which would profit to a greater degree under the already existing Tucson decision, favors H.R. 279, and the cynical will immediately suspect that there is some devious and undisclosed reason for the support of this bill by the larger newspaper. However, the answer in my area is very simple. The larger newspaper does not consider it to be in its best interest to secure a monopoly in the growing Salt Lake market, and it realizes that an afternoon newspaper is needed in the interests of the social and economic progress of the area and in the interest of effective and progressive journalism. The survival of that afternoon paper simply makes economic and practical good sense because it is in the public interest.

I regret that the combination of advertising facilities and the pooling of profits not permitted under the Tucson decision is necessary for the survival of these two newspapers in my city, but I repeat that I am convinced by the testimony and the factual evidence that this legislation is necessary for the survival of two editorial opinions and for the survival of the present number and variety of reportorial and publication services which we now enjoy.

Some would argue that the law would establish a license allowing an exempt publisher to engage in predatory conduct and thereby monopolize or attempt to monopolize the newspaper industry. There are two obvious answers to these apprehensions. The first is that if only one newspaper survives, the monopoly will not be partial, as would be the case under H.R. 279, it will be total, which means that the feared predatory practices would be much easier to promulgate. The other answer is in the bill itself, section 4(c), which reads in part:

> Nothing contained in this act shall be construed to exempt from any antitrust law any predatory pricing, any predatory practice or any other conduct in the otherwise lawful operations of a joint newspaper operating arrangement which would be unlawful under any antitrust law if engaged in by a single entity.

A spokesman for weekly newspaper publishers in my market for whom I have the greatest respect remains fearful that this legislation will encourage predatory practices and he believes that somehow both of our daily newspapers will exist profitably even though this legislation is defeated. I can only say that upon the most careful examination of the facts, I cannot agree with this belief. I deeply regret this honest difference of opinion exists. It would be much more pleasant if our differences could be amicably resolved.

The editorial and reportorial rivalry in my city is real, and it is vital and a healthy circumstance for the Salt Lake market. As a representative of the people and as an individual citizen, I want to see that healthy competition continue.

If we are to have a free press, we must have a responsible press, and if we are to have a responsible press, we must preserve competition. Rigidity in the application of the antitrust laws will destroy rather than preserve the competition in the publication of the news in my district.

It is unfortunate the increased costs of the publication of a newspaper require that we recognize this limited exemption, but those are the realities which we face.

The legislation before us today is designed not to create a monopoly but to prevent it. Evidence presented to me indicates that in the case of Salt Lake City, costs of duplicating the advertising staffs of the two newspapers would be about $2.2 million. Moreover, applying the Tucson plan to income and expenses of the Salt Lake City newspapers in 1968 show that with separate advertising staffs and allocation of advertising and circulation income actually earned by each newspaper as required under the decision, the Salt Lake newspaper with the smaller circulation would drop from an actual 4.8 percent profit on sales to 0.79 percent—less than 1 percent. This assumes the most ideal conditions for the smaller newspaper. Applying the same assumptions to the other 21 cities in which joint agreements are in effect, only six newspapers would show a profit under the Tucson plan, while 16 would show an immediate loss.

While the entity and status which the law would allow the parties to create and use for the purpose of maintaining separate editorial voices may not be attacked simply because it has resulted in or maintained one morning, one afternoon, and one Sunday newspaper in a given market, such a natural monopoly must be used without any specific intent to engage in predatory conduct and without abuse of the economic power which it would lawfully possess and could use under the law. Beyond that limited authorization, there would be no exemption from the antitrust laws. Such a result is conceptually consistent with antitrust purposes. The entire concept was concisely summarized by the Supreme Court of the United States in the case of *Appalachian Coals, Inc., et al* v. *United States of America*, 288 U.S. 344, 77 L.Ed. 825, where the Supreme Court held that the creation of an exclusive sales agency by producers of coal did not violate the Sherman Act. The Court said:

> We agree that there is no ground for holding defendants' plan illegal merely because they have not integrated their properties and have chosen to maintain their independent plants, seeking not to limit but rather to facilitate production. We know of no public policy, and none is suggested by the terms of the Sherman Act, that in order to comply with the law those engaged in industry should be driven to unify their properties and businesses in order to correct abuses which may be corrected by less drastic measures. Public policy might indeed be deemed to point in a different direction. If the mere size of a single, embracing entity is not enough to bring a combination in corporate form with the statutory inhibition, the mere number and extent of the production of those engaged in a cooperative endeavor to remedy evils which may exist in an industry, and to improve competitive conditions, should not be regarded as producing illegality. The argument that integration may be considered a normal expansion of business, while a combination of independent products in a common selling agency should be treated as abnormal—that one is a legitimate enterprise and the other is not—makes but an artificial distinction. The Anti-Trust Act aims at substance. Nothing in theory or experience indicates that the selection of a common selling agency to represent a number of producers should be deemed to be more abnormal than the formation of a huge corporation bringing various independent units in one ownership. Either may be prompted by business exigencies and the statute gives to neither a special privilege.

My support of H.R. 279 represents support of the widest possible publication of the news and the widest possible variety of editorial opinion. The economic realities require the enactment of H.R. 279 if these conditions are to exist, and so I support H.R. 279 not because it will provide the reader with the most ideal conditions in which to enjoy public expression but because it will give the reading public the opportunity for maximum benefits under the realistic costs and conditions which prevail in today's economy.

Mr. KASTENMEIER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Chairman, I speak today as one of the founding members of the Newspaper Guild. As well, I spent some 25 years in the communications business before coming to Congress. I do not speak as a Congressman from one of the 22 areas directly affected by this legislation.

And as a principal sponsor of this legislation I am proud to speak in favor of its passage.

At the outset I would like to offer a relevant comment on what has become the short title of the bill. It is known as the Newspaper Preservation Act. I would respectfully suggest that the legislation should be seen in a much broader light; it should be viewed in terms of the reason why we wish to preserve certain newspapers. The bill could be aptly named the Public Information Act since the clear and overriding purpose of this legislation is to continue to provide as many news outlets and editorial voices for our citizens as possible.

Yes, we do seek to preserve certain newspapers that would otherwise succomb to the plight of rising costs and decreasing revenues. But we do not seek to preserve those newspapers for their own sake. We are attempting, rather, to insure that the American people will be afforded the largest number of possible news sources because of the historical precedent that competing news sources serve to protect the public interest and expound competitive rather than complimentary editorial voices.

I believe it important to emphasize our goal in this manner because exempting any business from antitrust laws is reason enough to raise eyebrows both within and without the Congress. I would not support such an exemption, and I am sure the more than 100 cosponsors of this legislation would not support such an exemption, were it merely to provide a profit for certain newspaper owners.

This is not our goal. We have a much larger purpose in desiring freedom of information and access to different news sources—and the precedents are on our side. Let me explain.

Newspapers, because of their unique place in American society, have for years been permitted to cooperate on various aspects of their business in all three of their primary areas of concern—editorial matter, advertising, and circulation.

We all know that the wire services provide, on a shared cost basis, hundreds of newspapers with the same information. In addition there are countless syndicated features available to all newspapers, even those competing in the same community. Moreover there are edito-

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rial matrix services that provide any number of newspapers with identical columns and editorials. My point here is simply that there is a precedent for newspapers to share certain editorial materials that individual newspapers could not afford to buy on their own.

The precedent for cooperation in advertising, in situations without joint operating arrangements, is very important for your consideration because this is one area of joint operation that has engendered much criticism. For decades national advertising representatives have represented many newspapers, including some in competition. In fact it has not been uncommon for these national advertising representatives to solicit advertisements in packages that provide special deals if the advertiser decides to use more than one client of the advertising representative.

Moreover, national advertising representatives sometimes go even further than joint operating arrangements when they package a product for competing newspapers, radio stations and television stations in the same city, such practices have become a routine business operation.

On the third area of newspaper concern—circulation—there is again a clear precedent for the cooperation of joint operating arrangements. Certain newspapers sell subscriptions in concert with each other. But this has been done for years by newspapers in the same city without any joint operating arrangements.

Now I know the arguments that are raised about newspapers sharing the same buildings and printing facilities and how this is disruptive to competition. Yet newspapers have used their printing facilities for job printing for decades. It is not at all unusual for a newspaper to print other newspapers in their plant in the absence of a joint operating arrangement. Despite this precedent, and despite the highly desirable effect of maintaining as many editorial voices as possible, the joint operating newspapers have been the whipping boy of some.

I believe the precedents are clearly established for the type of cooperation that insures from joint operating newspapers. However given the legal history of the Tucson case I believe it is extremely important to codify as soon as possible these precedents and this can be done by passage of the legislation now before us.

Considering all the arguments in favor of this legislation, and especially the existence of adequate precedents for its passage, I urge immediate favorable consideration.

Finally, I would emphasize that our goal is not to destroy competition in any sense but to encourage, promote and provide an environment conducive to competition between the news and editorial voices of joint operating newspapers. This is an important goal consistent with freedom of expression and clearly in the public interest.

Mr. KASTENMEIER. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. Mr. Chairman, I would like to pay tribute to the gentleman from Wisconsin (Mr. KASTENMEIER) for the fine work that he has done with this bill. I likewise pay tribute to the gentleman from Hawaii (Mr. MATSUNAGA), the gentleman from Ohio (Mr. MCCULLOCH), the ranking Republican Member, without whose intrepid help this and much other worthwhile legislation would not be enacted, as well as the gentleman from Illinois (Mr. RAILSBACK) the gentleman from Minnesota (Mr. MACGREGOR) and the gentleman from Illinois (Mr. MIKVA) and the other distinguished members of the committee for the improvements which they have worked on the bill and other improvements they may offer. Some have complained about the exemption of this from the antitrust law and I suppose the question is whether we would extend to some extent to the newspaper profession under the first amendment what we have previously in one way extended to professional football.

Mr. Chairman, as one who has observed the preservation of competing news presentations and separate editorial voices in the city of St. Louis, Mo., I rise in support of H.R. 279, the Newspaper Preservation Act.

In 1959, two of the Nation's most prestiguous newspapers, the St. Louis Post-Dispatch and the St. Louis Globe-Democrat, entered into a so-called joint newspaper operating arrangement. The necessity of such joint operation is not disputed. In fact, it is conceded that under the financial conditions then prevailing both newspapers could not have survived if they had continued to compete commercially with each other while they competed at the same time with other media, such as radio and television, as well as with "weeklies" and magazines.

Today, the two newspapers continue to compete strongly with each other in their news and editorial departments. The residents of St. Louis and of the surrounding metropolitan area are the true beneficiaries of this continued competition between the two dailies.

Having noted the experience of the two St. Louis newspapers, I am convinced that the very essence of the antitrust laws—competition—has not only been preserved, but it has actually been advanced by the joint newspaper operating arrangement. The alternative to such arrangement in St. Louis could well have been the demise of one or both of its newspapers, or possibly the merger of the two newspapers with the resultant disappearance of two independent editorial opinions and news presentations. The present situation—the survival of two newspapers under separate ownership—is indeed infinitely better than one which would have allowed the survival of a single newspaper or two newspapers under single ownership.

The continued existence of two independent newspapers, whether in St. Louis or in any of the other 21 cities in which a joint newspaper operating arrangement is found, is the best answer to those who oppose this legislation. It is difficult to perceive, under their view, wherein competition would be fostered by a situation leading inevitably to the merger or the demise of one of two rival newspapers. After all, a free press would be meaningful to the public whom it serves only by the sustained life of two or more competing newspapers which extend to their readers the benefit of independent editorial views and newsgathering efforts.

I think the passage of this bill, which I urge, Mr. Chairman, may also remind us of some of the important writings recently, such as those by Prof. Jerome Barron who in discussing the real interest of the public stated that to a great extent it lies in the widespread dissemination of information and the broadest possible spectrum of debate of differences of opinion and not simply profitmaking.

I think it may cause us to think as we pass legislation such as this whether we may not at some time supply the newspaper industry with a code of ethics such as we have for doctors and lawyers. For if doctors and lawyers do not perform their public duties correctly, they may be penalized by suspension or their licenses may be removed. We may some day face this problem with the newspaper industry. But I think that the Constitution and the objectives of the first amendment can best be served at this time by enactment of this legislation so that we will preserve competition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Chairman, I thank the gentleman for yielding.

I spoke out earlier in opposition to this bill. However, I now thank the members of the committee for the explanations that they have given, because they have, indeed, changed my opinion on this particular piece of legislation.

My objection lies toward a monopoly in the news service. A monopoly exists in approximately 150 communities where there is a single ownership of two papers. This is an area in which I would like to see legislation passed.

I will have an amendment that I will offer to this particular bill. I understand that the germaneness of the amendment will be questioned. But, indeed, it does appear to me after listening to the gentlemen on the committee who have given considerable time to this legislation, that they have a very valid point. In 22 areas where there is a diversity of ownership but a joint operation, indeed, an exemption to the antitrust laws is in order.

I would like to go further, however, and prohibit the single ownership in the 150 areas in the United States wherein there is a single ownership of more than one newspaper. Why? Because we do want to maintain a dual editorial voice, and we do want to maintain freedom of the press, and freedom of the press, of course, exists with the owner, for the owner of the paper has the right to print in his paper what he desires. He is not required or compelled to print my opinion or the opinion of anyone else. By virtue of his community spirit he may well sometimes give the opposite side—the view of the opposite side. But diversity of ownership is the best means of guaranteeing this.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I thank the gentleman from Georgia for yielding to me. I am certainly happy to note that the gentleman has finally seen the merit of the bill, H.R. 279.

If the gentleman will offer a bill—not an amendment to this bill, because it would not be germane—but if he would introduce a bill to do precisely what he stated he would like to have done, I would be happy to join the gentleman.

Mr. THOMPSON of Georgia. Mr. Chairman, I thank the gentleman from Hawaii. It was certainly the overwhelming logic of the gentleman from Hawaii that helped me to change my opinion in this matter.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN), who is also my neighbor from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I do not intend to enter into an argument with the gentleman from Missouri as to which of the two St. Louis papers are more prestigious, the one which supports the gentleman or the one which does not. But I would like to take this moment for the benefit of the gentleman from Arizona, who was apparently unable to get anybody to read the minority views to him, that the problem of the newspaper industry is that it is failing generally. In that regard I would just like to read a couple of sentences from the minority views which state:

> While the total number of daily newspapers has remained fairly constant since the end of World War II, advertising revenues have increased from approximately $1,900,000,000 to $5,250,000,000, circulation is up from 51,000,000 to 62,500,000 and the size of the average daily newspaper has increased from 27 to 55 pages. *Editor and Publisher*, the weekly newsmagazine of the newspaper industry reports that the average "mediumcity" newspaper is growing and is very profitable. From 1967 to 1968, operating profits increased 28.6%. . . .

The problem here then is not that all papers are losing money, but that just a few have some problems. However, that has not been alleged as the main consideration. The main consideration for favoring this legislation, we are told, is the necessity of maintaining competition of viewpoints.

My question is—how many local television stations compete for the viewpoints of the readers of these newspapers in their communities?

How many local radio stations offer competitive views?

Should they be covered by this legislation?

How many weekly newspapers serve the circulation zone of the metropolitan papers?

How many local magazines?

How many national newspapers circulate in these communities?

Are we to say that the Wall Street Journal or the National Observer, because they maintain competitive ideas in these exempted communities—could they be exempted if they should get in trouble?

How many national magazines compete for ideas in these exempted communities? Is the issue maintaining competing viewpoints?

No, my friends, the issue at stake here is money—profit. The rising costs of producing newspapers have eaten into the profits of some metropolitan newspapers.

Advertiser preference for the biggest circulation paper and readers' preference for the biggest and best edited newspaper have caused some deterioration of the second and third newspapers.

Costs, however, can be cut and have been cut by many newspapers.

Some newspapers which are seeking no special favors from the Government, through labor saving technology in production, which is legal; and through joint printing arrangement, which is legal; and through joint staffing arrangement, which is legal; and even by seeking less profits, which is also legal. The bill, I might point out to you, is simply not necessary. The bill is also highly undesirable.

Mr. KASTENMEIER. Mr. Chairman, I yield such time as he may require to the gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Chairman, I rise in support of this legislation.

I would hope that this kind of operation of assistance to the weekly newspapers cooperating in their printing process together with weekly or daily newspapers will continue.

We already have that situation occurring in my State of Montana, and I should like to see it prevail. I do not think it has had any affect whatsoever on their independent editorial policy, but it has kept many newspapers alive, and I should like to see all of this editorial comment kept alive.

Mr. KASTENMEIER. Mr. Chairman, I yield to the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Chairman, there are times when our devotion to the appearance of competition can lead us to actions that serve to stifle competition rather than to promote competition.

When we are dealing with the field of communications, we are not just talking about the competition for dollars and cents in the marketplace, but rather and more importantly to the democratic process is the preservation of the competition of ideas. We are not serving this essential field of competition when our obsession with ostensible and full economic competition causes us to silence one or two competing editorial voices in a community.

I believe I speak for a community with some pertinent experience in this matter. El Paso, Tex., was the second community in the Nation in which a joint newspaper operating agreement was adopted. The El Paso Times and the El Paso Herald Post entered into such an agreement in 1936, following the pattern set in Albuquerque in 1933. These were depression years, and the alternative was either for one newspaper to absorb the other, or for one to simply go out of business. The Herald and the Post had combined, and another El Paso newspaper, the World News, suspended operations.

The joint operating agreement drawn up between the Times and the Herald Post stated that, under no circumstances, would either newspaper try to dictate or control the editorial policy of the other. Nor would the joint operating corporation exercise such control over editorial policy.

I can assure my colleagues, from personal observation and experience, that the healthy competition of ideas has been preserved in the El Paso press. Each newspaper has developed its own personality, as well as its own editorial policy. And, as a concomitant of this editorial competition has come an intense competition for readership and subscribers.

Its editors and its staff members have competed for community favor, and have competed in community service. In fact, each newspaper has a different Washington correspondent.

I maintain that this is a healthy situation, both economically and in the more important field of the competition of ideas. I ask you to consider the alternatives.

In a number of cities, larger than El Paso, when one newspaper found itself in economic distress, it was absorbed by another newspaper, which would then publish a morning and an evening newspaper, with the same characteristics, the same personality.

In other cities, the weaker newspaper has simply folded up, and many cities which formerly had competing editorial voices now have only one newspaper.

I was very interested in the report of the committee in which it stated that 95 percent of the communities in this country, at the beginning of 1968, had newspapers that were controlled by a single owner.

The El Paso agreement, and many others which have followed, had long been in successful operation when the Department of Justice, in 1965, initiated an antitrust suit against a similar operation in Tucson, Ariz. In April, 1965, a district court found these newspapers in violation of antitrust laws, a finding which was upheld by the Supreme Court last year.

I believe these decisions call forcibly for action by Congress to recognize the fact that the healthy competition of ideas is a part of our heritage of free speech and a free press.

I believe we would do a great disservice to such an ideal if we permitted overzealous antitrust actions to destroy some of the finest newspapers in this Nation.

Without this act I know that my hometown would eventually have only one daily newspaper.

The legislation before us, H.R. 279, is just what its title proclaims—a newspaper preservation act, intended to preserve the freedom of the press to which we are all devoted.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. WINN).

Mr. WINN. I thank the gentleman. I

would like to ask the gentleman from Ohio (Mr. BROWN) with his knowledge of the newspaper business, if it is not true that many of the union settlements across the Nation in the newspaper field include the agreement that want ads that run for 2, 3, or 5 days be "reset" in each issue?

Mr. BROWN of Ohio. There may be such uneconomic requirements in individual labor contracts signed between certain newspapers and their unions and this could be one of the reasons for the request for this legislation to exempt newspapers from antitrust procedures, because such provisions in contracts could prevent economies in operation that might otherwise be possible in the newspaper business.

Mr. WINN. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma (Mr. BELCHER).

Mr. BELCHER. Mr. Chairman, I wish to thank the gentleman from Ohio for yielding to me this time. In Oklahoma we have an illustration of two ways in which to operate newspapers. In Oklahoma City for the last 50 or 60 years one man has owned both daily newspapers, a morning and an evening newspaper. Just the other day he celebrated his 97th birthday. He still drives his automobile. He still goes to his office every day. A man who has that kind of monopoly in a city as big as Oklahoma City is certainly going to get along all right.

In the city of Tulsa we have two newspapers that have been vigorous competitors for the last 30 or 40 years. For the last 20 or 30 years they have printed their papers together. I mentioned the man who celebrated his 97th birthday. A man who was celebrating his 93d birthday was asked, "How does it feel to be 93?" He said, "It feels pretty good, because the alternative is not so good."

I merely want to point out to you that the alternative to these joint operations is not so good. A while ago the gentleman from Iowa asked if under this bill there could be price fixing.

In the Oklahoma City operation there has been price fixing by one man for the last 40 or 50 years, and there has been one editorial policy by one man for the last 40 or 50 years.

Also, if these Tulsa newspapers were to divide up and were to buy new presses and establish a completely new newspaper plant, it would be impossible for the two of them to exist.

The mere fact that there are two newspapers in a city who print their papers separately and are completely separate in their operations does not prevent any kind of price fixing. Those two people can get together on the prices they charge, just as easily as if they print their papers together. So I do not see any reasonable argument at all against this kind of operation, when we say a one-owner operation is absolutely not against the antitrust law, but if two owners print together, that violates the law. I do not know who passed that law or I do not know who made those interpretations, but that certainly does not look reasonable to me.

Mr. KASTENMEIER. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. FULTON of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Tennessee.

Mr. FULTON of Tennessee. Mr. Chairman, I would like to ask the gentleman this question: Does the language used in section 4(a) of the bill include a situation where both newspapers were "failing newspapers," as this phrase is used in the bill, at the time the original operating arrangement was first entered into?

Mr. UDALL. It certainly does.

Mr. FULTON of Tennessee. I thank the gentleman.

Mr. UDALL. Mr. Chairman, my hometown is Tucson, Ariz., and that is the place where all this debate about failing newspapers and joint operating agreements began 5 years ago. I support and sponsor this bill, not because it represents all that is good and virtuous and true, or because it will make this a perfect newspaper world, but because it is the only approach I know which stands a chance of checking the downward spiral of newspaper publishing in this country.

Ideally, I would want to see full and complete competition between and among all business entities in this country, including newspapers. But this is not a perfect world, and I think it is a mistake to give up what is merely good in a hopeless struggle for the perfect. Insisting on perfect competition between newspapers in each and every market may sound great, but I fear the result would be disaster—more newspapers ceasing publication, more newspapermen out of work, and more Americans with but one point of view in their daily newspaper diet. For residents of most American cities newspaper monopolies are no longer a threat, or an exceptional case. Monopolies are now the rule in 160 cities; two or more editorial voices are left in only 59.

I am told by some of my friends that defeat of this bill will be good for the country because it will enhance competition, root out the newspapers that can't compete, and create openings for new newspapers to come into being. If this were true, I would certainly oppose the bill and allow the milennium to happen. But this is indeed a vain hope, without substance and without historical precedent. The chilling truth is that in 43 years every attempt to start a new metropolitan newspaper in competition with an existing newspaper has failed. I know personally of three such attempts in my own State of Arizona in the last 25 years. Therefore, to vote against this legislation in the expectation that its defeat will stimulate new competition in newspaper publishing would seem to be highly unrealistic.

Let me tell you about these two newspapers in Tucson which prompted this whole debate. They have been battling each other in news and editorials as long as I can remember. Sometimes they get very angry with one another. They usually support competing political candidates. They more often than not take opposite sides in public debates over zoning, freeways, annexation, bond issues, fund drives and the like. Editorially, they are out to beat each other on news stories every day of the week. In short, they are separate and very distinctly different newspapers, having different policies, and different ways of covering the day's news. But they have had for nearly 30 years, a kind of joint operation of circulation, printing, advertising and other commercial functions.

This is the newspaper situation the court has said is illegal, a threat to public welfare and free competition.

Now let me drive you 120 miles north to Phoenix. Here we find not a combination based on a joint operating agreement, but a total monopoly—two newspapers owned by the same publisher. There are no other daily newspapers in Phoenix; those that tried to compete failed miserably. On all important issues the two Phoenix newspapers take virtually the same editorial stands. This arrangement the court has said is perfectly legal and can continue indefinitely, regardless of the fate of the bill before us today.

Let me say that I am not criticizing the Phoenix papers for being a monopoly or for presenting a united front. If I owned two newspapers, I probably would not come out for Nixon in one and Johnson in the other, or for the Vietnam war in one and against it in the other; this would be the worst kind of cynicism, obviously self-defeating. But my point is that defeat of this bill will not touch the true newspaper monopolies that exist; it will merely disrupt the combinations of the Tucson type which have provided such variety, such spice, such diversity to the cities in which they have been operating these many years.

How ironic that would be. And how doubly ironic if our failure to support this legislation resulted in a succession of total mergers effectively eliminating any semblance of editorial diversity in the 22 cities where joint operating agreements are now in effect.

This is an important point which opponents of this bill apparently fail to appreciate. The courts have allowed all sorts of total mergers to occur in the newspaper field. What they have rejected in this one instance, in the Tucson case, was a partial merger—that is, of advertising and circulation functions. Under our antitrust laws as they stand today it is highly likely that after 2 or 3 years of separation a total merger of any pair of these newspapers in any city could be made to hold up in court. It is only the partial mergers that would be struck down.

Justice Stewart in his dissent in the Tucson case quoted an excerpt from the record of the trial which I think is highly illuminating. The attorney for the defendant asked the Court:

> Well, would Your Honor then think if they had dissolved Star or Citizen or both and simply merged them all into one company, then the failing company doctrine would apply?

The Court's reply was very candid:

> I think if Star acquired all of Citizen's asset and gave stock to the owners of Citizen,

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> it probably would. I would say that the Government wouldn't have much chance in this particular case of attacking that acquisition.

All we have to do is look at the rest of the Nation to see what is at stake in this legislation. In these 22 cities there is still editorial competition; people can still read more than one point of view in their hometown papers. There are just 37 other cities in which there is still any semblance of editorial competition. But there are 160 cities—more than 73 percent of the total—in which all of the newspapers are owned by a single newspaper publisher.

I know that opponents of this bill hope that the 22 could be joined to the 37 to make 59 cities with full and complete newspaper competition. But I fear that the result would be just the opposite—a movement toward more one-newspaper or one-publisher cities.

In my view, any such "victory" for the cause of antitrust would be a disaster for the country.

Mr. Chairman, I do not lightly advocate a departure from the letter of our antitrust laws. I support the fullest enforcement of these laws, and I favor legislation to extend them into areas, not now protected. But I cannot ignore the rather remarkable disparity between the letter and the spirit of the law in these newspaper cases. Pursuing the letter of the law and its recent interpretation by the court can mean a sharp decline in newspaper competition; modifying the law slightly, as we would do with this legislation, can insure that many cities will continue to enjoy the benefits of the kind of healthy competition I have described.

I urge the passage of H.R. 279 to permit the reinstating of the point operating arrangement in Tucson, Ariz., now barred by the Supreme Court decree in Citizen Publishing Co. against the United States and to provide a limited exemption from the antitrust laws for the other joint operating arrangement cities.

Mr. FULTON of Tennessee. Mr. Chairman, there is no doubt that newspapers in many areas across the country have been experiencing serious economic problems. The Newspaper Preservation Act, I believe, offers a realistic and desirable solution to many of these problems.

At the beginning of 1968, only 67 cities in the United States were fortunate enough to have at least two separately owned newspapers. The number of cities so served has been shrinking steadily over the past 30 years.

Although there is general agreement that failing newspapers are in need of assistance, some have questioned whether the Newspaper Preservation Act provided the best means of supplying that assistance.

What, then, does the bill provide? It provides for a limited antitrust exemption for newspapers which have joint newspaper operating agreements. What would be legalized, in addition to the joint procedures now allowed, would be joint advertising and circulation functions, and agreements to share in profits according to a prior established formula, so-called profit pooling.

Of the 67 two-newspaper cities with separate ownership, 22 of them have entered into some type of joint operating agreement.

Opponents have claimed that these steps are not needed, and that sufficient economies can be gained merely through joint printing, the use of the same delivery trucks and the like. Of course, they do not present actual cases to document their theoretical economic analyses. Indeed, the continuing list of defunct and merged newspapers bears witness to the faultiness in that analysis.

Critics have also warned that advertisers and subscribers would be gouged by the monolithic rate schedules set by the joint commercial operation. That has not been the case, despite the fact that some of the operating agreements date back almost 40 years. I am informed that advertising rates in Hawaii, for instance, have actually declined since the agreement was entered into.

Profit pooling has been a particular target for opponents of the bill. But the sharing of profits arising from the joint commercial venture goes to the very heart of the bill. There is no realistic alternative. Without profit pooling, the bill provides negligible economic benefit to the beleaguered newspapers. And if profits are left to be divided some other way not predetermined—circulation, for instance, or advertising lineage carried for a particular period—the weaker paper will almost certainly suffer because of its less favorable bargaining position at the beginning.

Some of the bill's critics have suggested that we rely on the traditional market mechanisms to eliminate inefficient publishers, and therefore keep open the opportunity that some other, more vigorous competitor will come along to fill the void. This argument ignores history. In cities of 200,000 population or more, there has been no successful new daily newspaper started since 1941. Moreover, there is a viable argument that the bill may actually promote more frequent entry into the newspaper business in certain cities. If someone is considering starting a morning newspaper, for instance, in a city where there is presently only an evening paper, he may be less reluctant to invest substantial capital if he knows that he may be able to negotiate a joint operating agreement with the existing newspaper should his daily prove unable to compete fully.

In short, Mr. Chairman, it seems clear to me that H.R. 279 confronts a real economic problem in a realistic, responsible way. I urge this body to vote its approval.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. HALPERN).

Mr. HALPERN. Mr. Chairman, as a cosponsor of the Newspaper Preservation Act, I rise in support of this bill which would grant to newspapers a limited antitrust exemption to enable them to enter into joint business and mechanical operations when necessary to avoid business failure.

There is little disagreement, I think, with the judgment that the public can only benefit from having access to the news presented from more than one point of view. The two leading newspapers here in Washington, the Post and the Star, are a case in point. Regretfully, however, the economic and business facts of life have dictated just the opposite trend in this country since the beginning of the 20th century, to the point where some experts estimate that a market area of 650,000 people or more is necessary if two daily newspapers are to compete and survive. Senator INOUYE, the principal sponsor of this measure in the Senate, indicated during the Senate hearings that today only five cities in the Nation have three or more daily newspapers; only 59 have separately owned, editorially distinct, newspapers; and 22 of the latter have the same kind of joint printing and business procedures used by the Tucson papers against which action was brought by the Justice Department in 1965.

It is clear that if joint operating procedures of this sort are going to be prosecuted under the antitrust laws, the Congress must take action to preserve the independent newspaper voices in many of our cities. According to William A. Small, Jr., owner of the Tucson Daily Citizen, the Antitrust Division of the Justice Department has taken the position that the merger of the commercial aspects of the Tucson newspapers under their joint operating agreement is illegal per se, regardless of any economic justification:

> (T)he Division disregarded the economic background and reasons for the joint arrangement between the Citizen and the Star. It disregarded the fact that the Citizen clearly would have failed without the joint arrangement. It disregarded the fact that preservation of two separate news and editorial voices is in the public interest. It disregarded the fact that rates charged by the two newspapers for advertising are reasonable and competitive with other media. These facts are irrelevant, according to the Division.

And in response to the argument of the Tucson papers that termination of the joint operating agreement would cause one of the papers to fail, the Justice Department replied by quoting a statement from a 1963 Supreme Court decision, *United States* v. *Singer*, 374 U.S. 174, 196:

> Whether economic consequences of this character warrant relaxation of the scope of enforcement of the antitrust laws, however, is a policy matter committed to congressional or executive resolution. It is not within the province of the courts, whose function is to apply the existing law.

Hence, Congress must act if there is to be any change.

I have cosponsored this legislation in the House because I think this is a case where the spirit, rather than just the letter, of the law must be applied. The purpose of the antitrust laws is to foster competition, not to stifle it. Yet unless this bill is enacted, the effect of existing law will be to drive many editorially independent newspapers out of business, to the long run benefit only of the larger newspaper chains.

I think we must consider the unique position of newspapers in our communities. I certainly recognize that the fundamental principles of antitrust laws are

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valid and that they are necessary to guard against abuses in business conduct and to preserve our competitive economy. But newspapers are not like the products of other industrial companies, and we must consider what the long-term effects of the strict application of these laws to joint newspaper operating agreements are going to be. My good friend and colleague from New York, Emanuel Celler, summed up this argument very well in a 1963 interview which appeared in Editor and Publisher:

> Personally, I incline to the view that perhaps there might be immunization for newspapers from anti-trust laws in certain cases. If the anti-trust laws were rigidly enforced it may be shown that more harm than good would result.
>
> We are interested in keeping the newspapers alive. We must realize that anti-trust laws in some instances might cause the death of dailies. Then we must ask ourselves: which is more important, maintenance of the anti-trust laws or preservation of the free press?
>
> When it comes down to that kind of choice, I think the preservation of the press outweighs a violation of the anti-trust laws . . .

This bill would exempt from the antitrust laws the kind of joint business and commercial operating agreement undertaken by many newspapers in order to survive. It appears to me that this is an eminently practical arrangement. Advertising is the lifeblood of newspapers, and although the population is continually expanding, the market for newspaper advertising is not keeping pace because of increasing competition for advertising from other media like radio and television. Since advertising goes to the paper that can reach the most customers at the lowest price, the publication with the smaller circulation must cut costs to keep up with his competitor, the quality of his paper will suffer as a result, he will lose even more advertising revenues, and he will be caught up in the downward spiral toward complete collapse. Thus, it makes sense for two newspapers, which could not both survive in a given area on a completely independent and competitive basis, to join forces to realize the economies of a joint business and commercial operation, that would then divide revenues in excess of costs between the two papers in accordance with a predetermined formula. It makes sense from a business point of view and from the point of view of the public interest, for it will enable both newspapers to continue to compete in the area of news coverage and editorial opinion. The arrangement has apparently worked well in Tucson, to the benefit of the public as a whole, because both papers consistently spend more on news and editorial content than most publications of comparable size, and because both have won many awards for editorial excellence.

In sum, I would urge my colleagues to support H.R. 279. It recognizes the economic realities of today which newspapers face, and it offers them a way to join together to solve the business problems of operating a newspaper while enabling them to maintain independent editorial policies. It recognizes that while commercial competition in some cities means certain death for one of the competitors, commercial cooperation will help to keep editorial competition alive. And above all it recognizes that the diversity of information and opinion resulting from two editorially independent newspapers is a highly desirable social value which we should go to great lengths to preserve.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. Adair).

Mr. ADAIR. Mr. Chairman, the Supreme Court has stated that it must strictly enforce the antitrust laws without weighing competing public policy factors, as that is the "responsibility of the Congress." Thus, the Congress is obligated to make a final determination as to whether the public policy justifications for a joint newspaper operating arrangement outweigh the considerations underlying the antitrust laws. Basically, this is a choice between fostering editorial competition and diversity on the one hand and wide-open competition without regard to its effect on the preservation of independent competing editorial viewpoints, on the other. Since this weighing of alternatives was not undertaken by the Supreme Court in the Tuscon case, any reliance on the case for our decision today is misplaced.

The recent Tuscon joint newspaper operating agreement case has made this legislation essential. That decision misapplied, in my opinion, the "per se" antitrust rule and set forth too stringent requirements for the failing company defense.

Heretofore, only a contract, combination, or conspiracy having no other purpose than the sole one of suppressing competition was considered a "per se violation" of section 1 of the Sherman Act. The joint operating arrangement merges only the business functions of the two city dailies, and continues two separate corporate entities which maintain separate independently operated news and editorial departments that are competitive. This two-level function which is a unique characteristic of the daily newspaper business was totally ignored by the Supreme Court.

Moreover, the stringent prerequisites set forth for the establishment of the failing company defense to section 2 of the Sherman Act and section 7 of the Clayton Act are unrealistic as applied to a failing newspaper. The strict standard announced in the International Shoe case of a "grave probability of business failure" is not applicable to newspapers as a dying daily cannot recover its lost circulation and advertising revenues by its sole efforts. The other requirement that the acquiring company be the only available purchaser also has no application as a daily on the verge of bankruptcy is not salable.

The experience of Fort Wayne Newspapers, Inc., in Fort Wayne, Ind., which prints the Fort Wayne News Sentinel and the Fort Wayne Journal-Gazette, is illustrative of the need to allow joint operation. The main purpose of the arrangement was the survival of two daily newspapers and editorial viewpoints.

Today, as a result of their joint operating arrangement, both newspapers are published in a modern, efficient plant. Both papers are competitive editorially, and Fort Wayne is one of the few cities of its size in the Nation whose citizens can read daily the articulate and diverse viewpoints of two competitive hometown daily newspapers.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. Mailliard).

Mr. MAILLIARD. Mr. Chairman, I also want to express my support for this legislation because of the experience we have had in San Francisco, where we have dropped in recent years from four to two daily newspapers. I fear without the approval of the present arrangement between our existing two daily newspapers we would soon be down to a single newspaper, which I believe would be contrary to the interest of the people of the community.

Mr. KASTENMEIER. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. Jarman).

Mr. JARMAN. Mr. Chairman, today, economic conditions in communities across the country have made it difficult for two or more newspapers in any given city to remain commercially competitive enterprises. News sources and editorial comment are thus being imperiled.

Costs have escalated rapidly and the source of revenue from advertising is crucial to the success or failure of any given newspaper. It has been proved to be more economical to advertise in the stronger newspaper even though its rates are higher. The weaker newspaper is then forced to compensate for the loss of revenue by cutting back its news and editorial departments. In response to these conditions, the newspaper industry itself developed the joint newspaper operating arrangement to reduce costs and thereby eliminate potential losses. This arrangement has permitted both the weak and strong newspaper to maintain their editorial competition and independence by combining their production and business operations.

A recent court ruling, however, would require that, despite the public interest of maintaining several editorial voices in a community, a newspaper must be in an extreme financial situation before it is allowed to take remedial action. The critical economic problems confronting many newspapers resulting from this case are of such serious proportions as to require immediate legislative action. Instead of a complete merger of the two competitors that would result in the disappearance of all competition between the two, this proposed legislation would allow a joint operating arrangement. It would simply amend the law so that such an arrangement would be considered to be a complete merger. Mr. Chairman, I believe the public interest will be served by the retention of competition in editorial voices and I urge the passage of this bill.

Mr. MURPHY of New York. Mr. Chairman, today's passage by the House of the Newspaper Preservation Act is indeed a victory for freedom of the press in America. It insures the continuation of the

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free interplay and competition of ideas that is essential to a well-informed electorate, and to the democratic institutions on which this Nation relies.

For the passage of this act will permit the survival of two independent newspaper voices in 22 cities presently operating under joint agreements, and in most of the 37 American cities which remain with two or more publishers printing in separate plants. By preserving separately staffed newspapers, this legislation also protects employees on those newspapers.

Briefly, the measure exempts joint newspaper operating arrangements from antitrust laws if only one of the newspapers involved is a financially sound publication. The law as it existed until today allowed a total merger with the elimination of commercial and editorial competition, but prohibited a commercial merger which preserves news and editorial competition. The Newspaper Preservation Act gives joint newspaper operating arrangements the same legal standing as a total merger. And, it reopens for consideration all previous joint newspaper operating agreements which were held to be unlawful under antitrust laws.

The Newspaper Preservation Act is truly consistent with the intent and purposes of the antitrust laws—the preservation of competition where it otherwise could not exist. By preserving news and editorial competition, this measure enhances the purpose of the first amendment of the Constitution. Free speech, free press, and the interplay of divergent views have been preserved today.

Mr. LEGGETT. Mr. Chairman, in recent years it has become increasingly apparent that an independent and inquiring press is neither a convenience nor a luxury but rather an essential component of a free society.

The traditional balance of powers between the branches of Government has in some cases not been sufficient. In foreign policy, the Congress is just now beginning to rid itself of its mystical belief that the President is the only one who knows what is going on and the only one who can make major decisions.

I, for one, am more than half convinced that, were it not for the editors and reporters who, unlike the Congress, had the temerity and the integrity to look behind the official euphoria emanating from Southeast Asia, we would blithely have sailed into war with China or worse. For this and many other reasons I am most impressed by the performance of the American news media.

For the benefit of any Agnew devotees who may be present, perhaps I should specify that my high opinion of the gentlemen of the press continues even though they have occasionally had the arrogance, venality, duplicity, and incompetence to fail to treat my pronouncements with appropriate reverence.

But however noble and exhilarating the substantive aspects of journalism may be, the financial aspects can only be described as harrowing. This is particularly true in cities which support more than one paper. A newspaper can go from reasonable prosperity to permanent extinction in a matter of weeks.

The present deteriorated economy has exacerbated the newspapers' predicament even further. In recent months we have even heard sounds of desperation coming from the Nation's foremost newspaper, the New York Times.

For many papers, merger has been the only alternative to extinction. But in a city having only two papers, merger spells monopoly, with concomitant complacency and lack of editorial incentive. It was one thing for the New York World, Sun, Telegraph, Herald, and Tribune to merge over a period of time, for the city still had the Times, Post, and News. But it is quite another thing for both papers in a two-paper city to come under one management.

Desirable as it may be for a city to have more than one independent paper, a newspaper cannot continue if it cannot get out of the red. So we have seen one paper after another go under, and today only 37 cities in the United States are served by two or more competing papers.

However, we also have 22 cities in which two papers operate under what might be called a semimerger. They cut costs by having one advertising department, one circulation department, one accounting department, one printing plant, and so forth. But they serve the public by having two independent and competing publishers, news departments, and editorial departments.

This arrangement, which began in Albuquerque in 1933, has been made possible by a kind of informal nonenforcement of the antitrust laws. But now it appears that, unless we formally legalize them, newspaper semimergers are going to be disallowed under the antitrust laws.

In my opinion, they should be legalized. The function of the antitrust laws, which I enthusiastically support, is the prevention of monopolies. But outlawing semimergers will not prevent monopolies; it will create them. It will force full mergers and end editorial competition in at least 22 cities.

So we must make a carefully specified and carefully controlled exception to the antitrust laws in this one instance in which they are counterproductive. That is the purpose of the act before us, and that is why I shall vote for it.

Mr. EDWARDS of California. Mr. Chairman, separately owned newspapers serving a particular area may legally enter into joint operating agreements which insure substantial savings to each. Under the Tucson case and a ruling by the Department of Justice the major permissible joint activities include joint printing, joint circulation facilities, joint Sunday edition, cost-justified combination advertising rates, and partial joint accounting and billing.

The operating agreements may not include, as a violation of the antitrust laws, price fixing, and profit pooling because these, as a practical matter, eliminate all competition between the two newspapers.

Beginning in 1933, however, newspapers have been operating under agreements providing for price fixing and profit pooling in addition to the five legal activities. It is to the Justice Department's discredit that it did nothing for decades, leading these newspapers to conclude that the operating agreements had the tacit approval of the Justice Department.

The refusal by the Justice Department to institute actions against these agreements for more than 30 years was of concern to many members of the House Judiciary Committee. The Department's dereliction for such an extended period allowed stockholders' rights to become fixed. In 22 cities throughout the country competing newspapers assumed that the Justice Department approved of joint operating agreements that included price fixing and profit pooling. Consideration was given by the Judiciary Committee to legislation that would outlaw future joint operating agreements while permitting existing ones to continue for a definite or indefinite period of time. We immediately concluded, of course, that such a law would be unconstitutional as class legislation.

The Judiciary Committee did improve the Senate-passed version by making it more difficult for new joint agreements providing for profit sharing and price fixing to come into existence. Any new agreements must be approved in advance by the Attorney General, and prior to granting such approval, the Attorney General must determine that not more than one of the newspapers involved in the arrangement is a publication other than a failing newspaper and that approval of such arrangement would "effectuate the policy and purpose of this act."

Regardless of the more stringent requirements for future agreements, enactment of the legislation as proposed would be such a major exemption of the Federal antitrust laws as to make it unwise. Its passage would open the door to new operating agreements throughout the country that would include price fixing and profit sharing. A new regulatory Federal agency to police the agreements would inevitably result. This raises the prospect of Government regulation of newspapers, a loss of editorial independence, and a compromising of the traditional independence of the American press could do irreparable damage to our political, economic, and social fabric. These grave dangers outweigh the considerations raised by the delinquent conduct of the Justice Department in allowing violations to go unheeded for decades, and the legislation should be defeated.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 279, the Newspaper Preservation Act. The importance of the Newspaper Preservation Act cannot be overemphasized. This legislation is designed to protect the public interest and and maintain editorially independent and competitive newspapers in the United States by providing them with an exemption from antitrust laws. This exemption would permit them to enter into certain joint operating arrangements when they are in financial difficulty and enable them to survive.

Many metropolitan newspapers during the 1930's discovered that strong competition resulted in serious financial difficulties. And when a weaker newspaper was eliminated or failed, this meant that the public was deprived of diverse and independent news policies and editorial points of view. The first joint operating arrangement between two newspapers was initiated by the Journal Publishing Co. and the Albuquerque Publishing Co. in Albuquerque, N. Mex., in 1933. This arrangement provided a method of reducing costs by joining the economic and business aspects of newspaper production, and at the same time permitting the two newspapers to maintain separate editorial and reporting staffs and independent editorial and news policies.

In recent years, newspapers in many American cities have encountered financial difficulties. As a result, a distressing number of daily newspapers have ceased publication. Between 1910 and 1968, the total number of daily newspapers has dropped from about 2,200 to 1,746.

During the same period, the population of our country more than doubled. In 1960, only 61 cities had two or more competing dailies, compared with nearly 700 in 1910. Between 1929 and 1950, 600 dailies started, but 750 ceased operation. Today, only five cities have three or more dailies; 59 cities have two separately owned, editorially distinct newspapers but in 22 of these cities, editorial independence has been continued only through the utilization of certain joint operating facilities.

Although newspapers receive large revenues from circulation, the real economic struggle for survival depends on their advertising revenues. Today, the newspapers' primary source of income, advertising, is faced with new problems. As a result of competition from other advertising media, mainly television, magazines and suburban news publications—the central city newspapers have suffered a decline in their share of both local and national advertising dollars. Local advertising, both retail and classified, has followed the population shift to the suburbs while simultaneously national advertising has been lured away by television. This combination of unusual circumstances has created a vicious cycle because reducing advertising revenues tends to curtail news, editorials and feature content, thereby making the paper less attractive to readers which in turn cause a decline in circulation. And because advertising rates are necessarily based on consumer exposure, a decline in circulation may lead to a reduction in advertising rates, which in turn further diminishes advertising revenues. Once this downward spiral is set in motion, it all too often ends in complete financial disaster.

The rising costs of publication are creating still another economic problem for newspapers. Labor costs have increased considerably. For example, several of the larger metropolitan dailies are bearing labor costs almost three times the World War II level. In addition, the equally important cost of newsprint has more than doubled during the same period.

To these problems can also be added certain built-in economic peculiarities in the newspaper publishing industry. For example, a single newspaper often can only use its printing facilities for a fraction of its capacity. An afternoon daily, for instance, may operate its presses at full capacity for only 3 or 4 hours for its edition—the remainder of the time the presses may be idle. Job printing is often insignificant because of union contracts that require full shift wages for a few hours work.

Therefore, the only means of survival for many newspapers would be through the use of joint operating facilities. Under the joint operating arrangements afforded by H.R. 279, the Newspaper Preservation Act, separate and independently owned newspapers could continue to serve the public and compete, yet operate editorially as distinct news sources as before, but on a sound financial basis. This pooling arrangement of production facilities eliminates duplication and makes for a more efficient utilization of publishing and printing facilities.

The courts have on occasion approved mergers based on the applied test that an acquired company is virtually beyond salvage. This test is inadequate for newspapers. The most important assets of a newspaper are its personnel and reputation, and these may be lost as financial failure approaches. Generally by the time the newspaper is sufficiently beyond hope to satisfy the "failing company" tests of the courts, it may well be of little value as an acquisition. Yet under present law the courts have to apply the extremely narrow "failing company" doctrine as it has developed in those industries lacking the unique characteristics of the newspaper business.

I feel that in order to promote healthy competition among newspapers by providing an economic environment in which competitors can survive we need the kind of legislation provided in the Newspaper Preservation Act. Recent economic history of the newspaper business clearly indicates that limited exemptions from the antitrust laws should be given to this most vital institution of our democracy.

Mr. Chairman, I would like to call to the attention of my colleagues and to include at this point in the CONGRESSIONAL RECORD editorials published recently in support of the Newspaper Preservation Act by two leading newspapers in my city—the Chicago Daily News and the Chicago Sun-Times. The editorials follow:

[From the Chicago Daily News]

KEEPING THE PRESS ALIVE

Because of the skyrocketing costs of operation, the newspaper industry, especially in the larger cities, has suffered spectacular attrition in recent decades. One result has been a drastic reduction in newspaper competition as city after city found itself reduced to a single editorial voice, whether in one newspaper or a one-ownership combination of morning and evening newspapers.

To combat this trend and to preserve editorial competition in the face of costs that would otherwise have been intolerable, newspapers in several cities began combining certain of the operations—production, circulation, advertising, or some combination thereof—while continuing the editorial departments as vigorously competing entities under separate editors.

The U.S. Supreme Court, in deciding that the merger of two Tucson newspapers, the Citizen and the Arizona Star, should be dissolved, ruled that while combined production facilities are apparently acceptable, combining circulation and advertising departments or the pooling of profits from those departments is not.

The court also drastically narrowed the application of the "failing company doctrine" under which a merger was recognized as immune from the antitrust laws if one of the publications appeared certain to fail unless the merger took place. The court ruled that:

"The failing company doctrine plainly cannot be applied in a merger or in any other case unless it is established that the company that acquires it or brings it under domination is the only available purchaser."

The court also held that "the burden of proving that the conditions of the failing company doctrine have been satisfied is on those who seek refuge under it."

The first thing to be said of the decision is that it threatens to put many newspapers out of business, and thus to slash back the very competition the antitrust laws were written to preserve and extend. Newspapers in 22 other cities including San Francisco, Honolulu, Salt Lake City, Miami, Tulsa and Shreveport have similar combined circulation and advertising setups or profit pooling arrangements. Regardless of the fact that many such arrangements have been in operation for many years, and have been responsible for survival of whatever editorial competition remains in those cities, the companies are clearly considered fair game for the Antitrust Division of the Justice Department under the new decision.

The legal technicalities involved are many, and this is not the place to debate them. What appears unarguable to us is that the Supreme Court, charged with defending the rudiments of American freedom, has lost sight of the forest for the trees. For the nation to have a free press it must first have a press, operating in as competitive a manner as possible. As we read the record in Tucson the newspapers were operating as competitively as they could in the economic stringencies—and certainly to the far greater benefit of the reader than if a single newspaper had monopolized the field—an arrangement that would evidently have been blessed by the court.

The ruling that the failing company must have proved that it tried its best to sell to a noncompetitor strikes us are having no validity whatever. There is simply no market for a failing newspaper except with a competitor. The whole bleak story of the diminishing field of daily newspapers in the United States make it abundantly clear that to seek an "outside," noncompetitive buyer for an economically troubled newspaper would be to seek a needle in a haystack. We were accordingly pleased to note that Justice Stewart dissented from this finding.

But the real remedy lies in legislation. The body that wrote the antitrust laws has the authority to make certain they serve only good purposes.

Various measures have been introduced in Congress in recent years to accomplish this purpose regarding joint newspaper operations. The most recent and best of these is Senate Bill 1520 (identical with House Resolution 8765) specifically exempting from the antitrust laws "certain combinations and arrangements necessary for the survival of failing newspapers."

Citing the public interest "of maintaining the historic independence of the newspaper press in all parts of the United States," the measure declares public policy to be "to preserve the publication of newspapers" wherever "a joint operating arrangement has been or may be entered into because of economic distress."

The measure would have no bearing in any case of "predatory pricing . . . practice . . . or other conduct . . . which would be unlawful if engaged in by a single entity." In short it would provide no special privilege for newspapers. But it would enable two competing editorial departments to survive and serve a community on the basis of shared business and production facilities, and it would commute the death sentences of any newspapers already condemned under the Supreme Court ruling.

In urging Congress to adopt this legislation, The Daily News speaks as a party not operating under any such arrangements as affected by The Supreme Court decision. We speak simply as a member of the free press, concerned for the continuing exercise of that freedom.

[From the Chicago Sun-Times]

To Preserve Editorial Competition

The federal antitrust laws were intended to prevent the growth of business monopolies that would take away from the public the benefits of healthy competition in the market place.

It is ironic that in the application of rigid interpretations of the law to the newspaper industry, the U.S. Supreme Court recently brought closer the day when the public would lose the benefit of competing newspaper voices in those few cities where they remain.

Unless Congress takes action those communities inevitably must wind up with but one daily newspaper—one enterprise with no competition either for business or editorial expression.

The court opinion does not affect the newspaper situation in Chicago where two strong independent corporations compete, each with two newspapers morning and afternoon. Rather, our concern is with those other communities where two independent voices still are maintained but only because they have combined their financial operations.

There are 22 such communities, including San Francisco, Honolulu, Pittsburgh, Salt Lake City, Miami, Tulsa and Shreveport, La. In each city the two independent newspaper publishers print in one plant and pool their profits from circulation and advertising.

Such arrangements have generally been considered exempt from the antitrust law under the so-called "failing company" doctrine. This offers a defense for corporate consolidations that would ordinarily violate the anti-trust law if it can be proved that without the merger, one of the companies would have gone under and there would be no competition anyway.

In a case involving the two newspapers in Tucson, Ariz., and going back to an arrangement made in 1940, the court ruled the pooling of circulation and advertising revenue could not take place unless it were shown that the dominant company that in effect took over the failing company was the only available purchaser.

The hard economic facts are these:

There are virtually no available purchasers for failing newspapers except their own competitors. The tremendous costs of organizing and operating a metropolitan paper make new entries into the field virtually nonexistent. In 1,510 cities there is now only one daily. In 168 cities, one owner publishes two dailies as a morning-evening combination. Only 37 cities remain in which two newspapers are published by separate commercial operations in separate plants. Even these, no doubt, some time may be forced to enter into the arrangements made in Tucson and the 21 other cities if two editorially independent newspapers are to be preserved in all but the biggest metropolitan areas, like Chicago.

Sen. Daniel Ken Inouye (D-Hawaii) has introduced a bill (S 1520) which would preserve competition in news and editorial voices in cities where such competition remains. It would not exempt newspapers from the general provisions of the antitrust act with regard to predatory pricing and other practices outlawed to protect customers, advertisers or competitors. But it would recognize the unique character of the newspaper business today in which the joint operating technique cannot harm or keep out competitors because competition is shrinking out of existence.

The antitrust acts were never intended to drive newspapers out of existence, as the Supreme Court's rigid application of them will do. It was never intended to take away from the public healthy competing voices of American journalism.

To preserve those remaining independent newspapers we urge Congressmen to support S 1520. They will be acting in the spirit of the Constitution's pledge that freedom of the press for the benefit of the people be maintained.

Mrs. GREEN of Oregon. Mr. Chairman, few things in our modern society can be more important than the preservation of differing viewpoints. Americans cherish the right to speak their minds, and by reasoned discourse, to change the minds of others.

American newspapers are the greatest vehicle for this impinging of fact upon fact and reason upon reason, but because of the economics of newspaper publishing there has been a steady decline in the number of independent competing papers, and as a result a decline of independent competing additional viewpoints.

According to studies made by the House Committee on the Judiciary of the 1,500 American cities with daily newspapers, 85.6 percent were one-newspaper towns, and over 95 percent of these communities were served by papers under a single ownership.

The bill before us today, H.R. 279, would preserve the efforts made in 22 cities to keep competitive American journalism flourishing.

It would also save editorial competition from certain death in those instances where a newspaper is failing financially by permitting it to enter into a joint newspaper operation agreement with one or more other papers. Under such an arrangement only the business end of the paper is joined; the editing and reporting functions remain free and separate.

Passage of this bill is essential because the 22 papers which currently operate under a joint agreement are technically in violation of the Sherman Antitrust Act, although their joint ventures have come about as a result of their fierce determination to provide independent editorial voices to their reading public.

It is ironic that if any of the economically distressed papers had not felt so strongly about its editorial and reportorial responsibilities it could have easily sold out to its competitor and the resulting monopoly ownership would not have been in violation of the antitrust laws.

I include at this point in the RECORD letters from two journalists, for whom I have great respect, and who argue persuasively that the public interest will be better served if this legislation is enacted:

THE OREGONIAN,
Portland, Oreg., February 25, 1969.

Representative EDITH GREEN,
House Office Building,
Washington, D.C.

DEAR MRS. GREEN: Have endeavored to reach you by telephone today to discuss legislation in which our people are interested. Lacking contact, I shall outline briefly our observations on the subject.

We are sure that you are familiar with the plan for joint mechanical, advertising and circulation operations by newspapers in 22 cities. These arrangements affect 44 newspapers. While affording important and necessary savings in operating costs, the arrangements have enabled these newspapers to maintain independent editorial and news voices in these cities.

The Anti-trust Division of the Justice Department brought an action against such a joint operation in Tucson, and the court held that the arrangement was a per se violation of the anti-trust laws, although it had been in existence since 1940.

The anomoly in the law is that, had the newspapers completely merged, there would have been no violation. But, by trying to maintain competitive news and editorial departments, the court found that there was. The case is on appeal.

Anticipating the possible attack on similar arrangements in many cities, and the fact that such an attack may force many of these newspapers out of business and destroy their competing editorial voices, legislation was introduced last session to clarify and correct this situation. After full hearings the legislation was finally amended to H.R. 19123 and S. 1312. The Senate Anti-trust and Monopoly subcommittee reported favorably in the last days of the session. The House subcommittee did not complete action before adjournment. New legislation identical to the above is being introduced. Representative Edmondson of Oklahoma will serve as principal sponsor in the House and Senator Inouye in the Senate.

It is hoped that not less than 25 co-sponsors will add names to the bill. We would be very pleased if you were one of them. I am sending you a brief commentary on the bill. Morris J. Levin, a Washington attorney, is assisting on the legislation. If you desire, he would be pleased to discuss the matter with you.

The Anti-trust laws were enacted to preserve competition in the public interest yet the present litigation, in the absence of corrective legislation, could serve to destroy the competitive news and editorial voices of many newspapers.

Sincerely,

ROBERT C. NOTSON.

CASTLE & COOKE, INC.,
Honolulu, Hawaii, May 12, 1969.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.

DEAR MRS. GREEN: I seldom write letters to Hawaii's congressmen, let alone those of other states. But there is legislation soon to come before both houses that is of considerable concern to Honolulu's morning newspaper and, in turn, to a city that knows how well it serves the community.

I am referring to the Newspaper Preservation Bills. A recent Supreme Court ruling in the Tucson newspaper case would seem to pose a threat to the future of the Honolulu Advertiser. An ailing newspaper a few years ago, the Advertiser merged its commercial functions with those of the afternoon Honolulu Star-Bulletin, yet maintained a

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completely independent newsroom operation.

The arrangement has been highly successful. There's no question that it saved the independent life of the Advertiser.

But, best of all, the community is now reading two vastly improved newspapers. Both papers, thanks to savings in operations, have put new money into editorial content. News staffs have remained fiercely competitive. Better salaries and working conditions have attracted more competent reporters. Better wire services, better interpretive writing, better picture coverage, better everything has resulted.

As a former newspaperman of 20 years experience, I believe I am qualified to say that these papers have improved 100 percent since they created an agency system. There is no question that the ability to merge mechanically, circulation and advertising functions made improved editorial operations possible.

Now this would appear to be threatened by the court's decision. The irony of all this is that, if the papers had fully merged (and this likely would have swallowed up the Advertiser entirely), it would have been legal under the Sherman act. It is partial merger that has been ruled illegal.

The Newspaper Preservation Bills (S–1520 and HR–8765) provide that when a going-under newspaper merges its commercial but not its editorial functions with a stronger paper, the result will be treated under law as if it were a full merger.

I assure you that the Honolulu community has never been better served by its major newspapers than since this partial merger. To change the arrangement could only weaken one editorial voice—and might destroy it entirely.

I can only speak as a witness in Hawaii, but I suspect a similar situation exists in 21 other U.S. cities where like arrangements have been made.

I believe your support of this legislation will be in the best interests of journalism in this country. It is so much better to have two voices—rather than one—in a community.

Sincerely,

DAVID W. EYRE.

Mr. STRATTON. Mr. Chairman, I rise in support of H.R. 279, the Newspaper Preservation Act, a piece of legislation which I have joined in cosponsoring under my own name as H.R. 10511.

The purpose of this legislation is very simple and very forthright; namely, to preserve separate editorial positions and presentation of the news in communities where the completely separated printing and publication of several modern newspapers is no longer financially possible. Indirectly, if not directly, this is the situation which exists in the capital district area of New York State, a part of which I have the honor to represent, and it is a situation that also exists in many other areas of our country.

Because of the pressure of competition from other media and the severe rise in production costs, many newspapers have faced financial collapse and many cities today are served by only one daily newspaper. In fact the number of cities so affected has increased from 509 in 1910 to 1,284 in 1968, and only 45 cities in the country have two or more commercially competing dailies.

In such circumstances it has developed that the only possible way to provide for separate editorial competition in a community is for two papers to undertake joint operation rather than trying to continue to maintain separate facilities for producing, publishing, distribution, and advertising solicitation. However, this arrangement, which is the only practical way to maintain a measure of editorial competition in many communities, and is presently in operation in 22 communities, has recently come under a legal cloud as far as the operation of the Federal antitrust laws are concerned in the Supreme Court decision handed down in Citizen Publishing Co. against the United States in late 1969. The decision in the Citizen Publishing Co. case left it clearly to Congress to resolve the policy question thrust upon us by the Court's narrow interpretation of the antitrust laws.

The Newspaper Preservation Act which is before us today decides this question by placing Congress on the side of preserving a free press rather than stressing the technical sanctity of a narrow reading of the antitrust legislation. Specifically it makes a joint operating agreement in the case of a newspaper, which is clearly facing economic collapse, possible without being in violation of the antitrust laws. Failure to enact this legislation would mean the death of at least 22 newspapers in 22 American cities where such joint operating agreements are now in effect to preserve editorial competition while combining publication and distribution facilities, and it could also create problems for other communities, such as Albany and Schenectady, where a somewhat different legal arrangement for carrying out these cooperative arrangements now exists.

I believe that the interests of the people in all of these areas affected, and the freedom of expression and freedom of the press which are involved, dictate the prompt enactment of H.R. 279.

Mr. HOGAN. Mr. Chairman, as one of the many cosponsors of the Newspaper Preservation Act, I would like to express to the Members my personal conviction that this legislation offers an opportunity for the Congress to remedy a situation which might otherwise do irreparable damage.

We are all aware of the declining number of metropolitan newspapers in the United States, and of the accompanying loss of separate editorial voices. Though we wish it were otherwise, the death of a newspaper today does not lead to the institution of a new newspaper in its place, but results only in a void which is never adequately filled. I am told that the economics of newspaper publishing have undergone tremendous changes—including great increases in the costs of newsprint and labor, and increased competition for advertising revenue from other media, such as television, radio, regional magazines, and shoppers papers. Because of these increases in costs and in competition, we have apparently reached a point in time where most cities cannot economically support two commercially competing newspapers.

Today there are only 217 cities in the United States which have more than one daily newspaper. In 150 of these cities, the morning and evening newspapers are owned by one person. Of the 67 remaining, there is total competition—commercial and editorial—in 45 cities, and the other 22 have some form of joint operating arrangement which provides for editorial and news competition, while eliminating commercial competition.

The intent and purpose of the newspaper preservation bill is to insure that the editorial and news competition in the 22 cities with joint operating arrangements will not be destroyed by forcing the newspapers in these cities to revert to commercial competition. The bill would also provide a means of saving editorial and news competition in one or more of the 45 cities where there is now commercial and editorial competition, but where one or more of the papers may become a failing newspaper. The bill would have no effect upon the 150 cities which have one owner of morning and evening newspapers. To the contrary, this bill would treat the 22 cities with joint operating arrangements in the same manner as is now the case in the 150 cities with one-owner operations.

The Founding Fathers of this Republic were cognizant of the importance of freedom of expression and the need for diversity of opinion in order to shape and sustain our form of government. In the first amendment to the Constitution of the United States they prohibited any governmental interference with the freedom of the press. But, neither the framers of the Constitution nor this Congress can legislate a means of maintaining diversity of opinion where the economics of publishing a newspaper dictate its demise.

In 1933, two conscientious publishers in Albuquerque, N. Mex., thought they had found a means of maintaining two editorially competing newspapers, although the city could not support both newspapers commercially. They entered into the first joint operating arrangement—a merger of the commercial aspects of publishing the two papers, while providing for continued news and editorial competition. This arrangement in Albuquerque was successful, and its example has been followed in 21 other cities, where otherwise only one newspaper could survive. In each of these 22 cities, commercial competition between the papers ended, but the public was still offered two different points of view.

The existence of these arrangements was known to the Congress and the Department of Justice. Apparently there was no question as to their legality. Then, in 1965, the Antitrust Division of the Department of Justice moved against a joint operating arrangement in Tucson which had been in existence since 1940. The court in Tucson, since affirmed by the U.S. Supreme Court, has found that these arrangements violate the antitrust laws. The Justice Department has announced that Tucson is the test case, and its results will affect each of the other cities with like arrangements.

In introducing and supporting the newspaper preservation bill, I am not condemning the Justice Department or the courts, for they have followed the antitrust laws in a literal manner. I do urge the Congress to now amend the antitrust laws so that their original intent—to preserve competition—will be followed, by providing for the maintenance of the only competition now available—competition in news coverage and editorial comment.

By treating a joint operating arrangement as a commercial merger, and thus on a par with the 150 one-owner cities, the Congress will help preserve competition in the marketplace of ideas.

This is not to say that we do not desire commercial competition where it now exists. We do and should encourage it wherever it is economically feasible. Fortunately, in Washington and in Baltimore there is commercial and editorial competition. So far as I know, the daily newspapers in these cities do not need or desire the relief which would be provided by this bill. But in the 22 cities where joint operating arrangements now exist, and where there is no commercial competition between the papers, the existence of editorial competition is dependent upon passage of the newspaper preservation bill.

We must consider the alternatives available, and it is my firm belief that the preservation of diverse editorial voices, as provided by this legislation, is in the public interest.

Mr. **BUTTON**. Mr. Chairman, the Newspaper Preservation Act now before this body is an important piece of legislation that demands our wholehearted support. At stake, quite realistically, is the whole issue of a free and responsible press.

We know already, from testimony heard before the Judiciary Committee, that a failure to enact this legislation will cost us separate editorial voices in 22 cities where joint operating agreements already exist. In these 22 cities, two separate newspapers operate only because the high costs of production have been minimized through the joint agreements.

One printing plant produces both papers, and in some cases, one advertising sales force serves both papers. The important thing, however, is that the newspapers maintain separate editorial voices that are unaffected by the joint operation agreement.

Citizens in these cities benefit with the airing of public opinion from two viewpoints. Two independent voices represent their important interests. And while the cost of losing this free and separate press in 22 cities is high, the ultimate cost—if we fail to pass this legislation—is even greater.

Newspapers in other cities are facing rising production costs that could spell the end for many more competing newspapers in this country. A look at the record does not inspire confidence should we fail to act. In 1920 there were 550 cities in this country with competing daily newspapers. By 1945, the number had dropped to 117 cities. Today, only 59 cities enjoy a competing press.

By failing to approve this bill, we will lower that number to 37 cities. More than that, however, we will be seriously jeopardizing this Nation's free press, for other newspapers in other cities find themselves in similar financial difficulties.

The action of the Supreme Court in the Citizen Publishing Co. case in Tucson could well spell the end for the competing daily. As one who has spent a good part of his life in newspapers as a reporter and editor, I am both sorrowed and shocked at the prospect. I cannot imagine the catastrophic results, should all the urban centers of this Nation be reduced to the poverty of only one newspaper voice.

Many factors have contributed to this precarious vulnerability on the part of our Nation's press. Perhaps the chief factor has been part and parcel of our own technological revolution with television coming into its own at the same time newspaper's traditional audience, the city dwellers, have moved further and further away from the urban centers. The logistics of moving newspapers over greater and greater distances have been a major factor leading to this situation.

As former executive editor of the Albany Times-Union in my own State of New York, I knew only too well the huge costs involved in putting out a good newspaper. By being joined for the past decade with the Albany Knickerbocker News, it is possible for both papers to produce a fine journalistic product that provides a substantial forum for the people.

The experience of the Honolulu newspapers with a joint operating agreement has proven so successful that my colleagues from Hawaii have received the enthusiastic endorsement of business, labor, and government leaders, who all have urged adoption of this act.

I think it necessary to point out to critics of this bill that the provisions are very circumspect with regard to maintaining an independent editorial voice. The bill provides for joint operating agreements that cover production, advertising, circulation, and general business practices, but does not exempt from antitrust action any other practices like predatory pricing.

And, as a further precaution, the bill provides that any future joint operating agreements must be submitted to the Attorney General's Office, thus preserving the integrity of independent newspapers who may fear pirating from large operations.

I enthusiastically urge the adoption of this bill—which has received a great deal of support in the newspaper profession—to preserve our Nation's free and independent press.

Mr. **McCLOSKEY**. Mr. Chairman, I vote for the Newspaper Preservation Act today with mixed emotions. Two competing principles are involved, both of which have considerable merit. On the one hand, we seek to preserve a free press with as much encouragement as possible for the preservation of competing editorial voices. On the other hand, we have long recognized that fair competition in our economic system requires prohibition of agreements in restraints of trade.

The press is not merely a voice for news and editorial opinion; newspapers are also commercial businesses. Like public utilities, they are sui generis and it is a close question as to whether we should give priority to independent editorial comment or to strict application of the antitrust laws. In deciding this issue, I have reached the conclusion that the benefits of preserving independent editorial comment outweigh the drawbacks. I reach this conclusion by reason of the following facts:

During the 30-year period from 1930 to 1960, the number of urban areas of population of 2,500 or more, with a total population of 60 million, increased from 3,165 to 5,022 in number, with a total population of over 113 million. During the same period of time, however, those areas which had competing ownership in at least two newspapers dwindled from 288 to 61.

By 1968, the total number of urban areas with competing newspapers had been further reduced to 45, with 22 additional cities compelled to have separately owned papers operating under some form of joint operating agreement.

Underlying this trend toward fewer local dailies have been the economies inherent in large-scale business enterprise, not unique to the newspaper business. Capital expenditures have rapidly increased and wages have trebled since World War II. This has benefited the larger newspapers and permitted them to offer lower advertising rates as their circulations increased. Since advertising provides nearly 70 percent of total revenues in the newspaper business, smaller newspapers have been forced to economize by cutting back on news reporting and editorial comment. A spiraling effect has resulted, whereby smaller circulation has led to further cutbacks, with further decrease in circulation. Thus, when one urban newspaper has begun to lose its circulation to a competitor, the successful paper has been able to cut its advertising rates as well. Once a major newspaper begins to successfully outstrip its competition, the result is to speed up rather than slow down the demise of the less-successful paper.

The evidence adduced in the committee hearings also reflects that once a daily newspaper dies in a multiownership city, its place is not taken by new competitors. There has been no successful daily paper of general circulation established in any city of over 200,000 population since 1941.

Prior to the Tucson decision last year, 44 competing newspapers in 22 separate cities had managed to preserve competing editorials voices by combining their production and advertising operations. The Supreme Court held, and I believe properly so, that these joint operating arrangements were in violation of the antitrust laws.

It is clear that such arrangements permitted the two competing newspapers to substantially increase their advertising rates, a clear violation of the antitrust laws.

The question then arises as to whether or not such price fixing is justified by the preservation of competing editorial voices. In the San Francisco Bay area, for example, the San Francisco Chronicle and Examiner have operated under such an arrangement for several years,

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and we are faced squarely with the question as to whether or not the preservation of their independent editorial views justifies, in the San Francisco Bay area, the higher advertising costs to the public. I am satisfied, that had the joint operating agreement not been entered into in San Francisco, the Examiner would ultimately have gone out of business, leaving its competitor free to increase such advertising rates anyway. Likewise, I am not convinced that potential competitors for either the Chronicle or the Examiner would have been inhibited by competition against only the survivor of such competitors, rather than under the present circumstances where any new newspaper will have to compete two existing dailies.

For these reasons, then, I believe it appropriate to provide an exception to the antitrust laws to permit competing urban newspapers to operate under joint operating agreements in the manner set forth in the act. I feel that the problems involved in "the one-newspaper town" outweigh the single problem generated by granting the exception to this single type of business which plays so important a part in the Nation's search for truth.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Newspaper Preservation Act".

DECLARATION OF POLICY

SEC. 2. In the public interest of maintaining a newspaper press editorially and reportorially independent and competitive in all parts of the United States, it is hereby declared to be the public policy of the United States to preserve the publication of newspapers in any city, community, or metropolitan area where a joint operating arrangement has been heretofore entered into because of economic distress or is hereafter effected in accordance with the provisions of this Act.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "antitrust law" means the Federal Trade Commission Act and each statute defined by section 4 thereof (15 U.S.C. 44) as "Antitrust Acts" and all amendments to such Act and such statutes and any other Acts in pari materia.

(2) The term "joint newspaper operating arrangement" means any contract, agreement, joint venture (whether or not incorporated), or other arrangement entered into by two or more newspaper owners for the publication of two or more newspaper publications, pursuant to which joint or common production facilities are established or operated and joint or unified action is taken or agreed to be taken with respect to any one or more of the following: printing; time, method, and field of publication; allocation of production facilities; distribution; advertising solicitation; circulation solicitation; business department; establishment of advertising rates; establishment of circulation rates and revenue distribution: *Provided*, That there is no merger, combination, or amalgamation of editorial or reportorial staffs, and that editorial policies be independently determined.

(3) The term "newspaper owner" means any person who owns or controls directly, or indirectly through separate or subsidiary corporations, one or more newspaper publications.

(4) The term "newspaper publication" means a publication produced on newsprint paper which is published in one or more issues weekly (including as one publication any daily newspaper and any Sunday newspaper published by the same owner in the same city, community, or metropolitan area), and in which a substantial portion of the content is devoted to the dissemination of news and editorial opinion.

(5) The term "failing newspaper" means a newspaper publication which, regardless of its ownership or affiliations, is in probable danger of financial failure.

(6) The term "person" means any individual, and any partnership, corporation, association, or other legal entity existing under or authorized by the law of the United States, any State or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any foreign country.

ANTITRUST EXEMPTION

SEC. 4 (a) It shall not be unlawful under any antitrust law for any person to perform, enforce, renew, or amend any joint newspaper operating arrangement entered into prior to the effective date of this Act, if at the time at which such arrangement was first entered into, regardless of ownership or affiliations, not more than one of the newspaper publications involved in the performance of such arrangement was likely to remain or become a financially sound publication: *Provided*, That the terms of a renewal or amendment to a joint operating arrangement must be filed with the Department of Justice.

(b) It shall be unlawful for any person to enter into, perform, or enforce a joint operating arrangement, not already in effect, except with the prior written consent of the Attorney General of the United States. Prior to granting such approval, the Attorney General shall determine that not more than one of the newspaper publications involved in the arrangement is a publication other than a failing newspaper, and that approval of such arrangement would effectuate the policy and purpose of this Act.

(c) Nothing contained in this Act shall be construed to exempt from any antitrust law any predatory pricing, any predatory practice, or any other conduct in the otherwise lawful operations of a joint newspaper operating arrangement which would be unlawful under any antitrust law if engaged in by a single entity. Except as provided in this Act, no joint newspaper operating arrangement or any party thereto shall be exempt from any antitrust law.

PREVIOUS TRANSACTIONS

SEC. 5. (a) Notwithstanding any final judgment rendered in any action brought by the United States under which a joint operating arrangement has been held to be unlawful under any antitrust law, any party to such final judgment may reinstitute said joint newspaper operating arrangement to the extent permissible under section 4(a) hereof.

(b) The provisions of section 4 shall apply to the determination of any civil or criminal action pending in any district court of the United States on the date of enactment of this Act in which it is alleged that any such joint operating agreement is unlawful under any antitrust law.

SEPARABILITY PROVISION

SEC. 6. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of this Act, and the applicability of such provision to any other person or circumstance, shall not be affected thereby.

Mr. KASTENMEIER (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the substitute committee amendment be dispensed with and that it be printed in the RECORD and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDMENT OFFERED BY MR. JACOBS

Mr. JACOBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACOBS: Page 7, line 12, strike out "enforce, renew, or amend" and insert "enforce, or renew".

Mr. JACOBS. Mr. Chairman, the purpose of this amendment obviously is, on page 7, line 12, to strike the word "amend."

I can understand, although perhaps not agree with, because I have not made up my mind yet—I can understand the philosophy of this bill to create a kind of grandfather clause for these joint operating agreements that already exist. I can understand why the authors would want to permit "the performance" and "the enforcement" and even "the renewal" of these operating agreements. I cannot understand, however, why they would want to legalize "amendments" of those agreements with what appears by the language of section 4 to be a carte blanche right to amend in any way, and I presume to add as many successful newspaper companies around the country as they might desire, merely by filing with the Department of Justice the terms of the amendment. I think this is a creep-through loophole in the announced or expressed intent of this legislation.

If there is going to be any amendment or any new agreement under the heading of an amendment, I think it should be under the other provisions of the bill, which require the Attorney General's consent to make the change.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield to me?

Mr. JACOBS. I am happy to yield to the gentleman.

Mr. MACGREGOR. I wish to commend the gentleman for his amendment. I think the reasons he has given for offering the amendment make remarkably good sense. The adoption of the amendment would make this bill considerably less undesirable than it is in its present form. I am pleased to support the gentleman from Indiana and urge my colleagues to do likewise.

Mr. JACOBS. I thank the gentleman.

I repeat, Mr. Chairman, this amendment simply does nothing more than make the bill conform to the purpose of the bill "as advertised."

Mr. BOGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and members of the committee, I am quite certain that the distinguished chairman of the subcommittee as well as the distinguished gentleman from Hawaii will handle the

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merits of the amendment offered by my good friend from Indiana. I think on its face it would have a very bad effect on the purpose of this legislation.

Mr. Chairman, I rise in support of this bill. I do so largely because of the reasons stated this afternoon by the distinguished gentleman from Hawaii when he pointed out so succinctly that the purpose of this legislation is to end the trend toward newspaper monopoly, to end the trend of newspapers dying because of the fantastic costs of operating a newspaper, and to maintain, I think in some 22 cities, operations which have proved effective in keeping alive vital organs of public opinion.

Now, I see my good friend from Louisiana, my colleague (Mr. HÉBERT), standing there. When he was growing up—and he is just a year or two older than I am—there were at least three separately owned newspapers in the city of New Orleans, independently owned, but gradually they were combined until today there is only one newspaper publishing company in New Orleans, with a morning and an afternoon newspaper. The editorial policies of these newspapers are set freely and independently by the local management in New Orleans.

The point I make is that today the operation of a newspaper is frightfully expensive. I cannot name—and I doubt if anyone in this Chamber can name—a newspaper which has come into existence in the last 25 years and has been successful.

I remember that Marshall Field, who had more money than he could count, tried to start a newspaper in New York City, and despite the fact that he spent millions and millions of dollars, he finally had to give up.

In truth and in fact, what has happened is that everywhere newspapers have been going out of business. New York City is a good example—the biggest city in our country. Years ago there were a dozen newspapers in that city. Today I think there are three—there may be more when you count some of the suburban papers. However, the same thing can be said about almost every large city in this country.

This bill does not create monopolies. It does just exactly the opposite. It permits different enterprises under a totally different ownership, advocating entirely different editorial points of view, having an entirely different approach to the reporting of the news to be able to maintain themselves in one plant.

Now, we built a plant in New Orleans not very long ago and I think it cost something over $13 million or $14 million just for the plant alone.

Mr. Chairman, this bill is not a unique concept in our society. Many of us have argued here for a long time when we have considered matters like hospital legislation, the idea that if there were 10 hospitals in one community, each one of those hospitals had to have a kidney machine, each one of them had to have the most expensive and modern electronic devices and various accessory equipment and so forth. Well, what we have tried to do is to let these hospitals use this equipment collectively. That is what is involved in this legislation.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am glad to yield to my distinguished colleague.

Mr. HÉBERT. I want to say to my colleague that I certainly associate myself with the remarks he is making. I wish he would elaborate upon one situation he touched upon and that is the independence of editorial policy particularly relating to the papers in New Orleans, the Times Picayune and the States-Item.

Those papers have diametrically opposite views, and have independently supported those views, independent one from the other. I wish the gentleman from Louisiana would elaborate on that policy which I think is a healthy policy, and within the same building their spirit of competition is something that is very keen.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. BOGGS was allowed to proceed for 2 additional minutes.)

Mr. BOGGS. Mr. Chairman, I thank my colleagues for the additional time.

The gentleman from Louisiana has made a very significant point. These newspapers are owned by the same owner, yet they are completely independent editorially. Now, someone may say, "Well, this is only a game," but it is not. Their editorial staffs are competitive. The net result is that we have people writing editorials who have to be knowledgeable and who have to do research. And today I think that there has been a tremendous improvement in the quality of both of those newspapers because of that competition.

But the significant thing about this bill is that if we fail to act—I always like to look at alternatives—that if we fail to act, in my judgment, we are going to see the end, the death and the demise of some of the finest newspapers in the country. I have seen it happen since I came to Washington. When I first came there was the Washington Times-Herald, and it does not exist any more. I am told that Scripps-Howard is only able to maintain its fine newspaper because it is subsidized from profits made elsewhere.

So, Mr. Chairman, again I commend the committee and particularly the gentleman from Hawaii (Mr. MATSUNAGA) who has worked for this bill, who has shepherded it through the Committee on Rules, and who has shown not only knowledge of the newspaper business here this afternoon, but a keen appreciation of the antitrust laws of this country.

The Newspaper Preservation Act has been described—accurately, I believe—as a bill that chooses to preserve a free press rather than the technical sanctity of the Federal antitrust laws.

I believe that this bill is in concert with the spirit and purpose of the antitrust laws, specifically, to foster and encourage competition. What H.R. 279 proposes, is that divergent editorial voices and competition in news coverage be maintained. The basic theory of the bill is built on a reasonable extension of the long-established "failing company" doctrine.

The Supreme Court has recognized that a merger between two competitors, one of which is failing, can have no adverse impact on competition. Whether or not the merger occurs, the failing company would disappear as a competitive factor.

Unfortunately, since to qualify as a "failing company" a newspaper must be virtually on the verge of bankruptcy, the Court-created defense has been of little value to the newspapers. An owner with other resources whose newspaper has begun spiraling downward is more likely to seek merger with, or sell his assets to, another local newspaper, than he is to put good money after bad.

Ironically, the antitrust laws would permit a merger under these conditions. An agreement to share operating expenses and revenues, however, is a per se violation, despite the fact that the latter arrangement allows the preservation of multiple, independent editorial viewpoints.

The limited exemption proposed by H.R. 279 is certainly not without precedent. Over the years, Congress has made the judgment that in certain cases the national interest would best be served by exempting farmers cooperatives, fishermen, labor unions, banks, small businesses, professional sports and certain other groups from the general framework of antitrust enforcement. The national interest in preserving a free press, I believe, deserves no less a consideration.

Moreover, Mr. Chairman, the exemption proposed by this legislation is as narrow as possible. Any predatory practice or pricing by the joint arrangement is specifically prohibited.

However wistfully we might hope to the contrary, we must realize that the antitrust laws cannot create commercial competition where the market will simply not support two totally competing daily newspapers. If those laws are amended as H.R. 279 proposes, we can at least foster the competition of ideas embodied in separate news gathering staffs, separate editorial viewpoints and separate ownership.

I urge Members to vote for passage of H.R. 279.

Mr. KASTENMEIER. Mr. Chairman, I rise in opposition to the amendment.

Very briefly, Mr. Chairman, the word "amend" has to remain in the bill.

Mr. Chairman, the committee devoted considerable time to this, and decided it was absolutely necessary for the operation of those operations involved in such agreements to continue, to contain the word "amend." Newspapers do amend their agreements sometimes on an annual basis for the purpose of labor contracts and for many other operational reasons.

Both the subcommittee and the full committee considered this, and we determined that we would not require prior approval of the Attorney General to agree to such amendments because it would work a hardship on the papers that have enjoyed such agreements for

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years. Accordingly, we specifically included the word "amend" to refer to changes that might take place in the course of ordinary business operations.

On the other hand, the fear of the gentleman from Indiana has been relative to the addition of other newspapers to an existing joint operating agreement. I am convinced, as far as the committee is concerned, that we did not contemplate in the renewal of the mandatory process under section 4(a) the possibility that any agreement would be amended to add additional newspapers. This would be in our view something that would come under 4(b), and would be in the nature of a new joint operating arrangement for which prior approval of the Attorney General would be required.

Mr. MIKVA. Mr. Chairman, will the gentleman yield for a question?

Mr. KASTENMEIER. I yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Chairman, I would ask the gentleman from Wisconsin if I am correct that the present newspapers that are intended to be blanketed in under section (a), all involve operating agreements between two newspapers; is that correct?

Mr. KASTENMEIER. That is correct, assuming that the Sunday entity and the third-party entity are included——

Mr. MIKVA. And are treated as one.

Mr. KASTENMEIER. In the normal consideration of the word there are two papers involved.

Mr. MIKVA. Not more than two, is that correct?

Mr. KASTENMEIER. Not more than two; that is correct.

Mr. MIKVA. And is it correct that it was not the intention of the full committee to encompass by the word "amend" the possibility of adding additional newspapers under the grandfather clause; is that correct?

Mr. KASTENMEIER. The gentleman states the position of the committee correctly.

Mr. MIKVA. Subject to what happens on this amendment, I am reserving the right to offer another amendment that will clearly spell that out. It is my understanding from the committee hearings that it was intended to operate in that way.

Mr. KASTENMEIER. I think both the gentleman from Illinois and the gentleman from Indiana are doing a service in calling attention to this, what may be in the minds of some, an ambiguity. But nonetheless I must oppose the amendment because the word "amend" and the subsequent word "amendment" on line 19, page 7, is necessary for the ordinary operations of the newspapers involved.

Mr. JACOBS. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman.

Mr. JACOBS. The gentleman from Indiana understands the purpose of this language in the bill.

Amendment from time to time to arrangements are probably quite in order within the theory of this bill.

Would the gentleman agree to an amendment in the proper language that would leave in the word "amend" so that they could amend technically but also place a restriction that while amending under this carte blanche authority no other newspaper could be added to the arrangement?

Mr. KASTENMEIER. In the opinion of the gentleman from Wisconsin, that amendment is not necessary and I would certainly reserve the right to examine such an amendment to see if it might be acceptable.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman.

Mr. EDMONDSON. I concur with the gentleman from Wisconsin that the amendment that has been offered would be both mischievous and undesirable.

I think it would severely handicap the normal operations of newspapers to have this amendment placed in the bill.

On the other hand, it is my understanding of the position of the gentleman from Wisconsin that if it were intended to have a joint operating arrangement that brought in additional newspapers that those additional newspapers' operating arrangements would come under 4(b); is that not correct?

Mr. KASTENMEIER. That is correct.

Mr. EDMONDSON. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. JACOBS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Georgia: On page 5, line 17, after "Act," insert the following: "and require separate ownership of newspapers in any city, community or metropolitan area where the normal circulation areas are substantially identical."

On page 7, between lines 9 and 10, insert the following:

"(7) the term 'owner' means any individual, partnership, corporation, association or other legal entities who by virtue of simple or entangled financial structure exercises control over a newspaper.

"(8) 'normal circulation area' means any geographical area in which a daily or weekly newspaper dispenses more than 51 per centum of each issue of the paper."

On page 8, between lines 13 and 14 insert the following:

"(d) It shall be unlawful for any one owner to publish or offer for sale more than one daily or weekly newspaper in any one normal circulation area if the newspaper utilizes any subsidized class of U.S. mail for delivery of any of its papers anywhere or if the sale of any of the papers affect interstate commerce."

POINT OF ORDER

Mr. KASTENMEIER. Mr. Chairman, I make a point of order against the amendments.

The CHAIRMAN. The gentleman will state the point of order.

Mr. KASTENMEIER. Mr. Chairman, the amendments contemplate more than the bill as authorized by the Committee on Rules comes to us and encompasses. The bill is for the purpose of exempting from the antitrust laws certain joint newspaper operating arrangements.

As I understand the amendments, they would go beyond the joint newspaper operating arrangements and go to general or other ownership with respect to newspapers and, in addition thereto, make reference to the U.S. mail and other matters that are not germane to this bill.

The CHAIRMAN. Does the gentleman from Georgia (Mr. THOMPSON) desire to be heard on the point of order?

Mr. THOMPSON of Georgia. Yes, Mr. Chairman; I do.

The bill we have before us is a bill to amend the antitrust laws by providing certain exemptions to certain classes of newspapers engaged in joint operation. The amendments that I have offered would prohibit the joint operation of a newspaper where there is a single ownership. In substance, it provides an additional antitrust law. For that reason I feel it would be germane.

The CHAIRMAN. The Chair is ready to rule. The bill deals with a very narrow area of joint operation of newspapers in relation to the antitrust law. The gentleman's amendment obviously goes far beyond the matter covered in the bill and brings into consideration matters of the ownership of newspapers, which is not concerned in the bill. It also brings in the involvement of subsidized mail, not covered by this bill. Because it does go so far beyond the text of the bill, the Chair rules that the amendments are not germane and therefore sustains the point of order.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Georgia: On page 9 before line (1) add the following:

"SEC. 6. Notwithstanding anything to the contrary herein, antitrust exemptions provided by this act shall not apply to any joint operation unless separate advertising rates are published and no effort is made to require advertisers to advertise in more than one paper.

On line 2 change "Sec. 6." to "Sec. 7."

(Mr. THOMPSON of Georgia asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Chairman, the purpose of the amendment is very clearly stated in the amendment itself. It merely provides that if there is to be an antitrust exemption granted in the joint operation of newspapers, it shall apply only if there is no coercion by the owners to require an advertiser to advertise in both newspapers. In other words, they must publish separate advertising rates for each newspaper. If one is a morning paper and the other is an afternoon paper, they must publish the rate for the morning paper and the rate for the afternoon paper, and the joint operation may not coerce advertisers to advertise in both as opposed to one of the newspapers.

I submit that this is an amendment which is needed to the bill. If we are going to give special antitrust exemption, certainly we must look to the public interest. We must look to the interests of the individual advertiser, who may not want to advertise in both newspapers, but he may be forced to do so unless an amendment such as the one offered is adopted.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for a question?

Mr. THOMPSON of Georgia. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman says that the newspaper publishers should publish their rates for advertising. Would he mind describing to the House what he has in mind when he says that they shall be required to publish their rates? Will they have to publish the rates every day when they publish the newspaper, or does the gentleman think it would suffice if the rates they proposed to charge and do charge are available upon request to those who do advertise?

Mr. THOMPSON of Georgia. I would like to state to the gentleman that by publication I mean publication in the same manner in which they are now published, but as an individual rate. You would simply call the newspaper, and they must have on hand separate rates. If you would request them, you would be given a list of the separate rates. Obviously they could change as economic conditions change.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield further?

Mr. THOMPSON of Georgia. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman realizes that when newspapers engage in joint operations for economy's sake, there is some economy to advertising in what are called combination papers, does he not?

Mr. THOMPSON of Georgia. The gentleman's question is simply that possibly because of the making of one print, as opposed to two, to be published in both papers there may be a certain economy that can be taken into account in the rates. But the point I am making is that there must be separate rates for each paper. If one wishes to advertise in the two, there could be a rate for the two together.

Mr. WAGGONNER. I thank the gentleman.

Mr. WOLFF. Mr. Chairman, I take it the gentleman is familiar with the fact that there is published on a regular basis in a publication called standard rate and data advertising rates of newspapers throughout the country. As well, each newspaper publishes a rate card which is available to all advertisers. The gentleman's amendment specifically states he would not permit the newspaper to require advertising in both newspapers.

Mr. THOMPSON of Georgia. That is correct.

Mr. WOLFF. However, it also precludes the advertiser from getting the advantage of advertising in both newspapers at reduced combination rates.

Mr. THOMPSON of Georgia. Not at all. I certainly feel it does not preclude the advertiser from having the advantage, but the decision would be his as to whether he desires to advertise in the morning paper and in the afternoon paper or whether he desires to advertise in only one. In other words, it would eliminate coercion.

Mr. WOLFF. But the gentleman does not say "coercion," he says "require." But, in order to get a special discount rate the advertiser would be required to advertise in both newspapers, otherwise he would lose the opportunity of a joint reduced rate.

Mr. THOMPSON of Georgia. When one is required to advertise in both papers, I would say that is coercion.

Mr. WOLFF. When an advertiser could take advantage of lower if he advertised in both papers.

Mr. THOMPSON of Georgia. If one wants to advertise in only one paper, I would say he is being coerced to have to advertise in both, because there is no other avenue in which to advertise. It is all or nothing.

Mr. WOLFF. But if one advertises in both newspapers so that he can avail himself of a discount, the gentleman considers that coercion?

Mr. THOMPSON of Georgia. The point is this: Is the discount a true discount, or is the discount one to require advertising in both papers?

Mr. KASTENMEIER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will not take the full 5 minutes. I merely wish to suggest that the gentleman's amendment really repeals part of the bill establishing advertising rates. It was not part of the testimony before the committee that this is a problem.

I recognize the gentleman from Georgia suggested earlier he did have a problem in Atlanta. It is not a city that has members operating under a joint agreement. But I suggest the amendment is one which is absolutely unacceptable and extremely destructive. What it suggests is that no effort may be made to require advertisers to advertise in more than one paper. This is really undue interference with the normal practices followed by newspapers which have not been particularly complained about in our hearings.

I must respectfully suggest, Mr. Chairman, that the amendment would literally undo the bill or a major portion of the bill relating to advertising practices within these operating agreements, and it must be rejected.

I might indicate, as the gentleman from Oklahoma indicated earlier, that part of the reason for this is the economic efficiency for these newspapers. To destroy an essential ingredient in the joint operating agreement tends to destroy the whole purpose of the bill and the arrangements which have been working for so many years.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to my friend, the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, is it not true that under section 4(c) of the bill itself there is protection for advertisers against "any predatory pricing" which might be used by the two newspapers. Section 4(c) reads:

> Nothing contained in this Act shall be construed to exempt from any antitrust law any predatory pricing, any predatory practice, or any other conduct in the otherwise lawful operations of a joint newspaper operating arrangement which would be unlawful under any antitrust law if engaged in by a single entity.

That means, of course, that what the gentleman anticipates is already outlawed under section 4(c) and his amendment is totally unnecessary.

Mr. KASTENMEIER. The gentleman is correct. At this point in the RECORD I want to respond to request from Andrew J. Biemiller, AFL–CIO, to incorporate the position of his organization on this legislation:

AFL–CIO,
Washington, D.C., July 8, 1970.

Hon. ROBERT W. KASTENMEIER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: On July 8, 1970, the House of Representatives is scheduled to consider H.R. 279, the "Newspaper Preservation Act."

H.R. 279 is designed to legalize joint publishing arrangements between newspapers in Tucson, Arizona and 22 other cities. Although the stated purpose of the bill is to provide for diversity of news coverage and ideological viewpoint, this would be at the expense of a retroactive exemption from the antitrust laws' prohibitions against price-fixing, profit-pooling and market-splitting.

We do not believe that exemption from the antitrust laws is justifiable or necessary to achieve the objectives which joint operating arrangements seek to accomplish. The greatest economies result from merged printing and distribution facilities and the courts have found that this is not forbidden by the antitrust laws. Nor do we believe that the exemption is without danger to independence of news coverage and ideological viewpoint, as the sponsors of the legislation contend.

In October 1969 the 8th Constitutional Convention of the AFL–CIO adopted a resolution stating the opposition of the AFL–CIO to "enactment of the broad, unnecessary, unregulated and perpetual antitrust immunity of the newspaper preservation bill." This resolution confirmed a position taken two years earlier by the AFL–CIO on similar legislation. I am enclosing herewith a copy of the resolution adopted by the 8th Constitutional Convention in Atlantic City, New Jersey, on October 6, 1969.

I would appreciate it if you would make known to the members of the House of Representatives the strong objections of the AFL–CIO to H.R. 279 and the fact that we believe that this bill, which we believe to be a "newspaper enrichment bill", should be rejected by the House of Representatives.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

AFL–CIO RESOLUTION—NEWSPAPER ANTI-TRUST EXEMPTION

The U.S. Federal Courts, including the Supreme Court, have found the price-fixing, profit-pooling and market-splitting provisions of a joint publishing arrangement between two newspapers in Tucson, Arizona, to be in violation of the nation's antitrust laws and ordered the joint arrangement modified to eliminate those provisions.

The Supreme Court further ruled that the Tucson papers' anticompetitive operations could not be justified under the "Failing Company" doctrine since one of the papers was not "on the verge of going out of business, nor was there a serious probability" that one would "terminate its business and liquidate its assets" unless it joined with its competitor.

Newspaper publishers involved in joint publishing arrangements in Tucson and 22 other U.S. cities for more than two years have been attempting to persuade the Congress to grant them unregulated, retroactive and perpetual exemption from the antitrust laws' prohibitions against price-fixing, profit-pooling and market-splitting. (Bills to accomplish this now before Congress are S. 1520 and H.R. 279, titled the "Newspaper Preservation Act." Predecessor bills before the 90th Congress were S. 1312 and H.R. 7446, known as the "Failing Newspaper Act.")

These publishers also are asking Congress for a special definition of "Failing Company" as it applies to a newspaper: one which, "regardless of its ownership or affiliations, appears unlikely to remain or become a financially sound publication."

These same publishers in more than 30 days of hearings before the antitrust subcommittees of the Senate and House have failed to demonstrate that price-fixing, profit-pooling and market-splitting are vital to continued publication of more than one newspaper in the 23 cities in which joint publishing arrangements exist.

Jointly operating publishers in more candid days have stated, however, that the greatest economies of joint publishing are had from merged printing and distribution facilities, which, the Courts have pointed out, are not forbidden by the antitrust laws.

The stated purpose of the proposed antitrust exemption is to preserve diversity of news coverage and ideological viewpoint, but neither the bills now before Congress nor their predecessors carry any guarantee of such diversity.

Newspaper combinations involving such close community of economic interest as price-fixing and profit pooling have resulted largely in less diversity of news coverage and muted expressions of ideological differences, while virtually precluding establishment of newspapers which would provide true diversity and commercial competition.

The 1967 AFL–CIO Convention went on record during the 90th Congress "strongly opposing" enactment of S. 1312 and its companion bill H.R. 7446, known as the Failing Newspaper Act. Therefore, be it

RESOLVED: The 8th Constitutional Convention of the AFL–CIO opposes enactment of the broad, unnecessary, unregulated and perpetual antitrust immunity for the business practices of the newspaper industry embodied in the Newspaper Preservation bill, S. 1520 and H.R. 279.

And further, this Convention calls upon affiliates to use all means at their disposal to inform union members everywhere of the nature of this antitrust exemption continue to convey to Congress our opposition to passage of the measure.

Mr. MIKVA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think this amendment sort of summarizes the problems with this bill. Again I have to emphasize that under the Supreme Court decision—Citizen Publishing Company—which gave rise to this bill, all kinds of things were allowed. Even with that decision, it allowed specifically an optional, wholly-cost-justified advertising rate, to which my colleague, the gentleman from New York (Mr. WOLFF) referred and which he described.

We do not need this bill to provide that. The present law also allows an allocation of markets, joint printing, joint distribution, joint clerical and administrative staff.

What that decision did not allow is for a newspaper or a combination of newspapers to use a joint operating agreement as a club with which to hit advertisers over the head, to force them to take two when they wanted one, which is what the amendment seeks to cure; also the decision would not allow them to pool their profits.

The main thrust of this bill—and that is why it is true that the amendment would gut the bill—is to give those newspapers that were under joint operating agreements a complete pass under the antitrust laws.

Mr. Chairman, it is perfectly true that free enterprise and the free market become very hard to defend some times. It might well be that some newspapers might go under but for this bill, but I suggest to the members of the committee that is the price one pays for free enterprise.

Who better than the people should decide how many newspapers should serve a town? I am somehow not convinced that the Congress, acting in its infinite wisdom, is going to do a better job than the people themselves.

That is what is involved in this amendment.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MIKVA. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Is it not true under the present bill a joint owner may require, if a person is to advertise at all, that he advertise in both papers?

Mr. MIKVA. Under section (a) that is correct.

Mr. THOMPSON of Georgia. If the amendment is adopted then it would be prohibited, if they are to be antitrust exempt, to require advertising in both papers.

Mr. MIKVA. I would point out to my colleague that the purpose of this bill is to allow them to do what the gentleman is trying to preclude them from doing. That is why it is a gutting amendment. That is why, for example, the AFL-CIO has come out unequivocally against the bill. It is intended to do the very thing the amendment would prohibit.

I say to my colleague, if he is right, the best thing to do is to vote "no," which I intend to do.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield further?

Mr. MIKVA. I yield further to the gentleman from Georgia.

Mr. THOMPSON of Georgia. In the one area of the advertising, requiring someone to advertise something he does not want to advertise, I agree with the gentleman, but the joint publication and joint printing is something else.

Mr. MIKVA. That is all allowed without the bill. That is allowed under the present Supreme Court decision.

What the gentleman is doing is ameliorating this bill, so that instead of being 9 months pregnant, it will only be four and a half months pregnant. I am not sure that is a great service to the public.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my colleague from Illinois has raised a most cogent point on this particular amendment.

I should like to ask the sponsors of this legislation a question which disturbs me very much about this bill. I am concerned—deeply concerned about the financial plight of America's newspapers and I want to do everything possible to help them.

But, for years, from the very birth of this Republic, the American press has provided for us those safeguards and those protections that no constitution can provide in itself. It has provided those safeguards simply because it has been totally free and unfettered, responsible to no one but its readers and its responsibility to its highest traditions of independence.

I wonder if this will continue to be so among those newspapers which seek relief under paragraph (b), section 4, of this act which provides, on page 7:

> It shall be unlawful for any person to enter into, perform, or enforce a joint operating arrangement, not already in effect, except with the prior written consent of the Attorney General of the United States. Prior to granting such approval, the Attorney General shall determine that not more than one of the newspaper publications involved in the arrangement is a publication other than a failing newspaper, and that approval of such arrangement would effectuate the policy and purpose of this Act.

How free will these newspapers be when they seek relief under this section? How free will they be when they have to go hat in hand to get the consent of the Attorney General, when they have to make available to him all their books and records for him to examine under this section the things he must ascertain before he can grant approval? He can examine all their books and records, to see how much money they may have spent on the investigation of his own office, if such a need might have arisen at some earlier date.

How free will these newspapers be? Will they indeed be able to exercise complete and unfettered freedom, which we cherish so much in the press of this country, which is protected by the Constitution, when they have to be beholden to the Attorney General for his consent before they can seek relief under this act?

I would like one of the sponsors of the bill to comment on this.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. Yes. Of course.

Mr. KASTENMEIER. These papers will be free as they have always been. You know the economics of the newspaper industry throughout this country. There have been mergers.

Mr. PUCINSKI. But mergers did not require the consent of the Attorney General, nor did they have to turn over their books and records to the Attorney General for his scrutiny and approval. They did not have to go to him hat in hand and say "Here is our problem. We need your consent before we move forward."

Mr. KASTENMEIER. Any combination or indeed all of these 44 newspapers have some relationship to the Federal Government or the Attorney General.

Mr. PUCINSKI. Did they have to get his approval? Did any newspaper in this country that is free and cherishes its freedom have to be beholden to any agency of the Government?

Mr. KASTENMEIER. Your colleague has been referring to the Tucson case where apparently the newspaper there had to have the approval of the Attorney General and any judge of a court which may impose on it whatever it wishes. Is that a free newspaper?

Mr. PUCINSKI. How much confidence can the people of that community have in a newspaper and its editorial policies and contents when it is beholden to the Attorney General for this relief? Mr. Chairman, I know how desperately many papers need help in this country but I believe the conditions required by this act are too costly in freedom to make it worthy of support.

Mr. KASTENMEIER. Will the gentleman yield further?

Mr. PUCINSKI. Yes. Certainly.

Mr. KASTENMEIER. I will finally say only that the newspapers will be as free as they have always been because it is the people of this country who buy the newspapers and the businessmen who advertise in them and not the Attorney General.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. THOMPSON).

The amendment was rejected.

AMENDMENT OFFERED BY MR. JACOBS

Mr. JACOBS. Mr. Chairman, I offered an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACOBS; page 7, line 21 strike out the period and insert "and that the amendment does not add a newspaper publication or newspaper publications to such a management."

Mr. JACOBS. Mr. Chairman, this amendment, I think, meets the objection to my other amendment stated by the manager of the bill and hones it down from a shotgun approach to a rifle approach.

All this amendment does is to put in writing what the authors and the supporters of the bill say the intent of the bill is, namely, that if the existing arrangement is amended, it can be amended to streamline the operation and have a variety of corporate changes. But it cannot be amended to add new newspaper publications or a new newspaper publication to the "arrangement."

I ask the attention of the gentleman from Wisconsin and inquire as to whether he finds fault with this amendment.

Mr. KASTENMEIER. Will the gentleman please restate his amendment?

Mr. JACOBS. The amendment simply states that an existing newspaper arrangement which is given the grandfather clause under section 4 of the bill can be amended in any way except that it cannot be amended to add more newspapers to the arrangement, thereby requiring the addition of any new newspaper publications to be done under another section of the bill.

Mr. KASTENMEIER. Would my friend in the well allow the rereading of the amendment?

Mr. JACOBS. Surely.

Mr. KASTENMEIER. Mr. Chairman, I ask unanimous consent that the Clerk reread the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk reread the amendment.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield further?

Mr. JACOBS. I yield to the gentleman.

Mr. KASTENMEIER. May I inquire of the gentleman whether or not this would prevent the existing newspaper from assigning its interest to another newspaper?

Mr. JACOBS. It says a "newspaper publication." Therefore, it is the entity of the publication itself rather than the ownership.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Illinois.

Mr. RAILSBACK. It is your intention as I understand it to prevent any additional newspapers to be added. In other words, if there is a change in corporate identity that would not necessarily be involved if your amendment is adopted?

Mr. JACOBS. Not as I read the language of the amendment.

Mr. RAILSBACK. Mr. Chairman, if the gentleman will yield further, the gentleman does not want additional newspapers to be added?

Mr. JACOBS. My answer to the gentleman from Illinois is the language of the amendment and the previous statement of the gentleman from Wisconsin.

Mr. RAILSBACK. I think it is a reasonable amendment and I think I am speaking for the ranking minority member of the committee.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield further?

Mr. JACOBS. I yield further to the gentleman from Wisconsin.

Mr. KASTENMEIER. The language of the amendment might be acceptable if it provided that it would not bar, for example, two newspapers from operating a third newspaper in that city, and thereby giving more service to the people of that city. I see no particular objection to it. What the gentleman has in mind, as I understand the amendment, is to prevent the use of a joint operating agreement in one city from being applied to a different city?

Mr. JACOBS. The purpose is very simple. The carte blanche authority to amend the arrangement without any limitation whatsoever means authority to add every newspaper in the country if someone chooses to do so without having to secure permission from the Attorney General. I might say to my friend, the gentleman from Illinois (Mr. PUCINSKI), permission from the Attorney General is permission to violate the basic laws of the land as they stand today, the antitrust laws.

Mr. KASTENMEIER. If I may further inquire of the gentleman, if two owners within a city with a joint operating agreement had two newspapers, would your amendment prevent them from operating a third paper in that city?

Mr. JACOBS. I think so; to take a third paper in. The gentleman told me himself he believes that would be a new arrangement. Therefore, why should it not come under the provisions for a new arrangement?

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Illinois.

Mr. RAILSBACK. Right now is it not true we are giving certain privileged treatment to the existing joint operating arrangements? We are not requiring them to obtain approval. So what the gentleman is trying to do is to assure before any additional newspaper publications are involved that in addition they will have to obtain approval to become a legitimate joint operating arrangement?

Mr. JACOBS. Precisely.

Mr. RAILSBACK. Yes?

Mr. JACOBS. Precisely.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman.

Mr. KASTENMEIER. At the risk of belaboring the point would the gentleman further define the sort of situation that this amendment, if adopted, would prohibit? In other words, what sort of situation would the gentleman's amendment prohibit?

Mr. JACOBS. All right. You have two newspapers in a joint operating arrangement. Whether the third newspaper is in town, out of town, or out of State, it cannot be added under the guise of an amendment to the existing arrangement. If they want to amend and add a newspaper they must come under another section of the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. JACOBS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ECKHARDT

Mr. ECKHARDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ECKHARDT: On page 7, line 2, after "which" strike out the remainder of the line, and add on page 8 after the language on line 5 the following:

"In making such determination the Attorney General shall not consider a publication to be a failing newspaper if the company which owns or operates such publication is not itself in probable danger of financial failure. The term 'company which owns or operates such publication' shall for this purpose include:

"(1) any parent company or holding company which, in the opinion of the Attorney General based upon reasonable evidence, controls the corporation or business entity which owns or operates such publication, and

"(2) any corporation in which the publishing corporation, or the parent company or holding company which controls it, owns more than 50 per centum of the capital stock.

If either such parent company, holding company, or subsidiary company is not in probable danger of financial failure, the Attorney General shall not consider the publication to be a failing newspaper. The term 'company' as used in this section includes corporation, partnership, or other business entity and, where the business is operated by an individual without limitation of liability, the total business operations of the individual."

Mr. ECKHARDT (during the reading).

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Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **ECKHARDT**. Mr. Chairman, the language of this amendment has been supplied to the table on both sides and to certain other Members interested in the bill.

In discussion in general debate with the very able chairman of the subcommittee, whose views on this point I highly respect, he answered me with respect to whether or not a corporation owning a newspaper, which corporation was itself not failing, and which corporation owned a bank, hotels, mercantile establishments and the like, could get the benefits of this bill if, though the other businesses were making money, the newspaper was failing. He answered, "Yes."

It seems to me that this exemption should not be granted in that case.

Now, I have drawn this amendment extremely narrowly. It does not apply to the grandfather clause provision. So that 22 newspapers that already have this arrangement are not affected at all by this amendment.

This amendment takes away the incentive for a conglomerate, for instance, to milk its newspaper operations for the benefit of its other business operations.

Now, that is all it does. It provides that you must consider the newspaper together with the other business operations owned by the corporation that operates the newspaper, and you must consider it together with the holding company, or with all subsidiary companies in which the company owns as much as 50 percent of the stock.

Now, if the newspaper wants to avoid the disabilities of this amendment all the newspaper has to do is divest itself of the other holdings and operate solely as an independent corporation.

So let me point out that there are two situations which result in avoidance of coverage by this amendment:

If the joint operation is under the grandfather clause, it is not covered. If it is not under the grandfather clause and the newspaper is beginning to fail, but there are other holdings by the corporation, it may simply strip itself of the other holdings and operate wholly as a newspaper, and show that it is beginning to fail and come under the provisions of the bill.

Mr. **EDMONDSON**. Mr. Chairman, will the gentleman yield for a question?

Mr. **ECKHARDT**. I yield to the gentleman from Oklahoma.

Mr. **EDMONDSON**. Under the theory of the gentleman, what would be the situation if the holding company were losing on its other operations and yet running a profitable newspaper; would you look at the overall position of the holding company in that case, and hold that because there was an overall losing proposition that the newspaper as a part of that corporate operation should be entitled to come into a joint operating arrangement?

Mr. **ECKHARDT**. No. That would not be true under the bill without the amendment, because the bill without the amendment requires that the newspaper operation be failing.

Mr. **EDMONDSON**. The gentleman wants to treat the holding company which owns the newspaper as the actual entity, and ascertain financial soundness only in the case that that holding company is a profitmaking company in the other enterprises, and losing on the newspaper operation; is that right?

Mr. **ECKHARDT**. Let me say the reason why I suggest this amendment, and the reason it applies only to those companies that will later come under this bill, is that I do not want to create an incentive for the other business operations within a holding company system to milk the newspaper.

Mr. **EDMONDSON**. I thank the gentleman for yielding. I think his objective is very worthwhile. I would question its application in actual operation.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **KASTENMEIER**. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this operates, of course, among other things against any chain. If one newspaper in one city, for example, makes $500,000 and a newspaper in another city owned by the same company loses $250,000—it prevents that second paper from having any advantage under an agreement in the future.

I would say actually in the gentleman's hometown one of the chain papers, the Scripps-Howard paper went under, of course, as he well knows and was not able to reach a joint operating agreement with either of the other two papers.

I think it is unnecessary in the future to penalize these newspapers which increasingly are associated with other enterprises than just a newspaper itself.

For this reason, Mr. Chairman, I must reluctantly oppose this. I think it would work a tremendous burden on future business enterprises, a part of which is a failing newspaper.

Mr. **BROWN** of Ohio. Mr. Chairman, will the gentleman yield?

Mr. **KASTENMEIER**. I yield to the gentleman.

Mr. **BROWN** of Ohio. I think the gentleman has made the concession here that it is not the competition of ideas, but it is a question of money; is it not?

Mr. **KASTENMEIER**. It is the ability of a newspaper in a community to survive in the future by the possible application of this law.

The record is replete, for example, how some chains, the first chain of the Scripps-Howard and others have lost papers in cities. The chain should not have to in every respect lose money but for only one of the papers under the operation of the bill itself, and I do not contemplate that the act will be often resorted to by newspapers in the future. I think this is undue discrimination.

Mr. **BROWN** of Ohio. Certainly, if the interest is in maintaining the competition of ideas in a community, a chain would be happy to maintain a losing newspaper until it was necessary to go into this kind of arrangement.

I submit that the problem is money.

Mr. **McCULLOCH**. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I join with the gentleman from Wisconsin in his view of this amendment.

I think on several occasions today there has been heard a discussion of the situation in Columbus, Ohio, and I hasten to add in view of what was said here before that the Columbus area is not in my district. There is involved there the Dispatch Publishing Co. and the Scripps-Howard Citizen.

I am convinced that with this amendment Columbus would in due course wind up with one paper. We need two papers in that great metropolitan area, which is the capital of Ohio.

This amendment I regret was not submitted to us in committee or in the subcommittee, and I think it would do violence to the general thrust of this legislation.

Mr. Chairman, I hope the amendment will be defeated.

Mr. **GROSS**. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the debate this afternoon on the Failing Newspaper Preservation Act indicates one thing clearly, that the Committee on the Judiciary should give early consideration to a bill to provide for a lawyers' preservation act. What would we do without them?

Then, with the elections coming on this fall, it might give early attention to a congressional or congressmen's preservation act. Somewhere along the line, it ought to give attention to the poor old taxpayers, who get all too little consideration. There must be a taxpayers' preservation act. We do need them, and by the way I would suggest that the Committee on the Judiciary, since we are all going to be in need of their services, should certainly come forth with an undertakers' preservation act.

Mr. **EDWARDS** of California. Mr. Chairman, I move to strike the last word.

The **CHAIRMAN**. The gentleman from California is recognized.

Mr. **ECKHARDT**. Mr. Chairman, will the gentleman yield?

Mr. **EDWARDS** of California. I yield to the gentleman from Texas.

Mr. **ECKHARDT**. I should like briefly to answer the contentions by the able subcommittee chairman. Actually a chain of newspapers which now has an agreement for joint operation is not affected. So a chain of newspapers, like the Scripps-Howard papers, could continue to operate in places where they now have joint operations made legal under section 4(a) of the bill, because this amendment goes only to section (b) and not to section (a). Certainly we do not want to invite a chain to go into a new community for the purpose of failing. That is what this amendment would block. It would nevertheless permit a local newspaper which does ultimately fail in a given area to utilize the pooling provisions. Why should not the local newspaper have a little advantage over a chain that wants to enter into the practice of joint operations? The chain presumably knows what it is doing. It knows what the risks are. But the local newspaper, it

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seems to me, needs the protection of both sections (a) and (b).

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I would like to know whether under this amendment a newspaper that owned a very profitable television station—would the newspaper be able to enter into an arrangement for failing newspapers and still retain profits in the television station in the same community where there is apparently some dearth of competition of ideas?

Mr. ECKHARDT. No, it would not be permitted to enter such arrangement, but it could under the bill without the amendment if its newspaper operation were failing. And this proves the need for the amendment. For example, a newspaper may turn over its most profitable advertising to the other arm of its total operations, the television station, and then utilize the joint operation provision for its newspaper, though its total activities are extremely profitable.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ECKHARDT).

The question was taken; and on a division (demanded by Mr. ECKHARDT) there were—ayes 22, noes 71.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The substitute committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 279) to exempt from the antitrust laws certain joint newspaper operating arrangements, pursuant to House Resolution 1121, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MAC GREGOR

Mr. MACGREGOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MACGREGOR. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MACGREGOR moves to recommit the bill H.R. 279 to the Committee on the Judiciary.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. MACGREGOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 292, nays 87, answered "present" 2, not voting 50, as follows:

[Roll No. 206]

YEAS—292

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashley
Ayres
Beall, Md.
Belcher
Berry
Betts
Bevill
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Collins
Colmer
Conable
Corbett
Daniel, Va.
Daniels, N.J.
Davis, Ga.
de la Garza
Delaney
Dellenback
Dent
Derwinski
Dickinson
Diggs
Donohue
Dorn
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards, Ala.
Esch
Eshleman
Evins, Tenn.
Fallon
Fascell
Fish
Fisher
Flood
Flowers
Flynt
Ford, Gerald R.
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Griffiths
Grover
Gubser
Hagan
Halpern
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harsha
Harvey
Hastings
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Hogan
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
King
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Landrum
Latta
Leggett
Lloyd
Lowenstein
Lujan
Lukens
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McKneally
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Montgomery
Moorhead
Morgan
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Purcell
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Roe
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Ruppe
Ruth
St Germain
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Sebelius
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stephens
Stubblefield
Stuckey
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitehurst
Widnall
Williams
Wilson, Bob
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Yates
Yatron
Young
Zablocki
Zion

NAYS—87

Anderson, Calif.
Ashbrook
Barrett
Bennett
Biester
Brademas
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Burke, Fla.
Byrne, Pa.
Byrnes, Wis.
Celler
Chappell
Chisholm
Cleveland
Cohelan
Conte
Corman
Cowger
Crane
Culver
Cunningham
Davis, Wis.
Dennis
Dingell
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Erlenborn
Farbstein
Feighan
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Green, Pa.
Griffin
Gross
Gude
Haley
Hall
Hamilton
Harrington
Hathaway
Helstoski
Holifield
Hull
Jacobs
Keith
Koch
Landgrebe
Langen
Lennon
McClure
McFall
Macdonald, Mass.
MacGregor
Madden
Mikva
Monagan
Morse
Mosher
Moss
Nelsen
Nix
Pucinski
Quie
Rees
Rogers, Fla.
Rooney, N.Y.
Roth
Rousselot
Roybal
Ryan
Schmitz
Scott
Steiger, Wis.
Stokes
Thomson, Wis.
Wiggins
Winn
Wyman
Zwach

ANSWERED "PRESENT"—2

Evans, Colo.
Van Deerlin

NOT VOTING—50

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Baring
Bell, Calif.
Biaggi
Broomfield
Brown, Calif.
Caffery
Carey
Collier
Conyers
Coughlin
Cramer
Daddario
Dawson
Denney
Devine
Edwards, La.
Findley
Foreman
Hansen, Wash.
Hawkins
Kirwan
Long, La.
Long, Md.
McEwen
McMillan
Meskill
Morton
Nedzi
Nichols
Ottinger
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Rarick
Reifel
Rogers, Colo.
Saylor
Scheuer
Shipley
Sisk
Stratton
Sullivan
Weicker
Whitten
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Nedzi for, with Mr. Van Deerlin against.

Mrs. Sullivan for, with Mr. Ottinger against.

Mr. Baring for, with Mr. Brown of California against.

Mr. Podell for, with Mr. Conyers against.

Mr. Long of Louisiana for, with Mr. Shipley against.

Mr. Carey for, with Mr. Dawson against.

Mr. Stratton for, with Mr. Powell against.

Mr. Caffery for, with Mr. Hawkins against.

Mr. Devine for, with Mr. Collier against.

Mr. Long of Maryland for, with Mr. Kirwan against.

Until further notice:

Mr. Rarick with Mr. Foreman.

Mr. McMillan with Mr. Cramer.

Mr. Wilson, Charles H. with Mr. Meskill.

Mr. Sisk with Mr. Anderson of Illinois.

Mr. Biaggi with Mr. McEwen.

Mrs. Hansen of Washington with Mr. Andrews of North Dakota.

Mr. Daddario with Mr. Meskill.

Mr. Aspinall with Mr. Broomfield.

Mr. Rogers of Colorado with Mr. Denney.

Mr. Pepper with Mr. Bell of California.

Mr. Nichols with Mr. Morton.

Mr. Whitten with Mr. Findley.

Mr. Edwards of Louisiana with Mr. Reifel.

Mr. Pryor of Arkansas with Mr. Pollock.

Mr. Scheuer with Mr. Coughlin.

Mr. Saylor with Mr. Weicker.

Mr. VAN DEERLIN. Mr. Speaker, I have a live pair with the gentleman from Michigan (Mr. NEDZI). If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. MACDONALD changed his vote from "yea" to "nay."

Messrs. TUNNEY and McCARTHY changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1121, the Committee on the Judiciary is discharged from further consideration of the bill S. 1520.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. KASTENMEIER

Mr. KASTENMEIER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. KASTENMEIER: Strike out all after the enacting clause of S. 1520 and insert in lieu thereof the provisions of H.R. 279, as passed, as follows:

Section 1. This Act may be cited as the "Newspaper Preservation Act".

DECLARATION OF POLICY

SEC. 2. In the public interest of maintaining a newspaper press editorially and reportorially independent and competitive in all parts of the United States, it is hereby declared to be the public policy of the United States to preserve the publication of newspapers in any city, community, or metropolitan area where a joint operating arrangement has been heretofore entered into because of economic distress or is hereafter effected in accordance with the provisions of this Act.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "antitrust law" means the Federal Trade Commission Act and each statute defined by section 4 thereof (15 U.S.C. 44) as "Antitrust Acts" and all amendments to such Act and such statutes and any other Acts in pari materia.

(2) The term "joint newspaper operating arrangement" means any contract, agreement, joint venture (whether or not incorporated), or other arrangement entered into by two or more newspaper owners for the publication of two or more newspaper publications, pursuant to which joint or common production facilities are established or operated and joint or unified action is taken or agreed to be taken with respect to any one or more of the following: printing; time, method, and field of publication; allocation of production facilities; distribution; advertising solicitation; circulation solicitation; business department; establishment of advertising rates; establishment of circulation rates and revenue distribution: *Provided,* That there is no merger, combination, or amalgamation of editorial or reportorial staffs, and that editorial policies be independently determined.

(3) The term "newspaper owner" means any person who owns or controls directly, or indirectly through separate or subsidiary corporations, one or more newspaper publications.

(4) The term "newspaper publication" means a publication produced on newsprint paper which is published in one or more issues weekly (including as one publication any daily newspaper and any Sunday newspaper published by the same owner in the same city, community, or metropolitan area), and in which a substantial portion of the content is devoted to the dissemination of news and editorial opinion.

(5) The term "failing newspaper" means a newspaper publication which, regardless of its ownership or affiliations, is in probable danger of financial failure.

(6) The term "person" means any individual, and any partnership, corporation, association, or other legal entity existing under or authorized by the law of the United States, any State or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any foreign country.

ANTITRUST EXEMPTION

SEC. 4. (a) It shall not be unlawful under any antitrust law for any person to perform, enforce, renew, or amend any joint newspaper operating arrangement entered into prior to the effective date of this Act, if at the time at which such arrangement was first entered into, regardless of ownership or affiliations, not more than one of the newspaper publications involved in the performance of such arrangement was likely to remain or become a financially sound publication: *Provided,* That the terms of a renewal or amendment to a joint operating arrangement must be filed with the Department of Justice and that the amendment does not add a newspaper publication or newspaper publications to such arrangement.

(b) It shall be unlawful for any person to enter into, perform, or enforce a joint operating arrangement, not already in effect, except with the prior written consent of the Attorney General of the United States. Prior to granting such approval, the Attorney General shall determine that not more than one of the newspaper publications involved in the arrangement is a publication other than a failing newspaper, and that approval of such arrangement would effectuate the policy and purpose of this Act.

(c) Nothing contained in this Act shall be construed to exempt from any antitrust law any predatory pricing, any predatory practice, or any other conduct in the otherwise lawful operations of a joint newspaper operating arrangement which would be unlawful under any antitrust law if engaged in by a single entity. Except as provided in this Act, no joint newspaper operating arrangement or any party thereto shall be exempt from any antitrust law.

PREVIOUS TRANSACTIONS

SEC. 5. (a) Notwithstanding any final judgment rendered in any action brought by the United States under which a joint operating arrangement has been held to be unlawful under any antitrust law, any party to such final judgment may reinstitute said joint newspaper operating arrangement to the extent permissible under section 4(a) hereof.

(b) The provisions of section 4 shall apply to the determination of any civil or criminal action pending in any district court of the United States on the date of enactment of this Act in which it is alleged that any such joint operating agreement is unlawful under any antitrust law.

SEPARABILITY PROVISION

SEC. 6. If any provision of this Act is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of this Act, and the applicability of such provision to any other person or circumstance, shall not be affected thereby.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 279) was laid on the table.

GENERAL LEAVE

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time for the purpose of announcing the first and second order of business tomorrow.

Tomorrow, as the first order of business, the gentleman from Pennsylvania, the distinguished chairman of the Committee on Foreign Affairs, will seek to send to conference the bill H.R. 15628, the Foreign Military Sales Act, which will be followed, as the second order of business, by a request on the part of the gentleman from New York (Mr. DULSKI) to send the postal reorganization bill to conference.

These requests will be followed by the program previously announced.

Mr. MYERS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Indiana.

Mr. MYERS. Mr. Speaker, is it the intention of the majority leader to continue the program as announced, after these have been taken up?

Mr. ALBERT. The only other bill likely to come up is H.R. 16968, adjustment of Government contribution for Federal employee health benefits, from the Committee on Post Office and Civil Service.

Mr. MYERS. Mr. Speaker, I thank the gentleman from Oklahoma.

FLUE-CURED TOBACCO ALLOTMENT CHANGE

(Mr. HENDERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENDERSON. Mr. Speaker, I

have today introduced a bill which will permit Flue-Cured tobacco growers to sell or lease their tobacco allotment separate and apart from the land to some other grower within the same county.

This is a subject which has been discussed and considered in Congress for many years, but which has been bogged down in differences of opinion over how and to what extent sale or lease should be permitted.

At the present time, we permit lease but not sale, and lease is restricted to the county where the allotment is.

There are those who feel that sale should be limited to the county in which the tobacco is now situated. They point out with considerable logic that so much of the ad valorem tax base and so much of the economy of small rural counties in the Flue-Cured tobacco areas is tied directly to tobacco allotments within those counties, that to permit sales across county lines would create havoc.

Others argue that sales in adjoining counties should be permitted, but not in a wider area. It has been suggested that sales should be permitted anywhere in the States where the allotments are now located, while a few argue that unrestricted sales including sales across State lines should be permitted.

In the past, under the old acreage-allotment program, it was obvious that production could be increased by unrestricted sale by a grower in a heavy production area buying from a grower in a lighter production area, but under the present acreage-poundage allotment program, since the poundage is controlled, this is not a possibility.

XUM

The present lease program has gained wide acceptance. There are a large number of landowners who have allotments which are too small to lend themselves to an economical operating unit, and there are a number of energetic young farmers with land and equipment but limited allotments. By leasing allotments from owners who do not wish to farm their own land, and combining the lease allotments, the young farmer can and does have as many acres and pounds as he is able to handle.

The limited leasing program has definitely proved itself, but there is a strong sentiment among the growers in eastern North Carolina, at least, that they should now also be permitted to buy and sell allotments.

There are many people with small allotments who would like to get out of the tobacco business entirely, but who wish to retain their farmland. There are others who have allotments, who intend to stay in the occupation of growing tobacco, who would like to increase their permanent allotments, but who do not want or need to buy additional land.

I believe that the time has come to permit sale of Flue-Cured allotments—specifically on the limited within-county basis. The precedent of leasing within county has already been set and has worked well. My bill takes the next logical step.

It does not require a referendum, but the Secretary could seek a referendum if he chose to do so.

Finally, let me assure those who are concerned about the supposedly great evils and hazards of smoking and tobacco that this bill: first, would not cost the Federal Government anything except negligible administrative expense; second, would not increase the production of tobacco; and, third, would automatically reduce the number of persons now in the business of growing tobacco.

I am convinced that the growers want this legislation. I hope that all of my colleagues from the Flue-Cured areas will join me in cosponsoring this bill and that we can get prompt approval by the Congress.

RESOLUTION TO ESTABLISH JOINT CONGRESSIONAL COMMITTEE ON CLASSIFIED INFORMATION

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ADDABBO. Mr. Speaker, I am pleased to reintroduce today for myself and on behalf of 24 of our colleagues, House Joint Resolution 1131, to establish a Joint Congressional Committee on Classified Information. This legislation is intended to provide Congress with a means to monitor and screen the amount of information which is placed in the category of classified information and thereby kept from the public.

The following Members of the House have joined me in cosponsoring this measure: Mr. Brown of California, Mrs. Chisholm, Mr. Derwinski, Mr. William D. Ford, Mr. Fraser, Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Gibbons, Mr. Halpern, Mr. Harrington, Mrs. Mink, Mr. Nix, Mr. Pike, Mr. Rees, Mr. Riegle, Mr. Rodino, Mr. Rosenthal, Mr. Smith of New York, Mr. Stokes, Mr. Tiernan, Mr. Tunney, Mr. Wolff, Mr. Yates, and Mr. Meeds.

The power to classify information is too easily and too often abused. It is the responsibility of the Congress to monitor that power and protect the public's right to have the facts. I have attended many secret briefings which should have been public and I believe this bill will provide a way to cut down the number of secret briefings and the amount of classified information. This is the only way we can end the mistrust and lack of confidence in our Government and restore credibility in the decisionmaking processes which lead to our foreign policy.

The bill would create an 18-man joint committee to include the chairman and ranking members of the Armed Services, Foreign Affairs, and Defense Appropriation Subcommittees of the House and Senate together with three members appointed by the Speaker of the House and three members appointed by the President of the Senate.

I urge my colleagues in the House to review this proposed legislation and to join our effort to limit the use of classified information to the essential facts which relate to national security and to prevent the use of the power to classify as a political tool to avoid embarrassment by withholding facts which the public should know.

HOUSING SHORTAGE

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of California. Mr. Speaker, we are facing a housing crisis in our Nation. Our goal for the 1970's is to construct 25 million additional housing units, at a rate of 2.5 million new units a year. Our present level of new housing starts is a little above 1 million units.

Obviously, something is wrong and unless positive action is taken, the housing shortage may be disastrous by 1980.

A prime cause of the housing shortage is the administration's "tight money" policy. The administration must revise its policy in order to lower interest rates. In 1968, a person was able to obtain a conventional mortgage at 6½-percent interest. In May 1968, the monthly payment for principal and interest on a $25,000 home with a 30-year mortgage was about $156. Today a mortgage on a $25,000 home will cost 8½ percent or more and the monthly payment will be approximately $192 a month—$36 more a month just to pay the interest. In effect, the same home bought in 1970 will cost nearly $13,000 more than the home purchased in 1968.

No one is more aware of the lack of housing construction than the building tradesman. While our national unemployment rate is hovering around 5 percent, the rate of unemployment for the building tradesman is nearly 12 percent.

The record high interest rates also result in a higher property tax. Municipal bonds, sold by local governments to pay for sewer facilities, schools, and roads, are being sold at extremely high interest rates. Consequently, the property owner must pay for these rates with his property tax.

Mr. Speaker, interest rates must be rolled back to the 1968 level. If we continue the present policy, which has sent the entire homebuilding industry into one of its deepest depressions in history, we will face a crisis in which the housing needs of our citizens will not be met.

CRIMINALS RESTRICT OUR FREEDOMS—HOOVER

(Mr. DEVINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, in the July 1970, FBI Law Enforcement Bulletin, J. Edgar Hoover, the very able and talented director, submitted a message to all law enforcement officials, which should be digested by every Member of Congress, as well as the general public.

Congress can help if it would forget partisanship and get on with the business of enacting some of President Nixon's crime bills designed to aid law enforcement.

The message follows:

HOOVER'S MESSAGE

There is something distressing about free people having to restrict and alter their daily pursuits and activities because of brazen criminals.

Is it right that bus passengers in many metropolitan areas must always have the exact fare because busdrivers cannot carry money to make change without being robbed? Is it right that motorists in some cities must buy gasoline in amounts for which they have exact money, or use credit cards, to keep station attendants from being held up by thugs? Is it right that downtown merchants in some areas should lose their customers, and perhaps their businesses, because citizens are afraid to venture into crime-infested streets?

Let us face it. Are we, as a free society under the rule of law, shaping our own destiny, or are we being pushed and boxed in by those who defy the law and have no respect for the rights of others?

The truth of the matter is that more and more of our Nation's total energy and effort is needed to protect people against crime. For instance, more theft-prevention devices are being installed in new automobiles. More homes are being equipped with bigger and more complex door locks. Banks are taking action to reduce the amount of cash exposed to bank robbers. In some cities, police patrol school corridors and grounds to keep troublemakers from disrupting classes and assaulting students. The list goes on and on. We are attempting, in effect, to erect a protective barrier between society and the criminal. However, history dating back to Biblical times teaches us that high walls as such do not necessarily provide sanctuary. If we are to find relief from crime, we have to shore up our legal walls to prevent lawbreakers from slipping back and forth through loopholes to prey on the public and then hide behind legal sanctions to avoid just and adequate punishment. If we are to contain the spiraling crime rate and bring a higher degree of security back to the law-abiding citizens, then we must make justice swift and certain. In spite of what some courts and legal theorists may proclaim, justice is all-inclusive; it means justice for the victims and the public as well as for the accused.

Soon, we will have to stop granting concessions to marauding criminals and stop reshaping our lives to conditions thrust upon us by excessive crime. I am fully convinced that one of the most effective moves we could make to combat crime in the 1970's would be to speed up and improve our judicial processes so that the time element between a criminal violation and its disposition in court is sharply reduced. The old truism notwithstanding, it would appear that not all criminals and their attorneys today believe that "justice delayed" is "justice denied."

Let us stop reacting aimlessly to the pressing demands of the lawless. Rather, let us start applying the legal remedies and safeguards of the law which is meant to penalize those who break it, not those who abide by it.

FREE WORLD SHIPPING TO NORTH VIETNAM

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, the level of free world shipping to North Vietnam has continued to show a sharp decrease in 1970. The 6-month total this year lists 37 arrivals as compared to the 60 that occurred during the first half of 1969.

In addition, the number of countries involved has also dropped from six to three, with vessels under the registry of the United Kingdom, Somalia, and Malta the only ones engaged in this 1970 trade. Furthermore, fewer individual ships are taking part this year, with 19 vessels having made these 37 voyages while in the first 6 months of 1969 some 35 different vessels were responsible for the 60 arrivals.

While this is encouraging news, still the job is not finished. Of particular concern has been the reappearance of ships flying the Somali flag. Over a year ago, the State Department informed me that an agreement had been reached with the Somali Government that would remove all vessels under its registry from this traffic. As a result, during the last 6 months of 1969, no Somali vessels were reported in North Vietnamese ports. However, last October, following the assassination of President Shermarke and a coup d'etat, a new regime came into power in Somalia which reversed this policy with the result that Somali flag vessels have so far this year already made a total of 10 arrivals.

In view of this, I asked the State Department for a report particularly in light of the prohibition in the Foreign Assistance Act which denies U.S. aid to any country which permits vessels under its registry to trade with North Vietnam. The State Department has now advised me that the Somali Government has been notified of the termination of U.S. aid.

The attitude of the new Somali Government, while it is deeply regrettable, is consistent with a number of its other recent actions. On June 9, the Somali Foreign Minister, on the occasion of the establishment of diplomatic relations between North Vietnam and the Democratic Republic of Somalia, is reported as saying:

> I wish to express my country's support to the just struggle of the Vietnamese people against the United States' blatant aggression.

This statement was released at the same time that a Somali Government delegation was arriving in North Korea where they were welcomed with much fanfare and strong expressions of unity between the two countries.

Since these Somali ships are rented to Communist governments to carry Communist goods to North Vietnam, the Somali Government receives relative little in the way of direct economic benefit. Even so, it should be pointed out that they do, I am advised, receive Soviet aid and particularly military supplies. The new regime has chosen to resume this trade at the expense of losing some $1.9 million in U.S. economic assistance which could be of great help to the Somali people. No one wishes to stop such assistance where it is truly needed and appreciated. However, the Somali Government has left no alternative.

The major source of concern, continues to be the presence of vessels flying the British flag in North Vietnamese ports. Of the 37 free world arrivals so far this year 26 fall into this category. The level of this traffic is also down in comparison with the first 6 months of 1969 when there were 42 British flag arrivals. Nevertheless, although we have been told many times in the past that nothing could be done because these particular vessels are reportedly owned by Chinese Communist interests in Hong Kong, I have written the Secretary of State urging that he pursue this matter with the new British Government.

Again, Mr. Speaker, overall I am encouraged by the progress that has continued this year with respect to this problem and I urge the administration to persevere in its efforts in the hope that this free world traffic can be reduced even further.

Clearly, the hazards to the lives of our troops as well as the costs involved dictate that it is much better to prevent a shipload of supplies from reaching the enemy than it is to dig them out of the jungle as we have been doing in the sanctuaries of Cambodia. It is supplies that keep the war going. Without them, the enemy is in trouble. For this reason, we should not concede a single ship to Hanoi, particularly when it is so important that we demonstrate our firm determination to prod the North Vietnamese to negotiate an end to this war.

DEPARTMENT OF STATE,
Washington, D.C., June 25, 1970.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CHAMBERLAIN: The Secretary has asked me to reply to your letter dated June 9, 1970, expressing concern about the trade with North Vietnam of Somali-flag vessels.

As you noted in your letter, ships flying the Somali flag discontinued their trade with North Vietnam during the last half of 1969. This traffic was stopped through the vigorous efforts of our Embassy in Mogadiscio and the cooperation of the previous Somali Government. The regime that came into power following the coup d'etat in October 1969 permitted the trade to resume beginning in January 1970.

During the first five months of 1970 our mission in Somalia and the Department of State repeatedly attempted to persuade the Somali Government to end the prohibited trade with North Vietnam. These efforts were unsuccessful and Section 620(n) of the Foreign Assistance Act was therefore applied to our aid program in Somalia, effective June 1, 1970. With the approval of the Secretary of State, it was additionally decided to use Section 617 of the Foreign Assistance Act in order to wind up our aid projects in an orderly manner. We are currently negotiating with the Somali Government an orderly phaseout of the various projects, most of which will be ended in the next several months. Some of the AID personnel have already departed the country and more will be leaving in the near future.

If I can be of any further assistance in this or any other matter, please do not hesitate to let me know.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

FREE WORLD-FLAG SHIP ARRIVALS IN NORTH VIETNAM

	United Kingdom	Somali Republic	Cyprus	Singapore	Japan	Malta	Total
1969:							
January	8	2	1				11
February	6		1	2	1		10
March	6	1					7
April	7			1	1		9
May	9	1	1			1	12
June	6	2	2	1			11
July	6	1					7
August	4		2				6
September	4		1	1			6
October	4		1		1		6
November	7						7
December	7						7
Total	74	7	9	5	3	1	99
1970:							
January	2	1				1	4
February	5	1					6
March	3	1					4
April	7	2					9
May	6	3					9
June	3	2					5
Total	26	10	0	0	0	1	37

DR. HARRY W. MILLER HONORED ON 91ST BIRTHDAY—REPRESENTATIVE TAFT TO SUPPORT MEDAL OF FREEDOM FOR DR. MILLER

(Mr. TAFT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. TAFT. Mr. Speaker, on Sunday, July 5, I had the distinct honor and pleasure of attending a reception in West Milton, Ohio, celebrating Dr. Harry W. Miller's 91st birthday.

Along with my friend and colleague, Congressman WILLIAM MCCULLOCH, we joined with Dr. Miller's lifelong friends in saluting a truly great American.

Dr. Miller has spent his life serving mankind. Since 1903 he has worked as a medical missionary in China. He has served as a consulting physician to two U.S. Presidents, including my grandfather, President William Howard Taft.

I wish to express my wholehearted support for the resolution currently pending in Congress, recommending that Dr. Miller be awarded the Medal of Freedom. Few so richly deserve this tribute of a country.

The following articles from the Stillwater Valley Advertiser describe many of Dr. Miller's accomplishments. I commend the articles to my colleagues:

CELEBRATED MEDICAL MISSIONARY TO VISIT HIS HOME AREA IN JULY

(By Arlean Clifton)

WEST MILTON.—A 90-year-old Ludlow Falls native, Dr. Harry W. Miller, who has served as a medical missionary in China since 1903, is on furlough in the United States and plans to visit in the West Milton area early in July.

Dr. Miller revealed data for his impending visit to this area to Mrs. Arlean Clifton, local newspaper writer, in a telephone conversation recently. Negotiating the telephone call for the Stillwater Valley Advertiser, Mrs. Clifton talked with the doctor at Andrews University in Berien Springs, Mich., where he received an honorary doctorate degree and delivered the baccalaureate sermon during the university's graduation festivities.

It was through the efforts of Mrs. Clifton last year that Dr. Miller, born in a log cabin in Ludlow Falls, received an honor in the form of a Certificate of Commendation from Ohio's Governor, James A. Rhodes. Mrs. Clifton, who had researched and authored a story on Dr. Miller's incredible 66-year career as a medical missionary, wrote to Governor Rhodes suggesting some sort of recognition be accorded the doctor by the State of Ohio.

The Governor responded with the Commendation which contained an authentic Gold Seal of Ohio and satin purple ribbon swatches. The certificate was placed in a frame made of Ohio oak and subsequently presented to Dr. Miller in an official ceremony conducted by the United States Consul General in Hong Kong, China, where the doctor has been located in connection with the construction of a new hospital.

Another distinction came to Dr. Miller last summer from the office of the President of the United States. Mrs. Clifton also wrote a letter to the president briefing him on Dr. Miller's achievements. This brought a congratulatory letter to the doctor from Robert H. Finch, Secretary of Health, Education, and Welfare.

In addition to his work as a medical missionary, which has included doing surgery under very trying circumstances in those early years in China, Dr. Miller also has earned a reputation as a researcher and nutritionist.

He holds a patent from the United States government for development of soybean milk products. In his early years as a medical missionary, Dr. Miller pushed forth relentlessly to develop a nutritional food for starving babies in the Orient. The result was a U.S. government patent for his development of Soyalac, which is now widely used for American babies beset with allergies from consumption of cow's milk.

As a missionary of the Seventh Day Adventist Church, Dr. Miller has established more than 20 hospitals in China. He holds the Blue Star of China Award which he received in 1956 from Generalissimo Chiang Kai-shek. This award compares to the United States Congressional Medal of Honor.

As a physician Dr. Miller has treated both the Generalissimo and Madam Chiang. In past years he has served two U.S. presidents, Woodrow Wilson and William Howard Taft as a consulting physician, and the wife of President Warren G. Harding. He also had as one of his patients the celebrated orator, William Jennings Bryan.

While his path has crossed with those of the "high and the mighty," Dr. Miller's main dedication is for the more unfortunate which he has been able to serve for what has now turned into 67 years on the China mission field. The doctor is known in every area of China.

A number of years ago Dr. Miller was called home from his beloved missionary work in China to operate a sanatorium in Washington, D.C. for a period of time. During this point in his career he became renowned all over the world as a goiter specialist. Many persons in the West Milton area have been the beneficiaries of Dr. Miller's goiter surgery.

Dr. Miller will observe his 91st birthday on July 2, presumably about the time he will be visiting in the West Milton area. The doctor has expressed a desire to meet Governor Rhodes on his visit to see relatives and friends in this area, and it is hoped that plans can be accomplished to fulfill that wish of this incredible man who has touched the lives of so many.

Accompanying Dr. Miller on his furlough is his wife, Mary, an accomplished musician.

Relatives of Dr. Miller in this area include a number of first cousins, Clarence Ehlers, Miss Pearl Miller and Howard Wheelock, of West Milton; Mrs. Areda Gibbs, of Laura, a former West Milton woman, Mrs. Blanche Carroll, of Troy, a former West Milton man, Paul Ehlers, of Albuquerque, N. Mex.; Mrs. Mary Shiverdecker, of Troy, a former Laura resident; and Mrs. May Furlong, of Midwest City, Okla., also formerly of Laura. A longtime friend is Mrs. Mary Netzley, of Laura, who visited the doctor when she toured the Orient in 1964.

COMMUNITY CELEBRATION PLANNED TO HONOR LUDLOW'S MISSIONARY

(By Arlean Clifton)

WEST MILTON.—State Representative Robert Netzley, of Laura, has disclosed that he will introduce a resolution to the State House of Representatives in Columbus commending Dr. Harry W. Miller, who will be 91 years old July 2, for his services to mankind. Dr. Miller has served as a medical missionary in China for 67 years, having first gone there in 1903.

Representative Netzley said he will ask that the resolution be made a matter of record in the House of Representatives, then have a copy specially prepared to present to Dr. Miller when the Doctor visits in the West Milton area on either July 5 or 6.

In addition to his work on the mission field in China, where he has established more than 20 hospitals, Dr. Miller holds a patent from the United States government for the development of soybean milk products which have been beneficial to babies throughout the world who have allergies to cow's milk. The doctor received the Blue Star of China Award in 1956 from Generalissimo Chiang Kai-shek.

Last summer he was honored by a Certificate of Commendation from Ohio's Governor James A. Rhodes. After receiving the award at a special ceremony conducted by the United States Consul General in Hong Kong, Dr. Miller wrote to Mrs. Arlean Clifton, local newspaper writer, who had briefed Governor Rhodes on Dr. Miller's achievements, and expressed a desire to meet the Governor when he came home on furlough this summer. Governor Rhodes' office late last week said the Governor would not be able to attend a birthday celebration being planned for Dr. Miller in his hometown area because the Governor will be out of the country on a trip to Japan.

However, Representative Netzley and Mrs. Clifton are in the process of contacting other dignitaries to attend the community celebration.

The Governor's office advised Mrs. Clifton that Rhodes will prepare a personal birthday message which will be presented to Dr. Miller during a ceremonial event that will follow a birthday buffet at the West Milton Inn. The buffet, which will be open to the public, will be served from 12 noon to 2 p.m. on either July 5 or 6, the definite date to be announced.

Persons wishing to attend are urged to contact the West Milton Inn by phone, mail, or in person.

The West Milton Jaycees have volunteered to construct a riser in the area behind the Inn to be used as a platform for the ceremonial presentations honoring Dr. Miller.

The Jaycees also was the first local organization to offer an honor for the doctor in the form of a special engraved plaque prepared for distinguished persons by the National Jaycees organization.

Mrs. Mary Netzley, of Laura, a longtime friend of Dr. Miller, who visited him during a tour of the Orient, is planning a reception for the doctor at her home in Laura. While the general public is being invited, Mrs. Netzley said this will provide an opportunity for Dr. Miller's relatives and close friends to chat with him in a casual manner. The reception will begin at 5:30, and it will be here that a giant birthday cake will be cut in honor of the doctor's 91st birthday.

The West Milton Lioness Club volunteered to provide a guest registration book to be used at the birthday buffet. The book will be presented to Dr. Miller, and Mrs. Duane Rousch, president of the Lioness Club, said the group also will furnish a corsage for Mrs. Miller.

Mrs. Betty Brumbaugh, speaking for the Camp Fire Girls, said that organization plans to make a scroll out of linen paper, printing a special message to Dr. Miller on it.

West Milton Mayor Ronald Minnich said the village of West Milton will present a special framed proclamation to the doctor. Mayor Gene Baker, of Ludlow Falls, where Dr. Miller was born in a log cabin nearly 91 years ago, stated that he has contacted the council to prepare some sort of an honor for Dr. Miller. Dr. Miller has told Mrs. Mary Netzley that it was a revival tent meeting in Laura at the age of 13 that he "became a Christian."

Mrs. Arlean Clifton, who is serving as general chairman for the celebration, has sent an invitation to two special friends of the doctor, Generalissimo and Madam Chiang Kai-shek. Also being invited is Raymond S. Moore, who wrote the book, "China Doctor," a biography of Dr. Miller which is available in the Milton-Union Public Library. Mr. Moore has recently had published a revised edition of the book.

Committees and their chairmen include the decoration committee, headed by Mrs. Richard Markley; hospitality committee, headed by Mrs. Duane Rousch; program committee, Mrs. Jerry Hammon. Mrs. Mary Netzley is handling invitations to the doctor's relatives.

Any organizations in the West Milton, Ludlow Falls or Laura area wishing to participate in the ceremonial program honoring Dr. Miller are urged to contact Mrs. Clifton.

TEXTILE IMPORTS FROM JAPAN

(Mr. PREYER of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PREYER of North Carolina. Mr. Speaker, the two basic elements of the economy of my State of North Carolina are textiles and tobacco. In attempting to help one of these elements, textiles, will we be hurting the other? Tobacco farmers and others in North Carolina are asking these questions:

Will the passage of the Mills bill relating to textile imports cause Japan to retaliate against our tobacco farmers by restricting its imports of tobacco? More generally, will enactment of the Mills bill lead to a trade war throughout the world?

These are good questions to which all of us who are concerned about the well-being of both tobacco and textiles must give honest answers.

I am convinced that there is no reason to fear that reasonable restraints on U.S. textile imports from Japan will mean a reduction in her American tobacco purchases. There are three reasons for this.

First. Japan's trade policy is to buy only those commodities which she needs and which are noncompetitive with her domestic manufacturers—and she buys where she can get the best terms. Japan must buy tobacco and she buys where she can obtain the best prices, quality, and trading terms. This she will continue to do. The quality of our North Carolina tobacco cannot be equaled anywhere in the world, and as long as our prices are right, the Japanese will buy.

Second. Even if Japan decided to change her hard-nosed policy of buying where the price is right, the relationship between tobacco and textile imports-exports is such that Japan would have little bargaining power to play the retaliation game. In 1969, Japan's textile exports to the United States totaled $540,000,000 while her tobacco imports from us were $49,000,000. Last year her textile imports increased $125 million over the 1966; her tobacco exports rose by $3 million. The U.S. textile industry is only asking for restrictions on the unreasonable growth of Japan's exports to us; Japan could not seriously argue that she will restrict the growth of our tobacco exports to her on the same grounds. Nor can Japan argue that increasing tobacco exports would damage domestic Japanese industries; on the contrary, it would harm Japanese industries to restrict the importation of tobacco. She would be cutting off her nose to spite her face.

Third. Under the Mills bill, there is no reason for Japan to restrict her tobacco purchases from the United States. The bill does not seek to eliminate foreign textiles from our markets. To the contrary, the bill specifically encourages the President to negotiate agreements with foreign nations governing textile imports. Only if a country refuses to enter into such an agreement would the legislative restrictions—on that country's share of our growing market—come into effect. It is in the clear self-interest of a country like Japan to enter into a negotiated settlement with the United States.

Why, then, have they not entered into such an agreement? Is it because the U.S. terms are unfair? No. The real reason, as columnist Charles Bartlett has pointed out, it that the decision against negotiating a compromise of the textile issue was forced by the arrogant old school of Japanese tycoons, against the entreaties of their own government and the warnings of a new generation of Japanese businessmen.

The trading nations, particularly the United States, are knocking on Japan's door. Japan must assume full membership in the modern world and abandon her system of total protectionism for Japan, and free trade for the rest of the world. The rest of the world has been lenient with Japan and has tolerated some 190 illegalities in Japan's trading practices. By doing so, we have, in Bartlett's words, "clearly created a surly Goliath."

The day of reckoning for Japan has come. But the wily Japanese businessmen, in the spirit of the elders who tried 117 years ago to rebuff Admiral Perry, are seeking to preserve the anachronism by risking a controversy in which the United States will be forced to strike first and take the blame for touching off a surge of protectionism. In short, Japan—the greatest obstacle to free trade in the modern world—will attempt to cast America—the freest trading nation of the world—as the villain in a threatened trade war.

It is time for Japan to take on her share of economic responsibilities. The modern industrial nations should help the underdeveloped countries by absorbing a fair share of these countries' textile production. To date, only America is doing this. It is time for Japan—a country with the second largest gross national product in the free world—to do her part instead of shifting the entire burden to the United States.

This is true in other areas as well. The select committee of Congress which recently returned from South Vietnam reported that the United States must give increased economic assistance to South Vietnam during the next few years. The report added:

> However, other industrial nations, particularly Japan, should be given every possible encouragement to share this burden. Japan has reaped substantial economic benefits through the sale of motorized vehicles, electronics and other goods to South Vietnam. It will be a prime beneficiary of the future economic growth of the country and of the successful efforts to stem the tide of Communist aggression in Southeast Asia. However, the level of economic assistance Japan has hitherto furnished to South Vietnam has been disappointing.

The report further states:

> While Communist China, either directly or through its satraps, remains a military threat to Southeast Asia, the quiet economic penetration of Japan is giving cause for some concern over the long haul. It requires no exhaustive research to become aware of Japan's role in Saigon, Bangkok, Vientiane, Djakarta, or Phnom Penh. The endless procession of wheeled vehicles, ranging from bicycles to automobiles, and a walk through the commercial centers give convincing evidence. One member expressed his concern this way, "The U.S. will spill the blood and spend the billions; Japan will move in and capitalize."

Japan would let America accept the burden of the trade while they get the benefits.

It would be sentimental folly for the United States to sacrifice its textile industry in the interest of "free world trade" while other nations pursue a policy of cynical opportunism.

American trade cannot be sacrificed to Japan's bluff. We must make clear to the world the reasonableness of the regulation of trade proposed in the Mills bill. We must not respond in kind to the Japanese—through anger and retaliation. The future of world trade, as well as the future of the textile industry, depends on the United States following a firm and steady course.

THE DEMOCRATS RESPOND TO THE PRESIDENT

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ALBERT. Mr. Speaker, last evening the Columbia Broadcasting System, in response to many requests by Democratic leaders for access to television time to counter the numerous political speeches of the President broadcast over nationwide television, presented a 25-minute telecast by the Democratic National Committee entitled "The Democrats Respond: Part I."

In this program the distinguished national chairman of the Democratic Party, Lawrence F. O'Brien, presented for the consideration of the American people the facts concerning some of the major problems facing this great Nation today. Mr. O'Brien's presentation was well balanced and fair.

We all agree that the President should have access to the Nation's airwaves to present his views and policies to the American people. Just as important, a balanced view must be presented when the privileges accorded the White House are used to campaign against Democratic opposition and the elected membership of Congress. A fully informed electorate is a necessity to the functioning of our form of government, and Democrats have an obligation to present a balance to the narrow partisan statements of the Republican leadership.

TV is a powerful medium, and the public relations and television experts on the White House staff have demonstrated a great expertise in utilizing it, at times in partisan political matters. Certainly, the misuse for partisan political purposes, of the television privileges accorded the White House requires the presentation of the other side of these issues.

Our friends on the other side of the aisle have characterized the O'Brien presentation as a "con job." We will let the public be the judge on that. I can understand the Repubican concern that the American people should learn the truth about the initiatives and objectives of the Democratic Congress. As Chairman O'Brien pointed out, the Democratic Party and the Democrats in Congress accepted the challenge laid down by President Kennedy in his inaugural address January 20, 1961.

In order that all may have the opportunity to read and study Chairman O'Brien's remarks, I include them at this point under the unanimous-consent request:

THE DEMOCRATS RESPOND: PART I

President NIXON. In these difficult years, America has suffered from a fever of words; from inflated rhetoric that promises more than it can deliver; from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postures instead of persuading.

We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices. (Inaugural Address, Jan. 20, 1969)

Democratic National Chairman LAWRENCE F. O'BRIEN. Like most of you, I applauded the appeal for lowered voices and national unity when Richard Nixon assumed the Presidency 18 months ago.

Good evening. I'm Larry O'Brien, national Chairman of the Democratic Party. I managed the Democratic campaign for President in 1968. And I recognized after the election that we all had to turn away from the narrow confines of partisanship and work in the active pursuits of national reconciliation.

But today the divisions within our society are far greater than they were 18 months ago.

I don't have any easy answers. But the American people are not afraid to face problems squarely, and I know you want facts.

In this spirit, then, the loyal opposition has the responsibility to ask: How, in fact, are we being governed? What progress are we making as a nation? How can we do better? How can the nation and our two-party system meet the challenge of the '70s? How can we achieve the goals the new President set forth in his Inaugural Address 18 months ago?

NIXON. In pursuing our goals of full employment, better housing, excellence in education; in rebuilding our cities and improving our rural areas; in protecting our environment and enhancing the quality of life—in all these and more, we will and must press urgently forward. (Inaugural Address, Jan. 20, 1969)

O'BRIEN. Those were the promises, no less urgent today than when the President spoke them on the Capitol steps 18 months ago. In a few areas—such as reform of the outdated welfare system and the antiquated postal system—the Nixon Administration has come forward with proposals that could make a lasting contribution to the fabric of American life.

But unfortunately, in most areas we see little or no progress; we share the concern of all Americans with the decline in our economy. Every housewife, every wage earner, every stock holder, every farmer, every small businessman—yes and many big businessmen know that our economy is lagging far behind its potential.

A reporter asked the President about this at a news conference earlier this year, one year after Mr. Nixon's Inaugural Address.

REPORTER. The question is, how, sir, do you assess the possibility that we may be in for perhaps the worst possible sort of economic conditions—inflation and recession?

NIXON. Well, Mr. Cornell, the major purpose of our economic policy since we came into office a year ago has been to stop the inflation which had been going on for 5 years without doing it so quickly that it brought on a recession.

Now, as a result, we are now in a position, the critical position, in which the decisions made in the next month or two will determine whether we win this battle.

I would simply say that "I do not expect a recession to occur." (News Conference, Jan. 30, 1970)

O'BRIEN. Regrettably, the President's expectations have not materialized, and, as so many of you are painfully aware, we have inflation and recession at the same time.

We call it Nixonomics: everything that is supposed to go up—your income, productivity, housing construction, profits, the stock market—is going down. Everything that is supposed to go down—unemployment, interest rates, the cost of living—is rising.

Every housewife is alarmed over the constant rises in food prices—hot dogs up 14 cents a pound, hamburger up 12 cents a pound, potatoes up a third—you know your grocery bill and how much it has gone up in the last year.

Do you know of a family earning less than $13,000 annually that has been able to buy a home this past year? And even those able to borrow money for a new home know that a $20,000 house costs an additional $35,000 for interest charges alone—the highest interest rates in 100 years.

In recent weeks Democrats and Republicans alike have been pleading with President Nixon to use the great power of his office to stop this recession and inflation now, before more damage is done.

The President must use his great personal influence to roll back inflationary wage and price decisions, just as President Kennedy and President Johnson did on many occasions.

Right now—tonight—Mr. Nixon could direct the lowering of interest rates on home mortgages, car loans, and the clothes you buy on credit from a department store.

A Democratic Congress gave him this power last year, but unfortunately, he has refused to use it.

I urge the President to act immediately. Please don't wait any longer for our economy to decline even further.

There is probably nothing of greater worry to the American family than the threat of unemployment. At a news conference two months ago a reporter asked the President about this problem.

REPORTER. On a domestic subject, the economy, sir. Unemployment is up, the stock market is down, things look generally discouraging. Do you have any views on that, and do you have any plans?

NIXON. Yes. Unemployment reached the point of 4.8, I noticed, this last month. In order to keep it in perspective, it should be noted that in 1961, 1962, 1963, 1964, and 1965 the average unemployment was 5.7, 5.7 is too high, 4.8, I think, is also too high. But the unemployment we presently have is the result of the cooling of the economy and our fight against inflation. (News Conference, May 8, 1970.)

O'BRIEN. As the President said, it is partly a matter of perspective that 5.7 percent unemployment rate mentioned in the early 1960s reflected a steadily declining rate of unemployment, a decline from the high of 7 percent which President Kennedy inherited from the Eisenhower-Nixon Administration of the 1950s.

The fact is that unemployment fell during the 1960s and it was down to 3.3 percent in December, 1968. It has climbed steadily since President Nixon took office. Since last December, we have experienced the fastest five-month rise in unemployment since the recession in the late 1950s. But beyond this, instead of talking statistics and percentages, let's remember that more than four million seven hundred thousand Americans are out of work tonight.

Let's look at another major concern and see what candidate Nixon promised—and what has happened since he took office.

NIXON. And if we are to restore order and respect for law in this country, there's one place we're going to begin. We're going to have a new Attorney General of the United States of America. . . .

The wave of crime is not going to be the wave of the future in the United States of America. (Nomination Acceptance Speech, August 8, 1968)

O'BRIEN. Of course every new President has the power to appoint his own Attorney General, but what has been the record of the Attorney General President Nixon appointed?

Eighteen months have passed. The crime rate in this country has not gone down. In the first three months of this year it rose 15 percent over the same period last year. And it is especially alarming that the fastest rates of increase are now in the suburbs and in rural areas of our country.

The way to stop rising crime is not to blame others, such as Congress. The way to stop the rising crime rate is to help local and state law enforcement agencies who carry the major burden.

NIXON. While it is true that State and local law enforcement agencies are the cutting edge in the effort to eliminate street crime, burglaries, murder, my proposals to you have embodied my belief that the Federal Government should play a greater role in working in partinership with these agencies.

That is why 1971 Federal spending for local law enforcement will double that budgeted for 1971. (State of the Union Message, Jan. 22, 1970)

O'BRIEN. That's how the President addressed the crime problem in his State of the Union Message last January. What action has followed those farsighted words?

The facts are that the Nixon Administration budget requires one thousand dollars from every one of you—every American—to run the government. Of that one thousand dollars, the Administration has earmarked only $2.40 to assist state and local governments in the fight against crime—cutting the Democratic program in half.

And, while I am sure the President and the Attorney General want to reduce crime, I cannot understand why they have refused to support further improvements in the Safe Streets Act advocated by a Democratic President and enacted by a Democratic Congress in 1968—our major federal anticrime program. They are improvements that would give cities with the greatest crime problems the most help.

I regret that so many of the top law enforcement experts brought to Washington by the Nixon Administration last year have now resigned, because, as they said, Attorney General Mitchell has refused to do what must be done to control the growing crime rate in America.

President Nixon's own anti-crime proposals have not been primarily directed at the national crime problem, but rather at Washington, D.C., and many people believe that some of these proposals are unconstitutional.

For the past generation both major political parties have stood together in the struggle for equal rights and opportunities for all of our citizens. In his acceptance speech, Mr. Nixon seemed to recognize the human stakes involved in the next urgent steps that must be taken in this continuing struggle.

NIXON. They want the pride and the self-respect and the dignity that can only come if they have an equal chance to own their own homes, to own their own businesses, to be managers and executives as well as workers, to have a piece of the action in the exciting ventures of private enterprise.

I pledge to you tonight that we shall have new programs which will provide the equal chance . . . (Nomination Acceptance Speech, August 8, 1968)

Now I know all the words. I know all the gimmicks and the phrases that would win the applause of black audiences and professional civil rights leaders. I am not going to use them. I am interested in deeds. I am interested in closing the performance gap. (News Conference, Jan. 30, 1970)

O'BRIEN. One of the biggest disappointments of the first 18 months of the Nixon Administration has been precisely this failure to match its words with deeds—to provide new opportunities for minority citizens, opportunities that must ultimately benefit all Americans.

Again, a number of experts brought to Washington by the Nixon Administration have resigned. They recognized this performance gap.

The failure to define clearly the policy for school desegregation has led to confusion in local school systems, and growing resentment and discouragement by families seeking equal educational opportunities for their children.

Above all, in the past 18 months we have been denied the strong moral leadership on this issue which only the White House can provide—that it *must* provide. We have lacked a President speaking forthrightly about the moral rightness of making the guarantees of the Constitution a reality for every American.

Again, Congress has had to take the lead—in overcoming the Administration's obstacles to renewing the Voting Rights Act, a law that provides *all* Americans with the most basic of democratic rights as well as extending the right to vote to 18-year-olds.

The times call for a new vision of our priorities. The President seemed to understand this when he addressed the nation last month.

NIXON. For the first time in 20 years, the Federal Government is spending more on human resource programs than on national defense.

This year we are spending $1.7 billion less on defense than we were a year ago; in the next year, we plan to spend $5.2 billion less. This is more than a redirection of resources. This is an historic reordering of our national priorities. (Address to the Nation, June 17, 1970)

O'BRIEN. The President says he favors this change in our priorities. But it was Congress, not the President, that cut five-and-a-half billion dollars from the Pentagon budget. And when Congress tried to channel less than a quarter of that money into educational and health programs—libraries, books, student loans—the President responded with a nationally televised veto message.

NIXON. Now, if I approved the increased spending contained in this bill, I would win the approval of many fine people who are demanding more spending by the Federal Government for education and health. But I would be surrendering in the battle to stop the rise in the cost of living, a battle we must fight and win for the benefit of every family in this Nation. (HEW Veto Message, Jan. 26, 1970)

O'BRIEN. In that same week when Mr. Nixon vetoed the education and health bill as inflationary, he announced a new multibillion dollar spiral in the nuclear arms race. Why wasn't this just as inflationary, if not more so?

Only a few days ago Congress overrode another Nixon veto and so restored funds to build desperately needed hospitals and mental health facilities for the nation's sick people. The President turned down this bill because he said it was inflationary. But more than two-thirds of Congress—including a majority of the members of the Republican Party—voted to allocate for hospitals some of the money cut from the budget.

National priorities? Let's consider again each American's thousand dollar share of the nation's budget: $4.50 for air and water pollution; $5.00 for urban renewal for our cities; $7.50 for elementary and secondary education; 50 cents for training the handicapped—and $375.00 for the military.

Once again, we must look to Congress for leadership.

It was Congress that more than doubled President Nixon's initial request for an increase in social security, providing a badly needed 15 percent increase. And just this week, your paychecks will be larger because a Democratic Congress voted to increase personal tax exemptions and eliminated the 5 percent surtax.

So I ask you tonight: Who is really engaged in a "historic reordering of our national priorities"—the Congress or the President?

One of our most urgent priorities for this decade is cleaning up our environment. Most of you heard the President speaking to this problem in his State of the Union Message this past January.

NIXON. The program I shall propose to Congress will be the most comprehensive and costly program in this field in America's history.

It is not a program for just one year. A year's plan in this field is no plan at all. This is a time to look ahead not a year, but 5 years or 10 years—whatever time is required to do the job.

I shall propose to this Congress a $10 billion nationwide clean waters program to put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and do it now. (State of the Union Message, Jan. 22, 1970)

O'BRIEN. That is what President Nixon said he would propose, and to many it seemed an impressive call for action. But the fact is that the 10 billion dollar program he promised calls for federal spending of only four billion dollars. The amount Mr. Nixon proposed for the first year of his new program to fight water pollution turned out to be *less* than Congress had already authorized.

And so, 18 months later, the pattern of the Nixon Administration's domestic program is abundantly clear—ringing calls for action, but few results, except when Congress takes the initiative and calls the shots.

But our attention to our critical domestic priorities continues to be diverted by the seemingly endless struggle in Indochina, about which the President addressed the nation on April 30.

NIXON. Tonight, American and South Vietnamese units will attack the headquarters for the entire Communist military operation in South Vietnam. This key control center has been occupied by the North Vietnamese and Vietcong for 5 years in blatant violation of Cambodia's neutrality. (Address to Nation, April 30, 1970)

O'BRIEN. I have no intention of "taking on" the President in difficult decisions about military strategy, but I do want the President to level with all of us.

I share the relief of all Americans that our troops have crossed back into South Vietnam, but I also share the confusion of most Americans who wonder what Cambodia is really all about.

The President never consulted with his Cabinet or with Congress before he expanded the Indochina war. He has never told the American people that the Communist headquarters he said would be attacked was never attacked and apparently never even located.

Instead Mr. Nixon now has given other reasons to justify his surprise move of American troops into a neutral country, among them the preservation of a new Cambodian government.

And now we have become involved, whether or not we like it, in that new government. Now—although our ground troops are out—our bombers and our artillery continue to bomb the Cambodian nation. Now the South Vietnamese army continues to sustain a full scale military operation in Cambodia.

Before our military incursion, as this map shows, Communist activity in Cambodia was primarily limited to border sanctuaries.

But now, just two months later, Communist control has expanded to half the land area of Cambodia and Communists have infiltrated over a large part of the rest of the beleaguered country.

The question must be asked: Has our action actually saved Cambodia, or put its survival in greater jeopardy?

To be a patriotic American is to question and probe the activities of those who govern us. That is our duty and our right.

The newly elected President promised to "bring us together again." But the opposite of that is occurring, polarization, unfortunately encouraged by Vice President Agnew in speech after speech across the country.

AGNEW. You can't bring 200 million people together. Let's stop talking in technicalities and look at the President's figure of speech—was a plea for national unity to bring the responsible elements of our society together. But let's never overlook the fact that there are also irresponsible elements of our society and instead of attempting to dignify and condone what they're doing, let's polarize—let's get rid of these undesirable people by recognizing that they cannot participate in our legitimate processes of government unless they play the rules. (Washington Window, UPI Interview, November 16, 1969)

O'Brien. The words and thoughts of Vice President Agnew leave me saddened and disheartened. While I realize there are many who support Mr. Agnew, I deeply believe his road can only lead to further division and mistrust among our people.

In attacking the loyalty of millions who sincerely question the course of the present Administration, the Vice President is himself questioning and jeopardizing the very democratic tradition that has made us strong.

Is *this* the way we are to be brought together again? Is *this* the lowered voice President Nixon urged upon all of us eighteen months ago?

This is a time for healing, not for wounding, for trust and understanding, not for hatred and suspicion.

For 14 years, I was a friend and close associate of a man who could express these feelings far better than I. One bright, wintry day the world seemed full of promise as he reached out to us and summoned forth the best we Americans had to offer.

Kennedy. All of this will not be finished in the first one hundred days. Nor will it be finished in the first one thousand days, nor in the life of this Administration, nor even perhaps in our lifetime on this planet. But let us begin . . . (Kennedy Inaugural Address, Jan. 20, 1961)

O'Brien. The Democratic Party, and the Democrats in Congress accepted that challenge a decade ago—and we rededicate ourselves today.

WAR OF THE WORLDS

(Mr. MOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOSS. Mr. Speaker, the senior Senator from California, Mr. Murphy, has come up with a most unique view of how the United States should conduct its international relations. It is simply this—and I quote him:

> There can be no such thing as a politically-established sanctuary from which an enemy can attack American forces and into which he can retreat without fear of pursuit.

The Senator looked back into history for justification of this remarkable view. He cited the American punishment of the Barbary Coast pirates and even General Pershing's raids into Mexico against Pancho Villa. He compares these events with America's most recent excursions into Cambodia. In fact, he calls them a quote—striking parallel—unquote.

I gather from his remarks, which were delivered on the Senate floor June 29, that he wholeheartedly endorses such a policy and recommends that our country diligently pursue and punish militarily all those who aid the North Vietnamese Communists. That, of course, is the next step.

There is only one fly in this ointment. America would be at war with half of the world if the Senator's views were adopted. After all, much of North Vietnam's help comes from Red China and Russia. So it would be only logical to attack the sources of this aid. Many other countries have traded with or aided North Vietnam. The Library of Congress informs me that this list includes at least 26 countries.

Among them are: Albania, Cuba, Czechoslovakia, East Germany, Hungary, North Korea, Poland, Rumania, Yugoslavia, Austria, Belgium, Denmark, Luxembourg, France, West Germany, Italy, Sweden, Switzerland, United Kingdom, United Arab Republic, Japan, The Netherlands, Algeria, Norway, and I am sure there are also a number of others.

So it is clear we would take up arms and invade or bomb literally hundreds of cities and many countries, including some of our best allies under the Senator's policy proposal. I do not think we have enough napalm to do that, despite the billions of dollars we spend on the military.

I will say, however, it gives the military-industrial complex another argument to press for higher appropriations. They can now give up that old chestnut of enemy submarines being sighted off the coast of Newfoundland or South America every time the military budget comes up.

I would like to suggest most respectfully to the talented senior Senator from California that he turn his ingenious creativity to solving some of America's most pressing domestic problems. To help him in this effort, I will be most happy to identify some of these problems for him. They include inflation, air and water pollution, poverty, hunger, civil rights, medical care, drug abuse, consumer protection, the decay of our cities and—I might add—the decay of our moral responsibility to the world to make it a better and more peaceful place for all human beings.

VIETNAM INVESTIGATION

(Mr. WOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLD. Mr. Speaker, I want to take this opportunity to praise the 12-member factfinding committee this body sent to Vietnam.

Whatever the differences in their findings. I am certain the information they came back with will be beneficial toward guiding this body and the Government of the United States in its future Southeast Asian policy.

I am greatly concerned about Southeast Asia and its impact on the domestic well-being of this Nation. I am equally concerned about the effect of this Government's policies on our relations with the remainder of the world. In these two areas, I believe President Nixon has provided very able leadership. He is committed to removing U.S. military forces from Vietnam in the shortest possible time under honorable and tolerable conditions.

Nonetheless, certain revelations of the factfinding group have come as a brutal shock to me. I refer to the tentative findings of two members of the group about the prison on Conson Island and, specifically, to the tiger cages there.

The morality of the situation is evil enough, but at a more human level, I would like to know why the United States has allowed the South Vietnamese Government to jeopardize the fate of the 1,508 Americans missing or held prisoner of war by the Communists. I think the American people deserve all the answers. They certainly deserve more than the terrible ironic headlines of this morning's Washington Post: "U.S. Denies Responsibility for 'Tiger Cages' at Conson."

American prisoners of war in North Vietnam are being endangered by what may be going on in South Vietnam. Rather than denials or evasions of responsibility, we need to know what is going on in South Vietnam. These claims of ignorance and nonaction will only be used as excuses by the North Vietnamese to continue mistreating and holding American prisoners of war. Neither the American people nor the loved ones of our missing men should tolerate such a situation.

I do not say the analogy is perfect, but I remember all too clearly the misuse to which the excuse of "ignorance" has been put. Both the highest and lowest German officials—after World War II—denied any knowledge of what was happening all over Europe. The situation in South Vietnam is not of the scale of Europe. Nor is the intent of the South Vietnamese Government the same as was that of the Nazis. Nonetheless, ignorance is no excuse.

The following questions should be answered by the appropriate officials:

First. How long has the situation at Conson existed?

Second. How long has the United States known about it?

Third. How long has the United States been trying to straighten it out?

Fourth. What has been the degree of political influence used to straighten it out?

Fifth. What has been the degree of moral persuasion used on the South Vietnamese Government?

Sixth. What other means of influence have been used?

Seventh. Who are the officials who know about the situation?

Eighth. How strenuously did they try to inform higher authorities of the situation?

Ninth. Are there similar situations elsewhere?

Tenth. Was any attempt made to link the effect of Conson with the treatment that would be accorded U.S. prisoners held by the Communists?

I believe the Departments of State and Defense have an obligation and duty to fully answer these questions for the appropriate House and Senate committees. Anyone else with information relating to these developments should be free to tell what they know. I would hope this body and the appropriate committees would welcome all such information.

The reports of Conson have brought out another shocking situation that needs to be investigated. From my reading of the reports, it is clear that the reporters have long been kept out of the area. We need to know if the United States has protested their exclusion.

We need to know if there are other

areas in South Vietnam—where thousands of Americans have died and billions of our dollars spent—where the U.S. press is not permitted.

I am aware of the sensitivity about stepping on toes of our allies. But, I believe these questions are deserving of an answer. After all, the South Vietnamese press is allowed to freely wander about the United States and, as we all know, the South Vietnamese Government is not spending a dime of its own money in the United States.

There are other sources of information to learn what is happening. Private groups such as the Red Cross, the International Voluntary Service Organization, the World Council of Churches, and others are vast storehouses of knowledge. They all, along with the members of the press, should be queried about these cages and about other items which have been suppressed that will affect our prisoners being held by the North Vietnamese.

Mr. Speaker, it is apparent that the committee's trip to South Vietnam has sparked a controversy. I am sure, however, that each member is well prepared to answer for his own experiences.

My concern is the American prisoners in North Vietnam and how Conson affects them. We should be asking the question: What can we learn from this experience that will help us get our men out of North Vietnam prisons?

There will be some who wonder about the validity of these questions. There will be some who say: Why are you trying to stir up trouble?

The answer is simple. The lives and fate of our American men being held by the North Vietnamese overrides all other considerations.

I call on all Members of this body, whether or not they support our effort in Vietnam, to join in protest at any violation of the rules of the Geneva Convention on Treatment of Prisoners of War. This is a double-edged sword which must apply to American prisoners in North Vietnam as well as to the enemy in Conson.

THE MIDDLE EAST: TIME RUNNING OUT

The **SPEAKER** pro tempore (Mr. PHILBIN). Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

Mr. **PUCINSKI**. Mr. Speaker, there should be no doubt in anyone's mind that Russia intends to press ahead in the Middle East to stake out her strategic claims and to consolidate her position with ruthless determination. She will continue to back and encourage the Arabs in every way, as and when it serves her interests, just as she has been feeding and stoking the fires of conflict in Vietnam.

As the Intelligence Digest, published in England, pointed out, Egypt is now the principal springboard of the expansion and consolidation of Moscow's influence and, Moscow hopes, eventual domination. As in the case of totally subjugated Czechoslovakia, for instance, there now seems to be no way of escape from the clutches of dependency in sight for Russia's Middle East clients.

No matter how extraordinarily difficult and unpleasant though it may be to look the danger-fraught realities straight in the face, it would be merely postponing the moment of truth to cling to the hope that the diplomatic possibilities of solving the problem of Russian penetration in the Middle East have not yet been exhausted.

It is wishful thinking to expect that Russia, after having gained so much already, will withdraw voluntarily in a spirit of compromise and good will.

Indeed, the statesmen of the West are unlikely to be so naive as to have much confidence in this. They can see the writing on the wall clearly enough, but evidently still hope against hope that it is not really true.

When Khrushchev tried, through the Cuban venture, to redraw the strategic map of the world, the United States nipped the attempt in the bud with an ultimatum to the Kremlin which undoubtedly carried the risk of a third world war.

This was a calculated risk, which had to be taken, and was taken, in order to avert certain catastrophe.

Today, President Nixon, who has been faced by a near-hysterical mood of neo-isolationism at home at a time when as critical a situation is in the making, has had so far to confine himself to exhorting the Russian leaders "to cooperate, please."

All the indications are that the Russian leaders are growing increasingly confident that the American administration is in no position to take a strong stand and that it would be prevented from any active involvement of a serious kind in the Middle East by the neo-isolationists and noninterventionists.

In fact, the impression is beginning to spread around in the Arab world that the Russian involvement is gathering momentum and will not stop short of direct physical confrontation with Israel.

When, weighed down by the might of force and numbers, Israel succumbs, so the popular Arab belief has it, then the United States, confronted by an accomplished fact, will, in the final count, have no alternative to accepting it.

The Soviets are counting on the fact that American disillusion with Vietnam will force our Nation into a posture of such strong isolation that we will refrain from any intervention even where our most vital national interest is involved.

The late Senator Robert Kennedy had predicted this wave of isolationism in America. He was right. The Americans are so exhausted emotionally from the Vietnam conflict that President Nixon has had to state emphatically we shall not send any U.S. troops to the Middle East. And properly so because the Israeli want no American intervention. But the Arabs mistakingly interpreted this as American disinterest. The Arabs still think Israel will fall.

It may be difficult, rationally, to imagine such an outcome. But the very fact that it is visualized goes to show a trend of thought which, if allowed to develop unhindered and unchecked, may lead the Arab States, in their belief of the West's allegedly progressive degeneration and impotence, into fatal miscalculations.

There is a far greater menace in this kind of miscalculation than there would be in a firm stand declared in unequivocal terms. But for any such declaration of intent, time may already be running out.

If the United States does not take a firm stand by providing Israel with Phantom jets and other hardware, we will be ushering in world war III.

We delude ourselves into believing that our NATO and CENTO allies can be counted upon. The French are busy wooing the Arab countries, whose oil they covet; the Italian Government rises and falls regularly; the West German Government is foolishly making concessions to the Russians when they should be receiving them; the British Government is financially and militarily too weak to be of much help. Indeed, much of Western Europe is now living in a complete fools' paradise.

Turkey has been making more and more concessions to the Russians and many of Turkey's radical elements has given her a hue of anti-Americanism.

The Greek Government has always been one of our strongest friends. Yet we and our European allies have been so busy lecturing to the Greeks about democracy that they have been forced to look elsewhere for trade.

In Iraq, moves are underway to revive to full strength the once formidable and best organized Communist Party in the Middle East. Moscow is bringing influence to bear by way of suggestions and promises of extended economic and military aid and by agitation and incitement, direct and indirect.

The Libyan Government has been constantly infiltrated with Egyptians, and there is a good possibility that Wheelus Air Force Base will be taken over by the Russians.

Indeed, if this were to happen, Israel would be completely surrounded by her enemies, calling to mind Mao Tse-tung's classical statement of how to encircle one's enemy.

It is ironic indeed that at a time when we can be dealing from strength, Russia is dealing from weakness. She is daily confronted with the looming spectacle of a Red Chinese dragon on her eastern front and the seething unrest of her satellites on her western front.

As yet, we seem to be pursuing the same discredited policies in the Middle East as we have in Vietnam. We have been pursuing a policy of gradual escalation, thus giving the Russians an opportunity to stay one step ahead of us. While we ask for cooperation, the Russians have been busy placing SAM sites in Egypt, making Israel's position totally untenable.

We seem to be making the same mistakes we made in Cuba. We seem to be letting the Russians extend a Brezhnev doctrine to the Middle East. We have let a Trojan horse come into the Middle East by standing still while the Russians have sent in Soviet Moslems under Nasser's call for all Moslems to come to his aid. The fact that they are Soviet Moslems does not alter overall Russian policy of complete hegemony in the Middle East.

Mr. Speaker, the die has been cast. We cannot let the Russians and their clients dictate politically or militarily the course of events in the Middle East. To do so would be to permit the whole course of Western civilization to change and to invite a third world war.

To allow the Russians and their clients to continue a war of attrition unabated against Israel without an appropriate response would mean that our position in Western Europe and, indeed, throughout the world, would become untenable, and we would lose access to vital raw materials in the Middle East and Africa, so necessary to the survival of the free world.

We must not vacillate while the Russians dictate; we must not be negative while the Russians are positive. In the words of the famous military strategist, von Clausewitz, in order to have peace we must be prepared for war. If we fail to meet the Russians with a positive response, we will forfeit our position as leader of the free world.

Mr. Speaker, I call upon our President to invite the Arab leaders to the United States to discuss the serious implications of the Russian maneuvers in the Middle East and to use his good offices to get the Arabs and the Israelis to the negotiating table.

I call upon our President to give Israel the jets and military hardware she needs to defend herself against an encroaching Russian bear and her clients. We must defend democratic Israel. She stands as a bulwark of freedom against Soviet imperialism. We must not listen to the defeatists, the isolationists, the noninterventionists in our midst. We must do what is right and that is to help Israel defend herself. To do otherwise is to invite disaster.

Mr. Speaker, it has been said in the classics that hell is reserved for those who, when they should have done something, stood by and did nothing.

Let us not have that epithet written about this great Nation of ours and those whose freedom and liberty we have sworn to uphold and defend. Let history record that we did the right thing at the right time and that this was, indeed, our finest hour.

For indeed, time is running out.

EARTH RESOURCES AND POPULATION—PROBLEMS AND DIRECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BUSH) is recognized for 5 minutes.

Mr. BUSH. Mr. Speaker, the House Republican Task Force on Earth Resources and Population, of which I am chairman, has conducted a full year of study and inquiry into the interrelated problems of population growth, depleting natural resources, and environmental degradation. I have here a report of our study with recommendations for solving some of these problems and I include this report following my remarks.

Mr. Speaker, each member of the task force and many of their staff personnel have contributed greatly to this study. Their participation and contributions have made this task force activity very productive and worthwhile.

Personally, I view this entire complexity—man's environment—the interrelationship between population growth and natural resources, as the most critical problem facing the world in the remainder of this century.

No one can honestly say how many people this earth of ours, with its finite resources, can accommodate. But, it seems to me a fair judgment to say that the present rates of population growth and demand for resources have proved too rapid for our technology to improve on the quality of life that we in America expect for all our citizens.

The problems of economic development in the less developed countries of the world exemplifies the tragedies of unchecked population growth. Many of these countries have already begun national programs to reduce their population growth rates. The United Nations is pursuing programs to assist these countries. Just last week the Government of India received $20 million from AID to assist their family planning programs.

We, in America, have our own population problems and the time for facing up to these problems is now. Our cities are decaying, too many Americans lack proper food and nutrition, our transportation facilities are failing to meet the demands of urbanization, and as we crank up our technology to solve these problems we unwittingly despoil our air, water, land, and oceans. Since World War II, we have had a fantastic technological growth and what technological marvels we have witnessed in the past 25 years we will probably experience in the next five years. Yet, in this same time period, we will experience our highest number of births ever, and a continual decline in death rates. We will be devouring our natural resources at an unprecedented rate and as a result what headway we make in abating our pollution problems will seem grossly inadequate. We must get off this frustrating treadmill if we are to look to the future with hope and optimism. We simply cannot solve today's problems with yesterday's programs.

I beileve the recommendations in this report are significant steps in the right direction. We need these national policies on energy, nonfuel minerals, oceanography, and population. We need all four policies. It is extremely difficult to tackle any of these problems in isolation of each other.

President Nixon is to be commended on the latest proposed reorganization of his administration creating the Environmental Protection Agency and the Oceanographic and Atmospheric Agency. Our report certainly supports the need for this type of action. We need a systems management approach to all these interrelated nonentities. We need to synthesize all the component parts of administration in tackling this complexity.

We cannot blame population growth for all the ills in our society which is becoming a popular position of many demographers and ecologists. We do need more public awareness that a national goal to stabilize our population is desirable, that a two-child family is a worthwhile consideration for all American parents offering benefits to both the family and the society as a whole. We need full public recognition that family planning is not merely birth control but basic health care for the benefit of both parent and child. The poor are by no means alone in their lack of knowledge when it comes to understanding the basic facts of human procreation. By the end of this decade, family planning and birth control should be as important to every parent as the family budget.

With positive programs to alleviate the problems of population density, housing, transportation, health care services, and pollution in conjunction with planned utilization of our natural resources while stabilizing our population, a quality life for every citizen will be possible. But, no government alone can bring this about. Many of our current values and traditions need fresh examination. It will require substantial sacrifice and cooperation between government, industry, and each individual citizen. It is a sacrifice we cannot afford to neglect.

The task force report referred to follows:

EARTH RESOURCES AND POPULATION—PROBLEMS AND DIRECTIONS

(Report and recommendations of the Republican Task Force on Earth Resources and Population, House Republican Research Committee)

HOUSE REPUBLICAN RESEARCH COMMITTEE

Robert Taft, Jr., Ohio, Chairman.

TASK FORCE ON EARTH RESOURCES AND POPULATION

George Bush, Texas, Chairman; Tim Lee Carter, Kentucky; Louis Frey, Jr., Florida; James G. Fulton, Pennsylvania; Charles S. Gubser, California; Frank Horton, New York; Hastings Keith, Massachusetts; Donald E. Lukens, Ohio; Paul N. McCloskey, California; Charles A. Mosher, Ohio; Jerry L. Pettis, California; Howard W. Pollack, Alaska; Ogden R. Reid, New York; Guy Vander Jagt, Michigan; John Wold, Wyoming.

TESTIMONY

The Task Force heard testimony from the following persons:

6/5/69: Dr. Philander P. Claxton—Special Assistant to the Secretary of State for Population Matters. Dr. John Kepple—Director of Population Activities, United Nations Development Programs.

6/11/69: Dr. J. L. McHugh—Director, International Decade of Ocean Exploration, Dr. William Pecora—Director, U.S. Geological Survey, Dr. Donald Dunlap—Assistant and Science Adviser to the Secretary of Interior, Dr. S. Fred Singer—Deputy Assistant Secretary for Science Programs, Department of Interior.

6/12/69: Dr. Gary London—Director of Health Services, Office of Economic Opportunity.

6/17/69: Dr. R. T. Ravenholt—Director, Population Service, Agency for International Development.

6/19/69: Dr. Martin Forman—Director, Nutrition and Child Feeding Service, Agency for International Development, Mr. George Parman—Director, Food from the Sea Service, Agency for International Development.

6/24/69: Dr. James Cavanaugh—Deputy Assistant Secretary for Health and Scientific Affairs, HEW, Dr. Carl Shultz—Director, Office of Population and Family Planning, HEW.

6/26/69: Dr. Thomas O. Paine—Administrator, National Aeronautics and Space Administration, Dr. John Naugle—Associate Administrator for Space Applications, NASA.

7/8/69: Dr. Arthur A. Cambell—Deputy Director, Center for Population Research, NIH, Dr. Norman A. Himar—Chief, Program Liaison Branch, Center for Population Research, NIH.

7/10/69: Dr. Lee A. DuBridge—Science Advisor to the President, Dr. John Buckley—Technical Assistant, Office of Science Technology, Dr. Donald R. King—Technical Assistant, OST, Dr. Eric B. Ward—Executive Secretary, Federal Council on Science and Technology.

7/15/69: General William H. Draper, Jr.—National Chairman, Population Crisis Committee. Col. Frank Borman—NASA.

7/17/69: Mr. J. Steele Culbertson—Director, National Fishmeal and Oil Association.

7/24/69: Dr. William Moran—President, Population Reference Bureau.

E/29/69: Mr. Oscar Harkavy—Program Officer in Charge, Population Activities, Ford Foundation.

7/31/69: Dr. William McElroy—Director, National Science Foundation. Dr. Louis Levin—Executive Associate Director, NSF.

8/5/69: Dr. William Shockley—Professor, Stanford University, Dr. Arthur Jensen—Professor, University of California at Berkeley.

8/7/69: Earth Resources Survey Program Review Committee: Dr. John Naugle, NASA, Chairman, Mr. Leonard Jaffee, NASA, Dr. William Pecora, Interior, Dr. T. C. Byerly, Agriculture, Dr. Robert M. White, Commerce, Dr. William MacDonald, Navy, Mr. Robert Porter, NASA.

8/12/69: Dr. Paul R. Ehrlich—Professor, Stanford University.

9/9/69: Dr. Howard Tanner—Director of Natural Resources, College of Agriculture and Natural Resources, Michigan State University.

9/23/69: Dr. Bruce W. Halstead—Director, World Life Research Institute.

10/9/69: Dr. Roger O. Egeberg—Assistant Secretary for Health and Scientific Affairs, HEW.

10/28/69: Dr. George A. Doumani—Geologist, Science Policy Research, Legislative Reference Service, Library of Congress.

11/6/69: Dr. Daniel P. Moynihan—Counselor to the President.

11/13/69: Hon. Donald Rumsfeld—Director, Office of Economic Opportunity.

11/20/69: Dr. Jean Mayer—Director, White House Conference on Food, Nutrition, and Health.

11/25/69: Hon. Shirley Chisholm—Member of Congress.

2/4/70: Dr. Harold L. James—Chief Geologist, U.S. Geological Survey, accompanied by Mr. Thor Kiilsgaard, Mr. David Davidson, Mr. Harild Kirkemo, and Mr. V. E. McKelvey.

2/19/70: Hon. Hollis Dole—Assistant Secretary for Mineral Research, Department of Interior, Mr. Gene Morrell—Deputy Assistant to the Secretary, and Mr. Jack Rigg, Special Assistant to the Assistant Secretary.

3/4/70: Mr. W. W. McClanahan—Executive Vice-President, National Coal Policy Conference, Mr. Claude D. Curlin—Information Director, Mr. B. L. Thompson—Staff Economist, and Mr. W. A. Raleigh—Congressional and Government Relations.

3/11/70: Dr. Orris Herfindahl—Mineral Economist, Resources For The Future.

3/18/70: Dr. Raymond Ewell—Vice President for Research, University of New York at Buffalo, and Dr. Jack Lippes—Medical Director of Planned Parenthood Center, Buffalo New York.

3/24/70: Mr. Allan Overton—Executive Vice President, American Mining Congress.

4/7/70: Hon. Russell E. Train—Chairman of the President's Council on Environmental Quality.

4/15/70: Mr. David S. Freeman—Director of the Energy Policy Staff of the Office of Science and Technology.

4/21/70: Mr. Skip Spensley—Director of Environmental, Inc., Washington, D.C.

5/12/70: Mrs. Jeannie Rosoff—Manager, Washington Office, Planned Parenthood-World Population.

INTRODUCTION

The interrelated problems of the current world population growth rate—hunger, environmental degradation, and depletion of earth resources—are properly matters of increased public concern. This House Republican Task Force on Earth Resources and Population report is directed toward providing improved understanding and more effective policies for dealing with these critical problems. This report is the result of extensive hearings and study conducted over the past year.

The initial concern of the Task Force was the Federal Government's role in providing family planning services to the estimated 5.3 million women who wanted these services as part of maternal and child health care services, but who could not afford these services or did not know where to find them. As a result of this concern, the Task Force issued a report on "Federal Government Family Planning Programs Domestic and International" on December 22, 1969.

As important as it is to achieve President Nixon's goal of providing family planning services to these estimated 5.3 million women, the Task Force recognizes population growth problems as being of far greater magnitude and complexity than could ever be solved through total availability of family planning services. Because our domestic population is expected to leap from its present 204 million people to over 300 million by the end of this century while the world population is expected to double from 3.5 billion to 7 billion in this same time period, we face a formidable problem in providing the goods and services necessary for sustenance, while still protecting our environment.

In the first volume of *The Story of Civilization*, Will Durant discusses certain conditions which, if they disappear, may destroy a civilization. He claims that "the failure of natural resources, either of fuels or of raw materials," is one of the ways in which a civilization may die.

One of the basic facts we must realize about our earth is that it is composed of finite resources—resources that provide the means by which we are able to support our civilization and our very lives. Through hard work and ingenuity, America has become the most affluent nation in the worrld. Yet, much of our affluence and many of our conveniences are now being taken for granted. For example: we turn on a switch and expect light; we set our thermostats and expect the proper heat to warm our homes; we turn a dial and expect the necessary means to cook our food. Every one of these conveniences depends upon the use of resources from the storehouse of our earth. These are only some of the more obvious examples of our dependence upon earth and mineral resources.

Americans' reliance on these earth resources is unquestionable. But will we have them in sufficient supply to accommodate ourselves and our offspring if our population continues to increase at the present rate and our present rate of consumption continues? With only six percent of the world's population, the United States consumes almost one-third of the world's minerals. In fact, we have consumed more of these resources in the past 10 years than was consumed in all previous history.[1]

SECTION I—EARTH RESOURCES

Energy

Among the most important of the earth's resources is the supply of energy producing materials. The production of electricity, the power to drive our cars, and the ability to heat our homes all result from the energy produced from fuel minerals. Our society's demand for electric power increased nine percent each year over the past two years. This would mean a doubling of our present demand within the short span of less than nine years. At this same level of expansion, the demands would increase by 800 percent before the end of this century. The problem is becoming more intense because of the difficulty of extracting the necessary fuel minerals for running the generators of our nation's power plants.

Power Blackouts—The Effect on Environmental Considerations

Millions of Americans face the real possibility of power blackouts this summer. Perhaps as many will face a shortage in energy for heating demands this winter. Homes and office buildings will be asked to turn off air conditioners on the hottest days this summer. In some areas appliances may have to go unused for periods of time because of the lack of power to run them.

The Task Force is concerned that as a result of these inconveniences, many citizens will close their eyes to necessary environmental considerations and demand more power at any cost to the environment. For probably the first time Americans will be faced with decisions that affect the environment and their personal comforts and conveniences. We will confront a situation where power demands will require the more efficient and expedient methods of mineral fuel extraction, while we will likewise face the equally important requirements of providing adequate environmental safeguards.

Current Domestic Resource Capabilities

The time span necessary to exhaust the majority of fossil fuels at our present rate of consumption is only a matter of centuries. The time required for the formation of new fossil fuels by geological processes is about 600 million years. If the population continues to grow at the present rate, with a corresponding increase in energy demand, we may be faced with a serious shortage of fossil fuels. For example, coal has been mined for about 800 years, but one-half of the coal produced during that period has been mined during the last 31 years. Half of the world's production of petroleum has occurred since 1956. Given this situation, we must either decrease our energy demand, or find a new major source of energy production, if we are to avoid the complete exhaustion of our energy fuels. Nuclear energy may eventually dominate electric power generation and help to obviate this problem, but at present the process is very costly.

Natural gas

A study done for the Federal Power Commission, Bureau of Natural Gas, states that, "On the basis of current trends, only a few years remain before demand will outrun supply." The United States gas industry and its customers will be increasingly dependent upon supplementary sources in the years beyond 1973. These supplementary sources could include: synthetic gas from coal, liquefied natural gas imported by ocean tanker, and imports from Canada.

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[1] Report 91-390, Senate Committee on Interior and Insular Affairs. (Sept. 1969).

Coal

Coal reserves are estimated at anywhere from 800 billion to more than one trillion tons, and the technology is available to produce it. We have a thousand-year supply of coal in sight. However, the air pollution control program, which is becoming nationwide in scope, may preclude the burning of coal in the amount required.

Air pollution control officials are concerned with two pollutants from the burning of coal: sulfur oxides and particulate matter. The emission of particulates can be controlled by the installation of electrostatic precipitators, and dust collectors. However, about two-thirds of the coal produced east of the Mississippi River cannot meet the present sulfur oxide emission standards, and there is no prospect that commercial sulfur removal techniques for coal will generally be available over the next few years. Low sulfur coal that would meet these standards is in extremely short supply.

Petroleum

Petroleum fuels are the nation's and the world's leading source of industrial energy. However, much of our supply comes from foreign sources. The gap between domestic supply and demand is widening rapidly, and it appears unlikely that we will be able to restore our position of self-sufficiency in petroleum energy.

The long range development of oil shales may be a way to supplement our crude oil supply. Approximately 78 percent of the world's known oil shale reserves are located in the United States with the bulk of these reserves contained in the Green River formation of Colorado, Utah, and Wyoming. The oil contained in this formation, with a content of at least 15 gallons per ton, may total as much as 1.8 trillion barrels. This is potential equivalent of enough oil to meet U.S. requirements for hundreds of years.

The promotion of the research on shale oil production has not been adequate. The present lack of interest is probably due to both economic and technological factors. Oil shales have their hydrocarbon content in a solid form, and they include objectionable nitrogen and other impurities that create problems in refining. Technology is apparently not far enough advanced to make it economically competitive with existing sources of petroleum.

Nuclear power

Nuclear energy is the only remaining energy source of sufficient magnitude and practicability of exploitation to meet the world's future energy needs. Of the possible sources of nuclear energy, that from the fusion reaction has not yet been harnessed and probably won't be in this century. Power from the fission reaction of uranium-235 is an accomplished fact, with more than 100 reactors presently operating or under construction. Although there is an enormous amount of energy released from the fissioning of uranium-235, it is an expensive and rare chemical element, and represents only $\frac{1}{141}$ of natural uranium. There is an optimistic prediction for nuclear energy, however, if we consider the fact that it is possible to convert both non-fissionable uranium-238, comprising almost all of natural thorium, into fissionable plutonium isotopes. In order to achieve this process, it will be necessary for us to develop "breeder" reactors, which actually generate more usable fuel than they consume.

The fuel for a "breeder" reactor (uranium-238 and thorium-232) is cheaper and more abundant than uranium-235. In fact, the intrinsic cost of fuel for a "breeder" reactor is only $\frac{1}{600}$th the cost of the fuel in the current burner reactors. However, uranium-235 is valuable as an initial fuel for "breeder" reactors, and is being consumed by our present generation of burner reactors. Consequently, it is essential that we replace the present burner reactors with "breeder" reactors, to conserve uranium-235 and assure the nation of an inexhaustible supply of nuclear fuel. A report by the National Academy of Sciences claims that if this is not done, the inexpensive sources of uranium-235 would probably be exhausted within a fraction of a century.

Nonfuel minerals

The availability of earth and mineral resources is indispensable to the growth and sustenance of our culture. The Bureau of Mines has said that our mineral production is slightly less than 3 percent of our gross national product. However, it has direct impact on 40 percent of the GNP, and an indirect impact on 75 percent of the GNP. Without an adequate supply of these mineral resources, we would find ourselves confronted with insuperable problems that could very well spell the end of the good life.

Current Supplies Fall Short of Future Demands

Our mineral consumption rate has substantially outgained our population growth rate for years. In the past century, our population grew more than 400 percent, but our mineral consumption increased more than 4000 percent.

Some predictions suggest that by 1980 consumption of mineral resources by the United States will rise 50 percent. Bureau of Mines projections for the period 1965–2000 show that iron consumption will increase over 200 percent in the United States and more than 250 percent worldwide. Zinc consumption will increase nearly 375 percent both in the United States and worldwide. Copper will increase more than 200 percent in the United States and nearly 375 percent worldwide. Despite the fact that our consumption rate will increase, we can see that the consumption rate of the world will increase even faster due to the economic and technological development of foreign countries. It is difficult to determine how and if we can meet these increased demands. Currently established reserves fall short of projected requirements, and it is difficult to estimate the possibility of new discoveries.

Today, per capita demand for minerals in the United States amounts to about $150 per person per year. By the year 2000 the Bureau of Mines believes that our per capita mineral demand will be approximately $420. The United States is producing annually about $25 billion worth of primary minerals and consuming approximately $32 billion worth. By the end of this century, when our population is expected to be 300 million, production is expected to increase to about $66 billion annually, and consumption to approximately $135 billion. In other words, the present annual deficit of $7 billion will increase to $69 billion by the year 2000.

Our current production deficit is about 22 percent of consumption requirements. It was only 9 percent in 1950, and if present trends continue it will rise to more than 50 percent in the next 50 years.

United States Is Dependent on Foreign Sources

Minerals are scattered across the earth in unpredictable patterns, and no single nation can depend entirely on its own resources. All nations are interdependent upon one another for an adequate supply of resources, but the United States is in a particularly dependent position. The United States is an enormous consumer of minerals and fuels. For example, the world-wide per capita consumption of iron and copper is about one-sixth that of the United States, and for lead it is one-eighth. Despite the fact that we are the world's largest producer of copper, we are also the world's largest importer of this mineral. Fifty years ago, we were the world's largest exporter of copper. A study by Resources for the Future, Inc., has concluded that over the next three decades the United States will be largely dependent on imports for such vital metals as manganese, chromium, nickel, and tungsten. It also suggests that the total world demand will begin to outstrip the known mining potential of copper, lead, and zinc in all parts of the globe. Except for coal and molybdenum, the United States is partially or wholly dependent on imports for even its normal needs of most of the metals and minerals that are the foundation of our economy. Today, imports supply over 75 percent of our needs for 20 different raw materials.

Labor Dwindles While Research and Development Lag

Exploration for minerals is a complex business, and most of the easy discoveries have been made. It is now a very difficult and costly procedure that entails a great deal of chance. We must also keep in mind that as much as 8 to 10 years may elapse between the time the decision is made to open a new mine and the time the development work is completed and commercial production gets under way.

It is an undeniable fact that we must use available ore to the greatest possible advantage. We are going to be required to turn to the lower grade ore deposits and deposits at very great depths to satisfy our mineral requirements. Such endeavors will require research, both basic and applied. However, a study conducted by the National Academy of Sciences, the National Academy of Engineering, and the National Research Council says, "Despite the key role of mineral products, mineral technology in the United States is in a declining state, and serious trouble lies ahead for the country unless corrective actions are taken promptly."

There is a great need in the United States for increased mineral exploration and development. Yet, fewer students have applied for admission to the mineral schools, and we have seen the decline of mining schools in the United States from 26 to 17 in five years. There is also a startling lack of students throughout the United States studying such mineral engineering subjects as geological engineering, geophysical engineering, metallurgical engineering, mining engineering and petroleum engineering. Last year American universities graduated a total of only 110 mining engineers, and many of these were foreign students who returned to their own countries. In 1967 there were 19 graduate programs in mining with a median participation of eight graduate students, and half of these were foreign nationals. The public attitude toward mining has also contributed to the manpower problem. It has become more difficult to recruit labor to man mines, particularly the underground mines in remote areas. Furthermore, it is estimated that the average coal miner is over 50 years of age, and the 250,000 of them will retire in the next 2 years.

Recycling of solid waste

An undetermined amount of resources are being dumped on America's landscape and into our air and water in increasing volume each year in the form of solid wastes. It is estimated that every year each person in the United States discards 200 pounds of paper, 135 bottles and jars, and 250 metal cans plus myriads of other packaging materials. In addition to this there are about seven million automobiles junked each year, 110 million tons of industrial waste, 550 million tons of agriculture residues, 1.5 billion tons of animal manures, and one billion tons of mineral wastes.

In the past, solid waste has been viewed as material to be disposed. Even as recently as 1965, the Federal government's effort to assist with solid waste problemswas titled the Solid Waste Disposal Act of 1965. Recently, how-

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ever, there has been an increasing awareness that solid waste could be processed through recycling and reuse technology, to render beneficial resources—fertilizers, minerals, food, and new combinations of industrial materials as substitutes for present depleting resources.

In order to move forward with new initiatives in solving the problems of solid wastes, President Nixon ordered a re-direction of research that would make products more easily disposable, and develop the technology needed to reuse and recycle a far greater proportion of waste materials. The President's leadership in this activity led to the overwhelming support in the House of Representatives of the Resource Recovery Act of 1970 which will: expand and intensify the development of new techniques for solid waste disposal; stimulate the construction by the several States and municipalities of pilot projects utilizing new and improved waste disposal technologies; and provide for conducting studies to determine economical means of and appropriate incentives for recovering useful materials and energy from solid wastes and a way to reduce the amounts of such waste which should be disposed.

The oceans—Untapped resources

Any consideration of our earth resources requires that attention be given to developments in the field of oceanography. Too little is known about marine resources and their possible benefits available to mankind. The Task Force believes oceans may hold an important key to the future. The raw material value of commercial products extracted from the ocean by U.S. firms exceeds $2 billion a year and such production is growing at the rate of 12 percent annually. However, this is only a small portion of the fishing, mineral and water supply potential.

Development of fish protein concentrate offers potential for providing domestic and world protein, but questions remain concerning toxicity of fish. Research on lean fish utilization has progressed to pilot plant stage. Fatty fish, however, are in greater abundance. Research is progressing to develop technology for their commercial utilization. The sea and fresh water offer greater potential for economic fish production. There is particular promise for aquaculture for species where market demand is high, such as for shrimp, catfish, salmon, lobsters and oysters. The major deterrent here lies in the lack of proper water quality environments for such development. This is another example of the need to approach our resource problems in a total systems concept of development and management.

Food and nutrition—A world crisis

There is general agreement that our ability to produce enough food for the growing American population is not in danger, yet too many Americans lack proper nutrition. The total supply for the world population is already insufficient. At the present rate of world population growth, the per person ration is likely to continue to decline. The present methods of increasing productivity per acre with the use of heavy fertilization and pesticides cause pollution of the soil and the water table as well as tributaries, rivers, lakes and our oceans. This aspect of agriculture will have to be changed or controlled if we are to avoid further pollution of our water supply and marine life.

Tomorrow, in just one day, the amount of food will be about the same as today, but there will be 200,000 more mouths to feed. At least one-half the people in the world today are hungry. Their food for the day is likely to consist of a single potato or a bowl of rice. The average South American had 7 percent less to eat in 1966 than he did in 1960. Eighty percent of pre-school children in rural India alone suffer from malnutrition dwarfism. Approximately 61 million metric tons of plant nutrients (fertilizers) would be required, in addition to the roughly 6 million metric tons now being applied in the developing nations, if their food production is to be increased 100 percent above present levels. The use of pesticides or some substitute will have to increase sixfold if the insects and diseases are to be controlled in developing countries.

For human consumption, protein concentrates from soybean and corn are very promising and are being developed into marketable products. Development of single cell protein from petroleum is beginning to show progress. More knowledge is needed on the subject of poisonous fish and marine biochemistry before placing too much confidence in fish protein concentrate. Sub-sea farming as mentioned previously is economically promising.

The role of satellites

Earth Resource Satellites (ERS) can make a valuable contribution by enabling us to understand the earth as a total system. An ERS equipped with multispectral sensors photograph every area within its scope every 90 minutes. This constant system of surveillance will enable agricultural experts to identify crops which are endangered by disease or starvation. ERS has also proven valuable in teaching us more about our own geology and minerology, as well as about pollution problems and weather analysis. ERS sensors in airplanes have helped solve fishing problems by discovering the migration of the fish to warmer waters.

Communication satellites will be used in international cooperative educational programs. The United States and India have an official understanding between the National Aeronautics and Space Administration and the Indian Space Agency to conduct an instructional television experiment in 1974. In this agreement NASA will provide an eighty watt transmitter on Applications Technology Satellite -F and position this satellite within view of India providing experiment time of up to 6 hours per day for a period of approximately one year. India has accepted the responsibility for procuring and installing about 5,000 widely distributed village receiving systems for all TV programming material.

In this memorandum of understanding, India lists under primary specific objectives number one "contribute to family planning objectives." This activity must be considered the most promising international population program of the 70's. Successful results in receiving could lead to similar international agreements with other developing countries.

Recommendations and conclusions

The Task Force recommends that this nation establish national policies on energy, non-fuel minerals, and oceanography.

Within the purview of *a national energy policy* should be: exploration, extraction, delivery systems, environmental quality standards, storage, conversion of resources to energy, and pricing. In the areas of extraction, delivery, and conversion, much is required in increasing both research and development of new technology and a supply of trained manpower. Eighty-five cents out of every federal research dollar in this field goes toward nuclear research. This seems disproportionate considering the immediate demands and the potential supply of other forms of energy.

In lieu of federal subsidies, both suppliers and manufacturers of energy minerals and energy itself must be given the incentive for increasing their R&D effort.

A new attitude and policy toward utilities is needed so that the value of a utility company to its community is viewed not solely on its ability to provide adequate service, but also its ability to provide a safe environment through pollution control, better land use planning, increased research and development, and to set pricing policies that discourage nonessential demands on energy supplies.

Environmental considerations are as important as providing the needed supplies. A systems approach—synthesizing the interrelated activities of the various agencies and departments involved with energy problems—to the entire dilemma is needed which necessitates reorganization of government agencies at federal and state levels. Any reorganization should be in support of a national energy policy.

A national non-fuel minerals policy should encompass:

1. Full utilization of low-grade and less accessible deposits, more efficient use of the scarce minerals, and supplement mineral resources with minerals from the ocean.
2. Exploration for, and production of our needed minerals should be left to private enterprise.
3. Access provided to prospective lands for the orderly development of mineral resources, when environmental considerations do not dictate otherwise.
4. Closely coordinated research programs between industry and government.
5. Government implemental long-range programs to precede environmental improvement programs of private industry and others.
6. Mining to yield an after-tax rate of return that will be sufficient to attract the necessary investment. Thus, the tax burden must not be so heavy as to make the after-tax yield unattractive to new capital.
7. Coordination of the special foreign investment and trade aspects of our mineral supply situation.
8. Encouraging a variety of alternate sources to reduce the risk of having supplies cut off by the hostile acts of other nations.
9. Designing automobiles, refrigerators, ranges and other metallic consumer products, manufacturers should provide greater durability, retard obsolescence, and anticipate the need for recycling.

A National Policy on Oceanography

The Task Force believes that research and development in the field of oceanography should rank equal in importance with space research and development. If R&D in oceanography and space are to be ranked as equal, there is justification for the establishment of a new Federal agency at the level of NASA. However, there are other alternatives available to the Federal government in stimulating an increase in this needed oceanographic R&D that should be considered. An expansion of the Sea Grant program under the National Science Foundation could perhaps achieve the necessary level of R&D or another type of goverment-industry-university combine might accomplish the objectives. Currently, the National Science Foundation is considering a National Oceanographic Laboratory System (NOLS) that would link the major academic oceanographic institutions of the United States together.

The need for increased amounts of food, minerals, and pharmaceuticals will become more critical as a result of the world's population growth in the remainder of this century. Irrespective of Organizational structure, the United States must possess the best in marine resources technology and develop an aggressive leadership role toward international cooperation in marine research and technology.

SECTION II—POPULATION

It is almost self-evident that the greater the human population, the greater the demands for natural resources and the greater the danger to ecological balance. The paramount question deals with an optimum human population. How many people is too many people in relation to available resources? No one seems to honestly know but many believe that our current environmental problems indicate that the optimum level has been surpassed. A fair analysis would seem to be that our population and consumption rates have grown more rapidly than our ability to develop and supply the resources being consumed while protecting our environment. Population growth multiplies not only the demand for natural resources—minerals, food, and water—but also for necessities such as housing, transportation, and medicine. It takes productive people to convert resources into available supplies. Though fertility rates are down throughout the world since World War II, advances in medicine and nutrition have decreased death rates by a larger degree than birth rates have decreased. As a result of reduced death rates, there are more people in their non-productive years than ever before. More children and more elderly people unable to participate in the world's work force increase the burden on the productive age group.

It took all of history, until about 1830, for the world's population to reach 1 billion.

In 1930, 100 years later, world population reached 2 billion.

In 1960, 30 years later, world population reached 3 billion.

By 1975, it is anticipated that the world population will be 4 billion. (Current world population is 3.5 billion.)

The current rate of population growth is 2% per year or 70 million per year. If this rate of growth continues, we will reach a world population of 7 billion by the turn of the century.

The most frightening aspect of this growth rate is that if it continues, we will have 14 billion people or four times our present population by 2015. The National Academy of Sciences has said: "Either the birth rate must come down or the death rate must go back up."

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Rates of growth are significantly higher in the less-developed countries:

Latin America—3% per year

Africa—2.3% per year with a high death rate

India—2.5% per year

Pakistan—2.7% per year

The United States has a growth rate of 1% per year. At the present rate, our population will increase from its present 205 million to about 300 million by the year 2000.

Congestion and density

Many of our nation's social problems can be attribued to population density and the congestion of our urban areas.

Projections of the Urban Land Institute place 60 percent of our population in the year 2000 in just four huge megalopolis areas—one, from Boston to Washington, D.C., another from Utica, N.Y. to Milwaukee, Wisconsin, a third from San Francisco to the Mexican border, and the fourth from Jacksonville to Miami, across to Tampa and St. Petersburg. Most of the remaining 40 percent of the population is expected to live in urban areas as well. Metropolitan areas over 150,000 grew faster than the national average of 9.8 percent.

This trend toward density creates immense stress on the public services necessary to accommodate the population. Police, fire, sanitation, transportation—all these and many others including education, health, and housing have been unable to keep pace with the demands created by this congestion.

Sociologists believe that this density of population has been a prime cause for increased automobile traffic deaths, drug addiction, broken marriages, alcoholism, crime, homosexuality, suicides, venereal disease and heart attacks as a result of the social stresses that man encounters in his struggle to exist in such a congested environment.

In both his Population Message of July, 1969 and his State of the Union Message of January, 1970, President Nixon stressed the need for America to begin developing a national growth policy.

In his State of the Union address, the President said:

"The violent and decayed central cities of great metropolitan complexes are the most conspicuous area of failure in American life.

"I propose that before these problems become insoluble, the nation develop a national growth policy. Our purpose will be to find those means by which Federal, State and local government can influence the course of urban settlement and growth so as to affect the quality of American life.

"In the future, decisions as to where to build highways, locate airports, acquire land or sell land should be made with a clear objective of aiding a balanced growth.

"In particular, the Federal government must be in a position to assist in the building of new cities and the rebuilding of old ones.

"At the same time, we will carry our concern with the quality of life in America to the farm as well as the suburb, to the village as well as the city. What rural America most needs is a new kind of assistance. It needs to be dealt with, not as a separate nation, but as part of an overall growth policy for all America. We must create a new rural environment that will not only stem the migration to urban centers but reverse it. If we seize our growth as a challenge, we can make the 1970's an historic period when by conscious choice we transformed our land into what we want it to become."

Family planning and birth control

The role of family planning services as part of an overall medical health care system was covered in the Task Force report on *Federal Family Planning Programs—Domestic and International* which was released on December 22, 1969. In that report we stressed that an estimated 5.3 million American women do not have access to information or techniques available to the rest of society about how to limit their fertility. It was further noted that this inaccessibility of knowledge undermines the morals of our society and is not in keeping with the basic principles of a democratic system.

Family planning is more than simply birth control. It includes many aspects of maternal and child health care which must be made available to all our citizens. Birth control must be kept within the total context of family planning and should be considered always as an available option for any individual. The belief that family planning constitutes population control must be rejected. Over 97 percent of married American couples utilize maternal and child health care services and an estimated 90 percent[2] practice birth control in some form and still the United States experiences a population growth rate of 1 percent, a doubling every 70 years. Family planning constitutes the knowledge base for regulating births and reducing infant mortality. Population control is to limit births not to regulate births. It is necessary to understand the difference.

The practice of birth control is an accepted norm for American married couples. There is, however, concern among many demographers over the widespread desire on the part of Americans to produce three and four children and the belief that such family sizes constitute the practice of birth control. Without fail-safe contraceptive devices, available to both men and women, that are medically safe and easily administered, it is not realistic to believe that an honest free choice decision is available to those who prefer to limit their families to two children.

Population Control is not a function for federal, state or local governments. However, family planning services, within the context of maternal and child health care services, must be made more accessible to the poor and providing these services is a proper function of all governments at sensible levels of cost. As part of family planning services, birth control information as well as devices and techniques to regulate fertility should be available to all those who want them and cannot afford them through private sources. The major problem in providing these specific birth control services has been the availability of trained personnel. Medical doctors and nurses are hard pressed for services in more specialized areas of medicine. Also, providing family services to the poor has not been considered an appealing avocation of the medical profession. Ideally, our entire health care system should be overhauled to create less reliance on specialized medicine and overburdened hospitals and more dependence on para-medical professionals in providing health care services and more reliance on providing proper nutrition for all Americans.

The legality of abortions and of sterilizations does not come under the jurisdiction of the Federal government, but they are properly within the purview of State governments where medical laws are widely divergent. The most disturbing aspect of the abortion issue that was brought before the Task Force, is the disparity between the availability of professional abortion services to those women who can afford the $500 to $700 to obtain a therapeutic abortion and the estimated one million illegitimate abortions performed by the unlicensed practitioners for those women who cannot afford professional service.

It is apparent that many women who desire abortions take extreme measures, and subject themselves to dangerous methods in order to obtain an abortion. It therefore seems that the main objective of abortion law revision should be to eradicate the increasing number of unlicensed and unqualified practitioners who jeopardize the health and safety of these women and to establish a system that eliminates discrimination resulting from present pricing structures.

Recommendations and conclusions

The Task Force is committed to the development of a national population policy. We believe education, family planning services, contraceptive research and development, as well as transportation, and community planning and development should be important components of such a policy.

Before we can begin to remedy a problem, we must first realize that we have one. Despite the increased interest regarding this problem, there is still a vast number of Americans who are unfamiliar with even the most essential understanding of this potentially dangerous population growth rate. The Task Force feels that one of the most important functions of the Federal government is to supply the public with the latest and most accurate data. This should be done in a non-judgmental fashion that will enable the citizens to be well informed, and to influence their own remedial action.

It is expected that the Council on Environmental Quality and the recently established President's Commission on Population Growth and the American Future will provide the public with this necessary information and insure continuing data regarding the latest developments.

Death tolls have been reduced in every country to negligible rates from epidemics and disease such as malaria, measles, smallpox, cholera, polio, and tuberculosis; major advances have been made against heart dissease and cancer, artificial organs can now prolong life. Since we accept these intrusions into nature's control of population as morally justified, are we not unwise to consider birth control with equal moral justification? If we continue to support government activities to reduce disease and improve health in order to prolong life under the auspices of what is good for society, then should we not consider birth control as a government activity for similar reasons?

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[2] Charles F. Westoff, and Norman B. Ryder, *Recent Trends in Attitudes Toward Fertility Control* and *In the Practice of Contraception in the U.S.* University of Michigan November 1967, page 10,2/*Ibid*.

In the Task Force report on "Federal Government Family Planning Program" it was recommended that the Congress increase appropriations for contraceptive research in the amount of $380,000,000 over the next five years. In conjunction with this research, the Task Force now feels research in the methodologies of predetermining sex before insemination must be considered and pursued. For birth limitation and regulation to be an honest free choice goal of Americans to undertake, predetermination of the sex of children and fail-safe contraception must be available to everyone. The Task Force believes that much more knowledge is needed by the public in general about fertility control, contraception techniques, and sex determination, as well as the social and material consequences resulting from increased population, in order that the broadest number of options are available to everyone in making personal decisions that affect the use of natural resources, family size and ultimately our environment.

There must exist a great sensitivity to these problems which cannot be provided by the federal government. The government can provide leadership and direction, but should never be put into a position of having to enact controls of population as a result of public ignorance and indifference.

POPULATION DATA AND PROJECTIONS, 1969-2000

Countries listed in order of calculated population in 2000

[Population figures in millions]

	Population, mid-1969	Calculated population 1980	Calculated population 2000	Annual rate of growth as of 1969 (percent)
1. China	740	924	1,372	2.0
2. India	537	704	1,152	2.5
3. Pakistan	132	188	360	3.3
4. U.S.S.R.	241	269	328	1.0
5. United States	203	227	276	1.0
6. Indonesia	115	150	241	2.4
7. Brazil	91	123	213	2.8
8. Japan	102	115	144	1.1
9. Mexico	49	71	138	3.4
10. Nigeria	54	71	115	2.5
11. Philippines	37	54	108	3.5
12. Korea (North plus South)	45	60	102	2.7
13. Vietnam (North plus South)	39	54	95	2.9
14. Thailand	35	49	89	3.1
15. Germany (East plus West)	74	77	81	.3
16. United Arab Republic (Egypt)	33	45	79	2.9
17. Turkey	34	45	74	2.5
18. Iran	28	39	72	3.1
19. France	50	56	68	1.0
20. United Kingdom	56	59	67	.6
21. Italy	53	57	66	.7
22. Colombia	21	31	60	3.4
23. Burma	27	34	53	2.2
24. Ethiopia	24	30	45	2.0
25. Spain	33	36	42	.8
26. Poland	33	36	42	0.8
27. South Africa	20	25	41	2.4
28. Argentina	24	28	38	1.5
29. Sudan	15	21	38	3.0
30. Morocco	15	21	38	3.0
31. Romania	20	24	35	1.8
32. Congo (Kinshasa)	17	22	35	2.3
33. Peru	13	18	34	3.1
34. Afghanistan	17	21	33	2.3
35. Algeria	13	18	32	2.9
36. Tanzania	13	18	31	2.9
37. Taiwan	14	18	31	2.6
38. Yugoslavia	20	23	29	1.1
39. Venezuela	10	15	28	3.3
40. Malaysia	11	15	28	3.1
41. Kenya	11	15	27	3.0
42. Ceylon	12	16	26	2.4
Rest of Asia	66	87	142	2.5
Rest of Africa	128	165	260	2.3
Rest of Latin America	68	90	151	2.6
Rest of Europe	117	126	145	.7
Canada	21	26	39	2.0
Oceania	19	23	35	1.8
World	3,550	4,439	6,778	2.0

Note: Data supplied by Dr. Raymond Ewell, vice president for research, State University of New York at Buffalo.

DATA II.—TIME REQUIRED TO DOUBLE A POPULATION

Annual rate of population growth	Number of years to double population
4.0	17.3
3.5	20.1
3.0	23.1
2.5	27.6
2.0	34.6
1.5	46.2
1.0	69.3

Note: To maintain the same standard of living for its people a country must double its output of goods and services (GNP) in the same time period that population doubles. To improve standards of living, it must more than double its GNP in the same time period.

DATA III

Income of husband and education of woman	Average number of children ever born per woman 35 to 39 years old in 1960: White	Negro and other races	Difference
Total married women living with husband	2.7	3.3	0.6
Income of husband:			
None	2.9	3.5	.6
$1 to $1,999 or less	3.1	4.2	1.1
$2,000 to $2,999	2.9	3.4	.5
$3,000 to $3,999	2.8	3.1	.3
$4,000 to $4,999	2.6	2.8	.2
$5,000 to $6,999	2.6	2.8	.2
$7,000 to $9,999	2.6	2.8	.2
$10,000 to $14,999	2.6	2.4	.2
$15,000 and over	2.7	2.7	0
Total women ever married	2.6	3.1	.5

Income of husband and education of woman	Average number of children ever born per woman 35 to 39 years old in 1960: White	Negro and other races	Difference
Years of school completed:			
No school years completed	4.1	4.1	0
Elementary:			
1 to 4 years	3.8	4.0	.2
5 to 7 years	3.3	3.8	.5
8 years	2.9	3.3	.4
High school:			
1 to 3 years	2.7	3.1	.4
4 years	2.5	2.5	0
College:			
1 to 3 years	2.5	2.2	—.3
4 years	2.4	1.9	—.5
5 or more	2.1	1.5	—.6

Note: These data are from the 1960 census, because differences for corresponding groups from the January 1969 CPS are not statistically significant, even though they tend to show a pattern very similar to that for 1960. (See 1960 report 3A of vol. 2, Women by Number of Children Ever Born, table 37 on income of husband, and table 25 on education of woman.)

RECORD VOTES IN THE COMMITTEE OF THE WHOLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, the U.S. House of Representatives has been much criticized in recent months by scholars, journalists, and Members of this body.

A recent survey by pollster Louis Harris showed that 54 percent of the American people view Congress negatively, the lowest rating in the last 5 years. When a majority of the American people feel dissatisfied or alienated from the Congress, then it is high time for this institution to act to remedy that condition. A positive step by this body would be passage of the Legislative Reorganization Act of 1970, soon to be acted upon by the full House, and adoption by the House of H.R. 1074 or H.R. 1075, bills that would require keeping a public record of teller votes in the Committee of the Whole.

In my judgment the House as presently organized is, in some respects, archaic. Not only are we ill equipped to cope with modern-day problems, but the rules and procedures which guide our conduct are outdated and, even worse, some are undemocratic. I speak specifically of the lack of record votes in the Committee of the Whole. This practice serves both to debilitate the democratic process and to cause confusion, suspicion, and mistrust among our constituents.

The practice of nonrecord voting in the Committee of the Whole developed in England centuries ago to protect Members of Parliament from the King's wrath. But in 1832 Parliament reformed the system to provide for record votes.

The American House of Representatives, however, has yet to reform itself in this regard and is decades behind our English counterparts. By contrast, in the other body of the Congress there is almost always a rollcall on any major measure.

The Committee of the Whole is simply another committee of the House, though much larger, with some Member other than the Speaker presiding. There are, however, significant differences between the Committee's procedures and that of the House, particularly: a quorum of 100 Members rather than 218; amendments defeated in the Committee may not, for all practical purposes, be voted upon again; and, finally, rollcall votes are not allowed in the Committee. The consequence of these rules is that a handful of men in the Committee can defeat an ABM, health, poverty, education, or some other amendment without anyone knowing, except in unsatisfactory ways, who voted for what policy. That old but important idea that Representatives should be held accountable for their actions is subverted by this practice of the House.

When the framers of the U.S. Constitution drafted that document they intended the House to be closest to the people. As the well-known historian Joseph Story pointed out, it was the opinion of the framers that the House "should guard their, the peoples', opinions, make known their wants, redress their grievance, and introduce a pervading popular influence throughout all the operations of the Government." The implementation of these responsibilities is hampered by the lack of record votes in the Committee of the Whole, a procedure that prevents our citizens from knowing all they have a right to know.

One of the duties of a legislator is to represent the interests of the people who elected him. In many cases, however, the represented are not sure where their Representative stands on a question of public policy. This confusion arises because the House is a complex institution with intricate parliamentary rules, numerous committees and subcommittees, and dispersed leadership. A legislator may, for whatever reason, feel obligated to vote one way in committee, another in the Committee of the Whole, or vote still a third way on a rollcall vote. Only rollcall votes on the floor of the House are a matter of public record. Requiring votes in the Committee of the Whole, would be a step toward further democratization of House procedures by making visible and public an aspect of the legislative process that citizens need and expect to know about.

Why is it important to our constituents that record votes be taken in the Committee of the Whole? The answer is simple. Every American citizen is affected by the decisions of Congress in areas such as housing, education, health, poverty, or tax policy. When issues so vital to the Nation are discussed and voted upon, every citizen should have the right to know who supported and who opposed what bills at every stage of the legislative process. This is denied them because current House rules prohibit record votes in the Committee of the Whole. Yet amendments may be adopted or rejected in this Committee that can change the character and direction of national policy. Should our constituents and colleagues not be privy to this vital information? This question can only be answered with a strong affirmative.

Secrecy has no place in a legislative body that serves the people. It is obvious that procedures do affect policies, and when a procedure can serve to thwart the public will or deny it the information it needs in order to make judgments about its elected Representatives, then it is time for a change. The positive change I advocate is the requirement of record votes in the Committee of the Whole. I would add, Mr. Speaker, that there has always been a question in my mind as to the constitutionality of denying a record vote in the Committee of the Whole if one-fifth of the House is in favor of such a vote. The reason for this suspicion is obvious: the Constitution guarantees a yea-and-nay vote if one-fifth of the House desires it.

TRIBUTE TO BILL TILSON, OF MOBILE, ALA.

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, there comes a time in the lives of many persons who have unselfishly dedicated themselves to serving humanity when suddenly out of a clear sky they are accorded public recognition much to the surprise of no one but themselves. Such a man is Bill Tilson, of Mobile, Ala., who I am privileged to have living in my congressional district, and whose name has gained familiarity nationwide as the individual most responsible for helping avert what might have been a terrible toll in lives during Hurricane Camille last summer.

As head of Mobile's Weather Bureau office, Tilson, who has been with the Weather Bureau for 40 years, along with his capable staff, took the initiative in warning civil defense directors and other public safety officials during the early morning hours of August 17, 1969, of the pending force and danger of this killer storm. The mass exodus from the Alabama and Mississippi coastal areas brought on by Tilson's repeated warnings against Camille is credited with saving countless lives.

On Friday, July 10, Tilson and his staff will be duly honored for their outstanding service by being presented the Environmental Science Services Administration's new Unit Citation for Special Achievement at a special ESSA awards dinner in Silver Spring, Md. This high award is but one more tribute for the exemplary work performed by Bill Tilson and his staff during the Camille disaster. Beyond a doubt, this award symbolizes the highest ideals of humanitarian service to this country. It is well deserved by those who serve in the Mobile Weather Bureau.

TAKE PRIDE IN AMERICA

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in doing so renew our faith and confidence in ourselves as individuals and as a nation. The United States has the greatest accessibility to television broadcasting in the world. There are over 600 TV stations in the United States compared to 130 in the Soviet Union.

THE PROBLEM OF MISDEMEANOR COLLATERAL INVOLVED IN DEMONSTRATIONS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. BLANTON) is recognized for 15 minutes.

Mr. BLANTON. Mr. Speaker, on June 25, I released the results of a special survey conducted at my request by Mayor Walter Washington's office concerning the problem of misdemeanor collateral involved in demonstrations here in Washington, D.C.—CONGRESSIONAL RECORD, June 26, 1970, pages 21745 to 21746.

One of the most important aspects of that survey was the fact that more than 80 percent of persons arrested during demonstrations for a wide variety of offenses forfeited collateral as low as $5 to $25. It is no wonder violent acts occur with frequency in these demonstrations, for there seems to be little deterrent in the way of possible punishment.

I was somewhat amazed to read in the Washington Evening Star, Tuesday, of the announcement by Chief Judge Harold H. Greene of the court of general sessions, announcing the rescinding of a May order increasing the collateral on misdemeanors arising out of demonstrations.

I was pleased that Judge Greene asked his fellow judges to make a complete study of the question of collateral in such offenses, to determine whether the current flexible method is effective. I would submit, however, that his decision to lower the collateral from $50 to $10 is a step in the wrong direction, and appears to me to be especially ill timed in light of the fact that the most recent protest demonstrations, occuring over the Fourth of July weekend, again produced substantial private and public property damage, and injuries to 24 Metropolitan Police officers and 17 Park Policemen.

I think we should ask the police officer who had his jaw broken by one of the "flower children" involved in the most recent demonstration, whether he believes the ridiculously low collateral is a deterrent. Surely the youth who pushed a brick in the face of that officer did not fear much punishment for his act.

Of the 63 arrests over the Fourth of July weekend, 21 were allowed free by paying collateral of $50, and another 19 were released after paying $10 collateral.

Again, let me remind my colleagues what collateral is. Collateral is a fee to be paid by the arrested individual in lieu of his arrest. By paying it, that closes the case if he forfeits. It is in essence a small fine. It is not bond, since forfeiture of bond does not close the books on the case.

During the Fourth of July disturbances, 15 youngsters were arrested for throwing missiles at police, and none paid over $25 in collateral.

Mr. Speaker, my statement of June 26 was meant to be a notice to the local judges that Congress was aware of the problem of collateral. Judge Greene has responded by lowering the collateral, instead of keeping it at least at a more reasonable level. It is clear to me that Congress, with its special obligation to the people of this city, needs now to step in and take away this discretionary power of the judges to set arbitrarily low collateral fees for what in some jurisdictions must surely be ranked as more serious than a fine the equivalent to a parking ticket. If the Metropolitan Police are to maintain order, and if the local merchants are to have any safety for their property, and if the local citizens and tourists are to have any feeling of safety for their person, then we in Congress must act, for apparently the judges are not going to act effectively.

I am preparing legislation which will correct this matter, and I will be speaking on this matter again in the near future.

SUPPLEMENTAL VIEWS ON SOUTHEAST ASIA INVESTIGATION

(Mr. **ANDERSON** of Tennessee asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

LOGISTIC SANCTUARIES

Mr. **ANDERSON** of Tennessee. Mr. Speaker, the comments relative to logistic sanctuaries are submitted at the risk of belaboring a very obvious point.

Two-thirds of the war materials and very important food imports sustaining the North Vietnamese war effort arrive by sea through the port of Haiphong. While our own intelligence was slow to ascertain the fact, it is now apparent that most of the materials in the Cambodian sanctuaries arrived not via the Ho Chi Minh Trail but by sea through Sihanoukville. As impressive as were the quantities of supplies taken by U.S. and ARVN forces in Cambodia, the entire quantity, nonetheless, could be replaced by one shipload. Fortunately, the South Vietnamese Navy is now trying to seal off the Cambodian coast. This is one of the most important steps taken in the war to date.

War supplies and food are shipped to North Vietnam by the Soviet Union, Red China, and other nations. By far the more important source is the Soviet Union and the satellite nations, to whom the North Vietnamese have their strongest ideological and other ties. The Vietnamese do not trust mainland China.

While it is very apparent that North Vietnam wants South Vietnam for its own purposes, the ability of the north to sustain the war is very much dependent on the logistics train arriving by sea from the Soviet Union, and others. The ports requisite to the functioning of this train, mainly Haiphong at this point, comprise a logistics sanctuary of infinitely greater magnitude than the entire network of Cambodian supply caches.

Thus it is perhaps not an oversimplification to view the war as one in which the Soviets and Red Chinese are exploiting the incredibly adept North Vietnamese jungle fighters as willing puppets to perpetuate the tying down of U.S. forces and all that involves—tens of thousands of lives lost—a large part of our national resources spent—a rising domestic dissent—and a military establishment whose weapons are being worn out at a time when they should be modernized and replaced for the even more dangerous confrontations which may lie ahead. As is altogether obvious, the Soviets are modernizing and extending their weapons at a furious pace—particularly their sea power.

It is difficult for this Member to rationalize the situation where more than 300 American servicemen die to take a shipload of enemy arms and supplies hidden in Cambodia while scores of replacement shiploads are permitted to proceed unimpeded and unchallenged into Haiphong. We are willing to commit American boys to the ultimate risk of death in the jungle, without shouldering in a national sense a portion of that risk—the risk involved in demanding that the huge sea logistic train to the north be stopped. If it comes to it, naval authorities agree that Haiphong Harbor could be easily closed, probably without loss of life, by mining, sinking a hulk across the entrance, or by other means. More than likely, this could be accomplished by South Vietnamese forces.

If South Vietnam were willing and successful in taking that step, the rate of Vietnamization of the war, and therefore the U.S. troop withdrawal timetable, could proceed at least twice as fast as currently planned.

The preferable course of action, however, would be the achievement of new U.S. conference table initiatives vis-a-vis the Soviet Union. Virtually the entire world would applaud a bilateral agreement which would lead to an early negotiated peace and the substitution of economic aid for military aid to Vietnam on the part of both the United States and the Soviet Union, in order to rebuild that war torn nation, south and north. The Soviet Union has a moral responsibility to take a part in the Paris peace talks for this purpose.

SOUTH VIETNAMESE VIEWPOINT OF U.S. ASSISTANCE

As pointed out in the section on communications in the basic report, the United States and the Government of South Vietnam have not been very effective in explaining the U.S. presence to the Vietnamese people outside of the Government and the armed forces. One gains the impression that while some Vietnamese citizens are genuinely appreciative of U.S. assistance, the majority are not. In some respects this attitude pervades the highest echelons of Government. This member was surprised to hear President Thieu express the rationale that the French had been there, now the Americans—the Americans would probably not be the last—there might be three or four other nations in the future. One could not help but gain the impression that our assistance is viewed as a somewhat necessary expedient, but of only passing significance.

Closely related to the casual attitude toward U.S. assistance, is a lack of sensitivity within the Thieu government regarding domestic U.S. concern over the war and the phasing out of U.S. forces. This lack of sensitivity unfortunately seems to be shared by some in civilian components of the U.S. ambassadorial country team. It is with a deep sense of personal regret to so report, but this member feels a moral obligation to suggest that we have arrived at a juncture where the necessary leverage upon the Thieu government for rapid Vietnamization and urgently required economic and other reforms can only be applied through new U.S. ambassadorial leadership in Saigon. Ambassador Bunker is a superb American who has rendered vast service to his country. The foregoing comments should not be interpreted as derogatory in any respect. It is merely an effort to appraise a difficult, confusing, and rapidly changing situation realistically. Any other person, no matter how able, would equally have been forced into a position of diminishing alternatives in dealing with the government of a nation seeking self-determination under such difficult circumstances.

CON SON NATIONAL PRISON

By virtue of U.S. aid involvement in the South Vietnamese national prison system, this Member was one of two who visited Con Son National Prison. While there, partially due to advance intelligence, but mainly through happenstance, we gained admittance to a prison compound known as the "tiger cage" area. The treatment of South Vietnamese civilian prisoners in this area can only be described as inhumane and shocking. Throughout the prison severe problems of malnutrition, vitamin deficiencies, tuberculosis and other deficiencies of deep concern exist. A detailed report of conditions is contained in the supplementary views of Congressman HAWKINS.

While one may legitimately argue as to the basic wisdom of our involvement in that nation's prison system, we are, nonetheless, involved. What we must do now is to insist on immediate prison reforms in the name of humaneness, and immediate reforms to the South Vietnamese legal processes in the name of justice. Setting aside for a moment the humane factors, any system where a citizen can be jailed and held 2 years without trial by little more than an administrative action of the part of a Provincial council is bound to involve some innocent people and to be counterproductive to self-determination of government and to viable anti-Communist democratic progress.

Because we are already involved and because of this Nation's dedication to justice and humane treatment of all, we cannot stop at the mere insistence of reform—we must provide suitable advisers and suitable material resources to carry out those reforms if we are to continue to support the existing Saigon government.

TAX EXEMPTION ON THE FIRST $500 OF INTEREST RECEIVED FROM SAVINGS ACCOUNT DEPOSITS IN LENDING INSTITUTIONS

(Mr. TAFT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TAFT. Mr. Speaker, the greatest roadblock to meeting the housing needs of the 1970's presently is in the availability of mortgage money for homes. The President has made clear the high priority which the administration attaches to various programs to assist in the production of needed housing. The 1971 budget contemplates outlays of $3,781,000 for community development and housing but the housing needs are so great that this deals with only a small percentage of the mortgage problem. Although the administration realizes the housing industry faces a crisis, more assistance must be given to thrift institutions which specialize in home mortgages. Savings and Loans have been providing about 45 percent of all the home loan money in the United States. Unless enough funds are saved in savings and loan associations and other financial institutions which similarly engage in the financing of homes, our housing crisis is going to be with us for a long time. Anything short of providing increased deposits to these institutions would only serve a short-term emergency purpose.

Today, I am introducing a measure aimed at shoring up the housing market by excluding from gross income the first $500 of interest received from savings account deposits in lending institutions. Such a tax incentive would provide an immediate spur for investment in these institutions by indirectly raising the effective yield to the small and middle saver to a very attractive level. Of course in fairness it should be pointed out that exempting the first $500 of earnings paid to savers might mean a revenue loss to the U.S. Treasury initially of approximately $1 billion annually. However, I am sure that this figure would be more than offset by increased taxes stimulated from the added employment in the building trades, and it would certainly reduce the need for additional Federal appropriations to subsidize housing under the many Federal programs which are currently under consideration. A tax exemption for savers would encourage people to save more and this would tend to break the inflationary trend in the economy and would certainly be the best means of solving the crisis the housing industry faces in the 1970's.

The bill follows:

H.R. 18362

A bill to exclude from gross income the first $500 of interest received from savings account deposits in lending institutions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part III of subchapter B of chapter I of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 123 as section 124 and by inserting after section 122 the following new section:

"SEC. 123 Dividends From Savings Account Deposits In Lending Institutions.

"(a) GENERAL RULE.—Gross income does not include amounts received by, or credited to the account of, a taxpayer as dividends or interest on savings deposits or withdrawable savings accounts in lending institutions as this term is defined by section 581 of part I of subchapter H of chapter 1 and by section 591 of part II of subchapter H of chapter 1.

"(b) LIMITATION.—The exclusion allowed to each taxpayer under this section shall in the aggregate not exceed $500 for any taxable year, and shall be allowed only once for taxpayers filing a joint return."

SEC. 2. The amendments made by this Act shall apply only with respect to taxable years ending after the date of enactment of this Act.

FARM LABOR HOUSING LEGISLATION

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. TUNNEY. Mr. Speaker, farmworkers are among the lowest paid of any working group in the country. They also live in some of the worst housing. Migrant farmworkers, especially, are relegated to some of the most unsanitary living conditions and shelters known anywhere. That we as a people, and a government, should allow this to happen—yes, even condone it—is criminal.

Some efforts to solve the problem have been attempted, but they are only scratching the surface. In my own State, the California Office of Economic Opportunity, with financial assistance from the U.S. Office of Economic Opportunity, have constructed over 2,000 temporary structures which are used by migrants during the harvest seasons. But they only provide minimum shelter, and California is the only State in which they have been built. The only other Federal Government agency attempting to solve the problem is the Farmers Home Administration.

Since 1962, that agency has been authorized to make loans at 5-percent interest to owners of farms, associations of farmers, States or their political subdivisions, and to public and private nonprofit organizations.

Since 1965, that agency has been authorized to provide grants of up to two-thirds of the total development costs of a project to States and their political subdivisions and public and private nonprofit organizations. These funds are earmarked to provide needed housing for our farmworker population.

Since 1962, over $60 million has been made available for loans and over $16 million has been appropriated for grants. The tragic realities of the program are, however, that of these funds only about $16 million has been made in loans and $12 million has been made in grants. Thus, the program as a whole is operating at less than 40 percent of its authority.

A little over 4,000 units have been repaired or constructed for families of farmworkers and other units have been repaired or constructed which will house over 4,000 individual workers. The need for more and better housing is, of course, many times greater than this. Why, then, has the program not done better?

The grant program was originated so that organizations could provide housing at a rent that farm workers could afford. Congress authorized that grants could be made for up to two-thirds of the development cost of the project. In the first appropriations act, however, the committee strongly voiced its opposition to grants which would exceed 50 percent. To date, of the 16 organizations that have received grants, only five have been in excess of 50 percent. With large loans to repay, because of this restriction on grants, many organizations probably find it economically impossible to enter the farm labor housing field. In areas where farm labor is not needed year-around, a grant of two-thirds of the total development cost may not be sufficient to enable the organization to charge reasonable rents for income to pay back the loans required for the balance of the costs.

Another problem which will tend to retard the program even more, is a decision by the Farmers Home Administration to exclude all organizations except public bodies from receiving grants. This seems to be directly contrary to intent of the original legislation.

In many areas where farm labor housing is needed, public housing authorities—the only public bodies who have thus far received grants—do not exist or are not sensitive to farm workers' needs. To date, several broad based organizations have received grants, but administrative regulations required them to have a majority of their directors live within the geographic area of the site of the project and the farms on which the laborers work.

The most fatal flaw of the program is that the ultimate beneficiaries of the program, the farmworkers themselves, are ineligible as a group to receive the funds. Prior to passage of the legislation, the Farmers Home Administration recommended that groups of farmworkers be the only private organization eligible to receive grants, but on the other hand recommended that farmworkers not be eligible for loans since they already were covered under the regular homeownership program, as individuals.

These are but a few of the roadblocks, either built into the legislation or subsequently placed there by the administration, that prevent it from solving the problems that Congress intended. There are undoubtedly many more, not the least of which is the exhaustive application requirements that must be met prior to receiving these funds.

If our Nation's farmworkers are to benefit from this program to the extent Congress intended, then perhaps it is time that Congress reexamined it. If mistakes have been made, then there is still time to correct them. But time is running out, for the condition of the housing in which the farmworkers live, is growing worse, not better.

Today I am introducing legislation to revamp and expand the farm labor housing program.

First, this legislation would authorize nonprofit organizations of farmworkers to be eligible to receive loans and grants for constructing or repairing low-rent housing and would revoke a Farmers Home Administration decision that only public bodies would be eligible for grants.

Second, it would authorize grants for up to 90 percent of the total cost of a farm labor housing project.

Third, it would recommend that chartered nonprofit organizations be allowed to build farm labor housing anywhere within the State of its incorporation where a need can be established.

Fourth, the bill recommends that, whenever possible, farm labor housing be constructed for year-round living.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER, for the balance of the week, on account of official business.

Mr. DENNEY (at the request of Mr. GERALD R. FORD), for July 8 and 9, on account of official business as a member of the House Committee on Crime.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted:

Mr. PUCINSKI, for 30 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. FISH) to revise and extend their remarks and to include extraneous material:)

Mr. BUSH, for 5 minutes, today.

Mr. HALPERN, for 5 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. SCHADEBERG, for 15 minutes, Thursday, July 9.

Mr. TAFT, for 15 minutes, Thursday, July 9.

(The following Members (at the request of Mr. JONES of Tennessee) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. BLANTON, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. EVINS of Tennessee (at the request of Mr. MATSUNAGA), to revise and extend his remarks following those of Mr. MATSUNAGA during general debate today.

(The following Members (at the request of Mr. FISH) and to include extraneous material:)

Mr. DERWINSKI in two instances.
Mr. DUNCAN in two instances.
Mr. BRAY in two instances.
Mr. SHRIVER.
Mr. WYMAN.
Mr. STEIGER of Arizona.
Mr. ZWACH in two instances.
Mr. SCHWENGEL.
Mr. WHITEHURST.
Mr. HASTINGS.
Mr. NELSEN.
Mr. BOB WILSON in three instances.
Mr. MINSHALL in two instances.
Mr. AYRES.
Mr. MAILLIARD in two instances.
Mr. MIZE.
Mr. MCCLOSKEY in two instances.
Mrs. REID of Illinois in two instances.

(The following Members (at the request of Mr. JONES of Tennessee) and to include extraneous matter:)

Mr. WRIGHT.
Mr. STUCKEY.
Mr. MINISH in five instances.
Mr. DINGELL in two instances.
Mr. PICKLE in five instances.
Mr. HATHAWAY in two instances.
Mr. BROWN of California in three instances.
Mr. CELLER.
Mr. FRASER in five instances.
Mr. SLACK in two instances.
Mr. RARICK in two instances.
Mr. O'HARA in six instances.
Mr. CAREY in two instances.
Mr. PATTEN in two instances.
Mr. WALDIE in three instances.
Mr. PUCINSKI in six instances.
Mrs. GRIFFITHS.
Mr. KLUCZYNSKI in two instances.
Mr. FOUNTAIN in two instances.
Mr. WILLIAM D. FORD.
Mr. HELSTOSKI in three instances.
Mr. GONZALEZ in two instances.
Mr. LEGGETT in three insances.
Mr. EDMONDSON in three instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3838. An act to prevent the unauthorized manufacture and use of the character "Johnny Horizon", and for other purposes; to the Committee on the Judiciary.

ENROLLED BILL AND A JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5106. An act for the relief of Rogelio Tabhan; and

H.J. Res. 1284. Joint resolution authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witness and the production of evidence, and for other purposes.

ADJOURNMENT

Mr. JONES of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Thursday, July 9, 1970, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 91st Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948; JOHN H. ROUSSELOT, 24th District, California, JOHN G. SCHMITZ, 35th District, California.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 9164. A bill to require the conveyance of all right, title, and interest of the United States in and to certain real property in the State of Georgia in order to remove a limitation on the use of such property; with an amendment (Rept. No. 91–1281). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 10837. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; with an amendment (Rept. No. 91–1282). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. S. 417. An act to authorize the Secretary of the Interior to convey certain lands in New Mexico to the Cuba Independent Schools and to the village of Cuba (Rept. No. 91–1283). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARING: Committee on Interior and Insular Affairs. S. 3279. An act to extend the boundaries of the Toiyabe National Forest in Nevada, and for other purposes; with an amendment (Rept. No. 91–1284). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1129. Resolution for consideration of H.R. 11913, a bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control (Rept. No. 91–1286). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 1130. Resolution for consideration of H.R. 13100, a bill to amend the Public Health Service Act to extend for 3 years the programs of assistance for training in the allied health professions, and for other purposes (Rept. No. 91-1287). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 1131. Resolution for consideration of H.R. 14237, a bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes (Rept. No. 91-1288). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 1132. Resolution for consideration of H.R. 17133, a bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, as amended, relating to war risk insurance (Rept. No. 91-1289). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DENNIS: Committee on the Judiciary. H.R. 13383. A bill for the relief of Mrs. Marcella Coslovich Fabretto (Rept. No. 91-1285). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 18351. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 18352. A bill to amend title II of the Social Security Act to increase the maximum amount of the lump-sum death payment thereunder; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 18353. A bill to authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HENDERSON:

H.R. 18354. A bill to amend the Agricultural Adjustment Act of 1938 to authorize the sale of tobacco acreage allotments under certain conditions; to the Committee on Agriculture.

By Mr. MARSH:

H.R. 18355. A bill to amend an act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes; to the Committee on the District of Columbia.

By Mr. MURPHY of New York:

H.R. 18356. A bill to amend the National Environmental Policy Act of 1969, to provide for a National Environmental Data Bank; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 18357. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. POLLOCK:

H.R. 18358. A bill to provide partial reimbursement for losses incurred by commercial fishermen as a result of restrictions imposed on domestic commercial fishing by a State or the Federal Government; to the Committee on Merchant Marine and Fisheries.

By Mr. RIVERS:

H.R. 18359. A bill to authorize the showing in the United States of documentary films depicting the careers of General of the Armies John J. Pershing, General of the Army H. H. Arnold, General of the Army Omar N. Bradley, General of the Army Dwight D. Eisenhower, General of the Army Douglas MacArthur, General of the Army George C. Marshall, Gen. Lyman L. Lemnitzer, Gen. George S. Patton, Jr., Gen. Joseph Stillwell, Gen. Mark W. Clark, and Gen. James A. Van Fleet; to the Committee on Armed Services.

H.R. 18360. A bill to amend title 39 of the District of Columbia Code to provide for the pay, allowances, and benefits of the District of Columbia National Guard performing militia duty in the District of Columbia, and for other purposes; to the Committee on Armed Services.

By Mr. SIKES (for himself and Mr. CEDERBERG):

H.R. 18361. A bill to authorize the Secretary of Housing and Urban Development to encourage and approve action by public housing agencies and owners of rental housing who participate in special assistance programs of the Department of Housing and Urban Development to accord special treatment to military personnel serving on active duty with the Armed Forces to assure that Government action in the form of periodic reassignment does not deprive them of the benefits of such programs; to the Committee on Banking and Currency.

By Mr. TAFT:

H.R. 18362. A bill to exclude from gross income the first $500 of interest received from savings account deposits in lending institutions; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 18363. A bill to provide for orderly trade in textile articles, articles of leather footwear, and minkskins; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 18364. A bill to amend the Federal Credit Union Act to assist in meeting the savings and credit needs of low-income persons; to the Committee on Banking and Currency.

By Mr. BRINKLEY:

H.R. 18365. A bill to amend title 10 of the United States Code to permit actions against the United States for damage to the good name and reputation of members of the Armed Forces charged with committing certain crimes against civilians in combat zones if such members are cleared of such charges, and for other purposes; to the Committee on the Judiciary.

By Mr. DIGGS (for himself and Mr. ADAMS):

H.R. 18366. A bill to authorize the government of the District of Columbia to fix certain fees; to the Committee on the District of Columbia.

H.R. 18367. A bill to revise and modernize procedures relating to the licensing by the District of Columbia of persons engaged in certain occupations, professions, businesses, trades, and callings, and for other purposes; to the Committee on the District of Columbia.

By Mr. DIGGS (for himself, Mr. ADAMS and Mr. FRASER):

H.R. 18368. A bill to supplement the Motor Vehicle Safety Responsibility Act of the District of Columbia in order to provide for the indemnification of persons sustaining certain losses as a result of the operation of motor vehicles by financially irresponsible persons, and for other purposes; to the Committee on the District of Columbia.

H.R. 18369. A bill to amend the zoning law of the District of Columbia; to the Committee on the District of Columbia.

H.R. 18370. A bill to authorize the District of Columbia Council to fix the rates charged by the District of Columbia for water and water services and for sanitary sewer services; to the Committee on the District of Columbia.

H.R. 18371. A bill to provide for improvements in the administration of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 18372. A bill relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes; to the Committee on the District of Columbia.

H.R. 18373. A bill to provide improvements in the administration of health services in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 18374. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 so as to provide that income subject to tax for District income tax purposes shall conform as closely as possible to income subject to Federal income tax, and for other purposes; to the Committee on the District of Columbia.

H.R. 18375. A bill to amend the District of Columbia Code to increase the jurisdictional amount for the administration of small estates, to increase the family allowance, to provide simplified procedures for the settlement of estates, and to eliminate provisions which discriminate against women in administering estates; to the Committee on the District of Columbia.

H.R. 18376. A bill relating to education in the District of Columbia; to the Committee on the District of Columbia.

H.R. 18377. A bill to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia; to the Committee on the District of Columbia.

H.R. 18378. A bill to provide additional revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 18379. A bill to increase the motor fuel tax in the District of Columbia; to the Committee on the District of Columbia.

H.R. 18380. A bill to authorize the District of Columbia to issue obligations to finance District capital programs, to provide Federal funds for District of Columbia institutions of higher education, and for other purposes; to the Committee on the District of Columbia.

H.R. 18381. A bill to amend the District of Columbia Street Readjustment Act, and eliminate guarantee clauses in pavement construction contracts for streets in the District of Columbia; to the Committee on the District of Columbia.

H.R. 18382. A bill to establish a revolving fund for the development of housing for low- and moderate-income persons and families in the District of Columbia, to provide for the disposition of unclaimed property in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HOSMER:

H.R. 18383. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 18384. A bill to protect consumers against unreasonable risk of injury from hazardous products and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS (for himself, Mr. Dingell, Mr. Gude, Mr. McCloskey, Mr. Moorhead, Mr. Moss, Mr. Saylor, Mr. Vander Jagt, and Mr. Wright):

H.R. 18385. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for the sale as surplus property of certain interests of the United States relating to navigable water, and for other purposes; to the Committee on Government Operations.

By Mr. TUNNEY:

H.R. 18386. A bill to amend title V of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. VANIK:

H.R. 18387. A bill to amend the Internal Revenue Code of 1954 to require court orders before individual income tax returns are opened to inspection by officers and employees of the Federal Government other than those directly charged with the administration of the tax laws; to the Committee on Ways and Means.

By Mr. ADDABBO (for himself, Mr. Brown of California, Mrs. Chisholm, Mr. Derwinski, Mr. William D. Ford, Mr. Fraser, Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Gibbons, Mr. Halpern, Mr. Harrington, Mrs. Mink, Mr. Nix, Mr. Pike, Mr. Rees, Mr. Riegle, Mr. Rodino, Mr. Rosenthal, Mr. Smith of New York, Mr. Stokes, Mr. Tiernan, Mr. Tunney, Mr. Wolff, Mr. Yates, and Mr. Meeds):

H.J. Res. 1296. Joint resolution creating a Joint Committee on Classified Information; to the Committee on Rules.

By Mr. BUSH (for himself, Mr. Fisher, Mr. Derwinski, Mr. Schneebeli, Mr. Collins, Mr. Gaydos, Mr. Thompson of Georgia, Mr. Williams, Mr. Blackburn, Mr. Goldwater, Mr. Roberts, and Mr. Hall):

H.J. Res. 1297. Joint resolution in opposition to vesting title to the seabed in the United Nations or an international regime; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H.J. Res. 1298. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.J. Res. 1299. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.J. Res. 1300. Joint resolution to provide that the period of September 7 to September 13, 1970, be designated as "American Square Dance Week"; to the Committee on the Judiciary.

By Mr. BINGHAM:

H. Con. Res. 672. Concurrent resolution terminating the policies contained in House Concurrent Resolution 108 of the 83d Congress; to the Committee on Interior and Insular Affairs.

By Mr. HOWARD:

H. Con. Res. 673. Concurrent resolution expressing the sense of the Congress with respect to an international conference on the creation of an International Environmental Agency; to the Committee on Foreign Affairs.

By Mr. POLLOCK:

H. Con. Res. 674. Concurrent resolution to request the President to call a Conference on the International Conservation of Anadromous Fish; to the Committee on Foreign Affairs.

By Mr. ROONEY of New York:

H. Con. Res. 675. Concurrent resolution expressing the sense of the Congress with respect to the conquest of cancer as a national crusade; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. O'NEILL of Massachusetts:

H.R. 18388. A bill for the relief of Theodore Panagiotakopoulos; to the Committee on the Judiciary.

H.R. 18389. A bill for the relief of Antoine Elias Srour; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 18390. A bill for the relief of 1st Sgt. Albert F. Thompson, U.S. Army (Retired); to the Committee on the Judiciary.

SENATE—*Wednesday, July 8, 1970*

The Senate met at 10 a.m., and was called to order by Hon. James B. Allen, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in this reverent morning moment, may this place be to us not only a chamber for work but a holy of holies for the heart and a sanctuary for the soul. Aware of the magnitude of the enterprise committed to us here and sensitive to the vastness of the issues, make us more aware of the sufficiency of Thy grace and wisdom and love.

Give us now, O Lord, the clean hands, the pure hearts, and the holy incentives which qualify us to serve the Republic. Link us to great minds and spirits of the past and to the unfulfilled vision of youth in the present. Make our work as sacred as our prayer. Guide us through this day in glad service and with inner peace.

In the name of the Lord of Life. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore of the Senate (Mr. Russell).

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., July 8, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. James B. Allen, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

Richard B. Russell,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 7, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to limit statements to 3 minutes in relation to routine morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR TALMADGE TOMORROW

Mr. MANSFIELD. Mr. President, the joint leadership is unable to determine at this moment the time of meeting for the Senate tomorrow. We will arrive at a joint decision later, but I ask unanimous consent now that following the disposition of the Journal on tomorrow, the distinguished Senator from Georgia (Mr. Talmadge) be recognized for not to exceed 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am delighted to yield to the Republican leader.

Mr. SCOTT. Would the Senator kindly summarize the order of business today and tomorrow, so that it may appear in the Record.

Mr. MANSFIELD. Yes; if I could ask the distinguished chairman of the committee in charge of the bill which will become the pending business, how long he anticipates it will take to dispose of the Agriculture appropriation bill today.

Mr. HOLLAND. So far as the handlers of the legislation are concerned, it will not take very long.

As the distinguished leaders know, we cannot tell what amendments may be offered, nor what suggestions may be made by other Senators, but I do not anticipate any long fight. The bill was unanimously reported by the Appropriations Committee.

Mr. SCOTT. In the past, there have been amendments offered by the distinguished senior Senator from Delaware and I suppose they may be again, but I do not know of any lengthy proceedings involved here.

Mr. MANSFIELD. The Senator from Utah (Mr. BENNETT) will have an amendment. The Senator from South Dakota (Mr. McGOVERN) will have an amendment. There may be one or two others but, hopefully, we can finish the bill today.

If so, then we would turn to either S. 3302, the bill to amend the Defense Production Act of 1950, to which there will be a number of amendments offered, or the Mathias resolution, which is Senate Concurrent Resolution 64, the so-called repeal of the Gulf of Tonkin resolution.

Mr. SCOTT. Did we not dispose of that once before?

Mr. MANSFIELD. Yes, after a fashion, but with the unanimity we had behind that repeal, we thought we would drive two nails into the coffin instead of one.

Mr. SCOTT. I have no objection. Drive in four or five nails if the Senator wishes.

Mr. MANSFIELD. Two will be enough.

Then the joint resolution dealing with additional expenditures for the United Nations—Senate Joint Resolution 173—plus the two Utah bills having to do with recreation areas—S. 26 and S. 27—and the bill on certain land claims of Alaskan natives—S. 1830. This will go into next week, of course, and it is anticipated that in the first part of next week we will have the legislative appropriations bill—H.R. 16915—ready for debate and disposal.

Mr. SCOTT. I notice in the press that someone, in testifying before a committee in the other body, was complaining that not enough is being done for science and research.

I think it should be noted in the Senate that yesterday we passed the very important NASA appropriation bill, and that we did provide virtually what was asked for by the administration for essential research to continue the ongoing character of the program.

Mr. MANSFIELD. It is my hope that under section 203, which was discussed at some length yesterday, there will be a smooth transition in research and development from the Department of Defense to the National Science Foundation and other agencies charged with responsibility in the basic areas of that category, and that they would not be penalized in the meantime but would continue to be given the consideration which Congress as a whole has indicated it would like them to receive.

Mr. SCOTT. I think it should be stressed one more time, when people ask what we get out of the space program, that aside from the direct purposes of the program, there is a printed document available to anyone who wishes to send for it which recites literally hundreds of fallout benefits from a program of this kind, in the fields of medicine, physics, and chemistry. I was particularly interested to notice that in mathematics, for example, there is one fallout alone which makes it possible to determine much more rapidly than ever before certain mathematical problems relating to the determination of the square root.

This may not sound terribly important, but in a scientific age such as ours, any shortcuts found in mathematical formulas are translated into direct and positive benefits to all of mankind as we proceed with the development of scientific knowledge, so that there are many, many benefits to be derived from this program that do not appear on the face of it.

I thank the Senator from Montana for his information.

Mr. MANSFIELD. I am sure that what the Senator says is correct. I know it is correct. But what we are trying to achieve is a balance between the various programs. The space program has made many great and substantial contributions, but we have to balance expenditures and find some way by means of which we can bring about a balance between the different areas which all cry out for attention but for which there is only a certain amount of money available.

I thank the distinguished Senator from Pennsylvania for making his well thought out and pertinent remarks.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following letters, which were referred as indicated:

REPORT OF U.S. GOVERNMENT COMPTROLLER FOR GUAM

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the initial annual report of the U.S. Government Comptroller for Guam for the fiscal year ended June 30, 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

RECOMMENDATIONS ADOPTED BY A GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, recommendations adopted by a General Conference of the United Nations Educational, Scientific, and Cultural Organization, held in Paris on November 19, 1968 (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

A petition was laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. ALLEN):

A resolution adopted by the Grand Lodge of Ancient, Free and Accepted Masons of Oregon, Forest Grove, Oreg., relating to prisoners of war; to the Committee on Foreign Relations.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The ACTING PRESIDENT pro tempore (Mr. ALLEN) announced that on today, July 8, 1970, he signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 1455. An act to amend section 8c(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with amendments:

S. 2808. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes (Rept. No. 91–1005).

By Mr. HOLLINGS, from the Committee on Commerce, without amendment:

S. 2293. A bill to amend the National Sea Grant College and Program Act of 1966 in order to extend the authorizations for the purposes of such act (Rept. No. 91–1007); and

S. 3617. A bill to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development (Rept. No. 91–1008).

By Mr. MONTOYA, from the Committee on Appropriations, with amendments:

H.R. 16915. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes (Rept. No. 91–1009).

AUTHORIZATION OF APPROPRIATIONS FOR THE CIVIL RIGHTS COMMISSION—REPORT OF A COMMITTEE—INDIVIDUAL AND ADDITIONAL VIEWS (S. REPT. NO. 91–1006)

Mr. HART. Mr. President, from the Committee on the Judiciary, I report favorably, with an amendment, the bill (S. 2455) to authorize appropriations for the Civil Rights Commission, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Arkansas (Mr. McCLELLAN), and the additional views of Senators HART, KEN-

NEDY, BAYH, BURDICK, TYDINGS, FONG, SCOTT, COOK, MATHIAS, and GRIFFIN.

The PRESIDING OFFICER (Mr. GOLDWATER). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE (for himself and Mr. HART):

S. 4067. A bill to amend title V of the Housing Act of 1949; to the Committee on Banking and Currency.

(The remarks of Mr. MONDALE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HATFIELD:

S. 4068. A bill for the relief of Josefa V. Aquino; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 4069. A bill for the relief of Haviv Schieber; to the Committee on the Judiciary.

S. 4067—INTRODUCTION OF A BILL TO AMEND TITLE V OF THE HOUSING ACT OF 1949

MIGRANT AND SEASONAL FARMWORKER HOUSING AMENDMENTS OF 1970

Mr. MONDALE. Mr. President, on behalf of myself and my distinguished colleague, the Senator from Michigan (Mr. HART), I introduce for appropriate reference a bill to amend the Housing Act of 1949 by providing for increased housing opportunities for migrant and seasonal farmworkers.

This country tolerates some tragic inconsistencies. One of them is the terrible living conditons of 1,000,000 migrant and seasonal farmworkers and their families. These are the workers who notwithstanding the vagaries of weather and the hardships of migrant life, plant, cultivate, and harvest the abundance of food that all of us depend upon. They are among the most poorly housed of any working group in the United States today.

Traditionally farmworkers have been provided shelter by their employer, the farmer. While in most situations the housing provided to year-round workers on small family farms is adequate, it has become increasingly clear that most farmers no longer have the economic resources to provide decent housing for their migrant and seasonal workers who are employed for only short periods of the year.

Senator HART is particularly aware of the housing crisis facing seasonal workers in Michigan agriculture, for Michigan employed more migrant workers than any other user State in the Nation. I am pleased that he has joined with me in submitting this bill.

The history of this housing problem must be considered to fully understand the need for immediate enactment of this bill. In 1961, the Federal Government took steps to assist the farmer, organizations of farmers, nonprofit groups, and States and their subdivisions in providing housing for farmworkers by making available insured loans at a rate of interest of 5 percent. In 1965, the Federal Government took further steps by making available grants for up to two-thirds of the development cost of housing projects for farmworkers. Those grants were to go to States and their subdivisions and to broad-based nonprofit organizations. Both of these programs are administered by the Farmers Home Administration within the Department of Agriculture pursuant to sections 514 and 516 of the Housing Act of 1949, as amended.

These two programs have been terribly disappointing to those of us interested in seeing that every farmworker, no matter where he is working, has a decent and sanitary place to live. To date, these programs have obligated only $28 million, or about 45 percent of what the Farmers Home Administration was authorized to obligate. The money has provided new or improved housing units only for about 4,000 families and 3,000 individual workers. This amount just scratches the surface of what is believed to be the total need of the 1,000,000 migrant and seasonal farmworkers and their families.

Perhaps one reason that the Federal programs for migrant and seasonal farmworkers have not effectively alleviated the problem is that a different approach is necessary. Presently, the initiative for new projects comes from the local level from people who do not necessarily have a direct interest in seeing that farmworkers are provided with decent housing. Because of the transient nature of the work, the workers themselves often are not permanent residents. Once they have left, there is little sustained initiative for improving the housing crisis.

Several immediate steps can be taken to partially remedy this situation, although a whole new approach may be needed. We therefore offer the following changes which would amend the present legislation to make it more workable. These changes are not offered as a panacea, but only as a temporary measure to meet the present crisis until a more comprehensive plan can be implemented.

First, the ultimate beneficiaries of legislation the purpose of which is to improve farm labor housing—the farmworkers themselves—are excluded as a group from receiving funds under the present legislation. Yet no other group has a more direct interest in having decent housing than these farmworkers. Therefore, we recommend in this bill that nonprofit organizations of farmworkers be added to the list of applicants eligible to receive loans and grants for constructing or repairing low-rent housing to be owned by the organizations.

Second, we recommend that grants be made for amounts of up to 90 percent of the total development cost of any project. Currently the legislation provides for grants of two-thirds of the development costs. The sad truth of the present program is that only 16 organizations have received grants and only five of them have received grants in excess of 50 percent of the development costs. The grant program was ostensibly passed in order to reduce the size of the loan that would have to be paid from rental income from the project. Grants of 50 to 66 percent of development costs often do not allow projects to charge rents within the reach of farmworkers. Income from the rents are needed to pay for the operation and maintenance of the project and to pay back loans required for the balance of the development costs. Higher grants are especially necessary in those areas where farm labor housing is needed for only part of the year.

Third, it should be made clear to the Farmers Home Administration that it is Congress intent that grants be made to broad-based, nonprofit organizations. The present legislation authorizes the Farmers Home Administration to make grants to such organizations as well as to State and local public bodies, yet the Farmers Home Administration has recently decided that only public bodies will be considered eligible for grants. In many areas, particularly rural areas, where farm labor housing is needed, public bodies such as Public Housing Authorities do not exist or are insensitive to farmworkers' needs. The exemption of broad-based nonprofit organizations greatly reduces the potential of the program. I might add that by broad-based nonprofit organizations, I refer to a membership of not only farmers, businessmen, and leaders of the community, but also farmworkers.

In addition, we recommend that a broad-based, nonprofit organization be allowed to build housing anywhere in the State of its incorporation where a need can be established. Existing administrative regulations require a majority of the directors of such an organization to live within the geographic area of the site of the project and the farms on which the laborers are to work. This latter amendment could create better and more efficient management in the projects and allow them to be strategically placed in areas throughout the State under a comprehensive plan.

Fourth, it is a well-documented fact that the constant migration of farmworkers has a terribly disruptive physical and psychological effect on them, and especially on children. Whenever possible, farm labor housing constructed under present program strengthened by this bill should be suitable for year around living.

This Nation must adopt as an overall policy goal the elimination of the need for migrant farm labor in all its misery as it exists today. At least we should adopt a policy to reduce the oversupply of labor. And an interim goal not beyond reasonable implementation is to reduce the need for the farmworker to travel great distances from his permanent home in search of employment. Adequate housing programs should make a positive contribution to a policy of stabilizing the migrant population and encouraging the development of a local farm labor work force.

Finally, if the housing constructed will be used only for very short periods of the year by workers, the Farmers Home Administration should allow the loan and grant funds to be used to purchase furnishings such as stoves, refrigerators, beds, bedding and furniture. Presently, only those fixtures which become a permanent part of the realty are allowable.

These are all minor steps which will revitalize a program which is drastically needed if this country is to live up to its responsibilities to farmworkers. We can no longer afford to tolerate the sad truth that many of our working people live in unmitigated squalor. Programs designed to eliminate that squalor must be made to work, and work well. These amendments will assist that effort.

Mr. President, I ask unanimous consent that the bill be printed in the CONGRESSIONAL RECORD in its entirety at the close of my remarks.

The PRESIDING OFFICER (Mr. HUGHES). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4067) to amend title V of the Housing Act of 1949, introduced by Mr. MONDALE (for himself and Mr. HART), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 4067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) that part of subsection (a) of section 514 of the Housing Act of 1949 which precedes the first numbered paragraph is amended to read as follows:

"(a) The Secretary is authorized to insure and make commitments to insure loans made by lenders other than the United States to the owner of any farm or any association of farmers for the purpose of providing housing and related facilities for domestic farm labor employed on a farm or farms within the community; or to any State or political subdivision thereof, or any broad-based public or private nonprofit organization incorporated within the State, or any nonprofit organization of farmworkers incorporated within the State for the purpose of providing housing and related facilities for domestic farm labor any place within the State where a need exists. All such loans shall be made in accordance with terms and conditions substantially identical with those specified in section 502, except that—".

(b) Section 514 (f) (1) of such Act is amended by striking out the semicolon and inserting in lieu thereof the following: "and, in the case of housing for migrant labor, household furnishings;".

SEC. 2. Section 516 of the Housing Act of 1949 is amended—

(1) by striking out that part of subsection (a) which precedes the first numbered paragraph and inserting in lieu thereof the following:

"(a) Upon the application of any State or political subdivision thereof, or any broad-based public or private nonprofit organization incorporated within the State, or any nonprofit organization of farmworkers incorporated within the State, the Secretary is authorized to provide financial assistance for the provision of low-rent housing and related facilities (which may be located any place within the State) for domestic farm labor, if he finds that—";

(2) by striking out in paragraph (2) of subsection (a) "one-third" and inserting in lieu thereof "10 per centum";

(3) by inserting after "thereof" in paragraph (3) of subsection (a) the following: ", and, whenever feasible, such housing and facilities shall be durable and suitable for year around occupancy or use"; and

(4) by striking out in subsection (b) "two-thirds" and inserting in lieu thereof "90 per centum".

Mr. HART. Mr. President, I am pleased to cosponsor the Migrant Farmers Housing Amendments submitted by my distinguished colleague from Minnesota, Senator MONDALE, chairman of the Migratory Labor Subcommittee. His eloquent statement on the housing needs of migrant and seasonal farm labor testifies to his broad understanding of this problem.

Migrant and seasonal farmworkers have performed a vital role in modern agriculture in Michigan. Each year thousands of farmworkers leave the "home base" areas of Florida and Texas to work in "user States" such as Michigan, and more migrants have come to Michigan than to any other State. These workers, while meeting the crucial harvest needs in Michigan cherries and other fruits and vegetables, are too often subjected to seriously depressed living and working conditions.

The influx of migrants to supplement the local farm labor force creates severe problems in meeting such basic human needs as health, education, sanitation facilities, and particularly housing. Most local, rural communities are not equipped to meet fully these problems.

And regrettably the housing situation apparently is no better in Michigan than it is in Minnesota, or New York, or Delaware, or Ohio, or Oregon. The plain fact is that we do not have adequate numbers of housing units for these seasonal workers who contribute so much to the Nation's abundance of agricultural commodities.

Also, farmers who employ migrant workers have a unique problem in meeting the housing needs of their employees. Unlike other industries which have not been burdened with the responsibility of providing housing, many parts of the agriculture industry have accepted this responsibility. This has placed a great financial burden on the farmers of Michigan. Many are reluctant to build housing and maintain it in good condition since they know that it may be vacant for much of the year. The economic pressures on the agriculture industry in Michigan are similar to those faced nationwide, and farmers must now meet the costs of ever increasing advances in mechanization. Adding to the farmers' economic dilemma is that our housing laws have failed to meet these special problems of farmworkers.

One effort on the Federal level to improve the quality of housing has met with mixed results. Strict Government regulations of housing conditions have been adopted by the U.S. Department of Labor for interstate agricultural workers recruited through its employment security facilities. This program provides that before an agricultural employer may use State employment security agencies in planning for the interstate recruitment of workers, he must first furnish housing that is hygenic and adequate to the climatic conditions of the area of employment; can reasonably accommodate the workers sought; and will not endanger the lives, health, or safety of the workers. The State of Michigan has also adopted strong regulations on migrant housing.

While the increased enforcement activity under these regulations has served the worthy purpose of eliminating units which should not have been occupied in the first place, an increasing number of well-intentioned Michigan farmers are faced with the crisis of not having an adequate number of units for migrants. And for economic reasons, they have not replaced condemned housing. The migrant and his family are the ones who all too often end up sleeping on the side of the road, in tents or in cars.

I join in submitting this bill today because I am committed to finding solutions to this pressing problem. It is my sincere hope that Federal funds will soon be made available to alleviate the crisis. Economics too frequently prevent the farmer from making adequate and necessary housing available. Similarly, the farmworker does not have the economic resources necessary to assure himself of adequate housing. I join in the introduction of this bill in the hope that it will provide a vehicle for solving this tragic problem. It will relieve the farmer from having the full responsibility of meeting his workers' housing needs. But equally important, it will provide justice and dignity for the farmworker by enabling him to participate in providing housing for himself and his family.

The amendment would:

First. Permit nonprofit organizations of farmworkers to receive loans and grants;

Second. Increase the limit on grants for migrant housing projects from 66 to 90 percent of cost;

Third. Authorize broad-based, nonprofit organizations as well as official public bodies to receive loans and grants;

Fourth. Require that, whenever possible, migrant housing, constructed with Federal funds, be available for year around living; and

Fifth. Permit purchase of kitchen equipment and furniture with program funds.

These changes are needed because:

First. Farm workers, ultimate beneficiaries of the programs, are now excluded from receiving funds.

Second. Rents are used to reimburse loans and pay operating and maintenance costs. Experience has shown that grants of 66 percent often do not allow projects to charge rents within reach of migrant farm workers.

Third. Many rural areas do not have official local bodies such as public housing authorities to apply for and receive loans and grants.

Fourth. Constant migration has serious disruptive physical and psychologica effects on workers and their families Adequate housing programs should make a positive contribution to stabilizing the migrant population and to developing local farm labor work forces.

Fifth. The law now permits loans and grants to be spent only for fixtures which become permanent parts of the units.

ADDITIONAL COSPONSORS OF BILLS

S. 2662

Mr. NELSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Michigan (Mr. Griffin) to be added as a cosponsor of S. 2662, to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property.

The PRESIDING OFFICER (Mr. Burdick). Without objection, it is so ordered.

S. 3562

Mr. HUGHES. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Vermont (Mr. Prouty) be added as a cosponsor of S. 3562 to provide a comprehensive Federal program for the prevention and treatment of drug abuse and drug dependence.

The PRESIDING OFFICER (Mr. Goldwater). Without objection, it is so ordered.

S. 3752

Mr. PEARSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. Packwood) be added as a cosponsor of S. 3752, to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes.

The PRESIDING OFFICER (Mr. Hughes). Without objection, it is so ordered.

S. 3936

Mr. ERVIN. Mr. President, I ask unanimous consent that at the next printing the names of the Senator from Nevada (Mr. Cannon) and the Senator from Missouri (Mr. Eagleton) be added as cosponsors of S. 3936.

This bill, the "Speedy Trial Act of 1970," is designed to give effect to the sixth amendment right to a speedy trial for persons charged with offenses against the United States, and to reduce the danger of recidivism by strengthening the supervision over persons released on bail, probation, or parole, and for other purposes.

The PRESIDING OFFICER (Mr. Goldwater). Without objection, it is so ordered.

S. 3976

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Colorado (Mr. Allott), the Senator from Utah (Mr. Bennett), the Senator from Idaho (Mr. Church), the Senator from Indiana (Mr. Hartke), the Senator from Hawaii (Mr. Inouye), and the Senator from Washington (Mr. Jackson) be added as cosponsors of S. 3976, to make it unlawful to interfere in any way with any person's exercise of his constitutional rights of religion, speech, press, assembly, or petition, and to make available injunctive and other relief in Federal district courts in the event of such unlawful interference.

The PRESIDING OFFICER (Mr. Goldwater). Without objection, it is so ordered.

S. 4024

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from California (Mr. Cranston) and the Senator from New Mexico (Mr. Montoya) be added as cosponsors of S. 4024, to provide special educational services to veterans.

The PRESIDING OFFICER (Mr. Burdick). Without objection, it is so ordered.

S. 4041

Mr. TOWER. Mr. President, I ask unanimous consent that at the next printing the name of the Senator from Kansas (Mr. Pearson) be added as a cosponsor of S. 4041 to repeal section 7275 of the Internal Revenue Code of 1954, relating to amounts to be shown on airline tickets and advertising.

The PRESIDING OFFICER (Mr. Goldwater). Without objection, it is so ordered.

SENATE RESOLUTION 425—SUBMISSION OF A RESOLUTION TO PERMIT A SENATE EMPLOYEE TO TESTIFY IN A CIVIL ACTION

Mr. WILLIAMS of New Jersey submitted an original resolution (Senate Resolution 425) to permit a Senate employee to testify in a civil action, which was considered and agreed to.

(The remarks of Mr. Williams of New Jersey when he submitted the resolution appear later in the Record under the appropriate heading.)

ADDITIONAL COSPONSOR OF A RESOLUTION

SENATE RESOLUTION 422

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Wisconsin (Mr. Proxmire), the Senator from Maine (Mr. Muskie), the Senator from Indiana (Mr. Bayh), the Senator from Rhode Island (Mr. Pell), the Senator from Idaho (Mr. Church), the Senator from Washington (Mr. Jackson), the Senator from Iowa (Mr. Hughes), the Senator from New York (Mr. Goodell), and the Senator from New Mexico (Mr. Anderson) be added as cosponsors of Senate Resolution 422, to authorize representation of the U.S. Senate by counsel in judicial proceedings concerning constitutional validity of the Voting Rights Act Amendments of 1970.

The PRESIDING OFFICER (Mr. Burdick). Without objection, it is so ordered.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950—AMENDMENTS

AMENDMENTS NOS. 767 AND 768

Mr. PROXMIRE submitted two amendments, intended to be proposed by him, to the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes, which were ordered to lie on the table and to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 8, 1970, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1455. An act to amend section 8c(A) of the Agricultural Adjustment Act to provide for marketing orders for apples produced in Colorado, Utah, New Mexico, Illinois, and Ohio;

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes;

S. 3564. An act to amend the Federal Youth Corrections Act (18 U.S.C. 5005 et seq.) to permit examiners to conduct interviews with youth offenders;

S. 3592. An act to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations;

S. 3598. An act to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; and

S.J. Res. 201. Joint resolution to extend the reporting date of the National Commission on Consumer Finance.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

George Beall, of Maryland, to be U.S. attorney for the district of Maryland for the term of 4 years, vice Stephen H. Sachs, resigning.

Edward S. King, of New York, to be U.S. marshal for the western district of New York for the term of 4 years, vice Alvin Grossman.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, July 15, 1970, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

ADDITIONAL STATEMENTS OF SENATORS

AMERICAN PRISONERS OF WAR

Mr. GURNEY. Mr. President, someone—Disraeli, I believe—once said, "Nurture your mind with great thoughts: to believe in the heroic makes heroes." Surely no one who has listened to the testimony of men released by the North Vietnamese can deny that the other American prisoners of war left behind are truly heroic. They are the very stuff of which heroes are made.

NO DRAFTEES TO SOUTHEAST ASIA

Mr. PROXMIRE. Mr. President, on July 2 the distinguished Senator from

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Colorado (Mr. DOMINICK) was interviewed on Metromedia Radio News. During the interview, Senator DOMINICK made a number of interesting remarks in regard to the possibility of no longer sending draftees to Vietnam. I was most encouraged in hearing what Senator DOMINICK had to say in light of an amendment that Senators NELSON, HUGHES, and I have recently submitted on this subject, and in view of the fact that Senator DOMINICK is a respected member of the Committee on Armed Services.

The Proxmire-Nelson-Hughes amendment to the fiscal 1971 military authorizations bill will provide that after the enactment of this bill no funds may be expended for the purpose of sending draftees to South Vietnam, Cambodia, or Laos, unless specifically authorized by Congress at a later date.

During the Metromedia interview, Senator DOMINICK was asked by Carl Leubsdorf:

> There's been some speculation in that regard that the Administration will probably announce at some point, maybe before the elections, that draftees would no longer be sent to Vietnam? Would you expect that to happen?

To this, Senator DOMINICK replied:

> I rather suspect that it won't be announced in that form, but I also suspect that those draftees that don't want to go to Vietnam will be permitted not to go. I think it will be on a voluntary basis.
>
> Now, let me just take an example of some of the young people that I happen to know in the armed services. Those people who got in, we'll say, just a few days before the draft, and they got in on account of the draft, that's the only reason they got it; a lot of them, after they have been in basic and advanced training in the camps around the United States would infinitely prefer to go to Vietnam than they would to stay here. They don't particularly like the military life, they figure that there's more spit and polish over here than there will be in Vietnam. They'd much prefer to be where the action is, and where the rules are a little less strenuous than they are here.
>
> Consequently, a lot of them volunteer to go, and the complaints that you find are the fellows who've come back from Vietnam, and suddenly get back in the spit and polish again, before their contract term is over; and they get very uptight, to use the modern phrase, about all the harrassment that they say they get through the military system in the United States.
>
> Therefore, I would think, to specifically answer your question, that there won't be any announcement that way, because this would mean that those people who want to go couldn't go. I rather suspect that those people who do want to go will be permitted, and there will be quite a few of them who may be draftees.

Mr. President, Senator DOMINICK, in his reply to Mr. Leubsdorf's question, hit upon two very important points. First, any proposal to end the practice of sending draftees to South Vietnam must be made on a voluntary basis. Senators NELSON, HUGHES, and I certainly concur with this point of view. Therefore, in our amendment, we have included a provision that will allow those men who have been inducted into the armed services pursuant to the Military Selective Service Act of 1967 the option of volunteering for duty in South Vietnam, if they so desire. We should not bar the door to serving in Vietnam if the draftee wishes to do so.

Second, Senator DOMINICK has pointed to the fact that there will be men who will go to Vietnam, freely, of their own will. According to the Senator:

> A lot of them would infinitely prefer to go to Vietnam than they would to stay here. They don't particularly like the military life, they figure that there's more spit and polish over here than there will be in Vietnam. They'd much prefer to be where the action is, and where the rules are a little less strenuous than they are here.

For those who doubt we would be able to maintain our troop strength in Vietnam without the draftee, I believe Senator DOMINICK has offered one argument to the contrary.

Mr. President, I, along with Senators NELSON and HUGHES, am convinced that we no longer need to send draftees to Southeast Asia. The facts are there to support this belief. The President's announced troop withdrawals of 265,000 men since he took office 18 months ago more than doubles the approximately 115,000 draftees now serving in Vietnam. Furthermore, draftees in South Vietnam comprise only 4 percent of our total military strength of 3.1 million men. Surely there will not be any hardship in not sending any more draftees to South Vietnam to relace the 115,000 or fewer draftees now there.

Mr. President, in light of these facts, and the two points Senator DOMINICK made in his Metromedia interview, I urge the Senate to give the Proxmire-Nelson-Hughes amendment its utmost consideration when we bring this amendment up during the debate on the military authorizations bill.

ATTORNEY GENERAL SPEAKS ON RIGHT OF DISSENT

Mr. GRIFFIN. Mr. President, in an address before the Texas State Bar Association and State Junior Bar Association in San Antonio on July 2, 1970, Attorney General John N. Mitchell made some significant observations on the right of dissent. I ask unanimous consent that the text of his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY JOHN N. MITCHELL, ATTORNEY GENERAL OF THE UNITED STATES

I. INTRODUCTION

It is a great pleasure for me to be here in San Antonio to address this combined annual meeting of the Texas State Bar Association and the Junior Bar.

The topic I would like to discuss today is the First Amendment protection for freedom of speech and assembly which many commentators have said is the most treasured amendment in our Bill of Rights.

I have chosen to speak on the First Amendment for a number of reasons.

Only yesterday in Washington, we celebrated the 100th anniversary of the Department of Justice. As you know, most of our first century was dedicated to the problems of federalism and economic rights.

It was not until 1919 that the Supreme Court decided a First Amendment case involving the Federal Government; and not until 1927 that the First Amendment was made applicable to the states.

The Civil Rights Division in the Department of Justice was only founded 14 years ago but it has become one of our most active divisions.

Our Community Relations Service, which is devoted to racial harmony, was only founded six years ago.

The pattern seems clear: in our second century the Department of Justice will spend a great deal of time and effort protecting human rights, protecting those incorporeal values that are so necessary for the human dignity that must accompany a free society.

The Department of Justice is proud of its reputation as the institutional commitment of the Executive Branch to "equal justice under law" in order to secure the blessings of liberty to ourselves and our posterity."

And you may be sure that the President and this Administration are firmly committed to making human dignity a reality for all of our citizens.

These values have come to us in the words of the Declaration of Independence, whose signing we celebrate this weekend.

The Declaration is basically a legal document—a list of juridical complaints against the English King.

When these complaints are all put together, they become a moral indictment of despotism whose first rule is to stop free speech and association.

Your own great State of Texas has a similar tradition of independence which is symbolized by the Alamo here in San Antonio.

Your State suffered at the hands of three separate despotic governments—the French, the Spanish and the Mexican—before asserting the rights of free men.

But perhaps the most compelling reason for discussing the First Amendment today is that I am addressing a number of younger lawyers from the Junior Bar.

It is today's young men and women who will be the custodians of our Constitution system in the future.

It is today's young people who are becoming increasingly active in social and political affairs and who—at the same time—are questioning some of the fundamental institutions of the nation.

Some are asking, for example, if our tradition of freedom of speech is really working and whether the First Amendment guarantees—as we know them—have any relevance in today's society.

What I propose to do in this short address is to discuss the legal and practical problems that face all of us in making freedom of expression a living concept.

And let me remind you that there is no nation in the world today which offers the average citizen more opportunity to speak his mind without fear or intimidation than the United States of America.

II. A NEW AGE OF DISSENT

The necessity to reexamine and reaffirm the principles of the first Amendment comes about because we are in a new age of dissent.

Thirty years ago, our young people came out of colleges and law schools anxious to make a living in an era of economic depression. Later, they went off to war and then to the relatively quiet domestic situation of the Eisenhower Administration.

It was not until the early 1960's that the young people in our country began to believe that they had a significant role to play.

Some joined the civil rights movement. Others joined the Peace Corps, the Job Corps, Neighborhood Legal Services and other projects, without much thought of financial remuneration.

The "generation gap" had started, although neither generation was prepared for the intensity of the chasm.

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This intensity developed because of two trends which were not entirely obvious at the time.

First: The older generation did not fully recognize that the activists among the younger generation were indirectly attacking fundamental values of the Establishment. They were sacrificing the accepted values of financial security in favor of the human values of working with the poor and underprivileged.

But, at the same time, they were becoming disillusioned with their own efforts. Being young, they were not prepared for the years of hard work that is necessary to implement reform programs.

And so, having given their best efforts to reform society overnight within the system, they started criticizing the system itself on the grounds that it is not responsive to the needs of the nation.

Frequently, I might add, they rely on rhetoric and not facts. They throw around catch-word phrases like "repression" and "relevance" without any serious inquiry into the particular cases they cite as examples of government misfeasance.

Basically, their dissent and activism has taken two forms.

A small minority chose violence. But the great majority of the young dissenters have chosen to highlight their cause by exercising freedom of expression as it is protected by the First Amendment.

They march and sing. They walk silently with candles past the White House. They produce songs and books and newspapers and plays. They have developed their own motion picture and art techniques. They have evolved their own dress and language styles.

As they become more impatient, their message becomes more militant; their marches larger; and their platforms more radical; and they have gained some adherents of all ages.

They are a whole new culture: parading in the streets, striking against schools, crowding the halls of Congress, and organizing political campaigns.

In general, they are activist but also peaceful young men and women who—in our best traditions—are working within the system in order to change it.

Therefore, I must reject the claim that our established Constitutional methods of dissent are not working effectively for the dissemination of minority views.

If there is any greater proof that the First Amendment is alive and well and that it is working in today's society, we need only look at the recent growth and vitality of citizen action programs—most of them depending upon young people for their strongest support.

What this proves beyond a reasonable doubt is that there is more freedom of speech and more freedom of assembly today than at any time in our nation's history; and so long as I am Attorney General I will do everything within my power to see that these rights continue to flourish.

III. THE CONSTITUTIONAL RIGHT TO DISSENT

The First Amendment is based on the premise, as Mr. Justice Holmes said, that "the best test of truth is the power of the thought to get itself accepted in the competition of the market . . ."

Why we should permit this market of ideas is perhaps well explained by Mr. Justice Brandeis in his dissent in *Whitney* v. *California*. He said:

". . . we must bear in mind why a state is, ordinarily, denied the power to prohibit dissemination of social, economic and political doctrine which a vast majority of its citizens believes to be false and fraught with evil consequence.

"Those who won our independence . . . believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth . . .

"They knew that . . . fear breeds repression; that repression breeds hate; that hate menaces stable government; (and) that the path of safety lies in the opportunity to discuss freely supposed grievances."

In line with this reasoning, the Supreme Court has vigilantly guarded First Amendment rights and has reserved some of its most caustic comments for those who attempt to infringe on free speech and assembly.

The court has insisted that, ordinarily, citizens have the right to speak, to write and to disseminate even the most unpopular ideas by peaceful methods.

They have the right to use the streets and other public grounds to conduct peaceful demonstrations, to distribute handbills, to quietly picket; to broadcast on radio and television; to produce controversial motion pictures, and to ignore ex parte injunctions.

As evidence of our high regard for the First Amendment we have even evolved special procedural rules. These permit attacks on prospective government action limiting freedom of speech on the grounds that we must discourage any "chilling effect" on such a vital right.

IV. THE LIMITS OF DISSENT

However, there are limits beyond which the First Amendment may not be carried.

The most famous, of course, is that laid down by Mr. Justice Holmes in *Schenck*.

"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater, and causing a panic.

"It does not even protect a man from an injunction against uttering words that may have all the effect of force.

"The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree."

V. FREEDOM OF ASSEMBLY

Nowhere are the questions of "proximity and degree" more difficult than under the right of assembly provision of the First Amendment, as opposed to the right of free speech.

While today we tend to speak of assembly and speech in the same breath, they are two different rights. During the Constitutional Convention, there was a heated debate over the freedom of assembly clause, with its detractors claiming it was "minutiae."

The Supreme Court has pointed out the two different standards. It said in *Cox* v. *Louisiana:*

"We emphatically reject the notion . . . that the First and Fourteenth Amendments afford the same kind of freedom to those who would communicate ideas by conduct such as patrolling, marching, and picketing on streets and highways, as these amendments afford to those who communicate ideas by pure speech."

The Court added:

"We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty under law . . . There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations."

Thus, the Supreme Court has ruled that demonstrators do not have a constitutional right to cordon off a street or to use a loud amplification system or to block the entrance of a building, or to insist that passersby listen to speeches, or even to peacefully demonstrate on public property, such as a county jail, which is set aside for specific governmental purposes.

In that case, the Court noted:

"The United States Constitution does not forbid a State to control the use of its own property for its own nondiscriminatory purpose."

VI. THE APPLICATION OF THE FIRST AMENDMENT

Here, we come to the most difficult question: How do we, as lawyers and public officials, insure a maximum range for free speech while, at the same time, attempting to insure a minimum opportunity for violation of the rights of those who are not involved in a demonstration?

Here are some of the guidelines that we in the Federal government follow in Washington and which I believe should be considered by local and state officials.

1. Encourage the peaceful exercise of First Amendment rights, regardless of how unpopular the cause. Merely to tolerate freedom of expression is not good enough.

We believe it is appropriate to establish an atmosphere in which citizens want to express themselves on the issues of the day.

And to make sure that persons wishing to conduct a demonstration be given the benefit of the doubt; that in questionable situations it is always wiser to offer a little more freedom than a little less.

2. Realize that most large political demonstrations may entail a certain amount of inconvenience to local residents, may impose additional expenses on local taxpayers, and may engender widespread community hostility to demonstrators.

Traffic may have to be rerouted. Sidewalks may become crowded. Police and health officials may have to leave their normal routine. Additional manpower may have to be employed.

Because the police have the primary government obligation of insuring an orderly demonstration, perhaps a few words of guidance are in order.

Police should remember that they are professional law enforcement personnel who should not be swayed by their approval or disapproval of the views expressed by the demonstrators.

They should be sensitive to and understanding of the fact that persons emotionally involved in a demonstration do not always behave in a normal fashion.

If arrests must be made, they should be accomplished with a minimum of force needed to restore order.

We have found in Washington that the key to a successful demonstration is careful preparation and extended negotiations with the demonstrators.

When both the local government and the demonstrators attempt to understand the problems that each side faces, the problems tend to be solved quickly in an atmosphere of compromise.

Of course, there may be a sizeable cost in terms of manpower and money. But we think that this should be a cost that a local community is more than willing to absorb as the price of being part of a free republic.

Given our times, we cannot expect political demonstrations to be conducted like prayer meetings. We must expect language which may incite hostility or may be obscene.

This is because the First Amendment protects all of us, including men and women who choose to be unruly, unreasonable, and impolite.

On the other hand, residents of local communities have rights, rights which should not be seriously impaired.

Businessmen must be able to conduct their affairs. Schools and municipal services must be provided. The ordinary life and commerce of a city must be allowed to function effectively.

I reject the notion that persons exercising freedom of speech have a right to shut down a community any more than a community has a right to keep out demonstrators.

But this leaves several difficult problem areas still unresolved. Generally, these are cases where public officials have good reason

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to believe there may be violence perpetrated by the demonstrators or against them.

Because local officials have the obligation of protecting the demonstrators and the community, certain limitations may be in order on how and where the demonstration is conducted.

Most of these problems come down to case-by-case decisions, frequently made under extreme pressures of time. I do not think there are any hard and fast rules. Local officials should be familiar enough with their own communities to work out acceptable compromises.

Of course, there are always the courts as a last recourse for either side. But judges are hardly in a better position to make law enforcement decisions than are reasonable and responsible city officials.

VI. CONCLUSION

In recent months hundreds of thousands of American citizens have come to Washington, D.C., to exercise their rights of free speech and peaceable assembly.

The Department of Justice has now furnished to the Senate a voluminous report on the lessons we have learned and the steps we have taken to protect and confirm the First Amendment rights.

I think you will find the report encouraging and I believe you will agree that it matches performance to the promise offered by President Nixon when he said:

"Peaceful protest is part of the American tradition. The right to dissent is a force for change, but it is the right to disagree, not the right to disobey laws.

"So let us have order in America—not the order that suppresses dissent and discourages change, but the order that guarantees the right to dissent and provides the basis for peaceful change."

REPORT ON TEXAS TORNADO DISASTERS

Mr. TOWER. Mr. President, so that Senators may be kept well informed of Federal activities in regard to the tornado disasters earlier this year in Lubbock and the Panhandle of west Texas, I ask unanimous consent to have printed in the RECORD an updated report on such activities which I have recently received from George A. Lincoln, Director of the Office of Emergency Preparedness.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL ACTIVITIES IN TEXAS MAJOR DISASTER, DECLARED MAY 13, 1970

On May 13, 1970, President Nixon declared a "major disaster" for Texas as a result of the tornadoes and windstorm April 17 in the Panhandle-South Plains area of the State and the devastating tornado May 11 in Lubbock. This declaration was amended June 26 to include Hays County because of flood damage in San Marcos April 15. This special report covers some of the principal relief and recovery actions by Federal agencies under Public Law 81–875 and other authorities, during the first month after the Presidential declaration. (It does not, therefore, include actions in response to the San Marcos flooding.)

Under recently adopted procedures, the Office of Emergency Preparedness is responsible for allocating from the President's disaster relief funds whatever amounts may be required for a particular "major disaster." Thus far, $2 million has been earmarked for assistance in the tornado-stricken area—the counties of Briscoe, Cochran, Donley, Gray, Hale, Hockley, Lamb, Lubbock, Parmer, and Swisher.

These funds are to be obligated for project applications submitted by the State or by local governments and approved by the OEP Regional Office for debris clearance, protective and health measures, road and bridge repair, temporary housing, and repair of public facilities and utilities. Project applications may be submitted up to 90 days after the disaster declaration. Funds are also used to reimburse other Federal agencies for work performed under mission assignments from OEP. To provide unemployment compensation for disaster victims, OEP has advanced $250,000 to the Department of Labor.

Most of the work necessitated by the April 17 disaster is being carried out through supplemental Federal assistance of this kind. The May 11 disaster in Lubbock has required considerably greater aid, especially in housing.

In Lubbock, OEP promptly established a disaster field office at 1420 Texas Street, under OEP Region 5 Director George Hastings, to coordinate Federal agencies' efforts. Two "one-stop centers," where information could be obtained on all Federal disaster assistance programs, were also set up—at the Mi Casita Northeast Community Center, 2420 E. Erskine Street, and at the Guadalupe Center, First Street and Avenue P—each with an OEP official in charge.

Th centers were publicized, in English and Spanish, through newspapers, radio, pamphlets distributed at churches, and loudspeakers in cars, to reach all disaster victims. Also, a 90-minute telecast over KCBD–TV, featuring Representative George H. Mahon of Lubbock and George Grace, head of OEP's Field Operations Office, was viewed by an estimated 10,000 persons; the program was taped and translated into Spanish for rebroadcast by radio.

A Red Cross survey of the destruction in Lubbock reported 540 dwellings and house trailers destroyed, 519 with major damage, and 764 with minor damage. Some 2,500 persons were given emergency shelter in the city's colosseum through May 18, when the shelter was closed. Meanwhile, temporary housing was made available by the Department of Housing and Urban Development and the Veterans Administration. Much of this was represented by a vacant HUD-owned housing project. HUD placed 309 families immediately after the declaration, had 387 units ready for occupancy on May 14, and had turned over 543 properties to the city by May 17. By May 15, VA had delivered 38 properties, with 18 more repaired and available. The combined figures from both agencies as of June 8 showed 774 units available, 700 of them turned over to the city, 666 occupied, 74 still under repair; only 30 applications were pending. At the request of the victim-occupants, some units were made available before they could be brought up to satisfactory condition; repairs on these were continued after occupancy.

The rental policy agreed upon by HUD and OEP provided rent-free occupancy for the first three months, with monthly charges thereafter (for the remainder of the first year after the declaration) ranging from $45 to $60, depending on number of bedrooms. Occupants pay for utilities and refuse-collection. In hardship cases, rentals and other charges can be adjusted.

Homeowners and businessmen whose properties were damaged in these disasters can obtain long-term low-interest loans from the Small Business Administration under its own authority. SBA declared a disaster loan area for western Texas on April 18, as well as another for Zapata County after a May 24 tornado and one for Hays County because of the May 15 San Marcos flooding. SBA offices were quickly opened in Plainview and Clarendon, after the April tornadoes, in addition to Lubbock.

Because so many of the victims of the Lubbock tornado were Mexican-Americans, special efforts were made to assure observance of civil rights. An OEP compliance team, sent to Lubbock, worked closely with the White House Staff, the Department of Justice, the U.S. Civil Rights Commission, the Cabinet Committee on Opportunities for the Spanish-Speaking, the Labor Department's Office of Federal Contract Compliance, and, locally, several Mexican-American leaders, Mayor James Granberry's 11-member advisory committee on rehabilitation, and the Disaster Legal Assistance Project. Matters of principal concern to the team were employment, housing, transportation, legal services, insurance, and land ownership. As of May 25, legal assistance cases undertaken by the Disaster Project of the Lubbock County Bar Association and the legal aid society numbered 135.

Because the OEP compliance team was concerned with so many post-disaster aspects, it served as a catalvst in determining available assistance. It helped, for example, in obtaining additional slots for the Labor Department's local Neighborhood Youth Corps and "Operation Mainstream" projects.

The team's "Civil Rights Compliance Report Re Tornado Disaster in Lubbock, Texas," submitted on June 9, is especially useful as a study of the early stages of Federal assistance. It is therefore appended to this report.

OEP has also undertaken a case study of Federal efforts in providing assistance to individuals in the Lubbock disaster (especially as authorized by Public Law 91–79), to determine better ways of helping to meet human needs in future disasters.

INNOVATIONS IN INDIAN EDUCATION

Mr. MONDALE. Mr. President, there is so much "bad" about the State of Indian education that we do not always give proper attention or credit to those individuals and programs which are contributing significantly to the slow but important improvements that are being made.

Mrs. Rosemary Christensen, an Indian leader in Minnesota and a staff member of the Upper Midwest Regional Educational Laboratory, took a look at some of the innovations in Indian education in a speech this spring before the League of Women Voters of Minnesota. The league itself has been one of the Indian's most consistent advocates in Minnesota.

Mrs. Christensen pointed out three categories in which innovations have taken place: First, nationally, at the Rough Rock Demonstration School on the Navajo Reservation; second, regionally, at the demonstration classrooms on the Red Lake Reservation in Minnesota; and, third, statewide, the progress being made under the guidance of Minnesota's director of Indian education, Mr. Will Antell.

Although much remains to be done, nationally, regionally, statewide, and locally, I am proud of the progress being made in Minnesota. I ask unanimous consent that Mrs. Christensen's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

INNOVATIONS IN INDIAN EDUCATION

(Talk given at League of Women Voters of Minnesota Biennial Council Meeting, April 15, 1970, by Rosemary Christensen)

It is such a pleasure for me to be here at the League of Women Voters Biennial Council meeting. The League holds a special place in my esteem for the outstanding work done in the area of Indian affairs. This is not to slight other equally important League interests illustrated by the booklet I recently received entitled "Equality of Educational Opportunity" (a very timely work indeed!). The League holds a well-deserved reputation as a hard-working, fair, responsible organization. The research behind each League publication speaks for itself and deserves everyman's admiration. Perhaps I should say open-mouthed admiration when it is added that all the work is volunteer.

But my special appreciation is expressed for such works as *Indians in Minnesota* and *Indians in Minneapolis*. Well-researched documents on Minnesota and Minneapolis Indians are a scarcity, and we have the League to thank for those statistics that are available in the afore-mentioned documents. I have heard these publications quoted from Albuquerque to Washington, D.C.—from the NCAI to the Senate Subcommittee on Indian Education. I am, of course, eagerly awaiting the soon-to-be-ready updated League publication on the Minnesota Indian.

My remarks here tonight are entitled innovations in Indian education. The word "innovation" is heavily used at the moment and perhaps overused or misused in some instances. But in looking at the word itself, it means, according to Webster's, the introduction of something new—a new idea, method, or device—to make change. And in looking at the statistics available on Indian education *a change is necessary*.

Accordingly to Senate subcommittee findings, the number of suicides and alcoholics among the native population has increased. Adolescent suicide rates on the Quinault Reservation in the state of Washington and the Fort Hall Reservation in Idaho are termed of "epidemic proportions." In South Dakota suicide attempt rates are more than twice the national average. The drop-out rate everyone knows about, and though it changes numerically from region to region, the overall average in both the drop-out and suicide rate is a national disgrace—or as the subcommittee entitled their report: *"Indian Education: A National Tragedy—A National Challenge."*

In discussing innovations, I have placed them in three categories:

1. Rough Rock Demonstration School in Arizona (as a national famous example);

2. Red Lake classrooms and the regional laboratories (as a regional example);

3. Leadership provided by the Director of Indian Education in Minnesota (as a state example).

The first area: The Rough Rock Demonstration School is, of course, nationally known. Dillon Platero, the Navaho director of Rough Rock, cites three innovative approaches at his school:

1. The first and most important—The school is controlled by the community. The school board is all Navaho—the director is Navaho; decisions are made and carried out by the Navaho people.

2. The Navaho Curriculum Center—Here books and materials are prepared for use in the school's curricula. These items reflect Navaho culture through music, stories, and folkways of the people—a recent publication is biographies of famous Navahos. I saw a copy of this book; it's beautifully illustrated, interestingly written, and any child would be pleased to learn of his forebears in this way. Additional materials being prepared are permeated with the Navaho culture. The very stories used are traditional Navaho stories. The heroes have Navaho names and the illustrations look like Navaho people—past and present. The writing is currently being done by Navaho writers. The language of the people is used to teach the younger children, and English is taught as a second language.

3. The third area is the cultural input at Rough Rock—When you visit the Rough Rock School, it's very apparent you're in Navaho country. Famous Navaho legends and paintings are on the walls. Navaho women (usually traditionally dressed and sometimes carrying babies on cradleboards) are in the classrooms, dorms, and on the grounds. Little girls are busily learning to weave Navaho rugs in the classrooms during their free time. The children are taught in Navaho with Navaho teachers in the beginning grades. And as mentioned above, curriculum materials reflect Navaho folkways and culture.

Mr. Platero sums it all up by saying, "The school belongs to the DINE (the people), and it's an integral part of the community." He added that the school is used as a community center—for recreation—and the school is now exploring the possibility of working with the community in building houses, etc.

In the second example mentioned, the Red Lake classrooms numbering seven on the Red Lake Indians Reservation, are under the auspices of a regional laboratory. There are 15 laboratories scattered around the country funded in the most part by OE and devoted to Educational Research. Of the fifteen, four have programs in Indian Education. This region comprising five states—Wisconsin, Minnesota, North and South Dakota, and Iowa—is served by UMREL.

UMREL's program is, in brief, the development of systems and decision rules which will make it possible for scientifically proven principles of behavior to be applied in school environments. Much of educational research in the past has lacked the developmental work which is necessary for effective use. Thus, UMREL is examining each step carefully on the basis that the behaviors of *all* persons in the school environment must contribute to the desired behavior changes in the student.

The Red Lake demonstration classrooms were begun in April of 1969. Training programs for teachers and aides were devised and used on the Red Lake site as well as the St. Stephen's school in Minneapolis. Based on educational and psychological research on the ways children learn, these classrooms are arranged to provide the best possible learning environment for the students. Put very simply, research findings show children learn best when learning is reinforced with pleasant consequences. Classrooms are arranged with this in mind. Two areas are defined in such a classroom: task area, or work area, and the reinforcement area. All instruction is individualized to the student, and every lesson is prepared in sequences every child can handle taking into account individual differences and abilities.

The children were first tested to establish their starting performance level. Then the teacher gives them individually prescribed lessons. Each child works independently at his own speed. When he finishes the lesson, he takes his paper to the teacher-aide who checks and records his work. If the work is okay, he chooses an interesting activity from several pictured on the RE menu.

After he chooses an activity (give examples), he goes to the RE area, (separated from the task area by a screen), engages in the chosen activity for several minutes, and is then directed by the aide to go back to the task area for further tasks. Under this type of classroom, all children receive pleasant consequences for doing classroom work—they are successful—they compete only against their own past performance as they work independently on tasks. Careful records are kept to provide teacher, parent, and the child clear and precise information on how he is doing in the classroom. Record keeping is in the form of a data sheet called the PPDF (Pupil Performance Data Form). Detailed data on lessons, performance time, RE events can be kept on this form. The PPDF is a form designed for computer use. The lab has plans for computer use that are very exciting; but since I have seen the computer in operation only once, I cannot speak knowledgeably of that part of the program.

The third example, as I mentioned previously, is at the state level. We are very fortunate here in Minnesota to have a state director of Indian Education. Under his leadership many exciting things are happening on the Indian scene; such as: Teacher-training workshops are planned for the summer sessions of 1970. These sessions will provide knowledge of Chippewa and Sioux history, culture, and values; also the social, economic, political, and educational aspects of contemporary Indian affairs. They will provide the opportunity to develop skills to bring the history and culture into the content of the curriculum, to identify and use in classroom activities, valid resources of Indian culture and history. This will be done by interaction with Indian lecturers, Indian teachers, Indian professional people, plus valid records of Indian history, culture, and Indian life styles. Tribal officers, Indian leaders, and Indian people who are spokesmen for the Indian world will also contribute. In brief, these workshops, under the auspices of the director of Indian education and the Minnesota Indian Education Committee, will provide input to teachers that should be provided (and are not) by the colleges and universities in their pre-service and inservice sessions.

Another exciting aspect of Indian education in Minnesota today is what is happening or what may happen at several of the predominantly Indian schools in the state. The idea is to take the above two examples—national and regional—and combine these two innovations to make a third change; that is, to take the educational and psychological research on the ways children learn—incorporate into this the Indian imput with Indian leadership and Indian participation as illustrated by the Rough Rock example. This, in my opinion, is truly innovative—to use the behavioral framework as the base of the school operation with Indian imput reflected in the curriculum in the form of Indian history, language, and especially prepared units of study on many aspects of Indian culture. This could be reflected in the teaching of basic skills in phy. ed., home ec.—the possibilities are endless.

This last example is still in the planning stage so I hesitate to speak about it, but things are happening in Indian education in Minnesota today.

Indians are pushing for 1) better textbooks; that is, books that are historically accurate for all peoples; 2) more realistic teacher-training methods to be incorporated into colleges and universities; 3) a wider spectrum of human knowledge to be reached in all schools today, not just Indian schools or minority population schools; but all kids should learn about Indians and other peoples—the contributions to this country—the other side of the history coin should be in all the books children read. Kids will grow up into adults, and adults will continue to look with misgivings, suspicion, and downright hate at someone different than he in life style, values, color, and ethic background if this information is not part of the school curriculum. If we are to live together—let us learn together.

CREDIBILITY GAP IN EDUCATIONAL AND POLITICAL CRISIS

Mr. McINTYRE. Mr. President, the months of May and June are traditionally devoted to resounding—and too often empty—oratory on the part of politicians, educators, and other public figures. Our youth are bombarded with the sounds of challenge as they embark upon new adventures within the formal educational structure or the practical world of day-to-day occupations. Too often, however, these speakers lack credibility as the young compare their words with their actions in everyday life.

This enormous credibility gap is at the heart of our current educational and political crisis. Both sides know this—and both share the responsibility. Yet, in the end, it is those who sound the noble tone—and painfully fail to observe it—that must shoulder the greater burden. These failures, no doubt, are often inadvertent—many times they are not failures at all, but lack of communication—and occasionally they are the inventions of the overzealous and uninformed.

Yet this lack of credibility, and lack of meaningful communication, whatever its source, is an important element of a national crisis of conscience that must receive immediate and thoughtful attention by those whose primary duty is public service. The challenge begs for attention. No meaningful view of public service and of patriotism can ignore the tremendous reservoirs of resentment among the young minorities, and other disenfranchised elements of our population. It is time to act in a sensitive and perceptive manner to rekindle hope and involvement among those whose lot leads them to despair. This capacity has always been the hallmark of our political system. To ignore this duty is to participate in its disestablishment.

I feel that we all share this duty, whether as public officials or as citizens. And we must all take that one, large, additional step—make that additional commitment—that would allow us to be judged, not solely by our words, but by our deeds.

Following my remarks today, I ask unanimous consent that the text of a recent speech delivered by Mr. Ralph Nader at Franklin Pierce College, Rindge, N.H., be inserted in the RECORD following my remarks. My comments today are called forth by certain ideas expressed in this speech.

On that occasion, I feel, there was no credibility gap. Mr. Nader has struck a responsive chord among the young that deserves our attention. I do not necessarily subscribe to all of the views expressed in this speech; but I do feel that it is a necessary document. Mr. Nader's view of citizenship as a duty to question and participate deserves thoughtful and considerate response especially as we consider the unrest so prevalent among our young people.

Too often, we have focused on what is wrong with our young without taking into account their tremendous concern and high ideals. And we have too often underestimated their capacity for following the dictates of that concern in judging our institutions and policies.

We must remember that most of our young people do not want to see the destruction of our system; they earnestly seek its improvement. They lack leadership—and faith in their leaders. It is this issue to which Mr. Nader addressed his remarks. These words have a special relevance to the college graduates that he addressed; and they have a special relevance to those who choose to devote their lives to public service. I commend Mr. Nader's remarks to the attention of Senators and ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

IMPROMPTU REMARKS BY RALPH NADER AT THE FRANKLIN PIERCE COLLEGE COMMENCEMENT

The world that you will enter in as citizens is one which will span the years conforming to your careers—one that will extend into the twenty-first century. The changes in the next 45 years will dwarf in all dimensions the rapid pace of change we scarcely began to understand and respond to in the past generation. The Planet earth is finally beginning to be seen as a finite, eminently exploitable structure in which three and one-half billion people now live and perhaps some seven billion will be living at the turn of the century. The view of the planet as a concrete embodiment of the finiteness of man and everything that binds him to his fellow man, has not long been a secular view. The humility it brings, the awareness it develops, the sensitivity it creates, is primarily a hopeful sign. But while we are confronted with overwhelming forces and complexities, while we see man increasingly delegate his responsibilities and his actions to institutions and to machines, perhaps we can once again recognize that basic to all our hopes and progress is the individual human being and the reliance on that human being to make his contributions . . . however modest . . . however grand . . . to the earthly design.

There are many skills that are said to be developed in a formal educational structure. Many areas of substance . . . areas of technique. I would like to focus on a number of major characteristics that will never be developed even partially in a formal educational structure unless they are linked with the longevity of individual concern and self-renewal. The first is sensitivity—a development of sensitivity that ranges from the aesthetic to the ability of one to empathize the problems of others who live in less than healthful or adequate conditions.

The increasing difficulty or inability, to sensitize ourselves to those in our midst, those who are suffering from severe malnutrition . . . poverty . . . those who are suffering from the serfdom of technology . . . those who are suffering from being sent abroad to engage in deeds whose only nobility is in the semantics that are given to describe them . . . the lack of sensitivity toward the young . . . the exceptional lack of sensitivity towards the very old . . . is the bedrock on which despair and rage are built. The constant driving to engage ourselves and expose ourselves to the phenomena, to the feelings and to the facts so that we can increasingly sensitize ourselves to these problems . . . must become part of the human condition.

More and more we are becoming increasingly removed from the problems of our fellow man. They are only brought to our attention in rather cool, impersonal statistics or short media developments and as a result, we can become insensitive to the point of cruelty quite beyond our willingness to express those unfortunate traits. A nation which can generate mass pathos and concern for a dog that has fallen down a well but on the other hand can view with historic insensitivity the starvation deaths of two million human beings in Biafra illustrates this enormous gap between our presumed stature as human beings caring for others and the environment that reduces us to these levels of priorities.

Beyond sensitivity one can build and suggest many remedies. But perception can be seen as a more intellectualized extension of sensitivity, and analysis can be seen as a more precise and scientific extension of perception. Perception is what we so badly need . . . the ability to perceive that which is before us clearly, candidly, unequivocally. A major current illustration of our inability to perceive that the destruction of our environment here at home, of air, water, and soil, purity, is a form and a very pervasively massive form, of environmental violence. In our inability to view this environmental destruction with its abusive replay on man and on unborn generations illustrates the ability which certain forces, who do not wish that this perception be widespread, the ability for them to succeed in dulling and diverting and depreciating the proper intensity of reaction.

A nation which can sentence a breaker into a phone coin box to a jail term of two years, but can leave with impunity, with no enforcement of existing laws, no enactment of other more stringently needed laws, thousands of plants and other industrial polluters to desecrate and ravage and contaminate rivers and streams, lakes, and air and soils, and of course, human beings, is a nation that is exceedingly perched on a lethally hyprocritical double standard.

Our political leaders chide the young . . . do not (they say) do not justify the means by the ends . . . you may have a worthy cause in your strivings for world peace . . . but don't engage in these techniques that disrupt and confront. These elders are justifying means and ends whose violence and cruelty utterly dwarf the objects of their scorn and contempt in the younger generation. What is the war in Vietnam but a justification of the means for the end?

A justification of probably the most massive persistent form of violence ever inflicted on a country of comparable size. What is the de facto, decades-long justification of environmental pollution? Of the destruction of the very substance of the patria—the land, the air, the water, other than justifying the means for the end? The justifications were couched in thoughtless boosterism—"that's the price of progress," "that's the smell of the payroll," and other similar easy explanations. What other reason can be given for the massive illegalities among the properties, among the corporations, among the large unions, among government agencies themselves, in areas that range from health and safety standards to open, democratic procedures, to the allocation of economic resources to the corruption of public officials. What other reason can be given than that ours is becoming endemically a lawless society . . . lawless from one end to another . . . lawless in the form of a governor of a southern state thumbing his nose at federal law . . . lawless in the form of many unions making a mockery of the labor laws, lawless in the form of corporations bribing public inspection officials, undermining the integrity of government, manipulating laws to exclude their criminal behavior from criminal sanctions. Lawlessness at the top inevitably breeds disrespect from the law throughout the population. It becomes a contagion.

A society takes on some of the organic characteristics of a fish—it rots from the head down. And nobody understands more immediately the hypocrisies and the illegalities and the disgraceful behavior at the top than those who receive their impact at the bottom of the economic ladder. For many years we have been engaging in a very easy tribute to law enforcement officials. At the same time those in our slums had a much more realistic appraisal of the endemic and institutionalized corruption of significant numbers of these very officials sworn to uphold the law . . . corruption in the form of bribery . . . corruption in the form of involvement in criminal activities . . . the kind of corruption that is now being made public in New York City and its police force. When basic grassroots enforcement officials have succumbed to a degree where their honest colleagues are intimidated from speaking out, from reporting, from attempting to change, then the corruption is no longer episodic . . . it's epidemic.

Perception allows us to describe reality regardless of the symbols, regardless of whether reality comes in sneakers or in cufflinks, regardless of whether the acts are committed in a slum or in a corporate suite. Perception is not enough; analysis is necessary. Man tends to move toward change and resolving conflicts first by sensitivity and then by perception and finally by analysis . . . which in our system largely must mean law. The complexity of our society is such that the velocity of inter-relationships has reached a point of fantastic intensity compared to last century's. We now interact actively, unconsciously, subconsciously, indirectly with so many forces impinging upon us all. We are now so interdependent that interdependence, which can be a source of strength, can now be a source of enormous weakness if it is disrupted. The institution that resolves the conflicts, that anticipates the problems, that establishes freedom and order, must be the law. There is no other institution that is embedded with the duly constituted authority of the people . . . in any democracy that means rule of the people by the people and for the people as a continuous condition.

Analysis means telling people what the facts are . . . it means analyzing systems of power . . . it means sweeping aside the kinds of facades that only serve to camouflage injustice, corruption, brutality, inaction, apathy or simply laziness. It means, for example, a recovery of the true meaning of patriotism which isn't just saluting the flag or singing "My Country Tis Of Thee". Patriotism involves deeds. And until we begin to consider the ruining of our environment . . . the suppression of rightful claims of minority groups . . . the inequities in our governmental structures and our relationships with others in the world as serious challenges to patriotism, meaningfully defined, we will continue to follow the emergence of new political demagogues who wave the American flag . . . who disgrace it . . . who transform it into a fig leaf to cover their shames . . . to cover their insensitivity to justice . . . to cover their inability to develop wisdom. And until we begin to take these symbols back to our own embrace and ally them with our courses of humanity and equity those who would use them for their own nefarious, myopic or politically opportunistic purposes will continue to have them by their side, without any claim of legitimacy, for use as mass diversions or brainwashings.

The overriding concern with institutions should be how we as individuals can tell our institutions that they are not going to have a momentum of their own . . . otherwise known as bureaucracy . . . that they are going to reflect individual inputs . . . that the individual in these large institutions whether they are companies or government agencies or other organizations, must reassert his rights . . . and that every person who is part of a large organization must have that line drawn for himself beyond which he will no longer subserve himself to the dictates of the organization, beyond which he will say . . . my loyalty to mankind, to my society, to my fellow citizen, overrides my loyalty to my organization and that is where I must place my commitment and knowledge. Unless every individual somewhere in his mind draws that line when he will no longer simply take orders, when the pressure point is built up in terms of public hazard or public interest that he must stake his claim as an individual . . . unless every individual has that line drawn for himself he will have within him a potential slice of the Nuremberg problem.

Analysis of institutions is in its infancy. We know so little of what goes on inside of government, inside corporations, and inside many other large and influential groups. Whatever we wish to develop in terms of a social design for the future, one critical responsibility emerges . . . a new kind of citizenship . . . a word which is bandied around in our civics books, in our lecturn rhetoric, but a word which must mean a certain commitment of time, of energy, of sacrifice on the part of each member of the democracy. It must mean a recognition that no longer can it be possible . . . if it ever was . . . for a country to call itself democratic when the supposed democracy has only a handful of citizens. No longer can we expect to delegate our citizenship responsibilities to elected or appointed officials and have it at that. No longer can we rationalize the problems around us on the basis that it's entirely due to other forces but not due to our own inabilities or inadequacy to participate.

Responsibility has to be allocated, to be sure. In a generic sense the people are responsible, in a specific sense some groups are more responsible than others for various kinds of problems . . . lawyers for our court systems . . . doctors for the hospitals . . . politicians for our government agencies . . . corporations for our environment and marketplace. And while we must never forget the importance of allocating responsibility on those shoulders that perpetrate the problems in the direct sense, and have the greatest ability to prevent them, or diminish them, we must never let that allocation of responsibility exempt us, as citizens, from the necessary stamina . . . and sweat . . . that we're going to have to develop if we are going to meet a generation of crisis.

If the analysis of our scientists and our more farsighted political leaders and our students and scholars is correct . . . if we are now approaching a term in our history when the complexity of technology . . . the terrible allocation of our very affluent resources away from so many yawning, gaping human needs . . . when the impersonality and nonresponsiveness of large institutions grows . . . when all of these, by deferring year after year the tending to problems that begin as small ones and build up into crisis levels . . . can we have anything other than a generation of new, bold, endeavors and commitments? Can we expect a repeat generational pattern to deal with these critical problems, or must we expect a new type of human involvement, in the local and state, national and international community?

It seems quite clear we cannot go on simply protesting, disclosing, warning, without also trying to carve out new and more forceful involvements on the part of everybody. No one can be excused from contributing in a small or larger way as a citizen outside his occupational endeavor and inside his occupational activities to the betterment of the society around him.

There are two easy ways to go through life—one is to believe everything, the other is to believe nothing—they both avoid thinking . . . thinking unlike reading is very hard work. Applying one's thoughts to concrete programs of action is even harder work. The level of stamina that is necessary simply to stop a slide toward disaster that proceeds from inadvertence is very very impressive. And, that perhaps is what differentiates our times from prior times . . . that catastrophes . . . disaster . . . disease . . . injury . . . destruction . . . cannot only proceed from willful conspiracies or thermonuclear wars, they now can proceed simply by continuing "business as usual" domestically to do what we're doing. There is an increasing recognition that we can now destroy ourselves domestically and inadvertently because we have unleashed a terrifying technology that is overwhelming our environment, because that technology has not been developed in a balanced way, in a humane way. The awareness of that power perhaps may bring us to the requisite degree of sobriety relative to the forces that are in and around us.

I think in the last analysis the issue is operational ethics to what extent can we find out what must be done and then set about to do it. That is a function not only of a sense of injustice, but also a sense of knowledge and analysis. And to what extent are we calling to engage in these changing life patterns . . . the ways we use our time . . . our ability to engage in necessary controversy . . . our ability to dissent . . . our ability to communicate with our fellow citizens and not proliferate this great gap between formally educated groups and the non-formally educated groups in our country. All of these are going to be very severe task masters and I wonder whether enough of the younger generation is up to it. I wonder to what extent most of the campus concern is only a level of indignation . . . finely grounded . . . that will later begin to wither away in direct proportion to the day-to-day demands of occupational status symbols and the attrition of one's ideals which is the only true sense of aging.

Putting it realistically, those who will pioneer will be in the minority as they always have been. But those who choose not to for their own reasons must appreciate and observe that their peers who will break new paths will require your support . . . require the support of those who work in conventional occupations, carrying on some of the work of the world as it is . . . that they need your help. And when you see your former fellow student move in and begin undertaking the tough tasks of any social pioneer, let us hope that he will have your support . . . your knowledge . . . and that you will resist the importunities of the deepening irrationality . . . the appeal of emotion . . . the appeal to false symbols of patriotism . . . the manipulative techniques which seem to be getting more and more effective, and that you will be continually developing your sensitivity, your perception, your analysis, your concept of the role of a free individual inside and outside of institutions so as to enlarge your citizen involvement and put the "demos" back into democracy.

AIR TRAVEL PROTECTION AGENCY

Mr. SMITH of Illinois. Mr. President, 3 weeks ago, in a speech on the Senate floor, I denounced the absence of adequate protection for air travelers aboard America's airlines. In the strongest possible terms, I called the Federal Aviation Administration to task for treating aircraft security as "a side line" interest of that agency's assistant flight surgeon. I introduced a bill that would create an Air Travel Protection Agency within the FAA, whose sole purpose would be the protection of persons and property aboard aircraft from the skyjackers, air pirates, and deranged persons who have been terrorizing the flying public with impunity up to now.

Two weeks later, the FAA announced that it was creating a special bureau to concentrate on air travel security. While I appreciate the FAA's move off center on the matter, I remain skeptical of any air protection effort that falls short of full-time research and development of protection systems, full-time airport surveillance, and a full manpower complement.

Last Thursday, one of my aides, Joe Fisher, was permitted to board United Airlines flight No. 553 in Washington, carrying a large plastic bag filled with gasoline-colored liquid in an open leather portfolio. Fisher made no attempt to conceal the portfolio's contents. Although the liquid was in fact water colored with food dye, it could easily have been the volatile substance that accused skyjacker Arthur Barkley carried aboard TWA's flight from Phoneix, Ariz., on June 4. As soon as Fisher was permitted to board the plane he proceeded the dump the liquid in the plane's lavatory so as not to place passengers or crew in any apprehension of danger.

Mr. President, we conducted this experiment to demonstrate again that the airlines and airline employees are not the appropriate persons to safeguard airline passengers from those intent upon violence in the air, and to demonstrate that fulltime police or agency surveillance and protection systems in all of the Nation's airports are a must.

OIL POLLUTION AND HUMAN RIGHTS—II

Mr. PROXMIRE. Mr. President, yesterday I discussed two new treaties submitted recently by the President which are designed to curb oil spills on the high seas. Both of these treaties would serve to protect the newest human right: The right to a clean and safe environment. As basic as the right to life itself, this new right is becoming increasingly important as pollution threatens to destroy the environment we are all dependent on. Oil pollution, although relatively new, represents one of the most serious threats to this new human right.

As larger and larger oil tankers are developed, the threat of massive oil spills looms larger and larger. Tankers twice the size of the *Torrey Canyon* are now under construction. The potential for disaster is enormous. Despite the risks, the major oil companies are pushing ahead with plans to build more and more of these supertankers. Should just one of them rupture off our coast, the resulting destruction to the environment would overshadow Santa Barbara. The most frightening fact about this situation is that we have no effective means for cleaning up oil spills. Despite massive research efforts, straw is still the best weapon against oil.

In view of the danger posed by these new tankers, there is a clear need for strong preventive measures which will provide incentives to take every precaution against accidents. These two new treaties provide the needed incentives. One treaty would impose strict civil liability upon the owner of vessels responsible for pollution damage to coastal areas, regardless of the location of the vessel. The second treaty would empower the United States to take preventive action against vessels on the high seas which threaten imminent pollution danger to American coasts.

Mr. President, I strongly urge the Senate to give these two treaties immediate attention. The need for them increases with each day. Will we have to endure yet another environmental disaster like the *Torrey Canyon* before we act? Let us move quickly to ratify these treaties before another disaster strikes.

THE BIG THICKET: A MASTERWORK OF NATURE; CORPUS CHRISTI CALLER-TIMES CALLS FOR SAVING

Mr. YARBOROUGH. Mr. President, field hearings were held in Beaumont, Tex., on June 12, 1970, on S. 4, my bill to establish a 100,000 acre Big Thicket National Park. This was a most encouraging move toward realization of a long-sought objective of many concerned citizens.

The hearings, held by the distinguished senior Senator from Nevada (Mr. BIBLE), chairman of the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs, were very informative and they demonstrated the great interest for preserving this beautiful area of Texas.

An excellent article on the Big Thicket and the hearings, written by Dr. Hans A. Suter, was published in the Corpus Christi Caller-Times of June 21, 1970, at page 2B.

Mr. President, I ask unanimous consent that the article, entitled "The Big Thicket . . . A Masterwork of Nature," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BIG THICKET . . . A MASTERWORK OF NATURE

(By Hans A. Suter, Ph. D.)

The establishment of a Big Thicket National Park has moved one more step forward. Sen. Ralph Yarborough introduced in this session of Congress his SB 4 calling for the creation of a national park of at least 100,000 acres in the Big Thicket area. The heart of the proposed park would be about in Kountze, the county seat of Hardin County, a small community of some 3,000 people, 26 miles north-northwest of Beaumont. On June 12, Sen. Alan Bible of Nevada, chairman of the subcommittee on parks and recreation of the Senate Committee on Interior and Insular Affairs conducted a hearing in Beaumont to determine public sentiment in the area about the park.

Some 30 persons offered testimony in favor of the establishment of the proposed park. Interestingly, all witnesses favored the Big Thicket National Park. While conservationists spoke strongly for an area of at least 100,000 acres (one proposal called for 800,000 acres), vested interests represented by the lumbering industry and the Texas Forestry Association favored a park of only 35,500 acres in nine disconnected tracts. If our federal legislators are attuned to public sentiment and not to short term interests, there is no doubt in my mind that a park of at least 100,000 acres will be established.

The original Big Thicket is a region roughly bordered by the Sabine River on the east, and the Brazos River on the west; on the north the Camino Real (which today corresponds to U.S. 190) forms its limits and to the south the woodlands gradually fade into the grassy expanses of the coastal prairies. This corresponds to an area of 3.5 million acres, once covered with a dense forest of hardwoods and pine trees. Early travellers avoided the Big Thicket and went around it. The only human traffic in the region was by Indians, who penetrated the forest in their canoes through the creeks, bayous and rivers which meander through the lush woods.

The Big Thicket area has been called by biologists and ecologists "the biological crossroads of North America". Here species from the Appalachians, the coastal plains, open woodlands, and the everglades reach the limits of their ranges, overlapping in unique proximity. Sixty inches of rain a year and the moist Gulf climate result in an extraordinary richness and diversity of plant life. Eight distinct plant communities are found: Upland, savanna, beech-magnolia, baygall, palmetto-bald cypress-hardwood, bog, streambank, and flood-plain forest. Numerous champion-sized trees have been located in the area. Unfortunately many have succumbed to "progress". Near Hardin, on the road from Liberty to Livingston, is a huge holly tree, at least 130 years old, because it was discovered and preserved when the forest was cleared to establish farmland. It is the largest known holly tree on the American continent. The late Lance Rossier, the St. Francis of the Big Thicket, showed it to me on a trip through the area some three years ago. Aside from the arboreal wealth the area is rich in other flora such as wild orchids and insectiverous plants.

Animal life also abounds and representatives of rare or endangered species fight there for survival. The nearly extinct ivory-billed woodpecker, a crow-size crested bird, was recently discovered to still grace the impenetrable jungle of the Neches flood plain. This is the rarest bird species in North America, rarer than the much publicized whooping crane. Only a handful of pairs are known to survive.

The great diversity of species, both animals and plants, makes for a stable biological community. The redundancy of checks and balances assures the permanency of such an environment. This stability through diversity contrasts markedly with the frailty of systems containing vast numbers of representatives of only one or very few species. A natural example of such a frail system is the tundra of the north. Most modern agricultural systems are monocultures which survive only through great expenditure of energy by man. Where would the cotton fields or grain fields of South Texas be without fertilizers or pesticides? The same applies to the manicured tree farms of timber-dependent industries.

Much of the original Big Thicket has disappeared. Lumbering and agricultural clearing have reduced the stands of virgin forest to some 300,000 acres. And it is estimated that man's activities are consuming some 50 acres of untouched forest land per day. The craving of modern man for retreat from urban life is taking its toll in the Big Thicket by claiming land for weekend homes or small homesteads.

Public land soon feels the pressure of man for outdoor recreation. And outdoor recreation is not restricted to motorboating, water skiing, sailing or fishing. National parks and wilderness areas are the prime targets for the increasing numbers of city dwellers who search for relaxation in natural surroundings. It is true that man and wilderness cannot coexist. But wilderness can be preserved to a certain degree if the area set aside is large enough to absorb the impact of man. Designating as a national park or monument the small disconnected areas of the so-called "string-of-pearls" concept, the idea urged by vested lumber interests, would only hasten their destruction. Buffer zones and environmental corridors, and not off-limit signs, must be established to lessen public pressures so that generations yet unborn may marvel at these masterworks of nature.

XUM

NEW METHOD FOR PROTECTION OF MINUTEMAN SILOS

Mr. CASE. Mr. President, an article written by Orr Kelly and published in the Washington Star of July 6, 1970, quoted Air Force officials as stating that a new method has been found of providing protection for our Minuteman silos.

As a byproduct of the Air Force "hard rock" research program, according to the news report, it was found that additional concrete could be poured around missile silos in such a way that the resistance of these silos against attack could be increased by a factor of 10. In fact, Air Force officials were quoted as predicting that this technique would produce "substantially the same results" as the previous plan for boring silos in solid rock.

This discovery could represent a far-reaching breakthrough and could, as the writer of the article suggests, provide a relatively inexpensive alternative to Safeguard ABM as protection for our land-based nuclear deterrent against surprise attack.

I ask unanimous consent that Mr. Kelly's article entitled "New Protection Found for Minuteman Silos," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Protection Found for Minuteman Silos

(By Orr Kelly)

The Air Force has found out how to make its existing Minuteman missile force much less vulnerable to a surprise attack by "hardening" the underground silos in which the missiles now are hidden.

Critics of the Safeguard antiballistic missile system undoubtedly will cite the new technique as further evidence against the massive ABM system.

Air Force officials said the new "hardening" technique, which involves pouring more concrete around the existing silos, would produce "substantially the same results" as a now-discarded plan for burying the missiles in solid rock—but would be "singularly inexpensive."

No decision has yet been made on whether to harden all or some of the 1,054 Minuteman silos, but Air Force officials said the hardening technique is one of three methods under consideration that might be used to protect the landbased missiles from surprise attack.

The other two methods involve making some of the Minutemen mobile—probably on big trucks based on government-owned target ranges in the Western desert—or providing close-in, hard-point defense for the missiles with special radars and anti-missile missiles.

STILL FAVOR SAFEGUARD

Air Force officials say they still favor the Safeguard missile defense system because it would provide area coverage over the missile fields and would complicate the planning of a surprise attack.

But one of the major arguments in favor of going ahead now with Safeguard has been that the Minuteman force might be vulnerable to a surprise attack sometime in the middle or late 1970s.

Opponents of Safeguard may well argue that hardening the existing silos provides a relatively inexpensive alternative to Safeguard.

The technique for hardening the silos is an outgrowth of the Air Force's "hard rock program." The theory was that holes could be drilled in solid granite and that a missile buried in such a hole could survive some 3,000 pounds per square inch of blast from a nuclear attack. This compares with only 300 pounds or less for existing silos.

The hard rock program did not work because of geological complexities. An unexpected fracture line in the rock, for example, could make a silo much less resistant to a blast than had been hoped.

ADDITIONAL CONCRETE

But in the process of tests in the hard rock program—most of them conducted by the Kirtland Air Force Base Special Weapons Center in Albuquerque, N.M.—it was found that additional concrete could be placed in such a way as to greatly increase the strength of the existing silos.

During the tests, another troublesome problem was solved.

Air Force planners have long been worried that a missile might be able to survive the blast of an enemy weapon but be buried under the dirt thrown up by the explosion. Now, new ways have been found to push the dirt aside without letting it fall into the silo.

Various means of protecting the Minuteman force have divided the Air Force into what one official called "assorted zealots and factions." But they are all agreed that the emphasis on the need for the Safeguard system has tended to make the Minuteman system, on which the country has spent some $10 billion, seem far more vulnerable than it is or may become.

The mobile Minuteman idea has been revived in recent months as a means of making it impossible for Soviet planners to be sure they could destroy all the Minutemen in a surprise attack.

The most prominent method now under consideration would involve mounting the 60-foot missile on large trucks. Each missile-truck crew would have a choice of several "garages" or shelters. They could hide in one or another and move quickly from one to another.

HIGH COST CITED

Gen. Bruce K. Holloway, commander of the Strategic Air Command, told a reporter for the Armed Forces Journal recently that the mobile Minuteman is "a pretty wild scheme whose cost would be astronomical."

"The way to go mobile that makes sense would be in the air. The next best way is in the sea, and the least best is land," he said.

One high-ranking Pentagon official acknowledged that the mobile Minuteman was unpopular with SAC, but insisted that didn't necessarily rule it out of consideration.

"They have a gut feeling there's something wrong with it and sometimes their gut feelings are pretty good," he said. "They say they could tell us what's wrong if they took time to give it a good hard look. We've asked them to give it a good look."

The third alternative under consideration would involve protecting each Minuteman—or enough of them to provide a credible deterrent—with its own radar and short-range, high-speed missiles—an ABM system.

If the Pentagon decides to build the mobile Minuteman, the other two alternatives probably would be dropped—partly because of expense and partly because they wouldn't be needed.

But the hard silo and the close-in defense could be combined. In that case, an enemy not only would have to fire enough missiles to saturate the defense, but would have to use big enough missiles to knock out the Minutemen after penetrating the defense.

1972 BUDGET GOAL

Air Force officials now are trying to refine the cost figures on the three alternatives. The answer on which will be recommended in the 1972 budget will depend to a large extent on costs.

An agreement in the strategic arms limitation talks to limit nuclear arms could, of course, make all three unnecessary.

For the Russians, the development of a way to make existing Minuteman silos harder could be a serious disappointment if, as some American officials believe, they hoped to be able to overwhelm the Minuteman force with their large SS–9 missiles.

They are reported by American officials to have deployed 220 SS–9s with another 60 under construction—for a total cost of more than $8 billion. To upgrade their SS–9 force so it could overwhelm a Minuteman force in hard silos would entail a substantial increase in accuracy or numbers—and at a considerable additional cost.

TRIBUTE TO SENATOR YOUNG OF OHIO

Mr. MOSS. Mr. President, I recently came across an article in the Nation which recognized the dedication and wisdom that the Senator from Ohio (Mr. Young) has displayed in the Senate. So that others may read this tribute to Senator Young, I ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

Steve Young and I came to the Senate on the same day. From the very beginning of our acquaintanceship I have admired his courage to say what he thought, no matter whose toes he stepped on.

Unfortunately for the Senate, Steve Young is retiring this year. The Senate will miss him.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Great Public Servant

It is easy to jibe at Congress. Mark Twain suggested that it could be shown by facts and figures that "there is no distinctly native American criminal class except Congress"; at another time he asserted that the difference between Congressmen and fleas was that the fleas were more educable. Coming down to realities, however, the fact is that beside the inescapable rogues and fools, the Congress of the United States has been served by capable, dedicated men, without whom the Republic could not have survived. Nor is the Congress lacking in illustrious figures today: among these is the oldest member of the Senate, Stephen M. Young, whom we are about to lose by retirement.

Senator Young served as a Representative in four Congresses, beginning with the 73rd; his service as a Senator began in 1958. He has held many other public offices, and throughout his career has expressed the results of his investigations lucidly and courageously.

To speak so requires greatness of character, and it is manifested today as at the start of a career which began in 1911 with Mr. Young's admission to the Ohio bar. If anyone doubts it, let him refer to the results of the Senator's investigation of the Kent State University massacre (*Congressional Record—Senate,* June 8, 1970, 18707. As a lawyer and a former criminal prosecuting attorney, Mr. Young stands for genuine law and order. He would like to see those guilty of burning the ROTC building punished, but the more serious crime is what engrosses him. He has statements from witnesses indicating that a lieutenant's order to fire preceded the volley which killed four students who were in no way connected with the disorders, and wounded ten other boys and girls, one of whom is paralyzed from the waist down. Senator Young wants to see the lieutenant, the deputy adjutant general who was on the scene, and the adjutant general himself, charged with murder in the second degree. Probably they won't be, but the forthright demand is characteristic of the man who made it.

HIDDEN TAX ON AIRLINE PASSENGER TICKETS

Mr. PEARSON. Mr. President, I am today joining with the Senator from Texas (Mr. Tower) as a cosponsor of S. 4041, which would repeal section 7275 of the Internal Revenue Code of 1954 as established in section 203 of the Airport-Airways Revenue Act of 1970.

As one who was deeply involved with that portion of the Airport-Airways Act which delineated the manner in which funds would be allocated for the improvement of our Nation's airport and airways for the next decade. I am deeply troubled—as are many of the people in my State—by that portion of the bill which establishes a hidden tax on passenger tickets. It would indeed be unfortunate, in my opinion, if this historic effort to expand and make safe our Nation's airport-airways system were to be remembered not for those worthy aims but rather for the imposition of a hidden tax which, if disclosed, is punishable by a $100 fine. As Senator Tower has so eloquently indicated, the taxpayers of this country whether they be members of the flying public or not, have a right to know how much they are paying for their taxes.

The proponents of this section apparently intended to speed up the ticket purchasing process and to inform the public of the total fare for a particular flight. Certainly, these are worthwhile intentions but, Mr. President, I question the wisdom of withholding information from consumers of air services. I question the wisdom of punishing any person who informs a consumer of air services as to the amount of the tax. I question the wisdom of Government policy which puts speed and convenience ahead of straightforwardness and truth in taxation.

It should be made clear that:

First. A buyer should know exactly where his money goes.

Second. A company or an individual should not be penalized for telling a buyer where his money goes.

Third. The Government should not try to pass the buck of rising taxes onto the company under the guise of a fare increase.

Mr. President, the Airport-Airways Act is important to my State as it is for the Nation. It will facilitate the construction and improvement of airport facilities all across Kansas and all across the Nation. The concept of user charges was written into the bill, the intent being to place the burden of taxation upon those who use the aviation facilities of this country. The concept was not only necessary to raise the required revenues but, in the opinion of everyone concerned, was eminently fair. It is clearly unfair, in my opinion, to hide from the users of our aviation system the fact, the reality, the amount of these charges. Accordingly it is in the interest of the buying public, the aviation industry, and certainly Congress to rectify this provision.

Mr. President, I am pleased to join with the distinguished Senator from Texas in this effort to repeal section 7275 of the Internal Revenue Code of 1954. I urge that the Senate give prompt consideration to the matter.

XUM

THE SENATE MEETS ITS OBLIGATION TO AMERICA'S WOUNDED VETERANS

Mr. YARBOROUGH. Mr. President, as a result of extensive hearings conducted by the Subcommittee on Veterans' Affairs of the Senate Labor and Public Welfare Committee, under the chairmanship of the able junior Senator from California (Mr. Cranston), America has been made aware of the deplorable conditions that exist in our Veterans' Administration hospitals. Having discovered the existence of the problem, the Senate responded in an effective manner by approving $100 million in additional funds for Veterans' Administration hospital and medical care. These additional funds will not eliminate the crisis in veterans' medical care; however, it is a positive step forward in that direction. I urge the House of Representatives also to approve funds so that action can be taken immediately to bring Veterans' Administration hospital and medical care back to the high level which our veterans deserve.

The desperate need for Congress to eliminate this glaring problem is spelled out in an editorial entitled "Debt of Honor," published in the Washington Evening Star of July 7, 1970. Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Debt of Honor

It would seem to be an elementary rule of decency that men wounded in our nation's wars should be cared for by the people for whom they fought. Yet a combination of budget-scrimping, ignorance and bureaucratic failure—all of it amounting to neglect—has resulted unconscionably in an increase of suffering for some victims of the hostilities in Vietnam.

The evidence of this neglect cannot be discounted. Testimony before a subcommittee headed by Senator Cranston of California included authoritative accounts of filthy conditions, inadequate staffing, obsolete and uncomfortable buildings, broken equipment and lack of space in many Veterans Administration hospitals. Assurances from the VA that all is well have a hollow sound beside the tales of disillusioned veterans who thought their country would do what it could to compensate for their sacrifice.

Making the VA mess all the more inexplicable is the fact that, in other respects, our soldiers are treated better than ever. Their equipment is the best in the world, and they enjoy more amenities in the battle zones than their counterparts in past wars. They have a better chance of surviving serious wounds because of efficient evacuation methods and quick surgical attention. There have been few complaints about the military hospitals, where most of the wounded recuperate for further duty.

But the level of attention to the needs of the wounded man drops off sharply at the point where it is determined he cannot return to duty and must be discharged and sent to a VA hospital for long-term care. In such a case the patient may be permanently disabled, having paid a price as great as death itself for the privilege of serving his country.

It it particularly fitting in the wake of the star-studded Fourth of July festivities—at which we were exhorted to realize how great a nation we are—to consider whether we seem so great to a paralyzed veteran waiting to be tended in an understaffed hospital.

There is plenty of blame to spread—among this administration, Congress and their predecessors—for the failure to provide the best possible care for the most seriously wounded of the returning veterans. It is more important, though, to rectify the situation immediately.

The administration has asked for a $122 million increase in the VA medical budget, and Cranston would add another $174 million. These amounts may not be enough. But whatever is needed to make VA medical care the best there is, the American people ought to provide it.

SALUTE TO LOUIS ARMSTRONG

Mr. McGOVERN. Mr. President, on July 4, Mr. Louis Armstrong, the great American trumpeter, singer and entertainer observed his 70th birthday. A series of essays about Mr. Armstrong appears in the July 4, 1970, issue of the Saturday Review of Literature under the title, "The Man Who Revolutionized Jazz." As a longtime admirer of the talent and the personality of this remarkable American musician, Louis Armstrong, I ask unanimous consent that the article from the Saturday Review of Literature be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Man Who Revolutionized Jazz—I: Louis Armstrong, American Original

(By Stanley Dance)

No one, and certainly not the contemporary audience that knows him best for "Hello, Dolly!" should be surprised to learn that Louis Armstrong began his musical career as a singer. It was, in fact, as the tenor in a youthful vocal quartet that he met his destiny on the streets of New Orleans, where he was born on July 4, 1900, a mere seventy years ago this week.

The well-known story tells how Louis (alias Dippermouth, alias Dipper), Little Mack, Big Nose Sidney, and Happy Bolton, were walking down Rampart Street, entertaining and celebrating, on New Year's Day, 1913, when a youngster on the other side of the street fired a gun in the air. Louis, egged on by his friends, replied with his stepfather's .38, which he had borrowed for the occasion. Unfortunately, or fortunately, depending on the point of view, Louis promptly fell into the arms of the law and soon found himself in the Waif's Home.

Life in the home was quite different from that in the fast neighborhood where he had been raised, but he adjusted rapidly. The discipline he experienced and the musical tuition he received there were to serve him well in later life. Encouraged by Peter Davis, the music instructor, he progressed rapidly from tambourine to drums, to alto horn, to bugle, to cornet, and to leadership of the band. Music was in his blood, and his very first drum break brought cheers from the other boys. Singing, however, was now to take second place to the cornet.

He was fourteen when he left the Waifs' Home, and, although he had acquired a reputation by leading its band in parades, there was difficult years ahead. To help his mother and sister, he drove a coal cart, delivered newspapers, helped on a milk wagon, unloaded bananas, and worked with a wrecking crew. As far as the night people were concerned, he was, as he reveals in his autobiographical *Satchmo: My Life in New Orleans*, "pretty wise to things. I had been brought up around the honky-tonks on Liberty and Perdido where life was just about the same as it was in Storyville except that the chippies were cheaper."

He was befriended by cornetist Joe Oliver, whom he has always credited with being his greatest influence. When Oliver left for Chicago in 1917, Louis took his place in a band led by trombonist Kid Ory. The following year, he played with Fate Marable and several notable musicians from New Orleans on a Mississippi riverboat. A major step came in 1922, when Oliver, now "King" Oliver, sent for him to take the second cornet chair in his band at the Lincoln Gardens in Chicago.

The Chicago period was one of ferment and fertilization, with which Bud Freeman, an eye and ear witness to it all, deals on pages 15–17. The interlude with Fletcher Henderson in New York was one that Russell Procope, one of Duke Ellington's sax veterans, recalls (from hearing the band at the Manhattan Casino): "Swing was years in the future, but Louis was certainly swinging them on numbers like 'Shanghai Shuffle.' I don't think anything before or since made such an impression on me as that band, and I think it decided for me that I was going to do with my life."

Following the memorable days with Earl Hines at the Sunset Café in Chicago (1927–28), of which the great pianist has said, "Some of the happiest days of my career, and some of my biggest thrills, were with Louis Armstrong," came his emergence, mostly through the great records of the new "microphone" period, as a force far from where he could be heard in person.

"We played all Louis Armstrong's things note for note," Cat Anderson recalled. "In school, all the trumpet players played 'Shine' and made a hundred Cs with the F on top."

"Louis was my only influence," Dud Bascomb declared, "and I never forgot hearing the whole Earl Hines trumpet section play his 'Chinatown' in four-part harmony."

"Louis Armstrong used to come to the Palace ballroom in my hometown," Snooky Young said, "but I wasn't old enough to be allowed inside. I used to stand in the street—and even the street would be crowded—and Louis would be playing the most beautiful trumpet I ever heard. He was my main influence."

"Down South, I used to listen to Louis Armstrong on the radio, playing with Fletcher Henderson from the Roseland ballroom," Cootie Williams remembered. "'Boy,' I used to say to myself, 'if only I could get to New York and hear *him*.'" Eventually, Williams reached the big city. "When the band played the Savoy, I'd walk backward and forward and to work with him. I was in my glory!" More than four decades later in 1970 when Duke Ellington wrote "A Portrait of Louis" for his *New Orleans Suite*, Williams was delighted to be called upon to interpret it. Ellington's own verbal appraisal of Armstrong's influence is also of unusual interest. Says the Duke: "Louis Armstrong is, of course, the man, when heard playing trumphet, inspired thousands of people to try to play like him, to play the Louis Armstrong style. Hundreds of thousands more were simply inspired to play the same instrument he played. And who knows how many millions just love to listen to him? Louis Armstrong is what I call an American standard, an American original."

As the greatest single influence on jazz, Armstrong provided it with a vocabulary that was paramount until the bop revolution of the Forties brought changes. This vocabulary, along with his phraseology, was used not merely by trumphet players but *all* jazz instrumentalists. "Louis Armstrong was my first inspiration," violinist Stuff Smith insisted, "I was supposed to be practicing classics, but I'd get my little Victrola, go into the woodshed, and listen to Louis and practice Louis."

"When Johnny Hodges and I were young," baritone saxophonist Harry Carney recalled, "we used to copy off records by Louis Armstrong," Vic Dickenson, the trombonist, got the message a different way. "Jimmy Harrison and Jack Teagarden both sounded like Louis Armstrong," he affirmed, "and they influenced me because they were playing the way I wanted to play before I heard them."

For a summation at this point, it is hard to top what pianist Teddy Wilson told Tom Scanlan in *Down Beat* eleven years ago: "I think Louis Armstrong is the greatest jazz musician that's ever been. He had a combination of all the factors that make a good musician. He had balance . . . this most of all. Tone. Harmonic sense. Excitement. Technical skill. Originality. Every musician, no matter how good, usually has something out of balance, be it tone, too much imitativeness, or whatever. But in Armstrong, everything was in balance."

Armstrong's singing was essentially an extension of the way he played trumpet, and the two together had a remarkable effect on popular singers. Previously, there had been a tendency for their phrasing to follow that of saccharine saxaphone players, but in the Thirties his trumpet phraseology began to appear in wholly unexpected areas. In jazz itself there was direct imitation by trumpet players doubling as vocalists, such as Walter Fuller, Taft Jordan, and Ray Nance, but singers like Ethel Waters and Ella Fitzgerald also paid affectionate homage in choruses where they simulated his throaty vibrato. "He influenced us all," Tony Bennett said recently, "and taught everybody about phrasing." And language was no barrier. "I heard Louis Armstrong, whom I loved, when I was only eleven," said the Swedish soprano Alice Babs. Behind the Iron Curtain, or in the Congo, wherever he went, his message communicated heart to heart.

His first trip abroad had been to England in 1932, where he was received with great enthusiasm at the London Palladium, and from that time onward his international reputation spread until foreign tours became a regular part of his itinerary. As a world figure, beloved by the masses, he made many best-selling records. After the Decca period, about which Milt Gabler writes elsewhere, "Mack the Knife," "Hello Dolly!" and "What a Wonderful World!" were yet to come, the last being a bigger hit abroad than in his own country. When Paul Anka, who also had a big success with "Mack the Knife," asked Louis how he felt about impersonators, he had a characteristic answer, "Pops, a lot of cats have copied the Mona Lisa, but people still line up to dig the original."

The big band, which had become obligatory during the Swing Era, was given up in 1947, when Armstrong returned to the traditional six-piece instrumentation of New Orleans. With clarinetists such as Barry Bigard, Edmond Hall, and Buster Bailey; trombonists such as Jack Teagarden, Trummy Young, and Tyree Glenn; and pianists such as Earl Hines and Billy Kyle, his presentation was at once more relaxed and informal. However, the postwar breed of critics, who favored "intellectuality" and a new "relevancy" in jazz, often found fault with its entertainment values. They missed what those playing alongside him heard.

"Louis doesn't care about being a guy you can put in a book," Trummy Young said. "He just likes to play what he likes to play, and he picks up his horn every day. It's amazing to me the beauty he can put into those numbers night after night. Nobody, but nobody, sounds like him. His sound is so big and clear. I watch him blowing, and studying him, I've learned plenty about sound."

Louis still blows his horn every day, in the evening, before dinner. Recuperating from a serious illness, he awaits with obvious impatience his doctor's permission to blow again in public. But sing he may, and does. When he recorded an album for Bob Thiele's Flying Dutchman label in May, his zest and humor were as infectious as ever.

"There's a couple of high Es there," he said when confronted with "Mood Indigo," "but we can probably squeeze 'em out." And as he finished a moving version of the number, he added, "Sure is a lot of gumbo in that one!"

His ability to ad-lib creatively was also well in evidence on such material new to his repertoire as "His Father Wore Long Hair," "We Shall Overcome," and the Beatles' "Give Peace a Chance." So was his professionalism. After the fourth take of "My One and Only Love," Thiele expressed satisfaction from the control booth, but Louis, without turning around, pointed his index finger upward to indicate that he wanted to do it one more time.

The first session anticipated his birthday on July 4 with a party at which he advanced threateningly toward a big chocolate cake, brandishing a long knife like a pirate, but managing to avoid damage to the trumpet in yellow icing that adorned it. Around him was gathered an unusual cross section of the profession, the many guests including Bobby Hackett (probably his greatest admirer), Miles Davis, Tony Bennett, Leon Thomas, Eddie Condon, Ornette Coleman, George Wein, and Father Norman O'Connor.

It was a prelude to the celebrations of his seventieth birthday planned for this month. On the night of the third, he will be present at a huge concert, billed as "Hello, Louis!" in the Los Angeles Shrine Auditorium, the proceeds going to a fund for a statue to be erected in his honor in New Orleans (the city has already provided an attractive site). Among the many musicians set to participate in the concert are Barney Bigard, Tyree Glenn, Benny Carter, and Clark Terry.

A week later, at Newport, there is to be a special "New Orleans Salute to Louis Armstrong," when many famous New Orleans veterans will make their first appearance at the annual Rhode Island jazz festival. Also on hand to greet him will be Mahalia Jackson, who was born in the same city, and such trumpet players as Bobby Hackett, Ray Nance, Dizzy Gillespie, Wild Bill Davison, Jimmy Owens, and Joe Newman.

Meanwhile, New York, not to be left out of the celebrations, has appointed him and Lauren Bacall host and hostess, respectively, of its 1970 Summer Festival. With Louis Armstrong in charge, Fun City should swing this year, and live up to its nickname.

THE MAN WHO REVOLUTIONIZED JAZZ–II: THE FATHER AND HIS FLOCK

(By Bud Freeman, in conversation with Irving Kolodin)

The scene is a room stocked with books, records, and memories.

KOLODIN: You've known Louie a long time, haven't you, Bud?

FREEMAN. Oh, yes—I was about seventeen when I first heard the great Louie, and I'm sixty-four now, so it must have been 1923, or thereabouts. . . . It was even before I began to play professionally that the great drummer, and our good friend, Davie Tough, told me about this great band—the greatest he had heard—at the Lincoln Gardens . . . up to that time [1923] the big influence was the New Orleans Rhythm Kings and other white bands around. . . .

KOLODIN. The Lincoln Gardens was on the South Side. . . .

FREEMAN. Yes—in the Negro district of Chicago. . . . Now here was this tremendous hall-like nightclub . . . the only light was over the bandstand, dimmed by smoke and haze. Being a Negro nightclub, this made us rather conspicuous . . . but, interestingly enough, they paid no attention to us . . . but after a few visits this huge doorman (he must have weighed three hundred pounds) used to greet us by saying, "Well, it looks like the little white boys is out here to get your music lessons," which would just break us up. So the first time I heard Louie was in the King Oliver band, with Lil Hardin, who was later to marry Louie, on piano; Honoré Dutrey, I think, on trombone; Johnny St. Cyr on, then, banjo—guitar came later; Johnny Dodds on clarinet; and Baby Dodds on drums. . . . Now the thing I remember about it is this. The Negro bands we had heard and those that had made records didn't seem to be much different from the white bands. They didn't have what I would call the real jazz beat. . . . But in this band we first heard what was later recognized as the *real* jazz beat.

Kolodin. This was music played for dancing, right?

Freeman. Right. They'd take a stock arrangement [Note: for sale in any music store], play it from the top right down to the bottom, and then start playing choruses. . . . They might take twenty minutes to play one tune . . . and the couples were moving around but not much . . . They had a floor manager who'd say, "Come on, now, get off that dime—move around, now," and it was a picture of rhythm such as I had never seen . . . They played all the great tunes—"Dipper-mouth," "St. Louis Blues," and so on—with Louie on second cornet. . . .

Kolodin. Not trumpet?

Freeman. No, that came later—second cornet . . . and I never heard any music so strong, so forceful, as regards swing, of course.

Kolodin. So this band did swing. . . .

Freeman. Oh, yes. . . . The word wasn't used then, but we'd say it was "the beat" or they "had the rhythm"—but it meant the same thing. . . .

Kolodin. This beat, or swing—it was not a property of general Negro bands?

Freeman. No. I feel certain that having heard all the top music then available, that this was by far the best—and, as you know, every member of the band went on to be a top soloist on his own. . . . But to get back to Louie. . . . King, who played a great melodic cornet (his blues could bring tears to your eyes), kind of held Louis down—not that he suppressed him, but because, as I say, Oliver was the great King and felt Louie should bide his time. . . . But if you listen to any of the records of the great New Orleans parade tunes they made, you hear breaks played in which Louie, then about twenty-three, plays a perfect second to King's lead—none of it rehearsed, all testifying to Louie's magnificent ear. . . . But the first time I heard Louie as the great soloist was at a place called the Sunset Café. . . .

Kolodin. That was later on. . . .

Freeman. Yes, of course . . . in the meantime, he had gone to New York with a fine offer from Fletcher Henderson, who thought he was ready for New York, and he came, in his button shoes and little cap, looking like a country hick. . . . Fletcher knew that Louie had this great talent and just let him alone until he felt comfortable. Then, one night, he let him go, and that was it—he owned the band. . . . They had never heard anything like it. Incidentally, the great Coleman Hawkins was in this band, and if you listen carefully to some of the records of that time, you will have to agree that, until he heard Louie, Hawkins was kind of corny. . . . He didn't become the great Hawk until after he heard Louis . . . and started to play a beautiful melodic line and phrase. I would like to add that Hawkins became certainly the greatest tenor player I ever heard. I loved Lester Young and many others, but Hawkins was certainly the most powerful, authoritative voice on the instrument that I ever heard. . . . But to say that he was influenced by Louis is merely to say that almost everybody was influenced by Louie . . . and that, with all due respect to the other greats I have heard and admired—Bix, Jimmy Noone on clarinet, the great James P. Johnson and "Fats" [Waller] on piano, not to mention the marvelous things that Ellington has done—Louie has to be recognized as the greatest, the father of American jazz music. . . . I think that everything you hear today, even in Dizzie's playing and Miles Davis's, you will hear something of Louie. . . .

Kolodin. That's especially interesting for me to hear you say. . . . I had an idea of calling Armstrong, in the context of this seventieth anniversary, "The man who invented jazz . . ." but that seemed a small measure of exaggeration. . . .

Freeman. Excuse me, Irving, but I don't think so—and I'll tell you why it is not even a small measure of exaggeration. When you say "invented jazz," you must remember that a few years before there wasn't any jazz; there was a thing we called ragtime. . . . Players who didn't have a feeling for jazz would take a series of eighth notes and play them dotted, like da-ta, da-ta, da-ta, ta. . . . Whereas Louie, out of his New Orleans background, or the riverboats, or sheer instinct, would take the same group of notes and give them a beautiful, graceful, powerful line of playing. . . . For instance, if I may use an example, like "Struttin' with Some Barbecue," which he made up and first began to play around 1927 . . . ladedadada da-do-deet-deet-doo. . . . There was always a drive to the playing, never the corny type of phrasing others were using; I am sure you will appreciate the difference. . . .

Kolodin. The one strikes me as a mechanical division of the metric values into uneven figures, but with the accent always in the same place, whereas with Armstrong, there was always an element of surprise. . . .

Freeman. Well said—but whenever I am asked to explain what jazz is, I am reminded of what Louie himself said on such an occasion: "If you have to ask, you'll never know." How true and honest. It's like looking at a great painting and asking what it means.

Kolodin. How about the Sunset period?

Freeman. It came along at this time, when Louie decided to leave Fletcher. . . . He knew he couldn't make a living in New Orleans, and Lil, his wife, was in Chicago, so he came back, to join a band led by . . . Carroll . . . some—Carroll Dickerson was his name, a fine violinist . . . and he finally persuaded Earl Hines, who was at a place called the Elite Gardens, to join him . . . and I remember the first night they worked together. Earl on piano began, and Louie was sitting there, rockin' back and forth, hardly able to wait his turn, because Earl, whose beat was something *all* his own, inspired him. . . . The Sunset, which was managed by Joe Glaser, who became Louie's great friend and adviser and manager for decades, had a floor show—for which Louie, as a member of the band, had to play—and this I think was responsible for a change in his style. . . . He was now playing trumpet, working with acts like Brown and McGraw, a fabulous dance team; Rector and Cooper, another pair of great dancers—and when Buck and Bubbles would play the Palace downtown, they would come in and double at the Sunset. . . . Louie began to develop a high range nobody had ever heard in Chicago. . . .

Kolodin. Some say he got the idea from B. A. Rolfe, whom he had heard in New York.

Freeman. I doubt it very much. Louie's way was all his own. One occasion he hit a high F in a place so unexpected the whole band just about lost their minds . . . because, with Louie, high notes were never for show or to display technique but part of a melodic design, which is why they had such tremendous impact—they always *meant* something. . . . Then, when he and Earl got so big, they each had to go their own ways, Louie to New York and Earl to the Grand Terrace in Chicago, where he had the band for many years. It was the start of something new all over. Louie had just made those marvelous records, "Blue Turning Grey Over You," "I Can't Give You Anything But Love," . . . and I had come on from Chicago with Ben Pollack's band, and I used to hear Louie a lot at Connie's Inn. . . .

Kolodin. Wasn't this just about the time Louie went into a show called *Hot Chocolates*, in which there came a moment when he sang "Ain't Misbehavin' " by Fats Waller?

Freeman. Oh, absolutely . . . and I was going to refer to it sometime, but now that you brought it up, I would add that this introduced a whole new dimension of Louie's talent . . .

Kolodin. And influence. . . .

Freeman. Of course—any outstanding singer you can think of, from Ethel Waters and Ella and Billie Holiday, even Bing . . . owes an enormous debt to Louie, whether in the phrasing or the attack, or in the scat, as they called it, singing he invented using syllables rather than words. . . . Then after New York and Connie's Inn, Louie went out to California for quite a time, and when he came back to Chicago, it was a great homecoming. In My Cellar—as the place was called—and again it was a whole new thing—at the top of the horn—not just for an effect, but as a regular thing . . . with this went something else—economy . . . he had to have perfect time in his whole body to play, when the tempo was real fast, in half time—as in "Swing That Music"—which recalls something Mezz Mezzrow told me. Louie was playing at a Harlem theater, and Mezz was visiting with him in the wings, where Louie was warming up to go on. . . . By accident, Mezz put his hand on Louie's back, and it was like he touched a live electric wire—his whole body vibrated when he played. . . .

Kolodin. As time went on, Louie was seen much more in personal appearances, so called, in theaters—for which some people put him down—but which, for all the sums of money he earned, were really expressive of the fact that Louie had so many facets to his talent that they just couldn't be exposed through jazz alone. . . .

Freeman. So right. . . . He was a great entertainer, one of the greatest—which brings to mind, too, that Louie didn't play only jazz; he played all the fine classical melodies we know, the operatic arias, the symphony selections—which recall an anecdote in which I had a personal part. Louie was now playing at the Savoy Ballroom, an elegant place on the South Side, in a Caroll Dickerson band, and because he wasn't too well known yet, they had the McKinney's Cotton pickers, a fine band, and very popular, to share the draw. . . . It had Benny Carter and many other fine players. . . . So the McKinney's Cotton Pickers did an hour's set for dancing, and just broke it up. Now they were finished and I was standing with Benny, an old, good friend, and the Dickerson band came on easy and slow, comfortable—and then Louie got up and played a fabulous arrangement of "Liebestraum"—unimaginably beautiful—and drove everybody wild. Now it was the turn of the Cotton Pickers again, and Benny turned to me, and said: "Bud, what is left for us to play?"

Kolodin. And now we come to the last important point. . . . How about you as a player . . . and Louie?

Freeman. Well, when Louie played at the Sunset for the first time, which would be around 1926–27, he would be delighted to have us sit in. I had a lot of nerve doing it,

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but we were nervier when we were kids . . . but I will never forget the thrill of sitting in with this godlike man. . . . Then, I remember, in 1928 I made an Okeh record of "Can't Help Lovin' That Man" and "Crazeology" . . . and to my ear today, it's all Armstrong. I put in everything I could remember he played . . . but as time went on, now having played forty-six years, something has rubbed off onto my playing, and I hope it is my own—something of Fats and Bix and Earl and all the others I admired . . . the great drummers, Davie and Baby Dodds. . . . I heard Bix before Louie, and also King Oliver, but in my mind it all begins with Louie. . . . I think the tenor players who swing, who play the kind of music I like, all derive from Louie . . . Lester Young, one of the truly great tenor players, had to be influenced by Louie, you can hear it in the beat. Ben Webster, like Hawkins, I hear it in their playing, it's all there. . . .

KOLODIN. And Hampton, who played with him in California, on vibes?

FREEMAN. Lionel, definitely. . . . Now, it is sad to me today to encounter people who never knew the great Louie, what he did, what he stands for. . . . If you go back to the early records, you realize that here is a man who did more for this kind of music than any man who ever lived. Some people put him down as an entertainer, but to me, Louie swings more telling a joke than most others do playing a horn. And if Louie is to play again, I think we will hear a whole new Louie again, because there is no end to his being creative. . . . And if he doesn't play the horn, he will still sing the horn, because he is the horn. Louie will go on forever, he will never be forgotten, because he is the master of this kind of music. . . .

THE MAN WHO REVOLUTIONIZED JAZZ—III: MY THOUSAND-YEAR MAN

(By Milt Babler)

"Louie," "Pops," "Satchmo," "Face," "Gate," "Daddy," all of these words mean only one person: Louis Armstrong, my man, my thousand-year man. There is an expression among musicians that Jonah Jones taught me. When you can count on a friend, you can measure his worth by the span of years you have known and trusted him. A twenty-year man is real good. To Jonah, I was a hundred-year man. This was very flattering, because you cannot hope to do much better than that. Well, Louis Armstrong is my thousand-year man. That's the way it is, period.

Some people represent different things to different people, but "Louie" means the same the world over. He speaks a universal language, his name is like "sterling" on silver. He was the fountain, the source, and the inspiration for millions of people, a lot of them not musicians. Many of them, like myself, were just in love with what he did and does. The sight and sound of him just gladden your heart.

I first heard Louie on a record in the late Twenties. I still remember the record. It was "Heebie Jeebies," and the back was "Muskrat Ramble." I also remember the number. It was Okeh 8300. It was a revelation. I had never heard a horn like that.

I finally met Louis in the middle Thirties; it was backstage in his dressing room at Loew's State Theater in New York. My good friend, George Wettling introduced us. All of the Chicagoans had known him from the King Oliver-Sunset Cafe days, and Louie was just as friendly and as nice as he is today, not just to me, to everyone. At that point in my life I was selling records retail at my Commodore Music Shop and having the time of my life trying to pay bills while specializing in jazz. The big problem was trying to get stock from the manufacturers on such a ridiculous commodity. I was my own best customer.

His music was bought by male and female, black and white, red and yellow, and every shade in between. Musicians (of course), politicos, royalty, stage and screen stars, writers, doctors, lawyers, Indian chiefs, students, professors, dancers, clerks, cabbies, cops, callgirls, and more musicians.

Don't get the idea that the King can do no wrong. In 1944, when I got my first assignment to record Louis (I must get dignified and put the 's' on Pops's name), I broke down and cried. Wow! I was going to record God. I was young and didn't realize Louis was human and not a superman. It was World War II time, and the Armstrong orchestra had been playing Army camps. They arrived by bus after many one-nighters, with no adequate rest. The sidemen were knocked out and in no shape for recording. Pops looked fine, but then he always does. Teddy McRae was putting the band through its paces. I was in the booth trying to get a band balance, and praying. To myself I said, "What the hell does he need the big road band for? Why does Louis have to travel with an outfit like this? Boy, if I only had Condon and Zutty and Pee Wee and Brunis and Sullivan or Stacy, I could make history." Then I would console myself and blame the war for taking all the good sidemen. Well, I'd try to make it work for Pops' sake. I wouldn't dog it. We worked three hours and made three sides that I wouldn't approve for release (one was later released in the Decca Jazz Heritage series.) I was a broken man I cried.

I am not the only man who has cried at an Armstrong session. Louis can make strong men cry. That is the way we feel about him. A remarkable man in our business, and a creative genius in his own right, is Gordon Jenkins. The conception of "Blueberry Hill" in 1949 was Gordon's idea. Three things happened on that session. First, Gordon cried. We had the full Jenkins orchestra and about thirteen singers to accompany Louis. When Louis records, the side men and singers fight to get on the sessions. Actually, I would bet that most of them would play the date for zero if the American Federation of Musicians would allow it. Well, Gordon is like I am when it comes to Louis. When everyone was seated, he got up on the little conductor's podium, tapped his stand for attention, and started his speech about how he had loved Louis Armstrong and been inspired by him, and how this moment was the greatest in his life and could never be surp—, and he broke down and cried with tears of joy, his heart was that full.

Now, we come to the actual recording of "Blueberry Hill" and two other unforgettable incidents. In the second chorus of the song, Gordon had written special patter for Louis to sing against the regular lyrics while it was being immortalized by his chorus of singers. Louis was to sing "Higher than the moon we'll go, then to a saloon we'll go" (a typical Jenkins couplet). Gordon had the right idea. Today, I wish I had kept his line, but at that time I was afraid of censorship. I had him change the line to "To a wedding in June we'll go." He protested, but went along with my stupid line. Now every time I hear the record, I think of Gordon's original phrase, and I die.

Situation three on "Blueberry Hill" was the sort of decision I hope I shall never have to make again. I decided to have an Armstrong-type muted-trumpet obbligato behind Louis while he was singing in the first chorus, as if Louis were playing and backing up his own voice. In the trumpet section we had Yank Lawson and Billy Butterfield, both of whom loved Louis more than themselves. I called Gordon into the booth and told him what I wanted to do, but I wanted him to choose either Yank or Billy, as I liked them equally and did not want to show any preference. Gordon was the leader and he should decide. He refused. I did not want an Alphonse and Gaston situation (this causes overtime); so we explained our dilemma to the two boys, tossed a coin, and Butterfield won. It is not "Satch" you hear behind Louis on "Blueberry Hill" but the ecstatic Billy Butterfield. This is how great records are born.

I remember another incident on an Armstrong session with Gordon Jenkins. We were all set in 1954 to do the special version of "The Whiffenpoof Song" and three other tunes up at our Pythian Temple studio in New York. It was to be a normal three-hour call, and the usual large orchestra and chorus were there on time, but no Louis Armstrong. Louis had never been late before; so we started to rehearse the orchestra and chorus. We finished with the first song, and still no Louis; so we went through the other three selections as well. Of course, I phoned Joe Glaser, but he was out. His staff told me that Louis knew about the session, but he had had an early dentist appointment prior to the recordings. Two-and-a-half hours later, Louis got to the studio, full of remorse and also with his jaws full of novocain. He could hardly talk. I asked Louis if he could work the next day. Pops had other commitments.

I told Gordon to start running the songs down with Louis. Maybe his jaws would loosen up. We made a playback, and someone said, "Listen to Pops's voice. It sounds like he has a cold." I said, "I've been listening to Louis all my life and he always sounds like he has a cold. That's his style!" How can anyone tell when Louis has a cold? P.S.—We finished the four sides with only an hour overtime.

The greatest project I ever did with Louis was his musical autobiography. It was a thrill re-creating so many of the great sides he made before he was on Decca. Bob Haggart and Sy Oliver were absolutely fabulous to work with. They knew the old Louis sides as well as myself. I knew that the critics and fans would compare them to the originals and most likely rap the new even if they were good.

However, Louis was beautiful, and it is amazing how the flame was rekindled. Sy Oliver would generally notate the trumpet line on Louis's part and write in a message to the effect, "Something like this. Go for yourself." Louis insisted on making it as Sy had taken it from the old record, saying, "Is that what I played? I don't want people to think I can't read." Believe me, Louis reads music. Not as far as you have to play on the *Tonight Show* if you're in the brass department, but Louis is still the boss, and he made the notes those boys are playing now, a very long time ago. Ask Doc Severinsen, and I'll bet a Beatles LP that he, too says, "My man, my thousand-year man."

ST. JOHN'S COLLEGE—RATIONAL DISSENT

Mr. MATHIAS. Mr. President, at a time when violence and destruction on campuses are so widely publicized I feel that it is of the utmost importance that rational and nonviolent action receives the attention it deserves. One outstanding example of such action may be seen in the activities of St. John's College during the final weeks of their academic year. During this time the college continued to operate on a normal schedule. The students did not miss a day of classes. This should not be interpreted as implying any lack of concern on the part of the members of the college. Rather, the whole college engaged in an additional day of study of Vietnam and of the question of dissent. Students and faculty gave up a Saturday for these special, extra classes.

J. Winfree Smith, a member of the

faculty, in his speech at St. John's commencement, stressed the dangers of irrationality and the need for academic inquiry. This principle is also clearly evident in a letter which individual students, faculty, and administrators wrote to President Nixon. Editorials in two local newspapers praised the students of St. John's College for their rational restraint in expressing their dissent.

Mr. President, I ask unanimous consent to have printed in the Record at this point a copy of the letter from the members of the St. John's community to the President, Mr. Smith's commencement address, and copies of the editorials from the Annapolis Evening Capital and Anne Arundel Times.

There being no objection, the material was ordered to be printed in the Record, as follows:

May 7, 1970.

The President,
The White House.

Dear Mr. President: We as individual students, faculty members, and administrative officers of St. John's College wish to convey to you our deep concern over the most recent expansion of the undeclared war in Southeast Asia and over the resulting dissension and division in our country, especially within our colleges and universities.

We are deeply troubled by the sacrifice of our young men and by the drain upon our country's resources. There is a basic question which disturbs us as well. We doubt the constitutionality of this undeclared war which was embarked upon by a previous administration. We agree with Senator Charles Mathias that the Senate seems to have been denied its historic constitutional role of declaring or not declaring war. We would hope for a speedy return to the proper delineation of the functions and responsibilities of the three branches of the Government, the Executive, the Legislative, and the Judicial. In grave moments of history like these, nothing can be more important that a strict upholding of the Constitution.

Many of us recognize that we do not have the necessary background or facts to assess the wisdom or necessity for the original American involvement in Indo-China or for the subsequent escalation of the fighting. We are not experts on power politics, Communist subversion, political vacuums, or military strategy. However, we share a repugnance for the conflict which has devastated this area of the world for nearly two decades. We earnestly want to believe you when you publicly commit yourself and our government to withdrawal of our armed forces as rapidly as is consistent with safety and prudence.

St. John's College is devoted to the life of the mind, to reason, and to dialogue. We cannot subscribe to irrational and violent methods of dissent since they imply an abandonment of the fundamental principles for which a college or university should stand. We doubt whether confrontations can advance the cause of reason. Nor will the welfare of the country be advanced by a national strike of students or the closing of our colleges and universities.

We shall continue with our regular academic program. We believe that our primary responsibility as students and teachers is to continue to study and learn. Only then will we be properly equipped to exercise our lifelong responsibilities as participating members of the political communities which depend upon enlightened and rational leadership—our towns and cities, our states, and our nation.

This decision should not be interpreted as implying any lack of concern on our part. Though the College considers it inappropriate to take an institutional stand on such a matter of national policy, we as individuals may choose to show our own personal positions in appropriate and dignified ways. We hope that our actions may commend themselves to students and faculties in other colleges and universities and may prove to have a sobering effect in a period of campus turmoil and national division.

Therefore, as individual citizens and members of the St. John's community, we hereby record our dissent and in so doing insist that such dissent be registered in the proper way.

(Signatures).

Commencement Address

(Given at St. John's College, Annapolis, Md., June 7, 1970, by J. Winfree Smith)

In a church near London there is a plaque with the following inscription:

"In the year 1653, when all things sacred in the kingdom
Were either profaned or demolished,
This Church was built by Sir Robert Shirley, Baronet
Whose singular praise it was
To do the best things in the worst times
And hope them in the most calamitous."

These times in which we live are not the worst times or the most calamitous. But they are bad times, and they threaten worse and more calamitous times. In the United States of America we have special troubles which arise partly from our power and wealth, but also, and maybe consequently, from a disrespect for law. We can understand how for many black people and others among us "law" means only an instrument of injustice and oppression. It has, however, been the greatness of the United States as a political society to have combined law and freedom, to have made freedom possible by means of law, which is the only way it is possible. We must think both of the common law and of constitutional law. Murder committed by Black Panthers endangers society; committed by police, it endangers society even more. Arson, whether committed by the frustrated poor in ghettos or by frustrated students on campuses, is as criminal as arson anywhere, and is not to be justified as a form of rhetoric. There can be no freedom where men fear the destruction of their lives and the external means of living them. A concern for life and property is not necessarily a bourgeois concern.

We the people of the United States in adopting the Constitution declared in the words of that document that it was to be the supreme law of the land. Sometimes those whose very powers depend upon the Constitution speak and act in such a way as to contravene it. The Congress in passing the Omnibus Crime Bill of 1968 may have been acting in response to the mood of the people and with respect for one kind of law. But in doing so they were also clearly attacking the independent authority of the Supreme Court. The President, when recently the Senate was about to vote on a certain nomination to that court, referred to himself as "the one person entrusted by the Constitution with the power of appointment" of Supreme Court justices. He was forgetting or deliberately ignoring the constitutional, and by no means nominal, requirement that such appointment be made only with the advice and consent of the Senate. Furthermore, it is hard to avoid the conclusion that those who talk most about law and order are not deeply concerned to preserve the law contained in the Bill of Rights, the law that directly protects specific freedoms.

Americans who would not have their country destroyed will respect both the common law and constitutional law and will respect legal process for the removal of unjust law. They will refuse to be "polarized" no matter who may be playing on which of their passions to attract them to this pole or repel them from that. In independence of soul they will not allow the present confusion of good and evil to overwhelm their power to discriminate them.

Many teachers in our colleges and universities, as well as many students, are determined that those institutions shall as such become active in political affairs. There may be occasions when such institutions have to act politically. For instance, it would surely be their duty to resist by all lawful political means a measure such as that not long ago proposed in Congress, though not passed, to require every college "to adopt an approved code of conduct for its students and teachers before it or they could be eligible for federal aid." The reason it would be their duty is that such a measure would destroy the independence of the educational institution. A college is of service politically exactly by keeping itself out of political action. It is of service because its independence does not mean indifference, but rather the occasion and the freedom to discuss and debate political issues with rational detachment, which is the only way to obtain light upon them. It is a truly amazing thing that some teachers and students don't believe in such debate or the possibility of any rational detachment. They have become champions of blind action. Although I've never seen it defined, I suppose that the name "activists" sometimes refers to such champions. The action they desire they often call "revolution", which is also not defined, but it seems to mean destroying all human institutions. There is an echo of Marxism in this though without the painstaking Marxist argument designed to show that in capitalist society all law and government, all religious and educational institutions are derivative from that society and in the dialectic of history destined to be destroyed along with it.

In these bad times we who belong to this small college, but all the greater for being small, often feel ourselves to be like the philosopher in the 6th book of Plato's *Republic* who amid the circumstances of actual political life is like one "in the storm of dust and sleet which the driving wind hurries along." If we retire to the shelter of a wall, it is partly to get a place where we may begin to see and understand what is going on in that storm and what should and could be done about it. And if we sometimes manage to ignore the storm, we do not consider that we are self-indulgent for there is a seraph that constantly whispers to us that we have a true self that is above the storm and that knowledge belongs to another world and is itself good. Others hurrying past may call to us to leave our shelter and join them. They think it is no time for business as usual. They do not know that when it is a question of the business in which we are engaged it is always time for business as usual.

Last year's commencement speaker referred to our program and the character of our studies as presupposing the authority of intellect. Let me stress the word "authority." The authority of intellect is not the authority of doctrine. St. John's College has no authoritative doctrine. But it is devoted to asking questions about all the things around us. This asking of questions is meaningful not because we can always find answers, but because learning occurs. That genuine learning does occur means that the intellect is not a servant or an instrument, but that it has authority.

Graduates of the Class of 1970, I bid you do the best things in these bad times and in the worst times, if such should overtake you. Cultivate temperance in political judgment and action. Cultivate the courage to stand firm for reason and sense against unreason and nonsense. Support what justice there is in our laws, our institutions, and our ways without losing sight of a higher justice by which they must be measured. Be intemperate and erotic in the quest for wisdom and understanding. Value charity and humility, since he who hates or condemns his brother abides in death, as someone has said.

What hope can I offer you for the future of this earth? I do not know. Things do not look good. The future is perhaps not as much within man's hands as he has persuaded himself in our modern era. It is, of course, my own belief that it is in the hands of a beneficent God, and that is ground for hope. If you do not share that belief, is there some ground? Ignorance of the future is not reason for despair, but neither is it reason for hope. Yet I would pray that it be your singular praise, no matter how bad the times, not only to do, but to find it possible to hope, the best things.

[From the Annapolis (Md.) Evening Capital, May 25, 1970]

REASON OVER RIOT

The strong antiwar sentiments among students across the nation have apparently left few colleges and universities immune from strikes, demonstrations and violence during these troubled times. However, St. John's College has commendably managed to rise above the throwing of rocks and bottles, the shouted obscenities and the bitter confrontations with National Guardsmen and police.

This has nothing whatsoever to do with the apathy. There is little doubt in anyone's mind that the St. John's student body is as opposed to the war in Southeast Asia as are the campuses at Berkeley, College Park and Kent. The difference is the manner in which St. John's has chosen to channel its protest.

A couple of weeks ago, many St. John's students participated in a 24-hour peace vigil that was carried off without any violent incidents. Not only did the students decide against participating in the student strikes, they voted to hold the extra day of classes. On Saturday, seminars on the Vietnam War were held at St. John's. There was no need for fixed bayonets or tear gas. This civilized approach might not satisfy the appetite for revolution prevalent among campus militants, but it was one college's way of choosing to reason rather than to riot.

And it is through reason that this nation must let its leaders know how it feels about our involvement in Vietnam and Cambodia. Occupying and burning college buildings, violent demonstrations and angry shouting matches are unlikely to bring any results other than a widening of the gap between those who feel we should leave Vietnam and those who feel our presence there is protecting the world from communism.

It is a tribute to the students and faculty of St. John's College that they chose an infinitely more responsible route to air their feelings rather than to subject themselves and a fine institution to the turmoil that which all too many colleges have fallen prey within the past weeks.

[From the Anne Arundel Times]

"WAY AHEAD" IS MORE LIKE IT

Residents of Annapolis who sometimes look askance as "way out", students of St. John's College peacefully make their way through town should be mindful of the fact that the students are more "peaceful" than "way out."

A case in point is the unfortunate reaction of students in colleges and universities across the nation, following the United States invasion of Cambodia. Disorder, destruction, and even death, were everyday campus occurrences. The campus of St. John's College, both in Annapolis and Santa Fe, New Mex., remained calm.

Which is not to say that students approved of the military action. On the contrary, a letter making clear their opposition was hand-delivered to the President of the United States by the president of the college. But the same letter contained a pledge to maintain a regular schedule at the college. If President Nixon did not reply favorably and thankfully to what is surely a rare communication—and Dean Robert A. Goldwin of St. John's College knows of no such response—the President is remiss.

Instead of upheaval, the students and faculty members heard two authoritative speakers discuss both sides of the Cambodian issue. An orderly, and therefore, fruitful, question and answer period followed.

The next day, a Saturday, students and faculty members participated in a seminar on Vietnam. Again, two positions—those of the United States and North Vietnam—were weighed.

The Students of St. John's College, it would seem, are not so "way out" after all. "Way ahead" is a more accurate term.

FREEDOM IN AMERICA

Mr. McGOVERN. Mr. President, the July 14, 1970, issue of Look magazine contains an important, thoughtful article by one of America's most distinguished historians, Henry Steele Commager, of Amherst College. Professor Commager addresses himself in this article to the question, "Is Freedom Dying in America?"

I ask unanimous consent that this provocative article by Professor Commager be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS FREEDOM DYING IN AMERICA?

(By Henry Steele Commager)

"There are certain words,
Our own and others', we're used to—words we've used,
Heard, had to recite, forgotten,
Rubbed shiny in the pocket, left home for keepsakes,
Inherited, stuck away in the back-drawer,
In the locked trunk, at the back of the quiet mind.

Liberty, equality, fraternity,
To none will we sell, refuse or deny, right or justice.
We hold these truths to be self-evident.

I am merely saying—what if these words pass?
What if they pass and are gone and are no more . . . ?

It took long to buy these words.
It took a long time to buy them and much pain."

STEPHEN VINCENT BENÉT.

"Those, who would give up essential liberty to purchase a little temporary safety," said Benjamin Franklin, two centuries ago, "deserve neither liberty nor safety."

Today we are busy doing what Franklin warned us against. Animated by impatience, anger and fear, we are giving up essential liberties, not for safety, but for the appearance of safety. We are corroding due process and the rule of law not for Order, but for the semblance of order. We will find that when we have given up liberty, we will not have safety, and that when we have given up justice, we will not have order.

"We in this nation appear headed for a new period of repression," Mayor John V. Lindsay of New York recently warned us. We are in fact already in it.

Not since the days when Sen. Joseph McCarthy bestrode the political stage, fomenting suspicion and hatred, betraying the Bill of Rights, bringing Congress and the State Department into disrepute, have we experienced anything like the current offensive against the exercise of freedom in America. If repression is not yet as blatant or as flamboyant as it was during the McCarthy years, it is in many respects more pervasive and more formidable. For it comes to us now with official sanction and is imposed upon us by officials sworn to uphold the law: the Attorney General, the FBI, state and local officials, the police, and even judges. In Georgia and California, in Lamar, S.C., and Jackson, Miss., and Kent, Ohio, the attacks are overt and dramatic; on the higher levels of the national administration, it is a process of erosion, the erosion of what Thomas Jefferson called "the sacred soil of liberty." Those in high office do not openly proclaim their disillusionment with the principles of freedom, but they confess it by their conduct, while the people acquiesce in their own disinheritance by abandoning the "eternal vigilance" that is the price of liberty.

There is nothing more ominous than this popular indifference toward the loss of liberty, unless it is the failure to understand what is at stake. Two centuries ago, Edmund Burke said of Americans that they "snuff the approach of tyranny in every tainted breeze." Now, their senses are blunted. The evidence of public-opinion polls is persuasive that a substantial part of the American people no longer know or cherish the Bill of Rights. They are, it appears, quite prepared to silence criticism of governmental policies if such criticism is thought—by the Government—damaging to the national interest. They are prepared to censor newspaper and television reporting if such reports are considered—by the Government—damaging to the national interest! As those in authority inevitably think whatever policies they pursue, whatever laws they enforce, whatever wars they fight, are in the national interest, this attitude is a formula for the ending of all criticism, which is another way of saying for the ending of democracy.

Corruption of language is often a first sign of a deeper malaise of mind and spirit, and it is ominous that invasions of liberty are carried on, today, in the name of constitutionalism, and the impairment of due process, in the name of Law and Order. Here it takes the form of a challenge to the great principle of the separation of powers, and there to the equally great principle of the superiority of the civil to the military authority. Here it is the intimidation of the press and television by threats both subtle and blatant, there of resort to the odious doctrine of "intent" to punish anti-war demonstrators. Here it is the use of the dangerous weapon of censorship, overt and covert, to silence troublesome criticism, there the abuse of the power of punishment by contempt of court. The thrust is everywhere the same, and so too the animus behind it: to equate dissent with lawlessness and nonconformity with treason. The purpose of those who are prepared to sweep aside our ancient guarantees of freedom is to blot out those great problems that glare upon us from every horizon, and pretend that if we refuse to acknowledge them, they will somehow go away. It is to argue that discontent is not an honest expression of genuine grievances but of willfulness, or perversity, or perhaps of the crime of being young, and that if it can only be stifled, we can restore harmony to our distracted society.

Men like Vice President Spiro T. Agnew simplistically equate opposition to official policies with effete intellectualism, and cater to the sullen suspicion of intellectuals, always latent in any society, to silence that opposition. Frightened people everywhere, alarmed by lawlessness and violence in their communities, and impatient with the notion that we cannot really end violence until we deal with

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its causes, call loudly for tougher laws, tougher courts or—as in big cities like New York or small towns like Lamar—simply take authority into their own hands and respond with vigilante tactics. Impatient people, persuaded that the law is too slow and too indulgent, and that order is imperiled by judicial insistence on due process, are prepared to sweep aside centuries of progress toward the rule of law in order to punish those they regard as enemies of society. Timid men who have no confidence in the processes of democracy or in the potentialities of education are ready to abandon for a police state the experiment that Lincoln called "the last best hope of earth."

The pattern of repression is, alas, all too familiar. Most ominous is the erosion of due process of law, perhaps the noblest concept in the long history of law and one so important that it can be equated with civilization, for it is the very synonym for justice. It is difficult to remember a period in our own history in which due process has achieved more victories in the courts and suffered more setbacks in the arena of politics and public opinion than in the last decade. While the Warren Court steadily enlarged the scope and strengthened the thrust of this historic concept, to make it an effective instrument for creating a more just society, the political and the law-enforcement agencies have displayed mounting antagonism to the principle itself and resistance to its application. The desegregation decision of 1954 has been sabotaged by both the Federal and local governments—a sabotage dramatized by the recent decision of the Justice Department to support tax exemption for private schools organized to frustrate desegregation.

There are many other examples. Pending legislation, including the Organized Crime Control Act of 1969, provides for "prevention detention" in seeming violation of the constitutional guarantee of presumption of innocence; limits the right of the accused to examine evidence illegally obtained; permits police to batter their way into a private house without notice (the no-knock provision); and provides sentences of up to 30 years for "dangerous special offenders." And the government itself, from local police to the Attorney General, persists in what Justice Holmes called the "dirty business" of wiretapping and bugging to obtain evidence for convictions, though this is a clear violation of the right of protection against self-incrimination.

Equally flagrant is the attack on First Amendment freedoms—freedom of speech, press, petition and assembly—an attack that takes the form of intimidation and harassment rather than of overt repudiation. The President and the Vice President have joined in a crusade designed to force great newspapers like the New York *Times* and the Washington *Post* to moderate their criticism of Administration policies, and to frighten the television networks into scaling down their coverage of events that the Government finds embarrassing; a position that rests on the curious principle that the real crime is not official misconduct but the portrayal of that misconduct. Mr. Agnew, indeed, has gone so far as to call on governors to drive the news purveyed by "bizarre extremists" from newspapers and television sets; it is an admonition that, if taken literally, would deny newspaper and TV coverage to Mr. Agnew himself. All this is coupled with widespread harassment of the young, directed superficially at little more than hairstyle, dress or manners—but directed in fact to their opinions, or perhaps to their youthfulness. And throughout the country, government officials are busy compiling dossiers on almost all citizens prominent enough to come to their attention.

Government itself is engaged increasingly in violating what President Dwight D. Eisenhower chose as the motto for the Columbia University bicentenary: "Man's right to knowledge and the free use thereof." The USIA proscribes books that criticize American foreign policy at the same time that it launches a positive program of celebrating the Nixon Administration and the conduct of the Vietnam war through films and a library of "safe" books selected by well-vetted experts. The Federal Government spends millions of dollars presenting its version of history and politics to the American people. The Pentagon alone spends $47 million a year on public relations and maintains hundreds of lobbyists to deal with Congress, and the Defense Department floods schools and clubs and veterans organizations with films designed to win support for the war.

Meantime, the growing arrogance of the military and its eager intervention in areas long supposed to be exclusively civilian gravely threaten the principle of the superiority of the civil to the military power. Military considerations are advanced to justify the revival of the shabby practices of the McCarthy era—security clearances for civilians working in all establishments that have contracts with Defense—a category that includes laboratories, educational institutions and research organizations. What the standards are that may be expected to dictate security "clearance" is suggested by Vice President Agnew's proposal to "separate the [protest leaders] from our society—with no more regret than we should feel over discarding rotten apples from a barrel." That is, of course, precisely the philosophy that animated the Nazis. Military considerations, too, are permitted to dictate policies of secrecy that extend even to censorship of the *Congressional Record*, thus denying to congressmen, as to the American people, information they need to make decisions on foreign policy. Secrecy embraces, not unnaturally, facts about the conduct of the war; Attorney General Mitchell, it was reported, hoped to keep the Cambodian caper secret from Congress and the people until it was a *fait accompli*. So, too, the CIA, in theory merely an information-gathering agency, covers its far-flung operations in some 60 countries with a cloak of secrecy so thick that even Congress cannot penetrate it. The Army itself, entering the civilian arena, further endangers freedom of assembly and of speech by employing something like a thousand agents to mingle in student and other assemblies and report to the Army what they see and hear. This is, however, merely a tiny part of the some $3 billion that our Government spends every year in various types of espionage—more every year than the total cost of the Federal Government from its foundation in 1789 to the beginning of the Civil War in 1861!

It would be an exaggeration to say that the United States is a garrison state, but none to say that it is in danger of becoming one.

The purpose of this broad atack on American freedoms is to silence criticism of Government and of the war, and to encourage the attitude that the Government knows best and must be allowed a free hand, an attitude Americans have thought odious ever since the days of George III. It is to brand the universities as a fountainhead of subversion and thus weaken them as a force in public life. It is to restore "balance" to the judiciary and thereby reverse some of the great achievements of the 16 years of the Warren Court and to reassure the Bourbons, North and South, who are alarmed at the spectacle of judicial liberalism. It is to return to a "strict" interpretation of the power of states over racial relations and civil liberties—a euphemism for the nullification of those liberties.

The philosophy behind all this, doubtless unconscious, is that government belongs to the President and the Vice President; that they are the masters, and the people, the subjects. A century ago, Walt Whitman warned of "the never-ending audacity of elected persons"; what would he say if he were living today? Do we need to proclaim once more the most elementary principle of our constitutional system: that in the United States, the people are the masters and all officials are servants—officials in the White House, in the Cabinet, in the Congress, in the state executive and legislative chambers; officials, to, in uniform, whether of the national guard or of the police?

Those who are responsible for the campaign to restrict freedom and hamstring the Bill of Rights delude themselves that if they can but have their way, they will return the country to stability and order. They are mistaken. They are mistaken not merely because they are in fact hostile to freedom, but because they don't understand the relation of freedom to the things they prize most—to security, to order, to law.

What is that relationship?

For 2,500 years, civilized men have yearned and struggled for freedom from tyranny—the tyranny of despotic government and superstition and ignorance. What explains this long devotion to the idea and practice of freedom? How does it happen that all Western societies so exalt freedom that they have come to equate it with civilization itself?

Freedom has won its exalted place in philosophy and policy quite simply because, over the centuries, we have come to see that it is a necessity, a necessity for justice, a necessity for progress, a necessity for survival.

How familiar the argument that we must learn to reconcile the rival claims of freedom and order. But they do not really need to be reconciled; they were never at odds. They are not alternatives, they are two sides to the same coin, indissolubly welded together. The community—society or nation—has an interest in the rights of the individual because without the exercise of those rights, the community itself will decay and collapse. The individual has an interest in the stability of the community of which he is a part because without security, his rights are useless. No community can long prosper without nourishing the exercise of individual liberties for, as John Stuart Mill wrote a century ago, "A State which dwarfs its men, in order that they may be more docile instruments in its hands . . . will find that with small men no great thing can really be accomplished." And no individual can fulfill his genius without supporting the just authority of the state, for in a condition of anarchy, neither dignity nor freedom can prosper.

The function of freedom is not merely to protect and exalt the individual, vital as that is to the health of society. Put quite simply, we foster freedom in order to avoid error and discover truth; so far, we have found no other way to achieve this objective. So, too, with dissent. We do not indulge dissent for sentimental reasons; we encourage it because we have learned that we cannot live without it. A nation that silences dissent, whether by force, intimidation, the withholding of information or a foggy intellectual climate, invites disaster. A nation that penalizes criticism is left with passive acquiescence in error. A nation that discourages originality is left with minds that are unimaginative and dull. And with stunted minds, as with stunted men, no great thing can be accomplished.

It is for this reason that history celebrates not the victors who successfully silenced dissent but their victims who fought to speak the truth as they saw it. It is the bust of Socrates that stands in the schoolroom, not the busts of those who condemned him to death for "corrupting the youth." It is Savonarola we honor, not the Pope who had him burned there in the great Piazza in Florence. It is Tom Paine we honor, not the English judge who outlawed him for writing the *Rights of Man*.

Our own history, too, is one of rebellion against authority. We remember Roger Williams, who championed toleration, not John Cotton, who drove him from the Bay Colony; we celebrate Thomas Jefferson, whose motto was "Rebellion to tyrants is obedience to God," not Lord North; we read Henry Thoreau on civil disobedience, rather than those messages of President Polk that earned him the title "Polk the Mendacious"; it is John Brown's soul that goes marching on, not that of the judge who condemned him to death at Charles Town.

Why is this? It is not merely because of the nobility of character of these martyrs. Some were not particularly noble. It is because we can see now that they gave their lives to defend the interests of humanity, and that they, not those who punished them, were the true benefactors of humanity.

But it is not just the past that needed freedom for critics, nonconformists and dissenters. We, too, are assailed by problems that seem insoluble; we, too, need new ideas. Happily, ours is not a closed system—not yet, anyway. We have a long history of experimentation in politics, social relations and science. We experiment in astrophysics because we want to land on the moon; we experiment in biology because we want to find the secret of life; we experiment in medicine because we want to cure cancer; and in all of these areas, and a hundred others, we make progress. If we are to survive and flourish, we must approach politics, law and social institutions in the same spirit that we approach science. We know that we have not found final truth in physics or biology. Why do we suppose that we have found final truth in politics or law? And just as scientists welcome new truth wherever they find it, even in the most disreputable places, so statesmen, jurists and educators must be prepared to welcome new ideas and new truths from whatever sources they come, however alien their appearance, however revolutionary their implications.

"There can be no difference anywhere," said the philosopher William James, "that doesn't make a difference elsewhere—no difference in abstract truth that doesn't express itself in a difference in concrete fact. . . ."

Let us turn then to practical and particular issues and ask, in each case, what are and will be the consequences of policies that repress freedom, discourage independence and impair justice in American society, and what are, and will be, the consequences of applying to politics and society those standards and habits of free inquiry that we apply as a matter of course to scientific inquiry?

Consider the erosion of due process of law—that complex of rules and safeguards built up over the centuries to make sure that every man will have a fair trial. Remember that it is designed not only for the protection of desperate characters charged with monstrous crimes; it is designed for every litigant. Nor is due process merely for the benefit of the accused. As Justice Robert H. Jackson said, "It is the best insurance for the Government itself against those blunders which leave lasting stains on a system of justice. . . ."

And why is it necessary to guarantee a fair trial for all—for those accused of treason, for those who champion unpopular causes in a disorderly fashion, for those who assert their social and political rights against community prejudices, as well as for corporations, labor unions and churches? It is, of course, necessary so that justice will be done. Justice is the end, the aim, of government. It is implicitly the end of all governments; it is quite explicitly the end of the United States Government, for it was "in order to . . . establish justice" that the Constitution was ordained.

Trials are held not in order to obtain convictions; they are held to find justice. And over the centuries, we have learned by experience that unless we conduct trials by rule and suffuse them with the spirit of fair play, justice will not be done. The argument that the scrupulous observance of technicalities of due process slows up or frustrates speedy convictions is, of course, correct, if all you want is convictions. But why not go all the way and restore the use of torture? That got confessions and convictions! Every argument in favor of abating due process in order to get convictions applies with equal force to the use of the third degree and the restoration of torture. It is important to remember that nation after nation abandoned torture (the Americans never had it), not merely because it was barbarous, but because, though it wrung confessions from its victims, it did not get justice, it implicated the innocent with the guilty, it outraged the moral sense of the community. Due process proved both more humane and infinitely more efficient.

Or consider the problem of wiretapping. That in many cases wiretapping "works" is clear enough, but so do other things prohibited by civilized society, such as torture or the invasion of the home. But "electronic surveillance," said Justice William J. Brennan, Jr., "strikes deeper than at the ancient feeling that a man's home is his castle; it strikes at freedom of communication, a postulate of our kind of society . . . Freedom of speech is undermined where people fear to speak unconstrainedly in what they suppose to be the privacy of home or office."

Perhaps the most odious violation of justice is the maintenance of a double standard: one justice for blacks and another for whites, one for the rich and another for the poor, one for those who hold "radical" ideas, and another for those who are conservative and respectable. Yet we have daily before our eyes just such a double standard of justice. The "Chicago Seven," who crossed state lines with "intent" to stir up a riot, have received heavy jail sentences, but no convictions have been returned against the Chicago police who participated in that riot. Black Panthers are on trial for their lives for alleged murders, but policemen involved in wantonly attacking a Black Panther headquarters and killing two blacks have been punished by demotion.

Turn to the role and function of freedom in our society—freedom of speech and of the press—and the consequences of laying restrictions upon these freedoms. The consequence is, of course, that society will be deprived of the inestimable advantage of inquiry, criticism, exposure and dissent. If the press is not permitted to perform its traditional function of presenting the whole news, the American people will go uninformed. If television is dissuaded from showing controversial films, the people will be denied the opportunity to know what is going on. If teachers and scholars are discouraged from inquiring into the truth of history or politics or anthropology, future generations may never acquire those habits of intellectual independence essential to the working of democracy. An enlightened citizenry is necessary for self-government. If facts are withheld, or distorted, how can the people be enlightened, how can self-government work?

The real question in all this is what kind of society do we want? Do we want a police society where none are free of surveillance by their government? Or do we want a society where ordinary people can go about their business without the eye of Big Brother upon them?

The Founding Fathers feared secrecy in government not merely because it was a vote of no-confidence in the intelligence and virtue of the people but on the practical ground that all governments conceal their mistakes behind the shield of secrecy; that if they are permitted to get away with this in little things, they will do it in big things—like the Bay of Pigs or the invasion of Cambodia.

And if you interfere with academic freedom in order to silence criticism, or critics, you do not rid the university of subversion. It is not ideas that are subversive, it is the lack of ideas. What you do is to silence or get rid of those men who have ideas, leaving the institution to those who have no ideas, or have not the courage to express those that they have. Are such men as these what we want to direct the education of the young and advance the cause of learning?

The conclusive argument against secrecy in scientific research is that it will in the end give us bad science. First-rate scientists will not so gravely violate their integrity as to confine their findings to one government or one society, for the first loyalty of science is to scientific truth. "The Sciences," said Edward Jenner of smallpox fame, "are never at war." We have only to consider the implications of secrecy in the realm of medicine: What would we think of doctors favoring secrecy in cancer research on the grounds of "national interest"?

The argument against proscribing books, which might normally be in our overseas libraries, because they are critical of Administration policies is not that it will hurt authors or publishers. No. It is quite simply that if the kind of people who believe in proscription are allowed to control our libraries, these will cease to be centers of learning and become the instruments of party. The argument against withholding visas from foreign scholars whose ideas may be considered subversive is not that this will inconvenience them. It is that we deny ourselves the benefit of what they have to say. Suppose President Andrew Jackson had denied entry to Alexis de Tocqueville on the ground that he was an aristocrat and might therefore be a subversive influence on our democracy? We would have lost the greatest book ever written about America.

There is one final consideration. Government, as Justice Louis D. Brandeis observed half a century ago, "is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example." If government tries to solve its problems by resort to large-scale violence, its citizens will assume that violence is the normal way to solve problems. If government itself violates the law, it brings the law into contempt, and breeds anarchy. If government masks its operations, foreign and domestic, in a cloak of secrecy, it encourages the creation of a closed, not an open, society. If government shows itself impatient with due process, it must expect that its people will come to scorn the slow procedures of orderly debate and negotiation and turn to the easy solutions of force. If government embraces the principle that the end justifies the means, it radiates approval of a doctrine so odious that it will in the end destroy the whole of society. If government shows, by its habitual conduct, that it rejects the claims of freedom and of justice, freedom and justice will cease to be the ends of our society.

Eighty years ago, Lord Bryce wrote of the American people that "the masses of the people are wiser, fairer and more temperate in any matter to which they can be induced to bend their minds, than most European philosophers have believed possible for the masses of the people to be."

Is this still true? If the American people can indeed be persuaded to "bend their minds" to the great questions of the preservation of freedom, it may still prove true. If they cannot, we may be witnessing, even now, a dissolution of the fabric of freedom that may portend the dissolution of the Republic.

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AT 18, BE SURE DIRECTION IS RIGHT—ADDRESS BY DEBBY JOHN

Mr. MILLER. Mr. President, recently, Debby John, an 18-year-old senior, addressed her fellow graduates at the Harlan, Iowa, Community High School.

The thoughts expressed are those of an exceptional young lady, gifted with an understanding and perceptiveness that reflects great credit on her generation.

I believe that her remarks merit the attention of the readers of the Congressional Record, and I ask unanimous consent that they be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

At 18, Be Sure Direction Is Right

"Today is the first day of the rest of our lives."

We have 18 years behind us, not a whole lot when we consider the number of years that lie before us, years during which we are sure we will change the world. All of us will, simply by living, but will it be for better or worse?

Presently, many youths are rebelling physically and mentally against what has been termed "the Establishment." But how many of us know exactly what the Establishment is? It consists of society, and you and I and everyone else are part of it.

True, it is far from being perfect, but the entire blame for its present condition does not lie solely with the older generation. They have sought to change it with only minimal success. But this is the story of all generations, and whether we think so or not, it will be the story of ours.

Every generation makes mistakes; they always have and always will because man is imperfect. But the older generation, or more accurately termed the adults, have contributed a tremendous amount to our nation and to the world.

And yet too many members of the younger generation overlook these mighty efforts at improvements and dwell upon the failures, because somewhere along the way we have come up with the idea that we are the ones destined to save the world before we are 25. Well, it is time we realize that we are 18 years old and we do not have all the answers now and will not have them in five, 10, or even 15 years.

Because we are aware of world problems and very concerned about them, we think that we can solve them almost overnight. Man has tried for centuries to solve the exact same problems—war, poverty, and hate—and he has had only limited success.

But now for some, either they solve them all this week or blindly join a wrecking crew of paranoids; they demand total victory by Wednesday or burn the building and destroy property not even theirs to touch; either they win now or escape to a commune and quit.

Exaggerated? Is it really?

Youth has always been filled with impatient idealism. If they were not, there would be no change.

But this does not extend to guns, fire bombs, riots, and vicious arrogance. That is not idealism—it is childish tyranny.

Any four-year-old can throw a rock or have a temper tantrum. In fact, the only difference between some, and I say *some* young rioters and a four-year-old is that the younger cannot throw as hard or as far.

It is time to call a halt—to start acting as we should. By what right and what accomplishments should thousands of teenagers, who have not gained the judgment or wisdom to even act decently, suddenly become the sages of our time? Why should we follow the people who seem to think the only way to improve the world is to tear it apart?

I am not saying that we should sit back quietly and watch the world go by. I am simply saying that we should start giving respect and begin doing things which will gain respect for ourselves. It is time to stop thinking solely about our generation and how we want things, and start thinking about the other generations that also live on this earth.

The peace and love we are striving for are not new ideas—man has sought them since the beginning of time. But neither will come with the destruction of buildings and institutions. They will come only with the downfall of the invisible barriers that separate man from man.

We have shouted long and loud that we are going to turn this country around and set it straight. The time is long overdue for us to turn around and look at what we have done and what we may yet do to this nation unless we set ourselves straight.

We want to be adults.

It is quite a bit to live up to. And we can say that there are many, many persons of all ages who just do not make it. But that is no excuse for not trying; we have to start somewhere. We have chosen as our class motto: "Push, pull, or get out of the way."

Well, "today is the first day of the rest of our lives." The strength, the energy, the idealism—they are all within every one of us. But let's make sure that we are going to push or pull in the right direction.—*Omaha World-Herald*.

DISTRICT OF COLUMBIA CRIME

Mr. MATHIAS. Mr. President, I would like to remind Congress of our responsibility in facing and dealing with the serious crime problem in the District of Columbia, since Congress has chosen to retain virtually exclusive governmental authority within the District.

To this end, I ask unanimous consent to insert in the Record a listing of crimes committed within the District yesterday as reported by the Washington Post. Whether this list grows longer or shorter depends on this Congress.

There being no objection, the list was ordered to be printed in the Record, as follows:

District of Columbia Crime

ROBBED

Francis Scott Key hotel, 600 20th St. NW, was held up about 1:50 p.m. Sunday by a young man who passed a note to the desk clerk which read, "Put all the money in a paper bag. I have a loaded gun. Don't make me shoot." The clerk handed the man a $5 bill from the cash register and he fled out of the hotel into an alleyway.

Bradley C. Bell, of Westmore, Md., was held up about 10:05 p.m. Monday by four men who surrounded him in the 3100 block of Dumbarton Avenue NW. One of them pulled out a knife and threatened, "Give me your money or I'll kill you." After taking Bell's wallet, the men ran off.

Liquor store, 1118 U St. NW, was held up shortly after 9 p.m. Monday by two armed youths wearing stocking masks who forced the owner, Isadore Egberg, to give them a large amount of money from the cash drawer and his wallet and then ran out of the store.

Arthur M. Brown, of Washington, a driver for the Thompson Dairy Co., was held up about 11:05 a.m. Monday while he was sitting in his truck in the unit block of Seaton Place NW. A man approached the left side of the truck and placed a revolver through the window. Before the gunman could speak, Brown's assistant, William W. Ruble, tried to push the weapon aside. The gunman then opened the truck door, ordered, "Hand it all over," and took a large amount of bills from Brown's pocket. "Pull away and don't look back," he said and ran south on North Capitol Street.

Beatrice Sutherland, of Washington, was robbed of a large amount of money shortly after 5 p.m. Friday when an unseen pickpocket removed her wallet full of bills and change from her pocketbook in the 1100 block of H Street NE.

Lloyd Smith, of Washington, was beaten and robbed about 4:05 p.m. Monday by two young men, one displaying a gun, in the 600 block of N Street NW. "All right give up the money," the gunman demanded and took the cash Smith offered. The unarmed man began hitting Smith in the face, the gunman fired two shots which did not hit him, and then both men fled.

Aubrey Jones, of Greenbelt, was held up about 12:30 p.m. Monday by two youths, one with a gun, who approached him in the 600 block of S Street NW. "This is a holdup. Give me your money or I'll shoot," the gunman said and pointed his weapon at Jones while the other youth removed the victim's wallet, containing $600.

Cornell Smith, of Washington, was held up shortly before 4 p.m. Monday when he stopped his car for a traffic sign at 10th Street and Florida Avenue NW. Two men, one of them holding a knife, demanded Smith's money but he replied that he had none. The unarmed man took some bills from Smiths' pants pockets and the pair fled from the intersection.

Dirk Gleysteen, of Washington, was held up as he was walking in an alley near his home in the 1500 block of 30th Street NW. "Give me the money and watch," demanded one of five men who surrounded Gleysteen. When he told them he had no money, one man drew a knife and forced him to hand over his watch.

James Morris, of Washington, was held up shortly before midnight Saturday by a man driving a taxicab. The driver, Wielding a gun, approached Morris at 4th street and Maryland Avenue NE and forced him to turn over his money and watch and drove west on Maryland Avenue.

Mattie Stevens, of Oxon Hill, was robbed of a large amount of money by a young man who removed her wallet from her purse while she was riding a D.C. transit bus at 7th and F streets NW about 12:50 p.m. Monday. Miss Stevens said the bearded pickpocket got off of the bus and ran north on 7th Street.

James Otis Reaves, of Washington, was robbed of $89 about 6:50 p.m. Monday by four men who approached him on the roof of the Safeway food store at 8th and C Streets NE and demanded money. Reaves handed one of them $163 from his pocket but the man returned $74 and fled with his companions.

Alfred Lons, of Suitland, was robbed of a large amount of money about 7:15 p.m. Monday by two youths in the 400 block of 19th Street NE. One of the youth pulled out a pistol and asked, "Where's the money?" His companion frisked Long and removed a large amount of bills and change from his pockets. The pair ran south on 19th Street.

Wesley E. Hamilton, of Washington, was treated at Rogers Memorial Hospital for injuries he sustained during a robbery about 5:55 p.m. Saturday. Several men jumped Hamilton in the 400 block of 15th Street NE, knocked him to the ground and escaped with his wallet.

Alfreida White, of Washington, was robbed by a young man who approached her about 10:45 a.m. Wednesday at 6th and H Streets NE, grabbed her purse containing money, food stamps, and identification papers and fled on 6th Street.

James Octaniver, of Chicago, was admitted to Rogers Memorial Hospital for hand wounds he suffered about 10:30 p.m. Sunday during a robbery at 19th and East Capitol Streets. Three men, one wielding a knife, surrounded him, searched his pockets and removed his wallet containing bills and papers. When Octaniver tried to escape, the armed man slashed him.

Aristo Cleaners, 1226 South Capitol Street SE, was held up about 2:55 p.m. Monday by a man displaying a gun who forced the clerk to hand over the bills and quarters and ran out of the store.

Lois Craig, of Washington, was beaten and robbed shortly after midnight by three young men who attacked her at 39th and N Streets NW and knocked her to the ground. The trio escaped with her pocketbook containing cash, a large sum in travelers' checks and personal papers.

Mill End Shops Fabrics, 931 F St. NW, was robbed by three teenagers who entered the store about 5:30 p.m. Monday. One of them grabbed the clerk, Audrey J. Wilson, of Cabin John, while the others went behind the counter and took her wallet and the money.

Ronald Tolson, of 857 19th St. NE, was held up about 10:10 p.m. Sunday by three men, one armed with a sawed-off shotgun and another with an automatic pistol, who approached him in front of his apartment house. "Don't move. This is a holdup," one of the gunmen told him and searched his pockets. Removing his wallet, ring and watch, the trio fled east on I Street.

Eliza Tremble, of 3820 Hayes St. NE, was robbed of a large sum of money about 1:30 p.m. Friday by two youths who approached her in the hallway of her apartment building. "Okay, give me your pocketbook or I will beat you," demanded one of the youths, took the purse full of bills and fled with his companions into the 3800 block of Jay Street NE.

Lowell Harris Brockman, of Silver Spring, a United Insurance Company employee, was held up about 6:45 p.m. Monday by two young men who approached him in the 200 block of Division Avenue NE. One of them drew a revolver and said, "This is a stickup." The pair took the wallet containing a large amount of bills and checks and ran off.

Lonnie W. Pace, of Washington, was treated at Freedmen's Hospital for injuries he suffered during a robbery near his home at the corner of 9th and F Streets NW. Pace told police an unseen assailant struck him over the head, took $1.75 from his pocket and escaped.

Dickey's Cleaners, 1105 11th St. NW, was robbed Monday by two young men, one of whom remained at the front door with his gun. The other man approached the clerk and said, "I don't want to hurt you, so give me the money." The employee handed them the cash and the pair ran out of the shop.

David Hall, of Washington, was held up at midnight Monday by two young men in the 2000 block of Kalorama Rd NW and demanded his money. Pointing a gun at Hall, one of them searched his pockets and took a can of Mace and a watch.

Hartford Gunn, of Washington, President of the Public Broadcasting System, was pistolwhipped and robbed about 12:15 a.m. by two youths, one with a long-barreled revolver, who approached him in the 2600 block of Adams Mill Road NW and demanded money. After Gunn handed them his wallet, the gunman struck him over the head with his weapon. Gunn was treated at Friedman's Hospital and released.

James C. Brewing, of 1373 F St. NE, was beaten and robbed shortly after midnight by a man who attacked him in front of his home. Brewing lost consciousness briefly after the man hit him in the mouth and, when he revived, he discovered his wallet was missing.

Bruce Oliver Bently, of Takoma Park, was held up in the 900 block of Butternut Street NW by two men, one armed with a revolver, who said, "Give me your money." The pair took Bently's watch and cash and fled on foot.

Peter A. Ward, of Washington, was held up by two men who approached him as he was entering an apartment building in the 3400 block of Rock Creek Ford Road NW and asked him to hold the door. Ward complied and one of the men pulled a revolver and told him. "Turn around and face the wall." The pair then took a large amount of cash and a watch from Ward and ran out of the rear door.

ASSAULTED

Edward Bussey, of 3200 Park Rd. NW, was treated at Washington Hospital Center for injuries he suffered when a woman threw a pot of boiling water on him about 11:30 p.m. Monday inside his home.

Charles Armstrong, of Washington, was treated at Rogers Memorial Hospital for neck wounds he suffered during an attempted holdup about 9:30 p.m. Sunday. Three young men approached him in the 1000 block of D Street NE and said, "Give it to me." When Armstrong refused, one of them hit him in the neck and then fled with his companions.

STOLEN

Approximately $500 was stolen between 4 p.m. Thursday and 11:10 a.m. Monday from the George Washington University office at 139 H St. NW.

An undetermined amount of money was stolen from a vending machine during a burglary at Mackin High School, 1421 V St. NW, between 3 and 8 a.m. Monday.

UNIT PRICING

Mr. MOSS. Mr. President, since the first regulations issued under the Fair Packaging and Labeling Act went into effect a year ago, the Consumer Subcommittee has held three separate oversight hearings into the operation of this act.

The preface to the Fair Packaging and Labeling Act makes the following commitment on behalf of the Federal Government:

> Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

I am pleased to report that progress has been made in supplying the consumer with more information on which to base his purchases. A product cannot be marketed anonymously—somebody has to put his name and address on it. Unmodifiable units of measures cannot be modified, that is; representations such as "giant" pints or "jumbo" quarts are prohibited. The statement of net quantity must be on the front of the package and easy to find. Fractional ounces have disappeared in some cases. There has been a reduction in the number of different package sizes.

The hearings which we have held clearly demonstrate, however, that consumers still have insufficient information to make informed purchases. A number of things have occurred which place the consumer at a comparative disadvantage. The personal relationship that once existed between seller and buyer has been replaced by today's supermarket where numerous products, packaged in attractive shapes and colors, compete for the buyer's dollar. In this situation, the housewife finds herself armed with little information to help her make intelligent decisions. Although, one of the objectives of the bill is to facilitate value comparisons, American consumers have a very difficult time comparing prices. The myriad calculations necessary to figure out the best buy makes it impractical and often impossible for consumers to make value comparisons. Impulse buying is, therefore, a product of necessity and frustration rather than design and adds to the problem of inflation.

Numerous witnesses at our oversight hearings have urged that we amend the act to require merchants to post the unit price of the items which they sell. While I endorse the concept of making as much information as possible available to consumers, I feel the unit price legislation must be approached cautiously. We must be certain that any legislative action taken is not only in the best interests of consumers but also protects the legitimate interests of business.

I feel that the key issue in unit price legislation is cost versus benefits. While consumers will benefit from being able to compare unit prices, it must be expected that the merchant's cost of supplying this additional service will be passed on in the form of higher prices. The benefits received by consumers from having additional information to assist them in their shopping decisions must be carefully weighed against the costs associated with supplying the information.

The hearings which we have held suggest, however, that the benefits may well be much greater than costs involved. One experiment showed that women spent 11 percent more money than they would have needed to if they could have found the best unit price. Fortunately, the computer is making it possible for merchants to supply unit price information very cheaply. A supermarket chain of 22 stores in the Middle West has adopted unit pricing on all items and estimated the cost of instituting the system at only $200 a store. If these figures are anywhere near representative, it is obvious that the potential benefits accruing to consumers are much greater than the costs involved.

There is widespread interest in unit pricing at the present time and a number of experiments to determine the costs and benefits are currently being conducted. As the results of these experiments become available, I think it timely for the Consumer Subcommittee to consider this matter.

Mr. President, consumer legislation has generally enjoyed widespread bipartisan support. I am, therefore, pleased to indicate that I will join with the Senator from Kansas (Mr. PEARSON), who is the ranking minority member of the Consumer Subcommittee and who participated with me on the Fair Packaging and Labeling Act oversight hearings, in cosponsoring a unit pricing bill, S. 3752.

As soon as the results of the research currently being conducted on unit pricing become available, our subcommittee intends to hold hearings on this bill. The committee will study very carefully not only the costs and benefits accruing to consumers, but also the impact that such legislation would have upon businesses. The bill currently has two features designed to protect the interest of retailers while promoting the interest of con-

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sumers. First, the bill would exempt small retail outlets where consumers shop largely for conveniences, rather than for savings and where unit pricing might be an administrative burden. Second, the bill allows retailers considerable flexibility in the way they post unit prices. This is done to allow full opportunity for the forces of competition and imagination so that retailers may develop their own way of handling unit pricing as long as it benefits the consumer. This is in keeping with the best traditions of the free enterprise system where rewards accrue to those who best serve the needs of their customers.

THE FUTURE OF AMERICA'S INDIAN CITIZENS

Mr. BELLMON. Mr. President, the commitment to the future of America's Indian citizens, as expressed in President Nixon's message to Congress today, is highly commendable. It is a further indication of this administration's concern for this noble minority and puts forth some proposals that are worthy of careful and serious consideration.

Over the past several months, the programs and policies of the Federal Government affecting Indians have undergone intensive study and many improvements have been made. One of the most important changes that has taken place is the increased involvement of Indians in the Federal decisionmaking process. As an Oklahoman, I am highly pleased that our State has been ably represented at high policy levels in the Bureau of Indian Affairs and elsewhere in the Department of Interior.

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While all of the President's proposals reflect a genuine interest and determination to assure a better life for American Indians, some are of special importance to me.

The proposed establishment of a new position in the Department of the Interior, Assistant Secretary for Indian and Territorial Affairs, is in line with legislation I introduced last year to elevate the position of the Government's top official for Indian matters. This move will help strengthen the Bureau of Indian Affairs and give this agency its proper role.

Because Oklahoma has no Federal Indian reservations, the increased emphasis on efforts to help off-reservation Indians will be welcomed in my State, as will the allocation of additional funds for Indian health.

The President's recommendation for greater Indian control over the education of their children is a step in the direction of providing better educational opportunities. The need to give Indians a voice in this important aspect of their lives became apparent during hearings conducted by the Indian Education Subcommittee, on which I served last year.

Finally, the administration has taken a most progressive approach in rejecting the policy of constant paternalism. This attitude on the part of the Federal Government probably has done more to retard the progress of American Indians over the years than anything that has happened during their troubled history.

Mr. President, I commend the President for his positive and forthright approach to one of our Nation's most shameful and demanding problems and for his common sense recommendations to bring about the restoration of dignity for the first citizens of this country.

SPEECH BY J. HARVIE WILLIAMS, EXECUTIVE SECRETARY OF THE AMERICAN GOOD GOVERNMENT SOCIETY, BEFORE THE DESCENDANTS OF THE SIGNERS OF THE DECLARATION OF INDEPENDENCE

Mr. ERVIN. Mr. President, during the Independence Day recess I reread a speech which I feel merits the attention of the Senate. The speech was written and delivered by Mr. J. Harvie Williams before a meeting of the Descendants of the Signers of the Declaration of Independence in 1967.

In his speech, Mr. Williams presents his views of the Declaration of Independence and the misconceptions which he feels have grown up around this document in recent years. I believe that Mr. Williams' speech fills a void in the literature on the Declaration, and I wholeheartedly recommend it.

Mr. President, I ask unanimous consent that the speech by Mr. Williams, entitled "The Declaration of Independence: Then and Now," be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE DECLARATION OF INDEPENDENCE THEN AND NOW

I know not whether I am a descendant of a signer of the Declaration of Independence.

I do know that I am believer in that Declaration, a supporter of its principles, and a supporter of the limited Constitution of Government erected on the same political principles eleven years later.

So, firmly committed, I am delighted to be with you this evening.

The Declaration of Independence and the Constitution of the United States constitute the charter of Liberty in this country.

The Supreme Court of the United States long ago told us twice that while the Declaration is no part of the organic law of the land, it is the spirit and thought of which the Constitution is the body and letter; and that it is always safe to read the Constitution in the light of the Declaration.

This perfectly matched body-and-soul view of the Constitution and the Declaration brings to mind the legend of a mis-match, about a fervent message George Bernard Shaw received from Isadora Duncan expressing the opinion that by every eugenical principle they should have a child.

"Think what a child it would be," she said, "with my body and your brain."

Shaw sent this response discouraging the proposition, "Think how unfortunate it would be if the child had my body and your brain."

Such a mis-match is the now widely popular notion that the French Revolution is at one with the American Revolution.

Yet, from this gross misreading of the Declaration have come many gross misreadings of the Constitution.

It is as though these documents were translated into another language, a commentary written in that language, and then translated into English. Necessarily, something is lost in each translation.

It is hardly safe to read commentaries on American institutions and their upholding traditions without some knowledge of the writer's mother tongue and of his own deep-rooted ancestral traditions.

A minor example of this problem of clear communication across languages was a Russian prince we had in B Company of New York's Seventh Regiment in the thirties. Russian was his mother tongue, he had learned French in Russian schools and improved it in French schools. But he learned English from French rather than from Russian; and his military experience was all in Russia.

I got the assignment of teaching him the school of the soldier. Before he could execute a command given in English he had to translate it into French and then into Russian. Although an intelligent man, it took him a good while to learn commands in English.

This difficulty of communication brings up James Madison's observation in The Federalist No. 37:

"The use of words is to express ideas. Perspicuity therefore requires not only that the ideas should be distinctly formed, but that they should be expressed by words distinctly and exclusively appropriated to them. But no language is so copious as to supply words and phrases for every complex idea, or so correct as not to include many equivocally denoting different ideas. . . .

"When the Almighty Himself condescends to address mankind in their own language, his meaning, luminous as it must be, is rendered dim and doubtful by the cloudy medium through which it is communicated."

A more recent admonition on this score is from the late Owen D. Young. Mr. Young delivered the commencement address at St. Lawrence University in 1931. I happened to hear it on the radio. Many years later I wrote him asking for the text and permission to use it in a piece I was writing. He replied saying, "Surely if anyone pays me the compliment of recalling what I said seventeen years ago, he should have the right to use it."

Mr. Young asked the class, "Have you acquired adequate skill in communication with others?"

He went on, "At best, one can communicate to others only a very small percentage of what he thinks or sees or feels."

"Language is inadequate. All languages are inadequate no matter how many of them you know or how skillful you may be in using them. Perhaps only one per cent or two percent, certainly I should think not more than five per cent of what one thinks or sees or feels can be translated by language to another."

In the four great documents connected with the establishment of the United States, written over a twenty year span, the terminology is remarkably uniform. One is struck by this in the Declaration of Independence, in the Constitution of the United States, in *The Federalist*, and in Washington's Farewell Address.

The word "Liberty" is used exclusively in the Declaration and in the Constitution as ratified.

The best indexed edition of *The Federalist* has 68 page references under "Liberty" and only one under "freedom", and that one "freedom of the press." In the Farewell Address Washington used "Liberty" fourteen times, and "Freedom" once. These sentiments "will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel."

To me, the phrase "Liberty and the Republic" always signified the essence of our political system.

The current slogan "freedom and democracy" has altogether different meanings and connotations, none compatible with our political philosophy and political institutions.

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Everyone of you once, no doubt, could recite the Declaration of Independence from memory.

Nevertheless, I shall repeat from the first two sentences and the last paragraph, so that I may comment on them.

In the first place the Declaration of Independence was certainly a declaration of war against Great Britain, a declaration of the War for American Independence.

There is nothing revolutionary about it in the sense of the French Revolution which undertook to destroy all existing political institutions—at home and abroad, as did international communism fifty years ago.

In the second place it is "the Laws of Nature and of Natures God" that entitle the Colonies to a separate and equal Station among the Powers of the Earth.

Next, "We hold these truths to be self-evident to us said the "Representatives of the United States of American, in General Congress Assembled."

We were telling the rest of the world what we believed.

We were not telling them what they believe, ought to believe, or must believe.

Then we say that "all Men are created equal, that they are endowed by their Creator with certain unalienable Rights. . . ."

Here let me agree with the late Thomas F. Woodlock of The Wall Street Journal when he wrote:

"No doctrine of personal rights, such as that contained in the Declaration of Independence can be logically sustained on any basis other than the basis proclaimed in that doctrine, that is a definitely religious basis. . . .

"It is only because man is created by God . . . that he possesses inalienable personal rights. Upon no other theory or doctrine or even hypothesis can he logically claim them."

To try to discover another logical basis for equal rights, is somewhat like trying to teach hogs to sing Christmas carols.

You just can't do it!

If we can bring ourselves to regard the creation of mankind as yet incomplete, as a never-ending phenomenon, it will be easier to see that "created equal" means that all men are equal only in the sight of God; and because of that are equal before the law, and thus are entitled to justice.

Here I should point out that there is no such thing as "equal justice."

On Judgment Day, according to the Scripture, each man will be judged on his own merits and demerits.

Another self-evident truth is that men vary almost infinitely in their qualities and in their capacities.

These inequalities among men cannot be made equal this side of heaven . . . even when governments play God.

On earth, as in heaven, "justice is in the giving to every person exactly what he deserves, not necessarily involving what any other may deserve."

When justice is tempered with mercy harsh deserts are softened by kindness.

That each man ought to get as much out of life as he puts into it is a fair and just proposition.

Conversely, that some men should take out more than they put in, is indefensible on any ground.

These "gettings", as different and varied as may be, are the results of our own different and varied personal efforts.

One must think of the prudence, the energy, the idleness and the folly that afflict all of us in varying measure.

The enjoyment of the fruits of our own efforts are our earned privileges, and as Blessings of Liberty they are as sacred as Liberty itself.

The varied popular notions of equality rampant today, derive neither from Christianity nor from the Declaration of Independence.

These notions of equality are fostered by pseudo-intellectuals educated beyond their comprehension, who seem to know so much more than they understand.

As Josh Billings said a hundred years ago, "It is better to know nothing at all than to know a lot of things that aren't so."

And the Declaration continues, that among these Rights "are Life, Liberty and the pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just powers from the Consent of the Governed."

Thus, as I see it, the protection of Liberty is the first duty, the primary purpose, of government; for, when Liberty is secure Life is secure.

The "pursuit of Happiness" is, of course, only one element of Liberty.

"Liberty, as seen here," wrote Frederic R. Coudert, Jr., "is endowed by God in His creation of man and thus is within the realm of the moral law. The field of license is outside the moral realm."

I would go further than Congressman Coudert and add that "freedom", having no moral connotation, comprehends both Liberty and license.

For as Bishop Sheen has said, "There is no right to do wrong."

The phrase "just Powers" of government is one of tremendous importance.

Most certainly it signifies that unjust powers, an immoral idea, cannot be derived from the consent of the governed if it is a moral society.

The "Consent of the Governed" as the source of every just power of government is the way the Declaration describes what we more generally call "the sovereignty of the people."

Put either way, one should note that it deals with grants of power to government, and has no relation at all to the selection of men to exercise that power.

What is sovereignty?

If I may recur to Congressman Coudert: "*Sovereignty* is the power to declare, and enforce the law."

The Congressman also says, "The political structure or form of government in the United States can be described as a limited dual-sovereignty in a federal union of States, with a separation therein of the delegated powers of sovereignty, Executive, Legislative and Judicial."

"Here it should be noted", he adds, "that while the powers delegated to governments by the people are sovereign powers, the whole sovereign power of the people is not delegated.

"They have kept for themselves full sovereignty in the moral realm of personal Liberty."

Next, the Declaration says, "that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its Foundation on such Principles and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness."

All of this, as I see it, can be done by amending the Constitution as provided in its Article V.

The concluding paragraph is a magnificent peroration; and includes the resolution of Richard Henry Lee adopted two days earlier.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly Publish and Declare, that these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great-Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed by Order and in Behalf of the Congress.

JOHN HANCOCK,
President.

The Declaration of Independence was our first step toward nationhood.

It speaks of "Nature's God, of the Creator of Men and endower of unalienable Liberty, of the Supreme Judge of the World, and of divine Providence."

To say or suggest that the United States does not rest on religious foundations is to confess ignorance of the formal act of nationhood and of the men who brought it into being.

Worthy descendants of the signers of the Declaration of Independence: I salute you and your noble ancestors.

And I challenge you!

I challenge you to do something about defending your American Heritage!

The supreme issue in this country today is whether American institutions and their upholding traditions shall be maintained, or be made over in the image of European social democracy.

The fundamental conflict in American politics is a conflict between two great traditions of law and society, the English and the Roman.

Out of these altogether different concepts of law have come equally contrary political ideas, institutions, and traditions—equally tough and unyielding.

In this country today the absolutist doctrines and totalitarian institutions of Roman Law are being urged as superior to Anglo Saxon Law and its institutions of Liberty—the sum-total of human rights.

More than forty years ago William McDougall, Professor of Psychology in Harvard College, took note of the oncoming conflict between political traditions that Lord Bryce had forseen long before. McDougall wrote in 1924:

"It has been said, perhaps with some degree of exaggeration, that the outstanding fact of American life at the present time is the waging of a disguised and, in large degree silent struggle between, on the one hand, Americanism, as understood and prized by Americans of the old stock, and, on the other hand, the many groups and individuals who are united only, or chiefly, by their resentment against the dominance of such Americanism, and by the determination to subvert or reform it into something radically different."

In this conflict of political traditions, Congress is dominated by "Americanism, as understood by Americans of the old stock," while the White House is dominated by those who resent "the dominance of such Americanism," people who are *in* but not *of* the United States.

How is it possible, you may ask, for the same people on the same day to elect a Congress and a President poles apart?

The answer is that the fifty States, as such, are equally represented in the Senate, and the People are equally represented in the House; but only the States, unequal as they are, are represented in the Electoral College, although the Electoral College is the exact counterpart of a joint session of Congress.

The difference is this: you vote in a single-member Congressional District for only one member of the House of Representatives, but you also vote for as many representative members of the Electoral College as your State has members of the House.

You have more votes in the Presidential election unless you live in one of the five least populous States.

XUM

The result is that Presidential U.S.A. and Congressional U.S.A. are, electorally speaking, two different countries within one national boundary.

Presidential U.S.A. is dominated by the big-city States, which, themselves, are dominated by the big-city voters.

If the representative Electors, eighty per cent of the Electoral College, were chosen in single member districts, the character of the Federal Government would be vastly changed—for the better.

This change could be brought about by successful litigation in the United States Courts, before next year's election.

But in the end, a Constitutional Amendment will be necessary.

It is that simple!

Both of these efforts deserve your support.

RETIREMENT OF ARTHUR B. RIVERS

Mr. THURMOND. Mr. President, I wish to inform the Senate of the retirement from public service of a capable man who has dedicated his life to the betterment of the lives of others.

This gentleman, Arthur B. Rivers, was born at Mt. Croghan, S.C., on March 21, 1898, the son of William A. and Roxanna Rivers. He received his A.B. degree from Wofford College in Spartanburg, S.C., in 1919 and received an honorary L.H.D. degree from that same institution in 1961. His wife is Ida Maie Stafford, whom he married in October 1920. They have one son Robert Stafford, who is now a full colonel in the U.S. Air Force and has been until recently stationed in Germany.

Arthur B. Rivers has had a full and rich life. From 1919–23 he was a merchant and planter. From 1923–35 he served as administrator of the Chesterfield County Emergency Relief Administration in Chesterfield County, S.C. From 1935–42 he was the Assistant Procurement Officer of the U.S. Treasury, and from 1942 to the present he has served as State Director of the Department of Public Welfare of South Carolina.

Mr. Rivers has also served as a member of the South Carolina House of Representatives, as mayor of the town in which he was born, as member of the board of trustees of the high school district there, as member of the county board of education, and as member of numerous health and professional organizations.

In 1940 he was a recipient of the Certificate of Merit and the Selective Service Medal from President Harry Truman and Gen. Lewis B. Hershey, then the Director of Selective Service.

On June 27, 1968, he received from the South Carolina Rehabilitation Association its award for "outstanding promotional achievement on behalf of the handicapped." He has for many years been devoted to the service of others as director of the State department of welfare. This fact was noted by a concurrent resolution of the General Assembly of South Carolina dated March 28, 1962.

I have known Mr. Rivers for a long time. In fact, he was commissioned as a colonel on my staff when I was Governor of the State of South Carolina.

On June 30, 1970, Mr. Rivers retired from the position that he has held for so long and from the work that he has done so well.

I commend him for his fine work on behalf of the people of South Carolina, and I wish him good luck in all his endeavors.

CAPITALISM, VIETNAM, AND STUDENT DISSENT

Mr. BAYH. Mr. President, two noteworthy articles, both published in the Miami Herald, have come to my attention recently.

In the first, publisher John S. Knight indicated that, while capitalism as practiced in the United States may give rise to certain abuses, such as irresponsible advertising or blatant air and water pollution, these defects can be remedied without destroying the basic economic system. He also pointed out that much of the dissatisfaction with "capitalism" expressed by the younger generation resulted from misinformation and ignorance of the manner in which the system operates.

The second, which was written by the publisher's grandson, John S. Knight III, is in the form of a letter framed in response to a column by his grandfather in which the latter had expressed concern about the apparent loss of reason on the Nation's campuses.

In this letter the younger Mr. Knight expressed his conviction that much of the younger generation's current dissatisfaction with the system stems not from ignorance or misinformation but from frustration over the apparent inability of peaceful student efforts to end the war in Indochina. After eloquently explaining the nature of this frustration, he emphasized that, in his opinion, acts of violence by a comparatively few students would have little effect on terminating the war. Thus, Mr. Knight concluded that violence on our campuses may be understandable but is not justified.

Mr. President, these two articles, taken together, appear to me to be the work of thoughtful men who, although aware of the certain defects in American society, believe that they can be remedied without the violent destruction of that society. Perhaps of greater importance is the fact that the authors, separated by one whole generation, can still communicate calmly and meaningfully with each other. As the younger Mr. Knight notes:

> There has never been any generation gap between . . . (them), precisely because substantial amounts of honesty, reason, and affection have prevailed.

Mr. President, there can be no doubt that the Vietnam conflict has done great damage to our Nation, our economy, and our society. One notable effect has been the disclosure of a wide gap between some members of the older and younger generations. There is need for all people of all generations to understand and appreciate the differing viewpoints and convictions which are the inevitable concomitants of a free, independent and democratic nation in this complex age.

Mr. President, because the ideas and beliefs set forth in these two articles are both thought provoking and worthy of further attention, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Miami (Fla.) Herald, June 14, 1970]

CAPITALISM STILL BEST, BUT IT'S IN TROUBLE

(By John S. Knight)

We all talk about Vietnam, our polluted environment, racial unrest, campus rioting and, of course, sports and the unseasonably hot weather.

Let me submit, therefore, another subject which is sadly neglected in the raging dialog of discontent. It is called capitalism—a dirty word to some—but without which this nation could not sustain its 200 million inhabitants in the style to which they have become accustomed.

In brief, capitalism is the economic system in which the means of production and distribution are privately owned and operated for profit.

The alternative system is called socialism, the theory of the ownership and operation of the means of production by society, with all members sharing in the work and the products.

WHY NOT SOCIALISM?

At first blush, some may say: "Socialism sounds good. Why not?"

Well, the simple answer is that pure socialism doesn't work at all, and moderate socialism only in a few restricted areas such as public transportation and utilities.

Russian socialism—more aptly described as authoritarian rule—severely limits the freedom of the individual, his right to work on a job of his choice and the compensation he receives.

British socialism, the process of gradual transition from private enterprise to the extension of governmental action, has a spotty record of progress and setbacks. The loss of empire has been devastating to Britain's once-proud position as one of the great powers.

The British pound sterling, while temporarily stabilized, ranks far below the U.S. dollar in the international monetary field.

In contradistinction to the Socialist nations, the United States has—through loans, grants and gifts—sustained the leaky economies of half a hundred nations.

CANNOT AFFORD IT ALL

Politicians, from Lyndon Johnson to the most obtuse Congressman, have been prone to boast that since the United States is the richest country in the world, we can afford anything.

Untenable as this euphoric conclusion may be, it was the strength of our capitalistic system which sustained the wartorn nations of this earth.

The tools for rehabilitation and development are still largely supplied by the United States. Our two leading enemies of World War II—West Germany and Japan—are flourishing today because of our compassion and in Japan's case, the genius of Gen. Douglas MacArthur in promulgating a new constitution.

So U.S. capitalism, or if you choose, the private enterprise or profit and loss system, has indeed been the bulwark of the weak and made possible America's role in world leadership.

FUZZY ON FUNCTION

Notwithstanding the capitalistic system's ability to finance Social Security, President Johnson's Great Society, countless colleges and universities, public schools, hospitals, the fine arts and the highest living standards in the world, it has become fashionable to decry capitalism as an institution.

We can understand the university student who thinks capitalism is outmoded or that a better system is needed. Many of them do not comprehend how the profit and loss system works because they have never been exposed to it in their classrooms or lecture instruction.

Professors in economics dwell upon the mistakes of capitalism—and many can be recited—but without offering accurate comparisons with the systems which have failed elsewhere.

I was amazed at one college commencement to hear a professor say that the Federal Reserve Board should dish out doles to the poor and needy. He obviously knew nothing about either the Fed or its functions.

CONSUMERISM BAD?

Then comes one Ellen Willis, an activist in Women's Lib, to assert that "consumerism is part of the ideology created by and for educated white middle-class males in their oppression of the opposite sex."

Willis then goes on to say that "consumers are manipulated by the mass media to crave more and more consumer goods." A lot of Russian women might like to be so stimulated—if they only had the money.

One can agree that much advertising is ridiculous in what has been termed by Harvard's Robert E. Jenkins as "subliminal appeals to instinctive competitive, sexual or acquisitive urges."

And the women think so, too, as anyone knows who has heard them ridicule the TV commercials on instant beauty, gleaming white teeth and the relative claims of the detergent manufacturers.

Advertising messages need improvement and a better balance of responsibility. This can be done without repealing consumerism.

INDUSTRY'S DUTY

The critics of capitalism are on good ground when they point to industry's disregard for the environment in which we live.

The entrepreneurs of "progress" who pollute our air and water, put our parks to the bulldozer, build on our beaches and poison the lakes and streams must be brought to book.

We need stronger laws and prompt enforcement on the federal, state and local levels. This is essential to the public health and human survival.

But let the job be done without tearing away the fabric of free competition which has given our nation its vitality in this century.

The current onslaught against "the system" comes mostly from theoreticians who have never known competition, from the young whose idealism rebels against its abuses and from a motley assortment of reformers with time on their hands and not the slightest notion of how to distinguish between a Nader and a knothead.

Deplore capitalism if you like. But it has been your friend and it is now in deep trouble.

COMPETITION ABROAD

The automotive industry is faced with increasing competition from abroad. Car imports have increased more than 15 per cent over last year. Foreign-made cars simply cost less to build. This trend, if continued, spells the loss of jobs in this country.

The late Walter Reuther decried the inflationary aspects of wage settlements in excess of productivity. He made specific reference to the construction industry.

Japan is flooding America with cheaply made textiles, radios, television sets, cars and cameras. She has firmly refused to negotiate a quota system on textiles, while imposing her own restrictions on imports from the U.S.

In the Carolinas alone and without restrictions of some kind, this will mean the end of expansion in the textile industry, and the laying off of many newly employed blacks, who now comprise more than 20 per cent of the textile work force. Textile manufacturers maintain that the industry has lost more than 65,000 jobs in the last six months because of foreign competition and general economic conditions.

SOME PROGRESS

Government regulation of manufacturing standards for tires, automobiles and other products, as recommended by Ralph Nader, can be beneficial to the general public if the zeal for reform does not destroy competition.

Chairman James M. Roche of General Motors contends that in today's cars 80 per cent of the unburned carbons have been eliminated and approximately 65 per cent of the carbon monoxide.

Surely this is progress—not total achievement, perhaps, but purposeful progress. The steel mills and paper products manufacturers have been lagging but they will make progress, too, under the goading of public opinion and the determination of governmental authorities to apply the prod and the punishment when required.

Joseph S. Wright, president and chairman of the Zenith Radio Corp., explains that his firm is establishing a new plant in the Orient since Japan imposes duties three times as high as our U.S. duties on electronics.

Mr. Wright, who is not optimistic that our government will take realistic action, regrets the necessity of developing productive facilities in the low-labor-cost countries of the world but says it is the only way his company can compete with the Japanese.

He thinks our government should adopt a realistic and hard-nosed attitude about insisting upon reciprocity as a basis for free trade, but predicts we shall hear a lot of fuzzy oratory with nothing being done.

[From the Miami (Fla.) Herald, May 31, 1970]

John S. Knight III Answers His Granddad: No Justification for Hostile Reaction to Student Dissent

(Note.—Two weeks ago, John S. Knight's Notebook was addressed to his grandson, John III. In it, he expressed concern about reason being lost on the nation's campuses. "We elders are prone to preach at young people and not listen to what they have to say," he wrote. Today the editorial page bridges three generations of the Knight family. John III answers, and the Notebook discusses the death of his father, John Jr., during World War II.)

Dear Granddad: I join you in deploring the violent tactics being used by an increasing number of students in America. The Indochina war won't be stopped by burning down college buildings. The cause of peace will not be furthered by hurling rocks at the police or by calling them pigs.

That such acts enrage average Americans is understandable. Today's students strike at the dark heart of Middle America's most irrational emotions and beliefs. Students burn and trample the flag knowing that many Americans have a fetish about its sanctity. They flaunt their sexuality (itself a sign of sexual immaturity) before an older generation that is severely repressed.

Most important, students are attacking the wisdom of America's institutions, goals and leadership. This poses an intolerable threat to those many Americans whose major sense of security and belonging consists in an intense chauvinism bordering on xenophobia. These are the frightened people who dare not question the morality of the war.

For them to admit that America has been defeated (which it has), and that it has been, is, and will continue to be wrong fighting in Indochina is tantamount to abandoning a deeply held religious belief. Their intransigence and hostile reactions to student dissent are understandable in these circumstances. Understandable, but far from justified.

But what about the students you mentioned? Why is violence replacing the more peaceful tactics of yesterday? Quite simply, because after more than six years of peaceful protests, kids are still being sent to their deaths in this senseless, unnecessary war. More than 40,000 young men have been slaughtered while students marched peacefully in protest. Hundreds of thousands of innocent men, women and children have been killed or maimed while anti-war sentiment remained calm and reasonable.

Can you expect this "reasonable opposition" to continue in the face of interminable carnage?

Can you reasonably expect students to have faith in a political system which consistently regurgitates such mediocrity at the highest levels of government?

Student violence exists, and I condemn it. But what about the violence of Chicago, of Kent State, of Jackson? What about the almost inconceivable violence in Vietnam, Laos and Cambodia? Do you really expect the students to sit in their classrooms like good Germans while this legalized murder goes on unabated?

But the existence of unjustifiable violence in no respect makes more useless violence morally defensible. The highly understandable frustration and outrage of the students has taken the form of a few senseless acts of destruction, but our chances for peace have certainly not been improved as a result. As you know, if I believed that breaking windows and burning buildings would stop the war, I would have cast the first stone.

For it is the existence of this malignant conflict in distant southeast Asia that is the cause of America's present agony. The war has ruined our economy and set back urgently needed social reforms for years.

It has taken a terrible quota of lives from the most promising generation in America's histroy. It has mutilated the limbs and warped the minds of thousands of American boys whose only crime was allegiance to their nation. It has turned father against son and generation against generation.

Only when it ends will the extremists of both sides find no followers. Only when it is over will sanity return to our country.

Watching America tearing itself to bits from this distance is no picnic. The actuality of helplessness mingles with the delusion that it's not as bad as what one reads. But one advantage to having lived in this very civilized country for the past two years is the realization that the present madness raging in America is not necessarily endemic to humanity. This gives one hope that something constructive can be done.

There has never been any generation gap between us, Granddad, precisely because substantial amounts of honesty, reason, and affection have prevailed. These qualities know no chronological age. The war, incompetent leaders, extremism and the selfish materialism of our society have made them rare commodities in both our generations.

You and those others of our elders who have actively fought these evils have more of my generation's respect and admiration than you know.

Together, we may yet see reason return to her throne.

Love,

Johnny.

Wadham College, Oxford University, Oxford, England.

FREEDOM OF CHOICE

Mr. THURMOND. Mr. President, a short time ago I received a letter from a high school student who lives in Columbia, S.C. This student wanted to discuss with me the Columbia school plan for desegregation of that city's schools. She says that she and her family are upset by the plan as "it really affects our family. As it works now we will be going to four different schools next year."

Mr. President, she says that her little brother and sister are going to one school, her brother, Billy, to another, two sisters to one other school, and she will be going to Flora High School.

She concludes her letter by saying that she agrees with me that freedom of choice is the only really fair and democratic way to go about solving the school situation.

Mr. President, when HEW and others manipulate student population figures in order to achieve some kind of theoretical balance, they apparently forget they are dealing with human beings. Here is a family whose children are scattered to the winds by some arbitrary decision made by Washington bureaucrats. If the Supreme Court had allowed freedom of choice to operate, the ridiculous situation this young lady writes about would never have occurred and these children would not have to suffer this great and unjustified inconvenience.

KIDNEY DISEASE—THE LIVES THAT COULD BE SAVED

Mr. HATFIELD. Mr. President, S. 3355, Heart Disease, Cancer, Stroke, and Kidney Disease Amendments of 1970, of which I am a cosponsor, has been reported to the Senate floor. The bill will act as a general vehicle to extend and improve our existing health programs. One important addition has been made: the great need for funding of kidney disease treatment is recognized.

Many times, the Senate has expressed its awareness of the need of additional medical treatment for the American people. As we all know, technology and medical research have now alleviated many of our past generation's most feared diseases. Yet when the discoveries are made, when theoretical remedies and treatments are actualized, we are often denied the benefits because the treatment programs are scarce and inadequately funded.

Kidney disease is a killer, yet it can be prevented and its effects deterred. On a national basis, it is estimated that close to 8,000 salvable lives are lost annually because of prohibitive costs and the inaccessibility of treatment of kidney disease.

The situation in Oregon is a microcosm of our United States. The Good Samaritan Hospital, which has the only Oregon facilities for home dialysis training, is able to treat annually only 12 of the 58 to 78 Oregon citizens who will reach end stage renal failure each year. Mr. Don Fry, the director of development at Good Samaritan, has pointed out that there are, in addition, two young vascular surgeons who are anxious to be trained for kidney transplants, were the funds available.

The costs for home dialysis is high: $13,000 to $15,000 for the first year and an average of $4,000 each successive year. State organizations including the Oregon Medical Association and the Kidney Association of Oregon have diligently cooperated with local, county, and State boards, but funds remain inadequate.

The passage of this bill would save the lives of many now suffering from kidney diseases. The amount allotted is minimal, yet, this is action in the right direction. Remedies for kidney disease and many other major diseases are possible, research often on the brink of cure, the problem is basically one of financial support. I urge my colleagues to pass favorably on S. 3355.

Mr. President, I ask unanimous consent that the letter sent me by Mr. Chuck Foster, executive director of the Kidney Association of Oregon, Inc., describing case histories of Oregon patients, be printed in the RECORD. I call particular attention to the remarkable success of the program and the number of very young lives that were saved. Also, I ask unanimous consent that a letter I received from Mr. Don Fry, along with the supportive letters and a description of Good Samaritan's Home Hemodialysis Training for Oregon Renal Patients and application for a U.S. Public Health grant to assist the Oregon programs, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

KIDNEY ASSOCIATION OF OREGON, INC.,
June 26, 1970.

Hon. MARK HATFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HATFIELD: Mr. Don Fry, Director of Development, Good Samaritan Hospital & Medical Center in Portland, outlined to you in his letter of June 10 the cooperative program of the hospital and the Kidney Association of Oregon to provide training and treatment for end-stage kidney failure patients through hemodialysis.

In order to make this information complete, Mr. Fry has asked me to provide you with material on an extremely important phase of our program, the rehabilitation of our patients.

We have been highly successful, not only in saving the lives of kidney failure patients, but we have also been successful in returning patients to their homes, their families and their jobs. Therefore, they are rehabilitated to lead relatively normal, productive lives.

Here are just a few examples, showing how people who were faced with death have become almost normal persons:

Kathleen Adams, 27, of Canby holds down a full-time job as a tab operator for Peerless Trailer and Truck Service in Tualatin.

Harold Belknap, 42, is a full-time custodial supervisor for the schools in Burns.

Frank Clancy, 23 was re-trained by the Oregon Department of Vocational Rehabilitation as a welder. He has been working as a full-time welder during the past year.

Vincent Dulcich, 44, is Athletic Director at the Astoria High School. Because of his illness, he signed a half-time contract with the school system in 1969. He is looking forward to working full time next year. He is married and the father of four children.

Don Gee, 35, formerly a teacher in the Gresham school system, was retrained as a computer operator for the Multnomah County I.E.D. and works full-time. He is the father of three children.

Mrs. Kathryn McDonald, 46, of Portland is the mother of four sons. She performs all of her own housework, except for heavy chores like floor scrubbing. She cooks meals for her family of five.

Susan Morrow, 44, works full-time in the records department at the University of Oregon Medical School. Single, her brother helps her perform her dialysis "runs".

Ted M. Peterson, 53, has just returned to his home in Eugene following his 10 week training period at Good Samaritan Hospital. He is now working full-time as Manager of Sales and Service at Ultra-Tone Drapery Cleaners of Eugene.

Mrs. Barbara J. Pinkerton, 56, is a full-time social worker for the State of Oregon Public Welfare Division.

Frank Tamney, 51, is the owner and operator of a 40 acre orchard in Ashland.

Betty Jo Brown, 21, of Portland has, until recently, been working full-time at Tektronix. She has applied for a kidney transplant and on the advice of her physician has stopped work temporarily.

Nine women Kidney Association patients have been rehabilitated to take care of their homes and their families. They are: Mrs. Twila Bradshaw, Medford; Mrs. Marie Day, Klamath Falls; Mrs. Eleanor Gipe, Canby; Mrs. Delina Schonneker, Milwaukie; Mrs. R. C. Shoemaker, Albany; Mrs. Helen Strouse, Troutdale; Mrs. Ruth Waggoner, Lake Oswego; Mrs. Ann Van Winkle, West Linn and Mrs. Clara Stratton, The Dalles.

Mrs. Gladys J. Fisher, 58, has just completed her training period at Good Samaritan Hospital, and will be discharged today to return to her home in Lake Oswego with her artificial kidney machine. She is already searching for employment.

Only one of our 22 kidney failure patients, James Joy of Reedsport, is unable to be employed. He has had a series of medical problems, some of them unrelated to kidney failure.

The above case histories of patients of the Kidney Association of Oregon illustrate dramatically not only the success of the training center and emergency facilities of Good Samaritan Hospital, but of our ability to rehabilitate our patients in their home environment.

We will appreciate your assistance in securing funds for Good Samaritan Hospital so that they may continue and expand their extremely worthwhile work.

Sincerely yours,

CHUCK FOSTER,
Executive Director.

GOOD SAMARITAN HOSPITAL &
MEDICAL CENTER,
June 10, 1970.

Hon. MARK HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: Hemodialysis for end failure renal patients was first performed in Oregon at Good Samaritan Hospital and Medical Center in 1962, in a program supported entirely by this hospital.

Aside from the program at the U.S. Veterans Hospital, we are still the only dialysis training center in the State. The University of Oregon Medical School does have a limited dialysis program as back up for kidney transplant work done there on a rather limited scale.

The program is very expensive—so expensive that no hospital can carry the cost without some outside assistance.

We have attempted to operate as a training center only—a center where a patient could be trained and then returned to the care of his own physician and hospital for further care. However, when a patient's life is dependent on dialysis and he knows the training center has the facilities and the knowledge to care for his affliction, that patient is going to return to that center in desperation whenever he is in trouble. Hence, it seemingly is impossible for a center to ever be released from the care of a patient it has trained—and the cost continues.

About three years ago we assisted in the organization of the Kidney Association of Oregon, a non profit organization, which has been very successful in securing private gifts and state funds to assist in carrying on the program. Presently, all of our hemodialysis patients enter training through the KAO program.

The 1967 Legislature appropriated $200,000 on an emergency basis for the care of Oregon kidney patients and KOA directed the expenditure of this fund, using a portion for the cost of the training. Last year The Oregon Department of Rehabilitation appropriated $218,000 for kidney patients.

We have attempted on numerous occasions to secure support for the program through HEW of the U.S. Public Health Service. Our latest effort toward this end was an application filed in April of 1968 which was approved and lay dormant until June of 1969 when it was rejected for want of available funds. This application was filed under the provisions of Section 314(e)(1) of P.L. 89–749.

The Oregon Rehabilitation funds come indirectly from federal sources, but aside from that not one penny of federal money has ever been spent in the care of Oregon kidney patients, other than those eligible for benefits of the Veterans Administration Hospital.

Applying the statistics of the Burton and Gottschalk reports (made two years ago to the Secretary of HEW) to Oregon's population, we find that between 58 and 78 Oregon people will reach end stage renal failure a year.

The Medical Screening Committee of KAO, which passes on all patients accepted for home dialysis training, handles an average of three applications per month. Some are eliminated for medical reasons, but available funds will allow the acceptance of but *one new patient a month*.

Statistics of all the patients trained for home dialysis at Good Samaritan are not readily available, but KAO has accurate records of the patients trained since the inception of their organization. Their records show: 23 patients on home dialysis, 2 now in dialysis training, 2 deceased, 3 have had kidney transplants (two of these surviving).

When a patient is accepted for the program, he enters the hospital for cannula surgery and then goes to the Kidney Laboratory on an outpatient basis for training for a period of from six to eight weeks.

The costs during the first year range from $13,000 to $15,000. This includes the cost of hospitalization, surgery, training, a home model artificial kidney machine, drugs, supplies and medical and surgical services.

During the second and all successive years the cost averages $4000 a year. This would cover additional cannula surgery as required, drugs, supplies and physician services.

Unless the patient can undergo a kidney transplant, this cost will continue as long as he lives.

Our Kidney Laboratory now has two nurses (subject to call 24 hours a day), an artificial kidney technician, a medical director, an associate medical director and a secretary.

The Kidney Association of Oregon reimburses us for the payroll costs and we absorb some $20,000 a year plus for rent, utilities, housekeeping, accounting, administration, etc.

Nearly all of the patients have come from Multnomah and contiguous counties.

Statistics would cause us to believe there are people from other parts of the State who suffer end renal failure. Probably if a kidney program were added to the Regional Medical Program as S. 3355 would provide, many of these people might be given the benefit of a hemodialysis program.

KAO during the last six months has been actively projecting a fund raising program, which has produced some $80,000 for use in the care of these unfortunate people.

Some of the patients have insurance and some have resources of their own, but it is seldom a patient has resources sufficient to sustain them on the program without assistance.

I trust this information will emphasize the need for some federal assistance for a hemodialysis program.

So you will have at hand more detailed information on the training and treatment program, I am enclosing the narrative portion of our last application for assistance from HEW. I am also sending along copies of supporting letters from the medical associations and the State Health Officer.

I am asking Mr. Charles N. Foster, director of KAO to give you information on the rehabilitation of these patients, who faced certain death before they entered the hemodialysis program.

If I can be of further assistance, please let me know.

Cordially,

Don Fry,
Director of Development.

P.S.—We have two young vascular surgeons who are eager to train themselves for kidney transplant work, but we have not been able to find funding for such animal laboratory studies and training.

Oregon Medical Association,
Portland, Oreg., March 28, 1968.

David Brand, M.D.,
Chronic Disease Consultant, U.S. Public Health Service, DHEW, San Francisco, Calif.

Dear Dr. Brand: We are advised Good Samaritan Hospital and Medical Center of Portland is submitting an application, through your office, for federal support of their renal-disease dialysis program.

This Association has followed with considerable pride the work at Good Samaritan Hospital in pioneering the development of a renal dialysis program, the building of a home dialysis unit and generally assuming the obligations, including financial, during the early months and years of this project. Dr. Otto C. Page of its Medical Staff originally stimulated the interest and carried the responsibility.

Later this activity was carried on by Dr. Richard F. Drake and now since Dr. Drake has been called into military service, Dr. Charles Martinson is the physician in charge. The program at Good Samaritan continues to be under the direction of highly motivated and competent physicians.

It is strongly recommended that the application of Good Samaritan Hospital for federal support of this dialysis program be approved.

Very truly,

Glenn M. Gordon, M.D.,
President.

Good Samaritan Hospital & Medical Center,
Portland, Oreg., February 23, 1968.

David Brand, M.D.,
Consultant, Chronic Disease, U.S. Public Health, DHEW, San Francisco, Calif.

Dear Doctor Brand: The medical staff of Good Samaritan Hospital & Medical Center is fully cognizant of the work in hemodialysis being carried on in the dialysis training center at this hospital.

This program has the support and endorsement of the medical staff. We would further recommend this program for support of the federal government in accord with the application being filed by the hospital with Charles Martinson, M.D., as the project director.

Cordially,

John O. Brandford, M.D.,
Chief of the Medical Staff.

Oregon State Board of Health,
Portland, Oreg., November 10, 1967.

David Brand, M.D.,
Medical Consultant, National Center for Chronic Disease Control, U.S. Public Health Service, Department of Health, Education, and Welfare, Federal Office Building, San Francisco, Calif.

Dear Dr. Brand: Mr. Fry has recently made available to me a copy of their application for a project grant for home hemodialysis training for Oregon renal patients requesting a letter of endorsement to you.

Their hospital has, I believe, pioneered in the area of home renal dialysis and in the revision, modification and simplification of the equipment involved. The project, as described, appears to have an excellent potential for some valuable training for both practicing physicians and the house staff at Good Samaritan Hospital. It should also significantly increase the number of patients for whom this life-prolonging procedure would be made available and, at the same time, reduce the cost and allow it to be performed in their own homes. I would hope that, in the future, training in this activity would also be made available to students and faculty at the Medical School in Portland, and I feel confident that the officials at Good Samaritan Hospital would be sympathetic toward this.

I see this proposed project as an excellent expansion of activities that they have promoted assiduously and would not hesitate to strongly endorse their application.

Sincerely,

Edward Press, M.D.,
State Health Officer.

P.S.—I thought you might be interested in the attached copy of a newspaper clipping on "Kidney Rent Inaugurated" (in Washington, D.C.).

Office of the Governor,
Salem, Oreg.,
October 25, 1967.

Dr. David Brand,
Chief, Chronic Disease Section, U.S. Public Health Service, San Francisco, Calif.

Dear Dr. Brand: The care of Oregon people suffering from chronic renal disease, requiring dialysis, is a matter of grave concern to me.

The recent session of our Legislature made an emergency appropriation to aid in the care of these people. We are well aware, however, that this fund is not sufficient.

The State money for treatment of chronic kidney disease is being administered by the Kidney Association of Oregon, which is cooperating in the training and treatment program being carried on at Good Samaritan Hospital & Medical Center in Portland.

The Good Samaritan Hospital program is the only training and treatment program in Oregon. The physicians and nurses at Good Samaritan have sustained the life of a number of our Oregon people confronted with end-renal failure.

We have confidence in this program; and I would commend it to you as you review the application, which I understand is being made, for U.S. Public Health funds for support of the renal dialysis work at Good Samaritan Hospital & Medical Center.

Sincerely,

John McCall,
Governor.

Kidney Association of Oregon, Inc.,
Portland, Oreg., October 23, 1967.

U.S. Public Health Service, DHEW,
Region IX,
San Francisco, Calif.

Gentlemen: The Kidney Association of Oregon, the only civic group in this state organized to give financial assistance to people with end-failure kidney disease, is cooperating in the hemodialysis training program at Good Samaritan Hospital & Medical Center in Portland.

Our organization was selected by the recent session of the Oregon Legislature to administer state funds appropriated to assist the kidney dialysis program in Oregon. These funds and money supplied from volunteer community efforts are available for support of renal patients and are being used to assist patients in the Good Samaritan Hospital program.

Our organization is to sponsor public appeals for funds in various parts of the state for support of the dialysis program.

We are familiar with the application being made by Good Samaritan Hospital & Medical Center for funds under the provisions of P.L. 89–749 and are committed to provide the major portion of the "applicant's share" of the costs of this program.

We believe this dialysis training and treatment program is essential and it has our full endorsement. However, without federal support as requested by this grant, we can see no way at the present time of carrying out this program, so urgently needed in Oregon.

Sincerely,

Charles N. Foster,
Executive Director.

Home Hemodialysis Training for Oregon Renal Patients

INTRODUCTION

This project, submitted under the provisions of Section 314(e)(1) of the Public Health Service Act, as amended by Public Law 89–749, requests a U.S. Public Health grant to assist Good Samaritan Hospital & Medical Center in Portland, Oregon and the Oregon Kidney Association to provide hemodialysis treatment and training for residents of this area with chronic renal disease.

Over a period of five years Good Samaritan Hospital & Medical Center has, without government funds, developed a well recognized hemodialysis program. A substantial portion of the cost has been carried by the Hospital, some community funds, a limited amount of State funds and the resources of patients have contributed.

Recently the Oregon Kidney Association was formed to secure financial assistance for persons suffering chronic kidney affliction.

Patients determined to be physically and psychologically suitable for hemodialysis would be trained at the Good Samaritan Center and then released for home dialysis and returned to the care of their own physician.

This proposal asks U.S. Public Health Service to share the cost of training and supplies for endstage renal patients, accepted in the program, during the first year of dialysis. The Kidney Association of Oregon will assume the responsibility for the patients after the first year, although every effort will be made to utilize the resources the patients and their families may be able to provide.

The Oregon Kidney Association is now administering $150,000 of State funds appropriated for patient care during the biennium. Community funds have been raised and the Association contemplates additional fund raising appeals.

The project anticipates the admission of one new patient a month, with a total of 12 to be trained each year.

Attached is a copy of Good Samaritan Hospital's indirect cost agreement with the U.S. Public Health Service. The agreement approves an indirect cost rate of 23.58%. This rate does include fringe benefits, which amount to 13 percent of the payroll and which are included in the budget for this project.

1. PROJECT OBJECTIVES

This project proposes to continue and perfect an existing home hemodialysis training program. Medically suitable patients selected by a medical screening committee will be admitted to the program at the rate of one per month. Each patient will be supplied with hemodialysis equipment and accessory supplies sufficient for 12 months of home treatment. The patient will be trained for an eight-week period and then returned to his home.

The project further proposes to facilitate the integration of the techniques of chronic hemodialysis and management of chronic uremia into the various health services within the state of Oregon. Each patient will be returned to his home town to be managed medically by his local physician; when hospitalization is necessary every effort will be made to have the patient admitted to the local hospital used by the local physician.

2. PROJECT EVALUATION

The results of this project will be easily evaluated by reviewing several routine records of patient progress. Composite records with a narrative summary will be submitted semi-annually to interested agencies.

Patients will maintain daily log books which will note general condition and equipment problems or failures. Medical data such as weight, diet, blood pressures, need for blood transfusions, and blood chemistries will be recorded. These records will be kept in duplicate and one copy will be sent to the training center at monthly intervals.

Patients will be required to visit their local physician once monthly, and take with them their copy of the daily log book. The medical director will communicate once monthly with the local physician regarding patient progress, data in the log book, and recent knowledge which may apply to the patient. Records of these communications will become part of the training center's records.

The patient will be required to revisit the training center once every three months. At this time a review of medical and equipment problems will be possible. Any necessary revision of techniques can be accomplished during this one-day period.

The project has a built-in continuation evaluation process, resulting from the use of consultants from leading kidney centers on the West Coast. One of these consultants comes from the University of Washington Kidney Center in Seattle, and the other from the San Francisco center, and each will make bi-monthly visits to the Good Samaritan Center to appraise the work being done. In their capacity as consultants, they will be in a position to not only evaluate the program, but to make suggestions for improvements for better patient care and to recommend the use of new drugs, chemicals and equipment, which may be developed.

These same factors will be observed by the project director in travel to other nearby centers and to the annual meeting of the American Society of Artificial Internal Organs.

Further evaluation of the program will come from its acceptance by physicians of the state and by participation of other hospitals in the care of renal patients trained in the program.

3. PROJECT NEED AND BACKGROUND

Statistics from the Burton and Gottschalk reports indicate that Oregon's population will produce fifty-eight to seventy-eight patients yearly coming to end-stage renal function. Recent experience of the Medical Screening Committee reveals that there are monthly two or three patients considered for home hemodialysis.

The state of Oregon has only three hospitals currently able to offer long-term treatment of the patient with terminal irreversible uremia. In the Veterans Administration Hospital in Portland there is a center dialysis unit and a recently initiated transplant program. The University of Oregon Medical School has completed ten kidney transplants as of March 1, 1968; this unit has its own dialysis backup program.

The dialysis training center at Good Samaritan Hospital & Medical Center is the only other hospital offering chronic dialysis, and is the only hospital offering training in home hemodialysis.

Hemodialysis in Portland, Oregon was first performed at Good Samaritan Hospital & Medical Center in 1962. This initial program was supported in total by the hospital. The formation of the Columbia Regional Artificial Kidney Center offered hope that funds from public donation could augment this initial program which was center-oriented.

The former medical director of the training center, Dr. Richard Drake, collaborated with Mr. Charles Willock to develop a proportioning dialysate delivery system which made possible in 1965 the first home hemodialysis in Oregon. The Drake-Willock system is currently used around the world for center and home hemodialysis.

In 1967 the Oregon State Legislature appropriated $150,000 to be used "exclusively for the benefit of Oregon residents requiring dialysis treatment." This money was allocated to the Kidney Association of Oregon, Inc., a newly formed organization which replaced the less effective Columbia Regional Artificial Kidney Center.

Since July, 1967 the Kidney Association has solicited public funds to augment the funds apportioned by the State Legislature, and has been successful in doing so. The goal of this organization has been to accept one patient monthly for home hemodialysis training and on-going treatment.

The goal of the Kidney Association is to provide training and treatment for all Oregon patients accepted for dialysis. Although the community has responded generously, this program is not possible without substantial government assistance.

Selection of patients for this program is the purpose of a medical screening committee sponsored by the Multnomah County Medical Society and the Oregon Medical Association. Accepted patients are referred to the Good Samaritan Hospital & Medical Center for initial treatment and subsequent training.

As of March 1, 1968 nine patients trained at Good Samaritan Hospital are in their homes utilizing home hemodialysis. Two other patients are in training now. The Kidney Association of Oregon has sponsored eight of these patients, and the Seattle Artificial Kidney Center supports another. The remaining two patients are privately supported. All patients were approved by the medical screening committee. All patients are managed by their private physicians, with consultations available from training center personnel. The resident staff at the University of Oregon Medical School is functioning as the "local physician" for one patient.

Local hospitals have cooperated in the continuing care of these patients. The Good Samaritan Hospital training center has sent its personnel to several hospitals in this city and elsewhere to train local nurses, technicians, and physicians in the use of hemodialysis equipment used by the patients.

Training of local physicians in home hemodialysis and in the management of the patient with chronic uremia has been the function of the medical director. This has been effected by the aid of the training center for on-site familiarization with equipment, scheduled lectures, and by the distribution of the Physicians' Manual for Treatment of Chronic Uremia (University of Washington). Funds to purchase the latter have come from a small grant by the Collins Foundation of Portland, Oregon.

This existing program was initiated by Dr. Richard Drake while he was chief medical resident at Good Samaritan in 1962. Dr. Drake continued to improve the program after he entered private practice. He is the individual primarily responsible for the present training center. Dr. Drake was inducted into military service in January, 1968.

Dr. Otto Page, as Chief of Medicine, Good Samaritan Hospital, was instrumental in directing Dr. Drake to this project, and Dr. Page has acted as senior advisor to the program since its beginning.

4. METHOD OF PROCEDURE

All patients admitted to this program must have approval by the medical screening committee. Patient acceptance is determined by medical and psychological factors only.

Most patients are presented to the committee before the need for dialysis exists. Dialysis is initiated when the creatinine-clearance falls below 5 ml per minute, or when the patient develops complications such as uremic pericarditis, peripheral neuropathy, or metabolic bone disease.

When dialysis becomes necessary, the patient is admitted to Good Samaritan Hospital. An external arterio-venous shunt of polyvinyl and teflon tubing is inserted by a surgeon skilled in the use of this material. We prefer the lower arm site for the cannula because of the fewer days of hospitalization required during cannula healing.

Approximately one week is spent in the hospital by the patient. When his uremic state is stabilized after three dialyses over a seven-day period he is discharged to the training unit as an out-patient.

Out-patient training requires from six to eight weeks. The patient is dialyzed Monday, Wednesday, and Friday; he spends Tuesday and Thursday in the unit's kidney laboratory receiving practical and theoretical instruction regarding dialysis and the uremic state.

Family members are admitted to the unit for short visits only during the first four weeks of training. These individuals are required to be present during the last two to four weeks of training; the patient will by this time be able to instruct his relatives in proper dialysis techniques. Staff members will supervise the entire procedure but will gradually withdraw from active participation as the patient and his assistant become proficient in self-care.

By the time the patient is ready to return to his home for hemodialysis his equipment will be installed by the technician. Prior analysis of water pressure and water calcium content will have been accomplished, and appropriate measures taken if indicated.

A nurse will be available in the home for the first dialysis only. The family physician is encouraged to visit the home sometime during the first dialysis.

A. Patient selection

Patient selection is performed by the medical screening committee which meets monthly in the offices of the Multnomah County Medical Society. Details on committee members are included as an addendum. Efforts are being made to include members from more distant cities in Oregon.

Patient presentation to the committee is required to be made by letter or in person by the patient's private physician; this physician must agree to assume the management of medical problems after patient training has been completed. Satisfactory evidence of current medical status must be accompanied by sufficient historical and laboratory data necessary to determine the patient's need for dialysis. Renal biopsy information is requested but not mandatory. Coexistent disease is carefully searched out and appropriate consultations requested if indicated.

A social and psychiatric evaluation of the patient and his family is performed if there appears to be no medical contraindication to dialysis. Social screening is performed at present by a professional social worker in private practice in Portland. Psychiatric evaluation is performed by or under the supervision of the Department of Psychiatry at the University of Oregon Medical School.

No patient is selected until his condition indicates an immediate need for dialysis. The screening committee has several cases tabled for monthly reviews. (Many patients screened have benefited from helpful suggestions to family physicians regarding current concepts of conservative medical management of chronic uremia.)

An acceptable patient must be one who is a stable, emotionally mature citizen of Oregon residing in the state for at least six months. The candidate's age must be 15 to 50 physiologically. He must not be afflicted by other chronic disease unrelated to renal disease. Specifically, the candidate must not suffer from diabetes mellitus, cerebral aneurysm, or permanent neurologic deficit which would preclude rehabilitation as a useful family member. He cannot live alone.

B. Patient training

While hospitalized for cannula insertion and initial dialysis the patient will be introduced to general principles of dialysis; particular attention will be given to cannula care and diet. After discharge the patient will enter six to eight weeks of training. The training manual is added as an addendum.

Training Curriculum

Week 1: Correct hand washing and its importance; basic principles of aseptic technique; the cannulas—their structure, function, care, problems; measurement of the blood pressure; the artificial kidney—structure and function; collection of blood samples from the cannulas; weights and measures used in dialysis; syringes and needles—sizes, how to use; basic information about the dialysate delivery system; diet instruction.

Week 2: The dialyzer—cleaning, building, sterilizing and rinsing it for a run; initiating and discontinuing dialysis; administration of blood, normal saline, and medications during dialysis; problems which may occur during dialysis—hypotension, chills and fever, ruptured membranes, clotting; measurement of heparinization—Lee & White clotting times; dialysate delivery system—safety devices, alarm and warning lights—what to look for and what to do when they indicate trouble; diet instruction.

Week 3: Preparation of the dialyzer and dialysate delivery system for dialysis: initiating and discontinuing dialysis; testing the chloride content of the dialysate; dialysate delivery system—mechanical problems; drawing blood cultures; declotting the cannulas; diet instruction.

Week 4: Preparation of the dialyzer and dialysate delivery system for dialysis; initiating and discontinuing dialysis; monitoring the run—clotting times, administering blood, saline, etc., chloride tests; sterilization of supplies at home; record keeping—important items to note—accuracy.

After the first four weeks of intensive training, the patient and his family member will be prepared to begin taking more responsibility for the runs, cleaning up the equipment, keeping their records, etc. The staff of the unit will permit them to be as much on their own as possoible, so that they will become accustomed to performing all tasks required before discharge from training.

C. Laboratory use during dialysis

The addendum contains a schedule of laboratory tests desirable during training and after. During the training period all laboratory tests will be done in the central laboratory of Good Samaritan Hospital & Medical Center.

Frequent notation of blood chemistries is necessary during early dialysis; less frequent determinations suffice after the individual patient's pattern is established.

The Multichemistry is a 12-channel autoanalyzer technique used for monthly surveys of slowly-changing chemical values. This battery of determinations includes: Blood Urea Nitrogen, Calcium, Inorganic Phosphorus, Alkaline phosphatase, total protein, albumin, uric acid, cholesterol, bilirubin, SGOT, SLDH, and Glucose. This monthly analysis will aid in the diagnosis of anicteric hepatitis and metabolic bone disease.

Transfusions of packed red cells will be given only when the hematocrit is below 18 to 20%. Post-dialysis BUN values of 40 or less are desirable. Pre-dialysis potassium levels should be 6 meq per liter or less. Pre-dialysis creatinine levels should be less than 12 to 14 milligrams per 100 cc blood.

Serum iron determinations will discover those individuals having excessive blood requirements secondary to iron deficiency.

Electrocardiograms and chest X-rays are done routinely. Hand X-rays are done to aid in the detection of bone disease. Urine culture and colony counts are performed routinely every two months because of the susceptibility, these patients have to urinary tract infections.

D. Training of the patient's family physician

Each physician is given a copy of the Physicians Manual for Treatment of Chronic Uremia (University of Washington School of Medicine). Experience has shown that any physician who has a background of general medicine (internal medicine) and who is capable of caring for the patient with a chronic illness can successfully manage the patient on chronic hemodialysis.

The physician is not expected to have a thorough understanding of the dialysate delivery system. He must have an understanding of various physiologic changes which occur during dialysis. He will be required to make decisions regarding cannula function, blood requirements, fluid and salt restrictions, hypertension and hypotension, and febrile reactions. An awareness of signs and symptoms of defects in iron and calcium metabolism, peripheral neuropathy, and pericarditis is required.

Physicians of patients living more than 50 miles from the unit can obtain sufficient training in one or two visits to the training unit. Continued consultations with the medical director will reinforce information contained in the training manuals.

Because patients living in the greater Portland area have shown a tendency to consult the training unit rather than their family doctor a different approach is to be used. These physicians will make daily rounds on their patients during the last two to four weeks of training. The physician will thus make decisions regarding dialysis while the patient is still under the care of the medical director. It is hoped that this will give the patient more confidence in his family physician and will eliminate direct consultation between patient and training unit except for quarterly reviews.

E. Home preparation of dialysis

Prior to completion of patient training the technician visits the patients' home for supervision of plumbing facilities in the "dialyzer room." The equipment is installed by the technician and is retested prior to use. If local water pressure is less than 40 pounds per square inch, a supplemental pump is installed. If the home water supply contains more than 0.6 milliequivalents per liter of calcium a sodium-exchange water softener must be installed.

F. Dialysis equipment used

Basic equipment used includes the Drake-Willock proportioning dialysate delivery system and the Kiil flat-board dialyzer. A copy of the Drake-Willock owner's manual is enclosed in the addendum.

G. Patient followup

The patient will keep a daily log of certain observations; a copy of the daily log sheet is contained in the addendum. These sheets will be kept in a hard-bound book which the patient will take to the doctor's office each visit. In addition, once monthly a copy will be sent to the training center.

The patient will make routine monthly visits to his physician. Once every three months he will visit the training center for review of medical status and dialysis techniques.

The technician will make home inspections at least once every three months, and monthly when possible or when necessary. In addition to inspection of dialysis equipment he will review with the patient any problems in procuring dialysis supplies and will make suggestions accordingly.

H. Hospital admissions following the training period

Cannula care and recannulation should be performed by a surgeon who has experience with problems peculiar to external shunts.

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Thus, until experience is obtained elsewhere in Oregon, it is anticipated that patients will return to Good Samaritan Hospital for cannula surgery. The Hemodialysis personnel will be able to offer dialysis during this period.

When interested surgeons so indicate, every effort will be made to encourage their participation in recannulation or in primary cannula insertion.

Hospitalization for other problems should be in the patient's home town, under the care of the family physician. Personnel from the training center will assume initial dialysis responsibility and will train people in local hospitals to supervise dialysis. Each patient will have at least one expert who should be utilized whenever possible; this is a relative, usually spouse, who assists in dialysis in the home.

5. PARTICIPATION OF OTHER AGENCIES

Support for this program has come from many sources within the state; both lay and professional groups have cooperated thus far and have indicated future continued efforts to improve treatment of persons with chronic irreversible renal failure.

The Multnomah County Medical Society and the Oregon Medical Association have both officially endorsed the project. (See letters attached.) These professional groups have made possible the medical screening committee for the selection of patients for hemodialysis treatment, as described elsewhere in this narrative.

The Oregon State Board of Health has endorsed the program, as indicated by the attached letter from Dr. Edward Press, state health officer. Dr. William Wright, director of the chronic disease section of the State Board of Health, has actively worked in support of both the project and the preparation of this application.

The approval of the official Oregon state government is indicated by the attached letter of endorsement from the Honorable Tom McCall, governor of the State of Oregon.

The Oregon State Legislature recognized an immediate need for dialysis treatment for Oregon residents with end-stage renal disease by appropriating $150,000 for this work during the biennium, July 1967–July 1969. This fund is being administered by the Kidney Association of Oregon through the Good Samaritan training program. The continuing interest of the State of Oregon in providing dialysis for Oregon kidney patients is indicated by the attached letter from State Senator Ted Hallock.

The University of Oregon Medical School has officially, by letter of endorsement, and unofficially, by cooperative patient care, been involved with this training program. Two members of the screening committee are on the full-time faculty of the Medical School.

The Kidney Association of Oregon, an organization of civic minded business and professional men, has as its purpose the raising of funds to provide dialysis equipment and hemodialysis treatment for suitable Oregon residents suffering from terminal renal disease. This organization is committed to the support of the Good Samaritan Hospital & Medical Center home hemodialysis training center as indicated in their letter attached as Addendum No. 13.

During April the Kidney Association of Oregon organized a subchapter in Eugene, for fund raising purposes; it is anticipated other chapters will be organized throughout the state.

All but one of the major Portland hospitals have cooperated in the continuing care of renal patients trained in this program. Several hospitals in other parts of the state have also accepted patients trained at the Center. There is no contractual arrangement with these hospitals; they have accepted patients in response to the patient's own physicians after the conclusion of the training period. However, personnel from the Good Samaritan Center have gone to some of these hospitals to teach the paramedical staff the techniques of dialysis.

Evidence of progress in technique and general acceptance of the dialysis patient on the wards of the hospitals is encouraging. There is no reason to believe the other hospitals in Portland and in other cities of the state will not become involved in the treatment of dialysis patients when the opportunity presents itself.

Private physicians from varied specialties and general practice have individually endorsed this program by offering continuing care for their patients after training.

6. PROJECT CONTINUATION

It is anticipated there will be a continuing need for a hemodialysis program. Progress in renal transplantation is encouraging, but does not offer the ideal treatment for all patients. Dialysis techniques and skills acquired in local hospitals during the duration of this project will, no doubt, be important to future transplant programs and to maintenance of patients prior to transplant or not suitable for transplant.

The Kidney Association of Oregon is organized on a permanent basis to supply funds to assist patients in hemodialysis training and on-going care. The board of trustees of the Kidney Association of Oregon has voiced recognition of future transplant activities as a natural evolution of the present singular function performed at this time.

An organ transplant program, to be conducted at Good Samaritan Hospital & Medical Center, has been authorized by the Board of Trustees of the Hospital. When the surgeons involved enter this phase of the program, the dialysis work of the Center will offer support.

The Kidney Association of Oregon is presently organizing chapters in various cities of the state for the purpose of enlarging its scope of financial support.

Several of the renal patients, accepted in the present program, have come from cities in other parts of the State. On each of these occasions, a local chapter has been organized in the community for the purpose of providing funds to be administered by the Kidney Association of Oregon.

The organizational program includes alerting newspapers, radio and television stations, and directing a full scale publicity program in a fund raising effort.

This type of program is to be continued in addition to the organization of local chapters in other communities.

The interest of the official State government in the welfare of end failure renal patients is continuing, as evidenced by the attached letter from State Senator Ted Hallock. Senator Hallock was a co-sponsor of the bill which appropriated state funds for renal patients during the last legislative session.

During the period of the grant, both the Oregon Kidney Association and Good Samaritan Hospital & Medical Center will continue to explore all possible sources of new revenue to support a continuation of this program.

Potential sources of support include: the Comprehensive Health Program, the Regional Medical Program, additional funds from the State of Oregon, funds from both state and federal rehabilitation programs, Title 19 of the Medicare program, insurance programs, support from the United Good Neighbors, grants from private foundations, local philanthropy and further development of the fund raising efforts now being conducted throughout the state by the Oregon Kidney Association.

7. PROJECT STAFFING

The Good Samaritan Dialysis training center is an operating function with adequate staff available to immediately carry out the program as outlined in this application.

Dr. Charles L. Martinson, the project director, is an internist, who has taken special post graduate training in hemodialysis for end-stage renal patients, under Dr. Belding Scribner at the University of Washington. Since January 1, 1968, he has been the medical director of the Good Samaritan Center. Prior to that time, he worked closely with Dr. Richard F. Drake, who previously directed the Center.

Dr. John F. Hayes, who would provide the cannula surgery, has been serving in this capacity since the inauguration of dialysis training at Good Samaritan in 1962. Under this program he would devote 10% of his time to staff service, and would bill for each cannula surgery at a nominal fee.

Dr. Otto Page, an internist who has been identified with the Good Samaritan dialysis program since its inception, would continue to serve as a medical consultant.

Dr. Christopher Blagg of the University of Washington home hemodialysis program, and Dr. Bernice Barnett, who is now working in a kidney program in San Francisco, are also to serve as consultants to the Good Samaritan Center. Either one or the other will visit the Portland Center, at sixty day intervals.

Miss Jeannie Lawrence, R. N., the chief kidney nurse in the project, has occupied this position in the Good Samaritan program for four years. Her experience includes the care of both chronic and acute renal problems requiring hemodialysis. During this period she has continually been engaged in the training of patients for home dialysis and has assisted other hospitals and centers in the establishment of dialysis programs, and has demonstrated the use of artificial kidney equipment.

The other two registered nurses, affiliated with the project, have had special training in hemodialysis under Miss Lawrence, Dr. Drake and Dr. Martinson.

Robert L. Eash, the chief kidney technician, has served three and a half years in this capacity at Good Samaritan's center. His work in the training of patients in "building the artificial kidney", care and maintenance of the equipment and in applying the solution concentrates, has been very effective.

An assistant kidney technician is used and is needed particularly when the Center has several patients, for relief, and when the Center personnel is away on training missions.

8. FACILITIES AVAILABLE

The training center is located on the second floor of a building originally constructed as a dormitory for the Hospital's school of nursing. This building is directly across the street from the main hospital. The entire East wing of the second floor of this building is used exclusively as a hemodialysis training facility for patients with end-stage renal disease. There are eight rooms in the suite, as well as dressing, shower, and lavatory facilities for patients and family members. The unit occupies a total of 2200 square feet of floor space. (Floor plan attached.)

Three of the rooms in the suite are specifically designated as patient rooms, used for the training of an individual patient and his relative. A fourth room, presently used as an examination room, could be easily converted into a patient treatment room. Individual dialysate supply systems are used for the patients, each patient receiving his training on the equipment which he subsequently takes home with him. Each patient room is equipped with a water supply and a drain to accommodate the single-pass dialysate delivery unit. The electrical power supply for each dialysate delivery system is separate from the main power supply for the rest of the building. The chemical content of Portland's water makes it adequate for use in dialysis without special treatment.

One room in the suite is used as a "kidney laboratory" for the building, maintenance, and storage of the Kill dialyzers. There are two sinks with attached drainboards to permit the "building" of two dialyzers at the same time. The facilities closely resemble those found in the home.

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Another room of the unit is used for storage of consumable supplies, storage of extra equipment, and for the general use of the technician who is in charge of storage and inventory maintenance.

Inasmuch as the analytical determinations required by the project are made in the Hospital's central laboratory, no separate laboratory facilities are required.

The last two rooms of the suite are designated as offices. One of these accommodates the medical director, the other is utilized by the nursing and technician staff.

9. PROJECT BUDGET

This is primarily a home hemodialysis training program and the financial obligation of the project to a patient is confined to the periods of hospitalization for cannulation, eight weeks of training and ten months of dialysis in the patient's own home. Consequently the budget does not reflect a pyramiding cost of the type to be anticipated if the perpetual care of the patients is charged to the project.

Following the period specified in this application, the patients will be dependent upon their own resources, insurance and support supplied by the Kidney Association of Oregon. The Kidney Association of Oregon will have increasing costs each year in maintaining patients, but these costs are not applicable to this budget, and except as indicated, these costs will occur after the end of the project's responsibility to the patients.

Because the project does not involve continual on-going care for the patients the cost of training and maintaining the patients on home dialysis reaches its peak in the second year. Consequently the budgets for the second through fifth year of the project are much the same. Provision is made for salary increases during these years.

A degree of mortality among end-stage renal patients is recognized in the equipment demands of the budget for the third through fifth years. During the third and succeeding years it is anticipated that a portion of the artificial kidney units, dialysers and pumps can be recovered for reassignment to new patients. Probably much of this equipment will require factory reconstruction; however, a savings of 10 percent in the cost of equipment purchase is projected.

The budget makes provision for three consultants. Dr. Page practices in Good Samaritan Hospital and is available for consultation at all times. Dr. Blagg is affiliated with the University of Washington Kidney program and the budget provides an annual stipend of $1,500 for his service, plus travel costs from Seattle for bi-monthly visits to the Portland Center. Dr. Barnett is associated with a kidney center in San Francisco. The budget also provides an annual fee of $1,500 for her with additional provision for her travel to Portland six times yearly.

A list of the equipment included in the kits to be supplied each patient is detailed in Addendum No. 2.

The laboratory procedures required during the training period are listed in Addendum No. 3.

The laboratory procedures or tests to be made during the ten month period of home dialysis are detailed in Addendum No. 4. It is anticipated these tests will be made in the patient's home town under the direction of the patient's attending physician, whenever possible.

Details of the costs of both original and recannulation procedures are listed in Addendum No. 5.

The costs of supplies, chemicals, laboratory determinations, drugs, etc., for the first year are based on 23 patient months of training and 55 patient months on home dialysis. During the second and succeeding years the budget provides for 24 patient months of training and 120 patient months of home dialysis. Supplies used during training are listed in Addendum No. 7. The monthly supply needs during home dialysis are listed in Addendum No. 6.

Each patient and his physician will be supplied a copy of the Center's "Patient Manual" on dialysis procedure, at a cost of $5.00 per copy. The physician attending each patient will be supplied a copy of the University of Washington's "Physicians' Manual" at a cost of $2.50 a copy.

The budget provides $500 a year each for the project director and the chief kidney nurse to attend the annual meeting of the American Society of Artificial Internal Organs and an additional $500 for use of the project director to visit other kidney centers to observe any new treatment techniques or newly devised equipment being used.

APPOINTMENT OF JOSEPH RHODES, JR.

Mr. THURMOND. Mr. President, on June 13, 1970, President Nixon appointed Joseph Rhodes, Jr., a 22-year-old Harvard student, to the President's Commission on Campus Unrest.

The purpose of this Commission, as I understand it, is to explore the causes and consequences of campus unrest and recommend ways of assuring peaceful dissent.

Mr. President, on June 15 an article concerning Mr. Rhodes appeared on the front page of the New York Times. No one who reads this article can escape the conclusion that Mr. Rhodes is not qualified to serve on such a commission as he is apparently incapable of objective observation or analysis.

After reading this article it is obvious that Mr. Rhodes should resign from the Commission.

Mr. President, I am not the only person who feels this way about Mr. Rhodes' appointment. On June 16 the Vice President issued a statement concerning Mr. Rhodes' selection, and so did Gov. Ronald Reagan of California.

Mr. President, this man has made remarks which are cause for alarm. He has stated that Governor Reagan was "bent on killing people for his own political gain," and he intimates that statements of the President and Vice President have caused student rioters to be killed. Mr. President, can there be any question but that this individual is so immature and biased that his service on the Commission can serve no useful purpose? For the good of the country he should resign immediately.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD:

First. The statement of Gov. Ronald Reagan issued at Sacramento, Calif., dated June 16, 1970;

Second. The statement by the Vice President dated June 16, 1970;

Third. A news item in the New York Times of Monday, June 15, 1970, entitled "Negro on Campus Panel Seeks To Prevent Killings."

There being no objection, the items were ordered to be printed in the RECORD, as follows:

NEWS RELEASE FROM THE OFFICE OF GOVERNOR REAGAN

Governor Ronald Reagan today joined Vice President Agnew in saying that if remarks attributed to a Harvard University student just appointed to the President's Commission on Campus Unrest are correct, the youth should resign.

Governor Reagan was referring to Joseph Rhodes Jr., 22, a junior fellow at Harvard who was named to the Commission last Saturday.

At the same time, the governor said it was regrettable that at least some of the press failed to report one of the reasons the Vice President gave in suggesting the resignation.

In the third paragraph of his statement, the vice president said Rhodes has been quoted as saying, "Governor Ronald Reagan was bent on killing people for his own political gain." The quote appeared in the June 15 edition of the New York Times.

"If that quote is correct," Governor Reagan said, "then there should be no question that Rhodes should resign. Such distorted and completely absurd statements clearly show that he lacks both the judgment and the objectivity to sit on a presidential commission.

"However, I am also distressed that at least some of the press failed to report that quotation as repeated by the Vice President because it is imperative that the American people know the facts and the caliber of the people who are to study one of the most serious issues facing our country."

STATEMENT BY THE VICE PRESIDENT

The following statement should in no way be interpreted as an implied criticism of a Presidential appointment. My criticisms are directed entirely at the actions of the appointee subsequent to his appointment—actions which the appointing authority could in no way have known of prior to the appointment.

Mr. Joseph Rhodes, Jr., recently appointed by the President to a new Commission to Investigate the Causes of Campus Unrest, lost no time in letting the public know how he intended to utilize his new post to lift him from the obscurity of an unpublicized academic position to a national notoriety. In an interview published by the New York *Times* yesterday, Rhodes was quoted as saying: "I am really worried about our Administration's attitude," and added that he was, "so unimpressed with both Parties that he had not become involved politically."

Rhodes is also quoted as saying: "Governor Ronald Reagan was bent on killing people for his own political gain."

The article indicated he also said: "The kids have got to feel someone has the power to really investigate the grave charges being brought against the government."

In a direct reference to the President's remark about some campus dissidents, Rhodes allegedly made the following observation: "One of the things I want to try to figure out is who gave what orders to send police on campus and were they thinking about 'campus bums' when they pulled the trigger . . . If the President's and Vice President's statements are killing people, I want to know that."

The purposes of the Commission are obviously broader than seeking indictment of the government.

If the remarks attributed to Rhodes are substantially accurate, he clearly does not possess the maturity, the objectivity and the judgment to serve on a fact-finding body of national importance. Having used a relationship of mutual trust with Presidential Advisor John Ehrlichman for his own political gain, he is no longer entitled to the cloak of dignity that a Presidential appointment would throw around him.

If he possesses half an ounce of the compassion, concern and sensitivity with which he invests himself, he should resign immediately.

Quasi-judicial panels can bear no fruit where the investigators, acting with a limited Presidential mandate, enter the field of their inquiry with preconceptions and the kind of verbal posturing that Mr. Rhodes reveals so clearly in his statements. Mr. Rhodes shows a transparent bias that will make him counter-productive to the work of the Commission.

He sees his role as that of an advocate, a role incompatible with his appointment.

Unless the *Times* reporter is in error, Mr. Rhodes should resign immediately.

[From the New York Times, June 15, 1970]

Negro on Campus Panel Seeks To Prevent Killings

(By Robert Reinhold)

Cambridge, Mass., June 14.—The youngest member of President Nixon's new commission on campus unrest is half black, one-quarter Filipino and one-quarter Chinese, has sharp words about the Nixon Administration and feels he has a "solemn responsibility" to prevent further deaths on college campuses.

Joseph Rhodes Jr., 22 years old, was one of nine persons named to the commission by the President yesterday. Creation of the commission, which is to explore the causes and consequences of campus unrest and recommend ways of assuring peaceful dissent, is viewed as one indication of Admintration concern over potential conflict on campuses next fall.

"I'll do anything—even talk to the devil—if I can stop people from being killed," Mr. Rhodes, a confident, soft-spoken man who holds a coveted place as a junior fellow at Harvard, said in an interview today. "If somebody gets killed next year I'll feel responsible."

According to some of his contemporaries, the devil is precisely whom Mr. Rhodes has been talking to over the last two years during which he has maintained a liaison with the White House. But he feels it is this contact that places a special responsibility on him.

"As long as these guys [White House officials] keep talking to me, I ought to be shot if I don't use the opportunity," he said in his cluttered room at Adams House at Harvard. "I've got an avenue to vent my protest. But I feel these kids are right and we ought to do everything needed to protect them and the people who have to protect them."

Mr. Rhodes, who wears a small, neat mustache that curves over the sides of his mouth and who has relatively short hair, is the product of Pittsburgh's black slum. He calls himself "sociologically black" despite the fact that his father, a black steel worker, married a woman he met in the Philippines during the war.

He lives amid Coke bottles, orange juice containers, dirty laundry and hundreds of books in a small dormitory suite at Harvard, where he puffed on his pipe and discussed his plans for the new commission.

He was picked for the job by John D. Ehrlichman, the President's special assistant for domestic programs, with whom Mr. Rhodes has been in touch since the early days of the Nixon Administration when he was student president at the California Institute of Technology.

This relationship, he acknowledges, has caused his friends to accuse him of being a "running dog lackey of the Administration," but he believes he nevertheless had the opportunity to "do something very important" by bringing the student view before the Administration.

"The kids have got to feel someone has the power to really investigate the grave charges being brought against the Government," he said, referring to suggestions that the Nixon Administration has provoked campus violence. "We have a crucial responsibility."

"I'm really worried about our Administration's attiude," he said, adding that he was "so unimpressed with both parties" that he had not become involved politically. He hopes the commission will have achieved three main things by September:

An accurate, clear picture of what happened at Kent State University, where four students died, and at Jackson State College, where two died, and to what extent national policy contributed to the deaths.

A feeling that the commission listened to young people.

Clear rules as to the use of deadly force in campus disorders "so that a kid does not feel he is going to get shot if he goes out and waves a flag."

"My responsibility is not to the President, but to the people," he said, slumping into a heavy brown leather chair and dangling one leg over the arm.

"I have a solemn responsibility to find out what is going on," he continued. "That's what people want to know. When parents send their kids on campus they wonder whether they will get killed. What do you do so those parents can sleep at night?"

"I'm scared out of my mind—this country is getting to be a terrifying place to live in," he said.

"I'd like to see us stop killing each other," Mr. Rhodes said, gazing through black-rimmed glasses around his poster-covered walls. "There is no question that what we are seeing is a social revolution, if it costs status, power and position, that's O.K. But if it costs lives, I don't like that."

WHO GAVE WHAT ORDERS

"One of the things I want to try to figure out is who gave what orders to send police on campus and were they thinking about 'campus bums' when they pulled the trigger," Mr. Rhodes said in a reference to Mr. Nixon's remark about some campus dissenters. "If the President's and Vice President's statements are killing people, I want to know that."

Mr. Rhodes has never himself taken part in a student demonstration, but he has witnessed many. During the "people's park" demonstrations at Berkeley last year, he kept the White House posted on developments and ran around trying to prevent violence.

He said he had long tried to get the Government to act on the student situation in California, where, he said, Gov. Ronald Reagan was "bent on killing people for his own political gain."

Mr. Rhodes is a versatile young man. He was a linebacker on the Caltech football team and plays the violin.

He has served as consultant to the Secretary of Health, Education and Welfare and the Commissioner of Education over the last two years and runs a special educational project for the Ford Foundation at the Universities of Massachusetts and South Carolina.

While at Caltech, he was credited with spearheading campus reform as the student president. He was named "Citizen of the Month" by the City of Pasadena, where he was frequently stopped by local policemen wanting to know what he was doing near the university.

He spent three years majoring in physics, but switched to history. "There is a very small pool of black talent," he says, "and anyone who has it must put it where it is most useful."

HIGH SPEED RAIL SERVICE BETWEEN BOSTON AND NEW YORK

Mr. KENNEDY. Mr. President, I submit for the consideration of the Senate resolutions passed by the House of Representatives of the Commonwealth of Massachusetts memorializing the Congress of the United States to enact legislation providing for the establishment of high speed rail service between the cities of Boston and New York.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolutions

Whereas, A report, based on a tax supported research as to the feasibility of high speed rail service between the cities of Boston and New York, prepared for the New England Regional Commission in July, nineteen hundred and sixty-eight, recommends the immediate construction of a high speed rail line between Boston and New York; therefore be it

Resolved, That the general court of Massachusetts respectfully urges the Congress of the United States to enact legislation providing for the immediate construction of said high speed rail service between the cities of Boston and New York; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the Secretary of Transportation, to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

Senate, adopted, May 4, 1970.

House of Representatives, adopted in concurrence, May 7, 1970.

PRESIDENT NIXON URGED BY SENATOR RANDOLPH NOT TO REDUCE HIGHWAY SPENDING

Mr. RANDOLPH. Mr. President, the following is a copy of a telegram I sent today to President Nixon:

July 8, 1970.

The President,
The White House,
Washington, D.C.

Dear Mr. President: We continue to hear rumors of an impending cut-back in the obligation of funds from the Highway Trust Fund, in the magnitude of 20 to 25%. This is personally and officially alarming to me for three reasons beyond those that have been advanced in former instances of executive impoundment of highway funds.

1. It is a breach of faith with the American tax-paying public.

2. With the present sag in the economy and increasing unemployment, this is a most imprudent time to aggravate the problem by cutting back on highway construction, and

3. It is a clear violation of the intent of Section 15 of Public Law 90–495, Federal Aid Highway Act of 1968, in which the Congress declared that—

"It is the sense of Congress that under existing law no part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this title shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund."

With personal esteem to you and a recognition of your responsibilities, I am

Jennings Randolph,
U.S. Senator, Chairman, Committee on Public Works, U.S. Senate.

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THE SENATE ACCENTS THE POSITIVE

Mr. MANSFIELD. Mr. President, in the second session of the 91st Congress, the Members of the Senate have devoted 5½ months to difficult legislative tasks. The Senate has, up to July 7, met 109 days, and in recent weeks the sessions have begun early in the morning and lasted until late at night. As a note of some relevance, I might add that yesterday the Senate registered its 206th record call vote of the year. By contrast, last year our 206th vote did not occur until December 12. Not since 1964 has the Senate approached this voting pace.

In addition to the long hours Members of the Senate have spent in this body deliberating and debating issues of legislative import, Senate committees have continued to process legislation and to send it to the floor in a steady flow. Despite our lengthy June sessions, therefore, the Senate calendar has ample business awaiting action. Frankly, therefore, the leadership sees no respite for the Senate in the coming months. It sees only a heavy legislative schedule ahead.

At that midpoint of 1970, it is fitting to note briefly some of the Senate's major accomplishments during the second session to date and to indicate, as well, some of the major legislative matters we still have to consider before the 91st Congress closes.

Bearing in mind the Nation's needs for a more secure society, early in the session the Senate passed a bill for the control of dangerous substances and an organized crime control bill. I believe it can be anticipated that in both of these areas, the Congress will take definitive action this year. May I say, too, that last session the Senate passed all of the President's District of Columbia crime control measures. Subsequent to the approval this year by the House of Representatives of an omnibus District of Columbia crime bill, Senate and House conferees have spent many hours in meetings in an attempt to iron out varying points of view and to achieve a sound and comprehensive legislative package directed toward curbing crime in the Nation's Capital.

Bearing in mind the Nation's need for improved relationships with other countries, and the responsibilities of the Congress as well as the Executive in foreign policy, the Senate has given its advice and consent to the ratification of six treaties, authorized funds for the Arms Control and Disarmament Agency and the Peace Corps, and agreed to a resolution calling for the suspension of further deployment of offensive and defensive nuclear strategic weapons systems by the United States and the Soviet Union. Furthermore, the Senate debated from May 13 until June 30 the military sales bill in an intensive examination of the question of limiting U.S. assistance to Cambodia within the overall context of the involvement in Vietnam and congressional powers in matters of war and peace.

Bearing in mind the Nation's economic needs, the Senate initiated and passed an emergency home financing bill which is now in conference. After the passage of the Senate bill, the President endorsed this bill and action in this area. The Senate has also approved an enlarged and improved unemployment compensation program, which legislation is now in the form of a conference report. The Senate has acted, too, to extend the Public Works and Economic Development Act. And, with the consumer's interests in mind, it endorsed a Consumer Products Warranty and Guaranty Act and a measure dealing with unsolicited credit cards.

Bearing in mind the Nation's environmental needs, the Senate adopted the conference report on a measure strengthening water pollution control and establishing an Office of Environmental Quality, and also passed legislation to continue the national historic preservation program.

Bearing in mind the Nation's health needs, the Senate passed a bill to assist the mentally retarded and completed action on a number of other health bills. Members of both parties in the Senate joined the House in overriding a veto of the Hill-Burton hospital and medical facilities and modernization measure which the Senate had passed earlier by a unanimous vote.

Bearing in mind the Nation's educational needs, the Senate passed legislation to enable various elementary and secondary education programs to go forward, to be improved, and to be broadened, where necessary.

Bearing in mind the Nation's need to insure equal opportunity for its citizens, both the Senate and House approved a bill extending the Voting Rights Act for an additional 5 years and providing for lowering the voting age to 18.

Bearing in mind the Nation's need for a Federal judiciary of excellence, this session the Senate continued the careful scrutinization it began last year of a succession of three nominees in order to decide on a candidate of the highest caliber to fill the vacancy on the Supreme Court. At the conclusion of many days of debate on the qualifications of nominees, on May 12 the Senate approved, by a vote of 94 to 0, the nomination of Harry A. Blackmun to be an Associate Justice of the Supreme Court.

Bearing in mind the Nation's need for an efficient Federal Government, on June 30, the Senate approved a comprehensive postal reorganization bill. It also passed a Federal pay comparability bill and a measure to protect the privacy of Federal employees. Furthermore, the Senate acquiesced in two reorganization plans proposed by the President—one establishing an Office of Telecommunication policy in the Office of the President and the other establishing a Domestic Council and an Office of Management and Budget. Whatever reorganization plans the President may wish to propose to better the executive branch I feel sure he can count on obtaining Congress utmost cooperation to that end.

Bearing in mind the Nation's transportation needs, the Senate voted for, and there has now been enacted into law, legislation to enable an expansion of the Nation's airport and airway systems. Also, the Senate took the lead in sponsoring legislation to provide emergency assistance to the Nation's railroads, and passed the Rail Passenger Service Act. Presently, both Senate and House committees are considering legislation in this field subsequently submitted to Congress by the President. The Senate additionally has approved an urban mass transportation bill.

Bearing in mind the Nation's veterans, the Senate also agreed this year to an improved veterans education and training program.

And, bearing in mind the Nation's needs for technological advance, the Senate approved authorizations for the Atomic Energy Commission and the Space Agency.

While it has not been possible for the Senate to act on appropriations bills as promptly as we would have liked to do, we have passed four regular appropriations bills, along with the 1970 second supplemental, and we are currently considering the agriculture appropriation bill.

Much has been accomplished. Much still remains to be done prior to the adjournment sine die of the 91st Congress. Still awaiting consideration are such matters as the military procurement and military construction bills, draft reform, antipollution legislation, additional health measures, manpower training, a farm bill, bank holding company legislation, merchant marine reform, more consumer legislation, an Alaskan natives claims settlement, transportation bills, certain crime measures, electoral reform, welfare and social security legislation, and the rest of the appropriations bills.

Mr. President, in my opinion, throughout this session, the Senate in its approach to its legislative responsibilities has placed the accent on the positive. Both parties in the Senate have cooperated effectively in trying to bring about the enactment of legislation to strengthen the prospects for peace, to deal with the inner needs of the Nation and to support the well-being of the American people. Indeed, I want to take this occasion to thank the distinguished Republican Leader (Mr. SCOTT) for his consistent cooperation and comity in the operation of the Senate. He has invariably placed the interests of the Nation and the demeanor of the Senate above party considerations.

May I say, finally, that regardless of the coming election, the American people may be assured that it is the intention of the Senate to stay in session as long as it takes to meet, in a constructive manner, our responsibilities to the people of the United States. To tend to the needs of this Nation is why we were sent to Washington. We shall remain in session here until our responsibilities are discharged in a creditable way.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a brief summary of Senate legislative activity during the second session of the 91st Congress.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

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SENATE LEGISLATIVE ACTIVITY, 91ST CONGRESS, SECOND SESSION, AS OF JULY 7, 1970

(By Senate Democratic Policy Committee)

Days in session, 109.
Hours in session, 693:15.
Total measures passed, 391.
Public Laws, 103.
Treaties, 5.
Confirmations, 20,455.

Symbols: P/H—Passed House; P/S—Passed Senate.

Following is a brief summary of major Senate activity:

AGRICULTURE

Conservation and development projects: Authorizes the Secretary of Agriculture to bear part of the costs of installing public fish and wildlife or recreational developments in so-called resource conservation and development projects but not to exceed one-half the cost of the land and minimum basic public facilities needed in connection with such development. S. 3598. Public Law 91– .

Custom slaughtering: Amends the Federal Meat Inspection Act to permit custom slaughterers to engage in buying and selling meat and meat food products without losing their exemption as custom slaughterers; exempts from inspection requirements the custom preparation for the use of the owners and their households of carcasses and parts of carcasses of (i) cattle, sheep, swine and goats slaughtered by their producers, and (ii) game animals; and permits the Secretary of Agriculture to exempt custom slaughtering and processing performed by an inspected establishment. S. 3592. Public Law 91– .

Dairy products donation: Amended the Agriculture Act of 1949 to provide that dairy products acquired by the Commodity Credit Corporation through price support operations may be donated, prior to any other disposition, for use in the United States in nonprofit school lunch and other non-profit child feeding programs, in the assistance of needy persons, and in charitable institutions, including hospitals. Public Law 91–233.

Egg products inspection act: Prohibits the distribution of unwholesome shell eggs or their use in food products and makes mandatory continuous inspection of egg product processing plants; applies regulatory provisions to intrastate as well as interstate and foreign commerce; provides for specific exemptions, identification of egg products not intended for human food, recordkeeping, and Federal-State cooperation; prohibits States from imposing requirements conflicting with the act or certain other Federal laws; requires imports to meet the same requirements as domestic products; makes the cost of inspection, with certain exceptions, a Federal Government expense, at an estimated cost of about $5 million annually; and prescribes penalties for violations under the act. S. 2116. P/S 2/2/70.

Emergency assistance to provide nutritious meals to needy children: Amended the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose or providing free or reduced-price meals to needy children not now being reached; authorized the Secretary of Agriculture to use $30 million of funds from Section 32 of the Act of August 24, 1935, to supplement funds heretofore made available to carry out programs during the fiscal year 1970 to improve the nutrition of needy children in public and nonprofit private schools participating in the National School Lunch Program under this Act or the school breakfast program under the Child Nutrition Act of 1966. Public Law 91–207.

Guam agricultural services: Continue through June 30, 1975, authority for the Secretary of Agriculture to maintain an agricultural program in Guam, which authority expired September 7, 1969. S. 2991. P/S 5/11/70.

Hawaiian papayas—advertising: Amends the Agricultural Marketing Agreement Act of 1937 to add Hawaiian papayas to the list of commodities for which paid advertising can be provided for in marketing orders. S. 2484. P/S 4/7/70.

International animal quarantine station: Authorized the Secretary of Agriculture to establish an international animal quarantine station within the territory of the United States, through which animals may be moved from any foreign country into this country to make it possible to improve livestock breeds; provided measures to prevent the introduction of and dissemination within this country of livestock or poultry disease or pests; and set penalties applicable to the bringing in of animals to the station or subsequent movement of animals therefrom to other parts of the United States contrary to regulations to be issued by the Secretary of Agriculture. Public Law 91–239.

Production research: Amended the Agricultural Marketing Agreement Act to authorize inclusion in marketing orders for commodities other than milk of provisions for production research supported by handler assessments and to make such research and development projects as now authorized by the Act, a purpose of the Act. Public Law 91–292.

Rural telephone bank: Creates a Rural Telephone Bank to provide supplemental financing for rural telephone systems and provides that the rural telephone account is to consist of such net collections from the 2-percent telephone loan program received after July 1, 1968, as may be necessary to provide for the Government's investment in the Bank. S. 3387. P/S 4/2/70. H.R. 7. H. Cal.

School lunch and child nutrition amendments: Improved and revised the child feeding programs conducted under the National School Lunch Act and the Child Nutrition Act of 1966 to provide better child feeding operations reaching all children, particularly the poor. The bill provided: authorization of appropriations 1 year in advance; school lunch apportionment based on lunches served 2 years prior; apportionment of nonfood assistance based on need; nutritional training and education and studies of food service requirements; direct distribution of foods to schools and service institutions; matching requirements (beginning at 4 percent and rising to 10 percent); free and reduced price (not more than 20 cents) lunch for any public school child in a household which has an income below the poverty level, determined by the Secretary of Agriculture; publicly announced policies regarding free or reduced price lunches; no overt identification of children receiving free or reduced cost meals; apportionment of funds to States based on the number of children aged 3 to 17 in households with incomes of less than $4,000 per year and to schools on the basis of need; Federal funding of 100 percent of the program costs; annual plans describing the proposed extended State lunch program; semi-annual estimates of eligible children; monthly reports of the numbers receiving free lunches and reduced price lunches; special developmental projects; a National Advisory Council on Child Nutrition; an increased appropriation authorization for fiscal 1971 for the breakfast program (from $12 million to $25 million); and other changes. Public Law 91–248.

Special milk program extension: Permanently extended the authority for the special milk program which would expire June 30, 1970, at the current authorization level of $120 million. Public Law 91–295.

Tobacco allotments: Made permanent the authority for leasing of tobacco acreage allotments as provided by section 316 of the Agricultural Adjustment Act of 1938; subjected such leasing to the discretion of the Secretary of Agriculture and to a determination by him that it will not impair the operation of the marketing quota or price support program; provided for extension of such leasing authority; excepted specified tobaccos from section 316; and extended the maximum duration of leases to 5 years. Public Law 91–284.

Tomato advertising: Amends the Agricultural Adjustment Act to add tomatoes to the list of commodities for which paid advertising can be provided in promotional programs under marketing orders. S. 1862. P/S 1/30/70.

Wheat referendum deferral: Permits the wheat marketing quota referendum for the 1971 crop to be deferred until the earlier of October 15, or 30 days after the adjournment of Congress. S. 3978. P/S 6/19/70.

APPROPRIATIONS, 1970

Continuing appropriations: Continued appropriations through February 28, 1970, Public Law 91–193.

Made further continuing appropriations for the fiscal year 1970 to provide for authorized salary and compensation payments provided for in the Second Supplemental Appropriations Act, 1970. Public Law 91–257.

Foreign aid: Appropriated a total of $2,502,413,000 for foreign assistance and related agencies. Public Law 91–194.

Labor-HEW: Appropriated a total of $19,747,153,200 for the Departments of Labor and Health, Education and Welfare, and related agencies. H.R. 13111. President vetoed 1/26/70.

Labor-HEW: Appropriated a total of $19,381,920,200 for the Departments of Labor and Health, Education and Welfare, and related agencies. Public Law 91–204.

Second supplemental: Appropriated $6,021,535,005 for the fiscal year ending June 30, 1970, for various program supplementals, pay increase costs due to comparability adjustments and resulting from the enactment of the Federal Employees Salary Act of 1970; and revises the ceiling on 1970 budget outlays. H.R. 17399. Public Law 91– .

APPROPRIATIONS, 1971

Continuing appropriations: Continued appropriations through July 31, 1970, or until enactment of the regular appropriations bills. H.J. Res. 1264. Public Law 91–294.

District of Columbia: Appropriated a total of $636,118,200 for the District of Columbia. The appropriated Federal payment is $108,938,000. H.R. 17868. Public Law 91– .

Education: Appropriates a total of $4,782,871,000 for the Office of Education. H.R. 16916. P/H 4/14/70. P/S amended 6/25/70. In conference.

Independent Offices—Housing and Urban Development: Appropriates a total of $18,655,019,500 for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development. H.R. 17548. P/H 5/12/70. P/S 7/7/70.

Interior: $2,028,397,500, grant total, new budget (obligational) authority and appropriation to liquidate contract authority. H.R. 17619. P/H 6/26/70. P/S amended 7/1/70.

ATOMIC ENERGY

Atomic Energy Commission authorization, 1971: Authorized appropriations of $2,290,907,000 for fiscal year 1971 ($2,013,307,000 for operating expenses and $277,600,000 for plant and capital equipment). Public Law 91–273.

Western Interstate Nuclear Compact: Gives congressional consent and approval to a compact between the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming to enter the western interstate nuclear compact. S. 1628. P/S 6/26/70.

CONGRESS

Library of Congress—James Madison Memorial Building: Increased from $75 million to $90 million the authorization contained in the Act of 1965 providing for the construction of the third Library of Congress

Building to be known as the James Madison Memorial Building and provided that nothing in the Act shall be construed to authorize the use of the building for general office building purposes. Public Law 91–214.

Library of Congress—office equipment and furniture: Transferred from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress. Public Law 91–280.

Library of Congress security: Extended the present authority of the Library of Congress for policing the Library of Congress buildings, to embrace the rental space it utilizes at certain other locations in Washington, D.C. Public Law 91–281.

Senate office space: Authorizes the Architect of the Capitol to acquire on behalf of the United States, the Plaza Hotel property in square 724 in the District of Columbia to be held to meet future office needs of the Senate. S. 3594. P/S 5/21/70.

CRIME

Controlled Dangerous Substances Act: Authorizes Federal regulation and control over defined "controlled dangerous substances" to help manage the drug abuse problem and criminal traffic in drugs on the international, national and State levels and repeals essentially all of the existing narcotic and dangerous drug laws. The bill vests authority for control of the enumerated substances with the Attorney General and requires that he seek advice from the Secretary of Health, Education, and Welfare and from the newly-established Scientific Advisory Committee concerning certain matters; establishes criteria for the control and classification of drugs into several schedules based largely on the degree of their abuse potential, known effect, harmfulness and level of accepted medical use; provides requirements for registration of persons involved in the manufacture, distribution, and dispensing of controlled drugs; controls and restricts importation and exportation of controlled dangerous substances; designates offenses and penalties for unlawful manufacture, distribution, dispensing, possession with intent to manufacture, distribute, or dispense, importation, exportation and simple possession of controlled dangerous substances, and eliminates mandatory minimum penalties for all violations except for a newly-created and defined class of professional criminals involved mainly in the distribution, sale and importation of controlled dangerous substances; vests enforcement personnel of the Bureau of Narcotics and Dangerous Drugs with broader enforcement powers; provides, under certain conditions, for "no knock" search warrants for felonious violations; authorizes the appointment of a Committee on Marihuana to conduct a study on all aspects of marihuana use and also establishes a Comittee on Nongovernmental Drug Abuse Prevention; authorizes the appropriation of sums necessary to carry out the Act; and specifies the date the act shall take effect. S. 3246. P/S 1/28/70.

Criminal Justice Act amendments: Amends the Criminal Justice Act of 1964 (relating to representation of defendants financially unable to obtain an adequate defense in criminal cases in United States courts), by expanding its coverage from the arrest stage to appeals, post-conviction proceedings, and ancillary proceedings related to the criminal trial; provides for the creation of Federal defender offices operating under the guidance of the district and appellate courts, but independent of both the Federal judicial and prosecution systems; increases the hourly rate to $30 an hour and the total compensation limits available to attorneys providing representation; and changes various other provisions to improve the operation of the Act. S. 1461. P/S 5/1/70.

Executive protective service: Changed the name of the White House police force to the Executive Protective Service; placed the force under the direction of the Director of the U.S. Secret Service; increased the scope of the Protective Service's duties to include protection of foreign diplomatic missions located in the metropolitan area of the District of Columbia and such other areas of the United States, its territories, and possessions, as the President, on a case-by-case basis, may direct; and provided that the size of the new Executive Protective Service may consist of up to 850 members. Public Law 91–217.

Organized Crime Control Act: Embodies a comprehensive, integrated program designed to deal with the menace of organized crime in the United States. Establishes, in addition to regular grand juries, special grand juries to sit in major population areas or elsewhere by designation of the Attorney General; unifies and expands existing Federal law dealing with the granting of immunity from self-incrimination in legislative, administrative, and court proceedings; deals with recalcitrant witnesses; creates a new false declaration provision applicable in grand jury and court proceedings; authorizes the Attorney General to protect and maintain Federal or State organized crime witnesses and their families; authorizes, subject to constitutional safeguards, the taking of depositions in criminal cases; provides a statute of limitations on determining the derivative evidentiary consequences of law enforcement conduct; respecting syndicated gambling—contains special findings dealing with the effect of such gambling on interstate commerce, makes it unlawful to engage in a scheme to obstruct the enforcement of State law to facilitate an "illegal gambling business," as defined, or to engage in the operation of such a business, and provides penalties for violations, as well as providing electronic surveillance in aid of enforcement of these prohibited "business" activities; establishes, effective in 2 years, a Presidential Commission to conduct a comprehensive review of present Federal and State gambling law enforcement policies and their alternatives; makes unlawful certain "racketeering activity" and provides penalties for violations; and provides for increased sentencing (up to 30 years) for defined dangerous adult special offenders. S. 30. P/S 1/23/70.

DEFENSE

Civil Defense Act: Amended the Federal Civil Defense Act of 1950 to extend from June 30, 1970, to June 30, 1974, the President's standby authority to deal with the effects of an enemy attack upon this Nation. Public Law 91–299.

Coast Guard authorization, 1971: Authorized appropriations of $100 million for the Coast Guard for fiscal year 1971 ($62,295,000 for vessels, $12,865,000 for aircraft, and $24,840,000 for shore facilities and aids to navigation and pollution control equipment). Public Law 91–261.

Coast Guard omnibus: Revised titles 14, 10 and 37 of the United States Code to make more uniform the laws relating to the Coast Guard and the other Armed Forces. Public Law 91–278.

Disposals from national and supplemental stockpiles: Authorized disposal from the national and supplemental stockpiles of various materials, as follows:

Asbestos: Chrysotile, 2,844 short tons. H.R. 16291. Public Law 91– .

Bauxite: Surinam-type metallurgical grade, 2,600,000 long dry tons. H.R. 15998. Public Law 91– .

Bismuth: 300,000 pounds. H.R. 15831. Public Law 91– .

Cadmium: 4,180,000 pounds. H.R. 12941. Public Law 91– .

Castor oil: 18,500,000 pounds. H.R. 15832. Public Law 91– .

Chromite: Refractory grade, 826,000 short dry tons. H.R. 16290. Public Law 91– .

Cobalt: 40,200,000 pounds. H.R. 15021. Public Law 91– .

Corundum: 1,952 short tons. H.R. 16292. Public Law 91– .

Fluorspar: Acid grade, 212,637 short dry tons. H.R. 15833. Public Law 91– .

Graphite: Natural Ceylon amorphous lump, 386 short tons. H.R. 16289. Public Law 91– .

Magnesium: 12,000 short tons. H.R. 15835. Public Law 91– .

Manganese, Type A: Chemical grade, 111,900 short dry tons. H.R. 15836. Public Law 91– .

Manganese, Type B: Chemical grade, 65,800 short dry tons. H.R. 15837. Public Law 91– .

Manganese ore: Natural battery grade, 173,800 short dry tons. H.R. 16295. Public Law 91– .

Molybdenum: 3,500,000 pounds. H.R. 16297. Public Law 91– .

Shellac: 4,300,000 pounds. H.R. 15838. Public Law 91– .

Tungsten: 100 million pounds. H.R. 15839. Public Law 91– .

Leave for uniformed services members in hostile fire areas: Extended until June 30, 1972, the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas. Public Law 91–302.

Marine Corps Band: Removed the restrictions on the grades of the director and assistant director of the Marine Corps band (now limited to lieutenant colonel and captain, respectively) to eliminate an inequity in their promotion opportunities. Public Law 91–197.

Military claims: Provided that the authority for payment of military claims under title 10 of the United States Code be increased to $15,000, the amount authorized for foreign claims, and that a similar provision for partial payment be provided for such claims. H.R. 4247, Public Law 91– .

Naval flight officers command: Amended title 10, United States Code, to permit naval flight officers, in addition to naval aviators, to be eligible for command of naval aviation schools, naval air stations, or naval aviation units organized for flight tactical purposes; provided eligibility for similar Marine Corps commands by naval flight officers of the Marine Corps. Public Law 91–198.

Savings deposit program for certain uniformed services members: Removed the $10,000 limit on deposits which may be made to the Uniformed Services Savings deposit program in the case of any member of the uniformed services who is a prisoner of war, missing in action, or in a detained status during the Vietnam conflict. Public Law 91–200.

Selection boards: Provided that the number of active duty officers who serve on selection boards for the grades of rear admiral to captain may be increased from the current number of nine, and removed the requirement that members of selection boards for nonactive duty promotions have a permanent grade higher than those being considered for promotion, in order to make a greater number of officers eligible to serve on such boards. Public Law 91–199.

Transportation to home ports: Entitled a member of the Navy, Coast Guard, or Environmental Science Services Administration, whose dependents are residing at his home port to round trip transportation to the home port where he is permanently attached to a ship overhauling away from the home port. Public Law 91–210.

War Claims Act amendments: Authorized payment under the War Claims Act of 1948 to members of the Armed Forces captured and held prisoner by the forces of North Vietnam, and to persons captured by North Korea while assigned to duty on board the U.S.S. *Pueblo,* for the period of their captivity at the rate of $5 per day of captivity, and provides for payment to civilian American citizens held by the forces of North

Vietnam at the rate of $60 per month. Public Law 91–289.

DISTRICT OF COLUMBIA

Anatomical Gift Act: Provided in the District of Columbia a comprehensive and uniform legal environment for organ donation and transplantation consistent with the recommendations of the National Conference of Commissioners on Uniform State Laws made in 1968. Public Law 91–268.

Bail Agency Act: Removed the ceiling of $130,000 on the annual authorization of appropriations for the District of Columbia Bail Agency. Public Law 91–232.

Blood components transfer: Authorized the Commissioner of the District of Columbia to determine that blood platelets and other blood components in general use in the States may be transferred from local licensed blood banks in which they are produced to licensed physicians, to District of Columbia hospitals, and to licensed private hospitals and other medical facilities within the District, thereby placing the District in the same position as the States, all of which permit the intrastate transfer of blood components within their borders. Public Law 91–256.

Cooperative Association Act amendments: Exempts from the District of Columbia laws regulating the loaning of money and interest rates cooperative associations formed under the District of Columbia Cooperative Association Act and their financing transactions with members. H.R. 17711 P/H 5/25/70. P/S amended 7/1/70.

Housing Revolving Fund and unclaimed Property Act: Establishes in the District of Columbia a revolving fund for the development of housing for low- and moderate-income persons and families in the District of Columbia and provides for the disposition of unclaimed property in the District of Columbia. S. 3011. P/S 5/13/70.

Industrial Safety Act Amendments: Provides for a more general application of the rules and regulations of the safety code of the District of Columbia to protect employees and restores the jurisdiction of the Industrial Safety Board to enforce the code. S. 2820. P/S 5/5/70.

Metropolitan Area Transit Act: Grants congressional consent to the public acquisition and operation of mass transit bus facilities in the Washington metropolitan area and authorizes payments by the District of Columbia government to assist in maintaining reasonable fares for District residents. S. 1814. P/S 4/15/70.

Mortgages and loans: Temporarily permits, through March 31, 1971, mortgages insured by the Federal Housing Administration and the Veterans' Administration to be made in the District of Columbia even when the effective rate of interest therein exceeds the 8 percent ceiling provided in the District of Columbia interest and usury laws. S. 3313. P/S 4/1/70.

Pay increase for police, firemen and teachers: Increased by an average of 13 percent retroactive to July 1, 1969, the salaries of police and firemen and Executive Protective Service; increased by an average of 13 percent, retroactive to September 1, 1969, the salaries of teachers; revised the personal income tax of District of Columbia residents and authorized a special Federal payment of $8 million to the District of Columbia to help defray the costs of the pay increases; and made other changes in existing law. Public Law 91-297.

Protective eye devices: Requires students, teachers and observers in the District of Columbia to wear protective devices while participating in or observing certain courses of study or types of training in public or private facilities wherever there is a condition hazardous to the eyes in connection with educational or training programs. H.R. 9582. P/H 11/24/69. P/S amended 5/7/70.

Rental of space for District of Columbia agencies and activities: Enables the government of the District of Columbia to more efficiently lease privately owned space in buildings or in improved or unimproved property for the accommodation of District agencies and activities, thus allowing the District government to compete for space in the open market on the same terms as the Federal Government. S. 3649. P/S 7/1/70.

Teachers' Retirement Amendments of 1970: Amended the District of Columbia Teachers' Retirement Act so as to provide the same retirement benefits for the teachers and other professional employees of the District of Columbia Board of Education as are presently afforded the classified employees of the Federal and District of Columbia governments who retire under the Civil Service Retirement Act as amended by Public Law 91–93. Public Law 91–263.

ECONOMY AND FINANCE

Consumer Products Warranty and Guaranty Act: Requires a supplier of a consumer product or service actually costing more than $5 who decides to warranty or guaranty his product against defect or malfunction to follow certain guidelines; requires a clear and conspicuous disclosure of the contents of warranties and guaranties and requires that a written warranty or guaranty must be designated a "full" or "partial" warranty; and provides remedies for failure to comply with certain provisions of the legislation. S. 3074. P/S 7/1/70.

Credit unions—Independent agency status: Elevated the Bureau of Federal Credit Unions (currently in the Department of Health, Education and Welfare) to the status of an independent agency in the executive branch to be known as the "National Credit Union Administration," and provided for an Administrator to be the chief executive officer of the Administration and to function in close and constant cooperation with a newly created National Credit Union Board to consist of a chairman and one member from each of the Federal credit union regions, the Administrator and Board members to be appointed by the President by and with the advice and consent of the Senate. Public Law 91–206.

Defense Production Act extension: Extended the effectiveness of the Defense Production Act of 1950 to July 30, 1970. Public Law 91–300.

Eligibility of American Samoa Banks for Federal deposit insurance: Establishes the eligibility of the banks in American Samoa for Federal deposit insurance by amending sections 3 and 7 of the Federal Deposit Insurance Act in accordance with the provisions governing U.S. territories. S. 3366. P/S 7/1/70.

Eisenhower dollar: Authorizes the minting of not to exceed 150 million silver dollars, of 40% silver content, to be minted only as uncirculated coins and proof coins and sold at a premium price, and authorizes the simultaneous minting of cupro-nickel dollars, expected to circulate as a medium of exchange, all bearing the likeness of the late President of the United States, Dwight David Eisenhower. S.J. Res. 158. P/S 10/15/69. P/H amended 10/15/69. Senate concurred in House amendment with an amendment in the nature of a substitute 3/19/70.

Federal National Mortgage Association: Clarifies the payment of certain accounts owed by the Federal National Mortgage Association (FNMA) to the Secretary of the Treasury in connection with the reorganization of the FNMA. S. 3207. P/S 1/30/70.

Public debt limit increase: Provided an increase in the permanent debt limitation from $365 billion to $380 billion, and provided for a temporary additional increase of $12 billion, making an overall limitation of $395 billion for fiscal year 1971. Public Law 91–301.

Public Works and Economic Development Act extension: Amended the Public Works and Economic Development Act of 1965 to extend the authorization of funds for titles I through IV through fiscal year 1971, and authorized to be annually appropriated $770 million through June 30, 1971 ($500 million for grants for public works and development facilities and $170 million for other financial assistance; $50 million for technical assistance research and information; and $50 million for economic development districts). H.R. 15712. Public Law 91– .

Purchase of U.S. obligations by Federal Reserve banks: Extends for a 2-year period from June 30, 1970, to June 30, 1972, the authority of the Federal Reserve banks to purchase U.S. obligations directly from the Treasury. S. 3889. P/S 6/11/70.

Silver certificates: Authorizes further adjustments in currencies outstanding which were issued after June 30, 1929; permits the writeoff of Federal Reserve bank notes and national bank notes; and removes the limitation of $200 million on the aggregate face value of silver certificates outstanding that the Secretary of the Treasury is authorized by law to write off after he has determined that they have been lost or destroyed, or are held in collections, and will never be presented for redemption. S. 3825. P/S 6/17/70.

Unsolicited credit cards: Prohibits the issuance of unsolicited credit cards except in renewal of, or in substitution for, an accepted credit card; limits consumer liability for a lost or stolen card to not more than $50, unless there is a lesser liability under other applicable law or under an agreement with the card issuer; amends the definition of a card issuer to include not only the person who issues the card but also any agent of the issuer; sets penalties for unauthorized use of credit cards. S. 721. P/S 4/15/70. H.R. 16542. H. Cal.

EDUCATION

Elementary and secondary education amendments: Authorized approximately $24.5 billion for fiscal years 1971 through 1973 for carrying out various educational programs; amended the Elementary and Secondary Education Act of 1965 (special educational needs of educationally deprived children; school library resources, textbooks, and other printed and published materials; supplementary educational centers and services; strengthening State departments of education; bilingual education programs; school dropout prevention; school nutrition and health services for children from low-income families); extended and amended impacted areas programs legislation; amended the Adult Education Act; enacted a "General Education Provisions Act" relating to the administration of education programs and the operation of the Office of Education; extended and revised provisions of present law relating to cancellation and repayment of loans under Federal student loan programs; created, as an independent act, the "Education of the Handicapped Act"; amended and extended vocational education programs; and made miscellaneous amendments to various education laws. Public Law 91–230.

Impacted areas aid: Authorized the Secretary of Health, Education, and Welfare to make to local educational agencies emergency payments for the current school year to provide 100 percent funding for fiscal year 1970 for the education of 3–A children (children whose parents live or work on Federal property) under Public Law 874, the aid to impacted areas program; and authorized for this purpose the expenditure of $2.5 million out of existing appropriations. Public Law 91–237.

Land-grant status for College of the Virgin Islands and the University of Guam: Gives land-grant status to the College of the Virgin Islands and the University of Guam; authorizes endowment grants of $1,019,000 to the University of Guam and $714,000 to the College of the Virgin Islands; provides eligibility for annual grants to each college. S. 1148. P/S 4/15/70.

XUM

National Commission on Libraries and Information Science: Establishes a 15-member National Commission on Libraries and Information Science as an independent agency in the executive branch to develop and recommend overall plans for carrying out the national policy with respect to libraries and information science, and authorizes $500,000 for fiscal year 1970, and $750,000 for fiscal year 1971 and each succeeding year to carry out the provisions of the Act. S. 1519. Public Law 91– .

FEDERAL EMPLOYEES

Federal pay legislation: Provided 6-percent across-the-board increases for the salaries of Federal employees who are paid under statutory salary systems (the postal field service, the general schedule of the classified civil service, the Department of Medicine and Surgery in the Veterans' Administration and the Foreign Service) and employees paid under other salary systems (legislative employees; judges of the District of Columbia, Court of General Sessions, Court of Appeals, and Tax Court; and staffs of former Presidents), except wage board employees in the legislative, executive and judicial branches of the Government; and provided a 6-percent increase to military personnel under the provisions of Public Law 90–207; made pay retroactive to the first day of the first pay period which began December 27, 1969. Public Law 91–231.

Foreign Service retirement adjustments: Brought the retirement benefits and financing of the Foreign Service Retirement and Disability System into line with those contained in legislation relating to the Civil Service Retirement System which became effective on October 20, 1969 (Public Law 91–93). Public Law 91–201.

Job Evaluation Policy Act: Improved position classification systems within the executive branch by establishing an orderly procedure for the study of ways to improve current classification with a view to the establishment of a comprehensive plan for the establishment of a coordinated system of job evaluation and ranking and by providing for the appointment by the Civil Service Commission of a special organizational unit within the Commission to prepare the plan and requiring the Commission to submit to the President and Congress within one year an interim report and to complete its activities within two years at which time it shall submit its recommendations to the President who shall submit recommendations to Congress. Public Law 91–216.

Protecting privacy and the rights of Federal employees: Prohibits indiscriminate executive branch requirements that employees and applicants for Government employment disclose their race, religion or national origin; attend Government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; submit to questioning about their religion, personal relationships or sexual attitudes through interviews, psychological tests, or polygraphs; support political candidates or attend political meetings; makes it illegal to coerce an employee to buy bonds or make charitable contributions; prohibits officials from requiring an employee to disclose his own personal assets, liabilities, or expenditures, or those of any member of his family unless, in the case of certain specified employees, such items would tend to show a conflict of interest; provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings; accords the right to a civil action in a Federal court for violation or threatened violation of the act; and establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act and to determine and administer remedies and penalties. S. 782. P/S 5/19/70.

GENERAL GOVERNMENT

American Revolution Bicentennial Commission: Authorizes appropriations of $373,000 for fiscal year 1971, for the Commission's activities. S. 3630. P/S 6/26/70. H.R. 16408. H. Cal.

Coalinga Canal, California: Changed the name of the Pleasant Valley Canal, a feature of the San Luis unit of the Central Valley project in California, to the Coalinga Canal. H. J. Res. 224. Public Law 91– .

Commission on Population Growth and the American Future: Established a commission to be called the Commission on Population Growth and the American Future to conduct and sponsor studies and research and to make such recommendations as may be necessary to provide information and education to all levels of government in the United States, and to the public, regarding a broad range of problems associated with population growth and their implication for America's future. Public Law 91–213.

Disposition of Executive records: Abolished the Joint Committee on the Disposition of Executive Papers and transferred its functions to the General Services Administration, operating in collaboration with the National Archives, and provided for the disposal of Government records insufficiently valuable to merit retention. Public Law 91–287.

Fire protection contracts on public lands: Confers on the Secretary of Interior authority parallel to that of the Secretary of Agriculture with respect to the suppression of fires on large areas of the public lands and allows him to enter into contracts for tanker aircraft, and for other kinds of aircraft, supplies, and services, for an entire fire season, and to renew such contracts not more than twice. S. 3777. P/S 7/1/70.

Government systems and equipment purchasing: Authorizes the Administrator of General Services to determine the systems and equipment required for standard passenger motor vehicles (sedans and station wagons) to be completely equipped for operation, and to purchase such additional systems and equipment as he finds to be other than customary for standard passenger motor vehicles, without regard to the maximum price limitations established by law. S. 2763. P/S 5/28/70.

"Johnny Horizon" symbol: Protects the symbol of Johnny Horizon (created by the Bureau of Land Management as part of an intensive public service antilitter program, with the theme: "This Land is Your Land—Keep it Clean") from unauthorized use and permits the Department of the Interior to license its use for commercial purposes with the provision to collect royalties. S. 3838. P/S 7/7/70.

Mountain standard time zone: Authorized the Secretary of Transportation to place El Paso and Hudspeth Counties, Texas, in the mountain standard time zone. Public Law 91–228.

National Foundation on the Arts and the Humanities Act amendments: Authorizes appropriations of $40 million, $60 million, and $80 million for fiscal years 1971, 1972, and 1973, respectively, for the National Foundation on the Arts and the Humanities, with the endowment for the arts and the endowment for the humanities each to receive one-half of such sums; authorizes appropriations for matching purposes for State arts councils of approximately $75,000, $100,000 and $125,000 for fiscal years 1971, 1972, and 1973, respectively, per State; and makes other amendments to the Act. H.R. 3215. P/S 5/21/70. P/H amended 6/30/70.

National Science Foundation authorization: Authorizes appropriations to the National Science Foundation for the fiscal year 1970 in the amount of $548 million out of money in the Treasury not otherwise appropriated and $2 million in foreign currencies which the Treasury Department determines to be in excess to the normal requirements of the United States. H.R. 16595. P/H 5/11/70. P/S amended 7/1/70. In conference.

Oil and gas leases: Conferred discretionary authority on the Secretary of Interior to prevent, administratively, termination of certain oil and gas leases on Federal lands and to reinstate terminated leases under certain limitations and conditions. Public Law 91–245.

Plymouth-Provincetown Celebration Commission: Creates a commission to develop suitable plans for and conduct the celebration in 1970 of the 350th anniversary of the landing of the Pilgrims at Provincetown and Plymouth, and authorizes $100,000 for the Commission's work. S. 2916. P/S 6/26/70.

Postal reorganization: Establishes the U.S. Postal Service as an independent establishment of the executive branch with authority vested in a nine-man Board of Governors nominated by the President and confirmed by the Senate to serve a term of 9 years each, with a new member being appointed every year, the Governors, in turn, to appoint a Postmaster and a Deputy Postmaster to serve as the chief executive officers of the Postal Service; vests in the new Postal Service the complete authority to control costs and revenues; authorized the new Postal Service to issue bonds for postal modernization; establishes in the Postal Service, as an independent entity, a Postal Rate Commission to recommend all rates and classifications for mail; authorizes a Federal appropriation of 10 percent of annual operating costs and 10 percent of modernization costs financed through bonds; gives the Postal Service broad authority to transport mail by surface and air; authorizes the Postal Service to negotiate with postal unions on all issues; and provides an eight percent pay raise retroactive to April 16, 1970 for employees in the postal field service. H.R. 17070. P/H 6/18/70. P/S amended 6/30/70.

Postal Service: Makes technical changes in the references to certain provisions of law relating to the postal service which are codified in the United States Code; made no substantive changes in law. S. 3396. P/S 3/4/70.

Trust Territory of the Pacific Islands: Increases the authorization from $50 million to $60 million for the fiscal year 1971 and authorizes $60 million for fiscal year 1972 for the Trust Territory of the Pacific Islands for civil works and administrative programs. S. 3479. P/S 5/18/70.

Use of personal checks to pay postal services: Permits the acceptance of checks and nonpostal money orders in payment for postal charges and services; relieves postal employees of personal financial liability for accepting personal checks from postal patrons in the course of business; provides penalties for presenting bad checks and bad postal money orders in payment for postal charges and services. S. 3397. P/S 3/4/70.

HEALTH

Air pollution compacts

Ohio-West Virginia: Gives Congressional consent to the interstate compact on air pollution between the States of Ohio and West Virginia and grants consent to the Commonwealth of Pennsylvania and the State of Kentucky to join in the compact. S. 2707. P/S 2/2/70.

Mid-Atlantic States: Gives Congressional consent and approval to a compact between the States of Connecticut, New Jersey, and New York to enter into an interstate compact on air pollution and grants consent to the Commonwealth of Pennsylvania and the State of Delaware to join in such compact. S.J. Res. 53. P/S 6/26/70.

Clean Air Act and Solid Waste Disposal Act extensions: Extended the authorization for the Clean Air Act and Solid Waste Disposal Act programs for 60 days through August 31, 1970, at their present level. S. 4012. Public Law 91– .

Community mental health centers amendments: Improved and extended for 3 years the Community Mental Health Centers Act; authorized for construction grants $80 million, $90 million, and $100 million for fiscal years 1971, 1972, and 1973, respectively; authorized for grants for initial operation of community mental health centers $45 million, $50 million, and $60 million for fiscal years 1971, 1972, and 1973, respectively; extended the program for facilities and services for alcoholics and narcotic addicts for 3 years and authorized therefor $30 million, $35 million, and $40 million for fiscal year 1971, 1972, and 1973, respectively, and reduced the authorization for fiscal 1970 from $25 million to $15 million; added a program of special facilities, personnel and services for children and authorized therefor $12 million, $20 million and $30 million, for fiscal years 1971, 1972, and 1973, respectively. Public Law 91–211.

Developmental Disabilities Services and Facilities Construction Act: Extends and amends the Mental Retardation Facilities Construction Act of 1963; authorizes $100 million, $125 million, and $150 million for fiscal years 1971, 1972, and 1973, respectively, for grants to assist States in developing and implementing a comprehensive and continuing plan for providing services to persons affected by mental retardation and other developmental disabilities; expands the program for the construction and development of university-affiliated facilities and authorizes therefor $7 million, $11 million and $15 million for fiscal years 1971, 1972, and 1973, respectively, for demonstration and training grants, and $20 million for each of fiscal years 1971 through 1975 for construction grants; and places special emphasis on the need for facilities and services for the retarded in areas of urban and rural poverty. S. 2846. P/S 4/13/70. H.R. 14237. H. Cal.

Hospital and medical facilities construction and modernization amendments: Authorized $1.29 billion in grants to the States for construction or modernization of hospitals and other health facilities for fiscal years 1971, 1972, and 1973; established a new 3-year program of guaranteed loans to cover up to 90% of the cost to private nonprofit agencies for medical facility construction or modernization and a program of direct loans for construction or modernization of public facilities and for such loans authorized $1.5 billion for fiscal years 1971, 1972, and 1973, but not more than $500 million per year; provided a new 3-year $20 million per year program of project grants to assist in the modernization or construction of emergency rooms in general hospitals and transportation systems; provides for reports on the health consequences of the use of marihuana; and made other legislative changes. Public Law 91–296.

Medical Library Assistance Extension Act: Extended for 3 years the current program to provide financial assistance for the construction of health library facilities; to support training of health librarians and other information specialists; to expand and improve health library services through the provision of grants for library resources; to support projects of research and development in the field of health communications, and related special scientific projects; to support the development of a national system of regional medical libraries; and to support selected biomedical scientific publications projects; and authorized for funding these programs $63 million for fiscal years 1971 through 1973. Public Law 91–212.

Migrant health services: Extended until June 30, 1973, the authority of the Public Health Service Act to improve health services and the health conditions of domestic agricultural migratory workers and their families, and provided for this purpose increased funding authorizations of $20 million for fiscal year 1971, $25 million for fiscal year 1972, and $30 million for fiscal year 1973. Public Law 91–209.

Poison Prevention Packaging Act: Amends the Federal Hazardous Substances Act to provide for child-resistant packaging to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting any hazardous household substance; authorizes the Secretary of Health, Education and Welfare to determine those substances to be specially packaged and to establish packaging performance standards; sets penalties for failure to conform to those standards; and creates a technical advisory committee to advise the Secretary. S. 2162. P/S 5/11/70.

Public Health Cigarette Smoking Act: Prohibited all broadcast advertising of cigarettes after January 1, 1971; strengthened the warning on cigarette packages by changing it from "Caution: Cigarette Smoking May Be Hazardous to Your Health" to "Warning: The Surgeon General Has Determined That Cigarette Smoking is Dangerous to Your Health"; prohibited States from regulating cigarette advertising; and suspended until July 1971 a Federal Trade Commission rule which would require warnings in print cigarette advertising. Public Law 91–222.

Public health training: Amended the Public Health Services Act to extend for three additional fiscal years the authority to make formula grants to schools of public health and authorized therefor $9 million, $12 million and $15 million for fiscal years 1971, 1972 and 1973, respectively; to extend through fiscal year 1973 project grants for graduate or specialized training in public health and authorized therefor $14 million, $15 million and $16 million for fiscal years 1971, 1972, and 1973, respectively; to extend for two fiscal years project grants for traineeships for professional health personnel and authorized therefor $16 million and $18 million for fiscal years 1972 and 1973, respectively. Public Law 91–208.

HOUSING

College housing debt service grants: Provides an additional $2.6 million authorization for college housing interest subsidy grants, thereby making the total available for fiscal year 1971 $6.8 million. S.J. Res. 196. P/S 5/15/70.

Emergency Home Financing Act: Encourages and expedites the construction and financing of a substantial number of new and existing homes, placing primary emphasis on the expansion of existing mortgage credit facilities and the creation of new secondary market facilities to broaden the availability of mortgage credit. To attain these ends, $250 million is authorized to be appropriated to the home loan bank system to reduce interest charges on advances by Federal home loan banks to savings and loan associations and other members; new secondary mortgage facilities are established within the Federal National Mortgage Association and within the Federal home loan bank system, funds previously authorized for the Government National Mortgage Association are made available for purchase of special assistance mortgages, home ownership for middle income families is enabled through subsidy payments to be made by the Department of Housing and Urban Development, and a new dual FHA–VA interest rate ceiling and other related mortgage credit provisions are established. S. 3685. P/S 4/16/70. P/H amended 6/25/70. In conference.

INDIANS

Cherokee, Chickasaw, Choctaw and Seminole Nations of Oklahoma: Provided that when a member, or the descendant of a member, of the Cherokee, Chickasaw, Choctaw, and Seminole Nations of Oklahoma dies without a will and has no heirs, his interest in any trust or restricted land, or in the rents therefrom, will escheat to the tribe. Public Law 91–240.

Confederated Tribes of the Umatilla Indian Reservation: Authorized the Confederated Tribes of the Umatilla Indian Reservation to use a $2,450,000 judgment recovered against the United States in the Indian Claims Commission, and accumulated interest. Public Law 91–259.

Confederated Tribes of Weas, Piankashaws, Peorias and Kaskaskias: Provides for a per capita distribtuion of 3 judgments by the Indian Claims Commission totaling $2,049,273 that have been recovered on behalf of the Confederated Tribes of Weas, Piankashaws, Peorias and Kaskaskias. S. 885. P/S 5/18/70. P/H amended 6/15/70.

Educational facilities for Indian children: Authorizes the appropriation of $27,400,000 annually for each of fiscal years 1971, 1972 and 1973 to aid public school districts near Indian reservations in the construction of classrooms, housing and other necessary educational facilities for Indian children attending these schools. S.J. Res. 144. P/S 5/19/70.

Five Civilized Tribes and Osage Tribe of Oklahoma: Amends certain Federal laws relating to the administration of the affairs of members of the Five Civilized Tribes and of the Osage Tribe in Oklahoma to remove a hiatus brought about by the adoption in Oklahoma of a constitutional amendment establishing a new judicial department for that State. S. 2362. P/S 4/30/70.

Five Civilized Tribes of Oklahoma: Authorizes the Secretary of the Interior to convey to certain individual members of the Five Civilized Tribes interests in former restricted lands that were acquired by the United States pursuant to the Oklahoma Indian Welfare Act of 1936. S. 1498. P/S 4/27/70.

Five Civilized Tribes of Oklahoma: Authorizes each of the Five Civilized Tribes of Oklahoma (Cherokee, Choctaw, Creek, Seminole and Chickasaw) to popularly elect their principal officers and makes clear that for purposes of developing election procedures the current leadership shall bear responsibility. S. 3116. P/S 4/27/70.

Fort Belknap Indian Irrigation Project, Montana: Authorized the Secretary of the Interior to transfer title for the facilities of the Brown unit of the Fort Belknap Indian irrigation project to the owners of the lands served by the unit; provided that the landowners assume responsibility for operation and maintenance; cancelled all outstanding operation and maintenance charges and deferred construction charges on the project. Public Law 91–251.

Fort Belknap Indian Reservation, Montana: Amends the Act of March 3, 1921, which provided for allotment of lands on the Fort Belknap Reservation, to provide for the reservation of all minerals for the benefit of tribal members in common. S. 786. P/S 5/15/70.

Fort Berthold Reservation, North Dakota: Authorizes the mortgaging of tribal land on the Fort Berthold Reservation acquired after the date of enactment of this legislation and provides that resulting funds are to be used to buy lands within the reservation to improve the tribal land base. S. 774. P/S 5/11/70.

Hopi Indian Tribe, Arizona: Gave the governing body of the Hopi Tribe the authorities it needs to develop the Hopi Industrial Park. Public Law 91–264.

Inter-tribal Council, Inc., Miami, Oklahoma: Authorizes and directs the Secretary of the Interior to convey without consideration 114 acres of surplus Federal land in Oklahoma to an organization known as the Inter-Tribal Council Incorporated, Miami, Oklahoma, which will encourage labor-oriented industries to locate on this acreage, thus raising the socioeconomic level of the tribal members residing in the area through the creation of jobs and better housing. S. 886. P/S 5/15/70.

Lac du Flambeau Band of Lake Superior Chippewa Indians, Wisconsin: Conveys the beneficial interest in 40 acres of federally owned land to the Lac du Flambeau Tribe of Wisconsin, subject to valid existing rights-of-way and the right of the State of Wisconsin to use the fire observation tower located on the land for so long as needed and provides that the Indian Claims Commission will determine the extent to which the value of the beneficial interest conveyed should or should not be set off against any claims against the United States Government determined by the Commission. S. 1751. P/S 4/30/70.

Loans to Indian Tribes: Provided authority for the Farmers Home Administration (FHA) to make loans to Indian tribes for the purchase of land within their reservations; permitted any tribe to mortgage its land as security for such a FHA loan; permitted the tribe to waive immunity from suit without its consent as a part of its loan agreement; excepted trust lands from the FHA Act provision that land mortgaged to secure a loan shall be subject to local taxation; permitted the title to land acquired with loan funds to be taken in trust; provided that in addition to making direct loans from its direct loan account the FHA may insure loans to tribes made by commercial lending institutions; specified that the eight Indian Reorganization Act corporations in Alaska are eligible for loans to buy land although they do not have reservations. Public Law 91–229.

Quapaw Indians, Oklahoma: Extends for an additional period of 25 years from March 3, 1971, the restrictions, tax exemptions, and limitations affecting lands of the Quapaw Indians in Oklahoma that were extended to that date by the act of July 27, 1939. Public Law 91–290.

Sioux Tribe of the Fort Peck Indian Reservation, Montana: Provided for a per capital distribution among the members of the tribe of a judgment of $1,161,354.41 against the United States recovered by the tribe. Public Law 91–283.

Tlingit and Haida Indians of Alaska: Authorizes the disposition of funds (previously appropriated, invested and amounting to $7 million) awarded to the Tlingit and Haida Indians of Alaska by a judgment against the United States for land taken, principally the Tongass National Forest. H.R. 12858. Public Law 91– .

Tulalip Reservation, Washington: Gave the Tulalip Tribes of the Tulalip Reservation in Washington additional authority to acquire, manage, and dispose of tribal property. Public Law 91–274.

Washoe Tribe of Nevada and California: Sets aside 80 acres of public domain in Alpine County, California to carry out a program to assist certain Washoe Indians. S. 759. P/S 5/15/70. P/H amended 6/15/70.

Yakima Tribes: Provides for the disposition of three awards totaling $2,210,991.40 awarded to the Yakimas by the Indian Claims Commission as compensation for the value of reservation lands omitted through erroneous surveys of the boundaries of the Yakima Indian Reservation established by the treaty of June 9, 1855. S. 3337. P/S 5/15/70.

Yavapai-Prescott Community Reservation, Arizona: Authorized lands on the Yavapai-Prescott Community Reservation to be leased for periods up to 99 years if a long-term lease will be in the best interest of the Indian owner. Public Law 91–275.

INTERNATIONAL

American prisoners of war in Southeast Asia: Placed the Congress on record in support of humane treatment for the United States prisoners of war and focused world attention on the failure of North Vietnam and the National Liberation Front to comply with the provisions of the Geneva convention on the treatment of prisoners of war. H. Con. Res. 454. P/H 12/15/69. P/S 2/18/70.

Arbitral awards: Implements the Convention on the Recognition and Enforcement of Foreign Arbitral Awards which was approved by the Senate on October 4, 1968, creating a new chapter under title 9 of the United States Code (the Federal Arbitration Act) dealing exclusively with the recognition and enforcement of awards pursuant to the provisions of the convention. S. 3274. P/S 2/17/70. P/H amended 7/6/70.

Arms Control and Disarmament Act amendments: Authorized the appropriation of $17.5 million for fiscal years 1971 and 1972 for operations of the Arms Control and Disarmament Agency. Public Law 91–246.

International expositions: Established a Federal procedure for determination of endorsement of and participation in international expositions held in the United States; called on the President to make findings as to official recognition of a domestically proposed international exposition and to submit to Congress such proposals considered appropriate for Federal participation; and authorized appropriations not to exceed $200,000 in any fiscal year. Public Law 91–269.

Military sales—Limitations on United States involvement in Cambodia: Authorizes $250 million for foreign military sales for each of the fiscal years 1970 and 1971 and sets a credit ceiling of $300 million in each of those fiscal years; places limitations on United States involvement in Cambodia; repeals the Gulf of Tonkin resolution effective at the end of the second session of the 91st Congress; requires that any sale or grant of the "International Fighter" aircraft, other than to Vietnam or sales through commercial channels, be made under the regular military grant aid and sales programs; places a $35 million ceiling on the amount of excess defense articles that may be given to foreign countries in any fiscal year; and makes other changes in, or additions to, existing law. H.R. 15628. P/H 3/24/70. P/S amended 6/30/70.

Pan American Institute of Geography and History: Authorized an increase in the United States annual contributions to the Pan American Institute of Geography and History from $90,300 to $200,000 and authorized the appropriations of $386,050 for the payment of arrearages incurred during fiscal years 1965–1969. H.J. Res. 746. Public Law 91– .

Peace Corps Act amendments: Authorizes $90 million for activities of the Peace Corps in fiscal year 1971; proposes new authorities to attract more highly skilled married volunteers with children; broadens the language of the Peace Corps Act to encourage the development of, and participation in, international voluntary service programs and activities and authorizes up to $200,000 therefor in fiscal year 1971. E. 3430. P/S 4/10/70. P/H amended 7/7/70.

Retirement age for Foreign Service career ministers: Amends the Foreign Service Act of 1946 to lower the mandatory retirement age of career Ministers from age 65 to 60 except while serving in positions to which they have been appointed by the President, by and with the advice and consent of the Senate; and to provide for a retirement schedule for those career Ministers who are now past the mandatory retirement age. S. 3691. P/S 6/19/70.

Suspension of further deployment of offensive and defensive nuclear strategic weapons systems: Expressed the sense of the Senate that prompt negotiations between the Governments of the United States and the Soviet Union to seek agreed limitations of both offensive and defensive strategic weapons should be urgently pursued, and that the President of the United States should propose to the Government of the Soviet Union an immediate suspension by the United States and the Soviet Union of the further deployment of all offensive and defensive nuclear strategic weapons systems, subject to national verification or such other measures of observation and inspection as may be appropriate. S. Res. 211. Senate adopted 4/9/70.

TREATIES

Convention on the Privileges and Immunities of the United Nations: Accords certain privileges and immunities to the United Nations, as an organization, and to the representatives of its Members, officials of the United Nations, and experts on missions for the United Nations; for the most part, these privileges and immunities have already been conferred upon the United Nations through the International Organizations Immunities Act of 1945 and the Headquarters Agreement of 1947. Ex. J (91st, 1st). Resolution of ratification agreed to 3/19/70.

Extradition treaty with New Zealand: This treaty follows generally the form and content of extradition treaties recently concluded by the U.S. Government. Under its coverage are 32 extraditable offenses including, for the first time, aircraft hijacking and offenses relating to narcotics and other dangerous drugs. Ex. C (91st, 2d). Resolution of ratification agreed to 5/27/70.

Intellectual and Industrial Property Conventions: Both of the following refer to patents and copyrights: (1) The Convention Establishing the World Intellectual Property Organization is to be responsible for the overall administrative activities of related organizations and the promotion of the protection of intellectual property on a worldwide basis, and (2) the Paris Convention for the Protection of Industrial Property revised the Industrial Property Convention to bring its finances and structure and that of its Secretariat into line with the more modern principles of international organization. Ex. A (91st, 1st). Resolution of ratification agreed to 2/28/70.

Protocol to the Northwest Atlantic Fisheries Convention: Provides for the removal of the Convention's current restrictions relating to (1) the number of commissioners on each of the special panels established by the Convention; and (2) the kinds of measures which the International Commission for the Northwest Atlantic Fisheries may propose in order to achieve optimum utilizaton of fish stocks in the Convention area. Ex. I (91st, 1st). Resolution of ratification agreed to 3/19/70.

Radiotelephone Stations Agreement with Canada: Provides for the reciprocal issuance of permits by the United States and Canada to licensed private operators of radiotelephone stations of one country while temporarily in the jurisdiction of the other. Ex. A (91st, 2nd). Resolution of ratification agreed to 5/27/70.

U.S.-U.S.S.R. political exchange program: Assists governmental officials of the United States and the Soviet Union through means of exchange of visits in making better informed judgments about world affairs involving the two countries; authorizes travel to the U.S.S.R. for not more than 1,000 elected U.S. officials—including Members of Congress—and their spouses during a period of 5 years beginning February 1, 1971; provides for efforts to facilitate comparable trips to the United States by Soviet officials; authorizes up to $5 million for the program over the 5-year period. S. 3127. P/S 4/20/70.

Water pollution research—Fifth International Conference: Seeks the cooperation of the Federal and State Governments and all interested persons and organizations to assist in the Fifth International Conference on Water Pollution to be held in San Francisco, California, from July 26 through August 1, 1970, and which will be reconvened in Honolulu, Hawaii, from August 2 through August 5, 1970. S.J. Res. 162. P/S 3/19/70.

JUDICIAL

Additional district judges: Provides for the creation of 58 new permanent district judge-ships throughout the United States and makes amendments to the Judicial Code to enable the Federal courts more efficiently and expeditiously to handle the business brought before them. Public Law 91–272.

Customs Courts Act: Modernized procedures in the Customs Court and related administrative processes in the Bureau of Customs so that the Court and the Bureau will be better able to cope effectively and expeditiously with their rapidly expanding workload. Public Law 91–271.

Federal Youth Corrections Act: Amends the Federal Youth Corrections Act to permit examiners to conduct interviews with youth offenders. S. 3564. Public Law 91– .

Immigration and Nationality Act amendments: Facilitated the entry into the United States of certain classes of non-immigrant aliens and altered the provisions of the Act regarding the applicability of the two-year foreign residence requirement for aliens in the United States as exchange visitors. Public Law 91–225.

Immigration and Nationality Act amendments: Struck from section 213 of the Immigration and Nationality Act the requirement that cash accepted by the Attorney General, under his discretionary authority to admit certain excludable aliens upon the giving of a bond or posting of cash, be deposited in the postal savings system and provided instead that the cash received as security on bonds be deposited in the Treasury with interest thereon payable at a rate not to exceed 3 percent per annum. H.R. 14118. Public Law 91– .

Mississippi District Court: Provided for holding terms of the United States District Court for the Southern District of Mississippi at Gulfport, Mississippi. S. 3122. P/S 6/26/70.

Newspaper Preservation Act: Exempts from the antitrust laws price fixing, profit pooling, and market division by competing newspapers if one newspaper "is in probable danger of failure" or "appears unlikely to remain or become a financially sound publication." S. 1520. P/S 1/30/70. H.R. 279. H. Cal.

Voting Rights Act Extension: Extended the Voting Rights Act of 1965 for 5 years; extended the suspension of literacy tests and of other tests and devices to all states; limited residence requirements for voting in presidential elections by establishing nationwide, uniform standards for such elections; and lowered the voting age to 18 in Federal, State and local elections. Public Law 91–285.

LABOR

Railroad Adjustment Board: Amended the Railway Labor Act to revise the organizational structure of the first division of the National Railroad Adjustment Board made necessary by the merger of unions representing the trainmen, firemen, conductors, and switchmen into a new union, the United Transportation Union. Public Law 91–234.

Railroad retirement: Provided for a tax on railroad employers to cover the costs of the supplemental annuity program for employees; placed that program on a permanent basis; and provided that any individual who renders service as an employee for compensation after the "supplemental annuity closing date" applicable to him will not be entitled to a supplemental annuity. Public Law 91–215.

Railroad Retirement Act amendments: Amends the Railroad Retirement Act of 1937 to provide a 15 percent increase in annuities; provides that the increase be disregarded in determining the annual income of any person for the purpose of determining eligibility for a pension or for dependency or indemnity compensation under Federal laws providing these benefits for veterans and their families and makes other changes in the Act; also establishes a Commission on Railroad Retirement to study, and recommend to Congress by July 1, 1971, changes in the railroad retirement system and its financing. H.R. 15733. P/H 4/7/70. P/S amended 6/25/70. In conference.

Railway labor-management dispute: Prevented a nationwide strike on railroads throughout the United States scheduled to occur at midnight, March 3, 1970, and provided that for the 37-day period beginning with the enactment of this legislation (until April 11, 1970), strikes and lockouts occurring as a result of this dispute were prohibited. Public Law 91–203.

Railway labor-management dispute: Prevented a nationwide strike on railroads throughout the United States which was previously prohibited by Public Law 91–203 by putting into effect a "memorandum of understanding," dated December 4, 1969, which memorandum was agreed to by the railroads and negotiators for the four shopcraft unions involved in the dispute and which is subject to renegotiation commencing September 1, 1970, for changes effective on or after January 1, 1971. Public Law 91–226.

MEMORIALS AND TRIBUTES

Apollo 13 Astronauts: Expressed the Senate's commendation of the Apollo 13 astronauts—James Lovell, John L. Swigert, Jr., and Fred W. Haise, Jr.—for their fortitude and courage; extended support to their families, friends and all involved in their mission; and urged all who wished to and could comply to pause at 9 p.m., April 14, 1970, to ask the help of God in assuring the safe return of the astronauts. S. Res. 388. Senate adopted 4/14/70.

Commendation of heroism of airline pilots: Expressed the sense of the Senate that Eastern Airlines Captain Robert M. Wilbur, Jr., and his co-pilot, the late James E. Hartley, be commended for their heroic action in averting a major air disaster on March 17, 1970. S. Res. 375. Senate adopted 3/24/70.

Everett McKinley Dirksen Building: Named the existing Federal Office Building and United States Courthouse in Chicago, Illinois, in memory of the late Everett McKinley Dirksen, who served as a Member of Congress from Illinois from 1933 to 1969. Public Law 91–237.

Goddard Rocket and Space Museum: Provides congressional recognition of the Goddard Rocket and Space Museum of the Roswell Museum and Art Center, Roswell, New Mexico, as a fitting memorial to Dr. Robert H. Goddard, an outstandig pioneer in American rocketry. S. Con. Res. 49. P/S 4/7/70.

Harry S. Truman Dam and Reservoir, Missouri: Renamed the Kaysinger Bluff Dam and Reservoir, Osage River Basin, Missouri, in honor of the 33rd President of the United States, the Honorable Harry S. Truman. Public Law 91–267.

Honor America Day: Granted Congressional recognition to the importance of the July 4, 1970, Honor America Day celebrations and called upon the people of the United States to observe such celebrations with appropriate ceremonies and activities. H. Con. Res. 669. House adopted 6/29/70. Senate adopted 7/1/70.

Jose Antonio Navarro Commemorative Medals: Authorized the Secretary of the Treasury to strike and furnish to the San Antonio Conservation Society, without cost to the Federal Government, not more than 100,000 medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro. Public Law 91–244.

Mary McLeod Bethune Memorial: Extended for 4 years the existing authority for the erection in the District of Columbia of a memorial in honor of Mary McLeod Bethune, a prominent Negro educator, and in commemoration of the 100th anniversary of the signing of the Emancipation Proclamation. Public Law 91–277.

Newt Graham Lock and Dam: Designates lock and dam No. 18 on the Verdigris River, Oklahoma, as the Newt Graham lock and dam, and the lake created thereby as the Newt Graham Lake, in honor of Newton R. Graham who contributed to the comprehensive development of the Arkansas River Basin. S. 1500. P/S 5/25/70.

Ohio Northern University's 100th Anniversary: Extended Congress' congratulations and greetings to Ohio Northern University on the occasion of the 100th anniversary of its founding. H. Con. Res. 575. House adopted 4/29/70. Senate adopted 6/26/70.

Ohio State University's 100th Anniversary: Extended Congress' congratulations and greetings to Ohio State University on the occasion of the 100th anniversary of its founding. H. Con. Res. 573. House adopted 4/29/70. Senate adopted 6/26/70.

Peruvian earthquake: Extended the sympathy of the Senate to the President and the people of Peru in the hour of their suffering and distress resulting from an earthquake on May 31, 1970, causing loss of thousands of lives and destruction or devastation of many towns and villages, rendering homeless and destitute many thousands of people. S. Res. 424. P/S 6/29/70.

Pick-Sloan Missouri River Basin Program: Designates the comprehensive Missouri River Basin Development program as the Pick-Sloan Missouri Basin program in honor of W. G. Sloan and General Lewis A. Pick who contributed to the development of the water resources of the Nation and the Missouri River Basin, S. 1100. P/S 5/25/70.

Senate Majority Leader Mike Mansfield: Extended to Mike Mansfield the gratitude and admiration of the Senate for his outstanding performance as a Senator and as a Majority Leader, whereas he completed, on June 19, 1970, 9 years and 167 days as Majority Leader of the United States Senate, a period of service exceeding that of any previous Majority Leader in the history of the United States Senate. S. Res. 423. P/S 6/25/70.

Stone Mountain Memorial Medals: Authorized the Secretary of the Treasury to strike and furnish to the Stone Mountain Memorial Foundation, without cost to the Federal Government, not more than 500,000 medals in commemoration of the completion of the carvings on Stone Mountain, Georgia, depicting heroes of the Confederacy. Public Law 91–254.

Tribute to General Omar N. Bradley and Allied World War II Victory in Europe: Expressed the sense of Congress that, on the occasion of the 25th anniversary of V–E Day, and the formal opening of the General Omar N. Bradley historical collection, appropriate ceremonies be conducted at Carlisle Barracks, Pennsylvania. H. Con. Res. 207. P/H 5/19/69. P/S 2/10/70.

William "Bill" Dannelly Reservoir: Changes the name of the Miller Ferry lock and dam, Alabama River, Alabama, as a tribute to Judge William "Bill" Dannelly, for his role in the development of the water resources of the Alabama-Coosa River Basin. S. 528. P/S 5/22/70.

NOMINATIONS—ACTION BY ROLLCALL VOTE

Harry A. Blackmun, of Minnesota, to be an Associate Justice of the Supreme Court of the United States: Nomination confirmed 5/12/70 (94–0).

George Harrold Carswell to be an Associate Justice of the Supreme Court of the United States: Nomination rejected 4/8/70 (45–51).

Admiral Thomas H. Moorer to be Chairman of the Joint Chiefs of Staff for a term of two years: Nomination confirmed 6/17/70 (78–2).

PROCLAMATIONS

American prisoners of war and servicemen missing in action in Southeast Asia: Expressed the sense of Congress that May 1, 1970, be commemorated as a day for an appeal for international justice for all American prisoners of war and servicemen missing in action in Southeast Asia; that avenues be sought to insure treatment of these men

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in accord with the Geneva Convention standards; that every possible effort be made to secure their early release from captivity; and that the President designate Sunday, May 3, 1970, as a National Day of Prayer for humane treatment and the safe return of these brave Americans. H. Con. Res. 582. House adopted 4/23/70. Senate adopted 4/27/70, amended. House agreed to Senate amendments 4/28/70.

Clean Waters for America Week: Authorizes the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week." S.J. Res. 172. P/S 2/17/70.

International Clergy Week: Authorized and directed the President to issue a proclamation designating the week commencing February 1, 1970, as "International Clergy Week in the United States." Public Law 91–192.

International Petroleum Exposition: Authorizes and requests the President to invite by proclamation or otherwise the States and foreign nations to participate in the International Petroleum Exposition to be held in Tulsa, Oklahoma, from May 15 through May 23, 1971, for the purposes of exhibiting machinery, equipment, supplies, and other products used in the production and marketing of oil and gas and bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce for such products. S. J. Res. 127. P/S 2/17/70.

Mineral Industry Week: Authorized and requested the President to issue a proclamation designating the period of February 13–19, 1970, as "Mineral Industry Week." Public Law 91–195.

National Arbor Day: Authorized the President to proclaim the last Friday of April 1970 as "National Arbor Day" and called upon the people of the United States to observe such day with appropriate ceremonies and activities. Public Law 91–236.

National Park Centennial Year: Requested the President to issue a proclamation designating 1972 as "National Park Centennial Year" and created a special commission to prepare and execute the plans for the commemoration of the 100th anniversary of the establishment of the world's first national park, Yellowstone, on March 1, 1872. H.J. Res. 546. Public Law 91– .

RESOURCE BUILDUP

Anadromous Fish Conservation Act amendments: Extended and expanded the program for the conservation, development, and enhancement of the Nation's anadromous fish and the fish in the Great Lakes that ascend streams to spawn; and authorized for the program $6 million, $7.5 million, $8.5 million and $10 million for fiscal years 1971, 1972, 1973, and 1974, respectively. Public Law 91–249.

Arches National Park, Utah: Establishes the Arches National Park in the State of Utah, consisting of some 73,154 acres, the greater part of which are now in Federal ownership, and protects, for a limited period, existing uses respecting grazing and the trailing and watering of livestock. S. 532. P/S 7/1/70.

Cape Cod National Seashore, Massachusetts: Authorized the appropriation of an additional $17,401,000 to assure the acquisition of all remaining non-Federal lands needed to make the Cape Cod National Seashore a meaningful unit of the national park system. Public Law 91–252.

Capitol Reef National Park, Utah: Establishes the Capitol Reef National Park in the State of Utah and provides for a total park area of 230,837 acres. S. 531. P/S 7/1/70.

Central and Western Pacific Tuna Fishery Development Act: Authorizes the Secretary of the Interior to institute a 3-year program for the development of latent tuna resources of the central and western Pacific and authorizes to be appropriated for the period July 1, 1970, to June 30, 1973, the sum of $3 million to remain available until expended. S. 3176. P/S 5/22/70.

Coral Reefs Conservation: Authorizes the Secretaries of Interior and the Smithsonian Institution to expend $4.5 million until June 30, 1970 in cooperation with the territories of Guam, American Samoa, the Trust Territory of the Pacific Islands, other United States territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs. The bill is designed to control the devastating crown of thorns starfish which has been destroying coral reefs. S. 3153. P/S 4/27/70.

Craters of the Moon National Monument, Idaho: Designated 40,785 acres of the Craters of the Moon National Monument in Idaho as part of the national wilderness preservation system, pursuant to provisions of the Wilderness Act (Public Law 88–577). S. 1732. P/S 6/15/70.

East Greenacres Unit, Rathdrum Prairie Project, Idaho: Authorized construction, operation, and maintenance of the East Greenacres unit of the Rathdrum Prairie Reclamation Project in northwest Idaho, which unit would supply irrigation water to 5,230 acres and municipal and industrial water, and provide fish and wildlife conservation and public recreation benefits. Public Law 91–286.

Federal Water Pollution Control Act Amendments: Amended the Federal Water Pollution Control Act to declare a U.S. policy that there should be no oil discharges into navigable waters of the U.S., adjoining shorelines or waters of the contiguous zone; to authorize the President to determine by regulation what harmful quantities of oil cannot be discharged without violation of the Act, and to designate those discharges, other than oil, which constitute dangerous substances; to provide penalties for failure to give proper notification of a knowing discharge of oil and violation of restrictions; to authorize the President to act to remove oil unless properly done by the responsible owner or operator; to provide for a National Contingency Plan for removal of oil; to provide, in the event a marine disaster has created a substantial threat of a pollution hazard, for removal of the threat; and, unless an act of God, war, U.S. government negligence or an act or omission of a third party be shown, liability to the U.S. for a discharge shall be not to exceed $100 per gross ton or $14 million, whichever is lesser, for a vessel and $8 million for an onshore or offshore facility, unless the discharge resulted from willful negligence or misconduct, when there shall be full liability for the costs. The Act also includes provisions for control of sewage from vessels, area acid and other mine water pollution control demonstrations; pollution control in the Great Lakes; training grants and contracts with institutions for training in water quality control; Alaska village demonstration projects; cooperation by all federal agencies in the control of pollution; and establishment of an Office of Environmental Quality. Public Law 91–224.

Fisheries loan fund extension: Amends the Fish and Wildlife Act of 1956 to extend the life of the fisheries loan fund an additional 10 years, from June 30, 1970, until June 30, 1980. S. 3102. P/S 5 5/15/70. H.R. 14124. H Cal.

Ford's Theatre National Historical Site: Designated Ford's Theatre, the Lincoln Museum, and the House Where Lincoln Died, as the Ford's Theatre National Site, and added to that complex certain property in the District of Columbia adjacent to the Theatre. Public Law 91–288.

Golden Eagle program: Renewed until December 31, 1971, the Golden Eagle passport program but increased from $7 to $10 the annual cost of the permit allowing entry into Federally administered outdoor recreation areas and provided advance contract authority to enable Federal agencies to acquire land for outdoor recreation. S. 2315. Public Law 91– .

Historic properties: Extended the national historic preservation program established by Congress in 1966 (Public Law 89–665) and authorized appropriations of $7 million, $10 million and $15 million for fiscal years 1971, 1972 and 1973, respectively; provided for an increase in the size of the Advisory Council on Historic Preservation; authorized limited United States participation in the International Centre for the Study of the Preservation and Restoration of Cultural Property, and in this connection, authorized a maximum appropriation of $100,000 in each of fiscal years 1971, 1972, and 1973. Public Law 91–243.

Homestead National Monument, Nebraska: Provides for the addition of the Freeman School and the 1.2 acres of land on which it is situated to the Homestead National Monument of America in Nebraska. S 58. P/S 4/27/70.

Hudson River Compact negotiations: Extended until 1973 provisions of the act of September 26, 1966, which expired on September 26, 1969, with respect to applications for a license for an activity which may affect the resources of the Hudson Riverway and required the Secretary of the Interior to report on the progress of the negotiations on the Hudson River Compact by July 1, 1970, and annually thereafter. Public Law 91–242.

Lake Tahoe, Nevada and California: Authorize the Secretary of the Interior to study the feasibility and desirability of establishing a national lakeshore on Lake Tahoe in the States of Nevada and California with the objective of providing legislation to preserve in perpetuity the superb scenic and recreational facilities available in the Lake Tahoe area. S. 2208. P/S 5/13/70.

Middle Snake River: Suspends for 8 years the authority of the Federal Power Commission to accept applications or grant licenses or permits under the Federal Power Act for the construction of hydroelectric power projects on the reach of the Middle Snake River extending along the Idaho-Oregon and Idaho-Washington borders for 100 miles between the existing Hells Canyon Dam and the authorized Asotin Dam. S. 940. P/S 5/15/70.

Missouri River Basin: Authorized appropriations of $32 million for fiscal years 1971 and 1972 (including $13,838,000 in the fiscal year 1971 budget) to continue the program of the Bureau of Reclamation for investigations and construction of the comprehensive plan for the Missouri River Basin project. Public Law 91–218.

Mount Baldy, Pine Mountain, and Sycamore Canyon Wilderness, Arizona: Designates areas in three national forest primitive areas in Arizona as the Mount Baldy Wilderness, the Pine Mountain Wilderness, and the Sycamore Canyon Wilderness, as part of the national wilderness preservation system, in accordance with the provisions of the Wilderness Act of September 3, 1964. S. 710. P/S 6/12/70.

Pacific Marine Fisheries Compact amendments: Granted the consent and approval of the Congress to amendments to the Pacific marine fisheries compact as follows: by recognizing the adherence of the States of Idaho and Alaska to the compact in addition to the three original member States (California, Oregon, and Washington); modifying the reference to the Pacific Ocean by the additional wording "and adjacent waters" in recognition of the State of Alaska's jurisdiction over the Bering Sea; and providing a more equitable way of apportioning costs of the activities of the Pacific Marine Fisheries Commission. H.R. 13407. Public Law 91– .

Point Reyes National Seashore, California: Authorized the appropriations of an additional $38,365,000 to assure the acquisition of all remaining non-Federal lands needed to make the Point Reyes National Seashore a meaningful unit of the national park system. Public Law 91–223.

Public ownership of lands in Federal reclamation projects: Clarified the acreage limitation provisions of the Federal reclamation laws with respect to lands owned by a State or local government entity or subdivision. S. 2062. Public Law 91– .

River basin plans and civil works: Authorized additional appropriations of $810 million to cover a period of two years ending calendar year 1971 for certain comprehensive river basin plans previously approved by Congress for flood control, navigation, and other purposes. Public Law 91–282.

Riverton extension unit of the Missouri River Basin project, Wyoming: Consolidates the Riverton reclamation project, presently in operation, and the lands of the former Riverton extension unit of the Missouri River Basin Project now in Federal ownership within a single authorized unit of the Missouri River Basin Project to provide a new repayment plan for the entire unit including necessary rehabilitation and betterment of existing facilities, write-off of costs associated with the development of lands found to be nonproductive, and provision of repayment assistance from power revenues of the Missouri River Basin Project. S. 434. P/S 4/27/70.

Rogue River Basin project, Oregon: Authorized the construction, operation, and maintenance of the Merlin division, Rogue River Basin reclamation project in Josephine County, Oregon, which division is a multiple-purpose water resource development serving irrigation water to more than 9,000 acres, for public outdoor recreation, fish and wildlife conservation, area redevelopment, and flood control. Public Law 91–270.

Saline water conversion program: Authorized an appropriation of $28,873,000 for fiscal year 1971 to continue the desalting research program of the Office of Saline Water, Department of the Interior. Public Law 91–221.

Toiyabe National Forest, Nevada: Extends the boundaries of the Toiyabe national forest to include 12,920 acres along the Nevada side of Lake Tahoe to aid in the protection and management of the various resources of the area, including the protection, improvement, and maintenance of the watershed, wildlife, recreation, and natural environment values of the lands in the Lake Tahoe Basin, and to promote the management and protection of these lands under the principles of multiple use and sustained yield. S. 3279 P/S 4/27/70.

Touchet-Walla Walla project, Oregon-Washington: Authorized $22,774,000 for the construction and operation of the Touchet division of the Walla Walla reclamation project in southeastern Washington which will supply irrigation water to approximately 9,960 acres of land. S. 743. Public Law 91– .

Wichita Mountain Wilderness, Oklahoma: Places 8,900 acres of the 59,000 acres Wichita Mountains National Wildlife Refuge in Oklahoma within the National Wilderness Preservation System, including the 5,000 acre Charons Garden Unit and the 3,900 acre North Mountain Unit. S. 3222. P/S 4/27/70.

Yuma Mesa Irrigation District, Arizona: Amends Public Law 394, 84th Congress, to authorize for the Yuma Mesa Irrigation District, Gila Project, Arizona, "irrigation works and facilities" to be constructed in addition to drainage facilities and to authorize the existing repayment contract to be amended accordingly. S. 2882. P/S 3/18/70.

Youth Conservation Corps: Established a pilot Youth Conservation Corps program for young men and women, 14–18 years of age, who would participate in summer work and educational projects in our national parks, forests, recreation areas, wildlife refuges and other public lands administered by the Departments of Interior and Agriculture for periods up to 90 days. S. 1076. P/S 6/26/69. P/H amended 6/15/70.

XUM

SPACE

NASA authorization, 1971: Authorized the appropriation of $3,410,878,000 for fiscal year 1971 to the National Aeronautics and Space Administration ($2,693,100,000 for research and development, $34,478,000 for construction of facilities, and $683,300,000 for research and program management). Public Law 91–303.

TAXATION

Discriminatory State taxation of interstate carriers: Eliminates the long-standing burden on interstate commerce resulting from discriminatory State and local taxation of common and contract carrier transportation property by (a) amending the Interstate Commerce Act to declare unlawful, as an unreasonable and unjust discrimination against and an undue burden upon interstate commerce, a State or local tax rate, assessment, or collection upon the transportation property of a common or contract carrier at a higher level than upon property in the same taxing district, and (b) procedurally, by providing a remedy in the Federal courts for common and contract carriers against the collection of the excessive portion of any tax based upon such unlawful assessment or rate. S. 2289. P/S 1/30/70.

DUTY SUSPENSIONS

Copper: Continued from July 1, 1970 through June 30, 1972, the present suspension of duties applicable to unwrought copper (except nickel silver), copper waste and scrap, and copper articles imported to be used in remanufacture by melting; and continued the suspension of the additional duties applicable to the copper content of certain copper-bearing ores and materials for the same period. Public Law 91–298.

L–Dopa: Amended the Tariff Schedules of the United States by adding a new item to suspend for a period of 2 years the duty on L–Dopa, a new drug used in the treatment of Parkinsonism. H.R. 8512. Public Law 91– .

Manganese ore: Continued until June 30, 1973, the existing suspension of duties on manganese ore. H.R. 14720. Public Law 91– .

Employment security amendments: Extends coverage of the unemployment compensation program to an additional 4.4 million jobs, including workers affected by a modified definition of "employee," certain agricultural employees, certain employees of non-profit organizations and State or county hospitals and institutions of higher learning, and United States citizens employed outside the U.S. by an American employer; establishes a permanent program of extended benefits for people who exhaust their regular State benefits during periods of high unemployment; provides the States with a procedure for obtaining judicial review of certain adverse determinations by the Secretary of Labor; improves the financing of the program; provides certain limited requirements for State unemployment compensation programs which are designed to protect the integrity of the program; allows States until January 1, 1972, to meet the new requirements; and makes other changes to strengthen the Federal-State unemployment compensation system. H.R. 14705. P/H 11/13/69. P/S amended 4/7/70. Conference report filed 5/5/70.

U.S.S. "Pueblo" crew—taxes: Provided that, for purposes of the Internal Revenue Code of 1954, members of the crew of the U.S.S. *"Pueblo"* who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone and will receive an exclusion from income tax for their pay for service in the Armed Forces; waived unpaid income taxes and Federal death taxes for the member of the crew killed during this period; and extended the time for filling tax returns, paying taxes, etc. for all personnel on the ship. Public Law 91–235.

TRANSPORTATION AND COMMERCE

Accessibility of public facilities to physically handicapped: Provided that buildings and structures which must be used by the general public such as subway stations and surface stations constructed under the authority of the National Capital Transportation Acts of 1960 and 1965, or title III of the Washington Metropolitan Area Transit Regulation Compact, be so designed and constructed as to be accessible to the physically handicapped. Public Law 91–205.

Airport and Airways Development Act: Provided for the expansion and improvement of the Nation's airport and airway systems; repealed the Federal Airport Act; required the Secretary of Transportation to formulate and recommend to Congress within one year a national transportation policy; established a Presidential Aviation Advisory Commission; authorized expenditures of $75 million for planning grants, at $15 million each year; $250 million for air carrier and reliever airport development for each of 5 fiscal years beginning in fiscal year 1971, and $30 million for non-air carrier airport development for each of such fiscal years, and beginning in fiscal year 1971, contract authority up to $840 million for 5 fiscal years, with each obligation of $280 million restricted to 3 years, and $250 million for air navigation facilities for each of 5 fiscal years; imposed new or increased user taxes as follows: 7 cents a gallon tax on gasoline and other fuels used in non-commercial aviation; 8 percent on gross amounts of domestic airline passenger fares; 5 percent tax on air freight waybills; $3 tax per person using international travel facilities; and annual civil aircraft user tax, plus an additional poundage tax in the case of certain aircraft. Revenues from the aviation user taxes are to be placed in a new Airport and Airway Trust Fund similar in nature to the existing Highway Trust Fund. Public Law 91–258.

Cruise ship regulations: Amended the Merchant Marine Act of 1936, as amended, to eliminate certain provisions of existing law which unnecessarily restrict cruise operations of subsidized American-flag passenger vessels, to enable these vessels to compete more effectively with foreign-flag passenger vessels, and to vest permissive authority in the Secretary of Commerce to make available regularly scheduled vessel passenger service to the public, including service in some areas which now have none. Public Law 91–250.

Federal Low-emission Vehicle Procurement Act: Channels and augments the motor vehicle procurement expenditures of the Federal Government in such a way as to stimulate the development, production and distribution of motor vehicle propulsion systems which emit few or no pollutants; seeks to achieve this stimulation by requiring the Federal Government to purchase available low-emission vehicles in lieu of other vehicles, thereby creating a guaranteed market which additionally provides controlled conditions for field testing of new concepts in automotive propulsion; authorizes annual appropriations of $50 million to carry out the provisions of this Act. S. 3072. P/S 3/26/70.

Fishing fleet improvement: Extended and broadened the construction assistance program under the United States Fishing Fleet Improvement Act to include reconditioning, conversion, and remodeling; increased the authorization for appropriations from $10 million annually to $20 million for fiscal years 1970, 1971, and 1972; provided for a class differential rather than the present individual determination, and eliminated several time-consuming provisions resulting in savings of time and administrative costs. Public Law 91–279.

International Travel Act amendment: Amends the International Travel Act of 1961 in order to improve the balance of payments by further promoting travel to the United States; provides Federal grants to assist States, cities, and regional groupings of States in attracting foreign visitors, and sets the Federal share of cost of any relevant program at 75 percent of its cost; establishes in the Commerce Department a United States Travel Service to be headed by an Assistant Secretary of Commerce for Tourism (to replace the present Travel Service headed by a Director); creates a National Tourism Resources Review Commission to study and make recommendations to the President and Congress regarding travel needs and policies; and authorizes appropriations of $15 million for each of fiscal years 1971, 1972 and 1973. S. 1289. P/S 3/26/70. H.R. 14685. P/H 5/14/70; P/S amended 5/21/70. In conference.

Maritime authorization, 1971: Authorized the appropriation of $429,420,000 to the Maritime Administration for the fiscal year 1971 ($199,500,000 for acquisition, construction or reconstruction of vessels, and construction—differential subsidy and cost of national defense features incident to the construction, reconstruction or reconditioning of ships; $193 million for payment of obligations incurred for shipping operation subsidies; $19 million for research and development expenses; $4,675,000 for reserve fleet expenses; $6.8 million for operation of the Merchant Marine Academy at King's Point, New York; $2,445,000 for financial assistance to State marine schools; and $4 million for continued operation of the nuclear ship "Savannah"). Public Law 91–247.

National Traffic and Motor Vehicle Safety Act amendments: Authorized appropriations of $23 million for fiscal year 1970 and $40 million for each of fiscal years 1971 and 1972; broadened the definition of "motor vehicle equipment" to include related automotive safety devices used exclusively to safeguard motor vehicles and passengers, and other highway users from risk of accident, injury or death; provided that the Secretary of Transportation obtain information relating to agricultural tractor safety and report findings and recommendations thereon to Congress; and amended the act in several other respects. Public Law 91–265.

Political broadcasting: Amends section 315 of the Communications Act of 1934, as amended, to repeal the equal-time broadcasting requirement relative to presidential and vice-presidential candidates; limits the charges for use of broadcasting stations by candidates for public office to no more than the station's lowest unit charge for the same amount of time; and places a ceiling of $20,000 on the amount candidates for Federal elective office, or others on their behalf, may spend on electronic media in a general election. S. 3637. P/S 4/15/70.

Public Broadcasting Financing Act of 1970: Amends the Communications Act of 1934 to authorize annual appropriations of such sums as may be necessary for fiscal years 1971, 1972 and 1973 for the continued financing of the Corporation for Public Broadcasting, and to direct the Federal Communications Commission to prescribe regulations for broadcast stations receiving assistance under Title II of the Public Broadcasting Act. S. 3558. P/S 5/19/70. H.R. 17982. H. Cal.

Rail Passenger Service Act of 1970: Establishes a National Rail Passenger Corporation to provide for the operation of passenger trains, to commence service on March 1, 1971, and authorizes for fiscal year 1971 appropriations of $40 million to the corporation, as well as guarantee of $60 million in 20-year loans to the corporation to finance the upgrading of roadbeds and the purchase and rehabilitation of rolling stock and for other corporate purposes. The bill also authorizes the appropriation of $75 million for loans or loan guarantees to provide emergency financial assistance for railroads operating passenger service. S. 3706. P/S 5/6/70.

Railroad Safety Act and Hazardous Materials Transportation Control Act: Designed to promote safety in all areas of railroad operation, to reduce railroad related accidents, and to reduce death and injuries to persons and to reduce damage to property caused by accidents involving any carrier of hazardous materials. S. 1933. P/S 12/19/69. P/H amended 6/15/70.

Shipper's recovery of a reasonable attorney's fee: Puts the shipping public, especially small shippers, householders, and travelers in a more equal bargaining position with carriers in settlement negotiations for recovery of damages sustained in the transportation of property by permitting a successful plaintiff to recover his attorney's fees if he allowed the carrier a reasonable period of time to settle the claim. S. 1653. P/S 1/26/70.

Urban Mass Transportation Assistance Act: Provides a Federal commitment for $10 billion in funds over a period of 12 years for urban mass transportation programs; authorizes the Secretary of Transportation to incur contractual obligations up to $3.1 billion for all authorized programs under the amended 1964 act, restricting disbursement by limitations from a maximum of $80 million prior to July 1, 1971, which is increased by specified limitations for subsequent years reaching a maximum of $1.86 billion on July 1, 1975, and $3.1 billion thereafter, with further authorization requests, and recommendations for adjustment in the schedule of liquidating appropriations, to be submitted by the Secretary at 2-year intervals before July 1, 1972 through 1982. Changes use of the discretionary fund from $12.5 million to 1.5 percent of the aggregate amount of funds authorized to be obligated, except that an additional 6 percent may be used if it shall not prejudice or delay pending projects of other States, but in such case no State shall receive more than 25 percent of the grant funds made available by the exception, and authorizes a new program of 1-year loans to States and local public bodies, and agencies thereof, for the acquisition of real property reasonably expected to be needed and used for urban mass transportation purposes within a reasonable period. S. 3154. P/S 2/3/70. H.R. 18185. H. Cal.

VETERANS

Definition of "child" for veterans' benefit purposes: Revised the definition of "child" for veterans' benefit purposes to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree. Public Law 91–262.

Group life insurance: Increased from $10,000 to $15,000 the amount of servicemen's group life insurance for members of the uniformed services. Public Law 91–291.

Medical benefits for older veterans: Provides that a veteran who is in receipt of a Veterans' Administration pension would no longer be required to sign under oath a statement of inability to defray the necessary expenses of hospital or domiciliary care in order to gain admission to a VA hospital for a non-service-connected disability. H.R. 693. P/H 6/2/69. P/S amended 10/21/69. House agreed to Senate amendment with an amendment 5/4/70.

Recoupment of disability severance pay: Liberalized the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans. Public Law 91–241.

Specialized medical resources: Provides greater flexibility in the Veterans Administration hospital and medical care program by providing the Administrator with greater administrative discretion in the appointment of nurses, in the internship and residency program, and in the appointment of dentists of high academic and research standing on a temporary full-time or part-time basis. H.R. 9634. P/H 6/2/69. P/S amended 10/21/69. House agreed to Senate amendments with amendments 5/4/70.

Veterans' Administration Regional Office in the Philippines: Extends for 4 years, until July 3, 1974, the authority of the Veterans' Administration to operate and maintain a regional office in the Philippines. H.R. 16739. Public Law 91– .

Veterans' disability compensation increase: Increases the compensation payments to totally disabled veterans whose disability is service connected from $400 to $450 per month; increases by 11 percent the compensation payments to other veterans with service connected disabilities; increases by 11 percent the allowances to dependents of disabled veterans whose disability is rated at 50 percent or higher; establishes a presumption that a disability suffered by a former prisoner of war from dietary deficiencies, forced labor, or inhumane treatment is service connected if the disability is related to malnutrition, or if the veteran became psychotic within 2 years of separation from military service. S. 3348. P/S 4/27/70. P/H amended 6/15/70.

Veterans Education and Training Amendments Act: Increased by 34.6 percent the basic "GI bill" monthly educational assistance allowance rates for veterans, and the allowances for farm training and apprenticeship programs; increased by 22.7 percent the vocational rehabilitation training subsistence allowance for educationally disadvantaged veterans; established a predischarge educational program to assist servicemen in preparing for future education while still on active duty; and expanded the veterans' outreach service program covering the Veterans' Administration counseling services to advise veterans of their entitlements and assist them in gaining employment. Public Law 91–219.

WELFARE

Social security and railroad retirement benefits: Extends for 4 months the period for States to assure aged, blind, and disabled social security beneficiaries who also receive welfare and increase of at least $4 in their combined income from social security and welfare, and accords similar treatment to increases in railroad retirement benefits which may become law in 1971. H.R. 14720. P/H 5/19/70. P/S amended 6/19/70.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 991, H.R. 17923, the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to the consideration of the bill.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, before I begin my formal statement I call attention to one fact I want every Senator to know about. When the full Committee on Appropriations marked up this bill we had been informed that the supplemental budget request was in the course of preparation to enlarge the school lunch program to make it conform to the new bill, which Senators will remember was passed and signed by the President a brief time ago.

The full committee gave to the managers of the bill, the Senator from Nebraska (Mr. HRUSKA) and me, authority to submit the supplemental budget request as an amendment to the bill if it was received prior to Senate consideration of the bill. It was received on July 1, 1970.

Senators will find printed at page 23003 of yesterday's RECORD a full description of this item, including a copy of the supplemental budget request and a copy of the seven different amendments required to accomplish the request in full.

I wanted to explain this so that Senators who may be concerned about this request, which increases by $216 million-plus the new school lunch program, will have a chance to advise themselves fully before we bring up this matter. I would assume we would not bring it up until the close of consideration of the bill in general, if that is agreeable with the Senator from Nebraska.

Mr. President, I want to give notice to that effect. As I have already stated, these items are described in full in yesterday's RECORD beginning at page 23003.

Mr. President, we now have under consideration H.R. 17923, the annual appropriation bill for the Department of Agriculture and related agencies. Appropriations in the pending bill as recommended by the committee total $7,703,256,100, an increase of $253,067,950 over the House bill, an increase of $171,480,600 over the budget estimates, and $333,842,050 under the regular 1970 Appropriation Act.

Mr. President, the committee report, 91–987, provides a complete explanation by each appropriation item in the bill—including changes in projects and activities thereunder—with comparisons showing amounts recommended by the committee in relation to the budget estimates, the House bill, and the prior year's annual Appropriation Act. The report is quite detailed and, therefore, in my statement I shall deal only with some of the activities which I believe are of current substantial interest to Members of the Senate, after which I will, of course, be pleased to respond to any and all questions Senators may have on any items in the bill.

I should say at this time that my distinguished friend, the Senator from Nebraska (Mr. HRUSKA), the ranking minority Member, who is also in the Chamber, is available to respond to any questions which may be addressed to him. I am glad he is here. He has been of great help in the handling of the bill, and in the preparation of this entire rather large and complicated bill.

RESEARCH AND EXTENSION PROGRAMS

The bill as reported provides a total of $261,715,950 for research, plant and animal disease and pest control programs and the foreign currency research program carried out by the Agricultural Research Service. The total available for the subitem "research" is $172,346,200, a net increase of $25,544,000 over the annual Appropriation Act for 1970; $15,909,000 over the budget estimates for fiscal 1971; and $11,203,000 over the House bill.

Several increases are recommended by the committee for the staffing of new laboratories which have been completed or enlarged in recent years but the President's budget did not propose any additional staffing for fiscal 1971. The committee is cognizant of the expenditure limitations and the personnel ceilings under which the executive departments and agencies must operate, but believes that the staffing of important research laboratories dealing with the various important research missions must be promptly undertaken in spite of budgetary limitations. The House bill provides increases of $4,042,000 over the estimates for these several research facilities and the Senate has recommended increases over the House amount of $10,468,000. The amounts recommended provide for partial staffing and it is expected that future budgets will propose full funding for these facilities.

I cannot overstate the importance of this item. The committee was very distressed that a group of very fine laboratory facilities requested by the Department, and provided for as long as 5 years ago, some of which were completed 2 years ago, have not been staffed. We are particularly concerned that this is true with reference to six laboratories dealing with the pesticides research program. These laboratories are extremely important as we approach a solution to the pollution problem in which the whole Nation is vitally interested.

The committee recommendations to the Senate, in dealing with the staffing and operation of the pesticides laboratories which were authorized in the Appropriation Acts for fiscal years 1965 and 1966, as a part of the budget recommendations for those years, provide for full staffing. These facilities are more urgently needed today than at the time of their authorization—yet, the budget as submitted to the Congress contained no increase over the small amounts provided for fiscal 1970 for the six laboratories which have been completed pursuant to the budget amendment in fiscal 1965, for the "pesticides package," which was transmitted directly to the Senate in Senate Document No. 85.

In other words, the work toward this program began under the recommendation of the then-President and at the insistent urging of the Department of Agriculture at that time.

The program embodied in Senate Document 85 amended the budget by an increase of $29 million. All of the amounts for the agencies concerned were approved by the Congress except for a small amount for the Forest Service which is not under the jurisdiction of this committee, but for which appropriations were handled with that amendment to the budget.

Mr. President, the hearing record shows the urgent need for moving ahead very expeditiously in the staffing and operation of these new pesticides facilities. The hearing record also shows the several actions taken by the Secretary of Agriculture in the pesticides area to curtail or to eliminate the use of persistent and harmful chemicals. These new facilities will enable the Department to accelerate its research mission in the six new specialized laboratories which are concerned with pesticides.

The nature of the research program varies by laboratory from research on biological methods to control insects at the Gainesville, Fla., facility, to toxicological methods on livestock at College Station, Tex., to alternative and less persistent and harmful chemical methods at the facility at Stoneville, Miss., and in other laboratories there are also treated different aspects of this problem. The committee has, therefore, recommended an appropriations of $7,921,400 for these facilities and has made provision in the bill for them to achieve full staffing during fiscal 1972.

The committee felt it would be derelict in its obligation to the public and to the Government, which has proclaimed its great interest in dealing with the pollution problem and the insecticide problem, if it did not provide for full activity in these new and very expensive and very fine laboratories, which are prepared to proceed with their work if only they were staffed.

Mr. President, in view of the general interest in the pesticides field, and the staffing of other laboratories to which I have referred, I request that page 8 of the committee report, entitled "Staffing of New Research Laboratories," be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

XUM

STAFFING OF NEW RESEARCH LABORATORIES

Items	1970 funds available (including increased pay costs) and 1971 estimate	Increases, 1971		Amendment requested	Senate committee recommendations	Senate committee (plus or minus)		
		House bill	Department proposal			Estimate, 1971	House bill, 1971	Appropriation, 1970
	(1)	(2)	(2a)	(3)	(4)			
1) Cotton cost of production laboratories:								
Phoenix, Ariz.	$386,700	+$165,000		−$165,000	$786,700	+$400,000	+$235,000	+$400,000
Stoneville, Miss.	132,200	+110,000		−110,000	382,200	+250,000	+140,000	+250,000
College Station, Tex.	153,100	+110,000		−110,000	435,100	+300,000	+190,000	+300,000
Subtotal	672,000	+385,000		−385,000	1,622,000	+950,000	+565,000	+950,000
(2) Pesticides laboratories:								
Gainesville, Fla. (insect attractants)	365,000	+550,000	+550,000		1,836,000	+1,471,000	+921,000	+1,471,000
Savannah, Ga. (insect control)	504,300	+220,000	+200,000	−20,000	704,300	+200,000	−20,000	+200,000
Stoneville, Miss. (pesticides)	209,800	+330,000	+330,000		1,129,800	+920,000	+590,000	+920,000
Stoneville, Miss. (weed research)	141,900	+440,000	+440,000		1,256,900	+1,115,000	+675,000	+1,115,000
Durant, Okla. (water pollution)	150,800	+220,000	+220,000		590,800	+440,000	+220,000	+440,000
College Station, Tex. (livestock insects)	178,600	+550,000	+550,000		2,403,600	+2,225,000	+1,675,000	+2,225,000
Subtotal	1,550,400	+2,310,000	+2,290,000	−20,000	7,921,500	+6,371,000	+4,061,000	+6,371,000
(3) Other research laboratories:								
Georgetown, Del. (poultry)	53,800	+55,000		−55,000	253,800	+200,000	+145,000	+200,000
Byron, Ga. (fruit and nut crops)	617,200	+55,000		−55,000	672,000	+55,000		+55,000
Dawson, Ga. (peanut marketing)	361,800	+55,000		−55,000	416,800	+55,000		+55,000
Baton Rouge, La. (beefstock)		+100,000		−100,000	100,000	+100,000		+100,000
Oxford, Miss. (sedimentation)		+165,000		−165,000	165,000	+165,000		+165,000
Miles City, Mont. (range)	169,800	+55,000		−55,000	224,800	+55,000		+55,000
Grand Forks, N. Dak. (nutrition)	78,500	+275,000	+275,000		428,500	+350,000	+75,000	+350,000
Pendleton, Oreg. (soil and water)	96,100	+55,000		−55,000	151,100	+55,000		+55,000
University Park, Pa. (pasture)		+110,000		−110,000	110,000	+110,000		+110,000
Madison, Wis. (barley)	170,900	+55,000		−55,000	225,900	+55,000		+55,000
Madison, Wis.[2]	82,000	+42,000		−42,000	124,000	+42,000		+42,000
Subtotal	1,630,100	+1,022,000	+275,000	−747,000	2,872,100	+1,242,000	+220,000	+1,242,000
(4) Utilization research laboratories:								
Albany, Calif.	507,900	+165,000		−165,000	672,900	+165,000		+165,000
Athens, Ga.	1,407,400	+465,000		−465,000	2,452,400	+1,045,000	+580,000	+1,045,000
Peoria, Ill.	482,700	+365,000		−365,000	847,700	+365,000		+365,000
New Orelans, La.	485,400	+165,000		−165,000	650,400	+165,000		+165,000
Wyndmoor, Pa.	377,500	+165,000		−165,000	552,500	+165,000		+165,000
Subtotal	3,270,900	+1,325,000		−1,325,000	5,175,900	+1,905,000	+580,000	+1,905,000
Adjustment for delays in staffing		−1,000,000		+1,000,000			+1,000,000	
Total	7,123,400	+4,042,000	+2,565,000	−1,477,000	17,591,400	+10,468,000	+6,426,000	+10,468,000

[1] Includes additional funds for pay cost increases.

[2] This is not for staffing a recently completed USDA laboratory. It would be used for cooperative work on oat quality research at the University of Wisconsin. These funds would allow (1) equipping the oat quality laboratory, and (2) increasing cooperative research efforts to improve oat quality.

RESEARCH OBJECTIVES OF PESTICIDES LABORATORY FACILITIES

Mr. HOLLAND. Mr. President, I also offer for the record a brief description of the specific research programs that will be undertaken in the pesticides laboratories for which funds are provided in the pending bill. This statement of research objectives was supplied to the committee by the Agricultural Research Service and I think, in view of the fact that it has been a number of years since the hearings which authorized the construction of these facilities, that it is timely that a current description of the research programs to be undertaken at these facilities be included in the RECORD.

Mr. President, I request that the attached summary be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

1. *Florida, Gainesville (Research on insect attractants, behavior, and basic biology, and environmental research on stored-products insects.*

The new laboratory at Gainesville, Florida was completed in February of 1969. This laboratory provides facilities for the following research:

Insect attractants. Research on insect attractants, as well as insect behavior, and basic biology, to develop nonchemical methods for control of our major pest species of insects. Nonchemical methods would reduce or eliminate the amounts of insecticides used by farmers for insect control and reduce pesticide residues that pollute our air, water, soil and food. Research has shown that attractants are a promising approach to development of nonchemical methods of insect control. A number of insect attractants have been isolated and tested under field as well as laboratory conditions. One of these methyl eugenol has been used with a pesticide to eradicate the oriental fruit fly from Guam. Other attractants have been indispensible in plant pest control programs for control of Mediterranean fruit fly, gypsy moth, pink bollworm, boll weevil and other species.

Stored-products insects. Research on the biology, ecology, physiology, nutrition, and behavior of the stored-products insects, to provide knowledge on the weak points of the insects that may be attacked with entirely new types of control measures. Relatively little basic information is available on the above as it relates to stored-products insects. New approaches can employ biological and physical methods of control that would replace the use of conventional insecticides. These methods would also circumvent the increasing severe threat of acquired resistance to insecticides. Other information would lead to the development of more effective insecticidal control so the amount of chemicals used can be reduced and residues would be minimized in those circumstances where there is no alternative to insecticidal control.

2. *Georgia, Savannah (Research on insect control in stored agricultural products).*

The new laboratory at Savannah, Georgia was completed in November of 1969. This laboratory provides space for the on-going research which was conducted in substandard facilities at Savannah aimed to develop alternate methods for controlling insects in stored agricultural products; and for new research to develop practical methods for the use of pathogens to control stored-products insects. Basic research being conducted in the laboratory has indicated there is a great potential for developing pathogens (such as viruses, bacteria, protozoan, and nematodes which are harmless to man) as an alternate control method for stored-products insects. Very few of the many insecticides available have been approved for use on harvested crops and still fewer on or around processed foods and feeds. As attitudes toward residues become more critical, some of these approvals may be withdrawn and the tolerance level reduced on others. Insects are developing resistance to malathion and pyrethrins, two of the most commonly used insecticides to protect food and feed from damage and contamination.

3. *Mississippi, Stoneville (combined facility for pesticide laboratories)—Bioenvironmental Insect Control and Biological Control of Weeds.*

The new laboratory complex at Stoneville, Mississippi is expected to be completed in the first quarter of fiscal year 1971. This laboratory (in addition to research on cotton physiology) provides facilities for the following research:

Bioenvironmental insect control. Basic and applied research to develop methods of area suppression or eradication of different kinds of insect populations. The nature and extent of agricultural insecticide usage in southern areas at the present time poses a great threat to the maintenance of a clean environment. Research at this laboratory would develop ways of meeting problems that would avoid or minimize use of broad spectrum, residue-forming and persistent insecticides which may pose immediate or long-range hazards to man and his environment. Emphasis would be placed on field research on the ecology, population dynamics, and control of insects by bioenvironmental methods directed toward the control of major insect pests of cotton, corn, soybeans and various other crops, including sugarcane, vegetables, and insects affecting livestock.

Biological control of weeds. Research on weeds to discover new herbicides, develop new combinations of cultural, chemical, mechanical, and biological methods that are safe as well as effective and do not leave harmful residues in the product or in the treated soil. Weeds cause losses in yield and quality by competing for water, fertilizer, and light. They also act as hosts and reservoirs of infection for nematodes, insects, diseases, and plant parasites. Mechanical and cultural methods of controlling weeds in these crops are inadequate alone, or even in combination with present herbicides. Few if any of these combination methods effectively control all weeds in a single crop. The overall mechanization of production and harvesting of vegetables is being impeded by the need for more efficient methods for controlling weeds. The research program is primarily directed to weed control in the Southeastern States. The research covers weed control problems of specific crops including cotton, soybean, pasture and horticultural crops. The research also covers problems concerned with aquatic weed control.

4. *Oklahoma, Durant (water pollution research)*.

The National Agricultural Water Management Laboratory at Durant, Oklahoma was completed in the fourth quarter of fiscal year 1970. This laboratory provides facilities for research to determine the nature and magnitude of surfaces and ground water quality degradation resulting from management practices on farm and ranch land, and to develop methods for improving the quality of water coming from agricultural lands.

There is concern over use of pesticides on agricultural crops including the possible presence of these chemicals in the runoff water from agricultural lands with eventual pollution of streams; in soil particles eroded from fields that are carried into streams and reservoirs by the sediment; and in water entering into deep percolation that recharges aquifers providing water for domestic, farmstead, and irrigation use. Also, concern is growing over the relationship between fertilizer applications and the increase in plant nutrient level in surface and underground waters. Degradation of waters caused by eutrophication, a process due to nutrient enrichment which stimulates growth of algae and aquatic weeds, is increasing. Public health officials have expressed concern over the levels of nitrate in wells and other sources of drinking water from nitrogen fertilization of crops.

5. *Texas, College Station (research on control of livestock insects and on toxicological and pathological effects of pesticides on livestock)*.

The new facilities for this research at College Station was completed in the fourth quarter of fiscal year 1970. This laboratory provides facilities for the following research:

Control of livestock insects. Research on the development of safe chemical and nonchemical methods for control of insects affecting livestock that would minimize or avoid insecticide residues in meat, milk and other animal products. There are heavy annual losses of livestock and poultry caused by insects and other arthropods in reduced weight gains, reduced production of milk, eggs, and other animal products, and inferior quality animals products. Of great concern is the development of insecticides which will not leave harmful residues in livestock and poultry products. New types of chemicals to reduce residue hazards and to develop noninsecticidal ways of controlling insects would be emphasized. The research on insects involving chemicals is in close coordination with the toxicological investigations on livestock.

Research on toxicology and pathology effects of pesticide on livestock. Research to develop ways of reducing losses of livestock and poultry due to chemical poisoning by developing an understanding of the nature of the intoxications and the biological mechanisms involved and by developing proper preventive and/or antidotal procedures. The data developed through this research will reveal the levels of various chemicals that can be considered non-hazardous and provide guidelines for the livestock and chemical industries and regulatory agencies in establishing residue tolerances for meat, milk, and other products of animal origin.

Mr. HOLLAND. Mr. President, I might add, in addition to the staffing of the pesticides laboratories, we have provided for two others that were in the same position in that they had been completed but not staffed. One of them was completed some years ago, another in more recent times. One of those was the nutrition laboratory at Grand Forks, N. Dak., and the other the poultry research laboratory at Georgetown, Del.—for which we provided only partial staffing; $253,800 is available there for 1971.

I see present my distinguished friend from North Dakota (Mr. YOUNG), who is interested not only in the pesticide program but I think has a special interest in the nutrition program at Grand Forks, N. Dak., which has been provided for in the bill.

I gladly yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I greatly appreciate that the Senator from Florida my good friend the ranking minority member, Mr. HRUSKA, and the committee saw fit to put in the bill money to staff this nutrition laboratory. It is the only laboratory of its kind in the United States. It will be dedicated in about 2 months from now, and the top nutrition experts from all over the United States are scheduled to attend.

I do not know of anything more important in the field of nutrition than to find better foods and better use of foods and better diets than is the case now. I think there is a great abundance of food all over the United States, but there is a problem with respect to the right kind of nutrition.

Our people in North Dakota are most grateful to the Senator's committee for putting in funds to staff the laboratory. If that had not been done, it would just be an empty building, at a time when proper nutrition is one of our greatest problems.

Mr. HOLLAND. I thank the Senator. I think it would be a very fine and merited tribute if that laboratory bore the name of Milton Young, because he has worked for it for years. He has been very patient in waiting for this staffing. The committee evidently thought he had waited long enough and put in funds for the staffing.

PAYMENTS TO STATES FOR RESEARCH

Mr. President, the committee has recommended a total of $69,826,000 for payments and expenses to the Cooperative State Research Service. As reported from the committee it is recommended that there be appropriated $61,390,000 for payments to the States under the Hatch Act formula, which represents an increase of $6,201,000 over the 1970 appropriation, including $3,104,970 for increased operating costs and $3 million for community improvement research. The committee believes the States should have an opportunity to broaden their research efforts in this area and has restored $3 million of the budget estimate for this purpose.

The committee has also recommended the budget estimate of $3,350,000 for research to be conducted under contracts and grants. This is an increase of $1,350,000 over the House bill and the amount of the budget estimate, to enable the Cooperative State Research Service, in conjunction with the several States, to establish five pilot regional rural development centers to concentrate in rendering specialized assistance to the several States on rural development research.

The committee has also recommended an increase of $10,400,000 over the 1970 appropriation on a nonformula basis to accelerate rural community development extension work. This increase, which was budgeted, was denied by the House, but the committee is recommending the amount requested in the budget for this purpose. The bill also carries $48,560,000 for the nutrition aide program initiated 2 years ago. The amount recommended represents an increase of $20 million over the 1970 appropriations and will provide for the employment of 2,600 additional nutrition aides, bringing the number of such aides to 7,400.

In this connection, I personally want to state that I think the Department of Agriculture, and particularly the Extension Service, is doing fine work in this field by providing liaison with nutrition aides who are not civil service employees, working between the experienced and specialized people in the Extension Service, the county agents, the home demonstration workers, and the poorer people whose nutrition needs are being supplied but who in many cases do not know what is the proper food for them either to buy with food stamps or to acquire from the commodity distribution program.

On the subject of child nutrition and food stamp programs, I have already touched, in my beginning remarks, on the fact that we had received a supplementary budget item on the school lunch program, but I note that that is included in my next remarks, which deal with child nutrition and food stamp programs.

CHILD NUTRITION AND FOOD STAMP PROGRAMS

Mr. President, the Senate received a budget amendment, Senate Document 91–94, on July 1, to increase the estimate for the child nutrition program by $216,579,000. The committee anticipated this action at the time the bill was reported and it authorized me to offer an amendment to this bill to increase the appropriation for this item by the amount of the budget amendment. I intend to offer that amendment at the conclusion of my statement, at which time I will discuss the child nutrition program in greater detail.

Mr. President, the bill as recommended to the Senate by the committee provides the full budget estimate of $1,250 million for expenses of the food stamp program during fiscal 1971, including the House provision that this appropriation shall be available only within the limits of amounts authorized by law for fiscal 1971.

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I shall have more to say later, Mr. President, about the situation with reference to the pending authorization measure passed so many months ago by the Senate but still under consideration in the Agriculture Committee of the other body.

The amount recommended is a net increase of $640 million over the appropriation for fiscal 1970. The conference report on House Resolution 17399, the Second Supplemental Appropriation Act for 1970, provides that $300 million of the amount recommended in this bill for fiscal 1971 is to be available for use during the first 4 months of the current fiscal year and will be charged against this appropriation bill when it is enacted into law.

In other words, because of this great delay in the passage of the authorization for the food stamp bill, the Senate, in the passage of the last supplemental bill for 1970, included this $300 million to cover the first 4 months under the food stamp program; but beyond that there is no coverage until we have an authorization bill, and that subject, I think, will deserve very seriously consideration later in this debate.

Mr. President, the bill as reported carries $150,997,000 for the Consumer and Marketing Service, the major portion of which goes to the inspection and grading of a number of commodities and food products.

The committee has concurred in the action of the House to reinstate the special milk program and continue it at the level of $104 million. Recently, the Congress sent to the White House for approval a permanent authorization for the special milk program.

If the President has acted on that bill, the Senator from Florida has not been advised of any such action, but the $104 million will, of course, depend, as to whether it remains in this bill, upon the passage of the authorization measure, because the older authorization measure has expired.

REA ELECTRIC AND TELEPHONE PROGRAMS

Mr. President, for the REA electric program the committee bill recommends new obligational authority of $352 million. This is $30 million over the House bill and the estimate, and $12 million over the authorization for fiscal 1970. Combined with carryover from 1970, which includes the $20 million impounded by the Bureau of the Budget, this will provide a total loan program of $375 million for the coming fiscal year.

I want to say at this time, Mr. President, that while the committee made this recommendation, the committee is fully advised of the fact that the Budget Bureau has been holding up increases which the committee felt were entirely necessary and justified in view of the huge backlog of requests. It held up slight increases in the budgeted amount which this committee has reported and which have been enacted by Congress over the last 3 years. This recommendation for an increase this year may meet the same fate; but we want to make it very clear that we are recommending the increase as only a very partial handling of the great backlog of applications that are now on file.

The committee is sympathetic to the efforts of the rural electric systems to establish a cooperative finance corporation and, in that regard, has included language in the report recommending that the Administrator grant deferments on principal installments of up to 3 years in order that the cooperatives themselves may invest in this new self-financing venture. That would be with reference to new loans, Mr. President, and not with reference to outstanding loans.

Mr. President, I ask unanimous consent that the text of the statement in the committee report, pages 38–39, entitled "Supplemental Financing Program" be printed in the RECORD at this point.

There being no objection, the excerpt from the committee report (No. 91-987) was ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL FINANCING PROGRAM

The Committee commends the rural electric systems in their attempt to establish a financing organization to help alleviate the large financial needs of the rural electric systems for new capital financing from the Federal Government. The National Rural Utilities Cooperative Finance Corporation (CFC) was incorporated in the District of Columbia on April 10, 1969. The Committee understands that CFC now has 785 members in 44 states.

Historically, REA has granted loans since the program began in 1935 allowing deferment of the payment of principal on the loans for varying periods of time. In some cases the deferment period has been for one year, in some cases for two years, in some cases for three years, in some cases for five years, and in a few instances even longer.

The Committee believes that the CFC plan has the potential of diverting the growing need to increase the annual loan authorization and achieve a large measure of "self-financing" in future years. To be most effective the capitalization of the corporation must be accelerated.

The Committee expects the REA Administrator to assume an active role in cooperation with CFC in the accumulation of initial subscription of capital from CFC members for initial operations.

In addition to the subscription of capital from existing sources, and to meet the objectives set forth in the House Committee Report, a continuous flow of capital funds is essential to the orderly development of the CFC.

The Committee is of the opinion that the recommendation to the House Committee Report to defer principal repayments on outstanding loan contracts is not a feasible method of providing for an orderly flow of capital subscriptions to the CFC. The Committee recommends that beginning on July 1, 1970, that the REA Administrator grant up to a three-year deferment on principal installments on new REA loans—with the understanding that such deferred installments on principal will be invested by borrowers in the CFC.

Such regular investments in CFC when continued for several years and coupled with the open market sale of debentures, should then enable the REA Administrator and the CFC to make an orderly transition from complete reliance upon government financing to a greater reliance upon the sale of CFC debentures, except for the financing of systems where the input of 2 percent government loans may be essential to the maintenance of adequate electrical service at reasonable rates in low density population areas.

Mr. HOLLAND. For the REA telephone program, the committee has included new obligational authority of $138,800,000, which is $15 million over the estimate and the House bill, and $15,500,000 over the amount appropriated for fiscal 1970. This amount, combined with the carryover from 1970, will provide a total program level of $140 million for fiscal year 1971. On April 2, the Senate passed S. 3387, the self-help supplemental financing program for the telephone program. To date, this bill has not passed the House.

Mr. President, I want to say that not only does this subcommittee, and the Appropriations Committee, as a whole approve of the efforts now being made by the REA electric cooperatives and the REA telephone organization to enter into self-help programs somewhat like those that are found in the Farm Credit Administration, but we have, by our language and by our actions in this bill, sought to aid in those efforts, which we think are highly commendable. The committee believes a great need exists in rural areas for this program, and has attempted to meet at least part of it with the increased funds contained in the bill.

COMMODITY CREDIT CORPORATION AND PUBLIC LAW 480

On the Commodity Credit Corporation and Public Law 480, Mr. President, there are several important changes.

The major items of difference between the House passed bill and the recommendations of the committee deal with the appropriations available to the Commodity Credit Corporation. The committee has restored the budget estimate for the reimbursement to the Commodity Credit Corporation for net realized losses. The amount recommended is $3,363,155,000, the amount requested in the budget. It covers the balance of $249,998,669 of unreimbursed losses for fiscal 1968, and the full reimbursement appropriation necessary for fiscal 1969 in the amount of $3,113,156,331.

Mr. President, I commend the Bureau of the Budget for doing at last, but for the first time, what this committee has been insisting upon for at least 8 or 10 years: that is, that the law be followed in that the full deficit incurred by the CCC—not by any illegal or irregular methods, but simply by carrying out the laws which Congress has passed—be restored each year. That is fair not only to give information as to the cost of the program, but it is fair to leave the CCC in the best position to meet all the burdens that may be placed upon it. The committee has restored the House reduction of $250 million in this fund to bring the affairs of the Commodity Credit Corporation to a current basis as intended by Public Law 87-155, which authorizes appropriations to restore and repair the capital structure of the Commodity Credit Corporation every year. This appropriation method was intended to bring to the attention of the Congress and all parties concerned the actual fiscal affairs of the CCC as soon as possible after the end of the fiscal year. The appropriation, while it provides new obligational authority, in no way affects the expenditure level of the CCC for the coming year. These mandatory expenditures are authorized pursuant to a per-

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manent level and this is, in effect, only a paper transaction, that is to restore the borrowing capacity of the CCC, which it has reduced by its operations in the time period I have mentioned already in my statement. I am pleased to note that if the Senate approves the committee's recommendations on this item—and we are able to prevail in the conference, which I hope we will—for the first time in a long time the reimbursement appropriation to restore capital impairment of the CCC will be on a current basis as intended by law, and I commend the officials of the Department of Agriculture—both the prior administration and this administration—and the Bureau of the Budget for their cooperation in regard to this item. I hope that in future years this account will be kept on a current basis.

That is fair to agriculture, fair to Congress, and fair to the general public, so that they may know the scope of the operations of this very important corporation, which handles so much business not only of importance to agriculture, but of importance to the Nation in various other fields, including social service and foreign relations.

Mr. President, in connection with the appropriation for Public Law 480, the committee has recommended a total of $702,500,000 for titles I and II of that act for the coming fiscal year. This is a reduction of $230 million under the budget estimate and is the same amount proposed in the House bill, and is $217,500,000 under the 1970 Appropriation Act. The action of the committee in recommending these reduced amounts in no way reflects upon its interest and support in the continuation of Public Law 480 activities. However, the current authorization for the program expires December 31, 1970. The legislative committees, due to the press of other business, have not been able to proceed with the extension of the authorization—which is fully expected before the adjournment of Congress. The committee believes the amount recommended is fully adequate, pending extension of Public Law 480 authorization as previously stated, and if additional funds should be needed prior to the request for supplemental estimates, the Secretary of Agriculture is authorizd by law to use the borrowing authority of the CCC to meet the expenses of this act.

Mr. President, this concludes my general statement. I yield at this time with pleasure to my distinguished colleague, the Senator from Nebraska (Mr. HRUSKA), the ranking minority member of the committee, who has rendered such great service, not just to his State but to agriculture in general, and to the committee and to the Senate, in his very active handling of matters in the hearings, in the drafting of this bill, and in otherwise generally serving agriculture. I yield to the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from Florida for his generous remarks.

Mr. President, this is the seventh consecutive year in which we have been favored with a summary of the agricultural appropriation bill by the senior Senator from Florida. In the meantime, he has announced that he has chosen to retire from this body at the conclusion of this session of Congress. The dedicated service that he has rendered for the past 24 years to this body and to the Nation is a subject on which much can be said, and later in the day much will be said on this subject. I defer in that regard until a later time, when more of our colleagues can be in the Chamber to comment on it. In the meantime, I make this expression of appreciation for his very fine summary of the bill before the Senate.

As to the budget itself and the bill, Mr. President, the proposal before us represents the best composite consideration of the Agriculture Appropriations Subcommittee and the full Appropriations Committee. Because of the budget stringencies which all of us are attempting to observe, the subcommittee has reviewed the proposed budget closely in an effort to weigh the priorities fairly, and to assess accurately the impact of major adjustments proposed by the Department of Agriculture and by the House of Representatives.

Throughout the proceedings, the subcommittee has been mindful not only of the great needs of the farmer, but also of the consumer as well. After all, without the consumer and his interest and his need of the agricultural products, we would have no justification for activity.

At this point it would be well to correct an erroneous impression held unfortunately by too many people—the impression that the agriculture budget is simply a subsidy for farmers. In order to try to correct that constantly recurring phenomenon, I ask unanimous consent to have printed at this point in the RECORD a table of statistics on this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE—BUDGET OUTLAYS, FISCAL YEARS 1969, AND ESTIMATED 1970 AND 1971

[In millions of dollars]

	1969	1970 estimate	1971 estimate
Programs which clearly provide benefits to consumers, businessmen, and the general public:			
Programs having foreign relations and defense aspects:			
Sales of agricultural commodities for foreign currencies and for dollars on credit terms (title I, public law 480)	$610	$614	$501
Commodities and other costs in connection with donations abroad (title II, Public Law 480)	364	357	351
Transfer of bartered materials to supplemental stockpile (net)	−4	−2	
Donations of dairy products to armed services and others	27	5	23
Total	997	974	875
Food distribution programs (domestic):			
Commodities distributed to the needy and others	621	577	703
Food stamp program	248	575	1,249
Child nutrition program	237	302	314
Special milk program	102	81	17
Total	1,208	1,535	2,283
REA and FHA repayable loans:			
REA loans	473	511	492
Repayments of principal and interest	−276	−273	−287
FHA loans	263	312	−755
Salaries and expenses for loan programs	80	93	106
Total	540	643	−444
Long-range programs for the improvement of agricultural and natural resources:			
Forestry	61	97	102
Agricultural and forestry research	265	268	279
Plant and animal disease and pest control	88	96	101
Soil and water resource protection and development:			
Agricultural conservation program	234	223	173
All other	$278	$312	$315
Cooperative agricultural extension work	97	130	171
Inspection of commodities and other marketing services	115	145	149
All other	91	106	114
Total	1,229	1,377	1,404
Total	3,974	4,529	4,118
Other programs which are predominantly for stabilization of farm income, but which also benefit others:			
CCC price-support and related programs:			
CCC loan, purchase, export, and related programs	928	390	−114
Storage, handling, and transportation expenses	121	181	188
Interest expense (net)	228	303	405
Acreage diversion payments:			
Feed grains	801	541	801
Wheat	24	47	77
Cotton	96	19	28
Price-support payments:			
Feed grains	626	728	715
Cotton	643	798	878
Wheat certificate program	359	398	430
National Wool Act program	65	55	62
Total	3,891	3,460	3,470
Cropland adjustment program—adjustment payments	76	76	76
Conservation reserve program	107	40	1
Federal crop insurance program (net)	7	4	
Sugar Act program	87	93	88
Salaries and expenses for above programs	188	205	200
Total	4,356	3,878	3,835
Grand total	8,330	8,407	7,953

Mr. HRUSKA. The fact must be granted that the farmer benefits from many phases of the budget, as he has for decades. But it does the vast program a disservice to dismiss it perfunctorily in such terms. Its benefits to the Nation are much, much broader; extending to many segments of our society and our economy. These benefits include the health and safety of consumers, better and cheaper products, rural community development, antipollution and antihunger measures, among many of which are contained in this bill.

Despite the general application of the Department's program, its critics focus inevitably each year on the farmer, characterizing him as a poor dependent who costs the Government billions of dollars in subsidies. This is a most unjustified view.

The fact must be brought home to our urban friends that the consuming public benefits most from the achievements in American agriculture and therefore has the greatest stake in a stable, progressive agriculture program. It has been estimated, Mr. President, that more than 50 percent of the total 1971 budget contains programs which will be of direct benefit to consumers, businessmen and the general public.

Let us consider as a case in point the matter of good prices. While they have risen recently, they still have not risen at the rate of other consumer products, or at the rate of personal incomes. Food is still a relatively good buy—the best in history, in fact. The average U.S. consumer can buy this family's food supply for 16½ percent of his after-tax income, and the is the lowest percentage of income which has ever been spent for food in this country. Of course, it is a good deal lower than is spent anywhere else in the world.

For this achievement, the consumer is indebted to our agricultural research program and the remarkable efficiencies which have been built into our food industry, the envy of every nation in the world.

The agriculture industry also has been a pioneer in seeking solutions to many national problems, such as pollution, hunger, health, and safety of the public. Such problems have been the concern of the industry for many years. Now they are being approached with even greater emphasis.

This is why the Senate committee felt it was necessary to move forward as originally scheduled on pesticide research and control, antipollution research and rural community development.

There are several items in the Agriculture appropriations bill which are of particular interest which I would like to discuss briefly. They are:

First, the necessity to move forward with pesticide research.

Second, the great benefit resulting to the consumer from research to improve the quality and productive efficiency of meat.

Third, the need and concern for rural development, thus reversing the trend of outmigration from farms and rural communities.

Fourth, the concern for the problems of pollution of our air, soil and water.

Fifth, the need for improved livestock surveys.

First, we are all aware of and concur in the emphasis currently being placed upon the potential danger to the consumer and the possible effects to our environment of unwise use of pesticides and herbicides. This problem was foreseen some time ago by the Congress and the Department, and a research program to meet the need was launched in 1965. Research facilities were authorized for construction, with completion and staffing scheduled to be completed by 1972.

These research laboratories are now completed and standing idle.

The Senate committee felt that because of the pressing need by the consumer and the farmer for information and guidance in this important area, staffing of the facilities should proceed as planned. We have, therefore, provided for full staffing of these laboratories, which was not provided in the Department's request or the House bill.

We feel this research is needed now, not only for its direct results, but for its important relation to other antipollution research and control measures which are being planned and implemented.

A second area of important consumer benefits is the research which will be done to improve the quality and productive efficiency of meat.

The beef industry, which accounts for the largest segment of our largest and most important industry, faces a tremendous challenge if it is to produce 40 percent more beef needed by 1980 and still provide the necessary product quality and production efficiency. The rapid rise in consumer demand for beef in the last few years has resulted in higher prices.

I am not here to defend these prices or to condemn them. It should be noted, however, that the farmer and rancher do not sell meat. He sells cattle. There is a wide gulf between the price of cattle at the farm and the retail price at the meat counter. Sometimes the ways in which prices move are mysterious, and we do not have the time today to untangle the relationship between retail and wholesale meat and farm cattle prices. But when prices rise, I can assure you the blame should not be placed on the stock grower who is getting for his product essentially what he received 20 years ago, and perhaps a little less.

In the meantime the farmer and rancher is facing higher production costs. Waste fat amounts to 20 percent of the beef carcass from feedlot cattle. Lack of tenderness is found in 5 percent of these cattle. Consumer-preferred cuts account for only 50 percent of the total carcass. There is a great opportunity for improvement through research of the quality of the product and feeding efficiency. This research will be of direct benefit to consumers.

This bill contains $1,328,800 for research to improve quality and feeding efficiency of beef and sheep. Along this line, $1,800,000 in development funds have been granted to complete the phase I facilities for the U.S. Meat Animal Research Center at Clay Center, Nebr.

For too long there has been an imbalance between the resources we have invested in crop research as opposed to those invested in animal research. Over the past 13 years the Department of Agriculture has spent two and three times more for crop research, although livestock marketing receipts are about 54 percent of total farm cash receipts. It is high time to bring about a better balance in the two research budgets in recognition of their relative importance in dollars.

There are many other areas which have a direct or indirect effect on public welfare. More than $16 million was approved for economic research. This service develops and carries out a program of economic research designed to benefit farms and the general public by providing studies and economic reports on commodities and the markets. More than $149 million was put into consumer protective marketing and regulatory programs. Payments to States and cooperative programs fund many activities directed at maintenance of the quality of agriculture products, development of new and expanded markets, and more effective disposal of seasonal surpluses through better advertising, and improved marketing techniques.

Third, rural development is also a topic of great concern and current discussion. Although the House felt that it would be better to allocate more money for loans and grants for rural water and sewer development, our committee felt that a good start should be made in research programs directed at community improvement so that the migration out of rural areas can be reversed or at least halted, thus reducing the growing problems of overcrowded urban centers.

The Senate committee has restored $3 million of the budget estimate of $5 million, denied by the House to the Cooperative State Research Service for community improvement research. The committee felt that the States should have the opportunity to apply their skills and effectiveness to this field of research. There is also $1,350,000 to establish five "pilot" regional research centers which will concentrate on community improvement research and render specialized assistance to the States in this new program.

Along this line, the committee has provided $10.4 million for the Extension Service, the amount of the Department's estimate, which will finance extension activities for State and multicounty rural community development work.

Rural development has long been the cornerstone of the Soil Conservation Service, but this year work will proceed at an even faster pace. The Senate increased the resource conservation and development program by $800,000 over the House mark and budget estimate. This carries on the program of rural renewal and will provide planning funds for new projects without impinging upon development work in authorized projects.

There are also substantial increases in the construction of watershed works of

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improvement and the Great Plains program. In my opinion, the Soil Conservation Service is one of the Federal Government's most popular programs as far as Nebraskans are concerned. I certainly consider its efforts as one of the best investments of public funds that we receive in my State. It fulfills the administration's desire to strengthen rural America and improve the quality of our environment. It is also sound evidence of the pioneering work of the Department of Agriculture in the field of pollution abatement.

The cause of rural development is also advanced by the committee's action in increasing the loan level of the Rural Electrification Administration to $375 million, and the rural telephone program to $140 million; also by increasing Farmers Home Administration loans for water and sewer improvement to $60 million. The increase in water and sewer loans is $36 million over that requested in the budget and $40 million under that recommended by the House committee.

My fourth point is pollution.

Pollution is an item which has been mentioned several times before earlier today. It is a matter of concern in almost every phase of the activities of the Department of Agriculture. The Soil Conservation Service has made great contributions in meeting this problem, but there are still many things to be done. Secretary Hardin has stated that "siltation is still the largest single pollutant of water." Through the agriculture conservation program and the Soil Conservation Service, major steps are being taken to stop the deterioration of the American environment and to bring about resource and environmental improvement.

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In this connection, the Senate committee has granted $1,452,200 for pollution research concerned with animal and poultry waste management. This has become an increasingly bothersome problem, and we are confident that much progress can be made as time goes on, with a little more emphasis in this area. The intensified research is needed in all phases of animal waste management, including characteristics of manure removal from animal quarters, runoff, storage, transport, treatment, ultimate disposal, and economic evaluation to insure improvement of environmental quality with minimum disruption of current production-efficiency levels. The research which is proposed would determine the physical, chemical, and biological properties of wastes and the influence of management practices on these properties; developing methods for effectively reducing the volume and polluting properties of animal wastes; developing alternative uses of wastes; and developing processes for eliminating odors originating in livestock and poultry operations. All of this research is directed to reducing soil, water, and air pollution caused by animal wastes.

New laboratories have also been authorized for construction and for planning for soil and water research directed at the pollution problems.

Fifth, let me say how pleased I am that the Department has included in its estimate $1.3 million for multiframe livestock surveys. This program, initiated last year, will now involve 16 important livestock States. These States have been selected to provide the minimum coverage required in order to attain a significant improvement in the accuracy of our national estimate for cattle and hogs.

This new technique features probability sampling, utilizing a combination of list and land area survey procedures. In the past, the livestock industry, which is Nebraska's largest, has suffered disastrous consequences as a result of unreliable statistics. The procedures to be followed in this new list system are substantially different from historic methods where estimates were based primarily upon data obtained from lists of farm operators exhibiting a willingness to complete questionnaires received in the mail. The new approach is designed to provide reliable, independent estimates, based on probability sampling, at the lowest cost. It is hoped that these surveys will provide cattle and hog estimates with sampling errors of 1 percent or less for the 16-State area.

In 1969, farm marketing of both crops and livestock totaled $51.2 billion. Of that total, livestock and livestock products accounted for 54 percent, or $27.7 billion. Unless we have reliable marketing statistics that will enable advantageous marketing of commodities, somebody is going to get caught short and be exploited. This is something to be avoided if at all possible. It is good that the need for this vital survey program has been realized and that the Department and House have followed through with the program which the Senate fought hard to start last year.

Another item of interest to me and to all of the Great Plains States which face the yearly shortage of boxcars for grain shipment, is a research program on temporary storage of high-moisture feed grains. This research is designed to study moisture changes within grain storage piles, identify active micro-organisms in high-moisture grain storage, test chemicals which may inhibit the development of fungi in high-moisture grain, and evaluates temporary storage procedures and practices for the Great Plains region.

This research hopefully will lead us to better temporary storage systems. While that does not help the transportation system, it will help protect the grain until it can be transported or at least stored properly.

Mr. President, I should like now to comment briefly upon the provisions in the bill for the funding of the Commodity Credit Corporation. I subscribe fully to the remarks made and the analysis made by the Senator from Florida on this subject.

It is also my hope that in future years the Commodity Credit Corporation will be kept on a current basis, so that in all fairness not only to the agriculturalists in the Department of Agriculture but also to the citizens of this country we will all be aware of the exact status of the corporation's financial structure and just how it is actually handled.

Mr. President, that concludes my prepared remarks with reference to the bill, and I revert now to the subject I started out with, which is a favorite subject of mine; namely, commenting on the illustrious career of the distinguished senior Senator from Florida (Mr. HOLLAND) in the Senate for almost 24 years.

During those 24 years, he has earned a position of high respect and great esteem among his colleagues. He has acquired wide influence not only among Senators but also in the field of agriculture generally. He enjoys the high respect of the entire Nation.

It has been my privilege to serve with him for 7 years and observe his diligence, his fairness, and the way he ferrets out the necessary information in order to work out a balanced and workable bill to fund Agriculture Department activities.

He has never failed to impress me with his sound, careful, and thoughtful approaches to agricultural problems. His conduct in the hearings and in committee sessions has been a model of efficiency and rewarding productivity which should be emulated by all who are placed in similar positions of authority.

Recently, in a more or less reminiscent mood, the Senator from Florida told me that his father was a farmer, an agriculturalist in Florida, was an enterprising and resourceful fellow. Apparently, he had introduced into the agricultural scene in Florida a great many innovations, new ideas, and new methods of doing things.

The Senator from Florida also told me that his brother was engaged in work as an extension agent in that capacity, and engaged in activities which meant much to the increasing efficiency and productivity of agriculture in Florida.

The Senator from Florida, being a lawyer by profession, was not able to get into the field of agriculture directly, but here in the Senate, certainly with bills on agriculture and appropriations for agriculture, he has done a monumental job nationwide to advance and improve agriculture.

Thus, he has kept up the tremendously fine tradition of the Holland family, so that we are all very grateful to them.

In due time, we shall salute the Senator from Florida even more fervently and gratefully; but, for the present, I confine my remarks to his contribution in agricultural appropriations efforts, in which he has functioned so well.

Mr. HOLLAND. Well, Mr. President, I am so grateful for that gracious statement. I wish I merited it all. If I had known the Senator was going to make that statement, I might have run again for the Senate, because that would have been very helpful to me. As the Senator knows, my age and my health prevent me from running again.

I must add one thing to the very kind things the Senator had to say about my late father and brother. They both had green thumbs. Anything they touched would grow. Exactly the opposite was true about me, so that if I was to do anything for agriculture, it had to be done through some other method. I chose the only method available to me, because

I agree that agriculture is the most important enterprise in the Nation. We have to eat. We have to be clothed. Our tremendous productive capacity gives us the greatest ace in the hole we have in our dealings with the rest of the world.

Thus, it has been a great pleasure to do anything that I could for agriculture.

I certainly do not merit all the kind things which the Senator said about me, but I certainly appreciate them all very much, and I thank him warmly.

Mr. YOUNG of North Dakota. Mr. President, I, too, wish to commend the distinguished senior Senator from Florida (Mr. HOLLAND), chairman of the Subcommittee on Appropriations, and the distinguished senior Senator from Nebraska (Mr. HRUSKA), the ranking minority member of the subcommittee, for the careful consideration they have given to this bill and their effective handling of it, as well as the fairness which they abundantly displayed.

The Senator from Florida (Mr. HOLLAND) is not running for reelection this year. If I were a betting man, I would give big odds that he would be reelected and would be back here in the Senate. But our good friend from Florida has decided not to come back, which I regret very much.

I was very much interested in the comments of the Senator from Nebraska about the Senator from Florida concerning his father and brother. I had not realized that the Senator came from such an agricultural background.

I have often marveled at the intense interest he displayed in the problems of agriculture. I would have understood his motives better all these years, had I known a little bit more about his background.

Mr. President, this Agriculture appropriations bill we are considering today will be the last appropriations bill our beloved and distinguished friend from Florida—Senator SPESSARD HOLLAND—will be handling as chairman.

As chairman of the Senate Subcommittee on Agriculture Appropriations, he has dealt fairly and with great understanding for all agricultural interests. Even though there are some farm programs he is not entirely in accord with, he has always fought hard to provide the funds necessary to operate them as required by law.

Mr. President, I know from experience this Agriculture appropriations bill is one of the most difficult and involved of all of the appropriations bills that we handle. Senator HOLLAND has given his usual great study and careful consideration to the literally hundreds of different items contained in this bill.

Our friend—SPESSARD—has a long and outstanding record in the U.S. Senate extending over a period of nearly a quarter of a century. Before that he was the Governor of Florida—and one of its best. Even previous to that he had a brilliant record in the legislature of his State.

While I am not an attorney, I understand from my attorney friends in the Senate—and they make up about two-thirds of its membership—that SPESSARD HOLLAND is rated as one of the very best in my time. His great ability as a lawyer, coupled with his hard work and dedication, not only to the interests of the people of Florida, but the entire Nation, has enabled him to establish this truly outstanding record as a U.S. Senator.

Over the years he has been here in the Senate he has handled some of the most difficult legislation, not the least of which was the tidelands oil bill. It was during the handling of this bill, and many other very difficult ones, that he demonstrated his unusual ability as a lawyer advocate and legislator.

I have often said to my friend that, if I ever got into serious trouble, I do not know of anyone I would rather have as my lawyer.

Many Members of the Senate during my time have established good and outstanding records as legislators, but I do not know of a single instance where a Senator was accorded the recognition and appreciation that our friend—SPESSARD HOLLAND—received recently when his friends in the agriculture industry of Florida had a special appreciation day to honor him. I understand from people who were there that more than 3,000 agricultural producers gathered to pay tribute to him—and a well-deserved tribute it was. I do not know of a Member of the Senate who has fought harder or more effectively for the agricultural interests of his State than he.

He has been almost solely responsible for many great public works projects of all kinds in his home State and particularly water projects.

Sometimes people tend to think of our friend—Senator HOLLAND—as a conservative and I think his viewpoint on most matters could be so considered. There have been some notable exceptions—one important example was his rewriting of the farm credit laws—laws which, because of his keen thinking, broad knowledge, great ability, and friendly attitude, were made much more liberal and effective. This was a godsend to innumerable farmers. I cite this piece of legislation because it was so typical of SPESSARD HOLLAND.

Mr. President, it is with deep regret that I look toward SPESSARD HOLLAND's leaving the Senate. He has served the Senate and his State for a long, long time and, if anyone deserves a little time for relaxation and to enjoy life more, it is SPESSARD and his most lovely wife, Mary. We need more people in Washington like SPESSARD and Mary—not less. We all wish them well in their future life, and it is our hope and wish that we will be seeing them often in the future.

Mr. HOLLINGS. Mr. President I wish to join my colleagues in paying tribute to the able leadership of the distinguished Senator from Florida, SPESSARD L. HOLLAND. I have served on the Agriculture Committee with Senator HOLLAND and I know that under his guidance and direction the agricultural interests of our Nation have been well served. Although we have disagreed on some aspects of the hunger problem, I have the highest respect for his judgment and his keen logical and analytical approach to legislative problems. There is no Senator who is more diligent in carrying out his legislative responsibilities, both on the floor of this Chamber and in the committee activity in which he actively participates. His presence in this body will be sorely missed by his colleagues, his constituents, and his Nation.

Mr. HOLLAND. Mr. President, I had no intimation that any such accolades would be bestowed upon me at this time, but I appreciate them very greatly. Indeed, I want to make the record clear on one point, that the Senator from Nebraska and the Senator from North Dakota are two of the best friends any man ever had who had to preside over a subcommittee dealing with agricultural appropriations.

The Senator from Nebraska has been the ranking minority member for the past several years. Prior to that, all the time I served as chairman of the subcommittee, the Senator from North Dakota was the ranking minority member.

No man has ever had more complete and thorough understanding and cooperation from his associates than has existed on the part of these two distinguished Senators whom I count not only as dear friends of mine but also as among the best friends of the soundest agricultural economy that this Nation has ever seen.

I hope that the people of their States recognize that and keep them in the Senate at least until they are the age I have attained, and I hope they may be able to stay here for a longer period of time.

I know that the Nation would be well served as long as they are here. I thank warmly my distinguished friend, the Senator from North Dakota, for his remarks. I wish that I deserved them. I appreciate them greatly.

Mr. ELLENDER. Mr. President, I would like to join my friends and distinguished colleagues in this colloquy. I agree wholeheartedly with what has been said about my good friend SPESSARD HOLLAND.

When he announced that he was not going to run for reelection to the Senate, I did my best to persuade him to change his mind. Even now, I hope that there may still be a chance that he will reconsider.

I know of no other Senator who is more devoted to his work than SPESSARD HOLLAND. He is now the second man in seniority on the Agriculture Committee. He has served the American farmer and consumer well. He is chairman of the Agriculture Subcommittee of the Senate Appropriations Committee, where he has done a marvelous job. He has gone into our rural- and farm-related problems, and familiarized himself with the intricate details necessary to produce each year a fair bill, and a bill that would inure to the benefit of agriculture and the Nation as a whole.

I am proud of the fact that Senator HOLLAND chose to serve on the Agriculture Committee of the Senate as well as on the Appropriations Committee. On those two committees a Senator has the privilege and opportunity of working for the protection and preservation of two of our most important resources—land and water.

It has been my privilege to travel abroad on many occasions. I have long since concluded that only by protecting and preserving these two great resources

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can a country provide a good life for its citizens over any length of time. Any country which fails to look after its agricultural base and care for the land itself will be in trouble.

The Senator from Florida has been of immeasurable help on the Committee on Agriculture and Forestry in helping the Congress to achieve this goal. He has always attempted to devise more effective ways and means of protecting and preserving American agriculture as well as our land and water resources.

I regret more than I can say that he will not be with us after January 3 of next year. As I have said, I do not know whether it is yet too late to persuade him to reconsider. He is not too old to continue his service in the Senate. I am very hopeful, SPESSARD, that you might change your mind.

As Senator YOUNG of North Dakota has just stated, I doubt if he would encounter any opposition if he ran again as a candidate for the office of Senator from Florida.

I am very hopeful that his lovely wife, Mary, will see to it that he again presents himself for reelection. I am satisfied that if he does, he will be overwhelmingly reelected. If we cannot persuade him to continue his service in the Senate, there is no doubt that this great body will lose much of the advantage it presently has because the Senator from Florida will not be serving on these two important committees, the Appropriations Committee and the Committee on Agriculture and Forestry.

In addition to the great work of the Senator from Florida on the Appropriations Committee and the Committee on Agriculture and Forestry, he has been one of the leading supporters of the space program, which has brought so much advantage to our country.

I am proud to say that Senator HOLLAND was one of the leaders in the efforts to bring to our country this great glory by making it possible for a representative of our great Nation to be the first man on the moon.

Mr. President, I urge my good friend to come back again to the Senate and to continue doing the job he has so nobly performed in the past.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, it is a rare privilege indeed to join my colleagues on both sides of the aisle in paying tribute to my friend and neighbor, SPESSARD HOLLAND.

It has been my privilege to know SPESSARD HOLLAND for 30 years, from the time he served as Governor of Florida.

When I came to the Senate, 13½ years ago, I was assigned to the Committee on Agriculture and Forestry. Since that time, I have watched him in his dedicated, courageous, and hard work for the farmers of our Nation.

Senator HOLLAND is one of the hardest working men in the U.S. Senate. He rarely ever misses attending a committee meeting, and then only because he has other committee meetings which may be of more importance or some important previous engagement.

I never cease to be amazed at the alertness of his mind and the vast store of knowledge he has accumulated in his years of service. He has been extremely hard working and has conducted very sound hearings.

It was my privilege to succeed Senator HOLLAND as chairman of the Subcommittee on Agricultural Credit and Rural Electrification. During the time Senator HOLLAND served as chairman of that subcommittee, he reorganized the credit system of agriculture in this Nation and made it farmer owned and farmer operated. That was a great contribution to the rural people of our Nation.

Senator HOLLAND's roots go deep in Georgia. His family migrated from Carroll County, Ga., to Florida. Senator HOLLAND is a native born Floridian, but he attended Emory University, one of our leading universities. He is still a member of the board of trustees of Emory University where his great talent has helped to make it one of the great universities in our Nation.

I was saddened when he announced that he would not seek reelection to the Senate, because I know that his great wisdom, his devotion to duty, his great knowledge, and his great courage have meant much not only to the Senate, but also to the Nation.

Now that he is handling his last appropriations bill, the agriculture appropriation bill, for our Nation and will soon retire to his beautiful, sunny Florida, I join his many friends in the Senate and in Florida and his millions of friends throughout the Nation in wishing him continued good health and happiness so that he and his wife, Mary, can enjoy life with their children and their many grandchildren whom he so seldom has the opportunity to see.

SPESSARD, all of us wish you Godspeed.

The ACTING PRESIDENT pro tempore. The junior Senator from Florida is recognized.

Mr. GURNEY. Mr. President, I join my other colleagues in paying tribute to the senior Senator from Florida on the occasion of his last handling of the appropriations bill for agriculture.

I think that I can say with utter candor and without argument from anyone in the State of Florida that no citizen of our State has ever had a more distinguished career in public service than the senior Senator from Florida.

Almost immediately when he commenced his adult life after college he entered public affairs in the State of Florida. He was a distinguished prosecuting attorney in his younger days, a member of the State legislature—an outstanding member, I might say—a Governor of Florida, of course, and one of the best we ever had, and then there followed his many years in the Senate.

No man from our State has ever made a greater contribution to public life in the State of Folrida and no man has ever made a greater contribution to the public life of this Nation than SPESSARD HOLLAND.

Mention has been made here of his decision this year to retire from public office. I can say as a Republican and one who, of course, contends in the political battleground on the other side from the senior Senator from Florida, that there never would have been any doubt of his reelection if he had decided to run again. I think he has as much support from Republicans in Florida as he does from Democrats. I know that on previous occasions when he has been opposed by members of my party there really was never a contest; there was only a slight exercise until the Senator was reelected.

He is held in tremendous affection by people all over the State of Florida, and that is particularly true in the area of agriculture. If one were to say there is a "Mr. Agriculture" in Florida, it would have to be SPESSARD HOLLAND. He is known by everyone in our State who is in that business. Agriculture is either the first or second business in Florida, depending on who you talk to and when; but it is a major economic factor in our State, whether it is vegetables, citrus or other fruits, tobacco, cattle, or all the other things embraced in agriculture in Florida. People in that business know him not only as a great friend who has espoused that cause year after year in public life in the State, here in the Senate, and in the Nation, but they also know him as one who probably knows more about all of Florida's agriculture than most people do.

As his colleague in the Senate I can say personally that I will miss him when he leaves. He has always been helpful to me, not only in the short time I have been in the Senate but also in the 6 years I served in the House of Representatives. This is true in many little things. Mention was made by the Senator from Georgia of the work output of our colleague. I do not believe anyone in the Senate works harder than he does; and he does it in many little ways other people do not do it. If we have delegations from the State of Florida here, he is never too busy, even with the enormous workload he carries—the committee work and hours he spends on the floor—to meet with our delegations from Florida no matter what walk of life they come from, nor how humble nor great they may be.

Mr. President, this is the sign of a great public servant, one who is interested in helping the people, as well as the fame and glory which goes with being a Member of the Senate.

That is why I think the Senator is so respected and beloved, and I use that word advisedly, by citizens from the State of Florida. I hope when he retires he will spend a long time enjoying life in our State; and it is a wonderful place to live, away from the hurly-burly and the many demands Congress presents to its Members. If anyone ever earned a rest after a distinguished career in public service, it is the senior Senator from Florida.

I certainly join Senators in saying that he will be sorely missed.

(At this point, Mr. EAGLETON assumed the chair.)

Mr. ALLEN. Mr. President, I have had the pleasure of knowing personally the distinguished senior Senator from Florida, SPESSARD HOLLAND, only since coming to the Senate in January 1969. However, as a member of the Alabama State Legislature, and as Lieutenant Governor of Alabama, it was my privilege to follow Senator HOLLAND's career from the time of his distinguished service as Governor of the great State of Florida, on through his able, distinguished, and illustrious period of service of 24 years in the Senate.

It was my privilege to hear Senator HOLLAND make a great extemporaneous address in Chicago at the 1952 Democratic National Convention. The Democratic Party then, as now, was beset with many differences of opinion, and many things that divided our party. The distinguished senior Senator from Florida made a great speech in which he sought to smooth over some of the differences that existed in the party.

Since coming to the Senate, it has been a great privilege for me to enjoy a close association, I believe, with the distinguished Senator from Florida. Many times I have had occasion to sit at the same table with him at lunch in the Senators' private dining room at the table reserved for Democratic Senators. While I figuratively sit at his feet on those occasions, I do actually sit beside him, and I have enjoyed discussing, and hearing Senator HOLLAND discuss, elaborate upon, point out, and explain to the junior Senator from Alabama, some of the great history and traditions, and the great personalities of the Senate in the years that he has served in the Senate. I have enjoyed and profited greatly by these periods when I experienced this close association with the senior Senator from Florida.

It has been my privilege, too, of serving on the Committee on Agriculture with him. His grasp and great familiarity with the intricate bills that he has mastered and that he presents from time to time on the floor of the Senate have been a constant source of amazement to me. I have been truly amazed with his familiarity and grasp of major bills coming before the Senate that are not his specialty. I have profited by the experience that I have had serving as a junior colleague of the distinguished senior Senator from Florida.

Mr. President, I remember most vividly one of the first matters that the U.S. Senate considered after the junior Senator from Alabama became a Member of this body. It was the consideration of an amendment of Senate rule XXII, which would have allowed the application of cloture on the vote of three-fifths of the Senators present, rather than the two-thirds majority as is required under the Senate rules. The distinguished Senator from Florida led the fight of those who opposed that amendment or that effort to amend the Senate rules.

In the judgment of the junior Senator from Alabama the most important vote that has been taken in the U.S. Senate in the 91st Congress, whether the first session or the second session, was on the appeal by the distinguished senior Senator from Florida from the ruling of the Chair, the then Vice President Hubert Humphrey of Minnesota, under which the then Vice President had ruled that cloture had been applied to debate on the amendment because, on the motion to apply cloture, a majority of the Members of the Senate had voted to apply cloture. The Vice President ruled that since the vote was taken at the start of the session, a majority of the Senate should not be denied the right to amend the rules of the Senate for that session. The distinguished Senator from Florida appealed from that ruling, and the Senate overturned the ruling of the Chair, deciding in effect that it takes a two-thirds vote rather than a bare majority to apply cloture at the start of a session or any other time.

The Senator from Florida holds the distinction of being the only Member of either body of the Congress who is the son of a veteran of the War Between the States. His father was a teenager who fought alongside Senator HOLLAND's grandfather and was seriously wounded in that war in the battle of Kennesaw Mountain, near Atlanta. The fact that Senator HOLLAND's father and grandfather were Georgians, fighting for their homes and for the South does not make the junior Senator from Alabama think less kindly of the distinguished Senator from Florida.

Mr. President, a man is judged by the company he keeps, by his deeds, by his thoughts and motives, by his dedication and sincerity, by his integrity—yes, and by the books he reads, by the music to which he listens. But, Mr. President, I suggest that a man can be judged by the men he most admires—by who his heroes are. So, the junior Senator from Alabama is proud to be categorized as an admirer of the distinguished senior Senator from Florida.

The distinguished senior Senator from Florida is one of the great Senators of this time or of any other time, and the Senate as an institution and the individual Members of the Senate will miss Senator HOLLAND. The Senate will lose some of its greatness because of his leaving the Senate. It will lose some of its luster as the greatest deliberative body in the world if Senator HOLLAND should leave the Senate at the expiration of his present term.

So it is my privilege to salute the senior Senator from Florida, Mr. SPESSARD HOLLAND, whom I admire greatly, whom the people of Alabama admire and look on as a great U.S. Senator.

Mr. PASTORE. Mr. President, I consider it a great privilege to rise at this time to associate myself with all of our colleagues who have been paying these deserved tributes to my friend and seatmate, the distinguished Senator from Florida, SPESSARD HOLLAND.

I have been in the Senate now for 20 years. When I came here, SPESSARD HOLLAND was already here. Scholar and soldier—lawyer and statesman, to me, in a great sense, he has been a guiding light. If one characterization is to be made of this fine gentleman from Florida, I must say he is Mr. Integrity of the U.S. Senate. In all my associations in this great body, I have never found a man with more desire and more compelling concern to live by his convictions. It makes no little difference to SPESSARD HOLLAND whether the issue is popular or unpopular; the only question he has ever sought to answer is, Is it good for my Nation? Is it good for the people of this country?

I have looked upon SPESSARD HOLLAND as an older brother. We two have chatted here and we two have debated here, formally and informally. We have not always agreed, but I have always found him very fair, very just, very understanding, very cooperative, and never in any disagreement has SPESSARD HOLLAND been disagreeable.

It is hard to say that about most men, but one can say it with assurance about SPESSARD HOLLAND.

Yet I must add another note. I think much of his success has been due to the inspiration of his beloved Mary, his devoted wife. We have enjoyed seeing her here in the gallery time and time again sharing our own appreciation of the oratory of SPESSARD HOLLAND—a statesman at work. You could almost see the twinkle in her eye revealing her approbation and her admiration of her distinguished husband.

Truly a family man, he would tell me about his grandchildren and his children and I loved to listen. I think it is a fine thing, because I feel a good family man and husband and parent not only makes a good citizen but, in my humble opinion, he has the qualifications to be a good U.S. Senator.

When SPESSARD HOLLAND leaves the Chamber, something will go along with him. First of all, it will be the affection and love of his colleagues, who respect him in such high degree. But even more than that, as our distinguished colleague, the previous speaker, Mr. ALLEN, has already said, something will pass from the Senate. This may be the day of Aquarius, this may be the age of the young—I am not ready to dispute that—but in our midst we have so many with gray hair who have done so much to make this country what it is for the benefit of those who are younger than we are; and SPESSARD HOLLAND is one of those gentlemen.

I have said that our love and affection goes with him as he leaves this Chamber. In a larger sense that affection will remain here as we stay mindful of his inspiration.

This is an appropriate hour to express our sentiments because there is before us the last appropriation bill that Senator HOLLAND will possibly present before he retires to private life.

I am sure life can never be truly private for a man with such dedication to patriotism and such contribution that the good neighbors and good citizens can still and will make to community, State, and Nation.

And so I say to SPESSARD HOLLAND on this morning, I pray that the Good Lord will grant to you and your beloved wife and your entire family many, many more years of health and happiness.

May they be years of satisfaction as you contemplate your service to mankind.

XUM

May they be years of deepest affection now centered in your home. And I sum it all in the ancient yet timely tribute—ad multos annos.

Mr. HOLLAND. Mr. President, I am completely overcome by these more than generous statements. I just want to say first that if I had had any intimation that they were going to be made, you can be sure that Mary, Mrs. Holland, would have been advised and would have been up here in the gallery. I think it is the one thing I regret, because I think my stock would have been raised for the remaining years that I hope we will enjoy together.

I am so grateful to my distinguished colleagues, my junior colleage from Florida (Mr. Gurney), the Senator from Alabama (Mr. Allen), the Senator from Georgia (Mr. Talmadge), my seatmate, the Senator from Rhode Island (Mr. Pastore), my distinguished chairman, the Senator from Louisiana (Mr. Ellender), who have all been my friends. I have already made some comments with respect to my two friends, the Senator from Nebraska (Mr. Hruska) and the Senator from North Dakota (Mr. Young).

I would not want anybody to think that I feel I merit these kind comments, but I just appreciate them more than you will ever know.

May I say this for the record, for nothing else could be said by me. Of course, I shall miss the Senate, though I think that, at 78½—and that is how old I shall be at the end of this year—I am entitled to retire, and that I should retire.

The thing that I shall miss most greatly is the friendship and the kindness of Senators, because there is not a Senator who has spoken with whom I have not, at some time or other, had serious disagreements; and yet the charity, the friendliness, and the brotherliness that prevails here is something that cannot be replaced by anything else that I have ever experienced in life. It is that which I shall miss.

I am grateful to all of you, more than I can say, and I thank you from the bottom of my heart.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded, for the purpose of further amendment, as original text, provided that no point of order shall be considered to have been waived by reason thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 13, after "$100", strike out "$146,143,200" and insert "$157,346,200"; in line 17 after the word "appropriation", strike out the comma and "except that $1,000,000 of the foregoing amount shall be available for matching with funds utilized for research under public law 89–502,"; in line 20, after the word "which", strike out "$1,500,000" and insert "$3,760,000"; and, on page 4, line 4, after "Public Law 88–250", insert a colon and *Provided further,* That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1972 of less than the amount required to conduct the pesticides research program as authorized pursuant to Public Laws 88–573 and 89–316;".

On page 4, line 16, after "(21 U.S.C. 1114b–c)", strike out "$98,619,750" and insert "$99,369,750"; and, in the same line, after the word "which", strike out "$2,000,000" and insert "$1,500,000".

On page 6, line 20, after the word "including", strike out "$58,390,000" and insert "$61,390,000"; at the beginning of line 25, strike out "$4,012,000" and insert "$4,412,000"; on page 7, line 2, after "(16 U.S.C. 582a–582a–7)", strike out "$2,000,000" and insert "$3,350,000"; and, in line 14, after the word "all", strike out "$65,076,000" and insert "$69,826,000".

On page 8, line 1, after "$48,560,000;", insert "payments for rural development work under section 3 (d) of the Act $10,400,000;"; and, in line 8, after the word "all", strike out "$140,031,000" and insert "$150,431,000".

On page 8, line 18, after the word "employees", strike out "$13,515,000" and insert "$12,932,600".

On page 9, line 12, after "(7 U.S.C. 1621–1627)", strike out "$1,649,000" and insert "$1,684,000".

On page 10, line 2, after the word "aircraft", strike out "$128,557,000" and insert "$128,457,000"; in line 4, after the word "head", strike out the colon and "*Provided,* That Public Law 40, Eighty-fourth Congress, making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1956, and for other purposes, is hereby amended by striking out the period following the last proviso in the section entitled "Flood Prevention", substituting a comma and adding the following: "and where the Army does have jurisdiction and responsibility, may enter into agreements with the Army to carry out jointly the measures heretofore set out and in areas where the Secretary is authorized to purchase land rights for structural measures, the Secretary in lieu of such acquisition, may reimburse local organizations for such proportionate share of the cost of land rights furnished by local organizations as the Secretary deems equitable in consideration of the national interest."" and, in line 19, after the word "*Provided*", strike out "*further*".

On page 12, line 12, after the word "expended", strike out "$6,698,000" and insert "$5,434,000".

On page 13, at the beginning of line 4, strike out "$74,278,800" and insert "$76,000,000".

On page 14, at the beginning of line 11, strike out "$15,355,000" and insert "$16,355,000".

On page 14, line 19, after "(16 U.S.C. 590a–f)", strike out "$13,876,000" and insert "$14,676,000".

On page 15, at the beginning of line 25, strike out "$14,592,000" and insert "$16,228,000".

On page 16, line 21, after the word "laws", strike out "$17,716,800" and insert "$17,874,800".

On page 17, line 14, after "$149,247,000", strike out the comma and "of which $1,000,000 shall be placed in reserve to be released only when required to carry out the Wholesome Meat Act."

On page 18, line 2, after "(7 U.S.C. 1623 (b)), strike ut "$1,600,000" and insert "$1,750,000".

On page 19, line 21, after "(42 U.S.C. 1773–1785), strike out "$264,428,000" and insert "$259,428,000"; and, on page 20, line 4, after the word "program", strike out "$17,500,000" and insert "$12,500,000".

On page 21, line 11, after "(7 U.S.C. 1766)", strike out $24,023,000" and insert "$24,773,000".

On page 22, line 15, after the word "Corporation", strike out "$152,690,000" and insert "$150,000,000".

On page 24, line 20, after the word "to", strike out "$195,500,000" and insert "$190,000,000".

On page 26, after line 23, insert:

"INDEMNITY PAYMENTS TO DAIRY FARMERS

"For necessary expenses involved in making payments to dairy farmers who have been directed to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, $500,000: *Provided,* That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government."

On page 27, after line 7, strike out:

"Rural Community Development Service

"SALARIES AND EXPENSES

"For necessary expenses, not otherwise provided for, of the Rural Community Development Service in providing leadership and related services in carrying out the rural areas development activities of the Department, $230,000: *Provided,* That not to exceed $3,000 shall be available for employment under 5 U.S.C. 3109."

On page 27, line 22, after "5 U.S.C. 3109", strike out "$15,378,000" and insert "$12,412,000"; and, in the same line, after the amendment just above stated, insert a comma and "and in addition, not less than $3,434,000 shall be derived by transfer from appropriation, "Food Stamp Program" and merged with this appropriation".

On page 28, line 7, after "5 U.S.C. 3109", strike out "$3,508,650" and insert "$3,748,000".

On page 29, line 16, and after the word "Library", strike out "$3,614,750" and insert "$3,914,750".

On page 30, line 6, after the word "Agriculture", strike out "$3,384,000" and insert "$3,459,000".

On page 30, line 15, after "5 U.S.C. 3109", strike out "$5,559,000" and insert "$6,058,000"; and, in line 21, after the word "Secretary", strike out the colon and "*Provided further,* That not to exceed $269,000 of funds contained in the Working Capital Fund established under authority of Public Law 78–129 may be used to carry out responsibilities under the Civil Rights Act of 1964.".

On page 31, at the beginnnig of line 13, strike out "$322,000,000" and insert "$352,000,000"; at the beginning of line 14, strike out "$123,800,000" and insert "$138,800,000"; and, in the same line, after the amendment just above stated, strike out the colon and "*Povided,* That an additional $20,000,000 is placed in contingency reserve to be made available by the Bureau of the Budget on the same terms and conditions to the extent that such amount is required during the current fiscal year under the then existing conditions for expeditious and orderly development of the rural electrification and rural telephone programs".

On page 32, line 2, strike out "$14,613,000" and insert "$14,896,000".

On page 32, at the beginning of line 15, strike out "$30,000,000" and insert "$19,000,000".

On page 33, line 1, after "(7 U.S.C. 1926)", strike out "$100,000,000" and insert "$60,000,000".

On page 33, line 10, after "(42 U.S.C. 1490c)", strike out "$2,125,000" and insert "$775,000".

On page 33, line 15, after the word "advances", strike out "$1,000,000" and insert "$400,000".

On page 34, line 4, after "(40 U.S.C. 461)", strike out "$81,150,000" and insert "$84,250,000"; in line 5, after the word "than", strike out "$3,250,000" and insert "$2,250,000"; and, in line 10, after the word "amended", strike out the comma and "of which not more than $250,000 shall be available for the administration of Public Law 91–229".

On page 35, line 20, after "1969", strike out "$2,863,156,331" and insert "$3,113,156,331"; and, in line 21, after the word "total", strike out "$3,113,155,000 and insert "$3,363,155,000".

On page 37, line 22, after the word "exceed", strike out "$4,054,000" and insert "$4,226,000".

Mr. HOLLAND. Mr. President, I have already given notice that I would call up seven amendments. I am sorry that the Senator from Georgia has for the moment left the Chamber. I ask that he be recalled. These amendments are of particular importance to him, since he handled the very great improvement and enlargement of the school lunch program which was recently passed by the Senate, and which these amendments are intended to fund.

SUMMARY OF FOOD ASSISTANCE PROGRAMS

Mr. President, the committee report (on page 23) carried a comparative summary of financing for child nutrition, special milk, food stamp and transfer from section 32 and section 416 for food assistance programs administered by the U.S. Department of Agriculture. That table did not reflect the $216,579,000 in the budget amendments for the child nutrition activities.

I ask unanimous consent that a revised table—which includes the amended amounts pursuant to the increases in Senate Document 91–94—be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

FOOD ASSISTANCE PROGRAMS OF THE U.S. DEPARTMENT OF AGRICULTURE

[Program level-dollars in thousands]

Program	Fiscal year 1969	Fiscal year 1970 [1]	Budget estimate, excluding amendments in Senate Doc. 91–94	Fiscal year 1971 House bill, excluding amendments in Senate Doc. 91–94	Senate bill
A. Child nutrition program:					
1. Cash grants to States:					
(a) School lunch (sec. 4)	$162,034	$168,041	$169,721	$169,721	$225,000
(b) Free and reduced price lunches (sec. 11)	54,000	134,800	200,000	200,000	356,400
(c) School breakfast	3,500	12,000	15,000	15,000	15,000
(d) Nonfood assistance	748	15,000	12,500	17,500	15,000
(e) State administrative expenses	153	2,750	2,750	2,750	3,500
(f) Nonschool food program	[2] 3,244	[2] 13,572	[2] 15,000	[2] 15,000	[2] 15,000
Total, cash grants	223,679	346,163	414,971	419,971	629,900
2. Commodities to States	292,107	230,205	264,465	264,465	264,465
3. Nutrition training activities					750
4. Federal operating expenses	3,995	5,282	5,542	5,542	6,442
Total, child nutrition program	519,781	581,650	684,978	689,978	901,557
B. Special milk program:					
1. Milk (direct appropriation)	102,048	83,314		103,314	103,314
2. Special sec. 32 funds used for milk program		20,000			
3. Administrative expenses	629	686		686	686
Total, special milk program	102,677	104,000		104,000	104,000
Total, child nutrition and special milk programs	622,458	685,650	684,978	793,978	1,005,557
C. Family feeding program:					
1. Food stamp program	250,981	610,000	1,250,000	1,250,000	1,250,000
2. Direct distribution to families:					
(a) Section 32 commodities	192,668	182,015	160,300	160,300	160,300
(b) Financial assistance to States	4,154	16,000	19,700	19,700	19,700
(c) Federal direct operation at local level	1,300	2,318			
(d) Section 416	79,278	61,942	92,745	92,745	92,745
Total, direct distribution to families	277,400	262,275	272,745	272,745	272,745
3. Nutrition supplement	8,317	33,000	40,000	40,000	40,000
Total, family feeding	536,698	905,275	1,562,745	1,562,745	1,562,745
D. Direct distribution to institutions	32,227	12,889	26,416	26,416	26,416
E. Nutrition education program [3]	9,948	30,000	50,000	50,000	50,000
Total, food assistance program	1,201,332	1,633,814	2,324,139	2,433,139	2,644,718

[1] Revised to reflect approval of Public Law 91-207 (Mar. 12, 1970) to provide additional funds for child nutrition program.

[2] Excludes balances carried forward to succeeding year.

[3] Includes administrative expenses.

Note: The Budget estimate and House bill amounts for 1971 shown below do not include the additional amounts requested in Senate Document No. 91-94, submitted on July 1, 1970. These additional amounts were not considered by the House.

Mr. HOLLAND. I have already stated that the supplemental budget item reached us after the markup. However we knew it was imminent, and we were given authority by the full Appropriations Committee to offer this item as an amendment to the committee bill, which I now do.

For the information of Senators and the general public, there was printed in the CONGRESSIONAL RECORD yesterday, July 7, on page 23003, the budget amendment (Senate Document 91–94) pertaining to the additional $216 million requested for the child nutrition program, a letter from the Secretary of Agriculture summarizing the amounts requested for various purposes, and the justification from the department as to the need and purpose of the additional funds requested, the texts of the seven proposed amendments to the pending bill to implement this budget request, and a brief explanation of each amendment.

Mr. President, the purpose of these amendments is to raise, by $216 million plus, the appropriation for the school lunch program, so as to conform to the program which we passed so recently here in Congress, and which has become law through the signature of the President.

Mr. President, I send these seven amendments to the desk at this time, and ask that they be reported. I am perfectly willing to have them considered separately, but it seems to me that it might save time to have them considered en bloc; and, after they are reported, I shall make the request that they be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk read the proposed amendments, as follows:

Page 19, Line 19, following "1751–1761)" insert "; Public Law 91–248"

Page 19, Line 21, strike", $259,428,000" and insert "; Public Law 91–248, $476,007,000"

Page 20, Line 2, strike "$48,347,000" and insert "$204,747,000"

Page 20, Line 3, strike the word "schools" and insert "school children"

Page 20, Line 4, strike "$12,500,000" and insert "$15,000,000"

Page 20, Line 5, strike "$750,000" and insert "$1,500,000"

Page 20, Lines 7 and 8, strike "to remain available until September 30 of the next succeeding fiscal year" and insert ": Provided further, that funds provided herein shall remain available until expended in accordance with section 3 of the National School Lunch Act, as amended"

Mr. HOLLAND. Mr. President, I have already explained that these seven amendments, at various places, in the bill, together provide for an additional $216 million to fund the increased school lunch program which we recently passed. They are all needed at the various places in the bill to accomplish that single result. I ask unanimous consent, therefore, that they be considered en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, the amendments will be considered en bloc.

Mr. HOLLAND. Mr. President, while I am willing to answer any questions that may be addressed to me, I think that the purpose of these amendments is now well understood; and, unless there are questions, I am ready to have them voted upon by the Senate.

I invite my distinguished friend from Nebraska to make any comments he cares to make at this time.

Mr. HRUSKA. Mr. President, the chairman of the subcommittee and manager of the bill has stated the case well. He has stated the necessity and the basis for these amendments. This Senator is in full accord with them, and supports them. They are occasioned, of course, by the signature into law by President Nixon of Public Law 91–248. It is commonly agreed that they will vastly expand and improve the field in which this law operates. I think we should go forward with them. They have been discussed among the members of the committee, and it was agreed that this is the fashion in which we should approach the situation.

Mr. HOLLAND. I thank my distinguished friend. A full explanation of the matter appears in the item that I placed in the RECORD yesterday, at page 23003 of yesterday's printed RECORD.

Mr. President, I call for a vote on these amendments en bloc.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments of the Senator from Florida.

The amendments were agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr President, there may be other amendments. I see in the Chamber my distinguished friend from Delaware (Mr. WILLIAMS), with whom I have agreed so long on the matter of requiring full restoration of the depleted borrowing capacity of the Commodity Credit Corporation each year, as required by the law which he authored some years ago.

I am happy to be able to say to him that under this bill, for the first time, we have a complete restoration through last year—the last year on which we have completed audits—of the deficit of the Commodity Credit Corporation. I am happy also to say to him that this comes, not just by action of the committee, but, for the first time, by request of the Bureau of the Budget, which had been requested, as the Senator from Delaware knows, for several years, not only by the present Secretary of Agriculture but also by the preceding one, to take just that action.

I hope that we may not only have that item included in the bill, which I know to be in accord with the Senator's desire, but that we may also keep it in conference, because the other body saw fit to reduce that total restoration by $250 million, which our committee has restored in reporting the bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. I noticed this change in the bill, and I both compliment and thank the Senator from Florida for his attention to this problem.

On the surface this would appear to be a $250-million increase in appropriations; but, as we have explained many times before in discussing this item, these expenditures have been made, and payment for these expenditures by restoration of funds have to be made under the basic law. Once the expenditures are made it is merely a matter of reimbursing the capital and restoring money that has already been spent.

The objection I had presented heretofore was that we were not giving a true picture to the American taxpayers as to the cost of these programs, and that was the basis of the law we put through with the support of the Senator from Florida, of which I was a sponsor, which required annual appropriation for the full cost of these programs. We have had a little difficulty in past years, as the Senator knows, in getting this deficiency brought up to date, but I am glad that it has been brought up to date now, and I hope the conferees will retain it. In the future I hope we will have full restoration for these items in annual appropriation bills so that we will know exactly what the costs of these programs are.

I remember the situation where for 2 or 3 years this expenditure was left out of the budget to give a false impression that they were reducing the appropriations of the Department of Agriculture by $2 or $3 billion.

That represented, not a reduction in budget expenditures but merely a postponement of payments.

The result of that delay was that they became approximately $5 billion delinquent in making these reimbursements. The money had been spent, and there was no possible chance of recovery. Yet it gave the impression for 2 or 3 years that Congress was reducing the cost of the agricultural programs when in reality we were increasing them. I said that we needed more truth in Government. The Senator from Florida supported that position.

While this action here today looks on the surface like a $250 million increase, it is in reality not the increase of a dime above what already has been spent under the basic law.

As the Senator from Florida knows, I have been trying for years to change certain features of the basic law which would reduce the cost of these farm programs, and I think it should be done. When we get this bill before us for the new agricultural program I will again be working toward trying to reduce the cost of this agricultural program. I think it is too high. But once the program has been enacted, once the commitment has been made and the expenditures have been made I think we have no choice but to recognize it, as the committee has done. I compliment both the Senator from Florida and the committee on giving us a little truth in Government on this point, and I hope it will be continued in the future.

Mr. HOLLAND. I thank the distinguished Senator.

I think it would be a source of comfort to both the Senator from Delaware and the Senator from Florida, when we both leave the Senate at the end of this year, if we accomplish, after this fight of about 10 years, what we set out to do about that long ago. We have gone a little at a time. I hope we can have a complete restoration this year, so that those who follow us may not be confronted with the tremendous deficit that had accumulated at the time we started on this matter. It would be a source of comfort to me, at least, if we could accomplish this, and I believe the Senator from Delaware feels the same way.

Mr. WILLIAMS of Delaware. I agree.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, the happy conclusion to this item, at least for this year, was not achieved without some travail and some great effort. I do know that in the discussions in the committee as well as in the subcommittee, it was a source of great comfort and reassurance to know that we would ultimately have the support of the Senator from Delaware when the matter got to the floor, and it was always forthcoming, with good force and with good effect. So between the two efforts, those of the Senator from Florida and those of the Senator from Delaware, we have achieved a good plan.

I join in the thought that it should thrust itself into the future years in connection with Public Law 480.

Mr. HOLLAND. I thank the Senator for his comments.

Mr. President, I have been advised that the Senator from South Dakota may wish to propose an amendment. I know of no other amendments.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. The Senator from Illinois has an amendment of which I am cosponsor. Before third reading I would want a quorum call in order to alert his office to have him come to the Chamber. But if other amendments are pending we can go ahead with them.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1046. An act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; and

S. 3430. An act to amend the Peace Corps Act to authorize additional appropriations, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12446. An act to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya;

H.R. 13265. An act to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec;

H.R. 13997. An act to confer U.S. citizenship posthumously upon S. Sgt. Ryuzo Somma; and

H.R. 17734. An act for the relief of Sherman Webb and others.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 12446. An act to confer U.S. citizenship posthumously upon Jose Guadalupe Esparza-Montoya;

H.R. 13265. An act to confer U.S. citizenship posthumously upon L. Cpl. Frank J. Krec;

H.R. 13997. An act to confer U.S. citizenship posthumously upon S. Sgt. Ryuzo Somma; and

H.R. 17734. An act for the relief of Sherman Webb and others.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

PROPOSED RECOMMENDATIONS RELATING TO THE AMERICAN INDIANS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–363)

The ACTING PRESIDENT pro tempore (Mr. ALLEN) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

The first Americans—the Indians—are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement—employment, income, education, health—the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demeaning.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country—to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

SELF-DETERMINATION WITHOUT TERMINATION

The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the one hand, it has—at various times during previous Administrations—been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of the Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people: to strengthen the Indian's sense of autonomy without threatening his sense of community. We must assure the Indian that he can assume control of his own life without being separated in-

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voluntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy.

1. REJECTING TERMINATION

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and right to continued existence of all Indian tribes and Alaska native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. It would guarantee that whenever Indian groups decided to assume control or responsibility for government service programs, they could do so and still receive adequate Federal financial support. In short, such a resolution would reaffirm for the Legislative branch—as I hereby affirm for the Executive branch—that the historic relationship between the Federal government and the Indian communities cannot be abridged without the consent of the Indians.

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2. THE RIGHT TO CONTROL AND OPERATE FEDERAL PROGRAMS

Even as we reject the goal of forced termination, so must we reject the suffocating pattern of paternalism. But how can we best do this? In the past, we have often assumed that because the government is obliged to provide certain services for Indians, it therefore must administer those same services. And to get rid of Federal administration, by the same token, often meant getting rid of the whole Federal program. But there is no necessary reason for this assumption. Federal support programs for non-Indian communities—hospitals and schools are two ready examples—are ordinarily administered by local authorities. There is no reason why Indian communities should be deprived of the privilege of self-determination merely because they receive monetary support from the Federal government. Nor should they lose Federal money because they reject Federal control.

For years we have talked about encouraging Indians to exercise greater self-determination, but our progress has never been commensurate with our promises. Part of the reason for this situation has been the threat of termination. But another reason is the fact that when a decision is made as to whether a Federal program will be turned over to Indian administration, it is the Federal authorities and not the Indian people who finally make that decision.

This situation should be reversed. In my judgment, it should be up to the Indian tribe to determine whether it is willing and able to assume administrative responsibility for a service program which is presently administered by a Federal agency. To this end, I am proposing legislation which would empower a tribe or a group of tribes or any other Indian community to take over the control or operation of Federally-funded and administered programs in the Department of the Interior and the Department of Health, Education, and Welfare whenever the tribal council or comparable community governing group voted to do so.

Under this legislation, it would not be necessary for the Federal agency administering the program to approve the transfer of responsibility. It is my hope and expectation that most such transfers of power would still take place consensually as a result of negotiations between the local community and the Federal government. But in those cases in which an impasse arises between the two parties, the final determination should rest with the Indian community.

Under the proposed legislation, Indian control of Indian programs would always be a wholly voluntary matter. It would be possible for an Indian group to select that program or that specified portion of a program that it wants to run without assuming responsibility for other components. The "right of retrocession" would also be guaranteed; this means that if the local community elected to administer a program and then later decided to give it back to the Federal government, it would always be able to do so.

Appropriate technical assistance to help local organizations successfully operate these programs would be provided by the Federal government. No tribe would risk economic disadvantage from managing its own programs; under the proposed legislation, locally-administered programs would be funded on equal terms with similar services still administered by Federal authorities. The legislation I propose would include appropriate protections against any action which endangered the rights, the health, the safety or the welfare of individuals. It would also contain accountability procedures to guard against gross negligence or mismanagement of Federal funds.

This legislation would apply only to services which go directly from the Federal government to the Indian community; those services which are channeled through State or local governments could still be turned over to Indian control by mutual consent. To run the activities for which they have assumed control, the Indian groups could employ local people or outside experts. If they chose to hire Federal employees who had formerly administered these projects, those employees would still enjoy the privileges of Federal employee benefit programs—under special legislation which will also be submitted to the Congress.

Legislation which guarantees the right of Indians to contract for the control or operation of Federal programs would directly channel more money into Indian communities, since Indians themselves would be administering programs and drawing salaries which now often go to non-Indian administrators. The potential for Indian control is significant, for we are talking about programs which annually spend over $400 million in Federal funds. A policy which encourages Indian administration of these programs will help build greater pride and resourcefulness within the Indian community. At the same time, programs which are managed and operated by Indians are likely to be more effective in meeting Indian needs.

I speak with added confidence about these anticipated results because of the favorable experience of programs which have already been turned over to Indian control. Under the auspices of the Office of Economic Opportunity, Indian communities now run more than 60 community action agencies which are located on Federal reservations. OEO is planning to spend some $57 million in Fiscal Year 1971 through Indian-controlled grantees. For over four years, many OEO-funded programs have operated under the control of local Indian organizations and the results have been most heartening.

Two Indian tribes—the Salt River Tribe and the Zuni Tribe—have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them. Many Federal officials, including the Agency Superintendent, have been replaced by elected tribal officers or tribal employees. The time has now come to build on these experiences and to extend local Indian control—at a rate and to the degree that the Indians themselves establish.

3. RESTORING THE SACRED LANDS NEAR BLUE LAKE

No government policy toward Indians can be fully effective unless there is a relationship of trust and confidence between the Federal government and the Indian people. Such a relationship cannot be completed overnight; it is inevitably the product of a long series of words and actions. But we can contribute significantly to such a relationship by responding to just grievances which are especially important to the Indian people.

One such grievance concerns the sacred Indian lands at and near Blue Lake in New Mexico. From the fourteenth century, the Taos Pueblo Indians used these areas for religious and tribal purposes. In 1906, however, the United States Government appropriated these lands for the creation of a national forest. According to a recent determination of the Indian Claims Commission, the government "took said lands from petitioner without compensation."

For 64 years, the Taos Pueblo has been trying to regain possession of this sacred lake and watershed area in order to preserve it in its natural condition and limit its non-Indian use. The Taos Indians consider such action essential to the protection and expression of their religious faith.

The restoration of the Blue Lake lands to the Taos Pueblo Indians is an issue of unique and critical importance to Indians throughout the country. I therefore take this opportunity wholeheartedly to endorse legislation which would restore 48,000 acres of sacred land to the Taos Pueblo people, with the statutory promise that they would be able to use these lands for traditional purposes and that except for such uses the lands would remain forever wild.

With the addition of some perfecting amendments, legislation now pending in the Congress would properly achieve this goal. That legislation (H.R. 471) should promptly be amended and enacted. Such action would stand as an important symbol of this government's responsiveness to the just grievances of the American Indians.

4. INDIAN EDUCATION

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Drop-out rates for Indians are twice the national average and the average educational level for all Indians under Federal supervision is less than six school years. Again, at least a part of the problem stems from the fact that the Federal government is trying to do for Indians what many Indians could do better for themselves.

The Federal government now has responsibility for some 221,000 Indian children of school age. While over 50,000 of these children attend schools which are operated directly by the Bureau of Indian Affairs, only 750 Indian children are enrolled in schools where the responsibility for education has been contracted by the BIA to Indian school boards. Fortunately, this condition is beginning to change. The Ramah Navajo Community of New Mexico and the Rough Rock and Black Water Schools in Arizona are notable examples of schools which have recently been brought under local Indian control. Several other communities are now negotiating for similar arrangements.

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control. This Subcommittee will act as a transitional mechanism; its objective should not be self-perpetuation but the actual transfer of Indian education to Indian communities.

We must also take specific action to benefit Indian children in public schools. Some 141,000 Indian children presently attend general public schools near their homes. Fifty-two thousand of these are absorbed by local school districts without special Federal aid. But 89,000 Indian children attend public schools in such high concentrations that the State or local school districts involved are eligible for special Federal assistance under the Johnson-O'Malley Act. In fiscal year 1971, the Johnson-O'Malley program will be funded at a level of some $20 million.

This Johnson-O'Malley money is designed to help Indian students, but since funds go directly to the school districts, the Indians have little if any influence over the way in which the money is spent. I therefore propose that the Congress amend the Johnson-O'Malley Act so as to authorize the Secretary of the Interior to channel funds under this act directly to Indian tribes and communities. Such a provision would give Indians the ability to help shape the schools which their children attend and, in some instances, to set up new school systems of their own. At the same time, I am directing the Secretary of the Interior to make every effort to ensure that Johnson-O'Malley funds which are presently directed to public school districts are actually spent to improve the education of Indian children in these districts.

5. ECONOMIC DEVELOPMENT LEGISLATION

Economic deprivation is among the most serious of Indian problems. Unemployment among Indians is ten times the national average; the unemployment rate runs as high as 80 percent on some of the poorest reservations. Eighty percent of reservation Indians have an income which falls below the poverty line; the average annual income for such families is only $1,500. As I said in September of 1968, it is critically important that the Federal government support and encourage efforts which help Indians develop their own economic infrastructure. To that end, I am proposing the "Indian Financing Act of 1970."

This act would do two things:

1. It would broaden the existing Revolving Loan Fund, which loans money for Indian economic development projects. I am asking that the authorization for this fund be increased from approximately $25 million to $75 million.

2. It would provide additional incentives in the form of loan guarantees, loan insurance and interest subsidies to encourage *private* lenders to loan more money for Indian economic projects. An aggregate amount of $200 million would be authorized for loan guarantee and loan insurance purposes.

I also urge that legislation be enacted which would permit any tribe which chooses to do so to enter into leases of its land for up to 99 years. Indian people now own over 50 million acres of land that are held in trust by the Federal Government. In order to compete in attracting investment capital for commercial, industrial and recreational development of these lands, it is essential that the tribes be able to offer long-term leases. Long-term leasing is preferable to selling such property since it enables tribes to preserve the trust ownership of their reservation homelands. But existing law limits the length of time for which many tribes can enter into such leases. Moreover, when long-term leasing is allowed, it has been granted by Congress on a case-by-case basis, a policy which again reflects a deep-rooted pattern of paternalism. The twenty reservations which have already been given authority for long-term leasing have realized important benefits from that privilege and this opportunity should now be extended to all Indian tribes.

Economic planning is another area where our efforts can be significantly improved. The comprehensive economic development plans that have been created by both the Pima-Maricopa and the Zuni Tribes provide outstanding examples of interagency cooperation in fostering Indian economic growth. The Zuni Plan, for example, extends for at least five years and involves a total of $55 million from the Departments of Interior, Housing and Urban Development, and Health, Education and Welfare and from the Office of Economic Opportunity and the Economic Development Administration. I am directing the Secretary of the Interior to play an active role in coordinating additional projects of this kind.

6. MORE MONEY FOR INDIAN HEALTH

Despite significant improvements in the past decade and a half, the health of Indian people still lags 20 to 25 years behind that of the general population. The average age at death among Indians is 44 years, about one-third less than the national average. Infant mortality is nearly 50% higher for Indians and Alaska natives than for the population at large; the tuberculosis rate is eight times as high and the suicide rate is twice that of the general population. Many infectious diseases such as trachoma and dysentery that have all but disappeared among other Americans continue to afflict the Indian people.

This Administration is determined that the health status of the first Americans will be improved. In order to initiate expanded efforts in this area, I will request the allocation of an additional $10 million for Indian health programs for the current fiscal year. This strengthened Federal effort will enable us to address ourselves more effectively to those health problems which are particularly important to the Indian community. We understand, for example, that areas of greatest concern to Indians include the prevention and control of alcoholism, the promotion of mental health and the control of middle-ear disease. We hope that the ravages of middle-ear disease—a particularly acute disease among Indians—can be brought under control within five years.

These and other Indian health programs will be most effective if more Indians are involved in running them. Yet—almost unbelievably—we are presently able to identify in this country only 30 physicians and fewer than 400 nurses of Indian descent. To meet this situation, we will expand our efforts to train Indians for health careers.

7. HELPING URBAN INDIANS

Our new census will probably show that a larger proportion of America's Indians are living off the reservation than ever before in our history. Some authorities even estimate that more Indians are living in cities and towns than are remaining on the reservation. Of those American Indians who are now dwelling in urban areas, approximately three-fourths are living in poverty.

The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

But misunderstandings are not the most important problem confronting urban Indians. The biggest barrier faced by those Federal, State and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservations and urban areas. Language and cultural differences compound these problems. As a result, Federal, State and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, State, and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

These efforts represent an important beginning in recognizing and alleviating the severe problems faced by urban Indians. We hope to learn a great deal from these projects and to expand our efforts as rapidly as possible. I am directing the Office of Economic Opportunity to lead these efforts.

8. INDIAN TRUST COUNSEL AUTHORITY

The United States Government acts as a legal trustee for the land and water rights of American Indians. These rights are often of critical economic importance to the Indian people; frequently they are also the subject of extensive legal dispute. In many of these legal confrontations, the Federal government is faced with an inherent conflict of interest. The Secretary of the Interior and the Attorney General must at the same time advance *both* the *national* interest in the use of land and water rights *and* the *private* interests of Indians in land which the government holds as trustee.

Every trustee has a legal obligation to advance the interests of the beneficiaries of the trust without reservation and with the highest degree of diligence and skill. Under present conditions, it is often difficult for the Department of the Interior and the Department of Justice to fulfill this obligation. No self-respecting law firm would ever allow itself to represent two opposing clients in one dispute; yet the Federal government has frequently found itself in precisely that position. There is considerable evidence that the Indians are the losers when such situations arise. More than that, the credibility of the Federal government is damaged whenever it appears that such a conflict of interest exists.

In order to correct this situation, I am calling on the Congress to establish an Indian Trust Counsel Authority to assure independent legal representation for the Indians' natural resource rights. This Authority would be governed by a three-man board of directors, appointed by the President with the advice and consent of the Senate. At least two of the board members would be Indian. The chief legal officer of the Authority would be designated as the Indian Trust Counsel.

The Indian Trust Counsel Authority would be independent of the Departments of the Interior and Justice and would be expressly empowered to bring suit in the name of the United States in its trustee capacity. The United States would waive its sovereign immunity from suit in connection with litigation involving the Authority.

9. ASSISTANT SECRETARY FOR INDIAN AND TERRITORIAL AFFAIRS

To help guide the implementation of a new national policy concerning American Indians, I am recommending to the Congress the establishment of a new position in the Department of the Interior—Assistant Secretary for Indian and Territorial Affairs. At present, the Commissioner of Indian Affairs reports to the Secretary of the Interior through the Assistant Secretary for Public Land Management—an officer who has many responsibilities in the natural resources area which compete with his concern for Indians. A new Assistant Secretary for Indian and Territorial Affairs would have only one concern—the Indian and territorial peoples, their land, and their progress and well-being. Secretary Hickel and I both believe this new position represents an elevation of Indian affairs to their proper role within the Department of the Interior and we urge Congress to act favorably on this proposal.

CONTINUING PROGRAMS

Many of the new programs which are outlined in this message have grown out of this Administration's experience with other Indian projects that have been initiated or expanded during the last 17 months.

The Office of Economic Opportunity has been particularly active in the development of new and experimental efforts. OEO's Fiscal Year 1971 budget request for Indian-related activities is up 18 percent from 1969 spending. In the last year alone—to mention just two examples—OEO doubled its funds for Indian economic development and tripled its expenditures for alcoholism and recovery programs. In areas such as housing and home improvement, health care, emergency food, legal services and education, OEO programs have been significantly expanded. As I said in my recent speech on the economy, I hope that the Congress will support this valuable work by appropriating the full amount requested for the Economic Opportunity Act.

The Bureau of Indian Affairs has already begun to implement our policy of contracting with local Indians for the operation of government programs. As I have noted, the Salt River Tribe and the Zuni Tribe have taken over the bulk of Federal services; other projects ranging from job training centers to high school counseling programs have been contracted out to Indian groups on an individual basis in many areas of the country.

Economic development has also been stepped up. Of 195 commercial and industrial enterprises which have been established in Indian areas with BIA assistance, 71 have come into operation within the last two years. These enterprises provide jobs for more than 6,000 Indians and are expected to employ substantially more when full capacity is reached. A number of these businesses are now owned by Indians and many others are managed by them. To further increase individual Indian ownership, the BIA has this month initiated the Indian Business Developmnet Fund which provides equity capital to Indians who go into business in reservation areas.

Since late 1967, the Economic Development Administration has approved approximately $80 million in projects on Indian reservations, including nearly $60 million in public works projects. The impact of such activities can be tremendous; on the Gila River Reservation in Arizona, for example, economic development projects over the last three years have helped to lower the unemployment rate from 56 to 18 percent, increase the median family income by 150 percent and cut the welfare rate by 50 percent.

There has been additional progress on many other fronts since January of 1969. New "Indian Desks" have been created in each of the human resource departments of the Federal Government to help coordinate and accelerate Indian programs. We have supported an increase in funding of $4 million for the Navajo Irrigation Project. Housing efforts have picked up substantially; a new Indian Police Academy has been set up; Indian education efforts have been expanded—including an increase of $848,000 in scholarships for Indian college students and the establishment of the Navajo Community College, the first college in America planned, developed and operated by and for Indians. Altogether, obligational authority for Indian programs run by the Federal Government has increased from a little over $598 million in Fiscal Year 1970 to almost $626 million in Fiscal Year 1971.

Finally, I would mention the impact on the Indian population of the series of welfare reform proposals I have sent to the Congress. Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan and the proposed Family Health Insurance Plan. It is estimated, for example, that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

This Administration has broken a good deal of new ground with respect to Indian problems in the last 17 months. We have learned many things and as a result we have been able to formulate a new approach to Indian affairs. Throughout this entire process, we have regularly consulted the opinions of the Indian people and their views have played a major role in the formulation of Federal policy.

As we move ahead in this important work, it is essential that the Indian people continue to lead the way by participating in policy development to the greatest possible degree. In order to facilitate such participation, I am asking the Indian members of the National Council on Indian Opportunity to sponsor field hearings throughout the nation in order to establish a continuing dialogue between the Executive branch of government and the Indian population of our country. I have asked the Vice President to see that the first round of field hearings are completed before October.

The recommendations of this Administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of *whether* the Federal government has a responsibility to Indians to the question of *how* that responsibility can best be fulfilled. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance—this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

RICHARD NIXON.

THE WHITE HOUSE, *July 8, 1970.*

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Mr. SMITH of Illinois. Mr. President, I call up my amendment and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk read as follows:

On page 23, line 8, insert the following: after the word "regulations" strike the period, add a colon and the following:

And provided further, That no funds appropriated by this act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any person on any crop planted in the fiscal year 1971.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized.

Mr. SMITH of Illinois. Mr. President, I ask for the yeas and nays on the amendment.

The **PRESIDING OFFICER.** There is not a sufficient second.

Mr. SMITH of Illinois. Mr. President, I shall defer the request and make it later.

Mr. HOLLAND. Mr. President, if the Senator will yield, I shall be glad in any way I can to aid in getting a quorum for a request for the yeas and nays, when the Senator concludes his presentation.

Mr. SMITH of Illinois. I thank the Senator.

Mr. President, recently I sent a letter to Illinois farmers and farm-connected citizens asking for two things: First, their opinion on a bill I introduced last April 30 limiting farm subsidies to $20,000 per producer per year. Second, I asked what they thought of the general farm situation.

On the proposal to limit subsidy payments I can report to the Senate that the results were extremely gratifying; on the second, seriously disturbing.

Before discussing the nature of these responses, let me say something about the letters themselves. First of all, late May and early June is planting time in Illinois. Full-time crop farmers are out in the fields from before dawn-up until after dark getting out soybeans and corn; disking, harrowing, applying fertilizer, keeping equipment running, and in their spare time trying to find time to feed the livestock—a job that takes the better part of a day alone in the normal season. As a result, coming home at night and sitting down to write a letter to his Senator in Washington is a pretty reliable indication that the farmer cares. Moreover, most of the letters are not neatly typed on heavy letterhead stationery by a high-priced secretary; they come in handwritten, on school notebook paper, or on the back of post cards and envelopes or scrawled on lined sheets in the shaky hand of the elderly farmer. They are written by farm wives, themselves tired from part of the day in the field with their husbands and the other part in the kitchen and attending the children. In short, they come from the people—directly, unvarnished with polite phrases or clever suggestions, and completely sincere in what they say to their Senator. Those letters, Mr. President, are what my remarks are based on today—not my opinion, but theirs; not the corporate farm position, neatly phrased by the skilled hand of a lobbyist-lawyer, but the outpouring of expressions from the family farm—the group I am concerned about. I ask unanimous consent that a sampling of these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HIGHLAND, ILL.,
May 31, 1970.

DEAR HON. R. T. SMITH: I just want to tell you that myself and all my farm friends are 100% for your bill S. 3782 limiting the subsidy payments to not more than $20,000 to any one farmer.

Respectfully yours,
HENRY E. WALTER.

RINARD, ILL.,
May 27, 1970.

DEAR MR. SMITH: First of all, let me thank you for your letter of concern for the farm and farmers of this great land of ours.

Not often does a clod buster get a nice letter from a man of your position.

Now for my opinion of the farm situation and the subsidy bill. It is my opinion that any person buying land for investment should not be allowed to draw a subsidy at all. Only people that make their entire living and income from farming or that owned the land before retiring from the farm or farming operation should be allowed subsidy on any farm. And above all, incorporated farm or farming should not be allowed to draw subsidies.

It is my opinion that this is the reason the young farm boys leave the farm. They can't live with the competition of big corporations. And I might add that interest rates are so high a young man just can't borrow from scratch and make it pay.

In general, I think your presentation to the President is about the way I feel. There is one thing that I think the government should not do, is buy and store grain, hold it off the market and when the price for corn for example, gets up to a good price, then they dump bushels of grain on the market to hold the price down deliberately. This has been done in the past and has hurt many farmers in the $500.00 to $1,500 bracket and the government had no concern for the farmer only to keep us under government control.

I don't think we as farmers are anyway near on equal terms with any other segment. I think if we were allowed to vote on a bill down here on a grass root level your bill probably would be passed by a large majority. Thank you for accepting my opinion in your consideration. Luck to you from us down here.

Sincerely,

M. E. Wheeler.

Cissna Park, Ill.,
May 27, 1970.

Dear Sir: I was born and raised on the farm and am 67 years old and raised 8 children, sent them all through high school and no further and kept them busy, never once was any of them drunk or even had too much liquor or was in jail and on Sundays took them all to church with me and worked hard all my life 12 months a year. I own 120 acres and still have a mortgage on it, had a good living and didn't waste a thing but we are happy and content, so you can see that we could not have gotten more than our share all we have done is survived. I contact small farmers from five counties every day as I operate a magneto shop on the farm. One farmer told me the other day in our government we don't need a university degree only we need a man that goes to church on Sundays and the old-fashioned way. This man stated was a little more horse sense, which is not taught in colleges you have to get that on your own.

I read your letter over and I will back up every statement you have made and rather than to think about $20,000 is too low I would rather think it is even plenty high and on the other hand I would rather say this event should never have happened and if it is a human error let us correct it in a hurry before it is too late. As you know the outlook on the farm is pityful today so many farmers tell me day by day here we have hired a man as secretary of agriculture and paying him big money to help the farmer but instead he is helping only himself and the rich man who really don't need so much help. I say keep these farmers on the farm where they like it and belong as most of them are trained to the job and not much good for anything else. After we got these farmers sold out and moved to town would be hard to get them to go back and get them started over again. Too many city folks seem to think they don't need the farmer but they don't seem to realize that the first step in this country was farming. Let's raise some corn.

Yours very truly,

Levi A. Young Ignition Service.

Metropolis, Ill.,
May 27, 1970.

Senator Ralph Tyler Smith,
Washington, D.C.

Mr. Smith: Received your letter yesterday asking opinion on your bill you introduced to become a law for farm payments. I heartily agree with you, that the farm program the past years has only helped the rich farmers and put many small farmers out of business. Many small farms have been bought by the land sharks, and the buildings have been left to go to ruin and the small farmer migrated to the city or urban areas. This is a shame and disgrace. We pay tax on 360 acres, some of it is woods lot and we receive a very small payment on feed grains, and we don't raise any corn. We have hay and soy beans in and about 14 acres wheat and oats. Our feed grain program payment is a little over 700 dollars. Many of our neighbors get less and none that I have heard of near here ever get 1,000. I think $20,000 is even more than these land sharks need that buy up these small farms just to have the acres to raise their payments. Many people would like to have, and live, raise children in the country. But their allotments are so small that the program doesn't help them. Therefore they sell out and move to the city or urban areas.

I do hope you can help the small farmer so more can live in the country. Something has to take place to stop the land sharks, or we won't have any more country people and cutting their A.S.C.S. large payments is one way it could be done. But there have been so much damage done already to our small farmers it may be too late. I am 100% behind you in trying to get the payments cut for the large farmers that is all they are interested to get large payments and buy more land.

Yours truly,

Mrs. Raymond Mitchell.

Mascoutah, Ill.,
May 30, 1970.

Senator Ralph Tyler Smith,
U.S. Senate.

Dear Senator Smith: Thank you for your letter asking for my opinion on farm programs, ceilings, etc.

I am a farmer in St. Clair County. I farm about 700 acres and participate in the wheat and feed grain programs *almost* to the fullest extent. This 700 acres is ground that I rent from the owners. The *total* payment for all farms is about $12,000.00. Of this I get about $8,000. As a rough estimate, I figure the total payment is broken into 3 parts (in my particular case): ⅓ to landlord (he has no expense other than taxes), ⅓ to cover my expenses to meet the requirements of the program and ⅓ profit for me. These percentages may vary from time to time but I believe what I have stated to be real close.

I hire very little help, I have a 15 year old son who helps a lot when he isn't in school. I clear about 7 to 10,000 dollars per year on this operation and work *too* hard. I am not afraid of work but I know when I am working at least 3 times as hard as some of my friends who earn more.

I thought you may be interested in the above facts for your study of the problem.

Now my answer to your question. I do believe that there should be a limit on program payments. I believe $20,000 is too low and would think that about $35–$40,000 would be a better figure.

I also believe that payments should be higher for the smaller farmers.

I do not believe I should have to farm 700 acres to make a decent living. I am 46 years old, six feet one inch tall and weigh 210 lbs. and in good health. I do know that I cannot keep this pace much longer.

I think the present wheat and feed grain programs are pretty decent but would recommend higher payments for small farms (less than 500 acres).

One thing I failed to mention is that my financial statement to my banker shows a machinery investment of $35–$40,000. I also pay $360 personal property tax. Many people (my doctor for example pays $13 tax on his personal property that he earns his living with), pay little or no tax on the tools they earn their living with.

Thank you for your time to read this and your interest in farm programs.

Yours truly,

Robert Grodeon.

Mr. SMITH of Illinois. Mr. President, better than 90 percent of the thousands who took the time to write personal letters to me strongly favored a ceiling of $20,000 or less on crop subsidies. Their feelings were far from lukewarm on this subject. These farmers—the actual recipients of the subsidy payments, used terms like "long overdue," or "100 percent behind you," and "definitely favor," "with you all the way." Although I expected the majority of Illinois citizens—farmers and nonfarmers alike—to favor the bill, I confess I was surprised at the depth of their opposition to million-dollar payments to one-half of 1 percent of the subsidy payees. In fact, many who wrote urged the Government to get out of farming entirely, and pointed to chronically low prices for commodities presently covered by Government programs as contrasted to the healthy character of farm products still operating unshackled by ponderous Federal regulation.

In my letter to Illinois citizens, I had pointed out that the average ASC payment was approximately $1,450, and fully one-third of all recipients receive less than $500, while 0.51 percent receiving over $20,000 each hog about 14 percent of all subsidy payments. Many who read this letter were totally ignorant of the grossly disproportionate payments to the few and the rich. It would be fair to say, Mr. President, that their consensus was that the Government was only trying to make the rich richer, while the poor got poorer. Men who had farmed 50 and 60 years and never received more than a few hundred dollars per year from subsidy payments were naturally opposed both to the concept and the practice of subsidizing giant corporate farms and agribusinessmen.

Mr. President, farmers as a group are not generally "outraged" about things; as a hardworking, frugal, and loyal segment of our population, farm families generally leave it to their city cousins to march in demonstrations, petition the Government, or write strongly worded letters to their Congressmen, Senators, or the President. As a result, I was deeply impressed when they responded so forcefully to a proposed measure to limit crop subsidy payments. And I am particularly impressed when that measure provides for cutting Government payments to their own industry, as my bill would do.

Unquestionably the most striking thing about this response is this: The vast majority of farmers—the very ones for whom the subsidy payments were designed, are violently and wholeheartedly opposed to parceling out single payments over $20,000 to a producer per year. The point is clear: Even the intended recipients do not want this Government money going to the giant organizations—much less the 98½ percent of the taxpayers who do not get a dime in crop subsidies.

Mr. President, on April 30 I introduced S. 3782 which would limit the total Federal farm subsidy payments to $20,000 for each producer per year. This measure would amend title I of the Agriculture Act of 1941 to terminate once and for all the shocking and excessive sums paid to the very few, but very rich, corporate farms and agribusinessmen who annually collect up to $4 million each for not planting crops.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SMITH of Illinois. I yield.

Mr. ELLENDER. Mr. President, will the Senator tell us how many of those rich ones are from Illinois?

Mr. SMITH of Illinois. Not one.

Mr. ELLENDER. Not one. Does the Senator know that the corngrowers have always been opposed to any kind of program?

Mr. SMITH of Illinois. It is my understanding from figures I have that only one-tenth of 1 percent of the corngrowers in the Nation receive payments of over $20,000, which may implement what the Senator said. Practically all corngrowers are small farmers. We have very few large farms growing very much corn and other feed grains in Illinois.

Mr. ELLENDER. I do not wonder why they are opposed to this.

Mr. SMITH of Illinois. Of course, there are obviously reasons why people are for or against any proposition. I am simply relating the reaction from people in my State to my sampling of their opinions.

Mr. ELLENDER. As I recall, the corngrowers of the country are always the "blue-eyed girls" of this program; they profit by it but they want no regulation. That was not true for wheat, cotton, tobacco, and other regulated crops. The corngrowers are the only ones who write and talk about opposing any kind of regulation.

But they all want the benefits, direct or indirect, of price supports. The feed grain program is entirely voluntary while the cotton program, for example, is mandatory. In cotton there are acreage controls which restrict the planting of each and every cotton farmer. Furthermore, cotton prices are way below cost of production for most if not all producers. Corn prices on the other hand are at profitable levels in most cases. On June 15, 1970, prices received by farmers for corn averaged $1.21 per bushel or 68 percent of parity. Cotton on the other hand brought farmers only 22.4 cents per pound or 45 percent of parity.

But, equally important is the fact that no new program for the named crops has been formulated for 1971 and thereafter. The existing law under which payments are made expires with the 1970 crop. If no legislation is enacted the old cotton and feed grain programs which would be effective do not provide for payments, while certificates are authorized in the case of wheat with the cost of certificates to be borne by millers. So the Senator from Illinois, in effect, is trying to usurp the Senate Committee on Agriculture and Forestry prerogatives in its deliberation and formulation of a new program for 1971 and thereafter.

But, the committee has the responsibility for the formulation of a program. Extensive hearings have been held. The Secretary of Agriculture has testified. The House Committee on Agriculture is now in the process of writing up a bill. The Senate will follow. I can assure all present that the Senate committee will present to the Senate a forward looking bill. A bill that will aid producers in maintaining a strong and viable agriculture, and one which will energize the rural communities in their economic endeavors. We must maintain a strong agriculture so that the future needs of this great country can be met. But an amendment of this sort, on an appropriation bill will inhibit agriculture and add to the woes of our rural communities.

That may be the reason why they are for the $20,000 limitation—because none of them get above that. It is just selfishness on their part, in my opinion.

Mr. SMITH of Illinois. Mr. President, since the Senator raises the question, I might point out, as a matter of pride, that Iowa, the State where the tall corn grows is not the No. 1 producer of corn any more. My State of Illinois is now the No. 1 producer of corn. I say that in response to the question of a Senator representing a great corn-growing State.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. SMITH of Illinois. I yield.

Mr. WILLIAMS of Delaware. As a cosponsor of the amendment, I think we can point out that there is another large group of people who are cosponsoring the amendment, and that is the American taxpayers, who are putting up the money to subsidize a large number of corporate-type farms, which subject I shall discuss later, some of which are banks.

I have before me the name of the Southern National Bank of Lebanon, S.C., which received a subsidy of $224,000 for not farming. I have the names of several other banks here. Standard Oil Co. received a subsidy of $127,000 not to farm. These are not corngrowers; I am sure of that.

Just how Standard Oil or some of these banks can qualify as small farmers is something that has not yet been explained to my satisfaction. I think it would be well to point out that there are millions of American taxpayers who are vitally interested in cutting down the cost of a program in which the primary business of the group collecting the money is not cultivating farms, but cultivating the Treasury of the United States. That is their farming operation.

Mr. SMITH of Illinois. I thank the distinguished Senator from Delaware. Of course, he has led the fight in this body over the years to restore an equitable, commonsense approach to farm subsidies. I am very grateful to him for his kindness in allowing me to present this amendment and equally grateful to him for cosponsoring it, as he has done.

Mr. President, I am today calling up an amendment to the Agriculture Appropriations Act to the same effect.

The idea of limiting crop subsidy payments is not new. As I just indicated, the distinguished senior Senator from Delaware has long led the fight to restore an equitable, commonsense approach to farm subsidies. I am indeed very proud to note his cosponsorship of my amendment.

Mr. President, I believe I am among the first Members of this body from a prominent agricultural State to initiate legislation for a dollar ceiling on farm subsidies. I have taken this step because I believe it is time the Federal Government stopped contributing to the trend toward bigness in agriculture. As far as I am concerned, there are already too many independent forces at work encouraging heavy concentration in large farm corporations or agribusinesses: The high price of land and equipment requires immense capital outlay. Intense mechanization requires far greater acreage for full machinery utilization. Consistently lower per-unit prices for farm products necessitate bigger volume to support the producer.

All these forces by their nature are the consequence of the technological revolution in agriculture and are virtually beyond effective Government direction. The ceiling the Federal Government chooses to pay individual farming units for not planting is directly within its control, and I propose to do something about it—now.

Numerically, very few farming units will be affected by a subsidy ceiling. Less than 13,000 agribusinessmen out of the 2½ million subsidy recipients in 1969 received more than $20,000 in subsidies. Broken down by crop, the growers of approximately 2 percent of all feed grains, 3 to 4 percent of all wheat, and about 28 percent of all cotton would be affected by my proposal.

Who are these 13,000 producers? We know this: In 1969 eight subsidy payments were in excess of $1 million. A high percentage went to corporations. Among those receiving more than $20,000, as just pointed out by the Senator from Delaware, are many large, nonfarm corporations like Standard Oil, Reynolds Aluminum, and others. A substantial number of banks, several State prison farms, and even State governments share in the Federal largess under a program designed and intended to strengthen the rural family farm. The startling truth is that altogether, a mere 0.51 percent of subsidy recipients collected 13.77 percent of all payments—for a total of $508,622,613. Compare that statistic with these: More than a third of all subsidy payees—approximately 1.1 million farmers out of 2,525,800 payees in 1969—received less than $500 in payments. In all, in 1969, the average participating farmer was paid $1,463.57.

We are already paying $3.7 billion in annual farm subsidies. Fourteen percent of that amount is going to one-half of 1 percent of participating farmers. Thus, giant corporate farms continue to multiply, feeding on the small farm and the taxpayer dollar. The number of payees receiving in excess of $20,000 has gone up 30 percent in 1 year alone, and the trend is expected to continue unless it is checked by strong congressional action now.

Mr. President, my amendment will do more than apportion farm subsidies equitably: It will save taxpayers money—approximately $350 to $400 million annually.

At this point, Mr. President, I ask unanimous consent that a series of tables, compiled by the Department of Agriculture, and setting out the distribution of farm-subsidy payments, and a report by Mr. John Schnittker on this question, be included at this point in the RECORD.

There being no objection, the tables and report were ordered to be printed in the RECORD, as follows:

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TABLE 1.—FREQUENCY DISTRIBUTION OF PRODUCER PAYMENTS UNDER ASCS PROGRAMS,[1] UNITED STATES, CALENDAR YEAR 1969

Payment range	Producers: Number	Producers: Percent distribution	Producers: Cumulative percent distribution	Total amount of payments: Million dollars	Total amount of payments: Percent distribution	Total amount of payments: Cumulative percent distribution
Less than $100	350,126	13.9	13.9	16.1	0.4	0.4
$100 to $199	257,134	10.2	24.1	38.0	1.0	1.4
$200 to $499	538,937	21.4	45.4	181.5	4.9	6.3
$500 to $699	246,780	9.8	55.3	146.6	4.0	10.3
$700 to $999	262,461	10.4	65.7	220.4	6.0	16.3
$1,000 to $1,999	419,054	16.6	82.3	586.6	15.9	32.2
$2,000 to $2,999	164,814	6.5	88.8	402.6	10.9	43.1
$3,000 to $3,999	88,613	3.5	92.3	306.0	8.3	51.4
$4,000 to $4,999	53,217	2.1	94.4	237.4	6.4	57.8
$5,000 to $7,499	64,181	2.6	97.0	388.2	10.5	68.3
$7,500 to $9,999	27,322	1.1	98.1	235.1	6.4	74.7
$10,000 to $14,999	22,556	.9	99.0	272.1	7.4	82.1
$15,000 to $19,999	9,188	.4	99.4	157.9	4.3	86.4
$20,000 to $24,999	4,525	.2	99.6	100.7	2.7	89.1
$25,000 to $29,999	2,637	.1	99.7	72.0	1.9	91.0
$30,000 to $49,999	3,808	.2	99.9	142.3	3.9	94.9
$50,000 to $99,999	1,533	.1	100.0	99.9	2.7	97.6
$100,000 to $499,999	396	(2)	100.0	66.9	1.8	99.4
$500,000 to $999,999	14	(2)	100.0	8.9	.2	99.6
$1,000,000 and over	8	(2)	100.0	16.0	.4	100.0
Subtotal	2,517,304	100.0		3,695.2	100.0	
Undistributed funds [3]				99.8		
Total	2,517,304			3,795.0		

[1] Includes payments under following ASCS programs: cotton, feed grain, wheat, wool, sugar, milk indemnity, agricultural conservation, emergency conservation, Appalachia, cropland conversion, conservation reserve, and cropland adjustment.

[2] Less than 0.05 percent.

[3] Includes approximately $88,000,000 to 90,000,000 ACP (CMS advances) cost-sharing made directly to vendors and not accountable to individual farm operators; wool promotional fund; payments to unidentified producers, etc.

Note: Sum of individual percentages and individual total amount of payments may differ from totals shown because of rounding.

TABLE 2.—PRODUCERS EARNING ASCS PROGRAM PAYMENTS GREATER THAN INDICATED AMOUNTS, SPECIFIED PROGRAMS, CALENDER YEAR 1969 [1]

Program	All producers	Producers receiving: $10,000 or more [2]	Producers receiving: $20,000 or more [2]
All programs	2,517,304	44,665	12,921
Cotton	445,155	17,008	6,194
Feed grain	1,641,863	8,378	1,482
Wheat	995,371	6,797	1,123
Wool	193,544	897	243
Sugar	29,971	1,039	290
Cotton, feed grain, and wheat total	2,125,491	40,007	11,733
Cotton, feed grain, wheat, wool, and sugar total	2,252,287	42,570	12,499

[1] This table summarizes participating producers by programs and combinations as shown. The "all programs" line includes the 11 programs: Cotton, feed grain, wheat, wool, sugar, cropland adjustment, agricultural conservation, emergency conservation, Appalachia, cropland conversion and conservation reserve; but excludes commodity loans.

[2] See other tables for a breakdown of these data by states.

TABLE 3.—NUMBER OF PRODUCERS AND AMOUNT OF PAYMENTS BY SIZE OF PAYMENT, FOR EACH OF 5 PROGRAMS AND SELECTED PROGRAM COMBINATIONS, CALENDAR YEAR 1969

Program	Payments of indicated amount or more: $3,000	$5,000	$10,000	$20,000	$30,000	$50,000
Cotton:						
Number	56,446	36,583	17,008	6,194	3,075	1,141
Amount ($1,000)	626,479	549,531	412,229	262,623	187,072	113,808
Feed grain:						
Number	104,608	39,726	8,378	1,482	478	115
Amount ($1,000)	593,454	347,447	138,657	48,212	24,252	10,750
Wheat:						
Number	63,500	28,078	6,797	1,123	309	72
Amount ($1,000)	388,373	252,955	109,148	34,131	14,716	6,002
Wool:						
Number	3,780	2,262	897	243	90	25
Amount ($1,000)	32,100	26,247	16,638	7,681	4,019	1,584
Sugar:						
Number	5,380	3,022	1,039	290	140	74
Amount ($1,000)	56,302	45,557	32,031	21,852	18,295	15,794
Cotton, feed grain, and wheat:						
Number	250,334	122,110	40,007	11,733	5,170	1,734
Amount ($1,000)	1,884,350	1,393,460	834,484	451,444	293,049	164,223
Cotton, feed grain, wheat, wool, and sugar:						
Number	261,038	128,518	42,570	12,499	5,567	1,904
Amount ($1,000)	1,993,752	1,486,168	900,543	492,942	325,688	188,449

TABLE 8.—PRODUCERS EARNING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1969

State	All programs	Cotton	Feed grain	Wheat	Wool	Sugar	Cotton, feed grain, and wheat	Cotton, feed grain, wheat, wool and sugar
Alabama	327	244	5				317	317
Arizona	624	541	33	1	8	2	602	621
Arkansas	663	633		2			650	650
California	1,179	883	93	46	24	110	1,017	1,163
Colorado	287		36	91	16	7	238	271
Delaware	2						1	1
Florida	56	2	5			46	9	55
Georgia	377	178	31	1			344	344
Hawaii	27					27		27
Idaho	164		1	81	23	21	94	159
Illinois	152		108	2			136	136
Indiana	106		78				97	97
Iowa	118		110	1			112	113
Kansas	401		54	94		4	361	384
Kentucky	19		7				17	17
Louisiana	384	288				63	306	380
Maine	1					1		1
Maryland	7		3				7	7
Michigan	20		8				14	17
Minnesota	120		52	6		1	77	116
Mississippi	1,383	1,313	5	1			1,377	1,377
Missouri	259	65	78				240	241
Montana	201			143	8		169	185
Nebraska	222		120	14	1	1	197	206
Nevada	14	2		3	9		5	14
New Jersey	1						1	1
New Mexico	369	96	79	53	9		332	345
New York	9		1				7	9
North Carolina	88	38	14				85	85
North Dakota	139		4	49			109	125
Ohio	43		18	2			34	38
Oklahoma	179	29	6	37			177	177
Oregon	91		2	69	2	3	84	91
Pennsylvania	9		7				9	9

TABLE 8.—PRODUCERS EARNING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1969—Continued

State	All programs	Cotton	Feed grain	Wheat	Wool	Sugar	Cotton, feed grain, and wheat	Cotton, feed grain, wheat, wool and sugar
South Carolina	294	201	6				277	277
South Dakota	86		12	25	2		64	68
Tennessee	121	82	3				120	120
Texas	4,001	1,599	480	176	67	1	3,782	3,897
Utah	35			12	14	1	16	33
Virginia	4		2				2	2
Washington	256		3	212	5	2	225	246
Wisconsin	22		18				18	18
Wyoming	61			2	55		4	59
U.S. total	12,921	6,194	1,482	1,123	243	290	11,733	12,499

PAYMENTS TO PRODUCERS EARNING $20,000 OR MORE FROM SPECIFIED PROGRAMS, 1969

[In thousands of dollars]

State	Program					
	Cotton	Feed grain	Wheat	Wool	Sugar	Cotton, feed grain, wheat, wool and sugar
Alabama	7,674	140				10,221
Arizona	31,413	1,306	48	206	47	36,399
Arkansas	23,161		69			24,062
California	58,378	6,296	1,571	869	3,488	77,665
Colorado		1,128	2,785	534	199	8,988
Delaware						21
Florida	70	129			4,382	4,641
Georgia	5,568	806	22			10,804
Hawaii					9,733	9,733
Idaho		27	2,563	705	718	5,221
Illinois		3,144	59			4,055
Indiana		2,406				3,066
Iowa		3,179	20			3,309
Kansas		1,443	2,508		100	11,241
Kentucky		202				476
Louisiana	9,696				2,831	13,695
Maine					125	125
Maryland		81				182
Michigan		185				443
Minnesota		1,394	162		26	3,172
Mississippi	55,584	133	22			58,453
Missouri	1,935	2,434				7,478
Montana			4,692	204		5,832
Nebraska		3,431	392	39	21	6,009
Nevada	153		134	289		580
New Jersey						20
New Mexico	2,951	2,448	1,794	241		11,957
New York		32				255
North Carolina	1,493	603				3,164
North Dakota		126	1,370			3,511
Ohio		500	48			1,070
Oklahoma	848	178	1,021			5,093
Oregon		75	1,995	59	97	2,632
Pennsylvania		248				343
South Carolina	6,831	160				9,433
South Dakota		308	745	56		1,985
Tennessee	2,592	73				3,817
Texas	54,275	14,915	5,336	1,931	20	132,709
Utah			338	622	21	1,146
Virginia		81				81
Washington		75	6,365	140	43	7,373
Wisconsin		524				545
Wyoming			71	1,786		1,940
U.S. total	262,623	48,212	34,131	7,681	21,852	492,942

TABLE 12.—AMOUNT OF PAYMENTS IN EXCESS OF $19,999 UNDER COTTON, FEED GRAIN, WHEAT, WOOL AND SUGAR PROGRAMS, IN SELECTED STATES ,[1] CALENDAR YEAR 1969

[In millions of dollars]

State	Total	Cotton	Feed grain	Wheat	Wool	Sugar
1. Texas	76.4	54.3	14.9	5.3	1.9	
2. California	70.7	58.4	6.3	1.6	.9	3.5
3. Mississippi	55.7	55.6	.1			
4. Arizona	32.9	31.4	1.3		.2	
5. Arkansas	23.3	23.2		.1		
6. Louisiana	12.5	9.7				1.8
7. Hawaii	9.7					9.7
8. Alabama	7.8	7.7	.1			
9. New Mexico	7.4	3.0	2.4	1.8	.2	
10. South Carolina	7.0	6.8	.2			
11. Washington	6.6		.1	6.4	.1	
12. Georgia	6.4	5.6	.8			
13. Montana	4.9			4.7	.2	
14. Florida	4.6	.1	.1			4.4
15. Colorado	4.5		1.1	2.8	.5	.2
16. Missouri	4.3	1.9	2.4			
17. Idaho	4.0			2.6	0.7	0.7
18. Kansas	4.0		1.4	2.5		.1
19. Nebraska	3.8		3.4	.4		
20. Iowa	3.2		3.2			
21. Illinois	3.2		3.1	.1		
22. Tennessee	2.7	2.6	.1			
23. Indiana	2.4		2.4			
24. Oregon	2.3		.1	2.0	.1	.1
25. North Carolina	2.1	1.5	.6			
26. Oklahoma	2.0	.8	.2	1.0		
27. Wyoming	1.9			.1	1.8	
28. Minnesota	1.6		1.4	.2		
29. North Dakota	1.5		.1	1.4		
30. South Dakota	1.1		.3	.7	.1	
U.S. total	374.5	262.6	48.2	34.1	7.7	21.9

[1] Where total payments in excess of $19,999 on the above programs exceed $1,000,000 for any State.

[Schnittker study, Nov. 27, 1968]

LIMITING FARM PROGRAM PAYMENTS

SUMMARY AND CONCLUSIONS

Payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs. Difficult administrative problems would arise, however, as producers would seek to avoid the limits by dividing large farms into smaller units.

Whatever the level of payment limits, cotton producers would be affected in greatest number. Few wheat and feed grain producers would be affected, and the impact on the industry would be negligible at the maximum payment levels examined here.

Budget savings ranging from $200 to nearly $300 million could be made with limits at levels examined here, if the law could be administered firmly. However, if either Congress in amending the law to authorize payment limits, or the Secretary of Agriculture in his administration of the law, took a relaxed attitude toward dividing farms into smaller units to avoid payment limits, much of the potential savings would be lost.

INTRODUCTION

Agricultural price and income support programs originally were undertaken in the 1930's to improve prices and income for the average family farmer. They continue to be primarily supply adjustment and price support programs designed to achieve higher incomes for farm families producing the bulk of farm commodities marketed. Clearly, the more a farmer produced, the more he benefited from the higher prices per unit achieved through price support operations.

The farm programs have not generally been considered by the Congress as welfare programs, to be adjusted to the income needs of individual families. Some program changes in recent years, however, have moved in this direction.

Direct payments geared to output became important in the 1960's. By this time, however, there were far more large farms than in 1930—hence an increasing concentration of payments. Recent efforts to limit farm program benefits have arisen both out of this increase in farm size and greater use of direct payments.

Limitations on farm program benefits have been proposed from time to time, and some have been adopted. Congress provided a sliding scale, but no upper limit for payments under the Sugar Act of 1934. Statutory limits

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on the size of Agricultural Conservation Program payments, and administrative limits established by the Secretary of Agriculture have been in effect from time to time since 1938. A $2,500 limitation per producer is in effect for Agricultural Conservation Program payments. There also were payment limitations in the Conservation Reserve Program of the Soil Bank in the 1950's, and in the pilot Cropland Conservation Program in the 1960's.

Proposals were made largely in the 1950's to limit the size of price support loans. In the 1960's efforts have been made to limit the amount of direct cash payments to individual producers (apart from loans)—but none have been successful. In August 1968, however, the House of Representatives approved an amendment to the proposed Food and Agriculture Act of 1968, which would have limited combined payments to any individual under all the farm programs to $20,000 per year. This amendment was not accepted by the Senate and was deleted by the Conference Committee; it generated a great deal of interest, however. Payment limitations will probably be on the Congressional agenda for 1969.

Effective opposition in the Congress and the Executive Branch to proposals to limit loans and payments under the commodity programs in recent years has been based on two factors:

Limiting price support loans could make price support less effective in some years, if eligible smaller farmers did not place enough of their products under loan to bring market prices up to support levels. Resulting lower market prices would have an adverse effect on all producers—large or small. This objection is valid but not very important, since most producers would have full access to price support.

One cannot build a strong economic case *for or against* limiting the size of price support loans. Limiting price support loans may have merit, however, as public relations for farmers. It would limit direct benefits to large growers, but would scarcely affect actual benefits to them.

Refusing to make fairly large acreage diversion and price support payments to individual farmers would reduce the effectiveness of voluntary production adjustment programs, slow surplus disposal and delay price recovery.

This argument was most valid when the surplus disposal task was greatest in the early 1960's. It is less important in 1969 than it was in 1965, for example. For reasons cited later, this line of agrument is no longer a conclusive objection to payment limitations, unless they were to be applied at levels much lower than examined here.

One additional example is useful as background. In the Sugar Act Program, payments have been made on a sliding scale. No upper limit is set and a few individual payments are around $1,000,000 each year.

Producers who plant within the sugarcane or sugarbeet acreage allotment set by the Secretary, and meet specified conditions with respect to farm labor, qualify for payment at the rate of 80 cents per 100 pounds of sugar produced up to 350 tons per farm or per person.

The statutory rate of payment per 100 pounds of sugar for larger producers is:

350 to 700 tons	$0.75
700 to 1,000 tons	.70
1,000 to 1,500 tons	.60
1,500 to 3,000 tons	.55
3,000 to 6,000 tons	.525
6,000 to 12,000 tons	.50
12,000 to 30,000 tons	.475
More than 30,000 tons	.30

This schedule provides some disincentive to large growers, although not enough to prevent considerable concentration of sugar production.

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INCREASED USE OF PAYMENT PROGRAMS

The use of direct Government payments to producers has increased sharply in recent years. Payments were added to existing price support programs as a shift was made from relatively high price support levels to price supports at or near world price levels.

One key reason for direct cash payments was to maintain farmer income. Payments were also the main incentive for farmers to reduce their acreages of certain crops, as a voluntary acreage reduction program *became* the first effective production restraint for feed grains, *replaced* mandatory acreage allotments for wheat, and *supplemented* the long-standing mandatory program for cotton.

These differences in approach for the three big commodities arose more out of history than from differences among the crops or the areas producing the crops. Congress had provided for mandatory acreage allotments for corn in 1938. The procedure had never been used, however, because of the likelihood that less than two-thirds of the producers would vote for the mandatory quota penalties necessary to enforce acreage allotments. It was repeated in the late 1950's. Thus, when corn surpluses had to be curbed in 1961, Congress approved the voluntary, payment-based approach recommended by the Administration.

In the voluntary acreage adjustment programs, wheat marketing certificates, price support and acreage diversion payments for feed grains and cotton, and non-recourse price support loans are available only to growers who meet the acreage diversion requirements established for that year by the Secretary of Agriculture.

Payment programs for wheat and cotton have similar origins, although the legislative struggle in cotton was limited to recent years, while it dates back many years for wheat. Market prices for both crops were supported far above world levels in the 1960's. U.S. wheat and cotton could sell abroad in this period only with large export subsidies.

Wheat growers had agitated for many years for a "2-price plan"—a shorthand term meaning relatively low prices in the market supplemented by payments on that part of the crop used as food in the U.S.

In addition, manmade fibers were fast replacing cotton in the U.S., and it was argued that lower cotton prices would stop or slow that trend. In both cases, farm income would have dropped sharply when price supports were reduced, except for the introduction of direct payments.

Viewed functionally, most payments under the cotton and wheat programs today are income supplements. They are set by law at substantially higher levels than would be required as incentives to assure enough participation by farmers to stabilize commodity carryover. In both cases, either total payments, or payments to large farms, could be reduced substantially (by about one-third) with little effect on acreage and production.

Feed grain program payments, however, are closely scaled to the incentive levels required to achieve the objective of a fairly stable reserve carryover. If total payments to feed grain growers were to be reduced in the years just ahead, larger surpluses would soon accumulate, *unless* the level at which market prices were supported was also reduced, in order to increase feed grain utilization.

Utilizing these programs, stocks of farm commodities owned by the Commodity Credit Corporation (CCC) were reduced from $5.6 billion in July 1961 to less than $1 billion in July 1968. Production has not been reduced for each crop each year. But production has been held below potential levels. Coupled with expanding demand, especially for grains, reducing the acreage harvested has been one of the chief engines of surplus disposal.

Direct payments to farmers increased from $702 million in 1960 to an estimated $3.4 billion in 1968. Much of the increase in Government payments was offset by reductions in CCC expenditures formerly associated with price support loans and acquisitions, and export subsidy activities.

It was noted earlier that payments became an integral part of the commodity programs in the 1960's, farmers were also rapidly increasing the size of their operations. The number of farms with sales of $40,000 or more increased from 113,000 in 1960 to about 183,000 in 1967. There were 227,000 farms with sales of $20,000 to $39,999 in 1960, and 318,000 in 1967.

The 501,000 farms in these two groups produced 68 percent of all farm products marketed in 1967. Farmers affected by payment limitations at levels examined in this report fall primarily in the larger farms of these two size groups, although some in the other group would be affected.

ALTERNATIVE APPROACHES TO PAYMENT LIMITATIONS

Farm program payment data only recently available, make it possible to estimate the probable effects of alternative payment limitation levels on producers, and on key agricultural commodity sectors.

Four alternatives are examined in this memorandum:

A $20,000 limit on total payments.

A $10,000 limit administered commodity by commodity.

A sliding scale with total payments limited to $17,500 per person.

A sliding scale without an upper limit (like sugar).

We have found only one rule for selecting the best payment (or loan) limitation plan, if one is to be adopted. That is, it should not render the acreage diversion (or price support) programs ineffective. Beyond that, there is little to guide us. One could begin from an amount of budget money to be saved, or from a fixed limit on the total to be spent for payments. Setting a limit high enough to exempt most bona fide family farmers is probably a better approach; the examples used here certainly meet that test.

Inevitably, any approach to limiting farm program payments will be fairly arbitrary. It could be made effective in one sharp move, but there is no reason other than costs in any limitation adopted to be fully effective in the first year. A producer's payment might be reduced by one-third the amount by which it exceeds the limit in the first year, two-thirds the second year, and the full amount in the third year. There is no limit to the possible formulas.

For the levels studied here:

1. Farm program payment records for 1967 indicate that a $20,000 limitation on total payments to a farmer would affect 9,789 producers in the U.S. This is .4 percent of all producers receiving payments. In this group, 8,157 received cotton program payments, 3,304 received wheat certificate payments, and 4,878 received feed grain program payments (Item 1, attached Table 1). Many received payments under several programs. Total payments in excess of the $20,000 limitation totaled $206 million (the maximum potential saving). A state by state listing of the number of affected producers is in an attached table.

2. A maximum limitation of $10,000 for each producer, administered separately for cotton, wheat, feed grains, etc., would affect about 23,000 producers. Of these, 18,054 would be affected through the cotton program, 4,579 through wheat, and 850 through feed grains. In most cases, the feed grains are produced

in combination with cotton or wheat (Item 2, attached Table 1). The amount paid out in excess of $10,000 per farm per program in 1967 totaled $293 million.

3. A sliding scale could provide for full payment of the first $10,000 payments earned under present laws, one-half of the next $10,000 and one-fourth of the third $10,000. Payments in 1967 in excess of these limitations totaled $215.2 million. About 23,000 producers would be affected. (Item 3, attached Table 1).

4. A sliding scale starting at the level of the alternative (3) above, but with more moderate graduations has also been considered. It could either have a set limit, or it could be open ended. A schedule which provided full payment up to $10,000 per farm, 90 percent payment for the next $10,000—ending with 10 percent of the regularly computed payment for 100,000 or more would be one possibility.

Over half of those who receive payments in excess of $10,000 in 1967 produced more than one of the price supported crops. Thirty percent received cotton program payments only, 1.5 percent received feed grain program payments only and 11.3 percent received wheat certificate payments only (Table 2).

Clearly any limitation on payments to an individual producer would affect primarily cotton producers. A limitation as low as $20,000 per farm in total, or $10,000 per commodity would affect those who produce one-third of the U.S. cotton crop, although even on the farms affected, much of the cotton crop would be eligible for price support payments.

One of the serious administrative problems sure to arise would result from proposed division of farms into smaller units if a limitation were imposed, in order to evade the limit. This would reduce the savings levels indicated in Table 1.

Any payment limit set by Congress would need to be backed up by a firm policy against each farm-splitting. There would need to be strict, uniformly administered regulations to back up the law. As much as one-third to one-half of the potential savings might otherwise be lost.

It is possible that a substantial part of the indicated savings would be lost in any case for reasons related to the nature of farm proprietorships. Many large farms are family or other partnerships, or corporations operated as a small business by a few owners. In any year there are hundreds of bona fide revisions of these arrangements.

It would be impossible for Washington, for a state administrative committee, and especially for a farmer-elected county committee to distinguish charges for causes other than those which would be a direct result of payment limits.

A second serious administrative problem could arise under options (1) and (3) above, since most producers receive payments for participating in more than one commodity program. In such cases, a producer would need to consider his participation in all of the programs simultaneously. Yet, some programs normally are not ready to be announced when other program decisions are made, since planting and harvest dates vary.

Some changes in administrative procedure would be required. Simultaneous announcement of the basic features of wheat, feed grain, and cotton programs for the year ahead would help. Also, in order to avoid overpayment to large growers, a prepayment audit with direct personal attention to each affected farm, would be useful. Final payment would need to be somewhat later than at present, and the present policy of making advance payments might have to be reconsidered.

None of these administrative problems are decisive, however. Some would be avoided in option (2) above. They are not good reasons for opposing payment limits. The number of producers affected would be so small that each could be handled as a special case with little additional expense.

CHANGES NEEDED IN BASIC COTTON LEGISLATION

Since limitation on payments would affect primarily cotton producers, certain changes should be made in that program to discourage or prevent actions by producers to avoid the payment limit, and to maintain program effectiveness. These include:

1. Legislation authorizing sales of cotton allotments should be amended to prevent sales of allotments for the express purpose of avoiding the payment limit. (This, too, would require a Solomon-like determination by administrators).

2. The "snapback provision" in the 1965 Act (Section 402(12)), P.L. 89–321 must be repealed if the limit is to be effective. This provision requires that if payment limitations are authorized, the old permanent (and obsolete) cotton price support system goes into effect. This would include high price supports, with CCC acquiring most of the cotton, and selling it back into the market at lower prices. This would seriously disrupt the cotton industry. By shielding cotton from any payment limit policy, it would avoid the intent of Congress.

3. The mandatory features of the cotton acreage adjustment program could either be terminated or modified, in order to give producers affected by the payment limit an opportunity to expand their acreage.

With U.S. producers facing world level cotton prices for a large part of their output on the acreage allotment, it appears that mandatory acreage controls backed up by marketing quota penalties are no longer needed to achieve a cotton supply-demand balance. The industry has little incentive to overproduce at this price level. Low prices may be enough of a deterrent.

However, present acreage allotment procedures, based on past acreage, do slow down the further westward shift in cotton production. Most of the cotton producers and interested Congressmen want them continued, since they value the cotton acreage allotments in the state, either for economic or political reasons.

Therefore, an intermediate step short of terminating acreage allotments would probably be best. This could provide for waiving marketing quota penalties for producers who overplant their farm acreage allotments by specified percentages.

Producers who were receiving full payments as calculated under the law, for example, could be required to plant within their farm acreage allotment.

Producers losing only a small percentage of their payment could overplant their acreage allotment only a little.

Producers losing most of their payment (being reduced from $150,000 to $10,000 for example) might plant up to double their farm acreage allotment.

The Secretary of Agriculture would need a lot of discretion in setting such percentages from year to year, since the results could not be accurately estimated in advance. It does seem clear that large producers who would be touched by payment limits do value the opportunity to expand acreage. Thus a satisfactory *quid pro quo* may be possible.

CHANGES NEEDED IN WHEAT AND FEED GRAIN LEGISLATION

Few wheat or feed grain producers would be affected by payment limitations, at levels examined in this memorandum. Yet modest changes in these programs would reduce inequities, and might avoid adverse effects on program participation.

Existing legislation could be amended to provide that wheat and feed grain producers subject to payment limitations would either get a larger acreage allotment (in the case of wheat), or would have their acreage diversion requirements reduced in the case of feed grains. For example, if payment limitations reduced a feed grain producer's payment by one-half, the diversion otherwise required to become a cooperator in the program could also be reduced by half. Again, the Secretary would need some discretion in administering such a provision, in order to maintain program effectiveness.

EFFECT OF LIMITATION IF APPLIED TO SUGAR PROGRAM

Roughly 100 to 125 sugar producers received payments in excess of $20,000 in 1967. About 1,500 producers were above the $10,000 mark.

Payments under the Sugar Act provide sugarbeet and sugarcane growers with an incentive to restrict their acreage. Acreage limits are set by the Secretary when supplies or potential supplies are large, based on formula in the law. Without loss of payments to provide an incentive to keep acreage down, quota limits might be ignored and the Sugar Act in its present form could become ineffective in limiting U.S. sugar production.

A maximum of $20,000 per payee would have no effect on growers who produce less than 1,000 tons of recoverable sugar per year and only a small effect on those who produce as much as 1,500 tons per year—percent of all sugar producers—with percent of all production would thus be exempt.

At the other end of the scale is the question of whether or not payment limits at levels examined here would discourage production. For the larger producers, the 30 cents per 100 pounds received in Sugar Act payments for production in excess of 30,000 tons equals about 4 percent of the current price of raw sugar in New York. Program payments are less than 5 percent of gross receipts for large producers; are only one of several factors which influence output, and which encourage compliance with allotments. Even if payments were reduced to a maximum of $20,000, the largest sugar companies probably would continue to produce at about present levels, and to comply with acreage allotments.

EFFECTS OF LIMITATIONS IF APPLIED TO WOOL

Payment limitations applied to wool growers would affect few producers, and would not reduce program costs appreciably.

There is no price support loan for wool. Income support to wool growers is entirely in the form of direct payments equal to the difference between average market prices and a target set by law. Payments were intended to encourage increased wool production, but they have, at best, served to slow the decline of the U.S. sheep industry.

A limitation of $20,000 applied to all programs would affect about 125 wool producers with 4 percent of total U.S. wool production in 1967. Wheat, feed grain or cotton payments also were involved in 98 of these cases.

A limit of $10,000 for wool payments alone would have affected 165 producers in 1967. They received about $2.6 million and accounted for about 9 percent of the total U.S. wool and mohair production. A $10,000 limit would have reduced total wool payments about a million dollars.

The sliding scales in alternatives (3) and (4) would reduce payments a little over one-half million dollars for (3) and by a negligible amount under (4).

Payment limits would reduce the incentive for wool production in the U.S. slightly, but even present payments provide only a limited incentive. Limitations would not have any decisive impact on the sheep and wool industry.

TABLE 1.—EFFECTS OF ALTERNATIVE PROGRAM PAYMENT LIMITATION PLANS

Payment limitation plan	Program [1] Cotton	Wheat	Feed grains	Total
$20,000 total for all programs:				
Number of payees affected	8,157	3,304	4,878	[2] 9,789
Payments in excess of limitation [3]				$205,600,000
Production on farms affected	[4] 3,780,000	[5] 74,600,000	[5] 113,800,000	
(1) Percent of U.S. total production on farms affected [3]	34	5	2	
$10,000 per program:				
Number of payees affected	18,054	4,579	850	[2] 23,017
Payments in excess of limitation	$261,900,000	$26,400,000	$4,500,000	$292,800,000
Production on farms affected	[4] 5,440,000	[5] 69,400,000	[5] 151,800,000	
(1) Percent of U.S. total production on farms affected	49	10	1	
(2) Percent of U.S. total production affected which is in excess of limitation	29	3.6	0.4	
Sliding scale per program: [6]				
Number of payees affected	18,054	4,579	850	[3] 23,017
Payments in excess of limitation	$196,400,000	$16,000,000	$2,800,000	$215,200,000
Production on farms affected	[4] 5,440,000	[5] 151,800,000	[5] 69,400,000	
(1) Percent of U.S. total production on farms affected	49	10	1	
(2) Percent of U.S. total production affected which is in excess of limitation	22	2	0.3	

[1] Includes all payees who received $10,000 or more from all ASCS programs. The 3 commodity programs account for about 90 percent of total payments.

[2] Net figure—since some producers participate in more than 1 commodity program.

[3] Impossible to calculate excess by program since exact amount will depend upon how a producer who participates in more than 1 program decides to allocate his program earnings between programs.

[4] Bales.

[5] Bushels.

[6] Full payment for 1st $10,000; ½ of next $10,000; and ¼ of 3d $10,000.

TABLE 2.—PAYEES RECEIVING $10,000 OR MORE AND $20,000 OR MORE IN PAYMENTS FROM ASCS WHO RECEIVED COTTON, FEED GRAIN, AND WHEAT PAYMENTS IN SPECIFIED COMBINATIONS, 1967

Source of payment	$10,000 or more Number	$10,000 or more Percentage of total	$20,000 or more Number	$20,000 or more Percentage of total
Cotton only	8,882	29.8	3,494	37.3
Cotton and feed grain	7,316	24.5	2,557	27.3
Cotton and wheat	1,196	4.0	511	5.4
Cotton, feed grain, and wheat	4,626	15.5	1,545	16.5
Any cotton payments	(22,020)	(73.8)	(8,107)	(86.5)
Feed grain only	453	1.5	80	.8
Feed grain and wheat	4,000	13.4	646	6.9
Any feed grain payments	(16,395)	(54.9)	(4,828)	(51.5)
Wheat only	3,367	11.3	542	5.8
Any wheat payment	(13,189)	(44.2)	(3,244)	(34.6)
Total	29,840	100.0	9,375	100.0

DISTRIBUTION OF PAYEES RECEIVING GOVERNMENT PAYMENTS OF $20,000 AND OVER, BY MAJOR COMMODITY, BY STATE 1967

State	Cotton	Feed grains	Wheat	Wool	State total
Alabama	289				289
Arizona	586	2	1		589
Arkansas	862	2			864
California	931	3	18	7	959
Colorado	5	9	124	7	145
Florida	4				4
Georgia	177	2			179
Idaho			55	4	59
Illinois	2	20			22
Indiana		13			13
Iowa		12	1	1	14
Kansas	2	13	143		158
Kentucky	6		2		8
Louisiana	321				321
Michigan		1			1
Minnesota			5		5
Mississippi	1,411				1,411
Missouri	98	17	2		117
Montana		4	75		79
Nebraska	1	15	5		21
Nevada	3	1	2	1	7
New Jersey		1			1
New Mexico	119	14	39	1	173
North Carolina	70	1			71
North Dakota		1	26		27
Ohio		3	1		4
Oklahoma	65	1	39		105
Oregon			76		76
Pennsylvania		1			1
South Carolina	217				217
South Dakota	2	1	17		20
Tennessee	102				102
Texas	2,365	84	193	11	2,653
Utah			5	2	7
Virginia		1			1
Washington		1	175		176
Wyoming			3	5	8
Total, United States	7,638	223	1,007	39	[1] 8,907

[1] 882 additional payees received payments of $20,000 and over from other ASCS programs.

NUMBER OF PAYEES RECEIVING $10,000 OR MORE FROM COTTON, FEED GRAIN, WHEAT, OR WOOL PAYMENTS, BY STATES, 1967

State	Cotton	Feed grains	Wheat	Wool
Alabama	808	3	0	0
Alaska	0	0	0	0
Arizona	870	11	9	5
Arkansas	2,098	2	6	0
California	1,728	12	70	16
Colorado	11	26	449	17
Florida	10	0	0	0
Georgia	604	7	1	0
Idaho	0	4	290	18
Illinois	5	76	6	0
Indiana	0	50	1	0
Iowa	1	67	3	1
Kansas	4	47	647	0
Kentucky	22	2	2	0
Louisiana	814	3	1	0
Michigan	0	4	2	0
Minnesota	0	17	25	0
Mississippi	2,510	1	2	0
Missouri	330	54	6	0
Montana	1	11	613	7
Nebraska	1	72	55	0
Nevada	12	1	2	4
New Jersey	0	2	0	0
New Mexico	371	58	72	8
New York	0	0	1	0
North Carolina	217	10	0	0
North Dakota	0	2	262	0
Ohio	0	13	3	0
Oklahoma	200	9	226	0
Oregon	0	1	316	2
Pennsylvania	0	5	0	0
South Carolina	574	6	0	0
South Dakota	4	6	90	3
Tennessee	419	1	0	0
Texas	6,439	256	474	46
Utah	0	0	28	3
Virginia	1	2	0	0
Washington	0	2	905	3
Wisconsin	0	7	0	0
Wyoming	0	0	12	32
Total, United States	18,054	850	4,579	615

COMMENTS ON STUDY DATED NOVEMBER 27, 1968, "LIMITING FARM PROGRAM PAYMENTS" BY H. D. GODFREY FOR ASCS

This study concludes that payments to producers under existing price support and acreage control programs for feed grains, wheat, cotton, wool, and sugar could be limited to around $20,000 per farm for all payments, or to $10,000 per program without serious adverse effects on production or on the effectiveness of production adjustment programs. Admitting that difficult administrative problems would arise, the report leans toward concluding that they could be solved. Budget savings, it is averred, would range from $200 to $300 million if the law could be administered firmly. The range of savings would depend upon the kind of limit adopted. Four are discussed: (a) a $20,000 payment limit per farm; (b) a $10,000 limitation per commodity; (c) a $17,500 total payment limitation per person, based upon a sliding scale; and (d) a sliding scale payment provision without an upper limit, somewhat like the sugar provision.

A quick review of the salient points and arguments which the report makes causes us to conclude that the study is overdrawn, with much of the narrative not providing firm support for the report's conclusion. The following detailed comments embrace our views:

1. The report indicates for cotton and wheat that a payment limitation would have little effect on acreage and production. For feed grains, it indicates that a limitation would soon lead to larger surpluses unless the level at which market prices were supported was also reduced.

In the case of wheat and feed grains, our data indicate the imposition of a $20,000 payment limit probably would not seriously

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disrupt the voluntary wheat and feed grain supply adjustment programs. Under the 1967 wheat program, payees receiving payments over $20,000 accounted for about 2.5 million acres, or 4 percent of the wheat allotment. Most producers could of course, continue to participate in the program. Further, by 1970 a wheat farmer would have to overplant his allotment by almost 70 percent in order to pocket the same returns as a program participant.

In the case of feed grains, payees receiving over $20,000 in a 1967 program payments comprised about 2.6 million acres of the total feed grain base, made up of about 0.8 million base acres of corn and 1.8 million base acres of grain sorghums; the total comprises only about 2 percent of the feed grain base. The estimated corn base attributed to payees receiving over $20,000 of payments in the 10 leading corn (grain) producing States approximated a little over 200,000 acres; most of these payees also received payments under the wheat program. The remaining corn base involving 0.6 million acres was widely distributed primarily in the Southeast and Mississipi Delta cotton producing areas, where corn payments are minor relative to cotton. In general, feed grain payments in the sorghum area are small relative to cotton payments on cotton-feed grain farms. In this context feed grain production would not be expected to increase materially under a $20,000 limitation.

But the case for both wheat and feed grains begins to unravel as the payment limitation drops—for example, a $10,000 or lower limitation would importantly change the situation.

For cotton our data show that payees receiving over $20,000 in 1967 program payments accounted for more than 30 percent of the potential production; about 4.4 million allotment acres were on farms affected by this limitation. Further, the study indicates that a $10,000 program limitation would affect payees producing about 5½ million bales, or more than 40 percent of a normal crop. These figures are significant; our interpretation of them is different than that taken by the report, which is inclined to conclude that, while difficult administrative problems would arise, nonetheless they could be worked out so as to result in budget savings of from $200 to $300 million, and at the same time provide adequate supplies of cotton with little disruption to most producers. In our judgment this is *unrealistic,* and *in fact is not supported by the report itself.* Table 1 of the study indicates the range of savings under the alternative limitations, *provided* any limitations were 100 percent effective. At the same time the body of the report indicates that from one-third to one-half of the potential savings might be lost unless the limitations were "backed up by a firm policy against farm-splitting," going on to say that "it is possible that a substantial part of the indicated savings would be lost in any case for reasons related to farm proprietorships". The study goes on to conclude that "it would be impossible for Washington, for a State administrative committee, and especially for a farmer-elected county committee to distinguish changes for causes other than those which would be a direct result of payment limits".

As we see it, a cotton payment limitation would result in only negligible budgetary savings simply because of the cotton farm infrastructure. In explanation, a great majority of the legal entities which receive the larger cotton payments involves more than one person. Many of them are partnerships, corporations, or joint ventures involving a fairly large number of individual producers and landowners. The large farms have been operated as one unit in order to increase efficiency, but if limitations were to be put into effect, most of the large farms could be divided—legally—into smaller units with each individual operating a separate farming unit.

Very few of the producers who have received payments in excess of $20,000 own all the land that they operate. Most of them rent or lease some of the land they are working, and many of them also have leased or purchased allotment acreage from other farms. If a limitation is made effective, those producers who have been leasing would not continue to lease the additional land or allotment.

By 1970 cotton payments are likely to average about 20 percent smaller than in 1967 as diverted acreage is greatly reduced or eliminated. This would reduce the number of farms affected by a $20,000 limit. In 1967, about 8,900 payees received a payment of over $20,000 on cotton, wheat, feed grains, and wool. By 1970, it is estimated this number would be reduced to around 6,500 payees even if they continued to operate the same land in the same manner as in 1967.

The list of large cotton payees (over $25,000) in 1967 has been reviewed for a few counties by some of our people who are knowledgeable about farms and farming in these counties. The following summarizes the actions which our people think these payees might take in 1970 if a limitation were in effect.

County	Number of payees over $25,000	Action that would likely be taken			
		Increase number of payees [1]	Rent out owned land	Release rented land	Sell or lease part of allotment
	(1)	(2)	(3)	(4)	(5)
Yuma, Ariz	46	34	3	29	10
Maricopa, Ariz	175	105	52	27	136
Reeves, Tex	65	24	11	23	13
Sunflower, Miss	82	38	21	16	2

[1] Includes cases where farming operation would be divided between present owners and/or partners, and where operation would be changed from hired hands to share tenants or cash tenants.

Note.—Cross totals do not add to col. 1; many payees would take multiple actions.

Thus, a central question relating to making a payment limitation work for cotton involves action which the Government could take to enforce a limitation. Realistically we doubt that legal actions could be taken to, in effect, freeze the number of payees, deny producers the right and opportunity to rent land which they own, release land which they have rented, or even to sell or lease portions of their allotment. In this connection, we note the report's suggestion that legislation authorizing sale of cotton allotments should be amended to prevent such sales for the express purpose of avoiding a payment limitation, commenting that this would require a "Solomon-like" determination by administrators. Indeed it would!

Furthermore, the study does not give any serious consideration to the impact on other programs if limitations were applied to cotton and who could administratively enforce such limitations. It is possible throughout the cotton area to grow alternative crops, but the alternative crops are also in surplus. Thus, any limitations which would affect cotton would naturally lead the producers to adopt farming practices which would involve the growing of other price supported crops, all of which are now in surplus. Thus, any savings as a result of limitations on cotton would for all practical purposes be largely offset by increased cost of price supported operations for feed grains, wheat, soybeans, dairy, etc.

It is true, as the report states, that certain payment limitations have been in effect in past years, mentioning the Agricultural Conservation Program and the Conservation Reserve Program. These limitations are described in enclosure 1. It is important to point out here, however, that a clear distinction must be made between a limitation involving voluntary participation in acreage adjustments, as contrasted to a program which sharply limits payments to producers for a crop that is their main livelihood. In a word, little useful comparison can be drawn between a payment limitation on the ACP, and a cotton payment limitation.

Much of the above comment relates to a limitation of around $20,000. The problems we describe, and their effect on overall program results, would bear down much more forcefully if the payment limitation were $10,000—and the impact of a $5,000 limitation would obviously be much greater yet. I believe we can agree that as the payment limitation drops, the number of producers affected would sharply increase, and there would be less opportunities for producers to legally avoid the limitation. This brings up another serious problem—the ability to provide an adequate cotton production involving participation by the family farm, countrywide, with price support at about world price levels.

In sum, I am seriously concerned with a report which contemplates savings of from $200 to $300 million through a payment limitation. Realistically, I do not believe the necessary steps could be taken, either by statute or administratively, to make the program effective enough to result in important savings. And further, if the limitation were dropped to the point where large numbers of smaller producers were affected by it, program savings would be made at the risk of jeopardizing the entire program with resultant damage to the family farm enterprise. There would be serious question as to whether or not adequate quantities of cotton would continue to be produced.

2. The Sugar Program: The study would apply the limitations described above to the sugar program as well. This program, however, now embraces limitations on sugar act payments, based on a sliding scale, but with no absolute limitation. The statutory rate of payment per 100 pounds of sugar starts at 80 cents for the first 350 tons per farm or per person, but drops to a rate of 30 cents per 100 pounds for quantities in excess of 30,000 tons. The report states that the limitations "provide some disincentive to large growers although not enough to prevent considerable concentration of sugar production." We see no problem on the sugar program; it has a long history and it is working well. We seriously doubt the wisdom of embroiling the sugar program in any new limitations, of the kind the study contemplates. The study indicates that 1,500 producers received payments in excess of $10,000, and from 100–125 obtained payments in excess of $20,000 in 1967. For the larger producers, program payments amount to less than 5 percent of the gross receipts. The study conjectures that if payments were reduced to a maximum of $20,000 the larger sugar companies probably would continue to produce at about present levels, and to comply with acreage allotments. It's our view that enact-

ment of sugar legislation is time consuming, tortuous and difficult; it usually has been handled separately. We do not believe the problem of payment limitations for sugar is sufficiently serious to warrant further consideration at this time.

3. The Wool Program: Here again we doubt the wisdom of applying a payment limitation. The study shows that 125 wool producers would have been affected by a $20,000 limitation under the 1967 program. A limitation of $10,000 would have affected 165 producers that year, they receive about $2.6 million and accounted for perhaps about 9 percent of U.S. production. A $10,000 limitation would have reduced payments about $1.0 million. But the wool program payment is considered an "incentive payment" designed to increase domestic wool production, make consumers less dependent upon imports. It is financed from tariff receipts on imports, thus is somewhat different from our other programs. For these reasons we doubt that action to impose a limitation would serve a really useful purpose.

4. Changes in basic legislation for wheat, feed grain and cotton: The study suggests the possibility of amending wheat and feed grain legislation so as to provide either for a larger acreage allotment, or a reduced diversion requirement for those participants who would be affected by a payment limitation. For cotton, it suggests that marketing quota penalties might be waived for producers affected by the limitation, who overplant farm acreage allotments by specified percentages.

We see little need for the wheat and feed grain proposal which has serious shortcomings. We are inclined to doubt the acceptability of a program which would offset payment limitations with the opportunity to produce larger quantities with the benefit of price support. Administratively, the provision would give rise to difficult problems.

The cotton proposal apparently stems from the belief that producers whose payments are drastically reduced under the limitation ought to have the opportunity to produce extra supplies with the benefit of the loan. This is a laudable objective particularly if there is reason to believe that production otherwise would not be adequate. At the same time we have serious doubts both as to its general acceptability or the need for it. For example, if a $50,000 price support payment were reduced to $20,000, this amount could be earned on perhaps 40 percent of the domestic acreage allotment. If the domestic allotment percentage was set at 65 percent, this means the $20,000 could be earned on 26 percent of the allotment. In this situation the producer already would be able to grow the remaining 74 percent of his allotment with benefit of price support. Administratively, the suggestion for extra acreage to such a producer would raise serious and complex problems. Allotments are made to farms, not individuals. Many allotments embrace situations under which a large payment accrues to one or two individuals, but much smaller payments accrue to others. This might involve basing the extra acreage on a person's intention, ahead of planting time. We see numerous problems with this, and at the same time we are not sure that the provision would be needed.

The earlier comment in this memorandum related to the provision which would amend legislation authorizing sales of cotton allotments.

Mr. SMITH of Illinois. The money saved by my amendment could be reserved, or expanded on other, more worthy, projects like farm pollution control, conservation, and wildlife management. It is clear to me that whatever constructive use of the money saved we make, it will be a better use than padding corporate and agribusiness bank accounts.

As I noted earlier, subsidy ceilings are not new. They have been suggested before and debated before. Let us look at some of the objections that have been raised to crop subsidy limitation per producer:

One argument often heard is that if big producers cannot receive full payment for all diverted acres, they will simply drop out of the program completely, pour on the fertilizer and multiply production. The result, the Department of Agriculture has argued, would be a glut on the market—followed by a sharp drop in commodity prices and the squeezing out of the small producer our farm program was designed to protect.

That future projection of an imaginary horrible was flatly contradicted by the last administration's own Under Secretary of Agriculture, John Schnittker. In a report dated November 27, 1968, in the closing days of Secretary Freeman's term, Dr. Schnittker stated unequivocally:

> Payments to producers under existing price support and acreage control programs . . . could be limited to around $20,000 per farm, for all payments . . . without serious adverse effects on production or in effectiveness of production adjustment programs.

The then Under Secretary went on examining supporting data in some detail, documenting fully the reasons why a subsidy limitation would not ruin the farm program.

The Johnson administration, however, did not permit the report to see daylight. The truth of Dr. Schnittker's remarks becomes more obvious when we recall the history of recent agricultural legislation.

The original purpose of subsidy payments was to stabilize production, and thereby markets, through orderly crop reductions, diverting acreage from the raising of commodities. Once Congress resolved to pay the farmer high price supports for his produce. That policy failed when it stimulated even greater production, and brought about a gigantic surplus.

At one time those surplus commodities, as I am sure many Senators will remember, were worth $8 billion, and cost fully $1 billion a year simply to store.

Accordingly, farm policy in the United States was changed to provide subsidy payments to farmers who limited production by diverting their land to nonproduction. Payments were awarded to compensate them for not using their most valuable capital asset, the land.

For some commodities, like feed grains and wheat, the purpose of limiting output was achieved. Fully 89 percent of all feed grain payments in 1968 were devoted to limiting output. For wheat, the figure was 51 percent, and this proportion is expected to increase in 1970.

For cotton, the story was different. In 1969, only 38 percent of subsidy payments went to limit production. In 1970, virtually all cotton payments will be for income supplements, with no payments for production limitation.

Let me make clear at this point that I have nothing against cotton farmers. Raising cotton in the United States has been an essential part of our economic output since the beginning of the Republic, and I would not, under any circumstances, favor compromising that portion of our agricultural output. I am for the farmer; I am flatly against outrageously excessive payments to rich agribusinessmen and corporations who receive more than $20,000 in any year.

It is necessary, however, to examine somewhat more closely the cotton program, since the brunt of my legislation would fall on the cotton agribusinessmen who compose about two-thirds of the farm units whose payments would be affected by this amendment.

Cotton acreage is not severely limited at the present time. In fact, the national cotton acreage allotment has been increased. As a consequence, Federal cotton subsidies go to enhance income, not to limit production. Right now, the taxpayer is paying about $900 million a year to generate a cotton crop worth only slightly more than $1 billion.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. SMITH of Illinois. I yield.

Mr. ELLENDER. Since the Senator is talking about subsidies paid to growers of various crops, does he know that seven States where corn and other feed grains are grown are paid $1,324 million, and Illinois appears to be the fourth or fifth State in point of receipts? Illinois received $195 million by way of subsidies. Louisiana, which grows cotton, a little corn, and a little rice, gets $52 million.

The State of Indiana, corn growing, $132 million. Iowa, corn growing, $260 million. Kansas, $234 million of these subsidies the Senator is talking about. Minnesota—mostly corn growing, and with no cotton—will get $171 million. Mississippi, $133 million plus, and Nebraska, $199 million plus—all corn and other feed growing States.

So that is where all of the subsidies go, when you talk about amounts. Of the $3 billion plus of subsidies that are paid, 1 billion, 3 hundred and some-odd million dollars is paid to six States in the Midwest. Would the Senator be willing to put a limitation on the payments as to States?

Mr. SMITH of Illinois. No, certainly not. And I would add that, while I do not in any sense, of course, question the figures that the Senator has just quoted, I would point out that the purport of this amendment is to limit the amount received by any producer. Notwithstanding the fact, as the Senator has pointed out, that a substantial part of the total dollars are received by farmers in Illinois, the fact is that my State is one of the great agricultural States in the Nation, but there are only 136 farmers in all of Illinois who receive more than $20,000 per producer. That is, of course, the impact of this amendment—to cut down the excess over $20,000 to any one producer.

Mr. ELLENDER. Well, of course, the Senator realizes that there are many crops grown in this country that require a lot of handling, and the cost of production increases. Cotton happens to be one of those, whereas in the case of corn, it is all mechanized, and one person can now do the work done by perhaps 15 or 20 heretofore, because of mechanization.

In the case of cotton, a good deal of it is handwork, and the cost of production is high. In order for a farmer to be able to grow cotton in the South, he must be mechanized. If he has a farm of, let us say, less than 100 acres or less than 150 acres, where he must mechanize to produce a crop, he could not possibly survive unless he is able to mechanize.

That, to me, is the difference between the situation that exists in States like Illinois and States in the South, where cotton is grown in abundance, on a large scale, because of the inability of the small farmer to purchase the required machines so as to properly mechanize his farm.

Mr. President, if the Senator will permit me, what we are talking about now may appear in the RECORD at the end of the Senator's speech, and I would like to ask unanimous consent to have printed in the RECORD, if the Senator will not object, the tables from which I have been reading, indicating where these subsidies are paid.

Mr. SMITH of Illinois. I have no objection.

Mr. ELLENDER. As I have stated, almost a third of the amount of money that is paid out in subsidies is paid to six States in the Midwest which plant corn and other feed grains.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PAYMENTS TO PRODUCERS BY STATES AND PROGRAMS DURING CALENDAR YEAR 1969

State	Cotton acreage diversion and price-support payments	Feed grains acreage diversion and price-support payments	Wheat acreage diversion and price-support payments	Sugar Act program	National Wool Act payments	Milk indemnity payments
Alabama	$47, 372, 610	$24, 681, 988	$606, 506		$6, 439	
Alaska					27, 372	$31, 119
Arizona	39, 792, 872	3, 337, 525	1, 103, 481	$946, 886	881, 636	
Arkansas	72, 707, 713	2, 948, 140	1, 280, 772		21, 424	
California	81, 487, 963	13, 130, 673	6, 253, 569	11, 936, 765	3, 951, 185	2, 697
Colorado		19, 780, 717	32, 971, 553	3, 275, 766	3, 096, 832	
Connecticut		185, 172			7, 299	
Delaware		1, 385, 339	408, 262		1, 806	
Florida	1, 034, 722	7, 878, 713	172, 666	5, 247, 946	3, 950	
Georgia	35, 274, 710	34, 514, 116	1, 897, 959		5, 325	
Hawaii				10, 809, 756	70	
Idaho		2, 417, 134	30, 929, 193	7, 728, 552	2, 482, 354	
Illinois	132, 827	156, 696, 151	27, 830, 856		636, 325	
Indiana		104, 339, 848	19, 580, 674		513, 544	
Iowa		246, 759, 650	817, 836	49, 433	1, 601, 287	
Kansas	427	71, 430, 634	151, 090, 541	1, 035, 761	714, 420	
Kentucky	437, 042	39, 678, 618	2, 573, 993		252, 758	21, 421
Louisiana	34, 681, 867	2, 872, 213	392, 404	9, 588, 463	20, 269	13, 979
Maine		81, 928	3, 127	470, 612	32, 704	
Maryland		5, 063, 926	1, 913, 800		34, 791	
Massachusetts		86, 170	260		13, 099	
Michigan		36, 906, 891	22, 400, 751	3, 790, 455	526, 574	
Minnesota		140, 202, 782	14, 677, 795	4, 876, 710	1, 075, 987	
Mississippi	110, 876, 620	14, 526, 073	609, 031		16, 745	
Missouri	20, 307, 945	97, 382, 782	24, 797, 724		618, 651	
Montana		4, 711, 778	63, 857, 616	2, 117, 518	3, 309, 339	5, 876
Nebraska		141, 299, 473	45, 625, 720	2, 642, 255	634, 043	
Nevada	316, 409	44, 665	439, 824		505, 325	
New Hampshire		52, 168			8, 357	
New Jersey		3, 207, 032	794, 766	35, 545	14, 123	
New Mexico	13, 273, 449	12, 192, 348	8, 099, 410	175, 983	1, 974, 159	
New York		10, 729, 179	6, 736, 524	241, 567	213, 228	
North Carolina	14, 143, 085	40, 919, 217	, 5, 190, 345		23, 673	
North Dakota		33, 132, 891	113, 013, 504	2, 426, 870	901, 241	
Ohio		64, 578, 755	26, 646, 888	1, 211, 660	1, 510, 930	16, 258
Oklahoma	21, 763, 826	14, 202, 439	68, 945, 642		208, 293	5, 914
Oregon		1, 986, 092	16, 993, 254	1, 123, 526	1, 392, 119	
Pennsylvania		13, 930, 955	6, 572, 270		307, 905	
Rhode Island		3, 805			2, 354	
South Carolina	30, 307, 718	14, 743, 858	2, 747, 212		1, 596	
South Dakota		48, 152, 159	33, 031, 244		3, 264, 747	
Tennessee	34, 120, 724	28, 659, 250	1, 970, 553		92, 437	
Texas	269, 657, 954	124, 424, 302	54, 365, 707	1, 699, 018	20, 327, 186	
Utah		1, 222, 545	4, 710, 220	1, 292, 843	3, 054, 217	
Vermont		193, 161	123		11, 280	
Virginia	446, 718	9, 992, 804	3, 081, 768		404, 218	
Washington		1, 865, 070	47, 881, 515	3, 494, 906	472, 895	
West Virginia		1, 232, 637	244, 657		352, 117	
Wisconsin		44, 674, 192	719, 371		287, 591	14, 121
Wyoming		861, 084	3, 524, 223	1, 907, 719	5, 543, 677	
Puerto Rico				7, 824, 500		
Virgin Islands						
Undistributed					[1] 3, 715, 865	
Total	828, 137, 201	1, 643, 299, 042	857, 505, 109	85, 950, 015	65, 006, 761	111, 385

[1] Represents deductions from producers incentive payments for advertising and sales promotion programs and paid to American Sheep Producer's Council, Inc., and Mohair Council of America, Inc.

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PAYMENTS TO PRODUCERS BY STATES AND PROGRAMS DURING CALENDAR YEAR 1969

State	Agricultural conservation program	Emergency conservation measures	Cropland conversion program	Soil bank conservation reserve	Appalachian region conservation program	Cropland adjustment program	Total payments
Alabama	$5, 169, 234	$4, 437	$59, 056	$1, 046, 303	$310, 813	$2, 773, 553	$82, 030, 939
Alaska	63, 832	800					123, 123
Arizona	1, 484, 219	120, 080	8, 362			174, 924	47, 849, 985
Arkansas	4, 418, 341	13, 089	6, 047	717, 812		347, 907	82, 488, 245
California	4, 052, 079	1, 925, 676	13, 320	144, 165		308, 302	123, 206, 394
Colorado	3, 462, 935	778	104, 354	1, 173, 311		1, 021, 734	64, 887, 980
Connecticut	398, 072			5, 729		211, 345	807, 617
Delaware	277, 775			8, 601		79, 225	2, 161, 008
Florida	3, 148, 517	10, 242	54, 556	601, 462		1, 131, 305	19, 284, 079
Georgia	6, 674, 009	67, 320	166, 070	2, 792, 494	165, 630	4, 531, 103	86, 088, 736
Hawaii	136, 982	6, 614					10, 953, 422
Idaho	1, 981, 863	31, 618	6, 831	404, 363		103, 773	46, 085, 681
Illinois	7, 014, 952	29, 496	42, 720	160, 293		2, 830, 857	195, 374, 477
Indiana	4, 469, 457	274, 560	120, 791	342, 435		2, 523, 060	132, 164, 369
Iowa	7, 222, 462	173, 922	175, 669	174, 611		3, 376, 286	260, 351, 156

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U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE PAYMENTS TO PRODUCERS BY STATES AND PROGRAMS—Continued

State	Agricultural conservation program	Emergency conservation measures	Cropland conversion program	Soil bank conservation reserve	Appalachian region conservation program	Cropland adjustment program	Total payments
Kansas	$5,595,191	$29,654	$93,148	$2,842,021		$1,513,565	$234,345,362
Kentucky	6,307,491	168,064	108,974	453,864	$283,138	2,227,863	52,513,226
Louisiana	4,189,146	17,655	44,679	276,612		168,995	52,266,222
Maine	929,185	4,872	21,215	299,637		57,728	1,901,008
Maryland	1,260,420			65,237	26,430	237,229	8,601,833
Massachusetts	465,892			6,182		67,817	639,420
Michigan	4,248,953	7,201	60,041	1,078,490		4,374,684	73,394,040
Minnesota	4,843,032	435	139,159	1,118,482		4,222,444	171,155,956
Mississippi	6,115,513	142,372	46,488	272,159	168,297	837,587	133,610,885
Missouri	7,902,311	86,316	150,326	1,030,719		3,982,242	156,259,016
Montana	3,467,630	370,023	174	1,118,816		306,496	79,265,266
Nebraska	4,420,932	58,098	175,474	925,263		3,684,422	199,464,680
Nevada	531,432	46,516					1,884,171
New Hampshire	470,904			46,959		2,447	580,835
New Jersey	608,963			34,505		194,021	4,888,955
New Mexico	2,001,982	45,074	189,671	29,783		3,014,292	40,996,151
New York	4,779,857		29,162	1,294,720	188,266	1,240,261	25,452,764
North Carolina	6,476,334		88,368	435,016	189,052	2,291,695	69,756,785
North Dakota	4,890,697		108,523	5,550,144		2,284,309	162,308,179
Ohio	5,022,483	153,561	61,140	658,088	175,517	3,397,955	103,424,235
Oklahoma	5,045,659	187,392	63,506	2,271,426		1,248,844	113,942,941
Oregon	2,393,464	46,357	11,055	298,579		98,981	24,343,427
Pennsylvania	4,290,241		7,888	720,848	238,965	1,797,120	27,866,192
Rhode Island	61,811					714	68,684
South Carolina	3,114,074		57,599	2,800,189	57,944	2,358,687	56,188,877
South Dakota	3,454,791	166,419	184,612	3,088,810		2,373,487	93,716,269
Tennessee	4,926,920	249,715	67,593	1,013,764	460,811	2,160,847	73,722,614
Texas	18,430,862	2,008,791	361,230	2,766,834		7,863,953	501,905,837
Utah	1,192,263	47,048	633	221,457		69,128	11,810,354
Vermont	1,014,854		[1]216	195,044		29,950	1,444,196
Virginia	4,161,030	101,319	11,831	183,402	183,103	1,087,759	19,653,952
Washington	2,572,740		4,842	471,956		125,223	56,889,147
West Virginia	1,626,726	2,098		94,035	231,575	93,297	3,877,142
Wisconsin	4,912,261	13,246	86,024	1,010,227		4,629,321	56,346,354
Wyoming	1,915,254	93,917	11,106	118,366		97,525	14,072,871
Puerto Rico	1,022,730						8,847,230
Virgin Islands	18,141						18,141
Undistributed							3,715,865
Total	184,656,898	6,703,905	2,942,021	40,363,213	2,679,541	77,581,262	3,794,996.353

[1] Denotes refunds and adjustments.

Mr. SMITH of Illinois. I would certainly agree, as obviously one must, that there is a difference in the mechanics of producing corn as opposed to producing cotton. Certainly, there is a difference in the process. But the fact is, from the information I have in tables that I have already asked to have printed in the RECORD, shows that over 70 percent of total cotton production right now comes from those receiving less than $20,000 in subsidies. It is on the remainder only that the impact of this amendment would fall.

So I suggest that the comparison made by the Senator of the difference in the processing is not an adequate argument to offset the limitation which is the impact of this amendment.

If I may continue in my remarks, admittedly, farmers who produce only 2 percent of all feed grains and 3 to 4 percent of wheat would be affected by this amendment. Some will suggest that this measure would discriminate against cotton—as has been indicated by the distinguished Senator from Louisiana since 28 percent of that crop would feel the impact of ceiling limitations. But the important point to remember is that these programs can be distinguished because wheat and feed grain payments are working. They limit production. Cotton subsidies do not work. Instead, they simply supplement income, and most of these are incomes which do not need supplementing.

Some have objected that, if a subsidy limitation is enacted, cotton producers will simply shift to other crops, such as soybeans or corn, and glut those markets. A Louisiana State University study, however, has recently demonstrated that, even without subsidy payments, cotton is a more profitable crop than, for example, soybeans.

In conclusion, Mr. President, my amendment is intended primarily to cure a major flaw in the farm subsidy program—excessive payments to individual producers. But this long overdue legislation will do more: It will build a bridge of understanding between rural and urban America.

In our country, three out of four citizens are city dwellers, while only one of every 20 is a farmer. Because of the flagrant abuse of a program designed to assist the family farm, many city people picture the farmer as a wealthy propertyholder receiving vast subsidies from the Federal Government for doing nothing. The recent attention given by the national media to the 13,000 producers receiving more than $20,000 per year has presented the average citizen with an image of the farmer. To them he appears a bloated caricature; a rural Daddy Warbucks.

These 13,000 constitute a total of 0.51 percent of all subsidy payees.

Any farmer, or anyone with family or close friends who farm, knows this caricature is a vicious libel to millions of honest, hard working, frugal family farmers caught in the squeeze of rising costs and diminishing prices. The average farmer gets about $100 per month for deliberately leaving idle his most valuable asset, and better than a third get no more than a dollar a day. In the meantime, far from sitting on the porch in his rocking chair, any farmer who is going to keep farming is out in the hot sun, working with his hands on the hundreds of laborious, backbreaking, physically demanding jobs which must be done to keep a family farm operation going. His wife helps out, and so do his sons and daughters, and no group, no occupation, and no profession exceeds the contribution they make to our society. This is the true picture of the American farmer. I believe that my amendment will go a long way toward dispelling the biased, distorted image many of our uninformed citizens have of the farmer.

Mr. HOLLAND. Mr. President, I have a good deal of sympathy with the position taken by the distinguished Senator from Illinois, though I completely disagree with the method of his approach.

I want the RECORD to show at this time that the list placed in the RECORD earlier by the Senator from Louisiana was prepared by the Department of Agriculture, showing the total payments of subsidies by States, and that in the case of Florida, the State which I represent in part, the total subsidy is only $19,284,000, in spite of the fact that our total agricultural dollar production is $1.3 billion. In other words, this is not a major question at all in my State and, naturally, the thinking of my people is affected by that situation, just as with the farmers in Illinois, where the average farm is producing feedgrains and is not a corporate farm but is generally a small family farm.

I want to say to the distinguished Senator that I think the method he is following here is completely wrong, and I hope he will reexamine his situation and decide to make this fight at another time and on another bill.

As a matter of fact, the Senator from Florida did not vote for the 1965 bill and did not vote for its extension for one year when it was extended. Therefore, he

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has already shown his dissatisfaction with the legislation now on the books. I think the Senator knows that pretty well. But the Senator from Florida also knows that the suggestion made here, applied to an appropriations bill, has always been the wrong method to approach the matter, and an unfair method. In this year, it is particularly wrong and particularly untimely, because the agricultural legislation under which we are operating—that is, the 1965 bill as extended for 1 year after its original 5—expires with this year; and the big fight this year is going to be, so far as agriculture is concerned, on the adoption of the new farm bill.

The Senator from Florida is going to support some sort of limitation in that bill. He does not know what the total evidence will show. He has already stated to the able Secretary of Agriculture, when the latter appeared before our legislative Agricultural Committee, of which the Senator from Florida happens to be a member, as well as a member of the Appropriations Committee, that he thought that the recommendation then made by the Secretary that the limitation should be, as I recall, $110,000 was too great and that some better figure than that would have to be suggested in order for it to have any chance of adoption.

The point the Senator from Florida is making, first, is that the fight ought to occur on the general farm legislation, second, that the legislation to which this amendment would apply, if it were attached to this bill, does not exist. This amendment applies to crops planted in fiscal 1971, and crops planted in 1971 are not under the existing legislation but on ancient legislation, which the Senator from Florida cannot even remember in its exact details.

The Senator from Florida recalls that as to corn, no price support was provided, except by agreement made by the corn producers and by action taken by the Department of Agriculture. Corn producers only twice, as the Senator from Florida recalls, ever entered into any agreement for that purpose, so that this amendment is completely untimely in that it applies to appropriation bills in the first instance and, in the second instance, it seeks to apply to an agricultural program which is not now in existence but will have to be in existence within the next few weeks because it will have to be in existence so as to apply to the winter wheat which will be planted, as I recall, in September or October. So that the bill is coming up very shortly.

The Senator from Florida will be glad to help to get some sort of limitation in the bill, and so will others who, I am sure, will not share the feeling of the Senator from Illinois that it is appropriate to place this kind of arbitrary limitation in any appropriation bill, particularly when it is to apply to a farm program that does not yet exist.

He hopes that the distinguished Senator from Illinois will agree, as was agreed by others in the other body who share the same conviction that he shares. They decided there that this is not the bill to attach such a provision to but that, instead, the fight should be deferred to the new farm bill. He hopes the Senator will consider that well, because he thinks he will get a great many more votes and there will be greater sympathy with his approach to a limitation. I am not speaking about this particular amount, because I do not know what limitation will be in the farm bill. This would simply inject into the conference a matter already rejected by the other body.

The Senator from Florida knows the convictions of the Senator from Illinois. He does not question them for a moment, but he does suggest to the Senator from Illinois, first, that he reexamine the untimeliness of the proposal and, second, that he hold his fire, mass his ammunition, keep his powder dry, and be ready to make his fight when the farm bill comes up.

He simply makes that suggestion as a friendly one, because there are so many other items involved in the bill which would be adversely affected by a long conference, that he thinks the Senator from Illinois will get fewer votes in his proposal as presented now than he would when properly presented on a legislative bill.

I am glad now to yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I concur in the remarks just made by the distinguished chairman of the Agricultural Appropriations Subcommittee. I also agree with the Senator from Illinois that there has to be a limitation on the payments. However, this is not the bill to put that on. There must be and there certainly should be an agricultural bill coming over to us from the House and we will consider it here. In fact, we have already considered most of it. We are waiting for them to get something over to us. I would be glad if they would just send the title of the farm bill over and let us fill in the rest of it. But, so far, they have not done that.

Now that I am on my feet, I join with all the others who have paid tribute to the Senator from Florida for his work on agricultural appropriations, not only for this bill but for the bills which we have had coming before us throughout the years.

I do not think anyone has ever performed this work as conscientiously, certainly not more conscientiously, than has the Senator from Florida.

I am not saying this in the nature of a eulogy because I do not like eulogies. I believe in giving credit where credit is due. Not only do I not believe in eulogies, but we expect to get a great deal more work out of the Senator from Florida while he is a Member of the Senate. He certainly has done a remarkable job, not only for his State and country but particularly for American agriculture.

The pending bill is one of his better works because we have been operating under difficulties, with everyone saying that we do not have any money for this or we do not have any money for that, and then we have to decide what we do have money for.

Once again let me say that the work which the Senator from Florida has been performing is almost superhuman over the many years that he has been looking after agricultural appropriations. Also as a ranking member of the Agricultural Committee, his work has been outstanding.

Mr. HOLLAND. I thank my distinguished friend from Vermont most sincerely.

I think the Senator from Illinois may not have been listening, because he was chatting with another Senator, when the Senator from Vermont made it plain that he agrees there should be limitations and he thinks this is not the bill it should be on.

Like myself, he supports some limitations in the farm bill. Like myself, except he is a good deal senior to me both in length of time in service on the agricultural committee and in his amount of knowledge of agriculture, he is supporting a limitation in the farm bill, so that we have two friendly suggestions to make to the Senator, that this is not the time for him to make his best fight.

Mr. AIKEN. The Senator from Illinois has the right idea. He is in the right place. A little later I think it will be the right time.

Mr. HOLLAND. Mr. President, while the Senator from Vermont is on his feet, I know he has great interest in obtaining more convenient and expeditious handling of requests by farmers in his State, by the establishment of a Farmers Home Administration State office in Vermont. Previously, they have had to go over to Orono, Maine, which is a friendly State and a most friendly place to go, but is a good many miles away, especially in the wintertime.

I am glad to be able to state to the Senator that I have received a letter dated July 2, 1970, from Secretary of Agriculture Hardin, and I will read a part of it:

> This is to inform you that a Farmers Home Administration State Office will be established in the State of Vermont.

Then he goes on with the information.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD in its entirety.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., July 2, 1970.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Appropriations for the Department of Agriculture and Related Agencies, U.S. Senate, Washington, D.C.

DEAR SENATOR HOLLAND: This is to inform you that a Farmers Home Administration State Office will be established in the State of Vermont. The area to be served by the State Office has not yet been determined as it will be necessary to reorganize the New England State Office at Orono, Maine, which now administers the FHA program in the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

The Farmers Home Administration is presently reviewing the workload and organization in the New England area and will establish a State Office in Vermont at an early date.

Sincerely,
CLIFFORD M. HARDIN,
Secretary.

Mr. AIKEN. Let me again thank the Senator from Florida for looking after this. The Farmers Home Administration work has grown in my State, as it has also grown in Maine. Up until now, the volume of its business has not warranted the establishment of a State office in Vermont. This is no reflection at all on the work which has been done by the Maine office, which is 400 miles away from western Vermont—almost as far away as Washington, D.C.—but their business has grown. Until now circumstances dictate that a Vermont office should be established.

I have a feeling that with the economy of this country as it is today the work of the Farmers Home Administration will increase much more rapidly in the very near future.

The Farmers Home has been a good organization. It has done worthwhile work. Certainly, it has made mistakes occasionally. But who has not? Anyone who says he does not make mistakes once in a while is no good anywhere. I thank the Senator from Florida for having the letter from the Secretary of Agriculture printed in the RECORD. I have also received a similar letter from Secretary Hardin and at this time wish to express my thanks to the Secretary and other officials of the Department for their cooperation.

Mr. HOLLAND. Mr. President, to supplement what the Senator from Vermont has said, the farmers of New Hampshire, at least, will be greatly pleased by this news because apparently their travel to Vermont is much easier, particularly in winter, than it is to Maine, and much shorter in distance. So that his efforts result not only to the convenience of the farmers in his State but also to the convenience of many of the farmers, perhaps all of them, in New Hampshire.

Mr. YOUNG of North Dakota. Mr. President, I join the Senator in opposing the Smith-Williams amendment that would place a limitation of $20,000 on the amount that any one farmer could receive under the various farm programs.

A limitation is necessary, but in order not to disrupt the operation of present programs, we would have to include legislation on this appropriation bill. This would be subject to a point of order.

I am sure the Senator is right when he says that a poll in Illinois indicates that 90 percent of his farmers want a $20,000 limitation. I am sure that a poll of the farmers in my State would indicate that 95 percent of them want a limitation. There are only 65 farmers in the whole State of North Dakota receiving more than $20,000, as I recall, only one receiving more than $65,000.

I am sure that in the next legislative bill, which we will be considering soon, there will have to be a limitation. I point out that that is the place in which to do it and not in this bill.

Mr. HOLLAND. Mr. President, I thank the Senator for his comments. I point out that all of these comments have been made by friendly Senators who think that the Senator from Illinois, with all of his intense convictions, would stand a much better chance to get some practical limitation if his attempt were to support the limitation which will be included in the farm bill or to change whatever limitation there will be in that bill. There will certainly be a limitation in that bill in the opinion of the Senator from Florida.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, the Senator from Illinois has marshaled well his arguments for a limitation on payments pursuant to his amendment. They are classical arguments that have been made many times before in the Senate.

The Senator from Illinois has armed himself well with the prevailing sentiment in his State. And he has acquired a very firm conviction that he is on the right track and is doing the right thing in advocating the pending amendment.

I join my colleagues who have spoken to the effect that this is neither the time nor the place. It is not the time because these moneys would not apply to the crop year that would be relevant. It is not the time because this is not a legislative bill. It is an appropriation bill.

There is this further proposition about it insofar as the merits are concerned. It is not a simple proposition to try to deal intelligently and effectively with a limitation of the payments.

The chief testimony on that consists of the weeks and weeks of testimony taken in the other body in committee in an effort to try to devise a formula which would limit the payments and at the same time permit the programs to proceed and be in shape so that they would not be impaired by the larger operators competing in withdrawing from the program.

If there is to be a program, there must be cooperation by the larger owners or enough of them to make an impact upon the intense reduction in production.

The House has labored long and it has labored to a point where there will be a type of limitation on payments that will be much more acceptable and much more workable. That provision will be contained in a bill in which it will mean something and will be a part of the national policy in this regard.

None of those results would flow from the pending amendment. Hence, I join my colleagues and concur with them in opposing the amendment of the Senator from Illinois.

The PRESIDING OFFICER (Mr. HUGHES). The question is on agreeing to the amendment of the Senator from Illinois. All in favor signify by saying "aye."

Mr. HOLLAND. Mr. President, I told the Senator from Illinois that I would be glad to join him in an effort to get a rollcall vote if he wanted to do so. However, I would hope that he would defer his fight for a limitation until the debate on the farm bill. That is something that he must decide for himself. I will help him get a rollcall vote if he desires to do so.

Mr. WILLIAMS of Delaware. Mr. President, as a cosponsor of the amendment I urge its adoption. Whether it is to be voted on at this time or adopted as a part of the major farm bill is a decision that I will leave with my friend, the Senator from Illinois. He can decide the most strategic time.

As one who has been advocating this $20,000 limitation over the years, I point out that I have never taken the position that large farming as such is wrong. I recognize that with large equipment and modern machinery there is a trend toward larger farming, and that is appropriate because it contributes greatly toward increased efficiency and bringing down the cost of production. But at the same time, our agricultural program as supported by the American taxpayers is designed specifically, or at least the claim is made that it is designed specifically to help the small farmers. The larger payments do not help them because they subsidize to an extent the type of corporate operation more than the small operators.

The man with a small farm has to buy a minimum amount of modern equipment. So from an efficiency standpoint he cannot afford to idle his acreage under the soil bank plan, as the large operator can do, because he would lose his efficiency. His machinery would be idle.

A large operator owns several tractors and combines. He can idle one or two of those and reduce the number of employees with the result that to a large extent the subsidy he receives represents primarily a gain. So it does give a definite advantage to the large corporate-type operations. I think that a correction in the law is long overdue.

Mention was made by my friend, the Senator from Illinois, about his State's being the No. 1 corn-producing State. I come from one of the Eastern States. We are often considered as not being connected with agriculture. However, as I have pointed out with pride to my friends a number of times, while I come from a small State in the eastern part of the country the county in which I live was third in agricultural production to any county east of the Rocky Mountains. I think it is about 12th or 15th now. At that time it outranked every county in agricultural production in the so-called agricultural belt of the Midwest. I say that not with any disrespect to any of them but as a matter of pride and to point out that some of us in our area of the country are interested in agriculture.

With reference to these subsidies, I think that from the standpoint of the small farmers they would be better off with this limitation. Besides, what is equally important is that it would save the taxpayers around $300 million.

The argument has been made that if the amendment were passed at this time it would delay the bill in conference. I am not too sure of that. The fact is that the House on at least one occasion has passed a bill with a limitation of $20,000 and that it was the Senate that rejected it.

I feel confident that once we can get this limitation through the Senate it will be accepted by the House, and for that reason I would not be concerned about the fact that the limitation is included in the bill. The time to win is when the votes are available.

I think that we want to get the largest

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vote possible when the amendment is offered. On March 24 of this year I included in the Congressional Record a list of the payments in excess of $60,000. The committee has compiled a larger report that lists the amount of payments down to $5,000.

The reports showed that there were seven companies receiving in excess of $1 million each. Certainly no agricultural program can be justified with that type of payment.

There were 14 companies that were paid between $500,000 and $1 million.

There were 54 companies that were paid between $250,000 and $500,000.

These were not small farmers.

There were six banks that were drawing payments ranging from $27,000 to $224,000 not to cultivate their farmland.

The Southern National Bank of Lumberton, N.C., was paid $224,254. The First National Bank of east North Carolina at Dunn, N.C., collected $69,943. The First National Bank of Dumas, Tex., was paid $69,415. These banks are classified as small farmers under the existing program. The Waccamaw Bank & Trust Co., Lumberton, N.C., was paid $58,134. The First National Bank & Trust Co., Wichita Falls, Tex., received $34,686. The Wilbur Security Co., Wilbur, Wash., collected $27,445.

It does not make sense to have an agriculture program that is paying these banks not to cultivate farmland. They cannot be described as small farmers.

The Standard Oil Co., Oildale, Calif., collected $127,995. The Arizona State Penal Farm, Grady, Ariz., collected $148,628. The Louisiana State Penitentiary, Angola, La., collected $85,219 not to cultivate its farmland.

The question arises in my mind in connection with penitentiaries being paid as farmers not to cultivate the land, we have criminal penalties for violations of the law relating to these payments. Just suppose one of these penitentiaries violated the law and was convicted. Mr. President, how could you put a penitentiary in the penitentiary for violating the law? Perhaps someone could give us the answer, but this points out the ridiculousness of the situation. The great State of Montana collected $641,341 as a farmer not to cultivate its land.

Mr. President, the entire list was printed in the Record of March 24 of this year. I will not belabor the Record by asking that it again be printed.

I point out that the time is long overdue when we should put a realistic ceiling on these payments and limit them to bona fide farmers, those who cultivate their farms as a farming business, and not pay the money to those who are absentee corporate-type owners.

This amendment should be overwhelmingly agreed to by the Senate, especially now that we are operating at a deficit of around $30 million a day and having to borrow money to finance the deficit of the Government. This is not the time to continue payment of these large payments. I hope the amendment will be agreed to. I recognize that theoretically, if the proposed new agriculture bill does not pass at this session of Congress it would not make as much difference because there would be a limited farm program under which these payments could be made next year.

That is not an excuse, however, for rejecting this amendment here today.

The adoption of this $20,000 limitation will have an excellent chance to be accepted by the House, and I hope that when the roll is called the amendment will be agreed to.

Mr. DOLE. Mr. President, first I commend the Senator from Illinois (Mr. Smith). As he stated, he is one of the first Members of this body from an agriculture State to advocate payment limitations. Coming from an agriculture State I believe we should look beyond payment limitation to the program itself. We should be discussing a program and payments made thereunder, advocated by Secretary Freeman, passed during the Johnson administration, and passed by this Congress by a substantial margin in both Houses. Those of us who supported that program bear a greater burden than those not voting on the 1965 act.

Mr. President, the argument is not whether there should be a limitation of $20,000, $15,000, $10,000 or $5,000; but whether there should be any payments made to farmers.

I point out to my friends from urban areas that farmers now comprise only about 6 percent of the population but the American people still have the best food bargain of any in the world because of the efficiency, devotion, and dedication of farmers.

Mr. President, in Kansas about 410 farmers receive $20,000 or more in payments. I feel certain those 410 farmers will survive with or without payment limitations. But I share the concern of the Senator from Florida that this is an appropriation bill, that the authorizing legislation, the Farm Act of 1970, is now in the process of being compromised in the other body and hopefully it will be passed this year by Congress.

I suggest that is the time to impose payment limitations. There is no doubt in my mind because of the recognition by every Member of this body and the efforts of the Representative from Massachusetts, Mr. Conte, and from Illinois, Mr. Findley, in the other body, payment limitations will become a fact of life in the event a farm bill is passed.

I say to the Senator from Illinois that while I share many of his views, this is not the appropriate time to consider this limitation on an appropriation bill. When we have the farm bill before this body it will contain some payment limitation, one that some will feel is too high and others may feel is too low.

There is a recognition that perhaps farm programs should be tightened to exclude certain corporations, and such organizations mentioned by the distinguished Senator from Delaware. Let us not, in the meantime, penalize the American farmer because we pass the farm programs. The farmer does not come to us and say, "We want a $20,000, $30,000, or $40,000 program." The programs are generally passed with a bipartisan majority and the farmer must then comply with it. Then many in this country criticize the farmer for accepting the benefits under that program passed by Congress, not by farmer or farm organizations.

I trust on reflection we recognize that it is not the fault of the American farmer. If there is a fault, perhaps it is that of the legislative branch, and the executive branch.

In any event, I commend the Senator from Illinois for bringing this matter to the attention of the Senate but trust we may delay consideration until the farm bill is before us.

Mr. BYRD of West Virginia. Mr. President, I shall vote for H.R. 17923, which appropriates $7.7 billion for the Department of Agriculture and related agencies for fiscal year 1971. While there are many features in this bill which will greatly assist the people of my State, there is much more that must be done to develop and strengthen our agricultural industry.

I first want to note, as a member of the subcommittee which considered this bill, that we will surely miss the able leadership of our chairman, the senior Senator from Florida (Mr. Holland), who is retiring at the end of this Congress. Senator Holland, who is also the ranking member of the Agriculture and Forestry Committee, has served as chairman of the Appropriations Subcommittee on Agriculture for the past 8 years. He is one of the leading experts in the country on agricultural matters, and his efforts on behalf of this important sector of the economy will be missed by all who understand that a strong agricultural industry is the backbone of a strong America.

Mr. President, among the items in this bill, the committee recommends $128,457,000 for conservation operations which will be used to furnish technical assistance to farmers, ranchers, and cooperators in soil and water conservation districts. Included in this effort are funds for soil surveys which determine land capabilities and conservation treatment needs. In addition, the committee recommends $9,043,000 for the conduct of cooperative river basin surveys and investigations which will assist in the development of a coordinated water resource program.

The committee also recommends $5,434,000 for watershed planning, $21,037,000 for flood prevention, and $76 million for watershed works of improvement. West Virginia, with its mountainous topography, varied soil types, flooding problems, and surface mining of coal, has special resource problems that present many challenges. These funds will be used to further administer a watershed program which will benefit a large percentage of the State's population.

All of these programs, which I have just mentioned, are part of the Department of Agriculture's Soil Conservation Service, which is considered by many of my constitutents as one of the most effective and beneficial programs offered by the Federal Government. In West Virginia, the Soil Conservation Service supplies technical assistance to the State's 14 soil and water conservation districts in developing revegetation plans for areas

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disturbed by strip mining. The stabilization of these strip mine areas reduces the amount of lost sediment and pollution, enhances the esthetics of the countryside, improves the wildlife habitat, and increases the production of forest products.

The watershed program, provided for under Public Law 566, is making substantial progress in West Virginia. It benefits the local economy by furnishing flood protection for homes, businesses, industry, and agriculture. It creates additional jobs and a better way of life.

The committee recommends $14,676,000 for the resource conservation and development program. The appropriation recommended is $4,424,000 over the 1970 appropriation, and $800,000 over the House bill and the budget estimate for 1971. Funds from this program are used to develop an overall program of land conservation and resource development. The mountain-dominion project in Mercer and Summers Counties in West Virginia has shown excellent results. The Little Kanawha Resource Conservation and Development program located in Wood, Wirt, Roane, Ritchie, and Calhoun Counties was one of the first 11 projects to be approved in the Nation, and it too has been very successful.

At my request, the committee included language in its report directing the Department of Agriculture to utilize existing research funds to develop detailed plans and specifications for the establishment of a Northeastern Appalachian Region Fruit Crop Research Station in West Virginia. This project is long overdue, and its implementation would be a major step in increasing the yield and quality of our fruits and berries, while at the same time reducing the costs of harvesting and production.

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The committee recommends the full budget request for appropriations for the child nutrition program and the food stamp program. In addition, the committee has reinstated the special milk program, and has included $104 million in order that the program may continue at the present level. These programs are of great importance to the people of West Virginia and the whole Nation, and will go a long way toward eradicating hunger among the less fortunate, particularly our schoolchildren. In a country as rich as ours, no child should attend school on an empty stomach.

Mr. President, this bill provides for an increase in funding for the Farmers Home Administration. The FHA, which was established in 1946, has greatly assisted the development of our rural areas, both in my State of West Virginia, and across the Nation. Throughout my service in the House of Representatives and in the Senate, I have always supported legislation to strengthen and expand the FHA loan programs so that credit will be available to more of our rural citizens.

During the past decade more than $100 million was invested in West Virginia by the FHA. Today, there are 27 full-time offices and 28 part-time offices to serve the needs of West Virginians. I strongly urge that Congress increase this assistance in the decade ahead. We need improved housing, adequate water supply and waste disposal systems for our smaller urban areas and rural communities. We need additional assistance for the small businessman and for the family farms.

Without the loan assistance provided for by this legislation, family farmers and other rural families in my State would have been forced to quit the land and migrate to our Nation's overcrowded cities causing additional urban problems. FHA loans have helped over 700 families in West Virginia to buy farms with more than $8 million in loans; and more than 8,000 families in West Virginia have been able to improve their farm operations with operating loans totaling more than $19 million. To date, more than 839,000 persons in the rural areas of my State have benefited from the comprehensive water and sewer systems provided for under FHA.

The Farmers Home Administration has done much to better the life in rural areas of West Virginia. I intend to continue to support its efforts to strengthen family farms, to improve rural communities, and to provide economic and social opportunities for West Virginians.

Mr. President, as we worry more and more about the quality of our environment, our attention should not be limited to the plight of our cities. For it is our rural communities that provide the food and the natural resources which allow our cities to continue to live. The resource base of America must not be forgotten in the rush to determine national priorities. We must be vigorous and consistent in conserving and improving our soil and water resources. We must provide through adequate appropriations the indispensable weaponry of proper land and water management, so that America will remain strong in the future.

My State is what I would term a rural one, and what I have been saying about this bill is that its provisions will be highly beneficial to our area. These features to which I refer are the agricultural research programs, the soil conservation programs, the food and nutrition programs, the commodity programs, and the Farmers Home Administration. West Virginia cannot be called a metropolitan State, and it will not receive hundreds of millions of dollars in urban assistance. This legislation will fund to West Virginia an excess of $65 million in agricultural assistance for fiscal year 1971. Money which will be used for the good of America, and I intend to fully support and vote for this bill.

Mr. President, I ask for the yeas and nays on the amendment of the able Senator from Illinois.

The yeas and nays were ordered.

Mr. INOUYE. Mr. President, I rise today in opposition to the proposal to limit the amount of agricultural payments any one producer can receive. While this amendment does not in its present form apply to sugar, I am certain that should this move be successful, attempts will surely be made to include the sugar under this payments limitation either this year or next year. I do not believe I am exaggerating to say that should such an amendment limiting sugar payments be adopted, it would destroy the sugar industry in my State and have an extremely disastrous effect on Hawaii's economy. The sugar industry is one of the most important income-producing industries in Hawaii.

At the present time, the sugar industry in Hawaii employs approximately 11,300 persons on a year-round basis, with an annual payroll of $71.7 million, including the cost of benefits, making them the highest paid agricultural workers in the world. I believe these figures alone adequately explain the effects this payments limitation would have on the economy of our small State.

It is expected that the application of such a payments limitation amendment could lead to very desperate times for the industry in Hawaii. Not only would some sugar plantations go out of business, but at the present time, there is no alternative use possible for most of the sugar lands. Only a very small fraction of the land could be used on an income-producing basis.

My opposition to the payments limitation is based on the unique nature of the present sugar program administered by the Federal Government. In 1934, the Congress enacted the Jones-Costigan Sugar Act. The essential features of the sugar program as it exists today are based on the 1934 act. At that time the Congress did not believe that it had the constitutional power to directly regulate the sugar production; however, it was acknowledged that the Congress had the power to tax. Therefore, a plan was devised which would tax the sugar industry for every hundred pounds of sugar produced. The major part of the revenue raised in this manner would then be returned to the producer who complied with the certain regulations such as to limit the crop to a particular quota for an area; employed no child labor; paid a minimum wage established by the Department of Agriculture. Thus, the sugar payments paid to producers are not a subsidy, but rather a refund of the taxes the producer pays, as long as he complies with certain prescribed regulations. Therefore, the sugar program as it was first established was merely a device to regulate the production of sugar since the Congress was in doubt as to its power to limit production. While the doubts as to the constitutionality of regulating agricultural production had been allayed, the form of the sugar program had not changed.

The compliance payments a producer can receive start at $16 a ton and decrease to $6 a ton with an increasing volume of production. Since most of Hawaii's sugar production is grown on large farms, these producers receive less in payments than they pay in taxes. Last year, according to figures compiled by the Department of Agriculture, Sugar Act payments to producers in the State of Hawaii amounted to $10,462,831, while the excise tax paid by Hawaii farms amounted to $11,820,000. Therefore, Hawaii producers paid more in taxes than they received in compliance payments. Granted, the lower payments are basically a result of the large farms in Hawaii. However, the high cost of production and marketing make necessary the economies resulting from large modern farm operations. Hawaii's closest market is 2,400 miles away on the west coast, and most of Hawaii's sugar is also refined there. In addition, much of Hawaii's land is mountainous and unsuitable for cultivation. Therefore, a large portion of the land planted in sugarcane must be irrigated—a very costly process. The modern equipment and machinery necessary to keep this product competitive with mainland beet sugar are also extremely expensive, thus making it most difficult for small farms to survive.

The excise tax collection from sugar producers goes into the general fund of our Treasury and it is interesting to note that since the sugar program began these taxes have exceeded producer payments by $611.9 million. Therefore, I submit that the sugar program is a self-supporting one and clearly distinguished from other agricultural programs currently administered by the Federal Government.

I, therefore, urge that the payments limitation amendment be defeated and at the very least that sugar be excluded from its coverage for the reasons stated above.

In closing, I would like to summarize the reasons for my opposition to the payments limitations. Other States would also be severely hurt economically by a payments limitation. However, I submit that it would be particularly damaging to Hawaii, because of its geographic position and the reliance of our State's whole economy on sugar production. Second, the sugar program as presently devised is a self-supporting program with the payment of excise taxes and the return of a portion of these taxes as compliance payments. These payments are not subsidies, but are payments made to producers for complying with certain regulations.

Mr. FONG. Mr. President, I strongly oppose the Smith of Illinois amendment which would set a $20,000 limitation on payments to farmers. The Smith amendment would place a $20,000 ceiling on payments under any price support program—that is, feed grains, wheat, wool, and cotton. The sugar program is specifically excluded.

Such a limitation should not be offered to the pending agriculture appropriations bill. For as we all know, before adjourning this year, the Senate will consider a major farm authorization bill. The authorizing legislation, and not the appropriations bill, is the proper vehicle for thorough and comprehensive debate on price support programs and other farm programs.

Two years ago, the Senate rejected attempts to place limitations on payments to farmers when the farm authorization bill was considered. The pending amendment is an attempt to do through the appropriations process what the Senate failed to do through the authorization process. There will be ample opportunity to consider the question of a limitation when the farm authorization bill is brought up for Senate debate and action later this session.

This is the sensible and orderly procedure.

Our Nation's farm programs are too complex to tinker with by means of a payments ceiling such as proposed in the Smith amendment.

Let me cite additional reasons against the $20,000 limitation.

It would keep controls on large farmers but would deny them payments of over $20,000 for complying with these controls.

It discriminates against large farmers and legal entities. While individual farmers could collect up to $20,000, it would prevent farmers in partnership or other joint organizations from collecting more than $20,000.

It discriminates against stockholders of companies who operate large farm enterprises. While an individual farmer could receive as much as $20,000, the individual stockholder could not. A farm enterprise owned by 100 stockholders, for example, could not be eligible for more than $20,000. Stockholders would get the short end of the stick.

It would very likely invite subterfuge. A large individual farmer who is now entitled to more than $20,000 might decide to break up his farm. His wife could own one part of it, he could own another, and if he had any adult children, they could own other segments. In this way, each could perhaps qualify for the maximum of $20,000. The intent of the Smith amendment could thereby be evaded.

Similarly, large company-owned farms might be able to subdivide the ownership in order to qualify for separate agricultural payments, thereby circumventing the intent of the Smith amendment. Those large companies unable to subdivide their ownership would be discriminated against and possibly could be forced out of business.

Such a limit, which fails to provide any substitute program for the protection of farm industries affected by the amendment would seriously disrupt several of America's basic farm programs, which help provide a cornucopia of foodstuffs and fibers at moderate prices.

As the Smith limitation is written, sugar producers are exempt from the $20,000 ceiling. But all my colleagues should understand that if approved, this amendment would be followed by another amendment to place a similar $20,000 limitation on compliance payments to sugar producers. Proponents of the limitation have made this clear in the past.

Such a limitation would be grossly unfair to sugar farmers in America. It would deny them an important part of their farm income by cutting back on their compliance payments under the Sugar Act. Yet it would not allow them to recoup this loss through price adjustments in the marketplace or through repeal of the Federal excise tax of 50 cents per hundredweight on all sugar refined in the United States.

The fact is, the proposed $20,000 limitation if extended to sugar would leave standing the Federal excise tax. It would also leave standing the provision in the Sugar Act which effectively provides a ceiling on the price of sugar a domestic sugar farmer can obtain for his crop.

The Sugar Act controls sugar prices. It controls sugar production. It establishes sources of sugar supply. It includes tax and payback provisions—compliance payments—which are not subsidies, but are part of Federal regulation of the sugar industry.

Payments are made to domestic sugar producers who comply with production restrictions, pay "fair" wages to workers, agree not to employ child labor, and if they are processors pay "fair" prices for sugarcane.

These payments are made out of the U.S. Treasury out of funds obtained from the Treasury's collection of the excise tax on all sugar, foreign and domestic, processed in the United States.

Over the life of the Sugar Act, the Federal Government has profited to the tune of more than $500 million on the sugar program. In other words, the Federal Government has collected more than half a billion dollars more in sugar excise taxes than it has paid out in compliance payments to domestic sugar producers.

Under the Sugar Act, smaller producers of sugar receive more per ton in compliance payments than large producers. Growers who produce 350 tons of sugar or less are entitled to the maximum authorized compliance payment of $16 a ton—or 80 cents per hundredweight. Large growers receive less per ton, with largest producers paid $6 a ton.

In 1965, the latest year for which I have figures, compliance payments to Hawaii producers totaled $10,840,000 whereas the excise tax paid on Hawaii sugar totaled $12,319,060. So even under the present Sugar Act, excise taxes on Hawaii sugar exceed compliance payments to Hawaii sugar producers.

If a $20,000 limitation on payments were imposed, the excise tax on Hawaii sugar would still be collected—approximately $12,000,000—and Hawaii sugar producers could collect in compliance payments only about $1,639,000.

The consequence of such a limitation in my State of Hawaii, which produces one-sixth of all the sugar produced in America, would be destruction of the sugar industry in Hawaii. It would destroy the jobs of some 11,300 year-round sugar workers in my State. Hawaii's sugar workers are the highest paid agricultural workers in the world, earning $30 a day with fringe benefits. The sugar payroll in Hawaii annually runs about $71,700,000 including fringe benefits.

Where would so many workers find substitute jobs? Where would Hawaii sugar producers find a new source of income? There are no alternative agricultural uses for most of the acreage now devoted to sugarcane in Hawaii. Only a tiny fraction of the land could be converted to produce income.

In 1968, the payment made to Hawaii's largest sugar producers was $7 a ton; whereas the payment to Hawaii's smallest producer was $16 per ton.

Total compliance payments in 1968 to Hawaiian sugar companies ranged from a low of $53,542 to a high of $1,311,267, with the majority of companies, who are large sugar producers, receiving over $200,000.

These large payments are necessitated by the special nature of sugarcane pro-

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duction. Unlike many other agricultural commodities, sugar cane needs vast acreages in order to attain high efficiency. Hawaii sugar producers must plant enormous acreage before they can produce a high output of cane and achieve the efficiency of labor that will make Hawaii's sugar competitive in the marketplace.

There are about 240,000 acres devoted to cane, and at least one-half of this acreage must be irrigated. Because of Hawaii's mountainous terrain, expansion of acreage is limited and costly. Sugar producers have spent large sums of their own money—none Federal—to develop and operate wells, reservoirs, ditches, and tunnels of the elaborate irrigation systems now in use. Hawaii's sugar industry also spends more than $2½ million annually on sugar research—an activity financed by the producers since 1895. We have had a sugar research program for more than 70 years. As a result of the Hawaii sugar industry's own efforts, Hawaii has one of the highest sugar yields per acre of any area of the world.

Efficiency per acre is a "must" for Hawaii's sugar producers, considering the cost of modern equipment, the cost of its skilled labor, and the great distance of Hawaii from mainland markets. Hawaii's closest market for sugar is San Francisco, some 2,400 miles away. Most of the Hawaiian sugar is refined at Crockett, near San Francisco, and is marketed in 26 Western and Midwestern States, including Alaska.

These are some of the compelling reasons for development and operation of large farming units in Hawaii. There are 24 large sugar plantations which produce some 93 percent of Hawaii's sugar. The other 7 percent is produced by 750 small independent growers. As I have already stated, the small producers receive higher compliance payments per ton than the large producers; that is, $16 per ton as compared to $7 for large producers. Since compliance payments are based on total farm production and most Hawaiian sugar is produced on the large plantation company farms, many of the total payments are large.

In every year since the inception of the Sugar Act 36 years ago, the excise tax paid on sugar produced in Hawaii has substantially exceeded the compliance payments to our sugar companies.

Over the period of the last 10 years, a majority of the sugar producers in Hawaii would have operated at a net loss if there were no compliance payments. In fact, many of our companies were in the red even with these payments. Any lowering of the ceiling on compliance payments would sound the death knell for Hawaii's sugar industry.

It would be an economic disaster for my State, which is the largest sugar producing State.

The $20,000 limitation, if extended to sugar, which it will be if the Smith amendment passes, would plunge the economy of Hawaii into a tailspin from which it would be very difficult to recover.

It would destroy the jobs of more than 11,300 sugar workers and the investment of 12,500 individual stockholders in Hawaii's $200,000,000 sugar industry. More than two-thirds of the stockholders live in Hawaii.

While I have spoken in some detail about the adverse effect of a $20,000 ceiling on payments to sugar producers in Hawaii, there is no question the limitation would also place the sugar industry in other domestic areas in serious jeopardy.

I remind my colleagues that the sugar program has been in operation for 35 years. Congress has reexamined and extended the basic legislation some 12 times during these 35 years. Yet the program has remained substantially unchanged. This is proof of how well it has worked.

From the standpoint of the American consumer, the sugar program has worked exceptionally well. American consumers today pay less for their sugar than consumers in practically all of the developed nations of the world and less than is paid in some of the undeveloped countries of Africa and Asia. The retail price of sugar has gone up less in recent years in America than the price of most other staples on the grocery shelf. And, remember, the sugar program is self-financing, even returning a profit of $549 million to the U.S. Treasury.

In conclusion, I shall summarize my strong opposition to the Smith amendment to impose a $20,000 limitation on payments to farmers.

It would use the agriculture appropriations bill to effect substantive changes in farm programs, which if changed at all should be done in the agriculture authorizing legislation. The Senate and House Agriculture Committees are currently drafting new farm legislation for consideration by the Senate and House.

It would keep controls on large farmers but would deny them payments of more than $20,000 for complying with these controls.

It discriminates against large farmers and legal entities.

It discriminates against stockholders of companies who operate large farm enterprises.

It would very likely invite subterfuge.

It would seriously disrupt some of America's major farm programs, which help provide a cornucopia of foodstuffs and fibers at moderate prices. It fails to provide any substitute program for the protection of American farmers affected by the amendment.

If adopted, the Smith limitation of $20,000 would lead to a similar limitation on payments to sugar producers. This would cause the death of the sugar industry in Hawaii and would seriously disrupt the sugar industry elsewhere in America.

I strongly urge defeat of the Smith amendment setting a $20,000 ceiling on payments to farm producers of cotton, feed grains, and wheat.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from Illinois. On this question the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), the Senator from Maryland (Mr. TYDINGS), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Indiana (Mr. HARTKE) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut (Mr. RIBICOFF) would vote "yea."

I further announce that, if present and voting, the Senator from North Carolina (Mr. JORDAN), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Alabama (Mr. SPARKMAN) would each vote "nay."

Mr. **GRIFFIN**. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from South Dakota (Mr. MUNDT) would vote "nay."

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from California (Mr. MURPHY). If present and voting, the Senator from Illinois would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from New York (Mr. JAVITS) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from New York would vote "yea" and the Senator from Nebraska would vote "nay."

The vote was recapitulated.

Mr. **WILLIAMS** of Delaware. Mr. President, the regular order.

The **PRESIDING OFFICER**. The regular order has been called for.

The result was announced—yeas 40, nays 35, as follows:

[No. 221 Leg.]

YEAS—40

Allott
Bayh
Bible
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cotton
Dominick
Goodell
Griffin
Hart
Hatfield
Hughes
Jackson
Jordan, Idaho
Kennedy
Mansfield
Mathias
McGovern
McIntyre
Mondale
Muskie
Nelson
Packwood
Pastore
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Spong
Williams, N.J.
Williams, Del.

NAYS—35

Aiken
Allen
Baker
Bellmon
Bennett
Burdick
Cooper
Cranston
Dole
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Gurney
Hansen
Holland
Hollings
Hruska
Inouye
Long
McClellan
Metcalf
Miller
Montoya
Pearson
Stennis
Talmadge
Thurmond
Tower
Yarborough
Young, N. Dak.

NOT VOTING—25

Anderson
Cook
Curtis
Dodd
Gore
Gravel
Harris
Hartke
Javits
Jordan, N.C.
Magnuson
McCarthy
McGee
Moss
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Sparkman
Stevens
Symington
Tydings
Young, Ohio

So the amendment offered by Mr. Smith of Illinois for himself and Mr. Williams of Delaware was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PEARSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. YARBOROUGH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3215.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes which was to strike out all after the enacting clause, and insert:

That section 2(2) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting before the semicolon at the end thereof the following: "in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future".

Sec. 2. Section 3(a) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting "comparative religion; ethics;" after "archeology;", and by inserting before the period at the end thereof the following: "with particular attention to the relevance of the humanities to the current conditions of national life".

Sec. 3. (a) Section 5(c)(3) of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting after "enable them" the following: "to achieve wider distribution of their works, to work in residence at an educational or cultural institution, or".

(b) Section 5(h)(3) of such Act is amended to read as follows:

"(3) Funds allocated to carry out the purpose of this subsection for any fiscal year shall be equally allotted among the States, but no State shall receive less than $75,000 for any fiscal year."

(c) Section 6(b) of the National Arts and Cultural Development Act of 1964 is amended by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

Sec. 4. (a) Section 6 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting a new subsection "(c)" to read as follows:

"(c)(1) The Council may establish an Executive Committee which shall be composed of five members and shall exercise such powers and functions as may be delegated to it by the Council. The Chairman of the Council shall be one of the five members and shall be chairman of the Executive Committee.

"(2) The Council may select four members to serve on the Executive Committee along with the Chairman of the Council, two of whom shall serve for a term of one year and two for a term of two years. Thereafter each member of the Executive Committee shall serve for a term of two years so long as an Executive Committee exists. The Executive Committee may be discontinued by the Council at any meeting and thereafter reestablished. Any person, other than the Chairman, who has been a member of the Executive Committee for four consecutive years shall be ineligible for service as a member of the Committee during the one-year period following the expiration of such fourth year.

"(3) Any person selected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was selected shall serve for the remainder of such term.

"(4) The Executive Committee shall report its actions for review to the next meeting of the Council."

(b) Section 8 of the National Arts and Cultural Development Act of 1964 is amended by striking out "exceeding $75 per diem" and inserting in lieu thereof "to exceed the per diem equivalent of the rate authorized for grade GS–18 by section 5332 of title 5, United States Code" and by striking out "(5 U.S.C. 73b–2)" and inserting "(5 U.S.C. 5703)".

Sec. 5. Section 7 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by:

(a) amending subsection (b)(2) by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

(b) amending subsection (c)(2) to read as follows:

"(2) initiate and support research and programs to strengthen the research and teaching potential of the United States in the humanities by making arrangements (including contracts, grants, loans, and other forms of assistance) with individuals or groups to support such activities."

(c) amending subsection(c)(5) by inserting after "groups," the following: "education in".

Sec. 6. Section 8 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

(a) amending subsection (e) to read as follows:

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS–18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently."

(b) adding a new subsection (g) to read as follows:

"(g)(1) The Council may establish an Executive Committee which shall be composed of five members and shall exercise such powers and functions as may be delegated to it by the Council. The Chairman of the Council shall be one of the five members and shall be Chairman of the Executive Committee.

"(2) The Council may select four members to serve on the Executive Committee along with the Chairman of the Council, two of whom shall serve for a term of one year and two for a term of two years. Thereafter each member of the Executive Committee shall serve for a term of two years so long as an Executive Committee exists. The Executive Committee may be discontinued by the Council at any meeting and thereafter reestablished. Any person, other than the Chairman, who has been a member of the Executive Committee for four consecutive years shall be ineligible for service as a member of the Committee during the one-year period following the expiration of such fourth year.

"(3) Any person selected as a member of the Executive Committee to fill a vacancy occurring prior to the expiration of the term for which his predecessor was selected shall serve for the remainder of such a term.

"(4) The Executive Committee shall report its actions for review to the next meeting of the Council."

Sec. 7. Section 10 of the National Foundation on the Arts and Humanities Act of 1965, as amended, is amended by—

(a) inserting a new subparagraph "(a)(7)" to read as follows:

"(7) to make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)."

(b) redesignating former subparagraph "(a)(7)" as subparagraph "(a)(8)".

Sec. 8. Section 11 of the National Foundation on the Arts and Humanities Act of 1965 is amended by—

(a) repealing subsections (a) and (c), effective June 30, 1970, and substituting therefor the following:

"(a) For the purpose of enabling the Foundation to carry out its responsibilities, there is hereby authorized to be appropriated to the Foundation $40,000,000 for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years such sums as the Congress may deem necessary to carry out the provisions of this Act. Sums appropriated under the authority of this subsection shall remain available until expended."

(b) amending subsection (b) to read as follows:

"(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment for the fiscal year ending June 30, 1971, and each of the two succeeding fiscal years an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act. Amounts appropriated to an Endowment under this subsection shall remain available until expended."

Mr. YARBOROUGH. Mr. President, I move that the Senate disagree to the amendments of the House of Representatives and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Pell, Mr. Nelson, Mr. Cranston, Mr. Javits, and Mr. Murphy conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Mr. BOGGS. Mr. President, the bill now under consideration, H.R. 17923, contains an appropriation of 200,000 to operate the U.S. Department of Agricul-

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ture Poultry Research Laboratory near Georgetown, Del.

This figure represents only little more than one-third of the full operational cost of $580,000 a year for the laboratory. It will provide for four scientific personnel and their supporting technicians and overhead.

Mr. President, the operational funding of this laboratory is most important, I believe, in terms of the good of the poultry industry and in terms of commonsense in Government spending. This laboratory, built with more than $500,000 of Federal money, has stood idle since its completion more than a year ago. Without operational funding, the facility would represent a monument to lack of governmental foresight.

The budget estimates for fiscal year 1971 provided funding to the tune of $53,000 for the laboratory. This would have provided only one scientist—less than 10 percent of the laboratory's full operational capability.

This will be the only poultry laboratory in the country to emphasize research on meat and egg quality. Research projects will include studies on nutritional, genetic, physiological and management factors affecting breast blister, bruises, pigmentation, flavor, tenderness, juiciness, and eggshell quality. This research should result in improved acceptance of poultry products by the consumer, as well as reduced losses to the producer and processing industry.

It is estimated that industry losses due to downgrading of broilers, reduced prices for mature chickens and old turkeys and similar losses related to meat quality amount to at least $211 million annually in the United States. In addition, losses due to poor eggshell results in losses to the industry of about $292 million annually.

Mr. President, this laboratory is vitally important to the State of Delaware and the entire Delmarva Peninsula, which produces 13 percent of the Nation's broilers. But it is equally important to the poultry industry nationally and to the millions of American consumers.

TROPICAL FRUIT FLY PILOT RESEARCH PROGRAM

Mr. FONG. Mr. President, I appreciate the action of the Appropriations Committee in including in the pending agriculture appropriations bill (H.R. 17923) my request for $500,000 for an expanded tropical fruit fly research program in Hawaii. This will permit a pilot program to be undertaken in the current 1971 fiscal year.

This research project is under the Agricultural Research Service and is described on page 5 of the committee report as "Cooperatively financed research to eliminate the Mediterranean fruit fly and melon fly from Hawaii."

I have received assurance from Gov. John A. Burns of Hawaii that the State will continue to share the cost of the tropical fruit fly research program. In a letter dated July 1, Governor Burns wrote me:

> As for cost-sharing by the State, we have and will continue to furnish the services of personnel and facilities totaling $50,000 to $100,000 per year.

I have also received assurance orally from Dean C. Peairs Wilson of the University of Hawaii College of Tropical Agriculture that his college will continue its contribution of $200,000 toward the cost of this research program. I understand a letter is en route to me from Dean Wilson confirming this.

As I explained in my May 27 letter to my able and distinguished colleague, Senator SPESSARD L. HOLLAND, chairman of the Senate Agriculture Appropriations Subcommittee, on which I serve, the $500,000 per year research expansion would be programed for 3 to 5 years.

The sum would be expended approximately as follows:

Construction of temporary rearing facilities for the Mediterranean fruit and melon fly	$100,000
Rearing equipment and supplies to produce 125 million flies per week	162,500
Specific baits and lures for the three species of fruit flies	114,000
Distribution of lures and sterile flies	63,500
Seasonal labor for sterile fly releases, air drop of lures, and trapping operations	60,000
Total	500,000

Construction funds would not be needed after the first year. This amount in subsequent years would be used to increase the production of flies and to expand all operations to the maximum level for the conduct of adequate pilot tests.

To conduct this proposed large-scale pilot test, the present facilities at Honolulu and Hilo would be made available. Also, construction of a temporary mass rearing building and rental of temporary office and laboratory space on islands encompassing the pilot areas would be made.

Funds are urgently needed in fiscal 1971 as a first important step in determining and planning whether a statewide eradication campaign against the Mediterranean fruit fly, *Ceratitis capitatae*, the oriental fruit fly, *Dacus dorsalis*, and the melon fly, *Dacus cucurbitae*, in Hawaii can be successfully carried out in the foreseeable future. In determining and planning this, one of the islands would be selected for establishing pilot field tests. The entire island would be used for the purpose.

Time is of the essence for this interim research. The risk of fruit fly infestation becoming established in mainland crops is rapidly growing. Because of the increasing speed and volume of interstate commerce of passengers and fresh produce between Hawaii and California, the threat of accidental introduction of these harmful insects into the mainland has intensified. Plant quarantine inspectors at the Honolulu International Airport are busy trying their best to prevent accidental escapes. But the current practice of selective inspection of baggage for fresh produce, while speeding inspection, has not proved wholly effective in stopping fruit flies to California. In September of 1969 eight oriental fruit flies were found in the El Monte area of Los Angeles County. The county agricultural commissioner said the flies probably came from Hawaii.

Currently, the Entomology Research Division, U.S. Department of Agriculture, conducts three fruit fly investigation programs in the State of Hawaii—one in Hilo, and the other two in Honolulu.

The Hilo program has both small field and laboratory projects on the environmental and biological studies of the three species of fruit flies, which is financed by a $97,450 annual budget. One Honolulu laboratory program on the study of developing new eradication methods for these flies is financed by a $326,950 annual budget. The other Honolulu program is on the commodity treatment of fresh produce shipments to the mainland United States, and is financed by a $107,500 annual budget.

During the past 15 years, the Hawaii fruit fly investigations, among other projects, have been programed at developing more selective techniques for the eradication of the three tropical fruit flies. They have developed laboratory techniques which it is believed could be applied to populated areas without danger to the public and without dangerous pesticide residues in the environment. However, pilot operations are needed to test the feasibility of these techniques.

Federal entomologists have developed a highly effective eradication technique, the male annihilation, for the oriental fruit fly. This technique involves the use of a selective lure to which only the males are susceptible. The lure is combined with a minute amount of a nonpersistent insecticide as a bait. The technique has reduced the cost of eradication of the oriental fruit fly by about 90 percent on the islands of Rota, Saipan, and Tinian.

The male annihilation technique is also being developed for the eradication of the melon fly. But large-scale pilot tests must be conducted to prove the feasibility of this method for melon fly.

The Mediterranean fruit fly cannot now be eradicated by the male annihilation method. Further research on methods of eradicating this species is needed.

Of interest is that Federal entomologists have developed a sterilized male insect release technique involving the sterilization of males by irradiation and the release of such males in the open. This technique can be used for all three species of flies—the oriental, the melon, and the Mediterranean fruit flies.

I understand a weekly distribution of about 125 million sterilized males is required for pilot testing under the proposed expanded research. Current facilities in Hawaii for survey, rearing, irradication, and distribution of such insects are woefully inadequate.

Already, the three flies are causing the Hawaii fresh produce industry a yearly damage loss amounting to about $1.5 million. I am deeply concerned about the infestation in Hawaii, and I am deeply concerned that establishment of the fruit flies in California, Florida, Louisiana, Texas, and other States cultivating subtropical and tropical crops, would result in an estimated annual loss of $150 million to citrus, deciduous fruits, and vegetables.

Eradication of the three species of fruit flies from Hawaii would relieve the constant hazard of these flies being accidentally introduced to the mainland United States. On the basis of the two newly developed eradication techniques, I have been greatly encouraged that these fruit fly species can be eliminated from the State of Hawaii.

A statewide campaign in Hawaii, to be carried out after the interim research, would be far less costly than an eradication campaign on the mainland United States if fruit fly infestations became established in some of the States.

Therefore, I request that the sum of $500,000 be included in the 1971 Department of Agriculture appropriation bill so that pilot tests on integration and use of the new eradication techniques for the three tropical fruit flies can be started in Hawaii during the fiscal year which began July 1.

Mr. President, additional information on the need and justification for this tropical fruit fly research program is contained in a memorandum prepared this spring by the Entomology Research Division of the Agricultural Research Service, U.S. Department of Agriculture. I ask unanimous consent that the entire memorandum be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Hawaiian Fruit Flies Investigations, Agricultural Research Service, U.S. Department of Agriculture, Honolulu and Hilo, Hawaii

The Department's Entomology Research Division, Hawaiian Fruit Flies Investigations, is composed of three programs; one at Hilo and two at Honolulu. The objective of our Hilo program is to study techniques and develop methods for control and eradication of Mediterranean fruit fly, *Ceratitis capitata* (Wiedemann), melon fly, *Dacus cucurbitae* Coquillett, and oriental fruit fly, *Dacus dorsalis* Hendel. Our research approach is to obtain information on host preferences, behavior, biology, and interspecific competition of fruit flies in relation to the control of these pests in large area tests. Bait spray combinations, lures, sterilization, insecticides, male annihilation, and other techniques for control or eradication of these three species of tropical fruit flies need to be evaluated in large plot field tests. Lures for fruit flies are now screened under field conditions.

The major objective of our Honolulu research group is to improve present methods and develop new methods for detection, suppression, or eradication of oriental fruit fly, Mediterranean fruit fly, melon fly, and other pests of subtropical fruits in Hawaii that threaten crops of the mainland United States. Their approach to this objective is to develop more effective and cheaper bait sprays and ultra low volume insecticidal control methods, sterilization and biological control methods, to suppress or eradicate fruit flies in Hawaii and incipient infestations that may occur in mainland U.S. Cheaper and more efficient methods for mass rearing fruit flies and more efficient lures with greater specificity for detection of fruit flies and for use in the elimination of isolated fruit fly populations are developed. Ecology, behavior, food preferences, population dynamics, and other biological information on fruit flies are determined.

The program on Hilo is supported by $97,450. The program at Honolulu is supported by $326,950.

A second major objective of our Honolulu research group is to develop and improve methods for treating fruits and vegetables infested with insect pests to permit movement without risk of introduction of these pests into mainland United States or other uninfested areas. The approach of this group is to determine dosages, exposure periods and temperatures with various fumigants that will destroy all life stages of the pest species in the product and also tolerance of commodity to the treatment. Effectiveness of new chemicals as fumigants and new techniques individually and in combination are evaluated. Effectiveness of irradiation and dosages required for destruction of fruit insect pests are determined. Chemical residues and rate of disappearance in fumigant commodities are determined. The research on treatment of commodities to meet quarantine requirements involves 2 scientific man years of research and funds totaling $107,500.

STAFF AND FACILITIES FOR LARGE-SCALE PILOT TESTS TO DEVELOP ALTERNATIVE METHODS FOR THE ERADICATION OF HAWAIIAN FRUIT FLIES

In order to conduct large scale pilot test of new eradication techniques an increase of $500,000/year for an estimated period of 4 years would be required. This estimate is based on the realization that eradication techniques must be developed for each of three species of fruit flies before a total fruit fly eradication effort can be undertaken in Hawaii. Construction of a temporary mass rearing building and rental of temporary office and laboratory space on islands encompassing the experimental areas would be needed. Scientific personnel would be assigned from other projects to conduct this research and existing vacancies in our staff would be filled.

The requirements for funds to support the proposed large scale pilot tests would be expended approximately as follows:

Construction of temporary rearing facilities for the Mediterranean fruit fly and melon fly	[1] $100,000
Rearing equipment and supplies to product 125 million flies/week	162,500
Specific baits and lures for the three species of fruit flies	114,000
Distribution of lures and sterile flies	63,500
Seasonal labor for sterile fly releases, air drop of lures, and trapping operations	60,000
Total	500,000

[1] After the first year these funds would be used to increase the production of flies and to expand all operations to the maximum level for the conduct of adequate pilot tests.

The above data is provided for information only and should not be considered as a request by this Service or the Department for additional funds not included in the President's 1971 budget.

RESEARCH REQUIREMENTS TO DEVELOP ALTERNATIVE METHODS FOR THE ERADICATION OF HAWAIIAN FRUIT FLIES

Statement of problem

ARS research on tropical fruit flies in Hawaii during the past 15 years has been aimed at producing biological and highly selective alternative methods for eradication of the oriental and Mediterranean fruit flies and the melon fly from Hawaii. A new eradication technique (male annihilation) was demonstrated to be effective in experimental eradication of the oriental fruit fly from Rota, Saipan, and Tinian in the Mariana Islands. This technique involves the use of a highly selective lure combined with a minute amount of a nonpersistent insecticide. Research on the use of sterile insect releases for the eradication of all three species has been promising. Many basic and applied phases of this research have been completed on a laboratory and small-plot scale. However, certain aspects of research on the sterility and the male annihilation techniques need further development. Large-scale pilot tests are necessary to perfect these two alternative methods for eradication of all three species under Hawaii conditions.

Because of the increasing speed and volume of interstate commerce of airline passenger and fresh produce between Hawaii and California, the threat of accidental introduction of these harmful insects into the mainland has intensified. The practice of selective inspection of baggage for fresh produce, while speeding inspection, has not proved wholly effective in stopping the movement of fruit flies to California. An incipient infestation of the oriental fruit fly was found in the El Monte area of Los Angeles County during the fall of 1969 that required regulatory and control action to eliminate the infestation.

A meeting held January 22, 1970, in Senator Inouye's office, attended by the entire Hawaii Congressional delegation and representatives of Regulatory, Control, and Research Divisions of Agricultural Research Service concluded that eradication of the three species of fruit flies from Hawaii is needed to eliminate the constant hazard of these flies being imported to the mainland. Establishment of the three species of fruit flies on the mainland would result in an estimated annual loss of $150 million to citrus, deciduous fruit, and vegetable crops.

The House of Representatives Fifth Legislature, 1970, State of Hawaii House Concurrent Resolution No. 24 requests action to provide assistance to the United States Department of Agriculture Fruit Fly Laboratory in Hawaii for the eradication of fruit flies in Hawaii.

Nature of research required

Based on present knowledge, methods, and experience in fruit fly eradication, it is believed that it would be possible to eradicate all three of the Hawaiian fruit fly species at a cost of $15–25 million. The procedure requires application of low volume formulations of insecticide combined with a protein bait. However, wide scale use of this technique, necessary for the success of such a program, would be objectionable. Not only would it be incompatible with biological control programs, but it probably would not have public acceptance because of the present public concern with respect to environmental hazards involving the extensive use of insecticides.

The goal of ARS research is to develop procedures that will either not require the use of chemical insecticides or will require a minimum use in an integrated program involving noninsecticidal methods. The male annihilation technique has reduced the cost of eradication of the oriental fruit fly by about 90%. The development of this technique for the melon fly or Mediterranean fruit fly would greatly reduce the cost of eradication of all three species. The development of the sterile insect release technique would provide an eradication method that is highly selective in action against fruit fly species and will not pollute the environment with hazardous insecticide residues that affect non-target organisms. The use of attractants and sterile insects simultaneous or in sequence may be more effective and practical than either method employed alone.

Staff and facilities needed

In order to conduct this research an increase of $500,000/year for 3–5 years is proposed. This estimate is based on the realization that eradication techniques must be developed for each of three species of fruit flies before a total fruit fly eradication effort can be undertaken in Hawaii. Facilities will be made available by reallocation of present space, constructing a temporary mass rearing building, and renting temporary office and laboratory space on islands encompassing the experimental areas. Scientific personnel will be assigned to conduct this research from other projects, or by filling existing vacancies on our staff.

SOIL AND WATER CONSERVATION IN MINNESOTA

Mr. MONDALE. Mr. President, I support H.R. 17923, the agriculture appropriations bill. I particularly commend the distinguished Senator from Florida (Mr. HOLLAND) and the other Senators for their actions regarding the agricultural conservation program, the Soil Conservation Service, and the rural electrification program.

Earlier in this session I spoke to the Senate on the value of retaining the ACP and funding REA. I am pleased that the committee has not eliminated the agricultural conservation program as suggested by the administration. Their action in increasing funds for rural electrification and rural telephone loans is also commendable.

Although I would have liked to see the committee stress the need for a continued rural development effort—and I have not given up on a concerted USDA effort in this area—the measure before us today offers a reasonable budget for rural America.

Mr. President, I wish to bring to the attention of Senators the good work in soil and water conservation which is going on in the State of Minnesota.

The efforts in conservation of soil, water, forests, and related resources have done much to improve the quality of the environment in my State.

Minnesota is blanketed by 90 soil and water conservation districts. They cover 49 million acres of land. Each district has a conservation program to fit its local problems. It uses a combination of local, State, and Federal services to put its own program into effect on individual farms and in communitywide projects.

Each district is self-governed. Each has authority to enter into working agreements with other governmental agencies and with private concerns to carry out its purposes.

Some 500 dedicated lay leaders in Minnesota are giving inspired and strong direction as the governing bodies of Minnesota's 90 soil and water conservation districts. Their primary source of assistance from the Federal Government is from the Soil Conservation Service and its dedicated corps of soil conservation scientists and technicians.

The Soil Conservation Service is furnishing assistance to the citizens of Minnesota through three primary sources:

First. Onsite technical assistance to individuals and groups in preparing and applying conservation plans for their land.

Second. The watershed protection and flood prevention authority under Public Law 566.

Third. The resource conservation and development projects authorized by the Food and Agriculture Act of 1962.

CONSERVATION PROTECTS YOUR ENVIRONMENT

The technically trained conservationist is the key to the effective assistance from the Soil Conservation Service. In Minnesota these conservationists are counseling 58,000 soil and water conservation district cooperators on land-use decisions, erosion control, water management, and other natural resource management problems. The foundation for technical advice is the scientific soil survey, prepared by soil scientists. They interpret the information for use by rural and urban landowners. The data is useful for such land uses as crop production, building sites, waste disposal, recreation, wildlife and land use planning and zoning.

A major benefit of conservation practices is pollution abatement. Conservation practices help improve the quality of man's environment.

Mud is the largest pollutant, by volume, of our streams, lakes, and harbors. Mud comes from erosion. It is the soil that washes from unprotected land. Improved tillage practices, terraces, trees, crop rotations, and grass on bare land and roadsides help keep soil at home. Pollution is reduced, and all water users benefit.

The Soil Conservation Service also helps towns, industries, and others to locate sites and install sewage lagoons, sanitary landfills, living screens of trees, and other measures to help eliminate ugliness and pollution.

WATERSHED PROJECTS CREATE MORE DESIRABLE COMMUNITIES

The Minnesota State Soil and Water Conservation Commission has received 66 applications for assistance under the Watershed Protection and Flood Prevention Act. Of these 24 have received planning authorization, 14 are approved for operations and four have been completed.

The estimated project installation cost for the 14 watersheds approved for operations includes $4 million Federal construction costs, $1.9 million local construction costs, a half million dollars technical assistance for land treatment, and $3.8 million local costs.

In those watersheds completed, landowners have indicated they are providing the protection from flooding and erosion that was projected at the time the watershed work plan was approved. When there are floods crops are destroyed, and fences, bridges, and highways swept away. Homes, schools, and factories are damaged. Communities in watershed projects are protected from flood damage because their surplus water is held back, then released at a controlled rate, by watershed structures.

To the basic watershed protection pattern of small watershed projects, features can be added for municipal water, recreation, wildlife, agricultural water, beautification, and other benefits that enhance the quality of living. Land which was once flooded is returned to food, forest, and wildlife production or developed for recreation use.

Land in a protected watershed rises in value, and so does the tax base. Conservation treatment of all land including the watershed lakes and stream channels cuts down soil erosion and results in less sediment and pollution from silt. Watershed ponds and lakes add new, clear water areas for farm and home and industrial uses, recreation, and fish and wildlife production.

RESOURCE CONSERVATION AND DEVELOPMENT

Residents of two areas in Minnesota are working together in resource conservation and development projects. Guidance and financial aid is furnished by the Soil Conservation Service and other agencies under authority of the Food and Agriculture Act of 1962.

Resource conservation and development goals are the conservation and balanced development of the natural resources of the area to create a better, safer place to live, more employment and increased income, and other benefits. All segments of the community—rural, urban and suburban—work together to improve the quality of the environment. Conservation projects increase opportunities for wholesome outdoor recreation.

The west central Minnesota resource conservation and development project includes Swift, Pope, Wadena, Kandiyohi, Otter Tail, Grant, Douglas, Stevens, and the Todd Soil and Water Conservation Districts. The Onanegozie project in east central Minnesota includes the Aitkins, Carlton, Kanabee, and Pine Soil Water Conservation Districts.

These two projects initially included 257 project measures. Fifty-five of these project measures have been completed and are in operation. This supplies 144 man-years of installation labor and 256 man-years of annual employment.

The gross annual income of measures already established is estimated at $1.6 million. The active project measures in the two resource conservation and development projects now in operation in Minnesota will provide an estimated 2,430 man-years of installation employment, 1,677 man-years of employment annually, with an increase of annual gross income of $36 million.

STATE AND LOCAL SUPPORT

In order to have a greater role in improving the quality of the environment, Minnesota Soil and Water Conservation Districts worked with the State legislature to update their enabling act and provide ways and means for districts to work with more people. This resulted in enabling legislation where the county boards of commissioners and soil and water conservation district boards can now enter into agreements for the sponsorship, application and maintenance of projects. It also provides for district boards to present a budget and receive up to $15,000 annually from the county commissioners to carry out their program.

The Minnesota Legislature also passed enabling legislation to provide county governing bodies with the power to develop zoning ordinances for flood plains and shorelines. It has become evident that guidelines for developing this type of ordinances need to be tied to soil survey and proper land use. They have called on Soil Conservation Service personnel for help.

RESEARCH

I must also add a comment about the research program of the North Central Soil Conservation Research Center at Morris, Minn.

This research program is continuing to meet a need for soil and water conservation research in an area encompassing parts of Minnesota, Iowa, North Dakota, and South Dakota. This is an area where major concern is now focused on agriculture's role in the maintenance of clean water. It is an area where fresh, cool, clear lakes are an important economic resource.

I have legislation pending now which would provide a massive national effort toward the restoration and preservation of our fresh water community lakes. My previous clean lakes legislation, now part of the Water Quality Improvement Act, focuses on the kind of research which is possible through such centers.

All of the research at the North Central Soil Conservation Research Center relates either directly or indirectly to environmental quality. The total effort is directed toward soil and water conservation.

The program includes water quality studies which will evaluate management practices in terms of their influence on nutrient levels of both surface and ground waters and will develop practices which will insure maximum efficiency in water use consistent with minimization of nutrient enrichment.

Irrigation research will develop principles of water application and fertilization that will minimize the contribution that fertilizer materials make to surface and ground water. Fragipan soils present problems with excessive surface water runoff and the danger of surface water enrichment from animal wastes and fertilizer.

IN SUMMARY

The control of pollutants from agriculture is inseparably related to soil and water conservation. The only receptacles for the growing quantities of unwanted materials which foul the environment are soil, water, and air.

The Soil Conservation Service is increasingly emphasizing sediment control, measures that contribute to pollution abatement, and the prevention of offsite damages that affect streams and urban areas. Wind erosion control, terracing, contour plowing, streambank protection, reservoirs, ponds and control of critically erodible areas are examples of conservation work which have a significant effect in reducing pollutants.

The Soil Conservation Service is now in a position to contribute many kinds of basic technical information about natural resources and improving the quality of the environment. It provides technical help to landowners and communities in solving resource problems. It provides assistance in achieving more positive aims such as new recreation, new job opportunities, more pleasant scenery, and more wildlife to enjoy.

So I suggest to my colleagues this. If we are really serious about improving the quality of the environment, and if we are really serious about attacking pollution in this country, then we should strengthen substantially the Federal appropriations for the Soil Conservation Service.

The bill before us provides much of this effort.

Mr. President, to further explain the extent of SCS activities in Minnesota, I ask unanimous consent that a breakdown of the program by counties and program payments, be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SOIL CONSERVATION SERVICE PROGRAM PAYMENTS TO MINNESOTA COUNTIES, FISCAL YEAR 1969

County	Conservation technical assistance	Soil surveys	River basin surveys and investigations	Watershed planning	Watershed works of improvement	Watershed protection	Resource conservation and development	Emergency conservation measures	Soil Conservation Service programs, fiscal year 1969 total
Aitkin	$17,922						$1,489		$19,411
Anoka	8,794				$437,667				446,461
Becker	24,100		$61						24,161
Beltrami	19,713		90						19,803
Benton	19,623								19,623
Big Stone	21,655		73				4		21,742
Blue Earth	19,809			$134	123				20,066
Brown	17,530			208					17,738
Carlton	16,412	$20,120	93				3,207		39,832
Carver	19,468								19,468
Cass	10,687								10,687
Chippewa	18,045								18,045
Chisago	12,760	49							12,809
Clay	21,492								21,492
Clearwater	9,997		46						10,043
Cook									
Cottonwood	20,101			305					20,406
Crow Wing	12,374						46		12,420
Dakota	18,729								18,729
Dodge	10,049								10,049
Douglas	21,660	23,884	45				4		45,593
Faribault	14,668								14,668
Fillmore	33,469				547				34,016
Freeborn	41,292	14,883						$1,713	57,888
Goodhue	30,843								30,843
Grant	15,579		17				11		15,607
Hennepin	22,589	33,037							55,626
Houston	29,544		13	1,366	352,082				383,005
Hubbard									
Isanti	12,255								12,255
Itasca	27,771	8,017	114				1,164		37,066
Jackson	21,159								21,159
Kanabec	18,508	75					3,270		21,853
Kandiyohi	22,531						16,103		38,634
Kittson	28,661		169		45,775				74,605
Koochiching	631								631
Lac qui Parle	17,431								17,431
Lake									
Lake of the Woods	9,730								9,730
Le Sueur	20,851				12				20,863
Lincoln	21,553				709				22,262
Lyon	80,429	13,610		841	13,572				108,452
McLeod	17,557								17,557
Mahnomen	10,675		19						10,694
Marshall	31,303		142		5,885				37,330
Martin	18,301								18,301
Meeker	16,544								16,544
Mille Lacs	11,472								11,472
Morrison	23,882	33							23,915
Mower	22,084								22,084
Murray	14,690								14,690
Nicollet	91,281	30,418		940	11,519				134,158
Nobles	23,892	14,458			78,643				116,993
Norman	30,226	10	42						30,278
Olmsted	95,048	19,087		10,361	7,658				132,154
Otter Tail	98,221	12,797	97				43,485		154,570
Pennington	74,048	34,402	189	503	20,912				130,054
Pine	18,044						34,002		52,046
Pipestone	15,962	17							15,979
Polk	41,100		169	240					41,509
Pope	17,055						7,521		24,576
Ramsey	301,581	72,810	28,831	106,780	50,039		48,715		608,756
Red Lake	9,182		31						9,213

SOIL CONSERVATION SERVICE PROGRAM PAYMENTS TO MINNESOTA COUNTIES, FISCAL YEAR 1969—Continued

County	Conservation technical assistance	Soil surveys	River basin surveys and investigations	Watershed planning	Watershed works of improvement	Watershed protection	Resource conservation and development	Emergency conservation measures	Soil Conservation Service programs, fiscal year 1969 tota
Redwood									
Renville	$14,864								$14,864
Rice	18,794								18,794
Rock	21,623								21,623
Roseau	22,082		$104		$7				22,193
St. Louis	73,284	$11,612	131				$7,136		92,163
Scott	18,248								18,248
Sherburne	2,414	17							2,431
Sibley	21,518								21,518
Stearns	93,012	31,042			227		1,107		125,388
Steele	30,314	13,240			1,800			$970	46,324
Stevens	20,295						6		20,301
Swift	20,075	235					60,512		80,822
Todd	20,590								20,590
Traverse	18,460	6	48						18,514
Wabasha	23,510				232				23,742
Wadena	12,669						22,963		35,632
Waseca	27,577				39,852			6,374	73,803
Washington	20,763	547							21,310
Watonwan	19,698			$297					19,995
Wilkin	15,715		92						15,807
Winona	24,193				194				24,387
Wright	22,404								22,404
Yellow Medicine	18,624			2,124			144		20,892
State total	2,373,288	354,406	30,586	124,099	1,067,455		250,889	9,057	4,209,780

Source: Federal outlays in Minnesota, fiscal year 1969, compiled for the Executive Office of the President by the Office of Economic Opportunity, 1969.

LIMIT PAYMENTS TO WEALTHY FARM CORPORATIONS

Mr. McINTYRE. Mr. President, I will vote for the agricultural appropriations bill because the need for funding the many, varied and important functions of the Agriculture Department is clear and continuing.

I supported the amendment to limit payments under the price support program because I believe such limitations are important.

I am a cosponsor of the amendment, S. 3068, introduced by the distinguished Senator from Indiana (Mr. BAYH), which would provide such limitations at $10,000 per individual producer of cotton, wheat, and feed grains.

I have been told by agricultural economists in this area that the $20,000 limitation we have adopted will save as much as $150 million a year, and we all know there are plenty of places where that $150 million could be put to better use than fattening the pocketbooks of the country's biggest and wealthiest farmers and farm corporations. The need is to assist the small producer, not the big producers.

I recognize that the basic purpose of farm subsidies is to compensate producers for limiting production. Unlimited production, most of us appreciate, would produce a glut which would, in turn, destroy the entire farm economy.

But I have said on many occasions that I do not believe the bulk of farm subsidies should wind up in the bank accounts of just the major producers. And this is becoming more and more the pattern.

In the single year from 1968 to 1969 the number of producers getting farm payments of $25,000 or more for all crops increased by 30 percent. And the increase since 1966 has been at least 60 percent.

Unless we impose limitations this trend can only accelerate. The big producers collect most of the farm payments. Compensated so generously, they are then able to buy out smaller producers and collect even larger subsidies on even larger acreage.

This is an unfair, economically wasteful and discriminating cycle that can only be broken by imposing equitable payment limitations.

I am convinced, Mr. President, that we can achieve the same production restraint under payment limitations as we do without limitations. If this is true, and I am certain it is, then there is absolutely no justification for continuing to give more to the "haves" than to the "have-nots."

LIMITATION OF AGRICULTURAL PAYMENTS

Mr. BAYH. Mr. President, as we consider today the agricultural appropriations bill, the enormous amounts proposed to fund the farm subsidy program highlight once again the need for a limitation on the payments which can be made to any one farmer.

On May 5 of this year I introduced an amendment to the coalition farm bill, S. 3068, which would establish a $10,000 per program limitation. The Senator from New York (Mr. GOODELL) and eight other Senators joined me in this effort.

As I noted at that time, this amendment was motivated by the desire to reorder our national priorities—to trim the "fat" from the President's budget in order to free funds for vitally needed human resource programs. I believed then and I believe now, that a portion of the farm subsidy program could be trimmed without jeopardizing the true goals of a rational farm policy.

On June 4, 1969, in testimony before the Senate Appropriations Committee, Secretary Hardin estimated that 65 percent of the cotton payments, 40 percent of the wheat payments, and 11 percent of the feed grains payments represented income supplements rather than payments for actual acreage diversion. These estimates indicate that a large portion of the funds expended under this program do not contribute to the reduction of crop surpluses. Instead, these funds are utilized to supplement the incomes of farm producers.

Mr. President, I would not strongly object to supplementing the incomes of small- and medium-sized farms if in fact there is a need to do so and if supplementary payments rather than surplus reduction was the expressed aim of the program. In reality, however, a large portion of these income supplement payments are not made to small- or medium-sized producers but to large farm corporations, banks, and even State prisons and governments. This should not be allowed to continue.

Mr. President, the enactment of our amendment as part of the basic authorizing legislation would do much to end what the Senator from New York (Mr. GOODELL) has termed a "national scandal." I am pleased that the Senate agreed to amend the agricultural appropriations bill so that no single producer could receive more than $20,000 in subsidy benefits. While this should prove helpful during this fiscal year, it is still my intention, at the appropriate time, to press vigorously for the incorporation of this amendment in the permanent enabling legislation.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 759

Mr. GOODELL. Mr. President, I call up my amendment No. 759.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from New York (Mr. GOODELL) proposes amendments (No. 759) as follows:

On page 32, line 11, strike out "$83,000,000" and insert the following: "$355,000,000".

On page 33, line 2, strike out "$60,000,000" and insert the following: "$100,000,000".

The PRESIDING OFFICER. Does the Senator ask that his amendments be considered en bloc?

Mr. GOODELL. Yes.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc. The Senate will be in order.

Mr. GOODELL. Mr. President, this amendment would provide $100 million in development and planning grants and

$350 million in direct loans for the Farmers Home Administration rural water and sewer facilities program.

In effect, this amendment is a companion to the amendment that I offered yesterday, which was passed by the Senate. That amendment to the fiscal 1971 HUD appropriations bill provided an additional $300 million for the Department's water and sewer program, which generally services communities with populations of 5,500 or more.

The amendment we are considering now would provide vitally needed funds for the same program in FHA which assists smaller communities—those with a 5,500 population or less.

Yesterday, we discussed the critical need for water and sewer systems in cities and towns. The same urgent need exists in our Nation's rural areas.

These communities want to move ahead with their environmental protection programs. They want to install the systems to insure that clean drinking water will be available to the community. They want to clean up the rivers, lakes, and streams so that they can be used for recreational purposes. They want to install adequate antipollution systems to protect themselves and other communities from contamination.

In addition, such systems are an integral part of the economic development of these rural communities. They want to attract industry and commercial development; to keep the young from migrating to the city; to insure a future of economic and social growth for themselves.

These communities, however, cannot initiate or sustain growth if they cannot provide basic community facilities such as water and sewer systems. Industries must be assured that the communities have the capacity to meet a growing demand for increased services. Homeowners must have the same assurance if the community is to appear as an attractive place to live.

Without adequate water and sewer facilities rural areas cannot provide this assurance. They cannot attract growth and development so vital to a prospering community.

Yesterday, I mentioned a small village in New York State that has been experiencing a difficult time in an effort to obtain funds for rural water and sewer facilities.

I believe this village is similar to many others in this country. It has a population of approximately 2,300. In an effort to expand, the village has made efforts to attract industry to the area. It has designated industrial sites for this purpose and industry has responded to those overtures to locate within the community.

Now, however, that potential growth the community worked so hard for is fast slipping away. They have applied since 1966 for water and sewer facilities funds which they have never received. For 4 years, their applications have been delayed or rejected because of funding limitations. As a result, the community cannot proceed with its plans to construct adequate water and sewer facilities. Consequently, the industry in the area is threatening to leave, taking with it the community's hopes of prosperity.

This situation is repeated countless times by other communities in this country.

In December of 1969, the Farmers Home Administration conducted a survey to show the need for water and sewer systems in rural areas of our Nation.

The survey reveals that a total of over $11 billion will be required to improve and/or provide adequate water and sewer systems in our rural areas. These costs threaten to increase because they are estimated on the basis of the 1969 dollar. Experience in New York State over the past 4 years indicates that the costs for construction of sewer systems alone has risen at the rate of 12 percent a year, and that this cost rise is continuing.

In June, I wrote to my colleagues in this body and in the House advising them of the results of the survey. At this point I ask unanimous consent to have that letter printed in the RECORD, along with the summary of the national need for rural water and sewer systems.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., June 29, 1970.

DEAR COLLEAGUE: I am writing to tell you of a survey that dramatically shows the need for water and sewer systems in rural areas of our nation. In December 1969 the Farmers Home Administration conducted a survey of all communities with populations of 5500 or less, and the results of this survey have now been tabulated by State and Congressional District.

The survey reveals that a total of $11,283,280,000 will be required to improve and/or provide adequate water and sewer systems in our rural areas. These costs are estimated on the basis of the 1969 dollar; however, experience in New York State over the past four years indicates that the costs for construction of sewer systems alone has risen at the rate of 12 percent a year, and that this cost rise is continuing. Attached is a summary of the total national need.

Attached for your information is a copy of the printout of this survey for your State, which shows the total need by Congressional District. For specific information with regard to the names of the villages I would suggest that you contact your local State Director of the Farmers Home Administration.

My thought is that it would be useful to you to have this information when Congress considers authorizations and appropriations for this program.

Sincerely,

CHARLES E. GOODELL.

TOTALS FOR NATIONAL REQUIREMENTS—RURAL WATER AND SEWER SYSTEMS (COMMUNITIES OF 5,500 POPULATION OR LESS)

	Communities	Households	Commercial establishments
I. WATER SYSTEMS			
A. With water systems	$14,267	$5,636,764	$420,641
With adequate systems		387,418	15,630
Without adequate systems		5,249,346	405,011
Cost of improvement			1,716,439,000
B. Without water systems	17,476	2,181,268	
Number of systems needed	13,517		
No water	5,801		
Water bad	4,527		
Costs excessive	2,139		
Need central treatment	1,050		
Cost of systems			2,445,074,000
II. SEWER SYSTEMS			
A. With sewer systems	6,823	3,738,463	314,140
With adequate systems		299,467	15,858
Without adequate systems		3,438,996	298,282
Cost of improvement			1,476,545,000
B. Without sewer systems	23,356	3,731,327	
Number of systems needed	16,985		
Below health regulations	13,209		
Need central treatment	3,776		
Cost of systems			5,645,222,000
Total costs to improve and/or provide adequate water and sewer systems			11,283,280,000

SUMMARY OF TOTAL NEEDS REQUIRED TO PROVIDE ADEQUATE WATER AND SEWER SYSTEMS IN COMMUNITIES WITH 5,500 POPULATION OR LESS

Households.—Over 7 million households are served by inadequate or no systems. Only a few more than 300,000 are served by adequate systems.

Commercial establishments.—Fewer than 16,000 are served with adequate systems. About 400,000 are served with inadequate systems.

Costs (to provide adequate systems):

Water systems	$4,161,513,000
Sewer systems	7,121,767,000
Total need	11,283,280,000

Ability of communities to pay for systems.—Less than 1% of households have annual incomes of more than $10,000; 42% of households have annual incomes of less than $5,000; 69% of households have annual incomes of less than $7,000.

Water systems

Total number of communities	31,743
With systems	14,267
Without systems	17,476
Households within the communities	7,818,032
With adequate systems	387,418
With inadequate systems	4,291,946
Cost to extend and/or improve 11,028 existing systems	$1,716,439,000
Without systems	3,138,668
Cost to provide 13,517 systems (to serve one or more communities)	$2,445,074,000
Total cost	$4,161,513,000
Income categories of above households:	
$3,000 or less	1,594,697
$3,001 to $5,000	1,809,393
$5,001 to $7,000	2,105,063
$7,001 to $10,000	1,368,664
$10,001 and over	656,905
Unknown	283,310
Total	7,818,032
Commercial establishments in communities with water systems: [1]	
Number served with adequate systems	15,630
Number served with inadequate systems	368,626
Number not served	36,385
Total	420,641

[1] There are no figures on commercial establishments in communities that have no water systems.

Sewer systems

With systems	6,823
Without systems	23,356
Total number of communities	30,179
Households within the above communities	7,469,790
With adequate systems	299,467
With inadequate systems	2,616,943
Cost to extend and/or improve 4,950 existing systems	$1,476,545,000
Without systems	4,553,380
Cost to provide 16,986 systems (to serve 1 or more communities)	$5,645,222,000
Total cost	$7,121,767,000
Income categories of above households:	
$3,000 or less	1,448,366
$3,001 to $5,000	1,627,445
$5,001 to $7,000	1,948,230
$7,001 to $10,000	1,282,262
$10,000 and over	619,474
Unknown	544,013
Total	7,469,790
Commercial establishments with sewer systems: [1]	
Number served with adequate systems	15,858
Number served with inadequate systems	262,001
Number not served	36,281
Total	314,140

[1] There are no figures on commercial establishments in communities that have no sewer systems.

Total needs by State to improve or provide adequate water and sewer systems in communities of 5,500 population or less

Alabama	$148,333,000
Alaska	94,750,000
Arizona	41,705,000
Arkansas	203,619,000
California	259,459,000
Colorado	113,851,000
Connecticut	153,464,000
Delaware	61,630,000
Florida	331,787,000
Georgia	326,410,000
Hawaii	44,280,000
Idaho	52,097,000
Illinois	270,825,000
Indiana	446,953,000
Iowa	184,707,000
Kansas	78,028,000
Kentucky	506,086,000
Louisiana	293,788,000
Maine	111,501,000
Maryland	281,128,000
Massachusetts	225,213,000
Michigan	412,148,000
Minnesota	108,044,000
Mississippi	675,468,000
Missouri	290,011,000
Montana	25,385,000
Nebraska	48,112,000
Nevada	9,384,000
New Hampshire	95,636,000
New Jersey	335,060,000
New Mexico	31,318,000
New York	606,741,000
North Carolina	285,870,000
North Dakota	32,968,000
Ohio	354,667,000
Oklahoma	70,468,000
Oregon	135,998,000
Pennsylvania	526,374,000
Rhode Island	22,800,000
South Carolina	212,799,000
South Dakota	28,815,000
Tennessee	244,113,000
Texas	857,277,000
Utah	62,860,000
Vermont	60,453,000
Virginia	289,101,000
Washington	222,614,000
West Virginia	460,372,000
Wisconsin	232,446,000
Wyoming	10,898,000
Puerto Rico	301,177,000
Virgin Islands	4,289,000
National total	11,283,280,000

IN ORDER OF NEED BY STATE

1. Texas	857,277,000
2. Mississippi	675,468,000
3. New York	606,741,000
4. Pennsylvania	526,374,000
5. Kentucky	506,086,000
6. West Virginia	460,372,000
7. Indiana	446,953,000
8. Michigan	412,148,000
9. Ohio	354,667,000
10. New Jersey	335,060,000
11. Florida	331,787,000
12. Georgia	326,410,000
13. Puerto Rico	301,177,000
14. Louisiana	293,788,000
15. Missouri	290,011,000
16. Virginia	289,101,000
17. North Carolina	285,870,000
18. Maryland	281,128,000
19. Illinois	270,825,000
20. California	259,459,000
21. Tennessee	244,113,000
22. Wisconsin	232,446,000
23. Massachusetts	225,213,000
24. Washington	222,614,000
25. South Carolina	212,799,000
26. Arkansas	203,619,000
27. Iowa	184,707,000
28. Connecticut	153,464,000
29. Alabama	148,333,000
30. Oregon	135,998,000
31. Colorado	$113,851,000
32. Maine	111,501,000
33. Minnesota	108,044,000
34. Alaska	94,750,000
35. New Hampshire	95,636,000
36. Kansas	78,028,000
37. Oklahoma	70,468,000
38. Utah	62,860,000
39. Delaware	61,630,000
40. Vermont	60,453,000
41. Idaho	52,097,000
42. Nebraska	48,112,000
43. Hawaii	44,280,000
44. Arizona	41,705,000
45. North Dakota	32,968,000
46. New Mexico	31,318,000
47. South Dakota	28,815,000
48. Montana	25,385,000
49. Rhode Island	22,800,000
50. Wyoming	10,898,000
51. Nevada	9,384,000
52. Virgin Islands	4,289,000
National need	11,283,280,000

Mr. GOODELL. In my home State of New York, 692 rural communities need water systems and 1,048 need sewer systems. These are communities without any systems at all. Inadequate water systems serve 225,000 households and 14,000 commercial establishments. Inadequate sewer systems are all that 122,000 households and 6,500 commercial establishments can depend upon.

In relation to the needs of other States, Texas ranks first, followed by Mississippi and New York. The FHA survey reveals that the State of Texas requires roughly $857 million, Mississippi, $675.5 million and New York $607 million to meet rural water and sewer needs.

The FHA has faced extremely severe financing problems under its rural water and sewer program. In the last fiscal year Congress appropriated $46 million for development and planning grants and $74 million for direct loans. Even at this low level of funding the Bureau of the Budget froze $18 million of the development grants, $10 million in direct loans, $30 million in insured loan authority. In a March 16 letter, I appealed to the President to release the additional grant funds and on April 23, Secretary of Agriculture Clifford Hardin announced the use of the full $46 million in fiscal 1970. Many of my colleagues joined me in this effort and we were able to assist approximately 250 rural communities move another step closer to the construction of adequate water and sewer facilities. A similar appeal was made on May 20 for the release of $40 million—$10 million in direct water and sewer loans—$30 million in insured loan authority. Unfortunately, the administration denied this request.

At this point, I ask that my first and second letter to the President and the Bureau of the Budget response be included in the RECORD. I also ask that a letter, sent to my colleagues, urging them to support my attempt to release funds be included along with a State-by-State breakdown of backlogged FHA applications for rural water and sewer construction.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., March 16, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am taking the liberty of bringing to your personal attention a matter of great concern to many small villages in rural areas of our Nation.

In your State of the Union Message you stated that sewage treatment plants would be built "in every place in America where they are needed." In this regard I am writing to appeal to you to release the additional $18 million appropriated by Congress for the current fiscal year for rural water and waste disposal by small communities. These funds, along with the $24 million which you have already released to the Farmers Home Administration (FHA) will enable the FHA to assist small rural communities in developing these water or sewer systems.

Many village sewer systems are being constructed with the aid of other Federal programs, administered by the Appalachian Regional Commission and the Departments of Interior and Agriculture. Unless the additional $18 million in grant funds is released, these villages may be unable to use the systems they have constructed or have had approved for construction.

Small villages are simply unable to finance the construction of the sewage trunk lines from their homes to the main trunk lines. Without these collection lines, their entire sewage systems will lie unused. A number of small villages have received assurances (some as long as two and three years ago) from the Farmers Home Administration that their collection systems had been approved for funding; however, because of the shortage of Federal funds, actual disbursements to the villages have not been made. Therefore, a community that is prepared to begin construction now cannot do so until these additional funds have been released.

There are approximately 375 communities in New York State that have a population of 5500 or less. Nearly 300 of these communities cannot construct their sewage systems until they receive grant assistance from the Farmers Home Administration.

In addition, a recent House Appropriations Committee report indicates that as of two years ago about 1500 rural counties in the Nation will require Farmers Home Administration grant assistance to finance the preparation of comprehensive water and sewer plans. These plans must be completed prior to October 1, 1971, pursuant to Public Law 89–240, for the area to be eligible for development grant assistance. The communities need an average of eighteen months to complete a plan; therefore, if they are to meet the October 1, 1971 deadline, a substantial number of the plans must be started in the current fiscal year.

I was very pleased with the recent news that you would release the additional $586 million appropriated by the Congress for construction of sewage treatment plants to the Department of Interior, for a total of $800 million in Fiscal Year 1970. The $18 million additional which I am requesting you to release today to the Farmers Home Administration will provide our small rural areas with trunk lines—a vital link without which their systems cannot function.

Respectfully yours,
CHARLES E. GOODELL.

U.S. SENATE,
Washington, D.C., May 20, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On March 16 I addressed an appeal to you for the release of additional grant funds appropriated by Congress for Fiscal Year 1970 for development of rural water and waste disposal facilities by small communities with populations of 5500 or less. As a result of this appeal, Secretary of Agriculture Clifford M. Hardin announced on April 23 that funds available for this program had been increased and that the Bureau of the Budget had authorized the use of the full $42 million for development and $4 million for planning that had been appropriated by Congress for Fiscal Year 1970.

I was very gratified by this action. By enabling the Farmers Home Administration to approve prior to June 30 an additional 250 rural community water and sewer system projects, we have moved another important step forward in reversing the dangerous deterioration of our environment.

However helpful the release of these grant funds has been, the effectiveness of the program cannot be fully realized until the Bureau of the Budget releases $40 million authorized for sewer and water loans. These loans are an essential component of the ability of the communities to fulfill their own financial obligations and to move ahead rapidly with their anti-pollution programs. With very few exceptions, they cannot do so without loans directly from or insured by the Federal Government.

On April 15, 1969, in House Document 91–100, you recommended the following with respect to the rural water and waste disposal program of the Farmers Home Administration for Fiscal Year 1970:

1. *Grants for planning and development:* Reduce to $28 million.

(Congress appropriated $42 million for development and $4 million for planning, and these funds have been made available.)

2. *Loans (direct and insured) for sewer and water:*

Direct Loans: Decrease the amount available for loans to public bodies from $74 million to $64 million.

(Congress appropriated $74 million; however, $10 million is presently held in budgetary reserve.)

Insured Loans: The above proposal to decrease direct loans contemplated "enactment of pending legislation which would increase insured sewer and water loans to public bodies from $110,000,000 to $355,000,000 for fiscal year 1970."

(The legislation was not enacted. Also, it was implicit in your April 15, 1969 communication that there would continue to be authority to insure at least $110 million in loans. However, the budget which you submitted early this year reflects that loan insurance authority has been reduced by $30 million.)

Your budget for Fiscal Year 1970 indicated that a proper ratio between grants and loans should be approximately 1 to 6; i.e., $24 million for development grants vis $144 million in loans ($64 million direct and $80 million insured.)

However, the increased allocation of $18 million for development grants had changed the grant/loan ratio for Fiscal Year 1970 to approximately 1 to 3.43; i.e., $42 million for development grants vis $144 million for loans.

To provide an additional $40 million in loans would bring the ratio to only 1 to 4.38; i.e., $42 million for development grants vis $184 million for loans ($74 million direct and $110 million insured.)

Indeed, the ratio you have proposed for Fiscal Year 1971 is 1 to 5.3; i.e., $20 million for development grants vis $126 million for loans ($40 million direct and $86 million insured.)

Mr. President, I strongly urge that the $10 million appropriated for direct loans be released from budgetary reserve, and that the Farmers Home Administration authority to insure sewer and water loans be restored to $110 million. Such action will permit 250 small communities throughout the Nation to proceed with fully financed programs before the end of Fiscal Year 1970.

The need for a favorable decision is most urgent. The Farmers Home Administration has on hand at this time more than 2,000 loan requests requiring approximately $480 million, and nearly 600 grant requests requiring $50 million. In addition the Agency has returned more than 3,500 requests and 2,400 grant requests because of insufficient funds. The communities are still in need of assistance; the applications returned would require approximately $700 million in loan funds and $300 million in grant funds.

I am assured that the Farmers Home Administration could easily administer a $400 million program annually to assist approximately 2,000 water and waste disposal projects. At this level of funding, approximately four years would be required to fund the applications now on hand and those that have been returned because of insufficient funds.

Respectfully yours,
CHARLES E. GOODELL.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 16, 1970.

Hon. CHARLES E. GOODELL,
Washington, D.C.

DEAR SENATOR GOODELL: This is in response to your letter of May 20, 1970, to the President concerning the sewer and water program of the Farmers Home Administration.

As you are aware, I am sure, President Nixon's budgets for fiscal years 1970 and 1971 were prepared in an economic atmosphere which demanded an antiflationary fiscal policy. Consequently, it was necessary to reduce this loan program from the levels proposed over a year ago in the FY 1970 column of the 1970 budget to the levels shown in the FY 1970 column of the 1971 budget.

Stringency for FY 1970 was also caused by the total budget outlay limitation established by the Revenue and Expenditure Control Act of 1970. You will recall that the amount specified in the overall limitation on outlays was less than the sum of outlays which stem from individually enacted appropriations and other legislation for FY 1970. Therefore, the President had no alternative but to direct that sufficient reductions be made in 1970 controllable programs to bring our then-current estimate of total spending within the outlay limitation. The reduction in the 1970 sewer and water loan program from the level authorized by the Congress was effected as part of this effort.

The proposed revised limitation on fiscal year 1970 outlays currently pending in the Congress, if enacted will still require that the President exercise stringent budgetary controls for the remainder of the current fiscal year. A similar budget outlay limitation for FY 1971 is also being considered by the Congress which, if enacted, would cause equally difficult administrative problems and require firm control of funds being obligated in 1970 as well as 1971.

We were advised by staff of the Department of Agriculture at the time of release of the additional $18 million of sewer and water grant funds that the added grant funds could be effectively utilized with the present sewer and water loan levels for FY 1970. Consequently, for the reasons cited above, we do not believe that it is possible at this time to relase additional loan funds for this purpose during FY 1970.

The administration is quite hopeful of receiving favorable consideration of legislation currently pending before the Congress which would enable FHA to make insured loans to tax exempt public bodies and subsequently sell such loans to private investors as taxable securities. Enactment of this legislation could permit a significant increase in the sewer and water insured loan level for FY 1971 because of the reduced budget impact of such loans as compared with direct loans to public bodies for this purpose.

Thank you for your views on this matter. I regret that I am unable to give a more favorable response at this time.

Sincerely,

Robert P. Mayo,
Director.

U.S. Senate,
Washington, D.C., May 20, 1970.

Dear Colleague: Many of you recently joined me in an appeal to the President that he release additional grant funds for water and waste disposal systems in small villages with populations of 5500 or less.

Your support of this appeal was most gratifying. On April 23 the Secretary of Agriculture announced that the Bureau of the Budget had authorized the use of the full $42 million for development and $4 million for planning that had been appropriated by Congress for Fiscal Year 1970. 250 additional communities in the nation will be assisted because of this action.

However, release of these grant funds was not accompanied by a provision for additional loan funds for these communities. Direct or insured loans are an essential component of their programs.

I have therefore written again to the President to request that authority for $40 million in direct and insured loans be released from budgetary reserve. A copy of my letter is attached.

I urge you to join me in this new appeal to the President.

Sincerely,

Charles E. Goodell.

APPLICATIONS RETURNED BECAUSE OF INSUFFICIENT FUNDS (THROUGH DEC. 31, 1969)

State	Loans						Grants					
	Water		Sewer		Total		Water		Sewer		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Alabama	67	$13,369,500	9	$1,964,000	76	$15,333,500	46	$3,503,840	8	$776,100	54	$4,297,940
Arizona												
Arkansas	121	19,446,940	66	9,830,850	187	29,277,790	79	6,599,940	52	3,978,800	131	10,578,740
California	24	5,817,200	11	2,692,211	35	8,509,411	9	1,742,200	6	1,136,311	15	2,878,511
Colorado	38	5,937,000	37	4,342,000	75	10,279,000	18	747,000	26	1,395,000	44	2,142,000
Florida	8	1,500,000	5	1,250,000	13	2,750,000	9	1,060,000	6	1,100,000	15	2,160,000
Georgia	56	9,750,000	20	4,424,200	76	14,174,500	48	2,395,350	19	2,473,000	67	4,868,350
Idaho	7	2,151,350	8	676,290	15	2,827,640	2	210,550	5	370,860	7	581,410
Illinois	95	13,132,000	100	18,502,000	195	31,634,000	57	5,134,000	79	10,059,000	136	15,193,000
Indiana	44	7,815,247	89	18,107,938	133	25,923,185	10	1,083,000	43	4,023,000	53	5,106,000
Iowa	93	11,270,775	128	18,759,036	221	30,029,811	74	4,039,700	121	8,294,389	195	12,334,089
Kansas	126	24,987,745	129	5,039,110	155	30,026,855	52	5,241,570	27	2,088,590	79	7,330,160
Kentucky	86	24,410,300	11	2,834,500	97	27,244,800	15	2,388,000	9	1,545,600	24	3,933,600
Louisiana	84	13,323,182	17	3,402,182	101	16,725,364	10	1,372,500	21	2,637,300	31	4,009,800
Michigan	34	8,775,000	103	35,771,300	137	44,546,300	28	5,066,000	96	17,213,000	124	22,279,000
Minnesota	16	825,000	38	5,695,000	54	6,520,000	12	650,000	30	3,457,060	42	4,107,000
Mississippi	299	59,282,230	26	5,590,500	325	64,872,730	93	9,709,564	21	2,677,384	114	12,386,948
Missouri	152	32,465,990	85	13,415,356	237	45,881,346	81	7,259,375	64	5,449,465	145	12,708,840
Montana	1	150,000	8	1,138,041	9	1,288,041	2	230,000	5	402,211	7	632,211
Nebraska	5	506,000	11	442,305	16	948,305	4	134,130	11	259,330	15	393,460
New England	8	756,500	11	2,171,750	19	2,928,250	10	1,021,500	21	3,782,470	31	4,803,970
New Jersey	12	2,168,500	18	7,347,000	30	9,515,500	9	824,448	21	9,649,000	30	10,473,448
New Mexico												
New York	96	14,632,515	102	35,612,656	198	50,245,171	96	11,980,295	103	26,370,832	199	38,351,127
North Carolina	28	6,772,435	15	1,984,470	43	8,756,905	17	1,789,255	15	1,331,830	32	3,121,085
North Dakota	13	2,135,000	25	3,978,440	38	6,113,440	7	398,000	24	1,504,820	31	1,902,820
Ohio	25	4,215,710	31	6,171,702	56	10,387,412	14	2,203,360	20	3,814,302	34	6,017,662
Oklahoma	12	1,773,275	5	603,650	17	2,376,925	4	348,000	3	328,850	7	676,850
Oregon	20	4,336,500	12	1,942,500	32	6,279,000	9	820,250	7	592,250	16	1,412,500
Pennsylvania	92	20,758,675	143	35,253,055	235	56,011,730	60	8,946,975	125	19,106,540	185	28,053,515
Puerto Rico	6	1,200,000	1	200,000	7	1,400,000	6	480,000	1	80,000	7	560,000
South Carolina	16	4,776,231	10	2,915,201	26	7,691,432	8	1,091,904	6	1,002,186	14	2,094,090
South Dakota	5	2,891,640	14	1,211,880	19	4,103,520	6	480,000	16	720,080	22	1,200,080
Tennessee	82	17,074,165	15	2,650,683	97	19,724,848	44	4,530,922	16	2,384,731	60	6,915,653
Texas	152	29,358,760	63	7,370,210	215	36,728,970	82	7,670,040	63	3,882,480	145	11,552,520
Utah	2	400,000	4	800,000	6	1,200,000	2	1,600,000	2	160,000	4	320,000
Virginia	53	8,977,030	46	10,914,060	99	19,891,090	50	5,129,500	41	5,649,030	91	10,778,530
Washington	18	2,857,900	17	2,511,700	35	5,369,600	9	600,700	13	937,400	22	1,538,100
West Virginia	78	12,012,032	26	6,255,700	104	18,267,732	70	6,940,944	24	3,300,394	94	10,241,338
Wisconsin	39	4,506,000	49	6,999,300	88	11,505,300	35	2,964,600	49	5,050,950	84	8,015,550
Wyoming	2	284,200	2	209,200	4	493,400	2	164,200	1	9,200	3	173,400
Total	2,115	396,802,827	1,411	291,179,976	3,526	687,982,803	1,189	117,111,612	1,220	158,993,685	2,409	276,105,297

WATER AND WASTE DISPOSAL GRANTS IN PROCESS (BACKLOG OF APPLICATIONS ON HAND)

State	Applications on hand	Amount required to fund
Alabama	46	$3,189,370
Arizona	5	265,000
Arkansas	24	1,920,000
California [1]	14	1,120,000
Hawaii		
Nevada	5	400,000
Colorado	5	400,000
Florida	15	1,226,700
Georgia	14	1,552,000
Idaho	4	280,000
Illinois	14	1,016,000
Indiana	7	830,000
Iowa	13	598,000
Kansas	9	424,680
Kentucky	8	1,211,000
Louisiana	7	670,000
Maine [1]	8	1,344,000
Connecticut	1	168,000
Massachusetts	5	840,000
New Hampshire	5	840,000
Rhode Island		
Vermont	6	1,080,000
Michigan	20	2,740,000
Minnesota	14	898,700
Mississippi	32	970,400
Missouri	9	910,000
Montana	6	404,550
Nebraska	11	524,400
New Jersey [1]	13	2,544,000
Delaware		
Maryland	8	923,000
New Mexico	8	411,000
New York	12	2,015,000
North Carolina	33	970,600
North Dakota	10	$376,050
Ohio	13	2,192,000
Oklahoma	25	2,563,795
Oregon [1]	14	1,117,270
Alaska	1	425,000
Pennsylvania	11	1,069,000
Puerto Rico [1]	21	956,900
Virgin Islands		
South Carolina	5	480,000
South Dakota	8	270,000
Tennessee	11	880,000
Texas	20	1,253,100
Utah	5	601,500
Virginia	12	1,483,600
Washington	11	813,900
West Virginia	18	1,738,000
Wisconsin	8	565,800
Wyoming	6	237,950
Total	580	49,710,715

[1] State offices serving more than 1 State are authorized to transfer funds between States under their jurisdiction.

DIRECT AND INSURED WATER AND SEWER LOANS—(BACKLOG OF APPLICATIONS ON HAND)

[Dollars in thousands]

State	Applications on hand	Amount required to fund
Alabama	74	$17,760
Arizona	12	2,880
Arkansas	76	18,240
California [1]	39	9,360
Hawaii		
Nevada	4	960
Colorado	47	11,280
Florida	30	$7,200
Georgia	43	10,320
Idaho	27	6,480
Illinois	56	13,440
Indiana	32	7,680
Iowa	110	26,400
Kansas	32	7,680
Kentucky	60	14,400
Louisiana	50	12,000
Maine [1]	9	2,160
Connecticut	1	240
Massachusetts	2	480
New Hampshire	2	480
Rhode Island		
Vermont	9	2,160
Michigan	34	8,160
Minnesota	37	8,880
Mississippi	123	29,520
Missouri	102	24,480
Montana	14	3,360
Nebraska	23	5,520
New Jersey [1]	16	3,840
Delaware	1	240
Maryland	22	5,280
New Mexico	22	5,280
New York	61	14,640
North Carolina	75	18,000
North Dakota	20	4,800
Ohio	78	18,720
Oklahoma	112	26,880
Oregon [1]	20	4,800
Alaska	5	1,200
Pennsylvania	36	8,640
Puerto Rico [1]	40	7,600
Virgin Islands		
South Carolina	37	9,680

XUM

State	Applications on hand	Amount required to fund
South Dakota	25	$6,000
Tennessee	50	12,000
Texas	139	33,360
Utah	28	6,720
Virginia	40	9,600
Washington	19	4,560
West Virginia	35	8,400
Wisconsin	65	15,600
Wyoming	13	4,120
Total	2,007	481,480

[1] State offices serving more than 1 State are authorized to transfer funds between States under their jurisdiction.

Mr. GOODELL. Mr. President, in the fiscal 1971 budget, the administration requested only $20 million in grants and $40 million in direct loans for the development of these systems.

The House passed an appropriation of $100 million for development/planning grants and $74 million for direct loans to communities for their water and sewer facilities. The Senate committee has recommended $60 million for the grant program and $78 million for direct loans.

At present, the FHA has on hand more than 2,000 loan requests requiring approximately $480 million, and nearly 600 grant requests requiring $50 million. In addition, the agency has returned more than 3,500 loan requests and 2,400 grant requests to communities because of insufficient funds.

The FHA has informed me that, while it is not making a recommendation for a budget request, it can effectively administer at least $400 million a year to assist approximately 2,000 water and waste disposal projects.

In view of this desperate need for funds, I have offered the amendment to provide the House-passed level of $100 million for development grants under the FHA rural water and sewer facilities program and $350 million for the direct loan program.

On July 1, I wrote to the distinguished chairman of the subcommittee, the Senator from Florida (Mr. HOLLAND), and expressed my intent to introduce this amendment. I ask unanimous consent that the text of the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., July 1, 1970.

HON. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to you about the severe need for adequate water and sewer facilities in the small villages of our Nation.

A survey conducted last December by the Farmers Home Administration shows that over $11 billion is required to improve and/or provide adequate water and sewer systems in communities of 5500 population or less. The estimate is based upon 1969 prices; however, experience in New York State over the past four years has shown that costs for construction of sewage treatment plants alone has risen at the rate of one percent a month, or 12 percent a year, and this rise is continuing.

Despite this overwhelming need, however, the Administration has budgeted for fiscal year 1971 only $24 million for development and planning grants, $40 million for direct loans, and $86 million for insured loan authority.

When the House acted upon the Department of Agriculture appropriation bill for fiscal year 1971 (H.R. 17923), $100 million was approved for development and planning grants for this program.

At the same time, however, the House approved only $74 million for direct loans to communities for their water and sewer facilities, which is the same amount appropriated by Congress for fiscal year 1970. It is my understanding that Congressional approval is not required for additional insured loan authority at this time.

I would like to bring to your attention information I have recently obtained with regard to the need for a much larger appropriation for direct loans than was approved by the House of Representatives. Enclosed is a letter dated June 24, 1970 from the Farmers Home Administration stating that, in order to maintain the historic ratio of 16 percent between grant and loan funds, approximately $600 million in total loan authority would be required to match the $100 million in grants approved by the House.

However, both direct and insured loans are included in this FHA estimate. It should be noted that since fiscal year 1968 the FHA has been restricted in insuring loans to public bodies. This restriction was lifted once when the Administration authorized $50 million in fiscal year 1969 to insure loans to public bodies.

This policy was the result of studies by the Treasury Department which showed that it is not in the national interest for the Government to insure loans to public bodies if the interest income paid to lenders will be tax exempt.

Several bills have been introduced in Congress to require purchasers of insured bonds from the Farmers Home Administration to pay Federal income taxes on the interest earned on such bonds. This would overcome the policy ban against the sale to private investors by the Agricultural Credit Insurance Fund of tax-exempt obligations of public bodies.

However, there are uncertainties with regard to enactment of such legislation before the adjournment of Congress. The House Ways and Means Committee has reported a bill to this effect (H.R. 15979), but to date there has been no floor action on the bill.

About 70 percent of the applications received by the Farmers Home Administration for financial assistance for water and waste disposal systems come from municipalities, districts, public authorities, and other types of public bodies. Because the Farmers Home Administration is no longer permitted to use insured funds for these applicants, the FHA estimates that, in order to maintain the ratio of 3¼ to 1 between grant and direct loan funds during recent years, $325 million in direct loans for communities would be required to match $100 million in grant funds. The estimate for $325 million is based upon past experience, as noted in the table in the attached letter from the Farmers Home Administration.

The FHA states that this ratio does not indicate the actual need, but merely reveals the level of funds available. For example, the FHA states, during the 1969 fiscal year, out of 726 initial loans made, only 328 of the same projects included grant funds. Inasmuch as grant funds have been limited, the FHA has adopted a policy of using only the amount of grant funds necessary to reduce user charges to a level the communities reasonably can be expected to pay.

I would like to comment on the figures for 1970 listed in the table in the attached FHA letter, which shows $42 million for grants, $64 million for direct loans, and $80 million for insured loans.

The Bureau of the Budget had allocated only $24 million in development grants for this program, although Congress had appropriated $42 million for fiscal year for this purpose. However, in response to an appeal I made to the President in March of this year, the Bureau released the remaining $18 million that had been held in budgetary reserve.

Congress also appropriated $74 million for direct loans for rural water and sewer facilities, and the fiscal year 1970 budget request indicated that $10 million in insured loan authority would be available. However, the Bureau of the Budget has released only $64 million in direct loans and $80 million in insured loan authority. Consequently, I wrote the President again on May 20 to request that these loan funds be released, and many of my colleagues in Congress joined me in this appeal. It was not until June 16 that the Bureau of the Budget wrote to deny the request.

Mr. Chairman, there are no loan funds presently available to supplement the $18 million in development grants released in April by the Bureau of the Budget. Nearly 250 communities are awaiting approval of loans so that they can sign contracts to begin construction of their systems. Since the Administration has prohibited the use of insured loan authority, the Farmers Home Administration has advised me that at least $25 million in direct loans is required, and that these loans could be used as soon as they are appropriated.

The need is urgent. The Farmers Home Administration has on hand at this time more than 2,000 loan requests requiring approximately $480 million, and nearly 600 grant requests requiring $50 million. In addition, the Agency has returned more than 3,500 loan requests and 2,400 grant requests because of insufficient funds. These communities are still in need of assistance; the applications returned would require approximately $700 million in loan funds and $300 million in grant funds.

The Farmers Home Administration has informed me that, while it is not making a recommendation for a budget increase, it can effectively administer at least $400 million a year to assist approximately 2,000 water and waste disposal projects. At this level of funding, approximately four years would be required to fund the applications now on hand and those that have been returned because of insufficient funds. Even at this level of funding, it would take more than 27 years to satisfy the present need of $11 billion for these systems.

To postpone taking action pending the uncertain enactment of legislation to deal with tax exemption of insured loan authority would only delay meaningful progress on this most urgent need.

In view of the above information, I have offered amendments to the fiscal year 1971 appropriation bill for the Department of Agriculture to appropriate $100 million for grants and to provide $350 million from the direct loan account for the rural water and sewer program.

Sincerely,

CHARLES E. GOODELL.

Mr. GOODELL. Mr. President, in that letter I stated that the need for direct loans had increased significantly especially since the Department of the Treasury had placed barriers around the use of the FHA insured loan program in the financing of rural water and sewer systems for communities that issue tax exempt bonds.

For the benefit of my colleagues, I will explain the Department's position. The Internal Revenue Service has ruled that a tax-exempt bond sold by a local government remains tax exempt even if it is resold as a loan insured by the Federal Government.

Due to this "carry-over" exemption, the Treasury Department and the Bureau of the Budget both feel that the federally insured tax-exempt obligation is a costly and inequitable method of financing while the tax exemption makes the insured loans more attractive to resell, the Department concluded the loss of tax revenue resulting from the exemption more than offsets the benefits.

Additionally, that the sale of bonds which are both tax exempt and insured by the Federal Government would give these bonds a competitive advantage over both State and local securities which are tax exempt but not federally insured, and also Federal securities which are subject to Federal income tax. As a result, the sale of such bonds could well have increased interest rates on other bonds, particularly those issued by States and localities and hampered their ability to finance other vital public needs.

Because more than 70 percent of the communities applying for FHA assistance issue tax-exempt obligations for the purpose of financing their projects.

Several bills have been introduced in Congress to require purchasers of insured bonds from the Farmers Home Administration to pay Federal income taxes on the interest earned on such bonds. This would terminate the carry-over exemption and the Treasury-Budget objection to the financing method.

The House Ways and Means Committee has reported a bill to this effect, H.R. 15979, which I understand was passed by the House on Monday, July 6.

I understand the administration, in cutting back to $40 million in its fiscal 1971 request for direct loans, was counting on enactment of H.R. 15979 which would allow FHA to move ahead with insured loans to the communities for construction of their sewer and water systems.

Even if this legislation is passed by the Senate, there is no assurance the administration will provide the sufficient loan authority. In my May 20 letter to the President, I requested a $30 million increase in the insured loan authority along with the release of $10 million in direct loans. As I stated before, this request was denied.

If the President would not release $30 million in insured loan authority to 30 percent of the applicants who did not issue tax-exempt obligations and did not provide a carry-over exemption, there is certainly no assurance that because of the House bill, he will provide additional insured loan authority to all communities.

My amendment providing $350 million in direct loans, would assist communities regardless of subsequent action on the insured loan program.

I urge my colleagues to support the amendment so that adequate water and sewer facilities will be constructed to protect the well-being of our people and the quality of our environment.

XUM

Mr. DOMINICK. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. DOMINICK. Just to get the figures in mind, do I correctly understand that the original budget request for the direct loan program was $45,500,000, so that we are already some $40 million or $38 million over the budget request?

Mr. GOODELL. For the fiscal 1971 budget, the administration requested $24 million in development grants and $40 million in direct loans.

Mr. DOMINICK. $24 million in rural water and waste disposal?

Mr. GOODELL. Yes, that is correct.

Mr. DOMINICK. $40 million or $45 million, does the Senator remember?

Mr. GOODELL. $40 million.

Mr. DOMINICK. Fine. So that the committee bill is already substantially in excess of what the proposal was under the budget estimate.

Mr. GOODELL. The committee bill is $60 million for development planning grants and actually $78 million in direct loans.

Mr. DOMINICK. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator from New York yield?

Mr. GOODELL. I yield.

Mr. MILLER. Does the Senator have the yeas and nays on his amendment?

Mr. GOODELL. No, I do not.

Mr. MILLER. Would the Senator have any objection to dividing his amendment for consideration?

Mr. GOODELL. Dividing it into two parts? I have no objection.

Mr. MILLER. I take it, for example, if the first part of the amendment should be defeated, that would not necessarily mean one would have to vote against the second part of the amendment. If the Senator thinks they could be separated without too much difficulty, I should like to propose that we do so.

Mr. GOODELL. I have no objection. I think the two go together. I was trying to save the time of the Senate and my colleagues. I am not aware that individual Senators would be that divided between the two parts, but if my colleague from Iowa believes that to be the case, I would be glad to consider them separately.

Mr. MILLER. Looking at it from my standpoint, I believe that the rural water and waste disposal grants represent a somewhat different program than the loan program affected by the first part of the Senator's amendment. I think that could be separated. It might mean it would strengthen the opportunity for the Senator from New York to obtain favorable action on at least one part of his amendment.

May I say that I do not think I can support the amendment as it is now, if it is voted on up or down; but if it would be divided, I might be able to see my way to support the second part of it. I ask this question only as a matter of trying to be helpful. So that if the Senator from New York could do so, I would hope there would be no objection.

Mr. President, I ask unanimous consent that we vote on this amendment in two parts.

The PRESIDING OFFICER (Mr. GOLDWATER). Is there objection?

Mr. HOLLAND. Mr. President, is the Senator requesting a division?

The PRESIDING OFFICER. The Senator from Iowa requests a division of the vote. Is there objection?

Mr. GOODELL. Mr. President, reserving the right to object, I regard very highly the support of the Senator from Iowa on any portion of the amendment. If the Senator from Iowa does believe that a separate vote might succeed in one instance, while it might not in another, I would withhold any objection.

The PRESIDING OFFICER (Mr. GOLDWATER). Is there objection to dividing the question of agreeing to the amendment of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. GOODELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Chair would inquire of the Senator from New York, which part?

Mr. GOODELL. The yeas and nays on both, Mr. President.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that it may be in order to order the yeas and nays on both questions.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the first part of the amendment of the Senator from New York.

Mr. HOLLAND. Mr. President, I send to the desk a substitute amendment on behalf of the Senator from Nebraska and myself, to be subject to the same provisions.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The substitute amendment offered by Senator Holland to the first part of the Goodell amendment is as follows:

On page 32, line 11, strike out $83,000,000" and insert the following $123,000,000".

Mr. HOLLAND. Mr. President, before we proceed to vote, I should like to say that what we are offering by way of a substitute is to reduce the $355 million figure, which is on the first part of the Senator's amendment, to $123 million, which is an increase of $40 million over the $83 million that is in the bill, and an increase of about $80 million, as I recall it, over the budgeted amount.

Insofar as the second part of the amendment is concerned, we are offering the same increase as suggested by the Senator from New York.

Mr. GOODELL. Mr. President, a parliamentary inquiry.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Chair raises the question as to the first part of the substitute offered by the Senator from Florida to the amendment of the Senator from New York.

Mr. GOODELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOODELL. As I understand the substitute offered by the Senator from Florida, it is to the first part of my amendment, but there is no substitute for the second part. Is that correct?

The PRESIDING OFFICER. The

Chair is informed that we have not gotten to the second part yet.

Mr. GOODELL. I thank the Chair.

Mr. HOLLAND. Mr. President, we offered the substitute not knowing, of course, that there would be a division here. There will be no difference in the two amendments. I simply want to call the attention of the Senate to the fact that the $355 million suggested by the Senator from New York in the division of the first part of his amendment is such a tremendous increase over former amounts and budgeted amounts that I think it simply would create havoc if we tried to include such a large increase.

The amount of the 1970 appropriation was $78 million. The amount of the budget request for this year was $40½ million. Both House and Senate put in $78 million. That is for soil and water loans. For the farm ownership loan, the $5 million figure is also the same in both Senate and House, making a total of $83 million, which is the figure in the pending bill.

The Senator from New York suggests it be raised from $83 million to $355 million, which is an increase of $272 million over the House bill and Senate bill and an increase of $314½ million over the budget, which seems to the Senators from Nebraska and Florida to be completely unreasonable.

So we have suggested that instead of having the amendment for the first part of the Senator's bill read $355 million, it will read, instead, $123 million, which itself would be $40 million more than the Senate bill, $40 million more than the House bill, and about $80 million over the budget. I think that is as far as we can reasonably go.

I suggest also to the Senator from New York, and I think he has already mentioned the fact, that a bill is pending under which a different ratio between loans and grants would be permitted. If that bill passes both Houses, and it is pending in both Houses, there could then be a reexamination of the whole subject in the supplemental bill.

As it stands now, however, the existing law would have to prevail as the Senator from Florida understands it. I would like to read an excerpt from a memorandum from the Department of Agriculture.

> On the basis of past experience, about 45 percent of the total loans would have to be direct loans, because they would be made by public bodies which issue tax-exempt bonds. The department has recommended legislation, S. 144, which is pending before the Finance Committee which would make the interest income to an investor for insured loans by the FHA subject to taxation.
>
> Similar legislation, H.R. 15979, was reported by the House Ways and Means Committee and passed by the House on Monday, July 6, 1970.

The situation is simply this, and we might as well recognize it. There is strong objection from the Treasury Department, from the Department of Agriculture, and from the administration to providing large additional sums for direct loans to municipalities that issue tax-exempt securities when the Federal Government has to pay the high interest rates that they must pay under existing conditions for its money.

It does not make sense to borrow at high rates of interest and then to lend to municipalities on a tax-exempt basis.

The Government itself is recommending a change in that law relating to these tax-exempt loans. When that legislation is passed, as I assume it will be, it seems to me that would be an appropriate time to consider a large increase such as suggested in the amendment of the Senator from New York.

If we increase the amount, as the Senator from New York now proposes, by such a huge amount on the direct loans, which would not be made because of the tax-exempt feature, it would be both a futile act and would be an act which would greatly increase the amount of the bill. I think it would make the bill even more difficult of proper consideration both before the Senate and the conference committee.

The first part of our suggested modification would reduce the $355 million in the Senator's amendment to $123 million and would itself mean a $40 million increase in the Senate and House bills and about an $80 million increase in the budget amount.

It seems to me that that is just as far as we can go.

Mr. GOODELL. Mr. President, I appreciate what the Senator from Florida has said. We are in a tight budget situation. We are attempting to cope with inflation and to hold spending down.

Mr. President, it seems to me that this is a self-defeating way to try to hold down expenses. Last year the appropriations for development and planning grants or direct loans were higher than the budget figure for this year. The figure we are dealing with in the committee bill is $78 million for direct loans. I am proposing to increase it to $350 million.

The Senator from Florida mentioned that local communities can float tax-exempt bonds. We are talking about little communities, communities with less than 5,500 people. They do not have very many assets. They do not have, in many cases, the ability to float bonds, tax exempt or otherwise.

In many instances, they are within the debt ceiling provided by State law. They are striving to provide water and sewage facilities to attract or to hold industry. Many of them have no sewage facilities at all.

We are dealing here with a critical matter. If they cannot provide adequate water and sewage facilities, they will lose more people. They will lose more of their tax base. And those people will pour into the cities that are inadequately prepared to deal with migrants.

The direct loan program is a way to assist these communities. It supplements the grants that are made available. It is an intelligent way to reinforce the resources of a small community so that it can help itself increase its tax base, attract new industry, increase its population, and thereby increase the revenue available to meet its other problems.

$350 million may sound like a huge increase over the $78 million direct loan authority in the committee bill. But the $350 million is about half of the needs of the State of Mississippi alone for rural water and sewerage projects. It is a very small sum. I think it is regrettable that the budget proposed by the administration actually cut in half the amount of money available for direct loans.

Both the House and the Senate appeared to be moving to correct that figure and to increase it at least to the level of last year.

It seems to me that it is indefensible, when we are talking about cleaning up the water in this country, to cut the budget in half. The figure I have proposed is inadequate. I proposed it because I think it at least would begin to move this country forward so that we could make some progress in constructing these projects rather than falling farther backward.

What I propose will be of direct consequence to every State in the Union. It will permit the small community of less than 5,500 to have a combination of direct grants and direct loans together with the money provided by both State and local money to make good on these projects.

As I mentioned, the cost for the construction of these facilities in New York State has been going up at the rate of 12 percent a year.

It may not be going up quite that fast in some of the other States. But we all know that construction costs are increasing at a fantastic rate.

If we defer action on this matter now, costs will be significantly higher. More importantly, however, than talking about this in terms of dollars and cents, we must address ourselves to the total impact program delay will have upon the small communities.

They are frequently the forgotten people. We are all deeply concerned about the urban problems. We see people mashed together with inadequate housing and with environmental problems and transportation problems and poverty problems. In the rural areas the same problems exist but they are less visible. The people are inured in many cases. They carry on with sacrifice and suffering and try to earn enough to get along They organize through their chambers of commerce or other groups and try to attract industry. They try to save the communities in which many of them are born and raised so that they can cope with the problems of 1970. They cannot do it alone. They need the extra help That was the original basis for the special program to provide direct grants and loans for communities of less than 5,500 population.

I would urge Senators to agree to the $350 million level I have proposed and reject the substitute of $123 million. We all know this is going to conference and we all know that in the normal course of events the figures quite likely will be reduced to the Senate committee level. I think we should start at a figure that is somewhere at least adequate in the Senate. Hopefully, the conferees can prevail in maintaining a high figure in both the development and planning grant section, and in the direct loan section.

Mr. President, I ask for the yeas and nays on the substitute.

XUM

The PRESIDING OFFICER (Mr. GOLDWATER). The yeas and nays are requested.

Mr. HRUSKA. On which one?

Mr. GOODELL. The only one pending.

The PRESIDING OFFICER. The yeas and nays are ordered.

Mr. HOLLAND. Mr. President, I want to make very clear for the RECORD what this committee has done. This goes to the second part of the amendment. Last year the budget recommended $24 million for the grants for the small rural communities to plan their water and waste disposal activities. We raised that amount to $46 million, although that was only recently released for use as the Senator from New York stated. That does not sound like we were trying to be niggardly in helping the small communities. This year they came forward with a budget estimate of $24 million. The House raised that to $100 million, and we included $60 million in the Senate bill.

But we are suggesting in the second part of our substitute amendment to follow the exact course laid down by the Senator from New York in his amendment because we think these planning grants are ready to move ahead and are very appropriate and we are willing to go that far.

Now, let us look at the other part. When it comes to the direct loan account, this year the budget request was $40.5 million. The House provided $78 million and in the Senate bill there was the same amount of $78 million for these soil and water loans. The budget request for farm ownership loans was $5 million, the same amount was in the House and the Senate bills, making a total of $83 million. This is the figure sought to be changed both in the substitute amendment now pending and in the first part of the amendment of the Senator from New York.

XUM

We are adding to that $83 million an additional $40 million, making a total of $123 million for these direct loans.

I must say this is against the recommendation of the administration and against the recommendation of the Treasury and against the recommendation of the Department. But in the meantime the Department has approved new legislation which would permit these loans under more favorable conditions to the small communities. If that legislation passes they will come back for larger amounts in the supplemental bill, if that seems desirable.

However, the law being as it is now and the Department of the Treasury having the same attitude it now has, to raise the total now by $309.5 million over the budget, or by $272 million over the Senate figure, I think would be very improper and I do not think it would get us anywhere because of the attitude of both the Treasury and the Department of Agriculture.

I think we are more apt to get loans made in most distress cases if we raised it to $123 million rather than $355 million. It is for that reason the Senator from Nebraska and I have offered the substitute for the first part of the Senator's amendment.

Mr. GOODELL. Mr. President, everything the Senator from Florida said in terms of the figures is obviously accurate. I respect what he has said. In effect he is saying the administration has frozen funds in the past year for direct loans, and frozen funds for grants; those funds for grants were ultimately unfrozen. The administration and the Bureau of the Budget requested this year we cut direct loan funds in half. This committee has responded responsibly by refusing to do so and by keeping it at the level of last year.

But, Mr. President, we cannot control what the Executive does. If we appropriate the money and the executive branch freezes the money, all we can do is put pressure on them and urge them to release the funds that are so desperately needed. This pressure was applied recently with the fiscal 1970 development grants—direct loans. My colleagues and I were successful in urging the President to release $18 million in grants.

But, I think it is time that Congress made it unmistakably clear that we recognize the proportions of the problem and that we are willing to provide the money necessary to solve the problem. As I said in my opening remarks, the Farmers Home Administration has estimated the need in this area at $11.283 billion. This is for the construction of sewer and water facilities in communities with less than 5,500 population, the rural communities. With a need of $11.283 billion, if we spend today at the rate of $400 million a year it will take us 28 years to meet this need. If we approved $20 million in grants and $40 million in direct loans, as proposed in the budget, a total of $60 million a year, it would take us 188 years to clear up our water. These projections are just for the communities with a population of 5,500 or less.

Mr. President, that would give us the opportunity to celebrate "America the Beautiful," on July 4 in the year 2176—our 400th anniversary

I am proposing a significant increase. It is not enough. But certainly it is justified to move to this level now and let the administration know that we understand this need; and those in the Bureau of the Budget who keep cutting this program back should take heed of the will of Congress.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. STENNIS. Mr. President, I thank the Senator for yielding to me.

I am largely with him on virtually everything he said. I commend him for the frank and effective way he has handled himself with reference to these kinds of loans.

As a member of the subcommittee from which this bill came, I have shown an interest in the program reflected in this amendment for several years. I have been disappointed with the Bureau of the Budget that they have not given more attention to realizing the need. I think the logjam has already broken. The Senator from New York had much to do with it. As a practical matter I favor the program. It has been very helpful to my State and other States similarly situated.

But we are up against the proposition in conference where we will be opposed by the Bureau of the Budget and by the Treasury, and with the innumerable items in the bill there has to be some give and take; and I, with reluctance, offer this suggestion or observation to the Senator.

I really believe that if the Senator will take this $123 million now and nail it down by the Senate having passed on it and agreed to it, and the committee sponsoring it, and also this $60 million up to $100 million, as a practical matter—I believe the end result will be better and it will leave those of us who wish to help our constituents meet their needs. There will be a better possibility of getting the money released.

That is what counts. We have to get the money used. I think it would be a victory for the cause the Senator so ably represents if he could, with reluctance, and unhappily, agree here with what the Senator representing the committee has proposed.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GOODELL. I yield.

Mr. HRUSKA. Mr. President——

The PRESIDING OFFICER. Will the Senator yield? The Senator from New York has the floor.

Mr. GOODELL. Mr. President, I yielded to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, the position of the Senate in conference will be infinitely improved if we follow the route the Senator has suggested. If we are looking, not to the figure named, but to the figure which will be utilized in good time, it will be much better. Meanwhile, if we have any excess energies, we could devote them to passage of the legislation which would reduce the number of direct loans and increase the number of insured loans. I fear the outcome of the conference if we walked into the conference room with a figure such as that which the Senator from New York advocates. I know he has a sense of urgency in this matter. I know there is an unfulfilled need and that the need is vital. However, to make progress toward fulfilling the need, we ought to be practical and get what we can, rather than name some figure which will have very little meaning when we approach the final stages of the legislation.

Mr. GOODELL. Mr. President, I appreciate very much what the Senator from Mississippi has said and what the Senator from Nebraska has suggested. I recognize that we face a realistic situation here and that the administration and the Bureau of the Budget pass directly on such funds and insured loan funds. I recognize that we are dealing with a large amount of money, but it is a small amount of money compared with the need.

Nobody has denied the needs I have outlined or the amount of money needed to clean up the waters for places with a population of 55,000 or less. It is incredible that we are talking about $40 million or $75 million a year. As I indicated, if the appropriated figure remains at the level of $60 million, it will be 188 years before we clean up the waters.

I want us to be just as responsible as we possibly can in this body and in the Congress about spending money. The Farmers Home Administration has made it abundantly clear that it can spend more in the next fiscal year than the amount I am proposing. The agency is spending it to help small communities that are going down hill, that are losing their population and their industry. One of the major reasons why they are losing them in many cases is that they cannot build the facilities to take care of industry and people. So we have a downward spiral in the economy, the fiscal resources, and the human resources in those communities.

I cannot understand why we should go to a figure of $123 million here in the Senate when the House figure is $74 million. That means we will probably round the figure out at about $100 million, when the absolute minimum is $400 million a year. If the Senate conferees go to conference with a figure of $350 million, they will be in a position to negotiate a higher figure in conference.

I recognize that the Senate conferees will have to yield to the will of the House and the House conferees to a degree, but I think if they go into conference with a figure of $350 million, it will allow us to get a little closer to the amount that is needed.

I do not think we should make a decision in this body based on what the other body will do or has done. I do not think we should make a decision here just on the basis of the administration's budget figures. We know this administration faces a desperate budget situation. We know the administration is trying to hold down its expenditures in a responsible way. But we know the Bureau of the Budget makes many decisions at the lower level, which do not come to the attention of the President, or even the Secretary, in many cases. We have an independent responsibility, when there is a sincere striving to cut down on expenditures, and when they are cut down to the bone or into the bone, to increase those expenditures. I hope we will exercise that independent responsibility here today and move to provide funds which everybody concedes are barely minimal to the needs involved.

Mr. HOLLAND. Mr. President, the substitute amendment would change the amount of $355 million to $123 million, which is $40 million more than the committee amount and $82.5 million more than the budget amount. We think it will get us more practical results by way of actual willingness to make loans on tax exempt securities than if we put in this huge amount which would have such heavy opposition from both the Treasury and the administration.

Mr. AIKEN. Mr. President, it seems to me in the present instance we have a good example of the need for greater cooperation between the executive and legislative branches of Government.

I was somewhat distressed when Congress directed the President to spend all the money appropriated for the hospital building program for the coming year within a specified time. I did not think we had any right to do that, although supporting the less damaging course, I voted to override the President's veto. On the other hand, I do not believe the executive branch is treating the country quite fairly when it withholds funds appropriated by the Congress for certain worthwhile purposes and programs in effect sets aside an act of Congress. This, of course, is done through the budget. In this present instance the proposal of the Senator from New York will have two hurdles to run, one the meeting of the conference committee and the other the hurdle of having the budget refuse to release the money even if it is appropriated.

So I say, with the national economy as it is today, it is time for a much better understanding and more cooperation between the legislative and executive branches of the Government. Otherwise, both branches are headed, I fear, for rather distressing times.

Homebuilding has been off something like 30 percent in my State from what it was a year ago. All prices and costs are higher. So, Mr. President, when we speak of unifying the country—and there are many people who insist that we unify the country even with a broadaxe, if necessary—we had better think of unifying all the three branches of Government to a better basis than they are on today.

I realize that the amendment of the Senator from New York would be a very popular one, and would probably pass; but that is no assurance that the money would ever be spent. And if we do not start having better cooperation between the legislative and executive branches of the Government, I fear that we are in for very serious trouble, not only to our economy and our security but to our social life as well.

Mr. HATFIELD. Mr. President, I rise to support the Senator from New York in his efforts to increase funding for the Farmers Home Administration water and waste disposal facilities program. He has expressed himself well as to the needs for this increase nationwide. We must remember that in communities with fewer than 5,500 people, less than 1 percent of the households have incomes above $10,000. Even more revealing is the fact that 42 percent of the households have incomes under $5,000.

I would like to concentrate my remarks, Mr. President, on the current situation in Oregon. In my State $135,000,000 is needed to finance rural water and sewer facilities. Unfortunately, estimates indicate this figure may increase by 12 percent each year as a result of inflation unless steps are taken to correct it.

At this point in the RECORD, Mr. President, I ask unanimous consent that a publication be reprinted in the RECORD from Oregon's Department of Environmental Quality entitled "An Estimate of Major Sewage Needs in Oregon," March 1970, which details sewage treatment needs for 89 Oregon projects. Examination of this list indicates many projects located in small communities.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF ENVIRONMENTAL QUALITY—AN ESTIMATE OF MAJOR SEWERAGE NEEDS IN OREGON, MAR. 1, 1970

Project	Sewage treatment works	Collection sewers	Estimated total cost
Adrian	$30,000	$50,000	$80,000
Albany		2,150,000	2,150,000
Arch Cape	138,000	182,000	320,000
Arlington	200,000		200,000
Astoria	4,908,000		4,908,000
Aumsville	80,000	220,000	300,000
Aurora	50,000	75,000	125,000
Barlow	85,000	32,000	117,000
Bay City	262,000	338,000	600,000
Bend		8,500,000	8,500,000
Bridal Veil	50,000	75,000	125,000
Brookings	300,000		300,000
Bunker Hill, S.D	200,000		200,000
Cannon Beach	337,000	338,000	675,000
Canyon City-John Day	250,000	200,000	450,000
Central Multnomah County Ser. District No. 5		9,000,000	9,000,000
Clackamas County Ser. District No. 1	6,685,000	5,000,000	11,685,000
Clatskanie	200,000		200,000
Cloverdale	127,000	41,000	168,000
Columbia City	100,000	260,000	360,000
Coos Bay-Empire	700,000	500,000	1,200,000
Coquille	250,000		250,000
Eastside	150,000		150,000
Echo	150,000	200,000	350,000
Eugene-Springfield-Lane Counties	10,000,000	15,000,000	25,000,000
Florence	220,000		220,000
Gardiner	80,000	50,000	130,000
Garibaldi	350,000		350,000
Gilchrist	150,000		150,000
Gladstone		400,000	400,000
Gleneden	$230,000	$590,000	$820,000
Gold Beach	300,000		300,000
Grande Ronde	60,000		60,000
Grants Pass	1,850,000	200,000	2,050,000
Gresham	750,000		750,000
Hammond	250,000	240,000	490,000
Hood River	1,000,000		1,000,000
Ione	50,000	90,000	140,000
Island City	40,000	80,000	120,000
Josephine County (Redwood)	914,000	1,650,000	2,564,000
Lexington	100,000	86,000	186,000
Long Creek	50,000	55,000	105,000
Lane County	1,300,000	300,000	1,600,000
Madras	206,000	926,000	1,132,000
Manzanita	90,000	180,000	270,000
Mapleton	50,000	50,000	100,000
McNary	150,000		150,000
Mitchell	50,000	75,000	125,000
Mosier	47,000	165,000	212,000
Mount Vernon	148,000	250,000	398,000
Multnomah County Cent. Ser. District		9,000,000	9,000,000
Myrtle Point	350,000		350,000
Netarts-Oceanside S.D	350,000	590,000	940,000
North Bend	750,000	665,000	1,415,000
Nyssa	250,000		250,000
Pacific City	125,000	150,000	275,000
Pendleton (Mount Hebron)	75,000	100,000	175,000
Philomath	507,000		507,000
Portland (S.T.P.)	14,609,000		14,609,000
Portland (Tryon Exp.)	1,000,000		1,000,000

Project	Sewage treatment works	Collection sewers	Estimated total cost
Port of Portland (airport)	$50,000		$50,000
Prairie City		$35,000	35,000
Rainier	300,000		300,000
Redmond	500,000	1,000,000	1,500,000
Richland	50,000	50,000	100,000
Rockaway	125,000		125,000
Rogue River	120,000	135,000	255,000
St. Helens	2,500,000		2,500,000
Salem	8,000,000	3,000,000	11,000,000
Sandy	350,000	50,000	400,000
Scotts Mills	52,000	118,000	170,000
Seaside	75,000		75,000
Senaca	50,000	60,000	110,000
Siletz	90,000	50,000	140,000
The Dalles S.T.P	910,000		910,000
The Dalles (Chenowith)		830,000	830,000
Tri-City S.D	$407,000	$1,274,000	$1,681,000
Turner	65,000	125,000	190,000
Umatilla	200,000		200,000
Union	110,000	130,000	240,000
Unified Sewerage Agency	4,315,000		41,315,000
Veneta		100,000	100,000
Waldport	200,000	50,000	250,000
Wasco	75,000		75,000
Wheeler	170,000		170,000
Wilsonville	400,000	100,000	500,000
Yachats	218,000	530,000	748,000
Scappoose	637,000	633,000	1,270,000
Vernonia	160,000	160,000	320,000
Total	108,832,000	66,483,000	175,315,000

The following projects, listed in order of priority, are either under construction or soon will be and 30% federal grant funds totaling $8,134,100 are available for them. This exhausts the federal funds for the fiscal year ending June 30, 1970. An additional $7 million of 30% federal grant funds were requested.

Halsey, Oakland, Odell S.D., Ontario, Warrenton, Bandon, Moro, Nehalem, Troutdale, Oak Lodge S.D., Wallowa, N. Roseburg S.D., Paisley, Parkdale S.D.

Brookings, Merrill, White City S.D., Tillamook, Lebanon, North Powder, Wheeler, Dundee, Lake Oswego, Veneta, Gresham, Medford, (West) Salem, Cannon Beach.

McMinnville, Bend, Eugene, Clackamas County, Troutdale (Beaver Cr.), Pendleton, Portland Rivergate, Klamath Falls, Creswell, Newberg, West Linn, Hines, Portland Front, *Bear Creek Valley S.A.

Mr. HATFIELD. Mr. President, in May 1970, Oregon voters went to the polls and approved a constitutional amendment to help fight air and water pollution. The day after the election, I issued a statement commending my fellow Oregonians for digging into their pockets to finance this project during a period of severe economic straits. I will not repeat what my colleagues today have heard me say so often regarding the stagnation in Oregon's lumber and forest products industry caused by high interest rates and war-swollen inflationary pressures. In my statement I told Oregonians I would fight to see that the Federal Government increased its spending in this area.

Mr. President, I would like to have reprinted at this point in the RECORD excerpts from an article written before the election entitled "Financing Pollution Control Facilities—Oregon Constitutional Amendment," which gives an idea why my State felt this action was necessary:

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

FINANCING POLLUTION CONTROL FACILITIES OREGON'S CONSTITUTIONAL AMENDMENT

(By Kathleen Beaufait, Member, Oregon State Bar, Salem, Oreg., and Jack G. Collins, Member, Oregon State Bar, Portland, Oreg.[1])

The people of Oregon will be presented at the May 26, 1970, primary election with a proposed constitutional amendment which is intended to significantly improve local government efforts to control pollution.[2] This amendment will be Measure No. 4 on the primary ballot. The amendment authorizes sale of general obligation bonds by the State of Oregon up to 1 percent of the true cash value of all taxable property in the State—approximately 180 million dollars at present. The State may then advance the funds obtained from sale of these bonds to certain local government units for particular pollution control purposes, or may apply the funds to purchase the bonds or obligations of these local units issued for similar purposes. The facilities for which these funds are advanced must be not less than 70 percent self-supporting and self-liquidating from revenues, gifts, Federal grants, user charges, assessments, and other fees. Local units of government receiving money from the State must repay not less than 70 precent of such funds during a period not to exceed 30 years. The remaining 30 percent will come from the State General Fund.

Measure No. 4 was placed on the May 1970 primary ballot as a result of action by the 1969 Legislative Assembly which enacted House Joint Resolution 14 (HJR 14). House Joint Resolution 14 was introduced and sponsored by the House Committee on Natural Resources of the 1969 Legislative Assembly. This Joint Resolution was sponsored by the Committee at the request of the Citizens Committee on Pollution Legislation.[3] The 1969 Legislative Assembly also enacted enabling legislation which limits, for the present biennium, the authority of the State to sell general obligation bonds to 50 million dollars and further limits the use of such funds to construction of sewage treatment works.[4]

This constitutional amendment was designed to solve certain particular problems. The most important of these is the inability of local units of government to finance facilities for the control of pollution. The hearings held before the House Committee on Natural Resources and the Senate Committee on Air and Water Quality and the Joint Committee on Ways and Means of the 1969 Legislative Assembly all demonstrated the pressing need for the immediate construction of such facilities and the inability of local units of government to finance them. In those instances in which local units of government had been able to obtain funds for construction of pollution control facilities, the interest cost has been substantially higher than similar costs upon obligations of the State of Oregon.

There are additional considerations which shaped the form and content of this constitutional amednment At the outset it was apparent to the Citizens Committee that a decision should be made about the role of the State agency empowered to sell these State general obligation bonds. The Committee instructed its drafters to retain in local government units the initiative for obtaining and administering funds provided by this amendment. Operation, construction, and ownership of pollution control facilities were generally not to become the direct function of the State Sanitary Authority or its successor. The State Sanitary Authority or its successor was to be the agency in charge of obtaining and managing the fund created by the sale of State general obligation bonds. It is only to advance such funds to certain local government units for facilities which "conservatively appear" to be not less than 70 percent self-supporting and self-liquidating from revenues, gifts, Federal grants, user charges, assessments, and other fees. This amendment contemplates that the initiative in obtaining such State funds remains with the local units of government. It is these local units that must satisfy the State agency of the appropriateness of particular facilities and the ability of a local unit to repay not less than 70 percent of the funds advanced by the State.

The emphasis which this constitutional amendment places upon local government units requires that these local units have a full measure of power to act and obtain State funds provided by the amendment. Accordingly, local government units, including home-rule counties, are authorized to obtain these funds notwithstanding other constitutional or charter limitations.

Mr. HATFIELD. Mr. President, as I indicated earlier, $135,000,000 is needed in Oregon today. Preliminary 1970 Federal census figures indicate that 220,826 Oregonians—10.7 percent of the population—live in communities of under 5,500 population. It is for this reason, therefore, that I give my wholehearted support to increasing these much-needed funds.

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* The Bear Creek Valley project will receive a partial federal grant this year. The balance of the grant will be from federal funds available for the fiscal year commencing July 1, 1970.

[1] The authors participated in the drafting of this constitutional amendment and its enabling legislation.

[2] This proposed amendment is contained in House Joint Resolution 14, found at pages 1987–1988 of the Oregon Session Laws 1969.

[3] This Committee has been referred to as the Hardy Committee—after its Chairman, Herbert C. Hardy, Member of the Oregon State Bar, Portland, Oregon. The remaining members of this Committee are: Grace B. Angerman, Jack G. Collins, Thomas C. Donaca, Ronald A. Findlay, M.D., Irvin H. Luiten, James A. Redden.

F. F. (Monte) Montgomery, Robert Moore, Margaret Spang, Michael H. Schmeer, Glen E. Randall, Palmer S. Torvend.

This Committee was formed during the fall of 1968 at the request of John D. Mosser, then Chairman of the State Sanitary Authority. As a result of governmental re-organization, the functions of the State Sanitary Authority have been assumed by the Environmental Quality Commission and the Department of Environmental Quality of the State of Oregon.

[4] See House Bill 2060, codified as Chapter 656, Oregon Session Laws 1969, page 1622. Additional enabling legislation is found in House Bill 1174, codified as Chapter 503, Oregon Session Laws 1969, page 923.

Mr. President, I would like to comment on the experience of one small town in Oregon and its problems in this area. I quote from a letter to me from Mr. Wayne Richards, community development specialist of the Jackson County Community Action Council. That letter states in part:

> Representative Don Stathos advised writing to you in regard to pollution of the Rogue River. The City of Rogue River is in the embarrassing position of being partly responsible for polluting its famous namesake. After taking a routine water sample for its swimming classes in August of 1969 for its swimming classes, The Jackson County Parks and Recreation Department decided to bus the participants into Medford, 21 miles away. Evans Creek, which empties into the Rogue River at the townsite, has been officially posted as being polluted. The entire population of Rogue River (700) now uses septic tanks. Because they are in such close proximity to each other, several of the businesses share the same tank. Engineering surveys indicate clay subsoil which is very poor for proper drainage of septic tanks.

I call attention to the following paragraph; for it goes to the heart of the problem:

> The City of Rogue River has repeatedly attempted to bond itself and pay for its sewer system. These bond issues have been unsuccessful because of the excessive financial burden placed on the tax payers. Two thirds of the inhabitants of Rogue River are over age 65 and living on fixed incomes. 538 social security checks were mailed to zip code 97537 of which Rogue River is the major part; these checks averaged $71.46. The last bond issue presented before the voters in November of 1966 was for $360,000.00—$30,000.00 of which was a Farmers Home Administration Grant. That is 8% federal assistance.

I ask my colleagues to pay particular attention to this section of Mr. Richard's letter:

> Inability to pay is clearly as much of a problem here as is the pollution of the river. The City of Rogue River is once again preparing an application to federal funding sources for grants to help pay for a sewer system. Is the national concern about pollution genuine? What kind of support need we solicit to obtain 50% to 80% federal grant participation?

In closing, Mr. President, I would note that the problems of Rogue River, Oreg., are not unique. Similar statements could be expressed by many mayors and county commissioners in small Oregon communities. It is for this reason, Mr. President, that I urge passage of the Goodell amendment.

The PRESIDING OFFICER (Mr. Goldwater). The question is on agreeing to the substitute amendment offered by the Senator from Florida (Mr. Holland) for the first part of the amendment (No. 759) of the Senator from New York (Mr. Goodell). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. HRUSKA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HRUSKA. Is the vote on the Goodell amendment, or on the substitute amendment of the Senator from Florida and myself?

The PRESIDING OFFICER. On the Holland substitute for the first part of the Goodell amendment, as the Chair stated. The clerk will call the roll.

Mr. GOODELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOODELL. There are Senators who are inquiring as to the effect of the proposal. A "yea" vote for the substitute would be a vote for the $123 million provided in the substitute; a "nay" vote would be a vote in opposition to the $123 million and in favor of the $355 million for which the substitute figure was offered; is that correct?

The PRESIDING OFFICER. As the Chair understands it, a "yea" vote for the Holland substitute would be for the $123 million; a "nay" vote would be opposed to it. If the nays prevail, the amendment of the Senator from New York would be in order.

Mr. GOODELL. My amendment providing $355 million would then be in order?

The PRESIDING OFFICER. The Senator is correct. The clerk will call the roll.

The bill clerk called the roll.

Mr. RANDOLPH (after having voted in the negative). Mr. President, on this vote I have a pair with the senior Senator from Missouri (Mr. Symington). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Alabama (Mr. Sparkman), the Senator from Missouri (Mr. Symington), the Senator from Georgia (Mr. Russell) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), the Senator from Ohio (Mr. Young) are absent on official business.

I further announce that, if present and voting, the Senator from North Carolina (Mr. Jordan), the Senator from Washington (Mr. Magnuson) would each vote "yea."

I further announce that, if present and voting, the Senator from Connecticut (Mr. Ribicoff) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from California (Mr. Murphy) and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Illinois (Mr. Percy) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from South Dakota (Mr. Mundt), the Senator from Illinois (Mr. Percy) and the Senator from Maine (Mr. Smith) would each vote "yea."

On this vote, the Senator from California (Mr. Murphy) is paired with the Senator from New York (Mr. Javits). If present and voting, the Senator from California would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 53, nays 24, as follows:

[No. 222 Leg.]

YEAS—53

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Cannon
Cotton
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hart
Holland
Hollings
Hruska
Jordan, Idaho
McClellan
McIntyre
Miller
Mondale
Montoya
Moss
Muskie
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Saxbe
Scott
Smith, Ill.
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—24

Bayh
Brooke
Byrd, W. Va.
Case
Church
Cooper
Cranston
Fulbright
Goodell
Hartke
Hatfield
Hughes
Inouye
Jackson
Kennedy
Long
Mansfield
Mathias
McGovern
Metcalf
Nelson
Schweiker
Tydings
Yarborough

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Randolph, against.

NOT VOTING—22

Anderson
Cook
Curtis
Dodd
Gore
Gravel
Harris
Javits
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Sparkman
Stevens
Symington
Young, Ohio

So Mr. Holland's substitute amendment for the first part of the Goodell amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, at the time that the Senator from Nebraska and I drew our substitute amendment, the Senate had given consent to vote en bloc on the two original amendments. Later that was changed, and a division was ordered. It happens that the second part of our substitute is exactly identical with the second part of the amendment of the Senator from New York. I ask leave, therefore, on behalf of the Senator from Nebraska and myself, to withdraw the second part of our amendment.

Mr. STENNIS. Mr. President, reserving the right to object, as I understood, the Senator's substitute was adopted.

Mr. HOLLAND. The first part.

Mr. HRUSKA. The first part.

Mr. STENNIS. Mr. President, reserving the right to object, what is the reason now for dropping the second part?

Mr. HOLLAND. Mr. President, I do not blame the Senator for being confused, because I believe he was not in the Chamber when the first part of the situation arose.

The Senator from New York offered an amendment in two parts and asked that the vote be en bloc, and consent was given. The Senator from Nebraska and I drew a substitute amendment, thinking that we were offering it to one that was en bloc. Later division was made. It happened that the second part of the substitute amendment was identical with the second part of the original amendment of the Senator from New York, and there is no point in our continuing. It amounted to an acceptance of the House amount of $100 million. I will be glad to withdraw our part of that.

Mr. STENNIS. I thank the Senator. I was not in the Chamber at the time.

The PRESIDING OFFICER. The second amendment has never been formally offered, so the discussion is irrelevant.

Mr. GOODELL. Mr. President, if I understand the situation correctly, the Goodell amendment, as amended, is still pending, is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. GOODELL. The yeas and nays have been ordered on the amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. GOODELL. As amended, it provides for $123 million.

Mr. HOLLAND. No; $100 million.

Mr. GOODELL. The Senator's substitute to my $350 million was $123 million, and that prevailed, and my amendment, as amended, is now pending. After the completion of the rollcall vote on that amendment, I shall offer the second amendment for the $100 million in the development planning grants, a section which I understand the chairman and the ranking minority member will accept.

Mr. HOLLAND. I am perfectly willing to accept that, and I am perfectly willing to defer either or both rollcall votes. If the Senator would rather have a rollcall vote on the second part of his amendment, I am willing for that to be done.

Mr. GOODELL. We can proceed to a rollcall vote now to reinforce the conferees in conference.

Mr. HOLLAND. I suggest that the rollcall vote on the Holland portion of the amendment which already has been voted on by rollcall be set aside.

Mr. GOODELL. I would object to that. To clarify the record, those who voted against this also want to put it on the record that they are for the increase in the money of $123 million over the committee recommendation.

The PRESIDING OFFICER (Mr. Goldwater). Objection is heard.

The question is on agreeing to the first part of the Goodell amendment, as amended.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from Oklahoma (Mr. Harris), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Georgia (Mr. Russell), the Senator from Alabama (Mr. Sparkman), the Senator from Missouri (Mr. Symington), and the Senator from Indiana (Mr. Hartke) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Ohio (Mr. Young) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), the Senator from Alabama (Mr. Sparkman), and the Senator from Missouri (Mr. Symington) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from California (Mr. Murphy) and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Illinois (Mr. Percy) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from New York (Mr. Javits), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Percy) and the Senator from Maine (Mrs. Smith) would each vote "yea."

The result was announced—yeas 70, nays 7, as follows:

[No. 223 Leg.]

YEAS—70

Aiken
Allen
Allott
Baker
Bayh
Bellmon
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Dole
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goodell
Griffin
Hart
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—7

Bennett
Cotton
Dominick
Goldwater
Gurney
Hansen
Williams, Del.

NOT VOTING—23

Anderson
Cook
Curtis
Dodd
Gore
Gravel
Harris
Hartke
Javits
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Sparkman
Stevens
Symington
Young, Ohio

So Mr. Goodell's amendment, as amended, was agreed to.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. Goldwater). The question now recurs on the second part of the amendment of the Senator from New York. On this question the yeas and nays have been ordered.

Mr. GOODELL. Mr. President, the amendment would increase the appropriation of $60 million recommended by the committee for development and planning grants to $100 million.

The chairman of the committee and the ranking minority member have indicated that they are agreeable to accepting the amendment.

I ask unanimous consent to vacate the previous order for the yeas and nays.

Mr. MILLER. Objection.

The PRESIDING OFFICER (Mr. Goldwater). Objection is heard.

Mr. HOLLAND. Mr. President, I think the point was probably not made completely clear. The fact is that the action would make the amounts identical in the House and the Senate bills. If the second part of the amendment were agreed to, there would be nothing to take to conference. There would really be no reason to have a yea and nay vote that I can see. I appreciate the fact that the Senator from New York asked to vacate the order.

Mr. MILLER. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMINICK. Mr. President, I am in favor of the second part of the amendment of the Senator from New York and the Senator from Florida. I was against the first one because it involved an $80-million increase in the budget for direct loans which does not seem to me to make much sense.

If we can get into an insured loan program, we would do far better than with direct loans under which we would be loaning money and waiting 20 years to get it back.

I am very much in favor of the second part of the amendment to provide an additional $40 million for the rural water and waste disposal grants.

Mr. HANSEN. Mr. President, as one of the seven Senators who voted against the first part of the Goodell amendment as amended by the Senator from Florida, I am not at all averse to the important work being done by the FHA in my State of Wyoming.

We have a very able administrator who has succeeded in financing all of the requests that have been made upon his agency for help by selling bonds within the State of Wyoming.

I think the distinguished Senator from Colorado put his finger precisely on the situation that obtains in Wyoming when he says that we can better use Federal funds for other purposes. By running a good operation it has been possible to sell bonds adequate to finance the FHA program in Wyoming. It is a good program.

It was in recognition of that fact that

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I joined him in voting against the first part of the Goodell amendment as amended by the substitute of the Senator from Florida.

The PRESIDING OFFICER (Mr. Goldwater). The question recurs on the second part of the Goodell amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. Anderson), the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. Hartke), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Georgia (Mr. Russell), the Senator from Alabama (Mr. Sparkman), and the Senator from Missouri (Mr. Symington) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Ohio (Mr. Young) are absent on official business.

I further announce that, if present and voting, the Senator from North Carolina (Mr. Jordan), the Senator from Washington (Mr. Magnuson), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Missouri (Mr. Symington) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. Curtis), the Senator from California (Mr. Murphy), and the Senator from Maine (Mrs. Smith) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from New York (Mr. Javits), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) is absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from New York (Mr. Javits), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Percy), and the Senator from Maine (Mrs. Smith) would each vote "yea."

The result was announced—yeas 77, nays 0, as follows:

[No. 224 Leg.]

YEAS—77

Aiken
Allen
Allott
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cotton
Cranston
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Griffin
Gurney
Hansen
Hart
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—0

NOT VOTING—23

Anderson
Cook
Curtis
Dodd
Gore
Gravel
Harris
Hartke
Javits
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Sparkman
Stevens
Symington
Young, Ohio

So the second part of Mr. Goodell's amendment No. 759 was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17548) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Evins of Tennessee, Mr. Boland, Mr. Shipley, Mr. Giaimo, Mr. Marsh, Mr. Pryor of Arkansas, Mr. Mahon, Mr. Jonas, Mr. Talcott, Mr. McDade, Mr. Del Clawson, and Mr. Bow were appointed managers on the part of the House at the conference.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

NEED FOR ADEQUATE FUNDING OF AGRICULTURE PROGRAMS

Mr. MONTOYA. Mr. President, there are a number of items in the Agriculture and related agencies appropriation bill for fiscal 1971 on which I wish to comment and urge favorable action. Agriculture is very important in my State of New Mexico, and I am convinced that a healthy agricultural sector of the economy is directly linked to the prosperity and well-being of the Nation as a whole. We must be sure that we provide adequate levels of financing for farm programs.

The ACP, or agricultural conservation program, should be given increasing priority as the Nation mobilizes its resources to improve the quality of our physical environment. The funds expended for ACP practices return to the Nation the greatest possible conservation and pollution-abatement benefits. While this program provides a proven means of meeting local conservation needs as determined locally, it has proven to be far more comprehensive and effective than other approaches adopted in recent years.

In New Mexico, $2.1 million was spent for agricultural conservation programs in 1969, and it is estimated that $2.26 million will be spent in 1970.

It is ironical that, just as the importance of preserving our natural resources and environment is becoming fully recognized, the President proposed the elimination of all funds for 1970 and 1971 for the agricultural conservation program. The Congress, however, has had the wisdom to retain an adequate level of funding for the ACP. For fiscal 1971, the House appropriated $195.5 million, and your Senate committee recommended $190 million. I would hope that the Senate will approve a level of funding essentially consistent with these amounts in the pending bill.

Amounts due under the agricultural conservation program are legal commitments, and funds must be provided. Contracts between individual farmers and the Government are entered into under the program announced the previous year. Nevertheless, $10.5 million of the amount provided by the Congress for the fiscal 1970 program was held in reserve by the Bureau of the Budget. I would like to state for the record at this time that the President must allocate the full amount appropriated by Congress for this worthwhile program. There should be no impounding of funds as occurred this past year, particularly for a program such as this that conserves our precious land and water resources.

Earlier this year, I urged the Subcommittee on Agricultural Appropriations to provide adequate funding and personnel for the Soil Conservation Service, the operations of which are closely related to the ACP. The SCS provides technical advice to the agricultural conservation program—thus contributing in an essential way to the practices and programs that are so vital to the improvement of our natural environment.

I am concerned that the SCS staff is far below what is needed to adequately serve the workload with which it is faced. In fact recent estimates by the conservation district officials indicate that 2,325 additional man-years are needed annually to meet present needs. Instead, we have in recent years reduced the SCS work force. In the 1969 fiscal year, a total of 10,424 man-years were available to provide technical assistance under the conservation operations program. This represents a reduction of more than 1,000 man-years during the past 10 years.

New Mexico has shared in this loss of staff. In 1959, we had 291 budget positions in SCS. The personnel ceiling for SCS in New Mexico for June 30, 1970, is set at 257. And this is on top of the fact that during this period new and important programs and responsibilities have been added placing additional demands on fewer people. We must reverse this trend. Our SCS personnel are dedicated and efficient workers, but there are limits to what they can do. It is time we recognized that it takes people to get a job done.

The work of the SCS is essential to New Mexico and vital to the future of the

Nation. Let us continue to provide the funds and personnel to allow this work to go forward.

Watershed planning is another area that concerns me. In New Mexico more than 40 communities have applied and are waiting for assistance to prepare watershed work plans. They recognize in many cases a plan to eliminate serious flood hazards and restore their upstream watersheds is essential to their economic growth and welfare. Nationally there were 2,866 watershed applications on hand on February 1, 1970. A total of 1,551 had been authorized for planning. That left 1,315 still waiting for Federal help in planning. This gap is too wide and it is increasing. We must provide the funds necessary for steady progress in the Nation's watershed planning.

Another area of concern—lending authorization for the Rural Electrification Administration—will directly benefit all of rural America and indirectly benefit our urban people.

The Senate Appropriations Committee, after a most careful scrutiny saw fit to provide $352 million in REA's obligational authority during the 1971 fiscal year. This is $30 million more than was requested by the administration in its budget request. The additional along with the $23 million in carryover funds—$20 million of which we made available last year but the Budget Bureau withheld from use—makes possible a $375 million electric loan program for the 1971 fiscal year.

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As you recall, the House this year approved a $322 million electric loan program. What the Senate Appropriations Committee recommends, and what I sincerely hope we will approve, is a small additional amount which will help alleviate the very real need for low-cost capital in the thinly populated portions of our Nation. The committee's report points out that—

> In view of the large backlog of unserviced loan applications . . . a modest increase of $30 million is the additional amount that should be made available during the coming fiscal year.

We all know of the increasing demands for electrical power. REA has on hand the largest unserviced backlog of loan applications in its history. The backlog of applications was recently estimated at just under $433 million, of which $4 million is for New Mexico. Total applications to be considered by REA during the 1971 fiscal year are forecast at close to $900 million, of which over $12 million is for New Mexico. The State of New Mexico has 17 rural electric cooperatives.

I do not need to catalog for you the amazing success story that we have in rural electrification. We all know its blessings. Moreover, we have an encouraging prospect in the efforts of the rural electric systems to provide supplementary financing of their own to fill some of the gap which results from increasing rural power needs and the increasing cost of power facilities due to inflation in the Nation's economy. The committee has taken into account the formation of the National Rural Utilities Cooperative Finance Corporation—a new credit institution in the private sector wholly owned by the rural electric systems, which are in turn locally owned by some 6 million rural consumers served by these systems. A vote by the Senate in support of the committee's recommendations will also be a vote of encouragement to the rural electric effort to seek supplementary financing outside the Government. In light of current inflation, there is no better time than now to encourage this effort.

There is a follow-up concern that we should call to the attention of the administration—and that is the release to REA of the funds we authorize. The $20 million approved for use in fiscal 1970 were held back by the Budget Bureau despite REA's demonstration of a critical need. I would hope that the Senate's decisions this year will not be disregarded and negated by the Bureau of the Budget.

Rural telephone systems, too, have been attempting for some time to establish a financial institution to create supplementary capital for that program and thus relieve some of the pressure on REA. The Senate committee recommends an additional $15 million for telephone loans beyond the administration's budget estimate, and I hope that the Senate will support the committee by also improving these badly needed funds.

I have mentioned only a few of many programs funded by this bill that are vital to the prosperity of rural America and the farming industry, and eventually to the health of the American economy as a whole. Although some urban residents apparently do not realize it, agriculture is still the Nation's No. 1 industry. It employs over 5 million workers, and its assets total $298 billion—equal to about two-thirds of the current assets of all corporations of the United States.

Although our farm population today comprises only slightly over 5 percent of our total population, farmers buy about $37 billion in production goods and services per year. The commercial farmer buys about 5 percent of our total steel production, about $1.6 billion of our petroleum products or 11 percent of the total sold. He buys enough rubber for his cars and tractors to put tires on 7.5 million cars, and it has been estimated that his purchases are the basis for about 6 million jobs in machinery, chemical and other supply industries. And his products, in turn, are the basis for processing and marketing industries which provide an estimated 14 to 16 million jobs.

Unfortunately, the Department of Agriculture is identified in many minds only with 5.1 percent of our people who are on the farm. In reality, it represents the 94.9 percent of the nonfarmers more closely than does any other department, for it represents the source of food, clothing, and shelter for all Americans—and also represents the largest individual market for labor and industry. For the sake of all Americans, we cannot shortchange the programs of the Department of Agriculture and related agencies. Instead, we must make the investment to sustain a strong agricultural sector, and thus help to maintain a strong and viable America.

THE GROWING THREAT OF FOWL CHOLERA—AGRICULTURAL APPROPRIATION BEGINS RESEARCH FOR PROTECTION

Mr. YARBOROUGH. Mr. President, in our consideration of the agricultural appropriations bill, it is important for us to recognize the tremendous benefits provided to all the citizens of our Nation by the funds we appropriate in this area. When we appropriate funds for research to improve our agricultural production, the benefit is often enjoyed in terms of more healthful food and lower costs to consumers. I commend the distinguished Senator from Florida (Mr. HOLLAND) for his action in committee in accepting the $100,000 amendment.

One item contained in the bill under consideration today provides an example of how we can act to benefit consumers.

The Appropriations Committee, on which it is my honor to serve, included $100,000 in the appropriation for the Agricultural Research Service in order to commence a program of research into fowl cholera in turkeys.

Over the past few years there has been a sudden increase in the incidence of this disease in turkeys, and it is having a very serious impact on the producers throughout the Nation.

From 1951 to 1964, it is estimated that the loss to the turkey industry due to cholera was less than $2 million annually. Since 1964, the incidence of cholera has increased rapidly, and in 1968 and 1969 the loss has risen to over $14 million annually. Without prompt remedial action, the losses are expected to continue to grow more serious.

The disease of fowl cholera in turkeys is a very serious problem in Texas. It is estimated that of the approximately 8 million turkeys in Texas, over 50 percent were affected by this disease in 1969. This is a much higher percentage of birds affected than in any of the other top-producing States. However, the disease is on the increase in these other States.

In order to launch a full-scale attack against this rapidly spreading disease, the appropriation should be $500,000 rather than the modest $100,000 we have included in the bill. However, the $100,000 will provide us a beginning on the program to control fowl cholera in turkeys.

In view of the tremendous impact that this disease is having on the turkey producers in my State of Texas as well as many other States, it is my strong recommendation that the Agricultural Research Service consider the magnitude of this problem very carefully, and that as they commence this research program, they should be prepared to use up to $100,000 of the contingency funds made available to them to supplement the $100,000 appropriated for this purpose. The point I wish to make is that the problem is so great that the search for a solution should not be delayed.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 763

Mr. McGOVERN. Mr. President, I call up my amendment No. 763, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read amendment No. 763, as follows:

On page 20, line 24, strike out "$1,250,000,000" and insert in lieu thereof "$2,000,000,000".

Mr. McGOVERN. Mr. President, this amendment would have had the effect of increasing the food stamp appropriation from $1.250 billion to $2 billion, as previously authorized by the Senate; but, after consultation with the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from Louisiana (Mr. ELLENDER) and with Members on the other side of the aisle, especially the Senator from Massachusetts (Mr. BROOKE), it has seemed more prudent to reduce the proposed increase to the figure of $1.750 billion. In other words, we would be increasing the amount in the bill as reported by the committee from $1.250 billion to $1.750 billion.

I ask that the amendment be so changed so that it reflects the figure $1.750 billion.

The PRESIDING OFFICER. Does the Senator so wish to modify his amendment?

Mr. McGOVERN. Yes; I ask that it be modified so that the figure $2 billion is changed to $1.750 billion.

The PRESIDING OFFICER. The amendment is so modified.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. HOLLAND. The Senator does not wish to indicate at all, does he, that the Senator from Louisiana and the Senator from Florida have agreed to the figure?

Mr. McGOVERN. No; I was going to comment on that. I understand that the Senator from Florida as well as the Senator from Louisiana are opposed to any increase at all in the amount recommended by the committee.

I simply wanted to make clear to the Senate that one of my reasons in reducing the amount in the proposed amendment is the concern expressed by the Senator from Florida and the Senator from Louisiana about the attitude in the House of Representatives toward a substantial increase above the $1.250 billion that was approved in the other body by the Appropriations Committee.

Mr. President, it was over 3 years ago that the shameful phenomenon of hunger and malnutrition first came to light here in America, the richest nation in the world.

For many years, Americans had been aware of hungry millions around the world but ignorant of hungry fellow citizens in their own country, their own States, their own cities—indeed their own neighborhoods.

As a director of the overseas food for peace program at the beginning of the last decade, I was as unaware as most Americans of the hunger in our own land.

The discovery of hunger and malnutrition here at home was so shocking—and so surprising—that its existence was immediately met with incredulity by some of the highest officials of the Government and by Members of Congress.

It is not so, they said. There is no widespread hunger in America. Perhaps there are isolated areas where Americans are not getting enough to eat. But hunger affecting millions of Americans? No, it just cannot be. America is too rich, her abundance too great, for such a serious problem to exist on a national scale.

This incredulity, this shock and surprise, sprang from a basic sense of decency. For no American wants any other American to go hungry if it can be helped. The questions raised about just how widespread hunger is in America deserved an honest and dispassionate answer. And the Senate established a select committee to seek that answer.

For the past 18 months, I have had the honor of chairing that select committee, and I have had the privilege of working with other Members of the Senate who have been unsparing in their efforts to bring an answer back to the Senate.

Let me mention just a few of them. Senator HOLLAND and Senator ELLENDER, who for many years before I joined this body, were sponsoring legislation to feed our people. Senator MONDALE, Senator KENNEDY, Senator HART, Senator PELL, Senator YARBOROUGH and Senator TALMADGE who played such an important role in the enactment of a new and comprehensive School Lunch Act this year.

On the Republican side, Senator JAVITS, Senator PERCY, and Senator COOK have from the very beginning been among the hardest driving members of the committee. I am particularly appreciative of their efforts because they have been a living demonstration that when it comes to the issue of hunger, bipartisanship is the order of the day.

I also want to express my appreciation to Senator BROOKE and Senator HOLLINGS for their efforts to gather support for the amendment we are voting on today.

The cooperation of the Democratic and Republican members of the select committee proves that hunger is not a political issue but a human issue to which we all respond equally.

The select committee has worked hard. It has held countless hearings, in Washington and around the country, and heard hundreds of witnesses. It has searched for the answer to whether hunger and malnutrition affect millions of our people. It has heard and it has seen for itself, and it has brought back an answer.

Hunger and malnutrition does exist in this rich Nation. It exists in every section of this Nation. It is not an isolated circumstance. It is a national tragedy.

Hunger and malnutrition in America according to the National Nutrition Survey conducted by the Public Health Service, is as widespread among our poor as it is in some of the world's most underdeveloped countries.

The cost of this hunger and malnutrition in economic terms alone, the Bureau of the Budget reports, is staggering. For every dollar not spent providing the hungry with food, the Government ends up spending $3 providing the poor with care the remainder of their lives.

For hunger and malnutrition are not a fleeting thing. They hurt for a lifetime. The malnourished child is weak and vulnerable to disease—disease that stunts his mental and physical ability. A mother who is malnourished cannot care properly for her children. A father cannot work effectively on an empty stomach and a weakened body.

There is no longer any argument about this tragedy. The President himself put the argument to rest when he sent his historic hunger message to Congress last April, saying:

> There can be no doubt that hunger and malnutrition exist in America and some millions may be affected. That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable.

There is no longer any disagreement about what needs to be done to meet this problem. We need to reform and expand the food stamp program until it puts food on the table of every hungry family.

There is some disagreement over how fast we must do what needs to be done. The Senate thoroughly debated this issue last September. Then it decided. It decided to enact a fully adequate food stamp program and to authorize the funds necessary to expand that program. That amount for fiscal year 1971 was $2 billion.

The question before us today is simple. The question is, Will we honor that pledge, or will we ask the hungry to wait yet another year to obtain food for their children?

During the past 5 months we have taken the first step toward meeting last year's promise. Participation in the food stamp program has jumped from about 3½ million to nearly 6 million. This expansion has been made possible by the additional funding provided for the program last year.

But, if we are to continue that expansion, we must act now to raise the budget request for the food stamp program in fiscal year 1971.

The Appropriations Committee has recommended that we appropriate $1.25 billion for food stamps this year. But that recommendation was made before it became apparent that the $1.25 billion figure would not permit any further expansion of the program.

Testifying before the Select Committee on Nutrition just 3 weeks ago, Assistant Secretary of Agriculture Lyng said:

> The acceptance of the food stamp program has been such that we may have some very real problems in the coming fiscal year 1971. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure ($1.25 billion) will be insufficient.

The arithmetic on which he based this statement is elementary. USDA estimates that the per person cost of the food stamp program will run at about $200 for the coming year. Present participation is about 6 million. Multiplying 6 million by $200 we see that it will cost us $1.2 billion just to maintain the program at its present level.

Mr. President, this present level is not adequate. There are 25 million poor people in the country today; 15 million of these people receive no food assistance of any kind. Unless we appropriate enough money to continue the expansion of the

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food stamp program, these same 15 million people will remain without assistance throughout 1971.

In the legislation which passed the Senate last fall we authorized the expenditure of $2 billion on food stamps during fiscal year 1971. Having already gone on record for a $2 billion authorization, and knowing that anything a great deal less than this figure will leave millions of Americans without assistance, I cannot see how we can justify appropriation of any amount other than the $1.75 billion that we are seeking today.

To fail to appropriate the full $2 billion is even less justifiable when we consider that Assistant Secretary of Agriculture Lyng told my committee on June 19 that, and I quote directly:

> The best figure that we can come up with is that there are probably something like 14 million people in the United States who are in need of food assistance this year.

Mr. Lyng did not say that these people needed help sometime in the misty future, he said that they require food assistance now, this year.

Simple multiplication will tell you that an appropriation of $1.25 billion for food stamps can never provide assistance to 14 million people. In fact, it will serve only 6 million people. When the 4 million commodity recipients are added in, this means that we will fall 4 million short of the extremely modest goal which USDA itself set less than 1 month ago.

On the other hand, if we raise the appropriation for food stamps to $1.75 billion, we will permit continued expansion of the food stamp program up to 8 million persons, for a total of 12 million persons. While this is still 2 million short of the goal of 14 million, it is continued improvement.

Mr. President, I am at a loss to understand how USDA can tell us one week that we must feed 14 million people next year, then turn around the next week and oppose an appropriation specifically tailored to feed 12 of those 14 million.

I am even further at a loss to see how the testimony of Assistant Secretary Lyng could be construed, as it apparently has been by some Members, to constitute a firm defense of the $1.25 billion administration request.

Yesterday, in this Chamber, we decided that we as a nation could afford to spend $3.3 billion exploring space in the coming year. It will be a sorry spectacle for the poor of this Nation if, in the face of all the fine promises and rhetoric of the past year, we now turn around when the crunch is on and tell these people that we can afford $3.3 billion to explore outer space, but that we cannot afford 60 percent of that amount to end hunger in America.

There is one more reason why I believe that it is imperative that the Senate provide $1.75 billion funding of the food stamp program. As we all know so well, the Senate is not a complete legislative system in itself. The House also has duties and responsibilities on these matters. In this instance, the House has already appropriated just $1.25 billion. Knowing the determined Members of the other body, I suspect that the $1.75 billion which the Senate should appropriate will be trimmed somewhat in conference. While I feel that any trimming will be at the expense of the poor and must be opposed vigorously, we must be realistic. If we are to have anything like an adequate appropriation for the food stamp program in the coming year, we must stand firm for at least $1.75 billion, which is still $250 million short of the $2 billion which we authorized last year.

I know that it will be said that the $1.25 billion recommended by the distinguished members of the Appropriations Committee is double the amount spent during the past year. The trouble with this argument is that it fails to note that 75 percent of the money spent last year was spent during the last 5 months of the year. As of May, USDA was spending on food stamps at an annualized rate of over $1 billion. Thus the actual effect of a $1.25 billion appropriation for the coming year will be to freeze the program at its present level.

It may also be said that the House has failed to provide a new authorization for the food stamp program, and that we should wait for the House. This argument is irrelevant. Both the $1.25 billion figure and the $2 billion figure for which I argue exceed the House authorization. Both figures would require the needed House authorization before they could actually be spent. What I am saying today is that $2 billion is the amount that is needed to permit the operation of an effective, expanding program. The Senate should go on record again today in favor of what is needed to do the job.

I am familiar with the arguments against full funding of the food stamp program. I know that some people feel that the country cannot afford to do the job properly so long as the war continues. I know that other people argue that added expenditures at this time would be inflationary.

Mr. President, I must take exception with these arguments. For over a year now we have had in our possession a Bureau of the Budget study which shows that it actually costs more to permit malnutrition to continue than it would to end it. Providing people with a few extra dollars to spend on food commodities with which we are oversupplied is not inflationary.

As another example of the tragic cost of permitting malnutrition to continue, I would cite the cost of caring for a person who is mentally retarded. That cost, for a lifetime, is in the neighborhood of $250,000. And there is strong evidence that malnutrition in childhood does indeed result in mental and physical impairment.

Further delay is inexcusable. If we are really committed to ending hunger in America let us vote our committment, and let us do so today by providing increased funding for our first line of defense against hunger, the food stamp program.

I ask unanimous consent to have printed in the Record an excerpt from the hearing of the Select Committee on Nutrition and Human Needs on June 19, 1970.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Excerpts From Hearing of the Select Committee on Nutrition and Human Needs

Senator McGovern. They are now up to 5.9 million participants. How many people do you think still need this program that we haven't yet reached?

Mr. Lyng. I asked the staff, Mr. Chairman, anticipating that question, to try to give me some information on the size of the target group. As you can well imagine, these are estimates. First of all, in defining the poor, the levels and all the rest of this, we work on all kinds of assumptions and estimates. The best figure that we can come up with is that there are probably something like 14 million people in the United States who are in need of food assistance this year.

This is a figure that can be debated and argued. I think if we had some of the experts here from the economic research service they can build a case for this 14 million figure.

Senator McGovern. Can you tell us what criteria you used in arriving at that figure?

Mr. Lyng. Well, I think it is based upon the number of families with incomes below the poverty threshold in the last published figures of the Bureau of the Census, and then applying some figures obtained in the 1965 household food consumption survey made by the Department of Agriculture among these groups—this was a sampling—it indicated the percentage that were not receiving nutritious meals, and then putting those together. Also, then taking in some recognition of the public assistance welfare load, Federal assistance, we are now providing food programs for more people than are receiving Federal assistance for aid to families with dependent children. This is not necessarily a valid relationship, but it is one figure. This could be off several million.

Senator McGovern. When you use the figure 14 million as the target figure, that would be the total number of people that you would feel at this point should be participating, or is that figure above and beyond what we are now reaching?

In other words, you are talking about an approximately additional 8 million people that you would like to see reached?

Mr. Lyng. Inasmuch as we now have 10 million people participating in commodities or food stamps, we would think that it would be something like four million, or perhaps five million more.

Senator McGovern. Your judgment is that at the present time you are doing a fairly good job on 10 million people in terms of getting food assistance to them?

Mr. Lyng. Well, we are getting some food assistance to them. We think we are doing a fairly good job, particularly in the food stamp area, those who are participating there. I think it might be an exaggeration to say that we are doing a fairly good job in commodities. I suspect that commodities are only an augmentation and probably don't go as far as they should in this area. I wouldn't really want to say that that is a fairly good job.

Senator McGovern. But the Department's goal, as I understand it, would be to move all of these fourteen million people into the Food Stamp Program as quickly as it can be done?

Mr. Lyng. That is correct, or however many it is. If it is 15 or 16 or 17 million that would be our goal.

Senator McGovern. The committee was using the poverty figure which comes out to about 25 million that are below the poverty line. But even if we were to accept the figure that you cite of 14 million, that still means that there are some eight million of those people outside of the Food Stamp Program and of that amount four million that are not even in the Commodity Program. Even accepting that, and I think those estimates are very, very conservative, how do you plan to carry on an expansion to reach those people within the requested authorization that the Administration has sent to the Congress? I believe it is $1.25 billion. That really doesn't do much more than hold you at the present level, does it, Mr. Secretary?

Mr. LYNG. This may be correct, Senator, as we move along. The acceptance of these programs has been such that we may have some real problems in the coming fiscal year. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure will at this point be insufficient.

As you know, this figure was submitted last fall, before we moved into these new programs, and it was our best estimate of as fast as we could move at that time. The request from counties for food stamps will depend a lot upon that. At this point we have now notified all counties that have applied for food stamps that they have been certified for food stamps. Unless they have come in in the last two or three days, we have no pending applications. But I suspect we may have. Depending upon the case load or the participants we may run into some difficulties.

Senator MCGOVERN. I noticed from your figures, Mr. Secretary, that the bonus cost, that is, the outlay of the Department, comes to just under $200 a year for the average participant. We did a little extrapolation on that. If you had the $2 billion that was authorized in the Senate bill, you could reach 10 million people with the Food Stamp Program which would lift that nearly 6 million that you now have up to 10 million.

If you had your way, would you advocate that we fund this program at the level in the Senate bill, $2 billion?

Mr. LYNG. We have no disagreement, Mr. Chairman, with the need for approximately this much. As a matter of fact, we estimate that in time this program perhaps will cost the $2.5 billion to move to the universe.

Senator MCGOVERN. I think it would, if you moved along

Mr. LYNG. But I think we have felt, and I am not ready to say that we want to amend our budget request, that during this fiscal year this was about as fast as we could move in converting the program. Maybe, as I said, that the thing could be moved along quicker. In the following fiscal year we anticipate that it is going to.

What I am trying to say is we have no disagreement with the $2 billion figure. We might have some disagreement as to the time frame.

Senator MCGOVERN. I appreciate the competing budget pressures, but you don't deny that the figure you have requested, the Administration figure, at $1.25 billion, really does little more than hold you at your present operating level. You brought it up to 5.9 million participation. You are not going to go much beyond that in the Administration figure you have requested for fiscal 71, are you?

Mr. LYNG. I mentioned that we will be taking New York, and I think the additional participants there are nearly a half million alone, in New York City. So we will have sufficient money in the budget for that.

I think we can project that this can go up to approaching 7 million within our appropriation.

The PRESIDING OFFICER (Mr. FANNING). The question is on agreeing to the amendment.

Mr. HOLLAND. Mr. President, it is not a very popular task to have to object, and object very vigorously, to the amendment offered by the distinguished Senator from South Dakota.

The fact is that the Senator from Louisiana and I have probably worked about as hard as anybody could work to try to get the situation into a better picture prior to the time this appropriation bill came up. The Senate passed a food stamp bill last year. I have forgotten the date.

Mr. McGOVERN. In September.

Mr. HOLLAND. In September of last year, and it went to the other body. We mildly contacted the chairman and other members of the House Committee on Agriculture last year. We have contacted them more frequently and more vigorously this year. We have contacted the chairman of the Appropriations Committee on the House side. We have contacted many others we thought were having a portion of the responsibility in the other body of deciding what kind of food stamp legislation they would report.

The facts are simply these, Mr. President: For a long time, the Agriculture Committee in the other body announced a plan to hold together in one bill the new food stamp program and the new farm bill which is also in the making. A couple of months ago, as I remember the date—some little while ago—however, they decided that the two bills would be reported separately, and the statement was made to me by the able chairman of the House Agriculture Committee that the two bills would be reported separately, for which I was very thankful. I did not learn at that time which one would be reported first. Yesterday, or the day before yesterday, in contacting members of the committee, in the absence of the chairman, who was in Texas, I learned that it is their definite plan to report first the farm bill and later the food stamp bill.

Mr. President, we all know that hearings on the food stamp bill and the farm bill have been going on in the other body since last fall or earlier, and we all know the situation that exists over there, I think, more fully than I have been able to state it in these few words.

The fact remains that until we pass an authorization bill we are without authorization for 1971 in the food stamp field. The pleasant fact to report, however, is that the House placed in the bill the budget amount of $1.250 billion with the understanding stated that it could not be effective until the authorization had been agreed upon and had become law in that amount or more. That, of course, would have to be the case because we could not pass a heavy appropriation of this kind in this field without an authorization.

When the Senate committee considered this matter, we were happy to see that the House had included this amount, subject to the passage of the authorization, and we included the same amount, which had been included by the House; and, of course, subject to the same condition, that an authorization would have to be passed.

We are in the fortunate position now of having in the Senate bill the identical amount that is already in the House bill and the identical amount that is in the budget, and that is a situation which we think may mean a great deal in the negotiations that go forward from here on out in conference and otherwise, but particularly in conference.

Mr. President, we feel that the situation is so good that if we had to do so a little later, we very likely would be able to follow the same course followed by the Senator from Louisiana last year, when there was no new authorization for 1970, at that time the Senator came in and got an emergency appropriation. He followed the same course when the supplemental bill was up a few weeks ago, and he stated very frankly to the Senate that we had no authorization for 1971, but he was requesting an appropriation of $300 million to be available during the first 4 months in 1971. The House was good enough to accept that amount, and we are operating now on a hand-to-mouth basis with that $300 million available for not to exceed 4 months. The understanding, as stated in that legislation, was that when an appropriation bill was passed for 1971, that amount, $300 million, would be subtracted from the amount for food stamps in the appropriation bill for 1971.

We very much want to have undisturbed the good relation that now exists between the Appropriations Committee in the House and the Appropriations Committee in the Senate and which is in accord with the budgeted figures.

I must say that, in my opinion, based on many, many contacts in this field, if the course now indicated by the House, is followed and the food stamp bill is reported after the farm bill has been reported and passed in the House, the chances are that the conference on the food stamp bill will be the very last item of business within the last day or the last week of this session of Congress. I do not want that situation to exist, not only because of the food stamp situation, but also because there are many items in the pending bill which are very important and which are needed to be made available as quickly as we can do so; and I think they can be made available quickly, because there are few differences between the Senate and the House measures.

The principal item that occurs to me now is the item which we adopted this morning covering the supplemental request for an amended amount for the school lunch program for $216,500,000. A goodly portion of that will be spent in the States in implementing the recently expanded child nutrition program. Some of that amount has to be available during the summer and, of course, before school starts in September. I would dislike very greatly to see this bill held up in conference because of any unwise action we took on this food stamp measure in such a way as to handicap the full operation of the new school lunch program, which we are all so interested in, and which we passed almost unanimously. That program requires this additional amount of $216 million, some of which is in the bill under the amendments adopted today.

So, Mr. President, I realize there are few Senators in the Chamber at this moment to listen to the argument, but I want the record to show that regardless

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of the outcome we are warning the Senate that any action to raise the food stamp item substantially—and the $500 million raise is certainly substantial—is apt to, and in my opinion almost certainly will, bring about a long delay in conference because it will have to await passage of the authorization bill on food stamps which will itself require a heavy conference.

I shall have to serve on both conferences. I do not look forward with pleasure to either experience but I want the record to show, in the first instance, that we strongly object to this large increase in the food stamp item from $1,250 million, the budgeted amount and the amount in the House bill, to $1,750 million.

Mr. HRUSKA. Was there a comparable situation last year in connection with the same postponement on the food stamp bill and the consequent handicapping of the administrative features of the program?

Mr. HOLLAND. Indeed, such a situation did occur. Remember, we rushed through a $750 million emergency appropriation, and we did not get it back from the House, and then we reduced the amount to $610 million, and for a period of months, as the Senator will recall, it held us up on the agricultural conference.

Mr. HRUSKA. The bill was passed in full and did not become law until November as a result of that long delay.

Mr. HOLLAND. I foresee the same delay in this matter, except I think this is apt to be a much more serious delay because it involves so much more money and the question has become such a grave question between the philosophy that seems to prevail over in the other body and the philosophy which prevails in the Senate. I cannot see any answer, except that we would be exceedingly unwise to place in the bill this added one-half billion dollars for the food stamp program.

Now, Mr. President, the Senator from South Dakota has been frank in talking to me, and in talking to the Senator from Louisiana (Mr. Ellender), chairman of the agricultural legislative committee. We appreciate his frankness. Following his discussion with me, I called Mr. Lyng, Assistant Secretary in the Department of Agriculture, to get him to give us the benefit of his thinking on this matter. I also asked for a copy of his testimony which the Senator from South Dakota had told me he had given before a meeting of the Select Committee on Nutrition and Human Needs, which is chaired by the Senator from South Dakota.

I understand that the hearing was on June 19, a copy of which I hold in my hand, and was furnished me by Mr. Lyng as a copy of his testimony given at that time, which I shall be happy to make available to the Senator from South Dakota. I have no reason to suspect in any way that this is anything but an accurate copy of what was said by Mr. Lyng before the Senator's able select committee. The letter from Mr. Lyng to me was sent at the same time he sent one to the Senator from Louisiana (Mr. Ellender). The letters are almost identical. There is no contradiction between them. Apparently the Senator from Louisiana asked his question in a little different way and the replies are, therefore, slightly different, as will appear from the two letters.

I shall not at this time ask for the introduction of the letter to the Senator from Louisiana into the Record because he is not in the Chamber and I take it he may wish to introduce it later.

The Senator from Louisiana (Mr. Ellender) is presiding now over a full meeting of the Appropriations Committee, less the Senator from Florida, and he is marking up one of the appropriation bills downstairs.

The letter which Mr. Lyng, Assistant Secretary of the Department of Agriculture, wrote to me reads as follows:

> July 7, 1970.
>
> Hon. Spessard L. Holland,
> *U.S. Senate.*
>
> Dear Senator Holland: Thank you for your phone call this morning regarding the amount the Administration has requested for food stamp expenditures in the 1971 budget.
>
> We have requested $1,250,000,000 for the food stamp program in fiscal 1971. These funds will allow us to operate the program in the 1747 counties where it is presently operating, and in 307 counties or independent cities, including New York City that are now in the process of initiating a food stamp program or changing over from commodity distribution to food stamps. The $312 million which we have requested for commodity distribution—

That is a separate appropriation in the bill, Mr. President. I continue to read—

> will allow us to provide family food assistance in all those counties which have not requested the food stamp program.
>
> At the present time, 5.9 million persons are participating in the food stamp program. An additional 4.1 million are taking part in the commodity distribution program. The total of 10 million individuals receiving family food assistance is far greater than the 7.9 million beneficiaries of the federally supported AFDC program and on a level with the total participation of 10.8 million in all federally assisted welfare programs. We anticipate that the funds requested for the food stamp program will allow us to increase participation in that program by the end of fiscal '71 to more than 7.5 million individuals, a substantial increase above present levels.

I repeat that sentence because it seems to me it makes it clearer than ever how unwise and unnecessary it will be greatly to enlarge the present amount for food stamps in the bill. That sentence reads:

> We anticipate that the funds requested for the food stamp program will allow us to increase participation in that program by the end of Fiscal '71 to more than 7.5 million individuals, a substantial increase above present levels.

Continuing reading from the letter:

> On June 18 of this year, we designated 77 counties that had applied to change from food stamps to commodity distribution for participation in the stamp program. This means that every county that had made an official request for the food stamp program as of June 12 of this year is now either operating such a program or gearing up to do so.
>
> The Administration's request for food stamps in fiscal '71 represents a five fold expansion over the $251 million that was spent on this program in fiscal '69, and a doubling of the fiscal '70 level. This $1.250 billion request is a major part of the more than $2.5 billion that the Administration has requested for programs to deal with hunger and malnutrition in the coming year. In addition to the large increase requested for the food stamp program more than $900 million has been requested for child nutrition, a $320 million increase over fiscal '70 funding. We are moving to expand both the food stamp and child nutrition programs to effectively utilize the increased funds that we have requested.
>
> Sincerely,
>
> Richard Lyng,
> *Assistant Secretary.*

Now, Mr. President, I realize that people can be mistaken in their estimate of what they can do, but I think that this letter and the letter to the Senator from Louisiana, which I shall not place in the Record at this time or until he can come into the Chamber, make it quite clear that the administration thinks the $1,250,000,000 will do the job for 1971.

Mr. President, it is true that mistakes may be made in that there may be a time when the amount we supply now will seem to be inadequate. All I am saying is that we do not even know what the amount to be authorized is going to be until an authorization bill is passed. It is quite possible that the authorization bill will be larger than $1,250 million, in which case we will have plenty of latitude to go into a supplemental bill if it is needed. If it is not larger than $1,250 million, we can always in that case follow the expeditious way followed by the Senator from Louisiana twice in the recent past. As I have already pointed out, we almost by unanimous consent met the needs in this field by the passage of emergency legislation which caused no trouble at all.

I think it would be a major mistake—and I speak from having sat in conferences on this subject and other subjects in the Committee on Agriculture and Forestry for about 18 years, I believe, or something like that—for us to put this amount in the bill. It is for that reason that I oppose it so strongly. I can foresee what I think is the most probable result that would follow. The full school lunch program increase would be held up until the conference report can be passed on the bill, which would be very unfortunate. The conference report may be the very last thing we ever get around to before we leave at the end of this Congress. I think that is very likely to be the case since the House committee has now announced that they are dividing the farm bill and the food stamp bill. They are reporting the farm bill first and the food stamp bill later, having in mind the strong feeling that exists on the part of some of our colleagues in the Senate and at the other end of the Capitol and the troubles that we have run into in the past in this field, as mentioned by the distinguished Senator from Nebraska.

I think the Senator from Nebraska almost understates the trouble that we had last year, because we were trying to get a conference for 3 or 4 months before we ever got a conference. And the conference could not be held until certain authorization had been passed.

I think we would make a very great mistake in putting this increase in the bill. I cannot state my position any more strongly than I have. I think it would be a complete mistake. I am pleading with my distinguished friend, the Senator from South Dakota, who I know has heartfelt interest in this program, along the line I have already stated.

I do not believe I have withheld anything from him, as I said earlier, except that I had not received the letter from Secretary Lyng when I discussed the matter with him.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. Mr. President, in order to make this point clear, earlier today amendments were agreed to which resulted in additions of $216 million to implement the new school lunch program.

Mr. HOLLAND. The Senator is correct. That was done without opposition. They were agreed to by unanimous vote of the Senate.

Mr. HRUSKA. It is very likely that the House will concur, in that the House also approved the substantive legislation which is the basis of that action.

Mr. HOLLAND. My feeling is that both Houses are rather proud of the substantial increases in the school lunch program passed recently by joint action of the two Houses and with the approval of the President.

Mr. HRUSKA. Mr. President, it is a dramatic improvement which I am confident will receive nationwide approval.

If no agricultural appropriation bill is approved into law sooner than was the case last year, which was the latter part of November, does that mean that this improved and expanded school lunch program will not go into effect in September?

Mr. HOLLAND. It certainly means that the various plans which will take place this summer cannot be completed. It certainly means that the actual beginning of the feeding part of the program cannot begin until a few weeks after the legislation has passed.

Mr. HRUSKA. Mr. President, if the experience of last year is repeated, that would mean after the first of January 1971.

Mr. HOLLAND. Mr. President, in my judgment it is quite possible that would be the result. I think it is more than possible. I think it is probable.

Mr. HRUSKA. Even a slight probability would certainly be a weighty factor in considering the several courses so that it would move forward and not prevent the programs from proceeding, either the food stamp, the commodity distribution, or the school lunch program.

Mr. HOLLAND. The Senator is correct. And the conclusion the Senator from Nebraska draws is exactly what I have been trying to say. He states it better than I did.

Mr. HRUSKA. Mr. President, I would consider it a very serious responsibility that anyone would undertake action which would result in that consequence.

Mr. HOLLAND. Mr. President, I cannot think that Senators would vote to take that action if they thought this would be the result, because they are too interested in the food stamp and the school lunch programs and the family assistance program. The food stamp program dovetails with the commodity program, although they are provided for by different appropriations. And the appropriations for the commodity program is not at issue here. There is no issue between the two Houses. The amount is $212 million.

I cannot believe that if Senators were here to hear the debate, there would be any very great division on this point.

I think that more Senators would feel that we should not take the chance of proceeding in this fashion. There would be a very great chance of defeating an early start on the standard school lunch program and defeating the authorization not only for 1971, but also for the following food stamp programs by putting this kind of provision in the bill.

I think I stated this to the Senator from South Dakota heretofore. The House repeatedly acted more vigorously than expected when it put the $1.25 billion in the House agricultural appropriation bill. I am very grateful to them for having done so, considering the troubles we had last year and up to now this year.

I was greatly pleased and I think that my friend, the Senator from Nebraska, was greatly pleased that the item of $1.25 billion for food stamps is in the bill.

Mr. HRUSKA. The Senator is correct. Our pleasure was, I think, of commensurable degree.

Mr. HOLLAND. Mr. President, as far as I am concerned, I will do everything in my power to get a quick authorization bill. However, we cannot move until the House passes an authorization bill. And they cannot move until a bill comes out of the committee.

All I know is that here is a subject that has been very argumentative in conferences heretofore and is apt to be so again. And here is a subject which will almost surely hold up the school lunch program and its very beneficial enlargement.

I do not want to be a party to it, and I will not be a party to it. But I do not want any other Senator to be a party to bringing about that result. That is why I am making these statements clearly so that everyone can hear them if he comes to the floor. Just as surely as we put this provision in here, in my judgment, we will delay the beneficial effects in an expanded school lunch program and, indeed, the funds in the bill. And we would delay effective authorization of a real food stamp program. We would delay any action on the agricultural appropriations bill.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. McGOVERN. Mr. President, I do not want to delay the matter. First, let me add my name to the list of Senators paying tribute to the long and dedicated service of the distinguished Senator from Florida. I have the greatest admiration and respect for my good friend from Florida. Does the Senator from Florida recognize the fact that even if we accept the House proposal of $1.25 billion, that would have no relevance until the House authorizes an equal amount of money. In either case, whether $1.25 billion or $1.75 billion, we have to wait until the House authorizes it.

Mr. HOLLAND. The Senator is correct. However, he has not taken into consideration some of the factors that I want to mention. The first factor is that the pending food stamp legislation is not only for 1971, but is also for a period of years.

Second, the pending food stamp legislation has many substantial changes in it. My feeling is, as I have already said, that the Senator from Louisiana, who has a peculiar influence in this field in both bodies, would have little difficulty if we get a conference report on the appropriation bill based on $1.25 billion, and if we came to the end of the fiscal year and spent the $300 million provided by the supplemental bill, in getting a temporary measure through, just as he was successful in doing last year and just as he was successful in doing when we were debating the supplemental bill. In both cases his actions were approved in the House. We had no trouble in the House. We should not rock the boat, but go ahead and get the conference report approved.

Mr. McGOVERN. Mr. President, the Senator's argument would carry more weight if the House voted any figure at all. Over there it could depend entirely on the authorizing process catching up with it.

Mr. HOLLAND. That is the case, but that is the case which existed last year. It will be remembered we rushed through a $750 million emergency measure here. It was some time before they took it up. They passed it at $610 million and the Senator from South Dakota was gracious enough to realize the personalities of the matter and accept that rather than $750 million.

The Senator would have preferred the $750 million just as he would now prefer the $1.75 billion. I am not asking him to change his views on the modification of the ceiling for the new food stamp legislation. I am asking him to look at these practical facts as related by one who has been through these conferences for years, both on the agriculture appropriation and agriculture legislation providing for food stamps. My feeling is we are playing with fire if we put $1.75 billion in this bill at this time.

I cannot desist from making that statement in being fair to the distinguished Senator.

Mr. McGOVERN. I appreciate that.

Mr. HOLLAND. I state that based on the possibilities. I would say they are more than possibilities. I think they are such strongly probably events that we can almost surely count on seeing them develop as we go along.

Mr. President, that concludes my original statement. If the Senator from

Louisiana does not come in before we conclude, I will take the liberty to place in the RECORD the letter to him from Secretary Lyng.

Mr. HOLLINGS. Mr. President, I have listened very closely to our distinguished senior colleague from Florida. Only earlier this morning I joined in the colloquy in praise of the distinguished Senator because I find no one more logical and no one more assiduous in his duties both on the floor of the Senate and in committee. I have worked with the distinguished Senator on the Committee on Agriculture and Forestry.

We have a difference with respect to the problem of hunger. Mr. President, when you hear the Senator from Nebraska and the Senator from Florida using such expressions as "grave mission," "grievous error," "impossible to pass," "do not rock the boat, and all those other things, they belie one single fact, and that is the fact that we have a policy on a particular problem in America known as hunger.

We have debated here for 7 weeks about a policy on limiting the battlefield when there is a war, but no one—all the best people—ever suggested that we really should fight a $5 billion war, a $7 billion war, or a $1 billion war, or a $28 billion war which we are fighting. You just cannot measure the war in the action of the enemy, and the same is true with respect to hunger.

How, in the Lord's name, can we expect to say forthrightly we have a policy in this Government—the President has said so—with which we are confronting the problem of hunger? The Vice President and everyone comes forward and they say, "Yes, we are meeting the needs," and then they measure the needs, not by those who are hungry but by some legislative action on the other side of the Capitol.

My distinguished friend started off by saying he knew he was taking an unpopular position to oppose vigorously the proposed increase. I believe just the opposite. I know what is popular. Over in the House of Representatives they have 174 committees, I say to the Senator from Nebraska. They have 174 committees—ad hoc committees, special committees, subcommittees, study committees, staff committees, committees to find the Congressman from New York down in Bimini; they have all kinds of committees, but no Committee on Hunger, and those Representatives are pretty astute politicians.

If Representatives from the Senator's State or from my State thought for a second that the hunger cause in America was popular they long since would have formed a special committee, such as we have, headed by the Senator from South Dakota (Mr. MCGOVERN).

It is not popular to go ahead. They say everything is impossible. You cannot get them to agree. The reason for its unpopularity is the failure to appreciate the problem because hunger is always identified politically. How can anyone really say how many people are in the hard-core hungry or in that middle area of suffering from malnutrition, totaling some 25 million? Habitually in Congress we have fallen into the income measure trap.

We go to the Department of Agriculture and they say for an economy diet the figure is $3,720 a year for a family of four, and those below that figure are poverty stricken.

Nobody believes it because in many cases it is not true. The Select Committee on Nutrition and Human Needs places the figure up to $4,500; the President's White House Conference has asked for a minimum income of $5,500; someone else suggested $6,500. The voters in Nebraska and in Florida are saying, "All you people in Congress are doing is to develop two classes—taxpayers and tax eaters. We are not going to stand for it, and we oppose the food stamps." That is why it is unpopular.

Back in July 1967, when the Surgeon General came to testify in Congress, he said—and I am quoting from the best of my memory—"This great United States has studied malnutrition in over a dozen countries of the world, but never in America." According to the Surgeon General, "I cannot tell you how many are hungry in the United States."

So Congress then directed the Department of Health, Education, and Welfare to institute this study and under Dr. Arnold Schaeffer they launched the survey in 10 States.

Unfortunately, it is not conclusive yet, but in my State we have enough to talk facts. I have to talk facts when I oppose my distinguished friend, the Senator from Florida.

We found the political facts and figures heretofore rendered were on the minimal side. Let me digress just one second about the survey made by the Department of Public Health in my State of South Carolina looking specifically for those who would be eligible under the emergency feeding program where the poor are medically diagnosed as suffering from malnutrition. This program serves lactating and pregnant mothers and children under six.

In Beaufort County and Jasper County under this administration—with credit to Secretary Hardin—for the first time free food stamps were made available to the poorest of the poor.

Under the companion program—emergency feeding, operating in several counties, individuals came in and they were diagnosed by State health officer Dr. Kenneth Aycock; Dr. Parker Jones, of Beaufort, the county health officer; and other county health officers.

They found 1,700 children and 300 mothers, making a total of 2,000 people, who could be medically diagnosed as hungry.

Dr. Aycock is a conservative. His father is chairman of the South Carolina House Ways and Means Committee. He is not a "peacenik"; he is as conservative as any red-blooded American ever has been. Dr. Jones is also a conservative. Dr. Aycock asked all of my State's health officers for an estimate of how many persons were eligible for this program medically projecting and determining that 170,000 were hungry and needed food and were suffering from malnutrition. I then asked the good doctor to project that to include minors over 6. What about those over 6?

The distinguished Senator from Florida reached the idea that, somehow, the school lunch might be a help for them. Where are these hungry? Many do not even get to school. Of the 15 million who compose the hard-core hungry, half of them, 8 million, are children. Many do not get to school. They need food now, and they are not being fed.

Dr. Aycock projected his estimate to the other age groups and the elderly, both male and female, and found 300,000; that is, medically. That is not difficult to fathom when we realize that in the 1960 census 75,000 families in my home State had an income of less than $1,000 a year. That is less than $100 a month. They comprise some 413,472 people. That was in 1960. That is between one-fifth and one-sixth of all our families at that time.

There is the target. There is the measure. The measure is not the House. They cannot see them. They will not understand it. They will not go into their own backyards. Hunger is within a mile's circumference of anyone, I do not care where you go in America. It has been found officially in South Carolina by HEW, under the survey of Congress.

Mr. President, I shall limit my remarks, because other Senators want to speak, but I ask unanimous consent to have included in the RECORD a statement headed "Present Status of the South Carolina Nutrition Survey," by Dr. Malcolm U. Dantzler, assistant State health officer, State board of health, a comparison of biochemical test results to date in South Carolina with other State results by percentages in deficient, low, and acceptable categories, and other pertinent data, as well as an article which appeared in the Charlotte, N.C., Observer of July 2, 1970, written by James K. Batten.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESENT STATUS OF THE SOUTH CAROLINA NUTRITION SURVEY

The South Carolina Nutrition Survey is a part of a national survey of the incidence and location of serious hunger and malnutrition and health problems incident thereto which was directed by the Congress in December 1967. The national survey was begun in 10 States which were selected because of their representation of larger geographic areas, their mixture of rural and urban population, and their economic, ethnic, and socio-cultural patterns. Also considered were such factors as the concentration of migrant labor, infant and maternal mortality rates, and food distribution and welfare programs. The States selected were Louisiana, Texas, New York, Michigan, Kentucky, California, Washington, West Virginia, Massachusetts, and South Carolina.

In each State, a contract was made with the State Health Department and/or one or more medical schools to conduct the survey. I was responsible for the development and general supervision of the work in South Carolina for the State Board of Health.

Because there were not enough funds or

manpower available to survey all population groups of the 10 States selected, it was decided to concentrate in the quarter of Census enumeration districts which had the lowest median income in 1960. Care was taken to insure that urban and rural areas were appropriately represented and then around a hundred Census enumeration districts were selected at random in each State for the survey. In each of the districts selected, a segment of about 75 houses were located on a sketch map by the survey staff. Then a trained interviewer visited every third house to explain the purpose of the survey, secure participation by the household members, fill out a preliminary questionnaire about the home and its inhabitants and invite the household members to come to a nearby center to complete the survey work in a day or two. Meanwhile another staff member made arrangements for use of a building, usually a school, convenient for the residents of the surveyed segment. We provided transportation to and from the center for those needing it. We paid $3.00 for each household member who completed the entire survey procedure in recompense for their time and trouble. This is another factor which weighted our sample on the low income side. Our field team found that fewer middle and upper income people were willing to give 90 minutes or more for the work at the center. Still another factor which added a bias to our findings was the requirement that no discrimination be permitted in the employment of our staff. I believe that racial prejudice was a factor in the refusal of some people to participate in the survey.

All in all, though, we did relatively well in citizen participation. We had 4,850 who completed the survey procedures out of a maximum potential of 9,200 people so we surveyed a little over 50% of those eligible. Participation in the 16 counties in which enumeration districts were selected for the survey ranged from 15 per district in Pickens to 89 per district in Lee County.

Another factor affecting the pure scientific accuracy of our survey is the change in the socio-economic characteristics of Census districts between 1960 and 1970. Some areas which were mostly inhabited by poor people in 1960 are now the home of people in better financial circumstances as a result of urban renewal and subdivision development during the past decade.

The techniques for the National Nutrition Survey in the United States were built on the results of similar studies which our government has sponsored in 33 undeveloped nations of the world. Assessment of the nutritional state of a large population is complicated because of the number of nutrients involved and the existence of subclinical deficiencies which are not readily recognized. The five avenues of approach used in our survey were medical, biochemical, dietary, dental and socio-economic.

The purpose of medical assessment in a nutrition survey is to detect recognizable physical signs and symptoms of deviation from health due to malnutrition. It included a medical history and examination by a doctor, anthropometric measurements, and wrist X-rays. The physical examination was designed to reveal outward signs providing clues to the individual's nutritional past. The medical history included diseases such as infections or parasitic infestations which influence absorption and metabolism of nutrients independent of dietary intake.

Biochemical measurements of the levels of nutrients in body tissues and fluids indicate current or recent nutritional status. Depletion of body stores of nutrients is the first downward step in the development of nutritional deficiency disease. As the deficiency progresses, functional impairment occurs and, finally, the physical changes characteristic of a clinically manifest deficiency disease appear. Biochemical measurements, therefore, enable us to identify people in danger of nutritional disease as well as those with frank malnutrition.

In our study, the levels of the following were determined in the blood: hemoglobin, hematocrit, total protein, albumin, Vitamin A, carotene, Vitamin C, folic acid, iron and iron binding capacity; and, in the urine, we tested for glucose, protein, creatinine, thiamine, riboflavin, urea nitrogen and iodine.

All of these tests have not yet been completed. However, our preliminary findings are favorable compared to available findings from other States. The following figures compare the percentage found below acceptable levels in the overall preliminary data from Texas and South Carolina, grouped without regard to age, sex, or other characteristics:

	Texas	South Carolina
Hemoglobin	8	10
Hematocrit	22	11
Plasma carotene	1	0
Plasma vitamin A	18	8
Serum vitamin C	12	5
Total serum protein	16	1
Total serum albumin	19	1
Urinary thiamine	9	1
Urinary riboflavin	19	7

I don't know how the food enrichment laws of Texas compare with those of South Carolina. However, anyone who has traveled in West Texas could easily imagine that variations in agricultural productivity might well be a factor in the more favorable nutrition status of the poor in South Carolina.

When our data is further analyzed it will undoubtedly reveal higher deficiency percentages in the more susceptible population groups than the overall averages just quoted.

In the dietary assessment, our team obtained data on levels of nutrient intake, source of nutrients, food habits, preparation practices, and attitudes about food. These facts will be highly significant in interpretation of our medical and biochemical findings. They will also be basic to planning dietary changes and modifying or initiating new programs which influence food habits and consumption. The solution to problems uncovered by medical and biochemical assessments demands knowledge of the eating habits and the available foods in an area, as well as the people's purchasing power.

The dental exam included an evaluation of dental health and the condition of periodontal tissues. While all dental pathology is not caused by inadequate nutrition, it is often closely associated with diet. Caries may be associated with a low fluoride intake and spongy, bleeding gums with vitamin C deficiency. Inability to bite and chew due to decayed or missing teeth leads to selection of soft and easily swallowed foods which often are deficient in some essential nutrients. Periodontal disease is seriously aggravated by poor nutrition.

Socio-economic data collected by the field team included economic status of those examined, ethnic background, the interest in nutrition by local authorities, educational opportunities, kinds of food available and the food distribution programs in effect.

All in all, our survey team recorded approximately 200 items of information about each family and about 300 additional items about each individual participating in the survey. As we saw 4,800 people in 1,100 households this adds up to some 1,660,000 facts. In addition, we have 50 to 100 supplementary items pertaining to special groups subject to nutritional risk such as children under 3, adolescents, pregnant and lactating women, and the aging over 60 years old.

Our field survey work began last October and was completed on March 24. We are now in the process of coding and editing the data and placing it on punch cards. Our contract with the Federal Government provides for us to deliver a complete set of edited punch cards. We are relying on the Federal agency for computer analysis and interpretation of this data. We hope to end up with a second set of punch cards from which we can extract supplementary information.

Our survey staff has consisted of a small administrative group and a central laboratory unit in Columbia and the field unit which visited the 101 enumeration districts selected in 16 counties. Since the examination centers were usually in schools, their clinic work usually began about 3:30 P.M. and at times lasted as long as 2 A.M. The field team included around 28 persons.

When I first learned about the plans for this survey, I felt it was an impossible job because I didn't think it was possible to find qualified people who would accept temporary work for six months traveling all over the State and working long and unusual hours. I am pleased to have with me today two key people who were very instrumental in making the survey possible—Dr. Harry Ridgley who was Field Director and Miss Eleanor Moore who was Director of the Dietary Interviewers. Both Dr. Ridgley and Miss Moore have had survey experience in other States as did a number of our field team. This is one of several ways in which we have benefitted by being the last of the 10 States to complete the field work.

I regret that the complete findings of the South Carolina Nutrition Survey are not available at this time. However, I hope that this summary of the who, what, when, where, how, and why of the survey will be helpful background for your understanding when the final survey results are presented to you.

Presented to: South Carolina Dietetic Association.

By: Malcolm U. Dantzler, M.D., Assistant State Health Officer, State Board of Health, April 3, 1970.

COMPARISON OF BIOCHEMICAL TEST RESULTS TO DATE IN SOUTH CAROLINA WITH TEXAS RESULTS BY PERCENTAGES IN DEFICIENT, LOW, AND ACCEPTABLE CATEGORIES

	Deficient		Low		Acceptable	
	South Carolina	Texas	South Carolina	Texas	South Carolina	Texas
Hemoglobin	9	3	31	5	60	92
Hematocrit	7	4	35	18	58	78
Serum protein	0	7	2	9	98	84
Serum albumin	1	3	11	16	88	81
Vitamin C	1	4	3	8	96	88
Riboflavin	6	6	21	13	73	81
Thiamine	2	1	8	8	90	91
Vitamin A	8	2	24	16	68	82
Carotene	0	0	3	1	97	99
Average (percent)	4	3	15	10	81	87

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COMPARISON OF PERCENTAGE OF TEST RESULTS LESS THAN ACCEPTABLE STANDARDS

	South Carolina 1970	Texas 1968	Montana 1961	Guatamala 1965	Honduras 1966	Costa Rica 1966	Panama 1967
Hemoglobin	40	8	9	3	5	4	5
Carotene	3	1	4				
Vitamin A	32	18	62	11	22	17	6
Vitamin C	4	12	1	4	2	2	6
Serum protein	2	16	2		10	8	7
Serum albumin	12	19	3				
Thiamine	10	9	7	25	11	49	48
Riboflavin	27	19	16	33	11	4	24
Average (percent)	+16	13	13	15	10	14	16

Source: South Carolina State Board of Health, April 10, 1970.

LABORATORY TEST RESULTS OF BLOOD AND URINE SAMPLES FROM 10 COUNTIES SURVEYED I N THE SOUTH CAROLINA NUTRITION SURVEY 1969-70

Type of test	Number of samples	Deficient		Low		Total not acceptable	
		Number	Percent	Number	Percent	Number	Percent
Hemoglobin	2,120	185	8.7	663	31.3	848	40.0
Hematocrit	2,304	153	6.6	817	35.4	970	42.0
Serum protein	1,201	2	.16	26	2.1	28	2.26
Serum albumin	1,201	12	1.0	126	10.5	138	11.5
Vitamin C	1,141	13	1.1	29	2.5	42	3.6
Riboflavin	1,251	72	5.7	268	21.4	240	27.1
Thiamine	661	12	1.8	51	7.7	63	9.5
Vitamin A	1,348	106	7.8	323	24.0	429	31.8
Plasma carotene	1,350	1	.07	38	2.8	39	2.87

PERCENT ACCEPTABLE LABORATORY TEST RESULTS OF BLOOD AND URINE SAMPLES FROM 10 COUNTIES SURVEYED IN THE SOUTH CAROLINA NUTRITION SURVEY, 1969–70

County	HBG.	HCT.	Serum protein	Serum albumin	Vitamin C	Riboflavin	Thiamine	Vitamin A	B Carotene
Chester	78	60	98	88	93	82	84	75	95
Lancaster	67	55	100	67	100	93	93	78	100
Pickens	82	67	100	88	88	100	100	100	100
Greenville	81	74	96	72	93	77	87	80	95
Spartanburg	71	60	93	76	100	80	94	69	96
Lee	45	54	100	86	98	63	89	72	95
Florence	56	60	100	96	91	70	92	72	98
Williamsburg	52	50	95	84	97	74		63	96
Georgetown	59	59	100	97	99	69		65	99
Aiken	74	64	96	96	96	82		61	99

SUMMARY: PERCENTAGE UNACCEPTABLE BIOCHEMICAL VALUES[1]

	States					
	New York	Michigan	Kentucky	Texas	Louisiana	South Carolina
Hemoglobin	10.0	19.0	16	20	41	37.6
Hemocrit	18.0	26.0	21	24	28	42.0
Vitamin A	4.0	22.0	24	41	15	33.9
Vitamin C	3.0	.4	8	12	14	2.5
Riboflavin	3.6	13.0	9	21	16	27.6
Thiamine	3.5	6.0	6	10	10	7.8
Serum albumin	4.0	4.0	3	16		7.9

[1] Preliminary except Texas and Louisiana.

NUMBER OF PARTICIPANTS BY COUNTY—SOUTH CAROLINA NUTRITION SURVEY, 1969–70

County	Number of enumeration district's surveyed	Number of participants
Chester	4	128
Lancaster	2	77
Pickens	1	21
Greenville	5	138
Spartanburg	7	276
Lee	6	539
Florence	9	433
Williamsburg	9	460
Georgetown	6	426
Charleston	13	550
Aiken	7	251
Bamberg	4	183
Calhoun	4	220
Colleton	7	387
Beaufort	5	394
Richland	10	312
Total	99	4,795

[From the Charlotte (N.C.) Observer, July 2, 1970]

FEDERAL STUDY—"ALARMING" MALNUTRITION REPORTED AMONG S.C. POOR

(By James K. Batten)

WASHINGTON.—Federal nutritionists, in a landmark study still under tight wraps, have documented for the first time the prevalence of serious and widespread malnutrition in South Carolina.

Of the 4,900 persons examined—a sample said to be heavily weighted with low-income Negroes—38 per cent were anemic enough to need medical attention. And 34 per cent had serious Vitamin A deficiencies.

"The situation in South Carolina is alarming," declared one federal scientist who is familiar with the still-confidential findings.

The study, now in the final stages of tabulation and analysis, was part of the 10-state National Nutrition Survey, authorized by Congress in 1967 to determine the dimensions of malnutrition in the United States.

So far, the Department of Health, Education and Welfare has publicly disclosed the results from only two states—Louisiana and Texas. Data from the other eight will be made public in the next few months.

Anti-hunger forces in Congress and HEW have hoped that the survey's results would dramatize the nation's malnutrition problem in a scientific and indisputable manner, silencing skeptics who insist that the problem is not really serious.

The other states included in the survey are Michigan, Kentucky, New York, West Virginia, Washington, California and Massachusetts.

Information obtained by Knight Newspapers indicates that malnutrition in South Carolina is among the most serious in any of the 10 states.

One HEW official, recalling similar U.S.-sponsored nutrition surveys in underdeveloped countries, declared this week that the recent findings in South Carolina are "very similar to what we found in Central America."

In South Carolina, Dr. Malcolm Dantzler, the assistant state health officer and project director for his state's portion of the survey, said Wednesday that he had received no official tabulations from Washington.

But when told of the federal findings, Dantzler said he was not surprised.

"It's an indication that action needs to be taken," he declared. "This is something that should be remedied in a civilized world."

In each of the 10 states, families were chosen at random within the poorest 25 per cent of the states' census enumeration districts.

But in South Carolina, Dantzler said he doubted that random selection was achieved—primarily because many whites refused to cooperate with the well-integrated nutrition survey team.

"Our results," Dantzler insisted, "are only representative of the poor, non-white population of the state."

In Washington, HEW officials have confirmed that the presence of Negro staffers on the survey team generated local white opposition to the project in some communities.

In one unidentified county, a white sheriff raised questions when he saw a Negro staff member entering the home of a white family. The sheriff later maintained that he had not been informed of the survey.

The survey included Beaufort County, a coastal area whose hunger problems have attracted national attention, plus Columbia, Florence, Charleston, Greenville and Walterboro.

The most stark indicator of malnutrition disclosed by the S.C. survey was widespread anemia. Preliminary results showed that 38 per cent of those surveyed had hemoglobin (red blood cell) levels in the "unacceptable range."

Of the six states for which preliminary results were obtained, South Carolina's per cent was exceeded only by Louisiana, which had 41 per cent deficient hemoglobin among those surveyed.

By contrast, Texas had 20 per cent, Michigan 19 per cent, Kentucky 16 per cent and New York only 10 per cent.

South Carolina's data also showed unusually high rates of vitamin A deficiency, with 34 per cent. Only Texas—with 41 per cent—had a higher rate among the six states.

About 28 per cent of South Carolina's sample had unacceptable riboflavin levels, the highest in any of the six states.

Mr. HOLLINGS. Mr. President, the study referred to in the Charlotte Observor was not a casual survey, but a detailed survey of 4,900 persons in 16 different counties.

So, for the first time, intelligently, on the floor of the U.S. Senate, and in a legislative body, we show hunger, which is not depicted on a TV screen by politicians who like to estimate numbers at political rallies or at parades or otherwise, but on the basis or the foundation of medical hunger on the part of 38 percent of those 4,900, who were suffering anemia in South Carolina.

There are the facts. That is how we measure how much to appropriate.

Mr. President, do you build Rome in 1 day? Obviously not. Do you solve the hunger problem in one fell swoop or in one appropriation? Obviously not. But what does the Senator from South Dakota ask for? He says a year ago we were feeding 6 million with food stamps and commodities, or 25 percent of the 25 million poor. At the present time we are feeding about 40 percent, or 10 million.

Under his minimal increase—not impossible, not disastrous, or otherwise—but, rather, $1.750 billion, we would be feeding 48 percent, or approximately 12 million.

The administration comes in and, in one breath, says "fiscally impossible," but then it submits, in the next breath, $4 billion for family welfare assistance, guaranteed family income, or whatever you want to call it, but it amounts to $4 billion.

What we are trying to deal with is the beginning point of the poverty cycle—hunger in America.

It was practically put on the back burner had it not been for the Senator from South Dakota and his distinguished committee.

Mr. President, I have many other remarks I could make, but I think it would be disastrous not to support this increase. I vigorously support it.

Mr. Lyng says at the present time we are feeding 5 to 9 million with stamps and $1.250 billion would allow expansion of the food stamp program. We would jump from January of last year—and we are talking now in July, an 18-month period—from 100,000 to over 200,000 in the State of South Carolina alone. We have doubled it. As the Senator from Massachusetts knows, only 30 percent of those eligible are participating; 70 percent are still not participating. That is how to measure the appropriation. Do not measure it by what a legislative committee, which is on the other side, says is impossible. We heard that argument and voted on the Cooper-Church amendment. We do not use that measure in the Senate, the most deliberative body in the world. We look at the need, the problem, in this case medically indicated, and we begin to attack and approach this problem, which in the end is the most economic way.

If one has been on the executive level and has seen adult care at the hospitals, at the State penitentiaries, at the other institutions, he sees some of the results of not feeding children. Do not be persuaded by the argument that providing food for people is going to result in indolent and apathetic children and adults and that it is un-American. We know that the cost of keeping the same persons in penitentiaries is $10 a day. It is much more economical to feed people than to jail them. We find we have to bring in the truant officer and the psychologist and the job trainer and the jailer and the policeman. All the mechanizations described are at high prices and high cost. But let us get down to those medically proven to be in need of food in the United States of America. We have the legislative equipment to do it.

I strongly urge the adoption of the Senator's amendment.

SENATOR BROOKE URGES INCREASE IN FUNDING FOR FOOD STAMPS

Mr. BROOKE. Mr. President, poverty can be defined in many ways. It means crowded, inadequate, and often unsanitary housing conditions. It means lack of heat and hot water. It means just one pair of shoes and a thin coat in the winter. It means, sometimes, poverty of the spirit—no books, no time for travel, no change to appreciate the wondrous creations of art and music and nature. But perhaps most basic of all, particularly to the children of the poor, poverty can mean hunger.

For a child whose parents are poor, poverty can mean no milk or fresh fruit and vegetables; it can mean no meat on the table. For these youngsters, poverty appears most plainly in the single piece of bread, spread with gravy or sugar, that is breakfast or lunch or dinner—or sometimes all three. This unbalanced diet can be translated, cruelly and irrevocably, into a lifetime of poor health, into mental deficiencies, into an inability to concentrate on classroom teaching or on a job. And it can be passed on to future generations who inherit structural and mental disorders directly related to the dietary deficiencies of their mothers.

For statistical purposes, poverty has been defined as an annual income of $3,553 or less for a family of four in 1968. Regionally, of course, the real poverty level varies considerably: a family of four on an Arkansas farm might live more comfortably on $600 in cash income per year than a similar family in Chicago that earned $6,000 per year. But taking the dollar level established as most reasonable by the Social Security Administration, 25.4 million Americans are poor.

In 1939, the Congress established the first food stamp program designed to expand the purchasing power of low income families, and not incidentally to expand the market for farm products. Today, according to the administration's own estimate, the Federal Government provides food assistance to 10 million Americans. This still leaves 15.4 million Americans, who are officially classified as poor, untouched by the food distribution programs.

The Nixon administration has made great strides in expanding the food distribution programs. Approximately 330 new counties have been included in the food stamp program, and an effort is being made to expand distribution to all counties where the need exists. In addition, under President Nixon's leadership, free food stamps have been made available for the first time to those in the very lowest income brackets, and at reduced prices for other needy families.

Mr. President, last year the Senate authorized $2 billion to be spent on the food distribution program in fiscal 1971. The House has yet to act on this authorization, and consequently we are already operating the program on the basis of a continuing provision contained in the last supplemental appropriations bill. But this should not deter us from acting in a way that will demonstrate our clear and urgent concern that the program be expanded to meet existing needs.

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According to the U.S. Department of Agriculture, at least 14 million persons are in need of immediate food aid. And Under Secretary of Agriculture Richard Lyng testified just last month that they anticipated some very real problems in the coming fiscal year because the present level of appropriations is insufficient to meet demand.

The budget request for fiscal 1971 was for $1.25 billion. In view of the fact that the program is presently costing $100 million per month, it is easy to see that the full $1.25 billion could easily be consumed in 1971 with no room for expansion at all. In fact, if one takes into account the impact of inflation, it is even conceivable that we could feed fewer people for $1.25 billion in fiscal 1971 than are presently being accommodated under the program.

We cannot afford to freeze the program at such a level when there is such clear need for expansion. Secretary Lyng himself has said, in regard to expanding the food stamp program:

> It is beginning to be very apparent to us that counties which may want to switch to

> food stamps will have to be denied because this appropriation figure will be insufficient.

In my own State of Massachusetts, the need for expansion is critical. Many communities are presently scheduled for new programs. Several Massachusetts communities where the need is clearly evident have not yet applied for funds. And even in those communities where food stamp programs are presently in operation, administration of the programs is often just getting underway, and many more families need to be brought into the process.

For all of these reasons, Mr. President, I believe that the figure of $1.25 billion requested by the administration and recommended by the Appropriations Committee is too low to meet present needs.

President Nixon, speaking just a little over a year ago in announcing an expanded antihunger campaign, stated as the goal of his administration that all poor families should be provided with enough food stamps, at prices they could afford, to purchase a nutritionally complete diet. He envisioned expanding the food distribution program to all counties in the Nation. And in order to accomplish this goal, he conceived of an expenditure in fiscal 1971 of $2.5 billion for all food distribution programs to the poor.

Mr. President, I believe that these are worthy goals. And I believe that they can only be achieved if we commit ourselves to spending what is necessary to relieve our fellow citizens of the crushing burden of hunger. As the President has said:

> Something very like the honor of American democracy is at issue—America has come to the aid of one starving people after another. But the moment is at hand to put an end to hunger in America itself for all time.

The pending amendment would increase expenditures for food stamps from $1.25 billion to $1.75 billion. It is a step in the right direction which, I believe, is in the deepest interest of our Nation and all our people. I urge its overwhelming adoption.

Mr. President, I wish to commend the distinguished Senator from South Carolina (Mr. HOLLINGS) for his most eloquent and persuasive argument in defense of expansion of the food stamp program.

I have great respect for the distinguished Senator from Florida (Mr. HOLLAND) and the distinguished Senator from Nebraska (Mr. HRUSKA), and I know they have done a great deal to promote the progress of the food stamp program in this country. I commend the President and others who have reduced the cost of food stamps.

I think the best estimates are that there are 25.4 million people in the poverty category. The distinguished Senator has eloquently said that the U.S. Government is providing food now for 10 million people. That still leaves 15.4 million people who are not getting the benefits of the food stamp or food assistance program.

As in the State of South Carolina, so also in my State of Massachusetts, many more communities are finding a need for the food stamp program.

I want to commend the distinguished Senator from South Dakota, for he had the original intent that the program be expanded to $2 billion. I think it has been well stated in testimony that the $2 billion could be adequately used and still we could not achieve our goal.

When we consider the fact that we have inflation and the fact that the present program is costing $100 million a month, actually would not be able to expand the program at all with the $1.250 billion. We might be getting less for this program, because of inflation, in fiscal 1971.

If we are able to adopt this amendment in the Senate and show some momentum in this program. The conferees will go into conference asking for $1.750 billion and be able to get some agreement.

The program ought to be going forward; there is no question about that. People are starving in this Nation. We are sending food to foreign countries, trying to feed foreign people, saying, "Well, we ought to send some food to Biafra."

That is good; we should send some food to Biafra.

They say, "We ought to send food to Latin America."

That is good; we ought to send some food to Latin America. But I think we also ought to send some food to the United States of America, where people are starving today—in South Carolina, in Massachusetts, in South Dakota, and in Florida as well.

So I think this is one of the most important programs we have going for us in this country. I cannot see that it would be conscionable for us to go into a conference with anything less than $1.75 billion.

Again I commend the distinguished Senator from South Dakota for realizing the urgency. I think he is sympathetic to the problems of the distinguished Senator from Florida and the distinguished Senator from Nebraska, who have this problem in conference. We all know what the problems are. We know we have to economize. But we say this is not the place to economize. We must move forward in this food stamp program, and I urge my colleagues to overwhelmingly adopt the amendment.

Mr. HRUSKA. Mr. President, I believe we all ought to realize that this is not a debate, not a contest, between a certain number of individuals who want to eliminate hunger and some others who oppose efforts to eliminate hunger. This is not a contest between someone who feels that there should be more money available for the purpose of doing that task and those who believe in economizing.

I know of no one who is more enthusiastic and more devoted and dedicated to the proposition of the declared objective of removing hunger from the list of ills which afflict America than the Senator from Florida, the Senator from Louisiana, or, as a matter of fact, the Senator from Nebraska. All of us want to make progress in this battle against hunger. As a matter of fact I think it could be cause for a little resentment, if there is any implication or any suggestion that there are those who, for the sake of economy, want to deny either food stamps or distribution of commodities to those who are hungry, if it could be done.

The course advocated by those who seek to raise this appropriation to $1.75 billion would likely hinder and delay the very efforts they seek to advocate, namely, to get this program into high gear, get it going, and get it moving. On the other hand, the course of the Senators from Louisiana, Mississippi, and Nebraska in the Appropriations Committee will result in a certain and early implementation of this program. There is no question about that.

If we follow the Appropriations Committee recommendations, this action will occur yet this summer, Mr. President—not in December and not in January, as it did last year, but this summer, and very likely next month, if things go according to the schedule which has been outlined by the Senator from Florida. I hope we will not make the mistake we made last year. Mr. President, the agricultural appropriation bill became law in the latter part of November—I believe right after Thanksgiving, if I remember correctly. On December 2 of last year, which would be within a week or certainly not more than 8 or 9 days after the enactment of the law, there was announced from the Department of Agriculture the general outline of the modifications of the food stamp program, which was more than doubled by the amount of $610 million that was approved in that law.

On December 18, Secretary Hardin detailed the two major features: First, to give more stamps to recipients; and second, to lower the requirements for participation. The program was expanded.

Mr. President, had there been, last summer, a following of the very procedure which the Senator from Florida outlined so clearly earlier today, those actions to expand and to improve the food stamp program would not have been taken in December of last year; they would have occurred as early as August. Speaking of those who favor the alleviation and the elimination of hunger—who are they? They are those who insist upon closing their eyes to parliamentary handicaps which are as real as life, or those who say, "Well, let us double the amount, and prove to the world that we are for eliminating hunger".

It seems to me we ought to be realistic. It seems to me that even if the course indicated by the Appropriations Committee is followed, if there be such an expenditure of funds that the funds appropriated herein will be inadequate to do the job which has been outlined, and if the authorization bill for the food stamp program be sufficiently large, recourse to the supplemental appropriation bill can always be had. Meantime we are going to gain 3 or 4 months. In my book that is a long, long time when you are dealing with the pangs of hunger in the type of situation described so well by the Senator from South Carolina.

Now, then, what is the situation with reference to what we will be able to do with this $1.25 billion which can go into effect soon?

A careful review of the food stamp pro-

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gram clearly indicates that the budget request of $1.25 billion is adequate to support and enlarge the program in 1971. The Department of Agriculture has informed me that all requests for the program that were on file on June 12 have been honored. Thus the program is expanding in line with the States' eagerness to expand it. And because sources within the State must finance local operating costs, the program cannot expand any faster than the States request expansion.

The 1971 budget request already has provided for a major geographic expansion of the program. In the early months of fiscal 1971, some 300 new areas will be entering the program, including New York City. Additionally, under the liberalized program, even higher rates of participation will be achieved in 1971 compared with 1970.

The important part to remember is that all of this expansion can be funded under the budget request of $1.25 billion. That amount is over four times the amount spent in 1969, Mr. President. It is more than double the amount authorized for the fiscal year that ended last June 30.

The food programs of the department are on the move, and they do reflect President Nixons commitment to eliminate hunger for all time in America, and the dedicated leadership of the Secretary of Agriculture, Mr. Hardin, certainly indicates that.

The whole Senate has supported this effort in both the family feeding and the child nutrition programs. I concur that we should not and we cannot take any action that would slow down further progress on the food front. But I emphasize again, an appropriation of $1.25 billion for food stamps will support a substantially larger program in 1971. By fall, food stamp programs will be operating in over 2,000 areas in the country. This is an increase of some 300 areas from the 1,747 in operation on June 30.

More people will be participating in the 1,747 operating areas. Since the program was liberalized in December of last year, participation in operating areas has increased by over 60 percent, and new families are joining the program every week.

Current funding levels have permitted the Department of Agriculture to keep pace with demands for the program. Over 10 million people in needy families are now receiving food assistance under food stamps or commodity distribution. The local officials elect which of the two programs best meet their needs, and this is as it should be. We cannot force a stamp program on a State or an area. In funding the stamp program, therefore, we have to take this into account.

There are many demands upon Congress for funding a wide variety of domestic programs. We will do the Nation's needy a disservice if we overappropriate for one food program at the expense of equally critically programs to meet some of their other needs.

That is why I urge the approval of this budget request of 1.25 billion. It is double the amount for 1970, and it is adequate to meet the amount in 1971.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HRUSKA. Reference has been made to the statement by Mr. Lyng in testimony before a committee of Congress, in which he is reported to have said:

> The acceptance of the food stamp program has been such that we may have some very real problems in the coming fiscal year 1971. It is beginning to be very apparent to us that counties which may want to switch to food stamps will have to be denied because this appropriation figure will be insufficient.

Mr. President, I do not know in what context this testimony was given. I do not know what context there is in connection with that testimony. But even on the basis of that statement, I repeat this proposition, which I believe is sound: If an effort will be made to substantially increase that figure, we can well contemplate the high likelihood of a delay of anywhere from 3 to 4 months, and it may well be 5 months, before we get to the point of having money available under that increased food stamp. That is not a pleasant prospect to face.

Let us take the alternative. Suppose we do run short, as suggested by Mr. Lyng. Suppose the time does come that we are going to meet the difficulty to which he refers as a possibility. The recourse is available to us of coming before Congress with a supplemental appropriation, and we can go forward without dropping a stitch, without missing a beat.

It seems to me that ordinary commonsense would lead us to take the course of action that is prudent, that is certain, that will enable us to go ahead without the delay and without the continuing pangs of hunger that these hungry people are going to have, just because there are some who seek a big amount which will not be available for several months, as opposed to a more modest and prudent approach to the problem, as has been carefully designed and deliberately chosen by the Appropriations Committee who are well acquainted with the parliamentary and the political practicalities of the situation. I see no reason to apologize for it. This is a political world. This is an arrangement whereby we proceed under rules and under the minds, judgments, and decisions of a composite of men, not one person or even a few persons. When we find that to be the fact, we ought to be guided by it.

I close with this note: This is not a contest between a group of people who want to eliminate hunger and those who do not want to eliminate hunger. Certainly, those from the Appropriations Committee cannot be considered in any event in a group who are not devoted as assiduously and as diligently and in as dedicated a fashion to eliminate hunger as anyone else.

It is my hope that the pending amendment will be rejected.

Mr. DOLE. Mr. President, let me associate myself with the remarks just made by the distinguished Senator from Nebraska. We are all aware of the politics of hunger and know which side is the popular one.

I emphasize what has been said by the Senator from Nebraska. This is not a contest of those who on one hand wish to prolong the problems we have in America with reference to malnutrition as opposed to those who want to do more.

Let me say, in a very positive way, that we have made great strides in the malnutrition program in the last few years. For example, in fiscal 1969, the total expenditures for the food stamp program, the commodity program, child nutrition, and other food programs was approximately $1.2 billion. In fiscal 1970, that was increased to about $1.6 billion, and budget requests for fiscal 1971 are about $2.5 billion. So it indicates the tremendous increase under the positive leadership of Secretary of Agriculture Hardin and President Nixon.

In December 1969, Secretary Hardin announced a liberalization of the food stamp program—designed to reach more people with more help. These changes were placed into effect by cooperating State welfare agencies as rapidly as possible.

I would guess that the only way we could describe the changes that have been brought about is by the use of the word "dramatic," because this is the only word that adequately describes the results. By May of this year participation in food stamps had increased by 62 percent over participation in December; the total amount of additional food purchasing power—the value of bonus coupons—was up 251 percent over December; the per person amount of assistance was up 114 percent over December.

The food stamp program was operating in 1,747 areas of the country on June 30, and another some 300 areas were planning to open programs, including New York City. Thus, there will be a significant geographic expansion of the program this fiscal year with the appropriation of $1.25 billion.

The budget request of $1¼ billion, therefore, is sufficient to fund the current program and to permit substantial geographic expansion. It may well be possible to extend the program to even more than 300 areas later on in the year. But, even now, the budget request will allow for the largest annual expansion of the program since the Food Stamp Act was passed in 1964.

I believe that the $1¼ billion is adequate to meet expansion needs. I am informed by the Department of Agriculture that, as of June 16, there were no requests—not a single request—for the program that had not been honored.

So it is not a case of applications piling up in the USDA and no money to process the applications or to meet those requests. In other words, the Department of Agriculture has been able to keep pace with requests for the program under its current funding plans for 1971.

Where local officials have elected to help needy families under the commodity distribution program, equal stress is being placed on program improvements by USDA. A total of some 20 high-quality foods are available; Federal funds are available to help States and localities provide better services to the participating families; and food quality is being enhanced by enrichment and fortification.

In May, a total of 10 million people in needy families received food assistance as a result of food stamps or commodity donations.

Food programs are on the move, thanks to men such as the distinguished Senator from Florida (Mr. HOLLAND); the distinguished Senator from Louisiana (Mr. ELLENDER), who was perhaps the father of this program; the distinguished Senator from South Dakota (Mr. McGOVERN), the chairman of the Select Committee on Nutrition and Human Needs; the distinguished senior Senator from New York (Mr. JAVITS), and many others who have insisted that we move ahead with reference to food programs. So food programs are on the move; and at a funding of $1.25 billion, over four times the amount will be spent in fiscal 1971 as was spent in fiscal 1969.

Concluding on a positive note, I believe that we have made great progress. We have made this progress because of the positive leadership in Congress and the positive leadership in the executive branch through Secretary Hardin and President Nixon. So I say that, notwithstanding the difficulties that might be encountered because of something that could happen in the other body, we can fund the program with a $1.250 billion appropriation. If necessary, as pointed out by the Senators from Florida and Nebraska, we can always have a supplemental appropriation later this year. But that the $1.250 billion is adequate now.

Let me say again, that this is double the request of last year. In fiscal 1970, the amount appropriated for food stamps was $610 million. This year, the amount appropriated by the Appropriations Committee is $1.250 billion. This does mean expansion. This does mean that the food stamp program is on the move. It does not mean that the Appropriations Committee or those who support the Appropriations Committee for one moment want one person in America to go without adequate food. So far as I know, no one is starving in America today, despite the comments made, despite the TV commentaries, and the documentaries. There is no starvation in America. Yes, there is malnutrition, which we are attempting to reach through efforts of the legislative branch working in concert with the executive branch.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement of Mr. Richard Lyng, Assistant Secretary, before the Select Committee on Nutrition and Human Needs, on June 19, 1970.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

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STATEMENT OF MR. RICHARD LYNG, ASSISTANT SECRETARY

Mr. Chairman, and Members of the Select Committee: Thank you for this opportunity to discuss the Department of Agriculture's accomplishments toward meeting the food needs of hungry people. I consider it a dramatic record of achievement.

Ten million people in needy families are today benefiting from either the Food Stamp Program or the Commodity Distribution Program. At the time of President Nixon's "Hunger Message" to the Congress on May 6, 1969, that figure was only 6.9 million.

Except in a handful of the nation's 3,129 counties and independent cities, one or the other of these family food assistance programs is now available or in the final planning stage. A little over a year ago, 440 counties in the nation had no program and no plans for one.

Over the past year, expanded school and non-school food service programs have enabled us to reach some 5 million needy youngsters daily with free or reduced price lunches. A year ago only 3 million children received such free or reduced price meals.

That's a capsule of the record. This morning I'd like to review how we achieved today's levels and touch upon our plans for the future.

The hard work, persistence, and cooperation of many people from Federal, State, and local governmental agencies, the Congress, and the private sector—all have made possible the progress I report to you. A key factor, too, is the new agency—the Food and Nutrition Service—organized last summer by Secretary Hardin shortly after the President's message. This agency specializes and concentrates its efforts on the administration of the Federal food programs, and has strengthened the local-State-Federal system of carrying out nutrition activities.

FOOD STAMP PROGRAM

The Food Stamp Program was dramatically expanded immediately following approval in late November of the 1970 USDA appropriations. The amount of money available to the Department for the Food Stamp Program was more than doubled. On December 2, we announced the general outline of the modifications and on December 18 Secretary Hardin detailed the two major features: (1) To give more stamps to recipients, and (2) to lower purchase requirements for participation. The level of stamp issuance is now $106 per month for a family of four. This amount varies by size of family. At the present time, no more than one-third of the recipient's total income is required to receive food stamps, and most participants need pay no more than one-fourth.

Our latest figures—for May—show an estimated 5.9 million people being served by this program. They received a total of nearly $87 million in bonus coupons during May—up from $24 million last December, prior to introduction of the new schedules. That's 3½ times as much in only 5 months.

NO PROGRAM COUNTIES

We have conducted a campaign since the President's message to make family food programs—either food stamps or donated commodities—available in all the 440 counties which on May 6 a year ago had no family food assistance program nor plans for one. By June 30 that number will, we think, be down to less than 20. We are making every effort to meet the President's goal to get a food program commitment for every one of these last few counties.

COMMODITY DISTRIBUTION PROGRAM

Our Commodity Distribution Program has been improved, too. Participation in May reached an estimated 4 million people in needy families. Participants under this program plus those receiving food stamps, add up to nearly 10 million people reached by a family food program last month.

The commodity program has been strengthened, too, in several ways. A greater variety is available in most distribution centers. New, specially enriched or fortified foods are being offered. And the help of a $15 million allocation of USDA funds has enabled the States to help start new programs and improve existing ones by setting up additional distribution points, establishing better storage facilities, eliminating restrictive distribution polices, and making food available at all seasons of the year. These improved delivery systems are making it possible for more of the needy to utilize a greater variety of the 23 foods we make available than they have in past years.

CHILD NUTRITION PROGRAMS

The focus of our child nutrition programs has been re-oriented to emphasize feeding children from poor homes—particularly those who attend old, poorly-equipped city schools without kitchens or cafeterias. The goal was set last December to reach 6.6 million poor children by Thanksgiving. Substantial progress has been made toward that goal, as I earlier indicated. Recent legislation will make possible programs which will produce further increases.

The Food and Nutrition Service is now giving top priority to the development of the required Federal Regulations under P.L. 91-248. In order that all concerned individuals and agencies can have equal opportunity to submit their views on the scope and content of these regulations, we intend to publish them, first, as proposed regulations. The final regulations will be issued after considering all comments and suggestions received.

The time for this is short—State educational agencies need to have maximum lead time in planning how best to implement the new legislation in thousands of local schools. Yet, we felt it to be in the best long range interest of children to have the benefit of the advice and counsel of all interested groups in formulating the new regulations.

QUALITY OF PROGRAMS

While we have concentrated much effort during the past year in getting family food programs into the reluctant counties, we have also devoted positive attention to making the programs more fully effective—to try to meet the needs of all of the poor in each of the nation's 3,129 counties and independent cities.

This Committee recently invited two U.S. Army Captains to testify on the study they made last summer for the President's Urban Affairs Council. Their report expressed concern about procedures for monitoring and evaluating local food stamp programs. We share this concern, and the Department is actively involved in the review of State and local operations. FNS is now monitoring program operations in several ways. These are:

Onsite evaluation by field and regional personnel.

Administrative reviews of State and local operations.

Investigations of specific complaints received, including those individual recipients.

Independent audits and investigations by the Office of the Inspector General.

Special studies and surveys.

We still have a need to strengthen the systematic review and evaluation of program effectiveness at the local level. In order to improve our field organization, a management consulting firm was employed last December and has recently completed its study. Included in the recommendations are some which emphasize the need to develop better evaluation techniques and more effective use of our field organization. These recommendations are now under intensive review to determine how best to proceed. We are confident that the changes which will result as we implement the recommendations will be a major step forward in the improvement of our monitoring and evaluation system.

One of the great needs, in addition to providing food or food stamps to needy people, is to assist them in using these resources wisely and nutritiously. We are especially proud of our USDA-Cooperative Extension Service nutrition aides. More than 6,800 of these workers, hired from among the people they work with, have served over 500,000 needy families, throughout the land. The results in terms of improved nutrition and household food management have been a real and heartwarming success.

Secretary Hardin has said that America has "turned the corner" in its drive to eliminate hunger and malnutrition. We cannot, we will not slow that drive, for we all know that much more remains to be done.

We are grateful to this Committee for your continued interest in ending poverty caused hunger and malnutrition. We thank you for the opportunity to appear before you today.

Mr. ELLENDER. Mr. President, I regret that I was unable to be here to listen to all of the debate today. Since 2:30 p.m., I have been presiding over the Appropriations Committee as its acting chairman, considering the legislative appropriation bill.

I merely desire to reiterate what I understand has already been said on this floor today, that we should be practical in our approach to the food stamp program.

Late last spring, it will be recalled, the Senate sent to the House a resolution to increase the amount of the expenditure for fiscal 1970 from $340 million, as I recall it, to $750 million. That resolution remained in the House for several months without action. In November of last year, a resolution was finally approved by both Houses, but instead of providing the $750 million which the Senate had voted in the spring, the amount was cut back to $610 million.

The Appropriations Committee has provided in this bill $1.25 billion for the food stamp program during this fiscal year. The House approved a similar amount but yet the full program cannot be put into operation unless we have a new authorization bill enacted.

It strikes me, as was stated by my good friend from Kansas (Mr. DOLE), that the amount provided by the Appropriations Committee is a great increase over last year. Tremendous progress has been made in the program. My fear is that if the present amendment is adopted, we will have great difficulty in getting the program authorized once again. Unless the amount is authorized, the subcommittee will be unable in conference to come to a decision as to how much to provide for the program.

Under present law, the amount authorized is only $170 million. That is all the committee is authorized to provide. Yet the House approved $1,250,000,000, and our Appropriations Committee provided the same amount. All we need to make this available at present would be a resolution adopted by the Senate and House authorizing that amount and thereby providing the $1,250,000,000 for the food stamp program's operation at its current level.

This is a far cry from the amount spent last year. Mr. Richard Lyng, Assistant Secretary of the Department of Agriculture, in his testimony before the Nutrition Committee on June 19, 1970, stated that the amount of money being spent at present is $86 million per month.

The bill in its present form would provide $100 million per month—a considerable increase.

I think that shows great progress. If the House finally acts on the food stamp bill now before it, it may be that more money can be provided by way of an authorization. If the House does provide a greater sum than this, it can easily be provided through a supplemental bill.

I am hopeful that the Senate will vote realistically. It is my considered judgment that if we adopt what the Senate committee and the House provided for, the $1.250 million within the next 4 or 5 days we can get a resolution enacted by the Congress authorizing the amount approved. In that way the agricultural bill can be placed on the statute books. If we have no authorization, we will be in the same fix as last year, when the agricultural appropriation bill remained in the hands of the conferees for about 6 or 7 months before agreement could be reached. What was the reason for the delay? We had no authorization for the food stamp program.

I, therefore, hope that the Senate will sustain the work of the Appropriations Committee. Let me give assurance that as soon as that is done, I will convene the Committee on Agriculture and Forestry, of which I am chairman, and present the resolution authorizing the $1.250 million for the food stamp program for this fiscal year. I am sure that if that is done, we can persuade the House to pass such a resolution. I am sure that agreement on this approach can be obtained, because the House has already acted on the proposal to provide the $1.250 million in this bill in order to administer the food stamp program.

Now, Mr. President, I wish further to state that we will be spending $312,745,000 on commodity distribution during fiscal 1971. The committee this afternoon added $216 million more for that program. We will now be spending on child nutrition $901 million; and with the other food programs the total will be $2,540,716,000.

Mr. President, I am hopeful, I repeat, that we will be realistic here. We should forget about the politics in this issue and approve what the subcommittee has suggested; namely, the $1,250,000,000.Within 10 days, I feel confident that we can get the House to approve the authorization for that amount. The Senate, I am sure, will provide for it and we can have the agricultural appropriation bill on the desk of the President within the next 2 weeks. But if we do not do that, it may be 2 or 3 months before we are able to reach a conference agreement on the bill.

Mr. LONG. Mr. President, how much does the Senator say is the total being provided for school lunch programs and the programs for food assistance?

Mr. ELLENDER. Over $2.5 billion.

Mr. LONG. Mr. President, in that total of over $2.5 billion, is the Senator including welfare payments?

Mr. ELLENDER. I am not.

Mr. LONG. It might be well to keep in mind that in addition to the welfare programs, the administration has in committee a welfare bill in which we expect to report such amendments as the committee votes favorably on. We should realize that I think that Welfare payments would increase the amount to $4 billion, and add 15 million people to the welfare rolls. Much of that money would be spent for food if the people want to spend it on food.

Mr. ELLENDER. Mr. President, I do not want to get into any arguments over the welfare program. I am simply suggesting that the Senate act realistically and get the program continued. As I have said, the bill as it is now being presented, insofar as food stamps are concerned, would provide more than $100 million a month, whereas they are now spending about $86 million.

I think, as has been pointed out, great progress has been made. We should keep that up. We should keep the program underway, on a realistic basis that will be workable and responsive to the need, and on a basis that we are sure the House will accept. The USDA has given assurances that under the present level of funding, provided in this bill, no county or city will be left out of a family food assistance program.

Mr. President, I ask unanimous consent that a July 7, 1970, letter to me from Assistant Secretary Richard Lyng of the USDA be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF ASSISTANT SECRETARY,
Washington, D.C., July 7, 1970.

Hon. ALLEN J. ELLENDER,
U.S. Senate.

DEAR SENATOR ELLENDER: Thank you for your telephone call this morning regarding the USDA budget request for food stamps.

We believe the $1.25 billion request is sufficient at this time because:

1. The gains have been impressive:

[In millions]

	May 1969	May 1970	Gain
Participants	3.2	5.9	2.7
Cost per month	$21.0	$86.0	$6.5

2. TOTAL COSTS HAVE GONE UP VERY SHARPLY

[In thousands of dollars]

	Fiscal 1969	1970 (estimate)	1971 (budget)
Food stamps	250,982	610,000	1,250,000
Commodities	285,717	295,275	312,745
Child nutrition	519,781	581,650	901,557
Other food programs	144,852	146,887	76,416
Total	1,201,332	1,633,814	2,540,718

3. Although it may be that there will be enough counties applying for food stamp programs during fiscal 1971 to exhaust the $1.25 billion appropriation, at this time we have approved all counties which have applied as of June 12, 1970. We will be able, within the appropriation, to establish food stamp programs in the 307 cities or counties which are now changing from commodities to food stamps. This includes New York City.

4. We have sufficient funds in the requested commodity appropriation to assure that *no county or city will be left out of a family food assistance program.*

Sincerely,

RICHARD LYNG,
Assistant Secretary.

Mr. SCOTT. Mr. President, I yield myself 5 minutes.

The **PRESIDING OFFICER** (Mr. CRANSTON). The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, had the amendment come before the Senate at a figure of $2 billion, I would not have been able to support it. We have to consider what is possible, what the other body will do, what final figure will emerge, and what the President's reaction will be.

I myself am hesitant to support any figure that exceeds the budget. On the other hand, I am aware of the likelihood that the House of Representatives will probably arrive at some conference agreement with the Senate on the final figure.

I have been urging some of the sponsors of the amendment to raise the figure to $2 billion to consider a lower sum so that what comes out finally may be more nearly the budget figure than would have been likely had the figure passed at $2 billion.

I, therefore, have to assume some responsibility for having helped to influence the sponsors of the legislation to reduce their original amendment to $1,750 million, which represents a quarter of a million dollars less than the original suggestion. Having accepted that responsibility, I would feel obligated to support the compromise amount.

I realize that there is little or no limitation on the amount which could be spent on the program except the limitations of the Federal revenue in a given year.

While I would like to have stayed with the $1,250 million, having helped to bring about an adjustment downward, which may come still further downward in conference and be, therefore, nearer the budget figure, I have decided that under all of these circumstances and in view of my own participation in the attempt to bring about a satisfactory solution that I will vote to support the amendment.

Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER** (Mr. CRANSTON). The question is on agreeing to the McGovern amendment as modified.

Mr. GOODELL. Mr. President, we are all deeply concerned about hunger and starvation and near starvation in this country. The point was made earlier in the debate that everybody is in favor of eliminating hunger. The problem is that we are not willing to pay the price to eliminate it. We have large quantities of surplus food rotting away. Yet, it is incredible that we have so many Americans who are hungry.

The reason I have taken the floor is to address myself to the parliamentary situation, particularly with reference to the other body. A great deal has been made of the difficulty we will have in dealing with the other body.

We should all realize that one of the major reasons we are facing difficulties is that we backed into the hunger program in this country. It originated from the agricutural subsidies program when the farmers felt it would be of assistance to them to be able to dispose of surpluses.

The agricultural committees therefore have been charged with the reponsibility of legislating a good portion of the food stamp program. The program is really outside of their jurisdiction, it is related to welfare programs, rather than farm programs.

The situation is particularly acute in the House. Two or three years ago while serving in that body, I was trying to get together a coalition on a bipartisan basis of committees consisting of representatives who were concerned and who wanted to do something about the hunger problem.

Our greatest problem involved the House Agriculture Committee. The members of that committee seem more concerned about the subsidy program and keeping the agriculture program in this country to support the farmers. Their chief interest in terms of food stamps and commodity programs appears to be to get some of the surpluses off the backs of the farmers. I sympathize with the farmers' problem of overproduction. But I think it is very important that we use the surplus commodities intelligently to help the less fortunate in this country. It is also imperative that we put money into the food stamp and other programs to feed those in our country who are suffering from malnutrition and serious health problems; many of whom are disabled for life because of the lack of proper nutrition at a young age.

I think the best way to deal with the problem is to agree to the amendment and for the Senate to stand firm and let the other body know that we are totally committed to providing this necessary money with which to feed our fellow Americans. We should let them know that they might even be jeopardizing some of their hallowed agricultural programs if they do not recognize the realities of the Senate majority.

If we hold up the agricultural appropriations, it will be regrettable.

I think that we need some of those programs. They are very important. I think that we do have to demonstrate to the members of the House Agriculture Committee and to other Members of the House that we do have a firm resolution on this matter. The best way to do it is to provide the funds sought in the McGovern amendment. The amendment is cosponsored by my colleague, Senator JAVITS who cannot be here today but who desperately wished that he could be present. I speak for him, I know, in saying that I hope the amendment will be agreed to.

The **PRESIDING OFFICER** (Mr. CRANSTON). The question is on agreeing to the McGovern amendment as modified.

Mr. HOLLAND. Mr. President, while Senators are present who were not here when I read the letter dated July 7 from Under Secretary Lyng, who handles this problem for the Secretary of the Department of Agriculture, I want to read one paragraph of the letter.

It reads:

> We have requested $1,250,000,000 for the food stamp program in fiscal 1971. These funds will allow us to operate the program in the 1747 counties where it is presently operating, and in 307 counties or independent cities, including New York City that are now in the process of initiating a food stamp program or changing over from commodity distribution to food stamps.

I digress to say that the 307 counties plus the 1,747 counties make a total of 2,054 counties in which these food stamp programs are already operating or will be imminently.

That is in a different part of the bill.

> The $312,000,000, which we have requested for commodity distribution will allow us to provide family food assistance in all those counties which have not requested the food stamp program.

In other words, he states in this paragraph very clearly there will be no county or independent city which will not have either a food stamp program or commodity program out of the sum which they have asked us to provide, and which is so much larger than anything ever provided before.

Not only do we have the assurance of the Department to that effect, but also we have the practical facts as stated by the Senator from Louisiana (Mr. ELLENDER). I think some Senators were not in the Chamber when he made his statement. He reminded us that last year when we came to an impasse with the House and we had no authorization bill for this program, that the Senate passed immediately and almost without a dissenting vote a $750 million emergency resolution, which after some weeks was passed by the House in the amount of $610 million, which enabled us to go ahead for the period of time, which was required until we got that bill worked out. He reminded us also that when we were debating the supplemental bill, and when it became clear we had no authorization for any months beginning July 1—and we are now in July—he offered an amendment which was both legislation and appropriation to provide $300 million to be used in the first 4 months of 1971 with the additional provision that when the authorization and appropriation bill had been passed that the amount would be charged against the total of the appropriation for 1971.

He stated, and I think he is so right on this matter I must restate it, that with the $1.25 billion which the House put in and the $1.25 billion which our committee put in, both being the amount the budget requested, he thinks we would

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get a conference report without question on the agriculture appropriation bill within a period of days. I think he stated 10 days. I think he is sound in that observation.

The importance of that is that the authorization bill on the food stamp situation is in a terrible fix. We sent it over there last September. It has not been reported there and the last word I have from the committee members is a statement from the chairman of the committee a week ago that they had agreed to divide the bills, the food stamp bill from the farm bill and report them out separately.

Only yesterday one of the members told me they had decided to report the farm bill first and after action on that in the House they would report the food stamp bill. It makes clear that legislation is a long way off and it might be the last thing we do before we go home; whereas, if we come out of appropriations with $1.25 billion in the conference report, on the condition there be some authorizing in September, the Senator from Louisiana, who showed such great influence in this bill and accomplished the two things I mentioned, stated he felt he could get immediate action on a resolution to provide that amount agreed to in both Houses and in the conference report; then, once available as an authorized amount, to move ahead.

The only item I am going to mention is the increase on the school lunch program to $216 million. It is supposed to be set up between now and the beginning of the school year in September, the Senator from Louisiana said, so they will have a much sounder distribution of school lunches in all States of the Union.

I want every Senator to know that in my opinion and in the judgment of the Senator from Louisiana, and the judgment of other Senators who sat on these conferences, the Senator from Nebraska—and someone else made the same statement a while ago—we are taking too great a chance with the fortunes of other people, their lives and food, and the whole program if we were to increase this amount from $1.25 billion to $1.75 billion. I think it would be a tragedy to do it.

I will use my best efforts in conference to work the matter out but I do know what to expect there and I know we will not have anything in conference on the food stamp program, except under the plans over there for several months. I speak of the food stamp conference because, unfortunately, I will have to sit on the food stamp conference and also this appropriation bill. It is going to be difficult if this amount is put in. It will mean a loss not only to the school lunch program. Realizing the appealing nature of a program of this kind and how easy it would be to meet a shortage—I do not think there will be a shortage—but how easy it is to meet such a situation. I think we should go ahead with $1.25 billion and be prepared for speedy handling of the Agriculture Appropriations conference.

I hope the amendment is rejected.

Mr. THURMOND. Mr. President, I stand to oppose the amendment which would increase the food stamp program from $1,250,000,000 to $1,750,000,000. The amount requested by the administration is sufficient and will in fact insure that every city and county will have a family food assistance program. As of June 12, 1970, the applications of all counties which have applied have been approved and the funds necessary to operate such programs have been taken into account. The amount for the fiscal year 1970 was $610,000,000. The present request for $1,250,000,000 is an increase of $640,000,000.

Mr. President, in these days of fiscal difficulty, shall we come here and say that we want to authorize $500 million more than the Secretary of Agriculture has requested for the food stamp program? This would be an increase of 40 percent over the amount requested by the administration and 187 percent over the amount for last year. I do not think that this sizable increase in 1 year is justified or necessary.

It is a basic economic fact of life that excessive spending by the Federal Government is a major contributing factor to the inflationary activity which continues to plague our Nation. It is also basic that the cure resides largely in the exercise of sound economic policies and fiscal restraint by the Congress. If we as a nation choose to ignore these economic facts of life, the future consequences are not hard to predict.

At the end of 1970 our Nation will have a national debt of $373 billion. This is the highest fiscal year-end debt in history. This is a sizable jump over the $357 billion year-end debt for last year. The $16 billion debt increase came during a year when military spending dropped a half billion dollars from the previous year, economic aid expenditures were reduced by $80 million from last year, and space spending was cut by more than $670 million.

Mr. President, the present appropriation request is sufficient for obtaining the objectives of the bill. In my judgment, the amendment to increase the food stamp program funds by $500 million would defeat the administration's objective of curbing the high rate of inflation our Nation is experiencing. This body cannot afford to further contribute to this already serious problem.

Mr. President, I strongly urge the Senate to reject this amendment.

FULL FUNDING FOR FOOD STAMPS

Mr. YARBOROUGH. Mr. President, the distinguished Senator from South Dakota (Mr. McGovern) is to be commended for his outstanding and dedicated efforts to feed the hungry people of our Nation. It is with pleasure that I join him as a cosponsor of the amendment to provide full funding of the food stamp program.

The amendment is to raise the appropriation from the $1.25 billion recommended by the committee to $1.75 billion. This figure is much nearer the $2 billion figure authorized by the Senate last fall.

Adequate funding of the food stamp program will permit us to reach the 14 million people estimated to be in need of immediate food aid. This estimate of 14 million people who are not adequately fed was made by the U.S. Department of Agriculture.

Unless this amendment is accepted and the food stamp program is fully funded, some 4 million people will continue to suffer without adequate food. Our present commodities distribution program reached 4 million, the food stamp program reaches 6 million people. Together, these programs reach only 10 million people of the 14 million who are in need of immediate food aid.

Mr. President, in the last several days in our consideration of various appropriations bills, there has been frequent reference to the need to reexamine our Nation's priorities. In my view, providing needed food to the people of this Nation is unquestionably one of the most essential responsibilities of the Government.

This great Nation produces food in abundance. We constantly struggle to control the problem of overproduction in the agricultural area. Let us take action now to halt the cruel irony of letting millions of our citizens go hungry while we concern ourselves with the continuing problem of overproduction.

Mr. KENNEDY. Mr. President, I noted last fall, when we passed the food stamp reform bill that debates about the country's ability to feed the poor pointlessly end in a wrangle about money, loss of personal incentives, and concern over proving the relationship between good nutrition and desired productivity.

Yet, there is more than enough evidence that a poor diet produces an ineffective, nonproductive citizen. My support today, Mr. President, goes to Senator McGovern and the other Senators who seek to raise the appropriation for the food stamp program to $1.75 billion for fiscal 1971.

I am constantly concerned about the needs of our hungry poor and the faulty way our Federal assistance programs operate to meet those needs. There are more than 25 million poor people in this country who are indisputably suffering from poor diets because of their low income. An additional 15 million people with marginal incomes also require assistance to improve the quality of their diets. There is no question that because America can feed its hungry citizens, America should feed them. Sadly though, when we are asked to consider food assistance for the poor, we make probing inquiries about the usefulness of an adequate diet instead of getting on with the task of providing for ways to get food to those who need it.

Since the vigorous actions of the Nutrition Committee have spotlighted the extent of malnutrition among America's poor, some changes have begun to appear.

In 1969, there were 3 million Americans receiving food stamps. During 1970, 6 million got stamps. Today, we are here to guarantee that for 1971 there will be 8 million of the poor to get food stamps. While assistance for those 10 million is vitally important, we must not forget that three times that many people remain to be helped. While we debate here today about the cost of feeding a fraction of the poor, 30 million Americans

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with inadequate incomes will continue to go hungry.

Mr. President, I will vote for the measure authorizing an increase of funds for food stamps so that 8 million hungry poor in this country can be included in that food stamp program. But I continue to be distressed by the failure of that program to include all of the people who need assistance in getting the food they need for a healthy diet.

In my home State of Massachusetts, less than one-half of 1 percent of the people with low income receive food stamps. Some of the local administrators up there hesitate to take the initiative to get the food stamp program introduced in their communities. They complain that the costs of administering the stamp program are too high. But even if every community in Massachusetts adopted the stamp program right now, there would be very few of the poor who could afford its benefits.

In Massachusetts, a four-member family with no other source of income receives $300 a month from the State welfare department. In order to receive an allotted $106 worth of food through the stamp program, that family must spend $76 of its $300 monthly income.

For the great majority of such families, that 26 percent of their income is too much to spend for what they believe is not nearly a big enough bonus. That creates a paradox. In my State, a needy family receives more in welfare payments than needy families in almost every other State. But because they receive higher welfare payments than recipients in most other States, people in Massachusetts are effectively penalized by the federally established rules for the food stamp program. Why then, should that Massachusetts family getting $300 a month pay nearly 4 times more for food than a family whose income is two-thirds smaller?

If that four-member Massachusetts family lived in some other State where assistance payments amount to only $100 a month, they could purchase $125 worth of food for about $20. Food assistance programs continue to be based, therefore, on criteria other than need.

Mr. President, I will vote here today for more money for food stamps even though I know that this alone will not improve the food stamp situation in Massachusetts. For the hungry poor who live up there, the most important thing that can be done in this Congress is to provide for an equitable food assistance program—that will make enough food available to those who need it, based on nutritional requirements and not based solely upon ability to pay.

I urge that we vote to increase the appropriation for food stamps to $1.75 billion. I also want to see a program that will adequately serve every American who needs help in providing for a nutritious diet.

In the bill we passed last September, there are provisions to raise the stamp bonus for recipients and to extend coverage to more people. Final congressional action on that bill will help to relieve the problems of the many American families suffering from malnutrition and hunger. Our action here today will determine in large measure, how close we have approached the goals set forth in the commitment made last fall to meet the serious nutritional needs of millions of Americans.

Mr. President, I fully support the efforts made here today to guarantee that the food stamp appropriation will be $1.75 billion for fiscal 1971.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota (No. 763). On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG (after having voted in the negative). On this vote I have a pair with the senior Senator from Tennessee (Mr. GORE). If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. GRIFFIN (after having voted in the negative). I have a live pair with the senior Senator from Illinois (Mr. PERCY). If he were present, he would vote "yea." I have voted "nay." I withdraw my vote and state that if I were at liberty to vote I would vote "nay."

Mr. STENNIS (after having voted in the negative). On this vote I have a pair with the Senator from Connecticut (Mr. RIBICOFF). If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. TALMADGE (after having voted in the negative). On this vote I have a pair with the senior Senator from Missouri (Mr. SYMINGTON). If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from Montana (Mr. METCALF), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

On this vote, the Senator from Washington (Mr. MAGNUSON) is paired with the Senator from Alabama (Mr. SPARKMAN). If present and voting, the Senator from Washington would vote "yea" and the Senator from Alabama would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Tennessee (Mr. BAKER) and the Senator from Arizona (Mr. GOLDWATER) are detained on official business.

If present and voting, the Senator from Maine (Mrs. SMITH) would vote "nay."

The pair of the Senator from Illinois (Mr. PERCY) has been previously announced.

On this vote, the Senator from New York (Mr. JAVITS) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from New York would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from Arizona (Mr. GOLDWATER). If present and voting, the Senator from California would vote "yea" and the Senator from Arizona would vote "nay."

On this vote, the Senator from Kentucky (Mr. COOK) is paired with the Senator from South Dakota (Mr. MUNDT). If present and voting, the Senator from Kentucky would vote "yea" and the Senator from South Dakota would vote "nay."

The result was announced—yeas 43, nays 28, as follows:

[No. 225 Leg.]

YEAS—43

Bayh
Boggs
Brooke
Burdick
Byrd, W. Va.
Case
Church
Cooper
Cranston
Eagleton
Fong
Fulbright
Goodell
Hart
Hatfield
Hollings
Hughes
Inouye
Jackson
Kennedy
Mansfield
Mathias
McCarthy
McGovern
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Spong
Tydings
Williams, N.J.
Yarborough

NAYS—28

Aiken
Allen
Allott
Bellmon
Bennett
Bible
Byrd, Va.
Cannon
Cotton
Dole
Dominick
Eastland
Ellender
Ervin
Fannin
Gurney
Hansen
Holland
Hruska
Jordan, Idaho
McClellan
Miller
Packwood
Pearson
Thurmond
Tower
Williams, Del.
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—4

Long, against.
Griffin, against.
Stennis, against.
Talmadge, against.

NOT VOTING—25

Anderson
Baker
Cook
Curtis
Dodd
Goldwater
Gore
Gravel
Harris
Hartke
Javits
Jordan, N.C.
Magnuson
McGee
Metcalf
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Sparkman
Stevens
Symington
Young, Ohio

So Mr. McGovern's amendment was agreed to.

Mr. McGOVERN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLINGS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, I would like to ask unanimous consent that there be a time limitation of 30 minutes on all further amendments to be considered, with the exception of the Nelson amendment, which I think can be worked out later, the time to be equally divided between the sponsor of the amendment and the manager of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. COOPER. Mr. President, reserving the right to object, how many minutes? What was the debating time?

Mr. MANSFIELD. Thirty minutes, 15 minutes to a side on each amendment.

Mr. COOPER. Mr. President, I understand that the distinguished Senator from Utah (Mr. Moss) may have an amendment on which I cannot agree to that limitation.

Mr. MANSFIELD. Mr. President, I withdraw the request, and express the hope that the sponsors of amendments will be brief, because of commitments which have been made for this evening months prior to tonight.

LEGISLATIVE PROGRAM

Mr. GRIFFIN. Mr. President, will the distinguished majority leader yield to me?

Mr. MANSFIELD. Yes, indeed.

Mr. GRIFFIN. It may be a little more difficult for him to respond, in view of what has just happened, but I would like to have him give the Senate some indication of what the program will be for the remainder of today and the rest of the week, if possible.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished acting minority leader, there is still a possibility that we could finish the pending measure tonight, but it looks doubtful. It is anticipated that if we do not finish tonight, we will finish at a relatively early time tomorrow.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. I ask unanimous consent at this time that when the Senate completes its business tonight, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR GOODELL TOMORROW

Mr. MANSFIELD. I ask unanimous consent that, following the 30 minutes already allotted to the distinguished Senator from Georgia (Mr. Talmadge) tomorrow, the distinguished Senator from New York (Mr. Goodell) be recognized for not to exceed 30 minutes, and that following the conclusion of his remarks the Senate proceed immediately to the consideration of the pending measure if it has not been completed.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM CONTINUED — UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. If action on the pending measure has been completed, the next item will be S. 3302, a bill to amend the Defense Production Act of 1950, to which there will be a number of amendments proposed. I understand that the first amendment will very likely be offered by the distinguished Senator from Utah, the ranking member of the committee (Mr. Bennett). It is hoped, if the Senate approves, that it will be possible also tomorrow—whether or not we complete action on the Defense Production Act—to take up the Legislative Appropriation Act, which was reported by the committee unanimously and which I hope will be cleared with the rest of the Senate so that we can move forward on these bills.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. BENNETT. Now that the Senator has announced that if we do not finish at a reasonable time tonight we may go over, can the Senator give the Senate any idea as to what his target closing hour is for tonight?

Mr. ALLOTT. In other words, what is a reasonable time?

Mr. BENNETT. Yes.

Mr. MANSFIELD. Well, about 7:15. If we are close then, I think maybe we ought to forego the pleasure of the ladies' company this evening, and try to finish the bill, and perhaps arrive late at the banquet. But we will see. And if I may repeat my request, I ask unanimous consent that there be a 30-minute time limitation on the amendment to be offered by the Senator from Maryland (Mr. Mathias) and the amendment offered by the Senator from New York (Mr. Goodell), the time to be equally divided between the sponsor of the amendment and the manager of the bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NELSON. Mr. President, I wonder if it would be agreeable to set a time to vote tomorrow on my amendment. I would be perfectly happy to put everything in the Record and agree on a set time tomorrow morning.

Mr. MANSFIELD. Let us see how things go tonight, and I will talk with the Senator later.

Mr. GOODELL. Mr. President, the Senator did not mention the Gulf of Tonkin resolution.

Mr. MANSFIELD. The rescinding of the Gulf of Tonkin resolution will be either Friday or Monday, as of now.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

FUNDS FOR CONSERVATION RESEARCH

Mr. MUSKIE. Mr. President, I commend the action taken by the Subcommittee on Agriculture, of the Appropriations Committee, in recommending funds for the construction of a soil and water conservation research facility at the University of Maine in Orono.

Faced with tight budgetary restrictions, the full committee has recommended that $600,000 be funded for the construction of this facility which can be of valuable service to the entire New England region. The committee's action reveals an awareness of the increasing need of such research facilities to provide new approaches for the preservation of our basic natural resources.

As Senators may recall, in 1967 $45,000 was authorized for the planning of this facility. Although the planning stage was completed as of May 1969, funds added by the Senate for construction of the plant in 1970 were later deleted in conference. Moreover, since the original authorization for the facility, estimates for its construction cost have risen from $450,000 to $600,000. I offer this information about the increased cost of the facility, and of others of its kind, in further support for the need to proceed with construction now, rather than to permit delay and be forced to incorporate rising construction costs into the building of the plant.

Mr. President, every day we become increasingly aware of the damage we have done to our environment and of the difficulties we face in correcting the problem. The services which facilities of this nature can provide, in conducting research into numerous areas of soil and water conservation, are urgently needed if we are to make progress in restoring the quality of our environment.

I urge Senators to support the committee's recommendation in this matter.

Mr. MOSS. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. MOSS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the Record.

The amendment is as follows:

Sec. 508. None of the funds appropriated by this Act may be expended for the purpose of (1) carrying out a price support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising or otherwise promoting the sale of tobacco, (4) financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as

> amended, or (5) inspecting or grading tobacco.

Mr. BYRD of West Virginia. Mr. President, will the Chair request that the Senate be in order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President, will the Chair please request that Senators take their seats?

The PRESIDING OFFICER. Senators will please take their seats.

Mr. MOSS. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MOSS. Mr. President, this is a relatively simple amendment, and I think I can explain it rather quickly.

It has to do with price supports for tobacco products. It would prohibit the expending of appropriated funds for carrying out a price support program for tobacco, paying an export subsidy for the export of tobacco, advertising or otherwise promoting the sale of tobacco, financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, or inspecting or grading tobacco.

Mr. President, I am submitting an amendment to cure the Federal Government's schizophrenic approach to tobacco.

As we all know, the Federal Government has over the last few years taken steps to discourage cigarette smoking. In 1964, the Surgeon General's Advisory Committee on Smoking and Health stated that—

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

Since that time the Surgeon General has repeated and strengthened his warning that cigarette smoking is harmful to public health. Congress in 1965 and again in 1969 has required that each cigarette package bear such a warning, and in the Public Health Cigarette Smoking Act of 1969, Congress has ordered that cigarette advertising on American television and radio terminate on January 2, 1971.

This is the "good" side of the Federal Government's schizophrenia. The "bad" side is the millions it spends every year to promote and subsidize the sale of raw tobacco. It is difficult to be exactly sure how the Federal Government is spending in this effort—there is no line item in the appropriation bill, but last year it was estimated to have been around $73.2 million.

This $73 million may not seem like much as part of an $8 billion agricultural appropriation's bill, but when compared to the $5-odd million spent by HEW to combat smoking, it exposes the magnitude of the Federal Government's schizophrenia.

My amendment would put a stop to this two-faced treatment of tobacco. It would prohibit the use of any funds in H.R. 17923, the agriculture appropriation bill, for the purpose of first, carrying out a price support program for tobacco; second, paying an export subsidy to any person for the export of tobacco; third, advertising or otherwise promoting the sale of tobacco; fourth, financing directly or indirectly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as amended; or fifth, inspecting or grading tobacco.

I have not sought to bar funds for tobacco research, although I understand a sizable portion of these funds are used in research to make cigarettes better tasting, better smelling, or better looking.

Mr. President, I realize that there are a number of tobacco farmers who might suffer should this amendment be adopted. I have said many times that I would favor economic assistance to tobacco farmers which would encourage them to switch to another crop. This is what the Government should be doing with the $70-odd million it now spends subsidizing tobacco.

We must also realize that another industry, the broadcast industry, will suffer a substantial loss of revenue—one quarter of a billion dollars—because Congress decided that cigarette smoking should not be promoted. No doubt there will be other economic dislocations as the Government seeks to protect the public health.

Simply because smoking tobacco is not illegal is no justification for subsidizing the production of tobacco. Tobacco has no harmless uses, let alone beneficial uses.

Perhaps most indefensible of all the Government's schizophrenic actions is its promotion of tobacco sales overseas. The Government has forced cigarette manufacturers and television stations to accept spot announcements telling the American people that cigarette smoking is dangerous to their health. Yet the Federal Government continues to encourage foreigners to buy American tobacco.

Last year, for example, the Government provided over $30 million in long-term and local currency credits for foreigners to purchase tobacco under the food-for-peace program. This practice defames this otherwise very worthy program. Tobacco is good for neither food nor peace.

The American tobacco industry also receives a hidden subsidy not available to other agricultural commodities except cotton. Under an obscure 1935 law, the tobacco industry is exempt from paying for voluntary grading of the tobacco leaf by the Department of Agriculture personnel. The costs for fiscal year 1971 are estimated to be about $3.2 million.

Mr. President, the time has come to cure this schizophrenia. The Government can help mitigate much of the economic hardship created by withdrawal of tobacco subsidies. It may be painful for some. But the Government should not spend the taxpayers' money to encourage the growth of a crop whose use the same Government says is harmful.

Mr. HOLLAND. Mr. President, I realize the good objectives of the Senator from Utah, and I am not here to quarrel with them at all. I just want to invite attention to the fact, however, that this amendment, if it is adopted, would apply to millions of pounds of tobacco already produced and in warehouses in all parts of the tobacco-producing areas of the Nation. It would apply to hundreds of thousands of acres of tobacco planted this year under the assurance of price support, under laws which were passed by Congress and are still on the books. Each of the activities with which this amendment deals has to do with the use of tobacco either already produced and stored or tobacco in process of being produced, which has been planted under the faith of the continuance of legislation which existed at the time it was planted.

Mr. President, I am sure that the distinguished Senator has not thought of this, and I invite his attention to the fact that we are going to be considering a new farm bill very soon. If there is to be a fight on this matter, that is the place for it to be; because it will then apply, if it be adopted—and I shall not vote to adopt it—but if it should be adopted, and a majority of the Senate and of the House might well agree to pass it regardless of my feeling in the matter, it would then apply, and it properly should in the future, to tobacco produced in the future.

I read from the amendment:

> None of the funds appropriated by this act may be expended for the purpose of (1) carrying out a price support program for tobacco.

That applies to the hundreds of thousands of acres planted already in the State of Virginia; in the State of Georgia; in the State of Kentucky; in the State of North Carolina; some in my own State, though not so much; some in Missouri, though not so much. In Maryland, they have a habit of holding everything produced in 1 year over until the sale sometime the next spring, so I suspect that this would apply to two different crops in Maryland.

Without study, there is no telling how this would apply to many areas to which it should not apply to honestly. The Government cannot change its rule in the middle of the stream, when farmers have relied on assurances given by Federal laws passed and outstanding and which have been in force for years.

Mr. TALMADGE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. TALMADGE. If the Senate were to adopt this amendment, would not the Senate be saying in effect that we cannot rely upon an act of Congress, or give full faith and credit to an act of Congress because we, the Senate, will not honor that act? Would that not be the effect of it?

Mr. HOLLAND. I am sorry to have to admit that is exactly what the effect would be. That is what I have been trying to say. It is an objective which can be properly considered and no doubt will be considered when the farm legislation comes up. I have already indicated how I feel about passage or nonpassage, but that is neither here nor there. I am only one out of 535 Members of Congress. I do not know how others may feel, but I am sure that the great majority of both Houses—I suspect that all—when they think about it, will realize that this great Federal Government cannot afford to place itself in a position of breaking contracts with literally hundreds of thousands of people, many of whom are poor.

For instance, in the State of Kentucky, and also in Tennessee, I believe, where there are large acreages of tobacco, the average acreage worked on by the average farmer is 3 or 4 acres. This is a blow which those people least able to stand such treatment on the part of their Government do not deserve. It is their Government as well as ours.

Mr. TALMADGE. I understand that in Kentucky, the burley acreage is approximately one-half an acre per farm, on the average. In Georgia the average is about 1 acre per farmer. If the farmer is fortunate or lucky and gets the price for that particular crop, the result of a year's labor may bring him $300 to $500.

The Senate by an overwhelming vote has just passed a food stamp bill where practically all of the tobacco farmers will be the beneficiaries. The result of this amendment would be that the Government would be saying that even though we have contracts with them, to support the price of certain commodities, and that they will receive a certain price per pound for their tobacco, the Government of the United States will not honor a law which Congress passed.

Mr. COOPER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. COOPER. I note that the distinguished Senator from Utah (Mr. Moss) has introduced a bill with the same language as used in his amendment. His bill, I assume, is before the Committee on Agriculture and Forestry. We know of his oft expressed concern about the effects of smoking on health, but this amendment should be defeated.

He was successful, along with others, in securing passage of a bill concerning the advertising and labeling of cigarettes. But I should like to bring to his attention in line with the argument made by the Senator from Georgia and the Senator from Florida, that this tobacco program has been in effect now since the early 1930's.

The Senator talks about subsidies for tobacco. According to my recollection, the actual fact is that in 37 years of the program, the Government has lost no money. Although the Government makes loans on tobacco which is not sold for the support price, this tobacco is stored by the Government and sold by the Government from time to time often at a profit.

Federal, State, and local governments received in 1969 $4.4 billion in taxes from the sale of tobacco. Thousands of people in 14 or 15 States make their living from tobacco. It is still a crop which uses handwork to process. It takes a year and 1 month to raise a crop of tobacco.

A farmer with his children working one acre may receive $1,200 to $1,500. If this amendment should be passed—and it has received no study nor careful consideration—the land values in 14 or 15 States will depreciate and bring economic distress to thousands of tobacco farmers.

This is too important a matter involving the livelihood of many people to be considered as an amendment on the floor of the Senate and to ask the Senate to adopt it.

I voted for the bill of the Senator from Utah (Mr. Moss) last year and limiting the broadcasting of cigarette advertising. But in offering on the floor this amendment which concerns thousands of farm families, many of whom are poor, working a half acre of tobacco—hillside families, I think the Senator would be doing them an injustice. I say that with all due regard to the distinguished Senator from Utah if he proceeds without providing an opportunity for all the facts to be heard by the proper committee.

Mr. ERVIN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. ERVIN. In view of the fact that literally hundreds of thousands of people grow tobacco and many of them, as has been pointed out, live in extreme poverty, does not the Senator from Florida think that the amendment should be presented to the Committee on Agriculture and Forestry first, so that the hundreds of thousands of people who have relied upon the promise implicit in an act of Congress may be given the opportunity to be heard?

Mr. HOLLAND. Of course, they should be allowed to be heard. Of course, they are right. They have vested rights, too, which cannot be taken away from them under the law.

Mr. ERVIN. Does not the Senator from Florida know that in the tobacco-growing areas, the people who grow the tobacco in effect mortgage their futures to secure the ability to plan and grow their tobacco, and that the passage of this amendment would result in the impoverishment of hundreds of thousands of people who have relied upon the promise of their Government to sustain them with price supports until they are repealed by a legislative as distinguished from an appropriation act?

Mr. HOLLAND. They, of course, can be heard by a legislative committee and they should be heard by a legislative committee, and they will be heard by a legislative committee, if the distinguished Senator from Utah brings it before us—I do not recall that this was even brought before the Agriculture Appropriation Committee—if I am wrong, the Senator will correct me.

Mr. MOSS. Mr. President, I do not believe it was brought before the Appropriations Committee. There has been a bill pending, however, for some time, to achieve this result. It has not had any hearings yet.

I appreciate what the Senator from Florida, the Senator from North Carolina, and other Senators have said here, except that we are talking on two different wavelengths.

There, of course, is the economic problem. I said that in my statement, when I introduced the amendment, and I have said on the floor of the Senate several times that I know there is involved some economic adjustments which involve hardship, perhaps, so that I certainly would favor any sort of subsidy to help to bridge the gap to get tobacco farmers into another kind of crop that would enable them to earn a living when they no longer raise tobacco, if that is what a tobacco subsidy would do.

But what I present the amendment for is the fact that the Federal Government has already made the finding, and we have confirmed it here in the Senate, that tobacco is harmful to the health. Under the circumstances, it seems to me we are in an inconsistent position, to give money to subsidize the growing and marketing of tobacco when, at the same time, we spend money telling the people that it is harmful to smoke and that they should not do so. I just think we should get ourselves out of that dilemma.

Mr. HOLLAND. The Senator may be right. The place for him to be heard—I suggest to him in a friendly way that this is not the place for that, because it involves the changing of a promise the Government has made to hundreds of thousands of people who have already produced tobacco which is stored, hundreds of thousands who have planted this year's crop.

There may be some areas where the crop has not been planted. But certainly in the South it has been planted long ago. We are now in the month of July.

Mr. ERVIN. Mr. President, I would like to point out that the amendment has not been printed. It was not presented in sufficient time to be printed.

I have in my State hundreds of thousands of people who are dependent upon tobacco. I have in the mountain sections of my State an area where they have one-half acre devoted to burley tobacco. That is the only money crop these people have. It is the only crop through which they can buy shoes to send their children to school.

I respectfully think that, notwithstanding the great feelings of the distinguished Senator from Utah on this matter, the amendment should be withdrawn and there should be hearings upon this matter before a legislative committee instead of having it done in an appropriation bill at this late hour of the day without having had a chance to have hearings.

Mr. HOLLAND. Of course the Senator is correct, and particularly so when the distinguished Senator from Utah states that he expects to try to set up some remedial methods to take care of these people who are hurt. That would of course require legislation which cannot be provided for in this bill.

Mr. ERVIN. Mr. President, this provision would actually bankrupt hundreds of thousands of people in this country, and among them would be the poorest people in the country.

Mr. HOLLAND. Mr. President, I am ready to vote on the matter, but I do hope that my distinguished friend, the Senator from Utah, would withdraw the amendment.

Mr. MOSS. Mr. President, I do not feel that I can do that. However, I would be willing to modify the amendment somewhat to meet the complaint about the tobacco that is already planted and in process, if I would be permitted to modify my amendment by adding another sentence:

XUM

> This section should not apply to tobacco planted or in process prior to the date of this Act.

That would not affect this year's crop. But it would affect any crops planted hereafter.

Mr. HOLLAND. Mr. President, the appropriation bill is for this year only. The farm legislation which we will be considering in a few days or a week does apply to the future. It does apply to the exact situation which the Senator mentioned. I hope that the Senator will allow his proposal to be handled at that time.

Mr. MOSS. Of course that situation will arise from year to year.

Mr. ERVIN. Mr. President, tobacco has already been planted. It is now in the process of being harvested and sold. These people have mortgaged their future for it.

I sincerely hope that the distinguished Senator from Utah will withdraw his amendment and allow the matter to be handled before the legislative committee.

Mr. HOLLAND. Mr. President, if the Senator does want a vote on this, I would have no objection. I wonder if he would be willing to have a time limitation of 10 minutes, 5 minutes to the side, to be followed by a yea and nay vote.

Mr. MOSS. Mr. President, I would be perfectly willing.

Mr. HOLLAND. Mr. President, I hope that the distinguished majority leader would ask for such a limitation.

Mr. ERVIN. Mr. President, before that, I would like to raise the point of order that this is legislation on an appropriation bill.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, if I could make that request, exclusive of the point of order, I ask unanimous consent that there be a time limitation of 10 minutes, the time to be equally divided between the Senator from Utah and the Senator from Florida.

Mr. ERVIN. Mr. President, I raise the point of order that this is legislation on an appropriation bill. It requires a determination to be made in addition to that provided in the bill to make it workable.

I raise the point of order that it is on an appropriation bill.

The PRESIDING OFFICER (Mr. Byrd of West Virginia). In response to the point of order made by the able Senior Senator from North Carolina (Mr. Ervin) the Chair states that the phrases "or otherwise promoting" under No. 3 and "or indirectly" under No. 4 create contingencies to the extent that Government officials must make these determinations. Thereby additional duties would be placed on certain Government officials. Under Senate precedent, this would therefore make it subject to a point of order. The Chair sustains the point of order.

Mr. MOSS. Mr. President, I ask unanimous consent to modify the amendment by striking out the words under number three, "or otherwise promoting the sale of tobacco," and to strike in No. 4, "or indirectly."

The PRESIDING OFFICER (Mr. Byrd of West Virginia). Is there objection?

Mr. ERVIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MOSS. I send the amendment to the desk and ask that it be considered.

The PRESIDING OFFICER. The clerk will report the amendment as modified.

The legislative clerk read as follows:

> On page 39, between lines 12 and 13, insert a new section as follows:
>
> Sec. 508. None of the funds appropriated by this Act may be expended for the purpose of (1) carrying out a price support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising, (4) financing directly the sale of tobacco in any foreign country under the Agriculture Trade Development and Assistance Act of 1954, as amended, or (5) inspecting or grading tobacco.
>
> "This section shall not apply to tobacco planted and in process prior to the date of this Act."

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation on the pending amendment of 10 minutes, the time to be equally divided between the Senator from Utah (Mr. Moss) and the Senator from Florida (Mr. Holland).

The PRESIDING OFFICER (Mr. Byrd of West Virginia). Is there objection? The Chair hears none, and it is so ordered.

Mr. MOSS. Mr. President, I will not take long. The amendment has already been explained. It has been modified to eliminate the inexact words that brought it under attack and caused a point of order to be raised.

I think it is now perfectly clear that it is an appropriate limitation on the appropriation bill pending before the Senate.

I can only reiterate what I said before. In order to be consistent in the Senate, we in this body who believe that we should protect the public health of this country should at least not be expending Federal funds to encourage people to grow and market tobacco which is injurious to the public health. Therefore, I think it is perfectly appropriate.

Mr. President, may I inquire of the Chair whether or not the yeas and nays which were ordered before apply to the modified amendment?

The PRESIDING OFFICER (Mr. Nelson). They are not applicable.

Mr. MOSS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, the Senate has made it a better amendment, but it is still subject to the point that it changes existing contracts into which Government has entered. I could not possibly support it.

Mr. President, I yield 2 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. BYRD of Virginia. Mr. President, it seems to me that the amendment is such a far-reaching proposal that it is very unfair for the Senate to agree to it tonight. It affects the livelihood of many thousands of individual farmers and their families.

I think it would be highly improper not to give those individuals an opportunity to appear before the Committee on Agriculture and Forestry and present their viewpoint. To adopt the proposal now would be very unfair, in my judgment.

I hope that the Senate will vote to reject the amendment of the Senator from Utah. If the Senator from Utah at a later date does present his proposal to the committee, I hope that the farmers will have an opportunity to present their case at the same time.

Mr. HOLLAND. Mr. President, does any other Senator desire time?

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I yield 2 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 minutes.

Mr. COOPER. Mr. President, I want to make a correction of a statement which I made previously.

I said that there had been no losses in the 37-year period. I have since been informed that the Commodity Credit Corporation has experienced losses of $58.8 million in its tobacco program for the entire 37-year period, a loss representing but one quarter of 1 percent of all agricultural losses in this same period. In 11 months of fiscal 1969, the CCC experienced losses in price supoprt programs of all commodities of $2.9 billion while the losses incurred by the tobacco program in this period amount to $4.9 million

This is of great importance to farm people. We are not dealing here with a health program. We dealt with that program under legislation presented by the Committee on Commerce. I think the tobacco people have been very fair, even in connection with the health question. We should be fair to them and give them a chance to be heard. Senators from agricultural States would want to have their farmers given an opportunity to be heard about their programs. Likewise, I think that Senators from industrial States would like to see to it that businessmen be given an opportunity to be heard if their particular industry came under attack.

I urge the Senate to defeat this amendment.

Mr. HOLLINGS. Mr. President, were the Senate to adopt this amendment, we would not only be acting unwisely but uneconomically. Mr. President, since 1933 tobacco taxes have brought $54 billion into the U.S. Treasury. Enough to finance not only the cost of price support on tobacco but the cost of all other agricultural support payments as well three times over. Additionally we hear much of this country's balance-of-payment problems. I would like to point out that one out of every six agricultural dollars earned by this country is a tobacco dollar. And our balance-of-payment difficulties would be compounded with serious results if this amendment is adopted. In view of that fact I urge the Senate to reject the amendment of my friend the Senator from Utah.

Mr. HOLLAND. Mr. President, I am prepared to yield back the remainder of my time.

Mr. MOSS. Mr. President, with regard to what has been said by the Senator from Kentucky and other Senators before him, the modified amendment does have the provision in it that it would not apply to tobacco that has been planted, so it would apply prospectively to any future planting hereafter.

Mr. ERVIN. Mr. President, if it applies prospectively, I raise the point of order that it is out of order because there is no longer a constitutional limitation upon an appropriation bill.

Mr. MOSS. Mr. President, I submit that it simply says the limitation would not apply to what is now in process.

Mr. MANSFIELD. Mr. President, has the point of order been raised?

The PRESIDING OFFICER (Mr. NELSON). Does the Senator from North Carolina raise the point of order?

Mr. ERVIN. Yes, I raise the point of order. It does not limit any expenditures under this bill in its present form.

The PRESIDING OFFICER. The second amendment would be subject to a point of order on the same grounds as the previous one.

Mr. MOSS. Mr. President, I modify my amendment to strike the last sentence. I was just trying to accommodate what certain Senators have been arguing for.

Mr. ERVIN. I object.

Mr. MOSS. Mr. President, I can modify my amendment.

Mr. BYRD of West Virginia. Not when the yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator may modify his amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

The amendment, as modified, is as follows:

On page 39, between lines 12 and 13, insert a new section as follows:

"SEC 508. None of the funds appropriated by this Act may be expended for the purpose of (1) carrying out a price support program for tobacco, (2) paying an export subsidy to any person for the export of tobacco, (3) advertising, (4) financing directly the sale of tobacco in any foreign country under the Agricultural Trade Development and Assistance Act of 1954, as amended, or (5) inspecting or grading tobacco."

Mr. MANSFIELD. Mr. President, has all time expired on the amendment?

The PRESIDING OFFICER. All time has expired.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I wish to propound a unanimous-consent request which was difficult to obtain earlier.

I ask unanimous consent that there be 30 minutes on all remaining amendments, with the time to be equally divided between the sponsors of the amendment and the manager of the bill; and on the amendment of the Senator from Wisconsin (Mr. NELSON), if he offers his amendment, the time be limited to 20 minutes, the time to be divided between the Senator from Wisconsin and the Senator from Florida; with one-half hour on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS CONSENT AGREEMENT

Ordered, That, during the further consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes, debate on any amendment (except an amendment that might be offered by the Senator from Wisconsin (Mr. NELSON) on which there will be 20 minutes), motion, or appeal, except a motion to lay on the table, shall be limited to ½ hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader or his designee: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Order further, That on the question of the final passage of the said bill debate shall be limited to ½ hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate continued with the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

Mr. THURMOND. Mr. President, I am opposed to the Moss amendment to H.R. 17923. This amendment comes as a surprise to the Senate and with no indication whatsoever as to the possible results. As I understand it, this amendment would cut off all funds under this act for the tobacco programs. Tobacco is not an illegal commodity, and those who use it are forewarned as to the possible effects of its excessive use. This is no reason to single out tobacco for discriminatory treatment.

Mr. President, there have been no studies as to the possible consequences that might result from the passage of this amendment. Thousands of citizens of my State of South Carolina and throughout the South depend upon tobacco for their livelihood. Tobacco is also the No. 1 money crop in my State and the economic effects which would result from eliminating tobacco from the agricultural appropriations would be devastating.

There have been no committee hearings on this matter, no thorough discussion as to the advisability of adopting such an amendment; and in my judgment, it is ill conceived.

I strongly urge that this amendment be defeated.

Mr. MANSFIELD. Mr. President, in view of the fact this will be the last vote tonight, Senators should guide themselves accordingly.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CANNON (after voting in the affirmative). On this vote I have a pair with the Senator from Tennessee (Mr. GORE). If he were present and voting he would vote "nay." I have already voted "yea." I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Washington (Mr. MAGNUSON). If he were present and voting he would vote "aye." If I were permitted to vote I would vote "nay." Therefore, I withdraw my vote.

Mr. HART (after having voted in the affirmative). On this vote I have a pair with the Senator from North Carolina (Mr. JORDAN). If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withdraw my vote.

Mr. GRIFFIN (after having voted in the negative). On this vote I have a live pair with the Senator from Kentucky (Mr. COOK). If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Connecticut, (Mr. DODD), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Alabama (Mr. SPARKMAN) and the Senator from Missouri (Mr. SYMINGTON), would each vote "nay."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from California (Mr. MURPHY) and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senators from Arizona (Mr. FANnin and Mr. Goldwater) and the Senator from Tennessee (Mr. Baker) are detained on official business.

If present and voting, the Senator from South Dakota (Mr. Mundt), and the Senator from Nebraska (Mr. Curtis) would each vote "nay."

The pair of the Senator from Kentucky (Mr. Cook) has been previously announced.

If present and voting, the Senator from Maine (Mrs. Smith) would vote "yea."

On this vote, the Senator from Illinois (Mr. Percy) is paired with the Senator from Tennessee (Mr. Baker). If present and voting, the Senator from Illinois would vote "yea" and the Senator from Tennessee would vote "nay."

The result was announced—yeas 15, nays 52, as follows:

[No. 226 Leg.]

YEAS—15

Brooke
Case
Cranston
Fulbright
Goodell
Hatfield
Jackson
Moss
Packwood
Pastore
Pell
Schweiker
Smith, Ill.
Williams, N.J.
Williams, Del.

NAYS—52

Aiken
Allen
Allott
Bayh
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Cooper
Cotton
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fong
Gurney
Hansen
Holland
Hollings
Hruska
Hughes
Inouye
Jordan, Idaho
Kennedy
Long
Mathias
McClellan
McIntyre
Miller
Montoya
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Saxbe
Scott
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Yarborough
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—4

Cannon, for.
Mansfield, against.
Hart, for.
Griffin, for.

NOT VOTING—29

Anderson
Baker
Cook
Curtis
Dodd
Fannin
Goldwater
Gore
Gravel
Harris
Hartke
Javits
Jordan, N.C.
Magnuson
McCarthy
McGee
McGovern
Metcalf
Mondale
Mundt
Murphy
Percy
Ribicoff
Russell
Smith, Maine
Sparkman
Stevens
Symington
Young, Ohio

So Mr. Moss' amendment, as modified. was rejected.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. COOPER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, with the indulgence of the Senator from Wisconsin (Mr. Nelson), I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1004 and 1005.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF CLOUD ON TITLES OF CERTAIN PROPERTY LOCATED IN MALIN, OREG.

The bill (H.R. 2036) to remove a cloud on the titles of certain property located in Malin, Oreg., was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF THE CLASSIFICATION AND MULTIPLE USE ACT AND THE PUBLIC LAND SALE ACT

The Senate proceeded to consider the bill (S. 3728) to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–19) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–27) which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 7, after the figure "31,", to strike out "1972," and insert "1975,"; in line 8, after the figure "31,", to strike out "1972," and insert "1975,"; on page 2, line 7, after the figure "31,", to strike out "1972," and insert "1975,"; in line 9, after the figure "31,", to strike out "1972," and insert "1975,"; and in line 10, after the figure "31,", to strike out "1972."; and inesrt "1975."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of September 19, 1964 (78 Stat. 986, 988), as amended (43 U.S.C. 1418), is amended to read as follows:

"The authorizations and requirements of this Act shall expire December 31, 1975, except that the segregation prior to December 31, 1975, of any public lands from settlement, location, sale, selection, entry, lease, or other form of disposal under the public land laws shall continue for the period of time allowed by this Act."

Sec. 2. Section 7 of the Act of September 19, 1964 (78 Stat. 988, 989), as amended (43 U.S.C. 1427) is amended to read as follows:

"The authority granted by this Act shall expire December 31, 1975, except that sales concerning which notice has been given in accordance with section 3 hereof prior to December 31, 1975, may be consummated and patents issued in connection therewith after December 31, 1975."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

The Senate resumed the consideration of the bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

AMENDMENT NO. 766

Mr. NELSON. Mr. President, on behalf of Senators Cranston, Proxmire, Eagleton, McCarthy, Bayh, Montoya, Goodell, and myself, I call up my amendment No. 766, to provide an increase of $4.5 million for research on nonchemical methods of pest control. I ask unanimous consent that the name of the Senator from Michigan (Mr. Hart) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I call attention to the fact that in the amendment, on line 1, the reference to lines 14 and 15 should be to lines 13 and 14, and so modify my amendment. I ask that the amendment be made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as modified, as follows:

On page 3, lines 13 and 14, strike out "$157,346,200" and insert in lieu thereof "$161,846,200".

INCREASED FUNDS FOR RESEARCH ON NONCHEMICAL MEANS OF PEST CONTROL

Mr. NELSON. Mr. President, in 1945, the same year that the pesticide DDT was released for civilian use in the United States, biologists working on U.S. Department of Agriculture research discovered that the chemical could kill wildlife as well as insects.

From that point on, scientific concern about the hazards of pesticides continued to mount worldwide, but, unfortunately, the debate simmered out of the public eye for almost two decades.

Meanwhile, DDT, which became known as the miracle insecticide, came into widespread international use, along with other synthetic, persistent, toxic pesticides. Today, more than a billion pounds of pesticides, including insecticides, herbicides, fungicides, rodenticides, and fumigants, are produced annually in the United States, about 5 pounds for every man, woman, and child in the country. The latest figures show the sales of pesticides increasing more than 13 percent annually, and by 1985, it is estimated that they will increase another sixfold.

In this age of often unquestioning reliance on manmade solutions, pesticides have been heralded and accepted as a panacea for a whole range of health and agricultural problems.

But in recent years, the rising voices of scientific concern and the growing evidence about the dangerous side effects of these compounds have become impossible to ignore.

We know now that DDT has spread over the entire globe, even building up in the flesh of Antarctic penguins, thousands of miles from the closest area of pesticide use. Species of fisheating birds and birds of prey over vast portions of the earth have been pushed near extinction in areas of their ranges, with compelling evidence that pesticide buildups are a major factor.

A 2-year national pesticide study recently completed by the U.S. Bureau of Sport Fisheries and Wildlife found DDT in 584 of 590 samples of fish taken from 45 rivers and lakes across the United States.

The study results showed DDT ranging up to 45 parts per million in the whole fish, a count more than nine times higher than the current U.S. Food and Drug Administration guideline level for DDT residues in fish.

XUM

And last year, the FDA seized 28,150 pounds of frozen Lake Michigan coho salmon because high DDT and dieldrin residues had made the fish unfit for human consumption. Mackeral caught in the Pacific Ocean off the California coast last year were also kept off the market for the same reason.

Off the Florida coast, in a region dependent on nature's resources for its economy, miles-long slicks containing pesticides at levels 10,000 times higher than in surrounding waters have appeared.

In addition to the documented evidence of dangers to wildlife, there are mounting indications that the hard pesticides pose threats to man himself. During a recent conference on pesticides in Stockholm, evidence was presented that DDT, even in very small quantities, could affect human metabolism. A major study published last summer by the National Cancer Institute found that at least 11 pesticides out of 123 chemical compounds tested induced a significantly increased incidence of tumors in laboratory animals.

In her famous book, "Silent Spring," Miss Rachel Carson said of the persistent pesticides:

> As crude a weapon as the cave man's club has been hurled against the fabric of life.

In 1963, Miss Carson testified before the Senate Government Operations Committee, chaired by our colleague, Senator ABRAHAM RIBICOFF, during hearings which generated strong congressional concern about pesticides.

Also in 1963, a report by the President's Science Advisory Committee, chaired by Jerome Weisner, said a national goal should be the "elimination of the use of persistent toxic insecticides."

In the next Congress, I introduced the legislation to ban the interstate sale and shipment of DDT, and have reintroduced it in every subsequent Congress.

In no other State has DDT undergone such lengthy and official scrutiny as in my own State of Wisconsin. There, citizen groups and the Environmental Defense Fund joined forces in a petition asking the State department of natural resources to ban the pesticide's use in the State under any circumstances where it could enter world circulation patterns and further contaminate the biosphere. With EDF, the petitioning groups were the Citizens Natural Resources Association of Wisconsin and the Wisconsin division of the Izaak Walton League.

Months of testimony as to the effects of pesticides were heard, and after careful consideration the State hearing examiner ruled against DDT, labeling it an environmental pollutant. He found that DDT and its derivatives were contaminating and rendering unclean and impure the air, land, and waters of the State, and making the same injurious to public health and deleterious to fish, bird, and animal life.

Similar actions to ban or restrict the use of DDT and other hard pesticides have been taken by the States of Washington, California, Arizona, and Michigan.

In the last 2 years, pressures have increased rapidly for action at the national level. After the seizure of the coho salmon from Lake Michigan early last year, the Secretary of Health, Education, and Welfare appointed a scientific commission to review pesticides and their relationship to the environment. The commission findings, known as the Mark report, charged that DDT is a cancer-causing agent, is contaminating the world's food supply, and is causing serious harm to fish and wildlife populations. It recommended an end to all nonessential uses of DDT within 2 years as well as new, stronger restrictions on the use of other chlorinated hydrocarbon pesticides.

Using the Mark report as the basis for its action, the U.S. Department of Agriculture announced plans last fall to curtail four major uses of DDT, canceling the registration for these uses.

However, this approach never got off the ground when the major pesticide manufacturers immediately initiated a long series of complex appeals, a step which could effectively block any effective action for several years. It is unfortunate that the Department did not choose to suspend those DDT uses pending their cancellation, a move that would have immediately brought a halt to the DDT uses.

In response to these delays, the Environmental Defense Fund, the Sierra Club, West Michigan Environmental Action Council, National Audubon Society, and Izaak Walton League filed suit in the U.S. Court of Appeals for the District of Columbia to force the Agriculture Department to suspend immediately all uses of DDT. The court was strongly persuaded by the case presented by the environmental lawyers and ordered the Agriculture Department to show cause why DDT should not be suspended immediately.

The Department responded that while "scientific evidence indicates that there are some adverse effects upon certain species of fish and wildlife" caused by DDT, it does not constitute an imminent hazard to human health. The Department further stated that it will not eliminate any uses of DDT which are essential to the public health and safety.

This is an almost identical position to that the Department took earlier this year during hearings on this appropriations bill when it indicated that it would not cancel the essential use of any pesticide when no alternative is available.

While there are a growing number of effective, economic substitutes now available for hard pesticides, it has been extremely unfortunate that neither the U.S. Department of Agriculture nor the pesticide industry has appeared willing to mount an all-out effort to improve alternative means of pest control. The sooner these methods are further developed and perfected, the sooner the use of harmful, persistent pesticides can be eliminated.

It appears that a total commitment to seek nonchemical means of pest control in several key problem areas could result in a dramatic reduction in the use of chemical pesticides across the Nation. For example, the American Chemical Society has recently reported that the eradication of just three pests—the boll weevil, the bollworm, and the codling moth—could reduce the amount of insecticides applied annually in the United States by an estimated 40 percent.

While many farmers and other pesticide users resist giving up chemical means of pest control because they feel that other alternatives may be more costly, the opposite has been proven true with regard to methods of nonchemical pest control.

At this point, it would be worthwhile to briefly outline the major approaches in this area. The integrated pest control method can be best defined as an insect population management system that combines the primary use of nonchemical pest control methods, such as biological control, with a limited use of selective chemicals.

Presently there are successful integrated pest control programs in operation on the following crops: cotton, citrus fruits, apples and pears, tomatoes, potatoes, avocados, olives, grapes, corn, eggplant, lettuce, strawberries, and others.

This means of pest control is based on the principle of applied ecology. In order for success to be achieved, the fields must be placed under periodic surveillance to determine when and where specific pest infestations occur. When a problem is discovered, predators, parasites, or disease organisms specifically related to that pest are released to bring the pests back into a favorable balance. Very limited amounts of pesticide may be used, but only when absolutely necessary, and only on the infested area of the crop.

Prof. Robert VandenBosch of the College of Agricultural Sciences, University of California at Berkeley, cites this example: The cost of pest control using chemical pesticides for 4,000 acres of cotton in California was $185,000. When integrated pest control replaced the use of chemical pesticides, the cost dropped to $20,000 a year. The statistics for spotted alfalfa in California are very similar, where in 1957, the cost of pest control with chemical pesticides was at least $12 million. Today, after the introduction of integrated pest control, the cost has been reduced to only $3 million, with little or no pest problems remaining.

A recent edition of the Western Fruit Grower cites additional cases of the successful and economical application of integrated pest control in place of the use of chemical pesticides. One expert in biological control has enabled a producer of Valencia oranges to reduce the cost of pest control from $200 per acre, using chemical control, to only $60 an acre with integrated pest control. Another orange grower has been able to reduce his cost per acre for pest control to just $35 per acre, using integrated pest control, and has had higher yields than ever in the history of the grove.

Another pest control approach showing major promise is the use of hormones. The principle is to give an insect its own hormone at the wrong stage of its life, so that it upsets the insect's growth processes and causes it to destroy itself.

For instance, recent laboratory tests have shown that hormones can be successfully used to control the Mexican bean beetle which is a major pest of lima and snap beans. There are two advantages to this technique. One, it affects only the treated species of insect and does not contaminate plant and animal life. Second, it is impossible for insects to develop immunity against it, since they would have to become immune to a hormone that is an essential part of their life cycle.

The use of sex and food attractants is a pest control method showing excellent potential. Under this method, the sex attractant of the female of the insect species is synthetically produced and then used to lure the insect population into traps. Sex attractants have already been demonstrated for such major pests as the cabbage looper, pink bollworm, tobacco hornworm, and Japanese beetle.

Biological control has emerged as one of the major and most promising methods of insect control. Biological control is the use of insect parasites, predators, and diseases to prey upon damaging pests. USDA tests have shown that imported cabbage worms which destroy cabbage and cauliflower, have been parasitized and killed at a rate of 92 to 99 percent by parasitic wasps. In another major case, alfalfa weevils declined 90 percent during a 3-year survey of areas where the USDA had released wasps that parasitize on this pest. The USDA reported that use of the parasitic wasps saved farmers more than $600,000 in 1969. Further development of this means of pest control is imperative, for very often, DDT and other pesticides destroy not only the intended insect, but also its natural predators that are essential for control.

Insect sterilization has become one of the most effective ways to eliminate a total insect population. In the process, the male of the species is sterilized through radiation or chemicals and then released in the inspect population to reduce breeding. This is the technique that was used to eradicate the screwworm fly from the southeast United States. The U.S. Department of Agriculture raised millions of screwworm flies weekly, with radioactive cobalt used to make the flies reproductively sterile. Massive numbers of sterilized flies were air dropped regularly over thousands of square miles infested by native screwworm flies. The sterile flies mated with the native females, and resulting eggs failed to hatch. Repeated releases of sterile flies reduced screw-worm numbers until the pests finally disappeared.

Presently, the Agriculture Department is maintaining a barrier zone along the United States-Mexico border to keep out new screw-worms through continuously releasing sterile flies along that area. In addition, tests of the sterilization method for the eradication of the pink bollworm are currently in process in California and Arizona.

Finally, the search is now underway for a catalyst which would cause DDT to self-destruct after it had accomplished its insect control tasks. If successful, this would be a major breakthrough in dealing with the tendency of hard pesticides to persist in the environment long after they are needed. Secretary of the Interior Walter Hickel recently announced the award of a contract to test this approach.

Research in these areas could have been greatly accelerated in recent years if the Agricultural Research Service had received the funds which it could have effectively used.

In response to direct requests from my office over the past 2 years, the Department of Agriculture has provided information on the amount of research funds that could be used for seeking improved means of nonpesticidal control.

For fiscal year 1970, the Department indicated that at least $4 million in excess of the administration budget could be effectively utilized for necessary research on nonchemical means of pest control. The areas of additional research included the following items—

U.S. Department of Agriculture, "additional research on improved means of nonpesticidal control which could be effectively undertaken in fiscal year 1970":

For establishment of a revolving research and development fund that could be used to implement field scale programs to test, develop and evaluate biological control techniques prior to their full application in the field, $2,000,000.

For accelerating research on hormonal techniques for altering the life cycle patterns of insects, that is, diapause control, altering reproductive maturity, affecting feeding cycles, and so forth, $250,000.

For accelerating research and development on physical processes and equipment and environment control for mass rearing of insects for biological control purposes, $250,000.

For accelerating basic research to determine factors affecting natural plant resistance to insect damage, $300,000.

For genetics research on breeding pest-resistant trees, $300,000.

For research on silvicultural practices to reduce susceptibility of forest stands to epidemic attack by pests, $100,000.

For research on biological control of forest insects, $500,000.

For research on biological control of white pine blister rust, root-rots, and stem rusts, $300,000.

For fiscal year 1971, the Department has reported that an increase of at least $4.5 million could be effectively utilized for research on nonchemical means of pest control as well as extra funds for the initial staffing of the pesticide research laboratories provided under Senate document 85, 88th Congress, second session. The areas of additional research include the following items—U.S. Department of Agriculture, "Additional research on improved means of nonpesticidal control which could be effectively undertaken in fiscal year 1971":

For accelerating research and development on physical processes and equipment and environmental control for mass rearing of insects for implementing pilot programs of biological control, $2,165,000.

For expanded research on biological control of cotton boll weevil, including the use of the sterile male technique, $1,500,000.

For research on biological control of citrus fruit insects, $165,000.

For research on biological control of tropical fruit flies, $165,000.

For development of nonpersistent pest control methods, including hormonal insecticides, $165,000.

For research on biological control of grain sorghum insects, $110,000.

For research on biological control of cotton insects, $110,000.

For research on biological control of arthropod vectors of equine piroplasmosis, $60,000.

For research on biological control of aquatic weeds using insects, $60,000.

I ask unanimous consent that copies of the Department's letters along with program summaries be printed in the Record at this point.

There being no objection, the items were ordered to be printed in the Record, as follows:

U.S. Department of Agriculture, Agricultural Research Service,
Washington, D.C., July 8, 1969.

Hon. Gaylord Nelson,
U.S. Senate.

Dear Senator Nelson: This is in reply to your request for additional information regarding the pesticide activities of the U.S. Department of Agriculture.

Your questions relate to page 44 of the 1968 Abstracts Report on Pesticides and Related Activities, and specifically to fiscal year 1970 funds for Improved Means of Nonpesticidal Control (Target 2).

The initial request for fiscal year 1970 submitted for Departmental consideration included increases of $2.0 million or a total of $24.2 million for this item. As you noted, our revised budget estimates now before Congress includes $22.3 million for research on improved means of nonpesticidal control.

In response to your direct request for an estimate of additional needs in this area of research which could be effectively utilized during the coming year, the attached list of research items is submitted. They amount to an estimated $4.0 million which has not had budgetary consideration in the Department or the Bureau of the Budget.

Sincerely yours,

R. J. Anderson,
Acting Administrator.

Additional Research of Improved Means of Nonpesticidal Control Which Could Be Effectively Undertaken in Fiscal Year 1970

For establishment of a revolving research and development fund that could be used to implement field scale programs to test, develop and evaluate biological control techniques prior to their full application in the field, $2,000,000.

For accelerating research on hormonal techniques for altering the life cycle patterns of insects, i.e., diapause control, altering reproductive maturity, affecting feeding cycles, etc., $250,000.

For accelerating research and development on physical processes and equipment and environment control for mass rearing of insects for biological control purposes, $250,000.

For accelerating basic research to determine factors affecting natural plant resistance to insect damage, $300,000.

For genetics research on breeding pest-resistant trees, $300,000.

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For research on silvicultural practices to reduce susceptibility of forest stands to epidemic attack by pests, $100,000.

For research on biological control of forest insects, $500,000.

For research on biological control of white pine blister rust, root-rots, and stem rusts, $300,000.

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington, D.C., March 25, 1970.

Hon. GAYLORD NELSON,
U.S. Senate.

DEAR SENATOR NELSON: I am sorry that we were delayed in accumulating the data needed to respond to your letter of March 3, concerning our programs on improved means of nonpesticidal control of pests.

Funds available in fiscal year 1970 for research to reduce pesticide residue hazards amounts to $45.5 million. Our Agency request to the Department for fiscal year 1971 included proposed increases for pesticide related research totalling about $5.6 million, of which $2.3 million was for partial staffing of laboratories provided under S. Doc. 85. These increases were not included in either the Department request to the Bureau of the Budget or the 1971 Budget Estimate. In addition to the partial staffing, these proposed increases included insect control in various crops, improved equipment and methods for pesticide application to agricultural crops, physical processes, equipment and environment control for mass-rearing of insects, and reducing losses caused by insects in harvested grain.

You ask what additional funds for this research could be utilized effectively in the coming fiscal year. Our estimate would include the following Agency estimates:

(1) Research on new and imroved methods for controlling insects in crops and livestock and equipment for improved methods of pesticides application and for mass-rearing of insects for nonpesticidal control of insects—$3,270,000; and (2) Staffing new pesticides laboratories provided under S. Doc. 85—$2,620,000. Because of recently developed, promising new approaches to boll weevil control including the use of the sterile male technique, we would add another $1,500,000 to our estimate of funds that could be used effectively. These estimates total $7,390,000.

These estimates are submitted at your request and should not be construed as a request for funds. They have not been considered by the Department or the Bureau of the Budget.

Sincerely,

R. J. ANDERSON,
Associate Administrator.

PROGRAMS TO BE FUNDED

FIELD TEST PROJECTS

Establishment of a research and development fund to implement pilot programs testing and evaluating biological control techniques in the field. Arizona, California, Florida, Georgia, Hawaii, Illinois, Kansas, Maine, Oklahoma, Washington, Wisconsin	$2,165,000
Eradication of the cotton boll weevil against which 45% of all DDT is used	1,500,000
Total funds for field test projects	3,655,000

NEW RESEARCH PROJECTS

Research on biological control of citrus fruit insects. Orlando, Fla	$165,000
Research on biological control of tropical fruit flies. Miami, Fla	165,000
Research on development of hormones to disrupt insect growth. Beltsville, Md	165,000
Research on biological control of grain sorghum insects. Stillwater, Okla	110,000
Research on the use of sterile males, attractants and other biological controls of cotton insects. Phoenix, Ariz	110,000
Research on the control of horse parasites by nonchemical means. Beltsville, Md	60,000
Research on the use of harmless insects for the control of water weeds. Fort Lauderdale, Fla	60,000
Total funds for new research projects	835,000

RESEARCH DEVELOPMENT AND PILOT TESTING OF PROMISING ALTERNATIVE METHODS FOR INSECT CONTROL

NEED FOR INCREASE

Research on insecticides has been heavily supported by private industry. Because of profit opportunities, chemical industries are willing to invest large sums of money in basic research as well as on the developmental and evaluation phases of research. Such industries see little opportunity for profit in the development and marketing of biological agents or in the production and sale of sterile insects. Before new industry, perhaps the pharmaceutical industry, will become interested in producing and distributing biological agents for insect control, the techniques must be demonstrated as effective and practical. For many of the major insects this can be accomplished through large scale pilot test programs to develop and evaluate promising alternative methods of insect population suppression and eradication. Many of the research projects on alternative methods of insect control have already reached the stage where we need to undertake pilot test programs to determine if the approaches under investigation are effective, economical, and safe for controlling important pests that now require the extensive use of insecticides.

PLAN OF WORK

An annual appropriation of $2,000,000 would be required for this work. These funds would be used to conduct pilot field tests to develop eradication or area suppression methods for various insects by the use of sterile insects, insect attractants, or mass releases of biological agents. Funds would be allocated on a nonrecurring basis only. When each project is completed, allocation of funds would be discontinued and made available to finance other high priority research development and evaluation projects. When pilot tests involve insect problems in which ARS regulatory programs are in progress or planned, the regulatory agencies would cooperate and actively participate in the projects so that if successful, the procedures could be put into immediate operation by the regulatory agencies.

Some examples of the types of pilot field tests that are to be conducted with this fund are:

Insect	Control or eradication techniques to be evaluated	Size of pilot test area	Duration of test (years)	Estimated annual cost
Japanese beetle	Sterile insect releases and attractants	5,000 acres	3	$200,000.
Cabbage looper	Light traps plus synthetic sex pheromone	2,000 square miles	3	$300,000 1st year, $100,000 2d and 3d.
Codling moth	Production and release of sterile insects	5,000 acres	2	$600,000.
Caribbean fruit fly	Integrated program of bait sprays and sterile fly releases.	100 square miles	2	$200,000.
Sugarcane borer	Production and release of parasites	5,000 acres	2	$100,000.
Pea aphids on alfalfa and field peas	Production and release of parasites	15,000 acres	3	$100,000 1st year, $50,000 next 2 years.
Greenbug (aphids) on sorghum	Production and release of parasites	20,000 acres	3	$100,000 1st year, $50,000 next 2 years.
Green peach aphid	Control of overwintered aphid forms on host plts.	500 square mile Area	3	$100,000.
Green peach aphid	Elimination of Canada plum overwintering host.	1,200 square miles	5	$100,000 1st and 2d, $50,000 next 3 years.
Lesser peach tree borer, codling moth, red banded leaf roller.	Sex attractants, virgin female moths	25 square miles. Washington Island, Wis	3	$200,000.
Apple maggot	Attractants and release of sterile insects	do	3	$75,000.
Horn fly	Sterile male, integrated control	200 square miles (10,000 cattle)	2	$100,000.

PHYSICAL PROCESSES AND EQUIPMENT AND ENVIRONMENTAL CONTROL FOR MASS REARING OF INSECTS

NEED FOR INCREASE

Current methods of rearing insects involve much hand labor in tasks such as egg collecting, preparation and distribution of diet medium, setting up incubation and growth chambers, transfer of larvae, handling of pupae and adults for sterilization, and cleaning and sterilizing of equipment. Because of the unique characteristics of the larval, pupal, and adult forms of insects, standard industrial engineering techniques and equipment are not directly applicable. Costs of rearing vary widely because of differences in growth characteristics, diet requirements, and size of the various insects. However, rearing costs must be drastically reduced to permit economical and effective use of newer biological techniques of insect control.

PLAN OF WORK

Mechanized methods will be developed for production and handling of rearing media, control of environmental conditions during insect growth, handling of insects during growth, sorting by degree of maturation, sterilization and release over infested areas.

Location and cost

Columbia, Mo., 1 scientist	$55,000
State College, Miss., 1 scientist	55,000
Yakima, Wash., 1 scientist	55,000
Total, 3 scientists	165,000

PILOT TEST OF BOLL WEEVIL ERADICATION PROGRAM

NEED FOR INCREASE

The boll weevil is the most important pest affecting cotton production in the United States. It is responsible for losses that aggregate between $200 to $300 million a year. In addition, growers spend about $70 million in efforts to control this pest. Approximately one-third of all insecticides used in crop production is applied for controlling the boll weevil. About 45 percent of DDT used in the United States for insect control is used in connection with the control of the boll weevil and the boll worm which generally becomes more numerous after insecticides are applied for controlling the boll weevil. Intensive research during the last 8 years has been carried out by the Department of Agriculture and cooperating States in an effort to develop methods of boll weevil control that could lead to eradication of this pest from the United States. The research on various alternative methods that might be integrated to achieve eradication of the insect has advanced to the stage where a major pilot field test is necessary to determine if we have the technical knowledge required to eliminate the boll weevil populations.

PLAN OF WORK

This pilot test site will be centered in an area near Columbus, Mississippi, and will consist of approximately 10,000 acres of cotton which will constitute the test area to determine if eradication is technically and operationally feasible All cotton grown within a radius of 75 miles of the test area will be treated with nonpersistent insecticides to suppress the boll weevil population and to minimize long-range flight of the insect into the central eradication test area. The central eradication test area, consisting of 10,000 acres of cotton, will be treated with nonpersistent organo-phosphorous insecticide in the fall of 1971 to suppress populations by an estimated 99 percent before the boll weevil goes into winter hibernation. The following spring, traps will be baited with the synthetic boll weevil sex pheromone to further reduce the surviving boll weevil before they can enter fields of cotton. In addition, boll weevils that have been sterilized will be released routinely in the cotton fields to complete the job of population eradication. The same type of program will be continued for a second year to eliminate any survivors that may have escaped during the first year's program or to prevent the establishment of boll weevils that might enter the central area from surrounding cotton. Some of the research aspects of the program will be centered at the Boll Weevil Research Laboratory at State College, Mississippi. The State of Mississippi is constructing a facility for rearing the boll weevils needed for sterilization and release.

To carry out a pilot test program of the nature outlined will require $2,500,000 each year for 2 years. The Agricultural Research Service and the Cooperative State Research Service of the Department of Agriculture and the Cotton Producers Institute are prepared to contribute from existing financial resources $1,000,000 of the required $2,500,000. Additional funds of $1,500,000 would be required to make it possible to undertake the program described.

INSECT PESTS OF CITRUS

NEED FOR INCREASE

In order to prevent or resolve insect and mite problems on trees and fruit, commercial growers must apply a considerable number of sprays throughout the year. Insecticides disturb ecological balances by destroying beneficial insect enemies of secondary pests which permits the latter to reach damaging numbers. Crop residues, environmental contamination, repetitive high costs, and hazard to spray applicators and to personnel working in citrus orchards are a few of the limitations of insecticide control methods.

PLAN OF WORK

Basic information on insect physiology, metabolism, radiation, biology, ecology, genetics, and climatic requirements will be developed which, in turn, will enable more efficient pathogens, predators, and parasites to be developed. Specific attention will be directed toward attractants and cultural controls.

LOCATION AND COST

Orlando, Fla. (3 scientists) ______ $165,000

TROPICAL FRUIT FLIES

NEED FOR INCREASE

Four species of tropical fruit flies of economic importance are established in the U.S. Three are found in Hawaii and the fourth in Florida. Establishment of fruit flies on the mainland U.S. would result in potentially heavy losses to citrus, deciduous fruit, and vegetable crops.

In September 1969, 18 oriental fruit flies were found in the El Monte area of Los Angeles County, California. Prompt detection and action on the part of county, State, and Federal officials has resulted in the elimination of this pest. However, increased world travel and trade will probably result in more frequent outbreaks of this type, thereby increasing the chances that these fruit flies may become established on the mainland despite rigid quarantines.

PLAN OF WORK

Work will be directed toward more efficient bait sprays, and more effective natural and synthetic attractants. The sterile fly release method, which has been used successfully to eradicate the oriental fruit fly from Guam and the melon fly from Rota, will be developed for use. Integrated programs using bait sprays, male annihilation, and sterile fly techniques will be studied.

LOCATION AND COST

Miami, Fla. (3 scientists) _________ $165,000

DEVELOP SELECTIVE NONPERSISTENT, INCLUDING HORMONAL, INSECTICIDES

NEED FOR INCREASE

Research has shown that entrance, translocation, and site and mode of pesticide action in the target organisms are related to compositional elements and molecular configuration of the individual compounds. The physical and chemical properties of these substances including solubility, volatility, ionization, and other properties, affect performance, persistence, and efficiency of the materials. Because of the complexity of the problem due to the interaction of more than 200 chemicals with several hundred organisms, our information is fragmentary and incomplete.

PLAN OF WORK

Investigations will be undertaken to (1) determine the relationship of element composition and molecular configuration of pesticides to overall pesticidal activity, and (2) determine the effects of pesticides on target organisms and nontarget organisms.

LOCATION AND COST

Beltsville, Md. (3 scientists) ______ $165,000

INSECT PESTS OF GRAIN SORGHUM

NEED FOR INCREASE

In 1968 a serious outbreak of greenbug occurred on 10 million acres of sorghum in a nine State area from southern California to Texas and north to South Dakota. Taxonomists agreed that morphologically and taxonomically greenbugs which caused damage to sorghums were the same species as those known to cause serious damage to wheat and other small grain crops. However, they believe a new "strain" of greenbug has either evolved, or has been accidentally introduced, which has biological and physiological adaptations that allow the insects to survive and multiply on grain sorghums.

PLAN OF WORK

Basic and applied research will be undertaken to (1) determine the host-plant relationships, particularly the effects of the host plant on the micro-environment which may contribute to the abundance of the greenbug on grain sorghum and wheat; (2) investigate biological control by native parasites, predators, and diseases, and explore foreign areas to find new and more effective parasites and predators; (3) determine the nature of the damage and define levels of infestations that cause economic damage to the crops; and (4) seek varieties resistant to the greenbug.

LOCATION AND COST

Stillwater, Okla. (2 scientists) ______ $110,000

INSECT PESTS OF COTTON

NEED FOR INCREASE

Losses to insects in the United States are estimated to be 10 percent of the crop annually. In additon to the direct losses in yield and control costs, other losses result from the use of insecticides to control cotton pests. Drift from insecticides used to control cotton pests in the lower Rio Grande Valley has resulted in greatly increased populations of brown soft scale on citrus. Also, in Arizona, California, and other States, insecticides used repeatedly on cotton has resulted in killing off thousands of colonies of bees and destroying other pollinators.

PLAN OF WORK

Research approaches would include (1) the use of sterile male technique to suppress population buildup and thereby to effect control or eradication, (2) the use of the insect itself to attract and trap others of the same species, (3) the use of synthetic pheromones and other chemical attractants to lure insects to traps or killing devices, (4) the use of parasites and predators to suppress population buildup, (5) the use of viruses, bacteria, and other pathogens, and (6) the use of a combination of chemical, cultural, and biological control methods to control or eradicate a given species.

LOCATION AND COST

Phoenix, Ariz. (2 scientists) ______ $110,000

ARTHROPOD VECTORS OF EQUINE PIROPLASMOSIS

NEED FOR INCREASE

The use of horses for recreation is increasing and it is important that equine piroplasmosis be prevented from gaining the foothold in the United States that it now has in other areas of the world. This disease is caused by blood parasites which are transmitted from horse to horse by ticks.

PLAN OF WORK

Specific identification of the ticks involved, the physiological processes within the tick relating to transmission of the disease and the required interactions between host, tick vectors, and parasites will be researched. Control of ticks, at the present time, is almost entirely accomplished by use of insecticides applied to the individual animal by sprays, dips, dusts, or by oil preparation into the ears. The effect of those treatments on the horse will be investigated.

LOCATION AND COST

Beltsville, Md. (1 scientist) _________ $60,000

BIOLOGICAL CONTROL OF AQUATIC WEEDS USING INSECTS

NEED FOR INCREASE

The use of herbicides for control of weeds in and along irrigation canals and other water bodies has largely replaced the less effective, more expensive, and slower mechanical methods. However, most of the herbicides are expensive, some kill fish, and very few have tolerances established in water for irrigation, livestock watering, or potable, industrial, and recreation uses.

PLAN OF WORK

It has proven feasible and economical to utilize foreign and related arthropods as

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biological agents to suppress undesirable weeds of foreign origin. Weeds, especially those that adversely affect recreational values and the flow of irrigation and drainage waters in the southern United States, originated from South America. Research will be undertaken to identify insects found to be associated with target weed hosts in foreign countries to determine their degree of host specificity, synchronization with host-plant cycles, ability to inflict significant injury, and methods of propagation, transport, and release.

LOCATION AND COST

Fort Lauderdale, Fla. (about $10,000 of this would be directed toward some exploratory work at Hurlingham, Argentina) (1 scientist) $60,000

Mr. NELSON. The $7.9 million in the committee-reported bill for staffing five pesticide research laboratories has no relationship to the research to be funded by this amendment.

The research projects covered by this amendment will not be done at those laboratories but will be carried out at other Agriculture Department facilities or by researchers at universities and colleges. The laboratories affected by the $7.9 million were established for specific research activities none of which is geared to conduct the research necessary for the projects related to this amendment.

Furthermore, it is my understanding that during the Appropriations Committee hearings on this bill, the Agriculture Department witnesses indicated that there were two major obstacles to be overcome before the five laboratories could become fully operational with full staffs. One problem was adequate funding, which the Appropriations Committee has effectively taken care of. But the other difficulty was the ceiling on the number of personnel that the Agriculture Department can hire. This ceiling was legislated by Congress and is administered by the Office of Management and the Budget. In fact, over the past year, the staff of the Agricultural Research Service has been reduced by some 1,500 employees. Therefore, it appears that the Department might not even be able to use these staffing funds over the next 2 years, as provided by the bill, unless something is done to obtain the authority for a sizable increase in the agency's personnel ceiling.

The $4.5 million in research funds proposed in this amendment can be effectively used right now, regardless of the situation with staff ceilings. These proposed programs will be conducted by researchers already located in Department facilities or by non-Government researchers in university or other facilities.

Each project that would be funded by this amendment is critically needed now. Otherwise, we will only be delaying the time when the use of pesticides in the United States can be substantially reduced.

The major item covered by this amendment is the establishment of a research and development fund to set up pilot programs in the field to test and evaluate various techniques of biological control. These techniques have already been thoroughly researched in the laboratory and now must be tested in the field to determine their effectiveness. Tentatively 11 States have been selected as sites for these pilot programs. The States were chosen because the pest in question is found in abundant numbers in that region. The insects that are the target for these pest programs are 12 of the most harmful pests in the United States. They include the Japanese beetle in Illinois and Georgia, the cabbage looper in Arizona, the coddling moth in Washington, the Caribbean fruit fly in Florida, the sugarcane borer in the Virgin Islands, pea and alfalfa aphids in Washington, greenbugs in Kansas and Oklahoma, green pea aphids in Washington and Maine, various peach and apple pests in Wisconsin, and the horn fly in California and Hawaii. The cost of setting up this fund would be $2,165,000.

The second major project to be funded by this amendment is a pilot test of an eradication program in Mississippi to deal with the boll weevil. This cotton pest is responsible for losses to cottongrowers of between $200 to $300 million each year. In addition growers spend some $70 million in efforts to control this pest. Approximately one-third of all insecticides used in crop production in the United States is applied to control the boll weevil.

Intensive research over the past 8 years by the Department of Agriculture and cooperating States has developed several promising methods of control and eradication. This research has advanced to the state where a major pilot field test is necessary to determine if the pest can be effectively eradicated.

In order to carry out the pilot test program necessary, $2.5 million will be needed for each of 2 years. It is my understanding that the Agricultural Research Service, the Cooperative State Research Service of the Department of Agriculture, and the Cotton Producers Institute are prepared to contribute from existing financial resources, $1 million of the required $2.5 million.

The existing financial resources from which the Agricultural Research Service will obtain its share of the $1 million is unfortunately existing and proposed research programs from which funds will have to be redirected. These projects include the following:

RESEARCH TO BE POSTPONED

1. Pilot test to determine if sterilized (sterilize males for mating) corn earworm moths can be used to control this pest. Test planned on island of St. Croix.

2. Pilot test to determine if egg parasites (parasites that feed on eggs) are capable of controlling boll weevils on cotton and vegetables.

3. In State of Washington, pilot test to determine if mass production and sustained release of parasites of pea insects can control this alfalfa pest.

4. Program with Texas A & M to determine more information on the uses of sex attractants on the boll weevil.

5. Pilot test on island off California to determine if populations of the horn fly cattle pest can be eliminated through integrated use of insecticides and sterile flies.

6. Proposed project on the identification and synthesis of chemical components produced by the pink bollworm to attract males. Major cotton pest.

7. Proposed research on sex attractant for range caterpillar in New Mexico. Situation has reached epidemic proportions in New Mexico; *insecticides for its control are considered hazardous to the environment.*

8. Proposed research project at Mississippi State University to develop alternative methods of controlling Lygus bug; a *major* pest of alfalfa, cotton and other crops.

9. Research proposal to determine potential value of protozoan pathogen (disease causing agent) for control of tobacco budworm. This insect has developed resistance to insecticides; biological controls urgently needed.

However, it is my understanding that there is no immediate source in sight for the final $1.5 million that will be required in order to undertake the full program. It seems clear that the Agricultural Research Service cannot afford to cut back or delay any further research projects in order to raise the additional funds that are needed. In order to insure that the total project covering some 10,000 acres can be undertaken this year, this amendment will provide $1.5 million. Without these additional funds, my office has been advised that only a token program or possibly no program at all will be undertaken during this year. If that occurs, we will only be further delaying the day on which the boll weevil will be successfully eradicated and one-third of the total insecticide use in the United States can be stopped.

The two previous items both fall in the area of applied research, where the scientists in laboratories have completed their work and are ready to test the effectiveness of their findings in the field.

The additional projects covered by this amendment fall in the category of new research or continued research aimed at finding improved means to control or eliminate certain pests.

Citrus fruit growers face a constant problem of insect and mite infestation on their trees and fruit. In order to deal with these problems they apply a vast number of chemical sprays on their groves throughout the year. The research project that would be supported by this amendment would involve three scientists in Orlando, Fla., certainly one of the major citrus producing areas of the country, and would cost $165,000. Seeking alternative methods to deal with the citrus fruit insects, the researchers will seek basic information on insect physiology, metabolism, biology, genetics, climatic requirements. They hope to develop more effective pathogens, predators, and parasites. This research must be done in an area of abundant citrus production and Orlando was chosen for that reason.

This amendment would also provide funds for research to control and eradicate tropical fruit flies which are beginning to threaten some Southern fruit crops. Four species of tropical fruit flies are already found in the United States, three in Hawaii, and one in Florida. This research project, which would be conducted in Miami, Fla., by three scientists at a cost of $165,000, would be directed toward the development of an integrated pest control program using bait sprays, male annihilation, and sterile fly techniques. This research must be done in Miami since the tropical fruit fly is isolated there and transporting it elsewhere for study might unintentionally enable this pest to gain a foothold elsewhere in this country.

Research on the basic chemical composition of pesticides and their relationship to both target pests and nontarget pests will be covered by funds provided by this amendment. Previous research has shown that the manner in which pesticides affect both target and nontarget pests is related to the molecular structure of individual chemical compounds. It is hoped that this research will be able to determine whether modifications of the molecular structure of the chemical pesticide will enable only target pests to be affected by the chemical. This project will be undertaken in Beltsville, Md., by three scientists at a cost of $165,000 since the major components of the ARS's chemistry research department are located there.

The greenbug represents one of the major pest threats to grain sorghum in the United States. In 1968 there was a very serious outbreak of greenbug infestation of some 10 million acres in a nine-State area ranging from California to Texas and north to South Dakota. This amendment would provide $110,000 for research in Stillwater, Okla., to seek the development of biological control method to deal with the greenbug. The research would also determine the nature of damage to the crops, the level of infestation which causes economic damage, and the crop varieties that are resistant to the greenbug. This project must be done in this region of the country, where grain sorghum is a major agricultural crop.

In addition to the boll weevil eradication program which was cited earlier, this amendment provides funds to seek means of controlling the pink boll worm, which is a major cotton pest affecting the crop in the Southwestern region of the United States. This research, which will be conducted at Phoenix, Ariz., at a cost of $110,000, will seek to develop an integrated pest control program, to be used primarily in the Southwest, including the use of sterile males, sex attractants, parasites and predators, and limited use of selected chemicals. Since the problems of cotton pest control differ in the Southwest as compared to other regions of the country, it is necessary that this research be done in that part of the Nation.

Another project that would be supported by this amendment is basic research on blood parasites affecting horses which are transmitted from animal to animal by ticks. One scientist from Beltsville, Md., will thoroughly study the physiological factors that enable the tick to travel from one animal to another carrying the harmful parasites. Presently, the control of these ticks is accomplished almost entirely by the use of insecticides applied to the individual animal. One of the goals of the research will be to determine if alternative means of pest control can be developed.

The final project which would be funded by this amendment involves the use of insects to control weeds growing in or along the banks of irrigation canals, streams, and other bodies of water. Earlier these weeds were destroyed by mowing, cutting or other physical methods. But now these slower and inefficient methods have been replaced by the use of herbicides. However, as the uses of these herbicides have increased chemical residues have mounted in the streams and rivers, killing fish and threatening other forms of marine life.

Many of the weeds now adversely affecting the waters of the Southern United States originated from South America. It has proven feasible and economical in some instances to use certain insects to destroy undesirable weeds.

Researchers on this project will attempt to identify the insects associated with the target weeds and then study that insect's ability to damage the weeds. They will also review the insect's propagation, mobility, and potential for use in the United States. This project will be undertaken in Fort Lauderdale, Fla., with limited work to be done in Argentina.

The $4.5 million increase provided by this amendment will enable the Department of Agriculture to take the promising results of the laboratory into the field for tests and demonstration projects. It will enable the Department to accelerate already promising work and to initiate essential new work without reducing ongoing programs.

Now is the time for Congress to provide the Department of Agriculture a form mandate and sufficient funds to accelerate its effort to seek improved nonchemical means of pest control.

Crop and forest damage from insects totals billions of dollars annually worldwide. Damage from the massive indescriminate use of pesticides to control insects is beyond our capacity even to measure at this stage in history. How many billions in economic damage no one knows. We do know that the continued massive use of slow degrading pesticides has worldwide environmental implications that spell disaster. The scientific community is alarmed about it. The United Nations is convening a world conference on the environment in 1972. Everyone now knows the hour is late and the time for action is right now. Not next year or next month but today. These programs already long delayed cannot be further postponed by any government that professes an intelligent interest in preserving the livability of the planet. I ask unanimous consent that a fact sheet outlining its purpose be printed in the Record at this point.

There being no objection, the fact sheet was ordered to be printed in the Record, as follows:

Senator Nelson's Amendment to the Agriculture Appropriations Bill

FUNDS FOR PEST CONTROL RESEARCH

Purpose.—To restore $4.5 million for research to seek improved methods of nonchemical pest control.

Why.—This increase must be made now in order to accelerate development of effective substitutes for the persistent chemical pesticides now harming the environment.

Background.—In its agency budget proposal, the Agricultural Research Service requested an increase of more than $4 million for nonchemical pest control research. However, the Agriculture Department or the Bureau of the Budget failed to approve the request. As a result, the ARS must not only reduce on-going programs, but is prevented from accelerating already promising work and initiating essential new research.

Examples.—*Biological control*—Using insect parasites, predators, and diseases to eliminate harmful pests.

Hormones—Disrupting the natural growth and development of pests by introducing certain hormones into its system at critical times.

Sterilization—Inducing sexual sterility in male pests through radiation or chemicals to reduce breeding potential.

Attractants—Using sex or food attractants to lure pests into a trap.

Integrated control—Primary use of biological control with limited use of selective chemicals.

PROGRAMS TO BE FUNDED

Establishment of a research and development fund to implement pilot programs testing and evaluating biological control techniques in the field. Arizona, California, Florida, Georgia, Hawaii, Illinois, Kansas, Maine, Oklahoma, Washington, Wisconsin	$2,165,000
Eradication of the cotton boll weevil against which 75% of all DDT is used. Columbus, Miss	1,500,000
Research on biological control of citrus fruit insects. Orlando, Fla	165,000
Research on biological control of tropical fruit flies. Miami, Fla	165,000
Research on development of hormones to disrupt insect growth. Beltsville, Md	165,000
Research on biological control of grain sorghum insects. Stillwater, Okla	110,000
Research on the use of sterile males, attractants and other biological controls of cotton insects. Phoenix, Ariz	110,000
Research on the control of horse parasites by nonchemical means. Beltsville, Md	60,000
Research on the use of harmless insects for the control of water weeds. Fort Lauderdale, Fla	60,000

Mr. NELSON. Mr. President, I reserve the remainder of my time for discussion of the amendment until tomorrow.

Mr. PROXMIRE. Mr. President, since unfortunately I may not be able to be present on the floor tomorrow after the vote on the agricultural bill, I ask unanimous consent that I be permitted to take the unusual step of making a brief statement in praise of the Senator from Florida (Mr. Holland).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. KENNEDY. I ask unanimous consent that the time on the amendment of the Senator from Wisconsin (Mr. Nelson) not start to run until the beginning of its consideration tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, as a member of the Senate Appropriations Committee's Agriculture Subcommittee I particularly want to commend my colleague from Florida on the remarkable job he has done, not only this year but in past years, in handling the agriculture appropriations bill.

His name is indelibly stamped on a number of Department of Agriculture programs, not only as the chairman of the Subcommittee handling appropriations for the Department but as a member of the Senate Agriculture Committee at a time when programs of truly monumental importance to this country and the world, such as the Public Law 480 program, were being developed.

I know I speak for all of my colleagues when I say that very, very few men in the history of this body have handled the Department of Agriculture's problems and needs here in the legislative branch as well as the senior Senator from Florida. His encyclopedic knowledge of the Department, his fight for fiscal responsibility in the Commodity Credit Corporation program, his fairness to those who have served on the subcommittee all tell us of a man with great learning, principles and kindness. He will be sorely missed when the Senate takes up this bill again next year.

Mr. HOLLAND. Mr. President, I express my very great gratitude to my friend the Senator from Wisconsin for his very generous statement.

SENATE RESOLUTION 425—TO PERMIT A SENATE EMPLOYEE TO TESTIFY IN A CIVIL ACTION

Mr. WILLIAMS of New Jersey. Mr. President, I offer a resolution and ask for its immediate consideration.

The **PRESIDING OFFICER.** The resolution will be stated.

The legislative clerk read the resolution, as follows:

S. Res. 425

Whereas, the cases of United States Steel Corporation versus United Mine Workers of America, et al., civil action numbered 70-724, Jones & Laughlin Steel Corporation versus United Mine Workers of America, et al., civil action numbered 70-725, Bethlehem Mines Corporation versus United Mine Workers of America, et al., civil action numbered 70-727, Republic Steel Corporation versus United Mine Workers of America, et al., civil action numbered 70-728, are pending in the United States District Court for the Western District of Pennsylvania; and

Whereas a subpoena has been issued out of said court and addressed to Gerald M. Feder, a staff employee of the Committee on Labor and Public Welfare; and

Whereas by the privilege of the Senate and by Rule XXX of the Standing Rules of the Senate, information secured by staff employees of the Senate pursuant to their official duty as employees may not be revealed without the consent of the Senate; Therefore be it

Resolved, That Gerald M. Feder, a staff employee of the Committee on Labor and Public Welfare, be authorized to appear and testify at the aforementioned proceeding; and be it further

Resolved, That if it should appear by order of the court in the aforementioned proceeding that documentary evidence in the possession and under the control of the Senate is needful for use in said court of justice for the promotion of justice, the Senate authorizes such action thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That if the said court should determine that any of the papers or documents in the possession and under the control of the Senate have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the rules of the Senate, and, further, that such papers and documents are material and relevant to the issues pending before said court, then copies of such papers and documents in the possession or control of the aforementioned Gerald M. Feder may be produced, excepting any other papers and documents which are within the privileges of the Senate.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. WILLIAMS of New Jersey. Mr. President, 2 weeks ago, several thousand coal miners participated in a walkout claiming that their mines were unsafe and that the Bureau of Mines has not been inspecting the coal mines in accordance with the Federal Coal Mine Health and Safety Act of 1969. Several coal mine operators have sought an injunction against the walkout. The court of appeals has directed the trial court to receive testimony on the issue of the reason for the walkout and whether the Bureau of Mines has enforced the act.

Factual information relevant to these issues has come to the attention of my Subcommittee on Labor. Gerald M. Feder, associate counsel to the subcommittee, has been subpoenaed to testify regarding that factual information. Should the resolution authorizing his testimony be agreed to, Mr. Feder will be free to testify as to factual information which is now a matter of public record or which is available to any member of the public from the subcommittee files.

He will not be free to testify as to internal Senate matters, or information which he may have obtained in confidence. Nor will he be free to express opinions and judgments relating to the factual matters before the Court.

Mr. President, this subpena is for appearance tomorrow in the Federal District Court in Pittsburgh, Pa.

The **PRESIDING OFFICER.** The question is on agreeing to the resolution.

The resolution (S. Res. 425) was agreed to.

THE COOPER-CHURCH AMENDMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record at this point my statement expressing my reasons for voting for the Cooper-Church amendment, that statement having appeared on page 22250 of the Record of June 30, 1970.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Byrd of West Virginia. Mr. President, previously, I expressed my opposition to the Cooper-Church amendment because I felt that the first paragraph would convey a message to the extent that the President of the United States was not to be allowed to exercise his powers under the Constitution as Commander in Chief in order to protect American forces stationed in South Vietnam.

I also expressed at that time my support of paragraphs 2, 3, and 4 of the Cooper-Church language believing, as I did, and as I do now, that they are calculated to prevent our entering into a new commitment or getting involved in a new war.

Mr. President, with the acceptance of the Mansfield amendment, together with acceptance of the Byrd-Griffin amendment, I believe it has now been made clear that the President, acting as Commander in Chief under the Constitution, not only possesses the constitutional power to protect the lives of American forces wherever deployed, which includes South Vietnam, but also that he may exercise that power in an emergency situation to protect those troops without being forced, if it is impracticable to do so, to consult the Congress first.

Accordingly, I believe now that this weakness, having been cured, I can and will support the Church-Cooper language as amended. I would urge my colleagues to do likewise.

Mr. President, I have also previously indicated my belief that if the Church-Cooper language as originally written were passed by the Senate, the House would not accept it.

I trust, now that the language has been amended as originally described, that the House will accept this language.

The Vice President. The time of the Senator has expired.

Mr. Mansfield. Mr. President, I yield 1 minute to the Senator from West Virginia.

The Vice President. The Senator from West Virginia is recognized for 1 additional minute.

Mr. Byrd of West Virginia. Mr. President, I believe that the Senate has performed a service to the country by this extended debate, because it clearly indicates that the Congress intends to share the war powers under the Constitution while at the same time we recognize the powers of the President as Commander in Chief. In summation, we convey a clear message to our own people, our own troops, and to the enemy that our troops will be protected, but that the prior approval of Congress will be necessary before our Nation can be committed to any new land war in Southeast Asia—thus avoiding our becoming bogged down in new Vietnams.

ADJOURNMENT UNTIL 10 A.M., TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m., tomorrow.

The motion was agreed to; and (at 6 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 9, 1970, at 10 a.m.

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EXTENSIONS OF REMARKS

BRIGHT FUTURE FOR NORTHEASTERN PENNSYLVANIA

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 8, 1970

Mr. SCOTT. Mr President, on June 6, 1970, the secretary of commerce of Pennsylvania, Hon. William T. Schmidt, delivered a speech to the conference of the Department of Community Affairs. In that speech he outlined the bright future he predicts for northeastern Pennsylvania.

Mr. President, since I, too, feel that this region has a great potential for growth and increasing prosperity, and since Mr. Schmidt has expressed that fact so eloquently, I ask that his speech be reprinted in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF HON. WILLIAM T. SCHMIDT

"What's New?"

That can be a casual greeting of friends, a way of taking inventory, or the measure of man's planning in a community like the northeast. If we ask what's new in the way of accomplishment in our country today, we can point to moon exploration, supersonic aircraft, heart transplants, interstate highways, modern schools and hospitals, the highest living standard ever achieved in the history of mankind.

If we ask the same question within the area we know as the northeast, we can say expansion of industry, development of recreation, attention to problems of environment, improved transportation facilities, a booming tourist business, a new lease on life for people who had much reason for despair a decade ago.

That's why I believe that the most important thing that is new in the northeast is not so much the material accomplishments, but the "attitude." Theodore Roosevelt once said that "It is not the critic who counts, not the man who points out how the man stumbled, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who, at the best, knows in the end the triumph of high achievement; and who, at the worst, if he fails, at least fails daring greatly."

Ladies and Gentlemen, it is our responsibilities, not ourselves, that we should take seriously. That's what's new in northeast and that's a proven formula for success.

That attitude is evident, too, in the major topics on the program today. So often we seem to take the government approach to the social and economic ills of the day, and place too little emphasis on the improvement of man himself.

The panels of the day are symbolic of the awareness that comfortable and adequate housing, security from lawlessness and fear, contribute immeasurably to the prosperity of a community and the well being of its citizens.

Something else is new, perhaps not in the recent past, but over a period of time. The coordinated efforts of these two agencies of the Commonwealth, the Department of Community Affairs and the Department of Commerce will benefit the northeast and other regions as they work in the seventies.

Once a Bureau within the Department of Commerce, the Department of Community Affairs has blossomed into an effective agency for direct involvement in vital areas that have mushroomed into prominence in recent years. I believe it is an unheralded blessing for the citizens of the Commonwealth of Pennsylvania to have such close cooperation and such common dedication among the personnel of two organizations that can provide so much assistance to them.

Our efforts in economic development have been affected by recent legislative decisions, but Governor Shafer has committed us to tax reform, and as I have said on numerous occasions, "Don't hand out the band-aids, we are not bleeding, because we have many things going for us in Pennsylvania."

The nation's finest highway system; air, rail, truck, and water transportation facilities; a rapidly expanding system of vocational-technical schools to keep a steady flow of trained labor available; our geographic proximity to the world's greatest markets, where more than half of the population in the nation lives within 500 miles of the state; energetic public utilities; a most cooperative banking community; cooperative community leaders in local development programs; excellent recreation diversification.

We have had interest by firms from foreign countries for relocation in Pennsylvania. We already have attracted industries from Norway, Italy, Canada, Germany, Mexico, and France. We expect to pursue other possible contacts this month during a reverse investment mission to Germany. Deputy Secretary Ketner will lead the Commerce delegation.

We face the challenge of competition from other states. We must overcome the image of "sock it to business" taxes. We must seek protection from foreign imports that compete with our native products. We must recognize the obligation of tighter environmental control of industrial waste, and we must qualify for the increasingly rigid requirements of corporations seeking new sites.

In that respect, John Harper of the Aluminum Company of America, ran down a check list of considerations important in choosing a site for a large facility. High on the list was the "quality" of a community, its attitude toward schools, its initiative in tackling pollution problems, the ability of its leaders. His firm studies fairness of taxes, attitude toward business, fiscal responsibility, zoning and land use, anticipated residential buildup, population growth projections, transportation availability and costs, supply and cost of power, price of land and availability of water, skilled labor pool and at what rates, local management-labor relations, attitudes toward modern schools, hospitals, libraries, and even religious and political attitudes.

That's a large order and the community that can meet those standards deserves a secure place in the industrial development picture. But that's the way the rules are written today, and that bridge must have a connection at both ends to handle the traffic. We in the Department of Commerce have found the northeast regional industrial development programs a bustling expressway to successful accomplishment.

So what will be new in the northeast in the 70's? I have difficulty tempering my optimism so as to sound realistic. Why? Because an area that was regarded a decade ago as one accommodating poor country cousins has become the symbol of achievement throughout the world.

With a good reputation for action it is difficult to slow the momentum of a winner. And it has not been done with magic, with rabbits in a hat—not by any *one* local, state or federal agency, but with the combined efforts of responsible people, hardworking, backed by substantial private investment—with faith, dimes, dollars, of people who believed it could be done.

Specifically, the pace was set by successful industrial expansion and relocation programs. PIDA activity in a seven county area of northeastern Pennsylvania resulted in 241 loans in the amount of $58,760,000 since 1956 to date (in excess of 25%). These projects provided 36,101 jobs with an annual payroll of $154 million.

During the period 1965–1969, Luzerne County led the state in expanded and relocated industries, Lackawanna County was third in the state, Schuylkill fifth.

Adding to the pattern was the major development of highways. From 1965 through 1969 accelerated construction of Interstate Routes 80, 81, 81–E joining the northeast extension of the turnpike, and Interstate 84.

When opportunity appeared through Appalachia assistance programs, a mountain was literally moved into a ravine to provide a modern airport and entrance to the jet age. Wyoming Valley Sanitary Authority linked communities to solve waste disposal problems for today, and provided opportunity for residential and industrial development in the future.

Vocational-technical schools are being built to help provide a continuing flow of skilled labor, new shopping malls, new schools, new efforts to provide community services and attractive surroundings were part of the new image that said . . . "See us as we are now, not as we were twenty years ago."

Perhaps with some nostalgic regret—but not reluctantly—we saw recreation and tourism surpass the anthracite industry as a factor in the economy of the northeast. And we proudly accepted the designation as the "Honeymoon Capital of the World," and extended our sympathy to New York, Florida, and California. We modestly acknowledged that in the northeast, our newly affluent society has the highest number of second home ownership in the nation, another tribute to our attractive facilities for rest and relaxation.

So what of the future? The Bureau of Labor Statistics in Washington projects a labor force in this country climbing by twenty percent in the 70's to 100 million workers, with 26 million of them in the 25–34 age bracket. Has the northeast made itself attractive and available to this age group . . . It has!

BLS says the work week will decline in hours to 38 to provide more leisure time. The northeast can supply the fun! The swing to a service economy—including trade and government—will accelerate, and the long term shift toward white collar jobs.

Training will continue. White collar jobs will total 50 percent of the work force by the end of this decade. Increases are predicted in demands for personnel in transportation, communications and public utilities. The largest increase in service industries will rise about twenty percent, mainly in general merchandise stores and eating establishments.

Services will enjoy a surge faster than the total employment rate, with all segments benefitting. The northeast will be ready—and because the facilities have been provided, the tourist and recreation people can meet the demand.

Construction will be stimulated by the prosperity in the northeast and the housing demand will provide employment for the tradesman, the northeast is ready!

The giant megalopolis extending from Boston to Washington will have the northeast as its heart, with easy access in—and transportation out—to a huge market for local products.

The motto of the "Boy Scouts of America" is . . . "Be Prepared".

The northeast *is* prepared . . . and its strongest asset, with all the physical accomplishments, is still—people of strong will and confidence who are willing to cooperate in a worthwhile endeavor.

EDUCATION FUNDS

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. SHRIVER. Mr. Speaker, the editorial from the American Medical News which effectively emphasizes the need for strong Federal financial support for medical education programs. If we are to effectively provide for delivery of health services to the people of our Nation, the Government, and the private sectors must adequately meet their responsibilities in financing educational opportunities.

The editorial follows:

EDUCATION FUNDS

Once again, the American Medical Association has emphasized to Congress the vital need for strong federal financial support for medical education programs.

In testimony before the Subcommittee on Labor and Health, Education, and Welfare of the House Committee on Appropriations, C. H. William Ruhe, MD, director of AMA's Division of Medical Education, explained that the AMA believes "that in any appropriation priorities established for all government programs, those which affect health care should be given primary consideration."

Further, he emphasized, "because of the special need that exists at this period in our history for more physicians, we urge that appropriations relevant to the production of physicians be given first priority."

The urgency of training increasing numbers of physicians is apparent to almost everyone. While the 8,500 who received MD degrees this spring represented an increase of about 20% over the figure 10 years ago, estimates by the AMA and Assn. of American Medical Colleges show that a substantial increase in current enrollments—as much as 50%—is needed to permit admission of all qualified students under present conditions. Even greater increases will be necessary in the future.

Expanded enrollment, of course, can come about in two ways—increasing enrollment in existing schools and the development of new schools.

In a recent editorial, the *New York Times* described the financial difficulties encountered by the Mount Sinai School of Medicine—a new institution which graduated its first class of MDs last month. Planning for the New York City school had begun almost 10 years ago. At that time, the cost of its development was estimated at $107 million, but inflation has elevated the total to about $150 million. So far, only about two-thirds of this amount has been raised.

This, commented the *Times*, "points up how expensive and time consuming is the creation of a new medical school, especially one depending heavily upon private resources.

Increasing enrollment also is expensive, as the *Times* pointed out:

"The expansion of existing medical schools is under way, but that process, too, is being hindered by shortages of money and of trained staff. Recent cutbacks in federal medical and related research funds have hit many medical schools hard. Some are near insolvency.

"Republicans and Democrats alike insist that they want to assure adequate, high quality medical care for all Americans. That assurance can become reality only if both the government and private sectors are willing to supply the substantial funds required to increase the number of new doctors, nurses, and other essential personnel much more rapidly than presently available resources will make possible."

Much has been said by members of Congress about the need for more medical manpower. Now, the time has come when they must match their words with actions.

WATER POLLUTION CONTROL NEEDS FOR NEXT 6 YEARS

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Wednesday, July 8, 1970

Mr. MUSKIE. Mr. President, it is my pleasure to release today a report containing firm figures on the Nation's water pollution control needs for the next 6 years.

The report was prepared at my request by the National League of Cities and U.S. Conference of Mayors. I believe many Senators will join me in expressing thanks for the depth and early delivery of the report.

Mr. President, the report strongly urges approval of a Federal funding program of at least $2.5 billion a year for the construction of municipal facilities.

It adds that a Federal program of $3 to $4 billion a year can be easily justified in light of present needs.

More than 1,000 cities, counties, and special districts responsible for water pollution control are covered by the survey. These jurisdictions include 89.4 million persons.

The report observes that between 50 and 60 million more Americans now are served by sewage treatment plants "or should be so served by 1976."

As Senators know, the Federal share of sewage treatment construction funds under existing law is authorized at $1.25 billion in fiscal year 1971. The authorization expires next June 30.

Mr. President, I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

NATIONAL LEAGUE OF CITIES; U.S.
CONFERENCE OF MAYORS

July 6, 1970.

Hon. EDMUND S. MUSKIE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MUSKIE: The National League of Cities and U.S. Conference of Mayors are pleased to submit to you the survey of municipal needs for water pollution abatement facilities which you requested during the appearance before your Subcommittee of Mayor Robert Knecht and Mayor Carl Stokes. The survey includes specific needs data for 1008 cities, counties, and special districts responsible for water pollution control. These local jurisdictions cover approximately 89.4 million persons and reported needs totalling $13,967,031,676 which could be spent through 1976 if funds are available.

Based on this survey, we estimate that $33 to $37 billion in public expenditures will be necessary to meet the nation's water pollution control needs in the next six years. We recognize that these costs are substantial; however, they represent what is necessary to get the job done. In light of these findings we strongly urge approval of a new funding program providing at least the $2.5 billion a year assistance suggested in S. 3687. A $3 to $4 billion a year federal program can be easily justified in light of present needs.

We appreciate your continuing interest in and support for pollution abatement programs. We look forward to working with you to develop a successful federal program for financing the nation's clean water efforts.

Sincerely,

JOHN J. GUNTHER,
Executive Director, U.S. Conference of Mayors.

PATRICK HEALY,
Executive Vice President, National League of Cities.

STUDY BACKGROUND

During testimony of Mayor Robert W. Knecht of Boulder, Colorado and Mayor Carl B. Stokes of Cleveland, Ohio before the Subcommittee on Air and Water Pollution of the Senate Public Works Committee, Senator Edmund S. Muskie, Chairman of the Subcommittee, requested the Mayors to provide his Committee with such specific information as they could obtain on the extent of local needs for water pollution control facilities in the next six years. To obtain this data, NLC and USCM undertook an extensive survey, sending questionnaires (a copy follows) to all state leagues of municipalities and direct member cities of NLC and USCM. In addition, NLC and USCM staff studied local needs data developed by some states and by the Association of Metropolitan Sewerage Agencies, which also prepared a needs report at Senator Muskie's request.

As a result of the returns of questionnaires and other material studied, NLC and USCM have obtained data indicating the specific needs for water pollution control facilities in 1008 local communities covering approximately 89.4 million persons. The combined needs reported by these communities is $19,967,031,676. The needs were broken into three categories by the NLC questionnaire.

1. Needs for primary and scondary treatment facilities.

2. Needs for tertiary treatment facilities.

3. Needs for interceptor and storm Sewers, including projected costs of separating storm and sanitary sewers, and/or storing storm water overflows (interceptor sewers are currently eligible for Federal assistance under the Federal Water Pollution Control Act, storm sewers are not).

Replys to NLC and USCM survey indicated that some communities counted interceptor sewer needs as part of their primary and secondary treatment facility costs. The cost breakdown as reported is:

For primary and secondary treatment	$8,701,541,974
For tertiary treatment	3,904,051,553
For interceptor and storm sewer improvement	7,361,438,149

In addition to the nearly 89.4 million people covered by the NLC and USCM survey, there are between 50 and 60 million persons living in the United States who are served by sewage treatment works and related facilities or should be so served by 1976. Based on this projection, and recognizing that needs in reporting jurisdictions averaged approximately $220 per capita, we estimate total national needs for state and local water pollution control facilities to be between $30 and $33 billion today. Adding a five percent inflation factor, which we believe conservative in light of present trends, the total costs to provide these facilities over the next six year period will range from $33 to $37 billion.

There follows a compilation of local pollution control needs by state. Following this is a listing of the needs in individual jurisdictions. Those needs figures [1] are needs figures where the city reporting indicated that it was reporting needs for an areas greater than its city limits, those needs figures [5] are gained from the survey prepared for Senator Muskie by the Association of Metropolitan Sewerage Agencies; those needs figures [3] are from surveys prepared in 1970 by state governments. Idaho and Wyoming are omitted from the survey as no data was provided from these states.

State	Jurisdictions surveyed	Survey population coverage	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs	Total
Alabama	3	700,000	$50,200,000	$31,700,000	$19,600,000	$101,500,000
Alaska	4	85,000	168,500,000	0	40,000,000	208,500,000
Arizona	5	1,200,000	10,070,750	22,300,000	31,264,000	63,634,750
Arkansas	4	290,000	7,100,000	7,200,000	10,930,187	25,230,187
California	30	14,745,000	577,862,000	528,254,000	362,195,000	1,468,311,000
Colorado	4	1,100,000	24,900,000	7,865,000	80,500,000	113,265,000
Connecticut	7	720,000	32,680,000	8,000,000	130,830,000	171,510,000
Delaware	1	20,000	12,000,000	8,000,000	2,000,000	22,000,000
Florida	12	1,500,000	236,973,260	80,000,000	127,354,900	444,328,160
Georgia	5	1,300,000	85,200,000	21,400,000	248,000,000	354,600,000
Hawaii	1	330,000	86,000,000	32,000,000	16,000,000	134,000,000
Illinois	458	8,501,210	874,228,050	322,800,000	1,292,000,000	2,489,028,050
Indiana	10	1,300,000	88,800,000	50,000,000	236,000,000	374,800,000
Iowa	11	625,000	25,300,000	1,000,000	26,500,000	52,800,000
Kansas	6	600,000	15,850,000	16,750,000	84,300,000	116,900,000
Kentucky	1	50,000	10,600,000	12,900,000	6,200,000	29,700,000
Louisiana	2	250,000	7,625,000	12,000,000	9,875,000	29,500,000
Maine	2	58,000	7,850,000	12,000,000	15,850,000	35,700,000
Maryland	3	1,600,000	106,950,000	1,950,000	6,000,000	114,900,000
Massachusetts	13	3,340,000	295,450,000	29,500,000	314,000,000	638,950,000
Michigan	12	4,490,000	514,500,000	37,000,000	265,179,000	816,679,000
Minnesota	4	1,620,000	110,000,000	104,800,000	202,500,000	417,300,000
Mississippi	1	35,000	500,000	0	0	500,000
Missouri	13	3,270,000	366,005,500	9,511,000	60,141,000	435,657,500
Montana	1	55,400	5,100,000	0	4,640,000	9,740,000
Nebraska	4	570,000	62,599,400	3,160,000	12,283,000	78,042,400
Nevada	2	290,000	17,012,000	19,406,000	13,800,000	50,218,000
New Hampshire	52	350,000	168,785,600	0	45,400,000	214,185,600
New Jersey	7	2,500,000	496,500,000	49,500,000	88,155,000	634,155,000
New Mexico	1	250,000	2,500,000	5,000,000	39,000,000	46,500,000
New York	10	9,430,000	1,459,191,200	2,054,700,000	546,385,000	4,060,276,200
North Carolina	7	750,000	58,550,000	27,500,000	27,475,000	113,525,000
North Dakota	2	65,200	0	850,000	10,000,000	10,850,000
Ohio	20	5,500,000	516,770,000	53,100,000	633,207,500	1,203,077,500
Oklahoma	6	915,000	75,676,750	14,146,553	17,786,467	107,609,770
Oregon	79	920,000	108,288,000	40,500,000	111,145,000	259,933,0000
Pennsylvania	24	7,280,000	941,740,000	58,560,000	1,370,305,095	2,370,605,095
Rhode Island	2	90,000	11,000,000	3,000,000	6,000,000	20,000,000
South Carolina	5	420,000	58,250,000	16,050,000	8,300,000	82,600,000
South Dakota	69	260,000	12,056,564	4,300,000	5,400,000	21,756,564
Tennessee	2	950,000	165,000,000	12,000,000	150,000,000	327,000,000
Texas	16	4,300,000	130,733,000	90,975,000	65,269,000	286,977,000
Utah	1	40,000	1,200,000	0	4,000,000	5,200,000
Vermont	2	50,000	3,800,000	3,300,000	13,000,000	20,100,000
Virginia	3	1,000,000	30,900,000	1,000,000	58,000,000	89,900,000
Washington	70	2,000,000	340,074,900	74,840,000	161,216,000	576,130,900
West Virginia	2	129,000	8,500,000	0	38,500,000	47,000,000
Wisconsin	8	2,100,000	130,470,000	15,234,000	344,952,000	490,656,000
District of Columbia	1	1,460,000	181,700,000	0	0	181,700,000
Total	1,008	89,403,810	8,701,541,974	3,904,051,533	7,361,438,149	19,967,031,676

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
Alabama:			
Bessemer	[1] $6,200,000	[1] $1,700,000	$4,600,000
Birmingham	[1] 40,000,000	[1] 30,000,000	
Montgomery	4,000,000		15,000,000
Total	50,200,000	31,700,000	19,600,000
Total needs, $101,500,000.			
Alaska:			
Greater Anchorage Area Borough	[3] 154,000,000		40,000,000
Fairbanks (partial estimate)	[3] 4,500,000		
Juneau (partial estimate)	[3] 6,000,000		
Ketchikan (partial estimate)	[3] 4,000,000		
Total	168,500,000		40,000,000
Total needs, $208,500,000.			
Arizona:			
Mesa	875,000	800,000	3,261,000
Phoenix	[1] 6,732,000	[1] *20,500,000	20,000,000
Tempe	(4)	(4)	3,673,000
Tucson	[3] 800,000		
Yuma	1,663,750	1,000,000	4,330,000
Total	10,070,750	22,300,000	31,264,000
Total needs, $63,634,750.			
Arkansas:			
Fayetteville	(8)	2,000,000	2,800,000
Little Rock	5,700,000	2,500,000	3,630,187
North Little Rock	900,000	1,200,000	2,500,000
Pine Bluff	500,000	1,500,000	2,000,000
Total	7,100,000	7,200,000	10,930,187
Total needs, $25,230,187.			

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
California:			
Buena Park	(7)		$4,000,000
Burbank	$1,000,000	$800,000	200,000
Culver City	(8)		900,000
Central Contra Costa Sanitary District	28,580,000	20,000,000	
Fremont, Newark, and Union City	(8)	7,500,000	1,233,000
Fresno	[1] 10,800,000	[1] 7,400,000	20,000,000
Glendale	6,000,000	1,000,000	2,000,000
Hayward	4,400,000	4,500,000	8,000,000
Los Angeles City	[1] 102,500,000	[1] 100,000,000	[1] 62,500,000
Los Angeles County	[1] 100,000,000	[1] 130,000,000	
Modesto	(8)	5,000,000	
Norwalk	(9)	(9)	1,600,000
East Bay Municipal Utility District	40,000,000		30,000,000
Oceanside	5,978,000	2,254,000	
Orange County	[3] 57,000,000		
Oxnard	[1] 9,666,000	[1] 10,000,000	[1] 6,000,000
Palo Alto	(10)	5,000,000	(10)
Redwood City	6,000,000	4,000,000	(8)
Riverside	(8)	4,000,000	1,000,000
Sacramento	4,000,000	6,000,000	(8)
Salinas	2,800,000	2,000,000	750,000
San Diego	55,000,000	[1] 120,000,000	(8)
San Francisco	89,000,000		200,000,000
San Jose	[1] 30,000,000	[1] 70,000,000	15,232,000
San Leandro	1,675,000	300,000	1,500,000
San Mateo	2,000,000	3,500,000	1,000,000
Santa Barbara	6,000,000	5,000,000	2,000,000
Santa Clara	4,429,000	20,000,000	(8)
Santa Rosa	6,234,000		780,000
South San Francisco	4,000,000		3,500,000
Total	577,862,000	528,254,000	362,195,000
Total needs, $1,468,311,000.			

Footnotes at end of table.

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
Colorado:			
Aurora	(4)	(4)	$20,000,000
Colorado Springs	$8,500,000	$1,500,000	1,500,000
Denver	[1] 16,400,000	[1] 3,865,000	29,000,000
Pueblo	(5)	2,500,000	30,000,000
Total	24,900,000	7,865,000	80,500,000
Total needs, $113,265,000.			
Connecticut:			
Hartford Metro	[1] 16,480,000		[1] 80,330,000
Bristol	1,500,000	2,000,000	2,000,0000
Greenwich	200,000	5,000,000	
Meriden	2,000,000	1,000,000	4,000,000
Middletown	3,500,000		30,000,000
New London	9,0000,00		10,000,000
Torrington			4,500,000
Total	32,680,000	8,000,000	130,083,000
Total needs, $171,510,000.			
Delaware: Dover	[1] 12,000,000	[1] 8,000,000	2,000,000
Total needs, $22,000,000.[11]			
District of Columbia	181,700,000		
Total needs, $181,700,000.			
Florida:			
Daytona Beach	900,000		
Fort Lauderdale	10,000,000	7,000,000	
Hollywood	[1] 28,173,260	10,000,000	[1] 61,904,900
Jacksonville	[3] 75,900,000		[3] 1,150,000
Key West	4,000,000	(4)	300,000
Lakeland	[1] 5,000,000	1,000,000	5,000,000
Miami	9,000,000	15,000,000	10,000,000
Miami Beach	$16,000,000	$8,000,000	
Panama City	7,000,000	[1] 25,000,000	$30,000,000
Pensacola	[1] 20,000,000	[1] 5,000,000	6,000,000
Sarasota	[1] 52,000,000		1,000,000
West Palm Beach	9,000,000	9,000,000	12,000,000
Total	236,973,260	80,000,000	127,354,900
Total needs, $444,328,160.			
Georgia:			
Albany	[1] 17,600,000		15,000,000
Atlanta	[1] 50,000,000	20,000,000	[12] 200,000,000
Augusta	3,000,000		15,000,000
Brunswick	[1] 5,000,000		2,000,000
Savannah	[1] 9,600,000	[1] 1,400,000	16,000,000
Total	85,200,000	21,400,000	248,000,000
Total needs, $354,600,000.			
Hawaii: Honolulu	86,000,000	32,000,000	16,000,000
Total needs, $134,000,000.			
Illinois:			
Aurora			15,000,000
Bloomington-Normal		1,800,000	5,000,000
Joliet	10,000,000	20,000,000	30,000,000
Metro. S.D. of Greater Chicago	588,000,000	300,000,000	1,230,000,000
North Shore Sewer District	[3] 73,000,000		
Rock Island	2,000,000	1,000,000	12,000,000
452 localities listed below	201,228,050		
Total	874,228,050	322,800,000	1,292,000,000
Total needs, $2,489,028,050.			

452 LOCALITIES AND NEEDS FIGURES

Locality	Needs
Abington	$358,000
Addison	825,000
Albion	66,000
Aledo North	40,800
Aledo South	35,700
Alexis	22,000
Algonquin	200,000
Alhambra	15,000
Allendale North	5,400
Alpha	15,300
Altamont Lagoon	140,500
Altamont SW	33,000
Amboy	11,000
Andalusia	4,400
Anna	863,000
Arcola	50,000
Arenzville	15,500
Arthur	46,000
Ashland	5,500
Ashton	25,500
Assumption	7,700
Astoria	109,000
Atlanta	87,500
Atwood	33,000
Auburn	231,000
Augusta	25,000
Ava	16,500
Aviston	17,500
Avon	25,500
Baldwin	8,250
Bardolph	50,000
Barrington	1,192,500
Barry	7,700
Barteiso	12,500
Batavia	1,344,000
Beckemeyer	27,500
Belleville, S.D	950,000
Belleville No. 3	17,500
Bement	44,000
Benld	45,000
Bensenville	220,000
Benton	192,500
Bethany	30,250
Bloomingdale	41,250
Bluffs	3,850
Bradford	25,000
Bradley	1,097,000
Breese	105,000
Bridgeport	12,000
Brighton	80,600
Brookport	6,600
Brownstown	15,000
Bunker Hill	37,500
Bushnell	320,000
Cairo	1,253,000
Cambridge	38,200
Camp Point	6,000
Campbell Hill	5,500
Canton	1,156,200
Carbondale	2,491,500
Carlinville	130,000
Carlyle	16,000
Carmi	707,000
Carpentersville	470,000
Carrier Mills	11,000
Carrollton	13,750
Carthage	700,000
Cary	1,580,000
Casey No. 1	82,500
Casey No. 2	482,500
Catlin	$244,000
Cedar Point	8,250
Centralia	2,271,500
Chadwick	3,300
Chester	290,000
Chrisman	113,000
Christopher	82,000
Cisne	3,300
Clay City	115,500
Coal City	15,500
Cobden	25,000
Coffeen	2,750
Colchester	58,700
Collinsville	4,300,000
Columbia	16,500
Coulterville	27,500
Cowden	13,750
Creal Springs	19,250
Crossville	69,400
Crystal Lake	5,403,000
Cuba	35,700
Cutler	11,000
Danvers	22,000
DeSota	19,250
Delavan	33,200
Dix	1,100
Du Page County	1,705,000
DuQuoin	35,750
Dupo	200,000
East Dubuque	185,000
East Dundee	400,000
East Moline	1,500,000
Earlville	38,500
East St. Louis	5,500,000
Edinburg	25,500
Edwardsville	310,000
Effingham	2,975,000
Elburn	180,000
Eldorado	96,200
Elizabeth	270,000
Elizabethtown	35,000
Elkville	20,000
Ellis Grove	5,500
Elmhurst	2,700,000
Energy	13,750
Enfield A	22,000
Enfield B	24,750
Eureka	500,000
Evansville	57,200
Fairbury	240,000
Fairfield	590,000
Farina STW	3,300
Farina West	12,000
Farmer City	187,000
Farmersville	12,750
Farmington	76,500
Fayetteville	1,100
Flat Rock	13,750
Flora	495,000
Forreston	28,000
Fox Lake	143,000
Fox River Grove	150,000
Freeburg Lagoon	35,000
Fulton	240,000
Galva N	266,500
Galva SW	51,000
Geneseo	525,000
Geneva	2,250,000
Geroa East	100,000
Georgetown	350,000
Germantown	$25,000
Gibson City	318,000
Gillespie	19,250
Gilman	171,750
Girard	147,000
Glasford	25,500
Glen Carbon	20,000
Glen Ellyn	2,615,000
Glendale Heights	850,000
Godfrey Twnsp	95,500
Golconda	4,400
Grafton	150,000
Grand Tower	5,000
Greenup	138,500
Greenville	100,000
Hamel	2,200
Hamilton	185,000
Hampshire	32,000
Hanna City	96,000
Hanover	37,700
Harrisburg	1,250,000
Hartford	150,000
Hebron	100,000
Hecker	8,250
Herrin	822,000
Highland	125,000
Hillsboro	105,100
Homer	187,500
Homewood	415,500
Heyworth	50,000
Hoopeston	566,500
Hoyleton	11,000
Hull	3,000
Huntley	63,000
Hurst	22,000
Hutsonville	35,750
Olava	52,000
Jerseyville (sewage works)	55,000
Johnston City	110,000
Joy	12,750
Karnak	65,000
Keithsburg	65,500
Kenney	2,200
Kewanee	1,428,000
Kincaid	38,250
Kinmundy	22,000
Kirchhoefer	4,000
Kirkland	25,000
Knoxville	233,750
LaSalle	1,000,000
Ladd	30,600
Lake County-Vickry Man	30,000
Lake in the Hills	265,000
Lake Villa	250,000
Lanark	38,250
Lansing	1,260,000
Lawrenceville	356,000
Leaf River	12,750
Lena	38,250
Lewistown	55,000
Lexington	176,000
Leroy	500,000
Lincolnshire	180,000
Litchfield	180,000
Livingston	217,500
Louisville	5,000
Lovington	33,000
Mackinaw	28,000

Footnotes at end of table.

452 LOCALITIES AND NEEDS FIGURES—Continued

Mahomet	$120,000
Manhattan	33,000
Manteno	70,000
Maquon	2,000
Marine	5,000
Marion	2,000,000
Marissa	50,000
Maroa	102,000
Marseilles	410,000
Marshall	490,000
Martinsville	35,000
Maryville	17,500
Mascoutah	115,000
Mason City	51,500
Mathersville	15,300
Mattoon	1,931,000
McHenry	264,000
McLean	20,000
McLeansboro	270,000
Mendon	18,000
Mendota	25,000
Metropolis	1,250,000
Milford	1,400,000
Milledgeville	30,600
Millstadt	45,000
Minonk	183,000
Mokena	46,000
Moline	3,600,000
Momence	186,000
Monmouth	900,000
Monticello	785,750
Morrison	348,500
Morrisonville	130,000
Morton	560,000
Mound City	110,000
Mounds	49,500
Moweaqua	1,180,000
Mount Carroll	50,000
Mount Morris	76,500
Mount Olive	115,700
Mount Pulaski	42,000
Mount Sterling	86,000
Mulberry Grove	3,850
Mundelein	200,000
Murphysboro	655,000
Naperville	2,600,000
Nashville	151,500
Neoga	121,200
New Athens	42,500
New Baden	42,500
Nokomis	60,000
Oak Grove Park	41,000
Naplate	110,000
Oblong	200,000
Odin	86,000
Oglesby	115,500
Okawville	24,750
Olmsted	35,000
Olney	50,000
Oneida	51,000
Oakwood	300,000
Orion	30,000
Oswego	138,000
Ottawa	1,343,000
Palestine	35,000
Pana	400,000
Paris	900,000
Paxton	150,000
Payson	12,500
Pekin	3,600,000
Percy	22,000
Petersburg	12,650
Pinckneyville	415,000
Pittsfield	100,000
Pocahontas	22,000
Polo	63,750
Pontiac	3,675,000
Pontoon Beach	52,750
Popler Grove	125,000
Princeton	470,000
Princeville	30,600
Quincy	288,400
Ramsey	$20,000
Rankin	22,000
Rantoul	1,500,000
Raymond	102,000
Red Bud	324,000
Richmond	71,500
Richton Park	98,250
Ridge Farm	100,000
Ridgeway	25,500
Robinson	247,500
Rochelle	916,000
Rochester	110,000
Romeoville	187,000
Roodhouse	250,000
Roseville	25,500
Rosiclaire	120,000
Rossville	1,500,000
Roxana	132,000
Royalton	6,600
Rushville	418,000
St. Anne	400,000
St. Elmo	42,500
St. Jacob	12,500
St. Peter	7,500
Salem	176,000
Sandoval	120,750
Sauget	5,000,000
Savanna	327,000
Savoy	10,000
Seneca	121,500
Sesser	158,700
Shabbona	36,500
Shannon	18,000
Shawneetown	1,714,000
Shelbyville	448,000
Sherrard	18,000
Sibley	130,000
Silvis	1,750,000
Smithton	16,500
Sparta	293,500
St. Charles	444,000
Staunton	105,000
Steelville	41,200
Sterling	1,000,000
Stillman Valley	3,300
Stockton	51,000
Streator	110,000
Sullivan	339,200
Sumner	139,000
Swansea	25,000
Sycamore SW	200,000
Tamms	2,800
Tampico	18,000
Taylor Springs	2,800
Taylorville	1,200,000
Teutopolis	32,500
Tolono	1,200,000
Tilden	22,500
Tilton	246,500
Toledo	27,500
Toluca	107,150
Toulon	30,000
Tremont	38,250
Trenton	52,500
Troy SW	42,500
Utica	71,500
Valier	97,000
Valmeyer	18,000
Vandalia	27,500
Villa Grove	213,250
Viola	18,000
Virginia STW	110,000
Wamac	7, 50
Warren	40,800
Warsaw	10,450
Washington	507,000
Wataga	13,100
Waterloo (Sunset)	7,700
Waterman	228,000
Watseka	470,600
Wauconda	$315,000
Waverly	35,000
Wayne City	35,750
West Dundee	178,000
West Frankfort	847,500
West Salem	29,250
White Hall	75,000
Williamsville	110,000
Willisville	13,750
Wilmington	342,000
Winchester	8,800
Windsor	93,500
Winnsbago	152,000
Witt	6,000
Wood River	940,000
Wyanet	25,000
Wyoming	138,800
Yates City	17,900
Albany	4,400
Ashley	15,000
Bethalto N	45,000
Bethalto NW	5,000
Bloom Township	3,300,000
Bonnie Brae	200,000
Brimfield	15,500
Cahokia (ESLSD)	2,500,000
Caseyville Twp. NE	95,000
Caseyville Twp. SW	45,000
Central City	38,500
Clearview	11,000
Clinton	631,000
Creve Coeur	495,000
Danville	4,800,000
DeKalb	300,000
Decatur (Skoville Park)	5,500
Decatur (Main)	4,219,000
Downers Grove No. 2	300,000
Durand	21,600
Elgin-S	13,800,000
Elgin-N	1,400,000
Franklin Grove	18,000
Galesburg (L. Rice)	500
Good Hope	7,650
Highland Hills	49,850
Hinsdale	150,000
Irvington	2,000
Joppa	40,000
Landsdowne (ESLSD)	2,481,000
Hoffman (sewage works)	8,000
Lou-Dei	13,750
Newark	15,000
North Elmhurst	171,200
Noble	19,250
Norris City	113,000
Oak Highlands	5,500
Patoka	16,500
Paw Paw	3,850
Port Byron	26,000
Salt Creek	1,800,000
Seward	5,500
Sheridan	30,000
South Roxana	30,000
Springfield—Byp. Lag	220,000
Springfield	8,000,000
Stookey Twp.—Dorchester	2,750
Stookey Twp.—AR No. 1	52,500
Stookey Twp.—AR Nos. 2–3	20,000
Stookey Twp.—AR Nos. 4–5	110,000
Stookey Twp.—AR Nos. 6–7	45,000
Urbana-Champaign (New)	3,200,000
Urbana-Champaign (Lake)	25,500
Urbana-Champaign (Main)	3,712,500
Vienna	93,500
Virden	310,000
Westville-Belgm	467,500
Wheaton	715,000
Woodhull	4,000
Yorkville-Bristol	96,000
Rockton	174,000

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
Indiana:			
Elkhart	$6,300,000		$15,000,000
Evansville	9,000,000		3,000,000
Fort Wayne	10,000,000	$1,000,000	41,000,000
Indianapolis	[1] 25,000,000	[1] 35,000,000	100,000,000
Kokomo	4,500,000	[1] 5,000,000	6,000,000
Mishawaka	25,000,000	5,000,000	2,000,000
New Albany	3,000,000	2,000,000	10,000,000
Richmond	2,500,000		2,000,000
Terre Haute			2,000,000
South Bend	3,500,000	2,000,000	55,000,000
Total	88,800,000	50,000,000	236,000,000
Total needs, $374,800 000			

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
Iowa:			
Bettendorf	$10,000,000		
Clinton			
Davenport			
Fort Madison			
Keokuk			
Muscatine			
Burlington	10,000,000		
Council Bluffs			
Sioux City			
Des Moines	5,000,000		$25,000,000
Mason City	300,000	$1,000,000	1,500,000
Total	25,300,000	1,000,000	26,500,000
Total needs, $52,800,000.			

Footnotes at end of table.

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
Kansas:			
Hutchinson	$350,000		$2,500,000
Kansas City	10,000,000		30,000,000
Lawrence	1,500,000	$750,000	800,000
Leavenworth		3,000,000	15,000,000
Topeka	4,000,000		6,000,000
Wichita		13,000,000	30,000,000
Total	[13] 15,850,000	16,750,000	84,300,000
Total needs, $116,900,000.			
Kentucky: Ashland	[1] 10,600,000	[1] 12,900,000	[1] 6,200,000
Total needs, $29,700,000.			
Louisiana:			
Baton Rouge	[1] 4,500,000	[1] 10,000,000	3,000,000
Lafayette	[3] 3,125,000	[1] 2,000,000	6,875,000
Total	7,625,000	12,000,000	9,875,000
Total needs, $29,500,000.			
Maine:			
Brunswick	350,000		750,000
Lewiston	7,500,000	12,000,000	15,100,000
Total	7,850,000	12,000,000	15,850,000
Total needs, $35,700,000.[14]			
Maryland:			
Baltimore	[5] 106,950,000		
Bowie		450,000	
Salisbury		1,500,000	6,000,000
Total	106,950,000	1,950,000	6,000,000
Total needs, $114,900,000.			
Massachusetts:			
Boston (Metro. Dist. Comm)	[5] 26,950,000		[4] 287,500,000
Fitchburg	20,000,000		10,000,000
Haverhill	[3] 20,000,000		
Lawrence	35,000,000		
Lowell	[3] 37,000,000		
New Bedford	12,000,000	12,000,000	2,000,000
Newton			500,000
Pittsfield	(9)	4,000,000	(9)
Quincy	1,000,000		3,000,000
Revere	1,500,000	500,000	1,000,000
South Essex	[3] 58,000,000		
Springfield	[3] 40,000,000	13,000,000	10,000,000
Worcester	[3] 44,000,000		
Total	295,450,000	29,500,000	[15] 314,000,000
Total needs, $638,950,000.			
Michigan:			
Bay City		9,000,000	15,000,000
Detroit	[5] 412,400,000		[5] 96,000,000
East Lansing	200,000	10,000,000	300,000
Flint	12,000,000	3,000,000	3,700,000
Grand Rapids	[1] 13,500,000	[1] 6,000,000	24,500,000
Jackson	[1] 2,000,000	[1] 2,000,000	[1] 16,000,000
Livonia	(10)	(10)	13,500,000
Muskegon	11,000,000	4,000,000	3,000,000
Pontiac	7,000,000	3,000,000	50,000,000
Port Huron	9,500,000		19,700,000
Saginaw	19,400,000		13,500,000
Southgate	20,000,000		8,000,000
Wyoming	7,500,000		1,979,000
Total	514,500,000	37,000,000	265,179,000
Total needs. 816,679,000.			
Minnesota:			
Austin	3,000,000	[1] 1,500,000	500,000
Duluth	7,000,000	200,000	2,000,000
Minneapolis/St. Paul Sanitary District	100,000,000	100,000,000	200,000,000
Winona		3,100,000	
Total	110,000,000	104,800,000	202,500,000
Total needs, $417,300,000.			
Mississippi: Hattiesburg	500,000		
Total needs, $500,000.			
Missouri:			
St. Louis M.S.D.	[3] 86,300,000		
Columbia	[3] 5,000,000		
Cape Girardeau	[3] 1,000,000		
Hannibal	[3] 4,000,000		
Independence	10,316,750	3,077,000	30,524,000
Jackson County	[3] 100,000,000		
Jefferson City	1,250,000		250,000
Joplin	2,513,750	1,234,000	2,585,000
Kansas City	[3] 128,800,000		
North Kansas City	[3] 3,000,000		
St. Charles	2,200,000		
St. Joseph	[3] 18,000,000		
Springfield	3,625,000	5,200,000	26,782,000
Total	366,005,500	9,511,000	60,141,000
Total needs, $435,657,500.			
Montana: Great Falls	5,100,000		4,640,000
Total needs, $9,740,000.			
Nebraska:			
Hastings	$500,000	$160,000	$410,000
Lincoln	11,755,000	3,000,000	7,562,000
Norfolk	(17)		
Omaha	[1] 50,344,400		4,311,000
Total	62,599,400	3,160,000	12,283,000
Total needs, $78,042,400.			
Nevada:			
Las Vegas	[1] 12,012,000	[1] 17,406,000	6,800,000
Reno	[1] 5,000,000	[1] 2,000,000	7,000,000
Total	17,012,000	19,406,000	13,800,000
Total needs, $50,218,000.			
New Hampshire:			
Allenstown-Pembroke	[3] 2,100,000		
Bath	[3] 400,000		
Belmont	[3] 575,000		
Bennington	[3] 1,800,000		
Berlin	35,000,000		
Bethlehem	[3] 1,000,000		
Charlestown	[3] 260,000		
Claremont	7,000,000		
Concord	10,500,000		
Conway	[3] 650,000		
Dover	3,500,000		
Durham	[3] 1,400,000		
Enfield	[3] 1,800,000		
Epping	[3] 1,200,000		
Farmington	[3] 1,110,000		
Franklin	3,000,000		
Greenville	[3] 1,000,000		
Haverhill-Woodsville	[3] 1,100,000		
Henniker	[3] 800,000		
Hillsborough	[3] 1,715,000		
Hinsdale	[3] 4,900,000		
Hopkinton	[3] 1,700,000		
Hudson	[3] 3,900,000		
Jaffrey	[3] 200,000		
Lancaster	[3] 4,050,000		
Lebanon	3,400,000		
Lisbon	[3] 875,000		
Manchester	27,500,000		40,000,000
Marlborough	[3] 1,200,000		
Milford	[3] 2,800,000		
Milton	[3] 700,000		
Nashua	11,500,000		5,400,000
New Castle	[3] 1,200,000		
Newfields	[3] 600,000		
Newport	[3] 2,000,000		
Northumberland	[3] 700,000		
Ossipee	[3] 100,000		
Peterborough	[3] 2,700,000		
Pittsfield	[3] 1,190,000		
Portsmouth	1,500,000		
Rye	[3] 4,300,000		
Somersworth	4,500,000		
Stewartstown	[3] 350,000		
Stratford	[3] 180,000		
Sunapee	[3] 1,850,000		
Tilton-Northfield	[3] 2,215,000		
Troy	[3] 750,000		
Warner	[3] 550,000		
Walpole-No. Walpole	[3] 1,500,000		
Whitefield	[3] 1,065,600		
Wilton	[3] 700,000		
Winchester	[3] 1,500,000		
Total	168,785,060	0	45,400,000
Total needs, $214,185,600.			
New Jersey:			
Bloomfield			1,500,000
Camden	[1] 24,000,000	[1] $40,000,000	60,000,000
Hoboken	[1] 80,000,000	8,000,000	20,000,000
Middlesex County	90,000,000		
Passaic Valley Sewerage Commission	300,000,000		
Perth Amboy	2,500,000	1,500,000	5,000,000
Plainfield			1,655,000
Total	496,500,000	49,500,000	88,155,000
Total needs, $634,155,000.			
New Mexico: Albuquerque	2,500,000	[1] 5,000,000	39,000,000
Total needs, $46,500,000.			
North Carolina:			
Metropolitan Sewer District of Buncombe County	4,000,000	1,000,000	20,000,000
Durham	(9)	4,000,000	(9)
Fayetteville	[1] 8,000,000	2,000,000	[1] 5,000,000
Greensboro	1,000,000	3,000,000	750,000
Raleigh	38,000,000	15,000,000	
Salisbury	1,200,000	2,000,000	850,000
Winston-Salem	6,350,000	500,000	875,000
Total	58,550,000	27,500,000	27,475,000
Total needs, $113,525,000.			

Footnotes at end of table.

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
North Dakota:			
Fargo		$750,000	$10,000,000
Jamestown		100,000	
Total		850,000	10,000,000
Total needs, $10,850,000.			
New York:			
Auburn	[1] $4,735,000		7,500,000
Elmira	11,906,200		8,000,000
New York City	1,300,000,000	1,900,000,000	300,000,000
North Tonawanda			15,000,000
Poughkeepsie	9,000,000	2,500,000	4,000,000
Rochester	50,000,000	150,000,000	175,000,000
Rome	5,090,000	2,200,000	3,230,000
Schenectady	[1] 21,000,000		16,000,000
Watertown	2,000,000		2,655,000
Yonkers	55,500,000		5,000,000
Total	1,459,191,200	2,054,700,000	546,385,000
Total needs, $4,060,276,200.			
Ohio:			
Akron	20,000,000	10,000,000	80,000,000
Metropolitan Sewer District of Greater Cincinnati	[3] 96,600,000		[3] 11,500,000
Columbus	[3] 69,000,000		
Cleveland Heights	(17)	(17)	6,000,000
Cleveland (next 4 years only)	[18] 217,896,000		[18] 266,920,000
Dayton	5,750,000		
Elyria	800,000	3,000,000	2,000,000
Euclid	8,000,000		30,000,000
Garfield Heights	150,000	100,000	8,625,000
Hamilton	[1] 7,000,000	[1] 7,500,000	1,000,000
Marion	6,000,000	1,000,000	4,000,000
Middletown	7,250,000		
Montgomery County	10,000,000	20,000,000	4,582,500
Newark	(19)	500,000	6,280,000
Sandusky	3,400,000	6,000,000	75,000,000
Steubenville	1,000,000		500,000
Toledo	[1] 21,000,000	[1] 1,500,000	100,000,000
Warren	5,000,000	2,000,000	3,000,000
Youngstown	[1] 34,000,000		[1] 20,300,000
Total	516,770,000	53,100,000	633,207,500
Total needs, $1,203,077,500.			
Oklahoma:			
Lawton	500,000	3,500,000	5,000,000
Midwest City	5,500,000	500,000	500,000
Norman	1,000,000	650,000	3,000,000
Oklahoma City	[3] 58,700,000		2,000,000
Shawnee	576,750	496,553	286,467
Tulsa	9,400,000	9,000,000	7,000,000
Total	75,676,750	14,146,553	17,786,467
Total needs, $107,609,770.			
Oregon:			
Adrian	[3] 30,000		
Arch Cape	[3] 138,000		
Arlington	[3] 200,000		
Astoria	[3] 4,908,000		
Aumsville	[3] 80,000		
Aurora	[3] 50,000		
Barlow	[3] 85,000		
Bay City	[3] 262,000		
Bridal Veil	[3] 50,000		
Brookings	[3] 300,000		
Bunker Hill S. D	[3] 200,000		
Cannon Beach	[3] 337,000		
Canyon City-John Day	[3] 250,000		
Clackamas Co. S.D. No. 1	[3] 6,685,000		
Clatskanie	[3] 200,000		
Columbia City	[3] 100,000		
Coos Bay-Empire	[3] 700,000		
Coquille	[3] 250,000		
Eastside	[3] 150,000		
Echo	[3] 150,000		
Eugene-Springfield Lane Co.	2,100,000	[20] 30,000,000	9,740,000
Florence	[3] 220,000		
Gardiner	[3] 80,000		
Garibaldi	[3] 350,000		
Gilchrist	[3] 150,000		
Gleneden	[3] 230,000		
Gold Beach	[3] 300,000		
Grande Ronde	[3] 60,000		
Grants Pass	[3] 1,850,000		
Gresham	[3] 750,000		
Hammond	[3] 250,000		
Hood River	[3] 1,000,000		
Island City	[3] 40,000		
Josephine County (Redwood)	[3] 914,000		
Klamath Falls	915,000	500,000	1,000,000
Lexington	[3] 100,000		
Long Creek	[3] 50,000		
Lane County	[3] 1,300,000		
Madras	[3] 206,000		
Manzanita	90,000		
Mapleton	[3] 50,000		
McNary	[3] 150,000		
Mosier	[3] 47,000		
Mount Vernon	[3] 148,000		
Myrtle Point	[3] 350,000		
Netarts-Oceanside SD	[3] 350,000		
North Bend	[3] 750,000		
Nyssa	[3] $250,000		
Pacific City	[3] 125,000		
Pendleton	[3] 75,000		
Philomath	[3] 507,000		
Portland	[3] 24,150,000		[3] $98,900,000
Port of Portland (Airport)	[3] 50,000		
Ranier	[3] 300,000		
Redmond	[3] 500,000		
Richland	[3] 50,000		
Rockaway	[3] 125,000		
Rogue River	[3] 120,000		
St. Helens	[3] 2,500,000		
Salem	6,000,000	$10,000,000	600,000
Sandy	[3] 350,000		
Scappoose	[3] 637,000		
Scotts Mills	[3] 52,000		
Seaside	[3] 75,000		
Seneca	[3] 50,000		
Siletz	[3] 90,000		
The Dalles S.T.P	[3] 910,000		
Tri-City S.D	[3] 407,000		
Turner	[3] 65,000		
Umatilla	[3] 200,000		
Union	[3] 110,000		
Unified Sewerage Agency (Portland metropolitan area)	41,315,000		
Waldport	[3] 200,000		
Wasco	[3] 75,000		
Wheeler	[3] 170,000		
Wilsonville	[3] 400,000		
Yachats	[3] 218,000		
Vernonia	[3] 160,000		
Total	108,288,000	[21] 40,500,000	111,145,000
Total needs, $259,933,000.			
Pennsylvania:			
Allegheny County, Pittsburgh	[3] 56,000,000		[3] 115,000,000
Allentown	10,000,000	30,000,000	15,000,000
Altoona	2,000,000	2,000,000	5,000,000
Arnold			300,000
Bethlehem	4,000,000	2,500,000	1,500,000
Bradford Sanitary Authority	1,270,000		
Chester	5,300,000	2,000,000	3,000,000
Easton	4,200,000	[1] 350,000	1,650,000
Franklin	[1] 2,300,000	300,000	3,000,000
Greensburg	1,800,000	200,000	500,000
Harrisburg	4,000,000	1,000,000	1,300,000
Lancaster	11,000,000	[1] 10,000,000	60,000,000
Monessen and Donora	8,020,000	500,000	
Monongahela	1,000,000	500,000	3,000,000
McKeesport	[1] 3,600,000	250,000	
Oil City	1,200,000	300,000	3,000,000
Philadelphia and Delaware (River Basin Commission service area)	793,500,000		[3] 1,150,000,000
Pottsville	6,945,000	750,000	1,680,000
Reading	1,500,000	1,000,000	1,350,000
Shamokin	3,205,000		1,075,095
Sharon	1,000,000		150,000
Sunbury	1,900,000		800,000
Wilkes-Barre	10,000,000		
York	8,000,000	[1] 4,500,000	3,000,000
Total	941,740,000	58,560,000	1,370,305,095
Total needs, $2,370,605,095.			
Rhode Island:			
East Providence	6,000,000		3,000,000
Woonsocket	5,000,000	3,000,000	3,000,000
Total	11,000,000	3,000,000	6,000,000
Total needs, $20,000,000.			
South Carolina:			
Charleston	[1] 35,000,000	[1] 10,000,000	
Columbia	14,000,000	2,250,000	
Florence	2,250,000	1,800,000	6,300,000
Rock Hill	6,000,000	2,000,000	2,000,000
Spartenburg	1,000,000		
Total	58,250,000	16,050,000	8,300,000
Total needs, $82,600,000.			
South Dakota:			
Arlington	74,000		
Alcester	25,000		
Ashton	20,000		
Astoria	44,119		
Aurora	18,000		
Blunt	34,000		
Bradley	50,000		
Brookings	300,000	[1] 700,000	1,200,000
Carthage	27,000		
Claire City	18,000		
Chamerlain	100,000		
Castlewood	20,000		
Columbia	10,500		
Corona	28,000		
Corson	7,000		
Custer	232,000		
Crooks Sanitary District	21,750		
Dell Rapids	37,000		
DeSmet	69,000		
Dupree	21,000		
Eden	14,000		

Footnotes at end of table.

State	Primary and secondary needs	Tertiary treatment needs	Interceptor and storm sewer needs
Elkton	$51,000		
Ethan	67,300		
Egan	60,000		
Gary	34,000		
Garden City	30,000		
Harrisburg	22,000		
Hill City	100,000		
Herreid	37,000		
Hot Springs	674,000		
Hoven	85,900		
Hudson	61,000		
Iroquois	42,000		
Kenstone-Mount Rushmore Sanitary District	1,200,000		
Lead-Deadwood Sanitary District	5,000,000		
Lesterville	27,750		
Lewis and Clark Sanitary District	116,000		
Menno	41,000		
Midland	16,000		
Mitchell	139,000		
Mobridge	120,000		
Nisland	22,000		
North Sioux City	124,515		
Oacoma	41,000		
Olivet	15,600		
Pierre	301,000		
Platte	82,600		
Ramona	24,000		
Rapid City	500,000	$1,500,000	$1,500,000
Raymond	30,000		
Sioux Falls	600,000	2,100,000	2,700,000
Spearfish	210,000		
Spearfish Valley S.D.	40,000		
St. Lawrence	31,000		
Timber Lake	31,000		
Trent	25,000		
Vivian	34,200		
Volin	17,500		
Wakonda	26,400		
Waubay	60,000		
Wentworth	30,000		
Wolsey	41,000		
Willow Lake	44,000		
Wessington	58.000		
White	21,000		
Watertown	120,000		
Yankton	400,000		
Custer State Park Stockage Campground	25,000		
Custer State Park Legion Lake	10,000		
Total	12,056,564	4,300,000	5,400,000
Total needs, $21,756,564.			
Tennessee:			
Nashville	25,000,000	12,000,000	150,000,000
Memphis	140,000,000		
Total	165,000,000	12,000,000	150,000,000
Total needs, $327,000,000.[22]			
Texas:			
Abilene	3,000,000	2,000,000	4,000,000
Amarillo	233,000	3,000,000	
Austin	6,000,000	4,000,000	20,000,000
Corpus Christi	2,500,000	4,125,000	5,169,000
Dallas	[1]46,000,000	13,150,000	10,000,000
Fort Worth	[1]26,500,000	39,000,000	7,000,000
Galveston	6,350,000	2,000,000	
Garland	6,300,000	1,200,000	
Houston	[3]20,700,000		1,200,000
Midland	2,250,000	2,500,000	250,000
Pasadena	2,600,000	2,000,000	4,000,000
Texarkana	[1]3,800,000	[1]3,500,000	2,400,000
Texas City	3,500,000	3,500,000	2,000,000
Tyler	[1]2,000,000	[1]5,000,000	1,750,000
Waco	1,000,000	2,000,000	5,000,000
Wichita Falls		4,000,000	2,500,000
Total	130,733,000	90,975,000	65,269,000
Total needs, $286,977 000.			
Utah: Provo	1,200,000		4,000,000
Total needs $5,200,000.			
Vermont:			
Brattleboro	800,000	300,000	1,000,000
Burlington	3,000,000	3,000,000	12,000,000
Total	3,800,000	3,300,000	13,000,000
Total needs, $20,100,000.			
Virginia:			
Hampton Roads Sanitation District	20,000,000		40,000,000
Roanoke	5,000,000	1,000,000	10,000,000
Richmond	5,900,000		8,000,000
Total	30,900,000	1,000,000	58,000,000
Total needs, $89,900,000.			
Washington:			
Aberdeen	[3]$1,230,400		
Anacortes	[3]267,900		
Annapolis S.Dak.	[3]60,000		
Asotin	[3]69,000		
Auburn	[3]3,250,000		
Bellingham	11,771,000		
Battleground	[3]5,000		$11,516,000
Blaine	[3]55,000		
Bremerton	[3]1,410,800		
Burlington	[3]150,000		
Cashmere	[3]5,000		
Centralia	[3]134,900		
Chelan	[3]5,000		
Cle Elum	[3]20,000		
Concrete	[3]414,000		
Cosmopolis	[3]43,500		
Coupeville	[3]29,800		
Deer Park	[3]5,000		
Edmonds	[3]944,500		
Ephrata	[3]10,000		
Everett	[1]25,000,000	[1]$50,000,000	15,000,000
Gig Harbor	[3]1,700,000		
Goldendale	[3]10,000		
Grandview	[3]153,000		
Hoquiam	[3]50,000		
Lakeland Villa	[3]5,000		
Langley	[3]18,750		
Lynden	[3]106,200		
Kitsap County Sanitation District number 6	[3]295,000		
Kennewick	[3]575,000		
Marysville	[3]15,000		
Montesano	[3]974,000		
Mount Vernon	[3]252,400		
Morton	[3]92,000		
Mulkiteo	[3]51,300		
Naches	[3]23,250		
Okanogan	[3]5,000		
Olympia	[3]940,000		
Oroville	[3]165,000		
Palouse	[3]5,000		
Pe Ell	[3]270,000		
Poulsbo	[3]86,000		
Prosser	[3]5,000		
Pullman	[3]10,000		
Ranier Vista Sanitation District	[3]1,000,000		
Raymond	[3]69,000		
Selah	[3]205,000		
Municipal of Metropolitan Seattle	[3]109,000,000		76,000,000
Sedro Wolley	[3]160,000		
Skagit County, S.D. No. 1	[3]80,000		
South Bend	[3]5,000		
Snohomish	[3]340,000		
Spokane	6,000,000	5,000,000	50,000,000
Stanwood	[3]25,000		
Sumas	[3]69,000		
Sumner	117,300		
Suquamish	[3]340,000		
Sunnyside	[3]250,000		
Tacoma	13,000,000	8,060,000	5,000,000
Terrace Heights, S.D	[3]85,000		
Toledo	[3]5,000		
Tonasket	[3]30,000		
Vader	[3]2,000		
Vancouver	[1,23]14,900,000	[1,24]7,040,000	3,700,000
Vashon Island, S.D	[3]47,000		
White Salmon	[3]115,000		
Wilbur	[3]155,000		
Winlock	[3]5,000		
Winslow	[3]112,700		
Total	340,074,900	74,840,000	161,216,000
Total needs, $576,130,900.			
West Virginia:			
Huntington	7,500,000		30,000,000
Parkersburg	1,000,000		8,500,000
Total	8,500,000		38,500,000
Total needs, 47,000,000.			
Wisconsin:			
Beloit	(6)	834,000	1,702,000
Fon du Lac	1,500,000	800,000	2,000,000
Green Bay	31,000,000	1,000,000	4,000,000
Kenosha	(6)	600,000	20,000,000
Madison	[1]4,500,000	6,000,000	7,000,000
Milwaukee M.S.D	[5]88,600,000		300,000,000
Rachine	3,000,000	6,000,000	8,000,000
Sheboygan	1,870,000		2,250,000
Total	130,470,000	15,234,000	344,952,000
Total needs: 490,656,000.[25]			

Footnotes on following page.

*Keynote.

[1] Needs figures where the city reporting indicated that it was reporting needs for an area greater than its city limits.

[2] 30 years.

[3] Figures from surveys prepared in 1970 by State governments. Idaho and Wyoming are omitted from the survey as no data were provided from these States.

[4] (Phoenix).

[5] Figures gained from the survey prepared for Senator Muskie by the Association of Metropolitan Sewerage Agencies.

[6] No need.

[7] Orange County District.

[8] City of Los Angeles.

[9] Los Angeles County.

[10] Under contract.

[11] The State of Delaware estimates total needs for the next 6 years at $82,000,000.

[12] This program not now contemplated because of high expense involved.

[13] Data provided by the League of Kansas Municipalities indicates that secondary treatment required in 32 communities will cost $27,000,000.

[14] Data provided by the State of Maine indicates that costs of approximately $146,000,000 will be required through 1976 to implement a satisfactory treatment program.

[15] "Available Federal programs must be undertaken with financial support to solve the most demanding, technical and financial problem of all; the combined sewer problem which plagues almost every old major metropolitan area in the country. The present problem for the city of Boston and surrounding communities is estimated at $½ to $1 billion to correct with no provisions for Federal aid under current policies and regulations."—Gov. Francis W. Sargent.

[16] Detroit.

[17] Construction underway.

[18] Cleveland needs to 1985 total $1,602,000,000—Needs listed are for next 4 years only.

[19] Under construction.

[20] By 1990.

[21] Some of these needs extend beyond 1976.

[22] A study by the Tennessee Municipal League indicated a need of $530,000,000 for adequate sewage treatment in Tennessee.

[23] $9,100,000 more needed 1973–80.

[24] $4,800,000 more, 1973–80.

[25] League of Wisconsin Municipalities provided information from State indicating 5-year needs of:

For primary and secondary treatment	$196, 552, 000
For tertiary treatment	20, 000, 000
For storm and sanitary sewer separation	600, 000, 000
Total	816, 552, 000

THE EARTH IS WHAT WE MAKE IT

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. PATTEN. Mr. Speaker, because of the growing emphasis on more effective air, water, and land pollution control, I was pleased and impressed by a statement on environment made by Philip B. Hoffman, chairman of the board, Johnson & Johnson, in which he declared the past, present, and future policy of his firm:

> General (Robert Wood) Johnson stood strong for a clean and wholesome environment in every sense of the word. He would never settle for mediocrity—neither will I.

Mr. Speaker, if all of the Nation's industrial firms were as sincere, dedicated, and effective as Johnson & Johnson in attacking pollution, our environment would be much closer to being free of contamination. The record of Johnson & Johnson in combating pollution is one of the best in the Nation. I believe that Mr. Hoffman's statement was an excellent one and I hereby insert it in the Congressional Record with deep pride. Entitled, "The Earth Is What We Make It," it is a tribute to two great industrial leaders and their strong efforts to improve the quality of our environment: The late Gen. Robert W. Johnson, who served as chairman of the board of Johnson & Johnson for many years, and the present board chairman, Philip B. Hoffman.

The statement follows:

The Earth Is What We Make It

Some observations on our environment are particularly in order on this April 22, 1970. These observations far exceed the realm of interested concern, however.

Since Johnson & Johnson was founded on the banks of the Raritan River 84 years ago, we have sterilized so many products essential to the protection of health and life that our desire for clean, wholesome surroundings is a long-standing preoccupation.

General Johnson stood strong for a clean and wholesome evironment in every sense of the word. He would never settle for mediocrity—neither will I.

We are all aware of Johnson & Johnson's traditional and unexcelled standards of industrial environmental control. But let's take a close look at our record of participation in protecting three of the most vital elements of this earth of ours—our water, our air, and our land.

WATER QUALITY AND SUPPLY

Johnson & Johnson backed the campaign for the trunk sewer system with leadership, money and the film "River At Your Door." In 1958, after years of endeavor, we saw the system, which serves parts of Union and Somerset Counties and most of Middlesex, built and placed in operation in the lower Raritan River. Today, a Johnson & Johnson executive heads the sewerage authority as well as the current enlargement project for increasing the system's waste treatment capacity and trunk lines. At an estimated cost of $125 million, this project will be financed by grants from the federal and state governments in addition to local-user charges.

Johnson & Johnson refused to permit the Delaware and Raritan Canal to be abandoned or filled in before World War II, and, together with other forward-looking organizations and individuals, we kept it open as a water supply. The Canal became a facility of the state in 1945 and will long be a vital asset to central New Jersey.

In 1958, Johnson & Johnson gave leadership and money to the Water Bond Referendum, which created among others, the Round Valley and Spruce Run Reservoirs. Last November we filled a similar role of successful leadership in supporting a clean-water bond issue, which won $242 million for pollution abatement and $29 million for reservoir sites.

General Johnson always kept a watchful eye on the Delaware River, New Jersey's largest water resource. In 1954 his legal assistants contributed to the protection of the downstream states by stopping New York City from making huge withdrawals of water in New York State without being made to compensate the stream from stored water. Out of this came a four-state federal compact commission to develop the Delaware Basin's water resources. A Johnson & Johnson man has represented the Governor and the State of New Jersey on this commission for the past eight years.

It is particularly interesting to note that the Delaware River may now supply the Delaware and Raritan Canal with 100 million gallons of water daily, as authorized by law.

The Delaware's Tock's Island Reservoir will supply northern and central New Jersey with 300 million gallons of water daily. This can be delivered via the Raritan's Round Valley Reservoir and by open stream in the Raritan River to intake pipes at Manville.

Johnson & Johnson and our family of companies took a strong and adamant position against locating a major international jetport on the Solberg site, at the confluence of the South and North Branches of the Raritan. Some of the reasons for our position are economic, but paramount in our thinking is the damaging effect such a jetport would have on the area's environment—particularly the obvious gross pollution of the drainage area and the streams themselves, as well as the extensive development a jetport would bring into this potable water area. For, remember, the Raritan River and its reservoirs will not only store and deliver Raritan water, but also 300 million gallons of Tocks Island water daily. We must keep this Solberg area clean . . .

AIR POLLUTION

Our company has fought filth in all its forms since 1886 . . . and this applies to air pollution. Our performance in the prevention of industrial air pollution is generally far ahead of any existing regulations.

Johnson & Johnson companies in the New Brunswick area were among the first to switch to low-sulfur fuel oils in the early 1960's. Fuel-burning controls have constantly been improved, and a number of plants have switched to gas service and installed metering devices to monitor emissions and equipment performance. The corporate program to upgrade air pollution control equipment is constantly reevaluated in the light of new technical developments.

In 1967, Governor Hughes requested that General Johnson have one of our executives set up task forces to revise and modernize the air and water pollution abatement structures in the state government. The basic expertise for this program was supplied by the federal government, and these combined efforts resulted in the establishment of the Division of Clean Air and Water in the New Jersey Department of Health under a strong administrator. This structure has been recognized by federal officials as outstanding among the states.

LAND CONSERVATION

Johnson Park, known so well to so many of you and your families, extends from Highland Park along the Raritan River almost to Bound Brook. In the mid-1930's, this Middlesex County park originated through a land gift from Robert Wood Johnson and his family. The total acreage of the park has since been increased by the Johnson family, by the company, by other generous citizens and, more recently, by the Green Acres Program.

In Somerset County, it was Johnson & Johnson leadership that launched the successful Somerset County Park Commission.

It was a Johnson & Johnson man, on leave of absence from the company, who, as Commissioner of Conservation and Economic Development for the State of New Jersey, helped lead the Green Acres referendum campaign in 1961.

And one has only to eyewitness a plant built by the Johnson & Johnson family of companies in the last quarter century—impressive architecture on expansive landscaped grounds—to agree with General Johnson that "factories can be beautiful." A lot of other manufacturers now think so, too.

All of us in the Johnson & Johnson family may look with unqualified pride on our record to date and may be assured with certainty that our dedication to participating citizenship, in the best interests of our environment will remain as firm as it has always been . . .

THE TIDEWATER VETERANS ASSOCIATION

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. WHITEHURST. Mr. Speaker, 40 million Americans make up a very special group, a group that has been honored with a national holiday in recognition of their services. I refer to the 40 million veterans who have served and are now serving their country honorably and with pride.

Mr. Speaker, Congress granted these veterans and servicemen the right to free burial in a national cemetery. Under the present circumstances, however, many may not have the opportunity to take advantage of this right. There are 98 national cemeteries now in existence. Thirty-seven of them are already closed. Many more are almost completely filled. Yet the national cemetery program is not to be expanded.

As the Honorable OLIN TEAGUE, chairman of the House Committee on Veterans Affairs, has pointed out, there is tremendous expense involved in the purchase, establishment, and perpetual maintenance of new cemeteries. His committee has, therefore, gone on record as favoring payment of a special $150 cemetery plot allowance to survivors of deceased veterans. In addition to providing a partial defrayment of interment costs, this payment would encourage survivors to bury their veteran dead in their hometowns.

Mr. Speaker, in at least one area, this problem has been met and resolved entirely through local effort. The Tidewater Veterans Association of Virginia, Inc., which now represents over 3,000 members of 39 veterans' organizations, began as the Armistice Day Association in 1948. Its aim at that time was to plan appropriate ceremonies for November 11 each year. From the beginning, it met with great support and interest. In 1965, it became known by its present name, and was granted a State charter on May 29, 1968. Through the years the association has increased the scope of its activities, participating in veterans' legislation and disseminating information on veterans' affairs to all member organizations.

When it became evident that a shortage of burial space in national cemeteries and the resulting restrictions placed on Arlington would make it difficult for Tidewater veterans to take advantage of their legal right to free burial, the Tidewater Veterans Association formed a committee to investigate this problem and recommend action to help alleviate it. In October 1968, the association resolved by majority vote to endorse the Tidewater Veterans Memorial Gardens, which would be located in Rosewood Memorial Park, Virginia Beach, Va. Thirty-five acres were set aside for the exclusive use of veterans and their dependents, and a suitable memorial honoring those veterans was erected.

This action was taken none too soon, because the problem became acute less than 1 year later. Hampton National Cemetery, which has served the Tidewater area, was closed. The closest national cemetery then became the one located in Hopewell, Va.

The Tidewater Veterans Memorial Gardens is now a functioning memorial cemetery, in which the area's veterans receive free burial, just as they would in a national cemetery. This is a good example of what can be accomplished through the cooperation of interested organizations and private enterprise.

In the absence of expansion of our national cemeteries, and even if an additional $150 is paid toward funeral expenses, we should encourage the setting up of local memorial cemeteries to honor the local veterans. The majority of national cemeteries are east of the Mississippi, which means that many areas are not served. Local veterans' cemeteries would answer this need. And as in the case of Tidewater, a nearby national cemetery may not have sufficient space to serve the community. Here again, local private cemeteries could provide the space.

Mr. Speaker, I submit to you that the Tidewater Veterans Association has found a satisfactory solution to the problem faced by many of those 40 million Americans: The problem of finding free burial space for veterans.

WE HONOR THESE MEN

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Wednesday, July 8, 1970

Mr. BOGGS. Mr. President, recently I came across a Memorial Day address given by Col. Nicholas A. Canzona, commanding officer of the 25th Marines, in Worcester, Mass.

Colonel Canzona's words, I believe, can serve as an inspiration to us all in these trying times.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY COL. NICHOLAS A. CANZONA

Today is a time set aside to honor the dead, those special dead who in life fought our nation's wars. It makes little difference now whether they fell on the battlefield in the flower of youth or whether they returned home to die in later years. It makes little difference whether they fought in France, Africa, Guadalcanal, Okinawa, Korea or Vietnam, whether they fought on land, at sea, or in the air. Or whether they were generals or privates. Nor does it make any difference whether they were white, black or yellow. Death is a great equalizer. Now all of them rest in peace, away from the ceaseless tumult of the world of the living.

We honor these men, these sacred dead, because they served us well in simple obedience to a nation that they loved and respected. A nation that they supported when the die was cast. Greater love hath no man. These were imperfect men who fought for the imperfect causes of an imperfect republic. They had enough common sense and faith to realize that the nation at least was headed in the right direction. As a result of their faith, common sense, and sacrifice, many countries and millions of people are free today who might otherwise have been enslaved for centuries.

Because of the simple trust and obedience of these men, our nation has enjoyed unparalleled progress and freedom—so much freedom in fact that conceivably we are free enough today to commit national suicide a thousand years before our time.

We owe a special debt of gratitude to these dead because they conquered fear, self pity and selfishness. They were no more anxious to die than you or I or any other citizen. They must have been haunted occasionally by the same loneliness, doubts, and questions that have assailed every generation of Americans at one time or another. Yet, they had the strength of character to overcome their trepidations and any innate pettiness. They did not demand an exhaustive accounting from the nation each time they crossed the line into battle.

Of these dead that we honor, relatively few in recent times fought on American soil. In furtherance of a higher responsibilitity, a brighter ideal, they carried the flag to distant islands, jungles, plains, mountains, and deserts. Yet, no foreign nation has ever lived in subservience to the United States as a result of their far-flung campaigns. On the contrary, and in full justification of their faith, their government has extended to friends and enemies alike a degree of compassion and generosity never before exhibited in the annals of war. So, while these honorable men were victors—and they had every right to expect victory in return for their sacrifice—they were not conquerors in the classic sense. Their most vicious enemies of a generation ago are now thriving and respected in the community of nations. This fact is a great tribute to the republic in which these honored dead had such unbounded faith.

UTTER DISMAY

If these men who lie at rest around us could rise up today, they assuredly would look around in utter dismay. No, they would not be shocked by dissent; there was enough dissent in their day too. But they indeed would be appalled at the manifestations of dissent: The defiling of our flag, the frenzied reviling of our president and sacred institutions, the disintegration of a moral code that is 4,000 years old, the almost capricious defiance of law and order.

A typical cross-section of these American dead that we honor were officers and noncommissioned officers. If they could awaken and rejoin us, they would hear themselves taunted and branded publicly as pigs of the establishment. They would be unable to set foot on many campuses without being subjected to the most virulent abuse.

Fellow Americans, if you and I saw this great host rise up from this hallowed ground and approach us, what would we say to them in the light of today's new left philosophy? Would we say that their lives and sacrifices have been a horrible mistake? That the republic has outlived its usefulness? That America indeed has made no significant progress or contribution? That for almost two hundred years the United States has in actuality been a gigantic fraud? That there is no standard of decency, dignity, respect and obedience that a Democracy can expect of its people? That Communist tyranny is right because America is irrevocably wrong? Would we tell the risen dead that this nation's policy is not, after all, inextricably rooted in history and justice but is only an arbitrary, brutal exercise in wealth and power?

If the republic for which these men fought is manifestly so evil and repugnant that we could say such things to the assembled dead,

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then perhaps we as a people should continue our breastbeating until we sink into oblivion—or are pushed into it. If, with a clear conscience we could now stand over others and desecrate American flags, if over still others we could unfurl and venerate enemy flags—if indeed the United States is so foul that we could commit such abominations with a clear conscience and not out of sheer idiocy—then we as a nation would have to admit to a complete inversion of values: Which is to say that the evolution of this great republic has been a blight on mankind.

Now, if we do not have the conviction and stomach to so profane the dead, then neither should we profane the living. It is essentially indecent and irrational by any standards to call a man a pig while he lives, then immediately canonize him when he dies. It is grossly inconsistent and unfair to divorce the causes for which these men died from a national policy that was born out of these causes. It is a monumental perversion of justice to expect one generation to die for the flag and allow another to drag it through the gutter.

In years gone by, it was always the custom, when a friend died, to send a remembrance of flowers. In recent years, many bereaved families have requested instead that donations be made to noble institutions such as the Heart Fund, Cancer Fund, hospitals, or cultural centers. Perhaps on the solemn occasion of Memorial Day, 1970, we, as a nation could make a practical request of ourselves. We could remember our dead not merely with flowers and ceremony, but with the visible contribution of a life of selfishness, patriotism, and faith. We could thus vindicate the deaths of these great men and the high purpose of this republic. We can begin today by silently reaffirming our allegiance, so that tomorrow we can move forward once again with traditional unity, pride, and courage. If we owe anything at all to America's dead, we owe them at least this much.

TRIBUTE TO DICK HUDSON

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. SLACK. Mr. Speaker, my home State of West Virginia is proud of its athletic heritage. Over the years we have had many heroes to cheer—men such as Jerry West in basketball, Sam Huff in football, and Sam Snead in golf, to name a selective few.

Now, West Virginia is about to lose a man who has written many stories of their achievements for the past 35 years. He is the distinguished sports editor of the Charleston Daily Mail, Dick Hudson.

Dick has served as sports editor of the Daily Mail for 30 years and has brought a perspective of integrity and fairness to his profession that will be impossible to match. He has resigned effective July 15, to accept a position on the Jacksonville, Fla., Journal copy desk.

In making the move to Florida, Dick and his wife, Kitty, will be near their son, Terry, a doctor who will take his residency work at the University of Florida at Gainesville.

I believe my colleagues here will be interested in knowing something about this man of letters.

Hudson began his writing career for the Daily Mail while a student at West Virginia Wesleyan College, where he helped publicize the great "Gip" Battles. He has written his popular daily sports column, "Warming Up," an estimated 10,000 times, and it has many avid readers. He sought no special recognition for himself, but the national Sportswriters-Sportscasters Association Awards Committee in 1960, 1961, and 1964 named Hudson the outstanding sportswriter of the year in West Virginia.

One mark of a man's contribution to society is how much he will be missed when he is gone. Dick's decision to leave West Virginia truly will be a loss for all West Virginians. Not the least of these will be his coworkers because Dick Hudson was one of the most unselfish of them all. He always was first to take the hardest chore for himself. His workday often began at 4:30 a.m., long before anyone else.

Dick Hudson, the sports editor and the man, was a purist. His penchant for fair play by the rules never wavered. Competitors, spectators, coaches, and the entire State will be the big losers by his departure. I am certain that they, like I, wish him well.

Both the city and county recreation directors recently remarked how fortunate the city of Charleston was to have a man of the caliber of Dick Hudson covering sports.

Bill Smith, who has succeeded Hudson as Daily Mail sports editor, said:

> Dick leaves big shoes to fill . . . they won't be.

There was nothing phony about Dick Hudson whether he was writing about a high school hero, a star for West Virginia University, major league baseball or a Little Leaguer. His thousands of readers looked forward each year to his Christmas column devoted exclusively to a message of world peace addressed to his son. Service in the U.S. Navy in World War II helped Dick decide that the Prince of Peace laid down the best set of rules for man to follow, and that he must learn to live with his fellowman in harmony under God or face destruction.

West Virginia is noted as a coal-producing State. But some men of pure gold live there, and Dick Hudson's star outshines most of them. He always has shown an awareness and a rare insight of the personal involvement and pride of the competitive athlete. This is amplified in the following editorial written by J. D. Maurice, editor of the Daily Mail, as he acted as spokesman for all of Dick's colleagues:

> Sports editors are replaceable. Our Dick Hudson is not. And on his decision to quit "Warming Up" after all these years and cool off a litle in Florida, those of us remaining can do at best only two things.
>
> We can wish him well. Dick will be at home wherever men compete in games. And we can reflect a little on those qualities as a person and as a writer which made him unique.
>
> He believed devoutly in the value of athletics—not as an alternate to education, but as the natural complement.
>
> He relished competition, but only within the framework of fair play. He was fussy about the "rules of the game."
>
> He made no jokes about the worth of sports in building character. Dick had seen it work time and time again, and he had no doubts about the formula. Men who play well, in the quest of excellence, are better for it.
>
> If he will not think it a little ponderous, we'll say that he brought to his handling of sports news and his daily comment upon it the classical ideal: A sound mind in a sound body.
>
> There are not many of his kind, and those of us who worked with him count ourselves lucky to have had one of the exemplary in our company.

COMMENCEMENT ADDRESS BY DR. JOHN A. LOGAN, JR., PRESIDENT, HOLLINS COLLEGE, VIRGINIA

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 8, 1970

Mr. SPONG. Mr. President, this spring was a particularly difficult time for many of our colleges and universities. Serious questions were raised concerning the role of institutions of higher learning in the political process and in our society as a whole. Serious questions were also raised concerning the ability of some of our institutions to function effectively in the face of widespread divisiveness.

Amid the dissension and polarization which permeated our Nation, many analyses were presented, many suggestions made for resolving extant controversies and disagreements. An excellent commentary on these matters was given by Dr. John A. Logan, Jr., president of Hollins College, in Virginia. Dr. Logan's 1970 commencement address was a forthright, rational, and balanced discussion of the major problems facing our Nation and society. It outlined the basic principles and procedures which must be accepted, honored, and pursued if our Nation is to fulfill its promises of freedom and opportunity for each and every citizen and if our institutions are effectively to perform their functions.

I commend Dr. Logan's address to the Senate and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS BY DR. JOHN A. LOGAN, JR.

Members of the Graduating Class, these traditional ceremonies mark the culmination of your years at Hollins. Your college careers have spanned a turbulent time in this nation's history, and the events of recent weeks have provided an explosive punctuation for your experience. For many of you there must have been times when you doubted that this peaceful moment would arrive.

Yet, here we are together for a last moment, and I want to take this opportunity to make some brief observations about these recent experiences which may help put them into perspective.

First, let me say that however disturbing and divisive these happenings seemed at the time—setting, as they did, students against their classmates, professors against their colleagues, and parents against their children or against their childrens' colleges—I think all of us would have been ashamed of this college had it not been affected by the great issues that have galvanized thought and action across this nation's campuses. The expansion of the military action in Southeast Asia, and the killing of students at Kent State University touched deep wellsprings of feeling and opinion, and raised questions which had to be confronted.

I am proud that the Hollins community did confront these issues, but I am prouder still of the way in which we responded. By acting with moderation and great corporate responsibility, in the midst of high emotion, we agreed on a course which left individuals free to follow their consciences without imposing one group's opinions on another, in a spirit of mutual tolerance and respect.

At the same time, everyone found it necessary to define and defend his own views, and the result was, I feel strongly, an educational experience of the highest order.

What lessons are to be drawn from this vast national upheaval? In the first place, it should be clear, if it was not clear before, that the peace movement is a serious and permanent phenomenon which runs broadly and deeply through the entire younger generation. It is by no means confined to the young, but its main stength is there. If recent events have shown nothing else, they have demonstrated that every decision made by our nation's leaders must take this fact into serious account.

The disturbances on our campuses which followed the announcement that military operations had been extended into Cambodia will not be properly understood if they are viewed lightly on the one hand as an especially virulent outbreak of spring fever, or darkly on the other as a sinister manifestation of Communist infiltration into our colleges. These interpretations invite either serious under-reaction or over-reaction.

It is not a small minority, but an overwhelming number of our college students who want an early end to the war in Vietnam. It affects their lives immediately, and they are convinced that it is immoral as well as hopeless. This war is, furthermore, a cancer gnawing at the vitals of our body politic, distorting our image abroad and at home, and preventing a reordering of our national priorities to deal with the pressing domestic issues of social justice, pollution, poverty, and urban redevelopment. Our young people believe fervently in the need to address ourselves promptly and energetically to these problems.

I am prepared to believe that President Nixon also sincerely wants to end the involvement in Vietnam which he inherited, and is moving to accomplish it. The foray into Cambodia was a great political gamble, and it will remain to be seen whether the short-run military advantages outweigh the long-run political and diplomatic effects. But one fact already emerges clearly: that unless and until the credibility of our government's desire for peace is established among the young, a serious and perhaps permanent alienation of our future leaders from our present form of government could result. Nothing would be more tragic or more ominous. Extensive lines of communication must be established and maintained. An important start has been made, and it must be expanded and effectively exercised at every level of government.

Unless this is done, dissent will not only grow, but will inevitably become less responsible. If it is forced outside the framework of the established political system, the incidence of violence will increase in proportion to the frustrations of helplessness, and the angry divisions which already imperil our society will grow apace.

Let me digress just a moment to say a word about the right of dissent. It is central to our form of government that citizens be free to express their opinions and to assemble peaceably to petition for redress of grievances. But it is equally important that any such demonstrations be non-violent, that there be no destruction of property, nor interference with the rights of others. Freedom from disorder is as essential a component of an open society as freedom of dissent. Nothing is more pernicious than the conviction of some political activists that only violent confrontation will gain attention and bring about social change. We learn afresh with every resort to physical coercion that these methods are destructive and counterproductive, inviting the use of repressive force by private groups and by police and military agencies. The tragic deaths at Kent State University and Jackson State College are cases in point.

What, then, are appropriate ways to express concern about these great political and social issues? One method, which I do *not* think is appropriate, has been broadly advocated by students and some faculty across the nation in the present crisis. I am referring to the attempt to use the college or university itself as a symbol of protest by voting to strike, to close down the institution in order to dramatize opposition to national policies at home and abroad.

A few colleges and universities did suspend entirely their regular academic programs in response to majority opinion. Many others which closed, however, did so not for ideological reasons, but to prevent the destruction of property and possible loss of lives. There were those at Hollins who urged the suspension of all classes and examinations and argued that the institution as such should take a public stand on the war and the Kent State shootings. Our faculty voted against any such action, and they were joined by the vast majority of students. We agreed on a formula which opened the way for individual action, without placing the institution itself on record.

I strongly believe that this decision is the only one which is compatible with the fundamental goals and purposes of a college. There is, of course, in the first place a legal matter of the contractual obligation to those who have paid for an education and are entitled to receive it. If a single student wishes to attend class or take examinations, the college owes him that right. But there is a moral obligation beyond this legal one.

Of all the institutions in a pluralistic society, our colleges and universities, dedicated as they are to freedom of expression and of inquiry, should shelter and sustain every shade of opinion. No individual should be compelled by majority vote to be represented by an institutional position that he does not adhere to personally.

There is still a further dimension to this problem that deserves consideration. As an institution devoted to the transmission of knowledge and the search for truth, the university is a mighty engine for social change and amelioration of the human condition. Its great power lies in the generation of ideas which lead to constructive change, and not in action itself. Furthermore, its effectiveness rests on the autonomy which society has granted it out of respect for its objectivity in the search for truth. Once the university as a corporate body ceases to be a forum and becomes a self-conscious instrument of policy, once it becomes avowedly partisan, then it abandons its historic claim to freedom from political interference. The current rash of threats from state legislatures to cut off funds for higher education is a predictable reaction to the politicizing of some of our campuses.

No observer of our society can fail to be disturbed by the widening chasm of anger and distrust which is opening up between the so-called silent majority and the academic world. This nation is a house divided, not as in 1860 along regional lines, but in terms of age, of educational levels, and of occupation. The attack on student demonstrators by construction workers in New York City is symptomatic of a growing blue collar revolt against dissenters, and the responses of policemen and National Guardsmen are conditioned by the same attitudes. Most of this has been brought on by the excesses of student radicals, both in their rhetoric and in their behavior. The moderate majority of students must not fall into the error of adopting these methods, because there is real danger that all dissent will soon automatically be classified by a large part of our population as disloyalty, or treason, or anarchism. In a recent poll, a majority of respondents voted against the provisions of the Bill of Rights, which were paraphrased and presented as proposed legislation. This is a genuine threat to the maintenance of our free society.

I cannot close without saying that I see very hopeful signs that good sense and good order will prevail. In spite of the sensational incidents of mob violence which have made headlines in the past few days, the fact is that a great many campus demonstrations were peaceful and orderly. This was true also of such potentially inflammatory gatherings as the May Day demonstration on behalf of justice for the Black Panthers in New Haven, and the mass meeting in Washington two weeks ago. Most significant, perhaps, was the work of student marshals, who on both occasions moved quickly and effectively to quell scattered outbreaks of violence. Here is overt evidence of a growing realization by young leaders that unruly confrontations hurt rather than help their cause.

Equally significant are the newly-formed student organizations being set up to bring about desired social changes by working within established political institutions and the electoral process. Such responsible participation by students in government should be welcomed and encouraged. Hollins has been among the first colleges to do so by eliminating the traditional Thanksgiving holiday, and substituting a mid-term break in the fall, which includes Election Day, to facilitate political activity by students on behalf of candidates of their choice. None of this activity will be compulsory, of course, but it is to be hoped that many young people will learn in this way that their opinions will be listened to, and that the ballot box is a more effective route to reform than the barricades.

No one who works with young people nowadays can help being optimistic about the future. It may well be that a revolution is in the making, but it will be a peaceful and constructive one, and not the kind proclaimed by the prophets of the New Left. I am confident that the changes which lie ahead will bring us closer to a realization of the ideals upon which this nation was founded.

I urge each of you who is graduating today to nourish your passion for peace and justice, and carry it forward into the life you will lead henceforth.

You are embarking on a great adventure, and I wish you Godspeed.

HOW THE NEWS MEDIA DISTORTS FACTUAL REPORTS TO DISCREDIT OUR FEDERAL GOVERNMENT

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. WRIGHT. Mr. Speaker, a story appearing in yesterday's Washington Post and the summary of a report by the General Accounting Office inserted in yesterday's RECORD by the gentleman from Iowa gave fresh substance to the mounting body of evidence as to how news media and others intent upon discredit-

ing the activities of our Federal Government so often stretch and distort factual reports, magnifying each grain of unfavorable data until it looms through the lens of the news media as a glaring example of Government inefficiency.

Some weeks ago, a field team of the General Accounting Office conducted a 9-day study relating to the congressionally sanctioned policy of building pavement overlays on certain interstate highways so as to preserve the longevity of these segments of our arterial highway system where the volume of traffic has been greater than that initially anticipated when that system was first designed in 1956.

The Congress in 1967 authorized this program of protective overlays so as to guarantee that the structural integrity of the Interstate Highway System would endure and be serviceable without major reconstruction for at least 20 years. It was, in my judgment, and in that of most members of the authorizing committee, a wise decision. It was the kind of a decision Congress makes when it looks to the future and tries to plan intelligently for the needs of the next generation.

During the entire life of this program which began with congressional enactment in 1956, the Public Works Committee of the House has kept a very close and careful eye on all developments relating to our interstate highways. We have had a special highway investigating committee with a highly skilled professional staff. This subcommittee has maintained constant surveillance over the state of our Nation's highway system. On occasion, as a result of its investigations, indictments have been brought against individuals who have failed to provide honest and adequate standards of highway construction and maintenance.

All in all, when viewed in any sense of perspective, the interstate highway program has been an exemplary undertaking from which the American Nation and the American economy have derived truly enormous benefits.

Now, as result of a relatively innocuous GAO report directed at a policy question concerning whether these overlays should be regarded as construction or as maintenance, certain headline hungry people in the news media have seized upon the report and twisted it completely out of context for the purpose of fabricating a sensational news story. The article which appeared in the Washington Post on yesterday began with the following lead sentence:

> The nation's interstate highways are cracking up from heavy truck traffic that may force many hundreds of millions of dollars in repairs, government investigators reported yesterday.

The thousands of Americans who read the news story and never read the factual report on which the story purported to be based thus naturally would draw a thoroughly unwarranted and erroneous conclusion.

Significantly, in the summary of the GAO report appearing in the RECORD yesterday, the word "truck" does not appear. It does not even appear as a significant item in the more lengthy report itself.

Nor does the report conclude that the interstate highways are "cracking up." There is no evidence that they are "cracking up." The overlay program authorized by Congress and selectively applied by the Department of Transportation is a wise preventive measure to insure that they shall not "crack up." That is all there is to it.

But the news treatment would make it appear that the Congress and the Department of Transportation both are engaged in some terrible boondoggle, and this, of course, is not the case at all.

Since it is well known in the House and in the Committee on Public Works that the gentleman from Iowa has been engaged for some years in a personal vendetta against the trucking industry of the country, it is understandable that he would have inserted this news story in the RECORD of yesterday. But it is fortunate that he inserted beside it a copy of the summary of the General Accounting Office report, since this gives us such an interesting example of how an official report can be twisted out of shape by the time it reaches the public through the news columns.

The question raised by the GAO report is whether or not the pavement overlay program of the Department of Transportation should be considered as construction or as maintenance. The Department of Transportation regards it as construction. I agree with that interpretation, and I think it accurately reflects the congressional intent.

THE LAMP OF REASON—COMMENCEMENT ADDRESS AT ALBION COLLEGE, MICHIGAN

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, July 8, 1970

Mr. GRIFFIN. Mr. President, I ask unanimous consent that a commencement address delivered recently at Albion College, Michigan, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE LAMP OF REASON

(By Senator ROBERT P. GRIFFIN)

President Norris, members of the Board of Trustees and the faculty, distinguished guests, members of this graduating class of 1970, ladies and gentlemen:

I am most grateful for the generous introduction—and for the high honor accorded me by the invitation to participate in your commencement.

Let me assure you that I am keenly aware of the distinction which automatically accompanies membership in the Albion College community. I am impressed that in the Nation's Capital—and far beyond—everyone seems to know about Albion College—and to recognize that it is one of the very best liberal arts colleges in the nation.

Incidentally, I am also impressed by the unusual combination here of academic excellence and athletic power. There just aren't many colleges around anymore that can boast of an undefeated football team and such an active chapter of Phi Beta Kappa.

I am very pleased—and relieved—to note that—so far, at least—all 320 members of this graduating class are still in their seats. No one has walked out—yet; no one is even carrying a sign.

As brand new members of the alumni association, perhaps there has already been some slight adjustment in your outlook—even without realizing it.

While the generation gap that we hear so much about is real, I am convinced, not only that there is nothing new about it—but also that the distance to be bridged is not really as wide as some would assume.

It his day Mark Twain wrote in Harper's magazine:

"When I was a boy of 14, my father was so ignorant I could hardly stand to have the old man around; but when I got to be 21, I was astonished at how much he had learned in 7 years."

In a speech last weekend, at Northern Michigan University I suggested that this transition point in the life of a college graduate is a good time for you to be re-introduced to, and to be come re-acquainted with, your parents and grandparents—the members of the last two generations, who are here because they are so proud of you.

Despite the protests, the demonstrations and all the rest, I submit that they are very remarkable people—those of the last two generations who sit to the right and left and behind you—those who have been in charge of things during the past fifty years.

With an assist from Professor Burgen Evans of Northwestern University, let me recount a few facts:

During the period from 1920 to 1970, these people—the members of the last two generations—increased your life expectancy by fifty per cent.

While cutting the workday by one-third—they have more than doubled per capita output in this country.

They have given you a much healthier world than they inherited. Today you have no fear of smallpox, or diptheria and many other diseases. Polio is not a medical factor, and TB is rapidly becoming unknown.

Those remarkable people—your parents and grandparents—lived through the worst depression in modern history. Most of them know what it's really like to be poor—and to be hungry and cold.

Because of this, they determined that it would not happen to you—that you would have a better life—a better education and a better opportunity to succeed.

Because they gave you the best, you are the healthiest, the best looking, the tallest and the most intelligent generation ever to inhabit the land.

They fought the nation's gristliest war; and after defeating the tyranny of Hitler, they had the compassion to spend billions to help their former enemies.

These are the people who had the sense to establish the United Nations.

They've built thousands and thousands of schools and colleges.

And they made a start, though a late one, toward giving real meaning to the word "conservation"—toward healing the scars of the earth and fighting pollution.

All this, while they were moving the nation forward from the tin lizzie model T Ford era into the age of space travel.

As impressive as is the performance record of your parents and grandparents, they have fallen short of your hopes—and theirs—in some respects.

For example, they have *not* found an acceptable alternative for war. They have not eliminated all racial prejudice and bigotry.

Perhaps you will be able to perfect our social mechanisms and make such dreams come true.

But they—those two generations—have made more progress—in terms of human values—than in any previous era in history.

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Frankly, I hope your generation can do as well.

But it won't be easy. And I am sure of one thing—it won't be done by tearing down what they have built with such effort and care.

On Monday of this past week, a distinguished colleague of mine, Senator Margaret Chase Smith, delivered an important speech on the Senate floor. The date was June 1—20 years to the day after her Declaration of Conscience speech in 1950—a speech that marked the beginning of the end of the (Sen. Joseph) McCarthy era.

Twenty years ago, she said:

"Those of us who shout the loudest about Americanism . . . are all too frequently those who, by our own words and acts, ignore some of the basic principles of Americanism—

"The right to criticize;

"The right to hold unpopular beliefs; (and)

"The right to protest (peacefully)."

Last Monday, she told the Senate:

"I spoke as I did 20 years ago because of what I considered to be the great threat from the radical right—the threat of a government of repression.

"I speak today because of what I consider to be a great threat: from the radical left that advocates and practices violence and defiance of the law—and again, the threat of the ultimate result a reaction of repression. . . .

"Extremism bent upon polarization is increasingly forcing upon the American people a narrow choice between anarchy and repression.

"And, make no mistake about it, if that narrow choice has to be made, the American people even if with reluctance and misgiving, will choose repression.

"For the overwhelming majority of Americans believe that:

"Trespass is trespass—whether on the campus or off.

"Violence is violence—whether on the campus or off.

"Arson is arson—whether on the campus or off.

"Killing is killing—whether on the campus or off.

She continued—

"The campus cannot degenerate into a privileged sanctuary for obscenity, trespass, violence, arson and killing with special immunity for participants in such acts."

It is time, she said, that the great center of our people, those who reject the violence and unreasonableness of both the extreme right and the extreme left, searched their souls, mustered their moral and physical courage, shed their intimidated silence, and declared their consciences.

Those who cannot understand the impatience of young people on American campuses today might do well to read a report by a student advisory committee submitted recently to the Illinois Board of Higher Education. At one point, it summarized by saying that:

"Students see a widening distance between what our nation preaches and what it practices, between the American dream and America's reality. . . ."

Unfortunately, that criticism is altogether justified and deserved, in too many respects.

But as Congressman John Anderson of Illinois told a graduating class recently:

"If those who are most highly trained, and presumably most highly skilled, in the use of rational argument to achieve desirable ends—if *they* submit to the temptation of over-simplification, emotional argument, intellectual shortcuts, sloganeering in place of debate, the walk-out instead of the talk-out—if *they* reach for the violent weapons of the street in their frustration over the slow pace of change, then their epitaph will be written in the debris of a once civilized society."

In our society, the extent of division and violence has grown to the point where there is reason for deep concern.

As John Gardner put it recently:

"We all become a little readier to grow angry, a little readier to identify villains, a little readier to resort to violence ourselves . . . The moderate conservative does not explicitly approve of police brutality, but something in him is not displeased when the billy club comes down on the head of the long-haired student. The liberal does not endorse violence by the extreme left; but he may take secret pleasure in such action when it discomforts those in authority. In short, extremists often enjoy tacit support from the moderates nearest to them. Thus does a society tear itself apart."

If we would heal the divisions among us, we must address ourselves as a society to the causes which give rise to violence and discord. To be sure, the government has a special responsibility. For example, only the government can end our involvement in the Vietnam war.

But private citizens have important responsibilities too—and I wish to emphasize the point that a special responsibility falls to the educated man and woman during periods of discord and violence.

For, if the educated do not, who will hold the center when society begins to divide against itself? "Who will light the lamp of reason again if others like you were to allow it to flicker and die? Where is the last line of defense against the forces of unreason, prejudice and fear—if not in the academy?"

Believe it or not, I can understand the frustration of young people with the processes of government.

You have a right to be impatient. Frankly, I have been impatient for many more years than you.

When one knows he is right—but can't get the majority to agree with him—it is frustrating.

As the President of Venezuela reminded us recently in an appearance before Congress, in four more years, the Congress of the United States will be 200 years old. It met for the first time in Philadelphia in 1774—two years before the Declaration of Independence.

The office of Speaker of the House of Representatives is older than the office of the Presidency.

During this period of nearly 200 years, our nation has undergone profound transformations; it has suffered through periods of intense anguish, and it has felt justifiable pride in extraordinary achievements.

It has proven its capacity not only to survive in the vicissitudes of time—but also its capacity to adapt to new needs and new ideas—though not always with the speed that is sometimes demanded.

During my 14 years of service in Washington, I have found that the overwhelming majority of my colleagues in Congress—of both parties—are extremely able, conscientious, honest men and women—dedicated to the nation and its best interests.

When one considers the unfortunate image of Congress that is often projected across the country—because of the disproportionate publicity focused from time to time on a few bad actors—(and students can appreciate this problem)—frankly, it is somewhat surprising—and encouraging, that there are, nevertheless, so many able and well motivated men and women who are willing to run for office and serve.

Times change and we change with them. But I hope the idealism and impatience of your youth will not fade too rapidly—for such qualities provide the nation with a very necessary and powerful driving force.

But at the same time, I hope you will be patient enough to recognize the wisdom of Winston Churchill's familiar words of caution. "Democracy," he said, "is the worst form of government—except all the other kinds that have been tried."

In closing, let me express the hope that you will bring to your idealism, to the impatience of your youth—a measured commitment to persevere for the *whole* truth, to balance vision with a tolerance for the shortcomings of others—and to protect and preserve the values you have learned here in this fine temple of higher education—this mighty guardian of the lamp of reason. Thank you.

AMERICA IS ALIVE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. ZWACH. Mr. Speaker, usually when we read something in our newspapers or magazines or hear over the air anything about the condition of America we get a very bad report. We hear only the negative, not the positive.

According to most of these reports, everything is wrong and nothing right with our country.

We know, of course, that this is not a true appraisal. There is very much right with America. With all of our problems we still have the greatest Nation the world has ever known.

I was gratified to see one of our Minnesota Sixth District newspaper editors, Gene Kronberg of the Olivia Times-Journal have an editorial on this subject.

We need more editorials of this kind to remind our people of what a wonderful country America really is.

Mr. Speaker, with your permission, I would like to share this editorial with my colleagues and all of the other readers of the CONGRESSIONAL RECORD.

The editorial follows:

AMERICA IS ALIVE

Pick up almost any newspaper of consequence, or any national magazine for that matter, and you find an overwhelming abundance of articles on the ills of America. If the focus isn't on racial strife, it's on the campus dissent over the war in Viet Nam, the spiraling crime rate, violence in the streets, poverty, welfare, or staggering taxation.

In fact, if we were to think only in terms of the headlines, one could readily conclude that America is teetering on the brink of social, economic and moral disaster. Is this great experiment we call a Democracy about to come crashing down around us?

We think not.

We do have problems—some very real problems that require the very best of our thinking and technology to solve. It is not the intent of this editorial to "whitewash" our problems, but there's another story behind the headlines that we believe also needs to be told.

Never before in the history of the world has a society offered so much prosperity to so many. American scientific and technological achievements have thrilled the human race, and, in the development of this great technology, our system of creative free enterprise has made an unequaled prosperity, for both the owners of the new machines and the skilled workers who operate them.

The American worker—white collar and blue—has played an important role in the development of our economic strength. And, the American worker has shared, like no other in history, in the rewards of our prosperity. He or she is, without question, the highest paid of the world's workers, receiving innumerable fringe benefits; works fewer hours a day, and enjoys a standard of living unequaled in the world today.

The American worker is part of that vast majority of Americans who are proving themselves to be strong and morally responsible by spending billions to erase the problems of poverty at home—and additional billions to help other lesser developed nations throughout the free world . . . a responsibility we cannot shirk.

We are making progress toward the solution of some of our major problems. During the last nine years, for example, more than 13 million Americans left poverty behind them. Median family income has increased to $8,000 a year, 5 million more Americans became owners of their own homes, and "two cars in every garage" became a reality for over 15 million Americans.

To be sure, in our free enterprise society the rich sometimes do get richer, and the big sometimes do get bigger, but through our free enterprise process the poor make more money too, and the little guy has a way of getting bigger. This doesn't always make the headlines. It's the story behind the headlines—these positive factors—which make America great.

HOUSE SECRECY

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. HATHAWAY. Mr. Speaker, midway through this month, the House is expected to take up consideration of the proposed Legislative Reorganization Act of 1970 and, as it does, avail itself of the first opportunity in more than 20 years to make major changes in House rules and procedures.

The measure (H.R. 17654) will come to the House floor under a rule permitting amendments relative to all aspects of House operations except committee jurisdiction, and numerous amendments are anticipated—including some aimed at opening up the proceedings of this body to greater public scrutiny.

Three articles have recently appeared in the national media which treat such antisecrecy proposals sympathetically, intelligently, and, I think, objectively; I insert these for the general information of my colleagues in the CONGRESSIONAL RECORD. The first, entitled "What You Don't Know," appears in the July 11 issue of the New Republic magazine; the second, entitled "A Secret Society," is the product of the distinguished Washington journalist, Donald R. Larrabee, of the Griffin-Larrabee Washington News Bureau, and has appeared in a number of New England newspapers; and the third, "Decisions Made Anonymously," is the work of Les Gapay of the Congressional Quarterly.

The articles follow:

WHAT YOU DON'T KNOW

The House of Representatives is a semisecret society. Thirty-seven percent of its committee meetings are closed to press and public; committee votes in such proceedings are part of the record, but not the *public* record. There's the *Congressional Record*, of course, but it doesn't necessarily record what a senator or representative said on the floor; the member may revise his remarks for publication. Nonrecord votes on the House floor are tallied in such a way that nobody knows how his or anybody else's congressman voted.

When the Legislative Reorganization Act of 1970 comes up for consideration the middle of this month, some of this secrecy will be challenged. But whether amendments to the rules intended to open up the public business to greater public scrutiny come to a record vote, may itself be decided in court.

The principal challenge to House rules permitting the House to work in the dark is coming from the House Democratic Study Group, 120 to 140 modern members who balance the informal coalition of Republicans and Dixiecrats that often dominates House business. The challenge will be based on an 11-page DSG report made public June 24. Some of the Study Group's findings:

The Appropriations Committee holds about 300 meetings each year, all behind closed doors, and beyond the view of taxpayers, whose money is being allocated.

A 1946 act required committees to maintain a record of all votes on which a record is demanded, but there is no rule which says it must be released to the public.

Appropriations Committee reports and hearings are generally not available to House members until the day bills are reported. The record of Armed Services Committee hearings is normally not available until the day before floor consideration of a bill from that committee.

When the whole House acts, votes on amendments are usually not recorded. Votes are taken either by voice or a division of the House (in which members stand to be counted), or by teller (members file up an aisle between tellers who count them). The public doesn't know how, or even if, a congressman voted. Reporters in the press gallery see only the backs of heads. Since no one will know anyway, only a third of the members bother to vote in many instances.

All House-Senate conferences, which iron out differences in the bills passed by the two houses are secret; votes aren't recorded. A conference report is sometimes filed at the end of one day, the vote taken the beginning of the next, before members have time to read the report carefully.

Secrecy would be curtailed by DSG-recommended amendments to the House rules. They would allow clerks to record the names of members as they pass through teller lines. Committee votes would have to be made public. Committee meetings could be closed only on a two-thirds vote of the committee, and in each such case the reason would itself have to be disclosed. Committee reports on appropriations bills would have to be delivered to congressmen at least a week before House action.

The House has company. The Pentagon keeps secret from Congress the amounts of military aid going to specific countries. Taiwan got $144 million, a probe disclosed, when Congress had thought it got $341,000. Secrecy shrouds the Laos operation. What does it cost? $50 million a year? $400 million? Somebody knows but isn't telling.

A SECRET SOCIETY

(By Donald R. Larrabee)

WASHINGTON.—America may have an "open society," compared to Communist countries, but Congress remains largely a "secret society." Most Americans actually do not know what their congressman is doing much of the time, despite the extensive press coverage of the House and Senate.

SECRECY RULES

This is because the real work of Congress is done in committees, behind closed doors, and not on the floor in open view. Congressmen defend the practice as being in the interest of either national security or a smoother legislative process. The press and some other outside groups have challenged the secrecy rules to little avail.

Now, for the first time in anyone's memory, a group of concerned House members has come forth with a serious critique on the secrecy problem and some proposed solutions. The Democratic Study Group (DSG), a band of liberal Democrats seeking House reforms, worries that public confidence in the House may be destroyed unless something is done to expose the deliberations of Congress at their roots.

The DSG points out that secrecy takes many forms. It is closed committee meetings; it is refusal to disclose record votes taken in committee; it is the unavailability of reports and other information about the contents and effects of bills.

Beyond this, on the floor itself, there are scores of non-record votes on major amendments in the House (but not the Senate). And all House-Senate conference committees, where the final bargaining is done are closed tight.

"Whatever the form," the committee says, "the effect of such procedures is to deny the public and members of congress themselves basic information they need to participate effectively in the democratic process."

CLOSED MEETINGS

It is probably true that the secrecy pervading the legislative process has helped to make the House incomprehensible to the average citizen and, in its special way, has contributed to the unfavorable public image of a congressman as one not to be trusted.

Since most congressmen are hard-working, respectable people who deserve public trust, it would be in the interest of Congress to invite greater public scrutiny. A good argument can be made that secrecy prevents members of Congress from doing their jobs effectively.

Nearly half of the hearings and meetings of the House committees are currently closed to the press and public. Most of these sessions involve major committees such as Ways and Means, Armed Services, Foreign Affairs and appropriations.

Indeed, the DSG found that the powerful appropriations panels—the ones that examine the budget in detail—hold all of their more than 300 annual meetings and hearings behind closed doors, "out of sight of the taxpayers who foot the bills for its actions."

The House appropriations committee releases the transcript of its hearings in due course but they are heavily censored. It should be noted that the companion Senate committee manages to hold about three-fourths of its meetings in public.

Although the legislative reorganization act of 1946 requires all committees to keep a record of the votes on any question on which a record is demanded, the information is never released by the committees, with one exception in the House, the Education and Labor Committee.

MORE RECORD VOTES

A new attempt at legislative reorganization will be before the House in a few weeks. The DSG is suggesting that the measure be amended to open House proceedings to more public scrutiny.

Perhaps the most significant move will be an effort to require record votes—not now permitted—when the House is considering amendments. If a lawmaker had to take a stand in public, he might make it a point to be present and voting. Currently, the participation is less than one-third of the House membership.

There will be a proposal to require a two-thirds roll call vote to close a meeting or hearing, plus disclosure of the reason for doing so. And the DSG wants every member's vote on committee roll calls to be made public.

The efforts at procedural reform will be closely watched but could suffer at the hands

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of the present system. Ironically, whether the House is to change its ways and get "on the record" will be decided by "non-record" votes under the ingrained procedures of the past.

DECISIONS MADE ANONYMOUSLY

(By Les Gapay)

WASHINGTON.—Bells ring throughout the House of Representatives and its environs—from the ornate chamber to the handball court in the basement of the Rayburn Office Building—to summon representatives to vote on a piece of legislation or to answer a call for a quorum.

DINNER BELL RING

Capitol Hill area restaurant and bar hideaways of members of Congress announce the number of rings and one clangs a dinner bell, thanks to quick phone calls from obliging doorkeepers in the House halls.

Often, one ring of the bells won't budge a House member from his leather chair in the restaurant or from poolside or the handball court in the Rayburn gym, even though the vote may be on a vital issue like the anti-ballistic missile system or American troops in Cambodia.

For two or three bells, though, the same members may vote for the same or lesser issues on an empty stomach or wearing tennis shoes.

The difference is one bell means only total numbers, and not names of representatives, will be recorded. For two or three bells, members' names become a matter of record for constituents to see.

Representatives voted in anonymity so far this year on issues ranging from desegregation to American troops in Cambodia.

The votes came by voice (ayes and nays aloud), division (members stand and are counted) and teller (representatives file past designated tellers who count their number but do not record names).

NONROLLCALL VOTES

An analysis by Congressional Quarterly shows legislation upon which the House made decisions this year without the scrutiny of name-recorded votes included:

Eight amendments concerning the use of funds for American forces in Cambodia, Laos and Thailand.

Attempts to cut funds for the anti-ballistic missile system (ABM), multiple-warhead missiles (MIRV), the proposed B-1 bomber, the F-14 fighter plane and other military projects.

Amendments to change or cut language in the Labor and Health, Education, and Welfare Department's appropriations bills limiting the ability of the federal government to seek further school desegregation.

Twenty-two amendments to the District of Columbia crime bill covering such areas as pre-trial detention, "no-knock" search warrants, wiretapping and mandatory jail sentences.

An attempt to delete funds for the development of the controversial Supersonic Transport (SST).

The system of frequent non-record votes in the House on vital issues is now under attack from reform-minded members.

Rep. Charles S. Gubser, R-Calif., and 50 other representatives from both parties have introduced resolutions to modify the House rules to allow more record votes.

In an attempt to speed action on the proposal, leaders of the Democratic Study Group, an organization of House liberals, plan to tack a revision of the chamber's voting system to a congressional reorganization bill expected to come to the House floor for action in July.

The House's non-record voting practice was patterned after a centuries-old English system whereby members of Parliament could hide their individual votes from the king.

In 1832, the English system was reformed to provide for a public record of votes. The House effort comes 138 years later.

The U.S. Constitution requires record votes (called roll-call or yea-and-nay votes) be taken in either chamber of Congress whenever one-fifth of the members present ask for it.

However, the Constitution also provides each chamber can determine the rules of its own proceedings. Under Senate rules, any member can force a roll-call vote on any issue.

But the House takes most of its votes while sitting as a committee comprised of all its members (called the Committee of the Whole). Roll call votes are prohibited in the Committee of the Whole and it is allowed to conduct its business with a minimum of 100 members present. This compares to a majority of the 435 members required in the House itself (218 representatives).

RECORDING DIFFICULTIES

Votes in the Committee of the Whole are taken by voice, division or teller.

On teller votes it is difficult to record the names of representatives from press galleries since members have their backs to reporters and the vote moves quickly. Anti-war lobbyists recently published non-roll call votes of members on key amendments offered by doves to a defense bill, but some representatives claimed the lists contained errors.

In addition, it is against the rules of the House to take notes from the public galleries and attempting to spot members and write down their votes can be cumbersome.

The rules state that only amendments or legislation passed by the Committee of the Whole can be voted on by the full House where roll call votes can be demanded.

Under the procedures, members can remain anonymous on politically-sensitive issues. In some cases, members have noted, they have helped to kill or pass measures they would have voted the opposite on had their names been recorded.

The Democratic Study Group claims only about one-third of the House's members participate in the non-record votes taken in the Committee of the Whole, while 80 per cent to 90 per cent turn out for roll call votes and routine quorum calls where names are recorded.

On the non-record SST amendment, for example, only 188 members voted. On non-controversial roll call votes this year which were passed unanimously (there have been seven) as many as 300 members turned out.

LETTER TO PRESIDENT OF THE UNITED STATES BY STUDENT YOUTH LEADER AT KENT STATE UNIVERSITY

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 8, 1970

Mr. THURMOND. Mr. President, in the latest issue of the Young Republican, official publication of the 50,000-member Young Republican National Federation, there appeared a letter, addressed to President Nixon, from a student leader at Kent State University.

The letter was written by Mr. Stephen E. Hagerman, chairman of the Kent State University Young Republican Club.

In his letter, Mr. Hagerman points out that a small group of Kent State students had been radicalized by nonstudent militants during the 2 years prior to the incident of May 4, 1970, when four students were killed there. According to Mr. Hagerman, in the days prior to May 4:

> Student and nonstudent militants vowed to close the school, and now they have.
>
> They set out to defy authority—any authority. As for the deaths it is hard to justify the loss of life. Those students died for nothing. I was going to the library and, unfortunately, in a position to see the rioting and the Guardsmen shoot. They were taking a lot of abuse in the way of rocks and other objects. They were prepared. There were no rocks of that size on the campus. They had them prior to the incident.
>
> None of the students shot were coming from class. They were in the middle of sessions at that time. Nobody would walk between the rioters and the National Guard. All who viewed the riots said the Guard was taking a beating and in fear of their lives.

Expressing an opinion echoed by concerned students on other campuses wracked by minority provoked unrest, Mr. Hagerman points out that he is:

> Tired of hearing my country defiled and my flag desecrated by a few radicals. . . . I am frustrated at seeing people duped by these people, at seeing naive idealists who follow without knowing, at seeing people exploit what happened at Kent for their own purpose. I am tired of hearing about "the students" when this only represents a few of us and when I know that those who lead these "students" are not sincere. I'm frustrated at having my school closed and all I have worked for lost.

It is encouraging that Mr. Hagerman has sought to inform the President of what he feels to be the opinion of the majority of concerned students at Kent State University. It is encouraging that there are students on our campuses today who are more concerned with building a better society than with tearing down the one that now exists.

Mr. President, I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILLARD, OHIO.

DEAR PRESIDENT NIXON: As president of the Kent State Young Republicans, I believe I have a responsibility to express my views and I believe too, views of a lot of other students. I cannot speak for the club members because I have not talked with most of them since the tragic events of the 4th; although, before my hasty departure, I talked with other students.

We want our university open. I do not know where to begin but the first thing is, Frustration. I feel frustrated with the news media and with the fact that we cannot go back to school this quarter. The majority of students at Kent want an education. Out of 20,000 maybe 1500 at the most were involved. It is the story of those students that I would like to convey. It is something that the press seldom shows, especially now.

Ever since last year I have had an interest in the radical students and have attended their meetings, collected their literature and talked endlessly in an effort to understand and find out what they stood for. At one such meeting I heard Mark Rudd, KSU, SDS leaders talk about radicalizing students. They did not care about any issues; they only thought of issues they could exploit. They talked of confronting the students and this is what they have done. They vowed to close the school and now they have.

I have one of their training manuals where they talk about getting the student to go along with a cause. Your decision to send troops into Cambodia *was not the reason* for the KSU riots. Cambodia was just an issue with which this group (not called SDS any

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more) could arouse the students. Some of the students are sincere in their beliefs—but very naive. As the riot progressed the same three SDS demands of last year were issued.

As for the burning of the ROTC building and destruction downtown—there was no excuse. The National Guard was necessary to safeguard lives and property. When they came there were posters put on every door on campus and passed out to everyone saying "No rallies, peaceful or otherwise and no throwing rocks or other objects". These students had no respect for authority. I talked with some at length Sunday night and they said that the Revolution was here. They also knew that they were breaking the law and they planned to break it on Monday the 4th.

They set out to defy authority—any authority. As for the deaths it is hard to justify the loss of life. Those students died for nothing. I was going to the library and, unfortunately, in a position to see the rioting and the Guardsmen shoot. They were taking a lot of abuse in the way of rocks and other objects. They were prepared. There were no rocks of that size on the campus. They had them prior to the incident.

None of the students shot were coming from class. They were in the middle of sessions at that time. Nobody would walk between the rioters and the National Guard. All who viewed the riots said the Guard was taking a beating and in fear of their lives.

I am tired of hearing my country defiled and my flag desecrated by a few radicals. . . . I am frustrated at seeing people duped by these people, at seeing naive idealists who follow without knowing, at seeing people exploit what happened at Kent for their own purpose. I am tired of hearing about "the students" when this only represents a few of us and when I know that those who lead these "students" are not sincere. I'm frustrated at having my school closed and all I have worked for lost. I am tired of fighting a losing battle for what I believe.

I believe in this country. We have what no other people have, yet this very freedom invites the crisis we now have. Democracy is a delicate mechanism and a few have been able to exploit this. Now they are winning. WHY?

It is time that a few stop tyrannizing the majority. The school must and I am sure will open. Those who use violence should be severely punished. The schools must start expelling those who do not want to learn. The majority of students want to learn.

I just wanted to give my views and opinions for what they are worth. It is time others of us made our views known. We all want peace, the only difference is how to achieve it. Good luck to you in your attempts to bring peace in Vietnam and at home.

Sincerely,

STEPHEN E. HAGERMAN.

CONGRESSIONAL QUARTERLY SETS RECORD STRAIGHT ON ERRONEOUS IMPRESSIONS GIVEN ON S. 30, THE "ORGANIZED CRIME CONTROL ACT OF 1969"

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. STEIGER of Arizona. Mr. Speaker, on June 29, 1970, I rose to bring to the House's attention certain aspects of a campaign apparently being conducted by some to undermine items in President Nixon's anticrime legislative program. See the CONGRESSIONAL RECORD, volume 116, part 16, page 21889. One aspect of that campaign was the erroneous impressions being conveyed of what provisions were actually contained in specific pieces of legislation.

A central thrust of my remarks was that several liberal commentators and editorial writers had apparently derived erroneous impressions of S. 30, the "Organized Crime Control Act of 1969," from an article which appeared in the June 5, 1970, edition of Congressional Quarterly at page 1499.

I now rise to draw the attention of my colleagues to an article in the July 3, 1970, edition of Congressional Quarterly at page 1709, which sets the record straight in this regard. This article attributes the erroneous information in the June 5 article to a report of the New York City Bar Association of May 12, 1970. What it demonstrates is that Congressional Quarterly was the victim and not the perpetrator of inaccurate reporting. I am pleased that Congressional Quarterly has now placed this matter in proper context.

I insert the Congressional Quarterly article at this point:

STEIGER DISPUTES CONGRESSIONAL QUARTERLY REPORT ON ORGANIZED CRIME BILL

Rep. Sam Steiger (R. Ariz.) in a June 29 House speech charged Congressional Quarterly with "inaccurate and misleading" coverage of the Organized Crime Control Act of 1970 (S. 30).

Steiger criticized four paragraphs of a June 5 Congressional Quarterly report on opposition to major crime-control bills. (Weekly Report p. 1496)

The section of the Congressional Quarterly report dealing with S. 30 was based on an analysis of the bill by the committee on Federal legislation of the Bar Association of the City of New York.

In the speech, titled "Is the Congressional Quarterly Working for Organized Crime?" Steiger quoted the following paragraphs and described them as "the pertinent parts" of Congressional Quarterly's report:

"Grand juries could publicly accuse an official of misconduct without filing an indictment or furnishing an opportunity for the official to refute the charges."

"A grand jury witness refusing to testify could be imprisoned for contempt for as long as three years without trial or bail."

"All illegally obtained evidence (by illegal electronic surveillance, compelled testimony or illegal searches) no longer would be disclosed to a defendant challenging its use, as the Supreme Court ruled in 1969. Instead, after enactment of S. 30, a court could disclose only that part of the evidence which it adjudged relevant and 'in the interest of justice'."

"A judge could impose a 30-year special offender sentence upon a man convicted of a felony with a maximum two-year penalty as well as upon a convicted bank robber who could receive a 25-year sentence." (Weekly Report p. 1499)

Context of Statements. Steiger did not indicate the context from which he took the statements he quoted from Congressional Quarterly. Preceding the statements was a list of references to previous Congressional Quarterly coverage of S 30 and a paragraph stating:

"As the House Judiciary Committee began hearings May 20 on S 30, the Bar Association of the City of New York issued a 106-page analysis of the bill. The report urged complete revision of the measure: "Taken as a whole, while S 30 demonstrates commendable effort and attention to a terribly serious problem, in its present form, it contains the seeds of official repression'."

Congressional Quarterly then listed, in summary statements, the provisions of S 30 which the Bar Association committee on Federal legislation and other groups most strongly opposed, reporting them as the Bar Association report described them.

GRAND JURY ACCUSATIONS

Steiger Statement. Steiger labeled as inaccurate and misleading Congressional Quarterly's statement that S 30 had been criticized as allowing grand juries to accuse officials of misconduct without providing for reply.

Bar Association. The bar group's report said:

"A public official could be publicly condemned on the basis of accusations of the grand jury which he had no opportunity to rebut at a trial."

Additional Steiger Comments. Steiger said that an official so accused would have "ample opportunity" to refute any charges by naming witnesses to testify before the grand jury before the report was filed and that he could appeal and refute in writing a court order authorizing publication of the grand jury report.

CONTEMPT

Steiger Statement. Steiger labeled as inaccurate and misleading Congressional Quarterly's statement that S 30 had been criticized as providing that an uncooperative grand jury witness could be imprisoned for contempt for as long as three years without trial or bail.

Bar Association Report. The Bar Association report stated that "a grand jury witness could be imprisoned for three years for civil contempt without trial or bail."

Additional Steiger Comments. Steiger said, "a witness, after being held in contempt, could be incarcerated for the term of the grand jury if he persists in his refusal to comply with the court order which, in some cases, could amount to 3 years."

ILLEGALLY OBTAINED EVIDENCE

Steiger Statement. Steiger labeled as inaccurate and misleading Congressional Quarterly's statement that S 30 had been criticized as providing that only that part of illegally obtained evidence which a court found relevant and "in the interest of justice" would have to be disclosed to a defendant who challenged its use against him. Steiger said the phrase "may be relevant" is S 30's standard of relevance for disclosure.

CQ Correction. On June 26, three days before Steiger's statement, Congressional Quarterly published a correction inserting the words "may be" before "relevant." (Weekly Report p. 1657)

Bar Association Report. The Bar report cited the Senate committee report (S Rept 91–617) on S 30 which said that "the phrase 'may be relevant' . . . is intended to act as an absolute floor preventing disclosure except where a reasonable likelihood of relevance appears."

SPECIAL SENTENCES

Steiger Statement. Steiger labeled as inaccurate and misleading Congressional Quarterly's statement that S 30 had been criticized as providing that a judge could impose a special 30-year sentence upon a person convicted of a minor felony as well as upon one convicted of a major crime.

Bar Association Report. The Bar Association report said: "A judge could give the same 30-year sentence to an offender guilty of a minor felony, for which the maximum punishment was only two years, as to a person convicted of bank robbery, who could otherwise receive 25 years."

Additional Steiger Comments. Steiger said that before an individual was sentenced as a "special" offender it must be proved that he was in one of a set of categories defined by law, and he must additionally be ruled "dangerous."

A "SILENT MAJORITY" OF FINE YOUNG PEOPLE

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. AYRES. Mr. Speaker, we are viewing a false image of the youth of America. There is a "silent majority" of fine young people who are diligently preparing themselves to assume leadership positions so that they may achieve effective solutions to the multiple problems that they will take over when they reach full maturity.

Their thoughts turn to the constructive rather than the destructive. They would resolve our problems rather than seek to defame. Unfortunately their quiet voices have been drowned out by the raucous screams of the so-called dissidents.

On the Fourth of July, hundreds of thousands of good citizens gathered in Washington to honor their Nation. There were others who blatantly announced their determination to gather a larger group that would then shout down those who were assembled to pay their respects to their Nation.

To give their group the courage to make this confrontation, they announced that they would supply marihuana to all who participated in their revolutionary practice.

Only a possible 200 hard-core dissidents turned out. They had nothing to add to the occasion but obscenities, rocks, and bottles. They had completely failed in attracting our youth to their side.

The quiet voices of the majority of the students are increasingly becoming heard. No longer will the strident voice become the symbol of truth. No longer will they listen to the voices of those who have led them to catastrophe. The "big lie" is being disavowed.

It is to these quiet voices to which we as legislators should turn for the true feelings of the students.

Thousands upon thousands of students are almost daily coming to the Capitol. They traverse our halls on guided tours. They respect our laws of conduct. They look with reverence upon our national monuments. They are truly fine people.

I would not have you believe that they are satisfied with the status quo. They join with us in the search for programs that will bring an ever-improving life for all of our citizens.

Recently, I spent time with a group who came the 400 miles from my district to see their Capitol. I was impressed by their knowledge of national affairs and particularly their interest in the National Timber Supply Act.

These teenage girls from Cadette Girl Scout Troop 671, from Akron, Ohio, had been earning money over a 2-year period so that they might visit their Nation's Capital and actually see their Government in action.

When they returned home, they promptly sat down to write me of their impressions of the Flag Day ceremonies that they had viewed with me in the Chamber of the House of Representatives.

I enclose some excerpts from their letters. As I read them, I could not but feel that we were raising some dedicated Americans. The excerpts follow:

GIRL SCOUT LETTERS

My co-leader and I wish to express our very deep appreciation for your kindness in speaking to the girls, arranging for them to be shown around and attending this program. They also like the little key pins!

It greatly clarified to them how each of us is truly a part of our Government, when they could meet a man from their own city who represents them, their needs and interests in Congress, as well as taking an active part in running the affairs of the entire nation.

Our trip was a great success and we were impressed with the friendliness with which we were received by everyone we met in Washington—from Government officials to bus drivers, hotel clerks, and people on the street. It is truly a great city.—Mrs. Glenn Weigand, Co-leader, Girl Scout Troop 671.

The Flag Day program in the U.S. House of Representatives was indeed an impressive ceremony. Though our country is sometimes criticized and looked down upon, this ceremony revived a feeling of national patriotism that is absent in many Americans. The American flag, which symbolizes the immortal history of this country, has a lasting character and existence by which it is recognized by the world.—Karen Hunt.

On June 15, 1970, my Girl Scout Troop 671, had the pleasure of seeing the House of Representatives' Flag Day program. I had never seen such an impressive ceremony. It sent chills down my back when I saw our flag come in and when we sang the National Anthem.

I felt proud because here were people from all over the country joined together under one flag. I thought it was great.—Ellen Barresi.

The Flag Day ceremony which was presented in the House of Representatives on June 15, was very inspiring to me. When the flag of the United States was brought before the Members and the audience, it brought tears to my eyes and tickled my spine. How I wish everyone in our country could see this and be as honored as I.—Ann Weigand.

As I sat on the steps watching the Flag Day ceremony I couldn't help thinking of the song "Milk and Honey" from the play of the same name. It goes: "This, the land of milk and honey, this is the land of sun and song, this is the world of good and plenty, humble and proud and strong. This is the place where the hopes of the homeless and the dreams of the lost combine. This is the land that heaven blessed and this lovely land is mine!" When I see the flag I think of America, and when I think of America I think of "the land of milk and honey".

Then singing the Star Spangled Banner, really put the life of our great country into the hearts of all the people present.

It was the most beautiful ceremony I have ever taken part in or have witnessed.—Sue Mueller.

AMENDMENT TO WHOLESOME MEAT ACT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. PICKLE. Mr. Speaker, the House on Monday passed S. 3592, a bill to amend the Wholesome Meat Act of 1967. The amendment was urgently needed to aid those engaged in custom slaughtering as well as the smaller slaughtering business and locker plants. The 1967 act was itself a landmark in consumer legislation, but it is good the House passed this amendment. This corrective action needed to be taken so that the small processor would not be unduly penalized. The 1967 act contained a provision permitting custom slaughtering for private customers for nonbusiness purposes, but also contained a restriction prohibiting those engaging in custom slaughtering from engaging in the sale of any meat or meat products. Under the provisions of the bill as passed, a locker plant operator will be able to engage in custom processing and slaughtering and also engage in regular locker plant operations and meat processing business—so long as he keeps the two acts clearly separate, the custom processed meat clearly marked, and meets sanitary standards in both operations.

In my part of the State, there are many splendid meat processors who need this kind of corrective legislation in order to continue in business. Otherwise, the cost of complying with the original act would be prohibitive.

I am glad that this bill provides for the right of a small processor to prepare wild game such as deer. Deer hunting and the processing of deer meat is a very extensive operation in central Texas, but unless this legislation had passed there would have been severe question whether a small meat processor could risk handling deer meat.

It is my hope that this bill goes a long way in righting the restrictions against the small meat processor. I am happy it has passed both Houses of Congress and hope that it will soon be made law by the President. This amendment corrects a situation which needed attention, continues protection of the consumer of inspected meat, and provides for safe, sanitary slaughtering of farm and game animals.

There is still further help needed for the small processor under the Meat Inspection Act. The little operator is still being asked to comply with the present law that is applicable to the big meat packers of this country. Hopefully, we can consider further amendments of the law as we gain more experience in this area.

Meanwhile, this bill today will help the small operator in custom slaughtering.

VIEWS OF THE CITIZENS OF LOUISIANA'S SIXTH DISTRICT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. RARICK. Mr. Speaker, I recently conducted my 1970 legislative opinion poll, and am happy to have the views of more than 32,000 citizens who took the time to let me know their thinking on the important issues facing our country today.

Believing that my colleagues will find the results of interest, I insert in the RECORD my latest newsletter, which includes the tabulated results of this poll:

JUNE 1970.

DEAR FRIEND: Thank you for your cooperation in responding to my 1970 legislative opinion poll. As of June 15th, some 32,318 replies were received—and returns are still trickling in. I feel the enthusiastic response is a healthy indication that citizens of the Sixth District are vitally interested in good government, and rightfully concerned with the many affairs facing our country and your representation in our Nation's Capital.

The large numbers of returns have kept me and members of my staff working overtime tabulating them. This is a sizeable increase over the last legislative opinion poll. I had sincerely hoped to personally answer each reply, but I found that just tabulating was quite a job in itself! Each return, whether signed or unsigned, was counted.

It was interesting to note the large number of young people who expressed a concern in government. One high school civics teacher wrote requesting extra forms to permit a civics class to participate.

While a full breakdown of the returns is listed on the back page of this report, I would like to make a few comments on the answers. It is *only* by having *your* views, individually and collectively, that I can continue to *accurately represent you* here in Washington and let your voice continue to be heard.

I have entered the results of the 1970 legislative opinion poll in the Congressional Record for all my colleagues here in Congress to know how you feel on important legislation. Also, I have sent a copy of the results to the President, because I feel it is imperative that he know your thinking on national issues.

The school crisis, inflation, crime and drugs, and the war seem to be the biggest items facing the nation today, according to your answers. Some 93 percent of our people do not favor bussing of school children. With 3 percent undecided, only 4 percent indicated they wanted bussing. Inflation has affected 94 percent of you either seriously or moderately. And, on the war issue, 81 percent favor either victory or Vietnamization.

The closest return involved the question on the Electoral College—with 50 percent favoring retention of the present system, while 35 percent opposed the college, and 15 percent were undecided. There were some inquiries as to why I phrased the question as I did—"to permit a minority of 40 percent of American voters to elect a U.S. President." The bill currently pending would provide that *as few as 40 percent* of the voters could elect a President. The out-cry we hear over the need to change the Electoral College because of the fear of a minority-elected President conveniently overlooks the fact that such a change would do just that. It is for this reason that I phrased the question as I did.

Thank you once again for helping me continue to reflect your views here in Washington. The results are tabulated on the back. I know you will find them interesting, as I did.

Sincerely,

JOHN R. RARICK,
Member of Congress.

HERE ARE YOUR RESULTS OF CONGRESSMAN JOHN RARICK'S 1970 LEGISLATIVE POLL

[Answers in percent]

1. What do you regard as the three most important issues facing us today?

School crisis	22.7
Inflation	18.4
Crime and drugs	17.0
Vietnam War	15.1
Communism	13.8
Pollution of air and water	7.9
Hunger and poverty	2.7
Other	2.4

2. How has the rising cost of living affected you?

Slightly	5.7
Moderately	48.1
Seriously	46.2

3. Many suggestions have been made for curbing inflation. Which, if any, do you suggest as a solution?

Curtail federal spending	43.5
Wage and price controls	28.4
Credit control	16.5
Other	6.9
Increase interest rates	2.4
Raise taxes	2.3

4. What is your opinion of the Administration's bussing of school children and transfer of teachers to achieve a "unitary school system"?

For	4.4
Against	92.5
Undecided	3.1

5. What is your opinion of selected groups receiving special quotas in membership and "compensatory" seniority in labor unions, such as provided by the so-called "Philadelphia Plan"?

For	4.3
Against	75.6
Undecided	20.1

6. What is your opinion of the proposed guaranteed minimum income to all citizens as a substitute for the present welfare programs?

For	18.0
Against	69.2
Undecided	12.8

7. Do you favor abolishing the Electoral College to permit a minority of 40% of American voters to elect a U.S. President?

For	34.8
Against	50.0
Undecided	15.2

8. What is your opinion of the President's recommendation for additional U.S. funding of the United Nations Organization?

For	10.2
Against	76.7
Undecided	13.1

9. How do you feel we should end the Vietnam War?

Unilateral withdrawal	12.2
Negotiated gradual withdrawal (Vietnamization)	34.9
Victory by conventional military pressure on enemy	46.8
Other	5.7
Undecided	0.4

10. What should be the position of the United States in the Middle East?

Pro-Arab	1.2
Pro-Israel	29.8
Strict Neutrality	63.9
Undecided	5.1

A COMMUNIST VIETNAM?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. WYMAN. Mr. Speaker, when a U.S. Senator has the demonstrated inanity to recommend that Vietnam be unified under Communist control I begin to wonder what is going on in this Nation? To urge an immediate pullout in Vietnam, even if it may lead to Communist control should the South Vietnamese prove unable to handle their own defense is one thing. At least this can be explained—if not justified—in the context of stopping U.S. casualties. But to state that "our national interest would best be served by a unified Vietnam even if under Communist rule" is to suggest an end result in Vietnam that would make 45,000 tragic American deaths and 200,000 American casualties an exercise in futility.

Mr. Speaker, we are in Vietnam because of communism's continuing aggression against the forces of independence and freedom. Basically, we are there to prevent the whole of Southeast Asia from being overrun by Communist forces supplied by the Soviet Union and to some extent by Red China.

My colleagues just back from Vietnam report that we are making progress in the Vietnamization program and that it appears probable that President Nixon is going to be able to get us out of the tragic overcommitment of manpower to land combat on the continent of Asia, stage-set by former President Kennedy, who sent 12,000 advisers to Vietnam, and President Johnson, who sent over a half-million Americans to fight in Vietnam, all without any declaration of war by Congress.

If President Nixon can turn the conduct of this war over to a South Vietnamese force capable of defending South Vietnam against Communist aggression we will not only withdraw honorably but we will have kept our commitment to South Vietnam that was the occasion for our being there in the first place.

To urge a unified Vietnam under Communist rule, in these circumstances, might be overlooked as a pathetic gesture of political appeasement if its source did not involve a Member of the U.S. Senate.

In this connection, I commend the reading of a recent column by the Honorable David Lawrence somewhat misleadingly referring to isolationism but discussing the disastrous consequences that would follow the adoption of such a policy.

The article follows:

"ISOLATIONISTS" IN SENATE CAUSE HARM

(By David Lawrence)

American combat troops got out of Cambodia a day ahead of schedule, though during seven weeks of debate in the Senate expressions of doubt were frequently heard that President Nixon would keep his word. The harm done to the prestige of the United States abroad and to the conduct of foreign policy by such political opposition tactics will be felt for a long time to come. Indeed, one Democrat already has had the temerity to make the following statement in the Senate:

"I submit that our national interest would best be served by a unified Vietnam even if under Communist rule, as it would then serve as a relatively firm barrier to Chinese expansion."

This is hardly good news to certain members of the Southeast Asia Treaty Organization—Australia, New Zealand, the Philippine Republic and Thailand. They have regarded the pledges of the United States as obligations that would be honored in the event that communism endeavored again to impair the right of self-determination of peoples covered by the treaty.

The speech is reminiscent of what used to be heard prior to World War II and prior to World War I, when "isolationists" in the Senate were giving foreign governments the

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impression that they need not fear opposition from the United States if free countries were invaded and their independence threatened.

America's participation in World War I began 53 years ago, and in World War II nearly 29 years ago. After each war period new generations grow up, and history is not reexamined even by lots of members of the American Congress. Yet, both World Wars were in part the direct result of a belief by autocratic governments in Europe that the United States would not give military aid to the countries attacked.

Today some members of the United States are, in effect, telling the world once more that the United States, because of a costly experience in Vietnam, isn't going to help the small nations in Asia—or perhaps even in Europe—and that communism is free to take over wherever it chooses on the continent of Asia.

This means there could be an outbreak of a major war within a few years—and a catastrophe for the whole world could ensue—unless the policies of the United States are enunciated with such resoluteness that there could be no mistaking the intention of our government to uphold its treaty commitments.

Those members of the Senate, of course, who preach "isolationism" think this is popular at home. Certainly it would seem that everybody would applaud a speech which is against war. But the conflict in Vietnam is a small affair compared to a world war, and the casualties insignificant in number as against the millions of deaths in a world war, particularly nowadays when nuclear weapons are likely to be used. The foreign policy of the United States needs, therefore, to be made unequivocally clear.

The Senate has a Foreign Relations Committee which has the right to discuss foreign policy, but not to make it. Comments are supposed to be advisory and not obstructive. Now that the whole Cambodian expedition has been finished, the Senate Foreign Relations Committee is still inclined to meddle. But very little objection can be raised, as the American effort has been completed and South Vietnam has taken over the task.

To declare, however, that it would be better policy for the United States to favor a "unified Vietnam even if under Communist rule" is to undermine the strength of the South Vietnamese government and to invite more trouble in Indochina by indicating that the supporting arm of the United States is weakening.

There are senators who recognize the dangers and want to continue to supply financial and military assistance not only to South Vietnam but to other countries which may wish to help Cambodia.

The President has not the slightest intention to turn to "isolationism" and let the Communists grab whatever countries they wish. Such a course might be less expensive, but it would be a discreditable policy for the free nation which leads the world in its help for humane causes. But will the Communists risk a big war and bet on what they mistakenly believe is "public opinion" in America?

SUPPLEMENTAL AIR CARRIERS: THE GOVERNMENT SHOULD SERVE THE PUBLIC INTEREST

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. LEGGETT. Mr. Speaker, in recent months Ralph Nader and others have dramatized the fact that many regulatory agencies, originally established to protect the public, have come instead to represent the interests of the industry they were supposed to regulate.

Mr. Nader has not yet turned his attention to the Civil Aeronautics Board. But there is probably not a single person in the United States who doubts that the CAB is ripe for a Nader-style exposé.

Instead of representing the air travel consumer, the CAB's primary concern seems to lie in actively preventing the pressures of the market from giving the consumer better or cheaper service.

One of the major sources of low-cost modern-equipment service has been the charter, or supplemental airline. Charter flights have enabled millions of Americans to enjoy air travel with the latest safest equipment and crews at sharply reduced prices.

But now the CAB, in its efforts to protect the scheduled air carriers, appears to be moving to greatly restrict the availability, convenience, and practicality of charter flights.

Under unanimous consent agreement, I insert an explanatory statement by the National Air Carrier Association in the RECORD at the end of my remarks.

The NACA is the trade association of the charter airlines. Generally, I take a rather dim view of insertions of statements by special interest groups in the RECORD. But in this case, the special interest seems to me clearly to coincide with the public interest.

The statement follows:

THE CONSUMER'S STAKE IN LOW-COST AIR TRAVEL

Thanks to low-cost charter air travel, millions of low and middle-income Americans took advantage of the opportunity last year to visit foreign countries, enjoy far-away vacation spots in the United States, improve their education, or broaden their cultural horizons at about one-half of the cost of an individual ticket on a scheduled flight.

On May 8, 1970, the Civil Aeronautics Board proposed new regulations covering charter services offered on both scheduled and charter airlines. These proposals, if adopted, would sharply curtail the availability of low-cost charter air travel to the members of many American organizations that now sponsor such trips.

The following information has been prepared in response to requests for more facts on this important consumer policy issue.

THE ISSUE: THE PEOPLE'S RIGHT TO INEXPENSIVE GROUP AIR TRAVEL

The Federal Aviation Act calls for "the promotion of adequate, economical, and efficient service by air carriers at reasonable charges, without unjust discrimination, undue preferences or advantages, or unfair or destructive competitive practices."

Despite this, one segment of the aviation industry—the charter specialists who offer low cost transportation—is threatened with proposed CAB rules and regulations that would sharply curtail the popular low-cost charter concept that was authorized by an Act of Congress. Many well-known American voluntary organizations—such as cooperatives, fraternal groups, trade unions, senior citizens, study groups of students and teachers, etc.,—that now provide inexpensive travel programs for their members, would also be severely restricted under the proposed CAB rules.

The right to travel is a strongly-held American belief. And charter airlines—known as "supplementals"—have brought transportation to Americans at lower costs than have ever before been available.

America's airline industry has two classes of travel—individually-ticketed, regularly-scheduled service over set routes, and group charters. Under the charter rules, each flight operates under a separate agreement in which a group hires the plane for a trip to a destination of its own choosing. Thousands of fraternal groups, employee organizations, professional societies, consumer organizations, unions, and social clubs have enabled their members to enjoy such vacation wonders as Europe, the Caribbean, Hawaii and the Far East because charter travel brought the cost within range of modest budgets.

CONGRESS RECOGNIZED THE NEED

Charter specialist airlines were granted permanent operating authority by Congress in 1962. Ever since, these airlines—flying the same planes as scheduled airlines under the same federal safety regulations—have offered a new dimension in air transportation, bringing the world's exotic and popular vacation spots within the reach of moderate-income Americans for the first time.

In 1968, Congress recognized that the supplemental airlines had "become solid, responsible, safe and profitable business entities." It extended their authority to include a completely new type of charter, the inclusive tour (ITC). At that time the Assistant Secretary of Transportation said: "The supplemental carriers have provided the benefits and experience of air transportation to people who otherwise might not have traveled by air. The supplementals have provided a new degree of competitive endeavor which the scheduled airlines have been unwilling or unable to initiate despite encouragement by the (Civil Aeronautics) Board."

Supplemental airlines now offer a variety of passenger charter services:

Single Entity: A contracting party pays the entire cost of a planeload charter. Examples include athletic teams, "incentive" travel for company sales personnel, etc.

Affinity: An organization charters the plane and the cost is prorated among the members making the trip. This type of charter is governed by the numerous regulations that limit eligibility to individuals (and their immediate families) who are bona fide members of social, religious, fraternal, education or employee associations, not organized primarily for the purpose of travel.

Inclusive Tour (ITC): Full or split-load charters to a tour operator who organizes and promotes the tour and arranges the charter. Clients pay the tour operator. CAB must approve the tour, which must have three stopping points and last at least seven days. The cost to the client must include all hotel accommodations and surface transportation and be at least 110 percent of the lowest available individually-ticketed scheduled fare over the route.

THE DEMAND FOR LOW-COST AIR TRAVEL

Last year, members of the National Air Carrier Association (NACA)—the supplemental industry's trade association—petitioned the Civil Aeronautics Board to revise and update its charter regulations. They proposed to broaden low cost jet air travel and bring it within reach of many more Americans who cannot now afford to fly.

Charter fares average 50 percent lower than individually-ticketed coach fares on scheduled airlines. This proposal would make it possible for many more people to plan vacations and study tours to different parts of the world by giving them access to charter travel.

In its desire to simplify the rules and to make low cost travel available to even more Americans, the supplemental airlines suggested a number of changes in the now 11-year-old affinity group rules. Key points are summarized here:

Expand the definition of "immediate family" of a charter passenger to include all his dependents, all members of his household, and close relatives.

Permit "special event" charters for groups, such as to the annual Rose Bowl.

Allow stockholders in a company to have charter privileges similar to those now enjoyed by their employees.

Open up all charters to depositors in savings and loan associations for whom thrift, credit, and travel would go hand-in-hand.

Allow charters to members of automobile associations, who are already knowledgeable about safe, insured, and low-cost land travel.

Permit the sale of up to 20 percent of the seats on a charter flight to friends of members of the chartering group.

Permit married students on a charter study tour to take members of their immediate families along with them.

CIVIL AERONAUTICS BOARD TURNS BACK THE CLOCK

But the Civil Aeronautics Board, rather than clarifying and simplifying its rules to broaden the opportunities for low cost charter air travel, now proposes to restrict it even further. Its proposal would eliminate many presently eligible groups from chartering trips for their members. The suggested regulations threaten the very existence of the Congressionally-authorized charter airlines.

If the proposed rules are adopted, many clubs and organizations will find that they have taken their last modestly-priced vacation tour. And once the travel market has been given entirely over to the scheduled airlines on this silver platter, it would not be long before their international price-fixing cartel—the International Air Transport Association (IATA)—would push international air fares upward. It has been demonstrated that only the availability of low cost fares through the charter airlines brings IATA-set fares down.

The public has long demanded low cost travel. But only when the supplemental airlines answered this demand did IATA come up with new group fares of its own. Some of these fares were designed only to deter groups from flying the charter airlines. Last year, at the very time they were announcing new lower-priced group fares, the IATA airlines also raised individual ticket prices by eliminating the traditional five percent discount on round-trip tickets. A CAB examiner recommended rejection. He was overruled by the Board.

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Instead of clarifying its rules, CAB has proposed arbitrary standards to determine who may use affinity group charters. A large percentage of chartering organizations would automatically be ineligible for charter travel. Such prestigious and reputable groups as the American Bar Association, the National Education Association, the Knights of Columbus, and B'nai B'rith would not be allowed to plan vacation charter trips for their members.

ORGANIZATIONS WITH MORE THAN 20,000 MEMBERS EXCLUDED

They would be denied this right because they have more than 20,000 members. In trying to screen out groups whose only purpose is to offer low cost travel (and which already are ineligible), the CAB has selected an arbitrary size to determine whether or not an organization is a bona fide "affinity group." A large organization that accepts a few too many members—no matter how well qualified—would find itself disqualified. Thus the government wishes to regulate voluntary organizations rather than airlines.

IATA, which never has encouraged low cost group travel, tried to limit group sizes back in 1963. At that time the CAB refused to accept an identical membership size restriction on the grounds that it was adverse to the public interest.

In its stated desire to assure that only bona fide groups take advantage of charter travel, the CAB now proposes a number of other rule changes that would curtail the public's right to low cost travel. These changes are couched in phrases that suggest a belief that many persons who "should be" traveling as individuals are members of large organizations for the sole purpose of obtaining cheap fares.

Chartering organizations, under the planned rules, would also be limited to a total of only 2,000 seats in a calendar year. This is equal to eight charters on a modern plane such as a stretch DC-8, and fewer on the new jumbo jets. It would not matter whether the trips were for college students planning to study abroad, for football fans with tickets to a Bowl game, or for vacationers wishing to attend EXPO '70. A large group simply could not charter more than 2,000 seats in any one year.

It should be noted that waivers may be sought for any of the charter rules. But since there are no clear-cut, objective standards covering such requests, members of charter groups would be allowing CAB staff members—who are elected by no one—to determine which of them may exercise their Constitutional right to travel.

Some of the other ways in which the CAB proposes to identify those groups which are qualified to charter seem equally strange, if not capricious. Groups which have more than one class of member with different dues rates would automatically be disqualified. Thus, the National Press Club would no longer be allowed to plan its annual members' charter to Europe. Organizations that elect officers and directors every three or four years instead of every two years, or whose officers are elected by the directors rather than directly by the members, would also be barred, no matter how reputable these groups might be. Agricultural and marketing cooperatives would no longer be allowed to schedule charter trips for their members because of the nature of their business.

RULES DESIGNED TO PRESENT OBSTACLES TO CHARTER TRAVEL

Most intelligent persons, before embarking on a major trip, would expect to know not only where the airplane was going, but also where they would stay and what they would see and do while on their vacation. One of the proposed new rules would bar an assisting travel agent from sending descriptions of available land tours to organization members until *after* they have signed up for the charter flight. The consumer would have to put his money on the line for the flight without knowing what the full costs would be for the tour.

Nor would travel agents be allowed to help small and inexperienced groups in preparing their required passenger lists. Organizing a charter trip would be made much more difficult, even when a group is clearly qualified. In the face of rising costs of printing, postage and office work, the CAB intends to place a limit of $4.00 per passenger on the amount of administrative expense allowed for organizing a trip. Present rules do not limit these expenses, but do require that receipts be filed if they are over $750 per planeload.

Under another planned rule, financial risk for acceptable groups would be greatly increased because they would not be allowed to solicit their own members until *after* a charter contract has been signed. Making it more difficult for organizations to provide charters for their members, another rule would ban solicitation across chapter lines. This would eliminate many small chapters of "charter-worthy" organizations now able to fill a plane with their own chapter's members and those of the same organization in nearby chapters. Thus, CAB would restrict the very small as well as the very large groups.

With larger jets already in service, it is more difficult for chartering groups to fill a plane. When jets replaced smaller piston planes, the CAB recognized the problem and allowed up to three separate affinity groups—with at least 40 passengers each—to charter a single plane. The three group limit in a 400-seat jumbo jet would require the average group to have *more than* 125 members traveling together. In its proposed regulations, the CAB indicates it is willing to consider a relaxation of the three group limit, but does *not* clearly say it will.

During the heavy tourist season, one out of every five transatlantic travelers flies by charter. The present rules invite evasion, and are virtually impossible to police effectively because of the legitimate desire of people with modest means to seek the lowest fare.

The charter airlines believe that their proposed changes in "affinity" rules would enable the CAB and the airlines to enforce the revised regulation more effectively, and at the same time, satisfy the growing public demand for low cost air transportation.

COMPETITION BENEFITS THE CONSUMER

The acceptance of charter travel has clearly established the public demand for additional low cost air transportation. Since 1963, the supplemental airlines have been the fastest growing segment of the aviation industry.

Where foreign airlines once dominated the transatlantic charter market, U.S. supplementals have contributed to a dramatic reversal in the trend. Their share of the charter market has climbed from 17 percent in 1963 to 50 percent last year, part of America's successful attempt to stop the gold flow from leaving our shores. During the same period, the total U.S. airlines' share of this market rose from 20 percent to 65 percent. The scheduled airlines have benefited from the growth of chartering, increasing their share from 5 percent in 1962 to 15 percent in 1969, a three-fold increase.

Secretary of Transportation John A. Volpe last year cited competition by the supplementals as being "largely responsible" for transatlantic air fare reductions which were announced in November, 1969 by IATA member airlines.

Secretary Volpe said: "It seems certain that they (the supplementals) have demonstrated a clear public need for their services. In the past they have accommodated a lower income market of people who would not otherwise be traveling abroad. And now, threatened with more widespread supplemental operations, the scheduled IATA carriers have been compelled to lower their group fares to a competitive level."

The Senate Commerce Committee, in a 1968 report, said the supplementals are "a permanent and integral part of the national air transportation system. They have actively promoted the airline charter business to the point where it is a growing means of travel for American citizens who otherwise would have been denied the opportunity to take low cost vacations by air."

SCHEDULED AIRLINES WAGE WAR AGAINST COMPETITION

Only six percent of Americans have ever been abroad and only 50 percent have ever traveled by air. Despite the vast untapped millions of potential passengers anxious to travel, the world's scheduled airlines and the foreign governments who control them have not been content to compete openly in the marketplace. They have consistently tried to eliminate low cost charter travel through restrictions of landing rights at foreign airports, predatory and often discriminatory pricing, and archaic rules governing who may charter a plane.

Scheduled airlines are now using new low group rates (subsidized by increased regular fares) in a concerted effort to drive U.S. charter airlines from the skies. If they are allowed to succeed, they will have eliminated the only challenge to their monopolistic rate-setting system.

The president of one foreign scheduled

airline said of the supplementals: "They cater to the cheapest possible traveler and thus lower the yields of the domestic tourist industry." There is a strong suspicion that if IATA succeeds in eliminating the supplementals, scheduled carriers would find it "necessary" to considerably increase their excursion and group fares and turn up their noses at the "cheapest possible traveler."

With most members of IATA government-owned, it has been easy to make the drive political as well as economic. Some European carriers have been successful in pressuring their governments to restrict landing rights for supplementals.

But who really suffers by this economic warfare? First, of course, the traveling public, which either pays more or is limited in its choice of destination.

CONGRESSIONAL ACTION ON AVIATION POLICY

The consumer clearly has a stake in low-cost air travel. This right must be assured by Congressional enactment of a national aviation policy. This policy must recognize the concept of a total U.S. air transportation system that includes both the scheduled airlines, which specialize in individually-ticketed service, and supplemental carriers, which specialize in group transportation—charter flights at low fares. Such a policy, backed by U.S. government support for charter airline rights abroad, would broaden the base of the market to include millions of moderate income travelers who fly infrequently or not at all.

At the same time, what is urgently needed is a *simplified, easily understood set of rules which would make low cost charter travel available to as many Americans as possible*. Simplified, fair and easily enforceable rules would discourage cheating by the public. Group travel is in itself a restriction that is clearly distinguishable from individually-ticketed fares. This simple criteria would preserve the distinction between charter or group services, on the one hand, and individually-ticketed scheduled services, on the other.

Instead of proposing rules that deprive millions of Americans of charter flight opportunities, the government should adopt a policy and rules that make charter transportation more widely available, and on a more equitable basis for all Americans. In a nation where equality of opportunity is a national goal, the right to travel should not be abridged by arbitrary and irrelevant standards such as the size of an organization, or the date on which it elects its officers.

The entire aviation industry will be ill-served if a government regulatory agency adopts rules that turn air travel back to the exclusive preserve of the very rich, the expense-account business traveller, and the jet-setter.

NEW SECRETARY OF LABOR IS CHAMPION OF WOMEN'S RIGHTS

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mrs. REID of Illinois. Mr. Speaker, it is a source of great comfort and encouragement, in these days of dramatic change, to know that the new Secretary of Labor is James D. Hodgson who will carry on after the fine work of his predecessor, George Shultz.

Mr. Hodgson is no stranger to the Washington scene. He has been Under Secretary of Labor from the beginning of the Nixon administration.

In that post, he has not only been a strong right arm to outgoing Secretary George Shultz, he has been a creative force in his own right during one of the Labor Department's most creative periods.

Through Secretary Hodgson, therefore, the Department of Labor is passing through a smoother transition of authority than has been the case in some former years when the new authority has come, untried, from outside.

In welcoming Secretary Hodgson to his new position, I am gratified to be able to single out for special commendation his particular support for the principle of equal rights for women.

He made this clear in one of his first appearances as Secretary-designate, when he addressed the 50th anniversary celebration of the Women's Bureau of the Department of Labor on June 12. I take pleasure in offering the Secretary's remarks on that occasion at this point in the Record. They will stand as a reaffirmation of the Nixon administration's commitment to achieve equal rights for all Americans, including the abolition of unjust discrimination based on sex.

The text follows:

SPEECH OF HON. JAMES D. HODGSON AT 50TH ANNIVERSARY CELEBRATION OF WOMEN'S BUREAU, DEPARTMENT OF LABOR

The male of the species is not exactly known for his sensitivity. He frequently evidences this fact by making small jests on the subject of women and women's rights. There is, of course, perhaps no more serious subject around. And if you don't believe it women's organizations abound who are delighted to remind you of the fact. I know I never choose to jest on this subject, particularly in the presence of Libby Koontz. I know when it is wise to be properly intimidated.

So excuse this discourse if it fails to deal lightly with what were once regarded as the foibles and frailties of the fair sex. Perhaps I shouldn't use the term "fair". It might be interpreted by some as questionable value judgment.

Arnie Weber, the instant genius of the Labor Department, is quite a word fancier. In our early period in office, he often referred to the term "interegnum", which is roughly defined as that interlude between the rule of one and the rule of another. Perhaps "interegnum" is the best term to describe current conditions in the Labor Department. Confusions result.

This morning you expected George Shultz—you got Jim Hodgson. But Hodgson is not yet Secretary and Shultz has not yet departed. Perhaps, however, I will feel freer to speak on this subject in my role as Under Secretary than I would some weeks hence.

"PEOPLE" PROBLEMS

The acknowledged principal characteristic of American society in the second half of the 20th century is that it has an endless array of problems. Society is complex, the world is insecure. Many of our problems are what might be called "people" problems. And it is "people" problems with which the Labor Department is concerned.

Secretary Shultz categorizes our "people" problems three ways: Those of the labor market, the bargaining table and the work place. These three cover a lot of territory. And it's interesting that the contemporary problems of sex cuts across them all. In the labor market, the nation ponders how it may assure equal availability of jobs to both sexes. At the bargaining table, labor and management stew over where to differentiate and where not to differentiate in labor contract provisions as they affect the sexes. In the workplace, we find ourselves moving from a time of dual standards to a time of single standards. In each of these three areas, then, problems of sex are present. And if you could visit our staff meetings on Tuesday morning, you would understand me when I say, Libby Koontz never lets us forget it.

Today I find special satisfaction in being a part of this conference, not only because it marks the 50th anniversary of the Women's Bureau but because it may well turn out to be an historic event, drawing together for concerted effort as it does the widely divergent forces that make up what we think of as the women's movement.

WOMEN TREATED UNEQUALLY

Many consider the status of modern American woman a contradiction in our society—a contradiction hard to explain and therefore often ignored or denied. But the fact remains that we cannot reconcile some contemporary remarkable inequalities affecting women with our stated national principle of equality for all citizens.

The Labor Department has a special responsibility in the matter of discrimination in employment. We are concerned on two counts.

In the first place, we must recognize that every person in America has the natural desire to feel useful and needed. For those to whom the route to self-fulfillment is through work, we must help open job opportunities free of discrimination.

Secondly, we are concerned about the conservation and wise use of human resources. As a nation, we have not yet devoted attention to the utilization of our "people" resources nearly as widely as we have our natural resources. A nation devoted to high living standards can ill afford to waste its skills and talents.

The waste of human resources is particularly unfortunate because it is not always discernible for what it is. It is disturbing to realize that society may be denied another Dr. Frances Kelsey or a Rachel Carson because some young woman was dissuade from a career in medicine or science simply because of her sex. Yet this kind of thing is still not unknown in our schools and colleges.

There are some things that we in the Labor Department can do about the situation. We can see that the federal laws prohibiting sex discrimination are enforced, where we bear that responsibility.

We have not been idle in this respect. Since the Equal Pay Act of 1963 became effective, the Labor Department's investigations have found over 15 million dollars due more than 46,000 employees, most of them women—this because of underpayment in violation of the law.

SEX DISCRIMINATION GUIDELINES

The Office of Federal Contract Compliance, which administers the Executive Order that prohibits sex discrimination in employment under federal contracts has just issued guidelines to spell out what employers are expected to do in order to remain not only within the letter of the law but consistent with its spirit as well. Libby Koontz made the front pages with this story.

We also endorse and support the Equal Rights Amendment.

We are cooperating, too, with the Equal Employment Opportunity Commission. The Commission is responsible for the administration of Title VII of the Civil Rights Act which includes a prohibition against sex discrimination in employment.

In these ways the Labor Department endeavors to be a force for progress.

We must understand that though the need for change in women's rights is manifestly evident, the exact direction for pursuit of

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that change is less evident. In working together for a worthy goal—the goal of equal rights for women—it ill serves either ourselves or our objective to proceed with more certainty than circumstances dictate.

Fortunately ours is a pluralistic society. Different sectors can go forward in somewhat different directions at the same time. Any loss through lack of uniformity is more than made up for by the opportunity this arrangement provides for experimentation. To experiment locally, and then apply successful results broadly is a traditional American process. The unanswered questions of women's rights can profit, and I believe are profiting, from this process.

This brings to mind what we in the Administration have come to call the New Federalism.

NEW FEDERALISM

In essence, the New Federalism calls upon us to act as one nation in developing national standards and then to act as a congeries of communities in carrying out those standards. In other words we are seeking to decentralize government so that the detailed administration of government programs will be a local affair while the role of the Federal Government will be one of stewardship to insure that national standards are ultimately attained. National equity, but local control.

The Family Assistance Plan is a good example. It establishes a national minimum on Family Assistance, as the President puts it, "no child is worth more in one state than in another" as far as the Federal Government is concerned. At the same time, we have local participation in administration and local decisions on what more should be done.

The same theory is applicable to the problem of day care. The President has asked for a federal program to provide child care for the children of welfare mothers who choose to work, but operational details and experiments in form would be up to the community. The Federal Government may not be able to provide child care for all the children who need it, but local experimentation and initiative can contribute much.

I hope as I have spoken of the New Federalism you may have been able to see your own role in it. Actually, what is being done in many instances, is shifting the responsibility for the creation of ideas and program suggestions to the local community, to state, county and city officials.

Many of you are members of state commissions on the status of women. You have access to your governor and legislators. Others of you are members of influential organizations. You have the ear of your elected officials. All of you are private citizens with the power of creative action.

What I am really saying is that the New Federalism touches each one of us. It provides a basis for creative effort among all the major forces in America—public sector, private sector, management, labor, and volunteers.

Now in these brief remarks this morning I have deliberately avoided trying to lecture this audience on what it should do, or how it should think about this subject. I have tried to leave the impression that the Labor Department is actively pursuing its responsibilities in this area. I have specifically suggested that in a period of transition from one plateau of values to another, experimentation and diversity is a desirable condition. And I have observed that the Administration's New Federalism concept provides exactly the kind of conceptual framework needed for such widespread creative endeavor. It is my hope then, that this conference will stimulate the desire for such endeavor. May I wish you every success in your deliberations.

THE MEASURED VOICE OF A LEADER—PRESIDENT NIXON

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MIZE. Mr. Speaker, most Americans were deeply impressed by President Nixon's performance on the program, "Conversation With the President," broadcast by radio and television live to the American people.

Never before has a President permitted an indepth interview to be carried live, without prior editing, directly to the Nation. President Nixon showed confidence in himself and in his foreign policy, and further demonstrated that the administration has no more capable or articulate advocate than the President himself.

The Kansas Topeka State Journal printed an editorial on Friday, July 3, which commented on the President's performance. I share the views expressed in the State Journal's editorial, and am confident that most Americans would agree that our President has inaugurated a new and profoundly important method of communication with the American people.

Under leave to extend my remarks at this point in the RECORD, I insert the editorial, entitled "The Measured Voice of a Leader," as follows:

THE MEASURED VOICE OF A LEADER

Whatever the political persuasions of listeners to a "Conversation With the President," on major networks this week, few could be critical of the virtuoso performance of the principal. President Nixon embodied the character of a dedicated and educated leader whose nation must have a steady hand on its foreign policy helm.

The program was billed to coincide with a withdrawal of U.S. troops from Cambodia, culminating a bold foray which occasioned unparalleled and unexpected demonstrations on the home front. The explanation offered by the President was owing his constituents. It will reaffirm the broad and generally unrecognized support the maneuver had among a dominant body of Americans but will go no great way toward persuading violent dissidents to endorse an undertaking which was demonstrably successful.

The President again proved himself to be a master of informal extemporaneous discussion in his conversation with Eric Sevareid of the Columbia Broadcasting System, John Chancellor of the National Broadcasting Company and Howard K. Smith of the American Broadcasting Company. Whatever their differences with the chief executive—if they exist beyond the Agnew purlieus—representatives of these three systems are bound to respect the findings of an articulate expert whose telecasting professionalism is comparable to theirs.

While analysts found little in his reports and observations which had not been stated before, he met questions squarely and, to a television viewer in his own living room, supplied as apt a summation of the U.S. position in Southeast Asia as we will be privileged to hear. It defined again the President's pledge to clear Vietnam of U.S. troops which, even critics must concede, he had no part in assigning there. He provided reinforcement for optimism in resolving a crisis plaguing the U.S. more than any other in contemporary times.

Near the start and in the late minutes of the conversation, the President referred to problems created in the Middle East by renewal of the Israeli-Arab conflict, seeking to interject them into persistent questioning on Vietnam and Cambodia.

The chief executive made it abundantly clear this spasmodic war must be considered as grave as any world emergency, comparing this belligerent sector to the Balkans and the incipient strife which precipitated World War I. He was surprisingly frank in reviewing the explosive possibilities, demonstrating a confidence in the temper of listeners and their willingness to face up to unpleasant realities.

For most, the President demonstrated the qualities of an able politician and statesman meeting responsibilities irrevocably his and ours. The method he chose for reporting to his countrymen must, in answering questions made relevant by the immediate news, be one which will contribute to a broad understanding of our problems abroad.

CANCER PIONEER, 76, STRUGGLING TO REACH "IMPOSSIBLE DREAM"

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BOB WILSON. Mr. Speaker, on June 15, 1970, I inserted in the CONGRESSIONAL RECORD remarks by Mr. Harold Keen of KFMB television in San Diego which were incorrectly attributed to me. His commentary concerned the cancer research of Dr. Leonell C. Strong. Mr. Keen is one of the citizens in the San Diego area trying to bring about more support for the cancer research of Dr. Strong.

In the meantime, a more recent article in the Los Angeles Times by Mr. Lee Dye tells further about the importance of Dr. Strong's research. I would like to share this report, which follows, with my colleagues:

CANCER PIONEER, 76, STRUGGLING TO REACH "IMPOSSIBLE DREAM"

(By Lee Dye)

With his wife of more than half a century at his side, a pioneer in cancer research struggles these days to do what many have said he cannot do.

In an austere laboratory in a small industrial complex in Sorrento Valley, just north of San Diego, Dr. Leonell C. Strong is finishing a project he began in a tarpaper shack in New York nearly 50 years ago.

The years have been rewarding but difficult for Strong, who at 76 finds himself cut off from many of the leaders of his own field, and left without financial support as he struggles toward what he thinks will be a major breakthrough in cancer research.

The woman he married in 1919 still works at his side. The thousands of exacting charts she has labored over have dimmed her eyesight, and a bittter trial between Strong and Jonas Salk, polio research giant, has destroyed her health, Strong said.

LIVER EXTRACT UTILIZED

But she continues to work with her husband, because neither can quit now.

Strong is experimenting with a liver extract, which prevents cancer when injected into a mouse that is genetically predisposed toward developing cancer.

But skeptics—and there are many—point out that mice are different from men. They doubt that Strong's present work will have much impact on man's fight against cancer.

Many experts say Strong is living in the past, struggling to complete an impossible dream, not compatible with modern science.

Nevertheless, scientists at Roswell Park Memorial Institute, Buffalo, N.Y., a highly reputable cancer research center where Strong once was research director, vouch for the validity of Strong's experiments.

LONG TIME YET

"Because a man is in his 70s doesn't mean that he is senile," said Dr. E. A. Mirand, associate director at Roswell, in a telephone interview. "His work does have merit. We must give him a chance."

Another Roswell scientist, Dr. Arnold Mittelman, is currently engaged in a project to identify the chemical nature of the substance in the liver extract responsible for preventing the mouse tumors.

But, Mittelman cautions, it is a "long, long time away before this sort of thing could be used on humans. In the meantime, we're willing to do anything we can to lend him a hand."

Strong began inbreeding mice in a tar-paper shack in 1921. He was a young scientist then, working on his doctorate degree at Columbia University.

Strong believed then—as he does now—that cancer is influenced by genetics. He argued that while cancer itself may not be inherited, the susceptibility to cancer tends to be passed from one generation to the next.

With that hypothesis before him, Strong set out to breed strains of mice in which the susceptibility to cancer seemed more dominant. By restricting matings to brothers and sisters, he produced many strains, including the now-famous C3H strain, in which 90% of the females develop cancer.

Strong thus gave fellow researchers a priceless tool. The discovery insured a ready flow of subjects for laboratory evaluation. During a recent 17-month period, about 840 medical publications appeared using mice for research. Of those papers, 43% depended on the use of one or more strains first developed by Strong.

Prior to Strong's discovery, cancerous mice were extremely rare, and thus extremely costly, selling for around $300 each. Now, the market value is 75 cents.

GENETIC LINK

Strong's discovery also provided the first sound evidence of a genetic link in the origin of a cancer.

During the succeeding years, Strong labored under the conviction that success in the fight against cancer rested in isolating the host's deficiency which permits a cancer to develop. He served in various teaching and researching positions, and in 1933 joined Yale University's cancer research program. He stayed at Yale for 20 years, finally taking charge of the program.

Strong left Yale in 1953 to become director of the biological station at Roswell Park Memorial Institute. Roswell, at Springville, N.Y., is the largest and oldest cancer research institute in the world, Strong said.

About 12 years ago, while directing Roswell's cancer research program, Strong embarked on a project which has become an obsession in the twilight years of his life. He began injecting liver extract into cancerous mice.

"I chose liver because it controls so many equilibrium processes," Strong said recently in his laboratory at 10457-I Roselle St., San Diego. He said cancer is partly the result of the loss of the body's equilibrium, i.e., the body's ability to resist the tumor.

"INHIBITOR" EFFECT

The injection—which he calls an "inhibitor" because it inhibits the growth of the tumor—resulted in regression of a tumor. Extending his line of thought, Strong initiated a series of experiments aimed at determining the effect of the injection on succeeding generations.

He found that in each generation the tumor was smaller, and began regressing earlier, even if no mouse beyond the first generation was injected. By the time he reached the ninth generation, he said, the tumor began regressing almost immediately after it appeared, leaving only a small scar.

His overall batting average is 83.6%, although in certain pilot experiments he has achieved 100% regression.

However, Strong concedes that an inhibitor that works for mice may not work for humans.

He was especially troubled by a serious shortcoming in his findings—he did not know why his inhibitor worked, or what in the liver extract enabled the mice to control the tumors.

To answer that, he needed time . . . but time was running out.

In 1964, Strong turned 70, the mandatory retirement age at Roswell Park. He had a number of offers to continue his work elsewhere. After examining them all, he decided to join Jonas E. Salk at the Salk Institute for Biological Studies in La Jolla. Salk agreed to back Strong for five years, the time the elder scientist believed he needed to finish his work.

Six years ago Strong moved to San Diego, carrying with him thousands of mice and scores of file cabinets filled with papers from a lifetime of research.

There were problems from the beginning—especially with the loss of some of Strong's valuable records during the move to San Diego—and in 1967 Salk informed Strong he would have to leave.

Strong felt that to move on at that point would have been disastrous to his experiments, so he decided to fight. He sued Salk in an effort to make him stick to his five-year agreement, and on Dec. 11, 1967, won a partial victory. The court ordered Salk to pay Strong his salary for the remaining two years of his contract, plus $13,000 for the lost data.

It was a bitter six-month ordeal for Strong and his wife. She has never fully recovered her health, and Strong soon learned that the Salk incident would have more significant effects than he had first realized.

When Strong joined Salk, he gave up his priority on research grants, and as he applied for help he found all doors securely closed. The American Cancer Society, the federal government and various funding agencies have rejected his pleas for aid.

But using his life savings, and the salary he won through the trial, he struck out on his own. Friends formed the L. C. Strong Research Foundation, and a few contributions trickled in.

But the funds lagged far behind the expenses—it costs $250 a month just for food for the 13,000 mice Strong is using—and it is not certain at this point whether he will be able to finish his work.

Strong estimates he needs about four more months to complete his experiments. That will cost about $20,000.

He has helped meet some of his expenses by selling some of his mice.

For Strong, the financial predicament means he has come full circle.

PAID OWN WAY

When he first began his experiments nearly a half century ago, he paid his own way. Later, he used more than $2 million in research grants at Roswell Park. Now, he is on his own again.

He won a major victory recently when Roswell Park agreed to work on the analysis of the extract and to sum up the results of his experiment, when it is completed.

Strong believes if his experiment can be translated into human terms, a mass inoculation could lead eventually to victory over cancer.

That is scoffed at by many members of Strong's profession who believe cancer cannot be treated in this way.

But Strong argues that the problem in combating tumors of any kind is the same—the inability of the host to control the tumor. Strong believes that if his inhibitor corrects that situation in humans, then it could be used as a vaccine.

Today, he works toward that end, with a private goal in mind.

"I have seen so many mice with tumors," he said, "that I hope someday it will be possible to destroy what I created as a young man."

He keeps a graph tacked on the wall beside his desk. When it is completed, Strong hopes it will show what he set out to prove so long ago.

"When you see that published," the scientist said as he slumped behind his metal desk, "then you will know I have retired."

DISTRIBUTIVE EDUCATION PROGRAM

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MINISH. Mr. Speaker, I want to take this opportunity to call to the attention of my colleagues in the Congress the outstanding work being done by the distributive education program at East Orange High School.

Under distributive education, high school students in their junior and senior years attend regular classes in the morning and spend their afternoons on the job in the fields of retailing, warehousing, and related service work. The entire program is under the supervision of the high school.

At East Orange High School, 25 students were enrolled in the distributive education program during the last academic year. In addition to the work study program, the students devote 1 day each week to planning and conducting community service projects. For example, just recently the East Orange Distributive Education group honored members of that city's police force for their work in protecting and serving the community.

At this point in the RECORD I insert three news articles which enlarge upon the latest community service project of the distributive education program:

[From the East Orange (N.J.) Record, Apr. 16, 1970]

DECA MEMBERS SPONSOR SALUTE TO MEN IN BLUE

The Distributive Education Program, a branch of the Business department of East Orange High School, will present a "Salute To Our Men In Blue" at the Hotel Suburban Crystal Ballroom on May 24 at 9 a.m.

The project, a breakfast honoring city police and firemen, was the idea of five DECA students, members of DECA, who wanted to recognize the esteem felt by themselves and many of their contemporaries for the men who protect the public safety.

According to the program's chairman, Patti Pleas, too many voting age citizens of East Orange take their protection agencies for granted.

"In a time when there is so much adverse publicity given out about crime and disorder in our cities, the DECA students decided that they, as junior citizens, wanted to bring to the attention of the community how they truly feel about their enforcement agencies."

"We always hear the bad," said Patti, "and we just want the critics to know that they aren't the only ones who can speak out."

At the breakfast, which will be attended by Mayor Hart and to which Governor Cahill has been invited, four awards will be presented to police and firemen whose service to the community has been outstanding.

Other members of the committee working on the project are John Battle, Phyllis Smith, Pam Taylor and Charles Neals. The youngsters are being assisted by members of the Community Relations Committee including Mrs. Lois Vreeland and Mrs. Terry DuPre.

One thousand tickets for the event are on sale at six dollars each. Proceeds will go into the DECA treasury.

The Distributive Education class at East Orange High School consists of 25 seniors who were selected from a group of 135 students. Each student is required to take four major subjects during school hours and is released at noon each day to gain experience in the business world. Students are employed in East Orange and surrounding communities. Every student presently employed through the Distributive Education Program is virtually assured a job after he or she completes high school.

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[From the Newark (N.J.) Evening News]

TEENS TO HONOR EAST ORANGE COPS

A breakfast honoring East Orange police and firemen has been scheduled for May 24 by the East Orange chapter, Classroom Distributive Education Clubs of America.

The 9 a.m. breakfast, titled "A Salute to Our Men in Blue," will be held in the Hotel Suburban, East Orange.

Patricia Pleas a senior at East Orange High School and student chairman of the group's liaison committee, said it was their feeling "it was about time we as teen-agers should recognize them for a job well done."

BEHIND POLICE

"The police have received a lot of bad publicity lately, and have been accused of harassing teen-agers and needlessly getting down on us. We feel honoring them could be the greatest tribute paid to municipal law enforcers," she said.

"We always hear the bad," Patricia pointed out, "and we just want to show that the police and firemen have our respect for all the good they do."

"This breakfast could bring more unity between future leaders and current leaders," Patricia said, "and let the police know we are behind them—not against them."

The other members of the committee are Charles Neals, John Battle, Phyllis Smith and Pamela Taylor, all seniors at East Orange High. Other members of the distributive education club will act as ushers and usherettes at the breakfast.

Patricia said the breakfast was the club's idea, and is designed to show police critics "we are bigger than they are and know the police have more good than bad points."

East Orange Mayor William S. Hart Sr. is to be the guest speaker.

[From the East Orange (N.J.) Record, May 23, 1970]

STUDENTS EFFORTS REWARDED IN "SALUTE TO MEN IN BLUE"

Over 300 persons attended the testimonial breakfast "A Salute to Our Men in Blue" held at the Hotel Suburban last Sunday. The breakfast was the idea and project of the East Orange High Distributive Education Clubs of America. These young students decided to show their law enforcement officers that their efforts at citizen protection were appreciated by the young as well as the old.

The guests were greeted by Patricia Pleas, who chaired the DECA committee handling the affair. The invocation and blessing were given by Rev. N. Spencer Glover Sr. and Rev. Addison Groff, respectively.

Miss Pleas then introduced the speakers who included Mayor William S. Hart who spoke on the theme of the breakfast and Harry F. Veal Jr., principal of East Orange High School who spoke on the Distributive Education Program. Captain G. R. Quinn of the New Jersey State Police also spoke on the Community Relations Bureau and the appropriateness of the testimonial breakfast.

Awards were presented to police and firemen who had distinguished themselves in the line of duty. The awards were presented by DECA students. Policemen Stephen Paskell and Charles Grimes were honored with awards presented by Colleen Corum. A special award was presented to Auxiliary Policeman William Stoss by John Battle.

Fire department awards went to James D. McBride and Raymond G. Meyers for outstanding rescues. These awards were presented by Phyllis Smith. A Special Posthumous Award was presented to Capt. Carmine Evangelista, who lost his life on November 30, 1969 in the line of duty. Mrs. Evangelista accepted the award, presented by all the members of the DECA planning committee.

Superintendent of Schools, Dr. Russell Jackson made the closing remarks.

The entire event was planned and executed by members of East Orange's DECA chapter, under the direction of teacher-co-ordinator Luther Bowen and Jerome Gordon.

NATIONAL CHAIRMAN O'BRIEN SETS THE RECORD STRAIGHT

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. EDMONDSON. Mr. Speaker, last night the American public heard National Democratic Chairman Lawrence F. O'Brien set the record straight on a number of major issues.

In a 25-minute presentation over facilities of the Columbia Broadcasting System, the Democratic chairman made effective use of a series of film clips featuring the remarks and pledges of President Nixon during the past 3 years.

The Nixon pledges on economic policy, crime, pollution control, full employment, and other questions are best understood in the exact words used by the President in commenting directly on these questions. These are the words used by Chairman O'Brien in his presentation last night.

The public can judge for itself, on the record, as to the level of performance by the Republican administration on these pledges.

The complete transcript of last night's telecast follows:

THE DEMOCRATS RESPOND: PART ONE

WASHINGTON, D.C., July 7.—Following is the transcript of "The Democrats Respond: Part One," a 25-minute broadcast-telecast presented by the Democratic National Committee over the Columbia Broadcasting System, which granted the time free to the Democratic Party:

President NIXON: "In these difficult years, America has suffered from a fever of words; from inflated rhetoric that promises more than it can deliver; from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postures instead of persuading.

"We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices." (Inaugural Address, Jan. 20, 1969)

Democratic National Chairman LAWRENCE F. O'BRIEN: Like most of you, I applauded the appeal for lowered voices and national unity when Richard Nixon assumed the Presidency 18 months ago.

Good evening. I'm Larry O'Brien, national Chairman of the Democratic Party. I managed the Democratic campaign for President in 1968. And I recognized after the election that we all had to turn away from the narrow confines of partisanship and work in the active pursuits of national reconciliation.

But today the divisions within our society are far greater than they were 18 months ago.

I don't have any easy answers. But the American people are not afraid to face problems squarely, and I know you want facts.

In this spirit, then, the loyal opposition has the responsibility to ask: How, in fact, are we being governed? What progress are we making as a nation? How can we do better? How can the nation and our two-party system meet the challenge of the '70s? How can we achieve the goals the new President set forth in his Inaugural Address 18 months ago?

NIXON: In pursuing our goals of full employment, better housing, excellence in education; in rebuilding our cities and improving our rural areas; in protecting our environment and enhancing the quality of life—in all these and more, we will and must press urgently forward. (Inaugural Address, Jan. 20, 1969)

O'BRIEN. Those were the promises, no less urgent today than when the President spoke them on the Capitol steps 18 months ago. In a few areas—such as reform of the outdated welfare system and the antiquated postal system—the Nixon Administration has come forward with proposals that could make a lasting contribution to the fabric of American life.

But unfortunately, in most areas we see little or no progress; we share the concern of all Americans with the decline in our economy. Every housewife, every wage earner, every stock holder, every farmer, every small businessman—yes and many big businessmen know that our economy is lagging far behind its potential.

A reporter asked the President about this at a news conference earlier this year, one year after Mr. Nixon's Inaugural Address.

REPORTER. The question is, how, sir, do you assess the possibility that we may be in for perhaps the worst possible sort of economic conditions—inflation and recession?

NIXON. Well, Mr. Cornell, the major purpose of our economic policy since we came into office a year ago has been to stop the inflation which had been going on for 5 years without doing it so quickly that it brought on a recession.

Now, as a result, we are now in a position, the critical position, in which the decisions made in the next month or two will determine whether we win this battle.

I would simply say that I do not expect a recession to occur." (News Conference, Jan. 30, 1970)

O'Brien. Regrettably, the President's expectations have not materialized, and, as so many of you are painfully aware, we have inflation and recession at the same time.

We call it Nixonomics: everything that is supposed to go up—your income, productivity, housing construction, profits, the stock market—is going down. Everything that is supposed to go down—unemployment, interest rates, the cost of living—is rising.

Every housewife is alarmed over the constant rises in food prices—hot dogs up 14 cents a pound, hamburger up 12 cents a pound, potatoes up a third—you know your grocery bill and how much it has gone up in the last year.

Do you know of a family earning less than $13,000 annually that has been able to buy a home this past year? And even those able to borrow money for a new home know that a $20,000 house costs an additional $35,000 for interest charges alone—the highest interest rates in 100 years.

In recent weeks Democrats and Republicans alike have been pleading with President Nixon to use the great powers of his office to stop this recession and inflation now, before more damage is done.

The President must use his great personal influence to roll back inflationary wage and price decisions, just as President Kennedy and President Johnson did on many occasions.

Right now—tonight—Mr. Nixon could direct the lowering of interest rates on home mortgages, car loans, and the clothes you buy on credit from a department store.

A Democratic Congress gave him this power last year, but unfortunately, he has refused to use it.

I urge the President to act immediately. Please don't wait any longer for our economy to decline even further.

There is probably nothing of greater worry to the American family than the threat of unemployment. At a news conference two months ago a reporter asked the President about this problem.

Reporter: "On a domestic subject, the economy, sir. Unemployment is up, the stock market is down, things look generally discouraging. Do you have any views on that, and do you have any plans?"

Nixon: "Yes. Unemployment reached the point of 4.8, I noticed, this last month. In order to keep it in perspective, it should be noted that in 1961, 1962, 1963, 1964, and 1965 the average unemployment was 5.7. 5.7 is too high. 4.8, I think, is also too high. But the unemployment we presently have is the result of the cooling of the economy and our fight against inflation." (News Conference, May 8, 1970)

O'Brien: As the President said, it is partly a matter of perspective that 5.7 percent unemployment rate mentioned in the early 1960s reflected a steadily declining rate of unemployment, a decline from the high of 7 percent which President Kennedy inherited from the Eisenhower-Nixon Administration of the 1950s.

The fact is that unemployment fell during the 1960s and it was down to 3.3 percent in December, 1968. It has climbed steadily since President Nixon took office. Since last December, we have experienced in the fastest five-month rise in unemployment since the recession in the late 1950s. But beyond this, instead of talking statistics and percentages, let's remember that more than four million seven hundred thousand Americans are out of work tonight.

Let's look at another major concern and see what candidate Nixon promised—and what has happened since he took office.

Nixon: "And if we are to restore order and respect for law in this country, there's one place we're going to begin. We're going to have a new Attorney General of the United States of America . . .

"The wave of crime is not going to be the wave of the future in the United States of America." (Nomination Acceptance Speech, August 8, 1968)

O'Brien: Of course every new President has the power to appoint his own Attorney General, but what has been the record of the Attorney General President Nixon appointed?

Eighteen months have passed. The crime rate in this country has not gone down. In the first three months of this year it rose 15 percent over the same period last year. And it is especially alarming that the fastest rates of increase are now in the suburbs and in rural areas of our country.

The way to stop rising crime is not to blame others, such as Congress. The way to stop the rising crime rate is to help local and state law enforcement agencies who carry the major burden.

Nixon: "While it is true that State and local law enforcement agencies are the cutting edge in the effort to eliminate street crime, burglaries, murder, my proposals to you have embodied my belief that the Federal Government should play a greater role in working in partnership with these agencies.

"That is why 1971 Federal spending for local law enforcement will double that budgeted for 1971." (State of the Union Message, Jan. 22, 1970)

O'Brien: That's how the President addressed the crime problem in his State of the Union Message last January. What action has followed those farsighted words?

The facts are that the Nixon Administration budget requires one thousand dollars from every one of you—every American—to run the government. Of that one thousand dollars, the Administration has earmarked only $2.40 to assist state and local governments in the fight against crime—cutting the Democratic program in half.

And, while I am sure the President and the Attorney General want to reduce crime, I cannot understand why they have refused to support further improvements in the Safe Streets Act advocated by a Democratic President and enacted by a Democratic Congress in 1968—our major federal anticrime program. They are improvements that would give cities with the greatest crime problems the most help.

I regret that so many of the top law enforcement experts brought to Washington by the Nixon Administration last year have now resigned, because, as they said, Attorney General Mitchell has refused to do what must be done to control the growing crime rate in America.

President Nixon's own anti-crime proposals have not been primarily directed at the national crime problem, but rather at Washington, D.C., and many people believe that some of these proposals are unconstitutional.

For the past generation both major political parties have stood together in the struggle for equal rights and opportunities for all of our citizens. In his acceptance speech, Mr. Nixon seemed to recognize the human stakes involved in the next urgent steps that must be taken in this continuing struggle.

Nixon: "They want the pride and the self-respect and the dignity that can only come if they have an equal chance to own their own homes, to own their own businesses, to be managers and executives as well as workers, to have a piece of the action in the exciting ventures of private enterprise.

"I pledge to you tonight that we shall have new programs which will provide the equal chance. . ." (Nomination Acceptance Speech, August 8, 1968)

"Now I know all the words. I know all the gimmicks and the phrases that would win the applause of black audiences and professional civil rights leaders. I am not going to use them. I am interested in deeds. I am interested in closing the performance gap." (News Conference, Jan. 30, 1970)

O'Brien: One of the biggest disappointments of the first 18 months of the Nixon Administration has been precisely this failure to match its words with deeds—to provide new opportunities for minority citizens, opportunities that must ultimately benefit all Americans.

Again, a number of experts brought to Washington by the Nixon Administration have resigned. They recognized this performance gap.

The failure to define clearly the policy for school desegregation has led to confusion in local school systems, and growing resentment and discouragement by families seeking equal educational opportunities for their children.

Above all, in the past 18 months we have been denied the strong moral leadership on this issue which only the White House can provide—that is *must* provide. We have lacked a President speaking forthrightly about the moral rightness of making the guarantees of the Constitution a reality for every American.

Again, Congress has had to take the lead—in overcoming the Administration's obstacles to renewing the Voting Rights Act, a law that provides *all* Americans with the most basic of democratic rights as well as extending the right to vote to 18-year-olds.

The times call for a new vision of our priorities. The President seemed to understand this when he addressed the nation last month.

Nixon: For the first time in 20 years, the Federal Government is spending more on human resource program than on national defense.

"This year we are spending $1.7 billion less on defense than we were a year ago; in the next year, we plan to spend $5.2 billion less. This is more than a redirection of resources. This is an historic reordering of our national priorities." (Address to the Nation, June 17, 1970)

O'Brien: The President says he favors this change in our priorities. But it was Congress, not the President, that cut five-and-a-half billion dollars from the Pentagon budget. And when Congress tried to channel less than a quarter of that money into educational and health programs—libraries, books, student loans—the President responded with a nationally televised veto message.

Nixon: "Now, if I approved the increased spending contained in this bill, I would win the approval of many fine people who are demanding more spending by the Federal Government for education and health. But I would be surrendering in the battle to stop the rise in the cost of living, a battle we must fight and win for the benefit of every family in this Nation." (HEW Veto Message, Jan. 26, 1970)

O'Brien: In that same week when Mr. Nixon vetoed the education and health bill as inflationary, he announced a new multibillion dollar spiral in the nuclear arms race. Why wasn't this just as inflationary, if not more so?

Only a few days ago Congress overrode another Nixon veto and so restored funds to build desperately needed hospitals and mental health facilities for the nation's sick people. The President turned down this bill because he said it was inflationary. But more than two-thirds of Congress—including a majority of the members of the Republican Party—voted to allocate for hospitals some of the money cut from the budget.

National priorities? Let's consider again each American's thousand dollar share of the nation's budget: $4.50 for air and water pollution; $5.00 for urban renewal for our cities; $7.50 for elementary and secondary education; 50 cents for training the handicapped—and $375.00 for the military.

Once again, we must look to Congress for leadership.

It was Congress that more than doubled President Nixon's initial request for an increase in social security providing a badly needed 15 percent increase. And just this week, your paychecks will be larger because a Democratic Congress voted to increase personal tax exemptions and eliminated the 5 percent surtax.

So I ask you tonight: Who is really engaged in a "historic reordering of our national priorities"—the Congress or the President?

One of our most urgent priorities for this decade is cleaning up our environment. Most of you heard the President speaking to this problem in his State of the Union Message this past January.

NIXON. "The program I shall propose to Congress will be the most comprehensive and costly program in this field in America's history.

"It is not a program for just one year. A year's plan in this field is no plan at all. This is a time to look ahead not a year, but 5 years or 10 years—whatever time is required to do the job.

"I shall propose to this Congress a $10 billion nationwide clean waters program to put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and do it now." (State of the Union Message, Jan. 22, 1970)

O'BRIEN. That is what President Nixon said he would propose, and to many it seemed an impressive call for action. But the fact is that the 10 billion dollar program he promised calls for federal spending of only four billion dollars. The amount Mr. Nixon proposed for the first year of his new program to fight water pollution turned out to be *less* than Congress had already authorized.

And so, 18 months later, the pattern of the Nixon Administration's domestic program is abundantly clear—ringing calls for action, but few results, except when Congress takes the initiative and calls the shots.

But our attention to our critical domestic priorities continues to be diverted by the seemingly endless struggle in Indochina, about which the President addressed the nation on April 30.

NIXON. "Tonight, American and South Vietnamese units will attack the headquarters for the entire Communist military operation in South Vietnam. This key control center has been occupied by the North Vietnamese and Vietcong for 5 years in blatant violation of Cambodia's neutrality." (Address to Nation, April 30, 1970)

O'BRIEN. I have no intention of "taking on" the President in difficult decisions about military strategy, but I do want the President to level with all of us.

I share the relief of all Americans that our troops have crossed back into South Vietnam, but I also share the confusion of most Americans who wonder what Cambodia is really all about.

The President never consulted with his Cabinet or with Congress before he expanded the Indochina war. He has never told the American people that the Communist headquarters he said would be attacked was never attacked and apparently never even located.

Instead Mr. Nixon now has given other reasons to justify his surprise move of American troops into a neutral country, among them the preservation of a new Cambodian government.

And now we have become involved, whether or not we like it, in that new government. Now—although our ground troops are out—our bombers and our artillery continue to bomb the Cambodian nation. Now the South Vietnamese army continues to sustain a full scale military operation in Cambodia.

Before our military incursion, as this map shows, Communist activity in Cambodia was primarily limited to border sanctuaries.

But now, just two months later, Communist control has expanded to half the land area of Cambodia and Communists have infiltrated over a large part of the rest of that beleagured country.

The question must be asked: Has our action actually saved Cambodia, or put its survival in greater jeopardy?

To be patriotic American is to question and probe the activities of those who govern us. That is our duty and our right.

The newly elected President promised to "bring us together again." But the opposite of that is occurring, polarization, unfortunately encouraged by Vice President Agnew in speech after speech across the country.

AGNEW: "You can't bring 200 million people together. Let's stop talking in technicalities and look at the President's figure of speech—was a plea for national unity to bring the responsible elements of our society together. But let's never overlook the fact that there are also irresponsible elements of our society and instead of attempting to dignify and condone what they're doing, let's polarize—let's get rid of these undesirable people by recognizing that they cannot participate in our legitimate processes of government unless they play the rules." (Washington Window, UPI Interview, November, 16, 1969)

O'BRIEN: The words and thoughts of Vice President Agnew leave me saddened and disheartened. While I realize there are many who support Mr. Agnew, I deeply believe his road can only lead to further division and mistrust among our people.

In attacking the loyalty of millions who sincerely question the course of the present Administration, the Vice President is himself questioning and jeopardizing the very democratic tradition that has made us strong.

Is *this* the way we are to be brought together again? Is *this* the lowered voice President Nixon urged upon all of us eighteen months ago?

This is a time for healing, not for wounding, for trust and understanding, not for hatred and suspicion.

For 14 years, I was a friend and close associate of a man who could express these feelings far better than I. One bright, wintry day the world seemed full of promise as he reached out to us and summoned forth the best we Americans had to offer.

KENNEDY: "All of this will not be finished in the first one hundred days. Nor will it be finished in the first one thousand days, nor in the life of this Administration, nor even perhaps in our lifetime on this planet. But let us begin. . ." (Kennedy Inaugural Address, Jan. 20, 1961)

O'BRIEN: The Democratic Party, and the Democrats in Congress accepted that challenge a decade ago—and we rededicate ourselves today.

MINSHALL OPINION POLL RESULTS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MINSHALL. Mr. Speaker, I insert in the RECORD my latest Washington Report which contains the results of my opinion poll:

MINSHALL OPINION POLL RESULTS

More than 35,000 completed questionnaires have been received in an avalanche response unprecedented in all my years in Congress, an indication that there is a genuine and intense concern about the critical issues facing our nation. All returns have been carefully tabulated and I personally have noted the many thoughtful and helpful comments accompanying them. Thank you for your enthusiastic participation. Results follow:

[Answer in percent]

1. Do you approve of President Nixon sending U.S. troops in Cambodia?

Yes	60.3
No	35.5
No opinion	4.2

2. Should the United States

(a) Continue Vietnamizing the war while gradually withdrawing our troops?

Yes	60.0

(b) Step up efforts for an all-out military victory?

Yes	16.0

(c) Pull out all U.S. military forces at once?

Yes	15.3

(d) Other suggestions:

Yes	5.5

(e) No opinion:

No opinion	3.2

3. Should the U.S. increase arms aid to Israel?

Yes	33.5
No	58.7
No opinion	7.8

4. Do you support the Safeguard Anti-Ballistic Missile program?

Yes	57.7
No	34.0
No opinion	8.3

5. Are you in favor of an all-volunteer Army?

Yes	55.0
No	39.0
No opinion	6.0

6. Should college draft deferments be phased out so that all men of eligible age are selected by lottery?

Yes	69.5
No	22.8
No opinion	7.7

7. Do you think 18-year-olds should have the right to vote?

Yes	31.0
No	59.8
No opinion	9.2

8. Should the House of Representatives bring impeachment proceedings against Supreme Court Justice William O. Douglas?

Yes	41.4
No	39.8
No opinion	18.8

9. To control inflation, do you favor:

(a) Wage and price controls?

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Yes	60.5
No	18.0
No opinion	21.5

(b) Credit controls?

Yes	49.4
No	15.2
No opinion	35.4

(c) Reduced government spending?

Yes	72.8
No	9.9
No opinion	17.3

10. In the fight against environmental pollution would you support:

(a) Higher taxes at all governmental levels for an all-out crash program?

Yes	24.7
No	41.0
No opinion	34.3

(b) The President's Great Lakes Clean-Up proposals?

Yes	60.8
No	5.8
No opinion	33.4

(c) Strong local enforcement of more strict regulations governing municipal and industrial pollution?

Yes	93.1
No	1.1
No opinion	5.8

(d) Strong enforcement of more strict regulations governing motor vehicle and airplane pollution?

Yes	78.1
No	5.8
No opinion	16.1

11. Should the U.S. proceed with more exploration of the moon and deeper probes of outer space?

Yes	42.8
No	51.2
No opinion	6.0

12 To halt student violence, what policies should be adopted in riot situations on campus?

(a) Expell students who are disorderly or refuse to obey regulations	39.8
(b) Strict law enforcement, but no use of deadly force	14.5
(c) Strict law enforcement, use deadly force if absolutely necessary	13.1
(d) Firmer control by college administrators	8.4
(e) Keep outside agitators off campuses	5.0
(f) Miscellaneous suggestions	13.7
(g) No opinion	5.5

The July Washington Report will bring you up to date on the status of major legislation, as well as my activities representing you in Congress.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

TECHNOLOGY, DEVELOPMENT, AND POPULATION GROWTH

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BROWN of California. Mr. Speaker, this March I had the privilege to chair part of an important series of hearings conducted by the Subcommittee on Science, Research, and Development of the Science and Astronautics Committee dealing with the overall topic of "Technology Assessment and the Environment."

Of the two sessions I chaired in San Francisco, one afternoon was devoted to analyzing both the severe problems caused by increasing population growth rates and possible remedies to offset these ever-growing resource demands.

Today, I would like to insert in the RECORD, the statement made at that hearing by Dr. Eugene V. Coan, the director of Political Activity for Zero Population Growth.

Dr. Coan stresses the need for broadening this country's foreign aid program to emphasize population control and family planning projects, a position I strongly agree with.

His statement follows:

TESTIMONY OF EUGENE V. COAN

Mr. Chairman and Members of the Subcommittee: I am Eugene Coan, Director of Political Activity for Zero Population Growth, a nationwide educational and political action organization concerned with the rapid growth of population, both in the United States and in the world.

We appreciate this opportunity to appear before you to discuss the relationship of our capacity for properly assessing the impact of new technology to our policies with respect to population growth.

In the first place, we applaud the concept of "Technology Assessment." After reviewing the articles on this topic which were suggested to us, Mr. Chairman, we conclude that "Technology Assessment" is a technologist's word for ecology, and we certainly need more ecological concern. Ecology is a field that has to do with the relationships, with the multiplicity of interactions within and involving the living world. This may sound all-encompassing, and, indeed, it is, but it is not that aspect of ecology which makes it new and especially significant for us. There is a qualitative feature of ecology that is of far greater importance. An ecological point of view is a new way of looking at the world. It is in the broadest possible perception and in the recognition of the many consequences of what we do and what is happening to us that we have a completely fresh approach to our problems. This approach is difficult for us, because throughout most of western civilization it has been man against nature, rather than part of it.

There is no better demonstration of the application of ecological principles and the complexity of relationships than with regard to population growth. Every social and environmental problem in our society is adversely influenced by population growth. Air and water pollution worsen. The land becomes covered with refuse. Crowding aggravates life in our cities. Resources and open space decrease. Facilities and services are taxed to capacity, as are citizens. The subtle qualities of life have all but vanished—space for hiking and thinking, quiet, wilderness, and individuality.

Each population-related problem can be solved—by itself. An expert on air pollution is full of ideas about how to decrease the amount of smog. An expert on education has many ideas on how to improve our school system to meet increased demands. Sociologists have theories on how to lower the amount of crime and violence in our cities. Housing experts list programs to meet our housing shortage. Politicians, especially this season, have notions about decreasing taxes.

But there is a catch. We are losing on all fronts at once. Why? If you look into these plans presented by each of these experts, you will find that they have two things in common. First, every one of them costs a great deal of money. We could only afford to provide adequate solutions for one or two problems, but there is not enough money and resources to solve all of them by a piecemeal approach. At a time when man's survival is threatened from several directions, solving only one or two problems will not be sufficient.

Secondly, it is entirely inappropriate to attack each problem as an individual entity because everything is interrelated. Crime is related to poverty and poverty to employment. Employment is related to transportation and transportation to pollution. Pollution is related to the amount of medical care we need and this care is related to professional training. We now have to force ourselves to look at the whole picture at once.

Our analysis of this picture indicates that we are in trouble and will have to move quickly. In the United States, population threatens the quality of our lives, but the greatest danger we face as a result of the enormous and rapidly increasing numbers of individuals is the political consequences of overpopulation in the so-called "under developed" nations. None of us can predict what will happen. Population-created conflicts may cause rapid break-downs in the governability of large areas, rendering relief or long-range solutions difficult or impossible. The underlying imbalances among population, resources, and disease have already become apparent in some areas of the world, such as in Nigeria, India, and El Salvador. As examples of what we may face in the future, the populations of both Nigeria and India will double in 28 years, that of El Salvador in 21 years.

The concept of overpopulation is a relative one. For instance, America is not only one of the most overpopulated countries on the planet by virtue of her high per capita use of energy and raw materials, but she is also one of the greatest consumers of the resources belonging to other areas and peoples of the world. Such artificial affluence cannot last.

The second greatest danger we face is the result of the global nature of pollution. Already, we have begun to tip balances we have discovered only after we upset them. Birds become extinct because farmers thousands of miles away spray their crops with cholorinated hydrocarbons. Trees become sick in Arizona because people drive to work in Los Angeles. Changes in the weather occur because we are using too much fossil fuel. This is probably only the beginning of the things that will happen to the oceans and the atmosphere of our planet as the world's population doubles. Some biologists believe we will soon be faced by a series of global ecological catastrophies for which we need a whole new kind of national preparedness.

What we require for this preparedness are institutions which enable us to see the full page of factors which may be involved in our planning, whether the pending decisions are technological or not. Our greatest needs at the present time are for biological and sociological considerations to enter into major technological decisions. However, the mere presence of new boards, committees, councils, and agencies is not enough. They must, in addition, have the necessary breadth and quality of membership and staff to carry out the task, and, more importantly, they must be given the political power both to halt bad technology and to suggest better approaches to problems.

With regard to specific measures, Zero Population Growth has already announced its support for Representative Foley's bill, House Joint Resolution 1071 (co-authored by the chairman of this subcommittee, among others), to establish a Joint Congressional Committee on Environmental Quality and Population Policy. To consider population in terms of absolute numbers of individuals has little meaning. To make statements about environmental quality without considering population growth is equally useless.

We supported the recently passed, administration-sponsored legislation to create a "Commission on Population Growth and the American Future," only after its duties had been amended to include study of ways to achieve population stability. We initiated and are backing legislation to establish an even more comprehensive Commission on Population and Environment in California (State Senate Bill 186, introduced by Senator John Nejedly).

In the fields of population and environment, there are several immediate needs at the Federal level. Let us consider ways for Congress to examine broader-than-traditional relationships.

First, we need to obtain and widely publicize information on what technology can really promise in the way of solutions to the population problem. In the opinion of ecologists and demographers with whom I am acquainted, there are no real technological solutions to overpopulation. Nevertheless, the belief that there are such solutions continues to be widespread among the general public. A set of Congressional hearings, perhaps by the House Committee on Science and Astronautics, would be a good idea.

Secondly, there is little in the way of common knowledge about the relationship of population growth to urbanization and to the social ills of cities. While people are rapidly becoming aware that population growth adversely affects environmental quality, the relationship of that growth to the lives of most Americans has not been made clear. As a beginning, a set of hearings on this subject would prove useful.

As a first step toward what is required for man's survival in the whole world, we must take measures to stabilize the population of the United States as soon as possible. We must do this in order to set a credible example for countries which can still save themselves by stopping their population growth. Stability will enable us to realistically face the political situations that will arise in other areas as a result of overpopulation. We must also achieve this stability, or preferably a reduction of our population, in order to conserve our own diminishing resources and to have time to solve our own population related problems.

This brings us, then, to the topic of governmental re-organization to achieve more encompassing and balanced policies. This area must be approached with caution, for governmental re-organization is no panacea. We must weigh carefully the political balances which would be achieved by proposed changes.

Zero Population Growth supports the legislation by Senator Joseph Tydings, Senate Bill 2108, which would, among other things, give the population programs of the Department of Health, Education and Welfare a better balance and position within the department.

We would support a measure to bring the relevance of population into the Department of the Interior, either by the establishment of a Bureau of Population or by moving the Bureau of the Census to Interior. More sweeping changes in this Department will require careful consideration.

Finally, and I believe most importantly, we need some major changes in our State Department. We need an entirely new, ecologically-oriented foreign policy which places its greatest emphasis on areas of rapid population growth and environmental danger rather than on ideological relationships between nations. Differing ideologies now threaten man less than bad ecology. For instance, we need a new way of providing foreign aid by bilateral and multilateral means. Aid agencies should be made up of teams from the countries involved and should have a degree of autonomy from their respective countries. Our contribution should be ecologists and sociologists, rather than politicians and paramilitary personnel. Funds would be raised on matching formula basis. The aid provided would be a complete package that made long-term ecological sense for the particular area, not just short-term political sense.

We might also consider the establishment of a new, massive educational program by our country for foreign students. This could be in the form of crash courses in the needs of their areas of the world and potential solutions to their problems. These should be given in the students' native languages and should be designed so as not to contribute to the "brain drain" from other countries to ours.

I would like to conclude on an encouraging note. In just a few months of activity, Zero Population Growth has gained substantially in membership and in number of chapters. Many of the chapters are on college campuses. I believe that what is necessary, and what has already begun, is a major movement, especially among young people in organizations such as ours. We hope that this will carry over to other countries. The time is past when concerned citizens can feel they are doing enough by protesting the ineffectiveness and wrongness of our government's policies. What we need now are bold new approaches to meet man's needs, approaches which continually assess the impact of technology on the entire biosphere, of which man is only a part.

INDEPENDENCE DAY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DERWINSKI. Mr. Speaker, I reemphasize to the Members the tremendous resurgence of spirits which I witnessed on Independence Day in visits to numerous communities throughout the Fourth Illinois District.

A positive contribution to this spirit was an editorial in the Chicago Heights Star, Saturday, July 4, which reemphasized the historic message of the Declaration of Independence.

The editorial follows:

AS WE SEE IT: INDEPENDENCE DAY

Today is Independence day, the red, white and blue-letter day on the American calendar. It marks the 194th anniversary of the adoption of the Declaration of Independence, one of the world's great testaments to the rights of man.

When delegates to the Second Continental Congress adopted the Declaration in 1776, they were agreed on the reasons for the revolutionary proclamation and on the ideas expressed in it. But times change, of course, and over the years other interpretations of this historic manifesto have been offered.

What, in fact, is the "message" of the Declaration of Independence?

Perhaps the best expression of the political philosophy that inspired it is set forth in the "American's Creed," which resulted from a nation-wide contest conducted in 1917.

The winner, William Tyler Page, said the Creed was "a summary of the fundamental principles of American political faith as set forth in its great documents, its worthiest traditions, and by its great leaders."

The text of the Creed is as follows:

"I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a republic, a sovereign nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and their fortunes.

"I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag and to defend it against all enemies."

Stirring words on a timeless subject, as meaningful today as when they were written.

U.S. LAND LAW REVIEW: VITAL TO UTAH

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BURTON of Utah. Mr. Speaker, the long-awaited report of the Public Land Law Review Commission, on which I was privileged to serve, was submitted to the President and to the Congress on June 23, 1970. It represented 5 years of intensive study and contained several hundred specific recommendations for updating the laws that govern our public lands. The Ogden, Utah, Standard-Examiner carried a lead editorial on the report the date of its issuance, and I believe these comments might be of interest to some of my colleagues. The editorial follows:

U.S. LAND LAW REVIEW: VITAL TO UTAH

The 289-page report issued today by the Public Land Law Review Commission after five years of careful study contains 387 specific recommendations, most of them vital to the future of Utah and neighboring western states.

Uncle Sam is our state's largest land owner. Of the 52.7 million acres in Utah, more than 35 million—or 66.5 per cent—are owned by the federal government, including 34.5 million acres still listed as public domain.

This makes Utah the third state, behind Alaska 95.3 per cent and Nevada's 86.4 per cent, in federal land ownership. Idaho is fourth at 63.9 per cent, Oregon fifth at 52.2 per cent and Wyoming sixth at 48.2 per cent.

Those figures show why the Public Land Law Review Commission's study is so important to the future of our area—particularly as Congress, in months and years to come takes up the recommendations and decides if they should be made into law.

On a national basis, the most sweeping change would be affected if the present Department of the Interior was changed to the Department of Natural Resources and the Forest Service, so much a part of the West, changed to the new department from its present berth in the Department of Agriculture.

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The Standard-Examiner has long felt that such a change would be helpful in eliminating overlaps in agency jurisdiction, especially if the commission's further recommendation is followed to concentrate all congressional activity into single committees in the House and Senate.

Utah had two members on the commission —Rep. Laurence J. Burton and Salt Lake City attorney Byron Mock, former Bureau of Land Management director for our state. Like the five other "public" members named by President Johnson, Mr. Mock is a Democrat—but President Nixon was wise enough not to change the membership in the middle of the study to preserve continuity.

We agree with Rep. Burton that the most important single recommendation, so far as Utah is concerned, calls for the federal government to make payments to states "in lieu of taxes" for the land it owns, subject to a "public benefits discount of at least 10 per cent but not more than 40 per cent."

This carries out the practical concept that residents of other states, who enjoy the use of public lands in the West, should help pay for the maintenance of services so necessary to their maintenance.

Federal "in lieu" payments on public lands would be a major step in correcting the current financial problems of Utah and its sister states.

Also important is the commission recommendation that grazing fees on public lands be determined by the quality of the land involved. As Rep. Burton pointed out, it is unfair to ask the same fees for land "so poorly vegetated that grasshoppers have to pack their lunch to cross it" as is charged for other land "where the cows are belly-high in grass."

Over the long haul, the suggestions that the leasing of oil shale lands be rearranged to expedite the unlocking of the trillions of barrels of oil that they contain could mean more to our state than any federal legislation since passage of the Colorado River Storage Project.

Rep. Burton, Mr. Mock, Chairman Wayne Aspinall and their colleagues and staff can be proud of the task they have performed for the nation on the Public Land Law Review Commission. Now, if Congress will act, instead of placing the report in a pigeon hole, these long-overdue changes can become an actuality instead of a dream.

BARBARA M. WATSON, ADMINISTRATOR, BUREAU OF SECURITY AND CONSULAR AFFAIRS

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. CELLER. Mr. Speaker, I welcome this opportunity to acquaint my colleagues in the House with some of the good deeds of the Administrator of the Bureau of Security and Consular Affairs of the Department of State, the Honorable Barbara M. Watson. Miss Watson has served the Department with distinction since 1966 when she was appointed special assistant to the Deputy Under Secretary for Administration. She was successively appointed Deputy Administrator, Acting Administrator, and finally Administrator of the Bureau of Security and Consular Affairs, the first woman with the rank of Assistant Secretary of State. Her excellent record was to be predicted.

She is the daughter of the late Judge James S. Watson and Mrs. Violet L. Watson and was born and reared in New York City. Her father was a man of eminence, the first Negro to be elected to a Judgeship in the State of New York, who served faithfully in that capacity for 20 years.

She is a graduate of Barnard College of Columbia University and of New York University Law School where she received a prize as the "most outstanding law student in the city of New York," based on the selection of a committee of eminent jurists.

From 1962 to July 1966 Miss Watson served as attorney on the New York City Board of Statutory Consolidation, as assistant attorney in the law department of New York City and as executive director of the New York City Commission to the United Nations, which commission is the official liaison between the New York City government and United Nations personnel.

Of continuing interest to the Congress and to the Judiciary Committee, is the excellent leadership she displays as Administrator of the Bureau of Security and Consular Affairs. Her ability to work harmoniously with others and to coordinate and make available the facilities of the Bureau to the Congress, to the committee, and to private organizations and individuals is a tribute in itself. The smooth changeover in the implementation of the 1965 amendments to the immigration law was a direct result of Miss Watson's superior ability. She personally conducted a successful series of consular conferences abroad to insure a uniform interpretation and understanding of the features of the new law and regulations. Personnel resources were effectively redirected under her leadership and, in the first year of operation under the new law, 99.97 percent of all available visa numbers were used, a record that speaks for itself.

It is gratifying that Miss Watson has infused the Bureau of Security and Consular Affairs with new life and has exerted firm direction to, and renewed the concept of, the consular career idea necessary to the high caliber of consular activities.

Her untiring efforts have been evident from the beginning. She has been available at all times to Members of Congress, to specialized agencies of the United Nations, to voluntary agencies and to individuals. During the aftermath of the Mideast war, Miss Watson, her staff, and foreign service posts literally worked around the clock to insure the safety of some 20,000 Americans stranded in that area. She has been similarly involved in the safe repatriation of Americans from Cuba, a continuing project.

The excellence of her contribution to America has been recognized by the Department of State in retaining her as Administrator of the Bureau of Security and Consular Affairs, and by numerous nongovernmental organizations who have singularly honored her for her service. The Hadassah has bestowed the Myrth Wreath Achievement Award, "in recognition of her outstanding work in behalf of social welfare and in appreciation for her enhancement of the image of women in Government"; the American Caribbean Scholarship Fund, Inc. Special Award of Merit "in recognition of the extraordinary and remarkable intellectual and academic qualifications reflected in her devotion to duty in the field of human relations and the affairs of state;" the United Seamen's Service Humanity Award for her "humanity and sympathy, vision, and understanding of the isolation and dangers that confront our ships and seamen of the great waters of the world."

Little more need be said in her behalf other than a statement that the Government is that much richer for the able and unselfish leadership of the Honorable Barbara M. Watson, Administrator of the Bureau of Security and Consular Affairs.

THE SENECA NATION OF INDIANS IROQUOIA PROJECT

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. HASTINGS. Mr. Speaker, I am most proud to have as constituents of my district the Seneca Nation of Indians. Their contributions to my area, New York State, and the United States have been substantial since the birth of this Nation. Their history goes back much farther than most people realize. This year, 1970, is the 400th anniversary of the Iroquois Confederacy, founded in 1570, before non-Indians thought of forming a separate government on this continent.

The Iroquois Confederacy, comprising initially five nations and eventually of six different tribes, was and is one of the strongest unions of Indians ever established. The Senecas played a very important role in the development of our country.

Today the Seneca Nation of Indians is fighting for Federal assistance for all Indian tribes in the United States to help reduce unemployment and improve the economy on Indian reservations. They have a $10 million recreation/tourism project planned for their own area to make the best of a situation whereby the U.S. Government flooded 10,000 acres of reservation land. Recently, Mr. William Seneca, the president of the Seneca Nation of Indians, Mrs. Ladonna Harris, director, Americans for Indian Opportunity Action Council, and Mr. Bruce A. Wilkie, executive director, National Congress of American Indians, testified before the Senate Appropriations Committee indicating the specific nature of the problem the Seneca Nation of Indians have encountered and emphasizing that the Appropriations Committee increase funds in the Economic Development Administration for projects undertaken by American Indians to reduce unemployment and to improve the economy of the American Indian. Because national attention should be brought to bear on this important problem, I insert in the RECORD the statements of the above representatives of American Indians for the benefit of my colleagues:

STATEMENT BY WILLIAM SENECA, PRESIDENT, SENECA NATION OF INDIANS, BEFORE THE SENATE APPROPRIATIONS COMMITTEE, JUNE 25, 1970

Mr. Chairman and Members of the Committee: It is with a sense of gratitude that I am permitted the opportunity to appear before this Committee to discuss the Fiscal Year 1971 Commerce Appropriations Bill, and specifically as it relates to the Economic Development Administration.

The Council of the Seneca Nation of Indians by unanimous resolution directed me, as President of the Seneca Nation of Indians, to appear before this Committee to:

1. "Seek a larger and reasonable amount (in the EDA appropriations for 1971) for Indian projects."

2. "Do everything possible to exert the Nation's thoughts and influence to increase the funding of public works in federal programs for all Indians."

At a meeting with American Indians in Albuquerque, New Mexico, President Nixon, Vice President Agnew, and Senator Kennedy gave recognition to the legal and moral right of American Indians to continued federal support. Vice President Agnew, in his speech to the National Congress of American Indains, emphasized that the Administration was proposing programs to fit Indian requirements and needs. Secretary Hickel stated: "Let's start thinking in terms of jobs. For those reservations that don't want industry, we must make other plans." Similar and more direct encouragement was given to Indians to participate in federal programs for the alleviation of unemployment and the building of the economy of Indian areas throughout the country.

The Seneca Nation of Indians, upon continued encouragement and suggestions from the Economic Development Administration, took positive steps necessary to accomplish the goals announced by those speakers at that meeting. Today, the Seneca Nation of Indians finds itself, after putting forth considerable financial and other efforts, facing a situation where its work appears that it might be in vain. I am submitting with this testimony a copy of the Seneca Nation of Indians resolution pertaining to our proposed $10 million recreation-tourism project which serves as a good case study of what can happen when insufficient funds exist in federal programs. That document will outline our particular situation.

My main purpose for appearing before this Committee is to seek an expression and an indication by this Committee for increased Economic Development Administration funds for Indian reservations throughout the United States. Although I personally can speak only for the Seneca Nation of Indians, I submit a statement from the National Congress of American Indians in support of this testimony and a statement from Mrs. Ladonna Harris, Director, Americans for Indian Opportunity Council, who has been and is continuing to work for better conditions for all American Indians.

We are seeking the consensus of this Committee for increasing the EDA appropriation with the thought of enlarging the Indian allotment for Fiscal Year 1971. Although allotment procedures are administrative in nature, we feel that it is important that Congress express its concern over the small allotment and the handling of that allotment in EDA for American Indians.

Specifically, we are asking this Committee to increase the appropriation in EDA by $60 million with the idea that the major thrust of such an increase be used primarily for Indian projects to reduce unemployment and to improve the economy of reservation areas.

This distinguished Committee needs no rhetoric expressing the need of the American Indian for economic development. There is no question that Indians rank last in all statistics concerning health, education, housing, employment, and income. There is no need to expand on the fact that the average American Indian has a life expectancy of 44 years, an infant mortality rate three times as high as among non-Indians, and an unemployment rate as high as ten times the national average.

The Task Force on Economic Growth and Opportunity of the Chamber of Commerce of the United States, in its report in 1969, stated succinctly what the Indian wants today:

"Indian spokesmen have stated Indian wants. They want to retain their culture. They want to be consulted and to have a real vote in decisions relating to themselves. They want to retain their reservation lands. And, Indians want to enter modern economic life and enjoy its advantages."

The Indian today wants to develop the education and business acumen characteristic of the successful economic progress demonstrated in this country over the years. He wants to earn a salary which will enable him and his family to live a happier life. He wants to keep the values he holds dear while developing the means for improving his economic status. At the root of many of the problems on Indian reservations is the constant cloud of unemployment, or the threat of unemployment. The economy of the individual and of the Indian Tribe is affected greatly.

To alleviate conditions of substantial and persistent unemployment and underemployment in Indian areas, the most pertinent federal agency is the Economic Development Administration established by the Public Works and Economic Development Act of 1965. Since this is the case, and since the Indians throughout the United States must rely upon funds in this Agency for assistance in public works projects and development facilities and other financial assistance for planning and business loans, we felt it was most practical to ask this Committee to increase the appropriation for EDA to assist Indians throughout the country.

The whittling away of the Indian Public Works Allotment in EDA places continued burdens on Indians throughout the United States. For example, according to the Office of Budget and Program Analysis of the United States Department of Commerce, in a letter of March 18th of this year, it was pointed out that the public works program for Indians in EDA was trimmed as follows:

Original Allotment, $23.1 million.

After overall budget cut by the Administration, $19.0 million.

Second and final reduction, $13.5 million.

The original $23.1 million for all Indian public works projects in EDA in the United States was too low even in the beginning when viewed in the light of the comparative needs of Indian reservations throughout the country. But, to cut that amount by almost half to $13.5 million for all Indian reservations in the United States is to cause continued hardships and to discourage efforts of economic development in the most depressed areas of the country.

Because of the current economic situation in the country, and because of inflationary cost increases in the construction industry, the allotment for Indians in the past fiscal year in the whole United States would have allowed approximately only 12 average-sized buildings to have been erected. This could have accounted for the whole allotment to Indians.

Such an allotment for Indians in the whole United States is merely a token of assistance when compared to the expenditures in other categories in other areas not related to development of the social and economic wellbeing of the citizens of this country.

The Seneca Nation of Indians supports the total request for Fiscal Year 1971 for EDA in the amount of $263 million plus an additional $48,300,000 for a total suggested appropriation of $311,300,000 dollars. This is a total of $60 million more than the House recommended in its bill, $48,300,000 more than the total request for Fiscal Year 1971, and only $40,300,000 more than was appropriated in Fiscal Year 1970.

Why the increase in funds for EDA?

First, it should be noted below that the total funds appropriated for EDA have been reduced steadily each year since the agency was instituted. The figures given below indicate the amount of reductions which have taken place:

Fiscal year	EDA total appropriated funds	Reduction in appropriation
1966	$332,425,000	
1967	296,100,000	$36,325,000
1968	275,000,000	21,100,000
1969	274,740,000	260,000
1970	271,000,000	3,740,000
1971 [1]	251,300,000	19,700,000
Total		81,125,000

[1] House proposal.

Second, instead of the appropriation for EDA being reduced, it would seem that such an appropriation which is used primarily to reduce unemployment and improve the economy of afflicted areas should increase proportionately with the increase in unemployment in the country. For example, the increase in unemployment from May of 1969 to May of 1970 amounted to 1.5%—from 3.5% unemployment to 5%. In December of 1969, the total number of unemployed was approximately 2,800,000 people. If we were to divide the total number of unemployed people into the $271 million appropriated for EDA in Fiscal Year 1970, the appropriation would amount to approximately $100 per unemployed person. If we use this same standard and multiply the 4,106,000 people unemployed as of May of this year by $100, the appropriation in EDA for Fiscal Year 1971 should be $410,600,000 dollars. This would be an increased appropriation of approximately $160,000,000 over what the House has suggested.

Since such an increase is probably unattainable, we are suggesting that this Committee at least do the following:

1. Move to increase the appropriation to at least the Fiscal Year 1970 level—an increase of almost $20 million.

2. Increase the appropriation further because of the increased rate in unemployment, not to mention the potential increase in unemployment during the year. The amount to be increased is calculated at 25% of the increased funds ($160 million) calculated above . . . $40 million.

3. Total increase suggested in numbers one and two above equals $60 million.

Third, the majority of the increase in these funds should go to the lowest income groups and the unemployed since they are hit the hardest in periods of unemployment. Furthermore, the dollar amounts of projects are increasing monthly because of the increase in construction costs which today amount to approximately a 25% increase each year. Since this is the case, fewer projects can be approved in EDA, more applications will not be able to be funded, and continued unemployment in some areas will result.

There must be a backlog of projects in EDA, including Indian projects such as ours, which cannot be funded because of the lack of appropriations. With insufficient appropriations, the unemployment problem is compounded when federal assistance is not forthcoming. Some projects in EDA are broken into several phases, as was suggested to us, which only tends to increase the amount of money the Federal Government puts into the project as well as the amount of money which must be raised locally for matching funds. The 25% increase in construction costs in a sizeable project such as ours can amount to millions of dollars in one year's time.

In addition to these factors, the projected labor force for 1975 is 93.6 million, an increase of 19.5%—as projected by the Upjohn Institute for Employment Research. With this increase in labor force and with the current trends of dramatic increases in unemployment, it is inconceivable that funds for EDA should be reduced rather than increased substantially. When such a reduction takes place in view of the factors mentioned above, the Indians of America can only be hurt by a reduction in funds instead of a substantial increase.

In the request for Fiscal Year 1971 for the Economic Development Administration, as passed by the House, it should be noted that the House Committee recommended $21,100,000 for the operation and administration of EDA—an amount which exceeded total funds for all Indians in the United States last year by almost $8 million. This is not to say that $21,100,000 is not needed to operate and administer the program. However, it is to say that the amount which should be made available for Indians throughout the country—600,000 in number—should at least be increased since construction costs in public works are increasing steadily, and since business loans will probably be in greater demand. In other words, the substance of the program for the most poverty-stricken group in the United States should at least be funded in a manner and in an amount in proportion to what it takes to administer the whole EDA program.

The original intent of the Public Works and Economic Development Act of 1965, as shown in the authorization, was that an amount up to $760 million for each fiscal year could be expended. The House Committee has recommended a total appropriation of $251,300,000 for Fiscal Year 1971. The addition of the $60 million we are advocating here would bring the total request for next fiscal year to approximately $310 million—still almost $450 million under the limit.

With the economy in the Nation the way it is today, and with the unemployment rate reaching 5%, a greater number of areas in the United States will become eligible for EDA assistance. This increase in high unemployment areas will create a greater demand for funds from the Economic Development Administration. If the increase in the number of areas eligible for assistance is not met in direct proportion by an increase in funds for the agency, this will produce even greater competition in the agency for the money available. Our project is a good example of what can happen when sufficient funds are not available.

Furthermore, when projects are undertaken by those applying for EDA assistance, a one to two per cent increase in construction costs per month passes with each month that it takes to get a grant offer from the agency. Such costs are very difficult for even professionals to project.

What has been the pattern of total EDA expenditures as related to expenditures on Indian reservations? Out of the total amount of EDA appropriated funds from Fiscal Year 1966 through Fiscal Year 1970 of approximately $1.5 billion, Indians have received approximately $75 million—a mere 5% of the total funds provided for EDA has gone to the most poverty-stricken group in the Nation. These statistics are taken from EDA's own statements to the Joint Economic Committee of Congress in 1969 and the House Report of the bill under discussion.

Again, in EDA's own publication, the 1968 Progress Report of the Economic Development Administration, it is stated that 600,000 Indians in the United States have "an average unemployment rate of 40% (10 times the national average), a median family income of $1,700 per year, dilapidated housing, a high school dropout rate double the national average, and an average rate of death twenty years younger than that for the country as a whole." Is 5% of EDA's expenditures an equitable amount in view of the agency's own statements?

In EDA's statement to the Joint Economic Committee in 1969, the EDA concluded that "the tribal attitude toward change will, in the long-run, determine progress and allow them to move toward self-sustained economic growth." I submit that this is only partially the answer. It is only with the assistance of the Federal Government in the economic development program in the Economic Development Administration, which must be adequately supported financially, that Indians will be able to move toward the goal stated by EDA. Only further despair, a feeling of disillusionment, and further hardships for the members of each Indian nation will result if this Committee, the Congress, and the Administration do not see fit to provide greater funds for economic development of Indian communities who are ready and willing to match funds with the Federal Government to help Indians toward a better life.

I thank this Committee for its time, its interest, and hopefully, its willingness to assist all Indians in America in a direct way by adding $60 million to the EDA Appropriation with the idea of assisting Native Americans.

As Mrs. Fred Harris said for the Indian members of the National Council on Indian Opportunity to the Chairman and federal members:

"Just as Alcatraz stands as a symbol of the frustration and despair long felt by Indian people, let the positive actions of this government insure that such a symbol is never needed again."

Recreational Development Resolution

Whereas, the Federal Government of the United States of America saw fit to establish a water control program affecting the Allegany River, flooding approximately 10,000 acres or one-third of the land of the Seneca Nation of Indians, by erecting the Kinzua Dam north of Pittsburgh, Pennsylvania, and south of the Allegany Reservation of the Seneca Nation of Indians;

Whereas, By Public Law 88–533, 88th Congress, H.R. 1794, August 31, 1964, the Federal Government authorized funds for "relocation, rehabilitation, social and economic development of the members of the Seneca Nation;"

Whereas, The Federal Government established the Economic Development Administration of the Department of Commerce in 1965 to assist areas of high unemployment by assisting with matching grants for public works;

Whereas, The Seneca Nation of Indians Cattaraugus and Allegany Reservations are designated EDA areas and have been urged by EDA officials for five years to apply for funds for a Recreation-Tourism Project;

Whereas, The late President of the United States, John F. Kennedy, directed in a letter to all agencies and departments of the Federal Government that they assist the Seneca Nation in all ways possible in the development of a Recreation-Tourism Project;

Whereas, The Seneca Nation of Indians proceeded in an orderly fashion to study potential economic development projects by participating in ten feasibility studies between 1965 and 1969, finally combining the best parts into the project known as "Iroquoia" which would reduce the high unemployment on the reservation to a level at or below the national level;

Whereas, EDA officials, showing a sincere interest in helping the Nation, from the period of 1965 through 1969, stated on numerous occasions their interest and support, even urging the submission of an application;

Whereas, The Seneca Nation of Indians in 1969, after completion of an EDA technical assistance study, moved positively to implement the study by:

(1) Hiring an Economic Development consultant to coordinate all efforts toward conceptualizing a project, bringing together the best elements of all the studies and preparing an application for an EDA Public Works grant;

(2) Hiring a former president of the Seneca Nation of Indians to serve as Assistant Project Manager in the preparation phases of the total complex;

(3) Hiring a cultural development specialist for researching and coordinating all cultural aspects of the project;

(4) Hiring an architectural-engineering firm to develop the preliminary designs and requirements dictated by EDA;

(5) Holding numerous meetings and conferences with Federal officials and nationally-known cultural consultants;

(6) Preparing a complete application for EDA in the summer of 1969, only to be told that the project, originally prepared for several phases but told by EDA to put everything into one phase, should be put back into phases;

(7) Preparing the application again in two phases, the first of which was submitted to EDA in January 1970, only to be told by the Regional Office that both phases should be submitted since they considered the application as one phase, and still being told by EDA in Washington that they considered the application in phases;

(8) Meeting a multitude of requirements asked by EDA, such as actually drilling wells for water, and by meeting EDA officials for a year;

(9) Establishing a special Recreation Committee to work on the Project;

(10) Establishing a Recreation Foundation comprised of distinguished Indians and non-Indians, to assist with policy decisions prior to completion of the project;

(11) Engaging a legal firm, six months ago, to handle all legal aspects of the project;

(12) Coordinating all elements leading to a successful and worthwhile project;

(13) Passing a Council Resolution that the Nation make $4,000,000 of its funds available for the project;

Whereas, The EDA has provided conflicting and confusing reports and information relative to the funds available for the project;

Whereas, EDA, through Mr. Fagan, Assistant to Assistant Secretary of Commerce for Economic Development, and his staff, indicated orally to the Nation on May 6, 1970, that the project not be funded this year, next year, and probably never because no funds would be available for the Nation's type of project and because the Indian Public Works program was reduced from 19 million dollars to 13.5 million dollars in this fiscal year since a heavy demand on funds was made by Mississippi because of the results of Hurricane Camille;

Whereas, The United States Congress failed to produce a supplemental appropriation for the Department of Commerce for Hurricane Camille damages, and an administrative decision in said Department resulted in reducing Indian Public Works grant allotments in EDA;

Whereas, Should a grant be made, the size of the Nation project requires immediate action if large costs to the Federal Government and to the Nation are to be prevented, since it is estimated that added inflationary construction costs amount to $100,000—$200,000 per month;

Whereas, The Nation deems it vital to its future welfare that the Recreation-Tourism Project become a reality;

Whereas, The Nation cannot fund the whole project by itself and will have to abandon the Project if no Federal assistance is made available;

Whereas, The Nation has one of the lowest EDA Public Works grant per Indian ratio of all reservations in the United States having received such grants;

And whereas, The failure of the Federal Government to assist the Nation pursuant to the above will contribute to the continued high unemployment of members of the Nation and to the delinquency of the Nation's improving the economy of the area, contrary to the desires of Congress, as stated in Public Law 88–533;

Now, therefore, be it resolved, That the Council of the Seneca Nation directs the President of the Seneca Nation to:

(1) Advise and inform the appropriate elected, appointed and other individuals, including the President and Vice-President of the United States, of the history of the Iroquoia Project, seeking their support for the EDA application;

(2) Appear before the appropriate Congressional Committees with appropriate supporting testimony in official hearings to present the Nation's case;

(3) Appear before the 1970 Supplemental Appropriations Committees, seeking a supplement in EDA funds to make possible the funding of the Nation's Project, and to appear before the 1971 EDA Appropriations Committee, seeking a larger and reasonable amount for Indian projects, with testimony concerning the Nation's Project.

(4) Seek any and all means to assist the welfare of the Nation through the Recreation-Tourism Project by continuing with the EDA application process, the efforts to obtain Appalachian Funds, and efforts to obtain financial assistance wherever possible;

(5) Do everything possible to exert the Nation's thoughts and influence to increase the funding of public works in Federal programs for *all* Indians and that this be done as soon as possible.

XUM

STATEMENT BY MRS. LADONNA HARRIS, DIRECTOR, AMERICANS FOR INDIAN OPPORTUNITY ACTION COUNCIL, BEFORE THE SENATE APPROPRIATIONS COMMITTEE

Mr. Chairman and Members of the Committee: Positive action by your Committee is needed now to provide adequate and appropriate economic development funds for assisting American Indians, Eskimos and Aleuts in the reduction of unemployment and low income conditions which are so prevalent in many areas where they live.

The Americans for Indian Opportunity Action Council supports the earlier testimony of Mr. William Seneca, President of the Seneca Nation of Indians. The case history of the Seneca EDA application substantiates the desire of American Indians to develop programs for incorporating their present values with new opportunities for human resources development.

If such a comprehensive program as that of the Seneca is not funded, other Indian tribes will be seriously discouraged in their economic development activity.

American Indians do not seek a disproportionate share of EDA funds. Instead, the Americans for Indian Opportunity Action Council recommends as does the Seneca Nation of Indians, that the EDA appropriation be increased by $60 million for American Indian economic development.

Native Americans are entitled to a fair share and to equality of opportunity while still retaining their right to be different—a fundamental American idea. Yet, they continue to be the minority group in America with the worst health, housing, education, income and unemployment statistics.

An increased appropriation, together with a directive from this Committee that greater attention be given to American Indian economic development would substantially lift their hopes and opportunities in American society today.

The Senecas typify the new spirit of self-help and self-determination of American Indians, Eskimos and Aleuts. The Americans for Indian Opportunity Action Council respectfully urges this Committee to act now to encourage this new spirit and these new efforts by substantially increasing—for the Senecas and for all American Indians—funds available for economic development and public works.

STATEMENT BY BRUCE A. WILKIE, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS, JUNE 25, 1970

We respectfully request that this Appropriations Committee, as it considers further funding of the Economic Development Administration, look seriously at the needs of the American Indians nationwide.

American Indians, not by choice, are among the most economically deprived people on this Continent. We have not in the past, had the opportunity nor the tools and expertise to develop on the same level or even near the same level as other United States citizens.

Programs which have been developed from funds appropriated through the Economic Development Administration have been creating a grand opportunity for American Indians to, in a sense, catch up with the rest of the nation in progress and in opportunity.

We respectfully urge that this Committee provide increased funding through the Economic Development Administration to Indian Reservations throughout the United States.

The National Congress of American Indians supports the Seneca Nation of Indians in its application to the Economic Development Administration for the funding of their program. We request that the Economic Development Administration act favorably without delay on this application. The Seneca Indians have worked diligently for several years on the development of this program and we feel that further delays or a rejection of their application could only lead to a great injustice to this Nation of Indians.

PLANET EARTH IS SICK

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DINGELL. Mr. Speaker, the July 1970 issue of the American Sportsman's Journal carried an article by Charles Arnett in which are discussed some of the symptoms of "planetary disease" which are to be found on planet earth.

Under unanimous consent I include the text of the article at this point in the RECORD:

PLANET EARTH IS SICK—VERY SICK

(By Charles Arnett, American Sportsman's Guild)

The symptoms of this planetary disease are all around us. In our air, our water and our food. Some scientists say the disease may have already progressed too far. Will this be man's last decade? We must do something about it, and the American Sportsman's Guild intends to do something about it. Action must be taken by an informed and concerned public now. In this series of three articles, we will inform our readers what we intend to do.

Other scientists warn that either mankind do something about it or the end of life is a certainty.

The United Nations General Assembly has moved to organize a worldwide assault on pollution. United Nations sponsored international conference on the fast rising global pollution crises is scheduled to convene in Stockholm, Sweden, in June 1972.

In the United States, President Nixon signed a bill on January 1, creating a council on Environmental Quality. "It is literally now or never" in combating pollution, said the President at the signing, his first official act of 1970. "I have become convinced that the 1970's absolutely must be the years when America pays it's debt to the past by reclaiming the purity of it's air, it's waters and living environment," he said. In his state of the union message, he promised the most comprehensive and costly pollution control program in U.S. history.

Everyone is talking about it, but who is doing anything about it? One of the most important meetings to date on the pollution crises was held in San Francisco in late November 1969, but how many heard of it? It's title was "Man and His Environment: A View Toward Survival" sponsored by the United Nations Educational, Scientific and Cultural Organization. Over 60 outstanding authorities on every phase of pollution—air and water pollution, industrial wastes, oil spillage, solid waste disposal, food contamination—provided the nucleus of the conference.

Rippling through the corridors was the theme: "ACT! do something now, don't just talk about it." There has been more verbage about garbage in the last few years than in all history. Meanwhile, garbage and pollution in general continues to mount.

A large poster on display, in the lobby of the St. Francis Hotel stated in no uncertain terms the gravity of the situation. "Civilization faces a crises . . . the question is whether man can live together in the numbers that make culture possible, without destroying the conditions of his existence." With our very survival at stake, nothing is more important than to move quickly from thought to action.

At most, five young pelicans hatched this year out of 1200 nests in California. All other eggs broke before hatching, with DDT concentrations of up to 2500 parts per million in the thinnest-shelled eggs. The Brown Pelican does not pollute. He does not gather together in numbers that nature cannot support. He is a victim of man and a warning that man himself may perish, by his own ignorance. Here is a danger signal that something is drastically wrong on earth. No one wants the Brown Pelican to perish.

Arthur Godfrey said at a U.N.E.S.C.O. Conference: "I like to use the analogy of the miners. They used to take canaries—they still do—down in the mines with them. The canary topples off the perch: look out man, let's go! That's what the brown pelican is telling us—and the osprey and the eagle: Look, you're about to be killed. Let's do something about it! We're running out of air, we're running out of water, we're running out of land. You see, all our technology can't produce one square inch of soil or one drop of water." Why are we in this predicament? It is the direct or indirect result of advances in technology. Man's insults, terrible abuse and tampering with his environment. So much, in fact, that he threatens to destroy it.

To name but a few: the internal combustion engine, synthetic pesticides, inorganic nitrogen fertilizer, plastics, man made radio isotopes—the list is endless. More automobiles, more electrical power, more gadgetry, more food from depleted soil. Man has felt it his destiny to manipulate, control, and drastically alter his environment: to exploit nature and the earth's abundant riches, rather than to live in harmony with the laws that govern the intricate ecological balance of our globe.

Dr. Barry Commoner, a noted biologist, stated recently that mankind, the United States in particular, has embarked on a "suicidal course" and our ability to recover becomes harder and harder with each passing year. He suggested that President Nixon should declare a state of national emergency and reassess national priorities in order to solve our grim ecological problems.

In a panel session he was asked, "How long do we have?" He contended that unless we decide to act decisively in this decade we have had it.

President Nixon's own science advisor, Dr. Lee DuBridge, stated at the opening session of the U.N.E.S.C.O. Conference the following and his words, too, were grave: "It is our whole planet that is in danger of deterioration. Surely mankind has reached a turning point in history. He must do something now to reverse the deteriorating environmental trends, else our children and grandchildren will find the earth quite uninhabitable and it will even be increasingly more unpleasant and unhealthy for us."

Dr. DuBridge did not read before the assembled delegates the conclusion of his printed text which was released ahead of time to the press. It packed a wallop. It read: "The problem of pollution is a huge one. It involves nothing less than changing the habits of billions of people and the adoption of wholly new attitudes and very expensive new technologies by our whole worldwide industrial system."

Informing the public of the gravity of the pollution crises is no easy task, even with the current, nearly foolish, excitement over the topic. We must attract attention to the death of our planet. The sudden death of an individual makes the front page of the newspaper, but the slow imminent death of us all goes unreported.

The American Sportsman's Guild is embarking on a tremendous undertaking to educate the masses in our great country. The next two series of this article will appear in our next two issues of the American Sportsman's Journal. In these articles we will advise you of our endeavors.

In the next issue we will discuss our earth, our water, whose purity has been sold out to progress, our air—Don't Breathe Too Deeply—the Ocean, that Final Garbage Dump, solid waste, (a total of 3.5 billion tons of discards per year and growing), mountains of waste, noise pollution—the very survival of man is at stake. Be sure to get your copy of our next edition.

In our third article, we'll tell you what could and must be done. We must begin to act, not just talk, or we'll have another form of pollution—*Word pollution.*

IS BIOLOGICAL AGING INEVITABLE?

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DUNCAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

IS BIOLOGICAL AGING INEVITABLE?—PART II

INTEGRATED THEORY OF AGING

The inability of the foregoing important theories—and others—to present individually a comprehensive theoretical picture of the causes of biological aging should not be considered as discouraging. It is the nature of scientific research that the initial stages of most research efforts are characterized by the proposing of a great number of theories. There is usually a separate theory suggested to explain each different aspect of a given phenomenon under study. (This is often considered to be the "hunting" stage of research.) Eventually, however, laboratory work sifts this crude material—eliminating that which is useless, and leaving the worthwhile concepts to form a sound basis for more sophisticated approaches.

Until recently, attempts to explain the phenomenon of aging were in the "hunting" stage; a great number of worthwhile concepts were advanced during this stage, but laboratory evaluation of these concepts was most notable in its sparsity. Despite the discouraging fact that the amount of laboratory support is still very inadequate, enough useful experimental results have become available to permit the proposing of more sophisticated theories.

In 1968, Carpenter and Loynd suggested an "Integrated" theory of aging in which many of the preceding theories were blended together to form a cohesive theoretical picture. The "Integrated" theory assumes that (1) the major cause of aging is cross-linkage of all types of molecules within the organism, (2) the cross-linkage rate is roughly proportional to the metabolic rate and is dependent upon the density of chemical crosslinkers within the system, and (3) some types and amounts of increased stress upon the organism result in biochemical changes which enhance the rate of crosslinkage.

The modes through which this detrimental crosslinkage affects the organism are separated—according to function—into (a) the non-genetic mode and (b) the genetic mode. The non-genetic mode includes treatment of both collagenous and non-collagenous molecules. Both of these types of molecules obey diffusion relationships; additionally, waste products also accumulate in accordance with diffusion relationships. On the other hand, the genetic mode is principally concerned with genetic material. The crosslinkage of such material produces mutations, but mutations are also normally produced by dissociation; in a radiation environment further mutations result from radiation-induced deletions and nucleotide substitutions. The effect of the mutations is strongly enhanced by immunologic reactions.

The genetic structure of each organism determines the molecular shapes, locations and functions of the organism's component parts. In turn, if many parts do not function adequately the organism will die. Thus, because of its genetic structure, each organism has a definite minimum molecular efficiency—about 83%—above which it must operate in order to survive. (For example, a hummingbird most likely would not survive if it operated at the metabolic rate of a turtle. Thus, if a sufficient number of energy-conversion molecules became inactive within the hummingbird's cells, it most probably would die.)

When an organism's genetic material is adversely mutated, succeeding generations of the organism's body cells are poorly structured for inter-cellular cooperation and survival. This means that the organism can ill-afford to lose the use of any of those functional molecules which are essential to its life processes. Thus, the minimum molecular efficiency required for the organism's survival is increased; it is further increased because of immunologic reactions—perhaps to 85%.

However, mutations and immunologic reactions do not appear to be the major cause of aging and subsequent death. The major cause appears to be a decrease in molecular efficiency—where such decrease is primarily brought about by the changing of non-genetic molecules by crosslinkage. In some parts of each organism, the normal "turnover"—chemical replacement—of molecules is sufficient to prevent accumulation of inert molecule sand mutations but nerve cells, muscle cells, and collagen do not "turnover." In those last three items, crosslinkage gradually removes molecules from the "normal" category, and the molecular efficiency—number of remaining "normal" molecules times 100% divided by the number of original "normal" molecules—decreases with age. The difference between an organism's actual molecular efficiency and its minimum molecular efficiency required for survival is a measure of how much stress the organism can stand—ex. youth 96–83 = 13%, old age 80–85 = 4%. Whenever the applied stress exceeds the organism's capability to withstand it, the organism dies.

Now comes the question: does the "Integrated" theory actually provide a comprehensive theoretical picture of the way that real biological aging and death occurs? In all honesty, we don't know! The theory is plausible but that does not mean that it is right. It merely seems to interrelate the known facts better than has been done previously. If we really wish to determine the truth of the matter, we need to make a coordinated experimental and theoretical assault on biological aging.

ASSAULT ON BIOLOGICAL AGING

Other than to satisfy your insatiable thirst for knowledge, are there any constructive reasons why we should try to understand the physical processes underlying biological aging? The answer to that challenging question lies in the intriguing fact that, almost invariably, understanding brings control. A deep knowledge of the basic causes of biological aging could conceivably lead to a retardation or an arresting of the biological aging process. This, in turn, would yield at least three vitally important results: 1) the productive life span of individuals would be extended; 2) the onslaught of degenerative illnesses associated with advanced biological age would be postponed—giving medical research more time in which to develop effective treatments; and 3) with an increase in the average age, the attitudes of the populace on the problems—social, economic, et cetera—faced by our nation and our world would be far more mature, leading to more long-term, beneficial solutions.

To illustrate the outstanding significance of these three results, we will examine some of the benefits which would follow from just one of them—increasing the individual productive life span. In a long-range sense, the output of scientists, engineers and other experts would increase because a smaller portion of their lives would be taken up by education, thus leaving a relatively longer period of productivity. Of course, continuing professional education would be required at periodic intervals just as it is needed today. Nevertheless, a greater percentage of one's life could be devoted to gaining valuable operational experience and to applying this valuable experience to the material and mental betterment of the human race. In turn, this would lead to dramatic improvement in the present miserable condition of the world's poor, and to significantly increased rates of scientific progress in all fields. And, of course, a longer productive life span would also give us more time for fishing.

Considering the enormous benefits to be possibly reaped from organized research on biological aging, why weren't well-financed research programs started years ago? Well, in the first place, only during the last quarter century has enough background information become available to make such research programs feasible. Even now, very few people are aware that this essential background information exists. The second reason for delay in the starting of such research programs is the type of response obtained from individuals who have not had time to evaluate carefully the available information. Even people who are trained to think logically usually respond that it is impossible to change the rate of biological aging—and then they give one or more apologistic reasons as to why it is impossible. (In one case, a physicist known to the authors stated rather matter-of-factly. "If God wanted man to live longer, he would.") Furthermore, people naively assume that increasing the life span means increasing only the period of decaying senescence rather than the useful middle years. Naturally, such attitudes are wrong. Yet, because of these attitudes—which have been implanted in peoples' subconsciouses by the apologistic themes in our culture—there is significant opposition to research on aging.

This opposition shows up in several ways. First, it is difficult—but not impossible—for researchers to obtain financing for their projects. This drives researchers into working on projects where funds are more readily available. Second, it is difficult to interest scientists in working on biological aging because neither researchers nor graduate students want to "waste" their time examining what they wrongly believe is tenuous evidence. Third, no funding agency is willing to provide the necessary leadership and organization which are at present so conspicuously absent although at least one nationally-known drug company has hired an independent laboratory to investigate biochemically the crosslinkage theory of aging. Of course, these foregoing comments apply only to the Western nations. Russia, on the other hand, has been involved in organized research on biological aging since the 1930s. L. V. Komarov of Moscow has stated that there is no apparent biological barrier to man's living to age 200. In contrast, the United States' attitude towards research on aging is revealed by the Department of Health, Education, and Welfare's assignment of biological aging research to the National Institute of Child Health and Human Development. The Department's Section Head for biological aging research, Bernard Strehler, became so disenchanted with HEW's attitude in 1967 that he resigned, accepted a position with the University of Southern California, and started a non-profit organization—the Association for the Advancement of Aging Research (AAAR). The AAAR recently forwarded a proposal to the Senate Special Committee on Aging, which the Senate Committee amplified into a Bill known as the Preliminary Gerontological Research Act. Senator Harrison Williams (D–N.J.) introduced this Bill (No. 3784) into the Senate on July 15, 1968 but it apparently was introduced too late for consideration in 1968. (It will be re-introduced this year.) The core of the Bill is formation of an inexpensive ($5 million to $50 million a year) Aging Research Commission (ARC)—first suggested by Donald Carpenter in *Science*—which would have the authority to support fundamental biological research on aging, and be responsible only to the President and Congress. Despite some inadequacies in the proposed Bill, it is hoped that the ARC will gain enough popular support that Congress will soon pass the pertinent legislation.

NEW WARNING ON DELTA CANAL

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. WALDIE. Mr. Speaker, last week the U.S. Geological Survey released a report on the hydrology of South San Francisco Bay that is of vital importance to all of us concerned with the preservation and enhancement of our most important natural resources.

The Geological Survey report concluded that there is ample scientific evidence to conclude that diverting great quantities of fresh water inflows into the bay and delta estuary system will result in serious degradation of this magnificent resource.

Mr. Speaker, a recent editorial in the San Francisco Chronicle describes the significance of the USGS Report and the logical conclusion that the proposed Peripheral Canal project, jointly financed by State and Federal funds should be scrapped.

The editorial follows:

NEW WARNING ON DELTA CANAL

The U.S. Geological Survey has now issued what prudent men would consider the final word on the proposed $209 million Delta Peripheral Canal.

In essence, the survey has found that significantly diminishing the flow of the Sacramento and San Joaquin rivers into Northern San Francisco Bay would probably create in the Southern Bay a torpid, turgid stagnation, incapable of supporting marine life other than algae and totally unattractive for human uses of any kind.

The Geological Survey scientists found that the bay south of the San Francisco-Oakland Bay Bridge receives its major flushing (and cleansing) from its receipt of large quantities of fresh water from the north and not, as the State Department of Water Resources contends, from Pacific Ocean tidal flows. The Federal scientists, in preliminary studies, have also found that periods of high river runoff are also periods of low South Bay salinity and phosphate content.

They have determined, through use of flow markers, that incoming tidal flows bypass the South Bay and move into the North Bay and Delta.

The Peripheral Canal, as envisioned by State Water Plan enthusiasts, is a massive 43-mile straw which would suck up 10 million acre feet of water annually from the Sacramento river south of Sacramento and deposit it at pumping plants near Tracy for export to the south. Though there is much expert opinion in the long record that the canal would cause severe ecological destruction in the Delta, adherents have insisted that it must be built.

The latest warning is the most ominous thus far. It poses the threat, as Congressman Paul McCloskey and Jerome Waldie have observed, that the southern end of the bay will become another putrescent Lake Erie. The Bay Area is being asked to pay an overwhelming price for the development of waste lands far to the south.

HELP WHERE HELP IS NEEDED

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. O'HARA. Mr. Speaker, in a recent letter to the Members of the Congress, Leonard Woodcock, newly chosen president of the United Auto Workers, has made the simple and preeminently equitable proposal that people who are the supposed beneficiaries of private employers' pension plans be given at least as much consideration as those who invest in the companies that employ them.

Pointing to the administration's deep solicitude for those who suffer financial loss through the troubles that beset brokerage houses, and to the strong administration recommendations that the Government bail out the Penn Central Railroad, Mr. Woodcock asks for no more than equal treatment for "the many American workers who own no railroads and possess no stock portfolio to speak of, only a private pension promise that offers them hope."

The General Subcommittee on Labor, of the House Education and Labor Committee, chaired by the gentleman from Pennsylvania (Mr. DENT), are working vigorously on this precise problem, and it is my hope that when that subcommittee concludes its work, it will have made a significant start in the direction in which Leonard Woodcock's letter points. I insert Mr. Woodcock's letter at this point in the RECORD:

INTERNATIONAL UNION, UAW,
Detroit, Mich., July 2, 1970.

DEAR CONGRESSMAN: I am writing to you and to the other members of the Congress to urge that at least as much consideration be given to public reinsurance of the accumulated private pension rights of workers as is being given to bailing out both Wall Street speculators whose brokers go bankrupt and the stockholders of the Penn-Central Railroad.

In his June 17 televised address on the state of the economy, President Nixon told the nation that we are in transition from a wartime to a peacetime economy. Senator Mansfield and economic indicators suggest that the word for our situation is recession. We in the UAW are struck by the fact that whether we are in an economy of war, peace or transition, in recession or what passes for prosperity, the conduct of government and economic affairs remains too largely in the grip of a double standard: all Americans are equal, but some Americans are more equal than others. Walter Reuther used to refer to this double standard as Park Avenue socialism for the rich and free enterprise for the poor. The President's program "specifically addressed to help the people who need help most in a period of economic transition" reflects that double standard. Mr. Nixon called for:

"Establishment of an insurance corporation with a Federal backstop to guarantee the investor against losses that could be caused by financial difficulties of brokerage houses. . . ."

Yet he made no reference to and indicated no support for a long-pending proposal to provide similar insurance to meet the urgent need of wage-earners and lower-salaried workers who stand to lose the protection of privately negotiated pensions if the companies they work for should go out of business before their pension programs are fully funded. Yet the closing of plants and the wiping out of workers' pension rights are an obvious potential consequence of a transition from war to a peace economy, while it is difficult to see any necessary connection between such a transition and trouble in brokerage houses.

Again, the collapse of the Penn-Central Railroad has brought on the spectacle of Administration figures falling over each other in their haste to shore up the managements and to protect the stockholders of the Penn-Central and other threatened lines through massive infusions of Federally guaranteed loans. The Secretary of Transportation admitted that such action to help the Penn-Central management would be "gambling" on "high-risk loans." Nevertheless he attempted

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to panic the Congress and the country with the hobgoblin of nationalization of the railroads if the risk were not taken. And the President himself, in his June 17 speech on the economy, authorized the gamble by calling for: "legislation that will enable the Department of Transportation to provide emergency assistance to railroads in financial difficulties."

We in the UAW are not in principle critical of financial aid to stricken corporations. Nor are we necessarily opposed to action to protect investors or even speculators from losses stemming from financial difficulties of brokerage houses. Yet we ask: Are these people—the well-heeled managements of conglomerate corporations and others affluent enough to be able to speculate in Wall Street—among "the people who need help most in a period of economic transition"?

We think not. These people may need help, but they certainly need help less than the poor, the unemployed, and millions of aging Americans for whom retirement brings a severe slash in income that frequently means ending their days in poverty.

The President gave a thought to these older Americans in his economic speech, proposing that the Congress tie Social Security benefits to the cost of living. This would be helpful, but tying a poverty retirement income to the cost of living would merely guarantee an unruffled prolongation of poverty.

It is the gross inadequacy of Social Security benefits that has given privately negotiated pension rights such crucial importance in workers' hopes and plans for retirement. Yet the President was silent with respect to the plight of the many American workers who own no railroads and possess no stock portfolios to speak of, only a private pension promise that offers them hope of a standard of life in retirement beyond the bare minimum possible under Social Security. Public reinsurance of private pension funds—similar to the insurance provided since the 1930s for bank deposits and akin to the backstop Federal protection the President asks for investors—would bring all of us closer together and nearer to fulfillment of the American dream of which Mr. Nixon spoke to such applause in his address to the Junior Chambers of Commerce.

The number of persons dependent upon private pension plans is far greater than the number of Wall Street speculators and Penn-Central stockholders whose problems have generated the urgent concern and precipitate haste of an army of would-be rescuers. Some 28 million persons are presently covered by private pension plans and it is forecast that 42 million will be covered by 1980.

In contrast to the handful of brokerage firms that have experienced difficulties and the one railroad recently forced into receivership, some 4,000 pension plans were terminated in the United States between 1955 and 1965. These terminations, all too frequently, subjected affected workers to the double tragedy of lost jobs and loss of substantial prospective pension rights at a stage in life when they had little or no opportunity to earn further pension entitlement.

We in the UAW have been pressing since 1961 for an insurance program to protect private pension funds. Delegates to a UAW convention that year, comparing the promissory nature of bank deposits and pension plans, declared:

"Pension plans also represent private promises, this time by employers, which they may not be able to keep if they get into deep financial difficulties before the plans have been fully funded. These plans are so widespread and private pensions to supplement social security have become such an integral part of our system of providing for retirement that their protection must also be accepted as an essential feature of public policy. The catastrophe to the worker who sees the security which his pension rights represent to him swept away by the failure of an employer is just as great as the catastrophe of the depositor who loses his lifetime savings in a bank failure. The solution is essentially the same."

Congress in the relatively prospering early 1960s was not impressed by the reality or urgency of this problem and failed to enact legislation which would have shored up the security of workers' pensions. Then, 5 days before Christmas 1963, the last car came off the South Bend line of the Studebaker Corporation, and as a result some 4,400 workers between the ages of 40 and 59, who had earned a vested pension right through ten or more years of service to the corporation, found that right meaningless when their plant shut down with only enough money in the fund to provide pensions to workers age 60 and over. As a result, workers with as much as 40 years of seniority who, even if they found another job, were too old to start acquiring new pension credits from another employer, were left stranded.

The collapse of Studebaker dramatized the predicament of its workers and of workers in other companies who might also find the paper promises implicit in unfunded pension rights repudiated as a result of plant closings. Still the Congress failed to enact a pension reinsurance law, leaning heavily on the argument that great technical difficulties in framing such a law stood in the way.

As of February 26, 1970, when Walter Reuther made a plea for a pension reinsurance law in one of his last statements to the Congress, the opposition no longer rested on technical difficulties; it was more or less conceded that, as Mr. Reuther said, for a small premium cost spread universally over all plans, they could be protected. The argument had now shifted to the claim that there was no need for such a protective mechanism, since only a small percentage of workers were affected in what was after all but an "incidental failure" of the present system.

Mr. Reuther stated that this is the logic to be expected from a computer but not from a human being. He called for:

"A balanced combination of adequate public and private pension plans, with appropriate public support assuring the fulfillment of expectations of the private sector . . ."

And he stated:

"As the richest nation in the world we cannot continue to deny our older citizens their measure of economic justice and human dignity. We must act now to assure society's promise to present retirees and to avoid the potential failure for even a small number of the millions of workers rightfully anticipating a secure retirement."

The closing down of plants or operations is not a rare occurrence in any industry in our economy. In our own industry, we think of Hudson, Studebaker, Packard, Kaiser-Fraser as well as a host of smaller companies. Nor has it been rare in recent years for plants to close or operations to end, wiping out the hopes of security in retirement for men and women too old to start from scratch on other jobs. In recent years the UAW has been obliged to close out negotiated pension plans for a variety of reasons: a fire totally destroying the plant; the close-out of a smaller plant bought by a larger company; part of an operation discontinued because an obsolescent plant had become uneconomic. The latest closing of a plant under contract to UAW took place on July 1, 1970, with its pension plan 11 years away from full funding. Among the victims of that closing were a man and a woman, both 52 years old, each with 37 years of service. Because of their age, their entire 37 years with the company were washed out as far as pension benefits are concerned.

When plants are closed down, there is apt to be talk about "the price we pay for progress"—yet that price is too often inequitably distributed, entailing, for example, a more efficient operation for the employer but unemployment and a wiped-out pension promise for the worker. Certainly from the fruits of the progress that we are all supposed to enjoy, assurance can be given that the security of pension benefits will be maintained.

The President speaks of the people who need help in a period of economic transition. But it should be clear that for wage earners and to a somewhat lesser extent for salaried workers, the "transition economy" is not a sometime thing but a permanent aspect of their lives. Blue-collar workers particularly work and live all their lives on the cutting and bruising edges of technological and economic change, in war and peace, in sickness and health, in youth and age. A special White House panel that studied the problems and needs of blue-collar workers has within the last few days transmitted a report to the President urging Administration action to deal with the economic and social needs of such workers, whom the report described as economically trapped and socially scorned. It is primarily these workers and their families, rather than railroad managers and speculators, who need help.

We detect a disproportion in the rationing of the President's concern, a show of preference for a kind of Wall Street or Easy Street welfare state which if indulged by the Congress would come dangerously close to—if it did not actually arrive at—a politics of class verging on the classic Marxian strain.

In this disturbing situation, we feel that the Congress has a strong role to play and a considerable responsibility to play it. The question of establishing a pension reinsurance system has been in Congressional limbo for years. The President of the United States has asked the Congress to produce legislation to insure investors against their losses. We earnestly hope that the Congress will now see the substantive and symbolic merit of enacting a pension reinsurance law without further unseemly delay. Having thus offered assurance of retirement security to American workers, the Congress could then go on with good grace to consider the security needs of Wall Street speculators.

If we are to bring this country together, we are going to have to curb the impulse of Wall Street socialism in favor of much larger doses of Main Street and back-street democracy—on both sides of the railroad tracks. Treating Americans more equally would facilitate our progress not only toward a peacetime economy but toward a more peaceful society as well. Enactment of a law to protect negotiated pension funds would be one firm step in that direction.

Sincerely yours,

LEONARD WOODCOCK,

President.

LIBERAL FOOL TAXPAYER TWICE, SHAME ON TAXPAYER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. ASHBROOK. Mr. Speaker, the lead editorial of the Wall Street Journal of July 8 raised a very pertinent and oft ignored question as to what benefits have accrued from the vast outlays of Federal funds for domestic programs in recent years. For those who would still resolve national problems with more

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dollars from Washington, the question of past performances should prove embarrassing. What has happened to staggering sums expended on urban renewal and antipoverty programs, for instance. It would seem that the taxpayers are entitled to an accounting, especially from those who advanced and supported these programs in the recent past.

If an article in the Philadelphia Inquirer of July 8 is any indication, the days of the big Federal spenders are far from over. It seems that former HEW Secretary John W. Gardner, now chairman of the National Urban Coalition, is planning a new mass-membership political organization to deal with the Nation's domestic problems such as race relations, education, housing, and poverty. According to Mr. Gardner, as quoted in the article, the new effort will be slanted not only toward liberals but will include "people who are in the center but want to see progress." Their method of operation will be to influence legislation by large quantities of mail on specific issues to Members of Congress.

When one considers that the liberals in recent years have been responsible for the huge waste of tax dollars on ill-devised and poorly administered schemes, Mr. Gardner's new venture rings like an echo from the recent past. If the same people and philosophies direct this proposed undertaking that squandered vast sums of tax moneys in the last decade, the taxpayer would be well advised to ask of Mr. Gardner and his colleagues an accounting of, say, antipoverty funds, since the inception of this program in the 1960's, along with other ill-fated programs which they would rather forget. To paraphrase an old Indian saying:

> Liberal fool taxpayer once, shame on liberal; liberal fool taxpayer twice, shame on taxpayer.

I insert the two above-mentioned items in the RECORD at this point:

PRIORITY ON FAILURE

The air is full of talk of reordering national priorities as the Vietnam involvement continues to diminish. The President himself gave impetus to the discussion in his speech stressing that the nation is already in a transition from a wartime to a peacetime economy.

Plainly the Indochina tunnel is still a long one, even if the Administration eventually does get the U.S. out of it. Yet the troops are coming back, and defense spending, although unacceptably high, is declining. So it is none too soon to weigh national priorities, and we are in favor of the principle, depending on what is meant. Unfortunately, what many people mean by it is but feebly grounded in reason and experience.

Liberal Democrats and Republicans in Congress especially have in mind quite simply to turn not only the Federal Government's attention but also more of its money faucet onto America's myriad domestic problems. (At the moment, of course, the proposition sounds slightly academic, with unofficial forecasts suggesting a multibillion-dollar Federal deficit this fiscal year.)

One of the liberals' main complaints about the war over the years has been its cost in relation to those problems; think, they say, what the war's $30 billion or so a year could have done for the nation's beleaguered cities, crowded schools and hospitals, the poverty of disadvantaged minorities and other citizens.

The problems are bad enough, everyone knows. So much having been granted, the argument that the Government should spend its Indochina "savings" on them, plus considerable additional money no doubt, involves a couple of leaps in logic that ought not to be allowed to pass unchallenged.

First, it is not the case that the public sector has been starved, that favorite theme of John Kenneth Galbraith and others. War outlays notwithstanding, Federal domestic spending has risen more than they have, in fact at fantastic rates. As Milton Friedman asks (and these columns have often asked), what has the public been getting for it all? The answer is, not much, if indeed anything of value at all.

Scores of billions of Federal dollars have poured into the cities in recent years, and yet in many ways—convenience, environment, "quality of life," to name a few—the cities are worse off than ever. When you get down to specific Federal urban programs, horror stories abound.

So-called urban renewal and public housing, for example, are notorious for their failures. The barracks-like structures designed to replace slums have often turned into new slums. Worse, bureaucratic inhumanity has evicted many poor people without providing alternative accommodations, or accommodations at rents they could afford.

Under the Federal aegis, the nation's transportation is chaotic. A number of the nation's vital and potentially highly efficient railroads are in parlous state, while the highways and streets in and around urban areas are clogged with autos and trucks beyond belief and patience. Some coordination, not to mention the money.

The Federal effort to pull people out of poverty, albeit well intentioned, is a dubious effort at best. True, people are rising out of poverty all the time, encouragingly so, but it is largely the result of the workings of, and the opportunities available in, a relatively free economy. Manifestly the outpouring of Federal funds in this and other directions has failed to ease the hatreds and factionalisms now marring our society.

So it goes. The public and its representatives ought to think long and hard before deciding to spend vast new sums, from any Vietnam dividend or the inflationary printing-press or both, on further such exercises in futility. Why, moreover, should the hard-working citizens who pay the bulk of the oppressive taxes be forced to subsidize more of this kind of failure?

We know it is anathema to those who long to get their hands on military money to widen the Government's domestic role, but the real priority should be on giving the people and the economy more leeway, with far less of a burden of Federal spending and taxation. That is how the nation has always prospered, materially and spiritually, and that is how it could again.

MASS-MEMBERSHIP CRUSADE IS ENVISIONED TO ELIMINATE NATION'S NAGGING PROBLEMS

(By James K. Batten)

WASHINGTON.—One day sometime in August, 200,000 letters will be dumped into Washington's Post Office headed for unsuspecting citizens in every state in the Union.

The recipients, identified by the hawkers of high-priced mailing lists as public-spirited, good-hearted Americans, will be invited to join a new crusade aimed at nothing less than saving the Republic from disintegration.

The man behind this visionary scheme is not some religious crackpot, a right-wing zealot or a hot-eyed revolutionary of the New Left.

He is John W. Gardner, the widely respected scholar-politician who served as secretary of health, education and welfare in the Johnson Administration and now is chairman of the National Urban Coalition.

Gardner has confirmed that he and his colleagues at the Urban Coalition are about to launch an unprecedented mass-membership political organization to help America pull up its socks and get on with the business at hand.

"There are a lot of people out there," Gardner declared in an interview, "who want to be part of something that's moving—to be able to join a large-scale citizens' effort to solve the problems of his country."

This grass-roots organization—which still has no name—will be pragmatic and nonpartisan, he explained, not competing with the Democrats and Republicans but goading them to do better.

The focus will be on efforts to deal with the nation's nagging problems of race relations, education, housing, poverty and the like.

Gardner drew a parallel with the Populist movement of the late 1800s, which eventually faded as the major parties began adopting large chunks of the Populist platform.

"We're set up for people to steal our thunder. We'll say 'great—take it and run,' " Gardner explained. "We will needle both parties and do everything we can to encourage leadership."

Inevitably, rumors about Gardner's new enterprise have in turn triggered talk in Washington that he was building a base for an unannounced Presidential candidacy in 1972.

This gossip has been spurred along by Gardner's outspoken disenchantment with President Nixon.

Both Gardner and his closest associates, however, insist that he has no such intentions.

"I personally am not inclined to politics," Gardner said. His new organization he added, would be doomed from the start if people suspected it was merely a front for a Gardner-for-President campaign organization.

"I literally cannot see how I could be a candidate—even in my own mind—and make that organization go," he said.

While plans for the new organization are still taking shape, Gardner grows almost rhapsodic in discussing his views of its potential for American politics.

"I would like to see this organization bring about a Renaissance in the political life in this country," he declared enthusiastically.

"I would like to think it would be a factor in rehabilitating the political process-making politics again a worthy calling for Americans."

At the moment, Gardner added sadly, politics rarely attracts the nation's best talent.

"There are some very good guys in politics—and God knows we don't deserve them—but there are also a lot of hacks. By and large, the political parties have fallen into the hands of hacks."

In the last year, the 57-year-old Gardner—by nature a quiet, reflective man—has become something of a blunt-spoken, latter-day Jeremiah.

He has warned again and again that the nation's racial, economic and political divisions are cutting dangerously deep.

In one memorable statement a few weeks ago, Gardner declared: "And while each of us pursues his selfish interest and comforts himself by blaming others, the nation disintegrates. I use the phrase soberly: The nation disintegrates."

Now Gardner has decided to take his own advice and try something new.

His proposed organization, which he has already discussed in private with members of Congress and others, will be an offshoot of the Urban Coalition Action Council, the lobbying arm of the Urban Coalition.

As Gardner and his staff see it, the new organization will attract thousands of people who have not been active in politics and who may lack strong ideological convictions—but who share a deep apprehension about where the nation is headed.

"We think there's a great hunger on the part of individual citizens to make themselves heard," explained a Gardner lieutenant.

"We're interested not just in the guy who's always supported liberal causes, but also in people who are in the center but want to see progress."

For dues of $10 or $15 a year—the figure has not yet been set—members will be kept informed of current issues in Washington, especially in Congress.

Using the same lobbying techniques used so effectively by groups like the National Rifle Association, Gardner and his aides believe that their organization can produce great volumes of well-timed mail and telegrams to sway key votes in the House and Senate.

Also, members will be furnished information and suggestions on how to work effectively for political goals in their home communities.

Gardner conceded that many people may regard his scheme as naive and idealistic, without much chance of having any serious impact.

"There just isn't any way of knowing," he said. "It's a big gamble. But we're going to go for broke."

RAMPAGING INFLATION

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. HELSTOSKI. Mr. Speaker, once again I call attention to the wild inflation that is threatening the very existence of our Nation while the present administration sits idly by watching the destructive forces at work.

On this occasion I call attention to our plight by placing in the RECORD an article written by John Kenneth Galbraith on the low estate of our economy and steps that can be taken to halt inflation.

Professor Galbraith's article should awaken all, and above all the slumberers in the executive department, to the need for rapid action to end inflation and the unemployment that is sweeping the Nation. It is my continuing opinion that the Congress, with every means at its command, should whiplash the President, his advisers and aides into affirmative and fruitful action.

The article follows:

GALBRAITH ASKS FOR WAGE, PRICE CURBS TO STOP INFLATION

(By John Kenneth Galbraith)

These last few months have, just possibly, been decisive in the modern history of economics.

Ideas in which economists have reposed the greatest confidence have been proved wrong and therewith, not surprisingly, the responding policy. And this has happened under circumstances which admit of no really plausible explanation, rationalization or alibi—things in which we economists are more than minimally accomplished.

There was, to be sure, more than a suspicion of error before; the evidence was highly adverse to the reputable ideas. But the heretics were a minority and the adverse evidence could be attributed to a lag. In economics, any inconvenient disassociation of effect from cause is always attributed to a lag. But not forever.

The doctrine was, of course, that the United States economy could be regulated by *general* measures in such manner that prices would be approximately stable. A "trade-off," a new and popular word among economists, would exist between price stability and employment. The closer the approach to the level prices, the more people who would be out of work; the lower the unemployment, the greater the rate of price increase.

The Nixon economists when they came to office a year ago last January were superlatively confident of such management. Under their guidance, the President promised never to interfere with wages and prices; in one of the more ecstatic examples of economic phrase-making, he said that inflation would be ended by "fine-tuning" the American economy—a figure of speech roughly comparable with one about fine-tuning a major Mississippi flood.

The then current inflation was blamed on the previous bad management of the economy—on tuning that, that was too coarse. The reaction to anyone who suggested that wage and price restraint might be necessary was lofty.

Pierre Rinfret, the consulting economist, dispatched a letter to his clients telling them, quite correctly, that so far as the administration was concerned, the lid on prices was now off. It is possible that in these first weeks the administration did more to promote inflation than it accomplished in the next year and a half in controlling it.

But promises that inflation would end were not lacking. Advising the President of the United States on economic policy, since few presidents find the subject at all interesting, is tedious work. The tedium is relieved, after a fashion, but the liturgical functions of the office.

As the promises continued, so at an increasing rate did the inflation.

Dr. Paul W. McCracken, the head of the council of economic advisers, became, perhaps, the most overpromised man in the history of the economics profession. There is an unfortunate tendency in public life when you want something to happen to predict that it will happen. And then when it does not happen, you escalate the predictions.

Not since Herbert Hoover predicted the turning of the immortal corner has prediction therapy been so remorselessly pursued as in the last 18 months. It was called the "game plan" for defeating inflation. There has been no game quite like it since the Rose Bowl of 1929, when Roy Riegels ran 75 yards toward the wrong goal.

As the Kennedy and Johnson economists returned to the campus, talk of wage and price restraint was muted. The guideposts were defended as a useful adjunct to the policy—more cosmetic than real: It was fiscal and monetary policy that really counted.

Almost no one talked about making the guidelines mandatory, I.E., making them work. That was too radical.

There was never any strong proof that high employment and stable prices could be combined. Much of the proof antedated modern corporate price-making and collective bargaining. Rather there were hope and faith.

But in economics, hope and faith coexist with great scientific pretension and also a deep desire for respectability.

Fiscal and monetary measures in whatever mix are impeccably respectable, and the question of the particular mix is the kind of thing that can be resolved between gentlemen.

Control of wages and prices has no similar standing. Its advocates have been thought to lack subtlety of mind and manners—to go too abruptly to the point. The sociology of economics is not without interest and by no means unimportant.

The flaw in the respectable doctrine is the appalling obduracy of circumstances. Wages do not shove up prices. Prices do pull up wages. The bargaining that produces the wage and price increases continues even under conditions of severe fiscal and monetary restraint. Circumstances can be unbelievably cruel.

Accordingly, after a full year and half of the most rigorous application of the general measures, prices are still rising at a nearly record rate.

Meanwhile unemployment has risen to nearly 5 per cent of the labor force and exceedingly uncomfortable side effects of the policy have appeared.

Smaller business men who must borrow money are being punished with a highly selective brutality. Tight money does not much hurt the big corporation which has internal cash flow and favored position at the banks. In contrast the policy has put the housing industry into an acute depression, as the administration itself concedes.

The continuing price increases in the private sector of the economy have been exported to the public sector as increases in living costs. And there, among teachers, police, firemen and sanitation workers, they are causing an unprecedented but wholly predictable turmoil. The balance of payments is also weakening again.

Finally, there has been the effect on the financial markets. These had been made vulnerable by jerry-built and debt-burdened conglomerates, overbidden glamour stocks and the multiplication of the mutual funds headed by financial geniuses whose genius consisted only in a rising market under the pressure of the tight money policy, this price structure has collapsed. This had to happen sometime. But further pressure on the financial market would be very uncomfortable for all involved.

Within the framework of general measures, there is almost nothing the administration can do. It is trapped. It could allow an increase in loanable funds at lower rates.

This would ease unemployment, encourage home construction and ease the sorrow in Wall street. But inflation is still at a near-record rate. This action would make it worse. And just ahead are wage negotiations which, with the compensating price increases, will give that inflation protean shove.

To continue the present policy is to accept the side effects and to invite more of the inflation that the policy has not cured. To tighten up and end the inflation is to invite worse side effects and perhaps a serious recession.

Economics, like foreign policy, allows for an escape from error thru what may be called the Indochina effect.

This generous device enables a man who has been wrong to denounce his previous position without admitting error and, by becoming right, thus greatly to enhance his reputation. Arthur Burns, now chairman of the federal reserve board, has taken this route.

He now demands the wage-price guideposts he previously condemned. His transmigration is still incomplete, for he proposes something less strong than the Kennedy-Johnson measures.

The only answer is one that has for so long been dismissed as too disreputable. That is to act directly on the wage-price spiral—to have wage and price control where the spiral contributes actively to inflation.

This must be real control. Dr. Burns and the economists of the Kennedy-Johnson period are ducking reality when they talk about a return to the voluntary guideposts.

The guideposts will not do. They were

strong enough before; even stronger measures are now required. Also voluntary measures are highly discriminatory. They favor the individual or organization which refuses to comply and penalize those that are cooperative. This guarantees their eventual breakdown. And there is nothing to be said for Billingsgate as an enforcement device. It is much better public practice to lay down fair firm rules after careful consultation with all concerned and then, when someone violates the rules, have resort to law.

Given wage and price controls, interest rates can be reduced for they will not have to carry the present burden of inflation control, which they cannot control anyway.

With lower rates, home construction would increase, the pressure on small business would be reduced, employment would rise, and all without a new surge of inflation.

Were this policy combined with prompt withdrawal from Indochina—which would ease the pressure of demand and, a more important matter, restore our reputation for elementary good sense—the immediate economic problem would be largely solved.

Such price and wage action, it is said, interferes with free markets. This is self-evident nonsense.

The policy interferes with markets in which the interference of unions and corporations is already plenary. It fixes in the public interest prices that are already fixed.

Only prices that are so set by unions and strong corporations need to be [or should be] controlled. Prices of farm products, most services and products of small manufacturers need not and should not be touched. These are still subject to market influences.

Where prices are still set by the market, general measures to restrict demand still work—or they do as much as can be done. One does not need to interfere with the market where the market still governs.

XUM

Over the years I have experimented with various ideas for such a limited system of wage and price control. [I am not without experience in the matter or in the difficulties involved. During World War II, price control was under my direction from its inception until mid-1943. No one else, I suppose, has ever fixed so many prices.]

But the most practical pending proposal is not mine, but that of Robert Roosa, former under secretary of the treasury under Kennedy and now a leading Wall street banker.

He would simply freeze all prices and wages for six months. During this time, presumbably, there would be extensive consultation with firms and unions to work out a more durable system of restraint.

Such a course would get immediate results while offering eventual accommodation to the problems and inequities of particular unions and industries.

It would be possible to incorporate in the Roosa proposal arrangements of an even earlier correction of gross irregularities. And immediately after the freeze, all small enterprises—those employing, say, fewer than a hundred people—should be exempted.

I would also exempt all retail firms; they have little independent market power.

The objective is not perfectly level prices, but something much better than the grossly inflationary thrust of the present wage-price spiral. The long-run objective is, of course, an annual wage gain that accords roughly with the increase in productivity and thus requires no general increase in prices.

Controls are not a temporary expedient. There must, also, be a permanent system of restraint. That is because we will continue to have strong unions and strong corporations and a desire to minimize unemployment. The combination, in the absence of controls, is inflationary. It will not become otherwise in the future.

No one who has had experience with wartime price control will be casual about the problems in managing it. Nor is it a formula for popularity; everyone unites in disliking the price-fixer.

But if it is confined to the unions and to the corporations with market power, the administrative structure need not be vast. Dealings will be with only a few hundred unions and a few thousand firms, and for the latter it is sufficient to specify the limits within which average as distinct from individual prices may be moved.

All price and wage control involves an arbitrary exercise of public power. But this is not an objection, for it replaces an arbitrary exercise of private power and one that has further and exceedingly arbitrary effects for those that suffer from the resulting inflation.

In the weeks and months ahead, more and more economists will come to accept the remedy here proposed—including, one suspects, those who advise the President. They are very decent men who have been substituting hope for reality, and hope unrequited does not sustain even an official economist forever.

Promises of eventual prices stability have become comic. Within the older framework of policy, the choice is between very severe inflation—worse than now—or severe unemployment, extreme distortion with the economy, great turmoil among public employes, and serious strain in the financial markets—and along with all this, a good deal of inflation, too.

Whoever made respectable economic policy a choice between such repellent alternatives had obviously a bad upbringing and is a very mean man. But so it is. So the less reputable course of controlling the wage-price bargaining obtrudes itself. And, since there is no escape, it will continue to obtrude itself.

EULOGY FOR AL ATKINSON

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. PUCINSKI. Mr. Speaker, all of Capitol Hill was stunned recently with the news of the sudden death of one of the most capable, knowledgeable lobbyists in Washington—Al Atkinson of the Communications Workers of America.

I was a freshman in the 86th Congress and Al became legislative representative of the CWA in the middle of the second session of that Congress. In all the years since then, in countless meetings and legislative sessions and committee hearings, I never knew him to be other than totally honest and genuinely willing to work with others.

In these sad days since his death, I have heard dozens of my colleagues on both sides of the aisle remark that his particular integrity and truth will be sorely missed. We could always count on him for specific answers to questions, for a willingness to put in untold hours of work on a bill, and for a rare ability for keeping a cooler head than most in trying situations.

Al Atkinson was a close personal friend and adviser. Those of us who had an opportunity to work with him over these past 10 tumultuous years will miss him greatly.

Mrs. Pucinski joins me in extending heartfelt condolences to Mrs. Atkinson and their two children. They have a memory of a man who was proud of his work and whose pride was reflected in everything he did.

IMPORTANT CURBS SHOULD NOT DAMAGE FOREIGN RELATIONS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DORN. Mr. Speaker, one of the arguments raised against the Mills textile garment-footwear import bill is that its passage would provoke our trading partners, especially Japan, into enacting reprisals in the form of trade barriers against U.S. goods. But in fact Japan has long maintained various barriers against U.S. trade which have helped create the severe trade imbalance in Japan's favor between our two countries.

I commend to my colleagues' attention the following editorial from the Columbia, South Carolina State of June 30, 1970, which cogently develops this point:

IMPORT CURBS SHOULD NOT DAMAGE FOREIGN RELATIONS

At long last, the Nixon administration has flashed the green light for textile import curbs. It has come not a moment too soon. American textile jobs are being washed away every day by the flood of imports from the Far East.

It is therefore imperative that the House finish work on the bill, chiefly sponsored by House Ways and Means Committee Chairman Wilbur Mills, and that the Senate which seems to prefer debates of limited purpose to substantive action, give the legislation priority attention.

We can expect more speeches of course, to the effect that this bill is protectionist, that it goes counter to America's long commitment to free trade. Perhaps it is, to an extent, but it must be remembered that the United States is about the only real free trader in the world today.

New Hampshire Sen. Norris Cotton made this point most forcefully in a major speech in support of the Mills bill two weeks ago. "The free flow of goods—free trade—should be our goal. At present, we do not have a free flow of goods. Every nation with whom we trade has, in some form and to some extent, barriers against American goods—tariffs, quotas, import licenses and so on. We alone raise no such barriers . . . Free trade must be a two-way street; otherwise it is not free trade."

There has been a good, solid, historic reason for America's big-hearted view toward international trade. For decades, the United States has been the world's economic and industrial Goliath. After World War II, we set out to rebuild the shattered economies of Europe and Japan. We could afford to take a generous view and we repeatedly gave up more in trade negotiations than we received.

This attitude helped our friends and allies abroad to regain their economic strength. As strong foreign competitors appeared in virtually every industry, American Presidents were reluctant to risk damage to foreign relations by taking a stronger stand in trade negotiations, by administratively restraining imports undercutting U.S. industry, or by supporting legislation to do this.

But, as Senator Cotton has said, "the world of the 1970s is a very different world from the one we knew in the past. We can no longer afford to squander economic advantage for uncertain political or foreign relations gains."

The Japanese, who have raised the greatest hue and cry over the Mills bill, are in no position to charge the United States with protectionism. While Japan's own bustling industries have a well-protected corner on the rich home market, that nation has built up a $1.5 billion annual trade surplus with the United States, which of course poses a terrific strain on the dollar.

Furthermore, the Nixon administration, and its predecessors, have negotiated in good faith with the Japanese over a long period of time in an effort to gain voluntary controls over imports of woolens and man-made fibers (items covered by the Mills bill). The Japanese have been unyielding even after it was all but certain that they were forcing Congress' hand. When the last round of talks collapsed last week, the Administration had only one responsible course of action left—support the Mills bill.

Senator Cotton believes this will impose no foreign relations risk. "Rather, I suspect we will gain further respect from them (the Japanese). They are able competitors and they are known to respect strength in those they deal with in business and government."

The Mills bill will not by any means shut Japan and other Far East exporters of cut-rate textiles out of the American market. It will merely limit imports to allow the severely damaged American textile industry to recover. Furthermore, the Mills bill has a handy clause which will exclude from its provisions any country which negotiates voluntary restraints. It will be, in effect, a lever, a bargaining tool.

We will be very surprised indeed if the Japanese or other nations attempt any serious reprisals as a result of this legislation. They need us and we need them. They must learn to sympathize with our problems as we sympathize with theirs. The relationship is too strong and the business too good to make a trade war likely.

UNITED NATIONS SHOULD CONTAIN ALL NATIONS, U THANT DECLARES

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. FRASER. Mr. Speaker, the Secretary General of the United Nations has urged that "the universality of the United Nations" should be "the priority item" for this year.

Speaking in San Francisco on June 26, U Thant said:

> The absence of the People's Republic of China and of the divided countries has given to the United Nations a great deal of artificiality.

The Secretary General added:

> The simple people in the street, those whose sons are dying in far away countries, cannot understand why the United Nations is not seized with the most burning issue of 1970, the war in Indo-China. Rhetoric and intelligence are not enough to explain the reasons to them. They demand, as concerned citizens of the world, that their national leaders and international officials find the means, through necessary vision and elevation, to solve urgently this fundamental problem. I therefore urge Governments to consider the idea of the universality of the United Nations as the priority item of this year's agenda for world affairs.

With unanimous consent the full text of his speech of June 26 is set out at this point in the RECORD:

ON GIVING THE CHARTER A CHANCE

All of us who work in the United Nations are deeply grateful for the opportunity which the Mayor and citizens of San Francisco have so generously given us to celebrate here the twenty-first anniversary of the signing of the Charter of the United Nations.

To return to San Francisco is not only to come back to a beautiful, gracious and civilized city; for us in the United Nations, it is also to return to the birthplace of the Organization and to the congenial and forward-looking atmosphere in which the Charter was created. Here we are reminded of the sense of dedication and urgency, tempered with realism and a vivid awareness of the horrors of war, which inspired the authors of the Charter 25 years ago. If we have not yet succeeded in realizing their vision of a world at peace, we can still draw inspiration from the ideals and objectives which they set out with full support from the peoples. Our best tribute to them is to increase our efforts to strengthen the United Nations.

This is the third time that the representatives of the United Nations—national ambassadors and international Secretariat—have come back to San Francisco to celebrate the signing of the Charter.

Fifteen years ago, in 1955, this ceremony took place in an atmosphere of cautious optimism at a time when the world seemed to be awakening from the tribulations of the post-war period and the long winter of the cold war.

Five years ago we gathered here again in a less happy mood to speak of a world in which new problems and new conflicts had dimmed the hopes of a just and peaceful world order—hopes encouraged by the great political emancipation of decolonization and the possibility of emancipation from drudgery made possible by science and technology. At that time, the United Nations itself was in the throes of a crisis which had arisen over the fundamental issue of financing peace-keeping operations.

Now we meet again in a mood of uncertainty and anxiety, with only the knowledge that humanity is moving at an increasing speed in uncertain directions, and that time is running short. I hope we can make use of this opportunity, so generously afforded by the City of San Francisco, to turn the tables on the forces of doubt and gloom, in order to survey calmly, but with a sense of urgency, the course we must take in the next 25 years.

Like many institutions, the United Nations is today facing a crisis of confidence. It has been the lot of institutions throughout history to have their usefulness questioned from time to time by the people. This process serves a useful purpose in keeping institutions up to the mark.

In our time, this disillusionment has undoubtedly reached a new pitch. The United Nations, as a relatively young institution, faces a crisis of confidence without ever having emerged, as some older institutions have, from relative impotence to a position of accepted power and authority.

If we are to respond to this challenge, nations, especially the great nations, must improve and change the quality and performance of the United Nations and the way it is used. There can be no question of taking the easy but suicidal way out by consigning the United Nations, along with other institutions, to the dusty attic of history. In an age where physical conservation has become an urgent issue, a degree of institutional conservation may also be in order.

Institutions must constantly adapt and develop in response to new challenges. In our time, the inherent obsolescence of institutions has been emphasized by the extraordinary rate of change in the way we live. I scarcely need to remind you that the membership of the United Nations has grown from 51 in 1945 to 126 today; that the world's population has increased from under two and half billion in 1945 to well over three and a half billion today; that in the next 38 years this population is likely to be doubled again; that more than half the people of the world were not born when the Charter was signed 25 years ago; that in this quarter century we have seen the advent of nuclear energy and weapons, intercontinental missiles, space exploration, computer technology and comparable advances in medicine, biology, biochemistry and other branches of science, accompanied by revolutionary advances in the techniques of communication.

These, and a hundred other developments, have changed our lives and our prospects on a scale and at a speed never experienced before in history. It is small wonder that those of us who grew up in the twenties and thirties may sometimes be regarded as antediluvian by the youth of today, who are tempted to reject many of the habits and ways of doing things which we have always taken for granted. This reaction should not dismay or surprise us. It should rather encourage us to adapt our ideals, our behavior and our institutions to meet the challenges which we ourselves have created, and to lean on the younger generation to help us meet the urgent demands of change.

The widespread disillusionment of the young with institutions is now more important than ever for another, more encouraging, reason. The younger generation of today is, in general, more widely conscious of what goes on and what is wrong in the world than their predecessors. Much to their credit, they are also far more demanding and concerned about it. It is thus increasingly difficult for institutions which do not fulfill their objectives to command respect.

An acute observer of the international scene recently wrote that "All institutions provide a temptation for their members to clothe selfishness in the language of idealism". Our twenty-fifth anniversary is a most appropriate occasion to ponder this uncomfortably shrewd comment.

I do not think that responsible people anywhere doubt the need for a world organization or the validity of the basic ideals and objectives of the United Nations, which were set out here in San Francisco 25 years ago. On the contrary, the world has never before so urgently required a universal organization which can build and maintain a peaceful and safe terrestrial society, and the United Nations is undoubtedly the best—in fact the only—existing organization with the potential capacity for that task. What we should be asking ourselves in this twenty-fifth anniversary year is how can we make the United Nations the organization we know we need, and what changes in attitudes and priorities are imperative for this purpose.

This evening I can only briefly summarize the new approaches which seem indispensable to me.

First and foremost, there must be on the part of Governments a radical change from present power politics to a policy of collective responsibility towards mankind. Governments, especially those of the great nations, have drifted year after year farther away from this basic requirement of the Charter.

As matters stand, the management of world affairs lies essentially in the hands of nations. A successful management of the world therefore depends on the behaviour of nations. The justice, peace, security, prosperity, health, cleanliness, and the beauty of our world must become the prime preoccupation of Governments. The world is too small, its people are too intelligent and the mass problems that lie in store for us are too frightening to allow continued blind acceptance of the sacrosanct concept of national interest.

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World affairs are no longer foreign affairs of Governments. They have become internal affairs of all.

Where has national interest led us? To an arsenal of ugly weapons, which cost humanity 200 billion dollars a year; to the greatest historical deadlock between Big Powers that the world has ever seen; to north-south, east-west, ideological, racial and economic cleavages; to a belt of divided countries; to a series of smouldering or active conflicts stretching across the globe.

No big Power will be able to solve these problems alone. No big Power will ever rule the world alone. No nation will ever be able to live again in splendid isolation.

Since the weight and cleavage of interests is greatest among the big Powers, I have recently recommended that their Heads of State, Heads of Government or Foreign Ministers, including the People's Republic of China, meet from time to time at one of the offices of the United Nations in a neutral country to initiate a change from confrontation and division to the building of a safe and peaceful world. I have made this proposal because I feel that it is high time that the People's Republic of China is involved in international affairs. Are not the events in South-East Asia, the 750 million people of mainland China and its recent emergence as an atomic and satellite Power enough evidence that the People's Republic of China is a key element if we are to move towards a solution of many of the present world problems? This is also why I have recommended a reactivation of the Geneva Agreements and, more recently, proposed a new Geneva conference on South-East Asia in which the People's Republic of China would participate.

Second, and still having the People's Republic of China in mind, I recommend that the United Nations be made universal. The absence of the People's Republic of China and of the divided countries has given to the United Nations a great deal of artificiality.

The simple people in the street, those whose sons are dying in far away countries, cannot understand why the United Nations is not seized with the most burning issue of 1970, the war in Indo-China. Rhetoric and intelligence are not enough to explain the reasons to them. They demand, as concerned citizens of the world, that their national leaders and international officials find the means, through necessary vision and elevation, to solve urgently this fundamental problem. I therefore urge Governments to consider the idea of the universality of the United Nations as the priority item of this year's agenda for world affairs.

Third, we must resolve, with new determination and will, the dangerously deteriorating situation in the Middle East. The world is increasingly alarmed at the trend of events in that theatre of hostilities. In this case, the conflict is within the responsibilities of the United Nations. Big Power responsibilities in the context of the Charter of the United Nations have been acknowledged.

But here again we have the vivid illustration of a deadlock nourished by claims, counter-claims, arguments, positions, counter-positions, accusations, denials, attacks and counter-attacks. Again the simple man in the street wonders why the people in this region cannot live in peace.

During the three years following the 1967 war, there has been no evidence that the issues of the Middle East conflict can be settled by the parties through their own efforts. Therefore, international assistance should be increased and intensified. Here, the United Nations has a definite role to play, and in the past few days there have been indications that the permanent members of the Security Council have made perceptible progress in their common search for a just and lasting peace.

Fourth, I believe that it is high time that we look more inquisitively into the obstacle of ideologies. From the vantage point of the United Nations, the crisis of extreme inward-looking nationalism is further aggravated by the superimposition of ideologies or political systems which claim that they alone have the key to man's future.

There has been nothing more dangerous and more damaging in human history than the claim of exclusivism. To it we owe the long religious wars, all waged in the name of exclusive possession of the truth. It is only recently that there has been evidence of tolerance and some mutual understanding in the pursuit of common religious objectives.

Should we again lose precious years in a similar divisive exercise? Is it so difficult to recognize that systems and ideologies are perfect only in theory?

We must realize that adaptation and change are imperative to the survival of social systems and institutions. Indeed the world has become so complex, the pace of change so rapid and the newly emerging problems so numerous, that no rigid system, however well established on a few sacrosanct principles, is able to cope with all problems. I believe that we are about to embark on the most variegated search for political, institutional, legal and moral solutions to the social problems of our time.

In a world of many billions of people, who are divided into highly industrialized societies as well as regions of extreme poverty, each with their own culture and special problems, there can be no universal recipe or system. Nations must therefore enrich each other with what has proved good in the art of governing men.

Private initiative may be the solution in one case, public initiative may be the answer in another. Many countries have demonstrated that the two can coexist and that one can admirably complement or even correct and stimulate the other. Each system has good and bad aspects.

Those who have the difficult task of governing should recognize that such an art must be highly flexible and non-dogmatic in a rapidly changing world. The earlier we recognize this, the sooner we will reach an accord and understanding among nations, and such recognition will conform to one of the basic purposes and principles of the Charter that the United Nations shall be a centre for harmonizing the actions of nations.

Fifth, we must look anew at the categories of vast unsolved world-wide problems such as economic and social development, justice and human rights, with which the United Nations, through its system of specialized agencies and the United Nations aid programmes, have come to grips during the last 25 years. Much more needs to be done. Economic aid must become a matter of international justice and progress and not remain an appendix of divisive power politics and influence. Individual rights must be upheld and protected and not remain the dead letter of lofty declarations. The present anarchy and absence of the rule of law at the international level is a constant invitation to dissension and conflicts. Progress must be made towards the adherence to international law.

Sixth and last, we must diagnose, monitor and face together the new collective challenges and dangers which arise from a rapidly mushrooming scientific and technological civilization accompanied by unprecedented mass phenomena. If not, while Governments are actively bent on spending the best of their intelligence, people, resources and energies trying in vain to advance their respective zones of influence, the world will rapidly deteriorate behind their backs and above their heads.

There is, I am glad to say, a new movement in the United Nations to face these problems through the initiative of various Governments, from the largest to the smallest. The Organization has become concerned with such problems as population, outer space, the peaceful uses of the sea-bed, and, more recently, the most complex question of all, the preservation of our environment.

This is a step in the right direction, but only a step, and it would be naive, if not dishonest, to pretend that efforts to grapple with these problems of the future are not still seriously impeded by political difficulties and attitudes, which are largely a remnant from the past. For this reason, the advancement from inward-looking nationalism to active international commitment must still have priority among our aims, for our hopes of success depend upon it even in fields which are not primarily political.

Progress in solving the problems of the environment may well show how far this new concern for problems of the future can lead us. A few weeks ago, I suggested that urgent consideration be given to creating a global authority to study and act on environmental problems in the interest of all earth-dwellers, and that, if it were to be of real value, this authority should have powers to police and enforce its decisions. I hope that this suggestion will not be taken simply as a well-meaning idealistic exercise, for I believe that our capacity to preserve and enhance life on our planet may well depend on our ability to set up a new kind of international institution with new authority.

Of course, the possible form and methods of operation of such an institution are very complex and will take time and effort to work out, but that is all the more reason for making an early start, and the hour is already late. I also believe that if this step could successfully be taken, it might help us to find solutions to some of our other problems and a way out of some of the emotional, ideological and political blind alleys in which we, in the United Nations, now spend so much of our time and energy.

Ladies and gentlemen, no one can accuse me of having been impatient during my eight and a half years of service with the United Nations. Some have even accused me of being too patient. I have made every effort in the privacy of my functions to be of help and to bring people and their points of view closer together. I will continue this task in the same manner until the end of my mandate.

But, on this solemn occasion, when the eyes of the world are focused on us, I must most emphatically warn nations not to pursue their present outmoded and fratricidal course. Time is running short. People are getting impatient. We need a fresh start: we need a fresh look. Governments must be able, once again, to lift themselves to the same high level of determination and vision as that of the authors of the Charter.

Sages tell us that if there is a will, there is a way. We have the way, but there seems to be diminishing will and increasing discouragement.

The Charter drafted here 25 years ago is still our best chance. May nations therefore, especially the powerful ones, give it at last a real chance.

PICTUREPHONES?

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BINGHAM. Mr. Speaker, The Bell System is installing its new picturephones in Pittsburgh, Pa. This news

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has an ironic twist for those of us who have to struggle with deteriorating telephone service in New York City. The following is an editorial comment on the matter in the New York Post, July 2, 1970.

Sorry, That Face Has Been Disconnected

It's interesting to contemplate some of the sights the new picturephone will focus on when the Bell System gets around to introducing it here, after a trial run in Pittsburgh.

The first view will probably be the tormented expression of a caller waiting for a dial tone. Or it might be the dogged look of someone trying to dislodge his dime from a vandalized coin slot, the bewilderment sweeping the face of the person who keeps dialing the right number and keeps getting the wrong party, or the flagging features of the guy who repeatedly encounters an out-of-order message whenever he dials a phone he knows to be functioning in his own home.

Picturephones will also add titillating new dimensions to the daily lives of those telephone company employes, who, according to recent reports, arbitrarily monitor hundreds of thousands of personal calls in a check-up called "service observation."

The last significant observation of service here, undertaken by the Federal Communications Commission in January, found it to be the worst in the nation. For that reason, Pittsburgh rather than New York was chosen by the Bell people for yesterday's first commercial installation of the picturephone. The new device is an impressive piece of sophisticated technology. But for the moment New Yorkers would settle for more modest reforms. Like just hearing the sound of a voice.

DEBT OF HONOR

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. LOWENSTEIN. Mr. Speaker, those of us who have seen the scandalous conditions in veterans hospitals cannot believe that they can continue to exist in the richest country in the world.

Whatever our differences on the war, we ought to be able to agree that those who have been wounded and maimed fighting it should have the best medical care available.

I hope the President and the leaders of both parties will read the editorial in Tuesday's Washington Star, another voice in the national outcry against this disgrace, and then act to do something about it. I am inserting the editorial in the Record.

Debt of Honor

It would seem to be an elementary rule of decency that men wounded in our nation's wars should be cared for by the people for whom they fought. Yet a combination of budget-scrimping, ignorance and bureaucratic failure—all of it amounting to neglect—has resulted unconscionably in an increase of suffering for some victims of the hostilities in Vietnam.

The evidence of this neglect cannot be discounted. Testimony before a subcommittee headed by Senator Cranston of California included authoritative accounts of filthy conditions, inadequate staffing, obsolete and uncomfortable buildings, broken equipment and lack of space in many Veterans Administration hospitals. Assurances from the VA that all is well have a hollow sound besides the tales of disillusioned veterans who thought their country would do what it could to compensate for their sacrifice.

Making the VA mess all the more inexplicable is the fact that, in other respects, our soldiers are treated better than ever. Their equipment is the best in the world, and they enjoy more amenities in the battle zones than their counterparts in past wars. They have a better chance of surviving serious wounds because of efficient evacuation methods and quick surgical attention. There have been few complaints about the military hospitals, where most of the wounded recuperate for further duty.

But the level of attention to the needs of the wounded man drops off sharply at the point where it is determined he cannot return to duty and must be discharged and sent to a VA hospital for long-term care. In such a case the patient may be permanently disabled, having paid a price as great as death itself for the privilege of serving his country.

It is particularly fitting in the wake of the star-studded Fourth of July festivities—at which we were exhorted to realize how great a nation we are—to consider whether we seem so great to a paralyzed veteran waiting to be tended in an understaffed hospital.

There is plenty of blame to spread—among this administration, Congress and their predecessors—for the failure to provide the best possible care for the most seriously wounded of the returning veterans. It is more important, though, to rectify the situation immediately.

The administration has asked for a $122 million increase in the VA medical budget, and Cranston would add another $174 million. These amounts may not be enough. But whatever is needed to make VA medical care the best there is, the American people ought to provide it.

PUBLISHER PUSHES FOR THE LIFE OF A QUEEN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following excellent editorial from the July 5 edition of the Louisville Courier Journal & Times.

Mr. Barry Bingham, editor and publisher of the newspaper, asks not only for the exemption of the picturesque *Delta Queen* riverboat from Federal safety-at-sea regulations, but for the preservation of a bit of river history.

As he points out, the beauty of the river and the tradition and romance of the stern-wheel riverboat are incomparable and irreplaceable attractions of the area.

Mr. Bingham's editorial reads as follows:

Let's All Rush to the Rescue of a Damsel in Distress

(By Barry Bingham)

"Save the Delta Queen!" The plea wafts out from the loud-speaker system, to the plaintive strains of a country-rock tune, and the passengers lounging on the sunny deck of the steamer stir from their happy reverie. The Queen must be saved.

It is hard to invoke the crusading spirit among a group of people as blissfully content as the Queen's customers. It is their joy in cruising down the Ohio on a richly traditional stern-wheeler, however, that makes militants in this one good cause out of relaxed vacationers.

The Delta Queen is truly unique, in a world that has been stretched almost out of all meaning by the hot-rod publicists of Hollywood. It is the only survivor of the old river steamers in all of America that still takes passengers on overnight trips.

There are still a few day excursion steamers, notably the Belle of Louisville, that give people a taste of river travel. But it takes the longer exposure offered by the Delta Queen alone to turn harried, hurried, Twentieth Century Americans into relaxed river philosophers, ready to hobnob with the genial ghost of Mark Twain.

A June weekend found a group of 18 such tension-fleers from Louisville in a floating party aboard the Queen. We drove up to Cincinnati to board the boat for an eight o'clock sailing on Friday evening, and returned to dock at five on Sunday afternoon.

WHERE'S THE RIVERBOAT GAMBLER?

The very act of stepping onto the gangplank seems to turn back the hastening hands of the clock. Life suddenly assumes a more leisurely pace. A wide staircase opens into a capacious lounge, decorated in the rococo style of the old river boat days. There was a full load of passengers, but nobody was crowded, nobody was in a hurry.

The staterooms are comfortable, clean, and air-conditioned. Instead of nautical bunks, they are equipped with regular beds with good mattresses. Plenty of lounging chairs surround the two decks. Nothing is formal everything is easy.

The moment of sailing is celebrated by a rising tide of music from the ship's calliope. Nothing quite rivals the nostalgic, slightly off-key strains of the traditional steam piano. This is visible as well as audible music, for each note emerges in a little jet of steam from one of the instrument's pipes. Deckhands cast off ropes, onlookers wave, small boys run along the wharf in a fever of excitement.

There is good food waiting in the dining saloon, and cheerful service to go with it. (The quality of the fare was the only point I could not praise on a cruise in 1969, but it has improved markedly since.) The breakfasts are in the old, hearty tradition—cereal, scrambled or fried eggs, bacon, country sausage, grits, hot biscuits, and big pots of steaming coffee. The other meals are a little more restrained, but ample.

The passengers are nearly all in family groups. Many are middle-aged, but there are some lively oldsters and plenty of children. The black-mustachioed gamblers of the old packets, with their gaudy vests and gold watch-chains, have no counterparts in this wholesome company.

For those who like entertainment, it is readily available. A combo plays dance music in the dining saloon after dinner, and its members break up into a pleasantly corny floor show. There may be a Bloody Mary party or a Scarlett O'Hara cocktail party in the bar. The band provides some spirited New Orleans jazz for these occasions, and the bartenders strut to the music as they serve the drinks. Juleps are available, garnished with mint from two out-sized window boxes that flank the paddle-wheel.

The heart of the cruise, however, is the beauty of the scenery that glides so softly by. There can't be many rivers in the world as fine to travel as the Ohio. Its aspect varies from mile to leisurely mile.

On the Kentucky side may be towering cliffs, hung with luxuriant greenery that hides any trace of human habitation. On the Indiana shore will lie a great water-meadow, stretched serenely along a majestic bend in the river. Then, a little further on, the scenery may reverse itself from port to starboard.

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The locks at Markland Dam, and those below Louisville at McAlpine Dam, offer a lively diversion for the passengers. Further downstream are the famous Ox-Bow Bends of the Ohio, where the river flows in sinuous coils between steep, wooded banks on both sides.

MEMORIES OF A DISASTER

Sailings depart and return on time, but the schedule afloat is informal. There will be a stop at Louisville, with the big bridges looming impressively above. A pause at Madison can afford an opportunity for walking past handsome old houses, prime examples of the urban architecture of the earlier Nineteenth Century.

Longer cruises take the Queen down to Kentucky Lake. The most extensive of all is a trip to New Orleans and back, always scheduled to include the Mardi Gras celebration. Shorter cruises, such as the Cincinnati Weekend, are scheduled through most of the year. Those who have been on fall cruises say they are the best of all.

Must this delightful diversion end forever on the second day of next November? That is what will happen, unless Congress passes a bill to keep the Queen in overnight service. And the time for such action is getting short at the current session.

The problem lies in a Federal law passed in 1966. It followed a disastrous fire at sea on the S.S. Yarmouth Castle. Only steel-structured ships are allowed to carry overnight passengers under this law. The Delta Queen was given a steel hull when built in Scotland in 1928, but the superstructure is a traditional blend of teak, mahogany, ironwood and oak.

The Queen has been reprieved twice by special acts of Congress, in order to give the Greene Line a chance to plan for a replacement. But the cost of such a vessel has soared above $10,000,000, which casts the project in grave doubt. A new vessel would apparently have to be diesel powered. That would eliminate all the romance of the old crimson paddle-wheel, splashing through the water in a soft cascade of spray.

The Safety at Sea Law of 1966 doesn't make sense as applied to the Delta Queen, anyway. It was designed to protect passengers on oceangoing vessels. The Queen plies only along inland waterways, and she is never more than four minutes from shore. A simple beaching operation would be the answer to any conceivable emergency. Fires on the old river packets were caused by boilers bursting in a desperate effort for speed. The Queen never moves out of a dignified saunter. The owners would no doubt be willing to provide a full sprinkler system, or any other reasonable device considered necessary.

Bills to exempt the Delta Queen have been introduced in the House of Representatives by Reps. Leonor Sullivan of Missouri and Lee H. Hamilton of Indiana. Kentucky Republican Marlow Cook and Indiana Democrat Vance Hartke have piloted an exemption through committee action in the Senate. The critical point seems to be the House Merchant Marine and Fisheries Committee, of which Frank Albert Stubblefield of Kentucky and William G. Bray of Indiana are members. Committee chairman Edward A. Garmatz of Maryland has shown reluctance to bring up the Delta Queen issue for a hearing.

THE QUEEN FILLS THE BILL

The boat lures tourists from all over the country and Canada to the Ohio Valley, and puts them in a mood of mellow appreciation for all they see. The publicity of the annual race with the Belle of Louisville at Derby time would cost hundreds of thousands of dollars if it had to be bought, but it comes free. Our region needs the unusual, the picturesque, the colorful attraction to woo the tourists and their happily-spent dollars. Nothing fills the bill more neatly than the Delta Queen.

A loud cry should go up to Washington from the whole Ohio Valley. Life in America has grown increasingly strained and standardized. A paddle-wheeler gliding along the gentle Ohio is a floating lesson in regional history, a reprieve from the pressures of the modern world, a tranquilizer more soothing than any doctor's prescription. There is just enough time left to make ourselves heard in Congress: "Save the Delta Queen."

FIGHTING DRUG ABUSE

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MAILLIARD. Mr. Speaker, I rise today to dramatize the attack against drug abuse among our very young. A San Francisco girl, described in an article in the July 5 Evening Star, began experimenting with marihuana at 13. But, realizing the dangers of drug use after 3 years, she stopped and has been courageously fighting drug abuse ever since. I should like to insert this item in the CONGRESSIONAL RECORD as an instance of valiant and exemplary action in this field:

MARIHUANA AT 13: GIRL TELLS OF "KICKING" DRUG

SAN FRANCISCO.—At 13, Linda Mayfield of San Francisco began experimenting with marijuana. At 16, she kicked the habit and joined a student team crusading against drug abuse.

The attractive, miniskirted youngster, now 17, was the only teen-age member of a panel on drug abuse at the National Education Association's 108th annual convention in San Francisco Civic Auditorium.

She told how the Washington High School team of 20 members—half of whom had used drugs—talked with elementary school pupils about the experience.

"I think we got through to a majority of the kids because they trust us. Kids were open to us. I think we taught them something," she said.

Later in an interview she told her own story.

"Some friends and my older sister experimented with grass," she began. "I waited a long time but I was curious and tried it at a friend's house.

"I enjoyed it. It was strange, a different feeling than I'd ever experienced—laughing and feeling light, kinda not caring.

"I used it for nearly three years—just every once in a while, mostly socially."

What caused her to give it up?

"Not any one particular thing. I was sleeping too much. Drugs made me very tired. All I did was read and sleep. I got nothing done.

"Beginning last summer I decided to stop."

Did this cause her marijuana-using friends to drop her?

"No, they would ask me why I stopped and I told them. This was fine and it had no effect on our friendship. Even when they're stoned we communicate better than when I was stoned."

Did she have adverse effects from drugs?

"I had a little loss of memory. My will to do anything was broken down. I had a tendency to be forgetful and had loss of memory."

Did she or her friends ever use a hard drug like LSD?

"No. I don't consider LSD a hard drug. Personally, I feel the bad trips are caused when a person is in poor physical condition or is under a severe emotional strain."

Is it difficult to get marijuana in San Francisco?

The 5-foot-5, 115-pound brunette who will enter Heliotrope Free University of San Francisco this fall, said her mother knew about her venture with drugs but that her stepfather was "hostile when I told him about it after I had stopped. It scared me. He didn't want me to come down here."

"Talk to your kid openly and freely and listen to him. Always have your mind open and don't shut him out. Make him feel free to come to you without fear of the consequences. If you don't know the answers tell him so. Then help him try and find out the answers."

ADDRESS OF MAJ. GEN. WILLIAM R. DOUGLAS

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DUNCAN. Mr. Speaker, during the past Armed Forces Week Maj. Gen. William R. Douglas of Tennessee's Military Department delivered a speech which I wish every Member of Congress would read.

General Douglas speaks with knowledge and authority, having entered the Tennessee National Guard as a private in 1933 and having gone through the ranks to major general in 1964. He retired from the Tennessee National Guard in 1966 and 2 years later was appointed Deputy Adjutant General in the Military Department of Tennessee.

Here follows his speech:

ADDRESS BY MAJ. GEN. WILLIAM R. DOUGLAS

Ladies and gentlemen, my talk here today will have four areas on which my personal concern has reached a stage of alarm. They are proper sense of values in the world today; inability to see a clear picture of the designs of enemies of freedom; failure to put our aims on proper targets; and the action which I feel each of us must take to put us back on the right track.

To take action we must first analyze conditions in our own country and throughout the world in order to get a clearly defined picture of the problems; then we must apply a proper sense of values to judge the appropriate target for our aims in the interest of mankind; and, finally, take action in that interest and that interest alone.

Never in history have problems been greater—population explosion, pollution, poverty, inflation, crime, dissension . . . and last but not least, the threat to freedom. In my book, I place that last item as number one on my list. I do so because I feel never before has this threat been so ominous. And the frightening aspect is that never before has this been placed so far down the list on world problems. In World War Two, nations united and defeated an enemy to freedom which tried to enslave other nations and snuffed out the lives of six to seven million persons through atrocious genocide.

In Korea the United States sprang to the rescue when overt aggression took place by Communists, but without defeating the enemy, an enemy which has snuffed out the lives of some fifty million persons, or a total of some eight times that of Hitler's Germany. But in Korea, we only fought off the enemy, we didn't defeat him. In Vietnam today the United States and a handful of allies have battled nine years, not to defeat an enemy, but to prevent a Communist takeover. And the so-called "spin-off" from our "Don't Win, Just Defend" policy has so confused the free world that Laos and Cambodia face certain Communist takeover from the same attackers—North Vietnam. Why? I think this. So much has the information media allowed itself to focus attention on the minority clamors and goals. . . . So much have they allowed the anti-Vietnam war yells to ring out . . . and so little has the media done to bring world condemnation on the Communists for their aggression and subversive actions which caused these wars. . . . The so much and so little today has created an atmosphere which hands Laos and Cambodia to the enemy with only token resistance.

We have never lost a war in our two-century history. That is, we have never lost a war with weapons. Today, however, we are losing a war—a battle for public opinion, worldwide public opinion. The Communist-directed, frontal attack against the U.S. is winning support not only on the other side of the curtains, but even in the United States. Their continuous verbal assaults on us, both from within and without, have gained such momentum that it is obvious this Nation may have to write off Laos and Cambodia to the Red side of the ledger. With 105,000 Communists overrunning Laos and Cambodia and threatening the program under which we would withdraw forces from South Vietnam, the President sent troops to erase sanctuaries. Within hours the public opinion assault labeled us as the invaders and you know what else took place. Now we wonder what will happen if Russian-backed, Russian-helped Arab attacks on Israel accelerate to full-scale war status. We wonder because public opinion has reached a point where the defense of any nation anywhere in the world will bring nothing but violence within our own borders. The immediate cries will be don't make the same mistake you made in Vietnam. Don't make the same mistake you did in Cambodia.

The latest popular expression is: "We made a mistake in Vietnam, let's not make another in Southeast Asia."

I cannot agree with this or the popular expression which made its rounds earlier. It was: "Let's admit we made a mistake in Vietnam." This, to me, is completely idiotic, erroneous and ridiculous. Our nation signed a treaty with Southeast Asian countries to come to their aid with weapons and manpower in the event of aggression. The Communists conducted a reign of terror in South Vietnam, a program involving torture, assassinations and finally overt attack by forces infiltrating from North Vietnam. Can anyone with honest and sincere logic say we made a mistake in keeping our promise, in carrying out our pledge in that SEATO treaty? The frosting on the cake to this is a vote of approval—with only one dissenting ballot—from the hundreds of congressmen which were elected by the millions of Americans as their representation in Government. To say we made a mistake is to say Congress and four Presidents—Eisenhower, Kennedy, Johnson and Nixon—were guilty of sacrificing 40,000 American lives in our Vietnam action . . . for nothing. To say we made a mistake is to condemn the advice given them by civilian and military leaders of the most highly qualified knowledge of international affairs. And to call it a mistake is to say we did so from day to day, month to month and year to year over a period of almost a decade. Can anyone say the leadership of this greatest nation on earth could so compound a mistaken military action? And finally, let's assume we had not provided assistance in that area over these years. Would this small nation still be among those of the free world? Would Thailand? Would Malaysia? Singapore? Indonesia? Would we now be engaged in more fighting in South Korea? Would not Laos and Cambodia already be Red? Where, I ask, just where do we draw the line on aggression? How many millions of people do antiwar critics think we should sacrifice to the slavery of Communism?

And where is that point of no return—that point where the balance of power is tipped to the enemy to an extent that defense of our own land would be useless? No, gentlemen, Vietnam was and is no mistake. Americans proved we keep our word. Americans proved overt aggression cannot go unpunished. Americans proved we shall fight for freedom and we proved we shall use our strength to help the weak defend their freedom. No, gentlemen, we did not make the mistake, Hanoi and her Communist allies made the mistake. That we so intervened in Vietnam may already have discouraged adventures they may have considered in recent years or any they might consider in the future. That alone may already have saved hundreds of thousands of lives and billions or trillions of dollars. We may never know what could have happened, but we do know that we are still a free nation and we can assemble like this and say what we wish just like I'm doing here and now.

The disturbing factor about this is the very principle of the situation. Criticism—such as this statement that the United States made the mistake in South Vietnam—yes, anti-American criticism such as this has prevailed in a steadily increasing manner since World War II. Where, on the other hand, have you read in the news commentaries, heard on radio programs, or seen over television criticism of the enemy? Think hard. Have you heard anyone say: "Let's admit the Communists made a mistake in Vietnam"??? For every 100 articles, commentaries, so-called television specials, demonstrations, speeches, or the like . . . for one hundred of those, which are in substance anti-democracy, anti-establishment, anti-free enterprise, and anti-American I would estimate you can find less than five which are anti-Hanoi, anti-Peking, anti-Moscow, anti-Cuba, or anti-Communist, this is frightening. It is terrifying. You sometimes wonder whose side the information media is on. You wonder if the so-called silent majority is quickly becoming a silent minority. There had better soon be a 180-degree turn in the principles of our freedom of speech, freedom of assembly, freedom of the press, and freedom to bear arms, or we soon will be a silent minority.

Now let's analyze the status of these freedoms as it appears today:

Freedom of speech.—This is being used daily by communist elements for anti-American purposes and even condones open, outright, public pronouncements advocating violence and revolution.

Freedom of the press.—Such pronouncements, anti-war activities and operations which logically can more aid and abet the enemy than help preserve our own principles are accelerating rapidly in the total information output. You hear more and more on atrocities of our troops or our allies. You hear less and less of the atrocities of the enemy. More time and space are given to activities bent on reducing and weakening our defense posture. Less and less time and space are given toward strengthening it.

Freedom of assembly.—In this area—with few exceptions—aims and goals of the most publicized assemblies are anti-American. Demonstrations are for Americans to get out of South Vietnam. None ask the North Vietnamese get out of South Vietnam. There were and are demonstrators to ban-the-bomb, stop producing nuclear subs, forget anti-ballistic missiles, eliminate-the-draft, take R.O.T.C. out of colleges, quit manufacturing napalm bombs, and others which have been and are anti-United States. Again I ask you to think hard. Where or when have any similar demonstrations urged the communists to end such defense programs??? One more thing on freedom of assembly. I'm going to quote verbatim the reading in our constitution on this and you can read between the lines as to another important point and I quote: "The right of the people *peaceably* to assemble."

The previous freedoms are listed in amendment one to our original constitution. Let's go to amendment two and I shall also quote verbatim: "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed." Here, too, the enemies to our way of life are using one of our freedoms toward an apparent attempt to end that freedom. Organized crime and terrorists, both contributing to the decay of this nation, have projected violence to an unprecedented high under the false front of their right to bear arms.

An article last month said troublemakers, foreign and domestic, are now concentrating on phase three of a concerted effort to knock our Nation off balance. I would have called troublemakers what they are—communists. The first phase was street and campus demonstrations and the second a militant affront to our court system. Now, the article continues, Guerrilla warriors, schooled and skilled in making and planting bombs have launched a spring offensive against military, governmental and industrial installations . . . New York had 400 bomb scares in 48 hours less than a month ago. A blast damaged 23 stores in Pittsburgh. Seattle had 32 bombings, most of them in the past four months . . . within the past month two packages were mailed from Seattle, one to President Nixon, the other to Selective Service Director Theodore Tarr, both containing bombs triggered to explode when opened. They were intercepted and defused . . . San Francisco had one hundred bombings, attempts or threats. R.O.T.C. buildings, a jurist's home, police stations, draft boards and even the office of an Army recruiter were targets. In Greenwich Village fire and explosions destroyed a townhouse where evidence of a bomb factory was found. Among the dead was Theodore Gold, S.D.S. campus revolt leader at Columbia University who last year spent several weeks in Cuba. The F.B.I. has identified other radicals involved in recent bombings as having close links with foreign Communists. How many of you right here remember the news about these bomb cases? I'm sure most of you do. But let me ask another question. How many of you were informed in those news stories of these communist links I have just mentioned? I wasn't. I had to learn this from another source.

If I make no other specific point in my talk, it is this . . . let's help bring about a 180-degree turn in our information efforts. Let's get off the backs of defense leaders and let's instead return our attention to the ill-doings and the dangers of our enemy or enemies. I do not mean end criticism nor hide wrong-doings. But I do mean we should attempt in every way possible to provide that information which will help keep the free world free. Let's think twice about any and all activities and information which aid and abet the enemies of freedom.

The strategy and tactics of such enemies is to use various minority group movements to tear down and destroy the entire fabric of the free society. Where they are thus allied to such causes, a democratic society must screen carefully such minority goals. The church, the courts, the entertainment world, schools and the press must not *ally* themselves with smoke screen causes which chip away at freedom.

If the letter of the law were obeyed, there would be no need to suggest what I have . . . but somehow, in some way it is being disobeyed continuously. . . . Here is the law

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on which I speak and it has been upheld by the Supreme Court . . . "whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States . . . by force or violence . . . shall be fined not more than $20,000 or imprisoned not more than twenty years, or both. . . ." That is section 2385, Title 18 of the U.S. Criminal Code. A little bit of enforcement of this could go a long way toward protecting those freedoms of which I spoke. And it could stop some of this destructive action by dissidents.

When we get into discussions on the dissident elements across our Nation, I think our Vice President has summed up my feelings, Mr. Agnew's words were, to be exact: "Indeed, as for these deserters, malcontents, radicals, incendiaries, the civil and the uncivil disobedients among our young, S.D.S., P.L.P., Weatherman one and Weatherman two, the revolutionary action movement, the hippies, yippies, yahoos, black panthers, lions and tigers alike—I would swap the whole damn zoo for a single platoon of the kind of young Americans I saw in Vietnam."

It was Vice President Agnew who gave the right answer in responding to a statement of Senate Foreign Relations Committee Chairman J. William Fulbright that if the Vietnam war goes on much longer "the best of our young men" would flee to Canada. The Vice President replies: "The best of our young men are serving their country in Vietnam."

Television should continuously inform the public on Communist and subversive threats from within and without, and give less time to Rap Brown, Eldridge Cleaver, Chicago Sevens and Communist lackeys to spew their venom of hatred and revolutionary, treasonous propaganda against our country. Ditto for other information professions.

Yes, the mass information media—governmental, military, entertainment, journalistic, religious and others providing influence on the general public—this media must make a 180-degree turn.

The question now is how to make this 180-degree turn. I suggest the answer is for action in the national interest. Government officials must act in the public's interest, not party or political interest, businessmen must act in the public's interest, not personal interest. Newspapers must print in the public's interest, not in the publisher's interest. Radio and television must operate in the national interest, not minority interests. Labor must perform in the interest of national unity, not union interest alone. Jurists must judge in the interest of the majority, not of the minority. The entertainment profession must return to moral interests, not financial interests. Churches must return to religion and abandon politics. Teachers must educate in the interest of freedom, not in the interest of freedom's enemies. Parents must close the generation gap in the home, not through juvenile courts. The individual must act in the interest of all, not just himself.

It may seem ironic that I speak before Veterans of Foreign Wars and Rotarians at this moment to bring out these issues. I say it is ironic because you of the V.F.W. and most of you in the Rotary already have served in uniform in the interest of freedom. And I am sure all of you have served as civilians in the same manner. And my text is not directed at you, in a manner of speaking, but for you. If enough of us get together and speak out on issues, maybe we will find it easier to unite and get this country back on the right track.

In a recent Rotary magazine was a history of your mottoes and one, in particular, caught my attention. It says "Rotary is based on the ideal of service and where freedom, justice, truth, sanctity of the pledged word and respect for human rights do not exist, Rotary cannot live nor its ideal prevail." I believe this reflects much of the content of my words today.

This is Armed Forces Week and it is set aside to honor those who are dedicated to the task of defending our nation against the communist threat, to the defense of freedom. Our heritage is rich in heroic deeds of men who have preserved our freedoms. It continues today and to those who have made the supreme sacrifice, I repeat remarks of General Douglas MacArthur:

"His name and fame are the birthright of every American citizen. In his youth and strength, his love and loyalty, he gave all that mortality can give. He needs no eulogy from me, or from any other man. He has written his own history and written it in red on his enemy's breast . . . I do not know the dignity of their birth, but I do know the glory of their death. They died unquestioning, uncomplaining, with faith in their hearts and on their lips the hope that we would go on to victory."

SENATE—*Thursday, July 9, 1970*

The Senate met at 10 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, holy beyond our comprehension, loving beyond all earthly love, good beyond all that is good, help us to pattern our lives after the Great Galilean.

Spare us, O God, from being cruel because we have power, blunt because we have authority, arrogant because we have wealth, or unbrotherly because we have won a victory. Grant that in our differences there may be moral unanimity, in our diversity a spiritual unity which strengthens our labor for the Nation.

Give us stout hearts, O Lord, that having resolved upon the course we believe to be right, we may steadfastly pursue it, serve Thee faithfully, and leave the consequences to Thy providence.

In the Redeemer's name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 8, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 10 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR YOUNG OF OHIO TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following disposition of the Journal tomorrow, the distinguished Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Georgia (Mr. TALMADGE) is now recognized for 30 minutes.

Mr. SCOTT. Mr. President, will the Senator from Georgia yield?

Mr. TALMADGE. I am happy to yield to the Senator from Pennsylvania.

PROGRESS IN THE WORK OF THE SENATE

Mr. SCOTT. Mr. President, I should like to inquire of the distinguished majority leader whether he thinks we are moving along a little better now, a little more rapidly, and that we may yet catch up with the other body.

Mr. MANSFIELD. Well, may I say that after the Republicans, following their leadership meeting with the President on Tuesday morning last, prodded us, we have been showing reasonably good progress, thanks to the cooperation of the Republicans in this matter, and due to the good attendance on the floor of the Senate, and also due to the fact that the committees are still meeting. The legislation, although it is not pouring out, is coming out, because it has to be given legitimate and due consideration. I would say that the Senate is in very good shape at the moment and we hope to keep it that way in the weeks and months ahead.

Mr. SCOTT. I want to thank the distinguished majority leader. I think it proves the healthy interaction of the two-party system.

Mr. MANSFIELD. It does, indeed.

PRODUCTION OF THE C-5A AIRCRAFT

Mr. TALMADGE. Mr. President, I have been very much concerned about the fate of the C-5A military cargo airplane. I am concerned about the aircraft, the company, and the people of Georgia who build it.

Mr. President, the fact is the very existence of the Lockheed-Georgia Co., is at stake. Congressional debate over funding for the C-5A will determine the future of the company. This in itself is no small responsibility for the Senate and the Congress to shoulder.

Moreover, of tremendous importance, the jobs of more than 20,000 employees of Lockheed-Georgia—and the jobs of another 20,000 people in plants of subcontractors and suppliers all around the Nation—are also at stake. How we vote on the C–5A issue, in the final analysis, will determine whether these 40,000 jobs stand or fall.

These issues are important to me, to the State of Georgia, and to all of us. But, the fate of the C–5A is more important.

It is more important because of the usefulness of this aircraft in U.S. foreign policy. It can dramatically lower the cost of maintaining our treaty commitments. It can permit us to bring some of our soldiers home from farflung stations across the world, at a significant saving to the taxpayers. It can greatly increase our ability to support American fighting men, wherever it may become necessary for them to serve.

These are the issues that I wish to discuss today. I have said that the C–5A program is important to me, and it is. I do not wish to turn my back on the 20,000 people in Georgia, and 20,000 in other States, whose jobs and livelihood depend upon construction of this aircraft. Of course, this is important to me, and it should be to all of us.

However, the most compelling question—that in good conscience we cannot ignore—involves national security and the dollar cost of trying to police the world by maintaining troops in foreign countries. At a time when much of the world is threatened by conflict, national security is a vital issue. When our own economy is in such a state of disarray, it becomes equally important that the Congress endeavor to attain savings in every possible area of Government spending.

I have long maintained that the United States has become woefully overcommitted all over the world, militarily and economically. In my judgment, this has long been a prime target for fiscal housecleaning.

We miss the mark if we allow ourselves to become beguiled by all the publicity that has surrounded the financial plight of the Lockheed Co. Out of this comes a question of how much punishment that company should receive. There is even talk about a "bailout," as though this were some kind of charity case for the company, for its shareholders, and for its employees.

The fact is, there is a legal dispute between Lockheed and the Air Force on the C–5A contract. Lockheed is asking only for those funds which Lockheed lawyers say is owed the company under terms of the contract. Of course, the Lockheed lawyers may be wrong. But it is at least equally possible that the Air Force lawyers are wrong.

In any event, it is hardly appropriate for the U.S. Senate to attempt to determine the legal issue. I do not see how we can decide the degree of punishment for the shareholders and employees of Lockheed.

The legal issue is already before the Armed Forces Board of Contract Appeals. There already have been many meetings between the Government and company officials in an earnest effort to reach a negotiated settlement. I do not know how the legal case will be decided. I do not intend to inject myself into it.

The outcome of this dispute is really extraneous to the central issue now before us. That is the question of funding which will provide for the continued production of the C–5A, so that we may obtain at least the 81 aircraft currently on order. That question in turn is dependent upon the need for the airplanes.

Proposals have been made to deny the $200,000,000 contingency amount, and to stop C–5A funding at the so-called legal limit. This would force a halt in production at about 30 aircraft in January of 1971. It would bring on fiscal chaos.

Let me repeat: Denial of these funds would stop production right in its tracks. Fifty-one airplanes would be left hanging in various stages of completion at the Lockheed-Georgia Co., and in bits and pieces scattered at thousands of subcontractor and supplier plants all over the United States. Such waste would be chaotic and expensive. It is incredible to even think about.

But even more important is the fact that such shortsighted action would deny the Air Force the additional 51 aircraft we so badly need.

There are many valid arguments for a minimum requirement of 81 C–5A aircraft. But perhaps the most important is the one that has been described by the distinguished Senator from Missouri (Mr. SYMINGTON). The Senate will recall debate on the C–5A last September. At that time, Senator SYMINGTON delivered a brilliant exposition on what he called the concept of "remote presence." He gave the Senate a convincing argument on the relationship of this concept—in fact, its very dependence—on the availability of rapid, massive airlift.

Senator SYMINGTON concluded that important speech by declaring:

> It would appear certain, however, that this "remote presence" concept is the best method for fulfilling the present and future international obligations of the United States. Such a concept is much in our interest, from a political and military as well as an economic standpoint; and it could be the one way to handle our security and wellbeing without having the cost of our defenses creating even more serious problems for our already endangered economy.

Now let me refresh the Senate's memory on the text of Senate Resolution 292, that was introduced last December by the distinguished majority leader. Fifty-one Senators are cosponsoring this resolution, including me. It reads as follows:

> Now, therefore, be it resolved that it is the sense of the Senate that, with changes and improvements in the techniques of modern warfare and because of the vast increase in capacity of the United States to wage war and to move military forces and equipment by air, a substantial reduction of United States forces permanently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty.

Of course, the U.S. commitments to NATO and Western Europe are not our only foreign military obligations. We still have some 15 to 17 treaties and commitments to about 42 nations throughout the world.

These commitments require varying degrees of a U.S. response to external aggression or interference with these 42 nations. But regardless of the extent, all of them call for some kind of U.S. assistance or presence, either physically or remotely.

So long as these treaties stand in force, we cannot question their existence. But we can and should appraise the manner in which these obligations are fulfilled.

A year ago we had an overseas military establishment of almost 1½ million troops, 500,000 dependents, and 250,000 foreign employees on 429 major and almost 3,000 minor bases. There has been some reduction of these overseas forces in the past 12 months, but not nearly enough. Consequently, the number continues to remain extremely large and extremely expensive.

It is damaging to our balance-of-payments position and the U.S. gold reserves. It is a cost that the American taxpayers do not want and should not have to bear. Present levels of defense and total Federal spending make any foreign deployment of American troops that is not strictly necessary a luxury that we cannot afford at this time.

The most obvious opportunity for reductions in this area is a phasing-out of U.S. involvement in Vietnam. This policy already has been initiated by President Nixon. Beyond that, however, further troop reductions might appear to be precluded by existing treaty obligations to which our Nation is bound.

Fortunately, there is a technological solution for this political problem. As Senator SYMINGTON said, there is a way out of the dilemma of how to meet proper foreign defense commitments without the necessity of having to station large military forces overseas. I might add, at least in the case of some of our foreign commitments, the presence of American troops not only are not needed, but many of them serve in countries where they are not wanted.

The answer lies to the establishment of a "remote presence" which depends upon improved mobility of troops and heavy equipment. Such mobility is offered by new airlift capabilities of the C–5A heavy logistics transport. Utilization of the C–5A's capability, and again I wish to quote Senator SYMINGTON:

> Would permit a military presence in support of overseas allies to be effected by relatively small—in many cases token—forces which, in emergency, could be rapidly reinforced by massive airlift.

The cost savings that could be realized by bringing troops back home, and by implementing the remote presence concept, are impressive indeed.

It has been estimated by experts that an adequate capabilty for rapid redeployment could safely permit a reduction in U.S. forces in Europe by one-and-one-third armored combat divisions, plus supporting units and air wings, without weakening at all the credibility of our ability to fulfill our NATO obligations. This could come to an annual savings of about $2 billion per year.

The magnitude of $2 billion becomes

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understandable when we consider that the average annual rate of pay and allowances used by defense economists is $12,000 per man.

Force reductions already are scheduled for Southeast Asia as U.S. involvement in the war in Vietnam is phased out, as we all hope that it will be. The NATO problem remains difficult. President Nixon has assured our allies that the current U.S. troop level in Europe will be maintained at least through mid-1971.

Nonetheless, eventually some reduction appears inevitable—if for no other reason than to avoid more serious balance-of-payments deficits. Up to now, the gold drain problem has been mitigated by "offset" arrangements under which the cost of maintaining U.S. troops in West Germany, for example, is to a large degree offset by purchases of our military equipment by that country. But this agreement cannot be continued indefinitely. In fact, West Germany's Defense Minister, Helmut Schmidt, warned in April:

> We have reached the end of the buildup phase of our armed forces. There are no longer any large arms orders that we might place in the United States, so further offset arrangements are going to be difficult.

In this context, and considering the warning issued by Defense Minister Schmidt, it is pertinent at this point to take a look at the U.S. balance-of-payments deficit. In the past 20 years, there has been a surplus in our balance of payments on only two occasions, for a total of only $593 million. On the short side of the picture, the United States piled up 18 annual deficits for a total of $44.1 billion.

For the same 20-year period, U.S. gold reserves declined from $22.9 billion to $10.4 billion. Foreign gold reserves almost tripled, increasing from $10.9 billion to $27.3 billion. Foreign short-term dollar claims against the United States—claims that are due now—have risen from $8.6 billion to $42 billion. If a demand for payment should be made, we could not meet it.

This fiscal situation has come about in pursuit of a policy of dollar diplomacy, that has been tremendously costly and, judging from the present state of the world, not very effective after all.

It has come about because the United States has persisted in paying extra military insurance for Europeans and others that they themselves apparently do not believe necessary—as indicated by their own expenditures. We have gone on and on, all over the world, spending and spending and trying to be a universal guardian and policeman.

Now, thanks to increased air mobility and airlift capabilities, we have the technology that can permit us to extricate ourselves from this unpleasant situation.

It is important, however, that for remote presence to be a credible deterrent against aggression, an adequate capability for rapid deployment must be evident and credible itself. The maintenance of a ready and sufficient military land force within the United States is meaningless unless we are both willing and able to provide the kind of transportation that would be required to move these men and their arms and equipment to areas of commitment as they may be needed.

What we mean by "rapid" is clear enough. What we mean is the arrival of men and armored forces at the theater of action within days—not weeks—from the time it was decided to deploy them. This could only be accomplished by heavy airlift. Thus, the importance of an adequate number of C-5A squadrons becomes readily apparent. This is not a matter of skimping on the cost of the C-5A program. It is a matter of providing an airlift capacity that would be required to meet two major objectives.

To allow us to bring troops home—keeping only token forces in some areas—and thereby affecting significant savings in defense spending.

And at the same time preserve our military capacity by providing for rapid and massive deployment of troops and arms in an emergency situation.

In considering the size of the C-5A fleet, it is appropriate to study the report of the Subcommittee on Military Airlifts of the House Armed Services Committee, published just a short time ago, on June 24, after several months of investigation.

The committee recommended procurement of airlift capacity equivalent to at least two additional squadrons of C-5 aircraft—that is, two more beyond the four squadrons presently on order, which constitutes 81 aircraft. The committee did say that if technical or cost problems make the procurement of additional C-5 aircraft unattractive, the deployment concepts must be altered to provide that only outsize cargo and equipment would be airlifted in the C-5A force presently programed.

But the committee also said, after all its investigations and hearings, that even with a six-squadron buy of our C-5's, there would be an airlift deficit. But with the reduction of the order to four C-5 squadrons, or 81 aircraft, there will be a deficit of 46 aircraft. This deficit, the report says, "gives the members of the committee great concern."

Further, the committee noted that congressional strategy requires an airlift force of at least six squadrons of C-5 aircraft—not just the four on order—as well as 14 squadrons of C-141's and a supporting fleet of commercial aircraft. It must also be kept in mind that the six-squadron force of C-5's was unanimously recommended by the Joint Chiefs of Staff in calendar year 1970, both before and after the submission of the President's budget to Congress.

In short, there is suspicion and grave concern about reducing the C-5A force. The committee warned that the heavy logistics airlift capability of the C-5 currently on order, much less stopping at 30, may not be sufficient to constitute a credible remote presence.

There are other doubters as well. President Nixon in February conceded himself that "questions have been raised concerning whether our airlift and sealift capabilities are sufficient to meet the needs of the existing strategy."

The credibility gap between declared U.S. doctrine and demonstrable military capability must be repaired—not made greater. Our ability to respond with conventional military capabilities must be real, and it must be adequate, remote though its presence may be.

It is a real world we live in, and the United States simply is not able, morally or in its own self-interest, to withdraw completely into an isolationist womb, although some people may fervently wish to do so.

We can, however, wish for an avoidance of the potential explosiveness of a face-to-face physical confrontation between aggressor troops and our own soldiers stationed abroad. Even if it were to occur inadvertently, it could set the world on fire.

We can ask that the free world nations henceforth spend more than a small fraction of their own gross national product for their own defense, and that their own troops be substituted for ours.

We can wish for and we can achieve a low U.S. posture abroad, by bringing our troops back home while maintaining the credibility of our treaty commitments and the backup support needed by the free world.

And, even if estimated cost savings are divided in half, we can through remote presence, save far more than the cost of the transports that are needed to implement it.

I have long been interested in this concept—long before the C-5 debate began. I have opposed for many years any unnecessary deployment of our troops abroad.

I am convinced that the C-5 program is in the national interest, and that it provides an answer to the costly dilemma that has plagued our Nation and its economy for more than two decades.

I join with many others, from all political persuasions, in expressing to Senator SYMINGTON my great appreciation for his outstanding contribution when he gave brilliant voice to the remote-presence concept. I commend it to all of my colleagues in the Congress and to the administration as our strategic plans are drawn, and as we ready ourselves to continue to exist in the real world that surrounds us.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INCREASE OF COMPENSATION FOR DISABLED VETERANS

Mr. TALMADGE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3348.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the amendment of the House of Representatives to the bill (S. 3348) to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes, which was to strike out all the enacting clause, and insert:

That (a) section 314 of title 38, United States Code, is amended—

(1) by striking out "$23" in subsection (a) and inserting in lieu thereof "$25";

(2) by striking out "$43" in subsection (b) and insering in lieu thereof "$46";

(3) by striking out "$65" in subsection (c) and inserting in lieu thereof "$70";

(4) by striking out "$89" in subsection (d) and inserting in lieu thereof "$96";

(5) by striking out "$122" in subsection (e) and inserting in lieu thereof "$135":

(6) by striking out "$147" in subsection (f) and inserting in lieu thereof "$163";

(7) by striking out "$174" in subsection (g) and inserting in lieu thereof "$193";

(8) by striking out "$201" in subsection (h) and inserting in lieu thereof "$223";

(9) by striking out "$226" in subsection (i) and inserting in lieu thereof "$250";

(10) by striking out "$400" in subsection (j) and inserting in lieu thereof "$450";

(11) by striking out "$500" and "$700" in subsection (k) and inserting in lieu thereof "$560" and "$784", respectively.

(12) by striking out "$500" in subsection (l) and inserting in lieu thereof "$560";

(13) by striking out "$550" in subsection (m) and inserting in lieu thereof "$616";

(14) by striking out "$625" in subsection (n) and inserting in lieu thereof "$700";

(15) by striking out "$700" in subsections (o) and (p) and inserting in lieu thereof "$784";

(16) by striking out "$300" in subsection (r) and inserting in lieu thereof "$336"; and

(17) by striking out "$450" in subsection (s) and inserting in lieu thereof "$504".

(b) The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 2. Section 315(1) of title 38, United States Code, is amended—

(1) by striking out "$25" in subparagraph (A) and inserting in lieu thereof "$28";

(2) by striking out "$43" in subparagraph (B) and inserting in lieu thereof "$48";

(3) by striking out "$55" in subparagraph (C) and inserting in lieu thereof "$61";

(4) by striking out "$68" and "$13" in subparagraph (D) and inserting in lieu thereof "$75" and "$14", respectively;

(5) by striking out "$17" in subparagraph (E) and inserting in lieu thereof "$19";

(6) by striking out "$30" in subparagraph (F) and inserting in lieu thereof "$33";

(7) by striking out "$43" and "$13" in subparagraph (G) and inserting in lieu thereof "$48" and "$14", respectively;

(8) by striking out "$21" in subparagraph (H) and inserting in lieu thereof "$23"; and

(9) by striking out "$40" in subparagraph (I) and inserting in lieu thereof "$44".

SEC. 3. (a) Section 312 of title 38, United States Code, is amended by striking out "For" at the beginning of such section and inserting in lieu thereof "(a) For"; and by adding the following new subsections:

"(b) For the purposes of subsection (c) of this section, any veteran who, while serving in the active military, naval, or air service, was held as a prisoner of war for not less than six months by the Imperial Japanese Government or the German Government during World War II, by the Government of North Korea, during the Korean conflict, or by the Government of North Korea, the Government of North Vietnam or the Viet Cong forces during the Vietnam era, or by their respective agents, shall be deemed to have suffered from dietary deficiencies, forced labor, or inhuman treatment in violation of the terms of the Geneva Conventions of July 27, 1929, and August 12, 1949.

"(c) For the purposes of section 310 of this title and subject to the provisions of section 313 of this title, in the case of any veteran who, while serving in the active military, naval, or air service and while held as a prisoner of war by an enemy government, or its agents during World War II, the Korean conflict, or the Vietnam era, suffered from dietary deficiencies, forced labor, or inhumane treatment (in violation of the terms of the Geneva Conventions of July 27, 1929, and August 12, 1949), the disease of—

"(1) Avitaminosis,
Beriberi (including beriberi heart disease),
Chronic dysentery,
Helminthiasis,
Malnutrition (including optic atrophy associated with malnutrition),
Pellagra, or
Any other nutritional deficiency,

which became manifest to a degree of 10 per centum or more after such service; or

"(2) Psychosis which became manifest to a degree of 10 per centum or more within two years from the date of separation from such service;

shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of such disease during the period of service."

(b) The catchline of section 312 of such title is amended to read as follows:

"§ 312. Presumptions relating to certain diseases and disabilities"

(c) The table of sections at the beginning of chapter 11 of such title is amended by striking out

"312. Presumptions relating to certain diseases."

and inserting in lieu thereof the following:

"312. Presumptions relating to certain diseases and disabilities."

SEC. 4. Subsection (d) of section 103 of title 38, United States Code, is amended by inserting "(1)" immediately after "(d)" and by adding at the end thereof the following:

"(2) The remarriage of the widow of a veteran shall not bar the furnishing of benefits to her as the widow of the veteran if the remarriage has been terminated by death or has been dissolved by a court with basic authority to render divorce decrees unless the Veterans' Administration determines that the divorce was secured through fraud by the widow or collusion.

"(3) If a widow ceases living with another man and holding herself out openly to the public as his wife, the bar to granting her benefits as the widow of the veteran shall not apply."

SEC. 5. (a) If a widow terminates a relationship or conduct which resulted in imposition of a prior restriction on payment of benefits, in the nature of inference or presumption of remarriage, or relating to open and notorious adulterous cohabitation or similar conduct, she shall not be denied any benefits by the Veterans' Administration, other than insurance, solely because of such prior relationship or conduct.

(b) The effective date of an award of benefits resulting from enactment of subsection (a) of this section shall not be earlier than the date of receipt of application therefor, filed after termination of the particular relationship or conduct and after December 31, 1970.

SEC. 6. Subsection (b) of section 3104 of title 38, United States Code, is amended by striking out "paragraph (2)" in paragraph (1) thereof and inserting in lieu thereof "paragraphs (2) and (3)", and by adding at the end thereof the following new paragraph:

"(3) Benefits other than insurance under laws administered by the Veterans' Administration may not be paid to any person by reason of the death of more than one person to whom he or she was married; however, the person may elect one or more times to receive benefits by reason of the death of any one spouse."

SEC. 7. Section 3010 of title 38, United States Code, is amended by adding at the end thereof the following new subsections:

"(l) The effective date of an award of benefits to a widow based upon termination of a remarriage by death or divorce shall be the date of death or the date the judicial decree or divorce becomes final, if an application therefor is received within one year from such termination.

"(m) The effective date of an award of benefits to a widow based upon termination of actions described in subsection 103(d)(3) of this title shall not be earlier than the date of receipt of application therefor filed after termination of such actions and after December 31, 1970."

SEC. 8. (a) Subsection 211(a) of title 38, United States Code, is amended to read as follows:

"(a) On and after October 17, 1940, except as provided in sections 775, 784, and as to matters arising under chapter 37 of this title, the decisions of the Administrator on any question of law or fact under any law administered by the Veterans' Administration providing benefits for veterans and their dependents or survivors shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such decision by an action in the nature of mandamus or otherwise."

(b) Chapter 53 of title 38, United States Code, is amended by adding at the end the following:

"§ 3111. Prohibition of certain benefit payments

"There shall be no payment of dependency and indemnity compensation, death compensation, or death pension which, because of a widow's relationship with another man before enactment of Public Law 87–674, would not have been payable by the Veterans' Administration under the standard for determining remarriage applied by that agency before said enactment."

(c) The analysis of such chapter 53 is amended by adding at the end the following:

"3111. Prohibition of certain benefit payments."

SEC. 9. The Secretary of the Treasury is authorized and directed to redeem at par the United States Treasury bonds numbered 32870L, 68196F, and 68197H in the aggregate face amount of $25,000, maturing June 15, 1983, if such bonds are presented to the Secretary of the Treasury for redemption by the United States Spanish War Veterans within one year after the date of the enactment of this Act.

SEC. 10. The first two sections of this Act take effect July 1, 1970. Sections 4, 5, 6, and 7 take effect January 1, 1971.

Mr. TALMADGE. Mr. President, I move that the Senate concur in the amendments of the House with the following amendments, which I send to the desk.

The ACTING PRESIDENT pro tempore. The amendments will be stated.

The legislative clerk read the amendments, as follows:

On page 9 of the House engrossed amendment, beginning with line 6, strike out all down through line 12.

On page 9 of the House engrossed amendment, line 13, strike out "Sec. 10" and insert in lieu thereof "Sec. 9".

Mr. TALMADGE. Mr. President, the Subcommittee on Veterans Affairs of the Committee on Finance met on these amendments and we acted thereon, with all parties fully participating.

Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the amendments are considered en bloc.

Mr. TALMADGE. Mr. President, I would like to describe the provisions of the House amendments that the Senate has just acted on.

On April 27 the Senate passed S. 3348, a bill to increase the rates of compensation for disabled veterans. As passed by the Senate, the bill would provide:

First. A $50 monthly increase, from $400 to $450, in compensation payments to totally disabled veterans whose disability is service-connected;

Second. An 11 percent increase in compensation payments to other veterans with service-connected disabilities;

Third. An 11 percent increase in allowances to dependents of disabled veterans; and

Fourth. A presumption that a disability suffered by a former prisoner of war of Japan, Korea, or Vietnam—or other country, if the former prisoner of war suffered from dietary deficiencies, forced labor, or inhumane treatment—is service connected if the disability is related to malnutrition, or if the veteran became psychotic within 2 years of separation from military service.

The House on June 15 approved a substitute version of the bill, which included a number of modifications. Specifically, the House amendments would:

First. Provide a somewhat smaller increase for veterans rated 20-, 30-, and 40-percent disabled while providing a somewhat higher increase for totally disabled veterans with certain very serious disabilities. The House did not amend the increases provided in the Senate bill for veterans rated 10-percent disabled, for veterans rated between 50- and 100-percent disabled, and for dependents of veterans receiving dependents' allowances;

Second. Make the compensation increases effective July 1970 instead of the January 1971 effective date in the Senate bill;

Third. Modify the prisoner-of-war provision to limit the presumption to veterans who were prisoners of war for at least 6 months, and to extend the presumption to veterans who were prisoners of war of Germany during World War II;

Fourth. Permit a remarried widow to revert to her earlier eligibility for compensation, pension, and education benefits when her second marriage is ended by death or divorce;

Fifth. Strengthen the language of present law to clarify congressional intent that all decisions of the Administrator of Veterans' Affairs on questions of entitlement to veterans' benefits are final and not subject to judicial review; and

Sixth. Direct the Secretary of the Treasury to redeem three bonds held by the United Spanish War Veterans in the total amount of $25,000 which mature June 15, 1983.

The Senate has accepted the first five of these amendments and disapproved the last.

At this point, Mr. President, I ask unanimous consent to insert in the RECORD a table showing a comparison of compensation rates under present law and under the House and Senate versions of S. 3348, and a report submitted by the Treasury Department on a provision of H.R. 372 which is identical to the provision the Senate has not accepted.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPARISON OF COMPENSATION RATES UNDER PRESENT LAW AND UNDER HOUSE AND SENATE VERSIONS OF S. 3348

Disability	Present law	Senate version	House version	Number of veterans
(a) Rated at 10 percent	$23	$25	$25	816, 226
(b) Rated at 20 percent	43	48	46	320, 096
(c) Rated at 30 percent	65	72	70	275, 964
(d) Rated at 40 percent	89	99	96	168, 245
(e) Rated at 50 percent	122	135	135	106, 220
(f) Rated at 60 percent	147	163	163	102, 920
(g) Rated at 70 percent	174	193	193	60, 666
(h) Rated at 80 percent	201	223	223	32, 042
(i) Rated at 90 percent	226	250	250	10, 640
(j) Rated at total	400	450	450	94, 825
Limit for veterans receiving payments under (a) to (j) above	500	550	560	....
(l) Anatomical loss or loss of use of both hands, both feet, 1 foot and 1 hand, blindness in both eyes (5/200 visual acuity or less), permanently bedridden or so helpless as to require regular aid and attendance	500	550	560	7, 439
(m) Anatomical loss or loss of use of 2 extremities so as to prevent natural elbow or knee action with prosthesis in place, blind in both eyes, rendering vetaran so helpless as to require regular aid and attendance	550	600	616	5, 299
(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthesis, anatomical loss of both eyes	625	675	700	1, 259
Limit for veterans receiving payments under (l) to (n) above	700	750	784	....
(o) Disability under conditions entitling veteran to 2 or more of the rates provided in (l) through (n), no condition being considered twice in the determination, or total deafness in combination with total blindness (5/200 visual acuity or less)	$700	$750	$784	....
(p) If disabilities exceed requirements of any rates prescribed, Administrator of VA may allow next higher rate or an intermediate rate, but in no case may compensation exceed	700	750	784	....
(r) If veteran entitled to compensation under (o) or to the maximum rate under (p), and is in need of regular aid and attendance, he shall receive a special allowance of the amount indicated at right for aid and attendance in addition to whatever he is receiving under (o) or (p)	300	300	336	8, 035
(s) Disability rated as total, plus additional disability independently ratable at 60 percent or over, or permanently housebound	450	500	504	6, 870
Total number of cases affected				2, 016, 746

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., Oct. 31, 1960.
HON. RUSSELL B. LONG,
Chairman, Committee on Finance,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on H.R. 372, "To modify the reporting requirement and establish additional income exclusions relating to non-service-connected pensions for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, and for other purposes."

Section 10 of the bill would authorize and direct the Secretary of the Treasury to redeem at par $25,000 3¼ percent Treasury Bonds of 1978–83 owned by the United Spanish War Veterans, if presented for that purpose within one year of the enactment of the bill.

This section is discriminatory in giving preferential treatment to the United Spanish War Veterans over all other investors in United States securities. Under the terms of the contracts as expressed in the texts appearing on transferable securities, which the 1978–83 bonds are, owners are required to wait out the term to call or maturity, as applicable, in order to obtain payment of their bonds at par from the Department of the Treasury. Before that time, an owner having need for funds must either sell his bonds at current market prices or use them as security for a loan. It would be grossly inequitable to all owners of marketable bonds, particularly those who because of a lack of funds are forced to sell their bonds or borrow, if this bill were enacted.

For the reasons discussed above, the Department of the Treasury recommends against the enactment of section 10.

The first nine sections of the bill deal with (1) remarriage requirements now contained in veterans' benefits laws; (2) mandatory requirements for the reporting of annual income and corpus of estate for certain veterans; (3) exclusion from income, for dependency and indemnity compensation purposes, of certain annuities; and (4) inclusion as beneficiaries those individuals who served on the Mexican border in the period immediately preceding World War I.

The Department has no independent knowledge of the need for these proposals and accordingly, has no comment to make on them.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

PAUL W. EGGERS,
General Counsel.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Georgia that the Senate concur in the House amendment with amendments.

The motion was agreed to.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

ORDER FOR ADJOURNMENT FROM FRIDAY TO MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon Monday next.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from New York (Mr. GOODELL), under previous order, for 25 minutes.

THE ECONOMY AND PARTY POLITICS

Mr. GOODELL. Mr. President, this Nation faces certain problems that transcend party politics.

One such problem is Vietnam. A war in which hundreds of Americans die every month is too serious a matter for partisan argument. I am gratified that in the Senate, at least, the debate on the war has been carried on without excessive partisanship.

Another such problem is the economy. It, likewise, is too serious to be used merely as a springboard to propel aspiring politicians to public office.

Inflation now erodes the dollar, and with it, the savings of millions of Americans. Inflation's grim companion, unemployment, dashes the hopes of millions more who never expected to be out of work.

Faced with this economic crisis, the people of this Nation want solutions, not slogans. Families who witness the cheapening of their hard-earned dollars want effective measures to control inflation, not clever catchwords about inflation. Men thrown out of work want action to get their jobs back, not just words by those who seek political jobs.

In these circumstances, the televised remarks of the Democratic national chairman, Mr. Lawrence F. O'Brien, contributed little, indeed, to enlightenment.

Mr. O'Brien's performance exemplified the old politics of the most ancient and tired variety.

He had nothing more to offer than a blindly partisan approach. He sought only to load on a President who has been in office for 1½ years, the accumulated economic ills of the past 7 years. Unconcerned with constructive solutions, he was entirely absorbed in scoring political debating points. Unconcerned with real economics, he coined phrases about "Nixonomics."

Surely the American people deserve better than that.

My record in the Senate demonstrates that I am not one to advocate automatic adherence to the President's economic or other policies.

The President's economic measures deserve, however, to be given a fair assessment and a fair opportunity to work.

A reasonably impartial examination of the present economic situation discloses three obvious points:

First, the inflation was not created by the Nixon administration. It was created by the staggering $40 billion in deficits incurred by the Johnson administration during the years 1965 to 1968 in order to finance the war. These deficits produced a tidal wave of new buying power that engulfed an economy already nearly saturated with demand.

Second, on coming to power, the Nixon administration pressed hard to restore balance to the Federal budget. This was a proper and long-overdue step—for as long as Federal deficits continued to heat up an already overheated economy, there was no hope of bringing inflation under control.

Third, inflation has a powerful momentum of its own. The fact that there will be a delay before the consumer price index responds to the administration's policies of fiscal restraint is no proof that such restraint has failed.

This is not to say I concur with all aspects of the administration's economic policy.

On July 1, I said the President's inflation alert program was not conceived with sufficient "muscle."

At that time, I proposed my own alternative of early warning guideposts. These would perform the function their name implies—of providing advance notice to labor and industry of the levels of wage and price increases that would be regarded as potentially inflationary.

Unlike mandatory price controls, the early warning guideposts would require neither legislation nor the creation of an elaborate bureaucratic machinery—so they could take effect now, when they are needed most.

Unlike the Kennedy-Johnson guidelines, the early warning guideposts would be flexible. They would take into account differences in productivity, profit margins, and other economic factors which relate directly to the industry in question.

The early warning guideposts are not conceived as a Republican or a Democratic plan. They simply represent my conception of what makes the most practical economic sense on the merits.

This is the only way economic issues can rationally be discussed—on the merits, not on the basis of partisan labels.

Mr. O'Brien seems very much interested in assigning blame for the present economic crisis. I doubt this is the most useful task to which we can devote our energies.

If Mr. O'Brien insists on assigning blame, however, there is plenty of it to be found without looking outside his own party.

If Mr. O'Brien is searching for one man to bear the stigma for our present economic plight, let him not forget the President in whose Cabinet he served, Lyndon B. Johnson. It was President Johnson's method of financing the war in Vietnam through Federal deficits that unleashed the inflation. It was he who so long insisted in going forward both with the war and with his ambitious domestic policies, without enacting tax increases to pay the staggering cost of these simultaneous undertakings.

If Mr. O'Brien is looking for more recent actions which fed inflationary expectations, let him also not forget the 90th Congress, which enacted massive tax cuts last year through our action and our inaction.

A tax cut was known to be the worst of economic measures for last year. Fiscal restraint was taking the "pull" of excess demand out of the economy. A tax cut, by injecting substantial quantities of new demand, could be expected to renew the pull of inflation.

To the majority in the Congress, however, tax reduction seemed such good politics for the 1970 elections, that its negative economic consequences were conveniently forgotten.

As originally proposed, Congress was expected to debate and adopt a genuine tax reform bill that closed loopholes and provided greater equity to taxpayers. However, the bill developed into a wholesale tax-cutting measure by the time it passed the House, the Senate, and the House-Senate conference. Elimination of the surtax caused a loss in revenues of $9 billion for 1970 and $12 billion thereafter. An excess of tax relief over tax reform caused an additional net loss of $1.8 billion for 1972, $3.8 billion in 1974, and $2.5 billion over the long run.

Besides its inflationary potential, the bill had the effect of undermining our priority domestic programs—in the fields of housing, manpower training, employment, and education. By eliminating billions from the tax revenues that finance these programs, we made it difficult to proceed responsibly in meeting our obligations.

I opposed the tax reform measure, which was less a tax reform measure in its final form than a tax relief measure. I proposed that we extend the surtax or otherwise increase the revenues of the Federal Government, so that we could have a surplus in our budget for the next fiscal year and at the same time spend more money on the desperate needs of our domestic economy and our people.

Let me conclude with what I said at the outset: the economy is too important an issue to be made the plaything of partisan politics.

When we speak of the livelihood of our citizens, let us do away with Pavlovian responses to party labels.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate, by Mr. Leonard, one of his secretaries, and he announced that on July 7, 1970, the President had approved and signed the following acts:

S. 743. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes;

S. 2062. An act to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes; and

S. 2315. An act to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes.

REORGANIZATION PLAN NO. 3 OF 1970—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-364)

The ACTING PRESIDENT pro tempore (Mr. Metcalf) laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Government Operations:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 3 of 1970, prepared in accordance with chapter 9 of title 5 of the United States Code and providing for an Environmental Protection Agency. My reasons for transmitting this plan are stated in a more extended accompanying message.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 3 of 1970 is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code. In particular, the plan is responsive to section 901(a)(1), "to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business"; and section 901(a)(3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in the plan make necessary the appointment and compensation of new officers as specified in section 1 of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the executive branch who have similar responsibilities.

Section 907 of title 5 of the United States Code will operate to preserve administrative proceedings, including any public hearing proceedings, related to the transferred functions, which are pending immediately prior to the taking effect of the reorganization plan.

The reorganization plan should result in the more efficient operation of the Government. It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action.

RICHARD NIXON.

THE WHITE HOUSE, *July 9, 1970.*

REORGANIZATION PLAN NO. 4 OF 1970—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-365)

The ACTING PRESIDENT pro tempore (Mr. Metcalf) laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Government Operations:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 4 of 1970, prepared in accordance with chapter 9 of title 5 of the United States Code. The plan would transfer to the Secretary of Commerce various functions relating to the oceans and atmosphere, including commercial fishery functions, and would establish a National Oceanic and Atmospheric Administration in the Department of Commerce. My reasons for transmitting this plan are stated in a more extended accompanying message.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 4 of 1970 is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code. In particular, the plan is responsive to section 901(a)(1), "to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business;" and section 901(a)(3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in the plan make necessary the appointment and compensation of new officers as specified in section 2 of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the executive branch who have similar responsibilities.

The reorganization plan should result in the more efficient operation of the Government. It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action.

RICHARD NIXON.

THE WHITE HOUSE, *July 9, 1970.*

ENVIRONMENTAL PROTECTION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-366)

The ACTING PRESIDENT pro tempore (Mr. Metcalf) laid before the Senate the following message from the President of the United States:

To the Congress of the United States:

As concern with the condition of our physical environment has intensified, it has become increasingly clear that we need to know more about the total environment—land, water and air. It also has become increasingly clear that only by reorganizing our Federal efforts can we develop that knowledge, and effectively ensure the protection, development and enhancement of the total environment itself.

The Government's environmentally related activities have grown up piecemeal over the years. The time has come to organize them rationally and systematically. As a major step in this direction, I am transmitting today two reorganization plans: one to establish an Environmental Protection Agency, and one to establish, within the Department of Commerce, a National Oceanic and Atmospheric Administration.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Our national government today is not structured to make a coordinated attack on the pollutants which debase the air we breathe, the water we drink, and the land that grows our food. Indeed, the present governmental structure for dealing with environmental pollution often defies effective and concerted action.

Despite its complexity, for pollution control purposes the environment must be perceived as a single, interrelated system. Present assignments of departmental responsibilities do not reflect this interrelatedness.

Many agency missions, for example, are designed primarily along media lines—air, water, and land. Yet the sources of air, water, and land pollution are interrelated and often interchangeable. A single source may pollute the air with smoke and chemicals, the land with solid wastes, and a river or lake with chemical and other wastes. Control of the air pollution may produce more solid wastes, which then pollute the land or water. Control of the water-polluting effluent may convert it into solid wastes, which must be disposed of on land.

Similarly, some pollutants—chemicals, radiation, pesticides—appear in all media. Successful control of them at present requires the coordinated efforts of a variety of separate agencies and departments. The results are not always successful.

A far more effective approach to pollution control would:

—Identify pollutants.

—Trace them through the entire ecological chain, observing and recording changes in form as they occur.

—Determine the total exposure of man and his environment.

—Examine interactions among forms of pollution.

—Identify where in the ecological chain interdiction would be most appropriate.

In organizational terms, this requires pulling together into one agency a variety of research, monitoring, standard-setting and enforcement activities now scattered through several departments and agencies. It also requires that the new agency include sufficient support elements—in research and in aids to State and local anti-pollution programs, for example—to give it the needed strength and potential for carrying out its mission. The new agency would also, of course, draw upon the results of research conducted by other agencies.

COMPONENTS OF THE EPA

Under the terms of Reorganization Plan No. 3, the following would be moved to the new Environmental Protection Agency:

—The functions carried out by the Federal Water Quality Administration (from the Department of the Interior).

—Functions with respect to pesticides studies now vested in the Department of the Interior.

—The functions carried out by the National Air Pollution Control Administration (from the Department of Health, Education, and Welfare).

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—The functions carried out by the Bureau of Solid Waste Management and the Bureau of Water Hygiene, and portions of the functions carried out by the Bureau of Radiological Health of the Environmental Control Administration (from the Department of Health, Education and Welfare).

—Certain functions with respect to pesticides carried out by the Food and Drug Administration (from the Department of Health, Education and Welfare).

—Authority to perform studies relating to ecological systems now vested in the Council on Environmental Quality.

—Certain functions respecting radiation criteria and standards now vested in the Atomic Energy Commission and the Federal Radiation Council.

—Functions respecting pesticides registration and related activities now carried out by the Agricultural Research Service (from the Department of Agriculture).

With its broad mandate, EPA would also develop competence in areas of environmental protection that have not previously been given enough attention, such, for example, as the problem of noise, and it would provide an organization to which new programs in these areas could be added.

In brief, these are the principal functions to be transferred:

Federal Water Quality Administration. Charged with the control of pollutants which impair water quality, it is broadly concerned with the impact of degraded water quality. It performs a wide variety of functions, including research, standard-setting and enforcement, and provides construction grants and technical assistance.

Certain pesticides research authority from the Department of the Interior. Authority for research on the effects of pesticides on fish and wildlife would be provided to the EPA through transfer of the specialized research authority of the pesticides act enacted in 1958. Interior would retain its responsibility to do research on all factors affecting fish and wildlife. Under this provision, only one laboratory would be transferred to the EPA—the Gulf Breeze Biological Laboratory of the Bureau of Commercial Fisheries. The EPA would work closely with the fish and wildlife laboratories remaining with the Bureau of Sport Fisheries and Wildlife.

National Air Pollution Control Administration. As the principal Federal agency concerned with air pollution, it conducts research on the effects of air pollution, operates a monitoring network, and promulgates criteria which serve as the basis for setting air quality standards. Its regulatory functions are similar to those of the Federal Water Quality Administration. NAPCA is responsible for administering the Clean Air Act, which involves designating air quality regions, approving State standards, and providing financial and technical assistance to State Control agencies to enable them to comply with the Act's provisions. It also sets and enforces Federal automotive emission standards.

Elements of the Environmental Control Administration. ECA is the focal point within HEW for evaluation and control of a broad range of environmental health problems, including water quality, solid wastes, and radiation. Programs in the ECA involve research, development of criteria and standards, and the administration of planning and demonstration grants. From the ECA, the activities of the Bureaus of Water Hygiene and Solid Waste Management and portions of the activities of the Bureau of Radiological Health would be transferred. Other functions of the ECA including those related to the regulation of radiation from consumer products and occupational safety and health would remain in HEW.

Pesticides research and standard-setting programs of the Food and Drug Administration. FDA's pesticides program consists of setting and enforcing standards which limit pesticide residues in food. EPA would have the authority to set pesticide standards and to monitor compliance with them, as well as to conduct related research. However, as an integral part of its food protection activities, FDA would retain its authority to remove from the market food with excess pesticide residues.

General ecological research from the Council on Environmental Quality. This authority to perform studies and research relating to ecological systems would be in addition to EPA's other specific research authorities, and it would help EPA to measure the impact of pollutants. The Council on Environmental Quality would retain its authority to conduct studies and research relating to environmental quality.

Environmental radiation standards programs. The Atomic Energy Commission is now responsible for establishing environmental radiation standards and emission limits for radioactivity. Those standards have been based largely on broad guidelines recommended by the Federal Radiation Council. The Atomic Energy Commission's authority to set standards for the protection of the general environment from radioactive material would be transferred to the Environmental Protection Agency. The functions of the Federal Radiation Council would also be transferred. AEC would retain responsibility for the implementation and enforcement of radiation standards through its licensing authority.

Pesticides registration program of the Agricultural Research Service. The Department of Agriculture is currently responsible for several distinct functions related to pesticides use. It conducts research on the efficacy of various pesticides as related to other pest control methods and on the effects of pesticides on non-target plants, livestock, and poultry. It registers pesticides, monitors their persistence and carries out an educational program on pesticide use through the extension service. It conducts extensive pest control programs which utilize pesticides.

By transferring the Department of Agriculture's pesticides registration and monitoring function to the EPA and merging it with the pesticides programs being transferred from HEW and Interior, the new agency would be given a broad capability for control over the introduction of pesticides into the environment.

The Department of Agriculture would continue to conduct research on the effectiveness of pesticides. The Department would furnish this information to the EPA, which would have the responsibility for actually licensing pesticides for use after considering environmental and health effects. Thus the new agency would be able to make use of the expertise of the Department.

ADVANTAGES OF REORGANIZATION

This reorganization would permit response to environmental problems in a manner beyond the previous capability of our pollution control programs. The EPA would have the capacity to do research on important pollutants irrespective of the media in which they appear, and on the impact of these pollutants on the total environment. Both by itself and together with other agencies, the EPA would monitor the condition of the environment—biological as well as physical. With these data, the EPA would be able to establish quantitative "environmental baselines"—critical if we are to measure adequately the success or failure of our pollution abatement efforts.

As no disjointed array of separate programs can, the EPA would be able—in concert with the States—to set and enforce standards for air and water quality and for individual pollutants. This consolidation of pollution control authorities would help assure that we do not create new environmental problems in the process of controlling existing ones. Industries seeking to minimize the adverse impact of their activities on the environment would be assured of consistent standards covering the full range of their waste disposal problems. As the States develop and expand their own pollution control programs, they would be able to look to one agency to support their efforts with financial and technical assistance and training.

In proposing that the Environmental Protection Agency be set up as a separate new agency, I am making an exception to one of my own principles: that, as a matter of effective and orderly administration, additional new independent agencies normally should not be created. In this case, however, the arguments against placing environmental protection activities under the jurisdiction of one or another of the existing departments and agencies are compelling.

In the first place, almost every part of government is concerned with the environment in some way, and affects it in some way. Yet each department also has its own primary mission—such as resource development, transportation, health, defense, urban growth or agriculture—which necessarily affects its own view of environmental questions.

In the second place, if the critical standard-setting functions were centralized within any one existing department, it would require that department constantly to make decisions affecting other departments—in which, whether fairly or unfairly, its own objectivity as an impartial arbiter could be called into question.

Because environmental protection cuts across so many jurisdictions, and because arresting environmental deterioration is

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of great importance to the quality of life in our country and the world, I believe that in this case a strong, independent agency is needed. That agency would, of course, work closely with and draw upon the expertise and assistance of other agencies having experience in the environmental area.

ROLES AND FUNCTIONS OF EPA

The principal roles and functions of the EPA would include:

—The establishment and enforcement of environmental protection standards consistent with national environmental goals.

—The conduct of research on the adverse effects of pollution and on methods and equipment for controlling it, the gathering of information on pollution, and the use of this information in strengthening environmental protection programs and recommending policy changes.

—Assisting others, through grants, technical assistance and other means in arresting pollution of the environment.

—Assisting the Council on Environmental Quality in developing and recommending to the President new policies for the protection of the environment.

One natural question concerns the relationship between the EPA and the Council on Environmental Quality, recently established by Act of Congress.

It is my intention and expectation that the two will work in close harmony, reinforcing each other's mission. Essentially, the Council is a top-level advisory group (which might be compared with the Council of Economic Advisers), while the EPA would be an operating, "line" organization. The Council will continue to be a part of the Executive Office of the President and will perform its overall coordinating and advisory roles with respect to all Federal programs related to environmental quality.

The Council, then, is concerned with all aspects of environmental quality—wildlife preservation, parklands, land use, and population growth, as well as pollution. The EPA would be charged with protecting the environment by abating pollution. In short, the Council focuses on what our broad policies in the environmental field should be; the EPA would focus on setting and enforcing pollution control standards. The two are not competing, but complementary—and taken together, they should give us, for the first time, the means to mount an effectively coordinated campaign against environmental degradation in all of its many forms.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The oceans and the atmosphere are interacting parts of the total environmental system upon which we depend not only for the quality of our lives, but for life itself.

We face immediate and compelling needs for better protection of life and property from natural hazards, and for a better understanding of the total environment—an understanding which will enable us more effectively to monitor and predict its actions, and ultimately, perhaps to exercise some degree of control over them.

We also face a compelling need for exploration and development leading to the intelligent use of our marine resources. The global oceans, which constitute nearly three-fourths of the surface of our planet, are today the least-understood, the least-developed, and the least-protected part of our earth. Food from the oceans will increasingly be a key element in the world's fight against hunger. The mineral resources of the ocean beds and of the oceans themselves, are being increasingly tapped to meet the growing world demand. We must understand the nature of these resources, and assure their development without either contaminating the marine environment or upsetting its balance.

Establishment of the National Oceanic and Atmospheric Administration—NOAA—within the Department of Commerce would enable us to approach these tasks in a coordinated way. By employing a unified approach to the problems of the oceans and atmosphere, we can increase our knowledge and expand our opportunities not only in those areas, but in the third major component of our environment, the solid earth, as well.

Scattered through various Federal departments and agencies, we already have the scientific, technological and administrative resources to make an effective, unified approach possible. What we need is to bring them together. Establishment of NOAA would do so.

By far the largest of the components being merged would be the Commerce Department's Environmental Science Services Administration (ESSA), with some 10,000 employees (70 percent of NOAA's total personnel strength) and estimated Fiscal 1970 expenditures of almost $200 million. Placing NOAA within the Department of Commerce therefore entails the least dislocation, while also placing it within a Department which has traditionally been a center for service activities in the scientific and technological area.

COMPONENTS OF NOAA

Under terms of Reorganization Plan No. 4, the programs of the following organizations would be moved into NOAA:

—The Environmental Science Services Administration (from within the Department of Commerce).

—Elements of the Bureau of Commercial Fisheries (from the Department of the Interior).

—The marine sport fish program of the Bureau of Sport Fisheries and Wildlife (from the Department of the Interior).

—The Marine Minerals Technology Center of the Bureau of Mines (from the Department of the Interior).

—The Office of Sea Grant Programs (from the National Science Foundation).

—Elements of the United States Lake Survey (from the Department of the Army).

In addition, by executive action, the programs of the following organizations would be transferred to NOAA:

—The National Oceanographic Data Center (from the Department of the Navy).

—The National Oceanographic Instrumentation Center (from the Department of the Navy).

—The National Data Buoy Project (from the Department of Transportation).

In brief, these are the principal functions of the programs and agencies to be combined:

The Environmental Science Services Administration (ESSA) comprises the following components:

—The Weather Bureau (weather, marine, river, and flood forecasting and warning).

—The Coast and Geodetic Survey (earth and marine description, mapping and charting).

—The Environmental Data Service (storage and retrieval of environmental data).

—The National Environmental Satellite Center (observation of the global environment from earth-orbiting satellites).

—The ESSA Research Laboratories (research on physical environmental problems).

ESSA's activities include observing and predicting the state of the oceans, the state of the lower and upper atmosphere, and the size and shape of the earth. It maintains the nation's warning systems for such natural hazards as hurricanes, tornadoes, floods, earthquakes and seismic sea waves. It provides information for national defense, agriculture, transportation and industry.

ESSA monitors atmospheric, oceanic and geophysical phenomena on a global basis, through an unparalleled complex of air, ocean, earth and space facilities. It also prepares aeronautical and marine maps and charts.

Bureau of Commercial Fisheries and marine sport fish activities. Those fishery activities of the Department of the Interior's U.S. Fish and Wildlife Service which are ocean related and those which are directed toward commercial fishing would be transferred. The Fish and Wildlife Service's Bureau of Commercial Fisheries has the dual function of strengthening the fishing industry and promoting conservation of fishery stocks. It conducts research on important marine species and on fundamental oceanography, and operates a fleet of oceanographic vessels and a number of laboratories. Most of its activities would be transferred. From the Fish and Wildlife Service's Bureau of Sport Fisheries and Wildlife, the marine sport fishing program would be transferred. This involves five supporting laboratories and three ships engaged in activities to enhance marine sport fishing opportunities.

The Marine Minerals Technology Center is concerned with the development of marine mining technology.

Office of Sea Grant Programs. The Sea Grant Program was authorized in 1966 to permit the Federal Government to assist the academic and industrial communities in developing marine resources and technology. It aims at strengthening education and training of marine specialists, supporting applied research in the recovery and use of marine resources, and developing extension and advisory services. The Office carries out these objectives by making grants to selected academic institutions.

The U.S. Lake Survey has two pri-

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mary missions. It prepares and publishes navigation charts of the Great Lakes and tributary waters and conducts research on a variety of hydraulic and hydrologic phenomena of the Great Lakes' waters. Its activities are very similar to those conducted along the Atlantic and Pacific coasts by ESSA's Coast and Geodetic Survey.

The National Oceanographic Data Center is responsible for the collection and dissemination of oceanographic data accumulated by all Federal agencies.

The National Oceanographic Instrumentation Center provides a central Federal service for the calibration and testing of oceanographic instruments.

The National Data Buoy Development Project was established to determine the feasibility of deploying a system of automatic ocean buoys to obtain oceanic and atmospheric data.

Role of NOAA

Drawing these activities together into a single agency would make possible a balanced Federal program to improve our understanding of the resources of the sea, and permit their development and use while guarding against the sort of thoughtless exploitation that in the past laid waste to so many of our precious natural assets. It would make possible a consolidated program for achieving a more comprehensive understanding of oceanic and atmospheric phenomena, which so greatly affect our lives and activities. It would facilitate the cooperation between public and private interests that can best serve the interests of all.

I expect that NOAA would exercise leadership in developing a national oceanic and atmospheric program of research and development. It would coordinate its own scientific and technical resources with the technical and operational capabilities of other government agencies and private institutions. As important, NOAA would continue to provide those services to other agencies of government, industry and private individuals which have become essential to the efficient operation of our transportation systems, our agriculture and our national security. I expect it to maintain continuing and close liaison with the new Environmental Protection Agency and the Council on Environmental Quality as part of an effort to ensure that environmental questions are dealt with in their totality and that they benefit from the full range of the government's technical and human resources.

Authorities who have studied this matter, including the Commission on Marine Science, Engineering and Resources, strongly recommend the creation of a National Advisory Committee for the Oceans. I agree. Consequently, I will request, upon approval of the plan, that the Secretary of Commerce establish a National Advisory Committee for the Oceans and the Atmosphere to advise him on the progress of governmental and private programs in achieving the nation's oceanic and atmospheric objectives.

AN ON-GOING PROCESS

The reorganizations which I am here proposing afford both the Congress and the Executive Branch an opportunity to re-evaluate the adequacy of existing program authorities involved in these consolidations. As these two new organizations come into being, we may well find that supplementary legislation to perfect their authorities will be necessary. I look forward to working with the Congress in this task.

In formulating these reorganization plans, I have been greatly aided by the work of the President's Advisory Council on Executive Organization (the Ash Council), the Commission on Marine Science, Engineering and Resources (the Stratton Commission, appointed by President Johnson), my special task force on oceanography headed by Dr. James Wakelin, and by the information developed during both House and Senate hearings on proposed NOAA legislation.

Many of those who have advised me have proposed additional reorganizations, and it may well be that in the future I shall recommend further changes. For the present, however, I think the two reorganizations transmitted today represent a sound and significant beginning. I also think that in practical terms, in this sensitive and rapidly developing area, it is better to proceed one step at a time—and thus to be sure that we are not caught up in a form of organizational indigestion from trying to rearrange too much at once. As we see how these changes work out, we will gain a better understanding of what further changes—in addition to these—might be desirable.

Ultimately, our objective should be to insure that the nation's environmental and resource protection activities are so organized as to maximize both the effective coordination of all and the effective functioning of each.

The Congress, the Administration and the public all share a profound commitment to the rescue of our natural environment, and the preservation of the Earth as a place both habitable by and hospitable to man. With its acceptance of these reorganization plans, the Congress will help us fulfill that commitment.

RICHARD NIXON.

THE WHITE HOUSE, *July 9, 1970*.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the President's message on environmental protection at the desk be jointly referred to the Committees on Public Works, Agriculture and Forestry, Commerce, Interior and Insular Affairs, and Government Operations.

The PRESIDING OFFICER (Mr. TALMADGE). Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer (Mr. ALLEN) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1520) to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Acting President pro tempore (Mr. METCALF):

H.R. 5106. An act for the relief of Rogelio Tabhan; and

H.J. Res. 1284. Joint resolution authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witness and the production of evidence. and for other purposes.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. METCALF) laid before the Senate the following letters, which were referred as indicated:

PROPOSED AMENDMENT OF TITLE 10, UNITED STATES CODE

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of a military department to adjust the legislative jurisdiction exercised by the United States over lands or interests under his control (with accompanying papers); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the first quarter of 1970 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on impaired combat readiness of the Navy's Atlantic and 6th Fleets, Department of the Navy (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Armed Services, with an amendment:

S. 583. A bill to provide for the flying of the American flag over the remains of the U.S. ship *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941 (Rept. No. 91-1010).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 2565. A bill to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions (Rept. No. 91-1011).

By Mr. FONG for Mr. MCGEE, from the Committee on Post Office and Civil Service, with amendments:

S. 3959. A bill to provide certain retirement benefits under title 5, United States Code, for air traffic controllers (Rept. No. 91-1012).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following reports of nominations were submitted:

By Mr. INOUYE, from the Committee on Armed Services:

Louis M. Rousselot, of New Jersey, to be an Assistant Secretary of Defense.

Mr. ERVIN. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nominations of 14 general and flag officers in the Army, Navy, and Air Force. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER (Mr. TALMADGE). Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Lt. Gen. Sam Maddux, Jr., (major general, Regular Air Force) U.S. Air Force, to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. Eugene B. LeBailly, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

William C. Turville, Oscar Gray, Jr., Charles L. Waite, Charles Becker, Philip Crosby, Kenneth L. Woodfin, Foster M. Lalor, Jr., and Vernon L. Anderson, U.S. Navy officers, for temporary promotion to the grade of rear admiral;

Comdr. John W. Young, and Comdr. Eugene A. Cernan, U.S. Navy, for permanent promotion to the grade of captain;

Lt. Gen. (retired) David Wade, Louisiana Air National Guard, and Brig. Gen. Edwin Warfield III, Maryland Air National Guard, for appointment as Reserve commissioned officers in the U.S. Air Force, in the grade of majors general;

Col. Clinton M. Miller, Iowa Air National Guard, for appointment as a Reserve commissioned officer in the U.S. Air Force, in the grade of brigadier general; and

Rear Adm. Sam H. Moore, U.S. Navy, for appointment as Director of Budget and Reports in the Department of the Navy.

Mr. ERVIN. Mr. President, in addition, I report favorable 2,143 appointments and promotions in the Army in the grade of major and below, two promotions in the Navy in the grade of captain, and 567 promotions in the Air Force in the grade of colonel. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER (Mr. TALMADGE). Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Thomas Abercrombie, and sundry other officers, for promotion in the Regular Army of the United States;

Edward J. Ainsley, and sundry other officers, for promotion in the Regular Air Force;

Daniel A. Addiss, and sundry other persons, for appointment in the Regular Army of the United States; and

Dennis Szymanski, scholarship student, for appointment in the Regular Army of the United States.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 4070. A bill for the relief of Mr. David Lawton; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 4071. A bill for the relief of Anthony E. Keane; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 4072. A bill for the relief of Renate Specht; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 4073. A bill for the relief of Hyun Joo Lee and Myung Joo Lee; to the Committee on the Judiciary.

By Mr. CRANSTON (for himself, Mr. MONTOYA, and Mr. YARBOROUGH):

S. 4074. A bill to authorize special appropriations for training teachers for bilingual education programs; to the Committee on Labor and Public Welfare.

(The remarks of Mr. CRANSTON when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 4074—INTRODUCTION OF A BILL TO AUTHORIZE SPECIAL APPROPRIATIONS FOR TRAINING TEACHERS FOR BILINGUAL EDUCATION PROGRAMS

Mr. CRANSTON. Mr. President, in passing the Bilingual Education Act of 1968, Congress recognized the importance of meeting the specialized educational needs of children 3 to 18 years of age who have limited English-speaking ability and who come from environments where the dominant language is other than English.

By authorizing a program of grants to support bilingual education projects and training for bilingual education teachers, Congress sought to assist these children to develop greater competence in English, to become more proficient in the use of English and their mother tongue, and to profit from increased educational opportunity. Implicit in the act is the recognition that failure to meet the special educational needs of children with limited English-speaking ability will condemn them to academic oblivion. And, as is often the tragic case, Mr. President, those unable to complete their education stand little chance to compete for a fair share of the material benefits available to those of us who had the benefit of a more adequate education.

Mr. President, the Congress has maintained its interest in the special educational needs of children with limited English-speaking abilities. This is amply evidenced by both the increased authorizations and appropriations voted for the bilingual education program. The fiscal year 1971 Senate appropriation for this program is almost four times as great as the fiscal year 1969 appropriation, the first year the authorization was funded. And the authorization has risen from $15 million in fiscal year 1968 to $135 million in fiscal year 1973.

Despite these advances, Mr. President, much remains to be done before children with limited English-speaking ability can enjoy a truly responsive education. Certainly, to assure maximum effective use of the funds which have been appropriated, teachers who are qualified to teach bilingually will have to be provided. This need is partially recognized in section 704(b) of the Elementary and Secondary Education Act which authorizes grants for preservice training to prepare persons engaged in bilingual education. It is also taken into account in section 531(b)(8) of the Higher Education Act of 1965. That section authorizes the Commissioner of Education to make grants for programs or projects to train or retrain persons engaged in special educational programs for children of limited English-speaking ability.

However, neither act provides for a separate authorization for the teacher training programs. Under existing law, funds for these programs are lumped together with funds for other programs, and, consequently, it is not possible to focus on the critical need for bilingual teachers by earmarking funds for badly needed bilingual training programs.

Mr. President, in order for Congress to focus on this need, it is necessary to provide separate funding for bilingual teacher training programs. The bill, which I introduce today, would accomplish this by amending title VII of the Elementary and Secondary Education Act to provide a separate authorization for such programs. It would, for the moment, leave untouched the training programs authorized under section 531(b)(8) of Higher Education Act of 1965 and, until further information becomes available, would call for an open-ended authorization.

Mr. President, I ask unanimous consent that my bill be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4074) to authorize special appropriations for training teachers for bilingual education programs, introduced by Mr. CRANSTON (for himself, Mr. MONTOYA, and Mr. YARBOROUGH), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 4074

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 703 of title VII of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (b), and all references thereto, as subsection (c), and inserting after subsection (a) the following new subsection:

"(b) In addition to the sum appropriated pursuant to subsection (a), there is hereby authorized to be appropriated, not subject to clauses (7) and (8) of section 705(a) and clauses (2) and (3) of section 705(b), such sums as the Congress determines to be necessary for carrying out programs and projects for the purposes set forth in section 704(b).".

ADDITIONAL COSPONSOR OF A BILL

S. 3752

Mr. PEARSON. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Utah (Mr. Moss) be added as a cosponsor of the bill (S. 3752) to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

SENATE RESOLUTION 426—SUBMISSION OF A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE TO INVESTIGATE ECONOMIC AND FINANCIAL CONCENTRATION

Mr. METCALF. Mr. President, concentration of economic power and financial control among major U.S. industries and financial institutions has, in my opinion, reached the stage where a special investigation by the Senate is a number one priority.

The 1969 Federal Trade Commission staff study summarized the breadth of the situation:

> In unprecedented fashion the current merger movement is centralizing and consolidating corporate control and decision-making among a relatively few vast companies. By the end of 1968, the 200 largest industrial corporations controlled over 60 percent of the total assets held by all manufacturing corporations.
>
> These developments in manufacturing are part of a broader picture of concentration and centralization in the American economy. Firms engaged in retail distribution, insurance, broadcasting, newspapers, and the utilities have also been caught up in this movement. Many railroads have not only merged with one another in recent years, but have increasingly created holding companies as vehicles for expanding into manufacturing and other sectors of the economy. Banks have created one-bank holding corporations for the purpose of enlarging the scope of their operations beyond their traditional areas of activity. Large petroleum companies have not only consummated a long series of mergers within various branches of the energy industries, but, through additional mergers, have become widely diversified conglomerates.

The FTC study concludes:

> These developments pose a serious threat to America's democratic and social institutions by creating a degree of centralized private decision-making that is incompatible with a free enterprise system, a system relying upon market forces to discipline private economic power.

A staff report for the Subcommittee on Domestic Finance of the House Banking and Currency Committee, 1968, concludes:

> The problem of concentration of economic wealth has been a concern to Congress and the public for many years. On occasion this concern has led to the enactment of import legislation, particularly between 1890 and 1914, and again during the New Deal Era.
>
> Since World War II the nature of the problem has changed considerably, in large part because of the dramatic growth of institutionally managed funds, including mutual funds, insurance funds, employee benefit funds, and private trust funds held by bank trust departments. It appears that the trend identified in the 1930's, of major corporations in the United States being controlled by corporate management because of the wide dispersal of stock ownership among large segments of the public, may now be giving way to a new trend toward control of these vital elements of our economy through control of the voting of large blocks of stocks in these corporations held for beneficiaries by a relatively few giant financial institutions.

The staff report, which concentrated on the role of commercial banks as potentials for economic control, presented a survey of 49 major banks in 10 cities. It found that these banks held a total of 768 interlocking directorships with 286 of the Nation's top 500 industrial companies; 146 such interlocks with 29 of the 50 largest insurance companies; and 86 interlocks with 22 of the 50 largest utilities. In addition, there were 176 situations where the surveyed banks held 5 percent or more of the common stock among the 500 largest industrials.

For years, Fortune magazine has been compiling annually corporate information on the country's largest companies in all major fields. There is an extraordinary pattern in this information whether it be industrials, transportation, utilities, banks, or insurance companies. There is always a top one or two or three that tower over the rest of the crowd.

In industrials, General Motors, No. 1, is nearly twice the size of its next competitor Ford, No. 3. Ford is twice the size of Chrysler, No. 6.

Standard Oil of New Jersey, No. 2, is twice the size of its next competitor Mobile Oil, No. 7.

General Electric, No. 4, is about three times the size of its next competitor, Westinghouse, No. 17.

Among life insurance companies, Prudential and Metropolitan, Nos. 1 and 2, are twice the size of Equitable, No. 3. Equitable is 50 percent larger than New York Life and John Hancock, Nos. 4 and 5. In commercial banks, Bank of America, First National City, and Chase Manhattan, each is more than twice the size of the next competitors, Manufacturers Hanover and J. P. Morgan.

All these companies are interlocked either through directors, banks, stock ownership, or other financial institutions. However, the degree of such interrelationship is not now known to the Congress, the executive branch, the courts, or the public. Nor is the true control over the respective areas of commerce by these companies known. One thing is obvious from the Fortune survey: the imbalance between the top and everybody else is awesome.

We have begun to learn about this modern form of business concentration in bits and pieces from limited congressional inquiry, staff studies, and scholarly articles. But we have not looked, since the reports of the Temporary National Economic Committee in the late thirties, at the total picture—the interrelationships between private financial institutions, public utilities, and private industry and the actual and potential impact of this situation on the American economy and progress, nationally and regionally.

The recent Penn Central bankruptcy has brought the questions out into the open, however obscured the facts will remain.

It has lifted the academic veil from the operations of big business, and driven some hard points home to millions of stockholders, bondholders, employees, and shippers who only a few years ago were assured—along with the Supreme Court of the United States—that a merger between the Nation's two largest railroads would result in a strengthened and profitable rail system to all.

It was the financial managers on Wall Street who literally rammed that merger down the throat of the U.S. Government. For as James Symes, president of the Pennsylvania, told the Kefauver Antitrust Subcommittee in 1962, you either buy the Penn Central as part of an eastern rail package, or you do not get any mergers. Despite the fact that the majority of that Senate subcommittee put the financial managers on notice that, in fact, diseconomies and a slowup in return on capital could result from increasing the density of traffic and the size of the rail company, they went ahead.

It was the private financial community that determined the rules of this rail merger game, and neither the Congress, nor the ICC, nor the courts were strong enough to say no. Yet, here we are in Congress being asked to take good taxpayers' money to bail out the Penn Central without even the suggestion of adequate security and management control, and without any real knowledge of the corporate monster which the financial managers have put together. Neither the ICC, nor the Supreme Court, nor the Congress, nor anyone except the Wall Street bankers really know who owns and controls this railroad.

But aside from a weakness in Federal policy and regulation, the Penn Central debacle sheds light on some other fast-moving events on the big business scene. Most people did not know that as soon as the merger was approved, a giant holding company would be formed to move into other more lucrative ventures quite apart from railroading. The Penn Central transportation company, with $7 billion assets, became just a subsidiary of Penn Central. But the opportunity for the holding company to use those assets as security for new money or for sale, for milking the railroad's profits, raiding its best personnel, or using its equipment, and for directing rail operations for the overall benefit of the holding company rather than for shippers and passengers, became very real indeed.

Over a year ago, the ICC began investigating "financial manipulations" where assets and earnings were being dissipated to noncarried companies "detrimental to the national transportation needs of the public and national defense." The following are alleged abuses being looked into by the ICC:

Special dividends or other transactions in which the railroad transfers assets at book value to the holding company, with the latter realizing the benefits of their appreciated market value.

Loans from the holding company so that the railroad can pay dividends unwarranted by its earnings performance.

Loans from the railroad to the parent company at no interest or below prevailing rates.

Sales of railroad-owned real estate, air rights, and other assets to finance further acquisitions by the holding company—often without adequate compensation to the railroad.

The use of the railroad's operating losses, accelerated depreciation, or investment credits to cut the tax bill of other affiliates in consolidated returns without properly sharing these benefits with the railroad.

Requiring that the carrier lease property from the holding company at greater cost than if the carrier owned the property outright.

Charging salaries and expenses of holding company executives to the railroads.

What is happening to transportation is happening in the energy field as well. Oil companies have acquired the major coal companies. Regarding electricity and gas, the quasi-governmental utility apparatus brings together financial, business, and political muscle throughout the territory served by the utility. The directors and retainers come from the banking community, other industries, the universities, and the leading law firms. Often they include legislators as well. Through interlocking directorates and good will purchased through contributions and regular substantial donations to chambers of commerce and other organizations—the cost of which is passed on to the utility consumers—this hierarchy is ideally suited for business ventures beyond the scope of the original franchises, which, if still existing, are difficult to find. Through control of proxies and the industry orientation of State public service commissions, utilities are amending their charters to allow themselves to engage in—Philadelphia Electric, for example—"manufacturing, processing, owning, using, and dealing in personal property of every class and description" including "acquiring, owning, using, and disposing of real property of every nature whatsoever." Gas utilities are entering the housing field in a big way, too. Pacific Lighting directors have approved plans for the $19 million acquisition of two real estate development companies in California. UGI Corp. has agreed conditionally to acquire all the capital stock of five Pennsylvania real estate development companies.

More than half of this Nation's utilities are now in or considering entry into the housing and real estate business, according to Electrical World.

Utilities appear to have gone into housing because they can make even more money in it than they can selling utility services. They make more in housing than housing corporations do. Niagara Mohawk Power claims its housing will produce an annual average return on equity over a 10-year period in excess of 20 percent. This high return of the utility is at the expense of the Federal taxpayer. Property of the utility's housing subsidiary is depreciated in its entirety over a 10-year period, producing a tax loss for consolidation with the parent company's return. At the end of the depreciation period the property can be sold at cost or even given away.

Meanwhile, the utility has pocketed its high earnings and may have locked out competing businesses such as oil heat from its subsidiary's houses and provided fodder for reams of press releases about its compelling sense of social concern.

The holding company which owns the electric or gas utility may look like a different breed of cat today than those in the days of Sam Insull, but it looks like the development of the same game. Only it could be worse—where basic electric service may be downgraded and profits obtained from consumers squeezed to benefit other ventures having nothing to do with the public service.

Whether the present utility law, State or Federal, is sufficient to protect the citizen is an issue for investigation.

Our communications systems is dominated by one system which provides nearly 85 percent of all telephone service. The Bell System, the world's largest private enterprise with assets of $45 billion, has competition-free control in its service areas over telephone operations all the way from production by its wholly owned subsidiary to maintenance and repair. Oligopoly reigns among television and radio networks and news services.

In addition—and this could be the most serious phase of the trend—banks, big banks, have created holding companies, reducing their banking services to that of a subsidiary, and expanding operations into all sorts and sizes of nonbanking, even nonfinancial, fields. The extent of the holdings and ownership of such giants as Bank of America, First National City Corp., the Chase Manhattan Corp., Manufacturers Hanover Corp., and J. P. Morgan—now full scale businesses—should be of immediate concern to the Congress. But more importantly, what will be the policy of the future? Are banks to become appendices to large financial empires—captives of higher levels of investment and corporate management? And at what point—if we can determine it—will they fail to serve and protect the people who use them?

When one examines the role of commercial banks in their totality, the true magnitude of their power and concentration is revealed. The staff report of the Domestic Finance Committee of the House Banking and Currency Committee in 1968 says this:

> Of the total of slightly over $1 trillion in assets held by all institutional investors in the United States in 1967, $607 billion, or approximately 60 percent, is held by commercial banks.
>
> There are many factors to be considered in judging the potential for influence and control that banks and other financial institutions may have over other corporations. These include the supply of capital, the holding and voting of large blocks of stock of companies and extensive interlocking directorships between financial institutions and other corporations. All of these factors, as well as many others, appear to exist to an extensive degree at the present time. One of the problems of detecting this situation in the case of commercial banks has been their favored position as contrasted with other institutional investors in being able to conceal the extent to which they hold and control investments of other corporations.
>
> Some of the consequences of bank influence over major corporations involve potential restraint of competition, both among financial institutions, and between competing nonfinancial corporations which may be linked together through a single banking institution. Mergers, which would not otherwise take place, may also be fostered by the influential position of banks with one or more companies involved. The ties between banks and other corporations may also unduly restrict the sources of credit available to competing businesses which do not have the same links with banks.

The pattern of lateral ownership and concentration in the "nonregulated" industrial area of the economy has been ably documented by the Senate Antitrust and Monopoly Subcommittee and the Federal Trade Commission.

Specifically, the share of manufacturing assets held by the 100 largest corporations in 1968 was greater than the share of manufacturing assets held by the 200 largest corporations in 1950, the year Congress enacted the Celler-Kefauver amendment to section 7 of the Clayton Act. The 200 largest manufacturing corporations in 1968 controlled a share of assets equal to that held by the 1,000 largest in 1941, when the Temporary National Economic Committee submitted to Congress its final report and recommendations.

But as in the case of utilities and banks, the problems of bigness and potential abuse for the future lie in the conglomerate whether it be an operating company with separate divisions, or a holding company with various types of subsidiaries and controlling interests. Says the FTC:

> Power is inherent in the firm's anatomy. In markets where it lacks the traditional type of market power, it may temporarily exercise its conglomerate power to the disadvantage of rivals, and not necessarily to the immediate disadvantage of consumers. Although the conglomerate's rivals are the only immediate losers, ultimately the economy and the consumers may share in the losses.
>
> The use of conglomerate power may weaken or repress rivals, induce them to make defensive modifications in their behavior, and discourage entry. Business conglomeration may contribute to industrial concentration—in a direct manner by drawing together hitherto independent business firms and indirectly by establishing the basis for enhancing the growth of the combination at the expense of smaller rivals. The nature and extent of a conglomerate's initial power depend on the relationship between the new firm's structure—its relative size, diversification, and profit capabilities in any or all of its individual markets—and that of rivals, customers, and suppliers. The immediate effect of a conglomerate merger is to create options in conduct not open to smaller, less diversified rivals.
>
> Specifically, business conglomeration, whether achieved by internal growth or acquisition, enlarges two lines of conduct unavailable to single-market firms—the practices of reciprocity and cross subsidization. It also widens the scope of mutual interdependence and leads to greater forebearance among large business concerns. Conglomeration by merger accelerates the development of conglomerate options and mutual interdependence, as well as allowing such conduct characteristics to become significantly more pervasive than they would be if conglomeration could be achieved by internal growth alone.

This emphasis on banks, utilities, and industrials should by no means overshadow the growing impact of the mutual funds, pension funds, foundations

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and other forms of financial resources on the scene of economic concentration. They also are entities using other people's money. They are subject to the same problems of concentration and conflicts of interest as are other financial institutions.

Recent investigations and studies by the Securities and Exchange Commission shed enormous light on the anticompetitive and manipulating effect which these other kinds of institutional investors may have on the American economy in the future.

The critical point that weaves its way through all of this is the role of financial managers—banks, insurance companies, pension funds, mutual funds and others. In case after case—the Penn Central situation outstanding—persons responsible for the maneuvers which affect the operating company's value and earnings are, by stock, directorate, or otherwise, tied to the institutions which hold the company's debt.

When the creditor becomes an owner or manager of the debtor, responsible for the debtor's mistakes or shenanigans, he may not be so quick to protect the interests of those whose money he has invested in the company. Likewise, his inside role in the workings and decisionmaking of the company in which he has invested may give him valuable information not available to others who are competing with him for investment in the market.

The greater the noose of asset concentration and financial control, the greater the conflicts of interest, the more closed the arena of knowledge to the outside world.

A second critical point involves the effect on the people of an economy which is concentrated in managerial power and financial control. When giants like the Penn Central go down, there may be a domino economic effect over the 113,000 employees, the thousands of shippers, the connecting lines, the cities, towns, and States that have relied both on its service and economic development.

What more giants are about to fall? According to the New York Times of July 7, Manufacturer's Hanover during the week of June 29 put together a consortium of banks in New York, Boston, and other cities on a crash basis to loan Chrysler—the Nation's sixth largest industrial—$400 million in order to avoid "a serious financial panic." If the room at the top is getting that filled with smoke, when is the fire going to break out?

A third critical point in the relationship between concentration and the corporate policies for developing modern, technical, and progressive utility systems, and industrial capacity, particularly with regard to product and distribution quality, fair prices, environmental protection, and other social issues.

To what extent is the public interest protected either by real competition or by effective regulation? To what extent is the level of prices in this country, and the pricing policies in individual markets, affected by financial and managerial controls in the hands of a few? Finally, how does the apparent pattern of concentrated ownership and control affect the exploitation and consumption of our resources—and what governmental policies are needed to protect the public interest?

Finally, what are the implications of the stock market tomorrow, next week, next month, next year? Are we beginning to learn the effects of market power by the institutional investors before we can even begin our overall investigation?

Many experienced observers agree that what we have today on the stock market, in the bond market, and in other key investment arenas, is a concentration of few sellers and few buyers, each with enormous power—without a conspiracy—to determine the price. The little man is out of it. Even brokerage houses are folding. It is an oligopoly they say, the perfect competition has broken down, there is a destabilizing force. The big holders have the power to withdraw, the power to dump, the power to threaten, and the power to mislead.

As the stock and bond markets have remained such a bellweather of the Nation's economy, then the question of whether they are in fact administered, or still competitive, is a crucial one.

A market which does not represent the people, but rather the machinations and imaginations of a few investors should be shown for what it is—not an economic indicator, but rather an example of encroaching economic concentration.

The area for investigation is of course much broader than the examples above, but for the moment this statement will suffice.

Mr. President, in order for the Congress and the public to obtain the information upon which public policy in these fields can be based, I submit a resolution which proposes the establishment of a Special Committee to Investigate Economic and Financial Concentration. My resolution provides that it consist of 11 Members of the Senate. They shall include a majority and minority member of each of the following five committees—Banking and Currency, Commerce, Government Operations, Finance and Judiciary. They and the chairman shall be designated by the President of the Senate. It shall be the duty of the committee to make a full and complete study of the extent and causes of concentration of economic power and financial control, the effect of this concentration and control on competition, prices, employment, profits, consumption, resource use and Federal and State laws and their administration.

It shall further be the duty of that committee to recommend legislation, guidelines, standards and improvements in administration of existing laws, regulation and procedures. The committee shall submit a final report of its study and recommendations by January 31, 1973, and may precede that final report, as it deems advisable, by interim reports to the standing committees of the Senate.

Mr. President, the Senate this year has asserted itself in the field of foreign affairs. It is time for the Senate to assert itself in domestic affairs. Our gaze is fixed on distant shores as we drift toward the shoals. It is time to determine who owns America and who controls it, and then to proceed to reshape our institutions so that they will be responsive to the needs of our times.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the resolution to establish a Special Committee to Investigate Economic and Financial Concentration.

The PRESIDING OFFICER (Mr. ALLEN). The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 426), which reads as follows, was referred to the Committee on the Judiciary:

S. RES. 426

Resolved, That (a) there is hereby established a special committee of the Senate which shall be known as the Special Committee To Investigate Economic and Financial Concentration (hereinafter referred to as the "committee") consisting of eleven Members of the Senate to be designated by the President of the Senate, as follows:

(1) one Senator from the majority party who shall serve as chairman;

(2) two Senators who are members of the Committee on Banking and Currency;

(3) two Senators who are members of the Committee on Commerce;

(4) two Senators who are members of the Committee on Government Operations;

(5) two Senators who are members of the Committee on Finance; and

(6) two Senators who are members of the Committee on the Judiciary.

One Senator appointed from each such committee under clauses (2)-(6) of this subsection shall be a member of the majority party and one shall be a member of the minority party.

(b) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee. Vacancies shall be filled in the same manner as original appointments are made.

(c) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking testimony. The committee may establish such subcommittees as it deems necessary and appropriate to carry out the purpose of this resolution.

(d) The committee shall keep a complete record of all committee actions, including a record of the votes on any question on which a record vote is demanded. All committee records, data, charts, and files shall be the property of the committee and shall be kept in the offices of the committee or such other places as the committee may direct. The committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate.

(e) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate.

(f) The committee shall cease to exist on January 31, 1973.

SEC. 2. It shall be the duty of the committee—

(a) To make a full and complete study and investigation of the extent of concentration of economic power in and financial control over the production and distribution of goods and services in the commerce of the United States, and to hear and receive evidence thereon with a view to determining, without limitation, (1) the causes of such concentration and control and their effect on competition, the level of prices and pricing policies of industry, employment, profits, consumption and the use of resources; and (2) the effect of existing Federal and State laws and policies and the administration thereof upon such concentration and control, including, but not limited to, tax, patent, purchasing, investment and other such laws and policies.

(b) To make recommendations with respect to the foregoing, including proposed legislation, improvements in the administration of existing laws, regulations and procedures, and the establishment of national guidelines and standards for enterprises engaged in commerce of the United States.

(c) On or before January 31, 1973, the committee shall submit to the Senate for reference to the standing committees a final report of its study and investigation together with its recommendations. The committee may make such interim reports to the standing committees of the Senate prior to such final report as it deems advisable.

SEC. 3. (a) For the purposes of this resolution, the committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; and (7) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable, except that the compensation so fixed shall not exceed the compensation prescribed under chapter 51 and subchapter III of chapter 53 of title 5, United States Code, for comparable duties.

(b) The committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee determines that such action is necessary and appropriate.

(c) Subpoenas may be issued by the committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $1,500,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 427—SUBMISSION OF A RESOLUTION TO PRINT AS A SENATE DOCUMENT THE REPORT OF THE SECRETARY OF TRANSPORTATION "THE 1970 ANNUAL REPORT ON URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS"

Mr. BYRD of West Virginia (for Mr. RANDOLPH) submitted the following resolution (S. Res. 427); which was referred to the Committee on Rules and Administration:

S. RES. 427

Resolved, That there be printed, with illustrations, as a Senate document, the report of the Secretary of Transportation, entitled, "The 1970 Annual Report on Urban Area Traffic Operations Improvement Programs (TOPICS)", submitted to the Congress in accordance with Section 10 of the Federal-Aid Highway Act of 1968, Public Law 90–495, and that there be printed two thousand five hundred additional copies for the use of the Committee on Public Works.

LIMITATION OF MEMBERSHIP ON THE NATIONAL SECURITIES EXCHANGES—AMENDMENT

AMENDMENT NO. 769

Mr. SPARKMAN submitted an amendment, intended to be proposed by him, to the bill (S. 4004) to limit membership on national securities exchanges, which was referred to the Committee on Banking and Currency and ordered to be printed.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 728

Mr. SCHWEIKER. Mr. President, I ask unanimous consent that, at the next printing of my amendment to exempt gunpowder for sporting purposes, the names of the Senator from Utah (Mr. BENNETT), the Senator from Nevada (Mr. CANNON), the Senator from New Hampshire (Mr. COTTON), the Senator from Kansas (Mr. DOLE), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Arizona (Mr. FANNIN), the Senator from Tennessee (Mr. GORE), the Senator from Wyoming (Mr. HANSEN), the Senator from Indiana (Mr. HARTKE), the Senator from Oregon (Mr. HATFIELD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Wyoming (Mr. MCGEE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from Kansas (Mr. PEARSON), the Senator from Ohio (Mr. SAXBE), the Senator from Alaska (Mr. STEVENS), the Senator from South Carolina (Mr. THURMOND), and the Senator from North Dakota (Mr. YOUNG), be added as cosponsors of amendment No. 728 to S. 3650, a bill to strengthen the laws concerning illegal use, transportation, or possession of explosives and the penalties with respect thereto, and for other purposes.

The PRESIDING OFFICER (Mr. TALMADGE). Without objection, it is so ordered.

NOTICE OF HEARINGS ON GEOTHERMAL STEAM BILL

Mr. MOSS. Mr. President, on behalf of the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs, I announce that public hearings have been scheduled for Friday, July 17, on S. 368. This bill is the latest of a long series of measures sponsored by our distinguished colleague, the senior Senator from Nevada, Senator BIBLE, to develop the geothermal steam resources of the public lands of the United States. I joined with Senator BIBLE in sponsoring this bill, as did Senators BENNETT, CHURCH, HANSEN, JORDAN of Idaho, and MCGEE.

Geothermal steam is potentially an important source of energy, particularly in the West. It has been used for generation of electricity for more than half a century in Italy; New Zealand and Iceland, among other countries, are utilizing geothermal steam on a substantial scale.

In our country, some geothermal steam development has taken place on private lands in California, and it is producing needed electrical energy there today.

In addition to its energy potential, geothermal steam resources in many areas will be a source for minerals and usable water.

Development of this valuable, and needed, natural resource on the public lands has been held up by disagreement over the terms of such development. It will be recalled that in the 89th Congress a geothermal steam development measure, S. 1674, was the subject of a Presidential pocket veto. The accompanying memorandum of disapproval showed clearly that the President's advisers had not read the bill as it was finally approved by both Houses of Congress.

The hearings on S. 368 on July 17 will be in the Interior Committee hearing room, room 3110 of the New Senate Office Building, and will open at 10 a.m. All interested Members of Congress as well as private citizens who wish to offer views will be welcome to participate.

It is requested that the Interior Committee staff be notified by those wishing to be heard.

ADDITIONAL STATEMENTS OF SENATORS

TIME DRAGS ON FOR PRISONERS AND THEIR FAMILIES

Mr. MATHIAS. Mr. President, month after month, and for some those months have stretched into years, a small and devoted group of Americans has waited, desperately seeking information about loved ones being held by the North Vietnamese. For many of them there still is no news because the Communist leadership of Hanoi has flatly refused to provide a complete list of prisoners being held.

We cannot ignore the plight of these families nor shirk our duty to the men for whom they wait. We cannot allow the world to ease off on the pressure of public opinion that is one of our great hopes to force the Communist leadership to act in a more humane manner. We cannot abandon a vital link in the chain of international law. It must be ever our task to support these principles, relieve the anxiety of these families, and to work for the release of the prisoners.

THE DISTRICT OF COLUMBIA CRIME BILL, H.R. 16196

Mr. HART. Mr. President, last weekend we witnessed nationwide tribute to the experiment in freedom and constitutional rights begun in America almost 300 years ago. Shortly, in this Chamber, our commitment to the basic tenets of that experiment again will be tested.

The people of this city, and the Nation,

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are watching to see if the Senate will meet this challenge when the District of Columbia crime bill comes before it again.

Many reforms of the District's criminal justice system, passed by the Senate in a series of bills last year, are desperately needed—court reorganization, expansion of the bail agency and the public defender office. The House-passed version, H.R. 16196, now before the Senate-House conferees, combines these reforms with a grab bag of dangerous provisions which would be ineffective, bad policy, unconstitutional or—in many cases—all three.

Moreover, the bill's proponents appear willing to hold the vital court reform provisions hostage to force passage of the bill's repressive measures.

The senior Senator from North Carolina (Mr. ERVIN) has painstakingly presented one after another evil of H.R. 16196—from its seemingly inexhaustible supply.

As I indicated when the bill was sent to conference, I support the Senator's determination to have the Senate pass a strong crime bill for the District which is, nonetheless, free of these vices.

The most unacceptable portions of the House bill are those authorizing preventive detention, expanded wiretapping, and "no knock" searches; those imposing mandatory minimum sentences and those weakening the jurisdiction and procedures of the juvenile courts.

PREVENTIVE DETENTION

Stripped of euphemism, the administration proposal for preventive detention in H.R. 16196 means imprisonment for crimes a person has not and might never commit.

Preventive detention has been billed as a reasonable and highly effective solution to the crime problem. Neither claim bears scrutiny. It would be of very limited usefulness, would aggravate the very problem it addresses, and, most important, would be repugnant to fundamental constitutional precepts.

Even on the dubious assumption of completely perfect prophecy, the courts would only be able to prevent a very small portion of the serious crime in the District. The Justice Department's own study, in line with earlier analyses, shows that less than 7 percent of those arrested for felonies in the District are charged with a second felony while on bail. In the violent crime category used in H.R. 16196, the figure is only 5 percent.

This marginal impact cannot possibly justify accepting the numerous constitutional difficulties with the administration proposal. It raises the gravest questions regarding the eighth amendment guarantee of reasonable bail in noncapital cases; right to counsel; the defendant's presumption of innocence, and other requirements of due process.

The right to bail is designed to protect the accused from jail until he is convicted, not to keep him in jail until it is convenient to try him. Nor is the presumption of innocence a mere evidentiary rule. It, too, is a pivotal principle in our scheme of ordered liberty.

Mr. President, even if fair-minded men may differ about these constitutional issues, preventive detention at least requires full adversary hearing on objectively reviewable evidence and other safeguards to satisfy by due process, and sufficient time for the court's predictive evaluation to be more than a charade. This would nullify its even limited usefulness by increasing the very trial delays which have caused concern about pretrial crime in the first place.

The senior Senator from North Carolina (Mr. ERVIN) and I have introduced an effective, and constitutional, alternative to preventive detention which could be implemented in the District of Columbia. Our bill would provide for speedy trial of the accused and prompt punishment of the guilty—with top priority given trial of violent crimes. It also expands pre-trial services to permit imposition of more stringent conditions of pretrial release and supervision, including, where appropriate, submission to alcohol or narcotics treatment, and nightly reporting to supervisory facilities such as halfway houses, and prescribes additional sentences for committing a crime while on release.

JUVENILE PROCEEDINGS

Two trends have marked recent developments throughout the country in juvenile criminal justice: First, enlarging the procedural rights of accused juveniles; and, second, diverting youth from the traditional prison system to specialized juvenile facilities, whenever possible, to head off careers as hardened criminals.

The House bill constitutes a giant step backward on both counts. A first offender who is 16 and charged with a felony must be tried as an adult, regardless of his rehabilitative prospects in the juvenile system or the weight of evidence against him.

A 15-year-old juvenile charged with any felony would also be removed from the juvenile court's jurisdiction, unless he overcame a presumption of waiver to the adult criminal court. Moreover, such a waiver would prevent him from ever being tried as a juvenile on a subsequent charge, no matter how trivial—even if the original charge is not upheld.

It is patently unfair to base initial waiver on the nature of the charge—without reference to rehabilitation—but to categorize him thereafter as generally unsuitable for juvenile treatment—without reference to the nature of subsequent charges.

In some instances the bill would permit transfer of juveniles to adult penal institutions without even affording the procedural safeguards given adults.

A group of over 50 Washington lawyers including many of the city's leading experts on juvenile law and the juvenile courts have criticized these and other defects in the House bill. They argue that the bill codifies outmoded procedures, fails to provide minimal procedural safeguards, and tries "to label juveniles as adults and assume that this is a solution to juvenile crime."

Signers include Charles T. Duncan, former corporation counsel; Mrs. Patricia M. Wald, a member of the President's Commission on Crime in the District of Columbia; Prof. Samuel Dash, director of the Georgetown Institute on Criminal Law and Procedure and chairman-elect of the section of criminal law of the American Bar Association; and some of the city's most prominent juvenile court practitioners.

Mr. President, because of their familiarity with and deep commitment to reform of juvenile procedures in the District, the critique by these experts bears our particular attention. Therefore, I ask unanimous consent that their statement be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

MANDATORY SENTENCES

Mr. HART. Mr. President, mandating stiff minimum sentences makes good headlines—but bad criminal law. Such restriction on a court's ability to fit the punishment to the crime—and the criminal—has been rejected by the American Bar Association Report on Sentencing Standards, and by the Advisory Panel Against Armed Violence to the Senate Committee on the District of Columbia.

Yet the House bill, without any evidence that it will deter crime, imposes numerous provisions for mandatory minimum sentences.

It is argued that mandatory sentences at least remove offenders from the streets for substantial periods. But do they? Where the punishment seems disproportionate to the circumstances, the net results may be less protection for society, not more: prosecutors will not prosecute; juries will not convict. And defendants who are convicted will have far less incentive to partake of rehabilitation in prison.

Moreover, most prisoners leave prison eventually. We must consider not only how long they are imprisoned, but what kind of men come out. Study upon study has warned that long incarceration may produce more hardened criminals then the men who entered prison.

WIRETAPPING

H.R. 19196 contains wiretap provisions which exceed the national guidelines set in the Omnibus Crime Control and Safe Streets Act of 1968. Among other vices, the House bill permits untrammeled wiretapping and electronic surveillance of customarily privileged communications such as those to physicians and clergy. Generally, it would expand the use of wiretapping in circumstances where its need has not been justified and without providing minimally adequate safeguards.

NO KNOCK

H.R. 16196 grants so-called no-knock authority for police to break and enter which is subject to greater abuse than the no-knock provisions of the Dangerous Substances Act (S. 3246), which provision I opposed.

Under H.R. 16196, a warrant could be obtained permitting unannounced entry, based only upon what the officer thinks is likely to occur. He need not even demonstrate afterward to the court that it was, in fact, reasonably necessary to enter without warning. Such broad authority is also given nonofficial persons aiding an officer. And, of course, its use is not

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limited to drug offense, but includes all type of charges.

This dangerous expansion of no-knock entry poses a direct challenge to the basic premise of the fourth amendment's guarantee of the privacy of the home. It also would unnecessarily increase the danger to the entering officer, and, by heightening community tensions, could produce needless shoot-outs between police and citizens each acting on the facts as they saw them.

CONCLUSION

Mr. President, these are only the most glaring vices of the administration proposals embodied in H.R. 16196. There are many other obnoxious provisions which have been ably detailed by the senior Senator from North Carolina. I am confident that they will be debated as fully as necessary if the Senate is asked to pass on them.

In addition, it has become clear that passage of the House bill would undermine the fragile police-community relations in the District which are so essential to effective law enforcement.

We all recognize that crime—and the fear of crime—is an urgent problem. It must be fought vigorously and effectively, but also constitutionally. Those committed to the struggle can offer the necessary resources, instead of rhetoric, and reasoned solutions instead of repressive means which will not be effective.

Therefore, while I have recently proposed amendments to the Safe Streets Act designed to insure adequate crime-fighting funds and programs for Washington and other large cities, I will oppose the shortsighted, dangerous provisions of H.R. 16196.

Mr. President, it is easy to conclude, through frustration or fear, that we must adopt whatever anticrime proposals are offered—and the sooner the better. Attempts to encroach upon the Bill of Rights always invoke the claim of necessity. But I suggest that those in the administration pressing for passage of the House bill might pause to consider President Nixon's recent caution to Congress—on the Voting Rights Act—which is even more pertinent here:

> A basic principle of constitutional law is that there are no trivial or less important provisions of the Constitution. There are no constitutional corners that may safely be cut in the service of a good cause. . . . No provision of it, none of the great guarantees of the Bill of Rights is secure if we are willing to say that any provision can be dealt with lightly in order to achieve one or another immediate end. Neither high purpose nor expediency is a good excuse. We damage respect for law, we feed cynical attitudes toward law, whenever we ride roughshod over any law, let alone any constitutional provision because we are impatient to achieve our purposes.

Mr. President, criminals on the fringe of society may seem less worthy of the Constitution's protection. Yet the peril to each of us lies in the precedent of eroding the rights of any of us.

EXHIBIT 1

STATEMENT OF LAWYERS CONCERNED WITH THE JUVENILE COURT ON THE JUVENILE CODE PROVISIONS OF THE D.C. CRIME BILL

We are practitioners knowledgeable in the field of juvenile law. We have either practiced in or studied the problems of the Juvenile Court of the District of Columbia, and are acquainted with the needs of that court. Most of us are familiar with developments in juvenile law both in the District of Columbia and in other jurisdictions.

We are united in our opposition to certain of the Juvenile Code provisions of the House bill presently pending before this Conference Committee. It is our opinion that the proposed code does not do the job that is needed to improve the processing of juvenile cases in the courts of the District of Columbia and to deal with the serious problem of offenses committed by juveniles. Many of the House provisions for a proposed juvenile code can only be considered a step backward to an earlier age. The bill does not provide even minimum procedural safeguards for juveniles coming before the court; it does not recognize or deal with the major problems facing the court; and it codifies many outmoded procedures.

The House bill is directly inconsistent in several key areas with the Model Family and Juvenile Court Act proposed by the Children's Bureau of the Department of Health, Education and Welfare in 1969, and with the Uniform Juvenile Court Act adopted by the National Conference of Commissioners on Uniform State Laws in 1968.

We would specifically like to address our comments to the following issues, which we consider of primary importance:

1. The absence of statutory time limits

It is impossible to overstate the need for speedy processing of cases in a juvenile court. We are faced with a drastic rise in juvenile crime, yet there are delays of many months before children come to court for their initial appearance before a judge, and even longer delays before those children are ever brought to trial. Disposition months or years after the crime means that the legal process has little if any deterrent or rehabilitative effect.

The House bill does nothing to alleviate this situation. It requires only that a petition be filed within 10 days of a complaint and that a detention hearing be held the next court day after taking a child into custody. These are insufficient to assure the community of prompt processing of cases and effectuate the right to a speedy trial.

The Senate bill contains reasonable and workable time limits throughout the various stages of a juvenile case. These would establish standards of performance to which the court must adhere. Similar time limitations have proven effective in speeding case processing in other jurisdictions, such as New York, Illinois, and California. They have been recommended by the HEW Model Family and Juvenile Court Act; the ABA Project on Standards for Criminal Justice; the Mayor's Committee on the New Juvenile Facility; the D.C. Court Management Study of the Committee on the Administration of Justice; and the D.C. Crime Commission. We urge you to enact them for the District of Columbia.

2. Right to counsel

Probably the single most important right for any juvenile is the right to counsel. All other rights depend on counsel to assert them. It is doubtful whether a child should ever be considered legally competent to waive counsel.

The right to counsel section in both the House and Senate bills is both unclear and too restricted.

These sections both provide that a child is "entitled to be represented by counsel" at "all critical stages", but do not provide for mandatory appointment of counsel; nor do they define what constitutes a "critical stage." Thus, the present uncertainty and resulting delay in the appointment of counsel would be perpetuated under statutory sanction.

A well drafted code could go far toward eliminating present administrative delays in the appointment of counsel process as well as unnecessary litigation over the meaning of "critical stage" by articulating a mandatory, non-waivable right to counsel at the outset of the case, prior to the intake officer's first interview with the child. Such a solution has been endorsed by the National Crime Commission and the Judicial Council's Committee on the Administration of Justice.

3. Trial of juveniles in adult courts

The House bill provides for automatic transfer of all juveniles 16 or over accused of certain serious felonies to the adult courts, without a hearing on probable cause as to whether the juvenile committed the alleged offense, and without any hearing on his potential for rehabilitation. In addition, for juveniles accused of other felonies, the waiver age is lowered to 15. The bill puts the burden on a juvenile at a waiver hearing to prove he should not be transferred. No juvenile waived to adult court would ever again come within the juvenile court's jurisdiction, even if acquitted of the charge.

The Senate bill provides that a 16 or 17 year old shall be automatically tried in adult court only if he has once been adjudicated a delinquent and is charged with a second serious offense. It permits waiver of 15 year olds, but it leaves the burden on the prosecutor to establish the need for waiver.

There has been no showing that the adult courts and adult court judges will be better equipped than the juvenile court and judges to handle these cases; that adult correctional institutions are better equipped than juvenile institutions; or that juveniles of this age will be more amenable to ultimate rehabilitation by being incarcerated with adult criminals in adult penal institutions.

On the contrary, the adult courts are backlogged and the adult penal facilities at D.C. Jail and Lorton are overcrowded, while the District of Columbia now has an effective and secure facility for serious juvenile offenders.

In contrast to both the House and Senate bills, the HEW model act is essentially the same as present District law—16 and 17 year olds shall be tried by the juvenile court unless waived after hearing, 15 year olds cannot be waived, and waiver is only permitted when the court finds no reasonable basis to believe that the child can be rehabilitated before he becomes 21. While the HEW model act is preferable to both the House and Senate versions, the Senate bill is far superior to the House version.

The Juvenile Court is supposed to be primarily concerned with supervision, care and rehabilitation of juveniles. While juvenile court and juvenile correctional agencies have not succeeded in adequately carrying out these purposes, the proper remedy for these failures is to strengthen and improve the courts and correctional institutions. This will have to be done eventually if we ever hope to rehabilitate offenders; and we should concentrate our efforts and our resources toward these ends, rather than to label juveniles as adults and assume that this is a solution to juvenile crime.

4. Right to trial by jury

Both bills abolish the existing right to a trial by jury in the Juvenile Court. Jury trial may not be infallible, but the jury is the best fact-finding mechanism our system of justice has been able to devise. In factual disputes as to whether or not a child actually committed an alleged offense he, like an adult, should be entitled to its safeguards.

Retaining the jury right would be consistent with the basic philosophy of juvenile law by giving as much flexibility as possible in juvenile court procedures. The jury right would not always be exercised, even as it is not always exercised now. But at least this option should remain open so that the child, his family, and his lawyer can decide the best procedure for the child in the individual case.

Numerous other aspects of the House bill are also objectionable. Among these are the provisions authorizing the transfer of a delinquent from a juvenile to an adult penal institution without first providing him with the full procedural rights accorded adults; and those provisions authorizing the comingling of juveniles "in need of supervision" with juveniles found to have committed criminal acts.

We therefore urge this conference committee to reject these backward-looking provisions, which are no substitute for dealing realistically with the serious problems of juvenile crime.

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J. Patrick Hickey, 910 17th Street NW., Washington, D.C.
Laurence J. Hoffman, 1250 Connecticut Ave. NW., Washington, D.C.
Zona F. Hostetler, 3011 Albemarle St. NW., Washington, D.C.
Elaine S. Kahn, 1730 Rhode Island Ave. NW., Washington, D.C.
Sarel M. Kandell, 925 25th Street NW., Washington, D.C.
John Keats, 1200 18th Street NW., Washington, D.C.
Peter Kolker, 649 E Street SE., Washington, D.C.
Jane Lamb, 4600 South Four Mile Run, Arlington, Va.,
John D. Lane, 1001 Connecticut Ave. NW., Washington, D.C.
Nettie M. Lewis, 4714 Linnean Ave. NW., Washington, D.C.
Irene Lichtman, 3001 Davenport St. NW., Washington, D.C.
Richard J. Medalie, 1001 Connecticut Ave. NW., Washington, D.C.
Martin Mendelsohn, 917 E Street SE., Washington, D.C.
Paul E. Miller, Dean, Howard University School of Law, Washington, D.C.
John J. Murphy, Jr., 424 5th Street NW., Washington, D.C.
David Niblack, 1633 Connecticut Ave. NW., Washington, D.C.
Joseph Paull, 1730 Rhode Island Ave. NW., Washington, D.C.
John H. Pickering, 900 17th Street NW., Washington, D.C.
Alice Popkin, 412 5th Street NW., Washington, D.C.
David Povich, 1000 Hill Building, Washington, D.C.
James Respess, 1028 Connecticut Ave. NW., Washington, D.C.
Daniel A. Rezneck, 1229 19th Street NW., Washington, D.C.
John Roney, 7704 Homes Run Drive, Falls Church, Va.
Sandra Rothenberg, 424 5th Street NW., Washington, D.C.
Dovey Roundtree, 1822 11th Street NW., Washington, D.C.
Lawrence H. Schwartz, 630 G Street SE., Washington, D.C.
Edith Snethen, 1940 Biltmore Street NW., Washington, D.C.
James E. Starr, 720 20th Street NW., Washington, D.C.
Stuart Stiller, 2016 P Street NW., Washington, D.C.
Robert Raymond Twohig, 424 5th Street NW., Washington, D.C.
Patricia M. Wald, 107 Quincy Street, Chevy Chase, Md.
A. J. Whalen, 1633 Connecticut Avenue, NW., Washington, D.C.
Mary Wiggers, 412 5th Street NW., Washington, D.C.
Howard P. Willens, 900 17th Street NW., Washington, D.C.
Peter H. Wolf, 412 5th Street NW., Washington, D.C.
Richard B. Wolf, 36 N Street SE., Washington, D.C.
Roger C. Wolf, 511 4th Street SE., Washington, D.C.
Leona Yurdin, 2515 K Street NW., Washington, D.C.

THE MILITARY-INDUSTRIAL COMPLEX

Mr. CHURCH. Mr. President, the distinguished Senator from Wisconsin (Mr. Proxmire) has recently had published his book entitled "Report from Wasteland: America's Military-Industrial Complex," which is an informed insight into the policies and operations of this huge money-wasting Goliath. A distinguished former colleague, Joseph S. Clark, has written a review of the book, which is to be published this fall, in "The Annals" of the American Academy of Political and Social Science.

Both men are diligent, plain-speaking proponents of the public good. Senator Proxmire's book reflects this, as does former Senator Clark's book review.

Mr. President, I ask unanimous consent that the book review by former Senator Clark be printed in the Record.

There being no objection, the review was ordered to be printed in the Record, as follows:

"Report From Wasteland: America's Military-Industrial Complex," Reviewed by Joseph S. Clark

This review should be discounted for bias. Bill Proxmire, Democrat from Wisconsin, and his delightful wife, Ellen, named their youngest child Douglas Clark Proxmire. We have been warm friends since he first came to the Senate in 1957. Together, we fought many battles for what we thought was right.

Paul Douglas starts his introduction: "Everyone interested in public affairs should read this book." I agree. Senator Proxmire has exposed, with a devastating array of irrefutable facts, how an incredibly arrogant, but equally stupid military-industrial complex, with little regard for integrity, has diverted the major part of our federal tax resources into a wasteful and utterly unnecessary arms race to the great damage of our domestic economy. As Chairman of the Sub-Committee on Economy in Government of the Joint Economic Committee of the Congress, of which he has also been Chairman, Proxmire conducted hearings, in depth, on defense expenditures. This book summarizes those hearings.

He concludes: (1) "The frightening truth is that one can search in vain for a weapon that was produced on time, worked according to specifications, and did not exceed the estimated costs." (2) "The attacks on the patriotism of those who criticize the performance of the Department of Defense is the most underhanded of all the psychological weapons in the Pentagon arsenal." A. E. Fitzgerald and John McGee are two of the fine citizens who were dismissed for telling the truth. Lies, deception, and revenge are standard operating procedures in the conduct of Pentagon affairs. (3) "Military spending in the United States is out of control." This is due to the unchecked power of the military-industrial complex, composed of high-ranking officers and civilians in the Department of Defense, senior members of both Houses of Congress, executives of aero-space and military hardware corporations, 2,124 of them retired military personnel, public relations experts in and out of government, labor unions, the civil service bureaucracy "which combines lethargy with servility in a feudalistic system," military service and trade associations, professional lobbyists, the scientific research departments of many a university, and "civilian think tanks" on the Pentagon payroll through contract. I would add "trained seals" among the syndicated columnists. (4) The normal controls on this "wild-eyed spending" within the Defense Department, at the Bureau of the Budget, in the Council of Economic Advisors, and on the White House staff, have broken down. Because the ranking members of the Armed Services and Appropriations Committees have, for years, been part of the complex, the Congress has been a push-over. I would add that these conditions could not exist had we not had two Presidents in a row who felt that the Joint Chiefs of Staff could do no wrong. (5) The resulting waste runs annually into tens of billions of dollars. Yet, says Proxmire, these are not evil men who do all this. They are good men who have become unwittingly foils of an evil system based on an obsolete cold war view of international politics. (6) For, compared to our adversaries, "if we are six feet tall, the Russians are three feet tall, and the Chinese six inches tall." Our military expenditures could be drastically curtailed without threat to our national security.

In his final chapter, the author sets forth a sensible program for bringing military expenditures back under control. One can only hope that as a result of his penetrating analysis, the American people will force the American government to curb the military-industrial complex. Only if this is done, can we hope to meet the higher priorities of our increasingly critical unsolved domestic problems.

EMERGENCY HOME FINANCE ACT OF 1970

Mr. SCOTT. Mr. President, the Emergency Home Finance Act of 1970 is now being considered by a joint conference committee. This important piece of legislation is designed to encourage and expedite construction and financing of a substantial number of new and existing homes. When we took up the bill in April, the Committee on Banking and Currency indicated that a primary emphasis was being placed on the expansion of existing mortgage credit facilities and the creation of new secondary market facilities to broaden the availability of mortgage credit.

I say to Senators that had this vital measure been acted on promptly, it is my belief that $6 billion would have been pumped into the sagging housing market. But the bill is 8 months late, and people who could otherwise be buying new homes now have been forced out of the market by lacking adequate mortgage money which this bill provides.

The goals of the proposed Emergency Home Finance Act are clear. It authorizes $250 million to be appropriated to the home loan bank system to reduce interest charges on advances by the Federal home loan banks to savings and loan associations and other members. It makes further adjustments and reorganizations within the Federal Government to compensate for the current tight money situation. In short, the bill is responsive to a great need, and Congress has unfortunately not shown the same responsiveness.

When the bill is finally passed, the $250 million authorized would push the anticipated $6 billion into the economy. The money is there. There is no question that the new law would help. The banking community is doing its share by making about $2 billion available for housing. It is time for Congress to act.

Mr. President, let us not cast blame, but get down to business. Let us work together and send a conference report to the floor of the Senate. I voted for this bill. We all did. Our thousands of citizens who want to purchase houses, but cannot, deserve final action on this legislation. I urge Congress to give it early and favorable consideration.

MEAT WORKERS' UNION FIGHTS NATIONAL DIVISION

Mr. MUSKIE. Mr. President, the executive board of the Amalgamated Meat Cutters and Butcher Workmen—AFL–CIO—has adopted an important statement of policy concerning our Nation's "increasing division and mutual hostility." This union, with more than 500,000 members, has diagnosed some of the most distressing of our current national problems, and it has suggested some courses of action to counter the present division—including one which the union itself intends to take.

I am particularly impressed by the responsibility shown by the executive board in stating:

> We are particularly concerned about the antagonisms in which workers are involved. We consider the hostility which some white and some black workers feel against each other to be most dangerous. We are dedicated as individuals and as a group to combat this trend. We consider the fear that the gains of one group of workers might hurt the welfare of another group to be outrageous and ridiculous. This fear can only aid the enemies of the welfare of all workers.

Turning to another current controversy, the board said:

> We also deplore and intend to combat the increasing conflict between workers, on the one side, and some liberals, intellectuals, and students on the other. This hostility stems from a lack of understanding on both sides. It is dangerous for both groups and for the nation, as a whole. This trend must be ended and we intend to play a part in that effort.

Mr. President, President Thomas J. Lloyd and Secretary-Treasurer Patrick E. Gorman, as well as the executive board of the Amalgamated Meat Cutters and Butcher Workmen, are to be congratulated for this forthright statement.

I ask unanimous consent that "One Nation Under God, Indivisible, With Liberty and Justice for All" be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL

The most tragic and potentially the most dangerous of the many critical problems now facing the United States is the increasing division and mutual hostility among the American people. The nation appears to be losing not only its senses but also its confidence and faith in itself. The people are being fragmented into antagonistic groups which are increasingly willing to resort to or condone violence in competing with each other.

Competition between groups in American society is certainly not new and it is healthy. But the new attitude of individuals and groups in carrying out this competition poses extreme national dangers. Discussion, compromise, a belief in common standards and trust in the goodwill of others seem to be increasingly disregarded.

Instead, some parts of the American people see other parts as absolute enemies with whom no accommodation can be reached. Groups fear for their very existence unless their point of view prevails completely. Each antagonistic faction sees itself outnumbered and misunderstood by all the rest of the nation and it believes it can assert itself only through fighting.

And so it happens that American battles American; human life is increasingly lost; international violence is mirrored in our cities and towns. As men and women die, most Americans are shocked. They bemoan the tragedy. But the horror continues. In fact, hatred becomes a little more firmly implanted. And fear grows a little deeper and more widespread.

NATIONAL LEADERSHIP

National leadership to fight this disastrous trend has been lacking. Even worse, the President and his Administration have actually accelerated and fed the process of national disintegration.

Although this Union did not support Mr. Nixon in the elections, we—along with the rest of the nation—took great hope in what he said immediately before and during the Presidential Inauguration. We did look forward to his bringing the nation together. We did hope that voices would be lowered. We did think he would quickly attempt to take the United States out of the miserable Vietnam morass.

These hopes were not realized. On the contrary, two of the Administration's foremost political efforts—the southern strategy and the silent majority approach—are causing further national hatred, fear and division. The President does occasionally attempt to calm, but he is more than offset by the hostile cries of the Vice President. A shifting Administration policy of retrenchment and escalation in Indochina causes bitterness and disbelief in the nation. And the President's strange moves in economic policy are causing still more national insecurity.

UNION RESPONSIBILITY

But the President and the Administration are not the only ones who bear a heavy responsibility. All Americans do—especially those who occupy any sort of leadership positions.

As the elected representatives of more than a half million workers, we, the Executive Board of the Amalgamated Meat Cutters and Butcher Workmen (AFL-CIO), realize that we have a job to do to help achieve national unity. We are particularly concerned about the antagonisms in which workers are involved.

We consider the hostility which some white and some black workers feel against each other to be most dangerous. We are dedicated as individuals and as a group to combat this trend. We consider the fear that the gains of one group of workers might hurt the welfare of another group to be outrageous and ridiculous. This fear can only aid the enemies of the welfare of all workers.

Our Union was founded more than 70 years ago to bring together and to improve the conditions of all workers in our jurisdictions regardless of race, creed, color, religion or national origin. The motto was, "A hurt to one is a hurt to all." The same goal still prevails today.

We also deplore and intend to combat the increasing conflict between workers, on the one side, and some liberals, intellectuals and students on the other. This hostility stems from a lack of understanding on both sides. It is dangerous for both groups and for the nation, as a whole. This trend must be ended and we intend to play a part in that effort.

UNION ACTION

This Union will explain even more than before its point of view to other groups. In return, we shall listen to the outlook of others and bring their opinions before our membership. We shall consider their goals with understanding and ask our members to act similarly.

We shall above all stress in our actions, in our speeches and in our publications that the nation must be united. We do not urge or seek that everyone agree with everyone else. Disagreement, dissent and protest are healthy. But we do urge reason, compromise, and faith in the goodwill of others be a part of all efforts by either the establishment or the dissenters.

To warring groups in American society, we highly recommend the use of various labor-management relations techniques, particularly collective bargaining, arbitration and the grievance machinery. While these are not perfect tools nor have they been perfectly used, they have proved immensely valuable in the resolution of countless conflicts between unions and employers.

We especially want to point out that these processes both require and help to build a willingness to understand and deal with each other's problems. Also, they should be used repeatedly and often when conflicts threaten. They work better, in fact, the more often they are used to end quarrels.

GOVERNMENTAL EFFORTS

Finally, we call on the President, the Congress and other national, state and local government leaders to facilitate the attainment of national unity. We urge them to use their leadership positions to calm fears and to resolve differences.

Because of their paramount positions, the President and his Administration have particularly important tasks. We urge that all members of the Nixon Administration actually practice what the President has preached. We ask that they—particularly the Vice President—become unifiers instead of dividers. We urge that they forego the shrill and terrifying partisanship which has marked their activities in the past nine months. No political gain can be worth the disintegration of the Nation.

Hate is contagious. It spreads quickly.

Mutual trust and understanding are the antidotes to hate. Hopefully, they can be equally contagious.

THE PRESIDENT'S PLAN TO CREATE A NEW ENVIRONMENTAL PROTECTION AGENCY

Mr. CASE. Mr. President, the President's plan to reorganize Government agencies to create a new Environmental Protection Agency is a much needed step in the right direction.

I am particularly pleased that the President's reorganization plan calls for giving the Environmental Protection Agency control over the environmental radiation protection functions currently held by the Atomic Energy Commission and the authority to register pesticides which currently is held by the Agriculture Department along with other transfers of environmental functions.

But I am concerned that the new agency would stop short of providing the type of coordination and increased authority for the protection of our environment which is provided in my bill to create a new Department of Conservation and the Environment.

Although the plan covers much the same area as my bill would cover, it does not include all of the agencies which have environmental functions and would be incorporated into a single department by my bill. Nor does it provide the additional authority to halt projects which the agency finds to be detrimental to our environment, such as my bill would provide. Because these additional provisions are needed, I will continue to work for enactment of my bill to provide for more complete protection of our environment.

ACTION FOLLOWS UNIVERSITY OF MICHIGAN TEACH-IN ON THE ENVIRONMENT

Mr. HART. Mr. President, there has been some concern expressed that the environmental teach-ins, Earth Day, and recent public interest might have no real and lasting impact on the state of the American environment.

It gives me great hope, therefore, to point to the real impact and example set by students at the University of Michigan.

It was in Ann Arbor that the idea of Earth Day first caught fire in a big way. Out of that idea emerged ENACT (Environmental Action for Survival), a group of university students and community leaders determined to bring the crisis of the environment home to the people and to lead in the cleanup effort.

Last March, ENACT sponsored the biggest of the teach-ins, what Barry Commoner called the largest seminar ever assembled to learn about ecology. For 5 days, the campus and the community focused their attention together not only on all aspects of the environmental crisis, but on the interconnections between this and our other social problems. Foremost in the discussions, which included virtually every national leader in this field and many Members of Congress, was an emphasis on problem-solving and followthrough.

And so, despite predictions that this was a passing fad, ENACT has continued in its efforts. It has published an outstanding guidebook for citizens enlisting in the environmental campaign. It has sponsored cleanup efforts, local seminars and a host of activities. It has joined effectively with other Michigan groups to work in the State legislature to achieve strong new laws, such as the recently passed Environmental Protection Act. In a demonstration of community involvement and long-term resolve, ENACT has managed to finance and staff a permanent, full-time ENACT Ecology Center in downtown Ann Arbor as a focal point for continuing community interest and activities. Through this center we can expect new programs and innovations, and I salute the students and the community for an outstanding demonstration of joining together to challenge constructively this massive problem of education and restoration.

Now most recently, ENACT, cooperating with the Owens-Illinois Glass Co., has conducted an important experiment in the recycling of materials. A glass collection center was set up at a convenient shopping center. In 2 days, the people of Ann Arbor brought in 65 tons of bottles which will be recycled into new glass products.

That is 65 tons of glass that will not lie forever fallow along Michigan roadsides and in Michigan's open spaces. Instead, it becomes a resource, recycled and reused in industry, taking pressures off the supply of raw materials and hence off the environment. I am delighted to note that ENACT is following up on the experiment by establishing a permanent recycling center, and that the industry is following up by establishing recycling as a permanent practice, through collection centers around the country. I ask unanimous consent that an article on this project, which appeared recently in the Detroit News, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GLASS MAKERS PLAN NATIONWIDE RECYCLING

Environmentalists won a major battle against the bottles yesterday when the nation's glass manufacturers announced a program to buy back nonreturnable bottles from the consumer.

The nationwide program, announced in New York by Franklin B. Pollock, president of the Glass Container Manufacturers Institute, is the result of experiments in Ann Arbor, Los Angeles, and a few other cities.

Between 75 and 100 collection centers in 21 states will be opened by the manufacturers, who will pay a penny a pound for any glass returned.

However, no plans have been made to establish a center in the near future in the Detroit area.

The glass will then be ground into crushed glass, or "cullet," and reused for making new glass containers as well as other industrial uses.

Pollock estimated that 11 billion bottles a year can be recycled into productive uses by the new program. If the program weren't established, the bottles would end up on the nation's junk piles.

Environmentalists have been concerned that the country is burying itself in the tons of nonreturnable bottles since the introduction of the convenient throw-away several years ago.

The Ann Arbor experiment was conducted two weeks ago by a University of Michigan student group called ENACT (Environmental Action for Survival), and Owens-Illinois Glass Co., of Toledo.

In two days, Ann Arbor residents brought 65 tons of bottles to the Arborland Shopping Center. Owens paid a penny a pound for the glass and shipped it to its plant in Charlotte.

After the experiment, ENACT announced it was establishing a permanent recycling center in Ann Arbor.

The Los Angeles experiment has been going on since April, where eight collection centers have been established. About 500,000 bottles a week are returned to the centers.

DO NOT STEAL MY FLAG

Mr. TALMADGE. Mr. President, in this day and time, we sometimes are not very much surprised at newsstories that appear in the daily press, regardless of how strange or shocking they may be.

It is almost as if nothing is sacred any more. Millions of Americans, on Flag Day and on other national holidays such as the Fourth of July, display the American flag at their homes in recognition of respect for the flag and as a demonstration of their patriotism and love of country.

Robert T. Henderson and his family, of Savannah, Ga., are such Americans. Mr. Henderson for the past several years has made it a practice to display the flag during Flag Week. However, his experience this year was not a happy one. Someone, apparently with total disrespect for the flag and private property, stole Mr. Henderson's flag. I personally find such a theft as this difficult to understand. I would like to think that perhaps the thief desired to have an American flag for his own personal patriotic use, but, judging from some of the things we have been seeing and hearing lately, I doubt that is the case.

Mr. Henderson wrote a letter to the editor of the Savannah Morning News that was published in that newspaper on July 3. I can certainly share and understand his feelings. I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

A FLAG IS STOLEN

"Don't Tread on Me," was a famous battle cry in American history.

Around our house now, it is, "Don't Steal My Flag."

Our daughter and our three little sons have been learning a little about patriotism for some years now. Recently they have been putting the flag out for "Flag Week." The other day a man came up on the porch to ask directions and when the oldest child went to check with his mother, the man grabbed the flag, jumped into his red Volkswagen and sped off down the street.

That flag was a symbol to our family.

That flag was meaningful to each of us.

To most Americans the 4th of July is a meaningful day. It reminds us, as the flag does, of the sacrifices of our forefathers, who fought and died for the freedom and independence that everyone living in the United States of America enjoys.

Most Savannahians are peace loving citizens who take pride in their city, with its glorious past and its prospects for a tremendous future, but many would willingly fight again, as they did in W.W. I, W. W. II, Korea and Vietnam to protect this country from its enemies.

We pray to God that our sons never have to go to war, but we also pray, that if they are called upon to protect our democracy that they will go proudly.

XUM

And, oh yes, there will be another flag on our porch on July 4th, and if it is stolen, we'll get another and another and another. For it is our flag, we are proud of it and we thank God for the right and privilege to fly it in a free country.

Robert T. Henderson,
Savannah.

FRED J. WEILER—CONSERVATIONIST

Mr. FANNIN. Mr. President, all too seldom in our busy lives do we take time to acknowledge the constructive contributions so many of our fellow citizens make to man's well being.

Fred Weiler who was the Arizona State director for the Bureau of Land Management until his sudden death is one of those persons whose contributions were legion.

I knew Fred when I was Governor of Arizona and continued to work with him as a Senator.

He died May 12 of a heart attack in Nairobi, where he was on vacation and visiting a daughter, Susan. He also was visiting there with Dr. Wendell Swank, former director of the Arizona Game and Fish Department, who now is on U.N. assignment.

He won the American Motors Conservation Award in 1963 along with Holiday magazine's Beautiful America Award. The Arizona Wildlife Federation presented him with the Thomas E. McCullough Memorial Award as Arizona's leading professional conservationist in 1966.

In 1968 the Department of the Interior granted him its Distinguished Service Award. In 1969 he won the Arizona Conservationist of the Year Award made by the Arizona Wildlife Federation and the Sears Roebuck Foundation.

This impressive series of awards shows a career that was active and broad and a degree of energy that was boundless.

Nothing I might say today about Fred Weiler would add to the esteem he knew I had for him as a person and as a fellow worker for good, effective public administration.

Carl Schurz, an earlier Secretary of the Interior, sums up Fred Weiler's philosophy:

> Ideals are like stars. You will not succeed in touching them with your hands. But like the sea faring men on the desert of waters, you will choose them as your guides, and following them you will reach your destiny.

Fred Weiler left this legacy to his widow, Caroline Weiler, and their three children—two sons, Hunter and Marion, both attending college, and Susan.

Mr. President, I ask unanimous consent that there be printed at this point in the Record an editorial from the May 15, 1970, Phoenix Gazette; and an article by DeWayne Smith, columnist, published in the same issue.

There being no objection, the items were ordered to be printed in the Record, as follows:

Arizona Loses a Good Friend

To the sorrow of every Arizonan interested in the preservation and proper use of Arizona's vast public land resources, Fred J. Weiler will walk among us no more, doing his good works.

The Arizona director of the U.S. Bureau of Land Management is dead, stricken by a heart attack while on a vacation trip in Kenya, Africa. His death is a great loss to this state, and it will be difficult indeed to find someone to carry on in his place.

Perhaps the greatest tribute that can be paid to Mr. Weiler—and he is due many—is that he was a bureaucrat who deserved to be described by some title with a far more noble ring to it. He was by far one of the most efficient and dedicated public servants on the federal payroll anywhere.

He leaves Arizona quite a legacy. During the eight years he was in his post, he helped Maricopa County establish the largest parks system in the country, just one of his many efforts to put the lands under his jurisdiction to maximum beneficial use, for now and for years to come.

A fervent conservationist, he protected some of Arizona's most spectacular scenery—Paria Canyon, Aravaipa Canyon and Vermilion Cliffs—by establishing them as primitive areas. Not content merely to conserve, he worked to restore ravaged lands. Thanks to him, the San Simon River Valley, virtually destroyed by overgrazing, is looking much better, and offers now a safe habitat for the rare Mexican Black Duck.

Always attuned to Arizona's needs, Mr. Weiler was instrumental in putting public lands into private hands, thereby offering a state with so much public domain some room for private growth. To him, the land was a treasure, to be used wisely for all.

Arizona owes the late Fred Weiler a great deal of gratitude for his contributions to the state.

Fred Weiler Conservationist

Fred Weiler saw things much clearer than most of us.

He saw the worth of preserving in public ownership the majority of the 13 million Bureau of Land Management-managed acres he directed in Arizona.

And his record as BLM director for Arizona has shown it for nine years.

The "last frontier" is the way Fred liked to refer to the vast expanse of public land in the West. He wanted to be sure the Eastern mistakes of land abuse didn't take place out here.

His conservation efforts and accomplishments were known far and wide and he was often recognized and cited for them.

Whether in heated discussion at a public meeting or joshing around a campfire near a trout lake, Weiler was a gentleman and sportsman.

Weiler and his wife were visiting their daughter, an exchange student, in Africa and were on a picture taking expedition with Dr. Wendell Swank, former director of the Arizona Game and Fish Department and personal friend who is on a United Nations assignment. Weiler fell from a truck in which he was riding, breaking an arm. He suffered a heart attack shortly after arriving at a hospital for treatment of his arm.

Fred Weiler was a true conservationist. We need so many more like him.

OIL POLLUTION AND HUMAN RIGHTS—III

Mr. PROXMIRE. Mr. President, during the last 2 days I have discussed the problems presented by oil pollution and the need for ratification of two new treaties designed to curb international oil spills. At one time such treaties were unneeded. The amount of crude oil which was being shipped overseas was so small that an occasional accident presented no real threat to the environment. Any small amount of oil spilled quickly dispersed and relatively little damage was done. Now, however, the situation is very different. Each day tremendous quantities of crude oil are shipped in tankers bigger than the *Torrey Canyon*. When one of these breaks up, the resulting oil slick may not disperse for weeks and if the wind is right can drift toward shore to despoil miles of clean beach. The damage to wildlife alone is staggering. Aquatic birds, their bodies saturated with the deadly slime, cannot fly and many starve to death. The loss in wildlife is only half the story, however. Commercial losses in terms of destroyed recreational areas, polluted fishing waters and unsightly beaches can be staggering.

Clearly we must emphasize prevention if we are to avoid future disasters. The two new treaties presented by President Nixon to the Senate will provide the needed economic incentives to guarantee that every precaution is taken against spills. Let us move quickly and ratify these two very important treaties.

SENATOR TYDINGS AND GUN CONTROL

Mr. MUSKIE. Mr. President, in the June 27 issue of the New Republic, Alex Campbell has written a perceptive article about the political situation in which the Senator from Maryland (Mr. Tydings) presently finds himself being the object of attack from both the left and right. I think this short piece clearly demonstrates what happens to a public figure when he takes on the tough issues without ducking. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tydings of No Joy

While not susceptible of proof, a plausible hypothesis is that the unhappiest person in a lunatic asylum would be the one sane man. It is a tribute to his strength of mind that Senator Joseph Davies Tydings resists what must sometimes be considered temptation to see himself in that role. His efforts as chairman of the Senate Committee on the District of Columbia to restrain crime and to foster family planning have led some blacks to call him a fascist pig bent on genocide. And, because Tydings is also pushing for saner gun laws, lavish displays of posters and bumper stickers paid for by you-know-who tell Maryland voters, "If Tydings wins, you lose." What? Their guns; therefore, they seem to fear, their manhood. Both fears are groundless; nevertheless Tydings, a self-confessed liberal, is now being depicted as a castrator as well. Tydings is Maryland's senior senator and faces in September a primary fight with George P. Mahoney, a Democrat who is an eight-times loser and is so far from being a liberal that in 1966 Spiro T. Agnew won the governorship from him largely by appearing to be by contrast a moderate. Mahoney is counting confidently on gun lobby backing. Should Mahoney lose a ninth time, the gun lobby doubtless will back Republican J. Glenn Beall Jr. against Tydings in November.

Unregistered guns killed two of Tydings close friends, John and Robert F. Kennedy. The 1968 Gun Control Act is a flop; only three states require gun licenses and in 35 states, lunatics may legally own guns. Tydings wants guns registered *and* licensed. His assurances, to hunters that this will not interfere with sport and to collectors of antique guns that these won't count, have failed to abate the trumped-up hysteria against Tydings' modest proposals; so have

Tydings' terrible statistics—99,000 armed robberies annually, more than doubled since 1964, and 9,000 Americans shot to death each year.

As a former United States Attorney, Tydings knows about crime statistics. He knows for instance that the chance is eight to one against the person committing a serious crime being arrested, and 16 to one against conviction. Last year in the District of Columbia, 56,419 felonies were reported (and many more committed) but the ratio of convictions was only 2.5 percent. Most of the D.C. victims are poor blacks. Their chance of being robbed is five times greater than other people's, and four times greater of being raped. Tydings in 1966 co-sponsored the Bail Reform Act, hoping to rescue poor suspects from the extortions of the professional bondsmen who soak them. He now says the reform failed. Some poor people accused of crime are held in jail, before trial, by judges who set bond high. At the same time, of every eleven persons released on bail one is rearrested and charged with a new crime, while still awaiting trial on the earlier charge. Tydings proposes that in certain cases arrested persons with criminal records may be held in jail without bail up to 30 days, but then be brought to trial. A man accused of brutal rape would not be able to go straight back and try to bash the woman's head in for telling, as has happened. Tydings would like top organized criminals, the Mafia and especially narcotics wholesalers, to get life sentences. On the other hand, he wants probation for first offenders caught with drugs, and treatment and cure for addicts. To pay for their habit, addicts either steal or they push dope. Thefts by addicts add up to about $400 million yearly in the Washington, D.C. area alone. Putting addicts on methadone would cost less than 10 cents per head a day. Tydings feels the Nixon Administration is stingy about funding treatment and cure of drug addicts and alcoholics.

Tydings' crime proposals have undammed floods of criticism, especially as the senator also supports a form of "no-knock" authority for police to enter premises, in quest of drugs or other crime. Not everyone calls Tydings a racist. Rational critics concede that his no-knock provision is more circumspect than current practice—police do now enter without knocking, largely at their own discretion; Tydings would compel them to seek a judge's specific sanction. But the critics say that instead of asking for pre-trial detention, Tydings should work for speedier trials. Tydings replies that he is doing that too, but the courts are hopelessly clogged and won't unclog soon.

The senator has written a book, *Born to Starve*, to expose his views on population control. He says that 5.4 million American women who are poor don't want large families and do want family planning assistance, but fewer than 800,000 get it. The Nixon Administration has adopted elimination of unwanted births as a national goal, but Tydings is urging larger financial provision, $984,000 over five years. His less rational accusers blow up over his family planning stand. Some blacks say he's a rich white who aims to sterilize the black poor; others profess shock at his proposal to leave abortion "to individual conscience." If he politically survives the attacks generated by what seems to be everyone else's castration syndrome, Tydings may look good in 1972, when he will be only 44. Many of his liberal ideas match with those of Senator McGovern—and of Senator Ted Kennedy. Tydings would also fit a Muskie ticket, or a Hughes ticket. But sometimes, reading his hate mail, Tydings becomes a bit glum. The storm that is being worked up against him in his state is contrived by the gun lobby in part because he is a liberal, and people who fear and hate liberal views readily believe that Tydings is plotting to disarm them so as to leave them helpless prey of vaguely glimpsed powers of evil. But, meanwhile, Tydings' efforts to protect poor and black people from the criminals who prey on them are rudely rebuffed.

COMMENT ON THE WAR IN SOUTHEAST ASIA

Mr. GOLDWATER. Mr. President, many Members of Congress have placed in the RECORD letters from GI's serving in Southeast Asia protesting against the war and particularly our entry into Cambodia.

It comes as a breath of fresh air, then, to read in the Regional News of Lake Geneva, Wis., a letter received by the parents of a young man serving in Vietnam who cannot stomach the attacks made on President Nixon by a handful of GI's serving in the same area.

I ask unanimous consent that the letter from Mr. and Mrs. Chase Hess and the one received from their son be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FROM VIETNAM HESS WRITES ABOUT WAR, DEMONSTRATORS

"God bless Nixon for having the sheer guts to do what he knows is right and stand by his beliefs." This was not written by a government or administration official in reply to some recent criticism of the President's policies, but by a soldier in Vietnam. In it he explains his views on the war, the demonstrations, the protestors, and the incident at Kent State.

REGIONAL NEWS,
Lake Geneva, Wis.

GENTLEMEN: Attached is excerpts from a letter we received May 25th from our son stationed in Vietnam. This expresses his and our feelings on the Cambodia Campaign and the unpatriotic protests taking place here in the country at colleges and other places.

In publishing this you may use our name.

Sincerely,

Mr. and Mrs. CHASE N. HESS.

"Everybody is following the Cambodia push in the newspapers and on radio. We all are cheering Nixon on and the troops as well. It is really the best thing that has ever been done over here. The Dinks are really in a world of hurt. The Cambodian troops and Vietnamese troops are combining their forces and efforts against a common enemy. The Dinks won't be able to fight or resupply for a long time due to the Monsoon season in the south. It is just so great to know the war is really not in vain. It really makes me sick about all the demonstrations and protesters and Congress trying to cut off the funds. I can't believe that the country can't see and understand the tremendous significance of the Cambodian Invasion. It seems that they all would have us stand up and say, "Peace, Brother" to Charlie while he blows your head off. It truly scares me that my Countrymen are trying to get me killed by giving aid to the N.V.A. and V.C. I am almost afraid to come home for fear of being confronted by some long haired ass who carries a V.C. flag or tears down the Stars and Stripes. I think I'd become involved in a situation that would only turn out bad.

Honest to God, it is too bad that the N.G.'s at Kent or Madison didn't have a mini gun like is used over here. They would have gotten about 400 instead of only 4 b---------.

How dare one of those punks think they are so right and headstrong that they can sit 9000 miles away, read a newspaper, hear a speech, or imagine what the world is all about, and then demand the world be run as they dictate.

God Bless Nixon for having the sheer guts to do what he knows is right and stand by his beliefs. I believe all the service men in Viet Nam are behind him and wish that somehow the country they fight for would come to its senses. I find it hard to believe that the majority of the country is so sick that it can't control the demonstrators. Is the whole country against winning this war or is the majority being led around by the nose? I am astonished that you and others like you would allow the demonstrators to go unchecked. If my kid was part of a demonstration I'd jerk him out of school so fast his head would swim. The bum could then try to make a go of life without the one big thing the country offers—education. When they take life so much for granted, then maybe the loss of that life means very little. Their only justification for existence is the mere fact that they exist. They offer nothing, give nothing, and take all.

Another thing, taking for granted that the U.S. is still run on a Democratic system, that Congress represents the people, and does what the public majority want, I must assume that the majority of the public is against providing funds for the Cambodian Offensive. I realize that it hasn't passed yet, but, if it does, am I to assume that you, the majority, don't support Nixon and us in Viet Nam, or is it that the Congressmen and Senators just never got the word? I think it is most likely the latter, and, if so, damn everyone of the "silent majority" for being so complacent if the funds are cut off.

I really get worked up over this thing but I mean exactly what I say. I don't mean to vent my anger on you but at the United States that I knew back in the mid-sixties which you happen to represent and be a part of. They say that your generation gave us the world such as the mid-sixties and it was good. Who the Hell gave us this world we have now. I think my generation. Makes me sick.

I'll write a nice friendly letter another day. Have a nice Memorial Day and keep that flag out in the front yard.

SAN ANTONIO FEDERAL BUILDING

Mr. TOWER. Mr. President, I am pleased to inform Senators that the General Services Administration has cleared the way for the construction of the San Antonio Federal Building complex by approving the usage of the HemisFair Confluence Theater building as a courthouse. The uncertainty in this matter had influenced the Senate Appropriations Committee to recommend the delay of this whole project and to reprogram its funds to other uses. The House, however, has kept the funds for the San Antonio project in its independent offices appropriation, and I am hopeful that the Senate conferees will concur in the approval of these funds now that the uncertainty relating to the readiness of the project to enter the construction phase is resolved favorably.

THE PLIGHT OF THE PENN CENTRAL

Mr. BROOKE. Mr. President, the Penn Central railroad is a vital link in the economy of the entire Nation. This huge transportation network employs more than 94,000 people. It is a major source of revenue for innumerable cities and towns. It affects, directly and indirectly,

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the liquidity and progress of entire industries.

The problems which have beset the Penn Central, therefore, should not be viewed simply as the misfortune of a single company struggling through a period of internal difficulties. And it should be a matter of great concern to all of us that in the opinion of many experts, other lines could face many of the same problems that have brought this great railroad to its knees.

Several proposals for assisting this line have already been offered, and it is likely that still more will be forthcoming. Many of these proposals involve the use of Federal funds to "bail out" the railroad, and put it back on its financial feet. I cannot support such proposals, for I believe that the problems of the transportation industry are serious enough to merit the development of a new and comprehensive policy toward this beleaguered industry. Bailing out individual corporations is no better than putting the proverbial bandaid on a deep and open wound. In addition, I am not convinced that the railroads have done enough to put their own house in order. If the Penn Central, and all who depend upon it, is to be kept from further decline a program of relief must be effected which is not simply a veiled patchwork of government loans and guarantees. A one way program of financial support is not the answer. Such programs can do little but exacerbate the long term problems of this vital industry. While it is presented with the dilemma of the condition of the Penn Central, the industry is also offered the opportunity to make fundamental changes which can greatly enhance its future and restore the confidence that it now lacks. The railroads of this country must seize this opportunity and take upon themselves the role of working and thinking together in a spirit of responsibility and cooperation. They must demonstrate that the industry is committed to the maximum extent possible to using its own management and technical resources in order to solve its own problems.

If the railroad industry, or any segment of it, is to come to Congress asking for assistance, it must first show that it really wants to help itself. Government assistance can and should only be made available on a businesslike basis, and not as charity. Until such time as the industry can take some action to reinstate confidence in its own ability to deal with its problems, conditions will continue to deteriorate. If the industry can act prudently and decisively, it can emerge from the current peril both stronger and healthier. In so doing, it can mitigate the already telling effects of the Penn Central's demise on the whole of American business.

THE PRESIDENT'S INDIAN PROGRAM

Mr. FANNIN. Mr. President, as outlined in President Nixon's message to Congress yesterday, the administration's Indian progam is commendable in freeing the Indian to run his own affairs.

Arizona tribal groups can take pride in the fact that their experiences have led the way in Government efforts to place Federal funds in the hands of Indian communities for their own administration of Federal programs.

President Nixon specifically mentioned two Indian tribes—the Salt River Tribe of Arizona and the Zuni Tribe—that have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them.

Economic development is another area in which administration efforts will be extended, and President Nixon cited the comprehensive economic development plans that had been created by the Pima-Maricopa Indians in Arizona and the Zuni Tribe, as outstanding examples of interagency cooperation in fostering Indian economic growth.

As an example of the tremendous impact of economic development projects on reservations, he cited the Gila River Reservation in Arizona. There, over the last 3 years, unemployment has been lowered from 56 to 18 percent, while welfare has been cut by 50 percent and the median family income increased by 150 percent. The President also cited the Navajo irrigation project.

Mr. President, I am happy that the administration's recommendations have incorporated some of the findings of the subcommittee on Indian education that was created at my insistence.

His message referred also to establishment of the Navajo Community College, the first college in America planned, developed, and operated by and for Indians.

Mr. President, I am proud that the record of Arizona Indian tribal groups is helping others to self-determination.

THE PRESIDENT'S STATEMENT ON THE AMERICAN INDIANS

Mr. GOLDWATER. Mr. President, on July 8, President Nixon made a landmark declaration relative to the plight of our American Indians and what his administration intends to do about it.

My State of Arizona has nearly 40 percent of all of the Indians living in the United States, and I have spent a lifetime living and working with them. They represent fifteen different tribes, speaking three different basic languages, and they occupy 27 per cent of the 114,000 square miles of Arizona.

Finally, the President is working through a Commissioner of Indian Affairs who, himself, is an Indian and with Indian leaders from all over America. They have recognized some fundamental problems and have made encouraging suggestions as to how to meet them. It might be interesting to Senators to know that two Indian tribes, the Salt River Pimas in Southern Arizona and the Zunis in New Mexico have for a good time now exercised complete control over the programs which the Bureau of Indian Affairs has traditionally administered for them. Most of the Federal officials on these two reservations have been replaced by Indians and from personal observation, I can report that these tribes are doing a wonderful job. There is no reason why the Indians cannot handle their own problems, run their own schools, supervise law enforcement and the operation of courts, operate hospitals, and all of the other functions of Government if only given a chance.

Most of the problems in our relationships with the Indians have been people in the Federal Government who have been more interested in the plight of other minorities and also people who would like to see Indians remain forever just Indians. What the Nixon doctrine on Indian Affairs has aimed at is allowing and encouraging the Indians to assume the responsibilities of their own tribes, tribal governments, and tribal lands with the help of Federal money. Frankly, I think he is asking for too little money, but I am willing to let time tell whether or not this is true.

Let me give an example or two of what the Nixon doctrine is really aimed at.

On the Colorado River near the town of Parker, Ariz., is the Colorado River Indian Reservation occupied by the Mohaves and Chemehuevis. Many, many years ago a dam was constructed on the reservation to provide electrical power for the Indians and whites alike. For years, I have been asking the Bureau of Indian Affairs for roughly $5 million to reconstruct this project so that the Indians could operate it and, from the sale of the power to the greatly increased population in the vicinity, become self-sustaining. This money has never been forthcoming and I am still seeking it.

The White Mountain Apaches borrowed money from Arizona banks to construct several manmade lakes of elevations of over 7,500 feet in the largest uncut ponderosa pine country in the world and the revenues from land around these lakes by people desiring summer homes has put this tribe well along the road to self-sufficiency.

Legislation has finally been passed which has enabled the Hopi Tribe to lease land to factories interested in a good, dependable source of labor, which these Hopis are, and this is pushing them along.

At the present time there seems to be an impasse by the Bureau of Indian Affairs and the Papago Tribe on the approval of leases to mining companies which could put 40 percent of the Papago males to work and at this time this tribe is probably per capitawise the poorest group of people we have in the United States.

What the Nixon doctrine is getting at is to awaken Congress to the fact that the Indians' problem is not a politically emotional one. It consists of a number of real problems and the President believes, and I have long concurred, that if the Indians were given the chance, we could eventually abolish the Bureau of Indian Affairs and allow the Indians to become more closely associated with the American way of life without ever losing their cultural and religious background.

I ask unanimous consent that the contents of the White House statement on American Indians be printed in the RECORD.

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There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE STATEMENT ON AMERICAN INDIANS

To the Congress of the United States:

The first Americans—the Indians—are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement—employment, income, education, health—the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demeaning.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country—to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

SELF-DETERMINATION WITHOUT TERMINATION

The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the one hand, it has—at various times during previous Administrations—been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law: the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of the Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people: to strengthen the Indian's sense of autonomy without threatening his sense of community. We must assure the Indian that he can assume control of his own life without being separated involuntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy.

1. Rejecting termination

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and right to continued existence of all Indian tribes and Alaska native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. It would guarantee that whenever Indian groups decided to assume control or responsibility for government service programs, they could do so and still receive adequate Federal financial support. In short, such a resolution would reaffirm for the Legislative branch—as I hereby affirm for the Executive branch—that the historic relationship between the Federal government and the Indian communities cannot be abridged without the consent of the Indians.

2. The right to control and operate Federal programs

Even as we reject the goal of forced termination, so must we reject the suffocating pattern of paternalism. But how can we best do this? In the past, we have often assumed that because the government is obliged to provide certain services for Indians, it therefore must administer those same services. And to get rid of Federal administration, by the same token, often meant getting rid of the whole Federal program. But there is no necessary reason for this assumption. Federal support programs for non-Indian communities—hospitals and schools are two ready examples—are ordinarily administered by local authorities. There is no reason why Indian communities should be deprived of the privilege of self-determination merely because they receive monetary support from the Federal government. Nor should they lose Federal money because they reject Federal control.

For years we have talked about encouraging Indians to exercise greater self-determination, but our progress has never been commensurate with our promises. Part of the reason for this situation has been the threat of termination. But another reason is the fact that when a decision is made as to whether a Federal program will be turned over to Indian administration, it is the Federal authorities and not the Indian people who finally make that decision.

This situation should be reversed. In my judgment, it should be up to the Indian tribe to determine whether it is willing and able to assure administrative responsibility for a service program which is presently administered by a Federal agency. To this end, I am proposing legislation which would empower a tribe or a group of tribes or any other Indian community to take over the control or operation of Federally-funded and administered programs in the Department of the Interior and the Department of Health, Education and Welfare whenever the tribal council or comparable community governing group voted to do so.

Under this legislation, it would not be necessary for the Federal agency administering the program to approve the transfer of responsibility. It is my hope and expectation that most such transfers of power would still take place consensually as a result of negotiations between the local community and the Federal government. But in those cases in which an impasse arises between the

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two parties, the final determination should rest with the Indian community.

Under the proposed legislation, Indian control of Indian programs would always be a wholly voluntary matter. It would be possible for an Indian group to select that program or that specified portion of a program that it wants to run without assuming responsibility for other components. The "right of retrocession" would also be guaranteed; this means that if the local community elected to administer a program and then later decided to give it back to the Federal government, it would always be able to do so.

Appropriate technical assistance to help local organizations successfully operate these programs would be provided by the Federal government. No tribe would risk economic disadvantage from managing its own programs; under the proposed legislation, locally-administered programs would be funded on equal terms with similar services still administered by Federal authorities. The legislation I propose would include appropriate protections against any action which endangered the rights, the health, the safety or the welfare of individuals. It would also contain accountability procedures to guard against gross negligence or mismanagement of Federal funds.

This legislation would apply only to services which go directly from the Federal government to the Indian community; those services which are channeled through State or local governments could still be turned over to Indian control by mutual consent. To run the activities for which they have assumed control, the Indian groups could employ local people or outside experts. If they chose to hire Federal employees who had formerly administered these projects, those employees would still enjoy the privileges of Federal employee benefit programs—under special legislation which will also be submitted to the Congress.

Legislation which guaranteees the right of Indians to contract for the control or operation of Federal programs would directly channel more money into Indian communities, since Indians themselves would be administering programs and drawing salaries which now often go to non-Indian administrators. The potential for Indian control is significant, for we are talking about programs which annually spend over $400 million in Federal funds. A policy which encourages Indian administration of these programs will help build greater pride and resourcefulness within the Indian community. At the same time, programs which are managed and operated by Indians are likely to be more effective in meeting Indian needs.

I speak with added confidence about these anticipated results because of the favorable experience of programs which have already been turned over to Indian control. Under the auspices of the Office of Economic Opportunity, Indian communities now run more than 60 community action agencies which are located on Federal reservations. OEO is planning to spend some $57 million in Fiscal Year 1971 through Indian-controlled grantees. For over four years, many OEO-funded programs have operated under the control of local Indian organizations and the results have been most heartening.

Two Indian tribes—the Salt River Tribe and the Zuni Tribe—have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them. Many Federal officials, including the Agency Superintendent, have been replaced by elected tribal officers or tribal employees. The time has now come to build on these experiences and to extend local Indian control—at a rate and to the degree that the Indians themselves establish.

3. Restoring the sacred lands near Blue Lake

No government policy toward Indians can be fully effective unless there is a relationship of trust and confidence between the Federal government and the Indian people. Such a relationship cannot be completed overnight; it is inevitably the product of a long series of words and actions. But we can contribute significantly to such a relationship by responding to just grievances which are especially important to the Indian people.

One such grievance concerns the sacred Indian lands at the near Blue Lake in New Mexico. From the fourteenth century, the Taos Pueblo Indians used these areas for religious and tribal purposes. In 1906, however, the United States Government appropriated these lands for the creation of a national forest. According to a recent determination of the Indian Claims Commission, the government "took said lands from petitioner without compensation."

For 64 years, the Taos Pueblo has been trying to regain possession of this sacred lake and watershed area in order to preserve it in its natural condition and limit its non-Indian use. The Taos Indians consider such action essential to the protection and expression of their religious faith.

The restoration of the Blue Lake lands to the Taos Pueblo Indians is an issue of unique and critical importance to Indians throughout the country. I therefore take this opportunity wholeheartedly to endorse legislation which would restore 48,000 acres of sacred land to the Taos Pueblo people, with the statutory promise that they would be able to use these lands for traditional purposes and that except for such uses the lands would remain forever wild.

With the addition of some perfecting amendments, legislation now pending in the Congress would properly achieve this goal. That legislation (H.R. 471) should promptly be amended and enacted. Such action would stand as an important symbol of this government's responsiveness to the just grievances of the American Indians.

4. Indian education

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Drop-out rates for Indians are twice the national average and the average educational level for all Indians under Federal supervision is less than six school years. Again, at least a part of the problem stems from the fact that the Federal government is trying to do for Indians what many Indians could do better for themselves.

The Federal government now has responsibility for some 221,000 Indian children of school age. While over 50,000 of these children attend schools which are operated directly by the Bureau of Indian Affairs, only 750 Indian children are enrolled in schools where the responsibility for education has been contracted by the BIA to Indian school boards. Fortunately, this condition is beginning to change. The Ramah Navajo Community of New Mexico and the Rough Rock and Black Water Schools in Arizona are notable examples of schools which have recently been brought under local Indian control. Several other communities are now negotiating for similar arrangements.

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control. This Subcommittee will act as a transitional mechanism; its objective should not be self-perpetuation but the actual transfer of Indian education to Indian communities.

We must also take specific action to benefit Indian children in public schools. Some 141,000 Indian children presently attend general public schools near their homes. Fifty-two thousand of these are absorbed by local school districts without special Federal aid. But 89,000 Indian children attend public schools in such high concentrations that the State or local school districts involved are eligible for special Federal assistance under the Johnson-O'Malley Act. In Fiscal Year 1971, the Johnson-O'Malley program will be funded at a level of some $20 million.

This Johnson-O'Malley money is designed to help Indian students, but since funds go directly to the school districts, the Indians have little if any influence over the way in which the money is spent. I therefore propose that the Congress amend the Johnson-O'Malley Act so as to authorize the Secretary of the Interior to channel funds under this act directly to Indian tribes and communities. Such a provision would give Indians the ability to help shape the schools which their children attend and, in some instances, to set up new school systems of their own. At the same time, I am directing the Secretary of the Interior to make every effort to ensure that Johnson-O'Malley funds which are presently directed to public school districts are actually spent to improve the education of Indian children in these districts.

5. Economic development legislation

Economic deprivation is among the most serious of Indian problems. Unemployment among Indians is ten times the national average; the unemployment rate runs as high as 80 percent on some of the poorest reservations. Eighty percent of reservation Indians have an income which falls below the poverty line; the average annual income for such families is only $1,500. As I said in September of 1968, it is critically important that the Federal government support and encourage efforts which help Indians develop their own economic infrastructure. To that end, I am proposing the "Indian Financing Act of 1970."

This act would do two things:

1. It would broaden the existing Revolving Loan Fund, which loans money for Indian economic development projects. I am asking that the authorization for this fund be increased from approximately $25 million to $75 million.

2. It would provide additional incentives in the form of loan guarantees, loan insurance and interest subsidies to encourage *private* lenders to loan more money for Indian economic projects. An aggregate amount of $200 million would be authorized for loan guarantee and loan insurance purposes.

I also urge that legislation be enacted which would permit any tribe which chooses to do so to enter into leases of its land for up to 99 years. Indian people now own over 50 million acres of land that is held in trust by the Federal government. In order to compete in attracting investment capital for commercial, industrial and recreational development of these lands, it is essential that the tribes be able to offer long-term leases. Long-term leasing is preferable to selling such property since it enables tribes to preserve the trust ownership of their reservation homelands. But existing law limits the length of time for which many tribes can enter into such leases. Moreover, when long-term leasing is allowed, it has been granted by Congress on a case-by-case basis, a policy which again reflects a deep-rooted pattern of paternalism. The twenty reservations which have already been given authority for long-term leasing have realized important benefits from that privilege and this opportunity should now be extended to all Indian tribes.

Economic planning is another area where our efforts can be significantly improved. The comprehensive economic development plans that have been created by both the Pima-Maricopa and the Zuni Tribes provide outstanding examples of interagency cooperation in fostering Indian economic growth. The Zuni Plan, for example, extends for at least five years and involves a total of $55 million from the Departments of Interior, Housing and Urban Development, and Health, Education and Welfare and from the Office of Economic Opportunity and the Economic Development Administration. I am directing the Secretary of the Interior to play an active role in coordinating additional projects of this kind.

6. More money for Indian health

Despite significant improvements in the past decade and a half, the health of Indian people still lags 20 to 25 years behind that of the general population. The average age at death among Indians is 44 years, about one-third less than the national average. Infant mortality is nearly 50% higher for Indians and Alaska natives than for the population at large; the tuberculosis rate is eight times as high and the suicide rate is twice that of the general population. Many infectious diseases such as trachoma and dysentary that have all but disappeared among other Americans continue to afflict the Indian people.

This Administration is determined that the health status of the first Americans will be improved. In order to initiate expanded efforts in this area, I will request the allocation of an additional $10 million for Indian health programs for the current fiscal year. This strengthened Federal effort will enable us to address ourselves more effectively to those health problems which are particularly important to the Indian community. We understand, for example, that areas of greatest concern to Indians include the prevention and control of alcoholism, the promotion of mental health and the control of middle-ear disease. We hope that the ravages of middle-ear disease—a particularly acute disease among Indians—can be brought under control within five years.

These and other Indian health programs will be most effective if more Indians are involved in running them. Yet—almost unbelievably—we are presently able to identify in this country only 30 physicians and fewer than 400 nurses of Indian descent. To meet this situation, we will expand our efforts to train Indians for health careers.

7. Helping urban Indians

Our new census will probably show that a larger proportion of America's Indians are living off the reservation than ever before in our history. Some authorities even estimate that more Indians are living in cities and towns than are remaining on the reservation. Of those American Indians who are now dwelling in urban areas, approximately three-fourths are living in poverty.

The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

But misunderstandings are not the most important problem confronting urban Indians. The biggest barrier faced by those Federal, State and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservations and urban areas. Language and cultural differences compound these problems. As a result, Federal, State and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This Administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, State and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

These efforts represent an important beginning in recognizing and alleviating the severe problems faced by urban Indians. We hope to learn a great deal from these projects and to expand our efforts as rapidly as possible. I am directing the Office of Economic Opportunity to lead these efforts.

8. Indian Trust Counsel Authority

The United States Government acts as a legal trustee for the land and water rights of American Indians. These rights are often of critical economic importance to the Indian people; frequently they are also the subject of extensive legal dispute. In many of these legal confrontations, the Federal government is faced with an inherent conflict of interest. The Secretary of the Interior and the Attorney General must at the same time advance *both* the *national* interest in the use of land and water rights *and* the *private* interests of Indians in land which the government holds as trustee.

Every trustee has a legal obligation to advance the interests of the beneficiaries of the trust without reservation and with the highest degree of diligence and skill. Under present conditions, it is often difficult for the Department of the Interior and the Department of Justice to fulfill this obligation. No self-respecting law firm would ever allow itself to represent two opposing clients in one dispute; yet the Federal government has frequently found itself in precisely that position. There is considerable evidence that the Indians are the losers when such situations arise. More than that, the credibility of the Federal government is damaged whenever it appears that such a conflict of interest exists.

In order to correct this situation, I am calling on the Congress to establish an Indian Trust Counsel Authority to assure independent legal representation for the Indians' natural resource rights. This Authority would be governed by a three-man board of directors, appointed by the President with the advice and consent of the Senate. At least two of the board members would be Indian. The chief legal officer of the Authority would be designated as the Indian Trust Counsel.

The Indian Trust Counsel Authority would be independent of the Departments of the Interior and Justice and would be expressly empowered to bring suit in the name of the United States in its trustee capacity. The United States would waive its sovereign immunity from suit in connection with litigation involving the Authority.

9. Assistant Secretary for Indian and Territorial Affairs

To help guide the implementation of a new national policy concerning American Indians, I am recommending to the Congress the establishment of a new position in the Department of the Interior—Assistant Secretary for Indian and Territorial Affairs. At present, the Commissioner of Indian Affairs reports to the Secretary of the Interior through the Assistant Secretary for Public Land Management—an officer who has many responsibilities in the natural resources area which compete with his concern for Indians. A new Assistant Secretary for Indian and Territorial Affairs would have only one concern—the Indian and territorial peoples, their land, and their progress and well-being. Secretary Hickel and I both believe this new position represents an elevation of Indian affairs to their proper role within the Department of the Interior and we urge Congress to act favorably on this proposal.

CONTINUING PROGRAMS

Many of the new programs which are outlined in this message have grown out of this Administration's experience with other Indian projects that have been initiated or expanded during the last 17 months.

The Office of Economic Opportunity has been particularly active in the development of new and experimental efforts. OEO's Fiscal Year 1971 budget request for Indian-related activities is up 18 percent from 1969 spending. In the last year alone—to mention just two examples—OEO doubled its funds for Indian economic development and tripled its expenditures for alcoholism and recovery programs. In areas such as housing and home improvement, health care, emergency food, legal services and education, OEO programs have been significantly expanded. As I said in my recent speech on the economy, I hope that the Congress will support this valuable work by appropriating the full amount requested for the Economic Opportunity Act.

The Bureau of Indian Affairs has already begun to implement our policy of contracting with local Indians for the operation of government programs. As I have noted, the Salt River Tribe and the Zuni Tribe have taken over the bulk of Federal services; other projects ranging from job training centers to high school counseling programs have been contracted out to Indian groups on an individual basis in many areas of the country.

Economic development has also been stepped up. Of 195 commercial and industrial enterprises which have been established in Indian areas with BIA assistance, 71 have come into operation within the last two years. These enterprises provide jobs for more than 6,000 Indians and are expected to employ substantially more when full capacity is reached. A number of these businesses are now owned by Indians and many others are managed by them. To further increase individual Indian ownership, the BIA has this month initiated the Indian Business Development Fund which provides equity capital to Indians who go into business in reservation areas.

Since late 1967, the Economic Development Administration has approved approximately $80 million in projects on Indian reservations, including nearly $60 million in public works projects. The impact of such activities can be tremendous; on the Gila River Reservation in Arizona, for example, economic development projects over the last three years have helped to lower the unemployment rate from 56 to 18 percent, increase the median

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family income by 150 percent and cut the welfare rate by 50 percent.

There has been additional progress on many other fronts since January of 1969. New "Indian Desks" have been created in each of the human resource departments of the Federal government to help coordinate and accelerate Indian programs. We have supported an increase in funding of $4 million for the Navajo Irrigation Project. Housing efforts have picked up substantially; a new Indian Police Academy has been set up; Indian education efforts have been expanded—including an increase of $848,000 in scholarships for Indian college students and the establishment of the Navajo Community College, the first college in America planned, developed and operated by and for Indians. Altogether, obligational authority for Indian programs run by the Federal Government has increased from a little over $598 million in Fiscal Year 1970 to almost $626 million in Fiscal Year 1971.

Finally, I would mention the impact on the Indian population of the series of welfare reform proposals I have sent to the Congress. Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan and the proposed Family Health Insurance Plan. It is estimated, for example, that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

This Administration has broken a good deal of new ground with respect to Indian problems in the last 17 months. We have learned many things and as a result we have been able to formulate a new approach to Indian affairs. Throughout this entire process, we have regularly consulted the opinions of the Indian people and their views have played a major role in the formulation of Federal policy.

As we move ahead in this important work, it is essential that the Indian people continue to lead the way by participating in policy development to the greatest possible degree. In order to facilitate such participation, I am asking the Indian members of the National Council on Indian Opportunity to sponsor field hearings throughout the nation in order to establish continuing dialogue between the Executive branch of government and the Indian population of our country. I have asked the Vice President to see that the first round of field hearings are completed before October.

* * * * *

The recommendations of this Administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of *whether* the Federal government has a responsibility to Indians to the question of *how* that responsibility can best be fulfilled. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance—this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

RICHARD NIXON.

THE WHITE HOUSE, *July 8, 1970.*

CULEBRA

Mr. GOODELL. Mr. President, pursuant to the Treaty of Paris of 1898, ending the Spanish-American War, the United States became owner of Puerto Rican territory held by the Spanish crown, including the island of Culebra—20 miles east of the island of Puerto Rico. The Navy has used approximately 2,000 acres—36 percent of the island—of Culebra as a bombardment range; nearly to a man, the "Culebrenses"—the inhabitants of the island—are unhappy with this.

On March 13, 1970, Culebrenses voted in a town meeting to ask the Navy, which undisputably has legal title to the land, to withdraw from the island. On March 26, the Puerto Rican Senate passed a unanimous resolution asking President Nixon to "reexamine the Navy's activities in Culebra for the purpose of assuring the residents peace, order, free movement, and development of economic interests." Since then, feature articles on the Culebran issue have appeared in the San Juan Star, April 4, May 17; Life, April 10; and the New York Times, April 15. Culebra has become a cause celebre within the New York City Puerto Rican community.

The Department of Defense has thrice in recent years attempted to buy the island outright from Puerto Rico; three Puerto Rican governors have resisted, on the constitutional ground that no municipality may be dissolved without approval of its own people in a referendum. On April 24, the Navy announced a plan under which it would lease, and later buy by right of eminent domain, a new parcel of 2,350 acres of the island. The Culebrenses object to having an intensification of bombing and missile tests 3½ miles to the east of the main island town, Dewey.

The Puerto Rican Civil Rights Commission has, in a report on the Culebra affair, detailed the ill effects of the Navy's use of the island; deterioration of the fishing industry, with complete destruction of it in those areas which the Navy now holds; restriction of tourism and industrial development; frightening of children in school when missiles whiz overhead or explode nearby. Missiles have at times exploded in the neighborhood of Dewey, including intense fear on the part of the residents.

In 1940, a child died as the result of the detonation of a shell; there have been other such incidents in which residents have been injured. On May 24, six mortar rounds were fired into a bathing area on Flamingo Beach, landing within 200 yards of seven children and an adult. There is danger of serious injury or death resulting from future bombardment. Several weeks ago, an errant Navy shell nearly killed the Governor of Puerto Rico, who happened to be sunning himself on a supposedly safe yacht in the cover off Flamingo Beach.

I have noticed the Navy's recent statement before a House Armed Services subcommittee and, particularly, its assertion that there are no alternatives to the island for fulfilling the weapons training function. It has maintained that all safety precautions possible are being taken to insure the safety of the citizens of Culebra.

I am unconvinced that the Navy has carefully explored the availability of alternative target sites. The continuing danger to the Culebrans from accidental weapons misfiring speaks for itself on the inadequacy of the Navy's safety precautions.

We must be concerned about the economic well-being of all American citizens. The Navy's continuing bombardment has had a serious impact upon the island's cattle production. Its ships destroy lobster traps and fishing nets, and with them the potential development of a prosperous fishing industry on Culebra.

The beaches of Culebra are unparalleled in their beauty, but the continuation by the Navy of its bombardment activity has prevented the development of its natural resources.

We have been much concerned in recent months with the challenge to preserve the quality of our environment. The Navy now threatens to destroy the ecological balance of Culebra. The detonation of explosive shells continue to kill fish, lobsters, and birds in large numbers.

On one occasion in 1967, in fact, 15 tons of dead fish washed up on the Culebran beaches.

In 1909, President Theodore Roosevelt designated the keys off Culebra as national wildlife refuges. And yet, in May 1968, the Navy lodged a massive bombardment against Twin Rock, one of those bird refuges, and thousands of nesting marine birds were killed.

The will of the people of Culebra and of Puerto Rico has been clearly expressed, and it is about time that the Navy began to heed it. It is time for the Navy to withdraw from Culebra totally, and for the administration to protect Culebrenses as it would all other American citizens.

Despite the able investigation of a House Armed Services Subcommittee into this affair, moreover, there are indications that neither the Navy nor that subcommittee is disposed to act favorably toward the rights of the Culebrans.

It seems to me, therefore, that each Member of the Senate ought to become informed upon the issue of Culebra. I accordingly ask unanimous consent to have printed in the RECORD at this point the text of a "Fact Sheet on Culebra," prepared by two attorneys for the municipality of Culebra. I call particular attention to the section on "Alternatives," which stresses that uninhabited Caribbean islands, artificial islands, and floating platforms could all serve as alternatives to Culebra, and could perfectly meet the Navy's needs for a practice target.

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There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

FACT SHEET ON CULEBRA

INTRODUCTION: THE ACQUISITION PROPOSAL AND PUBLIC OPINION IN CULEBRA

Culebra is a small 7,000-acre island, approximately seven miles long and three miles wide, inhabited by 726 United States citizens, the majority of whom have lived all their lives on Culebra. It is one of seventy-six municipalities of the Commonwealth of Puerto Rico, lying to the east of the main island, between Puerto Rico and St. Thomas. Most Culebrans are poor farmers or fishermen.

The Navy now owns approximately one-third of Culebra which it has used for more than 30 years as a target on its training maneuvers. Originally, beginning in the mid-1950's, the Navy sought to acquire the entire island and resettle the civilian population elsewhere. Recently the Navy claims to have recognized that this is politically impossible due to requirements imposed by the Puerto Rican Constitution, including the requirement of a favorable vote of the inhabitants of the municipality of Culebra. The Navy's public position is that it has abandoned its plan to acquire the entire island. Instead, the Navy announced its intention to acquire, by eminent domain if necessary, a leasehold interest and, eventually, purchase of an additional one-third of Culebra for the purpose of expanding training operations, including the introduction of a Walleye missile target on the immediately adjacent small island of Culebrita.

When asked about the attitude of the Culebrans themselves about the Navy's recent acquisition proposal, Joseph A. Grimes, Jr., Special Civilian Assistant to Secretary of the Navy John Chafee, first replied that the plan had been approved by the representatives of the Culebrans—the Puerto Rican government.[1] This has been firmly denied by those representatives.[2] Mr. Grimes who speaks Spanish fluently, refused to go to Culebra to speak to the Culebrans themselves.[3]

When asked to allow an impartial referendum to be held in Culebra, Mr. Grimes again refused.[4] Nevertheless, another Navy spokesman flatly stated that "The Culebrans want the Navy to stay." [5]

In order to test this assumption, a Spanish-speaking attorney for the Culebrans spent the better part of four days on Culebra taking a survey based on in-depth interviews with more than sixty Culebrans, most of whom were heads of families.[6] The results of the survey show that the Navy's assumptions are clearly erroneous: 95 percent opposed the Navy plan and 75 percent favored the complete withdrawal of the Navy from Culebra. Moreover, it should be noted that the survey was intentionally conducted in a manner which would tend to exaggerate the support for the Navy rather than the opposition to it.[7] Indeed, in a separate poll 304 families of 313 surveyed voted to support Mayor Ramon Feliciano's request that the Navy leave Culebra.[8]

The Navy's acquisition plan is presently before the House and Senate Armed Services Committees.

THE HUMAN ENVIRONMENT OF THE CULEBRANS

Culebra is the only inhabited island in the world, with the exception of its much larger sister island of Vieques, which is used by the United States military as a target. In 1969, for example, the average daily use of Culebra and the surrounding cays for target practice was 9½ hours Monday through Saturday and 3½ hours on Sunday.[9] During Springboard exercises (January–April) the use is substantially greater than this daily average. The intensity of utilization has increased dramatically since 1960.[10] The increase has been accelerated during 1970; thus, the *Armed Forces Journal* reports: "The Navy told the JOURNAL that the bombardment operations would climb from about 5,000 sorties in FY 69 to over 9,000 sorties this year.[11]

The effect of the night and day bombings on the lives of the Culebrans has been vividly described by Rear Admiral Alfred R. Matter. On December 5 of last year Admiral Matter, then Commander of the Caribbean Sea Frontier, wrote a land developer:

"Culebra Island is a keystone in the Atlantic Fleet weapons range. . . . This large complex is expanding and operations are becoming increasingly intensive, frequently being conducted through seven days a week. As such use increases, inhabitants of nearby areas such as your property will be subjected to the noise of supersonic booms, gunfire, rocket fire, and heavy air traffic." [12]

Following an extensive investigation, including public hearings, on the situation in Culebra, the Puerto Rican Civil Rights Commission recently issued a Special Report.[13] One of six specific conclusions describes the military training operations and their effect on the lives of the Culebrans:

"The military training operations in the restricted zone [the area where operations are currently being carried out] are *excessively intense, continuous, irregular and dangerous*. They comprise almost the whole perimeter of the Island of Culebra, its adjacent islets and keys. They are carried out by day and by night close to the town disturbing the tranquility, security and the sleep of its inhabitants." [14]

Although a book could be written on the devastating effects which the Navy's training operations have had on the lives of the civilian population in Culebra, only a brief outline can be given here.

I. Schoolchildren

Carmelo Feliciano, who has been a schoolteacher at Escuela Nueva (New School) in Culebra for thirteen years, testified as follows in the recent Culebra Hearings:

"Teaching in Culebra is an extremely difficult job. The continuous flow of air traffic at low altitudes over the school, helicopters, jets and propellar planes, make an infernal noise, creating a state of tension and anxiety and rendering virtually impossible to hold the attention of the students.

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"When bombs and shells are exploding the school buildings tremble with every explosion. You can see fear in the children's eyes. They sit in school in a peculiar way as if ready to run at a moment's notice. During the periods of heavy night bombing, students fall asleep in class. They look sleepless and the teachers there know why this is so. Bombing is carried out far past midnight every day and these kids are kept awake by the noise and the tremor caused by the bombs until early morning hours. . . .

"Due to all this noise caused by Navy aircraft and boats bombing and shelling, and also because they live in constant fear of losing their lives, the students' work at school is very poor. There has not been an honors graduate in Culebra in more than three years. Intelligence tests show a far below normal IQ for Culebran students. I have observed that many of these students have moved out and attend school in the main island of Puerto Rico and their grades are considerably higher at these other schools. The ones that return to Culebra fall back way below in their school work." [15]

An indication of the intensity of the air traffic alone is provided by the Navy's "Culebra Utilization Data," which states that in 1969 the Culebra targets were used by 6,101 aircraft making a total of between 35,000 and 40,000 target runs. This, of course, excludes helicopter overflights as well as non-target overflights.

II. Economic effects and their impact on the Culebrans

Training operations on Culebra have stunted the economic growth of the Island from the earliest years. Senator Justo A. Mendez, Minority Leader of the Senate of Puerto Rico and the second highest elective official in the governing party, testified:

"In the year 1899, a census was taken and the population of Culebra was 704 inhabitants. Strange it is, that after 71 years, when every corner of the world has increased substantially in population the Island of Culebra seems to stand still, as if time had stopped since the island was handed to the United States as a trophy of war at the end of the hostilities of the Spanish-American War." [16] As noted above, the present population of Culebra is 726 citizens (1970 census).

The use of the Island for training operations began in 1936. The Puerto Rican Civil Rights Commission Special Report describes the effects as follows:

". . . the naval and military training exercises which were commenced beginning 1936, in the northwest of the island, known as Flamenco Peninsula, compelled the residents of this place to abandon their properties and the agricultural operation of the same in search of safer places. . . . This dislodging forced by the activities of the Navy's target practice initiated a massive process of depopulation on the Island of Culebra. Said movement brought the consequent abandonment of their properties and their achievements." [17]

The Culebrans are among the poorest American citizens. Senator Mendez testified: "The income per capita is below $400, far lower than any other of the surrounding American Communities." [18] The primary means of livelihood on Culebra have been cattle raising and fishing; however, both occupations have been severely damaged by the target operations. Thus, referring to the intensification of operations since 1960, the Civil Rights Commission states: "As a consequence also of this intensification the cattle business has almost disappeared." [19] The effects of the training operations on the fishermen, including extreme restrictions on freedom of movement, destruction of equipment and fish by boats and bombs and shells, and the simple fact of fear, are described by Anastasio Soto, the President of the Culebra Fisherman's Association, in stark terms: "This has caused the emigration of about two-thirds of the island's fishermen." [20]

The Civil Rights Commission Report also notes the effects which the training operations have had on property values in Culebra:

"Beginning in 1960, in which the process of intensification of military training exercises commences, there becomes evident a substantial impairment of the private properties in Culebra, islets and adjacent keys belonging to private persons. The intensity of that training has destroyed or unduly affected the economic and residential use and enjoyment of the same, causing them to lose their paramount and, perhaps, only value, significantly." [21]

Conclusion

This report is but a brief summary of some of the more salient aspects of the human environment in Culebra as it relates to the use of a small, inhabited island as a target area. Also, it should be noted that this report describes the situation up to the present time; it does not deal with the added burden which the Navy's proposal, to acquire an additional one-third of Culebra, would surely impose. With respect to the latter, it should be sufficient to say that the Navy proposal, if approved, would totally destroy the economic viability of Culebra and would probably result in the final depopulation of the Island of Culebra. For, as Senator Hernandez Colon, the President of the Senate of Puerto Rico, testified:

Footnotes at end of article.

"It is palpably clear that this 'plan' would not solve the Culebran problem, unless the Navy's definition of the Culebran problem implies that its solution is to make the island unlivable for its citizens."[22]

NAVAL ACTIVITY ON CULEBRA AND THE SURROUNDING CAYS: THE ECOLOGICAL IMPLICATIONS

In 1909 President Theodore Roosevelt dedicated the cays and islets surrounding Culebra as National Wildlife Refuges. Moreover while the Island of Culebra is not itself technically a part of the Wildlife Refuge, the Government of Puerto Rico has designated Culebra a Game Refuge where no hunting is allowed. A brief summary of the ecological uniqueness of Culebra and the ecological impact of Naval activity in the Culebra area follows.

I. Ecological uniqueness of Culebra[23]

Culebra and the surrounding cays constitute an important eco-system in the archipelago east of Fajardo. The cays and Culebra itself provide important nesting grounds for various migratory oceanic birds, including the sooty tern, the nobby tern, laughing gulls, and possibly roseate terns as well.

In addition, there are several important lagoons on Culebra itself, including Laguna Zoni on the eastern part of Culebra and Flamingo Lagoon, behind Flamingo Bay, in the impact area. The Bahama Pintail, a rare and endangered species, is found in these lagoons. Other species of birdlife found on Culebra include the brown pelican and the blue-faced booby.

There are also endemic populations of white-crowned pigeons and red-necked pigeons; these birds are vary rare in the area. Their former nesting grounds were in St. Croix, where Harvey Aluminum built a large aluminum plant and Hess Oil built an oil refinery, thereby forcing the birds to seek refuge in Culebra and St. Thomas.

The island is itself unique in terms of both geology and vegetation. Culebra is of volcanic origin and the geological formations there are of great interest. The island is very rich in green jade, for example. The Resaca Mountains, near the Observation Post, have unique vegetation, particularly the Red Manjack trees and White Manjack trees; these trees provide the staple food of the pigeons mentioned above, as well as of the white-winged dove and the zenaida dove, which are found on Culebra.

The whole shape of Culebra is amoebic, with many peninsulas and coves. This adds greatly to the physical beauty of the island. Flamingo Bay, with its long, curved white-sand beach is one of the most beautiful bays in the Atlantic. Culebrita Cay has one of the most beautiful white-sand beaches in the entire Carribean. Another important beach is Balcon Beach, facing North Cay, which is a "whistling beach." It is a rare phenomenon, acknowledged by science, that on a very few beaches in the entire world the sand "whistles" or "whispers" when the wind blows. Balcon Beach is an example. In addition, there are several smaller beaches with extraordinarily beautiful rosy-white or pink sand. These are produced by the action of the waves on the coral reefs.

The corals on the eastern and southeast portion of the island are very rare and beautiful; the only other area with similiar growth is found in the St. Johns National Park. These corals, together with the beaches of unusual sinuosity, enhance the extremely rich marine environment. The water around Culebra and the surrounding cays is of great clarity; moreover, it constitutes a magnificent sporting and commercial fishing ground.

II. Ecological impact of naval activity in Culebra

Navy shelling and bombing have destroyed fish and birds in great numbers on Culebra. Fish and birds have been "massacred."[24]

Two or three years ago on the northwest peninsula of Culebra, in the impact area, an ecological disaster occurred. The impact area contains primary nesting grounds of the sooty tern, an oceanic migratory bird which is similar to the gull, though more slender and even more graceful. Approximately 27 to 35 acres constitute the nesting grounds. Shelling of the impact area apparently caused a grass fire which burned a huge area, from 15 to 25 acres during the nesting season. This must have occurred sometime between March and May, because the birds were starting to nest. Because there are one to two eggs per nest and from three to four nests per square meter, the number of eggs that were destroyed is enormous. In addition, a number of birds which had been burned by the fire were found by Ricardo Cotte, the Department of the Interior's Agent in Puerto Rico. Mr. Cotte has pictures of this incident.

At the recent Culebra Hearings, Anastasio Soto, President of the Culebra Fisherman's Association, described the destruction of wildlife which has resulted from the use of Culebra and the surrounding cays as targets:

". . . [T]he use of explosives on the cays and in the sea kills off fish, lobster and birds so that one occasion in 1967, approximately 15 tons of fish washed up on the beaches and were taken away by the truckload. Just last week seven large lobsters and a giant green turtle crawled out on the beach to die. The full damage done is immensely greater since most of the wildlife killed by explosives would sink to the bottom of the sea or be carried away by strong currents."[25]

Mr. Soto also complained of another way in which Naval activity affects the ecology of the surrounding waters:

". . . [S]hips destroy lobster traps and fishing nets which take a year to a year-and-a-half to come apart and destroy fish and lobsters all the while. When this trapped and wasted catch dies and rots, the sea is contaminated, which further depletes the area of its sea life."[26]

POLITICAL IMPLICATIONS OF THE CULEBRA PROBLEM FOR THE UNITED STATES AND ITS RELATIONS WITH PUERTO RICO

In Puerto Rico, the central political issue, the issue which defines a person's position on the political spectrum, is the relationship between the United States and Puerto Rico; even the political parties themselves are identified with reference to this axis. Thus, the major parties are the "Statehood" party, the "Commonwealth" party, and the "Independentist" party. Puerto Ricans are very sensitive to their long history of colonial status. The island nearly achieved independence in the late 1800's, winning an autonomous constitution from Spain only to lose it a year later when the island was ceded to the United States as a result of the Spanish-American War.

The extensive United States military and intelligence gathering presence in Puerto Rico unavoidably arouses some concern among Puerto Ricans. There are inevitable tensions caused by the fact that United States military operations and bases utilize some 13 percent of the land in Puerto Rico, which is already uncomfortably crowded by overpopulation. The shelling of Culebra gravely exacerbates these tensions. The fact that the only American citizens whose homes are presently endangered by Naval training operations are Spanish speaking and dark-skinned is not lost upon the Puerto Rican population in Puerto Rico and elsewhere in the United States. This fact also tends to aggravate our relations with other Spanish-speaking nations throughout the world.

The issue of Culebra is easily reducible in the media and in the public mind to one of bombs versus people. As such it has enormous symbolic significance and has received extensive coverage. The continued Navy presence on Culebra and particularly the manner in which the Navy has conducted itself on this issue plays directly into the hands of left wing and radical groups who have and will continue to exploit the situation for their own purposes. For example, a columnist in the San Juan Star recently alluded to the possible exploitation of the Culebra issue by groups unfriendly to the United States:

"Now, along with everybody else, pro-independence groups, especially more radical ones, see the Culebra affair as an issue that might succeed as all others have so far failed, to win them popular sympathy here as well as significant support among the "New Left" on the mainland. . . .

". . . [A] decision favorable to the Navy by the House Subcommittee could swing popular sentiment toward independence or at least away from statehood more effectively than anything else."[27]

It should be noted, however, that moderate political leaders in Puerto Rico have moved to align themselves with the Culebrans as well. Indeed, when Joseph Grimes, Special Assistant to Secretary of the Navy Chaffee, stated in his testimony that "Culebra is a political issue in the Commonwealth of Puerto Rico—and one of delicate sensitivity," Puerto Rico's Resident Commissioner, Jorge Cordova, a member of Congress who as a matter of courtesy sat with the Subcommittee at the recent Culebra Hearings, replied:

"It was perhaps an issue. It is no longer an issue. The Navy has been quite successful in uniting Puerto Rico, which was otherwise divided and is still divided politically on many other issues, but not on Culebra."[28]

Thus, the political implications of the Culebra problem for the relationship between the United States and Puerto Rico are most serious.

In addition, it should be noted that the military implications of a political blunder are equally important. For not only does the United States military rely on its very significant presence in Puerto Rico for everything from a SAC base to weapons training; it must also be recognized that the United States Navy in particular has a definite strategic interest in maintaining its presence in Puerto Rico. For example, if for whatever reason the Navy ever abandons Guantanamo, then Roosevelt Roads Naval Base would become the most significant Navy presence in the Caribbean. Therefore, any political action which may tend to strengthen anti-American sentiment in Puerto Rico can have grave consequences from a military point of view.

Senator Edward M. Brooke has expressed concern over the Navy's proposal for Culebra.[29] Senator Edward M. Kennedy has already made a public statement questioning the Navy's actions on Culebra.[30] Mayor Lindsay seconded the resolution adopted at the United States Mayors' Conference asking the Navy to leave Culebra.[31] Thus, the San Juan Star columnist quoted above writes:

"The manner in which the Culebra affair is handled from this point on is not only likely to determine the strength of island movements toward or away from statehood and local election results in 1972, but may be very significant in determining the political future of Richard Nixon."[32]

CULEBRA'S IMPACT ON NAVY'S IMAGE

It follows from the previous section that the Navy has suffered and will continue to suffer enormous damage to its image in the United States and throughout the world as a consequence of its operations on Culebra. Extensive press and T.V. coverage uniformly has condemned the Navy for its operations on Culebra.[33] Even the usually sympathetic *Armed Forces Journal* has mounted the largest single campaign in its history to change the Navy's position on Culebra.

As of this writing the last four issues of

Footnotes at end of article.

the *Armed Forces Journal* have devoted significant space on this issue and apparently this and other press criticism will not abate. All three national T.V. networks and the major wire services have carried stories adverse to the Navy and there is reason to believe that additional coverage along the same lines will be forthcoming.

Thus, the Navy has and will continue to pay a very significant public relations price for its operations on Culebra. This price can translate into limitations on missions with far greater strategic significance than the training now carried out on Culebra. This price does not appear to be justified in light of the fact that the Navy's training mission can be more effectively carried out on alternative islands which are uninhabited.

ALTERNATIVES TO CULEBRA

There are adequate alternatives to Culebra. Because Culebra is populated with civilians the Navy's training mission there is seriously limited. Under the present arrangement, World War II vintage ship-to-shore gunnery operations conducted at close range and slow speed are all that can be safely carried out on the northwest peninsula.[34] Aerial bombing missions and strafing practice are carried out on neighboring cays to the north, west and east of Culebra. The Navy's acquisition plan would permit the introduction of Walleye missile targets on Culebrita, a small island immediately off the east coast of Culebra.

The Walleye missile is not procured in the current fiscal year and apparently it is in the process of being phased out as an obsolete weapon.[35] When asked why the Navy wants the Condor "rather than the Walleye" Admiral Moorer answered: "Because it is self-propelled and permits the pilot to stand well clear of the surface missile systems; whereas in the Walleye he has to come right down into the defensive environment."[36] At least one modern missile—Standard ARM—and probably other new missiles will have footprints or danger zones that are larger than the Walleye's and, if so, these new missiles cannot be used in training maneuvers at this site.[37] Even the Walleye cannot be fired under realistic wartime conditions. Due to the fact that Culebra is populated, both a speed restriction which is less than wartime conditions and a distance from launch to target restriction of 8 miles (less than ½ of the realistic wartime firing conditions) has been imposed on Walleye operations contemplated for the Culebra area.[38]

Any uninhabited island offers significant advantages to the Navy as an alternative to Culebra by permitting more realistic training and use of modern weaponry.

Two uninhabited islands off the west coast of Puerto Rico are available as alternatives to Culebra. Representative Cordova, the official representative of the Puerto Rican Government in Washington has stated that both Mona and the immediately adjacent, smaller island of Monita and the island of Desecheo are uninhabited and are presently owned by the Puerto Rican Government, and either would be made available to the Navy for its training maneuvers if the Navy would agree to abandon Culebra.[39] Desecheo would appear to be preferable to Mona and Monita because of its relatively greater proximity to Ramey Air Force Base and the fact that Desecheo is off to the side of the Mona Passage.

Depending on the Navy's ability to use more distant islands, there are numerous uninhabited islands in the Bahamian and the Virgin Islands chains. The island of Navassa is another possibility. This island lies between Haiti and Jamaica and it is both uninhabited and owned by the United States Government.

If the Navy requires a training site in closer proximity to Roosevelt Roads Naval Reservation than either Mona and Monita or Desecheo, an island can be built to the Navy's specifications in the vicinity of Arrecife Varriles, Arrecife Hermanos or elsewhere to suit the Navy's convenience. The two locations specifically suggested are in even closer proximity to Roosevelt Roads than Culebra and are in shallow enough water to permit economical construction and yet are sufficiently close to deep water and open seas to permit the same maneuvering space as is now provided at Culebra.

One company already has constructed a 75-acre island in the Bahamas with a deep channel and port for under $4 million.[40] This island is expected to grow to 200 acres by the end of the year. This company is under contract with the Bahamian Government to build 11 additional islands. Representatives of this company have indicated that they can construct an island of any dimension and any surface contour to the Navy's specifications in the vicinity of Culebra and Roosevelt Roads. Indeed, the parent of this corporation has already enlarged several islands in the Pacific, including Midway, for the United States Navy.[41]

If for any reason the Navy found it desirable to place such a target island in the midst of deep water, Dr. C. J. Wang, in charge of advanced engineering for ARPA [Advanced Research Project Agency] at the Pentagon, Dr. Armas Laupa of the Rand Corporation who serves as chairman of a technical committee advising ARPA and Floating platforms, and Mr. Joseph Bennett, a research program officer of the Office of Naval Research, have all stated that a floating platform of any dimension could be built that would withstand the impact of inert warheads and could be used as an alternative target instead of Culebra.[42]

FOOTNOTES

[1] Interview with Richard D. Copaken, Attorney for the Municipality of Culebra, May 18, 1970.

[2] Statement of Secretary of State Chardon on behalf of the government of Puerto Rico. Hearings before the Real Estate Subcommittee of the House Armed Services Committee ("Culebra Hearings"), June 11, 1970.

[3] Testimony of Richard D. Copaken, Culebra Hearings, June 10, 1970, pp. 29–30. (Page references are to stenographic transcript).

[4] *Id.* p. 29.

[5] *Armed Forces Journal*, 23/26 May 1970, p. 29.

[6] See generally, testimony of Thomas C. Jones, Jr., Attorney for the Municipality of Culebra, Culebra Hearings, June 10, 1970, pp. 51–68; *Armed Forces Journal*, 13 June 1970, pp. 20 ff.

[7] The Armed Forces Journal, 13 June 1970, stated that the polling "practices seem to present a model of objectivity. . . ." p. 20.

[8] See Armed Forces Journal, 23/26 May 1970, p. 39.

[9] Testimony of Thomas C. Jones, Jr., Attorney for the Municipality of Culebra, before the Real Estate Subcommittee of the House Armed Services Committee, June 10, 1970, in the Hearings on the Culebra Acquisition Report, Stenographic Transcript, p. 65 [Hereinafter cited as "Culebra Hearings"]. See also U.S. Navy, "Culebra Utilization Data," submitted to the Subcommittee.

[10] *See Special Report on the Execution by the Navy of Order No. 8684 of the President of the United States of America Respecting the Island of Culebra and the Civil Rights*, Puerto Rican Civil Rights Commission, p. 92 and *passim* (1970) [English version] [hereinafter "Civil Rights Commission Report"]

[11] "Culebra's Fight for Life," *Armed Forces Journal*, May 23/26, 1970, p. 39.

[12] *Id.*

[13] *See* n. 2, *supra*.

[14] Civil Rights Commission Report, p. 98 (1970).

[15] *Id.*, pp. 81–82.

[16] Culebra Hearings, p. 131.

[17] P. 92.

[18] Culebra Hearings, p. 133.

[19] Special Report, p. 92. See also the testimony of Claro Feliciano, Culebra Hearings, 76–78.

[20] Culebra Hearings, p. 73.

[21] P. 92.

[22] Culebra Hearings, p. 158. *See also, id.*, pp. 65–68.

[23] Based on memorandum of telephone conversation with Ricardo Cotte, U.S. Game Management Agent, Department of the Interior, Puerto Rico, June 19, 1970. Memorandum read and confirmed by telephone June 22, 1970.

[24] Interview with Claro Feliciano, Jr., May 23, 1970.

[25] Culebra Hearings, p. 72.

[26] *Id.*

[27] June 22, 1970, p. 27.

[28] *See Armed Forces Journal*, June 20, 1970, p. 25.

[29] *See Armed Forces Journal*, June 13, 1970, p. 29.

[30] Cong. Rec., Senate, June 11, 1970, S 8865.

[31] *See San Juan Star*, June 22, 1970, p. 27.

[32] *San Juan Star*, June 22, 1970, p. 27.

[33] *See, e.g. Wall Street Journal*, June 10, 1970, p. 1; *The Washington Post*, June 19, 1970, p. C–1; *The Sunday Star*, June 14, 1970, p. F–15; *The Washington Post*, Sunday, June 7, 1970, p. A–5; *The San Juan Star*, Friday, June 5, 1970, p. 1; *The Washington Post*, Wednesday, May 27, 1970, p. A–6; The Huntley-Brinkley Evening News, June 10, 1970; The Walter Cronkite Evening News, June 10, 1970; ABC Evening News, March 24, 1970; *The New York Times*, Wednesday, April 15, 1970, p. 45.

[34] Testimony of Richard D. Copaken, Attorney for the Municipality of Culebra, Culebra Hearings, p. 32–34 [based on interview with Captain Galennie, Cinclant Headquarters, May 19, 1970].

[35] Hearings on Military Posture before the House Committee on Armed Services, 91st Cong., 2d Sess., Feb.–April, 1970, part 1, p. 7357; Hearings on the Department of Defense Appropriations for 1971 before a Subcommittee of the House Committee on Appropriations, 91st Cong., 2d Sess., Feb. 24, 1970, part 1, p. 837.

[36] Hearings on the Department of Defense Appropriations for 1971 before a Subcommittee of the House Committee on Appropriations, 91st Cong., 2d Sess., Feb. 24, 1970, part 1, p. 837.

[37] See generally, *Armed Forces Journal*, June 27, 1970.

[38] Testimony of Richard D. Copaken, Attorney for the Municipality of Culebra, Culebra Hearings, pp. 36–37 [based on interview with Commander Preston, Roosevelt Roads Naval Reservation, May 23, 1970.]

[39] Conversation, June 16, 1970.

[40] *See* 1970, *New York Times News Service*, New York, April 8.

[41] See generally, *Armed Forces Journal*, June 27, 1970.

[42] Conversations on June 9 and 10, 1970. *See also* "Floating Airport," *Ocean Industry*, May, 1970, pp. 47–49 and "Over, On and Under Water: Three Astounding Structural Systems," *Design & Environment*, Spring, 1970.

Mr. GOODELL. Mr. President, the transcript of the June 10 Culebra hearings of the Subcommittee on Real Estate of the House Armed Services Committee makes it crystal clear, in great detail, that the education of Culebra's children, the island's economy, and its ecosystem are being greatly and irretrievably injured by the Navy's continued bombardment.

Accordingly, after several months of attempts to get the Navy to recede from its position in Culebra, I have concluded that the time has come for the Senate

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and the people of this country to take action to stop the bombardment of the Culebrenses.

I have, therefore, dispatched a letter to the distinguished senior Senator from Washington, Senator Jackson in his capacity as chairman of the Subcommittee on Military Construction of the Senate Armed Services Committee, recommending that he convene hearings on the Culebra issue. I have suggested that those hearings be focused upon the following questions:

First. What precisely are the technical purposes for which the Navy utilizes portions of the island of Culebra?

Second. Is the Navy's current utilization of the island fulfilling those purposes? In particular, is bombardment practice as presently practiced upon Culebra adequate training for a combat bombardment experience?

Third. What alternatives to the island are there which will meet the Navy's purposes?

Fourth. Should the Navy be permitted to fulfill its plan of taking over another third—2,350 acres—of the island?

Fifth. Should the Congress require the Navy to cease using Culebra totally for bombardment practice purposes?

A similar letter has been sent to Senator Stennis, the distinguished chairman of the Armed Services Committee, notifying him of my letter to Senator Jackson and seeking his support for the convening of subcommittee hearings on Culebra.

On Monday, July 6, I held a press conference on Culebra which was attended by several of New York City's most distinguished Puerto Rican leaders and by Senator Gilberto Rivera-Ortiz of the Puerto Rican Senate, who graciously came up from the island to present a statement on behalf of the President of the Puerto Rican Senate, Mr. Jorge Hernandez-Colon. We announced then the formation of a national Committee to Save Culebra, and invited support for that committee from all concerned citizens.

It is our expectation that Mr. Angel Ortiz, program director of the Puerto Rican Forum, and Mr. Juan Feliciano, the brother of the mayor of Culebra, will coordinate the ongoing activities of the committee.

I am circulating to my colleagues in the Senate and the House a letter which requests their support for and membership on this committee, which we hope will publicize the issue of Culebra and which will provide to Congress information bearing on the disposition of the issue.

The time has not yet quite arrived for legislation upon the Culebra issue. The Senator from Washington (Mr. Jackson) and Representative Bennett, the distinguished chairman of the House Real Estate Subcommittee, are currently awaiting replies from the Navy to their inquiries upon the availability of alternatives to Culebra, and absent such replies I do not feel legislation should be introduced at this time.

I am preparing appropriate proposed legislation to prohibit the Navy from using funds appropriated by Congress for bombardment practice upon Culebra.

NATIONAL CONVENTION OF RESERVE OFFICERS ASSOCIATION

Mr. THURMOND. Mr. President, last month the national convention of the Reserves Officers Association of the United States heard some inspiring remarks by the distinguished Senator from Mississippi (Mr. Stennis).

Speaking at the meeting in Philadelphia on June 18, 1970, Senator Stennis restated his belief that peace and freedom in the world would depend upon this Nation's willingness to retain its position of world leadership. He urged maintenance of a strong defense establishment and military reserve program in this connection and pledged his efforts in this direction.

Later in the convention, on June 20, the members of the ROA passed 16 resolutions which deserve the attention of the Congress and the Nation.

Mr. President, I ask unanimous consent that the speech by Senator Stennis of June 18 and the resolutions adopted on June 20 be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Address by Senator John C. Stennis

President Free, members of the Reserve Officers Association, and distinguished guests, I am delighted to be here with you today. Philadelphia, where the Founding Fathers met and the Liberty Bell is enshrined, is a fitting setting for the national convention of the citizen-soldiers who so proudly carry on the Minuteman tradition.

Yours *is* a proud tradition. Over the years you have taken strong and consistent positions on universal military training, on aid to Communist nations, on the necessity of strengthening and modernizing the reserve components of the military forces, on disarmament and arms control, on strong and aggressive opposition to communism, upon the necessity for maintaining powerful military forces in a maximum state of combat readiness, and in opposition to the ill-conceived Defense Department plan which would have merged the Reserves out of existence.

Your legislative and policy contributions on these momentous questions and problems, as well as others, have been outstanding!

New decisions are being made now regarding our future position in world affairs.

The key overall question is:

Shall we abandon our position of world leadership? I think not!

This does not mean that I believe we want to, or that we should try to, underwrite every area of the world and sustain every nation of the world, and sustain them largely singlehandedly.

However, in its broad concept our nation is the strongest nation in the Free World. By and large, we have the confidence of the people of the free nations of the Free World. Our own freedom and security are at stake, to a degree that requires an interest in other areas of the world and a cooperation by us with those nations who have major elements of freedom and are willing to defend that freedom to the death.

Our business interests and our investments are worldwide. Our essential raw materials are gathered from around the world.

I think that we must have, and that we shall have, a formidable military striking power, fully capable of deterring, and overcoming if necessary, any force that could possibly be sent against us by any one nation or combination of nations. For several solid reasons, the Reserves have a place and a part, a major part, in this necessary military power.

These are the things that I see in the picture for the future:

The reserve components of our military forces are among the most important military assets which this country possesses and, in a very special way, they are a tremendous bulwark to the security of our nation. They have been indispensable in the past and, no doubt, will be indispensable in the future.

Thousands of young Americans get much of their initial military training from reserve units. For thousands of others, who have already answered the call and rendered active duty military service, their reserve unit training keeps their military skills *sharp* and their physical condition *sound* and *ready* for a quick call to active military service if needed.

The added key to the worth of the reserve forces in these times is the closeness of their relationship to the active forces, fostered by peacetime planning and training, and their readiness to move from civilian pursuits to operational tasks with maximum speed.

The membership of the reserve forces includes thousands of Americans who have a deep and abiding respect and appreciation for military service, even though they do not follow it as a profession. However, they possess in full measure the special attributes of military leadership. I am speaking of those men who make such fine specialists, sergeants, lieutenants, captains, majors and senior officers. The value of these men to our military forces and national security cannot be overestimated. The fact that their talent, training, willingness to serve, and overall dedication would not be available as military assets if this country did not maintain reserve components makes clear the importance of our organized reserve program.

In addition, as you know, through the reserve forces we can equip and train competent military units at one-third to one-fourth of the cost of maintaining similar units of atcive duty forces with the same functions and general missions. This is one method by which we can get maximum value from the military dollar.

Furthermore, I am always gratified when I remember that the men of our reserve units are almost invariably active members of and leaders in their home communities throughout the nation—possibly to a greater extent than any other group. They understand the necessity of military preparedness for the security of our nation, but they also know that, while communities build citizens, someone must build the communities. The citizen-soldier concept and team is all-American.

The members of the reserve components influence their associates and neighbors daily. Therefore, they are the "leavening" influence among the local people in the creation and continuation of a strong and informed public sentiment favoring adequate preparedness and strength. Thus, the reservists have great influence throughout the nation increating support for an adequate military program. Our friends in the regular military establishment do not fully appreciate or realize this fact.

It is through our reserve system that we can insure that we have formidable military striking power, backed by favorable public support, and ready to move on short notice.

However, we must also be practical. We must recognize that if we are to maintain reserve forces the utilization of reserves must be included in our contingency planning, and we must follow through and call them to active duty to perform the missions for which they were trained when the circumstances and contingencies arise which makes such action necessary or advisable.

We must never repeat the mistake we made in 1965 when we violated the "one Army" concept and created so many severe and critical logistical problems in Southeast Asia by failing to call reserve units to active duty. It makes little or no sense to spend billions to recruit, equip and train reservists for contingencies and emergencies and then fail to call them to service when the contingency occurs.

More essential than ever before is manpower of *quality* and high standards in the reserve ranks. Of *equal* importance is the best and most *inspiring leadership* available *and* adequate and *effective training* in the prescribed military skills. Discipline and morale must be maintained as an absolute necessity.

The war in South Vietnam is now in the process of winding down as far as U.S. manpower is concerned, if our troop withdrawal continues, we shall, within two years, get down to the pre-Vietnam manpower level in our active duty forces of 2.5 million, or less.

As our active duty forces are reduced, the proposal for an all-volunteer military establishment is being pushed. This may be possible at some time, but in my judgment it is many years away. However, I know that you recognize that this is important to our organized reserves because if the draft is abandoned then our reserve components may be faced with very difficult recruitment problems.

Modern and effective equipment is also necessary for the reserve components if we are to have an effective force of high quality. We are in an era of austere military budgets which I believe will continue and, therefore, I do not believe that it is reasonable to expect that the reserve components will promptly receive new "direct buy" equipment in large quantities. However, many of the active duty units returning from Southeast Asia are bringing with them modern, effective and usable equipment. Much of this can and should be allocated promptly to the reserves, with a fair share of new equipment to follow.

To sum up, if we are to have effective and hard hitting reserve forces, we must make sure that they have quality manpower, adequate training, and modern and effective equipment, and we must insist that they be an integral part of our contingency war planning and be used in emergencies when they are needed.

When the shooting stops in Southeast Asia, the competition for the tax dollar will be even more fierce than today and military dollars will not be easy to obtain. The cost of the sophisticated and complex—but essential—modern weapons will continue to climb. We can expect a significant reduction in our regular military personnel level. I might add that this is the surest and quickest way to reduce military spending since about 60% of the defense dollar goes for military pay and allowances and operation and maintenance.

So I believe the future brings to the reserves a great challenge, but it also presents them with the greatest opportunity they have ever known. I believe that you should be given added assignments and missions. This means that you must receive the necessary support and be given the funds, training and equipment which are necessary to carry out such expanded assignments and missions. It also means that there must be a firm national policy to call reserve units to active duty and to use them for the purpose for which they were trained at an early stage in any significant emergencies requiring the augmentation of our regular forces.

All of these conditions should be firmly established, and the operational policy should be well known in advance by every reservist so that he will have no doubt that he may be called and no doubt as to the duties he may be called on to perform. The future of this nation may well depend upon the patriotism, dedication and courage of our citizen-soldiers who back up our active duty forces.

For my part, we shall not spare the Reserves from grave missions, nor deny them the training and the tools to do their job.

Resolutions Adopted by the Reserve Officers Association of the United States

RESOLUTION NO. 1. SUPPORT OF THE PRESIDENT'S CAMBODIA ACTION

Whereas, the President of the United States as Commander-in-Chief of the Armed Forces has directed that the enemy be denied the utilization of Cambodian territory contiguous to South Vietnam, and

Whereas, to accomplish this limited military objective he has authorized the pursuit of and removal of the enemy from alien occupied territory of Cambodia, and

Whereas, without the aid of refuge, storage of supplies and unintercepted passage in and through Cambodia the ability of the enemy to conduct military operations will be reduced and hopefully the war in Southeast Asia will be shortened and our casualties minimized.

Now therefore be it resolved by the Reserve Officers Association of the United States that this Association, confident in the judgment and leadership of the Commander-in-Chief, fully and wholeheartedly supports the Cambodia decision of the President, and

Be is further resolved, that we urge all Americans to join with us in supporting our President.

RESOLUTION NO. 2. READINESS OF RESERVE FORCES

Whereas, Active Forces are being reduced, and

Whereas, public statements have been made by high governmental officials that increased reliance must be placed in Reserve Forces and that Reserve readiness must be increased, and

Whereas, traditionally this nation has relied on its citizen-soldier concept to provide for adequate defense,

Now therefore be it resolved that the Reserve Officers Association of the United States urge that as the Active Forces are reduced that the Reserve Forces size, both in units and in the number of individuals, be increased, properly equipped and adequately supported in order to provide for the adequate defense of our nation.

(This Resolution supersedes Resolutions No. 17, 27 Feb. 1970, No. 10, 21 Feb. 1969 & No. 38, 22 June 1968)

RESOLUTION NO. 3. SEPARATE APPROPRIATIONS FOR RESERVE FORCES

Whereas, this Association is on record in testimony to the Congress in support of Public Law 90–168 in requesting the establishment of separate appropriations for the Reserve Forces for Operations and Maintenance, this position having been reaffirmed in testimony before the present session of the Congress, and

Whereas, this Association reaffirms and supports the aforementioned concept and that further, it advocates the expansion of the concept to include separate appropriations for the various Reserve Forces,

Now therefore be it resolved that the Reserve Officers Association of the United States urge the establishment of separate appropriations for the Reserve Forces of each service for the funding of all Reserve fiscal requirements.

(This Resolution supersedes Resolution No. 21, 21 February 1969)

RESOLUTION NO. 4. RESERVE TRAINING INSTALLATIONS

Whereas, Congress in 1965 supported the policy of retention of a military reserve force as an important adjunct to our regular military forces, as important to our nation's security at the time the Department of Defense attempted to decimate reserve forces, and to place the small remaining force in the National Guard, and

Whereas, such action by Congress was commended by this Association and all Americans favoring a strong, vital, reserve force for preservation of our nation and our way of life, and

Whereas, despite the action by Congress, the Department of Defense has gained much of its objective by causing military bases, used for Reserve training, to be closed, and therefore, causing deactivation of such units for lack of a suitable place to train,

Now therefore be it resolved that the Reserve Officers Association of the United States support retention and reestablishment of Reserve training sites.

(This Resolution updates and supersedes Resolution No. 8, 23 June 1967 and Resolution No. 14, 27 February 1970)

RESOLUTION NO. 5. TO PROTECT INTEGRITY OF EARNED RETIRED PAY

Whereas, current statutes exempt the retired pay of Reserve officers and enlisted persons from reduction because of Federal employment, although exempting only a part of the retired pay of retired regular officers, and

Whereas, recently the decisions of several courts tend to regard wages or income obtained by employment in activities deriving more or less indirectly a portion of their support or income from Federal funds as subject to Federal legislation or restrictions, and

Whereas, it could well be but a short step from this attitude to decisions and efforts to apply to military retired pay such income limitations as are now applied to Old Age and Survivors Insurance income, and

Whereas, military retired pay is earned income, and in justice should not be subject to elimination or reduction by reason of the receipt by a military retiree of income to which he may become entitled from other sources,

Now therefore be it resolved that the Reserve Officers Association of the United States urge the enactment by the Congress of legislation which will abolish, and for the future prohibit, any statute, regulation or decision which would limit or make deductions from earned military retired pay, whether of Regular or Reserve, by reason of receipt by the retiree of income from other sources, whether civilian or governmental.

(The Resolution updates and supersedes Resolution No. 2, 24 February 1967)

RESOLUTION NO. 6. RETIREMENT CREDIT FOR PRESCRIBED TRAINING ASSEMBLIES

Whereas, current law now prohibits the credit of retirement points in excess of 60 points for prescribed training assemblies or periods of equivalent instruction, and

Whereas, in the interest of improved readiness many units are required to schedule training periods in excess of 60 each year, and

Whereas, many members of certain units are carrying out missions of mercy and in the support of active forces in a training status, and

Whereas, legislation has been proposed which would increase the limitation of 60 points credit,

Now therefore be it resolved that the Reserve Officers Association of the United States support legislation which would provide retirement credit for attendance at each prescribed training assembly.

RESOLUTION NO. 7. TRAINING STATUS OF STANDBY RESERVISTS

Whereas, Department of Defense Directive 1215.6, August 25, 1969, Uniform Training Categories and Pay Groups with the Reserve Components, in Paragraph IV E thereof, prohibits Standby Reservists from participating in training (except those with obligations, temporarily assigned for hardship, retained after 18 "satisfactory" years or members of Congress and other key Federal employees,) and

Whereas, such a policy is discriminatory and denies training to those who can logically be expected to be available to serve in war or national emergency, and

Whereas, the provisions of sections 273, 672, and 674 of title 10, U.S. Code governing

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the Standby Reserve do not contemplate such restrictions,

Now therefore be it resolved by the Reserve Officers Association of the United States that the Secretary of Defense be urged to rescind the provisions of DoD Directive 1215.6 which prohibit Standby Reservists from participating in training.

(This Resolution updates and supersedes Resolution No. 9, 23 June 1967.)

RESOLUTION NO. 8. INCREASED ALLOWANCE FOR CERTAIN PERSONNEL UNDER CHAMPUS

Whereas, the dependents of active duty military personnel are currently entitled to civilian hospitalization under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), and

Whereas, such active duty dependents pay the first $25 or $1.75 per day, whichever sum is larger, and the balance of the hospital bill is paid by CHAMPUS, and

Whereas, dependents of deceased members of the uniformed services are required to pay 25% of the total hospital bill in civilian hospitals, and CHAMPUS pays the remaining 75%, and

Whereas, the financial need of a widow with children when she loses her active duty husband is greater rather than less, and

Whereas, the availability of dependent medical care in uniformed services medical facilities is decreasing each year and increasing reliance must be placed on dependent care in civilian hospitals, and

Whereas, the government has a continuing obligation for the welfare of widows and dependent children of deceased active duty members,

Now therefore be it resolved that the Reserve Officers Association of the United States urge that the Department of Defense propose legislation to amend the Dependents Medical Care Act of 1956 to provide that widows and dependent children of deceased active duty personnel receive the same financial assistance for civilian hospital care as was available when the member was alive.

RESOLUTION NO. 9. MILITARY CHARTER FLIGHTS

Whereas, the Civil Aeronautics Board (CAB) has proposed to restrict the eligibility for low-cost, trans-Atlantic charter flights to overseas active duty personnel and their dependents, and to shift the responsibility for organizing such flights from independent travel agencies to the Defense Department (DoD), and

Whereas, the CAB proposal would eliminate advertised fares and require the cost of each flight to be pro-rated among the passengers at departure time, and

Whereas, low-cost, trans-Atlantic charter flights are now open to overseas and stateside active duty personnel, retired military, DoD civilians, and dependents of each category, only to and from Europe and the United States, and

Whereas, members of the Reserve Components who have signed a Ready Reserve agreement and are in a drilling status, and those in the Retired Reserve, and their dependents should be among those designated as "charterable" passengers,

Now therefore be it resolved that the Reserve Officers Association of the United States urge that low-cost advertised overseas charter flights be open to overseas and stateside active duty personnel, Reserve personnel, military retirees and DoD civilians and dependents of each category.

RESOLUTION NO. 10. NUCLEAR POWER IN THE CONSTRUCTION OF NEW COMBATANT NAVAL SHIPS

Whereas, there now exists a program of new construction for Naval ships, and

Whereas, the world's foremost authorities in this field have testified to the Congress as to the need of nuclear propulsion plants in all Naval primary combatant ships,

Now therefore be it resolved that the Reserve Officers Association of the United States urge the Congress to continue its efforts to provide nuclear power plants in the new construction programs of primary combatant ships of the Navy.

RESOLUTION NO. 11. NAVAL AIR RESERVE AIRLIFT CAPABILITY

Whereas, COMAVAIRESFOR/CNARESTRA has for over 20 years implemented its program of training at geographically distributed locations by airlifting to those sites valuable pilot and other specialized aviation personnel from areas beyond range of automobile travel, and

Whereas, a large majority of airlift aircraft are World War II vintage C–54s which, are being phased out at a present rate of more than 33% per year, and

Whereas, recent reorganizations of the Naval Air Reserve Program have resulted in even greater geographic dislocation of Reserve Pilot and aviation specialists from their training sites,

Now therefore be it resolved by the Reserve Officers Association of the United States that the Secretary of the Navy be urged to provide adequate airlift capability to insure continued transportation of pilot and specialized aviation personnel to their training sites.

(This Resolution updates and supersedes Resolution No. 4, 24 Feb. 1967)

RESOLUTION NO. 12. RETENTION AND FUNDING OF AIR FORCE RESERVE UNITS

Whereas, it has been announced that the Department of Defense will suffer severe budgetary restrictions within the next several years, and

Whereas, the threat to the security of our nation has not diminished, and

Whereas, the Air Force Reserve should logically be assigned roles and missions to meet that threat, and

Whereas, it is a loss of valuable human resources to transfer a Reserve unit with fully trained personnel from one geographical location to another when equally important missions can be found for that unit,

Now, therefore be it resolved the Reserve Officers Association of the United States once again urge the Air Force and Department of Defense to maintain the number and strength of the Air Force Reserve units presently in existence in order to retain all current personnel, skills, and physical resources so that they can absorb new missions as required.

(This Resolution supersedes Resolution No. 24, 21 February 1969).

RESOLUTION NO. 14. SUPPORT OF THE AIR RESERVE SQUADRON TRAINING PROGRAM

Whereas, the Air Force has only a limited number of Reserve units organized to serve on active duty as units, and

Whereas, these limited numbers of units cannot provide training to the thousands of Air Force Reserve officers, and

Whereas, the Air Reserve Squadron program was designed to provide general training to officers who cannot be assigned to organized units,

Whereas, this lack of active duty support to these squadrons has caused many devoted and qualified Reservists to lose interest and become inactive, and

Whereas, the Air Force can ill afford to lose this vital resource in case of war or emergency,

Now therefore be it resolved that the Reserve Officers Association of the United States urge the Secretary of the Air Force to obtain proper funding for the Air Reserve Squadron program and to provide sufficient facilities, equipment and other support to maintain a strong Air Reserve Squadron program in order to provide appropriate training to Air Force Reservists who cannot be assigned to the organized unit program.

RESOLUTION NO. 15. NONSELECTION OF ACTIVE DUTY AF OFFICERS FOR PROMOTION

Whereas, it is evident those officers not selected for promotion to temporary Major or Lieutenant Colonel have a progressively lesser opportunity for promotion with each subsequent consideration, and

Whereas, those officers who through correction board action successfully remove nonselections from their records, still do not have an equitable opportunity for subsequent promotion, and

Whereas, the officer's increasing age, and apparent failure of selection for promotion by previous boards adversely affects his opportunities for future selection, even after his successful correction or removal of records which were contributing factors to the earlier nonselection, and

Whereas, the Air Force Correction Board determination that an original failure of promotion was unjust clearly implies that the officer should have been promoted, and

Whereas, the administrative removal of unjust nonselection without concurrently providing the promotion unjustly denied, does not impose any obligation on subsequent boards to select the officer for promotion, and

Whereas, the original injustice of nonselection, even though administratively removed, almost invariably becomes a permanent injustice by preventing further advancement.

Now therefore be it resolved that the Reserve Officers Association of the United States request the Secretary of the Air Force to provide for the promotion of an officer with an effective date of rank and pay originally denied, immediately upon determination by the Air Force Board for Correction of Military Records that the original nonselection was unjust.

RESOLUTION NO. 16. DISTRIBUTION OF THE AIR RESERVIST MAGAZINE

Whereas, the Air Reservist magazine, in its June 1970 issue, announced that as a matter of needed economy future issues would not be mailed to Standby and Retired Reservists, and

Whereas, this magazine serves as a valuable public relations asset to the Air Force in the hands of informed Standby and Retired Reservists, many of whom are influential citizens in their communities, and

Whereas, Reservists in the Standby Reserve include obligors and other reservists who are still active in Reserve programs for whom the failure to receive the Air Reservist would adversely affect their morale,

Now therefore be it resolved that the Reserve Officers Association of the United States request the Air Force to continue its present distribution of the Air Reservist to Standby and Retired Reserves.

REFINEMENT OF MATERIEL ACQUISITION PROCESS

Mr. BYRD of Virginia. Mr. President, I have said many times that in trimming the Defense Department budget, we should find a way to cut the fat but leave the muscle.

All of the military services are aware of the need to make their operations run as efficiently as possible and are constantly striving toward that end.

Along these lines, Mr. President, the Army has instituted a "Program for the Refinement of the Materiel Acquisition Process."

I ask unanimous consent that a briefing on this new program, given by Maj. Gen. Paul A. Feyereisen to the Defense Industry Advisory Council, be printed in the Record.

There being no objection, the briefing was ordered to be printed in the RECORD, as follows:

Program for the Retirement of the Materiel Acquisition Process

Secretary Packard, Distinguished Gentlemen of the Conference, I am most pleased and privileged to report to the Defense Industry Advisory Council on our plans and progress for the improvement of the materiel acquisition processes within the Army. We feel our report today is most appropriate—since we are aware of your efforts to achieve such improvements—and we seek your constructive comments and suggestions on our performance to date.

I will be speaking from the Army Materiel Command, which I shall refer to as AMC, point of reference—and, as you know, AMC is the Army's major operating command for the management of the acquisition, distribution, maintenance and disposal of all Army materiel. The following indicates the magnitude of the funds maneged by AMC, in billions of dollars:

Activity	Fiscal year 1969	Fiscal year 1970
Research, development, and engineering	$1.0	$0.8
PEMA, new contracts	9.5	7.6
PEMA deliveries, prior year funds	9.1	7.5
Army stock funds	1.1	.7
Total	20.7	16.6

Before getting into the details of my presentation, it appears appropriate to highlight the AMC Command Group structure—since its very structure highlights the emphasis being placed on the management of Army materiel acquisition. In addition to his primary Deputy—Lieutenant General Miley—the Commanding General of AMC, General Chesarek, utilizes three additional Vice Presidents for the direction and control of the Army Materiel Command and its 150,000 individuals.

His Deputy for Laboratories maintains liaison with the scientific community and directs those functions directly associated with applied research and exploratory development. My role as Deputy for Acquisition includes a primary liaison with Industry—and, internally, the direction and control of those functions associated with the development of materiel, test and evaluation, identification of requirements, and the procurement or production of Army materiel. His third Deputy for Logistics Support maintains liaison with the Army in the field, and internally, maintains direction and control of those functions in the life cycle of materiel associated with distribution, depot operations, movement, and maintenance and disposal.

My presentation will now develop the general background and scope of the Army's materiel acquisition improvement program. I will discuss how AMC structured its implementation of the Army program and will cite examples of our performance. Finally I will discuss the overall keys to the success of this improvement program.

The emphasis this year within the Army to improve our materiel acquisition processes followed the receipt of Secretary Packard's 31 Jul 69 directive on the subject. Secretary Packard highlighted 5 principal problem areas in need of attention: (1) excessive optimism in cost estimates, (2) control of changes in on-going programs, (3) inadequate assessment of risk prior to system development, (4) need for competitive prototypes in development, and (5) concurrency in development/test and production.

The Army took seriously the Secretary's guidance—and proceeded to formulate a program for action in implementation of his guidance. In addition to the five problem areas highlighted by Secretary Packard, the Army extended its improvement program to the entire acquisition cycle for materiel—and addressed overall program management of materiel acquisition. The following areas became highlighted in Secretary of the Army Resor's improvement program:

1. *Life Cycle Program Management:* Total Weapon System Planning, Validation of Cost Estimates, Project Management, Program Reviews.
2. *Concept formulation:* Improved System Definition, Initial Life Cycle Cost Estimate.
3. *Contract Definition and Source Selection:* Increased Use of Prototypes, Source Selection, Should-Cost, Training in Negotiation, Analysis of Technical Risk.
4. *Engineering Development and Production:* Contractor Motivation, Contractor Performance Measurement, Cost and Performance Reviews of On-going Contracts, Contract Changes, Test and Evaluation.

Because of its materiel role, the Army Materiel Command became the primary organization within the Army for implementing the Secretary's improvement program. We identified this activity as the AMC "Program for the Refinement of the Materiel Acquisition Process—PROMAP–70."

With the Secretary's program structure—and in response to Secretary Packard's guidance—we identified, initially, some 38 tasks to which we would give primary attention for improvement. The 38 original tasks have now been extended to some 49 tasks within PROMAP–70. The focus of the PROMAP–70—in terms of time—is on Calendar Year 1970. A Task Director—a senior officer or civilian associated with the functional area involved—was appointed at Headquarters, AMC for each of the 49 tasks. Within each task we identified specific actions—from 5 to 15—which provided detailed guidance and commitment for the improvements to be accomplished.

In addition, our eight major subordinate commands and Army project managers were involved. This result in some 45 project manager improvement programs and some 250 subordinate command task directors identified and applied to the program. All in all we believe that PROMAP–70 will impact on about 50,000 AMC employees—approximately ⅓ of the AMC workforce.

Here is the typical structure for each of the 49 PROMAP–70 tasks:

1. Area for Improvement (Title).
2. Objectives.
3. Scheduled Actions: Immediate, Long Range.
4. Orientation Needs.
5. Training Needs.
6. Application to Systems.

Each task is identified with a particular area in the acquisition process on which we intend to effect an improvement. The objectives to be achieved must be clearly stated and be such that the actions which flow from the objectives may be measurable. The many scheduled actions are identified and timed. Once we have identified the work to be done, we determine the requirement for orientations and formal or on-the-job training to accomplish the particular task or action. Finally, the improvement will only be realized when we apply the changed policy or procedure or technique to actual systems being developed and procured. Here is the pay-off area in PROMAP–70.

Time will not permit a full disclosure of work being accomplished within each of the 49 tasks and over 300 actions. However, for the remainder of this presentation, I will highlight some of the tasks and actions, their content, and accomplishments to date. In each instance, I will identify the item as a task or action.

The first example is an action in the area of project management. We recognize that good performance on project managed systems is dependent initially on the quality of the project manager, or PM, himself. We agree with Secretary Packard's guidance to put more capable people into program management—and give them responsibility and authority to do their job well. Late last year, AMC recommended the upgrading of PM selection criteria to improve our PM posture as follows:

Criteria for selection	Old	New
B.S. degree	×	×
Command/staff college	×	×
Outstanding performance	×	×
Potential general officer	×	×
M.A./M.S. degree		×
Senior service school		×
Colonels, lieutenant colonels (promotion list)		×
Not within mandatory retirement		×
3-year minimum tour, 4-year desirable		×
Forecast vacancies 18 months		×
Command experience		×

In the past, the prospective PM required a BS degree, was a graduate from a Command and General Staff College, had a record of outstanding performance, and represented potential for general officer rank. By our improvement action—and in addition to these 4 criteria—we now insist that the candidate also have an advanced degree, have completed the Industrial College, National War College, or Army War College, be a junior full colonel or a "promotion list" lieutenant colonel, and not be within mandatory retirement age for the intended tour as PM. We have identified the assignment of PMs with a three year minimum and four year desirable tour of duty. We now are forecasting the fulfilling of our vacancies 18 months in advance to provide us with the opportunity of not only selecting but grooming the very best and most capable officers as PMs. General Chesarek and I recently have personally selected 11 PMs under these new criteria. Each officer considered and ultimately selected met all of the requirements. We believe this action represents a major step toward obtaining PMs for Army projects who are best and fully qualified for the role.

As a further action within the PM concept, we have reviewed the typical structure of Army PM offices. These offices, prior to this action, consisted essentially of 4 divisions: program management, technical management, procurement/production, and logistical support. Following our review, we have added 2 offices to the typical PM structure. These are a Configuration Management Office to control and reduce changes and reduce data required from the contractor, and a Product Assurance Office to highlight the need for and influence the reliability, maintainability, engineering and product validation of his system. Furthermore, we have highlighted through special attention, analysis, and review those PM functions in which we are seeking improvement throughout 1970. The functions being highlighted are those associated with life cycle cost estimates, development concept papers, selected acquisition reports, work breakdown structure, threat analysis, coordinated test plan, integrated risk analysis, tech data package, cost reduction, and integrated logistics support.

My next example combines two tasks within PROMAP–70 which address the very important but deficient area of cost analysis and cost estimating on major materiel systems. Here we established 4 basic objectives: (1) disciplined, responsive, life cycle cost estimates and analysis, (2) resources needed for life cycle cost estimates, (3) cost baseline early in concept formulation, and (4) continuous tracking and periodic validation capabilities.

Because of the importance of this area, we first did a comprehensive profile study of the AMC capability for cost estimating and cost analysis. This was accomplished early last Fall. We found we were deficient and additional capability was required. Accordingly, 250 personnel spaces were reallocated to AMC Headquarters, PM offices, or commodity command offices for this purpose. We next surveyed our cost data base—and found that none existed. In response to this deficiency, we identified the need for 7 Cost Data Centers within AMC. Four of these 7 centers have now been established, and the other 3 are in the process of being formed. Our profile study also evidenced the need for formal training for many of our personnel in life cycle cost estimating and cost analysis. For this purpose 4 new training courses have been identified for use within the Army and the need for 2400 man weeks of training was established.

Finally, the object of all of our improvements is their application to actual systems and equipments being acquired within the Army. We approached the application of our improved cost estimating and analysis capability on the following phased basis:

Phase 1: HQ, AMC.—Utility tactical transport system, Army area communications system, Lance weapon, armored recon scout vehicle, M60A1E2 tank.

Phase 2: Subordinate Command.—Heavy lift helicopter, tactical fire control, family eng construction equipment, improved Hawk weapon, selected ammo 155mm, mechanized infantry combat vehicle, vehicle rapid fire weapon system.

Phase 3: PM.—Cobra helicopter, mobile assault bridge, Dragon weapon TOW weapon, 152mm ammo, Gama Goat ¼ ton vehicle.

In Phase I, completed early this year, we formed 5 life cycle cost estimating teams and applied them to 5 of our major materiel systems. In this phase, the teams were headed by AMC Headquarters but each included representation from the respective PM office and the Commodity Command Headquarters involved. At the conclusion of this phase, we compared the process applied by each and developed a "draft" model for life cycle cost estimating. We then proceeded into Phase II, where we applied the "draft" model to 7 additional major systems. In this phase, we decentralized the leadership of each team to our major subordinate commands, with participation by the appropriate PM offices. These life cycle estimates are being completed during this month. In Phase III we again will extend the responsibility for cost estimating to the PMs themselves and will apply it to 5 additional systems. In this phase, the PMs will assume their full responsibility and capabilities of the commodity commands and Headquarters AMC will be available to assist them. Following the completion of Phase III, we believe that life cycle cost estimating of our major systems and other major equipments will be developed under this new procedure and will result in greatly improved life cycle cost estimates.

I have mentioned the importance of formal training in the improvement of the manner in which we do our acquisition business. We have some 34 existing courses which are applicable to the materiel acquisition process within the Army. As a result of our evaluation of training needs, we have increased this training from 6800 man weeks available in the past few years to 7700 man weeks during the current fiscal year—thence to approximately 11,000 man weeks in FY 71. In addition, we have or are introducing the following 13 new courses of instruction on subjects which are vital to the improvement required in the various areas under PROMAP–70:

Cost Analysis (4 wks).

Cost Estimating Techniques for System Acquisition (5 Wks).

Cost Estimating Workshop (1 Wk).

Risk Analysis Orientation (1 Wk).

Risk Analysis Techniques (2 Wks).

Integrated Logistics Support (6 Wks).

Should Cost Seminar (3 Days).

Preparation of Industrial Plant Equipment for Storage or Shipment (1 Wk).

Configuration Management (2 Wks).

System Engineering Techniques (2 Wks).

Managing With Contractor Performance Measurement Data (2 Wks).

Production Base Management-Orientation (3 Days).

Production Base Management (Introduction to Numerical Control (2 Wks).

The totals of this additional training are impressive—moving from 6,814 man weeks average in the past few years to 8,241 man weeks in FY 70, and 16,486 man weeks in FY 71. Equally impressive is the number of trainees who will receive this instruction—moving from approximately 2,994 yearly in the past to 3,729 in FY 70, and to 9,889 in FY 71.

My next example concerns data required from contractors. In this action, the Army has strived to reduce the items authorized for use on acquisition contracts. The Authorized Data List provides a standard boiler plate for Government contracts—calling forth various types of information from Government contractors. Government officials, of course, select those authorized data items for the particular purpose, extent, and type of contract. Late last year the Army reviewed those Authorized Data Lists and effected a reduction from 267 to 219 types of data for possible use on Government contracts.

Secretary Foster recently has provided guidance in this area to the Services—with the objective similarly of reviewing and reducing these items on the DOD Authorized Data List. The Army will respond to this directly and again revise its need for data on Government contracts. We shortly will set forth objectives for this action.

Next I'd like to cover one of the most significant tasks within PROMAP–70, refinement of requirements documentation. The objective was to review comprehensively our existing formats and procedures used in establishing materiel requirements—and to make recommendations for correcting our shortcomings. AMC, in cooperation with the Combat Developments Command, (CDC), has now identified and recommended that a single requirements document—in lieu of some four or five existing documents—be used as the Army requirements documentation. It will be identified as a "Materiel Need" and will permit the trade-off consideration between operating requirements and technical design. At each In-Process Review during the acquisition cycle the "Materiel Need" document is being established as a joint AMC-CDC document—and will only contain sufficient detail to accommodate the particular phase being accomplished during the acquisition process for a particular system. It will lead, however, to a detailed statement of need for approval at the production stage and will be utilized to adequately describe the desired production by industry. In short, we shall start with parametric rather than absolute requirements and effect trade-offs as we proceed.

Incident to this revision, the documentation processing time has been reduced from 2½ years to 30 weeks. The number of steps prescribed have been reduced from 239 to 153 and the process involves face-to-face meetings between the developers and users on a recurring basis. Seven systems have been selected for application of the single document technique.

Next let's take a look at the area of prototype development. The use of competitive prototypes to identify and reduce risks in the early acquisition phase has been promulgated by the administration, and emphasized by both Secretaries Packard and Foster. Under, the PROMAP task in this area we have sought to identify those forthcoming Army developments in which it would be appropriate to apply the concept of competitive prototypes. I will not go into each of the systems identified but I will highlight to you some 13 development programs to which we have or are applying this concept. They are:

Ultra Reliable Area Radio.

Tactical Radio Communication System.

Forward Looking Infra Red Sensor.

Cargo Containers.

Family of Power Converters.

5 & 10 kw Generator Sets.

Diagnostic Test Equipment UH–1 Aircraft.

155mm Binary Projectile.

Ammo for General Purpose Machine Gun.

High Performance Fuze.

Underwater Vehicle Mining System.

Remote Aerial Mine.

Anti Personnel Mine.

Moreover, the following 9 important new development programs are being considered for the application of competitive prototyping:

Armored Reconnaissance Scout Vehicle.

Heavy Lift Helicopter Components.

1.5 Fuel Cell Electric Power Sources.

Multipurpose Unit Mine.

Unmanned Aerial Surveillance System.

Loran C/D Airborne Navigation System.

Family of Military Engineer Construction Equipment (FAMECE).

Advanced Light Anti Tank Weapon (LAW), 1972.

Missile System Target Illuminator.

For a number of years, we have been giving lip service to the importance of identifying the elements of logistics support early in the life cycle phases of system acquisition with the hope of influencing not only the system design but more particularly to reduce the extent and cost of such support during the operating phases of the materiel being acquired. Our success has been quite limited, due to the difficulty involved in accomplishing this sort of integration and the added cost and effort associated with accomplishing the logistical support elements during the early phases of materiel development.

The structure of the Army Materiel Command—namely, the inclusion of both development, production, and logistical support under a particular single commodity command for a particular type of materiel—both highlights the need for this early integration of logistical support concept into the design of future materiel as well as the means for facilitating this integration of life cycle functions at an early stage. We recognize—as recently mentioned in OSD guidance on materiel acquisition—the need for doing this in such a manner as to preclude duplication and excessive non-productive work for logistical support in the early phases of development. However, we are of the mind that such integration can be considerable—with cost and operating personnel advantages—during the long operating phase for the particular materiel. Accordingly, in the PROMAP task Integrated Logistic Support, we are conducting a comprehensive orientation program concerning what is involved in the prudent application of integrated logistical support through the life cycle. We will train a considerable number of individuals in the details of this and will apply it carefully to representative systems shown in this table:

ORIENTATION, TRAINING, APPLICATION TO SYSTEMS

[In number of personnel]

	Fisca lyear 1970	Fiscal year 1971
Orientation	2,505	1,400
Training	71	120

Application (Representative Systems): Cheyenne helicopter, mechanized infantry combat vehicle, armored recon scout vehicle, SAM–D missile, heavy lift helicopter, Hawk missile, Lance missile, Mallard communications system, main battle tank, vehicle rapid fire weapon system.

The task for improving the Management Information System (MIS) for PMs was commenced early this year with the intent of providing a software library of simulated routines for use by Project Managers on their systems. Indicated below are the principal features of the old and new MIS resources for PMs:

Principal features	Old	New
Little MIS expertise at the PM level	×	
Software routines-little control	×	
AMC central library of routines applicable to the PM management		×
MIS expert at each PM office for application of routines		×
Data storage and retrieval module supports routines		×
Routines for PM trade offs (time-cost-tech and user needs)		×

In the past, each Project Manager devised his Management Information System with little expertise at his level and with questionable integration of the various routines for the management of his system. Under this task we are applying MIS expertise to the development of a simple library of routines applicable to Project Management. We expect to place an MIS expert at each Project Management Office for the proper application of selected routines and finally, routines are being established within the library with particular emphasis on trade-offs between time, cost, technical factors and user needs.

Under another task, we have developed a roster of qualified individuals throughout AMC for use on Source Selection and "Should Cost" teams. The old and new system for staffing these teams are indicated here:

	Old	New
Only local personnel selected	×	
Mainly procurement personnel selected	×	
AMC-wide roster		×
Interdisciplinary experts		×
Qualification summaries used		×

The new system contrasts to our previous practice of selecting personnel for these purposes from local sources only and essentially selecting individuals with procurement backgrounds only. The roster now includes some 321 carefully selected nominees throughout AMC and represents the disciplines associated with cost estimating, cost analysis, pricing, industrial and developmental engineering.

The Army, along with its sister Services, is participating in the Cost/Schedule Control System Criteria (CSCSC) program sponsored by OSD. The objective, quite obviously, is to apply this system of cost and schedule control to our large and new acquisition programs.

To date, the Army has conducted a demonstration review of AC Electronics, has actively participated in the publication of an Army pamphlet which describes the purposes and procedures for implementing CSCSC and is in the process of preparing a course of instruction in this area.

Again, the key to success is the application of CSCSC to our large programs. Here are our immediate intentions:

Main battle tank.

Improved Hawk weapon.

TNT explosive.

Army scout vehicle (or mechanized infantry combat vehicle).

Technical control facility-AACOMS (AN/TSQ 85).

The decreasing Research and Development budgets may well affect some of these systems that we have proposed.

Both the Congress and Defense Department have indicated the desire for an increased use of competitive procurement. As a corollary, formal advertising in competitive procurements is also being stressed. As an action under PROMAP–70, the Army has made considerable progress this year and we should have a good product at the end of the FY or 30 June 1970 as indicated below:

[In percent of procurement dollars]

	Fiscal year 1969 program	Fiscal year 1970 goal	Fiscal year 1970 actual
Competitive procurement	25.1	28.0	41.0
Formal advertising	8.9	11.0	17.9

We applied some 25% of our procurement dollars to competitive procurement in FY 1969. The goal was increased to 28% for 1970, and presently performance is at 41%. We anticipate a year end actual of around 38–40%. Formal advertising in competitive procurements has also been stressed. In FY 1969 we accomplished 9% of our PEMA procurement dollars through formal advertising. The goal was increased to 11% for FY 70 and presently we are running at approximately 18%. We estimate we will complete the year in the 15–17% bracket.

The PROMAP task to Enhance Procurement Officer-Civilian Careers is among the most important we will hopefully accomplish this year. The objective is to improve the caliber of our procurement officers and civilians with emphasis on a better structure for both officer and civilian career procurement individuals and better capabilities as a result of better selection and training of these individuals. The Army Materiel Command recently has forwarded to the DA its proposals for the reorganization and upgrading of procurement personnel, AMC-wide. This, of course, must be acted on at the DA level. Through our centralized recruiting and intern program we plan to lower the average age of our civilian procurement personnel (present average age is 48 years) and we are stressing the recruitment of interns from universities throughout the states. Through this same program we are raising the number of professionals with college degrees (presently only 28% have college degrees).

We find that our ranks of procurement experts are filled with an aging workforce much in need of rejuvenation. Next to the program of project management I believe the caliber of our contracting officers and contracting personnel is vital to improving our acquisition and particularly our procurement practices.

Early last Fall we identified excessive usage of letter contracts as well as excessive overage letter contracts, those that had not been definitized within 180 days after they had been signed. Through a PROMAP–70 action, and with exceptional command interest (we have been able to reduce our outstanding letter contracts and overage letter contracts as indicated:

[Dollar amounts in millions]

	June 1969		May 1970	
	Amount	Contracts	Amount	Contracts
Outstanding letter contracts	$723.3	149	$125	43
Overage letter contracts	552.1	29	52	6

This, in our opinion, is a vivid example of the type improvements in the acquisition process which can be identified through a program such as PROMAP–70—goals established within definite time frames—and accomplishments monitored throughout the improved period.

The tasks and actions I have commented on this morning represent approximately 10–15% of the total tasks and actions we have identified in PROMAP–70. Many I have not reported—are less glamorous or not yet sufficiently advanced to merit presentation. Many, of course, are equally important, but time does not permit our discussion during this period.

In total perspective, however, we like to think that these four factors—plus much command interest and motivation—are fundamental to the success of PROMAP–70:

	Percent
Training	25
Identification of objectives	20
Performance against objectives	45
Information	10

If we are to change the manner in which our people do their part of this whole, then we must recognize the need for "formal" training as well as much "on-the-job" training. I see this as 25% of a successful PROMAP–70 program. Approximately 20% deals with identifying the need and targets for improvement—in measurable terms—against time. Actual performance against these objectives is vital to success—and this includes the application of new policies, procedures or practices to systems and equipments being acquired by the Army. Finally, we must inform our people of the "need" for improvement—publicly recognize their performance, engage their interest, and then inform those who have been and are concerned over our past performance.

Gentlemen—PROMAP–70 is not an easy program to put across. It faces the typically massive attitude against and resistance to change—yet we are suggesting change on a very broad front. It is being addressed at a time of major Reductions in Force (RIFs) and dramatic cutbacks in defense budgets—yet we are expecting our people to "do more with less." Our efforts to motivate our people to do better and to follow-up for top performance are often faced with the bureaucracy's unique ability to "waffle" any new concept or procedure one level above or below the point of its suggestion.

At the end of 1970 we undoubtedly will have done less than perfect. We recognize, however, the need for improvement across the total acquisition spectrum. We accept the unusual challenge presented by the need, the hostile environment and the diminishing resources—and we intend to achieve our goals and have our people do things differently and better throughout the materiel acquisition process.

DOZER'S ARTICLE ON PANAMA CANAL

Mr. THURMOND. Mr. President, I am disturbed by persistent reports that the State Department is continuing to make preparations for the renegotiation of the discredited Johnson draft treaties on the Panama Canal. These treaties were never consummated partly because of the strong opposition in Congress, and partly because the situation in Panama deteriorated even faster than we feared.

Our present treaties are satisfactory for our needs, both for international defense and commercial use of the canal. We have by treaty the absolute working sovereignty over the Canal Zone, and we are under no obligation to alter that status. The 1967 draft treaties, and indeed, any treaty that attempts to adjust that status, would give us less au-

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thority than we now possess. Diplomatically speaking any such adjustment would be a disaster, since we are dealing with a country which has no guarantee of stability.

The current issue of the weekly Washington newspaper, Human Events, once more focuses on these problems in a timely article by Prof. Donald Dozer, of the University of California at Santa Barbara. Dr. Dozer is known to me as an eminent authority in Latin American affairs. He has traveled widely in that region, and has published many scholarly articles on Latin American problems.

Dr. Dozer once more warns about these reports of continuing negotiations. I wish to quote two relevant paragraphs:

> Earlier this year the assistant secretary of state for Inter-American Affairs, Charles Meyer, was quoted as saying that the treaties negotiated in 1967 by the Johnson Administration will serve as a "basis for the continuation of a process to seek permanent solutions to United States–Panama relations in reference to the canal.
>
> Despite subsequent official denials, this statement appears to be corroborated by a White House announcement on May 16 of the designation of a 33-year-old White House aide and former Wall Street investment manager, Daniel W. Hofgren, as ambassador, to take over negotiations with Panama for a new Atlantic-Pacific Canal under the continuing direction of Ambassador Robert B. Anderson, who negotiated the treaties of 1967 in accordance with guidelines supplied by President Johnson. Ambassador Anderson continues to serve as chairman of the Atlantic-Pacific Inter-oceanic Canal Study Commission which is scheduled to report the results of its five-year investigation of sea-level canal route across the Central American isthmus by December 1 of this year.

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Mr. President, this is a regrettable situation. The way to take care of our Panama Canal problems is to modernize the present canal under existing treaties. I have introduced a bill, S. 2228, to accomplish the necessary modernization, and Representative FLOOD has introduced a companion bill in the House. There is no need for this continuing activity, which can only result in giving up our control and authority in the Canal Zone.

Mr. President, I ask unanimous consent that Dr. Dozer's article published in Human Events for July 11, 1970, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL NIXON GIVE UP CONTROL OF PANAMA CANAL?

(By Prof. Donald Dozer)

Certain bits and pieces of news, released in tantalizing brevity, are raising questions ominous for the future control of the United States over the Panama Canal, one of the few remaining world channels of maritime commerce which operates unobstructed by enemy action.

Last September the military government of Panama, on a hint from the State Department, appointed a high-level three-man team to resume negotiations with the United States on the three unsigned canal treaties of the Johnson Administration.

These draft treaties recognized Panama's sovereignty over the "canal area," admitted Panama to joint administration and defense responsibilities with the United States in the canal, increased the annual payments to Panama, raised the tolls on ships and cargoes transiting the canal, and provided for the construction of a new sea-level canal which would render the present lake and lock canal unnecessary.

Earlier this year the assistant secretary of state for Inter-American Affairs, Charles Meyer, was quoted as saying that the treaties negotiated in 1967 by the Johnson Administration will serve as a "basis for the continuation of a process to seek permanent solutions to United States-Panama relations in reference to the canal."

Despite subsequent official denials, this statement appears to be corroborated by a White House announcement on May 16 of the designation of a 33-year-old White House aide and former Wall Street investment manager, Daniel W. Hofgren, as ambassador, to take over negotiations with Panama for a new Atlantic-Pacific Canal under the continuing direction of Ambassador Robert B. Anderson, who negotiated the treaties of 1967 in accordance with guidelines supplied by President Johnson. Ambassador Anderson continues to serve as chairman of the Atlantic-Pacific Interoceanic Canal Study Commission which is scheduled to report the results of its five-year investigation of sea-level canal routes across the Central American isthmus by December 1 of this year.

Is the present Administration in Washington, like its predecessors, the Kennedy and Johnson Administrations, preparing to abandon the Central American canal interests of the United States?

President Nixon's silence on the crucial Panama issue, as well as on the Castro problem in Cuba, in his 40,000-word round-up of "United States Foreign Policy for the 1970's" on February 18 suggests either an apathy on this question in White House councils or secret preparations yet to be unveiled for surrender of the Panama Canal.

Perhaps it was no coincidence that soon after the President's address the State Department informed Nicaragua that it is ready to terminate the Bryan-Chamorro treaty with that country which was concluded in 1914 and which gave the United States the right "in perpetuity" to construct a canal through Nicaragua. The treaty had lost its significance, it was explained, because the Anderson Commission had ruled out the Nicaraguan route from consideration as a possible sea-level canal.

In addition, as recently as May 7 a special subcommittee of the House Subcommittee on National Security Policy and Scientific Developments, consisting of two Republicans and one Democrat, recommended the abandonment of our joint military command headquarters in the Panama Canal Zone. This recommendation was announced at the very time when a Soviet naval squadron was prowling through the Caribbean on an unknown mission in the sea lanes approaching the canal.

During discussion between President Kennedy and President Roberto Chiari of Panama in the White House in 1962, Kennedy assured the latter that the United States no longer claimed sovereignty over the Panama Canal and the Panama Canal Zone.

After the bloody fray between a Panama mob and the Canal Zone troops in 1964, President Johnson promulgated a joint statement with the then president of Panama, Marco Robles, in which he similarly renounced United States sovereignty over the canal and the Canal Zone and authorized negotiations with Panama which resulted in the treaties summarized above.

Those treaties failed of consummation only because of strong opposition in Congress and in the press to any surrender of our treaty position and historic rights in the canal. Congressional opponents pointed out that the Constitution gives Congress alone, not the President, authority to dispose of territory belonging to the United States (Article IV, Section 3, Clause 2).

As a result of the outcry against the treaties, the Johnson Administration pigeonholed them. Does the Nixon Administration consider the time now propitious for resurrecting those treaties of betrayal?

Ever since the Panama Canal issue became freshly acute in 1960 with the flying of the Panamanian flag in Shaler Triangle in the Canal Zone on direct orders of President Eisenhower, the issue has been befuddled, probably deliberately, by advocates of a sea-level canal. Their obsession with this visionary and costly scheme has prevented a clarification of the issue and has woefully aggravated relations between the United States and Panama.

The dream of a sea-level strait bisecting the isthmus has been uncritically accepted by certain politicians, and it holds out the promise of lucrative profits for interested earth-moving companies. An attempt has been made to find substantial support for it in the specious arguments that the present Panama Canal is obsolete, that a new sea-level canal would not be subject to sabotage or damage by nuclear warheads, and that such a canal if substituted for the present canal could be operated more efficiently and at less cost. All these arguments have been many times unanswerably refuted.

The sea-level canal scheme contains basic fallacies which threw doubts upon the utility of the Atlantic-Pacific Interoceanic Canal Study Commission when it was first appointed in 1965.

The difference in tidal range at the two sides of the isthmus, measuring some 22 inches on the Caribbean side and 22 feet on the Pacific side, creates serious navigational hazards inseparable from a tidal strait.

The deep excavations required to dig a sea-level strait through the high cordillera and the unstable terrain in Panama present insuperable engineering problems.

Recent studies suggest that the lowering of the canal channel to sea level will increase the fog problem.

A perhaps decisive blow to a sea-level canal has been struck by the Committee on Ecological Research for the Interoceanic Canal, consisting of a group of distinguished scientists named by the National Academy of Sciences at the request of the Anderson Commission and headed by Prof. Ernst Mayr of Harvard University.

In their preliminary report in April they warned that a sea-level canal which would allow free exchange of marine life between the Pacific Ocean and the Caribbean Sea would seriously disturb the ecological balance in both bodies of water. They therefore called for the preservation of the fresh-water barrier which exists in the present lock canal.

In the light of these facts it appears that the Anderson Commission has been perpetrating a gigantic boondoggle for five years. Acting under instructions from President Johnson to consider the feasibility of a sea-level canal, it resolutely undertook to find justifications for abandoning the present canal and constructing a new one at sea level.

In the attempt to justify this preconceived fixation, the commission ignorantly conducted surveys through jungle growth so dense that the jungle closed in after them, and for this and other reasons the commission was obliged to ask for a deferment of the deadline for submission of their report to December 1 of this year and for an increase of $1.5 million in their appropriation to make the total cost of their investigation to United States taxpayers about $24 million.

A new canal built within the 10-mile limits of the present Canal Zone could obviously not be dug with nuclear power because of the proximity of this site to densely populated areas which would be decimated by nuclear fallout.

For this and other reasons the proposal to construct a sea-level canal with nuclear power has failed to receive the endorsement of the Atomic Energy Commission as practical, and one alleged advantage after another that has been cited by the advocates of a sea-level canal—the economic, the political, the military and others—all have been discredited.

So far as defense is concerned, if the existing lock canal is abandoned its elaborate military defense installations constructed at a cost of approximately $3 billion, would have to be reconstructed, undoubtedly at greater cost, along the course of any new canal.

The impossibility of digging a sea-level canal within the limits of the existing Canal Zone has been given as a pretext for the negotiation of the treaties of 1967 and has presumably prompted the initiation of the new secret negotiations of the Nixon Administration. In these negotiations the United States exposes itself to blackmail by Panamanian authorities who demand exorbitant concessions for canal rights in other parts of the republic. The financial cost of such a canal, whether constructed with conventional earth-moving machinery or with nuclear explosives, would be almost astronomical.

In view of the unstable political situation in Panama, where a puppet president has been installed in office by Brig. Gen. Omar Torrijos, who himself came to power by a military coup, the political advantage to the United States of coming to terms with such a regime for the digging of a new canal is at most dubious.

The weaknesses in the United States position in relation to Panama will become especially troublesome if, as rumor has it, the commission is about to recommend the construction of a sea-level canal running partly through the present Canal Zone and partly outside the zone in the Republic of Panama approximately five miles west of the Canal Zone.

This recommendation, if endorsed by the Nixon Administration and accepted by Congress, will necessitate complicated negotiations with Panama for new canal rights beyond the limits of the present zone and will undoubtedly provoke large financial demands from Panama, representing the sum total of all its past grievances against the United States.

Besides, this new canal route, planned to empty into the Pacific near the town of La Chorrera, will require the construction of an artificial terminal harbor replacing the present Port of Balboa and will probably require drastic modifications in the defense installations in the present Canal Zone.

Why scrap the present canal? In 1959 Congress authorized the widening and deepening of the summit channel of the Panama Canal, particularly in the Gaillard Cut. This work will soon be completed at a total cost of over $81 million.

New equipment has been added to facilitate transit of ships through the locks, and lighting fixtures have been installed for the entire length of the channel in order to make night transits possible. All that remains to adapt the canal to modern traffic requirements is to carry forward the Terminal Lake-Third Locks plan which was begun in 1939 and was suspended three years because of wartime needs of higher priority.

In pursuance of that plan while it was in operation new lock sites and channels for a third lock system, supplementing the existing dual locks, were dug as a cost of $76,357,405, and they can be utilized today for the construction of a third channel with locks paralleling the existing Gatún locks at the Caribbean end of the canal and the Pedro Miguel and Miraflores locks at the Pacific end.

In the interest of efficient navigation the plan calls for the elimination of the Pedro Miguel locks and the consolidation of the Pacific locks into a single lock complex at Miraflores.

Of paramount importance is the fact that this Terminal Lake-Third Locks modernization, on which a total of more than $157 million has been expended, will not require new treaties with Panama but can be carried out entirely under existing treaties, namely, the Hay-Bunau Varilla treaty of 1903, the Thomson-Urrutia treaty of 1914-1922, the Hull-Alfaro treaty of 1936-1939, and the Eisenhower-Remón treaty of 1955.

This eminently practical plan has been endorsed by engineering experts and has been embodied in bills introduced by Congressmen Daniel Flood (D.-Pa.) and John Rarick (D.-La.) in the House (HR 3792 and HR 4031) and by Sen. Strom Thurmond (R.-S.C.) in the Senate (S 2228). The approval of this plan now by Congress would make it possible for the Nixon Administration to terminate its speical diplomatic mission to Panama and to discharge *sine die* the Atlantic-Pacific Interoceanic Canal Study Commission.

The suspicion can hardly be avoided that the sea-level canal scheme which would supplant the present highly efficient Panama Canal has been deliberately used to conceal an obvious and commonsense solution to our problem of transporting ocean traffic across the isthmus of Central America.

Gov. Walter P. Leber of the Canal Zone estimates that with the benefit of improvements already made or projected, the canal can serve the needs of world commerce "through the end of this century."

With the additional improvement of the Terminal Lake-Third Locks project, which is embodied in the pending House and Senate bills and which calls for an appropriation of only $850 million as contrasted with a price tag for a sea-level canal initially estimated in 1960 at $2.368 billion, not including the cost of new treaties with Panama, the existing canal will serve all necessary transisthmian traffic requirements until well into the 21st Century.

This project, it is true, as embodied in the pending bills, will not provide transisthmian transit for all vessels traveling the ocean lanes, but, as Gov. Leber has explained, the international mandate which the United States assumed and exercised in building the canal does not require the United States to provide this service to all the world's shipping.

The large tankers now plying the oceans are designed specifically to avoid the tolls of canal transit. If the United States could dig a canal deep enough and wide enough to accommodate such a vessel, Gov. Leber has asked, "Could we charge him more than the regular tolls for our added costs? Oh, no. We would have to charge him less, because even at present toll rates, he'd have to pay about $150,000 in tolls and it would be much cheaper for him just to take the time to sail an alternative route. . . . When we talk about responding to the needs of our traffic, we have to guage by economic analysis whether an improvement is needed or just nice to do." (Hearing before the Subcommittee on Panama Canal of the Committee on Merchant Marine and Fisheries, House of Representatives, April 22, 1970, p. 7).

The present canal, when provided with wider locks and when modernized in accordance with the bills pending in Congress, will adequately serve our national defense needs. Those needs, based as they are upon a two-ocean navy, no longer require that our aircraft carriers and other super vessels be able to transit the canal.

Protesting against any further betrayal of our national interest in the Panama Canal, more than 100 representatives in Congress, beginning last October, have gone on record in opposition to any surrender of United States sovereignty over the Panama Canal.

Individual members of Congress have sent strong letters to President Nixon opposing the negotiation of any new treaties with Panama concerning the canal, insisting that the United States maintain its sovereign control over the canal and the Canal Zone in accordance with existing treaties and putting the President on notice that any contrary action by the White House will be resisted by the Congress.

It is therefore imperative that Congress (1) reaffirm the sovereign control of the United States over the Panama Canal Zone which was established "in perpetuity" in the Hay-Bunau Varilla treaty and has not since been officially weakened; and (2) initiate hearings immediately on the Flood-Rarick bills and the Thurmond bill.

Such hearings will demonstrate clearly the superiority of the existing Panama Canal, when adequately modernized over a will-of-the-wisp sea-level scheme and will expose the elaborate investigations and impending report of the Anderson Commission as irrelevant to the exercise by the United States of its mandate to convey ships and cargoes across the Central American isthmus.

FLAGPOLE OVER U.S.S. "UTAH"

Mr. MOSS. Mr. President, I wish to commend, and warmly thank, the chairman, Mr. Stennis, and the members of the Committee on Armed Services for unanimously reporting S. 583, my bill which directs the Secretary of the Navy to erect a flagpole over the U.S.S. *Utah* in Pearl Harbor and to fly the colors there daily. At long last, it appears we are going to give a measure of recognition to the 54 officers and men who lost their lives when the battleship was sunk during the Japanese attack.

It will be 29 years this December since the infamous attack by the Japanese. My own efforts to see that the men of the U.S.S. *Utah* are given the recognition they deserve stretches back 7 years. The first U.S.S. *Utah* bill was introduced on February 5, 1963, in the 88th Congress, and a similar bill has been introduced in every succeeding Congress.

Each bill has been cosponsored by more than one-third of the Members of the Senate. The present bill is cosponsored by Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Eastland, Mr. Ervin, Mr. Goldwater, Mr. Gore, Mr. Harris, Mr. Hart, Mr. Hruska, Mr. Hughes, Mr. Inouye, Mr. Javits, Mr. McGee, Mr. Magnuson, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Stevens, Mr. Talmadge, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio.

I have had literally hundreds of letters down through the years from families and friends of the men entombed, and from patriotic citizens everywhere, urging that the bill be passed. So the action I hope we will take soon in the Senate will bring satisfaction to many, many people.

For the record, many States—and certainly every area of the country—has one or more of its boys listed among the *Utah* dead. Of the 54 men whose bodies lie entombed in the *Utah*, 13 gave California as their home State; 11, Texas; three each, Illinois, Iowa, Washington State, and New York; two each, Colorado, Missouri, Virginia, and Massachusetts; one each, Kentucky, Arkansas, Minnesota, Louisiana, Michigan, Oregon, Ohio, Nebraska, and one who died did not list his home. His record, however, showed he was born in Iowa.

Another man was a native of the Philippines Islands. Many men showed next of kin in States other than their home at the time of enlistment, so there is hardly a State which is not touched in some way by the ghostly hands of those entombed in the U.S.S. *Utah*.

The fact that the entombed men of the U.S.S. *Utah* had not been recognized, as have the entombed men of the U.S.S. *Arizona*, by having the colors flown over the hulk of their battleship, was first called to my attention by a group of Utah women who visited Pearl Harbor. Then Mr. Bill Kreh, a writer for Navy Times, came to see me about it. So I stopped at Pearl Harbor on my way to the Orient, to see for myself what had, or had not, been done.

I found that the U.S.S. *Utah* lies half-submerged off Ford Island on the opposite side of the U.S.S. *Arizona*, over which a handsome memorial has been built. The *Utah* has only a small plaque in memory of its heroic dead. Erecting a simple flagpole on the *Utah*, and raising and lowering the colors each day, is little enough to do to honor the men who lie there.

The Navy Department insisted that the flag over the sunken *Arizona* flies for all the Pearl Harbor dead. This implies that if a flag were flown also over the *Utah* it would detract from the flag and the memorial over the *Arizona*. I do not agree. The *Utah* is on the opposite side of Ford Island, out of view of the *Arizona*. It is a separate ship in a separate location. Moreover, there are separate flags flying over other Pearl Harbor dead who are buried in the land cemeteries nearby—and the *Utah* is just as much a military cemetery as any plot of ground containing graves and granite markers and flowers. Flying the flag over the *Utah*, and raising and lowering it each day, would give that ship and its men the recognition which they deserve.

It is one of the ironies of history that the *Utah* was an unarmed target ship on Pearl Harbor day. It had been decommissioned and its great guns removed. But the *Utah* still had the contour and the battleship gray of a massive warship, and she did get underway to steam out of Pearl Harbor, so the Japanese targeted on her just as fiercely as on the other battleships. Scores of bombs and torpedoes were sent her way, bombs and torpedoes which could have been used to sink other ships which were later used to help bring the Japanese Empire to its knees. But the U.S.S. *Utah* took the bombs instead, and its crew died for their country just as surely as the men on the fully armed ships.

Even though the *Utah* spent her last days as a target ship, this does not detract from her proud history. Commissioned in 1911, she was once the best of the U.S. Navy. During World War I she served as a convoy ship, and in 1918 was one of the escort vessels which guarded President Wilson on his way to Europe. In the early 1920's the *Utah* served as the flagship of the Atlantic Fleet. And in 1928, she carried President Hoover home from a good-will trip to South America, In 1930, the *Utah* was converted to a target ship, radio controlled, which meant she could be operated by radio from another command ship. During mock battles the *Utah* even laid down her own smokescreen. The people of Utah were proud of her during every one of her years of service to this country.

Mr. President, we have waited far too long to honor the illustrious dead of the U.S.S. *Utah*. I hope that the Senate will pass the bill without delay and that the House of Representatives will move quickly to pass it. Let us make it as our objective to raise the flag over the U.S.S. *Utah* before next December 7—the 29th anniversary of the day she was sunk.

HOUSE ACTION COMMENDABLE

Mr. HANSEN. Mr. President, I commend the House of Representatives for its rejection today of the Cooper-Church amendment relative to Cambodia, and also for the rejection of the section of the Senate version of the postal bill which would have allowed a compulsory union shop.

It was a great disappointment to me and to millions of Americans throughout the United States that we were unable to defeat these two measures in the Senate. The House action, in my opinion, deserves high praise, and I believe it will do much toward maintaining the confidence of the people in the Congress and in the legislative process.

The House voted today to instruct its conferees to refuse to accept the section of the Senate postal reorganization bill, which would have allowed compulsory unionism of postal workers. I understand the vote was 225 to 159. The House also rejected the Cooper-Church amendment, which some felt challenged the President's authority to have ordered American troops to attack enemy sanctuaries in Cambodia. I voted against both of these measures, and I also expressed my confidence that the House would in fact reject the Cooper-Church amendment. I hope that enemies of the United States have not been misled by the Senate action on that amendment, and I believe the House action should help clarify to the enemy that the Congress of the United States does support the President's Cambodian decision.

The vast majority of Wyomingites, and other Americans, believe that the right of Federal employees either to join or to refrain from joining a union must be protected. I also believe that most Americans recognize the wisdom of the Cambodian action in order to allow the successful implementation of the Vietnamization of the war and continued withdrawal of American troops.

NATIONAL AIRPORT CAN HANDLE THE 747 STRETCH JETS

Mr. GURNEY. Mr. President, the convenience of Washington National Airport makes this airport a great time saver for busy travelers, whether Members of Congress, other governmental employees, or businessmen.

In my traveling to and from my home in Florida, Washington National's advantages have clearly outweighed any disadvantages voiced in recent criticism of the Federal Aviation Administration.

Most recently, the attacks on the FAA have criticized it for allowing the so-called stretched model of the popular Boeing 727 jet to operate at Washington National.

Many people have erroneously compared the stretched 727, or the 727-200, with the forthcoming airbuses or the huge 747. They are mistaken. The stretched 727 is identical in most respects to the 727, which has been serving National Airport since 1966, when Washington abandoned the DC-3 and joined the jet age. The major difference in the 727 and the 727-200 is that the stretched version is slightly longer, allowing the accommodation of more passengers on fewer aircraft.

In my view, the FAA made good sense when it decided to allow the 727-200 to operate at National. By utilizing the stretched 727 throughout its entire route system—rather than having to avoid Washington National—an airline can operate its fleet more efficiently and conveniently for its passengers. Larger capacity aircraft will help decrease the need for extra sections—additional flights required to meet passenger demands in excess of scheduled flights—and will hopefully runaway congestion, pollution, and noise because fewer aircraft are required to carry the same number of people.

These benefits are shared by Washingtonians as well as Floridians and others who commute regularly to and from the Nation's Capital to do business with the Federal Government. I feel strongly that Dulles Airport is not being used to its fullest potential and I hope this state of affairs will improve naturally and normally. The use of stretched jets at National should not in any way impair or diminish service at Dulles.

In recent testimony before the Senate District Committee, the Air Transport Association presented discussion on Washington National Airports' role in the Nation's Capital. I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF LEO SEYBOLD, VICE PRESIDENT, AIR TRANSPORT ASSOCIATION OF AMERICA

Mr. Chairman, I am Leo Seybold, Vice President of the Air Transport Association. Our membership includes virtually all the U.S. scheduled, certificated air carriers. Thank you for affording us the opportunity to comment on certain aspects of the operation of Washington National Airport. As I understand it, there are two major topics of discussion before the Committee today—the so-called "stretched" 727, or 727-200 and the Civil Aeronautics Board order terminating the investigation of the Washington-Baltimore airports with respect to congestion. I will speak to each of these issues in turn.

STRETCHED 727 AT NATIONAL AIRPORT

At the commencement of jet operations at Washington National Airport in 1966, the Federal Aviation Agency, now the Federal Aviation Administration, ruled out opera-

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tions of the 727–200 based upon its effect on passenger terminal crowding.

Since that time, many changes and improvements have been made by the airlines and the airport management to facilitate handling of people in the terminal building and to provide additional automobile parking and better passenger access to the building areas. Because of these improvements, the airlines believe the use of Washington National by 727–200 aircraft will improve service to the public without creating any congestion or operational problems.

The first step in relieving the 1966 situation was to smooth passenger flow by voluntary scheduling cutbacks on the part of the airlines. Next, the airlines expended over $15 million to improve the convenience and capacity of their passenger terminal accommodations. Obsolete counters and display areas were removed from the central building and new counter areas were located in wings. This enlarged passenger waiting areas. Passenger hold rooms were constructed and loading bridges installed. Terminal building space has increased 60% since 1967. At the same time, the airport management was adding greatly enlarged public (37%) and employee (33%) parking spaces and improving the traffic flow into and out of the terminal building.

As the additional facilities became reality several airlines, individually, requested a relaxation of the restriction on the operation of the 727–200 aircraft. In each case, the request was turned down.

During the controller slowdown, the Administrator permitted operation of the 727–200 to accommodate the public. Since then, he has permitted them to be used, while evaluating the operation.

As far as the airlines are aware, the 727–200, operating at Washington National, introduces *no* new problems with regard to size, weight, noise, pollution or overcrowding of facilities. On the contrary, it offers the opportunity to satisfy today's traffic requirements with greater convenience to the public.

Let me review each of these points.

The highest capacity aircraft regularly serving Washington National are the DC9–30 with 107 to 117 seats and the 727–100 with 95 to 105 seats.

Seating capacity of the 727–200's currently operated by carriers serving Washington National runs from 122 to 137. Thus, the highest capacity 727–200 would offer 20 more seats than the DC9–30 now operating at Washington National.

With respect to size, the only difference between the 727–100 and –200 is 20 ft. in additional fuselage length. Washington National gate positions are adequate for both. Recent experience with the –200 at Washington National has demonstrated full compatibility with that facility. Washington National management reports "no new problems".

As for weight, Washington National runways are adequate for dual wheel gear aircraft weighing up to 200,000 lbs. Maximum allowable weight for the 727–200 at Washington National is 162,900 lbs. This limitation, based on field length considerations, is 3,900 lbs. more than the maximum allowable weight for the 727–100. When airport temperature exceeds 59°, these weights are further reduced for performance considerations.

Take-off gross weight required to carry 137 passengers 650 nautical miles from Washington National is only 154,200 lbs., well below the design weight.

Landing impact loads in 727–200 aircraft have been reduced by changing the pressure in the landing gear cylinders.

In consideration of noise, both standard and stretched 727 models have the same wing area, same engine thrust—hence, similar performance and noise characteristics at the same weights. Many of the stretched models incorporate "hush kits" further reducing noise.

With respect to air pollution, the aircraft industry has developed and the airlines are now retrofitting JT8D engines with components that make the 727, 737 and DC–9 virtually smoke-free. These are the planes which provide the bulk of the service at Washington National. The retrofit program will be substantially completed by the end of 1972. All new production aircraft are being delivered from the factory with smoke-free engines.

All models of the 727 meet the same design and operating safety standards. The 727–200 is in world-wide operations by 20 airlines, and it has an unblemished safety record.

It would be a convenience to the public and to the airlines if the carriers had the ability to substitute 727–200 on Washington National schedules when demand or equipment routing warranted it.

As you know, some extra sections can be operated above the 40 per hour scheduled operations. Some of the concern regarding potential terminal congestion is reportedly based upon the theory that the mere availability of additional seats in the 727–200 will generate additional passenger traffic. Such a theory discounts the fact that all traffic that wants to move is *now* moving on existing schedules *or on extra sections*. Availability of additional seats in *some* 727's would not increase seat demand or terminal crowding but it would reduce the need for some of the extra sections. Regular schedules are fixed by the 40 per hour limit. Each extra section eliminated due to availability of extra seats in the "stretched" 727 would reduce the total daily operations, airways and airfield congestion, controller work load and community noise exposure.

To conclude, we find no basis for the objections raised by those who have viewed this step with alarm. On the contrary, we believe that the ability to operate this model aircraft into Washington National will alleviate congestion and reduce extra section operations, thus further reducing aircraft operations.

CAB TERMINATION OF THE AREA INVESTIGATION

The Air Transport Association was not a party to the Washington-Baltimore Airport investigation instituted by the Civil Aeronautics Board on June 20, 1967. However, all carriers serving the area airports participated in the initial informal discussions. Ultimately, two carriers filed motions urging termination of the investigation while one carrier filed a motion urging its discontinuance.

In its order instituting the investigation, the Board said "the principal necessity for this investigation arises from the congestion at Washington National."

In its order of April 27, 1970, terminating the investigation cited the following facts by way of demonstrating that the congestion condition of June 1967 no longer prevails:

Between 1967 and 1969:

Passenger traffic at Washington National increased only 9.2 percent.

Terminal space increased (up to June 1970) 60 percent.

Public parking spaces increased 37 percent.

Employee parking spaces increased 33 percent.

During the same period:

Dulles passenger traffic increased 39.1 percent.

Friendship passenger traffic increased 32 percent.

Dulles commercial aircraft movements increased 24.3 percent.

Friendship commercial aircraft movements increased 61.3 percent.

WNA commercial aircraft movements decreased 2 percent.

These changes in airline schedules and in passenger volumes are primarily a result of the Federal Aviation Administration's control of the number of airline schedules permitted at Washington National in any given hour. The result has been a shifting of new services for the Baltimore/Washington area to Friendship and Dulles and a smoother flow of aircraft and passengers at National.

Thank you, Mr. Chairman, for the opportunity to testify on these subjects.

PROBLEMS AND PROGRESS OF THE AMERICAN INDIANS

Mr. MONDALE. Mr. President, last month Look magazine published an issue with the emphasis on American Indians. Senator KENNEDY's excellent article, published in that issue, outlined many of the problems of American Indians today but also discussed the progress being made, especially in the area of Indian education. The Senator from Massachusetts, who served as chairman of the Special Subcommittee on Indian Education, worked tirelessly on that committee and has continued working since the subcommittee's expiration last fall to see that the recommendations of the final report of that subcommittee would not go unheeded by Congress or the Federal agencies.

I ask unanimous consent that the articles be printed in the RECORD. We can learn a great deal from it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET THE INDIANS RUN INDIAN POLICY

(By Senator Edward M. Kennedy)

As chairman of the Senate Subcommittee on Indian Education, I issued last year a report based on more than 1,700 pages of testimony. It includes statements from Federal officials, United States senators, professors, doctors, tribal chairmen and members of Indian tribes across the country.

It also includes a statement from Margaret Nick, a young native girl from Alaska. She gave us no statistics, no charts, no case studies, no classroom results. She said, very simply, this:

". . . I can't predict how I should educate my children. I can't predict how they should be educated, but one thing I know is, if my children are proud, if my children have identity, if my children know who they are and if they're proud to be who they are, they'll be able to encounter anything in life. I think this is what education means. Some people say that a man without education might as well be dead. I say, a man without identity—if a man doesn't know who he is—he might as well be dead."

Add Margaret Nick to the list of Americans standing up to be recognized. Add the American Indian and Alaskan native to the list of minorities who want to take part in the decisions that affect their lives.

From a history of neglect and despair, the Indian is beginning to emerge and to demand his own identity and share of American life. It has been a long time in coming, this new Indian self-consciousness. But it is here, and America must pay attention.

Indians have already begun their move for self-reliance. They have filed legal suits in various parts of the country, involving trespass, employment discrimination, misuse of school funds, unauthorized taking of water rights and breach of treaty agreements. Many of these suits have been filed against the Federal Government itself.

Tribal councils travel weekly to Washington, bringing their grievances and proposals directly to the Congress and the Interior Department, rather than using the local Bureau of Indian Affairs, as had been the custom.

And, perhaps most dramatically, Indians have begun to adopt the confrontation tactics that have marked the dramatic emergence of other minorities in this decade. As the world knows now, a group of Indians has occupied Alcatraz Island in San Francisco Bay, demanding the island be turned over to them for educational facilities. Another Indian group has attempted to establish Alcatraz number two at Fort Lawton in the State of Washington. Indians have occupied BIA offices in Denver, Cleveland, Chicago and Minneapolis, in many cases, their efforts have been rebuffed. But they have begun to tell us that our long-standing policies toward the Indians in this nation amount to abject failure.

And what they are telling us is true. Before I became chairman of the Indian Education Subcommittee, that post was held by my brother, Robert Kennedy. He traveled America extensively in that role, exposing the severity and degradation of Indian poverty and the failure of this nation to help the Indian people.

He saw, as I have seen, the resilience of the Indian way of life, a way of life that has for many generations resisted destruction despite Government blunders that almost seem designed to stamp it out. My brother called America's treatment of the Indian "a national tragedy and a national disgrace."

I second that opinion. And I think it is past time to end this disgrace.

In the course of my work on the Indian Education Subcommittee, I have seen statistics reflected in the faces of thousands of Indians. Their lives are hard and often filled with despair. Their average income is about $1,500 a year. Their teen-agers are three times as likely to take their own lives as are young people outside the Indian community. They have 12.2 times the chance of an alcohol-related arrest as the average white American. Their children are plagued with disease. (One Indian leader told our committee he had lost eight children to disease: ". . . it is a lot of kinds of sickness they die from. Not only one kind. Mostly with whooping cough and measles all together. It hit them one at a time and that way they die.") And their pride decays into a passive wariness of the white man and his misguided attempts to help.

America has been frustrated by the "Indian problem" since the dawn of the nation. This despite the high regard that early leaders such as Thomas Jefferson and Benjamin Franklin held for the Indians' political institutions. This despite the contributions that Indians made to our society—their early brand of federalism among their nations; their concept that elected leaders are the servants and not the masters of the people; their insistence that society must respect individual diversity.

With all this as part of our common heritage, we have still given the Indian the back of our hand.

First, we embarked on a policy of isolation, marching entire Indian nations to desolate reservations. Later, we turned toward assimilation, but for the wrong reason—to exploit and expropriate Indian land and Indian resources. We shouldered the "white man's burden" initially by herding separate Indian nations together against their will—then turned around and plunged them headlong into the white man's society, thereby helping to tear them apart. But in any case, so the feeling went, the Indians would be off our conscience, off our land, out of our pocketbooks.

Well, it hasn't worked. Our casual paternalism has done more to hurt than to help. It has disorganized or destroyed this country's Indian communities. It has created a severe and self-perpetuating cycle of poverty for most Indians. And it has brought about an enormous, ineffective bureaucracy that seems to treat the elimination of Indian poverty as a gross waste of Federal funds.

The work of our committee was confiend to an examination of how the Federal Government is carrying out its responsibility to educate Indian children. The Government assumed this responsibility through treaties and other agreements with Indian peoples in exchange for land relinquished by them. It was our task to assess the Government's performance.

Children are mirrors of their environments. By studying the educational systems, we learned much more about the Indian communities than simply the ABC's of the classrooms. We saw the statistics I have mentioned etched in the faces of these children.

Yet even if we had learned nothing more than our subcommittee's mandate required, we would have been appalled enough. For even in the classroom—and perhaps most importantly there—the American Indian is a poor relation.

The average educational level for Indian children under Federal supervision is five school years—and the Indian dropout rate is twice the national average. Only 18 percent of the students in Federal Indian schools go on to college, against a much higher national average. And only three percent of these Indians graduate. The BIA spends only $18 per year per child on textbooks and supplies—compared to a national average of $40.

And when this same agency began a crash program to improve education for Navajo children in 1953, it emerged 14 years later with a budget that showed supervisory school positions increased by 144 percent, but actual teaching positions increased by a mere 20 percent.

So it is clear that the Indian child is being shortchanged. It is clear that the American Indian has the cards stacked against him. And it is clear as well that the BIA isn't doing much to help.

Throughout the 1960's, the Federal Government groped toward a more enlightened national policy. The results can be measured largely in terms of words rather than action. Numerous studies, reports and commissions have come forth with their "solutions" for the Indian problem. But the crucial ingredient that has always been missing is the concept that the Indian can speak for himself, can say what is wrong, what he wants and needs, and what our policies should be in his regard.

On numerous occasions, the Federal Government has suffered the embarrassment of putting forth grand schemes to solve Indian problems without really permitting the Indian to determine the policies and programs for himself. This is not only a hypocritical charade that breeds cynicism and frustration on both sides, it is also, more importantly, a perpetuation of our cumulative failures.

The vast Federal bureaucracy charged with "managing" Indians for the United States can never, as presently structured, be expected to change our tragic Indian policies. This is a harsh conclusion. It brings no satisfaction to Americans who believe that ours is a land of equality and justice for all. It brings no solace to Americans who believe that the special attention given to Indians in this country is beneficial in practice as well as theory. But it is true nonetheless. Even two of the recent Commissioners of Indian Affairs have expressed their frustration at the lack of sensitivity to the Indian problem all through the Government. It is this lack of national will that keeps American Indians prisoners of wars long past.

So, is there anywhere to turn? We might try turning to the American Indian himself.

That's what he is asking. That's what he is demanding. And ultimately, that's what we must recognize as the best solution.

Just in the area of schools, our subcommittee has discovered that the rule of self-determination is the most just and the most effective. Consider the Rough Rock Indian School on the Navajo Reservation in Chinle, Ariz.

Established in July, 1966, the Rough Rock School is a private, nonprofit organization. It is run by a five-member Navajo school board. Only two of the school-board members have had any formal education, and the weekly meetings of the board are conducted in the Navajo language.

Yet this—the only Indian-controlled school in the United States—is also the most innovative Indian school in the nation. It carries on extensive community and parental participation in school affairs. It uses Navajo teachers and teachers' aides in the classroom. It employs bilingual instruction and course material reflecting the richness of the Navajo culture. Rather than extinguishing Navajo traditions, it enhances them; and its staff has been trained to respect, understand and respond to the community it serves.

The Rough Rock School, as a demonstration project, has played a noteworthy role in the overall reform movement in Indian education. But beyond that, it has become a symbol of the value and indeed the absolute necessity of Indian participation in and control over their own programs and their own lives.

And its success has spawned further advances of this particular tribe. In early April, the Navajo School Board in Ramah, N.M., completed negotiations with the Bureau of Indian Affairs to bring the community's children home from boarding school to an Indian-controlled high school. With additional private and governmental commitments, the school board expects the school to open by September. How far this principle is extended depends on the continued support and commitment of the BIA, the Congress and the Indian community.

Similar gains are being made in other areas of Indian life. Major economic development plans are being put forward by the Zuñi in New Mexico and the Seneca in New York State. The Crow tribe in Montana is moving toward extensive development of its mineral resources; the Lummi in Washington are experimenting with advanced agriculture; and natives at Bethel, Alaska, continue their cooperative fishing ventures. So, progress is possible—if the Indians manage their own affairs.

The Subcommittee on Indian Education, in its report issued late last year, made 60 recommendations to the Congress. They are diverse and comprehensive, but perhaps best summed up by this statement from the Subcommittee:

"The Federal Government must commit itself to a national policy of educational excellence for Indian children, maximum participation and control by Indian adults and communities, and the development of new legislation and substantial increases in appropriations to achieve these goals."

In other words, we must help the Indian people take an active and vigorous part in managing their own lives. And, because they are starting with so little, they will need a great deal of help.

CRIME INSURANCE PROBLEM

Mr. TYDINGS. Mr. President, no one who has seen the front page of a newspaper or viewed the news on television in the past year can help knowing about the tremendous increase in crime in our cities. Every night stores are robbed and homes are burglarized. The storeowner or home dweller increasingly lives in a world of danger.

At the same time that this danger from crime increases, the vital protection against crime losses—insurance covering robbery and burglary—has rapidly disappeared. Just when our city's merchants and homeowners need the help most, it has been stripped away from them. In cities across the country, home and business crime insurance policies have been abruptly canceled, or the premiums have been raised by 300 percent or more—well out of the reach of the average city dweller. Evidently the insurance industry has decided to move out of this field and into more profitable areas.

This collapse of insurance coverage against urban crime comes in spite of the assurances made by the industry during the passage of the FAIR plan title to Housing and Urban Development Act of 1968. In the wake of the 1967 riots Congress moved to provide Federal backing of the reinsurance market offering relief from riot losses, while it developed a plan to provide city riot and crime insurance to businesses and homeowners.

We wanted to establish a program so that all city residents and businessmen could obtain access to essential property insurance. Relying upon promises of industry cooperation, we forged a cooperative program, the so-called FAIR plans, which would provide ground rules for the fair and equitable marketing of insurance. A special target was the insidious "red lining" practice which would exclude whole areas from insurance regardless of the individual risk. Second, for those who could not obtain insurance from private sources, the plans provided for a voluntary insurance pool established by the industry under supervision of the State commissioner.

The FAIR plans had two purposes: First, to provide insurance for those who suffered most from the ravages of riot and crime: the small businessman and the city homeowner; and, second, the lack of insurance has led to the stagnation and decline of our cities' economies. Without insurance, businesses cannot start, they cannot obtain financing for improvements or inventory, and they cannot sustain high crime losses. So our small businessmen leave our cities and the inner city begins to die. This measure was drafted to help revive our cities.

The theory of the act, while still valid, has not worked in practice. For example, many companies are still refusing to write in inner-city areas; after the law was signed, many companies arbitrarily canceled policies and dumped those policies into the FAIR plans; the FAIR rates are doubled and sometimes quadrupled the normal manual rates for such policies; many inner city property owners have no knowledge of the availability of FAIR plan insurance; brokers and agents are reluctant to put policies in the FAIR plan because the commissions for such policies are much lower than the commissions paid by private industry; and the inner-city property owners in most cases are left to the so-called high-risk writers.

Last month I met with Baltimore businessmen about this problem. The story they told was grim:

A successful restaurateur, insured for 50 years without a claim, could not renew. He now pays 2 or 2½ times the rate for fire and extended coverage. He was forced to cancel expansion plans and is thinking of moving into the suburbs.

An independent insurance broker told of the virtual disappearance of insurance in the inner-city market. He told how it was impossible for businesses to obtain loans without this insurance. Even the fire and extended coverage sold through the FAIR plan is difficult to place; often a 2-month delay occurs which can spell disaster.

A small business association found that 10 percent of its members had closed or moved from the inner Baltimore area—all these after the 1968 civil disturbances.

A pawnbroker who never had a loss for over 45 years had to file suit to obtain settlement for minimal riot losses. Now he can buy no insurance.

A furniture store owner, with no losses for 24 years, had a 400 percent increase in his premiums.

A liquor dealer, in business for 22 years without a loss, had premiums rise by a factor of six.

I could go on for hours. As chairman of the Committee on the District of Columbia, I know that the situation in Washington is just as grave. Hearings that the House Committee on Banking and Currency held in Chicago last year revealed the same crisis.

This is the situation as reported in many cities of our Nation. The plight of the small, independent entrepeneur is extreme. The men we depend upon to provide us with food and goods in our city must live in constant physical danger and with the economic fate of their businesses left to the whim of criminal behavior. These are the people, more than anyone else, who bear the burden of our crime explosion. One robbery or theft can mean the loss of months of work. Repeated crime will mean the destruction of a business, perhaps a lifetime's work wiped out.

We must act to provide insurance for the city businessman because it is only just. Why should these hardworking members of our community be forced to pay for crime with their profits and livelihood? They must be given protection against those who so easily prey upon the law-abiding citizen.

If we do not act, our stores and businesses will close, and our cities will become dark and lifeless monuments of once great centers of our society. We need our local stores to supply the daily needs of those who cannot afford a shopping trip by car of the long ride by bus—our poor and elderly. And we need our large stores and restaurants to keep our city vibrant and alive and prevent a business flight to the suburbs.

The loss of local businesses will destroy the neighborhoods in our cities. Without local shopping, there are no places for people to meet. Streets become dark and deserted. The street life and friendships of the area disappear. The network of neighborhood groups, clubs, and associations will whither. And with this our neighborhoods will die. With the basic units of the city gone, it will become an overwhelming impersonal, huge, and hostile place to live. There will be no human scale in the lives of our cities. If we cannot halt the deterioration of our neighborhoods, the battle to make our cities more livable will be lost before it begins.

To remedy the total failure of the present FAIR plans and to guarantee that the victims of crime can obtain protection by insurance, I am introducing the Crime Insurance Act of 1970, which alters substantially the FAIR provisions of the Housing Act. The bill has been introduced in the House by Representative ANNUNZIO and is cosponsored by nearly 100 Representatives.

My bill meets many of the crime insurance problems head on. Its dominant provision calls for the direct Federal writing of essential property insurance, including crime lines, if the rates for such insurance in the private market exceeds 175 percent of the manual rate. The premium for such policies will be 175 percent of the manual rate. No policy will be written if the Secretary of Housing and Urban Development determines that the property is uninsurable, or if the State commissioner can justify the excessive rate.

The FAIR plans are continued. However, I include, in addition to fire and extended coverage, vandalism, malicious mischief, burglary, and theft in the FAIR plan. As you can imagine, these lines of insurance are most important to inner city property owners.

Other much-needed reforms contained in the bill are:

First. Eliminates discrimination in brokers' and agents' commissions. This will encourage brokers and agents to sell the FAIR plan insurance.

Second. Provides Federal guarantees for performance bonds for small business construction contractors and subcontractors. For over a year, black contractors have complained about their inability to engage in so-called black entrepreneurship programs because they cannot get performance bonds.

Third. Provides for reinsurance of losses which occur during the construction or rehabilitation of habitational property. I am amazed to learn that homes and apartments being constructed or rehabilitated, even under our Federal programs, are uninsured during the building or remodeling period. By offering the same kind of insurance against such losses that is now provided for riot losses, these properties will be insured during the crucial construction stage.

Fourth. Eliminate State sharing in riot loss payments. Present law provides that the States must pay up to 5 percent of the total property premiums written in the State toward riot losses. Many States have been very reluctant to assume this obligation since they do not have the money. Yet, unless the State enacts legislation, providing for this State share, the insurance companies in that State are ineligible for riot reinsurance. One of the purposes of this State share was to encourage the States to take measure to eliminate riots and civil disorders.

XUM

Experience has taught us the expense of such endeavors far outweighs the advantage to be gained.

Fifth. Provides for an Office of Review and Compliance in HUD to be operated under the supervision of the Office of Federal Insurance Administrator. At present, the Federal Insurance Administrator has virtually no policing powers over the operation of the program. The only way he hears about complaints or inadequacies comes through letters from Congressmen or the inner city property owners. The insurance administrator should have the authority to check on the operation of these programs and take such steps as may be necessary to make them more effective.

These are the more salient substantive provisions of the bill. It does not provide for any new financing. The direct Federal insurance program will hopefully be paid for through the premiums collected. In the event losses exceed premiums, then the bill authorized the Secretary to draw on the same funds which have already been made available for the payment of riot losses.

The Federal urban insurance program was passed 2 years ago. This program has been a failure. Many of the provisions in my bill were first offered as amendments to the original legislation. These amendments were defeated in committee and on the floor—based on assurances by the insurance industry and the Department of Housing and Urban Development that they were unnecessary. After 2 years' experience, I have become convinced that this legislation is the only way to afford viable insurance programs for our inner city residents and property owners.

XUM

The bill has been constructed to keep Federal incursion in the insurance industry an absolute minimum. It also provides that where Federal assistance no longer becomes necessary, the situation is turned back to the industry. But I feel it is unconscionable for the Government to provide the relief of Federal reinsurance and have the insurance industry continue to flout the purpose of the FAIR plan.

The House Committee on Banking and Currency has held a day of hearings on this bill. Shortly they will begin to mark up the 1970 housing bill and hopefully this measure will be part of it. Next Tuesday, I will testify before the Housing Subcommittee of the Senate Banking and Currency Committee. Again I hope this measure will be included in the housing legislation reported out this year.

Time is absolutely crucial. Every day more businesses close or move; every week our inner city economy reaches a new ebb; every month our city neighborhoods die a bit more, destroying the social fabric of our urban areas.

If we are serious about saving our cities, and if we are truly concerned about the victims of crime, I see no other alternative than action on this measure. I do not believe we should continue to stand idle and impotent as our urban society deteriorates, only able to utter harsh words and attempt to avoid responsibility.

We can act; this is not one of our insoluable problems. It does not even require any funds. It merely demands a government willing to respond to the urgent needs of its citizens.

A NEW DAY FOR THE INDIAN

Mr. HANSEN. Mr. President, President Nixon has sent a most comprehensive message to the Congress designed to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions. I congratulate the President on the bold step he has taken to improve the quality of life of the American Indian.

As a member of the Subcommittee on Indian Affairs, I have long recognized the need for change in our Indian policies and have supported efforts to reform these policies. The President's message rejects the extremes of forced termination and of paternalism, and adopts an enlightened approach which provides the opportunity for Indians to exercise self-determination without denying the security due the Indian people under the special relationship resulting from past agreements between the Federal Government and the tribes.

The President's analysis of the problems facing the American Indian today is thoughtful, and he offers imaginative solutions to replace the wornout and unsuccessful programs of the past. I heartily subscribe to the goals set by the President in his message.

Congress should act immediately on these proposals. I urge that hearings be scheduled at the earliest opportunity to familiarize the Members with the specific methods provided for the implementation of this program. We must act now so that a new day for the American Indian can begin.

TWENTY MILLION AMERICANS

Mr. TYDINGS. Mr. President, 70 years ago, at the turn of the century, 3 million Americans were aged 65 or older. At that time, the elderly comprised only 4 percent of the total population. Today, in contrast, there are 20 million people, 10 percent of the population, who are 65 or older, and there is no doubt that their number will increase dramatically in years to come. These senior citizens face serious and growing problems. As pointed out in the report of the Senate's Special Committee on Aging:

More than one-third of them live in poverty or near poverty. Many find themselves living on about half the income that they had during their working years. The poverty line for a single person is $1,700. For a couple it is $2,100. Unfortunately, some 5 million persons over 65 fall below the line. Moreover inflation continues to erode already inadequate incomes at the rate of 6 percent a year.

Medicare has been a great assistance but it still covers less than 50 percent of the total medical expenses of the elderly.

Major shortages exist in housing for the elderly, nursing homes, and other forms of shelter.

Grave deficiencies exist in the delivery of social services to the elderly.

Intensifying all of the other problems, there is a widespead mood of alienation among the millions of elderly Americans who find that their status and hopes deteriorate when retirement begins. Older people feel left out and useless.

In recent years, Congress has attempted to meet some of these problems. In the last 5 years we have enacted the following legislation, all of which I wholeheartedly supported:

Medicare and medicaid.

Major increases in social security benefits, including a 15-percent increase in benefits enacted last year.

Similar increases in railroad retirement benefits.

Significant improvements in the civil service annuity program.

The Older Americans Act, the act that created an Administration on Aging to improve and expand programs for the elderly on both the Federal and State levels.

The Age Discrimination in Employment Act, which is designed to increase employment opportunities for older workers.

The Housing and Urban Development Act, which offered new programs of potential help to middle- and low-income older Americans.

Legislation establishing a White House Conference on Aging to be held in 1971.

The Tax Reform Act of 1969, which will remove millions of elderly persons from the tax rolls through a new low-income allowance and an increase in personal exemption deductions for persons 65 or over.

Despite these efforts, however, more, much more, needs to be done.

INADEQUATE INCOME: THE PRIME PROBLEM

Inadequate income and inflation continue to be the prime problems facing our older citizens. The increases in social security benefits enacted in 1965, 1967, and 1969 have, of course, been a significant help but they have still not provided sufficient income, not with inflation raging at 6 percent a year.

Our immediate task is to again increase social security benefits. Fortunately, the House of Representatives has already passed legislation, H.R. 17550, that would provide a 5-percent increase in benefits, liberalization of the retirement test, a cost-of-living adjustment and other improvements in the social security program.

Moreover, Senator HARRISON A. WILLIAMS, the able chairman of our Special Committee on Aging, has introduced an amendment in the Senate to raise the increase in benefits to 10 percent, rather than the 5 percent proposed by the House, and to increase the coverage of medicare. I will support Senator WILLIAMS' amendment and urge my colleagues to do likewise.

I also urge the prompt enactment of H.R. 15733. The bill, at present in conference, will provide retired railroad workers with a 15-percent increase in benefits similar to that made available last year to those covered by social security.

In addition to providing our senior citizens with immediate financial assistance, we must step up the attack on inflation. Inflation is a problem faced by all Americans, but it exacts a particularly heavy toll from our older citizens, eating away at the fixed incomes on which many of them live.

To stem inflation we must work diligently to eliminate waste in Government. For my part I will continue to press for the elimination of waste in the military and elsewhere and for the closing of tax loopholes. Moreover, I will work for the formulation of a set of firm wage-price guidelines backed by the full authority of the Office of the President and the Congress and for the establishment of rigorous credit controls. Only with such a stringent program will we be able to stop the inflationary tide.

There are other smaller but meaningful steps that we can take to extend financial aid to the senior citizen.

Many elderly homeowners across the Nation have a great deal of difficulty paying their local property taxes. Frequently, they purchased their homes years ago when property taxes were low and their income was greater. Now they find themselves saddled with drastically increased property tax bills that must be paid out of smaller fixed retirement incomes rapidly shrinking under the pressure of inflation.

Last year, I introduced a bill that would help elderly homeowners meet this problem by providing them with a Federal income tax credit to help offset excessive property taxes. The bill is at present in committee. I urge prompt and favorable action.

Another problem that we can deal with immediately is the devastating effect that urban renewal has on the elderly owners of small neighborhood stores.

Too often urban renewal means destruction of the livelihood of a small friendly neighborhood storekeeper. His store, the "mom or pop" grocery or candy store, depends on local clientele that are removed by urban renewal. The relocation payments to him are too small, he is too old to start over again, his goodwill is a thing of the past. The storekeeper is thus set adrift at an elderly age with little or no future.

Last year, I introduced an important amendment to the Uniform Relocation Assistance and Land Acquisition Policies Act of 1969. The amendment, passed by the Senate, provides that relocation payments to individuals 60 years of age or over should be made in an amount equal to three times the average annual net earnings of their business or $6,000, whichever is less. If enacted, the amendment would provide much needed financial assistance to many of our older citizens. It is presently pending in the House of Representatives. Its prompt enactment would help to alleviate a serious problem.

We can also take immediate steps to stop the devastating effects that consumer frauds have on the purchasing power of the elderly. Frauds involving phony medical cures and "make money at home schemes" are often aimed particularly at the elderly. The consumer class action legislation that I introduced last year would provide elderly consumers with the most potent weapon yet devised for fighting fraud and deception. This legislation has received the enthusiastic endorsement of the National Counsel of Senior Citizens.

A consumer class action enables one or more representatives of a group of consumers with similar injuries to sue on behalf of all of those similarly injured, thus making litigation of small claims economically feasible. Under my proposal many senior citizens, each defrauded of a small, but significant amount, could join together to obtain justice.

CRIME AND THE ELDERLY

Fraud and other crimes affect all Americans, but the elderly are particularly vulnerable to the physical and financial injury that crime exacts. Today, unfortunately, we are faced with a crime problem of national proportions. The Safe Streets Act of 1968, which I helped manage on the floor of the Senate, has been helpful, but it is not enough.

To regain our domestic tranquillity and to remove from our streets and communities the tyranny of crime, we must follow this strategy:

First, we must place the war against crime much higher on our scale of national priorities. We have yet to make the kind of economic, intellectual, and moral commitment that is equal to the complexity of the task.

Second, we must improve and better support our police. We must provide our police with much better training and education, increase their pay and provide them with the most modern law-enforcement equipment.

Third, we must launch a broad attack on the inefficiency and delay in our criminal courts.

Fourth, we must vastly improve our correctional systems.

Fifth, we must control drug abuse. Up to 70 percent of our street crime is caused by narcotic addicts who need money to feed their habits. To help stop this, Federal assistance should be made available to every urban area to establish comprehensive narcotic and drug abuse treatment programs. At the same time, we must strike with the full force of the law at professional narcotic merchants to stop them from engaging in their despicable activities.

Finally, we must focus on and relieve the evils of unemployment, slum housing, family breakdown and inadequacies in education, all of which help to breed crime in the first place.

SOCIAL SERVICES

All of our efforts to provide senior citizens with adequate income and to protect them against crime will be of limited value if we fail to provide them with needed social services.

Mr. President, the following are some of the areas in which we need concentrated efforts:

First, Nutritional aid: Most of our elderly live on substandard diets. Indeed our 20 million elder citizens are the most uniformly malnourished segment of our population. Lack of income, lack of mobility, and general ignorance of fundamentals in planning proper meals are some of the causes of the problem.

Programs should be developed, utilizing the funds and facilities available under the Older Americans Act as a vehicle to locate and provide regular balanced meals to those who are otherwise unable to shop for or prepare their own meals. Roving dieticians and communal meals could also play a role in meeting the nutritional needs of the elderly.

Second. Transporation: For the elderly, it is often too expensive and/or too inconvenient. Taxis are too expensive, and buses do not offer the needed personal service. Consequently, many elderly citizens lose their mobility, including the mobility necessary to reach the social centers where needed assistance might be available.

One possible solution would be to encourage bus companies to provide off-peak-hour price cuts to the elderly. A dial-a-bus type of operation in which buses would make slight deviations from routes to pick up elderly customers might be of significant help. I understand that such a program has been given considerable attention with the Department of Transportation.

Third. Counseling and referral: Often, counseling is required to help elderly persons identify and solve their various problems. Older people need help in adjusting to the changes that retirement brings, in understanding the social security programs and medicare, and in finding work or activity commensurate with their interest and mobility. Through adequate counseling programs they can be helped to carry the greatest burden of old age, the feeling of uselessness and helplessness.

CONCLUSION

For too long we have paid insufficient attention to the problems of our senior citizens. The time has clearly come to dedicate ourselves to a massive effort to alleviate the problems of the aged. The well-being of 20 million Americans is at stake. They must not be forgotten.

BIG THICKET GETS HEARING BY PARKS SUBCOMMITTEE

Mr. YARBOROUGH. Mr. President, I have just received a copy of an excellent article written by my good friend, Prof. Pete Gunter, about the recent hearings on S. 4, my bill to establish a 100,000-acre Big Thicket National Park. Professor Gunter was a witness at the hearings and is a dedicated conservationist. He is chairman of the Department of Philosophy at North Texas State University in Denton, Tex.

The Senator from Nevada (Mr. BIBLE), chairman of the Parks Subcommittee ably presided over the meeting, hearing 35 witnesses and later touring the Big Thicket by helicopter.

Mr. President, I ask unanimous consent that the article entitled "The Big Thicket Gets a Hearing," by Pete Gunter, published on page 22 of the July 1, 1970, Texas Observer, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BIG THICKET GETS A HEARING

(By Pete Gunter)

BEAUMONT.—For six years Sen. Ralph Yarborough's bill to establish a Big Thicket National Park lay immobile in committee, while lumber companies hewed virgin wilderness and conservationists grimaced and wept. It is not easy to get a bill out of committee. The first step is a Senate hearing. A Senate hearing on the Big Thicket National Park was finally arranged for June 12 in Beaumont.

Chaired by Yarborough and Sen. Alan Bible (D-Nevada), the hearings began with a speech by Senator Yarborough, who scolded the lumber companies for their unwillingness to let go of enough acreage for a park. Yarborough's sentiments were seconded by Cong. Bob Eckhart, who accused the lumber interests of a concerted and covert effort to destroy the Big Thicket before it could be protected.

In the face of pointed criticism the lumbermen's statements proved disconcertingly mild. Park enthusiasts held their breath while Ollie Crawford, president of the Texas Forestry Association, went to the speaker's platform, but the substance of Crawford's speech was simply a reiteration of the lumber interests' claim that any plan larger than a 35,000-acre Big Thicket National Monument was wholly unrealistic and uncalled-for. Crawford's claim that the lumber companies had protected and "regrown" the Thicket was parried by Yarborough's sharp questioning. Was it true, Yarborough asked, that lumber interests had had two men going around the State of Texas getting garden clubs to pass resolutions favoring a 35,000-acre park on the false pretext that this was to back Yarborough's stand? Crawford finally answered that this was simply an attempt to tell the industry's side of the case. Was it true that lumber interests had taken newspaper reporters from all over Texas on a free plane ride and informed them of the futility of a national park? Well, Crawford hedged, not exactly. Not exactly? Well, it was the industry's attempt to tell its side . . . etc.

The strongest statement on behalf of the lumber interests was made by Arthur Temple of Temple Industries, Diboll, who is widely known as the most enlightened of Texas' lumbermen. Temple complained that lumber companies were being painted as the villains. He pointed out that he had stopped a cutting project (and closed down a sawmill) in order to protect Neches bottom land selected for park inclusion; that he and other lumber interests had personally helped the Department of the Interior find unique areas to be included in the 35,000-acre national monument; that lumber interests through selective cutting had helped to regrow the Thicket; and that it makes more sense to develop the 600,000 acres of government-owned land in East Texas for recreation than to retire an additional 100,000 acres.

Conservationists countered with a formidable array of arguments. At least 100,000 acres was necessary to preserve the ecology of the Thicket; anything less would wreck present drainage patterns and destroy the areas set aside for preservation. The park would help the nearby Indian reservation to get on its feet by attracting tourists. Besides the areas set aside for conservation there should be scenic corridors along Big Thicket roads; streambanks should remain uncut, unchannelled, and undammed. The timber industry ought to create an educational center in the Big Thicket to explain the necessities of timber harvesting. Each Thicket wilderness area ought to be associated with a small museum explaining its ecology, history, interesting plants and animals. From Maryland to central Texas there exists no national park dedicated to the Southern hardwood; yet at present cutting rates, in 20 years no typical Southern pine-and-hardwood forests will exist. The Thicket is the very last chance.

Testimony continued from early morning through midafternoon, when the senators embarked on a helicopter tour of the region. The hearing, Senator Bible agreed, was the best he had seen on a proposed national park. Unfortunately, the helicopters that afternoon lost their way en route to the Indian reservation at the northwest corner of the Thicket and strayed over farm and industrial areas. "I began to wonder," said Dempsie Henley, a leading conservationist, "if the Texas Forestry Association hadn't arranged for the helicopters." Apparently, however, Senator Bible, the leaders of the National Park Service, and a multitude of reporters saw enough to be convinced. The general opinion that evening was that it had been the best day the Big Thicket had ever seen.

The next day Senator Yarborough was supposed to be out in West Texas dedicating Lyndon Johnson's birthplace. But he had picked up a rumor in Beaumont to the effect that Ralph Yarborough wasn't going on up to Saratoga because the Big Thicket hearings were just a show, and there wasn't going to be any national park. The senator arrived at the annual Big Thicket trail ride and get-together full of enthusiasm. "They say the Thicket hearings don't mean anything. That," Yarborough said, "is just hogwash. It might not be tomorrow, and it might not be a year, but there is going to be a Big Thicket National Park. I am not dead yet," Yarborough boomed. "I've just begun to fight. The lumber interests have hired the biggest lie-spreader in the state, the Rives Dyke public relations firm [which had masterminded Bentsen's low-blow campaign against Yarborough] to fight the Big Thicket National Park. But they will not win this one. There will be more rumors that if there is a park they will close your schools and there will be no jobs. That's hogwash, too. The schools will stay open. And you'll hear rumors that the government will come in and throw people off their land if there's a national park. That's hogwash. And the people starting those rumors know it's hogwash. National parks create jobs. Pulp timber gives you a crop every 10 years; tourists give you a crop 12 months of the year."

The senator's speech was punctuated with bursts of applause. The crowd dispersed gradually to the sounds of country fiddlers and amiable conversation. It was midafternoon, and hot. Off in the distance a hawk wheeled above the pinetops. The trail drivers pastured their horses in the shades of the pines. In the old Saratoga school auditorium the Miss Big Thicket beauty pageant began. Conservationists headed for the highways that lead back to Houston and Dallas wondering if the senator is right.

There is a chance. Not a bad chance. If the conservationists don't let their guard down. And if the lumber interests don't sew up the news media. And if no one gives up hope. The woods along the road brooded in the afternoon heat. A deer darted back into black shade and disappeared; in a roadside ditch a turtle submerged suddenly, swirling the brown water. Yes, one could concede the senator that much: there is a chance. A newspaperman remarked casually in a Beaumont cafe: "Well, I don't know about ecology. But this thing has turned into such a bandwagon that it's easier to get on than to try to stop it. The politicians are for it now." Off in the distance a hawk wheeled above deep forest, the road shimmered in the sun. Yes, there is no stopping a bandwagon. If you can start one.

THE PRESIDENT'S MESSAGE ON INDIAN AFFAIRS

Mr. MONDALE. Mr. President, yesterday the President of the United States delivered a message on Indian affairs with recommendations which, if implemented, could have far-reaching effects upon Indian citizens of our Nation.

To the Senator from Massachusetts (Mr. KENNEDY), who served so ably as chairman of the Special Subcommittee on Indian Education, to me, and to the other members of the subcommittee, the President's message was especially gratifying because the President restated many of the same recommendations we made in our final report last November. It is encouraging to know that the report has not fallen upon deaf ears at the White House, and that the President has decided to join us in seeking long overdue reforms in Indian affairs.

There are several points in the President's "new policy" which I would like to call attention to because I believe their implementation offers American Indians the opportunity for significant progress.

First of all, I want to record my agreement with the President's statement that "forced termination is wrong." Self-determination is possible without termination of those services the Federal Government is obligated to provide.

In regard to education the Indian Education Subcommittee specifically recommended:

> The Federal Government shall not terminate Federal responsibility and services in educational fields to any Indian tribe, band, group, or community, unless such termination is consented to by those Indians affected by such termination.

The President has asked the Congress to repeal House Concurrent Resolution 108 of the 83d Congress which established congressional approval of the termination policy. I point out that the Senate has, in effect, already stated its opposition to termination of House Concurrent Resolution 108 in Senate Concurrent Resolution 11, which was agreed to by the Senate in 1968. The distinguished Senator from South Dakota (Mr. MCGOVERN), submitted that resolution, and we are grateful for his insistence at that time in putting the Senate on record as opposed to termination. I am pleased that the House, which did not agree to the McGovern resolution in 1968, has reintroduced an antitermination bill this session. Representative DONALD FRASER, of Minnesota's Fifth District and a devoted advocate of Indian rights, has been one of the driving forces in introducing that legislation.

The President also asked that Indians be given the opportunity to control and operate Federal programs. If Indians are ever to control their own destinies, it is essential they be permitted to do so without the meddling hand of the insensitive non-Indian—the type of person who seems to predominate in the Bureau of Indian Affairs.

The Indian Education Subcommittee recommended that tribes and Indian communities should be able to contract directly with the Bureau of Indian Affairs for the programs provided, for example, by the Johnson-O'Malley funds. The President has expressed his concurrence with that recommendation.

To expedite the transfer of schools from Federal control to control by locally elected school boards—another subcommittee recommendation—the President has asked the Vice President to establish a Special Education Subcommittee within the National Council on Indian Opportunity, which the Vice President chairs. The Council has met only once since this administration took office. I certainly hope there will be considerable improvement on that record by the Special Education Subcommittee.

I am sorry to hear the President has asked this subcommittee to conduct yet another review of Indian education. The Senate subcommittee report is probably the most comprehensive document on this matter ever published. This report, together with the soon-to-be-released national Indian Education study contracted by the Office of Education, should certainly provide all the data and information the special subcommittee would need to accomplish its mission. We do not need another study to tell us what a tragedy Indian education is. I think the Vice President's Subcommittee's time could better be spent seeing that Indians who want control of their children's education are given that control.

I am pleased by the President's decision to expand urban Indian centers in seven major cities, including Minneapolis. But this still barely touches at the needs of urban Indians. The Indian in the city is often more destitute and more impoverished than his brethren on the reservation. Because of their mobile status, many do not qualify for services available to other urban poor, and because of outdated BIA regulations they are not eligible for benefits received by reservation Indians. Much, much more needs to be done in this area.

I am appreciative of the fact the President has listened to those of us in Congress who have been advocating increased funds for Indian health.

This winter the administration refused to permit the Indian Health Service to spend $3 million of appropriated funds. With Indian infant mortality nearly 50 percent higher than for the general population, with tuberculosis rates eight times higher, with the suicide rate twice that of the general population, and with alcoholism, otitis media, and other diseases taking an astounding toll yearly, it was inconceivable to me that funds to be used in this area could be withheld. After more than 90 Representatives and Senators sent letters of protest to the President, he relented and released the funds. Now the President wants an additional $10 million this fiscal year for Indian health. This is a most encouraging change of priorities, and I hope we see more of the same.

The President made several other recommendations. Some, such as that calling for the establishment of a new Assistant Secretary for Indian and Territorial Affairs who would be solely concerned with Indian and territorial peoples, was recommended by the Indian Education Subcommittee and has already been introduced in a Senate bill. Other recommendations have not yet been formally introduced, but are encompassed in a comprehensive Indian education bill which Senator KENNEDY and I are presently working on.

Without being too much a pessimist, I would like to note that this is not the first time we have heard a good-sounding plan for Indian affairs. Over the years we have gone through innumerable new approaches, new directions, and new policies, only to find that after the breeze of practicality has cleared the air of the rhetoric, the Indian is still the most deprived and most isolated minority group in our Nation.

You will recall that in 1968 we heard a Presidential message on Indian affairs. It was an announcement of a "new national policy" in Indian affairs, a policy which sought maximum Indian participation and control, and the pursuit of excellence in a model school system for the Federal Indian schools. I quote from a portion of President Johnson's address that day:

> I am asking the Secretary of the Interior, in cooperation with the Secretary of Health, Education and Welfare, to establish a "model community school system" for Indians. These schools will have the finest teachers, familiar with Indian history, culture and language, and will feature an enriched curriculum, special guidance and counseling programs, modern instructional material, a sound program to teach English as a second language, and will serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings.
>
> To help make the Indian School a vital part of the Indian community I am directing the Secretary of the Interior to establish Indian school boards for federal Indian schools.

Two years have passed since that dictum, and how much of a model has the Federal model community school system become?

It has become a model all right—of everything a sound educational system should not be. Textbooks are still outmoded and insensitive to Indian history, culture, and language. Guidance and counseling programs guide and counsel Indian students directly into jail. Only three locally elected school boards have been established since the President's directive. At that rate, it will be 2044 before the Bureau's 223 schools have local control.

Just recently I received a report on the model school at Brigham City, Utah. There, the teachers and administrative personnel are authorized to use handcuffs on students. The guidance and counseling office uses jail referral slips to deal with belligerent students. Students' heads are shaved—in total disregard for the significance of long hair in certain Indian religions. This is the kind of progress that has been made toward a model community school system.

If the recommendations of the Senate Indian Education Subcommittee, as proposed by the President in his message yesterday, are implemented, this Nation will go a long way toward providing Indians with the opportunities they long have been denied. I am hopeful that now, with the President's stated support, we can begin making some serious headway.

AWARD OF NAVY CROSS TO 1ST LT. RICHARD L. JAEHNE, SALT LAKE CITY

Mr. MOSS. Mr. President, today I received word that a constituent of mine, 1st Lt. Richard L. Jaehne, of Salt Lake City, Utah, has been awarded the Navy Cross for extraordinary heroism in the Republic of Vietnam.

All Utahans are proud of Lieutenant Jaehne's activities. I ask unanimous consent that the official citation presented by Navy Secretary John H. Chafee, which outlines Lieutenant Jaehne's actions, be printed in the RECORD.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

> The President of the United States takes pleasure in presenting the Navy Cross to Second Lieutenant Richard L. Jaehne, United States Marine Corps Reserve, for services as set forth in the following Citation:
>
> For extraordinary heroism while serving as a Platoon Leader with Company K, Third Battalion, Seventh Marines, First Marine Division in connection with combat operations against the enemy in the Republic of Vietnam. On 28 August 1969, while moving through an open rice paddy during a company-sized search and clear operation in the Que Son-Hiep Duc Valley in Quang Nam Province, Second Lieutenant Jaehne's platoon came under intense mortar, automatic-weapons, and small-arms fire from a well-entrenched North Vietnamese Army force. Quickly assessing the situation, he deployed his platoon into firing positions and launched an aggressive counterattack. During the ensuing fire fight, he repeatedly disregarded his own safety to gain vantage points from which to direct the fire of his men against one hostile position after another. When one of his squads was temporarily pinned down by fire from a heavy machine gun, he inched his way through the deep rice paddy and, in full view of the enemy gunners, destroyed the machine gun with a hand grenade, using his pistol to dispose of the last of the enemy gunners in the emplacement. Although he had sustained a painful fragmentation wound in the shoulder and a bullet wound in the hand, Second Lieutenant Jaehne rallied his Marines, retrieved the radio from his fallen radio operator, restored communications, and continued the attack until the enemy broke contact and withdrew, leaving behind thirteen casualties, several crew-served weapons, and numerous rifles and items of equipment. By his courage, aggressive leadership, and unflagging devotion to duty in an extremely hazardous situation, Second Lieutenant Jaehne upheld the highest traditions of the Marine Corps and of the United States Naval Service.
>
> JOHN H. CHAFEE,
> *Secretary of the Navy.*
> (For the President).

CHARTER STRANDINGS

Mr. PACKWOOD. Mr. President, I have been greatly disturbed to learn of the strandings of thousands of U.S. citizens, both here and in Europe, who were scheduled to be carried on various charter programs.

In the Washington Post for July 7, 1970, there was an article concerning the bankruptcy of a firm which specializes in student charters which reportedly has resulted in almost 3,000 students being

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stranded in Europe and having their study programs and vacations disrupted. An even larger number of people who had paid in full for their upcoming European trip have been informed that their trip has been canceled and that their money will not be returned.

A group of students from Oregon have been victims of this rash of charter strandings. Upon arrival in New York over the weekend en route to Rome they were advised that the charters they were scheduled to be carried on will not operate.

The human inconvenience which is generated by the stranding of innocent American citizens must be stopped. It is obvious that existing regulations of the Civil Aeronautics Board and business practices of the airlines are inadequate to cope with those instances where persons who promote charter programs are either unable or unwilling to safeguard the substantial sums of money entrusted to them by the traveling public.

Although the travel agency business has a good record for responsibility and performance, problem areas do exist and must be dealt with. Along with communicating with the Civil Aeronautics Board to demonstrate my grave concern with the apparent inadequacy of regulations governing the conduct of pro rata charters, I am also looking into legislation that would amend the International Travel Act of 1961 to provide for Federal regulation of the travel industry.

The Director of the Civil Aeronautics Board, Richard J. O'Melia, is to be commended for his vigorous enforcement of charter rules and regulations. However, his efforts are not enough. I hope that the CAB will, in its consideration of the proposed changes of charter rules, take into account the need for the establishment of safeguards to be imposed on persons who sell transportation to the public, particularly charter transportation. Serious consideration should be given to such steps as establishment of a bonding requirement or the maintenance of trust accounts to assure that the moneys given by the public to persons promoting charter programs will be protected and that their vacation and travel study programs will take place as planned.

I hope that the CAB and the airline industry will make all reasonable efforts to insure that those Americans who have been victimized by charter strandings will be protected and that they will be returned safely to their homes with a minimum of inconvenience or cost. At the same time I believe that both the Government and the travel industry must undertake immediate steps to prevent charter strandings from going to crisis proportions.

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ENVIRONMENTAL PROTECTION IN OREGON

Mr. HATFIELD. Mr. President, I would like to call attention to two articles which appeared in the Oregon Voter on May 23, 1970. The first article which I ask to be inserted provides a history of Oregon's progressive environmental programs and the beneficial results of the "protective maintenance" approach on the part of Oregon government and industry. Ecology, conservation, environmental quality were all familiar words to the people of Oregon long before they became nationally fashionable. Various citizen and local government organizations, industry, and legislative enactments have reflected the deep-seated concern and positive action taken by the State during the past decades in order to preserve and protect Oregon's natural beauty for the enjoyment of its own citizens and for the Nation.

At the conclusion of the history of Oregon's environmental programs, there are several paragraphs delineating the participation of several Oregon industries in the field of environmental quality. All too often in our concern for the environment, there is a tendency to overlook the record of accomplishment being made in protecting and enhancing Oregon's liveablity. For the most part Oregon's industries have been extremely innovative in applying technology in the fields of air and water quality control and solid waste disposal. These accomplishments should be recognized and encouraged not only as examples of what can and should be done to protect the environment but also as cases in point of the very real concern of industry for the environment.

The second article is a speech by the former president of the Western Wood Products Association, Frank Gilchrist, given at this association's spring meeting last March in San Francisco. The speech was given at a symposium on environmental quality and Mr. Gilchrist is to be commended for his commonsense approach to the timber industry and the environment. It is no doubt true that for too long Americans accepted pollution as the price that had to be paid for progress. But in a very succinct and forthright manner, Frank Gilchrist points out that this does not mean that we have to accept a moratorium on progress as the price for environmental quality. He very aptly points out that the fundamental key to the quality of life in America lies in a balanced concept of preserving, utilizing, managing, and distributing our resources. Mr. Gilchrist's remarks give perspective to our fight to preserve the environment, and I commend his thoughtful appraisal to my colleagues. Although his speech is primarily focussed on the timber industry, I believe his outlook can be readily generalized to the industries and problems of all the States.

I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ENVIRONMENTAL PROTECTION IN OREGON

Oregon today is probably the most conservation conscious state in the nation.

Its earliest environmental enhancement efforts were made by government and industry—primarily in forest protection.

WATER QUALITY

Emphasis next was focused on water quality.

The State Sanitary Authority was created by an overwhelming vote on an initiative measure during the General Election of 1938. That body began actual operation in February 1939. At the time there were 49 sewage treatment plants in the state (250 today).

By 1947 the first sewage treatment plant on the Willamette went into operation.

In 1952 all Willamette Basin pulp mills were required to operate special waste disposal systems to reduce pollution loads during critical summer and fall stream flow periods.

By 1957 all cities on the Willamette had at least primary sewage treatment plants.

State laws pertaining to water quality control were extensively amended and improved by the Legislature in 1961–67–69.

In 1967 all Willamette pulp mills were required to install facilities for year-round treatment wastes prior to discharge into the river. All have year-round treatment for removal of settleable solids and all will have chemical recovery and secondary treatment by July 1972.

In 1969 the State Sanitary Authority, until then a division of the State Board of Health, was replaced by a new and separate Department of Environmental Quality. The new department is responsible for water and air quality control and solid waste disposal.

Today all cities on the main stem Willamette have the equivalent of secondary treatment and effluent disinfection.

By July 1972 all cities in the state are required to have minimum secondary sewage treatment and affluent disinfection equivalent to 85% of oxygen demand and suspended solids.

During the past 25 years people of Oregon have spent $190 million for new or improved sewage treatment facilities. In the next 5 to 10 years they'll spend another $180 million for additional sewerage works.

Industry in the last dozen years has spent an estimated $50 million improving water quality and has budgeted another $30 million for the immediate future.

Consequently, the Willamette is cleaner today than at any time in modern history and will continue to improve as present programs are completed and current standards are maintained. The battle to keep Oregon water pure for all uses is being won.

AIR QUALITY

Air quality control has developed more slowly. The clean-air movement really didn't get off the ground in Oregon until Associated Oregon Industries financed a Stanford Research Institute study of Metropolitan Portland's air quality in 1956.

That survey revealed an air problem and predicted it would worsen. That prediction came true in 1962–63 and the City of Portland's Air Pollution Code was drawn—with active support of area industry, in 1964. Portland's Code has since been used as a model instrument in other areas.

The next solid step was creation of three regional air quality authorities in 1967: Columbia-Willamette Authority (Portland area), mid-Willamette Authority (Salem-Corvallis) and Lane Authority (Eugene-Springfield). Creation of the regional authorities received strong industry support paving the way for Oregon's receipt of substantial new federal funding in this vital area.

The Department of Environmental Quality early this year launched a statewide air quality sampling network. The results of this network's sampling—plus existing data, will enable authorities to set adequate standards and make certain compliance is practical and in Oregon's best interests.

SOLID WASTE DISPOSAL

Solid Waste Disposal however, is still in its infancy. Reaction ranges from careless apathy to public outrage over unsightly litter and predictions that we will bury ourselves in our own garbage in the near future. And at the same time, technology is developing at an accelerating rate on both the disposal and recycling fronts.

In the absence of statewide data, Associated Oregon Industries conducted an Environmental Quality Survey among member chemical producers and distributors, machinery and metal manufacturers, food processors, pulp and paper mills, logging operations, lumber and plywood mills and those who produce all types of wood products.

Preliminary results from only 158 industries reveal the following:

Air:	
Spent controlling air pollution	$32, 514, 540
Future spending	51, 572, 500
Water:	
Spent controlling water pollution	41, 589, 600
Future spending	27, 575, 500
Solid waste	
Spent controlling solid waste	1, 633, 273
Future spending	581, 500

Annual cost of operating control equipment: $3,401,960.

Some general conclusions from the survey so far show:

Air and water quality control equipment ranges from a fraction of 1% to as much as 50% of the total value of industry's total equipment investment.

Operating costs for control equipment generally exceed initial estimates.

Most industries with pollution problems recognize them and are taking steps to abate the problem.

Most industries—despite steps already taken, believe some further pollution abatement is possible.

Most industries believe current environmental quality standards are adequate or could be more demanding. Few rate present standards as prohibitive.

Government, industry and the people of Oregon have been busy for three decades paying for and working to solve the water quality problem.

Government and industry now are in the forefront of early stages of air quality control.

Government is scratching the surface of solid waste and land use problems and industry is involved from a technology development and planning standpoint.

The price tag for further environmental enhancement will be a big one for every resident of Oregon.

The biggest job ahead involves convincing every Oregon resident that their individual and collective activities as good environmental citizens will be the deciding factor in the environmental future.

PACIFIC POWER & LIGHT PROTECTS ENVIRONMENT

Pacific Power & Light Company has been active in a wide range of concerns for the environment.

The company provides areas for public recreation, builds low-profile substations that blend with the existing environment, provide Community Congress organization for communities concerned with social and civic problems, employs biologists to protect fish and wildlife, encourages installation of underground electrical service, and actively plans for the future growth of the Northwest while keeping in mind the necessity of proper environmental planning.

PP&L provides nine recreational parks along the shores of three Lewis River hydroelectric projects in southern Washington. Included in the facilities are sites for picnicking, swimming, camping, boat launching, and fishing. In addition, free cooking facilities are provided in the camping and picnicking areas.

The company has also adopted a policy of building low-profile substations in or near residential areas. The new substations are designed to blend with the existing surroundings, as much as possible, and will rise only 18 feet above ground level. As old substations are phased out, the new low-profile design will be constructed in their place.

In addition the company is examining new design concepts for transmission poles that will be more attractive and still meet the demanding performance criteria of the electric utility industry.

Pacific Power established a program in 1967 which introduced the communities that it serves to the idea of a Community Congress or "Town Hall" meeting. This program serves to initiate community awareness of their local problems and offer constructive ways of solving these problems within the framework of local city and county government.

PP&L has a staff of biologists who work on research related to the fisheries resources of the region's hydroelectric reservoirs and the streams and rivers on which they are located. The company has two specialists working in the field of outdoor recreation development related to its hydroelectric project operations in four of the six western states in which it operates.

Included in PP&L's long-range planning to protect the environment are the goals of the Joint Power Planning Council, an association of 109 electric systems in the Pacific Northwest. The council has programed a schedule of generating capacity additions that will blend the existing hydroelectric resources, now largely fully developed, with the new steam-electric stations that are joint undertakings. Environmental concerns are a major part of the planning by the electric systems that will sponsor the stations, whether coal-fired or nuclear-fired.

Active, constructive concern for the environment, while at the same time planning for the future electrical energy needs of residential and industrial customers in the Pacific Northwest is an important part of the long-range goals of Pacific Power.

PUBLISHERS PAPER HAS $10 MILLION CONTROL PROGRAM

The largest single industrial water pollution control system yet installed in Oregon is in operation at the Oregon City pulp and paper mill of Publishers Paper Co.

Start-up of the new system was the latest and largest step in Publishers' $10 million program at Oregon City to improve quality of the Willamette River. The company has spent $6.5 million for pollution control facilities since 1967 and will spend an additional $3.5 million by 1972 of which $2.5 million will go to provide secondary treatment of all affluent water before discharge.

In the five years between 1967 and 1972, according to S. J. Robinson, president of Publishers Paper Co., the company will have used approximately one-third of its capital expenditures at the Oregon City mill for pollution control equipment to protect water quality in the Willamette River.

Robinson explained that the new system is the outgrowth of research and pilot plant studies started in the early 1960s on feasibility of using magnesium instead of calcium base in the pulping process. This was necessary because magnesium, while more expensive, lends itself to recovery while the previously used calcium does not.

Following success of the research program, conversion of the pulping process to magnesium base paved the way for development of the spent liquor incineration and chemical recovery system.

A similar system is under construction at Publishers' Newberg mill, and will be in operation by early next year.

The new installation is a complex system for treatment of the spent liquors resulting from the sulphite pulping process. Chemicals are recovered and returned to the process.

PACIFIC NORTHWEST BELL MAKES ENVIRONMENT SURVEY

Pacific Northwest Bell has released the details of a comprehensive attitude survey concerning the environment of Oregon.

The study was made by the nationally-known research firm of Louis Harris and Associates, Inc., and reflects the public's attitudes and awareness toward misuse of the environment. (A similar survey was taken in Washington).

Commenting on the survey, PNB President Zane E. Barnes stated that "Pacific Northwest Bell, as a corporate resident of the region has a big stake in helping to preserve the environment.

"Our future and the future of our employees," he added, "will be affected by whatever happens here in the coming years. Businessmen, no less than environmentalists, are keenly interested in preserving the environment."

Pollution, in its various forms, was rated by 53 per cent of the 856 persons surveyed in Oregon as the most serious problem facing their community.

Although the degree of concern varied in the four survey regions of the state, the rating of other problems ran from the economy (in second place), through transportation, crime and morality, education, planning needs, housing and population, and improvement of irrigation and drainage.

Imposition of stiffer penalties for air pollution violators topped the list of programs favored to improve environment. Next in order were stiffer penalties for water pollution; stronger programs against visual pollution; more parks and recreation facilities; more funds for highway and street improvement; more funds for transportation facilities and restriction of new industry in the state.

A general business tax was favored as the most acceptable means of paying to "really eliminate pollution and improve the quality of the environment."

Other means mentioned in descending order were sales tax, personal income tax, gasoline tax, utility tax, telephone tax and property tax.

Less than a third of the respondents—28 per cent—indicated a willingness to accept an increase of $200 a year in total family expenses to pay for environmental improvement. When the amount was decreased to $100 a year, the favorable response rose to 47 per cent.

The report pointed out that the "Pacific Northwest has opportunities to deal with these (environmental) problems that are no longer possible in other more industrialized areas of the country."

PORTLAND GENERAL ELECTRIC EMPHASIZES CONSERVATION

Portland General Electric company has enjoyed a reputation for being conservation conscious and has been recognized nationally for its policy of preserving, enhancing and making available for public use the multiple values of its power projects. The good faith of the company in its efforts to preserve the environment is being demonstrated in connection with the Trojan nuclear plant under construction on the lower Columbia river near Rainier.

An architectural team has been retained by PGE to assure that the final design of the plant and associated structures will be aesthetically pleasing and will blend compatibly with the natural river and forest setting of the selected site. Recreational and landscaping plans will preserve and enhance the Trojan site in accordance with modern, well-established, acceptable land-use concepts. The comprehensive plan for development of the 634-acre Trojan site includes day-use and marine facilities and protection of a natural wildlife area.

According to the environmental planning firm of Lawrence Halprin & Associates of San Francisco, the overall concept of the design is to integrate the industrial and recreational elements into the landscape with a minimum of disruption to the environment. The buildings and structures and the recreational facilities are located in such a manner as to retain as much of the natural area as possible.

RECREATIONAL FACILITIES

Facilities will include picnicking, warm-water swimming, boat launching and docking, fishing, nature hikes, playgrounds and sports fields, open-air refreshment center with an all-weather canopy, and fish rearing ponds.

A natural lake on the site, which has been a resting place for Whistling Swans, will be maintained as a sanctuary in its natural setting. The Trojan site is unique as a location for outdoor recreation and education because it offers a variety of terrains: river's edge, marshes, flatlands, bluffs, cliffs, forests, and a corresponding variety of plant and animal life.

ECOLOGICAL SURVEY

A good deal of research went into the final concepts. An ecological survey was made to determine what types of plant and animal life were on the property and what their relation was to one another and to geographical and climatological features of the site. A number of factors—such as aesthetics, recreational, engineering, economic and sociological—were taken into consideration.

A visitors center located near Highway 30 will overlook the plant. It will contain a series of informational and educational displays. Plans call for the center to be in operation some time prior to the completion of the plant itself so that the public can view construction progress.

Portland General Electric company is sponsoring and building the Trojan plant on the Oregon side of the Columbia river about 4.5 miles south and east of Rainier. Current estimates of the project cost is $229 million. Site excavation work began in March, and commercial operation of the 1,300,000-kilowatt plant is scheduled for September 1974. Eugene Water & Electric Board will own a 30 per cent interest in the plant and Pacific Power & Light Company, 10 per cent.

In the entire spectrum of environmental control, the most significant step being taken by the electric industry may well be the increased use of the atom as a means of generating electric energy. The nuclear power plant can ease many of the world's environmental problems because it is remarkably clean in operation . . . and most important, it produces no air pollution.

THE QUALITY OF LIFE

(By Frank R. Gilchrist)

Almost overnight, people everywhere have become concerned about the quality of life. We in the forest industry have been concerned about the quality of life since man first cut a tree to provide firewood to keep him warm during the night.

The "in" word today is "environment," and the forest industry had its beginnings as an environmental industry. It has always had a goal of improving man's environment, either through providing better shelter or by providing the amenities of life. Improvement of human environment, shelter, safety and better distribution of food and other human needs remains our industry goal and the corporate goal of every company in the forest products industry.

There is practically nothing that man has or does today that is not connected in some way or other with the forest industry. Have you bought a new suit or a new dress lately? You probably carried it home in a paperboard box. Have you or your wife bought fruit or vegetables at a grocery store? They were probably placed in plywood bins after being picked. Have you been to the movies lately? You showed the ticket-taker proof of your paid admission by giving him a paper ticket, and sat down to watch action which was captured on film made of cellulose.

When you read the newspaper—when you write a letter to a friend, you are using a product of the forest industry.

Even the environment inside your home, probably built of wood, is improved by something from the forest industry, whether it be wallpaper in one room or paneling in another.

Over 95% of the products of the forest industry go to improve human environment—better or more beautiful shelter or better and safer distribution of food and other human needs.

There's another word that goes along with "environment" in today's concern about the quality of life. That word is "ecology."

To put it simply: "environment" is man's surroundings. "Ecology" is the relationship of the individual—whether man or insect—to its environment.

When we work in the forest, the forest is our environment. When we relax at home, it becomes our environment. Our relationship to the forest—our harvesting and planting of trees, with a resulting improvement in wildlife habitat or water shed—all of this means that we are part of the ecological system—or eco-system, as it is being called.

And this is important. Man is part of the eco-system. He has been a part of it since he first arrived upon this earth. It's fine to talk of the leaf that falls to the ground, so that it feeds the worm which feeds the birds which feeds the fox, which, when it dies, decomposes to provide fertile soil to nourish the tree that grows the leaf. But all this ignores man, and you can't do that!

Man has assumed the mantle of leadership in the eco-system. How well he wears that mantle is what we are now considering and will be discussing in this meeting.

INDUSTRY AT JAMESTOWN

In North America, man has made products from the forest essential for his comfort and necessary for his survival since the first white man first settled here to stay. Captain John Smith of the Jamestown Colony was the industry's founder in 1607. He harvested the colony's forests to produce lumber, tar, pitch and ship masts and began the manufacturing industry in America. From that beginning, the forest industry has never stopped satisfying the needs of this nation—from housing to paper to all the other forest-based products necessary to human environment.

Time and outlooks change. From the days of Jamestown and for centuries afterwards, settlers and pioneers alike regarded forests as obstacles to American progress—hiding places for Indians, hindrances to travel. Trees usually grew where cleared land was needed for food—where the settler wanted to build his cabin and to plant corn, potatoes, beans, grasses and orchards, or where he wanted to build a road to the nearest settlement. So the land was cleared.

This pattern was followed over and over as the continent was settled. The forests became, in fact, America's homes, factories, schools and churches, newsprint, facial tissue and movie film. America evolved into a manufacturing nation. Man moved from the farm to the cities. And there he ran into trouble.

The further he got from the forests, the less he remembered the forest as the source of his home, factories, schools and churches, newsprint, facial tissue and movie film. He no longer learned at first hand that the forest itself sheltered wildlife, saved essential rain and snowfall for water, and even provided much of the fresh air he needed. He failed to recognize that the tree in the forest changes light from the sun into compounds of carbon, hydrogen and lifegiving oxygen, and that the more and more he dirties the air he breathes in the cities, the forest becomes even more important to him as an air purifier.

The health of the forest is basic to the efficiency with which it renews our air. An old forest manufactures little oxygen. It uses just about the same amount of oxygen as it makes. Old trees are most concerned simply with surviving. They grow very little. The most efficient forest in renewing the oxygen supply is a young and growing one, which, it has been estimated, produces 2000 lbs. of oxygen per acre per year or enough to support life for 18 people. Therefore, harvesting mature trees provides man more than just materials for shelter and other comforts.

TREES PROVIDE OXYGEN

The resulting new growth provides those new forests which more efficiently absorb carbon dioxide and pour oxygen into the air. Good forest management is one of the best environmental practices.

Our industry has long been engaged in environmental-ecological studies and activities. Our foresters are and have always been practicing ecologists—using their scientific knowledge and skills to improve tree growth and the forest itself.

We are perhaps the leading industry in reduction of waste and conversion of such materials into useful products. Much progress has been made in the last ten and even five years. Any manufacturing process leaves waste. To destroy it usually means changing its form—and perhaps creating another kind of pollution of air or water or land.

The forest industry has an enviable record in converting solid wood and fiber waste into softboards, hardboards, chips for paper, wood flours, Prestologs and many other products. Even bark is made into a ground cover.

As recently as 20 years ago, only some 60 per cent of the log was used. The rest ended as waste. Today, studies show that as much as 93 per cent of the log ends up in useful products to serve man. There are more than 5,000 wood products, many so useful that they are regarded as necessities to our environment.

EFFICIENCY AND PROBLEMS

More efficient use of material, has, in turn, created problems for us. Some mills have only a small dump truck load of residue left at the end of a shift, whereas ten years ago, a burner would have roared at full blast all day. When more waste was burned, the fire was more efficient. There was less smoke in some burners and the waste burning often created electrical and steam energy to run the mills. Now with less waste which burns inefficiently, more smoke is produced for a short while and energy sources are not available for complete combustion. We are working to solve these problems.

We are also now leaving less residue in the woods than in earlier years. New machines more efficiently reduce small trees, limbs and waste into chips or smaller pieces of lumber. Some material has to be burned or otherwise destroyed because if it is left to decay it may attract insect pests, or present an unduly high fire hazard during the dry season. Complete cleanup of residue is not a desirable ecological goal. Older forest operations in Europe indicate that much of the residue should be left to maintain soil fertility. But operational changes are also underway to further improve utilization in the woods.

Wood smoke is less harmful than some other types. For instance one lumberman has computed hydrocarbons emissions from his wigwam burner and finds that the burner produces less hydrocarbons in a work day than his automobile produces in one hour at highway speeds. But of course, the burner is more readily seen, and draws complaints. General concern with visible smoke is shown by the fact that steps are under way in some states to prevent a householder from burning the fall leaves which he has raked up. This is evidently on the theory that if you can see the smoke, it is bad.

We may not satisfy all those who do not now recognize our past contributions—but reasonable people will recognize that our record shows the desire to improve the beauty, safety and pleasure of our environment and that we have met with much success in eliminating waste and are sincerely at work on solving remaining problems.

Neither can it be emphasized too strongly that our forests are a renewable natural resource. Those who suggest that plastics or metals be substituted for wood fail to realize that such materials must be mined or extracted, and inevitably deplete irreplacable natural resources. The forest industry's pledge that we will grow trees to meet our needs forever is no idle boast.

INDUSTRY LOSES SIGHT OF GOOD THAT IT DOES

Too often in our concern over what is to be done, we lost sight of the good things that we have been doing. It is this side of the Nation's first environmental industry—the forest industry—that I have tried to review today.

Unfortunately, the Nation-wide concern with environment and ecology has caused some to view the subject with a certain amount of hysteria. Solutions to problems should be sought through calm determination and reporting of facts, not fiction. It does seem that in this issue it is easier for many columnists and politicians to view society's efforts with alarm rather than accepting the need to seek answers to industry's efforts to provide the necessities of life in a responsible way.

(EDITOR'S NOTE.—Oregon's largest industry, forest products, is completely involved in the drive for environmental improvement. The Western Wood Products Association held a Symposium on environmental quality at its San Francisco spring meeting in March. The tone and pace of the Symposium was set by outgoing president Frank R. Gilchrist. His address on the "Quality of Life" introduced a note of common sense and reality into the hullaballoo about the environment. Gilchrist has long been one of Oregon's most prominent lumbermen. He serves on the Board of the National Forest Products Association and on the Oregon State Board of Forestry. He is president of Gilchrist Timber Co.)

HOUSE REJECTION OF COOPER-CHURCH

Mr. FANNIN. Mr. President, I wish to commend the House of Representatives for the action it took this afternoon in refusing, by the substantial margin of 237 to 153, to instruct its conferees to accept the ill-conceived Cooper-Church amendment to the Military Sales Act.

In spite of exhaustive debate the Senate never arrived at any clear interpretation of this amendment. In fact, the Senate agreed that the President has constitutional power to order an intrusion in Cambodia if necessary to protect American lives.

The House vote is another indication of the meaninglessness of the measure. It was repeatedly pointed out that a matter so closely involving military strategy should not be put into law at a time when the enemy has doubts as to what the United States will do.

Our distinguished chairman of the Foreign Relations Committee in 1951 advised as well:

> In the long run decisions on military strategy are best left to the Executive. That is the plain intent of our constitutional system.

Mr. President, what I fear is that the Cooper-Church amendment will spur the greatest revival of classical American isolation ever.

Explain as they will, Mr. President, the proponents strain to show a difference in importance of commitments in Southeast Asia and those in Europe, the Middle East or elsewhere.

Leadership has a price. The question that must be answered by the Senate is whether the United States is willing to pay that price.

Our President and Commander in Chief is ending the war in Southeast Asia. The House vote today on the Cooper-Church amendment demonstrates that a majority of that body have faith in the President.

Also, I commend the Members of the House of Representatives for instructing their conferees by a vote of 153 to 230, on the postal reform legislation not to yield on the freedom-of-choice amendment.

This is the amendment which guarantees postal employees the right to aid, assist, or join a labor organization, or to refrain from doing so.

I regret that the Senate rejected the freedom-of-choice amendment which I offered while this body was considering the postal reform legislation. However, I point out that this rejection was not by a decisive margin.

By instructing its conferees to retain the freedom-of-choice provision, the Members of the House have shown good judgment and a responsiveness to the will of the majority of the people.

HOW WE CAN LOSE OUR BILL OF RIGHTS

Mr. PELL. Mr. President, at this time, when there is so much polarization, so much petulance, so much nibbling away at our traditions, I thought an article by Henry Steele Commager would be of particular interest to the Senate.

I thought his presentation excellent and the thrust of the article pertinent and far reaching. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS FREEDOM DYING IN AMERICA?

(By Henry Steele Commager)

"There are certain words,
Our own and others', were used to—words we've used,
Heard, had to recite, forgotten,
Rubbed shiny in the pocket, left home for keepsakes,
Inherited, stuck away in the back-drawer,
In the locked trunk, at the back of the quiet mind.

Liberty, equality, fraternity,
To none will we sell, refuse or deny, right or justice.
We hold these truths to be self-evident.

I am merely saying—what if these words pass?
What if they pass and are gone and are no more . . .?

It took long to buy these words.
It took a long time to buy them and much pain."

—*Stephen Vincent Benét.*

"Those, who would give up essential liberty to purchase a little temporary safety," said Benjamin Franklin, two centuries ago, "deserve neither liberty nor safety."

Today we are busy doing what Franklin warned us against. Animated by impatience, anger and fear, we are giving up essential liberties, not for safety, but for the appearance of safety. We are corroding due process and the rule of law not for Order, but for the semblance of order. We will find that when we have given up liberty, we will not have safety, and that when we have given up justice, we will not have order.

"We in this nation appear headed for a new period of repression," Mayor John V. Lindsay of New York recently warned us. We are in fact already in it.

Not since the days when Sen. Joseph McCarthy bestrode the political stage, fomenting suspicion and hatred, betraying the Bill of Rights, bringing Congress and the State Department into disrepute, have we experienced anything like the current offensive against the exercise of freedom in America. If repression is not yet as blatant or as flamboyant as it was during the McCarthy years, it is in many respects more pervasive and more formidable. For it comes to us now with official sanction and is imposed upon us by officials sworn to uphold the law: the Attorney General, the FBI, state and local officials, the police, and even judges. In Georgia and California, in Lamar, S.C., and Jackson, Miss., and Kent, Ohio, the attacks are overt and dramatic; on the higher levels of the national administration, it is a process of erosion, the erosion of what Thomas Jefferson called "the sacred soil of liberty." Those in high office do not openly proclaim their disillusionment with the principles of freedom, but they confess it by their conduct, while the people acquiesce in their own disinheritance by abandoning the "eternal vigilance" that is the price of liberty.

There is nothing more ominous than this popular indifference toward the loss of liberty, unless it is the failure to understand what is at stake. Two centuries ago, Edmund Burke said of Americans that they "snuff the approach of tyranny in every tainted breeze." Now, their senses are blunted. The evidence of public-opinion polls is persuasive that a substantial part of the American people no longer know or cherish the Bill of Rights. They are, it appears, quite prepared to silence criticism of governmental policies if such criticism is thought—*by the Government*—damaging to the national interest. They are prepared to censor newspaper and television reporting if such reports are considered—*by the Government*—damaging to the national interest! As those in authority inevitably think whatever policies they pursue, whatever laws they enforce, whatever wars they fight, are in the national interest, this attitude is a formula for the ending of all criticism, which is another way of saying for the ending of democracy.

Corruption of language is often a first sign of a deeper malaise of mind and spirit, and it is ominous that invasions of liberty are carried on, today, in the name of constitutionalism, and the impairment of due process, in the name of Law and Order. Here it takes the form of a challenge to the great principle of the separation of powers, and there to the equally great principle of the superiority of the civil to the military authority. Here it is the intimidation of the press and television by threats both subtle and blatant, there of resort to the odious doctrine of "intent" to punish anti-war demonstrators. Here it is the use of the dangerous weapon of censorship, overt and covert, to silence troublesome criticism, there the abuse of the power of punishment by contempt of court. The thrust is everywhere the same, and so too the animus behind it: to equate dissent with lawlessness and nonconformity with treason. The purpose of those who are prepared to sweep aside our ancient guarantees of freedom is to blot out those great problems that glare upon us from every horizon, and pretend that if we refuse to acknowledge them, they will somehow go away. It is to argue that discontent is not an honest expression of genuine grievances but of willfulness, or perversity, or perhaps of the crime of being young, and that if it can only be stifled, we can restore harmony to our distracted society.

Men like Vice President Spiro T. Agnew simplistically equate opposition to official policies with effete intellectualism, and cater to the sullen suspicion of intellectuals, always latent in any society, to silence that opposition. Frightened people everywhere, alarmed by lawlessness and violence in their communities, and impatient with the notion that we cannot really end violence until we deal with its causes, call loudly for tougher laws, tougher cops and tougher courts or—as in big cities like New York or small towns like Lamar—simply take authority into their own hands and respond with vigilante tactics. Impatient people, persuaded that the law is too slow and too indulgent, and that order is imperiled by judicial insistence on due process, are prepared to sweep aside centuries of progress toward the rule of law in order to punish those they regard as enemies of society. Timid men who have no confidence in the processes of democracy or in the potentialities of education are ready to abandon for a police state the experiment that Lincoln called "the last best hope of earth."

The pattern of repression is, alas, all too familiar. Most ominous is the erosion of due process of law, perhaps the noblest concept in the long history of law and one so important that it can be equated with civilization, for it is the very synonym for justice. It is difficult to remember a period in our own history in which due process has achieved more victories in the courts and suffered more setbacks in the arena of politics and public opinion than in the last decade. While the Warren Court steadily enlarged the scope and strengthened the thrust of this historic concept, to make it an effective instrument for creating a more just society, the political and the law-enforcement agencies have displayed mounting antagonism to the principle itself and resistance to its application. The desegregation decision of 1954 has been sabotaged by both the Federal and local governments—a sabotage dramatized by the recent decision of the Justice Department to support tax exemption for private schools organized to frustrate desegregation.

There are many other examples. Pending legislation, including the Organized Crime Control Act of 1969, provides for "preventive detention" in seeming violation of the constitutional guarantee of presumption of innocence; limits the right of the accused to examine evidence illegally obtained; permits police to batter their way into a private house without notice (the no-knock provision); and provides sentences of up to 30 years for "dangerous special offenders." And the government itself, from local police to the Attorney General, persists in what Justice Holmes called the "dirty business" of wiretapping and bugging to obtain evidence for convictions, though this is a clear violation of the right of protection against self-incrimination.

Equally flagrant is the attack on First Amendment freedoms—freedom of speech, press, petition and assembly—an attack that takes the form of intimidation and harassment rather than of overt repudiation. The President and the Vice President have joined in a crusade designed to force great newspapers like the New York Times and the Washington Post to moderate their criticism of Administration policies, and to frighten the television networks into scaling down their coverage of events that the Government finds embarrassing; a position that rests on the curious principle that the real crime is not official misconduct but the portrayal of that misconduct. Mr. Agnew, indeed, has gone so far as to call on governors to drive the news purveyed by "bizarre extremists" from newspapers and television sets; it is an admonition that, if taken literally, would deny newspaper and TV coverage to Mr. Agnew himself. All this is coupled with widespread harassment of the young, directed superficially at little more than hairstyle, dress or manners—but directed in fact to their opinions, or perhaps to their youthfulness. And throughout the country, government officials are busy compiling dossiers on almost all citizens prominent enough to come to their attention.

Government itself is engaged increasingly in violating what President Dwight D. Eisenhower chose as the motto for the Columbia University bicentenary: "Man's right to knowledge and the free use thereof." The USIA proscribes books that criticize American foreign policy at the same time that it launches a positive program of celebrating the Nixon Administration and the conduct of the Vietnam war through films and a library of "safe" books selected by well-vetted experts. The Federal Government spends millions of dollars presenting its version of history and politics to the American people. The Pentagon alone spends $47 million a year on public relations and maintains hundreds of lobbyists to deal with Congress, and the Defense Department floods schools and clubs and veterans organizations with films designed to win support for the war.

Meantime, the growing arrogance of the military and its eager intervention in areas long supposed to be exclusively civilian gravely threaten the principle of the superiority of the civil to the military power. Military considerations are advanced to justify the revival of the shabby practices of the McCarthy era—security clearances for civilians working in all establishments that have contracts with Defense—a category that includes laboratories, educational institutions and research organizations. What the standards are that may be expected to dictate security "clearance" is suggested by Vice President Agnew's proposal to "separate the [protest leaders] from our society—with no more regret than we should feel over discarding rotten apples from a barrel." That is, of course, precisely the philosophy that animated the Nazis. Military considerations, too, are permitted to dictate policies of secrecy that extend even to censorship of the Congressional Record, thus denying to congressmen, as to the American people, information they need to make decisions on foreign policy. Secrecy embraces, not unnaturally, facts about the conduct of the war; Attorney General Mitchell, it was reported, hoped to keep the Cambodian caper secret from Congress and the people until it was a *fait accompli*. So, too, the CIA, in theory merely an information-gathering agency, covers its far-flung operations in some 60 countries with a cloak of secrecy so thick that even Congress cannot penetrate it. The Army itself, entering the civilian arena, further endangers freedom of assembly and of speech by employing something like a thousand agents to mingle in student and other assemblies and report to the Army what they see and hear. This is, however, merely a tiny part of the some $3 billion that our Government spends every year in various types of espionage—more every year than the total cost of the Federal Government from its foundation in 1789 to the beginning of the Civil War in 1861!

It would be an exaggeration to say that the United States is a garrison state, but none to say that it is in danger of becoming one.

The purpose of this broad attack on American freedoms is to silence criticism of Government and of the war, and to encourage the attitude that the Government knows best and must be allowed a free hand, an attitude Americans have thought odious ever since the days of George III. It is to brand the universities as a fountainhead of subversion and thus weaken them as a force in public life. It is to restore "balance" to the judiciary and thereby reverse some of the great achievements of the 16 years of the Warren Court and to reassure the Bourbons, North and South, who are alarmed at the spectacle of judicial liberalism. It is to return to a "strict" interpretation of the power of states over racial relations and civil liberties—a euphemism for the nullification of those liberties.

The philosophy behind all this, doubtless unconscious, is that government belongs to the President and the Vice President; that they are the masters, and the people, the subjects. A century ago, Walt Whitman warned of "the never-ending audacity of elected persons"; what would he say if he were living today? Do we need to proclaim once more the most elementary principle of our constitutional system: that in the United States, the people are the masters and all officials are servants—officials in the White House, in the Cabinet, in the Congress, in the state executive and legislative chambers; officials, too, in uniform, whether of the national guard or of the police?

Those who are responsible for the campaign to restrict freedom and hamstring the Bill of Rights delude themselves that if they can but have their way, they will return the country to stability and order. They are mistaken. They are mistaken not merely because they are in fact hostile to freedom, but because they don't understand the relation of freedom to the things they prize most—to security, to order, to law.

What is that relationship?

For 2,500 years, civilized men have yearned and struggled for freedom from tyranny—the tyranny of despotic government and superstition and ignorance. What explains this long devotion to the idea and practice of freedom? How does it happen that all Western societies so exalt freedom that they have come to equate it with civilization itself?

Freedom has won its exalted place in philosophy and policy quite simply because, over the centuries, we have come to see that it is a necessity; a necessity for justice, a necessity for progress, a necessity for survival.

How familiar the argument that we must learn to reconcile the rival claims of freedom and order. But they do not really need to be reconciled; they were never at odds. They are not alternatives, they are two sides to the same coin, indissolubly welded together. The community—society or nation—has an interest in the rights of the individual because without the exercise of those rights, the community itself will decay and collapse. The individual has an interest in the stability of the community of which he is a part because without security, his rights are useless. No community can long prosper without nourishing the exercise of individual liberties for, as John Stuart Mill wrote a century ago, "A State which dwarfs its men, in order that they may be more docile instruments in its hands . . . will find that with small men no great thing can really be accomplished." And no individual can fulfill his genius without supporting the just authority of the state, for in a condition of anarchy, neither dignity nor freedom can prosper.

The function of freedom is not merely to protect and exalt the individual, vital as that is to the health of society. Put quite simply, we foster freedom in order to avoid error and discover truth; so far, we have found no other way to achieve this objective. So, too, with dissent. We do not indulge dissent for sentimental reasons; we encourage it because we have learned that we cannot live without it. A nation that silences dissent, whether by force, intimidation, the withholding of information or a foggy intellectual climate, invites disaster. A nation that penalizes criticism is left with passive acquiescence in error.

A nation that discourages originality is left with minds that are unimaginative and dull. And with stunted minds, as with stunted men, no great thing can be accomplished.

It is for this reason that history celebrates not the victors who successfully silenced dissent but their victims who fought to speak the truth as they saw it. It is the bust of Socrates that stands in the schoolroom, not the busts of those who condemned him to death for "corrupting the youth." It is Savonarola we honor, not the Pope who had him burned there in the Great Piazza in Florence. It is Tom Paine we honor, not the English judge who outlawed him for writing the Rights of Man.

Our own history, too, is one of rebellion against authority. We remember Roger Williams, who championed toleration, not John Cotton, who drove him from the Bay Colony; we celebrate Thomas Jefferson, whose motto was "Rebellion to tyrants is obedience to God," not Lord North; we read Henry Thoreau on civil disobedience, rather than those messages of President Polk that earned him the title "Polk the Mendacious"; it is John Brown's soul that goes marching on, not that of the judge who condemned him to death at Charles Town.

Why is this? It is not merely because of the nobility of character of these martyrs. Some were not particularly noble. It is because we can see now that they gave their lives to defend the interests of humanity, and that they, not those who punished them, were the true benefactors of humanity.

But it is not just the past that needed freedom for critics, nonconformists and dissenters. We, too, are assailed by problems that seem insoluble; we, too, need new ideas. Happily, ours is not a closed system—not yet, anyway. We have a long history of experimentation in politics, social relations and science. We experiment in astrophysics because we want to land on the moon; we experiment in biology because we want to find the secret of life; we experiment in medicine because we want to cure cancer; and in all of these areas, and a hundred others, we make progress. If we are to survive and flourish, we must approach politics, law and social institutions in the same spirit that we approach science. We know that we have not found final truth in physics or biology. Why do we suppose that we have found final truth in politics or law? And just as scientists welcome new truth wherever they find it, even in the most disreputable places, so statesmen, jurists and educators must be prepared to welcome new ideas and new truths from whatever sources they come, however alien their appearance, however revolutionary their implications.

"There can be no difference anywhere," said the philosopher William James, "that doesn't make a difference elsewhere—no difference in abstract truth that doesn't express itself in a difference in concrete fact. . . ."

Let us turn then to practical and particular issues and ask, in each case, what are and will be the consequences of policies that repress freedom, discourage independence and impair justice in American society, and what are, and will be, the consequences of applying to politics and society those standards and habits of free inquiry that we apply as a matter of course to scientific inquiry?

Consider the erosion of due process of law—that complex of rules and safeguards built up over the centuries to make sure that every man will have a fair trial. Remember that it is designed not only for the protection of desperate characters charged with monstrous crimes; it is designed for every litigant. Nor is due process merely for the benefit of the accused. As Justice Robert H. Jackson said, "It is the best insurance for the Government itself against those blunders which leave lasting stains on a system of justice. . . ."

And why is it necessary to guarantee a fair trial for all—for those accused of treason, for those who champion unpopular causes in a disorderly fashion, for those who assert their social and political rights against community prejudices, as well as for corporations, labor unions and churches? It is, of course, necessary so that justice will be done. Justice is the end, the aim, of government. It is implicitly the end of all governments; it is quite explicitly the end of the United States Government, for it was "in order to . . . establish justice" that the Constitution was ordained.

Trials are held not in order to obtain convictions; they are held to find justice. And over the centuries, we have learned by experience that unless we conduct trials by rule and suffuse them with the spirit of fair play, justice will not be done. The argument that the scrupulous observance of technicalities of due process slows up or frustrates speedy convictions is, of course, correct, if all you want is convictions. But why not go all the way and restore the use of torture? That got confessions and convictions! Every argument in favor of abating due process in order to get convictions applies with equal force to the use of the third degree and the restoration of torture. It is important to remember that nation after nation abandoned torture (the Americans never had it), not merely because it was barbarous, but because, though it wrung confessions from its victims, it did not get justice. It implicated the innocent with the guilty, it outraged the moral sense of the community. Due process proved both more humane and infinitely more efficient.

Or consider the problem of wiretapping. That in many cases wiretapping "works" is clear enough, but so do other things prohibited by civilized society, such as torture or the invasion of the home. But "electronic surveillance," said Justice William J. Brennan, Jr., "strikes deeper than at the ancient feeling that a man's home is his castle; it strikes at freedom of communication, a postulate of our kind of society. . . . Freedom of speech is undermined where people fear to speak unconstrainedly in what they suppose to be the privacy of home or office."

Perhaps the most odious violation of justice is the maintenance of a double standard: one justice for blacks and another for whites, one for the rich and another for the poor, one for those who hold "radical" ideas, and another for those who are conservative and respectable. Yet we have daily before our eyes just such a double standard of justice. The "Chicago Seven," who crossed state lines with "intent" to stir up a riot, have received heavy jail sentences, but no convictions have been returned against the Chicago police who participated in that riot. Black Panthers are on trial for their lives for alleged murders, but policemen involved in wantonly attacking a Black Panther headquarters and killing two blacks have been punished by demotion.

Turn to the role and function of freedom in our society—freedom of speech and of the press—and the consequences of laying restrictions upon these freedoms. The consequence is, of course, that society will be deprived of the inestimable advantage of inquiry, criticism, exposure and dissent. If the press is not permitted to perform its traditional function of presenting the whole news, the American people will go uninformed. If television is dissuaded from showing controversial films, the people will be denied the opportunity to know what is going on. If teachers and scholars are discouraged from inquiring into the truth of history or politics or anthropology, future generations may never acquire those habits of intellectual independence essential to the working of democracy. An enlightened citizenry is necessary for self-government. If facts are withheld, or distorted, how can the people be enlightened, how can self-government work?

The real question in all this is what kind of society do we want? Do we want a police society where none are free of surveillance by their government? Or do we want a society where ordinary people can go about their business without the eye of Big Brother upon them?

The Founding Fathers feared secrecy in government not merely because it was a vote of no-confidence in the intelligence and virtue of the people but on the practical ground that all governments conceal their mistakes behind the shield of secrecy; that if they are permitted to get away with this in little things, they will do it in big things—like the Bay of Pigs or the invasion of Cambodia.

And if you interfere with academic freedom in order to silence criticism, or critics, you do not rid the university of subversion. It is not ideas that are subversive, it is the lack of ideas. What you do is to silence or get rid of those men who have no ideas, the institution to those who have no ideas, or have not the courage to express those that they have. Are such men as these what we want to direct the education of the young and advance the cause of learning?

The conclusive argument against secrecy in scientific research is that it will in the end give us bad science. First-rate scientists will not so gravely violate their integrity as to confine their findings to one government or one society, for the first loyalty of science is to scientific truth. "The Sciences," said Edward Jenner of smallpox fame, "are never at war." We have only to consider the implications of secrecy in the realm of medicine: What would we think of doctors favoring secrecy in cancer research on the grounds of "national interest"?

The argument against proscribing books, which might normally be in our overseas libraries, because they are critical of Administration policies is not that it will hurt authors or publishers. No. It is quite simply that if the kind of people who believe in proscription are allowed to control our libraries, these will cease to be centers of learning and become the instruments of party. The argument against withholding visas from foreign scholars whose ideas may be considered subversive is not that this will inconvenience them. It is that we deny ourselves the benefit of what they have to say. Suppose President Andrew Jackson had denied entry to Alexis de Tocqueville on the ground that he was an aristocrat and might therefore be a subversive influence on our democracy? We would have lost the greatest book ever written about America.

There is one final consideration. Government, as Justice Louis D. Brandeis observed half a century ago, "is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example." If government tries to solve its problems by resort to large-scale violence, its citizens will assume that violence is the normal way to solve problems. If government itself violates the law, it brings the law into contempt, and breeds anarchy. If government masks its operations, foreign and domestic, in a cloak of secrecy, it encourages the creation of a closed, not an open, society. If government shows itself impatient with due process, it must expect that its people will come to scorn the slow procedures of orderly debate and negotiation and turn to the easy solutions of force. If government embraces the principle that the end justifies the means, it radiates approval of a doctrine so odious that it will in the end destroy the whole of society. If government shows, by its habitual conduct, that it rejects the claims of freedom and of justice, freedom and justice will cease to be the ends of our society.

Eighty years ago, Lord Bryce wrote of the American people that "the masses of the peo-

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ple are wiser, fairer and more temperate in any matter to which they can be induced to bend their minds, than most European philosophers have believed possible for the masses of the people to be."

Is this still true? If the American people can indeed be persuaded to "bend their minds" to the great questions of the preservation of freedom, it may still prove true. If they cannot, we may be witnessing even now, a dissolution of the fabric of freedom that may portend the dissolution of the Republic.

NASA IS 1 DAY LATE INFORMING US IT MAY ELIMINATE THREE APOLLO FLIGHTS

Mr. PROXMIRE. Mr. President, this morning's newspapers disclose that NASA has reconsidered the dimensions of the Apollo lunar program for "financial reasons." The space agency announced yesterday that it is considering canceling three of the remaining six Apollo manned lunar landings to free its Saturn V boosters for the Sky Lab project.

Mr. President, the space agency is undoubtedly trying to conserve its resources, and to save money. I applaud NASA for these efforts. But assuming that these changes in the Apollo schedule will save money—and they undoubtedly will—I am at a loss to understand why we were not informed about the proposed change prior to Tuesday's vote on the Independent Offices appropriations bill.

In fact, Mr. President, I am perplexed by NASA's decision to release this information to the press just 1 day after the Senate voted on my amendment to cut NASA funds back to the level appropriated by the House of Representatives—an amendment which would have saved $122 million. Was NASA trying to hide something from us?

I have no way of knowing whether the Senate vote on this amendment would have turned out differently if this information had been available to us prior to Tuesday's vote. But it certainly stands to reason that if NASA eliminates the three manned lunar flights, the funding requirements for Apollo in the coming fiscal year will be less—perhaps considerably less—and the arguments for holding the NASA budget to the House-approved level of $3.197 billion would be much stronger.

And when one considers that the amendment to cut NASA funds back to the House level was defeated by a virtual tie—38 to 38 when the live pairs are taken into account—I think the odds are quite high that this information, if known in advance, could very well have affected the outcome.

Why were we not told in advance? It is difficult to believe that NASA's tentative decision just happened to be made in the 24 hours between Tuesday's vote and Wednesday's announcement.

Mr. President, I hope that the Senate conferees, when they go to conference with the House on the Independent Offices appropriations bill, will take into account NASA's tentative decision to drop these flights, and be guided accordingly. In light of yesterday's announcement, there is all the more reason to hold NASA expenditures for the coming fiscal year to the $3.197 billion level approved by the House.

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FUNDING OF HEALTH PROGRAMS—TESTIMONY OF SENATOR CRANSTON

Mr. KENNEDY. Mr. President, I have enjoyed a close association with the junior Senator from California (Mr. Cranston) for the past year and a half in working on various pieces of legislation in the Committee on Labor and Public Welfare. We have collaborated on a number of measures as members of the Health and the Employment, Manpower and Poverty Subcommittees, and have cooperated closely on legislation under consideration in the Veterans Affairs Subcommittee, which I was privileged to chair in the 90th Congress, and which he now chairs.

I have been pleased as well to work with Senator Cranston on a number of matters beyond the jurisdiction of the Labor and Public Welfare Committee. In all those areas, I have been impressed with the depth of his understanding and the scope of his knowledge in many diverse fields.

One field on which he has concentrated particularly and in which I believe ing of great respect is that of health. As he has become more and more deeply involved in health matters in his Veterans Affairs Subcommittee, he has applied lessons learned about the VA program to health legislation affecting the entire Nation. He summarized some of his major concerns about the deficiencies in the health system in our country in testimony offered to the Senate Subcommittee on HEW Appropriations on June 16. In that testimony, he stressed those problem areas which are most capable of resolution through greater financial support from the Department of Health, Education, and Welfare, without creating undue stress on other areas. His recommendations for increased funding are realistic and reasonable. Their adoption would enable the health community to achieve goals that are within its grasp and to live up more fully to its potential for improving health care for all our citizens.

Mr. President, I ask unanimous consent that Senator Cranston's June 16, 1970, testimony before the Appropriations Subcommittee be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Alan Cranston

Mr. Chairman and members of the Subcommittee, I am grateful for this opportunity to present my views regarding the FY 1971 budget requests for vitally important health and medical research programs. I fully share the eloquent sentiment expressed by Chairman Magnuson at the opening of these hearings that vital health programs are suffering from "tragic neglect" on the part of the administration at a time when the nation "stands on the brink of a health crisis whose proportions defy adequate description."

Approximately six months ago, on December 4, 1969, I testified before your subcommittee on the need for full funding of health programs in the FY 1970 budget. At that time, I expressed the fear that we would find ourselves "standing still or even reducing our efforts in many vital areas if funds are appropriated at the levels requested in the administration budget . . ." for FY 1970. Unfortunately, the situation today is no less critical, because the urgency of the problems which I outlined at that time has not lessened. In fact, the urgency has increased.

Although this committee, and the Senate, responded generously last year to the urging of private and public witnesses for needed increases in the FY 1970 health and medical research budget, the administration in many instances chose not to spend the additional funds. And it has now requested appropriations for important programs at the same level or below the amounts appropriated for 1970.

I would like to speak briefly about three major health areas which I believe would be seriously under-funded on the basis of the administrations budget proposals: (1) Health manpower support, (2) delivery of health care and encouragement of changes and improvements therein, and (3) health services research and basic research, in particular cancer research.

Although the President has given rhetorical recognition to the existence of a "massive health crisis", the amounts requested for these three vital categories do not reflect much urgency or commitment to expend the resources necessary to meet and avert that crisis.

HEALTH MANPOWER SUPPORT

In a joint "report on the health of the nation's health care system" on July 10, 1969, Secretary Finch and Assistant Secretary Egerberg announced that "the deans and faculties of the medical schools and all who are involved in the education and training of professional manpower" would be "asked and challenged" to find new ways to "expand the number of persons they are training, to shorten the time needed for training and to orient their training more towards the immediate needs of the country, such as comprehensive medical care for the poor and near poor."

However, the budget requests for important programs of student assistance, institutional support, and health facilities construction—programs designed to assist in improving training programs and expanding enrollment—are inadequate to meet that goal in a meaningful way.

The level of support requested for FY 1971 for the health professions student loan programs can only work to the detriment of the strenuous efforts now underway to expand enrollments at medical and other health professions schools across the nation, and will particularly aggravate the inequities which continue to result in the exclusion of many students from poor and middle-income families who are qualified for and strongly desire to enter the health professions.

The President's budget proposes a decrease in funds for health professions student loans of $3 million below the level appropriated in FY 1970, and $14.5 million below the appropriation level of 1969. The FY 1971 authorized amount is $35 million, yet the budget request is only $12 million. The authorization for loans to nursing students is $21 million; the administration has requested but $9.6 million.

The present unmet need in these professions is commonly recognized to be approximately 50,000 doctors and 150,000 nurses. I strongly urge that the full authorized amount for health professions and nursing loans of $56 million be appropriated instead of the budget request of only $21.6 million.

Closely related to the need for meaningful levels of student assistance are the needs for teaching facilities construction and institutional and special project grants. The administration has requested $118,100,000 for construction of teaching facilities for the health professions, almost $107 million below the FY 1971 authorized level of $225 million. The appropriation for FY 1970 represented 70% of the $170 million authorized for that year, while the FY 1971 request is only 55% of the 1971 authorization of $225 million. This sharp downward trend comes at a time when construction assistance applications totaling $600 million have been recommended for approval by the National Advisory Council on Health Professions Educational Assistance. Appropriation of the full $225 million, as strongly supported by the American Association of Medical Colleges, is clearly necessary.

Similarly, the appropriation request of $113,650,000 for institutional and special projects grants to medical, dental and related health professions schools, is only 70 percent of the 1971 authorized level, compared with 87 percent of the authorization appropriated in FY 1970. These grants are specifically designed to assist in making the basic improvements cited by Secretary Finch and Assistant Secretary Egeberg as part of their goal to "shorten the time needed for training and to orient their training more towards the immediate needs of the country. . . ." Special project grants provide the basic means of support for the development of programs in new fields and for innovations in curriculum and teaching, as well as for assistance to schools in serious financial straits.

However, according to the AAMC which represents the medical schools and their teaching hospitals responsible for the undergraduate and graduate education of all the physicians this country produces, more than half the medical schools in the nation have been awarded special projects grants on the basis of financial distress. The need to offset that financial distress which has beset so many schools will severely diminish the funds available to finance sorely-needed innovation, curriculum changes, and other new developments. In other words, we will barely be standing still rather than striding forward in the effort to combat the health crisis, unless we provide support at the full levels authorized for FY 1971.

I believe the full $168 million for project grants for medical, dental, and related schools and $40 million for schools of nursing which has been authorized for fiscal year 1971, must be appropriated.

HEALTH CARE DELIVERY AND INNOVATIONS

Although health services in the United States are rendered by well over a million professional people, we are faced with an increasing need to educate and train thousands of additional health services personnel, including entirely new types of health professionals. As these people are trained, however, we cannot continue to ignore the existence of problems of inequitable distribution, inefficient delivery of health care services, and other basic factors which have led us to our current state of crisis in health care.

Among the programs which have been established to improve the ability of the medical community to provide high quality care are Regional Medical Programs for the prevention and treatment of heart disease, cancer, and stroke, and—as legislation being considered in both Houses of Congress expands the purpose—kidney disease.

The administration has requested a total of $79.5 million for Regional Medical Programs for FY 1971. Added to $15 million available from unexpended FY 1970 appropriations, the estimated expenditures for FY 1971 are $94.5 million. According to the budget justification, this amount will be used (1) to fund continuation of on-going grants; (2) to bring into operational status one remaining region; and (3) to award "to the extent possible", approved but unfunded projects carried over from 1970.

It is my understanding that $75 million is needed to continue previous RMP grants, and the backlog of approved but unfunded programs from FY 1970 totals $29 million. This total of $104 million in continuation and blacklogged approved grants exceeds the estimated amount requested for FY 1971 by nearly $10 million, leaving no money for new applications. Requests totalling $16.4 million for new grants have been received so far from 40 of the 55 regions. And it is estimated that an additional $48 million in grant applications will be received for FY 1971, for a total of $64 million in new applications. Based on an estimated 50 percent approval rate by the RMP National Advisory Council, we can expect at least $30 million in new, approvable grant applications. And this does not take into account activities which would be initiated as a result of the inclusion of "kidney disease" among those covered by Regional Medical Programs.

The total demonstrable need for Regional Medical Programs, therefore, is a minimum of $134 million, and I urge that at least an additional $40 million be appropriated above the administration request.

Another important program which is bringing health care to people in a new and much more effective way than in the past is the very promising and excellent community mental health center program. No new funds for construction grants and only $60.1 million in staffing monies have been requested for FY 1971.

According to the National Association for Mental Health, the $60.1 million requested for staffing will not even cover the estimated need of $68 million for continuation grants to centers already in operation. Nor will it provide any money for the $20 million in approved applications for new staffing grants which could not be funded during FY 1970. The authorization in Section 224(a) of the Community Mental Health Centers Act includes $45 million for new grants and an open amount for continuation grants. They estimate that a total appropriation for both new and continuation staffing grants of $100 million is needed. P.L. 91–211, recent legislation amending the Community Mental Health Centers Act, provides that not to exceed 5% of the amount appropriated for new and continuation staffing grants shall be available at preferential matching ratios for projects in rural or urban poverty areas and for the initiation and development of needed services in such areas. The appropriation of $100 million under Section 224(a) for new and continuation staffing grants would assist substantially in carrying out these important new provisions of the Community Mental Health Centers Act.

The amount of $80 million authorized for FY 1971 for construction of new community mental health centers is also fully justified on the basis of long-standing community needs. I urge that this money be appropriated.

Both the Senate and the House, in passing the Community Mental Health Centers Amendments Act of 1970 (P.L. 91–211), recognized that as many as 8 million children in the United States are in need of special services of the kind which community mental health centers, with their emphasis on outpatient, family-oriented treatment, are uniquely qualified to provide. P.L. 91–211 authorizes $12 million for FY 1971 for grants for construction, initial operation, and training and evaluation under "Part F—Mental Health of Children," and I urge that the full amount be appropriated for those purposes. Since I note that the new NIMH Director, Dr. Bertram Brown, has expressed strong support for new emphasis on child mental health problems, we can be assured that these monies will be effectively utilized.

In adopting legislation extending the Community Mental Health Centers Act, Congress also gave full recognition to the critical national health problem of alcoholism, and the rapidly escalating narcotics addiction problem, by authorizing an appropriation of $30 million for FY 1971 for construction, operating costs, and special project grants to combat these two illnesses. The President's budget request for grants for these purposes is $15.9 million. I urge you to consider carefully appropriating the full amount authorized for FY 1971 so that effective community programs for the prevention and treatment of alcoholism and narcotics addiction can be established.

RESEARCH

There is one other critical area in the health field which I would like to discuss, and that is the federal contribution to basic medical research through the National Institutes of Health. Support for basic research during the past two decades has brought us to the threshold of an era of unparalleled potential for biomedical breakthroughs. The continuation of this progress can be assured only through undiminished support of clinical and fundamental research, of education and training to maintain and enlarge our scientific manpower pool, and of the effective application of laboratory discoveries to the improvement of direct patient care.

In particular, I am deeply concerned about the need for continued support of research into the causes and cures of cancer. I am sure the Subcommittee remembers the moving testimony of Dr. Richard Wolk, of San Rafael, California, last December. Dr. Wolk, whose son, Brian, is a victim of leukemia, showed you a portfolio of sadly beautiful pictures of children who have had their lives tragically and painfully shortened by the onslaught of leukemia. You will be interested to know that Dr. Wolk has given up his general practice in favor of a fellowship in medical oncology at Mt. Zion Medical Center in San Francisco. In his words, "I want to take part in the action as the conquest of cancer is achieved."

Cancer remains the second leading cause of death in the United States, with approximately 650,000 new cases and more than 320,000 deaths each year. If current trends in cancer incidence and mortality are not abated or reversed, it is estimated that we will reach an incidence of 815,000 new cases and 360,000 deaths by the end of this decade.

Federally-supported cancer research has amounted to nearly $1.5 billion over the past 10 years and this research has provided promising leads and opportunities in the areas of virus and chemical causation, immunology and chemotherapy. This progress must be vigorously exploited, and in order to meet that goal we must provide for an increase in appropriations of 20 percent, or $40 million over FY 70, for the National Cancer Institute in order to compensate for the effects of inflation—about 10 percent—and to ensure the availability of additional resources to step up the fight against this killer disease. The administration has requested a level of $202 million, a $24 million increase, for FY 1971. I would urge that the Subcommittee provide for an additional $16 million in order to bring the total FY 1971 appropriation to a level of $218 million, or 20 percent above that for FY 1970.

I would also like to urge the appropriation of an additional $5.5 million for the National Heart and Lung Institute. I am concerned over the inadequacy of the resources devoted to the study of pulmonary diseases. While these diseases have suffered a decline in attention and prestige since the achievement of significant breakthroughs in the treatment of tuberculosis, the incidence of other disabling lung diseases, such as emphysema and bronchitis, is on the increase. Environmental pollution's effect on the incidence or aggravation of such diseases has become a subject of deep concern to many scientists and laymen. One doctor in Los Angeles, specializing in lung ailments, has offered the frightening statistic that anyone over the age of 12 in Los Angeles is afflicted with some degree of emphysema. And any damage caused by the environment is further compounded by the effects of cigarette smoking.

Early in 1968, an advisory committee on cardiopulmonary disease was created by the National Heart and Lung Institute to advise on the adequacy of current cardiopulmonary research and on the opportunities and needs for expanded research and training. In their October 1969 report, the advisory committee found that there is a need for "prospective epidemiologic studies of chronic lung disease such as bronchitis and emphysema to determine if their prevalence is actually increasing and to search for clues as to their causation." The committee further found that there was inadequate data available to evaluate the adequacy of research in "occupational respiratory diseases and the effects of air pollution."

These serious gaps in our knowledge about the incidence, cause, and cures of lung diseases can be corrected if adequate funds are made available to develop needed university curriculums in the lung field and pulmonary research centers which can provide a focal point for studies in this area.

It is estimated that only 358 of the 182,000 physicians in private practice today are primarily specialists in pulmonary disease, and that one-half of the medical residencies in pulmonary disease are unfilled because medical schools are unable to obtain pulmonary disease faculty to promote this important field of medicine. There is a need for aggressive assessment of medical school curriculums in the lung field to revise and revitalize them so they will attract the med students to a specialty in lung diseases. The administration budget has allocated nothing for the development of the curriculums in medical schools which could attract the current student body to this specialty. I would urge that $2.5 million be appropriated for this purpose—this sum when divided among the over 100 medical schools would mean each schoool would receive an undergraduate teaching grant of less than $25,000, little enough when one considers the magnitude of the need.

Another vital method of attracting manpower into this important area, is the establishment of pulmonary centers at university medical centers where there is already a nuclei of activities in research and clinical investigation. Such centers can produce the environment which will attract more physicians into academic research or practice in the pulmonary field. The administration's FY 1971 budget request includes funds to support the establishment of one such center, however, I believe the capability exists in the nation's medical community to implement many more such centers and I urge that an additional $3 million be appropriated for this purpose. This $3 million would make possible the establishment of an additional four centers.

I believe that appropriation of the $5.5 million for the purposes I have outlined—which when added to the administration request would bring the total appropriation for the National Heart and Lung Institute to about $177 million—would give a much needed impetus to our ability to combat pulmonary diseases.

We are only now beginning to understand the consequences of man's reckless conquest of nature. The health and even the life of men, animals, earth and sky are seriously threatened by environmental pollution. I hope the Subcommittee will agree with me that it is time to begin to improve our research capability in the serious and disabling lung diseases which have received far too little attention in recent years.

Another area in which there is a critical need for trained professionals is that of alcoholism. This is a disease which afflicts 5 million individuals in the United States, and which has long been subject to neglect by the medical community. Treatment of this disease is a slow, many times unrewarding, process in the view of many health professionals and discourages their entering this field. Some of the lack of interest may result from the failure of medical schools to give adequate emphasis to the diagnosis and treatment of alcoholism. To counter this situation, there is a need to increase the number of health professionals with special expertise in the diagnosis and treatment of the alcoholic patient. Last year, the National Institute of Mental Health used its entire allocation of approximately $1 million for training grants in the area of alcoholism. The administration has requested substantially the same amount for FY 1971, which will enable the program to barely maintain the momentum that has been generated. There is a solid need for at least double that amount and I urge the appropriation of an additional $1.25 million for this purpose. I understand that this amount added to that requested, would provide a sum that could be used effectively by the Department in building a manpower base for programs for the treatment and prevention of alcoholism.

Before closing, I would like to discuss an unrelated but highly important program for the training of social work manpower. For fiscal years 1969, 1970, and 1971, $5 million has been authorized under section 707 of the Social Security Act for grants to colleges, universities and accredited graduate schools of social work to meet part of the cost of developing, expanding or improving their social work training resources. Only $3 million of the authorized amount was appropriated in FY 1969 and 1970, and the administration has requested the same level for FY 1971.

It is most important that we provide the full amount for social work manpower training beginning this year in order to ensure that an adequate pool of social work personnel will be available to meet the great demands to be made on these professions upon implementation of the proposed welfare reform, with its important provisions for increasing and improving social services to assist recipients to move off the welfare rolls.

During the past several years the number of approved applications from educational institutions offering undergraduate and graduate programs in social work has greatly exceeded the volume of funds available. In FY 1969, the Social and Rehabilitation Service (SRS) was able to make only 70 awards from the appropriated amount of $3 million; an additional 125 applications totalling $9 million or more were approved but not funded. In FY 1970 the 70 previous grants were continued at the same level ($3 million), although the institutions had applied for $5.5 million to expand their programs. An additional 56 new applications, totalling $2.9 million, were received that year. The 54 projects which were approved but not funded would have trained over 2,000 students if adequate appropriations had been available.

It is clear that we have been meeting less than half the established need for these training grants. SRS estimates that 100,000 new social workers will be needed in FY 1971, in addition to the existing pool of 50,000 professionals with undergraduate or graduate degrees. And by 1976, based on the expansion of the Family Assistance Plan and on anticipated population increases, it is estimated that 500,000 additional social workers will have to be trained.

I strongly urge that the additional appropriation of $2 million which has been authorized for FY 1971 be provided in order that we may begin now to train the social work professionals we know will be needed if the Family Assistance Plan is to be effectively implemented.

Over the past year and a half, as a member of the Labor and Public Welfare Committee's Health Subcommittee and as Chairman of the Subcommittee on Veterans Affairs, I have become increasingly impressed with and seriously concerned about the enormous problems facing this country in medical care and delivery of health services. I greatly appreciate having the opportunity to come before this Subcommittee to express some of those concerns to you in connection with the pending legislation.

CRIME PREVENTION

Mr. TYDINGS. Mr. President, the crime crisis in the Nation continues to soar out of control.

According to the latest report of the Federal Bureau of Investigation, serious crime in the Nation during the first 3 months of 1970 increased 13 percent over the comparable period in 1969. Violent crime was up 12 percent, murder up 13 percent, robbery up 15 percent, aggravated assault up 8 percent.

Even more disturbing is the fact that the increase in 1970 over 1969 is greater than the jump in 1969 over 1968.

This spiraling increase in crime, and particularly in crimes of violence, must be stopped.

Mr. President, we need new and better anticrime laws to give law enforcement officials the tools they need to defeat the criminal element. We need to provide local police departments with the assistance they need to more effectively carry out their tasks.

During the 91st Congress, I have introduced a 45-part comprehensive anticrime program to help make our streets safe. My anticrime program includes measures to provide Federal assistance to local police departments, reform and modernize our court system, improve our terribly inadequate correctional system, stamp out the drug traffic that infests every corner of our country, and smash organized crime.

One of those 45 anticrime measures is a moderate and reasonable proposal to keep guns of crime and violence out of the hands of convicted felons, narcotics addicts, alcoholics, lunatics, and juveniles. In the last Congress, this bill had 19 Senate cosponsors, including the present majority and minority leaders of the Senate, and received the votes of 31 U.S. Senators.

My reason for sponsoring this legislation is simple and direct. Like many Americans during the course of the last decade, I have been appalled at the staggering damage inflicted on American citizens by guns of crime and violence fired in anger or panic during robberies, holdups, and assaults.

According to the latest figures released by the Federal Bureau of Investigation, in 1968, guns were used in nearly 9,000 murders, more than 65,000 aggravated assaults, and 99,000 robberies in this country. Today—in America—25 of our fellow citizens will be murdered by gun, 180 will be assaulted by gun, and 275 will be robbed by gun. Ninety-six of every 100 police officers murdered are shot by gun-toting lawbreakers.

This violence, which menaces the daily existence of storekeepers, delivery truck, bus, and cabdrivers, the late-duty nurse, the salesman, our older citizens, and especially our police officers, must be stopped.

My legislation would require a gun purchaser or owner to obtain an identifica-

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tion card from his own local gun dealer certifying that he is not a convicted felon, or an adjudged narcotics addict, mental incompetent, or a juvenile under 18. My proposal would also require that all firearms must have serial numbers recorded with a law-enforcement agency. Such recording is essential for prompt and effective tracing of guns used in crimes and to help law-enforcement officers return lost or stolen guns to their law-abiding owners.

My proposal would in no way interfere with any law-abiding citizen's right to purchase or own guns of the kind and number of his choice.

These principles have been endorsed by FBI Director J. Edgar Hoover, by the International Association of Chiefs of Police, and by political leaders of different persuasions, including Mayor Daley of Chicago, and Mayor Lindsay, of New York, and advocated by every national study of crime and violence in the last decade.

Essentially the identification card and recording provisions in my bill are means of protecting the public—and the American public deserves to be protected. In 1968, there were nearly 9,000 gun murders in the United States. In comparable recent years, England had 48, France had 121, and Japan, with a population half that of the United States, had just 20. The reason for this incredible disparity is that England, France, and Japan have gun crime control laws to protect their citizens.

But despite the need for this legislation, powerful and selfish special interest groups have opposed it. They have flooded my State with slick publicity, half-truths, and deliberate lies in order to create the impression that my proposals are an effort to abolish hunting as a sport. Even though these propagandists know that I am a dedicated hunter and sportsman, they falsely allege that I favor "confiscation" of all firearms, even from the law abiding.

I want to make it perfectly clear that my legislation would not permit the confiscation of firearms from any law-abiding citizen. It would not impose fees or taxes on firearms or firearms owners.

My legislation is a small effort to reduce the violence in our country. I do not suggest that my proposals will completely solve the problem of violent crime. But I am convinced that they are a reasonable approach, at a far less cost and inconvenience than obtaining a drivers license or registering a car, to put the brakes on the rising tide of violence.

I ask unanimous consent that a copy of my bill, S. 977, be included in the RECORD, at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Firearms Registration and Licensing Act of 1969."

TITLE I—REGISTRATION OF FIREARMS

SEC. 101. Title 18, United States Code, is amended by inserting after chapter 44 the following new chapter:

"Chapter 44A.—REGISTRATION OF FIREARMS

"Sec.
"931. Definitions.
"932. Registration.
"933. State preemption.
"934. Sales of firearms and ammunition.
"935. Penalties.
"936. Disposition of firearms to Secretary.
"937. Rules and regulations; periods of amnesty.
"938. Disclosure of information.
"939. Assistance to Secretary.

"§ 931. Definitions

"As used in this chapter—

"(1) The term 'firearm' means a weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, but shall not include a firearm as that term is defined in chapter 53 of the Internal Revenue Code of 1954 or an antique firearm as defined in section 921 of this title.

"(2) The term 'Secretary' means the Secretary of the Treasury.

"(3) The term 'licensed dealer' means any importer, manufacturer, or dealer licensed under the provisions of chapter 44 of this title.

"(4) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"(5) The term 'sell' means give, bequeath, or otherwise transfer ownership.

"(6) The term 'possess' means asserting ownership or having custody and control not subject to termination by another or after a fixed period of time.

"§ 932. Registration

"(a) It shall be unlawful for a person knowingly to possess a firearm not registered in accordance with the provisions of this section. This subsection shall not apply to—

"(1) with respect to a firearm, previously unregistered, if such firearm is held by a licensed dealer for purposes of sale: *Provided,* That records of such firearms are kept as may be required by the Secretary;

"(2) for a period not to exceed one hundred and eighty days from the effective date of this chapter with respect to a firearm in the possession of a person who possessed such firearm on the effective date of this chapter;

"(3) a firearm, previously unregistered, possessed by (A) the United States or any department or agency thereof, or (B) any State or political subdivision thereof.

"(b) (1) A licensed dealer who sells a firearm to a person in whose possession the firearm must be registered shall before delivery require from the purchaser a completed application for the registration of the firearm and shall file the application with the Secretary not later than the day of delivery.

"(2) When a person other than a licensed dealer sells a firearm, the purchaser shall file an application for its registration with the Secretary prior to receipt of the firearm.

"(3) A person who possesses a firearm on the effective date of this Act shall, unless he sooner sells the firearm, file an application for registration of the firearm with the Secretary within one hundred and eighty days.

"(4) A person who comes into possession of a firearm after the effective date of this chapter, by means other than those described in paragraph (1) or (2) of this subsection, shall file an application for registration of the firearm with the Secretary within seven days thereafter.

"(c) An application for registration of a firearm shall be in a form to be prescribed by the Secretary, which shall include at least the following:

"(1) the name, address, date and place of birth, and social security or taxpayer identification number of the applicant;

"(2) the name of the manufacturer, the caliber or gage, the model and the type, and the serial number of the firearm; and

"(3) the date, the place, and the name and address of the person from whom the firearm was obtained, the number of such person's certificate of registration of such firearm, if any, and, if such person is a licensed dealer, his license number, if such license number is known.

"(d) An application for registration of a firearm shall be in duplicate. The original application shall be signed by the applicant and filed with the Secretary, either in person or by certified mail, return receipt requested, in such place as the Secretary by regulation may provide. The duplicate shall be retained by the applicant as temporary evidence of registration. The Secretary, after receipt of a duly filed completed application for registration, shall send to the applicant a numbered certificate of registration identifying such person as the registered owner of such firearm.

"(e) Registration of a firearm shall expire upon any change of the registrants' name or residence unless the registrant shall notify the Secretary within thirty days of such change.

"(f) It shall be unlawful for a person to carry a firearm required to be registered by this chapter without having with him a certificate of registration, or if such certificate has not been received, temporary evidence of registration, or to refuse to exhibit such certificate or temporary evidence upon demand of a law enforcement officer.

"§ 993. State preemption

"Section 932 shall not apply with respect to a firearm registered in the possessor's State of residence or a political subdivision thereof pursuant to a registration system determined by the Secretary to be substantially equivalent to and compatible with the provisions of this chapter. Determinations by the Secretary under this section shall be subject to review in the manner provided in section 923A(1) of this title.

"§ 934. Sales of firearms and ammunition

"(a) A person who sells a firearm registered under this chapter shall, within five days of the sale, return to the Secretary his certificate of registration, noting on it the name and residence address of the transferee, the number of the transferee's State or local permit or Federal gun license, and the date of delivery.

"(b) It shall be unlawful to acquire a firearm required to be registered by this chapter knowing or having reasonable cause to believe that the firearm acquired is not registered to the transferor. Whoever acquires a firearm required to be registered by this chapter shall require the seller to exhibit a certificate of registration, and shall note the number of the certificate on his application for registration.

"(c) It shall be unlawful for a licensed dealer to take or receive by way of pledge or pawn a firearm required to be registered by this chapter without also taking and retaining during the term of such pledge or pawn the certificate of registration. If such pledge or pawn is not redeemed the dealer shall return the certificate of registration to the Secretary and register the firearm in his own name.

"(d) The executor or administrator of an estate containing a firearm registered under this chapter shall promptly notify the Secretary of the death of the registrant and shall, at the time of any transfer of the firearm, return the certificate of registration to the Secretary as provided in subsection (a). The executor or administrator of an estate containing a firearm not registered as required by this chapter shall promptly register the firearm, without penalty for any prior failure to register it.

"(e) Whoever possesses a firearm required to be registered under this chapter shall within ten days notify the Secretary of any loss, theft, or destruction of the firearm, and, after such notice, of any recovery.

"(f) A licensed dealer shall not sell ammunition to a person for use in a firearm required to be registered without either (1) requiring the purchaser to exhibit a certificate of registration or temporary evidence of registration of a firearm which uses such ammunition, and noting the certificate number or date of the temporary evidence of registration on the records required to be maintained by the dealer pursuant to section 923(d) of this title, or (2) ascertaining and recording that the ammunition is for use in a firearm that is not required to be registered under Federal or State law.

"§ 935. Penalties

"(a) Whoever violates a provision of section 932 or 934 shall be punished by imprisonment not to exceed two years, or by a fine not to exceed $2,000, or both.

"(b) Whoever knowingly falsifies any information required to be filed with the Secretary pursuant to this chapter, or forges or alters any certificate of registration or temporary evidence of registration, shall be punished by imprisonment not to exceed five years or a fine not to exceed $10,000, or both.

"(c) Except as provided in subsection (b), no information or evidence obtained from an application or certificate of registration required to be submitted or retained by a natural person in order to comply with any provision of this chapter or regulations issued by the Secretary shall be used as evidence against that person in a criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application for registration containing the information or evidence.

"§ 936. Disposition of firearms to Secretary

"(a) The Secretary is authorized to pay reasonable value for firearms voluntarily relinquished to him.

"(b) A person who lawfully possessed a firearm prior to the operative effect of any provision of this title, and who is ineligible to possess such firearm by virtue of such provision, shall receive reasonable compensation for the firearm if surrendered to the Secretary.

"§ 937. Rules and regulations; periods of amnesty

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter, including reasonable requirements for the marking of firearms that do not have serial numbers, and may declare periods of amnesty for the registration of firearms.

"§ 938. Disclosure of information

"Information contained on any certificate of registration or application therefor shall not be disclosed except to the National Crime Information Center established by the Federal Bureau of Investigation, and to law enforcement officers requiring such information in pursuit of their official duties.

"§ 939. Assistance to Secretary

"When requested by the Secretary, Federal departments and agencies shall assist the Secretary in the administration of this title."

TITLE II—LICENSING

SEC. 201. Chapter 44 of title 18, United States Code, is amended by inserting after section 923 the following new section:

"§ 923A. State permit system; Federal gun licenses

"(a) The Secretary shall determine which States or political subdivisions of States have adequate permit systems for the possession of firearms and shall publish in the Federal Register the names of such States and political subdivisions.

"(b) An adequate permit system shall include provision for—

"(1) identification of the permit holder appearing on the permit, including name, address, age, and signature or photograph;

"(2) restrictions on issuance of a permit to a person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice;

"(3) restrictions on issuance of a permit to a person who, by reason of age, mental condition, alcoholism, drug addiction, or previous violations of firearms laws cannot be relied upon to possess or use firearms safely and responsibly;

"(4) means of investigation of applicants for permits to determine their eligibility under subparagraphs (2) and (3);

"(5) prohibition of possession of firearms or ammunition by any person who has not been issued such a permit; and

"(6) revocation of a permit issued to a person who subsequently becomes ineligible under subparagraph (2).

"(c) After September 1, 1970, it shall be unlawful for any person to sell or otherwise transfer any firearm or ammunition to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) unless—

"(1) the sale or transfer is not prohibited by any other provision of this chapter; and

"(2) the purchaser or transferee exhibits a valid permit issued to him by a State or political subdivision having an adequate permit system, or the purchaser or transferee exhibits a valid Federal gun license issued in accordance with subsections (d) and (e).

"(d) A licensed dealer shall issue a Federal gun license to a person eighteen years of age or over upon presentation of:

"(1) a valid official document of identification (such as driver's permit or selective service certificate) issued by the United States, a State, or political subdivision thereof; and

"(2) a statement signed by the person in a form to be prescribed by the Secretary, that he is eighteen years of age or over, that he has never been committed in an institution by a court of the United States or a court of any State or political subdivision thereof on the ground that he was an alcoholic, a drug addict, or mentally ill or incompetent, that he is not under indictment, has not been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, is not a fugitive from justice, and is not otherwise prohibited by any provision of Federal, State, or local law from possessing firearms or ammunition; such statement may include such additional information regarding the applicant, including without limitation, birth date and place, sex, height, weight, eye and hair color, and present and previous residences as the Secretary shall by regulation prescribe.

"(e) Federal gun licenses shall be issued in such form as the Secretary may prescribe, and shall be valid for a period of five years. A dealer shall maintain a record of all licenses issued by him as part of the records required to be maintained by section 923 of this chapter, and shall forward to the Secretary the documents described in subparagraphs (d)(2) through (d)(3) of this section.

"(f) Any person denied a Federal gun license under subsection (d) may apply directly therefor to the Secretary in the manner prescribed by regulation of the Secretary.

"(g) Unless otherwise prohibited by this chapter, a licensed dealer may ship or deliver a firearm or ammunition to a person only if the dealer confirms that the purchaser has been issued a valid permit issued pursuant to an adequate State or local permit system, a Federal gun license, or a Federal dealer's license, and notes the number of such permit or license in the records required to be kept by section 923 of this chapter.

"(h) After September 1, 1971, no person may possess a firearm or ammunition without a valid State or local permit, if he is a resident of a State or locality having an adequate permit system, or a Federal gun license: *Provided*, That a person not a resident of a State or locality having an adequate permit system, who is ineligible for a Federal gun license solely by reason of age may receive a firearm or ammunition for occasional, brief, and lawful recreational uses.

"(i) Determinations of adequate permit systems under this section or adequate registration systems under section 933 and denials by the Secretary of Federal gun licenses shall not be subject to the provisions of chapter 5, title 5, United States Code, but shall be reviewable de novo pursuant to chapter 7, title 5, United States Code, in an action instituted by any person, State, or political subdivision adversely affected.

"(j) It shall be unlawful for any person willfully to fail to deliver a valid Federal gun license to the Secretary if such person has been issued such license and subsequently is placed under indictment, convicted in any court of a crime punishable by imprisonment for a term exceeding one year, a fugitive from justice, committed to an institution by any court on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent, or otherwise prohibited by any provision of Federal, State, or local law from possessing firearms and ammunition.

"(k) It shall be unlawful for any person willfully to convey or otherwise furnish to another person a Federal gun license which has been issued to himself, or to a third person, in order to evade or obstruct the provisions of this chapter.

"(l) It shall be unlawful to knowingly and willfully make a false statement or representation in connection with any application for a Federal gun license."

SEC. 202. The analysis of chapter 44 of title 18, United States Code, is amended by inserting immediately after
the following:

"923. Licensing."

"923A. State permit systems; Federal gun licenses."

TITLE III—GENERAL PROVISIONS

SEPARABILITY

SEC. 301. If the provisions of any part of this Act or any amendments made thereby or the application thereof to any person or circumstances be held invalid, the provisions of the other parts and their application to other persons or circumstances shall not be affected thereby.

EFFECT ON STATE LAW

SEC. 302. No provision of this Act shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of a State or possession or political subdivision thereof, on the same subject matter, or to relieve any person of any obligation imposed by any law of any State, possession, or political subdivision thereof.

RELIEF FROM DISABILITIES

SEC. 303. Notwithstanding the provisions of section 923A(d)(2), a licensed dealer shall issue a Federal gun license to a person who otherwise qualifies under that section but has been convicted of a crime punishable by imprisonment for a term exceeding one year or has been committed to an institution by a court on the ground that he was an alcoholic, a drug addict, or mentally ill or incompetent, if that person displays a document in writing from the chief law enforcement officer of his State or residence of specifically authorizing that person to obtain such license.

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EFFECTIVE DATE

Sec. 304. The provisions of titles IV and V of this Act shall become effective one year after the dates of its enactment.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by the title for the information of the Senate.

The Assistant Legislative Clerk. A bill (H.R. 17923) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 766 of the Senator from Wisconsin (Mr. Nelson) and others.

Mr. HOLLAND. Mr. President, I yield myself 2 minutes on the bill.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the Record a letter written by the chairman of the House Committee on Agriculture, the distinguished Representative from Texas, Mr. Poage, published in the Washington Post this morning, entitled "Representative Poage on Helping the Hungry."

There being no objection, the letter was ordered to be printed in the Record, as follows:

Representative Poage on Helping the Hungry

The article on your editorial page of June 29 entitled "Hunger: Yesterday's Crisis, Today's Yawn" by Colman McCarthy is an example of such inaccurate reporting that I feel I should not let it go unchallenged for fear my failure to respond might be taken as acceptance of the truth of the allegations therein.

The first Food Stamp Program originated with the Agriculture Committee of the House in the late 1930s, and it was also this committee that wrote the present program which is based on the 1964 act. I have always supported the program. I believe it is an effective way of providing *food assistance* for needy people.

I do not believe it is a proper vehicle for the solution of all of our social assistance problems. I recognize that there are those who think that food stamps without cost to the recipient should be used to provide not only food but clothing, shelter, furniture and medical services, and some would go far enough to provide them not only to those who need them but to all of those who want them without any show of need or any requirement of self-help whatever.

In the final analysis I think this is the crux of the disagreement on this issue. I personally believe, and a substantial majority of our committee has believed and still believes, that food stamps should be used to *supplement, not substitute for*, the normal buying power of low income families. We believe it is still desirable for those who can do so to work in order to support themselves and their families. We believe that the bill our committee has approved provides a fair test in this respect. It reads:

"(c) Notwithstanding any other provisions of law, the Secretary shall include in the uniform national standards of eligibility to be prescribed under subsection (b) of this section a provision that each State agency shall provide that a household shall not be eligible for assistance under this Act if it includes an able-bodied adult person between the ages of 18 and 65 (except mothers or other members of the household who have the responsibility of care of dependent children or of incapacitated adults or who are bona fide students in any accredited school or training program) who either (a) fails to register for employment at a State or Federal employment office or, when impractical, at such other appropriate State or Federal office designated by the Secretary, or (b) has refused to accept employment or public work at not less than the higher of State or Federal minimum wage established by a valid regulation of any agency of the Federal Government authorized by existing law to establish such regulation. Refusal to work at a struck plant or site for the duration of a strike shall not be deemed to be a refusal to accept employment."

This is known as the Poage amendment. You will note that it does not deny food stamps to anyone who is making a sincere effort to help himself; it does not require anyone to become a strikebreaker. On the other hand, unlike the Family Assistance Act, it requires recipients to actually work if offered a job rather than to simply "register for work." This is the whole basic reason for criticism of the Agriculture Committee. We are not trying to starve anybody, but we are trying to maintain a concept of work in America.

Our bill rather than trying to limit any needed aid authorizes unlimited appropriations for the Food Stamp Program. There has been no disposition on the part of the Committee on Agriculture to deny whatever funds are necessary to supplement the income of needy people. We simply haven't had the kind of press that the Senate Select Committee on Nutrition and Human Needs has had, nor have we at any time stood in the way of adequate financing, as has been suggested. On the contrary, it was the Agriculture Committee of the House which last fall (H.J. Res. 934 was reported by our committee on Oct. 8, 1969, and passed the House Nov. 5) brought out a bill to more than double the 1970 authorization for food stamps. Our committee authorized every dollar the Secretary of Agriculture said he could spend, and we did it without any delay and, incidentally, without any favorable publicity from The Washington Post.

The Food Stamp Program is not coming to an end the first of July. On the contrary, the Agriculture Committee, which Mr. McCarthy so roundly abuses, does not object to the passage of a continuing resolution which will authorize the expenditure at the full requested rate of $1.250 billion a year for the next several months.

Finally, Mr. McCarthy repeats the statement which has been made by a good many self-appointed advocates of food stamps, that our committee has somehow or another tied the Food Stamp Bill to the Farm Bill, and that the two will be brought in as one bill. This approach has been discussed—there is frankly some logic to keeping the production and distribution of farm products in the same legislation—but approximately a month ago the committee members at my suggestion agreed that we would bring the farm bill to the floor without including the food stamp provisions, and that the food stamp provisions would be brought in as a separate bill. This may or may not be a sound decision, but it is certainly quite different from the decisions reported by Mr. McCarthy. If his reporting of the historic facts is not more accurate than this indicates, it seems to me that his reporting of the reasons and philosophies which have motivated the various members of our committee may be just as inaccurate.

Mr. McCarthy winds up his article with reference to a kid who had no breakfast, lunch or dinner. The Agriculture Committee provided the first school lunches (this program was later taken over by another committee). The Agriculture Committee originated the School Breakfast Program. The Agriculture Committee originated the Special Milk Program and the Food Stamp Program to help on that kid's dinner. Can any of the Senate committees which have so loudly proclaimed themselves patrons of all of the poor and the hungry point to a record of having *done* so much for those who need help in America?

W. R. Poage,
Chairman, House Committee on Agriculture.
Washington.

Mr. HOLLAND. Mr. President, I invite attention particularly to the fact that the point made by the distinguished Senator from Louisiana, the distinguished Senator from Nebraska, and myself, on yesterday, that we would have no difficulty with the House in taking care of a program of $1.25 billion for whatever time would be necessary until the authorization bill on the food stamps could be considered and passed, is amply borne out in this letter.

Let me read part of it:

> The Food Stamp Program is not coming to an end the first of July. On the contrary, the Agriculture Committee, which Mr. McCarthy so roundly abuses, does not object to the passage of a continuing resolution which will authorize the expenditure at the full requested rate of $1.250 billion a year for the next several months.

Mr. President, there is no doubt about it, we were on completely sound and accurate ground yesterday, although we did not have this information directly from Representative Poage at that time, to the effect that if the $1,250 million provided in both the House and Senate bills were left intact, there would be no trouble in getting quick, emergency legislation through, taking care of the expenditures on that basis until the food stamp bill is passed.

Mr. President, let me state that other portions of this letter justify the statements made on the floor yesterday by the Senator from Louisiana, the Senator from Nebraska and myself, to the effect that philosophical differences between the Senate bill as passed last September and the approach of the House committee is so great, as shown by Representative Poage's letter, as to indicate a long-time debate in conference before there will be any passage of a bill on the food stamp subject. It also indicates that there does not seem to be any probability of early consideration of such a bill by the House of Representatives.

The PRESIDING OFFICER (Mr. Allen). Who yields time?

Mr. MATHIAS. Mr. President, I have an amendment I should like to send to the desk.

Mr. HOLLAND. Mr. President, I believe that the Senator from Wisconsin (Mr. Nelson) offered an amendment yesterday and I therefore ask unanimous consent that it be temporarily laid aside so that the Senator from Maryland (Mr. Mathias) may present his amendment.

The PRESIDING OFFICER (Mr. Allen). Is there objection to the request of

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the Senator from Florida? The Chair hears none, and it is so ordered.

Mr. MATHIAS. Mr. President, I send to the desk my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 17, line 14, strike out "$149,247,000" and insert in lieu thereof the following:

$159,247,000, of which $10,000,000 shall be available only for additional grants under the Wholesome Meat Act to those states in which state meat inspection programs have been approved by the Department of Agriculture as equal to Federal inspection and in which, notwithstanding any other provisions of law, carcasses, parts thereof, meat and meat food products prepared under such approved state inspection shall therefore be eligible for admission into interstate commerce.

Mr. MATHIAS. Mr. President, first let me express my appreciation to the distinguished Senator from Florida for his consideration in making it possible for me to bring up my amendment at this time.

Mr. President, there is nothing more important to the consuming public than the availability of a supply of wholesome, healthy food products.

Meat is a very important staple in the American diet. The Federal Meat Inspection Service has rendered an enormously valuable and useful service to the American people for many years in providing federally inspected meat plants for meat products which are sold in interstate commerce.

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There has been a secondary benefit from the work of the Federal Meat Inspection Service, in that it has established a benchmark, or a standard for sanitary conditions and proper ways by which meat is processed, packed and shipped.

One of the helpful byproducts of this Service is the fact that many States which still have jurisdiction over plants for packing and processing meat for intrastate shipment have now sought to raise their standards to the levels which have been established in federally inspected meat plants.

The result of this is, there is a larger supply of more wholesome meat products available to the entire country. This is a byproduct which I think is to be encouraged. It provides a wider source of healthy food for the consumer. It provides a wider market to the farmer for the meat he sells.

In recent years, the effort to bring the State inspection standard up to the level of the Federal Meat Inspection Service has been predicated on the fact that meat, given exactly the same treatment in a State inspected plant, at the same level of sanitation and at the same level of proper processing, should therefore gain entry into the interstate market. Many of the small businessmen of America engaged in this business have made substantial investments in upgrading their own plants in anticipation that, having achieved a higher standard, they will be allowed to participate in the broader market.

It seems to me that it is reasonable and fair, if their products are as good, that they should receive the same treatment as products already in the interstate markets.

Therefore, Mr. President, I have introduced this amendment which has the dual, perhaps we might say the triple purpose of encouraging the States to raise their levels of State inspection in meat processing and packing plants, to the point that they are at least equal with Federal standards.

This is done, first, by making available the additional sum provided in the amendment, to be appropriately granted by the Secretary of Agriculture to the States which have so upgraded their standards.

Second, it will encourage the individual businessman to make the investment and the effort to upgrade his operation so that his products are, indeed, entitled to be marketed in interstate commerce, because they are in fact equal in every respect to the plants which are federally inspected.

Third, as I have said before, we hereby give the public a larger supply and a larger source for wholesome food. We give the farmer a wider market for his product. Perhaps by so doing, we may even have some impact on the astronomical price of some meat products which we encounter in the food markets of America today.

Mr. President, I respectfully urge that the Senate agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

Mr. HOLLAND. Mr. President, I yield myself 3 minutes. I will then yield whatever time he requires to the distinguished Senator from Nebraska whom I shall call, among other things, the meat expert of our subcommittee.

The PRESIDING OFFICER. The Senator from Florida is recognized for 3 minutes.

Mr. HOLLAND. Mr. President, certainly the Senator from Nebraska knows much more about the subject than I do. I do know, however, that three States have already been declared by the Federal Government to have inspection systems that are at least equal to the Federal inspection. Those States happen to be the State of Maryland, State of California, and the State of Florida.

I do know that we are expecting other States to come into that classification by the end of the year. Every effort is being made by many States to match the Federal standard. I am told that as yet no really satisfactory arrangement has been reached to allow the meat so inspected—and all of this is done under the ultimate supervision of Federal inspection because they must see that the Federal standard is maintained—to allow that meat to move into interstate commerce.

So, I, personally, am perfectly willing to leave the decision of this subject to my distinguished friend, the Senator from Nebraska (Mr. HRUSKA), who has a much closer grasp on the subject matter than I do.

I yield to the Senator from Nebraska such time as he may require.

Mr. HRUSKA. Mr. President, may I have 5 minutes?

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, we are all interested in the Wholesome Meat Act that was enacted some time ago. It is in the process of getting a little momentum. As has been indicated by the Senator from Florida, after a conference with the chairman of the subcommittee, it would be my disposition to accept this amendment and take it to conference and discuss it there in the light of these factors.

We would have preferred that the matter had been submitted to us in subcommittee and later in committee so that we would give it a much broader and thorough study. However, even a short study of it would indicate that it would perhaps pave the way for those States that will come into the program.

If the allowance of this money, or some portion of it, by the committee will do that job, it should go forward, in my judgment.

I would suggest, if the chairman of the subcommittee still concurs, that we accept the amendment with the justification that is given by the Senator from Maryland along with any additional material he might want to give us and any additional material we might obtain from the Department so that we can make our presentation to the conference on the merits of the proposal.

Mr. HOLLAND. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 minute.

Mr. HOLLAND. Mr. President, I am completely willing to follow the advice and the suggestion of my distinguished friend, the Senator from Nebraska, and to accept the amendment with the distinct understanding—and I am talking now particularly of the State of Maryland—that we shall have to be governed in the conference by the facts as they are shown to us and by the prospects as they are shown to us for the admission of other States into the same status that these three that have already been found to have achieved; namely, having an inspection service at least equal to that of the Federal service.

I think it is a worthy program for us to look ahead to, and I will be glad to take the amendment to conference with that understanding and with the advice of the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, I am grateful to the chairman for his understanding attitude in this matter. I do think that it will keep more options open in the field in which we are all vitally interested. To that extent, we owe some appreciation to the Senator from Maryland for calling the matter to our attention.

The PRESIDING OFFICER (Mr. ALLEN). The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

AMENDMENT NO. 766

The PRESIDING OFFICER (Mr. ALLEN). The question recurs on the amendment offered by the Senator from Wisconsin (Mr. NELSON).

Who yields time?

Mr. NELSON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 5 minutes.

Mr. NELSON. I ask unanimous consent that the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, the amendment, totaling $4.5 million, consists of three basic parts. First, it provides that $2.165 million shall be added to the budget for the establishment of a research and development fund to implement pilot programs of testing and evaluating biological control techniques in the field.

The second part would provide $1.5 million for a field test aimed at the eradication of the cotton boll weevil.

The third part covers new research projects and totals $835,000.

These proposals are aimed at applying the research that has already been done to eliminate insects by biological means without the use of pesticides or with a substantial reduction in the use of pesticides and are also directed at developing new research techniques for the biological control and elimination of various kinds of detrimental pests.

Mr. President, I ask unanimous consent that a summary of the programs supported by the $4.5 million be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Programs to be funded

FIELD TEST PROJECT

Establishment of a research and development fund to implement pilot programs testing and evaluating biological control techniques in the field. Arizona, California, Florida, Georgia, Hawaii, Illinois, Kansas, Maine, Oklahoma, Washington, Wisconsin	$2,165,000
Eradication of the cotton boll weevil against which 45% of all DDT is used	1,500,000
Total funds for field test projects	3,655,000

NEW RESEARCH PROJECTS

Research on bilogical control of citrus fruit insects, Orlando, Fla.	$165,000
Research on biological control of tropical fruit flies, Miami, Fla.	165,000
Research on development of hormones to disrupt insect growth, Beltsville, Md.	165,000
Research on biological control of grain sorghum insects, Stillwater, Okla.	110,000
Research on the use of sterile males, attractants and other biological controls of cotton insects, Phoenix, Ariz.	110,000
Research on the control of horse parasites by nonchemical means, Beltsville, Md.	60,000
Research on the use of harmless insects for the control of water weeds, Fort Lauderdale, Fla.	$60,000
Total funds for new research projects	835,000

Mr. NELSON. Mr. President, the field testing part of the amendment involves $2,165,000. It is aimed at taking the research that has already been completed in the laboratory out in the field to determine whether the various methods of biological control of insects that appear to be feasible in the laboratory are practical in the field.

An example of a typical project to be covered by these funds is a Japanese beetle control program using sterile insect releases and attractants over 5,000 acres during a 3-year period. This would be conducted in Illinois and Georgia, and would cost $200,000 annually.

Another project would be directed at the control of the cabbage looper with light traps and sex attractants over 2,000 square miles in Arizona. This is a 3-year program costing $300,000 in the first year and $100,000 during the second and third years.

Mr. President, I ask unanimous consent that a summary of these projects and the other field trials be printed in full at this point in the RECORD. It involves pilot tests in Illinois, Georgia, Arizona, Washington, Florida, the Virgin Islands, Kansas, Oklahoma, Washington, Maine, Wisconsin, California, and Hawaii.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Insect	Control or eradication techniques to be evaluated	Size of pilot test area	Duration of test	Estimated annual cost
Japanese beetle	Sterile insect releases and attractants	5,000 acres, Illinois, 6 acres	3 years	$200,000.
Cabbage looper	Light traps plus synthetic sex pheromone	2,000 sqaure miles, Area 12	do	$300,000 1st year, $100,000 2d and 3d.
Codling moth	Production and release of sterile insects	5,000 acres, Washington	2 years	$600,000.
Caribbean fruit fly	Integrated program of bait sprays and sterile fly releases.	100 square miles, Florida	do	$200,000.
Sugarcane borer	Production and release of parasites	5,000 acres, Virgin Islands	do	$100,000.
Pea aphids on alfalfa and field peas	do	15,000 acres, Washington	3 years	$100,000 1st year, $50,000 next 2 years.
Greenbug (aphids) on sorghum	do	20,000 acres, Kansas, Oklahoma	do	$100,000 1st year, $50,000 next 2 years.
Green peach aphid	Control of overwintered aphid forms on host plants.	500-square-mile area, Washington, Maine	do	$100,000.
Do	Elimination of Canada plum overwintering host.	1,200 square miles	5 years	$100,000 1st, 2d, and $50,000 next 3 years.
Lesser peach tree borer, codling moth, red banded leaf roller.	Sex attractants, virgin female moths	25 square miles, Washington Island, Wis.	3 years	$200,000.
Apple maggot	Attractants and release of sterile insects	do	do	$75,000.
Horn fly	Sterile male, integrated control	200 square miles (10,000 cattle), California, Hawaii.	2 years	$100,000.

Mr. NELSON. Mr. President, another part of the program supported by this amendment includes $835,000 and involves a series of new research projects as follows:

New research projects

Research on biological control of citrus fruit insects, Orlando, Fla.	$165,000
Research on biological control of tropical fruit flies, Miami, Fla.	165,000
Research on development of hormones to disrupt insect growth, Beltsville, Md.	165,000
Research on biological control of grain sorghum insects, Stillwater, Okla	110,000
Research on the use of sterile males, attractants and other biological controls of cotton insects, Phoenix, Ariz.	110,000
Research on the control of horse parasites by nonchemical means, Beltsville, Md.	60,000
Research on the use of harmless insects for the control of water weeds, Ft. Lauderdale, Fla.	$60,000
Total funds for new research project	835,000

Mr. NELSON. Mr. President, the total amount involved with the field testing and new research projects is $4.5 million.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NELSON. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. NELSON. Mr. President, the overall objective of these programs is the development of methods and techniques for destroying insects that are pests on food crops and on forests without the use of chemical pesticides, including the long list of chlorinated hydrocarbons, headed by the best-known one, DDT.

The urgent necessity for continuing these programs and expanding them rapidly is the knowledge now that the environment worldwide has been disastrously polluted with a series of various kinds of pesticides, and especially the chlorinated hydrocarbons. So we now have a situation in which the entire knowledgeable scientific community has been alerted about the environmental implications of the continued introduction of massive doses of slow degrading pesticides.

I think that most environmentalists who have looked at the problem believe that we are a long way down the road toward a worldwide disaster. Studies that have been made in various parts of the world support this conclusion. For example, a recent study by the U.S. Bureau of Sport Fisheries and Wildlife found DDT in 584 of 590 samples of fish taken from 45 rivers and lakes across the Nation. In another study in the oceans scientists found that 396 out of 400 marine creatures that they examined were contaminated with measurable DDT residues.

We find DDT in the fatty tissue of most animal creatures on earth, including human beings. We find that DDT is driving to extinction a number of raptor birds, which feed at the end of the food chain, such as the great bald eagle and the falcon. As a result of massive ingestion of DDT, many of these birds are incapable of making enough calcium for their eggs. The chicks are then not able to develop properly and hatch due to the thin egg shells.

Mr. President, the United States is now producing pesticides at the rate of 1 billion pounds a year, or 5 pounds for every man, woman, and child in this country. I think what these pesticides have done to our environment is disastrous. It is critically urgent that we expand far beyond what we are doing now in research to find substitutes for pesticides. In addition we must limit, even before we get the substitutes, the indiscriminate use of all these chlorinated hydrocarbons.

We should be spending $100 million a year more than we are now spending. This is a modest request for $4.5 million which the Agricultural Research Service requested in its agency budget in 1970–71. However, at either the Bureau of the Budget level or the Department of Agriculture level, the request was not approved.

It is unfortunate with all the lipservice being paid by everyone, including representatives of this administration, about the necessity to stop the degradation of the environment, that this modest request by the Agricultural Research Service was not approved by the Bureau of the Budget.

Mr. HOLLAND. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. HOLLAND. Mr. President, first I want to say to my distinguished friend that since he sent a letter to me on Monday, July 6, 1970, incorporating the various items which are covered by his amendment, we have contacted the Agricultural Research Service of the USDA and we have contacted the National Cotton Council. We have tried in every way we could to advise ourselves about the items he proposes to increase through this amendment.

We find that, at least in the judgment of the Senator from Nebraska and myself, and in the judgment of the staff of our committee, we are in a position to accept the larger part of this amendment, although there is one part of it we cannot accept because it is already in the bill. I am glad to state to the Senator, that an amendment placed in the bill by the House, provides $1.5 million for boll weevil research and that is also included in our bill.

I wish to read this particular paragraph from a letter written to me, as chairman of the committee, on June 15, 1970, by the Director of Research of the National Cotton Council, Dr. George S. Buck, Jr.:

> First, we have already worked out an arrangement with USDA, the state experiment stations, the State of Mississippi, and CPI to finance the boll weevil eradication trial in 1971. The funds are to be provided roughly as follows: USDA, $1,000,000; CSRS, $500,000; CPI, $500,000; and Mississippi, $350,000.

I believe that totals $2.350 million for the boll weevil eradication project, which has been worked out rather carefully by the ARS and the National Cotton Council, and the State of Mississippi.

I am happy to state to the Senator that if he will read in the hearings at the bottom of page 452, the statement furnished by Dr. Irving at my request, as chairman at the hearing, he will find substantially the same facts shown.

With that exception, the committee is willing to take the remainder of the Senator's amendment. As a matter of fact, we can say with rather happy words to the Senator that several of the field projects he suggests are field projects which we have requested the USDA to support in former years. Some of them have been asked for by USDA and turned down by the Bureau of the Budget.

I want to say that two of them happen to be in the State which I represent in part and in which I have been interested for a long time, but because of priorities elsewhere, the Bureau of the Budget has not been willing to approve them.

So I am happy to take it to conference if the Senator will reduce his amendment from $4.5 million to $3 million, with the statement that he is cutting out only that part that deals with the cotton boll weevil eradication program. I shall be very happy to take it to conference and to do my very best there to see that it remains in the bill.

I will also say to the Senator, as he probably knows already, that our committee authorized and initiated the pesticide research program 5 years ago, and provided at that time $29 million for that program.

There are six research stations, some of which have been completed, and in our bill this year we add on $6,371,000 above a much too modest budget request to staff those six laboratories.

The amount included in the bill for the pesticide and related work, is something over $90 million of which approximately $45 million is for research. So we are interested in this field, as the Senator recognizes, as a field to which we should give the highest priority.

With my assurance that the cotton boll weevil eradication program is taken care of, I hope that the Senator will modify his amendment to $3 million, with the understanding that all the other items which he has recited will be included in that $3 million, which is at least my understanding of the situation.

I may say that I have been advised by my distinguished friend from Nebraska (Mr. HRUSKA) that he is quite willing to follow that same course.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. It is assumed that if this is done and it is worked out in this fashion, the Department will report to us sufficient information as to the work to be undertaken with these additional funds, as distinguished from the existing program, that will give us a foundation for justifying in conference these additional funds.

Mr. HOLLAND. I am glad the Senator has made the point, because the chief of our staff, Mr. Schafer, talked to the ARS no later than this morning. They say some of these projects they are certainly able to undertake this year, and others they are not certain about. So we would expect, of course, to have the fullest kind of justification made, because the Senator understands this is not in the budget and is not in the House bill and we, as Senate conferees, would have to justify the items which we expect to have continued. I shall use every effort, I may say, to justify those items, but will have to rely in large part upon the showings we can get from the ARS and from their scientists as to what can be done.

Mr. President, since the letter from Dr. Buck, of the National Cotton Council to me, dated June 15, is not in the hearings—it was received by me well after the hearings, and really was to report on what had been done—I ask unanimous consent at this time that the entire letter as printed in our committee memorandum on pages 11 and 11A be incorporated in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER FROM NATIONAL COTTON COUNCIL

JUNE 15, 1970.

Senator SPESSARD L. HOLLAND,
U.S. Senate,
Subcommittee Agricultural Appropriations,
Washington, D.C.

DEAR SENATOR HOLLAND: This is in connection with the one million dollars which the Agricultural Appropriations Subcommittee of the House recomended in its Bill, to be used on a matching basis with funds from the Cotton Board.

First may I say we are delighted that the House Subcommittee, recognizing the very difficult situation which the cotton industry faces, has seen fit to earmark an additional one million dollars to help attack our important problems through research. This will be enormously helpful, and we hope that your Committee can increase this amount, as you have in the past, because of great need.

There are two or three points which I think are important in regard to these funds, and which your Committee might want to consider.

First, we have already worked out an arrangement with USDA, the state experiment stations, the State of Mississippi, and CPI to finance the boll weevil eradication trial in 1971. The funds are to be provided roughly as follows: USDA, $1,000,000; CSRS, $500,000; CPI, $500,000; and Mississippi, $350,000. The USDA will be conducting a preliminary trial this year with a full-scale effort to be carried out next year.

The second point is that the report of Mr. Whitten's Committee indicates that the one million dollars made available by the House is intended for research on the *utilization* of cotton and cottonseed. This is, of course, an area of considerable need.

Thirdly, no additional funds are provided for the vital cost-cutting program which your Committee has done so much to implement during the past six years.

Fourth, we think that the matching mechanism proposed by Mr. Whitten, while sound in principle for certain areas of cooperation between the farmers and the USDA, such as in pest eradication, will pose problems of divided responsibility in other areas of research. Furthermore, the CPI program is so tight at this time that a matching requirement with USDA might result in funds being unused. A final complication is that many CPI developments result in privately-owned patents which are exploited commercially to provide further funds for the CPI program. It seems unlikely that this could be done under a matching arrangement with USDA.

For the above reasons we sincerely hope that your Committee will consider the advisability of these two actions:

1. The removal of the matching provision contained in the House bill.
2. Provision of additional cost-cutting research fund either for USDA or the Cooperative State Research Service part of the ten million dollars cost-cutting program, or both.

May I say once again that our entire industry is deeply grateful for the very important assistance which you and your Committee have given the cotton industry. We hope that you will understand the reasons for the request we are making here, and that you will not find it unreasonable.

With the sincerest best regards,

George S. Buck, Jr.,
Director of Research.

Mr. HOLLAND. Mr. President, I have referred to—and I am sure the Senator understands—only that paragraph which deals with the cotton boll weevil eradication program which has been worked out between State, Federal, and private agencies.

Mr. NELSON. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 5 additional minutes remaining.

Mr. NELSON. Mr. President, I would like to say to the distinguished Senator from Florida (Mr. Holland) that, from looking at the Record and reading the comments and questions raised by the Senator from Florida during the hearings on this bill, I am well aware of his deep concern about the environment and about the unnecessary introduction of pesticides into the environment. I am very well aware of his very strong interest in the research that has been initiated while he has been a member and chairman of the subcommittee.

I certainly will accept the suggestion of the Senator from Florida to eliminate the $1.5 million, and I appreciate his willingness to accept the other two aspects of the amendment.

I would only say that the reason why this point was raised is that in every check we made with the Department of Agriculture—that is, yesterday and today—we have been told that they thought the $1.5 million is not there. So I hope that they are mistaken.

Yesterday my office called Mr. Richard Smith, assistant director of research for the National Cotton Council of America, in Memphis, Tenn. He said that the Cotton Council would be able to commit a maximum of $500,000 to help support the boll weevil eradication program in southern Mississippi. Mr. Smith said that it was his understanding that the funds comprising the remainder of the $2.5 million needed for the project would come from governmental sources, mainly the Federal Government.

That is what led us to believe that the total figure of $2.5 million would not be available.

I hope the statement that was put into the hearing record of the Senator's subcommittee is the final word on it, rather than our brief telephone conversation.

Mr. HOLLAND. Mr. President, the statement which I made was a quotation from a letter written to me by the director of research of the Cotton Council, Dr. George S. Buck, Jr., who himself is an eminent scientist, dated June 15, after the completion of our committee record, stating to me the plans that had been made.

As the Senator has noted, the Cotton Council will contribute $500,000 as that gentleman told the Senator yesterday, but there are other contributions—$1 million from the Government, $500,000 from the CPA, which comprises the personal contributions of the cotton farmers, and $350,000 from the State of Mississippi.

That is the last word we have been able to obtain, which we consider to be correct. We are long-time acquaintances of Dr. Buck and we look to him for the position of the Cotton Council in research matters. I believe the Senator knows Dr. Buck. I am sure he must, because he is a nationally known scientist and expert in the field.

The PRESIDING OFFICER. If the Senator from Wisconsin desires to modify his amendment, will he state the modification he intends?

Mr. NELSON. Mr. President, I wish to modify my amendment so that on page 3, lines 13 and 14 of the bill, we will strike out "$157,346,200" and insert in lieu thereof "$160,346,200." That amendment eliminates $1.5 million in accordance with the exchange here on the floor.

The PRESIDING OFFICER. The amendment is so modified.

Mr. HOLLAND. It deletes the $1.5 million related to the cotton boll weevil eradication program and leaves intact all other items affected by the Senator's amendment.

Mr. NELSON. Yes.

The PRESIDING OFFICER. Is all time on the amendment yielded back?

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HRUSKA. I want to state for the record that the statement made by the chairman of the subcommittee is in keeping with the understanding he and I arrived at following a study of the record on this point.

The PRESIDING OFFICER. Is all time yielded back?

Mr. HOLLAND. Mr. President, I yield back whatever time I have remaining.

Mr. NELSON. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin, as modified.

Mr. Nelson's amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. GOODELL. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 34, line 5, strike out "$84,250,000" and insert the following: "$122,250,000".

Mr. GOODELL. Mr. President, this amendment would increase the amount appropriated for salaries and expenses for the Farmers Home Administration from $84,250,000 to $122,250,000—an increase of $38 million.

The Farmers Home Administration represents a classic example of what happens when an agency is given greatly expanded authority and then is denied a corresponding increase in the funds needed to administer its new programs.

The agency in recent years has been authorized to make loans and grants for rural community water systems, loans for small business enterprises, co-op loans, loans to establish grazing areas, and loans to develop recreation facilities.

In addition, in the rural housing field, the agency has been authorized to make grants to groups that provide technical assistance to self-help housing projects, make loans for the development of rural housing sites, make loans and grants for the construction of farm labor housing, make loans for the construction, purchase and repair of rural homes, and makes loans for the development of rental housing and cooperative housing projects.

All of these activities have been added to the original assignment of the Farmers Home Administration which was to make loans to farmers for the purchase, development, and operation of family-type farms.

The overall dollar volume of the agency's annual operations has grown apace. Ten years ago, the Farmers Home Administration loaned about $300 million a year. For the last 3 years the agency has loaned well over a billion dollars a year and in fiscal 1971 contemplates lending about $2.3 billion.

While the variety and the size of the agency's operations has increased by leaps and bounds, the size of its staff has risen at a relatively modest rate.

The Agriculture appropriation bill as reported out by the Appropriations Committee recognizes the need for increasing the amount made available for salaries and expenses for the Farmers Home Administration but it does not provide an adequate increase.

The bill would provide $84,250,000 for salaries and expenses for the Farmers Home Administration. This represents an increase of $3,100,000 above the amount carried in the House bill.

The Senate committee recommendation is an 18-percent increase over the amount available in fiscal 1970.

But, in the field of rural housing alone, the Farmers Home Administration, recently, announced that it plans to increase the number of housing units financed from 89,950 in 1970 to 163,280 in 1971. That is an increase of 82 percent.

I do not believe the agency quite reached its 1970 goal, and I know it will not reach the 1971 goal—for one reason—lack of staff.

We cannot expect an organization to make an 82-percent operational increase with an 27-percent increase in staff.

These increases do not simply involve the agency's housing program.

Similar increases are projected by congressional action in the rural water and sewer programs administered by Farmers Home.

The Goodell amendments, which this body passed yesterday provide an additional $80 million for the farmers home rural water and sewer program.

The increased funds, however, will do little good at all, if Farmers Home Administration does not have the personnel and administrative capacity to distribute the funds, quickly and efficiently.

I am informed by the Budget Director for the Farmers Home Administration that over $1.8 million would be required to administer these funds.

The Rural Housing Coalition, of which I have the honor of being a cochairman, in testimony on the Agriculture appropriations bill estimated that at least $125 million is required to adequately staff the Farmers Home Administration.

This would represent a 75-percent increase over the amount available in 1970. While this is not as large an increase as will take place in the housing and community development operations of the agency, it comes far closer to providing the sort of staff need to do the job.

Mr. President, the condition of the Nation's housing inventory in rural areas is an appalling affront to human decency, dignity, and health. People are living in tarpaper shacks, in old car bodies, in tents, and in mud hovels. I would suspect that much of our livestock is better housed than our rural poor.

When we cannot see a problem clearly, we tend to presume it is not there. The rural poor are hidden along the Nation's backroads; they are widely scattered and have no voice. Thus our imaginations carry us to the ghettos of our massive cities when we think of bad housing; we have heard the cry from there, and its anguish is readily apparent to the naked eye.

And so the problems of the poor in rural areas, and in particular their intolerable housing, have evaded our conscience. But the fact remains that fully two-thirds of the Nation's bad housing is "out there" in rural and small-town America. The fact is unknown, and until it becomes known and program resources are adjusted accordingly, the effort to provide a decent home and suitable living environment for every American family will be missing the mark.

A few weeks ago the distinguished mayor of New York City, John Lindsay, pointed out that we have ignored "the interrelationship of the city's problems with rural poverty and suburban isolation."

The statistics* are unsettling:

Sixty-six and eight-tenths percent of the Nation's occupied substandard housing is in rural and smalltown America—outside SMSA's.

The incidence of substandard housing in rural and smalltown areas is 3.5 times greater than in metropolitan areas—14 percent as compared to 4 percent.

There are 3.1 million families in nonmetropolitan areas presently living in substandard housing. By the time you add overcrowding and exorbitant proportions of income for rent as components of housing need, it becomes apparent that more than 7 million rural families will need some form of Government assistance to obtain decent housing.

Three-fourths of the families in the Nation who have incomes under the poverty line and who live in substandard housing live in rural areas and small towns.

Eight out of 10 nonwhite households in rural America occupy substandard housing. For whites, it is 1 in 10.

If it seems curious that a Senator from New York should concern himself with rural problems, I have only to remind you of the great volume of rhetoric in this Chamber which laments the tragic migration of people from rural areas to the cities. It has been said many times that to allow this pattern to continue is double folly; it compounds the agonies of the cities while squeezing dry the resources of the rural areas. Certainly, New York is no exception.

Obviously for New York State, in terms of absolute numbers, the housing need will be greater in metropolitan areas. New York is not characteristic of the rest of the country in the division of its population between metropolitan and nonmetropolitan areas. Of the 5,248,700 households in the State in 1960, only 13.4 percent were in nonmetropolitan areas. For the Nation as a whole, 35.9 percent of the households were in nonmetro areas. But the incidence of substandard housing is greater in nonmetropolitan areas, even in New York.

Substandard conditions occur in 12.5 percent—one out of eight—of the households in rural and smalltown New York, as compared to 7.5 percent of the households in metropiltan areas. More than half of the nonwhite—under $3,000—households in nonmetro areas were in substandard units. For those same families inside metro areas, by comparison, one in three were in substandard units.

Putting this another way, nonmetro areas of New York contained only 13.4 percent of the State's households but one-fifth of the substandard occupied houses.

Now, Mr. President, one would think that rural and smalltown New York State would be getting housing program resources somewhat commensurate with roughly one-fifth of the need.

Sadly, however, the government-assisted program levels for rural New York fall appallingly short of that mark.

The Farmers Home Administration, chief source of housing credit for rural America, financed only 3,500 units in New York in fiscal 1968 and 1969. Its rural rental and farm labor programs were completely inactive.

Mr. President, it seems crystal clear that we are failing to deliver on our promise of a decent home for every American family. The cities in my State are hurting, and badly, and I do not mean to take anything away from them. I only speak to point out an area which seems to have been virtually ignored, not only in my State, but in the Nation as well.

It seems obvious that some basic changes at the Federal level are required if we are to have decent houses for all Americans by 1978.

We could take Farmers Home out of its administrative stranglehold. Since 1960, the agency has had a 624 percent increase in its lending activity, a 472 percent increase in loans to be serviced, a 248 percent increase in loans to be collected, but only a 77 percent in man-years of employees to do the work.

We could provide a decent home for every family in rural areas. However, we need to build and repair 700,000 houses each year in rural America. If we carried on this kind of program for 10 years, we would get the job done.

We will never come close to getting that job done until we create the proper administrative structure. The amendment I have offered is a step toward this end.

Mr. President, I reserve the remainder of my time.

Mr. HOLLAND. I yield myself 5 minutes.

Mr. President, I appreciate the interest of the Senator from New York in the problems of the Farmers Home Administration. It is an interest in which I have shared for a good many years. I rarely speak of my own part in legislation, but I happened to be the chairman of the subcommittee of the legislative Committee on Agriculture which developed the liberalized bill for the Farmers Home Administration under which it is now operating, and I have followed very carefully the enlargement of the activities of that very fine agency of the Department of Agriculture.

I may say that when we passed that bill, I had the rare distinction of having been praised on the floor of the Senate by those whom I considered the most liberal Members of the Senate, including the former Vice President of the United States, then Senator Humphrey of Minnesota, and I rather cherish the remarks he made at that time, which appear in the RECORD.

So I have followed these enlarged and very interesting activities of the Farmers Home Administration very sympathetically and very closely, both by being an active member of the Agriculture and Forestry Committee—that is, the Legislative Committee—and by being for the last 8 or 10 years chairman of the Appropriations Subcommittee on Agriculture.

I want the distinguished Senator to know that our committee, which shares that view with me, has shown its interest in this subject, because we increased the appropriation for salaries for Farmers Home Administration not just by the $3,100,000 over the House amount, as stated by the Senator from New York, but by $18 million over the 1970 act and by $841,000 over the estimate.

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*Adapted from *Current Population Reports*, Series P-23 and *Current Housing Reports*, Series H-121, No. 17, August, 1968, published by the Census Bureau.

When we increased yesterday, on the floor of the Senate, several items for the Farmers Home Administration, which the Senator will recall because he had an active part in so doing, we realized that a need was indicated for a larger number of personnel to administer those increased programs.

So we took up the subject matter with the budget officer for the Department of Agriculture and asked him to give us a clear view of what was needed by way of an increase in personnel to handle the increases we made yesterday. I state for the record that those increases were $76 million over the estimate for water and waste disposal grants making a total of $100 million available for planning and grants. This was an increase of $54 million over the 1970 level.

We asked Mr. Grant to go carefully into the matter with the agency affected and to advise our committee of what was their actual need for additional personnel. This is what he has stated to our committee. In checking with the Office of Budget and Finance this morning—of which Mr. Grant is the head—we asked for the amount needed over the Senate reported bill to provide adequate administrative expenses to finance the increases agreed to yesterday. As a result of this query, it was stated to us that the Senate committee amount of $84,250,000 be stricken and that in lieu thereof the amount be $86 million. This is $1,750,000 over the Senate reported bill, $4,850,000 over the House amount, and $909,000 over the estimate.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **HOLLAND**. I yield myself an additional 5 minutes.

In addition—and the Senator may not understand this, because this is a very complex bill—the bill provides $2,750,000 by transfer. This will give to the Farmers Home Administration a grand total of $88,750,000 for its salaries and expense needs.

In addition, we have had it frequently reported to us, not just by the present head of this agency but also by former heads of this agency, that it is very difficult for them to find qualified men to put into this program, that they just cannot be found everywhere, and that the building up of personnel is quite a task.

The point of all I am saying is that I am agreeable, and so is the distinguished Senator from Nebraska, the ranking minority member of our committee, to add $1,750,000 to cover the additional needs that were made necessary yesterday and to add to the $87 million which our committee already has included in the bill for salaries.

We have on our subcommittee not only members of the Appropriations Committee, but also, we are fortunate to have the senior Republican member of the legislative committee, the Senator from Vermont (Mr. AIKEN), and of course, the chairman of the legislative committee, who serves as an ex officio member of our subcommittee, and he is acting chairman of the full Appropriations Committee. I think we have had as sympathetic a group to deal with this subject as can be found anywhere.

I am perfectly willing, if the distinguished Senator is willing to reduce his amendment along the lines I have suggested, to adopt it as his amendment and to have him get every bit of credit he deserves. If we cannot do that, we will have to offer a substitute amendment, which we would prefer not to do; because, personally, I appreciate the interest the Senator has shown in this program. I want him to know that I appreciate it, and I want him to know that I am perfectly willing for him to get any amount of credit and the fullest amount of credit that could come from this action.

However, under the report we have from the budget officials of the Department, and with full knowledge of the amounts that have been added and with full knowledge of the fact that we already have added $18 million above 1970 to this appropriation for salaries, and that that is also over the House amount—as well as well over the budget. I hope the distinguished Senator will see the situation which we are in, which is a practical one, and will see fit to amend his amendment, just as the distinguished Senator from Wisconsin did a short while ago, in which case we will be happy to take the matter to conference and fight for it.

Mr. **AIKEN**. Mr. President, I want to point out that writing the appropriation bill for agriculture this year has been perhaps more difficult than in other years because of the change in prices and cost and values. This situation leaves us with three options; namely, estimate the amount needed for each program and appropriate that amount, or we can appropriate more than will probably be needed with the expectation that it will not all be spent—but that does not look good on the appropriations record; or we can appropriate what we think is needed, with the idea that later in the year, if it proves to be inadequate, it can be supplemented through another appropriation bill. That, I think, always happens in the case of one or more of our programs.

Take yesterday, when the amount of the food stamp program was increased $500 million. I felt that probably all that could be spent efficiently this year would be the $1.25 billion, but I do not know. I had in mind that if the $1.25 billion should be accepted now, and the need for more is indicated later, it can be provided through a supplemental appropriation bill which I would gladly support. That is all I have to say.

Mr. **HOLLAND**. Mr. President, I yield myself an additional 3 minutes.

The **PRESIDING OFFICER** (Mr. HOLLINGS). The Senator from Florida is recognized for 3 additional minutes.

Mr. **HOLLAND**. The Senator from Vermont is wiser in agricultural matters than anyone in the Senate except the Senator from Louisiana—in fact, I consider both of them to be the nestors of the Senate on this subject. I think that the Senator from New York would be wise in following their advice. I want him to know that he has friends in this program he is interested in. They drew up the budget and already increased the amount for salaries $18 million above the budget figure. We are suggesting another increase of $1,750,000 to meet the needs. I shall be very happy to take the amendment if the Senator from New York will reduce the figure in that way.

Mr. **GOODELL**. Mr. President, how much time remains?

The **PRESIDING OFFICER**. Four minutes remain.

Mr. **GOODELL**. Mr. President, I yield myself 2 minutes.

The **PRESIDING OFFICER**. The Senator from New York is recognized for 2 minutes.

Mr. **GOODELL**. I appreciate what has been said here, and I realize that it is difficult to anticipate the needs of this agency. However, I do not think this matter can be solved by a supplemental appropriation. It is difficult to get qualified personnel and the FHA has to know how much money it will get, so that it can go out and try to find that kind of personnel. The Farmers Home Administration is under strictures in the budget, and they cannot come to the Senate and oppose the administration or the Bureau of the Budget's recommendations.

However, if we examine the record to see what is really going on, we find that the Farmers Home Administration requested $146,456,000 for this item. That is what it requested from the Bureau of the Budget. That item was cut $62 million. Obviously, the officials at the Farmers Home Administration feel that if they are to do the job properly, they need more money than the $84,000,000. I think that they need more than the $1¾ million the Senator from Florida has proposed. We are not simply trying to take care of providing for the amendments enacted yesterday.

I certainly am willing to compromise. I am not interested in the credits one way or another. I want to get the money increased in this particular item. I think that if we are going to compromise, we should talk a larger figure than just the small amount to take care of what was increased in the bill yesterday. We should meet the basic need here. I recognize that the Senator from Florida and the Senator from Nebraska are sympathetic to the program, and are very understanding, but we have to do more. There is a desperate problem in the rural areas.

I would implore the Senator from Florida to go a little bit higher in this situation and perhaps we can work out a compromise. I have no interest in a conflict here. I think the Senator from Florida is as interested as I am in getting more money for the program, as it is so desperately needed.

Mr. **HOLLAND**. Mr. President, the distinguished Senator from Vermont (Mr. AIKEN) has just suggested that we go up to $3 million. That is beyond what the finance office or the budget office of the department said they would need, but I have always found the Senator from Vermont to be sound in his judgment, as well as generous, in this field, and I am therefore willing to go that high. I cannot go to the large figure suggested by Senator GOODELL.

There has never been a supplemental

bill, since I have been a chairman of the subcommittee, which has not had some items in it for the Farmers Home Administration, particularly in the field of disaster loans. We have had them nearly every year. There have been other items included as well, which have always had sympathetic treatment. The Farmers Home Administration is a highly regarded agency. It deals with the underaverage credit risks of the farming communities. They have had most sympathetic treatment from the committee and will continue to have it.

I am glad the Senator feels that way. If he will cut his amendment to $3 million, as the Senator from Vermont suggests, I shall be glad to agree to it and take it to conference.

Mr. GOODELL. Mr. President, I think we will inevitably increase this sum. But, $3 million is totally inadequate from my perspective. I would suggest to the Senator from Florida that since they are going to take this bill to conference and the House bill recommends an appropriation of $81 million that the Senator raise this question of increased appropriations there at the conference, and discuss it with them, and negotiate about it. I would also suggest that the Senator from Florida confer with the Farmers Home Administration, and I believe he will agree that there is ample justification for the higher amount.

However, if the Senator from Florida does not think so, we can compromise in conference a figure that will be adequate. Certainly this would not be binding on the Senator from Florida or the other conferees. But, I believe that the $3 million is an inadequate amount in terms of the tremendously increased burdens we have placed upon the Farmers Home Administration.

Mr. HOLLAND. By adding the $3 million, we put ourselves $6.1 million above the House appropriation. I think that is as far as we can go. We are trying to be reasonable, I think even gracious, so that I hope the Senator will agree to that course, because we would much rather not submit a substitute amendment; but we have agreed to take the figure suggested by the Senator from Vermont. If there is anyone who loves agricultural people more in this Senate than the Senator from Vermont, I do not know who it is. He is a part of them. He is a part of the nursery and fruit business of his State of Vermont. The people of Vermont have been particularly interested in those two businesses.

I shall be glad if the Senator will reduce his amendment to $3 million. We will fight for it in conference.

Mr. GOODELL. The Senator has been most gracious and understanding. However, because of my convictions on this matter, I find the $3 million to be unacceptable. I should like to accommodate the Senator from Florida, but I think we probably should have a vote on this and settle the issue. I hope that if the Senate understands this issue, we will not delay the matter further and we will give the Farmers Home Administration adequate funds. The Farmers Home Administration should have the funds so it can go ahead and make adequate preparations for hiring additional personnel. It should get a more adequate increase than is provided in the bill now, and more than the $3 million increase proposed.

The conferees of the Senate could handle this matter now and come back with a figure that they think is adequate. If that compromise is not acceptable, I think that we should vote.

Mr. HOLLAND. Mr. President, I am ready to yield back my time on the Senator's amendment so that I may offer a substitute amendment.

Mr. GOODELL. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The clerk will report the substitute.

The legislative clerk read as follows:

> In lieu of the figure proposed to be inserted in the amendment, insert $87,250,000

Mr. HOLLAND. Mr. President, I think the matter has been adequately debated. However, I want to very briefly mention what is included in the amendment.

It includes an increase of $3 million for salaries and expenses of the Farmers Home Administration. When we have here a written statement from the Budget officer stating that $1,750,000 would meet all additional requirements of personnel to cover the added funds we provided yesterday for the Farmers Home Administration.

They remind us in the memorandum that the Senate has already provided $18 million more for salaries than the 1970 appropriation. We are already $3.1 million above the House amount. By adding the $3 million, we would be $6.1 million above the House amount.

We have added the $3 million figure because that was suggested by the distinguished Senator from Vermont. We think it is a little more than the amount needed. However, if they do not need it, they will not use it.

I hope the substitute amendment will prevail.

Mr. President, I yield 3 minutes to the Senator from Nebraska.

The **PRESIDING OFFICER.** The Senator from Nebraska is recognized for 3 minutes.

Mr. HRUSKA. Mr. President, it is my hope that the substitute will prevail. It is true that the workload of the Farmers Home Administration is greater. However, the bill represents an increase of $18 million over last year's figure. By the allowing of the additional $3 million, there would be $21 million over and above the 1970 allowance of funds for salaries and expenses.

There may be a difference of opinion. There may be firm conviction that more than that amount is needed. The committee, however, and certainly the sponsor of the substitute and I, believe that the best judges of that are the budget authorities in the department. They have said advisedly that this would be ample for the purposes at hand, including the additional amounts allowed yesterday.

So, it is a matter for the Senate to decide. I hope the Senate decides the matter in line with the thinking of the Appropriations Committee that the best authorities to decide how much money is needed would be the budget authorities in the Department of Agriculture.

It is my hope that the substitute will prevail.

The **PRESIDING OFFICER.** Who yields time?

Mr. HOLLAND. Mr. President, I am ready to yield back the remainder of my time if any time remains to me.

The **PRESIDING OFFICER.** The Senator from New York is recognized.

Mr. GOODELL. Mr. President, I think we have fully debated the matter here. Those who are deeply concerned about the program make it clear that there is uncertainty as to how much money they will be able to spend usefully and officially.

I think we all want them to be able to have enough money for the personnel that are necessary to administer these tremendous programs that have been added.

I think the $3 million is too restrictive. I recognize that the committee has increased the amount over last year by $18 million. However, we have increased the responsibility of this agency far more than that.

I would point out once again that the FHA itself requested $146 million of the Budget Bureau. They were turned down. When they requested that, they might have been figuring that it would not be fully agreed to by the Budget Bureau. That is an old game. They probably figured that it would be knocked down somewhat, but not cut by $62 million.

I believe that the Farmers Home Administration could use $38 million more for administering its many programs.

Mr. HRUSKA. Mr. President, I yield 2 minutes to the Senator from Vermont.

The **PRESIDING OFFICER.** The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, as a member of the Subcommittee on Agricultural Appropriations which reported the bill, I had the feeling that the amount was adequate. Therefore, I will support the committee report and the chairman of the subcommittee, the Senator from Florida.

I also want to make it plain that if this amount proves to be inadequate as the work goes on, I shall certainly support a supplemental appropriation to provide whatever funds are needed to carry on the work of the Farmers Home program.

One thing that perhaps we have not taken into consideration is that although the work of this agency is bound to increase, the size of the loans also increase, so that we cannot judge the number of loans made fully by the amount of money loans.

I did want to make it clear if the amount agreed to by the committee proves inadequate I shall support a supplemental appropriation for whatever amount is needed for these excellent programs which are being carried on by the Department of Agriculture through its agencies.

Mr. HRUSKA. Mr. President, I yield myself 2 minutes.

The **PRESIDING OFFICER.** The Senator from Nebraska is recognized for 2 minutes.

Mr. HRUSKA. Mr. President, this pro-

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gram is important and it is helpful to the farmers. It is as much appreciated in my section of the country as in the northeastern part of the country.

I will join with the Senator in any request from the Department for a supplemental appropriation later in this Congress if the amount appropriated today on the basis of the substitute proves to be insufficient.

We have always listened to and carefully considered any such request. I pledge my support, whatever it might amount to, in connection with any request for a supplemental.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, I hope that the Senate acts realistically on this. We have some mighty tough men to contend with on the House side.

With Mr. Grant, who is the Budget Director of the Department of Agriculture, saying that he cannot spend the amount we are providing here, I am sure that the House conferees would not agree even to the amount we are now providing, because the amount is $1.5 million more than Mr. Grant says he can spend.

I hope the Senate agrees to the substitute offered by the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I ask for the yeas and nays on the substitute.

The yeas and nays were ordered.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. HOLLAND. Mr. President, I yield back the remainder of my time.

Mr. GOODELL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Florida in the nature of a substitute for the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from Indiana (Mr. Hartke), the Senator from Hawaii (Mr. Inouye), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), the Senator from Minnesota (Mr. Mondale), the Senator from Georgia (Mr. Russell), and the Senator from Missouri (Mr. Symington) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), and the Senator from North Carolina (Mr. Jordan) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson), the Senator from Missouri (Mr. Symington), and the Senator from North Carolina (Mr. Jordan) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Nebraska (Mr. Curtis) and the Senator from California (Mr. Murphy) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from Illinois (Mr. Percy) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) and the Senator from Maine (Mrs. Smith) are absent because of illness.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Percy), and the Senator from Maine (Mrs. Smith) would each vote "yea."

The result was announced—yeas 75, nays 6, as follows:

[No. 227 Leg.]

YEAS—75

Aiken
Allen
Allott
Anderson
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cooper
Cotton
Cranston
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Griffin
Gurney
Hansen
Harris
Hart
Holland
Hollings
Hruska
Hughes
Jackson
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Montoya
Muskie
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—6

Case
Goodell
Hatfield
Javits
Moss
Nelson

NOT VOTING—19

Baker
Cook
Curtis
Dodd
Gore
Gravel
Hartke
Inouye
Jordan, N.C.
Magnuson
McGee
Mondale
Mundt
Murphy
Percy
Russell
Smith, Maine
Stevens
Symington

So Mr. Holland's amendment in the nature of a substitute for Mr. Goodell's amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE and Mr. HRUSKA made a motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, the amendment offered by the Senator from New York (Mr. Goodell), which has now been modified by the adoption of the last amendment, has the yeas and nays ordered on it. The time has been completely utilized. I suggest we have an immediate yea and nay vote on the amendment of the Senator from New York, as amended.

Mr. GOODELL. Mr. President, I agree.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York, as amended. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. Dodd), the Senator from Tennessee (Mr. Gore), the Senator from Indiana (Mr. Hartke), the Senator from Hawaii (Mr. Inouye), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Minnesota (Mr. Mondale), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Maryland (Mr. Tydings) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), and the Senator from North Carolina (Mr. Jordan) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson), the Senator from Missouri (Mr. Symington), and the Senator from North Carolina (Mr. Jordan) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Nebraska (Mr. Curtis) and the Senator from California (Mr. Murphy) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from Illinois (Mr. Percy) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) and the Senator from Maine (Mrs. Smith) are absent because of illness.

The Senator from Texas (Mr. Tower) is detained on official business.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Percy), the Senator from Texas (Mr. Tower), and the Senator from Maine (Mrs. Smith) would each vote "yea."

The result was announced—yeas 75, nays 3, as follows:

[No. 228 Leg.]

YEAS—75

Aiken
Allen
Allott
Anderson
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Griffin
Gurney
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hruska
Hughes
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McClellan
McGovern
McIntyre
Metcalf
Miller
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Cotton
Ribicoff
Williams, Del.

NOT VOTING—22

Baker
Cook
Curtis
Dodd
Gore
Gravel
Hartke
Inouye
Jordan, N.C.
Magnuson
McCarthy
McGee
Mondale
Mundt
Murphy
Percy
Russell
Smith, Maine
Stevens
Symington
Tower
Tydings

So Mr. Goodell's amendment, as amended, was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HRUSKA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, may I make an announcement? I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senate will be in order, so that the Senator's announcement may be heard.

Mr. HOLLAND. I know of no further amendments except one to be offered by the distinguished Senator from Kentucky (Mr. Cooper), which the Senator from Nebraska and I have agreed to take to conference, subject, of course, to the will of the Senate.

Following that, I have had no requests to speak on the bill, and I understand from the Senator from Nebraska that he has had no requests; so I would suppose that we would get, then, to a final vote, and I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. COTTON. Mr. President, will the Senator yield me one-half minute on the bill?

Mr. HOLLAND. I am glad to yield the Senator one-half minute on the bill.

Mr. COTTON. Mr. President, I was absent from the Chamber yesterday when various Senators expressed their appreciation for the work that the distinguished Senator from Florida has done on this bill, as well as his many great contributions to the Senate. I have such a statement, which I ask unanimous consent may appear in the permanent Record in conjunction with the statements made yesterday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, it is a privilege to join my colleagues in expressing admiration and affection for the distinguished Senator from Florida (Mr. Holland) as the time approaches when, for reasons of health, he will enter voluntary retirement. Incidentally, that is the only kind of retirement open to him, for I am positive that the people of Florida, whom he has served so well as Governor and for many years as Senator, would never allow him to leave the Senate if it were in their power to prevent it.

From the first hour of my service in this body, I admired him and, as time went on and I had the privilege of serving with him on the Appropriations Committee, my respect and affection for him has grown each passing year. He has always mastered the issues and problems that he has had to face. I have never known him to deal with any subject or raise his voice in any cause without revealing the breadth and accuracy of his knowledge. Above all, he has been the embodiment of a kindly, Christian gentleman. His courtesy to his colleagues, even when he differs from them, has been unfailing. I have never seen him lose his temper or his poise for an instant, even when debate was heated. There is not a Member of the Senate, Democrat or Republican, liberal or conservative, who does not hold him in high affection and treasure association with him.

He is the beau ideal of a Senator—in appearance and all the qualities of mind and soul which equip men for service here. With a toga upon his shoulders and a fillet around his snow-white locks, he could step back through the ages and walk the Praetorian pavements on terms of complete equality with any senator of ancient Rome.

May he and his lovely lady have many years of happiness and comfort in which to enjoy looking back on a career of service and distinction that has been rarely equaled and never excelled.

Mr. HOLLAND. Mr. President, I am very grateful to the Senator. I had no knowledge of the fact that this was the subject of his request, but I think I would have been even happier to grant his request if I had known his purpose.

Now, Mr. President, I understand that the Senator from Kentucky has an amendment.

Mr. COOPER. Mr. President, before calling up my amendment, I ask unanimous consent to have printed in the Record an excerpt from the committee report subheaded "Supplemental Financing Program," under the heading "Electrification Program," as found on pages 38 and 39 of the committee report.

There being no objection, the excerpt from the report (No. 91-987) was ordered to be printed in the Record, as follows:

> SUPPLEMENTAL FINANCING PROGRAM
>
> The Committee commends the rural electric systems in their attempt to establish a financing organization to help alleviate the large financial needs of the rural electric systems for new capital financing from the Federal Government. The National Rural Utilities Cooperative Finance Corporation (CFC) was incorporated in the District of Columbia on April 10, 1969. The Committee understands that CFC now has 785 members in 44 states.
>
> Historically, REA has granted loans since the program began in 1935 allowing deferment of the payment of principal on the loans for varying periods of time. In some cases the deferment period has been for one year, in some cases for two years, in some cases for three years, in some cases for five years, and in a few instances even longer.
>
> The Committee believes that the CFC plan has the potential of diverting the growing need to increase the annual loan authorization and achieve a large measure of "self-financing" in future years. To be most effective the capitalization of the corporation must be accelerated.
>
> The Committee expects the REA Administrator to assume an active role in cooperation with CFC in the accumulation of initial subscription of capital from CFC members for initial operations.
>
> In addition to the subscription of capital from existing sources, and to meet the objectives set forth in the House Committee Report, a continuous flow of capital funds is essential to the orderly development of the CFC.
>
> The Committee is of the opinion that the recommendation in the House Committee Report to defer principal repayments on outstanding loan contracts is not a feasible method of providing for an orderly flow of capital subscriptions to the CFC. The Committee recommends that beginning on July 1, 1970, that the REA Administrator grant up to a three-year deferment on principal installments on new REA loans—with the understanding that such deferred installments on principal will be invested by borrowers in the CFC.
>
> Such regular investments in CFC when continued for several years and coupled with the open market sale of debentures, should then enable the REA Administrator and the CFC to make an orderly transition from complete reliance upon government financing to a greater reliance upon the sale of CFC debentures, except for the financing of systems where the input of 2 percent government loans may be essential to the maintenance of adequate electrical service at reasonable rates in low density population areas.

Mr. COOPER. I call attention specifically to one sentence:

> The Committee expects the REA Administrator to assume an active role in cooperation with CFC in the accumulation of initial subscription of capital from CFC members for initial operations.

Mr. BYRD of West Virginia. Mr. President, we cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. HOLLAND. Mr. President, I am glad to yield 2 minutes on the bill to the Senator from Kentucky. I understood he had an amendment.

Mr. BYRD of West Virginia. Mr. President, I ask that we may have order before the Senator continues.

The PRESIDING OFFICER. The Senate will be in order. The Senator may proceed.

Mr. COOPER. Mr. President, I have an amendment which will take 1 minute. However, I wanted to ask the distinguished chairman of the subcommittee and the distinguished Senator from Nebraska if they concur in this statement in the committee report that the REA Administrator should assume an active role in cooperation with CFC.

Mr. HOLLAND. Mr. President, I yield myself 2 minutes, after which I shall be glad to yield to the Senator from Nebraska.

We certainly do concur in that statement. We feel that a self-help program by this element of the rural population can be as successful as the one for the Farm Credit Administration which already now belongs a hundred percent to the people who use it. We have suggested, as a means of cooperation, that on new loans the Administrator waive payments of principal for 3 years, on condition that the same amount may be placed in investments in the CFC, which is the new bank set up by the cooperatives to serve their own interests.

Mr. COOPER. I thank the Senator.

Mr. HRUSKA. Mr. President, the Senator from Nebraska concurs in that statement. It is well stated.

Mr. COOPER. I thank Senators Holland and Hruska, managers of the bill. Their statements are important.

Mr. President, REA came into being because the private utilities had not extended their service to the farm homes of rural areas. For example, before REA was established in 1936, only 10.9 percent of all farms in the United States enjoyed electric service. In Kentucky, only 3 percent of our farmers received electric service.

Today, in sharp contrast to the 3 percent of farmers who enjoyed electric

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services in 1936, 98.4 percent of our Nation's farmers and 99 percent of Kentucky's farmers receive electric service. REA has financially served more than half of all electrified farms.

Since 1936, REA has loaned almost $7.4 billion, chiefly to rural electric cooperatives, and public bodies, for electric distribution systems, including transmission and generating facilities. In Kentucky $433 million has been loaned.

I was very pleased that REA approved a loan on June 26 amounting to $16,368,000 to finance transmission facilities to meet growing power requirements of 18 distribution co-ops serving 175,000 rural consumers in 83 counties in eastern Kentucky. Given the large number of counties and consumers served, this loan will be a great benefit to my State.

This is a tremendous record, but much still needs to be done to extend electric service into all rural areas and to improve and maintain present systems. It is estimated that about $900 million in loan applications will be filed during this fiscal year. The budget recommendation for new loan authority for fiscal 1971 is $352 million. This illustrates the need for new capital financing.

The rural electric systems have authorized the establishment of their own financing institution to help provide some of the additional loan funds required to meet the system's growing capital needs. In April 1969, the National Rural Utilities Cooperative Finance Corporation—CFC—was incorporated. I am very glad the Rural Electric Corporation in Kentucky has been in the forefront in this development and that a very able and distinguished Kentuckian, Mr. J. K. Smith, is the first president of CFC.

Much has been accomplished by the officers and directors of CFC in bringing this vital supplemental financing institution into being. I understand that 766 rural electric systems, representing about 75 percent of the rural electric systems in the country, have applied for membership. As soon as legal, procedural, and regulatory matters affecting CFC are completely resolved, CFC will ask the rural electric systems to complete their membership obligations, provide equity capital, and begin operations.

For this reason, I was pleased to note the language in the report by the Senate Appropriations Committee concerning the future role of the CFC and which urged the Rural Electrification Administrator to assume an active role in cooperation with the CFC in the accumulation of initial subscription of capital. The committee report further recommends that beginning July 1, 1970, the REA administrator grant up to a 3-year deferment on principal installments on new REA loans with the understanding that such deferred installments on principal will be invested by borrowers in the CFC. As the REA has historically granted deferment of the payment of principal on loans for 2 years, I understand the committee's language to mean a total deferment period of 5 years.

I have for a number of years supported legislation to provide a source of supplemental financing for the rural electric systems, and introduced a bill for this purpose several years ago. I commend the Senate Appropriations Committee members for their actions and recommendations concerning the CFC and hope that the recommendations made by the committee and emphasized by the distinguished chairman and ranking member, Senator Holland and Senator Hruska, be followed speedily. We have great respect and confidence in the able Administrator, the Honorable David Hamil, who has done much for rural electrification.

Mr. President, I ask unanimous consent that a statement describing the work of the CFC be included in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Some Facts About CFC

A little less than one year ago delegates to the NRECA Annual Meeting in Atlantic City, N.J., voted to establish the National Rural Utilities Cooperative Finance Corporation, or CFC. This new cooperative corporation was created to enable rural electrics to supplement with their own funds and private money market resources the annual appropriation for REA loans at 2 per cent interest. CFC thus will provide some of the additional loan funds required to meet the system's growing capital needs.

Outlined below is a brief report on the progress made by CFC during the past year, and what is expected for 1970.

1. *Organization*—CFC is a cooperative owned by its participating rural electric systems. It is governed by a 22-member board of directors who were named by the NRECA Board. The next board will be elected by geographic region by the member systems.

2. *Capitalization*—Initially, CFC will raise money through membership fees and member subscriptions to capital term certificates. Later, CFC will raise additional money through the sale of long-term obligations to private investors.

3. *Loans and Interest Rates*—CFC will make loans to its members for purposes related to rural electric system objectives within their statutory authority. The interest rate on such loans will be determined by the cost of money in the open money market.

4. *Membership Applications*—As of the end of January, 1970, 764 rural electric organizations (individual rural electric cooperatives, power supply cooperatives, statewide associations and NRECA) had sent in their membership applications and fees. Slightly more than 75 per cent of the NRECA membership has thus indicated its intention to join the new institution.

5. *REA and CFC*—In the words of REA Administrator David A. Hamil, "CFC right now is our best hope to bring urgently needed capital into our electric program." In line with this statement, REA has accepted the general principle of "accommodation" of REA liens on the property of rural electrics. An REA Study Group and the CFC's REA Coordinating Committee have been meeting to work out the details of this accord. This CFC Committee also is developing the new institution's loan policies and related procedures.

6. *Loan Operations*—As in the past, all rural electric system loan applications will go first to REA for determination of eligibility for available funds under the REA 2 per cent loan program. Loan applications considered eligible for supplemental financing will be forwarded by REA to CFC with appropriate information, including an indication of REA willingness to accommodate its liens to provide equal loan security for CFC. It is anticipated that for most loan applications REA will make part of a loan and CFC the balance.

7. *Internal Revenue Service (IRS) and CFC*—In October of last year the IRS ruled favorably upon the CFC application for exemption from Federal income tax as a nonprofit social welfare organization. This action will enable CFC to proceed with the plan of member participation in subscribing to the new institution's capital term certificates.

8. *Securities and Exchange Commission (SEC) and CFC*—The SEC is now in the process of determining whether registration of CFC capital term certificates is required.

9. *In 1970*—During the coming year the CFC Board of Directors will choose a chief executive officer, to be known as the Governor, of CFC. He will be responsible for day-to-day operations of the new institution. In 1970 the Board also will issue a call for member subscription to capital term certificates. With the present number of members that call will raise, during the initial three-year subscription period, approximately $115 million in "seed" capital for the new institution.

CFC expects to make its first loan to a member system during the coming year.

Mr. COOPER. Mr. President, I send to the desk an amendment at the request of and for my colleague, the junior Senator from Kentucky (Mr. Cook) who is absent on official business. He asks that $100,000 be added to the Agricultural Research Service, specifically for medical research on horses.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 3, lines 13 and 14, strike out "$160,346,200" and insert "$160,446,200."

Mr. HOLLAND. I yield myself 2 minutes.

Mr. President, the horse breeders and farmers of the Nation have been suffering very heavy losses; and at today's values, that is no small loss.

The PRESIDING OFFICER. The Chair wishes to state that the amendment contains the figure already agreed to by the Senate, and it is only in order by unanimous consent.

Mr. HOLLAND. I ask unanimous consent that this amendment may be considered. The Senator from Nebraska and I are going to accept it, subject to the will of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. I want the record to show that representatives of this industry did make a strong showing when they appeared before our committee. However, the amounts they requested were quite sizable, approximately $800,000 and it was simply a question of priorities.

We have decided that this $100,000 as a start will give them a chance to study the subject thoroughly in view of the seriousness of the losses that have been sustained. For that reason, the Senator from Nebraska and I have agreed to take this amendment to conference, subject, of course, to the will of the Senate. We think it is a good amendment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. PASTORE. I know that this amendment is going to be accepted, but I feel that this is a waste of money. As a matter of fact, if we had fewer race horses, we would have less betting. If we had less betting, we would have less

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gambling. If we had less gambling, we would have more money in the pockets of people to spend for bread.

I want the record to show that I am opposed to this amendment.

Mr. HOLLAND. I yield 2 minutes to the Senator from Nebraska, and I am ready to yield back the remainder of my time on the amendment, assuming that he is.

Mr. HRUSKA. Mr. President, a showing had been made during the course of the hearings; and I must say that, except for the fact that the Department did not feel that they were ready to start any research in this direction, the subcommittee members were fairly well disposed to accept some figure. In view of that, we thought it would be well to accept this figure, take it to conference, and have further discussion there.

So I concur in the statement made by the chairman of the subcommittee.

Mr. PASTORE. Mr. President, I ask for the yeas and nays.

If you want to stop gambling in this country and break organized crime, stop racing.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, this does not apply just to race horses. The people who are most affected by this question are not the people who race horses, but rather those who raise horses. The State of Kentucky is of course most famous for that objective, and millions of dollars are invested in it there. But this is also true in other States throughout the whole country. These horse breeders and ranchers are not the people who are doing the betting or receiving the results from the betting. They are people who are either earning their livelihood by raising horses or doing it for pleasure, as is the case of over 200,000 boys and girls who raise horses as a 4–H project.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I will yield in a moment.

I just want to make it very clear that a loss on a horsebreeding farm where there is an infection that pretty well takes off the whole population of the farm is a terrible and a tragic thing to happen to that kind of farmer, and that is what they are. It is for that reason that the Senator from Nebraska and I have agreed to make this recommendation. The people who raise thoroughbred stock, outnumber those who are actually in the racing field by many times and are most affected by this amendment.

I yield myself 2 additional minutes, and I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, the horses we are talking about here are not workhorses. We are talking about sport horses. What I am talking about is taking the money out of the taxpayer's pocket so that this business may be promoted.

The reason why today there are so many bookies and so much organized gambling is that there is horseracing, primarily. I say that the less of that we have, the better off this country is going to be. If you want to break the back of organized crime, you must break the back of the betting institution in this country. I do not see why the taxpayers of this country should be called upon to support this sport.

Mr. HOLLAND. Mr. President, I call attention again to the fact that the people who really receive the benefit of the program in this field are those who raise the horses. This applies to areas as diverse as Warrenton or Middleburg in Virginia; various areas in nearby Maryland, large parts of Kentucky and Florida, and some of the Far Western States. We have a substantial group of that kind of farmers in Florida who are not the ones who race the horses at all. This is a large industry which has not had any recognition at all. We are suggesting that this $100,000 be taken to conference and we will then see what can be worked out.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. COTTON. Laying aside the question of gambling or horse racing, it has been my observation that the people who raise this blood stock, one, are not poor and, two, in many instances these operations are for the purpose of getting reduction from their income tax.

The PRESIDING OFFICER. The Senate will be in order.

Mr. HOLLAND. Has the Senator concluded?

Mr. COTTON. I do not see any reason why they need this support.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Vermont.

Mr. AIKEN. I would like to ask the chairman of the subcommittee this question: Does this amendment, proposed by the junior Senator from Kentucky, apply only to race horses or quarter horses or thoroughbreds? Does it apply to the Morgan horse, which is used by the thousands in the camps around this country for boys and girls? Does it just apply to race horses?

Mr. HOLLAND. It applies to all the raising of horses for human use, except for the plow horses and that kind. It covers many more—Morgan horses and quarter horses and horses of that kind that are individually owned and that can be seen at the great hunts at Warrenton and Middleburg and over in Maryland and in many other parts of the country. It applies more to them, of course, than to racing horses.

Mr. AIKEN. I would like to say something in behalf of the Morgan horse. I know that the Morgan horse never contributes to sin of any kind.

Mr. PASTORE. As a matter of fact, this is the Trojan horse. This is the amendment of the Trojan horse.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Kentucky.

Mr. COOPER. I would like the attention of the Senator from Rhode Island.

I offered this amendment at the request of and on behalf of my colleague, the junior Senator from Kentucky (Mr. COOK), who is absent on official business. I am informed that if his amendment is accepted it would provide $100,000 for medical research on horses of all types and categories. It is estimated that there are 7 million horses in the United States, representing a $12 billion industry. Because I come from Kentucky, someone will say, "Well, you are offering an amendment for the racetracks, for thoroughbred race horses." I have no doubt that these owners, as all horse owners would, have an interest in this amendment. But I can say to my colleagues that not a single one from my State has talked to me about this and no one else has, except staff members of Senator COOK's office. But I know enough about the horse business to understand the purpose of the amendment.

Mr. PASTORE. Will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. PASTORE. Can the Senator tell me how many farmers who have horses came before the committee and how many sportsmen who have racehorses came before the committee?

Mr. COOPER. Ninety-five percent of the horses in this country are owned by families.

Mr. PASTORE. No, no; I mean those who testified before the committee?

Mr. COOPER. I do not know.

Mr. PASTORE. I wish the chairman would tell us whether they were sportsmen or farmers.

Mr. COOPER. I think the interpretation that I place upon this amendment should have a bearing as to whether it applies to medical research for racing horses only or for all categories of horses. I am interpreting his amendment in the way in which it was given me by my colleague, Senator COOK.

I am informed that the medical research program funded by his amendment would apply to the entire horse industry. If I am wrong, the members of the committee now in the Chamber can correct me.

Mr. HOLLAND. Mr. President, I yield myself 2 minutes and then I shall be glad to yield to the Senator from Rhode Island.

The PRESIDING OFFICER (Mr. HOLLINGS). The Senator from Florida is recognized for 2 minutes.

Mr. HOLLAND. Mr. President, testimony on this subject appears on page 1373 of part 2 of the hearings of our committee. That testimony shows that the industry they are talking about covers all horses and that it is a $12 billion industry dealing with over 7 million horses and approximately 500,000 people at the present time. I quote now from that testimony:

> We have about 225,000 4–H horse projects in the United States. This is only a small part of the total youth horse programs.

The 4–H programs, as Senators know, are administered through the Extension Service of the Department of Agriculture and the extension services in the various States.

Speaking now only of the 4–H activities:

> They anticipate this amount will go to 500,000 horses within the next ten years.

That should answer, in large part, the question of my good friend from Rhode Island.

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Mr. PASTORE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, I am glad now to yield to the distinguished Senator from Montana (Mr. METCALF) for 2 minutes.

The **PRESIDING OFFICER.** The Senator from Montana is recognized for 2 minutes.

Mr. METCALF. Mr. President, this is a matter which I have brought before the Senate many times. During consideration of the tax bill, I called the attention of the Senate to the outrageous subsidies we are paying to nonagricultural people, such as the horse people, in order to permit them to continue to operate as a result of tax benefits. But, on top of that, the Senator from Florida is going to give them $100,000 for research. He talks about ponies and horses for work purposes, and so forth, but this is research for racehorses. This is research for quarterhorses. This is research for the people, as the Senator from Vermont pointed out, who enjoy high incomes and are taking a subsidy and are also taking a deduction from their incomes in order to run their hobby farms.

If anyone came to me and said, "Well, let us have a research program for fighting cocks," that might be justified because we do not have very many hobby farms for fighting cocks. But we do have an outrageous situation so far as horseracing is concerned. All we have to do is look at the sports pages of a newspaper every day and we can read where some racehorse has been retired to stud by a million-dollar corporation.

We do not need to help those people with a $100,000 research bonus.

Mr. HOLLAND. Mr. President, I want to read additional excerpts from the testimony.

There are presently three equine research projects now underway. They are research on piroplasmosis, which deals with the infection of the blood which is carried by ticks, research on equine anemia in an attempt to determine what causes that disease and research on African horse sickness which is carried on at Plum Island, N.Y. When we started this research some time ago, no one here seemed to have any objection to trying to save the horses of this country.

The point I want to make, though, is that the horse owners have created a foundation of their own, the Grayson Foundation in Lexington, Ky., which spent since 1957, $1,900,00 in grants to various colleges for research on the horse, the Morris Foundation of Denver, Colo., has spent $580,000. There are also other industry groups who have contributed to research in this field.

This matter is not sponsored by the Senator from Nebraska and the Senator from Florida, but it does relate to a large industry, and one which we think is entitled to a little bit of help in trying to reduce their heavy losses.

Mr. HRUSKA. Mr. President, I suppose on any subject of this kind we can point to abuses and point to things which are not particularly savory but, on the other hand, there are many aspects of the horse industry which are not only respectable but highly desirable.

I know of no one who would want to deny support for over 200,000 boys and girls who engage in 225,000 4-H horse projects which now exist, or object to the idea of having a less disease-ridden horse population in this country.

Mr. President, it is estimated that the annual losses from horse diseases is over $525 million. These losses are shared by people who are not tax dodgers, they are not people trying to swell their losses so that they can make further deductions from their income tax. This is not just confined to horse racing. There are thousands of riding clubs in the country who would benefit. I shall not take the time of the Senate to describe the items of justification made during the course of the hearing. I do ask unanimous consent to have printed in the RECORD pages 89 to 92 of the memorandum which was submitted to us in the Appropriations Committee dealing with this particular subject.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

JUSTIFICATION OF HORSE RESEARCH

Senator SMATHERS. We feel we are justified in asking for Federal money for research on horses for two reasons. One is the impact that the horse industry has on the economy of the country. We are talking about a $12 billion industry dealing with over 7 million horses, and with approximately 500,000 people. We have, in addition, the effect that horses have on the social life of our country. When I speak of "the social life," I am talking about the families and children, the 4–H, the future farmers, and those types of people who have gotten very much involved with horses.

At the present time, we have about 225,000 4–H horse projects throughout the United States and this is only a small part of the total youth horse program. The 4–H programs, as you know, are administered through the Extension Service of the Department of Agriculture and Extension services in the various States. They anticipate this amount will go to 500,000 within the next 10 years.

WHY IS RESEARCH NEEDED?

It is interesting to note that the horse industry, as such does not enjoy any price supports or subsidies from the Federal government. Yet the horse owner and breeder like every other farmer in America has borne the brunt of skyrocketing costs. One of these costs is his annual losses from horse disease and from problems of nutrition and reproduction.

It is estimated that the annual losses from horse diseases is over $525 million. Yet less than $1 million is now being expended on the research of horse diseases. This Research-Loss ratio of 1 to 525 is totally inadequate. With increased research, these losses could be reduced.

Putting it another way it is generally accepted that there is an annual loss from disease in any breed of animals approximating 10 to 15 percent of the total value of that livestock population. Our best estimates the value of the horse population in the United States is $3½ billion. There is approximately $1 million presently being spent annually in horse research by government and private agencies. Thus, the annual amount spent in horse medical research is an appalling 2 tenths of one percent of the losses each year.

It is not only the rapid growth in numbers of horses that has intensified the need for medical research but the problem is further complicated and the dangers increased by the extensive movement of horses nationally and internationally.

HOW MUCH RESEARCH IS BEING DONE TODAY AND BY WHOM?

During the period of 1965–69, estimates by the Morris Animal Foundation show that the following amounts were spent by all sources on medical equine research:

Total spent by Federal Government	$1,370,000
Total spent by State governments	1,700,000
Total spent by private sources (individuals, breed associations, corporations and foundations)	1,630,000

The total amount spent over the 5 year period amounts to about $4,700,000, or only about $940,000 annually. This is an insignificant amount in relationship to the need.

By the Federal Government

Research in horse diseases by the Federal Government is being conducted by the Department of Agriculture in the Animal Disease and Parasite Research Division of the Agriculture Research Service. Primarily, this research relates to two diseases—piroplasmosis and equine infectious anemia.

Equine piroplasmosis is a malaria type blood disease which originally showed up in this country in 1963. This is one of the most decimating of diseases and is highly contagious with horses. This research has been carried out by the Beltsville Parasitological Laboratory and by contract with the University of Florida and the University of Kentucky. According to the information we were able to obtain the combined funds expended on this research totalled about $278,700 during 1968 and 1969; $174,900 is budgeted in the fiscal year ended 1970.

Progress is being made in the control of piroplasmosis and recent breakthroughs have been made for the diagnostic test for the carrier animal. Needless to say, the research of this disease must be continued.

Equine infectious anemia, (swamp fever) is another serious contagious disease. Research of this disease has been conducted by the National Animal Disease Laboratory and through cooperative agreements with Louisiana State University, Texas A & M and Washington State. It is our understanding that total funds expended on this research during the 1967–1969 period amounted to approximately $609,000; $215,000 is budgeted in the fiscal year ended 1970.

Equine infectious anemia is caused by a virus unlike other viruses. Research progress is slow. Although progress has been made, there is much research to be done and it is essential that this program be continued.

African horse sickness has been researched by the Agriculture Research Service Exotic Disease Laboratory at Plum Island. This disease has not thus far been found in the United States. Only a small amount of funds are now being expended to keep previous research up to date.

By private organizations

There are two organized and well-qualified equine research foundations coordinating and allocating funds secured from individuals and the breed organizations to perform research on the horse. One is the Grayson Foundation of Lexington, Kentucky. Since 1957, this foundation has expended over $1,900,000 in grants to various colleges for research in the horse.

The other foundation is the Morris Animal Foundation of Denver, Colorado. Since 1950, it has administered research funds to horse projects approximating $580,000.

The California Thoroughbred Breeders Foundation recently spent over $35,000 at the University of California at Davis in various areas of horse research.

The American Quarter Horse Association, the largest breed association in the United States, has spent some $600,000 in equine research since 1960 in areas of infectious diseases, nutrition and control of parasites.

WHAT RESEARCH IS NEEDED?

Medical Equine research falls into two broad categories—*horse diseases* and *horse husbandry*. Research is urgently needed in both of these categories.

Disease research

The diseases which cause losses to the horse population fall into two general classes—those caused by parasites and those caused by bacteria and viruses.

Parasitic diseases are probably responsible for about 30 to 40 percent of the losses to the horse population each year. Yet, other than piroplasmosis research there is now no research being done in this area by the Federal Government and little is being done by anyone else. Research on helminths (worms) is particularly needed.

The Beltsville Parasitological Laboratory of the Animal Disease and Parasite Research Division, is a well suited, established, location for the needed increase in research of parasitological horse diseases. It has a highly qualified staff.

Bacteria and virus diseases.—Horse diseases caused by bacteria and viruses are primarily respiratory diseases or reproductive diseases. The reproductive diseases which cause abortion are very costly to the horsemen.

The only research by the Department of Agriculture in the field of diseases caused by bacteria and viruses is the research in equine infectious anemia. Other diseases are in drastic need of research. The Animal Disease and Parasite Research Division is well equipped to commence such research in its own facilities and through cooperative agreements with colleges and universities.

Husbandry research

Horse husbandry research includes the development of more productive adaptable breeds and types of horses for specific use purposes, nutritional requirements related to feed supplies, ration compounding, feed mobilization and transportation, incidence of indigestion, improved reproduction and application of artificial insemination, disposition and performance related to specific needs, and reduction of unsoundness.

Improved reproduction performance.—The fact that ½ of the mares bred each year fail to deliver a foal greatly contributes to the losses of the industry and accounts for the limited supply of desirable horses and their cost. Very little information is available on the many causes of reproduction failure; even less information is available on how to eliminate the cause.

The feeds and feeding of light horses.—As with other classes of livestock, feed is the most costly item in maintaining of a horse. If feed costs could be reduced without any loss in nutritional levels, the value to the industry would be substantial. Also feeds need to be improved to minimize the characteristic problems of digestive disturbances, colic, and founder. Numerous questions regarding feeds remain unanswered—questions such as: what is the value of feed additives, antibiotics, and vitamin supplements; can nutritional rationing improve disposition and performance; and what is the relationship of feeding and management to injury and unsoundness?

Development of more productive and adaptable horses.—Performance in a horse means a number of different things—speed in the race horse, endurance and maneuverability in the cattle and rodeo horse, disposition and dependability in the trail horse.

It appears that performance measurement indices are empirical and not well developed or practical in a large segment of the horse industry.

Measurement of performance criteria is the basis of genetic improvement and selection for desirable traits. In order for breeders and associations to make more progress they need reliable information to measure performance, inheritability of traits such as disposition and unsoundness, and recommendations on selection and breeding systems.

Horse Management.—This area includes reproduction and development of more productive adaptable horses which were discussed above. It also includes such items as housing, training, avoidance of disease and unsoundness, equipment for both the horse and the rider and horsemanship. New information is needed in this area. It would be particularly valuable to those 187,000 young boys and birls who are now participating in 4–H projects. Such research might make it possible for thousands of additional youngsters to be able to enjoy and afford the pleasure of owning a horse.

Minimum funds required

In order to meet the minimum research needs for horse diseases, a total of 7 science man-years should be added to the Federal Research program. This is in addition to the continuation of the $390,600 for equine infectious anemia and piroplasmosis research. These 7 additional science man-years are essential for research in the following areas:

	Science man-years
1. New research in parasitic diseases	2
2. New research in respiratory diseases	2
3. New research in reproduction diseases	2
4. New research in arteritis	1
Total	7

In order to meet the very minimum research needs in the area of horse husbandry, 4 science man-years are needed. The Animal Husbandry Division of the Agricultural Research Service had indicated that twice this number are really needed to meet the problem.

Our total request for medical equine research or diseases and husbandry amounts to $1,270,000. This is based on $80,000 as the cost of a science man-year. This is an increase of $80,000 over the amount currently budgeted.

This is a minimum request since twice that amount is really needed and could be effectively used. We believe that such a request is appropriate for an industry that contributes $12 billion to our gross national product and more than $450 million to State and local governments through real estate and parimutuel revenues.

With current annual losses from horse disease costing the industry $525 million, we believe the $880,000 increased appropriation is a sound investment for the Federal Government. If we could cut those losses by a fraction of 1 percent, the Federal Government would more than recoup this requested appropriation in increased tax revenues.

We also request the Committee to recommend that a significantly larger percentage of Hatch Act funds and competitive grants be designed for horse research. This year only $159,708 of the $55 million Hatch Act appropriation is being spent on Federal-State cooperative projects in horse research.

The PRESIDING OFFICER (Mr. HOLLINGS). Do all Senators yield back the remainder of their time?

Mr. COOPER. I yield back the remainder of my time.

Mr. HOLLAND. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Kentucky (Mr. COOK).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRIFFIN (when his name was called). On this vote I have a pair with the Senator from Kentucky (Mr. COOK). If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Georgia (Mr. RUSSELL), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), and the Senator from North Carolina (Mr. JORDAN) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Nebraska (Mr. CURTIS), and the Senator from California (Mr. MURPHY) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

The Senator from Texas (Mr. TOWER) is detained on official business.

If present and voting, the Senator from Nebraska (Mr. CURTIS), and the Senator from South Dakota (Mr. MUNDT) would each vote "yea."

The pair of the Senator from Kentucky (Mr. COOK) has been previously announced.

If present and voting, the Senator from Maine (Mrs. SMITH) would vote "nay."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from Texas (Mr. TOWER). If present and voting, the Senator from California would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 40, nays 38, as follows:

[No. 229 Leg.]

YEAS—40

Allen
Allott
Anderson
Bayh
Bellmon
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Case
Cooper
Dole
Ellender
Fannin
Fong
Gurney
Hansen
Harris
Hart
Hatfield
Holland
Hruska
Javits
Long
Mathias
McGovern
Montoya
Packwood
Pearson
Randolph
Saxbe
Scott
Sparkman
Spong
Stennis
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—38

Aiken
Bennett
Brooke
Burdick
Cannon
Church
Cotton
Cranston
Dominick
Eagleton
Ervin
Fulbright
Goldwater
Goodell
Hollings
Hughes
Inouye
Jackson
Jordan, Idaho
Mansfield
McClellan
McIntyre
Metcalf
Miller
Mondale
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Ribicoff
Schweiker
Smith, Ill.
Talmadge
Williams, Del.
Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Griffin, against.

NOT VOTING—21

Baker
Cook
Curtis
Dodd
Eastland
Gore
Gravel
Hartke
Jordan, N.C.
Kennedy
Magnuson
McCarthy
McGee
Mundt
Murphy
Percy
Russell
Smith, Maine
Stevens
Symington
Tower

So Mr. COOK's amendment was agreed to.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. TALMADGE). The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 17923) was read the third time.

FUNDS FOR RURAL DEVELOPMENT

Mr. YARBOROUGH. Mr. President, the agricultural appropriation bill is of great significance to all of the people of the Nation, not only our rural citizens.

There are some programs being funded in this bill which will have their most direct impact upon rural citizens and rural communities. It is with great pleasure that I call the attention of my colleagues to an item of great significance in the move toward rural development.

The Appropriations Committee, on which I have the honor of serving, has recommended that $10,400,000 be included in the budget of the Cooperative Extension Service. These funds were requested in order to conduct extension activities for State and multicounty rural community development.

The House appropriations bill denied this urgently needed money to the Cooperative Extension Service. Our subcommittee recommended that half of the budget request be granted, which would have been $5,200,000. The full committee gave further consideration to the need to increase our efforts in rural community development, and now recommends that the full request for $10,400,000 be appropriated.

These funds will be used for additional Extension Service personnel who will help rural communities with their development programs and assist in the initiation of imaginative programs. The Cooperative Extension Service already has done extensive work and has provided leadership in organizing USDA committees at the State, district, and county levels.

The additional personnel are needed to support the work of these committees.

Because it is so important to our Nation that our rural areas be strong and vital, I urge my colleagues to support this appropriation of $10.2 million for our Cooperative Extension Service. It is also my hope that when this bill is in conference, that we stand firmly behind this appropriation for rural community development.

RURAL ELECTRIFICATION AND TELEPHONE LOANS

Mr. YARBOROUGH. Mr. President, the distinguished senior Senator from Florida (Mr. HOLLAND) is to be commended for his great knowledge, dedication, and concern for the needs of our rural citizens. He has provided outstanding leadership to those of us on his subcommittee and on the full committee.

It gives me great pleasure to bring to the attention of my colleagues, the committee recommendation for rural electrification and rural telephone loans. In this area, the committee has demonstrated great foresight and judgment in providing adequate loan funds for these programs. Without adequate communication facilities and without adequate electrical power, we cannot make true progress toward rural development.

The committee recommendation for loan authorization for electrification loans is $352,000 in new obligational authority. This amount, combined with carryovers will provide an electrification loan level of $375 million in fiscal year 1971.

This is a modest increase, but a much needed one. The increase is $30 million over the budget request and the House recommendation.

The committee also recommends an increase in the loan authority for telephone loans. The amount of obligational authority provided is $138,800. Combined with the carryover from this year, this will provide for a program level of $140 million for the coming fiscal year.

This represents a $15 million increase over the budget proposal and the House bill.

I urge my colleagues to support the committee's recommendations on these important programs.

Mr. HARRIS. Mr. President, I wish to commend the distinguished Senator from Florida (Mr. HOLLAND) and members of the Agriculture Appropriations Subcommittee for their outstanding work on this bill. The committee has restored such items as the agricultural conservation program and has strengthened programs under the Soil Conservation Service which are so important to the preservation of our soil and water resources.

The President in his 1971 budget recommended the discontinuation of the agricultural conservation program. The Senate bill recommended the appropriation of $190 million. This is somewhat below the figure adopted by the House, and I would hope in the conference committee that the House figure will be adopted.

Under the soil conservation the committee has recommended the continuation of a water upstream flood control program under Public Law 566, a bill which has meant so much to flood protection and soil and water conservation in the past few years. For watershed planning the Senate committee recommended the appropriation of $5,434,000 which was somewhat below the figure recommended by the House. For watershed works of improvement the Senate committee recommended $76 million, which was $2,278,000 more than that requested by the House. For flood prevention the Senate bill requested the same amount as the House—$21,037,000. It is my hope that during consideration by the conference committee that the maximum amounts will be approved for these three programs under the SCS.

I strongly support these actions of the committee, and I further support the increase recommended for loans under the Rural Electrification Administration. For REA loans the Senate committee recommended the appropriation of $352 million, which was $30 million more than that requested by the House committee. Once again, I am hopeful that this figure as recommended by the Senate will be adopted by the conference committee. With the power crisis facing the country I feel it is imperative that we continue and strengthen this program at least by the minimal increase suggested by the Senate in this bill.

SCHOOL LUNCH PROGRAM

Mr. HART. Mr. President, today marks the milestone for the children of America. Today we can turn rhetoric to reality. For years we have promised to provide needy children with school lunches, but have done all too little to provide the funds necessary to pay for them.

In 1962, I first realized the full extent of these broken promises in my own State of Michigan where only a small fraction of the needy children in Detroit were receiving free or reduced price lunches. Privileged as I was at that time to serve on the Committee on Agriculture and Forestry, I saw that the problem in Michigan was typical of the Nation—the lunch program was not feeding the neediest of our children.

At the time I entered the school lunch fight, in 1962, section 11 of the National School Lunch Act which authorizes the appropriation of funds to assist needy children was enacted. But Congress provided no funds under this authority.

It was not until 1965 that we first obtained funds under this section—$2 million. A small sum but nonetheless the first money ever appropriated. This was our first real victory—more meaningful perhaps as a symbolic "breakthrough" than in its actual accomplishment.

Over the last 5 years section 11 funding grew slowly, as it became apparent that not only money but legislative reform was needed if the promise of the National School Lunch Act to "supply lunches without cost or at a reduced cost to al children unable to pay" was to become a reality.

This year under the leadership of the distinguished chairman of the Select Committee on Nutrition and Human Needs, the junior Senator from South

Dakota, and the distinguished junior Senator from Georgia, Congress enacted legislation that with full funding should provide the framework to make good the promises of the past, and on May 14, President Nixon signed the new bill into law.

At the time of the debate on that bill I argued that a great deal more money was needed than the $200 million the administration had requested for free and reduced price meals if this new bill was to be more than the empty promises of the past. I am pleased that the administration has come to realize this as evidenced by their recent request for an additional $217 million for the national school lunch program.

While this may prove to be less than is needed to bring every needy child the meal that Public Law 91-248 guarantees, it is a more encouraging step. This is especially true since the reports of both the House and the Senate Appropriations Committees demonstrate Congress' commitment to adequate funding of our child nutrition programs by encouraging the administration to come back with supplemental requests should appropriations be insufficient to achieve the goals of the new law.

While I doubt that there will be need for more money this year, since many schools will not, in fact, have time to gear up to bring meals to every child, next year will be a different story. As the analysis that I offer for the record points out, there is a potential $90 million deficit which will probably not be realized this year, but will have to be dealt with next year.

At that time, I believe, based on recent events, we will all be ready to go the rest of the way to feeding all of America's schoolchildren.

Mr. President, I ask unanimous consent that there be inserted in the RECORD at this point an analysis of the cost of complying with Public Law 91-248.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE COST OF COMPLYING WITH PUBLIC LAW 91-248 AND THE EXTENT OF AVAILABLE RESOURCES

The following is a statistical analysis, based on Bureau of the Census and Office of Education data, of the cost of complying with the free and reduced price lunch requirements contained in Public Law 91-248 as signed by the President on May 14, 1970. Those requirements would, at a minimum, compel those school districts that receive cash and/or commodities from the Federal government in support of their lunch programs to serve a free or reduced price lunch to every child from a household whose annual income falls within the accepted definition of "poverty." The neediest of this group are to receive free meals. Children from households with incomes above the poverty line would still be entitled to free or reduced price meals if their local school district or state deemed them to be unable to pay the full cost of the meal.

I. THE COST

The cost of providing a free and reduced price lunch throughout the school year to all school children from poverty households depends on three variables: the average cost of lunch; the total number of lunches to be consumed by each pupil during the year; and the total number of poor children to be reached.

(a) The average cost of lunch: Information released by the Department of Agriculture in April reveals that the average nationwide cost of a school lunch in fiscal year 1970 is estimated to be 62 cents, up 2.8 cents from fiscal 1969. If the 2.8 cent cost increase (or 5% rise) is projected to the following fiscal year, then 65 cents should represent the average cost of a lunch in fiscal 1971. Of course, many of the lunches being served then would be meals served for the first time in schools without cafeterias, which might mean an even higher average cost because of resort to the potentially more expensive methods of central or satellite kitchens (high labor costs) and outside caterers (high profits).

(b) The annual number of lunches per pupil: The latest available data from the Office of Education fix 163.5 as the average number of days attended per pupil enrolled in all schools in the United States in school year 1965–1966. Digest of Educational Statistics 1969, p. 24. A lunch would be needed for each pupil day of attendance.

(c) *The total number of poor children:* According to Series P-60, No. 68, December 31, 1969 of the Bureau of the Census Current Population Reports, entitled Poverty in the United States: 1959 to 1968, in 1968, there were 10,739,000 individuals under 18 living in families below the poverty level as revised in August, 1969 (nonfarm family of four—$3,553 annually; farm—$3,034) and that there were 608,000 unrelated individuals over 14, but under the age of 25, who were below the poverty level. The target group bridges ages 5 through 17. Thus, 13/18th of 10,739,000 and 4/11th of 608,000 or approximately 7,977,000 represents the baseline group of school-age children from households below the poverty level.

There are three adjustments that should be made to this figure to derive the school-attending children from households below the poverty level as of school year 1970–71.

First, it is necessary to make an upward correction to provide for those children between the current $3,553 nonfarm and $3,034 farm poverty lines for families with four members and the comparable $3,800/$3,200 poverty guidelines that, pursuant to the Conference Report on the new school lunch act, should soon be promulgated by the Secretary to govern receipt of free or reduced price lunches. While precise data is not obtainable, a 5% add-on seems appropriate, since, in 1968, 5% of all poverty families had an income deficit of $200 to $300 between their total income and the poverty level. This correction would necessitate an overall adjustment upward to 8.4 million children.

Two other significant adjustments involve program timing and the dropout phenomenon. The 8.4 million figure fails to take into account the fact that the poverty lunch standard will be implemented in school year 1970–71 and beyond, not 1968. The number of family members under 18 from families below the poverty level has declined by an average of 647,000 over the past ten years and 990,000 during the last five. The poor unrelated individuals 14 to 25 have increased by an average of 10,000 and 27,000, respectively, over the same period. It is doubtful that the same high rates of decline for family members should be projected forward from 1968 to 1970–71 because of the increasing rate of unemployment (5.0%). Nonetheless, it must be noted that in 1964 that rate never slipped below a 5.2% annual average, while the children poverty decline was 1.35 million. Further, the Department of Labor, in calculating the impact of increased unemployment on family assistance costs has determined that "although unemployment almost always results in some loss of income to the individual worker and his family, in only rare instances does it drive family income below the poverty line." If the decline rate is adjusted moderately downward to approximately 400,000 (when unemployment exceed 5.2 and even 6%, from 1960 to 1964 it averaged 388,000) and if this rate of decrease is limited by 13/18th to children of school age, then the number of schoolage children in poverty in 1970–71 would be approximately 7.825 million. By the end of 1971, the figure should be closer to 7.54 million.

The final adjustment involves school dropouts—those children of school age who, for various reasons, fail to attend school. The current count is approximately 750,000, the vast majority (two-thirds) assuredly in the poverty category. Again, a drop in the target population to no more than 7.325 million in 1970 and in the vicinity of 7 million by the end of 1971, with 7.25 million a reasonable school year average. In fact, the Department of Agriculture's own estimate of needy pupils at 6.6 million derives from their calculation that 7.3 million children should be served, but only 163.5 times a year. Over the course of the full school year of 180 days, this means that 6.6 million free or reduced price lunches would be required daily.

The arithmetic for 7.25 million pupils yields an annual cost for fiscal year 1971 (school year 1970–71) of $770.5 million ($106.28 per pupil per year or 163.5 x $.65).

This cost represents the bare minimum compelled by the provisions added by the 1970 law. The 1946 law itself requires additional expenditures if a child is "unable to pay the full cost of the lunch" even if his family's income exceeds the poverty level. The determination of that inability is up to local school authorities who can set their own guidelines higher than poverty. This has already happened and will continue to happen in major urban centers like New York. The impact of this on the cost of producing free and reduced price lunches is uncertain, but, for every 1 million additional eligible pupils, the total cost to be met would rise by $106 million.

II. FUNDING SOURCES

The various available funding sources must be arranged against this projected overall free and reduced price lunch outlay.

(a) Department of Agriculture: The best estimate of the Department's overall input into free and reduced price lunches in fiscal year 1971 in the form of cash and commodities is approximately $490 million. That input consists of 89% in cash and 11% in commodities. The cash amount flows from $356 million in specifically appropriate funds under Section 11 ($200 million), Section 32 ($4.3 million), and special Section 32 ($151.7 million). In addition, free and reduced price lunches receive $61.3 million out of the $224 million Section 4 pot. The calculation of this contribution to the free and reduced price lunch bill is based upon the fact that free and reduced price lunches are expected to constitute 1.2 billion of the 4.394 billion lunches served in fiscal year 1971 (6.6 million children of the 24.4 million participating each of 180 school days or 7.3 million children for 163.5 days) or 27.3% of all lunches. Since the $224 million in Section 4 funds will be distributed on an across-the-board basis, 27.3% of the Section 4 funds or $61.3 million should go into free and reduced price lunches. On the same assumption, some $72.1 million of the $264.5 in commodities will be used in free or reduced price lunches.

(b) Other Federal funds: Other Federal agencies have provided support in the past for free and reduced price lunches for children 5 through 17 and are expected to continue to do so in 1970–71 on a declining basis including Title I, ESEA (estimated $25 to $28 million); Johnson-O'Malley ($2 million); Title I-migrant education ($3.1 million); Title I-handicapped children ($2 million); Follow Through ($3 million); Model Cities ($2 to $4 million); and Head Start (estimated $4 to $10 million for feeding 5-year-olds). This non-USDA total conservatively will approximate $40 to $45 million.

XUM

(c) State and local revenues: The Department's estimates on sources of 1970 funds indicate that state and local governments contributed $210 million of their own funds to the program. At a minimum, 27.3% of this contribution would aid the service of free and reduced price lunches or $57.3 million, assuming that the level would be maintained in 1971. Indeed, this clearly understates the state and local revenues used for this specific purpose, since many states and cities will be devoting their funding exclusively to help the needy, for example, Illinois with $6.75 million; California with $6 million; Maryland with $2 million; New York with $25 million-plus; Baltimore with $500,000; Atlanta with $750,000; San Francisco with $330,000; Detroit with $400,000; the District of Columbia with $2.85 million; and New York City with slightly over $15 million. To attribute $90 million to such revenues is quite reasonable.

At the same time, other local contributions, primarily in the form of in-kind donated aid such as commodities, labor, supplies, equipment, and facilities, will amount to $365 million. 27.3% of that sum is approximately $100 million, but the best available estimate of the impact of those contributions in reducing the cash outlay necessary to finance free and reduced price lunches is one-third of that sum or $33 million.

(d) Children's payments: Section 9 of the National School Lunch Act as revised requires the service of free or reduced price meals. If one out of every five needy lunches served is paid for by the children at an average rate of 10 cents, then approximately $24 million would be added to the school districts' resources for meeting the needy child lunch service requirement.

TABULAR SUMMARY OF DATA

	Amount (millions)	Per lunch contribution (cents)
Total cost	$770.5	
Funding sources (fiscal year 1971):		0.65
I. USDA:	490.0	.41
(a) Sec. 11	200.0	
(b) Sec. 32	4.3	.30
(c) Special sec. 32	151.7	5
(d) Sec. 4	61.3	5
(e) Donated commodities	72.1	6
II. Other Federal	40.0(45)	3.5
III. State and local revenues	90.0	7.5
IV. State and local in-kind	33.0	3
V. Children's payments	24.0	2
Total funding	677.0(682)	.57
Funding gap	(93.0)(88)	.08

CONCLUSION

At least $90 million more will be necessary in fiscal year 1971 to assure the daily service of a free or reduced price lunch to every needy child, if as is highly unlikely, the school districts are uniformly willing and able to produce such meals on the first day of school in September and every school day thereafter. This is not and will not be the case. But this does not serve to eliminate the potential $90 million deficit because of the indefinable cost impact of urban schools feeding free or reduced price lunches to children from the $3,800 through $5,000 annual income brackets. The $90 million or a figure in that vicinity will have to be raised somehow before May, 1971, preferably and entirely by a supplemental Federal appropriation in January or February, 1971 reflecting projected participation data, less preferably partly through Federal sources and partly through reduced prices charged less needy children.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. HRUSKA. Mr. President, I yield 2 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, the Senate is upholding its traditional reputation of being the upper House. This bill as reported by the committee was $171,480,600 over the budget request. In acting on the bill the Senate has added another $800 million, with the result that the bill as it now stands is $970,580,000 over the budget.

Mr. President, I think this should be mentioned because I am wondering just how long we can continue to add on to all of these appropriation bills. H.R. 17548, the appropriation bill for independent offices, was $1,185,380,000 over the budget; the education appropriation bill was $984,300,000; and the second supplemental was $671,800,000 over the budget.

All together, in just these three or four appropriation bills, we have added on a total of $3.810 billion over the budget so far this year, and there has not been a cut in a single one yet.

I think the Senate should be reminded of the fact that we operated with a deficit in the past fiscal year in excess of $1 billion a month. The projection for next year, as near as we can determine, is a deficit of about $1.5 billion a month, even without adding the additional expenditures in these bills.

I am wondering how Members are planning to raise the taxes to provide this revenue or whether they are planning to just increase the national debt to finance it, as we have been doing in the past.

In fairness to the Senator from Florida, who is managing this bill, it should be pointed out that the most of these additions were approved by the Senate over his strenuous objection.

Irresponsible spending by the Congress is to a large extent responsible for the inflationary spiral which is now causing so much concern. During recent months many Members of Congress have expressed concern over this inflation with its accompanying high interest, and yet far too often they are the same Members who when voting have insisted upon these ever expanded expenditures. Millions of American citizens who are living on fixed incomes or who are retired are being pauperized as the result of this inflation.

I think the time has come when the Senate should face up to its responsibility to hold these appropriation bills in line, and the only way to do that is by our votes. I shall vote against this appropriation bill even though there are many features in it with which I strongly agree. I do not think we should continue this erosion of the American dollar.

Mr. HOLLAND. Mr. President, the bill, as reported by the committee, was $333,842,050 under the appropriation act for 1970.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I yield to the Senator from Utah.

Mr. MOSS. Mr. President, the distinguished Senator from Wyoming (Mr. McGEE) is not able to be here today. He is out of the city. I shall ask unanimous consent that a statement he had prepared be printed in the RECORD in connection with the bill.

The statement of the Senator from Wyoming comments on the fact that the Senator from Florida, the chairman of the Committee on Agriculture Appropriations, has done a very distinguished job and he has been largely responsible for guiding agriculture appropriation bills through the Senate for many years.

I would like to associate myself with the remarks that have been prepared by the Senator from Wyoming and commend the Senator from Florida for the fine work he has done. The Senator from Wyoming notes that, since the Senator from Florida announced he will retire, he is conducting at this time for the Senate the appropriation bill on agriculture and he should be recognized for the great service he has performed.

Mr. President, I ask unanimous consent that the statement of the Senator from Wyoming be printed in the RECORD.

There being no objection, the statement by Senator McGEE was ordered to be printed in the RECORD, as follows:

Mr. McGEE. Mr. President, with the conclusion of Senate deliberations on the Appropriations bill for the Department of Agriculture for fiscal year 1971, we will mark the termination of an era in the U.S. Senate. I refer, of course, to the announced retirement of the Senior Senator from the State of Florida and the distinguished Chairman of the Agriculture Appropriations Subcommittee. The close of this present session of Congress will mark the end of a distinguished career spanning almost a quarter of a century for the Senator from Florida, and I could not let this occasion pass without comment.

During his career the Senator from Florida has been most active and most effective in many areas but particularly in the field of agriculture. By virtue of his Chairmanship of the Agriculture Appropriations Subcommittee and his senior status as a member of the legislative committee, he has been one of the key figures in Congress in formulating and implementing policy in this all-important area. During this period he has seen many innovations in the industry and the legislative changes that have been enacted. More importantly perhaps, he has taken the initiative in many matters, both legislatively and fiscally, to insure that this vital industry keep pace with modern requirements to better serve the United States and the free world.

The agriculture industry is one of the major elements of the economy of my State of Wyoming and undoubtedly will continue to be so in the future. For that reason we in Wyoming are particularly indebted to the Chairman for the many contributions he has made to the industry, and we look forward to building on his record for the betterment of agriculture in the years ahead.

In exercising the duties and responsibilities as Subcommittee Chairman, the Senator from Florida has gained the reputation of being fair-minded, thorough and responsible. While the Department has grown and its programs expanded, the Senator has seen to it that all aspects of the Department's budget requests have been most thoroughly and completely reviewed and considered. Witnesses appearing before the Subcommittee could be assured that they would be treated with courtesy and consideration. At the same time they were always aware that their testimony would be carefully received and scrutinized by the Chairman. This is, in my opinion, the way it should be, and I certainly respect the Chairman for his practices in this regard.

Undoubtedly many of us will have much more to say on this subject as the Senator's retirement draws nearer, but I thought it was appropriate today to make these brief remarks as we consider this Appropriations bill. This bill, and others for which he has so skillfully and effectively provided leadership and direction, will serve as a testimonial to his long and dedicated service. Speaking as a member of his Subcommittee, I want to take this opportunity to express my personal appreciation to the Chairman for his counsel and the many courtesies he has extended to me.

Mr. HOLLAND. Mr. President, I yield myself 10 seconds in order to express very great gratitude to the Senator from Utah and the Senator from Wyoming. I had no notice of the purpose when I yielded to the Senator, but I am grateful to him.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. HOLLAND. I yield back the remainder of my time.

Mr. HRUSKA. I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Tennessee (Mr. Gore), the Senator from Indiana (Mr. Hartke), the Senator from Massachusetts (Mr. Kennedy), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel) and the Senator from North Carolina (Mr. Jordan) are absent on official business.

I further announce that, if present and voting, the Senator from Alaska (Mr. Gravel), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), the Senator from Missouri (Mr. Symington), and the Senator from North Carolina (Mr. Jordan) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Nebraska (Mr. Curtis), and the Senator from California (Mr. Murphy) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) and the Senator from Maine (Mrs. Smith) are absent because of illness.

The Senator from Arizona (Mr. Goldwater) is detained on official business.

If present and voting, the Senator from Nebraska (Mr. Curtis), the Senator from South Dakota (Mr. Mundt), the Senator from Illinois (Mr. Percy), and the Senator from Maine (Mrs. Smith), would each vote "yea."

On this vote, the Senator from Arizona (Mr. Goldwater) is paired with the Senator from California (Mr. Murphy). If present and voting, the Senator from Arizona would vote "nay" and the Senator from California would vote "yea."

The result was announced—yeas 73, nays 6, as follows:

[No. 230 Leg.]

YEAS—73

Aiken
Allen
Allott
Anderson
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cranston
Dole
Dominick
Eagleton
Ellender
Ervin
Fong
Fulbright
Goodell
Griffin
Gurney
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Long
Mansfield
Mathias
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—6

Cotton
Fannin
Pell
Ribicoff
Thurmond
Williams, Del.

NOT VOTING—21

Baker
Cook
Curtis
Dodd
Eastland
Goldwater
Gore
Gravel
Hartke
Jordan, N.C.
Kennedy
Magnuson
McCarthy
McGee
Mundt
Murphy
Percy
Russell
Smith, Maine
Stevens
Symington

So the bill (H.R. 17923) was passed.

Mr. HOLLAND. Mr. President, I move that the Senate do now reconsider the vote by which the bill was passed.

Mr. HRUSKA. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Holland, Mr. Russell, Mr. Stennis, Mr. Ellender, Mr. Hruska, Mr. Young of North Dakota, and Mr. Fong conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, with the passage of this measure, the distinguished senior Senator from Florida (Mr. Holland) has marked the final Agricultural Appropriations bill he shall manage on the Senate floor. He has announced earlier this year his intention to retire from the Senate after 24 years of service. It is difficult to imagine any measure brought to the Senate floor dealing with agricultural matters and particularly agriculture's appropriations without the leadership of the able Senator from Florida (Mr. Holland). His record in the Senate over the years has been marked by devotion to duty, attentiveness to his responsibilities both for his State and the Nation and extraordinary parliamentary skill. Yesterday when the tributes were being paid to Senator Holland, I defered my remarks until today so that I could include in these tributes the achievement he has accomplished today. A bill of this magnitude and complexity requires extraordinary skill and knowledge to understand; few could manage it—the Senator from Florida makes it look easy.

In addition, I would like to thank the ranking member on this subcommittee, the able Senator from Nebraska (Mr. Hruska) as well as the senior Senator from Louisiana (Mr. Ellender) both of whom contributed so much to the smooth disposition of this measure.

To all those Senators who offered amendments and participated in the debate, the Senator from South Dakota (Mr. McGovern), the Senator from New York (Mr. Goodell), the Senator from Illinois (Mr. Smith), the Senator from Kentucky (Mr. Cooper), and the entire Senate for their cooperation in completing this measure in such an expeditious manner.

Mr. HRUSKA. Mr. President, I take this occasion to congratulate and commend the senior Senator from Florida for having managed so well once again the passage of the agricultural appropriations bill. It is his seventh—as chairman of the subcommittee to which he is assigned.

Also, I express appreciation for the dedicated and diligent efforts of Raymond Schafer, Joe Stewart, and Ed King, staff members of the committee; and Dan Wherry of my own staff. The latter has now had his first experience in this type of legislation. He has acquitted himself well.

EXTENSION OF THE DEFENSE PRODUCTION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 892, S. 3302. I do this so that it will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and insert:

EXTENSION OF ACT

Section 1. Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166 (a)) is amended by striking out "June 30, 1970" in the first sentence and inserting in lieu thereof "June 30, 1972".

DEFINITIONS

Sec. 2. Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) by inserting "space," after "stockpiling," in subsection (d); and

(2) by adding at the end thereof a new subsection as follows:

"(f) The term 'defense contractor' means any person who enters into a contract with the United States for the production of material or the performance of services for the national defense."

UNIFORM COST-ACCOUNTING STANDARDS

SEC. 3. The Defense Production Act of 1950 is amended by adding at the end thereof a new section as follows:

"COST-ACCOUNTING STANDARDS BOARD

"SEC. 719. (a) There is established, as an agent of the Congress, a Cost-Accounting Standards Board which shall be independent of the executive departments and shall consist of the Comptroller General of the United States who shall serve as Chairman of the Board and four members to be appointed by the Comptroller General. Of the members appointed to the Board, two shall be from the accounting profession, one shall be representative of industry, and one shall be from a department or agency of the Federal Government who shall be appointed with the consent of the head of the department or agency concerned. The term of office of each of the appointed members of the Board shall be four years, except that any member appointed to fill a vacancy in the Board shall serve for the remainder of the term for which his predecessor was appointed. Each member of the Board appointed from private life shall receive compensation at the rate of one two-hundred-sixtieth of the rate prescribed for level IV of the Federal Executive Salary Schedule for each day (including traveltime) in which he is engaged in the actual performance of duties vested in the Board.

"(b) The Board shall have the power to appoint, fix the compensation of, and remove an executive secretary and two additional staff members without regard to chapter 51, subchapters III and VI of chapter 53, and chapter 75 of title 5, United States Code, and those provisions of such title relating to appointment in the competitive service. The executive secretary and the two additional staff members may be paid compensation at rates not to exceed the rates prescribed for levels IV and V of the Federal Executive Salary Schedule, respectively.

"(c) The Board is authorized to appoint and fix the compensation of such other personnel as the Board deems necessary to carry out its functions.

"(d) The Board may utilize personnel from the Federal Government (with the consent of the head of the agency concerned) or appoint personnel from private life without regard to chapter 51, subchapters III and VI of chapter 53, and chapter 75 of title 5, United States Code, and those provisions of such title relating to appointment in the competitive service, to serve on advisory committees and task forces to assist the Board in carrying out its functions and responsibilities under this section.

"(e) Except as otherwise provided in subsection (a), members of the Board and officers or employees of other agencies of the Federal Government utilized under this section shall receive no compensation for their services as such but shall continue to receive the compensation of their regular positions. Appointees under subsection (d) from private life shall receive compensation at rates fixed by the Board, not to exceed one-two-hundred sixtieth of the rate prescribed for level V in the Federal Executive Salary Schedule for each day (including traveltime) in which they are engaged in the actual performance of their duties as prescribed by the Board. While serving away from their homes or regular place of business, Board members and other appointees serving on an intermittent basis under this section shall be allowed travel expenses in accordance with section 5703 of title 5, United States Code.

"(f) All departments and agencies of the Government are authorized to cooperate with the Board and to furnish information, appropriate personnel with or without reimbursement, and such financial and other assistance as may be agreed to between the Board and the department or agency concerned.

"(g) The Board shall from time to time promulgate cost-accounting standards designed to achieve uniformity and consistency in the cost-accounting principles followed by defense contractors and subcontractors under Federal contracts. Such promulgated standards shall be used by all relevant Federal agencies and by defense contractors and subcontractors in estimating, accumulating, and reporting costs in connection with the pricing, administration and settlement of all negotiated prime contract and subcontract national defense procurements with the United States, other than contracts or subcontracts where the price negotiated is based on (1) established catalog or market prices of commercial items sold in substantial quantities to the general public, or (2) prices set by law or regulation. In promulgating such standards the Board shall take into account the probable costs of implementation compared to the probable benefits.

"(h)(1) The Board is authorized to make, promulgate, amend, and rescind rules and regulations for the implementation of the cost-accounting standards promulgated under subsection (g). Except as otherwise provided in this section, such regulations shall require any defense contractor or subcontractor as a condition of contracting (A) to disclose in writing his cost-accounting principles including methods of distinguishing direct costs from indirect costs and the basis used for allocating indirect costs, and (B) to agree to a contract price adjustment for any increased costs paid to the defense contractor by the United States because of the defense contractor's failure to comply with duly promulgated cost-accounting standards or to follow consistently his disclosed cost-accounting practices in pricing contract proposals and in accumulating and reporting contract performance cost data. The contracting agent for the United States shall agree to price adjustments required as a result of contractor or subcontractor action in compliance with duly promulgated cost-accounting standards or rules and regulations relating thereto. Any such contract price adjustment shall include interest at the rate of 6 per centum per annum on the amount of any overpayment or underpayment of costs, from the date of the overpayment or underpayment, in any case where (i) such failure of the defense contractor is admitted by the contractor, (ii) the contracting agent of the United States agrees to the adjustment as hereinabove provided, or (iii) the adjustment is required as the result of a determination made in accordance with procedures for resolving disputes under the contract. If the parties fail to agree as to whether there has been compliance by the defense contractor or subcontractor with duly promulgated cost-accounting standards, or rules and regulations relating thereto, and whether cost adjustments are required, such disagreement shall constitute a dispute under the contract dispute clause.

"(2) No defense contractor or subcontractor shall be subject to the requirements of this section, if the sales of such contractor or subcontractor under contracts negotiated in connection with national defense procurements, excluding sales of commercial products sold in substantial quantities to the general public, did not exceed $25,000,000 during the most recently completed fiscal year of such contractor or subcontractor.

"(3)(A) The Board is authorized, as soon as practicable after the date of enactment of this section, to prescribe rules and regulations exempting from the requirements of this section such classes or categories of defense contractors or subcontractors under contracts negotiated in connection with national defense procurements as it determines, on the basis of the size of the contracts involved or otherwise, are appropriate and consistent with the purposes sought to be achieved by this section.

"(B) Rules and regulations prescribed under subparagraph (A) of this paragraph (3) shall take effect upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a copy of the proposed rules and regulations is transmitted to the Congress; if, between the date of transmittal and the expiration of such sixty-day period, there is not passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the proposed rules and regulations. For the purposes of this subparagraph, in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of adjournment of more than three days to a day certain or an adjournment of the Congress sine die.

"(i)(A) Prior to the promulgation under this section of rules, regulations, cost-accounting standards, and modifications thereof, notice of the action proposed to be taken, increasing a description of the terms and substance thereof, shall be published in the Federal Register. All parties affected thereby shall be afforded a period of not less than thirty days after such publication in which to submit their views and comments with respect to the action proposed to be taken. After full consideration of the views and comments so submitted the Board may promulgate rules, regulations, cost-accounting standards, and modifications thereof which shall have the full force and effect of law and shall become effective not later than the start of the second fiscal quarter beginning after the expiration of not less than thirty days after publication in the Federal Register.

"(B) The functions exercised under this section shall be excluded from the operation of the Administrative Procedure Act.

"(C) The provisions of paragraph (A) of this subsection shall not be applicable to rules and regulations prescribed by the Board pursuant to subsection (h)(3).

"(j) For the purpose of determining whether a defense contractor or subcontractor has complied with duly promulgated cost-accounting standards and has followed consistently his disclosed cost-accounting practices, any authorized representative of the head of the agency concerned, of the Board, or of the Comptroller General of the United States shall have the right to examine and make copies of any documents, papers, or records of such contractor or subcontractor relating to compliance with such cost-accounting standards and principles.

"(k) The Board shall report to the Congress, not later than twenty-four months after the date of enactment of this section, concerning its progress in promulgating cost-accounting standards under subsection (g) and rules and regulations under subsection (h). Thereafter, the Board shall make an annual report to the Congress with respect to its activities and operations, together with such recommendations as it deems appropriate.

"(l) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section."

Mr. MANSFIELD. Mr. President, it is my understanding that there will be a brief opening statement by the Senator from Minnesota, and that, at the conclusion of that, the distinguished Senator from Utah (Mr. Bennett) will have an amendment, which he will call up.

I also understand that the distinguished Senator from Arkansas (Mr. McClellan) will speak in the meantime.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. I have an opening statement also, which deals with an amendment I intend to offer rather than with the bill. However, if I may, I should like to speak immediately following the opening statement of the Senator from Minnesota.

Mr. MANSFIELD. Very well; the Senator from Minnesota may yield to the Senator from Wisconsin.

I yield now to the Senator from Arkansas.

PROPOSED AMENDMENT (NO. 603) TO THE CIVIL RIGHTS ACT TO PROTECT THE CIVIL RIGHTS OF WITNESSES

Mr. McCLELLAN. Mr. President, I recently submitted an amendment to the Civil Rights Act of 1957 which would extend to persons appearing before the Civil Rights Commission the same protections that will be afforded to persons who are the subjects of grand jury reports under title I of S. 30, the "Organized Crime Control Act of 1969." In introducing this amendment, it was my hope that my colleagues on the Judiciary Committee would also want to insure that the protections accorded civil liberties under title I of S. 30 were made avilable to persons who find themselves subject to the virtually limitless power of the Civil Rights Commission in a report to defame, degrade or incriminate them. The majority of the Judiciary Committee, however, have not seen fit to protect the rights of the individual before the Commission in this manner and have rejected the proposed amendment. The significance of this defeat for the civil liberties of witnesses before the Commission and subjects of reports can be best demonstrated by comparing the additional protections provided under title I and under my amendment to the Civil Rights Act of 1957.

Under title I of S. 30 and under my proposed amendment to the Civil Rights Act of 1957, the individual threatened by official action by Federal grand jury or by the Civil Rights Commission would be guaranteed the following:

First. Provision that reports shall by law issue only upon majority vote;

Second. Provision that reports should concern only non-criminal misconduct;

Third. Limitation of persons subject to the report writing power to public officials;

Fourth. Provision for judicial review of the propriety of any official report;

Fifth. Provision for appeal of the lower court's initial determination as to the propriety of the official report;

Sixth. Provision for the inclusion of the subject's answer in the official report of the grand jury or the Civil Rights Commission;

Seventh. Provision for secret hearings by the grand jury and executive meetings by the Civil Rights Commission to insure that the subject's reputation and character are not damaged by unfair publicity;

Eighth. Provision that conclusions of the grand jury and Civil Rights Commission must be based upon a preponderance of the evidence;

Ninth. Provision that no disclosure be made of findings where there is pending related criminal proceedings in order that those proceedings are not prejudiced.

None—I repeat none—of the above protections are available to persons who now find themselves the subjects of reports by the Civil Rights Commission. Such an unrestrained license to ride roughshod over an individual's civil liberties hardly becomes a commission dedicated to civil rights or a society such as ours where respect for individual rights and liberties has always been a paramount policy consideration in government.

Mr. President, to put these issues in perspective, it is well, for example, to examine the criticism of the Commission recently offered on the floor of the House by Representative Gonzalez from Texas. On May 26, 1970, Mr. Gonzalez criticized the Commission for using as key witnesses in its San Antonio hearings of 1968 persons who had performed extensive services for the Commission prior to the hearings, for which these unidentified witnesses were paid $50 to $75 a day. The Congressman stated that he does "not believe that the Commission on Civil Rights has any more right to stack the deck at its hearings, by direction or by indirection, than does any other agency of this Government"—Congressional Record, page 17003, May 26, 1970. He indicated further, "I stated at the time of the hearings that the Commission on Civil Rights had stacked the hearings and that its report could have been written without having gone to the trouble of conducting hearings. I did not know at the time how right I was." (Id.) Now, in the context of what is being discovered about how Commission hearings are conducted, I ask, is concern for the individual who can be criticized, castigated and incriminated by such a body misplaced? The processes of the Civil Rights Commission like any other governmental body are subject to excesses and abuses and, for this reason, adequate and extensive protections for individuals appearing before the Commission and identified in Commission reports ought to be provided.

Recently the Commission issued its report, based in part on these San Antonio hearings, entitled "Mexican Americans and the Administration of Justice in the Southwest," and this report airs accusations of police brutality against several police officers, among whom were two named Texas State Highway Patrol officers. (Report at pp. 3–4, 24, 25–26, 29–30.) I add, too, that grand juries have refused to indict either of these officers, but both of their names have now been published in this report of the Commission, while neither officer has had a proper opportunity to explain or answer the criminal charges the Commission has aired against them. Can this be said to be fair?

Under my amendment, these officers would have an opportunity to answer such charges and their answers would have been printed as a part of the report, assuming any report could be filed at all in this case. Indeed, under my amendment, no report at all could be filed where a basically criminal incident was at issue. In this situation, due process demands either indictment and trial or silence. But, assuming that a report might be valid in this type of situation, why should the officer not have the opportunity to answer the charges against him and have his answer printed as a part of the report? My amendment would at least afford him this right, a right not now secured by law under the Civil Rights Act.

Mr. President, it should be recalled that the congressional debate on the civil rights bill of 1957 concerned itself, in part, with the rights of individuals appearing before the Commission and identified in Commission reports. At that time, watered-down protections were finally adopted that had been proposed by Congressman Emanuel Celler, then, as now, chairman of the House Judiciary Committee. Now that some experience has developed with the operation of the Commission, I thought the time might have come to upgrade the rights of the individual before the Commission, but, so far, a majority of my colleagues on the Judiciary Committee do not agree with me. Nevertheless, I believe this is an issue on which the full Senate should work its will, and I intend to ask that a record vote be taken on this amendment. There is no important distinction to be drawn between the report-writing functions of the grand jury and the Commission. I do not see how some of my colleagues can support the report-writing function of the Commission without safeguards and oppose the report-writing function of the grand jury with safeguards. Principle would seem to require that the same result obtain in each case. I intend to ask for a vote that will test that issue of principle.

Mr. President, objection has been raised to my proposed amendment on several grounds. The chief one is that the protections for the individual provided by my amendment are inappropriate to the activities of the Civil Rights Commission because—

First. The Civil Rights Commission does not have as its ultimate function the detection and punishment of crime.

Second. The Commission does not determine individual culpability.

Third. The Commission functions more like a legislative committee or administrative agency than does an indicting grand jury.

Fourth. Present protections already go beyond the requirements of due process.

Fifth. The damage caused by the amendment to the effectiveness of the

Commission greatly outweighs any advantages.

I believe that there are easy answers to these objections. First, though the Commission does not have as its ultimate function the detection and punishment of crime, it does, in fact, often adversely criticize individuals for violation of others' civil rights which, under current law, is a criminal offense. This ability to criticize or castigate any individual for such violation surely must, in the public eye, have the same effect as a grand jury report, perhaps a greater effect because of the amount of publicity surrounding Commission hearings. The fact, then, that the Commission does not indict is no justification for disregarding the rights of any individual who is subject to such a trial by report. What is important is not that grand juries indict, but that they, like the Commission, also report.

Second, the claim that the Commission does not determine individual culpability disregards reality and the practical effect of public accusations by this prestigious Federal body. Sometimes a formal accusation can be just as damning as a judicial finding.

Third, it is true that the Commission operates like a legislative committee or administrative agency, but it is also true that the grand jury, under the report-writing power provided in title I of S. 30, also acts as a legislative committee or administrative agency. This, then, is a distinction without a difference. Both the grand jury and Commission should have report-writing powers, but both should be similarly limited.

Fourth, much seems to be made of the fact that the Commission's powers were upheld against due process objection in *Hannah* v. *Larche* (363 U.S. 420 (1960)). May I point out again, however, that the practical effect of the findings and accusations of the Commission are far greater than those asserted or intended to be the official effect or result, and I see no reason for not giving a witness or subject more protection than the Constitution requires. For this reason, I am willing to decide doubtful areas in favor of the individual subject to hearings and reports. I note, too, that the Hannah case by analogy supports the report-writing power of the grand jury.

Fifth, the fear is voiced that concern for and protection of the individual would severely impair the effectiveness of the Civil Rights Commission. This must surely be the most lamentable and unworthy argument for supporters of this Civil Rights Commission to make. No sound and just reasoning or other acceptable basis is put forth for such allegations. New York grand juries work well under limitations like those in my proposed amendment. No one has explained why the Commission could not or should not do likewise.

Mr. President, I feel that each Member of the Senate will, upon a close examination of this issue, agree with me that the protections afforded witnesses and subjects of reports in connection with grand jury and Commission reports should be comparable.

I ask unanimous consent to have printed in the RECORD at this point the text of my proposed amendment and my dissenting views in the committee report on the Civil Rights Authorization Act.

There being no objection, the amendment and the minority views of Mr. McCLELLAN were ordered to be printed in the RECORD, as follows:

AMENDMENT

SEC. 4. (a) Subsection (a) of section 102 (e) of the Civil Rights Act of 1957 (73 Stat. 634, as amended, 78 Stat. 159) is amended to read as follows:

"(e) (1) All evidence or testimony at any hearing shall be received by the Commission in executive session. The Commission may publish reports concerning its findings or publish excerpts of evidence or testimony received at its hearings with the concurrence of a majority of its members where the report or excerpt is not critical of or does not tend to defame, degrade, or incriminate an identified individual under the laws of the United States, a State, or a political subdivision thereof. Except as provided in this section, no report, excerpt of evidence or testimony that is critical of or tends to defame, degrade or incriminate an identified individual, shall be published. Any evidence or testimony tending to incriminate an identified individual that comes to the attention of the Commission in any hearing or otherwise shall be referred without other publication to the Attorney General of the United States or the principal prosecuting attorney of the State or political subdivision thereof in which such conduct has or may have occurred. A report that is critical of or that does tend to defame or degrade but not incriminate an identified individual who is a public official or employee of the United States, a State, or a political subdivision thereof shall be submitted to the United States district court for the district in which the Commission sat for a majority of the hearing days during which the adverse evidence or testimony incorporated in the report was received. The court to which such report is submitted shall examine it and the record of the hearings and the other evidence and, except as otherwise provided herein, shall make an order accepting and filing such report as a public record where the court is satisfied that it complies with the provisions of this section and that—

"(i) The report is based upon facts revealed in the course of an authorized investigation and is supported by a preponderance of the evidence, and

"(ii) each person identified in the report was afforded an opportunity to testify during the hearings and was allowed to have a reasonable number of witnesses called to testify in his behalf.

"(2) The report identifying an individual pursuant to this subsection shall be ordered sealed by the court and shall not be accepted by court order and filed as a public record, subject to subpena or otherwise made public (i) until at least thirty-one days after a copy of the report is served upon each public officer or employee named therein and an answer has been filed or the time for filing an answer has expired, (ii) and, if an appeal is taken, until all rights of review of a public officer or employee named therein have expired or terminated. An order accepting a report as a public record shall not be entered until thirty days after the delivery of such a report to such individual as provided herein. The court may issue such orders as it shall deem appropriate to prevent unauthorized publication of a report. Unauthorized publication may be punished as contempt of court.

"(3) Each public officer or employee identified in a report may file with the clerk of the court a verified answer to such a report not later than twenty days after service of the report upon him. Upon a showing of good cause, the court may grant such public officer or employee an extension of time within which to file such answer and may authorize such limited publication of the report as may be necessary to prepare such answer. Such an answer shall plainly and concisely state the facts and law constituting the defense of the public officer or employee to the charges in said report, and except for those parts thereof which the court determines to have been inserted scandalously, prejudiciously, or unnecessarily, such answer shall become an appendix to the report.

"(4) Upon the expiration of the time set forth in paragraph (2) of this subsection, the court shall make an order accepting and filing the report and any appendices as a public record and the clerk of the court shall deliver a true copy of such report and any appendices to each public officer or body having jurisdiction, responsibility, or authority over each public officer or employee named in the report.

"(5) Upon the submission of a report pursuant to this subsection, if the court finds that the filing of such report as a public record may prejudice fair consideration of a pending criminal matter, it shall order such report sealed and such report shall not be subject to subpena or public inspection during the pendency of such criminal matter, except upon order of the court as provided in paragraph (2) of this subsection.

"(6) Whenever the court to which a report is submitted pursuant to this subsection is not satisfied that the report complies with provisions of this subsection, it may direct that additional testimony be taken before the Commission or it shall make an order sealing such report, and it shall not be filed as a public record, subject to subpena or otherwise published until the provisions of this section are met."

(b) Subsection (h) of section 102 of the Civil Rights Act of 1957 (71 Stat, 634, as amended, 78 Stat. 160) is amended to read as follows:

"(h) Witnesses may submit brief and relevant sworn statements in writing for inclusion in the record. The Commission shall determine the relevancy of testimony and evidence adduced at its hearings for the purpose of preparing a report. The entire record shall be submitted to the court for its review pursuant to subsection (e) of this section."

MINORITY VIEWS OF MR. McCLELLAN

The Civil Rights Commission's recent report on *Mexican Americans and the Administration of Justice in the Southwest* 122 (1970) included in it a study of service on grand juries by Spanish surname Americans. The study concluded with an exhortation that was quoted from the Supreme Court's decision in *Cooper* v. *Aaron*, 358 U.S. 1, 20 (1958): "Our Constitutional idea of equal justice under law [should be made] ... a living truth."

It is out of a deep awareness of the need for fair treatment of those made the subject of investigative bodies and a belief that *equal justice under law* should be accorded such subjects that I feel compelled to express these minority views. For a majority of the Committee has found inappropriate an amendment that I offered to the Civil Rights Commission Authorization Act which would have afforded subjects of investigations by the Commission procedural protections designed to preserve individual rights in Commission investigations comparable to those that will be afforded persons made the subject of a grand jury report under Title I of S. 30, the "Organized Crime Control Act of 1969." I see no significant distinction between the function the revitalized grand jury, envisioned by Title I, will play with regard to organized crime and political corruption and inefficiency and the role now played by the Commission with regard to the civil rights of our citizens. I believe that the grand jury, like the Commission, should have the power to investigate and report, but I believe that the Commission, like the grand jury, should, with appropriate modifications, be held to the same limitations with respect to the civil liberties of those made the subject of an investigation and report. I respectfully suggest, in short, that the civil rights of the subjects of investigations and reports should be a matter of equal justice under law.

TITLE I—SPECIAL GRAND JURY: S. 30, THE "ORGANIZED CRIME CONTROL ACT OF 1969"

a. Historical background

The grand jury originated in Anglo-American law, in a form in which it largely exists today, at the Assize of Clarendon in 1166. Henry II established it as a body whose function it was to report on and to accuse those who according to public knowledge had committed crimes. Indeed, its report writing and indicting functions had been well established for over 500 years before it came to be seen also as a buffer between citizen and State, the function of the grand jury that first comes to mind today.

b. Present law

The modern grand jury is, in the Supreme Court's words in *Blair* v. *United States* 250 U.S. 273, 282 (1919) a "prototype" of its ancient British counterpart. Its investigative powers are virtually without limitation both on the State and Federal level. *Compare, Ward* v. *State,* 2 Mo. 120 (1829), *with, Hale* v. *Henkel,* 201 U.S. 43 (1906). Its report writing functions, however, have not survived wholly intact or without substantial limitation. Twenty-one states have legislation similar to the New York statute which in *Jones* v. *People,* 101 App. Div. 55, 92 N.Y. Supp. 275 *appeal dismissed,* 181 N.Y. 389, 74 N.E. 226 (1905) was construed to authorize reports,[1] while six States explicitly authorize such reports by statute.[2]

In addition, other States have sanctioned such reports on a common law basis. In 1952, Chief Justice Arthur T. Vanderbilt in *In Re Presentment by Camden County Grand Jury,* 10 N.J. 23, 89 A2d 416, 434 (1955), for example, upheld, over civil liberties objections grounded on a fear of possible abuse of the rights of individuals, the power of the grand jury to file reports, observing:

"A practice imported here from England three centuries ago as a part of the common law and steadily exercised ever since under three successive, state constitutions is too firmly entrenched in our jurisprudence to yield to fancied evils," [3]

In a similar fashion, the Supreme Court of Florida, in upholding the report writing power of grand juries in that State, in *In Re Report of Grand Jury,* 11 So. 2d 316, 318 (Fla. 1945), observed:

"It is the means whereby the people participate directly in the administration of their business and adds to a knowledge of why the grand jury has become such an important agency among free peoples."

c. New York law

Practice and law, however, have varied from place to place and from time to time, making generalization about either practice or law difficult to make with assurance of accuracy. The shifting development of the law in New York is illustrative. There are records of a New York grand jury as early as 1665. See 1 Hamlin and Baker, *Supreme Court of Judicature of the Province of New York 1691–1704,* 142 (1952). Nevertheless, attempts have been made over the years in New York to abolish the grand jury as a means of instituting criminal prosecutions. A most recent unsuccessful attempt was made in the 1938 constitutional convention. See Heyting, "The Abolition of Grand Juries in England," 19 *A.B.A. J.,* 648–49 (1938). In addition, attempts have been made in New York to abolish its report writing function. In 1946, for example, Governor Thomas E. Dewey vetoed a bill designed to curb this power, saying that such reports were "one of the most valued and treasured restraints upon tyranny and corruption in public office." *Public Papers of Governor Thomas E. Dewey,* 140–41 (1946). More recently, the Court of Appeals of New York in *Wood* v. *Hughes,* 9 N.Y. 2d 144, 212 N.Y.S. 2d 33 (1961) overruled its own *Jones* decision, noted *supra,* and curbed the New York grand jury's power to write reports critical of designated individuals. The response of the people of New York, through their state legislature, however, was promptly to enact comprehensive legislation authorizing such reports, but under limitations designed to overcome the civil liberties objections voiced by the Court of Appeals. See Laws of 1964, Ch. 250, Code of Crim. Proc. § 253–a, and reports are now regularly filed throughout the state.[4]

d. Federal law

On the Federal level, the grand jury is, of course, an institution whose indicting function is rooted in the Fifth Amendment itself; it is not, however, a requirement of due process under the Fourteenth Amendment. *Hurtado* v. *California,* 110 U.S. 516 (1884). As such, it is beyond the power of legislative abolition. Nevertheless, the grand jury's report writing functions of the Federal grand jury have been substantially curtailed by decision, at least on the district court level, although grand juries continue to issue and district courts continue to accept reports, and at the same time the Supreme Court itself has never had occasion squarely to pass on the property of the report writing power. But in *Hannah* v. *Larche,* 363 U.S. 422, 420 (1960) ("investigates and reports"). The recent report of the January 1970 Grand Jury in the Northern District of Illinois critical of identified members of the Chicago Police Department and the raid they conducted on a Black Panther Party Headquarters is illustrative of the practice. The decision of United States District Judge Edward Weinfield in *Application of the United Electrical, Radio and Machine Works* 111 F. Supp. 858 (S.D. N.Y. 1953) is illustrative of the law. There, Judge Weinfield held beyond the power of the grand jury the issuance of a report that named officials of a union as "Fifth-Amendment Communists" and recommended to the National Labor Relations Board that the certification of the unions be withdrawn.[5]

e. Recommendation of Crime Commission against Organized Crime

It was in this legal content that the President's Commission on Crime and the Administration of Justice in 1967 undertook as a part of its study of crime in the United States to evaluate our Nation's past efforts to arrest and reverse the growth of organized crime. The Commission began by observing in its *The Challenge of Crime in a Free Society 196 (1967)*:

"Investigation and prosecution of organized criminal groups in the 20th century has seldom proceeded on a continuous, institutionalized basis. Public interest and demands for action have reached high levels sporadically, but, until recently, spurts of concentrated law enforcement activity have been followed by decreasing interest and application of resources."

It also commented:

"And yet the public remains indifferent. Few Americans seem to comprehend how the phenomenon of organized crime affects their lives. They do not see how gambling with bookmakers, or borrowing money from loan sharks, forwards the interests of great criminal cartels. Businessmen looking for labor harmony or nonunion status through irregular channels rationalize away any suspicions that organized crime is thereby spreading its influence. When an ambitious political candidate accepts substantial cash contributions from unknown sources, he suspects but dismisses the fact that organized crime will dictate some of his actions when he assumes office." (*Id.* at 188)

Finally, the Commission specifically found that a lack of public and political commitment to end the menace of organized crime was one of six major contributing causes to the failure of our society to deal with organized crime. The Commission observed:

"The public demands action only sporadically, as intermittent, sensational disclosures reveal intolerable violence and corruption caused by organized crime. Without sustained public pressure, political office seekers and office holders have little incentive to address themselves to combating organized crime. A drive against organized crime usually uncovers political corruption; this means that a crusading mayor or district attorney makes many political enemies. The vicious cycle perpetuates itself. Politicians will not act unless the public so demands; but much of the urban public wants the services provided by organized crime and does not wish to disrupt the system that provides those services. And much of the public does not see or understand the effects of organized crime in society." (*Id.* at 200)

Finding that "organized crime succeeds only insofar as the Nation permits it to succeed" (*Id.* at 209), the Commission proposed an "integrated package" of proposals, touching on both governmental and private action. Included among these proposals was the recommendation that grand juries should be permitted by law to file public reports. (*Id.* at 200.) [6]

Title I of S. 30

It was in this context, therefore, that title I of S. 30, the "Organized Crime Control Act of 1969" was drafted. Recognizing the need for an institutionalized avenue through which information bearing upon the conditions that breed organized crime might be brought to the attention of the public on a systematic and fair basis, the special grand juries, established by title I, are empowered, not only to return indictments, but also to issue grand jury reports: (1) concerning governmental misconduct, (2) making legislative or executive recommendations, and (3) regarding organized crime conditions. Where such reports are to be critical of identified public officials, however, elaborate safeguards (modeled on New York law, but suitably modified to fit Federal practice) are provided, including notice, opportunity to present evidence, and judicial review prior to publication.

As so drafted, the provisions of title I have attracted the support, among others, of the Department of Justice (Hearings [7] at 369), the Association of Federal Investigators (*Id.* at 276: "applaud" giving "public" "whole picture"), the National Association of Counties (*Id.* at 330–31; "agrees" "no greater deterrent to evil, incompetent and corrupt Government than publicity") and the International Association of Chiefs of Police (115 Cong. Rec., S12562 (daily ed. Oct. 14, 1969)). The support of these groups was most significant, both on the issue of need and fairness, since it would be primarily their work that the special grand juries would review. Nevertheless; restoring to Federal grand juries, the reporting writing function was opposed in the hearings in part (com-

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ment on specific *individuals*) by the Committee on Federal Legislation of the New York County Lawyers Association (Hearings at 216: comment on individuals) and without discrimination by the American Civil Liberties Union (*Id.* at 456–59).[8] This opposition in the hearings was continued on the floor and led there by the junior Senator from New York.

Senator Goodell offered an amendment to title I of during this debate on S. 30 which would have curbed the power of special grand juries to file reports naming public officials. (115 Cong. Rec. S474 (daily ed., Jan. 23, 1969).) His amendment left untouched power of the grand jury to file other types of reports. In essence, Senator Goodell's attempt to prevent the naming of officials in grand jury reports was based on a two-fold fear: that individuals would be held up to public defamation by false accusations carrying the weight of judicial findings but made after an unfair, one-sided proceeding, and that they would be unable to reply effectively to such allegations. He was supported in active debate by Senators Cooper and Hart. Senator Cooper questioned the value of a public denunciation not amounting to a charge of criminal conduct in a democratic society. (*Id.* at S477)[9] Senator Hart concurred with the arguments of Senator Goodell and the question raised by Senator Cooper. (*Ibid*) On the other hand I argued that the report writing power was necessary and that the procedural protections for civil liberties were fair. (*Id.* at S476) I was supported in my position in active debate by Senator Hruska (*Id.* at S475). The Senate rejected, wisely I think, Senator Goodell's amendment. The vote was 59 to 13.[10]

Senator Goodell then offered another amendment which guaranteed the subject of a report the express right to have a "reasonable number of witnesses" called before the grand jury in his behalf. (*Ibid.*)

The Committee Report already indicated that the failure to conduct "additional investigations" and called suggested "supplementary witnesses" would cast doubt on the propriety of making a report public. S. Rep. No. 91–617, 91st Cong., 1st Sess. 143 (1969). Consequently, I saw no inconsistency between this amendment and the provisions of Title I. I indicated that I found it acceptable, and it was adopted by a voice vote. (115 Cong. Rec. S. 479 (daily ed. Jan. 23, 1970)). As so amended, Title I was approved by the Senate as part of the overall bill by a vote of 73 to 1. (*Id.* at 481) Since that time, twenty-three Senators not voting on final passage have announced that if present they would have voted for the Act, bringing the total of voting and supporting Senators to 96.

THE CIVIL RIGHTS COMMISSION AND PROTECTION OF CIVIL LIBERTIES OF SUBJECTS OF REPORTS

Civil Rights Act of 1957

In 1957, the Congress adopted the Civil Rights Act of that year, which created in the executive branch of the Government a Commission on Civil Rights. The Commission is composed of six members appointed by the President by and with the advice and consent of the Senate. Section 104 of the Act, 71 Stat. 635, as amended, 81 Stat. 582 (1967), specifies the duties of the Commission shall consist of the following:

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin, or in the administration of justice;

* * * * *

(4) serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion, or national origin, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, and transportation, or in the administration of justice;

(5) investigate allegations, made in writing and under oath or affirmation, that citizens of the United States are unlawfully being accorded or denied the right to vote, or to have their votes properly counted, in any election of presidential electors, Members of the United States Senate, or of the House of Representatives, as a result of any patterns or practice of fraud or discrimination in the conduct of such elections; and

(6) nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club, or any religious organization.

(b) The Commission shall submit interim reports to the President and to the Congress at such times as the Commission, the Congress, or the President shall deem desirable, and shall submit to the President and to the Congress a final report of its activities, findings, and recommendations not later than January 31, 1973.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

The statute also sets out rules of procedure for Commission hearings.

The complete story behind these rules, however, begins with the 1956 House Civil Rights Bill, H.R. 627.

6. Legislative history

H.R. 627 was reported out of the House Judiciary Committee without any reference to the procedures to be used by the Commission in conducting its hearings. H.R. Rep. No. 2187, 84th Cong. 2d Sess. During the floor debate, Representative Dies of Texas introduced extensive amendments designed to regulate the procedure of the Commission hearings. (102 Cong. Rec. 13542.) The bill, as finally passed by the House, contained all of the amendments proposed by Representative Dies. (102 Cong. Rec. 13998–99.) However, before further action could be taken, the bill died in the Senate.

Although many proposals relating to civil rights were introduced in the 1957 Session of Congress, two bills were the most prominent. The first was S. 83, which was introduced in the Senate by the late Senator Dirksen. It contained the same procedural provisions that the amended House bill in 1956 had contained. The second, H.R. 6127, was introduced in the House of Representatives by Congressman Emanuel Celler, then as now Chairman of the House Judiciary Committee. This bill contained a considerably watered down set of procedural protections, to govern the conduct of Commission hearings, termed nevertheless the so-called House "fair play" rules. See H. Res. 151, 84th Cong., 1st Sess. for complete text of the rules. After extensive debate and hearings, H.R. 6127 was finally passed by both Houses of Congress, and it was the House "fair play" rules, which included, for example, no provision for confrontation or cross examination or judicial review of Commission findings that were adopted in preference to the more protective rules suggested in S. 83. Nevertheless both in the Senate and in the House has the absence of a right such as cross examination occasioned adverse comment. See remarks of Senator Talmadge, 103 Cong. Rec. 11504; remarks of Senator Stennis, 103 Cong. Rec. 13835; remarks of Representative Kilday, 103 Cong. Rec. 8673. The lesser standard of the House "fair play" rules however, were defended as sufficient. See remarks of Representative Celler, the author of the bill, 103 Cong. Rec. 8491, and the adoption of the Act in 1957 was then followed by extensive investigations and litigation, which is relevant in the present context.

7. Constitutionality of commission procedures

One of the first investigations undertaken by the newly formed Commission was into alleged Negro voting deprivations in the State of Louisiana. Voting rights are, of course, protected from abridgment on account of race or color by the Fifteenth Amendment. Injuring, oppressing, threatening, or intimidating any citizen in the exercise of any right secured by the Constitution to a citizen is also a Federal criminal offense punishable by a fine of not more than $5000, or for imprisonment of not more than ten years, or both, under 18 U.S.C. §241.

Shortly before the Commission's hearing was scheduled to begin in Shreveport, Caddo Parish, Louisiana, on July 13, 1959, further proceedings by the Commission were enjoined by United States District Judge Dawkins on the grounds that the commission's procedures denied to those affected by the Commission's actions the protections of appropriate Federal law. 176 F. Supp. 791. Judge Dawkins noted:

"Plaintiffs . . . will be condemned out of the mouths of these witnesses and plaintiffs testimony alone, without having the right to cross examine and thereby to test the truth of such assertions, may not be adequate to meet or overcome the charge, thus permitting plaintiffs to be stigmatized and held up, before the eyes of the Nation, to approbrium and scorn." Quoted in *With Liberty and Justice for All*: An abridgment of the Report of the U.S. Commission on Civil Rights 79 (1959).

At that time, when the issue was "civil rights," the Washington *Post*—which has now excreased opposition to Title I 5.30 (The Washington *Post*, Jan. 30, 1970, p. A18, col. 2)—editorially observed:

"The Civil Rights Commission . . . is a fact-finding body . . . To require it to . . . go through the court room practice of cross-examination, when it is not prosecuting or trying or judging anyone—when it is not engaged in any sort of adversary proceeding—would be sheer nonsense making the discharge of its real function impossible." Quoted in *With Liberty and Justice For All*, *supra* at 79.

Since the constitutionality of the Civil Rights Act itself was drawn into issue, a three judge court was convened under 28 U.S.C., 2282, and a divided court held that the Commission's procedures were not authorized by law, 177 F. Supp. 816. Because of the importance of the questions presented, the Supreme Court agreed to take jurisdiction and decide: (1) Was the Commission authorized by Congress to adopt its rules of procedure, and (2) if so, were they consistent with the Due Process Clause of the Fifth Amendment?

On June 20, 1960, in an opinion authorized by Chief Justice Earl Warren, over dissents by Mr. Justices Douglas and Black, in *Hannah* v. *Larche*, 363 U.S. 420 (1960), the Supreme Court resolved each issue in favor of the Commission's position. First, after tracing the legislative history I noted above, the Court found that the rules adopted by the Commission were Congressionally authorized. 363 U.S. at 430–39. It then turned to the Due Process question. Initially, the

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Court noted that "the requirements of due process frequently vary with the type of proceeding involved . . ." 363 U.S. at 440. It then observed:

"[The Commission's] . . . function is purely investigative and fact-finding It does not adjudicate. It does not hold trials or determine anyone's civil or criminal liability. It does not issue orders. Nor does it indict, punish, or impose any *legal* sanction. It does not make determinations depriving anyone of his life, liberty or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's *legal* rights. The only purpose of its existence is to find facts which may subsequently be and as the basis for legislative or executive action." 363 U.S. at 440–41. (Emphasis added)

It commented further:

"[W]hen governmental action does not partake of an adjudication, as for example, when a general fact-finding investigation is being conducted, it is not necessary that the full panoply of judicial procedures be used." 363 U.S. at 442.

Rejecting contrary arguments of the plaintiffs, it said:

"[T]he [plaintiffs] contend, and the court below implied that such procedures [trial type protections] are required since the Commission's proceeding might irreparably harm those being investigated by subjecting them to public opprobrium and scorn, the distinct likelihood of losing their jobs, and the possibility of criminal prosecutions. That any of these consequences will result is purely conjectural. . . . However, even if such collateral consequences were to flow from the Commission's investigations, they would not be the result of any affirmative determination made by the Commission, and they would not affect the legitimacy of the Commission's investigative function." 363 U.S. at 442–43.

Next the Court buttressed its position by analogizing to and analyzing the functions of "other forms of investigations under our system." 363 U.S. at 444. Here the Court first reviewed legislative investigations, 363 U.S. at 444–45, and then executive investigations, including as a typical model the proceedings of the Federal Trade Commission, it also examined the procedures followed by various Presidential Commissions, 363 U.S. 445–48. It then turned, however, to what it termed "the best known of all investigative bodies, the grand jury." 363 U.S. 448. The Court observed:

"[I]t . . . has [never] been considered essential that a person being investigated by the grand jury be permitted to come before that body and cross examine witnesses who may have accused him of wrongdoing. . . . [T]he grand jury merely investigates and reports. It does not try." 363 U.S. at 449.

Based on this analysis, the Court found that the procedures of the Civil Rights Commission were consistent with Due Process.[11] and the Court permitted the Commission to conclude its Louisiana study.

The study itself ultimately appeared in 1961 as Volume No. 1 of the Report of the Commission of that year. In general, after specifically identifying both those whom the Commission concluded had been denied the right to vote and those whom the Commission concluded had violated the law in denying them the right to vote, the Commission filed a report highly critical of the fashion, the Report observed at 72, in which so many "Negro citizens of Louisiana are thus denied the franchise in violation of the 15th Amendment."

It is, of course, not my intention here to suggest that the Supreme Court's decision in *Hannah* was wrongly decided. Indeed, a majority of the sitting justices in *Jenkins* v. *McKeithen*, 395 U.S. 411 (1968) recently expressed their continuing approval of the *Hannah* case. I accept this decision of the Court in this context as the final word on constitutional Due Process. I recognize therefore, that the present procedures of the Civil Rights Commission are consistent with Due Process, but I also suggest, that a similarly circumscribed report writing power in a grand jury would also be by the same authority, be fully in accordance with Due Process. No other legal conclusion can, I suggest, be fairly drawn from an objective examination of the *Hannah* opinion.

Nevertheless, I would also suggest that everything that is constitutional is not necessarily wise, and I reiterate my conviction that the protections accorded by Title I of S. 30, with suitable modifications, ought to be considered both necessary and adequate to protect the rights of individuals appearing before or made the subject of a report by the Civil Rights Commission, or any other similar executive investigating body.

COMPARATIVE ANALYSIS: TITLE I OF S. 30; CIVIL RIGHTS COMMISSION, AND PROPOSED AMENDMENT

Following, in tabular form, is a comparative analysis of the provisions of Title I of S. 30, the Civil Rights Act,[12] and how they proceed if the Commission would be changed under the amendment that a majority of the Committee felt inappropriate to adopt.

COMPARATIVE ANALYSIS

	Title I of S. 30	Civil Rights Act	Proposed amendment
(1) What vote of the body is necessary to issue a report?	Majority (sec. 3333).	Majority (implied, since no express provision).	Majority.
(2) What subject matter may be covered by reports?	Noncriminal misconduct (sec. 3333(a)(1)).	May investigate both criminal and noncriminal misconduct embracing discrimination, but may not examine fraternal organizations, colleges, or religious bodies (sec. 104(a)(1)(6)).	Noncriminal misconduct.
(3) Which persons are subject to the report writing power?	Limited to public officials (sec. 333(f)).	Any person may be identified in report (implied, since no express provision).	Public official, not private citizen.
(4) What provision is made for judicial review of the propriety of the report?	Judicial review prior to publication (sec. 333 (b) to (e)).	No provision.	Judicial review prior to publication.
(5) What provision is made for appellate rights to review the court decision?	General civil appellate rights applicable (sec. 333(c)(1)).	do.	General civil appellate rights aplicable.
(6) Does the subject have a statutory right to answer any part of the report?	Verified answer becomes part of report (sec. 333(c)(3)).	Have statement filed in hearings, but not report (sec. 102(e)).	Verified answer becomes part of report.
(7) What rule governs publicity in the hearings?	Secret (Rule 6(e), Fed. R. Crim. Proc.).	Executive if defamatory or incriminating testimony to be taken, but may later make public (sec. 102(e)).	Executive.
(8) What burden of proof controls the conclusions reached in the report?	Preponderance of the evidence (sec. 3333(b)(2)).	No express provision.	Preponderance of the evidence.
(9) Does the subject of a report have a statutory right to call witness in his behalf?	Yes (sec. 3333(b)(2)).	Have statements filed n hearings, but not in report, if public use is made of critical testimony (sec. 102(e)).	Yes.
(10) What provision is made for the effect of a report on a pending criminal matter?	No disclosure pending case (sec. 3333(d)).	No express provision.	No disclosure pending case.
(11) Does a witness have the right to have counsel present in the hearings?	No.	Yes (sec. 102(c)).	Yes.
(12) May the counsel raise objections in the proceeding?	do.	do.	Do.

CONCLUSION

As it may be clearly seen from an examination of the above comparative analysis, the civil liberties of a person named in a report under title I of S. 30 and under my proposed amendment to the Civil Rights Act would now have significantly greater protections than he now has under existing provisions of the Civil Rights Act. These protections may be afforded the subject, moreover, without an undue loss of operating efficiency. New York grand juries now labor under comparable limitations, and no one suggests that they cannot get the job done. With the final enactment of title I, special grand juries in the Federal system can and will meet these safeguards and still get the job done. There is, in short, no reason rooted in efficiency warranting the rejection of this amendment.

There is no important distinction, moreover, between the role now played by the Civil Rights Commission in its investigating and reporting function in the area of civil rights and the role envisioned by title I for special grand juries in their investigating and reporting functions in the area of civil rights and the role envisioned by title I for special grand juries in their investigating and report writing functions in the area of misconduct of public officials and organized crime. Because there is no significant distinction, the same limitations—no more, no less—that will be applicable to the special grand jury should now be made applicable to the Commission. In all candor, I do not see how the contrary position can be argued in good conscience. My colleagues, both in the House and in the Senate, will have to search long for a principled rationale for the double standard that will result if my amendment is rejected.

I do not understand what leads them to oppose a report writing *with* strict safeguards for grand juries, but to support a report writing *without* strict safeguards for the Civil Rights Commission. If our constitutional idea of equal justice under law is indeed to be made a living truth, then these statutes respecting reporting should be made equal. Fidelity to principle, not prejudice, demands no less.

FOOTNOTES

[1] *Alabama*, Ala. Code 30, §§ 76–82; *Alaska*, Alaska Stat. § 12.40.030; *Arizona*, Ariz. Rev. Stat. Ann. § 13–1531; *Arkansas*, Ark. Stat. Ann. §§ 43–907 to 43–911; *California*, Cal. Penal Code §§ 914.1, 915, 917, 920, 921, 922, 925, 927, 928, 929; *Georgia*, Ga. Code Ann. 59 §§ 305, 306, 307, 308, 309, 310, 313, 314, 315, 316, 401; *Idaho*, Idaho Code Ann. §§ 19–1101, 19–1109, 19–1110; *Indiana*, Ind. Ann. Stat. § 9–824; *Iowa*, Iowa Code Ann. §§ 771.1 to 771.3; *Michigan*, Mich. Comp. Laws Ann. §§ 767.3, 767.4; *Missouri*, Mo. Ann. Stat. § 540.-020; *Montana*, Mont. Rev. Codes Ann.

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94 § 1405; *Nevada*, Nev. Rev. Stat. §§ 172.105, 172.115, 172.125, 172.175, 172.185; *New Mexico*, N.M. Stat. Ann. §§ 41-5-16, 41-5-17; *New York*, N.Y. Code Cr. Proc. §§ 245, 253, 254; *North Dakota*, N.D. Cent. Code §§ 29-10-18 to 29-10-20; *Oklahoma*, Okla. Stat. Ann. 22 § 331; *South Dakota*, S. D. Code §§ 34.1215, 43.1216; *Tennessee*, Tenn. Code Ann. §§ 40-1605 to 40-1608; *Utah*, Utah Code Ann. §§ 77-18-7, 77-19-1; *Washington*, Wash. Rev. Code Ann. §§ 10.28.090 to 10.28.110.

[2] *California*, Cal. Penal Code §§ 929, 930, 933, 939.9; *Georgia*, Ga. Code Ann. § 59-317; *Nevada*, Nev. Rev. Stat. §§ 172, 175; *New York*, N.Y. Code Cr. Proc. § 253-a; *Oklahoma*, Okla. Stat. Ann. 22 § 34L and *Utah*, Utah Code Ann. 1967 Session Laws p. 575.

[3] Court developed rules restrict the power of the grand jury to file reports making the exercise of this power consistent with a high regard for civil liberties. *See In Re Camden Co. Grand Jury*, 34 N.J. 378, 196 A 2d 465 (1961). For an example of a New Jersey grand jury report dealing with organized crime, see 115 Cong. Rec. S15751 (daily ed. Dec. 5, 1969).

[4] For an example of a New York grand jury report dealing with governmental inefficiency, see 116 Cong. Rec. S121 (daily ed. Jan. 19, 1970).

[5] Specifically excluded from the holding were "reports of a general nature touching on condition in a community." 111 F. Supp. 869. These, Judge Wadnifield observed, serve "a valuable function and may not be amenable to challenge." *Id.*

[6] It has been suggested that this recommendation did not include reports that might comment on specific individuals, Remarks of Senator Charles Goodell, 115 Cong. Rec. S16162 (daily ed. Dec. 9, 1969), and it must be conceded that the text of the Commission Report itself is ambiguous. Nevertheless, when it is read in the context of its "legislative history," it is difficult, I suggest, to read it in so limited a fashion. The Commission's recommendation here was based on the work of its Task Force on Organized Crime, which had before a review of the law that specifically recommended that the "right to file reports should be restored" in Federal law. Since general reports are permissible, see *supra*, "restored" could only be taken to mean to include reports commenting on specific individuals. *See Task Force Report: Organized Crime* 83-85 (1967).

[7] *Measures Relating to Organized Crime*, Hearings before the Subcommittee on Criminal Laws and Procedures, Committee on the Judiciary, United States Senate, 91st Cong. 1st sess. (1969) (hereafter cited hearings).

[8] I note here that the spokesmen for the Committee acknowledged in the (Hearings at 239) that he had no "concrete experience" from New York to show that the New York law was not working well and that the spokesman for the Union was asked to provide for the record any indication of abuse in New York or elsewhere but failed to provide any. (*Id.* at 481).

[9] Chief Justice Arthur Vanderbilt in *In Re Camden County Grand Jury* 10 N.J. 23, 89 A 2d 416, 444 (1943) responded to the concern reflected in Senator Cooper's question in these words:

"There are many official acts and omissions that fall short of criminal misconduct and yet are not in the public interest. It is very much to the public advantage that such conduct is revealed in an effective way. No community desires to live a hairbreadth above the criminal level, which might well be the case if there were no official organ of public protest. Such presentments are a great deterrent to official wrongdoing . . . [and] inspire public confidence in the capacity of the body politic to purge itself of untoward conditions."

[10] Voting for the amendment were Senators Brooke, Cooper, Dominick, Fong, Goodell, Hart, Hatfield, Kennedy, Metcalf, Mondale, Ribicoff, Stevens, and Young of Ohio.

[11] Justices Douglas and Black dissented. Yet, significantly, they, too, recognized the unique investigative role traditionally played by grand juries in our scheme of government, and they explicitly excepted its procedures from the strictures they leveled at the proceeding of the Civil Rights Commission. 363 U.S. at 493-508.

[12] Only the provisions of the Act itself will be analysed here, since it is only these provisions what may not be unilaterally changed by the Commission. Nevertheless, the Commission is to be congratulated for adopting by regulations procedural protections for witnesses beyond those required by law. See 42 C.F.R. § 702.1-17. By regulation, witnesses or subjects of hearings or reports may subpoena witnesses in their behalf (§702.6(b)) and conduct limited cross-examination through the Commission by written question (§702.9). These implementing regulations, in short, reflect a commenable concern with civil liberties.

EXTENSION OF THE DEFENSE PRODUCTION ACT

The Senate continued with the consideration of the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. MANSFIELD. Mr. President, I seem to have heard elements of a rumor to the effect that someone has said there will be no votes this afternoon or tomorrow. For the information of those who may have been alerted to that rumor, there will be votes today and there will be votes tomorrow, to the best of my knowledge.

I thank the Senator.

Mr. MONDALE. Mr. President, this measure, S. 3302, involves the extension for 2 years of the Defense Production Act of 1950, which is designed to further production facilities in areas considered crucial to our defense needs.

The key issue involved in the pending proposal, I believe, is not that extension but a significant amendment proposed by the distinguished Senator from Wisconsin (Mr. PROXMIRE) providing for uniform cost accounting standards, an effort which I personnaly favor, and which was favored by the Subcommittee on Production and Stabilization, of which I am honored to be chairman, and by the full Banking and Currency Committee.

STATEMENT ON NEED FOR COST-ACCOUNTING STANDARDS LEGISLATION

Mr. President, the study of the feasibility of applying uniform cost-accounting standards to negotiated cost-accounting standards to negotiated prime contract and subcontract defense procurements of $100,000 or more was undertaken by the General Accounting Office in pursuant to statutory direction of the Defense Production Act of 1950, as amended.

The study concluded that uniform cost-accounting standards were feasible. The Comptroller General was supported in this position by the Office of Management and Budget, the Department of Defense, other agencies of the executive branch, and the principal professional accounting organizations.

The study was carefully formulated and its conclusions very convincing. In the course of the study, all types of research techniques were employed. The views of industry, the public accounting profession, Government representatives and the accounting academic community were carefully sought out. The study was directed not only to the feasibility but to the necessity for cost-accounting standards.

The Comptroller General has estimated that the savings to the Government through better control of negotiated contracts would be substantial. The study also concluded that the use of cost-accounting standards would impose no greater financial burdens on defense contractors, large or small, than these contractors presently experience in coping with the section XV of the Armed Services Procurement Regulations.

As high as 89 percent of military procurement is awarded under negotiated conditions. A large percentage of the 89 percent is awarded under conditions which are not solely price competitive. In such cases cost plays a major role in the decisionmaking processes of contract negotiations, administration, and settlement.

Herein lies the need for cost-accounting standards. Cost-accounting standards are merely a means of bringing common meaning to technical words, their relationships and allocation practices in the interests of improving the quality of the negotiating processes. But, contrary to some views, the proposed cost-accounting standards do not mean uniform cost-accounting systems.

Clearly defined cost-accounting standards, standards which narrow the margin of misunderstandings to greater consistency in the use of terms, concepts and practices can do much to improve the whole climate of understanding between industry, Government, the Congress and the public.

There is ample emphasis in the report of the Comptroller General that the proposed cost-accounting standards would not impose rigid restrictions upon industry. He points out that they would not eliminate the diversity in the way contractors do their business and would not require them to maintain uniform cost-accounting systems.

However, it is fair to expect that there be standards which will encourage consistency in practices for all contractors in similar contracting situations.

Those who have declared cost-accounting standards to be feasible are mindful of the fact that standards must be tailor made to the needs of defense industry and that they must recognize the diversity and complexity of the operations of many contractors.

With these understandings of the objectives of cost-accounting standards, there should be little occasion to quarrel with the feasibility and usefulness of cost-accounting standards.

Frequently those who oppose the need for uniform cost-accounting standards cite that there are present regulations of various agencies and professional groups

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which substantially provide standards. Some cite the regulation of the Internal Revenue Service; others refer to the regulations of the Securities and Exchange Commission; still others point out the rules by the Renegotiation Board. Still others call attention to the "generally accepted accounting principles" underlying financial reporting to stockholders. Each of these fail significantly for the purposes of contract administration since they are designed for entirely different purposes.

The most frequent argument is that section XV of the Armed Services Procurement Regulations (ASPR) adequately serves the needs. Even though these are, in a sense, cost-accounting standards, they are measurably deficient in two respects in achieving the objectives of this legislation.

First, various provisions of section XV of ASPR often cite "generally accepted accounting principles" as guidelines governing costing practices. Generally accepted accounting principles, the principal purposes of which are to govern the standards of financial reporting to stock holders were never intended to be applicable to the problems of contract costing. This point is amply supported by testimony of representatives of the American Institute of Certified Public Accountants.

Second, section XV of ASPR provides few criteria for the application of cost-accounting principles in given situations. This flexibility allows considerable discretion in the selection of costing methods to rest with defense contractors.

The experiences of the GAO and the Defense Contract Audit Agency cited in the GAO study report not only confirmed the conditions reported in the June 1968 hearings but are ample evidence that section XV of ASPR is sorely lacking and outmoded in terms of the complexity of modern defense contract situations.

In a negotiated procurement situation, there is great dependence upon cost information not only in choosing as among bidders but in the price determination. Without quality cost data, without commonly understood definitions and conceptual relationships, the Government negotiator is largely "flying blind." He has few reliable bases for determination of reasonableness of cost. At the negotiation table, the contractor is at an advantage since under present practices, for the definitions, the cost relationships and allocation practices are largely his to devise and to change. Uniform cost-accounting standards will equalize to a great extent the bargaining position of the Government representatives since the definitions and ground rules will be rooted in firmer understandings.

Considering the significance of cost-accounting standards to the whole issue of orderly defense contract administration as so ably presented in the study report of the Comptroller General and as substantiated by witnesses which have appeared before our committee, nothing less than a complete approach to the formulation of cost-accounting standards is required. This is the objective of the legislation. I therefore urge the Senate to act favorably on S. 3302.

I now yield to the Senator from Wisconsin, who will deal further with the uniform accounting provisions.

THE NEED FOR UNIFORM COST ACCOUNTING STANDARDS

Mr. PROXMIRE. Mr. President, S. 3302 extends the defense production for 2 additional years and requires that uniform cost accounting standards be used on certain defense contracts. I want to emphasize the word "certain" because in my view, the committee approved a loophole amendment which seriously cripples the bill by exempting contractor's doing less than a $25 million a year business with the Pentagon. Later on I will offer an amendment to strike this gaping loophole. In the meantime, I would like to explain for the benefit of the Senate the urgent need to require uniform cost accounting on all defense contracts.

NO COMPETITION ON DEFENSE CONTRACTS

Mr. President, in fiscal year 1969, only 11 percent of all military procurement was obtained through competitive bidding. The remaining 89 percent of military procurement—more than $36 billion—was awarded under negotiated contracts. These negotiated contracts are not competitive. They are not awarded after the full interplay of our free enterprise system. More than half these contracts are sole source awards to giant firms—monopolies in every sense of the word. The remainder goes, at best, to oligopolies, with but one buyer—the U.S. Government.

This cozy relationship between the Pentagon and defense contractors has produced the most bloated, wasteful and inefficient military machine in the world. Our weapons systems wind up costing 2 or 3 times their original estimates; and only one system out of eight lives up to its expected performance. It is unfortunate that the Pentagon cannot file for bankruptcy as did the Penn Central. A group of court appointed receivers could hardly do a worse job of managing our military procurement.

The $36 billion spent under negotiated defense contracts in fiscal year 1969 represents one-half of the personal income taxes of the 73,000,000 individual U.S. taxpayers. Today, the taxpayer does not get a proper accounting of how these Government funds are being spent because there are no uniform standards for determining costs. We require these taxpayers to report their income and their deductions scrupulously if they make more than $650 a year. But we ignore the need for proper accounting for $36 billion of defense expenditures.

EXISTING LAWS INADEQUATE

In the absence of complete and accurate information about contract costs in a negotiated procurement, the Government has no way of knowing whether it is paying too much or too little, whether the contractor's profit is reasonable or unreasonable, or how costs compare to other jobs. Negotiations are frustrated in the absence of a clear understanding of costs.

Our protective legislation in the area of defense procurement assumes a clear understanding of what is cost and what is profit. The Renegotiation Act requires contractors to submit statements of their costs and profits on defense work so that the Renegotiation Board can detect excess profits. The Truth-in-Negotiations Act requires contractors to submit cost statements in defense contracts so that the Government can have a sound basis for evaluating the reasonableness of prices in noncompetitive procurements. Unless the Government can be sure that contractors' cost statements fairly reflect actual costs, neither of the two laws can be effective.

The 91st Congress is considering other efforts to promote more effective cost control by the Defense Department and its contractors. A clear understanding of costs is essential to all of these efforts.

THE LACK OF FIRM COST ACCOUNTING STANDARDS

Today, however, no one in Government can accurately determine costs and profits on defense contracts because there are no uniform accounting standards. Consequently, figures can be manipulated and distorted to show a wide range of diverse results, depending on the purpose. When it is to his advantage, a defense contractor can show higher profits. For example, in reports to stockholders, he can select accounting procedures that will show the lowest costs and highest profits. If he wants to show low profits to the Renegotiation Board or to a Pentagon-sponsored study team he can select other accounting procedures that will yield the desired results. By taking advantage of the wide variety of cost accounting practices considered acceptable under present defense procurement rules, a contractor is able to show high estimated costs for purposes of contract price negotiations and low costs later on for purposes of earning more profit under incentive contracts.

ACCOUNTANTS IN WONDERLAND

Trying to determine true costs through generally accepted accounting principles is like measuring with a rubber ruler. While a contractor does not have unlimited flexibility, he is certainly free to stretch the truth to suit his purposes. The elastic nature of cost accounting inevitably works to the benefit of the contractor and against the interests of the taxpayer.

As an example of the wonderland of cost accounting, consider the testimony of Robert Anthony before the House Banking Committee. Mr. Anthony is a former comptroller of the Defense Department and is now a professor of management control at the Harvard Business School and the author of textbooks in the field of accounting and management. He is thus well qualified to speak on the subject.

Mr. Anthony refers to a recent study of the cost accounting system of 12 large defense contractors. The finds are amazing:

No two of the 12 contractors used the same method of allocating overhead costs;

Even for general and administrative costs, six different bases of allocation were used by the 12 companies;

Indirect costs ranged from a low of 23 percent to a high of 50 percent of the total costs;

Anthony concludes that there is absolutely no way of finding out how much

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of this variation was the result of true differences in the nature of the cost, and how much was simply a reflection of differences in the cost accounting principles used.

Understandably, such accounting flexibility is most convenient for defense contractors, because in any situation they can generate a wide range of cost figures—all purporting to represent the facts. This accounting flexibility nullifies the intent of the Truth-in-Negotiations and the Renegotiation Acts. Moreover, it makes it impossible for the Government to insure that contract prices are reasonable, that defense work is being done efficiently, and that the public is getting a "square deal." Cost figures are nebulous at best. Admiral Rickover summed up the situation this way:

> In my work I find it is virtually impossible, without spending months reconstructing each supplier's books, to discover what defense equipment really costs to manufacture or how much profit contractors actually make in producing it. The problem is the extreme variability of accounting practices—the lack of uniform cost accounting standards. Costs on some contracts are not considered as costs on other contracts. Contractors price contracts under one accounting system, yet charge their costs under a different accounting system. On most defense contracts there is no requirement that the contractor keep meaningful cost records. In these circumstances, it becomes virtually impossible to determine true costs.

FLEXIBILITY UNLIMITED

The rubbery nature of cost accounting standards can also be seen in the case of a Navy and GAO postaudit of a single defense contract. Auditors made seven different reports containing 11 differing estimates of the supplier's actual costs. The range of difference was as much as 50 percent.

The GAO report on the feasibility of accounting cited numerous cases where flexible accounting rules work to the advantage of the contractor and against the taxpayer. These include the following:

Using one accounting method for bid purposes and another for bookkeeping purposes;

Recovering the same charges twice by charging them directly and also including them in overhead charges;

Hiding unallowable charges in overhead expenses;

Charging civilian business costs to defense contracts by manipulating methods for allocating overhead;

Recovering unallowable cost overruns by charging them under another name;

Treating capital outlays as current expenditures and charging the entire amount to the Government;

Failing to credit the Government for its proper share of refunds or discounts received by the contractor.

We have chaos in accounting not because the subject is too difficult or complex. If the military-aerospace industry can invent complicated missile systems and put a man on the moon, they certainly should be able to devise a uniform cost accounting system.

The reason we lack accounting standards is simple—because it is to the advantage of industry not to have them.

The situation was best summed up by Robert Anthony in a recent article in the Harvard Business Review:

> With respect to defense contracts, there is a basic conflict of interest between the parties. The contractor wants the standards to be few and general, giving him the maximum amount of latitude in choosing the most advantageous cost alternative in a particular circumstance. The government, on the other hand, wants the standards to be specific in order to minimize the judgments required in auditing cost reimbursements.
>
> (Some, by the way, deny the existence of this conflict. They assert that a contractor, even in the absence of standards, will voluntarily measure costs according to what is fair, even when this is inconsituent with his interests. This is a naive point of view, and it is surprising that knowledgeable men appear to expect that other knowledgeable men will give credence to it.

SAVING THE TAXPAYER MONEY

For years, Admiral Rickover has been the one man in the Defense Department with the courage to blow the whistle on the defense industry and their accounting manipulations. Since 1963, he has advocated uniform cost accounting standards. According to Rickover, the lack of such standards is "the most serious deficiency in defense procurement today." While the lack of cost accounting standards are not nearly as spectacular or dramatic as giant cost overruns on major weapons systems, their impact on the Federal taxpayer may be equally severe. The Comptroller General has estimated the savings from uniform cost accounting standards would be substantial. Admiral Rickover estimated the savings could exceed $2 billion a year. The head of one of the Nation's largest CPA firms has testified that with uniform cost accounting standards a "5-percent reduction—in cost—would not be out of the question," thus approximating Admiral Rickover's estimate, because 5 percent of $40 billion in procurment would be $2 billion. Other accountants have testified that even if no savings came about, the resulting decrease in contract disputes would be well worth the effort.

GAO FINDS STANDARDS FEASIBLE

Two years ago, the Senate passed an amendment I offered to the Defense Production Act to require the Comptroller General to study the feasibility of establishing such uniform cost accounting standards and report his findings to the Congress within 18 months.

In his study the Comptroller General investigated thoroughly both the need for and feasibility of uniform cost accounting standards. He solicited and analyzed the views of defense industry, public accountants, Government accountants, and the academic community. He examined the present accounting practices of industry and the problems caused by the lack of uniform cost accounting standards.

This study determined that uniform cost accounting standards are both feasible and necessary. That was the finding of the General Accounting Office by the Comptroller General. Now, the Comptroller General has urged Congress to establish such standards. The Department of Defense, the Bureau of the Budget, and the executive branch agree that uniform cost accounting standards are needed. So, as I say, this is supported by the administration, the Bureau of the Budget, the Department of Defense, and by the executive branch generally.

The Federal Government Accountants Association, which represents the accountants and auditors in all branches of Government—the people that have to put up with these problems daily—has unanimously endorsed the need for uniform cost accounting standards. Other professional accounting groups and leading private accountants support the GAO findings. Only the defense industry opposes uniform cost accounting standards—for obvious reasons.

WHAT THE BILL DOES

The legislation before the Senate would implement the GAO report by requiring the establishment of uniform cost accounting standards. The standards would be promulgated by a five member Cost-Accounting Standards Board appointed by the Comptroller General who would be designated as Chairman of the Board.

The Board is directed to promulgate cost accounting standards designed to achieve uniformity and consistency in the cost accounting practices followed by defense contractors. These standards may be issued from time to time, but in my judgment, the major development of the standards should be completed in two years.

The Board is also directed to issue regulations requiring defense contractors to disclose their own cost accounting practices in advance of a contract and to follow those practices consistently. It is expected that these regulations will be put into effect shortly after the enactment of the legislation since the requirement of internal consistency can hardly be considered overly complex and controversial.

The legislation would be applicable on all negotiated defense prime contracts and subcontracts where the contractor's sales to the Government in the preceding fiscal year exceeded $25 million. The $25 million exemption is the loophole amendment I referred to earlier which I shall seek later to eliminate.

The term defense under the Defense Production Act includes the military, space, atomic energy, and military assistance programs of the Government.

STANDARDS NEEDED NOW

Mr. President, in the last few years we have seen military spending escalate beyond control. While some reductions have been made, there are still billions wasted which are urgently needed to help meet our pressing social and economic needs.

Uniform cost accounting standards will not solve all our procurement problems. Accounting principles will not make weapon systems work when they do not, nor will they stop us from buying weapons we do not need or adding excessive gadgetry to those we do need.

But uniform cost accounting is certainly a step in the right direction. Effective cost accounting can help bring escalating military costs under greater control and enable our defense procurement officials to obtain the maximum return on the taxpayers' dollar.

The time has come for Congress to reestablish its constitutional authority to control Federal expenditures. The time has come to place defense contracting under more effective control. I call upon the Senate to strike the loopholes in the committee bill and give the GAO the authority it needs to establish uniform accounting standards for defense contracts.

Mr. President, I yield the floor.

Mr. BENNETT. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BENNETT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record.

The amendment of the Senator from Utah is as follows:

On page 3, line 5, beginning with "There" strike out all through the period in line 19 and insert the following: "There is hereby established, as an independent establishment in the executive branch of the Government, a Cost-Accounting Standards Board to consist of the Comptroller General of the United States who shall serve as Chairman of the Board and four members to be appointed by the President, by and with the advice and consent of the Senate. Of the members appointed to the Board, two shall be from the accounting profession, one shall be representative of industry, and one shall be from a department or agency of the Federal Government. The term of office of each of the appointed members of the Board shall be four years, except that (1) the terms of the members first appointed shall expire, as designated by the President, one at the end of one year, one at the end of two years, one at the end of three years, and one at the end of four years; and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed."

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. MANSFIELD. I discussed this matter previously with the manager of the bill, the Senator from Minnesota (Mr. Mondale), and the Senator from Wisconsin (Mr. Proxmire), and I now ask unanimous consent that on this, the pending amendment only, there be a time limitation of 1 hour, the time to be equally divided between the sponsor of the amendment and the manager of the bill, or whomever he may so designate.

The PRESIDING OFFICER (Mr. Jordan of Idaho). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. BENNETT. Mr. President, I have listened with great interest to my good friend from Wisconsin (Mr. Proxmire). I hope the Senate understands that there is no basic disagreement within the committee as to the advisability of establishing some uniform and definite method of cost accounting, but I do not feel that I can agree with him that up until recently we have had nothing but chaos in the Department of Defense, that because of the lack of uniform standards of cost accounting, we have suffered a $2 billion annual loss, and a lot of other things.

If I were to agree with the distinguished Senator from Wisconsin, I would have to remember that until recently the Department of Defense was under the management of a Secretary who was supposed to have been a genius in handling industrial production and managing industrial problems. That man brought in a group known as the "whiz kids" into the Department of Defense, and they were supposed to have had the ability to solve all of our operating and administrative programs.

It is interesting that this amendment to the bill has been suggested only after those gentlemen left the Department of Defense.

Mr. President, the bill before us has two purposes: First, to extend the present Defense Production Act, and, second, to set up a system whereby cost accounting standards to be used by all defense contractors may be developed. This new section was conceived in response to a statement by Admiral Rickover that some $2 billion was being lost by the Government through loopholes in the present system, a statement, by the way, which was not supported by the facts developed in our hearings either as to the amount or the type of loopholes, nor were we told specifically the type of loopholes through which this $2 billion had slipped. The testimony that was adduced plainly referred only to claimed violations of present accounting procedures and, while we were given examples of these claims, on the grounds of confidentiality, the committee was denied information as to whether the claims were finally upheld. On the basis of our hearings and the information provided, we do not know the extent of the need for changes in the present system or whether a new system is actually needed.

The art of accounting is necessarily a flexible one, and there is considerable agreement that it would be well to establish a board to study the problems involved on a continuing basis and try to develop standards that would be just and fair to both the Government and the contractor which would be applied to all defense contracts.

When the committee considered the problem of who should select the members of the board and what type of a board it should be, a basic conflict arose. The authors of the new section wanted the board to be selected and chaired by the Comptroller General. In his speech, my friend from Wisconsin rightly reported that that is the provision now in the bill. Most of the witnesses, including the Comptroller General and half of the committee, wanted the board members to be appointed by the President. A motion that the President appoint the members of the board and that the Senate confirm them lost by a tie vote in the committee. It is for that reason I bring the issue before the Senate for its decision today.

That is the purpose of my amendment, Mr. President, to change the method of selecting the members of the board.

It was argued in the committee that the members of the board should be appointed by the Comptroller General because the President would appoint men who would be dominated by the industry in spite of their review and confirmation by the Senate. To prevent this, it was alleged, the Comptroller General, who reports to Congress, should have full power over setting the standards as well as reviewing them. That such a procedure is both unusual and potentially dangerous was implicitly recognized even by its proponents because in the version on which the committee voted—and which won because my amendment failed to secure more than a tie—the proponents proposed that the Comptroller General nominate the board members and that they be approved by the Senate. This strange and unique proposal was removed from the committee bill only after it was pointed out after some study that it was clearly unconstitutional.

My amendment would set up an independent board by following the normal constitutional pattern of appointment by the President and confirmation by the Senate.

The makeup of the board would be the same as that reported by the committee in that it would consist of the Comptroller General of the United States, who would serve as chairman, and four other members, two of whom would be from the accounting profession, one who would represent industry and one from a department or agency of the Federal Government. The important difference is, however, that the board members would not be dominated by the Comptroller General but would be appointed by the President of the United States and confirmed by this body. Only in this way can the board be truly independent of the Defense Department, the contractors, and the General Accounting Office. That the independence of the board from the General Accounting Office is as necessary as that of the two contracting parties is borne out by the fact already related that even though the General Accounting Office is an arm of the Congress, it refused to give our committee the full story on its claimed violations of existing rules, despite the fact that several contractors who were apparently involved in some of the reported cases had no objection to our receipt of this information and many were anxious that their views be given consideration.

Perhaps the Government Operations Committee, should look into this attitude of the General Accounting Office. What good to Congress is an oversight arm that refuses to report its findings in full if asked?

Any set of accounting standards to be effective must be neutral, must be objective, not tilted to the advantage of either party, and must be so clear as to permit the least possible variation in interpretation by either side. At the same time the standards must be practical enough to be applied and compiled with while the work is in process as well as

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through postaudit review. Application of these standards at the time the work is in process by the contractors and auditors of the Department of Defense is equally if not more important than the postaudit by the General Accounting Office because the postaudit might, in large part, be based on spot audits, while this continuing audit is complete, and if the terms of the accounting standards were such that they create too many disputes while the work is going on, they could add to the costs rather than reduce them and create delays in delivery.

A board independent of the General Accounting Office is needed to protect that Agency. If the necessary quality of accounting standards is that they be objective and neutral, the same is true for the function of the auditor which, of course, the General Accounting Office is.

If, as required under this bill, the Comptroller General appoints the members of the board, he inevitably becomes responsible for the standards which are developed and which he is supposed to judge in his capacity as auditor for the Congress. If either in the promulgation or the application any deviation from objectivity or neutrality shows up, he and his appointed board, being human, will have a natural tendency to defend the weakness and the resulting unfairness rather than to correct it. In other words, his basic function as an independent auditor would be undermined.

The bill's proposal transfers what is obviously an executive function to a legislative agency. The Secretary of Commerce, Maurice Stans, commented on this matter in a recent letter to the Director of the Bureau of the Budget. Referring to the Senate version of this bill, Secretary Stans indicated that we cannot solve executive branch problems by transferring executive functions to a legislative agency. He said that to do so would remove the prerogatives of the executive branch in administering the affairs of the nation. He recommended strongly that the responsibilities spelled out in the Senate bill be retained in the executive branch. He added that the proper function of the General Accounting Office should be that of exercising its oversight responsibility to insure that the requirements of the law are properly carried out, not to develop those requirements.

The overwhelming preponderance of the testimony given to the committee was opposed to the type of board established in the committee bill and for a truly independent board to be appointed by the President and confirmed by the Senate. Witnesses who so testified include the Comptroller General, Elmer B: Staats, who said that this matter was considered and debated at considerable length within the General Accounting Office and that their conclusion was reached for the following reasons:

> First, I would like to emphasize that should the Congress establish a board, as we have suggested, that is not going to mean that we are going to be put out of the picture at all.
>
> We would be of course anxious to see such a board succeed. We would be glad to give it what help we could. We would also exercise our regular oversight responsibility and tell the Congress at any time we felt it was not doing its job or if we felt that the differences we had with it were of such magnitude that we would be required, under your charter, to report to the Congress on it.
>
> We concede this is a function which is very closely related to procurement functions, and which will involve extensive day to day types of negotiations with individual contractors, much as the Defense Department and other procuring agencies do today.
>
> We would therefore see our role as one of a legislative oversight, to see that the board is performing its function as intended by Congress, and to give that board whatever assistance we could from a technical professional point of view.
>
> I think the second point I would make is that this is where the oversight function is lodged today. If the Congress decides that we should have uniform standards, then it would be our job to see that the Congress' will is carried out.
>
> But we also see it as essentially a function which is so closely related to the procurement function and which probably should involve the accounting profession to a greater extent than procurement regulations today provide, we would perform our function for the Congress by our usual oversight type of responsibility.

The chief witness for the accounting profession supported the independent Board, saying that such a board would be:

> More in tune with the system of checks and balances inherent in most of our Government operations. The cost-accounting board called for in this proposal would be patterned after many other independent governmental agencies which carry out regulatory functions effectively.
>
> We are sure the accounting profession would be glad to cooperate actively in helping to establish a cost-accounting standards board that is well conceived and constituted.

In summary, he added:

> The "new machinery" preferably should call for an independent agency appointed by the President, consisting of a small number of members, such as five, all of whom should have competence in cost accounting.

Another witness, Mr. Leonard Spacek, chairman of Arthur Andersen & Co., a firm of international public accountants, stated that he would support the establishment of an independent board, the members of which would be appointed by the President:

> Because it would be better for the Comptroller General to continue in his role as advocate of improved accounting in all fields where legislature has an interest. The Comptroller General should not be asked to develop improved accounting and then be the judge of that new accounting for all concerned. He does and should work for you. The Comptroller General's efforts for improved accounting have been beneficial in the past. That work is where I think the Comptroller General could continue to do an outstanding job. The job he has is presently far too important to dilute or to have him in a less effective position.

Mr. Joseph A. Sciarrino, representing the Financial Executives Institute, stated:

> We are also opposed to the alternative of a five-man Board appointed by the Comptroller General and reporting to him. Such a Board would be incapable of acting independently.
>
> * * * * *
>
> We believe that an impartial Board working from factual evidence would be able to develop adequate and just solutions to whatever problems may exist in the accounting and pricing areas.

He went on to say that the Financial Executives Institute could accept the concept of an independent board established by the President in which professional groups were represented so as to maintain appropriate perspective and objectivity in examining cost accounting problems from the viewpoint of both the contractors and the Government.

In addition, we have received a letter from the then Director of the Budget Robert P. Mayo, in which he carefully outlines the administration's strong support for an independent board within the executive branch.

Mr. President, I ask unanimous consent to have Mr. Mayo's letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 21, 1970.

HON. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: On April 6, 1970, H.R. 16752 was referred to your committee. The purpose of the bill is to extend for 2 years the allocation authority contained in the Defense Production Act of 1950, and to establish uniform cost accounting standards for use in defense contracts. This letter comments on the provisions of the bill and expresses the administration's viewpoint on how uniform cost accounting may best be achieved.

Section 1 of the bill would extend the currently effective provisions of the Defense Production Act (titles I, III, and VII) for 2 years, until June 30, 1972.

On April 9, 1970, the Office of Emergency Preparedness transmitted to the Congress a draft bill to amend and extend the Defense Production Act of 1950, as amended. The draft bill provided for a 4-year extension of the act, and proposed a number of amendments to titles III and VII not covered by the provisions of H.R. 16752. The Bureau of the Budget advised OEP that the enactment of the draft bill would be consistent with the administration's objectives.

Accordingly, we strongly urge the enactment of the OEP draft bill in lieu of section 1 of H.R. 16752.

Section 2 of H.R. 16752 would define the term "defense contractor" as used in the act. Section 3 would eliminate the present $100,000 ceiling on the annual expenditures of the Joint Committee on Defense Production of the Congress.

Section 4 of the bill would establish uniform cost accounting standards for use in defense contracts. We believe the feasibility of such standards for use in Government contracts has been well established. The General Accounting Office study of this matter amply demonstrated that such standards could yield substantial potential benefits. Others have testified before the Senate to the same effect. The administration supports the contention that cost accounting standards for use under Government contracts are feasible.

We object, however, to section 4 as it now stands. The bill would give responsibility to the Comptroller General for developing cost accounting standards, and for issuing rules and regulations for their application to defense contracts. We believe that these responsibilities should properly be placed in the executive branch of Government. The

Comptroller General agrees with this location.

In his testimony before the Senate, Mr. Staats questioned whether the General Accounting Office should become deeply involved in the administration of Government contracts. He suggested that an independent board appointed by the President might well have greater prestige and attract more capable members than a board in his own office. He said that the responsibility for administration of contracts, including promulgating, interpreting, and administering cost accounting standards seems basically an executive branch function. Mr. Staats concluded that there did not appear to be any reason to divorce the promulgation of cost accounting standards from the executive branch.

The American Institute of Certified Public Accountants has taken a similar position on this legislation. Their representative testified before the Senate in favor of establishing an independent board within the executive branch. He said that a cost accounting board, patterned after the many other independent executive branch agencies, would be more in tune with the system of checks and balances inherent in most of our Government operations.

The Secretary of Commerce commented on this matter in a recent letter to the Director of the Bureau of the Budget. Referring to the Senate version of this bill, Secretary Stans indicated that we cannot solve executive branch problems by transferring executive functions to a legislative agency. He said that to do so would remove the prerogatives of the executive branch in administering the affairs of the Nation. He recommended strongly that the responsibilities spelled out in the Senate bill be retained in the executive branch. He added that the proper function of the General Accounting Office should be that of exercising its oversight responsibility to insure that the requirements of the law are properly carried out.

We agree with the positions taken by the Comptroller General, the AICPA, and the Secretary of Commerce. We urge that responsibility for the development of cost accounting standards be placed in the executive branch. In addition to the strong arguments presented for this arrangement by the Comptroller General, the AICPA, and the Secretary, we would like to add the following comments for your consideration.

An independent board in the executive branch, empowered to issue cost accounting standards and rules and regulations for their application to Government contracts, would be preferable from an organizational viewpoint to a similar board established as a part of the General Accounting Office.

Ultimately, cost accounting standards for Government contracts, regardless of their origin, will have to be applied at a working level to individual Government contracts. This application will inevitably lead to questions and disagreements requiring clarification and interpretation of the cost-accounting standards. This clarification and interpretation will have to come from the authors of the cost-accounting standards. Formidable communications and coordination problems could develop if these authors are in one branch of Government and the contract administrators in another. Although these problems would not be eliminated by placing responsibility for cost-accounting standards in an independent board in the executive branch, they would at least be minimized.

Responsibility for resolving certain minor issues could be delegated by an independent board to other agencies in the executive branch, without raising constitutional questions regarding the separation of powers between the executive and legislative branches. Communication could be less formal, thus speeding up the operation and lessening the potential for redtape. Coordination of agency positions to assure a single executive branch posture on a given issue would be unnecessary.

Under this arrangement the General Accounting Office would retain its traditional oversight responsibility to insure the Congress that the requirements of the law were being properly carried out. This responsibility would not be compromised by active participation in the administrative process, as it might be if the cost accounting standards board were established in the General Accounting Office.

Independence has long been one of the outstanding attributes of the General Accounting Office. Under H.R. 16752, the General Accounting Office would be required to audit its own actions. It would be extremely difficult for the General Accounting Office to render independent judgment of cost accounting standards and implementing rules and regulations promulgated by the Comptroller General, or a board under his direction. Constructive and independent criticism from the General Accounting Office has been, over the years, an important factor in the improvement of management in Government. We would hate to see this source of independent criticism lost in the important matter of costs of defense contracts.

The administration stands ready to provide further information on the specific provisions of H.R. 16752, or on any other aspect of cost accounting standards that the committee wishes to discuss.

Sincerely,

ROBERT P. MAYO,
Director.

Mr. BENNETT. Mr. President, regardless of whether there is any money to be saved through the establishment of new accounting standards, if a board is to be set up, we must set up the best board possible to establish such standards. Under my amendment, the Comptroller General would participate in such a board and as chairman would certainly be able to make his views known. At the same time, we would be able to assure that the views of other parties who will be operating under the standards will be carefully considered, because these parties will also be represented on the board. In addition, we will be able to continue the present function of the General Accounting Office as an independent auditor to assure that the will of the Congress in this legislation is carried out. The amendment which I offer to establish an independent board, the members of which would be appointed by the President with Senate confirmation, is the most appropriate vehicle through which reasonable and effective cost accounting standards can be established for use in Government contracts. I urge that it be approved by the Senate.

Mr. President, I think I have explained why I believe the language in the bill should be changed: that instead of relying on a board appointed by the Comptroller General we should follow precedent and have an independent board appointed by the President with Senate confirmation. I hope the Senate joins me in this respect.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. STENNIS. Mr. President, I want to be sure I understand the amendment. Frankly it is a new point to me. I have not concluded which position I will support.

Does the Senator's amendment leave the Comptroller General as a member of that board?

Mr. BENNETT. He is a voting member and the chairman.

Mr. STENNIS. And the four additional members would be chosen by the executive branch, subject to confirmation?

Mr. BENNETT. Yes, by the Senate. There would be two professional accountants, one man with a background in industry and the other from Government, presumably from one of the procurement agencies.

Mr. STENNIS. The bill now provides the Comptroller General shall be a member and he shall choose the four.

Mr. BENNETT. Without review by anyone else. Under my proposed amendment this would be an independent board.

Mr. STENNIS. I thank the Senator. My questions were not directed to the Senator with the present Comptroller General in mind. I think he is an excellent Comptroller General and is doing an outstanding job. However, I am concerned about this feature.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. CRANSTON. Mr. President, I rise to support the amendment which has been very wisely offered by the distinguished Senator from Utah.

I support the amendment primarily because of my experiences as the elected comptroller of the State of California for 8 years. The comptroller of California serves in the executive branch but he is elected by the people so that he will be totally independent of the executive branch. That may sound inconsistent with my position, but it is not. He is elected by the people so he will be totally independent of the legislature. The legislature has its own auditor in California to audit the workings of the executive branch, but the comptroller is elected totally independent, so that his independence will be compromised in no way and he is not beholden in any way to the executive branch or the legislative branch.

He does not write the rules and laws under which he operates. Those are handed to him and he performs his function independently.

From time to time the executive branch has attempted to seize the Office of Comptroller by having the Comptroller appointed by the Governor, and the legislative branch has done likewise by attempting to have his duties transferred to the auditor. However, the people have chosen to have a totally independent Comptroller who will audit the executive, legislative, and judicial branches of Government, insofar as the use of funds is concerned.

Mr. President, I believe that the amendment offered by the Senator from Utah is a very necessary part of the effort to have the Comptroller General of the United States a totally independent man.

Were he to have a vested interest in the rules under which he is to operate under the bill, he would, as the Senator from Utah has pointed out, be inclined, due to human nature, to defend those rules, even where they might be found to be not the best rules. If he were not the author of the rules he would seek revisions in strengthening them; and were he not the author of the rules, his independence in making those rules, of course, would be far stronger and, I think far more suited to the purposes of the legislation written by the Senator from Wisconsin, who works in this general field.

I respect the Senator from Wisconsin very much. He has accomplished a great deal in this field of watching what happens in connection with defense contracts and cost overruns. But I think in this respect the legislation as written is faulty, and I believe his objectives, which are so fine, would be better met if the Comptroller General were independent in every way and operating under procedures established by others.

Mr. President, for these reasons I support the amendment of the Senator from Utah.

Mr. BENNETT. Mr. President, I thank the Senator.

Mr. MONDALE. Mr. President, I yield such time to the Senator from Wisconsin as he may desire.

Mr. PROXMIRE. I thank the Senator.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, my good friend from Utah seemed to imply that this was something like being for God, country, and apple pie; and that everybody is for it.

It is interesting that when I proposed just a study of the feasibility of uniform cost accounting standards this was not only opposed by 32 Senators on the floor of the Senate, including the Senator from Utah, but also it was opposed by the Department of Defense, and many others. The Senator from Utah called it an exercise in futility; that we never could work out uniform cost accounting standards. Now, he has said that he is for it. This is the sign of a great man, one who is able to change his mind. However, it is indicative of the fact you are going to get great pressures in this area where enormous things are at stake.

Mr. President, I must oppose the amendment offered by my able colleague from Utah. The amendment to place the development of uniform cost accounting standards under the executive branch would substantially weaken the administration of the bill. The Defense Department and the Bureau of the Budget have had years to require uniform cost accounting on Government contracts and they have not done so. To give the executive branch the job of writing the standards after their demonstrated indifference to the problem is like putting Lockheed Aircraft in charge of the Pentagon's cost reduction program.

The bill I originally introduced would have required the Comptroller General to promulgate uniform cost accounting standards. During the hearings, the Comptroller General presented two alternatives for the committee's consideration.

The first alternative provided for the issuance of accounting standards by the GAO with the advice and assistance of a five-man advisory board appointed by the Comptroller General.

The second alternative established a separate five-man Cost-Accounting Standards Board appointed by the President for the purpose of issuing uniform cost accounting standards.

Although I favored the first approach, I supported a compromise developed in committee which would provide for a separate five-man board appointed by the Comptroller General and which would include the Comptroller General as its chairman.

This approach combines the best features of the two alternatives submitted by GAO. It retains independence from the executive branch while at the same time, it keeps the development of the standards separate from the day-to-day activities of the GAO. The composition of the Board is also specified to include representatives of the GAO, the executive branch, the accounting profession and industry, thus assuring that all points of view are represented.

The Bennett amendment would upset the compromise reached by the committee and provide for an accounting board which would be under the complete domination of the executive branch.

It is instructive to note that the defense industry, while preferring no bill at all, actively lobbied the committee for a Presidentially appointed board once it realized that a bill was going to be passed. From the industry viewpoint, I suppose they felt they would have more success in dominating a Presidential board and weakening its regulations. The defense industry is undoubtedly correct in this judgment in view of the general history of regulatory agencies and their tendency to become the captives of those whom they ostensibly regulate.

Admiral Rickover, who more than anyone else has called attention to the need for uniform cost accounting standards, has said flatly that:

> Effective cost accounting standards will not be established if Congress turns the job over to the Executive Branch or to a special board.

In view of Admiral Rickover's warning, I am afraid that the committee may already have unduly weakened the legislation by assigning the responsibility to a special board and not to the GAO directly. In any event, we should not completely strip the bill of its teeth as would be done by the Bennett amendment. At least leave a few molars in the bill for the benefit of the taxpaying public.

In view of executive branch complacency, there is no reason to suppose that it has suddenly got religion. This was forcefully pointed out by Robert Anthony, a former comptroller of the Defense Department, a leading accounting authority, and a current professor of management at the Harvard Business School. Anthony states that:

> Theoretically, the inadequacies in Section XV of the Armed Services Procurement Regulations could have been corrected by those who are responsible for revising these regulations. The facts are that despite the glaring inadequacies that have been pointed out repeatedly over a period of years, few changes have been made. I see no likelihood that significant improvements will be made so long as the responsibility remains in the Pentagon.

However, a board under the control of the Comptroller General is another matter. The Comptroller General is appointed for a 15-year term and can only be removed for cause by the Congress. As the head of the General Accounting Office, he is the chief watchdog of the Congress over the activities of the executive branch.

Given the age at which most Comptrollers assume their important duties, the 15-year appointment is tantamount to a lifetime job. The incumbents are not likely to be swayed by the expectation of a future industry job which is unfortunately all too frequently the case with the members of regulatory commissions.

Once appointed, the Comptroller is beholden to no government official, political party, or administration in office. He is the most independent man in Washington and the one most qualified to undertake the difficult and sensitive job of establishing uniform accounting standards and certainly an expert in the field of accounting. That is his field, and he has a tremendous professional staff to support him, literally thousands of people to support him.

If anyone is immune to the blandishments of the military-industrial complex, it is the Comptroller General. It comes as no great surprise, therefore, to see defense industry lobbyists urging the establishment of a Presidential board.

Much has been made of the fact that the Comptroller General himself prefers an accounting board under the control of the executive branch. I have the highest degree of respect and admiration for the Comptroller General, Mr. Staats, and I am sure my feelings are widely shared throughout the Congress.

One of the reasons why Congress has such confidence in the Comptroller General is that he is not an empire builder. Unlike many bureau chiefs or agency heads, he is not constantly seeking to expand his mission or authority. The new jobs which the Comptroller has undertaken have always been with reluctance and only begun after a clear congressional mandate.

Were it otherwise, he would not enjoy the high respect of the Congress he has today. If the Comptroller were constantly trying to muscle in on some new territory, he could not command the reputation for strict impartiality which is vital to this present mission.

There is no doubt the Comptroller General would be able to perform the job of issuing cost accounting standards if it were assigned to him by the Congress. As a matter of fact, he so indicated during the hearings. Thus, the Comptroller's professed reluctance to take on the assignment should not be allowed to cloud the judgment of the Congress as to where the job really belongs.

Let us examine the arguments which have been advanced against giving the Comptroller General the job.

First, it is argued that the development

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of cost accounting standards is inherently an executive branch function. Since procurement regulations are now under the executive branch, it is argued that cost accounting regulations should also be under the executive branch.

There is nothing inherent about cost accounting to make it an executive branch function. The fact that it is related to procurement is completely beside the point. By this line of reasoning, all of the postaudit activities of the GAO should be transferred to the Defense Contract Audit Agency because they are also related to procurement and contracting.

The GAO was set up to be an independent watchdog over the executive branch. Accordingly, the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 66) directs the Comptroller General to "prescribe the principles, standards, and related requirements for accounting to be observed by each executive agency."

This is its function now. It is hard for me to envision a role which would be more compatible with its responsibility and capability than the one the committee has assigned it and that the Bennett amendment would take away

In other words, GAO already prescribes the accounting principles followed by the executive branch agencies themselves. Surely it would be less of an infringement upon the prerogatives of the executive branch if this authority were expanded to include the cost accounting standards followed by defense contractors completely outside the executive branch. Thus, the argument of inherent executive branch privilege collapses of its own weight when examined in the light of existing statutory duties.

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Second, it is argued that an accounting board under the executive branch would be more prestigious and attract abler candidates. As a matter of fact, a good case can be made for just the opposite conclusion. A Presidential board is likely to attract political hacks, whereas a GAO board would attract the ablest members of the accounting profession because of its greater impartiality.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. PROXMIRE. I am happy to yield.

Mr. TOWER. The Senator seems to be very concerned about the board being able to act with some degree of independence and concerned about executive dominance. Now he has just added a new factor, and that is the likelihood that the appointees would be political hacks. Let me remind the Senator from Wisconsin that the power to confirm still resides in the Senate, and it occurs to me that if the legislative branch is vitally concerned with maintaining the independence of the board, it would certainly scrutinize the qualifications and capacity for independence of those who might be recommended for appointment. We still have the check.

Mr. PROXMIRE. I thank the Senator. I wish the Senator would look back into what we have done since I have been in the Senate and since he has been in the Senate, and how many appointments by President Eisenhower, President Kennedy, President Johnson, and President Nixon have been turned down. It is true that a couple of Supreme Court appointments have been rejected, but when appointments are made to the regulatory agencies, especially to a board which would not have great public attention, it is very doubtful whether any Senator or his staff would have the time to examine the qualifications as meticulously or as carefully as we should. We do not have the kind of detailed and extensive hearings which would be likely to result in overturning the President, and I think the record is very clear on that.

Mr. TOWER. What the Senator is suggesting, then, is that the Senate will be very derelict in its consideration of the qualifications of those who are appointed or nominated?

Mr. PROXMIRE. What I would say is that the Senate has been derelict, as I think all of us recognize, at times in the past, only because we are very busy. We have many jobs to perform, and when we get these appointments of postmasters, second lieutenants, and certain other people, we are simply not going to inquire into their qualifications in detail.

Mr. TOWER. So the Senator is suggesting that the power to confirm Executive appointments is an anachronism which should not vest in the Senate, because the Senate is inclined to treat it too lightly?

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am suggesting that the power to confirm should be confined, as much as possible, to top policymaking positions.

Mr. TOWER. The Senator does not consider this a top policymaking position?

Mr. PROXMIRE. Of course I do.

Mr. MONDALE. Will the Senator yield?

Mr. PROXMIRE. Mr. President, I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 19 minutes remaining. The Senator from Utah has 10.

Mr. MONDALE. I promised to yield to the Senator from Massachusetts. Is the Senator from Wisconsin through?

Mr. PROXMIRE. I have a little more to go.

Mr. MONDALE. Mr. President, I yield to the Senator from Wisconsin such further time as he may require, and then I shall yield to the Senator from Massachusetts.

Mr. PROXMIRE. Mr. President, this argument was made most effectively by Dr. Howard Wright, chairman of the Division of Accounting at the University of Maryland and a witness before the committee. In speaking to the alternative approaches before the committee, Dr. Wright said:

> I do not endorse the one which provides for an independent board. Such a board, being appointed by the President, probably would not be composed of the highly qualified men needed to perform this task. Without extensive qualifications for office being written into the legislation, I fear that it would soon be relegated to the status of a minor board. As such, as Senator Proxmire said in one of his questions, I am afraid it would not be a truly effective board. It would become a haven for political appointees, probably having no interest in nor capability to perform the assigned task.
>
> Secondly, the Board members should have continuous conflict with a viable accounting and auditing group so as to automatically keep up with changes in accounting and auditing, and with the environment to which their efforts are being applied. The General Accounting Office meets this need.

He went on to say:

> Despite all my earlier comments about the limitations of the Comptroller General's report, I have substantial confidence that he would be far more likely to appoint highly qualified individuals to his Advisory Board. This confidence extends not only to the present holder of that high office, but to his successors as well. Necessarily, the General Accounting Office has the professional accounting environment so necessary for an effective Board.

Dr. Wright's views should bear particular weight because he is a skeptic on the need for uniform cost accounting standards and appeared at the request of the Senator from Utah. Thus when the Senator's own recommended witness cautions against his amendment, I believe the Senate should take notice.

Third, it is argued that the promulgation of uniform cost accounting standards conflicts with the auditing functions of GAO and that the person who writes the regulations should not have the responsibility for auditing compliance therewith.

In response to the argument, it should be pointed out that the bill reported by the committee does not envision the General Accounting Office itself or the Comptroller General himself prescribing uniform cost accounting regulations. The regulations would be written by a separate Accounting Principles Board chaired by the Comptroller General. Thus, the people who write the regulations would not be the same people who are performing the GAO audit functions. A similar division of responsibility between the Defense Contract Audit Agency and the Office of the Secretary of Defense has proven to be workable even though both organizations are under the control of the Secretary of Defense.

A fourth argument is that an independent board appointed by the Comptroller General would pose administrative difficulties. According to former Budget Director Mayo, an independent board could not develop working relationships with executive branch agencies or delegate responsibilities to them without raising constitutional questions. Once again, this argument ignores the cooperative relationships which the GAO has maintained with executive branch agencies concerning their own accounting standards. The law even directs the GAO to "cooperate with the executive agencies in the development of their accounting systems." To my knowledge, this provision has not caused the constitutional difficulties vaguely alluded to by former Budget Director Mayo.

I think it is safe to say that the Senator from Utah is not a strong supporter of this legislation. As a matter of fact, 2 years ago, he even opposed a study by the GAO into the feasibility of establishing uniform cost accounting standards.

I do not say this in a critical spirit, for certainly a respectable case can be made that legislation requiring uniform cost accounting standards is not needed at all. This was the position taken by many industry witnesses, and while I do not agree with it, I am sure it is a genuine and sincerely held point of view.

If the Senator from Utah is opposed to the legislation, then I would suggest to him that he could accomplish his purposes far more effectively by moving to delete the entire section dealing with uniform cost accounting standards. Let the Senate openly debate the real issues instead of hiding behind the skirts of a supposedly procedural amendment which in my view effectively destroys the legislation. If this is the Senator's aim, let him accomplish it in a straight forward manner. If not, I urge the Senate to reject the Bennett amendment for its enactment will severely cripple the administration of the program.

Mr. President, I thank the Senator from Minnesota, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. MONDALE. Mr. President, how much time do I have remaining.

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. MONDALE. How much time does the Senator from Massachusetts require?

Mr. BROOKE. I merely wish to address some questions to the Senator from Wisconsin.

Mr. MONDALE. I yield the Senator from Massachusetts 4 minutes.

Mr. BROOKE. I thank the Senator. Is it the position of the Senator from Wisconsin that a board appointed by the Comptroller General is apt to have less industry influence upon it than a board appointed by the President?

Mr. PROXMIRE. That is exactly correct; yes.

Mr. BROOKE. Is it also true that under the proposal of the Senator from Wisconsin, the Senate has no confirmatory powers over the appointees of the Comptroller General?

Mr. PROXMIRE. That is correct.

Mr. BROOKE. I think we all have great respect for the Comptroller General, for the in-depth studies and the recommendations he has made. The President appoints the Comptroller General. But it would seem to me, that, since this office would be a congressional watchdog, it would be better to have confirmatory power in the Senate, even if the board is appointed by the Comptroller General rather than by the President of the United States.

Mr. PROXMIRE. Mr. President, may I say that the Comptroller General himself has considerable question as to the constitutionality of Senate approval of his appointees.

Mr. BROOKE. Is there really a constitutional question involved here, when the Senate grants power to the Comptroller General to appoint a board, and writes into the same legislation confirmatory powers on the part of the Senate? Does that raise a constitutional question?

Mr. PROXMIRE. Let me read the provision.

Article II, section 2, clause 2, of the Constitution of the United States, provides:

> The President shall nominate, and by and with the Advice and Consent of the Senate, shall appoint * * * Judges of the Supreme Court, and all other officers of the United States, whose appointments are not otherwise herein provided for, and which shall be established by Law: but the Congress may by Law vest the appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

It appears that under the above-quoted constitutional provision all officers of the United States whose appointments are not otherwise provided for in the Constitution and which are established by law must be nominated and appointed by the President by and with the advice and consent of the Senate, except that the Congress may vest the power to appoint inferior officers in the President alone, in courts of law or in the heads of departments.

The amendment of the Senator from Utah would provide that the President would nominate and appoint, with the advice and consent of the Senate, the members of the Cost-Accounting Standards Board.

The basic position taken by the Senator from Wisconsin is that the Comptroller General is an expert in this field, he is competent in this field, he is given the authority for auditing executive agencies, and we recognize he does this exceedingly well. So it would seem to me that for him to also have authority to audit defense contractors would be compatible with his experience, and is the best way to accomplish this.

On this issue, the committee, as the Senator from Massachusetts knows, arrived at a compromise in an effort to obtain some of the benefit of both alternatives.

Mr. BROOKE. I certainly agree as to the record of the Comptroller General, and the fact that we have granted this power to the Comptroller General. But I see nothing in the language the Senator read relative to the constitutional question which denies the Senate authority to require confirmation by the Senate of the appointment of a board by one of its agents. I just do not see that that question has been resolved in the manner in which the Senator from Wisconsin has concluded.

Mr. PROXMIRE. The Comptroller General feels that there would be constitutional questions here that would be quite serious; and, as I say, the language of the Constitution provides:

> The Congress may by Law invest the appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

Under their construction of that language, the President does not give to the heads of departments the authority to make an appointment subject to Senate confirmation.

Mr. BROOKE. But if the Senate creates the board, as would be the case in the Senator's proposal, and does not grant the appointing authority to the President——

The PRESIDING OFFICER. The time allotted to the Senator from Massachusetts has expired.

Mr. BROOKE. Two additional minutes.

Mr. MONDALE. I yield the Senator 2 additional minutes.

Mr. BROOKE. And does not provide that the President should make the appointment, then the Senate has created a board over which there can be no confirmatory powers fixed in the Senate; is that correct?

Mr. PROXMIRE. That is correct.

Mr. BROOKE. And the Senator feels that, under any circumstances, the Senate cannot create such a board?

Mr. PROXMIRE. I think that the circumstances are cloudy and unclear. It may be that the Comptroller General is wrong. But his opinion—and what seems to me to be the fairly clear language of the Constitution—makes it appear that we cannot permit a head of a department or a court to make an appointment and then have the Senate confirm that appointment. There is a series of cases that would seem to confirm that interpretation by the Comptroller General.

Mr. BROOKE. Does the Senator have any citations?

Mr. PROXMIRE. I am happy to give them to the Senator.

See *Brooks* v. *United States*, 33 F. Supp. 68 (1939); *Surowitz* v. *United States*, 80 F. Supp. 716 (1948); *Walsh* v. *United States*, 156 F. Supp. 619 (1957); *Cf. Nishimura Ekiu* v. *United States*, 142 U.S. 651 (1892); *United States* v. *Mouat*, 124 U.S. 303 (1888); *United States* v. *Germaine*, 99 U.S. 508 (1878); and *Kennedy* v. *United States*, 146 F. 2d 26 (1944).

Mr. BROOKE. And this is authority for the proposition that the Senate cannot create a board and take confirmatory authority itself?

Mr. PROXMIRE. These are cases cited in support of the Comptroller General's position.

The PRESIDING OFFICER. The additional 2 minutes of the Senator have expired.

Who yields time?

Mr. BENNETT. Mr. President, the Senator said, properly, that the Senator from Utah voted against the proposition that the Comptroller General should make a study. Looking back now, I think I was right; because it was the information from that study which the Comptroller General refused to give to the committee. So what good was it to allow him to make a study, if he refuses to pass the information along to the body that has jurisdiction over his work?

Mr. PROXMIRE. Mr. President, will the Senator yield so that I may respond?

Mr. BENNETT. I yield.

Mr. PROXMIRE. On the basis of that study, the Comptroller General changed his mind and now recommends the feasibility of uniform cost accounting standards. The Defense Department recommends their feasibility. The Bureau of the Budget recommends their feasibility. The accounting profession, which was against it, is now virtually all for it. Four of the five principal accounting associations have come out firmly for uniform cost accounting standards, and that study was the reason for their position.

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Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. GOLDWATER. In order to try to clarify this, if my memory serves me correctly, I think the Senator from Wisconsin suggested a study by the General Accounting Office that would include such subjects as weaponry, strategy, force sizes—in other words, the whole ball of wax—and the General Accounting Office said they did not want any part of it. I think that had the Senator confined himself to the type of suggestion made by the Senator from Utah, he probably would have had his amendment prevail.

Mr. BENNETT. Mr. President, I have very little time left, and I would like to comment on two or three other things that the Senator from Wisconsin said.

He said several times that under the amendment of the Senator from Utah, the Board would be completely dominated by the executive department. He forgets that the Comptroller General would be the Chairman, and the Chairman usually has more power than the same percentage of his membership bears to the total.

The Senator went to great lengths to point out that if we allowed the President to make the appointments and the Senate to confirm them, we would get nothing but political hacks. I wonder whether he would like to tell us what percentage of political hacks we confirmed during the Kennedy-Johnson era. I think the President has made pretty good appointments, and I was happy to support him, and I do not think that just a change in administration automatically leads us to believe that every appointment will be a political hack.

It has been very interesting to hear the Senator use Dr. Wright in support of the Senator's proposal; because, as the Senator will remember, Dr. Wright opposed the whole bill. When he made the comments that the Senator referred to about the idea of a Presidential commission, he was using it as part of his argument against any bill at all. I think it is a little hard on us to use him now as a witness and to intimate that he opposed this particular feature of the bill. He thought we should have no accounting standards board at all.

The Senator from Wisconsin also said—I cannot quote his words—something to the effect that we have already charged the Comptroller General with the responsibility of developing accounting standards for the entire Government, and that therefore we should trust him with this. Can the Senator from Wisconsin tell us how well he has performed that function? Has he promulgated accounting standards for the entire Government? Has he carried out that charge? How long has he had the charge? My understanding is that he has not been able to carry out the charge, and he has not proposed accounting standards for the entire Government.

I think we had better take this a piece at a time, and we had better return to our normal method of selecting men to serve in positions of this kind. We had better trust the President and Congress in this instance, as we do with the Cabinet and all the other major appointive offices, follow the normal procedure, and let the President appoint the members of this Board, with the understanding that the Comptroller General would have the power that goes with the chairmanship of the Commission; and that is the purpose of the amendment.

The **PRESIDING OFFICER.** Who yields time?

Mr. MONDALE. Mr. President, in my opinion, the Proxmire proposal for a board selected by the Comptroller General and chaired by the Comptroller General is superior to the proposed amendment. Indeed, I have grave doubt, if the Bennett amendment were adopted, as to whether we would not be better off without any uniform cost accounting standards requirement at all, because the absolutely essential ingredient of cost accounting standards must be independence. If there is any doubt about the independence of this Board, I think we should not have it; because if the Board is not independent, if, under a certain kind of structure—and I think it would be true under the Bennett proposal—it could be dominated by the Defense Department and the defense industry, this Board would not be used to protect the public. It would be used to protect the Defense Department and the defense industry from these bloated profits being returned to the contractors in the form of cost overhead.

Thus, it would be used to legitimize and to defend a practice which, at the very least, today is exposed to public criticism, and it would help to defend it.

If we want uniform cost accounting standards, which our committee clearly wants and which practically every independent witness who came before us wanted, let us make certain that we do the job right with an independent board. No one I know of, even though they have complaints about the Comptroller General's office—as they would have about everybody— has ever doubted or ever raised a question about the independence and integrity of that office. That, it seems to me, is the key point we must achieve if we are going to establish a system of uniform cost accounting standards that we are sure will work.

Therefore, I strongly oppose the amendment offered by the Senator from Utah, and I hope it will be rejected.

The **PRESIDING OFFICER.** Who yields time?

Mr. BENNETT. I have no time remaining.

Mr. TOWER. Mr. President, will the Senator from Minnesota yield me 1 minute?

Mr. MONDALE. Mr. President, how much time remains?

The **PRESIDING OFFICER.** The Senator from Minnesota has 5 minutes.

Mr. MONDALE. I will yield 1 full minute to the Senator from Texas.

Mr. TOWER. Mr. President, I thank the Senator from Minnesota for his generosity, which is characteristic of him, I might add.

Mr. President, I fail to understand why a board appointed by the Comptroller General will exercise any greater degree of independence than a board appointed by the President subject to confirmation by the Senate.

I think that what has been suggested here today is that all of our independent regulatory agencies are founded on a pillar of sand, that they are not really independent because they are appointed by the Executive and subject to senatorial confirmation, so that they cannot exercise true independence. This is inherent in the suggestion of the Senator from Wisconsin.

If that is the case, maybe we should concern ourselves today not only with the constitution of this Board but with the constitution of every independent regulatory agency.

Mr. PROXMIRE. Mr. President, will the Senator from Minnesota yield me 2 minutes?

Mr. MONDALE. Mr. President, I yield 2 minutes to the Senator from Wisconsin, and then I am going to ask for a quorum call.

The **PRESIDING OFFICER** (Mr. Saxbe). The Senator from Wisconsin is recognized for 2 minutes.

Mr. PROXMIRE. Mr. President, I think that what we have to recognize is that we are not trying to develop a regulatory agency for some kind of overall, generalized, policymaking agency. Instead, we are appointing members to a highly technical accounting board, each one of whom should have two principal qualifications; namely, one, as properly emphasized by the Senator from Minnesota, he should be independent; second, each one should be thoroughly competent in the accounting profession and know the accounting business thoroughly.

I submit that there is no one who can make better appointments in that area than the Comptroller General. As the Senator from Minnesota pointed out, the Comptroller General is independent and, as we all know, he is thoroughly competent.

In reply to the distinguished Senator from Utah, what we have to recognize is that the Comptroller General does have, under the Budgeting and Accounting Procedures Act of 1950, the authority to prescribe the principal accounting standards followed by executive branch agencies. In other words, he is the Government expert in this field.

Why should we take this away from him with respect to defense contracts, unless we want to weaken the administration of this provision and submit it to the kind of effective lobbying and the kind of pressure which I think all of us have witnessed in so many other areas.

I thank the Senator from Minnesota for yielding me this time.

Mr. MONDALE. Mr. President, I ask unanimous consent that the remainder of the time left to me be taken up in a call of the quorum.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MONDALE. Mr. President, I suggest the absence of a quorum on that basis.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONDALE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I yield back the 15 seconds I have remaining.

Mr. MONDALE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. SAXBE). All time on this amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Utah.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. RUSSELL), and the Senator from Missouri (Mr. SYMINGTON), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL) and the Senator from North Carolina (Mr. JORDAN), are absent on official business.

I further announce that, if present and voting, the Senator from Rhode Islands (Mr. PASTORE), would vote "nay."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Nebraska (Mr. CURTIS), the Senator from Michigan (Mr. GRIFFIN), and the Senator from California (Mr. MURPHY) are necessarily absent.

The Senator from Kentucky (Mr. COOK) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), and the Senator from Maine (Mrs. SMITH) would each vote "yea."

The result was announced—yeas 36, nays 44, as follows:

[No. 231 Leg.]

YEAS—36

Aiken
Allen
Allott
Bellmon
Bennett
Boggs
Brooke
Byrd, Va.
Case
Cooper
Cotton
Cranston
Dole
Dominick
Ervin
Fannin
Fong
Goldwater
Gurney
Hansen
Hatfield
Holland
Hruska
Jordan, Idaho
Miller
Packwood
Pearson
Percy
Prouty
Scott
Smith, Ill.
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—44

Anderson
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Church
Eagleton
Ellender
Fulbright
Goodell
Harris
Hart
Hollings
Hughes
Inouye
Jackson
Javits
Kennedy
Long
Mansfield
Mathias
McClellan
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pell
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Sparkman
Spong
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—20

Baker
Cook
Curtis
Dodd
Eastland
Gore
Gravel
Griffin
Hartke
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Pastore
Russell
Smith, Maine
Stevens
Symington

So Mr. BENNETT's amendment was rejected.

Mr. MONDALE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, it is my understanding that the distinguished Senator from Virginia (Mr. BYRD) has an amendment pending which relates to the Penn Central Railroad case. I have a similar amendment. We are trying to work out the amendment so that we might present one amendment instead of two.

Mr. President, I suggest the absence of a quorum.

Mr. LONG. Mr. President, will the Senator withhold his request?

Mr. PROXMIRE. Mr. President, I withold my request.

Mr. LONG. Mr. President, will the Senator yield to me briefly?

Mr. PROXMIRE. I yield to the Senator from Louisiana.

REPORT ON MEASURES PENDING BEFORE THE COMMITTEE ON FINANCE

Mr. LONG. Mr. President, the Committee on Finance has before it two very important bills that involve large amounts of additional Federal spending, and also involve large amounts of Federal taxes. Those measures are the social security amendments, sent us by the House of Representatives, and also the family assistance plan.

On Tuesday next the Committee on Finance will resume hearings on the social security amendments, as well as the medicare and medicaid proposals. Then, on Tuesday of the following week we will resume hearings on the family assistance plan.

I am aware of the fact that there have been press releases emanating from the White House to the effect that the Committee on Finance is dragging its feet on the family assistance proposals by the administration. It should be clear that the Committee on Finance has every intention of reporting that legislation with such amendments as the committee believes desirable.

When the administration sends to the Committee on Finance a proposal to increase the number of people drawing such welfare payments with Federal assistance from 10 to 25 million people, increasing that program in one fell swoop by $4 billion, which will undoubtedly lead to further increases——

Mr. COTTON. Mr. President, I think Senators should have the courtesy of having conversations in the cloakroom. I cannot hear one word that the Senator is saying and I would like to be able to hear.

The PRESIDING OFFICER. The Senator's point is well taken.

The Senate will be in order.

Mr. LONG. Mr. President, as I was saying, when the Committee on Finance undertakes to act on a measure of that far-reaching significance, it is the view of this Senator, and I believe the view of the majority of the members of the committee, and it is very evident to the chairman, that the Committee on Finance is not going to rubberstamp a proposal of that sort without taking a good look at it and considering the alternatives that have been suggested.

The time spent by the Department in redrafting some of that legislation to meet obvious defects in it has not been wasted, nor has the delay otherwise been wasted because we have a small but extremely competent staff in the Committee on Finance which has been studying this proposed legislation, along with suggested amendments which might make it more effective in the national interest. Other Members, such as the Senator from Connecticut (Mr. RIBICOFF), have staff members who are very well qualified in the field of social security amendments and public welfare, who are working on suggestions as to ways in which this legislation might best be tailored to best meet the national interest.

We have every intention of reporting that bill and shepherding it through this session of Congress. But we do not believe it is our duty to rubberstamp everything. We believe we should study these matters and give the best advice the committee can offer. After we have done that we will recommend the type legislation we believe the Senate should pass.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in an effort to keep on good terms with the distinguished Senator from South Carolina, and to repair my forgetfulness, I ask unanimous consent that the distinguished Senator from South Carolina may be allowed to proceed for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. I thank the distinguished majority leader.

REORGANIZATION PLANS TO CREATE AN INDEPENDENT ENVIRONMENTAL PROTECTION AGENCY AND A NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION WITHIN THE DEPARTMENT OF COMMERCE

Mr. HOLLINGS. Mr. President, at noon today the President sent two reorganization plans to the Congress, the one to create an independent Environmental Protection Agency, the other to create a National Oceanic and Atmospheric Administration within the Department of Commerce.

I have reviewed the proposed reorganization to create a National Oceanic and Atmospheric Administration. While the President's proposal is not the program that the Congress has been striving for the last 10 years, I agree with the President that it is a "sound and significant beginning." I support the proposed reorganization to create a National Oceanic and Atmospheric Administration because it is a sound and significant beginning.

More than 10 years ago the Congress and the distinguished chairman of the Committee on Commerce, Senator MAGNUSON, began attempts to strengthen our national marine programs. We went from complete disarray and lack of coordination of Federal marine programs in the late 1950's, to administrative steps within the executive branch to coordinate oceanographic programs through the Interagency Committee on Oceanography, beginning in 1962. When the Interagency Committee proved insufficient to the task, we moved to the establishment of the Cabinet-level National Council on Marine Resources and Engineering Development in 1966. But the Council was conceived as a temporary expedient until a more permanent structure could be created.

At the same time we established the Commission on Marine Science, Engineering and Resources to study our national oceanic needs, and charged it with a responsibility to recommend a Federal civil marine organization. In January 1969, after 2 full years of study, the Marine Science Commission submitted its historic report, "Our Nation and the Sea" to the President and the Congress. The Commission recommended creation of an independent National Oceanic and Atmospheric Agency. That Agency, or NOAA, would be composed of those agencies that the President now proposes to place in the Department of Commerce, plus the Coast Guard. The Commission recommended a 55,000-man, $800 million per year agency, based on fiscal year 1970 employment and budget. The President is now proposing a 13,000-man, $300 million per year NOAA in the Department of Commerce.

In response to the Marine Science Commission's recommendation I introduced S. 2841 to establish a comprehensive and long-range national program of research, development, technical services, exploration and utilization of our marine and atmospheric environments, to create an independent NOAA, and to create a National Advisory Committee for Oceans and Atmosphere. All three aspects of the bill are important. It is necessary to create a long-range, comprehensive national oceanic and atmospheric program.

The bill would for the first time clearly state the objectives and functions of a Federal civil marine agency charged with the responsibility for creating and executing such a national program. The bill would provide for an agency with a broad range of responsibilities and capabilities in the marine and atmospheric environments. NOAA was not conceived solely as an oceanographic agency, devoted only to the science of the ocean. NOAA was conceived as a socially and scientifically relevant agency. It was conceived to develop scientific and technological capability and services to the Nation.

But equally important are the economic, legal, political, diplomatic, and other social activities it would perform. Its responsibilities would begin in the coastal zone of the United States and extend to the global seas. And by reason of the diverse interests and disciplines involved, a National Advisory Committee for Oceans and Atmosphere was conceived to provide broad policy advice, review marine and atmospheric programs, and ease the communication of information among the U.S. Government, States. private enterprise, and academic institutions involved in marine and atmospheric programs.

My feelings on our Federal civil marine organization are well known. Last March I stood on this floor and spoke about the lack of attention that the Nixon administration was giving to marine programs. Since then I have had several contacts with the White House, as have several leaders on both sides of the Hill. Out of these contacts came increased attention, and now a proposal which, while not as strong as I advocate, is still strong enough to begin with. And I now give it my support.

The type of leadership we need for our marine and atmospheric programs was recommended by the Marine Science Commission and spelled out in detail in S. 2841. I look for that type of leadership in the new NOAA proposed by the President. The rudiments are there. The Environmental Science Services Administration is to be abolished and its people and functions placed in the new NOAA. Most of the Bureau of Commercial Fisheries, and the marine sport fish programs of the Bureau of Sport Fisheries and Wildlife in the Department of the Interior are to be transferred.

The national sea grant program, most of the U.S. Lake Survey, and the Marine Minerals Technology Center of the Bureau of Mines will also be transferred to the new NOAA. In addition, the National Oceanographic Data Center, the National Oceanographic Instrumentation Center, and the data buoy program will be administered by the new NOAA.

The President does not mention it in his message, but the level of the leadership within the Department of Commerce will be important. The new Administrator of the new NOAA must report directly to the Secretary of Commerce, and must be able to represent the Nation in international conferences with a stature indicative of the importance of our oceanic and atmospheric programs. No less than the Under Secretary level will suffice for the leadership of NOAA.

The President indicates in his message that he continues to have an open mind about further additions and reorganizations. In order to operate effectively, the new NOAA will need the close cooperation of the Coast Guard. Perhaps after this program is under way we can again consider the possibility of joining Coast Guard with NOAA, as I proposed in S. 2841. Other components would strengthen the NOAA and logically fit into the oceanic and atmospheric programs the NOAA would administer. The work of the National Center for Atmospheric Research, the Antarctic and Arctic research programs, weather modification, coastal laboratories, and National Laboratories proposed by the Marine Science Commission should be considered for inclusion in NOAA.

No mention is made in the Presidential message of coastal zone management, for that is new legislation and not subject to the reorganization. The administration has previously assigned that responsibility to the Department of the Interior, and requested introduction of a bill amending the Federal Water Pollution Control Act to assist the States in developing coastal zone management plans and programs. Coastal zone management would more appropriately fit in the new NOAA, and I solicit the support of the administration in placing that responsibility in the new NOAA.

I am pleased that the President has strongly recommended creation of a National Advisory Committee for the Oceans and the Atmosphere, which would be appointed by the Secretary of Commerce. More effort is put into marine programs today by industry, States, and academic institutions than by the Federal Government. The Advisory Committee would be an important link between those interests and the Federal Government.

Mr. President, the opportunity and the potential are there. From fundamental knowledge of the oceans, their resources and processes, can be derived many different values—wealth from mineral and living resources; understanding of the oceans' impact on us and our impact on the oceans. Development of fundamental technology will lead to greater capability to work in the marine environment. Surveys will identify, locate, and measure living and mineral resources of the sea. U.S. fisheries can be rehabilitated and enhanced through a broad-ranging program of research, technological development, and rational management practices. Better understanding of weather and its processes, and development of techniques for planned modification of weather will be important to our ability to work at sea and to live on land.

The need is there also. We must understand and manage our use of the coastal zone well in the face of growing population in that area and the resultant pressures, conflicts, and competing demands there. Our Department of State will need technical advice in preparation for and

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participation in law of the sea conferences anticipated soon. We must continue a role of leadership in international marine organizations and help to strengthen them, that other nations may also reap the benefits of the oceans and share in the responsibility to protect them for the well-being of mankind.

The President has proposed a good beginning. I support his proposal to create a National Oceanic and Atmospheric Administration within the Department of Commerce, and urge its approval by the Senate.

Mr. President, I thank the distinguished majority leader for arranging for this approval of the President's message at this time.

Mr. MANSFIELD. It is always a pleasure.

EXTENSION OF THE DEFENSE PRODUCTION ACT

The Senate continued with the consideration of the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes.

Mr. BYRD of Virginia. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Legislative Clerk. The Senator from Virginia (Mr. Byrd) proposes an amendment as follows:

At the end of the bill insert a new section as follows:

LOAN GUARANTEES

Sec. 4. Section 301 of the Defense Production Act of 1950 (50 U.S.C. App. 2091) is amended by adding at the end thereof a new subsection as follows:

"(e) The maximum obligation of any guaranteeing agency to any contractor, subcontractor, or any other recipient under this section for any loan, discount, advance, or commitment in connection therewith, entered into under this section shall not exceed $20,000,000 except with the approval of the Congress."

Provided further, That the authority in this section shall not be used primarily to prevent the financial insolvency or bankruptcy of any person unless the President certifies that such insolvency or bankruptcy would have a direct and substantially adverse effect upon defense production and that a copy of such certification together with a detailed justification thereof is transmitted to the Congress and to the Banking and Currency Committees thereof at least ten days prior to the use of such authority.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield.

Mr. MANSFIELD. Mr. President, I have been looking for the ranking Republican member on the committee, but he is out of the Chamber at the moment. I do understand that the request which I am about to make would not meet with his disapproval. So at this time, Mr. President, I ask unanimous consent, with the concurence of the distinguished senior Senator from Utah (Mr. Bennett), that there be a half-hour limitation on the pending amendment, the time to be equally divided between the sponsor of the amendment and the manager of the bill, or whomever he may designate.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of Virginia. Reserving the right to object, did the Senator say a half-hour or an hour?

Mr. MANSFIELD. An hour, the time to be equally divided.

Mr. BENNETT. No objection.

Mr. COTTON. Mr. President, reserving the right to object, I did not quite catch who was going to control the time.

Mr. MANSFIELD. I did not know who to turn to, here. I change that to the sponsor of the amendment and the ranking Republican member of the committee, or whomever he may designate.

Mr. COTTON. I am not on the committee, but I am rather anxious to get 5 minutes out of his time.

Mr. BENNETT. I will be very happy, to the extent that I can control 5 minutes.

Mr. MANSFIELD. The Senator controls half of it.

Mr. BENNETT. I will be happy to see that the Senator from New Hampshire gets his 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, I yield myself 3 minutes, and then I shall yield to the Senator from Wisconsin.

Mr. President, the amendment which the clerk has just read is a combination——

Mr. STENNIS. Mr. President, may we have it quiet?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of Virginia. The amendment which the clerk has just read is a combination of amendment No. 738, which is on each desk, offered by the Senator from Virginia, and amendment No. 712, which also is on each desk, offered by the Senator from Wisconsin (Mr. Proxmire).

The two amendments have been put into one, and the clerk has just reported the combined amendment.

The first part of the amendment, which is amendment No. 738, would put a limitation on the guaranteeing of loans by the agencies of Government to $20 million without the consent of Congress.

At the present time, there is no limitation on loans guaranteed under the Defense Production Act of 1950.

The second part of the amendment, offered by the Senator from Wisconsin, would state that the authority under this section:

Shall not be used primarily to prevent the financial insolvency or bankruptcy of any person unless the President certifies that such insolvency or bankruptcy would have a direct and substantially adverse effect upon defense production and that a copy of such certification together with a detailed justification thereof is transmitted to the Congress and to the Banking and Currency Committees thereof at least ten days prior to the use of such authority.

Both of these amendments go back to fundamental aspects of the Defense Production Act of 1950. I yield now to the Senator from Wisconsin, and I shall go into more detail at a later time in this regard.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. PROXMIRE. Six minutes?

Mr. BYRD of Virginia. I yield 6 minutes to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I think this is a good combination of the two amendments, and I think together, the amendment is stronger than if the Senate were to accept only one of them.

The part of the amendment for which I am responsible, that is, the second part, would prohibit the use of loan guarantees under the Defense Production Act primarily for the purpose of preventing the financial insolvency or bankruptcy of any company unless the President certified that such insolvency or bankruptcy would have a direct and substantially adverse effect upon defense production. In the event the President makes such a determination, he would be required to send a copy of it together with a detailed justification thereof to the Congress at least 10 days prior to the use of the loan guarantee authority.

This amendment is prompted by the administration's unfortunate attempt to use the loan guarantee authority of the Defense Production Act to bail out the Penn Central Railroad. While I believe the administration was wise to yield to congressional criticism of the transaction, the episode does point out a glaring loophole in the Defense Production Act which we need to close to prevent a similar bailout type loan from being made in the future.

I might point out, Mr. President, that if this guarantee had been made and the loan had defaulted $200 million would have come out of the appropriations of the Navy Department. So under these circumstances, it seems clear to me that Congress ought to have a voice in these matters and be informed, and have a chance to act affirmatively.

Mr. FULBRIGHT. Mr. President, will the Senator yield? How is it the Senator is closing the loophole. The amendment would not prohibit the President from bailing out the Penn Central Railroad; all the amendment says is that he must say it is important to our defense. Why have that qualification? Why not just prohibit him from bailing it out? This is a private industry, and has many ramifications that are hardly related to defense.

Mr. PROXMIRE. The provision of the Senator from Virginia would limit it to $20 million. That would take the big corporations out of the act, to begin with. The $20 million is the limit, unless Congress approves.

Mr. FULBRIGHT. Then the second amendment seems to provide that Congress would give approval provided the President says it is important to our national defense.

Mr. PROXMIRE. It would give approval, provided the President says it would have a direct and substantial effect on defense production and provided Congress has an opportunity to act adversely, in case it disagrees after receiving a detailed justification from the President.

Mr. FULBRIGHT. In other words, it has still got to be less than $20 million?

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Mr. PROXMIRE. That is correct.

Mr. FULBRIGHT. That limit is not subject to being set aside simply because the President says so?

Mr. PROXMIRE. Not unless Congress agrees. That is the Byrd part of the amendment.

Mr. FULBRIGHT. That is certainly necessary. I did not understand that that also controls the other part of the amendment.

Mr. COTTON. Mr. President, will the Senator yield for a question on this point?

Mr. PROXMIRE. I yield.

Mr. COTTON. It is my understanding that the Senator's answer to the question of the distinguished Senator from Arkansas was that, if the President approved it, it would go beyond the $20 million, unless Congress acted adversely.

Mr. FULBRIGHT. That was what I was trying to find out, whether it did or not.

Mr. PROXMIRE. No, the $20 million is a flat limit provided by the first part of the amendment. The $20 million is a limit which can only be exceeded if Congress acts affirmatively.

Mr. FULBRIGHT. Affirmatively?

Mr. PROXMIRE. That is correct.

Mr. FULBRIGHT. There is a big difference between the way the Senator from New Hampshire puts it and what I understood the Senator to say.

Mr. COTTON. The Senator from New Hampshire is not putting it. It is what I understood from the response of the Senator from Wisconsin.

Mr. PROXMIRE. The result would be that the first part of the amendment, the first paragraph, would limit it to $20 million unless there is positive action by Congress, and the President's approval would have no effect on that; that is correct.

Mr. FULBRIGHT. Wait a minute; I was diverted at that point.

Mr. PROXMIRE. Well, the Senator's understanding is correct, that no loan guarantee could go above $20 million.

Mr. FULBRIGHT. What I want to know is, it can be no more than $20 million unless Congress affirmatively approves it; not just because Congress does not do anything?

Mr. PROXMIRE. That is correct.

Mr. FULBRIGHT. We would have to act affirmatively, I suppose, in the nature of a bill or something appropriating the money, would we not?

Mr. PROXMIRE. That is correct. The Senator's understanding is correct.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BYRD of Virginia. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROXMIRE. The Defense Production Act was never intended to be used as a vehicle to rescue large firms from their financial difficulties, which in the case of the Penn Central, were largely brought on by themselves. Instead, the original purpose of the act was to aid defense contractors, and primarily small contractors, to expand their plant and facilities in order to increase defense production.

Despite the clear legislative intent, administration attorneys have determined the language of the Defense Production Act is broad enough to encompass the Penn Central loan guarantee. While I do not necessarily agree with this interpretation, I do feel that Congress needs to amend the act to make its intent crystal clear and to prevent a similar misuse of the act's authority from occurring in the future. As presently construed, the authority is far too broad to be left in the hands of any administration, Republican or Democratic.

At this point, Mr. President, it would be useful to read a paragraph from a June 4 memorandum by William H. Rehnquist, an Assistant Attorney General in the Department of Justice.

> Section 301 does not attempt to set out a narrow and precise standard of eligibility for assistance, nor does it require particularized findings with respect to each transaction.[1] It gives broad discretion to the guaranteeing agencies to act in accordance with their judgment as to when a guarantee is an appropriate means of expediting production and deliveries under Government contracts. If, therefore, the Department of Defense, as guaranteeing agency, should determine that the guarantee of a loan to Penn Central would facilitate the performance by Penn Central of defense-related services, we believe that the Department of Defense would be legally authorized to make it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROXMIRE. I ask for 3 additional minutes.

Mr. BYRD of Virginia. I yield 3 additional minutes to the Senator.

Mr. PROXMIRE. Basically, the Rehnquist memorandum states that the language of the Defense Production Act is broad enough to permit almost any type of guarantee if the guaranteeing agency can somehow find it is related to defense production. There was never any firm evidence furnished to show that bankruptcy of the Penn Central would significantly impair defense production. As a matter of fact, bankruptcy might increase defense production by replacing the company's incompetent management.

By now, the history of the sorry Penn Central spectacle should make it evident that defense considerations were never a legitimate factor in the decision to rescue the Penn Central. The use of the Defense Production Act was a stopgap measure designed to make an interim loan guarantee of $200 million until additional legislation could be obtained.

Whether the bill to provide for $750 million in loan guarantee authority for railroads should be passed is another matter. What is at issue here is an abortive attempt by the administration to twist the language of the Defense Production Act to guarantee $200 million in loans for a purpose never intended by the act. If this attempt had succeeded, no doubt it would have been used as an argument to persuade Congress to enact the $750 million guarantee authority on the grounds that we had to protect our initial $200 million investment. Congress would have thus had its hands tied and would have been forced to pass the $750 million guarantee authority. Indeed, company officials have already admitted that the entire $200 million in loan guarantees under the Defense Production Act would have been lost if additional aid was not forthcoming.

Mr. President, these are the same tactics used by many defense contractors who deliberately underbid in order to obtain a contract and then use their financial difficulties as an excuse to obtain relief. Congress needs to bring this practice to a screeching halt and a good place to start is the Defense Production Act.

My amendment, by requiring Presidential certification of a direct and significant relationship between bankruptcy and defense production, appropriate documentation, and congressional notification, will confine the use of the act to legitimate defense purposes while not precluding its use in a genuine financial emergency. At a time when the President has called for restraint to fight inflation, we should not be risking $200 million of the taxpayer's money to bail out an ailing railroad.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. STENNIS. Does the Senator have a list of the loans that have been made, say, during the last 5 years under this act, or the last 1 year?

Mr. PROXMIRE. We will be happy to provide that for the Senator later.

Mr. STENNIS. Can the Senator give me an approximation?

Mr. BYRD of Virginia. If the Senator will yield, I can give the figures on the outstanding loans.

Mr. STENNIS. The Senator can do it on his time.

Mr. PROXMIRE. My time has expired.

Mr. BYRD of Virginia. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Nineteen minutes.

Mr. BYRD of Virginia. Mr. President, I will attempt to answer the Senator from Mississippi as I make my remarks.

The Defense Production Act of 1950 permits the Defense Department to guarantee loans. It was enacted during the Korean war, and its purpose was to make it possible for small businesses to help supply the defense needs of the Nation.

In referring to title III, section 209-1, it specifies that in order to expedite production and deliveries and services under the Government contracts, certain agencies of the Government may guarantee the financing institutions against all losses—principal, interest, loans, and so forth.

At the end of May 1970—to come to the question of the Senator from Mississippi—loan guarantees outstanding totaled $14,305,549.92. This total is represented by guarantees of loans to seven different companies, an average of $2

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[1] *Cf.* section 302 of the Defense Production Act, 50 App. USC 2092, which authorizes certain loans "only to the extent [such financial assistance] is not otherwise available on reasonable terms."

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million per company. The largest guaranty outstanding is for $8,750,000.

In studying the code and communicating with officials in the Department of Defense, it seems apparent that the Department has the authority, under United States Code, title 50, appendix section 209-1, to guarantee loans without limit. It is under this authority that the Defense Department contemplated making a $200 million loan to the Penn Central Railroad, which the Senator from Wisconsin has been discussing.

My amendment is not aimed at any particular loan, is not aimed at the Penn Central Railroad, but seeks merely to put a limitation on what can be guaranteed without the approval of Congress.

There is no limitation in the existing law, and my amendment suggests that there be a limitation of $20 million. It does not close the door on guaranties above that amount, since they still could be granted with the approval of Congress.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. FULBRIGHT. Since the Senator has stated that the largest guarantee outstanding is $8.75 million, would he consider modifying his amendment by putting that limit at $10 million? That still leaves a very substantial amount above the largest outstanding guarantee.

Mr. BYRD of Virginia. I would say to the Senator from Arkansas that in trying to determine a figure to use, I was undecided as to $10 million, $15 million, $20 million, and $25 million. I wanted to be reasonable. I did not want to do anything that would be unreasonable or would in any way hamstring the Department of Defense. I did want some limit put on it.

Mr. FULBRIGHT. It is larger than any guarantee that is outstanding.

Mr. BYRD of Virginia. It is more than double.

Mr. FULBRIGHT. I do not think the Senator wants to encourage the use of this, in view of what just took place, when they were contemplating $200 million. I would much prefer that it be $10 million, if the Senator is willing to make it $10 million.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Mississippi, and then I will reply to the Senator from Arkansas.

Mr. STENNIS. I recall when this law was passed. I recall its purpose, as stated by the Senator from Virginia, and for small businesses it doubtless served a good purpose. I was surprised that it could be interpreted to cover a $200 million loan in the recent matter of the Penn Central.

Mr. BYRD of Virginia. I was surprised, also.

Mr. STENNIS. I am going to support the Senator's amendment. I think it restores the act of 1950 to its original purpose. I do believe that with the growing increase in costs, particularly with reference to some contracts made with the smaller companies, it should be kept at a $20 million level. Cases can arise in which the Defense Department, in an emergency, could be injured by a failure of some of these smaller groups of contractors to function or to survival.

I think the Senator from Virginia has hit upon the better figure, and I am glad to support his amendment as it is now at the $20 million level.

Mr. BYRD of Virginia. I thank the Senator.

I would have no personal objection to the $10 million. I feel, however, that it probably would be better if we let it stand at $20 million, which does put a definite limitation on it—and I think a reasonable limitation; whereas, at the present time it is completely without limit, and the Defense Department, as we all know, was prepared to guarantee a loan up to $200 million.

Mr. FULBRIGHT. Would the Senator consider a compromise of $15 million? He could modify his amendment, if he requested it. Will the Senator consider making it $15 million?

Mr. BYRD of Virginia. Would the Senator from Arkansas withhold that request temporarily?

Mr. FULBRIGHT. I will.

I also wish to inquire with respect to the part of the amendment which I think was offered by the Senator from Wisconsin. However, the Senator from Virginia may have that view. I wonder whether he would have any objection to amending his amendment to stop that second proviso, after the word "person" in the third line. I thought the thrust was never intended at any time, "primarily to prevent the financial insolvency or bankruptcy of any person." That seems to me to clarify this question of the uncertainty about what the President can do merely by making a certified finding. This certainly was never intended as a socialistic program to bail out someone because he was a poor businessman.

Mr. PROXMIRE. I appreciate that view—if the Senator from Virginia will permit me to answer the Senator from Arkansas on his time—but I think that we save this by saying that "unless it would have a direct and substantially adverse effect upon defense production."

Mr. FULBRIGHT. If it is limited to $20 million or less, how can it have a substantial effect upon defense production? It is too small to have a substantial adverse effect, if we accept that limitation. Otherwise it is a small grab bag for anyone who happens to be present at the time. It would make the amendment much more certain if we stated that it was not to be used primarily to prevent the financial insolvency or bankruptcy of any person—that is implicit in it.

Mr. PROXMIRE. I sympathize with the Senator, but we have the $20 million limitation. It could have a significant effect if it were a key component for some defense procurement that was essential to the national security. There are small firms that contribute critically to some of our weapons systems. There could be a finding that this could have a substantial effect on a system that was considered to be of major importance. Under the circumstances, it would seem to me desirable, in the interest of national security, to make that kind of finding.

Mr. BYRD of Virginia. Mr. President, my time seems to be running out. I wonder whether the other side would give me some time.

Mr. BENNETT. Mr. President, how much time does the Senator desire?

Mr. FULBRIGHT. Five minutes.

Mr. BENNETT. Mr. President, I will be happy to yield 5 minutes to——

Mr. FULBRIGHT. Is the Senator from Virginia through?

Mr. BYRD of Virginia. I should like to reserve a few minutes.

Mr. FULBRIGHT. What I am trying to do is to clarify this section wherein the Senator from Virginia says as to the largest outstanding guarantees $8.75 million so that I would seriously like to offer an amendment to reduce the amount to $15 million unless the Senator from Virginia wishes to modify his amendment. I do not see any excuse for this act being used at all to bail out a poor businessman. That was in no way the purpose of the Defense Production Act. That clearly is the case of Penn Central which has been considered in this connection. Every day we read about it. It becomes more clear that it was mismanaged and its funds were diverted to nonrelated activities, primarily to real estate development. I do not think, because of the enormous amount of the money available to the Defense Department, that this should be left open ended.

I think a ceiling is certainly in order, although I think $10 million is sufficient. I would hope that the Senator could take $15 million; otherwise, I would be tempted to offer an amendment to change it. I would much prefer the Senator to modify it because the amount he proposes is significantly higher than any guarantee made so far.

Mr. BYRD of Virginia. In view of the strong argument just made by the distinguished Senator from Arkansas, I ask unanimous consent, Mr. President, that my amendment be modified to change $20 million to $15 million.

The PRESIDING OFFICER (Mr. SAXBE). Is there objection?

Mr. COTTON. Mr. President, I am compelled to object for the time being.

The PRESIDING OFFICER. Objection is heard.

Mr. COTTON. I may not, after I get my 5 minutes. I might withdraw that objection.

Mr. FULBRIGHT. I will await the pleasure of the Senator from New Hampshire. If he does object, then I shall be disposed to offer an amendment.

Mr. COTTON. I think it very likely that I will withdraw my objection, but I want to be allowed to speak first on it.

Mr. FULBRIGHT. Then I will wait until after the Senator from New Hampshire has had his opportunity to speak.

Mr. BENNETT. Mr. President, I yield to the Senator from New Hampshire such time as he feels he requires.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. COTTON. I asked for 5 minutes to cover one point. Now I should like to cover two points.

Mr. President, the thing that makes the Senator from New Hampshire doubtful about the wisdom of reducing the

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$20 million to $15 million, or to $10 million, is that there are many cases which may arise in time of national emergency when the $20 million limit would be of exceeding importance to the Nation.

This is not a self-serving declaration, but it is an example that I have in mind at this moment. There are two or three small industries located in my State presently engaged in the production of miniature ballbearings. These ballbearings are measured by the finest measurements. I do not have at hand with me the technical knowledge to give to the Senate how minute are the measurements required to produce these exceedingly small ballbearings.

It has been discovered that the Japanese are able to do the same thing. They are able to undersell our small plants so that our plants are having to give up the production of these small ball-bearings which are necessary to every airplane, every fighter, every bomber and, for that matter, many of our missiles. It is also necessary to have these infinitely small ballbearings measured by the smallest kind of measurements known to science. Now, they have given that up and have gone into coarser production, because the Department of Defense, quite justifiably, perhaps—and I emphasize the word "perhaps"—has seen fit to save some money by purchasing these small ballbearings from the Japanese.

Now, what happens if we should find ourselves at war and find ourselves completely dependent on an essential instrument which is produced and manufactured or ready for manufacture only in a foreign country? It will be necessary then immediately to restore our small plants here and secure or regain the scientists and the operators necessary to produce such an instrument. We are doing the best we can to get the Defense Department not to permit this capability to go out of America simply to save a very few million dollars. But if it does, the difference between $10 million or $15 million or $20 million, for the Department of Defense to get into production of something that we have lost of this kind, might be highly essential.

There are other examples that I think those on the Committee on Armed Services would have in mind that would seem to me would make it necessary to adhere to the $20 million figure.

However, I do not feel strongly enough about it, so that, having expressed this doubt, I am going to persist in my objection.

But, now that I am on my feet, may I cover the other matter I wanted to mention in connection with this Nation.

It has been suggested, and I was glad to hear the distinguished Senator from Virginia express himself otherwise, here on the floor of the Senate that one reason for this measure is that an attempt was made by the administration to use $200 million under the Defense Production Act for the initial bailing out of the Penn Central Railroad.

Mr. President, I simply want to say that the first time the Department of Transportation came to me as the senior minority member of the Commerce Committee, on the Penn Central problem, they related that there was grave doubt whether the Defense Production Act could be used. They felt it would be stretching things too far to use this act to cover an initial loan of any such sum as $200 million under the guise of being necessary for national defense. This was before the first conference between the leadership and with the chairman and ranking members of the Commerce and Banking and Currency Committees of both the Senate and the House, and before talking jointly with me and with the distinguished chairman of the committee, the Senator from Washington (Mr. MAGNUSON).

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BENNETT. Mr. President, I yield 2 additional minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 2 additional minutes.

Mr. COTTON. Later when conferences were held—and the distinguished majority leader is present and will, I think, corroborate what I say—it was objected to strenuously in the conferences by such Members as Representative WRIGHT PATMAN and the distinguished Senator from Washington (Mr. MAGNUSON). All these people raised the question and said that in their opinion—I am not sure that the distinguished majority leader did, but the others did—stretching the Defense Production Act should not be used in the case of the Penn Central Railroad.

I hope that there will be no misunderstanding. This amendment is not necessitated because of a planned attempt on the part of the administration to give $200 million to the Penn Central Railroad.

Mr. MANSFIELD. Mr. President, I wish to corroborate what the distinguished senior Senator from New Hampshire has just said. We were at several meetings together. However, I think it is not the allegation that is so important as the impression which was created, and unfortunately, the wrong impression, based upon the meetings we had with Secretary Volpe and members of the staff and others at various times when the matter was under discussion.

Mr. COTTON. Mr. President, I thank the distinguished majority leader. I say very frankly that the clear fact that this expedient was discussed—and it was discussed—in and of itself makes some such action as being proposed here justifiable and necessary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BENNETT. Mr. President, I yield an additional 2 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for an additional 2 minutes.

Mr. COTTON. Mr. President, I did want to correct the idea that the purpose of the amendment—and I think its author will agree—was not pointed at a blatant attempt by anyone to stretch the Defense Production Act to take care of the Penn Central Railroad.

Mr. PROXMIRE. Mr. President, will the Senator yield 2 minutes to me?

Mr. BYRD of Virginia. Mr. President, I yield 2 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 2 minutes.

Mr. PROXMIRE. Mr. President, I think that the Senator from Virginia made it very clear that from his standpoint the Penn Central Railroad was not involved. He said that very clearly. I was the one who brought up the memorandum from the Justice Department that said that the Defense Production Act could be used in their judgment to guarantee the Penn Central.

I think that everything the Senator from New Hampshire has said confirms my statement that Congress reacted adversely to this, and that includes a number of Senators—and the Senator from New Hampshire was named. For that reason, the administration changed its mind. However, the intention was that the Defense Production Act be used to make the $200 million available. Furthermore, the Penn Central officials have made it clear that $200 million would not have been enough, that such an amount would have gone down the drain unless $500 million more were made available.

Mr. COTTON. Mr. President, what the Senator from Wisconsin has said about it going down the drain or its being unjustifiable is true. And I am sure that he means to be fair. But what is true, and what I wanted to emphasize, is that in the very first approach from downtown, and specifically from the Department of Transportation, which has been and still is interested in doing something about this railroad situation, it was expressly stated that there was grave doubt, in the opinion of the administration itself that this act could be used for the $200 million, despite the opinion obtained from the Department of Justice. And that happens to be a fact.

Mr. PROXMIRE. Mr. President, I understand that is true. I also understand that Under Secretary of Defense Packard did say that the guarantee would qualify under the Defense Production Act and that he was prepared to go ahead.

Mr. COTTON. Mr. President, I do not know what Mr. Packard said, I had no discussion with him.

Mr. PROXMIRE. I would be happy to put that letter in the RECORD. I ask unanimous consent that it be printed at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., June 17, 1970.

Memorandum for the Secretary of the Navy.
Subject: DoD Guarantee of Loan to Penn Central Transportation Company.

This will supplement my memorandum of June 10, 1970 to you with respect to the authority and determination for the Department of the Navy to guarantee a V-loan by the First National City Bank of New York as agent for a consortium of banks to the Penn Central Transportation Company up to 100% and in an amount not to exceed $200 million with a maturity not to extend beyond October 31, 1970.

It is my understanding that it will take approximately two weeks to conclude negotiations and make the loan proceeds under the authorized credit available to the company. It is also my understanding that the financial requirements of the company are such that, if it is to avoid the consequences of possible bankruptcy, funds will be needed prior to the date the $200 million could be made effective.

In order that these funds may be provided, you and the Department of the Navy may take appropriate action to guarantee up to 100% of an initial V-loan under Section 301 of the Defense Production Act of 1950, as amended, in an amount not to exceed $50 million with a maturity not to extend beyond 30 June 1970. This loan is for the purpose of providing funds to the company while the larger $200 million loan is being concluded. The initial $50 million guarantor commitment will be superseded by the $200 million loan agreement when it is consummated. As in the case of the larger loan, this authority is in accordance with the opinion of the Department of Justice as set forth in its memorandum of June 4, 1970.

It is my understanding that the Penn Central Company will be a guarantor on the proposed $200 million loan. You may consider such an arrangement as an acceptable variation from the provision of my memorandum of June 10, 1970 which stipulated that the Penn Central Company should be a joint obligor.

The Penn Central Transportation Company has applied to the First National City Bank, New York, for a loan of $225 million which the bank because of the adverse financial condition of the Company will not make unless such loan is guaranteed 100% by the U.S. Government. The First National City Bank, in turn, has submitted a V-loan application to the Federal Reserve Bank of New York which has been forwarded to this Department.

The Penn Central Railroad operates in 16 states and exclusively serves 25 active Department of Defense supply depots, bases, and terminals which are considered essential to this department. In addition, the Department of Defense has entered into many prime contracts for supplies, equipment, and services with industries located in the states which are served by the Penn Central Railroad.

Of the $35.2 billion expended by DOD for prime contracts ($10,000 or more) in FY 1969, $16.3 billion was spent in the 16 states served by the Penn Central Railroad. DOD supplies and equipment valued at $5.9 billion moved via rail carriers in these states during FY 1969 and many of the industries involved are served by only one railroad—the Penn Central. Also, transportation is provided by the Penn Central for the movement of raw and semi-processed materials to industries which have DOD contracts for finished products, thereby providing that railroad with additional Defense-related revenue.

It has been estimated that about 8% or $100,000,000 of the annual revenue (direct and indirect) of the Penn Central Railroad from freight traffic comes from the Department of Defense and defense contractors.

The dependence of the DOD on rail transportation has long been recognized and the Penn Central is an important part of our country's rail network which serves key military installations and essential defense industries.

A review of the V-loan application indicates that the Company is faced with immediate cash needs which cannot be met without such a loan. I have determined that such a loan would facilitate the performance by the Company of Defense-related services necessary to the delivery of production for and under Government contracts. I therefore authorize you and the Department of the Navy in accordance with the attached opinion of the Department of Justice to take all appropriate action necessary to guarantee a V-loan under section 301 of the Defense Production Act of 1950, as amended. The Department of the Navy is authorized to enter into a participation agreement with the other military departments which will establish a one-third participation by each in the potential liability to fund the costs of financing such loan in the event the Government is required to fulfill the guarantee agreement.

I have determined that the V-loan requested may be guaranteed up to 100%. The amount of the loan should not exceed $200 million.

The purpose of this action by the Department of Defense is to provide interim financing for the Company for a period not to extend beyond October 31, 1970 and pending the obtaining by the Department of Transportation of authority to act as guarantor for the Government with respect to this loan as well as any additional financing which may be necessary. The loan and the guarantee documents shall provide for the assumption by the Department of Transportation of this Department's guarantor liability as soon as its legislation is enacted. These documents should also provide at the option of the Department of Transportation for extension and enlargement of the loan. In addition, the guarantee agreement, at least for the period in which the Department of Defense will act as guarantor, shall not provide that the financing institutions will have a right to require the Government to purchase the loan in the absence of default. The loan agreement and any notes issued thereunder should be signed by the Penn Central Company and the Penn Central Transportation Company as joint obligors.

The Department of the Navy should coordinate closely its actions with the Department of Transportation and other federal agencies involved in the matter.

DAVID PACKARD.

Mr. COTTON. The Senator can put anything in the RECORD that he wants to. But it so happens that the Senator from New Hampshire and others were present when this matter was discussed and when the first approach was made.

I want it distinctly understood—and I make this as a categorical statement—that regardless of any opinion offered by the Department of Justice or anybody else, at the very first approach it was said that in the opinion of the administration—and I suppose that means the White House—this was a very questionable approach. It was discarded.

Representative WRIGHT PATMAN, and certainly my chairman, the distinguished Senator from Washington, and others, will corroborate this position. That position was not urged by the administration and thrown out by Congress.

I wanted to make that statement. It is my understanding—and if I am incorrect, I hope that the distinguished Senator from Wisconsin will correct me—that the dragging of the Penn Central railroad into the situation does not mean that the measure before us—I am not now speaking about the amendment of the Senator from Virginia and the Senator from Wisconsin—is anything but purely a measure for dealing with contracts in the Defense Department and that it does not seek to intrude in any way, shape, or manner on the jurisdiction of the Committee on Commerce or, for that matter, the Committee on Banking and Currency, in dealing with these various problems about the Penn Central railroad or any other railroad.

Mr. PROXMIRE. The Senator is absolutely correct. This is confined entirely to the Defense Production Act, which is within the jurisdiction of the Committee on Banking and Currency, and has nothing to do with considerations in the Committee on Commerce with respect to the whole railroad problem—nothing.

Mr. COTTON. I thank the Senator for that assurance.

Mr. BENNETT. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 14 minutes remaining.

Mr. BENNETT. Mr. President, how much time is remaining on the other side?

The PRESIDING OFFICER. The other side has 9 minutes remaining.

Mr. BENNETT. Mr. President, I find myself more or less forced into a position of representing the administration in a matter which was never heard by the Committee on Banking and Currency, and which is based apparently, and very plainly in some respects, on a criticism of the way the administration handled the crisis. Maybe they did it improperly; I am sure they felt the crisis had to be handled. Anyway, they failed to handle it the way they hoped to handle it, and the Penn Central Railroad went into bankruptcy.

We are going to be faced with those problems for a long time and I am sure the Department of Defense will suffer, along with other shippers, as a result of that situation.

The effect of these two amendments is negative. Both of them state certain things may not be done. One of them says Congress has to be given 2 weeks' notice, or is it 10 days' notice?

Mr. PROXMIRE. It is 10 days' notice.

Mr. BENNETT. I thank the Senator. Ten days' notice. Well, crises do not wait for notice sometimes. I think we should approach this problem positively.

If we are going to face crises of this kind, even if it is a crisis involving companies that manufacture tiny ballbearings that only the Japanese can see, we better have a positive program for handling them. We had better not come onto the floor of the Senate afterward and berate the administration and tie its hands so if we might have another situation that might be very much more serious than the Penn Central matter, we will have tried the administration so they cannot handle it.

A great deal has been said here and over the period of a few months about the industrial-military complex and how evil it is, and a lot of other things have been said about it. But the fact remains that we must maintain our defense and we must be in a position to see that problems and crises that may arise can be handled not for the benefit of defense contractors but for the benefit of the country that may be depending on the production that those contractors are contributing to the overall effort.

So I hope that those who are so anxious to criticize the administration for its attempt to handle this matter and who are now voting to put restrictions on their ability to handle future crises will come forward and suggest hearings or suggest language for a positive program which will give the President—who happens to be a Republican now, but heaven forfend, he may be a Democrat again before I leave the Senate—the power to handle the crisis.

I recognize the motivation, the temptation in this kind of situation, but I think we in Congress should become concerned with positive solutions rather than with the satisfaction of taking a slap at the man who had to face this problem and other problems, with their potential risks to our defense capability and the continued production of our defense materiel.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MANSFIELD. Mr. President, no one can find fault with a President or an administration attempting to face up to an emergency or seeking to act under laws, which were on the books prior to their term in office.

I think we are endeavoring to meet the situation positively through the amendment of the distinguished Senator from Virginia (Mr. BYRD) and the distinguished Senator from Wisconsin (Mr. PROXMIRE). I think it is being done in good spirit, and I do not think there is any animosity involved. I am certain, on the basis of what the distinguished Senator from New Hampshire said in the way of elucidation, that kind of impression has been done away with.

Certainly, that was not the impression in the committees, and that was brought out so lucidly by the distinguished Senator from New Hampshire. But I do admit that the administration was faced with a tremendously difficult problem and that they were looking for ways and means to cope with it, immediately if not sooner; that they did come and meet with the chairmen of the committees concerned, and the joint leadership, as well. They were groping in the dark and they did not know how to meet the situation which got beyond their control.

They were talking of committees meeting and getting out legislation in a week, for example, which is an impossibility.

Mr. BENNETT. That is right.

Mr. MANSFIELD. So I hope the matter is clear. There are no politics involved and no animosity, but a crisis situation which saw the administration in a confrontation with an economic collapse.

I think the Senator from Utah and other Senators have helped to clear the air in this matter.

Mr. BENNETT. I hope instead of satisfying ourselves with dollar limits within which a President could act, that an appropriate committee—it might be the Committee on Armed Services or the Committee on Banking and Currency—should some day meet to consider what kind of powers we should give the President to act in a similar emergency, and where he would not be groping in the dark in such an emergency and grasping for powers which he may have had no right to use.

With that comment I am willing to yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MANSFIELD. The power which the President is groping for is power which has been handed to him by a previous Congress—our predecessors.

Mr. BENNETT. And yet, when he attempted to use the Defense Production Act, apparently on the advice of his Attorney General, there was disagreement over his right to use it and in the end he decided not to use it.

Mr. MANSFIELD. As happens so often, what we did in passing that law was to grant an authority, the limits of which were not fully defined, and which did not envision every situation that might arise.

Mr. BENNETT. That was passed just after World War II.

Mr. MANSFIELD. 1950.

Mr. BENNETT. It was passed after World War II, and we had no understanding of the kinds of crises that could be faced in 1970. But we should try to recognize the necessity of supplying the President with some powers on which he could depend in order to solve problems of this kind.

Mr. HOLLAND and Mr. COTTON addressed the Chair.

Mr. BENNETT. Mr. President, I yield first to the Senator from Florida.

Mr. HOLLAND. Mr. President, first I want to say that I find myself in considerable agreement with the Senator from Utah. I shall vote for the amendment with some reluctance, because I think we are visiting greater responsibilities and duties upon ourselves.

I have noted that when the time came that there was a threatened railroad or airplane stoppage over the country, Congress has acted very promptly to pass extensions of laws, though temporary laws. I noticed that when we came to the end of the time when appropriations were available and they were running out, we passed continuing resolutions without any great difficulty. I do not like, however, to increase the number of burdens we are going to have, and I think the adoption of this amendment might well work out that way.

However, because of all the things that have happened in the past—and I am not suggesting they happened in this administration, but we have seen them happen—perhaps it is a wise thing to retain this jurisdiction in the Congress, though I think we are doing so at the penalty of visiting many more difficulties on ourselves.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. STENNIS. Mr. President, as I have said, I shall support the amendment with $20 million limit. I hope the author will not see fit to reduce the amount. I point out that a great many companies have contracts involving guidance systems, for example, for some of the smaller missiles that we do not hear too much about, such as the Falcon, the Spartan, and the Sidewinder. They cannot stand any calamitous occurrences. Say there is a strike in the plant. The contract may be for $75 million. A loan of $15 million or $20 million would make the difference between success and failure, and if the company did not get it, the Defense Department would have to start over with another contractor. In the electronics field, I know our forces were begging for an instrument involving an electromagnetic phases of some kind to place in their planes. This would counteract or blot out radar, the enemy radar. For the lack of those instruments, pilots were being shot down over South Vietnam.

As I recall, some of these items were made by small companies that might need a quick loan. Let us not kick over the bucket. Because the authority has not been used, the Senator from Arkansas would kill it.

This matter has not been considered by the committee. Let us fix it at $20 million and let it go to conference and let some who are familiar with the subject matter weigh the matter from all angles there. I hope we keep the amount at $20 million as provided by the Byrd amendment.

Mr. BYRD of Virginia. Mr. President, I yield myself 3 minutes.

The amendment offered by the Senator from Virginia was not and is not prompted by any event that previously has taken place. It has nothing to do with whether it is wise or unwise to guarantee a loan for the Penn Central Railroad. The only part that played in the thinking of the Senator from Virginia was to call attention to the fact that there is no limitation on the Defense Department in the present law.

Many feel there should be no limitation.

The Senator from Virginia happens to feel that there should be a limitation as to the amount of loans that the Defense Department can guarantee in the name of the taxpayers of the United States.

There is a difference of opinion as to the amount. I am not sure whether the amount should be $15 million or $20 million, but I think there should be a limitation.

To indicate how far reaching the Defense Production Act is or how it could be utilized, at the same time that a guarantee of a loan was being sought by the Penn Central and was being considered under the Defense Production Act, the Department of Defense came before the Committee on Armed Services and proposed an additional appropriation for the Lockheed Corp. of $200 million over and above the amount that the Defense Department had said it owes to Lockheed.

I happened to oppose that $200 million for Lockheed, but the Defense Department took the appropriate course. It came to Congress for approval. The proper way to handle it is to come to Congress for approval.

That is why I feel there should be a limitation beyond which the Defense Department cannot guarantee loans under the Defense Production Act of 1950.

I agree with much of what the Senator from Mississippi said. I believe there should be a reasonable figure in order to give the Department a reasonable leeway

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in guaranteeing loans to small companies. That was the purpose of the Defense Production Act of 1950.

I say again, the Senator from Virginia was not prompted by the wisdom or lack of wisdom as to how the Penn Central difficulties should be handled. That is not the purpose of my amendment.

If I had known there was no limitation 2 years ago, I would have presented such an amendment 2 years ago.

If I had known about it 4 years ago, I would have presented such an amendment 4 years ago.

But I did not happen to know about it, and I am just wondering how many Senators realized that there was no limitation in the Defense Production Act. That is not the fault of the present administration. It is the fault of Congress, going back to 1950, and I think it is time to clear up that discrepancy.

The PRESIDING OFFICER. Who yields time?

Mr. BENNETT. Mr. President, I am prepared to yield back my time.

Mr. BYRD of Virginia. Mr. President, I am prepared to yield back my time.

Mr. FULBRIGHT. Mr. President——

Mr. BYRD of Virginia. Mr. President, will the Senator yield to me?

Mr. FULBRIGHT. I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Virginia yield for that purpose?

Mr. BYRD of Virginia. I yield to the Senator from Arkansas for that purpose.

Mr. FULBRIGHT. If all time is yielded back, is it in order to offer an amendment to this amendment?

The PRESIDING OFFICER. It would be in order, or it could be done by unanimous consent.

Mr. BYRD of Virginia. Mr. President, I have previously made a unanimous-consent request. I would like to renew it, but I will not renew it until the Senator from Mississippi returns.

Mr. COTTON. Mr. President, reserving the right to object, I do not like to resort to the parliamentary expedient that because a rollcall has been ordered the Senator cannot amend his own amendment, but, Mr. President, to the Senator from New Hampshire and to the Senator from Mississippi, the difference between $15 million and $20 million limitation may someday be highly important.

I think the Senator's amendment is a good one, but if the limitation is to be reduced, I think we ought to have an opportunity to vote on the amendment reducing it, and I am constrained to renew my objection.

Mr. MANSFIELD. Mr. President, I think the best way out of this situation would be for all time to be yielded back and then let the Senator from Arkansas offer his amendment, and no Senator will be embarrassed, and then I think we could arrive at a decision.

The PRESIDING OFFICER. All time has been yielded back.

Mr. FULBRIGHT. Mr. President, I offer an amendment to change the figure in line 9 from "$20,000,000" to "$15,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 20 minutes, with the time to be equally divided between the Senator from Arkansas, author of the amendment, and the Senator from Utah.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Who yields time?

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, I yield myself 10 minutes.

I have been very much interested in the colloquy that has taken place here. I congratulate the Senator from Virginia for offering this amendment. I think it is entirely in order.

What has interested me most of all is to see the effect that this war and the effect it is having upon some of the most conservative and most respectable Members of the Senate. I have stated in other connections that war and crisis are inimical to the preservation of the democratic system, and more so to the private enterprise system. But I never believed I would live to see the time when I would hear the Senator from Utah and the Senator from New Hampshire making proposals which sound very much to me as if they were socialistically inclined.

I would think it much better to nationalize the railroads than to subsidize the present private stockholders. Having mismanaged a railroad, or any other business—Lockheed, if you like—to the point where it is faced with bankruptcy, and then to ask the Government to bail them out without nationalizing them, is the worst of both worlds. If we are going to start bailing people out in a mismanaged private enterprise, then we are perpetuating inefficiency in management, and I think it is costing us the same or more than if it were nationalized. It seems to me that if we are going down that road, if I understood the comments of the Senator from Utah about considering giving the President power in the future to deal with situations like that of Penn Central, I would hope Congress would begin to have hearings on the nationalization of railroads.

As a matter of fact, every other major country in the world, and many minor countries, have nationalized their railroads. We are the only important country, I believe, which does not have either completely nationalized or partly nationalized railroads. One of Canada's major railroads is nationalized, the Canadian National. Japan and Germany—two of the most successful private enterprise countries—have nationalized railroads. So, while I am not offended by it, I am shocked, in a way, and surprised, by the sponsors of these ideas this afternoon.

To me, it is very sad to see how completely the continuation of a war and the wartime psychology is undermining our traditional concept of private enterprise and private initiative, and the self-reliance upon which we were brought up and which we have made one of the central points of our whole society. One of the main characteristics of the professed enemy in this war, and not only in this war, but previous wars, is the socialist system as epitomized by Russia. Yet the continuation of the war is undermining our system here at home; and this debate about a relatively minor matter has brought out, I think more clearly than any time I have ever discussed it in any other connection, just how deeply the continuation of a wartime economy, with its vast expenditures, has undermined our own society. I regret it very much indeed.

Coming to the immediate question, the amount I have suggested is almost exactly twice as much as the largest single guarantee that is outstanding, so it certainly ought to be ample, even with the rampant inflation we are now undergoing. So I do not see why there should be objection to that. We can always change it if anything necessitates it.

But I come back to the central question: What do we do about situations like that of Penn Central? From the evidence that has been printed in the newspapers, it would seem to me quite clear that there has been no unusual, sudden emergency in the Penn Central. It has been the clearest case I have ever read about of mismanagement, beginning even before the merger. Then the computers and all their accounting practices were bad and inefficient, and their pay to their officials was exorbitant, and still is, according to the press. I did not know anything about Penn Central, to speak of, before it made the news; but it is a classic example, it seems to me, of mismanagement of an enormous private enterprise with great assets. I would point out that there are probably going to be a great many embarrassing things come out about the diversion of resources from the transportation part of this vast enterprise to other subsidiaries, which primarily are glamorous developments in the real estate field. I believe they bought the late Mr. Davis' real estate development in Florida, comprised of some of the more exotic resorts down there, which no doubt attracted the management of the Penn Central. They were also doing many things besides trying to make the Penn Central a going railroad, and it would be a travesty indeed on the private enterprise system if the Government were to come along and bail out the shareholders of this corporation.

They can go through bankruptcy and reorganize; many railroads have done that. The Missouri Pacific, in my area, which is now a very good railroad, was in receivership or bankruptcy for many years. The Government did not bail it out, and it finally righted itself, but the stockholders took the loss, as they are supposed to do in a private enterprise system. I would say that is what they should do here.

As to the dangers referred to by the Senator from Mississippi, it is incredible to me, when you read about the way the Defense Department has paid for the C–5A, the most improvident contract that they have made with such a contractor, then to hear this heart-bleeding about the poor defense contractors, who are not paid enough. All in the world that

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the Defense Department needs to do is up the price on anything they want. There is no limit. More than 90 percent, or I believe right at 90 percent, of all their contracts are negotiated, which means the Defense Department gives them whatever they like. There is no competitive bidding. We have long since departed almost totally from competitive bidding on defense contracts. They just give them whatever price they want. I do not know how in the world it is possible for a company to be so inefficient that, under those circumstances, a company like Lockheed could go broke, in view of the enormous overruns that we have all read about, and about which the Senator from Wisconsin has done a magnificent job of enlightening the public and the Senate.

So I think all of this indicates a gradual and very serious deterioration in the private enterprise system, for which we think we are fighting, and about which we talk a great deal.

I personally believe that this amendment is a very proper one. I think $15 million, being twice as much as any existing guarantee, is sufficient. I hope the Senate will support it, and I also hope we will take most seriously the suggestion of the Senator from Utah that we look into ways and means of dealing with situations like that of the Penn Central; but certainly not through legislation such as defense production.

As I say, if we are going to do anything, it seems to me we should consider nationalizing the railroads. Congress is already considering—I believe one House has voted to do it—the purchase of the local bus system here in Washington, because it has gone bankrupt, or virtually bankrupt, or they say they will go bankrupt if they are not given a very large increase in their fares.

This may be the trend into which we are coming. But we ought to do it frankly and openly, and in an intelligent manner, and not be taken into it by the use of some other law, such as defense production. To me, it is utterly inexcusable to use the taxpayers' money to subsidize and rescue private investors, who took the risk with their eyes open, and who have tolerated the management which has wasted their resources. This seems to me to be the worst possible solution. We should either let them go through the established procedure of bankruptcy, or we should nationalize them. The worst thing would be to subsidize and perpetuate a situation which has proved its inefficiency and incapacity to deal with and manage that kind of business.

The **PRESIDING OFFICER**. The Senator's time has expired.

Mr. **BENNETT**. Mr. President——

The **PRESIDING OFFICER**. How much time does the Senator yield himself?

Mr. **BENNETT**. I yield myself such part of the 10 minutes as I may need.

I have very much enjoyed sitting here listening to the Senator from Arkansas misinterpret my point of view and put his own point of view on what I have said, but I was somewhat relieved when, at the end, he said he thought that my basic idea was a good one, and we should give some consideration to the problem of how to handle problems that arise which I would assume he would agree might seriously interfere with our ability to maintain our defenses.

Mr. President, I said earlier that I would vote for this amendment. If it is reduced to $15 million, I am afraid I will have to vote against it. But the fact is that I may not get a chance to vote at all, because I am running out of time with an airplane schedule. I am greatly disappointed that my amendment on the makeup of the commission to set the accounting standards was not adopted. I am sorry I will be unable to stay for the remainder of the action on the bill. I will have to position myself on the remaining issues.

On that basis, Mr. President, I am willing to yield back the remainder of my time.

Mr. **COTTON**. Mr. President, will the Senator yield?

Mr. **BENNETT**. I am happy to yield 2 or 3 minutes to the Senator from New Hampshire.

Mr. **COTTON**. Mr. President, I have always admired, and do admire, the skill and argument of the distinguished Senator from Arkansas. But all this talk about bailing out the Penn Central Railroad and putting words into the mouths of some of us as if we were suggesting that the Government bail them out——

Mr. **BENNETT**. Or nationalize them.

Mr. **COTTON**. Or nationalize them, has about as much to do with the question before us as the flowers that bloom in the spring.

I say to the distinguished Senator from Arkansas that this question, under the rules of the Senate, happens to be under the jurisdiction of the Committee on Commerce. We are in the process of holding hearings. Nobody on that committee, to my knowledge, Democrat or Republican, from the distinguished chairman down, has indicated or formulated as yet any idea as to how we ultimately can suggest coping with the general railroad situation in this country—not just the Penn Central.

I think everyone knows some of the things that led up to the situation the Penn Central is in. I do not think anybody excuses them. If the Senator from Arkansas has suggestions for us, I hope he will honor our committee by coming before us and, from his infinite wisdom, give us those suggestions. But this statement on the floor of the Senate attributing to the Senator from New Hampshire or the Senator from Utah or anybody else any notion that this has anything to do with the Penn Central Railroad is ridiculous. The Penn Central Railroad cannot be bailed out for $20 million. Lockheed, if it is trouble, cannot be bailed out for $20 million, nor can Boeing, if it is in trouble. However, the difference between $15 million and $20 million might be quite important in dealing with some of the very delicate matters that concern corporations of much lesser magnitude.

The question is, then, whether you trust the President's discretion with $20 million, or $15 million.

Mr. President, this should be called the nit-picking amendment.

Mr. **BENNETT**. Mr. President, with respect to the amendments that probably will be offered later on which I will not have a chance to vote, I would vote against the amendment of the Senator from New York (Mr. GOODELL), No. 713, if it is offered, to require extensive reporting on military expenditures and the economy. No hearings have been held on this matter, and I am of the opinion that we do not have any information on which this can properly be considered at this time. I would however, vote for the Senator's amendment which would make the board a permanent organization.

I would vote against the amendment to remove the $25 million exemption contained in the committee bill.

The **PRESIDING OFFICER**. Who yields time?

Mr. **STENNIS**. Mr. President, will the Senator yield?

Mr. **BENNETT**. I yield.

The **PRESIDING OFFICER**. The Senator has 3 minutes remaining.

Mr. **STENNIS**. I thank the Senator.

Mr. President, I have mentioned the points I have in mind about this matter. Let me point out the tragedy of having a floor amendment in the amount of $15 million presented at 4 o'clock in the afternoon for immediate consideration.

Under this bill, since it was enacted in 1950, Defense has loaned $2.713 billion. The Department of Defense has considered it necessary. According to the figures I have, $750,000 or less of the loans guaranteed are in default. So, out of $2.7 billion, that is a mighty good record, it seems to me, to have such small losses.

Without any committee passing on the matter, without the Committee on Banking and Currency or the Committee on Armed Services or anyone else passing on it, the amendment is thrown in here, to put a top-level limitation on the amount of the loans. I want a limitation put on it. But I submit that we should not take all the life out of the loaning authority. This law already has shown its usefulness, and it has shown very little abuse, if any. With a shooting war going on—although it will stop, it is not going to stop today—this matter ought to be heard, considered and weighed by a committee rather than by a handful of Senators on the floor of the Senate in a limited debate.

I hope the $15 million limitation is rejected.

Mr. **FULBRIGHT**. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. **MANSFIELD**. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER**. Who yields time?

Mr. **BENNETT**. Mr. President, at the proper time, I will make a motion to table the Byrd amendment. As I understand it, that would take the substitute offered by the Senator from Arkansas with it.

The **PRESIDING OFFICER**. If made

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now, that would include the Fulbright amendment.

Mr. BENNETT. Is it proper to make it at this point?

The PRESIDING OFFICER. When the 2 minutes have expired or the Senator yields back the remainder of his time.

Mr. BENNETT. I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I take issue with the statement made by the distinguished junior Senator from Arkansas with respect to the C-5A, that this was on a negotiated basis. This was on a bid basis. Lockheed was bidding against Boeing and Douglas. Both of the other companies state that they think Lockheed bid far too low, and it probably did. It turned out that it may be a bad deal for both Lockheed and the Federal Government. But this was under a very poor Secretary of Defense, Mr. McNamara.

Mr. BENNETT. Mr. President, I withdraw the motion to table, and we will vote directly on the amendment.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. BENNETT. Yes.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

Mr. STENNIS. Mr. President, what is the pending matter?

The PRESIDING OFFICER. The pending question is on the Fulbright amendment to reduce the amount from $20 to $15 million. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Maryland (Mr. TYDINGS), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL) and the Senator from North Carolina (Mr. JORDAN) are absent on official business.

I further anounce that, if present and voting, the Senator from Washington (Mr. MAGNUSON and the Senator from Rhode Island (Mr. PASTORE) would vote "nay."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Nebraska (Mr. CURTIS), the Senator from Michigan (Mr. GRIFFIN), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Kentucky (Mr. COOK) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

If present and voting, the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Maine (Mrs. SMITH), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) would each vote "nay."

The result was announced—yeas 23, nays 52, as follows:

[No. 232 Leg.]

YEAS—23

Bayh
Burdick
Church
Cranston
Eagleton
Fulbright
Goodell
Harris
Hart
Hatfield
Hughes
Inouye
Kennedy
Mansfield
McGovern
Mondale
Montoya
Moss
Muskie
Pell
Ribicoff
Yarborough
Young, Ohio

NAYS—52

Aiken
Allen
Allott
Anderson
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Case
Cooper
Cotton
Dole
Dominick
Ellender
Ervin
Fannin
Fong
Goldwater
Gurney
Hansen
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Long
Mathias
McClellan
McIntyre
Metcalf
Miller
Nelson
Packwood
Pearson
Percy
Prouty
Proxmire
Randolph
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Thurmond
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—25

Baker
Bellmon
Cannon
Cook
Curtis
Dodd
Eastland
Gore
Gravel
Griffin
Hartke
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Pastore
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Tower
Tydings

So Mr. FULBRIGHT's amendment was rejected.

Mr. COTTON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MONDALE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. NELSON). The question now recurs on the amendment of the Senator from Virginia. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. RUSSELL), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), and the Senator from North Carolina (Mr. JORDAN) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), the Senator from Rhode Island (Mr. PASTORE), and the Senator from Nevada (Mr. CANNON) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Utah (Mr. BENNETT), the Senator from Oklahoma (Mr. BELLMON), the Senator from Nebraska (Mr. CURTIS), the Senator from Michigan (Mr. GRIFFIN), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Kentucky (Mr. COOK) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from Nebraska (Mr. CURTIS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Maine (Mrs. SMITH), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 75, nays 0, as follows:

[No. 233 Leg.]

YEAS—75

Aiken
Allen
Allott
Anderson
Bayh
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cooper
Cotton
Cranston
Dole
Dominick
Eagleton
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gurney
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—25

Baker
Bellmon
Bennett
Cannon
Cook
Curtis
Dodd
Eastland
Gore
Gravel
Griffin
Hartke
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Pastore
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Tower

So the amendment of Mr. BYRD of Virginia was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1076) to establish a pilot program in the Departments of Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Perkins, Mr. Daniels of New Jersey, Mr. O'Hara, Mr. Hathaway, Mr. William D. Ford, Mr. Meeds, Mr. Burton of California, Mrs. Green of Oregon, Mr. Hawkins, Mr. Gaydos, Mr. Scherle, Mr. Quie, Mr. Esch, Mr. Steiger of Wisconsin, Mr. Erlenborn, Mr. Eshleman, and Mr. Collins were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendment to the bill (S. 3215) to amend the National Foundation on the Arts and Humanities Act of 1965, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Perkins, Mr. Thompson of New Jersey, Mr. Brademas, Mr. Reid of New York, and Mr. Scherle were appointed managers on the part of the House at the conference.

The message further announced that the House has disagreed to the amendment of the Senate to the bill (H.R. 17070) to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Dulski, Mr. Henderson, Mr. Olsen, Mr. Udall, Mr. Daniels of New Jersey, Mr. Corbett, Mr. Gross, Mr. Cunningham, and Mr. Derwinski were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15628) to amend the Foreign Military Sales Act; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Morgan, Mr. Zablocki, Mr. Hays, Mr. Adair, and Mr. Mailliard were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2036) to remove a cloud of the titles of certain property located in Malin, Oreg.

PERMISSION TO MAKE MARKETING ORDERS APPLICABLE TO APPLES TO PROVIDE FOR PAID ADVERTISING

Mr. HOLLAND. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1456.

The PRESIDING OFFICER (Mr. Nelson) laid before the Senate the amendments of the House of Representatives to the bill (S. 1456) to amend section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to permit marketing orders applicable to apples to provide for paid advertising, which was after line 7, insert:

Sec. 2. Section 2(3) of such Act is further amended by inserting ", such marketing research and development projects provided in section 8c(6)(I), and" immediately after "section 8c(6)(H)".

And amend the title so as to read: "An Act to amend sections 2(3) and 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising."

Mr. HOLLAND. Mr. President, this matter has been cleared with the leadership on both sides.

Yesterday the House passed S. 1456, which is an act to amend the Agricultural Marketing Agreement Act, with an amendment which they added.

Unfortunately, the amendment had just become law by being signed by the President a few days ago. Counsel for the committees on both sides suggest the proper thing to do is for the Senate to disagree to the House amendment without asking for a conference, and send the message back to the House.

I move that the Senate disagree to the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to.

AMENDMENT OF PEACE CORPS ACT TO AUTHORIZE ADDITIONAL APPROPRIATIONS

Mr. FULBRIGHT. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3430.

The PRESIDING OFFICER (Mr. Nelson) laid before the Senate the amendment of the House of Representatives to the bill (S. 3430) to amend the Peace Corps Act to authorize additional appropriations, and for other purposes, which was to strike out all after the enacting clause, and insert:

That section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)), which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1970" and "$98,450,000" and inserting in lieu thereof "1971" and "$98,800,000", respectively.

Sec. 2. Section 4(c) of such Act (22 U.S.C. 2503(c)) is amended by adding at the end thereof the following new paragraph:

"(4) The Director of the Peace Corps may prescribe such regulations as may be necessary to assure that no individual performing service for the Peace Corps under any authority contained in this Act shall engage in any activity determined by the Director to be detrimental to the best interests of the United States."

Sec. 3. (a) Section 5(c) of such Act (22 U.S.C. 2504(c)), which relates to a readjustment allowance for volunteers, is amended—

(1) by inserting immediately before the period at the end of the first sentence thereof the following: ": except that, in the cases of volunteers who have one or more minor children at the time of their entering a period of pre-enrollment training, one parent shall be entitled to receive a readjustment allowance at a rate not to exceed $125 for each month of satisfactory service as determined by the President"; and

(2) by striking out "the Act of August 3, 1950, chapter 518, section 1 (5 U.S.C. 61f)" and inserting in lieu thereof "section 5582(b) of title 5, United States Code".

(b) Section 5 of such Act (5 U.S.C. 2504), which relates to Peace Corps volunteers, is amended by adding at the end thereof the following new subsections:

"(m) The minor children of a volunteer living with the volunteer may receive—

"(1) such living, travel, education, and leave allowances, such housing, transportation, subsistence, and essential special items of clothing as the President may determine;

"(2) such health care, including health care following the volunteer's service for illness or injury incurred during such service, and health and accident insurance, as the President may determine and upon such terms as he may determine, including health care in any facility referred to in subsection (e) of this section, subject to such conditions as the President may prescribe and subject to reimbursement of appropriations as provided in such subsection (e);

"(3) such orientation, language, and other training necessary to accomplish the purposes of this Act as the President may determine; and

"(4) the benefits of subsection (l) of this section on the same basis as volunteers.

"(n) The costs of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of a volunteer who has one or more minor children at the time of his entering a period of pre-enrollment training may be paid from the date of his departure from his place of residence to enter training until no later than three months after termination of his service."

Sec. 4. Clause (3) of section 6 of such Act (22 U.S.C. 2505), which relates to Peace Corps volunteer leaders, is amended by striking out ", and a married volunteer's child if born during the volunteer's service,".

Sec. 5. Paragraph (3) of section 7(a) of such Act (22 U.S.C. 2506(a)), which relates to Peace Corps employees, is amended to read as follows:

"(3) The President may specify what additional allowance authorized by section 5941 of title 5, United States Code, and which of the allowances and differentials authorized by sections 5923 through 5925 of such title 5, may be granted to any person employed, appointed, or assigned under this subsection and may determine the rates thereof not to exceed the rates otherwise granted to employees under the sections of title 5, United States Code, referred to in this paragraph."

Sec. 6. (a) Subsection (a) of section 13 of such Act (22 U.S.C. 2512), which relates to experts and consultants, is amended—

(1) by striking out "section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and inserting in lieu thereof "section 3109 of title 5, United States Code"; and

(2) by striking out "$75 per diem" and inserting in lieu thereof "the per diem equivalent of the highest rate payable under section 5332 of title 5, United States Code".

(b) Subsection (b) of such section 13 is amended by striking out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and "section 201 of the Dual Compensation Act" and inserting in lieu thereof "sections 3323(b) and 8344 of title 5, United States Code" and "section 5532 of title 5, United States Code", respectively.

SEC. 7. Subsection (b) of section 14 of such Act (22 U.S.C. 2513), which relates to detailing personnel to foreign governments and international organizations, is amended by striking out "section 1765 of the Revised Statutes (5 U.S.C. 70)" and inserting in lieu thereof "section 5536 of title 5, United States Code".

SEC. 8. Subsection (g) of section 25 of such Act (22 U.S.C. 2522) is amended by striking out "and 6(2)" and inserting in lieu thereof ", 5(m), and 6(2)".

SEC. 9. (a) Clause (3) of subsection (a) of section 301 of such Act (22 U.S.C. 2501a), which relates to encouragement of voluntary service programs, is amended by striking out all that follows "and participation in," and inserting in lieu thereof "international voluntary service programs and activities."

(b) Paragraph (2) of subsection (b) of such section 301 is amended to read as follows:

"(2) Not more than $300,000 may be used in fiscal year 1971 to carry out the provisions of clause (3) of subsection (a) of this section. Such funds may be contributed to educational institutions, private voluntary organizations, international organizations, and foreign governments or agencies thereof, to pay a fair and proportionate share of the costs of encouraging the development of, and participation in, international voluntary programs and activities."

Mr. **FULBRIGHT**. Mr. President, to refresh the recollection of Senators, the Senate passed $90 million for the authorization and the request of the administration was $98 million. The House took the higher figure of $98 million. I personally support the $90 million, but I have discussed this with a number of members of the committee and particularly the conferees, and they feel disposed to grant the amount passed by the House, although I do not personally agree with it.

Mr. President, I move that the Senate concur in the amendment of the House.

The **PRESIDING OFFICER**. The question is on agreeing on the motion of the Senator from Arkansas.

The motion was agreed to.

EXTENSION OF THE DEFENSE PRODUCTION ACT

The Senate resumed the consideration of the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes.

ORDER OF BUSINESS

Mr. **SCOTT**. Mr. President, I rise to ask the distinguished majority leader if he can tell us the outlook for the current enterprise in which we are engaged and what thereafter follows.

Mr. **MANSFIELD**. I am delighted to answer the question raised by the distinguished minority leader. If I may, I would like to proceed in the following fashion.

I yield to the Senator from Wisconsin briefly.

AMENDMENT NO. 767

Mr. **PROXMIRE**. Mr. President, I call up my Amendment No. 767.

The **PRESIDING OFFICER**. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. **PROXMIRE**. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 7, delete all beginning on line 19 through line 2 on page 8.

The language sought to be stricken is as follows:

"(2) No defense contractor or subcontractor shall be subject to the requirements of this section, if the sales of such contractor or subcontractor under contracts negotiated in connection with national defense procurements, excluding sales of commercial products sold in substantial quantities to the general public, did not exceed $25,000,000 during the most recently completed fiscal year of such contractor or subcontractor.

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that at the appropriate time, after the distinguished Senator from Arkansas has made his remarks, there be a time limitation of 30 minutes on the pending amendment, the time to be equally divided between the Senator from California (Mr. CRANSTON) and the Senator from Wisconsin (Mr. PROXMIRE).

The **PRESIDING OFFICER**. Is there objection?

Mr. **COTTON**. Mr. President, reserving the right to object, is this the amendment about the minimum, the exemption?

Mr. **PROXMIRE**. The amendment relates to businesses which do less than $25 million a year.

Mr. **JAVITS**. Mr. President, could I have 2 minutes following the Senator from Arkansas (Mr. MCCLELLAN) to get something out of the way?

Mr. **MANSFIELD**. Yes.

Mr. **COTTON**. Mr. President, I withdraw my objection.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that on all other amendments there be a time limitation of 20 minutes, the time to be equally divided between the sponsor of the amendment and either the majority or minority leader, depending on which side it comes from, or whomever they may designate.

Mr. **COTTON**. Mr. President, I am sorry. I must object if it includes the Goodell amendment.

Mr. **MANSFIELD**. It does.

Mr. **COTTON**. I must object.

Mr. **MANSFIELD**. I had hoped we could complete work on the pending measure this evening, but it is getting late. We have had a rather hard week. So I would say that after the vote on the pending Proxmire amendment, there would be no further votes tonight, but I would hope that the Senator from New York (Mr. GOODELL) would lay his amendment before the Senate and make it the pending business for tomorrow.

So at this time I ask unanimous consent that the distinguished Senator from Arkansas (Mr. MCCLELLAN) be recognized, to be followed by the distinguished Senator from New York, but that the distinguished Senator from Wisconsin does not lose his right to the floor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXTENSION OF THE DEFENSE PRODUCTION ACT

The Senate resumed the consideration of the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that on the Goodell amendment there be a time limitation of 40 minutes, 20 minutes to a side, and on all other amendments 20 minutes, 10 minutes to a side, and that at the conclusion of action on the amendments there be a final vote.

The **PRESIDING OFFICER**. Is there objection? Without objection, it is so ordered.

Mr. **MANSFIELD**. I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, in view of the agreement just reached, it is very possible that we may conclude action on the bill tonight.

Mr. **SCOTT**. And what follows?

Mr. **MANSFIELD**. The third nail on the Tonkin Gulf resolution, and assorted matters on the calendar.

PROCUREMENT OF APPLICATIONS TECHNOLOGY SATELLITES BY NASA

Mr. **MCCLELLAN**. Mr. President, in 1966 the National Aeronautics and Space Administration initiated a procurement competition for the design and construction of two applications technology satellites, larger than any previously built. The two experimental communications satellites are expected to be used for educational television in certain underdeveloped countries, for airplane and ship navigation, and for other scientific purposes. The contract was expected to total approximately $50 million.

The competition lasted until April 8, 1970, when the General Electric Co. was selected as the contractor to design and build the satellites. During the period 1966–70, NASA conducted four separate rounds of evaluation of proposals by the competing contractors, General Electric and Fairchild Hiller Corp.

During the first two rounds, Fairchild Hiller was ahead technically and was lower in price. After the third round, the competitors were rated closer technically, although Fairchild was still considerably lower in costs. The judgment made by NASA after the fourth round, selecting General Electric as the contractor, was protested by the Fairchild Hiller Corp.

The company's protest of the NASA award was referred to the Senate Permanent Subcommittee on Investigations and to the General Accounting Office. The subcommittee also was requested by

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the distinguished junior Senator from Maryland (Mr. MATHIAS) to inquire into the contract award.

I directed the subcommittee's staff to make a preliminary inquiry into the basic facts about the source selection, and a substantial amount of significant information was compiled. However, the subcommittee deferred public hearings on the matter pending the completion of the study by the General Accounting Office.

On July 2, 1970, the Comptroller General of the United States recommended to the National Aeronautics and Space Administration—NASA—that the agency reconsider its selection of General Electric to build the two satellites.

Following receipt of Mr. Staats' recommendation, NASA announced on the same day, July 2, that it would reopen the competition for the satellite project between the two final competitors, General Electric and the Fairchild Hiller Corp.

Mr. President, I commend highly the action of Comptroller General Elmer B. Staats in making the recommendation and also NASA in following the recommendation. It is my firm belief that in all Government procurement it is extremely important to avoid not only impropriety itself but the very appearance of impropriety.

I quote from the letter written on July 2 by Mr. Staats to Dr. Thomas Paine, NASA Administrator:

> On the facts of record it is our opinion that the established award selection procedures were not followed and that the procedures which were followed were defective. Under the circumstances, we think that the proposed award to General Electric should be reconsidered.

Mr. President, I concur fully with the conclusion stated in Mr. Staats' letter, and I am pleased that NASA withdrew the offer of the contract and reopened the bidding. I ask unanimous consent that the Comptroller General's letter to Dr. Paine be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. The General Accounting Office recommendation was based principally upon consideration of the events surrounding the submission of the final bids by Fairchild Hiller on February 27, 1970, and by General Electric on March 6, 1970. Inquiries by the subcommittee's staff, however, disclosed other matters which raise additional serious questions about NASA's procurement practices.

The first of these relates to the inordinate length of the competitive process, which began in 1966 under the NASA phased procurement source selection system. It is significant to note that from 1966 until the present time, NASA expended approximately $22 million to fund the competition for a contract of approximately $50 million. During that time period, NASA provided almost $12 million to General Electric and Fairchild Hiller for the preparation of a number of proposals. There are indications that approximately $10 million additional were spent within NASA for the evaluations of the proposals and for numerous conferences and fact-finding sessions with the competitors. It is highly questionable whether the expenditures of so much money and time during the several years of competition were necessary or substantially productive, and whether the phased procurement source selection system is efficient, economical, and in the best interests of the Government.

Second, the subcommittee's staff review shows that, during an evaluation of cost proposals by NASA in February of 1970, NASA made a substantial adjustment to the Fairchild Hiller proposal to reflect a probable cost overrun predicted by the agency. The propriety of this cost adjustment is subject to serious question. Its principal effect was to keep the competition open. Moreover, NASA insisted on maintaining secrecy about the proceedings of its source selection board. The existence of the predicted cost overrun was not known to Fairchild Hiller when the selection of General Electric as the probable contractor was announced, and, therefore, was not included in the Fairchild protest.

The third serious question relates to the fact that the final bid by General Electric in March of 1970 contained a reduction in overhead costs which decreased General Electric's total price to a figure just below that of Fairchild Hiller and thus resulted in the selection of General Electric as the contractor. Our staff study shows, however, that the reduction by General Electric in overhead costs is the result of a device which might very well result in increasing the net cost to the Government, rather than lowering it. The validity of this artificial price decrease apparently was not questioned within NASA.

Mr. President, the facts about this competition indicate to me that the source selection procedure and the decision by NASA were remarkably similar to those in the ill-fated TFX program. There also were four rounds of evaluation in the TFX award, during which the airplane design initially rated second best at higher cost gradually scored better in evaluations of performance and cost until it almost equaled its competitor's proposal. At that point, after the fourth round, the manufacturer whose design had been judged second best by the technical experts throughout the competition was awarded the TFX contract by the Secretary of Defense. In my view, this current procurement project by NASA is certainly reminiscent of the TFX competition and contract awards.

I believe that a thorough review of the phased procurement source selection system should be undertaken within NASA and other agencies in which such a review would be appropriate, in order to determine whether the system should be modified, changed, or eliminated.

I also believe that the proceedings of such source selection boards should be made fully available to all competitors after the contract decision has been made. The only limitation upon availability should be that actual proprietary information submitted by any competitor would be withheld from others. Such a requirement for freedom of information would be a major step toward eliminating suspicion, misunderstanding, and confusion relating to awards of major Government contracts. There should be no secret decisions which are followed by inadequate and unsatisfactory explanations to the competitors about the procedures used in making the decisions and the reasoning behind them.

EXHIBIT I

COMPROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., July 2, 1970.

Hon. THOMAS O. PAINE,
Administrator, National Aeronautics and Space Administration.

DEAR DR. PAINE: We refer to your letter of April 9, 1970, requesting that we conduct a review of the events leading to the selection of the General Electric Company (GE) rather than Fairchild Hiller Corporation (Fairchild) to build two (F & G) Applications Technology Satellites (ATS). You ask us to "establish whether there were any improprieties and whether or not established procedures were properly followed in this selection." In addition to your letter of April 9, we have also received a protest from Fairchild Hiller against the proposed award to GE.

Applications Technology Satellites (F & G) is a NASA program for design, development production, launch and support of two synchronous communications satellites now scheduled to be launched in early 1973 and 1975, respectively. Each satellite will have a minimum useful life of 2 years and will act as a precisely oriented test bed for the performance of numerous communication experiments. A principal feature of the spacecraft is a thirty-foot diameter parabolic antenna that is deployed after the spacecraft is placed in orbit. The antenna is to be capable of providing a good quality TV signal to a small, inexpensive ground receiver. In addition to communications tests, the spacecraft will perform other experiments of scientific and technological significance.

The ATS (F & G) program has been conducted by NASA under the management procedures now outlined in NHB 7121.2 dated August 1968 entitled "Phased Project Planning Guidelines" which are used for the procurement of major research and development projects.

The program started with a phase A competition which in May 1966 resulted in the award of three parallel contracts for preliminary analysis and feasibility studies for ATS (F & G). The three contractors selected were Fairchild, GE, and Lockheed. During phase A the three contractors developed design parameters and other information. NASA also conducted an in-house study (by a Goddard Space Flight Center team) on all the problem areas related to the ATS (F & G) program. At the conclusion of phase A the Goddard team assessed the various studies and arrived at a "Preferred Approach for ATS F & G" dated November 20, 1967, which was distributed to the phase A contractors.

Phase B/C solicitation dated February 8, 1968, was distributed to the three contractors with copies of the final reports issued by each of the three contractors on phase A. Bidders were instructed that combined phase B and C would include system design and would be accomplished under two contracts, and that phase D involving final hardware design and development would be performed by a single contractor, "anticipated to be one of the contractors selected for this procurement [phase B/C], however, NASA reserves the right to bring new contractors into the project at any time it is considered to be in the Government's best interest." The solicitation further stated that the phase D work statement would be "developed largely upon this Phase B and C effort, therefore, pertinent technical data developed in Phase B and C will be made

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available to the Phase B and C incumbent contractors for consideration in preparation of their final Phase D proposals." Finally the solicitation stated as follows:

"The data developed under the proposed contracts will be the property of the Government, except where proprietary rights are agreed to in advance, and may be released to other contractors for follow-on effort, and may also be published for general distribution."

In September 1968, phase B/C contracts were awarded to both GE and Fairchild (Lockheed did not receive a phase B/C contract). Phase B/C called for, among other items, the delivery of phase D proposals. Each phase B/C contract consisted of two parts. Part I was a firm-fixed price contract consisting of the study effort, while part II was on a cost-plus-fixed-fee basis and was to cover the holding period between phases B/C and D.

Phase D proposals were submitted by Fairchild and GE in September 1969, as scheduled. Price proposals were based on estimated costs since a cost-plus-award-fee contract was anticipated. October through December of 1969 was taken up with proposal discussions, fact findings and so on. By the end of December 1969 both competitors submitted revised proposals based on the prior discussions with Goddard.

During this period the NASA Source Evaluation Board, consisting of Goddard and other NASA personnel specifically constituted for evaluating the proposals, had already made preliminary technical ratings of the proposals. On the initial scoring, Fairchild was rated at 699 and GE at 664. After preliminary orals were conducted, the competitors were then rated as follows: Fairchild at 683 and GE at 670. Final ratings were given after Goddard conducted fact findings for about 10 days with each company. These final scores were 687 for GE, and 686 for Fairchild.

On February 4, 1970, a Source Evaluation Board report was submitted to you as the source selection official for this procurement. This detailed report stated in summary that:

"It is the opinion of the Source Evaluation Board that the Fairchild Hiller and General Electric proposals are technically equal. Based on the GSFC [Goddard] Technical Evaluation of manhours and materials, the cost difference is minor. Both proposers can execute Phase D in an acceptable manner."

In the meantime, a funding problem arose within NASA necessitating a delay of about one year in the launch schedule of the satellites. In a memorandum dated February 5, 1970, your Executive Officer requested that the two competitors be advised of the funding problem and the need for revised proposals to "maximize any technical, quality, interface, or delivery schedule advantages, as well as economies that can be effected as a result of the changes in funding and launch schedule. Oral and written discussions will be conducted so that all essential terms and conditions * * * have been agreed to." This memorandum was not received by Goddard until after the February 12, 1970, letter mentioned below had been sent to both contractors, although Goddard was immediately advised of the changed situation.

A joint meeting between representatives of Goddard, GE, and Fairchild was held on February 6, 1970, at which time the two competitors were given instructions for submitting their revised proposals. This meeting was confirmed by a letter dated February 12, 1970, from Goddard to both contractors which, according to Goddard officials, contained the information given out at the February 6 meeting.

The February 12th letter requested a revised proposal based on certain funding limitations and on certain launch readiness dates for the F&G satellites. Bidders were also invited to submit an alternate proposal based on the same funding limitations but alternate launch dates. The letter stated that: "It is anticipated that the technical aspects of the present proposal will not be altered except as appropriate to reflect schedule revisions." The letter concluded as follows:

"It is anticipated that the time from single contractor selection to contract definitization will be approximately four months.

* * * * *

"The revised proposals are required to be delivered to the GSFC by February 27, 1970 in order to maintain the planned schedule for award of a contract. The contractor should advise the contracting officer by February 16, 1970 of his ability to submit the revised cost proposal as stated above."

On February 16, 1970, Fairchild advised Goddard, "that every effort will be extended to effect submittal of subject revised cost proposals by 27 February 1970." GE replied by telegram on February 16 that, "The earliest date that we can guarantee submittal of responsive proposals is March 6, 1970. However, we will strive to better this date."

On February 18, the GE General Manager was at Goddard, and he stated that the additional time (beyond February 27), was required "due to time required by subcontractors and the fact that GE was also submitting a proposal for [another procurement] which was being prepared at the same time." He indicated that nonetheless every effort would be made to have the proposal in by March 4, 1970.

Then, on February 25, 1970, a Fairchild representative called the Goddard contracting officer (Mr. Krenning) to advise him of Fairchild's intention to submit a telegraphic request for an extension from Friday, February 27, 1970, to Monday, March 2, 1970, for the submission of Fairchild's proposal. The Fairchild representative reports he was told that such a request would not be approved because a similar request from GE had already been rejected. As a result of this conversation, the telegram was not sent.

Mr. Krenning confirms the fact that Mr. Flynn of Fairchild orally requested an extension of time but he denies having said that GE had been refused a similar request. Mr. Krenning reports he stated to Mr. Flynn that any written request for an extension would be referred promptly to his superior. He further reports stating to the Fairchild representative that: "if it was necessary that they be late, they were going to be whether or not NASA concurred and if it were not necessary, why should we grant an unnecessary delay." Finally, Mr. Krenning states that at the end of this conversation he was convinced that Fairchild would be late.

The record shows that Fairchild's basic and alternate proposals were submitted at 4:00 p.m., on February 27, 1970. Fairchild also submitted a third, optional, proposal on March 4. (This proposal would have required Fairchild to exceed the funding limitation by some $300,000 for fiscal year 1971, but Fairchild stipulated that such excess costs be allowed as deferred charges to later year appropriation.) This proposal was ultimately rejected by your agency.

When the Fairchild representative delivered this March 4 optional proposal to Goddard he learned that GE's proposals had not yet been delivered. The Vice President of Fairchild then telephoned the Goddard Director of Administration and Management and asked that Fairchild's proposal not be distributed to personnel for evaluation because of the fact that GE's proposal had not yet been received. The NASA Director advises us, however, that the Fairchild proposal had already been distributed.

The GE proposals were received and distributed for evaluation the early morning of March 6, 1970.

Thereafter, "fact finding" sessions were conducted at Goddard with Fairchild on March 10 and with GE on March 11 and 12, which resulted in certain refinements to the proposals. As a result of the fact finding with Fairchild, it was required to propose an upward adjustment in cost of $85,722, in its February 27, 1970, proposal.

The Source Evaluation Board then evaluated the revised proposals but made no change in the technical scoring. However, both GE and Fairchild had revised their proposal costs and the Board reevaluated each of the competitor's cost revisions. The Board's report dated April 3, 1970, concluded that the two firms were technically equal, but on an evaluation of contractor-proposed cost it was determined that GE was approximately 2 percent lower than Fairchild.

This Board report was presented orally to you on April 7, 1970. On April 8, 1970, the selection of GE as Phase D contractor was announced.

After the announcement of the selection of GE, NASA terminated Fairchild's contract for development of proposals and holding and discontinued funding of Fairchild effective April 16, 1970. The holding period under GEs contract has been extended through July 1970.

We must report that in our review of the award selection process we found that certain irregularities did occur. We have in mind certain events associated with the submissions of revised proposals after February 4, 1970.

In the first place we believe the instructions sent out to the bidders on February 12 were ambiguous. The February 12 letter stated that: "It is anticipated that the technical aspects of the present proposals will not be altered except as appropriate to reflect schedule revisions." It appears that this language was used in an attempt to discourage technical changes in the final stages of the negotiations. In so doing, we believe ambiguous instructions were issued which were subject to a variety of interpretations. Furthermore, we find these instructions were at variance with the instructions issued on February 5 by NASA Headquarters to "maximize any technical, quality, interface, or delivery schedule advantages, as well as economies that can be effected as a result of the changes in funding and launch schedule. Oral and written discussions will be conducted so that all essential terms and conditions * * * have been agreed to."

However, we are more concerned with another aspect of the final submission of proposals. Your regulation, NASA PR 3.805–1(c), states that a specified date for the close of negotiations should be established and that thereafter proposal revisions generally should not be accepted. We do not find that Goddard complied with this regulation.

As the record shows, Fairchild submitted its revised proposals on February 27, 1970, while GE submitted its proposals on March 6, 1970. We believe that Fairchild had every reason to regard February 27 as a cut-off date for submission of revised proposals. The clear import of the February 12 letter and the contracting officer's remarks to the Fairchild representative on February 25 was that the February 27 submission date could be ignored only at the bidder's peril. The fact that Fairchild submitted an unsolicited, and ultimately unacceptable, proposal on March 4 does not in our opinion take away from the factual situation set out above which, according to Fairchild, led it to believe that the principal proposals should be submitted by February 27. It is reasonable to conclude that Fairchild submitted its March 4 proposal with the hope that it might be considered timely but with no assurance that it would be.

GE, on the other hand, states it had reason to believe that a proposal submitted by

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March 6, 1970, would be acceptable to Goddard. GE officials have stated to us that, while Goddard personnel had urged GE to meet the specified February 27 date, they gave no indication that a proposal submitted after that date would be unacceptable or otherwise subject to penalty.

A situation prejudicial to Fairchild was thus created. Fairchild contends that if it had had an extra week, as did GE, to negotiate with its subcontractors or to develop cost saving methods, it might have reduced its cost proposal in much the same manner as GE did. For example, Fairchild has suggested the use of one of its off-site facilities if it had the extra time to consider the matter. We are not in a position to disagree with Fairchild, since it is a fact that Fairchild prepared its revised proposals within 3 weeks while GE submitted its proposals a week later.

To compound the situation, the Fairchild proposals were distributed for cost evaluation on March 3 and technical evaluation on March 4, or two and three days before the GE proposals were received. As a result, Fairchild contends that certain cost information in its proposals could have been leaked to GE before the GE proposals were submitted. It is argued by your agency that if a leak did occur during this two or three day period, and there is no evidence of a leak, it could not have done GE much good anyway by that time. We agree that there is no evidence of a leak. On the other hand it cannot be conclusively stated that there was no leak. A situation was created where a leak which might have affected the results of the competition was possible. And the danger of such a leak existed not only during the two or three day period referred to, but during the entire week that intervened between submission of the two proposals.

The situation was further compounded by the apparent fact that the officials making the award selection apparently were not aware of the fact that Fairchild's proposals were submitted and distributed for evaluation before GE's proposals were received. In this regard we note the following statement contained in your administrative report to our Office:

"The Board's second report, dated April 3, 1970 (TAB M), was presented orally to the Administrator on April 7, 1970. It contains a minor inconsistency. On page 2 of the summary, it states incorrectly that both proposals were received on March 6, 1970. This oversight is clarified by the more detailed account of the March proposals in the 'Report to Chairman Business Management Committee,' March 31, 1970, which is attached as a part of the Board report."

The whole problem could have been avoided if Goddard had extended the bid submission date as originally requested by GE in its telegram of February 16, 1970. At the very least the Fairchild proposals should not have been distributed for evaluation until after the GE proposals were received. Goddard officials have explained their refusal to grant additional time on the basis of urgency. They also explain that, since they could evaluate only one proposal at a time, they started to evaluate the Fairchild proposals while awaiting receipt of the GE proposals in order to save time. We are not impressed by this explanation. An award was not contemplated for another 4 months and we think that a one or two week time extension could have been tolerated in the circumstances.

In this connection, we note that back in December 1969, the first revised proposals were also submitted at different times. At that time the GE proposal was submitted before the Fairchild proposal. We understand that no common cut-off date was established at that time; apparently the competitors simply were told to submit their proposals upon completion of their respective fact finding sessions with Goddard. Be that as it may, we do not think the events of the prior submission can justify what occurred with respect to the final submission of proposals.

Your agency takes the position that February 27 cannot be regarded as a cut-off date for negotiations in the case of Fairchild because of the fact that discussions, both written and oral, were held with Fairchild as late as March 13, 1970. Fairchild contends that these March discussions were limited in scope and Fairchild did not feel free to change its proposal except to the extent required by Goddard. The record supports Fairchild's position. The March negotiations were confined to several rather limited matters resulting in an upward adjustment in proposal cost of only about $86,000. We do not regard these negotiations as constituting a full re-opening of negotiations with Fairchild.

On the facts of record it is our opinion that the established award selection procedures were not followed and that the procedures which were followed were defective. Under the circumstances, we think that the proposed award to GE should be reconsidered. We recognize that the present posture of the procurement is such that arguments can be made as to the form such reconsideration should take. At this point in time we believe this decision should be made by your agency, taking into consideration the defects in the prior negotiations as set forth in this letter. We would, of course, be pleased to discuss with you such future action as you may think proper, if you wish.

An additional point has been made which we think merits comment. Fairchild has alleged that NASA used the deficiency correction route supposedly required by GAO rulings to coach GE into the adoption of certain elements of Fairchild's design. We have held, in accordance with the provisions of 10 U.S.C. 2304(g), that written or oral discussions should be conducted with all responsible offerors whose proposals are within a competitive range and that competitive range encompasses both price and technical considerations. 47 Comp. Gen. 29, 53. However, our Office has never approved any procedure whereby information which would give an unfair competitive advantage to any proposer would be disclosed during the negotiation process. We, as you know, informally approved NASA Procurement Regulation Directive No. 69-5, dated March 10, 1969. However, we do not read this regulation as authorizing such a procedure.

We are returning the Source Evaluation Board reports as well as the correspondence and minutes of the oral discussions dealing with the various proposals under separate cover.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

Mr. McCLELLAN. I yield to the distinguished Senator from Maryland.

Mr. MATHIAS. Mr. President, I join with the distinguished Senator from Arkansas in his commendation of the action of the Comptroller General in the recommendations that the Comptroller General has made. But I think that all of us in the Senate should go further than that, and express our appreciation to the Senator from Arkansas himself, and to his subcommittee, the permanent Subcommittee on Investigations, and the staff of that subcommittee. When I first took this matter up with the chairman, he was extremely gracious, he was interested, and the investigation moved forward in a measured, proper, and reasonable way.

But beyond our expression of appreciation to the chairman of the permanent Subcommittee on Investigation and to the Comptroller General, I think there is something more here which is extremely important. That is that here we have two important investigating bodies of the Government, the Committee of the Senate and the General Accounting Office, which have moved in a measured, prudent, and thorough way into an important item of Government business. They have come up with the same conclusion. That conclusion has now been explained to the Senate by the chairman.

Mr. President, this should restore public confidence in a way that nothing else can in the procedures of government. I think, Mr. President, that for this more than for anything else we are greatly indebted to the Senator from Arkansas.

Mr. McCLELLAN. I am grateful to the Senator. I am sure he understands why the committee held no hearings; we simply ordered a preliminary investigation; the General Accounting Office was conducting an investigation, and we cooperated to the end that we might bring this to a satisfactory conclusion without the necessity of hearings. That was the result of it, and we were glad to work that way. In fact, this committee always tries to work with the other agencies of Government, and tries to get them to work with us in trying to determine how economy and efficiency in Government can best be obtained.

The PRESIDING OFFICER. The Senator's 10 minutes have expired.

Mr. McCLELLAN. Mr. President, there was no time limit.

Mr. MANSFIELD. No, Mr. President, there was no time limitation. The Senator thought he would be through in 10 minutes.

Mr. McCLELLAN. I am through.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr McCLELLAN. Yes; I yield to the distinguished Senator.

Mr. TYDINGS. Mr. President, I would like to take this opportunity to thank the distinguished Senator from Arkansas for the very fine effort that he and his subcommittee made, which undoubtedly helped to assure that the matter of the awarding of contracts will be more broadly executed as far as the General Accounting Office is concerned.

As a Senator from Maryland, I am particularly happy that the decision was made as it was by the General Accounting Office, and I want the distinguished chairman of the Committee on Government Operations to know that we in Maryland greatly appreciate his action in this matter, and the fact that the result obtained was the result of such an expeditious, fair, and just manner of proceeding.

Mr. McCLELLAN. I thank my friend from Maryland.

The PRESIDING OFFICER. Under the previous order, the Senator from New York is recognized.

STATEMENT IN SUPPORT OF CONCEPTS OF REORGANIZATION PLANS 3 AND 4

Mr. JAVITS. Mr. President, the President has submitted to the Congress today Reorganization Plans Nos. 3 and 4 of 1970, establishing the Environmental Protection Agency—EPA—as a new independent agency within the executive branch and the National Oceanic and Atmospheric Administration—NOAA—in the Department of Commerce. The concept of this plan appears to me to be entirely sound.

ENVIRONMENTAL PROTECTION AGENCY

The EPA brings together in a single organization the major Federal pollution control programs now existing in four separate agencies—Interior; Health, Education, and Welfare; Agriculture; and Atomic Energy Commission—and one interagency council—Council on Environmental Quality.

This requires pulling together into one agency a variety of research, monitoring, standard setting, and enforcement activities now scattered through those several departments and agencies. The mission of the EPA will be to organize the fight against environmental pollution on an integrated basis which acknowledges the critical relationships among pollutants, forms of pollution, and control techniques.

According to the President, EPA with its broad mandate, would also develop competence in areas of environmental protection that have not previously been given enough attention, such, for example, as the problem of noise, and it would provide an organization to which new programs in these areas could be added. The EPA will have an estimated fiscal year 1971 budget of $1.4 billion and 5,650 personnel to deal with environmental problems.

Reorganization Plan No. 3 which would create an independent agency whose administrator would be a level 2 administrator on the same level as the administrator of the National Aeronautics and Space Administration. I am hopeful that the plan will receive, of course, every consideration, and that it will be permitted to take effect according to law.

The concept of Reorganization Plan No. 4 seems to me also to be sound.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NOAA brings together in a single administration within the Commerce Department the major Federal programs dealing with the seas and atmosphere. These programs presently exist in four departments and one agency.

The function of NOAA is to organize a unified approach to the problems of the ocean and the atmosphere and to create a center of strength within the civilian sector of the Federal Government for this purpose. Although each of the units which will comprise NOAA presently carries out oceanic functions according to its particular mission, the lack of overall planning and systems approach has resulted in an impetus toward oceanic affairs which has been much less than it should be. The NOAA will have an estimated 1971 budget of about $270 million and over 12,000 personnel.

Upon the establishment of NOAA, the following programs will be transferred to it by executive action. No legislative authority is required to effect these transfers: The National Oceanographic Data and Instrumentation Centers of the Department of the Navy, and the national data buoy program of the Department of Transportation.

The President will request, upon approval of the plan, that the Secretary of Commerce establish a National Advisory Committee for the Oceans and Atmosphere to advise on the progress of governmental and private programs in achieving the Nation's oceanic and atmospheric objectives.

Reorganization Plan No. 4 would create an agency within the Department of Commerce whose administrator would report directly to the Secretary of Commerce. I am also hopeful that this plan will receive, of course, every consideration and that it will be permitted to take effect according to law.

I thank the majority leader for his kindness in including me in the time allotment.

EXTENSION OF THE DEFENSE PRODUCTION ACT

The Senate continued with the consideration of the bill (S. 3302) to amend the Defense Production Act of 1950, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time on the amendment is limited to 20 minutes, 10 minutes to a side. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, I yield myself 10 minutes.

The amendment I am offering would strike the $25 million loophole amendment approved in committee by an 8-to-6 vote. The committee amendment would exempt defense contractors from complying with uniform cost accounting standards if their defense sales were less than $25 million in the preceding fiscal year.

The $25 million loophole amendment is totally without merit or redeeming features. It is strongly opposed by the Comptroller General who has said such an exemption "would largely defeat the purposes of the bill." It was attacked by Admiral Rickover who charged that the loophole amendment would "emasculate the legislation." The former Comptroller of the Defense Department said that "there is no merit to such a proposal." Six members of the Senate Banking Committee signed strong individual views in which they concluded that they could "see no justification" for the loophole amendment.

Four Democrats and two Republicans voted against this $25 million loophole and joined together in filing a strong dissent in the committee report. These include the chairman of the full committee, Senator SPARKMAN, and the chairman of the subcommittee which considered the bill, Senator MONDALE, and its ranking minority member, Senator GOODELL. I am most grateful for their support.

A KING-SIZE LOOPHOLE

This is a king-size loophole. About 97 percent of all prime contracts in fiscal year 1969 went to firms with sales of less than $25 million. Thus the loophole amendment would exempt 97 percent of all defense contractors from the bill. In terms of dollar volume, this accounts for about 25 percent of all negotiated defense procurement. In other words about $10 billion in prime contracts would be exempted by the loophole amendment. Moreover, the figure could be much higher if subcontracts are added in. Unfortunately, the Defense Department does not keep figures on subcontracts, but Admiral Rickover has estimated that an additional $14 billion in subcontracts could be exempted. Thus the loophole amendment could exempt as much as 50 percent of all defense procurement from the bill.

Admiral Rickover has estimated that uniform cost accounting standards will save the Federal taxpayer $2 billion a year. If this estimate is correct, the loophole amendment could cost the taxpayer between $500 and $1 billion a year. It is a high price to pay for placating a small group of willful defense industry lobbyists who selfishly seek to exempt their firms from the bill.

THE PHONY COST ARGUMENT

The ostensible purpose of the loophole amendment is to lighten the recordkeeping burden on "small" defense contractors who presumably cannot afford to change their accounting procedures. This argument is as phony as a claim by General Motors that it cannot afford to pay taxes. It is a red herring designed to becloud the true issues and secure a special privilege for a group of favored defense firms.

The record of the hearing clearly shows there will be no substantial burden on defense contractors, large or small. The Comptroller General has said uniform cost accounting standards "would not unduly burden small contractors, and we have not been provided with any evidence to indicate that it would."

The chairman of the National Association of Accountants has stated that while there would be some minor cost of adapting to the new standards, once they were promulgated, there "would be little or no difference from the costs that those companies are expending now."

Rather than burdening small contractors, uniform cost accounting standards should actually help them by taking much of the guesswork out of what is or is not allowable. This point was forcefully made by Robert Anthony, a former Defense Department comptroller, author of accounting textbooks and currently a professor at the Harvard Business School. In referring to the phony paperwork argument, Anthony testified:

> This argument is based on a complete misconception about the nature of cost accounting standards. All companies with cost-type contracts must have a cost accounting system. Such a system must be based on certain principles. Present systems are based on whatever principles the contractor chooses to use. Presumably, these are principles that the contractor finds most advantageous to him, within the vague statements of Section XV of ASPR. A system based on other princi-

> ples, those promulgated by the Comptroller General, should cost no more to operate than a system based on the principles that the contractor selects, unless the contractor now uses a system that does not do an adequate job of measuring cost at all.
>
> Indeed, it is likely that many contractors will benefit from the promulgation of a set of good standards. In the present situation, there is a great deal of confusion and uncertainty as to what practices are acceptable and what are not. With a good set of standards, the arguments with government auditors, and even the unexpected disallowances, that result from these uncertainties should be greatly reduced. Small contractors, who cannot afford large accounting staffs, should benefit proportionately more than the large contractors, who have experts knowledgeable in how to take advantage of the maximum latitude that is permissible under present regulations.

At least one industry group—the National Aerospace Services Association—agrees with Anthony. Its procurement regulation committee chairman testified that "we can conjecture that standards for records would lighten the recordkeeping load of small companies."

Throughout the hearing, the Comptroller General made it abundantly clear that the GAO did not envision extensive and costly changes in accounting systems. Rather, the GAO report and testimony and the legislation call for cost accounting standards to achieve a greater degree of uniformity and consistency. GAO envisions that all contractors would follow a common set of cost accounting standards or principles, but each would be free to operate their own accounting and recordkeeping systems as they saw fit. Thus, there is no basis for excluding small defense contractors because of the presumed cost of implementation.

It should also be emphasized that existing defense accounting regulations apply to all contractors regardless of size. Section XV of the Armed Services procurement regulations requires uniform cost accounting standards for all cost-reimbursement contracts. GAO has criticized these regulations because they are too loose and are not mandatory for all types of contracts. Nonetheless, the point still remains that the Department of Defense could see no valid basis for exempting contractors on the basis of their volume of business with the Government.

NO INTERNAL CONSISTENCY

Another feature of the loophole amendment even more difficult to understand is the fact that it also exempts contractors doing less than a $25 million a year business from disclosing their cost-accounting practices in advance of a contract and agreeing to follow those practices consistently. The GAO report showed numerous examples of contractors using one accounting method for estimating costs and a totally different method in their day-to-day operations. Invariably, the method used for estimating costs produced a higher estimate than the regular method.

The Comptroller General has testified that regulations requiring contractors to disclose their own cost accounting practices and follow them consistently can be put into effect almost immediately and that such regulations would save the Government money. Whatever one may think about the cost of implementing cost accounting standards promulgated by the Federal Government, surely one cannot seriously argue that it would be unduly costly for a contractor to disclose his own cost accounting standards and to follow those standards consistently. Nonetheless, the loophole amendment would exempt the defense contractors under $25 million from even this elementary safeguard.

BIG FIRMS ARE EXEMPTED

Although the Comptroller General sees no reason for any exemption, it might still be argued that some small business concerns should be exempt from complying with the standards promulgated by the Federal Government until the standards have proved workable. However, the loophole amendment stretches the concept of "small business" almost beyond recognition. By any standard, a $25-million-a-year business is substantial. A firm doing a $25-million-a-year business with the Government can hardly claim it is a "mom and pop" corner drugstore when it comes to cost accounting. Moreover, the firm may be substantially larger since the $25 million floor does not count civilian business.

For example, under the loophole amendment, small neighborhood defense contractors such as Dow Chemical could be exempt since the company had prime contract awards of $18.7 million. Information on subcontractors was not available. Other "mom and pop" defense contractors who could be exempted by the loophole amendment include the following firms with prime contracts under $25 million in fiscal year 1969:

Allis Chalmers, which is in my State of Wisconsin, $22 million; Bell & Howell, $14.8 million; B. F. Goodrich, $21 million; Minnesota Mining & Manufacturing, in the State of my good friend, the manager of the bill, the Senator from Minnesota (Mr. MONDALE), $22.8 million; R. J. Reynolds, $18.5 million; Zenith Radio, $12.8 million.

THE COMMERCIAL PRODUCT LOOPHOLE

Another problem with the loophole amendment is that the $25 million limit does not include "commercial products" sold to the Government if sold in substantial quantities to the general public. There is no definition or qualification given to the term "commercial product." A similar exemption is included under section 719(g) of the bill; however, there, the term "item" is used instead of "product" with the added qualification that the item must be sold on the basis of "established catalog or market prices." This is in keeping with the committee intent to confine the exemption to small items such as paint or screwdrivers.

By changing the word "item" to "product" and dropping the catalog or established market test, an implication could be reached to include much larger items such as airplanes or computers which were never intended to be exempted by the committee under section 719(g).

Thus, it might be possible under the $25 million exemption to exempt a $2 billion aircraft contractor such as Lockheed from complying with uniform cost accounting standards if the aircraft were also sold to the general public.

CONGLOMERATES EXEMPTED

Still another potential loophole is that the term "defense contractor or subcontractor" is not defined to include all the firms within a large conglomerate. Thus, a subsidiary of a large conglomerate could be exempt if the subsidiary's defense business was less than $25 million even though the company as a whole had hundreds of millions of dollars in defense contracts. Thus large firms such as Litton Industries or LTV would have sizable portions of their empires exempt.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONDALE. As the Senator knows, under the tax law, at one time it was possible to get the preferred tax treatment for small corporations by simply creating another corporation; and there was one group of commercial interests that created 405 corporations and by that method saved themselves approximately $6 million in taxes a year, because the law permitted that.

While this is not a tax measure, as I understand it, it would permit the same kind of multiplication of contracts, so that $25 million could be repeated again and again and again simply by creating new conduits through the corporate technique.

Mr. PROXMIRE. The Senator is correct. That is the way the language is drafted in the bill.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield, on the Senator's time.

Mr. CRANSTON. The Senator's answer can be on his time.

I want to ask whether the figures the Senator recited relating to Dow Chemical and other concerns covered only their negotiated prime contracts with the Government or whether they also covered off-the-shelf sales.

Mr. PROXMIRE. They covered negotiated prime contracts.

Mr. CRANSTON. I thank the Senator.

ADMINISTRATIVELY UNWORKABLE

Mr. PROXMIRE. All the other shortcomings in the loophole amendment, it is administratively unworkable. This was clearly indicated in a letter from the Comptroller General which reads as follows:

> We do not believe it would be practicable to make the applicability of cost accounting standards dependent upon the volume of a contractor's Federal business. Most defense prime contracts involve many subcontracts. If the prime contractor was subject to such standards and his subcontractors who contribute to the bulk of his prime contract costs were not, the purpose of adopting cost accounting standards would be defeated. It would be very difficult to administer the contract as a whole under two, or more, sets of cost accounting standards. Similar and more difficult problems would arise if the prime contractor had agreed to consistency in following his existing practices and one or more subcontractors had not.

If the loophole amendment were approved by Congress, defense procurement officials would be faced with an administrative nightmare. Suppose a contractor had done a $20 million a year business in fiscal year 1970. During fiscal year 1971 suppose he struck it rich and landed a $500 million contract. Under the loophole amendment, he would not have to comply with uniform cost accounting standards in negotiating the contract since his business was less than $25 million in the preceding year.

Or take another example: Suppose a large contractor negotiates a $1 billion contract in fiscal year 1971 which will take several years to perform. Suppose his sales in fiscal year 1972 are less than $25 million. Does this mean he is exempt from uniform cost accounting standards during the next year even though he still has more than $975 million in potential deliveries under the contract?

Perhaps some of these difficulties could be solved through better drafting although such an exercise would be beside the point. My only purpose in pointing out these drafting difficulties is to demonstrate the lack of thought which has gone into the entire loophole amendment and that the basic purpose of the amendment is characterized by this same lack of thought. One does not make a pig eligible for a beauty contest by removing its warts.

FLEXIBILITY ALREADY PROVIDED

Finally, it should be mentioned that the committee adopted language giving the Cost Accounting Standards Board administrative authority to exempt any class of contractor or contract from the bill if necessary and justified. This is a much sounder procedure as opposed to arbitrarily guessing at a dollar exemption level without the slightest justification or evidence and freezing it permanently into law.

SUMMARY

In summary, the $25 million exemption amendment is:

First, totally unjustified since there are no substantial costs of implementation;

Second, needlessly broad since it also exempts contractors from disclosing their own practices and adhering to them;

Third, grossly excessive in its definition of small business;

Fourth, loosely drafted with the result of possibly exempting much larger defense contractors;

Fifth, administratively unworkable; and

Sixth, unnecessarily rigid in view of the flexible administrative authority given the board to exempt small firms if warranted.

There is no justification for exempting 25 percent or more of defense contractors from the legislation under the guise of helping small business. Small business may need some relief, but the $25 million figure is obviously excessive. If we are to have truth in accounting, it should apply as broadly as possible. The Congress should not grant indiscriminate favors to special interest groups without an adequate showing. No such showing for the exemption has been made.

Simple equity demands that the rules be applied uniformly without arbitrary or artificial distinctions. As I pointed out, the board can exempt and is given authority to exempt small business on the basis of contract size in the event they feel there would be any hardship involved. I am opposed to the $25 million exemption and believe it should be rejected by the Senate.

Mr. President, I reserve the remainder of my time.

Mr. CRANSTON. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER (Mr. NELSON). The Senator from California is recognized for 10 minutes.

Mr. CRANSTON. Mr. President, I oppose the amendment and I oppose it for reasons I shall set forth, but let me say first that the matter of accounting is a subject rather familiar to me, as I served as State comptroller for the State of California for 8 years.

I followed this legislation very carefully in committee and I am not convinced that an adequate case has been made for any uniform cost-accounting standards, on that it is, indeed, the instrument which can halt the abuses which it is designed to correct.

First of all, it has been contended that implementation of a uniform cost accounting system would save the Federal taxpayer an estimated $2 billion per year. However, I note that the Senator from Wisconsin always prefaces his suggestion that it may save that, by saying "if the estimate is correct." However, in an 18-month feasibility study of uniform cost accounting, the General Accounting Office did not prove that $2 billion or any other substantial sum could be saved if such a system were adopted. During the hearings held by the Banking and Currency Committee no witness could factually substantiate the $2 billion figure.

They stated that $500 million will be lost to the taxpayer as a result of the amendment. This rather substantial loss is based on their contention that $2 billion a year can be saved if there are no exemptions from the provisions of this legislation. With a $25 million threshold they calculate that $500 million will be lost in savings.

As I stated a moment ago, the $2 billion savings is nothing more than a hypothetical, unsubstantial estimate. It thus becomes difficult to deduce from this estimated figure any $500 million loss to the taxpayer.

Indeed, it is likely that the price of a defense article manufactured for the Government will increase if uniform cost accounting standards are promulgated—due to the increased overhead costs necessary to implement such a system. The necessity of compiling additional accounting data by contractors because of the different needs of the Government and commercial sectors of their business could also increase costs.

Contrary to the suggestions in the additional views of those on the committee who favor the amendment, I did not conceive of the $25 million threshold as a new definition of "small business." I am aware that a firm doing $24 million worth of business can in no way be considered "small." However, the amendment which I offered was based on an appraisal of the level at which Department of Defense business becomes truly important to a contractor and would motivate him to make major changes in his operation to conform to the Department of Defense's desires.

I view the $25 million threshold as an effort to establish realistically a dollar threshold which would cover the large defense contractors where, if there are to be abuses related to accounting, the largest abuses could occur. The threshold in this legislation—at $25 million—will cover between 200 and 300 prime and subcontractors accounting for 74 percent of all prime contract awards. It goes considerably beyond suggestions made during the hearings that the legislation only affect the 100 largest prime defense contractors.

Virtually all representatives from industry who are intimately familiar with cost accounting practice, testified that if uniform cost accounting standards were to apply to all contractors the smaller contractors would be badly burdened by the one-time changeover costs and new operating costs. These, of course, now refer only to a one-time changeover. It might be that in the changeover, if found that the first procedure was not sound, a revision would be necessary. Without in-house legal counsel, full-time accountants, and computers, many contractors would be faced with heavy expenses if required to adopt uniform cost accounting standards.

In the additional views to which I have been referring, the GAO is cited as not believing that costly changes in a contractor's accounting system would be incurred as a result of implementation of uniform cost accounting standards.

Although I have always admired the competence of the GAO, in this particular case, I must classify their opinions as hearsay. It is clear that the costs of contractor implementation were not a part of the GAO's 18-month feasibility study. Only a single question was devoted to the topic and it received responses ranging up to $1 million. The fact that the "GAO did not envision extensive and costly changes in accounting systems" is a judgment based on lack of information rather than on the situation as it would exist.

On the subject of the disclosure of contractor cost accounting practices, it is implied that the $25 million threshold exempts companies from consistently following their own cost standards. It is inferred that a contractor is free to choose alternatives in an inconsistent and even irresponsible manner. Such is not the case. All contractors must comply with section XV of the Armed Services Procurement Regulations requiring consistent application of cost principles to contractor costs.

Let me read the armed services section XV:

> In determining the reasonableness of a given cost, consideration shall be given to * * * significant deviations from the established practices of the contractor which may unjustifiably increase the contract costs.

Furthermore, all contractors, whose stock is publicly held are subject to the accountant's doctrine of consistency certified annually by independent CPA's.

The IRS, DCAA, GAO, SEC, and the Renegotiation Board review periodically a contractor's consistency in the treatment of cost.

The costs of disclosure must be considered in any discussion of the feasibility of the $25 million threshold. A disclosure which will most likely be required by the Cost-Accounting Standards Board would require the following items:

First. Methods of distinguishing direct costs from indirect costs—required already by the bill.

Second. The basis used for allocating indirect costs—required already by the bill—since there normally are variations between separate divisions of a company, each division will require a separate handling.

Third. The composition of each indirect cost pool—since there normally are variations between separate divisions of a company, each division will require a separate handling.

Fourth. Policies on capitalization.

Fifth. Policies on depreciation.

Sixth. Any data the Board may specify.

It has been estimated that in one larger company with well documented accounting policies, two men can prepare such a disclosure—which will run about 200 pages—in about 2 months.

It has also been estimated that in a smaller company with few written policies, the disclosure will require about 1 man year. Most such companies do not have any accounting systems and procedures staff and would have to employ a person or obtain the services of a CPA. The former course might cost $10,000 to $12,000 a year for disclosure and the latter approximately $20,000 to $25,000.

Added costs will be required to revise the disclosure in response to Government objections to the initial submission. Maintenance costs will be required for all future changes.

Mr. President, I am abbreviating my extended presentation in order to save the time of the Senate.

Finally, I do not share the view of Senator PROXMIRE and others that, if the bill did not contain a threshold, the Cost Accounting Standards Board would exempt small contractors because it has been given the power to do so. The $25 million floor included in this legislation is not an arbitrary threshold based on a lack of information or evidence. It is a dollar level which will effectively include the large defense contractors in the provisions of the legislation.

Although I am new to the Senate, I am not new to Government. As a longtime observer of the governmental process, I know that it is more difficult for a governmental board to use its power to exempt a person, corporation, or organization than it is for it to resist the urge to broaden its power and scope. I am not willing to trust a Cost Accounting Standards Board to exempt contractors from the provisions of this legislation—no matter how burdensome this may be to those contractors—legislation whose very reason for being has not been adequately demonstrated. As responsible legislators, I do not think we can abdicate our legislative role by agreeing to delete the $25 million threshold from the Defense Production Act.

We might be wiser to test the advocacy of cost accounting on the larger firms that do $25 million worth of business and up with the Government annually. If cost accounting works and proves to save money, then we can agree to add the smaller companies. But let us not involve the smaller companies at this time in costly experiments that may prove to be of no benefit to them, but may cause them harm and prove to be of no benefit to the taxpayers of this Nation.

Mr. PROXMIRE. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 3 minutes.

Mr. PROXMIRE. Mr. President, I say to my good friend, the Senator from California, that the estimate of $2 billion was one made by Admiral Rickover based on his long experience with the Government and with cost accounting. He said that it would save 5 percent in costs. And 5 percent of $40 billion is $2 billion. This is also the approach used by Mr. Spacek from Arthur Anderson, one of the biggest and finest accounting firms in the country. Mr. Spacek said a cost reduction of 5 percent would not be out of the question.

I might say also that reference made by the Senator from California to the present procurement regulations were hardly confirmed by the General Accounting Office.

They said this:

> General cost principles and procedures for use in negotiated Defense contracts are contained in Section XV of the Armed Services Procurement Regulation (ASPR). However, the effectiveness of section XV is impaired because:
>
> It makes frequent references to generally accepted accounting principles and/or regulations of the Internal Revenue Service, neither of which was intended to serve contract costing purposes.
>
> It lacks specific criteria for the use of alternative accounting principles and indirect cost allocation methods.
>
> It is of limited applicability, since it is mandatory for only cost-reimbursement type contracts.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONDALE. The references to which the Senator referred were developed through the help of Dr. Wright.

Mr. PROXMIRE. They were, indeed.

Mr. MONDALE. Did Dr. Wright later write a book telling how to beat the regulations?

Mr. PROXMIRE. How to beat the system; he surely did.

Mr. MONDALE. And in that book did Dr. Wright tell defense contractors 10 ways to maximize profits by beating the regulations?

Mr. PROXMIRE. The Senator is correct.

I conclude by pointing out that my amendment is supported by the General Accounting Office and supported by most of the professional accounting associations. It is consistent with Defense Department regulations.

It does permit an exemption for small business if the Accounting Board finds that there is reason to exempt small business to prevent hardship.

Mr. STENNIS. Mr. President, what are the grounds for exempting small business? Frankly, it looks to me as though there should be some exemption here.

Mr. PROXMIRE. Mr. President, I call attention to page 8 of the bill. It reads:

> The Board is authorized, as soon as practicable after the date of enactment of this section, to prescribe rules and regulations exempting from the requirements of this section such classes or categories of defense contractors or subcontractors under contracts negotiated in connection with national defense procurements as it determines, on the basis of the size of the contracts involved or otherwise, are appropriate and consistent with the purposes sought to be achieved by this section.

It is very simple. It is on the basis of the size of the contracts. That is the basis.

Mr. CRANSTON. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. CRANSTON. Mr. President, I ask unanimous consent to have printed in the RECORD the testimony of Dr. Wright, to whom the Senator from Wisconsin referred. This is the testimony given to the committee and would explain from his point of view what he did in his accounting practice.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF DR. WRIGHT

Senator PROXMIRE. Now, when Admiral Rickover testified before our Joint Economic Committee, he referred to you and your work. He said:

"Dr. Wright participated in the development of the present Armed Services Procurement Regulation Cost Principles, that is ASPR–XV. He was therefore well qualified to write a book by which he illustrated some of the loopholes in these cost principles. This is tantamount to writing a book to beat the rules and be assured of salvation."

Then he pointed out some of the areas, and I would like to ask you about these.

No. 1, negotiate price, not cost. Keep attention focused on the reasonableness of price.

Some costs may be permitted, for example, some entertainment costs might be classified as travel or employee morale expense.

If the purpose of a contribution is to underwrite losses incurred by the institution in offering courses to the contractor's employees, a lump sum contract with the institution would accomplish the same objective and be allowable.

I certainly have nothing against maximizing profits. When I was in business, I tried to do the same. But as a Government official, I am disturbed over the loopholes you have uncovered in ASPR–XV, and it seems your book is the best testimony we could have on the need for cost-accounting standards.

Dr. WRIGHT. Well, Senator, I very much appreciate the opportunity to set the record straight on this particular point, in view of Admiral Rickover's testimony before your subcommittee on Thursday, November 14, 1968.

I would like to emphasize, if I may, that I participated in the project of preparing part 2, section XV, in the years 1952 and 1953.

I had no official contact with it thereafter. In the 6 years that elapsed until the promulgation of it, literally hundreds of other accountants, lawyers, and procurement personnel for both Government and contractors, went over every word.

Nine years elapsed between my last official contact and the publication of that book. Certainly I did not draft the regulations with the intenion of writing the book, nor did I write the book to take advantage of the Government.

Second, I would like, with your permission, to introduce into the record two pieces of correspondence.

Senator **Mondale**. Without objection, they will be entered. You might just describe them for the record (see p. 355).

Dr. **Wright**. One is dated October 27, 1961, signed by Miss Frances Warren, an associate editor for Prentice-Hall, the book publishers. Enclosed is a compilation of two reviewers of the work while it was still in manuscript. Prentice-Hall refused to publish that book in its then current form.

I would like to read paragraph 3 of that letter. It reads as follows.

This is a letter dated October 27, 1961, from the editor of Prentice-Hall to myself; paragraph 3:

"Based upon the enclosed reviews, we must strongly urge you to make the suggested revisions so the marketability of the book can be assured, so that Government people will buy the book out of self-defense.

"Our problem is to make certain that we appeal in the right way to those readers who will constitute the bulk of the audience."

I turn now to the reviewer's comments and will read only two short representative paragraphs. These are paragraphs 3 and 4 of the first page, and I quote from the reviewer's comment entitled "Accounting for Defense Contracts, Howard W. Wright."

"Dr. Wright is straddling. He is writing to both sides of the equation at the same time. His book is directed to both the Government representatives and the contractors' representatives at one and the same time.

"In one breath, the author seems to be telling the contractor how to make more money on Defense contracts by writing the proper contracts and including all costs, et cetera. Then in the next breath he seems to be inserting the Government representative in the better performance of his job.

"The two points of view are diametrically opposed. Dr. Wright should remove himself from this neutral ground. He should identify himself 100 percent with the point of view of the contractor. Don't worry about the Government representatives. They will certainly buy the book out of self-defense.

I turn now to my reply, which is dated November 4, 1961, and is my reply to Miss Warren. I will recite only short passages in the interest of time, although the entire letter is submitted so that you will have an assurance that nothing is taken out of context.

The last sentence of the first paragraph reads as follows:

"I know all of the things on your comment sheet are true if one is writing to accountants and if one wishes to prostitute himfor the businessman."

Are you with me, Senator? It's my letter of November 4. I will repeat the last sentence, sir.

Senator **Proxmire**. Tell me which paragraph.

Dr. **Wright**. The last sentence of the first paragraph, sir.

"I know of the things on your comment sheet are true if one is writing to accountants and if one wishes to prostitute himself for the businessman."

I will read the second pargaraph:

"The greatest compliment that I could have had is on the critique sheet where it states that I should remove myself from the neutral ground. My objective in writing this work was to write a definitive work that is independent, unbiased, honest, and objective. I told you several times earlier that this was not, if I had a part in it, a handy check list of ways to gyp the Government."

I go to the first sentence in the third paragraph:

"I will not emasculate this work by complying with the requirements of the critique sheets."

I turn to page 2, the carryover paragraph beginning on line 2:

"However, your 'ten handy ways to maximize profits' idea seems to be a must, so I might be willing to write up a couple of appendices or some front matter that could be used for promotional purposes."

And down in the summary:

"I will not revise the work along the lines and to the extent indicated in your critique sheet."

And taking out the middle of that paragraph:

". . . If you decide not to proceed, please send me the carbon copy you have at once, that I may seek another publisher or make other arrangements."

Senator, I can say in all honesty, that no word of the text of that book was changed as a result of that review. Within a short period following the receipt of that letter by Prentice-Hall, they told me that they were all set to go.

It is my view that the book has stood the test of time. It has been quoted in court cases, identified as the Bible for defense contracting in many places, and if we are dealing with 10 ways to maximize profits, they are such startling things as—"use the right type of contract," "read the contract before you sign," "include all costs in planning figures," negotiate price not cost," "be sure the accounting system is right for the type of contract," et cetera.

Mr. Proxmire, I am sorry this matter came up originally 18 months ago, I have served my Government in many ways over 28 years, including a period of combat in World War II. I hope to be able to continue to serve it in the future.

But, sir, I am very grateful to you for this opportunity to correct the record on this point.

Senator **Proxmire**. Thank you, Dr. Wright. I am glad you corrected it. I think your correction is most useful.

You say in your statement this morning—"I drafted the current part 2, section XV," et cetera.

Dr. **Wright**. I did, sir.

Senator **Proxmire**. You did indeed. The title of this introduction, as you say, is "Ten ways to maximize profits." And as I said, I am disturbed at the fact that you were able to point out loopholes in the ASPR–XV and it therefore seems to me that it is desirable that we have cost-accounting standards so that we can overcome some of these loopholes. Maybe you can write a new book and that will sell even better.

Dr. **Wright**. I have two comments, if I may, sir.

Despite what the record shows in the hearings on November 14, regarding the possible increase in sales of my book, the book has been out of print for 4 years because of a lack of sales, and should it be such a great device for contractors to make money out of the Government, I am sure that the publisher would long since have reprinted it.

Senator **Mondale**. Your testimony on page 6 says that before the Armed Services Board of Contract Appeals, in a case involving a large St. Paul, Minn., contractor—are you at liberty to say who that contractor was?

Dr. **Wright**. I would be most happy to tell you privately, Senator Mondale. I do have a client relationship there.

Senator **Mondale**. What relationship? Were you a witness on behalf of the contractor?

Dr. **Wright**. I was a witness on behalf of the company, yes, sir.

Senator **Proxmire**. I want to reiterate that you have a number of areas, including the way that you make contributions to educational institutions, or education, even though that seems to be allowable; and I think that is ingenious and useful to know.

Dr. **Wright**. May I respond to that? As you, I am sure, are aware, many contractors find it advantageous to have educational programs for their employees. Rather than setting up their own facilities in-house, they prefer that their students, their employees, take courses for credit at nearby institutions.

Particularly in the engineering and scientific area, these students are usually graduate students. Graduate students do not pay their own way. The tuition at most institutions is simply not adequate to cover the cost of the education.

For a major contractor to expect that an educational institution would enroll 25 or 30 students from a nearby business organization and have to absorb as much as two-thirds of the cost of education, on the one hand is not equitable, and second, the university probably does not have the capability to do it without additional financial resources.

This is not a loophole in the regulation. The regulation says that contributions are unallowable, and in interpreting that regulation from time to time, we have had interpretations that payments to universities in support of graduate education are contributions to that institution if they go beyond the normal level of tuition charged by that institution for sudents who are residents of the State. This is simple.

Senator **Proxmire**. I understand, and I am sure that many of the suggestions that you make have considerable merit. The point I make here, however, is that when you put them all together, it does represent—could represent, on the basis of more sober assessment by the Congress, an opportunity for those who are selling to the Federal Government to be able to charge the Federal Government more than we think is merited.

That is a matter of dispute. In your opening statement, you indicate you have been a consultant to 24 business and nonprofit corporations. How many of them were profit corporations, and of those, how many were defense contractors?

Dr. **Wright**. I am only consulted on defense. That is my area of expertise. Twenty of the firms are defense contractors. Four are nonprofit, primarily research organizations.

Senator **Proxmire**. But still doing work for the Defense Department?

Dr. **Wright**. All. Yes.

Senator **Proxmire**. Will you file the names of these for the record?

Dr. **Wright**. I would like first to have the permission of my clients to do so. I am in a slightly unethical situation perhaps——

Senator **Proxmire**. All right, sir. I am asking you to file them. This, of course, is up to you. If you get permission and you wish to do so, I wish you would. If you feel you cannot without violating a confidence, that is the way the record will stand.

Dr. **Wright**. I will be perfectly happy and delighted to provide it to the committee, provided I do not violate the ethical relationships with my clients.

Senator **Proxmire**. All right, sir.

In September 1969 issue of Federal Accountant, you wrote an article on uniform accounting standards, in which you said:

"I'm also intrigued by the way in which the present UCAS study came about. My research leads me to identify Admiral Rickover and Senator Proxmire as the gentlemen having most to do with initiating Bill Newman's current woes. While each is a distinguished authority in other areas, neither has as yet professed to a high degree of knowledge within the art of accounting. So it's intriguing to observe a small army of accountants searching for their souls because a couple of nonaccountants raised a question or two."

I certainly don't take any personal offense in what you said, but it seems to me that your remark illustrates a type of professional snobbery and parochialism of the worst sort. Are you suggesting that only accountants are qualified to evaluate work done by accountants and those using the services have no right to demand a better product?

Should Senators not be allowed to act in this unless they are CPA's?

Dr. Wright. By no means, and I will respond this way. First, I would like to put the quotation in an accurate context.

Actually, the article to which you refer is one of four pieces which were primarily papers presented at different symposia around the country. I endeavored to get four different points of view from different authorities so that you are quoting from a speech.

And the second paragraph of that speech—I will not take the time to read it at this point—however, I am sure that you will recognize that any speaker wants to get the attention of his audience. This is one way. [Laughter.]

I would like, with your permission, to place this article in the record.

Senator Proxmire. It's a brief article. I ask unanimous consent that it be admitted in the record.

Senator Mondale. All of it?

Senator Proxmire. The article as I have it here is only a few pages long.

Dr. Wright. That is correct.

But the real reason I would like to have the article in the record is the two paragraphs appearing on page 80. The first full paragraph:

"This brief historical review is intended to bring two things into focus. First that we have had three sets of cost-accounting principles, TD-5,000 and its companions in the 1940's, the original part 2, section XV in the 1950's, the present part 2 in the 1960's.

"And the second thing is that history seems to be repeating itself in cycles of 10 years—1940, 1949, 1959, and 1969. So perhaps Admiral Rickover is not responsible for the current effort. Maybe he is only the instrument of sun spots or miniskirts or the signs of the Zodiac.

"Regardless of the reasons, it seems to me to be appropriate to reexamine the present part 2 cost principles. They have been in use almost 10 years. Numerous ASBCA and court decisions have interpreted the principles so that a body of case laws has developed. . . ."

Senator Proxmire. That is very welcome now because 2 years ago, less than 2 years ago, you said in testimony, and I quote:

"As far as I know, no individual account of any stature or any professional accounting group or organization within or without the Government has at any time since November 2, 1959, seriously questioned the soundness of cost-accounting concepts, part 2, section XV, ASPR."

Dr. Wright. That was a true statement at that time. I personally believe it is a true statement now.

(At Dr. Wright's request, the paragraphs from the Federal Accountant are reprinted as follows:)

"This brief historical review is intended to bring two things into focus. The first is that we have had three sets of cost principles; TD 5000 and its companions in the 1940's; the original Part 2, Section XV in the '50's; the present Part 2 in the '60's. The second thing is that history seems to repeat itself in cycles of about ten years: 1940, 1949, 1959, 1969. So perhaps Admiral Rickover is not responsible for the current effort. Maybe he is only the instrument of sun-spots, or mini-skirts, or the signs of the Zodiac.

"Regardless of the reasons, it seems to me to be appropriate to re-examine the present Part 2 cost principles. They have been in use almost ten years. Numerous ASBCA and court decisions have interpreted the principles so that a body of case law is developing. The military-industrial complex has emerged as a permanent, influential segment of our society, while in 1951 this complex was looked upon—

And I think the next paragraph, however, sir, is the one which really is responsive to your question:

"merely as 'big-business gone to war.' The highly diversified conglomerates may have created problems of cost allocation which did not exist to the same degree in the early 1950's. 'Generally accepted accounting principles' which provide a significant foundation for the present cost principles have evolved into something different today from what they were eighteen years ago. But regardless of these reasons, when billions of dollars are being spent each year by the U.S. Treasury, a periodic review of the bases for determining the amount of checks issued seems to be not only desirable but mandatory. A re-examination every ten years doesn't seem to me to create an undue hardship."

Senator Proxmire. But it certainly has been questioned by the GAO and they indicate that we can improve on this. You have just said in the statement you read to us that after 10 years all these things should be reviewed.

Dr. Wright. That is exactly right. Any time we are dealing with expenditure of significant sums of Government money, every program should be looked at perhaps even more frequently than 10 years, sir.

INFORMATION SUBMITTED FOR THE RECORD

PRENTICE-HALL, INC.,
Englewood Cliffs, N.J., October 27, 1961.

Prof. Howard W. Wright,
College of Business and Public Administration, University of Maryland, College Park, Md.

Dear Professor Wright: I am sorry for the delay in getting back to you on your manuscript. However, as I mentioned before, it was necessary to have your manuscript reviewed by an outside reviewer. As I told you previously, the first reviewer made certain recommendations that we were unwilling to act upon without first securing a second review.

The second review has now been completed, and I am enclosing a compilation of both of them. Both the reviewers are very well qualified, non-governmental people. We have every reason to believe that their reviews are accurate. The test mailing certainly indicated that our large market was with non-government people.

Based upon the enclosed reviews, we must strongly urge you to make the suggested revisions so that the marketability of the book can be assured. The government people will buy the book out of self defense. Our problem is to make certain that we appeal in the right way to those readers who will constitute the bulk of the audience.

I am returning the original copy of your manuscript. I would like very much to hear from you as soon as possible so that we will know when to anticipate a revised manuscript. We know that this can be a salable book, and we are most anxious to proceed with the project.

Sincerely yours,
Frances Warren,
Associate Editor, Business and Professional Books Division.

ACCOUNTING FOR DEFENSE CONTRACTS—BY HOWARD W. WRIGHT

A book on this subject is most timely in view of the current defense program. Every effort should be made to push such a book through production as quickly as possible. But, unfortunately, Dr. Wright's book is not ready to go into production.

The Wright book itself is a great disappointment. It must be improved. It must be reworked.

Dr. Wright is straddling. He is writing to both sides of the equation at the same time. His book is directed to both, the Government representatives and the contractor representatives at one and the same time. In one breath, the author seems to be telling the contractor how to make more money on defense contracts by writing the proper contract and including all the costs, etc. Then, in the next breath he seems to be instructing the Government representative in the better performance of his job. The two points of view are diametrically opposed.

Dr. Wright should remove himself from this neutral ground. He should identify himself 100% with the point of view of the contractor. Don't worry about the government representatives. They will most certainly buy the book out of self-defense.

90% of the readers of Dr. Wright's book will be company accountants who assist in contract negotiation, price redetermination, etc. He should write the book—all the way through—as if he were talking to them. He should identify himself with their point of view. He should tell them how to put their best foot forward—how to end up with the best profit on government contracts.

For an analogy to this line of reasoning, one can look at the tax field. Hundreds of books and services have been issued to taxpayers telling them how to reduce taxes. Obviously, such books do not in the same breath tell the Internal Revenue Service how to increase its effectiveness in pursuing and auditing the taxpayer. And yet Dr. Wright, seems to be doing something akin to this—not in the tax field—but in the area of contract negotiation.

The discussion cases in Appendix B are a good case in point. They seem to be written from the point of view of the government man. They should be reworded to express the outlook of the contractor. Also, the discussion cases give the problems at hand, but offer no solutions. This might be a good approach for a college text but completely unacceptable for mail order. Either the problem section shall be rewritten or eliminated altogether.

Much of the book is written in a theoretical vein. The flavor is academic. The practical how-to-do-it is sparsely interspersed—but too sparsely.

Chapters 1, 5, 6, 7, 8, 9, and 10, plus Appendix A, have the most appeal. Chapters 2, 3, and 4 are a surprising insert on basic accounting. One would hardly expect to find this treatment on accounting theory in a text on defense contracts. This much accounting knowledge should be presupposed for most readers—and the others won't care anyway.

But, this book can be salvaged. The following steps are recommended . . .

1. Put in a chapter 10 Ways To Make More Money on Defense Contracts . . . through better choice of contract, complete accounting coverage, etc. The author should pick his ten best points and write them up in the second person . . . Do this . . . do that etc.

2. Put in another front chapter 10 Pitfalls To Be Avoided.

3. Add a third chapter 10 Special Accounting Situations and How To Make the Most of Them . . . stock options, other fringe benefits, life cost, etc.

4. Capital turnover and capital investment as factors to be weighed and rewarded in defense contracts is a subject of top drawer importance. A whole chapter should be devoted to this. For example if two contracts earn 5% each on gross but one ties up three times as much capital as the other, there is a major inequity. . . .

No. 1. 100 gross: 5% on gross X1 capital turn-5% return.

No. 2. 100 gross: 5% on gross X3 capital turns-15% return.

How does one weigh capital turnover on defense contracts?

5. The author says stock option cost is to be included. He should explain how this is done.

6. Chapters 2, 3, and 4 should be condensed and moved to the back of the book.

7. Appendix on discussion cases should be redone to give solutions from contractors point of view.

With these changes the chapters would look as follows . . .

1. Defense procurement.
2. Dept. of Defense Cost Principles.
3. 10 Ways to make more money on defense contracts.
4. 10 pitfalls to be avoided.
5. 10 special accounting situations and how to make the most of them.
6. Other selected items of cost for supply contracts.
7. Termination.
8. Research and development contracts.
9. Construction and facilities contracts.
A. Basic accounting framework and cost.
B. ASPR.
C. Discussion cases.

In the above the author's 2, 3 and 4 are moved into A, Chapter 5 becomes Chapter 2, 3 through 5 are now, 6 covers the author's 6 and 7 or what is left of them and 7–8–9 are the same as the author's 8–9–10 respectively.

November 4, 1961.

Miss Frances Warren,
Associate Editor, Business and Professional Books Division, Prentice-Hall, Inc., Englewood Cliffs, N.J.

Dear Miss Warren: Obviously I was shocked to receive your letter of October 27, 1961. I repeatedly have kept you informed of what the book was to be like, I sent you a sample chapter which languished on your desk for more than six months without comment, and I have mentioned time after time that the audience for this book is not the accountant but the contract negotiator, the salesman, the lawyer, the contracting officer. Yet you have the book reviewed by two people who make their recommendations from a perspective of the accountant. I know all of the things on your comment sheet are true if one is writing to accountants *and* if one wishes to prostitute himself for the businessman.

The greatest compliment that I could have had is on the critique sheet where it states that I should remove myself from the neutral ground. My objective in writing this work was to write a definitive work that is independent, unbiased, honest, and objective. I told you several times earlier that this work (if I had a part in it) was not a handy check list of 10 ways to gyp the government. Prentice-Hall apparently is interested only in the sales dollars and the marketability of its covers, and not with the quality of what is between them.

I will not emasculate this work by complying with the requirements of the critique sheets. We then come to the question of what should be done. The most obvious thing is a meeting at which this thing could be discussed face-to-face. I'm fed up with writing letters and having them have absolutely no impact. I should be pleased to meet with you (or someone else familiar with the work) either in College Park or New York. If at the latter location I must request that P–H pay all travel expenses.

If such a meeting is not practicable we must explore other alternatives. I am reluctant to destroy the continuity, the logical flow of the material as developed in Chapters 2, 3, and 4 and their sequence relationship to those which follow. However, your "ten handy ways to maximize profits" idea seems to be a must, so I might be willing to write up a couple of appendices, or some front matter that could be used for promotional purposes. These hints would be referenced to the appropriate pages of the work.

Your critique requirements would cause me to have to start over from the beginning because of the extent of referencing contained in the manuscript. This I would be willing to do if I believed it would improve the book. I do not so believe. From the very start I kept reiterating that I was not writing a reference work, a manual, or an encyclopedia. I have delivered exactly what I promised. I know this field better than most people, and believe that my opinions should have equal weight as those of your reviewers.

The analogy to the income tax situation is invalid. Most government contracts are negotiated as to final price. Each cost item becomes submerged in the final price and is unidentified in the final price. No one can say with any certainty to what extent total cost or the individual expenses comprising the total are recognized in the price. All that one can do is to plan a strategy that will maximize the price when finally negotiated. Hence a "handy-dandy check list" may not be very realistic. What I am trying to do is to equip the contract negotiator to better be able to do this job. We're not filling out tax returns; we're negotiating face to face. There is a great difference.

In summary: 1. I will not revise the work along the lines and to the extent indicated in your critique sheet.

2. I suggest an early meeting to attempt to reach an agreement on what can be done.

3. In the absence of (2) I would suggest that you consider what reasonable compromises you would make that would represent your minimum requirements. I will consider these and decide whether or not to comply. This work has a time value and I am the only one with a substantial investment in it up to now. Please do not delay in this matter. If you decide not to proceed, please send me the carbon copy you have at once, so that I may seek another publisher or make other arrangements. I have already lost four months in your review and editing process with no contribution to the final product. I must get on with what must be done, if P–H is to publish it; otherwise, time is pressing as other arrangements take time also. So please let me hear from you within ten days at most.

Very truly yours,
Howard W. Wright.

Mr. MONDALE. Mr. President, I heard the testimony. I do not think that it explained anything.

Mr. CRANSTON. I suggested that the testimony be printed in the Record so that people might judge for themselves.

Mr. President, I conclude by simply reading a letter from a rather small contractor in California who would be deeply affected if the amendment of the Senator from Wisconsin were agreed to.

The letter is addressed to Senator Murphy and me. Unfortunately, Senator Murphy could not be present today.

The letter reads as follows:

Sierra Scientific Corp.

Dear Sirs: I am writing in regard to Senate Bill S3302 covering uniform cost accounting requirements for defense business.

Sierra Scientific is a commercial manufacturing company which employs 20 people. We were recently invited to bid on a military television requirement because of our special skills in this area. The existing procedures are so complicated that we had to call in a consultant to make sure we met all the bid requirements. If we are forced into a complicated accounting procedure by this bill we will just have to turn over such business to the big military equipment companies. I doubt that this is Senator Proxmire's intent.

The $25 million exemption seems to be a reasonable compromise. I urge your support accordingly.

Very truly yours,
F. D. Meadows,
President.

Mr. CRANSTON. Mr. President, I rest my case and yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Byrd of Virginia). All time having expired, the question is on agreeing to the amendment of the Senator from Wisconsin. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. Cannon), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Tennessee (Mr. Gore), the Senator from Indiana (Mr. Hartke), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Rhode Island (Mr. Pastore), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Texas (Mr. Yarborough) are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel), and the Senator from North Carolina (Mr. Jordan) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson), and the Senator from Nevada (Mr. Cannon) would each vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island (Mr. Pastore) would vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Utah (Mr. Bennett), the Senator from Oklahoma (Mr. Bellmon), the Senator from Nebraska (Mr. Curtis), the Senator from Michigan (Mr. Griffin), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Smith), and the Senator from Texas (Mr. Tower) are necesarily absent.

The Senator from Kentucky (Mr. Cook) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) and the Senator from Maine (Mrs. Smith) are absent because of illness.

The Senator from Arizona (Mr. Goldwater), is detained on official business.

If present and voting, the Senator from Utah (Mr. Bennett), the Senator from Nebraska (Mr. Curtis), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Maine (Mrs. Smith), the Senator from Illinois (Mr. Smith) and the Senator from Texas (Mr. Tower) would each vote "nay."

The result was announced—yeas 51, nays 22, as follows:

[No. 234 Leg.]

YEAS—51

Aiken
Allen
Anderson
Boggs
Brooke
Burdick
Byrd, W. Va.
Case
Cooper
Dole
Eagleton
Ellender
Fong
Fulbright
Goodell
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hughes
Javits
Jordan, Idaho
Kennedy
Mansfield
Mathias
McClellan
McGovern
Metcalf
Mondale
Montoya
Muskie
Nelson
Pearson
Pell
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—22

Allott
Bayh
Bible
Byrd, Va.
Church
Cotton
Cranston
Dominick
Ervin
Fannin
Gurney
Hruska
Inouye
Jackson
Long
McIntyre
Miller
Moss
Packwood
Percy
Prouty
Young, N. Dak.

NOT VOTING—27

Baker
Bellmon
Bennett
Cannon
Cook
Curtis
Dodd
Eastland
Goldwater
Gore
Gravel
Griffin
Hartke
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Pastore
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Tower
Yarborough

So Mr. PROXMIRE's amendment (No. 767) was agreed to.

Mr. MONDALE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CRANSTON. Mr. President, I am proposing an amendment cosponsored by the distinguished Senator from Utah (Mr. BENNETT), which I understand is acceptable to the Senator from Wisconsin (Mr. PROXMIRE), and which would, in effect, establish a threshold applying to contracts at the $100,000 level and over. In other words, contracts with the Defense Department under $100,000 would not be under the uniform cost accounting provisions. This provision would protect small businesses and yet keep competitive bidding going. I think it is a useful amendment.

The amendment is now being written by the Senator from Wisconsin, and he will send it to the desk.

The PRESIDING OFFICER. Will the Senator from California send the amendment to the desk?

Mr. PROXMIRE. Mr. President, the amendment is being drafted now. We will send it to the desk.

The PRESIDING OFFICER. Who yields time?

Mr. CRANSTON. Mr. President, I yield myself 5 minutes.

I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, as I understand, the amendment would exempt everything $100,000 and below?

Mr. CRANSTON. Per contract.

Mr. STENNIS. And anything above $100,000 would still be subject to the power of the proposed board to make exceptions?

Mr. CRANSTON. That is correct.

Mr. PROXMIRE. Mr. President, if the Senator will yield, anything over $100,000 could be exempted if the board felt it would be a hardship because the firm was small.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MILLER. Does this provision apply to subcontracts? The Senator referred to contracts with the Federal Government.

Mr. PROXMIRE. It would apply to both subcontracts and contracts. If a subcontractor had a contract that was below $100,000, it would be exempt.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. COTTON. So the exemption now is just about the same as the Senate provided originally.

Mr. LONG. Mr. President, will the Senator yield?

Mr. CRANSTON. I yield.

Mr. LONG. Mr. President, I shall vote for the amendment. I do find one complaint with it. I thought $500,000 might be the figure, but I admit the principle is right, that to impose uniform accounting practices on small businesses might cause a hardship. On the other hand, it seems to me it would be better if the figure were higher. But if it is the best the Senator can get agreed to, I shall be happy to vote for it.

Mr. CRANSTON. Mr. President, in the interest of saving time and getting an amendment that would be agreeable, I was delighted to accept the suggestion.

I understand the amendment has been sent to the desk.

The PRESIDING OFFICER. The clerk will read the amendment.

The BILL CLERK. It is proposed, on page 6, line 3, to insert the following after "United States": "in excess of $100,000".

Mr. CRANSTON. Mr. President, I am prepared to vote.

The PRESIDING OFFICER. Is all time yielded back?

Mr. CRANSTON. Yes.

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I call up amendment No. 768, which has been modified. The clerk has the modification. I ask unanimous consent that the amendment not be read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 6, delete all beginning on line 10 through line 18 on page 7 and substitute in lieu thereof the following:

"(h) The Board is authorized to make, promulgate, amend, and rescind rules and regulations for the implementation of cost-accounting standards promulgated under subsection (g). Such regulations shall require defense contractors and subcontractors as a condition of contracting to disclose in writing their cost-accounting principles, including methods of distinguishing direct costs from indirect costs and the basis used for allocating indirect costs, and to agree to a contract price adjustment, with interest, for any increased costs paid to the defense contractor by the United States because of the defense contractor's failure to comply with duly promulgated cost-accounting practices in pricing contract proposals and in accumulating and reporting contract performance cost data. Such interest shall not exceed 7% per annum measured from the time such payments were made to the contractor or subcontractor to the time such price adjustment is effected. If the parties fail to agree as to whether the defense contractor or subcontractor has complied with cost-accounting standards, the rules and regulations relating thereto, and cost adjustments demanded by the United States, such disagreement will constitute a dispute under the contract dispute clause."

Mr. PROXMIRE. Mr. President, this amendment modifies a provision put into the bill by the Senator from Utah (Mr. BENNETT), who is the ranking Republican member of the committee. The Senator from Utah agreed with the committee that this would be modified in the event the General Accounting Office felt it was necessary. The amendment by the Senator from Utah requires Government contracting officers to agree to make payments to defense contractors for increased costs "required as a result of contractor or subcontractor action in compliance with duly promulgated cost accounting standards."

During the committee's executive session, the Senator from Utah said he would withdraw his amendment if it were objected to by the Comptroller General. Since there was not time to consult with the GAO during the committee's executive session, the amendment was provisionally agreed to subject to the later comments of the Comptroller General.

Following our executive session, I received a letter from the Comptroller General objecting to the amendment. To quote from his letter dated May 22, 1970, he states:

> We believe the provision in this subsection for payment to contractors of increased costs occasioned by compliance with standards should be deleted.

In a statement filed with the House Banking and Currency Committee, the Comptroller General, in commenting on the amendment offered by the Senator from Utah, said:

> We are not in favor of this provision of the bill because of its ambiguity and questionable need . . . In summary, we recommend deletion of the previously quoted language as we believe it would be virtually impossible to administer.

Because of the ambiguous wording of the amendment, the Comptroller General points out that there are three possible interpretations of its meaning. It could mean that contractors should be reimbursed for:

First, the cost of implementing the accounting standards; or

Second, the increase in price on existing contracts that the contractor might have been in a position to negotiate had the promulgated cost accounting standards been in effect at the time the contract was negotiated; or

Third, the cost to the contractor of correcting his implementation of the cost accounting standards in cases where he had, in good faith, attempted to implement the cost accounting standards only to find later that his implementation was improper or insufficient.

The Comptroller General concludes that under any of the three interpretations the amendment is not needed. Any increased costs from implementing uniform cost accounting standards would more properly be chargeable under general overhead expenses rather than through a separate agreement. The second interpretation is not meaningful since the standards would apply only to new contracts and not to existing contracts. The third interpretation—to reimburse a contractor for a good-faith error—is likewise not adequate since contractors should be expected to have accounting personnel to interpret and implement the standards.

My amendment would thus delete the amendment offered by the Senator from Utah and restore the original language drafted by the GAO.

The Senator from Utah, who, unfortunately, had to leave, agreed it would be acceptable to him.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment.

The amendment was agreed to.

AMENDMENT NO. 713

Mr. **GOODELL**. Mr. President, I call up my amendment No. 713.

The **PRESIDING OFFICER**. The amendment will be read.

The bill clerk proceeded to read the amendment.

Mr. **GOODELL**. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Amendment No. 713 is as follows:

At the appropriate place insert the following:

"REPORT ON MILITARY EXPENDITURES AND THE ECONOMY

"SEC. . (a) The President shall transmit annually to the Congress a report to be known as the Report on Military Expenditures and the Economy setting forth—

"(1) national defense expenditures projected over the next five fiscal years;

"(2) the impact of national defense expenditures projected for the next two fiscal years on wages, prices, employment, and the general state of the economy;

"(3) past and current expenditures and appropriations for the Southeast Asia conflict; the projected expenditures and appropriations for the next two fiscal years based on the foreseeable schedule of troop replacements and troop withdrawals; and the projected expenditures and appropriations for the next two fiscal years of military assistance to Southeast Asian countries: *Provided*, The cost accounting method or methods used to calculate these expenditures and appropriations shall be identified;

"(4) an itemization of current and anticipated reductions or increases in national defense expenditures for the next two fiscal years; and

"(5) specific programs and policies which the Federal Government proposes to institute to minimize the disruptive effects of reductions or increases in national defense expenditures on local employment and the economy of local communities.

The first of such reports shall be transmitted to the Congress not later than sixty days after the date of enactment of this Act; thereafter, such reports shall be transmitted to the Congress not later than March 20 of each year.

"(b) The President may transmit from time to time to the Congress reports supplementary to the Report on Military Expenditures and the Economy, each of which shall include such supplementary or revised information as he may deem necessary.

"(c) The Report on Military Expenditures and the Economy, and all supplementary reports transmitted under subsection (b) of this section shall, when transmitted to Congress, be referred to the Joint Economic Committee.

"(d) Upon receipt of the Report on Military Expenditures and the Economy, the Joint Economic Committee shall evaluate the Report and issue its own report to the Congress not later than June 30 of each year."

Mr. **GOODELL**. Mr. President, this amendment requires an annual report on military expenditures and the economy. I am joined in the cosponsorship of the amendment by Senators PROXMIRE, MONTOYA, YOUNG of Ohio, PELL, HARRIS, EAGLETON, GRAVEL, JAVITS, and HATFIELD.

Mr. President, under the Constitution, Congress is given power over the Federal purse. Throughout the appropriations process, Congress is engaged in making decisions on where this country is going in terms of national priorities and program emphasis. Out of all the demands made on the Federal budget, Congress must make judgments on whether to provide or refuse funds; to increase or decrease funds; and to reallocate funds from wasteful, obsolete programs to priority programs intended to meet human needs now and for the future.

To make sound decisions on just where Federal funds are going, how funds could be saved, when funds could be released for more meaningful Federal spending—and to assess the impact of these spending decisions on the state of the economy, Congress simply must have additional basic economic data available for review.

Mr. President, presently the administration is required to present to Congress at the beginning of each year an economic report of the President.

With the Employment Act of 1946, Congress and the President made a commitment to take measures necessary for a healthy economy. To this end, the legislation called for an annual economic report of the President to review the economic policy of the Federal Government and economic conditions affecting employment, production, and purchasing power. The legislation also created a Council of Economic Advisers to assist the President in preparing the economic report and a Joint Economic Committee in Congress to assist Congress in matters pertaining to the economic report.

At the time of the great debate in 1945, on the need for such an annual economic report, Congress did not insist on having in the report specific requirements, such as, economic projections or a causal analysis of economic conditions. It was felt then that there was too little experience with economic analysis and projections to incorporate such requirements in a basic statute.

Today, however, we see more clearly than 25 years ago what information is required and what economic data is available to assist in decisions for a sound, healthy, and equitable economy.

I would read briefly from the Joint Economic Committee's report, in its evaluation of the January 1970, economic report of the President. It says:

> The Committee discerns little, if any, progress on the part of the Council of Economic Advisers in the analysis and evaluation of issues related to military spending. In last year's Economic Report of the President, only two pages were devoted to the defense budget. This year's Report fails to address the defense budget altogether. The Report offers no guidance on the impact of defense outlays on wages and prices and the extent to which they contribute to inflation, or the influence of defense expenditures on industrial concentration, or of the steps being taken or planned by the Government to minimize the effects of defense reductions on unemployment and community distress.

Mr. President, a look at the $200 billion Federal budget for fiscal year 1971 shows over $73 billion requested for national defense expenditures. There are additional amounts for military pay increases and defense-related spending, such as interest on the national debt and veterans payments. Of the "controllable dollars" in the Federal budget, those that can be readily adjusted and redirected, nearly 75 percent are earmarked for defense spending. The sheer size of the defense budget coupled with its effects on inflation and the economy of local communities warrant the singular attention of Congress.

The report on military expenditures and the economy required by this amendment is to be distinct from the annual economic report of the President inasmuch as it will focus specifically on the impact of national defense expenditures on the economy.

As I indicated earlier, the report could be a part of the President's economic report as long as it was handled separately in that report.

Specifically, our amendment would require the President to transmit annually to the Congress a report to be known as the report on military expenditures and the economy setting forth—

First, national defense expenditures projected over the next five fiscal years;

Second, the impact of national defense expenditures projected for the next 2 fiscal years on wages, prices, employment, and the general state of the economy;

Third, past and current expenditures and appropriations for the Southeast Asia conflict; the projected expenditures and appropriations for the next 2 fiscal years based on the foreseeable schedule of troop replacements and troop withdrawals; and the projected expenditures and appropriations for the next 2 fiscal years of military assistance to Southeast Asian countries; provided the cost accounting method or methods used to calculate these expenditures and appropriations shall be identified;

Fourth, an itemization of current and anticipated reductions or increases in national defense expenditures for the next 2 fiscal years; and

Fifth, specific programs and policies

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which the Federal Government proposes to institute to minimize the disruptive effects of reductions or increases in national defense expenditures on local employment and the economy of local communities.

The first of such reports shall be transmitted to the Congress not later than 60 days after the date of enactment of this act; thereafter, such reports shall be transmitted to the Congress not later than March 20 of each year.

Mr. President, galloping inflation, which began in 1966, continues to plague our economy. Over and over again, economists have warned that war spending without adequate economic countermeasures would lead to an overheated economy. In April of this year, Louis Lundborg, chairman of the board of Bank of America, in testimony before the Senate Foreign Relations Committee stated plainly:

> The war is a major contributor to inflation—our most crucial domestic economic problem.

If Congress is to do something realistically about inflation, a starting point is information on the costs—past, current, and projected—of the Vietnam war. Over the years, Congress has been hampered in obtaining accurate information on Vietnam war spending. Over and over again, Congress has been presented with underestimations of the cost of the war by successive administrations. In addition, there has been conflicting congressional testimony on war costs by witnesses within successive administrations. For example, Congress was told that for fiscal year 1969 the cost of the Southeast Asia conflict—the official budgetary designation for Vietnam war costs—was $17 billion, or $25 billion, or $30 billion, or $32 billion depending on which cost-accounting method was used.

In June of this year, President Nixon said:

> We must deal with the problems of a nation in transition from a wartime economy to a peacetime economy.

Mr. President, how are we to deal with these problems when we wonder what the war is costing now or what it will cost over the next several years? We have been told, and expect, that there will be a peace dividend from cutbacks in Vietnam war spending. These savings are then to be available for nondefense spending, that is, for domestic priorities.

We must know the size of these savings to the degree that can be projected.

We all recognize that exact figures, particularly projected over a period of 5 years, will be difficult to give, but we also know that the defense budget is composed of a large number of items that start small and build. Strategic weapons systems begin with a few hundred dollars, and go up to the billions. This kind of projection, within the limitations of the capabilities of the executive branch, would be most helpful to Congress and to the public.

I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, will the Senator yield me 5 minutes?

Mr. GOODELL. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from New York has 10 minutes remaining.

Mr. COTTON. Mr. President, before yielding for further debate, will the Senator yield 1 minute on the proponent's time, for us to obtain a rollcall?

Mr. GOODELL. I yield.

Mr. COTTON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GOODELL. I now yield 5 minutes to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, in my view there are two major reasons why this amendment should pass. First, the information it calls for is needed. Second, most of the information it calls for is already available or can be made available without great difficulty.

The amendment asks that the report set forth the national defense expenditures projected over the next 5 fiscal years. The Council of Economic Advisers and the Budget Bureau already project Government expenditures over the next 5 years. They can only make those projections by making some intelligent estimate as to defense expenditures. This information is needed. This information is already available. Thus it is merely a question of the administration releasing it.

The amendment asks that the report contain an analysis of the impact of defense expenditures over the next 2 fiscal years on wages, prices, employment, and the general state of the economy. That badly needs to be done. The failure of the Council of Economic Advisers to give any analysis at all of defense expenditures in the annual report is a great weakness of that report. Defense spending is now over $70 billion—and much more than that if the defense aspect of foreign aid, atomic energy, space, and other programs is considered. This requirement should be met if we are to make intelligent judgments about the economy.

The amendment calls on the administration for an annual report on the costs of the Southeast Asian conflict. In the past that has been done. It was done every year; we were told how much we were spending in Southeast Asia each year until this year.

The information is known to the Pentagon and the Budget Bureau. There is no reason why it should not be made public.

The amendment calls for an "itemization" of reductions or increases in defense expenditures over the next 2 years. This is important so that particularly communities, industries, and areas can plan for changes which will take place. The failure to give such information so that, the transitions in jobs, investment, skills, and so forth, can be planned for is a great weakness at the present time. This should be done.

Finally, the amendment asks the President to tell us what specific programs and policies which the Government will propose to minimize the disruptive effects of the reductions or increases in defense expenditures. The Government should have a shelf of such programs and policies which it can put into effect to ease the transition from a wartime to peacetime economy. If they are required to report annually on such programs, there is some reason to believe that planning for the transition will take place.

For all of these reasons, this is a good amendment. I am delighted to be its chief cosponsor and to have introduced it. It should pass. I know of no fundamental objections to it.

As vice chairman of the Joint Economic Committee, I can say that our committee has lately been handicapped in the making of useful analyses of the economy because we have not been told what expenditures will be, or what the exceptation is. Of course, this does not freeze the Government in concrete; they will make the same errors all of us make when we attempt to project. But it will be helpful to get the most authoritative projection they can make, so that some kind of projection will be available for the planning of effective economic policy.

Mr. SPARKMAN. Mr. President, I yield myself 2 minutes.

I have great regard for the distinguished Senator from New York. He is a member of the Banking and Currency Committee, works hard, and does excellent work; but I must take issue with him on this particular provision and I do it as a highly practical matter.

The subcommittee held hearings. The chairman of the subcommittee was the Senator from Minnesota (Mr. MONDALE). The Senator from New York is the ranking minority member of that subcommittee. I think I am safe in saying that this matter was never mentioned in the hearings nor in the full committee when we had the matter up for shaping the bill.

I feel very strongly that that is not the way to legislate, that in a matter as complex as this proposal there ought to be an opportunity for the subcommittee to consider it and ask witnesses questions about it, and then for the full committee to give consideration to it.

Undoubtedly, a lot of good information is called for here, but I imagine that most of it is available to us elsewhere. This report is supposed to go to the Joint Economic Committee, which in turn will make its own report to Congress. I believe that we are able in the Joint Economic Committee to get that information and to make our own projections, without having a special report made to us, as a part of our regular hearings.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. PROXMIRE. Repeatedly, I have asked virtually every administration witness who has anything to do with the Defense Department, and the Bureau of the Budget, to give us exactly the information contained in the Goodell amendment, and repeatedly they have told us that they will not give it to us. They have their own estimates—they must have—on what they expect military expenditures to be, or they could not project overall Government expenditures. But they will not give us this breakdown for the biggest single ingredient.

Mr. SPARKMAN. In any case, I think this is entitled to have consideration by

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the committee and in the committee before being brought up on the floor of the Senate.

The **PRESIDING OFFICER**. Who yields time?

Mr. **SPARKMAN**. I yield to the Senator from New Hampshire.

The **PRESIDING OFFICER**. The Senator from Massachusetts is controlling the time on the opposition.

Mr. **BROOKE**. Mr. President, how much time do we have?

The **PRESIDING OFFICER**. The Senator from Massachusetts has 18 minutes.

Mr. **BROOKE**. I yield 10 minutes to the Senator from New Hampshire.

Mr. **COTTON**. I may not need to use the 10 minutes.

Mr. President, even though I am not a member of the committee, I have followed this bill rather carefully. I have a high regard and great respect—and have had through the many years I have known him—for the distinguished Senator from New York, and I say the same for the Senator from Wisconsin. But I find myself utterly amazed—I cannot believe that careful thought was given before this amendment was offered on the floor of the Senate.

In all the years I have been a Member of the Senate, I have never read an amendment that seemed to me to be so thoughtless, so dangerous, and so utterly preposterous. It is not just a matter of asking for information about our economy. Listen to what it calls for the President to do in a formal report to Congress, laying open the records, for everybody around the world to read:

> National defense expenditures projected over the next five fiscal years.

In the first place, if the President were King Solomon himself, he could not give that information. But, in the second place, if he gave it, what wonderful reading and information for the Soviet Union, for China, for all nations behind the Iron Curtain—for all nations.

Of course, the President discloses this information. The Senator from Wisconsin said most of this information we probably have already. I assume that the President discloses it to the proper committees, to the Committee on Armed Services, insofar as he knows and can predict; to the Committee on Appropriations or the subcommittee of the Committee on Appropriations. I believe that information should be disclosed to Congress.

I happen to be one of those who regrets that the President did not see fit to call down the leadership on both sides of Congress and discuss with them the recent movement into Cambodia. I think that was a mistake. But the sponsors of this amendment would probably have not been satisfied had that been done. They would have wanted to telegraph that information to the Kremlin. Obviously, this President and other Presidents discuss with the members of the proper committees our military plans.

Here is an amendment that says that, starting 60 days after this bill, with the amendment, is enacted, the President shall make this report and he shall do it every year, and shall disclose to Congress the national defense expenditures projected over the next 5 fiscal years.

It goes on to say that, after having reported on what has been spent in Southeast Asia, he shall disclose in this report the projected expenditures and appropriations for the next 2 fiscal years based on the foreseeable schedule of troop replacements and troop withdrawals, and the projected expenditures and appropriations for the next 2 fiscal years of military assistance to Southeast Asia.

There has been criticism on the floor of the Senate about a comparatively innocuous amendment known, I believe, as the McGovern-Hatfield amendment, and it has been said that it would telegraph information about our plans and about our withdrawal plans to the enemy; that it would take away all our bargaining power to bring home our prisoners of war. What would this amendment do?

The President probably does not know yet the specific details of his plan. Probably he is living in hope, largely, as the rest of us are. But this amendment calls for public disclosure laid on the records of Congress of what he is going to do in Southeast Asia, how many troops are coming out, how many troops are going in, projected over the next 2 years. All this is required.

Then, the report on military expenditures and the economy:

> The Report on Military Expenditures and the Economy, and all supplementary reports transmitted under subsection (b) of this section shall, when transmitted to Congress, be referred to the Joint Economic Committee.

The Joint Economic Committee—that is the super committee. What is going to happen? Do we not have an Appropriations Committee in the Senate and in the House? Do we not have a Ways and Means Committee in the House and a Finance Committee in the Senate, which are charged with finding the money? But this super committee, this Joint Economic Committee, right over the heads of every committee of Congress, will receive this strange report, which is going to disclose to all the world our military plans for the next 5 years—how many troops we are going to have, how much we are going to spend, what its impact is going to be on our economy, what we can afford. All this, when it gets here, is to be referred to the Joint Economic Committee.

Mr. President, I came here innocently today, as I always do. [Laughter.] I came here innocently. This whole bill seemed to be a good bill. I was sure that the motives behind it were of the highest and the purest and the noblest.

I was sure—and I am sure now—that it was a sincere effort. In order to get control of our economy, we have many people charged with investigating our economy, but there are a hundred Members of the Senate who were elected by the people of their respective States, and there are 435 Members of the House who were elected, and they are charged with checking on our economy, and they are charged with knowing how much we spend for national defense. This bill came along, and it was a fine bill, and suddenly they began to reveal some qualities in it.

I love the Senator from Maine. I listened to his speech on TV the other night when he spoke as a member of the loyal opposition. I enjoyed it. It was good stuff. I did not agree with it all, but I enjoyed it. The distinguished Senator from Maine, I never saw a man use words in so many ambiguous ways in all my life [laughter] and he did it beautifully. But I do not care for picayune politics. I do not care for it. When I remember all the years that I sat here on this side of the aisle, when the Commander in Chief of our Armed Forces of the United States of America was Lyndon Baines Johnson. So far as I was concerned even though I had doubts, I did not voice those doubts on the floor of the Senate to be broadcast across the world. I muted my statements outside this Chamber even when I was running for office, I will say to my good friend from New York, even when I was a candidate for office. And I did not make use of attacking the President or of trying to demean him, nor did I play fast and loose with the national security of this country.

Now this bill comes in, and the first thing we know, we are not going to trust the President to have but $20 million. No matter what emergency might arise, he can spend only $20 million, and then he has got to get some kind of clearance from both houses of Congress.

My good friend, for whom I have the greatest respect and admiration, the Senator from Arkansas, he was so picayune that he would not even ask for $20 million for the President, he wanted to put it down to $15 million. That is great trust and confidence in the high office of President of the United States.

Why, if the President did not have enough respect for his office and the men who will sit in his seat in coming years, to veto that kind of bill, then I would lose my respect for him.

Then we go on further, Mr. President, and we get to the point wherein comes this amendment sponsored not only by the distinguished Senator from New York but also by the distinguished author of the bill, calling for public disclosure of classified information. That, so far as I can remember, has never before been called for anywhere, by anyone, in Congress.

Mr. **PROXMIRE**. Mr. President, if the Senator from New Hampshire will yield at that point.

Mr. **COTTON**. I yield to the Senator on his time.

Mr. **PROXMIRE**. I do not have any time. The Senator from New York has the time, but let me ask the Senator this question: Will he disclose what classified information this would require? We have for years received reports of estimates of the cost of the Southeast Asia conflict. We are not asking for a single piece of classified information. We simply want the current budget projections of the Defense Department. Surely the American people are entitled to know the estimated future cost of defense. The Senator from New Hampshire has not given us one single instance or example of classified information which this amendment would require to be disclosed. He has not, and indeed, he could not because the amendment does not require the disclosure of any information which would be of military value to our enemies.

Mr. COTTON. My time is up—may I have 1 minute more?

Mr. BROOKE. Mr. President, I yield the Senator from New Hampshire 1 more minute.

The **PRESIDING OFFICER** (Mr. BYRD of Virginia). The Senator from New Hampshire is recognized for an additional minute.

Mr. COTTON. I will simply say, Mr. President, that it is one thing to sit down with committees of Congress and say there has been so much this year, there will be so much next year, and so much the year after, and so much the year after that, and that is what we expect——

Mr. PROXMIRE. That is all we are asking.

Mr. COTTON. But it is something else to make an informal report, if that were possible—which is impossible—of national defense expenditures projected over the next 5 years.

Did you ever hear of that being done in the history of this country?

Mr. PROXMIRE. We are simply asking for estimates. The executive branch makes estimates, as the Senator knows, of the overall national expenditures and what they will be for the next 5 years. We are not asking for the cost in Europe or in Southeast Asia over a 5-year period. We are just asking for the overall estimates—of what the national defense expenditures will be.

Mr. COTTON. Just a moment. You are also asking for a public disclosure of how many troops will be withdrawn or sent into——

The **PRESIDING OFFICER** (Mr. HART). The time of the Senator has expired.

Mr. BROOKE. Mr. President, I yield 1 additional minute to the Senator from New Hampshire.

The **PRESIDING OFFICER.** The Senator from New Hampshire is recognized for 1 additional minute.

Mr. COTTON. Into Southeast Asia over the next 2 years——

Mr. PROXMIRE. We are being told that. The President told us that.

Mr. COTTON. He has not told us that. He told us what he hopes to do, but you want dates and you want numbers and you want facts. You want that sort of thing, and that would be spread all over the world.

Mr. President, I shall not take any more time except to say that I am more saddened than angry. But, I am shocked. Honestly, I am shocked. It takes a lot to shock me, but I am shocked at this kind of amendment being offered in all seriousness, to demand that the President file with a super committee, not even with the Appropriations Committees of this Congress——

The **PRESIDING OFFICER.** The time of the Senator from New Hampshire has expired.

Mr. COTTON. Or the Armed Services Committee, projections of our military plans for the future and spread them all over the world for everyone's information.

I certainly hope that the amendment will be defeated.

Mr. BROOKE. Mr. President, I yield 4 minutes to the Senator from Mississippi.

The **PRESIDING OFFICER.** The Senator from Mississippi is recognized for 4 minutes.

Mr. STENNIS. Mr. President, I supported this bill, the uniform cost accounting standards feature. I liked it, although I thought it went a little too far, perhaps. But, this is a horse of another color, to be offered on the floor of the Senate right here as an amendment, when it has not even been before a committee, or the Armed Services Committee, no hearings have been held, it just comes up now—it just grows up out of the ground asking for the most secret information that it is possible to be made public.

Let me point out some illustrations.

Our enemy is watching nothing as closely as he is watching our manpower, our offensive weapons plans, and all the other things that go to make up our future military plans for the years ahead.

That is highly classified information and does not really come out until a 12-month period has elapsed, but here we would go into a most sensitive area to discuss this. There would be no contradiction by witnesses at the hearings as to the problems. There would not be one single weapon or safeguard which is ordinarily used in sound legislation. The amendment has not had one sentence of hearings. It has not had any cross-examination of witnesses. No departments have been heard. The executive department has not been heard. No one has been heard.

No Senators have sat around the table trying to weigh the evidence. No Senators have gotten up a report for our guidance here. No recommendations have been received from anyone. I respect the authors. They are sincere. But, no findings, no recommendations no holding, no notice—there is nothing to go on—nothing except a sheet of paper.

I say just as long as this Senate puts up with proposals that have not been seasoned, at least in some part, we will be passing faulty legislation.

So I have had enough. I have had enough in one bill of this sort of thing. I stayed with the Senator on that uniform cost accounting standards feature. But this amendment should be sent somewhere for at least a cursory examination, to let us have some hard and firm resolution on it, rather than an expression of good intention.

I thank the Senator.

Several Senators addressed the Chair.

The **PRESIDING OFFICER.** Who yields time?

Mr. BROOKE. Mr. President, I yield 1 minute first to the Senator from Illinois (Mr. PERCY), then 1 minute to the Senator from Georgia (Mr. TALMADGE), and then 1 minute to the Senator from Iowa (Mr. MILLER).

The **PRESIDING OFFICER** (Mr. HART). Without objection, it is so ordered.

Mr. PERCY. Mr. President, as a member of the super committee, as well as a member of the Committee on Banking and Currency, I have asked several questions this evening as to what is the attitude of the Defense Department, what is the attitude of the Council of Economic Advisers, and what is the attitude of the White House on this amendment.

I can find no answers at all.

I highly recommend that we bring this amendment up before the committee in the usual procedure and hold hearings.

I could not possibly support an amendment that directed the President to give specific programs and policies which the Federal Government proposes about local communities, as to whether such programs may be decreased or increased.

How could they possibly know that? How could they know about how long contracts would go? What about a local community that might be worried about disruption, as to whether they were going to get additional contracts there or not?

I feel that we do not have enough information to vote intelligently on this amendment at this time.

Mr. TALMADGE. Mr. President, to request the President of the United States to project the military expenditures of this country 5 years in advance is the height of folly. His budgetary recommendations must necessarily be made based on the tensions existing in the world at the time, as well as the threats which exist to this country and the military forces we have arrayed overseas, as well as the threats that may be in existence against those troops. Our defense budgetary recommendations must necessarily vary both as to the tensions which exist in the world and the threat to our national security.

To request them to submit something 5 years in advance would test the powers of Jeane Dixon. And I am certain that the Senator from New York would not want to bring in a distinguished seeress like that to foretell our budgetary situation.

Mr. BROOKE. Mr. President, I yield 1 minute to the Senator from Iowa.

The **PRESIDING OFFICER.** The Senator from Iowa is recognized for a minute.

Mr. MILLER. Mr. President, this is my eighth year on the Joint Economic Committee. I do not ever recall a meeting of the Joint Economic Committee at which this kind of proposal was advanced.

I have found that if we needed information we have been able to get it in the committee.

I think that we ought to have a meeting of the Joint Economic Committee on this type of proposal before any action is taken by the Senate as a whole on the proposal that the President report on the impact of national defense expenditures on prices.

This is a simplistic approach. We could not possibly evaluate anything like that without taking into account our tax picture. There is an implication here that

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defense expenditures are responsible for price increases.

We all know that if we had matched defense expenditures with taxes instead of following a guns-for-butter policy, we would have had a different picture.

I hope that the amendment is rejected.

Mr. GOODELL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from New York has 5 minutes remaining.

Mr. GOODELL. Mr. President, I yield 2 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 minutes.

Mr. FULBRIGHT. Mr. President, the essence of the amendment is to provide that they share the estimates with us. There have been many hearings on this matter. But the administration is seeking to prevent Congress from knowing what is going on with regard to defense spending.

An example of this is that we have been trying to find out how much we were paying the Thais to fight for us. The Executive did not want us to find out. We did find out. And that information was published against the wishes of the administration.

It seems strange to me in view of these circumstances that we find Members of the Senate who wish to abdicate the role of the Senate. All we are asking for is that we share in the information that is vital to the survival of this country.

I do not think that any Senator really means we should not have this information. I do not understand how we can just abdicate our responsibility to enact measures which are calculated to preserve the soundness of our economy and the security of our Nation.

How can we do it if vital information is not made available?

If I understand it correctly, this information is available. The estimates have been made. However, the administration refuses to give us the benefit of the information.

The Senator from New Hampshire said that he regretted that we were not told about Cambodia. We had the secretary appear before the committee 3 days before. He did not tell us anything about it. This is an example of what I mean. We do not get enough information on which to make a judgment.

Mr. GOODELL. Mr. President, the Senator from New Hampshire, my very good friend, has been a stalwart advocate of good government. I am amazed by his argument that he is against our having the information that we need to discharge our obligation and responsibility.

If there is secret information, it should be vital to send it to the Joint Economic Committee. We should have access to this information.

The purpose of the amendment is to assess the impact on our economy of defense expenditures.

The Senator from Iowa talks about this information being raised. The report of the Joint Economic Committee on the June 1970 economic message of the President states:

> "In last year's Economic Report of the President, only two pages were devoted to the defense budget. This year's Report fails to address the defense budget altogether. The Report offers no guidance on the impact of defense outlays on wages and prices and the extent to which they contribute to inflation, or the influence of defense expenditures on industrial concentration, or of the steps being taken or planned by the Government to minimize the effects of defense reductions on unemployment and community distress."

We are asking for information. The estimates have been projected in advance. They have been projected 5 and 10 years in advance. We know they have been projected. We will not hold them to the changes made in their own estimates and decisions. We will not hold them to the information they give us after Congress makes changes in policies and programs of the Government. But we ought to have existing information. It is available. We need it if we are going to judge what is happening in this country.

Mr. President, I yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, if we had had this information in 1965, 1966, and 1967, there is no question that the House and Senate would have followed a far wiser fiscal policy.

One of the reasons we have a 6-percent rate of inflation today is that we had enormous deficits from 1966 through 1968. We had those deficits because we did not have estimates of what our military expenditures would be. In fact, even the Council of Economic Advisors did not have the information on the projected cost of the Vietnam war in 1966. Only the Defense Department had the information.

Mr. President, we are not asking for any secret information at all.

We are not asking for information which would be of value to our enemies.

We are not weakening our defense posture by a full disclosure of the estimated future cost of defense.

There already is a law on the books which requires the executive branch to submit 5-year estimates on the cost of new programs to any Member of the Congress. This is all we are asking in the amendment.

I fail to see how a report calling for what is already required in law can undermine our national defense.

The PRESIDING OFFICER (Mr. HART). All time having expired, the question is on agreeing to the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent for 2 minutes so that I might properly respond to the Senator from New York.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I think that the Senator from New York made an inadvertent misstatement. Those of us who serve on the Joint Economic Committee know that there really is not such a thing as a report of the Joint Economic Committee. There is a report of minority views and a report of majority views.

I must say that the Senator from New York has been quoting from the majority views and not the minority views.

I think that should be cleared up. I think that it was inadvertent on his part. However, sometimes people get the opinion that all Members join in these views. We do not.

Mr. GOODELL. Mr. President, I appreciate the Senator from Iowa clarifying that point. I did make reference to the deliberations of the Joint Economic Committee. I wanted to emphasize that it was the Joint Economic Committee, the committee responsible for evaluating the President's Economic Report, that had made these observations. It is true that the observations are part of the majority views.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Connecticut (Mr. DODD), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Washington (Mr. MAGNUSON,) the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. RUSSELL) and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), and the Senator from North Carolina (Mr. JORDAN) are absent on official business.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON) and the Senator from Rhode Island (Mr. PASTORE) would each vote "nay."

I further announce that, if present and voting, the Senator from Iowa (Mr. HUGHES) would vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Utah (Mr. BENNETT), the Senator from Oklahoma (Mr. BELLMON), the Senator from Nebraska (Mr. CURTIS), the Senator from Michigan (Mr. GRIFFIN), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Kentucky (Mr. COOK) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

The Senator from Colorado (Mr. DOMINICK), the Senator from Arizona (Mr. GOLDWATER) and the Senator from Florida (Mr. GURNEY) are detained on official business.

XUM

If present and voting, the Senator from Utah (Mr. Bennett), the Senator from Nebraska (Mr. Curtis), the Senator from Colorado (Mr. Dominick), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Maine (Mrs. Smith), the Senator from Illinois (Mr. Smith), the Senator from Texas (Mr. Tower), would each vote "nay."

The result was announced—yeas 24, nays 46, as follows:

[No. 235 Leg.]

YEAS—24

Anderson
Bayh
Case
Church
Cranston
Fulbright
Goodell
Harris
Hart
Hatfield
Inouye
Javits
Kennedy
Mansfield
Mathias
McGovern
Mondale
Montoya
Nelson
Pell
Proxmire
Ribicoff
Williams, N.J.
Young, Ohio

NAYS—46

Aiken
Allen
Allott
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cooper
Cotton
Dole
Ellender
Ervin
Fannin
Fong
Hansen
Holland
Hollings
Hruska
Jackson
Jordan, Idaho
Long
McClellan
McIntyre
Metcalf
Miller
Moss
Muskie
Packwood
Pearson
Percy
Prouty
Randolph
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—30

Baker
Bellmon
Bennett
Cannon
Cook
Curtis
Dodd
Dominick
Eagleton
Eastland
Goldwater
Gore
Gravel
Griffin
Gurney
Hartke
Hughes
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Pastore
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Tower

So Mr. Goodell's amendment (No. 713) was rejected.

Mr. BROOKE. Mr. President, it is my understanding that the distinguished Senator from New York (Mr. Goodell) has a simple amendment which I understand the manager of the bill will accept, and we will accept, and after that we can have a third reading.

I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. GOODELL. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 2, strike out lines 11 through 14 and insert the following:

Section 1. The first sentence of section 717 (a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166 (a)) is amended—

(1) by striking out "July 30, 1970" and inserting in lieu thereof "June 30, 1972"; and

(2) by striking out "section 714" and inserting in lieu thereof "sections 714 and 719."

Mr. GOODELL. Mr. President, I shall be very brief. This is a simple amendment and one that is easily understood.

The Defense Production Act and the provisions thereof expire at the end of 2 years. The Cost Accounting Standards Board, which we have added in this legislation, expires in 2 years, along with the other provisions of the act. The amendment I have offered would make the cost accounting standards permanent, subject to the will of Congress in future years.

As provided for in the bill, uniform cost accounting standards will be determined by an independent board, appointed and chaired by the Comptroller General. The need for cost accounting standards occurs because 89 percent of military procurement in fiscal year 1969 was obtained by contract negotiation.

The percentage of negotiated contracts has increased in governmentwide procurement.

Since 1965, the percentage of negotiated contracts in governmentwide procurement has increased from 82.1 percent to 86.6 percent. Within Governmentwide procurement civilian executive agencies have experienced a decline in negotiated contracts from 80.9 percent to 78.7 percent. At the same time, negotiated Department of Defense procurement has increased from 82.5 percent in 1965 to 89.0 percent in 1969.

The negotiated contracts entered into by the Defense Department amount to over $36 billion. The expenditure is an enormous one and it is spent without the potential economic benefits that could occur if the contracts were let on a competitive basis.

Because this potential for cost reduction is not present, we must take steps to substitute it with another incentive. I believe uniform cost accounting standards would serve this purpose.

In a negotiated contract there must be an accurate detailed report of the contractor's cost, so that an equitable contract price can be agreed upon. If the cost information is incomplete, the contracting officer has no way of knowing if the company's final price offer is fair. There cannot be an effective tool to hold down cost unless both sides—the Government and the private company—have the same facts. Unless this information is available, negotiation for the company could become negotiation for the highest rather than fairest price.

The Cost Accounting Standards Board will be given the responsibility of developing methods for allocating direct and indirect expenses to contracts. With these standards established, the contracting officer and the company will have principles from which to negotiate.

I commend the Senator from Wisconsin for his leadership on this legislation. He has always been in the forefront of efforts to protect the American taxpayer from unnecessary Government spending. There have been several estimates of the amount of funds that would be saved by this new cost accounting approach. Admiral Rickover who testified before our subcommittee on the proposal stated that the savings would be in the neighborhood of $2 billion. Comptroller General Staats assured us that the savings would be substantial. Whatever the dollar savings, Mr. President, we have assurance that all contracts will be negotiated on the basis of a fair and consistent set of cost accounting principles.

Our Subcommittee on Production and Stabilization originally considered a proposal that the cost accounting standards be established and implemented by the General Accounting Office.

My committee colleagues will recall that, during the hearings, I questioned the Comptroller General on the staff needs and funding levels necessary to implement cost accounting standards.

I felt then and do now that the undertaking would be a most difficult task, the success of which will depend on the capacity of the agency and staff to engage in continual study and investigation.

In response to my question, Comptroller Staats submitted the statement which indicates that the services of 25 professionals would be necessary at a total estimated expenditure of about $950,000. I ask that the Comptroller's entire response be included in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

For the first full year, the task of establishing and promulgating cost-accounting standards, including research and consultation and liaison with industry, the accounting profession, Government agencies and the universities, would require the services of about 25 professionals with a high degree of expertise in cost-accounting and relevant disciplines, at a total estimated expenditure of about $950,000. Because of the many expressions of interest and willingness to participate in the project of establishing cost-accounting standards, we envision that a substantial amount of expertise and effort will also be available without charge from representatives of industry, professional accounting and Government agencies. These representatives would contribute greatly to the effectiveness of the task forces assigned to explore problem areas in cost accounting.

In addition to the equivalent of five full-time members of the Cost-Accounting Standards Board, we estimate the Office of the Executive Secretary would have three professionals; the Research Director would have eight professionals, and the Technical Director would require nine professionals. The functions of the research staff would include the liaison mentioned above in addition to its research activities in support of the Board. The technical staff would review disclosure statements and provide informal interpretations and counsel to Government agencies, industry and professional accountants.

Mr. GOODELL. Mr. President, the proposal to authorize GAO to promulgate standards was subsequently amended by the committee and the authority was given to an independent agency, appointed by the Comptroller.

Although the administering agency has been changed, I believe the issue is the same—the Board must be well-staffed and well-financed to insure a comprehensive study.

I was concerned that S. 3302 contains no appropriation authorization for the work of the Cost Accounting Standards Board.

I was inclined to believe that a figure should be included on the floor of the Senate, when we considered the legislation.

For this reason, I wrote to the Comptroller General, for his opinion on the advisability of seeking an authorization on the floor and what the funding level should be. I ask that my letter and his response be included in the Record.

XUM

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 11, 1970.

Hon. ELMER STAATS,
Comptroller General of the United States
Washington, D.C.

DEAR MR. STAATS: As you know, S. 3302 which extends the Defense Production Act and provides for the establishment of uniform cost accounting standards for certain defense contracts will be brought to the Senate Floor for debate and a vote before the end of June.

The bill requires that a five man Cost Accounting Standards Board, appointed and chaired by you, promulgate cost accounting standards and issue regulations on the disclosure of cost accounting practices by contractors.

I believe this will be a most difficult task, the success of which will depend on the capacity of the Board and staff to engage in continual study and investigation.

You will recall that I questioned you at hearings before the Subcommittee on Production and Stabilization regarding the staff needs and funding levels necessary to implement cost accounting standards. It was my feeling then and now that the Board must be well-staffed and well-financed to insure a comprehensive study. In response to my question, you submitted the attached statement which indicates that the services of 25 professionals would be necessary at a total estimated expenditure of about $950,000.

The bill, S. 3302, contains no authorization for the work of the Cost Accounting Standards Board and I am inclined to believe that a figure should be included on the Floor of the Senate. In view of my interest, I would appreciate information in response to the following queries:

1. Would you favor the inclusion of an authorization level in S. 3302 and if so, why?
2. Do you think an authorization of $950,000 would be sufficient for the Board's first year of operation?
3. Does this sum include the funds necessary for independent research and all personnel, and does it provide enough flexibility for the Board's activities?
4. Should there be an authorization level for more than one fiscal year and, if so, for how many years and at what levels?

I would most appreciate a prompt response to these questions. Please be advised that I may wish to quote all or part of your responses on the floor of the Senate during debate on S. 3302.

Sincerely,

CHARLES E. GOODELL.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., June 22, 1970.

B-39995(1).
Hon. CHARLES E. GOODELL,
U.S. Senate.

DEAR SENATOR GOODELL: This is in response to your letter of June 11, 1970, in which you ask certain questions relating to the authorization of funds for the work of the Cost-Accounting Standards Board proposed to be established by S. 3302.

We would prefer that no level be specified for the appropriations authorized by the bill. As shown by the statement we submitted to you, we believe annual expenditures of approximately $950,000 would be necessary for salaries of the Board and its staff. This figure does not include any allowance for consultant fees or for outside contracts it may be desirable to make for study and research. It is our opinion that the amount of $1,500,000 annually should be sufficient to fund the Board's total activities.

We recommend that the Board be made permanent and that the establishing section (section 719) be exempted from the expiration date in section 717 of the Defense Production Act. If this is not done, we believe it would be appropriate to provide for a two-year authorization of $3,000,000, in the event an authorization level is to be set.

Sincerely,

ELMER B. STAATS,
Comptroller General of the United States.

Mr. GOODELL. Mr. President, in summary, the Comptroller prefers that no appropriation level be specified in the bill. I respect his opinion and remain assured that he will get the funds necessary.

I would like to quote, however, from his letter:

> It is our opinion that the amount of $1.5 million annually should be sufficient to fund the Board's total activities.

In further detail, the Comptroller believes that $950,000 is necessary for services of 25 professionals with a high degree of expertise in cost accounting. In addition, he believes that another $550,000 would be necessary for "consultant fees or for outside contracts it may be desirable to make for study and research."

The total appropriation would be $1.5 million annually. This sum is, I believe, a small price to pay for a fair and equitable cost accounting system. If the Board is to provide this critical improvement in our procurement procedures, it must be well-staffed and well-equipped to handle the responsibility.

The Senator from Wisconsin is a member of the Appropriations Committee. Since he has taken the lead on cost accounting requirements in the Senate, I know he will carefully oversee the appropriations request by the Comptroller for the activities of the Cost Accounting Standards Board. I know he will make certain that the sum appropriated will be adequate for the important task we have assigned the Board.

Another issue has been brought to my attention by the Comptroller General.

The Defense Production Act expires biennially. The expiration date of S. 3302 is June 30, 1972.

Mr. President, we have an important innovation in S. 3302—the Cost Accounting Standards Board in section 719.

The amendment I have introduced would exempt section 719 from the 2-year expiration date.

The Comptroller General has stated that it would take between 3 and 5 years to promulgate comprehensive cost-accounting standards. At the earliest, it would be 18 months before the Board could issue even the simplest standards. He supports this amendment.

The Board was conceived to have a continuing impact on defense procurement. In order to do this it must be able to evaluate the effect of its standards. It must be able to alter, issue or reissue standards as needs arise. It must be able to anticipate the procurement needs of the future and anticipate the standards that will be necessary.

The Comptroller General supports this amendment.

The Board cannot do this if its planning time is limited to 2-year periods. It can only invest in long-range plans, if it has the permanence to do so.

And I do not believe the usefulness of section 719—the Cost Accounting Standards Board should be curtailed or hampered because of a 2-year statutory life. I urge the acceptance of my amendment which would exempt section 719 from the 2-year expiration date in S. 3302.

Mr. BROOKE. Mr. President, I yield back my time.

Mr. MONDALE. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SCOTT. Mr. President, I am pleased to support S. 3302, a bill extending the Defense Production Act. This measure provides for the establishment of uniform cost accounting standards for certain defense contracts. When we realize that during the 1969 fiscal year more than $36 billion worth of military procurement was obtained through contract negotiation, we must realize the tremendous need for keeping these costs under control.

It was only a year ago that Congress really got down to the business of exercising some control over defense contracts. The Schweiker amendment, which I cosponsored, supported, and voted for, was the first major step. It would have required a quarterly audit of all major defense weapons contracts. It was a good amendment. It was directed at the shocking exposures of cost overruns which are intolerable. Unfortunately, the Schweiker amendment never made it through the conference committee.

The pending legislation is designed to place negotiated defense contracts under a uniform procedure for cost accounting. Very reliable estimates indicate that at least $2 billion or more will be saved when these procedures are employed. I say it is about time.

Mr. President, the Comptroller General submitted a report to Congress last January at which time he concluded that uniform cost accounting standards were both feasible and desirable. I do not think that the taxpaying public will tolerate any more reports of wasteful Government spending. Let us do our defense spending in a fiscally responsible manner. I strongly support the pending bill and urge my colleagues to do the same.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Connecticut (Mr. DODD), the Senator from Missouri (Mr. EAGLE-

TON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from Iowa (Mr. HUGHES), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), are absent on official business.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON), the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. MAGNUSON), the Senator from Rhode Island (Mr. PASTORE), the Senator from Iowa (Mr. HUGHES), would each vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Utah (Mr. BENNETT), the Senator from Oklahoma (Mr. BELLMON), the Senator from Nebraska (Mr. CURTIS), the Senator from Michigan (Mr. GRIFFIN), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Kentucky (Mr. COOK) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

The Senator from Colorado (Mr. DOMINICK), the Senator from Arizona (Mr. GOLDWATER) and the Senator from Florida (Mr. GURNEY) are detained on official business.

If present and voting, the Senator from Utah (Mr. BENNETT), the Senator from Nebraska (Mr. CURTIS), the Senator from Colorado (Mr. DOMINICK), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Maine (Mrs. SMITH), the Senator from Illinois (Mr. SMITH) and the Senator from Texas (Mr. TOWER) would each vote "yea."

The result was announced—yeas 69, nays 1, as follows:

[No. 236 Leg.]

YEAS—69

Aiken
Allen
Allott
Anderson
Bayh
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cooper
Cotton
Cranston
Dole
Ellender
Ervin
Fannin
Fong
Fulbright
Goodell
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McClellan
McGovern
Metcalf
Miller
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—1

McIntyre

NOT VOTING—30

Baker
Bellmon
Bennett
Cannon
Cook
Curtis
Dodd
Dominick
Eagleton
Eastland
Goldwater
Gore
Gravel
Griffin
Gurney
Hartke
Hughes
Jordan, N.C.
Magnuson
McCarthy
McGee
Mundt
Murphy
Pastore
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Tower

So the bill (S. 3302) was passed, as follows:

S. 3302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EXTENSION OF ACT

SECTION 1. The first sentence of section 717 (a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166 (a)) is amended—

(1) by striking out "July 30, 1970" and inserting in lieu thereof "June 30, 1972"; and

(2) by striking out "section 714" and inserting in lieu thereof "sections 714 and 719".

DEFINITIONS

SEC. 2 Section 2072 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) by inserting "space," after "stockpiling," in subsection (d); and

(2) by adding at the end thereof a new subsection as follows:

"(f) The term 'defense contractor' means any person who enters into a contract with the United States for the production of material or the performance of services for the national defense."

UNIFORM COST-ACCOUNTING STANDARDS

SEC. 3. The Defense Production Act of 1950 is amended by adding at the end thereof a new section as follows:

"COST-ACCOUNTING STANDARDS BOARD

"SEC. 719. (a) There is established, as an agent of the Congress, a Cost-Accounting Standards Board which shall be independent of the executive departments and shall consist of the Comptroller General of the United States who shall serve as Chairman of the Board and four members to be appointed by the Comptroller General. Of the members appointed to the Board, two shall be from the accounting profession, one shall be representative of industry, and one shall be from a department or agency of the Federal Government who shall be appointed with the consent of the head of the department or agency concerned. The term of office of each of the appointed members of the Board shall be four years, except that any member appointed to fill a vacancy in the Board shall serve for the remainder of the term for which his predecessor was appointed. Each member of the Board appointed from private life shall receive compensation at the rate of one two-hundred-sixtieth of the rate prescribed for level IV of the Federal Executive Salary Schedule for each day (including traveltime) in which he is engaged in the actual performance of duties vested in the Board.

"(b) The Board shall have the power to appoint, fix the compensation of, and remove an executive secretary and two additional staff members without regard to chapter 51, subchapters III and VI of chapter 53, and chapter 75 of title 5, United States Code, and those provisions of such title relating to appointment in the competitive service. The executive secretary and the two additional staff members may be paid compensation at rates not to exceed the rates prescribed for levels IV and V of the Federal Executive Salary Schedule, respectively.

"(c) The Board is authorized to appoint and fix the compensation of such other personnel as the Board deems necessary to carry out its functions.

"(d) The Board may utilize personnel from the Federal Government (with the consent of the head of the agency concerned) or appoint personnel from private life without regard to chapter 51, subchapters III and VI of chapter 53, and chapter 75 of title 5, United States Code, and those provisions of such title relating to appointment in the competitive service, to serve on advisory committees and task forces to assist the Board in carrying out its functions and responsibilities under this section.

"(e) Except as otherwise provided in subsection (a), members of the Board and officers or employees of other agencies of the Federal Government utilized under this section shall receive no compensation for their services as such but shall continue to receive the compensation of their regular positions. Appointees under subsection (d) from private life shall receive compensation at rates fixed by the Board, not to exceed one two-hundred-sixtieth of the rate prescribed for level V in the Federal Executive Salary schedule for each day (including traveltime) in which they are engaged in the actual performance of their duties as prescribed by the Board. While serving away from their homes or regular place of business, Board members and other appointees serving on an intermittent basis under this section shall be allowed travel expenses in accordance with section 5703 of title 5, United States Code.

"(f) All departments and agencies of the Government are authorized to cooperate with the Board and to furnish information, appropriate personnel with or without reimbursement, and such financial and other assistance as may be agreed to between the Board and the department or agency concerned.

"(g) The Board shall from time to time promulgate cost-accounting standards designed to achieve uniformity and consistency in the cost-accounting principles followed by defense contractors and subcontractors under Federal contracts. Such promulgated standards shall be used by all relevant Federal agencies and by defense contractors and subcontractors in estimating, accumulating, and reporting costs in connection with the pricing, administration and settlement of all negotiated prime contract and subcontract national defense procurements with the United States in excess of $100,000, other than contracts or subcontracts where the price negotiated is based on (1) established catalog or market prices of commercial items sold in substantial quantities to the general public, or (2) prices set by law or regulation. In promulgating such standards the Board shall take into account the probable costs of implementation compared to the probable benefits.

"(h) (1) The Board is authorized to make, promulgate, amend, and rescind rules and regulations for the implementation of cost-accounting standards promulgated under subsection (g). Such regulations shall require defense contractors and subcontractors as a condition of contracting to disclose in writing their cost-accounting principles, including methods of distinguishing direct costs from indirect costs and the basis used for allocating indirect costs, and to agree to a contract price adjustment, with interest, for any increased costs paid to the defense contractor by the United States because of the defense contractor's failure to comply with duly promulgated cost-accounting standards or to follow consistently his disclosed cost-accounting practices in pricing contract proposals and in accumulating and reporting contract performance cost data. Such interest shall not exceed 7 per centum per annum measured from the time such payments were made to the contractor or subcontractor to the time such price adjustment is effected. If the parties fail to agree as to whether the defense contractor or subcontractor has complied with cost-accounting standards, the rules and regulations relating thereto, and cost adjustments demanded by the United States, such disagreement will constitute a dispute under the contract dispute clause.

"(2) (A) The Board is authorized, as soon as practicable after the date of enactment of this section, to prescribe rules and regulations exempting from the requirements of this section such classes or categories of defense contractors or subcontractors under contracts negotiated in connection with national defense procurements as it determines, on the basis of the size of the contracts involved or otherwise, are appropriate and consistent with the purposes sought to be achieved by this section.

"(B) Rules and regulations prescribed under subparagraph (A) of this paragraph (3) shall take effect upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a copy of the proposed rules and regulations is transmitted to the Congress; if, between the date of transmittal and the expiration of such sixty-day period, there is not passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the proposed rules and regulations. For the purposes of this subparagraph, in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of adjournment of more than three days to a day certain or an adjournment of the Congress sine die.

"(i) (A) Prior to the promulgation under this section of rules, regulations, cost-accounting standards, and modifications thereof, notice of the action proposed to be taken, including a description of the terms and substance thereof, shall be published in the Federal Register. All parties affected thereby shall be afforded a period of not less than thirty days after such publication in which to submit their views and comments with respect to the action proposed to be taken. After full consideration of the views and comments so submitted the Board may promulgate rules, regulations, cost-accounting standards, and modifications thereof which shall have the full force and effect of law and shall become effective not later than the start of the second fiscal quarter beginning after the expiration of not less than thirty days after publication in the Federal Register.

"(B) The functions exercised under this section shall be excluded from the operation of the Administrative Procedure Act.

"(C) The provisions of paragraph (A) of this subsection shall not be applicable to rules and regulations prescribed by the Board pursuant to subsection (h) (3).

"(j) For the purpose of determining whether a defense contractor or subcontractor has complied with duly promulgated cost-accounting standards and has followed consistently his disclosed cost-accounting practices, any authorized representative of the head of the agency concerned, of the Board, or of the Comptroller General of the United States shall have the right to examine and make copies of any documents, papers, or records of such contractor or subcontractor relating to compliance with such cost-accounting standards and principles.

"(k) The Board shall report to the Congress, not later than twenty-four months after the date of enactment of this section, concerning its progress in promulgating cost-accounting standards under subsection (g) and rules and regulations under subsection (h). Thereafter, the Board shall make an annual report to the Congress with respect to its activities and operations, together with such recommendations as it deems appropriate.

"(l) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section."

LOAN GUARANTEES

SEC. 4. Section 301 of the Defense Production Act of 1950 (50 U.S.C. App. 2091) is amended by adding at the end thereof a new subsection as follows:

"(c) The maximum obligation of any guaranteeing agency to any contractor, subcontractor, or any other recipient under this section for any loan, discount, advance, or commitment in connection therewith, entered into under this section shall not exceed $20,000,000 except with the approval of the Congress: *Provided further*, That the authority in this section shall not be used primarily to prevent the financial insolvency or bankruptcy of any person unless the President certifies that such insolvency or bankruptcy would have a direct and substantially adverse effect upon defense production and that a copy of such certification together with a detailed justification thereof is transmitted to the Congress and to the Banking and Currency Committees thereof at least ten days prior to the use of such authority."

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the Senate has accomplished a great deal of work today. First, we completed the agriculture appropriations bill for 1971 and then commenced consideration of the Defense Production Act. It was through the fine efforts and skill of the managers of this bill, the distinguished Senators from Minnesota (Mr. Mondale) and Wisconsin (Mr. Proxmire) that we were able to achieve completion today of this measure as well. They both demonstrated again what has been so evident to us in the Senate, that each masters fully their subject before bringing a measure to the floor.

To the distinguished Senator from Utah (Mr. Bennett), the ranking member of the committee, the same tribute applies. As always his cooperation is greatly appreciated by the leadership.

To all Members of the Senate especially those that took a more active part—the able and distinguished Senators from California (Mr. Cranston), from Virginia (Mr. Byrd), and from New Hampshire (Mr. Cotton)—the leadership is greatly indebted.

Again, I must mention the Senate's great legislator, the distinguished chairman of the committee (Mr. Sparkman). Under his personal guidance, this measure reaches the floor. Through his guidance his subcommittee chairman is able to manage the measure to swift passage. The record of achievement of the Senate to date has been marked with hard work and significant accomplishment.

TERMINATION OF CERTAIN JOINT RESOLUTIONS AUTHORIZING THE USE OF THE ARMED FORCES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 874, Senate Concurrent Resolution 64, by Mr. Mathias and others, a concurrent resolution to terminate certain joint resolutions authorizing the use of the Armed Forces of the United States in certain areas outside of the United States—to wit, the Tonkin Gulf resolution. I do this so that the concurrent resolution will become the pending business.

Mr. SCOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. Three nails already. Yes.

Mr. SCOTT. I wonder if the distinguished majority leader would yield for me to suggest a proposal for a limitation of time of 10 minutes, 5 minutes to a side, on this resolution. We will agree to it on our side.

Mr. MANSFIELD. I would be delighted if I could take it under advisement while I discuss the matter with the chairman of the Committee on Foreign Relations. I would be more than happy, because I think all has been said that should be said, and the Senate should be prepared to vote.

Mr. SCOTT. I agree. There is no need to vote on it, but I am willing to vote every day, if the distinguished majority leader will bring it up.

Mr. MANSFIELD. No; there is only one on the calendar.

The PRESIDING OFFICER. The resolution will be stated.

The Legislative Clerk. A concurrent resolution (S. Con. Res. 64) to terminate certain joint resolutions authorizing the use of the Armed Forces of the United States in certain areas outside of the United States.

The PRESIDING OFFICER. Is there objection to its present consideration?

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations with amendments, on page 1, line 2, after the word "That", to strike out "(a) under the authority of section 6 of the joint resolution entitled 'Joint resolution to promote peace and stability in the Middle East,' approved March 9 1957 (71 Stat. 5; Public Law 85–7), as amended, such joint resolution is terminated effective upon the day that the second session of the Ninety-first Congress is adjourned.

"(b) Under", on page 2, line 4, after the amendment just above stated, to insert the word "under"; and in line 5, after the word "resolution", to insert "commonly known as the Gulf of Tonkin Resolution and"; so as to make the concurrent resolution read:

> That under the authority of section 3 of the joint resolution commonly known as the Gulf of Tonkin Resolution and entitled "Joint resolution to promote the maintenance of international peace and security in Southeast Asia", approved August 10, 1964 (78 Stat. 384; Public Law 88–408), such joint resolution is terminated effective upon the day that the second session of the Ninety-first Congress is adjourned.

Mr. MANSFIELD. Mr. President, there will be no further discussion on the Gulf of Tonkin resolution repeal tonight, I hope.

ORDER FOR RECOGNITION OF SENATOR WILLIAMS OF NEW JERSEY TOMORROW

Mr. MANSFIELD. I ask unanimous consent that when the distinguished Senator from Ohio (Mr. YOUNG) completes his remarks tomorrow, the distinguished Senator from New Jersey (Mr. WILLIAMS) be recognized for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. MANSFIELD. I ask unanimous consent that, following the remarks of the distinguished Senator from New Jersey tomorrow, there be a period for the transaction of routine morning business, with a time limitation of 3 minutes on statements therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE ON MONDAY, JULY 13, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the disposition of the Journal on Monday next, the distinguished senior Senator from Wisconsin (Mr. PROXMIRE) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it so ordered.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Virginia, who has a very timely statement to make.

ARLANDRIA AGAIN HIT BY FLOODS: SENATOR SPONG CITES NEED FOR AUTHORIZATION AND APPROPRIATION FOR FOUR MILE RUN FLOOD CONTROL PROJECT

Mr. SPONG. Mr. President, the Arlandria community in northern Virginia is under water at this very moment from Four Mile Run overflowing its banks. This is the third flood in less than a year, and my heart goes out to the victims who are being evacuated from their homes and businesses.

Details of the damage are unavailable. Flash floods have hit Holmes Run and Cameron Run. Local officials are busy attempting to do what they can to prevent loss of life, but little can be done to protect property.

The Arlandria community was struck twice by floods last summer. On July 22, flooding caused damage estimated at $4,315,000. Ten days later, on August 2, the stream again overflowed. Damage from the second disaster was estimated at $700,000.

Because there is a threat of floods from even a moderate rainfall, I have been attempting since the disasters last summer to secure approval of authorization and appropriation measures for a flood control project for the area. I discussed these efforts in great detail on April 14, and pointed out the time that was consumed in obtaining the necessary report from the Department of the Army.

The Senate Public Works Committee adopted a resolution 2 weeks ago today authorizing construction of the project. The committee acted under the provisions of the Flood Control Act of 1965, which permits the Senate and House Public Works Committees to authorize flood control projects having a Federal cost of less than $10 million.

I hope the resolution will receive priority consideration by the House Public Works Committee. It is imperative, Mr. President, that funds for preconstruction planning on the project be appropriated this year. I have requested the Public Works Subcommittee of the Appropriations Committee to recommend $175,000 for that purpose, and hope it will be approved.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL COSPONSORS OF BILLS

S. 3723

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Hampshire (Mr. MCINTYRE), I ask unanimous consent that, at the next printing, the name of the Senator from Montana (Mr. METCALF) be added as a cosponsor of S. 3723, to provide for orderly trade in textile articles of leather footwear, and for other purposes.

The PRESIDING OFFICER (Mr. HART). Without objection, it is so ordered.

S. 3974

Mr. SPONG. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Rhode Island (Mr. PASTORE), be added as a cosponsor of S. 3974, to provide support for the health manpower needs in the medical and dental educational programs for private nonprofit medical and dental schools in the District of Columbia.

The PRESIDING OFFICER (Mr. HART). Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 422

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Washington (Mr. MAGNUSON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Oklahoma (Mr. HARRIS), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Missouri (Mr. EAGLETON), the Senator from Ohio (Mr. YOUNG), the Senator from Wisconsin (Mr. NELSON), the Senator from Maryland (Mr. TYDINGS), the Senator from Alaska (Mr. STEVENS), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. MCCARTHY), and the Senator from Minnesota (Mr. MONDALE) be added as cosponsors of Senate Resolution 422, to authorize representation of the U.S. Senate by counsel in judicial proceedings concerning the constitutional validity of the Voting Rights Act Amendments of 1970.

The PRESIDING OFFICER (Mr. HART). Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 763

Mr. MCGOVERN. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from West Virginia (Mr. RANDOLPH) and the Senator from Rhode Island (Mr. PELL) be added as cosponsors of amendment No. 763 to H.R. 17923, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

The PRESIDING OFFICER. (Mr. HART). Without objection, it is so ordered.

AMENDMENT NO. 765

Mr. HATFIELD. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Montana (Mr. MANSFIELD) be added to amendment No. 765 to H.R. 17123, the military procurement bill.

The PRESIDING OFFICER. (Mr. HART). Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment, in accordance with the previous order, until 10 a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 46 minutes p.m.) the Senate stand in adjournment, in accordance with the previous order, until 10 a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 46 minutes p.m.) the Senate adjourned until tomorrow, Friday, July 10, 1970, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate July 9, 1970:

IN THE COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of lieutenant (junior grade):

Wayne R. Cronlund
Timothy J. Cenna
Warren E. Colburn, Jr.
Howard C. Waters
James T. Doherty, Jr.
Gregory L. Shaw
Robert W. Henry
Charles W. More
Benjamin B. Peterson
Paul J. Prokop
Gerald L. Hale
George F. Hatland, Jr.
Paul H. Garrity
James W. Gynther
Robert J. Wenzel
William K. Bissell
Michael J. Mierzwa
Alexander J. Hindle, Jr.
John R. Kissinger, Jr.
Richard F. Cupman
James D. Hull
Michael Billingsley
David H. Humphreys
Stanley L. Renneker
Thomas R. Lynch
Daniel D. Ryan III
Steven E. Hungness
Richard E. Burke, Jr.
Christopher G. Kreller
Gregory H. Magee
Robert L. Pokress
Donald R. Shrader
James E. Smith, Jr.
David D. Frydenlund
Jay M. Snyder

XUM

John F. Stumpff
John G. Cwiek
James D. Garrison
Stuart N. White
Donald H. Debok
John F. McGowan
Walter W. McDougall, Jr.
Frederick N. Wilder
Michael E. Moore
Robert C. Olsen, Jr.
Eric W. Miller
Joseph J. Clarke
Charles W. Wadey
Mark A. Revett
James L. Robinson
Andrew W. Anderson
Phillip W. Hawkins
Larry F. Wheatley
Robert C. Belote
Richard J. Losea
Elwood E. Stoeger
Daniel L. Carney
William R. Jurgens
Dale H. Gebhardt
Paul J. Bodenhofer
Richard C. Vlaun
George A. Flanigan
John V. Zeigler
Richard W. Ford, Jr.
Frederick J. Schmitt
Ronald J. Greto
George M. Williams
Jeffrey E. Robbins
Robert M. Acker, Jr.
Charles A. Huber, Jr.
Joseph F. Flayer
Robert A. McCoy
Glenn P. O'Brien
Robert S. Illman
Edward D. Walsh, Jr.
Andrew L. Gerfin, Jr.
Michael T. Black
William R. Bowen
James R. Hartney
David B. Anderson
Darryle M. Waldron
Peter A. Lenes
Mark D. Present
Bruce D. Wintersteen
Pablo M. Rodriguez
Theodore G. White III
Mark L. Lavache
James A. Cain
Timothy W. Josiah
Robert C. Gravino
John F. Curtis
Richard C. Barlow
Thomas R. Hamblin
Wenceslaus D. Kinal
John K. Miner
Charles H. Hill
George D. Bond II
Frederick R. Adamchal

Barry P. Kane
James B. Buckley III
Alan R. Berry
Russell A. Askey
Gary R. Calverase
Bruce E. Griffiths
Richard A. Leclerc
David H. Blomberg
Roderick A. Schultz
Richard L. Hilliker
Donald R. Grosse
George N. Naccara
Chester M. Sprague
James W. Pennington
Dwight R. Squires
Peter I. Aalberg
Gregory J. Labas
James D. Burk
Harold F. Watson
Robert W. Thorne
Robert E. Donnee
Thomas E. Rutenberg, Jr.
David C. Dubois
Gary L. Pavlik
Jeffrey J. Cotter
Fred W. Pryor
Gerald H. Kemp
Bruce A. Bergmann
Robert T. Glynn
Ronald E. DeMello
Douglas B. Brown
Robert C. Wise
Eugene A. Miklaucic
Gerald L. Ranes
John H. McLaughlin
Michael L. Duvall
Lee S. Rumley
Loren J. Chidester
James A. Moon
David A. Desiderio
John H. Nicholson
Robert L. Council
Rodger R. Logan
James P. Wysocki
Kenneth S. Shepard, Jr.
Dale K. Frieden
Charles D. Phillips
James W. Moon
William J. Missal
Michael D. Slovek
Jon W. Hall
Stanley E. Breedlove
William K. Sinn, Jr.
Eckhard E. Magsig
Harold F. Wagner
James W. Smith
Laurence P. Minott, Jr.
Curtis J. Crumpley
Charles L. Fenning
Albert R. Maggard
Willard R. Cox

The following-named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade indicated:

To be lieutenant commander

Theodore P. Brandsma

To be lieutenant

Kevin J. Barry
Joseph R. Finelli
Cullis L. Holub

Howard R. Ledbetter
David I. Scott
Robert A. Melvin, III

IN THE AIR FORCE

The following-named officer to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title 10, of the United States Code.

Lt. Gen. John S. Hardy, 577-52-0168FR (major general, Regular Air Force) U.S. Air Force.

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284, and 3299:

To be major

Abene, Gasper V., 436469923.
Abrahams, Edwin G., 439427030.
Abt, Irwin E., 123262141.
Adams, George B., 406421498.
Adams, James E., 531241005.
Adams, Paul L., 223440281.
Adcock, Thomas G., 053288311.
Addicott, Charles W., 534280623.
Aicken, Larry B., 400406515.
Ainsworth, Robert L., 393302015.
Akin, George H., 458547353.
Akiyama, Frank M., 522369444.
Albright, Anthony F., 155240827.
Alexander, Joseph E., 036225938.
Allen, Robert C., 502249169.
Allison, Robert H., 018266635.
Alsheimer, Robert H., 152243628.
Alston, Pontha D., 251500005.
Alton, Gary O., 361249766.
Amerson, Hinton S., 258465354.
Amos, Julian E., 258420949.
Anderson, Curtis E., 519266997.
Anderson, David P., 444285036.
Anderson, James A., 472266255.
Anderson, Joseph L., 249463697.
Anderson, Ralph O., 528387406.
Andreacchio, Nichol, 577441352.
Annette, Robert W., 369324948.
Apperson, Jack A., 229408053.
Archer, James H., 432403311.
Areheart, Henry W. J., 249500287.
Argo, James W., 375224846.
Armstrong, Hart R., 491328678.
Armstrong, James S., 242508239.
Arnold, John M., 038222834.
Aschettino, Richard, 140267845.
Austin, Richard K., 015268175.
Austin, Thomas A., 436563321.
Bachmann, Robert R., 328261519.
Baeb, David E., 389321903.
Bagnaschi, Albert L., 041262778.
Bailey, George W., 561544851.
Baird, Richard J., 314344570.
Bakeman, Charles D., 562409376.
Baker, Roger M., Jr., 099288834.
Baldree, Charles J., 405425993.
Baldwin, George R., 221209108.
Baldwin, Richard B., 015283281.
Balint Barry T. J., 147241117.
Banks, James C., 224387780.
Banner, Thomas A., 411545865.
Barbazette, John H., 549444803.
Barber, James J., 477322250.
Barborak, Franklin, 460647083.
Barisano, Louis, 002224565.
Barker, Harold S., Jr., 436443089.
Barker, Rex N., 431545412.
Barlow, Donald J., 055285928.
Barnard, Roy S., 088264013.
Barnes, John L., 247528596.
Barnum, Robert C., 375309632.
Barrentine, Robert, 425562945.
Barrett, Jonathan R., 253447723.
Barron, James B., 519322280.
Barry, Arthur A., 004327169.
Bartlett, Gerald T., 549401608.
Baumeister, Harold, 295289015.
Baun, Richard A., 283280014.
Baxter, Warner R., 459524497.
Bayruns, Paul C., 138248580.
Beach, Edmund J., 230520461.
Beasley, Benjamin B., 224407241.
Beaulieu, Gary P., 005286461.
Beavers, Guy M., 237422851.
Beben, Joseph A., 173284844.
Beck, Frederick S., 170281773.
Beckwith, Robert E., 265446196.
Beebe, Steven G., 072244406.
Beitz, Charles A., Jr., 172260002.
Bell, Raymond E., Jr., 209288636.
Bell, William E., 498328158.
Bellamy, Bruce M., 488366070.
Bennett, Ferrell R., 315302832.
Bennett, Lester E., 235522509.
Berg, George A., 509326380.
Bergson, Richard W., 577507190.
Bernd, Roy B., 533300844.
Berner, John J., 204267559.
Berry, William W., 526224429.
Bethke, Gerald H., 394280826.
Bezemek, Ludwig A., 512349559.
Biberstein, Billy J., 509301908.
Bickley, James B., 255486465.
Bieri, Leon D., 561460412.
Bingham, Ellis D., 385287499.
Bird, Max R., 500369825.
Bishop, Donald E., 223423409.
Bisping, Jack F., 233460485.
Bizzell, Word G., 264420491.
Blakeley, David C., 431527642.
Blaker, William J., 516241714.
Blanck, John E., 482326635.
Blank, James N., 208260192.
Blank, Lyle E., 541383911.
Blanton, Philip T., 267426890.
Blascak, Donald W., 155261009.
Bledsoe, Edward P., 266426588.
Bloomfield, John E., 262400669.
Boiani, Peter J., 038223969.
Boivin, Arcade C., II, 129262686.
Bokovoy, Jon E., 502304854.
Boll, Albert F., 178262009.
Bolt, Richard R., 477308108.
Bomar, Hobby J., Jr., 248666603.
Bone, Aubra N., 557325013.
Bonilla-Acevedo, Tomas, 582529474.
Bonner, Benjamin J., 509300459.
Bonta, Stanley G., 400422474.
Booth, Benny L., 335247330.
Boren, Charles M., 460623171.
Borer, Robert S., 409524906.
Borgstrom, Richard, 441341799.
Bostancic, James F., 201242969.
Boswell, Leonard L., 478344249.
Bourland, James M., 430643199.
Bowden, John J., 249444227.
Bowen, Cecil R., 389325485.
Bower, George L., 530183276.
Bowman, Donald C., 457547796.
Boyanowski, John G., 186287300.
Boyle, Ernest W., 140326095.
Boyle, James A., Jr., 249445174.
Braa, Emery W., 475327033.
Bradley, Robert E., 456521245.
Brann, Travis L., 454388436.
Brannen, Barney L., 259388626.
Brasuell, Perry T., 441320523.
Breen, James H., 196261613.
Briggs, Charles F., 386301851.
Briggs, Richard S., 254501925.
Briggs, Thomas J., 165267926.
Brill, James H., 084242199.
Bringham, John L. B., 549328098.
Brister, Delano R., 433468374.
Britt, Albert S., III, 444406617.
Brittain, Richard T., 462501258.
Britton, James H., 467484845.
Britton, John A., 484342167.
Brock, Jeffrey D., 315361996.
Brockway, Lawrence, 049229753.
Bromke, Chester E., 200247415.
Bronson, Richard M., 385301123.
Broome, James R., 462505954.
Brown, Beauregard I., 450500875.
Brown, Gene L., 418341869.
Brown, Lee D., 318265179.
Brown, Leonard T., 409403183.
Brown, Richard W., 253466331.
Brown, Robert M., 023269947.
Brown, Roy A., 456465056.
Brown, Terry W., 263525403.
Brudvig, Dale K., 547448685.
Bruner, Robert J., 511286168.
Bruskiewicz, Glenn, 387302411.
Bryan, Richard L., 282260359.
Bryant, William L., 238463062.
Bryden, John M., 330286730.
Buck, Champlin F., II, 245606128.
Buckner, David L., 411344085.
Buckner, Donald A., 244427831.
Budd, Alexander S. J., 004344594.
Buddo, James S., Jr., 212343670.
Budny, Julian J., 192268765.
Buel, Charles J., 495342254.
Buff, Thomas W., 255462866.
Burbery, John W., Jr., 545407668.
Burgdorf, Carl F., II, 351642689.

Burke, Francis J., Jr., 029266302.
Burke, Richard A., Jr., 391308423.
Burke, Roderick L., 553301886.
Burke, Sib H., 430562071.
Burke, William M., Jr., 237486058.
Burt, John C., 396380741.
Burton, Dawson L., 419388270.
Burton, Donald L., 460526218.
Bush, Emory W., 239407506.
Bushyhead, Edward R., 440286752.
Bussiere, Richard T., 378328956.
Buswell, Arthur T., 024248427.
Buttermore, Charles, 196222115.
Buxton, John L., 413466891.
Byers, Robert D., 484322991.
Byers, Rooney C., 240407282.
Bynam, Holland E., 452448688.
Byrd, Doxey, Jr., 265500645.
Caldwell, Everette, 426600090.
Caldwell, Richard G., 241484006.
Calhoun, Creighton, 244422441.
Camp, Dave E., 431603948.
Campbell, Charles B., 206322354.
Campbell, Donald A., 205263791.
Campbell, Joseph R., 209363301.
Campbell, Richard E., 008224721.
Campbell, William R., 359287857.
Campion, William W., 24342364C.
Cann, Donald C., 118248529.
Carmody, Robert W., 036204973.
Carrier, Billy C., 401380180.
Carroll, William F., 087263397.
Carruth, George A., 431725815.
Carson, Martin B., 249483120.
Carter, Harold M., 416406223.
Carucci, Raymond A., 054328820.
Caruso, Michael L., 151243704.
Cascio, Charles J., 236520826.
Casey, Franklin J., 354267621.
Cason, James P., 228424128.
Cass, Stanley D., 523442707.
Castelli, Joseph G., 512301448.
Cataldo, Fulvio J., 126226478.
Cawley, John H., Jr., 251529715.
Cei, Peter G., Jr., 430644182.
Cento, Dahl J., 491342107.
Champagne, Richard, 434462737.
Chaney, Bobby J., 465420942.
Chapman, Paul P., 026260387.
Charles, George H., Jr., 266404058.
Chase, Edward L., 009223760.
Chase, Gerald W., 551424666.
Chenoweth, Robert T., 331284163.
Chernault, James A., 556468436.
Chesley, Arthur P., 024264972.
Chittick, Peter J., 227340565.
Christensen, Eric M., 540362592.
Christenson, Willard, 506362087.
Christy, Bobby G., 499304104.
Circeo, Louis J., Jr., 029243555.
Clark, Davis, 425462986.
Clark, Donald P., 026249178.
Clark, Gary L., 525648557.
Clark, Jon M., 513340010.
Clark, Joseph E., 208241380.
Clarke, Charles C., Jr., 550464545.
Clarke, Edward F., 547406545.
Clay, Clifford D., 526425893.
Cleaver, George A., Jr., 212344322.
Clelan, Joseph R., 205260622.
Clemmons, Robert H., 242325995.
Cline, Donald H., 195243835.
Clites, James E., Jr., 206267427.
Clowe, John F., Jr., 252487225.
Coates, Charles H. Jr., 433481508.
Cochran, James O., 424306436.
Cockrell, William F., 244449856.
Cudd, Nicholas J., Jr., 15822337.
Coffee, Edwin F., Jr., 033227308.
Coffman, Richard L., 498321519.
Cofoni, Peter J., 038242989.
Colburn, Edward A., 463500180.
Collello, Joseph, Jr., 319267995.
Colket, Charles H., 520426759.
Colley, Walter T., 486393510.
Collier, William T., 446308314.
Collings, J. Elmer, 529287650.
Collins, David G., 242480168.
Comeau, Robert F., 034264642.
Conboy, Joseph B., 065204179.
Conklin, Willard D., 440366819.
Conley, James A., 271267264.
Conrad, Hawkins M., 248465800.
Conroy, Arthur T., Jr., 329245707.
Conroy, Robert E., 014282903.
Cook, James H., 457464275.
Cook, John J., 391284137.
Coon, Robert L., 386321567.
Cooper, Charles H., 408544436.
Cooper, Jack B., 1578246160.
Cooper, Robert A., 514305933.
Cooper, Robert T., 545400812.
Cooper, Willis M., 429607819.
Coor, Vinton K., 246449922.
Correll, Ralph T., 314329561.
Curtez, James J., 126229870.
Cothran, Paul E., 417428863.
Cotner, Henry L., Jr., 495341132.
Cotter, Paul L., 513305878.
Counihan, Jeremiah, 023243152.
Cover, John P., 302289909.
Cowles, Phillip R., 501265528.
Cox, Sammy T., 525623564.
Craddock, Nicholas, 037225549.
Crater, John F., 544348172.
Crawford, Clydie J., 531303756.
Crenshaw, William A., 261524506.
Crider, Terence A., 525688818.
Cripps, Donald W., 184205597.
Crittenden, Robert, 224441480.
Crofford, Clifford, 464461254.
Croft, John A., 207268153.
Cross, Freeman G., Jr., 410641151.
Crowl, Gilbert W., 508321402.
Culbertson, Jerome, 468285767.
Cullins, Robert B. I., 515287063.
Cumber, David R., 121268158.
Cummins, William, Jr., 217321395.
Cunniff, Roy A., 521388345.
Cunningham, Cleve, 556423892.
Cunningham, James G., 277300236.
Curran, Francis R., Jr., 53728778.
Curran, Jan O., 1002287127.
Cushing, Henry F., Jr., 046260164.
Custard, Norman L., 230421324.
Custer, Phillip E., 478386120.
Cyr, Charles W., Jr., 517329344.
Dahl, John F., 448308580.
Daluga, Richard B., 331261846.
Daly, Edward F., Jr., 131224641.
Damme, Richard J., 23450350.
Daniels, Harry V., Jr., 57532068.
Daugherty, John M., Jr., 301266668.
Davenport, Charles, 465481415.
Davenport, Thoedore, 378346127.
Davies, Peter G., 438300444.
Davies, Richard A., 384308035.
Davies, William A., 513241877.
Davis, Bobby G., 404342232.
Davis, Harold M., Jr., 036225423.
Dawes, Robert C., 112288142.
Dawson, Jon C., 507380422.
DeGraw, Allen C., 139267100.
DeLany, Daniel J., 082269457.
De Simone, Frank P., 027248791.
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Dean, Richard C., 360281557.
Deel, Arlin, 230388101.
Del Vecchio, William, 183246001.
Delandro, Donald J., 433487552.
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Dennison, Gary V., 493344425.
Deshler, Robert C., 086267038.
Devereaux, Raymond, 037200454.
DiRuzza, Santi, 023267991.
DiValentino, Leo E., 577460017.
Dickson, Rodney, 528302409.
Dillon, Gregory P., 526305057.
Dillon, William F., Jr., 020269128.
Dion, George J., 135284785.
Dixon, Charles L., 257445872.
Doar, James M., 552442299.
Dodge, Rodney E., 485343353.
Dodson, John P., 176322596.
Doneski, Bernard J., 152265344.
Dooling, Stephen V., 012249640.
Doolittle, Lloyd W., 440289683.
Dorough, Aaron G., 456427191.
Dorsey, Dennis J., 564423210.
Dougherty, James E., 405403651.
Dougherty, Maurice, 041260945.
Dowds, James B., 432560334.
Downes, Michael M, 255549019.
Downs, Charles E., 430468709.
Doyle, David L, 429620018.
Dross, David D., 053286108.
Drudik, Robert L., 398281145.
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DuBose, Perryman F., 519327847.
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Duhon, Ben E., 439407252.
Dulak, Maynard R., 389286583.
Duncan, Wayne M., 298287455.
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Dunlap, Roger L., 459526291.
Dunn, James E., 426540557.
Dunn, James W., 104249322.
Durbin, William B., 400423479.
Durr, Donald D., 292285986.
Dyer, Howard B., 498320701.
Dyke, Charles W., 229409184.
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East, Kenneth E., 440302163.
Easterling, Ned H., Jr., 439463506.
Easterwood, John L., 520327245.
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Echevarria, William, 581686010.
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Edwards, Emmet D., Jr., 413345858.
Edwards, Richard I., 226429811.
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Eichelberger, Charles, 256469175.
Elder, John F., III, 450544868.
Elliott, Roy P., 010267273.
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Emery, Richard F., 513306476.
Emrick, Charles W., 229426723.
Engle, Phillip O., 525566422.
English, Don C., 432589696.
Ensign, Allyn B., 385326712.
Epperson, Thomas A., 430585058.
Erickson, Darrold J., 473240427.
Erminger, Lee E., 348240819.
Eure, Samuel L., 224387622.
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Ezekiel, Saul J., 460543036.
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Fancher, Louis C., Jr., 352260924.
Fanning, Joseph J., 204263933.
Faulkender, Robert, 268300925.
Feaster, Lewis L., 316340077.
Feeney, Richard L., 518364646.
Fehlauer, Werner A., 136263422.
Felber, Theodore D., 406409364.
Feld, Philip, 113266481.
Fennell, George R., Jr., 010267102.
Fentress, Harry B., 227382362.
Finch, Arthur J., Jr., 383269150.
Finch, Kenneth W., 064266910.
Fingles, Douglas O., 042283127.
Finkle, Rodney T., 132248914.
Finlay, John C., 528361114.
Fiorentino, William, 106265133.
Fisher, George A., 571420433.
Fisher, Paul D., 239461932.
Fiske, John R., 261461645.
Fiske, William S., 263463263.
Flanagan, Carl P., Jr., 212309051.
Flanders, Norwood S., 252483877.
Fleming, Jerry L., 435449953.
Flewelling, Robert, 003181407.
Focer, Samuel W., Jr., 202249561.
Foch, Frederick J., 524388010.
Fong, Joseph Y. K., 576303322.
Fontanella, David A., 043260351.
Forgy, Jack O., 430584202.
Foster, Andrew R., Jr., 561544892.
Foster, Robert G., 413486346.
Fournier, Joseph J., 035229059.
Foutz, Vernon E., 235486573.
Franklin, Bobby G., 430621487.
Frazer, Rex L., 478320676.
Freeman, Carl F., 510345132.
Freeman, Donald J., 233540371.
Freitas, Louis H., 576306702.
Freyder, James G., 340262981.

Friend, William N., 081325546.
Frisbie, James G. 412447338.
Froebel, Marian C., 466423025.
Fromm, Rudolph W., 158228036.
Frost, Henry R., 506428044.
Fugitt, Billy W., 500342275.
Fujitani, Donald S., 575308463.
Fulton, Lawrence P., 42554610.
Gagliardone, John L., 044267071.
Gainey, Bobby M., 237444646.
Gale, Edward Wendell, 481842729.
Gallagher, Joseph P., 308245612.
Galloway, Gerald E., 577443603.
Gann, Charles E., 413528261.
Garigan, Thomas P., 312302060.
Garner, John J., Jr., 460529431.
Garrett, Arthur W., 402426979.
Gasparo, Glaudis P., 437426003.
Gasper, John M., Jr., 200245312.
Gates, Kermit H., Jr., 248526097.
Gaustad, Peter J., 517368587.
Gaw, Stephen T., 074286801.
Gayler, Earl Dale, 258507121.
Gebhardt, William A., 466601599.
Geczy, George, Jr., 186263221.
Gentry, Paul E., 430525228.
George, Dannie E., 462503922.
George, Edward H., II, 559421675.
Gieseke, Donald E., 493383365.
Gillian, John J., 516361864.
Gilmore, Joseph R., 425586798.
Ginter, Duane L., 510300821.
Givler, Leon J., 178240872.
Glasgow, William L., 273303669.
Glasker, Samuel J., 224406294.
Glen, George W. B., 517342500.
Glick, Stephen A., 514320256.
Glover, Leo M., 461401915.
Goering, John D., 508307507.
Goetz, George W., 116245357.
Goetz, John A., 377344744.
Golden, William L., 469347231.
Gomon, Charles W., 508341433.
Gonzalez, Alvaro R., 069281320.
Goode, David E., 542380436.
Goodson, Harry C. II, 525706472.
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Govatos, John N., 221167427.
Gracey, Hugh W., 452389215.
Graham, Harry C., 143281571.
Graham, Joseph E., 132225199.
Grainger, Harold A., 150266304.
Grant, Michael E., 541382722.
Gray, Frank M., Jr., 425642913.
Gray, Joseph M., 411562163.
Green, Charles F., 069223979.
Green, James L., 509346292.
Green, Robert E. Jr., 220321759.
Green, Thomas E., 429589573.
Greene, Earl M., 267565954.
Greenway, John R., 273327364.
Greenwood, Walter A., 466527569.
Greschel, Bill F., 546428645.
Griffin, Hardy L., 262567485.
Griffin, Thomas N., Jr., 578428801.
Grim, Charles D., 505401996.
Grimes, Dan S., 314300627.
Groetken, David L., 479347464.
Gross, Woolf P., 078281285.
Groves, John E., Jr., 429549928.
Grubbs, William F. I., 235602365.
Gruber, Robert E., 533322244.
Gruhn, Thomas S., 517363313.
Guba, Howard J., 065260789.
Guillory, Larry G., 435443389.
Guldner, Francis J., 054287706.
Gullen, John P., Jr., 044263171.
Haas, Donald A., 184261494.
Habic, Arnold J., 071269269.
Hager, Robert H., Jr., 536344957.
Hagyard, Warren A., 373347387.
Haldane, Douglas W., 008220464.
Hale, Charles A., 509343835.
Hall, Clarence E., Jr., 542260174.
Hall, Francis W., Jr., 462506352.
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Hallinan, James M., Jr., 296280461.
Hallmark, Billy J., 431587184.
Hallock, Donald V., 328286459.
Halloway, Kenneth E., 531326425.
Halpern, Wayne J., 183265382.
Hammond, Leroy D., 224442644.
Hammond, Robert D., 538287595.
Hampton, Emery W., 155265915.
Hancock, James H., Jr., 249523273.
Handback, Henry C., 414444074.
Handley, Charles B., 253485297.
Hanigan, Francis L., 097282361.
Hanlin, Richard W., 181265692.
Hannen, William M., 268306584.
Hannon, Murray W., 546363096.
Hanson, Thomas W., 420538826.
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Hardegree, Bobby L., 259509728.
Harding, Thomas C., Jr., 023264485.
Hardy, Robert M., Jr., 419460289.
Harring, Anthony U., 120269278.
Harrington, Wayne C., 136300822.
Harris, Bruce R., 310342711.
Harris, Jimmy R., 438446837.
Harris, Robert E. 283280885.
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Harrison, Henry L., 527349440.
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Harvard, Thomas P., Jr., 267429873.
Harwig, Donald H., 361264363.
Harwood, Michael S., 546446626.
Hatch, Henry J., 361266617.
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Hatcher, Robert T., 267441995.
Hawkins, Richard S., 005283710.
Hawley, Gerald S., 272308682.
Hays, Paul A., 292287114.
Hedgcock, Robert E., 219348498.
Heggen, Larry E., 152265320.
Heidecker, Duane E., 514285333.
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Henry, Ronald W., 198264561.
Hensley, Carl E., 451504058.
Henson, Hugh E., Jr., 460527200.
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Herrman, Larry J., 512322031.
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Hess, Carl E., 335282355.
Heverly, Charles S., 198269386.
Hewitt, William A., 208265979.
Hickerson, Arville, 267285734.
Hickey, Edward I., Jr., 029246414.
Hicklin, Thomas R., 478383705.
Hickman, Jere L., 413389025.
Hicks, Gerald F., Jr., 519306767.
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Higgins, James M., 398301127.
Higgins, Michael S., 305349195.
High, Charles S., 266324657.
Higman, James H., 524380198.
Hildreth, Edward E., 118265458.
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Hill, Robert G., 246428951.
Hill, Theron H., 260429291.
Hilmo, Orin R., 502167916.
Hinds, William L., 431528173.
Hines, Joseph E., III, 438504671.
Hinspeter, William, 202141254.
Hoagland, Merton B., 314821677.
Hobin, Raymond M., 141262805.
Hocker, John R., 317341818.
Hodge, John J., 261428296.
Hodges, Charles E., 411487263.
Hoff, Rodger L., 545442845.
Hoffman, Robert F., 189287828.
Holoway, Ronald M., 520322954.
Holladay, Van A., 148287265.
Hollenbeck, Elmer W., 513263492.
Holm, Dennis W., 510280797.
Holmes, David R., 577461606.
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Holmstrom, Ronald J., 184268150.
Holt, Bill V., 517343969.
Holzheimer, Richard, 477360487.
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Honsinger, Larry E., 481301565.
Hood, George E., 410489074.
Hope, Fred H., 255467319.
Hopkins, James R., 452480168.
Hord, Ben F., III, 400441010.
Horn, Robert C., 032260308.
Horton, Floyd W., 244428005.
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House, Joseph W., 419341853.
Houser, George M., 241489269.
Houser, Houston, P. I., 579460568.
Howard, James W., 396381762.
Howe, Robert H., 247521522.
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Hoyt, Richard E., 120269755.
Huff, Donald W., 170248870.
Huff, Roy P., Jr., 451488983.
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Hummel, Richard H., 293281476.
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Humphrey, Raymond F., 028267493.
Humphreys, George D., 232488326.
Hunt, Byron W., 535266778.
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Ingman, John F., 519362683.
Irwin, Carl H., Jr., 213325661.
Irwin, James T., 406422278.
Isbell, James C., 423424051.
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Israel, Glenn A., 500369782.
Jackson, George F., 159288542.
Jackson, James W., 725121211.
Jackson, John D., 408544861.
Jacobs, Irwin M., 566462819.
Jacobs, Marvin, 111185825.
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Janert, Alfred C., Jr., 458461925.
Jenkins, James R., 390320291.
Jenks, George V., Jr., 277306701.
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Johns, Robert N., 176322549.
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Johnson, James C., 462647787.
Johnson, Percy G., 453445354.
Johnston, Richard R., 297263060.
Johnstone, Homer Jr., 557406246.
Joiner, Carey P., Jr., 258506884.
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Jones, Gilbert E., Jr., 542349639.
Jones, Luther E., 268306252.
Jones, Ronald A., 007240891.
Jones, Thomas J. P., 443269901.
Jones, Walter R., 139282878.
Jones, William E., Jr., 229408236.
Jordan, Howell H., Jr., 254506892.
Joyce, Cecil L., 228389265.
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Judy, Jerry E., 407485007.
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Kaiser, Philip E, 313381331.
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Karr, Don E., 454460165.
Kastner, George D., 227448369.
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Keefe, Victor F., 454447137.
Keel, Frank W., 432522909.
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Kehoe, Thomas P., 578448671.
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Kelly, Edward V., 137268627.
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Kimura, Kay S., 576307335.
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Kirk, Louis D., 440302183.
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Lain, John Charles, 240383494.
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Lauchbon, Richard W., 536321247.
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Lawson, Robert, A., 282300793.
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Le Vesque, Victoria, 533283302.
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Leckinger, Paul A., 093247812.
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Lee, Walter T., 413463254.
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Vail, Robert B., 190266902.
Vaille, John D., 510303430.
Van Herpe, William, 101281105.
Van Houten, Peter F., 518369182.
Van Winkle, Daniel, 141260929.
Vandergrift, Kennard, 214328520.
Vannoy, Claude E., 240522854.
Vardamis, Alex A., 005323273.
Vargo, John J., Jr., 240400092.
Varner, Veloy J., 728058135.
Vaughn, Norman M., Jr., 478382743.
Vermillion, Robert, 283289364.
Vickers, John H., 043287587.
Vicknair, Darrell H., 438469816.
Vierra, Victor S., 250527995.
Villa, Joseph A., 549448380.
Virgiglio, Paul J., 120226479.
Vissers, Martin R., 089285763.
Vockery, William L., 450549361.
Voorhees, Theodore, 579466169.
Vossen, Francis C., 213328175.
Vuono, Carl E., 196268686.
Wade, Merle L., 416383779.
Wadhams, Bruce M., 044229894.
Waggener, Robert N., 561367631.
Waite, Richard D., 181244961.
Wakefield, Donald Y., 433428259.
Walker, Harry D., 433506987.
Walker, Jack E., 220300604.
Walker, Peter H. 538307511.
Walker, Robert E., Jr., 228381268.
Wall, Walter F., 154241025.
Walls, Gregg P., 444362379.
Ward, Jerry E., 541344438.
Ward, William A., 216303513.
Waring, Mowton L., Jr., 001249777.
Watkins, Edward A., Jr., 231426000.
Watson, Gerald G., 455522104.
Watson, Jay D., Jr., 562446602.
Wattelet, Ronald R., 512301347.
Watts, Ronald L., 487389023.
Weaver, Robert A., Jr., 299226923.
Weeks, Jimmy D., 457529528.
Weeks, Richard G., 402389445.
Wehrle, Alfred L., 040264364.
Weinert, Phillip D., 579449297.
Welch, Charles W., 301224700.
Welch, Larry L., 444324497.
Wells, Donald G., 320282619.
West, Louis, 434447741.
Westerfeldt, Robert, 460640927.
Westerman, Ted G., 318285081.
Westhoff, William J., 523462290.
Weston, Ray D., 443360283.
Whalen, Donald P., 224524500.
Wharton, Walter N., 464480837.
Whatley, Howard G., 464448694.
Wheatley, James K., Jr., 210241608.
Whiddon, Orren R., 464528938.
White, Billy T., 436449973.
White, Jewel G., 316281637.
Whitmire, James D., 247365470.
Whitt, Lawrence H., 267447028.
Whittle, William E., 328286700.
Wiersema, Kenneth E., 560444038.
Wilder, Allen S., Jr., 467468353.
Wiley, Chester J., 252489646.
Wilhelm, Edmund A., 136289552.
Wilkinson, John C., 455443158.
Willett, Frank W., 579403609.
Willette, William P., 419381198.
Willey, John L., 479344674.
Williams, Alonzo, 463488167.
Williams, Charles L., 466489664.
Williams, Donald E., 451484294.
Williams, Edward H., 314341943.
Williams, Graybill, 257461562.
Williams, Jerry A., 445300181.
Williams, Richard R., 141269618.
Williams, Ross S., 462427932.
Williamson, James C., 433485081.
Willies, Edward J., 569466763.
Wilson, Albert H., II, 577464234.
Wilson, Daniel M., 246424190.
Wilson, Glenn H., 241466578.
Wilson, Gordon E., 558547050.
Wilson, James K., III, 223381600.
Windsor, James A., 256489261.
Winn, Frank B., 410643192.
Winne, Ross W., Jr., 267424492.
Winters, Donald L., 186264094.
Wise, Harry L., Jr., 258542705.
Wiser, Robert M., 486340136.
Wishart, Leonard P., 152264608.
Witbrodt, Donald J., 379343451.
Witt, Everett L., 530201955.
Witt, Jerry V., 451520112.
Wittman, Clarence M., 515249560.
Wold, Pedar C., 501267587.
Wolfe, Robert A., 511380268.
Wolfe, William D., 225342769.
Wolfe, William M., 497346839.
Wood, Billy D., 405404036.
Woods, James R., 445342072.
Woods, Robert O., 486324740.
Woods, Robert P., 024261638.
Woods, Roger B., 08340353.
Wray, Donald P., 139282954.
Wright, Stuart E., 467505658.
Wright, Theodore K., 528464765.
Yeary, Ira W., 405406102.
Yoos, Robert E., 153245306.
Young, Charles D., 428548569.
Young, George E., Jr., 219384129.
Young, Lawrence B. H., 428425345.
Yuhn, John T., 215325134.
Yuill, Stuart J., 214300306.
Zarch, Alan R., 080240486.
Zauriskie, Cedric J., 541346846.
Zickel, Raymond E., Jr., 211224891.
Zirkle, Michael N., 577526937.
Zitz, Joseph S., 229403136.
Zychowski, Edward F., 166244627.

CHAPLAIN

To be major

Beaver, Reinard W., 531240846.
Clark, Donald D., 515160456.
Day, Roland F., 228420913.
Easley, Howard A., 418341682.
Gibbs, Charles R., II, 449362506.
Grubb, Hugh M., 259469868.
Hilton, Gerald K., 431309180.
Howerton, Robert B., 431428330.
Hughes, Marvin C., 250483493.
Jett, Mace T., Jr., 405348003.
Kieschnick, Alton R., 510305892.
Mehring, Ralph A., 498202557.
Moore, Willard P., 408546623.
O'Connor, Francis X., 049181353.
Phillips, Major H., Jr., 246364205.
Ricks, Billy G., 463444729.

WOMEN'S ARMY CORPS

To be major

Caldwell, Doris L., 548346419.
Cooper, Alice E., 560387928.
Hallman, Jane I., 389267628.
Hudnall, Anne H., 355265096.
Mastropool, Gladys, 133202513.
Steinbach, Edna M., 295245780.
Whitman, Anne, 421346768.

MEDICAL CORPS

To be major

Aeling, John L., 480402005.
Agee, Robert E., 440329274.
Albano, Patrick M., 077289993.
Allen, Bohn D., 456544767.
Allen, Frank H., 002264794.
Annable, Charles R., 363325492.
Anthony, Lewis G., 182323248.
Becker, Arthur A., 095304534.
Beckwith, Merton M., 300287440.
Bolick, Larry E., 249529433.
Bourgeois, Curtis H., 436441233.
Boyce, David C., 341267960.
Brainard, William C., 513269412.
Brendlinger, Dirck, 209240791.
Brown, Joseph III, 489365610.
Bullard, James R., 259520291.
Burgin, William W., Jr., 520301399.
Burton, Thomas H., 546464306.
Bussey, Frederick N., 334283670.
Cason, William P., 273321375.
Cass, Kenneth A., 044208782.
Christensen, Edward, 484325207.
Chronister, Wayne S., 562463804.
Cohen, Harvey M., 114280140.
Conrad, William C., 470345863.
Cotton, Bernice P., 263480155.
Deak, Andrew, 151241756.
Dickerson, Alfred G., 556486267.
Dimarco, Joseph C., 180269783.
Edmonds, Paul B., 445349908.
Evans, Richard, 523446033.
Fahrni, John H., 503326060.
Fariss, Bruce L., 226403466.
Ferry, Darwin J., Jr., 393324452.
Follansbee, John N., 224524511.
Fuqua, William B., 418448151.
Gates, Francis K., Jr., 548365732.
Gerhard, Clyde, 395323751.
Ghiglerl, Richard E., 519304429.
Gooding, Ronald S., 526363129.
Graham, Paul A., 234506283.
Guiton, Carl R., 138285141.
Hagler, Louis, 521405968.
Hall, Augustus A., Jr., 451487280.
Hansen, George H., 009208927.
Harris, Charles H., 429448428.
Hawryluk, Orest, 492349117.
Hefter, Thomas G., 550321609.
Helmus, Wilbur F., Jr., 403446129.
Heymann, Robert L., 219326498.
Hutton, John E., Jr., 122266918.
Jones, Charles B., Jr., 240548943.
Kent, James J., 463603598.
Kleinman, Burton A., 294287689.
Kott, Daniel F., 343243895.
Kurtzman, Neil A., 108283840.
Ladner, Calvin N., 004326792.
Lawrence, Donald J., 555363457.
Lea, Charles E., 497325364.
Leazure, Jerry A., 445306179.
Lenczyk, Joseph M., 211283033.
Levine, Monroe I., 113285635.
Lichtmann, Manfred, 109244001.
Lindberg, Robert F., 167261717.
Logan, Laurence J., 534322305.
Macdonald, Joseph C., 540384278.
Madison, David S., 524386465.
Magoline, Alfred J., 277304223.
Manelis, Joseph, 354264883.
McKillop, James A., 375341937.
McLean, Robert B., 173301578.
Miller, Donald F., 116262717.
Miller, Lee H., 051263970.
Morgan, William P., 419543011.
Painter, Milford R., 422424432.
Perry, Roger W., Jr., 224403366.
Peterson, Hugh D., 328261304.
Pierce, Joseph A., Jr., 465568069.
Pitkethly, David T., 064281590.
Powell, Darryl H., 541362363.
Price, Dudley R., 231387511.
Quarantillo, Edward, 577500573.
Rahdert, Richard F., 313345033.
Randall, James R., 212266532.
Randolph, Gerald G., 535328834.
Reamy, Kenneth, 077281740.
Reed, James W., 267440182.
Reister, Henry C., II, 215288417.
Ritchey, John P., 544360790.
Rowland, Robert C., 463488885.
Runyan, Thomas E., 476307982.
Schaefer, Charles E., 486360125.
Shaver, Glyndon B., Jr., 412480406.
Shaw, Richard C., 512307234.
Shown, Thomas E., 404446018.
Smith, George M., 098269385.
Soha, Albert J., 196225506.
Sprengelmeyer, James, 304327937.
Stafford, Navarro, 250425494.
Stienmier, Richard, 522408899.
Strickland, Alva L., 250567529.
Vose, Paul C., 018227524.
Watson, Jerry F., 414560498.

DENTAL CORPS

To be major

Balaban, Bernard, 128284435.
Belenky, Michael M., 384346266.
Bohanan, Jack R., 286262846.
Bole, Charles T., II, 301285563.
Boyer, Kenneth H., 199208720.
Boylan, Peter A., 369835314.
Brasher, W. James, 417460641.
Bruner, Hugh H., Jr., 511404820.
Brusch, Walter A., 295308301.
Cavallaro, Carl J., 135267932.
Cheney, Daniel K., 301282356.
Coe, Clyde A., 577366884.
Conway, Michael H., 388301872.
Crombie, John N., 199265532.
Cucolo, Frank A., 112281049.
Dupont, Albert A., 041266616.
Harrison, John W., 417345664.
Hirsch, Edward H., 144265982.
Hoffman, Jerry I., 318301434.
Huget, Eugene F., 385324510.
Jones, John C., 528443413.
Kirk, George A., 381361988.
Lamers, Edward M., 388347976.
Larson, Wayne J., 472323794.
McCormick, Jim L., 291281952.
Moga, Michael J., 471382124.
Moore, Henry B., 374325473.
Mueninchoff, Leonard, 262543473.
Naito, Roy M., 576401424.
Nelson, Robert N., 096261500.
Overton, Eugene E., 571387948.
Posey, William R., 248549835.
Rodenburg, Carl E., 141262857.
Ruff, James M., 257509559.
Russell, Emery A., Jr., 408523154.
Schwartz, Roy S., 474304067.
Summitt, William W., 431588347.
Takala, John A., 472423453.
Thomas, William M., Jr., 411506869.
Valha, Daniel J., 319303503.
Vandrak, Robert F., 160208799.

VETERINARY CORPS

To be major

Bucci, Thomas J., 039224070.
Edwards, George C., 244529828.
Farris, Richard D., 374324440.
Jorgensen, Robert R., 389320080.
McQuilkin, Stephen, 329323995.
Spertzel, Richard D., 207261495.
Stedham, Michael A., 539320434.
Webb, Adin R., 507340137.

MEDICAL SPECIALIST CORPS

To be major

Allgood, Gerald D., 440327079.
Amidon, Charles D., Jr., 051285297.
Barber, Leroy M., Jr., 039220211.
Bayne, Calvin, 501265882.
Bischoff, Neil E., 315263147.
Bissell, Donald F., 516348663.
Bowes, Donald J, Jr., 568425780.
Brophy, Edward P., 334267825.
Brown, George L., 037203059.
Bryant, Robert P., 493329332.
Burris, Norman L., 302267701.
Cedola, Vincent J., 150265411.
Chiei, Dante A., 056226509.
Clark, Harry H., Jr., 723078972.
Clegg, George J., 018224490.
Cooper, James D., 442245334.
Crawford, John C., 245443480.
Crosley, John K., 421360512.
Danielson, John J., 147309366.
Darnauer, Paul F., 480324957.
Davis, Warren L., 153240200.
Dawson, William J., 519327470.
Drake, Charles E., 473325427.
Eakly, Ralph T., 524386099.
Eberwine, James A., 291261367.
Eldridge, Bruce F., 551427121.
Garrett, McLain G., 267405035.
Geringer, Gerald G., 496327851.
Gossage, Donald R., 430580090.
Gulevich, Wladimir, 101260730.
Harris, Davis P., 425580488.
Hartley, Brodes H., Jr., 267384151.
Haswell, Edward A., 460643071.
Helomyer, Harry F., 488382468.
Heridt, Richard M., 249566408.
Herndon, Joseph E., Jr., 248489978.
Hoyt, Max E., 485308267.
Hudson, James F., 494304244.
Hull, Donald R., 499383835.
Inge, Bobby M., 237409368.
Jenkins, Irvin E., 219280199.
Johnson, Douglas L., 249405842.
Jordan, France F., 239463531.
Kelly, John B., 216304128.
La Luzerne, Ronald, 391305918.
Levy, Louis B., 435455340.
Lowe, John W., 036226062.
Maeder, Donald F., 032247629.
Maes, Paul B., 397281230.
Massey, Robert A., 285281437.
McGinnis, John W., 168267880.
McKain, Jerry L., 535282375.
McMurray, Dallas R., 358203002.
Mealey, John J., Jr., 222205198
Mikkelsen, Richard, 030220319.
Mills, Freddie J., 453380908.
Moran, Homer B., 432204406.
Murphy, John W., 259446604.
Murray, Ernest C., 227407332.
Naylor, Donald L., 303369269.
Neitzel, Richard F., 390282925.
Otterstedt, Charles, 479403435.
Pantalone, Julius O., 235483494.
Paul, Hinton G., Jr., 252523850.
Phillips, James A., 548407364.
Piercy, John P., 562309428.
Pitchford, Thomas L., 178262519.
Powell, Donald N., 217287678.
Powell, Harold W., 440305651.
Pulcini, Dino J., 115242751.
Rengstorff, Roy H., 148262766.
Retzlaff, Donald H., 389304190.
Sande, Sigvart, 476380390.
Antori, Luis A., 055284116.
Seeley, Sam T., 467444131.
Shaw, Dale L., 562401926.
Snell, John T., 132285083.
Steinberg, Marshall, 192282806.
Stevenson, Wilbert, 453445480.
Stubblefield, James, 432588954.
Sutton, Mark R., 393307727.
Taylor, Martin L., 267442503.
Tello, Richard C., 561403049.
Timmens, James M., 359205476.
Turner, James G., 537328779.
Upham, Robert W., Jr., 035222735.
Van Nus, Frederick, 372206583.
Van Straten, James, 397281216.
Villanueva, Teddoro, 575305383.
Walls, Neal H., 444328595.
Wangemann, Robert T., 395286543.
Wilburn James H., 233541383.
Wood, Malcolm H., Jr., 445304669.

ARMY NURSE CORPS

To be major

Bauman, Jerome H., 107014643.
Bradshaw, Hershal W., 441347269.
Burton, Cora L., 579263366.
Carlson, Vivienne C., 350204255.
Clark, Anna M., 166244773.
Cotter, Joan K., 505381167.
Farrell, Joanne T., 030249578.
Freidhoff, Erla J., 198206774.
Genito, Gerard S., 201260613.
Hanson, Carol L., 585329599.
Hartman, Jay N., 344243319.
Horan, Mary T., 093226550.
Jaskoski, Margaret, 542327317.
Johnson, Hazel W., 202289949.

Kulvi, Ruth L., 334249842.
Labbe, Elizabeth A., 003229654.
Lutz, John M., 194225996.
McGranahan, Betty, 241461415.
McGraw, Lillie M., 245421646.
Mitsdarfer, Donald, 354308673.
O'Rourke, Gwendolyn, 546382626.
Rupp, Russell T., 263243313.
Scheffner, Lawrence, 394092698.
Schneider, Louis F., 313204128.
Smidt, Rezella R., 566243259.
Smith, John A., Jr., 108169851.
Smith, Roy D., 282247596.
Sullivan, Elenore F., 138244839.
Thompson, Agnes J., 134200586.
Wetsch, Thomas J., 502269863.
Wills, Mary A., 267409961.
Yoder, Ann E., 491340768.
Brown, Eloise A., 160268217.
Dobbs, Eunice R., 253480594.
Fritsch, Ann D., 395204179.
Gierhart, Jane E., 325288304.
Hobbs, Betty L., 143269031.
Hyde, Patricia L., 325245500.
Lofton, William, Jr., 384263795.
McDowell, Joyce, 444306839.
Sanchez, Aida N., 580720516.
Yeakel, Mary H., 187249809.

In the Navy

The following-named officers for promotion to the grade of chief warrant officer, W-3 in the U.S. Navy, subject to qualification therefor as provided by law:

Abenante, Ralph P.
Allen, Richard R.
Archibald, Robert J., III
Atchison, Ernest R.
Babington, David C.
Baity, "A" Thomas
Bennett, Rethel C.
Bird, Charles E.
Blank, Vincent E.
Boulay, William C.
Brown, Gordon R.
Cassada, Maxey F.
Christiansen, Robert C.
Connolly, George E.
Dennis, Jackie L.
Dickinson, Edwin L.
Dougherty, James H.
Evans, Paul A.
Franklin, Harrison L.
Garrison, Billie A.
Glick, John W.
Gregory, William J.
Hall, Wilford, C.
Harville, Robert A.
Hebert, Julian B.
Herrington, Hollis F.
Hollen, Danny L.
Howell, Gilbert W.
Johnson, James D., Jr.
Johnston, Richard E.
Jones, Richard L.
Kannegieser, Andrew A.
King, Orville C., Jr.
Kondziela, Jack
Larock, Francis J.
Lipinski, John B.
Lutes, Jack
Maloney, William J.
McCormack, Walter F.
McWilliams, Burnham P.
Melton, James H.
Miller, Robert D.
Mora, Jimmie A.
Moudry, Joseph R.
Myers, Edward F.
Nally, James
O'Brian, Alfred R.
Olson, Neal D.
Owen, Harold
Parrish, Wendell L.
Pochkowski, Joseph D.
Price, Loyd H.
Rabren, Bobby R.
Reddix, Charles J.
Richards, Donald P.
Richey, James H.
Allemand, Lawrence J.
Anderson, Jackson R.
Armstrong, Hugh, Jr.
Augustad, Robert L.
Bailey, Vern E.
Beck, William A., Jr
Bergst, Donald H.
Bitzel, Gerald D.
Bouchillon, James D.
Brooks, Harold F.
Carlton, Robert F.
Cassady, John M.
Clark, Richard A.
Cunningham, Lawrence M.
Devries, James F.
Dipaolo, Francis P.
Duckworth, George E.
Finch, Dan D.
Frederick, Louis E.
Gilbert, Lawrence T.
Gray, Ivan E.
Grimes, Howell, Jr.
Hannon, Billie G.
Hawks, Oda E.
Henson, James M.
Hinman, Leroy T.
Horton, William G.
Hudson, Carl E.
Johnston, Jerry R.
Joines, James J.
Jorgenson, Richard C.
Keller, Everette R.
Kinner, Richard E.
Lafond, Paul A.
Lear, Gerald S.
Lowe, Richard W.
MacLeod, John D.
McCarthy, John J., Jr.
McManus, Theodore G.
Meade, Joe D., III
Miller, Gerald J.
Mitchell, Burl W.
Morrell, George W.
Murray, William F., Jr.
Myrick, Jerry E.
Nowak, John P.
Offe, Duane A.
Overfelt, Garland H.
Owens, James C.
Patterson, Richard L.
Posey, James A., Jr.
Proffitt, Bobby W.
Rearer, Thomas C.
Reynolds, Eugene N.
Richardson, David L.
Riddle, Billie D.
Robert, James A.
Rouse, Fred L.
Sadowski, Donald E.
Seymour, John C.
Siglin, Daniel F.
Soule, Louis M.
Spencer, Sidney T.
Stosel, Stanley L.
Sweigart, Donald R.
Tinnon, Lloyd D.
Truman, Harold S.
Turniquist, Arnold C.
Wald, Howard B.
Williams, Harold E., Jr.
Wilson, Robert T.
Windell, Marion A.
Winslette, Charles L.
Yates, Henry R., Jr.
Rogers, George C., Jr.
Ryan, James D.
Seals, William T.
Sickler, Burton H.
Sijersen, Erick J.
Spata, August
Steger, Earl L.
Stroup, William E.
Tellman, Donald F.
Tounzen, Albert O., Jr.
Tucker, Howard A.
Tyrrell, Thomas S.
Wells, Eugene A.
Wilson, Robert H.
Wiltzuis, Lawrence N.
Winslow, Robert L.
Woods, Melvin I.
Young, Harold J.

The following-named officers for promotion to the grade of chief warrant officer, W-4 in the U.S. Navy, subject to qualification therefor as provided by law:

Brown, Albert L., Jr.
Esparza, Raymond F.
Kliem, Arnold W.
Walker, Willie A.
Ellis, John W., Jr.
Gohrban, Howard F., Jr.
Thornton, Terrence E.
Waller, James R.

The following-named officers for permanent promotion to the grade of chief warrant officer, W-4 in the U.S. Navy subject to qualification therefor as provided by law:

Austin, Ellis E.
Davis, George R.
Holland, Muscoe C., Jr.
Meeler, William F., Jr.
Moore, James A.
Scharschan, Stephen J.
Spain, John H.
Uhlhorn, Elmer C.
Whyte, George L.
Conway, Lonnie E.
Glover, Fred "B"
McLaughlin, Robert B.
Mekula, John
Morgan, Ottis N.
Sloan, Wallace V.
Tarver, Carroll L.
Werts, Glenn E.
Wooten, Robert W.

The following-named officers for permanent promotion to the grade of chief warrant officer, W-2 in the U.S. Navy subject to qualification therefor as provided by law:

Ator, Roy E.
Banister, Robert L.
Berry, Jack W.
Bowers, William E.
Brown, David A.
Campbell, Cager W.
Chisholm, Leonard M.
Creel, Cecil D.
Davis, William L.
Dresbach, Melvin L.
Espy, Ira J.
Feuerbacher, August A.
Folkers, Dale C.
Garrahan, Richard
Goode, Eugene F.
Halliday, Alvin L.
Haver, Richard I.
Hughes, Charles E.
Jeffcoat, James M.
Lardner, Thomas P.
Aycock, Joe E.
Bennett, James P.
Blackmon, Joe L.
Bratsch, Roger D. J.
Cameron, Robert M.
Campbell, Leonard M.
Cornett, Ronald J.
Davis, Neil C.
Desantis, Armand J.
Dunning, James L.
Ferguson, Carl E.
Finerock, Patrick
Foster, Charles L.
Giles, James
Gregory, James A.
Hammond, Riley G.
Hollway, Weldon Y.
Huszar, Martin W.
Lane, Richard D.
Larsen, Raymond H.
Lewis, Robert G.
Londot, Jack L.
McCullough, Harvey T., Jr.
Melton, William G.
Mills-Price, Edgar J., Jr.
Moen, Rodney C.
Mullen, George A.
Northrup, Donald J.
Oliver, Richard H.
Propst, Edward R.
Renshaw, James A.
Rigg, Donald A.
Russell, Perry B.
Schier, Robert M.
Sears, James A.
Shreve, Julius G.
Smith, David W.
Sturgill, Cleveland H.
Thompson, James E.
Toomey, Thomas P.
Twombly, Bennett C.
Wilson, Jerrold B.
Yavorosky, Vincent M.
Lockey, Donald L.
Martin, David F.
McGee, Thomas E.
Miller, Richard S.
Mitchell, Donald R.
Mueller, Robert A.
Neeley, Diana
Howling, Clyde J.
Pirozzolidavid, Paul
Rasmussen, Anker M.
Rice, Charles O.
Rockwood, Donald J., Jr.
Schelin, Theodore C.
Schmid, Walter A.
Sherrill, James D.
Skaw, Larry R.
Southerland, Macy J.
Thomas, Gordon J.
Thomson, Bruce L.
Turley, Brian D.
Verbic, Alan R.
Wilson, Philip B.

Wayne E. Myers for permanent promotion to the grade of chief warrant officer, W-3 in the U.S. Navy subject to qualification therefor as provided by law.

The following-named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to qualification therefor as provided by law:

Allen, James S.
Fauquet, Ronald L.
Lia, James J.
Owens, Ricky L.
Thomas, Michael C.
Willis, Roger A.
Davis, Albert K.
Frye, Paul D.
Mellinggard, Bruce M.
Pounds, Thomas A.
Underwood, Jefferson G.

The following-named (naval enlisted scientific education program candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to qualification therefor as provided by law:

Chaffee, Edmund J.
Mitchell, Billie E.
Chacon, Gerald M.
Radack, James P.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to qualification therefor as provided by law:

Belmont, Anthony P.
Goldbaum, Michael H.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualification therefor as provided by law:

Blades, Frederick C.
Buckendorf, William A.
Froeb, Richard L.
Hazen, Steven J.
Kamm, Patrick W.
Motes, James M., Jr.
Terpening, Larry R.
Bridenstine, James B.
Dascher, Phillip M.
Harrison, Carrington, III
Herschler, Jonathan
Mickal, Donald E., Sr.
Pratt, Richard A., II
Thompson, John W., Jr.

The following-named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutentants in the Medical Corps of the Navy, subject to qualification therefor as provided by law:

Blackstone, Thomas L.
Stek, Michael.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutentant commanders in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

Bernhard, George K., Jr.
Flinton, Robert J.

The following-named (Naval Reserve officers) to be permanent lieutentants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

Abrahamian, Richard B.
Butler, Lee M.
Schwan, Robert M.
Bruns, David J.
Orthmeyer, Harold J., Jr.
Sweet, Phillip M.

The following-named chief warrant officers to be ensigns in the Navy, limited duty for temporary service in the classification indicated and as permanent warrant and/or permanent and temporary warrant subject to qualification therefor as provided by law:

ADMINISTRATION

Massetti, Ennio.

AVIATION MAINTENANCE

Held, Rene.
Gates, Richard W.

Jeffrey J. McCartney (U.S. Navy officer) to be a permanent ensign in the Medical Service Corps (allied sciences) of the Navy, subject to qualification therefor as provided by law.

The following-named enlisted personnel to be permanent ensigns in the Medical Service Corps (allied sciences) of the Navy, subject to qualification therefor as provided by law:

Bowman, Jeffrey S.
Hunt, William G.
Yacovissi, Robert
Girod, Walter A.
Rainey, James M.

The following-named civilian college graduates to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

Bryne, Joseph B., Jr.
Schwab, Jerald M.
Cothren, Toby G.

The following-named Naval Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

Benz, Richard D.
Johnson, Jerry K.

The following-named Naval Reserve officers to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to qualification therefor as provided by law:

Dirkers, Jerome D.
Lavarias, Santiago P
Eason, Francis J.

The following-named Naval Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualification therefor as provided by law:

Chambers, John W.
Dalforno, Victor M.
Frogge, Jimmy D.
Hardy, John S., Jr.
Hogan, Michael J.
Peterson, Neil T., Jr.
Reagin, David E.
Spruce, Wayne E.
Youngblood, Frederick E., III
Crenshaw, Theresa L.
Elo, Tom
Puselier, Francis W.
Hennessy, Joseph P., Jr.
Hollis, Joseph B.
Ranck, Sidney G., Jr.
Rodgers, Stephen J.
Townsend, Raymond E.

The following-named enlisted personnel to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to qualification therefor as provided by law:

Leadbeater, Warrell F.
Mitchell, Troy G.
Broadhurst, Ronald W.
Bartlett, James V.
Manley, Edward
Gibson, Kenneth D.
Roman, Michael J.
Upton, Billy G.
Bauer, Peter J.
Grimes, Thomas A.
Todd, David J.
Seelbach, Richard A.
Kolesar, Joseph T.
Moody, Johnny M.
Hastings, Jerry L.
McBride, Joseph E.
Hummel, James R.
Hovis, Robert S.
Mullin, Jack A.
Fry, Wendell J.
Schweinfurth, Karl E.
Dawson, Richard L.
West, Joseph J.
Kochis, James B.
Ryan, Alan B.
Brown, George R.
Herman, Dean A.
Blome, Michael A.
Smith, Richard L.
Tingley, Terry J.

The following-named enlisted personnel selected as alternates to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to qualification therefor as provided by law:

Delong, Douglas S.
Wanamaker, John C.
Shepherd, Jack W.
Mills, Wayne M.
Boyles, Robert W.
Mullen, Michael J.
Joseph, William A.
Lewis, Morris N.
Buffington, John R.
McNair, John D.
Wallace, William E.
Hisoire, Dennis P.

Charles W. Stone, U.S. Navy, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant.

Robert D. Fagan, U.S. Navy, for permanent promotion to the grade of lieutenant (junior grade) in the line of the Navy, subject to qualification therefor as provided by law.

Robert R. Jordan, Supply Corps, U.S. Navy, for permanent promotion to the grade of lieutenant (junior grade) in the Supply Corps, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Bailey, William F., Jr.
Edwards, David A.
Fagan, Robert D.
Findley, Joseph H.
Wright, Thomas W.

SUPPLY CORPS

Christian, Lawrence A.
Dougherty, Stuart A.
Sever, Donald E., Jr.
Tucker, James T.

CIVIL ENGINEER CORPS

Alfredson, Leonard E.
Dougherty, James M.
Hughes, Duncan S.

MEDICAL SERVICE CORPS

Tackitt, Robert D.

Albert L. Kaiss, U.S. Navy, for temporary promotion to the grade of lieutenant commander in the line, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary and permanent promotions to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Aabye, William Walter
Adams, Dennis Jack
Adams, Joe Richard
Adams, Robert Jay
Adamson, John Chauncey
Alasin, Ronald Alexander
Albert, Eugene Lee
Allen, George Tyler
Allen, Robert Ripley
Allen, Thomas Edward
Alley, Ronald Dean
Amidon, Robert Bruce
Anderson, Betty Sue
Anderson, John Frederic, Jr.
Anderson, Randall Montgomery
Angyal, James Stephen
Arcana, Stephen Michael
Arneson, Robert Jeffrey
Arnold, Joe Gary
Arnow, Fredric Grant
Asmus, Lawrence James
Atkins, Terrence Grant
Ayd, Edward Harold
Adams, David Earl, Jr.
Adams, James Leo
Adams, Loran McLean
Adams, Rosalee Ann
Ahern, Richard Terry
Aldridge, Randolph Clay
Allen, Charles Luther, Jr.
Allen, Kenneth Eugene
Allen, Terry Jon
Alley, Lindsey Davis
Almy, John Hale II
Ammerman, Edward Duane
Anderson, Gary Keith
Anderson, Jon Eric
Anderson, Stephen Gary
Appleyard, Russel Loring
Arlett Stephen McLean
Arnold, James Laurence
Arnold, Thomas Edward
Ashford, Richard Frederick, Jr.
Atchison, Donald Lee
Averett, Gary Lynn
Babington, David Clark
Badman, Fred Sweet
Bailey, Chester Hinton
Baity, A. Thomas
Baker, Donald Charles
Bambenek, Charles Lee
Bannister, Clarence Quincy
Baran, Robert Austin
Barber, James Walter
Bardal, David Lavern
Barlow, Terrell Wayne
Barnes, Larry Ronald
Barrett, John Graham
Bartlett, Paul Robert
Barwick, James Francis
Bast, William Victor
Baugh, Frederick Henry
Baum, Raymond Ernest, Jr.
Bayer, Frederick Barnhart, III
Beabout, Robert Franklin
Beam, Alan Robert
Bechtel, Richard Craig
Becker, Gerard Frederick
Becker, Peter Joseph
Beckwith, Robert William
Beliech, Dewey Eldridge, Jr.
Beltz, William Russell
Bennett, Francis Elizabeth
Berg, Richard Paul
Berg, Sigval Manford, Jr.
Berkes, Leslie John
Berns, Thomas Herbert
Beverage, Parker Joy
Bieger, George Robert
Billones, August John
Babb, Anne Elizabeth
Bacon, Garwood William
Bahringer, James Paul
Bailey, Robert Chalmers
Baker, Clyde Ernest
Ball, Michael Ernest
Banks, Stephen Anthony
Barabash, Jay
Barasha, Lewis Michael, Jr.
Barber, Leland Ray
Bargar, William Lamont
Barnes, John Brooks
Barrett, John David
Barron, Floyd Archie
Barto, Lona Amon
Basquin, Philip Ward
Bates, Charles Kirk
Baum, Julian Elwood, III
Bauman, Ronald Bruce
Bayer, Ronald Keith
Beakley, James Edwin
Beaty, William Everett, III
Beck, Scott Arthur
Becker, John Joseph, Jr.
Beckhart, Sherry Dawn Sikkema
Beedle, Darvin Elno, II
Bell, John Franklin James Alexande
Bennett, Richard Wayne
Berg, Robert Dewayne
Bergner, Jon Clark
Berning, Ronald Charles
Berry, Carl Thomas, Jr.
Bibbo, Peter Paul
Bierbower, William Bruce
Bishop, Donald Clifford
Bishop, Duchess Adams
Bishop, Kenneth Ralph
Black, Gerald Lee
Black, Roy Willard
Blackburn, William Rockwell
Blair, Dennis Culter
Blake, Frank J.
Blanchard, Robert Charles
Blank, Vincent Earl
Blankenship, Leroy William
Blenkle, William George
Blodgett, George Richard
Board, George Robert
Bodenhorn, Gregory Stuart
Boger, Dan Calvin
Boggs, H. Glenn II
Bohlig, James William
Bomarito, Douglas Michael
Bonny, Ross Fredrick Jr.
Boorom, Robert Francis
Booth, Robert Walter
Borowiec, Richard Raymond
Bott, Robert Francis
Bower, Duane Bruce
Bowers, William Charles
Boyd, David Edwin
Boykin, William Swift Jr.
Bradford, James Charles
Bradley, John Earl Jr.
Brady, Donald Robert
Brandon, David Randall
Bratsch, Roger Donley John
Bray, John Kenneth
Bishop, George Robert Jr.

Bishop, Peter Birney
Black, Harold David
Black, Terrence Wade
Blackwood, Donald William
Blair, William Allen
Blake, Richard Earl
Bland, Richard David
Blankenship, Mark Russell
Blatt, Norman William
Bliss, Albert McChesney
Blume, George Herman, II
Bobo, Ronald Brown
Boehler, Don William Jr.
Bogert, James Arthur
Bogle, William Thomas Randolph
Boire, Paul Maurice
Bonas, Gerhard Hubert Jr.
Booher, Stephen Reed
Boorum, Peter Galloway
Born, John Julius
Boswell, Charles Maurice
Bowden, John Robert
Bowers, John Courtney
Boyce, Michael Thomas
Boyd, Richard Allen
Boylan, Harold Gerard Jr.
Bradley, Fred H. Jr.
Bradley, Samuel A.
Bramblett, Jack
Brandt, Robert Eugene Jr.
Bratzler, David Karl
Breeden, George Leakin, II
Brengle, James Kenneth
Brennon, Roy Leslie, Jr.
Brett, Joseph Donnis
Brickler, Gilbert Jerome, Jr.
Briscoe, James William
Brletich, Frank Richard
Broadhead, Joseph James, III
Brodeur, Joseph Paul
Brooke, John Richard
Brooks, Clinton Walter, Jr.
Brotherton, James Douglass
Brown, James Michael
Brown, James Willard
Brown, Robert Edward
Brown, Robert Leslie
Brown, Roger Conway
Brown, William Andrew
Bryant, Gary Ward
Bryant, Kenneth Paul
Bryden, Kenneth Chester
Buchanan, Richard Alan
Buck, Steven Lee
Budney, Albert Joseph
Bulkeley, Peter Wood
Bulman, Melvin John
Burda, Alois John, III
Burger, Gary Conrad
Burgess, Benjamin Franklin, III
Burin, James Michael
Burks, John Smeallie
Burnett, David Silas, Jr.
Burns, Charles Alan
Burns, Richard Francis, Jr.
Burrow, Barry Valle
Busby, Douglas Lee
Busby, John Carroll, III
Buss, Phillip Terry
Butler, William Henry
Butler, William Russell, Jr.
Buzhardt, Harry Olin, Jr.
Buzzell, Richard Howard
Byars, Mark Long
Byrd, Carroll David
Cahill, Michael Joseph
Cahn, Robert Solomon
Caldwell, Joseph Wallace
Caloway, Grover Randolph
Camp, Richard Michael
Campagnolo, Eugene Louis
Campbell, Darrell W.
Campbell, Jay Alan
Canfield, Susan Barbara
Cannon, William James
Carlin, William Philip
Carlson, Robert Stanley
Carman, Ernest Westervelt, II
Carmody, James Albert
Carpenter, Harold Francis
Carpenter, Lee Allan
Carroll, James Chester
Carron, Michael Joseph
Carter, Lynn, II
Carter, Richard Bruce
Carter, Robert Keith
Cartwright, John Beck
Cartwright, William Fuller
Casey, James Francis, Jr.
Cassat, Gary, I
Catania, John Jacob
Cavanaugh, Michael Patrick
Center, William Dillard
Chaisson, James Edgar
Champa, Louis Marko, Sr.
Charuhas, Richard Brian
Chavez, Angelo
Chernegie, Michael Alexander
Chester, Robert Allen
Christensen, Carl Cummer
Church, Michael Arthur
Clapp, William Reynold
Clark, Philip Spratt, Jr.
Clarke, Edwin Alfred
Clefton, Gordon Allen
Climer, Clyde Hollis
Coats, Michael Loyd
Coble, Melvin Alan
Cohen, Jay Martin
Colbourn, Thomas Adams
Cole, Peter William
Cole, Richard Ward
Coles, Julian Ralph
Collins, William Thomas, Jr.
Comer, Thomas Arthur
Connellan, Joseph Peter
Connors, Bruce Hartmann
Conway, Joseph Vincent, Jr.
Cook, Jeffrey Alan
Cookinham, James Bryan Hulburd
Cooley, John Sharpe
Cooper, Harold Lambert
Corey, Robert Orrin, Jr.
Corr, Howard Alan
Cosgrove, John Patrick
Cates, Clifton Bledsoe, III
Celmer, John Anthony
Cepeda, William Lohr
Chaloupka, Allan Bischof
Chaney, Dennis Allen
Chatham, Howard Maitland
Cheek, Manson Harold
Chesnut, Wilbur Eugene
Chisholm, Christopher Ian
Church, John Henry, Jr.
Clabaugh, Cecil Allen
Clark, James Samuel
Clark, William Stanton, Jr.
Cleal, Stephen Roger
Clements, Jerry Allen
Clover, Richard Samuel, III
Cobb, William Wilson, Jr.
Coffey, Philip George, III
Cohlmeyer, Chris Harold
Cole, Frederick Byron
Cole, Richard John II
Coleman, Richard Lewis
Collins, James Lloyd
Colvert, Robert Gary
Conaway, Robert Michael
Connelly, John Thomas
Conrad, Raymond Paul
Conyers, Robert John
Cook, Ronald Earl
Cooley, George Cornelius
Cooper, Bruce Paul
Cooper, William Richard
Cornett, Ronald Jerry
Corrigan, Gerard Michael
Cosgrove, Robert Michael
Costlow, Allan James.
Couch, Charles Andrew
Courville, James Dewey
Cox, Kenneth Lee
Craig, David Michael
Crapps, Clark Peat
Crawford, Jerry Wayne
Crego, Howard Lawrence
Crotteau, Robert Allen
Cullen, James Stephen
Cunningham, Kenneth Newton
Curran, William Maurice
Curtis, Philip James
Cyrus, David Eugene
Dale, John Lipscomb
Dam, Allan Scott
Danesi, Michael Edmund
Dantone, Harold Breisford
Dare, James Ashton. Jr.
Daughenbaugh, John Stewart
Davies, Gregory John
Davis, Edward Lyle
Davis, Henry Louis
Davis, Robert Glenn
Davis, William Aaron, Jr.
Deholl, Robert Arbuthnot
Delaere, Lavonne Kay
Deleeuw, William
Dengler, Frank Gavin
Derry, John Harry, Jr.
Desilets, Robert Auguste
Devlin, Joseph Vincent
Cottle, William Thomas
Coumatos, Michael James
Cowan, Robert Lee, Jr.
Crabtree, Michael Calvin
Craig, James Robert
Craven, Edward Richard
Crawshaw, Robert Ord
Cristina, Anthony Edward
Crumrine, James Everett
Cunningham, David Lynn
Cunningham, Reed Ligon
Curtis, Lee Ross
Curtis, Richard Mark
Daigle, Noel Anthony
Daly, Thomas Milton
Danberg, Robert Benell
Danna, Richard, John
Dantzler, Herman Lee, Jr.
Darsney, David Paul
David, King Jack
Davis, Dudley Leroy
Davis, Gary Malcolm
Davis, John Philip
Davis, William Randall
Dawson, James Seth, III
Deimler, James Dennis
Delaney, Kevin Francis
Dempsey, John Garrett
Dennis, Jackie Lee
Desautels, Jeffrey Henry
Dettmann, Terry Robert
Devries, James Floyd
Dew, John Robert
Dibiase, Gene Frederick
Dickover, David George
Diefendorf, Peter Barry
Dilley, Dennis Patrick
Dillon, David Lee
Dimock, James Robert
Dinwiddie, Hugh Norman
Dix, Richard Jack
Diwgosh, William Richard
Dodson, Timothy Joe
Donlon, Thomas Francis, Jr.
Dormer, James Warren
Dorsett, Lawrence Preston
Doty, Anthony Orr
Douglas, Charles Owen
Dow, William Graig
Doyle, John Stuart, Jr.
Dozier, Edward Chris
Drake, Frank David
Dranchak, John Charles
Drury, John Lee
Duchesneau, Robert Edward
Duecy, Charles Patrick
Dufford, George Chester, Jr.
Duggan, Robert Francis
Dumas, Jeffrey Mack
Duncan, John Hollis
Dunker, William Lawrence
Durgin, Harlan Michael
Dutton, Hubert Langston, Jr.
Dwyer, Stephen Michael
Dyer, James Richard
Dexter, Donald Nelson
Dickinson, John Duff
Dickson, Bonnie Joyce
Diffley, Peter
Dilley, Robert Thatcher, II
Dillon, Edward Stephen
Dinkelspiel, Robert Louis

Divine, Thomas Frank
Dixon, William Paul
Dodd, James Lee
Doe, James Ernest
Doolin, Edward Hamilton, III
Dorratcague, Dennis Eugene
Doss, David Leon
Dougherty, Anthony W.
Douglas, Robert Eugene
Downing, William Milnor, IV
Doyle, Robert Charles
Drain, Jesse Cyrus, III
Drake, John Oliver, Jr.
Drew, Richard II
Dry, Melvin Spence
Dudderar, Raymond Albert, Jr.
Duensing, James Allyn
Duffy, Timothy William
Duke, Clinton Harrison, Jr.
Duminiak, Robert Francis
Duncan, Michael Joseph
Dunn, James Thomas
Dusa, Ronald John
Dwyer, Kevin Richard
Dyckman, Dennis Vincent
Earle, Otis Keener
East, Richard Hackett
Eastman, Guy Arthur
Eaves, Robert Arthur, Jr.
Edwards, Arthur Lee
Edwards, David Anthony
Edwards, Wilbur Everette, Jr.
Eisold, John Francis
Elliott, Lawrence Bruce
Elliott, Robert Russell
Ellis, Charles Eugene
Elmendorf, Jon Rice
Emery, Sidney Williams, Jr.
Engle, Edward Charles
Enright, Thomas Howard
Erb, Robert Stephen
Errickson, Wayne
Eskew, John Daniel
Etter, Steven Milton
Evans, Robert Stacy
Every, Robert Eugene
Fal, James Stanley
Farrell, Frank John
Fastabend, Gerald Earl
Faulkner, George Pruitt, Jr.
Fedie, Michael Lee
Fellner, William Stolk
Ferenchick, Richard John
Fernandez, William, II
Ferris, Richard Lee
Fetler, Gregory Philip
Fiandaca, Ronald Ernest
Fischer, Edward Bussey
Fishman, Gary Lance
Fitzgerald, John Stephen
Easterling, Lael Ray
Eastman, Jon Andrew
Eberth, Robert William
Edwards, Brian Alfred
Edwards, Robert Andrew
Eiserloh, Philip Lawrence
Eldred, William Lester
Elliott, Richard Francis
Elliott, Ross Tompkins
Ellis, Howard Dorf
Elsner, James Allen
Enderlein, William Phillip
Englebretson, Ronald Earl
Ensminger, Gerald David
Erickson, Richard Clark
Escajeda, Ruben
Esposito, John Philip
Evans, Patrick Lewis
Evert, Richard Downey
Ewers, Benjamin James, Jr.
Farina, John Francis
Farrell, James Peter
Fates, Richard Janney
Fawcett, Peter Formanek
Felger, Herman Victor
Fenton, John Ward
Ferguson, Robert Andrew, Jr.
Ferrell, David Michael
Fessenden, Richard Mial
Fetterly, Larry Robert
Fischer, Edward Francis
Fisher, Mark Wayne
Fitzgerald, Michael Joseph
Flaherty, Dennis James
Flaherty, James Thomas
Flanagan, Nathan Barney
Flarey, Anthony James
Flick, Hugh Meredith, Jr.
Folker, Cecil Jackson
Fontanier, Charles Eugene
Forbes, Jimmy McMillan, Jr.
Fossum, Anton Phillip
Foulsham, Charles Kenneth
Fowler, Michael Dulany
Fox, Steven Merritt
Francis, Gary Edward
Frank Timothy Michael
Freeland, Charles Douglas
Freeswick, Douglas John
Freudenthal, Paul Edward
Fromme, Benjamin Charles
Fry, Joseph Francis
Fulghum, Robert Dale
Gabona, Ernest Joseph
Gaines, Carl Amos, Jr.
Galentine, Paul Guy, III
Gardner, George Henry, III
Garrett, Charles Edward
Garrison, Alan Willard
Garwood, Richard Mallery
Gates, John Kenneth
Geer, George Barnash
Gelsomino, Michael Josepn
German, James Jay
Gibbs, Dennis Keith
Gilbert, George Roland
Gillaspie, Robert Morton
Gillespie, Lindsay Moore
Flaherty, Michael Bart
Flandreau, Mark Endicott
Fletcher, Michael Henry
Flynn, Thomas Joseph
Folker, Stanley Frank, Jr.
Fontz, Charles Roy
Forbes, Keith Cary
Fossum, Leon Keith
Fowler, Jonathan Peters
Fox, James Richard
Foye, Brian Asa
Frank, Joe Lee, III
Frederick, Ronald Jon
Freeman, Floyd Eugene
French, Richard Wayne
Froggett, Stephan John
Frostad, Theodor Bernard
Fry, Robert Marvin
Fullar, William John
Gaffney, Paul Golden, II
Gaines, Gary West
Gallery, Philip Daly, Jr.
Garrett, Cain, Jr.
Garrigues, Ned William
Gartner, Jeffrey Winter
Gaston, Everett Blair
Gaul, Michael Terrence
Geilfuss, Clayton Ramsay
Genstil, Stephen Michael
Germani, Thomas Robert
Giffin, Bryant Wayne
Gililland, Robert Patrick
Gilleskie, Robert Joseph
Gilmartin, Joseph William, Jr.
Gingrich, Stewart Lee
Givens, Larry Russell
Glaser, Richard James
Glidden, Stephen William
Glover, Terry Lee
Glutting, Joseph Christopher
Gmeiner, Rocklin Everett, Jr.
Goldberg, Ira Edward
Goldmeyer, Frederick Richard
Good, Paul Alan
Goodman, Sheldon J.
Gordon, Lyman Crandon, Jr.
Gottschalk, Glenn Frederic
Grabill, Charles Eugene, Jr.
Graham, Roy Edward, Jr.
Grannis, William Walter
Gray, Craig Albert
Green, Thomas Frederick
Greenberger, David
Greer, James Walter, Jr.
Grimes, John David
Grimm, William Frank
Gross, Christian Robert
Grun, William Frederick
Gump, Robert Edgar
Gunther, Martin Albert
Gustafson, Harry Leonard, III
Haaf, Joseph Bernard
Hagen, Michael Francis
Haggland, Alan Lee
Haines, Howard Keith, II
Halenza Susan Calhoun
Hall, Marshall Vansant
Gisch, Robert Gary
Gladics, John Steven
Glass, Gary Wayne
Glisan, Duane Leon
Glover, William Charles, Jr.
Glynn, Hugh Francis
Goetz, Daryl Lee
Goldfinch, Albert Louis
Good, David Stanley
Goode, Eugene Francis
Goodsell, Charles Michael
Gorham, Lawrence Morrison
Gowen, Charles Thomas
Graham, Daniel Earl
Granger, Patricia Carol
Grant, Gary Maxwell
Gray, Lawrence Alan
Green, William John
Greene, Darold Price
Griffin, Robert Edward, Jr.
Grimm, Barry Reid
Grinnell, Raymond James, Jr.
Grulli, Michael David
Guilbert, Shelby Sanders
Gunter, James William, Jr.
Gurley, Zenas Norman
Gygax, Felix Stephen
Hagan, Edward Francis
Hagenbruch, Robert Henry
Haglund, Bruce Thadd
Haines, Stephen George
Hall, Dale Thomas
Hall, Robert Carter
Hallauer, Russell Lewis
Hamilton, Jerry Allen
Hamilton, Reed Duncan, Jr.
Hamm, Roger Harold
Hammond, Rayford Earl
Hampson, James Price
Hankins, Irvin White, III
Hannigan, James John, III
Hanssen, Henry Raphael, Jr.
Hardin, Larry Kenneth
Harding, Wynn Allen
Harmes, William Andrew
Harmon, James William, Jr.
Harper, Weldon Lee
Harris, Joe Newton
Harty, John, III
Harvey, James Robert
Hassell, Thomas Jerrold
Haverland, Mark Albert
Hay, Donald Ross
Hayes, John McWane
Hayes, Robert Leslie
Haynsworth, Perry Beattie, Jr.
Healy, Donald Jeremiah
Hebblewhite, Harry Rives
Heffernan, Ralph Richard
Heil, Charles Clayton, Jr.
Heilmann, Thomas Carl
Heinzel, John Thomas
Heitzman, Jerry Lee
Heller, David Alan
Henderson, Joseph Kee
Hendricks, Dale Wayne
Henke, Charles Barton
Hallman, Denis Stilwell
Hamilton, John Wesley
Hamilton, Steven Monroe
Hammer, Don Charles
Hampshire, Eddie Walter
Hamre, Peter Eugene
Hannifin, Steven Patrick
Hanrahan, John Dennis
Harden, Charles Edward
Hardin, Tommie Dean

Harford, Joseph Lee
Harmon, Billy Ward
Harper, James Edward
Harris, George Scott
Hart, Larry Joe
Harvell, Michael Cleland
Harville, Robert Albert
Hatcher, Douglas Carlton
Hawkins, Robert Baran
Hayes, Jack Douglas
Hayes, Mary Anne
Hayes, Thomas
Hayward, Bruce Winslow
Hearn, Thomas William
Heckert, Craig Robert
Heid, William John
Heiles, Beverly Anne
Heintz, John Wade, Jr.
Heitzman, Gordon E.
Helfrich, Patrick Clyde
Helm, John L.
Henderson, Robert Dale
Hendrix, Royal Felix III
Hepler, Richard Brian
Herriford, Jimmy Lewis
Hester, William Leon, Jr.
Hewlett, Edward Malcolm
Higgins, James Francis, Jr.
Highsmith, Raymond Carl, Jr.
Hill, Carl Clifton, III
Hill, Donal McIlvaine
Hill, William Boyd
Hillard, John Rains
Hinsman, Donald Ernest
Hintz, Beth Marie
Hoback, Christopher W.
Hodges, George Lee, Jr.
Hodson, Eric Staf
Hoffman, Herbert Stewart, III
Hofwolt, Gerald Lee
Hogan, Richard Harden, Jr.
Holden, Hugh Frederick
Holihan, Robert George, Jr.
Hollerbach, Robert John
Hollyfield, Edward Reid
Holmes, Richard Thor
Holzapfel, Bruce Matthew
Honigschmidt, James Otto
Hood, Edward Francis Miller
Hoover, Harwood, Jr.
Hopkins, Raymond Joseph
Horn, Thomas James
Horne, Lance Cameron
Horton, William Glennwood
Hotaling, Andrew Jay
Houghton, Thomas Christopher
Howe, William Bruce
Herzberg, Donald Dale
Heubach, James William
Hicks, Stormy Thomas William
Higgs, Alfred Henry, Jr.
Hildebrandt, Philip Clay
Hill, David George
Hill, Karen Duane
Hill, William Foster
Hinkle, James Bruce
Hinson, Louie Caldwell
Hintz, Edward Joseph, Jr.
Hoban, William James
Hodgson, David Alan
Hoeche, John Wayne
Hoffman, Robert Emmett
Hogan, John Patrick
Hogan, Walton Lewis, Jr.
Holian, Francis Kevin
Hollenbeck, Bernard Guy, Jr.
Holliday, Thomas Baird
Holmberg, Arvid Leroy
Holmes, Robert Allen
Homko, Pauline Margaret
Honour, Craig Gibson
Hooker, Gilbert Norman
Hopcroft, Harry Joseph, Jr.
Hopson, James Armour, VI
Horne, Kenneth Alfred
Horney, Gregory
Hosp, Howard Lynn
Hough, Phillip Geoffrey
Houin, Eric Joseph
Howell, Michael Wayne
Howell, Ralph Marion
Huban, George Hambre Jr.
Hubert, David Leroy
Hudson, Carl Eugene
Huey, Forrest Randall
Huggins, Robert Lloyd
Hughes, John Farrell
Hull, Roger Kermit
Humphreys, Alvin Norman
Hunnicutt, John Osborne, III
Hunter, John David
Hurst, Dennis Wayne
Hutchins, John Gardner
Hydinger, John Paul
Ilgenfritz, Kenneth William
Inouye, Lance Masao
Iversen, Gary Kenneth
Jackson, William Henry, Jr.
Jacobs, Frederick Thomas
James, Bruce Edward
Janov, Bernard
Jeffords, Jean Sandra
Jensen, Gary Dean
Johann, Robert Kaylor
Johnsen, Robert Lynn
Johnson, James Walter
Johnson, John Michael
Johnson, Lairy Adrian
Johnson, Quentin Charles
Johnson, Stephen Alger
Johnston, John Duane
Jonasson, William Bradford, Jr.
Jones, Harland Wilber, Jr.
Howland, Roger Jensen
Huber, Elbert William
Hudgens, Ambrose William, Jr.
Hudson, Gerald Peter
Huffaker, Douglas Dean
Hughes, Edmond Leon
Hughes, Roger Neal
Hulme, Woodrow Wilson, II
Humphreys, James Arthur, III
Hunter, Gerald Franklyn, Jr.
Huntington, George William
Hurston, James Edward
Hyde, Richard Webster, Jr.
Ihil, Carl Bolton, Jr.
Inglis, Thomas Nelson, III
Irelan, Dennis Wayne
Jackson, Joseph Ingram, Jr.
Jacobs, Francis Theodore
Jacobson, Mark Ernst
Jankovic, Oleg
Jantz, Michael William
Jenkins, Eben Kenneth
Jedrlinic, John Anthony
Johns, Vernon Michael
Johnson, Ardian Warren, Jr.
Johnson, Jay Lynn
Johnson, Jon Craig
Johnson, Paul Francis
Johnson, Robert Stephen
Johnson, Susan Fairbanks
Joines, James Junior
Jones, Alfred Anthony
Jones, Michael Alan
Jones, Richard Leonard
Jonik, Philip Anthony
Joyce, Kevern Richard
Kalashian, Daniel
Kambic, William Joseph
Kane, John Edward, Jr.
Katauskas, Philip John
Keagy, Thomas James
Keaton, William Creath
Keefe, Richard Joseph
Keith, Philip Allen
Keller, Gary Robert
Kelly, James Scott
Kemp, John Melton
Kennedy, John Patrick
Kearn, James Franklin
Kerr, Thomas Webster
Kershaw, Roy Allen
Kick, Nelson Joseph, Jr.
Kiernan, Loyd Jullian, III
Kilmartin, Huge Edward Jr.
Kincaid, Thomas Richard
Kinnison, Gary J.
Kirkpatrick, Eric Hay
Kjeldsen, Richard Christian
Klein, John Charles III
Knapp, Larry Ray
Koch, William Radcliffe
Koenig, Karl Victor
Koller, John
Kosich, John Lewis
Kraatz, William Harry
Kratovil, Edward William
Krause, Larry Lee
Jones, Stephen King
Jorgenson, Richard Clair
Kadlick, Richard Mark
Kaler, Robert Larry
Kamp, Lothar Frank
Kane, William John
Katstos, Chirs Louis
Keane, Walter Francis Jr.
Keef, Mark Byron
Keefer, Richard Lee
Keithly, John Luther
Kellett, Raymond Arthur Jr.
Kelsey, David Bruce
Kennedy, John Francis
Kent, John Frederick
Kerr, Dona Lee
Kersey, Michael Laurence
Kevan, Mark Richard
Kiechel, Walter III
Kiffer, James Christian
Kimball, David Patten
Kinney, Richard Stephen
Kirkendall, James Edward Jr.
Kivein, Philip Burge
Klauser, James John
Knapp, John Charles
Knode, Ronald Barry
Koehler, Richard Evans
Kolarcik, Kenneth Ernest
Koopman, Theodore
Kosky, Edward Louis
Krampf, Margaret Frances
Kratovil, Robert Orville
Krawchuk, Peter
Kressel, Herbert John
Kroll, James Thomas
Krupnick, Charles Alexander
Kullberg, Wayne Robert
Labate, Henry Anthony
Ladouce, Ralph Jeffrey
Lagow, Michael Laird
Lai, Alexander
Lambert, Max Richard
Lane, William Michael
Lankford, Ronny Dean
Lantrip, Bobby Bennett
Larock, Francis, Jr.
Larue, James Lloyd
Lawrence, Robert Edwin, Jr.
Lawson, Robert James, Jr.
Layl, Jerry Neal
Leatherbury, George William
Leblanc, Paul William
Lee, David Michael
Lee, John Warren
Leffew, James Thomas
Lekander, Daniel Jon
Lenz, Jack Carl
Lesesne, Joseph Bancroft
Lewis, Mary Ruth
Lewis, Robert Ernest
Linberger, Alan Gamble
Lindoerfer, Paul Wesley
Lindstedt, Russell James II
Linn, Larry Dean
Linton, Paul Allen
Lipson, Merek Evan
Little, Robert John, Jr.
Krogstad, Bruce Norris
Krulis, Richard Paul
Kuehn, Leo Steven
Kusiak, Patrick John
Lacey, Walter Hamer II
Lafleur, Jean Russell
Lagraff, Kevin John
Lamarche, Jay Richard
Lammers, Roger Anthony
Laney, Robert Bayliss
Lanning, John Thomas
Lapicola, John Jay
Larson, Vernon James

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Lascala, Bernard Joseph
Lawson, Bobby Ray
Lawton, Richard Warren
Lear, Daniel Barrett
Leaver, Stephen Coffman
Lee, Charles Allen
Lee, Douglas Edward
Lee, Robert Edward
Lehman, Leo Joseph, Jr.
Lemon, Ronald Scott
Leppert, Michael Erwin
Lewis, Edgar Barry
Lewis, Michael Nelson
Lifgren, James Arthur
Lindner, Theodore Martin
Lindsey, Charles Morgan
Lindstrom, Eric David
Linnen, David Charles
Lipinski, John Bernard
Little, Douglas Bruce
Logue, Donley Charles, Jr.
Lohla, Jerry Alan
Long, Kirk Alan
Long, Robert Lavern
Longerbone, James Michael
Lopez, Albert Richard
Lowe, Michael Baxter
Luca, Matthew Harmon
Lucey, Joseph Francis
Lund, Allan Bruce
Lydiard, John Morton, III
Lyons, John Thomas, III
Maccoy, Bruce David
Mackin, John Joseph
Madden, Donna Margaret
Madden, Thomas Francis
Magee, William Thomas, III
Maiden, Jesse Joe
Malmborg, Charles Leroy
Manker, William Harold, Jr.
Mara, Theodore John
Marquis, William Phillip
Marschner, Walter David
Marshall, Philip Roundy
Marshall, William McFarland, Jr.
Martin, James Philip
Martin, Kurt Stewart
Martin, Thomas Francis
Martinson, Charles Leonard
Marvil, Stephen Patrick
Mast, James Welker
Matheson, Stephen Henry
Matthews, William Charles
Mauldin, James Davis Drane, Jr.
Lohnes, Jonathan James
Long, Philip Reeves
Longardt, Michael George
Longeway, David Michael
Louder, Frederick Charles, Jr.
Lowry, William Harlan
Lucas, Robert Gillem
Ludwig, John Elmer, III
Lundquist, Carl Iver
Lynch, Edward Junior
Lysaker, Jack Thomas
Maciejewski, John Norbert
MacNeill, Kent Van Lewis
Madden, Edward Leo
Madel, Robert William
Mahumed, Karl Arthur
Mallon, David Joseph, Jr.
Mangin, Albert Mitchell
Mann, Edward Francis, Jr.
Marenbach, Harry Alfred
Marra, John Frank
Marsh, Frank Anthony
Marshall, William Dale
Martin, Howard Edwin, III
Martin, Kenneth Wayne
Martin, Patrick Gregory
Martin, William Henry, III
Marvel, Dennis C.
Masden, Ward Beacher, Jr.
Mathers, Lee Jon
Mathis, Larry Thomas
Mauck, Charles Joel, III
Maupin, William Edward, Jr.
Maxwell, David George
Mayer, John Frederick, Jr.
Mazza, Joseph Dennis
McBride, Lawrence Cary
McCance, Richard Lee
McCarthy, John James, Jr.
McCarthy, Vincent John
McConnell, Harry George
McConnell, Michael Charles
McCormack, Jerry Wayne
McCowan, Kenneth Edwin
McDermott, Donald Gary
McDowell, Robert Lloyd
McElroy, William Charles, Jr.
McGee, James Murry
McGlashan, Douglas Scott
McGough, Charles Randall
McGowan, James William
McGrath, Thomas Joseph
McGregor, Alexander Broford
McGuire, Joseph Ruane, Jr.
McHugh, Michael Lyn
McIntyre, Samuel Peter
McKee, Phillip Francis
McLain, Larry John
McLaughlin, James Terrence
McLellan, William Ross
McMaster, Timothy Richard
McMurray, Bruce Kirkland
McNeace, Dwight William
McRoberts, James Scott
Meade, Martin Carl
Meads, Leonard Enzer
Measel, Martin Leman
Mayer, Charles Walter, Jr.
Mayo, Richard Walter
McAdoo, Richard Allen
McCaleb, Virgil Frank
McCann, Eugene Dennis
McCarthy, Joseph Edward
McClure, Halbert Steele Deleon
McDonnell, Lawrence Gregg
McCorkell, Thomas Eugene
McCormick, Michael Timothy
McCreary, Walter Ellwood
McDonough, Edward Charles
McDowell, William Lee, III
McGarity, Kevin James
McGinnis, Stephen Jack
McGlothlin, Clifton Lee
McGowan, Edward Charles, Jr.
McGrath, James Patrick
McGreevey, Henry Joseph
McGuire, John Francis, Jr.
McHatton, James Thomas
McIntosh, John Edward
McKee, John Raymond, Jr.
McKinnon, William Stephen
McLaughlin, Arthur Jay, III
McLaughlin, William Thomas
McMahon, Douglas Duvall
McMullen, Richard Floyd
McNaughton, Paul Richard
McQuerter, Kent Loryn
McRoskey, John Henry
Meadows, Robert Preston
Meany, William Michael
Meckfessel, John Frederick
Meehan, Patrick Harold
Meier, Lyle Dean
Merrill, Herbert Walker, Jr.
Metcalf, Stephen
Metzger, William Robert
Mewhinney, Thomas Reilly
Meyer, James Ray
Michajluk, Bevery Jae
Middlebrooks, Robert Durwood
Mikulis, Charles John, Jr.
Miles, James Edward
Miller, Dana Fontaine
Miller, James John
Miller, Patrick Albertus
Miller, Robert Jerel
Miller, William Conrad
Milne, George Frederick
Miltko, Stanley Edward, Jr.
Minter, Richard Graham
Mitnik, John
Mobley, Sydney Donetta
Moffett, James Francis, III
Monagle, Daniel Edward
Montgomery, James Derby, Jr.
Moon, Julian Lafayette, III
Moore, Charles William, Jr.
Moore, Frederick John
Moore, Kevin, Thomas
Moore, Michael Patrick
Moore, Thomas Joseph
Mora, Jimmie Alfred
Morell, Paul Leroy
Morgan, Vincent Schuver
Mehrtens, Frank John
Merriam, Alvin Russell
Metcalf, Michael Donald
Metzger, Joe David
Meuchel, Frank Tony
Meyer, Francis Douglas
Michael, Don Richard
Micken, Robert Warren
Mikell, Oswald Lightsey
Milam, James Aaron
Millen, Joseph Andrew
Miller, Grady Wilson, III
Miller, John Dudley, Jr.
Miller, Robert Daniel
Miller, Walter Everett
Mills, Jon Martin
Milner, John Henry, Jr.
Minno, Dennis Stephen
Mitchell, Theodore Arnold
Moak, Donald Charles
Mock, William George
Moir, William Preston
Monroe, John Frazier
Montz, Andrew Curtis
Moore, Arnold Preston
Moore, Frederick Cranford
Moore, John Anthony
Moore, Leland Thompson
Moore, Owen Edward
Moore, Walker Dupree
Moreau, Richard Baker
Morgan, James Edward
Morge, Kenneth Warren
Morgenson, James Eric
Morris, Phillip Gail
Morse, Francis Xavier
Motl, Gerald Patrick
Mueller, William Joseph
Mulhern, Edward Michael
Mullen, Michael Glenn
Mulligan, Robert Dale
Muniz, Fred Louis
Munnikhuysen, Richard Dallam
Murach, Edward Francis Joseph
Myers, David Lee
Myles, James Albert
Nathan, Stephen Paul
Nawrocki, Lawrence Meledin
Naydan, Theodore Phillip
Neal, Paul Gartrelle
Neale, Michael Tilghman
Nelson, David William
Nelson, Robert Hugo
Neumann, Adolf
Neville William Josiah, Jr.
Nibe, Richard Jerome
Nichols Kenneth Leslie
Nick, Louis Adolph, Jr.
Nimmer, David Sherman
Nobriga, Timothy Alan
Noel, Charles Edward
Noffsinger, William John
Nolan, Thomas Francis, IV
Nonoshita, Wayne Gregory
Norman, Ronald Wayne
Norris, Robert Norman, Jr.
Northrop, Robert Stiles
Morris, Charles Romulus, III
Morrissey, Michael Joseph
Mortsakis, John Nicholas
Moyers, Darryl Raymond
Muise, Jeffrey Robert
Mulholland, William Michael
Mullen, Virginia Christine
Mundy, William Edward
Munkres, Raymond Dale
Munsey, Charles Robert, Jr.
Murray, Leslie Glenn
Myers, Richard Noden
Naedel, Richard Gregory
Naughton, Richard Joseph
Nawrocki, Peter Anthony
Neal, Charles Clinton
Neal, Teddy Max
Needham, Bruce Harry

Nelson, John Stanley
Nepomuceno, Eugenio Nocon
Neville, Thomas Francis
Newton, Samuel Lambie
Nichol, James Arthur
Nicholson, Thomas Merl
Niehus, James Patrick
Nittle, Jeremy John
Noe, George Albert, Jr.
Noerager, Jon Philip
Nolan, Robert Gordon
Nolter, Joseph Charles
Nordmann, Robert George
Norris, Lowell Robert
Norris, William James
Norton, John Baker
Nosal, Leonard Jerome
Nyman, Keith Oscar
O'Brian, Alfred Reginald Walter
O'Connor, John Dale
O'Connor, Thomas Charles
Ogdahl, Arthur Theodore
Ohm, Robert Lee
O'Leary, Cornelius Francis
Olsen, John Franklin
Oltraver, Dennis Allen
O'Neil, Michael William
Opeka, Donald John
Oser, Eric Leroy
Otterson, Peder Harlan
Owen, Harold
Owendoff, Robert Scott
Owens, James Clarence
Owens, Richard Lee
Pacenza, Franklin Joseph
Paine, William Gosnell, Jr.
Palkie, Thomas George
Panchura, Michael John, Jr.
Parda, Nelson Robert
Parizek, Bruce
Parker, Jimmy Wayne
Parkhurst, Lyman Edward
Parry, Thomas Victor
Pascoe, Donald Bradley
Patrick, Urey Woodworth, III
Patton, John Collier
Payne, Richard Edward
Pearson, Robert Thomas
Pease, Alfred Anthony
Nugent, John Thomas
Ober, William Taylor
O'Brien, James Patrick
O'Connor, Thomas Charles
O'Dell, Edward James
O'Hanlon, Michael David
Ohnemus, Donald Pierre
Oliver, Thomas William, III
Olson, Jerome Arning
Onder, Jabes Andrew
O'Neill, John H., Jr.
Orzech, James Kenneth
Osth, John Andrew
Overman, William Robert
Owens, Stephen Michael
Owens, Edward Paul
Owens, James David
Owens, William Winterton, IV.
Pagett, Phil B., II
Pake, Bryant Gathings
Palmer, Raymond John, Jr.
Pankow, David Herbert
Parde, Merlin Lee
Parker, Anthony Weyburn
Parker, John Joseph
Parrish, John Michael
Partridge, Benjamin Waring, III
Patrick, Darl Paul
Patton, Bernard Warren
Patton, William Joseph
Pearson, James Anthony
Pearson, Ronald Steven
Pease, Kendell Milford. Jr.
Pegden, Burl Richard
Pelaez, Marc Yve Eugenio
Peltier, Donald Wallace
Perkins, Allen Leroy, II
Perrault, Michael Edward
Pestorius, Thomas Daniel
Petersen, Robert Elmer
Peterson, Frank James
Peterson, Robert Lee
Petrino, Richard Alan Domenick
Phelan, James Arthur
Phillips, Everett Leon
Picciuolo, Jonathan Charles
Piehl, James William
Pierman, David Charles
Pinkerton, Everett David
Pietscher, James Harvey
Plyler, Conrad A., Jr.
Polk, Deward Winston
Polk, Michael Raymond
Pond, Barbara
Poole, William Leonard
Porter, Joel Alan
Posnak, George Peter
Potter, Jay McCune
Powell, Blake L.
Powell, Darrell Russell
Powers, Richard George
Prawdzik, David Allen
Preece, Bill Rutherford
Prestero, Mark George
Prince, Michael David
Pierce, John Wentworth
Peloquin, Peter Joseph
Perine, Stephen Gray
Perkins, Earl Eugene, Jr.
Perrotta, Joseph William, Jr.
Peter, Leo Edwin, Jr.
Peterson, Arne Maurice
Peterson, Gordon Irwin, Jr.
Peterson, Walter Harry
Pfahl, Roger Alan
Phillips, Braden James
Philpott, Bruce Ray
Pickett, Ludwell Lewis
Pier, Jeffrey Ross
Pillsbury, Joel Hartley
Pinnell, Robert Brian
Plummer, Douglas Allen
Poh, Lawrence Charles Josep, Jr.
Polk, James Stanley
Pollard, Don Pearson
Ponessa, Alfred Edward
Porter, Joel
Porter, Ronald D.
Post, John Rockwell, Jr.
Potwora, Raymond Paul
Powell, Edward Bennett, Jr.
Powell, William Oscar, III
Prall, Thomas Edward
Precht, Phillip Rodney
Presecan, Thomas Norman
Pricco, James Stephen
Priscilla, Ronald John
Proctor, Kenneth Allen
Pruske, James Edward
Purvis, James Douglas Jr.
Putnam, Michael Blair
Pyrz, Kenneth Edward
Rabren, Bobby Ray
Ralston, Michael Gilbert
Ramsey, Jerry Dean
Rasfeld, Joseph Henry
Rasmussen, Christopher Lee
Ray, James Billie Jr.
Reardon, Andrew Fitzpatrick
Rearer, Thomas Charles
Redfield, Judd Hamilton III
Reeber, Christopher Joseph
Reed, Robert Bushnell Jr.
Reeves, Billy Smith
Reidhead, Ricky Morris
Reinheimer, Richard
Ricci, Ronald Vincent
Rice, Vincent Robert
Richardson, Harmond Becker III
Richardson, William Lee
Rickards, Elwood Bright Jr.
Rider, Hans Eugene
Riffer, William James
Rifkin, Dennis
Riley, Charles William
Riley, Francis Clair Jr.
Riley, Michael Andrew
Ritchie, Coy Doyle Jr.
Rivers, Charles Silas Jr.
Robben, Charles David Jr.
Robbins, Spencer Everett II
Roberts, Gary Gene
Proffitt, Bobby Wayne
Punches, Jeffrey Newton
Putnam, Frank William
Pyle, Kenneth Lawrence
Rabb, Michael Tribble
Raglin, Kenneth Alan
Ramsey, Edward Allen
Randhahn, Gary Joseph
Rasmussen, Andrew Anthony
Rather, James John
Reape, Gerald John
Reardon, Kevin John
Redeker, Steven James
Redford, Melvin Robert Jr.
Reed, James Ronald
Reedy, John G.
Regan, Kevin James
Reimert, Ronnie Charles
Ribaudo, Nicolas Ross
Rice, Arleigh Hamilton Jr.
Richardson, Arthur Lee II
Richardson, Paul Fredrick
Richey, Daniel Otto
Riddle, John Humbert
Ries, Stephen Hamilton
Riffle, Donald Lee
Rigsby, John Newton
Riley, Edward Monroe Jr.
Riley, Kathleen Ruth
Rinaldi, Ronald Albert
Rittenour, Harry Taylor
Rizzardi, Dennis Albert
Robbins, John Randolph
Roberds, Darryel Lee
Roberts, James Arnold
Roberts, Richard Newton
Roberts, William Pope
Robinson, James Howard
Roeske, Alfred Duane
Rogers, William Lynn
Rogus, David Francis
Romanowski, Stanley James
Rooke, Harold Norman
Rose, John Michael
Ross, David Bernard
Rouse, Fred Lawson
Rovetto, Gary Wayne
Rowley, Dennis James
Ruch, William Leech III
Ruhe, Barnaby Seiger
Rumpf, Daniel John
Russell, Robert Edward Moloiju
Ryan, Mark Joseph
Sacks, Brian Lee
Salez, Nelson Charles
Samms, Floyd Tamerlane Jr.
Samuelson, David Rudolph
Sandberg, Hyrum Carl III
Sandison, Gordon Thomas
Sandoz, Patrick Allen
Santee, James Liten
Sater, Alex Joel III
Sautter, Frederick Root Jr.
Sawin, James Leslie
Saxman, Jonathan Humphrey
Scales, Francis Leo
Scally, Robert Ernest
Schaeffer, Paul Anthony
Schanning, Brian Peter
Schaubel, Raymond Charles
Roberts, Wade Hampton Jr.
Robichaud, Gerald Oliver
Roby, Charles Kenneth
Rogers, George Cephas Jr.
Rogers, William Olin
Rolf, Charles Francis
Ronchetti, Gregory Henry
Roos, Neal Gerald
Rosengrant, Carl Warren
Ross, Samuel Millsaps
Roux, Jeffrey Andrew
Rowland, Charles Brett
Ruben, Frederick George
Ruffin, Paul Denson Jr.
Ruland, Thomas Christopher
Russ, John Ernest III
Ruth, Michael Allan
Sabadie, Patrick Alfonso
Sager, David Alan
Sallee, Fred Merridith
Sampson, Gary Allen

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Sanchez, Richard Rhodes
Sanders, George Allen
Sandoz, John Frederick
Sanesi, Nelson Joseph, Jr.
Santoro, Michael Anthony
Satterfield, Gary Thomas
Savo, John Charles
Sawyer, William John
Saxon, Patrick Hurley
Scales, John Cayme, Jr.
Schaefer, Lowell Thomas
Schafer, James Joseph, Jr.
Shantz, Curtiss William, Jr.
Schellhaas, Richard Begue, Jr.
Schenkel, Roger Lee
Schiltz, John Allan
Schmidt, Henry Edward, Jr.
Schneider, Daniel Henry
Schnieders, James Shriver, Jr.
Schoonderwoerd, Martin Gene
Schriever, William Herbert
Schulz, Carl Joseph
Schwarz, Andrew Jerald
Schweitzer, Robert Charles
Schwikert, Frank Donald
Sciabarra, Joseph Peter
Scott, Donald Frederick
Scott, Richard Frederick
Scott, Ronald Lynn
Seiden, John Ben
Sell, John Christian
Sellers, William Lester
Serkin, Howard Charles
Shaddix, James Delano
Shaffer, Paul Bruce
Shanyfelt, Tommy Lee
Sharp, James Robert
Sheddan, James Terry, Jr.
Sholars, Robert Eastman
Showers, Michael James
Shults, Porter Revon, Jr.
Shurtz, Don Carlos
Sidner, Robert William, Jr.
Sikes, Joseph Kelly
Simmons, David Franklin
Sinclair, John Rodger
Scherkenbach, William Wagner
Schmidt, George Walker
Schminky, Roy Robert
Schneider, Richard Frederick
Scholtens, Michael Jon
Schreiber, Robert Arnold
Schrope, Richard Bruce
Schutter, Peter Arthur
Schwechten, Robert John, II
Schwertman, James Arthur
Schwinger, Mark Edward
Scott, Don Bacot
Scott, Donald William
Scott, Robert Mitchell
Scott, William Nathan, Jr.
Seiders, Marlin David, Jr.
Sellers, Richard Leland
Senft, Milton Leroy
Serley, James Edward
Shade, Robert James
Shaner, Randolph Glenn
Sharon, James Wesley
Sharp, Victor Leonard, Jr.
Shields, Joseph Carl
Shook, Richard Millard
Shroyer, William Leroy
Shumpert, Harold Corbett
Sickler, Burton Harry
Siemen, Harry Alfred, Jr.
Silverberg, Jon Friedolf
Simpson, Michael Ernest
Sine, George William, Jr.
Sink, Francis Leroy
Sisk, Arnold Jay
Sjostrom, Leonard Carl
Skipworth, William Holland
Slattery, Michael Gerald
Slocum, Patricia Sue
Smith, Alan Roy
Smith, Edward Allen, Jr.
Smith, Gordon Coleman, II
Smith, Stephen Roger
Smith, William Harold
Smolak, Michael Albert
Snell, Peter Sherman
Snyder, John Russell
Solder, Edward Lee
Sorce, Anthony Michael
Southerland, James Julien, III
Spaeth, Warren Theodore, Jr.
Speace, Charles Hayes
Speed, William Goodwin, Jr.
Speers, Thomas Edward, Jr.
Spencer, Barton Marsh
Spengler, Richard Paul
Spooner, David Ford
Spruiell, Phillip Ronald
Staebler, Charles Alexander, III
Stamm, Steven Lewis
Starke, Wayne Phillips
Starr, David Homer
Statton, Charles M., Jr.
Stehle, Charles Douglas
Stein, Eric Andrew
Stephenson, Gerald Edward
Stevens, William Edward
Sippel, Lee Jerome
Sjoberg, Douglas Martin
Skaar, Gordon Lee
Slattery, Joe Allen
Slebos, Christian Gerard
Smallwood, Kent Grey
Smith, Donald Edward
Smith, Floyd Harold
Smith, Jack Robert
Smith, William Howard
Smitheman, James Courtland
Snavely, William Wayne, Jr.,
Snyder, Donald Clinton, II
Sobyra, Michael August
Solymossy, Joseph Martin
Susaygallaher, Thomas Domingo
Southworth, David Moir
Spalsbury, Clark Stanley, Jr.
Speakman, Glendon Caldwell
Speed, William Henry, Jr.
Spellman, Donald Jerome
Spengel, Michael Francis
Spinelli, Robert Bryan
Sprey, Douglas
Squires, Robert Lewis
Staley, Miles Marvin
Stanton, Laird Wilvin
Starks, Victor James
Startt, Thomas Lee
Steere, David Campbell
Steidle, Craig Eugene
Steitz, Peter
Steussy, James Michael
Stewart, Robert Leroy
Still, Daniel William
Stine, Larry Winton
Stocke, John Thomas
Stokes, Roger William
Stone, Frederick Cecil
Stosel, Stanley Lewis
Stradley, Michael Ward
Strausbaugh, Wayne Lee
Stults, James David
Stutts, James Cornell, II
Sullivan, Edward Joseph, Jr.
Sullivan, Joseph Edward
Sullivan, William Michael, III
Sutter, James Francis
Swanson, Dale Eugene
Sweeney, Orval Lester
Szlaga, Andrew George
Taber, Theron Simeon, III
Tamulevich, Carl Joseph
Tapscott, Kennith Walker
Tauber, Richard Jacob
Taylor, John Duffy
Taylor, Marcus Gene
Taylor, Paul James
Teach, Thomas Adams
Teneyck, Thomas Willard, Jr.
Thacker, Reginald Allen
Thomas, Benton Dean
Thomas, James Lyle
Thomas, William J.
Thompson, John Richard
Thompson, Richard Wittich
Tiedeman, George Ralph
Still, Robert Ingo
Stinson, James Alfred
Stockslager, William Eby
Stoll, Robert Edward, Jr.
Storm, Gary Alan
Stovall, John William
Strassberger, John William, Jr.
Strother, Dennis Edward
Sturges, James Walter
Sucato, Paul Joseph
Sullivan, Jerry Eugene
Sullivan, Timothy Thomas
Sundberg, Edward August
Swain, Scott Cunningham
Sweatt, William McClain, Jr.
Swenson, Carl Frederick
Tabb, William Troop, Jr.
Talipsky, John Edward
Tangren, Peter Andrew
Tarbox, Harold Chester, Jr.
Taylor, Gerald Edgar
Taylor, Loren Lee
Taylor, Norman Robert
Taylor, Richard Ford
Tellman, Donald Francis
Tess, James Henry
Thibeau, Richard James
Thomas, H. Clay, III
Thomas, Larry Walter
Thompson, David Mathew
Thompson, Kenneth Ralph
Thomson, James William McIntos
Tillotson, Kenneth Delmer
Tilseth, Don Leroy
Timmons, Thomas Francis
Tinnon, Lloyd Dean
Tirrell, William Barclay
Titus, Willard Sidney, III
Tobiason, Joel Edward
Torbert, Michael Mayne
Toussaint, Terry Alan
Trousdale, David Mangham
Trulson, Steven Alf
Tucker, Gerald Duane
Tyler, Henry David
Uchman, Allen Eugene
Upton, Thomas Gearge
Valentine, Bernard Richard, MOI
Vanderlofske, Peter Joseph
Vansaun, David
Vasiliauskas, Algimantas
Vellis, John Demetrius, II
Venator, Craig David
Vestal, Kathleen Bunnie
Vieau, Jerome Brewster
Vonsuskil, James David
Voss, Edwin John, II
Vtipil, Donald Sheridan
Wagenseil, Taylor Brahs
Wakefield, Robert David
Walker, Allan Ray
Wallace, Donald Stephan
Walsh, Joseph David
Walters, Gary Allan
Waltrip, Burroughs Allen, Jr.
Ward, Dennis Lyle
Warner, Carl Dean
Tilson, Paul Evans, Jr.
Tinkel, Terrence Lee
Tippett, Terry Lee
Titus, Fred Walter, Jr.
Tkach, Michael Joseph
Tollefson, Michael Rolf
Tourigny, Leonard Robert
Treglio, James Ronald
Troutman, David Leland
Tuck, William Dean, II
Twombly, Arthur Lee
Tyrrell, Robert Grattan
Uplinger, Leon Joseph
Vail, William Dwight
Valleau, Neil Phillip
Vanderpoel, Eric
Vanstone, William Henry, Jr.
Vaughn, David Eugene
Velsor, Herbert Frank
Verschueren, Joseph
Vice, Larry Wayne
Virtue, James Paul
Vorhoff, Gilbert Harold, Jr.
Vranich, Ronald Mathew
Wachowicz, Frederick Steven
Wagner, Paul Helmut
Wales, Jon Bruce

Wallace, David William
Wallace, Ray Anderson
Walsh, Neil Patrick
Walters, Melville Joseph, III
Warburton, Frederick Thomas, Jr.
Ward, Joe Frank
Warner, Robert Sands, Jr.
Warren, Cassius Clay, Jr.
Washam, Eric Lee
Waterman, Bradford Bates, III
Watson, Tannis Robert
Way, Ervin Ross, Jr.
Weber, Charles Lawrence, Jr.
Webster, Edward Hollis, III
Welch, Lee Kimmel
Welsh, Edward Lee
Weseloh, Morris Arthur
West, Thomas Ben
Wetzel, Jeffrey Peter
Weyrick, Max Thomas William
Whitco, Denis John
White, Charles William
White, William Joseph, III
Wicklander, Edwin Richard, Jr.
Wiggins, James Howard
Wikoff, Wallace Leroy
Williams, Ivan Leroy
Williams, Kenneth Lynn
Williams, Steven Albert
Williams, William Roger
Willoughby, Paul Ralph
Wilner, Douglas David
Wilson, John William, III
Wilson, Robert Taylor
Wilson, Stephen Roy
Wilt, Thornton Willard, Jr.
Wire, Keith Raymond
Wisler, Larry Smith
Wolford, Paul Berger
Wood, Gregory James
Warren, William Lee
Washer, William Lee
Watson, Jerry Carthal
Watts, Harry Franklin, Jr.
Wease, Walter Henry, Jr.
Webster, Dana Lehr
Weiss, Donald Alan
Wells, Eugene Arthur
Werb, Alan Chapman
West, Edward Malcolm
Westman, Charles Stuart
Wexler, Stephen Alan
Whatley, James Wade
Whitcraft, John Cecil
White, Henry Francis, Jr.
Whitehouse, John Henry, Jr.
Wickman, Victor Paul
Wike, Charles Richard, Jr.
Williams, Frank Broyles, III
Williams, Jay Killian Bowman
Williams, Nathan Clark
Williams, Terrill Douglas
Willms, Gary Roland
Willson, Thomas Dexter
Wilson, John Howard
Wilson, Michael Francis
Wilson, Samuel Nathan, III
Wilson, William Ralph, Jr.
Wiltzuis, Lawrence Nicholas, Jr.
Wisdom, Hayden Rand
Witte, Gary Paul
Wolverton, Gilbert Leroy
Wood, Scott Allen
Woodlan, Donald Ray
Woodrich, Richard Henry
Woods, Larry Joe
Woodward, Richard Calvin
Work, Robert Dale
Wright, Jay Lee
Wright, William Walter
Wyatt, Randall Edward
Yankolonis, Barry Lee
Ylitalo, Joe Alan
York, Russell Clayton
Youngblood, Frederick Lee
Zahn, Howard Edward
Zavadil, John Leslie
Woodman, William Douglas
Woods, Joseph Godfrey
Woods, Thomas McCoy, III
Woollen, Edmund Boice
Wray, Donald Milford
Wright, Sherman E., Jr.
Wuest, Mary Elizabeth
Wyckoff, George Thomas
Yarborough, Thomas Stokes, Jr.
Yoder, Thomas Harry
Young, James Albert
Zacharias, Merle John
Zahner, Richard Randall

SUPPLY CORPS

Ader, James Allen, Jr.
Allen, Randall Clark
Angus, William Arthur, III
Baker, Richard Burl
Bassi, Felix Joseph
Battey, Maurice Wayne
Bedell, William Jackson
Benson, John Howard
Bernichon, Clay Edward
Brawley, Patrick William
Burn, Richard Hunt
Chestnut, James Ellis
Couture, Joseph Albert
Culver, Joseph Ernest
Cunningham, Thomas Andrew
Aljoe, Daniel William
Anderson, Wayne Eugene
Baggett, Terry Max, Jr
Banks, John Wesley
Bateman, Tyler Johnston
Becker, Christopher Santana
Bello, John Joseph
Bergman, Gerald Vernon
Berthy, Leslie Charles
Bristol, Roger Willis
Chastain, William Wirt
Cole, Barry William
Crouch, Michael Avery
Cunningham, Lawrence Michael
Daggett, Linwood Alton
Dashiell, Robert George
Daymont, Thomas Norman
Dinga, John Phelps
Drewes, Warren John
Dunar, Andrew James
Dunnavant, David Earl
Edwards, James Richard
Erikson, Robert Warren
Faussner, Robert Eugene
Fitzgerald, Kenneth Wayne
Frank, Bernard Clarence
Greer, James Nelson
Hand, Edward Francis
Harr, David James
Hayslett, Roderick James
Henninger, Ernest Henry
Hoffner, Thomas Alan
Johnson, Delmont Scott
June, Michael Anthony
Kamin, Michael Joseph
Kesselring, Steven Dale
Krogh, Leslie Allen
Lake, Roger Allan
Lewis, Albert Michael
Linsley, William Francis
Malone, John Murray
Mason, Richard Henry
McGee, Carl Edwin
McNutt, Jerry Wayne
Miller, Kenneth Ray
Moser, Daniel Earl, Jr.
Neeb, John Gilcher
Nierman, William Charles
Davenport, Bill Trammell, Jr.
Dennison, Daniel Herbert, Jr.
Doares, Michael Gray
Drum, Eugene Robert
Dunn, Christopher Anderson
Dyer, Raymond Wayne
Enders, Robert James
Farkas, James Anthony
Finefrock, Carl George
Fox, Robert Edward
Gill, Newton Gregg
Hager, Hampton Croson, Jr.
Hanlin, John Paul
Harty, James Patrick
Healy, Stephen James
Hickman, William Allen
Inouye, Clinton Wayne
Johnston, Richard Earl
Kallal, Patrick Joseph
Kelly, Thomas Andrew
Kilpatrick, James Angelo
Kuhn, Thomas Richard
Lea, Gary Raymond
Lewis, Robert Glenn
Madden, John Eugene
Mason, Charles Roger
McConnell, John Norman
McNeil, Donald Calvin
Medford, Paul Nathaniel
Mingo, Louis Edmond
Mulva, James J., Jr.
Nemeth, John William
Nunley, Jack Bruce
Oberman, Marvin Dean
O'Neal, Floyd Wendell
Parker, Thomas Lee
Poole, Francis Xavier
Purdy, Robert Lawrence
Ramelli, Daniel Steven, III
Richmond, Robert Heston
Russell, Robert Durrell, Jr.
Saracino, Hugh F.
Schrum, Richard Ward
Sfara, Joseph Anthony
Shepherd, Robert Myrick, Jr.
Shorter, James Russell, Jr.
Stack, Joseph Charles, Jr.
Straight, Ronald Lee
Stuedemann, Richard Orrin
Tanner, Stephen Alan
Taylor, Joseph Zachary, Jr.
Thompson, Edward Earl
Triche, Ernest Joseph, III
Vance, Michael Gordon
Virtue, Richard William
Youngman, Grant Hughes
Odachowski, Edward John, Jr.
Overhouse, John David
Perkins, James McArthur
Pretulak, Ronald Theodore
Rains, David Marlin
Raudabauch, John Neil
Ruckman, Hugh Bennett, III
Ryan, James Arthur
Schauss, Robert Peter, Jr.
Sewall, Frank Bates
Shapack, Arnold Robert
Sherman, Arthur Eber
Squires, Robert Roy
Stapp, Fred Trigg, Jr.
Studders, James Philip
Sullivan, Reed Alvord
Taylor, Charles Floyd, Jr.
Theiss, Girard Paul
Thomson, James Edward
Upchurch, David Emerson
Vehlewald, Verney Virgil
Watson, David Stewart, II
Zeiler, Robert William, III

CIVIL ENGINEER CORPS

Anderson, Edward Leon
Barrett, Gerard Jude
Bellafronto, Robert Louis
Christopher, Charles David
Corrigan, Phillip George
Deacon, Brian Richard
Emison, Gerald Andrews
Gallen, Kevin Paul
Gunn, Thomas Edward
Holland, George William
Hughes, John David
Kannegieser, Andrew Anthony
Kovalcik, James Patrick
Messick, Frederick Smith, Jr.
O'Brien, Robert Gerald
Runsvold, James Michael
Spencer, Sidney Thomas
Stevens, David Lawrence
Webb, Richard David
Andrews, James Marshall, Jr.
Bartlett, James Vincent, Jr.
Casey, George Edward, Jr.
Copeland, Robert Rich
Dailey, David Leroy
Elliott, Robert E., III
Funk, Richard Bradley

XUM

Goepfert, Eric Richard
Hogg, Royal Thomas, Jr.
Hufnagel, Karl Richard
Johannesmeyer, Charles Alan
Keith, Donald Rae
Marshall, Peter Wayne
Miller, Ronald Lee
Rampe, Thomas Raymond
Sholders, Michael Verne
Stearns, Carl David
Stevenson, Herbert Scott

MEDICAL SERVICE CORPS

Aliff, William Ray
Aulls, John Griswold
Bentley, William Sturges
Blackford, James Michael
Bolshazy, Robert Stephen
Bransford, Charles Duane
Bruder, Paul Theodore
Cannon, James Robert
Chappell, Wendell Leo
Coleman, Loren Marion
Davis, Gary Thayne
Duny, Marshall Sol
Armstrong, Carl Andrew, Jr.
Bartlett, Jack Wallace
Berry, Wayne Harold
Blaylock, James Donald
Braitsch, Ted Alan
Brown, David William
Campbell, Paul Ernest
Chandler, Donald Ray
Chegash, Thomas John
Cornejo, Hector
Dould, Philip Edward
Ebersole, Richard Wilson
Edgerton, Owen Lee
Foskey, Leslie Thomas
Harrell, James Howard
Hayes, Elbert Chartrand
Iczkowski, Marcel Dennis
Kelley, Charles Anderson
Knodle, Edward Maurice
Legg, Robert Paul
Logan, Robert Stanley
McCarty, James Edwin, Jr.
McKinney, Arthur Paul
Meaney, Maurice Terrance
Miller, Fenton Crockett
Montgomery, Charles Ernest
Moyer, Kenneth Edwin, Jr.
Norvell, Robert Dayton
Olen, Eldor Roger
Parker, Cloyd Joseph
Prigmore, Marvin Earnest
Rayno, Robert Henry
Roberson, Walter Edward
Russnogle, Robert Lewis
Shaffer, Kenneth Wayne
Sixsmith, Howard Thomas, Jr.
Snyder, James Edward
Springfield, Robert Lynn
Stovall, Gary Hudson
Taylor, Robert Beck
Truran, Paul Frederick, Jr.
Waldroupe, Derrel Lee
White, Daniel Ellsworth
Windham, George Scott
Yates, Harold, Jr.
Finley, Clemeth Wallace
Hanson, Eugene Charles
Haws, Virtus Paul, Jr.
Hess, Stuart Allan
Ishmael, Rex Harlan
Kern, Monte James
Lanerie, George Ray
Lekvold, William Dean
Marks, Richard Charles
McClannahan, William M.
McKinzie, Louis Eugene
Merkel, Frederick Joseph
Mock, Leonard Ralph
Mooers, Robert Louis
New, James Caudell
Ohnemus, Francis William
Panas, Bruce Richard
Pelphrey, James Henry
Pulvermacher, Harold Edward
Reed, Paul John
Rush, Elvia Dale
Sessions, Nathan Mansfield
Shannon, Albert Francis
Smith, Jerauld Homer
Solmen, James David
Stemple, Todd Ralph
Stratton, William Frederick
Thomas, Dennis Merrill
Tyndall, John Bard
Wenrick, David Lowell
Wigle, Earl Clinton
Wooldridge, Robert Landon

NURSE CORPS

Caruso, Teresa

HOUSE OF REPRESENTATIVES—*Thursday, July 9, 1970*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Ye shall know the truth and the truth shall make you free.—John 8:32.

Eternal God, our Father, we come to Thee in this quiet moment praying that Thy spirit may shine into our hearts darkened so often by doubt and fear. Strengthen and guide us as we seek sincerely to lead our Nation in right paths, along peaceful roads, and make plain the ways we should take.

Help us to realize that freedom must be won by every generation. With Thy spirit may we keep the flag of the free flying in our land and ultimately, we pray, in our world.

Grant that all threats to liberty be met with courage and with confidence, assured that Thy power undergirds the struggle for freedom.

In Thy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 17, 1970:

H.R. 12619. An act to amend section 11 of an act approved August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of the Library of Congress."

On June 19, 1970:

H.R. 10184. An act to provide for the disposition of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Mont.;

H.R. 14306. An act to amend the tobacco marketing provisions of the Agricultural Adjustment Act of 1938, as amended; and

H.R. 15166. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes.

On June 22, 1970:

H.R. 4249. An act to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests, and for other purposes.

On June 23, 1970:

H.R. 2012. An act to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lilliam I. Anderson;

H.R. 9854. An act to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho, and for other purposes;

H.R. 12860. An act to establish the Ford's Theatre National Historical Site, and for other purposes; and

H.R. 14300. An act to amend title 44, United States Code, to facilitate the disposal of Government records without sufficient value to warrant their continued preservation, to abolish the Joint Committee on the Disposition of Executive Papers, and for other purposes.

On June 24, 1970:

H.R. 4204. An act to amend section 6 of the War Claims Act of 1948 to include prisoners of war captured during the Vietnam conflict, and for other purposes.

On June 25, 1970:

H.R. 14810. An act to amend section 2(3) and section 8c(6)(I) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, so as to authorize production research under marketing agreement and order programs.

On June 29, 1970:

H.J. Res. 1264. Joint resolution making continuing appropriations for the fiscal year 1971, and for other purposes.

On June 30, 1970:

H.J. Res. 1259. Joint resolution to extend the effectiveness of the Defense Production Act of 1950 to July 30, 1970;

H.R. 16731. An act to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended;

H.R. 17138. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 and the District of Columbia Teachers' Salary Act of 1955 to increase salaries, and for other purposes;

H.R. 17241. An act to continue until the close of June 30, 1972, the existing suspension of duties on certain forms of copper; and

H.R. 17802. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act.

On July 2, 1970:

H.R. 16516. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; and

H.R. 16298. An act to amend section 703(b) of title 10, United States Code, to extend the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas.

On July 6, 1970:

H.R. 14720. An act to continue until the close of June 30, 1973, the existing suspension of duties on manganese ore (including ferruginous ore) and related products, and for other purposes;

H.R. 15712. An act to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971; and

H.R. 17399. An act making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes.

XUM

On July 7, 1970:

H.R. 8512. An act to suspend for a temporary period the import duty on L-Dopa.

On July 9, 1970:

H.R. 5554. An act to provide a special milk program for children, became law without signature by the President. The 10th day for consideration by the President under the Constitution was June 29, 1970.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2036. An act to remove a cloud on the titles of certain property located in Malin, Oreg.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3215) entitled "An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PELL, Mr. NELSON, Mr. CRANSTON, Mr. JAVITS, and Mr. MURPHY to be the conferees on the part of the Senate.

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 3728. An act to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–1418) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–1427).

XUM

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS UNTIL MIDNIGHT FRIDAY, JULY 10

Mr. BOGGS. Mr. Speaker, at the request of the gentleman from South Carolina (Mr. McMILLAN), I ask unanimous consent that the Committee on the District of Columbia have until midnight Friday, July 10, to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CONGRESSIONAL REORGANIZATION AND RECORDING OF TELLER VOTES

(Mr. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOGGS. Mr. Speaker and Members of the House, I should like to commend the bipartisan group which has announced that when on next week we consider the reorganization bill that an amendment will be offered making teller votes in the House of Representatives public.

Mr. Speaker, I have a great many reasons for supporting this amendment. The first one is that it is right. The idea that votes of great public consequence should not be a matter of public record is one which I think is an anacronism.

I think the American people have every right to know how Members of this body stand on important issues. Certainly, and more practically, I have observed as majority whip and deputy whip of this body for the past 15 years that I find myself spending at least half the time that I should be spending on legislative matters trying to get Members to come to the floor of the House to do their duty to vote on important legislative matters. When they know their names are going to be recorded, they will be here.

Mr. Speaker, I support the amendment wholeheartedly.

THE PLIGHT OF THE VETERANS' ADMINISTRATION HOSPITALS

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLFF. Mr. Speaker, during a recent visit to the Kingsbridge Hospital in New York, I learned that the meal allotment per patient was $1.20 per day. This comes out to 20 cents for breakfast, 40 cents for lunch and 60 cents for dinner. This could not buy subsistence food at today's prices but VA hospitals often have to meet patients needs on this money.

The word "subsistence" should raise one's ire. It means a level just above starvation. Should sick men have just enough food to prevent starvation?

Moreover, the meager allowance is actually less than a welfare recipient receives for food. Sick patients receive less than healthy citizens.

In addition, the meager allowance does not permit a variety of foods, although many patients must be on special diets.

Whom do we think we are fooling? The patient knows the truth. When will we face up to our responsibility?

PERMISSION FOR MEMBERS OF SELECT COMMITTEE ON U.S. INVOLVEMENT IN SOUTHEAST ASIA TO SUBMIT SUPPLEMENTAL VIEWS UNTIL MIDNIGHT JULY 10

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all members of the Select Committee on U.S. Involvement in Southeast Asia who so desire be allowed until midnight July 10 to submit supplemental views to be included with the report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

NIXON TV DIPLOMACY

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONAGAN. Mr. Speaker, President Nixon, in his recent television interview, demonstrated the danger of conducting foreign affairs in a goldfish bowl. In his unvarnished comments on the actions of Middle Eastern countries he may have affected the success of the delicate negotiations which his own Secretary of State is carrying on in an attempt to solve this difficult and dangerous problem.

In his discussion of the George Ball article, he showed failure to understand the implications of the article and a lack of knowledge of Secretary Ball's questioning role in the escalation of the Vietnam war.

I am not voicing criticism of President Nixon's opinions as such at this time, but I do take this interview as an object lesson in the desirability of keeping Presidential opinions and policies reasonably confidential in this field. Under the stress of an interview based upon free questioning, a President can make statements which are subject to misinterpretation or which can cause future serious trouble for the United States. There are some who believe that the President should submit himself to regular examinations of this type, but the dangers seem to me to outweigh the advantages.

While the main outlines of our foreign policy should be made clear and subject to review and question, nevertheless, the President should retain some room for maneuver and the capacity to exercise some variety of choices.

While Mr. Nixon's interview may have helped him with the uninitiated in a general political sense, it did nothing to forward the cause of American policy and, because this danger will persist, future interviews on these delicate and dangerous subjects should be avoided.

COOPER-CHURCH AMENDMENT

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, as long as the welfare and security of our troops is conditioned or affected by hostilities in Indochina which includes Cambodia, I am not in favor of the Cooper-Church amendment.

Since we have suffered a great number of casualties during the past 3 years, because of the Cambodian sanctuary, I am relieved that our recent Cambodian military operation has been a success, and I sincerely hope there will be no further threat in this area. But since we are conducting a withdrawal from Vietnam, until this is accomplished, I do not believe in limiting our tactical courses of action in Cambodia, until our casualties are reduced, and our boys returned home.

Furthermore, the amendment in its present form provides more grist for the propaganda mills of Moscow, Peking, and Hanoi. I recall how the propaganda machine of our adversary smeared the image of President Johnson over the Vietnam hostilities. They called him a "running dog for imperialism." They are doing the same to President Nixon. This amendment in its present form shows weakness in America's role abroad, and Moscow, Peking, and Hanoi are ready to exploit this weakness.

PERMISSION FOR THE SELECT SUBCOMMITTEE ON EDUCATION TO SIT THIS AFTERNOON

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the House Select

Subcommittee on Education be permitted to sit this afternoon on pending business.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PINE STATE KNITWEAR CO., OF MOUNT AIRY, N.C., RECEIVES THE "SYMBOL OF EXCELLENCE" AWARD

(Mr. MIZELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. MIZELL. Mr. Speaker, as my distinguished colleagues know, quality in any form is worthy of praise, whether it be quality in a product or the quality of a man's life.

It is an honor for me to announce to my colleagues today that the Pine State Knitwear Co., of Mount Airy, N.C., has been selected for the third consecutive year to receive the "Symbol of Excellence" award from Sears, Roebuck & Co.

Pine State Knitwear, a division of Hanes Corp., is one of only 319 companies in the Nation to have earned this award in 1970, and one of only 63 to have received the award for the third time.

The award is presented annually by Sears, Roebuck & Co., to a limited number of its 13,000 regular suppliers for superior performance in production of quality merchandise.

I commend Pine State Knitwear Co. for its achievement, and I hope that its commitment to quality will serve as a model for other members of this Nation's free enterprise system.

SENATE VOTES TO LIMIT FARM SUBSIDY PAYMENTS TO $20,000 PER PRODUCER

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CONTE. Mr. Speaker, I take the floor to advise my colleagues of a most heartening development that took place in the other body yesterday. By a vote of 40 to 35 an amendment was adopted to the agriculture appropriations bill to limit farm subsidy payments to $20,000 per producer.

This is the same amendment which I have twice offered that has twice passed the House only to be rejected by the other body.

Today's action is a great step forward; for the first time now the other body has adopted a limitation.

Nevertheless, Mr. Speaker, those of us who have fought for this reform must realize that the battle is not yet over. As I said on the floor a month ago the most suitable place to attach a limitation of this kind is on the farm bill itself. Only then will we be able to extend the limitation for the entire life of new farm legislation. Only then will we be able to enact a more comprehensive amendment to prevent evasion of the intent of this amendment by such devices as farm-splitting.

It was for these reasons that on June 9, 1970, 1 month ago today, I opposed the efforts to place a limitation on the agriculture appropriation bill. Before that time and since then, I have met with Secretary Hardin and members of the Agriculture Committee to see if we could reach agreement on an acceptable payment limitation. Despite these efforts, however, there has been no indication that the committee is any closer to an agreement on this question. In view of this, I must now reconsider whether or not to support a motion to instruct our conferees to accept the Senate action.

Unless the committee takes prompt action to report a farm bill with an effective payment limitation provision at a reasonable level, I may be forced to support the efforts to adopt a limitation through the appropriations process. Perhaps this is the only way to secure the reform which this House has so long supported.

GEN. GEORGE CASEY

(Mr. KEITH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KEITH. Mr. Speaker, a week ago today, I was with General George Casey at his command headquarters in South Vietnam. To hear that he is now missing somewhere in the jungle of Vietnam is difficult to contemplate.

In my conversations with General Casey, who is from North Scituate in my district, I found him to be more than just a military man, more than just a division commander or a tactician. I found him to be a man interested in the far broader aspects of foreign policy than just the limited part played by military action.

General Casey holds a master's degree in international affairs from Georgetown University's School of Foreign Service and studied for over a year at Harvard University's School of International Studies. He also holds a master's degree in business administration from George Washington University.

In my lengthy private talks with him during my recent trip to Southeast Asia, I was impressed by his overview of the entire political and economic impact of U.S. involvement in Southeast Asia, in addition to his immediate concern with his division's mission and our military presence.

He views the maintenance of the political and military balance of power in Southeast Asia as essential to U.S. interests. This country is a Pacific power, he said, we became such when Hawaii was made our 50th State.

I also asked him how he felt the Cambodian operations fit into the overall efforts of the United States in Southeast Asia. Drawing from his extensive background in foreign affairs and his most recent experience as the commander of the 1st Airborne Cavalry which led the assault on the enemy sanctuaries, he termed the operation essential. He pointed out that the use of Sihanoukville as a port of entry for extensive enemy supplies and the establishment of vast weapons stores just inside Cambodia, was a grave threat to the stability of the military balance of power in Southeast Asia.

His airborne cavalry division flew 8,000 sorties—over 187,000 air hours—in their effort to interdict and disrupt this massive enemy supply operation. As we now know, this operation was a tremendous military success. And, in the context of the overall political, economic and military situation in southeast Asia, this operation will, in the General's view, mean a greater chance for peace and freedom to gain a solid foothold in that embattled part of the world.

Much more was said, Mr. Speaker. Enough to convince me that General Casey is the type of military man this country needs, a man dedicated not just to winning wars but to winning a just world peace. I hope and know that the recue efforts will be successful.

MAJ. GEN. GEORGE W. CASEY—MISSING IN ACTION

(Mr. ADAIR asked and was given permission to address the House for 1 minute.)

Mr. ADAIR. Mr. Speaker, I want to join with the gentleman from Massachusetts in his expressions of admiration for General Casey and his abilities, and also to join him in his expression of deep concern at the fact that this great American, together with some other American servicemen, is missing in action.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. I would also like to be associated with the remarks of the gentleman from Massachusetts, and would also comment that the gentleman from Indiana and myself on June 29 were with General Casey. We were with him when the last American troops were withdrawn from Cambodia. I certainly hope that there is hope that General Casey and the six Americans who were lost with him will be found alive and safe. I thank the gentleman for yielding.

AMERICAN CASUALTIES IN VIETNAM LOWEST IN MORE THAN 3½ YEARS

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, much has been said and much has been written about the President's decision on Cambodia. I want to tell my colleagues a piece of news that I heard on the radio this morning in light of that decision. American casualties in Vietnam last week were 61, the lowest in over 3½ years. I know that my colleagues will share with me the hope that this trend will continue until it reaches a point of zero.

USE ARAB PLANES AS BASIS FOR REPLACING ISRAELI LOSSES

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, some of the best minds in the world have been puzzled by the conflicting claims about the Arab and Israeli aircraft losses. It seems the Israelis will make a raid on a missile base around the Suez Canal, and the Arabs will say that six aircraft have been shot down and the Israelis will say one has been shot down.

It appears to me, Mr. Speaker, there is a simple way to resolve this, so we can ascertain what are the true facts. President Nixon has clearly stated we are going to maintain the balance of power in the Middle East. This means replacing of the aircraft which are lost by Israel.

Mr. Speaker, I would like to suggest that for the purpose of replacing aircraft losses, any time the Arabs claim an excessive number of aircraft as being shot down, that this figure be used by the United States when replacing the aircraft lost by the Israelis.

COOPER-CHURCH AMENDMENT DOES NOT TIE PRESIDENT'S HANDS

(Mr. RIEGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIEGLE. Mr. Speaker, when the Military Sales Act is taken up today, I intend to seek recognition to move to instruct the House conferees to accept the Cooper-Church amendment.

There may not be time to debate in detail what this amendment does, but let me summarize two or three main points.

First of all, it is in direct concert with the Cambodian policy objectives announced by President Nixon. It does not tie the President's hands. Under the Constitution, he is always free to come to Congress and seek any kind of specific war authority he may think necessary.

If I am recognized by the Speaker, I will make the motion to instruct, and should a subsequent effort be made to table my motion, I hope the tabling motion would be defeated so we can get a straight up-and-down vote on the Cooper-Church amendment.

COOPER-CHURCH AMENDMENT CLEARLY RESTRICTS AND TIES HANDS OF A PRESIDENT

(Mr. WRIGHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WRIGHT. Mr. Speaker, the gentleman from Michigan (Mr. RIEGLE), commented that he would offer a motion today to instruct conferees to accept the so-called Cooper-Church amendment. In support of that, he said the amendment was in keeping with the President's program and that it would not tie the hands of the President.

Let us not deceive ourselves. I cannot recall a single historic precedent in which the Congress or any responsible part of the Congress in a time of military conflict has attempted so clearly to restrict and tie the hands of a President in the exercise of his responsibilities as Commander in Chief, as the Cooper-Church amendment would do.

The amendment not only says we cannot help the Cambodians, but it also says we cannot help anybody who wants to help the Cambodians.

The amendment not only prohibits funds for supporting any American forces in Cambodia; it prohibits any U.S. personnel from advising or assisting in the training of Cambodian personnel.

As I read the amendment, it would prohibit us from assisting financially in the cases of other Asian forces which might volunteer to help Cambodia defend its independence. It even would prevent our engaging in any aerial activities in support of Cambodian defense forces.

In other words, what the Cooper-Church amendment amounts to is an open invitation to the North Vietnamese to go ahead and take over Cambodia by force if they can, with the advance assurance that we shall not lift a finger to help the defenders and we will not help anybody who wants to help the defenders.

If this is not tying the hands of the President, I frankly do not know what you could call it.

This amendment would tie our own hands and announce to the world that they are tied. Certainly it would be a great encouragement to the North Vietnamese to continue to press their invasion of Cambodia.

Clearly it could not encourage them to come to terms at the negotiating table as the President has been attempting to do.

The amendment cuts the ground from under the President both in his efforts to negotiate peace and in his efforts as Commander in Chief of the military forces. It clearly reduces his options.

The potential harm which this amendment could inflict upon our efforts to terminate that war successfully so far outweighs any conceivable good it might accomplish, that I cannot conceive of the House agreeing to any such provision.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I agree with the gentleman from Texas.

As for the statement of the gentleman from Michigan (Mr RIEGLE) about what the amendment would do to the White House, I would say the gentleman's pipeline to the White House, if he ever had one, is pretty badly plugged up.

COOPER-CHURCH AMENDMENT WOULD HAMSTRING ANY PRESIDENT ON SOUTHEAST ASIA POLICY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, let me say there is no question about it that the gentleman from Texas is correct that this so-called Cooper-Church amendment would, in effect, hamstring and tie the hands of the President of the United States, whether it is this President or any President, in reference to foreign policy in Southeast Asia.

May I say without hesitation or qualification that the President of the United States fully agrees with the action which we plan to take today to table the motion of the gentleman from Michigan (Mr. RIEGLE) so that the conferees can go to the conference and come back with good legislation without the provisions of the Cooper-Church amendment as passed by the Senate.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT INVOLVES ITSELF IN FOREIGN AFFAIRS

(Mr. WALDIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDIE. Mr. Speaker, just prior to coming to the floor of the House I received an interesting phone call which I should like to relate to the Members.

A young lady from the Department of Housing and Urban Development, just prior to my coming to the floor of the House, called me. Our conversation went roughly as follows: "Congressman, do you recall me?" I said, "No, not precisely." She said, "Well, I was in your office a month ago when you had some residents from your district seeking a grant from this Department to assist in your area." I said, "Yes, I do recall." She said, "I am calling today to urge your support of the President's position in opposition to the Cooper-Church amendment." I said, "It seems strange to me that the Department of Housing and Urban Development would be so interested in supporting the President's position on the Cooper-Church amendment. It does seem unusual to me that the affairs of your Department encompass this broad spectrum."

I indicated it seemed equally unusual to me that the only agency with which I have been in contact seeking anything for my district since this administration has been in office would assign the single person in that agency, as minimal in importance as she might be, to contact me to urge support of the President on this particular motion.

I interpreted the comment as a veiled though thinly veiled, threat that were I not to be found in the right column on this vote that grant would be in jeopardy. I assured the young lady I would not be found in the right column on this vote.

THE VOTE ON THE COOPER-CHURCH AMENDMENT

(Mr. FRASER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRASER. Mr. Speaker, the words of the gentleman from California are true. I have spoken to two other colleagues on the floor within the past 10 minutes, and they, too, have been called by representatives of the Department of Housing and Urban Development, linking inquiries about local projects with the vote on the Cooper-Church amendment.

There is no doubt about it—the President is doing everything in his power, with the cooperation of many Members of this House, to try to gain votes against the Cooper-Church amendment.

If the Congress is to abdicate any policy direction with respect to the engagement of American Armed Forces abroad, then we should vote to table this motion to instruct the conferees. If the minority leader believes it is in the interests of this Nation to give the President an unbridled and unrestrained hand to commit American forces wherever and whenever he may choose, then he will vote to table this instruction and those supporting unrestrained Executive power will vote with him.

If Members believe the time has come for the Congress to exercise its constitutional responsibilities—and they are spelled out in the Constitution—then one should vote against tabling the instruction and tell the President that the American people, through their Representatives, are speaking for restraint on the most important issue of today.

TELEPHONE CALLS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I am very interested in these comments about calls from the Department of Housing and Urban Development.

I am just wondering if I can get with the gentlemen privately and get the phone numbers of these people, because up to now I have not been able to get anybody down there to talk to me, and I am open to negotiation.

CONTACT OF MEMBERS OF CONGRESS BY GOVERNMENT AGENCIES

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I was somewhat amazed at the two recent statements made by the gentleman from California and the gentleman from Minnesota. I suppose my question should be: So what is new now? Those of us who have been around here for some time have gone through this very same experience year after year regardless of what party is in power. Nothing new has been added. The procedure is merely repetitious. Do not get excited about it. I happen to be one of those who, when the President of the United States happened to be a man named Jack Kennedy and a President named Lyndon Johnson, they did not call me from any of their departments, because it so happened these individuals were my Presidents and I believed it was my duty, acting in the welfare of the country, that I support the President of the United States regardless of party affiliation. That is all there is to it.

THE COOPER-CHURCH AMENDMENT

(Mr. McCLORY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCLORY. Mr. Speaker, in our action today on the Military Sales Act—H.R. 15628—some will attempt to define and elaborate on constitutional issues affecting the respective prerogatives of the President and the Congress in the area of foreign policy.

However, the so-called Cooper-Church amendment is neither a precise nor accurate statement of the role of the Congress in connection with the President's primary responsibilities in the area of foreign policy and as Commander in Chief of our Armed Forces.

It should be clear to all that the President has evolved a new foreign policy which departs dramatically from a policy which our Nation has pursued for 25 years.

The Nixon doctrine assures the complete withdrawal of our American combat forces from South Vietnam at the earliest possible time. The President's policy also provides for a reduction of our military involvement elsewhere—and the assumption of major responsibilities by those nations themselves which are threatened by enemy attack.

The President has made good on his promises to withdraw American forces from Vietnam and from Cambodia. In addition, it was announced within the last few hours that 40 percent of our American forces in South Korea would be brought home.

President Nixon's policy is one which I support—and which I believe is best for our Nation and for the entire free world. The slogan "Back Nixon for Peace" makes sense to me. At the present time, I would not want to back any other person in our Government who may claim that he has a better plan—or a sounder foreign policy for the guidance of our Nation. Of course, there is no feasible way in which to substitute the judgment of some other such person for the President of the United States.

In voting against a motion to instruct the managers on the part of the House to accept the so-called Cooper-Church amendment, I am convinced that I am voting for peace in Southeast Asia and elsewhere—and that I am reposing confidence in the most capable hands which are avialable in this critical period of our history—those of President Nixon.

This is not intended as an answer to the difficulty constitutional issue which has been raised both before and following the Cambodian operation. This subject deserves careful and thoughtful attention and concern. It is my hope that the House bill—H.R. 18205—of which I am a sponsor, now being heard by the House Foreign Affairs Committee, will make it possible to resolve that issue for the benefit of this and future Presidents and Congresses.

APPOINTMENT OF CONFEREES ON S. 3215, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. PERKINS, THOMPSON of New Jersey, BRADEMAS, REID of New York, and SCHERLE.

APPOINTMENT OF CONFEREES ON H.R. 15628, FOREIGN MILITARY SALES ACT

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15628) to amend the Foreign Military Sales Act, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. FRASER. Mr. Speaker, I object.

MOTION OFFERED BY MR. MORGAN

Mr. MORGAN. Mr. Speaker, pursuant to the provisions of clause 1, rule XX, and by direction of the Committee on Foreign Affairs, I move to take from the Speaker's table the bill (H.R. 15628) to amend the Foreign Military Sales Act, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Pennsylvania (Mr. MORGAN) is recognized for 1 hour on his motion.

Mr. MORGAN. Mr. Speaker, I have no desire to use any time and there has been no request for any time, and in an effort to move the legislation along I will move the previous question.

Mr. WYDLER. Mr. Speaker, today I have voted to send the foreign military sales bill to conference with the Senate. This bill is essential to our national defense and that of our allies in both the Far East and Mideast.

I urge the conference to report a bill back quickly so that we might have the means to supply Israel with needed military equipment at a time when Communist pressure is being applied against her in the Middle East.

The so-called Cooper-Church amendment, although vague in its wording, could serve to indicate congressional concern with the Far East situation, but its prohibition against paying salaries to all persons engaged in any combat activity in support of Cambodian forces should be removed. I want Asia forces to join together and fight together so that American forces can come home. I want to encourage such activity and to help those resisting communism in the Far East.

XUM

The words of this amendment are so broad that they could prohibit U.S. contributions to the U.N. to provide a United Nations peacekeeping force to Cambodia.

In my judgment this provision is against U.S. interests and sets a bad precedent for those countries engaged in the fight against communism around the world.

We should be encouraging nations in the world to join together to fight their own battles against communism and not restricting our efforts and their efforts toward this end.

I believe such a prohibition should be stricken and that the conference should reach quick agreement on the bill so that the President will have the power and means necessary to help our friends and allies.

Mr. FISH. Mr. Speaker, the purpose of the Cooper-Church amendment passed by the Senate and added to the Foreign Military Sales Act is to prevent the United States from becoming involved through the use of American combat forces in the defense of another Southeast Asian government, and through such a defense becoming involved in a widened Vietnam war.

This was the purpose of an amendment adopted by the Congress last December which was aimed at forbidding the use of American combat forces in Laos and Thailand. Cooper-Church is the extension of that same prohibition to Cambodia.

If adopted, the Cooper-Church amendment would:

First, bar funds for reintroducing American forces into Cambodia;

Second, prohibit funds either directly or indirectly for American advisers for the Cambodian military forces;

Third, prohibit the payment by the United States of salaries of mercenaries to fight in Cambodia; and

Fourth, it would also forbid the financing of aerial activity in direct support of Cambodian forces.

The Cooper-Church amendment would not prevent:

First, "hot pursuit" by American forces of enemy troops into the Cambodian sanctuaries;

Second, artillery fire from South Vietnam at enemy forces threatening our troops from Cambodia;

Third, interdiction by our Air Force of enemy supplies and troops moving along the Ho Chi Minh trail and other routes used to bring men and material to South Vietnam; and

Fourth, military assistance to the Cambodian government in the form of small arms and supplies.

Thus, the Cooper-Church amendment not only is directly in line with the amendment of last December prohibiting the use of American ground combat forces in Laos and Thailand, it is in direct agreement with the Nixon doctrine with its pledge of no more Vietnams.

Passage of the Cooper-Church amendment would not abridge any American treaty obligation. It would not prevent this country's efforts to create a Southeast Asian defense organization among the countries directly involved. Its passage would not in any way impinge upon, or weaken the President's powers in any other area of the world.

It does strengthen and encourage the Vietnam troop withdrawal policy initiated by this administration: it emphasizes deescalation after the long years of escalation. Its passage would, I believe, also state the belief of Congress in the need for national priorities in foreign and military affairs, in the same sense that this body has often addressed itself in the past year and one-half to the need for new priorities in domestic affairs.

Thus, the Cooper-Church amendment would not hinder or bar administrative freedom of action in Western Europe, in our relations with out NATO allies, or in the Middle East. If it did, I would be the first to vote against it.

Rather, its adoption would clearly state that in the view of this Congress there is a time and a place for all things. That to stand firm against Communist aggression in a rice paddy may be virtuous, but in the priorities of a Western industrial nation it holds little meaning if because of that stand that same aggressor extends its influence over continents.

I am, of course, speaking of the critical situation in the Middle East. Since my election to Congress, I have strongly supported President Nixon's policy of withdrawal from Vietnam, as it has been my belief that only through such a withdrawal could this Nation gain flexibility in areas of the world of greater importance to our national interest. I have repeatedly warned that while this Nation bled and died in the rain-soaked jungles on the outer fringe of the vast Asian Continent, Russia has been moving steadily into an area vital not only to the United States, but to Western Europe.

For 6 long years while this Nation has concentrated its entire foreign and military energies on an area of little strategic and no historic interest to the United States, Russia has quietly moved into a position of dominance in an area of historic and strategic importance for the entire Western World. While we have torn the unity of this Nation in a no-win war in an area that even were we successful, it would bear little meaning to the vital interests of this Nation, Russia has moved a modern fleet into the Mediterranean, with major bases in that important sea and in the Indian Ocean. While we have divided and torn the spirit of this land and watched our best young men fight and die half way around the world, Russia has moved to dominate the entire north African littoral.

While, in the name of American might we have stood knee deep in a rice paddy, we have frittered away every opportunity to protect our own self interest in an area which provides three-quarters of free world oil. We have done this through concentration on Vietnam and Vietnam alone. We have done this until today we have only one friend or ally in that entire area and that is Israel. We have done it until President Nixon has had to warn of the imminent danger of confrontation of the super powers in the Middle East.

For those who equate a defense of Vietnam as of the same magnitude as a defense of Israel and our position in North Africa, Western Europe, and the Mediterranean, I would point out that such an equation in my mind would be like attempting to equate a defense of Madagascar in World War II as of the same importance as a defense of Britain.

Thus, I do not view adoption of Cooper-Church as a conflict between administration and Congress. Rather I view it as a cooperation between the two branches of our Government. I see it as the legislative branch saying to the administrative branch: "You are correct in your policy of disengagement and withdrawal in Indochina. You are correct in your view that a wider war in that area of the world would serve no vital interest of this Nation. We applaud your policy which has so dramatically in only 18 months turned disastrous escalation into deescalation. We support your move from war to peace."

Mr. Speaker, in my view Cooper-Church would strengthen America's position in the world. It would clearly show that the administration and Congress are one in their determination to end this long-drawn war, and that we stand unified in desiring peace. It would also serve notice to the Communist world that we are moving to regain flexibility in our foreign and military policies, and that they will no longer be able to take over the living room of the Western World while we expend our resources on the back alleys of the Asian Continent.

Mr. PELLY. Mr. Speaker, the question before the House concerns the Cooper-Church amendment to the Military Sales Act.

Mr. Speaker, during the long debate in the Senate on the Cooper-Church Amendment, I read the newspapers and even the Congressional Record discussions on the various amendments having to do with the Indochina War, but I must admit the full implication of these various amendments that were adopted are rather vague. Before I vote to instruct our conferees to accept the Senate language that has been added to the Military Sales Act, I would want a full explanation as to what it does and what it does not do.

However, what worries me about instructing our managers on the part of the House that they must take the Senate language as it comes from the Senate is something else. I hear, and I am convinced it is true, that if we instruct our conferees, there will be no bill; that it will never get out of conference. My fear is that if the Military Sales Act is not enacted, the effect on the Middle East situation could be very serious in that it would prevent any action on our part to maintain a balance of power between Israel and the Soviet backed Arabs.

The Soviet operation of SA-III missiles against Israeli aircraft in the Suez Canal battle zone represents a further and unprecedented phase of direct Russian military escalation in the Middle East. Yet, if the Congress fails to pass the Military Sales Act and it dies in conference, any chance then of obtaining the funds for supplying Israel Phantom jets appears doomed; so regardless of the merits of the Cooper-Church amendment, I cannot vote in a way that would preclude keeping a balance of power in the Middle East for peace.

This is a difficult bargain for many, Mr. Speaker, but as President Nixon pointed out in his television interview last week, the situation in the Middle East probably is far graver than that in Indochina, and I would hope that in conference the Cooper-Church amendment in a form more acceptable to all, including the President, could be arrived at.

I have always opposed any arms race, and I do so in the matter of sending arms to the Middle East. However, it is merely a practical matter that these jets are needed by Israel simply to maintain a balance. It is the Soviet Union that is feeding the arms race by their power play in the Middle East. What the Russians seek is to dictate the terms of a new Mideast order, one which in deference to the client states will deny Israel both peace and security.

This is the crux of the issue now being contested along the Suez Canal cease-fire line. The battle is a crucial one because on its outcome depends the future national integrity of democratic Israel and also, in large measure, the future course of the Middle East as a whole.

Mr. Speaker, I urge that the Senate-passed Military Sales Act be sent to conference without instructions, and let us then get on with providing necessary military balance of military might needed in the Middle East.

Mr. PODELL. Mr. Speaker, on June 30, the U.S. Senate took an historic step toward reestablishing the traditional balance of power between Congress and the Executive.

I support the motion to instruct in the fervent hope that the House of Representatives will join the Senate in reaffirming the constitutional right of Congress to declare war and regulate the military.

When this body was called upon to consider the Foreign Military Sales Act in April, the idea of the United States invading Cambodia was so remote as to be inconceivable. Almost unanimously, we agreed to strict limitations on American involvement in Laos and Thailand. But the very thought of our expanding the war into tiny, neutralist Cambodia was so unbelievable that this body did not bother to enact written limitations.

What happened next is now one of the saddest pages in our Nation's history. On April 30, just 6 days after this body passed the foreign military sales bill, with prohibitions on our becoming involved in Laos and Thailand, the President did what we had thought was too inconceivable to consider. Without the consultation or consent of Congress, the President plunged our Nation headlong into war in Cambodia.

What warped delusions of conquest and grandeur led to such an incredible blunder? We can only guess.

We now know, however, that from start to finish, the President's invasion of Cambodia was a horrifying and complete failure.

Let us compare the President's promises about the Cambodian venture with what actually happened.

In his April 30 declaration of invasion, the President promised to "attack the headquarters for the entire Communist military operation in South Vietnam." This "headquarters" was never even found.

The President promised that his invasion of Cambodia would reduce American casualties in Vietnam. There has been no such reduction.

The President promised that his invasion of Cambodia would limit the scope of the Indochina war. The Communists now control more of Cambodia than they did prior to April 30.

The President promised that by June 30 the entire invasion, including air support for South Vietnamese troops in Cambodia, would be ended. It is now mid-July, and we are still risking the lives of American flyers over Cambodia skies.

Finally, and most tragically, Mr. Speaker, we have learned that news of soon-to-be-replaced supplies we have captured cannot drown out the cries of our wounded in Cambodia, or the sobs of those at home who have lost loved ones as a result of the President's disgraceful escapade.

We have learned that we cannot end one illegal war by trampling over our Constitution on the way to another illegal war.

I ask the Members of this House to join our colleagues in the Senate in saying, "We must face our responsibility and share with the President the burden of foreign policymaking."

I ask the Members of this House to join our colleagues in the Senate in saying, "We will have no more illegal wars."

Mr. SCHWENGEL. Mr. Speaker, today I cast my vote against the previous question on the motion to send the Foreign Military Sales Act to conference.

My vote reflected a desire on my part to have more extended debate on the various amendments added by the Senate, particularly the Cooper-Church amendment.

Mr. Speaker, the Senate spent a considerable amount of time debating this legislation. It seems to me we could spend at least 1 hour debating and discussing the amendments of the Senate before we send the bill to conference.

In addition, Mr. Speaker, I voted against the motion to table the motion to instruct the House conferees to accept the Cooper-Church amendment as adopted by the Senate. My strong feeling is that we should face head on the issue presented by the Cooper-Church amendment.

We in the Congress have too often been accused of "ducking" issues. The adoption of the motion to, in effect, table the House allows the House to avoid the direct question on the Cooper-Church amendment. In my opinion, we should have met the issue head on. We should have been ready and willing to take a stand on the Cooper-Church amendment.

It is my hope, Mr. Speaker, that we will yet have the opportunity to vote on the Cooper-Church amendment.

Mr. KEITH. Mr. Speaker, when I was in Southeast Asia recently with the House Select Committee studying recent developments there, I was particularly interested in learning what the chances were for success of the Nixon doctrine after U.S. involvement in that region is ended. The chances seem slim unless the nations of Southeast Asia evidence more interest in regional cooperation and in preparations for their own defense. If the countries of the region are to be impressed with the need for developing their own initiative, the United States must first make it plain that under the situation as it now exists we contemplate no expansion of our military presence in Southeast Asia to fight the other nations' battles for them.

The Cooper-Church amendment is a vehicle by which Congress can, in the case of Cambodia, clarify the limits of American support and intervention. If it passes we can still provide weapons and economic assistance for the defense of Cambodia but the Lon Nol government will be on notice that on it rests the primary burden for its own defense. Similarly, the other nations of the region will, by passage of Cooper-Church, be made to realize the need for reliance on their own initiatives and manpower to preserve the stability of Southeast Asia.

Mr. Speaker, much of the dissatisfaction in the country with our involvement in Vietnam results from the failure of Congress to carry out its foreign policy role and exercise its war powers. It is essential, therefore, if we are to avoid a more divided nation and involvement in another protracted war in Southeast Asia, that Congress reassert its right specifically to debate and act on further American military involvement in the region.

I have no doubt that the President is sincere in his stated intention to refrain from direct military aid to the Lon Nol Government. However, the future holds many uncertainties among them the possibility that the President may decide that his goal of a just peace in Vietnam cannot be achieved without an American presence in neighboring Cambodia. Such a decision could contain the seeds of another Vietnam. I do not believe the President should make such a move without consulting Congress and receiving its approval for his proposed course of action.

We have come to the realization that our interests are best served by phasing out our commitment in Southeast Asia. The Cooper-Church amendment is in line with this policy of requiring local forces to assume the burden of their own defense and I urge concurrence in the Senate's approval of this measure.

Mr. COHELAN. Mr. Speaker, I urge the conferees to accept the Cooper-Church amendment.

I know that the various parliamentary maneuvers that will take place might obscure the substantive and symbolic meaning of the Cooper-Church amendment. What does it mean substantively? It correctly provides that another direct U.S. military operation into Cambodia must have congressional approval. This is long overdue. I do not denigrate the power of the President as Commander in Chief, but as Members of Congress, we do have constitutional responsibilities in the conduct of our Nation's foreign policy. The Cooper-Church amendment reaffirms, in part, this congressional responsibility to seek congressional authorization for a major U.S. military involvement.

There are other worthwhile substantive features of the Cooper-Church amendment. There are prohibitions against the direct or indirect use of American advisers in Cambodia. This prohibition could prevent the creeping commitment that inexorably lured us in the Vietnam quagmire. I am hopeful that the prohibition against direct air support for the Cambodian Army will have a similar effect, but reports from Cambodia suggest that the military interpretation of U.S. air interdiction will be justified as support of American troops. Still, with this prohibition on record, the administration will be on notice that the Congress does not want another Vietnam or an Indochina war.

On the symbolic level, I feel the Cooper-Church amendment has much more import. It is another opportunity for the Congress to exercise its constitutional prerogative in the conduct of our foreign policy. It has been correctly asserted that the executive branch has primary responsibility for foreign policy, but the abnegation of congressional responsibility cannot be allowed to continue. I have utilized every means to persuade, encourage, and force the incumbent President to end our untenable Vietnam commitment.

We are now offered another opportunity to act assertively and constructively. The Cooper-Church amendment reaffirms the obligation of the President to consult with the Congress and seek approval for major military involvements. This is the first step. The next will come next month when I with other concerned Members will offer an amendment to the DOD appropriations bill to provide the fixed and orderly withdrawal of all U.S. troops from Vietnam, the amendment to end the war.

Mr. Speaker, the time has come for action. As elected Representatives, we have the obligation to act and extricate ourselves from this quagmire. We are all painfully aware that this undeclared war has caused or exacerbated our domestic crisis. It has caused death and destruction with little tangible results except in the heartbreak of the families of our dead and maimed soldiers, a broken and crushed Southeast Asia, a decimated civilian population. This is graphic testimony to the bankruptcy of our Vietnam policy. If the President is not willing to act then the Congress must assume the burden. The Cooper-Church is another step in taking this responsibility.

I urge the conferees, whatever the results of the House action today to accept the Cooper-Church amendment. Congress as an institution for too long has passively accepted Executive decisions. It is time to act.

Mr. ADAIR. Mr. Speaker, I rise to ask the Members of this body to register their support today for those who will be named as conferees to the House-Senate Conference on the Foreign Military Sales Act, H.R. 15628.

This will be a most difficult conference. A number of points have been added to the bill by the Senate, which will require a most careful review by the House conferees.

This will be a conference in which your conferees will need the highest degree of flexibility in order to achieve a reasonable compromise—a compromise that will be acceptable to the House.

I believe that the situation developing in the Near East is causing many people to become increasingly aware that this legislation provides a vital tool to those who seek to find ways to support our friends and allies in that area.

This is only one of many reasons why the conferees should be given the maximum opportunity to cope with a fast-changing situation.

Mr. THOMPSON of New Jersey. Mr. Speaker, I am outraged that the House of Representatives did not fully debate or vote on the Cooper-Church amendment to the Foreign Military Sales Act.

For more than 7 weeks the other body debated, argued, agonized over whether the Congress had the right and responsibility to withhold funds for the continuation of military operations in Cambodia after July 1, 1970.

The Cooper-Church amendment passed in the other body, and it fell to the Members of this House to decide if we were prepared to follow suit and reassert congressional control and authority over the warmaking powers.

Unhappily, Mr. Speaker, the House of Representatives did not accept and in reality could not even face up to this responsibility. Working in collusion with the White House, the leadership on both sides could not arrange for even 1 hour of general debate. Imagine that—the 435 Members of the House of Representatives had collectively less than 60 minutes to discuss a matter of grave national consequence. With a singularly collective callousness toward the citizens whom we represent, the House leadership allowed less than 14 seconds per Member for us to debate the question of war and peace.

The antiquated rules of the House of Representatives must be reformed and radically revised. The Members of the House must be allowed adequate time to debate and fully explore the vital national problems which face us. More importantly we must be able to vote on these vital substantive questions; and our individual votes should be clearly recorded for our constituents and all the American people to see.

The American people have a right to expect that their representatives will forthrightly accept and exercise their constitutional responsibilities to order national priorities.

The American people have a right to know that their representatives are debating and voting on vital national issues.

The American people have a right to know how their elected representatives vote in Congress.

The rules and procedures of this House must become more responsive to the mood of the times and to the people.

If America is proud of being an "open society," let us in this same spirit open the debates and votes of the House of Representatives to the scrutiny of all.

I had planned, Mr. Speaker, to join in the general debate urging the House to adopt the Cooper-Church amendment. Unfortunately, I was not permitted to speak. Had I spoken, I would have said the following:

We Must Support the Cooper-Church Amendment

Mr. Speaker, I strongly urge the House to accept the Cooper-Church Amendment as contained in the revised Foreign Military Sales Act now before us. The Cooper-Church Amendment, in keeping with the declared objectives of the President, prohibits the expenditure of funds to support the involvement of U.S. forces in Cambodia after July 1, 1970, without explicit Congressional approval.

All American forces have now been withdrawn from Cambodia. This amendment prohibits the reintroduction of U.S. forces into Cambodia, outlaws the use of American air power in support of Cambodian troops, stops the use of American advisors operating to support Cambodian military operations, and, finally, prohibits American funds from supporting third country mercenary operations in Cambodia.

These provisions, Mr. Speaker, are eminently sound. One need not go too far back in history to recall the quagmire into which America fell because we had "advisors" in Vietnam; and it makes little sense for the American taxpayer to subsidize the use of Thai or Vietnamese or any other "foreign" Asian troops in Cambodia through the payment of under-the-counter subsidies to foreign countries.

The Cooper-Church Amendment in no way undermines the Constitutional power of the President as Commander-in-Chief. The President would still retain full power to do whatever is necessary to protect the lives of our troops wherever they may be deployed. This is a vital point.

I support this Amendment, Mr. Speaker, as a minimum first step toward restricting U.S. military involvement in Indochina and reasserting Congressional prerogatives over the war-making power. I am an original sponsor of what is now H.R. 1000 which will cut off all funds for U.S. military activity in Vietnam, Cambodia, and Laos after July 1, 1971. This is the House version of the "McGovern-Hatfield Amendment" which I hope will be taken up and passed by both bodies without further delay.

Weeks ago, Mr. Speaker, I warned that the United States might be supporting military action in Cambodia through the "backdoor" via Thailand. Subsequent development have shown all too clearly that my fears were indeed being realized. By adopting the Cooper-Church Amendment the House will effectively cut off all backdoor financing for the Cambodian military operations. And hopefully our action will serve as a precedent to eliminate all American "backdoor" support for military operations anywhere in the world.

If America is to become involved in military action on any continent, let the Congress openly discuss and approve such action. The power and dignity of the Congress

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itself is directly at stake. Passage of this amendment will be an explicit recognition of our determination to reassert our Constitutional prerogatives and squarely meet our Constitutional responsibilities.

To do less, Mr. Speaker, would be to abdicate our mandate from the electorate to reorder our national priorities.

Mr. BROWN of Michigan. Mr. Speaker, although the dissatisfaction, which I share with many, about the Southeast Asian situation gives popular appeal to proposals such as the Cooper-Church amendment, I think it is intellectually and legislatively dishonest to single out one geographic area where such a restrictive provision on use of funds may have greater popularity and pretend that other potential Vietnams do not exist.

The proponents of this amendment contend that their efforts are aimed at restoring to the Congress its proper constitutional role in warmaking decisions; yet, the substance of what they propose hardly scratches the surface of this very basic and fundamental question.

How can the so-called antiwar Members of Congress decry the violence and "warmongering" tendencies of this Nation insofar as our involvement in Vietnam is concerned and, yet, not take any steps to preclude such violence and "warmongering" by unilateral act of the President in the Middle East, Europe, South, and Latin America, Africa, and other places in the world? And, how can the so-called antiwar Members of Congress decry the disastrous effort on financing of our domestic needs by the drain on our Federal budget caused by our involvement in Southeast Asia and, yet, not only not object to financial commitments for military sales in all parts of the world but actively be frontline supporters of the "sale" of over $1 million Phantom jets to Israel?

Do you think that the people of this Nation are so stupid as to fail to see the intellectual and legislative dishonesty—the intellectual and legislative inconsistency—of these positions?

I totally concur with the premise that the Congress must immediately devote its best thinking and efforts to a better delineation of the powers of the President as Commander in Chief vis-a-vis the powers of the Congress with respect to this Nation's military activities and commitments under our constitutional mandate for a separation of powers. But, this effort, this duty, this obligation, must be directed at all military activities, involvements, and commitments, not just to one existent involvement too geographically limited at best and post facto in its application at worst. Are we to assume that the fuzzy thinking of the proponents of this type proposal will await each new involvement unilaterally entered into by the President as Commander in Chief for the taking of similar "after the fact" action and expect to be praised and honored for their efforts as they do on this occasion of our involvement in Southeast Asia?

It is my fervent hope that not only the Congress, but the people of this Nation will reject this superficial, and probably counterproductive attempt toward discharge of the Congress' responsibility on this fundamental issue.

It is my fervent hope that there will be popular rejection of this bandaid solution and equally popular demand that the Congress enact legislation giving "to the President the things that are the President's and to Congress, the representative of the people, the things that are the Congress'."

Just as the fathers of our Constitution attempted to make this delineation of authority and responsibility between the President and the Congress with respect to the warmaking power, so must we for today make applicable, useful, and effective that which has been so conceptually established by our forefathers in our Constitution.

I have held the belief and totally concur with those who contend that the "declaration of war" contemplated by the framers of our Constitution is obsolete today, although their concept of a separation of the warmaking power—the military action commitment power—between the President and the Congress is still valid.

> The claim has been made that where authorization is needed nothing short of a formal declaration of war will satisfy the Constitution's demand for congressional control of the war power. It is difficult, though, to find any rationale for such a claim. In addition to *the obsolescence and general undesirability of a formal declaration today,* the claim finds support neither in the language of the Constitution, the intent of the framers, the available historical and judicial precedents nor the purposes behind the clause. (Emphasis added.)
>
> Congress, the President, and the Power To Commit Forces To Combat—*Harvard Law Review,* vol. 81, June 1968.

For myself, I suggest that we terminate the rhetoric, speechmaking, and extended debate and put our hearts and our minds into a sincere effort toward resolution of this fundamental and inescapable problem. For myself, I have already spent hours and days toward the finding of a legislative solution which will comprehensively, and on a functional basis, establish the limits of the Presidential and congressional authority and responsibility. I am satisfied that such guidelines can be established and that we can, for today and tomorrow—in this age of nuclear weaponry and world supremacy for this Nation—as clearly set forth the separation of powers as did our forefathers at a time when a fledgling nation the constitutional mandate for separation of powers had application only to a preserving of our independence and campaigns against Indians, where the most potent weapon used was a musket.

Mr. Speaker, I would also like to comment upon the procedural aspects of the motion to instruct the conferees. Frankly, to avoid criticism of "gag rule" I would have preferred to have given the proponents of an instruction of the conferees an opportunity to express their views thereon. However, procedurally, this became impossible. This preference is not expressed because I believe some new argument might be made or new material presented, since I think most of us have followed the extensive debate in the Senate quite closely and even the House had earlier debated the substance of the proposal at some length when this bill was originally before us for consideration. Rather, I dislike any attempt to prevent a reasonable opportunity to be heard by any Member even though he may disagree with the position I support.

Mr. LEGGETT. Mr. Speaker, I have heard it said that President Nixon is the only President we have, and we must back him to the hilt. We must not oppose his present foreign policies, and we must give him carte blanche to do whatever he wishes in the future.

In my view, both the Constitution and common sense require us to reject this line of reasoning. Yes, Mr. Nixon is the only President we have. But a President is neither a king nor a dictator nor a God, even in matters of foreign policy. Nor is he, as is frequently asserted, the Nation's Commander in Chief. He is Commander in Chief of the Armed Forces. This means only that he is superior to every general and admiral; it says nothing about his relationship with the Congress nor with the American people.

By very precisely distributing the power of Government between the various branches, the Constitution explicitly denies the President the power to make certain types of major foreign policy decisions on his own. He cannot bind the country to a treaty without two-thirds concurrence of the Senate. He cannot conduct any military activities at all unless the entire Congress indicates its approval by the authorization-appropriations process.

Although the authority of the Congress to establish policy through the authorization-appropriations process is supreme, as a practical matter it is necessary to leave day-to-day decisions in the hands of the Executive. But today we are not dealing with a day-to-day decision.

We are dealing with the broad policy outlines of the Cooper-Church amendment. This amendment says it is the policy of the Government of the United States not to widen the Vietnam war into Cambodia. It says the U.S. Government shall not send Americans to die in an attempt to preserve the Government of Cambodia. It says the U.S. Government shall not hire troops of other countries to support the Government of Cambodia.

By passing this amendment, we will not be interfering with the powers of the Executive. We will be laying down policy for the Executive to execute. This is what the Constitution says the people of the United States are paying us to do.

Of course, to say the Cooper-Church amendment is constitutional is not to say it is necessarily desirable. But in my view it is most highly desirable.

Four Presidents, from Truman through Johnson, made decisions which progressively led us into the Vietnam quagmire. President Truman chose to support the French in their effort to reestablish colonial domination over Vietnam. When the French effort collapsed, President Eisenhower chose to begin an American effort. President Kennedy chose to expand that effort. And President Johnson chose to commit a half million American combat troops in pursuit of military victory.

I think almost all of us regret these decisions. If we could somehow go back in time and advise these Presidents, our advice at each juncture would be an urgent "Stay out." It is a heck of a lot easier to stay out than to get out once we are in.

Now we are at a similar fork in the road. We must decide whether or not we want to preclude a commitment to the preservation of the Government of Cambodia.

I suggest it is strongly in the national interest to rule out this commitment. The Lon Nol government has precious little to recommend it. It has almost no demonstrated popular support.

The only move Lon Nol has made that has aroused any popular enthusiasm has been the slaughtering of several hundred ethnic Vietnamese civilians, which we can hardly applaud.

All Lon Nol has going for him is his anticommunism, and even this is not very impressive. Two years ago he was selling guns and supplies to the Vietcong. Today he finds anticommunism more profitable. Tomorrow, who knows?

In any case, as we are finding with Ky and Thieu, it takes more than anticommunism to make a viable or desirable government.

Six years ago, Senator Morse warned Senators who were about to vote for the Tonkin Gulf resolution they would live to regret it. During the past few weeks, we have seen Senator after Senator get up on the floor and tell how much he now regrets his vote.

In 1964, we were asked to open a Pandora's box that should not have been opened. We complied. Today we have an opportunity to lock shut a box that should be locked. If we do not avail ourselves of it, we are going to wish we had.

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Mr. DULSKI. Mr. Speaker, I support the Church-Cooper amendment to the Foreign Military Sales Act, H.R. 15628, and I hope very much that the House conferees will go along with the Senate amendment in the forthcoming House-Senate conference.

I opposed U.S. intervention in Cambodia and I feel the Congress should make clear in law its opposition to further extension of our military activity in the Far East.

However, I shall oppose any effort in the House to tie the hands of the House conferees in their negotiations with their Senate counterparts. In particular, I refer to the reported plan to instruct the House conferees to accept the Church-Cooper amendment.

My opposition to this proposed maneuver is one of basic policy on procedure—not the issue. I support the Church-Cooper amendment and hope it will survive the conference.

However, as one who has participated in and chaired numerous House-Senate conferences, I believe it is a serious mistake to freeze the House conferees in advance on any particular point of difference.

For this same reason, I am opposing the effort to freeze the House conferees on the postal reform bill as regards the House-approved so-called right to work provision.

I believe the conferees should have freedom to act within the full range of conference limitations.

When the conference report is returned to the House, the Members then will have the opportunity to act on any specific point in the agreement reached by the conferees. At that time, I hope to have the opportunity to vote in support of the Church-Cooper amendment.

Mr. OTTINGER. Mr. Speaker, the action in the House of Representatives today in regard to the Foreign Military Sales Act and the Cooper-Church amendment was nothing short of disgraceful.

Through a series of parliamentary maneuvers supported by the leadership, the House rejected the Cooper-Church amendment without permitting even the briefest debate on one of the most important issues facing the country.

The Cooper-Church amendment went nowhere near far enough in defining and limiting the power of the Executive to wage war without the consent of Congress. It did, however, represent an important first step in that direction. It also represented the results of 7 weeks of debate in the Senate; yet the House rejected the Senate's proposal in less than 1 hour and without any discussion whatsoever.

One result of this hasty and ill-considered action was to prevent debate on other provisions of this bill. Thus, the House accepted without question or discussion a provision in the Senate version which prohibits the sale of aircraft to any country but Vietnam. By accepting this provision without debate, the House has—perhaps unwittingly—threatened to close the door on the sale to Israel of the jet airplanes that are so badly needed to preserve the balance of peace in the Middle East and offset Russian missile installations in Egypt.

The day was not totally without gain, however. It did produce a record vote on the Cooper-Church amendment. This was not the final chance for the House to act on the Foreign Military Sales Act. Eventually the House will again have an opportunity to pass on the results of the Senate-House Conference. Those interested in seeing Congress exert its authority in ending the war in Indochina now have a check list of the Congressmen who need further attention from their constituents.

Through its actions today the House once again abrogated the responsibilities of the legislative branch to serve as check and balance to the Executive. By supplementing parliamentary maneuvers for public debate on important issues, the House has again dramatized the urgent need for reform of the legislative process to make Congress truly representative and responsive.

I urge the Senate to hold firm in its position. I also urge that the hundreds of thousands of concerned citizens continue and even redouble their efforts to persuade those representatives who voted against the Cooper-Church amendment today of the need for the House to accept its responsibilities to end the Indochina war.

Mr. BINGHAM. Mr. Speaker, today the House of Representatives has an opportunity to join with the Senate in reasserting the prerogative of the Congress on basic questions of peace and war. This should be done by instructing our House conferees to accept the Cooper-Church amendment with regard to Cambodia, which was so overwhelmingly adopted by the Senate.

I understand that when the motion to instruct the conferees is made, a move will be made to table that motion. I hope the move to table will be defeated, as its passage will foreclose any possibility of debate in the House on the merits of Cooper-Church and also will prevent a clear-cut vote on that issue.

Until about 6 o'clock last night, no decision had been made as to when this matter would be brought before the House in the form of a motion to proceed to conference. At that point, apparently, the administration decided that today would be a good day for a vote on Cooper-Church in the House, and the House leadership inexplicably went along with the administration. Today strenuous efforts were made to persuade the leadership to put the matter off for a few days—until Tuesday next—but without avail. It is hard to understand—or indeed to tolerate—such procedure.

The issue presented by the Cooper-Church amendment is one of the most important to come before the Congress this year. The Senate devoted 7 weeks to debating it. Yet the House of Representatives not only permits no debate on the issue, but refuses to provide a few days for the Members to reflect on the matter and for the American people, understanding that a vote is to be taken at a certain time, to have an opportunity to make their voices heard.

By so doing, the House demeans itself and demeans the American system of government.

I want to refer also to the outrageous way in which the administration has been trying to mobilize support for its position. We have heard this afternoon of Members being pressured by the Department of Housing and Urban Development, with not-so-veiled threats that if they want any HUD projects in their districts they had better support the President on Cooper-Church.

This is bad enough. But far more serious is the apparent attempt by the administration to make the State of Israel a hostage to Mr. Nixon's determination to have a free hand to carry on our military misadventures in Southeast Asia. Representatives of the administration have been trying to exploit congressional concern for the security of Israel to influence the House vote on the Cooper-Church amendment. They have been suggesting that the President will be forced to veto the Foreign Military Sales Act if it is passed with the Cooper-Church language, and that this will leave the President with no authority to make sales of jets to Israel. This is a real problem only to the extent the President wants to make it so. A Presidential veto of the Foreign Military Sales Act would not put a ban on the sale of jets to Israel, as the administration has darkly implied. There are ample alternative methods for the Congress to assure U.S. support of Israeli security. Jets could be made available to Israel under the military assistance program, for example. If necessary, appropriate language could be added to the defense appropriation bill for fiscal year 1971 currently under consideration in the Senate, and I understand that at least one Senator has indicated he is ready to propose such an amendment.

According to press reports, the President is inclined to regard the situation in the Middle East as far more serious than the situation in Southeast Asia. In terms of the gravity of a new kind of Soviet intervention and in terms of the degree of interest which the United States has in the area, I am wholly in agreement with that assessment.

Surely, then, the President is not going to allow a difference of opinion with the Congress on Cambodia to prevent the United States from making available to Israel the equipment she needs for her defense, a matter on which the President and the Congress are, in principle at least, fully agreed.

Mr. MORGAN. Mr. Speaker, I move the previous question on the motion.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FRASER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 247, nays 143, not voting 41, as follows:

[Roll No. 207]

YEAS—247

Abbitt
Abernethy
Adair
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Byrnes, Wis.
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Cowger
Crane
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dennis
Dent
Derwinski
Dickinson
Dorn
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards, Ala.
Erlenborn
Eshleman
Evins, Tenn.
Fallon
Feighan
Fisher
Flood
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fuqua
Gallagher
Garmatz
Goldwater
Goodling
Gray
Green, Oreg.
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hays
Hébert
Henderson
Hogan
Holifield
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Kazen
Kee
King
Kleppe
Kluczynski
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lloyd
Lujan
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McFall
McKneally
McMillan
MacGregor
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Mayne
Michel
Miller, Calif.
Mills
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morgan
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Neal, Ga.
Passman
Patman
Pelly
Perkins
Pettis
Pickle
Pirnie
Poage
Poff
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Reid, Ill.
Rhodes
Rivers
Roberts
Rogers, Fla.
Rostenkowski
Roth
Roudebush
Rousselot
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schmitz
Schneebeli
Scott
Sebelius
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Waggonner
Wampler
Watkins
Watson
Watts
Whalley
White
Whitehurst
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wright
Wylie
Wyman
Yatron
Young
Zablocki
Zion
Zwach

NAYS—143

Adams
Addabbo
Anderson, Calif.
Barrett
Biaggi
Biester
Bingham
Blatnik
Boland
Brademas
Brasco
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Celler
Chisholm
Clay
Cohelan
Conte
Conyers
Corman
Coughlin
Culver
Daniels, N.J.
Dellenback
Diggs
Dingell
Donohue
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Farbstein
Fascell
Fish
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Horton
Howard
Hungate
Jacobs
Johnson, Calif.
Karth
Kastenmeier
Keith
Koch
Kyros
Long, Md.
Lowenstein
McCarthy
Macdonald, Mass.
Madden
Matsunaga
Meeds
Melcher
Mikva
Miller, Ohio
Minish
Mink
Moorhead
Morse
Mosher
Moss
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patten
Philbin
Pike
Preyer, N.C.
Randall
Rees
Reid, N.Y.
Reuss
Riegle
Robison
Rodino
Roe
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ruppe
Ryan
St Germain
Scheuer
Schwengel
Smith, Iowa
Stafford
Stanton
Stokes
Stuckey
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Weicker
Whalen
Widnall
Wolff
Wyatt
Wydler
Yates

NOT VOTING—41

Anderson, Ill.
Andrews, N. Dak.
Ashley
Aspinall
Bell, Calif.
Broomfield
Brown, Calif.
Bush
Caffery
Carey
Cramer
Daddario
Dawson
Denney
Devine
Edwards, La.
Findley
Gettys
Hansen, Wash.
Kirwan
Kuykendall
Leggett
Long, La.
McDonald, Mich.
McEwen
Meskill
Morton
Nedzi
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Rarick
Reifel
Rogers, Colo.
Saylor
Shipley
Sisk
Whitten
Wilson, Charles H.

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote

Mr. Long of Louisiana for, with Mr. Carey against.

Mr. Gettys for, with Mr. Brown of California against.

Mr. McEwen for, with Mr. Nedzi against.

Mr. Rarick for, with Mr. Leggett against.

Mr. Whitten for, with Mr. Dawson against.

Mr. Caffery for, with Mr. Powell against.

Mr. Reifel for, with Mr. Shipley against.

Mr. Morton for, with Mr. Podell against.

Mr. Kuykendall for, with Mr. Ashley against.

Mr. Devine for, with Mrs. Hansen of Washington against.

Mr. Denney for, with Mr. Kirwan against.

Mr. Cramer for with Charles H. Wilson against.

Mr. Bush for, with Mr. Pepper against.

Until further notice:

Mr. Aspinall with Mr. Pollock.

Mr. Rogers of Colorado with Mr. Andrews of North Dakota.

Mr. Sisk with Mr. Bell of California.

Mr. Pryor of Arkansas with Mr. Findley.

Mr. Edwards of Louisiana with Mr. McDonald of Michigan.

Mr. Daddario with Mr. Meskill.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. MORGAN. Mr. Speaker, notwithstanding the fact that the previous question has been ordered on my motion to go to conference, I ask unanimous consent that there now be 1 hour of debate, one-half to be controlled by myself and one-half by the gentleman from Michigan (Mr. Riegle) who has announced that he will propose a motion to instruct the conferees.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. Morgan).

The motion was agreed to.

MOTION OFFERED BY MR. RIEGLE

Mr. RIEGLE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Riegle moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 15628 be instructed to agree to that part of Senate amendment numbered 3 designated as section 7.

PARLIAMENTARY INQUIRY

Mr. HAYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HAYS. Mr. Speaker, in the event a motion to table the motion offered by the gentleman from Michigan (Mr. Riegle) is not made, and there is an hour's debate on the motion, who will control the time?

The SPEAKER. The Chair will state that the gentleman from Michigan (Mr. Riegle) will control the time.

MOTION TO TABLE OFFERED BY MR. HAYS

Mr. HAYS. Mr. Speaker, I offer a motion to table.

The Clerk read as follows:

Mr. Hays moves to lay on the table the motion offered by Mr. Riegle.

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The SPEAKER. The question is on the motion offered by the gentleman from Ohio (Mr. Hays) to lay on the table the motion offered by the gentleman from Michigan (Mr. Riegle).

Mr. YATES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HAYS. Mr. Speaker, I have been prevailed upon to attempt to withdraw my motion on the understanding that there will be some equal division of time, and if it is not too late I would ask unanimous consent to withdraw my motion to lay on the table the motion offered by the gentleman from Michigan (Mr. Riegle).

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. SCHERLE. Mr. Speaker, I object.

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The question was taken; and there were—yeas 237, nays 153, answered "present" 1, not voting 40, as follows:

[Roll No. 208]

YEAS—237

Abbitt
Abernethy
Adair
Albert
Anderson, Tenn.
Andrews, Ala.
Arends
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Byrnes, Wis.
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Cowger
Crane
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dennis
Dent
Derwinski
Dickinson
Dorn
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards, Ala.
Erlenborn
Eshleman
Evins, Tenn.
Fallon
Feighan
Fisher
Flood
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fuqua
Goldwater
Goodling
Gray
Green, Oreg.
Griffin
Gross
Grover
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hays
Hébert
Henderson
Hogan
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones. N.C.
Jones, Tenn.
Kazen
Kee
King
Kleppe
Kluczynski
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lloyd
Lujan
Lukens
McClure
McCulloch
McClory
McFall
McKneally
McMillan
MacGregor
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Mayne
Michel
Miller, Calif.
Mills
Minshall
Mize
Mizell
Mollohan
Montgomery
Morgan
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
O'Neal, Ga.
Passman
Patman
Pelly
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Price, Tex.
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Rhodes
Rivers
Roberts
Rogers, Fla.
Roth
Roudebush
Rousselot
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schmitz
Scott
Sebelius
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Snyder
Springer
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
Whalley
White
Whitehurst
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wright
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—153

Adams
Addabbo
Alexander
Anderson, Calif.
Annunzio
Ashley
Barrett
Biaggi
Biester
Bingham
Blatnik
Boland
Brademas
Brasco
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Celler
Chisholm
Clay
Cohelan
Conte
Conyers
Corman
Coughlin
Culver
Daddario
Daniels, N.J.
Dellenback
Diggs
Dingell
Donohue
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Farbstein
Fascell
Fish
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Horton
Howard
Hungate
Jacobs
Johnson, Calif.
Karth
Kastenmeier
Keith
Koch
Kyros
Long, Md.
Lowenstein
McCarthy
McCloskey
McDade
Macdonald, Mass.
Madden
Matsunaga
Meeds
Melcher
Mikva
Miller, Ohio
Minish
Mink
Monagan
Moorhead
Morse
Mosher
Moss
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patten
Philbin
Preyer, N.C.
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Reuss
Riegle
Robison
Rodino
Roe
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
Scheuer
Schneebeli
Schwengel
Smith, Iowa
Smith, N.Y.
Stafford
Stanton
Stokes
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Weicker
Whalen
Widnall
Wolff
Wyatt
Yates
Yatron

ANSWERED "PRESENT"—1

Gubser

NOT VOTING—40

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Bell, Calif.
Broomfield
Brown, Calif.
Bush
Caffery
Carey
Cramer
Dawson
Denney
Devine
Edwards, La.
Findley
Gettys
Hansen, Wash.
Holifield
Kirwan
Leggett
Long, La.
McDonald, Mich.
McEwen
Meskill
Morton
Nedzi
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Rarick
Reifel
Rogers, Colo.
Saylor
Shipley
Sisk
Teague, Tex.
Whitten
Wilson, Charles H.

So the motion to table was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Reifel for, with Mr. Gubser against.

Mr. Caffery for, with Mr. Aspinall against.

Mr. Gettys for, with Mr. Shipley against.

Mr. Rarick for, with Mr. Pepper against.

Mr. Long of Louisiana for, with Mr. Charles H. Wilson against.

Mr. McEwen for, with Mr. Nedzi against.

Mr. Whitten for, with Mr. Podell against.

Mr. Devine for, with Mr. Dawson against.

Mr. Denney for, with Mr. Carey against.

Mr. Morton for, with Mr. Brown of California against.

Mr. Andrews of North Dakota for, with Mr. Leggett against.

Mr. Bell of California for, with Mr. Powell against.

Mr. Bush for, with Mr. Kirwan against.

Mr. Cramer for, with Mr. Saylor against.

Mr. Pollock for, with Mrs. Hansen of Washington against.

Until further notice:

Mr. Holifield with Mr. Broomfield.

Mr. Sisk with Mr. Anderson of Illinois.

Mr. Pryor of Arkansas with Mr. Findley.

Mr. Edwards of Louisiana with Mr. Rogers of Colorado.

Mr. Teague of Texas with Mr. McDonald of Michigan.

Mr. GUBSER. Mr. Speaker, I have a live pair with the gentleman from South Dakota (Mr. Reifel). If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. Morgan, Zablocki, Hays, Adair, and Mailliard.

APPOINTMENT OF CONFEREES ON S. 1076, YOUTH CONSERVATION CORPS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1076) to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes, with a House amendment thereto, insist upon the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. Perkins, Daniels of New Jersey, O'Hara, Hathaway, William D. Ford, Meeds, Burton of California, Mrs. Green of Oregon, and Messrs. Hawkins, Gaydos, Scherle, Quie, Esch, Steiger of Wisconsin, Erlenborn, Eshleman, and Collins.

GENERAL LEAVE TO EXTEND

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record upon the military sales bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 17070, POSTAL REORGANIZATION AND SALARY ADJUSTMENT ACT OF 1970

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 17070) to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

Mr. **HENDERSON**. Mr. Speaker, reserving the right to object—and I do not intend to object to the request of the gentleman from New York (Mr. Dulski), the chairman of our committee—I take this time to advise the House that I shall seek recognition to make a motion to instruct the conferees in respect to the language in the House-passed bill guaranteeing to postal employees their right to join or refrain from joining labor unions. We had extensive debate on this issue when H.R. 17070 was before the House on June 17, and at the conclusion of that debate, the house voted overwhelmingly, 179–95, to write into the bill the following language:

> Each employee of the Postal Service has the right freely and without fear of penalty or reprisal, to form, join or assist a labor organization or to refrain from any such activity, and each employee shall be protected in the exercise of this right.

Despite obvious attempts to create a smokescreen and to suggest that the original bill does not change existing law regarding compulsory unionism, I want to make the point once again that under existing law, including Executive orders which have the force and effect of law, there is no way a union shop can come into existence in the Federal service. Under the provisions of the Senate version of H.R. 17070, the Postal Authority and the unions could negotiate a union shop, or a union shop could be brought into existence through binding arbitration. This would mean that a long-time, efficient career employee could be faced with the choice of joining a union or losing his job. Let me make it clear that we are not arguing here for a National right to work law. We are not arguing for an amendment to the Taft-Hartley Act. We are simply saying that every American citizen should have the right to work for his Government without being compelled to join a labor union. I do not believe that the majority of the American people want us to enact a law which can result in making competent, efficient postal employees choose between joining a union against their will or losing their jobs.

Mr. Speaker, this position has been editorially supported by leading newspapers throughout the Nation including the Washington Evening Star, the New York Times, the New York Daily News, the Cincinnati Enquirer, the Lancaster, Pa., New Era, the Macon, Ga., News, the Phoenix Republic, the Chicago Daily News, the Dallas Times-Herald, the Newark Evening News, the St. Louis Post-Dispatch, the Philadelphia Bulletin, the St. Louis Globe-Democrat, the Baltimore Sun, the Worcester, Mass., Telegram, the Goldsboro, N.C., News-Argus, the Chicago Tribune, and many, many others. I urge my colleagues to protect the traditional freedom of all Federal employees to join or refrain from joining a labor organization.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **HENDERSON**. I am happy to yield to the gentleman from Iowa.

Mr. **GROSS**. And the vote by which the House expressed its support for the freedom of choice amendment was taken only 3 weeks ago, and by a margin of approximately 2 to 1 the amendment of the gentleman from North Carolina was adopted; is that true?

Mr. **HENDERSON**. The exact vote was 179 to 95.

Mr. **GROSS**. I thank the gentleman.

Mr. **HENDERSON**. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

Mr. **DERWINSKI**. Mr. Speaker, reserving the right to object, if I may have the attention of the chairman of the committee, is it the intention of the chairman to move to table the motion to be offered by the gentleman from North Carolina?

Mr. **DULSKI**. Mr. Speaker, will the gentleman yield?

Mr. **DERWINSKI**. Yes, I yield to the gentleman from New York.

Mr. **DULSKI**. Definitely.

Mr. **DERWINSKI**. Mr. Speaker, may I first commend the chairman for being consistent in his principles and consistent with the position he has previously taken.

Recognizing the parliamentary complications, may I point out to the Members that we want to go to conference on postal reform and the only way we can get this right-to-work labor issue out of the way is to instruct the House conferees in such a way as to eliminate it from consideration in conference. Therefore in the interest of postal reform we should support the gentleman from North Carolina.

May I say that the postal unions are not at all upset by this development. They primarily want a pay raise. Most postal workers are union members, so this is an academic issue with them.

The Postmaster General is rather disturbed that the right-to-work issue, actually complicated postal reform. We can remove this issue once and for all by instructing the conferees and then we can proceed to write a proper postal reform bill.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from New York (Mr. Dulski)?

There was no objection.

MOTION OFFERED BY MR. HENDERSON

Mr. **HENDERSON**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. Henderson moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 17070, be instructed to insist on the provision beginning on page 32, line 6, which reads as follows:
>
> "(b) Each employee of the Postal Service has the right, freely and without fear of penalty or reprisal, to form, join, and assist a labor organization or to refrain from any such activity, and each employee shall be protected in the exercise of this right."

MOTION TO TABLE OFFERED BY MR. DULSKI

Mr. **DULSKI**. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

> Mr. Dulski moves to lay on the table the motion offered by Mr. Henderson.

The **SPEAKER**. The question is on the motion to table offered by the gentleman from New York (Mr. Dulski).

Mr. **DULSKI**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 154, nays 229, not voting 48, as follows:

[Roll No. 209]

YEAS—154

Adams
Addabbo
Albert
Anderson, Calif.
Annunzio
Ashley
Barrett
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Celler
Chisholm
Clark
Clay
Cohelan
Conte
Conyers
Corman
Culver
Daddario
Daniels, N.J.
Delaney
Dellenback
Dent
Diggs
Dingell
Donohue
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Fulton, Pa.
Gallagher
Garmatz
Gaydos
Giaimo
Gilbert
Gonzalez
Gray
Green, Pa.
Griffiths
Gude
Halpern
Hanley
Hanna
Harrington
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
Kluczynski
Koch
Kyros
Lowenstein
McCarthy
McDade
McFall
Macdonald, Mass.
Madden
Mailliard
Matsunaga
Meeds
Melcher
Michel
Mikva
Miller, Calif.
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Nix
O'Hara
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patten
Perkins
Philbin
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Reuss
Riegle
Rodino
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
Scheuer
Smith, Iowa
Slack
Stafford
Staggers
Stokes
Stratton
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Whalen
Wolff
Wyatt
Yates
Yatron
Zablocki

NAYS—229

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Arends
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Betts
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Brotzman
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Cowger
Crane
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dennis
Derwinski
Dickinson
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fallon
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gibbons
Goldwater
Goodling
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hamilton
Hammerschmidt

Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Henderson
Hogan
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Kazen
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lloyd
Long, Md.
Lujan
Lukens
McClory
McCloskey
McClure
McCulloch
McKneally
McMillan
MacGregor
Mahon
Mann
Marsh
Martin
Mathias
May
Mayne
Miller, Ohio
Mills
Minshall
Mize
Mizell
Montgomery
Myers
Natcher
Nelsen
Nichols
Obey
O'Neal, Ga.
Passman
Patman
Pelly
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Tex.
Purcell
Quie
Quillen
Railsback
Reid, Ill.
Rhodes
Rivers
Roberts
Robison
Roe
Rogers, Fla.
Roth
Roudebush
Rousselot
Ruppe
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Vander Jagt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wright
Wydler
Wylie
Wyman
Young
Zion
Zwach

NOT VOTING—48

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Bell, Calif.
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Bush
Caffery
Carey
Cramer
Cunningham
Dawson
Denney
Devine
Edwards, La.
Findley
Gettys
Green, Oreg.
Hansen, Wash.
Heckler, Mass.
Jacobs
Kirwan
Leggett
Long, La.
McDonald, Mich.
McEwen
Meskill
Morse
Morton
Murphy, N.Y.
Nedzi
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Randall
Rarick
Reifel
Rogers, Colo.
Saylor
Shipley
Sisk
Waldie
Whitten
Wilson, Charles H.

So the motion to table was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Shipley for, with Mr. Caffery against.

Mr. Pepper for, with Mr. Long of Louisiana against.

Mr. Podell for, with Mr. Gettys against.

Mr. Leggett for, with Mr. Rarick against.

Mr. Aspinall for, with Mr. Edwards of Louisiana against.

Mr. Murphy of New York for, with Mr. Whitten against.

Mr. Carey for, with Mr. Anderson of Illinois against.

Mr. Nedzi for, with Mr. Devine against.

Mr. Brown of California for, with Mr. Cramer against.

Mr. Charles H. Wilson for, with Mr. Denney against.

Mr. Saylor for, with Mr. Broyhill of North Carolina against.

Mr. Waldie for, with Mr. Morton against.

Until further notice:

Mr. Meskill with Mr. Andrews of North Dakota.

Mr. Jacobs with Mr. Bell of California.

Mr. Kirwan with Mr. Broomfield.

Mr. Pryor of Arkansas with Mrs. Heckler of Massachusetts.

Mr. Randall with Mr. Bush.

Mr. Rogers of Colorado with Mr. Cunningham.

Mr. Sisk with Mr. Findley.

Mr. Powell with Mr. Brown of Ohio.

Mrs. Green of Oregon with Mr. McDonald of Michigan.

Mrs. Hansen of Washington with Mr. McEwen.

Mr. Dawson with Mr. Reifel.

Mr. Pollock with Mr. Morse.

The result of the vote was announced as above recorded.

The **SPEAKER**. The gentleman from North Carolina (Mr. HENDERSON) is recognized.

Mr. **HENDERSON**. Mr. Speaker, as I said in my remarks under a reservation of objection, this issue has been fully and completely debated with both sides having been afforded full opportunity to express their views.

I believe all Members are fully aware of the nature and purpose of my motion.

I am happy to yield at this time to the chairman of our full committee, the gentleman from New York (Mr. DULSKI) such time as he may consume.

Mr. **DULSKI**. Mr. Speaker, I thank the gentleman from North Carolina (Mr. HENDERSON).

Mr. Speaker, I rise in opposition to the motion to instruct the conferees. The House conferees on H.R. 17070 should go to the conference unhindered by any instructions from the House on this very complicated bill.

Unfortunately, one of the most controversial issues that has arisen in connection with this bill involves the question of the right of postal employees under the new agency to negotiate the union shop.

The conferees should be afforded the opportunity to work this issue out without being hindered by binding instructions from the House.

The bill reported from our committee, and approved by the House, provided that labor-management relations in the new Postal Service shall be subject to the National Labor Relations Act. Under section 14(b) of that act, a union shop could be negotiated as a part of a collective bargaining agreement except in those States having a right-to-work statute. Consequently, a union shop could not be enforced in the 19 States having right-to-work statutes.

The House adopted an amendment offered by the gentleman from North Carolina to the committee-reported bill, providing that an employee of the new Postal Service will have the right to refrain from joining a labor organization.

It is proposed that the conferees be instructed to insist on retaining this amendment as a part of the conference agreement.

The Senate amendment to the House bill contains provisions similar to those adopted by our committee, and does not extend an absolute right for the employees to refrain from joining the union shop in those cases in which the postal employees under free collective bargaining have agreed on a union shop.

Mr. Speaker, I was in favor of the provisions of our bill permitting the negotiations for a union shop. I opposed the amendment to these provisions which was adopted by the House, which would permit an employee to refrain from joining the union, and I continue to be opposed to such provisions.

However, regardless of whether I am in favor of or opposed to this particular proposition, it is much more important to me that conferees not be encumbered by instructions from the House of Representatives which bind their hands on a major issue involved in the postal reorganization.

I strongly urge that the Members vote against the motion to instruct the conferees.

Mr. **TAFT**. Mr. Speaker, as one of the original sponsors of this legislation as proposed by the administration, with some reservations I supported the House bill as amended, and have voted for the motion to instruct House conferees on the Henderson amendment.

As to the House bill, it is a considerable step forward in making it possible to modernize our postal service and to get away from the patchwork straitjacket in which it is now trapped. It will not abandon irretrievably the concern and trusteeship of Congress over the mails and the personnel involved. We can at any time act to change or control the operation which is developed under the new law, but the pressures of political expediency will, at least, be somewhat removed from the operating decisions. Unfortunately, the Senate version weakens the House bill in some degree. The American people by a large percentage are indicating that this type of change is overdue and that the postal service should be self-sufficient and businesslike. I hope the conferees will heed this spirit.

As to the Henderson amendment, the issue seems to me to have been made clear by the failure to include in the bill any exemption or grandfather clause for those already employed, sometimes with many years of service. Thus, without the Henderson amendment the union could, in a union shop situation, through union discipline alone, cause the loss of many years of vested Federal back-service benefits and credits. This is a danger that I wish no part of.

Moreover, without the Henderson amendment, the position of existing and legitimate employee organizations, could be greatly weakened or perhaps even destroyed. I strongly favor bringing effective collective bargaining into the postal service, getting away from the buckpassing delays and demagoguery of congressionally set wage schedules. The union shop bargained for and agreed to, in those States permitting it, is a proper and established procedure in private industry, and with a postal corporation could, where desired, work properly. It would not be a precedent for public employees employed directly by Government. But this does not justify creating a situation in which existing rights of postal workers or their voluntary organizations could be overpowered and wiped out. Without the Henderson amendment, the bill could have those effects.

Mr. **HENDERSON**. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The **SPEAKER**. The question is on the motion offered by the gentleman from North Carolina (Mr. HENDERSON).

XUM

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 228, nays 158, not voting 45, as follows:

[Roll No. 210]

YEAS—228

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Arends
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Betts
Biaggi
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Cowger
Crane
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dennis
Derwinski
Dickinson
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gibbons
Goldwater
Goodling
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Henderson
Hogan
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Kazen
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lloyd
Long, Md.
Lujan
Lukens
McClory
McCloskey
McClure
McCulloch
McKneally
McMillan
MacGregor
Mahon
Mann
Marsh
Martin
Mathias
May
Mayne
Miller, Ohio
Mills
Minshall
Mize
Mizell
Montgomery
Myers
Natcher
Nelsen
Nichols
Obey
O'Konski
O'Neal, Ga.
Passman
Patman
Pelly
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Tex.
Purcell
Quie
Quillen
Railsback
Reid, Ill.
Rhodes
Rivers
Roberts
Robison
Roe
Rogers, Fla.
Roth
Roudebush
Rousselot
Ruppe
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Vander Jagt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wright
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—158

Adams
Addabbo
Albert
Anderson, Calif.
Annunzio
Ashley
Barrett
Bevill
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Celler
Chisholm
Clark
Clay
Cohelan
Conte
Conyers
Corman
Culver
Daddario
Daniels, N.J.
Delaney
Dellenback
Dent
Diggs
Dingell
Donohue
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gaydos
Giaimo
Gilbert
Gonzalez
Gray
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Harrington
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Holifield
Horton
Howard
Hungate
Jacobs
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kee
Kluczynski
Koch
Kyros
Lowenstein
McCarthy
McDade
McFall
Macdonald, Mass.
Madden
Mailliard
Matsunaga
Meeds
Mikva
Miller, Calif.
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Perkins
Philbin
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Reuss
Riegle
Rodino
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
Scheuer
Slack
Smith, Iowa
Stafford
Staggers
Stanton
Stokes
Stratton
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Waldie
Whalen
Wolff
Wyatt
Yates
Yatron
Young
Zablocki

NOT VOTING—45

Anderson, Ill.
Andrews, N. Dak.
Aspinall
Bell, Calif.
Broomfield
Brown, Calif.
Bush
Caffery
Carey
Cramer
Cunningham
Dawson
Denney
Devine
Edwards, La.
Findley
Gettys
Green, Oreg.
Hansen, Wash.
Heckler, Mass.
Hicks
Kirwan
Leggett
Long, La.
McDonald, Mich.
McEwen
Melcher
Meskill
Michel
Morton
Nedzi
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Randall
Rarick
Reifel
Rogers, Colo.
Saylor
Shipley
Sisk
Whitten
Wilson, Charles H.

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Caffery for, with Mr. Podell against.

Mr. Gettys for, with Mr. Pepper against.

Mr. Long of Louisiana for, with Mr. Leggett against.

Mr. Rarick for, with Mr. Aspinall against.

Mr. Edwards of Louisiana for, with Mr. Carey against.

Mr. Whitten for, with Mr. Nedzi against.

Mr. Anderson of Illinois for, with Mr. Shipley against.

Mr. Devine for, with Mr. Brown of California against.

Mr. Morton for, with Mr. Charles H. Wilson against.

Mr. Denny for, with Mr. Powell against.

Mr. Cramer for, with Mr. Kirwan against.

Mr. Bush for, with Mr. Dawson against.

Until further notice:

Mr. Randall with Mr. Cunningham.

Mr. Pryor of Arkansas with Mr. Bell.

Mrs. Green of Oregon with Mr. Andrews of North Dakota.

Mrs. Hansen of Washington with Mrs. Heckler of Massachusetts.

Mr. Hicks with Mr. Broomfield.

Mr. Sisk with Mr. Findley.

Mr. Rogers of Colorado with Mr. McEwen.

Mr. Michel with Mr. Meskill.

Mr. Reifel with Mr. Saylor.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The **SPEAKER.** The Chair appoints the following conferees: Messrs. DULSKI, HENDERSON, OLSEN, UDALL, DANIELS of New Jersey, CORBETT, GROSS, CUNNINGHAM, and DERWINSKI.

PERSONAL EXPLANATION

Mr. BROYHILL of North Carolina. Mr. Speaker, on rollcall No. 209 I am not recorded. I was unavoidably detained on the other side of the Capitol on an important matter. If I had been present I would have voted "nay."

PERSONAL EXPLANATION

Mr. BROWN of Ohio. Mr. Speaker, on rollcall No. 209 I was not present. If I had been present I would have voted "nay."

GENERAL LEAVE

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the motion to instruct conferees on the bill H.R. 17070, and include extraneous matter.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

GOVERNMENT'S ENVIRONMENTALLY RELATED ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-366)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

As concern with the condition of our physical environment has intensified, it has become increasingly clear that we need to know more about the total environment—land, water, and air. It also has become increasingly clear that only by reorganizing our Federal efforts can we develop that knowledge, and effectively ensure the protection, development and enhancement of the total environment itself.

The Government's environmentally-related activities have grown up piecemeal over the years. The time has come to organize them rationally and systematically. As a major step in this direction, I am transmitting today two reorganization plans: one to establish an Environmental Protection Agency, and one to establish, within the Department of Commerce, a National Oceanic and Atmospheric Administration.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Our national government today is not structured to make a coordinated attack on the pollutants which debase the air we breathe, the water we drink, and the land that grows our food. Indeed, the present governmental structure for dealing with environmental pollution often defies effective and concerted action.

Despite its complexity, for pollution control purposes the environment must be perceived as a single, interrelated system. Present assignments of departmental responsibilities do not reflect this interrelatedness.

Many agency missions, for example, are designed primarily along media lines—air, water, and land. Yet the sources of air, water, and land pollution are interrelated and often interchangeable. A single source may pollute the air with smoke and chemicals, the land with solid wastes, and a river or lake with chemical and other wastes. Control of the air pollution may produce more solid wastes, which then pollute the land or water. Control of the water-polluting effluent may convert it into solid wastes, which must be disposed of on land.

Similarly, some pollutants—chemicals, radiation, pesticides—appear in all media. Successful control of them at present requires the coordinated efforts of a variety of separate agencies and departments. The results are not always successful.

A far more effective approach to pollution control would:

—Identify pollutants.

—Trace them through the entire ecological chain, observing and recording changes in form as they occur.

—Determine the total exposure of man and his environment.

—Examine interactions among forms of pollution.

—Identify where in the ecological chain interdiction would be most appropriate.

In organizational terms, this requires pulling together into one agency a variety of research, monitoring, standard-setting and enforcement activities now scattered through several departments and agencies. It also requires that the new agency include sufficient support elements—in research and in aids to State and local anti-pollution programs, for example—to give it the needed strength and potential for carrying out its mission. The new agency would also, of course, draw upon the results of research conducted by other agencies.

COMPONENTS OF THE EPA

Under the terms of Reorganization Plan No. 3, the following would be moved to the new Environmental Protection Agency:

—The functions carried out by the Federal Water Quality Administration (from the Department of the Interior).

—Functions with respect to pesticides studies now vested in the Department of the Interior.

—The functions carried out by the National Air Pollution Control Administration (from the Department of Health, Education, and Welfare).

—The functions carried out by the Bureau of Solid Waste Management and the Bureau of Water Hygiene, and portions of the functions carried out by the Bureau of Radiological Health of the Environmental Control Administration (from the Department of Health, Education, and Welfare).

—Certain functions with respect to pesticides carried out by the Food and Drug Administration (from the Department of Health, Education, and Welfare).

—Authority to perform studies relating to ecological systems now vested in the Council on Environmental Quality.

—Certain functions respecting radiation criteria and standards now vested in the Atomic Energy Commission and the Federal Radiation Council.

—Functions respecting pesticides registration and related activities now carried out by the Agricultural Research Service (from the Department of Agriculture).

With its broad mandate, EPA would also develop competence in areas of environmental protection that have not previously been given enough attention, such, for example, as the problem of noise, and it would provide an organization to which new programs in these areas could be added.

In brief, these are the principal functions to be transferred:

Federal Water Quality Administration. Charged with the control of pollutants which impair water quality, it is broadly concerned with the impact of degraded water quality. It performs a wide variety of functions, including research, standard-setting and enforcement, and provides construction grants and technical assistance.

Certain pesticides research authority from the Department of the Interior. Authority for research on the effects of pesticides on fish and wildlife would be provided to the EPA through transfer of the specialized research authority of the pesticides act enacted in 1958. Interior would retain its responsibility to do research on all factors affecting fish and wildlife. Under this provision, only one laboratory would be transferred to the EPA—the Gulf Breeze Biological Laboratory of the Bureau of Commercial Fisheries. The EPA would work closely with the fish and wildlife laboratories remaining with the Bureau of Sport Fisheries and Wildlife.

National Air Pollution Control Administration. As the principal Federal agency concerned with air pollution, it conducts research on the effects of air pollution, operates a monitoring network, and promulgates criteria which serve as the basis for setting air quality standards. Its regulatory functions are similar to those of the Federal Water Quality Administration. NAPCA is responsible for administering the Clean Air Act, which involves designating air quality regions, approving State standards, and providing financial and technical assistance to State Control agencies to enable them to comply with the Act's provisions. It also sets and enforces Federal automotive emission standards.

Elements of the Environmental Control Administration. ECA is the focal point within HEW for evaluation and control of a broad range of environmental health problems, including water quality, solid wastes, and radiation. Programs in the ECA involve research, development of criteria and standards, and the administration of planning and demonstration grants. From the ECA, the activities of the Bureaus of Water Hygiene and Solid Waste Management and portions of the activities of the Bureau of Radiological Health would be transferred. Other functions of the ECA including those related to the regulation of radiation from consumer products and occupational safety and health would remain in HEW.

Pesticides research and standard-setting programs of the Food and Drug Administration. FDA's pesticides program consists of setting and enforcing standards which limit pesticide residues in food. EPA would have the authority to set pesticide standards and to monitor compliance with them, as well as to conduct related research. However, as an integral part of its food protection activities, FDA would retain its authority to remove from the market food with excess pesticide residues.

General ecological research from the Council on Environmental Quality. This authority to perform studies and research relating to ecological systems would be in addition to EPA's other specific research authorities, and it would help EPA to measure the impact of pollutants. The Council on Environmental Quality would retain its authority to conduct studies and research relating to environmental quality.

Environmental radiation standards programs. The Atomic Energy Commission is now responsible for establishing environmental radiation standards and emission limits for radioactivity. Those standards have been based largely on broad guidelines recommended by the Federal Radiation Council. The Atomic Energy Commission's authority to set standards for the protection of the general environment from radioactive material would be transferred to the Environmental Protection Agency. The functions of the Federal Radiation Council would also be transferred. AEC would retain responsibility for the implementation and enforcement of radiation standards through its licensing authority.

Pesticides registration program of the Agricultural Research Service. The Department of Agriculture is currently responsible for several distinct functions related to pesticides use. It conducts research on the efficacy of various pesticides as related to other pest control methods and on the effects of pesticides on non-target plants, livestock, and poultry. It registers pesticides, monitors their persistence and carries out an educational program on pesticide use through the extension service. It conducts extensive pest control programs which utilize pesticides.

By transferring the Department of Agriculture's pesticides registration and monitoring function to the EPA and merging it with the pesticides programs being transferred from HEW and Interior, the new agency would be given a broad capability for control over the introduction of pesticides into the environment.

The Department of Agriculture would continue to conduct research on the effectiveness of pesticides. The Department would furnish this information to the EPA, which would have the respon-

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sibility for actually licensing pesticides for use after considering environmental and health effects. Thus the new agency would be able to make use of the expertise of the Department.

ADVANTAGES OF REORGANIZATION

This reorganization would permit response to environmental problems in a manner beyond the previous capability of our pollution control programs. The EPA would have the capacity to do research on important pollutants irrespective of the media in which they appear, and on the impact of these pollutants on the total environment. Both by itself and together with other agencies, the EPA would monitor the condition of the environment—biological as well as physical. With these data, the EPA would be able to establish quantitative "environmental baselines"—critical if we are to measure adequately the success or failure of our pollution abatement efforts.

As no disjointed array of separate programs can, the EPA would be able—in concert with the States—to set and enforce standards for air and water quality and for individual pollutants. This consolidation of pollution control authorities would help assure that we do not create new environmental problems in the process of controlling existing ones. Industries seeking to minimize the adverse impact of their activities on the environment would be assured of consistent standards covering the full range of their waste disposal problems. As the States develop and expand their own pollution control programs, they would be able to look to one agency to support their efforts with financial and technical assistance and training.

In proposing that the Environmental Protection Agency be set up as a separate new agency, I am making an exception to one of my own principles: that, as a matter of effective and orderly administration, additional new independent agencies normally should not be created. In this case, however, the arguments against placing environmental protection activities under the jurisdiction of one or another of the existing departments and agencies are compelling.

In the first place, almost every part of government is concerned with the environment in some way, and affects it in some way. Yet each department also has its own primary mission—such as resource development, transportation, health, defense, urban growth or agriculture—which necessarily affects its own view of environmental questions.

In the second place, if the critical standard-setting functions were centralized within any one existing department, it would require that department constantly to make decisions affecting other departments—in which, whether fairly or unfairly, its own objectivity as an impartial arbiter could be called into question.

Because environmental protection cuts across so many jurisdictions, and because arresting environmental deterioration is of great importance to the quality of life in our country and the world, I believe that in this case a strong, independent agency is needed. That agency would, of course, work closely with and draw upon the expertise and assistance of other agencies having experience in the environmental area.

ROLES AND FUNCTIONS OF EPA

The principal roles and functions of the EPA would include:

—The establishment and enforcement of environmental protection standards consistent with national environmental goals.

—The conduct of research on the adverse effects of pollution and on methods and equipment for controlling it, the gathering of information on pollution, and the use of this information in strengthening environmental protection programs and recommending policy changes.

—Assisting others, through grants, technical assistance and other means in arresting pollution of the environment.

—Assisting the Council on Environmental Quality in developing and recommending to the President new policies for the protection of the environment.

One natural question concerns the relationship between the EPA and the Council on Environmental Quality, recently established by act of Congress.

It is my intention and expectation that the two will work in close harmony, reinforcing each other's mission. Essentially, the Council is a top-level advisory group (which might be compared with the Council of Economic Advisers), while the EPA would be an operating, "line" organization. The Council will continue to be a part of the Executive Office of the President and will perform its overall coordinating and advisory roles with respect to all Federal programs related to environmental quality.

The Council, then, is concerned with all aspects of environmental quality—wildlife preservation, parklands, land use, and population growth, as well as pollution. The EPA would be charged with protecting the environment by abating pollution. In short, the Council focuses on what our broad policies in the environmental field should be; the EPA would focus on setting and enforcing pollution control standards. The two are not competing, but complementary—and taken together, they should give us, for the first time, the means to mount an effectively coordinated campaign against environmental degradation in all of its many forms.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The oceans and the atmosphere are interacting parts of the total environmental system upon which we depend not only for the quality of our lives, but for life itself.

We face immediate and compelling needs for better protection of life and property from natural hazards, and for a better understanding of the total environment—an understanding which will enable us more effectively to monitor and predict its actions, and ultimately, perhaps to exercise some degree of control over them.

We also face a compelling need for exploration and development leading to the intelligent use of our marine resources. The global oceans, which constitute nearly three-fourths of the surface of our planet, are today the least-understood, the least-developed, and the least-protected part of our earth. Food from the oceans will increasingly be a key element in the world's fight against hunger. The mineral resources of the ocean beds and of the oceans themselves, are being increasingly tapped to meet the growing world demand. We must understand the nature of these resources, and assure their development without either contaminating the marine environment or upsetting its balance.

Establishment of the National Oceanic and Atmospheric Administration—NOAA—within the Department of Commerce would enable us to approach these tasks in a coordinated way. By employing a unified approach to the problems of the oceans and atmosphere, we can increase our knowledge and expand our opportunities not only in those areas, but in the third major component of our environment, the solid earth, as well.

Scattered through various Federal departments and agencies, we already have the scientific, technological and administrative resources to make an effective, unified approach possible. What we need is to bring them together. Establishment of NOAA would do so.

By far the largest of the components being merged would be the Commerce Department's Environmental Science Services Administration (ESSA), with some 10,000 employees (70 percent of NOAA's total personnel strength) and estimated Fiscal 1970 expenditures of almost $200 million. Placing NOAA within the Department of Commerce therefore entails the least dislocation, while also placing it within a Department which has traditionally been a center for service activities in the scientific and technological area.

COMPONENTS OF NOAA

Under terms of Reorganization Plan No. 4, the programs of the following organizations would be moved into NOAA:

—The Environmental Science Services Administration (from within the Department of Commerce).

—Elements of the Bureau of Commercial Fisheries (from the Department of the Interior).

—The marine sport fish program of the Bureau of Sport Fisheries and Wildlife (from the Department of the Interior).

—The Marine Minerals Technology Center of the Bureau of Mines (from the Department of the Interior).

—The Office of Sea Grant Programs (from the National Science Foundation).

—Elements of the United States Lake Survey (from the Department of the Army).

In addition, by executive action, the programs of the following organizations would be transferred to NOAA:

—The National Oceanographic Data Center (from the Department of the Navy).

—The National Oceanographic Instrumentation Center (from the Department of the Navy).

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—The National Data Buoy Project (from the Department of Transportation).

In brief, these are the principal functions of the programs and agencies to be combined:

The Environmental Science Services Administration (ESSA) comprises the following components:

—The Weather Bureau (weather, marine, river and flood forecasting and warning).

—The Coast and Geodetic Survey (earth and marine description, mapping and charting).

—The Environmental Data Service (storage and retrieval of environmental data).

—The National Environmental Satellite Center (observation of the global environment from earth-orbiting satellites).

—The ESSA Research Laboratories (research on physical environmental problems).

ESSA's activities include observing and predicting the state of the oceans, the state of the lower and upper atmosphere, and the size and shape of the earth. It maintains the nation's warning systems for such natural hazards as hurricanes, tornadoes, floods, earthquakes and seismic sea waves. It provides information for national defense, agriculture, transportation and industry.

ESSA monitors atmospheric, oceanic and geophysical phenomena on a global basis, through an unparalleled complex of air, ocean, earth and space facilities. It also prepares aeronautical and marine maps and charts.

Bureau of Commercial Fisheries and marine sport fish activities. Those fishery activities of the Department of the Interior's U.S. Fish and Wildlife Service which are ocean related and those which are directed toward commercial fishing would be transferred. The Fish and Wildlife Service's Bureau of Commercial Fisheries has the dual function of strengthening the fishing industry and promoting conservation of fishery stocks. It conducts research on important marine species and on fundamental oceanography, and operates a fleet of oceanographic vessels and a number of laboratories. Most of its activities would be transferred. From the Fish and Wildlife Service's Bureau of Sport Fisheries and Wildlife, the marine sport fishing program would be transferred. This involves five supporting laboratories and three ships engaged in activities to enhance marine sport fishing opportunities.

The Marine Minerals Technology Center is concerned with the development of marine mining technology.

Office of Sea Grant Programs. The Sea Grant Program was authorized in 1966 to permit the Federal Government to assist the academic and industrial communities in developing marine resources and technology. It aims at strengthening education and training of marine specialists, supporting applied research in the recovery and use of marine resources, and developing extension and advisory services. The Office carries out these objectives by making grants to selected academic institutions.

The U.S. Lake Survey has two primary missions. It prepares and publishes navigation charts of the Great Lakes and tributary waters and conducts research on a variety of hydraulic and hydrologic phenomena of the Great Lakes' waters. Its activities are very similar to those conducted along the Atlantic and Pacific coasts by ESSA's Coast and Geodetic Survey.

The National Oceanographic Data Center is responsible for the collection and dissemination of oceanographic data accumulated by all Federal agencies.

The National Oceanographic Instrumentation Center provides a central Federal service for the calibration and testing of oceanographic instruments.

The National Data Buoy Development Project was established to determine the feasibility of deploying a system of automatic ocean buoys to obtain oceanic and atmospheric data.

ROLE OF NOAA

Drawing these activities together into a single agency would make possible a balanced Federal program to improve our understanding of the resources of the sea, and permit their development and use while guarding against the sort of thoughtless exploitation that in the past laid waste to so many of our precious natural assets. It would make possible a consolidated program for achieving a more comprehensive understanding of oceanic and atmospheric phenomena, which so greatly affect our lives and activities. It would facilitate the cooperation between public and private interests that can best serve the interests of all.

I expect that NOAA would exercise leadership in developing a national oceanic and atmospheric program of research and development. It would coordinate its own scientific and technical resources with the technical and operational capabilities of other government agencies and private institutions. As important, NOAA would continue to provide those services to other agencies of government, industry and private individuals which have become essential to the efficient operation of our transportation systems, our agriculture and our national security. I expect it to maintain continuing and close liaison with the new Environmental Protection Agency and the Council on Environmental Quality as part of an effort to ensure that environmental questions are dealt with in their totality and that they benefit from the full range of the government's technical and human resources.

Authorities who have studied this matter, including the Commission on Marine Science, Engineering and Resources, strongly recommended the creation of a National Advisory Committee for the Oceans. I agree. Consequently, I will request, upon approval of the plan, that the Secretary of Commerce establish a National Advisory Committee for the Oceans and the Atmosphere to advise him on the progress of governmental and private programs in achieving the Nation's oceanic and atmospheric objectives.

AN ON-GOING PROCESS

The reorganizations which I am here proposing afford both the Congress and the Executive Branch an opportunity to re-evaluate the adequacy of existing program authorities involved in these consolidations. As these two new organizations come into being, we may well find that supplementary legislation to perfect their authorities will be necessary. I look forward to working with the Congress in this task.

In formulating these reorganization plans, I have been greatly aided by the work of the President's Advisory Council on Executive Organization (the Ash Council), the Commission on Marine Science, Engineering and Resources (the Stratton Commission, appointed by President Johnson), my special task force on oceanography headed by Dr. James Wakelin, and by the information developed during both House and Senate hearings on proposed NOAA legislation.

Many of those who have advised me have proposed additional reorganizations, and it may well be that in the future I shall recommend further changes. For the present, however, I think the two reorganizations transmitted today represent a sound and significant beginning. I also think that in practical terms, in this sensitive and rapidly developing area, it is better to proceed a step at a time—and thus to be sure that we are not caught up in a form of organizational indigestion from trying to rearrange too much at once. As we see how these changes work out, we will gain a better understanding of what further changes—in addition to these—might be desirable.

Ultimately, our objective should be to insure that the Nation's environmental and resource protection activities are so organized as to maximize both the effective coordination of all and the effective functioning of each.

The Congress, the Administration and the public all share a profound commitment to the rescue of our natural environment, and the preservation of the Earth as a place both habitable by and hospitable to man. With its acceptance of these reorganization plans, the Congress will help us fulfill that commitment.

RICHARD NIXON.

THE WHITE HOUSE, *July 9, 1970.*

REORGANIZATION PLAN NO. 3 PROVIDING FOR AN ENVIRONMENTAL PROTECTION AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-364)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 3 of 1970, prepared in accordance with chapter 9 of title 5 of the United States Code and providing for an Environmental Protection Agency. My reasons for transmitting this plan are stated in a more extended accompanying message.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 3

of 1970 is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code. In particular, the plan is responsive to section 901(a)(1), "to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business"; and section 901(a)(3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in the plan make necessary the appointment and compensation of new officers as specified in section 1 of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the executive branch who have similar responsibilities.

Section 907 of title 5 of the United States Code will operate to preserve administrative proceedings, including any public hearing proceedings, related to the transferred functions, which are pending immediately prior to the taking effect of the reorganization plan.

The reorganization plan should result in the more efficient operation of the Government. It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action.

RICHARD NIXON.

THE WHITE HOUSE, *July 9, 1970*.

REORGANIZATION PLAN NO. 4 PROVIDING FOR NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN THE DEPARTMENT OF COMMERCE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-365)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 4 of 1970, prepared in accordance with chapter 9 of title 5 of the United States Code. The plan would transfer to the Secretary of Commerce various functions relating to the oceans and atmosphere, including commercial fishery functions, and would establish a National Oceanic and Atmospheric Administration in the Department of Commerce. My reasons for transmitting this plan are stated in a more extended accompanying message.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 4 of 1970 is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code. In particular, the plan is responsive to section 901(a)(1), "to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business;" and section 901(a)(3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in the plan make necessary the appointment and compensation of new officers as specified in section 2 of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the executive branch who have similar responsibilities.

The reorganization plan should result in the more efficient operation of the Government. It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action.

RICHARD NIXON.

THE WHITE HOUSE, *July 9, 1970*.

PRESIDENT NIXON'S REORGANIZATION PLANS

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GERALD R. FORD. Mr. Speaker, the President has sent the Congress reorganization plans aimed at coordinating the Federal role in the nationwide effort to restore our environment.

I congratulate the President. There is no question that we need a strong independent agency to oversee the protection of our total environment. I strongly endorse the President's proposal to create the new Environmental Protection Agency, and I also favor his new National Oceanic and Atmospheric Administration.

As I view the deficiencies in the existing situation, the most compelling reasons for creating an Environmental Protection Agency are the need to provide clear-cut consistent standards for enforcement in the area of industrial pollution and a single Federal agency to which State and local pollution control officials can go for financial support and technical help.

In my view the creation of an independent agency heading up an overall effort to restore our environment is one of the most pressing needs of our time.

I would anticipate widespread support for the President's environmental reorganization plans in the Congress and throughout the country.

Mr. MORTON. Mr. Speaker, today President Nixon has announced plans for a reorganization in the executive branch in order to establish a new independent agency, the Environmental Protection Agency, and to establish the National Oceanic and Atmospheric Administration in the Department of Commerce.

These are two monumental steps forward in the mounting campaign for environmental planning. EPA will bring together the existing governmental activities concerned with the environment into one house. This will work toward eliminating the tremendous overlap and duplication of activity that presently exists with the fragmentation of duties among the many Government agencies.

The establishment of NOAA has been long awaited, and now we can move in the direction of unifying our approach to the problems of the oceans and the atmosphere. NOAA will eliminate duplication of activity and create a center of strength within the civilian sector of the Federal Government.

Mr. Speaker, the President has taken two timely and much needed steps. The efficiency of housing all related responsibilities under one roof will make far more effective each dollar spent in research and development, and facilitate the needed communication for faster progress in cleaning up our environment. I applaud President Nixon for his action, and I look forward with hope to the results of a comprehensive examination of the total effects of pollution.

Mr. WHITEHURST. Mr. Speaker, I welcome the President's announcement of his intention to create a National Oceanic and Atmospheric Administration within the Commerce Department.

What has been a piecemeal effort, scattered far and wide, has been reorganized into a viable, effective plan which will enable the National Oceanic Atmospheric Administration to serve the Nation far better than has been possible in the past.

This combining of atmospheric and oceanic effort under the direction of the Secretary of Commerce is the product of the determination and know-how of an administration dedicated to providing the best possible service for the taxpayer's dollar.

The combining of several projects and programs now being pursued by different agencies of the Government leads to duplication of research effort, and inefficient administration practices. Persons engaged in research often are not aware of findings made by others that could either add to the sum of knowledge in a field of concentration, or could directly relate to it, thereby eliminating unnecessary steps and speeding the effort. Often researchers are faced by a Federal maze in attempting to determine if any investigation has been made on the subject. Knowledge in all areas has been expanding at such a fantastic pace it is difficult for many scientists to keep informed of their own specialty, let alone to stay abreast of developments in closely related fields. Raise this problem to the level of a Federal agency controlling several projects and programs entirely unrelated, except for the fact they are under one department, and one can easily understand the nearly impossible task of easily obtaining information from several different departments.

This is the current status of many projects relating to the environment. One of the main problems is that administration has not kept up with technology.

The creation of NOAA is a step in the right direction, and I find it easy to support it. The combining of the programs directly relates to similar efforts I have made in legislation I have sponsored.

H.R. 715 will amend the rules of the House of Representatives to create a standing committee to which all pollution bills can be referred. It will bring to an end the current situation of almost every committee in the House handling pollution legislation. Leadership and a streamlined method of the legislative

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process will make more efficient congressional action on the pollution problem.

I believe the Nation can expect important achievement from the National Oceanic and Atmospheric Administration. Its creation helps administration catch up with expanding technology.

I am pleased that another reorganization plan announced by the President also provides leadership, planning, and coordination in combating pollution. Reorganization Plan No. 3 establishes the Environmental Protection Agency. The Agency would be structured similar to NASA in that it is directly responsible to the President. It is encouraging that the administration has taken the route of a central agency. The Environmental Protection Agency is similar to an organization proposed in a bill I introduced early this year. H.R. 16414, the Pollution Abatement Act of 1970, establishes the National Environment Control Commission which would have authority to generate and enforce pollution standards, have full power to promulgate all actions involved with the attack, incorporate all future and present pollution programs, and have jurisdiction over more than $10 billion in Federal funds.

I support the President's two reorganization plans. They will clear the way for efficiencies in Agency expenditures and for more efficient research.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the President's reorganization plans.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REORGANIZATION PLAN FOR A NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION

Mr. GARMATZ. Mr. Speaker, the President today delivered his important message to Congress, concerning his reorganization plan for a National Oceanic and Atmospheric Administration—NOAA—and I would like to comment on this plan.

The establishment of NOAA will answer a prime national need—to meet the challenges and the opportunities of our environment in a unified effective way.

The hazards and the promises of that environment have been sharply highlighted in recent years and months. The violence of weather is always with us. The creep of pollution has approached a gallop. The oceans, our least understood resource, are long overdue for exploration and understanding.

In NOAA, there will reside a highly unusual and diverse set of capabilities to meet the problems of land, the sea, and the air. An excellent nucleus for the new organization is in being as the Environmental Science Services Administration. Since 1965, ESSA has had the responsibility for observing, describing, and understanding the geophysical environment, from the ocean floor to upper space. Within the new Administration, the functions of ESSA and the Bureau of Commercial Fisheries, the sea grant program, the U.S. Lake Survey, the Coast Guard data buoy program, the marine sport fish programs of the Bureau of Sports Fisheries, the marine mining technology programs of the Bureau of Mines, and the National Oceanographic Data and Instrumentation Centers will be combined.

Together, they will provide the ingredients for a dynamic Federal effort to serve the Nation's most pressing environmental interests. This grouping of functions will enable the new Administration to achieve far more than would have been possible previously.

The formation of NOAA rather closely parallels the recommendations of the distinguished Stratton Commission, a congressionally chartered body. While the President has not seen fit to make NOAA an independent agency, as the Commission recommended, he has built it well. He has placed it under the energetic and determined leadership of the Secretary of Commerce, and it will be in excellent hands.

I am satisfied that the NOAA concept will serve the Nation well.

Mr. LENNON. Mr. Speaker, today the Congress received the long-awaited administration proposal for the establishment of a National Oceanic and Atmospheric Administration within the Department of Commerce. This Administration would pull together the functions of ESSA, the Bureau of Commercial Fisheries, the Sea Grant program, the U.S. Lake Survey, the Coast Guard data buoy program, the marine sport fisheries, the marine mining technology programs of the Bureau of Mines, and the National Oceanographic Data and Instrumentation Centers.

I think it is appropriate at this time for us to review the role that Congress has played in the area of marine affairs over the last 10 years. The Congress, in its wisdom and foresight, saw fit to recognize the importance of oceanography in 1959, when the Subcommittee on Oceanography was established within the Committee on Merchant Marine and Fisheries. After 7 years of investigation and work, that subcommittee, of which I am now chairman, sponsored the bill which was to become the Marine Resources and Engineering Development Act of 1966. That Act established a National Council on Marine Resources and Engineering Development, a Cabinet-level coordinating body chaired by the Vice President. It also created the Commission on Marine Science, Engineering, and Resources, a panel of 15 highly qualified and distinguished citizens, chaired by Dr. Julius Stratton, presently chairman of the board of the Ford Foundation. The Commission was directed to make recommendations on how best to organize the Federal Government for oceanography.

In January 1969, the Stratton Commission made its landmark report, "Our Nation and the Sea," and the Committee on Merchant Marine and Fisheries immediately commenced hearings directed toward its implementation. In July of last year I introduced a bill to create a National Oceanic and Atmospheric Agency, and I was joined in that endeavor by our distinguished chairman, EDWARD A. GARMATZ, of Maryland, and the entire Subcommittee on Oceanography. That bill was reported unanimously from the subcommittee and is now pending before the full committee.

Today's action by the administration indicates support for the recommendations of the Stratton Commission. I am gratified to note that the President's program duplicates the one proposed in "Our Nation and the Sea," except in two respects. First, the proposed new Administration would not be independent, as we would have it, but instead reports directly to the Secretary of Commerce. Second, the bill considered by the subcommittee included the Coast Guard in order to provide the kind of broad-based operational support that the agency needs. The Coast Guard, in our judgment, has the ability, the training, and the experience in this area. While the President has not seen fit to include the Coast Guard in his proposal, there is no doubt in my mind that it will continue to have a vital cooperative role in marine affairs in the future.

ESSA, of course, will be the cornerstone to the new agency. Our committee has had experience in dealing with ESSA in the past, and I am glad to see their expertise included. The tie-in between the oceans and the atmosphere makes it imperative that ESSA's talents be fully utilized.

As a member of the Subcommittee on Fisheries and Wildlife Conservation, I am also pleased to see that the fisheries of the United States are being given much needed attention in the new agency.

Mr. Speaker, the oceans are truly the Nation's last great resource. They must be conserved as well as explored and utilized. Science, engineering, law, and politics must join hands to assure a rational regime for the oceans and the atmosphere. The action taken today by the President is a first step in that direction. I support it.

I know that the Secretary of Commerce recognizes the new and challenging responsibilities that NOAA presents, and that he will react with imagination and boldness to work toward the accomplishment of the broadly based objectives so clearly stated in the Stratton Commission report.

For my part, I believe that the Congress must move decisively to provide the legislative support that will be required for new programs. I know that the Subcommittee on Oceanography stands ready to begin by providing these innovative and important new initiatives.

REORGANIZATION PLAN ESTABLISHING THE ENVIRONMENTAL PROTECTION AGENCY—EPA

(Mr. ERLENBORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERLENBORN. Mr. Speaker, the President is submitting to the Congress Reorganization Plan No. 3 of 1970, establishing the Environmental Protection Agency—EPA—as a new, independent agency within the executive branch.

The EPA brings together in a single organization the major Federal pollution control programs now existing in four separate agencies and one interagency council. The creation of the EPA fulfills the President's pledge of February 10, 1970, to recommend improved administrative machinery to meet the current pollution crisis. The EPA will have an estimated fiscal year 1971 budget of $1.4 billion and 5,650 personnel, and consist of the following components:

The Federal Water Quality Administration—FWQA—now in the Department of the Interior;

The National Air Pollution Control Administration—NAPCA—now in the Department of Health, Education, and Welfare;

Parts of the Environmental Control Administration—Bureaus of Solid Waste Management, Water Hygiene, and a portion of the Bureau of Radiological Health—also from HEW;

The pesticides research and standard-setting program of the Food and Drug Administration, HEW;

The pesticides registration authority of the Department of Agriculture;

Authority to perform general ecological research, from the Council on Environmental Quality—CEQ;

Certain pesticide research authorities of the Department of the Interior;

The environmental radiation protection standard-setting function of the Atomic Energy Commission;

The functions of the Federal Radiation Council—FRC.

The mission of the EPA is to organize the fight against environmental pollution on an integrated basis which acknowledges the critical relationships between pollutants, forms of pollution, and control techniques. Although each of the units listed above presently carries out similar pollution control functions, each is typically concerned with a single pollutant or source—radiation, pesticides—a single environmental medium—air, water, food—or a limited aspect of the total problem—health or economic effects, esthetics. This fragmentation of effort has resulted in confusion and overlap, some delay in the recognition of new problems, and the continuance of inefficient management techniques. It has effectively inhibited any comprehensive examination of the total effects of pollutants on man, plants, animals, and ecological systems.

The integrated approach to pollution research and to regulatory and assistance programs, which EPA represents, is necessary if we are to cope effectively with environmental contamination as it exists today, and as it may develop in the future.

In addition to upgrading the effectiveness of the Federal Government's major pollution control programs, the creation of the EPA will have the following advantages:

The EPA will provide a central focus for an evaluation of all pollution-related activities of the Federal Government.

The EPA will serve to upgrade the importance of environmental considerations and pollution programs within the Federal Government, and over a period of time tend to have a similar effect on program priorities within State and local governments.

The creation of the EPA will clarify industry responsibility by providing consistent standards and a single enforcement agency.

State and local pollution control agencies will be able to look to one Federal agency for all their financial support and technical assistance.

The EPA will insulate pollution abatement standard-setting from the promotional interests of other departments.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

(Mr. MOSHER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOSHER. Mr. Speaker, today the announcement of President Nixon's Executive order, creating a new National Oceanic and Atmospheric Administration—NOAA—in the Department of Commerce, marks a giant step forward in the campaign several of us have waged for the past 5 years, to coordinate many of our Nation's oceanic activities now fragmented in more than 20 different Federal bureaus.

I know that I speak for many Members of both parties in this House in expressing an enthusiastic salute to the President for his reorganization plan to create NOAA and for his very significant remarks in announcing that plan.

I believe it is important to reemphasize here at least five of the points the President makes in his message today:

First. I am pleased that the President specifically recognizes the thought and effort various individuals and groups have made, contributing to his reorganization plan decision, including the lengthy, conscientious work of our Subcommittee on Oceanography of the House Merchant Marine and Fisheries Committee, under the leadership of the gentleman from North Carolina, Congressman LENNON.

Second. It is very important to note that President Nixon specifically declares:

> We may well find that supplementary legislation to perfect (NOAA's) authorities will be necessary. I look forward to working with the Congress in this task.

Mr. Speaker, I can assure the President that we on the Subcommittee on Oceanography already are discussing several ideas for legislation which we believe will be needed to give the new NOAA the breadth and depth of statutory authority it will need to do the job adequately, which we and the entire oceanographic community hope it will do effectively and energetically.

Third. Much will depend on the administrative skills, energy, and leadership genius of the person to be appointed by the President to head NOAA. Therefore, it is very good that the President's order provides that NOAA's administrator will be very high in the executive scale, at level 3.

Fourth. It is good that President Nixon uses the strong adjective "compelling" in referring to our need for an expanded effort to explore and develop the uses of our marine resources. The need is very compelling.

Fifth. It also is very good that the President fully recognizes the fundamental truth that this earth's oceans and this earth's atmosphere do constitute an indivisible, interacting system, and therefore our activities in the oceans and the atmosphere rightly should be combined in the same administration.

I repeat, Mr. Speaker, this is one giant step we are taking today toward the creation of NOAA, and it now warrants much further effort on our part here in the Congress to supplement and strengthen this wise, timely initiative from the White House.

ADJUSTMENT OF GOVERNMENT CONTRIBUTION FOR FEDERAL EMPLOYEE HEALTH BENEFITS

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1078 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1078

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16968) to provide for the adjustment of the Government contribution with respect to the health benefits coverage of Federal employees and annuitants, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. SMITH of Iowa). The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1078 provides an open rule with 1 hour of general debate for consideration of H.R. 16968 to adjust Government contributions for Federal employee health benefits.

The purpose of H.R. 16968 is to increase the Government's contribution for employee health benefits, to extend coverage under the health benefits program and the group life insurance program to noncitizen employees in the Panama Canal Zone, to permit part B of medicare to be a qualifying plan under the retired Federal employees' health

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benefits program, and to correct an inequity with respect to the survivors of employees who have less than 5 years of service.

The bill provides that, beginning on the first day of the first pay period of each year, the Government contribution for health benefits for employees or annuitants shall be an amount equal to 50 percent of the average of the charges in effect on the beginning date of the adjustment. Initially the Government's contribution was 38 percent and at the present time it is down to approximately 24 percent.

Noncitizen employees have constituted the bulk of our Government's work force in the Canal Zone during and since the digging of the Panama Canal, but they have been excluded from coverage in both the Group Life Insurance Act and the Health Benefits Act. This legislation would provide coverage for them under both acts.

The Retired Federal Employees' Health Benefits Act, applicable to pre-July 1960 retirees and survivors, restricts a direct Government contribution to only those annuitants to subscribe to health insurance plans offered by nongovernmental organizations and denies such contribution in the event he or she receives a Government contribution toward another plan.

The bill eliminates the minimum 5-year service requirement of deceased employees in order for their survivor-annuitants or beneficiaries to be eligible for continued health-benefits coverage.

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The legislation amends the law to the extent that part B of the medicare program will constitute a qualifying plan. Thus, additional annuitants will be eligible to receive monthly contributions to apply in payment of their share of supplementary medical insurance under the medicare program.

The bill also authorizes the Civil Service Commission to waive the recovery of any such direct payments when, in the Commission's judgment, the annuitant is without fault and when recovery would be contrary to equity and good conscience.

It is estimated that the cost to the Government, assuming the 12-percent increase, of the contribution for health benefits would be $314.3 million for calendar year 1971, or approximately $157 million for the last 6 months of fiscal year 1971.

The cost of the extension of life and health insurance coverage for Canal Zone employees is estimated at $1 to $2 million annually.

The cost for the extension of coverage to survivors of short service deceased employees and allowing a direct Government contribution to a comparatively few elderly annuitants would be de minimus.

Mr. Speaker, I urge the adoption of House Resolution 1078.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Texas (Mr. YOUNG), House Resolution 1078 does provide an open rule for 1 hour of debate for consideration of H.R. 16968 to provide for the adjustment of the Government contribution with respect to the health-benefits coverage of Federal employees and annuitants.

Mr. Speaker, the principal purpose of the bill is to provide for a more equitable cost-sharing basis by the Federal Government and its employees with respect to the premium charges under the Federal employees health benefits program. Additionally, the bill extends coverage of the group life insurance program to noncitizen employees in the Panama Canal Zone and corrects an inequity with respect to survivors of employees with less than 5 years of service.

Under current law the Government's share of the premium costs of the health benefits program is a fixed dollar amount. As costs of the programs have risen and more and more employees have chosen the high-option plans, the Government's share of the total premium costs has continually dropped. The bill seeks to adjust this imbalance by providing that, effective January 1971, the Government's share of the premiums charged will be based upon the high-option benefit level in the Federal Government health benefit program. The maximum Government contribution will be 50 percent of such average premium costs. In no case shall the Government contribution exceed 50 percent of the total premium charges for the program's low-option level of benefits.

This proposal has the advantage of eliminating the expression of the Government contribution in terms of fixed dollar amounts and substitutes for it a percentage of the total premium charges. Because of this percentage basis, it has the added advantage of annual automatic adjustment as future premiums are increased. As an illustration: If the new formula were applied to current high-option premiums, the Government contribution would be increased from the current $8.38 to $19.85. The Civil Service Commission estimates that the Government contribution required by this change in current law, assuming a projected 12-percent increase in premium charges to take effect in January 1971, would be increased by $314,300,000 for calendar 1971. The increase for the last 6 months of fiscal 1970 would be $157 million.

The administration supports a Government payment equal to 38 percent of the premium costs. This was the percentage which existed at the time the program was instituted. As the bill exceeds this figure, the administration is probably not happy with the bill, although no letters of opposition are contained in the report.

Mr. Speaker, there are no minority views.

I urge adoption of the rule.

Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Speaker, H.R. 16968, which this rule makes in order, addresses itself to one of the major problems with which we are confronted.

With all due respect to the problems of pollution, crime and campus unrest, one of the gravest domestic problems with which we are confronted in the Nation today is the rapidly increasing cost of medical care. Our people have an increasing desire and need for medical services, due to the great advances in medical achievement as well as the fact that Americans want the best in life and health for themselves and their loved ones. So the cost of medical services would be increasing by leaps and bounds even without the inflationary spiral confronting us.

Because of high medical costs many proposals are being made for more Government action in this area. In fact, just as recently as the other day a very prominent representative group proposed a nationwide governmental health insurance program and we have had numerous proposals for compulsory health insurance. We have also been faced with meeting the increased costs of medicare and medicaid, and with proposals for further extending these programs.

The best solution, however, to meeting the costs of medical care, is the same solution we have used over the period of history in our Nation. That is to encourage as much as possible the initiative of the individual and private industry. For history has repeatedly proven that Government interference is the most costly, as well as the least effective and the least satisfactory, solution to such problems. But government must enter the picture when private initiative has failed.

Today, however, we are considering a proposal in an area of medical care in which the Government is cast in the role of an employer, not a paternalistic government. The proposal we have before us today requires the Government to meet its responsibility as an employer and by so doing to set an example for other employers throughout the Nation to follow. By exercising this type of leadership as an employer, the Government may also save itself a great deal of money which might otherwise be required of it in the future as a paternalistic government. It may also save the Government money by virtue of the fact that we will have greater assurance that all Federal employees will provide themselves with the proper amount of health insurance so that they will not be compelled to use public assistance in the event of a catastrophic illness.

Voluntary health insurance programs are relatively new, and the use of these programs has increased by leaps and bounds in recent years. Even so, the Federal Government was quite late in coming into the employee health insurance program. The health insurance program was not adopted by the Congress until 1959 for regular employees and 1960 for retired employees.

When Congress was considering the programs, the Committee on Post Office and Civil Service determined that a 50–50 participating plan was fair and reasonable. Because it was a new program and the cost to the Government was not yet estimated a formula was adopted wherein the Government would pay 50 percent of the cost of the least expensive low option family program. By virtue of the type of insurance plan that the employees adopted, however, the cost distribution at the time of enactment amounted to a 38-percent cost for the Government and a 62-percent cost for the employee. Due to the increased costs of medical care since that time the Government contribution had to be increased in 1966 to simply maintain the unfair 38–62 ratio. Since that time further increased costs has caused the formula adopted in 1966 to be reduced to a 24–76 ratio.

In other words, the Federal Government is now paying only 24 percent of the cost of what should be a 50–50 employer-employee program. The bill we have before us today will correct this inequity and provide for a 50–50 participation in the future regardless of increases in the cost of medical care.

Another excellent feature of this bill takes care of an inequity resulting from overlapping and duplicating provisions between part B of medicare for employees who retired prior to 1960. In order for Federal employees who retired prior to 1960 to benefit from the retired Federal employee health insurance program, they had to pay for certain benefits which were also provided for them under part B of medicare which is available to all American citizens whether former Federal employees or not. This bill will permit the amount of the Federal contribution to the retired Federal employee health insurance program to be paid as a part of the employee's share of part B of medicare, thereby eliminating overlapping and duplication of benefits.

It is interesting to note that the House Committee on Ways and Means in its recent action on social security legislation is requiring this type of action to be taken. Because, if this action is not taken, the social security bill recently passed would prohibit the medicare program from being used for any benefits in which there is a Federal health insurance program involved providing the same benefits.

Mr. Speaker, this is a good bill. This is a fair bill. It provides a way for the Federal Government to meet its responsibility as an employer. Equally as important, however, as I pointed out before, it may, by providing an example for employers elsewhere, provide a way in which the Government will prevent every increasing cost in this area in future years. I hope the rule and the bill will be adopted.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 17923. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17923) entitled "An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes," request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLAND, Mr. RUSSELL, Mr. STENNIS, Mr. ELLENDER, Mr. HRUSKA, Mr. YOUNG of North Dakota, and Mr. FONG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate (S. 3348) entiled "An act to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes," with amendments in which concurrence of the House is requested.

ADJUSTMENT OF GOVERNMENT CONTRIBUTION FOR FEDERAL EMPLOYEE HEALTH BENEFITS

Mr. DULSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16968) to provide for the adjustment of the Government contribution with respect to the health benefits coverage of Federal employees and annuitants, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16968, with Mr. BROOKS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York (Mr. DULSKI) will be recognized for 30 minutes, and the gentleman from Virginia (Mr. SCOTT) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York (Mr. DULSKI).

Mr. DULSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 16968 represents a step in the right direction. This legislation is long overdue. It will correct an inequity under which our Nation's dedicated Federal employees and retirees have labored for the past decade.

The inequity of which I speak requires enrollees under the Federal employees' health benefits program to pay more than three-fourths of the program's costs. There is no question but that workers in progressive private enterprise receive much larger management contributions for health benefits than is the case with our own Government workers.

When the program was established in 1959, it was the consensus of congressional opinion that the Government should pay at least half of the premium costs. Because we had no experience in this new field at the time, the administration prevailed upon the Committee on Post Office and Civil Service to set a dollar limit on the Government's share of costs—$1.62 biweekly for self-enrollment or $3.94 for self and family. Upon implementation of the program in 1960, that limit turned out to represent not 50 percent of the costs but 38 percent, with employees and retirees paying the remaining 62 percent of charges.

We all know the unfortunate history, which found the dollar limitation forcing the Government share ever downward, and the enrollees' burden ever upward. In fact, the situation has now deteriorated to a point where the Government pays only 24.2 percent, while the participants under the program are picking up 75.8 percent of the tab.

There is absolutely no justification for this unconscionable shifting of the heavy burden of health care protection from management to employees.

I commend the chairman of our Subcommittee on Retirement, Insurance, and Health Benefits, the gentleman from New Jersey (Mr. DANIELS) for the outstanding leadership he has demonstrated in obtaining committee approval of the bill. I commend the members of the subcommittee for their unanimous support of the reported bill, and the 20 members of the committee, on both sides of the aisle, for their cosponsorship of this vitally essential measure.

I trust that the Members of this body will lend their enthusiastic support to the committee's endeavors by giving H.R. 16968 your unanimous approval. This improvement in the health benefits program will mark a real breakthrough in terms of Government participation.

For an explanation of the provisions of the bill, I yield to the gentleman from New Jersey, the subcommittee chairman, so much time as he may consume.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to urge the membership of this House to lend their strong support to the legislation under consideration (H.R. 16968), the major purpose of which is to relieve employees and annuitants from continuing to bear a disproportionately large share of the premium charges under the Federal employees' health benefits program.

Perhaps it may be well, at the outset, to recall the legislative history behind both the Federal employees' health benefits program and the Retired Federal Employees' Health Benefits Act.

The Federal employees' health benefits program, now codified into positive law under chapter 89 of title 5 of the United States Code, was enacted on September 28, 1959, as Public Law 86–382. Its enactment established the largest voluntary group health insurance plan in existence in the United States, effective July 1, 1960, making basic and major health protection available to Federal employees in active service on and after July 1, 1960, and to their families. Such group coverage is also extended to

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those—and their families—who retire from active service thereafter.

The primary purpose of the program is to facilitate personnel administration by providing a measure of protection for civilian Government employees against the high, unbudgetable, and, therefore, financially burdensome costs of medical services through a comprehensive program of medical insurance, the costs of which are shared by the Government, as employer, and its employees.

In the development of the enabling legislation, congressional proponents favored a 50-50 employee-employer sharing of all costs, and such a rate of contribution was included. However, because of the unknown factors inherent in an entirely new area of Federal employee fringe benefits in which the Government had no previous experience, a limitation was placed on the maximum contribution to be paid by the Government. This maximum was geared to the least expensive Government-wide low option plan and a dollar limitation was imposed which, at that time, contemplated that a "standard" policy which would be adequate for most employees' needs could be purchased on a 50-50 sharing basis. It provided, further, that "preferred" policies be made available, but that those employees enrolling in high option or more expensive prepayment plans would pay the entire costs of the additional benefits.

A year later the Congress, by the enactment of Public Law 86-725, established the Retired Federal Employees' Health Benefits Act for those retirees and dependents who were not eligible to enroll in the active program because their annuity rights were based upon separations occurring prior to July 1, 1960.

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Experience gained from implementing the 1959 act indicated the desirability of establishing: First, a single uniform Government-wide plan, rather than the multiplicity of plans developed under the active employee program; and, second, in order to meet the varying needs of retirees, to grant the option of a person retaining or enrolling in a private health benefits plan—subject to certain qualification requirements—with the Government's contribution to the cost being paid directly to the annuitant.

These two programs now constitute the largest voluntary employer-sponsored health insurance system in the world. The active program covers almost 2.7 million employees and annuitants. Together with their 5½ million dependents, it covers in excess of 8.2 million persons. The retired program covers more than 175,000 annuitants, plus several tens of thousands of their dependents. Combined coverage approximates 8½ million persons.

Since the inception of the Federal employees' health benefits program a decade ago, employees have had a free choice among plans in four major categories, including: First, a Government-wide service benefit plan offered by Blue Cross-Blue Shield; second, a Government-wide indemnity plan offered by the insurance industry; third, one of several employee organization plans; and, fourth, a comprehensive prepayment plan. The two Government-wide plans must offer at least two levels of benefits—a low option or "standard" policy and a high option or "preferred" policy. While the current 36 employee organization and prepayment plans may offer two levels of benefits, only 14 do so, the remaining 22 offering only a high option level. All plans allow for coverage for self alone, or for self and family.

Perhaps the program is unique when compared with traditional patterns in private industry, in that the employee has a broad range of choice between carriers and levels of benefits, and, to a lesser degree, may continue coverage into retirement. While the law prescribes, in general, the types of benefits to be provided under all plans, it authorizes the Civil Service Commission to contract with qualified carrier for such services, subject to any maximums, limitations, or exclusions considered necessary or desirable.

In 1960 the initial distribution of enrollments between self-only and family coverage, between high and low options, and among the various 30-odd plans resulted in the Government's contributing only 38 percent—not 50 percent as anticipated—of the aggregate premiums for all enrollments, with employees contributing 62 percent.

As time went on, this 38-percent Government share of the aggregate premium gradually diminished for two main reasons: First, employees gravitated toward the more adequate high options; and, second, high-option premiums increased because the cost of medical care increased, improved benefits were made available, and a relatively high morbidity was experienced.

By 1966 the Government's share of the program's cost was down from 38 percent to 28 percent of the total average premiums. Congress reacted by increasing the maximum Government contribution so as to restore it, in effect, to the less-than-ideal initial 1960 level of 38 percent. However, premium increases in January of 1967, 1968, 1969, and 1970, have again diminished the Government's contributions to approximately 24 percent of present aggregate premiums. In fact, there are now only a few low-option plans in which the Government's contribution equals one-half of the total premium charges.

Time was, and not too long ago, when human reluctance to enter a hospital—or even to go to a doctor—stemmed largely from fear of physical discomfort. Today it stems, as well, from fear of acute financial discomfort—and well it might, hospital and medical care costs have risen astronomically, and no deceleration is in sight.

In the post-World War II period charges for medical care have risen persistently. From 1946 through 1969 the medical care component of the consumer price index increased by 158 percent, to 258 percent of what it was in 1946. During the same years the index for all consumer items rose at a much slower rate, increasing comparatively by 88 percent.

Increases in medical care costs have particularly occurred since 1959. With a base period of 1957-59 equaling 100, the medical care index rose from 104.4 in 1959, the year in which the Federal employees' health benefits program was enacted, to 159 in January of 1970. The "all items" index increased from 101.5 in 1959 to 131.8 in January of 1970.

The problem of escalating medical care costs is, of course, not peculiar to the Federal employees' health benefits program—it is a problem common to all segments of the Nation's populace. In administering this program every effort is made to control risk charges and administrative expenses, to provide minimal, but adequate, reserves for adverse experience, with the objective of utilizing every possible penny of the premium dollar to provide for maximum benefits.

While our committee has had a continuing concern over the skyrocketing costs of providing health benefits protection under the programs within its jurisdiction, its scope of activity cannot, unfortunately, stop or minimize spiraling costs of medical care. Premiums must be sufficient to pay for the benefits provided, and rate increases must be approved annually in order to maintain the financial soundness of the plans participating in the program. As health care costs rise, the portion of them not covered by insurance constitutes a greater burden for Government employees and annuitants, and, as premium charges rise to cover such costs, an additional financial burden is imposed upon them. Given these factors, enrollees are faced with an increasingly difficult problem of paying for benefits.

From the program's beginning, the Government has made a uniform dollars-and-cents contribution to the enrollees' selected health insurance plan. In 1960 that monthly contribution of a self-and-family plan was $6.76, which was 50 percent of the cost of the least expensive Government-wide low option plan. As previously stated, the preponderance of high-option selection resulted in employees sharing more than 60 percent of the cost of their respective plans. As premium charges increased thereafter, because of the fixed maximum contribution, the Government's relative percentage of contribution gradually declined.

While the individual's plight was slightly alleviated in 1966, when the uniform monthly Government contribution was increased to $8.88, that relief was short lived. Within a period of 5 short months, because of the continuously rising premium charges, the Government's relative share again began to decline below an average of 38 percent of charges. In fact, during the program's 10-year history premium costs have increased by more than 120 percent, but enrollees' costs have increased by over 175 percent, while the Government's contribution, as a percentage of the total, has declined by 40 percent.

The real inequity, attributable to the Government's fixed dollar contribution, is that the employees and annuitants have been repeatedly forced to assume all of the premium increases caused by skyrocketing hospital and medical costs. It is they who are presently paying over 75 percent of the costs of their medical insurance, whereas today the Government, as the employer, is paying less than 25 percent of the total costs. Our concern is further heightened by the inevitable prospect that failure to remedy this imbalance will result in the enrollees bearing 80 percent of the program's cost in 1971.

The testimony developed by the Subcommittee on Retirement, Insurance, and Health Benefits during 4 days of public hearings supports, I believe, the contention that the Federal Government, as a major employer, is lagging far behind major employers in the private sector in this important area of employee benefit programs. Evidence, confirmed by official Government statistics and analyses, shows that major industrial employers are paying most, if not all, of the costs of comparable health benefits protection for their workers. It is the consensus of the committee, therefore, that the Government's maximum contribution under the Federal employees' health benefits program be increased to a level at which it will share equally with most of the program's enrollees the premium charges for coverage, and that such cost-sharing ratio be maintained in future years.

This primary objective is embodied in the legislation before us today, H.R. 16968. The bill embraces a method proposed by the Civil Service Commission for automatically determining and adjusting the Government's contribution to premiums, with the relevant variable being the percentage of the premium cost the Government will, in a responsible sense, equitably assume. The committee feels strongly that such variable should be not less than 50 percent.

H.R. 16968 accomplishes that objective by eliminating the maximum dollar amounts, and by expressing the Government contribution in terms of a percentage of total subscription charges. Effective in January of 1971, and each year thereafter, the Government's share of the premium charges under the Federal employees' health benefits program will be pegged to the high-option level of benefits, using a premium base representative of the different kinds of plans that participate. Each year the average of the high-option premiums of the two governmentwide plans, the two largest emloyee-organization plans, and the two largest prepayment group practice plans will be used to determine the maximum Government contribution to any plan or option. These six plans represent approximately 90 percent of all enrollments. The maximum Government contribution for all employees and annuitants would be fixed at 50 percent of such average. However, the Government contribution could not exceed 50 percent of the premium of any plan's low-option level.

The bill also provides the following:

First, to conform to last year's change in the civil service retirement program, whereby widows and children of employees who die in active service with less than 5 years of service are granted minimum annuity benefits, the health benefits law is amended to extend health insurance protection to such survivors.

Second, to fulfill a longstanding commitment of the United States, contained in treaty negotiations and reaffirmed in subsequent memorandums of understandings, to make available to Panamanian employees the same governmental health and life insurance protection as is available to U.S. citizen employees in the Canal Zone, coverage under the Federal employees' health benefits and Federal employees' group life insurance programs is extended to approximately 12,000 active noncitizen employees in the Panama Canal Zone; and

Third, the Retired Federal Employees' Health Benefits Act, which applies to pre-July 1960 annuitants, is amended to permit part B of the medicare program to constitute a qualifying plan for the purpose of allowing certain annuitants to become eligible for a monthly Government contribution toward their health care costs.

Mr. Chairman, the need for this legislation is demonstrated by the fact that H.R. 16968 was unanimously approved by all eight members of the Subcommittee on Retirement, Insurance, and Health Benefits, cosponsored by 20 of the 26 members of the Committee on Post Office and Civil Service, and overwhelmingly adopted by the full committee, without amendment.

It is my strong belief, and the judgment of my committee colleagues, Mr. Chairman, that to do less than that proposed by this bill would perpetuate the unfair practice of requiring retirees and employees to bear the "lion's share" of incessantly rising health care costs.

I urge that this body also lend its overwhelming support to H.R. 16968, without amendment.

Mr. NIX. Mr. Chairman, will the gentleman yield?

Mr. DANIELS of New Jersey. I am happy to yield to the gentleman from Pennsylvania.

Mr. NIX. Mr. Chairman, not only do I rise in full support of modernizing the funding mechanism of the Federal employees' health benefits program, but to emphasize the great need for Panamanians employed by the Federal Government in the Canal Zone to be included in the program on an equal basis with U.S. citizens.

I believe that when the Congress reviews our Government's employment practices with respect to three-quarters of its employees in the Canal Zone, it will want to rectify the inequities—from the standpoint of living up to international commitments.

We Americans like to contemplate our Government as leading the way in matters concerning the welfare of individuals. It therefore comes as a shocking disappointment of disillusion when we observe the Federal Government trailing exceedingly far behind private employers and a substantial number of the States and cities in respect to health benefits for its employees.

For the Congress of the United States this package of employee benefits for noncitizens in the Canal Zone is a small matter without impact on the Federal budget. But for approximately 12,000 individuals and their families, it is a matter of extremely great magnitude.

Noncitizen employees have constituted the bulk of our Government work force in the Canal Zone during the digging of the Panama Canal and since its opening in 1914. They have performed their duties loyally and well for the United States.

For many years it has been a matter of extremely intense irritation on the part of the Panamanians and the Government that we have denied to those noncitizen employees many of the benefits of employment accorded Federal employees who are U.S. citizens. Such unequal treatment is in direct contravention of repeated promises of equality which have been made by our Government to the Republic of Panama and represents a constant source of anti-U.S. feeling among Panamanians.

The United States has accepted an international commitment to provide equal pay and retirement benefits to noncitizen employees in accord with that received by U.S. citizen employees. Yet it still has not made available fringe benefits such as health and life insurance. It is interesting to note that the Panama Canal Company, the largest employer of noncitizens in the Canal Zone has continually made recommendations for the extension of the health benefits coverage to all of their employees.

The continuation of soaring spacebound increases in daily hospital charges and doctors' fees has raised the premium that an individual has to pay to receive coverage to the level that many of the workers cannot afford coverage. This then puts them and their families in a welfare position when illness occurs.

As early as December 23, 1908, 6 years before the canal opened; the Secretary of War issued a statement declaring as a matter of public policy that the principle of equality of opportunity and treatment would be maintained. This policy was restated again by Executive orders issued on February 2, 1914, and once more on February 20, 1920.

During the treaty negotiations of 1936, the U.S. Government forwarded a note to the Republic of Panama stating:

> Regarding Panamanian citizens employed by the Panama Canal or by the Panama Railroad, I have the honor to state that the Government of the United States of America, in recognition of the special relationship between the United States of America and the Republic of Panama with respect to the Panama Canal and the Panama Railroad Company, maintains and will maintain as its public policy the principle of equality of opportunity and treatment set down in the Order of December 23, 1908, of the Secretary of War, and in the Executive Orders of February 2, 1914, and February 20, 1920, and will favor the maintenance, enforcement or enactment of such provisions . . . and will assure to Panamanian citizens employed by the Canal or the Railroad equality of treatment with employees who are citizens of the United States of America.

In 1939, President Franklin D. Roosevelt expressed his determination to implement the statement of parity in Canal Zone employment practices. On the occasion of the signing of a law authorizing new construction in the Canal Zone, the President stated:

> I intend to ask Congress in its next session to amend the present law so that it may conform with the obligations acquired in respect to Panama, to concede to the citizens of Panama opportunity and treatment in employment for the Canal Administration and the Panama Railroad Company equal to that offered to those who are citizens of the United States.

The promise of parity was once again announced in 1955. In that year the United States concluded a new treaty with the Republic of Panama. In connection with those negotiations the U.S. Government transmitted to the Republic of Panama a memorandum of understanding in which the following promise was made:

> The United States will afford equality of opportunity for citizens of Panama for employment in all United States Government positions in the Canal Zone for which they are qualified and in which the employment of the United States citizens is not required in the judgment of the United States for security reasons.

In 1962 again in connection with treaty negotiations, our Government reaffirmed the policy in a joint statement with the Government of Panama:

> The United States Government has prepared a draft bill for presentation to the Congress of the United States which would make available to Panamanian employees of the United States Government in the Canal Zone the same governmental health and life insurance benefits as are available to the United States citizens employees.

For these reasons, and by virtue of the oft-enunciated promises, I introduced H.R. 9136 in the first session of the 91st Congress.

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It cannot be argued that the outlay will throw the Federal budget out of balance. On the contrary, all costs of canal operations are covered by canal receipts. The Panama Canal Company, for fiscal year 1969, reports net operating revenue of $15,566,098—after payment to the United States Treasury of operating costs and interest payments on the United States investment.

The complete annual expenditure for health and life insurance benefits, if applied to today's employees, would amount to less than $2 million, most of which can be covered without any trouble out of net operating revenue of the Panama Canal Co. and the Canal Zone Government.

The Panamanians are looking to us for some of the securities which most of us in the United States have long since come to expect as a fundamental condition of employment. Passage of H.R. 16968, without providing for coverage for the noncitizen workers in the Canal Zone, will further facilitate the disparity that presently exists between the citizen and noncitizen employees.

Mr. Chairman, I commend the committee's wisdom in incorporating in this legislation the provision extending both health insurance and life insurance coverage to these deserving employees. I am gratified that the pertinent administrative agencies have urged its incorporation herein. I am pleased, as the author of the bill to fulfill our Government's commitments to our Panamanian employees, that my bill has been embodied in H.R. 16968.

I urge the membership of this House to adopt the committee's bill without amendment.

Mr. **BYRNE** of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. **DANIELS** of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. **BYRNE** of Pennsylvania. Mr. Chairman, I welcome this opportunity to lend my support to H.R. 16968, and to help in the process of balancing the cost of Government and employees into a more reasonable ratio of 50–50. This bill will, to some extent, help Federal employees to reach the level of health insurance benefits offered by private American employers.

It was not until 1960 that the present insurance program was adopted. Since that time, the Federal Government has never contributed more than 38 percent of the aggregate premium costs, and then only on two occasions. The promise of equal sharing has been there, but the actual benefits to employees have failed to materialize. Since 1960, the Government's contribution has declined, under the fixed dollar contribution limit, to approximately 24.2 percent.

What began as a contribution of more than one-third has dropped in just 10 years to less than one-quarter. If hospital and medical costs continue to rise at their present rates, premiums will increase yearly, and the Government's contribution will begin to approach one-fifth of premium costs, then one-sixth, then one-tenth—unless immediate remedial action is taken.

You will note that Government's share of the cost has increased approximately 32 percent while the increase of costs to the employee has increased 104 percent. Stated differently, the employer is paying over 75 percent of the cost for self and family enrollment in high option and the Government is paying less than 25 percent.

It is important to note that the major cost of premium increases has been due primarily to the spiraling costs of health care and not to liberalizations or new coverages provided in the benefit structure. This fact was recently documented in a report prepared for the Civil Service Commission by Milliman & Robertson, Inc., a firm of consulting actuaries. In their analysis of the two Government-wide plans they noted:

> Premium increases for both the Service Plan and the Indemnity Plan have been several times greater than benefits added—about 8 times greater for the high option plans and about 3 times greater for the low option plans. Thus, higher payments under the original benefit provisions have accounted for much of the additional premium needed.

Increases in hospital room rates were the main contributor to the use in medical care costs. What this means—and it is a surprise to no one, members of this committee, administration officials, and least of all to Federal employees—is that health insurance premiums will have to increase again next January to cover these burgeoning medical care costs.

Few, if any, employees can afford not to have health insurance, yet the point may be approaching when some employees cannot afford health insurance, or at least the option they should have to assure peace and adequate protection in the event of major illness.

During recent years, the trend in the private sector has been for management to assume a larger proportion of the cost of employee's insurance. In a majority of instances the employer foots the full amount. A 1967 study of employee benefits made by the U.S. Chamber of Commerce of 1,150 firms revealed that 3.2 percent of the payroll was paid for various types of insurance. Eighty-four firms reported insurance payments amounting to 6 percent or more of the payroll. The report also shows that "payments for insurance was reported by 98 percent of both manufacturing and nonmanufacturing firms." A breakdown of the amount paid out by the firms for health insurance was not given. However, the outlook section of the February 18, 1969, issue of the Wall Street Journal states:

> Health insurance, like the Blue Cross plan, is an outstanding type of unseen income today. It's been estimated that as of 1967 almost 163 million Americans had some type of private health insurance, and insurance men figure that probably three-fourths of these are covered by group policies either totally or partly paid for by employers.

This simply supports something we already know—that group health insurance has during the past few years become a part of our way of life. Surveys over the last few years by the Bureau of Labor Statistics report that almost 100 percent of employees in private industry have health insurance plans.

In 1962 the Congress enacted the Federal Salary Reform Act, providing that Federal salary rates shall be comparable with those in private industry. Even before that, in 1959, the Congress had enacted a provision for a health insurance program for Federal employees. In this respect the Congress provided for a fringe benefit for Federal employees which was intended to be comparable to that of employees in the private sector. The original intention of the Congress was that the Government should pay 50 percent of the costs of an adequate plan, leaving it up to the individual employee whether he wished to subscribe to a richer plan at his own cost.

The assumption that the majority of employees would choose low-option coverage turned out not only to be totally invalid, but, far worse, it has diverted the development of the Federal employees' health benefits program away from the original intentions of Congress. A system developed, therefore, in which today the low-option plans, in which a very small minority of the percentage of employees is enrolled, determine the contributions which must be paid by the 90-percent majority enrolled in high options. This demonstrates the need of a 50–50 ratio based on the high-option plan for the Government's contributions, with annual adjusting of contributions as costs change.

To summarize, health insurance is a fringe benefit of the Federal employee which the Congress intended to be comparable with that of employees in private industry. In private industry today, the employer contribution, as a percentage of basic wages, is almost twice that of the Federal Government, more than half of private industry health insurance plans are financed solely by the employer, and in those which are contributory the employer pays more than half. In my opinion, the proposal of 50-percent Federal financing, as embraced in H.R. 16968, at least as to a basic plan, is required if the promise of comparability is to be kept.

Mr. Chairman, the adoption of H.R. 16968 is essential. I urge its unanimous passage.

Mr. HANLEY. Mr. Chairman, will the gentleman yield?

Mr. DANIELS of New Jersey. I am pleased to yield to the gentleman from New York.

Mr. HANLEY. Mr. Chairman, I rise in wholehearted support of H.R. 16968, the primary purpose of which is to provide for the adjustment of the Government contribution under the Federal employees' and annuitants' health benefits program.

Your Committee on Post Office and Civil Service, and its Subcommittee on Retirement, Insurance, and Health Benefits, considers the operation of this particular fringe benefit program to be one of its most important responsibilities. In fact, with the terrifying inflation in health care costs, it might well become our most important concern.

The incessant increases in hospital and medical care costs common to all segments of our society are reflected in these programs, and particularly in the Federal employees' health benefits plan. These rising costs are causing considerable anguish not only to employee and annuitant subscribers, but to employers and the purveyors of health insurance policies, as witnessed by the multitude of discussions on the subject in various congressional committees and throughout the country.

The apparent consequence of spiraling health care costs has been that premiums have had to be substantially increased in order to maintain present standards of benefits. A further consequence, because of the maximum dollar limitations imposed upon the Government's contribution, has been that the employees and annuitants are unrelentingly burdened with an ever-growing share of premium charges.

In fulfillment of this responsibility, its Subcommittee on Retirement, Insurance, and Health Benefits recently conducted public hearings to review and evaluate the experience and administration of these programs, which are of vital importance to both the active and retired Federal work force. While the subcommittee hearings largely dealt with the serious question of the inadequacy of the Government's sharing of premium charges—the basic problem being of such magnitude that it transcends the scope of our jurisdiction—we addressed ourselves objectively to the related problems of these programs in the hope that our deliberations will have at least a salutary effect upon the larger issue.

The committee has had a continuing concern over the skyrocketing costs of providing health benefits protection under the programs within its jurisdiction. Medical care costs, including the cost of hospitalization, surgery, physician and nursing fees, drugs and medicines, and laboratory services, have spiraled in recent years and continue to accelerate faster than the prices of any other commodities or services.

The largest percentage rises in health care costs have occurred over the 10 years in which the Federal programs have been in effect. While the medical care index rose by an average rate of 4.7 percent annually during the 1950's, medical care prices during the 1960's have increased at a much faster rate, rising 6.6 percent in 1966, 6.4 percent in 1967, 6.1 percent in 1968, and 6.9 percent in 1969.

A particularly disturbing fact is that daily hospital rates have been increasing more rapidly than any other component of the medical care price index, which increased 595 percent in the postwar period; that is, they increased to 695 percent of what they were in 1946. While physicians' fees increased 142 percent over the same period, the index for all consumer items increased 88 percent. Within the medical care component, hospital room rates rose especially sharply, increasing by 16.5 percent in 1966, and leaping further by an additional 15.5 percent in 1967.

I am sure that all Members of the Congress appreciates that the sharply rising costs of care, and consequently the increases in that portion of premiums not paid by the Government, has resulted in less take-home pay for employees and annuitants. With additional premium increases appearing to be inevitable, I am equally sure that we all agree that the Government should responsibly share the financial burden of these increases.

During our deliberations on remedial legislation, the committee took cognizance of a recent actuarial evaluation of the program made by Milliman and Robertson, Inc., regarded by the insurance industry as one of the country's leading consultants in the field. The consulting actuaries report stated:

> It would seem desirable for the Government to pay a larger part of the premium since the limitations now imposed have resulted in the decreasing percentage of contribution observed.

Recognizing the traditionally conservative nature of actuarial authorities, particularly in submitting such a report to the Government, the committee feels the suggestion to be most compelling, the variable being the relative percentage of costs that the Government will equitably assume. In an apparent effort to indicate what funding role the Government should play, the actuarial consultants reported:

> A review was made by seven very large employer plans that had been recently revised, and which have benefits comparable to the governmentwide plans. In all instances the employer paid part of the cost; in three instances the entire premium for both employees and dependents was paid by the employer; in only one case was the employee contribution more than $3.00 for an individual enrollment or $7.00 for a family enrollment.

H.R. 16968, while not attaining the ideal of providing a cost-free health benefits program, offers a moderate answer to the problem faced by several million employees, retirees, and survivors by increasing the Government's contribution from its present one-fourth to one-half of the subscription charges. The bill has the added advantage of annual automatic adjustment, so as to continue the cost-sharing ratio on a 50–50 basis.

This legislation will put meaning into the funding formula by updating it in a manner to assure that the Government is at least striving to match private industry's trend toward providing its workers and pensioners cost-free health insurance.

Mr. Chairman, I urge the unanimous adoption of H.R. 16968.

Mr. SCOTT. Mr. Chairman, I yield myself such time as I may consume.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I am glad to yield to the gentleman from Pennsylvania.

Mr. CORBETT. Mr. Chairman, I am pleased to be a cosponsor of this extremely important legislation, and I urge its passage by the House this afternoon.

The bill, H.R. 16968, corrects a longstanding inequity that has existed in the Federal Employees Health Benefits program since it became effective 10 years ago.

At that time it was the intent of the Congress that this new fringe benefit be financed on a 50–50 sharing basis through employee and agency contributions. However, after the initial "shakedown" period it developed that because of the distribution of enrollments between self-only and family coverage, between high and low options, and among the various 30-odd plans, that the Government's contribution was only approximating 38 percent of total premiums with the employees contributing 62 percent.

This unequal sharing of cost has continued with slight variations until now the Government is actually contributing only 24 percent with the employee picking up the remaining 76 percent.

As indicated earlier, this change in the overall premium rates continually increase with the Government's share remaining at a fixed dollar amount.

In other words, every time the total premium for any of the health benefits plans is increased, the employee ends up paying the total amount of the increase with a resultant corresponding decrease in his take-home pay.

I submit, Mr. Chairman, that this situation is extremely inequitable. The Federal employee is not the cause of, nor does he have any control over, the increasing cost of medical care. Until or unless this problem of rising medical cost is attacked and solved separately there is no justification whatsoever in requiring the employee to pay all of the increased cost.

The bill now before us tackles this

problem in a most reasonable and equitable manner. Beginning next January 1, and each year thereafter, the Government's contribution will be set at a level at which it will pay one-half of the total premium charges with the employee paying the remaining one-half.

Mr. Chairman, I would much prefer to see the Federal Government as an enlightened employer paying more of the employees' health benefits costs as is now done in private industry. However, recognizing the existing budgetary problems I feel that 50 percent is as far as we should go at this time. This is the very least we should do to keep this vital employee fringe benefit in pace with the times.

Again, I urge approval of H.R. 16968.

Mr. SCOTT. Mr. Chairman, I rise in support of this bill and join with the chairman in urging its passage. It is but one of many measures introduced to increase the Government contribution to health benefit coverage of Federal employees and annuitants. One bill would provide that the Government pay the entire cost of health benefits coverage and another would have the Government pay 50 percent when the bill was enacted, with a later increase to 75 percent and still later to assume the full cost of coverage. Government employee representatives appearing before our subcommittee urged that the full 100 percent cost of coverage be paid by the Government. They were advised, however, that their proposal was unrealistic and had little chance of becoming law.

On the other hand, the Chairman of the Civil Service Commission, in his testimony before the subcommittee, suggested the Government contribution be increased to 38 percent, or approximately the same percentage assumed by the Government when the health benefit program became effective on July 1, 1960.

The basic reason this bill is needed is that hospital and medical costs have risen substantially over the years, but the Government contribution has been on a fixed basis. Therefore, the increase in costs, over the years, for the most part, has been assumed by the employee.

The bill under consideration is a compromise between opposing views on how to meet a need. It provides for a substantial equal sharing of the cost of health benefits between the Government and the employee. The Government contribution of 50 percent toward the cost would be based on high option plans carried by approximately 84 percent of employees subscribing to all plans.

After public hearings, our subcommittee had informal discussions and executives sessions to attempt to come up with what we considered to be the fairest measure to both the employee and the Government. We concluded that an equal sharing of the cost of health benefits would be fair to both. Hospital and medical care costs are rising, and if this bill is enacted and becomes effective next January 1, it will add approximately $157 million to the cost of Government for the remainder of the fiscal year. However, the cost of medical care for Government employees will be the same whether or not the bill is enacted. Therefore, the question before us is what part of the cost of medical and hospital care should be provided by the Government and what portion should be assumed by the employee. Our committee favors this bill providing for an equal sharing between the Government and the employee. I believe it is a fair bill and urge its passage.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. HENDERSON), a member of the committee.

Mr. HENDERSON. Mr. Chairman, I rise in support of this vital legislation. The recognition of the necessity and importance of H.R. 16968, toward the solution of a problem too long neglected, will gain the gratitude of all Federal retirees and their dependents, who are the real victims of inflationary medical costs.

Health benefits are, without a doubt, one of the most important and necessary fringe benefits received by an active or retired employee. Not only does it affect the employee and retiree, but it also has a direct effect on the members of his family. It is a benefit he can ill afford to be without. However, the premiums have risen to a degree where they are becoming a burden almost too heavy to bear.

The Government's contribution to the payment of premiums is lagging and is not comparable to the pattern which has been adopted by private industry. Health benefits in private industry have been steadily improving over the past few years and now provide coverage for substantially all medical expenses. In most cases, especially in the larger companies, the complete cost of benefit plans are paid for both hourly and salaried employees.

The latest statistics show that medical costs have shot up to an unbelievable height. Recent figures show costs ranging as high as $100 a day for semiprivate facilities.

The net result of the increased cost is that the premiums for hospital insurance have also been on the increase. The ultimate effect of this is to cause enrollees to experience what amounts to a "pay cut." By definition "pay cut" means Government salary or Government retirement pay has been reduced by the amount that must be paid to meet increased premium costs for medical and hospital insurance.

While the effect upon the actively employed is substantial, the impact on retired employees is even more serious. As a retired employee, a man receives a fixed amount of money in his annuity that is much lower than his income was as an employee, and upon this he must plan his future needs and existence, and the need for protection against the high cost of medical and hospitalization expenses. Premium payments for such protection continues to increase. Such increases become burdensome to the retiree since they continually lower his fixed income which is already heavily committed for his normal needs.

Our retired people cannot hope to pay much longer the premium that will be required of them. By the same reasoning, it is foreseeable that all plans under the Federal employees' health benefits program will be in serious financial trouble in the not too distant future, if the present benefit and premium structure applies to all subscribers, regardless of age or income levels.

In any case, Federal annuitants and employees are paying an extremely disproportionate share of the cost for health benefits, at a time when the trend in private industry has been toward the payment by the employer of the total cost of their workers' and pensioners' health insurance programs. Many of the larger companies in private industry now assume the complete cost and many small employers pay at least half of the cost of their personnel's health benefits premiums.

According to the latest available figures of those industries surveyed which had insurance plans, over 61 percent were employee-noncontributory for the basic hospitalization coverage and 60 percent were employee-noncontributory for surgical coverage. Even for the more unusual medical and catastrophic coverage, it was still true that a majority of those were employee-noncontributory plans. As it happens the latest data available from the Bureau of Labor Statistics is taken from a survey made in fiscal 1967–68. There is every reason to believe that the percentage just quoted are even higher today.

Consider the statistics on this subject from the Bureau of Labor Statistics of the Department of Labor. They have collected data on fringe benefits in private industry since the enactment of the Federal Salary Reform Act of 1962. The Department has regarded fringe benefits as a part of the Federal salary which the Congress intended to be comparable with private industry. The Bureau's first survey was conducted in 1963, and in the preface to its report on this subject the Bureau stated:

> As the Nation's largest employer, the Federal Government has an obligation to develop and maintain a sound program for compensating its employees—a program which is equitable both to the employees and to the country's taxpayers.
>
> It is recognized that basic salary normally is only part, although the major part, of total employee compensation. Particularly since World War II, a host of supplementary pay practices (commonly called fringe benefits) have become established as integral parts of the compensation package. Consequently the Bureau of the Budget and the Civil Service Commission, which share responsibility for analyzing results of the Bureau of Labor Statistics salary survey and for preparing the President's recommendations to the Congress on Federal pay, expressed a need for data on supplementary pay in private industry. The Bureau of the Budget and the Civil Service Commission, therefore, requested the Bureau of Labor Statistics to conduct a study of supplementary compensation in private industry which could be analyzed in conjunction with the Bureau of Labor Statistics' salary survey.

The result of the latest study by the Bureau of Labor Statistics, of employer expenditures for pay supplements provided by private industry during 1968 showed that 25.1 percent of pay supplements of basic wages and salaries were paid as compared with 24.3 percent in the Federal Government. Between 1966 and 1968 expenditures for supplements relative to basic wages and salaries ascended upward by approximately one-half of a percentage point in each.

Another area of the Bureau of Labor Statistics survey, dealing with employee compensation in private industry for 1968, found that for that year management paid an amount equivalent to 3.6 percent of basic wages for life, accident, and health insurance, but in the Federal Government the Government paid only an amount equivalent to 1.6 percent of basic wages for this purpose. An advance of 0.3 of basic wages for life, accident, and health insurance was made as compared with 0.2 of a percentage point in the Federal Government for the same area.

As it stands now, the Federal employee is shouldering too large a part of the burden. Unless appropriate action is taken to relieve him of a part of this burden, by providing a more reasonable contribution by the Federal Government, as expressed in H.R. 16968, that burden will continue to become heavier. This fast pace will not only have a further depressing effect upon active employees, but will especially strike hard at annuitants, whose limited incomes make them particularly tragic victims of the high cost of medical goods and services.

Mr. Chairman, I urge that the Government assume its fair share of the load by the enactment of the legislation under consideration.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. BRASCO), a member of the committee.

Mr. BRASCO. Mr. Chairman, I rise to commend the distinguished Chairman of the Subcommittee, the gentleman from New Jersey, Mr. DANIELS, for his fine leadership in both the subcommittee and in the full committee in guiding this legislation to the House floor.

I fully support it.

Mr. Chairman, I stand to issue an urgent appeal to the House in expressing my total support of H.R. 16968. The Congress should take a hard look at the facts and give its full support to this legislation, for the much-needed relief from the burdens of the unbalanced share of medical expenditures which the employee in Federal Government, and the retiree from Federal service, has to face.

This legislation would provide a major improvement in the funding formula of the Federal employees' health benefits program, as originally adopted and as it presently exists. The original formula, established by the 1959 act, set the U.S. Government contribution at a maximum of $3.12 per pay period for its employees. Public Law 89-504, enacted in 1966, increased the contribution to a maximum of $4.10 per pay period. Unfortunately, the 1966 act continued the fixed-dollar contribution formula and, thus, was merely a temporary resolution of the cost problem for employees participating in the program.

When the Federal health program was enacted in 1959, it was anticipated that the majority of employees would elect coverage under low options. The general intent, based on the legislative history, would indicate that the Congress desired to set the Government's share of the cost at 50 percent. It was assumed that the majority of employees would elect the low option plan. It was the premise that this would, on the average, provide an adequate level of protection. The original Government contribution did cover 50 percent of low-option coverage. The vast majority of employees, however, elected coverage under high options. Quite evidently the majority recognized the desirability of securing the best health insurance protection available. Experience of the years has certainly demonstrated that it was wise to insure in high option. In each open-season enrollment period since the program started in 1960, the net result has shown a constant movement to high option, and it is estimated that more than 90 percent of all insured now hold high-option coverage. Thus, it is necessary for the Federal Government to establish a 50-50 split of costs based on high options, to provide adequate relief for the vast majority of those enrolled in this program.

The cost of medical care, surgery, and hospitalization has skyrocketed alarmingly since the enactment of the act, and corresponding increases in premium costs and additional types of coverage adopted by the private sector industry have necessitated a review of the program to determine what changes are appropriate and desirable after 10 years of experience. In 10 years of experience, the Government's share of the premium cost for very limited coverage has reduced to approximately one-third, while its share of more adequate coverage has reduced to almost one-fifth of total charges.

It is important to note that the major cost of premium increases has been due primarily to the spiraling costs of health care, and not to liberalizations or new coverages provided in the benefit structures. This fact was recently documented in a recent report prepared for the Civil Service Commission by Milliman & Robertson, Inc., a firm of consulting actuaries. In their analysis of the two Government-wide plans, they noted:

> Premium increases for both the Service Plan and the Indemnity Plan have been several times greater than the benefits added—about eight times greater for the high option plans and about three times greater for the low option plans. Thus, higher payments under the original benefit provisions have accounted for much of the additional premium needed.

This sharp increase in costs for the same benefits is primarily responsible for the sharp increase in premiums. Benefit changes have, of course, contributed somewhat to the cost problems. The Civil Service Commission has from time to time recommended and requested liberalization of benefits in order to provide a greater health care coverage in those areas where experience has shown a particular need. This has resulted in a few slight liberalizations of benefits within the plans.

Over the years the percentage contribution of costs by the Government has dwindled due to the limited liberalizations of benefits within the plan, greater utilization by the insureds, but, more importantly, due to the rise of health care costs—all of which have mandated increased rates.

From all information it appears at least for the next several years we will have a considerable increase in health benefits premiums. An annual adjustment in the cost-sharing to keep the 50-50 ratio should be made so that the financial burden will not hang completely on the employee, annuitant, and survivor as it has in the past. Such a proposed increase would represent substantial and worthwhile progress.

Therefore, I believe that justice would be well served if Congress moved to pass the equal employee-employer cost-sharing ratio prescribed by the committee in H.R. 16968.

Mr. SCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I regret that again I must rise in opposition to another in what has come to be a succession of "giveaway" bills reported in this Congress from the House Committee on Post Office and Civil Service.

Quite simply and bluntly, I do not think the long-suffering American taxpayers can now afford the luxury of paying an additional $314 million per year toward the cost of health insurance for Federal employees including Members of Congress.

Regardless of how desirable it might sound for the Government to be paying a greater percentage of the costs of health benefits, I think it is equally desirable that we consider whether or not we can afford to do so, particularly in view of what we have already done in the way of pay and fringe benefits liberalizations.

Consider, if you will, our record in this area to date:

So far in this Congress the Post Office and Civil Service Committee has been responsible for the enactment of eight public laws. Three of these were relatively minor, dealing with the use of the Civil Service Commission's revolving fund, a study of the position classification system, and the franking privilege for Mrs. Eisenhower, widow of the late President.

However, the remaining five were not so minor, particularly as to their effects upon Government spending and the tax load carried by the average U.S. citizen.

Exactly 14 days after the 91st Congress convened, Congress approved a bill doubling the salary of the President from $100,000 to $200,000 per year.

That one was followed with a backdoor pay increase for all Members of Congress, for all judges, and for all Federal executives. This was accomplished by the committee's refusal to permit the House to take a vote on the resolution

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I and other Members sponsored that would have disapproved the President's pay recommendations.

Next came a bill to give hefty pay raises to the Vice President, the Speaker of the House, and the majority and minority leaders of both the House and Senate.

Then, since it appeared that everything had been done that could be done to that moment with respect to pay, the committee turned its energies to sweetening the retirement programs for Federal employees, including Members of Congress. Under the guise of enacting urgently needed legislation to protect the financial solvency of the retirement fund, we enacted into law major improvements in everybody's retirement.

And then we closed out the first session by creating nearly 200 additional superjobs paying up to $35,000 a year.

The last enactment came in April of this year with another 6 percent across-the-board pay raise for all Federal employees, retroactive to last January 1.

This pay raise came fully 1 year earlier than it was budgeted, and involved a total cost to the Federal Government of $2½ billion.

And, I might add at this point that while not yet enacted into law, we have, in effect, "given away" the postal service in the so-called postal reform bill which passed this House just 2 weeks ago.

Mr. Chairman, in reciting this legislative record of my committee, I certainly have no intent to cast any unfavorable reflection upon the committee or any of its members, and I hope that my remarks are not so construed. However, I do so in an attempt to try to place into some perspective the legislation now before the House.

I submit that, regardless of its basic merits or demerits, in view of what this Congress has already done to provide improved pay and improved retirement for Federal employees, this additional costly benefit can at least wait until or unless we are in a better position to pay for it. Our Nation's economy is in too perilous a condition at this time for us to take the risk of adding another $314 million to the Federal deficit.

Additionally, Mr. Chairman, I would suggest that the committee undertake a more comprehensive and complete study of the entire Federal employees health benefits program to ascertain if the real answer to rising medical costs is, in fact, a continual increase in premiums.

I had hoped that the subcommittee would have gone into this subject more thoroughly when the announcement came that health benefits hearings were to commence. With a bewildering array of 38 health benefits plans, offering some 54 options all of which have administrative expenses and risk charges, it is quite possible that there is a much better way of providing Federal employees with superior health protection at a much more reasonable and stable cost.

However, this subject unfortunately was not explored and the subcommittee came up with the easy answer of requiring the Government to pay more and more of the total increases in costs.

Mr. Chairman, when we look at the overall picture of pay and fringe benefits for Federal employees and especially at the enactments to date in this Congress, I think the record clearly indicates it is now time to give the taxpayers a breather and that we should send this bill back to the committee.

Mr. SCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland (Mr. HOGAN).

Mr. HOGAN. Mr. Chairman, I was pleased to support the gentleman from Iowa on many of the matters to which he alluded during his remarks, but I am sure he does not expect the hard-working Federal employees to bear the total burden for the fiscal irresponsibility of this body.

We always seem to turn to the Federal employees and say, "We cannot afford this pay raise; we cannot afford this fringe benefit." But nowhere else do we seem prone to use the knife of fiscal responsibility to cut spending.

I strongly supported many of the measures which the gentleman from Iowa mentioned in an effort to cut down expenditures, including the pay raise for Congress, but I rise at this time to express my strong support of H.R. 16968 of which I am a cosponsor. I feel this bill will relieve insureds of the heavy financial burden which they presently bear.

When the Federal employees' health benefits program was being set up, it was thought that the Federal Government would pay aproximately one-half of the cost of the premium. The assumption was that the majority of employees would opt for the low—rather than for the high benefit plans. However, the great majority, 85 percent currently, of employees choose the high-benefit option and the Federal Government's share of the cost was about 38 percent when the program became effective in 1960.

Since medical expenses have continually risen, the Government's share in 1966 was increased by 33 percent in order to restore the ratio which had existed when the program was inaugurated. Also, due to a greater awareness on the part of our citizens of health care, health services are being used more extensively. As a result, the rising cost of medical care has resulted in Federal employees paying an average of 76 percent of the cost of their premiums. For example, in 1960 the premium for the Blue Cross high option was $19.37. The current premium is $38.33 or 199 percent of the 1960 premium. Aetna's high-option premium, which was $17.46 in 1960, is now $44.94, or 257 percent of the 1960 premium. Consequently, the Federal Government now pays 24 percent of the total cost of the program, rather than the 38 percent it paid in 1960 or the 50 percent which was contemplated as the Federal payment when the program was established.

These figures point out a steadily deteriorating situation and demonstrate the urgency of relieving Federal employees and retirees of the entirely unfair, monumental burden of bearing the major share of continuously increasing medical rates.

The Congress has been committed for some years to the concept of Federal employee pay comparability with private industry pay. This concept necessarily should include Federal employee fringe benefits as compared with those in private industry. In the private sector today, in a majority of industries, management pays the entire amount of medical insurance premiums, and in the minority of those industry, plans to which the employees contribute, management pays over half of the cost. Year by year, it is the impression that the percentage of management contribution continues to increase. This is the direction in which our society is headed. In the Federal service, the employer pays far below one-half of the cost. This puts the Federal Government as an employer lagging for comparable practice.

Prevailing in private industry in years ahead the Federal Government will continue to be even more out of line.

It was my hope that the subcommittee would at this time give serious consideration to authorizing the Federal Government to pay 100 percent of the premium costs for certain minimum benefits as provided in my bill H.R. 10593.

On April 28, 1969, I introduced H.R. 10593 which would, as I said, authorize the Government to pay 100 percent of the cost of certain minimum benefits which would be provided for all employees, annuitants, and their families. I proposed that this would become the low-option plan which each carrier would make available at no cost to the employee. Each carrier would then be free to offer such additional benefits as it chose, with the employee paying all of the additional cost.

Inasmuch as my plan set a limit on the types of coverage to which the Government could contribute, it would not have tended to inflate the health benefits policies offered to Government employees, but would have continued to encourage the competition that now exists among the 36 plans serving Federal employees.

I am confident that the basic idea of this approach to providing health benefit coverage for Federal employees is sound and merits consideration.

Although the bill before us today does not take the same approach to the problem as I proposed, it is a sound step in the right direction.

Premium costs have increased between 1960 and 1968 without any significant increase in benefits; and the indication is that people were required also to almost double the amount of out-of-pocket cash they spent on medical care not reimbursed by insurance.

The reason, in my opinion, is to be found in the almost total neglect of the Federal Government to redeem its promises of 10 years ago to its employees. Only once during the past decade has the formula for the sharing of premium costs been adjusted. That was in 1966.

Except for some low-option plans and certain self-only enrollments, the contribution by the Federal Government has never equaled 50 percent of the total cost. In fact, it has never exceeded 38 percent for the overwhelming majority of employees, and now is at a threatening low of one-fourth of its original intention.

This lopsided apportionment of costs

was not what the 86th Congress had in mind when it approved the act. The printed report that accompanied the bill at the time of its enactment included the following language:

> The committee recognized that the maximum amounts indicated could not remain unchanged over a long period of years, any more than the cost-of-living has remained frozen. Medical care costs will undoubtedly fluctuate at least as widely as other items of living costs. The committee believes that the Congress will continue to be responsible to the needs of the employees and will appropriately act to keep the proposed program in consonance with future developments.

I hope my colleagues will agree with me that simple justice requires that the Government reverse the trend of declining employer contributions to the Federal program.

I feel very strongly that the request for a more equitable participation in the matter of health insurance represents a reasonable request. The correction of this inequity is long overdue. The employees and retirees have been patient. One thing is certain—the problem is not going to yield to rhetoric alone. What is needed is positive action—now—to fulfill the commitment made by Government to its employees 10 years ago.

I hope the House will overwhelmingly pass this long overdue legislation to demonstrate to our dedicated Federal employees that we will keep faith with them.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. HOGAN. I yield to the gentleman from Montana.

Mr. OLSEN. I subscribe to a 100-percent employer payment. I wonder if the gentleman has any opinion as to what this administration would do about such a bill?

Mr. HOGAN. I assume the gentleman knows that the Civil Service Commission representatives of the administration testified in favor of 38 percent. So at this time I would think we would be correct in assuming that the administration would oppose a 100-percent plan.

Mr. OLSEN. So the gentleman thinks that would be impossible at this time?

Mr. HOGAN. I think it would be impossible at this time on the basis of the testimony taken by the subcommittee.

Mr. DANIELS of New Jersey. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Montana (Mr. OLSEN), a member of the committee.

Mr. OLSEN. Mr. Chairman, the Congress has long been committed to comparability in compensation to its employees, to their working conditions, their retirement benefits, and health benefits, and by that I mean comparability between Federal employees and employees in the private sector. This legislation is just a small step in the right direction.

There are some great businesses in our country that are comparable to the Federal Government in many areas that pay 100 percent of the health benefit premiums for their employees, and indeed there are leadership organizations in this country, large organizations comparable to some sectors of the Federal Government, who say 100 percent of the premiums for retirement for their employees.

Here is a small step going to 50 percent of the health benefits premiums for Federal employees.

Why is comparability important, Mr. Chairman? I want everybody to understand why comparability is important.

The main reason is that the Federal Government as an employer has to attract the best talent it can. We are in competition to attract the leadership in every classification, be they engineers, lawyers, letter carriers or clerks, we have to attract comparable talent. What we are doing is just one of the elements of comparability. As I say, it is a small step in that direction.

I think we ought to have that much pride, and to have that much of a progressive attitude in desiring comparable employees, so that we have if possible superior talent in every endeavor of the Federal Government, because we all know the Federal Government plays such an active part in almost every type of endeavor. That is the real reason. The real reason for comparability is so that the Federal Government as an employer can compete with the other great employer in the private sector of this country.

Mr. Chairman, I yield back the balance of my time.

Mr. SCOTT. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. BUTTON).

Mr. BUTTON. Mr. Chairman, I support this much-needed legislation, of which I am proud to be cosponsor.

The chief purpose of this legislation is to correct a problem too long unanswered. The problem I speak of is the unfair, unbalanced, out-of-proportion cost of premium charges of health benefits placed on the shoulders of the Federal employees and annuitants. I think it is quite clear that adjustment by the Government to a more proportionate sharing of premium charges is in order, as stated in H.R. 16968.

The Committee on Post Office and Civil Service believes the time is long overdue for the Government to begin catching up with private industry in providing fringe benefits to its employees. The committee has long felt that the Government should be a leader in all areas including pay, fringe benefits, and so forth, rather than constantly lagging behind. Members of Congress should be cognizant of the problems that exist and take corrective action.

Rises in hospital costs are averaging about 15 percent per year, and as a result, every single carrier has been compelled to increase premiums over the past few years for essentially the same benefits. The net practical effect has been annual pay cuts for employees, who are forced to pay substantial increases in premiums in order to maintain essential coverage.

As for health and hospitalization programs, the Federal employee is being treated not only as a second-class American citizen—he is treated far worse than citizens working in the private sector. And he is actually also worse off than 10 years ago, when the Federal employees' health benefits system was installed.

Public Law 86-362, establishing the Federal employees' health benefits system, shows clearly that the primary, original intent of the committees drafting that legislation, and of the Congress enacting it, was to provide to Federal employees a contributory health benefits system comparable to that available at that time to employees of large-scale private industry.

One would expect, from these clear expressions of congressional intent, that Federal employees are being provided with a health benefits program equal to that available to employees of large-scale private enterprise at the rate of a 50-50 split of the costs.

Despite action taken by the Post Office and Civil Service Committee and the Congress, the Government percentage of the contribution has steadily declined and now is less than 25 percent. This places a tremendous burden on all employees because of the constantly increasing costs of health insurance, with benefits increasing considerably less than the premiums.

This spread in the percentage of costs borne by the Government and the employee will continue to widen with the passage of time unless corrective legislation is enacted. It is vital, in improving the funding formula, that a new method be adopted which will eliminate any fixed dollar contribution on the part of the Government and assess a percentage of cost which will be automatically adjusted in line with experience of the plans.

Government calculations show that medical costs are rising faster than the total cost of living. A recent actuarial study of the Federal Employees' Health Benefits program indicates that health insurance premiums will double over the next decade. The study also suggests that the two Government-wide plans can be expected to increase premiums from 10 percent to 35 percent every 2 years between now and 1976, averaging between 20 and 25 percent.

Also to be considered is the burden placed on retirees, who must continue to pay the full premium beyond the age when employees in private industry are given free medicare hospital coverage. This is a rather severe penalty on retired employees who paid substantial premiums during their active working years, and now must continue to pay increasingly higher premiums for health benefits each year when their income is at its lowest.

With these tremendous increases facing us—in addition to the many increases already made in the health insurance premiums—it is of the utmost importance that legislation be enacted as quickly as possible to grant Federal employees and retirees immediate relief. Health insurance is extremely necessary, but the rapidly increasing premiums are making it very difficult for these dedicated persons to continue this important coverage.

It is, therefore, proper and desirable, Mr. Chairman, that the Government reexamine its position in order to more clearly align its obligation and responsibility to reflect the more progressive practices of private enterprise. Therefore, I strongly urge the adoption of H.R. 16968.

Mr. SCOTT. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this legislation, and wish to add my voice in commendation for the efforts of the committee. This legislation is needed, its concept is sound, it is equitable, and the Federal employees deserve no less.

Mr. MATSUNAGA. Mr. Chairman, in view of the upward spiral in health care costs generally, the relief for Federal employees contained in H.R. 16968 is sorely needed, and I therefore rise in support of that bill.

When this health insurance plan was first established by Congress over a decade ago, the goal was a 50–50 sharing of the total health premium cost between the Government and the individual insured. However, for a variety of reasons, the Federal share was limited to 50 percent of the premium for the lower priced, so-called standard policy.

It soon became clear that most Federal employees did not consider the low-option coverage adequate. Little wonder that this was so, Mr. Chairman, as health care costs skyrocketed during the sixties. Those who chose the more comprehensive "high option" policies were forced to bear the entire cost of the additional premium.

The net result is that, instead of paying close to half the cost of its employees' health insurance coverage, the Government share is today less than 25 percent.

H.R. 16968 reaffirms the Federal Government's intention to pay half the cost of its employees' health insurance. More important, it sets up a formula for computing the maximum Federal share that would allow that intention to be realized. That maximum, I believe, will be set at 50 percent of the average cost for high-option coverage among the various insurers involved. Automatic annual readjustments of the maximum are provided for.

According to the figures in the report of the Committee on Post Office and Civil Service, the benefit to individual Government employees will be both tangible and substantial. Currently, for example, the total premium for high-option benefits is about $40, with the Government contributing about $9 and the employee paying about $31. Under the provisions of this legislation, that $40 premium would be shared equally by the Government and the employee.

Passage of this measure is imperative if we are to make it clear that the Federal Government intends to match the efforts of private industry to provide low-cost health insurance coverage for employees. I therefore urge swift passage of H.R. 16968.

Mr. STRATTON. Mr. Chairman, I rise in support of H.R. 16968, legislation which I have joined in cosponsoring under my own name as H.R. 17472.

It is becoming increasingly difficult to attract competent employees to work for the Government, and one important reason is the fact that benefits offered to Government employees cannot compare with what private industry offers.

The bill now before us would help ease the burden of rising hospital and medical costs of Federal employees by requiring the Government to share equally the cost of their health benefits. Presently the Government pays only 24 percent of the premiums charged under the Federal Employee Health Benefits program, which is available to the nearly 2.5 million Federal employees, including some 600,000 postal workers.

I might point out that in 1960, the Government was contributing approximately 38 percent of the premiums but because inflation has caused medical costs to increase along with everything else, the Federal employees are now forced to pay 76 percent of the cost of health insurance, which takes a large chunk out of the family pay check.

By enacting this legislation, we will have moved one step closer to matching private industry's trend toward providing its workers cost-free health insurance.

Mr. DONOHUE. Mr. Chairman, I intend to support, and I earnestly hope that the great majority in this House will also support, the measure now before us, H.R. 16968, designed to more equitably adjust the Government's contribution to the health benefits coverage of Federal employees and annuitants.

It is commonly agreed that the executive department and the Congress should cooperate in doing everything they reasonably can to encourage the recruitment of competent Federal employees. It is obvious that to recruit such personnel, the Federal Government, as an employer, must demonstrate a disposition of genuine concern for the welfare of the employee and his family, and also be in a position to compete with private industry for the highest qualified personnel.

One of the basic areas and elements that enters into such competition is, of course, the quality and the cost of essential health benefits coverage for employees, both while they work and when they are living in retirement.

While eminent authorities have testified on the point, it is common knowledge that the Federal Government, as a major employer, is way behind major private enterprise employers in this very important factor of employee benefit program and that major industrial employers are paying most, and in a great many cases all, of the cost of comparable health coverage benefits for their employees. If this great disparity in competitive benefit attraction, in such a basic area as health benefits coverage of employees and dependents, between the Federal Government and private enterprise, is permitted to continue, the Federal Government will inevitably lose the services of many highly competent and diligent potential employees.

In view of the great weight of the expert testimony, and by any other reasonable yardstick of judgment, the objectives of this bill are clearly in the national interest and I hope that the substance of this measure will be speedily and overwhelmingly approved.

Mr. BIAGGI. Mr. Chairman, the measure we are considering today, H.R. 16968, which will adjust contributions made to plans providing health benefits to our Federal employees, not only reflects a moral and legal obligation the Government owes its workers but also plays an important role in assuring our retired Federal employees that they will not face a continuing diminution of their fixed pension incomes because of ever-increasing health plan costs.

Our obligation stems from the fact that Federal employees now pay more than 75 percent of the premiums for their health plans which is totally inconsistent with the concept of comparability as prescribed in the 1962 Federal Salary Reform Act. Figures compiled by the Bureau of Labor Statistics as well as by private agencies distinctly show that management in the private sector assumes the major share of employee health plan costs. It has also been determined that in a majority of cases, the private sector employers pay the full health plan premiums for their workers.

An examination of the experience of the Federal health plan program since 1960 discloses some facts that are embarrassingly in conflict with the intended purposes of a progressive Government. When the present health plan was conceived in September 1959, the clear intent of the framers was to establish a 50-percent contribution on the part of the Federal Government. However, because of a failure to consider the effects of possible immediate increases in costs, the fixed-dollar amount contributed by the Government turned out to be in reality only 38 percent of the premiums paid for the types of coverages available to employees. The Federal worker was required to pay 62 percent of the costs at a time when private employers continued their trend to take up most if not all of their employees' health care premiums.

Had the 38-percent figure remained, the present legislation would not be as crucial as it is. But the combination of ever-rising health care costs and a shift to high-option coverages has pushed the Federal employees' share of the premiums to a ridiculously high 75.8 percent, further eroding his paycheck.

Mr. Chairman, we are talking about health care costs for 2.7 million Federal employees and approximately 5.5 million of their dependents. In addition, we are dealing with the costs of living for 175,000 annuitants in the retired Federal employee health-care program who also have thousands of dependents included under the coverages provided. When we consider the undeniable fact that medical care costs generally have increased 158 percent over what they were in 1959, we realize that the fixed dollar contribution made by the Federal Government has imposed this increase squarely on the shoulders of our Federal employees—and worse yet, on the retired Federal employees who can least afford

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to reduce the already dwindling value of their pension checks.

The bill before us will establish a percentage contribution to the plans pegged at the high-option level of benefits. This will correct the obvious inequity of the fixed-dollar contribution now made by existing law.

Mr. Chairman, the proposed 50–50 splitting of costs between the Government and the employee is the least we can do for the employees and retirees of the Federal Government. It will no doubt be claimed that the Federal budget cannot afford to include additional funds for health care benefits. The Bureau of the Budget, reflecting the administration's concern with inflation, at first did not approve any increase in contributions made by the Federal Government. It cited "urgent national needs" as the reason to justify their disapproval of such additional expenditures. Later, in reconsidering the matter, the Bureau of the Budget expressed its approval of an increase raising the Government's contribution to 38 percent of the costs of health plans, stating that this was the proportion paid in 1960.

I completely disagree with this sort of reasoning. It is surprising that all the evidence available from a 10-year experience of rising health costs plus the trends in private industry to assume the bulk of premium payments for their employees has been apparently overlooked by the Bureau of the Budget. The question they pose is "Can our taxpayers afford this increase in our expenditures?" We in this body most certainly are concerned with the burdens placed on the American people. But these burdens cannot be computed only in terms of health care costs and taxes. If we examine the health care situation nationally, it may provide us with a clearer picture of the impact of this legislation.

First, let us recognize that a great majority of all our taxpayers are covered by some form of health insurance. If we further consider the fact that most of these plans in private industry are fully paid for by management, we must assume that, indirectly, these payments cut into the tax revenue of the Federal Government. The conclusion, therefore, is that, in some form or another, health benefits for all employees, public and private, are subsidized by the people.

If, as we are now proposing, Federal employees will be required to pay half of their health plan costs while the majority of private employees enjoy noncontributory or much lower contributory plans, then it follows that the presently proposed 50–50 cost split between the Federal Government and its employees is indeed a modest adjustment in contributions.

An additional factor must also be considered. The high cost of health care plans today may force some Federal workers, especially those at the lower grade levels, to either choose not to be covered, or to select the minimum coverages. Worse yet, retired Federal employees with their fixed incomes may find the cost of continued coverage so excessive that they may elect not to participate in the plan at a time in their lives when it will be most needed. Who can put a dollar value on the burdens Federal employees and retirees with little or no health coverage will eventually place on the public? Lost work days, decreased productivity, public health agency costs, and even ultimate untimely deaths because of inadequate care must be included as "costs" to our society in whatever terms they are expressed.

Mr. Chairman, the provisions of this bill to increase the Federal Government's contribution to 50 percent for health plan costs; to extend benefits to survivors of Federal employees who die in active service with less than 5 years of Federal employment; and to cover certain retired Federal employees who are pre-1960 annuitants of the Federal Employees' Health Benefit Act are crucial to the welfare of our employees and are in the best interest of the public they serve. I urge my colleagues to pass this legislation by an overwhelming majority.

Mr. SCOTT. Mr. Chairman, we have no further requests for time on our side.

Mr. DANIELS of New Jersey. Mr. Chairman, we have no further requests for time on our side.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8906(a) of title 5, United States Code, is amended to read as follows:

"(a) Except as provided by subsection (b) of this section, the biweekly Government contribution for health benefits for employees or annuitants enrolled in health benefits plans under this chapter shall be adjusted, beginning on the first day of the first pay period of each year, to an amount equal to 50 percent of the average of the subscription charges in effect on the beginning date of the adjustment, with respect to self alone or self and family enrollments, as applicable, for the highest level of benefits offered by—

"(1) the service benefit pan;

"(2) the indemnity benefit plan;

"(3) the two employee organization plans with the largest number of enrollments, as determined by the Commission; and

"(4) the two comprehensive medical plans with the largest number of enrollments, as determined by the Commission.".

(b) The amendment made by subsection (a) of this section shall become effective at the beginning of the first applicable pay period which commences after December 31, 1970.

SEC. 2. (a) Section 8901(3)(B) of title 5, United States Code, is amended to read as follows:

"(B) a member of a family who receives an immediate annuity as the survivor of an employee or of a retired employee described by subparagraph (A) of this paragraph;".

(b) Section 8901(3)(D)(i) of title 5, United States Code, is amended by striking out ", having completed 5 or more years of service,".

SEC. 3. (a) Section 8701(a)(B) of title 5, United States Code, is amended by inserting "and the Panama Canal Zone" immediately before the semicolon at the end thereof.

(b) Section 8901(1)(ii) of title 5, United States Code, is amended by inserting "and the Panama Canal Zone" immediately before the semicolon at the end thereof.

SEC. 4. (a) The Retired Federal Employees Health Benefits Act (74 Stat. 849; Public Law 86–724) is amended as follows:

(1) Section 2(4) is amended by inserting immediately before the period at the end thereof a comma and the following: "and includes the Social Security Administration for purposes of supplementary medical insurance provided by part B of title XVIII of the Social Security Act";

(2) Sections 4(a) and 6(a) are each amended by adding at the end thereof the following sentence: "The immediately preceding sentence shall not apply with respect to the plan for supplementary medical insurance provided by part B of title XVIII of the Social Security Act."; and

(3) Section 9 is amended by adding at the end thereof the following subsection:

"(f) Notwithstanding any other provision of law, there shall be no recovery of any payments of Government contributions under section 4 or 6 of this Act from any person when, in the judgment of the Commission, such person is without fault and recovery would be contrary to equity and good conscience.".

(b) The amendments made by subsection (a) of this section shall become effective on January 1, 1971.

Mr. DANIELS of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the entire bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 2, line 1, strike "50" and insert in lieu thereof "38."

Mr. GROSS. Mr. Chairman, the amendment I have offered will change the Government's contribution to the health benefits program from the 50 percent contained in the reported bill to 38 percent.

When the Federal employees' health benefits program commenced operations in 1960, the Government's share of the total premium cost worked out at 38 percent. When, because of constantly increasing premium charges the Government's share fell below the 38 percent level, it was again increased by law to 38 percent, by Public Law 89–504, in 1966. My amendment will again set the Government's share at 38 percent and keep it at that level in the future.

I would like to point out, Mr. Chairman, that over the years we have had generally consistent opposition from all administrations in the White House to increasing the Government's share of health benefits premiums. This year, however, the present administration did recognize that an inequity had developed, and instead of appearing before the committee and opposing any increase in the Government's share, the administration spokesmen suggested a formula whereby the Government would begin, and continue, to pay the historic 38 percent.

Instead of accepting the administration's recommendation, the committee went much further and set the rate at 50 percent. The cost to the Federal Government at 38 percent is $182 million; the cost at 50 percent is $314 million.

Mr. Chairman, while I would prefer to see action delayed upon this entire piece of legislation, at least until such time as we are in a better position to pay for it, I think the very least we can do at this time is to adopt my amendment which will cut the cost of this bill by $132 million. We cannot afford the luxury of going 50 percent at this time.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa. As reported, the bill will relieve insureds of the heavy financial burden which they presently bear. Any lowering of the percentage figure I feel would be detrimental and unfair to Federal employees.

When the Federal employees' health benefits program was being established, it was intended that the Federal Government would share equally with the employees and retirees the total costs of the necessary premiums. This, however, has never become reality and amounts to a broken promise. Acceptance of this amendment would not only fail to purify the conscience of Congress, but would continue the Federal Government in the role of somewhat less than a first-rate, progressive, model employer

Since medical expenses have continually risen, the Government's share has decreased to 24 percent of the total cost of the program, rather than the 38 percent it paid in 1960, or the 50 percent which was contemplated as the Federal payment when the program was established.

The figures point out a steadily deteriorating situation and demonstrate the urgency of relieving Federal employees and retirees of the unfair burden of bearing the major share of continuously rambling medical rates. If this amendment is to be the answer, then the Federal employees have a right to be concerned and alarmed, for this amendment would surely perpetuate an inconscionable situation.

The Congress has been committed for some years to the concept of Federal employee pay comparability with private industry pay. This concept necessarily includes Federal employee fringe benefits as compared with those in private industry. In the private sector today, a majority of industries management pays the entire amount of medical insurance premiums, and in the minority of those industry plans to which the employees contribute, management pays over half of the cost. Year by year, it is the impression that the percentage of management contribution continues to increase. This is the direction in which our society is headed. A proposal that, in the Federal service, the employer pays far below one-half of the cost simply follows behind comparable practice prevailing in private industry, and in years henceforth will continue to be even more out of line. Yet we are offered an amendment that would not put us in step, but merely hamper progress and keep us in a backward stage of health benefits program development.

Premium costs have increased between 1960 and 1968 without any significant increase in benefits; and the indication is also that people were additionally required to almost double that amount of out-of-pocket cash they spent on medical care not reimbursed by insurance. A continuation of this practice is unacceptable; and to offer token appeasement, as this amendment suggests, is to play havoc with the lives of Federal employees.

The Government has almost totally neglected to redeem its promises of 10 years ago to employees. Only once during the past decade has the formula for sharing of premium been adjusted. That was in 1966. Otherwise it was a decade of "benign neglect."

Except for some low-option plans and certain self-only enrollments, the contribution by Government has never been equal to 50 percent of the total cost. In fact, it has never exceeded 38 percent for the overwhelming majority of employees, and now is at a threatening low of one-fourth of its original intention.

This lopsided apportionment of costs was not what the 86th Congress had in mind in approving the act. The printed report that accompanied the bill at enactment included the following:

> The Committee recognized that the maximum amounts indicated could not remain unchanged over a long period of years, any more than the cost of living has remained frozen. Medical care costs will undoubtedly fluctuate at least as widely as other items of living costs. The Committee believes that the Congress will continue to be responsible to the needs of the employees and will appropriately act to keep the proposed program in consonance with future developments.

I believe sincerely that simple justice requires that the Government reverse the trend of declining employer contributions to the Federal program. I urge this body to reject this amendment, which would deny employees the 50–50 ratio Congress promised in 1960, and which we are attempting to deliver today.

I feel very strongly that the request for a fair shake in the matter of health insurance represents a reasonable request. The correction being proposed is long overdue. What is needed is positive action—now—to fulfill the commitment made by Government to its employees 10 years ago. I urge the defeat of any amendment that would deny this promise.

Mr. SCOTT. Mr. Chairman, I rise in opposition to the amendment.

The **CHAIRMAN.** The gentleman from Virginia is recognized.

Mr. SCOTT. Mr. Chairman, this bill without the amendment provides for a 50–50 sharing of cost between the Government and the employee. It is a compromise measure. The amendment, as I understand it, would reduce the 50 percent the Government would contribute to 38 percent.

This is an unfair amendment insofar as the Government employee is concerned. We have had other bills before our committee that would have the Government pay the entire 100-percent cost of health benefits. One bill considered would have 50-percent payment by the Government for the first period of time with a later 75-percent contribution by the Government, and still later 100 percent.

Mr. Chairman, I might mention that the Bureau of Labor Statistics, in a release dated May 18, 1970, indicated that the fringe benefits, the amount paid for life, accident, and health insurance by private industry, averages 3.6 percent over and above the base salary of the employee whereas the Government pays only 1.6 percent in fringe benefits, which indicates the Government is lagging considerably behind private industry in this field.

It is my understanding that the Government today contributes roughly 24 percent of the cost of health benefits. It seems reasonable to me, however, that contribution between Government and employees should be on an equal, a share-and-share-alike basis, between the Government and the employee. Therefore, I urge defeat of the amendment.

Mr. HOGAN. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from Iowa. As the bill presently stands it will, to some degree, help Federal employees to reach the level of health insurance benefits offered by private American employers.

The inescapable trend in private employment has been directionally pointed toward noncontributory health insurance plans. While the Federal employee knows that the Government is unable to grant him a noncontributory health program at this time, he would humbly accept the provisions of H.R. 16968.

This bill should be left untampered with, so that it can promote a moderate measure of relief to some of the financial burdens of employees and annuitants. If passed in its reported form, it will be a landmark in Government health benefits. It will restore some sensibility to the ridiculous imbalance which now exists.

The proposed amendment does little to modernize the present health benefits program. Something on a larger scale must be done now to alleviate the hardships that medical costs have brought to Federal employees and retirees. If adopted, the amendment is but one more failure to respond to Federal employee needs. Fifty percent is a small price to ask when consideration is made of the trends in private industry, the increased cost of living, and the increased medical care cost. What the question boils down to is whether Congress will allow a continuation of a "horse-and-buggy" health benefits program, or whether it will make a positive move for a trade-in on something a little more dependable and modern.

When Congress adopted the present insurance program in 1960, the promise of equal sharing between Federal employees and the Federal Government was the intention. However, this intention has never materialized, and adoption of this proposed amendment would further undermine the original congressional intent.

This amendment, by decreasing the proposed legislation, would merely perpetuate the already flagrant inequity that has been leveled on Federal employees by the Government.

By reason of periodic increases in premiums, brought on mainly by rises in medical care costs, and the failure of Government to be responsive to the

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needs of employees, the employee has been obliged to absorb practically the entire amount of these periodic premium raises. The situation today finds the average Federal employee worse off than he was 10 years ago when the law was enacted. This amendment would involve only a small percentage of what is necessary to be done, and if it is adopted, it will be outmoded upon acceptance.

The amendment offered is a negating factor in all conceivable ways. I urge that it be rejected.

Mr. HENDERSON. Mr. Chairman, I rise in objection to the proposed amendment. The Congress should take a long look at the facts and give its full support to the legislation without amendment. The burdens of the unbalanced share of medical expenditures which the employee in Federal Government, and the retiree from Federal service, has to face cannot be met by a compromise to a lesser figure.

This legislation, as approved by your committee, would provide a major improvement in the funding formula of the Federal employees' health benefits program, as originally adopted and as it presently exists. To accept this amendment would provide only a minor improvement to an evergrowing problem, one that is not substantial enough to match the present trends in private industry or the needs of Federal retirees and employees.

When the Federal health program was enacted in 1959, it was anticipated that the majority of employees would select coverage under low options. The general intent, based on the legislative history, would indicate that the Congress desired to set the Government's share of the cost at 50 percent. However, the vast majority of employees elected coverage under high options, making it evident the majority recognized the necessity of securing the best health coverage available. In each open season since the program began in 1960, the net result has shown a constant movement to high option, and it is estimated that more than 90 percent of all persons insured now hold high-option coverage. Therefore, I think it is necessary for the Federal Government to establish a 50-50 share of costs based on high options, rather than compromise by amendment to a figure unfair to the vast majority of those enrolled in this program.

Under Public Law 86-382, passed in 1959, the Federal employee has consistently paid from two-thirds to three-fourths of the entire premium costs. This definitely was not the intention of the 86th Congress in approving the measure, and it definitely should not be the intention of the 91st Congress by accepting the amendment.

The first, last, and only adjustment made in the Government's share of the total premium cost was in 1966. The biweekly contribution for high option, family plan increased from $3.12 to $4.10 or about 31 percent. This during a period when, as indicated, medical expenses increased by 52 percent. Are we going to stand by and accede to an amendment comparable in degree to the action taken in 1966? The answer should be definitely not.

The cost of medical care, surgery, and hospitalization has skyrocketed progressively since the enactment of the act, and corresponding increases in premium costs and additional types of coverage adopted by the private sector industry have made necessary a review of the program to determine what changes are appropriate and desirable after 10 years of experience. In my opinion, H.R. 16968 is the minimal answer to the change needed in the program. To establish a lesser ratio, as proposed in this amendment, would be unjust and unharmonious with the cost of medical care, surgery, and hospitalization.

Government calculations indicate medical costs have been rising faster than the total cost of living. A recent actuarial study of the Federal employees' health benefits program indicates that health insurance premiums will double over the next decade. When faced with this study, can the Congress consider such a proposed amendment featuring a lesser ratio of Government and employee sharing? The study also indicates that the two Government-wide plans can be expected to increase premiums from 10 percent to 35 percent every 2 years between now and 1976, with biannual increases averaging between 20 and 25 percent. What further proof is needed to invalidate the amendment offered?

A comparison between what the Federal Government pays and what private employees pay for the health benefits programs has been made by the Bureau of Labor Statistics. It is expressed in terms of a percentage of basic wages and salaries. The contrast is striking. According to the latest figures, some 3.6 percent of private wages are allocable to health benefits programs, whereas the Federal Government's expenditure for the same benefits is only 1.6 percent of wages. This comparison further demonstrates the need for H.R. 16968 to be adopted without any reduction in the percentage rate recommended by your committee.

Should there be a mere 5-percent improvement in benefits in 1971, 1973, and 1975, the annual premium would increase to over $900. Unless the Government's contribution toward premium is increased from the present yearly legal maximum of $106.56—26 pay periods times $4.10—I wonder how many of the 2½ million employees and their 5½ million dependents will be able to afford health insurance 2, 3, or 5 years hence? Sure, the amendment would provide relief, but why do a poor job when a good job is better?

Also to be considered is the burden placed on retirees, who must continue to pay appreciable premiums beyond the age when employees in private industry are given free medicare hospital coverage. While this amendment would alleviate this problem to a small degree, its adoption would place a severe penalty on retired employees who have paid substantial premiums during their active working years, and then must continue to pay a large percentage of the premiums for health benefits each year when their income is at its lowest.

The time is long overdue for the Government to begin catching up with private industry in the area of providing fringe benefits to its employees. The Committee on Post Office and Civil Service has long felt that the Government should be a leader in all areas including pay, fringe benefits, and so forth rather than subscribing to a policy of being a poor follower.

Therefore, Mr. Chairman, I urge the House to unanimously reject the proposed amendment.

Mr. OLSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. ADDABBO. Mr. Chairman, I rise in opposition to the Gross amendment and in support of the committee bill. I have long called for a greater Government contribution toward health benefits for our Federal employees. Although the present bill increases that contribution, it still is far from comparable to that provided for by private industry.

The Gross amendment would further turn back the clock and increase discrimination against our Federal employees. I sincerely hope that this is only a start toward increasing the fringe benefits to which our Federal employees are entitled and have long waited for. I ask my colleagues to vote down this amendment and support the bill without any amendments.

Mr. DULSKI. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa.

Mr. Chairman, when the health plan was enacted in 1959, the intent was for the Federal Government to pay 50 percent of the costs of coverage. Rising costs of health benefits have been the leading factor in bringing about an inequitable ratio between employer and employee costs.

One of the undesirable results of the passage of Public Law 86-382, generated 10 years ago, has been a formula whereby the employee has consistently paid two-thirds or more of the entire premium costs. This definitely was not the intention of the 86th Congress in approving the measure. The clear intent was no less than a 50-50 sharing of costs.

Medical care costs have increased during those 10 years since the passage of Public Law 86-382. They have not only matched the increases in all other items; they have outrun them by a great margin.

From 1960 through January of 1969, the Bureau of Labor Statistics reports that the Consumer Price Index for all items in the index budget increased slightly less than 25 percent.

During that same period, the amount of all medical care items increased by 52 percent. Contributing factors to that amazing figure include a 55-percent increase in physicians' fees and a 155-percent increase in hospital daily charges. Only charges for prescription drugs remained relatively stable during the same period.

The Bureau of Labor Statistics also reported that about two-thirds of the employers with contributory arrangements paid over half the cost of hospitalization, surgical and medical plans.

The first, last, and only adjustment

made in the Government's share of the total premium cost was in 1966. The biweekly contribution for high option, family plan increased from $3.12 to $4.10 or about 31 percent. This during a period when, as indicated, medical expenses increased by 52 percent.

Unless steps are taken to determine who is going to insure the retired Federal employee, and how his insurance is going to be financed, it is a reasonable prediction that: First, Federal annuitants are soon going to be priced out of the health insurance market; or, second, the Federal employees' health benefits program, as we now know it, will cease to exist.

Retirees pay the same premium and receive precisely the same benefits as active employees. There are two things wrong with that kind of setup. In the first place, the Federal retiree can ill afford a monthly premium ranging from $25 to $35 and up for practically the same insurance protection the average married citizen at age 65 has been getting under medicare for $8 per month.

Certainly, cost is a relevant factor—along with all the other factors militating the achievement of economic justice for Federal workers and annuitants, and fulfillment of the fundamental pledge of comparability. The key to reducing prices is not a stubborn resistance to any enlargement of the Government's premium obligations. The wiser course would be for the Government to bend its efforts, in meaningful ways, to slow down the spiraling costs of medical services.

The cruel reality is that a workingman today simply cannot afford a serious illness, the end value of which is often bankruptcy and death. The workingman—any person of moderate means—receives only rudimentary medical attention and is prostrate for considerably longer financially than he is medically.

Mr. Chairman, I therefore urge the overwhelming rejection of the proposed amendment.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The amendment was rejected.

The **CHAIRMAN**. Are there further amendments?

Mr. **DANIELS** of New Jersey. Mr. Chairman, there are no further amendments.

The **CHAIRMAN**. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 16968) to provide for the adjustment of the Government contribution with respect to the health benefits coverage of Federal employees and annuitants, and for other purposes, pursuant to House Resolution 1078, he reported the bill back to the House.

The **SPEAKER**. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. **GROSS**. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. **GROSS**. In its present form I am, Mr. Speaker.

The **SPEAKER**. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. GROSS moves to recommit the bill H.R. 16968 to the Committee on Post Office and Civil Service with instructions to report it back forthwith with the following amendment:
>
> On page 2, line 1, strike "50" and insert in lieu thereof "38."

The **SPEAKER**. Without objection, the previous question is ordered.

There was no objection.

The **SPEAKER**. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. **GROSS**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 146, nays 200, not voting 85, as follows:

[Roll No. 211]

YEAS—146

Abbitt
Abernethy
Adair
Anderson, Calif.
Andrews, Ala.
Arends
Ayres
Baring
Belcher
Berry
Betts
Blackburn
Bow
Bray
Burleson, Tex.
Burton, Utah
Cabell
Camp
Casey
Chamberlain
Chappell
Clancy
Clawson, Del
Collier
Collins
Colmer
Conable
Conte
Coughlin
Cowger
Crane
Daniel, Va.
Davis, Wis.
Dellenback
Dennis
Derwinski
Dickinson
Dorn
Dowdy
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Fisher
Flowers
Flynt
Foley
Ford, Gerald R.

Foreman
Fountain
Frelinghuysen
Frey
Fuqua
Goldwater
Goodling
Gross
Grover
Gubser
Haley
Hall
Hammerschmidt
Hansen, Idaho
Hastings
Hosmer
Hull
Hutchinson
Ichord
Johnson, Pa.
Jonas
Keith
King
Landgrebe
Landrum
Langen
Latta
Lloyd
Lujan
McClory
McClure
McMillan
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Mayne
Michel
Miller, Ohio
Minshall
Mizell
Montgomery
Mosher
Natcher
Obey
O'Konski

O'Neal, Ga.
Passman
Pettis
Pickle
Poage
Poff
Price, Tex.
Quie
Reid, Ill.
Rhodes
Robison
Roth
Rousselot
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schmitz
Schneebeli
Schwengel
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Vander Jagt
Watson
Watts
Whalley
Widnall
Wiggins
Williams
Winn
Wold
Wolff
Wyman
Zion

NAYS—200

Addabbo
Albert
Alexander
Annunzio
Ashley
Barrett
Bennett
Bevill
Biaggi
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Clark
Clay
Cleveland
Cohelan
Conyers
Corbett
Corman
Culver
Daddario
Daniels, N.J.
Davis, Ga.
de la Garza
Delaney
Donohue
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Fish
Flood
Ford, William D.
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz

Giaimo
Gibbons
Gonzalez
Gray
Green, Pa.
Griffin
Gude
Hagan
Halpern
Hamilton
Hanley
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Hogan
Holifield
Howard
Hungate
Hunt
Jacobs
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Kluczynski
Koch
Kyl
Kyros
Lennon
Long, Md.
Lowenstein
Lukens
McDade
McFall
McKneally
Macdonald, Mass.
Madden
Matsunaga
Meeds
Melcher
Mikva
Miller, Calif.
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Murphy, N.Y.
Nichols
Nix
O'Hara
Olsen
O'Neill, Mass.

Ottinger
Patman
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Preyer, N.C.
Price, Ill.
Pucinski
Purcell
Railsback
Rees
Reid, N.Y.
Reuss
Riegle
Roberts
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roybal
Ruppe
Ryan
St Germain
Scheuer
Scott
Smith, Iowa
Stafford
Staggers
Stanton
Steed
Stephens
Stokes
Stuckey
Sullivan
Symington
Taylor
Thompson, Ga.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Whalen
White
Whitehurst
Wright
Wydler
Yates
Yatron
Young
Zablocki
Zwach

NOT VOTING—85

Adams
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Aspinall
Beall, Md.
Bell, Calif.
Brock
Broomfield
Brown, Calif.
Bush
Byrnes, Wis.
Caffery
Carey
Carter
Cederberg
Celler
Chisholm
Clausen, Don H.
Cramer
Cunningham
Dawson
Denney
Dent
Devine
Diggs

Dingell
Edwards, La.
Farbstein
Findley
Fraser
Gaydos
Gettys
Gilbert
Green, Oreg.
Griffiths
Hanna
Hansen, Wash.
Hébert
Heckler, Mass.
Hicks
Horton
Jones, Tenn.
Kirwan
Kleppe
Kuykendall
Leggett
Long, La.
McCarthy
McCloskey
McCulloch
McDonald, Mich.
McEwen
MacGregor
Meskill

Mills
Mize
Morton
Myers
Nedzi
Nelsen
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Quillen
Randall
Rarick
Reifel
Rivers
Rogers, Colo.
Saylor
Shipley
Sisk
Slack
Stratton
Taft
Weicker
Whitten
Wilson, Bob
Wilson, Charles H.
Wyatt
Wylie

So the motion to recommit was rejected.

XUM

The Clerk announced the following pairs:

Mr. Hébert with Mr. Anderson of Illinois.
Mr. Mills with Mr. Devine.
Mr. Casey with Mr. Cederberg.
Mr. Aspinall with Mr. Andrews of North Dakota.
Mr. Whitten with Mr. Morton.
Mr. Rogers of Colorado with Mr. McDonald of Michigan.
Mr. Podell with Mr. Dawson.
Mr. Caffery with Mr. Ashbrook.
Mr. Pryor of Arkansas with Mr. Carter.
Mr. Rarick with Mr. Don H. Clausen.
Mr. Dingell with Mr. Beall.
Mr. Long of Louisiana with Mr. McCulloch.
Mr. Pepper with Mr. Cramer.
Mr. Charles H. Wilson with Mr. Nelsen.
Mr. Gettys with Mr. Cunningham.
Mr. Hicks with Mr. Denney.
Mr. Dent with Mr. Quillen.
Mr. Nedzi with Mr. Broomfield.
Mr. Celler with Mr. Horton.
Mr. Leggett with Mr. Powell.
Mr. Jones of Tennessee with Mr. Kleppe.
Mr. Gaydos with Mr. McEwen.
Mr. Gilbert with Mr. Bell of California.
Mr. Shipley with Mr. Findley.
Mr. Stratton with Mr. Pollock.
Mr. Sisk with Mr. Byrnes of Wisconsin.
Mrs. Griffiths with Mrs. Heckler of Massachusetts.
Mr. Farbstein with Mr. MacGregor.
Mr. Randall with Mr. Kuykendall.
Mr. Edwards of Louisiana with Mr. Brock.
Mr. Slack with Mr. Mize.
Mr. McCarthy with Mr. Meskill.
Mr. Brown of California with Mr. Diggs.
Mr. Adams with Mr. McCloskey.
Mr. Anderson of Tennessee with Mr. Bush.
Mr. Fraser with Mrs. Chisholm.
Mr. Kirwan with Mr. Reifel.
Mrs. Green of Oregon with Mr. Saylor.
Mr. Hanna with Mr. Taft.
Mrs. Hansen of Washington with Mr. Weicker.
Mr. Rivers with Mr. Wyatt.
Mr. Myers with Mr. Wylie.

Messrs. FOLEY, BRAY, and WIDNALL changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 284, nays 57, not voting 90, as follows:

[Roll No. 212]

YEAS—284

Abbitt
Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Annunzio
Ashley
Ayres
Barrett
Belcher
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Cabell
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clay
Cleveland
Cohelan
Collier
Collins
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Culver
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
de la Garza
Delaney
Donohue
Dorn
Dowdy
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Feighan
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Grover
Gubser
Gude
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Hogan
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Koch
Kyl
Kyros
Lennon
Lloyd
Long, Md.
Lowenstein
Lukens
McClure
McDade
McFall
McKneally
McMillan
Macdonald, Mass.
Madden
Mahon
Mailliard
Marsh
Martin
Mathias
Matsunaga
May
Meeds
Melcher
Mikva
Miller, Calif.
Minish
Mink
Minshall
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nichols
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poff
Preyer, N.C.
Price, Ill.
Purcell
Quie
Railsback
Rees
Reid, N.Y.
Reuss
Rhodes
Riegle
Roberts
Robison
Rodino
Roe
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Ruth
Ryan
St Germain
Sandman
Satterfield
Scheuer
Schneebeli
Schwengel
Scott
Shriver
Sikes
Slack
Smith, Calif.
Smith, Iowa
Snyder
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stokes
Stubblefield
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Waggonner
Waldie
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wolff
Wright
Wydler
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—57

Abernethy
Andrews, Ala.
Arends
Baring
Berry
Blackburn
Burleson, Tex.
Burton, Utah
Camp
Carter
Clawson, Del
Colmer
Crane
Davis, Wis.
Dellenback
Dennis
Derwinski
Dickinson
Duncan
Edwards, Ala.
Erlenborn
Flynt
Foreman
Fountain
Goldwater
Gross
Hall
Jonas
King
Landgrebe
Landrum
Langen
Lujan
McClory
Mann
Mayne
Michel
Miller, Ohio
Mizell
Montgomery
Poage
Price, Tex.
Reid, Ill.
Rousselot
Schadeberg
Scherle
Schmitz
Sebelius
Skubitz
Smith, N.Y.
Springer
Steiger, Ariz.
Thomson, Wis.
Watts
Winn
Wold
Wyman

NOT VOTING—90

Adams
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Aspinall
Beall, Md.
Bell, Calif.
Blatnik
Brock
Broomfield
Brown, Calif.
Bush
Byrnes, Wis.
Caffery
Carey
Casey
Cederberg
Celler
Clausen, Don H.
Cramer
Cunningham
Dawson
Denney
Dent
Devine
Diggs
Dingell
Edwards, La.
Fallon
Farbstein
Findley
Fraser
Gaydos
Gettys
Gilbert
Griffiths
Hansen, Wash.
Hébert
Heckler, Mass.
Hicks
Holifield
Horton
Jones, Tenn.
Kirwan
Kleppe
Kluczynski
Kuykendall
Latta
Leggett
Long, La.
McCarthy
McCloskey
McCulloch
McDonald, Mich.
McEwen
MacGregor
Meskill
Mills
Mize
Morton
Myers
Nedzi
Nelsen
Pepper
Podell
Pollock
Powell
Pryor, Ark.
Pucinski
Quillen
Randall
Rarick
Reifel
Rivers
Rogers, Colo.
Ruppe
Saylor
Shipley
Sisk
Stratton
Taft
Thompson, Ga.
Vigorito
Weicker
Whitten
Wilson, Bob
Wilson, Charles H.
Wyatt
Wylie

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Anderson of Illinois.
Mr. Mills with Mr. Devine.
Mr. Carey with Mr. Cederberg.
Mr. Blatnik with Mr. Bob Wilson.
Mr. Aspinall with Mr. Andrews of North Dakota.
Mr. Whitten with Mr. Morton.
Mr. Rogers of Colorado with Mr. McDonald of Michigan.
Mr. Podell with Mr. Dawson.
Mr. Caffery with Mr. Ashbrook.
Mr. Pryor of Arkansas with Mr. Thompson of Georgia.
Mr. Rarick with Mr. Don H. Clausen.
Mr. Dingell with Mr. Beall of Maryland.
Mr. Long of Louisiana with Mr. McCulloch.
Mr. Pepper with Mr. Cramer.
Mr. Charles H. Wilson with Mr. Nelsen.
Mr. Gettys with Mr. Cunningham.
Mr. Hicks with Mr. Denney.
Mr. Dent with Mr. Quillen.
Mr. Nedzi with Mr. Broomfield.
Mr. Celler with Mr. Horton.
Mr. Leggett with Mr. Powell.
Mr. Jones of Tennessee with Mr. Kleppe.
Mr. Gaydos with Mr. McEwen.
Mr. Gilbert with Mr. Bell of California.
Mr. Shipley with Mr. Findley.
Mr. Stratton with Mr. Pollock.
Mr. Sisk with Mr. Byrnes of Wisconsin.
Mrs. Griffiths with Mrs. Heckler of Massachusetts.
Mr. Farbstein with Mr. MacGregor.
Mr. Randall with Mr. Kuykendall.
Mr. Edwards of Louisiana with Mr. Brock.
Mr. Kluczynski with Mr. Mize.
Mr. McCarthy with Mr. Meskill.
Mr. Brown of California with Mr. Diggs.
Mr. Adams with Mr. McCloskey.
Mr. Anderson of Tennessee with Mr. Bush.
Mr. Fraser with Mr. Ruppe.
Mr. Kirwan with Mr. Reifel.
Mr. Vigorito with Mr. Saylor.
Mr. Holifield with Mr. Taft.
Mrs. Hansen of Washington with Mr. Weicker.
Mr. Rivers with Mr. Wyatt.
Mr. Myers with Mr. Wylie.
Mr. Casey with Mr. Latta.
Mr. Fallon with Mr. Pucinski.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DANIELS of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 16968, and to include extraneous material.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

XUM

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time for the purpose of asking the distinguished majority leader the program for the rest of the week, if any, and the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. In response to the distinguished minority leader's inquiry, we have no further business for the week and will ask to go over until Monday after the announcement of the program.

The program for next week is as follows:

Monday is District day and we have two District bills.

H.R. 18086, to authorize the District of Columbia Commissioner to sell or exchange certain real property in Prince William County, Va.; and

H.R. 17146, to amend the act incorporating Columbian College—the George Washington University.

Also, while this is not on the whip notice, there may be conference reports from the Committee on the District of Columbia and from the Committee on Education and Labor.

Also for Monday and the balance of the week, there are scheduled:

H.R. 17654, Legislative Reorganization Act of 1970. Open rule with 4 hours of debate.

H.R. 13100, to extend programs for training in the allied health professions. Open rule with 1 hour of debate.

H.R. 14237, to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. Open rule with 1 hour of debate.

H.R. 16542, to regulate the mailing of unsolicited credit cards. Open rule with 2 hours of debate.

ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I notice some blank spaces at the bottom of the program for next week and I fully expected to find there some notation as to when I might expect to get a little recess to go fishing or for some of us to go fishing for votes.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. ALBERT. I wish I were able to give the gentleman a definitive answer at this time, but I expect that the last 2 weeks of August and the first week of September might possibly be recess time.

Mr. GROSS. That takes real good care of it. I thank the majority leader.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON S. 3215

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the conferees on the arts and humanities bill, S. 3215, may have until midnight tomorrow night to file the conference report to be printed in the RECORD under the rule.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERSONAL EXPLANATION

Mr. PUCINSKI. Mr. Speaker, on rollcall No. 212 I was unavoidably detained with a delegation in my office and was unable to vote. If I had been here, I would have voted "yea" for this legislation.

PERSONAL EXPLANATION

Mr. HOLIFIELD. Mr. Speaker, on rollcall No. 212 I was called out of the Chamber. If I had been here, I would have voted "yea."

TOBACCO INDUSTRY EXPRESSES RESERVATIONS CONCERNING H.R. 16920, TEXTILE IMPORTS

(Mr. McMILLAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. McMILLAN. As a cosponsor of the Mills bill, H.R. 16920, in connection with textile imports, I have heard a rumor that some members of the tobacco industry have expressed reservations concerning this proposed legislation.

My interest in this legislation is to protect the textile industry and its employees. We all know that by permitting textiles to be shipped into this country from cheap labor markets, we are destroying the textile industry in both South Carolina and the entire Nation, thereby causing thousands and thousands of valuable, skilled employees to lose their jobs.

I am certain there is nothing in the textile bill which would jeopardize the export of tobacco from this country as other countries certainly need our tobacco to produce good cigarettes.

I am inserting a letter from the Coker's Pedigreed Seed Co., addressed to the chairman of the Ways and Means Committee, in the RECORD at this point. I would like to state that the Coker Co. is the largest tobacco seed company in the Nation and its president, Mr. Robert Coker of Hartsville, S.C., is one of the outstanding agriculturists in this country. He is greatly interested in the tobacco industry since his company is located in my congressional district and tobacco is the largest money crop. However, Mr. Coker has not only the tobacco industry, but other farm products and the textile industry of our State and the Nation at heart. We are equally interested in cotton and textiles and will do everything possible to see that the Government places quotas on textiles coming into our country from cheap labor markets.

I hope every Member of Congress will take time to read Mr. Coker's letter, which follows:

COKER'S PEDIGREED SEED CO.,
Hartsville, S.C., June 30, 1970.

Hon. WILBUR MILLS,
Chairman, Ways and Means Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN MILLS: It is our opinion that the textile import legislation known as the Mills Bill (HR 16920), which you have introduced in Congress, is of vital importance to the future of cotton production in the United States.

Our company has for many years been engaged in seed breeding and development of improved varieties of the principal southern field crops which include cotton, tobacco, soybeans, wheat and corn. The export market for all of these farm commodities is of great importance to the welfare of American agriculture.

The many issues involved in your proposed legislation have been widely discussed pro and con. The purpose of this letter, copy of which will be released to the news media in the agricultural areas of the South, is to respond to the argument advanced by some opponents of the measure that its passage would result in retaliation by foreign countries against a broad range of American agricultural export products.

Because of the importance of the agricultural export market, notably Japan, to American farm interests, the natural concern felt for any legislation which might have a damaging effect on any segment of the agricultural economy is understandable. However, this concern is not justified by the facts of international trade as it exists today.

Actually, textile imports have no direct relation to exports of our agricultural products. Our trade with Japan is the best example. Japan is the leading foreign market for American farm products. Last year, Japan purchased from the United States about $1.1 billion worth of wheat, corn, feed, grain sorghum, tobacco, cattle, hides, lemons, alfalfa meal, soybeans, cotton, tallow and other farm products. At the same time, the United States purchased from Japan about $4.9 billion worth of products, mainly manufactured goods. Japan's total purchases from the U.S. came to $3.5 billion. This left a difference of about $1.4 billion in favor of Japan or a deficit in that amount for the United States.

With such a favorable trade balance, growing larger every year as a result of a carefully sheltered home market and aggressive and often subsidized selling abroad, the Japanese are in no position to talk about "retaliation". Japan's gross national product is increasing 10 to 14 per cent annually, and today it is the second largest in the free world. Japan's economy is moving rapidly toward heavy industrialization, and as a result, is dependent more and more on imports of agricultural products.

It is a well established fact that Japan buys needed raw materials wherever and whenever it can get the best price, most reliable source of supply and best trading terms. This is illustrated in recent years by rising textile imports from Japan and falling raw cotton exports. Since 1965, Japanese imports of U.S. agricultural products increased from $901 million to about $1 billion in 1969, an increase of 11 per cent. Over the same period, U.S. purchases from Japan rose from $2.4 billion to $4.9 billion, an increase of 104 per cent.

Japan sells virtually no cotton textiles in Mexico, yet, last year Japan imported more raw cotton from Mexico than it did the United States.

Tobacco is another case in point.

The United States is the major supplier of tobacco to Japan. In 1969, we sold $49 million worth of tobacco to Japan for a 74 per cent share of its total tobacco purchases. But to argue that the imposition of reasonable restraints on U.S. textile imports from Japan will mean a reduction in her American tobacco purchases is contrary to simple economic facts. Japan buys tobacco and other raw materials from those countries from which she can obtain the best prices, quality, and trading terms. This she will continue to do. There is really no relationship between our Japanese textile imports and our exports of tobacco to her. In 1966, Japan sent us $415 million worth of textiles. She bought from us $46 million worth of tobacco. In 1969, her textile exports to the U.S. totaled $540 million in value, while her tobacco imports from us reached $49 million. While textile imports rose by $125 million worth, tobacco exports rose by only $3 million.

Under your legislation pending in Congress, there would be no reason for Japan to curtail its purchases of cotton, tobacco or any other farm commodities. The bill does not seek to cut off all textile imports. On the contrary, it encourages the President to negotiate reasonable agreements with exporting nations. Only if a country refused to enter into a voluntary agreement would the specific limitations outlined in the bill apply.

The United States textile industry is by far the biggest, best and most dependable market for American grown cotton, and its economic health and well-being are highly important to our national economy. The passage of this legislation should be supported by farm people and their leadership.

Sincerely yours,

ROBERT R. COKER,
President.

ALBERT RAINS SPEECH CONTEST WINNERS

(Mr. BEVILL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BEVILL. Mr. Speaker, each year since becoming a Member of Congress, it has been my privilege to have placed in the CONGRESSIONAL RECORD the three winning speeches in the annual Albert Rains Speech Contest held at Snead State Junior College in my congressional district. This contest, which is sponsored by former Congressman Rains, gives the students at Snead the opportunity to express their thoughts and feelings on vital topics. These speeches are always interesting and informative and show the intense concern today's students have for the problems facing our Nation.

At this time, Mr. Speaker, I place in the RECORD copies of the three winning speeches and offer my congratulations to the winners.

This year's winners are:

First place: Larry Buchanan, 1600 O'Brig Avenue, Guntersville, Ala. 35976.

Second place: Mrs. Cindy Godwin, Route 2, Horton, Ala. 35980.

Third place: Freddie Henley, Route 1, Gunterville, Ala. 35976.

SHOULD 18-YEAR-OLDS VOTE?

(By Larry Rogers Buchanan)

What are our youth? We are people who have interests in the successes of our city, our state and our nation. We are people who have something to offer this nation and its people.

We are not all rioters; but neither are we all good. The majority of our students are prepared to stand for this nation and its beliefs. We are ready to tell the world that this nation is great and that its goals are going to be successful because we are going to make them that way.

By the time we are eighteen years old, we have already come into contact with many of the problems that face this nation. We have already come into contact with the poor. We have met the sick. We have met the hungry. We have developed sympathy and compassion for the people who are affected by these conditions.

We want to make changes; but we don't necessarily want to make those changes that the radio, and television, and newspapers say that we wish to. We don't necessarily want to burn the colleges. As a matter of fact, the majority of the youth want to learn. We don't necessarily want to trample on the flag. As a matter of fact, most of us still appreciate what it stands for: the symbol of freedom, the symbol of rights for all men, and the great heritage that it represents: Washington's fighting, Henry's statement that still rings through the history of the United States.

We want to make changes, yes. We want to change the conditions that prevent man from having a happy life. We want to thwart disease. We want to improve education. We want to alleviate poverty.

Many of us will, in the next few years, be fighting for our flag and all of us will be fighting the problems that this nation must face.

We are interested in good government more so than any other age group. Just look at the polls that are taken in our high schools and colleges during the governor's race and the senate race and the presidential race. At these polls there is a better turn out than there is at the polling place on election day.

We are constantly bombarded with headlines in newspapers and on radios and on television that tell us of the ills of our nation. Constantly we hear about the problems that we face as a nation. We know these problems that we face, and we wish to be able to help solve them.

We are responsible. Most of us have learned responsibility by having had jobs which told us that responsibility is a good word.

We are more highly educated than the twenty one year old group was when the twenty one year old age limit was set. By eighteen, most of us have graduated from high school and most of us have started to attend a college or trade school or business school. This is a new thing compared to the time when the twenty one year old limit was set.

What makes the big difference in education is that we have better facilities and classes through which we are able to learn about world affairs. We have already had many years of history. We have studied geography. We have studied in a limited amount the field of space and we have already learned about the stock market. We have the chance to learn to vote through having Student Council on a widespread basis.

Most people when thinking of this new age for voters think that if a person is old enough to go fight for his country, he is old enough to vote. Just giving a man a gun does not make him qualified to vote. The thing that does make him qualified is interest. We are interested in better education. We are interested in better government. We are interested in being able to help fight man's problems that prevent his having a good life.

We learn many things from our parents. From them we learn the problems of this nation. We want to be a part of the solutions to our problems and not a part of the problems. We do want to vote.

Eighteen year olds should be able to vote because we are qualified: we have been exposed to our problems, we want better government, and we want to vote. If we are allowed to vote now, we can be better prepared to be good leaders later because we will know how to be responsible in making decisions.

You cannot have freedom without responsibility. If you will give us the right to vote, we will do our best to exercise that right responsibly.

SHOULD 18-YEAR-OLDS VOTE?

(By Cindy Godwin)

For a nation that has historically concerned itself with enlarging the electorate, the United States has always treated one large group of citizens with curious neglect. Over the years, five major groups have been added to the voting ranks; the landless, Negroes, women, citizens in the District of Columbia and refugees from the poll tax. Yet America, a nation obsessed with youth, with half its population under 25, does not let a citizen vote until he is 21. An 18-year-old can be drafted, he can be held responsible before the law, and can even be given the death penalty in some states, but he cannot cast a ballot except in Kentucky and Georgia.

The idea of 18 year olds voting first reached Capitol Hill in 1942 and President Eisenhower lost a 1954 bid to lower the nation's voting age by a mere 5 votes. In 1968, President Johnson proposed the 26th Amendment to lower the voting age, which was also killed. President Nixon has again proposed the amendment but the chances are growing dim that it will pass.

Why should 18 years olds be given the privilege of voting? President Johnson expressed it this way. "The young people of America in this decade," he declared, "are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generation of the past." The weight of recent physiological and psychological evidence suggests the the U.S. 18 year old is not appreciably different from a 21 year old. The voting age of 21, after all, survives in the U.S. as the age of maturity more because of legal conveniences and medieval custom than through biological necessity. "Based on everything we know," says Dr. C. Keith Connors, director of the Child Development Laboratory at Mass. General Hospital, "an extra three years is not going to add to emotional stability or maturity."

Equally important, according to Dr. Edward Shoben, director of Academic Affairs for the American Council on Education, today's 18 year olds are well-informed. They stay in school longer, more of them get high school diplomas, and more of them go on to college than ever before. Furthermore, the media all keep the young informed about what is happening. In fact, Shoben believes, the

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scores that young people make on achievment tests show that they know more about the world than their parents did at the same age. Mr. Shoben says, "One of the major problems for youth is that they are biologically men and women and they have the same information as men and women have, but they are excluded from making decisions and acting as adults.

The most frequently heard argument in favor of letting younger people vote is this: If a man is old enough to fight and die for his country in the armed forces, he is old enough to vote. Way over one-fourth of the American troops in Viet Nam are under 21. Why shouldn't these young men be allowed to vote for the man they will ultimately take orders from, the President.

If the right to vote is denied to the young people between the ages of 18 and 20, it is entirely possible that they will join the more militant minority of their fellow students and engage in destructive activities.

Another argument for lowering the voting age is that it would stimulate interest in public affairs. We young people have been accused of being too idealistic. But maybe that is just what our government needs, a little more idealism and optimism.

I am 20 years old now, but when I was 18 and a senior in high school, I felt the voting age should definitely be lowered. I still feel the same way, and I will continue to work to have it lowered so that maybe by the time I have children and they become 18, they will be able to have a voice in our nation. America is a wonderful country. God has truly shed his grace on us. We younger people would like to make it even greater, and I know we can if we are ever given the opportunity.

Should 18-Year-Olds Vote?

(By Freddie Henley)

If you don't think 18-year-olds should vote, I suggest you visit any Army Medical Center in this country. Go and talk to the thousands of young men who are crippled and scarred for life as a result of their involvement in a war in southeastern Asia. Many of these young men don't vote.

In 1968 over 10 million young Americans between the ages of 18 and 21 were denied the right to vote. They were refused the privilege of helping to select their future leaders.

At present, there are over 3 million people under 21 who are married. Many have children. They are unable to vote.

More than 6 million young people between ages 18 and 21 work and pay taxes. They are, therefore, taxed without representation. It was not too many years ago that taxes without representation was one of the battle cries for a revolution.

Eighteen year old men and women facing criminal charges are brought into adult, not juvenile, courts to be tried.

All of the points just mentioned are valid reasons for lowering the voting age to 18. There are, however, other reasons just as important.

Today's world is fast and action packed. The activities of this age are keyed on the young people. Almost everywhere you turn, advertising beckons the youth. Fashions, movies, television, music—all center on young people.

The youth of today are involved. They know more and are better informed on vital issues. It is a proven fact that more young people graduate from high school and college today than in any other age.

Earlier this week a newscast reported on a proposal made by the United States senator from the state of Washington. He suggested that during election times, college campuses should close for two weeks to allow students to participate in campaign work for their favorite candidate. The majority of college students who work in political campaigns cannot vote.

Throughout America, political leaders acknowledge the fact that 18 year olds are concerned and interested in the welfare of this country. In the words of former President Johnson:

"The young people of America in this decade are far more ready, far better qualified, far more able, to discharge the highest duty of citizenship than any generation of the past."

President Nixon, former Presidents Johnson, Kennedy, and Eisenhower all have acknowledged that 18 year olds should vote. Yet nothing has been done.

Other countries around the world allow 18 year olds to vote. Israel, Uruguay, and Brazil, all have a voting age of 18 without any obvious trouble or confusion.

I am sure that at one time or another you have heard the saying, "America's greatest resource is her young people." Well, if this statement is true, then America is wasting that valuable resource. The young people of this country are shackled and rendered virtually useless by a medieval law that passed from reason years ago. The voting age of 21 survives in the United States more because of custom and legal convenience than anything else.

By concerning and better educating themselves on issues that confront this country, the young people have earned and well deserve the right to vote at age 18.

REALITIES REQUIRE BARGAINING IN CHANGE OF COMMITMENT TO KOREA

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HANNA. Mr. Speaker, the information that Secretary Rogers is indicating an accelerated action on previously indicated intentions to withdraw at once troop strength in Korea disturbs us. The move if taken now would be ill timed in our opinion. Whereas it is correct now and actually overdue to discuss a new stance in the Pacific, it is a matter which takes careful planning and delicate and selective timing.

My own view of the matter is being conveyed to Secretary Laird with copies to Secretary Rogers and to President Nixon. The text of those views, Mr. Speaker, is included below:

Following World War II, the U.S. completely threw off its traditional tendency to remain aloof from the rest of the world. America has given generously of its human, financial and material resources in the reconstruction and improvement of many areas of the world. Nor has all this activity been without reward. Our sales and investment experience has contributed significantly to the growth of both production and wealth in our own nation.

We are now facing a serious re-evaluation of our overseas commitment program. Domestic economic and political conditions are placing severe restraints upon the Washington policy-makers. Although these domestic conditions are compelling, it is hoped that we will not allow our short term problems at home to seriously distort and damage our long term foreign policy and our international interests abroad.

Last week we marked the anniversary of our original involvement in Korea. It might be well to use this country and our commitments there as an illustrative case. There is presently some suggestion relative to reducing our troop strength in the immediate future. Let us examine the ramifications of any precipitous and ill-planned exercise to accomplish such an end.

South Korea was the first point of confrontation in Asia in the bipolarized world of East and West. Its economic and geographical conditions were most unfavorable but the indomitable will and the boundless energies of its people have countered much of this. Unquestionably, the remarkable progress of the Republic of Korea, particularly under President Park, make of it one of the most successful examples of the worth of American foreign assistance programs. May we hasten to point out, however, that knowledgeable and thoughtful study of existing conditions would warn against an overestimation of present stability in Korea.

There is ample evidence of improvement and a welcomed and genuine emergence of self-confidence and self-reliance. But the truth is all of this is still fragile, and needs some additional care before it can be counted to flourish on its own. When one calculates the great sacrifice and suffering of the Korean people and in partnership therewith the losses and expenses of the Americans and other allies; when one recounts the impressive efforts for economic improvement mustered by the Republic of Korea and the matching investments over the years by U.S. Aid and technical assistance; it is not a thing one would lightly place at risk.

The truth is that a sudden and present withdrawal of our two divisions from Korea would do just that, placing in jeopardy not only all that we have given and invested in the past but make highly questionable the future goal which now appears so close to realization, i.e., that point at which the Koreans would have reached a plateau of social, economic, and political stability.

There are two aspects of the situation which must be understood and appreciated: the factual situation and the psychological situation. Factually, the South Koreans have placed their emphasis and efforts on private and public economic expansion and internal improvement. Although they have sustained an outside burden of tax and manpower commitment to military security, the basic reliance has been upon the presence of American troops in the country and military aid. On the other hand, commencing with far more natural resources and already available industrial capacity, the North Koreans have placed their country into an all out war economy, with all their people, all their basic production and all their moral readiness aimed at an eventual invasion and take-over in South Korea. To achieve that end, they also rely on China and Russia for material, financial and technical aid.

When one knows and accepts these facts, then the psychological situation can be understood and appreciated. The South Koreans are all too painfully aware of the situation in the North. They realize how important the reliance factor remains relative to a visible U.S. umbrella. Should the sudden withdrawal of these troops occur, the result would not be hard to anticipate; rather, the confidence and determination of the Korean people to resist the aggressive North would collapse. Domestic investment and effort would fail. Foreign investment would be periled and a healthy history of improvement and reconstruction could be lost.

May we suggest an alternative with a more sensible scheduling and of more assurance for the future all of us would like to achieve.

First: Korea should be requested immediately to take greater responsibility for defending the Armistice line at the D.M.Z. The Korean government should assign one or two additional divisions to the Yim-Jin River area and allow the 2nd division of the U.S. Army to drop back from the D.M.Z. and be free from patrol assignment. This would increase the sense of responsibility on the part of the Koreans and save the U.S. further casualties from small scale contacts with the enemy.

Second: Immediate and thorough research should be undertaken to determine what is required for Korea to defend itself without further U.S. assistance. Proper measures, such as establishment of some armament factories and a fuller modernization of military hardware, should precede the U.S. troop withdrawal.

Third: Since any sensible program of the complete withdrawal of U.S. troops from Vietnam will take three to five years, it may be advisable to open negotiations with the Korean government to dispatch additional Korean troops to Vietnam if it would assist and accelerate U.S. withdrawal from that conflict.

Fourth: In the event the U.S. cannot maintain its operating bases in Japan in the future, negotiations could be opened with the Republic of Korea on the possibility of utilizing facilities in South Korea.

It is our belief that a scheduled program such as the above is preferable to both parties. It provides no invitations for Kim, Il Sung and his aggressive followers to exploit an imagined vacuum and it safeguards not only the Korean past and future, but it will assure our continued strong and genuine friendship between the U.S. and its most dependable, if small, ally, Korea.

Mr. Speaker, I further circulated my views to a number of my colleagues in the House and the following letters are examples of the reaction of others in this House conversant with the Korean troop withdrawal problem. I insert these letters at this point:

House of Representatives,
Washington, D.C., July 7, 1970.

Hon. Richard T. Hanna,
Cannon House Office Building,
Washington, D.C.

Dear Richard: Thank you for your statement concerning the U.S. commitment in Korea. Your recommendations provide a sound basis for a responsible withdrawal of American forces from Korea. Our goal should certainly be to encourage greater participation of the South Koreans in their own defense. By taking steps to ensure the safe but rapid transference of responsibility both countries will benefit.

A scheduled program such as you suggest will guarantee the territorial integrity of South Korea and relieve the burden on U.S. forces. South Korea has been a faithful ally and I am confident that it will welcome the opportunity to fend for itself.

I support your recommendations and trust that Secretary Laird will give them the consideration they deserve.

With all my best wishes, I am
Sincerely,

Seymour Halpern,
Member of Congress.

Committee on Foreign Affairs,
Washington, D.C., July 6, 1970.

Hon. Richard T. Hanna,
House of Representatives,
Washington, D.C.

Dear Colleague: I have read your communication of June 29, 1970, and the attached statement you propose to make on Korea.

I am fully aware of the impressive record of South Korea, both in economic development and in maintaining an effective fighting force. If all recipients of United States assistance had made as good use of our help, the world would be better off.

I am not aware of any plan for the withdrawal of United States troops from Korea that might be characterized as sudden, and I believe that issues and alternatives should be fully explored before embarking on a specific course of action.

With best wishes, I am
Sincerely yours,

Thomas E. Morgan,
Chairman.

House of Representatives,
Washington, D.C., July 2, 1970.

Hon. Richard T. Hanna,
Cannon House Office Building,
Washington, D.C.

Dear Dick: I have your Korean analysis contained in your letter of June 29.

You are certainly right—we should talk about our Korean posture before a rider is attached to a Senate Bill. It might mandate an abrupt withdrawal.

Very sincerely,

Robert L. Leggett,
Member of Congress.

House of Representatives,
Washington, D.C., July 2, 1970.

Hon. Richard T. Hanna,
Cannon Office Building,
Washington, D.C.

Dear Dick: I have your note of June 29 and the enclosed statement.

To me it is not necessary to have a long involved explanation. I simply agree that now is not the time to pull forces out of Korea.

Sincerely yours,

John S. Monagan,
Member of Congress.

PELLY PRESSES FOR ENVIRONMENTAL PROTECTION AGENCY

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, as one of the original sponsors of the Council on Environmental Quality, I am pleased the President has taken step No. 2.

The President today transmitted to Congress Reorganization Plan No. 3 of 1970, calling for creation of an Environmental Protection Agency—EPA. The plan, which the President indicated was under study in his environment message of February 10, provides the institutional basis for a bold and comprehensive attack on the urgent problems of pollution.

The head of the new independent agency will report directly to the President. For the first time the President, the Congress, and the public will have a single organization responsible for managing our pollution control programs. Consolidation of the programs now scattered among several Federal agencies reflect the crucial importance which this Administration attaches to an effective program in this area.

EPA would run the Federal programs for control of air and water pollution and solid wastes, for control of the environmental effects of pesticides, and for setting standards for environmental radiation exposure. Its major components would include the Federal Water Quality Administration, now in the Department of the Interior, and the National Air Pollution Control Administration and the Bureau of Solid Wastes Management, both now in HEW. In addition it would take over the responsibility for registering pesticides, now in the Department of Agriculture, the setting of pesticide tolerances on foods, now done by the Food and Drug Administration, and the environmental radiation standard-setting functions of the Federal Radiation Council and the Atomic Energy Commission.

The new agency's total budget, on the basis of current levels of activity, would amount to more than $1.3 billion, and it would consist of approximately 6,000 personnel.

Mr. Speaker, the creation of EPA, by eliminating jurisdictional uncertainties, will enable new pollution problems to be more rapidly identified and controlled. Some of the new pollution problems such as chemicals and trace metals are not clearly air or water pollutants, and thus go unrecognized, at least temporarily. The new agency, since it will have central responsibility for all forms on pollution, will be able to recognize and deal with such problems much more quickly.

The monitoring, enforcement, research, and standard-setting activities of the pollution control programs will be greatly strengthened by the consolidation.

Monitoring will be able to take full advantage of such advanced technologies as observation by satellites, and duplication, such as separate monitoring of the air for radiation, pesticides, and other pollutants can be eliminated.

Enforcement strategies can be developed which will attack pollutants at the point where they can most efficiently be controlled.

Research and standard-setting will benefit from being able to simultaneously consider all forms which a pollutant takes and from taking into account interactions among different types of pollutants.

The crucial question in the establishment of standards is the total exposure to which humans, plants, or wildlife are subjected. Most chemicals and metals, such as pesticides or lead, appear in air, water, food, and soil. The new agency, by considering all these sources, will be able to base standards on total exposure and control the most important source or sources.

Mr. Speaker, the existence of a unified pollution control agency will greatly simplify relations with industries and with State and local governments. Industries which are often able to dispose of their wastes in liquid, gaseous, or solid form will no longer be subject to inconsistent or partial regulations by separate agencies.

The existing fragmentation of Federal programs has handicapped efforts of a number of States which are either considering or are undertaking the same type of consolidation which we are proposing at the Federal level. The consolidation or coordination of grant programs, technical assistance, and manpower training programs which will take place under the EPA proposal will simplify the task of State and local governments and will strengthen their pollution control efforts.

The current Federal organization for controlling pollution has developed piecemeal over many years. It is not adequate to sustain the massive, comprehensive effort to improve the quality of the environment which this administration is undertaking. This reorganization will assure that our Federal organization to handle pollution is equal to the scale of the problem. The agency which it would create will provide the necessary foundation for strengthening our current pollution control efforts and will be the springboard for new and more compre-

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hensive approaches to environmental protection. Mr. Speaker, the Environmental Protection Agency is an important step forward in assuring the American people the quality environment which they are now demanding.

CAPTURED AMERICAN JOURNALISTS

(Mr. SCHERLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHERLE. Mr. Speaker, three American journalists captured by the Communists in Cambodia were recently released after 40 days in captivity. Their colleagues and others expressed great surprise at the brevity of their imprisonment. Some 20 other news correspondents captured in that country, including at least four Americans, were held longer, indeed have not yet been released, nor has there been any word of them. Two more were murdered on the spot.

Upon closer examination, however, the swift release of these three is not at all surprising. At least two of them were so eager to write and voice pro-Communist propaganda that it served the Southeast Asian Communist cause far better to free them than to detain them. The two of whom I speak are Richard Dudman of the St. Louis Post-Dispatch and Michael Morrow of the Washington-based Dispatch News Service. Dudman and his newspaper have long opposed U.S. policy in Southeast Asia. Dispatch News Service is rather new to the scene, but thus far its chief purpose seems to be to discredit the American effort in Vietnam.

Heretofore, the official propaganda agencies of North Vietnam, Communist China, and North Korea were the most conspicuous consumers of the material in their subsequent dispatches. But because they won fame by their exploit, Dudman and Morrow gained a nationwide audience in the United States for their copyrighted series of stories published by feature syndicates. As many suspected, each and every news story they authored was nothing more than a channel of propaganda for the Southeast Asian Communists. Although we have not heard the statements they made for the North Vietnamese and the Vietcong, presumably for later broadcast, they are probably more of the same. They told newsmen upon their release that the statements contained nothing which they did not believe to be true. No doubt, that is correct: they are fond of those whose hospitality they enjoyed for 40 days.

Their exploits are nothing new. A similar feat was performed by a French woman journalist, Michele Ray, in 1967. She publicly announced that she was going to drive the length of the country, from the southern tip of South Vietnam to its northern border. She later admitted that she deliberately invited capture so that she could write about her experiences. Miss Ray was at least frank about her views. She loathes everything America stands for and prefers Marxism-Leninism. Her stories published in Life sang paeans of praise for her Vietcong captors.

The recent reports of Dudman and Morrow have a suspiciously similar ring. Perhaps they, too, deliberately set out to become guests of the Communists. An authority on Southeast Asia assures me that to attempt to drive from Saigon to Phnom Penh unescorted as they did not only invited capture: it demanded it.

Dudman does not refer to his captors as "Communists," but as "revolutionaries" or "guerrillas" or "members of the National Liberation Front." Morrow writes:

> Ho Chi Minh's birthday was the beginning of a new relationship with the group of five men who took care of us . . . it was just the beginning of an extremely fruitful period of personal exchange among eight people, five of them and three of us, that changed the nature of the relationship from captor-prisoner to friend-friend.

Dudman loads his dispatches with quoted references to the "American aggressors" and descriptions of the heroic, gentle, wonderful enemy our soldiers are fighting in Southeast Asia. He conveniently forgets the numerous massacres perpetrated by the Communists in Hue, in Montagnard villages, against schoolchildren and helpless villagers. Both men report that they made no attempt to escape from their captors. Indeed, when American helicopters swooped by on what may well have been a search mission for them, they hid to avoid being "seized by the Americans." Is that not strange—Americans concerned about "seizure" by Americans.

Let us listen again to Mr. Morrow:

> We moved out onto the road on which we had traveled the preceding morning. We had not gone far when headlights appeared behind us about a mile back. Not knowing if the vehicle was friend or foe, we turned off on a side road . . .

The "foe" of whom he speaks was American and South Vietnamese forces operating in the area. Dudman stops short of referring to the allied forces as enemies, but he records an interesting reaction to the allied operation:

> We felt we were watching the terrorization of the peasants of Cambodia.

Presumably, he believes that communism will be their salvation.

Reading these so-called news reports, one cannot help but recall the fate of two American television network newsmen who were brutally shot to death when they were captured by the Communists in Cambodia the week before. The same fate was suffered by four other newsmen when Communist forces fought their way into Saigon during the bloody Tet offensive of 1968. Nor can one forget those newsmen currently held by the Communists, of whom we have received not a single word.

Contrast with the reports of Morrow and Dudman the experiences of another newsman, Grant Wolfkill of NBC, captured by the Communists in Laos in 1961 and held prisoner by the Pathet Lao and the North Vietnamese for 15 months. Mr. Wolfkill, despite starvation, torture, and physical and mental debasement, remained defiant until his release. He made no statements and wrote no articles. Upon his release, he published a terrifying account of his ordeal in a book titled "Reported To Be Alive." It is an excellent antidote to the trash written by Dudman and Morrow.

These two "propaganda puppets" have discredited themselves as honest and objective newsmen by becoming—possibly duped, but certainly willing—tools of Communist propaganda. Their slanted reports mask the voice of Hanoi behind a facade of respectability. They should be unmasked for what they are and given no more than the attention they deserve: the contempt of honest journalists and perceptive readers everywhere.

THE ADMINISTRATION'S PROGRESS IN PROVIDING EQUAL OPPORTUNITIES

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, equal opportunities for all Americans is a matter with which our Nation has concerned itself for some time. And, although the present administration has not yet been in office 2 years, it has made remarkable progress in this area.

At the recent annual convention of the National Association for the Advancement of Colored People, the chairman of the board, Bishop Stephen G. Spottswood, not only neglected to acknowledge this progress, but also portrayed the Nixon administration as not acting in the best interests of the black people.

In order that this situation may be placed in its proper perspective, I include the text of the telegram from Leonard Garment, special consultant to the President, to Bishop Spottswood in the RECORD:

TEXT OF WHITE HOUSE TELEGRAM REPLYING TO NAACP HEAD'S CRITICISM OF ADMINISTRATION AS ANTI-NEGRO

The Comments you made in your speech at the N.A.A.C.P. convention are an unfair and disheartening attack on an Administration which:

Inaugurated the Philadelphia Plan, which for the, first time is opening up the high-paying construction trades to blacks on a major scale;

Proposed $1.5-billion to aid the process of desegregation, and to help fund experimental projects to promote interracial experiences among children where racial isolation persists;

Proposed the landmark family assistance plan, for the first time providing a floor under the incomes of every family in America, wherever it lives;

Greatly improved existing family food assistance programs and proposed legislation granting free food stamps to very low income families;

Proposed a revolutionary family health insurance program for all poor families which would provide a comprehensive package of health services, including both hospital and outpatient care;

Proposed changes to present subsidized housing programs that would allow rent to vary with income so that families would not be forced to move at some arbitrary income limit;

Named more blacks to policy-making posts than any previous Administration.

In addition, your comments misstate and misrepresent the record of the Administration so as to present it in a highly distorting light. For example;

The Administration's efforts in the area of equal employment opportunity are dismissed with a reference to the early defense contracts with textile companies. No reference is made to subsequent action on those contracts or to the stringent conditions imposed in more recent defense contracts in the aircraft and shipbuilding industries or to the effects of the Philadelphia Plan in the construction industry.

The Administration is accused of pulling back on school desegregation even though the number of black public school students in desegregated school systems in the 11 Southern states will have increased from 164,000 at the end of the 1968–1969 school year to well over one million at the start of the 1970–71 school year.

The Administration is charged with weakening the Voting Rights Act "in the House"; the bill as enacted and signed by the President, despite widespread doubt about the constitutionality of the 18-year-old vote, is stronger in its present version since it incorporates the existing Voting Rights Act and suspends literacy tests nationwide. In this connection, and only a week ago, Roy Wilkins, Clarence Mitchell and Senator Brooke "hailed" the President for signing the bill and praised his "statesmanship" for doing so.

While the speech accuses the Administration of opposing cease-and-desist powers for the Equal Employment Opportunity Commission, it does not point out that the Administration has proposed legislation that would enable the E.E.O.C. to bring court actions immediately against employment discrimination, thus preventing the long delay that would be required to establish the machinery necessary to implement cease-and-desist legislation and also avoiding the case backlog problems already faced by agencies such as the N.L.R.B.

It is grossly unfair to take the phrase "benign neglect" out of context, to persist in the false characterization of the Moynihan memorandum, and to misuse the phrase as a label to characterize Administration policies, when every single constructive Administration measure in this area is ignored in the rest of the speech.

Major efforts to open housing opportunities in suburban areas to expand minority ownership, to find new ways to attack entrenched poverty problems, as well as small-scale experimental projects such as funding youth organizations united in collaboration with the National Urban League (a risk this Administration was willing to take where the previous one would not) are all ignored.

It is one thing to criticize, to give voice to deeply-felt concerns and to articulate real disappointments. Everyone benefits from such a debate. It is an entirely different thing to search out ways to portray the actions of this Administration in the worst possible light, to rally every fear, and reinforce every anxiety. Such a message, painting a false picture of what the Administration has done, is doing, and hopes to do, sows distrust and makes our commonly-agreed-on goals more difficult to achieve.

I note that even now, as speakers at your convention are attacking every aspect of the Administration's record in this area, and doing so without a balancing word, members of the Administration are working with many of your colleagues on important projects of mutual concern.

The President and the Administration are committed to achieving equal opportunity for every American, and are determined to maintain their efforts to reach that goal.

STATEMENT OF ROBERT TAFT, JR., SUPPORTING A BILL ON FOREIGN POLICY

(Mr. TAFT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. TAFT. Mr. Speaker, today I am introducing a bill in the House of Representatives defining the authority of the President to deploy and commit to combat Armed Forces abroad without the express consent of Congress. In addition, the bill includes a general statement of principle defining the U.S. foreign policy objectives in Southeast Asia as the withdrawal of all U.S. combat forces but continued material and economic support of those free nations trying to resist aggression. The bill also repeals the Gulf of Tonkin resolution passed by the House and the Senate in 1964. I am asking the House Foreign Affairs Committee, of which I am a member, to hold immediate hearings on the bill.

The often-confusing debate which we recently witnessed in the U.S. Senate has served to make clear the need to define the respective roles of the President and the Congress in foreign policy. The proper and responsible role of the Congress in foreign policy is to work with the President in the formulation of general principles and policy directions. It is the role of the President to implement and execute these principles and policy. It would be a tragic error for the Congress to hamstring the President, depriving him of the flexibility of action and response needed to safeguard this country in an age where decisions must often be made immediately or on short notice.

I am personally committed to the idea that Congress must be consulted before the United States commits itself to any costly and dangerous foreign adventures. My father before me argued for this general principle at the time of the Korean conflict. I am disappointed by and in disagreement with the reasoning of those who wish to limit the President's power in foreign affairs and who seem to be trying to take political advantage of the sincere attempts of the Nixon administration to extricate this country from an extremely complex situation into which the previous administration involved us so deeply.

I am also distressed that some Members of the Senate of the press and of the public seem to have forgotten that the House of Representatives also has a role in foreign policy and the constitutional exercise of the warmaking power. Indeed the House of Representatives is the body most broadly representative of the people of this country. This should make its views of even greater importance.

Consequently, I believe Congress should make a clear statement of the foreign policy objectives of the United States in Asia along with a statement regarding the use of force to support this policy.

Part I of my bill defines the conditions under which the President should have the right to deploy Armed Forces without prior congressional authorization. I think that in this age of advanced technology and nuclear threat, we must permit the President, as Commander in Chief, to deploy Armed Forces whenever the United States or its forces are under attack or imminent threat of attack. There have, of course, been criticisms of the self-defense doctrine in the past and even allegations that the doctrine has been used to justify offensive actions. While I do not feel these criticisms are completely justified, we certainly would want to analyze these charges in the course of our hearings.

The second type of situation in which the President should be allowed to use the Armed Forces without congressional action is where required to do so in the fulfillment of treaty obligations already approved by the Senate. This is closely related to the question of our national commitments, and I endorse the call for careful reevaluation of our present commitments and their extent. Our membership in the United Nations, for instance, is a treaty obligation and I believe that under some circumstances the President might be required, by virtue of our membership, to take action. The issue of the United Nations is one which the Congress should consider.

The third general situation in which the President need not consult with the Congress is in the implementation of a previous declaration of war. The Senate has exhibited some confusion over just what constitutes a declaration of war. Many have argued that the Gulf of Tonkin resolution was the functional equivalent of a declaration of war. Speaking for myself, I have never agreed with this view, but I have its repeal in the context of an affirmative statement by Congress on the deployment of our Armed Forces.

Finally, we may wish to state our belief that the President has the authority under international law or article 51 of the U.N. Charter, to use the Armed Forces in connection with the inherent right of self-defense. Again, the exact ramifications of this right are not clear. I have included this provision to stimulate debate as to where we should act to protect civilians or national interests whether on land, in the air, on the seas, or in space.

Part II of my bill calls for a general statement of policy in Southeast Asia. It adopts the Nixon or Guam doctrine which states that the primary duty of defense must rest upon the nations of that region. This principle is a marked shift from and improvement over the open-ended commitments developed by the Kennedy and Johnson administrations. The bill provides for the furnishing of economic and military aid to those nations trying to repel aggression. The bill also clearly puts the Congress on record as favoring the orderly and irreversible withdrawal of our Armed Forces as the South Vietnamese assume the primary responsibility for the defense of their own country. This approach is preferable to the adoption of a fixed timetable. The setting of an arbitrary limit upon our presence in South Vietnam will only cause confusion, negate negotiation possibilities, and lead to a lengthening of hostilities. During the period of 1961 to 1968, Presidents Kennedy and Johnson increased the U.S. commitment to South Vietnam. In his first 18 months in office, President Nixon has reduced our commitment by one quarter and has announced further reductions for the next

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year. I am convinced that the reductions announced will be made on schedule or earlier.

The final part of my bill repeals of the Gulf of Tonkin resolution. As I stated earlier, I feel its repeal should be accompanied by an affirmative statement of our policy in Southeast Asia, a statement embodied in the first two parts of my bill.

Mr. TAFT introduced the following:

H.J. RES. 1302

A joint resolution to define the principles which shall govern the deployment of the Armed Forces of the United States by the President, to express United States foreign policy objectives of the United States in Southeast Asia, and to repeal the Gulf of Tonkin resolution

Whereas wide discussion and differences of opinion have arisen among the members of the body politic with respect to the power of the President as Commander in Chief to deploy the Armed Forces of the United States beyond its territorial limits and to commit such Armed Forces to combat, and

Whereas the Congress has through acquiescence and overt action sanctioned on numerous occasions the deployment of the Armed Forces of the United States beyond its territorial limits and commitment of such Armed Forces to combat without prior express authorization or a declaration of war by the Congress, and

Whereas in order to eliminate the confusion caused by the previous acquiescence and overt actions by Congress, there is a need for a clear statement of policy by the Congress as to the foreign policy of the United States in Southeast Asia, the deployment of Armed Forces by the President generally, and specifically their deployment in fulfillment of such foreign policy; therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PART I

The deployment and commitment to combat of the Armed Forces of the United States in, within the territorial waters of, or over the territory or territorial waters of any nation is authorized and shall be undertaken only with specific prior authorization of Congress by law; except that the President, as Commander in Chief, is authorized to deploy and commit to combat such Armed Forces at his sole discretion:

(1) When he finds that the territory or the Armed Forces of the United States are under attack or imminent threat of attack; or

(2) When he finds that such deployment is necessary to fulfill a treaty obligation of the United States not qualified by constitutional or treaty contained limitations of conditions: or

(3) When he finds that such deployment is necessary to effectuate a declaration of war acted on by the Congress; or

(4) When he finds that such deployment is necessary to exercise the inherent right of self-defense of the nation or its nationals pursuant to established principles of international law or article 51 of the Charter of the United Nations.

The President shall notify the Congress within 24 hours after any such finding of all action he has taken at his sole discretion pursuant to any such finding. In the event the Congress is not in session, then President shall convene the Congress in an extraordinary session and so notify the Congress within 48 hours after such finding. This authorization shall terminate upon the passage of a concurrent resolution to that effect by both Houses of Congress.

PART II

The Congress hereby declares that it is the policy of the United States that each of the several free Southeast and South Asian nations should have the primary responsibility for the defense of its own territorial integrity; provided, however, that it is the policy of the United States where requested and where needed to furnish economic and military material assistance to such nations whose territorial integrity is threatened by armed aggression. The Congress specifically authorizes the continued deployment of the Armed Forces of the United States in the territorial limits of the Republic of South Viet Nam for such time and in such manner as the President, as Commander in Chief, shall deem necessary and appropriate to accomplish a responsible and irreversible withdrawal of such Armed Forces of the United States and the assumption by the Armed Forces of the Republic of South Viet Nam at the earliest feasible date of the responsibility for the defense of the territorial integrity of the Republic of South Viet Nam; provided further, that the Armed Forces of the United States should not be deployed or committed to combat in Indo-China in territory other than that of the Republic of South Viet Nam, except as provided in PART I hereof. This declaration of policy and authorization shall terminate upon the passage of a concurrent resolution to that effect by both Houses of Congress.

PART III

The Congress hereby repeals the authority embodied in Public Law 88-408, 78 Stat. 384, known as the "Gulf of Tonkin" resolution, in accordance with its terms.

TIGER CAGES AT CON SON

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, with the return of the Select Committee on U.S. Involvement in Southeast Asia has come valuable first hand information on our military operations there and the progress of the war.

Regrettably, with the return of the committee comes news that seriously undermines assertions by the Saigon government that it genuinely represents the people of South Vietnam and is dedicated to their interests and common well-being.

Thanks to the tenacity of the member of the Select Committee from Tennessee (Mr. ANDERSON) and the member from California (Mr. HAWKINS) a scandalous situation was exposed at Con Son prison where hundreds of political prisoners are being kept like animals under the most inhumane conditions.

These persons are kept in so-called "tiger cages." I am certain many of you have read of these in the Washington newspapers over the past 24 hours. These "tiger cages" hold five prisoners in an area about 10-feet long and 5-feet wide. The prisoners are shackled to an iron bar in such a way that movement is greatly restricted resulting in the loss of use of the prisoners' legs.

In this condition the prisoners are tortured, denied proper food, sanitation facilities, sleeping accommodations, health care, or even the smallest measure of humane consideration.

Prior to their arrival at Con Son prison the two members of the committee were assured that, contrary to previous reports, the prison was "a correctional institution worthy of higher ratings than some prisons in the United States."

Mr. Speaker, this assertion along with others as to the fitness of the Con Son prison was made by Frank E. Walton, Director, Public Safety Directorate, Civic Operations and Rural Development Systems, Agency for International Development. Mr. Walton is described as the chief American public safety adviser in Vietnam.

Mr. Walton's assertion was made in a "fact sheet" which was given to the members of the committee who visited Con Son and, Mr. Speaker, I ask unanimous consent to place a copy of that "fact sheet" in the RECORD at this point:

FACT SHEET ON CON SON NATIONAL CORRECTION CENTER

PURPOSE

To provide background information relating to the Con Son Correction Center and to discuss problems and accomplishments associated therewith.

FACTS

1. The Con Son Island National Correction Center, located in the South China Sea approximately 140 miles southeast of Saigon, is Vietnam's largest Correctional institution. Established by the French in 1862 as a penal colony, it has long held a reputation of being a "Devil's Island." This reputation still prevails, in spite of an enlightened and modern administration of the facility.

2. Currently, this facility is utilized for the detention of hard-core Communist criminals and common criminals who have been convicted of serious offenses.

3. The Con Son Correctional colony had an inmate population of 9,916 on June 1970. There are seven correctional camps within the colony with a total capacity of 9,750 inmates. Two thousand of the currently assigned inmates are classified as trustees and live outside the camps in semi-private minimum custody homes. The trustees are permitted to raise their own food and maintain a daily routine of their own choosing, but under the eyes of supervisors.

4. Con Son has one Public Health Doctor. With the assistance of inmate technicians each prisoner receives annual inoculation for plague, cholera and smallpox. Schick tests are given to detect tuberculosis. Dental care is irregular from visiting VN Navy ships and U.S. DENTCAP Teams.

5. The inmates are kept busy with a work projects and vocational tasks such as woodcutting, tile making, woodworking, animal husbandry, chicken and duck production and sewing. Inmates also attend classes in literacy training, and all grades of formal education. Rice, papayas, coconuts and vegetables grown on the prison farm and fish caught by the prisoners supplement the diet.

6. All trustees and 75% of the inmates housed in the camps are allowed supervised swimming, mail, canteen service and Correction Industry Shop and Vocational Training classes. The GVN allow selected inmates to have visitors on the monthly supply ship.

7. A pre-release community of 30 homes has been built on the beach to house 300 inmates. These inmates are assigned to the community 120 days prior to release.

8. The International Committee of the Red Cross periodically inspects the prison. Their reports have generally reflected praise for the conditions observed.

9. In the opinion of Correction Advisors with lengthy U.S. penology experience, Con Son is not a "Devil's Island," but on the contrary is a correctional institution worthy

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of higher ratings that some prisons in the United States.

Based on the evidence discovered by the members of the select committee it is obvious that the author of this fact sheet, Mr. Walton, either was not aware of the true facts existing at Con Son and is, thus, incompetent or he was deliberately attempting to mislead the members of the committee.

In either case he should be relieved of his post immediately and summarily dismissed from the service of the Federal Government.

If Mr. Walton was deliberate in an attempt to mislead by virtue of orders from his superiors then those involved in this conspiracy should be called upon to explain their actions and be held accountable.

It is my further understanding that the U.S. Government during the last fiscal year contributed some $442,000 to the Vietnamese penal system. Not one penny further should be spent until the conditions at Con Son have been cleaned up, demonstrated to be humane, and an absolute guarantee given they will not occur again there or at any other place in South Vietnam.

Finally, Mr. Speaker, the evidence turned up at Con Son in regard to these "political" prisoners lends great weight to the charges that the Thieu government does not truly represent the people of South Vietnam if it must resort to this sort of inhumane suppression of political opposition. From the evidence gathered many at Con Son are not hardened revolutionaries or even Vietcong. They simply expressed disagreement with the Thieu government and for that were subjected to imprisonment without charge or trial for up to 25 months.

Mr. Speaker, I believe the story of Con Son might well be viewed as a capsule commentary on what is the real cause of the prolonged American involvement in Vietnam in terms of the viability and political validity of the current regime in Saigon.

HEW, INTERIOR SHOULD ACT IMMEDIATELY TO HALT ALL DUMPING OF MERCURY IN WATERS

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, during the past several weeks there have been numerous reports in the area of water pollution resulting from the dumping of mercury and the effects that this highly toxic substance can have on individuals who eat fish which have taken in this substance.

Briefly speaking, mercury can paralyze, debilitate, afflict the unborn of expectant mothers and even kill. It is only a matter of how much mercury the individual takes in.

The problem is that we know that mercury is being dumped into rivers, streams and lakes but we are not effectively controlling it. I personally feel that there should be no such dumping and I am today calling upon the Secretaries of Interior and Health, Education, and Welfare to immediately step in and halt the dumping of mercury.

Contact with certain States has resulted in local bans on fishing and in the case of Alabama, there has been put into force a ban on all commercial fishing. The point is, however, that we want to halt the dumping of the culprit substance, mercury, not fishing.

The problem of mercury is not something new. The Federal Water Quality Administration and the Food and Drug Administration have both been working on this. FDA established standards this year after realizing that there was a problem, and is now conducting a national survey.

There is a graphic example of what mercury poisoning can do in Japan where almost 90 persons have been stricken. It was discovered that mercury was being dumped into the bay, but the bay was not being flushed out to sea, so the fish in the bay were taking in the mercury. These fish, however, were not being harmed, but the natives who ate them were.

There was some notice in the United States when in March they found traces of mercury in Lake St. Clair and then later in Lake Erie. Now we have evidence that the Tennessee Valley area has been tested and traces of mercury have also been found there.

This is a national problem, not just one where headlines have appeared.

The Department of the Interior could act right now on interstate waterways under present law that says waterways shall be free of all toxic substances. Mercury is certainly toxic.

The entire situation should immediately be given high priority. All Governors should be contacted and advised of the danger of mercury. And if the States do not act, then the Secretaries of the Interior and HEW should act to protect the health of the public by banning the dumping of mercury.

I am pleased that some States have already taken such steps and that FWQA and FDA are trying to give this problem some exposure. But I feel more should be done.

Mercury does not dissipate very quickly at all, so the problem is a lasting one. As a matter of fact, pesticides are ranked as to their persistence and compared to a pesticide which is persistent, mercury is almost permanent.

Then too, mercury is lost in the air as well as through water disposal. This means that it goes up a stack and may be rained down miles away into a water source and cause problems there also.

I sincerely hope that the Secretaries of Interior and HEW will act promptly in halting all dumping of mercury, and I hope that FDA's standards of 0.5 parts per million will be restudied. I think that except for background, there should be no mercury contributed to the environment.

PANAMA CANAL: U.S. CONTROL MUST BE RETAINED

(Mr. HALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. HALL. Mr. Speaker, the Panama Canal has been a perennial subject before the Congress since the advent in 1945 of the atomic bomb which, by supplying the technological means, revived the old idea of the sea-level canal. I have had a deep and personal interest in the canal since shortly after World War I when my father brought home an illustrated book on the construction thereof.

Little in the improvement of the canal has occurred since that time except enactment of the Panama Canal Reorganization Act of 1950. A series of expensive, but inconclusive, canal studies, and the enlargement of Gaillard Cut from 300 to 500 feet minimum width which is now nearing completion. With the exception of the last and the contraction of the Madden Dam project, the Panama Canal remains what it was in 1914—a monument to conquering "yellow jack," American know-how and its farsighted designers and builders. Because of increased traffic, it is approaching the point when it will no longer be able to handle all ships effectively and, thus, it is time that we commence projects to improve operations and increase the capacity of the canal.

Unfortunately, events have combined to delay and confuse the real issues involved in the interoceanic canal problem. These developments are harmful to the United States, Panama, the users of the canal, and the security of the entire Western Hemisphere because they have weakened the juridical structure of the Panama Canal.

Bluntly stated the two principal canal issues are:

First, safeguarding our indispensable sovereignty and ownership of the canal zone territory and Panama Canal; and the second, major modernization of the existing high-level-lode and lock-type canal.

An admirable summary of the interoceanic canal problem by Dr. Donald M. Dozer, distinguished professor of history, University of California, Santa Barbara, a leading authority on Latin American policy, and author, was recently published in Human Events, the well-known weekly in Washington.

As the indicated article is most timely in connection with measures affecting the Panama Canal now before the Congress, I quote it as part of my remarks and urge that it be read by all Members of the Congress.

Dr. Dozer's article follows:

PANAMA CANAL CONTROL

Certain bits and pieces of news, released in tantalizing brevity, are raising questions ominous for the future control of the United States over the Panama Canal, one of the few remaining world channels of maritime commerce which operates unobstructed by enemy action.

Last September the military government of Panama, on a hint from the State Department, appointed a high-level three-man team to resume negotiations with the United States on the three unsigned canal treaties of the Johnson Administration.

These draft treaties recognized Panama's sovereignty over the "canal area," admitted Panama to joint administration and defense responsibilities with the United States in the canal, increased the annual payments to

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Panama, raised the tolls on ships and cargoes transiting the canal, and provided for the construction of a new sea-level canal which would render the present lake and lock canal unnecessary.

Earlier this year the assistant secretary of state for Inter-American Affairs, Charles Meyer was quoted as saying that the treaties negotiated in 1967 by the Johnson Administration will serve as a "basis for the continuation of a process to seek permanent solutions to United States-Panama relations in reference to the canal."

Despite subsequent official denials, this statement appears to be corrobrated by a White House announcement on May 16 of the designation of a 33-year-old White House aide and former Wall Street investment manager, Daniel W. Hofgren, as ambassador, to take over negotiations with Panama for a new Atlantic-Pacific Canal under the continuing direction of Ambassador Robert B. Anderson, who negotiated the treaties of 1967 in accordance with guidelines supplied by President Johnson. Ambassador Anderson continues to serve as chairman of the Atlantic-Pacific Interoceanic Canal Study Commission which is scheduled to report the results of its five-year investigation of sea-level canal routes across the Central American isthmus by December 1 of this year.

Is the present Administration in Washington, like its predecessors, the Kennedy and Johnson Administrations, preparing to abandon the Central American canal interests of the United States?

President Nixon's silence on the crucial Panama issue, as well as on the Castro problem in Cuba, in his 40,000-word round-up of "United States Foreign Policy for the 1970's" on February 18 suggests either an apathy on this question in White House councils or secret preparations yet to be unveiled for surrender of the Panama Canal.

Perhaps it was no coincidence that soon after the President's address the State Department informed Nicaragua that it is ready to terminate the Bryan-Chamorro treaty with that country which was concluded in 1914 and which gave the United States the right "in perpetuity" to construct a canal through Nicaragua. The treaty had lost its significance, it was explained, because the Anderson Commission had ruled out the Nicaraguan route from consideration as a possible sea-level canal.

In addition, as recently as May 7 a special subcommittee of the House Subcommittee on National Security Policy and Scientific Developments, consisting of two Republicans and one Democrat, recommended the abandonment of our joint military command headquarters in the Panama Canal Zone. This recommendation was announced at the very time when a Soviet naval squadron was prowling through the Caribbean on an unknown mission in the sea lanes approaching the canal.

During discussion between President Kennedy and President Roberto Chiari of Panama in the White House in 1962, Kennedy assured the latter that the United States no longer claimed sovereignty over the Panama Canal and the Panama Canal Zone.

After the bloody fray between a Panama mob and Canal Zone troops in 1964, President Johnson promulgated a joint statement with the then president of Panama, Marco Robles, in which he similarly renounced United States sovereignty over the canal and the Canal Zone and authorized negotiations with Panama which resulted in the treaties summarized above.

Those treaties failed of consummation only because of strong opposition in Congress and in the press to any surrender of our treaty position and historic rights in the canal. Congressional opponents pointed out that the Constitution gives Congress alone, not the President, authority to dispose of territory belonging to the United States (Article IV, Section 3, Clause 2).

As a result of the outcry against the treaties, the Johnson Administration pigeonholed them. Does the Nixon Administration consider the time now propitious for resurrecting those treaties of betrayal?

Ever since the Panama Canal issue became freshly acute in 1960 with the flying of the Panamanian flag in Shaler Triangle in the Canal Zone on direct orders of President Eisenhower, the issue has been befuddled, probably deliberately, by advocates of a sea-level canal. Their obsession with this visionary and costly scheme has prevented a clarification of the issue and has woefully aggravated relations between the United States and Panama.

The dream of a sea-level strait bisecting the isthmus has been uncritically accepted by certain politicians, and it holds out the promise of lucrative profits for interested earth-moving companies. An attempt has been made to find substantial support for it in the specious arguments that the present Panama Canal is obsolete, that a new sea-level canal would not be subject to sabotage or damage by nuclear warheads, and that such a canal if substituted for the present canal could be operated more efficiently and at less cost. All these arguments have been many times unanswerably refuted.

The sea-level canal scheme contains basic fallacies which threw doubts upon the utility of the Atlantic-Pacific Interoceanic Canal Study Commission when it was first appointed in 1965.

The difference in tidal range at the two sides of the isthmus, measuring some 22 inches on the Caribbean side and 22 feet on the Pacific side, creates serious navigational hazards inseparable from a tidal strait.

The deep excavations required to dig a sea-level strait throught the high cordillera and the unstable terrain in Panama present insuperable engineering problems.

Recent studies suggest that the lowering of the canal channel to sea level will increase the fog problem.

A perhaps decisive blow to a sea-level canal has been struck by the Committee on Ecological Research for the Interoceanic Canal, consisting of a group of distinguished scientists named by the National Academy of Sciences at the request of the Anderson Commission and headed by Prof. Ernst Mayr of Harvard University.

In their preliminary report in April they warned that a sea-level canal which would allow free exchange of marine life between the Pacific Ocean and the Caribbean Sea would seriously disturb the ecological balance in both bodies of water. They therefore called for the preservation of the fresh-water barrier which exists in the present lock canal.

In the light of these facts it appears that the Anderson Commission has been perpetrating a gigantic boondoggle for five years. Acting under instructions from President Johnson to consider the feasibility of a sea-level canal, it resolutely undertook to find justifications for abandoning the present canal and constructing a new one at sea level.

In the attempt to justify this preconceived fixation, the commission ignorantly conducted surveys through jungle growth so dense that the jungle closed in after them, and for this and other reasons the commission was obliged to ask for a deferment of the deadline for submission of their report to December 1 of this year and for an increase of $1.5 million in their appropriation to make the total cost of their investigation to United States taxpayers about $24 million.

A new canal built within the 10-mile limits of the present Canal Zone could obviously not be dug with nuclear power because of the proximity of this site to densely populated areas which would be decimated by nuclear fallout.

For this and other reasons the proposal to construct a sea-level canal with nuclear power has failed to receive the endorsement of the Atomic Energy Commission as practical, and one alleged advantage after another that has been cited by the advocates of a sea-level canal—the economic, the political, the military and others—all have been discredited.

So far as defense is concerned, if the existing lock canal is abandoned its elaborate military defense installations constructed at a cost of approximately $3 billion, would have to be reconstructed, undoubtedly at greater cost, along the course of any new canal.

The impossibility of digging a sea-level canal within the limits of the existing Canal Zone has been given as a pretext for the negotiation of the treaties of 1967 and has presumably prompted the initiation of the new secret negotiations of the Nixon Administration. In these negotiations the United States exposes itself to blackmail by Panamanian authorities who demand exorbitant concessions for canal rights in other parts of the republic. The financial cost of such a canal, whether constructed with conventional earth-moving machinery or with nuclear explosives, would be almost astronomical.

In view of the unstable political situation in Panama, where a puppet president has been installed in office by Brig. Gen. Omar Torrijos, who himself came to power by a military coup, the political advantage to the United States of coming to terms with such a regime for the digging of a new canal is at most dubious.

These weaknesses in the United States position in relation to Panama will become especially troublesome if, as rumor has it, the commission is about to recommend the construction of a sea-level canal running partly through the present Canal Zone and partly outside the zone in the Republic of Panama approximately five miles west of the Canal Zone.

This recommendation, if endorsed by the Nixon Administration and accepted by Congress, will necessitate complicated negotiations with Panama for new canal rights beyond the limits of the present zone and will undoubtedly provoke large financial demands from Panama, representing the sum total of all its past grievances against the United States.

Besides, this new canal route, planned to empty into the Pacific near the town of La Chorrera, will require the construction of an artificial terminal harbor replacing the present Port of Balboa and will probably require drastic modifications in the defense installations in the present Canal Zone.

Why scrap the present canal? In 1959 Congress authorized the widening and deepening of the summit channel of the Panama Canal, particularly in the Gaillard Cut. This work will soon be completed at a total cost of over $81 million.

New equipment has been added to facilitate transit of ships through the locks, and lighting fixtures have been installed for the entire length of the channel in order to make night transits possible. All that remains to adapt the canal to modern traffic requirements is to carry forward the Terminal Lake-Third Locks plan which was begun in 1939 and was suspended three years later because of wartime needs of higher priority.

In pursuance of that plan while it was in operation new lock sites and channels for a third lock system, supplementing the existing dual locks, were dug at a cost of $76,357,405, and they can be utilized today for the construction of a third channel with locks paralleling the existing Gatun locks at the Caribbean end of the canal and the Pedro Miguel and Miraflores locks at the Pacific end.

In the interest of efficient navigation the plan calls for the elimination of the Pedro Miguel locks and the consolidation of the Pacific locks into a single lock complex at Miraflores.

Of paramount importance is the fact that this Terminal Lake-Third Locks modernization, on which a total of more than $157 million has been expended, will not require new treaties with Panama but can be carried out entirely under existing treaties, namely, the Hay-Bunau Varilla treaty of 1903, the Thomson-Urrutia treaty of 1914–1922, the Hull-Alfaro treaty of 1936–1939, and the Eisenhower-Remón treaty of 1955.

This eminently practical plan has been endorsed by engineering experts and has been embodied in bills introduced by Congressmen Daniel Flood (D.-Pa.) and John Rarick (D.-La.) in the House (HR 3792 and HR 4031) and by Sen. Strom Thurmond (R.-S.C.) in the Senate (S 2228). The approval of this plan now by Congress would make it possible for the Nixon Administration to terminate its special diplomatic mission to Panama and to discharge *sine die* the Atlantic-Pacific Interoceanic Canal Study Commission.

The suspicion can hardly be avoided that the sea-level canal scheme which would supplant the present highly efficient Panama Canal has been deliberately used to conceal an obvious and commonsense solution to our problem of transporting ocean traffic across the isthmus of Central America.

Gov. Walter P. Leber of the Canal Zone estimates that with the benefit of improvements already made or projected, the canal can serve the needs of world commerce "through the end of this century."

With the additional improvement of the Terminal Lake-Third Locks project, which is embodied in the pending House and Senate bills and which calls for an appropriation of only $850 million as contrasted with a price tag for a sea-level canal initially estimated in 1960 at $2.368 billion, not including the cost of new treaties with Panama, the existing canal will serve all necessary trans-isthmian traffic requirements until well into the 21st Century.

This project, it is true, as embodied in the pending bills, will not provide transisthmian transit for all vessels traveling the ocean lanes, but, as Gov. Leber has explained, the international mandate which the United States assumed and exercised in building the canal does not require the United States to provide this service to all the world's shipping.

The large tankers now plying the oceans are designed specifically to avoid the tolls of canal transit. If the United States could dig a canal deep enough and wide enough to accommodate such a vessel, Gov. Leber has asked, "Could we charge him more than the regular tolls for our added costs? Oh, no. We would have to charge him less, because even at present toll rates, he'd have to pay about $150,000 in tolls and it would be much cheaper for him just to take the time to sail an alternate route. . . . When we talk about responding to the needs of our traffic, we have to gauge by economic analysis whether an improvement is needed or just nice to do." (Hearing before the Subcommittee on Panama Canal of the Committee on Merchant Marine and Fisheries, House of Representatives, April 22, 1970, p. 7).

The present canal, when provided with wider locks and when modernized in accordance with the bills pending in Congress, will adequately serve our national defense needs. Those needs, based as they are upon a two-ocean navy, no longer require that our aircraft carriers and other super vessels be able to transit the canal.

Protesting against any further betrayal of our national interest in the Panama Canal, more than 100 representatives in Congress, beginning last October, have gone on record in opposition to any surrender of United States sovereignty over the Panama Canal.

Individual members of Congress have sent strong letters to President Nixon opposing the negotiation of any new treaties with Panama concerning the canal, insisting that the United States maintain its sovereign control over the canal and the Canal Zone in accordance with existing treaties and putting the President on notice that any contrary action by the White House will be resisted by the Congress.

It is therefore imperative that Congress (1) reaffirm the sovereign control of the United States over the Panama Canal Zone which was established "in perpetuity" in the Hay-Bunau Varilla treaty and has not since been officially weakened; and (2) initiate hearings immediately on the Flood-Rarick bills and the Thurmond bill.

Such hearings will demonstrate clearly the superiority of the existing Panama Canal, when adequately modernized, over a will-of-the-wisp sea-level scheme and will expose the elaborate investigations and impending report of the Anderson Commission as irrelevant to the exercise by the United States of its mandate to convey ships and cargoes across the Central American isthmus.

DERWINSKI CALLS U THANT PRO-SOVIET, ANTI-ISRAELI

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, the Middle East crisis is growing even more explosive and failure of the United Nations, and specifically Secretary General U Thant, to provide any leadership or vehicle for peace is deplorable. The tragic weakness of the United Nations has been demonstrated in that body's inability to play an effective role in calming the Middle East crisis.

May I remind the Members of the House that U Thant is a philosophical Marxist, and has repeatedly demonstrated a pro-Soviet, anti-Israeli bias. His latest contribution to troublemaking in the Middle East is his support of the Russian proposal on the Middle East while disregarding the recent United States peace proposal.

U Thant is obviously more interested in appeasing the Soviet Bloc at the United Nations than in developing an objective peace proposal for the Middle East. He is deliberately blind to the Soviet-directed aggression in Southeast Asia, and to the fact that the Soviet Union is the diabolical cause of military escalation in the Middle East.

Peace and stability will not be produced in the Middle East so long as the Soviet Union supports radical Arab militants and the dictatorships in Egypt, Syria and Iraq. Soviet activity in Libya and the pressure they are directing against Jordan and Lebanon add to the complications in the Middle East.

As the Members know, the Russians have dreamt of controlling the Mediterranean since the days of the czars and it is unfortunate that during the Johnson Administration they were able to establish military strength in the area.

I believe that peace can be negotiated in the Middle East if the Arab governments deals directly with Israeli. I do not believe that the so-called four power meetings can be successful. The Soviet Union would scuttle any proper solution since it prefers to keep the Middle East in a constant state of turmoil. We must keep in mind that the Russians are openly anti-Israel as evidenced by their refusal to permit Jews to leave the Soviet Union and migrate to Israel.

Mr. Speaker, I reemphasize my conviction that Secretary General U Thant is a willing tool of Soviet foreign policy in the Middle East. By his actions he is collaborating in the development of greater tensions in that area, in complete contradiction to the peace-keeping role that the United Nations, at least theoretically, should play.

TEXTILE IMPORT PROBLEM

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, recently negotiations with the Japanese over our growing textile import problem have generated much attention. The Japanese have continuously refused to negotiate on a meaningful basis and claimed that they as a nation embrace the philosophy of free trade. They argue that the United States position is one of contradiction of that policy.

Now, we are all aware of the many restrictive practices employed by the Japanese Government to protect its home industries. These, of course, are in direct violation of the GATT which our Japanese friends purport to accept.

But it was not until Monday that the impact of these restrictions was brought so emphatically home to me. On that day, I received a copy of a letter written by a Japanese domestic buyer to the editor of Tokyo's Asahi Evening News questioning Japan's definition of the term "free trade" and documenting Japan's highly restrictive trade practices.

He points out that a U.S.-produced Ford Mustang costs $14,000 in Japan. He states that he paid a $5 duty on shirts sent to him—sent to him because he could find no shirts in his size in Japan. He had to pay a $1,400 duty on a Volkswagen he brought to Japan last January.

These are but some of the examples that he cites in his most enlightening letter. They show clearly and without doubt the need for a firm U.S. posture with Japan. This posture is provided in H.R. 16920, the Mills bill, which must be enacted at the earliest date.

I include the full text of this letter at this point in the Record, and I commend its careful reading to all of my colleagues:

June 26, 1970.

Editor,
Asahi Evening News,
Tokyo.

Dear Sir: I would appreciate very much if someone can explain to me the term "Free Trade" as it is used in Japan.

In your paper of June 25 you carry a story on the current talks going on in Washington regarding the textile negotiations.

You quote Japanese International Trade Minister, Kiichi Miyazawa, as saying:

"GATT is based on the principle that where injury is proved or the threat of injury is proved a trading nation can seek compensation from the country causing the damage.

But the U.S. appears to be establishing other trading principles in which imports must be restricted to a certain percentage of national consumption. A rapidly growing country like Japan which embraces free trade principles cannot agree to this concept."

"Free trade" for whom, might I ask? Although a Japanese auto can be purchased in the U.S. for less than it costs in Japan, a Ford Mustang in this country costs about U.S. $14,000.00. It even costs more to park a foreign car, in spite of the fact it only takes up the same amount of space allowed to a Japanese car. A package of 19-cent pipe tobacco costs 80 cents. I just paid $5.00 duty for some shirts sent to me, as my size is not sold in Japan. A trip through any department store or the American Pharmacy which sells foreign goods will show you that items such as shaving lotion and toothpaste cost four times the price as in the country of origin. A pleasure boat of 25 feet which would cost $5,000 in the U.S. is $25,000 in Japan. A water ski which is $60 in the U.S. is more than $225.00 in Japan.

The only way Japanese goods can compete in the U.S. is because they sell for a cheaper price than those manufactured in the U.S. The only way they can sell cheaper is to have the Japanese "subsidize the export," in other words, we must pay more in Japan for a Japanese car so that those going abroad can sell at a competitive price.

I had to pay $1,400 duty on a 1965 Volkswagen I brought to Japan in January 1970. And I had to get a license from MITI to import it. Of course the duty was decided after arrival of the car. I would never have brought it in the first place had I known I would be charged more than the car is worth.

As far as I can determine, Japan imposes fantastic duties and restrictions on imports to Japan, while aggressively burying the rest of the world in Japanese products, made attractive price-wise at the expense of the domestic Japanese consumer.

A Japanese company can freely establish a Japanese subsidiary in the U.S., "Subaru of America," "Datsun of America," "American Honda," "JTB of America," "Takashimaya of America," "Seibu of America," etc., etc. Yet we are subject to every kind of discrimination yet dreamed up to keep us out of the Japanese market. Japan has the advantage of every unfair trade agreement yet thought up. These were of course made to help Japan after the war and when Japan was a "poor country," which is no longer the case. There is not one so called liberalized industry in Japan without strings. Hotels have been liberalized because the government here is fully aware that no foreign hotel company can pay the current market price of land and make a profit.

Japan spends less than 1 per cent of her national budget on defense while much of what the U.S. spends for defense goes right into Japanese pockets. Not only what is spent here by U.S. servicemen and the fantastic sum it takes to maintain the U.S. facilities here, but what about all of the industrialists who can attribute so much of their earnings to direct income from the manufacture of items being produced to prolong the war in Vietnam. The Japanese put on a pious anti-war face, but do not miss a trick when it comes to making a buck from this unfortunate war.

There is no danger of the U.S. military being pushed out of Japan by any amount of student demonstrations. The Japanese government does allow (and I firmly believe encourage) anti-American demonstrations to be sensationalized in the press so they can get a trade concession in return for what they have convinced Washington is a super effort on the part of the government to allow the U.S. military to stay in Japan.

All U.S. government leaders should spend one year in a commercial company in Japan. That would help them in a hurry to the devious tactics applied here.

The one who really has to pay for all of this is the Japanese domestic buyer. He has to pay outrageous prices for any imported goods, and outrageous prices for Japanese-produced products to allow the same item to compete overseas. One day the people will wise up that "Free Trade" means higher prices at home.

A JAPANESE DOMESTIC BUYER.

CUT IN FARM SUBSIDIES

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, it was indeed great news for the downtrodden American taxpayers yesterday when the Senate came to their rescue by limiting subsidy payments in the farm program to $20,000 annually for any one farm operation. I well remember the fight some of us put up in the House 2 years ago when we succeeded in limiting the annual payments to $20,000 for any individual farm operation. We thought it was a great victory but when this legislation went to the other body the limitation was discarded and thousands of wealthy landowners continued their fabulous bonanza of reaping Government payments for idle land. I made a statement on the floor of the House at that time that approximately 10,000 wealthy farm operations were paid more than the Government allotted for low-rent public housing over the Nation. In 1968 over $784 million was paid in subsidies for not planting cotton. Up to now the subsidies paid farmers for idle land reaches the highest cost of Government subsidies in our history.

I believe the Members of Congress are almost unanimously in favor of aiding the economy of any needy farmer. Two years ago it was enacted by this body that $20,000 per year to any one farm operation was sufficient but this limitation was not effective because of Senate opposition.

In a few days this body will have the opportunity to follow the Senate's "change of heart" and instruct the conferees to agree with the other body and place a $20,000 annual limitation to any one farm operation.

Mr. Speaker, last year I secured statistics from the Senate hearings which revealed the payments made to farm operations over $5,000 annually. These astounding figures I hereby enclose with my remarks:

Range of payments	Number of farmers	Amount received
$5,000 to $7,499	41,798	$252,629,409
$7,500 to $9,999	18,244	157,163,180
$10,000 to $14,999	15,415	186,318,214
$15,000 to $24,999	9,894	186,931,864
$25,000 to $49,999	4,843	161,642,642
$50,000 to $99,999	1,285	84,603,708
$100,000 to $499,999	388	64,883,041
$500,000 to $999,999	15	9,556,372
$1,000,000 and over	5	10,889,036

I just wonder if the Members realize that there are approximately 3,500,000 farmers in the Nation. Only 185,000 farmers get over $5,000 a year. Under this annual subsidy too many are filed in the six-figure bracket—$100,000 and up. Six corporation farms are in the $1-million-and-up bracket. One farm operation gets over $4 million per year.

When Congressmen go back to their districts, they will get many complaints that this program has been extended. Our Members will hear from their neighbors back home who are going to protest the high figure payments for rural relief.

I got a long-distance call the other day from Georgia. A farmer down there said his neighbor has planted nothing. His wife inherited 1,000 and some additional acres, and all they have done is receive a check for $70,000 per year for enjoying life on Government payments. He said, "If they plant anything, I do not know what it is." There is a great deal of that going on all over the country.

Ten farming operations received a total of $14,785,760, which is more than the total of $13,409,756 received by all farmers in 10 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, and West Virginia—plus the Virgin Islands.

These 10 large operations received payments in excess of those received by all farmers in any one of 15 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, West Virginia, New Jersey, Maryland, Hawaii, Utah, and Wyoming.

Mr. Speaker, I am going to incorporate with my remarks some of the astounding payments under this $3,700,000,000 program during the calendar year 1967:

LARGEST INDIVIDUAL GOVERNMENT PAYMENTS UNDER FARM PROGRAMS, CALENDAR YEAR 1967

	Payment received	Cumulative payments
1. J. G. Boswell Co., Litchfield Park, Ariz. (Kings County, Calif.)	$4,091,818	$4,091,818
2. Rancho San Antonio, Gila Bend, Ariz. (Fresno County, Calif.)	2,863,668	6,955,486
3. Hawaiian Commercial & Sugar Co., Honolulu, Hawaii	1,353,770	8,309,256
4. South Lake Farms, Five Points, Calif. (Kings)	1,304,093	9,613,349
5. U.S. Sugar Corp., Clewiston, Fla. (Hendry)	1,275,687	10,889,036
6. Kern County Land Co., Bakersfield, Calif. (Kern)	838,130	11,727,166
7. Acco Seed, Leoti, Kans. (Fresno County, Calif.)	814,714	12,541,880
8. Kohala Sugar Co., Honolulu, Hawaii	800,718	13,342,598
9. Salyer Land Co., Corcoran, Calif. (Kings)	789,910	14,132,508
10. Delta & Pine Land Co., Scott Miss. (Bolivar)	653,252	14,785,760
11. Lee Wilson & Co., Wilson, Ark. (South Mississippi)	619,489	15,405,249
12. South Puerto Rico Sugar Co., Fellsmere, Fla. (Palm Beach)	610,923	16,016,172
13. Waialua Agricultural Co., Ltd., Honolulu, Hawaii	600,477	16,616,649
14. Mount Whitney Farms, Five Points, Calif. (Fresno)	591,980	17,208,629
15. Oahu Sugar Co., Honolulu Hawaii	571,453	17,780,082
16. Farmers Inv. Co., Aguila, Ariz. (Maricopa)	554,817	18,334,899
17. State of Montana, Helena, Mont. (Daniels)	553,358	18,888,257
18. Lihue Plantation Co., Ltd., Honolulu, Hawaii	539,570	19,427,827

If the House will go along and accept the Senate limitation of $20,000 per year to any one farm operation we could allocate the saving of approximately $2 billion to much-needed hospitals, schools, and highway construction over the Nation, all of which are in critical shortage caused by scarcity of funds necessary for these programs.

CONDITIONS OF THE STOCK MARKET WHICH WILL AFFECT THREE SOCIAL EVENTS

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, since the Republican President moved into the White House, Americans who own stock have seen one-third of the value of such holdings disappear. Since July of 1968, over 40 broker-dealer firms have "failed," of these four were members of the New York Stock Exchange. Many in fact most, brokerage houses are laying off people and cutting back operations.

The magnitude and dimensions of the effect of continued tight money and high interest on the average corporation can be seen in the following considerations. First, expansion in the 1960's was accomplished on debt, much of it short term. Fortune magazine in June of this year reports that from a study of 820 industrial companies debt as a percentage of total capital rose from 15.5 percent in 1959 to 25 percent in 1969. This 61-percent increase in debt reached a peak just as interest rates reached their peak and tight money began the real illiquidity crunch. Just how hard this has hit profit ability can be judged by a report from IRS that last year net income was less than 3.5 times interest payments. The figures are worse now and for manufacturing corporations it takes 30 percent or more of the cash flow to make fixed interest payments.

As we predict that absent new and bolder action by this administration to increase productivity and stabilize wages and prices, money will remain tight and interest stay high, there is only one harsh alternative for U.S. corporations. They must sell stock. Since prices are down, it will require larger issues for a given required sum than if prices were at a healthier level. Note this then. Equities of existing stock owners will be diluted and lower net earnings will be spread over more individual shares. We are forced to agree with the study of Smith, Barney, a leading brokerage house on Wall Street to the effect that "profit growth per-share may average less than 3 to 5 percent during the next five years."

This state of the stock market may explain the point of the following story:

It is said that the following three social events could with equal conviction be predicted to fail—President Nasser hosting a Bar Mitzvah in Tel Aviv; Governor Maddox guest speaking at a Black Panther rally in Harlem; and President Nixon holding a fund-raising dinner on Wall Street.

CREDIT OPPORTUNITIES FOR THE POOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California (Mr. TUNNEY) is recognized for 30 minutes.

Mr. TUNNEY. Mr. Speaker, when Congress passed a series of historic civil rights legislation beginning in 1964, it was felt that the concept embodied in the equal protection clause of the 14th amendment would finally become a reality. It is true, Mr. Speaker, that in the areas of voting rights, jury selection, open housing and public accommodations, this Nation has progressed in expanding the idea of equal opportunity in regards to legal and civil rights.

Five years ago this summer, this Nation watched in stunned astonishment as the business section of a Los Angeles ghetto went up in flames amid much looting, rioting and violence. Today, "Charcoal Alley" has changed very little. Despite some admirable efforts from outside groups, the economic conditions of Watts in 1970 are not much better than they were at the time of the 1965 riots. And even though we have created agencies and departments such as the Office of Economic Opportunity and the Department of Housing and Urban Development, there has not even been a modicum of social and economic progress in areas like Watts to alleviate the conditions that led to the 1965 riots.

These conditions—I speak of urban poverty, substandard housing, poor quality and unequal education, inadequate job opportunities, and insufficient consumer services—are also exacerbating the problem of crime in our metropolitan areas.

A society that does not possess the flexibility to respond to these circumstances will soon lose by default to those who desire to destroy that society. These problems will not be solved by words, but they can be at least mitigated through specific social and economic measures. It is time for action.

Our progress in the field of civil rights must be complemented with an equal amount of progress in extending economic opportunity. If we fail to assure the latter, we will nullify our advances in the former. As Federal District Judge Charles R. Weiner has stated:

> It is fundamental that civil rights without economic rights are mere shadows.

One of the most serious problems faced by the poor living in the city is their inability to obtain credit. While the amount of consumer credit has grown from $21 billion in 1950 to $113 billion in 1969, private industry has been totally unresponsive in easing the poor person's credit problems. The effect has been to force low income people to buy their goods from ghetto merchants at exorbitant prices and exploitative credit policies. Not only are these people unable to obtain money for expenses, but when reputable stores with good-quality merchandise refuse to grant credit to low-income urban residents, they get less for the money they do spend.

Thus the poor and those who are welfare recipients face a vicious circle in which they purchase inferior products at higher prices and are excluded from obtaining reasonable credit to help them get more for their money. I think it is time we as members of Congress begin to take action to relieve low income people from this unjust and exploitative economic burden.

The importance of consumer credit cannot be underestimated. Our whole financial system is tied to credit and a good credit rating is a must in today's marketplace. The poor have very few opportunities to expand their economic base, but depriving them of credit is to severely limit their borrowing and buying options.

We can stop this vicious circle by bringing legitimate retail credit into the ghetto. As it is now, most reputable stores refuse to extend credit in areas of low-income. While the financial position of the poor person is generally precarious, a study released by the National Urban Coalition shows that the poor are able to and do repay their debts.

The study cited an experiment in this field cosponsored by the United Planning Organization, Washington's antipoverty agency, and Kann's Department Store. The program allowed low-income people $50 worth of credit at Kann's on the condition that they attend consumer counseling classes and were approved by UPO.

Such a program has been most successful. The Kann's model has shown that a business is not giving away money by liberalizing their credit policies to the poor. In addition, this policy allows the poor to take advantage of sales and discounts on special and vitally needed items at reputable stores.

This program not only provides facilities and low-cost credit union service to those in low-income areas, it also establishes a program of consumer education. The program teaches potential credit buyers how to wisely and efficiently allocate their money. Such family financial counseling is the keystone to extending credit to the low-income consumer.

A similar program, "Operation Credit-Worthy" was introduced in Boston in October 1968. The plan was to inject legitimate retail credit into the ghetto through credit union cooperation with retail business. The pilot program in Boston included 13 Federal credit unions serving people of limited income. These credit unions have loaned out more than $400,000 and have about 5,000 members. The loss rate is less than one-half of 1 percent of the amount loaned.

"Operation Credit-Worthy" utilizes trained counselors to teach members financial responsibility. When the member has reached the stage of borrow maturity and has proven he can adhere to a strict payment schedule, his name is referred to the retailers as a responsible credit risk. If a retailer has problems with a delinquent account, he is assisted in the collection process by the referring credit union.

One of the more encouraging aspects of this program is the seed effect it has on the ghetto economy. By extending limited amounts of legitimate credit to people in low-income or ghetto areas, more money is injected into that area. This not only means that the ghetto resident is being assisted in his financial problems, but that the other people not participants in Credit-Worthy are able to approach stores under the program to obtain credit. In short, by supplying a marginal amount of money to Credit-Worthy participants, we can create a multiplier effect on the particular area's economy.

The primary objective of the program

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is to qualify limited income credit union members for legitimate credit. Low-income credit unions maintain lists of members who have established good credit rating within their union. The names are then referred to the retail trade board, and credit in participating stores is arranged. The policy contains needed safeguards to insure fiscal success.

The Boston pilot program has been a success. The Boston Retail Trade Board reports that there have been no particular problems and that it can be administered on a city scale without any great difficulty.

It has allowed many low-income people to obtain credit in stores that have previously refused to extend credit to them. The poor are now able to buy better merchandise at more reasonable prices, to obtain credit at more reasonable interest rates. It gives the low-income person the dignity that comes from being able to purchase goods when and where he pleases.

Both the Kann's and Boston models could be and should be applied elsewhere with the hope of expanding Operation Credit-Worthy nationally. Under this program the poor have the opportunity to buy on credit at a reasonable rate. But there is a stake on this program for the merchants too. Those merchants participating in Credit-Worthy have the opportunity to enlarge their number of customers.

Despite the fact that the pilot program in Boston has been proven as a sound approach to assisting the underprivileged to obtain credit, the chances for expanding this program to other cities are infinitesimal. The operation is sponsored through cooperative efforts of the Bureau of Federal Credit Unions and CUNA, International, Inc. The problem is simple: There are no funds available to accelerate the development of this worthwhile project.

Under the present budget, the Bureau of Federal Credit Unions will only be able to set up approximately one new project per year. The Bureau has the expertise available for a much larger program. Shall we let this reservoir of expertise go to waste?

The main deterrent to the BFCU inaugurating this program in other cities has been the lack of funds. And although the Bureau desires to engage in an interagency agreement with the Office of Economic Opportunity to fund an expansion, OEO, too, is unable to provide funds for what it calls an "excellent creative proposal."

I think it is a mistake to let a program with so much proven potential as Operation Credit-Worthy to lay dormant because of bureaucratic and financial complications. I think it is a tragedy to allow such "an innovative approach to liberate the poor from storekeepers offering overpriced merchandise and credit" to die because of limited funds. I think it is wrong to deny thousands of limited-income persons in our cities the means to climb out of their financial rut, their vicious economical circle, because there is no will in the Federal Government to provide those means.

The present system compels a poor consumer to go to merchants willing to accept people with no credit rating. The merchants often take advantage of this situation by engaging in unethical and unscrupulous practices. Why should we subject people in low-income areas to stores that charge as much as 25 percent a month on inferior-quality merchandise? A simple funding of Operation Credit-Worthy could allow those same people to obtain better quality consumer goods for as little as 1 percent interest per month.

The problem of urban poverty will only increase in the coming years as the concentration of low-income people in the central cities will be far greater in the next decade. Presently 13.6 million low-income people reside in all U.S. central cities. The 1985 projection of poor people in the inner city reaches 20 million.

I think the need for this program is clear. There is also a great deal of interest if not enthusiasm, on the part of OEO community action program, Bureau of Federal Credit Unions, and the communities to expand Credit-Worthy to various cities in the United States. If the poor are to climb out of the grasp of poverty such a credit program is a basic requirement. And if the poor are expected to achieve economic responsibility with this new source of credit, family financial counseling must be available on a continuing basis.

I am introducing legislation today to have the Office of Economic Opportunity community action program contract with the Bureau of Federal Credit Unions to establish Operation Credit-Worthy in 12 other cities. Under this proposal the BFCU will implement the program while the OEO will reimburse BFCU for its services. OEO will also have general surveillance over the project.

The estimated cost per city is $93,764. Thus for $1,125,168 we can bring this worthwhile project to 12 other metropolitan areas in the United States. The funds requested are a small price to pay for legitimate credit and financial training for one-half million poor, the initial goal set by BFCU.

I do not offer this proposal as a quick solution, as a panacea, as a promise to drastically reduce the plight of the 14.4 million hard core poor earning less than $2,200 per year. But if Congress will appropriate the funds necessary to expand this program, we can reverse the trend that makes a poor person's limited income even smaller. We can through Operation Credit-Worthy encourage and assist credit unions and the business community to infuse additional credit and additional funds into poverty areas.

The lack of only a little more than a million dollars is the only deterrent to funding Operation Credit-Worthy in 12 major cities. With "black capitalism" consigned to the role of campaign rhetoric, I feel that the need for aiding our poor is more urgent now than in the past.

Thomas Jefferson once wrote:

> It takes time to persuade men to do what is for their own good.

Perhaps it will take Congress less time to end the pattern of dependence that the less fortunate people in our cities are subjected to, and to erase the economic shadow that hangs over our civil rights laws.

THE THEOLOGICAL ASPECT OF OUR ECONOMIC AND SOCIAL PROBLEMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. SCHADEBERG) is recognized for 15 minutes.

Mr. SCHADEBERG. Mr. Speaker, having just returned to Washington after rather active participation in several Fourth of July activities held in various parts of my district, I want to report to my colleagues in the House my reflections on the events and to comment on one of this Nation's major problems.

I found the people disturbed over the confusion and divisions of which we are victims. They are disturbed because they innately know that what they are hearing is not the whole story and is a distortion of the facts as they are. They cannot put their finger on the misrepresentations but they are not unaware that the distortion is due to the misuse of words and phrases which have double meanings. The problems that beset us are basically theological and political in nature and, may I emphasize, in that order. We are living in troublesome times, yet we live in a great period in history. The challenges are limitless as are our opportunities for real and meaningful progress. This Nation is not wanting in terms of ideals or goals. The people of this Nation, including the vast majority of our young people, are as loyal and dedicated as in any period in our short 194 years of history as a Nation, and they are better equipped and better educated to pursue these ideals and goals.

Perhaps at no time in human history has there been a greater need for that rare combination of youthful vigor, mature judgment, experience, centered wisdom and raw courage, than now.

Mr. Speaker, the people are demanding solutions to what they insist are problems which demand attention but they are calling for solutions to the "effects" of our problems rather than solution to our "causes" of our problems and because we address ourselves to their plea for us to do something immediately, which, of course, is an honorable and reasonable responsibility on our part, we leave undone the task of addressing ourselves to finding solutions for the cause of our problems. The result is that the problems remain unresolved and in fact double. They double because of the impatience and total lack of understanding on those who insist that Government "do something."

One of the major problems confronting us is that of peace. Men cry, "Peace, peace," but there is no peace because we are not willing to make the sacrifices peace demands of us.

Frankly, Mr. Speaker, I am quite concerned about our failures as a nation of free men when I sit down and analyze not only what the people are shouting for but what is being passed off as solutions by those who, representing the people in this great Republic, seem not to be any more understanding of the problems than the people they represent.

Let us take for example the problem of war and peace. We hear impassioned cries of some in and out of Government for an immediate withdrawal of American troops from Vietnam. This has strong emotional appeal, but it completely ignores the need for a solution to the larger problem which if not taken care of will create a more dangerous effect in the not too distant future.

What are those who cry out for immediate withdrawal of American combat forces asking for? First, they would have us pull out without honoring our commitments made in good faith to other nations—commitments made not by the Nixon administration but by preceding administrations with the full consent of some of the Members of the other body who today are the carping critics of the policies of the present occupant of the White House. They insist that national honor is unimportant. Would they do business with or respect an institution that did not stand behind its word; that could not be trusted to honor its commitments? Is the Nation's honor any less important than the honor of the institutions operating within her borders? The decision as to whether or not we will not honor our commitments is primarily a theological question, but it also is a political one. Try operating a bank, or a feed company or an industry or a business without honoring your commitments—keeping your word, if you please—and see how long you can stay in business. Just as a business cannot survive if it fails to honor its word so a nation cannot survive if it does not keep its word.

The fact is that one of the major causes of continuous violent disruption in the world since World War II is the unwillingness of governments and more specifically one government—the U.S.S.R.—to honor its commitments.

Certainly those who have even a limited sense of moral values and of history know that the most rudimentary responsibility of a nation is that of keeping her word. This great United States, the apologists for freedom notwithstanding, has stood as a shining beacon in a world darkened by the struggle for raw power, as a symbol of honor and respect.

Those who would have us bug out of our commitments would have us do so without regard to the safety and well-being of literally hundreds of thousands of South Vietnamese civilians—men, women, and children—who would be murdered in coldblood for no reason other than they did not share the political views of their tyrannous master. We do not have to speculate about this—we need merely to turn back a few pages of contemporary history to be reminded of the lie of those who claim that communism is acceptable and must be given equal status with freedom because it has "mellowed." Ask those who saw heads rolled in the massacres in China. Ask the people of Tibet. Ask the hundreds of refugees who were fortunate enough to flee Cuba with their lives. Ask the people in the captive nations who suffer even today as they are ground under the heel of their repressive leaders—whom they neither had the opportunity to oppose in the ballot box nor after the takeover to depose from office. Ask our men suffering in Communist prisoner-of-war camps.

Those who would have us bug out of our commitments would have us do so without regard to the encouragement this betrayal of trust—this outright surrender—for that is what it would be—would give to North Vietnam which we could, if we wanted to, wipe off the face of the map in a day's time. Those who in hypocrisy are ashamed to be called American and accuse their Government as being repressive and materialistic and aggressive and arrogant—insisting upon imposing her will on others—fail to mention its restraint in the use of the awful power at its command.

I am not suggesting by any stretch of the imagination that we use the nuclear power available in our arsenal in Indochina. That would be unthinkable both from a practical and psychological point of view. It would be morally unacceptable. What I am saying is that it is high time this Nation use its power in a moral way to prevent the unnecessary slaughter of human beings, South and North Vietnamese as well as Americans—and civilians as well as military. When President Nixon permitted our military command to venture into Cambodia for a limited time and a limited objective with the full consent of the Cambodian Government, he did just that. The military mission was to destroy the arsenal of weapons that were being stashed there to neutralize the gains made by the South Vietnamese since the new policy of Vietnamizing the war was put into effect by this administration, as well as to harass and kill the maximum number of Americans as the withdrawal of our forces moved ahead according to schedule.

Should we bug out without honoring the commitments made by this Government the stage would be set for a significant increase if Communist activity in many different parts of the world. The suggestion by those who are indifferent to Communist extension of its totalitarian rule over smaller nations that the domino theory does not apply to the troubles in the Far East and the Mid-East is to misunderstand communism and misinterpret history.

We cannot isolate the situation in Indochina from past Communist ventures in other parts of the world. The U.S.S.R. has become involved in the Mid-East because they have not been sufficiently frustrated in the ventures in Korea—and Europe—and Cuba.

Had we not settled for a truce in Korea but sought and achieved victory, the Communists might not have found it convenient to venture into South Korea. Our failure to take the decisive steps necessary to prevent a Communist takeover of Cuba and make there a base of Communist operations against the Western Hemisphere might well have slowed, if not prevented, Soviet activity in the Mediterranean.

Had we not chosen to be a partner in creating a Communist government in China by stabbing the friendly Chiang Kai-shek government in the back, there would have been no Chinese intervention in Korea on the side of Communist North Korea.

The situation in Vietnam is due if not directly, then most assuredly, indirectly to past mistakes and failures in policy and in our diplomatic efforts to carry out that policy. Yet today some of the very same individuals who were participants in those policies that failed and, in fact, helped to frame those policies are pointing an accusing finger at President Nixon and are crying "failure" because he cannot undo the adverse effects of the failure of their policies in 1½ years.

The facts of life are just as simple as this: Should we choose to bug out, our NATO as well as our SEATO treaties would go with it and we would commit the world and freedom to a threat of such great proportions that in the scramble for power the world would become victim either to total communist tyranny or to some other kind of totalitarianism equally unacceptable to free men.

The name of the game is avoid world war III. The question is "How?" I happen to believe we cannot gain the desired goal of avoiding a third world war by turning over one-half of the world to Communist rule—unless, of course—we are willing to give up our way of life and the freedom associated with it.

In these confusing times people are being mislead by words and slogans. Words can cajole, frustrate, disgust, disillusion, build up, destroy, inspire faith, make cowards—depenling on the words used, and how they are used. There is an entire verbal arsenal from which to draw our weapons: Polarization, alienation, priorities, and what have you.

Possibly the most corrupted word is the word "peace."

Some people use it as if they were the originators of the idea and the only ones who understand the meaning of it or who desire peace.

The wrong word has been used if peace is what we really want.

What is it that they want?

What is our primary national goal? Is it peace at any price? Or is it freedom? Any student of history, past or contemporary, must know that while peace is a byproduct of freedom enjoyed within the framework of law, freedom on the other hand, is not a byproduct of peace that is acquired under compromise within tyranny.

Mr. Speaker, the issue of war, peace, and freedom is basically a theological one involving the choice of a goal. No one is for war, much less the one who speaks these words who knows by personal experience the trials of war. I wish I could say that all are for freedom. My hope and prayer is that the American people recognize the tree by its fruit. The political issues are not basic. They address themselves merely to the "effects" of having made wrong moral choices. They are the salves that cover the sores and bring temporary relief from pain. They are not a cure for the cause of the sores. Once the people become aware of this they will

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demand realistic answers to the problems it seems politically advantageous to emotionalize.

Mr. Speaker, in January of next year as the 92d Congress convenes, God willing, with the consent of the people of my district, I will seek the floor to address myself to the theological aspect of the economic and social problems that continue to plague us.

MERCURY POISONING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. MONAGAN) is recognized for 20 minutes.

Mr. MONAGAN. Mr. Speaker, in the CONGRESSIONAL RECORD, volume 115, part 27, page 35967, and part 30, pages 40948 to 40950, I brought to the attention of the House the fact that the Department of Agriculture has failed to enforce provisions of the Federal Insecticide, Fungicide and Rodenticide Act—FIFRA—intended to protect the public from hazardous pesticide products being marketed and used. I stated that unless constructive action were taken by the Department of Agriculture much of our food would be illegally adulterated with pesticide residues and much of the food supply would contain large amounts of cancer-producing pesticide compounds.

In recent weeks the Department has admitted that the Federal Insecticide, Fungicide and Rodenticide Act needs amending and that the Department could and should do better in its administration of FIFRA. A few chemical companies, manufactures of pesticides, have also been critical of Agriculture's administration of FIFRA. Other voices have been raised from the Congress. The administration has taken note and now proposes to remove the functions assigned to the Department of Agriculture under FIFRA and place them under the new proposed environmental agency.

Many of the lakes, bayous, rivers, and streams of the United States and Canada are mercury-contaminated. Today the Federal Water Quality Administration admits that fish and water in 14 States is contaminated by mercury. Mercury and compounds containing mercury poison the soil. They accumulate and settle in the botton of waterways. They appear in the tissues of fish and other marine life.

Mercury containing compounds and mercurials find their way as a soil and water contaminant through industrial and agricultural use. Mercury as used in the electroylis of brine and potash forms compounds of mercuric and mercurous chloride which passes as affluent. Mercury compounds are used as antislime agents in papermaking. Mercury based paints are used to paint the hulls of ships. Mercury containing pesticide compounds are used as fungicides. Some Mercurial pesticide compounds are cancer-producing in animal systems, poisonous to animals and humans. Mercurial residues illegally adulterate food. In turn mercury poisoning derived from food may cause damage to the central nervous system.

An examination of the grounds of the 1,600-odd pesticide registration objections made by the Department of Health, Education, and Welfare over a 5-year period from July 1, 1964, through June 30, 1969—and largely ignored by the Pesticide Regulation Division of the Department of Agriculture—discloses that HEW continually objected to the registration and reregistration of many mercurial pesticide compounds as potential human health hazards.

I pointed out in my earlier statements that the Mrak—Secretary of the Department of Health, Education, and Welfare's Commission on Pesticides and Their Relationship to Environmental Health—Commission's recommendations—Nos. 4 and 5—called for the restriction on the use of pesticide compounds containing mercury for the purpose of minimizing human exposure to mercurial pesticides because they considered them to present a potential health hazard to man.

The use of many mercury pesticides is now prohibited in Sweden.

On January 24, 1970, the Associated Press reported from El Paso, Tex., that doctors were using mustard gas to fight acute mercury poisoning that put two children in a coma and left their older sister blinded and paralyzed. The three, ages 8, 13, and 20 became ill after eating pork from a hog their father butchered last September. The hog had been fed grain treated with a methyl mercury pesticide.

More than 30 animals had been sold for slaughter after being fed the poisoned grain. The Department of Agriculture embargoed a lot of meat which may have come from the mercury-containing animals but they were never sure they found it all. If the Department of Agriculture had initially carried out its responsibilities under existing law it would not have had the problem of attempting to find the poisoned meat. Leadership and the exercise of judgment by the Department of Agriculture would have made life less hazardous for many.

Organic mercury pesticides have been responsible for at least three epidemics of poisoning by pesticides in recent years. In each instance the initial material contaminated was seed grain. Iraq suffered an epidemic of 321 cases of mercury poisoning in 1961 in which 35 people died. West Pakistan reported an epidemic of 34 cases in 1963 in which four individuals passed away. In 1966 Guatemala had an epidemic of 45 cases in which 20 deaths resulted.

In Japan, deaths, teratological and fetal minamata disease—infantile cerebral palsy effects—have been directly attributed to the intake of seafoods containing mercury.

Poisoning by organic mercurials is characterized by nervous system involvement which can produce total incapacitation or death, a wide variety of dermatoses, irritation of mucous membranes of the eyes resulting in optic neuritis with loss of irregular portions of peripheral fields of vision and atrophic changes of the fundus.

Mercurial poisoning is a potential hazard to humans and there is no effective remedy to fight it with the possible exception of a heavy metal chelating agent. Mercurial residues can persist up to 100 years in polluted lakes. Mercurials accumulate in the soil to the point of toxification. They remain unless physically removed as by leaching with water. Since the mercurials' solubility is low, they tend to remain where applied.

Poisoning by organic mercurials occurs more than one realizes as individuals will cheat by including in a sale of food grain some mercurial-treated seed grain. Further, a California State wildlife official has recently reported that mercury poisoning poses a threat to California pheasants. The pheasants contained mercury pesticide compounds used to treat cereal seed grain prior to planting. The California official reported the amount of mercury present in the pheasants to be of public health significance.

There are pesticides which are adequate and economically feasible as substitutes for mercurial pesticides. Thus was the lack of action to restrict the use of mercurial pesticide compounds by the Department of Agriculture nonfeasance or lack of judgment?

After the disaster the Department of Agriculture took a step in the direction of safeguarding human health and the quality of the environment by suspending the pesticide, cyano-methyl mercuri guanidine from further use. This was the causation agent involved in the New Mexico incident. The Department also asked the National Academy of Sciences—National Research Council's Advisory Center for Toxicology for advice and recommendations concerning other organic mercurial pesticides. As a result—the obvious—the Department canceled the registration of 60 percent of mercury pesticide compounds and compositions. I urge the Department of Agriculture to continue to take steps to minimize pesticide uses that constitute a potential danger to health and the quality of environment. The uses of pesticide compounds containing the heavy metals; arsenic, lead, and mercury must be reexamined in this context. I believe the Department of Agriculture should have utilized the resources of, sought the advice and followed the recommendations of the Department of Health, Education, and Welfare where a potential pesticide use danger to health may be involved. It should have taken heed of the Mrak Commission recommendations. The Federal Insecticide, Fungicide, and Rodenticide Act should be amended to provide such mandatory provisions.

The Department of Agriculture has not been the only delinquent Federal agency relating to the mercury poisoning problem. The Federal Water Quality Administration admits that U.S. plants either along waterways flowing into or beside Lake Erie have been dumping possibly as high as 300 pounds of mercury a day into the lake as of this year. This figure does not include the contribution made by Canadian plants. The Federal Water Quality Administration claims that now only 10 pounds a day enters the

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lake from U.S. industrial plants. But mercury continues to accumulate on the lake and other bottoms. There is no known way to remove it. The Federal Water Quality Administration has yet to take action against mercury containing mildew resistant paints which may be used to paint ship bottoms. Mercury poisoning, even mild cases, can cause irreversible central nervous damage so the danger continues as an imminent hazard.

Again I urge the President to require the Department of Agriculture as well as other governmental agencies to carry out its responsibilities under existing law in order to protect the public health; to assure the safety of our food; to prevent contamination of the environment and to remove hazards to life. I urge the administration to seek actual achievement, not paper results.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER), is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation. In 1969, the total private insurance sales in non-Communist countries amounted to $100 billion. Sixty percent of the total premium volume was in the United States, 25 percent in West Germany and 4 percent in Canada.

ESTABLISH AN AMBULANCE SERVICE CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, exactly 1 year ago this month I called the attention of my colleagues to the crisis in emergency medical services in the District of Columbia. Not only the ambulance service but also the entire field of emergency medical care leaves much to be desired in the District of Columbia.

On July 1, 1969, I introduced a bill, H.R. 12552, to establish an Ambulance Service Corps as a separate entity, outside the jurisdiction of the Fire Department under which it is presently operating. The corps, as envisioned by my bill, would have its own administrative organization, a system of promotions for personnel, higher qualifications, and superior training. It would be professional in every sense of the term and dedicated entirely to its primary mission—emergency ambulance service.

The situation at the other end of the ambulance run, in the hospital emergency rooms, is also in a crisis state at the present time.

The problem confronting nonprofit hospitals in this area is similar to a very significant problem confronted by the emergency ambulance service. Hospitals can no longer afford to pick up the tab for the emergency care of the city's indigents just as the 10 ambulances which serve the 200 to 800 daily emergency calls in the city cannot continue to be used as a "taxi service" by indigents.

Mr. Speaker, these two problems have been well-documented in a series of editorials recently broadcast by WRC. For the benefit of my colleagues who may not have had the opportunity to hear them broadcast, I insert them at this point in the RECORD:

AMBULANCES

In a medical emergency you call an ambulance. It is rather comforting to know that help is on the way—ready and able to take care of almost any problem.

In the District of Columbia that is not the case.

The alarming fact, as you have seen, is that there are only ten public ambulances to handle an average of nearly 200 calls a day in the city. On Friday and Saturday the number can go to 800.

The ten ambulances are operated by the Fire Department. The drivers and attendants are firemen who do a superb job under the most trying circumstances. However, their forty hours of medical training is woefully inadequate.

The only thing they have to go by in their work is the firemen's manual. Incredible as it may seem in a function involving human life—there are more rules and regulations for barbers in the District than for ambulance attendants.

The service is abused. In the District it is free so it is cheaper than a taxicab. It is estimated that anywhere from 38 to 75 per cent of all ambulance runs in 1969 were for non-emergencies. This means that some people who desperately needed help—didn't get it.

Then there is the matter of emergency equipment—D. C. ambulances do not come close to meeting the minimum criteria set by the 1966 highway safety act.

That is the deplorable state of affairs of the public ambulance service in the District. But assume you survive the incident that caused your injury, and the ride to the hospital, what are your chances for emergency care?

We'll go into that subject tomorrow.

CLOSED HOSPITALS

WRC–TV has pointed out editorially that ambulance service in the District is inadequate because of lack of vehicles, manpower and training.

However, once in the emergency room of a District hospital your medical care will be adequate. But a very serious problem is the fact that more and more private hospitals have either closed their doors entirely for emergency medical care or are curtailing their services to public ambulance patients. The reason is very simple—they can no longer afford to pick up the tab for the medically indigent of the city.

It is a merry-go-round of cause and effect. There has always been a positive correlation between public ambulances and the indigent. Private, non-profit hospitals, operating emergency rooms pass the cost in part onto their regular paying patients. In turn, prices for medical care go up and insurance companies refuse to pay the added amounts.

Much of this problem can be laid at the door of the medicaid and medicare programs and the inadequate and outdated Medical Charities Act that pays only about half the cost of hospital care.

Thus, more people are endangered because ambulances are forced into longer runs to an open hospital perhaps miles away, across town. This means that others who need attention must wait until an emergency vehicle is available—sometimes that can be too late.

So the District has inadequate ambulance service—and a steady decline in emergency medical hospital facilities.

Tomorrow we will discuss what can be done about it.

EMERGENCY MEDICAL CARE

For the past two days WRC–TV has editorially discussed public ambulance service and emergency medical care.

Both need a drastic overhaul and immediately.

D.C. firemen operate the city's public ambulances and they do a superb job under most trying conditions.

But what is needed is a career corps of highly trained technicians under an independent Emergency Medical Facilities Agency which would operate all private and public ambulances under one communication and dispatch system.

There must be separation of emergency and non-emergency use of ambulances. The practice of using such vehicles for taxicabs must end so that those who desperately need help can get it.

Emergency rooms at hospitals and other medical centers must be kept open and even expanded so that the injured and the ill can be treated quickly and expertly.

Minimum standards and guidelines—ordinances and surveillance need to be instituted to assure adequate ambulance service and emergency medical care.

All of this takes money and legislative action.

That is up to the Congress with the first priority more vehicles with better equipment. The fact that there are only ten public ambulances to meet the daily emergency needs of perhaps a million and a half residents, commuters and visitors in the District is courting disaster.

Will it take tragedy to get action?

AIR TRAVEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. CONTE) is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, I wish to bring to the attention of my colleagues the great step forward taken by President Richard Nixon and this administration in the whole field of air travel. On Monday, June 22, the President released our Government's new statement of international air transportation policy. This is a long-awaited document, because the last time our Government made itself crystal clear in this area was in 1963.

It is with great pride as an American and as a Republican that I recommend close examination of this historic statement by every Member of Congress. As the President said when he introduced the new policy:

> International aviation in the 1960's made a unique and valuable contribution to our commerce and contacts abroad, and consequently to our national life. At the same time, as in most human activity, this rapid expansion brought some complications along with its undoubted benefits.

Mr. Speaker, this excellent statement has realistically and thoughtfully tackled these complications. I am very optimistic about the future.

However, I think it is encumbent upon this Congress to take America's position in the air transport field every bit as seriously as the President has. We have a job to do as well. I believe it would be in the best interests of the traveler and

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the shipper and every member of the industry for the Congress to give this policy statement the full force of law. We are dealing with the very survival of the competitive, free enterprise system in the air transport industry. This document deals not only with maintaining a strong competitive picture among American carriers, whether they are scheduled or charter carriers, but of also maintaining a strong competitive position for all American lines overseas. Here is where the voice of this great body can and should be heard.

The Secretary of Transportation, the Honorable John A. Volpe, proud son of the great Commonwealth of Massachusetts, said:

> In order to maintain an economically sound service network, . . . U.S. carriers must be assured a fair and equal opportunity to compete. The policy calls for firm U.S. measures if our carriers' services are unreasonably limited.

We should join with the President and the Secretary in meeting this far-reaching challenge. As the policy statement says:

> Attempts to restrict U.S. carrier operations abroad should be vigorously opposed, the foreign landing rights for charter services should be regularized as free as possible from substantial restriction.

I feel confident that Secretary Volpe, Secretary of State William Rogers, and the members of the Civil Aeronautics Board will heed these words and follow the President's direction that—

> This new statement of policy guidance be used henceforth by responsible officials of the Government in dealing with international aviation problems.

Congress has a duty and a responsibility as well. We must also fashion such laws as might be needed to make this Nation and its vigorous air transport industry leaders everywhere in the world.

THE COOPER-CHURCH AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, the parliamentary maneuvers which today—once again—stifled debate on the most essential issue which faces this Nation, and her elected Representatives in this Congress, can only be matched by the contorted justifications and misstatements which have been used to condone and explain our policy in Vietnam, and most recently in Cambodia.

Were the stakes not so high, I might venture a more sanguine regard for the continued failure of Congress to meet the needs of a people who have watched over 42,000 young men die in combat in a distant land ruled by despotic regimes. Were the tragedy not so great, I might view with more calm the continued evasion of responsibility evidenced anew today.

The fact is that the House of Representatives today, with a consistency which has rarely been matched in its history, rejected again, as it has been doing since the war began, the chance—the obligation—to measure up to the constitutional responsibility with which it is vested.

In passing, I would note how much I deplore the fact that the amendment introduced by the Senator from Idaho, Mr. CHURCH, and the Senator from Kentucky, Mr. COOPER, and passed by the Senate by a vote of 58 to 37, was so hurriedly rejected by this House. The other body devoted 7 weeks of debate to this amendment; the House cut off debate. Surely, this circumstance leaves little by way of defense to those who claim that our system is working right. Millions of people who oppose the war—of all ages, of all groups—have elected to the Congress men and women who are to represent them. Whether these millions constitute a silent majority or a silent minority is not really important. The point is that they expect their needs, their wants, and their concerns to be articulated. I think it nothing less than insult—and default of our responsibilities—that this House heeds them so slightly.

But, although I deplore today's perfunctory consideration of the Cooper-Church amendment, the real question was one of votes. Perhaps some Members might have been persuaded, had they had the opportunity to hear more fully the thoughts of their colleagues. I doubt if the number would have been very significant, though.

The real matter is votes. And the votes indicated that Cooper-Church, whether debated for 10 hours or 10 days in this House, would have failed. The key vote today, that on the previous question, was 247 to 143; the motion to table carried by a vote of 237 to 153.

What was rejected? Certainly no real answer to the Vietnam War. No real answer, even, to the question of future Vietnams. But, the Cooper-Church amendment, passed by the Senate and rejected by the House, did begin, finally, to enunciate the division of constitutional powers which is mandated by the Constitution. For it is Congress' right and its responsibility to control, to raise, and to support armies. And Congress is charged with declaring war.

The Cooper-Church amendment arises out of the crisis that has been facing this country for some time, and which Congress has been unwilling to recognize. The sending of American troops into Cambodia has brought this issue to a head. This move was made with neither the knowledge nor the approval of Congress. Congressional leaders were not informed. Congressional committees dealing with foreign affairs and armed services were not consulted. Neither the House nor the Senate was asked for approval.

Such action by the President was the natural consequence of Congress' refusal in the past to exercise its responsibilities with respect to Indochina.

Congress has voted billions of dollars in appropriations for the war in Vietnam with only a few of us really questioning what the money was being used for, what the policy was, and how successful the policy was. Rather than assuming its constitutional role, the Congress acquiesced and acceded to the word of the President and his military advisers that the war was going well and our military operations were successful.

During the past 6 years, the executive has begun to regard its power as virtually unrestrained, permitting the President to make military decisions not only in Vietnam, but also in Laos, Thailand, Cambodia, and the Dominican Republic—without substantial knowledge or approval of Congress.

While not tying the President's hands, the Cooper-Church amendment begins to redefine the division of warmaking powers in this Nation. It tells this President and future Presidents that the executive does not have unlimited and open-ended powers in regard to sending American troops into combat.

The amendment rejected today merely bars funds for the retention of troops in Cambodia after June 30, 1970, an for the reintroduction of American ground troops in Cambodia. It prevents use of funds for indirect or direct advising or instructing of Cambodian military forces. It prohibits payment of salaries and bonuses to any persons engaged in mercenary military activity in support of Cambodian forces. And it prohibits the financing of aerial combat activity above cambodia in direct support of Cambodian forces.

So the Cooper-Church amendment, whatever its symbolic value—and I stress that in that coin this amendment is worth a great deal—is really a mild rejoinder to an unconstitutional act undertaken by the Executive—the deployment of American ground troops in Cambodia.

The Executive has told us that the Cambodia adventure was a success. I should think, to say the very least, that 339 Americans dead and 1,501 wounded tarnishes that success somewhat. I hasten to add, of course, that I do not question the President's concern for these dead and wounded. I am sure that he, bearing the responsibility to commit troops to battle, greatly feels the tragedy.

But, while I sympathize with his burden, I much more greatly sympathize with the loved ones who must bear the grief of a dead or wounded son or husband or father. And, so long as this war continues, the bearers of this grief will grow in number.

Cooper-Church would have done little to abate this process. It does not prevent "hot pursuit" by Americans into Cambodian sanctuaries. It does not prohibit artillery fire from South Vietnam into Cambodia. It does not prevent interdicting from the air North Vietnamese supplies and troops moving along routes used to bring men and materiel into South Vietnam. And it does not prevent military assistance to the Cambodian Government through arms and supplies. In sum, the Senate amendment is large in symbolic value, but small in literal accomplishment.

Yet, symbols loom very large in the events of history. They are not to be discounted. Cooper-Church should not, in these terms, be discounted. For it would signal a revived Congress—a legislative body prepared to begin the long-overdue task of reasserting the powers it has gradually surrendered over the past

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quarter of a century. This task, in view of the vote today, still remains.

But, symbols apart, there are other tasks which await doing. The war must be ended. It must be ended now. This country cannot continue to pay the price it has been paying for 5 years. We never could really afford it. That is why I have voted against every appropriation for the war in Vietnam. We cannot afford it at all today. And that is why I voted in favor of the Cooper-Church amendment today, by voting nay on the previous question and against the motion to table the motion to instruct the House conferees to accept the Cooper-Church amendment. That is why I will continue to oppose the war. That is why I am a sponsor of the McGovern-Hatfield amendment to end the war. It is why I will offer, as a significant, albeit not total, answer, an amendment to the Department of Defense appropriation bill when it comes to the floor in the near future barring the sending of draftees to Vietnam without their express consent.

If this war is to end, the President must acknowledge that a political solution is the only answer. Invasion of Cambodia refutes any commitments to such solution. Continued mouthings of insistence upon the right of self-determination for the South Vietnamese is mere rhetoric, so long as our vehicle for realizing that end is a repressive regime which imprisons political dissenters in "tiger cages" on Con Son Island prison What in the nature of the successive South Vietnamese governments which we have supported make our ostensible aim of securing the right of self-determination for the South Vietnamese credible? The question is a rhetorical one, but I will supply the answer for any who might possibly miss it. "Nothing."

Instead of a political solution, the administration offers us a policy labeled "Vietnamization." Vietnamization will not work. We will always have troops in Vietnam so long as we insist on military answers to political problems. For, after all, this has been our policy ever since the United States sent combat troops to Vietnam. The name of the policy has changed, but the notion of helping the South Vietnamese until they could help themselves was the excuse for fighting in South Vietnam in the first place. So, the excuse remains the same. And it remains a misguided, tragically wrong excuse.

The Cooper-Church amendment went down to defeat in the House today. But defeat for those of us who have opposed the war in Indochina is not new. It is not going to deter us. We will not be deterred.

The House must fulfill its responsibilities. It must be willing to extensively debate the war. It must be willing to reassert its constitutionally mandated role in foreign and military affairs. And it must be willing to bring the death and destruction in Southeast Asia to an end by refusing to appropriate money to continue a bankrupt policy which insists upon a military solution to a political problem.

CAMBODIA

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON), is recognized for 20 minutes.

Mr. HARRINGTON. Mr. Speaker, last week the President withdrew all U.S. troops and advisers from Cambodia, thus ending a 60-day excursion into that country which has divided our own Nation and caused worldwide outcries. I think it would be worthwhile at this time to examine our reasons for entering Cambodia and to assess the results of our actions in that country.

The President listed his reasons for ordering American troops into Cambodia when he addressed the Nation on April 30. At that time he stated:

> To protect our men who are in Vietnam and to guarantee the continued success of our withdrawal and Vietnamization programs, I have concluded that the time has come for action. . . .
>
> The action I have taken tonight is indispensable for the continuing success of. . . [the] withdrawal program.
>
> A majority of the American people want to end this war rather than to have it drag on interminably. The action I have taken tonight will serve that purpose. . . .
>
> We take this action not for the purpose of expanding the war into Cambodia, but for the purpose of ending the war in Vietnam and winning the just peace we all desire. . . .
>
> This is not an invasion of Cambodia. . . . our purpose is not to occupy the areas. . . .
>
> Tonight, American and South Vietnamese units will attack the headquarters for the entire communist military operation in South Vietnam. . . .

I do not believe that the Cambodian invasion, nor the Laotian intervention recently revealed, has saved American lives.

Nor has the war been shortened.

Nor have we insured the speedier withdrawal of American troops.

Nor have we actually found and destroyed COSVN.

Nor have we been moved any closer to the goal of a "just" peace.

The rationale which the President has given us for expanded military efforts is not valid and I suggest it derives from a cold-war mentality ill fashioned to our times.

Our new involvement unfolds the probability that the United States will be committed to an even greater degree on the Asian mainland. The Vietnamization program in which the President has placed so much hope can scarcely be strengthened by continued commitment of Vietnamese forces to Cambodia.

At the same time, we have damaged prospects of success at the peace talks in Paris. The extension of the war has made us ever more dependent upon the Thieu-Ky government. We are a tethered power. Quite possibly, Secretary of State Rogers sought to broaden the grounds of negotiation last week when he said:

> The Communists may decide it is in their best interests to negotiate an agreement which gives them representation proportionate to their numbers.

But the Thieu-Ky government, unhappy with the troublesome prospect of suggested support for a coalition government, promptly dampened U.S. efforts in that direction. In addition to showing no receptivity to the Rogers view, that government shut down 10 newspapers which published the Rogers statement.

Perhaps we should have heeded the words of Hanoi's chief military commander, General Giap. He has asserted for years that every extension of the area of battle serves the revolutionary interests because it is to the advantage of the side with the greater firepower and superior heavy equipment on the ground to concentrate its forces in one area. The side with greater mobility and lighter armaments has an interest in breaking up the fighting and enlarge the combat zone. In addition, revolutionaries depend on the help and support of the people but a foreign force must spend a great deal of time and effort to win over or control for force the people around whom the fighting is going on.

We have fallen into the trap of spreading ourselves too thin, and at the same time stating that we are trying to get out. We cannot fight a war and build up the South Vietnamese if we take on four Indochinese revolutionary parties in three different countries at the same time.

Listed below is a chronology of events and statements by leaders of the United States and South Vietnam. The chronology identifies our deepened involvement in Indochina, documents U.S. dependence upon decisions made by the Thieu-Ky government, and marks comprehensively the failure of the administration to deal honestly with the American people.

April 30: President Nixon announced that he will send ground troops into combat in Cambodia. He also announced that he had ordered renewed bombing of North Vietnam—four bombing raids—to prevent the National Liberation Front from crossing the demilitarized zone.

May 8: Nixon said that South Vietnamese troops were not necessarily bound by the June 30 deadline for American troops but that a pullback of South Vietnamese forces was expected to come "approximately at the same time that we do, because when we come out, our logistical support and air support will also come out with them."

May 8: South Vietnam's Thieu stated the South Vietnamese were not bound by the deadline set by President Nixon:

> We have no deadline, no limits. . . . Where there is a target, we will strike it.

Thieu also said that he had reached this understanding with the United States 2 to 3 days before Nixon's April 30 speech.

May 11: Thieu indicated that neither the timetable for withdrawal nor the 21-mile penetration limit would apply to South Vietnamese troops. If the Cambodian Government requested it, he said, the South Vietnamese forces "can go farther into Cambodia and there is no deadline yet for getting out."

May 11: The State Department said that "no understanding or agreement" between Washington and Saigon on how long the South Vietnamese forces would remain in Cambodia had been reached.

May 13: Secretary of State Rogers said that the United States would not become "militarily involved" with troop or air support to defend the Cambodian Government. He said the South Vietnamese and Thailand would be encouraged to cooperate with Cambodia in repulsing the Communist threat—a policy in line with the Nixon doctrine of fostering cooperation among Asians to handle their own problems.

May 16: The State Department announced that the United States had secretly shipped small arms to Cambodia on April 25 while the Nixon administration publicly announced that it was considering the request for aid from the Lon Nol government. These 3,000 captured Communist AK-47 rifles were sent to Cambodian Government troops in unmarked South Vietnamese military transports.

May 20: First public acknowledgement by the United States that South Vietnamese troops might stay in Cambodia after the deadline. The "determination has not been made" said the State Department.

May 21: Ky said:

> I wish to make clear that we will not let our hands be bound by anyone any more.

Ky said that South Vietnamese forces were capable of operating independently in Cambodia and would stay here "not only to destroy the Communists but also to provide protection for the lives and property of 600,000 Vietnamese residents."

Ky called the hypothesis of a Saigon troop pullout along with an American pullout "a silly argument of a silly people."

May 21: Presidential Assistant Ron Zeigler at the White House said:

> It would not be appropriate to put a timetable on the South Vietnamese forces.

May 22: Secretary of Defense Laird said it would "be a mistake to make a further timetable and establish it here for South Vietnamese forces to withdraw." Presidential Assistant Zeigler chose to reserve comment on whether we would provide South Vietnam with air support if they remained after June 30.

May 25: Carl Bartch of the State Department said that the administration's tactical air support for South Vietnam after June 30 was a possibility being left open.

May 27: The South Vietnamese and Cambodians signed an agreement which stated, in part, that Saigon's military forces had entered Cambodia to "help Cambodian troops to drive out the Vietcong and North Vietnamese forces—and will withdraw when their task is completed."

June 3: Nixon spoke to the Nation. The President called Cambodia the "most successful mission of this long and difficult war." He said he would pull out all troops, air support, and advisers on June 30.

Nixon said:

> The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find it is necessary to protect the lives and security of our men in South Vietnam.

As for the South Vietnamese, Nixon said their activity in Cambodia "after their withdrawal from the sanctuaries will be determined by the actions of the enemy in Cambodia."

June 6: Ky said that South Vietnamese air forces had begun to support Cambodian troops in operations in central and western Cambodia. He stressed the need to keep pressure on the Communists after June 30:

> If we stop, in the next two or three weeks they—the communists—will mount a big attack.

June 7: Rogers conceded that the United States would probably bear a "substantial part of the cost" of the war if it evolved into "South Vietnamese forces and Cambodian forces and even possibly Thai forces fighting a common enemy." Rogers would not term the decision not to return to Cambodia as irrevocable. We would return, he said:

> If it is necessary to protect the lives of American forces right on the border.

July 1: President Nixon in a televised interview refused to state that he would not send American ground combat troops back into Cambodia. He also gave his support to American air support of the South Vietnamese and did not preclude the same for Cambodians.

Summarizing this chronology, there is no doubt that the Cambodian adventure represents an escalation of our war effort in Indochina, an escalation obscured by rhetoric but revealed by the calendar of events.

Nor is this escalation confined to tactical assistance.

The heart of the present effort to aid Cambodia is the military assistance program—MAP. The MAP program is directed toward insuring the survival of the Lon Nol government. American officials insist that MAP is limited in scope in Cambodia and that it will not reach the level of aid which we are now providing to South Vietnam, Thailand, and Laos. But the past is prolog, and I see old acts repeating themselves in Cambodia.

Specifically, we seek in Cambodia to build the Cambodian army into a self-sufficient force of 50,000 to 60,000 men within 6 months. The maximum number of Cambodian soldiers engaged in defending their country during the past 2 months was 20,000. Their performance was mediocre at best.

At the present time, $7.9 million in current MAP funds have been earmarked for Cambodia. However, new plans are being drafted to expand the MAP program for Cambodia and estimates are that the administration will ask for $60 million for fiscal 1971. That is about 18 percent of the total world expenditure for MAP.

At this time, MAP is paying for weapons and supplies which are constantly pouring into Phnom Penh. It is also paying for six battalions—3,000 men—of Khmer Khrom ethnic Cambodians who were trained by American Green Berets and have been imported from South Vietnam to fight in Cambodia. It is also paying for the combat training program for Cambodian troops that is taking place in South Vietnam.

In addition to MAP funding, America is spending large sums on the massive air operations in Cambodia.

While we escalate in both Cambodia and Laos, enemy activity has increased in Vietnam. The Communists seized and briefly held the city of Dalat—South Vietnam's ninth largest city previously considered safe and an example of the success of our Vietnamization program. Dalat was seized on May 31, right in the middle of the Cambodian invasion when 40,000 South Vietnamese troops were engaged in that country and 30,000 American troops joined them.

By late May, the Communists had also gained control of Northern Cambodia and the Southern Panhandle region of Laos. These seizures now permit them to work on new supply and infiltration routes for troops to South Vietnam. Supplies now move along the Sekong and Mekong Rivers from Laos to Cambodia where they are transported overland to South Vietnam through Communist-held Cambodian territory.

The Communists in early June controlled every highway into Phnom Penh, the capital of Cambodia, and cut off the city's rail link with the outlying provinces. By encircling the capital they also blocked oil from Kompong Som—the only oil refinery—and prevented shipment of rice to the city. Within the past week a North Vietnamese heavy weapons platoon was sighted within 9 miles of the capital. This heavy fighting in the Phnom Penh area severely threatens the Government of Lon Nol which the United States is tacitly committed to supporting.

We did not expect Hanoi to establish new base areas or supply routes when we began our "clean-out" mission, nor did we anticipate any full-scale Hanoi attack against Cambodia with the corresponding attempt to bring down the Lon Nol Government. But the Hanoi actions were in keeping with their general traditions.

Meanwhile, the North Vietnamese forces have made forays into Laos and with some success.

On April 30, they captured Attopeu in Laos and threatened Saravane, the provincial capital, 70 miles to the north. On May 5, the Communists warned that they would assault Saravane. The Laotian Government evacuated 2,500 civilians from that city. By May 9, three North Vietnamese battalions totaling possibly 1,000 men had advanced to within 18 miles of that strategic center on the Mekong River.

On May 11, Laotian Prince Souvanna Phouma expressed fear that the North Vietnamese and Pathet Lao would intensify the Laotian war because of Cambodia. He described the latest attacks in Laos as a direct response to the United States and South Vietnamese developments in Cambodia. In addition, Phouma is being pressed by the rightists in Laos to pursue a more vigorous military policy against the Communists.

If the Communists did move into Laos we would be endangering our present posture supporting South Vietnam, Cambodia, and Thailand. The Mekong area is considered crucial by Thais who would pressure us heavily to respond to Communist action. Rather than send in troops, we would probably give air support and advisers, but that would involve us in the defense of a fourth Indochina nation.

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The military situation in Laos and Cambodia has greatly disturbed Thailand because of Communist infiltration so near its borders. On June 1, Thailand announced that they would send volunteer forces into Cambodia. On June 2, it was announced that Thai troops would assume defense duties in Phnom Penh and other Cambodian cities, releasing regular Cambodian troops for combat duty. The Thai soldiers were to be composed of Thais of Cambodian descent. On June 1, the United States expressed support of the Thai-Cambodian agreement and on June 2 announced that we would provide arms and equipment for Thai forces. On June 5, Thai forces were placed on alert since their border with Cambodia was in danger.

The major Thai division to be stationed in Cambodia is the Black Panther Division previously based in South Vietnam. This division has done little fighting and its combat effectiveness is questionable. The South Vietnamese in Cambodia are accustomed to U.S. advice, air support, and artillery. If either the South Vietnamese or the Thais in Cambodia are threatened with destruction, the United States may be in a very difficult position.

The United States is now committed to air support of South Vietnamese troops in Cambodia and perhaps to Cambodian troops. We are also committed to supporting Thai troops in Cambodia. We have admitted involvement in Laos and we are preparing to supply millions of dollars in a MAP program for Cambodia. We have also implicitly committed ourselves to the support of the Lon Nol government. It would seem that the United States is committed to an indefinite continuation of the "cleaning-out" operation and an expanded Indochina war.

I question the capability of the South Vietnamese to carry out a large scale complex military operation by themselves in Cambodia, Laos or their own country. In addition, to transfer such responsibilities to the South Vietnamese will cause serious difficulties. There is no love lost between the Vietnamese and the Cambodians or the Laotians. Each ethnic group in Indochina is distrustful of the others. There has been a traditional animosity between these peoples and the South Vietnamese invasion of Cambodia has not helped the relationship between them.

For example, on May 21, Major Amrong, spokesman for the Cambodian military command said that Cambodians would rather die than "live under Vietnamese domination." He referred to all Vietnamese. During his press conference, posters demanding withdrawal of South Vietnamese troops from Cambodia were pasted on the walls of the briefing room. They accused Saigon soldiers of "looting, raping our women, burning and massacring women and children." On May 22, the chief of the Cambodian information service said:

> We now have two invasions being conducted in Cambodia, the North Vietnamese and the South Vietnamese . . . The Vietnamese are expansionists and we fear that if this continues, Cambodia will disappear, although we would die before this happens.

Although reports of ethnic antagonism have been downplayed, the fact remains that the peoples of Indochina have never lived together harmoniously regardless of political affiliation. The attempt by the United States to superimpose its principles on these peoples overlooks fundamental antagonisms which cannot be obliterated by any foreign power, no matter how rich and strong.

Mr. Speaker, I am afraid that the Cambodian invasion may have opened a Pandora's box of problems in Southeast Asia.

We have, by that act, involved ourselves in all of Indochina, and I see unremitting and costly war as a result. I suggest that President Nixon's policy in the 1970's is based on a 1950 concept of our role in the world. His picture of monolithic communism has been refuted time and time again by the facts, by the nationalistic nature of Asian communism and the split between Peking and Moscow. Yet Nixon continues to react to all communism as if it were a clear and present danger to our national security.

This country can no longer be the world's protector. It must recognize the fact that it does not have the right to invade neutral nations under the guise of protecting them from "communism."

In his April 30 announcement the President said:

> Small nations all over the world find themselves under attack from within and from without. If when the chips are down, the world's most powerful nation . . . (the U.S.) acts like a pitiful, helpless giant, the forces of totalitarianism and anarchy will threaten free nations and free institutions throughout the world. . . . If we fail to meet this challenge all other nations will be on notice that despite its overwhelming power, the United States when a real crisis comes will be found wanting.

This fear of totalitarianism, this feeling that America cannot lose because to lose would mean humiliation and defeat forever, this concept of a world cleanly divided between evil communism and saintly democracy is the core of our present policy and the key to our real defeat. We are now the "pitiful, helpless giant" to which the President referred. We have lost our sense of dignity. We have lost our honor and we have lost our perspective.

By waging an endless land war in Southeast Asia we have lost the respect of other nations and, contrary to President Nixon's statement that "the credibility of the United States would be destroyed in every area of the world where only the power of the United States deters aggression," we have lost respect and credibility. The international repercussions of our entree into Cambodia have been numerous. For instance, on May 18 Peking abruptly canceled the scheduled Sino-American diplomatic meeting in Warsaw. This cancellation constituted a setback to attempts by the Nixon administration to break the deadlock in U.S. relations with Peking. Ironically, the President's decision to send American troops into Cambodia seems to have worked against his own efforts to initiate a dialog with Communist China.

Throughout the world, U.S. allies expressed critical and apprehensive comments about the Cambodian venture. On May 5, then Prime Minister Harold Wilson of Britain voiced "apprehension and anxiety" that the American military moves would "add a new dimension to the area and scale of the fighting."

French Foreign Minister Maurice Schumann on May 5 warned that any escalation of the war in Indochina would only solidify the Communists. A French Government statement issued after a Cabinet meeting May 6 said that France was "concerned by the worsening of the international situation caused, almost everywhere, but essentially in the Far East, by a number of recent events, which we deplore."

On May 5, U Thant issued an appeal for an international conference to seek a peaceful settlement of the Indochinese war. He expressed fear that if the parties to the conflict "do not take urgent—measures toward peace, it will become increasingly difficult to end a war" that threatened not only Indochina but "the whole of mankind."

Indira Gandhi, Prime Minister of India on May 6 called the Cambodian invasion a "dangerous step" and urged President Nixon to reconsider his move.

On May 6–10 worldwide demonstrations were held to protest the American advance into Cambodia. Five thousand people marched on the United States Embassy in London on May 9; thousands of antiwar demonstrators fought police in front of the U.S. Cultural Center in West Berlin on May 9. Demonstrations were held May 8 in Montreal, Calcutta, Caracas, Venezuela, Canberra, Australia, and Auckland, New Zealand.

Asian diplomatic analysts have stated that the U.S. thrust into Cambodia appears to have thwarted Soviet attempts to persuade the Vietnamese Communists to negotiate and has pushed them closer to China, which has long advocated a tough approach to the war. Analysts here believe that the Chinese probably pledged Le Duan, First Secretary of North Vietnam's Lao Dong—Workers Party—to whom they accorded "red carpet" treatment, to step up their military and economic aid to Hanoi and the Vietcong in anticipation of a lengthy Indochinese conflict.

On May 14, Sihanouk bluntly asked the Soviet Union to recognize his Peking-based government in exile. The bluntness of his approach suggests that the Communists are exerting pressure on Moscow to adopt a hard line.

While our credibility worldwide is shaken, our credibility at home is in shambles. Many young people have been severely alienated, and many of their parents share their sense of frustration and anger. The unprecedented dissent which followed Nixon's announcement on April 30 should demonstrate to anyone that the very foundations of our society have been shaken. The congressional debate on the President's role in foreign

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policy exemplifies the tensions besetting the country. The President has truly challenged the Congress and the Senate has responded at least in part by passing the Cooper-Church amendment. I only hope that the House will have the good sense to do the same.

It is true folly to continue our present course. As Townsend Hoopes wrote in Foreign Affairs this month, we are immersed in a "cold-war syndrome." This view persists today:

> The trouble and the tragedy have been that the American response to the cold war generated its own momentum and, in doing so, led us progressively to actions beyond the rational requirements of our national security . . . . The pressures arising from a combination of real and spurious threats, and from our assumption of vast responsibility in a world seething with change and discontent, moved U.S. policy—and American opinion—toward a Pavlovian tendency to see every local uprising as a mortal test of wills between a communist octopus and the free world coalition.

It is time now to differentiate in our foreign policy between real and imagined threats. We must avoid commitments which stem from an unrealistic world view—a view which says things ought to be this way and refuses to accept what is. Our "moral crusade" in Vietnam is unrealistic and dangerous. By imposing our "morality" abroad we are losing it at home. The dissent caused by the Vietnam war and the billions of dollars we have spent in this exhausting and fruitless action, have undermined the confidence of the American people in their government and damaged their self-esteem. We have neglected our duties to our own citizens by tilting at Asian windmills. Many Americans are poor, some are starving; racial discrimination is destroying the fabric of our society. Our cities are dying, our air is unbreathable, and our water is undrinkable. Yet the money and the energy which are desperately needed to attempt to remedy these situations are being wasted in that senseless war.

President Nixon cannot cope with this reality. He refuses to open his eyes to the country's internal defeat.

President Eisenhower in 1954 said:

> There is going to be no involvement of America in war unless it is a result of the Constitutional process that is placed upon Congress to declare it. Now let us have that clear.

We—the Congress and various administrations since 1954—have quite obviously threaded a course which ignored President Eisenhower's pronouncement.

Today in the vote on the Cooper-Church amendment to the Foreign Military Sales Act, the House of Representatives has an opportunity to redress the balance, to demand that sustained and massive commitment by this Nation abroad be regulated by appropriate constitutional process.

PROPOSAL TO CUT OFF ECONOMIC ASSISTANCE TO COUNTRIES PRODUCING ILLEGAL NARCOTICS

(Mr. RODINO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RODINO. Mr. Speaker, today I am introducing a proposal which is cosponsored by 127 Members of the House of Representatives and which is directed to one of the most urgent problems facing our Nation—the problem of narcotic addiction.

Under the bill which I am introducing, the President is directed to suspend economic and military assistance to any country which fails to take appropriate steps to prevent such drugs as heroin, opium, cocaine, and morphine produced, in whole or in part, in that country from unlawfully entering the United States. This bill also authorizes the President to utilize such agencies and facilities of our Federal Government as he deems appropriate to assist foreign countries in their efforts to curb the illegal drug traffic.

I am convinced that such legislation has been long overdue, For many years our Government, mostly through our State Department and through international organizations, has been attempting to persuade foreign governments to curb the illegal growing of opium poppies and the illegal production of heroin, morphine, and cocaine. The little progress that has been made has been more than offset by a rapidly growing increase in the flow of narcotics into the United States. In my judgment, humanitarian appeals for the cooperation of foreign governments simply do not suffice. It has become necessary for us, instead, to impose meaningful economic sanctions on governments that do not cooperate.

Narcotic addiction in the United States has become a national epidemic and it is urgent that we abate the contagion of disease and crime that is now increasing at a rapid rate. Faced with this epidemic, it is essential that we do all in our power to reduce the consumption of narcotics. One of the most effective means of abating the epidemic is to attack the problem at its source. Almost 100 percent of the hard-core drugs being consumed in the United States are produced abroad. Under these circumstances, we should be prepared to assist any foreign government which is willing to cooperate in drying up the supply and to impose economic sanctions on those governments which are unwilling to cooperate and are simply turning their back while illegal production in large quantities continues within their borders.

Certainly no reasonable person can argue that the bill that I am introducing today is without justification. According to some estimates, there are now 300,000 or 400,000 narcotic addicts loose on the streets of communities all over the United States. In some of our cities such as New York, Washington, Philadelphia, and my own city of Newark, there is evidence that more than 50 percent of the street crimes are commited by narcotic addicts out of the desperate need to feed their habits.

So rampant is the addiction problem that in New York City, for example, some 900 juveniles died last year from overdoses of heroin. Also in New York about 1,000 babies each year are now being born addicted as a result of the addiction of their mothers during pregnancy.

The relationship between addiction and crime is more than substantiated by the fact that a typical addict now requires more than $50 a day to pay for illegally obtained narcotics. Others require $150 per day or more. Translated into the amount of property which must be stolen to obtain $50, this can amount to more than $300 per day.

Even if we assume that there are only 100,000 addicts in the United States, this could mean that more than $2 billion per year is going into the hands of organized crime through the illegal sale of narcotics. This could also amount to an economic loss of $30 million a day or almost $11 billion per year in terms of stolen property and illegal profits. Yet these figures do not even take into account the effect of drugs on the costs of our court system, our law enforcement facilities, and various types of welfare programs.

Yet staggering as is the economic loss due to addiction, the social loss is even greater in terms of families destroyed, young lives ruined, and large segments of our society which live in the constant fear of becoming the victims of addiction-related crimes.

Because of the enormous devastation which narcotic drugs is bringing to our society, it is simply absurd for the American people to be expected to provide aid to foreign countries which permit foreign narcotics producers to reap vast illegal profits by preying on our youth and our poor.

One of the most outrageous examples involves the illegal growing of opium poppies in Turkey. About 80 percent of all the heroin smuggled into the United States is made from opium grown in Turkey where farmers have been cultivating poppy fields for hundreds of years. According to reliable information the illegal supply of opium is so plentiful in Turkey that the amount necessary to produce a kilo of heroin can be purchased for about $350. The price to narcotic addicts in the United States purchasing 1 kilo of heroin is about $225,000.

The only way in which we will be able to deal effectively with this problem is for the Congress to enact a law which will impose sanctions and which will have teeth. The bill that I am introducing today will provide such a law.

Mr. Speaker, on previous occasions I have introduced other legislation designed to cope with the narcotics problem. On June 2, 1970, I introduced H.R. 17883 which proposed giving the President the authority to curtail economic and military assistance to any country which fails to take appropriate steps to prevent the ingredients of such drugs as heroin, morphine, and cocaine from entering this country. Two days later, during the course of debate on H.R. 17861, the foreign assistance and related programs appropriations bill, I introduced an amendment which embodied substantially the same provisions. Although I withdrew the amendment because of a point of order, many of our colleagues expressed their support for such legislation. Today, as a result of this general support, and out of a deep sense of urgency to abate the spread of addiction, I am introducing a bill which

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contains the provisions of my original proposal, and in addition expands the scope of the bill so as to authorize the President to provide assistance to those countries which actively cooperate in our efforts to wipe out narcotic drugs at their source.

On April 27, 1970, I also introduced another proposal which will contribute to curbing the narcotic epidemic. That bill, H.R. 17269, the Narcotic Addict Rehabilitation Act of 1970, permits public health authorities to initiate the medical commitment of any person known to be a narcotic addict. It also gives the President broad powers to utilize any facility of the Federal Government to deal with the narcotics problem. Subcommittee No. 4 of the House Judiciary Committee has already commenced hearings on this proposal.

Each of these proposals is part of a three-pronged attack on the narcotic problem. First, by using public health authorities to remove addicts from the streets, we can dry up the demand for narcotics. Second, by placing the control of the addict in the hands of public health officials, we can free law enforcement officials to concentrate on cracking down on the narcotic pusher. Third, by providing assistance to countries which cooperate and cutting off economic and military assistance to countries which do not control the illegal production of narcotics, we can reduce the supply of narcotics entering the United States.

I believe each of these steps are imperative and I urge my colleagues in the House of Representatives to give these proposals prompt and favorable consideration.

Mr. Speaker, I would also like to include in the RECORD at this point the text of the bill as well as an article from the New York Sunday Times of June 14, 1970, concerning the problem of opium production in Turkey.

H.R. 18398

A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370) is amended by adding at the end thereof the following new subsection:

"(v) The President shall suspend (in whole or in part) economic and military assistance provided under this or any other Act, and shall suspend (in whole or in part) sales under the Foreign Military Sales Act and sales under title I of the Agricultural Trade Development and Assistance Act of 1954, with respect to any country when the President determines that the government of such country has failed to take appropriate steps to prevent narcotic drugs (as defined by section 4731 of the Internal Revenue Code) produced or processed, in whole or in part, in such country from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken appropriate steps to carry out the purpose of this subsection. In implementing the provisions of this subsection, the President is authorized to utilize such agencies and facilities of the Federal Government as he may deem appropriate to assist foreign countries in their efforts to prevent the unlawful entry of narcotic drugs into the United States. The President shall keep the Congress fully and currently informed with respect to any action taken by him under this subsection. Nothing contained in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection.".

[From the New York Times, June 14, 1970]

U.S. LOAN TO TURKEY DISMAYS NARCOTICS OFFICIALS

(By Felix Belair, Jr.)

WASHINGTON, June 13—The Administration's drive against heroin and other narcotics took an unexpected turn this week when the White House quietly approved a $40-million development loan to Turkey.

Some narcotics enforcement officials here noted that the new loan was "too far down the road" to be made conditional on a further reduction by Turkey in the number of provinces where opium poppies may be grown legally. The officials are setting their sights on next year's loan negotiations instead.

About 80 per cent of the heroin smuggled into the United states originates in Turkey, where legal production of opium has been about 100 tons a year. Unofficial estimates here indicates that as much illegal opium is produced in Turkey as is processed under Government controls.

ECONOMIC PRESSURE URGED

Federal studies have acknowledged that there can be little hope of denting the traffic in heroin and other dangerous drugs without the cooperation of governments of the countries where they originate. Some enforcement officials contend that inducing this cooperation will require the use of all possible economic leverage available to the United States.

There is reason to doubt, however, whether the United States ever will be able to use fully it's economic leverage in Turkey.

The State Department places great importance on Turkey's role in the North Atlantic Treaty Organization. It considers as no less important that country's strategic position at the eastern end of the Mediterranean, where the Soviet Union has been expanding its naval presence. Turkey's proximity to the explosive Middle East has magnified its importance even more, in this view.

These considerations argue against trying to get tough with the Turkish Government of Premier Suleyman Demirel, whose grip on his Justice party is not as firm as it once was, according to State Department reasoning.

The question to be resolved in the year ahead is whether Turkey's strategic importance outweighs the effects of the continued legal production there of opium, which when converted to morphine and refined into heroin in the Marseilles area threatens American youth.

TURKEY'S POSITION STRONG

Premier Demriel is committed to gradually phasing out legal opium production. Since the United States made Turkey a $3-million loan in 1968 for opium eradication and for conversion to other crops, the number of provinces permitted to grow opium poppies has been reduced from 17 to 9.

The effect of the reduction was to concentrate production in the interior of the country. Another result was to double the amount of opium actually produced because of more intensive cultivation and illegal planting.

According to unofficial estimates here Turkey would have produced 200 tons of opium from the current harvest if not for a prolonged drought that cut yields about a third below normal. It had been expected that the Government would further reduce the number of provinces where opium poppies may be produced from nine to seven this summer.

ABOUT 110,000 GROW POPPIES

But nobody here who is familiar with Turkish politics believes this is likely now. About 110,000 peasant farmers are still engaged in opium production, and they are a factor to be reckoned with in local and national elections.

Tradition has made it difficult for the Government to carry out Premier Demirel's commitment to eradicate all opium production by 1971. Although official Turkish figures indicates that opium production contributes only about $5-million to a gross national product of $13-billion, peasant farmers have always planted poppies.

The official estimate of $5-million a year from opium production is considered low by experts here, since it is based on legitimate production that must now be sold to the Government for $10 to $11 a kilo, or 2.2 pounds. Buyers of illegal opium pay up to $30 a kilo for the same product.

Under the Government's control program, all land planted with poppies is supposed to be inventoried and the producers licensed. This is expected to cut down on the practice of planting as much illegal acreage as officially approved acreage. But it probably will take years to eliminate the practice.

The Turkish national police has been training a 750-man narcotics force since last December—420 special narcotics policemen and 330 gendarmes. About 250 of them are now in the field. But observers in Turkey consider them vulnerable to corruption by those engaged in illegal narcotics traffic.

For a member of the special narcotics police is paid less than $50 a month. And the gendarmerie operating in the countryside might earn as little as 36 cents a month.

The process of opium production begins when the petals drop from the poppy blossom, leaving the pod. The pod is slit and the milky liquid that oozes out is allowed to harden and then is scraped off.

Ten kilos of illicit opium at $30 a kilo will bring $300 from an illegal buyer in Turkey. It takes about 10 kilos of opium to make one kilo of morphine base, a yellowish powder. A kilo of morphine is worth about $500. When delivered to the merchants in Marseilles, who refine it into heroin, the same kilo of morphine is worth $1,000.

When smuggled to the United States, the amount of pure heroin that can be held in the palm and fingers of one hand is worth as much as $250,000.

More than the Turkish opium output is involved in that Government's commitment to phase out production. Iran last year lifted its 13-year ban on opium production largely because Turkey and Afghanistan had failed to follow her example. Illegal transactions in gold to pay for Turkish and Afghan opium smuggled into Iran were costing the country precious foreign exchange.

Before the ban in 1955, Iran was producing 900 tons to 1,200 tons a year. Iran's acreage in poppies this year is about half that. The Government has pledged to restore the ban if its neighbors get out of the business.

The $40 million United States loan through the Agency for International Development amounts to a line of credit for purchases in the United States of commodities and equipment needed for Turkey's economic development. It is a so-called program loan which means it can be used for purchasing any nonluxury items for which Turkey does not have available foreign exchange.

A TRIBUTE TO MIKE M. MASAOKA

(Mr. YATES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. YATES. Mr. Speaker, a great leader brings inspiration to his people, instills confidence in them to replace despair, makes them oblivious to distance and difficulties. He gives the dramatic process a dynamic quality, a vividness and a faith that brings realization to seemingly impossible dreams.

Such a leader is a man I am proud to call my friend: Mike M. Masaoka. In his 30-year dedication to the well-being of Japanese Americans, he has led that group from their plight of discrimination, deprivation, and despair to a position of acceptance, approval, and friendship in American community life.

Born in Fresno, Calif., Mike was educated in Salt Lake City, Utah, graduating with honors from the University of Utah in 1937 with a major in political science and history. Even at this early age, Mike showed a particular ability in the art of reasoned persuasion, winning many collegiate debating and public speaking honors. In 1940, he was recognized by the Salt Lake City Chamber of Commerce as its "Citizen of the Community" for his many civic activities.

In August, 1941, Mike was appointed as national secretary and field executive of the Japanese American Citizens League. In this position he was able to see clearly the plight of Japanese Americans who were victims of the long standing anti-Japanese feeling in the West, now growing steadily worse due to the strained relations between Japan and the United States. He provided much of the leadership so vital to Japanese Americans in the period before, during, and after World War II.

The period of the mass evacuation of persons of Japanese ancestry from the west coast was an enormously difficult one. Their removal from their homes and their subsequent incarceration has been described by President Truman's Committee on Civil Rights as "the most striking interference since slavery with the right to physical freedom." Mike fought vigorously against the unprecedented evacuation and when the event became inevitable, he was influential in bringing much more humane treatment to the evacuees by the War Relocation Authority, the Government agency having supervision over the detention camps. Believing that at this juncture in American history, Nisei could best dramatize their loyalty to the United States by fighting in its armed forces, Mike was instrumental in persuading President Roosevelt to authorize Japanese-Americans to become members of the armed forces and with this decision, the Nisei flocked to volunteer for combat duty, resulting in the formation of the 442d Regimental Combat Team for which Mike was the first volunteer from the mainland. The Nisei built a combat record second to none as they enlisted from behind the barbed wire fences of relocation centers. In the words of the late Gen. Joseph W. Stillwell:

> These Japanese American troops bought an awful big hunk of America with their blood.

In 1948, 2 years after he had been discharged from the Army, and as Washington representative for the Japanese American Citizens League, he was to point out to a congressional committee that—

> Fifty thousand parents of these gallant soldiers cannot become citizens of the country for which they and their sons gave so much . . . they are still branded as enemy aliens, and we, their American children, are forced to suffer from this accident of birth.

He was determined that the Issei, the foreign-born Japanese, should gain the same full status as American citizens as all other ethnic groups and he haunted congressional offices and committees with a persistence and an eloquence rarely seen in congressional corridors. His determination to correct existing injustices against Japanese Americans met with success. Some of the bills whose passage he influenced most notably included the right to naturalization for persons of Japanese ancestry, compensation for property losses incurred by evacuees, prevention of the deportation of Japanese aliens whose families included American citizens, and authorizing servicemen to marry and return with Japanese war brides. He also was one of the leaders which brought statehood for Hawaii. His success in obtaining passage of so many bills made him the subject of an article in the Reader's Digest entitled "Washington's Most Successful Lobbyist."

Mike did not limit his activity to the cause of the Japanese Americans, but was very active in the fight to assure human rights for all Americans. He was one of the organizers and charter members of the Leadership Conference on Civil Rights and he served as chairman of the National Civil Liberties Clearinghouse. He became active in many other civil rights and political groups working in the human relations field.

Some 10 years ago, after he had "worked himself out of a job" as a full-time Washington representative for JACL, he organized with Samuel Ishikawa of New York what is now known as Masaoka-Ishikawa & Associates, Inc., with JACL remaining as one of its clients. It is the only Japanese American company that specializes in governmental representations and national and international public relations and consultations. As president of this company, Mike is still in the middle of activities promoting the continued good relations of Japan and the United States. He is called upon as a consultant on many levels where United States and Japanese interests are involved. He served as president of the Japan America Society of Washington, D.C., in 1967.

Mr. Speaker, on Thursday, July 16, a testimonial dinner will be held in honor of Mike Masaoka at the Conrad Hilton Hotel in Chicago. Among the featured speakers, there will be Edward J. Ennis, chairman of the board of directors, American Civil Liberties Union; Roy Wilkins, chairman, Leadership Conference on Civil Rights; the Honorable U. Alexis Johnson, Under Secretary of State for Political Affairs and former U.S. Ambassador to Japan; and Shig Wakamatsu, past national president of the JACL. It will be my privilege also to speak in tribute to Mike, and my friend and colleague, Congressman SPARK M. MATSUNAGA, will be the toastmaster.

Mr. Speaker, this dinner will be well attended as proud and grateful men and women from all over the country come to Chicago to pay their homage to a man whose vision, courage, and determination made history in this country. It will be our privilege, too, to hear from Mike that evening, to listen again to the eloquence which made a singular impression upon so many Members of Congress.

I am attaching to my remarks two statements by Mike made years ago. The first which is entitled "The Japanese American Citizens' League Creed" was read into the RECORD by Senator Elbert Thomas of Utah on May 9, 1941. The second was made by Mike on April 21, 1948, before the House Committee on the Judiciary in the hearing on changes in the immigration laws.

The statements follow:

JAPANESE AMERICAN CITIZENS LEAGUE CREED

(By Mike Masaoka)

I am proud that I am an American citizen of Japanese ancestry, for my very background makes me appreciate more fully the wonderful advantages of this nation. I believe in her institutions, ideals and traditions; I glory in her heritage; I boast of her history; I trust in her future. She has granted me liberties and opportunities such as no individual enjoys in this world today. She has given me an education befitting kings. She has entrusted me with the responsibilities of the franchise. She has permitted me to build a home, to earn a livelihood, to worship, think, speak and act as I please—as a free man equal to every other man.

Although some individuals may discriminate against me, I shall never become bitter or lose faith, for I know that such persons are not representative of the majority of the American people. True, I shall do all in my power to discourage such practices, but I shall do it in the American way; above-board, in the open, through courts of law, by education, by proving myself to be worthy of equal treatment and consideration. I am firm in my belief that American sportsmanship and attitude of fair play will judge citizenship and patriotism on the basis of action and achievement, and not on the basis of physical characteristics.

Because I believe in America, and I trust she believes in me, and because I have received innumerable benefits from her, I pledge myself to do honor to her at all times and in all places; to support her Constitution; to obey her laws; to respect her flag; to defend her against all enemies, foreign or domestic; to actively assume my duties and obligations as a citizen, cheerfully and without any reservations whatsoever, in the hope that I may become a better American in a greater America.

STATEMENT OF MIKE M. MASAOKA, NATIONAL LEGISLATIVE DIRECTOR, JAPANESE AMERICAN CITIZENS LEAGUE

Mr. MASAOKA. Mr. Chairman, I have a rather lengthy statement, but I will not presume upon your time by insisting upon reading it. I will simply make a few comments and answer one or two questions I think may have been raised in your minds.

Mr. FELLOWS. Will you give your name and whom you represent for the record?

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Mr. Masaoka. My name, Mr. Chairman, is Mike M. Masaoka. I am the national legislative director for the Japanese American Citizens League.

Mr. Chairman, I feel that my testifying today is something I owe to a lot of fellows I fought with overseas. It is a promise I made to a lot of fellows over 3 years ago, and that promise has a long story. It begins something like this; it follows something along the lines of the questions Mr. Chelf brought out.

When war came, as Mr. Ennis so ably pointed out, persons of Japanese ancestry were asked by their Government to move out, and, as pointed out by a witness before a subcommittee of this same Judiciary Committee last year, the Japanese people in the United States are the only people in its history who have ever been asked to go bankrupt voluntarily and then go to jail, because that is what happened.

But, the important thing is this: Because persons of Japanese ancestry, and I was one, two-thirds of whom were American citizens, felt that it was a war contribution to the defense of the United States, we—a great number of us college graduates who believed and lived the American way—went to these barren barracks, virtual prison camps, because we believed fundamentally in the American way.

Therefore, even though Selective Service originally turned us down for the draft, we insisted upon the right to fight for the United States, to prove on the battlegrounds of this World War that we believed in America and——

Mr. Chelf. You believed also that it would not be in vain, did you not?

Mr. Masaoka. Definitely. And that is why I am here today, sir. We urged the Selective Service, and finally they said, "We shall use some of you in the Pacific. We shall use others in the combat elements in Italy."

I was one of five brothers to volunteer. All of us saw combat in Italy and France. All of us were wounded. One of my brothers will not come back. Another brother of mine had 34 operations. He is still convalescing. A younger kid brother, who had no business volunteering, except that he wanted to look after me because I was probably the less capable of all, still limps and will limp the rest of his life.

Well, overseas there were lots of fellows who believed in some of the things I had said, because during the evacuation process I was the national secretary of the organization of Japanese Americans, and we took it upon ourselves to urge every eligible Nisei to volunteer either against the Japanese enemy or for combat in Europe.

A lot of those fellows believed in me, and I can remember time after time overseas we would be sent upon a dangerous mission, and a fellow would say, "Mike, don't go on this one. This is on us. Your job is to go back and see that what we are trying to do isn't forgotten; that our parents will get citizenship."

Amazingly enough, right in the fox holes before battle we would talk about a lot of things; but the No. 1 topic was this: Sure we wanted America to win the war, but we also wanted America to be the kind of America that it professed to be, and that kind of America would not discriminate against people like my mother, who came here early in the 1900's. When she had eight children, dad died leaving us practically penniless. Yet, my mother saw every one of us through school, a number of us through college, and when the test of supreme loyalty to this country came it was my mother who first said, "Boys, your job is to go out and fight for these United States, because it is my country."

Well, there were lots of other mothers and fathers like that, and, as I say, their sons and I knew each other overseas, and over and over again they insisted that my job was to come and tell you, the Congress of the United States, what their loyalties were—loyalties which could not be questioned.

Now, I do not believe it is necessary for me to go into the long combat record of Four Hundred and Forty-second. I think it is pretty well known. I would, however, like to give you a few statistics about its casualties.

When the combat team originally went into action they had a complement of a little over 3,000 men. After only 120 days of combat fighting, mind you, our casualties, as the War Department has carried them time and time again, were over 300 percent. We had 9,486 casualties. Most of these casualties were sustained when we rescued the lost Texas battalion of white Americans. After fighting through from Salerno up through Italy, we were transferred to northern France to go through the various mountains there. No army in history up to that time had ever broken through this area.

We were assigned the job of spearheading the drive. We broke through, yes, but during the initial break-through one of our battalions of Americans from Texas—it is too bad the Congressman from Texas is not here because he could tell you the story—was isolated by the Germans. Seven regiments were ordered to the rescue of that one Texas battalion, but none were able to break through.

After 4 days of waiting, the Japanese-American combat team in another sector was pulled out of the line and ordered to the rescue of that Texas battalion. We made it. We rescued 189 Texans, but we lost over 200 men killed just in that rescue.

I will never forget that, because my brother was one of those.

I remember when we went into the line in northern France we had a full rifle complement to every company, over 200 men. We had 40 men in reserve for each company. Yet, after we made the rescue of the Lost Battalion, after we had spearheaded the drive of the Seventh Army through northern France, one company had only two men who could crawl out under their own power.

Yet, none of us ever asked for relief. None of us ever showed the white feather. And the only a.w.o.l.'s—absent without leave, gentlemen—were those of the men in the hospitals who, though they were seriously wounded and should have remained in hospitals, knowing the tragic situation of their buddies up front insisted upon leaving their hospitals, some still lame, some still halt, others with gaping wounds, in order to strengthen that thin red line that we had up there.

The commanding general of the Thirty-sixth Division—and I will never forget it—told us at our little memorial ceremonies we had that no outfit in American history "has ever showed greater courage, greater conviction in the American way, than you Japanese-Americans.

I say this not to brag about our outfit—although I think it is an American trait to brag about a good outfit like that—but I say it simply to indicate that here you had a great number of American soldiers of Japanese ancestry who believed in America, who so believed in it that even though they were incarcerated in virtual prisons they saw behind and beyond the barbed-wire fences; they saw beyond the watchtowers manned by armed MP's; they saw America, just and fairminded, willing to give them and their parents a decent break.

And that is why, even though they were suspected by their own Government, they went out and fought as well as they did.

So much for those in the European theater. May I just make one comment about those who served in the Pacific? In the Pacific area our intelligence was weak. The reason for that was that very few persons in America could speak and understand the Japanese language well enough. Thus, Japanese-Americans were used as combat intelligence troops.

Just last week, in the April 10 edition, I believe it was, of the Saturday Evening Post, there was an article by one of the intelligence chiefs under General MacArthur, and he tells us the use of Japanese-American troops in the Pacific shortened the war by months and saved thousands of American casualties.

Let me tell one story and I will wind up this particular part of my statement. We had a fellow by the name of Frank Hachiya. He was a fellow about my age. He lived in Hood River, Oreg. At the time of the evacuation he was moved to the relocation center in the desert area of Idaho. While he was gone the American Legion of that particular post removed his name from the honor roll of that community along with 15 others.

What happened to Frank? He volunteered for military intelligence duty. Frank, after finishing his basic training, was dropped behind Japanese lines at Leyte. During the invasion, the amphibious landing, Frank tried to crawl back with information. He was shot by an American soldier who mistook him for the enemy. And yet, because he knew that the safety—yes, the lives—of his American buddies depended upon his getting through, mortally wounded though he was, he crawled in his own path of blood, as it were, to his commanding officer, gave him the entire defenses of the Japanese on Leyte.

He received for that a Distinguished Service Cross, but Frank isn't here to plead with me for citizenship for his dad and mother.

Now, Dr. Judd's bill does present two different problems. One is the problem of naturalization; the other the problem of immigration.

Unfortunately, I am not an expert on the problem of immigration, but I do say this: Our interests in immigration are the same as any other American, and we certainly are opposed to any discrimination based upon race or color or creed.

On the other subject of naturalization, however, I believe that I am an expert. I am an expert because the great majority of the people that are going to be benefited by this bill are our parents, who came here either prior to 1924, which is the date of the passage of the Oriental Exclusion Act, or prior to about 1908, when the agreement between Japan and the United States limiting immigration was passed. In other words, the great majority of the people we are now considering under the legislation today are people who have been here 40 or 50 years.

Certainly they have contributed to America. There is the case of the great potato king of Stockton Valley. He saw the swamps and the malaria-infested islands in the Stockton River. He devised a system of draining the water, irrigating the soil, so that today the Stockton Islands are some of the best potato-producing country in the world. In fact, I think they give Maine some competition these days, Mr. Congressman.

There is also the case of a gentleman from Texas, Mr. Saibara, from Webster, Tex. He introduced rice growing into Texas. He had a son who was a lieutenant colonel with the First Army in Europe.

Well, we could go on and on with this record. I would simply like to say this: During World War II aliens of Japanese ancestry were screened as no other people have ever been screened in our history, and this bill simply provides these screened people an opportunity to apply for naturalization.

It does not waive any rights. It does not grant any privileges. These people are, under this bill, required to do the same things as any other immigrant, and that is all we are asking. We are not asking for anything special, because we fought the way we did. We do not think that that is in the American

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tradition. But we do think we are entitled to ask, as Americans, for our parents, whom we know so well, the same rights as those accorded to other immigrants.

Now, I happen to be a member of the American Legion. I happen to be, in fact, the legislative director for the State of Utah Veterans of Foreign Wars. I would like to make one or two comments about what—should I say my comrade?—from the American Legion said just before Mr. Ennis.

He said, first, that he questioned that there were no Japanese resident aliens in the United States who were not loyal to the United States. He cited the example of a person they caught off Corregidor who he claimed had gone to an American school.

True enough; let's clear the record on all of that. There are a great number of Japanese from Japan who came to the United States for education. These people studied here under agreements between the United States and Japan. Certainly they would know the language, and they would return to Japan. But, the record is certainly clear. Admiral Nimitz, General Marshall, and others have testified just recently before the House Subcommittee on Territories and Lands about the loyalty of the Japanese in Hawaii as well as those in the United States, and their record is clear and convincing.

There has not been a single instance, as far as they know, as far as the Federal Bureau of Investigation knows, not a single instance of any sabotage or espionage on the part of a resident Japanese or a Japanese American in the United States before, during, or since Pearl Harbor.

Now, I have one or two letters I would like to read just to indicate how some of the people we are talking about, pleading for, feel about this thing.

There are two terms that have been used quite often this morning. I would like to clarify them. The term "issei" means the immigrant Japanese who came from Japan to the United States. The term "nisei" means American citizens of Japanese descent. Then I would like to introduce the term "hansei." That means half nisei.

Now, these are the most tragic of all. The great majority of Issei entered the United States in their teens or twenties. The Hansei are those who entered the United States when they were just 2 or 3 years old.

I have a case here of a girl who, if I may use the term, was conceived in the United States, and her mother had to go back to Japan because her mother was dying there. She was born overseas, and yet she came to the United States when she was just a few years of age—months in fact.

Her name is Miss Yoneko Watanabe. This letter comes from the young lady, who lives at 1511 North Street, Philadelphia, Pa. [Reading:]

"Thank you for notifying me of the hearing of bill 5004 which is designed to give citizenship to the Issei and Hansei, because I happen to be a Hansei and I have a special interest in this bill.

"As far as I can remember, I have always felt that I was the "black sheep" of the family for I was the only one among four children not to have citizenship. I felt that I was cheated out of something very wonderful and precious for it was only a matter of 3 months that made a world of difference to me.

"My mother, after having two sons born in the United States, was suddenly called back to Japan due to the illness of my grandmother. She was carrying me at the time and if she had remained in the States for another 3 months I would have automatically inherited my citizenship. All this time my father remained in the States. Eventually, my mother returned and my youngest brother was born. This gave citizenship to all my brothers by birth. My two older brothers have served in the United States Army during this last World War.

"The American ideals, its way of living and sharing, have always been my ideals and nothing will mean more to me than being one of its citizens."

I have here, Mr. Chairman, about 80 letters written by these people who want citizenship. One is a father of seven sons that served in the United States Army, and he asks this question:

"America today to me is a house divided. On one side I am ineligible to citizenship. On the other, I have seven sons who wear the uniform of the United States Army."

I would just like to submit all these letters for the information of the committee, as well as some petitions signed by about 3,000 of these alien Japanese who desire citizenship.

Mr. FELLOWS. Are you asking that they be incorporated?

Mr. MASAOKA. I do not think that is necessary, Mr. Chairman.

Mr. FELLOWS. All right.

Mr. MASAOKA. But I would like the committee to see how heartrending, how simple and eloquent is the request of these people, and I can hardly conceive of how the American Legion can insist that the parents of soldiers who served so well as the Japanese Americans should be denied the right of citizenship. Because, if the parents can inculcate in their children a desire for America which is far beyond that of most Americans—and I think Congressman Chelf will bear me out that it is pretty tough to be drafted for the Army, but it is a lot more difficult to volunteer. But try volunteering under the same circumstances that so many Japanese Americans did—from barbed-wire concentration camps.

That is real conviction and faith in the American way, and to parents who can produce children like that, Mr. Chairman, I submit are true Americans and naturalization should be granted them.

I am very full of this subject. I could go and talk on and on, because I know these people, as I say, and I wish I had the opportunity to tell you more about them. I am sure that no one can deny one fundamental fact. These people are Americans by every standard of conduct that you can think of except that of technically "belonging."

I, as an American soldier, fought, with the thousands, millions, of other American soldiers, for the right of all people to be recognized as individuals, and that is all we are asking, not to be judged or classified on the basis of race.

I plead with you not to make my promise to some of the boys overseas in vain. I can still remember them. And I recall that when our boys were hit, their cries of pain sounded just like those of any other white American. And when they were wounded, their blood looked just the same. And when they were dead, they were just as dead.

And I noticed that the German bullets did not swerve simply because we were Japanese-Americans and our parents were ineligible to citizenship. They killed us just as dead. On the field of war, on the field of battle, when race and nationality count for nothing and the worth of a man counts for everything, I think we children of these people who are ineligible for citizenship proved that we belonged. We now want our parents to belong.

I would like, Mr. Chairman, to submit my statement, together with my supplements, for the record. I would also like to thank all of you gentlemen for your attention. I know that you won't let us down.

Mr. FELLOWS. Thank you. The statement will be incorporated in the RECORD.

THE CIVIL AERONAUTICS BOARD AND AIRLINE FARES

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, Federal appellate court today upheld the right of the public to have airline fares set only after full and fair hearings before the Civil Aeronautics Board. The court's decision came in a case brought by 31 colleagues and myself, who contended that the CAB had acted illegally in granting a recent air fare increase.

We had petitioned the court to declare the CAB's actions illegal. The CAB, on September 12, 1969, had entered an order granting all domestic interstate air carriers a fare increase of over 6 percent. We had protested, initially before the Board, that such a fare increase would be illegal because:

The Board failed to hold a fair, full, and public hearing as is required by the Federal Aviation Act;

The Board instead scheduled a series of closed meetings with representatives of the airlines to work out a fare increase; and

The Board ignored statutory standards for setting airline rates, designed to determine what are the actual needs of the airline industry and the traveling public, in its haste to grant a fare increase.

When the Board denied our petition to reconsider its decision, we filed a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit.

Today's decision by the court upholds our position. The court ruled that the CAB acted illegally in prescribing the fare increase on the basis of an inadequate record and without public notice and hearing. The court held the Board's order instituting the fare increase to be invalid and the fares based on that order to be unlawful. The court remanded the case to the CAB for further proceedings consistent with its decision.

The Congressmen who appealed the fare-increase order include GLENN M. ANDERSON, THOMAS L. ASHLEY, WALTER S. BARING, GEORGE E. BROWN, JR., PHILLIP BURTON, DANIEL E. BUTTON, JEFFERY COHELAN, JAMES C. CORMAN, JOHN DINGELL, DON EDWARDS, RICHARD T. HANNA, AUGUSTUS F. HAWKINS, CHET HOLIFIELD, HAROLD T. JOHNSON, ROBERT L. LEGGETT, JOSEPH M. MCDADE, JOHN MCFALL, SPARK M. MATSUNAGA, GEORGE P. MILLER, JOSEPH G. MINISH, PATSY T. MINK, JERRY L. PETTIS, THOMAS M. REES, PETER W. RODINO, JR., EDWARD R. ROYBAL, BERNIE SISK, CHARLES M. TEAGUE, JOHN TUNNEY, LIONEL VAN DEERLIN, JEROME R. WALDIE, and CHARLES H. WILSON, and myself.

The court's decision follows:

[U.S. Court of Appeals for the District of Columbia Circuit, No. 23,627]

JOHN E. MOSS ET AL., PETITIONERS *v.* CIVIL AERONAUTICS BOARD, RESPONDENT, AMERICAN AIRLINES, INC., EASTERN AIR LINES, INC., CONTINENTAL AIR LINES, INC., NORTH CENTRAL AIRLINES, INC., MOHAWK AIRLINES, INC., BRANIFF AIRWAYS, INC., NORTHWEST AIRLINES, INC., TRANS WORLD AIRLINES, INC., INTERVENORS

Petition for review of orders of the Civil Aeronautics Board.

(Decided July 9, 1970)

Mr. Stanford G. Ross, with whom *Mr. H. David Rosenbloom* was on the brief, for petitioners.

Mr. Warren L. Sharfman, Associate General Counsel, Litigation and Research, Civil

Aeronautics Board, with whom *Messrs. Joseph B. Goldman*, General Counsel at the time the brief was filed, and *O. D. Ozment*, Deputy General Counsel, Civil Aeronautics Board, and *Howard E. Shapiro*, Attorney, Department of Justice, were on the brief. for respondent.

Mr. Alfred V. J. Prather for intervenors American Airlines, Inc., Eastern Air Lines, Inc., Northwest Airlines, Inc. and Trans World Airlines, Inc. *Mr. J. William Doolittle* also entered an appearance for intervenor American Airlines, Inc.

Mr. Philip A. Fleming entered an appearance for intervenor Eastern Air Lines, Inc.

Messrs. Thomas D. Finney, Jr. and *Lee M. Hydeman* entered appearances for intervenor Continental Air Lines, Inc.

Messrs. Russell A. Garman, Jr. and *Raymond J. Rasenberger* entered appearances for intervenors North Central Airlines, Inc. and Mohawk Airlines, Inc.

Mr. B. Howell Hill entered an appearance for intervenor Braniff Airways, Inc.

Mr. James M. Verner entered an appearance for intervenor Northwest Airlines, Inc.

Mr. Ulrich V. Hoffman entered an appearance for intervenor Trans World Airlines, Inc.

Before Wright, McGowan and Robinson, *Circuit Judges*.

Wright, *Circuit Judge*: This appeal presents the recurring question which has plagued public regulation of industry: whether the regulatory agency is unduly oriented toward the interests of the industry it is designed to regulate, rather than the public interest it is designed to protect. Petitioners, some 32 congressmen, alleged that the Civil Aeronautics Board, in considering the lawfulness of increases in domestic passenger fares filed by all the major air lines, excluded the public from *ex parte* meetings with representatives of the air line industry and then held a *pro forma* hearing limited to oral argument, as a result of which changes in the fare structure resulting in a six per cent rise in domestic fares were unlawfully approved. The Board admits the *ex parte* meetings, denies that the hearing was *pro forma*, and admits that, without complying with the statutory procedural requirements and criteria for ratemaking by the Board, it approved in advance the filing without suspension of air line tariffs providing for a six per cent increase in air line revenues from passenger fares.[1] We hold that the procedure used by the Board is contrary to the statutory rate-making plan in that it fences the public out of the rate-making process and tends to frustrate judicial review.

I

The statutory plan is relatively simple. Air line passenger rates can be made by the carrier or by the Board.[2] However made, the rates must be included in a tariff filed with the Board by the carrier.[3] It is unlawful for the carrier to charge a rate other than the existing one on file.[4] On complaint or on its own initiative, the Board may change an existing rate after public notice and hearing.[5] The Board need not indicate a specific rate; it may simply fix a maximum or minimum or both.[6] In determining and prescribing a rate the Board must take into consideration, among other factors, five statutory criteria.[7]

An air line carrier may change the existing rate by filing a new tariff with the Board indicating the new rate.[8] Under the statute, on complaint or on its own initiative the Board, by giving the carrier a statement of its reasons, may suspend the new rate for a period not to exceed 180 days while conducting an investigation as to its lawfulness.[9] After investigation and hearing, the Board may determine and prescribe the lawful rate, in accordance, of course, with the rate-making provisions of Sections 1002(d) and 1002 (e) of the Federal Aviation Act.[10]

II

Petitioners had complained to the Board on prior occasions both about the Board's practice of holding *ex parte*,[11] informal meetings with the carriers concerning their need for increased fares, and about the Board's lack of standards for testing the reasonableness of fares. In spite of these complaints, the informal sessions between carriers and Board members continued into the summer of 1969. In early August of 1969, following the lead of United Air Lines, the carriers filed increased passenger tariffs with the Board. While these proposed rate increases were pending before the Board, another *ex parte* meeting between the air line officials and members of the Board was scheduled for August 14, 1969. Petitioner Moss requested and was refused permission to attend this meeting.[12] Following the *ex parte* meeting on August 14, the Board issued an order calling for oral argument on the advisability of exercising its power to investigate and suspend the new rates before they went into effect. There was no suggestion in the order that the Board might promulgate its own fare formula.[13] Petitioners renewed their complaints about the Board's continued *ex parte* meeting and rate practices and urged the Board to suspend the tariffs, to institute a general passenger fare investigation to define more clearly the statutory rate-making standards, and finally to set reasonable rates based on these more precise standards. Petitioners, however, refused to participate in the oral argument on the ground that the Board's decision on the rate increases had already been made.

On September 12, 1969, eight days after the oral argument, the Board issued its order.[14] In that order the Board found that the proposed tariffs on file "may be unjust [or] unreasonable"[15] and ordered the tariffs suspended and investigated, as it is authorized to do by Section 1002(g) of the Federal Aviation Act.[16] Still purporting to act in accordance with its suspension authority, however, the Board went further. It found that the carriers had demonstrated a need for "some additional revenue"[17] because of greatly increased costs, and decided that a limited fare increase was necessary in order to maintain the financial vitality of the carriers as a group.[18] Accordingly, in the same order which suspended the rates proposed by the carriers, the Board outlined its own fare formula and announced its decision to "permit tariff filings implementing" that formula to be filed without suspension,[19] thus assuring almost immediate effectiveness.

The carriers promptly withdrew their previous filings and filed for new increases based on the Board's model. Petitioners, in an application for reconsideration of the September 12 order, opposed the new filings and requested their suspension and investigation. On September 30, 1969, the application was denied and the fares based upon the Board formula were allowed to stand without suspension or investigation.[20] The instant petition for review of both the September 12 and the September 30 orders followed.

III

The question presented by this appeal is whether the Board should have followed the procedures and standards established by Sections 1002(d) and 1002(e) of the Act before proposing the rate schedule it set forth in its September 12 order. Petitioners complain that the Board effectively "determined" rates, within the meaning of Sections 1002(d) and 1002(e), to be charged by the air carriers without proper notice and hearings as required by Section 1002(d) and without taking into account the rate-making factors enumerated in Section 1002(e).[21] The Board admits that it would have been required to act in accordance with subsections (d) and (e) if its actions amounted to the making of rates. The Board, however, contends that it was not required to adhere to the standards of subsections (d) and (e) because, as the formal title of its September 12 order ("Order of Investigation and Suspension") indicates, it was not determining rates but only exercising its power under Section 1002(g) to suspend, pending a more complete investigation, the rates initially filed by the carriers in August.

The Board also admits that immediately after its September 12 order the air lines withdrew their August tariffs and filed new tariffs listing rates based directly on and in conformity with that order. But the Board disclaims any legal responsibility for the rates listed in the carriers' September tariffs. According to the Board, the detailed outline of the rate structure which it "proposed to accept" in its September 12 order was not an attempt to prescribe or determine rates for the future within the meaning of the statute, but merely served to explain to the carriers—as required by the statute[22]—the Board's reasons for suspending the August filings. The Board points out that the carriers were not legally bound by the September 12 order of the Board to file a new tariff and list rates based on its formula. Therefore, the Board argues, even though the carriers did precisely what the Board indicated in its September 12 order should be done, the resulting rates are carrier-made rates for which the Board is not to be held accountable.

This legalistic reading of the statute is supposedly supported by the Supreme Court's decision in *Arizona Grocery Co.* v. *Atchison, Topeka & Santa Fe Railway Co.*[23] and its progeny. We find no support in *Arizona Grocery* for the Board's position. For that case referred to agency-made rates as those which had been legislatively prescribed as "a maximum reasonable rate for the future" by the agency.[24]

We think that these rates, like those involved in *Arizona Grocery*, have been determined by the Board, with the cooperation of the carriers, to be "a maximum reasonable rate for the future." The Board itself stated that it "intend[ed] to consider fares produced by [its] formula as a 'just and reasonable' ceiling." Any analysis of the September 12 order can fairly lead to no other conclusion.

IV

After finding that the rates proposed by the carriers might be unjust or unreasonable and ordering an investigation, the Board went on in the September 12 order to point out that, because of the need for revenue which the carriers had shown, the Board would "be disposed to grant an increase computed in accordance with the criteria set out below." It then set forth a rate-making formula, variously described in the order as "the formula which we are proposing," the formula "we propose to accept," and the formula which "[w]e * * * adopt * * * for our model." The formula detailed by the Board, which is set out in the margin,[25] using coach fares as its base, attempts to cope with the increased per mile costs of short flights by establishing a fixed "terminal" charge ($9.00) for all markets, with an additional charge based on the airport-to-airport mileage. According to the formula, the per mile rate decreases in each successive 500-mile block. From this formula anyone could have filled in the figures and computed the acceptable coach fares.

The Board also "concluded" that it would be appropriate for all fares to be rounded off to the nearest whole dollar. It further "propose[d] that first class jet fares be set at 125 percent of the coach fare derived by the above formula." It "would accept night coach fares computed at 75 percent of the new coach fares." The order then listed each of the various promotional fares, such as Youth Fare and Discover America, and the discounts which "the Board would permit."[26]

The Board even claimed to be acting in ac-

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cordance with some of the rate-making provisions of Section 1002(e). It explained that it had granted the increases because, "[t]aking into consideration these cost pressures on the carriers, and the marked decline in earnings and profit margin since the February increase, the Board finds that a further increase in fares at this time is necessary from the standpoint of the rate making standards of Section 1002(e) of the Act and the need to maintain the financial vitality of the carriers as a group." Also, according to the Board, its formula "produces a reasonable increase in revenues and recognizes the economies inherent in long haul carriage * * * as well as the value of service limitations in short haul markets."

As a practical matter, the Board's order amounted to the prescription of rates because, as the Board admits, the pressures on the carriers to file rates conforming exactly with the Board's formula were great, if not actually irresistible.[27] All the carriers had indicated an urgent need for an immediate increase in revenues; the Board had made it clear, by threatening to use its power to suspend proposed rates, that only rates conforming to its detailed model would be accepted and not suspended. It explicitly stated that it would "consider fares produced by the formula as a 'just and reasonable' ceiling, and any fare in excess of this ceiling would be viewed *prima facie* as outside the realm of justness and reasonableness and would ordinarily be suspended and ordered investigated." Any carrier wanting to file higher tariffs would be dissuaded, not only by the indications in the order that only those tariffs meeting the standards set down by the Board would be accepted, but also by the Boards explicit statement that increases would be considered only where strong justification was shown." Furthermore, while tariffs in conformity with the Board's model would go into effect and give the carriers some additional revenue almost immediately, the Board required all filings requesting increases above those provided in the September 12 order to have a proposed effective date 75 days after filing. It would seem that upon any realistic interpretation this order involved the legislative determination of rates by an agency for the future, as described in the *Arizona Grocery* case.

V

It would be blinking reality to hold, as the Board argues, that the order of September 12 did no more than suspend and initiate an investigation [28] of the rates proposed by the carriers in August. The Board did all that it could, short of formally styling its order at rate-making, to induce the carriers to adopt the proposed rates. The Board does not dispute these facts, but, in order to insulate itself from responsibility for these rates, relies upon the fact that it never in so many words "ordered" the carriers to file the rates now being charged. According to the Board, as long as the Board only "suggests" and does not order the future rates, the rates remain carrier-made. In support of this proposition the Board cites a series of cases which followed *Arizona Grocery*, each of which holds that certain action does not amount to agency approval of the rates in question.[29] It has been held, for example, that the agency's refusal to suspend proposed rates does not constitute agency approval of those rates. To the extent that the I.C.C. precedents are relevant to this case [30] we would agree with the Board that it takes more than a refusal to suspend proffered rates to transform them into agency-made rates.

We do not need to decide, however, in the context of this case the exact extent of agency participation which will make an agency responsible for the rates being charged by carriers. For the cases which the Board cites simply are not apposite.[31] We are not dealing with rates filed by carriers which the Board has refused to suspend, or even with allowance of small percentage increases in revenue based on existing rates,[32] but with a complete innovative scheme for setting all passenger rates for the continental United States.[33] The Board has pointed to no case in which the Board or Commission has set out such a complete and detailed scheme for making rates which it wanted filed and in which a court has held that the resulting rates were carrier-made rates. Even a cursory reading of the order makes it clear that the Board told the carriers what rates to file; it set forth a step-by-step formula requiring major changes in rate-making practices and in rates which it expected the carriers to adopt. And the Board concededly took this action after closed sessions with carrier representatives, without statutory public hearings and, according to petitioners, without reference to the rate-making standards of the statute.

If, as the Board argues, the rates resulting from this procedure are carrier-made, rather than agency-made, the public would not only be fenced out of its role in rate-making, but judicial review of the Board's actions would be severely limited. On appeal agency-made rates are tested against the Act's explicit rate-making procedures. Thus a court must decide whether, in determining rates, the Board has properly observed the statutory procedures and taken into account the factors which Congress has said should be considered when rates are made. If the statutory plan has been complied with, the court can then determine whether substantial evidence in the record supports the Board's rates. Here the Board has in effect determined rates and the record made in so doing is inadequate for judicial review. By contrast, if the tariffs filed pursuant to the Board's order of September 12 are not Board-determined rates, judicial review is practically nonexistent. Aggrieved parties can object to carrier-made rates and ask the Board to investigate them, but the Board's refusal to investigate would be reviewable only for an abuse of discretion.[34] And, of course, it would be very difficult indeed to apply this limited standard of review to a record made in large part behind closed doors.

Moreover, the Board's suspension authority, on which it relies for justification of its actions in this case, is totally insulated from judicial review.[35] It is this power which the Board uses to work its will in rate-making rather than the judicially reviewable statutory rate-making plan designed by Congress to protect the public. In the absence of a compelling justification for the Board's admitted practice of making rates by use of its suspension power, we cannot help but conclude that the Board is only seeking to avoid the strict requirements of the rate-making portion of the statute and the resulting more stringent judicial review. No requirement of Board operation or policy of the Act seems to support the Board's blatant attempt to subvert the statute's scheme.

The Board has argued that to hold it accountable for these rates would "hobble the administrative process," seemingly because it feels that the procedures required by Sections 1002(d) and 1002(c) of the Act do not permit the Board to respond quickly enough to meet the immediate revenue needs of the carriers in times of rapidly rising costs.[36] While we recognize that under the statute the Board has an obligation to afford the carriers sufficient revenues,[37] that obligation cannot become a *carte blanche* allowing the Board to deal only with the carriers and disregard the other factors, such as the traveling public's interest in the lowest possible fares and high standards of service, which are also enumerated in the Act as rate-making criteria.[38]

Furthermore, we see no inconsistency between adhering to the statutory plan and awarding a speeding increase in carrier revenues. The statute does not require a complete, time-consuming, scholarly and theoretical review of *all* aspects of rate-making before the Board passes upon proposals which are submitted.[39] The Board is expected to use its experience gleaned from ongoing studies and investigations in its day-to-day activities, and it can act with reasonable speed as long as it affords public notice, holds a proper hearing, and takes the statutory factors into account when it determines rates. In any case, ignoring the general public's interests in order to better serve the carriers is not the proper response to the difficulties supposedly created by an outdated or unwieldy statutory procedure. After all, there is more to rate-making than providing carriers with sufficient revenue to meet their obligations to their creditors and to their stockholders.

In short, we simply do not agree with the Board that abdication from its proper supervisory role under the statute need be the result of today's holding requiring the Board to comply with the statute in rate-making. We would be sympathetic, for example, to instances in which the Board felt that compelling circumstances required it to act without complete information before an investigation is completed. Any approval of rates under such conditions would be subject to revision once more complete information is obtained. We would liken such emergency Board action to the interim approval which Judge Tamm recently remarked upon, in a somewhat different context. Speaking for the court, he said: [40]

"* * * [Our] assessment of the Board's findings should be bifurcated, with different standards applied to the findings relating to full and interim approval. That is, the fact that interim approval is useful primarily in situations in which the Board needs to act expeditiously * * * but lacks sufficient information to determine authoritatively whether the agreement as a whole will serve the public interest, indicates that our review of the findings supporting the interim approval should be relatively limited. Since the Board in electing to order an interim approval is essentially saying that * * * further data gleaned from practical experience is necessary to an enlightened determination of the public interest, a reviewing court can do little more than ask whether this conclusion is reasonable and based upon substantial evidence. * * *"

We fully recognize that a carrier's exigent economic circumstances at times will make it necessary for the Board to act on the basis of incomplete data. But we emphatically reject any intimation by the Board that its responsibilities to the carriers are more important than its responsibilities to the public. Board action must always comply with the procedural requirements of the statute and must always be based on an assessment of the relevant available data, with due consideration given to all the factors enumerated in the statute, which factors taken together make up the public interest.

VI

It is true that the practice followed in this case does not fit neatly and precisely into the statutory concept of ratemaking by the Board or by the carriers. Actually the practice produces rates arrived at through the cooperation of the carriers and the Board. The Board candidly admits that it devised the practice because the volatile economic conditions in the air line industry made use of the Section 1002(d) and (e) procedures impractical. But Congress requires public participation in making rates because it is the public who

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pays them. And under this Act, as distinguished from the Interstate Commerce and Motor Carriers Acts, there is no statutory provision for reparations to the public if the rates charged are unreasonable.[11] Hence observance of safeguards designed to protect the public *before* the rates are imposed is imperative.

Since the record shows, as the Board admits, that the public notice and hearing requirements of Section 1002(d) were not observed in issuing the order of September 12, that order is invalid and the tariffs filed by the carriers based thereon are unlawful. Under the circumstances, this case is remanded to the Board for further proceedings.

So ordered.

FOOTNOTES

[1] The scheme, as explained *infra*, involved a rate-making formula which the Board predicted would result in a total revenue increase of 6.35% for the industry as a whole.

[2] Federal Aviation Act §§ 403, 1002(d), 49 U.S.C. §§ 1373, 1482(d) (1964).

[3] Federal Aviation Act § 403(a), 49 U.S.C. § 1373(a) (1964).

[4] Federal Aviation Act § 403(b), 49 U.S.C. § 1373(b) (1964).

[5] Federal Aviation Act § 1002(d), 49 U.S.C. § 1482(d) (1964).

[6] *Ibid.*

[7] Section 1002(e) of the Act, 49 U.S.C. § 1482(e) (1964), provides:

"Rule of rate making.

"In exercising and performing its powers and duties with respect to the determination of rates for the carriage of persons or property, the Board shall take into consideration, among other factors—

"(1) The effect of such rates upon the movement of traffic;

"(2) The need in the public interest of adequate and efficient transportation of persons and property by air carriers at the lowest cost consistent with the furnishing of such service;

"(3) Such standards respecting the character and quality of service to be rendered by air carriers as may be prescribed by or pursuant to law;

"(4) The inherent advantages of transportation by aircraft; and

"(5) The need of each air carrier for revenue sufficient to enable such air carrier, under honest, economical, and efficient management, to provide adequate efficient air carrier service."

[8] Thirty days' notice of such a change is required. Federal Aviation Act § 403(c), 49 U.S.C. § 1373(c) (1964).

[9] Federal Aviation Act § 1002(g), 49 U.S.C. § 1482(g) (1964).

[10] 49 U.S.C. §§ 1482(d) and 1482(e) (1964.)

[11] After inquiries from petitioner Moss, the Board subsequently made transcripts of several of these meetings available.

[12] We observe only in passing that, if congressmen are excluded from these *ex parte* meetings between the Board and the air lines, ordinary rate-paying members of the public, or their representatives, would have little chance indeed to be admitted. The Board does not suggest otherwise.

[13] *See* C.A.B. Order No. 69-8-108, Docket 21322 (August 19, 1969). The order provided that "[p]ursuant to section 1002 of the Federal Aviation Act (49 USC 1482), the Board may, upon its own initiative or in the light of complaints from interested persons, (a) suspend the effectiveness of the proposed tariffs pending investigation of the reasonableness of the proposed rates, (b) permit such tariffs to take effect while it is conducting such investigation, or (c) permit the tariffs to become effective without investigation."

[14] C.A.B. Order of Investigation and Suspension, No. 69-9-68, Docket 21322 (September 12, 1969) (hereinafter cited as Order).

[15] Order, at 3.

[16] 49 U.S.C. § 1482(g) (1964).

[17] Order, at 3.

[18] Order, at 8.

[19] Order, at 9.

[20] C.A.B. Order Denying Reconsideration, No. 69-9-150, Docket 21322 (September 30, 1969).

[21] *See* Note 7, *supra.*

[22] Federation Aviation Act § 1002(g), 49 U.S.C. § 1482(g) (1964).

[23] 284 U.S. 370 (1932).

[24] *Id.* at 389. Of course, *Arizona Grocery* did not focus on defining all the attributes of an agency-made rate. It is true that the rates in *Arizona Grocery* were the subject of a binding Commission order defining the maximum reasonable rates, but the Court nowhere stated that the existence of a binding order was crucial to the result. Instead, the Court distinguished between the adjudicative and legislative capacities of the Commission. When acting as an adjudicator, the Commission decides whether rates in the past were reasonable. "[I]ts action affected only the past * * * and adjudged for the present merely that the rate was then unreasonable." 284 U.S. at 385. By way of contrast, when dealing with the rates which will be reasonable in the future, the Commission is exercising its legislative capacity.

The Board was not acting as an adjudicator in this case. Instead, it clearly intended to legislate rates for the future, and therefore should have to adhere to the statutory provisions explicitly relating to the making of rates. *See* page 22, *infra.*

[25] The Board said:

"Turning now to the actual formula which we propose to accept, coach fares will form the core of the fare structure from which all other fares will be based. We believe that the revenue increase produced by the American formula is appropriate as discussed hereinafter, and therefore we adopt that formula for our model, to wit:

"Fixed charge for all markets: $9.00 plus a variable charge based on mileage and in accordance with the following rates per mile for the applicable portions of the total mileage:

Mileage blocks:	*Rate per mile* (cents)
0–500	6.0
500–1000	5.6
1001–1500	5.2
1500–2000	5.0
Over 2000	4.8

"Use of this formula will have the desirable result of reducing slightly some long haul fares * * * which have for some time been considerably in excess of costs, while at the same time producing only moderate increases in short haul fares, thus minimizing the impact on the movement of traffic in these markets.

"American has proposed that city center to city center mileage be used in computing fares. However, we are of the opinion that direct airport-to-airport mileage offers a more reasonable and rational basis for computing fares and will adopt that mileage basis for our model. We recognize that there will be instances where application of a mileage basis will be inequitable or impracticable, as for example, where a carrier is required by its certificate to operate via a circuitous routing. We will permit exceptions to the rule over a particular routing where good cause is shown. Further, it is not our intent to discourage common faring of cities or of airports situated about a single city; we would expect to permit common faring under the proposed formula in much the same manner as we have heretofore, provided the mileage used bears a rational relationship to the points so common rated."

Order, at 6–7.

[26] "With respect to the various promotional fares, the Board would permit the following reduced discounts based on the coach fares derived from the above described formula:

"Type of fare	Percent discount[*]
Discover America	20
Youth Standby	40
Youth Reservation	20
Family Plan:	
Children 2–11	50
Children 12–21	33⅓

[*] "With respect to the contention of Northwest Airlines that discounts on discounts should be eliminated, the Board would look with favor on tariff amendments that would eliminate these practices (such as children's 50 percent discount on Discover America excursion fares." Order, at 8.

[27] As the Board's brief states, "The compulsion [on the carriers to file rates approved by the Board] in [this] case was undoubtedly great."

[28] The investigation aborted, of course, immediately on the withdrawal of all the August tariffs by all the air lines.

[29] *See, e.g., Interstate Commerce Commission* v. *Mechling*, 330 U.S. 567 (1947); *Interstate Commerce Commission* v. *Inland Waterways Corp.*, 319 U.S. 671 (1943); *Algoma Coal & Coke Co.* v. *United States*, E.D. Va., 11 F. Supp. 487 (1935).

[30] While the rate-making provisions of the Federal Aviation Act and the Interstate Commerce Act are similar, the practice under them is not necessarily the same because, unlike the Interstate Commerce Act, the Federal Aviation Act has no provision for reparations. *Cf. T.I.M.E. Inc.* v. *United States*, 359 U.S. 464 (1959); *Tishman & Lipp, Inc.* v. *Delta Air Lines*, 2 Cir., 413 F.2d 1401, 1406 n.2 (1969). Consequently, all of the cases interpreting the rate-making provisions of the Interstate Commerce Act are not necessarily relevant in determining whether the Board complied with the Federal Aviation Act in making rates. It was the reparation concern of the courts following *Arizona Grocery* which led them to distinguish that case by holding that a Commission order permitting a general increase in rates did not preclude a reconsideration of a particular commodity rate fixed by the carrier pursuant to the general order, so that if a particular commodity rate was found to be unreasonable reparations, as provided by the statute, could be ordered. In the absence of such a retrospective remedy for reparations for air line passengers, the procedural safeguards provided in the Federal Aviation Act become the public's sole defense against unreasonable rates permitted by the Board.

[31] The Board relies heavily on *Interstate Commerce Commission* v. *Inland Waterways Corps., supra* Note 29, in its argument. There the Commission found, in an order vacating an order suspending rates proposed by some carriers, that "the proposed schedules are shown to be just and reasonable." This, according to the Commission, did not amount to prescription of rates because it had explicitly stated that *Arizona Grocery* would not apply. The Supreme Court also "refrain[ed] from approving or prescribing [the rates]." 319 U.S. at 687.

We feel that the Board's reliance upon this case is misplaced. The Supreme Court construed the Commission's statements only as a refusal to suspend proposed rates on the grounds offered by the complainants. According to the Court, the true thrust of the Commission's action was that "the proposed schedules could not be struck down upon the erroneous view advanced by the protestants." *Id.* at 686. Furthermore, the rates in question were filed by the carriers of their own volition, and were not rates outlined by the agency. *See also* Note 30, *supra.*

[32] *See Emergency Freight Charges, 1935*, 208 ICC 4 (1935). Two court cases cited by the Board grew out of these Commission proceedings. They were *Birmingham Slag Co.* v.

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United States, N.D. Al., 11 F.Supp. 486 (1935), and *Algona Coal & Coke Co.* v. *United States*, *supra* Note 29.

The Board, in arguing these cases, omits one very crucial fact. In these cases, involving a general rate order of the Commission which permitted an overall maximum percentage rate increase, the question presented to the court was whether individual shippers could challenge, in court, the validity of individual rates filed by carriers pursuant to the general rate order before asking the Commission to determine the reasonableness of the individual rate pursuant to §§ 13 and 15 of the Interstate Commerce Act, 49 U.S.C. §§ 13 and 15 (1964).

The cited cases do not involve an attempt to avoid judicial review of agency action or the fixing of rates without complying with the procedural requirements of the statute. In recent cases of the same genre as *Birmingham* and *Algoma*, such as *Alabama Power Co.* v. *United States*, *infra*, the Commission has explicitly stated that judicial review of its general rate order is available. *See* 49 U.S.C. § 15(a) (1964). The Commission admits that its finding in these proceedings, to the effect that a "general rate increase is warranted," *see* 49 U.S.C. § 15(a) (1964), must be supported by substantial evidence, and that a claim to the contrary "states a claim warranting direct judicial review." Memorandum for the United States, the Interstate Commerce Commission and the Secretary of Agriculture, *Alabama Power Co.* v. *United States*, No. 1283, October Term 1969, *probable jurisdiction noted*, ——— U.S. ———, 38, US. L. Week 3452 (May 18, 1970). *See also Alabama Power Co.* v. *United States*, D. D.C., Civil Action No. 2970–68, December 4, 1969 Wright, J., dissenting).

In the 1935 rate proceeding discussed above, before allowing certain percentage increases in rates "[a]s a temporary measure, for the immediate alleviation of the more acute financial distress of the railroads." *Emergency Freight Charges, 1935, supra*, 208 ICC at 48, the Commission conducted nearly three months of public hearings at sites scattered throughout the country so the general public could easily attend and offer comments, *see id.* at 9, and invited written comments and briefs from all interested parties. In like manner the Commission held extensive hearings, before four examiners concurrently, from September 9 to October 8, 1968, in the proceedings which were challenged in the *Alabama Power* case.

Thus the Commission, unlike the Board, seems to recognize its responsibility to follow the procedural requirements of the statute and to allow its action permitting the general rate increase to be tested against the statute. The Commission only asks that court review of particularized, individual rates be withheld under these circumstances until the Commission itself has had an opportunity to judge the reasonableness of the particular rate in question and award reparations if warranted.

[33] In addition to the cases cited above, the Board also relies on *Public Utilities Commission of California* v. *United States*, 9 Cir., 356 F. 2d 236, *cert. denied*, 385 U.S. 816 (1966). That case involved a "Public Notice" issued by the Federal Communications Commission, after a series of informal meetings between the Commission and the Bell System. In that notice the Commission informed the public that Bell was planning to file lowered tariffs for long distance telephone service. Petitioners asked the Commission to reconsider this public notice, contending that by issuing an announcement about future rate filings the Commission had made rates within the meaning of 47 U.S.C. § 205 (1964). Reconsideration was denied by the Commission because its action "was [not] a ruling on the proposed tariff filing," and the Commission's action was affirmed on appeal to the Ninth Circuit.

While we have no occasion to pass upon the wisdom of that decision, which involves a somewhat different statute and a different industry, we note that the case is distinguishable from the one at bar. There is no indication in the court's opinion that the Commission determined the new rates by use of its suspension power, *see* 47 U.S.C. § 204 (1964), as was done in this case. Nor is there any indication that the Commission advised the Bell System about the rate filings which would be acceptable to the Commission and which would, in the Commission's opinion, constitute a " 'just and reasonable' ceiling," as the Board advised the carriers in the instant case.

[34] *Trailways of New England, Inc.* v. *C.A.B.*, 1 Cir., 412 F. 2d 926 (1969); *Flight Engineers' International Ass'n, EAL Chapter* v. *C.A.B.*, 118 U.S. App. D.C. 112, 332 F. 2d 312 (1964); *Pan American-Grace Airways* v. *C.A.B.*, 85 U.S. App. D.C. 297, 178 F. 2d 34 (1949).

[35] *See Arrow Transportation Co.* v. *Southern Railway Co.*, 372 U.S. 658, 667 (1963).

[36] At oral argument there was repeated reference to the incredible length of time (four and a half years) consumed by a recent general passenger fare rate investigation. Because the Board seems unable to complete such full investigations until years after successive rate increases have become necessary, the Board's reliance upon the new general rate investigation it has ordered as the proper solution to the problems raised by petitioners seems misplaced.

[37] 49 U.S.C. §§ 1302, 1482(e)(5) (1964).

[38] *See* 49 U.S.C. § 1482(e)(2)–(3) (1964).

[39] As petitioners' brief points out:

"Moreover, * * * the Board appears to be confusing *a general passenger fare investigation* * * * with the *hearing* that Petitioners urge *is always necessary* under section 1002(d) whenever the Board undertakes to prescribe or approve rates. There is no reason whatsoever why the 1002(d) hearing should require 4½ years, and, as the Board has not conducted such hearings, no horrible example to cite."

Petitioners' Brief at 34 n.27. (Emphasis in original.)

[40] *National Air Carrier Ass'n* v. *C.A.B.*, —— U.S. App. D.C. ——, ——, —— F.2d ——, —— (No. 23,012, decided May 28, 1970) (slip opinion at 19). The Supreme Court has also recognized that economic pressures on the carriers may make it necessary for an agency to base its action "upon evidence which the Commission assumed was typical in character, and ample in quantity, to justify the finding made in respect to each division of each rate of every carrier." *New England Divisions Case*, 261 U.S. 184, 196–197 (1923). Mr. Justice Brandeis, for the Court, explained why Congress could not have required the Commission to take specific evidence about each carrier affected by its order:

"Obviously, Congress intended that a method should be pursued by which the task, which it imposed upon the Commission, could be performed. The number of carriers which might be affected by an order of the Commission, if the power granted were to be exercised fully, might far exceed six hundred; the number of rates involved, many millions. The weak roads were many. The need to be met was urgent. To require specific evidence, and separate adjudication, in respect to each division of each rate of each carrier, would be tantamount to denying the possibility of granting relief. * * *

"* * * It was the actual necessities of procedure and administration which had led to the adoption of that method, in passing upon the reasonableness of proposed rate increases. * * *"

261 U.S. at 197–198. *See also United States* v. *Louisiana*, 290 U.S. 70, 76–77 (1933):

"The natural construction of the section, one consistent with its language, and making possible its practical operation, is that which has uniformly been given to it by the Commission. Section 15a (2) does not relieve the Commission from the responsibility of seeing to it that the rates as increased are to be reasonable. But in performing the duty broadly to increase carrier revenue, it is enough if the Commission, in the first instance, makes such inquiry and investigation as would enable it to say that the prescribed increases when applied to members of the group will generally not exceed a reasonable maximum. The extent of this inquiry and the detail of investigation can not be marked by this Court with certainty. The size of the group dealt with, the nature of the traffic, the urgency of the relief demanded, these and other factors should condition the Commission's procedure in each case. * * * The requirement that increase of rates by Commission action is to be in the exercise of its power to prescribe reasonable rates is thus observed but in conformity to the administrative necessities which the proviso contemplates."

[41] *See* Note 30, *supra*.

REBUILDING THE AMERICAN MERCHANT MARINE

(Mr. GARMATZ asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GARMATZ. Mr. Speaker, on May 21, the House passed, by a vote of 307 to 1, a bill proposing a long-range program to rebuild the American merchant marine. I sincerely feel that this bill—H.R. 15424—is the most important piece of maritime legislation to come before the Congress since the enactment of the Merchant Marine Act of 1936, 34 years ago.

I am proud of the role my committee has played over the years in the dedicated effort which culminated in the program now about to become law. I want to emphasize that this was a truly bipartisan effort. Without such support, both in my committee and in the Congress as a whole, such overwhelming success could not have been achieved.

This fine spirit of bipartisanship was aptly reflected in a July 1, 1970, speech delivered by the distinguished Republican leader of the House, the Honorable Gerald R. Ford. In speaking to the Maritime Trades Department of the AFL–CIO, Mr. Ford emphasized both the bipartisan congressional effort to produce this program, and the splendid cooperation between the executive and legislative branches of Government.

I am fully cognizant of the personal and active support which Mr. Ford has given our efforts to revitalize the maritime industry. Accordingly, I think his thoughts on our merchant marine are worth repeating, and I recommend his July 1 speech to my colleagues in the House. The speech follows:

Speech by Representative Gerald R. Ford

The 91st Congress is now putting the finishing touches to the Merchant Marine Act of 1970—the first major piece of maritime legislation to be enacted in more than a third of a century.

This legislation is the product of many things.

First, and foremost, it is the direct result of the determination of President Nixon and this Administration to bring about the revitalization of the American-flag fleet. Other Administrations, both Democrat and Republican, over the years have *talked* about putting vigor into our merchant marine; this Administration has *done* something about it.

Secondly, it is the genuine product of a bipartisan effort in the Congress—both in the House Merchant Marine and Fisheries Committee and on the floor of the House. I congratulate, particularly, Chairman Garmatz and the Ranking Republican, Congressman Mailliard. Any time you can muster a vote of 307–1 on any piece of legislation, as was done in the House on this bill, you know that the subject has been raised to a position that is above partisanship.

Third, it is the product of a close working alliance between two branches of government—the Executive and the Legislative. In the past, Congress has been actively working for legislation that would put some life back into our shipping and shipbuilding industries, that would replace old ships with new ones, and that would increase the American-flag share of the cargo that moves to and from our shores in world commerce. But despite the bipartisan approach that has always been taken on Capitol Hill, these efforts have been blunted in the past by Administrations unable or unwilling to see the wasting away of our maritime strength, and to do something about it. This time it's different: There is a President in the White House who recognizes the need for urgency in tackling our maritime problems, and who has taken affirmative action in this area.

Fourth, it is the product of the joint efforts of maritime management and maritime labor. On the issue of the Merchant Marine Act of 1970, the maritime industry has been closer to unanimity than at any other time in recent history. And because the major elements of this industry worked together, and were able to resolve their differences, the prospects for enactment of a worthwhile, progressive, forward-looking maritime program have been greatly enhanced.

The history of this legislation, then, has been a history of people working together—in the Administration, in the Congress and in the industry.

But at the root of this cooperative effort has been the determination and the commitment of President Nixon, his Administration, the Democratic leadership in the Congress and the Republican Congressional leadership. As far back as 1967, the House Republican Policy Committee adopted a strong statement calling for action to preserve America's merchant fleet, and to regain our lost leadership on the oceans of the world. In 1968, the Republican Party's platform called for a vigorous and realistic ship replacement program to meet the changing pattern of our foreign commerce. In 1968, President Nixon issued his landmark "white paper" on the plight of the merchant marine, and his determination to reverse the pattern of drift and indecision which affected this industry. In 1969, President Nixon sent his maritime message to Congress, calling for prompt and forthright action on the legislation which is now nearing final passage on Capitol Hill. The Democratic Congressional leadership has cooperated 100 per cent.

In short, this legislation has come about because of the consistent efforts on the part of President Nixon, the Administration, and the Republican and Democratic Parties to substitute action for words; positive performance for empty promises. It is not necessary—for an audience like this—to compare this with the promise in a State of the Union Message in 1965 of a "new" maritime program, which never surfaced again for the next four years!

The record of President Nixon on maritime affairs can be summed up in a single sentence: He has kept *his* promise!

But there are other promises that must be kept—not by the Administration or by Congress, but by the maritime industry. Some of these promises have been made explicitly by leaders of maritime management and labor; other promises are implicit in maritime's pleas for federal help to put this industry back on its feet.

The shipbuilding industry must make good on its promise to streamline its operations and bring down the cost of building vessels in American yards, so that this country can achieve the best possible economic position in competition with the shipyards of other nations. This promise imposes an obligation on shipyard owners and on shipyard workers to keep prices and wages at reasonable and realistic levels; and to introduce the latest possible systems and equipment that will cut the cost of American-built ships, without cutting their quality.

The shipping industry must make good on its promise to introduce innovative new concepts to the movement of goods in foreign commerce, so that our imports and exports travel between ports as rapidly as possible, and so that the least amount of time is lost in the loading and unloading of cargo. This calls for cooperation between management and labor in terms of work-saving devices and techniques—and, again, it calls for reasonableness at the bargaining table and in the setting of rates. Through such efforts, we can close some of the gap that exists between foreign costs and American costs, so that the shipper will get the best value for his dollar—and so that the government, which is making a major investment in the merchant marine, will also get value received.

The merchant marine must make good on the promise which is implicit in this program—the promise that there will be an end to the internecine warfare that has ravaged the merchant marine for decades, and that has drained away so much of our maritime strength. The failure of our past merchant marine legislation—and of those who administered that legislation in the past—to treat all segments of this industry fairly and equitably may have been at the root of this deep division in the merchant marine. But this new legislation will put an end to the old divisions between the "subsidized" and the "unsubsidized" operator. All American operators will be treated fairly and equally under this program. Those who want to take advantage of its benefits, and who are eligible to do so, will have an opportunity to come under this program. This bill will effectively make possible a unified industry—and there will be reason for one element of this industry any longer to be at war with the other. If this merchant marine program is going to work, it will take the collective best efforts of all elements of this industry—and no industry can put forth its best efforts if it spends some, or any, of its time, fighting the other fellow, instead of fighting the common enemy, which in this case is foreign competition.

Those American operators who, for whatever reason, have been engaged in trade both under the American flag and a foreign flag now must make good on the implicit promise of getting out of the foreign trade and getting into the American trade on a full-time basis. This legislation makes possible the orderly phase-out of these foreign-flag operations; now the operators must turn their hands to the task of accomplishing that goal—and at the same time planning for the orderly development of their full American-flag potential.

The operators who have complained about the lack of a long-range shipbuilding program in the past must now make good on their promise to build the ships that this program makes possible. The government is willing to help in a long-range building program. But it's not going to do the job single-handed. It is the ship operators who must plan for the replacement of their old ships and the expansion of their fleets. Unless the operators now come forward with concrete plans, nothing can begin to happen—either in the shipyards or on the high seas—and the American people will have been deluded.

Ships are only part of the program; cargoes are the other part. The Commerce Department and the Maritime Administration have launched a major effort to convince American industry that it is to their advantage to "ship American." But the government cannot do this job alone—nor should it be expected to do the job alone. This industry has more at stake in a "ship American" program than the government does, and the industry should be willing and eager to carry its share of the task of stimulating greater awareness of the advantages of using American-flag ships. And the industry should bend every effort to see that the shipper *does* get the biggest bargain possible, in terms of rates, in terms of speed, and in terms of first-quality service.

If the maritime industry—shipping and shipbuilding, labor and management—does work together, and does make good on *its* promises, then all of us will realize the full potential which this legislation offers. Unless everyone works together, then the promises of the Merchant Marine Act of 1970 will remain largely unfulfilled.

One final word:

The problems of the merchant marine did not develop overnight; they will not be resolved overnight. As President Nixon has pointed out, we have a long way to go to overcome the gross neglect of our merchant marine. But this legislation charts a course which, if we follow it, will lead to the restoration of America's maritime strength.

LIFETIME REPUBLICAN WRITES PRESIDENT NIXON ABOUT HIGH INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, recently, I received a copy of a letter written to President Nixon by a lifelong Republican who is greatly disturbed by the rising interest rates.

The writer, Mr. Ernest George Williams, a Los Angeles attorney, notes that bank profits and interest rates have been climbing dramatically during the first year and half of the Nixon administration. I quote a paragraph from this letter:

> There are 147 banks listed in the Wall Street Journal, and each one of them, *without exception*, has increased its earnings 22% to 53% every succeeding year since you have taken office. The increased earnings have continued through the first quarter of 1970. Thousands of corporations are listed in both Moody's and Standard & Poor's, and 90% of them have shown either decreased earnings or losses in 1968 and 1969 over previous years, yet, for that same period, 100% of the banks have enjoyed a continous increase in profits.

Mr. Speaker, I place the text of Mr. Williams' letter to President Nixon in the RECORD:

LOS ANGELES, CALIF., *June 2, 1970.*

Mr. RICHARD M. NIXON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have been an active Republican ever since I became old enough to vote in 1946. I have held various offices in Republican clubs, including the presidency. I have contributed my money, my time and my efforts, not only in supporting you for

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the Presidential election, but also on behalf of the entire Republican Party. Like so many others who have supported you for election, I now find myself unable to comprehend your Administration's domestic policy.

There are 147 banks listed in The Wall Street Journal, and each one of them, *without exception,* has increased its earnings 22% to 53% every succeeding year since you have taken office. The increased earnings have continued through the first quarter of 1970. Thousands of corporations are listed in both Moody's and Standard & Poor's, and 90% of them have shown either decreased earnings or losses in 1968 and 1969 over previous years; yet, for that same period, 100% of the banks have enjoyed a continuous increase in profits.

Can you tell us, the American people, how your Administration is curbing inflation when a working man who buys a home today must pay $73 per month for additional interest because the interest rates have been increased from 6% to 9½%? The interest on a $25,000 mortgage at 6% is $1,500 per year; at 9½% the interest is $2,375 per year, or a difference of $875 per year. Over the life of a 25-year mortgage, a working man must pay $18,750 interest at 6%, while he must pay $29,687 at 9½%. The difference of $9,937 is a result of the increased interest.

Can you tell us, the American people, how your Administration is curbing inflation when builders of apartment houses, in order to secure funds for financing, must pay 10% interest plus a 2% premium of annual gross? It is now necessary for a person renting a $200 per month apartment to pay $273; $73 per month is entirely attributed to the usurious interest rates. This increase is determined as follows: An apartment renting for $200 per month in a 30-unit apartment house which has a $300,000 mortgage must pay $30,000 per year in interest instead of $18,000 at 6% interest. The increased interest is $400 per apartment per year, or a sum slightly in excess of $33 per month. Two per cent of $200 is $40. The added cost attributed to the increased interest is in excess of $73 per month for each apartment.

Can you tell us, the American people, how your Administration is curbing inflation when banks, which are exempt from usury laws in the State of California, now charge from 10% to 18% interest on all their loans where before, under the prior Administrations, the interest rate was approximately 6%?

Can you tell us, the American people, how your Administration is curbing inflation when the makers of children's clothing, ladies' and men's clothing, and other manufacturers, must pay from 16% to 22% interest for factoring their loans? Under the California usury laws, industrial loans are exempt. This usurious interest must be absorbed by the consumer through an increase in prices.

Can you tell us, the American people, how your Administration is curbing inflation when corporations, which received Government contracts in 1965 and 1966, now find they must pay interest rates of 10% to 12% when the cost for finance charges was originally computed at 6% interest?

Can you tell us, the American people, how your Administration is curbing inflation when fifty million (50,000,000) Americans with credit cards are able to dine at the Waldorf Astoria or take a trip around the world without any cash but at an annual interest charge of 18% per year or 1½% per month?

Can you tell us, the American people, how your Administration is curbing inflation when a working man who needs a car for transportation now finds that it takes four years, because of the usurious interest rates, to pay for the same car that previously was paid for in three years?

Can you tell us, the American people, how your Administration is curbing inflation when banks, through the device of holding companies, are able to borrow as much money as they desire in Europe at minimum rates of 8½% interest in order to make loans to the American businessman at 10% to 18% interest? Under all the prior Administrations, banks were required to borrow funds from the Federal Reserve Bank. The interest rates were 3½% to 4%. The amounts of the loans to the banks were limited to the deposit reserves. The interest rate to the public was 6% or 7%. Under the present Administration a bank is able to bypass the Federal Reserve requirements by borrowing money in Europe at 8½% interest and loaning these funds to the American workers and business people at 10% to 18% interest.

Can you tell us, the American people, how your Administration is curbing inflation when billions of Eurodollars have been withdrawn from the American stockmarket so that they may be loaned to our banks at an 8½% interest rate? Previously, these billions of dollars were invested in the American stockmarket for the expected return of 5% dividends plus 3% or 4% growth. Now, the withdrawal of these dollars has depressed the stockmarket, and the funds are loaned to the American people through our banks at excessive interest rates.

Can you tell us, the American people, how your Administration is curbing inflation when billions of dollars have been withdrawn from the stockmarket by banks, Eurodollars and mutual funds? The withdrawal of these funds from the market has caused pensioners, white collar workers, laborers, doctors, lawyers and small businessmen to lose their entire life savings overnight while the banks increase their profits at the expense of the general public.

Can you tell us, the American people, how your Administration is curbing inflation when thousands of corporations, borrowing operating capital, find their profits being siphoned off by high interest rates? This loss of profit has caused the stocks to drop and indirectly caused millions of Americans to lose their life savings in the market since your Administration has taken office.

Can you tell us, the American people, how your Administration is curbing inflation when the Department of Water and Power of one of our largest cities issues several hundred million dollars of tax exempt bonds at 6.9%, which, when converted, would be the equivalent of 10.23% interest? The State of California has an amendment on the ballot to increase their tax exempt bonds from 5% to 7%, which would be the equivalent of 10.5%.

Can you tell us, the American people, how your Administration is curbing inflation when the Federal Government pays 7% to 8½% interest on short-term Treasury notes while it continues to pay the laborer and the man on the street less than 4% on the E bonds? Furthermore, your Administration has raised the minimum purchase of Treasury notes from $1,000 to $10,000, making this interest rate inaccessible to the working man and compelling him to keep his funds on deposit with the banks at 5% while they reinvest in U.S. Treasury notes at 8½% interest.

Can you tell us, the American people, how your Administration is curbing inflation when all the corporations now find themselves in the position of not only paying usurious rates to raise operating capital, but must also grant stock options to the lenders? The end result is the decrease of profits because of high interest rates and the dilution of the value of the common stock by the stock options.

As President of the United States you must take immediate action to prevent this situation from continuing longer. Your Administration cannot continue to place the blame of this inflationary spiral on the prior Administrations or upon the labor unions when the evidence is overwhelmingly to the contrary. You cannot permit a small group of corporations to selfishly reap the harvest at the expense of the majority of the American people.

The writer recognizes that there is no formula or a panacea for the cure of inflation. However, a review of some of the programs adopted by your predecessors may be of constructive value in your adoption of programs to halt the present inflationary crisis.

1. During World War Two, all purchases on credit over $100 required a one-third down payment. It is difficult to understand why a person desiring to buy a new stereo or a new car can't pay one-third down at the time of purchase. This policy may reduce the amount of interest that bankers and credit card dealers would receive, but it is difficult to understand how it would interfere with the use of credit cards except to cut down credit purchases and eliminate 18% interest.

2. Persons buying new homes could be required to pay 20% down rather than the present 10% down.

3. The Federal Government could sponsor legislation wherein holding corporations of banks would be eliminated.

4. The Federal Government could sponsor legislation making it mandatory for the banks to borrow all of their funds from the Federal Reserve System (of course, legitimate deposits would not be construed as loans). The amount of the loans to the banks would be limited to a percentage of their total deposits.

5. The Federal Reserve could make available such additional funds as are necessary for the banks to maintain their present loans so that the borrower will not be faced with economic hardship or chaos during a certain period of reorganization.

6. The Federal Government could immediately reduce the prime rate from Federal Reserve Banks to the other banks from 7% to 3½%.

7. A ceiling could be imposed by the Federal Reserve System on all Federal Banks of 6% interest on all secured loans and 7% interest on all unsecured loans.

8. The margin requirement for the purchase of listed stocks could be reduced to 40% for a short time. Although the Dow Jones may be down only 33⅓%, in truth and in fact this represents only 40 of the large companies. The New York, American, and Pacific Boards are down between 50% and 60% since January of 1968. This reduction would enable the small investor to purchase new stocks at a lower price, in order to average out his losses. Otherwise, the banks and mutual funds could purchase all the bargains, and the small investor, without any cash, would have no means of recouping his losses.

9. Banks, mutual funds and foreign investors could be required to purchase all of their common stock for cash.

10. Apartment houses and tract homes could be limited to 6% interest.

Throughout history money lenders have always been preying upon their victims. Two thousand years ago, Jesus of Nazareth found it necessary to cast the money lenders out of the Temple of Jerusalem. Today, as President of the United States, it is incumbent upon you to take drastic action.

A captain of a ship cannot wait until the ship has sunk before he recognizes the hazards confronting him. A doctor must make a timely diagnosis of cancer before he can save the patient by surgical intervention. A leader must recognize the nation's perils before he can avert a disaster.

As President of the United States of America you must recognize that the present program has not achieved its intended objective. You must look for new advisors, in order to secure new ideas for new programs. History should not be permitted to read that, "The Republican Party died during the Nixon Administration because its leader refused to recognize the perils confronting him"; but instead, it should read that, "At the brink of disaster, the President recognized the imminent perils, and by imposing drastic controls and restrictions upon the wealthy bankers, he abated a major depression."

Very truly yours,

ERNEST GEORGE WILLIAMS.

HIGH INTEREST RATES INCREASE BANKRUPTCIES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, as many of us have warned, the high interest rates and the tight-money policies of the Nixon administration are destroying the economy and placing thousands of businessmen in great jeopardy.

One indication of the growing problems of high interest rates is the sharp increase in bankruptcies which are being recorded in all parts of the Nation. Even large firms are finding it impossible to raise money in the market at an interest rate which will allow them to keep their doors open. The Nation is now well aware of the massive troubles of the Penn Central Transportation Co., which could not market its bonds at a 10½-percent interest rate.

Many small firms are being forced to pay much more than 10½ percent. In many cases, the lenders are demanding equity kickers—a piece of the action—in return for capital. Small businessmen everywhere are hard pressed because we have failed to do anything about the high interest rates.

Mr. Speaker, the New York Times for Friday, July 3, carried an article concerning the growing number of bankruptcies being entered into by businesses. I place a copy of this article in the RECORD:

BANKRUPTCY ACTS FOUND INCREASING—MILO ELECTRONICS CORP. AND HENRY ROSENFELD FILE

(By Leonard Sloane)

The Milo Electronics Corporation, listed on the American Stock Exchange, announced yesterday that it plans to file a Chapter XI petition for arrangement under the Bankruptcy Act.

In another bankruptcy action, Henry Rosenfeld Industries, Inc., a dress manufacturer, filed a Chapter XI petition in Federal District Court here listing liabilities of $532,400 and assets of $502,300.

These developments on the bankruptcy front were the latest in a series of large or well-known companies that have come to public attention recently.

On Wednesday, in fact, the United States House of Representatives approved the creation of a commission to study and recommend the first major overhauling of the nation's bankruptcy laws in 32 years.

1,000 PCT. INCREASE NOTED

The House Judiciary Committee noted that bankruptcies have increased 1,000 per cent in 20 years to an annual rate of 200,000, although 90 percent of these are consumer bankruptcies.

"We will soon be confronted with a serious crisis unless our bankruptcy laws are brought up to date." it said.

The biggest company in the news lately is the Penn Central Company, whose railroad subsidiary asked reorganization under the Federal bankruptcy laws on June 21.

Also last month, Four Seasons Nursing Centers of America, Inc., and Dolly Madison Industries, Inc., filed petitions under Chapter X of the act.

Under Chapter XI, the debtor remains in possession of its business assisted by a court-appointed creditors committee, while Chapter X provides for the appointment of a trustee to operate the corporation.

Among other Chapter XI petitions filed this year by large concerns were Trans-Beacon Corporation and Polard Electronics Corporation. Even the Electric Circus Company, Ltd. which operates a discotheque in Manhattan, took the Chapter XI route recently.

In the case of Milo Electronics, a distributor of electronic parts and an operator of hi-fi stores, the company would not disclose any details of its financial conditions.

It only reported the management changes approved by its board at the same time of the Chapter XI approval and the authorization of stock options to certain officers.

On Tuesday, Milo said that it terminated the previously-announced agreement with Morton D. Weiner, its chairman and the former president of Avnet, Inc., for him to purchase 400,000 shares at $1 a share.

Yesterday it announced Mr. Weiner's resignation, along with that of Milton Putterman as president and Roman L. Horne as a director.

Newly elected officers were Myron G. Newberger, former president of Avnet, Corporation, a subsidiary of Avnet, Inc., president; Sheldon Factor, vice president and treasurer; and Morton H. Weiner, a cousin of the former chairman, secretary. All were also named directors.

Henry Rosenfeld Industries, whose namesake is the well-known Seventh Avenue dress manufacturer, would like to continue operating on a smaller scale, according to its lawyers.

Domestic production at two Florida plants will be curtailed he said, and women's apparel will be imported by the corporation.

"It was general business conditions and the failure to sell the line," said Cecil A. Citron, the lawyer for the company. "We hope to continue on a different scale."

Mr. Rosenfeld, he added, will not be actively involved in the management of the business. Instead he "will counsel" the officers and executives, Mr. Citron asserted.

WHO OWNS THE FEDERAL RESERVE BANKS?

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, there has always been a great deal of misunderstanding about who actually owns the Federal Reserve banks. Recently, these misconceptions have been growing.

There is no question that the Federal Reserve banks, like the rest of the Federal Reserve System, are part of the Federal Government and are owned by the Government.

One of the sources of the misconception about the ownership of the Federal Reserve banks comes from the fact that the Federal Reserve Act, in 1913, required member banks of the Federal Reserve System to put a certain percentage of their capital into the "stock" of the Federal Reserve banks. But the stock which emerged from the Federal Reserve Act was not stock in the ordinary meaning of that term at all.

Over the years, I have interrogated the various Chairmen of the Federal Reserve System to clarify this point in an attempt to clear up these lingering misconceptions.

In a hearing before the Banking and Currency Committee on June 17, 1942, the then Chairman of the Federal Reserve, Marriner Eccles, stated:

Well, the Government, in effect, for all practical purposes, owns the Federal Reserve banks.

Later, in a hearing before the Joint Economic Committee in 1956, I discussed this same issue with William McChesney Martin who was then the chairman of the Federal Reserve. The following exchange took place:

The CHAIRMAN. That stock, or that word 'stock', is a misnomer, is it not?

Mr. MARTIN. If you are talking about stock in terms of proprietorship, ownership—yes.

The CHAIRMAN. Well of course, that is what stock is; yes. Normally that is what stock is; when you say 'stock,' you mean a proprietary interest of some kind, do you not?

Mr. MARTIN. In the ordinary sense, yes.

The CHAIRMAN. That is right, in the ordinary sense.

Mr. MARTIN. You and I are in agreement that it is not proprietary interest.

The CHAIRMAN. Yes.

Therefore, this does not convey any proprietary interest at all, and the word "stock" is a misnomer. It is not a correct word at all. It is just an involuntary assessment that has been made on the banks as long as they are members.

* * * * *

The CHAIRMAN. Yes.

Therefore, the statement that the banks own the Federal Reserve System is not a correct statement, is it?

Mr. MARTIN. The banks do not own the Federal Reserve System.

Mr. Speaker, there are four major points that should be kept in mind concerning the so-called stock in the Federal Reserve banks. These include:

First. It carries no proprietary interest. In this respect, the stock is unlike the stock of any private corporation.

Second. It cannot be sold or pledged for loans. It thus does not represent an ownership claim.

Third. In the event of the dissolution of the Federal Reserve banks, the net assets after payment of the liabilities and repayment of the stock go to the U.S. Treasury rather than the private banks.

Fourth. The stock does not carry the ordinary voting rights of stock. The method of electing officers of the Federal Reserve banks is in no way connected to the amount of stockownership. Instead, each bank in a district has one vote within its class, regardless of its stockownership.

In reality, there is no need for a continuation of this practice of allowing the commercial banks to hold stock in the various Federal Reserve banks. The retirement of this stock would not change anything in the present Federal Reserve System.

The same method of electing the boards of the Federal Reserve banks, the same requirements for membership in the Federal Reserve System, and the same organizational structure of the Federal Reserve banks could be maintained. The same check clearing and other relationships between private member banks and the Federal Reserve could exist. There is no reason to believe that the basic structure of the Federal Reserve System would be changed simply because the stock was retired.

LEGISLATION TO MAKE CONTRIBUTIONS TO THE UNITED NATIONS TAX DEDUCTIBLE

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, I am today introducing, on behalf of myself and 26 other Members of the House from both parties, a bill to encourage private donations to the United Nations and related agencies by making such donations tax deductible.

Cosponsors of this bill are:

Mr. BOLAND, of Massachusetts.
Mrs. CHISHOLM, of New York.
Mr. CORMAN, of California.
Mr. DIGGS, of Michigan.
Mr. DULSKI, of New York.
Mr. EDWARDS, of California.
Mr. FRASER, of Minnesota.
Mr. FRELINGHUYSEN, of New Jersey.
Mr. HALPERN, of New York.
Mrs. HANSEN of Washington.
Mr. HARRINGTON, of Massachusetts.
Mr. HORTON, of New York.
Mr. LEGGETT, of California.
Mr. MATSUNAGA, of Hawaii.
Mr. MEEDS, of Washington.
Mrs. MINK, of Hawaii.
Mr. MOORHEAD, of Pennsylvania.
Mr. MORSE, of Massachusetts.
Mr. NIX, of Pennsylvania.
Mr. OTTINGER, of New York.
Mr. PODELL, of New York.
Mr. REES, of California.
Mr. REID, of New York.
Mr. ROSENTHAL, of New York.
Mr. RYAN, of New York.
Mr. SYMINGTON, of Missouri.

This legislation is appropriate and timely for a number of reasons. The United Nations this year is celebrating its 25th anniversary—an occasion which will be celebrated this weekend with the official state visit to Washington by Secretary General U Thant, the first official state visit by an incumbent U.N. Secretary General.

During its 25-year history, the United Nations and the various agencies created by the General Assembly have performed innumerable invaluable services for the benefit of the American public and citizens of all of the nations of the world. U.N. forces have performed valuable peacekeeping missions in the Congo, the Middle East, Cyprus, Indonesia, and India-Pakistan. The United Nations development program, despite severely limited funds, has provided important economic and financial assistance to developing nations on a multilateral basis. Specialized U.N. agencies have fostered international cooperation to help prevent and control disease, improve working conditions, develop peaceful applications of nuclear energy, and protect and train the world's children, to name just a few areas of U.N. activity. These accomplishments, which have been made from day to day at the working level without great publicity or fanfare, are certainly as significant as the occasional failures of the organization which seem to be cited so frequently.

The United Nations and its related agencies require and deserve increased funds not only to continue the valuable work they have done over the past 25 years, but also to take on new and expanded responsibilities where international cooperation is essential, such as the preservation and restoration of the environment, the control of world population, international satellite communication and the exploration and development of the seabeds and outer space. The legislation we are introducing would help provide such funds.

Gifts, donations, grants, and legacies from the many foundations, associations, and individuals in the United States who have developed an interest in the work of the U.N. and a deep respect for its accomplishments constitute an attractive potential source of funds for future U.N. activities. This source, however, remains largely untapped. Many Americans and American foundations who might be disposed to do so have been discouraged from providing funds to the U.N. by the fact that contributions to the United Nations and its related agencies are not tax deductible under current U.S. law.

The legislation my colleagues and I are introducing today would make contributions, bequests, transfers, and gifts to the United Nations and certain agencies established by the U.N. General Assembly deductible for purposes of income, estate, and gift taxes.

The increased donations that would be stimulated by passage of this legislation might particularly provide an important source of funds for the establishment and operation of a U.N. Peace Fund as recommended last year by a distinguished panel headed by Yale President Kingman Brewster. That recommendation was supported by 15 Senators and 59 Representatives in a joint letter to the Secretary of State. It would also provide increased funds for continuation and expansion of the U.N. Development Fund as recommended most recently in the Twentieth Report of the Commission To Study the Organization of Peace.

Mr. Speaker, this legislation offers a positive step in the direction of increased emphasis on multilateralism that has been one of the important lessons of our experience in Vietnam. I hope that other Members of the House will examine this legislation and join us in working for its passage.

QUESTIONNAIRE

(Mr. MIZELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZELL. Mr. Speaker, I am today sending to my constituents in the Fifth District of North Carolina a questionnaire designed to ascertain their views on the vital issues which confront this body today.

Representative government is the foundation of America's greatness, and there is no greater representation than through the direct voice of the people.

The questions I am asking my constituents are these:

QUESTIONNAIRE

(1) If a postal corporation is established, should it be placed on a pay-as-you-go basis?

(2) Do you believe the United States can rely on agreements reached with the Soviet Union?

(3) President Nixon has recommended strong anti-crime legislation. Do you favor:

(A) Allowing Federal officers with a warrant issued by a Federal court to enter private premises without knocking if drugs and other evidence of illegal narcotics traffic might otherwise be destroyed?

(B) Keeping a criminal defendant in "preventive detention" if his record indicates he might commit a serious crime if freed on bond while awaiting trial?

(4) Should balancing the Federal budget to curb inflation be given priority over greater spending on government programs?

(5) Do you favor elimination of draft deferments for college students?

(6) In Vietnam, which one of the following four alternatives do you think will best serve our commitments and our national interest? (Please mark one.)

(A) Immediate and unconditional removal of all U.S. troops.

(B) Removal of U.S. troops by a definite deadline, regardless of any other consideration whatsoever.

(C) Gradual withdrawal of U.S. troops, depending on the ability of the South Vietnamese to assume the total defense of their country.

(D) Escalation of all military action to achieve a military victory.

(7) Do you favor an all-out Federal attack on pollution, even if it means higher taxes?

(8) Are you satisfied with President Nixon's overall performance?

(9) Federal farm controls and subsidies should be:

(A) Phased out within five years, or

(B) Continued as is, or

(C) Made permanent, with the subsidies reduced.

(10) Do you agree with President Nixon's decision to neutralize the enemy sanctuaries in Cambodia?

(11) Should the colleges expel any student who uses physical force as a means of persuasion?

(12) Please list the priorities which you feel the Congress should spend tax money on in our country.

1. __________
2. __________

Mr. Speaker, these are important questions, and this Congress must find adequate answers to all of them. In an effort to enlighten my distinguished colleagues with regard to the feelings of my constituents, I will at a later date report the findings of this survey to the Members of this body.

I trust that this report will be helpful as we make these important decisions.

STATEMENT OF CONGRESSMAN BYRNES ACCOMPANYING INTRODUCTION OF H.R. 18392

(Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BYRNES of Wisconsin. Mr. Speaker, the Ways and Means Committee is currently meeting in executive session to consider comprehensive amendments to our trade laws. One of the problems the committee is focusing on concerns the growing trend of U.S. companies to locate their productive facilities overseas. The Treasury Department has made a recommendation to the committee to encourage U.S. companies to locate their productive facilities in the United States. This would be accomplished through a new Domestic International Sales Corporation—the so-called DISC—that would be permitted to defer U.S. income taxes on export income. In order to place the specific legislation incorporating the Treasury's recommendation before the Congress and the Ways and Means Committee during the committee's current deliberations on trade, I today, introduced H.R. 18392 to implement the Treasury's recommendation.

The purpose of the bill is to correct a distortion in our income tax structure which actually encourages the transfer of production and sales facilities abroad at the expense of U.S. production for export. Thus, under existing law U.S. companies may organize wholly owned foreign subsidiaries to manufacture and sell abroad and defer their U.S. tax liability on these foreign earnings completely until those earnings are distributed as dividends to U.S. shareholders. In contrast, U.S. companies manufacturing for export or engaged in export selling are subject to U.S. income tax on a current basis, although performing essentially the same function—supplying foreign markets—as the foreign subsidiary of the U.S. company manufacturing abroad.

It is even possible under existing law for large U.S. companies with extensive foreign operations to form foreign subsidiaries to engage purely in selling operations abroad and obtain the same tax deferral benefits. This usually requires, however, a highly complex network of foreign subsidiaries and benefits only those companies with the most sophisticated tax advice.

Our trade balance has been adversely affected by this existing bias in our tax laws against exports. The encouragement to manufacture abroad to obtain the benefits of tax deferral has made our companies less export-minded and has thereby resulted in a loss of jobs for American workers in the United States. The time has come to remove this particular bias against U.S. exporters. The DISC concept will achieve that goal.

In recent years, U.S. tax laws applicable to international business have been formulated with large, multinational corporations in mind. An important consequence of the DISC proposal will be to aid smaller U.S. companies to enter into or increase their export activities without having to resort to complicated foreign structures and highly sophisticated tax planning.

The laws of many foreign countries provide comparable or more favorable treatment of export earnings of their companies under the so-called territorial concept of taxation or by granting deferral treatment in a variety of ways. Thus, the DISC proposal will put our companies in a sounder competitive basis in developing foreign markets in competition with producers from other countries.

Although the bill grants the deferral privilege to a DISC without being tied in any direct way to an increase in export sales, the possibility of phasing in this change by adding an incremental requirement should be given careful study by the House Ways and Means Committee. I recognize the inherent difficulty in an incremental approach stemming from the necessity of establishing a base period as a standard for measurement and making adjustments both to the base period and current results to achieve comparability.

There is no greater example of this difficulty than the complexity of our excess profits tax laws in World War I, World War II, and Korea. The Congress decided not to use an incremental structure for the investment credit even though it was originally recommended by President Kennedy in 1961. I would add that I am also aware of the fact that there are serious inequities in denying benefits to companies which maintain their existing level of export sales when they would otherwise transfer manufacturing operations abroad; we are equally interested in protecting our existing level of export activity.

At the same time, these problems may not prove as serious as they sound on intensive study of applying an incremental formula in this particular context. I will urge the Ways and Means Committee in taking up this bill to consider carefully the incremental concept.

CONTINUING EFFECT OF TIGHT MONEY AND HIGH INTEREST

(Mr. HANNA asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HANNA. Mr. Speaker, it is understandable to all and justifiable to some that the present administration blames its substantial woes over economic conditions on past administrations. Treat that as you will, having the responsibility of office it is incumbent upon the Nixon team to deal with the problems they campaigned so zealously to assume.

May I suggest that up to now they have failed to understand the genesis and nature of the inflation they hold to be the key villain of the piece. If you will follow our simple narrative we hope to point out where and why the trouble started and why the present methods of solution are not and will not work.

One of the classic and simple explanations of inflation is that condition where too much money is chasing too few goods. This in truth is at the root of our present inflation and it came about as follows: In 1961 President Kennedy was elected partly on the theory of getting America going again and partly on matching the efforts of the Russians in missiles and in space. After the election he introduced executive administrative efforts that addressed the country to both. As a matter of effect, this encouraged growth in the private sector through tax deductions and growth in the public sector to meet the assessed needs to fill the missile gap and to gain advantage in the space race.

What was not noticed was the countereffect of these two economic activities. The general output of the private capital effort was in production of goods and services for the consumer market. The general output of the great government effort was for production outside the consumer markets. However, the workers associated with both efforts were consumers. Moreover the workers involved in missiles, weapons, and space hardware were, on the average, far better paid. When these workers as consumers met in the marketplace they were bidders for the output of the first group with the buying advantage on the part of the second group. As the two segments gathered momentum, the inflation affect was not felt. It took a period from 1961 to 1966—approximately 5 years for the disparity of consumer goods to consumer demand to be felt. It was precisely at this time that the Vietnam war effort came on with a $30 billion annual acceleration of spending which increased military hardware production outside the consumer market and further distorted the bidding ability of consumers whose work output did not contribute to consumer goods. Below are a set of charts showing the growth of spending on missiles—space and military other than missiles from 1961 to 1969:

NASA

[In millions]

Fiscal year 1961	$755.5
Fiscal year 1962	1550.6
Fiscal year 1963	3230.5
Fiscal year 1964	4593.9
Fiscal year 1965	5187.4
Fiscal year 1966	5031.6
Fiscal year 1967	4650.9
Fiscal year 1968	4132.7
Fiscal year 1969	3652.0

DEPARTMENT OF DEFENSE

[Millions of dollars]

Fiscal year	Missiles	Other[1]	Total
1961	2,887	11,351	14,238
1962	3,541	13,141	16,682
1963	3,857	13,003	16,860
1964	3,567	12,264	15,831
1965	2,422	12,001	14,423
1966	2,004	20,591	22,595
1967	2,039	21,972	24,011
1968	2,518	21,092	23,610
1969	3,282	19,827	23,109

[1] Includes aircraft, tracked vehicles, ships, and all other procurement.

Following is a set of charts showing the growth of work force in the private economy in each of these two categories from 1961 to 1969:

NASA

[In thousands]

1961	57.5
1962	115.5
1963	218.4
1964	347.1
1965	376.7
1966	360.0
1967	272.9
1968	211.2
1969	181.0

DOD

[In thousands]

1961	2,327
1962	2,507
1963	2,520
1964	2,196
1965	2,102
1966	2,591
1967	3,082
1968	3,574
1969	3,300

Our thesis is simple. Here was the ground floor for inflation. Appropriate if unpopular countermeasures for this condition would have been: One, tax increase early in 1966—a step I spoke for on the floor and offered to support. Two, a short price and wage freeze to discourage expansion and a management-labor battle over increased profits. Three, selective credit controls to channel a required amount of capital into productive activities in the consumer market and to set downpayment requirements to encourage forced savings. Such actions would have been required only for a short period. The administration then and the administration now preferred to rely rather on tight monetary policy. The cost of this course of action has been enormous. Its benefits are still in question. As to the burdens these can be seen in the severe recession in the building industry, the bankruptcies in small businesses, and the cost to the taxpayers in servicing the debt of the United States. It also quickly became an additive to inflation as the cost of money became part of the price increase of every item the consumer purchased. At this point interest rates raised prices. Prices forced up wages and the new character of cost-push inflation was formed.

The counterproduction on Government is demonstrated by:

The shortening of the Government debt.

The increase in the Government debt, that is, in 1961 the U.S. debt was $289 billion and the average length of obligations was 4 years, 6 months.

In 1970, the U.S. debt was $370.9 billion and the average length of obligations was 3 years, 8 months.

This means that in 1961 the U.S. Treasury was borrowing $85 billion a year at an approximate average interest rate of 3.6 percent at a cost of $9 billion. But in 1970, borrowing $124.3 billion at approximately 6 percent at a cost of $18.8 billion.

All this in the meantime caused us to move from a 6 percent growth in gross national product in 1968 to approximately a 0.2 percent-plus gross national product growth rate in 1970—less goods for all. Of course, now there are less competitors for consumer goods. Both the segments producing consumer goods and services and those producing the nonconsumptive items are out of work. The inflation lingers because lag in production and increase of interest cost are still present and management and labor are still unrestrained in their competition over the diminishing profits from inflation. The real benefit in price is flowing in the meantime to those who have surplus funds to manage and loan.

Now what must we and should we do at this point?

First. Clearly we must set priorities to diminish activities for some time in production of materials outside the consumer market. To do this correctly, the program and policy should not destroy industrial and technological capacity but rather direct the capacity to some consumer oriented goods or services. The obvious place for some of the space and military capability to be directed is toward mass transit and urban problems—waste disposal—new cities, water pollution clearance and so forth.

Second. We need to remove artificial barriers and obstacles that discourage the increase of goods. Restrictive practices such as featherbedding—by management or labor, both have substantial cases in the railroad industry—farm subsidies, combinations in restraint of trade, and so forth.

Third. Legislative and executive reforms must be formulated to allow a faster and wider range of reactions to both inflation and recession. That is to say the management of the economy cannot be left either to the absence of Federal responsibility or to the outdated, outmoded, ineffective reactions Government currently exercises.

Fourth. Unemployment must be made more tolerable, for it is going to be one of the harsh realities of the foreseeable future. This requires Government as residual employer of some, particularly young people; training and retraining programs; and some increase in unemployment compensation and benefits.

These proposals are harsh and in some instances unpopular medicine. Without some such approach we will, however, face the risk of a deepening crisis and a loss of intelligent options for solutions. This administration has the ball and the only field they have to play in is the one inherited. It is too late to complain about the park we are in. We must move the ball.

IN SUPPORT OF THE SENATE AMENDMENT TO H.R. 15628—BARRING THE TRANSPORT OF NERVE GAS FROM OKINAWA TO JOHNSTON ISLAND

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I rise in support of a Senate amendment to H.R. 15628 to bar the transport of nerve gas from Okinawa to Johnston Island in the Pacific Ocean, and to authorize its detoxification on Okinawa.

This amendment has already been passed on a bipartisan basis by the Senate. The House conferees should concur, in support of the President's statement of last November renouncing the use of biological and chemical weapons of war, which all of mankind agree are the most horrible and inhuman means of destruction ever devised.

Reportedly about 10 percent of our stock of lethal chemical nerve gas is stored on Okinawa, an island which is soon to be reverted to Japan. The Defense Department considered a number of States as an alternate depository, but when word got out of plans to store these weapons, these States were quick to object.

The Department hastily sent out a team to inspect the storage capacity of Johnston Island, a tiny atoll 700 miles from Hawaii. On July 1, Hickman Air Force Base, Honolulu, took over management of the island from "Joint Task Force 8," a military-Atomic Energy Commission unit whose activities have included simulated tests of nuclear weapons over Johnston Island. It was announced in the press that the move is unrelated to Army consideration of storing nerve gas, now on Okinawa, on Johnston Island.

By now, all of us should be familiar with the military style of operation on such matters. Last year Hawaii was shocked by the discovery, which I made, that the Army has not told the truth in disclaiming nerve gas tests within Hawaii. When the truth was out, we learned that extensive tests had been conducted in secret. The House acted last year to require that henceforth the Pentagon report regularly to Congress on its chemical and biological weapons testing.

Thus, although it has not been announced, we can conclude that the Pentagon does intend to store these stockpiles of nerve gas close to the shores of Hawaii.

The amendment passed in the Senate would prevent the utilization of funds from the Military Sales Act or any other law for transporting chemical munitions from Okinawa to the United States. It is crystal clear that in this context the term "United States" includes its States and all of its possessions, including Johnston Island.

I agree with the intent of this amendment, which would require the military to dispose of these nerve gases on Okinawa by rendering them harmless, instead of transporting them elsewhere. It should be pointed out that "burial" of the gas in the ocean's depths is likewise an unacceptable alternative because of the contamination to our environment that would inevitably result.

Our President has firmly stated his intention not to use these nerve gases, and I can see no logical justification for keeping them when it would be simpler and cheaper to destroy them. Such an action would be in accordance with our national goals and the interests of humanity.

BARRING TAX AID TO SEGREGATED PRIVATE SCHOOLS

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, today I am introducing legislation to end Federal tax deductions for charitable contributions to segregated private elementary and secondary schools.

My bill is designed to end the tax subsidy for persons who contribute to the financial support of private elementary and secondary schools which do not admit black students. Existing Federal tax policy allows donors to such schools to deduct the amount of their donations from their Federal income taxes.

I do not believe our Government should encourage and subsidize private segregated schools by allowing this deduction policy to continue. Since the Nixon administration has not taken firm action to end the practice, I am introducing my bill to provide a statutory prohibition of this tax subsidy.

Many Americans were appalled recently to read that attorneys representing the Federal Government had argued in court that tax deductions for all-white private schools are legal when the schools were created to avoid desegregation. Yet this is what an Assistant U.S. Attorney General, representing the Internal Revenue Service, did before the Federal District Court in the District of Columbia on May 15, 1970.

Despite repeated appeals by the U.S. Civil Rights Commission, the Internal Revenue Service has persisted in supporting this policy, which has seriously undermined efforts to comply with the Constitution by desegregating our public schools. There have been reports that the Nixon administration planned to reverse its support of allowing tax deductions, but other information has cast doubts on the firmness of this reported shift.

The existence of a viable public school system, open to all students on an equal basis, is too vital to leave to the indecisiveness of an administration whose policy apparently wavers in each movement of the political winds. Therefore, I believe the Congress should act immediately to prevent Federal support of efforts to undermine the Supreme Court's desegregation rulings.

My bill would amend the Internal Revenue code to provide a nondiscrimination standard for private elementary and secondary schools. A gift to such a school could not be considered deductible for Federal income tax purposes unless the school had been certificated by the Secretary of the Treasury as meeting the nondiscriminatory standard.

To obtain certification, a school would have to have a stated policy of not subjecting any student applying for admission to discrimination on account of race.

Certification would be terminated by the Secretary if the Civil Rights Commission found that the school did discriminate against black students. The finding could be made on the basis of the Commission's own investigation—either through public hearings or extensive recordkeeping requirements imposed at the Commission's option.

This provision of my bill in effect gives the Civil Rights Commission authority to decide whether a school discriminates against black students. If the Commission so determines, its finding would be binding on the Secretary to withdraw certification of the school.

Other provisions of the bill prevent evasion of its purposes by such devices as the paper transfer of assets from a predecessor segregated school.

I believe this legal protection is vitally necessary if we are to prevent our tax laws from being used to thwart and subvert the laws of the land. The integrity of our public policy should not depend on the vagaries of Internal Revenue Service policy but instead should be based on firm concepts of statutory law.

At this point in the RECORD, I would like to insert several news articles giving further background on this matter, as well as the text of my bill:

(From the Washington Post, Feb. 14, 1970]

UNITED STATES ACCEPTS TAX RULING ON SEGREGATED SCHOOLS

(By John P. MacKenzie)

The government has decided not to appeal a court freeze on federal tax exemptions for the new private, segregated schools that are springing up in Mississippi.

But the Justice Department and the Internal Revenue Service appeared determined yesterday to continue fighting to preserve existing exemptions for the private schools that have been organized in prior years to help white parents avoid sending their children to school with Negroes.

In a countermove, the Civil Rights Commission yesterday released a letter to the IRS—its sixth letter in three years—asking for an outright reversal of the policy of granting tax exemptions for private segregated schools throughout the South.

The government had one month to appeal from a preliminary injunction entered Jan. 13 by a special three-judge federal court here granting Negroes from Mississippi part of what they sought in a broad legal attack on federal tax benefits that aid segregation. But Solicitor General Erwin N. Griswold, after consultations with Justice Department and IRS lawyers, decided to let the time expire without seeking Supreme Court review.

It was understood that Griswold's action was based partly on the difficult task the government would have in overturning the non-final order—proof that the lower court was grossly in error.

In addition Griswold, a tax specialist and former Harvard law dean, took the position in 1967 as a member of the Civil tax status of racially discriminatory schools was cloudy and ought to be cleared up by the Attorney General.

The case remains in federal district court, where the Lawyers Committee for Civil Rights Under Law, representing five Negro families from Holmes County, Miss., are expected soon to press their claim for a permanent, broad injunction.

Government spokesmen declined to say how the Justice Department and the IRS would respond to future Lawyers Committee motions, but the federal attorneys have thus far refused to admit facts that would speed a final judgment.

For example, the IRS said it was "without information" about the plaintiffs' complaint that several tax-exempt academies are segregated and therefore, said the IRS, it was obliged to enter a formal denial to that charge.

Civil rights lawyers contend that IRS could ascertain this important fact from the Justice Department's own files and from the government's own pleadings in other school litigation in Mississippi.

A year ago the Justice Department joined with Mississippi Negroes in seeking and obtaining a court order striking down state tuition grants to the academies. The government contended that the schools were segregated and repeated the contention in arguments last week against the state legislature's latest program of loans to replace the outlawed grants.

Some government officials say there is more at stake than aid to segregated schooling in the lawsuits. They argue that if the Negroes prevail on their theory—that tax exemptions are legally the same as federal subsidies—the Treasury Department will be beseiged on other fronts and forced to re-examine its entire exemption structure.

The federal court here, in a unanimous opinion indicated strongly that it was prepared to uphold the Negroes at the final judgment stage. It said:

"The federal government is not constitutionally free to frustrate the only constitutionally permissible state policy, of a unitary (non-racial) school system, by providing government support for endeavors to continue under private auspices the kind of racially segregated dual school system the state formerly supported."

IRS has maintained that it was free to grant the exemptions—which allow private donors to write off contributions when figuring their income tax—as long as no "state action" was involved in the private schools. The temporary injunction forbids future exemptions unless IRS affirmatively finds no purpose of evading desegregation requirements.

[From the Washington Post, May 16, 1970]

IRS DEFENDS TAX-EXEMPT WHITE SCHOOLS

(By John P. McKenzie)

Government attorneys argued yesterday that tax exemptions for all-white private schools are legal, even if the schools were created to avoid desegregation.

In a 43-page brief filed with the federal district court in Washington, the Treasury Department called for dismissal of a suit filed on behalf of Mississippi black students. The suit claims that the tax exemptions—as well as the income tax deductions claimed by school contributors—are unconstitutional.

Assistant Attorney General Johnnie M. Walters, representing the Internal Revenue Service, relied heavily on language in the Supreme Court's May 4 decision sustaining tax exemptions for church property.

Walters said the IRS, rather than lending aid to racial discrimination, was maintaining the same sort of "benevolent neutrality" toward non-profit education institutions that the high court, in its 7-to-1 decision, applauded in permitting states to refrain from taxing religious property.

The Negroes have failed to prove that the tax status makes a major difference in whether the academies survive or prosper. Walters said. A special three-judge court, in an interim ruling in January forbidding new exemptions but permitting old exemptions to continue, found that many schools were counting heavily on the tax benefits as an incentive to private donors.

The Negroes, represented by the Lawyers Committee for Civil Rights Under Law, have moved for a broad final order to disallow the tax benefits as impermissible assistance to segregated schooling under the Constitution and the 1964 civil rights act. Walters said the case should be dismissed.

The government brief refused to admit that the plaintiffs had actually proven that the academies have a policy of excluding Negroes. In other litigation the Justice Department is contending that—because the schools are part of a program of evasion of public school desegregation orders—it is illegal for state and county officials to make tuition loans or pay teacher salaries.

In Jackson, Miss., the Lawyers Committee said it is filing an additional request for a still broader court order one that would prevent further spread of the academy movement through a $1.25 million fund-raising drive of which Sen. James O. Eastland (D-Miss.) is honorary chairman.

[From the Washington Post, July 2, 1970]

CURB WHITE ACADEMIES IN SOUTH, HILL IS URGED

Reese Cleghorn of the Southern Regional Council called on Congress yesterday to curb the growth of private white academies which, he said, threaten public school desegregation in the South.

Cleghorn told the Senate Select Committee on Equal Educational Opportunity that Congress should bar federal tax exemptions for academies which can't show that they meet minimal standards and are free of racial bias.

A firm policy on exemptions is being debated now by Nixon administration lawyers who contended earlier this year that they were legal even for schools created to avoid desegregation, Cleghorn said.

LOCAL TAX EXEMPTIONS

Cleghorn also asked Congress to insist that the Justice Department challenge state and local property tax exemptions for all-white private schools.

New federal funds proposed to aid desegregating public schools should be denied to states that don't set minimal educational standards for private schools, Cleghorn said. They should also be denied, he added, to state and local school systems that convey property to segregated private schools.

The Senate, in voting a first-installment $150 million for desegregation aid last week, included a ban on funds for school systems that convey property or services to segregated academies. Final action awaits a House-Senate conference.

RAISING ESTIMATE

Cleghorn said the Atlanta-based council, a human relations research and information agency, is raising its rough estimate of total enrollment in Southern segregated schools to possibly 400,000 from 300,000.

While most of the new all-white academies contend they were created for "quality education" rather than preserving segregation, Cleghorn said, many are in makeshift buildings without libraries, laboratories or lunchrooms.

[From the Washington Post, July 6, 1970]

DIXIE GOP LOBBIES WHITE HOUSE TO ALLOW "ACADEMY" TAX DEDUCTIONS

(By Rowland Evans and Robert Novak)

Powerful Southern Republican politicians went secretly to the White House last week in a last-ditch attempt to talk President Nixon out of an imminent policy change that would deny tax deductions for contributions to mushrooming—and segregated—private schools in the South.

With Mr. Nixon in San Clemente, the Southern Republicans took their highly sensitive appeal to Peter Flanigan, the White House aide coordinating the convulsive tax-exemption war now being waged for the President's mind. Flanigan left no doubt that he personally thinks that the government should stop giving financial help to the private white-only "academies" that now have a total enrollment of close to 400,000—the last defense against racial integration.

But Flanigan left a crack in the door, and the Southern politicians, with powerful allies within the administration, stuck their foot in it. Thus, at this writing, the issue that has swirled around the President for months pitting department against department and White House aides against each other, is still not wholly resolved.

Boiled down, the Southern argument is a warning to Mr. Nixon that ending the tax exemptions by administrative decision or by joining black litigants in the courts would mark a drastic reversal of the Southern Strategy. Further, they insist, it would be inconsistent with the Nixon strategy on school desegregation, which is to put the burden on the U.S. courts and take it off the Department of Health, Education and Welfare.

Accordingly, the administration should do nothing about the Southern "academies" and leave the decision with the U.S. courts. In the Green case, a three-judge federal panel issued a temporary restraining order in January enjoining the Treasury Department from issuing any more certificates of tax exemption.

If, as seems highly probable, the courts order an end to the practice for good, the Nixon administration can't be blamed. That would be entirely consistent, the Southerners argue, with Mr. Nixon's basic school desegregation strategy. That strategy threw out HEW's guidelines, so hated in the South, and turned the problem over to the federal courts.

But inconsistency has been a Nixon administration way of life on the tax-exemption matter as well as other political concerns. Consider the almost unbelievable back-and-forth, up-and-down record on tax exemptions that has dramatized this battle for the President's mind.

Last winter, Southern Republican leaders received personal White House assurances that there would be no administration assault against all-white private schools. At the very same time, Robert Finch, then Secretary of HEW, had a letter drafted to Secretary of the Treasury David Kennedy formally asking an end to tax-exemption certificates for the proliferating academies.

Finch lost that battle, but other powerful opponents of tax assistance were quietly laying plans of battle. They included Randolph Thrower, the moderate Republican from Atlanta, who heads Treasury's Internal Revenue Service.

Thrower had held up several applications for the certificates on his own authority, without any formal presidential decision, before the Green case injunction was issued.

But when the Justice Department formally entered the Green case last May it argued powerfully—to the dismay of administration moderates—that tax exemptions were perfectly legal even for academies created to avoid desegregation.

That Justice Department brief, bitterly attacked in the Northern press, also infuriated Finch (now a presidential counsellor) and other White House liberals, most importantly Leonard Garment. Garment and Finch, with the President's full approval, began shaping a new policy totally at odds with Attorney General John Mitchell's Justice Department.

Last week, Justice Department lawyers were scheduled to repeat their original pro-tax exemption argument in the continuing court battle. At the last moment, Mitchell asked for a delay—presumably to give him time for an about-face conforming to a new White House policy of opposition to any more tax exemptions.

Then the Southerners arrived in Flanigan's White House office and opened the door a crack. Considering the confused, ambiguous bungling that has marked the tortured policymaking on tax-exemptions in the past, only a fool would try to predict what Mr. Nixon will finally do.

H.R. —

A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for contributions to elementary and secondary schools which discriminate on the grounds of race

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 170 of the Internal Revenue Code of 1954 (relating to charitable contribution deduction) is amended by redesignating subsections (i) and (j) as subsections (j) and (k), respectively, and by inserting after subsection (h) the following new subsection:

"(i) Nondiscrimination Requirement for Elementary and Secondary Schools.—

"(1) Requirement of nondiscrimination certificate.—

"(A) General rule.—A contribution or gift to or for the use of an ineligible elementary or secondary school shall not be considered to be a charitable contribution within the meaning of subsection (c).

"(B) Definitions.—For purposes of this subsection:

"(i) Ineligible elementary or secondary school.—The term 'ineligible elementary or secondary school' means an elementary or secondary school with respect to which a nondiscrimination certificate has not been issued under paragraph (2) or with respect to which such a certificate is not in effect at the time the gift or contribution is made.

"(ii) Elementary or secondary school.—The term 'elementary or secondary school' means an educational institution (as defined in section 151(e)(4)) which provides education at any grade between grades 1 and 12, inclusive.

"(2) Issuance of nondiscrimination certificate.—The Secretary or his delegate may issue a nondiscrimination certificate with respect to an elementary or secondary school if—

"(A) such school does not subject any student, applicant for admission to discrimination on account of race,

"(B) such school gives notice of its policy to comply with the requirements of subparagraph (A) in a manner reasonably calculated to apprise the public of such policy, and

"(C) no certificate issued under this paragraph with respect to such school (or any predecessor school which used substantially the same facilities as such school) has been terminated under paragraph (3) within the two-year period preceding the issuance of such certificate.

"(3) Termination of certificate.—A certificate issued under paragraph (2) with respect to a school shall be terminated by the Secretary or his delegate at such time as the chairman of the United States Civil Rights Commission notifies the Secretary or his delegate that the Commission has determined under paragraph (4) that—

"(A) such school has not complied with the requirements of paragraph (2)(A), or

"(B) such school has failed to keep records required by paragraph (4) or to permit access thereto.

"(4) Determination of noncompliance.—Whenever on the basis of one or more complaints or other available information, the Civil Rights Commission finds that there is reason to believe that an elementary or secondary school has not complied with the requirement of paragraph (2)(A) the Commission may—

"(A) require such school to keep records for each semester or term showing the number of students who have applied to such institution (identifying them by race), and the number admitted (identified by race), together with the reasons for nonadmission in each instance, or

"(B) hold a hearing for purposes of making a determination on the record as to whether the institution has complied with the requirement of paragraph (2)(A).

If the Commission determines in a hearing conducted under subparagraph (B) that the school has not complied with such requirement, the Commission shall notify the Secretary or his delegate. If the Commission determines (after notice and opportunity for hearing) that a school has failed to keep records as required by subparagraph (A) or to permit the Commission reasonable access thereto, the Commission shall so notify the Secretary or his delegate. Any determination made under this paragraph shall be subject to judicial review in the district courts.

SEC. 2. The amendments made by this Act shall apply with respect to contributions made more than six months after the date of enactment of this Act.

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WILLIAM RANDOLPH HEARST, JR., MAKES A BALANCED AND THOUGHTFUL APPRAISAL OF THE CURRENT SITUATION IN VIETNAM

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, in this day when all of us look for thoughtful, objective, and balanced comments on the major question still facing our country, the situation in Vietnam—and when we find them all too rarely—I am especially happy to bring to the attention of my colleagues in the House a very thoughtful balanced and, I believe, sound appraisal of where we stand today in Southeast Asia. It was written by William Randolph Hearst, Jr., editor in chief of the Hearst Newspapers, and it appeared in the Albany Times Union, in my State of New York, on July 8, 1970.

Under leave to extend by remarks in the Record, I include Mr. Hearst's "Editor's Report" at this point.

Some Thoughts About Vietnam

(By William Randolph Hearst, Jr.)

Saigon.—Completing a week in Vietnam and Cambodia, and a total of two weeks out here in Asia, I think it best to get some thoughts off my mind and on paper because by the time Sunday rolls around my son, Willie, and I, and Joe Kingsbury Smith will be in Israel.

Bob Considine leaves us here and heads home via Hong Kong, Toyko, and San Francisco, taking with him a darling little 18-month-old Vietnamese orphan girl, Ngo Tai Lam (Buttons for short). She has been adopted by Air Force Captain and Mrs. Robert Peck, of Austin, Texas. The Captain served in Vietnam and knows how urgent is the need of help for those Vietnamese orphans, many of whom were fathered by GI's who served or died in Vietnam.

Since it makes more sense to write about Asia from here than from the Middle East, I am doing this midweek column before flying to Tel Aviv.

We have met and talked with many knowledgeable people, including my friend Vice President Nguyen Cao Ky of Vietnam as well as Ambassadors Ellsworth Bunker, Samuel Berger, and William Colby. Also, General George S. Brown, who commands the 7th Air Force, and General William L. Rossen, the acting commanding general of all American forces in Vietnam. General Creighton W. Abrams was in Tokyo, recuperating from a minor operation. All these plus those previously noted in Cambodia, Hong Kong and Tokyo.

Putting all these talks together has led me to the conclusion that we are on the verge of accomplishing in Vietnam what we came over here for in the first place—namely to keep South Vietnam from being overrun and conquered by the Communist of North Vietnam.

That in a nutshell has been the name of the game all along. God alone knows the road has been dark and dreary and tragic, and the end seemed always just around the corner. Add to this the growing lack of enthusiasm at home, plus what to me has been the almost treacherous, certainly always defeatist utterances by people in high places. Finally, the self-imposed military restrictions placed upon our commanders, forcing them to fight with one hand tied behind their back, as it were. No wonder it has taken so long and seemed at times so hopeless.

It is not hopeless now. I think there is a better than even chance that South Vietnam will be able to remain free even after we have pulled out the bulk of our forces, though we may have to keep about 50,000 troops here as we have done in South Korea for the past 20 years.

There can be no doubt that we underestimated the strength, determination and tactical cunning of the North Vietnamese and Viet Cong forces in the early stages of our involvement. They had the country almost in their grasp in 1963. The South Vietnamese army, its morale at a very low ebb, was on the verge of collapse, with nepotism and poor military leadership in its top command. Finally, there was continuous disunity and even assassination in the national government.

That was the picture when President Johnson first ordered American combat troops in to save South Vietnam from Communist conquest. Our men came in here as they went to Europe in 1917 and again in World War II to preserve the principle of self-determination.

The Communists have been unable to mount a major offensive in South Vietnam for months now. They potentially have the capability for another Tet-type offensive, but again our military commanders are confident the Communist forces would suffer the same disastrous setback.

For the present, they have reverted to small unit, guerrilla warfare tactics. Even these operations have been diminishing.

The long-promised pacification program is progressing, solidly and effectively, and the government is regaining control of the countryside. The Communist sanctuaries in Cambodia have been smashed, and the enemy forces suffered a setback as a result of President Nixon's proper and politically courageous decision to send troops into that neighboring state.

From our talks in Phnom Penh, I am led to believe that if we and our Asian allies have the good sense to send all possible military aid—and in our case this means only arms and equipment—to the new anti-Communist Cambodian government, we will be able to keep that country free as well.

As Vice President Ky revealed in his talk with us in Saigon, South Vietnam has proposed a military alliance with Thailand and Cambodia aimed at establishing a common defense bulwark that would protect Cambodia, and, in fact, all three countries from Communist conquest.

On our part, we should rescind our existing military aid agreement with Thailand which prohibits their forces from using our military equipment outside their bodies. The one thing that we have been urging most strongly is that the Asians defend themselves.

South Vietnam, Thailand and Cambodia are eager to do so now, and we should lose no time to help them do so.

Marshal Ky and I first met about five years ago. At that time he alone was running the country as premier and commanding general of the Air Forces, a dual post he held from June, 1965, to October, 1967. I liked him from the moment we met. It is true that for a leader of a nation in such dire trouble, he was at that time pretty young, rather flamboyantly dressed and inclined to be a little flip.

In the fall of 1967, Vietnam had a proper national election. It was felt by the Vietnamese and our own people that it would be more seemly for Ky to run as vice president and for an older man, more experienced in administration, to guide the ship of state through the stormy weather ahead.

Ky accepted this role in a gesture which I believe to be unprecedented in the annals of military dictatorships. It was an act of pure patriotism in the interest of politically unifying the country, and should have been hailed, as it was by me, as the act of a big man. Am sorry to say, though, that the critics of the war have consistently discredited the integrity of the two principals.

Since that time, Ky has matured a lot, and become much more fluent in the English language. He now displays a knowledgeable concern for the future economic stability of his country rather than just a feeling for the military aspect.

Typical of this derring-do warrier, he arrived just after us in a helicopter, which he set down on the front lawn of the presidential palace. With him was the beautiful wife, who sat with us for the first part of the interview before having to leave to hostess a tea for the foreign ministers' wives.

Now only 40, I would certainly think this young vice president will follow in President Nixon's footsteps and one day be the chief of state.

Vice President Ky still thinks—and so do I—that this war will end by slowly petering out as the north realizes that it cannot conquer the south militarily. There may be a few more years of guerrilla fighting by the Viet Cong, but I think this is a more realistic view than to expect North Vietnam, which has lost nearly a million men in this vain struggle, to formally acknowledge what amounts to failure.

Then will come elections, internationally inspected I hope, to avoid subsequent carping. There seems to be general agreement that in such a proper election, the Communists would not poll more than 15 per cent or 20 per cent.

All things considered, I can't but commend to you President Nixon's present policy of gradually withdrawing our combat troops and turning the ground fighting over to the South Vietnamese.

If we have the patience and good sense to continue providing air and logistical support for the South Vietnamese forces, I am confident they can defend their country themselves.

Only thus will the sacrifice of their lives by some 40,000 young Americans not have been in vain.

OCCUPATIONAL SAFETY AND HEALTH ACT

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, the attention of this Nation has focused recently on the environmental crisis—the pollution of air and water, and the destruction of natural resources. In my opinion, however, this emphasis on environmental problems fails to give sufficient recognition to the pertinent question of occupational safety and health. It is ironic that one of the key areas of environmental pollution is in the workplace, and yet this distiguished body has failed to respond to this aspect of the problem.

Our environment is not solely the air we breathe traveling to and from work. It is also the air we breathe at work. This issue—the health and safety of the American working man and woman—is the most crucial issue in the whole environmental question, because it is out of the working place that the whole problem of pollution arises.

As chairman of the Select Subcommittee on Labor, I presided over 15 days of public hearings in the first session of this Congress, and I was appalled at the slaughter taking place in our factories and on our farms. Every hour eight workers are killed and over 1,100 are disabled in job-related accidents. In only 4 years time as many people die because of their employment as have been killed in almost

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a decade of American involvement in Vietnam. In dollar and cents terms, over $1.5 billion is wasted annually in lost wages; and $8 billion is lost to the economy. The days of lost productivity through accidents and illness are 10 times greater than loss from strikes.

After careful study of the hearing record and consideration of the views of all the witnesses, I prepared and introduced a draft bill to my subcommittee. This bill, H.R. 16785, was approved by the subcommittee and recently reported from the full Education and Labor Committee. The report filed today gives a detailed outline of the bill as well as the pertinent, and may I say, gruesome statistics on the occupational safety and health situation in this Nation. I call this document to the attention of my colleagues.

H.R. 16785 is designed to end this shameful waste of life and limb in American workplaces without placing unequitable burdens on employers. It is, indeed, my aim to have employees and employers and the Federal and State Governments cooperate to insure the fair administration of this act. To that end I have provided that both the employees and the employers have recourse to the courts and are fully protected by the provisions of the Administrative Procedure Act.

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This bill provides for the Secretary of Labor to set Federal safety and health standards based on recommendations submitted to him by an advisory committee and after formal public hearings where all interested parties are given an opportunity to testify.

In order to assist the Secretary of Labor and his advisory committees in formulating standards, H.R. 16785 authorizes the Secretary of Health, Education, and Welfare to conduct research and develop criteria, particularly concerning the new problems created by technology as well as motivational and behavioral factors involved in on-the-job safety.

In this regard, I want to point out to my colleagues that each year approximately 600 new chemicals are introduced. This subcommittee learned that there are presently 6,000 chemicals in use, yet health authorities have threshhold limit values for only about 500. Because of this extremely hazardous situation, H.R. 16785 provides for the Secretaries of Labor, and Health, Education, and Welfare to develop procedures to enable employers to measure and record exposure to atmospheric dangers and make these findings available to employees.

The Secretary of Health, Education, and Welfare, under H.R. 16785, must also publish a list of all known or potentially toxic substances and concentrations at which toxicity occurs. Within 60 days after the determination of danger levels, no employer shall require his employees to be exposed to such toxic substances unless notified of the danger and precautions are taken for safe use. An exposed employee may absent himself without risk of harm for the period necessary to avoid danger, without loss of compensation.

H.R. 16785 does not repeal any other Federal laws prescribing safety or health requirements, but requires the Secretary of Labor to report to Congress within 3 years his recommendations for avoiding duplication.

There is a crying need for the passage of H.R. 16785 to protect the lives of America's 80 million working men and women. It makes little sense for the Congress of the United States to tackle the problem of dirty air spewing forth from smokestacks without seeking solutions to the contaminated environment inside the factory.

To illustrate the urgency of this situation, I want to bring to my colleagues' attention a few recent on-the-job accidents. Here on the very doorstep of the Capitol, in McLean, one man died and two were injured while fixing a blocked sewage pipe:

[From the Washington Post, May 19, 1970]

CONTRACTOR, 28, KILLED, TWO INJURED IN CAVE-IN

A 28-year-old plumbing contractor from Manassas was killed and two other workmen injured yesterday in McLean when red clay caved in around a 12-foot hole they had dug to fix a blocked sewage pipe.

Police identified the dead man as Herbert L. Wilkinson, the owner of H. L. Wilkinson Plumbing and Heating Co. in Manassas. Two of his employees. Avery F. Greer, 29, of Manassas, and James R. Heflin, 33, of Amisville, Va., were treated for minor injuries at Fairfax Hospital and released.

The cave-in occurred about 11:30 a.m. in front of a town house at 7371 Hallcrest Dr. in the 76-unit Hallcrest Heights development just north of the western end of Old Chain Bridge Road.

R. C. Winterbottom, construction superintendent of the uncompleted development, said he warned workers against all getting in the hole at the same time about 15 to 20 minutes before the accident.

Winterbottom is employed by the Hallcrest Heights Joint Venture, which had subcontracted the plumbing work at the development to the Wilkinson firm.

There was no protective shoring in the hole. Lefton Foltz, a Fairfax County construction safety engineer, said the accident "could have been prevented" with proper shoring, which he said is required by state law unless the hole is surrounded by solid rock.

James W. Reid, a resident of the town house at 7371 Hallcrest Dr., said he heard the workers' cry for help and immediately ran outside half-dressed and "dug around to get (Greer's) face free." The other two men were covered up to their upper torso he said.

Reid, an investment official for a Minneapolis oil company, said he initially thought Wilkinson was only unconscious. Medical examiner Claude Cooper later ruled that Wilkinson died of lack of oxygen.

About five feet of the 10-by-8-foot hole appeared to have been filled by the cave-in hampering rescue workers from the McLean and Dunn Loring volunteer fire departments. Police said Greer and Heflin were removed within 15 minutes of the accident, but Wilkinson's body was not removed for about 50 minutes.

Wilkinson is survived by his wife, two sons and a daughter, company officials said.

Death and disability from job-related accidents know no boundaries. In the farming heartland of this Nation 2 weeks ago, five workers lives were snuffed out in the collapse of a grain elevator in a small town in northwest Iowa:

[From the New York Times, June 20, 1970]

FIVE DIE IN GRAIN ELEVATOR

ALBERT CITY, IOWA, June 19.—At least five persons were killed today when a 150 foot grain elevator under construction collapsed in this northwest Iowa town of 700. At least five bodies had been carried out of the rubble by early afternoon and Buena Vista County Hospital said it had received two persons injured in the collapse of the structure.

Last month in the shadow of Kennedy International Airport accumulated gases in a sewage-treatment plant caused an explosion which resulted in injury to 13 persons, two who were plant employees. Eleven other men and women were also injured, passengers in a passing bus and a hotel employee:

[From the New York Times, June 17, 1970]

THIRTEEN INJURED IN BLAST AT A SEWAGE PLANT AT KENNEDY AIRPORT

Thirteen persons were slightly injured and a sewage-treatment plant near Kennedy International Airport was heavily damaged last night in an explosion apparently caused by accumulated gases.

The police at the scene said that shortly after 7:30 P.M. an explosion at the Department of Public Works' treatment plant at 150 South Conduit Avenue, at 134th Street, blew holes in the building's brick walls, opened up large cracks and sprayed broken glass over a one-block area.

The foreman of the plant, William Borfitz, said he noticed a strong odor of gas shortly before the explosion and ordered his men to evacuate the site. As they were leaving, he said, the explosion occurred.

Two plant employes, 10 passengers in a passing bus and an employe at the International Hotel a block away, were injured slightly by flying glass. All were treated and released at the airport medical center.

Windows at the hotel were also blown in. A small fire at the nearby Department of Sanitation truck garage was quickly extinguished by firemen.

An inspector from the Department of Public Works was sent to the scene to inspect the building and see if it was still structurally safe.

A police official said the explosion had been caused by some sort of gas, either collected sewer gas from the plant itself, or gasoline fumes leaking into sewer pipes from nearby gas stations.

Hotel employes said that an odor of gas had hung over the area, usually permeated with the smell of sewage, all afternoon.

An automobile parked near the plant was overturned by the blast. Consolidated Edison crews were sent to the scene to test for possible additional gas accumulations.

Meanwhile, four highway construction workers in the State of Maine plunged to their death while engaged in building a bridge:

[From the New York Times, June 25, 1970]

FOUR WORKMEN KILLED IN A FALL FROM SPAN OVER MAINE RIVER

KITTERY, ME., June 24.—Four construction workers plunged nearly 100 feet to their death today when the staging on the under side of a bridge from Kittery to Portsmouth, N.H., collapsed.

Witnesses said that eight men fell from the sliding scaffolding when two of the supporting I-beams gave way.

Six other workers, clinging to remnants of the collapsed staging, were rescued by firemen using ladders.

Three clung precariously to a narrow girder for more than an hour until rescued. Another dangled for two hours when his arm became ensnarled in rigging.

Seven workers were injured, five seriously, police said.

Those killed were identified as Noel A. Dube, 22 years old; Michael A. Wood, 23; George B. Dinsmore, 29; and Karl Koski, 20.

The accident occurred on the Maine side of the bridge which spans the Piscataqua River. The six-lane, $50-million bridge is scheduled to be opened sometime in 1972.

Those involved in the accident were employed by the Cianbro Corporation of Pittsfield, Mo.

William Lorenz, 26, of Portsmouth, said he was on the staging when he looked up and saw a piece of steel begin to buckle.

"I made a mad jump and grabbed a vertical beam," he said. "I shimmed up the thing about 15 feet until I reached a horizontal bar that I could cling to. Then I just hung on. I'm lucky to be alive. I don't know how I hung on."

Mr. Lorenz was rescued by firemen using aerial ladders.

He said another worker, who also was clinging to a bar, finally fell.

Harry Cook, the Maine Highway Commission inspector, said he raced out from his field office in time to see one worker slide off the dangling platform and fall.

The bridge, under construction for more than a year, extends from the Portsmouth rotary on U.S. 95 to Kittery, and is high enough to permit passage of heavy ships.

David H. Stevens, chairman of the state Highway Commission, said the accident was under investigation.

These are a few of the fatalities, a few of the statistics. They represent far more than mere numbers. They are the lives of America's working men and women. I ask my colleagues, are we going to let the loss of life and limb be the byproduct of modern industrial production and mechanized agriculture?

I intend in the next few weeks to continue bringing these statistics of slaughter to the attention of the Members of this body. The House of Representatives has the opportunity now to end this shameful tragedy by passing H.R. 16785, and I urge my colleagues to respond to this vital need for legislation to protect America's workers.

PRESSURE POLITICS

(Mr. ALBERT asked and was given permission to extend his remarks at this point in the Record.)

Mr. ALBERT. Mr. Speaker, several Members have advised me that representatives of the Department of Housing and Urban Development have used pressure either directly or indirectly on them to vote against the so-called Cooper-Church amendment to the Foreign Military Sales Act. While my position was in opposition to this amendment, I abhor such tactics. For a member of the bureaucracy to attempt to blackmail any representative of the American people in Congress by implied threats to withhold benefits from his district or to offer taxpaid Government projects as a quid pro quo for a vote in the House of Representatives is abhorrent. I detest this practice and any further use of it should be met with appropriate congressional action.

LEGISLATION TO TERMINATE ASSIGNMENT OF DRAFTEES TO SOUTHEAST ASIA

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I am today introducing legislation to terminate the assignment of draftees to duty in Southeast Asia without specific congressional authorization. This legislation will act as reassertion of congressional prerogative in the vital area of the draft and will provide an important impetus toward ending the "peacetime" draft and establishing an all-volunteer Army.

With our reduced troop strength in Indochina and with the President's pledge to withdraw another 150,000 Americans in the next 12 months, the time has come for us to halt the practice of sending inductees, so many of whom are opposed to the war, to serve in that theater. By mid-1971, according to our timetable, American troop strength in Indochina will be down to 284,000, about 265,000 below our past maximum level. Since approximately 115,000 of the 302,000 American Army personnel in Southeast Asia are draftees, it is obvious that we could bring them all home among the planned 150,000 returnees, as well as provide that no more draftees will be sent into the combat zone as replacements.

Mr. Speaker, draftees have been bearing a disproportionate burden in that agonizing war, suffering more than half the deaths while comprising only 25 percent of our total military personnel who have served in Southeast Asia. We all recognize that the draft with its many inequities is a major source of unrest among our Nation's youth, particularly those who feel strongly that our involvement in Indochina is immoral and not in America's best interest. The Supreme Court has recognized the legitimacy of youthful opposition to the war by broadening the criteria for conscientious objection, and I believe that the Congress must now initiate steps to move toward an all-volunteer force as we complete our hoped-for disengagement.

I have long advocated an all-volunteer Army, and I intend to sponsor legislation to end the draft in the near future, but until we can effectuate this important reform, the bill I am introducing today could do much to ease the tensions and agonizing decisions young people have to make with the constant realization that they may be called to fight in a war to which they are adamantly opposed. So long as conscription is still the law, legislation to exempt draftees from combat could serve as a bridge to that time when we shall, hopefully, have a volunteer military. The Gates Commission report revealed that only a small increase in recruiting expenditures could increase enlistments by 10 to 20 percent, more than enough to fulfill our current and anticipated national defense needs. By raising pay levels and instituting other reforms to make military life more attractive as a career, measures which I have proposed and which the President has also endorsed, we can look forward to allowing the Selective Service Act to lapse when its current authorization expires on June 30, 1971.

Mr. Speaker, my bill would prevent the expenditure of funds after date of enactment to send any draftees to South Vietnam, Cambodia, Laos, or Thailand, unless such action is specifically authorized by Congress later. I believe that we have every justification for accomplishing our combat troop reductions first by removing inductees from the war zone. Passage of this bill would be instrumental in reducing the tensions which have rent this country over the war issue, and I urge my colleagues to join me by cosponsoring this legislation and pressing for early hearings.

STRANDED STUDENTS PROMPT LEGISLATIVE ACTION

(Mr. TIERNAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, on Tuesday I spoke on the floor concerning the 3,000 American students who were stranded in Europe as a result of the financial collapse of the World Academy Schools for Foreign Study, the travel agency which arranged the study tours.

Today's Washington Post carries a story of the emergency airlift of 183 of these students from Switzerland. Some of these students had been saving money for years in order to make the trip. This all went for naught as a result of the unscrupulous or unsophisticated management of World Academy, Inc.

Mr. Speaker, I have sent a letter to each of my colleagues asking for cosponsors of a bill which would provide for Federal regulation of the travel agency industry. This legislation is necessary if we are to protect the thousands of persons who patronize travel agencies in this country.

At this point in the Record I would like to insert a copy of the Washington Post article:

Emergency Airlift Brings 183 Stranded Students Home

(By Tom Del Vecchio)

New York, July 8.—The first batch of 3,500 American students has returned from Europe after being stranded by the financial collapse of the travel agency that arranged their study tours.

"It was bedlam" when the students heard their trips had been cut short, said Debbie Monk, 16, of Newport News, Va.

She was among 183 persons emergency airlifted from Switzerland Tuesday to Kennedy Airport.

"Most of the students raised the money for the trip themselves," said Sister Celeste Marie Reichert of St. Edmund's High School, Brooklyn, chaperon to 13 girls from that school.

The cost for the four weeks abroad was $1,200 up.

"They worked after school and on Saturdays and Sundays," she said. "That's what's so sad. It was heartbreaking."

On Monday, World Academy, Inc., which arranged the trips, filed bankruptcy petitions in Cincinnati's U.S. District Court. Four of its subsidiaries also filed petitions.

The firm's financial collapse left no funds for further feeding or accommodations for the students, but their flights home had been paid for in advance with a charter airline company.

"We were supposed to tour seven countries, but we only saw Italy and Switzerland," said Miss Monk. "We left on June 25 and were supposed to return Aug. 2."

Sister Grace Vincent, of Ladycliff College, Highland Falls, N.Y., said some of the 10 students she escorted had worked for two summers to pay for the trip.

"I really think the government should make an investigation," she said.

Another member of the group, Steven Baines, 16, of Newport News, said, "I'm kind of mad because I don't think we can get our money back."

Earlier in the day, as another group boarded buses for Le Bourget Airport in Paris

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and the trip home, blond Candy Meek, 18, of Firebaugh, Calif., had tears in her eyes.

"I've worked practically all my life in my parents' shoe store to save for this trip," she said. "I wonder if I'll be able to come again."

EDUCATIONAL LABORATORY THEATRE FOR HIGH SCHOOL CHILDREN IN RHODE ISLAND

(Mr. TIERNAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TIERNAN. Mr. Speaker, in 1966 Rhode Island was honored by being selected as one of two districts in the country to test the feasibility of educational laboratory theater for high school children. The experiment was so highly successful that it is being continued with acclamations from students and educators alike. Therefore, Mr. Speaker, I enter this article by Carol Young into the RECORD in order that my colleagues may be able to familiarize themselves with this very worthwhile project:

PROJECT DISCOVERY

(By Carol Young)

A theater project in Rhode Island shows that today's teenagers, brought up in a media-mod world of television and phonograph records, still can be "turned on" by the masterpieces of Eugene O'Neill, Shakespeare, and Chekhov.

More than 41,000 high school students from the State's cities and affluent suburbs, its rural communities and seaports, its ghettos and once-flourishing mill towns are being introduced to dramatic literature by seeing it come alive on the stage.

The massive laboratory theater program, called Project Discovery, was financed with funds from the U.S. Office of Education under titles III and IV of the Elementary and Secondary Education Act (ESEA) of 1965, a grant from the National Endowment for the Arts, and a local foundation grant.

The project was ushered in during the 1966–67 school year with excitement, some trepidation, and a bit of resistance from the hundreds of teachers, school department administrators, and theatrical personnel engaged in carrying out the staggering proposal.

Although the first season experienced its share of growing pains, the voices of critics today are outnumbered in the chorus of enthusiastic applause the project receives from all corners of the State. Logistic kinks have been ironed out, the scope of the project has been expanded, and a network of communications has been established among the 31 participating school districts, the Project Discovery staff, and the theater. Friends of the experimental marriage between classroom and live theater hope that it will result in a permanent bond.

The sheer magnitude of the project sets it apart. Every sophomore, junior, and senior—and a sprinkling of freshmen when possible—in Rhode Island's 72 public, private, and parochial high schools is able to participate. Even the handful of youngsters who attend school on Block Island are flown into Newport and bused into Providence for the performances.

The Trinity Square Repertory Company, which opened in Providence in 1963 and reached international acclaim when it performed in the Edinburgh August Festival tripled its permanent acting cast to 30 to prepare for the backbreaking Project Discovery schedule. The first year the company gave 40 performances along with meeting its regular schedule for matinee and evening paying audiences.

Three plays were given in the 1967–68 season and three in 1968–69. Each year's program offered a variety of works, such as Sean O'Casey's "Red Roses for Me," a drama of the Irish uprising; Shakespeare's "Macbeth"; and an adaptation of the Herman Melville novel of shipboard mutiny, "Billy Budd" by Louis O. Coxe and Robert Chapman.

The project calls for far more than arranging intricate transportation schedules so students can get to the theater for a cultural experience a few times each year. The goal, according to the project sponsors, is to create an understanding and awareness of the role that live professional theater has in America's culture.

Charles A. O'Connor, Jr., former superintendent of the Providence School Department who is now a regional program director for the Office of Education in Denver, Colo., was one of the chief planners for the theater project. He said at the outset his primary goal was to make the theater program an integral part of the English curriculum, "not just a spasmodic attempt to let students see another play."

To accomplish the merger between classroom and live drama, the Project Discovery staff prepares comprehensive portfolios on each play for each of the nearly 600 high school English teachers and drama coaches in the State. The portfolios contain historical information, study guides, reference lists, biographies and pictures of the playwrights, notes from the director and other members of the repertory company, music sheets, pictures and other appropriate material. The kits save considerable preparation time for the teachers and have contributed to the general acceptance of the program by those who originally objected to the loss of their class time and the intrusion into their planned curriculum.

Thousands of paperback editions of each play are purchased for the schools—one book for every four students. Films, tapes, and records are distributed upon request.

In addition to providing supplies and educational aids, a variety of services is offered to the schools throughout the year. For example, in the 1967–68 season, English actress Joan White and Henry Butler, actor-director of an Oscar Wilde comedy, went to 32 schools explaining and illustrating comedy styles. They used a range of scenes from the plays by Shakespeare to those of living playwrights. In a notable single effort, Miss Joanna Featherstone, another actress, gave 41 school performances of American Negro literature.

In that same year, members of the theater company made about 30 school visits to participate in panel discussions and attend drama club meetings, to lecture, and to provide technical and artistic assistance in school productions.

A special featuure that season was the Rhode Show, in which repertory actors toured the schools to teach the element of drama. It included material from Chekhov's "The Marriage Proposal" and Pirandello's "The Man With a Flower in His Mouth"; a section from Masters' "Spoon River Anthology"; and the Lucy song from Brecht's "Threepenny Opera." Segments of the total package varied in length from 5 to 35 minutes and it was possible for schools to select as many segments as could be fitted into class schedules. The schools were asked to limit the audience size to 200 for this project to permit a discussion period.

Still another highlight of one season was a workshop held on six Saturday mornings. In order to permit active participation, attendance was again set at 200 and many had to be turned away. Students heard lectures on choreography, acting fundamentals, makeup, costuming, and the history of the theater, and then explored particular areas of interest.

A total of $675,153 was spent during the first year of the project. This includes $300,000 awarded through title III of ESEA, $170,153 through title IV, $165,000 from the National Endowment for the Arts, and $40,000 from the Foundation for Repertory Theater of Rhode Island, the Trinity Square players' parent organization.

In 1967–68, the total budget dropped slightly to $640,750, including $307,000 from title III, $170,000 from title IV, $123,750 from the Federal arts agency, and $40,000 from the local foundation.

The 1968–69 support was cut back about $100,000 to $544,185 (comprising $250,000 from title III, $154,185 from title IV, $100,000 from the Federal arts agency, and $40,000 from the local foundation). With the end of Federal money, the project plans to operate with local support in 1969–70.

A breakdown of the first year's budget shows how the money was spent: $170,000 in title III funds and $170,153 in title IV funds went to the theater, while the remaining $130,000 in title III support was spent on staff and educational materials and services, including $82,000 for school bus hire.

In addition, $75,000 per year has been awarded for the theater project (under a separate contract supported by title IV funds) to the Central Midwestern Regional Educational Laboratory (CEMREL) of St. Louis, Mo., which is conducting research and assessment of the project for the U.S. Office of Education.

The total allotment from the National Endowment for the Arts went to the theater company, while the local grant was used to rent and renovate a 1,000-seat auditorium since the company's home playhouse was too small.

Looking at the budget another way, the theater company received $505,000 to cover all performance and production costs for approximately 160 performances.

By agreement with 38 other cities and towns in the State, the Providence School Department administers the project. It has the strong endorsement of William P. Robinson, Jr., State commissioner of education.

Rhode Island and New Orleans were the first two places in the country selected in 1966 to try out the 3-year experiment in educational laboratory theater. Los Angeles joined in 1967. Each area has its own variation of the central theme of providing live drama.

To compensate for the cutbacks and yet provide the same services, two grades instead of three attended the three performances in the 1968–69 season. By switching the grade levels around, each student could see two of the three shows. Trinity Square set aside free seats for evening and matinee performances on dates when the paying audiences attended, so pupils could see the one play they missed during the school year.

At the close of the first season the project weathered its only major storm. Controversy swirled when it came time to select the plays for the 1967–68 season because the English teachers demanded a say in the matter and the theater director insisted on reserving the right for himself. The first educational coordinator resigned in the midst of the debate, and a new coordinator, Miss Rose A. Vallely, stepped in to smooth things over.

She smiles now when she recalls the tension of her first few weeks in office during which talking and consultation led to the selection of plays acceptable to both sides. Miss Vallely, who coordinates activities for the school departments, and Richard Cumming, a professional musician who serves as both the theater's composer in residence and its director of educational services, share a small cluttered office in a Providence junior high school. Together they make up the meager "staff," working long days at everything from bus schedules and program planning to researching and compiling the teacher portfolios.

A minor furor developed in the spring of 1967 when officials from one school in North

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Providence refused to send students to see Shakespeare's whimsical farce, "A Midsummer Night's Dream," because the wood-nymphs were considered too scantily dressed. A few eyebrows were raised but the issue quickly passed.

The students' reaction to the project and its effect on them can be measured in a variety of ways, most indicating that they are being "turned on." A good many observers consider the project stimulating and a far better method for teaching dramatic literature than handing out nightly homework reading assignments.

One research report shows that 39.1 percent of the high school pupils, or about 15,500, had never seen a live play before the project's curtain raiser, Shaw's "St. Joan." This exposure is enough to convince many that the project is worthwhile. Nearly 10 percent of the students said they have gone back as paying customers to see the company's evening performances. About 54 percent of the students said they have urged their parents to see plays.

Cumming describes the effect on students this way: "They laugh, they cry, they boo, they hiss. It's divine. They are far more responsive than their parents."

Donald Rock, past president of the State Council of English Teachers, noted that student absenteeism, higher than normal on Project Discovery days at first, has dwindled considerably. Word that the plays were good traveled among the students, he said, and more and more attended.

The students have indicated their feelings about the project in many ways. After two performances the seniors in Westerly, a large town in southern Rhode Island, decided to revive the custom of putting on a school play, a tradition that had been dropped 6 years earlier. Drama clubs have also grown throughout the State.

In South Kingston, the high school dramatics club presented a $20 check to the Trinity Square players as a contribution to the statewide campaign to raise $25,000 to finance the company's trip to Edinburgh for the drama festival. The students said they wanted to show their appreciation to the cast.

Student fan mail, perhaps, tells the story best. "I forgot I was in 1967 and was back in time with you. For a child my age to be completely lost in a play is something; you achieved it," a student wrote.

Another student, saying he was speaking for all students in Providence's Classical High School, wrote, "The classroom reactions to these productions were far more enthusiastic than reactions to more usual topics and the classes immediately preceding and following the plays were among the most rewarding of the school year."

The Rev. Edward W. K. Mullen, superintendent of schools in the Roman Catholic Diocese of Providence, has termed the program "a masterpiece" and praises the vision of its planners.

Still to be determined is how best to teach dramatic literature in the classroom. Teachers are now experimenting with materials to learn whether students gain more out of studying the play before or after the actual experience.

One thing seems to be certain. Project Discovery has unlocked doors rarely entered by educators in the past.

REMARKS OF WM. JENNINGS BRYAN DORN IN SUPPORT OF A BILL TO REDUCE THE UNLAWFUL ENTRY INTO THE UNITED STATES OF HARD NARCOTIC DRUGS

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, I have today cosponsored a proposal aimed at choking off the unlawful entry into the United States of hard narcotic drugs such as heroin, morphine, and cocaine.

The proposal would amend the Foreign Assistance Act of 1961 by authorizing the President to suspend economic or military assistance under foreign aid programs when the President determines that the government of a particular foreign country which receives U.S. foreign aid has failed to take appropriate steps to prevent narcotic drugs produced or processed in that country from illegally entering the United States. The President is also authorized to provide such assistance as he may deem appropriate to assist foreign countries in their efforts to prevent the unlawful entry of narcotic drugs into the United States.

This legislation is needed because the past efforts of the State Department, other Government departments, and international organizations to persuade foreign governments voluntarily to act has proved to have had only limited effect. This legislation would give strong incentive to countries which receive U.S. foreign aid to stop illegal narcotic traffic into this country.

Heroin presently poses the most critical narcotics problem in the United States, especially in our great urban areas. The U.S. Bureau of Narcotics says there are 68,000 known addicts in the United States. Unofficial estimates, however, range spectacularly higher. For example, it is estimated that there are 100,000 heroin addicts in New York City alone. The hard drug morphine, like heroin, is also derived from opium poppy.

Another hard drug problem, albeit less critical than heroin, is posed by cocaine. Cocaine is derived from the coca shrub and originates mainly in Bolivia and Peru. Lately cocaine has been reaching illegal markets in the United States.

Heroin, morphine, and cocaine have in common the fact that they are needed for legitimate medicinal use, but this medicinal necessity in no way requires that the drugs be leaked into illegal markets to enslave our young people.

The urgency of this hard narcotics problem is best illustrated by considering the fantastic illegal profits made by the sale of these drugs in light of the horror of addiction that follows the drugs. In one major U.S. city, according to the Director of the U.S. Bureau of Narcotics and Dangerous Drugs, there were over 900 deaths caused by heroin in 1 year, 224 of them teenagers. Also it is estimated by some officials that the average heroin addict steals $50,000 per year in support of his habit.

Ranged against the personal tragedy of drug addiction is the fantastic profit made by the foreign producers and domestic sellers of the drugs. For instance the Bureau of Narcotics and Dangerous Drugs estimates that 22 pounds of raw opium grown in Turkey and sold to an underworld broker for $350 will produce 45,000 packets containing 5-percent heroin mixed with other substances. Each packet will then sell for $5, for a total value of $225,000. A morphine base worth $80 is said to be worth $15,000 in the United States after it is processed into heroin. These tremendous profits go in part to the foreign producers and even more so to the organized criminal rings in the United States who distribute the drugs to the unfortunate pushers and addicts.

In closing, I might add that the language of the proposal leaves the appropriate flexibility to the President in conducting our Nation's foreign policy. The suspension of foreign aid contemplated by this proposal only follows a determination by the President that the particular foreign government had failed to act, and the suspension may be lifted upon determination by the President that the foreign government has taken the required steps. Also the President is authorized to suspend foreign aid either in whole or in part. The proposal thus strikes the proper balance between the necessity for putting teeth into current U.S. efforts to curb illegal international drug traffic and, on the other hand, the necessity of allowing the President the appropriate flexibility in the conduct of delicate foreign relations.

COMPARATIVE TABLES FOR HOUSE AND SENATE VERSIONS OF OFFICE OF EDUCATION APPROPRIATIONS BILL FOR FISCAL 1971

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, next week the conference committee on the Office of Education appropriations bill for fiscal 1971 will meet to resolve differences between the House and Senate versions of the bill—H.R. 16916.

Among the working papers for the conference will be State-by-State tables setting forth for each program administered by the Office of Education the amounts contained in the two bills passed by the House and Senate for fiscal 1971.

Mr. Speaker, the figures from these tables for my own State of Indiana are most interesting. I believe that, for the most part, the allowances made by the other body will more adequately meet the educational needs of my State as well as the Nation's educational needs as presented in testimony before the Committee on Education and Labor, on which I have the honor to serve.

Mr. Speaker, I hope that the managers of H.R. 16916 for the House—on the basis of the merits of the programs for which the bill makes appropriations—will report back to the House appropriation levels substantially above those contained in the measure we adopted on April 14.

Finally, Mr. Speaker, I include the tables which I have mentioned in the RECORD at this point together with a table on the funding levels for Public Law 874—the impacted areas program—so that Members of the House will be aware of the effects on their States of the differences of appropriations in the allowances in the House and Senate version of the bill.

The material follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF ALABAMA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$34,986,823	$40,184,201	$39,599,049	$45,147,177	$44,397,907
State administrative expenses	349,908	401,842	395,990	451,472	443,979
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					631,084
Supplementary services (ESEA III)	2,893,354	2,040,343	2,070,020	2,375,089	2,604,987
Federally affected areas:					
Maintenance (Public Law 81-874)	9,241,181	9,528,000		7,736,000	12,483,000
Construction (Public Law 81-815)	372,344	328,000		115,000	115,000
Grants to States for school library materials (ESEA II)	840,259	702,195	1,321,780	1,321,780	1,321,780
Strengthening State departments of education (ESEA V):					
Grants to States	531,860	531,860	524,625	524,625	596,821
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,888,098	851,705		428,811	1,883,118
Loans to nonprofit private schools					
State administration	35,243	34,770		34,103	34,103
Guidance, counseling, and testing (NDEA V)	315,250	263,508			360,205
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	51,454,320	54,966,424	44,011,464	58,234,057	64,971,984
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	571,028	571,028	623,847	662,940	642,117
Teacher education and recruitment	488,478				
Research and innovation	150,250				
Subtotal, education for the handicapped	1,209,756	571,028	623,847	662,940	642,117
Vocational and adult education:					
Grants to States (pt. B)	5,898,481	6,850,464	6,850,464	7,964,744	7,104,019
State advisory councils		42,566	42,566	42,566	42,566
Programs for students with special needs (pt. B)		378,489	378,489	445,393	445,393
Research and special project activities (pt. C)	29,598	17,228	470,701	377,256	771,608
Innovation (pt. D)		246,433			302,500
Consumer and homemaking education (pt. F)		333,881	333,881	389,659	556,851
Cooperative education (pt. G)		265,122	452,012	349,223	349,223
Work-study (pt. H)		80,368		104,006	104,006
Adult basic education (Adult Education Act):					
Grants to States	1,072,101	1,199,378	1,357,353	1,357,353	1,357,353
Special projects and teacher education	30,000				
Subtotal, vocational and adult education	7,030,180	9,413,929	9,885,466	11,030,200	11,033,519
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	3,263,130	[1] 915,698	[1] 1,165,470	[1] 902,524	[1] 1,165,470
Work-study and cooperative education (HEA IV-C)	3,540,009	3,771,234	3,927,713	3,888,436	4,277,280
Loans:					
Direct (NDEA II)	2,673,248	2,674,480	2,580,144	3,368,532	3,580,485
Insured:					
Advances for reserve funds					
Interest payments	251,574				
Special programs for the disadvantaged: Talent search	48,471				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	224,435	227,680		155,035	227,680
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	2,032,026				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	679,637	1,037,770			994,972
Other undergraduate facilities (HEFA I—Sec. 104)	3,436,369	433,104			433,104
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	102,579	102,859	88,802	88,802	88,802
Undergraduate instructional equipment (HEA VI-A)	240,351				236,853
College personnel development (NDEA IV; EPDA pt. E)	1,076,100				
Subtotal, higher education	17,617,929	9,212,825	7,812,129	8,453,329	11,054,646
Education professions development:					
Grants to States (EPDA B-2)	297,401	268,458	260,039	260,039	260,039
Personnel development programs	423,950				
Teacher Corps	285,388				
Subtotal, education professions development	1,006,739	268,458	260,039	260,039	260,039
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	633,492	539,187	539,187	633,492	633,492
Interlibrary cooperation (LSCA III)	42,892	42,892	42,892	42,892	42,892
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,251	25,251	25,251	25,251	25,251
Construction (LSCA II)	397,777	144,077		93,652	168,825
College library resources (HEA II-A)	313,692				
Librarian training (HEA II-B)	54,758				
Educational broadcasting facilities					
University community service programs (HEA I)	175,958	175,958		174,707	174,707
Subtotal, community education	1,683,329	966,874	646,839	1,009,503	1,084,676
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	561,688				
Total, Office of Education	80,563,941	75,399,538	63,239,784	79,650,068	89,046,98
Total, Office of Education, comparable basis [2]	74,607,215	75,399,538	63,239,784	79,650,068	89,046,981

See footnotes at end of table.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF ALASKA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$1,725,848	$1,874,230	$1,856,995	$2,116,158	$2,078,549
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					8,185
Pt. C: Special grants for urban and rural schools					16,005
Supplementary services (ESEA III)	547,744	483,700	493,543	518,122	536,705
Federally affected areas:					
Maintenance (Public Law 81-874)	14,731,443	14,681,000		17,317,000	19,420,000
Construction (Public Law 81-815)	918,641	1,293,000		100,000	100,000
Grants to States for school library materials (ESEA II)	66,568	60,232	113,378	113,378	113,378
Strengthening State departments of education (ESEA V):					
Grants to States	242,131	242,131	243,649	243,649	277,642
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	106,156	52,995		26,682	117,173
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	49,999	50,000			50,000
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	18,551,863	19,000,621	2,957,565	20,698,322	22,980,970
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	100,000	100,000	100,000	200,000	200,000
Teacher education and recruitment	73,390				
Research and innovation					
Subtotal, education for the handicapped	173,390	100,000	100,000	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	528,238	403,555	403,555	469,237	418,527
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		22,295	22,295	26,240	26,240
Research and special project activities (pt. C)		15,000	220,277	214,262	45,459
Innovation (pt. D)		203,736			208,247
Consumer and homemaking education (pt. F)		19,668	19,668	22,956	32,806
Cooperative education (pt. G)		205,240	221,781	212,006	212,006
Work-study (pt. H)		7,022		9,088	9,088
Adult basic education (Adult Education Act):					
Grants to States	131,891	136,550	141,802	141,802	141,802
Special projects and teacher education					
Subtotal, vocational and adult education	670,129	1,044,134	1,060,446	1,126,659	1,125,243
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	61,078	[1] 30,246	[1] 38,496	29,811	38,496
Work-study and cooperative education (HEA IV-C)	164,593	130,963	145,638	144,182	158,599
Loans:					
Direct (NDEA II)	67,329	80,562	85,224	111,264	118,265
Insured:					
Advances for reserve funds					
Interest payments	6,941				
Special programs for the disadvantaged: Talent search	40,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	152,468	155,378		150,349	155,378
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	70,000				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		50,000			50,000
Other undergraduate facilities (HEFA I—Sec. 104)	190,628	50,000			50,000
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	28,901	35,400	43,454	43,454	43,454
Undergraduate instructional equipment (HEA VI-A)	8,119				9,210
College personnel development (NDEA IV; EPDA pt. E)	45,800				
Subtotal, higher education	885,857	582,549	362,812	529,060	673,402
Education professions development:					
Grants to States (EPDA B-2)	112,896	114,450	113,728	113,728	113,728
Personnel development programs	423,950				
Teacher Corps	1,500				
Subtotal, education professions development	538,346	114,450	113,728	113,728	113,728
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	136,935	130,406	130,406	139,935	139,935
Interlibrary cooperation (LSCA III)	40,200	40,200	40,200	40,200	40,200
State institutional library services (LSCA IV-A)	6,939	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	3,221	25,017	25,017	25,017	25,017
Construction (LSCA II)	21,765	84,436		80,945	86,150
College library resources (HEA II-A)	41,398				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	105,733	105,733		105,834	105,834
Subtotal, community education	356,191	425,301	235,132	431,440	436,645
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	21,175,776	21,267 055	4,829,683	23,099,209	25,529,988
Total, Office of Education, comparable basis[1]	20,464,678	21,267,055	4,829,683	23,099,209	25,529,988

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF ARIZONA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$9,384,173	$9,614,568	$10,474,927	$10,474,927	$10,474,927
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					46,199
Pt. C: Special grants for urban and rural schools					104,840
Supplementary services (ESEA III)	1,514,678	1,143,854	1,183,395	1,319,269	1,422,818
Federally affected areas:					
Maintenance (Public Law 81-874)	9,187,169	9,158,000		9,450,000	12,542,000
Construction (Public Law 81-815)	1,095,682	175,000		30,000	30,000
Grants to States for school library materials (ESEA II)	422,604	361,721	680,887	680,887	680,887
Strengthening State departments of education (ESEA V):					
Grants to States	368,490	368,490	369,169	369,169	419,533
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	784,359	366,659		184,603	810,682
Loans to nonprofit private schools					
State administration	16,488	16,610		16,785	16,785
Guidance, counseling, and testing (NDEA V)	147,487	125,883			177,286
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	23,071,130	21,580,785	12,958,378	22,775,640	26,975,957
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	224,757	224,757	245,547	260,934	252,738
Teacher education and recruitment	547,590				
Research and innovation	47,119				
Subtotal, education for the handicapped	819,466	224,757	245,547	260,934	252,738
Vocational and adult education:					
Grants to States (pt. B)	2,185,684	2,947,567	2,947,567	3,426,998	3,056,654
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		162,854	162,854	191,640	191,640
Research and special project activities (pt. C)	58,332	15,000	321,349	279,460	332,000
Innovation (pt. D)		220,815			245,948
Consumer and homemaking education (pt. F)		143,660	143,660	167,660	239,597
Cooperative education (pt. G)		229,193		266,893	266,893
Work-study (pt. H)		36,283	312,971	46,954	46,954
Adult basic education (Adult Education Act):					
Grants to States	346,188	379,898	420,118	420,118	420,118
Special projects and teacher education	200,000				
Subtotal, vocational and adult education	2,790,204	4,166,338	4,339,587	4,830,791	4,830,872
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,350,664	[1]639,937	[1]814,491	[1]630,731	[1]814,491
Work-study and cooperative education (HEA IV-C)	1,384,360	1,417,892	1,407,806	1,393,728	1,533,101
Loans:					
Direct (NDEA II)	2,169,754	2,123,484	1,803,139	2,354,105	2,502,228
Insured:					
Advances for reserve funds					
Interest payments	245,961				
Special programs for the disadvantaged: Talent search	138,751				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	177,936	180,964		152,007	180,964
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)					
Language training and area studies	133,600				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	807,119	415,830			388,282
Other undergraduate facilities (HEFA I—Sec. 104)	1,228,671	275,087			275,087
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	58,386	72,487	63,996	63,916	63,916
Undergraduate instructional equipment (HEA VI-A)	163,854				173,892
College personnel development (NDEA IV; EPDA pt. E)	230,933				
Subtotal, higher education	8,139,989	5,175,681	4,139,352	4,644,487	5,981,961
Education professions development:					
Grants to States (EPDA B-2)	181,870	186,777	182,441	182,441	182,441
Personnel development programs	1,363,104				
Teacher Corps	268,764				
Subtotal, education professions development	1,813,738	186,777	182,441	182,441	182,441
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	312,656	275,065	275,065	312,656	312,656
Interlibrary cooperation (LSCA III)	41,153	41,153	41,153	41,153	41,153
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,100	25,100	25,100	25,100	25,100
Construction (LSCA II)	215,407	105,542		85,442	115,407
College library resources (HEA II-A)	202,552				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	134,680	134,680		135,360	135,360
Subtotal, community education	971,057	621,049	380,827	639,220	669,185
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	37,605,584	31,955,387	22,246,132	33,333,513	38,893,154
Total, Office of Education, comparable basis [2]	34,063,356	31,955,387	22,246,132	33,333,513	38,893,154

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF ARKANSAS

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$21,811,725	$24,749,582	$24,389,185	$27,806,296	$27,344,819
State administrative expenses	218,117	247,496	243,892	278,063	273,448
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					365,058
Supplementary services (ESEA III)	1,713,497	1,266,286	1,298,231	1,452,631	1,570,324
Federally affected areas:					
Maintenance (Public Law 81-874)	2,842,356	2,586,000		2,292,000	3,596,000
Construction (Public Law 81-815)	1,245,726				
Grants to States for school library materials (ESEA II)	453,532	380,294	715,848	715,848	715,848
Strengthening State departments of education (ESEA V):					
Grants to States	388,193	388,193	384,783	384,783	438,866
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	886,740	448,166		225,640	990,893
Loans to nonprofit private schools					
State administration	18,499	18,376		18,278	18,278
Guidance, counseling, and testing (NDEA V)	165,473	139,263			193,061
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	29,743,858	30,323,656	27,131,939	33,273,539	35,606,595
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	297,836	297,836	325,385	345,775	334,914
Teacher education and recruitment	298,587				
Research and innovation					
Subtotal, education for the handicapped	596,423	297,836	325,385	345,775	334,914
Vocational and adult education:					
Grants to States (pt. B)	3,404,568	3,693,674	3,693,674	4,294,428	3,830,344
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		204,175	204,175	240,145	240,145
Research and special project activities (pt. C)	41,607	15,000	343,129	293,722	416,035
Innovation (pt. D)		224,551			254,196
Consumer and homemaking education (pt. F)		180,024	180,024	210,096	300,243
Cooperative education (pt. G)		234,433	333,248	278,899	278,899
Work-study (pt. H)		42,330		54,780	54,780
Adult basic education (Adult Education Act):					
Grants to States	631,826	701,583	788,027	788,027	788,027
Special projects and teacher education	150,000				
Subtotal, vocational and adult education	4,228,001	5,326,838	5,573,345	6,191,165	6,193,737
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,656,935	[1] 519,808	[1] 661,595	[1] 512,330	[1] 661,595
Work-study and cooperative education (HEA IV-C)	2,505,616	2,265,627	2,283,439	2,260,605	2,486,665
Loans:					
Direct (NDEA II)	1,830,266	1,788,966	1,464,653	1,912,192	2,032,510
Insured:					
Advances for reserve funds					
Interest payments	64,487				
Special programs for the disadvantaged: Talent search	42,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	189,394	192,476		152,753	192,476
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	648,560				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		557,980			532,626
Other undergraduate facilities (HEFA I—Sec. 104)	2,248,903	240,408			240,408
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	74,074	77,911	67,408	67,408	67,408
Undergraduate instructional equipment (HEA VI-A)	136,490				132,614
College personnel development (NDEA IV; EPDA pt. E)	240,933				
Subtotal, higher education	9,677,658	5,693,176	4,527,095	4,955,288	6,396,302
Education professions development:					
Grants to States (EPDA B-2)	187,861	191,233	186,674	186,674	186,674
Personnel development programs	665,111				
Teacher Corps	267,545				
Subtotal, education professions development	1,121 517	191,233	186,674	186,674	186,674
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	391,716	340,150	340,150	391,716	391,716
Interlibrary cooperation (LSCA III)	41,581	41,581	41,581	41,581	41,581
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,138	25,138	25,138	25,138	25,138
Construction (LSCA II)	346,970	105,542		87,465	128,570
College library resources (HEA II-A)	196,374				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	142,316	142,316		142,062	142,062
Subtotal, community education	1,183,604	694,236	446,378	727,471	768,576
Research and development:					
Educational laboratories	20,067				
Research and development centers					
Subtotal, research and development	20,067				
Civil rights education	441,183				
Total, Office of Education	47,012,311	42,526,975	38,190,816	45,679,912	49,486,798
Total, Office of Education, comparable basis [2]	43,849,974	42,526,975	38,190,816	45,679,912	49,486,798

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF CALIFORNIA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$80,232,375	$96,957,350	$95,547,164	$108,934,051	$107,126,163
State administrative expenses	802,900	969,574	955,472	1,089,341	1,071,262
Pt. B: Special incentive grants					1,042,072
Pt. C: Special grants for urban and rural schools					1,244,122
Supplementary services (ESEA III)	14,180,196	9,681,939	10,050,004	11,648,665	12,862,072
Federally affected areas:					
Maintenance (Public Law 81-874)	76,264,658	74,734,000		61,839,000	97,957,000
Construction (Public Law 81-815)	10,880,448	460,000		739,000	739,000
Grants to States for school library materials (ESEA II)	4,786,011	4,081,360	7,682,559	7,682,559	7,682,559
Strengthening State departments of education (ESEA V):					
Grants to States	1,908,448	1,908,448	1,910,647	1,910,647	2,167,114
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	5,335,635	2,580,066		1,298,994	5,704,519
Loans to nonprofit private schools					
State administration	174,462	175,073		175,210	175,210
Guidance, counseling, and testing (NDEA V)	1,560,552	1,326,826			1,850,605
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	196,125,685	192,974,636	116,245,846	195,415,467	239,521,698
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	2,397,629	2,397,629	2,619,406	2,783,546	2,696,116
Teacher education and recruitment	1,920,604				
Research and innovation	2,210,700				
Subtotal, education for the handicapped	6,528,933	2,397,629	2,619,406	2,783,546	2,696,116
Vocational and adult education:					
Grants to States (pt. B)	18,005,856	23,903,359	23,903,359	27,789,454	24,786,338
State advisory councils		93,203	93,203	93,203	93,203
Programs for students with special needs (pt. B)		1,320,663	1,320,663	1,554,000	1,554,000
Research and special project activities (pt. C)	1,468,244	60,113	1,499,053	1,050,626	2,692,182
Innovation (pt. D)		422,827			691,883
Consumer and homemaking education (pt. F)		1,165,014	1,165,014	1,359,542	1,942,885
Cooperative education (pt. G)		512,513	1,409,368	916,098	916,098
Work-study (pt. H)		390,527		505,388	505,388
Adult basic education (Adult Education Act):					
Grants to States	1,908,201	2,137,446	2,430,216	2,430,216	2,430,216
Special projects and teacher education	224,914				
Subtotal, vocational and adult education	21,607,215	30,005,665	31,820,876	35,698,527	35,612,193
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	11,127,949	[1] 6,548,209	[1] 8,334,349	[1] 6,454,006	[1] 8,334,349
Work-study and cooperative education (HEA IV-C)	13,636,446	12,567,739	13,004,762	12,874,714	14,162,185
Loans:					
Direct (NDEA II)	17,825,858	18,936,036	18,450,766	24,088,575	25,604,260
Insured:					
Advances for reserve funds					
Interest payments	2,567,470				
Special programs for the disadvantaged: Talent search	406,087				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	519,125	523,740		174,223	523,740
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	322,300				
Language training and area studies	2,275,532				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	6,699,777	3,453,412			3,205,727
Other undergraduate facilities (HEFA I—Sec. 104)	15,422,360	3,110,233			3,110,233
Graduate facilities (HEFA II)	2,700,000				
State administration and planning (HEFA I—Sec. 105)	534,541	399,679	300,490	300,490	300,490
Undergraduate instructional equipment (HEA VI-A)	1,577,046				1,642,020
College personnel development (NDEA IV; EPDA pt. E)	7,096,900				
Subtotal, higher education	82,761,391	45,589,048	40,140,367	43,942,008	56,933,004
Education professions development:					
Grants to States (EPDA B-2)	977,178	1,079,123	1,030,190	1,030,190	1,030,190
Personnel development programs	6,201,146				
Teacher Corps	2,546,153				
Subtotal, education professions development	9,724,477	1,079,123	1,030,190	1,030,190	1,030,190
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	2,666,778	2,213,055	2,213,055	2,666,778	2,666,778
Interlibrary cooperation (LSCA III)	53,915	53,915	53,915	53,915	53,915
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	26,210	26,210	26,210	26,210	26,210
Construction (LSCA II)	1,313,062	388,295		145,682	507,365
College library resources (HEA II-A)	2,161,076				
Librarian training (HEA II-B)	703,007				
Educational broadcasting facilities	168,766				
University community service programs (HEA I)	506,766	506,766		506,816	506,816
Subtotal, community education	7,639,089	3,227,750	2,332,689	3,438,910	3,800,593
Research and development:					
Educational laboratories	4,171,896				
Research and development centers	3,242,638				
Subtotal, research and development	7,414,534				
Civil rights education	487,177				
Total, Office of Education	332,288,501	275,273,801	194,189,374	282,310,648	339,593,794
Total, Office of Education, comparable basis[2]	291,305,089	275,273,851	194,189,374	282,310,648	339,593,794

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF COLORADO

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$8,914,233	$9,283,738	$10,069,703	$10,448,857	$10,272,957
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					281,882
Pt. C: Special grants for urban and rural schools					54,067
Supplementary services (ESEA III)	1,767,120	1,307,980	1,360,849	1,525,351	1,650,756
Federally affected areas:					
Maintenance (Public Law 81-874)	12,924,352	12,883,000		10,090,000	16,980,000
Construction (Public Law 81-815)	2,655,971				
Grants to States for school library materials (ESEA II)	541,044	462,359	870,323	870,323	870,323
Strengthening State departments of education (ESEA V):					
Grants to States	430,472	410,474	411,038	411,038	466,110
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	802,055	383,233		192,948	847,328
Loans to nonprofit private schools	3,900				
State administration	19,340	19,673		19,914	19,914
Guidance, counseling, and testing (NDEA V)	259,627	149,094			210,339
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	28,468,114	25,149,551	12,961,913	23,808,431	31,903,676
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	285,258	285,258	311,644	331,173	320,771
Teacher education and recruitment	696,367				
Research and innovation	498,738				
Subtotal, education for the handicapped	1,480,363	285,258	311,644	331,173	320,771
Vocational and adult education:					
Grants to States (pt. B)	2,518,883	3,293,775	3,293,775	3,829,433	3,415,598
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		181,980	181,980	214,143	214,143
Research and special project activities (pt. C)	76,218	15,000	350,908	298,815	370,987
Innovation (pt. D)		225,885			257,141
Consumer and homemaking education (pt. F)		160,534	160,534	187,346	267,733
Cooperative education (pt. G)		236,304	340,489	283,187	283,187
Work-study (pt. H)		45,451		58,819	58,819
Adult basic education (Adult Education Act):					
Grants to States	225,893	275,835	301,102	301,102	301,102
Special projects and teacher education					
Subtotal, vocational and adult education	2,850,994	4,465,832	3,659,856	5,203,913	5,199,778
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,061,131	[1] 880,449	[1] 1,120,607	[1] 867,783	[1] 1,120,607
Work-study and cooperative education (HEA IV-C)	1,823,059	1,697,619	1,775,107	1,757,356	1,933,091
Loans:					
Direct (NDEA II)	2,814,663	2,753,794	2,480,825	3,238,865	3,442,659
Insured:					
Advances for reserve funds					
Interest payments	363,089				
Special programs for the disadvantaged: Talent search	71,586				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	188,629	191,707		152,703	191,707
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	150,000				
Language training and area studies	175,765				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	940,502	483,869			493,581
Other undergraduate facilities (HEFA I—Sec. 104)	1,917,682	351,983			351,983
Graduate facilities (HEFA II)	200,000				
State administration and planning (HEFA I—Sec. 105)	173,128	83,988	77,966	77,966	77,966
Undergraduate instructional equipment (HEA VI-A)	212,102				207,790
College personnel development (NDEA IV; EPDA pt. E)	1,558,200				
Subtotal, higher education	12,699,536	6,493,409	5,504,505	6,144,673	7,869,384
Education professions development:					
Grants to States (EPDA B-2)	231,798	210,921	205,377	205,377	205,377
Personnel development programs	1,597,409				
Teacher Corps	63,615				
Subtotal, education professions development	1,892,822	210,921	205,377	205,377	205,377
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	386,437	335,804	335,804	386,437	386,437
Interlibrary cooperation (LSCA III)	41,553	41,553	41,553	41,553	41,553
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,135	25,135	25,135	25,135	25,135
Construction (LSCA II)	232,842	114,404		87,330	127,691
College library resources (HEA II-A)	354,370				
Librarian training (HEA II-B)	102,866				
Educational broadcasting facilities	338,685				
University community service programs (HEA I)	142,295	142,295		143,844	143,844
Subtotal, community education	1,663,632	698,700	442,001	723,808	764,169
Research and development:					
Educational laboratories	346,000				
Research and development centers					
Subtotal, research and development	346,000				
Civil rights education					
Total, Office of Education	49,401,521	37,303,671	24,085,296	36,417,375	46,263,155
Total, Office of Education, comparable basis [2]	42,672,729	37,303,671	24,085,296	36,417,375	46,263,155

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF CONNECTICUT

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$8,699,833	$11,405,817	$11,237,792	$12,833,308	$12,617,835
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					130,694
Supplementary services (ESEA III)	2,331,546	1,687,122	1,749,460	1,976,658	2,149,925
Federally affected areas:					
Maintenance (Public Law 81–874)	3,265,208	3,255,000		2,868,000	4,397,000
Construction (Public Law 81–815)					
Grants to States for school library materials (ESEA II)	717,392	610,790	1,149,723	1,149,723	1,149,723
Strengthening State departments of education (ESEA V):					
Grants to States	449,925	449,925	450,905	450,905	516,499
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	724,973	336,161		169,248	743,250
Loans to nonprofit private schools					
State administration	26,250	26,375		26,600	26,600
Guidance, counseling, and testing (NDEA V)	234,802	199,884			280,953
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	16,599,929	18,221,074	14,837,880	19,724,442	22,262,479
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	369,463	369,463	403,638	428,931	415,459
Teacher education and recruitment	534,275				
Research and innovation	170,485				
Subtotal, education for the handicapped	1,074,223	369,463	403,638	428,931	415,459
Vocational and adult education:					
Grants to States (pt. B)	2,727,244	3,402,846	3,402,846	3,955,904	3,528,400
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		188,007	188,007	221,216	221,216
Research and special project activities (pt. C)	95,930	15,000	391,358	325,302	383,240
Innovation (pt. D)		232,824			272,457
Consumer and homemaking education (pt. F)		165,851	165,851	193,534	276,576
Cooperative education (pt. G)		246,035	378,146	305,485	305,485
Work-study (pt. H)		56,570		73,208	73,208
Adult basic education (Adult Education Act):					
Grants to States	457,836	503,143	561,073	561,073	561,073
Special projects and teacher education	225,000				
Subtotal, vocational and adult education	3,506,010	4,841,341	5,118,349	5,666,790	5,652,724
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	1,668,912	[1] 801,634	[1] 1,020,294	[1] 790,102	[1] 1,020,294
Work-study and cooperative education (HEA IV–C)	1,597,398	1,593,508	1,679,997	1,663,197	1,829,518
Loans:					
Direct (NDEA II)	2,360,435	2,348,049	2,258,749	2,948,932	3,134,483
Insured:					
Advances for reserve funds					
Interest payments	1,796,129				
Special programs for the disadvantaged: Talent search	70,500				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	257,121	210,285		153,907	210,285
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)					
Language training and area studies	644,664				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	707,988	452,481			436,967
Other undergraduate facilities (HEFA I—Sec. 104)	2,461,717	385,934			385,934
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	91,915	96,574	85,465	85,465	85,465
Undergraduate instructional equipment (HEA VI–A)	163,167				172,663
College personnel development (NDEA IV; EPDA pt. E)	1,583,600				
Subtotal, higher education	13,453,546	5,938,465	5,094,505	5,691,603	7,325,609
Education professions development:					
Grants to States (EPDA B–2)	270,462	246,529	239,206	239,206	239,206
Personnel development programs	523,202				
Teacher Corps	171,534				
Subtotal, education professions development	965,198	246,529	239,206	239,206	239,206
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	514,029	440,842	440,842	514,029	514,029
Interlibrary cooperation (LSCA III)	42,244	42,244	42,244	42,244	42,244
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,195	25,195	25,195	25,195	25,195
Construction (LSCA II)	270,118	129,729		90,595	148,935
College library resources (HEA II–A)	418,350				
Librarian training (HEA II–B)					
Educational broadcasting facilities					
University community service programs (HEA I)	162,263	162,263		162,087	162,087
Subtotal, community education	1,471,708	839,782	547,790	873,659	931,999
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	37,070,614	30,456,654	26,241,368	32,624,631	36,827,476
Total, Office of Education, comparable basis [2]	30,769,708	30,456,654	26,241,368	32,624,631	36,827,476

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF DELAWARE

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$2,520,995	$2,602,240	$2,837,447	$2,837,447	$2,837,447
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					41,200
Pt. C: Special grants for urban and rural schools					22,497
Supplementary services (ESEA III)	714,568	597,711	610,744	654,232	687,250
Federally affected areas:					
Maintenance (Public Law 81-874)	2,000,165	2,109,000		1,987,000	2,453,000
Construction (Public Law 81-815)		801,000		5,158,000	5,158,000
Grants to States for school library materials (ESEA II)	134,057	117,339	220,873	220,873	220,873
Strengthening State departments of education (ESEA V):					
Grants to States	261,718	261,718	263,311	263,311	300,329
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	164,547	82,557		41,565	182,532
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling and testing (NDEA V)	50,000	50,000			55,214
Planning and evaluation		100,000	100,000	200,000	100,000
Subtotal, elementary and secondary education	6,009,383	6,884,898	4,182,375	11,425,761	12,221,675
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	100,000	100,000	100,000	200,000	200,000
Teacher education and recruitment	116,735				
Research and innovation					
Subtotal, education for the handicapped	216,735	100,000	100,000	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	653,244	653,224	653,224	759,433	677,363
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		36,090	36,090	42,468	42,468
Research and special project activities (pt. C)	34,638	15,000	236,560	223,940	73,572
Innovation (pt. D)		206,271			213,843
Consumer and homemaking education (pt. F)		31,837	31,837	37,153	53,095
Cooperative education (pt. G)		208,795	234,036	220,154	220,154
Work-study (pt. H)		10,924		14,137	14,137
Adult basic education (Adult Education Act):					
Grants to States	155,845	162,892	171,929	171,929	171,929
Special projects and teacher education					
Subtotal, vocational and adult education	843,727	1,356,101	1,394,744	1,500,282	1,497,629
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	234,892	[1] 140,312	[1] 178,585	[1] 138,294	[1] 178,585
Work-study and cooperative education (HEA IV-C)	206,977	310,950	349,089	345,598	380,159
Loans:					
Direct (NDEA II)	358,429	358,899	396,355	516,160	548,637
Insured:					
Advances for reserve funds					
Interest payments	28,837				
Special programs for the disadvantaged: Talent search	85,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	157,678	160,612		150,688	160,612
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	117,925				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	75,582	84,324			90,042
Other undergraduate facilities (HEFA I—Sec. 104)	403,675	72,306			72,306
Graduate facilities (HEFA II)	200,000				
State administration and planning (HEFA I—Sec. 105)	53,749	49,416	47,681	47,681	47,681
Undergraduate instructional equipment (HEA VI-A)	26,175				31,536
College personnel development (NDEA IV; EPDA pt. E)	148,400				
Subtotal, higher education	2,147,319	1,226,819	1,021,710	1,248,421	1,559,558
Education professions development:					
Grants to States (EPDA B-2)	125,971	128,150	126,743	126,743	126,743
Personnel development programs					
Teacher Corps	6,744				
Subtotal, education professions development	132,715	128,150	126,743	126,743	126,743
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	172,884	160,000	160,000	172,884	172,884
Interlibrary cooperation (LSCA III)	40,395	40,395	40,395	40,935	40,395
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,034	25,034	25,034	25,034	25,034
Construction (LSCA II)	133,812	88,754		81,865	92,135
College library resources (HEA II-A)	51,466				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	111,098	111,098		111,306	111,306
Subtotal, community education	574,198	464,790	264,938	470,993	481,263
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	137,618				
Total, Office of Education	10,061,695	10,160,758	7,090,510	14,972,200	16,086,868
Total, Office of Education comparable basis [2]	9,142,795	10,160,758	7,090,510	14,972,200	16,086,868

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE DISTRICT OF COLUMBIA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$5,655,271	$6,110,433	$6,344,360	$6,875,664	$6,759,065
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					88,483
Supplementary services (ESEA III)	1,088,238	705,509	719,782	780,861	827,308
Federally affected areas:					
Maintenance (Public Law 81-874)	5,436,944	5,418,000		3,720,000	7,050,000
Construction (Public Law 81-815)	544,264				
Grants to States for school library materials (ESEA II)	167,514	139,372	262,348	262,348	262,348
Strengthening State departments of education (ESEA V):					
Grants to States	273,711	273,711	272,313	272,313	312,497
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	254,359	83,393		41,986	184,382
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	79,191	51,609			73,243
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	13,662,825	13,045,360	7,848,803	12,216,505	15,820,659
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	100,397	100,397	109,684	200,000	200,000
Teacher education and recruitment	534,221				
Research and innovation	1,787,758				
Subtotal, education for the handicapped	2,422,376	100,397	109,684	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	774,982	826,189	826,189	960,380	856,594
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		45,648	45,648	53,705	53,705
Research and special project activities (pt. C)	700,697	15,000	245,895	230,052	93,040
Innovation (pt. D)		207,872			217,378
Consumer and homemaking education (pt. F)		40,267	40,267	46,986	67,145
Cooperative education (pt. G)		211,041	242,726	225,299	225,299
Work-study (pt. H)		13,655		17,671	17,671
Adult basic education (Adult Education Act):					
Grants to States	216,690	231,310	250,179	250,179	250,179
Special projects and teacher education	525,000				
Subtotal, vocational and adult education	2,217,369	1,622,050	1,681,972	1,815,340	1,812,079
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,046,615	[1] 458,426	[1] 583,470	[1] 451,832	[1] 583,470
Work-study and cooperative education (HEA IV-C)	1,079,303	748,751	733,608	726,272	798,898
Loans:					
Direct (NDEA II)	1,624,999	1,592,830	1,291,700	1,686,391	1,792,501
Insured:					
Advances for reserve funds					
Interest payments	3,603,390				
Special programs for the disadvantaged: Talent search	149,635				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	165,197	168,166		151,177	168,166
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	82,557				
Language training and area studies	345,215				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		74,111			76,857
Other undergraduate facilities (HEFA I—Sec. 104)	889,985	153,929			153,929
Graduate facilities (HEFA II)	400,000				
State administration and planning (HEFA I—Sec. 105)	65,934	67,409	63,528	63,528	63,528
Undergraduate instructional equipment (HEA VI-A)	79,610				101,523
College personnel development (NDEA IV; EPDA pt. E)	1,136,919				
Subtotal, higher education	10,719,359	3,313,622	2,722,306	3,129,200	3,788,872
Education professions development:					
Grants to States (EPDA B-2)	132,452	133,436	131,765	131,765	131,765
Personnel development programs	636,278				
Teacher Corps	334,283				
Subtotal, education professions development	1,103,013	133,436	131,765	131,765	131,765
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	224,762	202,708	202,708	224,762	224,762
Interlibrary cooperation (LSCA III)		40,676	40,676	40,676	40,676
State institutional library services (LSCA IV-A)		39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)		25,059	25,059	25,059	25,059
Construction (LSCA II)	138,580	94,985		83,193	100,773
College library resources (HEA II-A)	172,298				
Librarian training (HEA II-B)	49,920				
Educational broadcasting facilities	227,328				
University community service programs (HEA I)	117,437	117,437		117,012	117,012
Subtotal, community education	930,325	520,374	307,952	530,211	547,791
Research and development:					
Educational laboratories	390,000				
Research and development centers					
Subtotal, research and development	390,000				
Civil rights education	152,065				
Total, Office of Education	31,597,332	18,735,239	12,802,482	18,023,021	22,301,166
Total, Office of Education, comparable basis [2]	20,990,855	18,735,239	12,802,482	18,023,021	22,301,166

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF FLORIDA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$32,030,278	$33,005,253	$35,965,703	$35,965,703	$35,965,703
State administrative expenses	320,928	330,053	359,657	359,657	359,657
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					293,167
Supplementary services (ESEA III)	4,389,257	3,182,146	3,355,263	3,863,409	4,251,151
Federally affected areas:					
Maintenance (Public Law 81-874)	17,547,731	17,676,000		14,335,000	22,863,000
Construction (Public Law 81-815)	2,694,363	17,000			
Grants to States for school library materials (ESEA II)	1,358,173	1,178,032	2,217,472	2,217,472	2,217,472
Strengthening State departments of education (ESEA V):					
Grants to States	709,479	709,479	718,370	718,370	822,202
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	2,268,779	1,059,430		533,395	2,342,396
Loans to nonprofit private schools	1,200				
State administration	53,121	54,190		55,120	55,120
Guidance, counseling, and testing (NDEA V)	475,164	410,691			582,188
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	61,848,473	57,722,274	42,716,465	58,148,126	69,852,056
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	736,246	736,246	804,347	854,750	827,903
Teacher education and recruitment	839,519				
Research and innovation	324,353				
Subtotal, education for the handicapped	1,900,118	736,246	804,347	854,750	827,903
Vocational and adult education:					
Grants to States (pt. B)	7,331,487	9,767,350	9,767,350	11,355,250	10,128,125
State advisory councils		60,690	60,690	60,690	60,690
Programs for students with special needs (pt. B)		539,646	539,646	634,989	634,989
Research and special project activities (pt. C)	83,400	24,563	599,050	461,300	1,100,073
Innovation (pt. D)		268,449			351,100
Consumer and homemaking education (pt. F)		476,047	476,047	555,532	793,897
Cooperative education (pt. G)		295,999	571,500	419,975	419,975
Work-study (pt. H)		118,602		153,485	153,485
Adult basic education (Adult Education Act):					
Grants to States	1,040,045	1,159,832	1,312,124	1,312,124	1,312,124
Special projects and teacher education	79,950				
Subtotal, vocational and adult education	8,534,882	12,711,178	13,326,407	14,953,345	14,954,458
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	3,249,260	[1] 1,664,938	[1] 2,119,080	[1] 1,640,987	[1] 2,119,080
Work-study and cooperative education (HEA IV-C)	3,993,543	4,139,255	4,628,227	4,581,945	5,040,139
Loans:					
Direct (NDEA II)	4,509,571	4,468,163	4,691,266	6,124,727	6,510,103
Insured:					
Advances for reserve funds					
Interest payments	180,238				
Special programs for the disadvantaged: Talent search	50,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	264,313	267,743		157,632	267,743
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	851,904				
Language training and area studies	235,182				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,312,667	1,193,372			1,293,421
Other undergraduate facilities (HEFA I—Sec. 104)	3,661,823	766,372			766,372
Graduate facilities (HEFA II)	250,000				
State administration and planning (HEFA I—Sec. 105)	168,491	132,528	112,265	112,265	112,265
Undergraduate instructional equipment (HEA VI-A)	398,154				417,052
College personnel development (NDEA IV; EPDA pt. E)	2,115,413				
Subtotal, higher education	22,290,559	12,682,371	11,600,838	12,667,556	16,576,175
Education professions development:	410,952	382,611	368,487	368,487	368,487
Grants to States (EPDA B-2)	1,512,124				
Personnel development programs	685,906				
Teacher Corps					
Subtotal, education professions development	2,608,982	382,611	368,487	368,487	368,487
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	908,640	765,698	765,698	908,640	908,640
Interlibrary cooperation (LSCA III)	44,384	44,384	44,384	44,384	44,384
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,381	25,381	25,381	25,381	25,381
Construction (LSCA II)	398,742	177,125		100,692	214,637
College library resources (HEA II-A)	553,565				
Librarian training (HEA II-B)	110,327				
Educational broadcasting facilities					
University community service programs (HEA I)	227,490	227,490		231,724	231,724
Subtotal, community education	2,308,038	1,279,587	874,972	1,350,330	1,464,275
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	518,550				
Total, Office of Education	100,009,602	85,514,267	69,661,894	88,312,972	104,043,354
Total, Office of Education, comparable basis [2]	91,304,417	85,514,267	69,661,894	88,312,972	104,043,354

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF GEORGIA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$34,745,771	$39,816,759	$39,236,958	$44,734,354	$43,991,936
State administrative expenses	347,488	398,168	392,370	447,344	439,919
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					435,357
Supplementary services (ESEA III)	3,623,910	2,519,412	2,625,777	3,016,236	3,314,130
Federally affected areas:					
Maintenance (Public Law 81–874)	16,133,291	16,803,000		13,749,000	20,956,000
Construction (Public Law 81–815)	2,309,974	1,598,000		630,637	630,637
Grants to States for school library materials (ESEA II)	1,089,383	923,415	1,738,192	1,738,192	1,738,192
Strengthening State departments of education (ESEA V):					
Grants to States	628,796	628,796	625,028	625,028	709,664
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	2,226,363	999,405		503,174	2,209,681
Loans to nonprofit private schools					
State administration	44,018	43,958		44,096	44,096
Guidance, counseling, and testing (NDEA V)	393,735	333,140			465,750
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	61,542,729	64,163,783	44,718,325	65,588,061	75,135,362
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	682,477	682,477	745,572	792,292	767,406
Teacher education and recruitment	729,543				
Research and innovation	134,110				
Subtotal, education for the handicapped	1,546,130	682,477	745,572	792,292	767,406
Vocational and adult education:					
Grants to States (pt. B)	7,278,364	8,907,572	8,907,572	10,356,448	9,237,260
State advisory councils		55,348	55,348	55,348	55,348
Programs for students with special needs (pt. B)		492,145	492,145	579,137	579,137
Research and special project activities (pt. C)	95,576	22,401	543,043	424,626	1,003,311
Innovation (pt. D)		258,842			329,893
Consumer and homemaking education (pt. F)		434,142	434,142	506,669	724,066
Cooperative education (pt. G)		282,526	519,360	389,101	389,101
Work-study (pt. H)		103,581		134,047	134,047
Adult basic education (Adult Education Act):					
Grants to States	1,352,356	1,515,610	1,719,026	1,719,026	1,719,026
Special projects and teacher education	700,000				
Subtotal, vocational and adult education	9,426,296	12,072,167	12,670,636	14,164,402	14,171,189
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	2,670,339	[1] 1,040,494	[1] 1,324,307	[1] 1,025,525	[1] 1,324,307
Work-study and cooperative education (HEA IV–C)	2,700,025	4,209,230	4,431,514	4,387,199	4,825,919
Loans:					
Direct (NDEA II)	3,242,368	3,182,532	2,931,781	3,827,615	4,068,453
Insured:					
Advances for reserve funds					
Interest payments	538,465				
Special programs for the disadvantaged: Talent search	40,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	240,444	243,763		156,077	243,763
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	2,550,985				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,044,455	1,063,460			1,095,526
Other undergraduate facilities (HEFA I—Sec. 104)	2,587,633	522,714			522,714
Graduate facilities (HEFA II)	200,000				
State administration and planning (HEFA I—Sec. 105)	77,383	120,015	101,923	101,923	101,923
Undergraduate instructional equipment (HEA VI–A)	274,568				257,816
College personnel development (NDEA IV; EPDA pt. E)	1,536,309				
Subtotal, higher education	18,752,974	10,432,208	8,839,525	9,548,339	12,490,421
Education professions development:					
Grants to States (EPDA B–2)	311,043	321,528	310,457	310,457	310,457
Personnel development programs	750,849				
Teacher Corps	397,473				
Subtotal, education professions development	1,459,365	321,528	310,457	310,457	310,457
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	743,951	630,121	630,121	743,951	743,951
Interlibrary cooperation (LSCA III)	43,491	43,491	43,491	43,591	43,491
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,304	25,304	25,304	25,304	25,304
Construction (LSCA II)	357,471	157,345		96,478	187,217
College library resources (HEA II–A)	427,931				
Librarian training (HEA II–B)	218,930				
Educational broadcasting facilities					
University community service programs (HEA I)	196,164	196,164		197,128	197,128
Subtotal, community education	2,052,751	1,091,934	738,425	1,145,861	1,236,600
Research and development:					
Educational laboratories	670,000				
Research and development centers	789,680				
Subtotal, research and development	1,459,680				
Civil rights education	481,623				
Total, Office of Education	96,721,548	88,764,097	68,022,940	91,549,412	104,111,435
Total, Office of Education, comparable basis [2]	86,281,082	88,764,097	68,022,940	91,549,412	104,111,435

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF HAWAII

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$2,215,107	$2,756,538	$2,707,189	$3,107,503	$3,053,441
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					57,633
Pt. C: Special grants for urban and rural schools					32,379
Supplementary services (ESEA III)	556,489	716,722	736,307	800,052	848,535
Federally affected areas:					
Maintenance (Public Law 81-874)	9,520,455	9,490,000		9,264,000	12,354,000
Construction (Public Law 81-815)	1,728,671				
Grants to States for school library materials (ESEA II)	193,833	163,537	307,834	307,834	307,834
Strengthening State departments of education (ESEA V):					
Grants to States	281,390	281,390	280,891	280,891	320,757
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	299,306	148,958		74,997	329,347
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	66,059	58,436			82,633
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	15,024,643	13,878,914	4,282,221	14,098,610	17,649,892
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	113,023	113,023	123,477	200,000	200,000
Teacher education and recruitment					
Research and innovation	131,534				
Subtotal, education for the handicapped	244,557	113,023	123,477	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,032,530	1,281,603	1,281,603	1,490,134	1,329,098
State advisory councils		41,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		70,809	70,809	83,328	83,328
Research and special project activities (pt. C)	25,334	15,000 }	259,896	239,220 {	144,361
Innovation (pt. D)		210,274 }			222,680
Consumer and homemaking education (pt. F)		62,464	62,464	72,902	104,182
Cooperative education (pt. G)		214,409 }	255,761 {	233,108	233,108
Work-study (pt. H)		18,922 }		24,487	24,487
Adult basic education (Adult Education Act):					
Grants to States	235,281	251,540	273,315	273,315	273,315
Special projects and teacher education	120,986				
Subtotal, vocational and adult education	1,414,131	2,156,089	2,234,916	2,447,562	2,445,627
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	275,170	[1] 240,466	[1] 306,057	[1] 237,007	[1] 306,057
Work-study and cooperative education (HEA IV-C)	563,188	509,439	554,236	548,694	603,563
Loans:					
Direct (NDEA II)	319,050	664,557	877,556	884,590	940,250
Insured:					
Advances for reserve funds					
Interest payments	82,795				
Special programs for the disadvantaged: Talent search	66,286				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	162,092	165,047		150,975	165,047
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	185,300				
Language training and area studies	167,132				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	327,314	169,240			171,585
Other undergraduate facilities (HEFA I—Sec. 104)	547,034	108,157			108,157
Graduate facilities (HEFA II)	600,000				
State administration and planning (HEFA I—Sec. 105)	30,490	53,635	49,359	49,359	49,359
Undergraduate instructional equipment (HEA VI-A)	58,366				53,070
College personnel development (NDEA IV; EPDA pt. E)	453,739				
Subtotal, higher education	3,887,956	1,960,541	1,837,208	1,920,625	2,447,088
Education professions development:					
Grants to States (EPDA B-2)	137,551	139,233	137,272	137,272	137,272
Personnel development programs	104,613				
Teacher Corps	282,716				
Subtotal, education professions development	524,880	139,233	137,272	137,272	137,272
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	203,338	185,071	185,071	203,338	203,338
Interlibrary cooperation (LSCA III)	40,560	40,560	40,560	40,560	40,560
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,049	25,049	25,049	25,049	25,049
Construction (LSCA II)	71,358	92,412		82,644	97,206
College library resources (HEA II-A)	112,262				
Librarian training (HEA II-B)	49,920				
Educational broadcasting facilities					
University community service programs (HEA I)	115,728	115,728		116,439	116,439
Subtotal, community education	657,724	498,329	290,189	507,539	522,101
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	21,753,891	18,746,129	8,905,283	19,311,518	23,401,980
Total, Office of Education, comparable basis [2]	19,338,242	18,746,129	8,905,283	19,311,518	23,401,980

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF IDAHO

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$2,947,216	$3,032,174	$3,305,670	$3,305,670	$3,305,670
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B.: Special incentive grants					76,220
Pt. C: Special grants for urban and rural schools					
Supplementary services (ESEA III)	857,190	689,438	702,900	761,255	805,624
Federally affected areas:					
Maintenance (Public Law 81-874)	2,707,913	2,699,000		2,297,000	3,573,000
Construction (Public Law 81-815)	80,850				
Grants to States for school library materials (ESEA II)	180,728	153,059	288,111	288,111	288,111
Strengthening State departments of education (ESEA V):					
Grants to States	283,917	283,917	283,357	283,357	322,446
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	358,140	163,334		82,234	361,131
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	64,750	54,340			75,497
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	7,644,037	7,338,595	4,830,038	7,280,960	9,071,032
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	116,982	116,982	127,803	200,000	200,000
Teacher education and recruitment	134,140				
Research and innovation					
Subtotal, education for the handicapped	251,122	116,982	127,803	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,242,196	1,348,046	1,348,046	1,567,331	1,397,954
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		74,479	74,479	87,664	87,644
Research and special project activities (pt. C)	44,465	15,000	256,007	236,674	151,080
Innovation (pt. D)		209,607			221,207
Consumer and homemaking education (pt. F)		65,703	65,703	76,679	109,580
Cooperation education (pt. G)		213,474	252,140	230,874	230,874
Work-study (pt. H)		16,581		21,458	21,458
Adult basic education (Adult Education Act):					
Grants to States	146,680	153,041	160,663	160,663	160,663
Special projects and teacher education					
Subtotal, vocational and adult education	1,433,341	2,126,999	2,188,106	2,412,391	2,412,288
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	558,213	[1] 258,188	[1] 328,614	[1] 254,474	[1] 328,614
Work-study and cooperative education (HEA IV-C)	639,633	581,865	613,231	607,099	667,808
Loans:					
Direct (NDEA II)	806,240	783,258	727,493	949,785	1,009,547
Insured:					
Advances for reserve funds					
Interest payments	74,845				
Special programs for the disadvantaged: Talent search	40,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	162,907	165,865		151,028	165,865
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	50,000				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	400,064	206,857			210,209
Other undergraduate facilities (HEFA I—Sec. 104)	546,443	112,507			112,507
Graduate facilities (HEFA II)	800,000				
State administration and planning (HEFA I—Sec. 105)	89,308	57,748	52,914	52,914	52,914
Undergraduate instructional equipment (HEA VI-A)	65,137				63,655
College personnel development (NDEA IV; EPDA pt. E)	154,800				
Subtotal, higher education	4,437,590	2,216,288	1,772,252	2,065,300	2,661,119
Education professions development:					
Grants to States (EPDA B-2)	152,799	136,719	134,884	134,884	134,884
Personnel development programs	488,709				
Teacher Corps					
Subtotal, education professions development	641,508	136,719	134,884	134,884	134,884
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	208,959	189,699	189,699	208,959	208,959
Interlibrary cooperation (LSCA III)	40,591	40,591	40,591	40,591	40,591
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,051	25,051	25,051	25,051	25,051
Construction (LSCA II)	131,159	93,087		82,788	98,141
College library resources (HEA II-A)	73,906				
Librarian training (HEA II-B)					
Educational broadcasting facilities	334,605				
University community service programs (HEA I)	115,079	115,079		115,039	115,039
Subtotal, community education	968,859	503,016	294,850	511,937	527,290
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	15,376,457	12,438,599	9,347,933	12,605,472	15,006,613
Total, Office of Education, comparable basis [3]	13,160,315	12,438,599	9,347,933	12,605,472	15,006,613

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF ILLINOIS

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$44,413,015	$53,256,753	$52,482,435	$59,835,625	$58,842,582
State administrative expenses	444,130	532,567	524,824	598,356	588,426
Pt. B.: Special incentive grants					
Pt. C: Special grants for urban and rural schools					544,878
Supplementary services (ESEA III)	8,235,338	5,650,541	5,861,685	6,774,193	7,470,638
Federally affected areas:					
Maintenance (Public Law 81-874)	12,924,988	12,830,000		10,596,000	10,596,000
Construction (Public Law 81-815)	907,187				
Grants to States for school library materials (ESEA II)	2,681,475	2,271,614	4,275,978	4,275,978	4,275,978
Strengthening State departments of education (ESEA V):					
Grants to States	1,056,099	1,056,099	1,057,552	1,057,552	1,217,264
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	3,085,357	1,445,776		727,910	3,196,605
Loans to nonprofit private schools	2,460				
State administration	99,990	100,742		100,958	100,958
Guidance, counseling, and testing (NDEA V)	894,406	763,492			1,066,342
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	74,744,445	78,007,584	64,302,474	84,066,572	87,999,671
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	1,488,885	1,488,885	1,626,605	1,728,534	1,674,241
Teacher education and recruitment	1,499,900				
Research and innovation	918,573				
Subtotal, education for the handicapped	3,907,358	1,488,885	1,626,605	1,728,534	1,674,241
Vocational and adult education:					
Grants to States (pt. B)	10,661,193	12,769,779	12,769,779	14,845,440	13,241,143
State advisory councils		79,345	79,345	79,345	79,345
Programs for students with special needs (pt. B)		705,533	705,533	830,164	830,164
Research and special project activities (pt. C)	397,738	32,114	934,315	680,833	1,438,195
Innovation (pt. D)		325,957			478,047
Consumer and homemaking education (pt. F)		622,382	622,382	726,283	1,037,913
Cooperative education (pt. G)		376,654	833,315	604,788	604,788
Work-study (pt. H)		215,941		279,453	279,453
Adult basic education (Adult Education Act):					
Grants to States	1,460,494	1,633,780	1,854,177	1,854,177	1,854,177
Special projects and teacher education	500,000				
Subtotal, vocational and adult education	13,019,415	16,761,485	17,798,846	19,900,483	19,843,225
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	6,957,766	[1] 3,016,661	[1] 3,839,510	[1] 2,973,263	[1] 3,839,510
Work-study and cooperative education (HEA IV-C)	6,674,449	6,624,079	6,974,245	6,904,502	7,594,953
Loans:					
Direct (NDEA II)	9,003,578	9,290,708	8,499,990	11,097,244	11,795,497
Insured:					
Advances for reserve funds					
Interest payments	1,224,052				
Special programs for the disadvantaged: Talent search	146,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	385,726	389,721		165,537	389,721
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	380,000				
Language training and area studies	1,311,609				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	3,311,412	1,706,263			1,693,326
Other undergraduate facilities (HEFA I—Sec. 104)	7,145,802	1,433,544			1,433,544
Graduate facilities (HEFA II)	1,150,000				
State administration and planning (HEFA I—Sec. 105)	268,425	227,574	185,852	185,852	185,852
Undergraduate instructional equipment (HEA VI-A)	627,907				665,986
College personnel development (NDEA IV; EPDA pt. E)	4,050,300				
Subtotal, higher education	42,687,026	22,738,550	19,549,597	21,376,398	27,648,389
Education professions development:					
Grants to States (EPDA B-2)	701,085	644,963	617,727	617,727	617,727
Personnel development programs	2,187,500				
Teacher Corps	1,238,523				
Subtotal, education professions development	4,127,108	644,963	617,727	617,727	617,727
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	1,746,355	1,455,333	1,455,333	1,746,355	1,746,355
Interlibrary cooperation (LSCA III)	48,925	48,925	48,925	48,925	48,925
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,776	25,776	25,776	25,776	25,776
Construction (LSCA II)	1,653,747	277,743		122,129	354,115
College library resources (HEA II-A)	1,001,350				
Librarian training (HEA II-B)	503,663				
Educational broadcasting facilities					
University community service programs (HEA I)	333,347	333,347		332,436	332,436
Subtotal, community education	5,352,672	2,180,633	1,569,543	2,315,130	2,547,116
Research and development:					
Educational laboratories	240,489				
Research and development centers	1,707,213				
Subtotal, research and development	1,947,702				
Civil rights education					
Total, Office of Education	145,785,726	121,822,100	105,464,792	130,004,844	140,330,369
Total, Office of Education, comparable basis [2]	127,098,647	121,822,100	105,464,792	130,004,844	140,330,369

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF INDIANA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$15,015,004	$17,081,476	$16,832,741	$19,191,136	$18,872,637
State administrative expenses	150,191	170,814	168,327	191,911	188,726
Pt. B.: Special incentive grants					237,382
Pt. C: Special grants for urban and rural schools					71,160
Supplementary services (ESEA III)	3,974,139	2,766,361	2,868,526	3,298,148	3,625,941
Federally affected areas:					
Maintenance (Public Law 81–874)	4,159,363	4,146,000		3,202,000	5,468,000
Construction (Public Law 81–815)	157,850				
Grants to States for school library materials (ESEA II)	1,286,642	1,090,524	2,052,751	2,052,751	2,052,751
Strengthening State departments of education (ESEA V):					
Grants to States	630,850	664,602	662,709	662,709	753,065
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,950,699	889,093		447,635	1,965,782
Loans to nonprofit private schools					
State administration	48,185	48,281		48,292	48,292
Guidance, counseling, and testing (NDEA V)	431,016	365,908			510,072
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	27,803,939	27,323,059	22,685,054	29,194,582	33,893,808
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	745,215	745,215	814,147	865,164	837,989
Teacher education and recruitment	615,356				
Research and innovation	825,309				
Subtotal, education for the handicapped	2,185,880	745,215	814,147	865,164	837,989
Vocational and adult education:					
Grants to States (pt. B)	6,364,257	7,431,298	7,431,298	8,639,563	7,705,912
State advisory councils		46,175	46,175	46,175	46,175
Programs for students with special needs (pt. B)		410,579	410,579	483,127	483,127
Research and special project activities (pt. C)	172,804	18,688	562,490	437,360	836,983
Innovation (pt. D)		262,178			337,256
Consumer and homemaking education (pt. F)		362,189	362,189	422,673	604,030
Cooperative education (pt. G)		287,204	537,464	399,821	399,821
Work-study (pt. H)		105,922		137,076	137,076
Adult basic education (Adult Education Act):					
Grants to States	568,749	630,936	707,229	707,229	707,229
Special projects and teacher education	120,000				
Subtotal, vocational and adult education	7,225,810	9,555,169	10,057,424	11,273,024	11,257,609
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	3,980,453	[1] 1,585,291	[1] 2,017,708	[1] 1,562,485	[1] 2,017,708
Work-study and cooperative education (HEA IV–C)	2,626,683	3,548,133	3,600,674	3,564,667	3,921,134
Loans:					
Direct (NDEA II)	5,348,259	5,231,415	4,466,846	5,831,734	6,198,675
Insured:					
Advances for reserve funds					
Interest payments	483,347				
Special programs for the disadvantaged: Talent search	48,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	257,471	260,870		157,186	260,870
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	286,887				
Language training and area studies	780,439				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,044,962	1,050,631			1,049,243
Other undergraduate facilities (HEFA I—Sec. 104)	3,483,714	717,108			717,108
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	170,805	129,751	115,084	115,084	115,084
Undergraduate instructional equipment (HEA VI–A)	360,578				360,293
College personnel development (NDEA IV; EPDA pt. E)	2,725,327				
Subtotal, higher education	22,646,925	12,573,199	10,250,312	11,281,156	14,690,115
Education professions development:					
Grants to States (EPDA B–2)	349,257	361,618	348,543	348,543	348,543
Personnel development programs	1,077,531				
Teacher Corps	303,628				
Subtotal, education professions development	1,730,416	361,618	348,543	348,543	348,543
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	861,433	726,836	726,836	861,433	861,433
Interlibrary cooperation (LSCA III)	44,128	44,128	44,128	44,128	44,128
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,359	25,359	25,359	25,359	25,359
Construction (LSCA II)	206,881	171,455		99,484	206,777
College library resources (HEA II–A)	527,165				
Librarian training (HEA II–B)	574,301				
Educational broadcasting facilities	468,770				
University community service programs (HEA I)	207,111	207,111		207,436	207,436
Subtotal, community education	2,954,657	1,214,398	835,832	1,277,349	1,384,642
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	65,184				
Total, Office of Education	64,612,811	51,772,658	44,991,312	54,239,818	62,412,706
Total, Office of Education, comparable basis [2]	55,470,989	51,772,658	44,991,312	54,239,818	62,412,706

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES OBLIGATIONS IN THE STATE OF IOWA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$14,591,865	$15,057,157	$15,939,698	$16,916,803	$16,636,049
State administrative expenses	150,000	150,571	159,397	169,168	166,360
Pt. B: Special incentive grants					436,436
Pt. C: Special grants for urban and rural schools					73,585
Supplementary services (ESEA III)	2,292,488	1,648,450	1,687,138	1,904,281	2,069,872
Federally affected areas:					
Maintenance (Public Law 81–874)	2,653,905	2,596,000		1,782,000	3,380,000
Construction (Public Law 81–815)	670,028				
Grants to States for school library materials (ESEA II)	722,942	612,734	1,153,382	1,153,382	1,153,382
Strengthening State departments of education (ESEA V):					
Grants to States	461,077	461,077	460,360	460,360	523,765
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,119,359	486,312		244,845	1,075,234
Loans to nonprofit private schools					
State administration	26,323	26,194		25,924	25,924
Guidance, counseling, and testing (NDEA V)	235,455	198,519			273,816
Planning and evaluation		100,000	100,000	100,000	100:000
Subtotal, elementary and secondary education	22,923,442	21,337,014	19,499,975	22,756,763	25,914,423
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	432,885	432,885	472,926	502,561	486,776
Teacher education and recruitment	391,785				
Research and innovation	356,003				
Subtotal, education for the handicapped	1,180,673	432,885	472,926	502,561	486,776
Vocational and adult education:					
Grants to States (pt. B)	4,228,808	4,198,015	4,198,015	4,880,671	4,353,233
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		231,941	231,941	272,930	272,930
Research and special project activities (pt. C)	24,615	15,000			472,829
Innovation (pt. D)		234,958	403,804	333,451	277,170
Consumer and homemaking education (pt. F)		204,606	204,606	238,776	341,230
Cooperative education (pt. G)		249,029		312,346	312,346
Work-study (pt. H)		59,496	389,733	76,995	76,995
Adult basic education (Adult Education Act):					
Grants to States	284,335	309,838	339,991	339,991	339,991
Special projects and teacher education					
Subtotal, vocational and adult education	4,537,758	5,533,951	5,799,158	6,486,228	6,477,792
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	3,185,784	[1] 1,073,409	[1] 1,366,200	[1] 1,057,967	[1] 1,366,200
Work-study and cooperative education (HEA IV–C)	2,146,018	2,567,000	2,628,434	2,602,150	2,862,365
Loans:					
Direct (NDEA II)	3,611,023	3,656,333	3,024,524	3,948,696	4,197,154
Insured:					
Advances for reserve funds					
Interest payments	286,147				
Special programs for the disadvantaged: Talent search	40,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	212,383	215,572		154,250	215,572
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	795,105				
Language training and area studies	65,312				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,383,909	712,803			736,107
Other undergraduate facilities (HEFA I—Sec. 104)	2,136,021	437,700			437,700
Graduate facilities (HEFA II)	675,000				
State administration and planning (HEFA I—Sec. 105)	99,713	109,775	94,665	94,665	94,665
Undergraduate instructional equipment (HEA VI–A)	244,835				234,618
College personnel development (NDEA IV; EPDA pt. E)	1,313,075				
Subtotal, higher education	16,244,325	8,822,592	7,163,823	7,907,728	10,194,381
Education professions development:					
Grants to States (EPDA B–2)	180,053	246,996	239,649	239,649	239,649
Personnel development programs	535,761				
Teacher Corps	369,241				
Subtotal, education professions development	1,085,055	246,996	239,649	239,649	239,649
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	550,334	199,402	199,402	550,334	550,334
Interlibrary cooperation (LSCA III)	42,441	42,441	42,441	42,441	42,441
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,212	25,212	25,212	25,212	25,212
Construction (LSCA II)	506,923	159,521		91,524	154,980
College library resources (HEA II–A)	422,878				
Librarian training (HEA II–B)	40,024				
Educational broadcasting facilities	316,617				
University community service programs (HEA I)	159,710	159,710		158,862	158,862
Subtotal, community education	2,103,648	625,795	306,564	907,882	971,338
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	48,074,901	36,999,233	33,482,095	38,800,811	44,284,359
Total, Office of Education, comparable basis [2]	42,223,118	36,999,233	33,482,095	38,800,811	44,284,359

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF KANSAS

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$9,784,956	$10,497,614	$10,742,914	$11,812,655	$11,614,121
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					129,762
Pt. C: Special grants for urban and rural schools					48,127
Supplementary services (ESEA III)	1,942,094	1,422,144	1,457,201	1,637,248	1,774,519
Federally affected areas:					
Maintenance (Public Law 81–874)	8,664,572	8,642,000		7,543,000	11,496,000
Construction (Public Law 81–815)	573,750	63,000			
Grants to States for school library materials (ESEA II)	556,782	465,110	875,502	875,502	875,502
Strengthening State departments of education (ESEA V):					
Grants to States	414,425	414,425	410,248	410,248	467,956
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	893,721	415,179		209,031	917,959
Loans to nonprofit private schools					
State administration	21,680	21,727		21,550	21,550
Guidance, counseling, and testing (NDEA V)	291,036	164,659			227,617
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	23,293,016	22,355,858	13,735,865	22,759,234	27,823,113
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	338,673	338,673	370,000	393,185	380,835
Teacher education and recruitment	780,110				
Research and innovation	299,868				
Subtotal, education for the handicapped	1,418,651	338,673	370,000	393,185	380,835
Vocational and adult education:					
Grants to States (pt. B)	3,180,467	3,598,952	3,598,952	4,184,173	3,732,002
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		198,841	198,841	233,980	233,980
Research and special project activities (pt. C)	49,833	15,000	364,910	307,984	405,354
Innovation (pt. D)		228,287			262,443
Consumer and homemaking education (pt. F)		175,408	175,408	204,702	292,534
Cooperative education (pt. G)		239,672	353,525	290,906	290,906
Work-study (pt. H)		48,767		63,110	63,110
Adult basic education (Adult Education Act):					
Grants to States	260,619	282,224	308,480	308,408	308,408
Special projects and teacher education					
Subtotal, vocational and adult education	3,490,919	4,818,219	5,021,112	5,624,331	5,619,805
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	3,070,461	[1] 872,547	[1] 1,110,550	[1] 859,994	[1] 1,110,550
Work-study and cooperative education (HEA IV–C)	2,015,111	1,948,114	1,931,768	1,912,450	2,103,696
Loans:					
Direct (NDEA II)	3,249,036	3,198,452	2,458,559	3,209,795	3,411,760
Insured:					
Advances for reserve funds					
Interest payments	98,308				
Special programs for the disadvantaged: Talent search	39,000				
Institutional assistance:					
Aid to lang-grant colleges:					
Annual	198,680	201,805		153,358	201,805
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	743,747				
Language training and area studies	218,743				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,051,377	531,076			562,089
Other undergraduate facilities (HEFA I—Sec. 104)	1,723,101	350,022			350,022
Graduate facilities (HEFA II)	150,000				
State administration and planning (HEFA I—Sec. 105)	89,473	99,770	87,151	87,151	87,151
Undergraduate instructional equipment (HEA VI–A)	208,085				
College personnel development (NDEA IV; EPDA pt. E)	1,398,500				
Subtotal, higher education	14,303,531	7,251,786	5,638,028	6,272,748	7,877,073
Education professions development:					
Grants to States (EPDA B–2)	207,864	211,581	206,004	206,004	206,004
Personnel development programs	336,778				
Teacher Corps					
Subtotal, education professions development	544,642	211,581	206,004	206,004	206,004
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	455,789	392,897	392,897	455,789	455,789
Interlibrary cooperation (LSCA III)	41,929	41,929	41,929	41,929	41,929
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,168	25,168	25,168	25,168	25,168
Construction (LSCA II)	201,413	122,734		89,104	139,238
College library resources (HEA II–A)	414,277				
Librarian training (HEA II–B)	146,541				
Educational broadcasting facilities	268,809				
University community service programs (HEA I)	149,218	149,218		148,596	148,596
Subtotal, community education	1,742,653	771,455	499,503	800,095	850,229
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	44,793,412	35,747,572	25,480,512	36,055,597	42,757,059
Total, Office of Education, comparable basis [2]	39,690,646	35,747,572	24,480,512	36,055,597	42,757,059

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF KENTUCKY

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$30,207,987	$34,326,959	$35,452,207	$40,419,331	$39,748,525
State administrative expenses	302,084	343,269	354,522	404,193	397,485
Pt. B.: Special incentive grants					
Pt. C: Special grants for urban and rural schools					603,821
Supplementary services (ESEA III)	2,622,860	1,849,465	1,901,271	2,153,182	2,359,545
Federally affected areas:					
Maintenance (Public Law 81-874)	8,407,184	9,477,000		8,139,000	10,626,000
Construction (Public Law 81-815)	230,278	127,000		48,500	48,500
Grants to States for school library materials (ESEA II)	759,127	641,127	1,206,827	1,206,827	1,206,827
Strengthening State departments of education (ESEA V):					
Grants to States	477,508	477,508	475,514	475,514	544,103
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,581,651	697,959		351,404	1,543,185
Loans to nonprofit private schools					
State administration	30,673	30,230		30,014	30,014
Guidance, counseling, and testing (NDEA V)	274,372	229,102			317,011
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	44,893,724	48,299,619	39,490,341	53,327,965	57,425,116
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	509,972	509,972	557,144	592,056	573,460
Teacher education and recruitment	387,755				
Research and innovation	343,102				
Subtotal, education for the handicapped	1,240,829	509,972	557,144	592,056	573,460
Vocational and adult education:					
Grants to States (pt. B)	5,602,669	6,212,161	6,212,161	7,222,590	6,442,067
State advisory councils		38,600	38,600	38,600	38,600
Programs for students with special needs (pt. B)		343,223	343,223	403,891	403,891
Research and special project activities (pt. C)	43,070	15,623	441,919	358,410	699,709
Innovation (pt. D)		241,497			291,602
Consumer and homemaking education (pt. F)		302,771	302,771	353,349	504,964
Cooperation education (pt. G)		258,198	425,218	333,357	333,357
Work-study (pt. H)		72,761		94,161	94,161
Adult basic education (Adult Education Act):					
Grants to States	910,457	1,019,688	1,151,842	1,151,842	1,151,842
Special projects and teacher education	477,989				
Subtotal, vocational and adult education	7,034,185	8,504,522	8,915,734	9,956,200	9,960,193
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,828,376	[1] 870,849	[1] 1,108,388	[1] 858,320	[1] 1,108,388
Work-study and cooperative education (HEA IV-C)	3,124,716	3,312,872	3,224,149	3,191,908	3,511,098
Loans:					
Direct (NDEA II)	3,014,967	2,932,428	2,453,774	3,203,548	3,405,119
Insured:					
Advances for reserve funds					
Interest payments	148,217				
Special programs for the disadvantaged: Talent search					
Institutional assistance:	117,000				
Aid to land-grant colleges:					
Annual	219,025	222,244		154,683	222,244
Permanent		50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	864,600				
Language training and area studies	13,415				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,338,963	927,912			759,894
Other undergraduate facilities (HEFA I—Sec. 104)	3,034,025	402,793			402,793
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	84,070	103,380	85,668	85,668	85,668
Undergraduate instructional equipment (HEA VI-A)	233,537				222,369
College personnel development (NDEA IV; EPDA pt. E)	668,600				
Subtotal, higher education	15,689,511	8,822,478	6,921,979	7,544,127	9,767,573
Education professions development:					
Grants to States (EPDA B-2)	247,063	253,807	246,120	246,120	246,120
Personnel development programs	452,063				
Teacher Corps	671,384				
Subtotal, education professions development	1,370,510	253,807	246,120	246,120	246,120
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	596,161	508,456	508,456	596,161	596,161
Interlibrary cooperation (LSCA III)	4,235	42,690	42,690	42,690	42,690
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,234	25,234	25,234	25,234	25,234
Construction (LSCA II)	158,205	139,594		92,696	162,610
College library resources (HEA II-A)	309,262				
Librarian training (HEA II-B)	183,946				
Educational broadcasting facilities					
University community service programs (HEA I)	168,818	159 710		168,386	168,386
Subtotal, community education	1,485,370	915,193	615,889	964,676	1,034,590
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	5,912				
Total, Office of Education	71,720,041	67,305,591	56,747,207	72,631,144	79,007,052
Total, Office of Education, comparable basis [2]	66,843,259	67,305,591	56,747,207	72,631,144	79,007,052

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF LOUISIANA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$30,428,619	$34,326,959	$33,827,100	$38,566,534	$37,926,477
State administrative expenses	304,314	343,270	338,271	385,665	379,265
Pt. B: Special incentive grants					1,130,256
Pt. C: Special grants for urban and rural schools					468,034
Supplementary services (ESEA III)	3,074,668	2,150,754	2,228,360	2,554,704	2,803,651
Federally affected areas:					
Maintenance (Public Law 81-874)	3,447,717	666,000		2,671,000	4,483,000
Construction (Public Law 81-815)	351,676	813,574			
Grants to States for school library materials (ESEA II)	954,621		1,531,433	1,531,433	1,531,433
Strengthening State departments of education (ESEA V):					
Grants to States	535,430	535,430	536,860	536,860	611,269
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,806,533	912,117		459,227	2,016,688
Loans to nonprofit private schools					
State administration	37,949	37,976		37,908	37,908
Guidance, counseling, and testing (NDEA V)	339,449	287,811			400,395
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	41,280,976	40,173,891	38,562,024	46,843,331	51,888,376
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	570,824	570,824	623,624	662,703	641,887
Teacher education and recruitment	346,923				
Research and innovation	8,270				
Subtotal, education for the handicapped	926,017	570,824	623,624	662,703	641,887
Vocational and adult education:					
Grants to States (pt. B)	5,587,332	7,152,052	7,152,052	8,315,482	7,416,855
State advisory councils		44,440	44,440	44,440	44,440
Programs for students with special needs (pt. B)		395,150	395,150	465,005	465,005
Research and special project activities (pt. C)	5,430	17,986	485,418	386,934	805,586
Innovation (pt. D)		248,969			308,097
Consumer and homemaking education (pt. F)		348,579	348,579	406,818	581,373
Cooperation education (pt. G)		268,678	465,771	357,370	357,370
Work-study (pt. H)		84,660		109,560	109,560
Adult basic education (Adult Education Act):					
Grants to States	1,266,373	1,414,980	1,603,937	1,603,937	1,603,937
Special projects and teacher education					
Subtotal, vocational and adult education	6,859,135	9,975,494	10,495,410	11,689,546	11,692,223
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,533,113	1,028,548	[1] 1,309,103	[1] 1,013,751	[1] 1,309,103
Work-study and cooperative education (HEA IV-C)	3,081,348	3,778,457	3,810,300	3,772,197	4,149,416
Loans:					
Direct (NDEA II)	3,345,928	3,523,681	2,898,121	3,783,670	4,021,743
Insured:					
Advances for reserve funds					
Interest payments	182,628				
Special programs for the disadvantaged: Talent search	56,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	224,205	227,449		155,020	227,449
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,089,051				
Language training and area studies	203,255				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	306,071	939,932			904,989
Other undergraduate facilities (HEFA I—Sec. 104)	5,111,837	479,452			479,452
Graduate facilities (HEFA II)	250,000				
State administration and planning (HEFA I—Sec. 105)	160,233	101,494	84,399	84,399	84,399
Undergraduate instructional equipment (HEA VI-A)	272,955				265,319
College personnel development (NDEA IV; EPDA pt. E)	1,330,908				
Subtotal, higher education	18,197,532	10,129,013	8,151,923	8,859,037	11,491,870
Education professions development:					
Grants to States (EPDA B-2)	322,474	295,177	285,423	385,423	285,423
Personnel development programs	611,791				
Teacher Corps	168,072				
Subtotal, education professions development	1,102,337	295,177	285,423	285,423	285,423
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	631,904	537,881	537,881	631,904	631,904
Interlibrary cooperation (LSCA III)	42,883	42,883	42,883	42,883	42,883
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,251	25,251	25,251	25,251	25,251
Construction (LSCA II)	229,744	143,887		93,611	168,561
College library resources (HEA II-A)	308,819				
Librarian training (HEA II-B)	182,226				
Educational broadcasting facilities					
University community service programs (HEA I)	178,251	178,251		178,695	178,695
Subtotal, community education	1,638,587	967,662	645,524	1,011,853	1,086,803
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	281,793				
Total, Office of Education	70,286,377	62,112,061	58,763,928	69,351,893	77,086,582
Total, Office of Education, comparable basis [2]	64,993,686	62,112,061	58,763,928	69,351,893	77,086,582

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES

OBLIGATIONS IN THE STATE OF MAINE

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$3,351,971	$3,884,709	$3,818,868	$4,374,936	$4,299,840
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					23,559
Pt. C: Special grants for urban and rural schools					4,333
Supplementary services (ESEA III)	964,066	804,617	818,387	895,373	953,965
Federally affected areas:					
Maintenance (Public Law 81-874)	2,594,464	2,586,000		2,533,000	3,451,000
Construction (Public Law 81-815)		22,000			
Grants to States for school library materials (ESEA II)	253,111	213,526	401,930	401,930	401,930
Strengthening State departments of education (ESEA V):					
Grants to States	303,881	303,881	303,030	303,030	345,285
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	436,944	194,993		98,174	431,129
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	82,737	69,359			96,155
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	8,150,507	8,342,418	5,592,215	8,869,776	10,270,529
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	153,967	153,967	168,209	200,000	200,000
Teacher education and recruitment	155,543				
Research and innovation					
Subtotal, education for the handicapped	309,510	153,967	168,209	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,539,144	1,714,714	1,714,714	1,993,561	1,778,124
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		94,738	94,738	111,481	111,481
Research and special project activities (pt. C)		15,000	270,009	245,842	193,132
Innovation (pt. D)		212,009			226,509
Consumer and homemaking education (pt. F)		83,572	83,572	97,530	139,379
Cooperation education (pt. G)		216,842	265,176	238,592	238,592
Work-study (pt. H)		20,677		26,759	26,759
Adult basic education (Adult Education Act):					
Grants to States	192,097	204,502	219,519	219,519	219,519
Special projects and teacher education					
Subtotal, vocational and adult education	1,731,241	2,593,122	2,678,796	2,964,352	2,964,573
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	666,632	248,553	[1] 316,350	[1] 244,977	[1] 316,350
Work-study and cooperative education (HEA IV-C)	797,691	744,348	786,502	778,637	856,501
Loans:					
Direct (NDEA II)	780,846	758,059	700,343	914,340	971,872
Insured:					
Advances for reserve funds					
Interest payments	147,253				
Special programs for the disadvantaged: Talent search					
Institutional assistance:					
Aid to land-grant colleges:					
Annual	170,056	173,048		151,494	173,048
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	120,300				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	548,214	283,459			289,229
Other undergraduate facilities (HEFA I—Sec. 104)	620,484	129,423			129,423
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	85,786	65,833	58,654	58,654	58,654
Undergraduate instructional equipment (HEA VI-A)	53,126				61,581
College personnel development (NDEA IV; EPDA pt. E)	181,619				
Subtotal, higher education	4,222,007	2,452,723	1,911,849	2,198,102	2,906,658
Education professions development:					
Grants to States (EPDA B-2)	149,034	151,225	148,665	148,665	148,665
Personnel development programs	60,991				
Teacher Corps					
Subtotal, education professions development	210,025	151,225	148,665	148,665	148,665
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	258,291	230,310	230,310	258,291	258,291
Interlibrary cooperation (LSCA III)	40,858	40,858	40,858	40,858	40,858
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,075	25,075	25,075	25,075	25,075
Construction (LSCA II)	106,355	99,012		84,051	106,355
College library resources (HEA II-A)	143,115				
Librarian training (HEA II-B)					
Educational broadcasting facilities	72,216				
University community service programs (HEA I)	121,158	121,158		120,745	120,745
Subtotal, community education	806,577	555,922	335,752	568,529	590,833
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	15,429,867	14,249,377	10,835,486	14,949,424	17,081,248
Total, Office of Education, comparable basis [2]	14,495,704	14,249,377	10,835,486	14,949,424	17,081,248

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MARYLAND

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$14,445,834	$18,207,980	$17,942,957	$20,456,903	$20,117,396
State administrative expenses	150,000	182,079	179,430	204,569	201,174
Pt. B: Special incentive grants					233,380
Pt. C: Special grants for urban and rural schools					213,300
Supplementary services (ESEA III)	2,887,002	2,088,229	2,157,621	2,472,552	2,712,786
Federally affected areas:					
Maintenance (Public Law 81–874)	25,867,892	25,785,000		18,640,000	33,565,000
Construction (Public Law 81–815)	494,236	23,000			
Grants to States for school library materials (ESEA II)	936,620	805,571	1,516,369	1,516,369	1,516,369
Strengthening State departments of education (ESEA V):					
Grants to States	529,969	529,969	534,643	534,643	609,122
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,312,943	607,549		305,885	1,343,290
Loans to nonprofit private schools	12,890				
State administration	34,987	35,310		35,312	35,312
Guidance, counseling, and testing (NDEA V)	312,960	267,604			372,976
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	46,985,333	48,632,291	22,431,020	44,266,233	61,020,105
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	493,874	493,874	539,556	573,367	555,357
Teacher education and recruitment	376,451				
Research and innovation	426,695				
Subtotal, education for the handicapped	1,297,020	493,874	539,556	573,367	555,357
Vocational and adult education:	4,084,864	5,241,683	5,241,683	6,094,001	5,435,441
Grants to States (pt. B)		32,570	32,570	32,570	32,570
State advisory councils		289,602	289,602	340,780	340,780
Programs for students with special needs (pt. B)	128,787	15,000	462,144	371,653	590,374
Research and special project activities (pt. C)		244,966			299,260
Innovation (pt. D)		255,472	255,472	298,137	426,059
Consumer and homemaking education (pt. F)		263,064	444,046	344,506	344,506
Cooperation education (pt. G)		78,808		101,986	101,986
Work-study (pt. H)					
Adult basic education (Adult Education Act):	615,676	682,321	765,998	765,998	765,998
Grants to States	53,331				
Special projects and teacher education					
Subtotal, vocational and adult education	4,882,658	7,103,486	7,491,515	8,349,631	8,336,974
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	1,670,392	[1]941,773	[1]1,198,658	[1]928,225	[1]1,198,658
Work-study and cooperative education (HEA IV–C)	1,547,538	2,283,450	2,418,293	2,394,110	2,633,521
Loans:					
Direct (NDEA II)	2,346,063	2,785,347	2,653,616	3,464,454	3,682,442
Insured:					
Advances for reserve funds					
Interest payments	234,680				
Special programs for the disadvantaged: Talent search					
Institutional assistance:					
Aid to land-grant colleges:					
Annual	220,505	223,731		154,779	223,731
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	706,694				
Language training and area studies	13,131				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,346,890	693,653			688,924
Other undergraduate facilities (HEFA I—Sec. 104)	2,241,212	480,057			480,057
Graduate facilities (HEFA II)	300,000				
State administration and planning (HEFA I—Sec. 105)	69,208	107,349	89,153	89,153	89,153
Undergraduate instructional equipment (HEA VI–A)	213,395				222,503
College personnel development (NDEA IV; EPDA pt. E)	1,624,327				
Subtotal, higher education	12,584,035	7,575,360	6,409,720	7,080,721	9,268,989
Education professions development:					
Grants to States (EPDA B–2)	318,527	293,258	283,599	283,599	283,599
Personnel development programs	622,171				
Teacher Corps	156,293				
Subtotal, education professions development	1,096,991	293,258	283,599	283,599	283,599
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	606,374	516,863	516,863	606,374	606,374
Interlibrary cooperation (LSCA III)	42,745	42,745	42,745	42,745	42,745
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,239	25,239	25,239	25,239	25,239
Construction (LSCA II)	393,560	140,820		92,958	164,310
College library resources (HEA II–A)	398,449				
Librarian training (HEA II–B)	102,510				
Educational broadcasting facilities					
University community service programs (HEA I)	178,121	178,121		178,822	178,822
Subtotal, community education	1,786,507	943,297	624,356	985,647	1,056,999
Research and development:					
Educational laboratories					
Research and development centers	613,880				
Subtotal, research and development	613,880				
Civil rights education	225,529				
Total, Office of Education	69,471,953	65,041,566	37,779,766	61,539,198	80,522,023
Total, Office of Education, comparable basis [2]	64,111,111	65,041,566	37,779,766	61,539,198	80,522,023

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MASSACHUSETTS

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$16,694,736	$21,630,141	$21,315,302	$24,301,739	$23,898,423
State administrative expenses	167,965	216,301	213,153	243,017	238,984
Pt. B.: Special incentive grants					
Pt. C: Special grants for urban and rural schools					279,996
Supplementary services (ESEA III)	4,108,964	2,867,743	2,958,214	3,402,304	3,741,143
Federally affected areas:					
Maintenance (Public Law 81-874)	13,710,871	13,994,000		12,120,000	18,300,000
Construction (Public Law 81-815)	116,046	465,000		250,000	250,000
Grants to States for school library materials (ESEA II)	1,296,227	1,103,113	2,076,448	2,076,448	2,076,448
Strengthening State departments of education (ESEA V):					
Grants to States	626,114	626,114	628,412	628,412	723,158
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,557,326	722,123		363,570	1,596,611
Loans to nonprofit private schools					
State administration	48,222	48,101		48,043	48,043
Guidance, counseling, and testing (NDEA V)	431,343	364,543			507,442
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	38,857,814	42,137,179	27,291,529	43,533,533	51,760,138
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	750,780	750,780	820,226	871,624	844,247
Teacher education and recruitment	1,258,348				
Research and innovation	813,925				
Subtotal, education for the handicapped	2,823,043	750,780	820,226	871,624	844,247
Vocational and adult education:					
Grants to States (pt. B)	5,562,570	6,866,845	6,866,845	7,982,984	7,120,290
State advisory councils		42,667	42,667	42,667	42,667
Programs for students with special needs (pt. B)		379,393	379,393	446,412	446,412
Research and special project activities (pt. C)	437,153	17,269	553,934	431,757	773,375
Innovation (pt. D)		260,710			334,016
Consumer and homemaking education (pt. F)		334,679	334,679	390,551	558,126
Cooperation education (pt. G)		285,146	529,498	395,104	395,104
Work-study (pt. H)		104,947		135,814	135,814
Adult basic education (Adult Education Act):					
Grants to States	750,102	835,242	940,892	940,892	940,892
Special projects and teacher education	278,000				
Subtotal, vocational and adult education	7,027,825	9,126,898	9,647,908	10,766,181	10,746,696
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	5,488,242	[1]2,222,744	[1]2,829,038	[1]2,190,768	[1]2,829,038
Work-study and cooperative education (HEA IV-C)	6,495,739	3,949,122	4,047,533	4,007,058	4,407,762
Loans:					
Direct (NDEA II)	7,070,873	6,942,565	6,262,986	8,176,701	8,691,191
Insured:					
Advances for reserve funds					
Interest payments	1,206,506				
Special programs for the disadvantaged: Talent search	127,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	268,977	272,428		157,935	272,428
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	50,000				
Language training and area studies	898,381				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,157,438	1,114,870			1,076,094
Other undergraduate facilities (HEFA I—Sec. 104)	4,330,783	881,731			881,731
Graduate facilities (HEFA II)	1,800,000				
State administration and planning (HEFA I—Sec. 105)	208,175	173,339	13,1834	131,834	131,834
Undergraduate instructional equipment (HEA VI-A)	507,779				499,575
College personnel development (NDEA IV; EPDA pt. E)	3,984,143				
Subtotal, higher education	34,644,036	15,606,799	13,321,391	14,714,296	18,839,833
Education professions development:					
Grants to States (EPDA B-2)	301,000	364,638	351,412	351,412	351,412
Personnel development programs	2,099,039				
Teacher Corps	829,390				
Subtotal, education professions development	3,229,429	364,638	351,412	351,412	251,412
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	940,815	792,186	792,186	940,815	940,815
Interlibrary cooperation (LSCA III)	44,558	44,558	44,558	44,558	44,558
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,396	25,396	25,396	25,396	25,396
Construction (LSCA II)	633,065	180,990		101,516	219,994
College library resources (HEA II-A)	919,725				
Librarian training (HEA II-B)	293,465				
Educational broadcasting facilities					
University community service programs (HEA I)	216,889	216,889		215,348	215,348
Subtotal, community education	3,113,422	1,299,528	901,649	1,367,142	1,485,620
Research and development:					
Educational laboratories	959,655				
Research and development centers					
Subtotal, research and development	959,655				
Civil rights education	91,670				
Total, Office of Education	90,746,904	69,285,822	52,334,115	71,604,188	83,927,946
Total, Office of Education, comparable basis [2]	74,629,878	69,285,822	52,334,115	71,604,188	83,927,946

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MICHIGAN

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$32,395,258	$42,339,833	$41,724,218	$47,570,100	$46,780,618
State administrative expenses	324,175	423,398	417,242	475,701	467,806
Pt. B: Special incentive grants					102,509
Pt. C: Special grants for urban and rural schools					396,683
Supplementary services (ESEA III)	6,790,000	4,691,787	4,850,885	5,600,320	6,172,271
Federally affected areas:					
Maintenance (Public Law 81-874)	4,550,314	4,536,000		4,508,000	6,151,000
Construction (Public Law 81-815)	194,618	3,000			
Grants to States for school library materials (ESEA II)	2,326,201	2,000,378	3,765,418	3,765,418	3,765,418
Strengthening State departments of education (ESEA V):					
Grants to States	990,466	990,466	1,002,131	1,002,131	1,134,950
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	3,421,788	1,553,289		782,040	3,434,317
Loans to nonprofit private schools	5,900				
State administration	86,061	86,366		85,916	85,916
Guidance, counseling, and testing (NDEA V)	769,811	654,538			907,462
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	51,854,592	57,379,055	51,859,894	63,889,626	69,498,950
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	1,268,699	1,268,699	1,386,051	1,472,906	1,426,642
Teacher education and recruitment	1,576,186				
Research and innovation	841,068				
Subtotal, education for the handicapped	3,685,953	1,268,699	1,386,051	1,472,906	1,426,642
Vocational and adult education:					
Grants to States (pt. B)	9,582,011	12,038,767	12,038,767	13,996,341	12,483,801
State advisory councils		74,803	74,803	74,803	74,803
Programs for students with special needs (pt. B)		665,143	665,143	782,682	782,682
Research and special project activities (pt. C)	449,550	30,725	838,636	618,182	1,355,935
Innovation (pt. D)		309,545			441,818
Consumer and homemaking education (pt. F)		586,753	586,753	684,741	978,544
Cooperative education (pt. G)		353,636	794,545	552,045	552,048
Work-study (pt. H)		186,486		241,334	241,335
Adult basic education (Adult Education Act):					
Grants to States	991,837	1,106,931	1,251,622	1,251,622	1,251,622
Special projects and teacher education	500,000				
Subtotal, vocational and adult education	11,523,398	15,352,339	16,250,269	18,201,750	18,162,588
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	6,080,085	[1]2,690,991	[1]3,425,007	[1]2,652,278	[1]3,425,007
Work-study and cooperative education (HEA IV-C)	5,006,293	5,922,710	6,144,144	6,082,702	6,690,974
Loans:					
Direct (NDEA II)	8,650,342	8,534,862	7,582,356	9,899,217	10,522,089
Insured:					
Advances for reserve funds					
Interest payments	435,727				
Special programs for the disadvantaged: Talent search	85,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	332,282	336,028		162,057	336,028
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	90,000				
Language training and area studies	1,159,039				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	3,315,772	1,701,935			1,726,844
Other undergraduate facilities (HEFA I—Sec. 104)	6,385,324	1,247,835			1,247,835
Graduate facilities (HEFA II)	300,000				
State administration and planning (HEFA I—Sec. 105)	178,974	197,259	162,392	162,392	162,392
Undergraduate instructional equipment (HEA VI-A)	612,301				621,551
College personnel development (NDEA IV; EPDA pt. E)	2,691,606				
Subtotal, higher education	35,372,745	20,681,620	17,363,899	19,008,646	24,782,720
Education professions development:					
Grants to States (EPDA B-2)	550,647	579,893	555,910	555,910	555,910
Personnel development programs	2,279,616				
Teacher Corps	849,241				
Subtotal, education professions development	3,679,504	579,893	555,910	555,910	555,910
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	1,377,606	1,151,767	1,151,767	1,377,606	1,377,606
Interlibrary cooperation (LSCA III)	46,926	46,926	46,926	46,926	46,926
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,602	25,602	25,602	25,602	25,602
Construction (LSCA II)	925,674	233,453		112,693	292,719
College library resources (HEA II-A)	802,205				
Librarian training (HEA II-B)	522,737				
Educational broadcasting facilities					
University community service programs (HEA I)	283,198	283,198		283,968	283,968
Subtotal, community education	4,023,457	1,780,455	1,263,804	1,886,304	2,066,330
Research and development:					
Educational laboratories	384,500				
Research and development centers					
Subtotal, research and development	384,500				
Civil rights education	163,569				
Total, Office of Education	110,687,718	97,042,061	88,679,827	105,015,142	116,493,140
Total, Office of Education, comparable basis [2]	97,394,923	97,042,061	88,679,827	105,015,142	116,493,140

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MINNESOTA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$18,633,931	$20,127,632	$20,462,284	$22,613,655	$22,238,355
State administrative expenses	186,630	201,276	204,623	226,137	222,384
Pt. B: Special incentive grants					675,607
Pt. C: Special grants for urban and rural schools					179,259
Supplementary services (ESEA III)	2,976,699	2,097,802	2,171,620	2,488,811	2,730,770
Federally affected areas:					
Maintenance (Public Law 81-874)	3,381,658	3,368,000		2,698,000	4,438,000
Construction (Public Law 81-815)					
Grants to States for school library materials (ESEA II)	996,022	853,429	1,606,455	1,606,455	1,606,455
Strengthening State departments of education (ESEA V):					
Grants to States	544,185	544,185	548,158	548,158	622,014
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,563,031	719,373		362,185	1,590,532
Loans to nonprofit private schools	11,500				
State administration	35,901	36,211		36,308	36,308
Guidance, counseling, and testing (NDEA V)	321,136	274,431			383,493
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	28,650,693	28,322,339	25,093,140	30,679,709	34,823,177
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	552,633	552,633	603,750	641,583	621,431
Teacher education and recruitment	702,609				
Research and innovation	634,739				
Subtotal, education for the handicapped	1,889,981	552,633	603,750	641,583	621,431
Vocational and adult education:					
Grants to States (pt. B)	5,084,132	5,683,713	5,683,713	6,608,050	5,893,940
State advisory councils		35,316	35,316	35,316	35,316
Programs for students with special needs (pt. B)		314,026	314,026	369,525	369,525
Research and special project activities (pt. C)	472,021	15,000	471,479	377,765	640,174
Innovation (pt. D)		246,567			302,795
Consumer and homemaking education (pt. F)		277,015	277,015	323,285	461,999
Cooperative education (pt. G)		265,309	452,736	349,651	349,561
Work-study (pt. H)		78,808		101,986	101,986
Adult basic education (Adult Education Act):					
Grants to States	360,302	393,947	436,186	436,186	436,186
Special projects and teacher education	200,000				
Subtotal, vocational and adult education	6,116,455	7,309,701	7,670,471	8,601,764	8,591,572
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	4,093,988	[1] 1,340,828	[1] 1,706,563	[1] 1,321,539	[1] 1,706,563
Work-study and cooperative education (HEA IV-C)	3,074,487	3,107,129	3,205,052	3,173,001	3,490,301
Loans:					
Direct (NDEA II)	4,516,471	4,467,393	3,778,026	4,932,439	5,242,794
Insured:					
Advances for reserve funds					
Interest payments	416,615				
Special programs for the disadvantaged: Talent search	99,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	227,918	231,178		155,262	231,178
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	292,135				
Language training and area studies	260,387				
Construction:					
Public community colleges and technical institutes (HEFA I—sec. 103)	1,824,346	951,515			983,409
Other undergraduate facilities (HEFA I—sec. 104)	2,864,880	594,127			594,127
Graduate facilities (HEFA II)	1,000,000				
State administration and planning (HEFA I—sec. 105)	180,132	122,169	101,943	101,943	101,943
Undergraduate instructional equipment (HEA VI-A)	318,722				311,262
College personnel development (NDEA IV; EPDA pt. E)	994,100				
Subtotal, higher education	20,213,181	10,864,339	8,841,584	9,734,184	12,711,577
Education professions development:					
Grants to States (EPDA B-2)	331,551	304,739	294,507	294,507	294,507
Personnel development programs	1,166,053				
Teacher Corps	443,834				
Subtotal, education professions development	1,941,438	304,739	294,507	294,507	294,507
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	657,518	558,967	558,967	657,518	657,518
Interlibrary cooperation (LSCA III)	43,022	43,022	43,022	43,022	43,022
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,263	25,263	25,263	25,263	25,263
Construction (LSCA II)	177,371	146,963		94,266	172,826
College library resources (HEA II-A)	469,205				
Librarian training (HEA II-B)	280,541				
Educational broadcasting facilities					
University community service programs (HEA I)	177,277	177,277		177,698	177,698
Subtotal, community education	1,869,706	991,001	666,761	1,037,276	1,115,836
Research and development:					
Educational laboratories	800,000				
Research and development centers					
Subtotal, research and development	800,000				
Civil rights education	78,967				
Total, Office of Education	61,560,421	48,344,752	43,170,213	50,989,023	58,158,100
Total, Office of Education, comparable basis [2]	53,695,378	48,344,752	43,170,213	50,989,023	58,158,100

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MISSOURI

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$22,898,224	$26,049,684	$25,670,355	$29,266,967	$28,781,248
State administrative expenses	228,982	260,497	256,704	292,670	287,812
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					272,909
Supplementary services (ESEA III)	3,556,732	2,481,771	2,561,513	2,941,605	3,231,584
Federally affected areas:					
Maintenance (Public Law 81–874)	8,398,571	8,371,000		6,555,000	11,102,000
Construction (Public Law 81–815)	1,485,317			50,000	50,000
Grants to States for school library materials (ESEA II)	1,670,831	994,943	1,872,834	1,872,834	1,872,834
Strengthening State departments of education (ESEA V):					
Grants to States	596,859	596,859	607,581	607,581	692,582
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,655,991	772,977		389,174	1,709,051
Loans to nonprofit private schools					
State administration	41,641	41,652		41,500	41,500
Guidance, counseling, and testing (NDEA V)	372,479	315,664			438,331
Planning and evaluation		100,000	100,000	100,000	
Subtotal, elementary and secondary education	40,905,627	39,985,047	31,068,987	42,117,331	48,479,851
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	641,800	641,800	701,166	745,103	721,700
Teacher education and recruitment	724,146				
Research and innovation	9,600				
Subtotal, education for the handicapped	1,375,546	641,800	701,166	745,103	721,700
Vocational and adult education:					
Grants to States (pt. B)	6,083,056	7,028,458	7,028,458	8,171,046	7,288,027
State advisory councils		43,672	43,672	43,672	43,672
Programs for students with special needs (pt. B)		388,323	388,323	456,929	456,929
Research and special project activities (pt. C)	20,573	17,675	510,373	403,233	791,594
Innovation (pt. D)		253,258			317,522
Consumer and homemaking education (pt. F)		342,557	342,557	399,752	571,275
Cooperative education (pt. G)		274,666	488,945	371,092	371,092
Work-study (pt. H)		91,487		118,395	118,395
Adult basic education (Adult Education Act):					
Grants to States	742,562	824,641	928,768	928,768	928,768
Special projects and teacher education	127,000				
Subtotal, vocational and adult education	6,973,191	9,264,737	9,731,096	10,892,887	10,887,274
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	3,586,582	[1] 1,414,063	[1] 1,799,774	[1] 1,393,720	[1] 1,799,774
Work-study and cooperative education (HEA IV–C)	3,295,787	3,733,029	3,677,540	3,640,765	4,004,840
Loans:					
Direct (NDEA II)	4,823,178	4,814,078	3,984,379	5,201,845	5,529,152
Insured:					
Advances for reserve funds					
Interest payments	130,362				
Special programs for the disadvantaged: Talent search	123,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	249,360	252,721		156,658	252,721
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,127,530				
Language training and area studies	239,679				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,972,556	1,017,094			945,265
Other undergraduate facilities (HEFA I—Sec. 104)	2,987,407	618,833			618,833
Graduate facilities (HEFA II)	700,000				
State administration and planning (HEFA I—Sec. 105)	143,722	134,033	109,742	109,742	109,742
Undergraduate instructional equipment (HEA VI–A)	343,879				339,124
College personnel development (NDEA IV; EPDA pt. E)	2,396,200				
Subtotal, higher education	22,169,242	12,033,851	9,621,435	10,552,730	13,649,451
Education professions development:					
Grants to States (EPDA B–2)	346,701	338,688	326,759	326,759	326,759
Personnel development programs	470,198				
Teacher Corps	524,256				
Subtotal, education professions development	1,341,155	338,688	326,759	326,759	326,759
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	805,469	680,765	680,765	805,469	805,469
Interlibrary cooperation (LSCA III)	43,824	43,824	43,824	43,824	43,824
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,333	25,333	25,333	25,333	25,333
Construction (LSCA II)	512,392	164,733		98,052	197,459
College library resources (HEA II–A)	522,912				
Librarian training (HEA II–B)	61,748				
Educational broadcasting facilities	340,000				
University community service programs (HEA I)	198,738	198,738		197,785	197,785
Subtotal, community education	2,549,925	1,152,902	789,431	1,209,972	1,309,379
Research and development:					
Educational laboratories	2,683,838				
Research and development centers					
Subtotal, research and development	2,683,838				
Civil rights education	60,067				
Total, Office of Education	78,058,591	63,417,025	52,238,874	65,844,782	75,374,414
Total, Office of Education, comparable basis [2]	67,474,176	63,417,025	52,238,874	65,844,782	75,374,414

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MISSISSIPPI

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$32,395,258	$41,909,589	$41,299,313	$47,085,660	$46,304,219
State administrative expenses	366,015	419,096	412,993	470,857	463,042
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					659,974
Supplementary services (ESEA III)	2,101,942	1,502,449	1,537,506	1,730,507	1,877,670
Federally affected areas:					
Maintenance (Public Law 81-874)	2,593,395	2,585,000		2,276,000	3,365,000
Construction (Public Law 81-815)	117,158				
Grants to States for school library materials (ESEA II)	589,397	491,458	925,097	925,097	925,097
Strengthening State departments of education (ESEA V):					
Grants to States	437,838	437,838	432,249	432,249	490,640
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,312,466	596,634		300,390	1,319,157
Loans to nonprofit private schools					
State administration	24,641	24,357		24,110	24,110
Guidance, counseling, and testing (NDEA V)	220,413	184,592			254,660
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	40,158,523	48,251,013	44,707,158	53,344,870	55,783,569
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	399,693	399,693	436,664	464,027	449,452
Teacher education and recruitment	229,137				
Research and innovation					
Subtotal, education for the handicapped	628,830	399,693	436,664	464,027	449,452
Vocational and adult education:					
Grants to States (pt. B)	4,405,983	4,712,410	4,712,410	5,479,202	4,887,082
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		260,361	260,361	306,400	306,400
Research and special project activities (pt. C)	45,826	15,000	389,802	324,283	530,814
Innovation (pt. D)		232,557			271,868
Consumer and homemaking education (pt. F)		229,675	229,675	368,059	383,076
Cooperative education (pt. G)		245,661	376,698	304,627	304,627
Work-study (pt. H)		56,375		72,956	72,956
Adult basic education (Adult Education Act):					
Grants to States	831,474	936,895	1,057,152	1,057,152	1,057,152
Special projects and teacher education	320,000				
Subtotal, vocational and adult education	5,603,283	6,720,002	7,057,166	7,843,747	7,845,043
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,470,096	[1] 696,224	[1] 886,131	[1] 686,208	[1] 886,131
Work-study and cooperative education (HEA IV-C)	3,159,065	3,188,960	3,301,930	3,268,911	3,595,802
Loans:					
Direct (NDEA II)	2,304,564	2,256,810	1,961,736	2,561,164	2,722,316
Insured:					
Advances for reserve funds					
Interest payments	128,300				
Special programs for the disadvantaged: Talent search					
Institutional assistance:					
Aid to land-grant colleges:					
Annual	198,669	201,794		153,357	201,794
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,929,260				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,197,927	640,999			653,093
Other undergraduate facilities (HEFA I—Sec. 104)	1,640,792	304,004			304,004
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	89,151	93,741	81,084	81,084	81,084
Undergraduate instructional equipment (HEA VI-A)	180,563				178,785
College personnel development (NDEA IV; EPDA pt. E)	571,726				
Subtotal, higher education	13,920,113	7,432,532	6,280,881	6,800,724	8,673,009
Education professions development:					
Grants to States (EPDA B-2)	214,182	217,901	212,009	212,009	212,009
Personnel development programs	145,925				
Teacher Corps	468,815				
Subtotal, education professions development	828,922	217,901	212,009	212,009	212,009
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	455,712	392,834	392,834	455,712	455,712
Interlibrary cooperation (LSCA III)	41,928	41,928	41,928	41,928	41,928
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,168	25,168	25,168	25,168	25,168
Construction (LSCA II)	139,226	122,724		89,102	139,226
College library resources (HEA II-A)	298,915				
Librarian training (HEA II-B)	339,973				
Educational broadcasting facilities					
University community service programs (HEA I)	150,559	150,559		149,826	149,826
Subtotal, community education	1,490,990	772,722	499,439	801,245	851,369
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	289,604				
Total, Office of Education	62,920,265	63,793,863	59,193,317	69,466,622	73,814,451
Total, Office of Education, comparable basis [2]	58,018,047	63,793,863	59,193,317	69,466,622	73,814,451

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF MONTANA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$3,460,422	$3,567,190	$3,897,883	$3,897,883	$3,897,883
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					213,479
Pt. C: Special grants for urban and rural schools					9,274
Supplementary services (ESEA III)	888,162	686,277	696,082	753,338	796,867
Federally affected areas:					
Maintenance (Public Law 81-874)	4,204,578	4,191,000		4,469,000	5,696,000
Construction (Public Law 81-815)	844,364			400,000	400,000
Grants to States for school library materials (ESEA II)	185,736	155,462	292,635	292,635	292,635
Strengthening State departments of education (ESEA V):					
Grants to States	282,290	282,290	281,090	281,090	320,026
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	333,751	152,595		76,827	337,387
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	96,194	53,521			73,994
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	10,458,830	9,360,668	5,417,690	10,434,106	12,300,878
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	112,296	112,296	122,683	200,000	200,000
Teacher education and recruitment	143,729				
Research and innovation	32,075				
Subtotal, education for the handicapped	288,100	112,296	122,683	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,155,069	1,233,991	1,233,991	1,434,704	1,279,662
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		68,178	68,178	80,231	80,231
Research and special project activities (pt. C)	32,571	15,000	254,451	235,655	138,991
Innovation (pt. D)		209,340			220,618
Consumer and homemaking education (pt. F)		60,144	60,144	70,190	100,306
Cooperative education (pt. G)		213,099	250,692	230,016	230,016
Work-study (pt. H)		15,801		20,448	20,448
Adult basic education (Adult Education Act):					
Grants to States	156,723	164,109	173,321	173,321	173,321
Special projects and teacher education	138,000				
Subtotal, vocational and adult education	1,482,363	2,010,730	2,071,845	2,275,633	2,274,661
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	729,768	[1] 260,776	[1] 331,908	[1] 257,025	[1] 331,908
Work-study and cooperative education (HEA IV-C)	2,529,733	597,086	634,395	628,051	690,857
Loans:					
Direct (NDEA II)	877,702	848,766	734,784	959,305	1,019,666
Insured:					
Advances for reserve funds					
Interest payments	71,730				
Special programs for the disadvantaged: Talent search	50,394				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	163,086	166,045		151,040	166,045
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	21,300				
Language training and area studies	12,951				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	234,428	189,170			209,638
Other undergraduate facilities (HEFA I—Sec. 104)	662,620	109,909			109,909
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	68,765	57,831	53,806	53,806	53,806
Undergraduate instructional equipment (HEA VI-A)	59,639				60,521
College personnel development (NDEA IV; EPDA pt. E)	253,200				
Subtotal, higher education	5,785,316	2,279,583	1,804,893	2,099,227	2,692,350
Education professions development:					
Grants to States (EPDA B-2)	135,982	137,296	135,432	135,432	135,432
Personnel development programs	270,762				
Teacher Corps					
Subtotal, education professions development	406,744	137,296	135,432	135,432	135,432
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	210,196	190,717	190,717	210,196	210,196
Interlibrary cooperation (LSCA III)	40,597	40,597	40,597	40,597	40,597
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,052	25,052	25,052	25,052	25,052
Construction (LSCA II)	88,347	93,236		82,820	98,347
College library resources (HEA II-A)	108,233				
Librarian training (HEA II-B)	33,737				
Educational broadcasting facilities					
University community service programs (HEA I)	115,187	115,187		114,763	114,763
Subtotal, community education	660,858	504,298	295,875	512,937	528,464
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	19,082,211	14,404,871	9,848,418	15,657,335	18,131,785
Total, Office of Education, comparable basis [2]	17,886,461	14,404,871	9,848,418	15,657,335	18,131,785

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NEBRASKA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$5,668,814	$7,491,253	$7,376,510	$8,431,031	$8,288,619
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					53,730
Supplementary services (ESEA III)	1,353,663	1,024,798	1,051,683	1,661,306	1,253,633
Federally affected areas:					
Maintenance (Public Law 81-874)	4,624,472	4,610,000		4,389,000	6,263,000
Construction (Public Law 81-815)	457,928				
Grants to States for school library materials (ESEA II)	374,367	313,078	589,323	589,323	589,323
Strengthening State departments of education (ESEA V):					
Grants to States	340,817	340,817	338,719	338,719	386,565
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	576,770	258,291		130,042	571,080
Loans to nonprofit private schools					
State administration	13,673	13,656		13,691	13,691
Guidance, counseling, and testing (NDEA V)	183,554	103,492			144,608
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	13,744,058	14,405,385	9,606,235	15,308,112	17,814,249
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	217,458	217,458	237,573	252,460	244,530
Teacher education and recruitment	176,671				
Research and innovation	274,385				
Subtotal, education for the handicapped	668,514	217,458	237,573	252,460	244,530
Vocational and adult education:					
Grants to States (pt. B)	2,199,575	2,227,091	2,227,091	2,589,253	2,309,441
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		123,046	123,046	144,792	144,792
Research and special project activities (pt. C)	82,022	15,000	254,451	268,254	250,841
Innovation (pt. D)		217,880			239,468
Consumer and homemaking education (pt. F)		108,546	108,546	126,673	181,026
Cooperative education (pt. G)		225,076	250,692	257,459	257,459
Work-study (pt. H)		30,821		39,886	39,886
Adult basic education (Adult Education Act):					
Grants to States	207,912	221,891	239,406	239,406	239,406
Special projects and teacher education					
Subtotal, vocational and adult education	2,489,509	3,200,419	3,234,300	3,696,791	3,693,387
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,362,622	[1] 575,136	[1] 732,014	[1] 566,862	[1] 732,014
Work-study and cooperative education (HEA IV-C)	1,232,909	1,309,717	1,362,875	1,349,246	1,484,171
Loans:					
Direct (NDEA II)	1,786,869	1,813,595	1,620,549	2,115,724	2,248,848
Insured:					
Advances for reserve funds					
Interest payments	64,019				
Special programs for the disadvantaged: Talent search	60,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	180,520	183,560		152,075	183,560
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	280,000				
Language training and area studies	34,980				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	726,890	359,064			356,265
Other undergraduate facilities (HEFA I—Sec. 104)	1,136,397	232,407			232,407
Graduate facilities (HEFA II)	300,000				
State administration and planning (HEFA I—Sec. 105)	75,908	74,549	67,335	67,335	67,335
Undergraduate instructional equipment (HEA VI-A)	125,481				131,608
College personnel development (NDEA IV; EPDA pt. E)	511,900				
Subtotal, higher education	7,928,495	4,598,028	3,832,773	4,301,242	5,486,208
Education professions development:					
Grants to States (EPDA B-2)	172,525	175,108	171,354	171,354	171,354
Personnel development programs	848,726				
Teacher Corps	541,734				
Subtotal, education professions development	1,562,985	175,108	171,354	171,354	171,354
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	330,484	289,742	289,742	330,484	330,484
Interlibrary cooperation (LSCA III)	41,249	41,249	41,249	41,249	41,249
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,109	25,109	25,109	25,109	25,109
Construction (LSCA II)	256,938	107,683		85,898	118,375
College library resources (HEA II-A)	204,610				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	131,132	131,132		130,820	130,820
Subtotal, community education	1,029,031	634,424	395,609	653,069	685,546
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	27,422,592	23,230,822	17,477,844	24,383,028	28,095,274
Total, Office of Education, comparable basis [2]	24,000,086	23,230,822	17,477,844	24,383,028	28,095,274

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NEVADA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$886,124	$932,847	$1,006,741	$1,058,509	$1,038,452
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					4,123
Pt. C: Special grants for urban and rural schools					704
Supplementary services (ESEA III)	646,767	551,066	564,708	600,769	628,118
Federally affected areas:					
Maintenance (Public Law 81-874)	3,554,294	3,543,000		3,066,000	4,641,000
Construction (Public Law 81-815)	221,351	14,000			
Grants to States for school library materials (ESEA II)	113,689	100,155	188,527	188,527	188,527
Strengthening State departments of education (ESEA V):					
Grants to States	257,521	259,550	260,934	260,934	296,963
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	113,732	61,619		31,023	136,239
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	50,000	50,000			50,000
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	6,006,811	5,775,570	2,270,910	5,469,095	7,247,459
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	100,000	100,000	100,000	200,000	200,000
Teacher education and recruitment	90,967				
Research and innovation					
Subtotal, education for the handicapped	190,967	100,000	100,000	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	596,052	529,448	529,448	615,506	548,990
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		29,252	29,252	34,420	34,420
Research and special project activities (pt. C)	140,627	15,000	227,226	217,827	59,629
Innovation (pt. D)		204,670			210,309
Consumer and homemaking education (pt. F)		25,804	25,804	30,113	43,032
Cooperative education (pt. G)		206,550	225,346	215,008	215,008
Work-study (pt. H)		8,388		10,855	10,855
Adult basic education (Adult Education Act):					
Grants to States	121,076	123,829	173,321	173,321	173,321
Special projects and teacher education	160,000				
Subtotal, vocational and adult education	1,017,755	1,174,009	1,241,465	1,328,118	1,326,632
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	141,788	[1]93,823	[1]119,414	[1]92,473	[1]119,414
Work-study and cooperative education (HEA IV-C)	343,532	193,116	221,473	219,258	241,185
Loans:					
Direct (NDEA II)	222,484	219,899	264,362	345,141	366,857
Insured:					
Advances for reserve funds					
Interest payments	31,014				
Special programs for the disadvantaged: Talent search	44,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	153,867	156,784		150,440	156,784
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)					
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 104)		61,219			64,573
Other undergraduate facilities (HEFA I—Sec. 104)	334,962	51,403			51,403
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	43,460	38,960	43,968	43,968	43,968
Undergraduate instructional equipment (HEA VI-A)	14,561				19,527
College personnel development (NDEA IV; EPDA pt. E)	117,800				
Subtotal, higher education	1,497,468	865,204	699,217	901,280	1,113,711
Education professions development:					
Grants to States (EPDA B-2)	3,661	124,027	122,827	122,827	122,827
Personnel development programs	46,706				
Teacher Corps					
Subtotal, education professions development	50,367	124,027	122,827	122,827	122,827
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	146,589	138,353	138,353	146,589	146,589
Interlibrary cooperation (LSCA III)	40,253	40,253	40,253	40,253	40,253
State institutional library services (LSCA IV-A)	20,753	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	5,299	25,022	25,022	25,022	25,022
Construction (LSCA II)	62,523	85,596		81,192	80,000
College library resources (HEA II-A)	57,175				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	109,324	109,324		109,524	109,524
Subtotal, community education	441,916	438,057	243,137	442,089	440,897
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	62,931				
Total, Office of Education	9,268,215	8,476,867	4,677,556	8,463,409	10,451,526
Total, Office of Education, comparable basis [2]	8,643,061	8,476,867	4,677,556	8,463,409	10,451,526

See footnotes at end of table.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NEW JERSEY

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$24,487,811	$33,310,467	$32,825,491	$37,424,592	$36,803,488
State administrative expenses	245,001	333,105	328,255	374,246	368,035
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					342,743
Supplementary services (ESEA III)	5,233,177	3,626,822	3,755,106	4,350,987	4,790,439
Federally affected areas:					
Maintenance (Public Law 81-874)	10,321,861	10,287,000		8,589,000	15,684,000
Construction (Public Law 81-815)	774,195	27,000			
Grants to States for school library materials (ESEA II)	1,652,599	1,406,778	2,648,053	2,648,053	2,648,053
Strengthening State departments of education (ESEA V):					
Grants to States	738,898	738,898	742,620	742,620	856,573
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,796,586	863,566		434,782	1,909,341
Loans to nonprofit private schools					
State administration	2,432	61,901		62,196	62,196
Guidance, counseling, and testing (NDEA V)	552,014	469,127			656,933
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	45,804,574	51,224,664	40,419,525	54,726,476	64,221,801
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	866,823	866,823	947,003	1,006,346	974,736
Teacher education and recruitment	503,629				
Research and innovation	9,336				
Subtotal, education for the handicapped	1,379,788	866,823	947,003	1,006,346	974,736
Vocational and adult education:					
Grants to States (pt. B)	6,448,818	8,543,798	8,543,798	9,932,416	8,859,051
State advisory councils		53,087	53,087	53,087	53,087
Programs for students with special needs (pt. B)		472,044	472,044	555,425	555,425
Research and special project activities (pt. C)	338,844	21,486	657,391	499,502	962,232
Innovation (pt. D)		278,456			373,190
Consumer and homemaking education (pt. F)		416,411	416,411	485,923	694,421
Cooperative education (pt. G)		310,034	625,813	452,135	452,135
Work-study (pt. H)		136,743		176,962	176,962
Adult basic education (Adult Education Act):					
Grants to States	1,057,036	1,177,851	1,332,732	1,332,732	1,332,732
Special projects and teacher education	417,000				
Subtotal, vocational and adult education	8,261,698	11,409,910	12,101,276	13,488,182	13,459,235
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,636,170	[1] 1,065,148	[1] 1,335,687	[1] 1,049,825	[1] 1,355,687
Work-study and cooperative education (HEA IV-C)	2,751,188	3,272,107	3,419,849	3,385,651	3,724,215
Loans:					
Direct (NDEA II)	3,281,169	3,330,813	3,001,249	3,918,309	4,164,854
Insured:					
Advances for reserve funds					
Interest payments	2,023,322				
Special programs for the disadvantaged: Talent search	139,875				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	290,710	294,262		159,350	294,262
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	50,000				
Language training and area studies	423,131				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,260,985	1,162,358			1,188,662
Other undergraduate facilities (HEFA I—Sec. 104)	3,452,283	725,600			725,600
Graduate facilities (HEFA II)	1,600,000				
State administration and planning (HEFA I—Sec. 105)	175,863	129,991	104,828	104,828	104,828
Undergraduate instructional equipment (HEA VI-A)	255,201				262,020
College personnel development (NDEA IV; EPDA pt. E)	1,875,400				
Subtotal, higher education	21,265,297	10,030,279	7,931,613	8,667,963	11,870,128
Education professions development:					
Grants to States (EPDA B-2)	420,452	437,488	420,621	420,621	420,621
Personnel development programs	705,047				
Teacher Corps	264,859				
Subtotal, education professions development	1,390,358	437,488	420,621	420,621	420,621
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	1,090,767	915,632	915,632	1,090,767	1,090,767
Interlibrary cooperation (LSCA III)	45,371	45,371	45,371	45,371	45,371
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,467	25,467	25,467	25,467	25,467
Construction (LSCA II)	545,193	199,000		105,353	244,961
College library resources (HEA II-A)	487,854				
Librarian training (HEA II-B)	248,366				
Educational broadcasting facilities					
University community service programs (HEA I)	249,254	249,254		249,966	249,966
Subtotal, community education	2,731,781	1,474,233	1,025,979	1,556,433	1,696,041
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	93,322				
Total, Office of Education	80,925,818	75,443,397	62,846,017	79,866,021	92,642,562
Total, Office of Education, comparable basis [2]	71,830,476	75,443,397	62,846,017	79,866,021	92,642,562

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NEW MEXICO

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$9,794,395	$9,888,110	$10,761,354	$10,761,354	$10,761,354
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					488,844
Pt C: Special grants for urban and rural schools					91,418
Supplementary services (ESEA III)	1,112,240	860,486	873,831	959,763	1,025,184
Federally affected areas:					
Maintenance (Public Law 81-874)	10,219,522	10,187,000		10,115,000	13,687,000
Construction (Public Law 81-815)	229,219				
Grants to States for school library materials (ESEA II)	288,109	241,076	453,791	453,791	453,791
Strengthening State departments of education (ESEA V):					
Grants to States	319,982	319,982	317,977	317,977	360,421
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	525,835	273,046		137,471	603,704
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	100,396	84,923			117,189
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	22,753,031	22,117,956	12,656,953	23,008,689	27,852,238
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	175,883	175,883	192,152	204,192	200,000
Teacher education and recruitment	291,082				
Research and innovation	485,629				
Subtotal, education for the handicapped	952,594	175,883	192,152	204,192	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,590,156	1,947,460	1,947,460	2,264,327	2,019,629
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		107,597	107,597	126,621	126,621
Research and special project activities (pt. C)	50,000	15,000	281,677	253,482	219,363
Innovation (pt. D)		214,010			230,927
Consumer and homemaking education (pt. F)		94,917	94,917	110,778	158,310
Cooperative education (pt. G)		219,649	276,038	245,024	245,024
Work-study (pt. H)		23,993		31,050	31,050
Adult basic education (Adult Education Act):					
Grants to States	289,178	314,106	344,873	344,873	344,873
Special projects and teacher education	933,162				
Subtotal, vocational and adult education	2,862,496	2,967,800	3,083,630	3,407,223	3,406,865
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	954,594	[1] 332,197	[1] 422,810	[1] 327,418	[1] 422,810
Work-study and cooperative education (HEA IV-C)	1,288,791	972,393	1,047,147	1,036,676	1,140,343
Loans:					
Direct (NDEA II)	1,040,703	1,007,149	936,027	1,222,038	1,298,931
Insured:					
Advances for reserve funds					
Interest payments	59,250				
Special programs for the disadvantaged: Talent search	113,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	169,625	172,614		151,466	172,614
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	159,660				
Language training and area studies	99,838				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		307,654			338,305
Other undergraduate facilities (HEFA I—Sec. 104)	1,361,848	156,457			156,457
Graduate facilities (HEFA II)	300,000				
State administration and planning (HEFA I—Sec. 105)	80,506	62,013	57,006	57,006	57,006
Undergraduate instructional equipment (HEA VI-A)	73,684				85,535
College personnel development (NDEA IV; EPDA pt. E)	568,300				
Subtotal, higher education	6,319,799	3,060,477	2,512,990	2,844,604	3,722,001
Education professions development:					
Grants to States (EPDA B-2)	142,814	157,834	154,944	154,944	154,944
Personnel development programs	183,920				
Teacher Corps	456,756				
Subtotal, education professions development	783,490	157,834	154,944	154,944	154,944
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	255,312	227,858	227,858	255,312	255,312
Interlibrary cooperation (LSCA III)	40,842	40,842	40,842	40,842	40,842
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,073	25,073	25,073	25,073	25,073
Construction (LSCA II)	132,985	98,654		83,974	105,859
College library resources (HEA II-A)	196,710				
Librarian training (HEA II-B)	8,380				
Educational broadcasting facilities					
University community service programs (HEA I)	121,677	121,677		121,084	121,084
Subtotal, community education	820,488	553,613	338,282	565,794	587,679
Research and development:					
Educational laboratories	862,244				
Research and development centers					
Subtotal, research and development	862,244				
Civil rights education	367,646				
Total, Office of Education	35,721,788	29,033,563	18,933,951	30,185,446	35,923,727
Total, Office of Education, comparable basis [2]	30,562,527	29,033,563	18,933,951	30,185,446	35,923,727

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NEW YORK

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$120,389,680	$178,348,472	$175,753,809	$200,378,257	$197,052,746
State administrative expenses	1,204,063	1,783,485	1,757,538	2,003,783	1,970,527
Pt. B: Special incentive grants					1,130,256
Pt. C: Special grants for urban and rural schools					2,070,481
Supplementary services (ESEA III)	13,221,927	8,869,461	9,235,315	10,692,091	11,804,049
Federally affected areas:					
Maintenance (Public Law 81-874)	16,738,842	16,997,000		14,386,000	22,113,000
Construction (Public Law 81-815)	98,325	1,688,000		3,481,301	3,481,301
Grants to States for school library materials (ESEA II)	4,090,893	3,465,109	6,522,557	6,522,557	6,522,557
Strengthening State departments of education (ESEA V):					
Grants to States	1,474,535	1,474,815	1,477,979	1,477,979	1,722,759
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	4,198,623	1,928,151		970,773	4,263,134
Loans to nonprofit private schools	151,200				
State administration	156,767	153,851		154,869	154,869
Guidance, counseling, and testing (NDEA V)	1,402,273	1,165,991			1,635,759
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	163,127,128	215,974,335	194,847,198	240,167,610	254,021,438
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	2,331,331	2,331,331	2,546,976	2,706,577	2,621,564
Teacher education and recruitment	2,533,652				
Research and innovation	2,538,892				
Subtotal, education for the handicapped	7,403,875	2,331,331	2,546,976	2,706,577	2,621,564
Vocational and adult education:					
Grants to States (pt. B)	17,023,218	20,730,525	20,730,525	24,099,228	21,494,901
State advisory councils		93,203	93,203	93,203	93,203
Programs for students with special needs (pt. B)		1,145,363	1,145,363	1,347,641	1,347,641
Research and special project activities (pt. C)	872,939	52,134	1,348,923	952,320	2,344,682
Innovation (pt. D)		397,076			635,037
Consumer and homemaking education (pt. F)		1,010,377	1,010,377	1,179,005	1,684,886
Cooperative education (pt. G)		476,396	1,269,603	833,339	833,339
Work-study (pt. H)		339,615		439,501	439,501
Adult basic education (Adult Education Act):					
Grants to States	2,946,251	3,299,893	3,759,700	3,759,700	3,759,700
Special projects and teacher education	536,318				
Subtotal, vocational and adult education	21,378,726	27,544,582	29,357,694	32,703,937	32,632,890
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	12,047,255	[1] 5,023,882	[1] 6,394,237	[1] 4,951,609	[1] 6,394,237
Work-study and cooperative education (HEA IV-C)	9,537,189	10,320,156	11,411,374	11,297,260	12,426,987
Loans:					
Direct (NDEA II)	14,717,179	14,852,696	14,155,701	18,481,112	19,643,969
Insured:					
Advances for reserve funds					
Interest payments	9,779,625				
Special programs for the disadvantaged: Talent search	312,236				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	544,335	549,067		175,867	549,067
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	135,000				
Language training and area studies	2,357,698				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	5,110,882	2,623,120			2,938,723
Other undergraduate facilities (HEFA I—Sec. 104)	9,896,878	2,360,852			2,360,852
Graduate facilities (HEFA II)	2,700,000				
State administration and planning (HEFA I—Sec. 105)	497,178	347,369	275,587	275,587	275,587
Undergraduate instructional equipment (HEA VI-A)	1,170,283				1,153,771
College personnel development (NDEA IV; EPDA pt. E)	8,008,950				
Subtotal, higher education	76,864,688	36,127,142	32,286,899	35,231,433	45,793,193
Education professions development:					
Grants to States (EPDA B-2)	892,515	931,283	889,739	889,739	889,739
Personnel development programs	4,332,101				
Teacher Corps	1,174,556				
Subtotal, education professions development	6,399,172	931,283	889,739	889,739	889,739
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	2,840,719	2,356,249	2,356,249	2,840,719	2,840,719
Interlibrary cooperation (LSCA III)	54,858	54,858	54,858	54,858	54,858
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	26,292	26,292	26,292	26,292	26,292
Construction (LSCA II)	2,521,607	409,187		150,133	536,326
College library resources (HEA II-A)	2,018,364				
Librarian training (HEA II-B)	656,562				
Educational broadcasting facilities					
University community service programs (HEA I)	493,850	493,850		485,753	485,753
Subtotal, community education	8,651,761	3,379,945	2,476,908	3,597,264	3,983,457
Research and development:					
Educational laboratories	3,644,494				
Research and development centers	495,973				
Subtotal, research and development	4,140,467				
Civil rights education	213,880				
Total, Office of Education	288,179,697	286,288,618	262,405,414	315,296,560	339,942,281
Total, Office of Education, comparable basis [3]	245,571,113	285,288,618	262,405,414	315,296,560	339,942,281

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NORTH CAROLINA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$49,388,344	$57,588,036	$56,749,453	$64,700,485	$63,626,704
State administrative expenses	493,970	575,880	567,495	647,005	636,267
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					763,767
Supplementary services (ESEA III)	4,019,265	2,787,844	2,890,573	3,323,753	3,654,260
Federally affected areas:					
Maintenance (Public Law 81-874)	11,886,349	11,995,000		10,562,000	13,939,000
Construction (Public Law 81-815)	1,391,665	60,000		758,714	758,714
Grants to States for school library materials (ESEA II)	1,186,993	993,278	1,869,699	1,869,699	1,869,699
Strengthening State departments of education (ESEA V):					
Grants to States	1,110,464	669,081	659,015	659,015	750,148
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	2,543,076	1,130,562		569,208	2,499,669
Loans to nonprofit private schools					
State administration	48,734	48,642		48,470	48,470
Guidance, counseling, and testing (NDEA V)	435,921	368,639			511,950
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	72,504,781	76,316,962	62,836,235	83,238,349	89,158,648
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	805,195	805,195	879,674	934,798	905,436
Teacher education and recruitment	456,656				
Research and innovation	135,931				
Subtotal, education for the handicapped	1,397,782	805,195	879,674	934,798	905,436
Vocational and adult education:					
Grants to States (pt. B)	8,971,685	10,190,085	10,190,085	11,847,550	10,567,223
State advisory councils		63,317	63,317	63,317	63,317
Programs for students with special needs (pt. B)		563,004	563,004	662,519	662,519
Research and special project activities (pt. C)	457,975	25,626 }	590,494	455,697 {	1,147,766
Innovation (pt. D)		266,982 }			347,860
Consumer and homemaking education (pt. F)		496,651	496,651	579,617	828,316
Cooperative education (pt. G)		293,941 }	563,534 {	415,258	415,258
Work-study (pt. H)		118,212 }		152,980	152,980
Adult basic education (Adult Education Act):					
Grants to States	1,495,891	1,677,851	1,904,580	1,904,580	1,904,580
Special projects and teacher education	415,000				
Subtotal, vocational and adult education	11,340,551	13,695,669	14,371,665	16,081,518	16,089,819
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	4,329,263	[1] 1,437,343	[1] 1,829,403	[1] 1,416,665	[1] 1,829,403
Work-study and cooperative education (HEA IV-C)	4,815,571	5,388,943	5,517,832	5,462,654	6,008,921
Loans:					
Direct (NDEA II)	4,519,639	4,465,664	4,049,973	5,287,482	5,620,177
Insured:					
Advances for reserve funds					
Interest payments	164,526				
Special programs for the disadvantaged: Talent search	50,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	254,954	258,341		157,022	258,341
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	2,854,457				
Language training and area studies	127,573				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,664,358	1,368,374			1,270,865
Other undergraduate facilities (HEFA I—Sec. 104)	3,212,504	649,949			649,949
Graduate facilities (HEFA II)	400,000				
State administration and planning (HEFA I—Sec. 105)	217,104	139,376	126,689	126,689	126,689
Undergraduate instructional equipment (HEA VI-A)	364,447				359,358
College personnel development (NDEA IV; EPDA pt. E)	2,291,206				
Subtotal, higher education	26,315,602	13,757,990	11,573,897	12,500,512	16,173,703
Education professions development:					
Grants to States (EPDA B-2)	337,952	338,289	326,380	326,380	326,380
Personnel development programs	809,378				
Teacher Corps	665,659				
Subtotal, education professions development	1,812,989	338,289	326,380	326,380	326,380
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	844,066	712,539	712,539	844,066	844,066
Interlibrary cooperation (LSCA III)	44,033	44,033	44,033	44,033	44,033
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,351	25,351	25,351	25,351	25,351
Construction (LSCA II)	388,584	169,369		99,040	203,886
College library resources (HEA II-A)	678,984				
Librarian training (HEA II-B)	301,099				
Educational broadcasting facilities					
University community service programs (HEA I)	207,608	207,608		208,836	208,836
Subtotal, community education	2,529,234	1,198,409	821,432	1,260,835	1,365,681
Research and development:					
Educational laboratories	820,000				
Research and development centers					
Subtotal, research and development	820,000				
Civil rights education	731,116				
Total, Office of Education	117,452,055	106,112,514	90,809,283	114,342,392	124,019,667
Total, Office of Education, comparable basis [2]	110,006,832	106,112,514	90,809,283	114,342,392	124,019,667

See footnotes at end of table.

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NORTH DAKOTA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$4,033,993	$4,703,614	$4,718,350	$5,294,981	$5,204,615
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					216,115
Pt. C: Special grants for urban and rural schools					34,149
Supplementary services (ESEA III)	815,806	653,528	659,387	710,722	749,732
Federally affected areas:					
Maintenance (Public Law 81–874)	2,664,431	2,651,000		3,242,000	3,768,000
Construction (Public Law 81–815)		1,000		400,000	400,000
Grants to States for school library materials (ESEA II)	162,589	136,301	256,567	256,567	256,567
Strengthening State departments of education (ESEA V):					
Grants to States	273,216	273,216	272,292	272,292	310,381
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	329,954	146,026		73,520	322,863
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	88,341	50,000			66,106
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	8,531,663	8,878,018	6,156,596	10,513,415	11,591,861
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	109,151	109,151	119,247	200,000	200,000
Teacher education and recruitment	177,879				
Research and innovation					
Subtotal, education for the handicapped	287,030	109,151	119,247	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,313,021	1,207,190	1,207,190	1,403,584	1,251,903
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		66,697	66,697	78,490	78,490
Research and special project activities (pt. C)	45,834	15,000	249,784	232,599	135,976
Innovation (pt. D)		208,539			218,851
Consumer and homemaking education (pt. F)		58,837	58,837	68,667	98,130
Cooperative education (pt. G)		211,977	246,347	227,443	227,443
Work-study (pt. H)		14,630		18,933	18,933
Adult basic education (Adult Education Act):					
Grants to States	168,753	177,469	188,601	188,601	188,601
Special projects and teacher education					
Subtotal, vocational and adult education	1,527,608	1,991,407	20,84,534	2,249,385	2,249,395
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	893,715	[1] 283,305	[1] 360,581	[1] 279,229	[1] 360,581
Work-study and cooperative education (HEA IV–C)	753,069	700,121	718,959	711,769	782,947
Loans:					
Direct (NDEA II)	946,751	926,540	798,263	1,042,179	1,107,755
Insured:					
Advances for reserve funds					
Interest payments	175,900				
Special programs for the disadvantaged: Talent search	48,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	162,084	165,039		150,975	165,039
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	405,000				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	77,204	200,784			202,370
Other undergraduate facilities (HEFA I—Sec. 104)	919,319	109,575			109,575
Graduate facilities (HEFA II)	253,165				
State administration and planning (HEFA I—Sec. 105)	72,802	58,948	54,101	54,101	54,101
Undergraduate instructional equipment (HEA VI–A)	71,130				68,041
College personnel development (NDEA IV; EPDA pt. E)	269,200				
Subtotal, higher education	5,097,339	2,494,312	1,981,904	2,288,253	2,900,409
Education professions development:					
Grants to States (EPDA B–2)	131,498	132,699	131,065	131,065	131,065
Personnel development programs					
Teacher Corps	29,604				
Subtotal, education professions development	161,102	132,699	131,065	131,065	131,065
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	203,285	185,027	185,027	203,285	203,285
Interlibrary cooperation (LSCA III)	40,560	40,560	40,560	40,560	40,560
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,049	25,049	25,049	25,049	25,049
Construction (LSCA II)	256,991	92,405		82,643	97,197
College library resources (HEA II–A)	133,911				
Librarian training (HEA II–B)					
Educational broadcasting facilities					
University community service programs (HEA I)	113,911	113,911		113,236	113,236
Subtotal, community education	813,216	496,461	290,145	504,282	518,836
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	16,417,958	14,102,048	10,727,481	15,886,400	17,591,566
Total, Office of Education, comparable basis [2]	14,854,169	14,102,048	10,727,481	15,886,400	17,591,566

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF OHIO

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A:					
Basic grants	$33,370,827	$40,363,720	$39,755,953	$45,348,867	$44,596,250
State administrative expenses	333,804	403,637	397,760	453,489	445,963
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					408,849
Supplementary services (ESEA III)	8,124,232	5,570,394	5,784,416	6,684,458	7,371,387
Federally affected areas:					
Maintenance (Public Law 81-874)	10,796,237	10,686,000		7,675,000	14,032,000
Construction (Public Law 81-815)	601,890				
Grants to States for school library materials (ESEA II)	2,661,889	2,234,209	4,205,569	4,205,569	4,205,569
Strengthening State departments of education (ESEA V):					
Grants to States	669,081	1,110,464	1,098,447	1,098,447	1,254,063
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	4,089,849	1,870,951		941,974	4,136,666
Loans to nonprofit private schools					
State administration	101,489	101,499		101,420	101,420
Guidance, counseling, and testing (NDEA V)	905,668	769,226			1,071,225
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	61,654,966	63,210,100	51,342,145	66,609,224	77,723,392
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	1,519,923	1,519,923	1,660,513	1,764,567	1,709,142
Teacher education and recruitment	902,441				
Research and innovation	110,492				
Subtotal, education for the handicapped	2,532,856	1,519,923	1,660,513	1,764,567	1,709,142
Vocational and adult education:					
Grants to States (pt. B)	12,376,685	15,503,686	15,503,686	18,024,291	16,076,464
State advisory councils		93,203	93,203	93,203	93,203
Programs for students with special needs (pt. B)		856,581	856,581	1,007,925	1,007,925
Research and special project activities (pt. C)	2,239,722	38,989	959,985	697,641	1,746,155
Innovation (pt. D)		330,360			487,767
Consumer and homemaking education (pt. F)		755,628	755,628	881,801	1,260,161
Cooperation education (pt. G)		382,829	907,517	618,938	618,938
Work-study (pt. H)		222,768		288,289	288,289
Adult basic education (Adult Education Act):					
Grants to States	1,208,203	1,351,381	1,531,199	1,531,199	1,531,199
Special projects and teacher education	100,000				
Subtotal, vocational and adult education	15,924,610	19,535,425	20,607,799	23,143,287	23,110,101
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	6,825,477	[1]2,875,956	[1]3,660,424	[1]2,834,582	[1]3,660,424
Work-study and cooperative education (HEA IV-C)	4,369,310	6,842,259	7,071,655	7,000,938	7,701,032
Loans:					
Direct (NDEA II)	9,263,289	9,149,205	8,103,528	10,579,639	11,245,324
Insured:					
Advances for reserve funds					
Interest payments	353,134				
Special programs for the disadvantaged: Talent search	139,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	376,856	380,809		164,960	380,809
Permanent	50,000	50,000	50,0000	50,000	50,000
Strengthening developing institutions (HEA III)	928,455				
Language training and area studies	228,989				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	5,062,019	2,208,535			2,215,139
Other undergraduate facilities (HEFA I—Sec. 104)	7,474,954	1,394,980			1,394,880
Graduate facilities (HEFA II)	1,200,000				
State administration and planning (HEFA I—Sec. 105)	130,405	216,768	161,361	161,361	161,361
Undergraduate instructional equipment (HEA VI-A)	681,179				665,433
College personnel development (NDEA IV; EPDA pt. E)	2,814,700				
Subtotal, higher education	39,897,767	23,118,512	19,046,968	20,791,480	27,474,502
Education professions development:					
Grants to States (EPDA B-2)	615,679	635,989	609,202	609,202	609,202
Personnel development programs	1,529,997				
Teacher Corps	729,250				
Subtotal, education professions development	2,874,926	635,989	609,202	609,202	609,202
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	1,685,152	1,404,949	1,404,949	1,685,152	1,685,152
Interlibrary cooperation (LSCA III)	48,593	48,593	48,593	48,593	48,593
State institutional library services (LSCA IV-A)	39,509	38,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,747	25,747	25,747	25,747	25,747
Construction (LSCA II)	1,080,285	270,292		120,563	343,925
College library resources (HEA II-A)	1,016,270				
Librarian training (HEA II-B)	302,349				
Educational broadcasting facilities	131,687				
University community service programs (HEA I)	324,216	324,216		325,054	325,054
Subtotal, community education	4,653,808	2,113,406	1,518,798	2,244,618	2,467,980
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	156,630				
Total, Office of Education	127,695,563	110,133,355	94,785,425	115,162,378	133,094,319
Total, Office of Education, comparable basis [2]	116,370,990	110,133,355	94,785,425	115,162,378	133,094,319

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF OKLAHOMA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$16,791,317	$18,736,899	$18,464,057	$21,051,013	$20,701,647
State administrative expenses	167,913	187,368	184,641	210,510	207,016
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					241,975
Supplementary services (ESEA III)	2,108,726	1,496,021	1,543,476	1,737,442	1,885,340
Federally affected areas:					
Maintenance (Public Law 81-874)	12,601,770	12,559,000		10,113,000	16,448,000
Construction (Public Law 81-815)	194,246	11,000			
Grants to States for school library materials (ESEA II)	596,823	507,271	954,862	954,862	954,862
Strengthening State departments of education (ESEA V):					
Grants to States	441,825	441,825	440,485	440,485	501,147
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,034,408	466,563		234,902	1,031,570
Loans to nonprofit private schools					
State administration	22,411	22,483		22,546	22,546
Guidance, counseling, and testing (NDEA V)	200,465	170,393			238,134
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	34,159,904	34,698,823	21,687,521	34,864,760	42,332,237
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	366,917	366,917	400,857	425,976	412,596
Teacher education and recruitment	380,135				
Research and innovation	100,000				
Subtotal, education for the handicapped	847,052	366,917	400,857	425,976	412,596
Vocational and adult education:					
Grants to States (pt. B)	3,795,552	4,541,401	4,541,401	5,279,822	4,709,249
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		250,912	250,912	295,249	295,249
Research and special project activities (pt. C)	253,116	15,000	377,356	316,133	511,498
Innovation (pt. D)		230,422			267,155
Consumer and homemaking education (pt. F)		221,341	221,341	258,304	369,136
Cooperation education (pt. G)		242,666	365,111	297,767	297,767
Work-study (pt. H)		52,864		68,412	68,412
Adult basic education (Adult Education Act):					
Grants to States	482,882	531,447	593,444	593,444	593,444
Special projects and teacher education	145,000				
Subtotal, vocational and adult education	4,676,550	6,117,121	6,380,633	7,140,199	7,142,978
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,349,126	[1]949,548	[1]1,208,554	[1]935,888	[1]1,208,554
Work-study and cooperative education (HEA IV-C)	2,264,220	2,396,494	2,418,706	2,394,519	2,633,971
Loans:					
Direct (NDEA II)	3,259,838	3,217,015	2,675,524	3,493,056	3,712,844
Insured:					
Advances for reserve funds					
Interest payments	81,295				
Special programs for the disadvantaged: Talent search	91,808				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	202,223	205,364		153,588	205,384
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	906,400				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,278,671	652,830			649,879
Other undergraduate facilities (HEFA I—Sec. 104)	1,937,759	385,280			385,280
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	163,842	97,138	85,038	85,038	85,038
Undergraduate instructional equipment (HEA VI-A)	243,359				237,320
College personnel development (NDEA IV; EPDA pt. E)	777,463				
Subtotal, higher education	13,606,004	7,953,669	6,437,882	7,112,089	9,168,250
Education professions development:					
Grants to States (EPDA B-2)	140,917	221,695	215,613	215,613	215,613
Personnel development programs	552,463				
Teacher Corps	134,527				
Subtotal, education professions development	827,907	221,695	215,613	215,613	215,613
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	480,232	413,019	413,019	480,232	480,232
Interlibrary cooperation (LSCA III)	42,061	42,061	42,061	42,061	42,061
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,179	25,179	25,179	25,179	25,179
Construction (LSCA II)	485,060	125,669		89,730	146,308
College library resources (HEA II-A)	395,613				
Librarian training (HEA II-B)	181,146				
Educational broadcasting facilities					
University community service programs (HEA I)	153,588	153,588		153,920	153,920
Subtotal, community education	1,802,388	799,025	519,678	830,631	887,209
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	55,919,805	50,157,250	35,642,214	50,589,268	60,158,883
Total, Office of Education, comparable basis [2]	51,930,596	50,157,250	35,642,214	50,589,268	60,158,883

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF OREGON

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$8,093,651	$8,256,688	$8,998,583	$9,032,085	$8,998,583
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B.: Special incentive grants					167,630
Pt. C: Special grants for urban and rural schools					32,994
Supplementary services (ESEA III)	1,723,109	1,267,496	1,300,528	1,455,299	1,573,274
Federally affected areas:					
Maintenance (Public Law 81-874)	3,282,405	3,301,000		2,767,000	4,294,000
Construction (Public Law 81-815)					
Grants to States for school library materials (ESEA II)	485,416	426,653	803,112	803,112	803,112
Strengthening State departments of education (ESEA V):					
Grants to States	392,527	392,527	398,278	398,278	452,608
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	745,867	338,665		170,509	748,788
Loans to nonprofit private schools					
State administration	18,609	18,340		18,172	18,172
Guidance, counseling, and testing (NDEA V)	166,454	138,990			191,937
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	15,057,948	14,390,359	11,750,501	14,894,455	17,531,098
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	279,058	279,058	304,870	323,975	313,799
Teacher education and recruitment	994,455				
Research and innovation	613,213				
Subtotal, education for the handicapped	1,886,726	279,058	304,870	323,975	313,799
Vocational and adult education:					
Grants to States (pt. B)	2,577,575	3,138,872	3,138,872	3,649,238	3,254,877
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		173,422	173,422	204,067	204,067
Research and special project activities (pt. C)	253,116	15,000	345,463	295,250	353,530
Innovation (pt. D)		224,951			255,079
Consumer and homemaking education (pt. F)		152,985	152,985	178,531	255,134
Cooperative education (pt. G)		234,994	335,420	280,186	280,186
Work-study (pt. H)		42,525		55,032	55,032
Adult basic education (Adult Education Act):					
Grants to States	225,639	241,935	262,331	262,331	262,331
Special projects and teacher education	43,742				
Subtotal, vocational and adult education	3,099,802	4,255,752	4,439,561	4,955,703	4,951,304
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,901,186	[1] 834,098	[1] 1,061,613	[1] 822,099	[1] 1,061,613
Work-study and cooperative education (HEA IV-C)	3,422,079	1,536,246	1,634,421	1,618,077	1,779,884
Loans:					
Direct (NDEA II)	2,539,560	2,486,567	2,350,223	3,068,356	3,261,421
Insured:					
Advances for reserve funds					
Interest payments	348,206				
Special programs for the disadvantaged: Talent search	68,620				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	188,978	192,058		152,726	192,058
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	106,950				
Language training and area studies	120,593				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	978,887	502,615			512,143
Other undergraduate facilities (HEFA I—Sec. 104)	1 651,456	342,465			342,465
Graduate facilities (HEFA II)	500,000				
State administration and planning (HEFA I—Sec. 105)	86,876	89,263	78,838	78,838	78,838
Undergraduate instructional equipment (HEA VI-A)	198,461				195,573
College personnel development (NDEA IV; EPDA pt. E)	1,321,922				
Subtotal, higher education	13,483,774	6,033,312	5,175,095	5,790,096	7,473,995
Education professions development:					
Grants to States (EPDA B-2)	203,938	202,355	197,239	197,239	197,239
Personnel development programs	1,309,266				
Teacher Corps	386,867				
Subtotal, education professions development	1,900,071	202,355	197,239	197,239	197,239
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	375,683	337,786	337,786	388,844	388,844
Interlibrary cooperation (LSCA III)	41,566	41,566	41,566	41,566	41,566
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,136	25,136	25,136	25,136	25,136
Construction (LSCA II)	387,922	114,693		87,391	128,092
College library resources (HEA II-A)	323,389				
Librarian training (HEA II-B)	228,958				
Educational broadcasting facilities					
University community service programs (HEA I)	142,684	142,684		142,508	142,508
Subtotal, community education	1,564,847	701,374	443,997	724,954	765,655
Research and development:					
Educational laboratories	1,763,473				
Research and development centers	518,759				
Subtotal, research and development	2,282,232				
Civil rights education	207,597				
Total, Office of Education	39,482,997	25,862,210	22,311,263	26,886,422	31,233,090
Total, Office of Education, comparable basis [2]	30,428,796	25,862,210	22,311,263	26,886,422	31,233,090

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF PENNSYLVANIA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$46,085,501	$56,549,804	$55,726,371	$63,534,060	$62,479,639
State administrative expenses	460,885	565,498	557,264	635,341	624,796
Pt. B.: Special incentive grants					21,405
Pt. C: Special grants for urban and rural schools					551,393
Supplementary services (ESEA III)	8,692,138	5,928,233	6,129,230	7,084,901	7,814,299
Federally affected areas:					
Maintenance (Public Law 81-874)	9,290,582	8,759,000		6,037,000	11,401,000
Construction (Public Law 81-815)					
Grants to States for school library materials (ESEA II)	2,767,349	2,338,965	4,402,757	4,402,757	4,404,757
Strengthening State departments of education (ESEA V):					
Grants to States	1,071,500	1,071,500	1,070,926	1,070,926	1,239,960
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	3,992,360	1,796,266		904,372	3,971,538
Loans to nonprofit private schools					
State administration	104,487	103,732		103,199	103,199
Guidance, counseling, and testing (NDEA V)	934,630	786,156			1,090,005
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	73,399,432	77,999,154	67,986,548	83,872,556	93,799,991
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	1,672,090	1,672,090	1,826,756	1,941,227	1,880,253
Teacher education and recruitment	1,387,240				
Research and innovation	592,755				
Subtotal, education for the handicapped	3,652,085	1,672,090	1,826,756	1,941,227	1,880,253
Vocational and adult education:					
Grants to States (pt. B)	14,044,897	17,080,756	17,080,756	19,856,954	17,711,078
State advisory councils		93,203	93,203	93,203	93,203
Programs for students with special needs (pt. B)		943,714	943,714	1,110,411	1,110,411
Research and special project activities (pt. C)	753,769	42,956	993,434	719,544	1,923,700
Innovation (pt. D)		336,098			500,432
Consumer and homemaking education (pt. F)		832,492	832,492	971,461	1,388,290
Cooperative education (pt. G)		390,876	938,656	637,377	637,377
Work-study (pt. H)		233,107		301,668	301,668
Adult basic education (Adult Education Act):					
Grants to States	1,758,365	1,967,553	2,235,911	2,235,911	2,235,911
Special projects and teacher education	445,000				
Subtotal, vocational and adult education	17,002,031	21,920,755	23,118,166	25,926,529	25,902,070
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	6,920,537	[1] 3,022,911	[1] 3,847,465	[1] 2,979,424	[1] 3,847,465
Work-study and cooperative education (HEA IV-C)	5,302,145	7,898,003	8,141,348	8,059,934	8,865,927
Loans:					
Direct (NDEA II)	9,314,508	9,471,840	8,517,601	11,120,236	11,819,936
Insured:					
Advances for reserve funds					
Interest payments	1,819,562				
Special programs for the disadvantaged: Talent search	90,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	415,033	419,164		167,446	419,164
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	636,445				
Language training and area studies	927,017				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	5,381,842	2,754,310			2,697,489
Other undergraduate facilities (HEFA I—Sec. 104)	7,313,779	1,517,897			1,517,897
Graduate facilities (HEFA II)	1,648,829				
State administration and planning (HEFA I—Sec. 105)	443,361	256,687	200,561	200,561	200,561
Undergraduate instructional equipment (HEA VI-A)	738,408				721,473
College personnel development (NDEA IV; EPDA pt. E)	3,701,000				
Subtotal, higher education	44,702,466	25,390,812	20,756,975	22,577,601	30,139,912
Education professions development:					
Grants to States (EPDA B-2)	719,912	661,121	633,078	633,078	633,078
Personnel development programs	2,324,878				
Teacher Corps	1,208,432				
Subtotal, education professions development	4,253,222	661,121	633,078	633,078	633,078
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	1,948,566	1,621,800	1,621,800	1,948,566	1,948,566
Interlibrary cooperation (LSCA III)	50,021	50,021	50,021	50,021	50,021
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,872	25,872	25,872	25,872	25,872
Construction (LSCA II)	1,274,143	302,031		127,303	387,784
College library resources (HEA II-A)	1,322,250				
Librarian training (HEA II-B)	245,608				
Educational broadcasting facilities					
University community service programs (HEA I)	350,978	350,978		349,235	349,235
Subtotal, community education	5,256,947	2,390,211	1,737,202	2,540,506	2,800,987
Research and development:					
Educational laboratories	2,700,000				
Research and development centers	1,454,332				
Subtotal, research and development	4,154,332				
Civil rights education	30,538				
Total, Office of Education	152,451,053	130,034,143	116,058,725	137,491,497	155,156,291
Total, Office of Education, comparable basis [2]	131,178,759	130,034,143	116,058,725	137,491,497	155,156,291

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF RHODE ISLAND

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A:					
Basic grants	$3,427,736	$4,261,172	$4,189,876	$4,797,926	$4,715,809
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					46,320
Supplementary services (ESEA III)	950,666	751,529	766,512	835,130	887,333
Federally affected areas:					
Maintenance (Public Law 81–874)	3,453,728	3,443,000		3,065,000	4,532,000
Construction (Public Law 81–815)	125,400				
Grants to States for school library materials (ESEA II)	210,946	179,825	338,494	338,494	338,494
Strengthening State departments of education (ESEA V):					
Grants to States	280,536	280,536	281,321	281,321	322,752
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	281,708	125,274		63,072	276,980
Loans to nonprofit private schools	43,800				
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	69,988	58,982			81,882
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	9,007,841	9,363,651	5,826,203	9,644,276	11,464,903
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	127,696	127,696	139,507	200,000	200,000
Teacher education and recruitment	160,366				
Research and innovation					
Subtotal, education for the handicapped	288,062	127,696	139,507	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,125,087	1,294,166	1,294,166	1,504,552	1,341,961
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		71,503	71,503	84,135	84,135
Research and special project activities (pt. C)	124,574	15,000	259,896	239,220	145,758
Innovation (pt. D)		210,274			222,680
Consumer and homemaking education (pt. F)		63,076	63,076	73,606	105,190
Cooperation education (pt. G)		214,409	255,761	233,018	233,018
Work-study (pt. H)		18,141		23,477	23,477
Adult basic education (Adult Education Act):					
Grants to States	228,181	244,389	265,137	265,137	265,137
Special projects and teacher education					
Subtotal, vocational and adult education	1,477,842	2,162,026	2,240,607	2,454,213	2,452,424
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV–A)	820,489	[1]317,502	[1]404,106	[1]312,934	[1]404,106
Work-study and cooperative education (HEA IV–C)	548,835	669,589	665,251	658,598	724,458
Loans:					
Direct (NDEA II)	1,074,064	1,068,572	894,619	1,167,979	1,241,470
Insured:					
Advances for reserve funds					
Interest payments	351,741				
Special programs for the disadvantaged: Talent search	42,000				
Institutional assistance:					
Aid to lang-grant colleges:					
Annual	167,458	170,438		151,235	170,438
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	37,000				
Language training and area studies	46,837				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	366,701	189,606			180,445
Other undergraduate facilities (HEFA I—Sec. 104)	643,900	134,700			134,700
Graduate facilities (HEFA II)	600,000				
State administration and planning (HEFA I—Sec. 105)	64,566	61,106	56,117	56,117	56,117
Undergraduate instructional equipment (HEA VI–A)	75,611				78,250
College personnel development (NDEA IV; EPDA pt. E)	931,289				
Subtotal, higher education	5,820,491	2,661,513	2,070,093	2,396,863	3,039,984
Education professions development:					
Grants to States (EPDA B–2)	140,866	143,140	140,984	140,984	140,984
Personnel development programs					
Teacher Corps					
Subtotal, education professions development	140,866	143,140	140,984	140,984	140,984
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	240,363	215,551	215,551	240,363	240,363
Interlibrary cooperation (LSCA III)	40,761	40,761	40,761	40,761	40,761
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,066	25,066	25,066	25,066	25,066
Construction (LSCA II)	122,211	96,859		83,592	103,370
College library resources (HEA II–A)	130,256				
Librarian training (HEA II–B)					
Educational broadcasting facilities					
University community service programs (HEA I)	119,427	119,427		119,260	119,260
Subtotal, community education	717,593	537,173	320,887	548,551	568,329
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	75,073				
Total, Office of Education	17,527,768	14,995,199	10,738,281	15,384,887	17,866,624
Total, Office of Education, comparable basis [2]	15,077,585	14,995,199	10,738,281	15,384,887	17,866,624

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF SOUTH CAROLINA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$29,997,874	$34,304,985	$33,805,445	$38,541,845	$37,902,198
State administrative expenses	300,015	343,050	338,054	385,418	379,022
Pt. B.: Special incentive grants					54,484
Pt. C: Special grants for urban and rural schools					536,594
Supplementary services (ESEA III)	2,876,411	1 634,142	1,680,942	1,897,085	2,061,914
Federally affected areas:					
Maintenance (Public Law 81-874)	8,148,582	8,485,000		7,414,000	10,767,000
Construction (Public Law 81-815)	1,090,261	559,000		251,030	251,030
Grants to States for school library materials (ESEA II)	647,442	542,285	1,020,771	1,020,771	1,020,771
Strengthening State departments of education (ESEA V):					
Grants to States	462,194	462,194	456,998	456,998	519,515
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,435,659	658,416		331,495	1,455,756
Loans to nonprofit private schools					
State administration	26,798	26,879		26,671	26,671
Guidance, counseling, and testing (NDEA V)	239,707	203,707			281,704
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	45,224,943	47,319,658	37,402,210	50,425,313	55,356,659
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	448,822	448,822	490,338	521,064	504,698
Teacher education and recruitment	183,963				
Research and innovation					
Subtotal, education for the handicapped	632,785	448,822	490,338	521,064	504,698
Vocational and adult education:					
Grants to States (pt. B)	4,705,545	5,581,203	5,581,203	6,489,335	5,788,053
State advisory councils		34,679	34,679	34,679	34,679
Programs for students with special needs (pt. B)		308,362	308,362	362,886	362,886
Research and special project activities (pt. C)	41,942	15,000	417,805	342,620	628,673
Innovation (pt. D)		237,360			282,471
Consumer and homemaking education (pt. F)		272,021	272,021	317,476	453,698
Cooperation education (pt. G)		252,397	402,768	320,064	320,064
Work-study (pt. H)		66,128		85,578	85,578
Adult basic education (Adult Education Act):					
Grants to States	938,021	1,056,859	1,194,355	1,194,355	1,194,355
Special projects and teacher education	120,000				
Subtotal, vocational and adult education	5,805,508	7,824,009	8,211,193	9,146,993	9,150,457
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,318,847	[1] 556,431	[1] 708,208	[1] 548,426	[1] 708,208
Work-study and cooperative education (HEA IV-C)	1,318,936	2,923,329	3,024,746	2,994,499	3,293,948
Loans:					
Direct (NDEA II)	1,755,247	1,785,215	1,567,846	2,046,917	2,175,711
Insured:					
Advances for reserve funds					
Interest payments	58,412				
Special programs for the disadvantaged: Talent search	29,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	203,508	206,656		153,672	206,656
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,322,163				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,352,252	758,609			750,494
Other undergraduate facilities (HEFA I—Sec. 104)	1,552,012	294,365			294,365
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	89,260	88,808	81,417	81,417	81,417
Undergraduate instructional equipment (HEA VI-A)	145,939				142,229
College personnel development (NDEA IV; EPDA pt. E)	535,600				
Subtotal, higher education	9,731,176	6,663,413	5,432,217	5,874,931	7,703,028
Education professions development:					
Grants to States (EPDA B-2)	225,427	230,095	223,593	223,593	223,593
Personnel development programs	204,116				
Teacher Corps	389,168				
Subtotal, education professions development	818,711	230,095	223,593	223,593	223,593
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	489,102	420,321	420,321	489,102	489,102
Interlibrary cooperation (LSCA III)	42,109	42,109	42,109	42,109	42,109
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,183	25,183	25,183	25,183	25,183
Construction (LSCA II)	191,554	126,735		89,957	144,785
College library resources (HEA II-A)	330,491				
Librarian training (HEA II-B)	68,841				
Educational broadcasting facilities					
University community service programs (HEA I)	156,011	156,011		156,614	156,614
Subtotal, community education	1,342,800	809,868	527,122	842,474	897,302
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	363,946				
Total, Office of Education	63,919,869	63,295,865	52,286,673	67,034,368	73,835,737
Total, Office of Education, comparable basis *	60,168,230	63,295,865	52,286,673	67,034,368	73,835,737

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF NORTH DAKOTA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A:					
Basic grants	$5,384,852	$6,138,638	$6,039,975	$6,907,237	$6,790,114
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					71,500
Pt. C: Special grants for urban and rural schools					65,130
Supplementary services (ESEA III)	209,789	670,038	679,400	733,964	775,438
Federally affected areas:					
Maintenance (Public Law 81-874)	3,425,076	3,410,000		3,665,000	4,667,000
Construction (Public Law 81-815)	192,626	24,000			
Grants to States for school library materials (ESEA II)	181,001	150,552	283,393	283,393	283,393
Strengthening State departments of education (ESEA V):					
Grants to States	280,643	280,643	279,034	279,034	317,606
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	351,316	151,605		76,329	335,198
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	92,268	50,790			70,238
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	10,280,904	11,139,599	7,531,802	12,208,290	13,638,950
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	113,577	113,577	124,083	200,000	200,000
Teacher education and recruitment	156,012				
Research and innovation	7,853				
Subtotal, education for the handicapped	277,442	113,577	124,083	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,314,560	1,228,372	1,228,372	1,428,191	1,273,851
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		67,867	67,867	79,865	79,865
Research and special project activities (pt. C)	105,000	15,000	252,118	234,127	138,360
Innovation (pt. D)		208,940			219,734
Consumer and homemaking education (pt. F)		59,870	59,870	69,871	99,851
Cooperation education (pt. G)		212,538	248,520	228,730	228,730
Work-study (pt. H)		15,215		19,690	19,690
Adult basic education (Adult Education Act):					
Grants to States	157,733	165,279	174,659	174,659	174,659
Special projects and teacher education	50,000				
Subtotal, vocational and adult education	1,627,293	2,004,149	2,062,474	2,266,201	2,265,808
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	931,287	279,677	[1] 355,964	[1] 275,654	[1] 355,964
Work-study and cooperative education (HEA IV-C)	835,548	764,132	665,251	804,128	884,540
Loans:					
Direct (NDEA II)	929,478	905,666	788,041	1,028,835	1,093,570
Insured:					
Advances for reserve funds					
Interest payments	68,059				
Special programs for the disadvantaged: Talent search	42,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	163,222	166,182		151,049	166,182
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	109,300				
Language training and area studies	6,477				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		219,374			239,042
Other undergraduate facilities (HEFA I—Sec. 104)	978,247	113,427			113,427
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	81,037	61,447	56,097	56,097	56,097
Undergraduate instructional equipment (HEA VI-A)	70,545				68,340
College personnel development (NDEA IV; EPDA pt. E)	222,400				
Subtotal, higher education	4,487,600	2,559,905	1,915,353	2,365,763	3,027,162
Education professions development:					
Grants to States (EPDA B-2)	152,859	136,118	134,313	134,313	134,313
Personnel development programs	184,482				
Teacher Corps	33,037				
Subtotal, education professions development	370,378	136,118	134,313	134,313	134,313
Community education.					
Public libraries:					
Services:					
Grants to States (LSCA I)	211,135	191,490	191,490	211,135	211,135
Interlibrary cooperation (LSCA III)	40,602	40,602	40,602	40,602	40,602
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,052	25,052	25,052	25,052	25,052
Construction (LSCA II)	264,000	93,348		82,844	98,504
College library resources (HEA II-A)	122,741				
Librarian training (HEA II-B)	36,290				
Educational broadcasting facilities					
University community service programs (HEA I)	114,690	114,690		114,106	114,106
Subtotal, community education	854,019	504,691	296,653	513,248	528,908
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	17,897,636	16,458,039	12,064,678	17,687,815	19,795,141
Total, Office of Education, comparable basis [2]	16,788,440	16,458,039	12,064,678	17,687,815	19,795,141

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF TENNESSEE

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$32,040,454	$36,662,972	$36,129,096	$41,191,057	$40,507,444
State administrative expenses	320,413	366,630	361,291	411,911	405,074
Pt. B.: Special incentive grants					
Pt. C: Special grants for urban and rural schools					525,807
Supplementary services (ESEA III)	3,110,281	2,179,882	2,240,639	2,568,848	2,819,295
Federally affected areas:					
Maintenance (Public Law 81-874)	6,763,256	6,741,000		4,789,000	8,776,000
Construction (Public Law 81-815)	53,590				
Grants to States for school library materials (ESEA II)	887,491	748,560	1,409,054	1,409,054	1,409,054
Strengthening State departments of education (ESEA V):					
Grants to States	548,312	548,312	543,785	543,785	621,042
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,880,219	837,746		421,783	1,852,253
Loans to nonprofit private schools					
State administration	36,486	36,499		36,095	36,095
Guidance, counseling, and testing (NDEA V)	326,367	276,616			381,239
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	45,966,869	48,498,217	40,783,865	51,471,533	57,433,303
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	592,555	592,555	647,365	687,932	666,324
Teacher education and recruitment	755,630				
Research and innovation	377,353				
Subtotal, education for the handicapped	1,724,971	592,555	647,365	687,932	666,324
Vocational and adult education:					
Grants to States (pt. B)	6,544,967	7,399,834	7,399,834	8,603,098	7,673,389
State advisory councils		45,979	45,979	45,979	45,979
Programs for students with special needs (pt. B)		408,841	408,841	481,089	481,089
Research and special project activities (pt. C)		18,609	483,925	385,915	833,450
Innovation (pt. D)		248,702			307,507
Consumer and homemaking education (pt. F)		360,657	360,657	420,889	601,482
Cooperative education (pt. G)		268,304	464,323	356,512	356,512
Work-study (pt. H)		84,660		109,560	109,560
Adult basic education (Adult Education Act):					
Grants to States	1,111,779	1,243,389	1,407,690	1,407,690	1,407,690
Special projects and teacher education					
Subtotal, vocational and adult education	7,656,746	10,078,975	10,571,249	11,810,732	11,816,658
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	3,802,933	[1] 1,127,246	[1] 1,434,723	[1] 1,111,030	[1] 1,434,723
Work-study and cooperative education (HEA IV-C)	3,740,853	3,977,080	4,018,617	3,978,431	4,376,275
Loans:					
Direct (NDEA II)	3,915,617	3,853,342	3,176,221	4,146,745	4,407,664
Insured:					
Advances for reserve funds					
Interest payments	203,720				
Special programs for the disadvantaged: Talent search	95,774				
Institutional assistance:					
Aid to lang-grant colleges:					
Annual	231,544	234,822		155,498	234,822
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,690,064				
Language training and area studies	103,774				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,972,230	493,293			960,522
Other undergraduate facilities (HEFA I—Sec. 104)	2,385,730	580,969			580,969
Graduate facilities (HEFA II)	200,000				
State administration and planning (HEFA I—Sec. 105)	139,223	116,041	100,888	100,888	100,888
Undergraduate instructional equipment (HEA VI-A)	293,417				288,968
College personnel development (NDEA IV; EPDA pt. E)	1,784,787				
Subtotal, higher education	20,609,666	10,432,793	8,780,449	9,542,592	12,434,831
Education professions development:					
Grants to States (EPDA B-2)	271,931	279,580	270,606	270,606	270,606
Personnel development programs	808,592				
Teacher Corps	892,463				
Subtotal, education professions development	1,972,986	279,580	270,606	270,606	270,606
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	682,542	579,567	579,567	682,542	682,542
Interlibrary cooperation (LSCA III)	43,158	43,158	43,158	43,158	43,158
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,275	25,275	25,275	25,275	25,275
Construction (LSCA II)	225,972	149,969		94,907	176,992
College library resources (HEA II-A)	408,431				
Librarian training (HEA II-B)	280,418				
Educational broadcasting facilities					
University community service programs (HEA I)	183,638	183,638		183,828	183,828
Subtotal, community education	1,888,943	1,021,116	687,509	1,069,219	1,151,304
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	376,697				
Total, Office of Education	80,196,878	70,903,236	61,741,043	74,852,614	83,773,026
Total, Office of Education, comparable basis [2]	71,926,325	79,003,236	61,741,043	74,852,614	83,773,026

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF TEXAS

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$73,314,190	$74,853,133	$81,555,130	$82,194,584	$81,555,130
State administrative expenses	734,549	748,531	815,551	821,946	815,551
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					881,811
Supplementary services (ESEA III)	8,478,686	5,817,974	6,063,103	7,008,106	7,729,359
Federally affected areas:					
Maintenance (Public Law 81-874)	30,311,176	30,111,000		23,737,000	39,629,000
Construction (Public Law 81-815)	4,876,004	309,000		150,218	150,218
Grants to States for school library materials (ESEA II)	2,723,308	2,328,984	4,383,968	4,383,968	4,383,968
Strengthening State departments of education (ESEA V):					
Grants to States	1,214,477	1,214,477	1,216,664	1,216,664	1,377,024
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	4,554,006	2,326,392		1,171,277	5,143,645
Loans to nonprofit private schools	4,800				
State administration	106,791	107,263		107,680	107,680
Guidance, counseling, and testing (NDEA V)	955,233	812,916			1,137,331
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	127,273,220	118,729,670	94,134,416	120,891,443	143,010,717
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	1,598,917	1,598,917	1,746,815	1,856,276	1,797,971
Teacher education and recruitment	1,448,263				
Research and innovation	529,938				
Subtotal, education for the handicapped	3,577,118	1,598,917	1,746,815	1,856,276	1,797,971
Vocational and adult education:					
Grants to States (pt. B)	15,296,068	19,648,794	19,648,794	22,844,332	20,375,619
State advisory councils		93,203	93,203	93,203	93,203
Programs for students with special needs (pt. B)		1,085,598	1,085,598	1,277,466	1,277,466
Research and special project activities (pt. C)	425,455	49,414	1,009,769	730,241	2,213,110
Innovation (pt. D)		338,900			506,617
Consumer and homemaking education (pt. F)		957,654	957,654	1,117,612	1,597,152
Cooperative education (pt. G)		394,806	953,864	646,382	646,382
Work-study (pt. H)		240,910		311,766	311,766
Adult basic education (Adult Education Act):					
Grants to States	2,505,509	2,823,537	3,214,895	3,214,895	3,214,895
Special projects and teacher education	283,905				
Subtotal, vocational and adult education	18,510,937	25,632,816	26,963,777	30,235,897	30,236,210
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	7,466,566	[1]3,254,435	[1]4,142,141	[1]3,207,617	[1]4,142,141
Work-study and cooperative education (HEA IV-C)	8,341,028	9,160,666	9,466,983	9,372,313	10,309,545
Loans:					
Direct (NDEA II)	7,524,662	10,372,986	9,169,962	11,971,932	12,725,222
Insured:					
Advances for reserve funds					
Interest payments	1,107,488				
Special programs for the disadvantaged: Talent search	189,200				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	373,876	377,795		164,765	377,795
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,850,462				
Language training and area studies	425,414				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	4,437,818	2,284,545			2,278,572
Other undergraduate facilities (HEFA I—Sec. 104)	7,246,734	1,488,272			1,488,272
Graduate facilities (HEFA II)	2,800,000				
State administration and planning (HEFA I—Sec. 105)	252,014	229,549	184,718	184,718	184,718
Undergraduate instructional equipment (HEA VI-A)	818,531				815,324
College personnel development (NDEA IV; EPDA pt. E)	2,487,200				
Subtotal, higher education	45,370,993	27,218,248	23,013,804	24,951,345	32,371,589
Education professions development:					
Grants to States (EPDA B-2)	627,577	658,726	630,803	630,803	630,803
Personnel development programs	1,632,485				
Teacher Corps	1,121,647				
Subtotal, education professions development	3,381,709	658,726	630,803	630,803	630,803
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	1,664,458	1,387,913	1,387,913	1,664,458	1,664,458
Interlibrary cooperation (LSCA III)	48,481	48,481	48,481	48,481	48,481
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,737	25,737	25,737	25,737	25,737
Construction (LSCA II)	1,622,353	267,906		120,033	340,480
College library resources (HEA II-A)	971,864				
Librarian training (HEA II-B)	374,104				
Educational broadcasting facilities	200,000				
University community service programs (HEA I)	332,502	332,502		333,603	333,603
Subtotal, community education	5,279,008	2,102,048	1,501,640	2,231,821	2,452,268
Research and development:					
Educational laboratories	1,709,715				
Research and development centers	820,000				
Subtotal, research and development	2,529,715				
Civil rights education	809,808				
Total, Office of Education	206,732,508	175,940,425	147,991,255	180,797,585	210,499,558
Total, Office of Education, comparable basis [3]	187,152,484	175,940,425	147,991,255	180,797,585	210,499,558

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF UTAH

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$3,013,832	$3,507,573	$3,447,224	$3,951,222	$3,883,158
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					238,702
Pt. C: Special grants for urban and rural schools					26,004
Supplementary services (ESEA III)	1,088,519	866,965	886,432	974,396	1,041,369
Federally affected areas:					
Maintenance (Public Law 81-874)	7,069,317	7,047,000		5,280,000	9,202,000
Construction (Public Law 81-815)	1,235,518	773,000		50,000	50,000
Grants to States for school library materials (ESEA II)	296,752	250,725	471,954	471,954	471,954
Strengthening State departments of education (ESEA V):					
Grants to States	329,967	329,967	328,529	328,529	371,408
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	562,511	266,267		134,058	588,715
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	100,396	85,470			118,691
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	13,860,145	13,390,300	5,384,139	11,453,492	16,255,334
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	165,614	165,614	180,933	200,000	200,0000
Teacher education and recruitment	443,578				
Research and innovation	3,537				
Subtotal, education for the handicapped	612,729	165,614	180,933	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	1,478,438	1,926,493	1,926,493	2,239,910	1,997,851
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		106,439	106,439	125,257	125,257
Research and special project activities (pt. C)		15,000	281,677	253,482	216,998
Innovation (pt. D)		214,010			230,927
Consumer and homemaking education (pt. F)		93,895	93,895	109,583	156,603
Cooperative education (pt. G)		219,649	276,038	245,024	245,024
Work-study (pt. H)		23,993		31,050	31,050
Adult basic education (Adult Education Act):					
Grants to States	146,169	152,742	160,321	160,321	160,321
Special projects and teacher education					
Subtotal, vocational and adult education	1,624,607	2,783,289	2,875,931	3,195,695	3,195,099
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1,253,811	[1] 629,481	[1] 801,184	[1] 620,426	[1] 801,184
Work-study and cooperative education (HEA IV-C)	1,102,791	1,081,711	1,027,389	1,017,115	1,118,826
Loans:					
Direct (NDEA II)	1,047,412	2,268,497	1,773,678	2,315,643	2,461,346
Insured:					
Advances for reserve funds					
Interest payments	178,722				
Special programs for the disadvantaged: Talent search	50,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	168,195	171,178		151,373	171,178
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	117,600				
Language training and area studies	94,501				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		313,134			305,928
Other undergraduate facilities (HEFA I—Sec. 104)	1,830,753	224,368			224,368
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	54,045	67,778	63,154	63,154	63,154
Undergraduate instructional equipment (HEA VI-A)	189,561				156,304
College personnel development (NDEA IV; EPDA pt. E)	986,775				
Subtotal, higher education	7,124,166	4,806,147	3,715,405	4,217,711	5,352,289
Education professions development:					
Grants to States (EPDA B-2)	178,237	160,149	157,143	157,143	157,143
Personnel development programs	513,069				
Teacher Corps					
Subtotal, education professions development	691,306	160,149	157,143	157,143	157,143
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	245,448	219,738	219,738	245,448	245,448
Interlibrary cooperation (LSCA III)	40,788	40,788	40,788	40,788	40,788
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,069	25,069	25,069	25,069	25,069
Construction (LSCA II)	243,914	97,470		83,722	104,217
College library resources (HEA II-A)	227,431				
Librarian training (HEA II-B)	16,303				
Educational broadcasting facilities	59,310				
University community service programs (HEA I)	121,786	121,786		121,869	121,869
Subtotal, community education	1,019,558	544,360	325,104	556,405	576,900
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	24,932,511	21,849,859	12,638,655	19,780,446	25,736,765
Total, Office of Education, comparable basis [2]	22,052,124	21,849,859	12,638,655	19,780,446	25,736,765

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF VERMONT

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$1,632,466	$2,018,201	$1,979,533	$2,277,896	$2,237,603
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					50,580
Pt. C: Special grants for urban and rural schools					415
Supplementary services (ESEA III)	637,800	543,728	554,362	588,753	614,828
Federally affected areas:					
Maintenance (Public Law 81-874)	136,062	136,000		91,000	176,000
Construction (Public Law 81-815)					
Grants to States for school library materials (ESEA II)	104,377	94,392	177,680	177,680	177,680
Strengthening State departments of education (ESEA V):					
Grants to States	251,499	251,499	254,064	254,064	289,858
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	187,862	82,130		41,350	181,590
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	50,000	50,000			50,000
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	3,163,399	3,439,283	3,215,639	3,694,076	4,041,887
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	100,000	100,000	100,000	200,000	200,000
Teacher education and recruitment	72,260				
Research and innovation	43,867				
Subtotal, education for the handicapped	216,127	100,000	100,000	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	738,026	718,373	718,373	835,183	744,927
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		39,691	39,691	46,704	46,704
Research and special project activities (pt. C)		15,000	230,337	219,865	80,911
Innovation (pt. D)		205,204			211,487
Consumer and homemaking education (pt. F)		35,012	35,012	40,858	58,392
Cooperation education (pt. G)		207,298	228,243	216,723	216,723
Work-study (pt. H)		8,973		11,612	11,612
Adult basic education (Adult Education Act):					
Grants to States	131,267	135,709	140,840	140,840	140,840
Special projects and teacher education	30,680				
Subtotal, vocational and adult education	899,973	1,396,328	1,423,564	1,542,853	1,542,664
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	572,834	[1] 190,591	[1] 242,578	[1] 187,849	[1] 242,578
Work-study and cooperative education (HEA IV-C)	419,455	377,681	418,789	414,601	456,061
Loans:					
Direct (NDFA II)	589,299	597,750	537,025	701,119	745,234
Insured:					
Advances for reserve funds					
Interest payments	84,397				
Special programs for the disadvantaged: Talent search	15,700				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	156,343	159,271		150,601	159,271
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)					
Language training and area studies	72,165				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	208,229	112,256			133,742
Other undergraduate facilities (HEFA I—Sec. 104)	351,138	76,355			76,355
Graduate facilities (HEFA II)	800,000				
State administration and planning (HEFA !—Sec. 105)	58,174	56,723	50,642	50,642	50,642
Undergraduate instructional equipment (HEA VI-A)	43,846				43,533
College personnel development (NDEA IV; EPDA pt. E)	148,400				
Subtotal, higher education	3,569,980	1,620,627	1,299,034	1,554,812	1,957,416
Education professions development:					
Grants to States (EPDA B-2)	120,221	122,645	121,513	121,513	121,513
Personnel development programs	144,578				
Teacher Corps					
Subtotal, education professions development	264,799	122,645	121,513	121,513	121,513
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	153,671	152,416	152,416	163,671	163,671
Interlibrary cooperation (LSCA III)	40,345	40,345	40,345	40,345	40,345
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,030	25,030	25,030	25,030	25,030
Construction (LSCA II)	22,344	87,648		81,629	90,601
College library resources (HEA II-A)	112,087				
Librarian training (HEA II-B)	24,510				
Educational broadcasting facilities					
University community service programs (HEA I)	108,892	108,892		109,100	109,100
Subtotal, community education	536,388	453,840	257,300	459,284	468,256
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	8,650,666	7,132,723	6,417,050	7,572,538	8,331,736
Total, Office of Education, comparable basis [2]	7,058,176	7,132,723	6,417,050	7,572,538	8,331,736

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF VIRGINIA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$26,959,114	$31,452,550	$30,994,548	$35,337,120	$34,750,658
State administrative expenses	270,742	314,526	309,945	353,371	347,507
Pt. B: Special incentive grants					
Pt. C: Special grants for urban and rural schools					356,762
Supplementary services (ESEA III)	3,568,334	2,498,188	2,599,571	2,985,804	3,280,471
Federally affected areas:					
Maintenance (Public Law 81-874)	35,704,596	35,182,000		26,519,000	44,448,000
Construction (Public Law 81-815)	3,589,739	635,000		787,600	787,600
Grants to States for school library materials (ESEA II)	1,057,993	909,967	1,712,879	1,712,879	1,712,879
Strengthening State departments of education (ESEA V):					
Grants to States	604,339	604,339	607,398	607,398	692,328
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,960,992	882,413		444,271	1,951,012
Loans to nonprofit private schools					
State administration	42,701	42,696		42,922	42,922
Guidance, counseling, and testing (NDEA V)	381,959	323,583			453,355
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	74,140,509	72,945,262	36,324,341	68,890,365	88,923,494
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	660,289	660,289	721,365	766,569	742,491
Teacher education and recruitment	689,322				
Research and innovation	27,317				
Subtotal, education for the handicapped	1,376,928	660,289	721,365	766,569	742,491
Vocational and adult education:					
Grants to States (pt. B)	6,874,002	8,325,655	8,325,655	9,679,706	8,633,651
State advisory councils		51,732	51,732	51,732	51,732
Programs for students with special needs (pt. B)		459,992	459,992	541,293	541,293
Research and special project activities (pt. C)	23,272	20,938	535,265	419,533	937,750
Innovation (pt. D)		257,508			326,947
Consumer and homemaking education (pt. F)		405,780	405,780	473,558	676,752
Cooperation education (pt. G)		280,654	512,118	384,813	384,813
Work-study (pt. H)		102,996		133,289	133,289
Adult basic education (Adult Education Act):					
Grants to States	1,132,973	1,272,206	1,440,646	1,440,646	1,440,646
Special projects and teacher education					
Subtotal, vocational and adult education	8,030,247	11,177,461	11,731,188	13,124,570	13,126,873
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,335,930	[1] 1,042,262	[1] 1,326,557	[1] 1,027,268	[1] 1,326,557
Work-study and cooperative education (HEA IV-C)	2,032,353	3,570,372	3,802,964	3,764,934	4,141,426
Loans:					
Direct (NDEA II)	2,951,774	3,062,674	2,936,761	3,834,117	4,075,365
Insured:					
Advances for reserve funds					
Interest payments	459,026				
Special programs for the disadvantaged: Talent search	40,000				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	241,008	244,330		156,114	244,330
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	1,006,475				
Language training and area studies	96,045				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,908,903	987,014			1,019,960
Other undergraduate facilities (HEFA I—Sec. 104)	2,551,185	531,957			531,957
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	104,159	115,965	103,412	103,412	103,412
Undergraduate instructional equipment (HEA VI-A)	267,588				263,491
College personnel development (NDEA IV; EPDA pt. E)	1,379,700				
Subtotal, higher education	15,424,146	9,604,574	8,219,694	8,935,845	11,756,498
Education professions development:					
Grants to States (EPDA B-2)	319,962	318,302	307,392	307,392	307,392
Personnel development programs	581,689				
Teacher Corps	341,530				
Subtotal, education professions development	1,243,181	318,302	307,392	307,392	307,392
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	747,843	633,325	633,325	747,843	747,843
Interlibrary cooperation (LSCA III)	43,512	43,512	43,512	43,512	43,512
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,305	25,305	25,305	25,305	25,305
Construction (LSCA II)	168,885	157,812		96,578	187,865
College library resources (HEA II-A)	420,852				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	196,597	196,597		197,658	197,658
Subtotal, community education	1,642,503	1,096,060	741,651	1,150,405	1,241,692
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	542,682				
Total, Office of Education	102,400,196	95,801,948	58,045,631	93,175,146	116,098,440
Total, Office of Education, comparable basis[3]	96,547,970	95,801,948	58,045,631	93,175,146	116,098,440

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF WASHINGTON

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$11,517,854	$12,691,030	$13,007,855	$14,276,980	$14,037,548
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					33,009
Pt. C: Special grants for urban and rural schools					98,040
Supplementary services (ESEA III)	2,503,083	1,854,696	1,936,123	2,196,694	2,407,671
Federally affected areas:					
Maintenance (Public Law 81-874)	12,296,924	12,257,000		10,488,000	16,297,000
Construction (Public Law 81-815)	530,390	425,000			
Grants to States for school library materials (ESEA II)	819,428	701,488	1,320,448	1,320,448	1,320,448
Strengthening State departments of education (ESEA V):					
Grants to States	513,297	513,297	514,477	514,477	584,013
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,105,278	520,831		262,224	1,151,555
Loans to nonprofit private schools					
State administration	29,065	30,374		30,689	30,689
Guidance, counseling, and testing (NDEA V)	259,983	230,194			324,147
Planning and evaluation		100,000	100,000	100,000	100,000
ubtotal, elementary and secondary education	29,725,302	29,473,910	17,028,903	29,339,512	36,534,120
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	451,985	451,985	493,793	524,736	508,254
Teacher education and recruitment	433,170				
Research and innovation	284,584				
Subtotal, education for the handicapped	1,169,739	451,985	493,793	524,736	508,254
Vocational and adult education:					
Grants to States (pt. B)	3,724,103	4,779,695	4,779,695	5,556,995	4,956,468
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		264,079	264,079	310,748	310,748
Research and special project activities (pt. C)	47,383	15,000	441,142	357,901	538,350
Innovation (pt. D)		241,363			291,308
Consumer and homemaking education (pt. F)		232,956	232,956	271,864	388,515
Cooperative education (pt. G)		258,011	424,493	332,928	332,928
Work-study (pt. H)		72,370		93,656	93,656
Adult basic education (Adult Education Act):					
Grants to States	305,985	333,131	366,630	366,630	366,630
Special projects and teacher education					
Subtotal, vocational and adult education	4,077,471	6,227,673	6,540,063	7,321,790	7,309,671
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	2,518,068	[1] 1,229,052	[1] 1,564,298	[1] 1,211,371	[1] 1,564,298
Work-study and cooperative education (HEA IV-C)	2,745,963	2,375,723	2,485,067	2,460,216	2,706,239
Loans:					
Direct (NDEA II)	3,908,034	3,924,140	3,463,077	4,521,253	4,805,737
Insured:					
Advances for reserve funds					
Interest payments	250,413				
Special programs for the disadvantaged: Talent search	53,156				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	212,648	217,847		154,397	217,847
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	220,000				
Language training and area studies	453,264				
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	1,372,312	709,565			719,018
Other undergraduate facilities (HEFA I—Sec. 104)	2,618,385	525,349			525,349
Graduate facilities (HEFA II)	100,000				
State administration and planning (HEFA I—Sec. 105)	178,004	106,412	93,637	93,637	281,549
Undergraduate instructional equipment (HEA VI-A)	312,641				
College personnel development (NDEA IV; EPDA pt. E)	1,517,613				
Subtotal, higher education	16,510,501	9,138,088	7,656,079	8,490,874	10,870,037
Education professions development:					
Grants to States (EPDA B-2)	292,833	268,288	259,877	259,877	259,877
Personnel development programs	1,284,423				
Teacher Corps	369,943				
Subtotal, education professions development	1,947,199	268,288	259,877	259,877	259,877
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	565,959	483,592	483,592	565,959	565,959
Interlibrary cooperation (LSCA III)	42,526	42,526	42,526	42,526	42,526
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,220	25,220	25,220	25,220	25,220
Construction (LSCA II)	323,350	135,966		91,924	157,581
College library resources (HEA II-A)	376,750				
Librarian training (HEA II-B)	357,552				
Educational broadcasting facilities					
University community service programs (HEA I)	165,768	165,768		169,913	169,913
Subtotal, community education	1,896,634	892,581	590,847	935,051	1,000,708
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education	142,010				
Total, Office of Education	55,468,856	46,452,525	32,569,562	46,871,840	56,482,667
Total, Office of Education, comparable basis [2]	49,313,337	46,452,525	32,569,562	48,871,840	56,482,667

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF WEST VIRGINIA

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$16, 156, 287	$19, 517, 670	$19, 233, 459	$21, 928, 214	$21, 564, 298
State administrative expenses	161, 563	195, 177	192, 335	219, 282	215, 643
Pt. B: Special incentive grants					108, 495
Pt. C: Special grants for urban and rural schools					281, 788
Supplementary services (ESEA III)	1, 615, 010	1, 186, 348	1, 210, 809	1, 351, 106	1, 458, 031
Federally affected areas:					
Maintenance (Public Law 81-874)	520, 634	519, 000		353, 000	676, 000
Construction (Public Law 81-815)	−8, 575				
Grants to States for school library materials (ESEA II)	420, 151	345, 700	650, 730	650, 730	650, 730
Strengthening State departments of education (ESEA V):					
Grants to States	374, 730	374, 730	368, 640	368, 640	420, 793
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	892, 132	389, 684		196, 196	861, 591
Loans to nonprofit private schools					
State administration	17, 219	16, 718		16, 429	16, 429
Guidance, counseling, and testing (NDEA V)	154, 028	126, 702			173, 529
Planning and evaluation		100, 000	100, 000	100, 000	100, 000
Subtotal, elementary and secondary education	20, 303, 179	22, 771, 729	21, 755, 973	25, 183, 597	26, 572, 318
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	314, 074	314, 074	343, 126	364, 627	353, 174
Teacher education and recruitment	235, 097				
Research and innovation	58, 498				
Subtotal, education for the handicapped	607, 669	314, 074	343, 126	364, 627	353, 174
Vocational and adult education:					
Grants to States (pt. B)	3, 101, 498	3, 544, 340	3, 544, 340	4, 120, 765	3, 675, 448
State advisory councils		31, 068	31, 068	31, 068	31, 068
Programs for students with special needs (pt. B)		195, 824	195, 824	230, 436	230, 436
Research and special project activities (pt. C)	57, 903	15, 000	342, 351	293, 212	399, 211
Innovation (pt. D)		224, 418			253, 901
Consumer and homemaking education (pt. F)		172, 745	172, 745	201, 601	288, 101
Cooperation education (pt. G)		234, 235	332, 524	278, 471	278, 471
Work-study (pt. H)		41, 745		54, 023	54, 023
Adult basic education (Adult Education Act):					
Grants to States	497, 755	550, 582	615, 329	615, 329	615, 329
Special projects and teacher education					
Subtotal, vocational and adult education	3, 657, 156	5, 009, 957	5, 234, 181	5, 824, 905	5, 825, 988
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	1, 434, 297	[1] 570, 018	[1] 725, 500	[1] 561, 817	[1] 725, 500
Work-study and cooperative education (HEA IV-C)	1, 854, 608	1, 938, 617	2, 012, 278	1, 992, 155	2, 191, 371
Loans:					
Direct (NDEA II)	1, 783, 385	1, 787, 768	1, 606, 128	2, 096, 896	2, 228, 836
Insured:					
Advances for reserve funds					
Interest payments	119, 460				
Special programs for the disadvantaged: Talent search	33, 850				
Institutional assistance:					
Aid to land-grant colleges:					
Annual	191, 149	194, 239		152, 867	194, 239
Permanent	50, 000	50, 000	50, 000	50, 000	50, 000
Strengthening developing institutions (HEA III)	655, 786				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)		608, 986			608, 852
Other undergraduate facilities (HEFA I—Sec. 104)	2, 373, 604	245, 325			245, 325
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	78, 080	79, 459	65, 899	65, 899	65, 899
Undergraduate instructional equipment (HEA VI-A)	135, 930				144, 888
College personnel development (NDEA IV; EPDA pt. E)	181, 200				
Subtotal, higher education	8, 891, 349	5, 474, 412	4, 459, 805	4, 919, 634	6, 454, 910
Education professions development:					
Grants to States (EPDA B-2)	85, 395	182, 934	178, 789	178, 789	178, 789
Personnel development programs	552, 878				
Teacher Corps	287, 331				
Subtotal, education professions development	925, 604	182, 934	178, 789	178, 789	178, 789
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	403, 825	350, 119	350, 119	403, 825	403, 825
Interlibrary cooperation (LSCA III)	41, 647	41, 647	41, 647	41, 647	41, 647
State institutional library services (LSCA IV-A)	39, 509	39, 509	39, 509	39, 509	39, 509
Library services for physically handicapped (LSCA IV-B)	25, 143	25, 143	25, 143	25, 143	25, 143
Construction (LSCA II)	308, 680	116, 492		87, 775	130, 586
College library resources (HEA II-A)	199, 360				
Librarian training (HEA II-B)					
Educational broadcasting facilities	283, 826,				
University community service programs (HEA I)	139, 136	139, 316		138, 584	138, 584
Subtotal, community education	1, 441, 126	712, 226	456, 418	736, 483	779, 294
Research and development:					
Educational laboratories	895, 478				
Research and development centers					
Subtotal, research and development	895, 478				
Civil rights education	65, 429				
Total, Office of Education	36, 786, 990	34, 465, 332	32, 428, 292	37, 208, 035	40, 119, 473
Total, Office of Education, comparable basis [2]	33, 082, 867	34, 465, 332	32, 428, 292	37, 208, 035	40, 119, 473

See footnotes at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES OBLIGATIONS IN THE STATE OF WISCONSIN

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$14,388,760	$17,432,234	$17,178,501	$19,585,340	$19,260,298
State administrative expenses	150,000	174,322	171,785	195,853	192,603
Pt. B: Special incentive grants					138,987
Pt. C: Special grants for urban and rural schools					70,821
Supplementary services (ESEA III)	3,403,351	2,364,521	2,435,381	2,795,124	3,069,568
Federally affected areas:					
Maintenance (Public Law 81–874)	2,095,973	2,089,000		1,639,000	2,723,000
Construction (Public Law 81–815)	99,715				
Grants to States for school library materials (ESEA II)	1,153,770	982,463	1,849,342	1,849,342	1,849,342
Strengthening State departments of education (ESEA V):					
Grants to States	565,995	565,995	569,933	569,933	650,238
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	1,720,045	781,646		393,538	1,728,217
Loans to nonprofit private schools	111,630				
State administration	41,056	40,967		40,682	40,682
Guidance, counseling, and testing (NDEA V)	367,246	310,476			429,692
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	24,097,541	24,841,624	22,304,942	27,168,812	30,253,448
Education for the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	625,438	625,438	683,290	726,107	703,300
Teacher education and recruitment	767,180				
Research and innovation	420,384				
Subtotal, education for the handicapped	1,813,002	625,438	683,290	726,107	703,300
Vocational and adult education:					
Grants to States (pt. B)	5,609,990	6,327,757	6,327,757	7,356,721	6,561,704
State advisory councils		39,318	39,318	39,318	39,318
Programs for students with special needs (pt. B)		349,608	349,608	411,391	411,391
Research and special project activities (pt. C)	128,533	15,913	504,927	399,668	712,704
Innovation (pt. D)		252,304			315,460
Consumer and homemaking education (pt. F)		308,406	308,406	359,913	514,342
Cooperation education (pt. G)		273,356	483,876	368,090	368,090
Work-study (pt. H)		88,951		115,113	115,113
Adult basic education (Adult Education Act):					
Grants to States	543,151	600,765	672,723	672,723	672,723
Special projects and teacher education	260,000				
Subtotal, vocational and adult education	6,541,674	8,256,378	8,686,615	9,722,937	9,710,845
Higher education:					
Student assistance:	4,329,791	[1]1,544,035	[1]1,965,198	[1]1,521,823	[1]1,965,198
Educational opportunity grants (HEA IV-A)	3,056,446	3,168,640	3,379,954	3,346,154	3,680,770
Work-study and cooperative education (HEA IV–C)					
Loans:	4,831,288	4,721,490	4,350,600	5,679,967	6,037,358
Direct (NDEA II)					
Insured:					
Advances for reserve funds	596,580				
Interest payments	73,884				
Special programs for the disadvantaged: Talent search					
Institutional assistance:					
Aid to lang-grant colleges:	240,649	243,969		156,091	243,969
Annual	50,000	50,000	50,000	50,000	50,000
Permanent	113,300				
Strengthening developing institutions (HEA III)	822,013				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	2,005,041	1,032,197			1,075,884
Other undergraduate facilities (HEFA I—Sec. 104)	3,404,584	673,709			673,709
Graduate facilities (HEFA II)	500,000				
State administration and planning (HEFA I—Sec 105)	189,230	134,944	113,051	113,051	113,051
Undergraduate instructional equipment (HEA VI–A)	353,677				355,530
College personnel development (NDEA IV; EPDA pt. E)	1,357,300				
Subtotal, higher education	21,923,783	11,568,984	9,858,803	10,867,086	14,195,469
Education professions development:					
Grants to States (EPDA B–2)	282,828	335,694	323,915	323,915	323,915
Personnel development programs	1,014,790				
Teacher Corps	313,757				
Subtotal, education professions development	1,611,375	335,694	323,915	323,915	323,915
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	745,365	631,285	631,285	745,365	745,365
Interlibrary cooperation (LSCA III)	43,498	43,498	43,498	43,498	43,498
State institutional library services (LSCA IV–A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV–B)	25,304	25,304	25,304	25,304	25,304
Construction (LSCA II)	732,551	157,514		96,514	187,452
College library resources (HEA II–A)	518,630				
Librarian training (HEA II–B)	276,081				
Educational broadcasting facilities					
University community service programs (HEA I)	190,150	190,150		189,322	189,322
Subtotal, community education	2,571,088	1,087,260	739,596	1,139,512	1,230,450
Research and development:					
Educational laboratories					
Research and development centers	1,200,000				
Subtotal, research and development	1,200,000				
Civil rights education					
Total, Office of Education	59,758,463	46,715,378	42,597,161	49,948,369	56,417,427
Total, Office of Education, comparable basis [2]	51,170,887	46,715,378	42,597,161	49,948,369	56,417,427

See footnotes at end of table.

XUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—STATE TABLES OF 1971 BUDGET ESTIMATES
OBLIGATIONS IN THE STATE OF WYOMING

Program	1969 actual	1970 appropriation after 2-percent reduction	1971 amended request	House allowance	Senate allowance
OFFICE OF EDUCATION					
Elementary and secondary education:					
Aid to school districts:					
Educationally deprived children (ESEA I):					
Pt. A: Basic grants	$1,364,174	$1,401,274	$1,633,026	$1,633,026	$1,523,712
State administrative expenses	150,000	150,000	150,000	150,000	150,000
Pt. B: Special incentive grants					74,149
Pt. C: Special grants for urban and rural schools					
Supplementary services (ESEA III)	580,075	501,223	507,391	534,204	554,494
Federally affected areas:					
Maintenance (Public Law 81-874)	1,696,509	1,691,000		1,774,000	2,287,000
Construction (Public Law 81-815)					
Grants to States for school library materials (ESEA II)	87,394	73,280	137,939	137,939	137,939
Strengthening State departments of education (ESEA V):					
Grants to States	249,634	249,634	249,024	249,024	283,559
Grants for special projects					
Acquisition of equipment and minor remodeling (NDEA III):					
Grants to States	144,298	66,403		33,432	146,817
Loans to nonprofit private schools					
State administration	13,333	13,333		13,333	13,333
Guidance, counseling, and testing (NDEA V)	50,000	50,000			50,000
Planning and evaluation		100,000	100,000	100,000	100,000
Subtotal, elementary and secondary education	4,335,417	4,296,147	2,777,380	4,624,958	5,321,003
Education of the handicapped:					
Preschool and school programs for the handicapped (ESEA VI)	100,000	100,000	100,000	200,000	200,000
Teacher education and recruitment	79,389				
Research and innovation					
Subtotal, education for the handicapped	179,389	100,000	100,000	200,000	200,000
Vocational and adult education:					
Grants to States (pt. B)	620,814	544,453	544,453	633,004	564,597
State advisory councils		31,068	31,068	31,068	31,068
Programs for students with special needs (pt. B)		30,081	30,081	35,398	35,398
Research and special project activities (pt. C)	87,014	15,000	225,670	216,809	61,324
Innovation (pt. D)		204,403			209,720
Consumer and homemaking education (pt. F)		26,535	26,535	30,968	44,256
Cooperative education (pt. G)		206,175	223,898	214,150	214,150
Work-study (pt. H)		7,413		9,593	9,593
Adult basic education (Adult Education Act):					
Grants to States	124,625	127,831	131,830	131,830	131,830
Special projects and teacher education					
Subtotal, vocational and adult education	832,453	1,192,959	1,213,535	1,302,820	1,301,936
Higher education:					
Student assistance:					
Educational opportunity grants (HEA IV-A)	365,050	[1] 122,359	[1] 155,734	[1] 120,598	[1] 155,734
Work-study and cooperative education (HEA IV-C)	516,201	273,002	286,624	283,758	312,133
Loans:					
Direct (NDEA II)	411,098	402,525	344,768	450,115	478,437
Insured:					
Advances for reserve funds					
Interest payments	23,343				
Special programs for the disadvantaged: Talent search					
Institutional assistance:					
Aid to land-grant colleges:					
Annual	154,927	157,849		150,509	157,849
Permanent	50,000	50,000	50,000	50,000	50,000
Strengthening developing institutions (HEA III)	118,900				
Language training and area studies					
Construction:					
Public community colleges and technical institutes (HEFA I—Sec. 103)	169,890	87,843			94,578
Other undergraduate facilities (HEFA I—Sec. 104)	247,470	52,868			52,868
Graduate facilities (HEFA II)					
State administration and planning (HEFA I—Sec. 105)	71,006	47,216	47,545	47,545	47,545
Undergraduate instructional equipment (HEA VI-A)	28,359				29,187
College personnel development (NDEA IV; EPDA pt. E)	240,581				
Subtotal, higher education	2,396,825	1,193,662	884,671	1,102,525	1,378,331
Education professions development:					
Grants to States (EPDA B-2)	116,931	117,580	116,701	116,701	116,701
Personnel development programs	56,147				
Teacher Corps					
Subtotal, education professions development	173,078	117,580	116,701	116,701	116,701
Community education:					
Public libraries:					
Services:					
Grants to States (LSCA I)	153,903	144,375	144,375	153,903	153,903
Interlibrary cooperation (LSCA III)	40,292	40,292	40,292	40,292	40,292
State institutional library services (LSCA IV-A)	39,509	39,509	39,509	39,509	39,509
Library services for physically handicapped (LSCA IV-B)	25,025	25,025	25,025	25,025	25,025
Construction (LSCA II)	105,309	86,474		81,379	88,975
College library resources (HEA II-A)	49,573				
Librarian training (HEA II-B)					
Educational broadcasting facilities					
University community service programs (HEA I)	106,901	106,901		106,830	106,830
Subtotal, community education	520,512	442,576	249,201	446,938	454,534
Research and development:					
Educational laboratories					
Research and development centers					
Subtotal, research and development					
Civil rights education					
Total, Office of Education	8,437,674	7,342,924	5,341,488	7,793,942	8,772,505
Total, Office of Education, comparable basis[2]	7,841,382	7,342,924	5,341,488	7,793,942	8,772,505

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[1] Initial-year awards only.

[2] The 1969 actual column shows obligations for project-type programs where the State-by-State distribution cannot be predicted in advance, and, therefore, not shown in the 1970 and 1971 columns. For this reason the 1969 comparable figure excludes obligations for project-type programs.

OFFICE OF EDUCATION

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS, PUBLIC LAW 874, MAINTENANCE AND OPERATION, ESTIMATED ENTITLEMENTS, FISCAL YEAR 1971

State and congressional district	House allowance[1]	Senate allowance[2]
ALABAMA		
1st	$491,000	$898,000
2d	1,203,000	1,804,000
3d	2,295,000	3,172,000
4th	1,189,000	1,832,000
5th	85,000	157,000
7th	163,000	317,000
8th	2,195,000	4,081,000
6th, part of 4 and 5	115,000	222,000
State total	7,736,000	12,483,000
ALASKA		
At large	16,733,000	19,420,000
ARIZONA		
1st	690,000	1,088,000
2d	3,638,000	5,300,000
3d	4,271,000	4,971,000
Part of 1st and 3d	851,000	1,183,000
State total	9,450,000	12,542,000
ARKANSAS		
1st	415,000	517,000
2d	1,205,000	1,780,000
3d	318,000	614,000
4th	354,000	685,000
State total	2,292,000	3,596,000
CALIFORNIA		
1st	1,871,000	2,715,000
2d	1,797,000	2,997,000
3d	4,158,000	7,159,000
4th	4,777,000	6,389,000
5th and 6th	1,557,000	2,221,000
7th	162,000	318,000
8th	1,143,000	1,607,000
9th	753,000	1,467,000
10th	1,099,000	1,935,000
11th	430,000	841,000
12th	3,988,000	5,340,000
13th	5,652,000	8,706,000
14th	1,253,000	2,366,000
15th	845,000	1,625,000
16th	777,000	1,107,000
17th	23,000	44,000
18th	3,150,000	3,604,000
19th	193,000	379,000
20th	46,000	90,000
23d	404,000	795,000
24th	283,000	558,000
25th	194,000	376,000
27th	797,000	1,546,000
28th	226,000	441,000
31st	50,000	95,000
32d	1,460,000	2,119,000
33d	3,768,000	6,025,000
34th	1,002,000	1,964,000
35th	4,710,000	7,689,000
36th	747,000	1,190,000
37th	1,866,000	3,655,000
38th	1,895,000	2,936,000
1st and 6th (parts of)	208,000	383,000
35th, 36th, 37th (parts of)	20,000	35,000
13th, 17th, 20th, 21st, 22d, 24th, 26th through 31st (parts)	2,448,000	4,319,000
7th, 8th and 9th (parts of)	238,000	468,000
15th and 16th (parts of)	151,000	298,000
9th and 10th (parts of)	12,000	23,000
36th and 37th (parts of)	5,145,000	7,806,000
34th and 35th (parts of)	231,000	452,000
19th and 20th (parts of)	70,000	128,000
17th, 21st, 23d and 32d	25,000	50,000
17th and 31st	22,000	42,000
17th and 28th	179,000	352,000
8th and 9th	779,000	1,533,000
7th and 8th	829,000	1,569,000
State total	61,433,000	97,757,000
COLORADO		
2d	2,662,000	5,091,000
3d	6,185,000	9,922,000
4th	1,243,000	1,967,000
State total	10,090,000	16,980,000
CONNECTICUT		
1st	110,000	216,000
2d	2,020,000	2,752,000
3d	367,000	706,000
4th	110,000	216,000
5th	146,000	281,000
6th	115,000	226,000
State total	2,868,000	4,397,000
DELAWARE		
At large	1,987,000	2,453,000
DISTRICT OF COLUMBIA		
Total	$3,720,000	$7,050,000
FLORIDA		
1st	4,507,000	6,778,000
2d	483,000	849,000
3d	1,483,000	2,480,000
4th	308,000	605,000
5th	4,230,000	7,331,000
6th	825,000	1,277,000
8th	338,000	662,000
9th	40,000	47,000
10th	58,000	95,000
12th	943,000	1,126,000
11th and parts of 12th	1,120,000	1,613,000
State total	14,335,000	22,863,000
GEORGIA		
1st	1,238,000	1,684,000
2d	728,000	1,041,000
3d	6,793,000	8,816,000
4th	333,000	656,000
6th	790,000	1,509,000
7th	1,363,000	2,663,000
8th	504,000	829,000
9th	111,000	218,000
10th	1,089,000	1,991,000
4th and 5th (part of)	800,000	1,549,000
State total	13,749,000	20,956,000
HAWAII		
At large	9,264,000	12,354,000
IDAHO		
1st	1,395,000	2,073,000
2d	902,000	1,500,000
State total	2,297,000	3,573,000
ILLINOIS		
4th	57,000	112,000
10th	118,000	228,000
12th	2,521,000	3,414,000
13th	191,000	192,000
14th	367,000	709,000
15th	90,000	178,000
16th	90,000	164,000
17th	505,000	978,000
18th	7,000	7,000
19th	333,000	648,000
20th	35,000	69,000
21st	157,000	296,000
22d	1,715,000	2,293,000
23d	114,000	225,000
24th	1,837,000	2,790,000
14th and 17th (part of)	370,000	721,000
1st thru 3d and 5th thru 11th	2,089,000	4,084,000
State total	10,596,000	17,108,000
INDIANA		
5th	917,000	1,196,000
6th	184,000	362,000
7th	270,000	475,000
8th	195,000	379,000
9th	910,000	1,760,000
11th	726,000	1,296,000
State total	3,202,000	5,468,000
IOWA		
1st	716,000	1,372,000
2d	14,000	25,000
3d	33,000	41,000
4th	469,000	894,000
5th	252,000	499,000
6th	177,000	309,000
7th	121,000	24,0000
State total	1,782,000	3,380,000
KANSAS		
1st	45,000	81,000
2d	3,993,000	5,526,000
3d	717,000	1,350,000
4th	974,000	1,917,000
5th	1,814,000	2,622,000
State total	7,543,000	11,496,000
KENTUCKY		
1st	2,364,000	2,805,000
2d	557,000	1,074,000
3d	1,057,000	2,090,000
4th	3,657,000	2,688,000
5th	109,000	208,000
6th	390,000	754,000
7th	5,000	7,000
State total	8,139,000	10,626,000
LOUISIANA		
1st	50,000	97,000
2d	161,000	316,000
3d	1,090,000	1,703,000
LOUISIANA—Continued		
6th	$165,000	$321,000
8th	860,000	1,412,000
1st and 2d (part of)	345,000	634,000
State total	2,671,000	4,483,000
MAINE		
1st	1,003,000	1,526,000
2d	1,530,000	1,925,000
State total	2,533,000	3,451,000
MARYLAND		
1st	1,152,000	1,729,000
2d	1,297,000	1,964,000
5th	7,284,000	13,685,000
6th	859,000	1,466,000
8th	4,040,000	7,899,000
6th and 8th (part of)	279,000	548,000
3d, 4th, and 7th	1,567,000	3,035,000
1st and 3d (part of)	2,162,000	3,239,000
State total	18,640,000	33,565,000
MASSACHUSETTS		
1st	572,000	1,121,000
2d	1,950,000	2,507,000
3d	3,105,000	3,747,000
4th	409,000	805,000
5th	1,140,000	2,027,000
6th	475,000	924,000
7th	584,000	1,145,000
8th	171,000	300,000
10th	244,000	459,000
11th	629,000	1,089,000
12th	2,393,000	3,302,000
Part of 5th, 6th, and 7th	34,000	66,000
9th and part of 8th and 11th	388,000	759,000
10th and 12th (part of)	3,000	6,000
4th and 5th (part of)	20,000	37,000
1st and 2d (part of)	3,000	6,000
State total	12,120,000	18,300,000
MICHIGAN		
2d	18,000	25,000
3d	389,000	618,000
8th	25,000	44,000
9th	44,000	82,000
10th	820,000	998,000
11th	1,860,000	2,284,000
12th	884,000	1,195,000
16th	20,000	24,000
1st, 13th, 14th, 17th, and part of 1 and 12	448,000	881,000
State total	4,508,000	6,151,000
MINNESOTA		
1st	67,000	133,000
2d	11,[illegible]	13,000
3d	484,000	952,000
4th	514,000	1,015,000
5th	284,000	518,000
6th	126,000	215,000
7th	570,000	695,000
8th	642,000	897,000
State total	2,698,000	4,438,000
MISSISSIPPI		
1st	452,000	529,000
3d	68,000	130,000
4th	176,000	249,000
5th	1,580,000	2,457,000
State total	2,276,000	3,365,000
MISSOURI		
1st	67,000	131,000
2d	584,000	1,115,000
4th	2,929,000	4,994,000
5th	241,000	474,000
6th	249,000	489,000
7th	220,000	425,000
8th	1,469,000	1,926,000
9th	140,000	271,000
10th	43,000	75,000
1st, 2d and 9th (part of)	88,000	172,000
3d and part of 1st	525,000	1,030,000
State total	6,555,000	11,102,000
MONTANA		
1st	1,790,000	2,436,000
2d	2,679,000	3,260,000
State total	4,469,000	5,696,000
NEBRASKA		
1st	435,000	621,000
2d	3,370,000	4,663,000
3d	584,000	979,000
State total	4,389,000	6,263,000

See footnotes at end of table.

XUM

OFFICE OF EDUCATION—Continued

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS, PUBLIC LAW 874, MAINTENANCE AND OPERATION, ESTIMATED ENTITLEMENTS, FISCAL YEAR 1971—Con.

State and congressional district	House allowance [1]	Senate allowance [2]
NEVADA		
At large	$3,066,000	$4,641,00
NEW HAMPSHIRE		
1st	1,631,000	2,465,000
2d	154,000	300,000
State total	1,785,000	2,765,000
NEW JERSEY		
1st	650,000	1,265,000
2d	329,000	622,000
3d	2,155,000	3,569,000
4th	354,000	697,000
5th	450,000	826,000
6th	4,428,000	6,363,000
13th	94,000	128,0000
14th	990,000	1,961,000
3d and 6th (part of)	18,000	35,000
1st and 6th (part of)	33,000	64,000
10th and 11th	78,000	154,000
State total	9,579,000	15,684,000
NEW MEXICO		
1st	3,622,000	5,396,000
2d	5,501,000	7,186,000
At large	992,000	1,105,000
State total	10,115,000	13,687,000
NEW YORK		
1st	1,570,000	2,693,000
2d	286,000	550,000
4th	392,000	430,000
5th	43,000	85,000
25th	34,000	60,000
27th	2,532,000	3,066,000
28th	35,000	67,000
29th	718,000	1,355,000
30th	320,000	631,000
31st	1,319,000	1,605,000
32d	1,453,000	2,179,000
33d	283,000	556,000
34th	222,000	322,000
35th	274,000	440,000
38th	72,000	142,000
40th	348,000	400,000
2d, 4th, and 5th (part of)	164,000	186,000
2d and 4th (part of)	17,000	34,000
39th and 41st	93,000	183,000
6th through 14th and 16th through 24th	3,771,000	6,263,000
1st and 2d (part of)	440,000	866,000
State total	14,386,000	22,113,000
NORTH CAROLINA		
1st	1,064,000	1,517,000
3d	4,420,000	5,464,000
5th	59,000	102,000
7th	4,670,000	6,267,000
8th	119,000	234,000
11th	230,000	355,000
State total	10,562,000	13,939,000
NORTH DAKOTA		
1st	1,770,000	2,024,000
2d	1,472,000	1,744,000
State total	3,242,000	3,768,000
OHIO		
1st	8,000	16,000
2d	35,000	70,000
3d	2,020,000	3,391,000
4th	25,000	50,000
5th	16,000	30,000
6th	288,000	553,000
7th	1,150,000	2,216,000
8th	37,000	73,000
10th	197,000	386,000
11th	79,000	146,000
12th	305,000	595,000
13th	70,000	137,000
14th	153,000	301,000
15th	154,000	304,000
17th	302,000	593,000
19th	15,000	29,000
23d	443,000	871,000
24th	477,000	937,000
20th, 22d, and 23d (part of)	175,000	345,000
12th and 15th (part of)	1,652,000	2,844,000
1st and 2d (part of)	74,000	145,000
State total	7,675,000	14,032,000
OKLAHOMA		
1st	995,000	1,930,000
2d	1,215,000	1,685,000
3d	653,000	1,113,000
OKLAHOMA—Continued		
4th	$3,588,000	$5,224,000
5th	1,517,000	2,946,000
6th	912,000	1,310,000
4th and 5th (part of)	1,233,000	2,240,000
State total	10,113,000	16,448,000
OREGON		
1st	401,000	532,000
2d	1,474,000	2,148,000
3d	351,000	664,000
4th	541,000	950,000
State total	2,767,000	4,294,000
PENNSYLVANIA		
1st through 5th	2,452,000	4,426,000
6th	31,000	62,000
7th	232,000	467,000
8th	487,000	965,000
9th	108,000	212,000
10th	186,000	386,000
11th	137,000	269,000
12th	448,000	892,000
13th	137,000	270,000
15th	124,000	180,000
16th	265,000	496,000
17th	218,000	439,000
18th	27,000	36,000
19th	548,000	1,043,000
23d	18,000	35,000
26th	13,000	26,000
27th	135,000	262,000
14th, 20th, and 27th (part of)	405,000	806,000
8th and 13th (part of)	42,000	82,000
16th and 17th (part of)	24,000	47,000
State total	6,037,000	11,401,000
RHODE ISLAND		
1st	1,497,000	2,123,000
2d	1,440,000	2,156,000
1st and 2d (part of)	128,000	253,000
State total	3,065,000	4,532,000
SOUTH CAROLINA		
1st	4,420,000	6,396,000
2d	1,740,000	2,826,000
3d	61,000	108,000
4th	48,000	95,000
5th	520,000	651,000
6th	625,000	691,000
State total	7,414,000	10,767,000
SOUTH DAKOTA		
1st	414,000	610,000
2d	3,251,000	4,057,000
State total	3,665,000	4,667,000
TENNESSEE		
1st	355,000	687,000
2d	656,000	1,300,000
3d	258,000	506,000
4th	1,076,000	1,797,000
5th	220,000	432,000
6th	654,000	1,302,000
7th	155,000	305,000
8th	273,000	527,000
9th	640,000	930,000
7th and 8th (part of)	502,000	990,000
State total	4,789,000	8,776,000
TEXAS		
1st	1,011,000	1,965,000
2d	46,000	85,000
3d	334,000	641,000
4th	372,000	629,000
5th	56,000	107,000
6th	166,000	327,000
7th	2,000	3,000
8th	12,000	24,000
9th	472,000	940,000
10th	790,000	1,246,000
11th	2,336,000	3,588,000
12th	2,589,000	4,734,000
13th	1,116,000	1,765,000
14th	787,000	1,373,000
15th	181,000	272,000
16th	2,738,000	4,308,000
17th	1,329,000	1,931,000
18th	409,000	643,000
19th	263,000	402,000
20th	795,000	1,421,000
21st	655,000	1,049,000
22d	330,000	641,000
23d	733,000	1,340,000
3d, 5th, 6th, and 13th (part of)	298,000	581,000
7th, 8th, and 22d	266,000	748,000
20th, 21st, and 23d	5,651,000	8,866,000
State total	23,737,000	39,629,000
UTAH		
1st	$3,895,000	$6,724,000
2d	1,385,000	2,478,000
State total	5,280,000	9,202,000
VERMONT		
At large	91,000	176,000
VIRGINIA		
1st	5,359,000	8,852,000
2d	3,873,000	6,293,000
3d	536,000	1,041,000
4th	1,540,000	2,597,000
5th	39,000	77,000
6th	386,000	746,000
7th	43,000	80,000
8th	4,277,000	5,631,000
9th	270,000	532,000
10th	10,196,000	19,599,000
State total	26,519,000	45,448,000
WASHINGTON		
1st	576,000	1,075,000
2d	1,437,000	2,156,000
3d	597,000	1,020,000
4th	1,537,000	2,371,000
5th	1,440,000	1,923,000
6th	4,514,000	7,036,000
7th	387,000	716,000
State total	10,488,000	16,297,000
WEST VIRGINIA		
2d	213,000	399,000
3d	46,000	89,000
4th	94,000	188,000
State total	353,000	676,000
WISCONSIN		
2d	466,000	684,000
3d	512,000	968,000
7th	98,000	150,000
8th	75,000	137,000
10th	236,000	296,000
4th, 5th, and 9th	252,000	488,000
State total	1,639,000	2,723,000
WYOMING		
At large	1,774,000	2,287,000
Guam	2,069,000	2,608,000
Puerto Rico	6,199,000	6,392,000
Virgin Islands	16,000	32,000
Wake Island	500,000	500,000
Grand total	425,000,000	658,800,000

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[1] Assumes payment of 90 percent of sec. 3(a) entitlement and 100 percent of sec. 6 entitlement. All other sections prorated to about 45 percent of entitlement.

[2] Assumes payment of 100 percent of sec. 6 entitlement and of sec. 3(a) entitlement to those school districts whose 3(a) children comprise at least 25 percent of their total children in average daily attendance. All other sections (including other 3(a) entitlements) are prorated to approximately 90 percent.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PODELL (at the request of Mr. LOWENSTEIN), for July 9 and July 10, on account of official business.

Mr. CRANE (at the request of Mr. GERALD R. FORD), for July 14 through 22, on account of officials business.

Mr. MCEWEN (at the request of Mr. GERALD R. FORD), for July 8, and balance of week on account of official business.

Mr. DEVINE (at the request of Mr. GERALD R. FORD), from 4:30 p.m. July 8, and the balance of week on account of official business.

Mr. KEE for Monday, July 13, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONAGAN for 20 minutes today, to revise and extend his remarks and include extraneous material.

The following Members (at the request of Mr. Pettis), to revise and extend their remarks and to include extraneous matter to:

Mr. Miller of Ohio, today, for 5 minutes.

Mr. Hogan, today, for 5 minutes.

Mr. Conte, today, for 15 minutes.

The following Members (at the request of Mr. Mikva), to revise and extend their remarks, and to include extraneous matter to:

Mr. Gonzalez, today, for 10 minutes.

Mr. Ryan, today, for 15 minutes.

Mr. Harrington, today, for 20 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Garmatz, immediately following the President's message on Reorganization Plan No. 4.

Mr. Lennon, immediately following the remarks of Mr. Garmatz after the President's message on Reorganization Plan No. 4.

Mr. Yates.

Mr. Whitehurst.

(The following Members (at the request of Mr. Pettis) and to include extraneous matter:)

Mr. Langen in two instances.
Mr. Duncan in three instances.
Mr. Taft.
Mr. Clancy.
Mr. Ruppe.
Mr. Goldwater in two instances.
Mr. Hunt.
Mr. Erlenborn.
Mr. Brown of Michigan.
Mr. Hosmer in two instances.
Mr. Landgrebe.
Mr. Keith in two instances.
Mr. Schmitz in three instances.
Mr. Latta.
Mr. Wyman in two instances.
Mr. Fish.
Mr. Schwengel in three instances.
Mr. Ashbrook.
Mr. Berry.
Mr. Bob Wilson in four instances.
Mr. Price of Texas in two instances.
Mr. Pelly.
Mr. Ayres.
Mr. Wydler.
Mr. Hogan.
Mr. Horton.
Mr. Brock in two instances.
Mr. Hansen of Idaho.
Mr. Morton.
Mr. Wold.
Mr. Stanton.

(The following Members (at the request of Mr. Mikva) and to include extraneous matter:)

Mr. Garmatz.
Mr. Vanik in two instances.
Mr. Celler in two instances.
Mr. Hébert.
Mrs. Chisholm in two instances.
Mr. Van Deerlin.
Mr. Waldie in two instances.
Mr. Chappell in two instances.
Mr. Daniels of New Jersey.
Mr. Gonzalez in two instances.
Mr. Stuckey.
Mr. Bingham in three instances.
Mr. Hathaway in two instances.
Mr. Thompson of New Jersey.
Mr. Hanley in two instances.
Mr. Rooney of New York.
Mr. Jacobs in two instances.
Mr. Dorn in six instances.
Mr. Harrington in two instances.
Mr. Kluczynski in two instances.
Mr. Fountain in two instances.
Mr. Anderson of California in two instances.
Mr. Tiernan in two instances.
Mr. Tunney.
Mr. Rooney of Pennsylvania.
Mr. Rogers of Florida in five instances.
Mr. Hagan in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3728. An act to amend the act of September 19, 1964 (78 Stat. 986), as amended (43 U.S.C. 1411–1418) and the act of September 19, 1964 (78 Stat. 988), as amended (43 U.S.C. 1421–1427); to the Committee on Interior and Insular Affairs.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2036. An act to remove a cloud on the titles of certain property located in Malin, Oreg.

BILL AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 5106. For the relief of Rogelio Tabhan.

H.J. Res. 1284. Authorizing the President's Commission on Campus Unrest to compel the attendance and testimony of witnesses and the production of evidence, and for other purposes.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Monday, July 13, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2205. A letter from the Secretary of Commerce, transmitting the 91st quarterly report on export control, covering the first quarter, 1970, pursuant to the provisions of the Export Control Act of 1969; to the Committee on Banking and Currency.

RECEIVED FROM THE COMPTROLLER GENERAL

2206. A letter from the Comptroller General of the United States, transmitting a report relative to the Department of the Navy; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Science and Astronautics. H.R. 16539. A bill to amend the National Aeronautics and Space Act of 1958 to provide that the Secretary of Transportation shall be a member of the National Aeronautics and Space Council (Rept. No. 91–1290). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 16785. A bill to assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes with amendment (Rept. No. 91–1291). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HUTCHINSON:

H.R. 18391. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced in such country from entering the United States unlawfully; to the Committee on Foreign Affairs.

By Mr. BYRNES of Wisconsin (by request):

H.R. 18392. A bill to provide more equitable tax treatment for export income; to the Committee on Ways and Means.

By Mr. MESKILL:

H.R. 18393. A bill to provide for orderly trade in textile articles, articles of leather footwear, and minkskins; to the Committee on Ways and Means.

By Mr. McCLURE (for himself and Mr. Hansen of Idaho):

H.R. 18394. A bill to provide for orderly trade in textile articles, articles of leather footwear, and minkskins; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 18395. A bill to prohibit the expenditure of appropriations for the purpose of sending draftees to South Vietnam, Loas, Cambodia, or Thailand except under certain circumstances; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 18396. A bill to exclude from gross income the first $500 of interest received from savings account deposits in lending institutions; to the Committee on Ways and Means.

By Mr. RODINO (for himself, Mr. Addabbo, Mr. Anderson of California, Mr. Annunzio, Mr. Barrett, Mr. Beall of Maryland, Mr. Biaggi, Mr. Boggs, Mr. Brasco, Mr. Buchanan, Mr. Burke of Florida, Mr. Burton of Utah, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Carey, Mr. Casey, Mr. Cederberg, Mr. Clay, Mr. Collier, Mr. Collins, Mr. Corman, Mr. Crane, Mr. Daddario, Mr. Daniels of New Jersey, and Mr. Davis of Georgia):

H.R. 18397. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RODINO (for himself, Mr. Denney, Mr. Dent, Mr. Derwinski, Mr. Dingell, Mr. Donohue, Mr. Dorn, Mrs. Dwyer, Mr. Edmondson, Mr. Eilberg, Mr. Esch, Mr. Farbstein, Mr. Fascell, Mr. Fish, Mr. William D. Ford, Mr. Friedel, Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Giaimo, Mr. Gibbons, Mr. Gilbert, Mr. Goldwater, Mr. Green of Pennsylvania, Mr. Grover, and Mr. Halpern):

H.R. 18398. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RODINO (for himself, Mr. Harsha, Mr. Hays, Mr. Helstoski, Mr. Henderson, Mr. Hicks, Mr. Holifield, Mr. Hosmer, Mr. Howard, Mr. Hungate, Mr. Hunt, Mr. Jacobs, Mr. Johnson of California, Mr. Jonas, Mr. King, Mr. Koch, Mr. Latta, Mr. Leggett, Mr. Lennon, Mr. Lujan, Mr. Madden, Mr. Matsunaga, Mr. McClory, Mr. McDade, and Mr. McKneally):

H.R. 18399. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CELLER (for himself, Mr. Melcher, Mr. Mikva, Mr. Minish, Mr. Moorhead, Mr. Moss, Mr. Murphy of New York, Mr. Nix, Mr. Obey, Mr. O'Hara, Mr. Olsen, Mr. Ottinger, Mr. Patten, Mr. Pelly, Mr. Poff, Mr. Podell, Mr. Powell, Mr. Pucinski, Mr. Quie, Mr. Rarick, Mr. Reuss, Mr. Roe, Mr. Roberts, Mr. Rogers of Colorado, and Mr. Rogers of Florida):

H.R. 18400. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CELLER (for himself, Mr. Roybal, Mr. St Germain, Mr. Sandman, Mr. Saylor, Mr. Schneebeli, Mr. Scott, Mr. Shriver, Mr. Smith of New York, Mr. Snyder, Mr. Steed, Mr. Stratton, Mrs. Sullivan, Mr. Teague of California, Mr. Teague of Texas, Mr. Thompson of New Jersey, Mr. Tiernan, Mr. Udall, Mr. Vanik, Mr. Waggonner, Mr. Waldie, Mr. Weicker, Mr. Widnall, Mr. Charles H. Wilson, and Mr. Wold):

H.R. 18401. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CELLER (for himself, Mr. Wright, Mr. Wolff, Mr. Meskill, and Mr. Murphy of Illinois):

H.R. 18402. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any country which fails to take appropriate steps to prevent narcotic drugs produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

By Mr. UDALL (for himself, Mr. Olsen, Mr. Waldie, Mr. Hamilton, Mr. Button, and Mr. Hogan):

H.R. 18403. A bill to implement the pay comparability system for Federal employees, to establish a permanent Advisory Commission on Federal Pay, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 18404. A bill to amend title IX of the Public Health Service Act so as to extend and improve the existing program relating to education, research, training, and demonstrations in the fields of heart diseases, cancer, stroke, and other major diseases and conditions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT:

H.R. 18405. A bill to authorize the establishment of the Thomas Creek National Battlefield in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BINGHAM (for himself, Mr. Boland, Mrs. Chisholm, Mr. Corman, Mr. Diggs, Mr. Dulski, Mr. Edwards of California, Mr. Fraser, Mrs. Hansen of Washington, Mr. Harrington, Mr. Leggett, Mr. Matsunaga, Mr. Meeds, Mrs. Mink, Mr. Moorhead, Mr. Nix, Mr. Ottinger, Mr. Podell, Mr. Rees, Mr. Rosenthal, Mr. Ryan, and Mr. Symington):

H.R. 18406. A bill to further amend the Internal Revenue Code of 1954 (as amended) so as to permit charitable contributions, bequests, transfers, and gifts to the United Nations and certain specialized agencies and associated international organizations and programs established by the General Assembly thereof, to be deductible for income tax, estate tax, and gift tax purposes; to the Committee on Ways and Means.

By Mr. MORSE (for himself, Mr. Frelinghuysen, Mr. Halpern, Mr. Horton, and Mr. Reid of New York):

H.R. 18407. A bill to further amend the Internal Revenue Code of 1954 (as amended) so as to permit charitable contributions, bequests, transfers, and gifts to the United Nations and certain specialized agencies and associated international organizations and programs established by the General Assembly thereof, to be deductible for income tax, estate tax, and gift tax purposes; to the Committee on Ways and Means.

By Mr. BROCK:

H.R. 18408. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 18409. A bill to amend section 837 of title 18, United States Code, to strengthen the laws concerning illegal use, transportation, or possession of explosives and the penalties with respect thereto, and for other purposes; to the Committee on the Judiciary.

By Mr. BURTON of California (for himself, Mr. Mailliard, Mr. Don H. Clausen, Mr. Johnson of California, Mr. Cordova, Mr. Ryan, Mr. Tunney, and Mr. Udall):

H.R. 18410. A bill to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FREY:

H.R. 18411. A bill to provide for a Veterans' Administration hospital in Brevard County, Fla.; to the Committee on Veterans' Affairs.

By Mr. HÉBERT:

H.R. 18412. A bill to amend titles 10 and 32, United States Code, to authorize the establishment of a National Guard for the Virgin Islands; to the Committee on Armed Services.

By Mr. MADDEN:

H.R. 18413. A bill to amend the Tariff Schedules of the United States with respect to the duties on stainless steel sheets and on articles made from such sheets; to the Committee on Ways and Means.

By Mrs. MINK (for herself, Mr. Fraser, Mr. Corman, Mr. O'Hara, Mr. Van Deerlin, Mr. Mikva, Mr. Yates, Mr. Burton of California, Mr. Koch, Mr. Kastenmeier, Mr. Roybal, Mr. Meeds, Mr. Olsen, Mr. Stokes, Mr. Clay, Mr. Scheuer, Mr. Rees, Mr. Reuss, Mr. Lowenstein, Mr. Moorhead, Mr. Edwards of California, Mr. Hathaway, Mr. Ottinger, Mrs. Chisholm, and Mr. Thompson of New Jersey):

H.R. 18414. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for contributions to elementary and secondary schools which discriminate on the grounds of race; to the Committee on Ways and Means.

By Mrs. MINK (for herself, Mr. Rosenthal, Mr. Obey, Mr. Hawkins, Mr. Ryan, Mr. Harrington, Mr. Nix, Mr. Hechler of West Virginia, Mr. Anderson of California and Mr. Moss):

H.R. 18415. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for contributions to elementary and secondary schools which discriminate on the grounds of race; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 18416. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; to the Committee on Ways and Means.

By Mr. RAILSBACK:

H.R. 18417. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

By Mr. TUNNEY:

H.R. 18418. A bill to amend the provisions of the Economic Opportunity Act of 1964 relating to community action programs to provide for a special emphasis program to meet the credit needs of credit-worthy low-income persons; to the Committee on Education and Labor.

By Mr. REID of New York:

H.J. Res. 1301. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TAFT:

H.J. Res. 1302. Joint resolution to define the principles which shall govern the deployment of the Armed Forces of the United States by the President, to express U.S. foreign policy objectives in Southeast Asia, and to repeal the Gulf of Tonkin resolution; to the Committee on Foreign Affairs.

By Mr. LANGEN:

H. Con. Res. 676. Concurrent resolution to establish a joint congressional committee to

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carry out a study and investigation of the Federal Meat Inspection Act; to the Committee on Rules.

By Mr. WOLD:

H. Res. 1133. A resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

419. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to Fort Polk, La.; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII,

534. The SPEAKER presented a petition of Barry Dale Holland, Portsmouth, Va., relative to the validity of certain State laws under the 14th amendment; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

WOMEN'S EQUITY ACTION LEAGUE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mrs. GRIFFITHS. Mr. Speaker, with further reference to the efforts of the Women's Equity Action League in fighting sex discrimination which exists in our colleges and universities, I would like to insert into the CONGRESSIONAL RECORD copies of three letters of the organization, which were sent to the Secretary of Labor, the Honorable James D. Hodgson. I urge Secretary Hodgson to take action on these matters.

The letters follow:

SILVER SPRING, MD.,
July 5, 1970.

Hon. JAMES D. HODGSON,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: Please consider this letter as a formal charge of sex discrimination against PHI DELTA KAPPA under Executive Order 11246 as amended, which specifically forbids sex discrimination against women by Federal contractors.

The charge is based on the fact that Phi Delta Kappa, an honorary organization in the profession of education is solely limited to men. No matter how distinguished a woman may be, no matter how brilliant her accomplishments, she can under no circumstances become a member of Phi Delta Kappa, purely on the basis of her sex. Such exclusion is a violation of both the spirit and the letter of the Executive Order.

It is unthinkable that the Federal Government would give contracts to an all white organization that forbade blacks from joining; similarly any organization that forbids women from joining should be prohibited from obtaining any Federal funds whatsoever. Nevertheless, Phi Delta Kappa completed a $61,000 contract in February, 1970 for the U.S. Office of Education.

We ask that Phi Delta Kappa be declared *ineligible* for any further government contracts until such time as it ceases to be a sexist organization, and that current contract negotiations, if any, be suspended at once.

Sincerely,
BERNICE SANDLER, Ed. D.,
Chairman, Action Committee for Federal Contract Compliance in Education (WEAL).

SILVER SPRING, MD.,
July 5, 1970.

Hon. JAMES D. HODGSON,
Secretary Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: Please consider this letter as a formal charge of sex discrimination against Brooklyn College, under Executive Order 11246, as amended which specifically forbids Federal contractors from discriminating against women.

The charges are based on the enclosed report that was printed in the *Congressional Record* of June 3, 1970. As a former student and graduate (cum laude, 1948) I was shocked and dismayed to learn that in 8 departments (anthropology, art, geology, music, philosophy, physics, psychology and sociology) no woman has *ever* been appointed to the rank of full professor. In five of these (art, music, philosophy, physics and sociology) no woman has *ever* been made an associate professor. These figures are even more appalling when compared with the number of doctorates in these fields that go to women nationally: In psychology, women receive 23% of the doctorates; in Fine and Applied Arts, 34% of the doctorates; in anthropology, 24% of the doctorates; in sociology, 19% of the doctorates; in philosophy, 9% of the doctorates (Figures from the U.S. Office of Education, *Earned Degrees Conferred*, OE-54013-68-A).

The charges are also based on the by-laws of the college which create a hardship for women faculty who become pregnant. These by-laws are in violation of the recent guidelines on sex issued by the Dept. of Labor (Sect. 60-20.3(g)). A woman must notify the President of the college immediately upon learning that she is pregnant and begin a leave of absence at the end of that current term. In practice, this means that, although she may be in good health and able and willing to carry on with her duties, she must go on a *forced* leave for one year, during which time she loses all income and vacation benefits, accrued time toward sabbatical leave, pension contributions, etc. Even if the child is anticipated during the summer months, she is not permitted to carry out her teaching duties while pregnant. In essence, these by-laws punish women for becoming pregnant. It is of interest to note that the by-laws concerning pregnancy leave for administrative personnel permit the woman to adjust her leave in any way acceptable to her immediate superior. The discrimination in question here specifically applies to the woman faculty member and has been rigorously applied at Brooklyn College, although not with the same vigor at other branches of the City University.

We request that a compliance review be scheduled immediately; that such a review include an investigation of admission policies, financial support to women students, placement of graduates, hiring and promotion policies for both staff and faculty, and salary inequities. We further ask that all current contract negotiations be suspended immediately until such time as *all* inequities are worked out and an acceptable plan of affirmative action is implemented.

While we have not investigated the factual nature of this complaint, we are forwarding it to you in accordance with our usual policy of bringing these matters to your attention. Please notify me when the compliance review begins.

Sincerely,
BERNICE SANDLER, ED.D.,
Chairman, Action Committee for Federal Contract Compliance in Education, WEAL.

PART 3: PROMOTIONAL PRACTICES AT BROOKLYN COLLEGE 1930–1970 SHOWING DISCRIMINATION AGAINST WOMEN IN PROFESSIONAL ADVANCEMENT WITH SPECIAL REFERENCE TO DISCRIMINATION AGAINST DR. BABEY-BROOKE

A statistical analysis of promotion in the ranks of full, associate and assistant professor in the teaching faculty, including men and women, at Brooklyn College of the City University of New York from the inception of the college in 1930 to 1970 is the subject of this report. At first the year 1964 was chosen because it was at that time that Dr. Anna M. Babey-Brooke, an assistant professor in the department of English, protested, among other charges, "that discrimination against her as an individual and against women existed at promotion time in Brooklyn College." Due partly to her case, to the activities of the Ad Hoc Committee, and to the Report of the Committee of Rank, the college administration made a gesture to correct this injustice and promoted women in wholesale numbers in 1966. This study has therefore, included an analysis of promotional practices in 1966–1968. The Brooklyn College Bulletins which are a matter of public record, were used for this study.

The names, dates of appointment of individuals together with the years required for promotion to the next rank are all enumerated. The rate of promotion for each rank is given in a departmental as well as on a college wide level. The record speaks for itself; there is no doubt about discrimination against women. Statistical tables provided in a memorandum from Deans Mais and Stroup to President Gideonse, February 21, 1962 and reissued April of 1964 by the Office of the Dean of Students as "Conference on the Status of Women" substantiate this report.

From the beginning when the College was first set up from the faculties of Hunter College—for women—and from the College of the City of New York—for men—discrimination against women existed. The men's division sent in all men as faculty; the women's division sent in both men and women: the major ranks filled exclusively by men. In 1932, 8 men were professors, but no women; 10 men and 4 women were associate professors; 21 men and 7 women were assistant professors. This trend continued so that in 1964, 34 men but no women were appointed full professors; 39 men and 5 women were associates. In the total count from 1930 to 1964, 151 men were made full professors in contrast to 16 women; 104 men were associates in contrast to 48 women.

The Bulletin of 1966–1968 shows the continuation of this trend: 145 men were full professors to 20 women; 125 men associates to 35 women; and 153 male assistants to 62 females. In the years 1966–68 the women gained 4 full professorships at the expense of 13 associate professorships and the men lost 6 full professorships but gained 21 associate professorships. The senior ranks for females showed a net loss of 9 and for males showed a net gain of 15.

The latest Bulletin 1968–1970 lists 143 men as full professor to 17 women; 135 men associates to 25 women and 158 men assistants to 52 women. In two years from 1968 to 1970, men lost 2 professorships to 3 for women. Men gained 10 associate professorships and women lost 10; men gained 5 assistant professorships and women lost 10 assistant professorships. In the senior ranks, men gained 8 and women lost 13. The figures speak for themselves.

In the following eight departments: anthropology, art, geology, music, philosophy, physics, psychology, and sociology, no woman has ever been appointed to a full professor. This figure comprises more than half of the departments as listed in the statistical tables that follow in the departments listed on page 38 of the report published in 1966.

In the following four departments: art, music, philosophy, physics, and sociology, no woman has ever been made an associate professor.

Only on rare occasions have women held the rank of chairmen of the department. This fact also is a form of discrimination, for it is the chairmen of the departments who make up Personnel and Budget, the Committee at Brooklyn College which votes on the candidates to be promoted. If the President concurs, the recommendations goes to the Board of Higher Education of the City University of New York.

In the Babey-Brooke case—a pilot case in higher education—it was brought out in the hearings by the Board of Higher Education that the Committee on Personnel and Budget consisted of 18 men and 2 women, one of whom was the wife of the then-Dean of Administration who later became President of the College (Kilcoyne). At the hearing, it was further brought out that President Gideonse admitted that he had appointed at least 14 chairmen (of 14 different departments). This figure was a *small number* in his opinion. One of his appointees was Professor George Peck to the chairmanship of the Department of English. He went on to become Dean of Administration and then Acting President, Babey-Brooke in her capacity as an elected member of the Appointments Committee, to which she had been elected by her collagues for fourteen successive years voted against the appointment of Mr. Peck in 1955. Although President Gideonse called her into his office and asked her to change her vote, she refused.

The statistics for the spring of 1967 reported by the registrar of Brooklyn College were 12,330 women and 9,965 men for the total enrollment of 22,295 of the college; 5,246 women and 4,487 men out of that total represent the matriculated students in the day session. In this college where women predominate, a woman with a Ph. D. who has been an associate dean for over ten years was passed over for the post of Dean of Administration which was given to a man—an acting dean—who had an A.B. degree, no administrative experience, and certainly no scholastic accomplishment. The administration must have realized its mistake, for it then gave the post to Mr. Peck (March 1967, *Faculty Staff Note Book.*)

When Mr. Peck was acting president, the acting dean with a B.A. degree was appointed as an associate dean (so that he could get his full professorship).

What follows in the report is a summation of each department of the college in regard to discrimination against women in the promotional practices prevailing at Brooklyn College.

SECTION II: PROFILE OF DR. ANNA M. BABEY-BROOKE'S PROFESSIONAL ACTIVITIES SINCE HER PROMOTION TO THE RANK OF ASSISTANT PROFESSOR IN 1953

I. RECORD OF SIGNIFICANT ACHIEVEMENT IN FIELD OR PROFESSION

1. Guest Lecturer at International Congress of Acupuncture, Paris, France, 1969.
2. Guest Lecturer at International Congress of Acupuncture, Tokyo, Japan, 1965.
3. Lecturer to Medical Societies and colleges in Japan, 1965.
4. 1963–64: Senior Fulbright Grantee, Professor, English Graduate Studies, Lady Doak College, Madurai, South India. She was the head of the Graduate Department in English of this college, an affiliate of Madras University.
5. Guest Lecturer at the following colleges in India: American College, Theogarajen College, Theorgararajan College of Preceptors, Maurai College.
6. Lecturer for United States Information Service on its various American cultural affairs programs at the following Universities in India: Annamalai, Karnatak, and five colleges associated with Calcutta University.
7. Special Public Lecturer for the Annual Address promulgated by the Vice-Chancellor of Madras University on "The Search for the Self in Eastern and Western Cultures."
8. Participant, American Studies Center, Hyderabad, Osmania University, Photostatic copies of letters, unsolicited, from four government officials will provide insights into her contributions.

N.B. Other Fulbrighters at Brooklyn College have been promoted for their governmental awards. Babey-Brooke was bypassed even thought she was one of two Americans invited to represent the United States at the International Congresses in Tokyo and in Paris.

II. RECORD AS ADMINISTRATOR

1. Educational Director and Chairman, American Association of University of Women, 1966-present.
2. Member, Steering Committee, International Congress of Acupuncture, Tokyo, 1965.
3. Chairman, Graduate Studies, Lady Doak College, India, 1963–64.
4. Coordinator, Division of Written Communications, Division of Vocational Studies, 1955–1969 except for leave to teach in India.
5. Deputy Chairman, Division of Graduate Studies, English, Brooklyn College, 1958.
6. Faculty advisor to school *Landscapes*, a student publication.

III. RECORD OF SERVICE TO THE COMMUNITY—ABROAD AND AT HOME

1. Lecturer at various social agencies in India: Y.W.C.A., Y.M.C.A., Lions' Club; Hindu Relief Organization; Hindu orphanages and Christian orphanages on fund-raising campaigns; maternity centers in local villages on outskirts of Madurai on an educational program.
2. Lecturer at College of Religious Science and the First Church of Religious Science and its clubs on the following: Plato, Aristotle, Great Truths, Buddhism, Taoism, General Semantics, William James, Existentialism, *The Upanishads, BhagavadGita*, Swedenborg, Boehm, Confucius, Lao Tse etc.

IV. EVIDENCE OF CONTINUED GROWTH

She is the first American woman to receive the degree of Doctor of Acupuncture, a Chinese medical degree, signed by the Minister of Foreign Affairs and verified by the courts of Taiwan, Free China. This was awarded in June of 1964. (In the Sung Dynasty, Acupuncture was one of the three main subjects taught in the government medical schools.)

2. The State Department interviewed her in Washington about her experiences and contacts in India and Formosa.
3. She is a member of the International Committee on the Standardization of Nomenclature.
4. She is co-author of "The Pulse in Occident and Orient: It's Philosophy and Practice in India, China, Iran and the West." Dawson of Pall Mall, London; and Santa Barbara Press, N.Y., 1966.
5. Two articles published in International Journal of Acupuncture at the two different congresses—in Japan and France—and translated into other languages.

V. RECORD OF SERVICE TO THE COLLEGE

1. Her publications of various career manuals which are listed on the college special form—known as Form D—of her academic record require this explanation: She approached the dean in 1951 with preparing vocational brochures of interest to English majors and she prepared this material and edited a General Manual. These two Manuals were followed by the establishment of a college-wide committee on Employment and she became a Counsellor in the Division of Personnel Services. In 1954, the Minutes of the English Department reported that she had obtained a sum of money to defray the publication costs of a 16 page booklet. In 1954, 5,000 copies of this manual were distributed and in 1956, 2000 additional copies were sold.
2. Member, Faculty-Student Committee on Employment, 1951–53.
3. Chairman, Faculty Committee on Economic Services to Students, 1953–55.
4. Member, Committee on Career Publications (College-Wide) 1953–57.
5. Member, Committee on Scholarships and Awards, 1955–56.
6. Elected Member of Faculty Council, 1955.
7. President, Faculty Club, School of General Studies, 1958–59.

SILVER SPRING, MD.,
July 5, 1970.

HON. JAMES D. HODGSON,
Secretary, Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: Please consider this letter as a formal complaint of sex discrimination against the University of Wisconsin, under Executive Order 11246 as amended. This Order specifically forbids all Federal contractors from discriminating against women.

The charge is based on the enclosed data which gives detailed figures concerning the number of women at each rank compared with the number of men at that rank in various departments. The data show a shocking absence of women on the faculty, even in those departments where women receive substantial number of doctorates. For example, women earn 23% of the doctoral degrees (nationally) in psychology. But at the University of Wisconsin, there is only one woman in the entire faculty of 35 (less than 3%). In History, women earn 13% of the doctorates; yet the History department which even has an endowment to hire a woman has not yet hired a woman at all among its 60 faculty members. In Art education, women earn 34% of the doctorates yet in the Dept. of Art in the School of Education, there is only 1 woman among the faculty of 36.

We request that a compliance review be scheduled immediately; that such a review include an investigation of admission policies, financial support to women students, placement of graduates, hiring and promotion policies for both staff and faculty, and salary inequities. We further ask for the immediate suspension of all current contract negotiations until such time as *all* inequities are worked out and an acceptable plan of affirmative action is implemented.

While we have not investigated the factual nature of this complaint we are forwarding it to you in accordance with our usual policy of bringing these matters to your attention. Please notify me when the compliance review begins.

Sincerely,

BERNICE SANDLER, Ed.D.,
Chairman, Action Committee for Federal Contract Compliance in Education, WEAL.

UNIVERSITY OF WISCONSIN MADISON CAMPUS, 1969–70[1]
COLLEGE OF AGRICULTURAL AND LIFE SCIENCES

	Men		Women	
	1 appointment	Split[2]	1 appointment	Split
Department of bacteriology:				
Professors	3	6	1	0
Associate professors	3	2	0	0
Assistant professors	3	3	0	0
Department of entomology:				
Professors	9	4	0	0
Associate professors	5	0	0	0
Assistant professors	0	2	0	0
Instructors	1	0	0	0
Department of genetics:				
Professors	5	9	0	0
Associate professors	1	0	0	0
Assistant professors	1	2	0	0
SCHOOL OF EDUCATION				
Department of art:				
Professors	11	1	1	0
Associate professors	12	1	0	0
Assistant professors	8	2	0	0
Department of educational psychology:				
Professors	6	1	0	0
Associate professors	3	0	0	0
Assistant professors	8	0	0	0
COLLEGE OF LETTERS AND SCIENCE				
Department of botany:				
Professors	9	5	0	
Associate professors	0	1	0	0
Assistant professors	5	2	0	0
Department of economics:				
Professors	22	13	0	0
Associate professors	5	3	0	0
Assistant professors	16	0	1	0
Department of English:				
Professors	20	2	2	0
Associate professors	12	3	1	0
Assistant professors	27	0	2	0
Department of history:				
Professors	35	7	0	0
Associate professors	11	1	0	0
Assistant professors	6	0	0	0
Department of psychology:				
Professors	19	1	0	0
Associate professors	4	0	0	0
Assistant professors	10	0	1	0
Department of sociology:				
Professors	16	9	1	0
Associate professors	9	4	0	1
Assistant professors	15	4	1	0
Department of zoology:				
Professors	15	1	1	0
Associate professors	6	0	0	0
Assistant professors	2	2	0	0
SCHOOL OF MEDICINE				
Department of anatomy:				
Professors	4	0	0	0
Associate professors	1	0	1	0
Assistant professors	7	0	0	0
Department of physiological chemistry:				
Professors	4	2	0	0
Associate professors	1	2	0	1
Assistant professors	1	3	0	0
Department of physiology:				
Professors	5	3	0	0
Associate professors	3	1	0	0
Assistant professors	0	0	1	0

[1] These data can be checked against the enclosed lists of faculty.

[2] The appointment is between 2 departments.

WOMEN'S EQUITY ACTION LEAGUE (WEAL)

Percentages of doctorates awarded to women in selected fields in 1967–68

General Biology	29.0
General Zoology	14.8
Bacteriology, Virology, Mycology, Parisitology, and Microbiology	18.0
Biochemistry	22.3
Pharmacology	14.1
Educ. of Mentally Retarded	44.4
Educ. of Deaf, Speech, & Hearing	23.8
Art Education	34.0
Music Education	11.0
Early Childhood Education	100.0
Elementary Education	42.4
Secondary Education	17.0
Adult Education	21.4
Educ. Administration, Supervision & Finance	8.2
Counseling & Guidance	20.9
Rehab. Counselor Training	23.0
History & Philosophy of Educ	19.2
Curriculum & Instruction	24.5
General Education	18.7
Educational Psychology	28.4
English & Literature	27.4
Journalism	15.6
General Arts	25.0
Music	14.5
Speech & Dramatic Arts	18.5
Fine and Applied Arts	34.5
Linguistics	20.6
French	38.1
Italian	18.0
Spanish	31.7
Philology & Literature of Romance Languages	35.8
German	23.9
Pharmacy	10.0
Library Science	31.8
Mathematics	6.0
Philosophy	9.1
Chemistry	8.0
Psychology	22.5
Anthropology	23.9
History	13.0
Political Science	11.3
Sociology	18.5
Social Work	22.0

(Source: Earned degrees conferred: Part A—Summary Data, Office of Education, OE–54013–68–A.)

BACH ON STEEL DRUMS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. PICKLE. Mr. Speaker, today, I was privileged to join my colleague, the Resident Commissioner of Puerto Rico, the Honorable Jorge Córdova, in presenting an exciting young group from his part of the world—the Bender brothers.

These amazing young men truly bring a rare dimension to the classical mastery of Bach via the supple sounds that emanate gently from their steel drums. For those who listened and enjoyed at noon, it was a treat beyond compare.

Hundreds of Capitol visitors lined the walls of the rotunda in the Cannon Building today. The crowd grew as the boys played. After each rendition, the applause was more than before. And these young men captivated their audience at Capitol Hill. I wish it were possible for everyone in America to hear these young men play.

Mr. Speaker, in a recent review, one of the most noted critics in Puerto Rico, Francis Schwartz, very aptly described the talents of the Bender brothers and I would submit his comments at this time:

BACH ON STEEL DRUMS

(By Francis Schwartz)

Bach on steel drums? The purists will call it sacrilegious but the beautiful sounds emanating from those metal instruments would probably have charmed the wig off Johann Sebastian.

The Bender brothers Hilton, 16; Vernon 14; Oliver, 13, and Dennis, 11, have brought a new dimension to classical music with their acoustically fascinating renditions of masterworks on instruments traditionally associated with undulant Caribbean rhythms. The musical mentor of this unusual quartet is pianist Paul Danny Deaver, well known San Juan musical personality.

The Bender brothers were brought here from their home island of St. Kitts in the British Virgin Islands. Their parents asked Deaver if the boys could come to study music here. Deaver immediately made the necessary immigration arrangements and took the boys into his home as if they were his own children.

"We have a great relationship," says Deaver. "We're honest with each other, talk things out, learn together. I have tried to make the boys aware of the problems of today. They understand. They are very sensitive boys. I love them."

A drum maker from Trinidad was commissioned to construct eight drums and the boys wasted no time in preparing church hymns so that they would be used in religious services.

The Reverend Garth Thompson of Union Church heard the boys practicing one day and asked Deaver if they would perform the offertory in the following Sunday service.

The congregation's response was so overwhelming that the word about four talented young men began to circulate. They were offered scholarships from the St. Johns Episcopal School, where they now all study, plus practice facilities at Union Church.

"These boys love music. They want to help in some way to solve the problems they see around them," said their director. "It is our intention to bring peace and harmony to our audiences whether they be church groups, college students or concert fans."

The Bender Brothers are currently in the United States. Two weeks ago they performed in the Holy Trinity Lutheran Cathedral and Riverside Church in New York. Rep. J. J. Pickle (D-Tex.), of Austin, and Jorge Cordova, Resident Commissioner of Puerto Rico, arranged a concert in the Capitol building last week and the boys also performed at the National Episcopal Cathedral in Washington. After playing for top TV and music agents, including one from the Ed Sullivan show, in

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New York's Carnegie recital hall two weeks ago, the offers have been pouring in for concert dates. If the Benders get clearance from U.S. Immigration authorities, they may have an exciting career ahead.

"A lot of people think the boys play by ear," says Deaver. "I have them working daily on piano, theory, ear training, and all the necessary musical rudiments. They also study guitar, accordion and vibraphone. I want them to have a complete education. In this way they will be able to interpret the compositions of the great composers."

The repertoire of the Bender brothers is impressive. Included in their programs are Bach works such as preludes, fugues, chorable preludes and suite movements. Palestrina, Mozart and Handel compositions have been arranged by Deaver for the drum ensemble with great success. The adaptations stay as close to the original as possible with slight changes only when the drums limitations prevent exact duplication.

When playing together, the steel drum band sounds like a great pipe organ. In fact, many strollers in the neighborhood have often looked inside Union Church in search of the organist only to discover these four youngsters swinging their sticks.

Apparently the boys do not limit their enthusiasm to music. They are outstanding athletes in their school and walked off with fistsful of ribbons in the field day competition. "The days are gone when young people are called sissies because they play music. These boys are the living proof," says their leader and second father, Deaver.

When asked about the validity of playing masterworks on steel drums, both the Bender brothers and Deaver feel that if the music is played well with feeling and serious commitment then the composer receives his due.

And after hearing Bach's "Jesus, Joy of Man's Desire," anyone with musical sensitivity will agree that there is beauty in this music-making. No doubt the old German master would be pleased.

LOS ANGELES OFFICIAL SAYS SMOG MAY BE WORST YET

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BROWN of California. Mr. Speaker, two rather brief news articles from the Los Angeles Times indicate the mounting results stemming from failure by both public and private sectors to halt air pollution.

So, without further comment, I insert these important stories in the RECORD:

1970 MAY BE WORST SMOG YEAR OF ALL, POLLUTION CHIEF WARNS

(By George Getze)

Los Angeles may be heading into the worst smog season ever recorded here, Robert Chass, Los Angeles County air pollution control officer, said Friday.

He said the four alerts so far in 1970 were the direct result of the auto makers' inability to provide satisfactory controls of their products.

Chase said the fact that 1970 has had more alerts by July 3 than any other year made him fear that this year may be even worse than 1956, when there were 10 alerts, and than 1955, when the ozone count soared to .90 parts per million on Sept. 13.

John Mega, executive officer of the State Air Resources Board, said that while auto emissions are the major source of pollution, the 1970 alerts are a reflection of weather patterns and not of any increase in emissions.

"Of course, if the auto manufacturers had succeeded in controlling emissions five years ago, the 1970 pattern of foggy mornings followed by high temperatures would not have brought four alerts," Maga said.

Chass said the schedule for the control of motor vehicle emissions had fallen far short of need, and of the state requirements.

He said that emissions of one pollutant, the oxides of nitrogen, had actually increased since 1966.

Chass, an outspoken critic of the efforts of the automobile manufacturers to control emissions, said the people of Los Angeles can no longer tolerate smog.

"Regardless of what Detroit says, all is not well," he said. "That ought to be obvious from the smog we are having this year."

Chass said it must be recognized that Southern California is subject to a combination of meteorological factors that intensify the problems of air pollution.

These factors are many hours of bright sunshine, weak winds, and low and strong temperature inversions that combine to hold pollution close to the ground and keep it from dispersing.

"These natural meteorological conditions are things we can't change, and I doubt that we would if we could," Chass said. "The bright sunshine and gentle breezes are what have helped make Southern California climate famous.

"But it certainly is possible to control the sources of pollution that have spoiled our enjoyment of a climate that has been considered ideal," he said.

"Auto emissions are more or less constant. When the weather conditions are as they have been recently, we are going to have intolerable concentrations of eye-irritating pollution until auto makers are forced to meet California standards."

Maga said he is sure the smog problem will improve.

"The alerts are the result of emissions as they are now, and the state's program of control will reduce them," he said.

"The automobile manufacturers will meet state standards," Maga said.

"They will have to, if they are going to sell cars in California. That's why I know conditions will get better."

SMOG CAUSING POSTS TO CLOSE

RENO.—Lonely forest fire lookout stations in the Lake Tahoe basin and western Nevada are being phased out, not by economic necessity, but because of low visibility due to smog.

PANAMA CANAL ISSUES: PROCRASTINATION SHOULD CEASE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. RARICK. Mr. Speaker, as a cosponsor of pending House resolutions that aim to clarify and reaffirm U.S. sovereignty over the Canal Zone and of measures to provide for the major increase of capacity and operational improvements of the Panama Canal, I have read a recent letter to the editor of the New York Times by Capt. Franz O. Willenbucher, U.S. Navy, retired, with much interest.

Captain Willenbucher became seriously interested in the Isthmian Canal question while he was on active duty in the Navy Department, where he actively participated in the drafting of certain national defense provisions of the 1936–39 Hull-Alfaro Treaty.

My State of Louisiana, as one of the greatest shipping regions of the Nation, has much at stake in what transpires at Panama, for the State's ports will be inevitably affected. Clearly, the time has come for hearings on the previously indicated measures, without further delay; and they should start long before receipt of the forthcoming report on a sea level canal that is due before December 1, 1970.

As Captain Willenbucher's letter should be of interest to all Members of the House, especially those on the Committees on Foreign Affairs and on Merchant Marine and Fisheries, I include it as part of my remarks:

[From the New York Times, June 28, 1970]

CANAL ZONE ISSUES

To the EDITOR:

President Nixon's recent appointment of Daniel Hofgren "to take over direction of negotiations with Panama for a new Atlantic-Pacific canal" should be recognized as highly significant. A former Wall Street investment manager and now a Presidential assistant, Mr. Hofgren thus becomes a member of our Panama treaty negotiating team under Robert Anderson, a leading advocate of a so-called "sea-level" canal and strong proponent of the surrender of United States sovereignty over the Canal Zone, the indispensable protective frame of the Canal.

The policy questions involved, affecting as they do our own national security and the security of other free nations everywhere, must be understood in realistic perspective.

In June 1967 our President and the President of Panama announced completion of negotiations for three proposed treaties that would surrender our sovereignty over the Panama Canal to Panama; make that technologically primitive and politically unstable country a partner in the operations and defense of the Canal; grant the United States an option for the construction of a new canal of so-called "sea-level" design (not needed and discredited in recent scientific studies); and eventually give to Panama not only the existing Canal, but also the new canal to be constructed at high cost—a needless and wasteful expenditure which our taxpayers can ill-afford in these times of economic crisis.

Premature unofficial disclosure of these treaties, here and in Panama, and by Senator Thurmond, caused a national sensation, storms of protest in Panama, and strong opposition in Congress. The treaties were never signed and more than 100 members of Congress introduced or co-sponsored identical House resolutions opposing any surrender at Panama.

Clarification of the principal problems of increased transit facilities also has resulted in the introduction of identical measures in both Senate and House for the major increase of capacity and operational improvement of the existing Panama Canal, adaptation of the "third locks project" to provide a summit-level terminal lake anchorage at the Pacific end of the Canal to match the layout at the Atlantic end. This proposal is strongly supported by experienced independent engineers, geologists, navigators, defense experts, nuclear physicists, marine ecologists and others, who condemn the sea-level project in strongest terms.

The problem before Congress is two-fold: reaffirmation of United States sovereignty and ownership of the Canal Zone and full modernization of the present Canal. Procrastination should forthwith cease. Congress should act now.

FRANZ WILLENBUCHER,
Captain, U.S. Navy (retired)

BETHESDA, MD., *June 19, 1970.*

THE 101ST AIRBORNE DIVISION IN PHONG DIEM, VIETNAM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BOB WILSON. Mr. Speaker—

> I think the nation has not been told of the fine efforts being made in Vietnam by our servicemen. If the news media do not tell the positive side of the war efforts, such as Vietnamization, what can be done? Surely there must be ways in which this message can be told . . . please speak out and let the world know they care about their country, their flag, what they have fought for, and their President.

These are the words of Mr. John Greensmith, of San Diego, Calif., whose son is serving with the 101st Airborne Division in Phong Diem, Vietnam.

Like the parents of many Vietnam veterans, Mr. Greensmith is concerned by the fact that this side of the Vietnam conflict is not being adequately told. As General Wright, the commender of the 101st Airborne has eloquently pointed out:

> The destruction of war and the fury of battle seem to make more spectacular headlines than the resettlement of a village, the opening of a school, or the harvesting of a rice crop.

Speaking of the 101st Airborne's efforts in the Phong Diem area, General Wright went on to say that—

> These are your victories, the positive and constructive results of your actions.

Mr. Speaker, because I concur with the statements made above, I would like to take this opportunity to acknowledge the fine work being done by S. Sgt. Robert Greensmith and his platoon of the 101st Airborne Division. I would also like to point out, as General Wright already has, that—

> Phong Diem is not an isolated example, it is only one of 10 such districts in the 101st area of operations where similar efforts are underway.

In addition, I would like to include the text of an article from Rendezvous With Destiny which deals specifically with the enthusiasm, concern, and contribution of the 101st in the Phong Diem region. I fervently hope that the recognition we are giving them today, by placing news of their accomplishments in the RECORD, will assure them that their deeds will be remembered and appreciated by a grateful Nation.

AP UU THOUNG

(By Sp4c. James Greenfield)

An occasional visitor to Ap Uu Thoung hamlet in Phong Dien District, north of Hue, probably notices very little changes in this quiet little grouping of huts since October, 1969, when the 3rd Battalion (Airmobile), 187th Infantry, commanded by Lt. Col. William A. Steinberg began pacification operations in the district.

But then, life in tiny agricultural villages like Uu Thoung rarely does change. As conflict spread through Vietnam in the 1960's, the people who lived there noticed only one significant alteration in their way of life. Their home had become strategically important to the Viet Cong.

Uu Thoung sits on the bank of the O Lau River, just five miles from the district capital at Phong Dien. The hamlet was a logical place for VC rice-carrying groups to make portage around an impassible section of the river. It was also an excellent point from which the guerrillas could stage raids on the nearby district headquarters.

The first change had come. The ever-present VC dominated the area and used the people and resources of Uu Thoung in their war effort. However, as U.S. and Vietnamese forces pushed the enemy from the coastal plain farther back into the hills, Uu Thoung slowly emerged from the grip of communist forces.

In October, when the Rakkasans arrived, the immediate threat was gone, but an indirect one remained. The enemy was no longer in Phong Dien in strength. He was farther away, but still very hungry. Uu Thoung and scores of other hamlets like it were the targets of rice-gatherers from the enemy's retreats in the high country. Although the presence of Screaming Eagles from the 101st Airborne Division (Airmobile) and ARVN forces was cutting down on infiltration, the local villagers still had much to learn about their own self-defense. For the allied strategy of rice-denial to be effective, the last lines of defense had to be as strong as the front line. A second change was needed.

Uu Thoung fell under the area of responsibility of Company A, commanded by Capt. David Treadwell. Staff Sergeant Robert A. Greensmith, of San Diego, Calif., brought his platoon to the hamlet with a mission. They were to stop Viet Cong movement across the O Lau River and train a 20-man Popular Force (PF) platoon and the hamlet's own Peoples Self Defense Force (PSDF).

Pacification was in its early stages. Greensmith recalls that he and his men "really didn't know what to expect" in their new mission. They had only recently come back from face-to-face contact with highly-trained North Vietnamese regulars in the A Shau Valley.

Greensmith and his men soon found out the nature of their task after their first few combined patrols with the PFs. The PFs were doing quite a few things wrong. It was hard to know where to begin training, but there was no question that it had to be done if the overall goals of pacification in the district were going to be achieved.

Noise and light discipline were stressed. The PFs were taught not to move their position during the night, and not to build shelters and light fires on ambush when the weather was wet. Despite the initial language barrier, progress was made. Soon, PF platoon leaders were given the responsibility of leading patrols and selecting ambush sites. The Americans left the role of leaders to the Vietnamese and became advisors.

Instruction in light weapons was part of the training. Rifle marksmanship classes were conducted, and the Vietnamese became acquainted with the use of the M–79 grenade launcher and the M–60 machinegun. The language barrier had collapsed. The Vietnamese learned fast—by example. Watch the Americans, and then do the same yourself. It was as clear as any language.

As the winter months approached, the job of the Rakkasan soldiers in Phong Dien District, and Sgt. Greensmith's platoon in Uu Thoung, began to change. Civil Affairs projects were initiated, and coordinated with local Revolutionary Development Cadre, but only after the residents of the hamlet had asked for help.

For Greensmith and his men, there was a period of anxious waiting before the first project was begun. Then, a PF platoon leader came to the Americans with an idea—rebuild an old schoolhouse on the outskirts of the hamlet.

It was done, but it was only the beginning. Together, American soldiers and Vietnamese repaired the defensive perimeter around Uu Thoung. They fixed holes in the roads and helped in the construction of an irrigation dam nearby.

The joint projects nurtured a feeling of mutual respect between the co-workers. As the bonds of friendship grew stronger, Americans and Vietnamese found time, not only to work together, but to play together too. The 101st soldiers introduced baseball to the children of Uu Thoung. Specialist 4 Cecil Dutton, Rogers, Ark., recalls, "At first we had to coax them, but later on they were begging us to play ball."

The recreation program gradually expanded to include soccer, volleyball and hopscotch. There was an incident where the Rakkasans and PFs were returning from a joint patrol when they spotted drawings in the sand which they suspected were signs of enemy activity. After checking out the surrounding area, the patrol returned to find a group of children playing hopscotch on the proposed "enemy diagram".

Perhaps the best indication of the success of the Screaming Eagles' multi-faceted mission in Uu Thoung was shown by the people's response when it was decided to remove the platoon from the hamlet. For the first time in their history, the people organized a "pressure group" which went to the District Chief, requesting that the Americans be allowed to stay.

But, there were other missions ahead for the Rakkasan soldiers, and the hamlet was left to its own resources, to begin a new existence on a secure foundation, built with a little advice and a lot of self-help and determination.

DR. PAUL W. BRIGGS TESTIFIES BEFORE HOUSE COMMITTEE ON EDUCATION AND LABOR

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MINSHALL. Mr. Speaker, it was today my honor to introduce my very good friend and one of America's most brilliant educators, Dr. Paul W. Briggs, superintendent of schools for Cleveland, Ohio, to those of my colleagues who serve on the House Committee on Education and Labor. Dr. Briggs' eminence in his field and the distinguished presentations he has made before congressional committees in the past actually require no introduction; his good works and his outstanding efforts to raise educational standards are nationally acknowledged and acclaimed. His remarks before the committee this morning are so timely that I would like to share them now with all of the Congress:

STATEMENT OF PAUL W. BRIGGS, TO THE HOUSE EDUCATION AND LABOR COMMITTEE

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE: Thank you for the courtesy you have extended me both on this occasion and in the past. I am grateful for the opportunity to present my views on various legislative matters under consideration by the Congress.

May I express to you a deep sense of appreciation, both personally and on behalf of the school children of Cleveland, for the keen interest this committee has shown in improving education for America's children. We are especially grateful for the leadership the committee has offered in addressing the problems of urban children.

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Today my testimony relates to Title I of the Elementary and Secondary Education Act and its benefits to Cleveland children—benefits that we proudly identify.

One of the reasons for the success of programs developed under provisions of Title I is that the Elementary and Secondary Education Act is a part of a constellation of landmark laws which complement each other in ways that have significant impact on major problems. I refer, of course, to the National Defense Education Act, the Manpower Development and Training Act, the Vocational Education Act, the Economic Opportunity Act, the Child Nutrition and School Lunch Acts, the Education Professions Development Act, as well as others.

The local school system often finds itself in a coordinating role in implementing programs administered by such departments of the federal government as Health, Education and Welfare; Labor; Agriculture; Housing and Urban Development. In the days ahead with the rising concern for ecology, I have no doubt that school relationships with the Department of the Interior will increase.

Not only is ESEA part of a larger family of legislative enactments, but the law itself with its various titles provides the basis for a coordinated attack on educational problems. In Cleveland, for example, Titles I, II, and III have enabled us simultaneously to deal with the interrelated problems of reading deficiencies among disadvantaged children, the lack of library resources and the isolation of children from various sections of the city.

With funds provided under Title I, we have significantly improved reading abilities among the disadvantaged. With Title II resources we have provided books and other library materials throughout the city. Title III enabled us to open the nation's first Supplementary Education Center in which we brought together children from throughout the city to experience together the excitement of discovering the wonders of space and science.

I should like now to deal specifically with Title I of the Elementary and Secondary Education Act.

In Cleveland we have been careful to insure that support provided under Title I has in every instance been a supplement to and not a substitute for local resources.

The additional revenue has enabled us to mount a variety of programs. Our efforts have been concentrated on improving and reinforcing basic learning skills for the children most in need of such assistance.

During the school year just ended we had in operation twelve Title I projects serving 11,000 pupils. The projects are described in the folders attached to my statement.

PROGRAM RESULTS

After four years experience with programs financed through Title I we have convincing evidence of the value of these programs for disadvantaged children. In the critical areas of reading and arithmetic we find the data particularly encouraging.

10,000 pre-kindergarten children have been served since 1965. Their average reading readiness scores upon entering first grade was in the high average category—eight points higher than children of similar backgrounds who did not participate in the program.

In our special reading improvement program last school year for second and third grade children, the average gain was a full year's growth in reading achievement meaning that these children are reaching normal functioning in reading.

Library circulation in our elementary schools increased by more than 1,000,000 over the preceding year, showing that children are reading more.

Parents of these children, in response to a survey, indicated that in their opinion the program had helped their children to a very great extent.

Our mathematics skill improvement program produced equally significant results. Two thousand children participated last year. Their average achievement was twice as great as during the year prior to their participation in the program. We realize, of course, that test scores can be misleading and are subject to misinterpretation. However, our results have been consistent and they do provide one important index.

Data from other Title I programs are being analyzed by our evaluators. Tentative results, however, are heartening.

Summers for children in Cleveland's inner city are no longer periods of idleness or of aimless activity. These are learning times in our city. As a matter of fact, at this moment while I am here testifying more than 25,000 children are attending classes supported by Title I in 78 schools. They are part of the total of more than 80,000 enrolled in programs other than recreation activities this summer. The children in Title I programs are aided by 300 local college students employed as tutors. The first thing this morning all those children received a nutritious breakfast as they began the school day.

This afternoon almost 3,000 will receive instruction in water safety in the 20 portable swimming pools located on playgrounds at inner city schools.

These children are catching up academically with their more privileged contemporaries—so that when regular classes resume in September the gap will be narrowed.

As state revenues have become available for special educational services to disadvantaged children, we have been able to finance from that source several programs that had been started with Title I money. This has made it possible to provide a greater depth of service as well as to include more of the children needing help.

Among the projects in this category are the following:

Kindergarten enrichment which continues the special support initiated during the prekindergarten child development program supported by Title I.

School camping through which 2,000 sixth grade inner city children spend a week during the school year studying with their regular teachers in the physically and intellectually stimulating environment of a well-equipped camp 14 miles from the city.

Job development which assists graduates of inner city high schools in obtaining employment if they wish to enter the labor market instead of going to college or some other training program. This has been one of our real success stories. Of last year's graduates of the five inner city high schools, 99.5% were placed in jobs with Cleveland area businesses and industries. The annual earnings of that group total more than $5,000,000, which will bolster significantly the economic level of their families.

Teacher in-service training through which we are able to help Cleveland teachers acquire new understandings and special skills in dealing with the needs of disadvantaged children.

SIGNS OF HOPE AND PROGRESS

Today there are signs of hope and progress in the education of disadvantaged urban children.

In one of Cleveland's large high schools serving a seriously depressed area of the city, a survey of this year's graduating class indicates that of the members of that class, fewer than half their parents had graduated from high school. In one generation, therefore, we have seen a doubling of the high school graduation rate among the families residing in that area.

In our inner city high schools the college admission and entrance rate for our graduates has increased by 100% in five years.

The number and value of scholarships and financial assistance to graduates of those high schools is up by 100% during the same period.

From no libraries in Cleveland elementary schools in 1965, we now have libraries in all 135 of our elementary schools with circulation last year of 3,500,000.

Just a few years ago hundreds of Cleveland children found themselves on waiting lists for kindergarten. Today not only is every child able to enter kindergarten as soon as he is old enough, but for 2,000 four-year-olds in our high poverty areas we offer a year of pre-kindergarten school experience.

In the past five years we have provided new classrooms for more than 25,000 children with several hundred more now under construction.

The Cleveland schools have attacked major pressing problems confronting the people of the city—

40,000 children received breakfast every day last school year

vocational education courses in our high schools increased by more than 300% in five years

in our various special programs we have offered employment to more than 250 previously unemployed residents of the inner city who serve as aides and technicians.

We have provided job training and retraining for several thousand formerly hard-core unemployed citizens.

There is a new involvement of parents and other adults in the education of children. We have more than 4,000 volunteers serving regularly in the classrooms, libraries, and laboratories of Cleveland schools, offering encouragement, advice, guidance, and special technical service to children.

After a quarter century of neglect, we have begun to move forward in the revitalization of urban education. The results of the concentrated extra services are emerging. For example, on scholastic aptitude tests, the scores of Cleveland children are consistent with national norms.

THE TASK AHEAD

Yet, such evidences of progress, encouraging as they are, must not be taken as indications of a completed task but rather as promising trends showing that we can indeed revitalize education for America's neglected urban children.

I feel I must also express a note of caution about premature expectation of results. It should be remembered that the neglect of America's poor children has gone on for much of this century. The abandonment of our cities and their schools is a phenomenon of the past quarter century. To expect these ills to be corrected in the span of three or four years is most unrealistic. To suggest instantaneous solutions is charlatanism.

Recently the schools of this nation have been besieged by people with answers looking for questions. Some of these are well intentioned though uninformed persons, while others—too many—are simply mercenaries. The schools in many places have also been the targets of groups seeking a power base or a platform.

Our attention must not be diverted from the central task of facilitating and reinforcing children's learning. Our resources must not be dissipated on schemes that simply shuffle school arrangements or apply glamorous labels to costly gimmicks.

The key to school success is the learning-teaching interaction that occurs in the classrooms, libraries, laboratories, gymnasiums, and other settings within the individual school.

Our task in the years ahead is to make that interaction a more meaningful one for each child.

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We must provide for every American child—from the one most intellectually gifted to the one least intellectually endowed, from the most robust to the one most physically limited, and from the one most socially and economically affluent to the one most seriously disadvantaged.

For all of them, each of them, we must provide the kind of school experience that capitalizes upon his interests and his background.

We must do more than teach the literature, history, and culture of yesterday or the mathematics, science, and economics of tomorrow. School must make emotional as well as intellectual contact with the underprivileged, the undereducated and the undermotivated. Each child must be helped to see that school can be a door to opportunity both for his personal benefit and for his development as a fuller participant and contributor to the general welfare.

THE URBAN CRISIS

This nation is rapidly becoming a collection of cities—massive urban complexes with the potential for liberating or encapsulating the human spirit. America will live or die in her cities.

A highly significant part of what occurs in America's cities will take place in the schools—schools like Cleveland's nearly 200 which enroll almost 150,000 children and youth.

The schools of my city today are making progress, but it is still an uphill climb. The people of Cleveland want good schools. They have demonstrated their desire for good schools as they have voted to double school taxes in recent years.

Our city faces many serious problems. The schools reflect and share these problems. For example, since 1965 the percentage of children in Cleveland schools from poverty homes has doubled. In 23 elementary schools at least half the children come from families who are receiving public assistance. In each of the five inner city high schools at least 40% of the students are members of families receiving public assistance.

While all our costs have spiraled, our local tax base has remained virtually unchanged, as contrasted to the upward trend in suburban areas.

America's most serious domestic challenge is the urban crisis. While we certainly do not claim that schools can solve all the city's problems, we do state with assurance that the problems will worsen and cannot be solved without attention to the schools.

THE FUTURE OF ESEA

The Elementary and Secondary Education Act has given great hope. The help which it has provided has shown that additional resources can have significant impact on the problems schools face. At this crucial time in our history just as results are beginning to reveal progress, it is essential that we take a firm position for continued support of education.

It is important that we not be distracted by the misrepresentation, the misinterpretation, and the non-representation of the role and potential of the public school. The public school in America was counted on to Americanize those coming to this land to seek freedom and opportunity. It responded with success.

The school was called upon to provide the technical training needed by American agriculture in my own school days. The response was more than adequate.

In recent years, the schools have been responsible for the preparation of a generation of men who conquered space.

What we must have now is the kind of resources necessary to support the school program that will provide for today's child of the city the equalizing opportunity that went to the immigrant at the turn of the century.

The city child today deserves compensatory attention to his plight just as the farm youth for whose special educational needs we provided a generation ago.

Now and into the future we need moon shot level attention to the education of all children especially those who must cope with the distressing weight of poverty in our inner cities.

Title I particularly and the other titles of the Elementary and Secondary Education Act require full funding.

The guidelines that cover their implementation must be consistent with the intent of Congress.

Evaluations must be honest and must take into account actual program objectives, not objectives ascribed by the evaluator.

In Cleveland we have developed a comfortable relationship with officials of our state education department and with officials of the U.S. Office of Education.

I am convinced that with the proper coordinated approach, utilizing the resources and strength of the various levels of government, we can raise the educational sights of every American child and help each to become a full and equal partner in the American dream.

THE NATION'S MANPOWER CRISIS

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. O'HARA. Mr. Speaker, recently I arranged a meeting between some of our colleagues from both sides of the aisle and representatives of various health organizations.

At that time we discussed the Nation's manpower crisis and the Federal role in encouraging and fostering the training of doctors, nurses, and other health personnel. These representatives have supplied me with some enlightening material illustrating the nature of the health manpower shortage. I would like to share this informative material with my colleagues and include it in the RECORD at this point:

ASSOCIATION OF AMERICAN MEDICAL
COLLEGES,
Washington, D.C.

ANNOTATIONS ON THE AAMC BUDGET FOR THE NATIONAL INSTITUTES OF HEALTH (FY 1971)

The NIH fiscal year 1971 Appropriations measure as part of the general Labor-HEW Appropriation, breaks down into three categories: a) *Research Institutes*, which provides operating funds for the Research Institutes and programs of NIH. It is these programs that support the nation's medical research; b) *Health Manpower*, which covers the programs providing funds for the institutional support of the health professions schools and the financial assistance programs for students in those schools; and c) *Construction Assistance*, which is the money for the construction of teaching facilities, research facilities, and libraries for the health professions.

The Administration total FY 1971 budget request for NIH *Research Institutes* is $1,035,548,000. Allowing for the cost of inflation at an annual rate of 6 percent over the 1969 levels of obligation and adding on the additional monies called for by the President for Special Emphasis Programs, the AAMC recommends a figure of $1,190,351,000 for biomedical research programs carried on by the research institutes for fiscal 1971. It is our conclusion that this figure is a bare minimum to pay for the same level of research activity as prevailed in 1969 plus the special programs proposed by the President; in other words, the difference between the President's budget for the Research Institutes and our recommendation is $154,803,000.

For *Health Manpower*, the Administration has requested $242,234,000. This figure means a $3,000,000 cut in loans for medical and dental students and would provide less than 70 percent of the monies authorized for institutional support both in basic improvement and special project grants for our medical, dental, and other health professions schools. This comes at a time when 61 out of our 107 medical schools have had to file applications on the basis of financial distress for special projects grants. The AAMC recommendation for health manpower, which calls for the full statutory authorization in all categories in order to close the health manpower gap and alleviate the acute financial crisis now being faced by the health professions schools, is $402,188,000 or an increase of $159,954,000 over the Administration's budget. In some cases, such as student assistance, our recommendation of the full $35,000,000 authorization for loans will still leave us $8,300,000 shy of the total in pending loan applications. Of the $159,954,000 difference cited above, $79,150,000 represents programs directly supportive of medical and dental education.

Construction Assistance which provides the money essential for the expansion of our education plants in the health professions, is once again an area where the Administration budget is totally inadequate to meet the needs. The Administration's budget of $126,100,000 in construction omits to budget a single penny for health research facilities or medical libraries construction. The AAMC recommendation of $321,000,000 for construction assistance representing an increase of $194,900,000 over the Administration figure, is the minimum amount required to meet immediate needs for construction assistance in this area. There is at present $600,000,000 worth of approved but unfunded applications for the construction of medical and dental teaching facilities. Out of the $194,900,000 increase over the President's construction budget, $147,900,000 represents programs directly supportive of construction for medical and dental education and research.

In summary, the total AAMC recommendation for NIH programs in fiscal 1971 is $2,071,707,000 or $529,668,000 over the Administration's figure of $1,542,039,000. These increases are distributed as follows:

Program—Increase over the President's budget

I. Research	$154, 803, 000
II. Health Manpower	159, 954, 000
A. Institutional Support	107, 034, 000
B. Student Assistance	52, 920, 000
III. Construction Assistance	194, 900, 000
IV. Others	20, 011, 000
Total	529, 668, 000
Subtotal (Medical and Dental only)	381, 853, 000

The respective totals are:	
AAMC Recommendation	2, 071, 707, 000
Administration Request	1, 542, 039, 000
The respective subtotals (medical and dental only) are:	
AAMC Recommendation	1, 676, 151, 000
Administration Request	1, 294, 298, 000

COMPARISON OF PRESIDENT'S NIH BUDGET AND AAMC RECOMMENDATIONS, FISCAL 1971

[In thousands of dollars]

NIH programs	Final fiscal year 1970 appropriations (1)	President's proposed fiscal year 1971 budget (2)	Difference between columns 1 and 2 (3)	AAMC fiscal year 1971 recommendations (4)	Increase (column 4 minus column 2) (5)	Actual fiscal year 1969 spending (6)
Research institutes:						
Biologics standards	8,441	8,640	+199	9,052	412	8,057
National Cancer Institute	181,332	202,383	+21,051	226,514	24,131	181,660
National Heart and Lung Institute	161,049	171,747	+10,698	193,718	21,971	161,373
National Institute of Dental Research	28,860	34,563	+5,703	39,026	4,463	29,571
National Institute of Arthritis and Metabolic Diseases	132,091	132,152	+61	157,888	25,736	140,520
National Institute of Neurological Diseases and Stroke	96,320	96,972	+652	117,197	20,225	104,305
National Institute of Allergy and Infectious Diseases	98,231	99,219	+988	114,918	15,699	102,276
National Institute of General Medical Sciences	148,309	148,376	+67	179,588	31,212	159,833
National Institute of Child Health and Human Development	74,543	93,303	+18,760	99,173	5,870	71,087
National Eye Institute	23,892	25,686	+1,794	26,306	620	21,632
National Institute of Environmental Health Sciences	17,730	19,843	+2,113	22,048	2,205	17,842
General Health Services				931	931	828
John E. Fogarty International Center for Advanced Study in the Health Sciences	2,951	2,664	−287	3,992	1,328	3,553
Total, research	973,749	1,035,548	+61,799	[1] 1,190,351	154,803	1,002,537
Health manpower:						
1. Institutional support:						
(a) Medical, dental, and related	101,400	113,650	+12,250	168,000	54,350	66,000
(b) Nursing	7,000	11,000	+4,000	40,000	29,000	7,000
(c) Public health	9,471	9,071	−400	12,000	2,929	9,471
(d) Allied health professions	10,988	14,245	+3,257	35,000	20,755	10,975
Subtotal	128,859	147,966	+19,107	255,000	107,034	93,446
2. Student assistance:						
(a) Traineeships	20,670	22,270	+1,600	39,000	16,730	20,523
(b) Direct loans:						
(1) Medical, dental, etc	15,000	12,000	−3,000	35,000	23,000	15,000
(2) Nursing	9,610	9,610		21,000	11,390	9,610
Subtotal	24,610	21,610	−3,000	56,000	34,390	24,610
(c) Scholarships:						
(1) Medical, dental, etc	15,541	15,000	−541	16,800	1,800	11,218
(2) Nursing	7,178	17,000	+9,822	17,000		4,783
Subtotal	22,719	32,000	+9,281	33,800	1,800	16,001
Subtotal, student assistance	67,999	75,880	+7,881	128,800	52,920	61,134
3. Manpower requirements, utilization and program management	16,746	18,388	+1,642	18,388		15,470
Total, health manpower	213,604	242,234	+28,630	402,188	159,954	170,050
Health Education Loan Funds: Sales insufficiencies and interest losses	957	3,083	+2,126	3,083		[2] 168
Dental health	10,824	10,954	+130	10,994		8,750
Research resources	62,678	63,701	+1,023	73,044	9,343	65,009
Construction of health, educational, research, and library facilities:						
1. (a) Medical and related	94,500	94,500		180,000	85,500	106,915
(b) Dental	23,600	23,600		45,000	21,400	23,158
2. Nursing and allied health	8,000	8,000		55,000	47,000	21,652
3. Health research facilities				30,000	30,000	20,618
4. Library				11,000	11,000	1,250
Total, construction	126,100	126,100		321,000	194,900	173,593
National Library of Medicine	19,263	19,769	+506	23,764	3,995	20,337
Buildings and facilities	1,615		−1,615	[3] 6,656	[3] 6,656	4,864
Office of the Director	7,930	8,206	+276	8,223	17	7,318
Scientific activities overseas (special foreign currency program)	3,455	32,444	+28,989	32,444		30,000
Grand total, National Institutes of Health	1,420,175	1,542,039	121,864	2,071,707	529,668	1,482,626

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[1] For NIH Institutes and Research Divisions, these data are the fiscal year 1969 actual spending increased at an annual rate of 6 percent for fiscal year 1971; in those cases where there are special emphasis programs, the President's increase for fiscal year 1971 over fiscal year 1970 was added to the rate of 6 percent and is reflected in AAMC recommendations for the 6 affected institutes.

[2] $11,429,000 in revolving funds for health professions loans and $7,300,000 in revolving funds for nursing loans also were available.

[3] Already obligated.

BACKGROUND ON SELECTED DENTAL ITEMS IN FISCAL 1971 HEW BUDGET

1. DENTAL SCHOOL CONSTRUCTION

a. *Authorization:* The Health Manpower Act authorizes $225 million for construction of teaching facilities for medical, dental and other related schools of the health professions.

b. *Administration Request:* The Administration is requesting $118.1 million of which $23.6 million (20 per cent) would be allocated to dental schools. This amount, plus a carry-over of $2.5 million would make a total of $26.1 million available for dental schools' construction in 1971.

c. *Need:* As indicated in the attached appendix, $130.3 million will be needed to fund the federal share of dental school applications for construction grants in fiscal 1971 including: $47.1 million for applications that currently are approved but unfunded; $66.2 million expected this month; and $17 million expected by November 1. Thus, there will be a shortage of $104.2 million under the Administration's proposed budget.

The current fiscal year was the first time during the history of this legislation that federal matching money was not available for dental school construction projects that were, in all other aspects, ready to proceed. That is to say, the surveys were done, the plans drawn, the construction bids let, the non-federal money available, the project approved on all levels, but the federal money not forthcoming. On the basis of the Administration request, this situation will become markedly worse in fiscal 1971. It will almost certainly start a chain-reaction whereby construction bids will expire and be revised upwards for resubmission, meaning changes in plans and the necessity of returning to the non-federal source in order to request an increase in its share. This is happening at a time when the pressure for dental care is heavier than any time in history, when the ratio of dentist to population has worsened in the past two decades from 1:1,677 to some 1:2,100 and when the current dentist shortage in the United States stands at about 20,000.

2. INSTITUTIONAL AND SPECIAL PROJECT GRANTS TO DENTAL SCHOOLS

a. *Authorization:* $168 million is authorized for fiscal 1971 for medical, dental and other health profession schools.

b. *Administration Request:* The Administration is requesting $113.6 million.

c. *Need:* Two dental schools have been forced to close their doors, permanently, one in Missouri and one in Louisiana, and at least six others may well do so in the near future. The cumulative operating deficit of the nation's 53 existing dental schools is estimated at some $45 million. The basic and special institutional grants are essential for the continuation of many dental schools. Additionally, several dental schools have expanded their facilities and increased their enrollments partially on the basis of the increased institutional support promised in the Health Manpower Act. Under the President's budget, this promise cannot be kept.

3. LOANS FOR DENTAL STUDENTS

a. *Authorization:* $35 million is authorized for fiscal 1971 for loans to medical, dental and other health professions students.

b. *Administration Request:* The Administration has requested $12 million.

c. *Need:* The dental schools of the nation have requested about $10.6 million in student loan funds for fiscal 1971. Under the Administration's proposed budget only $2.6 million or 25.4 per cent can be allocated. In fiscal 1969, 6,375 dental students received student loans. Under the proposed budget for fiscal 1971 only 2,163 students will be able to receive such assistance.

Dental education is lengthy and expensive. The average yearly cost to each student is estimated at $5,500. This sum is in addition to the costs of the four years of undergraduate education that most dental students have had. Of all health school students receiving loans in fiscal 1969, 68 per cent came from families with an annual income of $9,999 or less including 34 per cent who came from families with incomes of less than $5,000. In the case of scholarships, the comparable figures were 80 per cent and 38 per cent. Without continued loan and scholarship assistance, the doors of the health professions schools will be closed to many of those students. Ongoing efforts of health professions schools to recruit and support students from especially disadvantaged families similarly will be stymied.

The guaranteed loan program of the Office of Education, even if amended as proposed by the Administration, is not designed to meet the needs of health professions students. Its ceiling is unrealistically low and the fluctuations of the money market together with prevailing high interest rates combine to make it an undependable source of support in many areas of the country.

4. DENTAL RESEARCH (NATIONAL INSTITUTE OF DENTAL RESEARCH)

a. *Authorization*: Open (FY 1970 appropriation $28.6 million.)

b. *Administration Request*: $34.56 million.

c. *Need*: On the face of it, the fiscal 1971 request is a substantial increase, some 22 per cent, over the final fiscal 1970 figure of $28 million. Three pieces of background information, however, put this in truer perspective. First, through NIDR's fiscal 1970 budget was $28 million, so too was its fiscal 1967 budget. Since fiscal 1967, the Institute has suffered a number of unfavorable actions, including two successive years of significant reductions. The present Presidential request, then, can be said to average out to an annual increase of barely 5 per cent since fiscal 1967. Second, the non-fatal character of dental disease and its consequent lack of drama restricts the attractiveness to private sources of dental research support; consequently, as much as $8 out of every $10 available for dental research in the United States is said to come from NIDR. Third, most of the increase suggested for fiscal 1971 is earmarked for one aspect of the Institute's program, dental caries research. Nearly all other aspects of the overall program once again suffer reductions. Compared with fiscal 1969, for example, funds available in fiscal 1971 will support 14 per cent fewer research grants, 32 per cent fewer fellowships and 13 per cent fewer training grants. This will invariably mean a slighting of such research as that on periodontal disease, oral cancer and cleft lip and palate. It will mean as well, a reduced flow of qualified teacher-researchers to fill vacancies in existing dental schools or staff new and expanded schools. At least $2.7 million should be added to the Administration request.

5. DIVISION OF DENTAL HEALTH (NIH)

a. *Authorization:* Open.

b. *Administration Request:* $10.9 million.

c. *Need:* There are few HEW agencies, if any, charged with so wide a range of duties as is the Division. Because it is the sole federal dental agency specifically concerned with dental public health, it has current responsibilities ranging from applied research, expanded use of dental auxiliary personnel and liaison with OEO to exploration of continuing education mechanisms, experimental programs on rural dental care and methods of dental prepayment.

From a fiscal point of view, the Division has been on dead center for years. In fiscal 1967, its budget was $9.2 million. The budget being asked for fiscal 1971 will give it barely ten per cent more money than it had four years ago. It is not possible for the Division to adequately discharge its wide range of duties under such unreasonably stringent restraint. A budget of $13 million for fiscal 1971 is suggested.

6. PILOT DENTAL CARE PROJECTS FOR NEEDY CHILDREN (SECTION 510, TITLE V, SOCIAL SECURITY ACT)

a. *Authorization:* Open.

b. *Administration Request:* None.

c. *Need:* Dental disease being endemic, the dental profession has long urged a preventive program for children as being the soundest and most economical approach to ultimate control of dental disease. Section 510 of Title V was enacted into law in late 1967 as a first step toward shifting emphasis of governmental programs in this direction. In the process of giving badly needed care to poor children, the Section authorizes pilot projects that would experiment with various ways of doing this, in differing urban and rural settings, in order to identify those delivery and administrative methods that hold most promise. The projects have never begun. While they have been ignored, dental care spending under Medicaid has mounted to an annual level above $200 million. Much of this money goes to repair damage that would have never occurred had there been a sound children's program established.

When the Section was first being considered, it was estimated that $5 million would be needed in the first year. Today, more than three years later, that figure is too low and $7 million would be more realistic. The authority for the program will expire in 1972.

Dental school construction applications
(fiscal year 1971)
[Approved but unfunded]

Institution:	
University of Minnesota (Minneapolis) (Donald Fraser)	$16,900,000
New York University (All NYC Congressmen)	16,200,000
State U. of N.Y. (Stony Brook) (Otis Pike)	4,200,000
Meharry, Phase I, (Nashville) (Richard Fulton)	900,000
Creighton (Omaha) (Glenn Cunningham)	6,500,000
Iowa (Iowa City) (Fred Schwengel)	400,000
New Jersey (Jersey City) (Cornelius Gallagher)	2,000,000
Total	47,100,000
To be submitted in July	
Colorado (Denver) (Byron Rogers)	10,200,000
Oklahoma (Oklahoma City) (John Jarman)	12,000,000
Texas (San Antonio) (Clark Fisher) (Henry Gonzalez)	16,000,000
Texas (Houston) (Robert Casey)	1,000,000
Illinois (Edwardsville) (Melvin Price)	7,000,000
California (San Francisco) (Phillip Burton)	20,000,000
Total	66,200,000
To Be Submitted in November	
Meharry, Phase II, (Nashville) Richard Fulton)	2,000,000
New York (Buffalo) (Richard McCarthy)	15,000,000
Total	17,000,000
Grand total	13,300,000

HEALTH PROFESSIONS STUDENT LOAN PROGRAM

Type of school	Participating schools			Enrollment of participating schools			Number of students assisted			Percent of students assisted		
	1969	1970	1971	1969	1970	[1] 1971	1969	[1] 1970	[1] 1971	1969	[1] 1970	[1] 1971
Medical	98	100	102	35,117	36,814	38,240	12,808	6,980	5,191	36	19	14
Dental	50	52	52	14,833	15,708	15,980	6,375	2,910	2,163	43	19	14
Osteopathy	5	6	6	1,876	1,959	2,025	1,050	425	287	56	22	14
Optometry	10	11	11	2,243	2,536	2,600	853	480	359	38	19	14
Pharmacy	51	53	60	10,907	13,021	14,700	2,541	2,325	1,789	23	18	12
Podiatry	3	3	4	643	722	960	303	150	113	47	21	12
Veterinarian medicine	14	18	18	3,774	4,895	5,015	1,075	785	600	28	16	12
Total	231	243	253	69,393	75,655	79,520	25,005	14,055	10,502	36	19	13

Type of school	Amount needed (actually requested)			Amounts allocated		
	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971 [1]	Fiscal year 1969	Fiscal year 1970	Fiscal year 1971 [2]
Medicine	$19,030,340	$22,113,875	$23,448,899	$14,240,726	$8,442,212	$6,339,000
Dental	9,985,220	10,850,955	10,604,750	6,777,734	3,584,393	2,689,000
Osteopathy	2,111,095	2,260,479	1,823,954	892,880	452,650	339,000
Optometry	1,364,675	1,573,110	1,827,756	883,332	551,392	416,000
Pharmacy	2,054,645	2,356,458	3,221,560	2,019,517	1,781,149	1,380,000
Podiatry	461,711	480,274	659,774	306,034	166,824	126,000
Veterinarian medicine	1,581,655	1,703,333	1,795,110	1,308,777	921,380	711,000
Total	36,589,341	41,338,486	43,381,803	26,429,000	15,900,000	12,000,000
Appropriation				(15,000,000)	(15,000,000)	(12,000,000)
Revolving fund				(11,429,000)	(900,000)	0
Fiscal 1971 authorization						35,000,000

[1] Estimated.
[2] President's budget.

Source: American Dental Association, Washington office.

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Fact Sheet

(By Association of Schools of Allied Health Professions)

Three years ago there were thirteen colleges and universities which had made a commitment to allied health education by establishing schools, colleges and divisions. As a result of the Allied Health Professions Personnel Training Act of 1966, there are now 70 such administrative structures, many of which have not been able to develop anticipated programs because the Act has not provided adequate funding. Under the present program, only 21 (9 baccalaureate and 12 associate degree programs) out of approximately one hundred current personnel) are funded at the present time. Out of the 302 institutions which are receiving training grants funds, only six have received any construction funds, of which only two of these grants are of a significant amount to make an impact on the increase of student enrollment in the program. Only one is under construction.

Although the authorizations increased slightly each year since the beginning of the Act, the gap between the authorizations and appropriations has also increased. On a percentage basis the basic improvement funding has decreased from 96% of the statutory formulas in fiscal year 1968, to 65% in the fiscal year 1970. For example, at the State University of New York at Buffalo, the decrease from 1967–68 to 1970–71 was from $92,965 to $81,066. This percentage decrease existed in all of the 302 programs funded. Commitments to staff and programming is impossible with this procedure of funding.

The present appropriation for Educational Improvement Grants is $9,750,000 against an authorization of $20,000,000. This supports 23,000 students. If the full amount of the authorizations were available, the Department would have two options: (a) follow present law and regulation of granting the money by present formula which would spread the support very thin, and result in very few additional students; or (b) use the increase over the present level of support to increase substantially the number of students enrolled by making grants to programs that have *demonstrated* a capacity to increase student enrollment, and are willing to make a commitment to increase present enrollment at least 10%. The impact of the Act, with all its limitations is very impressive—students enrolled increased from 12,000 in 1967 to 23,000 last year.

Four hundred eight students are in leadership training for allied health personnel. These are for teachers, chairman of departments, deans, and directors of programs in junior colleges, colleges, and universities. The authorization was for five million dollars but the appropriation was for only one and one half million. The strength of training programs will depend upon such leadership personnel. With the full appropriation of five million dollars we could have 1,300 students preparing for such key positions.

Developmental grants are for the purpose of developing curricula for training new types of allied health personnel. Twenty-six programs were funded this past year and fifteen were approved but not funded. Many did not submit requests because of the limited funds available. New allied health personnel are essential to the delivery of health care.

The Public Health Service projects the following deficits in allied health manpower personnel: from 227,000 in 1967 to 343,000 in 1975. The work force in allied health has almost tripled since 1950. Though manpower has been attracted to these fields, there has been lacking a firm funding base for quality training programs.

Federal Funds for Nursing Education, July 8, 1970

I am Evelyn Cohelan, R.N., Ed.D., first vice-president of the American Nurses' Association which is the organization of 200,000 registered nurses in 50 states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

Our organization is concerned with and committed to efforts to improve the health, education and welfare of all our citizens. The gains made in the programs which deal intimately with human welfare must be safeguarded with adequate appropriations.

The Association is in complete support of available. New allied health personnel are full-funding for all of the schools preparing health manpower. Our special concern is with appropriations for Title II, Nurse Training, Health Manpower Act of 1968. Those of us preparing nurse practitioners, teachers, and other leadership personnel for the field are especially concerned about the budget funding requests for FY '71. We believe there are sufficient grounds to support full-funding of the programs for nursing education. When Nurse Training became Title II of the Health Manpower Act, P.L. 90–490, two significant changes in the provisions have created unusual problems in addition to the inadequate appropriations for all sections.

1. Formula grants for hospital schools of nursing were deleted and institutional grants for all schools was written into Section 805. Special project grants became Section 806.

2. Authorization for appropriations for these two sections is provided in Section 808, with the provision that $15 million of the ceiling must be spent for special projects grants. This language not only cuts out the funds that hospital schools could apply for, but because of the amount of the funds required for FY '70–'71, no institutional grants are available to any school.

The other problems are similar to those experienced by each of the schools of the health professions, namely inadequate financial support to meet needs. These are:

CONSTRUCTION GRANTS

The Administration request for FY '71 is $8 million. At present there are 31 approved applications for a total of $24,712,677. In addition, there are many letters of intent. These are usually based on state or regional studies of nursing needs and resources.

INSTITUTIONAL GRANTS

Tuition and fees do not cover the costs of educating a student. According to a sampling of schools of all three types, costs over tuition, average $1,000 to $3,000. No money has been available because of the language of the law and the inadequate appropriations. We recommend the full $40 million so that both Sections 805 and 806 can be funded.

SCHOLARSHIPS AND LOANS

At least 40% of the total student enrollment requires financial help in order to attend school. Approximately 15% of the total nursing enrollments (over 163,000 students) will receive student assistance through Federally supported scholarships and/or loans in FY 1971.

A precise dollar amount is not specifically authorized in the legislation for the *nursing scholarship* program. The legislation does contain a formula for the allocation of funds based on enrollments. The application of this legislative formula results in a quasi-authorization of $32 million in 1970 and $33 million in 1971. The amount requested by the schools for scholarship assistance in FY '71 was approximately $27,000,000. The President's budget for 1971 requested $17,000,000. Initial awards from fiscal 1971 funds were limited to the 1970 appropriation level of $7,178,000. Any amounts appropriated by the Congress above the $7.2 million will be allotted to the schools at the earliest possible time.

The FY '71 authorization for *nursing student loans* is $21,000,000. The President's budget requested $9,610,000. The amount requested by schools was approximately $21,110,000. Consequently, the schools' requests had to be reduced to fit within the available funds.

TRAINEESHIPS

In order to increase the supply of nurse power it is essential that the supply of faculty, supervisors, administrators and clinical specialists be increased. In 1968 there were 16,422 faculty positions filled. With the increase in baccalaureate and community college programs, and the enrollment potential for these schools, it is estimated that by 1975 there will be a need for 45,000 faculty positions.

We recommend that the Traineeship Program be funded to the full amount of $19 million.

RESEARCH GRANTS AND RESEARCH TRAINING

Appropriations for training grants for nurses in research has remained at the same level, $700,000, for several years. This results in a decrease in the number of grants each year, since a grant must be extended to a grantee until their research is completed, which may be several years. Students must be supported for the entire educational program. If the funds are all committed, no new grants can be made for training in research.

Funds for nursing research grants have been reduced by $170,000, a seemingly small sum in relation to the large sums expended by our federal government, but it could mean for this program, a lack of funding for one or more critically needed research projects. Nursing is desperately in need of trained researchers and for funds for research to pursue the quest for knowledge in the science of nursing.

We recommend funding for research grants at the FY '70 level, which is $2,625,000; and an increase of $500,000 for Special Fellowships in Nurse Research.

To sum up, the authorized ceilings for each of the Sections of Title II would provide some guarantee that the need for increasing the nurse supply would be stimulated.

FEDERAL FUNDS FOR NURSING EDUCATION—TITLE II, PUBLIC LAW 90-490, FISCAL YEAR 1971

	Authorization	Administration request	Need
(1) Construction grants to schools of nursing	$35,000,000	$8,000,000	$27,712,677
(2) Scholarships	(1)	17,000,000	27,000,000
(3) Loans	21,000,000	9,610,000	21,110,000
(4) Special project grants for improvement in nurse training	40,000,000	11,000,000 11,000	40,000,000
(5) Institutional grants		(2)	
(6) Traineeships for professional nurses	$19,000,000	$10,470,000	$19,000,000
(7) Special fellowships in nurse research	(1)	650,000	----------
(8) Research training	(1)	700,000	1,200,000
(9) Research grants	(1)	2,455,000	----------

[1] Not available. [2] None.

COUNCIL OF URBAN HEALTH PROVIDERS

The large public hospitals of the country are in trouble. And a large part of this trouble is health manpower. One only has to look at such centers as Boston City Hospital, D.C. General, Cook County General or Los Angeles County to realize the critical importance of health manpower required to provide high quality medical care in sufficient quantity to meet the needs of our largest cities. There is not a major municipal hospital system in the county which can meet the service demands presently placed upon it. Part of the problem is the obsolete, inefficient facility; part is the financial limitations under which tax-supported institutions have to operate; and part—resulting from inadequate facilities and financial limitations—is the lack of sufficient manpower to operate good medical care programs.

Yet these large municipal hospitals are a major part of the system by which we produce additional health manpower—they provide residencies, internships, nurse training and allied professional training. If they fail, then a basic health manpower resource fails. The Los Angeles County system alone has within it 4200 people in training over any given year—1200 residents, internes and medical students, 2400 nursing trainees including 600 in the hospital school of nursing, 300 physical and occupational therapy students, 125 radiology and medical technician trainees, and 200 other trainees in allied areas such as speech pathology, psychiatric social work, etc.

Clearly, the training responsibilities of a large municipal hospital system are crucial to the expansion of the health manpower supply, and clearly also, the additional costs of operating extensive training programs cannot be borne by the patient population of these hospitals, most of whom are unable to pay even that part of the hospital bill directly chargeable to services.

Adequate fundings of health manpower programs are essential to the survival of urban public hospitals which today provide about 20 percent of all medical care and are the principal health care providers in the inner cities.

FACT SHEET: DIRECT LOANS FOR HEALTH PROFESSIONS STUDENTS

Background: The U.S. is faced with a critical shortage of professional health manpower. More than 50,000 additional physicians are needed now, and comparable shortages exist in the other health professions. The demand for health professionals is increasing faster than the supply, a situation contributed to by the Medicare and Medicaid programs.

To meet this need, a program of direct loans to students of the health professions was established by Congress, taking effect in 1965. Grants are made to the schools of the health professions who then loan the money to the students most in need. Students of the following professions are eligible: medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine. A similar program exists for nursing students.

Problem: Despite the students' demonstrated need for and dependence on these loan funds, the Administration is requesting only $12,000,000 in FY 1971 for students of medicine, dentistry, etc., and only $9,610,000 for nursing students. These figures are far below the amounts authorized by Congress under the Health Manpower Act of 1968, as can be seen by the following table:

	Fiscal year 1971 authorization	Fiscal year 1971 administration budget
Loan funds for students of medicine, dentistry, etc	$35,000,000	$12,000,000
Loan funds for students of nursing	21,000,000	9,610,000

There is absolutely no question as to the need for these loan funds. The table below compares the amount of funds requested by the health professions schools with the amount proposed to be spent by the Administration:

	Fiscal year 1971 funds requested by schools	Fiscal year 1971 administration budget
Loan funds for students of medicine, dentistry, etc	$43,381,803	$12,000,000
Loan funds for students of nursing	27,900,929	9,610,000

Proposed Amendment: It is that these two programs be funded to the full authorization amounts: $35,000,000 and $21,000,000. This amendment would result in an increase of $23,000,000 for students of medicine, dentistry, etc., and an increase of $11,390,000 for students of nursing, for a total increase of $34,390,000.

NUMBER OF STUDENTS ASSISTED

	Fiscal year— 1965	1966	1967	1968	1969	1970	1971
Medical	7,186	9,475	11,303	12,484	12,808	6,980	5,191
Dental	3,367	4,472	5,530	5,944	6,375	2,910	2,163
Osteopathy	614	726	937	977	1,050	425	287
Optometry	387	564	656	745	853	480	359
Pharmacy			1,584	2,105	2,541	2,325	1,789
Podiatry			158	211	303	150	113
Veterinary medicine				797	1,075	785	600
Total	11,554	15,237	20,168	23,263	25,005	14,055	10,502

PERCENT OF STUDENTS ASSISTED

	Fiscal year— 1965	1966	1967	1968	1969	1970	1971
Medical	23	30	34	37	36	19	14
Dental	26	33	40	42	43	19	14
Osteopathy	37	42	53	54	56	22	14
Optometry	27	38	33	37	38	19	14
Pharmacy			19	21	23	18	12
Podiatry			47	50	47	21	12
Veterinary medicine				31	28	16	12
Total	24	31	34	36	36	19	13

DHEW HEALTH MANPOWER PROGRAM FUNDING, FISCAL YEARS 1969–71, INCLUSIVE

	Fiscal year 1969		Fiscal year 1970		Fiscal year 1971		
	Authorized	Appropriated	Authorized	Appropriated	Authorized	Budget request	Difference
Institutional support:							
Medical, dental, related	$80,000,000	$66,000,000	$117,000,000	$105,000,000	$168,000,000	$113,650,000	$54,350,000
Nursing	14,000,000	7,000,000	35,000,000	8,400,000	40,000,000	11,000,000	29,000,000
Public Health	15,000,000	9,471,000	15,500,000	10,071,000	23,000,000	9,071,000	13,929,000
Allied health	20,000,000	10,975,000	24,500,000	11,587,000	(1)	14,245,000	(1)
Student assistance:							
Traineeships	25,500,000	20,670,000	30,000,000	20,670,000	(1)	22,270,000	(1)
Direct loans:							
Medical, dental, related	26,500,000	15,000,000	35,000,000	23,781,000	35,000,000	12,000,000	23,000,000
Nursing	30,900,000	9,610,000	20,000,000	16,360,000	21,000,000	9,610,000	11,390,000
Scholarships:							
Medical, dental, related	(2)	11,219,000	(2)	15,541,000	(2)	15,000,000	
Nursing	(2)	6,500,000	(2)	7,178,000	(2)	17,000,000	
Manpower requirements, utilization, and program management	(2)	15,641,000	(2)	16,771,000	(2)	18,388,000	
Health education loan fund (interest)	(2)	200,000	(2)	957,000	(2)	3,083,000	
Dental health	(2)	10,185,000	(2)	11,722,000	(2)	10,954,000	
Construction:							
Medical, dental, related	160,000,000	75,000,000	170,000,000	118,100,000	225,000,000	118,100,000	106,900,000
Nursing	25,000,000	8,000,000	25,000,000	8,000,000	35,000,000	8,000,000	27,000,000
Allied health	13,500,000	1,800,000	10,000,000		(1)		
Medical libraries	10,000,000		10,000,000		11,000,000		11,000,000
Health research facilities	93,300,000	8,400,000	20,000,000		30,000,000		30,000,000
Total							206,569,000

[1] Legislation pending.
[2] Open.

OUR ELECTRIC POWER CRISIS

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. HATHAWAY. Mr. Speaker, I am deeply concerned about the electric power crisis our country faces. Our Nation is thereatened by the increasing possibility of brownouts and blackouts, by soaring electrical rates—especially in the New England region—and by the pollution caused by present power facilities. It is imperative that Congress respond to this potentially catastrophic dilemma.

In my opinion the Dickey-Lincoln project and other hydroelectric projects are a viable solution to the power problem. The recent defeat in the House of appropriations for further preconstruction planning of this project was indeed disheartening. In the course of the debate opponents suggested nuclear power as a more economical and quicker solution to the power shortage. Although I share the hope that nuclear power may some day help alleviate the shortage, at the present time such a source of power is fraught with difficulties. For example, I have noticed a number of serious questions raised concerning the safety of the nuclear power industry; the problems associated with guidelines limiting the radiation exposure to man and regulating the radioactive release from nuclear power installations seem to be numerous.

Generally speaking, the problem relates to the release of radionuclides by power reactors and their eventual accumulation in biological organisms that form man's food base. A study conducted by Dr. Arthur R. Tamplin of the University of California, demonstrates the absolute and essential need for the nuclear power industry to be designed and operated so as to approach the absolute containment of the radioactivity within the reactors and fuel reprocessing facilities.

A section of Dr. Tamplin's study, which I am submitting for the RECORD, relates some startling aspects about primary radiation exposure guidelines. I hope my colleagues will find this inclusion resourceful and will induce them to vote for the Dickey-Lincoln project in the near future when it comes back to the House after conference with the other body. Also, I urge support of all other approved hydroelectric projects. They provide a nonpolluting source of needed power.

The study follows:

THE "PRIMARY" RADIATION EXPOSURE GUIDELINES

I would now like to discuss the most critical factor related to the day to day operations of the nuclear power industry. This is the primary standard that should be applied to all aspects of the atomic energy industry. This primary standard is the dosage which should be allowed to be given to the average individual in the population as a result of the operation of this industry. Once we have arrived at an acceptable dosage to the population-at-large, or to the most critical individual within the population, we can then proceed from this number and calculate backwards to determine the amount of radioactivity that can be released by the reactors into the environment without exceeding this primary dosage limitation. The present guidelines which are set forth by the Federal Radiation Council and adopted by the Atomic Energy Commission in Title 10 of the Code of Federal Regulations are that the average dosage deliverable to the population-at-large is 170 millirem per year. The other standard is that the limiting dosage deliverable to an individual is 500 millirem per year. It is also stated in the Federal Radiation Council Guidelines that the dosage should be kept as far below this limit as is practicable. It is important to recognize that the nuclear power industry acting in what I would say is a responsible manner, built extra safety into the reactors. Their design objectives have been to limit the exposure of the public to something less than 10 millirem per year. That is, less than 0.1 of the allowable guideline.

But the point is that there is no solid basis for believing that the 170 millirem per year guideline is safe. In fact, the scientific evidence, devoid of opinion, suggests that, if the United States population were exposed to this dose rate, the result could be some 17,000 additional cancer deaths each year. This is more deaths each year than resulted from the worst year of the Vietnam war. The 17,000 deaths are estimated even without any consideration of genetic effects. Genetic effects would be expected to be even worse than this. The power industry must realize that their design objectives do not necessarily contain a margin of safety. In fact, it is essential that the dosage to the public-at-large be kept at or below their design objectives.

COMPUTERIZED BILLING: A THREAT TO THE DOMESTIC TRANQUILLITY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. GALLAGHER. Mr. Speaker, I rise today to comment upon recent developments related to my two bills H.R. 16266 and 16267. When I introduced those bills on March 3, 1970, I said:

> To put it bluntly, private industry now seems to treat many of its customers the way militants claim the Establishment treats our citizens . . . It seems from the thousands of complaints that have reached public attention, that some completely automated firms are deliberately trying to destroy the future of the computer.

On May 31, the Parade supplement to Sunday newspapers around the country, published an article entitled, "The Revolt Against Computerized Billing," which commented favorably on my two bills. Since that article, my office has been literally deluged with letters pointing out how fundamentally correct were my statements of March 3. Just this morning, a Navy commander stationed at the Pentagon called to say that he had been involved in a running battle with a credit card firm and that in 6 months he had yet to be able to reach a responsible human being in the organization.

The worst example is a letter from an automated bill collecting service. I reproduce part of it below:

> DEAR SIR/MADAM: Since our first reminder has not produced a response from you, we must conclude that you are not concerned with the importance of computerized credit information.
>
> The information we have gathered will now be available on a nationwide basis to all banks, retail and commercial establishments and credit card organizations. This [sic] data may also include other debts uncovered by our computers.

Mr. Speaker, "other debts uncovered by our computers" may mean either debts which are not on file with this firm or, worse yet, may mean that its computer may unearth new debts for this hapless consumer. The man who sent me this firm's incredibly arrogant demand states that he tried for months to convince someone that he had paid the debt, and he sent them canceled checks to prove it. This man now knows all too well the importance of computerized credit information.

My two bills, which I will reproduce at the end of my remarks today, are an attempt to transfer the responsibility from the consumer to the firm which runs the computers. But perhaps most important to America's future, they will relieve the computer itself of the dread responsibility for indifference which has been placed upon it by these large firms. America desperately needs the computer to grapple with our complexities, and certainly one of the basic reasons behind my bills is to see that it is not fatally tarnished by current practices.

Of more immediate importance, however, is to protect the credit ratings of people whose letters are ignored and to lessen some of the real human misery these billing practices are causing. In order to demonstrate the depth of that outrage I will now quote from several of the letters I have received.

A major in the U.S. Air Force writes:

> I wonder if these people really exist. Or are they just names placed in a computer to create an impression.

Incidentally, Mr. Speaker, this Air Force major is perfectly correct. Many such large firms sign letters with phony names, which are merely computer codes. Should my investigation of this matter reach the stage of holding public hearings with my House Government Operations Committee Privacy Subcommittee, I intend to subpena these fictitious individuals. The involved firms will probably have to deliver their computers to the subcommittee hearing room.

A field representative for a union writes:

> I have sent three (3) letters to Diner's Club asking that this matter be corrected. As yet I've received no satisfaction, in fact they have now added late charges, to this improper charge.

A housewife from Wichita, Kans., writes:

> The present intolerable situation either will alienate customers completely or unfairly destroy many innocent people's credit. Thank you for your efforts toward trying to convert this Frankenstein into the useful and convenient aid it should be.

A professor from New Jersey writes:

> It finally dawned on me that there must be a perpetual office party going on at Diners Club, and that the machine is allowed to grind away to pay these people's salaries.

A Michigan machinist sent me a copy of a letter he had written to a credit card firm's collection manager:

> It pleases me to see that you are concerned at my bill. It would please me even further if someone in your Collection Department would be concerned about my three previous letters.

A registered nurse from Texas writes:

> If enough Americans get mad enough to go "on the warpath" it might not be good for business, credit industry or whatever. Personally we have had several experiences in recent years with the computer (rather, the dumbbells who run the dumb adding machines.)

An AID employee now in Vietnam writes:

> There is no excuse for such negligence, especially when that negligence can so easily result in permanent harm to one's all-important credit rating. At this point, I certainly do not regard my American Express account as a convenience; rather, it is a menace as long as it is so sloppily administered.

A career Government employee who is concerned about the continuation of his top-secret security clearance, writes:

> This irresponsible action has caused me and my family intense mental anguish and resulted in physical effects on my wife who is very sensitive to this kind of accusation.

Finally, a retired Army major in Arkansas writes:

> Over the years I have maintained an excellent credit rating, and it isn't always easy nor without sacrifice, but this type of thing can undo everything I have managed to attain.

Mr. Speaker, I could continue at a length only slightly less than that of the collected works of Dickens. I would hope that the fact of my two bills, and those that will be introduced by others, would compel these firms to speed internal reforms. I would hope that these human cries of rage would convince the House Banking and Currency Committee to include these two bills as amendments to the credit bureau bill now under consideration, as I recommended when I testified on March 17, 1970. I would hope that letters on White House stationery from Mrs. Knauer, the President's Special Adviser on Consumer Affairs, could solve individual problems.

Frankly, however, I suspect that the only thing that will work to alleviate this source of intense aggravation for our citizens and preserve the future of the computer, will be for more Members to voice their concern and that of their constituents. I appeal today to my colleagues to join me.

Mr. Speaker, I insert at this point in the RECORD, the article in Parade and the text of H.R. 16266 and H.R. 16267. I would only add that every individual who has felt the full fury of indifferent computerized billing now has a personal answer to that often asked question: "If I have nothing to hide, why should I be concerned about privacy?"

The articles and bills follow:

[From Parade magazine, May 31, 1970]

THE REVOLT AGAINST COMPUTERIZED BILLING

(By James D. Snyder & Robert F. Hickox)

A Chicago public relations man swears it actually happened. A major credit card company sent him a computerized bill stating: Monthly charges . . . $0.00.

Naturally, he tossed it in the wastebasket. A month later another bill arrived, stating: Balance from previous month . . . $0.00. Please pay immediately to avoid penalty charges. Again, he discarded the notice as some weird mistake.

The third month rolled around and—you guessed it. Account in arrears. Your credit card revoked. Return full payment and credit card immediately or we will be forced to initiate legal action.

The man was so angry he ripped up *all* of his credit cards on the spot. But his problems probably aren't finished. If he has a phone, home mortgage, insurance policy, department store account, or similar necessities of "modern living," chances are he'll be subject to the impersonal, erratic whims of busy computers cranking out billions of billing statements.

Supposedly, creditors turned to computerized billing to speed efficiency and rescue clerks from tedium. But perhaps top management has handed too much responsibility to computer technicians. Says Robert Townsend in his best seller, *Up the Organization:* "They're building a mystique, a priesthood, their own mumbo-jumbo ritual to keep you from knowing what they—and you—are doing."

Nothing more eloquently illustrates Townsend's point than a statement received by Cleveland residents from a large department store. "If your bill is in error," it said tersely, "blame the computer."

Blame the computer? This company's management has apparently forgotten that computers are just big, dumb adding machines programmed by *people*. And in such companies, it invariably follows that neither people nor computers are prepared to cope with the slightest deviation from a programmed routine transaction. A Montgomery County, Md., career woman learned this when she tried to cancel her American Express credit card account. Her monthly statement had listed regular charges plus $15 as an annual membership renewal fee. Since she already had enough free bank and oil company credit cards, she deducted the $15, sent a check for the remainder, and enclosed a letter requesting that her account be dropped.

BILL UPON BILL

But the computer knew only that $15 had gone unpaid. Bill upon bill followed, until compounded penalty charges brought it to more than $25. The woman had to spend time and money on letters and long-distance phone calls until the charges were finally dropped.

More often, however, computers go awry for the following reasons:

Mail lag.—The average credit statement allows you a month to pay before you get socked with penalty charges. This usually means a month from the computer's processing time—not when the bill is mailed or received by the customer. With the worsening crisis in mail delivery, many computers are churning out new bills with late charges before the customer has a chance to pay his old one.

William Hendrickson, for example, lives in Yellowstone National Park. Last Dec. 23 the postman delivered a bill from a store listing $474 in previous purchases and stating that he had 25 days to pay before penalty fees began. The outer envelope, sent by bulk mail, bore no postmark. The computer statement inside was dated Dec. 12, meaning a return check was expected by Jan. 6.

Mr. Hendrickson had one complication. The purchases were described in abbreviated computer symbols. One $10 charge made no sense at all. So he sent a check for $464, enclosing a letter asking for an explanation of the remaining $10 charge.

The check was canceled Jan. 5—a day before the deadline. But no one told the computer. The next month's bill included "finance charges" of $7.10—not on the questioned $10, but on the entire $474.

Changes of address.—If you're moving and send a change of address postcard to your friendly credit card company, it should be expected to notify its computer. Right? Don't bet on it. Army Lt. Col. W. C. Bouzard found otherwise after writing the company (twice, just to make sure) that he was being transferred to the Canal Zone.

That was last May. "On Aug. 15," he says, "I received a bill which had apparently been sent to my old address in the States and forwarded by steamship to Panama. I paid the bill the same day, then began to receive a strange series of communications. The first was a receipt for my payment. Then came a computer letter canceling my account for 'delinquency.' Next came a bill for a new credit card—and all still bearing my old address!"

Name mix-ups. If your name is John Smith, you're gambling with your sanity when you apply for credit. Even "James Davenport" is too common a name for an aerospace executive in McLean, Va. He's dunned repeatedly by a department store for $100 owed by some phantom namesake.

Retail mistakes. Once the computer gobbles up data, it's locked there forever—right or wrong. Last May, Richard Boeth, a *Newsweek* writer, used his Diners' Club card for a plane ticket to London, stipulating that charges be spread over monthly installments. Without fail his next Diners' bill demanded the entire $300 fare all at once.

KEPT ON PAYING

"I began writing letters to find out why," says Boeth. "No answers came. But every time a dunning notice arrived, I wrote to the name signed at the bottom. Finally I got a form letter signed "M. Sandone" explaining that my inquiry was being investigated. All this time I was paying my regular Diners' charges on schedule, plus $25 a month on the plane ticket.

"I never heard from M. Sandone again. Instead, in late January I got a letter from a lawyer. It threatened that 'legal proceedings will be instituted immediately' unless I paid the full balance by return mail.

"I called the lawyer and asked if he knew of my correspondence with M. Sandone. No, he said. The threatening letters go out automatically when he gets a case, and he never investigates reasons for late payment. But he did promise to look into my situation.

"In late February a telegram arrived from the lawyer threatening legal action. All that mattered, he said, was that Diners' had *recorded* the ticket as calling for immediate payment. Its only concern now was getting its money. Since I had hit an obvious dead end, I sent a check the same day for the full balance.

"At this point I had only one request," Mr. Boeth says. "I called the lawyer and asked if Diners' would notify the local credit bureau that the late payment was not my fault. This time the lawyer got nasty. There would be no such explanation at all, he said. The credit bureau would be told that the bill had been 'cleared up' eight months late and could draw its own conclusions."

For argument's sake, suppose that just *maybe* Mr. Boeth didn't make it clear he wanted monthly installments. Customers, after all, make mistakes, too. But right or wrong, they all find it outrageously inexcusable when their letters of inquiry go unanswered. Nor are they pacified by replies like the one a Parade writer got from American Express after he'd written about a billing error. Your communication acknowledged, said the computer message. Please pay disputed amount.

Once a customer is lucky enough to contact a real human, the experience can be as frustrating as arguing with a computer. Nobody seems to be in charge. In July, 1968, a public official in Jersey City, N.J., had his pocket picked—including his Diners' card. He notified Diners' at once, and it promised retailers had received notice to stop honoring the stolen card.

CREDIT IN DANGER

But soon Diners' began sending the official bills—obviously run up on a forged signature. "Diners' told me to disregard the charges," he recalls. "Despite this, the bills continued. Finally, I was notified that my card would be discontinued and my credit impaired."

Due to his "public visibility" and fears that credit troubles could be "devastating" to his career, the official sent Diners' a check for $500 with instructions that it be placed on deposit as good faith until the snafu is settled. In his words: "They credited this $500 to the original account and opened another account in my name." Meanwhile, the unauthorized charges kept rolling in against the original account—and eroding his $500.

"Each time a Diners' representative answers one of my protests, it's a different person," he adds ruefully. "Despite their solemn promises that I'll be sent an itemized statement and that the account will be adjusted with no liability on my part, they continue to send me bills and threatening letters."

Is there a sure way to get action from the companies? Unfortunately, there are no laws which compel a company to answer its mail, nor any legal time limit by which a complaint must be resolved. As a result, some irate consumers have resorted to "guerrilla warfare." "When I can't get action through a letter, I mutilate the computer billing card and send it back," says a Washington, D.C., man who, ironically, sells computers. "When the computer kicks it out as a reject, some human has to write to me and ask why I committed such a dastardly deed. Then I pounce on him with my problem."

The range of more conventional weapons is rather limited. Here, however, are at least three steps everyone should take:

1. Use Registered mail. The only way to be sure you've reached the "M. Jones" who signed that form letter is to send him back a registered letter. For $1.15 plus postage, the Post Office will send you a receipt showing who signed for your letter—and when.

2. Notify consumer agencies. If you've exhausted your patience trying to reach a computer biller, try sending copies of your correspondence (plus a one-page summary of what happened) to your local or state consumer protection agency—or to the President's Committee on Consumer Interests in Washington, D.C. The latter, for example, regularly forwards letters directly to the chief executives of the companies involved. Inquiries on White House stationery invariably trigger prompt responses to the aggrieved consumer—often from the company president.

3. Write your Congressman. Chances are he can't solve your immediate problem. Your letter, however, will add to the swell of mail from the grassroots demanding that something be done to make computerized billing more responsive and responsible.

Citizens' complaints are already having an effect. A few weeks ago the Senate passed a bill to ban the mailing of unsolicited credit cards and limit the owner's liability for unauthorized use to $50. In addition, both houses of Congress appear ready to enact long-pending legislation to protect the public against erroneous or malicious data reported by credit rating bureaus.

A HEART TRANSPLANT?

While both of the above measures will help, they admittedly don't strike the heart of computer billing problems—the failure of companies to communicate with customers. Congressman Cornelius Gallagher, however, thinks he has the solution. Throughout his six terms the New Jersey Democrat has waged a crusade to, in his words, "transplant a human heart and a human brain into computer applications."

His weapons are two bills. One states that any creditor who reports an account to a credit bureau as delinquent *when the amount due is under protest* can be fined $5,000 and jailed for a year. The second bill provides that once a creditor receives a written complaint, he has just 60 days to correct the error or furnish a detailed account of why the customer is wrong. If he fails to respond within that period, he forfeits "any right to collect" the amount in dispute.

But both Gallagher bills are a long way from passage. Pressures are great from the credit industry lobby to keep things the way they are. Until enough legislators are persuaded by enough constituent letters to change the law, computers will probably go on cranking out penalty charges and dunning letters with the same programmed precision that guides astronauts to the moon and back.

HUMAN TOUCH

Maybe the least customers might expect is a little more warmth in the computerized form letter. Recently, for example, the Clifton Springs (N.Y.) Hospital sent area residents a letter announcing a switch from manual to computerized billing. It read as follows:

"This statement was automatically produced by our new computer, untouched by human hands. . . .

"If it runs true to form, it undoubtedly will be wrong.

"If it is, please tell us.

"Please don't get mad, get mad, get mad, get mad. . . .

"In case of error, do not contact our computer! Instead, please write to our Mr. . . . .

"Thank you. Thank you. Thank you. Thank you. Thank you. Thank you."

H.R. 16266

A bill to prohibit creditors from reporting disputed accounts to credit bureaus as delinquent

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Any creditor who reports to any credit bureau or credit reporting agency as delinquent any consumer account the obligor of which has given written notice to the creditor that the amount of the account is in dispute, unless the dispute has been resolved by a final judgment of a court of competent jurisdiction, shall be fined not more than $5,000, or imprisoned not more than a year, or both.

SEC. 2. For the purposes of this Act, the terms "creditor" and "consumer" have the meaning defined in section 101 of the Truth in Lending Act (15 U.S.C. 1602).

H.R. 16267

A bill to provide that the willful and persistent refusal of a creditor to make corrections in the account of a consumer shall relieve the consumer of liability thereon

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Any creditor who refuses for more than sixty days after receipt of written notice of an error in a consumer credit account either—

(1) to make correction of the error in accordance with the notice, or

(2) to furnish a detailed and specific explanation of why the notice of error is itself in error,

shall be deemed for all purposes to have waived any right to collect or enforce any liability purported to be stated in the account as of the date referred to in the notice of error or, if there is no such date, as of the date of receipt of the notice of error.

SEC. 2. For the purposes of this Act, the terms "credit", "creditor", and "consumer" have the meanings defined in section 102 of the Truth in Lending Act (15 U.S.C. 1602).

ENGINEERING AND THE LIFE SCIENCE

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. FUQUA. Mr. Speaker, a recent issue of Random Noise, published by the Engineering Science Association at Florida State University in Tallahassee, Fla., published a very excellent article by Mr. Rodney Givens, a sophomore in the department of engineering, whose home is in Tallahassee.

Entitled "Engineering and the Life Science," Mr. Givens makes some very telling points in using the language and profession of the engineer to point out that in many instances, those who get the most out of machines fail to get much out of life.

I felt that others would be interested in this very interesting presentation:

ENGINEERING AND THE LIFE SCIENCE

By any analysis, the engineering profession is of a highly pragmatic nature. The engineer must be able to design and perfect devices in order that maximum efficiency might be obtained from these mechanisms.

Yet one of the tragedies of modern times is that these pragmatists can get the most out of machines, but not out of life itself. Many an engineer has graduated from college only to find out that though he has learned how to make a living, he does not know how to live.

In order to understand why this emptiness inevitably plagues the modern engineer, it is necessary to examine an analog to the second law of thermodynamics. This law states that the entropy, or disorder, of an isolated system tends to increase. In an analogous manner, a life left to itself will tend toward discord and frustration. Just as periodic infusions of energy can "wind up" a physical system, so can life be made worth living for a while by various means, be they materialistic, egocentric, or hedonistic. But these effects are short-lived; disorder and aimlessness eventually return as the ever-present second law demands.

As a result, a device can function in the real world only if there is a continuous input of energy. When the source is cut off, it ceases to function properly. This is man's dilemma: created with three dimensions to life-physical (body), soul (mind, emotions, and will), and spiritual (life itself)—but only the first two functioning properly. Pascal, the French physicist described this state as "a God-shaped void in the heart of every man". This incompleteness results from being separated from the source of spiritual energy and direction. Jesus claimed to be this source when He said "I came that they might have life and have it more abundantly." (John 10:10.) When there is no connection with this source, the individual finds that life lacks real purpose and meaning. This situation is a direct consequence of an attitude of rebellion or, more often, simply apathy toward God. The common denominator in both cases is that the individual runs his own life—attempting by his own devices to create a reason for his existence, but to no avail.

Fortunately, this problem has a solution, and a unique solution at that: having a personal relationship with Jesus Christ. In Revelation 3:20, Christ explains how this relationship is possible, "Behold I stand at the door and knock; if any man hear my voice and opens the door, I will come in to him."

Obviously the engineer cannot base his designs on empirically fallible theories; the process, structure, or whatever, has to be applicable to the real world. Therefore, in order to be other than philosophical speculation, the preceding hypothesis has to work—which is precisely the point of this article. In every case, Christ has been given a chance, He has worked.

If this presentation has made sense to you, it is possible to appropriate this solution for yourself simply by asking Christ to come into your life and trust that He will keep His promise (see Revelation 3:20 above). For, after all, could He lie? When you do, you'll begin to discover that there can be life after birth.

GEN. WLADYSLAW SIKORSKI

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. HELSTOSKI. Mr. Speaker, 27 years ago, July 4, 1943, was a tragic moment in the history of the Polish nation and its people. It was also a tragic day for the United Nations and to the cause for which they both were fighting.

The untimely death of Gen. Wladyslaw Sikorski, Premier of the Polish Government-in-exile, and Commander in Chief of the Polish Armed Forces—who perished that day—was an irreparable loss to his own people, and to the United Nations as well.

General Sikorski, killed when the plane that was taking him from Gibraltar to London plunged into Gibraltar Harbor, died at a moment when his hopes for his native land may have been higher than at any time since 1939.

A liberal and a democrat who had devoted a lifetime to the cause of Polish independence, General Sikorski saw the essential problem of victory as one of unity among the freedom-loving nations. To this end he was exerting all his efforts at the time of his tragic death.

General Sikorski was a soldier and a statesman. Winston Churchill did not exaggerate when he described the tragic accident at Gibraltar as one of the heaviest strokes that the Allied cause has suffered. If any man can be called indispensable to his country at a given moment of history, it was Sikorski at the time of his death. He emerged from the defeat of Poland and the obscurity in which he had lived because of his opposition to the policies of its prewar Government as the natural leader and authentic spokesman of the crucified and indestructible nation.

At the time of Sikorski's death, Polish nationalism was fiercer than almost any other nationalism because it had been driven underground and had to feed upon itself. General Sikorski was a flaming patriot, a conspirator for Polish freedom in his student days at Lwow, and he was a man of the world in the same sense that Paderewski was.

One man was primarily a soldier, concerned with building up a new fighting force out of the remnants of the Polish Army, and the other an artist, but both played a similar role, Paderewski in World War I and Sikorski in World War II, for the liberation of their country. Both had faith in freedom as the prescription for the ills of Poland and Europe.

General Sikorski was no less important as a military leader than as Premier Sikorski, the statesman. He had personally supervised the organization and training of a new Polish Army that, at the time, was the fifth in size among the United Nations, and he had sworn to lead his troops back to Polish soil. In fact, his death came as a result of his dedication to these tasks. He was killed on his return from an inspection of Polish troops in the Middle East.

General Sikorski had one of those careers possible only in the dramatic transitional periods. Only 62 at the time of his death, he had fought in the First World War, served as chief of the general staff, Premier and Minister of Military Affairs in the early 1920's.

The plane in which he was traveling plummeted into the waters of Gibraltar Harbor immediately after takeoff. The tragedy also took the lives of his daughter, the chief of the Polish General Staff, and other important officers, including Col. Victor Cazalet, a popular and promising younger member of the British Parliament, who had been serving as political liaison officer to the Premier. He died with his daughter and 14 others in the crash in which only a badly injured Czech pilot survived. It was a loss that was deeply felt and will be long remembered, but the inspiration of Sikorski's life and heroic struggle for a free and democratic Poland will remain to encourage the Polish patriots who have been fighting for the same cause for so many years.

I wish to pay homage to this great statesman, patriot, and military genius. I also wish to pay homage to his daughter, Mrs. Sophia Lesniowska and to the others who were traveling with him and perished.

As I have stated before, the restoration of a free Poland was the lifeblood of General Sikorski. It is still the primary motivating factor of all those patriots who hope to live again under the white eagle of Poland. Since the origin of World War II was the preservation of the territorial rights of Poland, the complete restoration of these territorial rights should be one of the principal purposes of peace. Unless we are all dedicated to the restoration of these rights, unless we pledge ourselves completely to it, General Sikorski and all other Polish citizens who shed their blood for their country have shed it in vain.

The cause for which General Sikorski fought and died still lives on in the hearts of present-day Poland and its citizens. It is the hope of all peace-loving people that Poland will once again live free and independent and the flag of Poland will fly again on its own territory, smiling upon its own happy and industrious people, and proudly take its place among the councils of the nations who have won their peace.

AMERICA'S ASIAN TRAGEDY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. FRASER. Mr. Speaker, at a time when the fabric of our Nation is being torn over the long overdue national debate concerning our military involvement in Southeast Asia, there is still a great deal of misunderstanding not only of the military and political realities and the unhappy alternatives we face but even the motives of those of us who are critical of our Government's Asian policies. I do not think it is because adequate information is not available—on the contrary, the public has access to most all the pertinent information available to the President. The problem is that most people are just too busy to devote the time required to sift through the available information sources to arrive at an informed judgment.

I ran across four good articles in the Washington Post. These articles admittedly fall short of providing a comprehensive background on the complexities on our tragic involvement in Southeast Asia. Nevertheless, they serve to provide the basis for a realistic perspective on the truly disastrous series of errors, disregard for facts, mistaken judgments, and fuzzy rationale which characterize four administrations, representing both Democratic and Republican Presidents, leading to our present dilemma.

I include these four articles in the CONGRESSIONAL RECORD at this point in the hope that it will help Members of Congress and the general public to gain a better understanding of our predicament:

[From the Washington Post, June 28, 1970]

A GRIM NOTEBOOK ON OUR ASIAN TRAGEDY

(By Stanley Karnow)

HONG KONG.—No exercise is more fascinating, illuminating and depressing for a reporter leaving Asia after a decade than to weed out his voluminous files on Vietnam. For the stacks of frayed notebooks, faded newspaper clippings and unpublished memorabilia provide a personal retrospective of an American tragedy in the making.

And the dominant sensation that emerges from this review of the past is disbelief—disbelief that the United States, purportedly a nation of hardheaded pragmatists, could have stumbled so blindly into a disaster that is now shaking the nation's stability and threatening to undermine its unity for a generation to come.

Equally striking, in retrospect, is how little has changed over the years. The war has grown to monstrous proportions, of course. But it is still, as it has been from the start, an assortment of wars being fought in different ways and for different motives in Washington, Saigon, Hanoi and on the battlefield. Thus nothing can be plausibly measured.

The search for the elusive truth about Vietnam will surely preoccupy historians and social scientists far into the future. Within the scope of my own narrow experience, however, I would suggest that our Vietnam commitment evolved gradually, perhaps in-

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exorably, out of a frustrating conflict between our ideals and our capabilities.

On the other hand, it seems to me, an old-fashioned brand of idealism inspired the conviction among able, intelligent American policymakers that the United States could play a decisive role anywhere in the world. What we discovered, though, was that we could exert only minimal influence in a strange, faraway, alien society such as Vietnam.

Therefore, our enormous power was only marginally effective. We could inundate the South Vietnamese countryside with napalm and try to bomb North Vietnam back to the Stone Age. But we could not compel, or even persuade, our Saigon clients, much less the enemy, to accept an "honorable settlement"—if, indeed, we actually know what kind of settlement we wanted.

So our strategists and tacticians improvised and experimented and contrived dreamy new schemes, each in its turn proclaimed by official publicists to be the winning formula. Just as Lyndon Johnson praised Ngo Dinh Diem and Richard Nixon extolled Nguyen Van Thieu, we also sought to portray a succession of Saigon leaders as potential George Washingtons. I had nearly forgotten Nguyen Khanh until a sweat-stained notebook reminded me of Robert McNamara embracing him as the savior of Vietnam as they toured the Delta together in early 1964.

BELATED AWAKENING

Meanwhile, we sank deeper and deeper into the quagmire, with hardly anyone in or out of government perceptive or courageous enough to challenge the basic concept of our Vietnam commitment until we were so involved that the question of whether to quit or remain in that benighted land divided our own nation.

In part, I think, nobody quite saw where we were heading as our Vietnam engagement was taking shape eight or nine years ago. Reaching back to 1961, I recall Robert Kennedy's reaction to attempts by American correspondents in Hong Kong to discuss Vietnam. His attention waned after a couple of minutes and he cut us short with the remark: "We've got 20 Vietnams a day to handle at the White House."

For a long time, too many U.S. politicians preferred to skirt an issue that had not yet hit them directly. As late as 1966, a West Coast congressman explained to me: "Only a dozen boys from my constituency have been killed in Vietnam so far. When the number gets up to a hundred, I'll have to think about what to say."

Significantly, the earliest critics of our Vietnam policy, like John Paul Vann and David Halberstam, did not favor withdrawal but merely advocated different methods in opposition to the conventional Establishment approach. Several of today's prominent doves were also among the principal architects of our Vietnam commitment.

Back in 1962, for example, I recollect listening to Rogers Hilsman, then a senior activist on the Kennedy team, enthusiastically depicting "strategic hamlets" as a dynamic program that would revolutionize Vietnamese peasants and in the process both weaken the Vietcong and force the Diem oligarchy to reform. In short, as Hilsman told it, we were going to wage an American version of "people's war" that would beat the Communists at their own game.

The name of the game was "counter-insurgency," and it captured the imagination of the Kennedy administration. Suspicious of the Pentagon, which was still clinging to the "massive retaliation" doctrine of the Eisenhower era, the Kennedy-ites believed that they could spawn a new breed of American soldier capable of coping with "brush-fire wars." Hence the fanfare that heralded the "Green Berets," those romantic figures destined to use Communist tactics against the Communists in jungle conflicts from Laos to Venezuela. I remember one American general in Saigon switching to the fad: "Why, our forefathers were guerrillas against the British long before communism even existed."

A FADED ERA

Though the notion of Americans serving as revolutionaries in a foreign country is now discredited, the nonconformists were an attractive antidote to the Blimpish brass hats and bureaucrats who staffed our Saigon mission in the late 1950s, when I started reporting on Vietnam.

Saigon in those days was a pleasant, leafy city reminiscent of a provincial capital in southern France. Its easygoing ambience was matched by the complacent ignorance of our military and civilian officials, who seemed to believe their own propaganda that Diem had effectively consolidated his authority and was putting South Vietnam in the path to New England town hall democracy.

I recall one U.S. official showing me the crowd eagerly watching the results of the 1960 American presidential elections being tabulated in the display window of the U.S. Information Service library. This, he exclaimed happily, was heartening proof of real interest in democratic procedures.

A local acquaintance later informed me that the crowd was mostly composed of Saigon Chinese who could not tell Kennedy from Nixon or Maine from California and cared even less. Inveterate gamblers, they were simply betting on which numbers would come up next on the scoreboard.

The American ambassador at the time was Elbridge Durbrow, an able diplomat whose warnings about the increasing unpopularity of the Saigon regime were borne out in November, 1960, when South Vietnamese paratroopers staged an abortive coup against Diem. But Durbrow was overshadowed by the chief of the U.S. Military Advisory Group, Lt. Gen. Sam Williams, a leathery type known as "Hanging Sam" because he had presided over the execution of Nazi war criminals as commandant of the Nuremberg jail.

Personifying the adage that generals approach every new war with the strategies of the last one, Williams anticipated a Korean-style Communist invasion of Vietnam and helped Diem to build a roadbound army that the Saigon leader primarily wanted for protection against internal uprisings. Like his predecessors and several of his successors, Williams also operated independently from the ambassador, thereby giving Diem the opportunity to play off the Pentagon against the State Department.

DIEM POLICY HARDENS

The 1960 coup attempt, in which Diem outmaneuvered his adversaries by promising to reform and reneging afterward, was an important episode. It confirmed Diem's distrust of nearly everyone outside his immediate family and, as a consequence, strengthened the power of his brother, Ngo Dinh Nhu, and Nhu's wife—a couple that made the Borgias look like the Billy Grahams.

As the power of the Nhus grew, many of Diem's most intimate subordinates began to voice their grievances to foreigners. Among the disenchanted were Dr. Tran Kim Tuyen, director of Diem's secret police, and Col. Pham Ngoc Thao, a former Vietminh officer who had turned anticommunist in 1954. They and others like them repeatedly told any American who would listen that the Diem regime would collapse unless it was made to reform. Eventually, the Buddhist resistance of 1963 spiraled into an army-led revolt in which Diem and Nhu were murdered.

But even as this storm was brewing, there was an almost incredible refusal on the part of U.S. officialdom to concede that an eruption was possible. The CIA station chief in Saigon, for instance, offered a memorable reply to questions about rising disaffection in Diem's army. "Come now," he said. "Lincoln had trouble with his generals, too."

In a brilliant analysis of the American commitment to Vietnam published a couple of years ago, James C. Thomson Jr., a onetime White House aide, contended that the Bay of Pigs fiasco, Khrushchev's truculence at Vienna and the Berlin crisis all combined in 1961 to create an atmosphere in which President Kennedy felt compelled to demonstrate America's mettle. The arena for that demonstration was Vietnam. Accordingly, Diem was our man.

This was already apparent in early 1961 when Lyndon Johnson, then Vice President, flew to Saigon and referred to Diem as the "Winston Churchill of Asia." Later, riding in Mr. Johnson's airplane, I asked him why he had lavished such praise on the Saigon leader. "Now, you know he's the only boy we got out there," he responded casually.

That comment was, of course, a variant of the well-known rationale for backing unattractive characters the world over. "He's a sonuvabitch, but he's our sonuvabitch." In this case, though, Mr. Johnson's exuberance had the effect of convincing Diem that he was really Asia's Churchill and, after that, there was no shaking his belief in his own infallibility. Therefore, when Gen. Maxwell Taylor arrived in Saigon in late 1961 to work out the first in a series of massive aid programs to Vietnam, Diem stubbornly rebuffed recommendations that he liberalize his government. In essence, he acted as if he was doing us a favor by taking our help.

It soon became evident, as Robert Scigliano observed, that if Diem and his family were American puppets as the Communists alleged, they were puppets who pulled their own strings. And as the U.S. involvement expanded in later years, we began to perceive that the South Vietnamese pulled our strings as well—for the elementary reason, I believe, that our repeated assertions that the fate of our nation hangs in the balance in Vietnam have naturally convinced them that they hold the key to our destiny.

The pattern that has made us prisoners of our reputed puppets was therefore fixed in our 1961 decision to support Diem on his own terms. Moreover, the style of our approach to the Saigon leaders was set by Frederick Nolting, the U.S. ambassador of that period. He seemed to believe that, by appeasing Diem, he would somehow store up credit with the Saigon leader that could be redeemed when Washington sought South Vietnam's cooperation on major issues.

Accordingly, Nolting not only went along with Diem's whims but even, on one occasion in early 1962, delivered a speech to the local Rotary Club urging Saigon's middle-class burghers to cease their carping and get behind the regime. Nolting evidently did not know that one earnest Rotarian, Harvard-educated Dr. Pham Quang Dan, was then being held in an airless underground cell in the Saigon botanical gardens for having criticized Diem's family.

The flaw in the Nolting approach—and the flaw in subsequent attempts to appease Saigon leaders—lay in Diem's knowledge that we needed him more than he needed us. Nolting learned that his credit was worthless when, in 1962, he was instructed by Washington to dissuade Diem from breaking relations with the newly formed neutral government in Laos. Diem refused, saying in effect: "I don't owe you a thing."

POSITIVE THINKING

In the meantime, our immersion in a situation we could not quite understand, let alone control, was being accelerated by the insistence of our military establishment that we were making great strides in the crusade against the Communists.

To a large extent, I think, our capacity for self-delusion stemmed from what one U.S. diplomat has called "can-doism"—the certainty that Americans can do anything anywhere and that those who say otherwise are defeatists. In short, we became hypnotized by our own concept of ourselves as supermen to such a degree that American officials in Vietnam were instructed to turn in optimistic reports even if they bore no resemblance to reality. "Positive thinking" was the byword.

This urge to portray the U.S. effort in glowing Technicolor was reflected in Adm. Harry Felt's advice to correspondents to "get on the team." It was also dramatized in the graphs and flipcharts and statistics that led Robert McNamara to state that "by every quanitative measure, we are winning the war." Most of all, I believe, the generals wanted to believe they were making progress because they knew that there were no promotions for losers. In 1963, after McNamara predicted that Americans would be out of Vietnam by Christmas, 1965, the U.S. commander in Saigon, Gen. Paul Harkins, told me: "I think the Secretary is too pessimistic. We'll be home before the end of 1964."

The compulsion to register progress went to such lengths that a group of senior U.S. officials even announced a minor "victory" when a New Year's Eve party they threw was not attacked by Vietcong terrorists then active in Saigon. A similarly upbeat emphasis was constantly stressed by the ebullient Robert Komer, the former ambassador in charge of pacification. Flying with him around central Vietnam during the 1968 Lunar New Year offensive, we landed at one badly hit town. Komer scanned the scene and said in his staccato style: "They told me this place was 90 per cent destroyed. Why, it's not more than 70 per cent destroyed."

In 1964, when Maxwell Taylor became ambassador in Saigon, the mission machinery was reorganized in order to report progress even if none was actually taking place. Before this, U.S. and South Vietnamese officials had tried to plan together, and movement had been slow. To speed things up, Taylor created a "mission council" composed exclusively of Americans who conceived projects and passed them on in package form to the Vietnamese.

DISREGARD FOR FACTS

In some instances, careful studies of proposed programs were discarded because their recommendations were negative. This was the case in 1961, when two foremost American experts advised against moving peasants into "strategic hamlets" on the grounds that displacing people did more harm than good. Their advice was rejected, and the program went ahead anyway, with dubious results.

The demand from Washington for rapid action sometimes meant that decisions were made without advance study and were justified afterward. In late 1964, for example, a Rand Corporation team was set up to assess the possible political repercussions of employing tactical U.S. air power inside South Vietnam. The team expected to produce "preliminary" recommendations within a year. The bombings started long before that. The team thereupon endorsed the bombings with the somewhat contorted rationale that peasants blamed the Vietcong for turning their villages into targets for air strikes.

The tendency to shoot first and ask questions afterward often reflected a desperate desire to maintain a rapid momentum of innovations. The White House itself was frequently the source of the pressure for this momentum. A six-month course to train South Vietnamese pacification cadres was cut down to six weeks, for instance, because Washington was in a hurry. The upshot, explained one official connected with the course, was that "we turned out sausages instead of competent cadres."

The rush to do something was understandably prompted during times of extreme crisis, when almost any move was considered preferable to inaction. The decision to bomb North Vietnam, though planned in advance, was evidently taken in order to arrest the deteriorating situation in the South in early 1965, when Saigon governments were toppling and the Saigon strategic reserve battalions were being decimated.

Looking back, it seems to me that our conduct in Vietnam was generally less convoluted than many observers have suggested. Indeed, it could be argued that we were insufficiently Machiavellian, especially within the context of an arcane Oriental society. American military and civilian officials were not, like the Vietnamese, chronically involved in complicated plots and conspiracies. On the contrary, they behaved for the most part in straightforward fashion, and that was the rub. Vietnam is a corkscrew country, the "land of the doublecross," as Douglas Pike called it. Yet we persistently believed that we could shape the Vietnamese into facsimiles of ourselves.

To label the 1967 Vietnam elections fraud would be unfair. But they were a farce in the sense that, outside Saigon and other cities, the notion of free choice was alien. Still, Lyndon Johnson wanted a legitimate Saigon government and the Vietnamese leaders saw no inconvenience in obliging him.

At Bentre, the capital of Kienhoa Province, I asked the province chief about previous Vietnamese elections he had known. He candidly replied that the 1959 National Assembly elections had been crooked and the 1961 presidential election even worse.

"What will you have to say about the present elections if I come back here in five or six years?" I asked.

He laughed and answered: "Now these elections, I assure you, are truly honest."

If elections were calculated to Americanize the Vietnamese politically—or at least give that impression to the U.S. public—the decision in 1965 to send American combat troops into Vietnam was a move to Americanize the war. In retrospect, I think it represented a more honestly American approach than the romantic counterinsurgency efforts of the past. Now, for the first time, we would fight in American style with air and armor backed up by PXs and pinball machines.

By the end of 1965, moreover, the sheer weight of the U.S. military presence had stopped the Communists from dissecting the country. After that, however, we deluded ourselves into thinking that our ability to prevent a Communist victory meant that we could achieve a victory ourselves. In late 1967, Gen. Westmoreland announced that we had "turned the corner." A couple of months later, the Tet offensive exploded.

The Tet offensive was not the military success that Communists had anticipated. They took tremendous losses, and their political apparatus in the South was severely damaged. But, perhaps unintentionally, their drive dealt an irreparable blow to U.S. credibility. If nothing more, the Communists showed that they could mount a vast array of actions in the face of American claims that they were on the verge of collapse.

American credibility again suffered from President Nixon's thrust into Cambodia, for his decision seemed to contravene his repeated assertions that he was seeking to wind down the war. Like so many moves undertaken during the Vietnam conflict, the Cambodian invasion was apparently initiated for narrow military objectives without consideration for the wide range of political, diplomatic and psychological repercussions that were bound to occur at home and abroad.

In his April 30 speech, Mr. Nixon underlined an American problem when he depicted the United States becoming a "pitiful, helpless giant" unless we succeed in Vietnam. For the lesson we ought to have learned in Vietnam is that giants at this stage in history are not omnipotent. The Russians are as frustrated by their North Vietnamese allies as we are by our Saigon clients.

Until we adjust our aspirations to our capabilities, it seems to me, we are bound to be disappointed. In the meantime, I am changing the label on my files from "Vietnam" to "Indochina."

[From the Washington Post, June 28, 1970]

THE NIXON REPORT ON CAMBODIA

(By Ernest R. May and Thomas C. Schelling)

Just before Cambodia, President Nixon toted up prospective gains and losses on a yellow pad. Soon after June 30, he must add up results thus far and report to the public.

In earlier statements, he set forth at least four objectives: reducing American casualties, speeding troop withdrawals, influencing actions by North Vietnam, and protecting American prestige. When hearing his statement, we should bear in mind what he has said about these objectives.

First, the President said on April 30 and reiterated on May 8 that the operation "will reduce American casualties." Over 300 Americans have died in Cambodia. Undoubtedly, the President recognized that the offensive would entail higher casualties in the short run. But he has not explained how American lives have been saved over the long run. The Cambodian sanctuaries menaced the IV and III Corps Areas of South Vietnam. The former is already Vietnamized; the latter is to be Vietnamized by September. Did the President expect to save American lives because his Vietnamization plans call for sending U.S. troops back into combat whenever the South Vietnamese are hard pressed?

Second, the President pointed to a map on April 30 and said: "North Vietnam already occupies this part of Laos. If North Vietnam also occupied this whole band in Cambodia or the entire country, it would mean that South Vietnam was completely outflanked and the forces of Americans in this area as well as the South Vietnamese would be in an untenable military position." The President should explain how the Cambodian operation has reduced this danger. News reports tell of the Cambodians' inability to check the North Vietnamese. If U.S. troops, helicopters, and air support are withdrawn from Cambodia, what is to prevent the North Vietnamese from re-establishing the threat? Will the situation be more tenable in May, 1971, when the United States has 150,000 fewer troops in Vietnam? Are there grounds for confidence that the South Vietnamese can withstand next year a threat of "outflanking" that the President judged them unable to withstand this year?

Third, the President has predicted that the Cambodian operation will influence decisions by Hanoi. When announcing on April 20 his schedule for withdrawing 150,000 troops, he took occasion to "remind the leaders of North Vietnam that . . . they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia or in Laos." When ordering action in Cambodia, he cited this warning, and on May 8, he observed that President Johnson had erred in escalating the war "step by step." Referring to the move into Cambodia, Mr. Nixon said, "This action is a decisive move, and this action also puts the enemy on warning that if it escalates while we are trying to de-escalate, we will move decisively and not step by step."

There must have been earlier signals to Hanoi. The President surely did not believe that Hanoi could reach a decision and have that decision carried out by field commanders within 10 days. But by June 30, 61 days

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will have passed since the President demonstrated that his words were not empty and that he was prepared to exercise his full powers as Commander-in-Chief even at the risk of a public storm at home. Is there evidence that the North Vietnamese have scaled down their operations in South Vietnam, Laos, or Cambodia? News reports suggest the contrary.

The President said earlier, "It is Hanoi, and Hanoi alone, that stands today blocking the path to a just peace for all the people of Southeast Asia." Has he had indication since April 30 that the North Vietnamese are more willing to bargain?

If the answers to both questions are negative—that is, if the North Vietnamese have not limited their operations or shown signs of negotiating—what is the next step? The President warned on June 3: "If their answers to our withdrawal program, and to our offer to negotiate, is to increase their attacks in a way that jeopardizes the safety of our remaining forces in Vietnam, I shall, as my action five weeks ago demonstrated, take strong and effective measures to deal with that situation." What "strong and effective measures" are available? Does the President contemplate renewed bombing of North Vietnam? Could a bombing campaign be more effective, militarily and politically, than that of 1965–68? Or does the President contemplate stepped-up ground force action? What happens then to casualty rates and to withdrawal?

Fourth, Mr. Nixon asserted that the action in Cambodia would work to restore American prestige and credibility elsewhere in the world. He asked on June 3: "If an American President had failed to meet this threat to 400,000 American men in Vietnam, would those nations and peoples who rely on America's power and treaty commitments for their security—in Latin America, Europe, the Middle East or other parts of Asia—retain any confidence in the United States?" The question was of course rhetorical, and White House officials conceded that many capitals reacted initially with alarm and misgiving. The President should indicate whether these attitudes have since changed and whether he sees in Europe, the Middle East, and Japan increased faith in the restraint, wisdom, and reliability of his administration.

There is a fifth criterion for judging the Cambodian operation. Admiral Smedberg quoted President Nixon as saying a few days before April 30, "I am not going to let Cambodia go down the drain." His remark on April 30 about the military untenability of South Vietnam should the Communists control "this whole band in Cambodia or the entire country" was consistent with such a position. On the other hand, he and Secretary Rogers have declared that the United States has no commitment to Cambodia. The President's forthcoming statement should clarify his stand.

If Cambodia now falls, will that event not arouse the same concern that the prospect of it apparently aroused in late April? Will not the President's credibility be at stake once again?

These are not all the questions that we hope to hear addressed. A crucial one is whether our allies, especially South Vietnam and Thailand, have incurred new commitments or adopted military goals that the United States is committed, directly or indirectly, to support. Is it American strategy that Allied troops—no Americans among them—remain deployed indefinitely in Cambodia, or is this an independent action of the South Vietnamese government? And how far does our commitment extend if South Vietnam elects to defend Phnom Penh or other parts of Cambodia while our forces are waiting in South Vietnam to be relieved so they can be withdrawn? The President cannot be expected to bare his differences with South Vietnam in a public address; but as he has repeatedly used his statements to the American public to communicate the gravest warnings to Hanoi, he may wisely go on record at home to clarify his policy for Allied countries.

The President could also shed light on "Vietnamization." Does it mean that South Vietnamese forces must be able in any circumstances to defeat the Vietcong and North Vietnamese? Or does it admit the possibility of defeat in a Vietnamized area or in a Vietnamized South Vietnam? The President might indicate what he expects of the 240,000 U.S. troops that stay in Vietnam after May, 1971. Will they provide helicopter lift and air and artillery support? Will they fight off attacks on their own installations? What rate of casualties are they likely to suffer? Are their functions eventually to be Vietnamized? Over what time? If the North Vietnamese do not negotiate and if the South Vietnamese prove no stronger in the future than in the past, does the President nevertheless foresee a time when the United States can disengage from the war? Does ultimate withdrawal depend on permanent North Vietnamese fear of the "strong and effective measures" he has threatened?

It may be too much to hope now for answers to these longer-term questions. There ought, however, to be one further element in the summing-up. According to Stewart Alsop, the President noted on his yellow pad that the Cambodian operation would cause "deep divisions" at home. No doubt, these divisions were reinforced by the tragedies at Kent and Jackson. But does President Nixon now estimate that the benefits of the operation justified the damage to domestic peace and to faith in America? And is this the last time we shall be asked in Indochina, to buy time with lives, to prove our nationhood by resort to sudden violence, to punish the enemy for warnings ignored, or to keep South Vietnam from being ounflanked by Communist forces in Cambodia or Laos?

[From the Washington Post, June 28, 1970]

"WINNING" IN ASIA—NIXON'S DILEMMA: HOW TO WITHDRAW TROOPS WITHOUT CONCEDING THE PRIZE TO HANOI

(By Chalmers M. Roberts)

President Nixon's Cambodian venture has raised to a new high the contention by his opponents that his real aim in Southeast Asia is to "win" the war in Vietnam. Now that the ground involvement in Cambodia is coming to an end, the point is worth examination.

Mr. Nixon has never said on the public record that he wants to "win." He has reduced the American goal to a single point: to allow the South Vietnamese "to determine their future without outside interference."

On June 20, in his much discussed speech assailing the President's critics, Vice President Agnew cut through the obfuscation. In criticizing Sen. J. William Fulbright, Agnew said the senator "has apparently abandoned *America's cause of a noncommunist future for Southeast Asia.*" (Italics added.)

Here, for the first time from a top administration official, is a clear-cut statement of what the government would like to see come out of the war. Agnew spoke of "Southeast Asia" and not specifically of Vietnam, but the context of his speech leaves no doubt of the meaning.

The United States' involvement in Vietnam from the time of the 1954 Geneva Conference has been founded on keeping that country out of Communist control. That was the Eisenhower-Dulles motivation, John F. Kennedy's and Lyndon B. Johnson's. There never has been any doubt that Richard M. Nixon, whose involvement in the issue goes back at least to 1954, always reasoned the same way.

The question, however, has been whether Mr. Nixon, since assuming the presidency 17 months ago, has based his policy on that premise or whether his public statements have been only a cover for what is often called "an elegant bugout" from the war.

The probability is that Mr. Nixon, like so many other Americans, suffers from a dichotomy: He wants to extricate the United States from the war but he does not want to "lose" it in the sense of having had more than 50,000 Americans die in vain.

Thus he has tried to pull out troops in a manner that would produce a reasonable chance that he could leave behind a government in Saigon that could survive the subsequent Communist challenge. In that sense he wants to "win" the war.

The President has never put it that way but the Agnew description of "America's cause" comes closer. Mr. Nixon's April 30 declaration that he would rather be a one-term President than "accept the first defeat" in the nation's "proud 190-year history" is buttressing evidence of his frame of mind.

The crux of the war is political control of South Vietnam. The resort to arms by all sides involved is, of course, an effort to force a political solution one way or the other. Thus far neither side has been sufficiently able, by force of arms, to impose its political will on the other.

Cambodia was an effort to employ arms for political aims. So is the war in Laos. The concentration on the battlefield has left the Paris peace talks in a state of doldrums. Yet the war cannot finally end, short of a military collapse by one side or the other, unless there is a political settlement.

In his June 3 report on Cambodia, the President said he would keep his "promise" to "end this war." He did not specify whether he meant to end American involvement alone or literally to end the war itself.

To do that, in either sense, Mr. Nixon will have to modify "America's goal" as stated by Agnew. He will have to take the risk of a Communist South Vietnam and its effect on the "noncommunist future" of the rest of Southeast Asia, including Laos and Cambodia in the first instance and, if he believes in the domino theory, of adjacent nations later on.

Politically, the key is an American commitment to total military withdrawal without a Communist commitment of total North Vietnamese withdrawal. Mr. Nixon has resisted that on the grounds that "ambiguity" is a key card in forcing Hanoi to bargain "ambiguity" meaning that the United States may keep a residual force in the South after the troops are out of combat to support the South Vietnamese forces with air artillery and logistics.

In short, Mr. Nixon still hopes to "win" and still sees "America's cause," in Agnew's words, as "a noncommunist future for Southeast Asia"—and for South Vietnam in particular.

(From the Washington Post, June 28, 1970]

CHANGING RATIONALES IN MID-CAMBODIA

In, zap the sanctuaries, and out—that was the way the administration's Cambodian venture was portrayed on April 30: "We shall avoid a wider war." That impression was strengthened by the President's announcement on June 3, after the public protests, that he had put reasonable time and space limits on American ground actions in Cambodia.

Tucked away in Mr. Nixon's June 3 address, however, was an announcement of, and a rationale for, post-June air actions—"to interdict the movement of enemy troops and materiel where I find this is necessary to protect the lives and security of our forces in South Vietnam." That the President has taken a broad view of the requirements of interdiction is suggested by news reports that air raids involving a hundred planes or more are taking place at points a hundred miles or more into Cambodia. Secretary Rogers kept insisting, however, that the protect-Americans rationale would remain the guiding one and that the United States would not "become militarily involved in support of the Lon Nol government—or any other government" in Phnom Penh. "I'm talking about U.S. troops or air support or something," Mr. Rogers explained on May 13.

Now, of course, American fighter-bombers are flying close air support missions for Cambodian troops fighting North Vietnamese and Vietcong. Some of these planes take on fuel and Cambodian "spotters" at Phnom Penh airport. The other day Mr. Rogers made plain these missions would continue after July 1. He acknowledged that such a policy would have "a dual benefit—it may serve our purposes and at the same time serve the Cambodian government . . . I think that I can see very well why a Combodian might think it was helpful to the government when we fly (air support) missions."

So here the United States is, a long way down the road to propping up, not only by military aid but by direct combat support, a government which has shown neither the political appeal to win much support from its own citizens nor the military prowess to cope with its increasingly challenging foes. Laos, anyone? Vietnam? What will the administration do—this is far from inconceivable—if Phnom Penh falls? Once again a President, acting on his own, has moved the United States toward protracted involvement in a war in another country. The Cooper-Church proposal apparently will not become law; it is discouraging to think that, even if it had already been in effect, it probably would not have affected the President's Cambodian strategy since it (gratuitously) assigns him the troop-protection right that he is claiming now.

It is asserted, to be sure, that Mr. Nixon must deal with the situation as it is, and the situation is that Cambodia is under heavy Communist pressure. This ignores the administration's own contributions to escalation—obviously it was smart and characteristic of the enemy, once the American operation began, to slip out of the 21.7-mile border swath where American troops were confined and to head toward points deeper inside the country. This also ignores the military requirement imposed by needs in South Vietnam, and the political requirement imposed by public opinion at home, to get on with the administration's own policy of Vietnamizing the war in Vietnam.

FREE TRADE WITH JAPAN?

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DORN. Mr. Speaker, the following letter was written to Asahi Evening News in Tokyo by a Japanese domestic buyer:

JUNE 26, 1970.

EDITOR,
Asahi Evening News,
Tokyo.

DEAR SIR: I would appreciate very much if someone can explain to me the term "Free Trade" as it is used in Japan.

In your paper of June 25 you carry a story on the current talks going on in Washington regarding the textile negotiations.

You quote Japanese International Trade Minister, Kiichi Miyazawa, as saying:

"GATT is based on the principle that where injury is proved or the threat of injury is proved a trading nation can seek compensation from the country causing the damage.

"But the U.S. appears to be establishing other trading principles in which imports must be restricted to a certain percentage of national consumption. A rapidly growing country like Japan which embraces free trade principles cannot agree to this concept."

"Free Trade" for whom I might ask? Although a Japanese auto can be purchased in the U.S. for less than it costs in Japan, a Ford Mustang in this country costs about US$14,000.00. It even costs more to park a foreign car, in spite of the fact it only takes up the same amount of space allowed to a Japanese car.

A package of 19 cents pipe tobacco costs 80 cents.

I just paid $5.00 duty for some shirts sent to me, as my size is not sold in Japan.

A trip through any department store or the American Pharmacy which sells foreign goods, will show you that items such as shaving lotion and toothpaste cost four times the price as in the country of origin. A pleasure boat of 25 feet which would cost $5,000.00 in the U.S. is $25,000.00 in Japan.

A water ski which is $60.00 in the U.S. is more than $225.00 in Japan.

The only way Japanese goods can compete in the U.S. is because they sell for a cheaper price than those manufactured in the U.S. The only way they can sell cheaper is to have the Japanese "Subsidize the Export", in other words, we must pay more in Japan for a Japanese car so that those going abroad can sell at a competitive price.

I had to pay $1,400.00 duty on a 1965 Volkswagen I brought to Japan in January 1970. And, I had to get a license from MITI to import it. Of course the duty was decided after arrival of the car. I would never have brought it in the first place had I known I would be charged more than the car is worth.

As far as I can determine, Japan imposes fantastic duties and restrictions on imports to Japan, while aggressively burying the rest of the world in Japanese products, made attractive price-wise at the expense of the domestic Japanese consumer.

A Japanese company can freely establish a Japanese subsidiary in the U.S., "Subaru of America," "Datsun of America," "American Honda," "JTB of America," "Takashimaya of America," "Seibu of America," etc. etc. etc. Yet we are subject to every kind of discrimination yet dreamed up, to keep us out of the Japanese market. Japan has the advantage of every unfair trade agreement yet thought up. These were of course made to help Japan after the war and when Japan was a "Poor Country," which is no longer the case. There is not one so called liberalized industry in Japan without strings. Hotels have been liberalized because the government here is fully aware that no foreign hotel company can pay the current market price of land and make a profit.

Japan spends less than 1% of her national budget on defense while much of what the U.S. spends for defense goes right into Japanese pockets. Not only what is spent here by U.S. servicemen and the fantastic sum it takes to maintain the U.S. facilities here but, what about all of the industrialists who can attribute so much of their earnings to direct income from the manufacture of items being produced to prolong the war in Viet Nam.

The Japanese put on a pious anti-war face but do not miss a trick when it comes to making a buck from this unfortunate war.

There is no danger of the U.S. military being pushed out of Japan by any amount of student demonstrations. The Japanese government would never allow it considering the revenue it brings in. The Japanese government does allow (and I firmly believe encourage) anti-American demonstrations to be sensationalized in the press so they can get trade concessions in return for what they have convinced Washington is a super effort on the part of the government to allow the U.S. military to stay in Japan.

All U.S. government leaders should spend one year in a commercial company in Japan. That would hip them in a hurry to the devious tactics applied here.

The one who really has to pay for all of this is the Japanese domestic buyer. He has to pay outrageous prices for any imported goods, and outrageous prices for Japanese produced products to allow the same item to compete overseas. One day the people will wise up that "Free Trade" means higher prices at home.

A JAPANESE DOMESTIC BUYER.

MISS SUSAN HUSKISSON

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DUNCAN. Mr. Speaker, at the Honor America Day in Washington last Saturday, Knoxville's Susan Huskisson drew cheers with a recitation entitled, "I Am An American," which called the roll of battles in which American troops have died, reported the Knoxville, Tenn., News-Sentinel on July 5.

Tennesseans are proud of Susan, a very talented young lady whose father is Knoxville Police Chief Harry Huskisson. Once again we were able to see her marvelous rendition on nationwide television. I salute Susan, and all the patriotic young Americans, who are working for a better America and who helped to honor America this July 4.

Miss Huskisson's patriotic reading was truly inspirational and she received much acclaim.

Another item from the News-Sentinel said:

"WHAT ABOUT THAT GIRL"—BOB HOPE SAYS OUR SUSAN IS "TOO GOOD"

Knoxville's Susan Huskisson drew what was perhaps the ultimate compliment from a show business veteran for her reading of "What America Means To Me" at yesterday's Honor America Day observance in Washington.

Comedian Bob Hope, on nationwide television last night, quipped, "What about that girl! I'll tell you one thing, she'll never be on my program—she's too good."

Miss Huskisson's reading was also part of last night's CBS Evening News coverage of the day's ceremonies.

For those readers of the RECORD who have not read or did not hear Miss Huskisson's recitation of "I Speak for Democracy," I place it in the RECORD at this point:

I SPEAK FOR DEMOCRACY

I am an American. Listen to my words and listen well. For my country is a strong country, and my message is a strong message. I am an American, and I speak for Democracy.

My ancestors have left their blood on the green Lexington and the snow at Valley Forge, on the walls of Fort Sumter and the fields at Gettysburg, on the banks of the River Marne and in the shadows of the Argonne Forest, on the Beachheads of Salerno and Normandy, the sands of Okinawa, and in the bare, bleak hills called Pork Chop and Old Baldy and Heartbreak Ridge.

A million and more of my countrymen have died for freedom. My country is their eternal monument.

But they live on in the laughter of a small boy as he watches the antics of a circus clown, in the delicious coldness of the first bite of peppermint ice cream on the Fourth of July, in the little tenseness of a baseball crowd as the umpire calls, "Batter up!" And in the high school band's rendition of "Stars and Stripes Forever" in the Memorial Day parade.

America has offered freedom and opportunity such as no land before her has ever known. To a fish crier down on Maxwell Street with the face of a man terribly glad to be selling fish. She has given him the right to own his pushcart, to sell his herring on Maxwell Street; she has given him an education for his children and a tremendous faith in the nation that has made these things his.

Multiply that fish crier by 200 million, 200 million doctors and mechanics and coal miners and truck drivers and lawyers and plumbers and priests—all glad, terribly glad, to be what they are. Terribly glad to be free to work and eat and sleep and speak and love and live and pray as they desire, as they believe.

And those 200 million Americans, those 200 million free Americans, have more roast beef and mashed potatoes, the yield of American labor and land, more telephones and orlon sweaters, the fruits of American initiative and enterprise, more public schools and life insurance policies, symbols of American security and faith in the future, more laughter and song, than any other people on earth.

This is my answer. Show me a country greater than our country. Show me a people more energetic, creative, progressive, bigger-hearted and happier than our people. Not until then will I consider your way of life. For I am an American, and I speak for Democracy!

FUNNY MAN AGNEW

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. LEGGETT. Mr. Speaker, the Vice President of the United States is a very funny man, if one views him with a certain degree of detachment. In a way, it is funny to see a national officeholder get standing ovations by using alliterative phrases that are above the vocabulary level of his audience. In a way, it is funny to hear a national officeholder whose speeches contain more factual errors per square inch than a first-grader's explanation of the theory of relativity. In a way, it is funny to watch a Vice President of the United States so eager to win the hate vote that he will degrade himself and his administration to below the level of George Wallace.

But if one does not view Spiro Agnew with detachment, if one has to live with the division and antagonism he has created, the humor is black. Some officeholders—President Eisenhower was certainly one of these—have held that if one appeals to the best in people, they will frequently respond accordingly. Mr. Agnew seems to base his hopes for 1972 on the principle that if one appeals to the worst in people, they will respond accordingly.

Perhaps he is right. Six months ago, the Gallup poll found him the second most admired man in America. But I suspect that in the next year or so he will find you cannot fool enough of the people enough of the time. I suspect he will find he has underestimated the innate decency and intelligence of the American people.

I include an editorial entitled "Funny Man Agnew," from the Woodland, Calif., Daily Democrat of June 26, 1970, in the Record:

FUNNY MAN AGNEW

Spiro Agnew has outgrown his britches.

He hit a new low when he assailed Senators Wm. Fulbright and Edward Kennedy as "apologists" for the Communists. Neither is above criticism and both admit it. But certainly their Americanism is beyond challenge. Agnew should apologize.

The vice president's assault on Averell Harriman was even worse. It was bitter and inexcusable. He blamed the able former American Ambassador for all the diplomatic disasters that have befallen the West in the past three decades. Most everyone knows that Harriman has come out of retirement time and time again to serve his country. He has sacrificed his health and spent a great deal of his own money as an envoy of peace. He did not succeed, but neither did Senator Cabot Lodge, the Republican.

In contrast to Agnew's inflammatory attack, no intemperate criticism has ever come from Harriman's lips about the Nixon administration or Republican Ambassador Lodge. Harriman is one of the nation's most sincere patriots.

In his usual suave, dignified and quiet manner, Harriman said he was most grateful to Agnew for giving him a new image that will enable him to visit a college campus and be cheered instead of booed and heckled on account of the vice president indicting him.

Taken more or less in stride was Agnew's provoked blasts at Republican Clark Clifford, ex-secretary of defense. Clifford is popular with Republicans as well as Democrats. He is too seasoned in politics to get bruises.

Agnew's reference to present Democratic National Chairman Laurence O'Brien was as funny as a cripple's crutch. "He will not march behind a commander-in-chief riding an elephant," said Agnew, "but he will dash unhesitatingly into battle behind one perched on an ass."

As expected, O'Brien's comment was in good humor: "You'd think that of all people, Mr. Agnew would know the difference between a donkey and an ass."

Nixon's obliging stooge was addressing a "$250-a-plate" Republican fund raising dinner. He told them only what they wanted to hear and what Nixon wanted him to say.

Politics often gets so sticky it gets dirty. But Agnew's burps are unlikely to create a crescendo of fury. However, it strikes us that the president and vice president are resorting to a strange technique in attempting to unite the country when it is so badly split.

YM-YWHA DIRECTORS ESTEEMED

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MINISH. Mr. Speaker, the directors of the YM-YWHA of Essex County of West Orange, N.J. are esteemed throughout the area for their dedication to improving the quality of the whole society. They are persons of unusual attainment who give generously of their time and talents in the public service. The views of this distinguished group on any issue command respect. Recently the directors, speaking as individuals of conscience, acted upon a resolution dealing with the war in Southeast Asia and its effect upon our Nation. I commend to the attention of the Congress the counsel of these highly responsible citizens as expressed in the resolution which follows in its entirety:

RESOLUTION

We, the undersigned directors of the YM-YWHA of Essex County, New Jersey, speaking as individuals of conscience, fear that the continued commitment of American military forces in southeast Asia will seriously endanger the integrity of our society. This long, drawn-out conflict is proving to be costly in human life and resources and is having a profoundly negative effect on the course of this nation's affairs.

We are greatly concerned about the increasing alienation of a great number of citizens, particularly our youth, and are deeply troubled that the Viet Nam war has bred disillusionment, anxiety and fear within our nation.

Our concern causes us to challenge the low priorities the government has given to the social problems that beset society, and the high priority it continues to give to this war.

We hold that the withdrawal of our troops from Cambodia and Viet Nam, and a reallocation of our resources and efforts to our critical social problems should be speedily accomplished for the good of this Nation.

Mrs. William Abrams, Herbert Altshuler, Jerome Ben-Asher, Robert L. Berg, D.D.S., Peter Berkley, Arthur Brody, Clive Cummis, Julius A. Feinberg, Edwin Fisher, and Mrs. Seymour Frieland.

Mrs. Morris Goodman, Mrs. Sol Goodman, Sol Goodman, Jacob Goodstein, Mrs. Martin Jelin, Martin Levin, Sanford Lewis, M.D., Mrs. Milton Lowenstein, Milton Lowenstein, and Meyer R. Lowy.

Robert B. Lubman, Leon A. Marantz, Eugene V. Parsonnet, M.D., Norman Pastor, Herman Raff, Clarence Reisen, Morris Reisen, Nathan A. Resnik, and Saul Robbins.

Alvin C. Schottenfeld, Joel J. Schwarz, Steven Schwarz, Mrs. Arlene R. Scott, Leonard Shiman, Gadiel Smith, Mrs. Stanley Strauss, Mrs. Sidney Weinstein, and Mrs. Fred Wel

PERSPECTIVE ON CAMPUS DISORDERS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BROWN of California. Mr. Speaker, in what I consider to be one of the most lucid and thought-provoking discussions about the role of young Americans in our society, Mr. William N. Plymat of West Des Moines, Iowa, recently addressed the Iowa State Board of Regents.

Mr. Plymat, chairman of the board of Preferred Risk Mutual Insurance Co., has long impressed me by his energetic and strong commitment to peace and nonviolence, and this statement fully reflects his deep-seated philosophy.

His counsel and analysis are impressive, and I hope that such advice can be followed throughout America.

I now place Mr. Plymat's statement in the Record:

STATEMENT OF WILLIAM N. PLYMAT

My views are personal and not to be considered the views of the insurance firm with which I am connected. To solve the problem of student disorders we need cool not hot heads. Our major objective should be to inhibit violence—not to devise unusual or brutal methods of repression and punishment. We need to lead students in constructive response to what disturbs them and to change our own actions as we ask them to change theirs.

We should teach students that violence does not promote legitimate goals—that like war it usually escalates from destruction of property to life and limb—that it is self-defeating—that real political change requires hard work, plenty of patience, often the enduring of defeat before enjoying victory—and a willingness to trade the excitement of demonstrations for the hard work of politics. And that if we want freedom for ourselves, we must give it to others; and if they want to straighten out what they call the straight people, many will have to start with themselves. We must convince them to work to change the system in democratic ways and not be content to merely exhibit, by manner, dress and facial foliage, their defiance of it. Universities, without taking sides, could present courses on methods of effective politics which few students seem yet to know, understand or practice. They could offer courses on conflict resolution without violence and teach the principles of Gandhi and Dr. Martin Luther King that have been more successful in achieving proper goals than those of violent leaders.

But while we do this, we must recognize the great idealism of most young people—and understand their warranted disgust with the hypocrisy of adults. To more fully understand, read the famous talk of Dr. George Wald of Harvard titled "A Generation in Search of a Future." We should listen as well as speak to youth. Their complaints should be carefully considered with appropriate action taken. It would be healthy to poll students on campus issues to learn what the majority really wants not what a noisy minority demands. While we can't turn universities over to students to run as they please, we can give them a real hearing on desires in curriculum design and other issues, then really respond in a fair way. When pressures build up, we should ventilate them with full communication keeping cool heads. We must work with police where there is law violation, but we should be slow to call out large numbers of police and national guards because most student violence has been limited to property damage while student, police and guard confrontations have led to injury and death mostly inflicted by police and guards. Let's recognize that our university presidents, their staffs, and our Governor have in general acted wisely in handling campus discord, and we should seek to help rather than criticize.

A great cause of student unrest is the war, and we must end it. No military victory can be won so reasonable concessions and even a coalition government in South Vietnam is better than tens of thousands more lives lost in a scaled down war that can drag on for years. The appointment of a new fully competent and respected chief negotiator in Paris is long overdue.

We should admit we've loaded the major burden of war on the backs of youth. A young man may give up thousands of dollars of potential income to attend a university to learn an occupation valuable not only to himself but to society. But when he graduates we force him into the military requiring him not only to kill in a war, which in most cases he does not agree with, but to risk his own life in the jungles and do it at a pittance for a wage. The difference between what he can earn in civilian life and the military is in the essence a tax that often runs from 50% to 75%. The knowledge of this causes plenty unrest. Our government says it has brought home 115,000 from Vietnam, promises another 150,000 in a year, and a prompt end of the war. Then why the big current draft? Now is the time to end the draft and substitute an all-volunteer army with good wages. I believe that as adults and educators we should be active in advising the President and members of Congress that the immediate end of the draft will go a long way to reduce student unrest.

What are we entitled to ask of students in a tax-supported state university if we are fair with them? I believe it should be for a commitment of responsible conduct or adherence to a code of it. We should ask them to avoid violence in all personal and governmental relations except in self-defense—to be law abiding seeking to change laws they disagree with by legal means—to not interfere with the legal rights of others to do as they please—to avoid stirring up controversy in such a way as to incite violence—to avoid personal acts of retaliation to acts deemed improper or illegal leaving the administration of justice to those charged with it and to abstain from urging others to violate the law. If universities have the power to simply demand this, they should do so. If not, they should seek the authority to ask for a signed pledge of such a commitment as a condition of admission and continuance as a student. If a proper university tribunal is not available to consider charges of violations of such a code, one should be established with students, faculty and perhaps citizens from the general public as members. The penalty for violation should be termination as a student.

I have learned in other areas involving needed orientation that men will not easily orient to threats of severe punishment and huge fines that seem unlikely to be assessed. But they will usually respond to an effective legal system that convinces them that prompt effective action will be taken against them if they deserve it with a certain very unpleasant penalty. A simple example may suffice. I have had occasion many times to point out that a man will not stop drunk driving to save your life or his, but he will to save his license. Many students can be triggered into violent action by a display of violence, but I believe most will comply with regulations when they realize that they can't afford to pay the price of not complying. The license to continue as a student is perhaps the most valuable thing a student has, and I think the danger of its loss can be the best persuader for good conduct that we have.

YOUTH UNVEIL MONUMENT TO WAR DEAD

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BOB WILSON. Mr. Speaker, an increasing volume of evidence documents the fact that the unsung majority of today's youth does not favor the degradation of our Government's foundations but, rather, a reinforcement of them. The following article by Vi Murphy of the San Diego Union tells of a youth group in La Mesa, Calif., and their unselfish efforts to erect a monument to their city's men who have lost their lives in Vietnam. I know my colleagues will find the story both interesting and heart warming and it is my pleasure to share it with you. I ask to include it in the RECORD at this point:

YOUTH UNVEIL MONUMENT TO WAR DEAD

(By Vi Murphy)

"Greater love hath no man . . ."

The inscription stood out boldly on the bronze tablet attached to the soft pink face of the 12-foot mound of crystalline quartz while a brilliant Sunday sun struck sparks on tiny facets in the stone.

Members of the Heartland Youth for Decency (HYD) looked gratefully at the crowd of more than 2,000, then in strong, sure words, thanked all the people for coming.

"It is a very special occasion for us today." Denise Evers, a San Diego State sophomore and HYD chairman, told the crowd. "You see, we are dedicating a monument."

FLAGS FLUTTER

A gentle Flag Day breeze softly stirred the fold of the bright new banner on top of the new flag pole next to the monument, and more than three-dozen other large American flags lined along one side of the La Mesa city square fluttered in harmony.

It was a sparkling day yesterday—red, white and blue all over. And that was the way the young people had intended it to be.

The monument at Spring Street and University Avenue was dedicated to young servicemen from La Mesa and the surrounding area—Spring Valley, Santee, Lemon Grove, El Cajon and Lakeside—killed in the Vietnam war.

HEROES LISTED

Under the big, bronze tablet bearing the inscription, "Greater love hath no man . . ." were three smaller bronze plates engraved with the names and service designation of the young men to whom the monument was dedicated.

"We support our men in Vietnam, not because we are for war, but because these men include our friends, our brothers, our fathers and our husbands, and also because we support our country," Denise Evers explained.

As she spoke, eyes lifted to the stark, white cross topping the pink quartz monument. Denise continued:

"The past five years have seen race riots and campus violence taking place regularly.

"The flag is burned and desecrated daily by those who feel wronged by the establishment.

"At the same time, halfway across the world, in Vietnam, our young men fight and die in defense of this same flag."

An olive drab soldier's field helmet crowned the white cross atop the monument.

OFFICIALS ATTEND

Dignitaries at the ceremony included movie star Eric Estrado; Assemblymen E. Richard Barnes and Tom Hom, both Republicans from San Diego; Richard Cosgriff, vice mayor of La Mesa; the Rev. Henry Vetter of the Rancho Nazareth Orphanage in Tecate, Mexico; Undersheriff Warren Kanagy; La Mesa Police Chief Glen Adams, and police Sgt. Bill Cook, who helped organize HYD.

Harry Von Zell, radio and television announcer, was master of ceremonies.

Von Zell paid tribute to the members of the HYFD as part of the "decent, 90 per cent of American youth who do not get headlines but instead are quietly finishing their educations and going their ways becoming constructive, valuable citizens.

There is a silent majority in America, Von Zell contended, and "we have those people all around us, quietly, all through the year."

YOUTH HAILED

Hom presented the HYD group a resolution adopted by the Assembly, commending the organization.

"These young people are the real Americans, the 90 per cent of constructive youth in America, and I hope the time comes soon when they get the headlines instead of the destructive 10 per cent," Hom said.

Telegrams and messages were received by the group from John Wayne, Walter Brennan, Gov. Reagan, Ross Perot, Walter Knott of Knott's Berry Farm, and others.

The names of the young men from the Heartland area who have been killed in Vietnam were announced one by one, each by a different member of the HYD group who placed a carnation at the base of the newly-dedicated monument. When the roll call was finished, there was a solid chain of carnations around the memorial.

OTHER TRIBUTES

Wreaths were placed at the monument's base by representatives of the Gold Star Wives. Mrs. Virginia Ball of Encanto, a member of the U.S. Air Force Wives, presented a personal tribute in honor of her son, Gerald D. Pochel, a Navy man who died in Vietnam.

The flag was lowered to half staff, the crack Lincoln High School ROTC unit gave an 18-gun salute and the lovely, nostalgic notes of "Taps" sounded.

A member from each of the armed services—Marines, Army, Air Force, Navy and Coast Guard—formed an honor line before the monument.

MORE PARTICIPANTS

Robyn Tucker, HYD executive secretary, thanked the participants in the ceremony. They also included units from the Veterans of Foreign Wars, the American Legion, Disabled American Veterans, Boy Scouts, Fleet Reserve Association, the Junior Women's Club, the Marine Corps Band and the La Mesa Fire Department, which constructed the speaker's platform.

"To all the patriotic people in the Heartland area, we salute you, thank you and God bless you," she said.

A reception at the La Mesa Police Station followed the dedication.

DSG STUDY ON SECRECY IN THE HOUSE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. FRASER. Mr. Speaker, the Democratic Study Group has issued a special report on secrecy in the House of Representatives. It documents the extent to which the House conducts its business beyond the purview of the American public. By spelling out many of the problems of House procedure, the DSG report indicates the basis for the bipartisan antisecrecy amendments which will be offered when H.R. 17654, the legislative reorganization bill, reaches the House floor next week. For this reason, I insert at this point in the RECORD the DSG study and I commend it to Members and others interested in making the House a more responsive institution:

SECRECY IN THE HOUSE OF REPRESENTATIVES

(Democratic Study Group special report)

Secrecy pervades the legislative process in the House of Representatives. Arbitrary and undemocratic procedures are so much the rule that they are hardly noticed let alone seriously challenged. Yet secrecy has a more debilitating impact on the House than its well-publicized companion, the seniority system.

Secrecy in the House is corrosive. It undermines the Democratic process by denying Members information they need to make intelligent legislative decisions and by denying voters information they need to make informed electoral decisions.

It destroys public confidence in the House as a responsible legislative body. It makes the House incomprehensible to the average citizen and contributes to the growing distrust the following sections:

Since House consideration of H.R. 17654, the Legislative Reorganization Act of 1970, will provide the first opportunity in more than two decades to make major changes in House rules and procedures, DSG has prepared this special report to focus attention on secrecy and its impact. The report contains the following sections:

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I. Major Forms of Secrecy in the House 3

II. Impact of Secrecy in the House 7

III. Solutions to the Secrecy Problem 9

SECTION I. MAJOR FORMS OF SECRECY IN THE HOUSE

Secrecy in the House takes many forms. It is closed committee meetings; it is refusal to disclose record votes taken in committee; it is the unavailability of reports and other information about the contents and effect of legislation; it is non-record votes on major amendments during floor consideration of bills; it is closed House-Senate conferences and more off-the-record votes; it is calling up conference reports and other measures for a vote before Members have had adequate opportunity to study them.

Whatever the form, however, the effect of such procedures is to deny the public and Members themselves basic information they need to participate effectively in the democratic process.

Secrecy follows legislation through every step of the legislative process from initial committee deliberations through the closed House-Senate conferences. Perhaps the most notorious example of secrecy is the House appropriations process which is almost totally closed not only to the public but also to most of the membership of the House.

Following is a discussion of the major forms of secrecy involved in the legislative process in the House:

Closed committee sessions

Nearly half of the hearings and meetings of House committees are closed to the press and public. Most of the closed sessions are held by major committees such as Ways and Means, Armed Services, Foreign Affairs, and Appropriations. Indeed the powerful Appropriations Committee holds *all* of its more than 300 annual meetings and hearings behind closed doors, out of sight of the taxpayers who foot the bill for its actions. The House Appropriations Committee is the *only* Congressional committee which always meets in secret session. While the House permits its Appropriations Committee to blatantly disregard the public right to know, the Senate Appropriations Committee manages to hold 75% of its meetings *open* to the public and the press.

With the exception of Appropriations, most committees open the majority of their hearings to the public, while closing their doors for mark-up sessions in which members vote on various provisions of the bill under consideration.

One exception to the "closed door" syndrome in the House is the Education & Labor Committee which holds all sessions—including mark-up meetings—open to the public without impairing the committee's effectiveness.

Secret committee votes

Except for the Education & Labor Committee, each Member's vote on key provisions of legislation considered in House committees is withheld from their constituents and the public generally. The Legislative Reorganization Act of 1946 requires committees to maintain a record of the votes on any question on which a record is demanded. However, this information is not released by the committees.

Unavailability of committee reports and hearings

Committee reports and hearings are frequently filed too late to permit Members adequate time to review them before they must vote on the legislation. Appropriations Committee reports are generally unavailable until a few days before the multibillion-dollar measures are approved by the House. In most instances, transcripts of the closed-door appropriation hearings—which average over 4,000 pages per bill—are published so late that even the Members of the Appropriations Committee not on the subcommittee involved do not see them until the day the full committee meets to report the legislation. Similarly, the several thousand pages of Armed Services Committee hearings are usually not made available until the day before floor consideration of the measure begins. In the case of the District Committee, reports are frequently unavailable until the day of the vote itself and many of the hearings are not even published at all.

Nonrecord votes on amendments

The House considers most amendments to legislation while it is meeting as a Committee of the Whole, a procedure under which no record votes are taken. Thus, constituents have no way of knowing how their Representative votes on most major amendments. These votes—regardless of how important—are either by voice or division (in which Members stand in place to be counted) or teller (in which Members file up an aisle between tellers who count them as they pass). No record is made, however, of how—or even whether—Members voted. Thus only those on the House floor and in the galleries have any chance of ascertaining how individual Members vote on a particular amendment. And those in the gallery who might wish to record how Members vote on an important teller vote are thwarted by the fact that only the press is permitted to take notes in the House galleries, and they cannot see Members' faces during teller votes because the teller lines go in the opposite direction.

Closed House-Senate conferences

All House-Senate Conferences (to work out differences between House and Senate versions of a bill) are closed to the public, the press, and other Members of Congress. Although Conferences often significantly alter legislation passed by the two houses, no record of what occurs during a conference or how the conferees vote on the key issues involved is made available.

When the conferees reach agreement, they report back to their respective houses. In the House, a conference report may be taken up almost immediately, the only requirement being that it be printed in the *Record*. Thus a report filed for the *Record* at the close of business one day may be called up for debate and a vote at the opening of business the next day. Since conference reports are often obscure and complex and since debate is limited to one hour, such a procedure does not give members adequate time to gain an understanding of the conference agreements before voting to approve or disapprove the measure. Further, even when conference reports are not called up immediately after being reported, they are called up without notice.

SECTION II. IMPACT OF SECRECY

Secrecy is detrimental to all concerned—except possibly special interests whose purposes cannot stand public scrutiny.

Secrecy prevents Members of the House from doing their jobs effectively. It inhibits the press in meeting its responsibilities. It denies the public information to which it is entitled in a democratic society.

Thus, secrecy undermines the democratic process and impairs the ability of the House to function effectively. It saps public confidence in the House as an institution and weakens confidence in all democratic institutions and elected officials.

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Impact on Members

Non-record votes and closed committee sessions saddle all Members of the House with the poor image that secrecy engenders. Non-record votes reduce participation and make it almost impossible for Members to get support for amendments regardless of non-record votes on amendments and the vast majority of them fail. The absence of recorded votes also results in procedural votes being transformed into tests of sentiment on key issues—a practice which may subject a Member's record to misinterpretation.

Closed committee sessions pose additional problems for Members by making it more difficult to reject the entreaties of interests seeking legislation not in the public interest. The lack of early availability of committee reports works to the disadvantage of Members by denying them adequate opportunity to make an intelligent evaluation of pending legislation or to draft amendments and seek support for them. This often places Members in a position in which there is little choice but to accept the recommendations of the committee which reported the bill.

Impact on the press

Closed committee meetings, secret or non-record votes, and lack of information prevent the press from meeting its obligation to fully and accurately inform the public about the conduct of public business in the House. Closed committee sessions make reporters dependent on "leaks"—thereby increasing the possibility of misleading reports or outright manipulation of the press through "leaks," designed to favor a particular point of view.

The unavailability of committee reports and hearings prevents reporters from familiarizing themselves with legislation before it reaches the floor, thus limiting background analysis and in-depth reportage. Further, the consideration of conference reports without prior notice curtails the ability of the press to cover these important votes adequately.

Impact on the public

Closed committee sessions and off-the-record votes in committee and on the House floor deny the public information essential to effective functioning of the democratic system. Procedures which foster secrecy make the institution of government which is supposed to be closest to the people remote and unresponsive. In addition, secrecy gives special interest an advantage over the public interest by permitting professional lobbyists to exert an influence out of proportion to the righteousness of their cause. Finally, the public interest is not served when such major issues as the ABM, the SST, the invasion of Cambodia, school desegregation, civil liberties and air and water pollution are decided anonymously. The poor attendance on many of these votes effectively disenfranchised many constituents and in some cases permitted the continuation of programs and policies opposed by the public.

SECTION III. SOLUTIONS TO THE PROBLEM OF SECRECY

The Legislative Reorganization Act of 1970, scheduled for House consideration in mid-July, provides the first major opportunity in a quarter of a century to attack the problem of secrecy in the House.

The bill, H.R. 17654, will come to the House floor under a rule permitting amendments dealing with any aspect of House operations except committee jurisdiction.

Thus, numerous amendments are anticipated—including several designed to open House proceedings to more public scrutiny. The most important of the secrecy-related amendments deal with record votes, access to committee meetings, and availability of information.

Following is a discussion of reforms needed to eliminate secrecy in the House.

Record votes on amendments

The public has a right to know how Members of Congress vote on the major issues of the day. However, many of the most important House votes occur in conjunction with amendments in Committee of the Whole where record votes are not permitted under present rules. Thus, several amendments are being considered to provide for record votes. One of the major proposals would simply authorize clerks to record the names of Members as they pass through teller lines. This would avoid the necessity of a time-consuming roll call while at the same time providing a public record of how Members voted on a particular matter. This is perhaps the most important reform amendment which will be offered. It would not only permit constituents to better evaluate the performance of their representative, it would also significantly improve Member participation in voting on amendments to legislation. Ironically, however, whether such record votes will be permitted will be decided by *non-record vote* under present procedures.

Disclosure of votes in committee

The public has a right to know how their elected representatives vote on matters which come before them in committee as well as in the House. Present rules require committees to maintain a record of how Members vote on any committee roll call, but this information is not made public by the Committees. The only change in this situation provided by the Legislative Reorganization bill is a meaningless requirement that committees announce the vote total on motions to report legislation—but without indicating how each Member voted.

To provide substantive reform in this area, an amendment to the Legislative Reorganization bill is being considered which would require that each Member's vote on committee and subcommittee roll calls be made public.

Open committee sessions

The Legislative Reorganization bill contains provisions stating that committee hearings and business meetings "shall be open to the public except when the committee, by majority vote, determines otherwise."

This language is only slightly different from the present rule and would therefore have little, if any, effect in opening more committee hearings and meetings. Committees would still be permitted to close any or all hearings or meetings by majority vote without explanation. Thus, the House Appropriations Committee could continue holding all of its hearings and meetings behind closed doors.

An amendment is therefore being considered to require a two-thirds roll call vote to close a meeting or hearings, plus disclosure of the reason for doing so. This would promote more open sessions while still providing committees with flexibility to close hearings and meetings involving national security matters or other sensitive issues.

Availability of information

Members must be provided with reports, hearings and other information sufficiently in advance of floor consideration of legislation so that they may know what they are voting on. At present, a Member who wishes to inform himself about a bill or measure on which he must vote, must make a special request to obtain the committee report on the measure. And all too often committee reports are not available in time to review them prior to voting on the bill. Thus, the following three amendments are being considered in this area:

1. An amendment requiring that the committee report on any appropriation bill be *delivered* to each Member's office at least seven days before House action on the measure. Such a requirement is not unreasonable in view of the fact that appropriations bills involve the expenditure of billions of tax dollars.

2. An amendment requiring that the committee report on any non-appropriations measure be *delivered* to each Member's office at least three days, excluding weekends and holidays, before House action.

3. An amendment requiring that House-Senate conference reports be available to Members for at least three days before House action and that advance notice be given when such reports are to be called up. Conference reports presently may be called up without notice providing they have been printed in the *Record*.

These amendments would end the practice of developing legislation behind closed doors and then rushing it through the House before Members have had an opportunity to analyse the measure. As the Joint Committee on the Operation of Congress noted in its 1966 report, bills which cannot survive scrutiny are bills that should not be enacted. "The world's most powerful legislature cannot in good conscience deprive its membership of a brief study of a committee report prior to final action," the bipartisan committee noted.

WALTER C. BORNEMEIER, M.D., AND A REVOLUTION IN AMERICAN MEDICAL CARE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. PUCINSKI. Mr. Speaker, Dr. Walter C. Bornemeier was sworn in as president of the American Medical Association on June 24, 1970.

Dr. Bornemeier represents the finest product of our medical profession—he is wise, compassionate, and highly articulate. I am fortunate indeed to represent him and his family in the Congress of the United States and I count him among my most concerned and involved constituents.

Dr. Bornemeier's inaugural address to the AMA delegates, who met in convention in Chicago last week, was a graphic illustration of the kind of man he is and what he has brought to his noble profession. In his speech he said:

> The number one priority should be to increase output and production of physicians. Enrollment in our medical schools should be markedly increased and the curriculum shortened.

Then, with a series of specific suggestions, Dr. Bornemeier outlined several goals which he believes should guide the medical profession in the years ahead.

I bring his excellent speech to the attention of my colleagues today that they may obtain firsthand knowledge of the man who will head the AMA and who will have a significant influence on its course in the future.

Mr. Speaker, Dr. Bornemeier's thoughtful speech follows:

A REVOLUTION IN MEDICAL CARE

(By Walter C. Bornemeier, M.D., president, American Medical Association)

Dr. Dorman, Dr. Montgomery, Officers and members of the Board of Trustees, Dr. Howard, honored Presidents of the State,

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Territorial and Commonwealth Associations, Members of the House of Delegates, Ladies and Gentlemen:

I am deeply grateful for the honor that has been bestowed upon me. I am not unmindful of the responsibility. I hope and I pray that I may carry out the responsibilities of this high office so the people of this country may have continuing improvement of adequate high quality care and in a manner that makes the practice of medicine a satisfying profession for the physician. I do want to talk a bit about these matters this afternoon. Before I do so, I want to introduce my family. My wife Mabel, who has been my companion, helpmate and favorite consultant for over forty years. My daughter Lois and her husband, Dr. Louis John Kettel who is an Associate Professor of Medicine at Arizona, their children, Linda, Chip, and Laura. Our daughter Beatrice and her husband, Ralph Fiedler who is a teacher in the schools of South San Francisco, Michael, Tommy, and Randy. Our son Walter C. Bornemeier, II, his wife Mary Lou. Walter is an attorney in San Jose, California. Their children, Walter C. Bornemeier, III, age 2½, and Maren, 6 months, are with grandparents in Scottsdale.

A REVOLUTION IN MEDICAL CARE

I am sure that all of us were fascinated in our youth by Washington Irving's story of Rip Van Winkle. When I first read it, I thought the amazing part was that Rip could sleep for 20 years. Now I know the really amazing part was that he slept through a revolution. When Rip went to sleep, we were a British colony. When he awakened, the nation was a republic. We are living through a revolution in health care, and I am sure that physicians, the press and the community are well aware of it. In this address I shall consider some of its causes and effects, and propose some fundamental possible solutions to the problems this revolution has created.

Medical care changed from an Art to a Science during the transition from the pre-antibiotic days before World War II, to the gradual emergence of antibiotics in abundance. The famous painting, "The Doctor," by Sir Luke Fildes typified the ancient Art of Medicine at its best. For many years, the painting was found in almost every pharmacy, in mamy homes and in many physicians' offices. Most of today's young people have never even seen the painting because it no longer represents the present day practice of medicine. In this painting a physician, with no tools specific for an illness, sits helplessly at the bedside of a very sick child. In the background, the father comforts the grief-stricken mother who knows that only a miracle can save her young one. That physician was loved forever by the bereaved family . . . not for what he did scientifically, but for his kindness during those trying hours and days. The physician in those days had relatively little to offer other than kindness. How different from the treatment of illness today! The physician cares for people today by prescribing specific or near specific remedies . . . then moves on to the next problem.

In this century, we have lived through two eras of medical care. Before World War I, it is generally agreed that medical care often did more harm than good. Between World Wars I and II medical care—other than surgery—did very little harm, but often very little good. But during that time an overlay of scientific knowledge was gradually emerging. A few specifics became available for the prevention and cure of disease. At the start of World War II, the big news in medicine was improved treatment first with sulfa drugs and then, in the early 40's with antibiotics. Those two wonder drugs ushered in the second era—the era of Scientific Medicine. The antibiotics have given the non-surgical practitioner a genuine capability to cure or control the illness of his patient. For the surgical practitioner, the sulfas and the antibiotics have greatly increased the application of his skill. The dramatic development of laboratory and other diagnostic methods has resulted in much improved service.

Additional evidence of the present health care revolution is the *discovery since World War II that the hospital is a place to go for health instead of a place to die.* In fact, going to a hospital has become such a status symbol that even with an illness that can be managed well in the doctor's office, people often insist on being hospitalized. This revolutionary change in the science of medicine is continuing, but concurrently the delivery and financing of medical care are also undergoing rapid change. The extraordinary demand for medical and related services created by the infusion of billions of dollars into an already overheated system, increasing affluence, public appreciation of modern medicine has placed a heavy obligation on physicians and other health professionals to increase productivity and availability while at the same time preserving quality. We have an abundance of consumers, but too few providers.

The obvious urgent need today is a sharp expansion of the totality of medical and related services provided by physicians and other health professionals, in an efficient and productive team effort. The supply shortage is especially acute in the ghettos and in rural America. In Chicago in the past decade, 1,700 physicians—through retirement, death or relocation—have been lost to the inner city. In numerous rural areas the only available service is too remote to be accessible, especially in emergencies. A cooperative effort between physicians and government is beginning to solve some of the problems of the inner city, with government supplying the facility such as a neighborhood health center and physicians supplying the medical service.

The use of paramedical personnel to extend the hands of the physician is just beginning to receive adequate emphasis. The amelioration of these difficult medical care problems will require the cooperation of the total physician population, including those in administration, full-time teaching and research, and those already active in patient care. The answer to strangling government regulation will be a visible and effective response by the medical profession.

The number one priority should be to increase the output and production of physicians. Enrollment in our medical schools should be markedly increased and the curriculum shortened. The cost of educating a doctor must be reduced. The place to start is to increase the efficiency of the education system. We can do this, first, by reducing the length of time spent in the premedical and medical curriculum; and second, by de-emphasizing those studies that do not contribute materially to the preparation of the student for clinical patient care.

We might have as our goal, a maximum of six years from high school to the M.D. degree. We are on the way! The majority of the medical schools are presently shortening the curriculum and increasing their enrollment. The course of study of the conventional freshman year in medicine is being given as the final year of the premedical curriculum in some areas. The medical student can then go directly into a medical curriculum that is patient-oriented from the first day. As an added benefit, much of the restlessness of present-day medical students can be avoided by prompt involvement in patient care.

By giving the freshman year curriculum in the premedical course and eliminating the summer vacation, medical school itself may be reduced to 24 months. One quarter should be spent in a clerkship in internal medicine so every graduate would have had contact with that most important specialty before he goes into any other choice available to him upon graduation. Medical schools might admit a class every six months in order to get maximum use out of their laboratories and specialized teaching. In addition to efforts to shorten the medical school curriculum and increase the enrollment, a critical review of residency training programs should be completed as soon as possible.

For the past 25 years, more and more of our medical school graduates have been withheld from the productive practice of medicine for two to five or more years in order to pursue their education in a specialty. Today there are about 35,000 of these licensed doctors of medicine, graduates of schools in the United States in residency training programs. A high percentage of these are over 30 years of age. These young men and women would have been in the active practice of medicine under our system of training 25 or 30 years ago. In addition to these 35,000 residents, there are an estimated 5,000 of our best physicians who have quit practice to take positions as medical educators in the full-time employment of the hospital for the purpose of teaching the resident. No wonder we have a doctor shortage.

We should take a good look at these training programs to determine whether or not this is the most efficient and effective way to produce a high quality physician. When the residency programs were first developed about 40 years ago as a method of training specialists, the length of the program was two years. Gradually this has been expanded to four or even five or more years in some of the specialties. More important, when the residency programs were initiated, most large hospitals had sizable charity services where the intern and resident were able to develop responsibility in the care of patients under the close supervision of an attending physician. Such programs are today almost nonexistent.

Thirty years ago, physicians had more time to teach residents than they do today and there were less than half as many residents. Today many hospitals have residency programs designed principally to provide service rather than education. In addition to the 40,000 residents and full-time hospital-based medical educators, medical schools now employ 10 to 12,000 full-time instructors to teach the junior and senior students. Twenty-five years ago this teaching was done by those of us in practice. That makes over 50,000 licensed physicians in training and teaching. This diversion of so large a number of M.D.'s from direct patient care has aggravated the current shortage of medical services for the public.

Perhaps we are training too many specialists? In some fields we definitely are. General surgery is oversupplied yet there seems to be no reduction in the number of general surgery residencies that are created. Are some of these residencies established only so that the surgeon can have an assistant at the operation, and someone to look after the patient when the surgeon is not present? Why should the hospital need to employ an assistant for the surgeon? A residency training program in a 600 bed hospital costs over a million dollars a year—about $5.00 per day per patient. For 54% of the hospital beds in the United States, there is no house staff. The surgeons and other staff doctors in those hospitals hire assistants where needed and they look after the patients themselves, usually aided by a capable head nurse.

I have asked the Board of Trustees of our Association to make a renewed in-depth residency program. The Board has referred this matter to a review committee to determine whether such a study should be made and implemented. I believe that any new program that might be developed should

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be under the direction of an appropriate national body composed of representatives of the American Medical Association's Council on Medical Education, the Association of American Medical Colleges, the American Hospital Association and other organizations concerned with the training and certification of specialists. At the end of this training period, this national supervising organization could issue a certificate of specialty.

In any new graduate education program we might be well advised to emphasize again a preceptorship method of training, being sure to have the program well directed and supervised. If M.D. graduates could be trained in the active practice of medicine outside of the hospital with a physician or group, approved for teaching, the doctor shortage would, in large measure, be solved. The trainee would certainly develop an expertise for care of the patient outside of the hospital rather than be trained almost exclusively to become experts in the care of hospitalized patients. He would be learning what it is that makes people sick, not just how to make them well.

With today's emphasis on continuing education for the doctor, over 2,000 courses have been developed for constant refresher education for physicians in practice. About half of these are in hospitals, the others in universities. Our recent graduates would have access to these programs in addition to the education at the elbow of a practicing physcian; the same physician who now teaches him in the present program. The preceptor would as rapidly as possible permit the new physician to develop responsibility commensurate with his skills and knowledge.

It is possible that we might, almost overnight, add 50,000 doctors to the care of patients in our communities. At the same time we would introduce our young physicians into a continuing education program that would continue throughout the physician's lifetime. Along with an increase in the supply of physicians, there is an urgent need for increased numbers of those who assist the doctor in the care of the patient.

At the present time there are about 14 allied health people for each physician. Junior colleges across the nation are to be congratulated for including in their curricula many opportunities for medical technologists. The AMA Council on Education is active in establishing standards so these graduates can have a certificate that is recognized nationally. Schools for practical nurses are increasing rapidly. On-the-job training in hospitals and physicians' offices is an important source of technicians and aides. We need more nurses, but especially, we need a redefinition of their role on the health care team. As I said in a Readers Digest article in the July 1970 issue, nurses will no doubt merge as the chief source of supply of the physician's assistant. Already many practitioners rely heavily on a nurse assistant. In the future, the graduate nurse must be given more responsibility. She can liberate a great deal of the physician's time by taking over many of his duties. I commend to you the forward looking report on the nurse presented at this meeting by the Board of Trustees and its Committee on Nursing.

The role of research in influencing the supply-demand equation is also profoundly important. Consider how many physicians and other professionals would be released for other duties if a cure were found for tuberculosis.

However, it is possible that the chief cause of the shortage of funds for teaching in medical schools is that many schools are overspending their financial resources in a maladjusted effort which emphasizes research at the expense of teaching. It might be better if those schools would re-emphasize teaching.

A little over 10 years ago, our Congress, in its wisdom, appropriated substantially more than was requested for research. In order to use this money, it was necessary to train a great many research people. Once more hundreds of our best young men, just finished their specialty training and ready to go into practice were persuaded to accept a research traineeship which was a training program of several years duration. In order to accommodate this influx of research money, it became necessary for medical schools to provide housing for this activity so great research laboratories were built. The school hoped to benefit from the teaching that would be provided by the research physicians. But as it developed the research grants that became available carried with them rigid restrictions on time spent on unrelated activities. So—instead of a plum, the medical school may have picked a fruit of a different color.

Today, the scarcity of research funds might persuade many of these physicians to return to patient care where they are desperately needed. The medical school might convert the research laboratories into teaching facilities and greatly increase their enrollment. Research could be left principally to those medical schools with large endowments, the many foundations whose principal interest is investigative, and other selected centers of research excellence.

Certainly this has been one of the most significant meetings in the long history of our Association. Health has become one of the major objectives of the nation and all those measures that promote its realization have become a matter of intense public interest. The first public forum sponsored by the AMA at its Annual Meeting, and the wide interest shown in our deliberations, reflect the fact that the American Medical Association—the organization that is most representative of all of our physicians regardless of specialty or location—remains a focal point of important decision-making that will continue to have a significant influence on the nation's future health care system.

It is our obligation as a profession and an Association to accept the obligation of leadership and to identify ourselves clearly with the legitimate concerns of the nation. It is our obligation to formulate and implement constructive solutions to those problems. It is our obligation to help realize those expectations which should and can be met.

I am proud to have delivered this inaugural address at a meeting when so many issues of overriding importance to the nation have been considered in a statesmanlike and constructive manner. I am sure that my specific recommendations to improve the relationship between demand for services and the supply of those services will be received in the same forward looking and innovative spirit. We must continue to be innovative. We must adjust our education and our delivery system to the needs of the times. What is needed is money to increase supply . . . not demand. Dollars should be poured into scholarships for students, salaries for teachers, and schools for nurses and paramedical personnel. Then let us graduate enough boys and girls, men and women, to bring the supply up to the level of demand. We must revise the method of training our specialists so that the system is in keeping with the needs of our people. In this way, and only in this way, will we have high quality health care for all of the people—one level of care for all—at a cost that this nation can afford.

DR. NOVICH

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. MINISH. Mr. Speaker, it was my honor recently to present to Dr. and Mrs. Max M. Novich a trophy bearing the inscription "for dedicated effort in the promotion and development of emotional, mental, and physical fitness of our youth," the gift of Dr. and Mrs. Ben Cannapa, the trophy attests to the respect and affection in which the Novichs are held by the students—and their parents—of the doctor's boxing clinic for overprivileged youngsters. Dr. Novich, an orthopedic surgeon, has run the clinic in the basement of his home in South Orange, N.J., for the last 6 years. It has been so successful that larger quarters must be obtained and the clinic expanded to include wrestling, judo, and weight control.

The indefatigable Dr. Novich has traveled all over the world to promote the sport of boxing. A highly interesting article on Dr. Novich's observations on the state of boxing in the Soviet Union appeared in the News Tribune of Wednesday, May 6, 1970. I should like to insert the article by Mr. Charles J. Read, Jr., News Tribune sports writer, at this point in the RECORD:

> You've heard, or said it for more than a decade.
>
> "Boxing is dead."
>
> "The sport is finished. Most of the fights are fixed, anyway."
>
> What should be made clear, is that no matter how much truth is contained in such statements, they refer primarily to professional boxing in the United States. In some countries, boxing is very much alive—although the sport flourishes in a form quite different from what we are associated with.
>
> Dr. Max M. Novich, who runs his orthopaedic practice in Perth Amboy and travels all over the world to help promote his favorite sport, boxing, has again come up with some refreshing and stimulating ideas on the subject.
>
> Dr. Novich knows the sport from all angles, having battled his way from the streets of Newark through the University of North Carolina on a boxing scholarship. He was a speaker a few weeks ago at a Dinner of Boxing Champions in Los Angeles. Before past greats of the ring as Jimmie McLarnin, Freddie Steele, Maxie Rosenbloom, Fidel L. Barba and others, Dr. Novich shook up the gathering with a graphic report on amateur boxing.
>
> His speech was drawn from a February trip to the Soviet Union. He was team physician for an AAU boxing team which competed against the Soviets in Moscow and Minsk. Last October, the USSR team had visited Las Vegas and topped the U.S. boxers, 6–5. Before 14,000 in the Moscow Sports Palace the Russians won, 9–2, and before 12,000 in Minsk, the U.S. took another loss, 8–3.
>
> "Our 12-man squad was selected from 22 AAU boxers who trained one month at Fort Dix," Dr. Novich said. "These 12 men were used for both matches in Moscow and Minsk, whereas the Russians were able to field fresh teams in both cities. The Russians are blessed with a large number of boxers. They have 333,000 registered boxers in the USSR. We have only 8–9,000 registered AAU boxers in the USA.
>
> "In the United States when an amateur boxer wins a national or Olympic boxing title, he usually turns professional. In Russia, when a boxer wins a national, European or Olympic title, he continues to box. These awards entitle him to be a Master of Sports with additional financial, athletic and social rewards.
>
> "Their definition of an amateur athlete," Dr. Novich continued, "is in marked contradiction to our interpretation of the words. Their boxing team had an average age of 25 with an experience of 153 bouts per man. In contrast, our boys had an average age of 21.5 with an average of 57 bouts per man."

The 46-year-old Dr. Novich told of certain Soviet boxers, their records and how their experience overshadowed our boxers in the matches. He then explained the Russian methods of preparing their boxers for national and international competition which, "pays off in spades."

"Unlike the USA, which permits their boxers to enter national boxing competition at 16 years of age, in Russia a boxer is not permitted to try out for a national team until after he has reached 19 years of age. By virtue of this system, a boxer gains considerable experience. Instruction in boxing drills start in school at age seven, but he is not permitted medically to participate in actual boxing competition until he has reached 14. Then he competes on a junior national level through 19. In the United States, there is no matching by age. A 16-year-old, if he is in the open class by virtue of a number of bouts and-or wins, may have to compete against a boxer who is much older and stronger."

Dr. Novich spoke on the superb condition of the Russian boxers. He told of the 10,000 Sports Complexes (Schools) throughout the Soviet Union where a boy—or girl—gets lessons on any sport of their choice under qualified coaches. Boys in vocational schools must go to these complexes in the afternoon, and students in primary and secondary schools usually attend after regular classes. Working people can also use these gyms in the evening, but in the USSR, the accent is on youth, "be it for educational, vocational training, physical education or sports.

"Here are the lessons we learned," says Dr. Novich of his trip to Russia.

"1. We should not participate in international competition unless we can field our very best teams. Although it is a sporting event, our national prestige is on the line. The lop-sided scores we suffered does not help our image. Europeans are very nationalistic and serious about wins and losses.

"2. Intercontinental travel with time changes can cause havoc with an athlete. A period of a week for training and body adjustment should be mandatory before an event. In Las Vegas, William Hawthorne beat Kukamov, but was no match for the same Russian in Minsk," and the doctor cited other examples.

"3. Some means must be found so that the U.S. athletes who are not in the Armed Services can take time off and train for such important international sporting matches without being saddled with the financial woes that occur if you are working, married and support a family. An athlete can not put forth his best efforts when he is beset with social and financial problems. Athletes going to school find it almost impossible to leave their studies. Russian athletes are free of these worries because their salaries continue if they take time off to train for an event such as our recent matches.

"4. Boxing on the intercollegiate level in the United States, after enjoying great success for many years, is now only seen on three west coast campuses. It has been abandoned by most schools because of hue and cry made by physical educators and some physicians that boxing for collegiates is not desirable."

Dr. Novich said only one of our boxers was a college man, a UCLA graduate. The Soviets had eight collegiates or former collegiates on their squads in Moscow and Minsk.

"There certainly must be something wrong with our physical education system," says the rugged surgeon, "which denies our youth a chance to participate in intercollegiate boxing, yet it is encouraged in other great nations of the world."

Just how important the experience of qualified instructors is to an amateur boxer can be seen by Ray Lunney of California, a 125-pound featherweight. His father was a former pro and is now a boxing instructor at Sanford University. Ray, with a dazzling display of counterpunching and moves, outclassed both his Soviet foes in Moscow and Minsk. Ray has had only 26 bouts yet defeated a 23-year-old Russian with a record of 137–3, and another with a mark of 108–15.

Boxing dead? Not while Dr. Max Novich has life.

THREADGILL

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. PICKLE. Mr. Speaker, the term "Threadgill" sparks little response in Washington—but someday, it might bring about the pleasant reaction that this thing called Threadgill does in Austin and central Texas, and Nashville and Newport.

Threadgill is a name that belongs to a man—but that man is a legend. He is Kenneth Threadgill who has accomplished what Presidents cannot. Threadgill is a genuine product of today that has the power to make us recall the good of yesterday. Threadgill has brought widely divergent sections of our society together.

Threadgill, you see, is a yodeller, a singer, a humanitarian and nothing short of being a tremendous human being. Austin city officials, our State senator, civic groups, myself and many music lovers have declared Friday as "Threadgill Day."

I meant what I said about the fact that this man can "bring us together." His authentic call to the basic philosophy of America cuts across all cultural and social and philosophical lines. His admirers run the gamut from the longest of long-haired hippies to the cowboys in their summer strawhats and the straight up businessmen in ties and short hair. I have even known Republicans to be his fans.

I cannot explain his magic; neither can his followers. All we know is that listening to this man is a pleasure that blots out the wrongs of our time and emphasizes the good.

His group—called the Hootenanny Hoots—has been together for a good spell now. But barely 2 years after they were formed, the Hoots were invited to the Newport Folk Festival in 1968.

From singing as a kid at revival meetings in Texas lead by his evangelist father, Threadgill next began memorizing Al Jolson songs. That changed however when he met the Singing Brakeman, Jimmy Rodgers.

Threadgill says:

> I fell in love with his sincerety and the story he told and I've been trying to sing his songs ever since.

He does that job better than any man living. Threadgill is backed up by a great team: Chuck and Julie Joyce, singers and rythm guitarists, and Bert McGuire, lead guitarist.

The reason I call this to your attention, Mr. Speaker, is to enviously point the affection the people of central Texas hold for this man Threadgill. I say enviously because I wish I could be in Austin, Tex., this Friday night when the good folks down there turn out to honor this man with an appreciation night. A party barn has been rented and I suspect the people will come from miles around and years ago just to pay their respects to this guy of ours, this Threadgill. It is an amazing tribute: usually these things are done to honor a man of power who can return the favor in some fashion. Not here. Not with Threadgill. Just the opposite is true. We are returning the favor to him. It is our thanks for all the years, all the songs, and all the smiles.

CHARLOTTE T. REID REPORTS ON 1970 PUBLIC OPINION POLL

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mrs. REID of Illinois. Mr. Speaker, it has been my policy since coming to Congress to send an annual legislative questionnaire to my constituents concerning problems of vital interest to us as legislators. Once again this year, the enthusiastic response has been most gratifying and indicates an unusually keen awareness of national issues among the people of the five counties of the 15th District of Illinois whom I am privileged to represent in Washington.

Under leave to extend my remarks in the RECORD, I wish to include the results of my 1970 public opinion poll reflecting approximately 32,000 opinions of those responding to this questionnaire. I thought my colleagues might find this information useful also:

RESULTS OF REPRESENTATIVE CHARLOTTE T. REID'S 1970 PUBLIC OPINION POLL

[Percentage]

1. Do you approve of the efforts President Nixon is making to end the war in Vietnam?

Yes	75
No	22
No answer	3

2. As one of the means of curbing inflation, do you think that a balanced Federal budget should have top priority for the next fiscal year?

Yes	86
No	10
No answer	4

3. Do you approve of the President using his veto power if he believes a bill is inflationary?

Yes	90
No	7
No answer	3

4. To reduce crime, would you:

(a) Favor increased Federal grants to cities and States for law enforcement assistance?

Yes	54
No	29
No answer	17

(b) Deny bail before trial to a person previously convicted of a felony or presently on bail who is again arrested for a felony?

Yes	86
No	9
No answer	5

5. What actions would you favor to curb the increasing use of dangerous drugs?

(a) Increase penalties for illegal sale of drugs?

Yes	92
No	4
No answer	4

(b) Reduce penalties for possession and first-time users of marijuana?

Yes	25
No	53
No answer	22

(c) Provide more funds for drug abuse education?

Yes	62
No	20
No answer	18

6. Do you believe the Supreme Court has been too lenient in its decisions on pornography and obscenity?

Yes	76
No	20
No answer	4

7. Do you favor:

(a) Increasing Federal aid to education?

Yes	39

(b) Reducing allocations?

Yes	18
No answer	1

(c) Maintaining aid at present levels?

Yes	42

8. Do you favor busing school children to achieve a greater racial balance?

Yes	7
No	91
No answer	2

9. Should the Federal Government have greater authority to combat environmental pollution and enforce penalties for violations?

Yes	84
No	12
No answer	4

10. Do you favor the bills I have introduced to:

(a) Provide automatic cost-of-living increases for Social Security annuitants?

Yes	82
No	10
No answer	8

(b) Permit annuitants to earn more money without losing their Social Security benefits?

Yes	91
No	4
No answer	5

11. Do you believe that Federal farm controls and subsidy payments should be:

(a) Phased out over a five-year period?

Yes	64

(b) Continued substantially as is?

Yes	17
No answer	12

(c) Made permanent with increased subsidies?

Yes	7

12. Do you favor the President's new plan to make basic changes in the present welfare system with emphasis on work incentives?

Yes	92
No	4
No answer	4

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

WE CANNOT AFFORD A NON-PRESIDENT

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. LEGGETT. Mr. Speaker, it appears that President Nixon's approach to tough national problems consists of taking a deep breath, looking the American people straight in the eye, and ducking the issue.

Mr. Nixon urges the South Vietnamese to do their own fighting, but refuses to say we are going to leave them on their own even if they continue their ineffectiveness. He deplores the wage-price spiral that is playing havoc with our economy, but refuses to institute the controls needed to stop it.

Mr. Speaker, this will not do. The times will not tolerate equivocation and business as usual. If Mr. Nixon is unwilling or unable to face the issues alone, let him come to us, the Congress. Let him ask us to share the responsibility of getting out of Vietnam and of establishing wage and price controls. But let us not wait until the horse is three States away before we close the barn door.

Under unanimous consent agreement, I insert the editorial by Ed Davis entitled, "It is Time for Nixon to Act," from the Willows, Calif., Daily Journal of July 2, 1970, in the RECORD at this point:

IT IS TIME FOR NIXON TO ACT

Senator Mike Mansfield says it's a "recession," Secretary of Commerce Maurice Stans, perhaps taking his cue from the late President Herbert Hoover, says "we are at a bottoming-out position. I do not expect any significant change, except upward, from here on out."

Whatever it's called, it represents an abject failure of economic policy by the present Administration—a failure which is hurting millions of Americans—from the farmer who must borrow money for economic survival to the Penn Central stockholder whose investment has gone belly-up.

So far as the farmer is concerned in the past year new loans have dropped some 18 percent, foreclosures have climbed, and interest rates have soared to record levels.

Not only rising interest rates but rising costs of everything else have caught the farmer, as most other Americans, in a tightening price-cost squeeze.

In spite of President Nixon's promise to end inflation, here is the record: Three years ago prices rose 3 percent, two years ago 4.6 percent and last year a whopping 6.1 percent. Yet Mr. Nixon's vapid reaction has been to establish a "productivity commission" to get wage and price "guidelines." As if either labor or manufacturer is likely to respond to "guidelines" carrying all the force of a 20-ounce boxing glove wrapped in a feather pillow.

The fact of the matter is that inflation has been caused by complex factors and to expect to control it by the simple upward manipulation of interest rates is like trying to cure pneumonia with cough syrup.

Meanwhile, the skyrocketing interest rates have converted the prosperity of millions of Americans into a financial nightmare. Yet President Nixon proposes to control the inflation with a "productivity commission" endowed with everything except authority.

What's wrong with the President himself intervening to slam the lid on rising prices and wages, which must be stopped if inflation is to be stopped?—E.F.D.

SUMMER JOBS FOR YOUTH

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert in the CONGRESSIONAL RECORD an editorial of WJBK channel 2, Detroit, Mich., discussing the problem of employment of youth in the Detroit, Mich. area.

Of equally serious concern to anyone troubled with the problems of youth is the fact that this editorial points out that unemployment among inner-city boys and girls in the Detroit area is something like 35 percent. The hardship, degradation, suffering and incentive to hopelessness, bitterness and criminal activity, resulting from that circumstance should be clear to all.

WJBK is to be commended for this fine editorial and its concern for our young people.

SUMMER JOBS FOR YOUTH

(By Robert J. McBride)

MONDAY, JUNE 29, 1970.

With Detroit's overall unemployment rate currently at 6.7 percent, it naturally follows that the summer job outlook for youth is even more desperate.

Among Motor City youngsters aged 15 through 22 who are actively seeking work, unemployment stands at 17 percent. Among inner-city boys and girls, the figure is more like 35 percent.

William Trolley, manager of the MESC's Youth Opportunities Center estimates that of 205,000 young Detroiters hoping to land summer jobs only 130,000 will find them. The result will be that at least 75,000 teenagers who would prefer to be working will instead be roaming the streets—with many of them unlikely to return to school in the fall.

The MESC's major concern, of course, must be to direct unemployed adults—especially heads of households—into the better jobs available. This means that most unemployed young people, if they find work at all, will have to settle for such odd jobs as mowing grass, caring for gardens, or washing windows. But, for boys and girls who really want to help themselves, such prospects are better than no job at all.

If you—as a small businessman or manufacturer, or just as a homeowner—can offer any sort of temporary job opportunity for one or more young people, the MESC would like to hear from you. TV2 urges viewers who can provide youth employment—for the summer or just a day or two—to call the Youth Opportunities Center at 873-6284. That number again is 873-6284.

XUM

THREAT OF DEPRESSION HAS LITTLE FOUNDATION IN FACT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. DERWINSKI. Mr. Speaker, Democrat Party propagandists are trying to frighten the public with charges of a depression as part of their 1970 campaign.

A very objective and effective article discussing the remoteness of a depression as carried in the La Grange, Ill., Citizen, July 2, written by Mr. Murray Lummer is worthy of review. The article follows:

Threat of Depression Has Little Foundation in Fact

(By Murray Lummer)

"With the way things are going, what prospects are there in store for us? Is it possible that we may be facing a depression? My husband and I are extremely worried about this."

Why is it that any time our economy runs into some difficulty, people immediately begin to imagine the worst possible consequences? Can it be that they actually believe that a business cycle continues on upward without any interruption for adjustment or correction? Since the beginning of civilization, the history of economics has proven this time and time again. Business cycles, market cycles and other such cycles are subject to fluctuation. Its mostly a matter of degree.

To prevent what was one of the longest boom periods in this nation's history, from becoming a bust, the Johnson, and later the Nixon administration found it necessary to impose a number of restrictions in order to curb our spiraling inflation.

The effects of these restraints are presently being widely felt.

What were these restrictions? They included tightening of the money supply, increasing the interest rates, higher taxes (the surtax, for example) and proposed elimination of certain tax allowances and curtailment of government spending.

Through the efforts of our federal reserve board, money did become, and still is, very tight. Interest rates were raised, and the surtax was extended.

However, curtailment of government spending, if at all, has been negligible and the present tax program under consideration by congress seems destined to fall far short of its mark.

Another factor to be reckoned with is the stubborn resistance from both business and labor: business in its resistance to reduce its expansion programs and succumbing too easily to the demands of labor unions; labor unions total disregard to inflation and its ramifications in its persistent demand for higher wage scales.

Despite these efforts undertaken by the present administration, prices have continued to soar. More recently, however, the tide shows some indication of subsiding but not nearly enough to warrant any change of action.

The present consensus of opinion varies greatly. Some economists warn us of the possibility of a sharp recession. Others predict a mild recession while still others that the worst that will happen might be a business slowdown or a mini recession. At any rate, there can be some unemployment and reduction of profits.

Many people become confused in trying to understand the difference between a depression and recession.

I'm sure that those who have lived through the depression of the 30's and later on witnessed some recession periods, need no further explanation.

Actually, the difference between the two is that a recession is a short-term period of slow business activity accompanied by lower profits, unemployment and lower commodity and stock prices.

A depression is in effect when we have a prolonged period (lasting for several years) of a sharp business decline accompanied by mass unemployment, exhaustion of many peoples' savings, lower business profits and depressed stock prices.

In the past 17 years, we have had three recessions. In 1953–54, 1957–58 and 1960–61. In each of these periods, the downturn was so minimal that the total personal income continued to climb. While there was some drop in production and business profits sagged somewhat, most people who weren't advised that we were in a recession never knew it happened.

IS IT ALWAYS RIGHT—TO BE RIGHT?

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. WALDIE. Mr. Speaker, it has been observed by many eminent historians that nations experiencing rapid social and political change often experience serious and bitter differences among its people. These differences that America is feeling today ultimately pit one man against another and sadly stem not from personal assessment of individuals, but rather from impersonal assessments of individual ideologies. Often times, our self-righteousness replaces our humility.

Warren H. Schmidt, assistant dean at the University of California, Los Angeles, graduate school of business, articulates these feelings in his short but meaningful parable made at an address in California last year. Mr. Schmidt points out the necessity to guard against these seemingly natural propensities and tells us that, "There once was a land where men were always right."

His poem follows:

Is It Always Right To Be Right?

SOME REFLECTIONS ON TENSIONS AND HOPES

(By Warren H. Schmidt)

There once was a land where men were always right
They knew it . . . and they were proud of it.
It was a land where a man was proud to say, "I am right" and "You are wrong"
For these were words of conviction, of strength and of courage.
No one was ever heard to say, "I may be wrong" or "You may be right"
For these were words of weakness, uncertainty and cowardice.
When differences arose among the people of this land they sought not to re-examine and explore
But only to justify and persuade.
When differences arose between the old and the young, the *older* would say,
"We have worked hard to build this great and prosperous land.
We have produced cars and highways that permit us to move quickly from place to place.
We have built planes that surpass the speed of sound
We have produced computers which solve complex problems in milliseconds.
We have even touched the moon.
We expect those who inherit this good land to appreciate what we have accomplished and to build on the heritage we have given to them."
These older people were right, of course . . . and they knew it and were proud of it.

But the *younger* people of that land would respond,
"We see around us a land that has been befouled and exploited.
People starve where food is plentiful.
Laws and practices prevent some from having an equal chance to develop and to influence.
Noble and moral words are matched by selfish and sordid deeds
Leaders urge us to fight wars to preserve peace—and the fighting does not end.
The whole scene is phony and polluted and inhuman and out of control.
We want no part of this money-mad Establishment."
These younger people were right, of course . . . and they knew it and were proud of it.
. . . *and the gap between the generations grew wider*
When differences arose between men of different races, those from the *majority* race would say,
"We are working steadily to build a land of justice and equality for all our citizens.
We have made considerable progress—but social progress does not come swiftly.
Those whom we seek to help and lift can only hurt their own cause when they push and intrude and pressure us.
Let them show some patience—and let them use more fully the opportunities we have already supplied.
Then we will feel like doing even more for them."
These people of the majority were right, of course . . . and they knew it and they were proud of it.
But those from the *minority* group would reply,
"We have been pushed around too long and we are angry.
We have been confined to a ghetto.
Our children's education has been stunted in second-rate schools.
We have seen jobs go to less qualified while our people are rejected or shunted into menial tasks.
We see a thousand subtle signs that brand us and our children as second-class citizens in this land.
We will tolerate lofty promises and meagre deeds no longer."
These people from the minority were right, of course . . . and they knew it and were proud of it.
. . . *and the gap between the races grew wider.*

And so it went in this land . . .
Group after group defined the right
And took their stand
And upheld their position against those who opposed them.
It happened between those who taught in the school and those who provided the funds.
It happened between those who gave priority to a strong defense and those who gave priority to better cities.
It happened between those who pleaded for peace at almost any price and those who argued for national honor at almost any cost.
Everyone was right, of course . . . and they knew it and were proud of it.
. . . *and the gaps between groups grew wider*

XUM

Until the day came when the rigidity of rightness caused all activity to come to a halt.
Each group stood in its solitary rightness
Glaring with proud eyes at those too blind to see their truth
Determined to maintain their position at all costs
(For this is the responsibility of being right).

But the quality of life in the land declined
And grew more grim
And the people became more angry
And violence increased.
People had more things, but their sense of well-being and personal fulfillment diminished.
Some measured the cost in tasks undone and energy wasted
Others in loneliness and fear
Most felt powerless and without hope.
But through the tense days of confusion and gaps of all kinds
Some maintained their vision of a time when men would again value their differences . . .
As a source of richness
As a stimulant to learning
As a base for creativity.

Then . . .
One day a strange new sound was heard in the land.
Someone said, "*I* may be wrong . . . *You* may be right."
The people were shocked that anyone could be so weak and so confused.
But the voice persisted
And when the people looked, they saw that it came from one who was known for his strength and wisdom.
And some people began to listen in a different way.
It now seemed safe to listen to opposing—and even "wrong"—views.
As they listened, they discovered common beliefs they had not known before.
They even began to see signs of humanity and noble purpose in those whom they once only knew as adversaries.
Here and there men expressed their common desires in deeds—and bright examples of joint action were seen in the land.
With each new effort, men's faith in one another grew . . .
and their faith in the future . . .
and in their ability to shape their own destiny
They stated these beliefs in a *Declaration of Independence* which read in part.
"All men are created equal—but each develops in a unique way.
"All men are endowed with certain inalienable rights—but each must assume certain inevitable responsibilities.
For the happiness and fulfillment of all depends on the commitment of each to accept and support equality *and* uniqueness
rights *and* responsibilities."
In this land men had learned how two rights could make a costly wrong.
That it may take less courage to point a finger than to extend a hand and less wisdom to defend a narrow right than to search for truth.
Most important of all, the people of this land had learned that the quest for truth is never over; that the challenge is always the same . . .
To stop fighting long enough to listen
To learn from those who differ
To try new approaches
To seek and test new relationships
And to keep at a task that never ends.

MORMON CHURCH PROGRAMS AID AMERICAN INDIANS

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 8, 1970

Mr. BURTON of Utah. Mr. Speaker, I should like to call to the attention of my colleagues three special releases made recently by the Church of Jesus Christ of Latter-day Saints—Mormon. The church issues many releases, but the thing that makes these worthy of general note is that they describe programs and activities of the church among the American Indians, with outstanding results. The releases follow:

MORMONS HELP EDUCATE INDIANS

SALT LAKE CITY.—The American Indian is very much in the public eye these days. He's speaking out in relation to his rights, and there'll likely be a good deal more attention given him as he continues to speak out.

But while the American Indians may have just cause for complaining about their overall situation, there are things being done for them—positive things, which all too easily get lost in the maze of the more newsworthy negatives.

A case in point is the program sponsored by The Church of Jesus Christ of Latter-day Saints. The Church has long taken a special interest in the Indian, or the "Lamanite," a name derived from the Book of Mormon, which the church considers ancient American scripture.

There are about 34,000 American and Canadian Indians on the rolls of the "Mormon" Church. The church sponsors an Indian "student placement" program, wherein children from eight to 18 are given the opportunity of living with a non-Indian Mormon family during the school year. They go to modern schools and share all other advantages of their "brothers and sisters." More than 4,500 young Indians are participating in the program this year. They come from a score of different tribes in a dozen states and Canada. This is the 16th year of the program.

Often, the Indian youngsters, after "graduating" from the placement program, continue their education at Mormon-operated Brigham Young University in Provo, Utah, whose president, Dr. Ernest L. Wilkinson, once spent 16 years as an attorney for the Ute Indians and handled for them the largest single claim ever won in a lawsuit against the Federal government.

BYU has a rather cosmopolitan enrollment, with students from some 55 foreign countries, as well as every state of the Union. More than 300 American Indians are enrolled at the university. They represent 58 tribes and come from 26 states. There are many other students from Mexico, Central and South America and Polynesia.

The Indian student is given special consideration for admission, says Dr. Lester Whetten, dean of the General College. "If he has had reasonable academic success in high school," Dean Whetten says, "and he is strongly motivated to attend the university, his admission is given careful consideration on the basis of a total human evaluation."

Once Indians become students at BYU while they are not pampered, they are given encouragement and assistance through an understanding faculty, specially selected and devoted to "going the extra mile" to help them overcome linguistic, cultural and economic hardships, Dean Whetten said. There is even a special tutoring service available for those who may require additional assistance and more personal instruction, he added.

The BYU Indian Education Department outlines its objectives this way: "To assist Indian students to recognize and appreciate their full potential; to promote better relationships and greater understanding between Indians and other students, both on and off campus; to provide a comprehensive educational program which is flexible enough to meet individual needs and abilities; and to provide a program of personal assistance so that the Indian student may achieve and gain satisfaction in his university pursuits."

A remarkable example of the fruits of the overall Mormon program for Indians is Kenneth Nabahe, 27, a Navajo who went up through the ranks of the student placement program, earned a master's degree at BYU and is now working on his doctorate. Nabahe's wife, Rachel, 24, is also a BYU graduate. She's a Shoshone Indian.

Early this year, Nabahe was ordained a bishop in the Mormon Church. He presides over a congregation on the BYU campus.

Nabahe spent six years as a "foster child" in the Don W. Pace home in Torrey, Utah. From there, he went on to BYU where he met his future wife. The Nabahes are devoted to the church and they enthusiastically endorse the many programs designed to help the Indian.

Once a year on the BYU campus, the Indian students sponsor "Indian Week." They organize seminars and workshops, stage a colorful dramatic pageant, display their handiwork and, in general, educate their non-Indian fellow students as to their history, culture, special skills and talents, and their hopes and desires for the future. These activities and displays have dramatized the fact that the white people have much to learn from the way of life of the American Indian. Indian Week activities feature the selection of a Miss Indian BYU.

Not just during their "week," but throughout the school year, the Indian students on the BYU campus are organized into their own fraternity, or club, the "Tribe of Many Feathers." University officials are delighted with the results of their Indian education program and plan to greatly expand the number of students in future years.

MORMONS TAKE INDIAN STUDENTS INTO THEIR HOMES

The tousle-haired boy might think of Indians as painted, shrieking savages bearing down on the wagon train. So oldtimers equate the "redskins" with the traditional cigar store figure. Others think of smoke signals and tomahawks, moccasins and teepees, or war drums, buffalo hunts and rain dances.

But today's Indian is a far cry from this romantic, make-believe image which the movies and television have made so familiar.

Today, for example, thousands of young Mormon boys and girls think of the Indian as a "brother" or "sister," one who dresses as they do, eats what they eat, sits next to them in church or school, plays with them and works side by side with them.

Indeed, this fall, thousands of Indians between the ages of eight and eighteen have left their reservation homes to spend the school year in white homes. It's all part of the Indian Student Placement Program of the Mormon Church, or, officially, The Church of Jesus Christ of Latter-day Saints.

Each year since 1954 numerous white members of the Church have opened their homes to deserving young Indians and have helped them gain an education and experience in dealing with the "outside world" that would be virtually impossible on most Indian reservations.

Since its humble debut, when less than a hundred students were placed, the program has flourished. This year, some 4,500 Indians from ten states and Canada have been enrolled. They have been placed in homes in Utah, Idaho, California, Arizona, Washington, Colorado, Georgia and Canada.

MANY TRIBES REPRESENTED

Tribes represented in this year's program include the Hopi, Navajo, Apache, Mescalero, Hualapai, Pima, Papago, Kowa, Cherokee Cheyenne, Ponca and Sioux. Then there are the Chippewa, Assinibone, Crow, Squamish, Lumbee, Stony, Opetchesat, Blackfoot, Frog, Thlingit, Haida, and many more.

A. Theodore Tuttle, a leading Mormon official, calls the program "unique and distinctive." It is based, he says, "on love—the love of natural parents for their children that is sufficient to motivate them to send them elsewhere to obtain better opportunities." And, Tuttle continues, "it is based on the love of foster parents that is sufficient for them to open their homes and hearts to accept another's child as their own."

The program, says Clare Bishop, executive director, is "designed to make possible educational, spiritual, social and cultural opportunities for the young Indian children in our church, and to provide them opportunities to participate in non-Indian community life so they can use their own experience both now and later in life for the benefit of themselves and their people."

YOUNG APACHE IS TYPICAL

A typical Indian enjoying the opportunities of the program is Derl Tortice, a 13-year-old Apache from Arizona. This fall he is spending his fourth year in the program and his second with the David C. Evans family in Salt Lake City, Utah. Evans, a computer scientist at the University of Utah, has three sons and four daughters of his own. Both parents and children have literally taken young Derl into the fold as "one of us." He works with them, plays with them, studies with them, worships with them, and yes, "on rare occasions," says Mrs. Evans, he disagrees with them, especially when it is time to take his piano lessons. In short, there is no coddling, no preferential treatment. He is one of the family. As such, he enjoys all the responsibilities as well as the advantages such a relationship provides.

A healthy percentage of the placement program "graduates" go on to college, usually to the Mormon-operated Brigham Young University in Provo, Utah, which has some 800 Indians enrolled this year.

Laura Like Him, a 20-year-old BYU sophomore from Winnebago, Neb., is a graduate of the program. She says her experience "helped me to realize that we can improve ourselves and our people." She speaks highly of the "lifelong friendships created and religious principles taught which become priceless guides for living."

RETURN TO RESERVATION

After completing their college educations, many of the young Indians return to their reservations to help their people. Others make meaningful contributions to society as a whole.

A statement by its Council of Twelve Apostles handsomely sums up the Church's attitude toward the Indian:

". . . the children of the forest must be educated and instructed in all of the arts of civil life, as well as in the gospel. They must be clothed, fed, and instructed in the principles and practice of virtue, modesty, temperance, cleanliness, industry, mechanical arts, manners, customs, dress, music, and all other things which are calculated in their nature to refine, purify, exalt and glorify them . . ."

INDIAN NAMED BISHOP IN MORMON CHURCH

An articulate young Navajo Indian from Arizona has been ordained a bishop in The Church of Jesus Christ of Latter-day Saints. Kenneth Nabahe, 27, who has his sights set on a doctorate in psychology at Brigham Young University in Provo, Utah, was chosen by Church officials to preside over a congregation on the BYU campus

Nabahe did his undergraduate work at BYU, taking a degree in Zoology. He was ordained a bishop by Elder LeGrand Richards, a member of the Church's Council of Twelve Apostles, and chairman of the Indian Committee of the Church.

Bishop Nabahe is a remarkable example of the fruits of the Mormon program for Indians. He has advanced through the ranks of the Church's Indian Student Placement Program, wherein youngsters from eight to 18 are given an opportunity to spend the school year in the home of white Mormon families. Nabahe spent six years as a foster member of the Don W. Pace family of Torrey, Utah. He then "graduated" into the Indian Education Program at BYU.

There currently are more than 300 American Indians participating in a special education program at the university, whose cosmopolitan campus includes students from every state and some 55 foreign countries.

The new bishop met his wife, Rachel, 24, a Shoshone Indian, at BYU, where she was earned a degree in social work. They were married in a Mormon temple and have two small children. He has held other positions of Church leadership and has spent two years as a Mormon missionary to his fellow Indians.

Bishop Nabahe says his ultimate goal in life is "to help my people obtain the opportunities that I have had." He enthusiastically endorses the Church's varied program for the Indians. Speaking of his experience at BYU, he says "Here we have really understood the destiny of our people and feel blessed to be a part of the university." He says "BYU is unique in providing both an education and a spiritual background—opportunities we could not have obtained anywhere else in such combination."

THE FLAG

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. QUILLEN. Mr. Speaker, a poem concerning the American flag appeared in the Sevier County News-Record and the Gatlinburg Press on July 2 which I found deeply interesting and touching.

The poem was written by Mr. James E. Carr, Route 3, Sevierville, and to me it is a poignant expression of his love for the American flag and the principles for which it stands.

I would like to submit the poem for readers of the RECORD:

THE FLAG

(By James E. Carr)

Old Glory to me is a pretty Flag;
For to me each color has a meaning
not just some colors splattered on a rag.

As you read this you will see;
Just what the American Flag means to me.

When I see the stripes of red;
I think of all our ancestor's blood
that was shed.

Their lives for freedom they were willing to give;
So that their families and others in a free country
could go on and live.

And when I see the white it reminds me of the dawn;
So proud to see Old Glory still waving high
Francis Scott Key wrote for Her a pretty song.

Then when I see blue I think of the Heavenly space;
and it reminds me of the One who is up there to watch
no matter what type or race.

Old Glory has seen her share of troubles;
And with each passing day them seem only to double.

So if by chance you ever see Old Glory on the ground;
Don't pass her by; feel proud to give Her a helping hand,
for She's too precious to be kicked around.

She has flown high and proud for so long;
So it is up to us now the young generation, not our ancestors,
to keep Her waving and strong.

Because to see the Flag waving in the soft breeze;
Reminds me that I am an American and I am free.

MSGR. LAURENCE F. HENNESSEY—A TRIBUTE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. WALDIE. Mr. Speaker, great men are recognized not by what they are—but by what they have done. Because a man is king or president does not make him great. Because a man is less than a king or a president does not make him insignificant.

Mr. Speaker, at this time I would like to give praise to a man whose deeds have made him a great man and whose love has made him a good man.

Msgr. Laurence F. Hennessey came to the then little town of Concord, Calif., in 1940. Concord at that time was hardly more than a crossroads community. Since then, Concord has become a bustling, vigorous suburban commercial and residential center nearing 100,000 persons.

And importantly, Mr. Speaker, it bears evidence of the dynamic and positive influence of Monsignor Hennessey.

Monsignor Hennessey foresaw the tremendous growth that would and did come to Concord. He planned and built the first Catholic school in the county and he oversaw the planning of an integral parish complex that began with 100 families and now has thousands.

Now he retires, Mr. Speaker, and his parishioners and those residents of Concord who know him well are honoring this great and good man on August 2.

He is a humble man, Mr. Speaker, a man who announced his retirement from the pastorate at an early morning Mass and then left the parish so as not to arouse the emotions of his friends.

His people would not allow this man to go without some tribute. So on August 2 they will gather to pay him the honor he is due.

I join them in honoring Monsignor Hennessey. He is a great man—and his deeds demonstrate that greatness.

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BLACK SILENT MAJORITY ORGANIZATION

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 9, 1970

Mr. THURMOND. Mr. President, the July 7, 1970 issue of the Washington Post contains a United Press International article entitled "Black Silent Majority Formed by Ex-GOP Aide."

It was surprising to me that the Washington Post would give any attention to a fledging organization that did not have some militant voice at its head and some revolutionary demands as its goals.

This organization, in announcing its formation, did announce some beliefs which I feel that most of us in Congress can subscribe to. For instance, this new group stated that black revolutionaries and militants do not speak for the vast majority of black people. Further, they said the vast majority of blacks disapprove of current disorders and are working for a living, trying to keep their children in school, and are law abiding.

Mr. President, it is encouraging to hear such words spoken about blacks by blacks. It has always been my feeling that black progress will depend upon black leadership. We all should work together, but a race naturally looks toward its own people for guidance and direction. Frankly, whites might well follow this good example, for there are plenty of white radicals on both sides of the political spectrum who try to speak for groups which they do not actually represent.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"BLACK SILENT MAJORITY" FORMED BY EX-GOP AIDE

A group of Negro leaders announced yesterday formation of national Black Silent Majority Committee aimed at showing that the majority of American Negroes are not represented by violent militants.

Clay J. Claiborne, national director of the new group with representatives from 22 states, said: "We believe that black revolutionaries and militants, upon whom some segments of the news media seem to dote, are not dedicated to progress for our people.

"Blacks don't want to burn America down. We want to build America—and like all patriotic Americans, earn enough money to own part of this great nation."

Cailborne, an Atlantic City, N.J., publisher and a former special consultant to the Repubican Congressional Campaign Committee said the organization will encourage blacks to participate in the electoral process and to develop a strong two-party system within predominantly Negro areas.

In a statement of beliefs, the committee summarized: "There are millions of black Americans who work every day, keep their kids in schools, have never been to jail, pay their taxes, shop for bargains, have never participated in a riot—but are being shouted down by a handful of black militants. We have organized to raise the voice of patriotism and responsibility for the black silent majority and to demand for rightful share of national attention due us as the majority within the black minority."

A STUDY OF THE NEGRO ATTORNEY—ACCESS AND ENTRY INTO THE CRIMINAL JUSTICE SYSTEM

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 9, 1970

Mr. SCOTT. Mr. President, on June 17, 1970, the Philadelphia Bar Association passed a resolution in support of a proposal by the American Foundation for Negro Affairs. The AFNA proposal was entitled "A Study of the Negro Attorney—Access and Entry Into the Criminal Justice System."

Because I feel that this issue is one which concerns all of us, I ask unanimous consent that this resolution and statement of goals and list of consultants be reprinted in the Extensions of Remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESOLUTION IN SUPPORT OF AMERICAN FOUNDATION FOR NEGRO AFFAIRS

(Request for bar association approval of proposal submitted to National Institute of Law Enforcement and Criminal Justice for grant of $123,438 for a study of the Negro attorney—access and entry into the legal system.)

The American Foundation for Negro Affairs is headed by Samuel L. Evans, National Board Chairman. The National Executive Secretary is Barbara L. Weems who was the Executive Director of PAAC and who was instrumental in helping to secure funding for the CLS programs in Philadelphia.

The Bar Association has been asked to give its endorsement to their proposal submitted to the National Institute of Law Enforcement and Criminal Justice regarding the survey of the Negro attorney and access in the criminal justice system.

The specific goals of the present study are outlined on enclosure 1. The consultants for this program are itemized on enclosure 2.

This proposal has been reviewed by the Chancellor and the Chairman of the Board of Governors and they both recommended that we support it.

Resolved, That the Board of Governors of the Philadelphia Bar Association approve in principle the proposal submitted by the American Foundation of Negro Affairs to the National Institute of Law Enforcement and Criminal Justice third draft and expresses the hope that this project will be approved and funded by the National Institute of Law Enforcement and Criminal Justice.

THE GENERAL GOALS OF THE PRESENT STUDY

The study will therefore attempt:

1. To determine whether the 1954 school desegregation decision significantly influenced trends toward increasing the supply of Black lawyers due to improved opportunities for enrollment in law schools in both the North and South.

2. To determine whether broadening of employment opportunities for the Black attorney significantly influences his career choice, i.e., did openings of opportunities in northern White law firms detract from interest in the criminal justice field; to determine to what extent, if any, the presence of Black lawyers in White law firms has added new dimensions to the criminal justice activities. There is some indication that these lawyers, particularly since 1964 with their increasing attention and interests in consumer protection and welfare fields have brought into focus increased emphasis on *preventative* rather than *punitive* aspects of the criminal justice fields.

3. To determine whether there was significant change in the attitude of Black lawyers as to their occupational choices after the 1963 march on Washington, the turning point in the civil rights movement.

4. To determine whether educational training and background significantly influence career choices, i.e., do Black lawyers graduating from Ivy League colleges choose the criminal justice fields as readily as their contemporaries from other schools?

5. To determine to what extent the ability or inability of the Black attorney to pass the state licensure examinations influenced his career choice. As indicated previously, if he does not pass his licensing examination for all practical purposes, there would be little that his answers would contribute to this study. It could be possibly assumed that most of the respondents who do not reply to the preliminary survey in this study will not have passed their licensing examinations. However, if the respondent had to take the licensing examination several times, this factor would be of considerable significance in his career choice.

6. To determine the number of Black law students currently enrolled in law school, their career choices, i.e., criminal justice fields and other law interest areas as well as other pertinent information necesary to build a student profile. It will also be interesting to look at career choice as it relates to the kind of school attended.

7. To determine whether the law schools, both Black and White, have placed particular emphasis on course offerings that might conceivably influence career choice, i.e., the criminal justice field.

8. Since students must graduate from law schools before they can enter the criminal justice field, to determine from the law schools and students what factors may prove to be inhibiting their chances for graduation.

LIST OF CONSULTANTS

1. Bullock, Matthew, Esquire, Deputy City Solicitor, City of Philadelphia.

2. Bruton, Paul, Esquire, Professor, Law School, University of Pennsylvania.

3. Diggs, Paul, Esquire, Professor of Law, Howard University.

4. Fordham, Jefferson, Esquire, Dean, Law School, University of Pennsylvania.

5. Giles, James, Esquire, Associate, Pepper, Scheetz Hamilton Law Firm, Philadelphia, Pennsylvania.

6. Johnson, E. E., Ph. D., Associate Dean of the College, Southern University, AFNA National Research Committee.

7. Klaus, William, Esquire, Partner, Pepper, Scheetz Hamilton Law Firm, Chairman, Public Service Committee, Philadelphia Bar Association.

8. Miller, Paul E., Esquire, Acting Dean, Howard Law School.

9. Simpson, Stephen, Esquire, Law Clerk, for Judge Spaulding, Common Pleas Court, Philadelphia, Pennsylvania.

A BILL TO STRENGTHEN FEDERAL CRIMINAL LAWS CONCERNING ILLEGAL USE, TRANSPORTATION, AND POSSESSION OF EXPLOSIVES

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BROCK. Mr. Speaker, I am submitting today a bill that would strengthen Federal criminal laws con-

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cerning illegal use, transportation and possession of explosives.

Although there are no accurate statistics on the nationwide incidence of bombings, the following examples are illustrative of the disturbing trend.

Thirty-two bombs destroyed over $600,000 of property in Seattle last year.

Sixty-two bombs rocked the San Francisco Bay area in 1969. Bombs have been found in the Oakland Army Base barracks which house Vietnam-bound GI's, and a freight train destined for an oil refinery.

In 1969, New York recorded 93 explosions, 19 dud bombs and 2,587 threats compared with 1968 figures of 81 explosions, 10 duds, and 1,094 threats. Between March 12 and 28, 1970, police found 14 bombs, not including Molotov cocktails, and recorded 2,264 threats.

Most disturbing has been the wave of bombings and threats on schools and college campuses. Through March of 1970 there had been over 30 bombs which have done $500,000 damage to college campuses. Tennessee papers have carried particularly disquieting accounts of bomb threats lodged at our primary and secondary schools.

President Nixon on March 25 of this year proposed strong sanctions against bombers. By introducing my bill today I hope to spur Congress into taking prompt action to strengthen the Federal laws to deal with the demented terrorist who resorts to the bomb and the anonymous threat. It is particularly urgent that something be done to protect our children before the opening of schools next fall.

A STUDENT'S VIEWS

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. CHAPPELL. Mr. Speaker, last month there appeared an exchange of letters in "The Bulletin Board" student newspaper for Embry-Riddle Aeronautical Institute in Daytona Beach, Fla.

The first letter was from a young sailor in Vietnam, addressed to the student body president of Embry-Riddle; the second letter is the reply by Terry Miner, president of the Student Government Association. Both letters are thoughtful and illustrate the earnest desire of many of our young people to get real education. These are the young people who are honestly concerned about the problems that face America, and who are willing to study and learn in order to do something about these problems.

Below are the letters:

DEAR STUDENT GOVERNMENT PRESIDENT: I am writing this letter to you because I am interested in the feelings of the Student Body of Embry-Riddle on the issues of today.

I am 20 years old, a sailor stationed on the rivers of Vietnam and as a result, the news I hear from the states is sometimes not the whole truth or even the whole news.

I am planning to attend ERAI in September of 1972 and must say am looking forward to it. But first things first.

As you no doubt know, this past month has been a restless month on many of the nation's campuses. Demonstrations against the war have done everything from talk to the President to precipitate killing of students in their cause to bring a halt to this war. Many of these colleges were closed as a result of a widespread student strike. Many buildings have sustained minor damage, while others have been left completely destroyed in the wake of the violence.

What I would like to know is: What part did ERAI take part in the demonstrations? Did the school close? Were there any active demonstrations on the campus? Did the students occupy any buildings? Or were the students passive and just concerned with good weather for flying?

As you may have guessed by now, I am interested in the stand that the school has on national issues as well as the school's academic standing. After all, what good is an excellent curriculum if the school is closed?

I'm looking forward to hearing from you soon on these as well as any other questions that you can think of that may be of interest to a not-so-well informed G.I. in Vietnam that wants only to get out and fly airplanes.

Sincerely,

JAMES WILKINSON.

DEAR JIM: Thank you for your letter of May 27. I'll answer your questions one at a time, but first I'd like you to understand a few things. First, these answers are my own and the opinions are my own. While I may represent the entire Student Body as SGA President, I'm sure you'll understand that I can't speak for everyone here.

Embry-Riddle didn't take part in any of the demonstrations. The school did not close, and there were no active or inactive demonstrations. The students occupied every building on this campus, as they do every day. They occupied the flight line, its flying classrooms and its "Oral" rooms, planned cross-countries filed flight plans, and went through all the other procedures that keep us swamped every day. They occupied the academic classes, sweating exams, cursing instructors—some were even studying. The A & P Hangars were occupied by guys safety-wiring recips, welding, running up jets, and a bunch of other things. Yes, the students occupied the buildings here—the way they were intended to be occupied.

No, Jim, I wouldn't say our students were passive; in fact, if anything, they're hyperactive. It's the only way to stay on top of this rat race. Of course we're concerned with good flying weather. When you break ground and climb to altitude, it's beautiful until your flight instructor starts in with his "Fun and Games." It's rough enough when they start giving emergencies, unusual attitudes and flight maneuvers, without having choppy air or having to duck clouds. But we are also concerned with the things that go on in our country. However, I don't feel, and I'm sure most of the students here will agree with me, that we can change the national picture as radical rebels. The way we can change it is by finishing school and broadening our knowledge. Then later, as responsible members of society, we can effect our changes knowing what we are doing.

After the last five years of turmoil, what has been accomplished? The ghettoes are still with us. The war still goes on. Our environment is still polluted. To me it seems as if a lot of energy has been expended by people running around in circles. I'm hoping that in the next five years, maybe we can start taking a realistic look at these and the other problems that face us today and solve them. I've always believed there were two sides to every coin, story, problem, etc. We know the idealistic side hasn't worked; maybe the realistic side will. This is the battle you and I will have to face.

Jim, I'm sorry it has taken me so long to answer your letter. I know how important mail is in 'Nam. Take care of yourself, and when you get back, stop in and see us.

Sincerely,

TERRY MINER,
President.

Mr. Speaker, these young men are pointing the way for all our youth to follow. Let us all encourage this kind of attitude—hearing our thoughtful students and helping them in every way possible to achieve their goals for America.

MOM AND DAD MADE PROGRESS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. COLLINS. Mr. Speaker, someone said very few people read the editorial page of the newspaper. But those that do, actively spread the word. On my wife's desk was this editorial that Dee had cut out for our children to read. It was last week's editorial by Felix McKnight, editor of the Dallas Times Herald.

Sunday night the church house was packed over at Park Cities Baptist. The main speaker was Murphy Martin who had read McKnight's editorial on "Mothers and Fathers Didn't Do Too Badly." So half of Martin's speech was reading McKnight's comments in the Dallas Times Herald. For those of you who are not daily readers the editorial follows:

It isn't an impossible hangup—this talk-and-understand void between the young persons and the adults, notably their parents.

No one can sell me on the myth that in these past three or four years the link between a parent and a son, or daughter, has been washed out by "experimenting" with grass or the sick trip trash of the Jerry Rubins.

Jerry Rubin of the Chicago Seven (available to the suckers at $2,000 per "lecture") stood—or lay—before a group of Kent State students shortly before their campus tragedy and advised them to "kill your parents." It would give them a feeling of security to start at home with homicide.

"Until you are prepared to kill your parents," Rubin advised the Kent State students, "you're not really prepared to change the country, because your parents are our first oppressors . . ."

It will not get through to a drug-saturated anarchist, but it will help most sons and daughters to know a little more about their parents. Even their grandparents.

A man named Bergen Evans, of Northwestern University, researched his memory a bit and came out with some interesting data on these square discards that Rubin would have murdered by their children.

Give me just a moment—young sons and daughters.

Your parents and grandparents are the people who within just five decades—1919 to 1960—have by their research and work increased your life expectancy by 50 per cent. They, while cutting the work day by a third, have more than doubled the per capita output.

These are the people who have given you a healthier world than they found. Today, none of you have to fear epidemics of flu, typhus, measles, diphtheria, smallpox, scarlet fever or mumps that they knew in their youth. Dreaded polio is no longer a crippling threat and tuberculosis is almost unheard of.

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Its up to you to come on and conquer other great killers such as cancer and heart disease.

These remarkable people—old Dad and Mom—lived through history's greatest depression. Many of your parents and grandparents know what it is to be poor; what it is to be hungry and cold. They determined it would not happen to you—that you would have the better life, that you would have food to eat, milk to drink, vitamins to nourish you, a warm home, better schools and greater opportunities to succeed than they had.

Because they gave you the best, you are the tallest, healthiest, brightest and probably the best-looking generation we have ever known.

Because they were materialistic, you will work fewer hours, learn more, have more leisure time, travel to more distant places and have more of a chance to follow life's ambition.

They are also the people who fought man's worst war. They are the people who defeated the tyranny of Hitler under which you would have been living today had he succeeded; and, when it was all over, had the compassion to spend billions to help their former enemies to rebuild their homelands.

These are the people who dreamed the dream of a United Nations. It is a weak instrument, but they tried. These are the people who want Vietnam's war, and all wars, to end so that you will be spared its miseries.

These are the people who have recognized racial discrimination and have worked to erase the evils of injustice and intolerance.

They have built thousands of high schools, trained and hired thousands of better teachers—and at the same time made higher education a very real possibility for millions of youngsters, where once it was only the dream of a wealthy few.

And they have made a start—a late one—in healing the scars of the earth and in fighting pollution that you might breathe good air and live the longer life.

They also have the dubious record of paying record taxes—but you will probably exceed them in this.

They have done these things. But they have had failures. They have not yet found the alternative for war, nor for hatred and distrust. Maybe it will be you—sons and daughters—who will perfect the social mechanisms by which all men may follow their ambitions without the threat of force . . . So that the earth will no longer need police to enforce the laws, nor armies to prevent man from trespassing against man.

Your Mothers and Dads, and their Mothers and Dads before them, made more progress by the sweat of their brows than in any previous era. Don't you forget it. They did it for others—for you.

If you can make as much progress you should be able to solve most of the world's remaining ills . . . But don't be sidetracked by miserable bums who would misuse and mislead you.

STOP THE FLOW OF NARCOTICS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. VANIK. Mr. Speaker, I am pleased to be a sponsor of legislation being introduced today which has immense possibilities, if enacted, of cutting down on the deadly flow of narcotic drugs such as heroin, morphine, and cocaine into this country.

Under the bill being introduced today, the President will be authorized to suspend economic or military assistance under foreign aid programs to any country which fails to take appropriate and necessary steps to prevent narcotic drugs produced or processed in that country from entering the United States unlawfully.

Narcotic addiction, and the crime caused by addicts in their never-ending search for funds to supply the habit, is one of the most serious social problems in America. According to the FBI, annual arrests for heroin violations have risen 120 percent in the last 4 years. The addict is directly related to the increasing crime problem since he or she must obtain funds to support as much as a $50 a day habit. The average heroin addict steals some $50,000 worth of property a year to feed his habit.

The narcotic addiction problem has reached epidemic proportions. Officially, the U.S. Bureau of Narcotics and Dangerous Drugs says that there are 68,000 known addicts in America. Unofficial estimates claim that there are 100,000 heroin addicts in New York City alone. The Director of the Department of Justice's Bureau of Narcotics has stated that last year in New York City alone, there were 900 deaths due to narcotics—224 of them infants. Each year more than 1,000 babies are born in that city addicted to narcotics because of the addiction of the mother during pregnancy.

In an effort to control the narcotics traffic, Federal, State, and local enforcement agencies spend more than $24 million per year. The addicts themselves spend hundreds of millions of dollars per year on these deadly, poisonous drugs.

Despite the deadly nature of this problem, and despite the fact that the United States has had treaty obligations dating back to 1909 to monitor and control the international flow of narcotics, the situation continues to get worse—and certain Middle East countries have failed to cooperate in controlling the growth of the deadly opium poppy.

Turkey, in particular, produces about 80 percent of the heroin smuggled into the United States. The illegal supply of opium is so plentiful in Turkey that the amount necessary to produce a kilo of heroin can be purchased for about $350—by the time that kilo is sold in the United States it is worth $225,000.

Because of a request of the United Nations, Iran placed a strict ban on the growing of the opium poppy for 14 years. But because neighboring countries failed to control such growth, Iran, to prevent smuggling and gain foreign currency, has relaxed its ban and is now back in the opium business.

These countries have received U.S. foreign aid for years, yet some of them are taking little action to stop this drug traffic which saps the life spirit of tens of thousands of Americans.

The bill being introduced today would add a new arm to the international drug control effort. The threat of economic sanctions could put force into America's efforts to dry up the source of narcotics at the place where it is grown.

Legislation aimed at the addiction problem will not only reduce or stabilize increasing crime rates, but it will also save tens of thousands of citizens who can make important and worthwhile contributions to society.

It is my hope, Mr. Speaker, that this legislation can receive favorable attention in the near future.

A copy of the bill is as follows:

BILL SPONSORED BY REPRESENTATIVE C. A. VANIK

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370) is amended by adding at the end thereof the following new subsection:

"(v) The President shall suspend (in whole or in part) economic and military assistance provided under this or any other Act, and shall suspend (in whole or in part) sales under the Foreign Military Sales Act and sales under title I of the Agricultural Trade Development and Assistance Act of 1954, with respect to any country when the President determines that the government of such country has failed to take appropriate steps to prevent narcotic drugs (as defined by section 4731 of the Internal Revenue Code) produced or processed, in whole or in part, in such country from entering the United States unlawfully. Such suspension shall continue until the President determines that the government of such country has taken appropriate steps to carry out the purpose of this subsection. In implementing the provisions of this subsection, the President is authorized to utilize such agencies and facilities of the Federal Government as he may deem appropriate to assist foreign countries in their efforts to prevent the unlawful entry of narcotic drugs into the United States. The President shall keep the Congress fully and currently informed with respect to any action taken by him under this subsection. Nothing contained in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection."

THE FUTURE OF COAL

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. WOLD. Mr. Speaker—

We are deluding ourselves if we think either imported residual fuel oil or natural gas will be available in anything like the amount needed to replace coal as an electric utility fuel in the decades ahead.

Those, Mr. Speaker, are the words of W. W. McClanahan, Jr., executive vice president, National Coal Policy Conference, Inc., about the alternative fuel sources to generate the electric power of the coming decades.

Along with Mr. McClanahan, I would not underrate the importance of other energy sources. Yet we must be realistic about their limitation. Indeed, we are witnessing firsthand that even nuclear power has its limitations and drawbacks.

My district, the great State of Wyoming, and other Western States are blessed with immense reserves of coal—coal of low sulfur, and hence, low pollution content. The future holds great promise for the development of this resource—as an electric generating fuel and as a basic raw material for synthetic fuel production.

A recent speech by Mr. C. G. Herrington, vice president and director of Humble Oil Co., outlined in significant detail the promise and problems of western coal development. Unfortunately, little attention except for local press coverage was given the speech.

I include the June 30, 1970, story by Morton L. Margolin, business editor of the Rocky Mountain News, and a related editorial of July 2, 1970, by Editor James M. Flinchum, of the Wyoming State Tribune, in the RECORD:

[From the Rocky Mountain News, June 30, 1970]

Western Coal Holds Great Promise for Future Application

(By Morton L. Margolin)

Coal, particularly Western coal, is on the threshold of once again finding a place in the economic sun, the Rocky Mountain Coal Mining Institute was told Monday in Aspen.

But there are still some roadblocks to overcome according to C. G. Herrington, vice president and director of Humble Oil Co., who made the predictions in a talk at the conference.

The problems involve:

The long distances from Western coal beds to the markets where the energy can be used.

The attempt to eliminate oil import restrictions, which Herrington said, can only delay synthetic fuel development from coal.

Technological problems involved in protecting the environment from damage from strip mining and coal burning.

But the Humble Oil vice president did not think any of the problems insurmountable.

He said the vast Western reserves and the low price of that coal will go a long way to offset some of the disadvantages he mentioned.

Herrington noted the U.S. population shift is continuously westward, and added that where population goes, energy will be needed. He also noted the center of coal mining is moving westward, just as the population is moving.

AN INCREASING IMPACT

"There seems to be a great magnet which steadily pulls out people towards the western horizon," he commented, "and this will have an increasing impact on the commercialization of our western coals."

Herrington said western coal operators are continually seeking ways by which coal's westward trend can be accelerated, and added, there are more reasons for optimism on that score today than ever before.

On the synthetic fuel issue, he noted that the most conservative forecasters have been predicting a great boom in the manufacture of oil from shale deposits about the time the known petroleum reserves are depleted.

He termed the future for synthetic fuels a "mirage" that could easily slip away if oil imports are allowed to depress the price of domestic oils.

"Then," he said, "the incentive for building a costly synthetic fuel plant for a coal feed will not develop, and our mirage will simply move further away from us in time."

Herrington forecast a gradual increase in coal consumption from the 475 million to 525 million tons per year now, to about 590 million tons in 1975. By 1985, he estimated, coal consumption will total 1,140 million tons, roughly double the present rate.

The big problem of moving the energy from the Western mines to the places where the coal can be profitably used is being solved in many ways, Herrington said.

COAL SLURRY PIPELINES

He cited unit trains and coal slurry pipelines, and the increasing construction of minemouth electric plants to manufacture the energy and transport it by wire for long distances.

Herrington said the proposed Extra High Voltage Power Grid, supported by the Federal Power Commission and the Department of Interior would provide a market for the coal of Wyoming, Montana and North Dakota, where he said mine mouths could be built meeting all ecological specifications.

"On average, Herrington summed up, "Western coals have several advantages over Eastern coal.

"For example, Western coal is generally strip-mineable and the beds are well placed for efficient recovery. The terrain and climate are favorable in most instances. The costs of conservation and safety tend to be lower. And for the fast growing electric utility market, the low sulphur content of much of our Western coal is desirable. The large lignite deposits may prove desirable for synthetic gas production."

[From the Wyoming State Tribune, July 2, 1970]

The West's Coal Future

A ranking official of Humble Oil & Refining Co. which has substantial investments in our state including a stake in the coal future, made some significant comments at a meeting of the Rocky Mountain Coal Mining Institute as Aspen, Colo., Monday that were generally overlooked in the news media.

C. G. Herrington, a Humble vice president and director, predicts that the production of liquid hydrocarbon fuels—synthetic petroleum—from coal will begin on a commercial scale about 10 years from now, in 1980. Herrington sees a developing future for coal as a result.

He offers one warning, however. "If large oil imports are permitted to force down the price of domestic oil, then the incentive for building a costly synthetic (coal) fuel plant . . . will not develop . . ." he says. Because of the vast lags involved, says Mr. Herrington, domestic energy concerns cannot turn on and off their production like a kitchen sink faucet.

By 1975—five years from now—domestic coal consumption in the U.S. will move upward from the average of 475 to 525 million tons a year to about 590 million tons although by 1980, as nuclear power enters the picture more strongly, demand for coal by electric utilities will slacken off.

"And at about that time," Mr. Herrington said in his speech to the Rocky Mountain Coal Institute, "we foresee synthetic hydrocarbons entering the picture and giving coal a further rising demand trend." By 1985, he predicts that coal consumption will zoom up to more than one billion tons, double today's rate.

The western states of Wyoming, Montana, Colorado, Utah and the Dakotas will play a significant role in this rising trend of coal usage, Mr. Herrington believes. While they contain one-half of the nation's coal reserves, only 5 per cent of all the coal mined in the United States has come from these states. The main problem has been distance from coal deposits to consumers. But, adds Mr. Herrington, "our increasing sophisticated technology . . . is beginning to solve the disadvantage of distance." Coal from the Rockies is moving east by unit trainloads for burning in midwestern coal-fired steam generated power plants.

Herrington noted that Secretary of Interior Walter J. Hickel recently expressed support for a national extra high voltage power grid. "The possibilities for strategically located mine-mouth power plants in Wyoming, Montana and North Dakota for feeding power into this major cross-country line are obviously tremendous," says Herrington.

Herrington also sees in the future the construction of "major industrial complexes based on western coals and producing near the mine-mouth a great mix of products: electric power for a national high voltage grid, synthetic liquid fuels and synthetic gas, petrochemicals, sulphur, fertilizers, cements, and so on."

TOP LEVEL ACTION ON DRUG ABUSE

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. CLANCY. Mr. Speaker, since President Nixon has called for top level action on drug abuse, I thought it appropriate to present the following article by Gene Lees. The author is a regular columnist for High Fidelity magazine which is published by Billboard Publications, a Cincinnati firm.

If Mr. Lees is correct in saying that some people have been making money through the sale of rock music recordings that promote drug use, it would be quite interesting to hear their testimony before a congressional investigating committee.

I am sure that all of the Members of the House of Representatives will be most interested in Mr. Lees words. His article reads as follows:

Top Level Action on Drug Abuse

Jonathan Swift once made what he called a Modest Proposal: since the Irish could not grow enough food to feed themselves but had no trouble producing babies, he suggested that babies should be made the prime Irish export (perhaps served as a table delicacy in England). There were those who thought he meant it. Perhaps, in a bitter and angry way, he did.

I wish to make a Modest Proposal myself. It relates to two serious contemporary problems: narcotics addiction and overpopulation. I feel that it is incumbent upon me as a man who makes his living from the record industry to offer this proposal. For the record industry is as responsible as any sector of our society for the growing number of deaths from the use of heroin and other drugs.

Now don't be hasty in condemning them. They've done no more than other industries have. Detroit finds 40,000 deaths a year in crashworthy cars an acceptable price for profits. Why shouldn't the record industry too be allowed to kill its quota of people for profit?

Ten years ago I devoted an issue of *Down Beat* to the drug problem. At the time only a few music-business people thought addiction was an important issue. A Negro singer I know said to me recently, "Nobody gave a damn about it when only black kids were dying in the doorways of Harlem. Nobody gave a damn until the well-to-do middle-class white kids started dying." *Touché*.

There is a great deal of criminal money invested in the music business, both in groups and in some record labels. Rock groups began pushing drug use. The kids bought it. The kids are dying. The underworld is making money on it. This is all coincidence, right? Oh sure.

Drug education in the schools is only going to make the problem worse, I am convinced. It will increase fascination, or even cause it, among youngsters who had never even thought much about using drugs. Watch it happen in the next two years.

And so I have come around to another view of the matter. I modestly propose that to all our other welfare programs we add free narcotics for the kids, including heroin. If you're a parent, this may shock you. But it shouldn't. You have been permitting your kids to take dope intellectually for years—from Bob Dylan, the Jefferson Airplane, the Lovin' Spoonful, the Beatles. When your five-year-old was wandering around the house singing, "I get by with a little help from my friends, I get high with a little help from my friends," didn't you say, "Isn't that cute? He's singing a Beatles song." All right, so now he's a few years older, and you're startled at the circulation of drugs in his school, and fearful that he'll start using them. (Maybe he's already started.) Why? You permitted it.

Now the main thing wrong with junkies is that they steal. Sometimes they go farther than that: in desperation for money, they kill and steal. This is a great social inconvenience, tying up the time of all kinds of policemen whom we need for such things as messing up traffic.

If I get my way, and the government subsidizes addiction the way it now subsidizes lethargy, all this will stop. It is useless to tell young people that the Beatles and heroin are bad for them. It simpy is not so: the kids have told us this. And they are the wisest and most honest and idealistic and decent and loving and unprejudiced and well-informed generation of Americans in history. We know it because they have told us this too. And the advertising industry and Marshall McLuhan have confirmed it. Who in his right mind would doubt the combined wisdom of Marshall McLuhan, the advertising industry, and our wonderful young people?

Now, if we supply them with all the heroin they can use—and I am talking about the pure, uncut stuff, not the powdered sugar that's floating around in many places these days—it will have immediate and far-reaching social benefits.

First, they'll stop rioting. Heroin makes you terribly passive. They'll start nodding out all over the place, and this will permit the police to catch up on *their* sleep in parked cruisers.

Then a lot of them will start dropping out of school. This will reduce the overload on our schools and universities. It will stop the building program, thus braking the felling of trees which give us our oxygen. Our air will improve.

Third, it will increase the food supply, since junkies don't eat much even when they can get it.

Fourth (and here is the real genius of my plan), ultimately the program will end the population explosion. One junkie I know told me that he and his strung-out wife hadn't had sexual relations in two years. Heroin produces profound sexual indifference, and impotence. But that isn't the end of it. Junkies die. In the late 1940s and early 1950s, a great many jazz musicians were on heroin. None of them are now. They are either in their graves or they are off drugs. There is no middle road, apparently.

Kids constitute nearly fifty per cent of the population. The population explosion, then, *is them*. Now since anyone forty years old is going to be around only for another thirty years or so tops, *they're* not going to be much of a problem. They're starting to die off now, from working too hard to make enough money for their kids to buy the Doors' records and acid and junk. But that eighteen-year-old over there—man, he's going to be around breathing air, using up food, making garbage for another forty or fifty years. Even a kid can grasp that he himself is the real enemy.

Now when we begin the widespread free distribution of drugs, this group will start dying like flies. And still more benefits will accrue to society as a whole.

Junk music will fade from the radio. There won't be so many cars on the highway, and those that are there won't be in such steady use. Air pollution will be further reduced. Since we won't need so many highways, the grass and trees will grow again, making more oxygen. Drug use, incidentally, including acid, is becoming as common a cause of traffic deaths as alcohol. So we get a bonus here too.

I know there are those out there in Readerland who will write me letters telling me I've got it all wrong—like the people who wrote me letters telling me New York is not dying. They'll say my proposal is heartless and cruel. But it isn't, I assure you. We have given the young what they want until now. Why should we draw the line at death?

To young people I would say this: don't believe old squares when they tell you that drugs, even grass, are damn dangerous. Don't believe the growing reports that the grass available now is often spiked with heroin to hook you on hard narcotics. Don't believe those who tell you that heroin is evil stuff. You know all those people are just trying to keep you from having a hip kind of good time.

And don't think about death. Think instead how you will be reducing the pressures of population on the rest of us. Think what a noble deed you'll be doing. Think Zen thoughts about eternity and the continuum of consciousness and about astrology and how mortal existence is a mere passing cloud. Think not of going into a valley of blackness. Think instead how you are going to join the great All-Consciousness and rest forever in nirvana. As you sit there, listening to John and Yoko with a needle in your arm, reflect not on the dying you're about to do. Just think how high you're going to be as you go.

And to the record industry I would say: keep up the good work, gentlemen. You've done a hell of a job thus far.

DEFECTS IN H.R. 16542

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. STUCKEY. Mr. Speaker, I understand that the Post Office Civil Service Committee will be offering committee amendments to remove two defects in H.R. 16542 as it was reported from the committee.

One defect is the mandatory requirement that unsolicited credit cards be mailed in a marked envelope or cover indicating that a credit card is enclosed. While the value of such a marking is doubtful to me, it is clear that the marked envelopes would present an open invitation to theft from the mails. I understand that the committee now proposes to give the Postmaster General discretion to prescribe what information shall be contained on the envelope. Certainly the Postmaster General is in the best position to determine what form of markings are consistent with the security of the mails.

The second defect involves the exemption of replacement cards from the requirement of registered mail. In its present form, the language of the bill is ambiguous as to whether the exemption includes renewal and substitute cards. I understand the committee now proposes an amendment expressly including renewal and substitute cards within the exemption.

This amendment will avoid unnecessary confusion for both the issuers and users of credit cards. The amendment would clearly permit individuals holding credit cards to have their expired credit cards renewed without making a reapplication and without the requirement of registered mail.

SUPPORT FOR CLAY'S POSITION ON CUBAN AIRLIFT

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. CLAY. Mr. Speaker, since I initiated efforts to terminate what I believe an unnecessary subsidy to the Cuban Government inherent in our "airlift" program bringing 1,000 Cubans to the United States every week, I have been overwhelmed by letters from American citizens who support the termination of the airlift.

The House Foreign Affairs Committee is presently holding hearings relative to this issue. My amendment to the foreign assistance appropriation bill seeking to eliminate funds for the Cuban airlift program was not successful. It is my understanding, however, that sufficient interest and support for my efforts has been generated to substantiate similar efforts in the Senate where I anticipate such an amendment will be offered when they consider the appropriation bill.

For the attention of my colleagues who have registered interest in this issue, I submit the following letter as one which is representative of the feelings voiced by Americans who are concerned that the American policy is not one of benevolency, but of misplaced priorities, a mistake in fiscal policy as well as in foreign relations:

JULY 2, 1970.

Hon. WILLIAM CLAY,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: It has been a month now since the enclosed editorial first appeared in a local paper. My hesitation in writing to compliment you on your stand has been due to fear that I could not write objectively because of my own very tragic situation as a direct result of the airlift. Since that time Federal narcotics agents have arrested a number of refugees in connection with smuggling activities and peddling of narcotics. You may not be aware that one of those arrested, according to local media, was present in the Bay of Pigs fiasco, and was ransomed out of Castro's jail.

It has been known here and much aired that with every inflight of the airlift Castro agents enter this country, and who could deny that this does in fact happen. With only a cursory check at the airport (and free passage) Castro would indeed be an imbecile not to seize the opportunity.

Without going into detail let me say that it has been more than a year since I left the employ of a small Miami manufacturing firm. The first Cubans hired there were very kind individuals, and appeared most deserving and hard working. To the credit of the ethnic group they are loyal to their kind, but unfortunately this has caused an employment squeeze out of American citizens. We hear much about the black citizen being pushed out by this influx, but believe me it applies to both black and white. In contrast to the first immigrants the later freedom flight employees appear contemptuous and derisive of the American citizen.

Following are some personal observations as to the effect on the area and the nation by this airlift:

1. Overload of welfare clinic and bed space in county hospital.

2. Additional classroom space for large families in schools—religiously opposed to birth control.

3. Government relief checks—in multiple to households.

4. Cultural legality of family surnames carried forward to current generations allows:

Multiple driving licenses allowing substitution on suspension.

Additional social security cards where one is so industrious as to moonlight, or after working minimum quarters to qualify for benefits, change names and cards.

The minimum quarter provision holds an umbrella over every Cuban refugee, as well as American citizens, and discriminates against the worker who has labored for many years and finally winds up being doled out the same amount as one who has worked the minimum quarters. When one is faced with the total loss of savings and job as a direct result of the Cuban influx and has yet to work years before benefits are available meanwhile facing age discrimination it is difficult to remain free from bitterness at our government.

5. Some Cuban business men pay cash over the counter on accounts receivable. The tax dodge could never be unraveled even with computer cross reference of suppliers, due to surname multiplicity.

With payroll, insurance, and receivable experience in the position mentioned in my third paragraph, the above words are not without substance.

Much of the blame for the entire mess lies with the government. It is a truism that few appreciate what is given, and many otherwise honest individuals perhaps find it hard to refuse that which waits for the taking.

There is a gentleman, Paul Bethel, formerly with the State Department, who has voiced the opinion on the radio here many times that the Freedom Flights are a sad mistake. He has testified in Washington, and is intimate with, and has the support of, many of the Cuban community here.

Before closing I should like to quote from Alice-leone Moats book No Passport for Paris in which she quotes an underground leader just before victory in Europe in 1945. "Americans are a wonderful people—kind, generous, and impulsive—but they aren't realists. Nor do they seem to be able to understand foreign mentalities. It would probably be much better if they didn't try. Their childlike desire to please and be liked is paradoxically enough what so often brings about their unpopularity. They never seem to be able to realize that nobody ever really loves the strong, the powerful, and the rich. Their efforts to please are merely taken as evidence that they are suckers." ". . . if only they were as hardheaded and realistic in politics as they are in business."

You will understand why I have given the above quotes, for are we not still being played for suckers, and are we not still engaged here and worldwide in a childish effort to please?

Thank you for your stand, and one would hope that the suicidal tax drain can be ended sooner rather than later.

Best regards,

Mrs. L. H. Dodgen.

[From the Miami Herald, May 22, 1970]

Rep. Clay's Clear View: Stop the Cuban Airlift

From away out yonder in Missouri, U.S. Rep. William Clay has made a point to President Nixon that seems to us should receive solid support from officials here in Florida.

Mr. Clay, a Democrat, asks that the President stop the Cuban Airlift that brings nearly 1,000 new refugees into South Florida each week.

His proposal, one that we have urged in the past, has clarity and reason. The airlift no longer serves the best interests of the United States, and any objective study of it can hardly come to any other conclusion.

Mr. Clay says that the airlift "constitutes an outright subsidization of the Cuban government welfare program."

Since the country is in a conservative, cautious mood, and since Florida reflects that also, it would seem this state's own elected national representatives would be moved to stop any program that amounts to subsidizing Sr. Castro.

Mr. Clay continues: "This policy of accepting and bearing the expense of those who are either unwanted, unneeded, or uncomfortable within the confines of their country has no basis. We are trying to solve the social problems of an enemy nation."

Those are powerful words. Humanity, or welfare, must begin at home, and the country already has more welfare costs than it can handle.

For taxpayers to shell out another $112 million this year for a special federal umbrella that not only gives better coordinated care to refugees than needy Americans, but with the airlift in effect recruits new ones, hardly makes sense. The costs have risen each year. In all, some $400 million has gone into the program.

United States policy supposedly is dedicated to the isolation of Cuba, to a quarantine policy that stresses economic hindrances. It is no wonder that Latin American nations have begun veering away from that quarantine when the United States itself so clearly punctures it.

Congressman Clay has assumed leadership from away out yonder in Missouri on a touchy political issue here in Florida. And those keeping hands off might one day find it difficult to explain to the folks here at home.

High prices, tight money, rising taxes and a new deficit in the federal budget are not comfortable bedfellows with a program that has clearly outlived its time.

JIMMY ARMSTRONG—QUITE A MAN

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. GAYDOS. Mr. Speaker, recently residents of a community within my 20th Congressional District of Pennsylvania paid tribute to a man who, in the course of his life, has served them as a protector as well as a civic and political leader.

The man is James E. Armstrong, who began his career as a "beat cop," serving in that capacity as a protector, an attorney, a father-confessor, and as a friend to everyone in his block. Mr. Armstrong, now the mayor of the borough of Homestead, was honored late last month at a testimonial dinner. He was recognized not just by his local comrades and friends but by law enforcement leaders from throughout the State.

They came by the hundreds to attend his affair at the Elks Lodge 650 and to pay tribute to his long and dedicated work as a police officer and a community leader. The guest list included Ian McLennan, Pittsburgh regional director of the Federal Bureau of Investigation; Otto Platts, president of Lodge 91, Fraternal Order of Police; Earle V. Wittpenn, editor of the New Daily Messenger in Homestead; John Wittmore, president of the Western Pennsylvania Police Chiefs Association; and a host of dignitaries from surrounding communities.

Mayor Armstrong's police career began in 1936 when he joined the force as a patrolman. He worked his way through the ranks and was named chief of police in 1952. At that time he was 40 years old; the youngest man to hold the chief's office in Homestead and one of the youngest to serve in that capacity in the State. While chief, he was elected to two terms as president of Lodge 91, Fraternal Order of Police, and another as president of the Western Pennsylvania Chiefs of Police Association. The State association's magazine featured him in a cover article in 1968, citing his superior performance as a police administrator.

In the meantime, Mr. Armstrong was active in other fields, principally education. He served 16 years on the local school board, including six as vice president of the board and one as president. In 1963 the community hailed him as "Man of the Year."

Despite his many interests and activities, Mr. Armstrong still found time to: attend courses on criminology, civic and welfare problems; become active in St. Mary Magdalene's Church; and serve as chairman for various community drives on behalf of crippled children, the Heart Fund, the Red Cross, and the Salvation Army. Last year he culminated his long career in serving the public by running for the office of mayor and winning.

Mr. Speaker, the police in Pennsylvania are proud of Jimmy Armstrong. The people of Homestead are proud of Jimmy Armstrong. And why not? He is quite a man.

THE BEAUTIFUL PEOPLE: COSA NOSTRA SEEKS CAMOUFLAGE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HOGAN. Mr. Speaker, as a former special agent with the Federal Bureau of Investigation, I am well aware of the difficulties of investigating cases where the Federal law has been violated. In these trying days of racial and ethnic sensitivities some citizens overlook the fact that what is illegal is illegal regardless of who commits the act. Pride in the nationality of one's ancestors is a commendable and typically American custom. However, when one's pride in national heritage blinds to truth it is unfortunate. The recent protests by Italian Americans is such a case. To excuse illegal activities because they are committed by individuals who share a particular heritage is absurd. Italian

Americans have so many things of which they can be justifiably proud, it does them no credit in defending the Mafia.

A recent column by Victor Riesel points to this problem and makes some very cogent observations.

Mr. Speaker, I would like to call the attention of my colleagues to this column discussing the Italian-American problem in connection with Mafia investigations. I include it at this point in the RECORD:

THE BEAUTIFUL PEOPLE: COSA NOSTRA SEEKS CAMOUFLAGE

(By Victor Riesel)

NEW YORK.—To me the beautiful people are the Italians and the tens of millions of Americans of Italian extraction—and distraction when it comes to the ladies.

Once, oh, so long ago, when I went to Venice to nurse an old wound, my room was filled with flowers, the piazza below was thronged with sympathizers, and men came from as far off as Genoa to offer an eye for a transplant. In Rome the police, swords clanging, halted traffic so we could cross the Via Veneto or the Corso. In Naples, no fleet waterfront denizen tried to sell me a wrist watch or fountain pen. Only laughter to ease the pain.

And it was there that I learned more of the Mafia than I have in America.

So, of course there is a Mafia, or in the dese-dems-doze argot of the ailing Joe Valachi, there truly is a Cosa Nostra. I tell you plain, it's so. I can recall the legless French Mafioso who asked me to come to his barricaded high hilltop hideout so we could talk about a mutual assistance pact against "the Southern crowd from the other island."

No thanks, said I, there's enough in America. Indeed there are and they are a banditti no more reflective of the vast community of Americans of Italian descent—regardless of what some speakers said at the big demonstration here the other day—than the old Murder, Inc., was of the Jewish communities, or the Hell's Kitchen killers were symbolic of the IRA fighters during the big trouble.

So let's say it like it is, right on. There is something called La Cosa Nostra. J. Edgar Hoover has testified during closed hearings there are some 26 families—meaning corporate-type units—numbering some 3,000 men. Each combine in this $50 billion a year racket has its bosses and underbosses, its hoodlums, its respectables, its "corrupter" and its chief "enforcer."

It does have a national commission. This acts less like a board of directors than a jurisdictional mediating force. On it are or have been, according to FBI Director Hoover, such men as the self-exiled Chicago boss Sam Giancana, and the late Vito Genovese.

To picket the FBI with a "grand march" behind a municipal workers band and denounce the Bureau for hitting this tough integrated combine as anti-Italian is as ludicrous as denouncing Tom Dewey as anti-Semitic for going after Murder, Inc.'s Lepke Buchalter, Jacob (Gurrah) Shapiro, Abe Reles and Pittsburgh Phil Strauss.

La Cosa Nostra is but an infinitesimal group among the Italian-Americans who started emigrating to the U.S. in 1820. From then, during a decade when Thomas Jefferson and John Adams still lived, to 1968, some 5,122,086 Italians have immigrated into the U.S. Thus there are millions who are of the seventh and eighth generation. As of the 1960 census there were 4,543,935 persons in the U.S. who were either born in Italy or were second-generation Italian-Americans.

Thus the Mafia, or Cosa Nostra, or combine, or combination, or mob, call it what you will, is but 3,000 men out of a population of Italian extraction running into the tens of millions. In J. Edgar Hoover's words these 3,000, mostly Sicilians, "control and direct the criminal activities of many times that number." Incidentally, the population of poverty-stricken Sicily is 4 million and they work mighty hard to scratch a living from the hard rock soil and tiny shops.

No sophisticate will tell you that the 26 families control all crime in America. It cuts across all racial, religious, political and national lines.

Let's tell it like it is. There is the suspected power of the alleged combine man, Mayer Lansky. There is a small, but tough black mafia. There is the new cocaine and narcotics-running Hispano crowd, now the biggest in drugs. There is the endemic gentry of rock-ribbed America which has billions of dollars in Swiss banks—simply by manipulating bookkeeping figures.

It is ludicrous to charge the FBI therefore with being anti-Italian because it hits this small but tough combine, as it would be to smear it as anti-white because it infiltrated and smashed the Ku Klux Klan. There are hundreds of Italo-American special agents in the Bureau. They are in the most sensitive of spots and probes. Some of them are Special Agents-in-Charge (S.A.C.s) of big cities.

And it was the FBI, wasn't it, which rushed to the rescue of young Sinatra, arrested his abductors, and saw them convicted even though Frank Sinatra himself has admitted being quite social with some of the alleged Mafia—including Sam Giancana?

It is just not true, as the leaflets at the big demonstration shouted. Americans of Italian extraction are not being "defamed, degraded, discriminated against." Worshipped yes. Discriminated, no. What of Gian-Carlo Menotti, Joe DiMaggio, Fiorello LaGuardia? The Ladies' Garment Workers first vice president Howard Molisani; Secretary of Transportation John Volpe, Dean Martin, or the motion picture producers' Jack Valenti, who was virtually assistant president of the U.S. during the Johnson years?

What of the American outpouring for Sophia Loren, for whom hooray? What of Ben Gazzara, and Liza Minnelli? And to swing from the glamor set, what of Peter Fosco, president of the Laborers' International Union (AFL–CIO) and my own beloved Jimmy Petrillo who, though only president emeritus of the Musicians, just never will fade away?

So, come off it, my good friends. There is no degradation, only inspiration from the great scientists, ophthalmologists, composers, poets, writers, executives, bankers, labor leaders, musicians.

And, of course, there is the perspiration of those few who need protective coloration.

THE JAPANESE AMERICAN CITIZENS LEAGUE: A FORWARD-LOOKING ORGANIZATION

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. YATES. Mr. Speaker, on July 14–18, 1970, the Japanese American Citizens League will hold its 21st biennial national convention at the Palmer House Hotel in Chicago, Ill. With the theme, "Understanding—The Basis for the Changing JACL," the delegates at the convention representing 92 chapters and more than 25,000 members throughout the United States, will be making crucial decisions for the future of the Japanese American Citizens League, popularly known by its initials, JACL.

Born 40 years ago out of the then deep-seated anti-oriental attitudes prevalent on the west coast of the United States where most Japanese Americans lived, JACL is the only national organization representing this group. JACL received its baptism of fire during World War II when more than 100,000 persons of Japanese ancestry were evacuated from their homes along the west coast. In spite of severe anti-Japanese feelings both during and after World War II, JACL stood firm in its untiring efforts to gain full citizenship in spirit and in fact for Japanese Americans. It was instrumental in the successful fight for the right to naturalization for those of Japanese origin the previous denial of which formed the basis for many other discriminatory Federal, State, and local laws.

Today, JACL still continues its work of correcting remaining injustices in spite of the fact that Japanese Americans have achieved a status of acceptance almost undreamed of by those dedicated organizers in 1930. At this crucial juncture in American history, JACL is turning its attention to the wider society, expanding its work in order to help other minorities, as well as all Americans, attain the fullest possible life of dignity and respect. JACL has come a long way from the dedicated but inexperienced group which first brought forth the idea of joining together all segments of the Japanese American community to carry forth its basic philosophy embodied in the twin national slogans, "Security through Unity" and "For Better Americans in a Greater America."

The 21st biennial JACL national convention affords an opportunity for focusing attention on the future work of JACL, particularly among the younger generation whose hunger for justice and earnest desires for a peaceful and harmonious society are being dramatically revealed daily. Older delegates will be joined this year by the younger group which will be holding its third biennial junior JACL convention at the same time in Chicago.

The convention will open on Tuesday, July 14, with registration at the Palmer House Hotel. Notable events during the week will be the reception-fashion show at the Furniture Club, the president's recognition luncheon where the "JACLer of the Biennium" award will be given, and the convention banquet where the "Nisei of the Biennium" award will be presented to an outstanding Japanese American who has made an unusually significant contribution to American life. A particularly memorable special event this year will be the Mike Masaoka testimonial dinner to be held on Thursday, July 16, where tribute will be paid to Mike Masaoka, Washington, D.C., representative for JACL, who has given almost all of his life for the cause of justice and dignity for Japanese Americans as well as all Americans.

Mr. Speaker, I will be one of the speakers at the event. Eminent speakers for the evening include the Honorable Alexis Johnson, Under Secretary of State for Political Affairs; Edward Ennis, national board chairman of the American Civil

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Liberties Union; Roy Wilkins, executive director of NAACP; and Shig Wakamatsu, past national president of JACL and close friend of Mike Masaoka. The Honorable Spark Matsunaga of Hawaii will be the toastmaster.

A most important part of the convention will be the report of the National Planning Commission which will set the direction of JACL in the 1970's. Business sessions are scheduled throughout the week to provide for full discussion of the many proposals coming out of this report. The final session on Saturday, July 18, will include the election of new national officers for the next biennium. Current national officers include the following: President, Jerry Enomoto, of Sacramento, Calif.; first vice president. Henry Kanegae, of Newport Beach, Calif.; second vice president, Kaz Horita, of Norristown, Pa.; third vice president, Dr. John Kanda, of Sumner, Wash.; secretary, Kay Nakagiri, of Burbank, Calif.; treasurer, Yone Satoda, of San Francisco, Calif.; 1,000 Club chairman Dr. Frank Sakamoto, of Chicago, Ill. Appointed officers include: Masao Satow, of San Francisco, Calif., national director; Mike Masaoka, Washington, D.C., JACL representative; William Marutani, of Philadelphia, Pa., national legal counsel; and Harry K. Honda, of Los Angeles, Calif., editor of the JACL publication Pacific Citizen.

PRAISE ACTION OF FIVE MEN

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. GOLDWATER. Mr. Speaker, I wish to take a moment of my colleague's time to pay tribute to five men, who in the true American spirit, risked, and for four of these men, gave their lives, during an incident little more than 3 months ago that shocked this Nation.

It was late on Sunday evening, April 5, when 31-year-old Gary D. Kness of Saugus, Calif., drove by a local coffee shop on his way to work at Hydraulic Research, when he witnessed the unbelievable, horrifying gun battle between what seemed to be two highway patrolmen and two heavily armed men. For a few minutes he watched the patrolmen exchange fire with the two gunmen. Suddenly, one of the officers fell to the ground. Kness jumped out of his car and ran to the aid of the mortally wounded officer, while the officer's partner continued to fire at the gunmen. As he ran out to help, he saw that two other officers had already fallen. Kness grabbed one of the wounded officers by the belt and pulled him toward the car. Suddenly one of the gunmen started to move toward him; Kness reached for the blood shotgun that had been dropped by a fallen patrolman and pointed it around the side of the car and pulled the trigger. Nothing happened. The gun was empty. However, this action prompted the armed killer to retreat to the rear of his own car. The killer then started moving toward Kness again. Kness found one of the officer's handguns on the blood-covered ground and picked it up. He fired off a shot and, apparently, hit the oncoming killer. After he fired the gun, he realized that the last officer had also been slain. There was nothing more that he could do, so he headed for a drainage ditch. Within minutes, more officers arrived on the scene as the gunmen drove off. For this heroic action, Gary Kness has been commended by the California State Legislature, the California Highway Patrol, the Los Angeles Board of Supervisors and numerous private organizations.

We pay great tribute to the four heroic highway patrolmen who sacrificed their lives in the line of duty, without regard to their own personal safety: Walter Frago, Roger Gore, James Pence, and George Alleyn. Their deaths are one of the greatest tragedies in California's history of law enforcement.

I am sure that I speak for all my colleagues in praising the actions taken by these five men. I now ask that each of us pause for a moment to pay tribute to each of those four gallant patrolmen and to the heroic efforts of Gary Kness.

KIDNAPINGS AND HIJACKINGS ON COMMERCIAL FLIGHTS

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. DADDARIO. Mr. Speaker, I rise today to condemn the recent kidnapings of international diplomats and the continued hijackings and sabotage of commercial air flights. There is no excuse for allowing innocent passengers to become victims because of the lack of sufficient protection. At the same time, individuals must not be permitted to pose such dangerous threats to achieve personal political ends. This is a serious problem and it deserves our critical attention.

I urge the House of Representatives at this time to give its full support to House Resolution 1076, proposed by Congressman SYMINGTON, regarding the safety of persons entitled to diplomatic immunity. The resolution asks an international compact through the United Nations be secured, by which any foreign national would be held in confinement for extradiction if his release from deportation and custody was achieved by a threat or act endangering the well-being of any diplomatic representative. The compact would extradite as soon as practicable, that national to the appropriate national authority of the country from which his release was effected. It would also deny formal recognition to any government formed by any persons who have been found to have participated in any threat or act against a member of the diplomatic corps or the family thereof; and finally, to take measures within its jurisdiction to bring anyone accused of an act or threat before the tribunal appropriate under the circumstances. This measure will inform the President of the seriousness of the situation as viewed by the members of this body and further encourage him to seek the agreements called for in this measure.

I would also like to urge a continued effort on the part of the Federal Aviation Administration to combat the threat of aircraft hijacking. Like the kidnapping incidents, the most recent events of the attempted and successful hijacking command that no time be lost in insuring that some substantial steps be taken in this direction. The problem is no longer merely an occasional incident within our country, but is now one of an international nature.

The efforts by the Federal Aviation Administration to this date appear to approach the steps required to combat the hijacking and air sabotage problem. Specifically, I refer to the establishment of a full time office at the FAA which will be staffed with specialists and will utilize the best available expertise to deal not only with the aircraft hijacking, but with the total air transportation security problem. This is a good beginning but I urge the recognition and implementation of more measures in the immediate future to provide security to the traveler.

Also, the special tariffs granted to an increasing number of airlines by the Civil Aeronautics Board permitting the search of passengers and baggage by scientific devices are another indication of preventive action to assure safety of other passengers.

The integrity of the United States can not be allowed to diminish in the eyes of the world. We must do everything possible to protect both diplomats and citizens from hijacking and kidnaping.

VICE ADM. PAUL E. TRIMBLE'S RETIREMENT—A TRIBUTE

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. GARMATZ. Mr. Speaker, on June 30, 1970, after 34 years of service to his country, Vice Adm. Paul E. Trimble retired from the U.S. Coast Guard. The Merchant Marine and Fisheries Committee handles Coast Guard affairs. As chairman of that committee it has been my privilege to work closely with the Coast Guard and particularly with Admiral Trimble for the past 15 years.

Our committee will miss Admiral Trimble. He has been an outstanding administrator and an excellent representative of his service. He possessed a unique combination of practical experience, broad education and personal characteristics that well fitted him for the heavy responsibilities he so capably shouldered. We could always depend on him for a keenly perceptive, practical and straightforward approach to the problems we have handled together.

Upon Admiral Trimble's retirement,

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Secretary of Transportation John A. Volpe awarded him a Gold Star in lieu of a Second Distinguished Service Medal. As an indication of the high esteem in which Admiral Trimble was held, I would like to quote from Mr. Volpe's remarks on that occasion:

> Paul, I feel truly privileged to represent the President—and the American people—at this particular ceremony. It gives me a chance to tell others of the high personal regard I have for you.
>
> Our purpose here is to thank you for dedicated service to the Nation.
>
> You have had a productive and distinguished career, and the United States Coast Guard is a far better organization for the contributions you have made. But your public service has been far wider than through the Coast Guard alone. It is the mark of your ability that you have served, not only as Vice Admiral—as Assistant Commandant—but also as a top executive in the Department of Transportation. I place a high value on your competence and your intelligence. And I respect your proven ability to get a job done. Your service has been, truly, distinguished.
>
> Our ceremony here today, must also be somewhat of a farewell for you will be soon leaving the service. Your many friends will miss you and so shall I. However, I do want to wish you good luck in your new career. And I hope, somehow, we shall continue to be doing business together.
>
> Paul, on behalf of the President, I am honored to present you this Gold Star representing a second medal for truly distinguished service. You well deserve it.

Mr. Speaker, I am proud to call such a man as Paul Trimble my friend.

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"HEART-SAVER SQUADS" BILL

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. DANIELS of New Jersey. Mr. Speaker, it is within the power of this distinguished body to make a major contribution toward lowering the casualty toll of one of the Nation's greatest killers—heart attacks—by passing H.R. 6956, my proposed bill to amend title IX of the Public Health Service Act to provide Federal assistance and encourage local initiative to demonstrate the effectiveness of emergency care for heart attack victims by dispatching to the patient specially trained persons in specially equipped ambulances.

Since I introduced this bill last year, I have brought to my colleagues' attention the success of the "heartmobile" unit recently established in nearby Montgomery County, Md., which speeds immediate care to hundreds of heart attack victims. We urgently need Federal action to create similar heartmobiles around the country.

I was pleased to note in this regard in the Washington Post of July 5, 1970, that the American Medical Association has a similar proposal before it, and that one of its leading exponents is Dr. Eliot Corday, clinical professor of medicine at the University of California at Los Angeles.

Dr. Corday was a pioneer in the effort to install hospital coronary care units several years ago. It has been estimated that heart attack deaths have been cut in half since hospitals opened special cardiac care units.

However, 65 percent of all heart attack deaths occur outside hospitals. H.R. 6956 is designed to help these people who die before ever reaching hospital facilities by providing funds to enable local units to demonstrate the effectiveness of emergency "heart-saver" squads to provide immediate care for heart attack victims.

I am including the article with Dr. Corday's pertinent observations so that my colleagues can read of the tremendous potential of these heart-saver squads and specially equipped ambulances which could save up to 50,000 lives a year. For our delay in establishing a federally assisted program for these squads under the Public Health Service Act literally dooms up to half of all heart attack victims.

The article follows:

[From the Washington Post, July 5, 1970]

MAKING HEART CENTERS OF AMBULANCES URGED

(By Victor Cohn)

A second fundamental change in the treatment of heart attacks is being pushed by leading cardiologist: turning every ambulance into a rolling heart center at a "modest" cost of $1,000 to $1,500 apiece.

Behind the new movement are the same doctors who wrought the first cardiac-care revolution of recent times, the creation of hospital coronary-care units.

Turning all U.S. ambulances into mobile heart units could save 50,000 lives a year, Dr. Eliot Corday of Los Angeles said in an interview yesterday, enlarging on a proposal before the American Medical Association late in June.

Corday, a clinical professor of medicine at the University of California at Los Angeles, was one of the men most responsible for starting the mid-1960s' trend toward hospital coronary units. Equipped with electronic monitors and equipment to restart faltering hearts, they have cut heart disease deaths in hospitals by a third nationally and by close to 50 per cent in some centers, Corday said.

Now, he maintained, "we have to start improving medical emergency care in this country—it is probably the worst of any developed-country," mostly unplanned and "absolutely primitive."

As one part of the job, he said, every ambulance driver should be trained as a heart technician and every ambulance equipped with:

A radio-equipped EKG (electrocardiogram) machine.

An electric heart regulator called a defibrillator.

A two-way radio link.

Then, he said: "You could bring the patient to the hospital under radio control." At the hospital, a heart specialist could direct the driver—to save "about" one in five of the 250,000 heart attack victims who now die each year outside hospitals.

This could be achieved in just two years' effort, he maintained, as "something every municipality can afford."

CITIES PILOT PROGRAM

For example, he said, a pilot program is under way at Mount Zion Hospital, San Francisco, with two ambulances. "Each charges a patient $15 to ride on the radio signal, a hospital or ambulance firm could get its $1,000 or $1,500 back in a hurry."

This recommendation was first presented at a meeting sponsored by the National Heart Institute in 1969 and endorsed by 80 other cardiologists. But it has had almost no public attention, he said, with pilot programs only in San Francisco and Miami.

In the Washington area, the Montgomery County Heart Association is now operating a new but more complicated "Heartmobile," manned by a nurse and two technicians to bring heart attack victims to Holy Cross Hospital. It is costing $145,000 to build and run for a year.

What is needed to show that hospitals can bring the cost down, Corday said, is perhaps $6 million a year for three years in federally-financed pilot projects, much like the three-year hospital coronary unit pilot program financed in the late 1960s.

Heart victims usually die not because some heart muscle is destroyed but because the heart goes into a wild and ineffective kind of beat. It is this beat which is now regulated in hospital coronary units—a tremendous medical accomplishment which Corday and others now want to put on the road.

A TALE OF TWO SYSTEMS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. LANDGREBE. Mr. Speaker, I want to draw the attention of my colleagues to some very interesting figures sent to me by one of my alert constituents, Mr. Charles S. McGill of Valparaiso, Ind.

These figures comparing the rates of the postal service with the telephone system were taken from the U.S. Chamber of Commerce's "Action Report for Business Leaders" and are an interesting commentary on the present plight of our post office.

A TALE OF TWO SYSTEMS

The postal service and the telephone system are two of the most widely used means of communication today.

The cost of communicating between two cities such as Chicago and Los Angeles by first class mail has risen 300% since 1932, and the possibility exists rates may be raised again to 8c an ounce.

Telephone costs, in contrast, have dropped dramatically over the same period, and today the cost of a three-minute daytime call between these cities is about one-fourth the cost in 1932.

The postal service was one of first and most important functions of the Federal Government when the republic was founded.

Telephone service, on the other hand, has been left in the hands of private enterprise.

One can only wonder what would have happened if our founding fathers had telephones and had decided that only the government could make them work.

Year	Telephone rates [1]	Postal rates [2]
1970	$1.55	$0.6
1968	1.80	.6
1963	1.95	.5
1959	2.20	.4
1952	2.25	.3
1933	6.25	.3
1932	6.25	.2

[1] 3-minute daytime rate between Chicago and Los Angeles.

[2] 1st class surface mail.

AMBASSADOR HOWARD L. CHERNOFF, THE COMMISSIONER GENERAL OF THE U.S. PAVILION AT THE JAPAN WORLD EXPOSITION, EXPO '70, OSAKA, JAPAN

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. ROONEY of New York. Mr. Speaker, I have long since known of the great ability of my friend Ambassador Howard L. Chernoff, the Commissioner General of the U.S. pavilion at the Japan World Exposition, Expo '70, Osaka, Japan. He has put together and is presently in charge of the No. 1 attraction at that World Fair.

I have had many complimentary letters with regard to our exhibit as well as a few containing criticism. Under the permission heretofore granted me, I am including with these remarks the editor's report: "The Strongest Tie," by William Randolph Hearst, Jr., editor in chief, the Hearst newspapers, which I think accurately describes the success of our American pavilion:

THE STRONGEST TIE

(By William Randolph Hearst, Jr.)

TOKYO.—After quite a few years of globe trotting, I am convinced that speaking or even understanding a common language is the strongest tie that binds peoples of different nationalities, yes, even races.

In a tie for second, I would put an active sense of humor and the ability and even eagerness to convey one's thoughts or wishes in what is descriptively known as sign language.

What brings these perhaps trite thoughts to mind today is our presence this past week in Japan.

(My son Will, who was 21 last week, joined Joe Kingsbury Smith, Bob Considine and me here Tuesday, having flown from Malaga, Spain, via Paris and Moscow to enlist in our Task Force, and am I pleased and proud to have him.)

Now all of us know enough French—Italian—German—or Spanish to eat, shop, drive in the country and find the men's room from one corner of Europe to the other.

But what to say and more importantly what they are saying in Japanese, Chinese or Vietnamese is, to coin an Oriental cliche, "another cup of tea."

Throughout Europe, the languages are derived from the same root words as our own. Namely, Greek, Latin, Germanic and Anglo-Saxon. Besides we have the same alphabet.

But over here, absolutely nothing. Rien—niente—nada—nicht is familiar or offers a clue in sound or script.

As a consequence it is sign language or nothing—more often nothing. It calls for a bit of imagination and skill in portraying a thought pictorially, which the other guy must understand. Too often you find yourself repeating over and over with increasing impatience and mounting irritation, a charade which obviously is not getting through to your audience.

This language barrier, though insurmountable in the streets of Tokyo, is minimized at Expo '70, the great international Oriental fair in Osaka.

Fairs represent more than mere fun and frolic. They express the will, determination and pride (often false) of the exhibiting nation, and they are more revealing in many cases than an exclusive interview with the prime minister of the country involved, or a six-week visit.

Only about half a million Americans will make it to Expo '70, the way being long and costly. They will probably agree with what I now say: This is the best display America ever presented before the eyes of fair-going multitudes—at least, it's the best in my somewhat considerable experience.

We could have built the biggest pavilion on the Expo grounds and loaded it to the rafters with everything in our arsenal of technological, scientific and artistic products (the Russians have done just that, predictably).

Instead, we show a bit of this, a bit of that: Frederick Remington's magnificently vital "Cavalry Charge on the Southern Plains," and a hunk of the moon; John Trumbull's virile "Washington Before the Battle of Trenton," and a snazzy yellow Stutz Bearcat; Apollo 8's scarred command module, and Babe Ruth's bat, Indian and Eskimo folk art; helium neon laser beams and great photographic murals—both still and moving.

But we must be saying something that has appeal to the people, in our modest way. Ten million of them have browsed through our unique inflated-ceiling building—some of them after waiting in an inching along queue for two and a half hours. They've literally worn out the pavilion's rugs already.

However, our prize exhibit is the staff that runs our show, headed by Howard Chernoff, ex-San Diego newsman and acquaintance from London in WW II. Chernoff has ambassadorial rank during the run of Expo, but he hardly fits the pattern of the bow-and-scrape school of diplomacy.

He has been known to "tell off" an occasional foreign official who abused our hospitality. But I saw him impulsively pick up a beautiful little Japanese child and pose for parental pictures with it on his lap, while he sat in John Glenn's capsule seat.

As for Chernoff's staff, all of whom speak Japanese, they are the kind of American kids you want your sons and daughters to grow up to be.

The Russians, as earlier noted, are showing everything but the kitchen sink, and perhaps the only reason it isn't in their cluttered pavilion is that they haven't invented it yet.

One thing you absolutely can't miss in the U.S.S.R.'s show is Vladimir Ilyich Lenin. This is the centennial of his birth. He's all over their lot, in heroic size statutes, 1917 newsreels, paintings, whatnot—as compared to our lone portrait of the Father of Our Country.

Moscow artisans turned out so many images of Lenin that they spill over into the pavilions of neighboring Iron Curtain countries, including, alas, the always beautiful Czechoslovakian exhibition. Lenin sticks out like a sore thumb in what the Czechs hoped would be (as it has been in previous fairs), the "sleeper" of the whole show.

My personal "sleeper" is the tiny Irish pavilion. It features Irish hamburgers, Guinness, Irish coffee, and red hair.

Oh yes, one item more. We're leading the other 76 nations in pickpocketing. More than 500 such heists have been committed on our reservation. Confirming an old saying—"Ply your trade where the money is."

On returning to Tokyo Friday night, we learned that our request for an interview with Japanese Prime Minister Eisaku Sato was set for Saturday morning. In my book, he is an ideal world leader in this day and age. Patriotism and his nation's interest come first, as they should, but he feels a strong bond of friendship for the United States.

To top it off, he is philosophically attuned to the times of today and the facts of life. War to him is not the answer for the settlement of international problems. In fact, he seems to exclude even the possibility of there ever being a nuclear holocaust.

Purely and simply, he feels that, as everyone knows, it would lead to total destruction and possibly the annihilation of mankind and civilization as we know it today. However, he recognizes, as he said, that there may someday be "crazy people around," and we should take whatever measures we can to protect ourselves.

Before you conclude that there is an element of contradiction, if not fence-straddling, in the prime minister's line of reasoning, let me assure you he is a pragmatic realist.

Furthermore, he recognizes what America has been trying to do in Vietnam and Cambodia. In fact, he showed a much greater understanding of the President's move into Cambodia than many of our senators and congressmen. He said he felt there has been a lot of inaccurate reporting about the American move into Cambodia, especially by the Japanese press.

It was not, in his opinion, President Nixon who escalated the war in Cambodia, but the Communists, who went in there first and built up their forces.

Since Japan's constitution forbids the country from participating in any wars except in defense of its own territory, Japan's contribution to resisting the spread of Communism in Free Asia has been to extend economic aid to the under-developed nations.

Sato seemed to subscribe to my suggestion that Japan might increase its contribution of yen instead of men and help promote an Asiatic Marshall Plan to strengthen the stability of the non-Communist nations in this part of the world.

As long as he remains prime minister, we won't have to worry about Japan as an ally and reliable friend.

PROPOSED NEW FIREARM CONTROLS

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BROCK. Mr. Speaker, I am submitting today a bill that would amend the U.S. Criminal Code to provide mandatory sentencing upon the conviction of certain felonies during which the defendant was armed with a firearm and to make it a Federal offense to use a firearm which has been transported in interstate commerce, in the commission of robbery, assault, rape, burglary, kidnaping or homicide other than involuntary manslaughter.

In 1968 when Congress was considering crime legislation, I worked for a law that would impose mandatory prison sentences on anyone who committed a Federal crime with a gun and I opposed registration or licensing of all guns and gun owners. The object was to place the penalty for crimes with guns upon the criminal rather than the decent citizen. The Senate altered the provisions of our bill, thus weakening the mandatory sentencing section.

The object of the legislation I am today introducing has the same purpose of our 1968 mandatory sentencing provision, but it goes further by extending the reach of the Federal law. In addition it will provide a model for States where the approach has not been uniform, but differs greatly from State to State.

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Since under the terms of my bill, whenever firearms are used in the commission of a crime, the local State law enforcement officer upon certification of the Department of Justice, could immediately have the assistance of his Federal counterpart in the apprehension and conviction of the apprehension and conviction of the dangerous offender. The law would give the Federal Government jurisdiction to assist in the fight against crime at the State and local area where most of the crime occurs.

Making the use or carrying of weapons in the commission of a felony a Federal offense would act as a deterrent to violent crime because the would-be criminal could face stiff penalties not only for violation of the State statute, but also for violation of the Federal law.

The bill constitutes a valid exercise of congressional power to regulate commerce even though it punishes the act of using the gun rather than the shipping of the gun. By making use of a gun in a felony a Federal offense only when the gun is shipped in interstate commerce, the proposal makes the necessary connection between the crime and commerce. The commerce becomes illegal only when the end result of the commerce is illegal under State law. The Federal law is violated only when interstate commerce is involved.

The rising crime rate demonstrates that Federal action is needed to more effectively prosecute the minority who would harm others with their firearms and protect the law-abiding majority.

In 1968, according to Federal Bureau of Investigation figures, there were 8,900 gun murders committed in the United States. In addition, 65,000 Americans were victims of gun assaults and 73,000 citizens were robbed by gunmen that year. These figures reflect substantial increases over 1967, and since 1964, gun murders have jumped 117 percent and assaults have increased 117 percent and gun robberies have risen 113 percent. This must not continue.

CURRENT NATIONAL ISSUES QUESTIONNAIRE

HON. DELBERT L. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the attention of the Members of the House. They are as follows:

[In percent

	Yes	No
1. Do you favor President Nixon's plan of gradual withdrawal and Vietnamization of the war?	60	40
2. The Senate has passed a bill reducing the penalty for the use of marihuana for first offenders from a felony to probation with the right of the court to eventually expunge the arrest from the defendant's record. Do you favor this bill?	39	61
3. Do you favor the administration's plan guaranteeing a Government-financed income to poor families, providing the head of the household registers for work or training once every 3 months? (The program initially would pay $1,600 plus $800 in food stamps to a family of 4. $300 would be paid for each additional child.)	37	63
4. The law presently makes it illegal for Government workers to strike. Do you agree with this law?	68	32
5. Should unions representing Government employees be permitted to force employees to become dues-paying members?	28	72
6. Do you favor the transfer of our postal service to a wholly owned Government corporation?	51	49
7. To make our selective service lottery system work effectively, it has been proposed that all deferments be abolished. Would you favor such a system?	52	48
8. Do you believe it is time for the Federal Reserve Board to relax its "tight money" policy?	51	49
9. Would you favor controls on wages and prices if both continue to increase?	74	26
10. Do you favor busing of schoolchildren from one school district to another in order to bring about a racial balance?	23	77
11. Do you agree with President Nixon's position that more strict constructionists are needed on the Supreme Court?	51	49
12. For farmers: Do you favor the "consensus" farm bill now being considered by the House Agriculture Committee, which would give farmers greater freedom to plant as they wish, permit more land retirement, provide cash payments at about current levels (approximately $3,000,000,000 per year), but would lower price support loans on wheat (10 cents) and corn (5 cents)?	64	36

PRESIDENT AGAIN BECOMES LEADER OF FREE WORLD

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BOB WILSON. Mr. Speaker, I insert an article in the RECORD written by Mr. Ray McHugh, the distinguished Washington bureau chief of Copley News. Mr. McHugh reports that President Nixon, by taking the initiative and acting decisively in Cambodia, has reaffirmed for the Presidency of the United States the acknowledged leadership of the free world.

The article follows:

IMPORTANT CHANGE—PRESIDENT AGAIN BECOMES LEADER OF FREE WORLD

(By Ray McHugh)

WASHINGTON.—The emotional, partisan debate in the Senate over the presidency and its powers has blinded Washington to an important change in the status of the chief executive.

The President of the United States is once again the unchallenged leader of the free world.

The Senate undoubtedly could stage another debate on whether this change resulted from President Nixon's conduct in office, or from the shifting tides of international politics, but the fact is evident to any newsman who travels widely in Europe, the Middle East and the Mediterranean.

Europeans do not underestimate the dangers of the Middle East and a goodly number will quarrel with the American involvement in Southeast Asia, but there is a willingness to follow the lead of the man in the White House.

"President Nixon understands us."

That phrase is heard in country after country from men in responsible positions.

ASSET OVERLOOKED IN WASHINGTON

It is an asset that has eluded many in Washington.

It is evident that Mr. Nixon soon must make decisions concerning the Middle East than can be fateful to all the nations in this region.

While a majority in Congress already has endorsed the popular proposition that Israel be supplied with all the jet warplanes she needs, or says she needs, the President in his role of a world leader must weigh the views and concerns in a much wider context.

In Greece, which lives on the edge of the Middle East fire zone, the foreign minister told this reporter candidly that the smaller nations of Europe cannot influence Israel or the Arabs. Athens, he said, would use its good offices to transmit or promote any American initiatives for peace in the region "but there is no reason to hope that Greece could act alone."

Mr. Nixon reportedly is preparing a peace proposal that will be announced at the same time he makes known his decision on jets for Israel.

The proposal is described as "a major American undertaking," although its provisions are secret. The President reportedly will send special emissaries to each Arab capital to explain his plan in detail. Special briefings also are planned for concerned European leaders.

Among European statesmen and political leaders there was no denunciation of Mr. Nixon's decision to send Americans into Cambodia. Instead there was an almost audible sigh of relief, accompanied by the question:

SENATE HUE AND CRY IGNORED

"Why wasn't this done two or three years ago?"

The hue and cry in the Senate against the President has not had the disruptive impact in European capitals that one might expect.

Mr. Nixon is a known quantity to most western leaders. He has been a personal friend or acquaintance for 10 years or more. Rather than join the chorus against his policies, most of these leaders—even in such countries as Egypt—are inclined to sympathize with the President.

The spectacle of 46 senators who have demanded immediate withdrawal from Vietnam and who have denounced the Cambodia operation joining 27 colleagues in the call for Israeli jets, regardless of consequences, has not inspired confidence in their wisdom.

The resignation of Gen. Charles de Gaulle more than a year ago removed the last of the wartime leaders from the summit. De Gaulle's successor, President Georges Pompidou, has shown none of the old general's flair for independent leadership.

BRANDT FACES EAST, BOGS DOWN

Chancellor Willy Brandt of West Germany is bogged down in diplomatic overtures toward Moscow, Warsaw and East Berlin that have provoked serious divisions in his own country and already have begun to erode his thin margin in the bundestag.

Harold Wilson of Britain, who preached insular policies and a retreat from empire, has been upset by Edward Heath and the Conservative party—a party whose leaders promise to work much closer with the American White House.

Italy wallows in a political quagmire and while the Christian Democrat party remains the largest and most influential bloc, its top three figures have shown little leadership. Mariano Rumor, Aldo Moro and Amintore Fanfani all have taken turns trying to form workable cabinets and trying to cope with social and economic problems and each has met the same disappointment.

Spain is conscious of impending change as Gen. Francisco Franco marks his 78th year and grooms Prince Juan Carlos for a vacant throne. Portugal is adjusting to Premier Marcello Caetano and finding to its pleasant surprise that Premier Antonio Salazar's successor is a man of moderation who is bent on economic growth and development.

To such a continent, President Nixon is becoming a familiar and reassuring figure.

CONGRESSMAN SCHMITZ' INITIAL REPORT TO HIS CONSTITUENTS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. SCHMITZ. Mr. Speaker, last Wednesday, July 1, 1970, I had the honor and great pleasure of being sworn in as a Member of the House of Representatives by the Speaker of the House, the Honorable JOHN W. MCCORMACK. This followed my predicted election the day before, in which I am most grateful for the almost 3-to-1 victory given to me by the voters of the 35th Congressional District of California. As most of you know, this was the seat held for so many years by the late, very popular and most able Congressman James B. Utt.

I repeat that it was an honor and a pleasure to be sworn in by the venerable Speaker, for whom I hold great respect, notwithstanding that he is not a member of my political party. Due to his pending retirement, I will no doubt be one of the last to be given the oath by Speaker MCCORMACK, who has earned the respect of the entire country by his many years of public service. He has been Speaker for more years than any other man, with the exception of the man he succeeded, the Honorable Sam Rayburn of Texas.

My reception by my new colleagues on both sides of the partisan aisle was most cordial. One of those who crossed the aisle to greet me was the distinguished majority leader, the Honorable CARL ALBERT of Oklahoma, who has been mentioned as a candidate to succeed Congressman MCCORMACK as Speaker.

One of my first thoughts on taking office was the difference between being one of 40 members, as in the California State Senate, and being one of 435 Members, as in the U.S. House of Representatives. A principal area of attention is the seniority system, now under attack by some of the younger Members of Congress, and a system similar to that of the State senate, which has recently been in upheaval.

Unless someone can convince me, by more persuasive arguments than any I have yet heard, that the elimination of the seniority system would solve more problems than it would create, and that it would be more beneficial to the people as a whole, I will continue to support its retention. No system is perfect, and certainly there are shortcomings with the present plan under which committee members advance up the seniority ladder to chairman, only as ones above them either retire, die, or are defeated for reelection.

It is argued that by the time one accrues the seniority necessary to become a committee chairman, he has often aged to the point of inflexibility. My present age of 39 places me in the younger class, relative to the average age of the Members of Congress. I do not consider that the gage of a successfully effective Congress is the number of legislative matters passed, but, rather, in the quality of them, measured by their protection of the rights of the individual.

It is said that those who refuse to study past history are doomed to repeat the errors of those who preceded them. This is especially true of legislators. There really is little that has not been thought of before, but merely variations of past ideas, some of which may or may not be improvements. By the time a man gets to be a committee chairman, he has heard thousands of ideas debated, he has seen hundreds of measures enacted, and he has had the time to witness the results effected by them and is better equipped to know what will not work, and why.

There is less likelihood of repeating past errors under the present system and, in addition, the amount of intramembership campaigning for individual advancement is at a minimum. Under the "popularity" system of choosing chairmen, objectivity is lost in the political deals made between Members, not necessarily on a partisan basis, but strictly as a self-aggrandizing search for popular support of colleagues or leadership positions. It leads to bickering among groups of Congressmen, and votes cast not on constitutional and moral grounds, but to pay off obligations or to gain selfish advantage.

I will continue to study this matter in the light of experience I gain as a Member of Congress, but any alternative plan I might support will have to show definite improvement upon the present system, without incorporating either its shortcomings or ones that would be more seriously adverse to the welfare of our Nation.

I am presently located in the offices assigned to the staff of Congressman Jim Utt soon after his death. It is at 1208 Longworth House Office Building, Washington, D.C. 20515. The telephone number remains the same as that given to Jim Utt, area code 202—225-5611.

NEW GOVERNMENT PRINTING OFFICE PUBLICATION

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. FALLON. Mr. Speaker, I would like to call to the attention of the Members of the House a new Government Printing Office publication entitled "The Laws of the United States Relating to Water Pollution Control and Environmental Quality." This booklet, Committee on Public Works Print 91-33, is a committee compilation of those laws covering the subject, and I feel it will become an important reference work for all persons, public and private, who are concerned with our current environmental problems.

PRICE OPPOSES PAYMENT LIMITATIONS

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. PRICE of Texas. Mr. Speaker, yesterday the Senate, in the absence of 25 percent of its membership, voted to tack an amendment limiting farm payments to $20,000 per farmer on the agriculture appropriations bill for fiscal 1971.

The Senate took this action over the strenuous objections of the distinguished chairman of the Agriculture Appropriations Subcommittee, Mr. HOLLAND, a Senate leader who for decades has shown great wisdom and initiative in agricultural legislation. During the debate on the bill the distinguished Senator made it clear he thought the payment limitations issue should be considered in conjunction with farm program legislation rather than agricultural appropriations. As will be remembered, this was essentially the position the overwhelming number of House Members took when the same question was raised during last month's debate on the agriculture appropriations bill.

Mr. Speaker, I fervently urge my colleagues to defeat motions of any Member which would instruct the House conferees to agree to the Senate amendment limiting price support payments to $20,000. I submit the House must follow this course of action for several reasons. First, were the limitations to be applied to the wrong legislation; namely, the appropriations bill, it would set a dangerous precedence which could rightly disrupt the procedural machinery of the legislative process. Second, the question of the advisability and feasibility of payment limitations receiving concentrated attention in the House Agriculture Committee, and the membership will be advised of the committee's findings when the final bill is reported. At that time, and only at that time, will the Congress have a sufficient foundation on which to render a truly judicious decision on the question. Congress should not go off half-cocked on such a vital matter. Third, the abrupt establishment of a $20,000 payment limitation per farmer would disrupt and greatly dislocate the rural economy of the Nation, for large segments of it have grown and developed as a consequence of Federal farm policies over the last 35 years. Were this structure to dramatically change, as would be the inevitable consequence of Congress adopting strict payment limitations, not only would it sink the rural economy it would also drag down the general level of economic activity which depends quite heavily on the agricultural sector for consumption and purchasing support.

In conclusion Mr. Speaker, I would like to stress again that this is not the proper time for Congress to act on the payment limitation question. For reasons of clarity, I state the case for defeating this amendment in terms of five basic points:

Unless the Food and Agriculture Act of 1965 is extended or replaced, most payments under the cotton, feed grains, and wheat programs will end in 1971, hence a limitation on these program payments in the current agricultural appropriations bill is unnecessary.

If the payment programs are continued, a simple $20,000 limitation on total payments to an individual would make it extremely difficult to administer the commodity programs to achieve their adjustment and price support objectives.

An extension of existing sugar legislation will come before the Congress next year and limitations on sugar payments can be taken up at that time—giving the Secretary of Agriculture discretionary authority to make appropriate changes on the program in the light of any payment limitations adopted.

Wool program payments are for the purpose of encouraging increased domestic production of wool. To limit the payments large farmers receive from the wool program will tend to discourage the production of wool on these farms.

The appropriate time for considering payment limitations is when a new legislative authorization bill comes before the Congress. At that time the Secretary should be given discretionary authority to adjust the programs as appropriate in the light of any payment limitations approved.

A LIVING EMBARRASSMENT TO THE COMMUNISTS

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTAIVETS

Thursday, July 9, 1970

Mr. HANLEY. Mr. Speaker, on June 20, the Organization for the Defense of Lemkivschchyna held its 10th annual convention up in Toronto, Canada. These valiant people, the Lemkos, who are now settled in North America, have known the whip of persecution and the yoke of slavery. They have been driven from their homeland in the Ukraine in the attempt to find freedom and a better life.

Mr. Speaker, I have spoken on this floor many times over the years regarding the plight of those enslaved behind the Iron Curtain. I urge my colleagues here today to renew their dedication to the cause of justice and liberty, to the freedom of those under the heel of the Russian bear.

The Lemkos stand as a living embarrassment to the Communists. Let us keep the light of public opinion on them, for they serve as a constant reminder that freedom, while costly to purchase, is even more costly to preserve.

THOUGHTS OF A MAN IN UNIFORM

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HÉBERT. Mr. Speaker, two articles have come to my attention which I think are worthy of the attention of the House. They are written by Capt. Paul Gray, U.S. Navy, who 2 years ago received the Navy League's John Paul Jones Award for inspirational leadership.

In these articles, written for his base paper, Captain Gray expresses how the man in uniform feels about antiwar demonstrators and President Nixon's move into Cambodia.

Captain Gray is one of the most outstanding men to ever wear the uniform of our country. He has consistently done an excellent job and was decorated for his efforts in South Vietnam.

I am able to say these things about Captain Gray because I know the man and have been in a position to observe him through the years. I can sum up his naval career in one word—outstanding.

I insert his articles at this point in the RECORD:

THE NEW GENERATION GAP

As I watched the marine's magnificent sunset parade last Thursday I thought of the report I had received earlier in the day of the commencement speeches at Yokohama High School. The young speakers had eloquently vented their disgust with the establishment and the awful state of the world. Pollution, the war in Indo China, racial discrimination, poverty—all were attributed to the middle-aged and their callous failure to make things bright, clean, safe and untroubled. Nothing could be as bad as conditions in 1970.

I thought back to the days when the present establishment was entering the world of reality. Things were not very good then either. The smoke from the crematoriums of Dachau and Buchenwald was slowly extinguishing the lights in Europe. Poison gas was being used in Africa to control the Negros of Ethiopia. There was real poverty in the United States as a result of the economic collapse of the early 30's. Arrogant young intellectuals wanted a communist/socialist type political framework in America which was supposed to bring an era of peace, equality, and goodwill to the country and to the world. There was also a very marked generation gap.

Today there is another gap between many in the current generation and the old folks who are their parents. The young protesters demand peace now, racial equality now, and freedom now. The parents remember that the young have the freedom to protest and they have that freedom because the middle aged preserved it for them at places like Anzio and Guadalcanal.

As a demonstration-weary member of the establishment I welcome these brave young people into the struggle. I hope they have new solutions to the grim problems which beset mankind. I'm afraid though, that they will have to find a way to prevent human beings from behaving like human beings.

I don't know the ultimate answer to peace, security, and progress but as long as four fifths of the world adheres to the principle that power flows from the barrel of a gun I hope these fine young people keep their powder dry because if they destroy the shining sword of America as symbolized by our superb marines, a long darkness will soon settle over the free world.

CRISIS IN CAMBODIA

In view of the emotional, almost pathological response to the President's recent action in Cambodia, I would like to evaluate the consequences of his decision for you as I see it. I hope this brief analysis will give you a better understanding of the problem.

Putting all the glory aside, you must realize that in the end it is logistics that wins or loses wars. The South lost in the Civil War because of logistic failures. Germany lost World War I and World War II for the same reason. Any army or navy which is cut off from its supply base rapidly loses its ability to fight. A soldier on the front line is soon ineffective if he has no food or bullets. A warship without black oil and ammunition is no longer an aggressive fighting element.

Beans and bullets—you have to have them or you can't win. It's as simple as that. Ask any of our combat Marines or sailors who have been to Vietnam.

Now for Cambodia. Since about 1965 the Viet Cong and North Vietnamese have received their military supplies from two sources. Communist bloc ships were unloaded in Cambodia at Sihanoukville and the food and ammunition was trucked about 200 miles to storage points along the border of South Vietnam. Other bloc ships were unloaded in Haiphong and the supplies were trucked as far south as possible and then carried by men to other storage areas in Cambodia. The Viet Cong and NVA then used these supplies to arm themselves, infiltrate across the entire border, attack, and then quickly retreat back into Cambodia to rearm and regroup. They have done this for more than five years with complete immunity.

As a result of the President's action, these supply sanctuaries are either destroyed or being destroyed. Sihanoukville can no longer be used by the Communist bloc ships. To supply their troops the North Vietnamese now face the stupendous problem of transporting tons of supplies about 300 miles from Haiphong to South Vietnam over unpassable roads and trails. The instant the supply lines enter into Laos or Cambodia, they are vulnerable to attack from the air or ground.

How does this effect the war in South Vietnam? First, the deployed Viet Cong and North Vietnamese, deprived of food and essential military hardware will rapidly lose their ability to fight. No longer can they move at will across any point of a 700 mile border and mount surprise attacks on the cities and villages of South Vietnam. They will be forced to cross either through the DMZ or a very limited border area of Laos. The problem of defense by the ARVN (Army of the Republic of Vietnam) has been tremendously simplified and they should be able to cope with limited thrusts without difficulty. They should soon be able to stand alone now that the Communist maneuvering area has been severely limited.

Although they will never admit it, the North Vietnamese have suffered a catastrophic defeat. What looked like an easy triumph two months ago has become an almost impossible goal now. Their chances of victory over South Vietnam are now almost nil. The shift of Cambodia from the Communist side to our side was the break in the game we have been looking for. Any coach would have taken advantage of it.

Regardless of whether you agree with Mr. Nixon's decision, we all, as Americans, have a responsibility toward our president. A majority of our people elected Richard M. Nixon to lead us for four years. It was Richard M. Nixon who went before the people and was judged best fitted to make the hard decisions in the Cold War, the same as President Truman did during the Greek revolution and

President Kennedy did during the Cuban missile crisis. President Nixon's doing what he thinks is best for all Americans. As the elected President of the people of the United States he deserves and should have your prayers and understanding during his lonely time of crisis and trial.

NATIONAL HISTORIC PARK STATUS

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HANSEN of Idaho. Mr. Speaker, on April 25 my family and I had the pleasure of joining several hundred persons on a hiking expedition along the Chesapeake & Ohio Canal on the occasion of the 16th annual reunion of the C. & O. Canal Association.

It was a rare treat for us to see first hand the beauty of the C. & O. which is one of the most fascinating and picturesque canals in the Nation. It is a place of scenic beauty and tells a story of one of the most exciting chapters in American history. After this experience I certainly agree with those who have endorsed the bill sponsored by my good friend, Congressman JOHN P. SAYLOR, which would designate the area as a national historical park.

I wish to commend this bill to the attention of my colleagues and suggest that they read the editorial in the Washington Evening Star of June 1, 1970, in support of the bill, which I include as a part of my remarks:

CANAL BREAKTHROUGH

For Washingtonians with a love of the outdoors, these are sparkling, golden days in which to savor the beauties of nature that abound along the Chesapeake and Ohio Canal. And this element of timing no doubt has served to increase the response of widespread gratification to Secretary Hickel's formal endorsement of legislation which would incorporate the canal within a national historic park.

The bill would authorize, over a period of several years, the expenditure of $44.5 million—of which less than $20 million is the cost of acquiring about 15,000 additional acres of land, roughly quadrupling the present holdings. That expenditure is a modest sum for the result envisioned. The remainder of the money would pay for recreational facilities and reconstruction of portions of the thread-like canal park from Georgetown to Cumberland, Maryland.

The proposal is less ambitious in scope, and far less costly, than a venture favored by the previous Interior Secretary. In these days of desperate competition among domestic programs for dollars, however, it is a good beginning, which enjoys the merits of political realism without sacrificing the essential goals of reclamation which government agencies, conservationists and civic organizations have been pursuing now for decades.

Representative Gude of Maryland, one of the most persistent of the House and Senate co-sponsors of the measure, asserted the other day that Hickel's support means that "the cork has been pulled" from the legislative bottle in which the proposal has lain dormant. We hope that is an accurate prediction and that early hearings are forthcoming.

The canal, as nearly all those who flock to the area even in its present state are aware, has historic values which are in danger of being lost. Its reclamation offers Congress a rare opportunity to implement the sensible policy, gaining strength in recent years, which holds that the preservation of natural areas is fully compatible with the goal of making parks useful and accessible places of enjoyment for endless numbers of people who desperately need a touch of nature.

ECHO OF LINCOLN'S WORDS STILL HEARD

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BOB WILSON. Mr. Speaker, recently Mr. Bob Corbett, a distinguished science writer for the San Diego Evening Tribune, made a transcontinental flight from San Diego to Washington, D.C. Mr. Corbett's reflections on his trip, on the history of America, and the quotations he cites from the Lincoln Memorial concerning national unity, seem appropriate for this time in our Nation's history when thousands displayed their love of country this past weekend at Honor America Day gatherings.

ECHO OF LINCOLN'S WORDS STILL HEARD

(By Bob Corbett)

The real purpose of the flight to Washington was to talk to Mr. Lincoln.

The oceanographic convention in the nation's capital was only an excuse. Sorry boss.

The idea of talking to Mr. Lincoln must seem strange to anybody who wasn't born and reared in Illinois or its neighboring states, but in that area he is more than an historical figure or even a legend. He is family, someone you grow up with and who helps set the tone of your life.

The main reason I wanted to talk to Mr. Lincoln is that I, like many other people, am disturbed about what is going on in this nation he struggled to preserve, and I thought that he might set me straight.

The flight itself was instructive. Believe it or not, the land is still there despite our problems of smog and pollution and strife. The Rockies still stand, the farmlands of the Midwest are still a productive patchwork of green and yellow fields, the Mississippi (tainted as it is) still rolls on, and the forests still occupy vast expanses of the East. The nation is not just a wall-to-wall battleground that our troubles sometime do indicate.

It occurred to me that this geography is also associated with the long history of the nation, starting with San Diego Bay and Juan Cabrillo. The coastal mountains recall the Forty-Niners, the Rockies names like Zebulon Pike and the mountain men.

Even Lubbock, Tex., recently almost demolished by a tornado, has its bit of history. I have in-laws there who arrived in Texas in covered wagons and whose parents fought the Indians for the land. A little bit to the north is Palo Duro Canyon, where the once-proud Comanches, the lords of the plains, made their last tragic stand.

Then there is the Missouri River and Lewis and Clark; the Mississippi and Mark Twain and the Battle of New Orleans. We passed over Springfield and New Salem, Ill., where Lincoln grew to manhood and now rests.

The East Coast emerges and with it the entire scope of the developing nation from the settlements at Plymouth Rock and Jamestown to the Revolutionary War and Civil War.

Which brings us back to Mr. Lincoln.

If the nation is united in space through its geography and in time through its history, it seemed to me that our troubles must lie with the only other factor around—the people themselves.

There is the young against the old, white versus black, the hippie types and the hard hats, the rich and the poor, the weak and the strong. All people.

With this in mind, I rushed out to the Lincoln Memorial. Here on the marble steps of the monument, the people were united. There were blacks, whites, browns. A few hippies lounged on the steps. The middle-class American with his family and camera predominated.

They came in a steady stream and all approached with something akin to a reverence. I waited for a break in the crowds before stepping before the great seated figure of Mr. Lincoln to ask my questions.

Why, with so much to unite us, are we so divided? Where have we gone wrong?

Mr. Lincoln did not answer, of course.

But then I read the words of his two great speeches as they are inscribed on the side walls.

". . . that this nation under God shall have a new birth of freedom—and that government of the people, by the people and for the people shall not perish from the Earth."

". . . with malice toward none and charity for all . . ."

And it occurred to me, that perhaps Mr. Lincoln has been talking to us all along. Perhaps we have just not been listening.

VIEWS OF A GRADUATING HIGH SCHOOL SENIOR

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HUNT. Mr. Speaker, unless you are a parent these days, it is no doubt the rare occasion that we have the opportunity to listen calmly to the individual voices of the younger generation. It seems regrettable that those who purport to speak on behalf of youth have unsuccessfully sought to interpret the impressions imparted by group action while successfully submerging the individual in the seamless melting pot of public opinion.

As I have regularly sent to all graduating high school seniors a copy of "The American Creed," it was indeed not only a surprise, but a pleasure, this year when one senior, Michael Herner, returned to me a copy of a speech he had prepared which reflects his views of the challenges his generation faces:

A TIME FOR US

A time for us, someday there'll be, and when it comes, we'll have to make the best of it. It will be up to us, the graduates of 1970, to convince the people that if they do not wise up, they will eventually destroy themselves.

America, the home of the free and the land of the brave, has many problems. The freedom which we proudly possess is being abused. We are free to hold peaceful demonstrations, but today they evolve into violent destruction, and the original cause becomes lost in the hassle between the doves and the hawks, and everyone becomes a vulture.

The students seem to be the most susceptible to demonstrations. They know they have the right to hold a demonstration, only most of the time, the privilege is abused. The rad-

XUM

ical students decide they have to resort to violence, yet nothing is done. Where is the silent majority? Why doesn't it speak up? Are the people afraid to voice their opinions; to back up what is right?

Our class of 1970 will have to show the people they are not afraid of anything or anyone. We will have to show the world that we can and will cope with all problems that arise. We will have to show the people that when a problem does arise, we will handle it maturely and intelligently, and not back away from it which seems to be the thing to do today. We will have to show the people that we will not lower our standards and stoop to violence and self-destruction just because we don't like what is going on. We will have to show the people that we will not put down our country or its leaders just because we do not agree with a decision they made.

The most important thing that we will show the people is that we love our country. We will not burn our flag or spit on it. The people today should be glad that when we salute our flag it is because we want to, not because "Big Brother" is watching or because there is a gun pointed at our heads.

Everything is taken for granted and it will be up to us to change that. Our time will be a difficult one, and our job will be almost impossible. It's hard enough to live in our country with all its internal problems, but it is even more difficult to try to solve the problems, to try to put our country together, and that is what our job will be—putting our country back together.

The entire blame should not be placed on the younger generation, as it is. The adults should accept some of the blame. They are allowing the younger generation to get away with their actions. They sit back, watch, and complain, but do nothing.

When the radical students act up, the adults sit home and say, "Damn kids, they're all alike. When are they going to learn?" On the other hand, the non-radical students sit home and say, "It's students like that that give me a bad name." These are the students that do not have to be labeled as bad. All they have to do is show the people they care, but they don't.

Our time will consist of showing the people we care, showing the people that most of our students are good students, not just telling them; showing the people that our greatest enemy is ourselves. That is why our job will be so difficult. No one is willing to admit that we are destroying ourselves, our country. No one is willing to admit that if the current trend continues, democracy as we know it will no longer exist.

A time for us, someday there'll be, but it might be too late!

INVESTIGATION OF THE FEDERAL MEAT INSPECTION ACT

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. LANGEN. Mr. Speaker, I am today introducing a concurrent resolution that proposes to establish a joint congressional committee to conduct a study and investigation of the Federal Meat Inspection Act.

The committee would be directed to make a firsthand evaluation of packing plants in which meat destined for consumption in this country is processed, with particular emphasis on the various imbalances and deficiencies in the level of inspection provided. Included in the study would be foreign plants which are approved for shipping meat to the United States. The committee would be composed of three Members of the House of Representatives and three Members of the Senate and would be required to submit its report by June 30, 1971.

The American public today has available the highest quality food supply in the world. However, it would be a grave misfortune if the purity of all the food products that Americans enjoy could not be insured. It is my hope that we can guarantee to the public that the food they purchase is safe, healthful, and pure. Enactment of this legislation would certainly be a step in the right direction.

DICKEY-LINCOLN PROJECT IN NORTHERN MAINE

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HATHAWAY. Mr. Speaker, the ever-increasing possibility of power brownouts and blackouts necessitates an immediate remedial action. I believe a large part of the answer lies in hydroelectric powerplants. The proposed Dickey-Lincoln project in northern Maine offers the Northeast a stable source of electric power at reasonable rates. More importantly, it is a nonpolluting source of electric power. Because of Dickey's advantageous character, I am confident that the Senate Appropriations Committee will reinsert the $807,000 in Federal funding requested by the administration for continued preconstruction planning and design of the project in the public works appropriation bill for fiscal 1971 and that this action will receive full Senate approval. I am hopeful that its reinclusion will then be accepted by a conference committee and subsequently endorsed by both Houses.

I realize, of course, that Dickey will continue to meet the same arguments the private power utilities have advanced now for 5 years. Primarily, the power companies maintain that they can produce more reliable and less costly power. And an essential part of their effort to bring this about is through the construction of nuclear powerplants. I disagree with the major premise and most other of the private power industry's individual arguments and have expressed my dissenting views on a number of occasions. For the present, I shall direct myself merely to the nuclear power answer to our growing power crisis.

According to Dr. Arthur R. Tamplin, a physicist at the University of California, nuclear power is a highly questionable solution to the power crisis. His extensive study points to radiation's adverse effect upon man and his environment. He studies the genetic consequences of radiation and describes the great possibility of lethal mutations, as well as severe life-shortening chromosomal changes resulting from even minimal radiation exposure. Lastly, he stresses the critical need for a reassessment of the proposed nuclear power solution.

In the hope that my colleagues find it both interesting and informative, I am submitting a section of Dr. Tamplin's study for the RECORD:

THE GENETIC CONSEQUENCES OF RADIATION

The more recent data on the biological effects of radiation are generally tending to demonstrate that the original optimistic opinions of the effects were wrong. In this respect, I cite the extreme radiosensitivity of the developing fetus in utero. To a considerable extent the existing guidelines were were based upon the effects of radiation on adults and the data are now demonstrating that the developing fetus is from 10 to 100 times more sensitive than the adult. In addition the data are suggesting that leukemia is not the most sensitive form of cancer with respect to radiation, but that indeed all cancers are equally likely to be induced. Further, the data show other cancers which occur in the population more frequently than leukemia are induced by radiation in proportion to their occurrence rate. Finally, the data which are now coming in from biological experimentation are suggesting that the most radiosensitive portion of the biological system was overlooked in setting the original standards. This part of the biological system is the chromosomes, that is the packages of genes. Radiation can affect genetic material in a couple of ways. One way, which is the one that has been given the most attention with respect to the genetic and somatic effects of radiation, is that of producing a point mutation. By this process irradiation changes the structure or the composition of a single gene, that is, a single hereditary unit. Through this process is determined the production of a point mutation. On the other hand, it is now abundantly clear that the radiation can also affect the chromosomes. By this process, the radiation is able to alter or remove from the genetic material not a single gene but a large number of genes. The developing evidence on chromosomes and the effects of radiation on chromosomes suggests that this process may represent the major mechanism through which radiation produces its damage both somatically and in a genetic way. In other words, a whole new mechanism for the potential biological effects of radiation is now evolving. A mechanism that may represent a far greater susceptibility of man than any previous mechanism proposed.

I think it is extremely important at this point to point out that scientists are not omniscient. That even though we have a considerable body of information at our disposal we can never be certain that we have made all the pertinent observations that are necessary to determine the outcome of a particular series of events. We must always keep in mind that we do not necessarily have all the significant facts before us when we are asked to make recommendations as to whether something which is planned will not adversely affect man or his environment. I think the recent developments that occurred with thalidomide represent a useful example in this respect. As a consequence of the rather tragic results of the use of thalidomide, the drug testing procedures have now been altered. Following the thalidomide disclosure we now find many drugs listed in the Physicians Desk Reference that have a pregnancy warning which was not recorded previously. In fact, as ridiculous as it may seem, drugs in the Physicians Desk Reference that were initially issued primarily for the treatment of nausea in early pregnancy have

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a warning against their use in early pregnancy.

It would seem that we have a similar situation now with respect to the biological effects of radiation. Subsequent to the establishment of the exposure guidelines, a whole new body of experimental data concerning the radiosensitivity of chromosomes has evolved. I think recent results reported by a group from Johns Hopkins University demonstrate quite well the importance of the new body of data with respect to the biological effects of radiation. The Johns Hopkins data indicate that between 1 and 2 rads delivered in the first 30 weeks of in utero life will produce severe genetic damage, and in this case it appears to be chromosomal damage, to the fetal germ cells. As a result of this damage, 50 percent of the female conceptus of women who were themselves irradiated as fetuses will be killed. This is a very startling observation and other confirmations of this observation are highly desirable. It is an effect whose magnitude far exceeds anything that had previously been predicted concerning the genetic effects of radiation. Note also that this radiation was delivered some 20 years earlier. It seems that little repair if any has occurred.

One of the existing dogmas concerning the genetic effects of radiation is that only sex-linked mutations would be expected to contribute to deaths in the F-1 generation (the children born to irradiated parents). Now sex-linked lethal mutations would express themselves by the deaths of male fetuses. As a consequence of sex-linked lethal mutations, one would then expect to find the male to female ratio to be depressed in the live births. However, contrary to this existing dogma concerning the genetic effects of radiation, the Johns Hopkins study, rather than showing a depression in the male to female ratio, indicated that the male to female ratio increased. Not only did it increase, it doubled. In other words, twice as many boy babies were born as girl babies and this is from mothers who were irradiated as fetuses at dosages in the range of 1 to 2 rads. Now the Federal Radiation Council Guidelines for the population-at-large would allow some 0.1 of a rad to be delivered in the first 30 weeks of in utero life. Considering the Johns Hopkins data, this could result in the deaths of some 2½ percent of the female conceptus. Now it would appear only reasonable to assume that an equal fraction of the conceptus would be affected by the non-lethal but nevertheless severe life shortening chromosomal changes. All I am suggesting here is that this is most likely not an all or none phenomenon, that changes in the chrromosomes less than lethal could also be expected to occur. It would not seem to be unreasonable to assume that in addition to the 2½ percent of the female conceptus that are killed, something on the order of 1 percent of the surviving live born infants might have severe or significant chromosomal changes. Actually, their data suggests differences in the live born infants. Considering that each year in the United States we have some four million live births this would suggest that as many as 40,000 additionally severely affected children might be born as a result of this in utero irradiation.

Now I would agree the above is somewhat speculative. Nevertheless, I think the rather dramatic divergence from the accepted genetic dogma that is shown by these Johns Hopkins studies suggests that we should very critically examine this entire area as it relates to the allowable dosage to the population. If nothing else, it points out that when applying the existing 500 millirem per year dosage standard one should apply this to the most significant or the most critical of human beings, namely the developing fetus in utero. During the first 30 weeks of intrauterine life the 500 millirem guideline would suggest that the fetus could receive 0.3 rad. In considering the effects observed in the Johns Hopkins study, this would suggest that somewhere in the neighborhood of 7½ percent of the female conceptus would be killed and certainly then one would have to assume that a significant number of the live births, male and female, might carry with them severe chromosome changes that could result in significant life shortening and severe disease in future life. In other words, here is a potential genetic effect of radiation that doesn't require the multiplication by 200 million people in order to demonstrate its significance.

In summary then, when all of the data are considered and proper respect is given to the protection of the public health and safety, there would seem to be no other course than to reduce the existing radiation exposure guidelines. It would seem that these guidelines should be reduced by at least a factor of 10.

ESSAY WINNER MAKES STRONG ARGUMENT FOR CONTINUATION OF REC

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. SCHWENGEL. Mr. Speaker, the June 23 issue of Current News, a publication of the Eastern Iowa Light & Power Co., recently carried an article written by Mr. Ronald Skubal. The article was identical to the essay written by Mr. Skubal in the REC's annual essay contest, which won him a trip to Washington. Mr. Skubal's essay is very well written, and sets forth many excellent arguments for continuation of the REC program.

The article follows:

ESSAY CONTEST WINNER SAYS THAT YOUTH MUST UNDERSTAND AND SUPPORT THE RURAL ELECTRICS

(By Ronald Skubal)

Can you imagine what a gruesome portrait it would make if an artist could depict on canvas the ever-increasing problems that beset our cities today? What artist could produce a pleasing picture with crime, overpopulation, and pollution for subject matter?

For years, these problems have been factors promoting suburban development. Now, as a new decade begins, the cities have engulfed the suburbs, and are now chewing their way into rural areas.

Shopping centers, drive-in movies, and motels now occupy land where farm buildings once stood. Fields where corn once grew are now the sites for industrial plants. These new enterprises hold a bright future for rural America.

NEED MORE JOBS

Today, farming alone can no longer support the rural economy. Small individual farms are being combined to form corporate operations. This leaves a need for more nonfarm jobs in rural America. Without industrial development, rural areas would succumb from lack of non-farm jobs and taxpayers. However, due to the efforts of the Rural Electric Cooperatives, rural prosperity seems evident.

The REC had the foresight years ago to recognize the problem of the emigration of youth from rural areas. The Cooperative knew that lack of economic opportunity was to blame, and that action had to be taken to create new opportunities. The result has been considerable progress toward accommodation of new industries in rural America.

The REC can be proud of the progress and achievements made. But they have only begun the conquest of some problems that face them. There are still many steps to be taken to insure rural social and economic growth. Most of these problems can be surmounted if the youth of America also shows foresight and desire to cooperate in facing with the Cooperative the crucial problems yet to be solved.

One of these problems is the preservation of territory the Cooperative has pioneered. Many expanding urban areas have their own power system or else franchise a commercial utility. When the development annexes an area already served by the Rural Electric Cooperative, it also tries to annex the consumers.

PIONEER COURAGE

The situation is nothing new. When this nation was pioneered, there were only a handful of persons who were courageous enough to explore and develop the land. After the work was done, many others moved in. Now, commercial utilities are trying to annex the territory that was pioneered by the Rural Electric Cooperative. The youth of America must see to it that such annexations do not take place.

The importance of the Rural Electric Cooperatives is immeasurable. Aside from providing electricity for rural industries, the Cooperatives will also play a great part in the large farm operations of the future. Because of future lack of farm help and the increasing modernization of farm equipment, electricity will be needed more than ever before to insure efficient farm management at the lowest possible cost. Through the efforts of the Rural Electric Cooperatives to make electricity not only available, but also practical in terms of cost, chores that were once tedious and time-consuming have become simple and automatic.

The future once didn't look as bright as it does now. In 1935, less than 11 per cent of Iowa's rural farm families were enjoying electrical service. The companies that are now trying to annex Cooperative territory weren't interested in building lines specifically for farm use. The reason for this was that the utility couldn't get as much return per dollar invested in rural areas as they could in urban sections.

In an attempt to solve the problem, President Franklin Roosevelt established the Rural Electrification Administration (REA) in 1935. The chief purpose of the REA was to serve as a lending agency to assist privately-owned utilities in electrifying rural America. But despite the REA, these utilities still weren't interested.

MUTUAL COOPERATION

In a final effort toward rural electrification, farmers joined in mutual cooperation. Just as they had banded together in the past in time of need, the farmers were not afraid to move forward together to achieve their goal. They were scoffed at, but through mutual agreement and unquenchable effort they conceived a sound and financially feasible organization that qualified them for REA loans.

Despite propaganda to the contrary, these loans were not gifts; they had to be paid back with interest. By working together, farmers moved from a standstill to rural electrification.

Rural Electric Cooperatives came about because commercial utilities were worried about a profit. The situation hasn't changed. Today, these utilities have ten times more customers per mile and ten times more revenue per mile than the Rural Electric Cooperatives. Profit is the main reason these utilities are using the urban to rural movement as a reason to annex REC territory. (12-1221)

Thirty-five years ago, the commercial utilities thought it foolish to extend their lines to rural areas. But today, these skeptics are

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trying to take over the territory the REC was not afraid to electrify.

As future lawmakers, the youth of America must realize the importance of Rural Electric Cooperatives and protect them. We should work toward laws that prohibit duplication of electric service facilities. In this way, we can prevent the REC from being pushed aside by other electrical suppliers.

Today's youth must work to see that our legislators are informed of the Cooperative's importance. Commercial companies have been trying to persuade committees of Congress that the generation and transmission loan authority of the REA should be eliminated. It is their claim that rural cooperatives are a threat to the commercial power market. But the truth is, without the right to generate power, a rural system would lose its bargaining power with its supplier. Thus, the importance of the REC can't be stressed too much.

BARGAINING POWER

Without Rural Electric Cooperatives, the future would be bleak for America's youth. Without REC bargaining power, a commercial electrical monopoly would develop, and America's rural economy would deteriorate. Deeply missed would be the continuing contributions of the Cooperative toward reasonable rates. The loss of bargaining power, such as we now have with the REC, would greatly raise rates, and place us at the mercy of the commercial systems.

Much work is yet to be done toward total rural electrification. Almost one hundred thousand farms still do not have electrical service. Unless the non-profit cooperative system is preserved, it is likely that these farms will never have the modern conveniences of electricity.

New homes and other loads are rapidly adding new electrical consumers each year. With power loads doubling every seven years, it will be a difficult task keeping ahead of the demand for electrical power. The Rural Electric Cooperatives will meet the demand, just as they have met those of the past, if America's youth will act. We need to understand and show others the importance of the rural electrification program.

REALIZE IMPORTANCE

Youth must realize that, whether they live on the farm or not, they live off the land of rural America. We, as the youth of America, must support the Rural Electric Cooperatives, because the REC supports us all.

As the administrators and legislators of tomorrow, we must recognize the problems facing our rural cooperatives. It will be our duty to stifle the selfish demands of those who would have the program abandoned and those who would try to annex REC territory.

We must realize that when it comes to rural electrification, there cannot be a "gap" between our generation and those of the past. It was the efforts of young people before us that helped create the Rural Electric Cooperatives. Our efforts of today must insure the preservation of REC, and the continuance of low-cost, dependable, electrical service to rural America.

NATIONAL ENVIRONMENTAL CENTER

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. ERLENBORN. Mr. Speaker, it is hard to overemphasize the importance of improving our environment, and it is hard to overstate the difficulty of the task which faces us in stopping pollution and then cleaning up our air and water.

As we turn to this task, it seems to me that we must have a National Environmental Center. We must recognize the need for thoroughgoing studies of our environment—studies leading us to action.

The place for this study center, I believe, is Argonne National Laboratory, a facility of the Atomic Energy Commission at Lemont, Ill. A distinguished body of scientific scholars has been assembled there. The initial purpose was investigation of the peaceful uses of the atom; and the record of accomplishment has been extraordinary.

Argonne already has done much environmental research for the AEC; and I urge that, as its studies of atomic energy make less demands on manpower, it be redirected into this new field.

NATIONAL ENDOWMENT FOR THE ARTS AND HUMANITIES—A TRIBUTE TO BARNABY KEENEY

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. THOMPSON of New Jersey. Mr. Speaker, the decisive vote of the House last week to extend the National Endowment for the Arts and Humanities was in part a vote of confidence and thanks for the work of a distinguished scholar, Barnaby Keeney. Barnaby Keeney is leaving Washington after 4 years of service as Chairman of the Humanities Endowment. He leaves behind a record of great accomplishment. Under his leadership, the Humanities Endowment lives up to hopes of its original sponsors so well, that even the Nixon administration unscrambled its tangled sense of priorities long enough to recommend a 3-year extension of the program with a doubled authorization. It is impressive to listen to the bipartisan expressions of support for the work of the Humanities Endowment. It is apparent that Dr. Keeney has over the years won many converts to the cause of the humanities and changed many skeptics to enthusiastic believers. When he first came to the Hill seeking support and appropriations for the Endowment, he was somewhat of a "vox clamatis in deserto"; now he seems more a "vox populi." Unfortunately, he has suffered the fate of the earlier evangelist and has somehow incurred the enmity of the mighty, who have apparently decided that the cause of the humanities can be more humanely administered by a Republican than a Democrat. I am happy to say that this latter day evangelist is leaving Washington with his head firmly on his shoulders and with some characteristically pungent comments on his departure.

During one of the legislative battles over the future of the Humanities, Dr. Keeney won from the distinguished gentleman from Missouri (Mr. HALL) the cognomen of "Dr. Bikini" a nom de guerre which those who know him think applies more to his explosive personality than his figure. Well, "Dr. Bikini" is first and foremost an educator, and I think his tenure as Chairman of the Humanities Endowment has been an educational experience for all the Members of the House. Were Dr. Keeney to judge last week's legislative symposium on the humanities, I have no doubt that he would award high honors to the gentleman from Iowa for his learned dissertation on "Orthographic Trends in Modern American Poetry"; to the other gentleman from Iowa for his fine presentation of a "Philosophic Critique of Budgetary Considerations Determinative of Intra and Inter Cultural Transfer Payments." But, to speak seriously, I think last week's debate was in itself an essay on the importance of the humanities which, in its broadest sense, is rational debate among men using knowledge of the past to shape the future. It also demonstrated that the Humanities Endowment has not imposed the dead hand of conformist bureaucracy on the work of the scholars it helps. I think that when the time comes that some grant of the Endowment does not spark some controversy that is the time I will be worried. For the purpose of the humanities is to challenge us to think, and I like to believe that challenges to the Endowment and its work are the product of some careful thought.

Mr. Speaker, I think Dr. Keeney can look back on a job well done. Under his leadership the Humanities Endowment established itself and proved its worth. I regret that the administration did not have the good judgment to reappoint Dr. Keeney, who has won the confidence and admiration of members on both sides of the aisle. Dr. Keeney leaves Washington to return to little Crompton, R.I., which I am sure he will be the bigger for his presence. There he plans, he says, "to do some reflecting." I am certain that the rumbles of his reflections will continue to be heard in Washington. For one thing my friend, Dr. Keeney, has proved is that a humanist and a classics scholar is no slouch as politician and a legislative tactician. His is a remarkable career when you think about it—he survived the Second World War, the presidency of a major university, and 4 years in Washington, emerging from all unscathed with his sense of honor and more importantly, keen sense of humor intact. This is an impressive record and one to which I pay my respects today.

SENATOR EDGAR A. BROWN OF THE SOUTH CAROLINA SENATE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 9, 1970

Mr. THURMOND. Mr. President, the president pro tempore of the South Carolina Senate and chairman of the senate finance committee is Senator Edgar A. Brown of Barnwell County.

Senator Brown and I have not always agreed on political matters. However, his reputation for fiscal sanity is well known in South Carolina. Further, he has rendered a long and capable service to his State.

Senator Brown will be honored Saturday with a birthday celebration in Barnwell, where he will observe his 82d birthday. On this occasion, U.S. Representative L. Mendel Rivers of South Carolina will give the main address.

Mr. President, I ask unanimous consent to insert the editorial entitled "A Civic Beacon," published in the July 6, 1970, Augusta, Ga., Chronicle, in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Civic Beacon

The birthday cake has been ordered for the celebration Saturday in Barnwell which will honor State Sen. Edgar A. Brown. Were it possible however, to place on the cake all the 82 candles to which his age will entitle him, their radiance could only symbolically indicate the degree to which his record of public service constitutes a civic beacon.

Longevity of membership in the General Assembly of South Carolina, certainly, he possesses. It was back in 1921 that the people of his county elected him to the House of Representatives. In 1929 they elevated him to the Senate and have returned him at each election since. When redistricting brought it about, he became also the senator for Bamberg and Allendale Counties.

Recognition for leadership has been bestowed upon him. He has been president pro tempore of the Senate and chairman of the Senate Finance Committee since 1942.

It is not primarily for longevity or recognition, however, that Senator Brown's friends from all over South Carolina will gather in his home town to do him honor. It is, rather, because of his preeminence in insisting on responsible government in an era when the tax-spend-elect philosophy has permeated so much of government. Other states turned to deficit financing when their wants apparently outgrew their ability to pay. Senator Brown, however, challenged South Carolina to operate on a balanced budget, limiting its appropriations to what could be covered by current taxes or revenue-producing programs. He earned well the title of "Mr. Fiscal Responsibility."

And with it all he has sought the advancement of his state and senatorial district.

The celebration with parade, dedication of Lake Edgar Brown and a rally at which U.S. Rep. L. Mendel Rivers will speak, is only a part of a weeklong celebration in Barnwell County related to the state's Tricentennial. The week will include an agri-business tour, a religious emphasis day, an art show, an antique show, a library exhibit and other events.

It is, however, a well earned tribute that the entire celebration will be climaxed with Edgar A. Brown Day.

THE DOMESTIC DETERMINANTS OF FOREIGN POLICY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. PICKLE. Mr. Speaker, the Washington Sunday Star, June 28, 1970, ran a version of the remarks of the distinguished Prof. W. W. Rostow on June 19 at the global strategy discussions of the Naval War College, Newport, R.I. Because I believe the Star in printing a shortened version of the speech, lessened the full import of some of his key points, I am pleased to reprint in full the text of Mr. Rostow's remarks.

In plain language, Mr. Rostow offers a challenge to democracy he sees inherent in our national responsibilities. The challenge is to move full steam ahead to solve the problems on our domestic agenda—but at the same time not to renege on our responsibilities as leaders in the free world. As he documents historically, this Nation has never accepted such a dual agenda, but has oscillated from one to the other. He asserts:

> This oscillation has contributed substantially to the instability of the world arena over the past 54 years.

Perhaps his speech will be labeled as the hard-line approach which we have followed in our official policy. Those who are antiwar in philosophy will decry it as the same old hawkish rhetoric. But perhaps Mr. Rostow here offers more than that. He does not offer the psychological comfort inherent in the precipitious withdrawal or the "it was all a big mistake" approaches to our foreign problems. Nor does he call for a passionate commitment to war. He does offer the hope that, if we remain patient and careful, the growing capacity of other areas of the world to carry a more equitable share of responsibility for world peace will continue to progress. Then we can, indeed, come home.

I submit that in his proposal for a dual agenda Mr. Rostow forecefully reminds us of the responsibilities and challenges which face us as leaders in this world. Whether you agree with his conclusions or not, I commend his remarks to you as offering an important backdrop of history which every man who wants to build a more peaceful world—at home as well as abroad—would do well to consider.

What Mr. Rostow reminds us is there is no short cut to stability, no easy road to peace, and even withdrawal has its own pitfalls.

The remarks follow:

I. For almost two hundred years now the prevailing sentiment in our country has been a passionate desire that foreign policy go away and not bother us.

There were, it is true, some exceptional moments, when domestic imperatives led to military action and set purposeful objectives in foreign policy. These were times of controversy.

The Revolutionary War was stirred up by some rather awkward fiscal and tax problems within the English colonial system. Only a third or so of the American people actively supported the independence movement and there was a strong Tory minority as well as many who viewed the struggle with apathy.

The War of 1812 had its Western warhawks who saw economic advantage if we could steal Canada while the British were otherwise occupied; but it also had its vigorous opponents some of whom drafted the far-reaching resolutions of the Hartford Convention of January 5, 1815. Those resolutions would have drastically reduced the constitutional powers of the Commander-in-Chief.

In 1846 strong domestic interests pressed Polk to seek war with Mexico in order to assure the entrance of California into the Union; but, once again, there was a sturdy anti-war movement.

Finally a feverish public opinion pressed on McKinley to lift Spanish rule from Cuba after the sinking of the *Maine*; but the passion for empire waned quickly in the face of guerrilla war in the Philippines and a strong anti-imperialist movement in domestic politics.

But these, as I say, were exceptional times. The prevailing balance in American thought, in foreign policy, and in our security budgets was to avoid—not to seek—engagement in the world, especially outside this Hemisphere. On the eve of the First World War, in 1913, our national security budget was about one percent of our Gross National Product, about a third the relative level of security outlays in Britain and Germany.

Nevertheless, the fact is that in this century we have four times been involved in major military conflict. How did American participation in these wars come about? How did we become a major global power?

AMERICAN HABIT OF OSCILLATION

II. We came to where we are, I suggest, by living by Dr. Johnson's famous proposition: "When a man knows he is to be hanged in a fortnight, it concentrates his mind wonderfully."

In 1916 Wilson won re-election on the platform: "Too proud to fight"; "He kept us out of war." But five months later we went to war in the face of unrestricted German submarine warfare and the palpable threat it represented to our control over the Atlantic as well as to the survival of Britain and France.

For the next generation we remained essentially isolationist, acutely and purposefully so in the 1930's. In the spring of 1940 65% of the American people supported aid to the allies under the condition that it be short of involvement in war. Then Paris fell, Britain was beleaguered, the French coast became a base for German submarines. By January 1941 about 70% of the American people were for aiding Britain even at the risk of war.

In Asia, America passively observed the Japanese takeover of Manchuria in 1931 and then the major cities of China. In 1940–41 the Japanese moved into Indo-China and towards Indonesia. Franklin Roosevelt had every interest in concentrating American attention and resources on rearmament at home and aid to Britain—and then Russia. But he could not bring himself to accept passively the Japanese takeover of the balance of power in Asia, including control of the sea routes to the Indian Ocean and to Australia and New Zealand. He cut off shipments to Japan of scrap metal and oil; and he froze Japanese assets in the United States. Indo-China was the substance of the diplomatic dialogue with Japan down to the eve of Pearl Harbor.

At Yalta Roosevelt told Stalin that the American people would not support the presence of military forces in Europe for more than two years. And the postwar dismantling of our armed forces appeared to support Roosevelt's assessment. Only when the balance of power in southern and western Europe was clearly threatened by a mixture of economic weakness and Communist pressure did President Truman respond in 1947; and he did so only after surrendering hard-won wartime commitments to political freedom in Poland, in particular, Eastern Europe, in general.

In Korea, the JCS and the Secretary of State (in January 1950) drew the line of the American defense perimeter through the Tsushima Straits, after U.S. forces began to withdraw in 1949. Six months later, South Korea was invaded, and the United States

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responded both to protect the balance of power in the Northwest Pacific and to give new-born NATO—now confronted with a nuclear Soviet Union—some credibility.

Out of the Korean experience other pacts were born, to make explicit the American commitment to hold the balance of power in the Middle East, South and Southeast Asia, and thus to deter further overt aggression across international frontiers. But after their failure in Korea the Communists turned to guerrilla warfare as a primary tool. Hanoi decided that it could proceed with success in Southeast Asia, despite the SEATO Treaty and, later, the Geneva Accords on Laos of 1962. The United States did not react promptly and decisively to the violation of the Laos Accords; and in 1965, in consequence, we confronted a choice of fighting or seeing an area, judged critical to the American interest, fall to aggression—a judgment incorporated in treaty and Congressional Resolution as well as the actions of three successive Presidents.

What are we to make of this story of erratic American behavior from 1916 to 1965?

I believe it comes to this: whatever the speeches made and postures struck during intervals of quiet, or relative quiet, the United States, as a nation, has behaved systematically as if it were endangered if a single potentially hostile power should seize control of the balance of power in Europe or Asia, or embrace itself to the south of us in this Hemisphere. But the United States has not acted regularly on this proposition in Europe or Asia. We acted only when the gallows hove into view. Between such crises we talked and behaved in ways which led a whole series of ambitious men in Europe and Asia to believe we would acquiesce in the fulfillment of their dreams for dominant power.

I know no story more worth contemplating than the statement of Vishinsky, made in the presence of Americans after the Korean War. Vinshinsky said **that the Americans "deceived"** Moscow about our interest in South Korea. In quite different ways, the Kaiser and Hitler and Mussolini, the Japanese militarists and Stalin and Ho Chi Minh could all claim to have been "deceived" by us. In a most dangerous century, we have time after time, permitted—even created—a gap between the image of American interests projected by the dynamics of American domestic life and our behavior as a nation when the balance of power in Europe or Asia was actually at stake.

I believe this oscillation has contributed substantially to the instability of the world arena over the past fifty-four years.

III. And I believe a consciousness of this oscillation has strongly shaped the policies of all our Presidents since 1945.

No man can confidently read the mind of a President of the United States. Only the President himself can know the balances struck among the immense array of factors that enter into his decisions.

But I do know this much.

In making his decisions on Southeast Asia in 1961, President Kennedy did not believe his option was war, if he stood firm on the treaty commitments, versus peace, if he let Laos and Vietnam slide away. He believed the United States, in the end, would not acquiesce in the region from Saigon and Vientiane to Singapore and Djakarta falling under the hegemony of a potential enemy. He was conscious, too, that Burma was the military gateway to the Indian subcontinent, and that the American performance in Southeast Asia would affect profoundly the stability of other regions of the world. He believed his realistic option was to stand on the treaty commitments—whatever the cost—or see the United States engaged in a wider war fairly soon.

I know, as you do, what President Johnson said at San Antonio on September 29, 1967:

"I cannot tell you tonight as your President—with certainty—that a Communist conquest of South Vietnam would be followed by a Communist conquest of Southeast Asia. But I do know there are North Vietnamese troops in Laos. I do know that there are North Vietnamese trained guerrillas tonight in northeast Thailand. I do know that there are Communist-supported guerrilla forces operating in Burma. And a Communist coup was barely averted in Indonesia, the fifth largest nation in the world.

"So your American President cannot tell you—with certainty—that a Southeast Asia dominated by Communist power would bring a third world war much closer to terrible reality. One could hope that this would not be so.

"But all that we have learned in this tragic century strongly suggests to me that it would be so. As President of the United States, I am not prepared to gamble on the chance that it is not so. I am not prepared to risk the security—indeed, the survival—of this American Nation on mere hope and wishful thinking. I am convinced that by seeing this struggle through now, we are greatly reducing the chances of a much larger war—perhaps a nuclear war. I would rather stand in Vietnam, in our time, and by meeting this danger now, and facing up to it, thereby reduce the danger for our children and for our grandchildren."

And President Nixon outlined a similar calculus when he said on November 3, 1969: "For the future of peace, precipitate withdrawal from [Vietnam] would thus be a disaster of immense magnitude. . . . It would not bring peace; it would bring more war."

The heart of the tension in contemporary America over Southeast Asia has been, then, between the choices as seen by the Presidents, on the one hand, those who came to oppose them, on the other. The Presidents have seen the real choice before us as pursuing the engagement there through to stable peace versus a larger war, and quite possibly a nuclear war. The opponents of their policy in Southeast Asia argue, in effect, that American disengagement from Southeast Asia would lead to peace or to a situation in which the United States would or could passively acquiesce in safety.

There has been—and there remains—a dangerous gap between the national interest as our Presidents see it—and as we have seen it as a nation at times of acute crises—and the way many Americans see it when the danger of a major shift in the balance of power in Europe and Asia is not palpable.

What is the basis for this gap?

It arises, I believe, from the nature of democracy—and, particularly, democracy in the United States. Alexis de Tocqueville stated the problem vividly a hundred and thirty-five years ago. In *Democracy in America*, he described the overwhelming attractions of civil life for Americans "placed . . . in the midst of a wilderness where they have, so to speak, no neighbors. . . ." He believed "the excessive love of the whole community for quiet" would lead Americans to ignore military problems until they became acute; and then they would turn to deal with them late but wholeheartedly.

It was an awareness of what we might call Tocqueville behavior by Americans between 1916 and 1947 which led President Truman to face up to Stalin's threat in Europe before it became a purely military threat. Our Presidents have understood how dangerous the Tocqueville oscillation might be in a nuclear, highly interdependent world.

And they have understood something else imposed on us by the coming of nuclear weapons. They have been conscious—in Korea and Southeast Asia, but also in the Middle East and in the Berlin and the Cuba missile crises—that danger lay not merely in a late reaction but in a wholehearted turning to war, engaging, in Tocqueville's phrase, the full "passions" of the people. There is no rational place for total war in a nuclear age.

Contrary to older American instinct, we have been trying to deter threats to the balance of power in Europe and Asia in a forehanded way and, when challenged, to use limited rather than total force.

This has been difficult for Americans, given our history and our national operating style.

It has been made more difficult by two other strands of thought and feeling at work in our domestic life:

First, a feeling that the United States is, in some sense, over-committed or disproportionately committed on the world scene;

Second, an opinion among some that the fate of Asia does not, in fact, matter all that much to the United States.

I shall say something about each of these factors in turn.

THE QUESTION OF OVERCOMMITMENT

IV. First, the question of American overcommitment.

After the Cuba missile crisis I took stock with some of my colleagues in the State Department of the forces which gathered strength after that historic event.

One fact was central: the fear of Moscow, rightly or wrongly, was considerably reduced, once the technique of nuclear blackmail was faced down by President Kennedy and, partially in consequence, the Sino-Soviet split became more overt and intense.

In every part of the world this reduction in tension led to an increased desire of nations to take a larger hand in shaping their own destinies. The image of a bipolar world was weakened both by Khrushchev's failure in the Caribbean and by the evident disarray of the Communist camp. There seemed to be more opportunity for old-fashioned nationalism and the nation state.

In the United States, there developed a feeling that the Communist threat had been reduced and, somehow, the world ought to be manageable with less American effort, cost, and commitment.

Analyzing these trends, I concluded that the problems actually confronted demanded stronger and more effective regional co-operation, if the nations of the world were to forge a destiny increasingly independent of the major powers. If rich European nations of 50 million could not handle their problems without effective regional co-operation, how could nations of the less developed regions do so on a nationalist basis?

As for the United States, I concluded that the heart of the problem was not excessive commitment, but a sense of excessive loneliness in bearing the burdens of the world. Our actual outlays for security purposes were declining slightly in the first half of the 1960's as a proportion of GNP; but the American image was one of our carrying an unfair share of the task of maintaining order and progress in the world arena.

I cite this exercise, which was set out formally in a paper dated April 1965, because it preceded our full engagement in Vietnam. It commended increased American support for regionalism in Latin America, Africa, and Asia—as well as continued support for regionalism in Western Europe. And it commended increased American efforts to move towards a more equal sharing of the security and economic burdens of the world community.

Quite independent of the State Department's policy planner, President Johnson had to come to similar conclusions.

In one of the least noted, but most important, foreign policy developments of recent years, President Johnson moved systematically to make the encouragement of regionalism (and sub-regionalism) central to American policy in Latin America, Africa, and Asia; and to base our global arrangements in monetary affairs, trade, and aid on what he called "partnership and fair shares".

President Johnson articulated this strategy fully in a speech in New Orleans on September 10, 1968. Warning against isolationism, he stated this alternative doctrine:

"We have always hoped and believed that as our friends and allies grew in strength, our burden would grow less lonely. We have been moving over the last few years toward a long-term position in which the United States would be able to assume its responsibility in enterprises of common concern, but our partners would be able to assume theirs . . . I believe the day will soon come—which we have been building toward for 20 years—when some American President will be able to say to the American people that the United States is assuming its fair share of responsibility for promoting peace and progress in the world, but the United States is assuming no more or no less than its fair share."

President Nixon's foreign policy paper of February 18, 1970, was in much the same spirit.

What is it, then, that the United States is trying to accomplish?

First, our Presidents have recognized that the American interest in avoiding domination of Europe or Asia (and, indeed, Latin America or Africa) by a potentially hostile power is an abiding interest of the United States. It is heightened, not diminished, by the nature of modern weapons and means of communication.

Second, they recognized that this negative interest is fully shared by the smaller nations of these regions. In fact, this convergence between our interest and theirs has been the underlying strength of American postwar diplomacy. The nations of Europe do not wish to be dominated by Russia or Germany or the United States. The nations of Asia do not wish to be dominated by China or Japan or Russia or the United States. The nations of Africa south of the Sahara wish to forge their destiny without the military presence or political dominance of any major external power. The wisest leaders of Latin America wish not only to keep extracontinental powers out of security affairs in this Hemisphere, but they wish to build societies and a regional structure which would permit them to deal with the colossus of the North from a base of greater strength and dignity. That is the underlying political objective of the movement towards Latin American economic integration. The United States has been able to throw its weight behind regionalism in all these areas because our interest does not require that we dominate them; and because the stronger the regional organizations—so long as they are not dominated by a potentially hostile power—the more likely they are to resolve their own problems and reduce the level of American commitment and concern.

Third, the Presidents have recognized that the pace at which the United States could safely step back had to be delicately adjusted to the rise of strength and cohesiveness in the regions. They have recognized in Europe, for example, that a premature and excessive pull-out of American forces from NATO could lead not to a new and better-balanced Atlantic equilibrium but to a crisis as dangerous as—or more dangerous than—the Berlin crises of 1948–49 or 1961–62. The exercise called "Vietnamization"—if I understand it correctly—is an even more delicate exercise in shifting the balance of responsibilities in Southeast Asa in ways that would avoid collapse of the region, chaos, and a larger war.

The strategy of our moving back in degree as the strength and cohesiveness of others permit them to take a larger hand in shaping their destinies—while avoiding a collapse of the balance of power in regions of vital interest to the United States—is certainly the most subtle and difficult task of foreign policy ever undertaken by the United States.

Historically, America has performed best when it faced a palpable and acute problem—widely recognized and defined in common terms—to the solution of which it could address its full energies, talents, and resources. The First World War, once we were in it, was a problem of this kind; the Great Depression after 1933; the Second World War, after Pearl Harbor; Stalin's challenge in western and southern Europe, from 1947; the race to put a man on the moon, after the Soviet launching of the first Sputnik. These slam-bang affairs fitted well the national style.

Now we are trying to do something quite different. After the Second World War we moved into vacuums of power not to build an empire but because the cost of not moving in was judged, case by case, more dangerous than the reluctant acceptance of additional responsibility in a war-weakened world. Now—a quarter century later—we are trying to manage a redistribution of responsibility in which we will do less, others will do more, without inducing major crises or chaos on the world scene. We are trying safely to withdraw—in degree—from the preponderant positions we filled.

We are trying to exploit constructively:

The gathering strength of others on the world scene;

Their desire increasingly to shape their own destiny, without being dominated by any major power, including the United States;

And the fact that abiding American interests are satisfied by an essentially negative condition—that no potentially hostile power hold the balance of power in Europe or Asia.

This is the complex pattern of policy which our government has been trying to pursue in recent years in order to reconcile abiding American interests and the widespread sense in America that we were, somehow, overcommitted or disproportionately committed in the first postwar generation.

AND THE DOMESTIC SCENE

V. The pursuit of this policy is obviously complicated by many forces in our domestic life: an economy subject both to rising unemployment and rising prices which is not developing enough real resources for public purposes from the tax base; an infirm balance of payments position; acute racial tension; massive tasks of urban rehabilitation; an ardent margin of the affluent young, affronted by the ugliness of war, racial inequity, and other gaps between American aspiration and performance, who have been led to believe that a quick route to the humane and decent life they seek lies in confrontation, violence, and destruction.

I cannot, evidently, deal with all these features of the domestic scene here: the reactions they have set up in our political life; and their playback effects on our ability to conduct the mature and subtle foreign policy which our interests require and to which we have been committed.

But I will say a few words about one view to which some Americans have come, in part driven by these domestic pressures: the view that the United States can safely abandon its interest in and commitments to Asia and let the forces at work there find their way to chaos or equilibrium, war or peace—without American participation.

Let me quote the words of John Gardner, whom I regard as a good friend, as well as an old and respected colleague. Anguished by the intensity of our domestic debate and the urgency of our unsolved domestic problems, he counsels abandonment of our role in Vietnam and of our peacekeeping commitments in Asia. I quote him as an eloquent and sensitive representative of a good many Americans whose views on Vietnam and Asia have changed. Here is a passage from an interview with Gardner published in the *Christian Science Monitor* of June 8, 1970.

Q: "What should the President do about Vietnam?"

A: "I think that if the President would set a date, a terminal date . . ."

Q: "You're speaking about getting troops entirely out?"

A: "That is right. It would be extremely helpful, I think, if he would finally relinquish the notion that the words 'winning' or 'losing' have any relevance whatever any more with respect to Vietnam. The whole relevance of those two words is a thing of the past now.

"If he would relinquish what appears to have been his conception in his last press conference that we might conceivably be the peacekeeper in the Asian world, I think we could move expeditiously to get out of Vietnam and I think it would produce very considerable change in our national mood.

"Then I think moving vigorously on domestic priorities would be the next order of business. And the nation is ready for it. People are hungry for it. Americans are not people who want to turn their backs on their problems."

Elsewhere in this interview Gardner says: "Nothing that we could possibly be accomplishing in Southeast Asia could balance or compensate for what the war is doing to this country."

This is a solemn proposition. It ought to be discussed dispassionately, with care, since we all recognize the burdens thrown upon our national life by the war in Southeast Asia.

The proposition is that the United States should promptly withdraw its forces and commitment from Vietnam whatever the consequences may be in Asia and on the world scene.

Contrary to every conceivable political and personal interest, three American Presidents decided that the forces set in motion by such a decision risked a larger war in Asia and dangerous instability in other regions of the world. I believe no citizen taking a contrary view can, in good conscience, ignore the lines of argument that led our Presidents to this conclusion; for the risk of a larger war—quite possibly a nuclear war—should weigh heavily in the scales in assessing how much of a burden we can afford to bear at home.

RELATION OF ASIA TO U.S. AND WORLD STABILITY

I would not pretend to reconstruct fully the lines of argument which led the Presidents to this painful judgment; although in two cases I have some knowledge of their thoughts. But I would offer my own brief summary of at least some of the possible or probable costs of unconditional immediate withdrawal from commitment in Vietnam and Asia.

First, the withdrawal of American commitment from Southeast Asia would change the terms of the debate going forward within mainland China. Powerful forces are at work there to move post-Mao-China towards a long delayed concentration of its energies and talents on the modernization of its life. American withdrawal would, in my view, inevitably lead Peking to exploit its new opportunities to the south. No one can predict the precise form in which a nuclear China, with huge ground forces, would exercise its power in the vacuum we would create. But I can not believe that Peking would remain passive. Indeed, it is not passive now: in its influence on Hanoi; its road-building in Laos; and its actions elsewhere.

Second, the nations of Southeast Asia, certainly as far as Singapore—quite possibly as far as Indonesia—would lose their independence or be thrown into a protracted military or quasi-military struggle which would disorient for some of them exceedingly promising paths of economic, social, and political progress.

Third, Burma, in particular, would either fall under Communist domination or become the scene of an Indian-Chinese struggle; for Burma—not Tibet—is the point of critical strategic danger for the Indian sub-continent, a point consistently made to me in private, with equal lucidity, by high and responsible officials of India and Pakistan.

Fourth, almost certainly Japan and India would quickly acquire nuclear weapons; and, quite possibly, the non-proliferation treaty would die elsewhere in the world as well. It is, perhaps, not generally understood that the willingness of many nations to forego the production of nuclear weapons is based on a carefully balanced calculation that ties to the United States—explicit or implicit—provide marginally greater security and less risk than going it alone on the basis of national nuclear capabilities. The policy Gardner proposes would shift that marginal calculation. An America that walked away from a treaty commitment because it could not deal with its domestic problems—after bringing into the field a half-million of its armed forces and encouraging a small ally to fight desperately for its independence—might well not be regarded as a reliable ally on such a mortal issue in Asia—or elsewhere.

Paragraph 1 of Article X of the non-proliferation treaty states: "Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extradordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country."

I believe an American withdrawal from a treaty commitment in a critical part of the world on the ground that its domestic problems did not permit it to continue to honor that treaty could well be judged an extraordinary event related to the subject matter of the non-proliferation treaty jeopardizing the supreme interests of nations which now depend upon us. We should be quite clear that, whatever public postures they may strike on one issue or another, India and Japan—as well as many others—count on our nuclear deterrent and the will—as well as the hardware—that give it meaning.

Fifth, I would put a question which every American must answer for himself, out of his knowledge of our country, its history, and its character: at home would the United States observe these consequences of its decision passively? Would it turn with energy and pride and unity to clean the air and the water, deal with ghettos and racial inequity as it read of Hue-like slaughter in Vietnam and elsewhere; of an Asia thrown into chaos or worse; of a world seized of a proliferating nuclear arms race?

And what of the effects of all this in Moscow and Cairo?

I, for one, do not believe we would remain unified and passive. I agree with Gardner that "Americans are not people who want to turn their backs on their problems".

We might repeat what I have called the Tocqueville oscillation, in a peculiarly dangerous way, but I do not believe we Americans, in the end, will turn our backs on Asia and on the world.

For what is Asia?

Asia is the place where about 60% of humanity now lives and will continue to live. In the year 2000, which is not so far away, Asia's population will be about ten times that of the United States—say, 3.7 billion souls.

There are some, I know, who regard Asia as primitive, in no way to be compared to Europe in potential importance to the United States. But as anyone who has recently been to Asia knows, it is a region on the march. We are all familiar with the extraordinary growth of Japan, now the third industrial power in the world and closing fast on a sluggish Soviet Union. But in South Korea and Taiwan, Thailand and Malaysia and Singapore, and in India, Pakistan, and Iran as well, the modernization of these old societies is moving forward swiftly. And Indonesia, too, is coming out of the chaos in which Sukarno left it.

Mainland China has been virtually stalled for a decade, set back first by the failure of the Great Leap Forward and then by the Cultural Revolution. But sometime in the years ahead the great natural gifts of the Chinese on the mainland will come to be focused on the modernization of that society in more or less rational ways.

Round about the year 2000, then, we shall face across the Pacific almost 4 billion people who, by that time, will have acquired the capacity to use most of then existing technology. They will have reached—or be close to reaching—the stage of growth I have described as technological maturity.

In income per capita they will not be rich: they will average, perhaps, only about $350 per capita, the average brought down by the low starting point and heavy weight of the Indian sub-continent and mainland China. But they will be a formidable center of power, a major factor in the kind of life Americans—that is to say, our children and grandchildren—will then lead.

Right now, I believe, the kind of Asia that will exist in the year 2000 is being determined.

It is being determined by the outcome of the debate on the mainland concerning post-Mao Chinese domestic and foreign policy.

It is being determined by the Japanese and Indian decisions on the non-proliferation treaty.

It is being determined, above all, by the growing sense of regional co-operation that has emerged since the United States honored its commitment to South Vietnam in 1965, at a time of mortal danger to Southeast Asia.

Each of these factors will be drastically affected by the way we conduct ourselves in Southeast Asia.

If we patiently, painfully see it through to an honorable and stable peace in Southeast Asia, there is a decent hope that the Asia that emerges will not be dominated by any single power. It could be an Asia in which the inherent weight of mainland China is balanced by the co-operative efforts of those living in the great and vital arc from Seoul and Tokyo to Karachi and Teheran—an Asia not hostile to China but offering to it no temptation to expand—an Asia to whose multilateral efforts Japan could make an enormous contribution—an Asia where nuclear proliferation did not happen, where the guarantee of the United States remained good, but whose inherent strength and co-operation permitted us to fall back to a role of even-handed partnership across the Pacific. That outcome is not assured; but it is a decent hope, because it is rooted in a political reality: the political reality that most Asians share with the United States an abiding interest that the region not be dominated by a single power.

If we do not see it through to an honorable and stable peace in Southeast Asia, we could confront a very different and dangerous constellation of power across the Pacific which would alter the whole setting of American society and its inner life and pose dangers greater than those that came upon us at Pearl Harbor.

I disagree, therefore, with John Gardner's dictum that: "Nothing that we could possibly be accomplishing in Southeast Asia could balance or compensate for what the war is doing to this country." The fate of Asia and America's long run relation to Asia is at stake; and this is a very great matter indeed.

A DUAL CRISIS: A NEW CHALLENGE TO DEMOCRACY

VI. Neither as a former public servant nor as a teacher nor as a social scientist nor as a man am I insensitive to the costs of our commitment in Southeast Asia and the war in which we are still engaged.

Clearly, the war in Vietnam has contributed substantially to student unrest in the United States; but I do not believe the war is primarily responsible for the restlessness and dissatisfaction of the young; for student unrest is a global phenomenon in the developed world.

Clearly, the war has diverted substantial resources from private and public purposes; but I do not believe it is primarily responsible for the slackening in allocations to the cities or education or for the present state of racial tension. The net cost of the war in Vietnam—what we would actually save by abandoning the effort—is less than 2% of GNP. The figure is declining, not rising. At a normal 4% growth rate it is less than half the annual increment in GNP we should have available to allocate to new private or public purposes. I regret every nickel of it, as I regret, even more, every casualty of the war. But with a GNP approaching a trillion dollars, we obviously command the resources in the United States to do far more in the public sector if we manage the economy well and generate the political will to allocate those resources wisely. And while the war in Vietnam is not irrelevant to the problem of bringing the Negro to full citizenship in our land, I do not believe for one moment that it is a critical variable.

The coming of stable peace in Southeast Asia would surely ease some of the strains in our domestic life; but our domestic problems have different and deeper roots and must be dealt with essentially in their own terms.

In considering our domestic life in relation to our foreign policy, I would make one further related point. Historically, in this century we have had domestic and foreign policy crises in sequence. Wilson had time to launch his New Freedom program before confronting the realities of the First World War. For good or ill—and probably for ill—Franklin Roosevelt could launch his New Deal program in an America locked into isolationism; and that program had run its course well before the outbreak of the Second World War. President Truman could face the Cold War crises of 1945–52 from a base which did not generate acute pressures for domestic innovation: he was, in fact, well out in front of his Congressional support in proposing domestic legislation.

But since 1963—say, from the Civil Rights march on Washington of August and the assassination of Diem in November—our political life has been strained by simultaneous crises of an acute kind, at home and abroad. I can easily understand the instinct of Gardner and others somehow to get "abroad" off our necks so we can turn wholeheartedly to affairs at home. I believe history will record that President Johnson faced and, now, President Nixon faces, challenges of unique severity because of this convergence of domestic and foreign crises.

But history is ruthless with those who build their policies on illusion. And I believe it is an illusion to hold that America, at this time in history, can safely walk away from its commitments and interests in Asia—or in Europe or the Middle East. I see no other viable course—in an age of nuclear weapons and modern communications, where the global community is being pulled closer together every day—than to play a responsible role on the world scene—to move patiently and cautiously towards a world of partnership and fair shares—while continuing to grapple at home with the long agenda of unfinished business in this rich, but troubled, society of ours.

For I believe it equally an illusion to hold that we can be callous about the cities and the race problem of that we can for long safely live with a mixture of economic stagnation and inflation.

Yes, our problems are multiple and complex. Yes, they will not yield to a conventional American short-term burst of energy and enterprise: they require extraordinary perception, maturity, and balance. But this practiced democracy of ours—approaching its second century of continuous life under the Constitution—commanding a unique concentration of material and human resources, ought to be able to meet these challenges.

The outcome is not certain. It will require the best that is in us. We must set aside the notion that soft options are available either at home or abroad; reach out to understand each other; where we are; what makes up our common agenda; and, then, act on it together.

A decade ago, the challenge was put very well in these terms:

"Can Americans achieve enough agreement on their aims to act in concert? The answer is unequivocally yes. . . .

"We want peace with justice. We want a world that doesn't live under the fear of the bomb. A world that acknowledges the rule of law, a world in which no nation can play bully and no nation need live in fear. How many Americans would disagree with that purpose? Is it easy? Have we achieved it? Read your morning paper.

"We want freedom. We don't think man was born to have someone else's foot on his neck—or someone else's hand over his mouth. We want freedom at home and we want a world in which freedom is possible. Who would disagree with that as a national aim? Who would call it easy? Who would say we've achieved it?

"We believe in the dignity and worth of the individual and it is our unshakeable purpose to protect and preserve that dignity.

"We believe that every person should be enabled to achieve the best that is in him, and we are the declared enemies of all conditions, such as disease, ignorance or poverty, which stunt the individual and prevent such fulfillment.

"We believe in equality before the law, equal political suffrage and—dearest of all to Americans—equality of opportunity. . . .

"To the extent that we have made progress on these matters, we have done so through fierce and faithful effort. Courageous men and women have spent lifetimes of effort, endurance and frustration in pursuit of these aims. Others have fought and died for them. And the same measure of devotion is required today. The fact that millions of men and women have died violent deaths defending the ideal of individual freedom does not insure the survival of that ideal if we cease paying our tithes of devotion. Unlike the great pyramids, the monuments of the spirit will not stand untended. They must be nourished in each generation by the allegiance of believing men and women. Every free man, in his work and in his family life, in his public behavior and in the secret places of his heart, should see himself as a builder and maintainer of the values of his society. Individual Americans—bus drivers and editors, grocers and senators, beauty operators and ballplayers—can contribute to the greatness and strength of a free society, or they can help it to die."

These words were written by John Gardner in his essay called *Excellence*, published in 1961. I do not quote them now to score off an old and respected friend. Gardner and others have painfully come to the conclusion that we cannot both seek a society of quality and excellence at home and support our search for a decent and stable peace in Asia. In all conscience, the decade since his words were written has been a bruising, difficult, dangerous but, I would also say, a creative period in the life of America and the world community. Looking at what we have experienced, and having lived through it—knowing a little its lacerations—I can understand why some would draw back to a more limited vision of our agenda.

But I do not. I believe withdrawal to a search for the good life at home in a world of war and chaos and deepening danger is an illusion. And neither we—nor humanity at large—can afford another Tocqueville oscillation. There is no other rational way for America than to go forward on both fronts, increasingly sharing the burdens abroad with those capable and willing to play their part.

Despite the debate that swirls around us, I believe deep within our nation is the understanding, the strength and the will to do so.

IMPORT QUOTAS AND PRICES—A REVIEW

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BERRY. Mr. Speaker, I would like to bring to the attention of my colleagues a recent statement by Mr. O. R. Strackbein entitled "Import Quotas and Prices—A Review." Mr. Strackbein, president of the Nationwide Committee on Import-Export Policy, presents a revealing answer to the age-old myth that import quotas can always be related to a price increase to the consumer.

What Mr. Strackbein has to say has much relevance to all of us as we begin serious consideration of the establishment of new quota controls to protect our domestic producers.

The statement follows:

IMPORT QUOTAS AND PRICES—A REVIEW

(By O. R. Strackbein, president, the Nationwide Committee on Import-Export Policy, July 6, 1970)

A constant patter of comment tells us that import quotas will raise domestic prices of the products that are the subject of such quotas.

It should be possible to test the soundness of this unsubstantiated theory. To do so we should trace the wholesale price trends of products that are "protected" by import quotas compared with the price trend in general and the price on particular products that are not so "protected."

PETROLEUM

A favorite whipping boy is oil, or petroleum. An import quota was established in 1958, first on a voluntary basis, followed by a mandatory quota, effective March 1959.

The wholesale price of refined petroleum products expressed in an index form, where 1957–59 equals 100 had risen to only 100.3 in 1968 and 101.8 in 1969. A very recent rise carried the level to 104.2 in May 1970.

This compared with an index for all commodities, where 1957–59 again is 100, of 108.8 in 1968, 113.0 in 1969 and 116.8 for May 1970.

"All commodities," of course, include those on which we have import quotas. Therefore it will be desirable to compare the refined petroleum price level with that of other products that are not subject to an import quota. If we select another fuel, namely, coal, which has no import quota and should therefore not be free to move upward in price because it is not "protected," we find a sharp contrast. The wholesale price index had reached 107.1 in 1968, rose to 116.2 in 1969 and zoomed to 146.9 in May 1970.

Surely if there were an import quota on coal, the quota would be blamed for this runaway price. Obviously other factors were at work.

We find, in other words, that the wholesale price of refined petroleum increased distinctly less than wholesale prices of all commodities and very much less than the price of its competing energy fuel, namely, coal. (For confirmation, see Survey of Current Business, U.S. Department of Commerce, June 1970, p. S–8.)

COTTON TEXTILES

Another product that is the subject of an import quota or its equivalent is cotton textiles. An arrangement was made with Japan alone, effective January 1, 1957, whereby that country restricted its cotton textile exports to this country. This arrangement was superseded October 1, 1961 with the so-called Long-Term Arrangement negotiated under GATT. This arrangement covered some 30 countries and about 90% of our total cotton textile imports.

The wholesale price of cotton products (1957–59 equaling 100) was 105.2 in 1968. In 1969 it remained at 105.2 and in May 1970 stood at 105.8.

Once more we encounter a very moderate price rise compared with the general commodity wholesale price-level, which, as we saw, had risen to 116.8 in May 1970. (Reference: same, p. S–9.)

Wool products, which are *not* under quota restrictions, had an index level of 103.7 in 1968, compared with 105.2 for cotton products or only 1.5 below cotton products. The index rose to 104.6 in 1969 but fell to 103.8 by May 1970. It thus stood only 0.1 higher in May 1970 than in 1968. In the case of cotton products the increase from 1968 to May 1970 was only 0.6. Thus there was little to choose between the wholesale price movement in cotton and woolen products. Yet the one was under an import quota or its equivalent while the other was not.

In the case of man-made fiber textile products there was a decline in wholesale prices since 1957–59, accounted for by increased productivity. The index stood at 90.8 in 1968 and moved lower to 89.5 in May 1970.

The downward trend of man-made fiber textile products has been of longstanding. Measured on the 1947–59 base, as compared with the 1957–59 base as used here, the wholesale price in 1959 had already declined to 81.1. This was before imports reached a significant volume. Thus the further price decline on the 1957–59 base to 89.5 in 1970 merely represented a continuation of the cost reduction process that had already dropped prices in the decade of 1949–59 by nearly 20%. (Survey of Current Business, October 1961, p. S–8.)

There is nothing in this record to show that the price of cotton textile rose as a result of the import limitation. In any event the price increase through May 1970 was comparatively modest, lagging distinctly behind the general commodity wholesale price index.

In a pamphlet recently issued by the United States-Japan Trade Council it is asserted (p. 10) that "Textile Quotas Would Have Slight Benefit but Very High Cost."

"In sum," it says, "proposed textile quotas would be enormously costly to the United States.

"Quotas would accelerate inflation, raising clothing prices to consumers.

"They would boomerang against U.S. export

XUM

sales and harm the economies of port cities." etc.

Against this cry of alarm, the wholesale price trend of cotton textiles of the past ten years while these products have been under import limitation, stands as a complete rebuttal.

SUGAR

Yet another product that is under import quota control is sugar. This quota has been in effect antedating World War II.

In 1955 the retail price of sugar was 10.4c per lb. Ten years later (1965) the price was 11.8c. In 1968 the price was 12.5c. In 1969 it was 12.7c and in April 1970 it was 13.4c. In 15 years the retail price increased only 28.8%. (Statistical Abstract of the U.S., 1969, Table 512, p. 350; and Survey of Current Business, June 1970, p. S–29.) Compare this increase in retail sugar prices since 1955 with the all-consumer price increase of 34.6% on the 1957–59 base, a period during which all food prices rose 32.4%—also a period during which public transportation cost rose 66.6%, medical care 63.6%. Keeping in mind that 1955, the base of our retail sugar price, antedated the index base of 1957–59 by several years, it is clear that the consumer paid distinctly less for sugar in terms of price increase than he paid for consumer goods in general, or for food in general, and much less than for transportation and medical care which were not pinched in point of supply by an import quota.

It follows that the sugar quota also cannot be used to demonstrate that import quotas raise prices unreasonably, or even as much as the rise in other prices.

WHEAT

Wheat is under a severe import restriction that permits less than 1% of domestic production to be imported, in pursuance of a limitation imposed under Sec. 22 of the Agricultural Adjustment Act in 1941.

The price of wheat (hard winter, No. 2, Kansas City) has fallen quite sharply in recent years. The price per bushel was $2.22 in 1950. In 1955 the price was $2.25. By 1960 the price had dropped to $2.00. In 1968 it had sunk to $1.46 per bushel, and in May 1970 it was $1.53.

Corn is not the subject of an import quota. The 1950 price (yellow, No. 2, Chicago) was $1.50 per bushel. In 1955 the price was down to $1.41. The decline, as in the case of wheat, continued. In 1960 it stood at $1.15; in 1968 it was $1.14 and in May 1970 it was $1.30 (yellow, No. 3, Chicago. The difference from No. 2 is very slight, as note, that in 1968 the price of No. 2 in Chicago was $1.14 while that of No. 3 was $1.11). (See Statistical Abstract of the U.S., 1969, Table 504, p. 343; and Survey of Current Business, June 1970, p. S–27.)

Comparing the price trend in wheat with that in corn we find that from 1950 to May 1970 the price of wheat dropped 31% while that of corn dropped only 13%. Yet it was wheat and not corn that was "protected" by an import quota. The wheat price dropped over twice as much in the 20 years as the price of corn.

Since 1960 the price of wheat dropped from $2.00 per bushel to $1.53 in May 1970, a decline of 23%. The price of corn, by contrast, rose from $1.15 per bushel in 1960 to $1.30 in May 1970. This was an increase of 13%. Thus while the price of the "protected" wheat dropped 23%, that of corn which was not under an import quota, rose 13%.

In comparison with other commodities the price of both wheat and corn has dropped while the other prices rose rather sharply, especially in recent years.

RAW COTTON

The price of raw cotton has also declined. The decline was greater than that of wheat and corn, dropping from some 36¢ per lb. to some 22¢ or by more than 38%. Yet raw cotton imports are limited under Sec. 22 of the Agricultural Adjustment Act to a quantity less than 5% of domestic production. (Statistical Abstract of the U.S., 1969, Table 505, p. 344.) (There is some difficulty in reconciling the Statistical Abstract prices with those in the Survey of Current Business, but the discrepancy is not sufficient to destroy the value of the comparisons.)

DAIRY PRODUCTS

With a base of 1957–59 equaling 100, the wholesale price index of dairy products stood at 94.0 in 1955, at 105.0 in 1960. In recent years the price rose to 118.5 in 1966, to 127.7 in 1968 and on to 135.4 in May 1970. This was an increase of 29% since 1960, and compares with an increase since 1960 of 18.6% in wholesale price of "Farm Products, Foods and Feeds," which, of course, includes grains, on which the price, as we have seen, dropped considerably.

Dairy products enjoy an import limitation under Sec. 22 of the Agricultural Adjustment Act, and the price increase has outpaced that of other farm products, as mentioned, but did not outpace wholesale prices of many other products. Dairying has declined quite sharply per capita. Milk produced on farms was less than 1% higher in 1968 than in 1950, despite the considerable increase in population. The number of cows and heifers kept for milk declined by more than 40%. Unquestionably these factors have influenced the price of dairy products much more than the import quota.

The wholesale price of agricultural machinery and equipment on an index base of 100 for 1957–59 rose to 137.4 by May 1970. There is no import quota on this machinery and equipment. Moreover, agricultural implements are duty free! If imports exert such a salutary effect on prices the effect must have failed in this instance.

CONCLUSION

The foregoing recitation can leave little doubt that import quotas have not led to higher prices; indeed, quite the opposite. With the exception of dairy products, with respect to which other powerful factors, such as the public acceptance of oleomargarine, played a large part, the prices on products that are "protected" by import quotas have lagged distinctly behind average prices and far behind prices on some other products that were under no import quota limitation.

The cry that the imposition of import quotas would be costly to consumers is unfounded, and those who continue to raise the cry are guilty of misleading the public.

NEVER GIVE IN

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. DUNCAN. Mr. Speaker, on last Saturday morning the Reverend Billy Graham ended a stirring patriotic oration by quoting that great son of an American mother, Sir Winston Churchill. He quoted Churchill as saying:

> Never give in. Never give in. Never! Never! Never! Never!

Mr. Graham then applied those words to Americans, exhorting them, in pursuing the American dream, never to give in. Never. Never. Never. Never.

Mr. Speaker, I cannot help thinking that many great Americans have reached greatness by following that credo.

Certainly George Washington at Valley Forge knew the meaning of those words. The brave and valiant men at the Alamo also knew what they meant.

One of our greatest living Americans also knows those words well and he has proved their value.

Richard Nixon had a dream that he could serve his country best as its President. In 1960 he narrowly lost a presidential election. Two years later he was beaten by a larger margin when he sought the governorship of his home State and his political career seemed at an end.

But he never gave in. He never quit. And 6 years later he was elected President of the United States. His perseverance, his courage, his determination are an inspiration to all Americans. He is living proof of the worth of Sir Winston's advice: Never give in. Never. Never. Never. Never.

AN ACE FOR AMERICA

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. RUPPE. Mr. Speaker, Britain's Economist magazine recently published an article dealing with our invasion of the North Vietnamese sanctuaries in Cambodia. In particular, two questions were discussed: Did Cambodia have to get involved and who is likely to profit from the opening of a new front in Cambodia?

In discussion of the first question, the Economist submits as the major consideration of the Americans and South Vietnamese the survival of a non-Communist government. Although the second topic is viewed as speculative at this point, they suggest the greatest immediate gain is the ease of pressure on South Vietnam.

I feel this view of the Cambodian operation is of special merit and insert "An Ace for America in Indochina Poker Game" in the RECORD:

THE BALANCE TIPS: AN ACE FOR AMERICA IN INDOCHINA POKER GAME

It is just possible that the events of the past few weeks have tipped the strategic balance in Indochina far enough in the Americans' favor to bring a satisfactory end to the war closer. No one can be sure about that until later in the year, when the monsoon is over and it becomes possible to take a long cold look at the altered lines of battle.

But the Americans and the South Vietnamese can already chalk up some useful tactical gains. They have pushed the Vietnamese Communists out of some of their border sanctuaries, easing the pressure on South Vietnam. They have broken up the other side's supply-lines, and seized large amounts of arms and ammunition even though the best modern weapons there were got away.

They have kept a friendly government in Phnom Penh in being for a little longer. And they have made it look safer to bring American soldiers home from the war according to President Nixon's schedule.

It is arguable that these are all transient gains, and that in six months the situation in Cambodia could be the same as before or worse—with the Communists back along the border, a bustling traffic down the Ho Chi Minh trail, and the South Vietnamese army overextended on two fronts.

It would be folly to suppose that the gains in Cambodia are secure. Long-term success really depends on whether the South Vietnamese can consolidate their clearance of the frontier provinces near Saigon and put some backbone into Gen. Lon Nol's invertebrate army while taking over from American combat units in their own country. They are going to face that test in the next few months.

The Americans went into Indochina in the first place to look after someone else's security. What was at stake in Cambodia was not the immediate safety of American troops, but the long-range success of the Vietnamization program, and the survival of an anti-Communist government in Phnom Penh.

Twice as many South Vietnamese as Americans were involved in the Cambodian action and it is they and not the Americans who will be directly responsible for what finally happens in that country.

Two big questions still trouble many people. One relates to the past, the other to the future. The first is simply: Did Cambodia have to get involved?

Villages have been destroyed, rubber plantations burned, and even the archaeological treasures of Angkor Wat have now fallen within the fighting zone. Might it not have been better for Cambodia if its government had simply followed Prince Sihanouk's policy of appeasing the Vietnamese Communists?

A lot of people have said that it would. But it has to be pointed out that the belief that Cambodia could have stayed as it was is almost certainly illusory. Prince Sihanouk was quarrelling with the Vietnamese Communists long before his fall, and seemed to have realized that his uninvited guests were using their bases in his country for two reasons and not one: as a springboard for their assault on South Vietnam, but also as the headquarters for their subsequent intention to put a Communist government into power in Cambodia.

The North Vietnamese may not have been concerned about what kind of government was sitting in Phnom Penh so long as it played along with them. But they foresaw an eventual conflict of interests with Prince Sihanouk and his ministers and that is partly why they sponsored local Communist groups violently opposed to Sihanouk.

Any Cambodian government except a Communist one would have found it hard to coexist with the Vietnamese Communists. The real source of disagreement between Prince Sihanouk and Gen. Lon Nol concerned the management of the economy and the distribution of power. They both saw the danger from the Communists.

Unfortunately, there was only one way for the Cambodians to deal with the Vietnamese Communists. An appeal could not stir them. The Khmer army could not shift them. The Americans and South Vietnamese intervened only after the Communists, by moving towards Phnom Penh, had posed a direct threat to the survival of a non-Communist regime.

The second question is essentially speculative. The war has been widened. Who is likely to profit from the opening of a new front in Cambodia? If the South Vietnamese try to take on too much, they could find their resources stretched too far. They will need much stronger Cambodian backing, and they will have to work to create it.

The Communists have moved far back into the interior. They have the chance to regroup, to reconstruct supply lines farther inland, and to launch showpiece attacks on provincial centers.

On the other hand, they are now quite a long way away from the strategic delta region of South Vietnam, and if President Thieu's forces do their job they will be kept away. To get into South Vietnam from Cambodia now, the Communists have to filter through the difficult terrain of the Central Highlands. They have new supply problems in the interior, and their back is exposed to a possible attack from Thailand.

The greatest immediate gain is that the pressure on South Vietnam has been eased. For the rest of the year, at least, Mr. Nixon need not be overly worried about reducing troop levels in South Vietnam. This may be the chance to push ahead with the pacification program in the Mekong Delta while the enemy is short of men and arms.

Victory is bound to be cumulative in this kind of protracted war. It is not impossible that the Americans have just dealt themselves an ace. One ace does not make a hand in a poker game, but it does help.

CONGRESSMAN FRANK HORTON COMMENDS HONEOYE FALLS FOR FLAG CAMPAIGN TO PROMOTE AMERICAN SPIRIT AND PATRIOTISM

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HORTON. Mr. Speaker, a campaign has started in the village of Honeoye Falls in my 36th Congressional District to promote patriotism by displaying and respecting the American flag.

This campaign may make Honeoye Falls one of the most flag-conscious communities in America. On July 4, the American flag was displayed up and down the main street.

More than 75 large American flags were displayed on the business street of the village, with another 125 flags flown throughout the rest of the community.

The Honeoye Falls American Legion Post No. 664 is sponsoring this project. The idea was initiated last year by Past Commander Joseph Mantegna. Newly elected Commander Charles Ferguson continues this project. Douglas Rath, chairman of the Americanism committee, spearheads the activity.

Working closely with the Honeoye Falls Post is the president of the Honeoye Falls Chamber of Commerce, Robert E. Burson. The flag campaign coincides with the recently announced objectives of the Monroe County American Legion announced by newly elected County Commander Henry Pape which is to promote respect for the flag.

The long list of businesses displaying the flag is testimony to the hard work of Douglas Rath, Robert Burson, and their committees.

Mr. Speaker, it is truly an inspiration to see a small village such as Honeoye Falls rally to the spirit of America and show respect and love for the flag.

I would like to share with my colleagues the list of businesses and members of Post 664 who participated in this campaign.

I would also like to commend Honeoye Falls Mayor Squire Kingston, Supervisor of Mendon Earl Broomfield, and County Legislator Henry Williams for their support of this campaign.

I know that the use of the Congressional Record to honor private citizens should be closely guarded, but because of the enthusiasm and spirit generated by this campaign, I feel that these people deserve special mention and national recognition.

The following businesses participated in the July 4th flag display:

The Family Diner, Oppedisano's Bootery, Walk In Tavern, Honeoye Falls Liquor Store, Emblidge Pharmacy, Village Hair Designs, Buckland's Pool and Garden Centre, Falls Grill, V M Tailors, Honeoye Falls 5 & 10, Barry's Furniture Shoppe, Pride Hardware.

Readex Electronics Inc., John J. Leonard, Attorney, L. B. Pierce Agency, Inc., Mantegna's Furniture Store, the Mill, Eddie's Jewelry, Speed-Wash Laundromat, Willie's Friendly Tavern, State Bank of Honeoye Falls, Julian Vogel, Optometrist, Town of Mendon Office, Falls Quality Cleaners.

Barker & Nilsson, Attorneys, Esley Kaper, Insurance Agency, the Nelsons' Country Store, Iroquois Gas Corp., Village of Honeoye Falls Office, Brooklyn Beauty & Barber Shoppe, Kling Sales and Service, Honeoye Falls Times, S. S. Caves Lumber, Inc., Kendall Distributors, Genesee Valley, Kingston Farm Machinery, Inc., Emporium, Mamoone's Barber Shop, Leone's Beauty Salon.

Jimmy's Citgo Garage, Driscoll Glass Service, Inc., Tichenor Furniture Services, Inc., Falls Dairy, Inc., Consler Manufacturing Co., Inc., Stever Locke, Inc., Rotuinda's Atlantic Service, Kaye's Funeral Home, Ann Wyld, Public Accountant, Proper & Smith, Animal Hospital, Emerson Electric Co., Inc.

Sumner Plating Co., Lion Division—Southco, Inc., Dutch Hollow Foods—Division of Crowley's Milk Co., Gleason Works, Inc., Cuningham Corp., Mendon Disposal Co., Magar Collection Service, Beam Milling Co., L. E. M. Plumbing & Heating, Inc., Raymond A. Lake Plumbing & Heating, Urban S. Drowne & Son, Inc.

Falls IGA, Amlyn Chrysler-Plymouth, Inc., Molye Chevorlet, Inc., Barrington Foods, Inc., Star Headlight & Lantern Co., Moore's Radio—TV Sales & Service, Sportacade, Inc., Everett M. Lewis, Inc., Elmer Schmidt Buick, Inc., Norwood Proprietry Home, Automated Business Machines, Clare J. Smith, D.D.S., R. Graham Hoffman, D.D.S., Jarle Holen, M.D.

The following members of the Falls Post No. 664 helped to sponsor and win public support for this project: Theodore L. Alfieri, Clarence W. Allen, Lawrence A. Allen, Lemuel G. Allen, Ronald B. Allison, Gerald C. Anderson, Glenn W. Anderson, Rev. Albert J. Anthony, George R. Appleton, William G. Ardella, Carl J. Arena, Curtis W. Barker, Jack R. Barker, Allen F. Barnes, Edwin O. Beard.

Thomas A. Benedict, William E. Benham, Harland E. Bortle, Jr., Arthur D. Breakingbury, George T. Brennan, Jr., Dewayne A. Brown, August C. Buckman, Lewis E. Buckman, Raymond W. Buckman, Glenn E. Burgess, Jr., Arthur W.

Burmeister, Robert E. Burson, Carlton G. Bushman, Charles E. Buys.

Robert E. Byrnes, Alex Cappi, Roger A. Cappi, Joseph J. Carrol, Lewis S. Cavalier, Stuart S. Caves, Joseph C. Chambers, Gordon C. Christensen, Phillip J. Cicchetti, Jr., William E. Clark, Robert J. Clements, Harvey F. Closs, Donald E. Collins, Josephine T. Collins, Hewitt C. Conant, Harold J. Conklin, James E. Connell, Charles Conrad.

George B. Corby, Carlton C. Crane, Carol Czajkowski, George H. Dawson Jr., James De Nardo, Albert Dechau, Raymond Dietz, Walter J. Dolan, James S. Doyle, Erwin F. Dresser, John Drojak Jr., Bernard S. Drowne, John E. Druschel, Edw D. Duffy, Preston W. Durkee, Earl Ellis, Vernon S. Ellzey, Richard J. Ertel, Charles E. Etheridge, William T. Farrell, Albert E. Ferguson.

Charles Ferguson, Daniel J. Fisher, James P. Fisher, Raymond E. Fiske, Merlin Foe Jr., Raymond C. Francis, Charles W. Freida, Edward H. Freida, William J. Friel, Terry A. Fuller, Charles Gardner, Clarence A. Gibbs Jr., Franklin Gilmore, J. Earl Gleisle, Gerald Grant, Charles R. Greathouse, John W. Grievson, Vincent J. Guerin, Calvin A. Gundlach, Raymond J. Hanna, Frank Harloff, Edwin B. Harnish, Donald Harrington, Robert S. Havens, Fredk Henning, Charles W. Herman.

George Herrick, Roy M. Hetzler, Roy E. Hickey, William L. Hirsch, Joseph W. Hoffman, George Hoh, Burns L. Hollister, Charles S. Hoover, Charles S. Hoover, Jr., Jack W. Horst, Sharon Horst, Lawrence B. Hovey, Frederic J. Howes, Robert L. Huff, Harold D. Hyland, George Jamieson, Robert J. Jamieson.

Myron E. Jennejohn, Frederick A. Jobe, Charles E. Kennedy, Ralph M. Kennedy, William L. Kishbaugh, George Kneibert, James E. Lagree, Leland Lake, Raymond A. Lake, Charles H. Lang, John F. Laraway, Edward R. Lautner, C. Kenneth Leonard, John J. Leonard, Everett M. Lewis.

Herman L. Lilley, Lois R. Lilley, Matthew S. Lo Biondo, Edward P. Longyear, A. Leslie Lord, Gerald A. Lord, Jr., Gerald Madigan, Jr., Dr. Eugene F. Madsen, Leo J. Maloney, Chester E. Manikowski, Joseph L. Mantegna, William Mantegna, Nicholas Marasco.

Robert Marin, George H. Martin, Richard A. Masterman, William T. Mateer, Ralph S. Matthews, Arthur R. Mauer, William F. McGary, Albert W. Meding, Gary W. Meister, John J. Meyers, Leon E. Michel, Raymond Michel, Harland D. Moffitt, Robert K. Moffitt, Archie L. Moore, Raymond J. Moore.

Keith W. Morehouse, Michael R. Morton, Richard M. Newman, Raymond A. Norris, McKendree O'Brien, George O. Neil, Joseph P. O'Neill, James T. Oblein, Vincent Oppedisano, Philip Osterling, Robert Palmer, Nelson C. Parker, Howard Parmelee, Richard B. Parmelee, Ronald Parmelee.

Stuart S. Peck, Ray B. Pierce, Richard Plain, George E. Plympton, Kenneth R. Potter, Howard M. Rapp, Douglas L. Rath, Norman H. Rath, Nelson W. Reichert, Edward J. Reilly, William P. Reilly, George F. Robison, Richard B. Ross, Samuel J. Rotunda, Thomas J. Rotunda.

Arthur H. Ruby, Duane N. Rumsey, Fredk F. Sabey, Gordon Sackett, John Sak, Joseph Samborski, Louis R. Samborski, Harry W. Schirm, Eldred Schrader, Carl H. Schultz, Raymond H. Schwink, Shaw Scott, Francis Seaver, Todd E. Seaver, Donald J. Seconi, Dante Seconi, Ralph M. Shaff.

Lincoln Shaw, Donald R. Shirley, Donald A. Short, Richard Shraeder, Wilfred A. Sigas, Robert L. Slough, J. Robt. Smalley, Ben Smith, Leet A. Smith, Fred Spittal, Harold L. Stanford, Donald J. Starr, Ronald C. Starr, Stanley S. Stever, Charles B. Swartz, Henry Templar, Roger W. Templar, Raymond H. Teuscher, Harry F. Thompson, Paul S. Tichenor, Douglas C. Travis.

Robert A. Treat, Leonard J. Tripp, Thomas E. Tullius, Henry Van de Wall, Percy S. Van Name, Harry Vellekoop, William E. Waringa, Robert B. Warren, Rufus Wesson, Rev. John K. Wheaton, Thomas Wheat, Gabriel E. Whitmore, Paul E. White, Robert G. Whitehead, Edgar H. Williams, Richard Y. Willis, Walter Wishnack, Wallace C. Wolff, Charles F. Wood, Edward C. Wood.

Mr. Speaker, I only wish it were possible to recognize each and every homeowner in Honeoye Falls who joined in this communitywide tribute to the flag on July Fourth. At a time when we hear more about defacing and disgracing the flag than about honoring it, I think the spontaneous cooperation between the American Legion, business, professional and government leaders, and the citizens of Honeoye Falls deserves our attention.

These men, women, and children were not displaying the flag to demonstrate that they were for or against any particular foreign or domestic policy. They were demonstrating their love and respect for our country and for the free system of government which our flag symbolizes.

Because of the lack of conflict or confrontation involved in an event of this nature, it receives little recognition, if any, in the national media. Because it is a positive sign that patriotism and love of country is still very much alive in America, I have seen fit to call attention to the fine people of Honeoye Falls in this way.

ROHR MOVES AHEAD

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. VAN DEERLIN. Mr. Speaker, it is always gratifying when an old friend receives deserved recognition in the national news media.

The largest industrial employer in my district, the Rohr Corp. of Chula Vista, Calif., is the subject of a feature article this week in the Christian Science Monitor.

The respected Monitor notes the company's pioneering work in the development of new high-speed passenger train systems. As the article points out, Rohr is now preparing to embark on a Department of Transportation project to test air-cushion vehicles on a 16-mile run from the Los Angeles International Airport to the San Fernando. Although still relatively modest in scope, this demonstration project clearly has great portent and promise for transportation planning of the future.

Rohr is best known as a manufacturer of aircraft components. But Rohr also knows how to diversify, as witnessed not only by the work on new train systems but also by its promising new approaches to shipbuilding and the development of prefabricated housing systems.

Under unanimous consent, I now include the story about this enterprising firm as published July 7 in the Christian Science Monitor:

SPEED TRAIN COMES ROUND BEND

(By Richard Baskin)

CHULA VISTA, CALIF.—The timing of Rohr Corporation's investment late last year in a French high-speed air-cushion train system may prove to have been particularly fortunate.

Secretary of Transportation John A. Volpe recently announced federal backing for the nation's first air-cushion line to run at 150 m.p.h. on 16.3 miles of track from the San Fernando Valley to Los Angeles International Airport.

Rohr, headquartered in this suburb of San Diego, acquired a 60 percent interest in Aeroglide Systems, Inc., a U.S. subsidiary of Société de L'Aerotrain. The plan is for the French firm to market the high-speed system in this country and Mexico while Rohr builds the 80-passenger cars used in the system.

Mr. Volpe announced a $300,000 federal grant to the Los Angeles Department of Airports for preliminary marketing and engineering studies for the proposed system. Rohr's president, Burt Raynes, followed with a declaration that Aerotrain Systems is ready to lend a hand in making the proposed air-cushion system operational by late 1972, the target date set by the federal agency.

CAPABILITY DECLARED

"We are fully prepared to construct the guideway for the system and to share the cost of supplying an Aerotrain vehicle capable of carrying 60 or more passengers at speeds of 150 m.p.h. or greater," Mr. Raynes said.

Mr. Volpe said companies interested in high-speed ground transportation "will be invited to produce the vehicles for this project"—just the invitation Rohr has been waiting for.

"We assume they probably will put this on a competitive-bid basis," says Rembrandt Lane, Rohr's executive vice-president. The key, he says, is the 1972 deadline: "We think we can do it, and we don't know anyone else who can."

Aerotrain already has the technology, he says, having developed the world's only passenger-carrying, tracked air-cushion vehicle. Research and development began in France in 1958 and so far four models of the Aerotrain have been built and tested, the first two being experimental versions capable of speeds up to 250 m.p.h.

PROTOTYPES OPERATED

Two full-scale passenger-carrying prototype models now regularly carry passengers on a nonrevenue demonstration run, one a 44-passenger model outside Paris, the other an 80-passenger train operating on an elevated track near Orléans.

Rohr says the 44-passenger Aerotrain has made runs at 110 m.p.h., propelled by a linear-induction power system, an advanced electric motor.

Similar linear-induction systems will propel the air-cushion system that is to serve Los Angeles International Airport.

High-speed rail transportation systems aren't entirely new to Rohr, best known as a supplier to the aerospace industry. Last summer the company won a $66.7 million contract to build 250 rail cars for the San Francisco Bay Area Rapid Transit District.

Next year Rohr will begin delivery of the 72-passenger cars that will speed up to 80 m.p.h. over the San Francisco-Alameda-Contra Costa Counties system. Rohr is hoping for a follow-on contract that will help it reach its fiscal 1973–74 goal of $100 million in sales from other than aerospace business.

FINANCES ASSESSED

In its fiscal year ended July 31, 1969, the company's sales totaled $266 million. Profits were $10.1 million, equal to $2.45 a share. In the first nine months of the current fiscal year Rohr logged record sales of $206.1 million, up from $198.9 million in the comparable year earlier period. Nine-month net income increased to $7.6 million or $2.07 per share vs. year-ago net earnings for the same period of $7.3 million and $2.03 a share.

Several Wall Street analysts are predicting Rohr will finish the current fiscal year with fully diluted net profits of between $2.70 and $3 a share.

Mr. Lane says Rohr's goal is to be two-thirds involved in aerospace work and one-third in other transportation systems by 1975. That is also the year he projects company sales of around $500 million and profits of more than $22 million.

CURBING ILLICIT IMPORTATION OF HARD DRUGS INTO AMERICA

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. CELLER. The design of H.R. 18397, introduced today by my distinguished colleague Representative Peter W. Rodino, Jr., of New Jersey, and corresponding H.R. 18400 introduced by myself and cosponsored by 127 Members, is to strengthen the President's hand in attempts to halt the traffic of hard narcotic drugs—for example, heroin, morphine, and cocaine—into this country. Simply put, the President would be authorized to suspend economic or military assistance under foreign aid programs to any country failing to take appropriate steps to prevent narcotic drugs produced or processed in that country from entering the United States unlawfully. The President would also be authorized to provide assistance to foreign countries in efforts to control entry into the United States of unlawful narcotic drugs.

There is no intention to threaten our allies and friends; rather, we most urgently wish to impress upon them the seriousness with which we view this scourge. We are conscious of the efforts our State Department, the Bureau of Narcotics and Dangerous Drugs, the Bureau of Customs, and others are making in concert with foreign governments and international organizations; this measure, if enacted, will but be another device for their use in a needful heightened and sustained effort to obliterate the source and manufacture of hard drugs. Nor is this approach, hopefully to accomplish the ultimate end of destroying illicit traffic at its sources, meant to minimize, or detract in any fashion from, the continuing need for domestic programs to deal with this dreadful menace.

In my State alone over the past 4 years we have spent $90 million on treatment and research and an additional $160 million on treatment facilities. This year we are prepared to spend $145 million more on treatment programs and have authorized $200 million in loans for new youth facilities.

Gov. Nelson A. Rockefeller in a mid-May meeting with our delegation members on the subject of narcotic and drug abuse within the State said:

> This is not enough . . . a total war on drugs is required. It must draw on the resources of all levels of government . . . federal, state and local. It must involve parents, teachers, religious leaders and community groups. It must cover the whole range of programs from prevention and treatment to law enforcement.

While data on drug addiction—which cuts across the economic spectrum of our society—seem to concentrate on large urban areas, it is a plague that permeates throughout this land. It bears repetition to emphasize this is a matter of gravest national concern, wanting the active participation of all rungs of religious, social, educational, and political bodies to wipe out the hideous use of hard drugs.

Enactment of this measure will provide a means for stemming the flow of this diabolic merchandise and will allow us to strengthen our efforts domestically to curb its use.

MR. NIXON SEES GOOD IN OUR COUNTRY

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. TAFT. Mr. Speaker, too frequently in the recent past we have been reading and hearing only about the shortcomings of our country. Though we all know its good points far outweigh the bad, it is much easier and far more prevalent to dwell on those things considered wrong, oftentimes by only a few.

President Nixon in a recent speech in St. Louis concerned himself with the strong points in America and of Americans. He did not overlook our weaknesses but stressed that our strength "enables us to correct those things that are wrong."

This speech is properly noted in a Kansas City Star editorial. I include the speech and the editorial in the Record:

[From the Kansas City (Mo.) Star, June 27, 1970]

MR. NIXON LOOKS AT HIS COUNTRY AND SEES SOMETHING GOOD

President Nixon's St. Louis speech was in a real sense Richard M. Nixon at his best. Here was the thoroughly rational man, the Nixon who sought, in the last campaign, to unite, not divide. Here was the President, in obvious sincerity, discussing what is right about America, and drawing the logical conclusion that what is right "enables us to correct those things that are wrong."

To be sure, he had an audience obviously receptive to such a message. He was speaking before the Junior Chamber of Commerce, to men and women in their 20s and 30s who, in a sense, stand in the middle of the generation gap. His listeners, he suggested, are closer to the younger generation of college and pre-college age; and perhaps they are the ones who need most to listen, to explain and "not to set up a hostile confrontation."

But to any audience, be it predominantly one of hard hats, business suits or beards, Mr. Nixon on this occasion had some important things to say. And not, if you will, just about what is right with this country. Indeed, the point that should not be missed is that Mr. Nixon, on this occasion, took pains to point out that while, as a people, we have come a long way, we have a long way to go.

So very true, and yet there are those who scream that really, we have come nowhere and that we cannot, with our present equipment, possibly get where we want to go. Just as there are those who proclaim that America, thank you, has come quite far enough and should change no more. Mr. Nixon loves America, and yet would find areas in which it can and must be changed. This is not, clearly, the philosophy of those who insist, "America: Love it or leave it."

Indeed, he finds in the thinking of young Americans—in their "idealistic and spiritual terms"—what he regards as a great raw product, to be developed properly as a vehicle for taking us further toward the goal of the American dream. And in the alienation of those who have demonstrated on the campuses he finds something that requires the attention of all citizens, lest it become a division that can destroy a society.

In thus stating his case, Mr. Nixon proved that perspective is possible without invective, that a President can speak without politics in a political year, and that rational man can deal rationally with the problems of his nation. Mr. Nixon was addressing himself, with candor not always apparent in the pronouncements of some others in his administration, to both the greatness and the weakness of a nation. And is that not something that every American should do, now and then?

REMARKS OF THE PRESIDENT AT THE U.S. JAYCEES, 50TH ANNIVERSARY CONVENTION, KIEL AUDITORIUM, ST. LOUIS, MO.

Mr. President, all the candidates for president of this organization, all of the distinguished guests here on the platform, and the delegates to this 50th Anniversary Convention, your wives, your girl friends and your guests:

I know that you can understand how deeply moved I am, and my wife and daughter are, by this wonderful reception. You probably wonder what Tricia said to me while the very great applause was running up through the rafters. She said, "Why, Daddy, this is better than our convention in Miami."

And, of course, my answer was, "Why, there is a reason for it. They are young."

I am honored to address the 50th Anniversary Convention of the Jaycees. There are a number of reasons why this honor means a great deal to me: Because I was a member of the Jaycees, because I was honored to be made a JCI Senator. Incidentally, when they chose that number 72, I had no idea I would be in this office. There were no political connotations whatever.

When your president extended the invitation to me, I asked him, "When do you want me to speak, at noon or at night?" I chose noon. I want to tell you why. Twenty years ago when I was a Congressman and then a candidate for the Senate in California, I, for

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the first time, had the honor of addressing a convention of the Jaycees of America.

It also happened to be in Miami, Florida. A friend of mine—I thought he was a friend—told me, "You know, Dick, we have a great spot for you, the night they elect officers. Everybody will be there. You will have a great enthusiastic crowd."

Of course, I could not choose my spot then, so I accepted the invitation. I arrived on time. I was scheduled to speak at 8:00. But that was quite a contest in Miami that year. I don't know whether there has been one since or whether this one will be like it. But there was ballot after ballot and I finally went on at 1:45 A.M. in the morning.

By that time, the delegates and their guests were so worn out by politicing and partying, that no one to this day who attended that convention to whom I talked can remember a thing I said. I don't remember what I said.

There is only one thing I remember about that convention. Does Indiana still have those whistles?

That just proves that the more things change, the more they remain the same.

Now it is customary on an occasion like this to look to the past, to talk about the grave and serious problems that we have at present, and perhaps to take a quick look into the future. It is particularly customary in these times to talk about America and its admittedly very serious problems.

Some believe the nation is coming apart at the seams; that we are gripped with fear and repression and even panic. I am not going to talk to you in that vein today.

I believe that at this time instead of talking only about and primarily about what is wrong about America, it is time to stand up and speak about what is right about America. Because, you see, what is right about America enables us to correct those things that are wrong about America. To do something, if I may borrow a phrase, about those things that are wrong.

What is right about America? Look back over the 50 years that this organization has been in being. Our population has almost doubled. But putting it in other terms, while the population has only doubled, the production of the United States, the income of the United States, has gone up ten-fold.

The number of Americans who are in high school has gone up ten times. The number of Americans in college has gone up twenty-fold. I could go on with the statistics with regard to the progress that this nation has made in the 50 years that this organization has been in being.

We can summarize it very simply by saying that never in human history have more people shared more wealth and had more opportunity with better jobs in the United States of America. We should be proud of that, and I believe that we are.

I realize that there is a fashion these days, and I understand this attitude and we must all try to understand it, that says we should not dwell on America's material accomplishments, that what really counts are problems of people. And they do. And what really counts is the spirit and the idealism and that certainly does count.

But let us look at it in another way, because America is the richest country in the world, because America has such enormous productive capacity, we can do things about our problems that no other country in the world can do.

Let me give you an example. You know about the problem of poverty in America. You also know about our welfare system. Let me give you my views on that system in just a word. I say that when any system makes it more profitable for a man not to work than to work, when any system has the effect of encouraging a man to desert a family rather than to stay with it, it is time to abolish that system and to get a better one.

Now what can we do about it? Because America is rich—and we could not do this unless we had the wealth that we have—I have been able to recommend to the Congress of the United States the most historic, and I think most objective observers would agree, the most revolutionary program in this field in a period of 50 years.

Let me summarize what that program is. It provides first a program of job incentives and job opportunities and job training so that we can move people off the welfare rolls and onto pay rolls in the United States of America.

But it goes beyond that. It provides for a family assistance program, and under that program we will place a floor—and we can do this—under the income of every family in America.

What does this mean? It means that a man and his wife and most important, his children, can stand on that floor with dignity. That is what we can do in America.

Consider the problem, the one so deeply dividing our country at the present time, the war in Vietnam. When we consider this war, it has gone on many years. It has cost lives. It has deeply troubled our people. So as we consider it, let us look at what we are doing about it.

Since coming into office, finally, after five years of more and more men going to Vietnam, we are bringing them home. 115,000 have returned home by April 20, and because of the success of our efforts to destroy enemy sanctuary areas in Cambodia and their supplies, we can continue with the program of withdrawal and replacement so that by the Spring of next year a total of 265,000 Americans who were there will be back home here in the United States of America.

I realize that is not the total answer. It is a plan, a plan that will end the war, and a plan that will replace Americans with the South Vietnamese as they are able to take over the defense of their own country.

But I have seen, as you have seen, those deeply troubled people, and I understand why they feel as they do, carrying their signs and shouting their slogans, "Peace Now." Why not? The day that I came into office, I could have had peace now.

Let me tell you what I vowed when I came into that office, when I came here 17 months ago. 40,000 Americans had lost their lives in Vietnam and I made two pledges: One, I pledged to end this war, and, two, I pledged to end it in a way that their younger brothers and their sons would not have to fight in another Vietnam sometime in the future.

So, I would say to all of you, let it be written that this generation had the courage and the character to end this war, and win a peace that the next generation will have a chance to keep. It is not just peace now, but peace in the years ahead and that is what we shall have as we bring our policy in Vietnam to its conclusion.

Let us turn to the problem of the economy. As we look at the economy of this country, we see troubles. And as we look at the cause of those troubles, one of them primarily is that we are having the difficult transition which must always take place when you move from a wartime to a peacetime economy. 700,000 men who were in the Armed Services or in defense plants have now had to find civilian employment. This has meant more unemployment than we would want. It has meant some dislocations in the economy.

But it is a cost that is worthwhile, because I say to you this economy is strong, this economy is sound, and it is time—and I believe this is the time—when America can demonstrate that we can have prosperity without war, prosperity with peace in the United States of America. That is our goal.

Here again, of course, there are those very well-intentioned who say, why not an instant solution, why don't we have Government wage and price controls to stop inflation of wages and prices?

That is an instant answer and an easy answer. But you know what it is? It is like a doctor telling you when you have a sore finger that the cure for it is to cut off your arm, because never forget how America got where it got today.

We became the envy of the whole world. We are an economic miracle for the whole world with the average American earning almost twice as much in real wages as that of the next highest nation in the world. How? Not by Government restricting free men, but by providing greater freedom and greater opportunity for America.

And in this period of transition, let's not make the mistake of replacing that system which got us where it has with one that will restrict that freedom, and also reduce the tremendous productive power, this engine of progress, that has made America what it is.

A word about the problem of inflation. It is a difficult one. One of the major causes, as you know, is the fact that our Government has been spending more than it has been taking in for too many years. So now the question comes in an election year: What do we do about it?

It is so tempting for a Congressman or Senator to vote for that spending bill or this spending bill that will help these people or those people in his constituency or a special group in the nation.

Let me say this: This is not a partisan subject. I would simply urge the young men and young women in this audience that when you go home, look at the records of the various candidates and give support to those candidates, be they Democratic or Republicans, who have the courage and the character to vote against a spending program by Government that would help some people but that would raise prices for all people.

Consider the problem that has been so much on the minds of many of our young people and older ones who have any sense of the perspective of history and what could happen in the years ahead, the problems of the environment.

As I flew by helicopter from Scott Field in here today, I looked down on the tremendous economy that surrounds this great city of St. Louis. I saw smoke coming from some of the factories, and I remembered, in my time, that when you had smoke coming from factories that was a good sign, it was a sign of progress, it was a sign of jobs, it was a sign of production.

But times have changed. If I can put it in symbolic terms, as far as the factory is concerned, what we need to do is to improve the jobs and increase them, increase the production and eliminate the smoke.

My friends, that is why, as we look ahead ten, 15, 20 years from now, unless we act now, we can have the most productive economy in the world, but we will have cities that are choked with traffic, suffocated by smog, poisoned by water and terrorized by crime.

It doesn't need to be that way. That is why we have presented to the Congress an historically new program to clean up our water and our air and to provide the open spaces which are the heritage and should be of every generation of Americans.

Consider another problem, one that deeply divides this nation, one that sometimes is not perhaps discussed as frankly and candidly as it should be, the problem of the relations between the races in America.

As we consider this problem, it is certainly not the answer simply to say that a majority of the people do not favor action which would attempt to solve the problem, because for Americans to be deeply divided is not in our tradition and certainly not in the best interest of America's future.

Now a great deal has happened insofar as our race relations are concerned, looking at what is right about America. I was talking to a very distinguished Negro educator from the University of Columbia, Dr. Charles Hamilton recently. He pointed out that in the last ten years the number of Negroes who had moved above the poverty line was 35 percent, a greater percentage than whites who moved above the poverty line in that same period.

He pointed out another historic fact, the fact that in America today there are more Negro Americans in college than there are Englishmen in college in England or Frenchmen in college in France, and we have, of course, reduced the legal barriers for voting rights, for jobs and opportunities in housing.

What I am saying simply is this: We have come a long way, but we have a long way to go. I would urge this group of young Americans to recognize that you will be living in the future in which this problem will become more and more in the public mind, as it should be.

But it can be solved and it needs the devotion and the dedication of men and women of good will on both sides. I think you have the spirit to find solutions to it. I could go on. But I think these examples prove the point.

Because America is strong and rich, because it is so productive, we are able to do things about poverty. We have the strength to do things about our environment. We have the strength to do things about our economy that no other people in the history of the world have been able to do and that no other people in the world today can afford to do.

Now let me come to you. I have spoken of problems in which Government has a special interest. Government has the responsibility to end a war and win the peace. We shall meet that responsibility. Government has the responsibility for programs in the field of cleaning up the air and the water and providing for the open spaces. We will meet that responsibility. Government has the responsibility to break down the legal barriers which divide the races and we will meet and are meeting that responsibility. Government has the responsibility to provide the climate in which Americans, all Americans, have an opportunity for good jobs and not only for good jobs, but an opportunity, if they have the ability and the desire, to be owners and managers, to have a piece of the action, because if they have a piece of the action, then they believe in this system rather than fighting against it.

But there are some areas in which Government cannot do the job. Could I give you three examples? I turn first to the area of race relations. Here Government can pass laws. Government can enforce laws. But as Government passes the law and enforces the law, there needs to be added an extra element that can come only from the hearts and the minds of the people of the United States of America, because there is one thing that Government cannot provide, the healing power of mutual respect for the individual dignity of every person in this country.

Let me say to you, my friends, go back to your communities wherever they may be—because the problem is not sectional, it is national—go back to your communities and rather than having America torn apart, let's bring Americans together.

Remember this, speaking in personal terms: I believe in the American dream. I have seen it come true in my own life. But speaking also in broader terms, we can fulfill the American dream only when every American has an equal opportunity to fulfill his own dream. Let that be the goal of the Junior Chamber of Commerce.

A second area of concern in which you can help: The problem of crime, the problem of law enforcement and respect for law. Here Government can pass laws. Government can enforce the law. We will meet that responsibility. But the missing ingredient and what is needed all over this country is something that can only come from people, individuals who respect the law, and that respect for law does not exist in many areas. I want to tell you why. I believe we need a new approach. If we ask people to respect the laws we must have laws and those who enforce the laws who deserve respect. That means that in every community in this Nation—and it is primarily a local problem rather than a national problem—we need to provide those programs for laws and the enforcement of laws and the personnel that will deserve the respect.

Let me put it another way. I believe in obedience to the law and I know that you do. But let our proud claim be that we ask Americans to obey the law, not because they fear it, but because they respect it. That should be the goal of America.

Then finally, a problem that I should discuss with this great organization of young men and young women; the alienation between young Americans and older Americans, the generation gap. We must bridge that gap. You can do better than we can because the bridge you have to build is not as long as the bridge we have to build. You are closer to that younger generation.

I charge you, I urge you, to do everything that you can, not to make the gap bigger, not to set up a hostile confrontation, but to give to young people the understanding of our system that they need.

I would urge every club of the JayCees throughout America to invite Young Americans, high school age, college age, regularly to your meetings. Let them hear the speakers. Let them get the feel of your organization and perhaps they will have a different attitude than they would otherwise have.

But now, what do you tell them? This is the great question. It is not enough—and it is certainly no comfort to me, and I am sure no comfort to you—that a majority of Americans overwhelmingly disapprove of student demonstrations and student strikes. Because when any group of Americans, be they young Americans, particularly, feel so alienated from our system and society, have lost faith in it to the extent that they resort to other means than the orderly means, then we should do something about it and not allow that division to become something that eventually could erupt and destroy a society.

So what do you tell them? I will tell you what will not be enough. "We are going to win peace." They will want that, as they should, and that will come. "We are going to clean up the environment." They want that and they should because that environment is the one they will be living in. They will want an opportunity for at least a good job and an opportunity for advancement. They will want that. It will be provided. They will be concerned about the problems of poverty and they will support those programs that I have mentioned that will provide for a floor under the income of those unable to work and unable to provide for their families.

But let me leave you with one fundamental truth, and I believe this very deeply and unless we understand this we will fail to bridge this generation gap: Young America today, particularly those in college and high school years, are not going to be satisfied simply by an absence of war and by having good jobs. Young Americans think in idealistic and spiritual terms, and that is to their credit.

Could I put it in historical perspective? 190 years ago when this country was founded it was very poor and it was very weak. Yet, Thomas Jefferson was able to say, when this country was founded, when the Declaration of Independence was drafted and proclaimed—listen to his words:

"We act not just for ourselves alone, but for all mankind."

What a presumptuous thing to say about a weak and poor country. But it was true. America, when it was weak and poor, meant something more than military might and economic strength. It had the lift of a driving dream that caught the imagination of millions of people in this world.

As we think back to those days, let us remember that that driving dream, that idealism, is what is important today. Let us tell young Americans, all Americans, that we should love America. But let us love her not because she is rich and not because she is strong, but because America is a good country and we are going to make her better.

One hundred and ten years ago, in one of the bloodiest and most tragic instances in this world's, and this nation's history, John Brown, after the bloody raid on Harper's Ferry, was tried, convicted and sentenced to be hanged.

When he was on his way to the gallows he rode in a wagon with his own coffin right beside him. As he rode through the Virginia countryside that day, speaking to no one in particular, he said aloud these words: "This is a beautiful country."

Today, when America has all its blessings and admittedly has many problems, let us never forget that if John Brown could say that just before the tragic war between the States, with his own death imminent, then we, too, can say: This is a beautiful country and we are privileged to be the generation that has the responsibility to make it even more beautiful for the generations ahead.

POSTAL REFORM AND COMPULSORY UNIONISM

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. SCHMITZ. Mr. Speaker, I include a brief item on postal reform and compulsory unionism, which I have written for my constituents:

POSTAL REFORM AND COMPULSORY UNIONISM

Coming from the upper house of the California State Legislature to the lower house of the United States Congress, I have been most interested, already, to see for myself that—as has been reported—the House of Representatives is more conservative than its counterpart, the United States Senate. In the California State Legislature the opposite was true; the Senate was the more conservative of the two houses.

The 435 Members of the United States House of Representatives, by virtue of their numbers and the fact that they have to go back to the people every two years for reelection, are close to the people. Because there are so many Congressional Districts, big-city bloc voting controls only a minority of them, while it has a disproportionate effect on state-wide elections for U.S. Senator. A Senator from Illinois, for example, must run reasonably well in Chicago, and a Senator from Michigan must do well in Detroit. But the Congressmen from the big cities make up considerably less than a majority of the whole House of Representatives, and of most individual state delegations. This may help account for the marked difference in orientation between the House and Senate.

Whatever its causes, the difference is real. It was manifested in the action taken on the postal reform bill, one of the most important bills of the year in Congress. The Senate approved this bill as originally introduced, including a provision which would allow postal workers' unions to bargain for and obtain—for the first time in our history—compulsory unionism for federal employees. The House removed this provision before passing the bill, which now goes to a conference committee, composed of members of both houses of Congress.

The need for postal reform is clear and increasingly urgent. The Post Office system has been growing steadily more costly and less efficient. It does not seem to have been operated according to sound business principles. The postal reform bill would transfer control of the system from the present Post Office Department to a special corporation created for the purpose. This offers hope for more businesslike and less bureaucratic and political management of the postal service, and this would seem to be a good change.

However, the postal reform bill, as passed by the Senate, would also open the door to compulsory unionism—once called the closed shop, then the union shop, and now the agency shop, on the familiar principle that if you change the name of an unpopular program, along with a few of its minor details, you can sidestep public hostility and rejection. But whatever the name and whatever the details, compulsory unionism is fundamentally contrary to the workingman's individual liberty.

Forcing a worker to join a labor union is most indefensible of all in government work. Since all citizens are paying for it through their taxes, certainly it should be open to all who are qualified, regardless of whether they want to join a union or not. President John F. Kennedy recognized this principle in his executive order of 1962 guaranteeing the right of all federal employees to join, or to refrain from joining, any labor union or other employee organization.

Experience with private industry clearly shows that compulsory unionism does much to lead to massive confrontations between employers and employees. Its introduction into government employment would almost certainly end in an acceptance of strikes by public employees. The postal strike last spring, which posed such a serious threat to the whole country despite its brief duration, shows the danger of any step in this direction.

Much as postal reform is needed, I shall not support any legislation for this purpose which would allow any group of federal employees to be forced to join or pay dues to any labor union.

SENATE—*Friday, July 10, 1970*

The Senate met at 10 a.m. and was called to order by Hon. Ralph Yarborough, a Senator from the State of Texas.

The Reverend Charles B. Nunn, Jr., pastor, First Baptist Church, Bluefield, W. Va., offered the following prayer:

O Lord, our God, as we pray for the Members of this body, its officers, and all those who share in its labors, we remember that Thou art always One who is near, who is able and eternally adequate to satisfy the deep spiritual yearnings of men and nations.

Let us not forget that as wells run dry amidst a season of drought so do men's divine resources, when they are neglected or ignored.

Forgive us if we ever feel that prayer is a waste of time, and help us to see that without it we labor in vain.

Give to us Thy peace and refresh us in our weariness that this may be a good day with much done and done well.

We ask it in the blessed name of the One who has said:

As thy days, so shall thy strength be.

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Russell).

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., July 10, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Ralph Yarborough, a Senator from the State of Texas, to perform the duties of the Chair during my absence.

Richard B. Russell,
President pro tempore.

Mr. YARBOROUGH thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 9, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BYRD OF WEST VIRGINIA TODAY AND DELAY IN PROCEEDING TO THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks today by the distinguished Senator from New Jersey (Mr. Williams), the distinguished Senator from West Virginia (Mr. Byrd) be recognized for not to exceed 10 minutes; that then there not be a period for the transaction of routine morning business until later in the day, but that the Senate proceed to the consideration of Calendar No. 874, Senate Concurrent Resolution 64, the termination of certain joint resolutions authorizing the use of the Armed Forces which was made the pending business last night.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING THE SENATE SESSION TODAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Ohio (Mr. Young) is now recognized for 20 minutes.

WE WERE NOT INVITED

Mr. YOUNG of Ohio. Mr. President, it may come as a complete surprise to many Americans, but the fact is that no government of South Vietnam ever asked or suggested that the U.S. Government send combat troops into South Vietnam to maintain the Saigon regime in power.

A civil war has been raging in South Vietnam for more than 10 years now. During that time, there has never been any request for combat troops from any government of South Vietnam, neither the National Liberation Front, the political arm of the VC, nor from any of the Saigon regimes including the present one headed by General Thieu and Air Marshal Ky.

President Eisenhower and his advisers, principally Secretary of State John Foster Dulles, violently opposed the Vietnamese seeking national liberation. The Eisenhower administration provided immense aid to the French seeking to restore their lush and oppressive Indochinese colonial empire. Our militarists with the sanction of President Eisenhower had decided in 1954 to send in our airpower for the relief of Dienbienphu.

A few days before this outpost surrendered in May 1954 to the Vietnamese fighting for national liberation, Chairman Richard Russell of the Senate Armed Services Committee and the then Senate majority leader, Lyndon B. Johnson, expressed their feelings of outrage to President Eisenhower who then changed his mind and rejected the militant advice of John Foster Dulles.

On the day President Eisenhower left the White House, there were 685 American military advisers in Vietnam. No combat troops. On the date that President John F. Kennedy was assassinated, there were in Vietnam approximately 16,180 American military advisers. No combat troops. Unfortunately, that situation was altered by President Lyndon Johnson. On the day that he left office, there were more than a half million GI's, marines, and airmen in South Vietnam.

Neither the militarist regime of Saigon nor any previous ruling group in Saigon ever requested or suggested that the United States send those combat troops and airmen into Vietnam. My statement may amaze many American citizens but it is factually correct. A few months back that flamboyant Air Marshal Ky who is Vice President of the Saigon militarist regime said that it would be fine with him if all American troops left Vietnam. He said, "We never asked them to come."

Among the first U.S. combat troops

to enter South Vietnam were regiments of marines. They are trained to spearhead offensive action in the field. However, early in 1965 our Marine Forces were deployed defensively in the area of Danang. To this day most of our Marine Force has remained there.

Mr. President, the United States has for nearly a decade been waging a war in Southeast Asia, an area far from our sphere of influence and of no importance whatever to the defense of the United States. This immoral, undeclared civil war has cost taxpayers $400 billion and the priceless lives of more than 50,000 of America's finest, 10,000 miles from their homes.

In addition, approximately 300,000 have been wounded in combat or in what Pentagon officials call accidents and incidents. Many will be maimed for life.

Mr. President, what the Pentagon terms "accident and incidents," which have cost so many priceless American lives in World War II, as the distinguished Acting President pro tempore now in the chair (Mr. YARBOROUGH) knows because of his fine service to his country, we would have termed combat deaths. This is another instance of the credibility gap.

No chief of state of any of the regimes ruling in Saigon at any time during the administration of Presidents Eisenhower, Kennedy, and Johnson ever requested that U.S. combat troops be sent into Vietnam. Careful inquiry of top officials in the Department of State and Department of Defense and at the White House disclosed the startling fact that there was no request for American troops at any time. We should never have been involved in that civil war, especially a war in which we were never asked to enter, a war in which nearly every community of our country has tragically lost at least one high school graduate.

State Department officials have claimed that a request for troops was made by the Government of South Vietnam. In typical bureaucratic jargon, the State Department reported on September 2, 1969:

> The initial decisions to deploy United States combat troops to south Vietnam in the spring and summer of 1965 resulted from a continuing analysis of a constantly changing situation, a major factor in which was the deployment to south Vietnam of regular north Vietnam army units from the end of 1964 onward. . . . The process of analyzing the situation by the two governments, and and the consultation and agreeemnt thereon, were such as to be regarded by our government as constituting a request from the government of Vietnam.

What gobbledygook is this. Our Armed Forces were already over there. I was in Vietnam for nearly 30 days in 1965, and I know in the facts. This official doubletalk looks impressive but it clearly does not constitute a request for combat troops from the Government of South Vietnam.

In early 1965, U.S. Marines were moved to Danang from Saigon. This was not a deployment of troops to South Vietnam in response to a request from the South Vietnamese Government. It was simply a redeployment of marines who were already in Vietnam without any official request.

The fact is, Mr. President, that U.S. marines already in Saigon were redeployed to Danang, not in response to South Vietnamese request, but as part of a tactical move by the U.S. high command.

Perhaps we should not be surprised that the State Department considers this a formal request. Clear legal and diplomatic distinctions were among the early casualties of this war. It is an untruthful statement that we have any commitment there. We are sending troops to an area of no strategic importance whatsoever to the defense of our country. Furthermore, I denounce the claim that the United States of America has a mandate from Almighty God to police the entire world.

President Thieu on several occasions said that neither he nor any of his predecessors ever asked the Americans to come in. He stated we can leave anytime we want to; that they do not need American fighting men in South Vietnam.

Then, that flamboyant Air Marshal Ky, who was born in Hanoi and proudly displays a French decoration awarded him in 1954 for fighting against his fellow countrymen seeking national liberation, added his voice, making repeated statements saying the Americans came in on their own. Ky has stated often that the South Vietnamese can get along without our help.

The Senate has acted wisely in voting to repeal the Gulf of Tonkin resolution. I am glad this issue will come before the Senate again today. It will afford me another opportunity to vote to repeal the Gulf of Tonkin resolution.

On March 1, 1966, the matter of the repeal of the Gulf of Tonkin resolution came before the Senate for debate. And at that time in this body, only five U.S. Senators voted in favor of the repeal. Those five, Mr. President, were the chairman of the Foreign Relations Committee, the Senator from Arkansas (Mr. FULBRIGHT), former Senator Gruening of Alaska, former Senator Morse of Oregon, the Senator from Minnesota (Mr. MCCARTHY), and the then-junior Senator from Ohio, the Senator who is now speaking. We were the five who voted to repeal the Gulf of Tonkin resolution.

The Senate will be acting wisely today in voting, as we shall no doubt vote, by a huge majority, if not near unanimity, to repeal that Gulf of Tonkin resolution.

That resolution was based on utterly false statements that the destroyers *Maddox* and *Turner Joy* were on a routine mission in the Gulf of Tonkin when, in fact, they were intelligence-gathering spy ships. Furthermore, the alleged attack, the second attack in the nighttime never, in fact, took place.

The captain commanding both of these destroyers expressed his doubts very shortly after in messages to the commanding admiral, messages which were not permitted to be forwarded to Washington at that time.

That resolution was the authority which President Johnson claimed as the basis for sending more than one-half million U.S. troops into Vietnam. With that authority repealed and in light of the fact that American combat troops were never invited into Vietnam, President Nixon now has a golden opportunity to end our involvement in that immoral, undeclared war. I hope he takes it, but I do not think he will.

Just as the distinguished senior Senator from Vermont (Mr. AIKEN) stated some months ago:

> President Nixon should declare that we have achieved our objective in Vietnam, and order all our combat troops to be brought home now and without delay.

I hope he does that, but I do not believe he has the leadership to do that.

Mr. President, those troops could and should be brought home the same way they were sent over—by ships and by planes—and this return trip should be completed within 2 months.

WE MAINTAIN A BRUTAL, FASCIST MILITARIST REGIME WHICH TORTURES POLITICAL PRISONERS IN WINDOWLESS STONE "TIGER CAGES"

Mr. President, for 6 long years the American people have been supporting with their energy, their resources, and their lives an immoral, undeclared war in Southeast Asia. This war was supposedly being fought to stop Communist aggression and to maintain and defend a free, democratic, non-Communist government in South Vietnam.

As the horrible toll of this tragic war mounted, it has become increasingly apparent that the Saigon government of Thieu and Ky is nothing more than a military dictatorship disguised with the trappings of a free democracy. It is a Fascist, military regime with only a very narrow base of support within the country and it is kept in power only through the continued presence of American troops and dollars. It is a dictatorship which jailed the man who finished second in the presidential elections; dozens of newspapers have been closed; elected representatives of the people have been intimidated, jailed, or forced into exile; thousands of students and intellectuals and business and professional personnel have been summarily imprisoned for daring to disagree with the Government. This is the Government for which 50,000 Americans have given their lives.

Mr. President, early this week the whole world received further proof of the nature of the Saigon government we are now supporting with the revelation of the existence of a Devil's Island-type prison camp being run by the Thieu regime. It is shocking and appalling that American officials have known about and kept secret the existence of the prison camp at Con Son, 60 miles off the coast of South Vietnam.

Recently exposed by two courageous Congressmen, Representatives AUGUSTUS F. HAWKINS of California, and WILLIAM R. ANDERSON of Tennessee, the human torture chamber at Con Son contains 500 men and women locked up in windowless tiger cages, confined three or four together in 5-by-9-foot stone compartments, living in filthy conditions, suffering from malnutrition and disease and enduring physical beatings.

Their limbs are shackled, inducing paralysis, and powdered lime which

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causes them to choke and gasp for breath is dumped on them.

This concentration camp for political opponents of the corrupt Thieu-Ky dictatorship would no doubt have remained a well-kept secret had not Congressman ANDERSON and HAWKINS broken away from the carefully screened factfinding tour for a 12-member special House committee and actually discovered a startling fact, which was not on the program and which they were not supposed to see.

Their experience exposes the perils and pitfalls of congressional factfinding tours, demonstrating that more than anything else, they are an exercise in brainwashing.

Thomas R. Harkin, the congressional staff member who accompanied Congressmen HAWKINS and ANDERSON, resigned on July 7 in disgust over the way the Con Son issue had been handled. He charged that the majority of the special House committee which made the trip to South Vietnam attempted to cover up the existence of the tiger cages at Con Son and shroud it in a conspiracy of silence, rather than reveal the existence of the secret prison compound.

Mr. President, the vast majority of the 9,000 prisoners in the Con Son concentration camp, which incidentally was first established in 1862 by the French to detain Vietnamese opponents of that nation's colonial empire in Asia, are political opponents of the totalitarian Thieu-Ky regime, men and women who dared to speak out against the policies of the brutal tyrants of this war-torn nation.

The sickening bestiality at Con Son was described by five South Vietnamese students, recently released from Con Son, before a committee of the Vietnamese House of Representatives.

They gave a grisly description of the deplorable conditions at Con Son. Food in the tiger cages they said consisted of rice, often riddled with sand and pebbles. To supplement this diet, they said they added leaves, grass, fleas, and beetles.

For toilet paper—

They said—

> we had to use a small scrap of cloth ripped from a shirt or pants pocket, which we carefully washed out with urine so it could be used again and again.

These former political prisoners were all avowed opponents of the regime of President Thieu, the ruthless dictator of South Vietnam who has sought to rule his nation by decree.

Don Luce, an American in South Vietnam who is gathering information for the division of interchurch aid of the World Council of Churches, said that he visited the prison compound with the Congressmen at Con Son where he saw the tiger cages. Mr. Luce had been told of a hidden entry to the stone compartments while visiting Con Son with Congressmen ANDERSON and HAWKINS. He asked to have the door opened and the Americans went inside.

> We looked down from a catwalk through large openings, one for each cell.

Mr. Luce related.

> The prisoners dragged themselves to the spot where they could look up and speak to us. They pleaded for water.

Above each compartment, Mr. Luce related, was a bucket of powdery white lime that the prison warden said was used for whitewashing the walls, but that the prisoners said was thrown down on them when they asked for food.

The women prisoners, who number about 250, said that they were moved from mainland prisons to Con Son 7 months ago. Mr. Luce reported that there appeared to be 60 or 70 compartments in each of the two buildings with five women in a compartment.

Mr. President, during the last fiscal year, the United States contributed $442,000 to the Vietnamese penal system, primarily for construction of new facilities. It is evident that the appropriation of this money is another example of the waste and corruption of the Saigon government, which continues to maintain inhumane prisons and treat prisoners like animals.

The revelation of the human torture chamber at Con Son is another link in the chain of proof that we are not supporting a democracy in Saigon and never have, but rather we have been maintaining a brutal totalitarian ruling clique of dictators whose prime interest is remaining in power, not serving the needs of the South Vietnamese people. It may be charged by some that this is no worse than atrocities committed by the Communists. That is hardly a justification for this horror, for since when do two wrongs make a right. For 6 years the American people have been told they were fighting this war to prevent such things from happening.

A congressional factfinding team uncovered these unspeakable atrocities. What followed was that Frank E. Walton, U.S. chief of the Public Safety Directorate in Saigon, denounced those fine Members of Congress for "intruding into a Vietnamese prison." This fellow denied the existence of the cages. Then when irrefutable proof was offered of their existence, he refused to do anything about the cruel situation. He even refused to visit the cages.

Then a spokesman of the U.S. Embassy in Saigon termed these as "some shortcomings in the correction program in Vietnam." He stated that Americans should remember that this was in the control of the South Vietnamese officials and not U.S. Government officials.

The facts are this administration is being misrepresented in Saigon by Ambassador Bunker who has outlived whatever usefulness he ever had. We are guilty of aiding and abetting South Vietnamese officials in inhumane and brutal treatment of political prisoners. Ambassador Bunker and even officials at the White House have suppressed information about this bestiality, stating we must "spare Saigon embarrassment."

There has been no comment whatever from the White House nor from officials of the Defense Department denouncing the sickening brutality committed by top officials of the Saigon militarist regime of General Thieu and Air Marshal Ky which our Armed Forces have been maintaining in power for years at the cost of 50 thousand priceless lives of America's finest young men killed in combat. In addition our young men wounded in combat exceed more than 290,000. Many other GI's have been afflicted with bubonic plague, malaria, and other jungle diseases. Some have died.

Is it possible that this brutal sordid, endless involvement of our country in southeast Asia, first intervening in a civil war in Vietnam and more recently in the extension and expansion of the brutal fighting and killing of civilians—men, women and children—into Cambodia and Laos as well as in Vietnam—has so exhausted the American spirit that the recent discovery of the fact that some 500 political prisoners—men, women and children have been confined in windowless stone "tiger cages" brought forth no word of protest from the White House. In fact an attempt was made to conceal this brutality from the American people. Furthermore the Saigon militarist regime we support has presently in prison cells some 40,000 political prisoners—including many women. They have been mistreated and many have been tortured. Yet not one word of protest has emanated from American officials in Vietnam nor from the White House.

The United States is a signatory to the Geneva agreement guaranteeing the humane treatment of prisoners of war. We Americans have been absolutely right in pressing our contention that the Hanoi government and the forces of the national liberation front of South Vietnam, or VC, have been mistreating our airmen and other fighting men who have been prisoners of war over many months.

It is evident that in recent months there has been some semblance of humanity in Hanoi in that hundreds of names of American prisoners of war have been made public largely through Quakers and other groups whose members have been permitted to confer with Government officials in Hanoi. Also some packages of food and medicines and some mail has been permitted to be received by Americans held as prisoners. Too little has been accomplished to date in this connection.

Mr. President, I express my admiration for the Congressmen, particularly two of them who expressed loudly and clearly their feeling of horror and who were the ones who located these tiger cages despite efforts by Vietnam Government officials, U.S. State Department officials, and AID officials to cover up and prevent their access to these tiger cages. I pay tribute to Congressman HAWKINS, Democrat of California, and ANDERSON, Democrat of Tennessee. Unfortunately, some other members of this so-called factfinding group apparently were disinterested in real factfinding. It is stated that Representative CLANCY, Republican of Ohio, upon his return to my State said:

> This is something I know nothing about.

Representative SMITH, Democrat of Iowa, said:

> It was a mistake to go there.

Representative WATSON, Republican of South Carolina, said:

> This could be highly embarassing to the South Vietnamese Government.

Congressman **Montgomery**, Democrat of Mississippi, chairman of this special committee pontificated:

> This was a South Vietnamese creation and it is their problem.

Very definitely, this problem has become more and more an American problem with each successive attempt of some Congressmen to cover it up.

Mr. President, I express my admiration for Thomas R. Harkin, a former navy pilot who served the committee as its one staff member. He resigned in dismay and disgust over the manner in which this issue had been handled. He spoke out for "justice and humanity."

Mr. President, we Americans should all join him in expressing our protest over a ghastly horror story which truly dishonors all of those upholding and defending the brutality of the Saigon militarist regime we maintain in power. We should demand that every one of those political prisoners be released without delay.

Mr. President, we have failed to learn that we are not capable of changing the ways of another people with a radically different culture on a distant continent. Until we perceive this, we will continue to sacrifice the lives of our Nation's finest young men and subsidize a tyrannical dictatorship which is contrary to all the democratic precepts which have guided our country for almost two centuries.

ORDER OF BUSINESS

The **ACTING PRESIDENT** pro tempore. The Senator from New Jersey is recognized for 20 minutes.

THE MIDDLE EAST CRISIS

Mr. WILLIAMS of New Jersey. Mr. President, it has been 3 years since the 6-day war in the Middle East between Israel and her Arab neighbors. It might be more accurate to refer to the Middle East crisis as a 22-year war, which started in 1948 when Israel became a state.

During those 22 years, hardly a day has gone by without a report of some hostile action on Israel's borders. Periodically, those hostilities have heated up to the point of full-scale war. Such was the case in 1948 when the Arab countries invaded Israel immediately after Israel's proclamation of statehood.

War broke out again after Egypt closed the Suez Canal to Israel shipping and international trade to or from Israel in 1956.

There was another full-scale war in 1967 when Nasser sought to blockade Israel and forced a withdrawal of U.N. peacekeeping forces.

During the course of these 22 years, Democratic and Republican Presidents alike, have publicly proclaimed America's strong support of Israel. They have made clear America's determination to assure Israel's continued and secure existence.

We have not, however, always manifested our sincerity by specific actions. Action taken at the appropriate time could have effectively assured a peaceful and productive existence for Israel and for all the peoples of the Middle East. Furthermore, it is clear that our efforts to buy the friendship of nations, such as the United Arab Republic, at almost any cost have been a complete failure.

One need only reflect momentarily on the disastrous Dulles policies of the fifties to realize that any effort today to follow a so-called evenhanded approach was doomed to failure.

Indeed, such an approach, in my judgment, may bear a direct causal relationship to the Soviet Union's escalating military presence in the Middle East.

One may view American interests in the Middle East in the context of another confrontation between the United States and the Communist world. If that is the case, it is difficult to see how we can be evenhanded in dealing with Soviet-dominated Arab countries which oppose the one country that is a bulwark against Communist expansion.

One may view American interests in the Middle East in the context of aiding nations which turn to us for assistance. If so, one must be outraged by our willingness to send our young men to die for corrupt regimes in Vietnam while hesitating to even sell arms to Israel.

One may view American interests in the Middle East in the context of aiding another nation committed to freedom of the human spirit. If so, one must be discouraged to think that we have willingly aided Arab dictatorships while hesitating before responding to pleas from democratic Israel.

For the past several months the people of our Nation have observed the administration in Washington publicly agonizing over a decision to sell 125 jet aircraft to Israel. Throughout this lengthy process, we have been told that Soviet escalation has not shifted the balance of power against Israel.

As recently as May 8, the President was not ready to conclude that the balance of power had shifted against Israel. Only 2 weeks ago, Secretary Rogers assured Americans that Israel was still capable of supporting herself militarily.

This was despite his recognition that the Soviet Union had deployed Sam–3 missiles in Egypt and that Soviet pilots are flying planes in Egypt and that there are a large number of Soviet personnel in the United Arab Republic.

In fact, Secretary Rogers announced at that time a new peace initiative being undertaken by the United States.

Ten days before Secretary Rogers' announcement, I wrote to President Nixon regarding the Middle East crisis. I called it one of the most serious threats to world peace since the Second World War. And I urged a Presidential report to the Nation.

I ask unanimous consent that the text of that letter be inserted in the Record at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 16, 1970.

The President,
The White House,
Washington, D.C.

Dear Mr. President: We have all been watching with increasing alarm the growing Soviet presence in the Middle East. This Russian presence only heightens the concern of all people who recognize the need for a continued existence of a secure State of Israel.

It is certainly proper for Administration spokesmen to reiterate our commitment to Israel's survival. However, the depth of that commitment can only be measured by the actions we take. Unfortunately, our actions have been equivocal, and our equivocation has lead the Soviet Union and the Arab nations to prolong and expand the Middle East conflict.

In my judgment, the Middle East crisis presents one of the most serious threats to world peace since the Second World War. And yet, Israel's request for the sale of additional jet aircraft is still undergoing lengthy review by your Administration.

I know that this critical situation is of great concern to you, as it is to all Americans. I believe, however, that I speak for many Americans when I express concern and lack of understanding at such apparent equivocation.

In the past, you have made serious efforts to present to the Nation reports on several critical issues. I respectfully urge you to consider a Presidential statement and report to the Nation on this issue. I know such a report will be greatly appreaciated by all of America.

Respectfully yours,
Harrison A. Williams, Jr.

Mr. WILLIAMS of New Jersey. Mr. President, I have received no response from the White House. However, I did watch the President's televised conversation with three newsmen, and I have read newspaper reports attributed to White House and other administration sources.

These things have caused me grave concern.

It would appear that the President believes that a situation in which Soviet presence did not alter the balance of power against Israel, has suddenly become a situation requiring a direct Soviet-United States confrontation.

On Tuesday, I felt compelled to renew my request to the President that he agree to the immediate sale of additional jet aircraft to Israel. In addition, I again asked for a Presidential report to the Nation on the grave Mideast crisis.

I ask unanimous consent that the text of that letter to the President, dated July 7, 1970, be printed in the Record at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

July 7, 1970.

The President,
The White House,
Washington, D.C.

Dear Mr. President: As you know, I have urged, on numerous occasions that the Administration demonstrate America's resolve to assure the continued secure existence of Israel. I have believed for some time, as my public record demonstrates, that the apparent weakening of American resolve has led the Soviet Union to escalate the hostilities in the Middle East. I, therefore, could not agree with you more when you state that the situation in the Middle East is a most serious threat to world peace.

I believe that I owe it to you and to my constituents to share with you my grave concern over reports attributed by the news media to "White House sources" and to renew my request that you devote some time from your heavy schedule to a report to the Nation on the crisis in the Middle East.

For months, your Administration has been considering Israel's request for the opportunity to purchase additional jet aircraft. Though I have disagreed with your decisions to delay approval of the sale, I appreciate

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your genuine concern over the deteriorating situation. It is my strong belief, however, that an immediate agreement to sell jets to Israel would go a long way to demonstrating to the Soviet Union that she cannot freely work her will in the Middle East. An additional, but most important, reason leading me to this conclusion is that it is one method of deterring the Soviet Union without committing even one American.

I have read with great interest and concern the recent article, "Suez is the Front to Watch," by Hon. George W. Ball, former Under Secretary of State, a man for whom I have the highest regard. His conclusions, however, are very disturbing. Although he seems to minimize the utility of selling additional jets to Israel, he too readily concludes that "we should be in a position to demand, on threat of direct military involvement, that the Soviets remove most, if not all, of their military personnel from Egypt."

It is of even greater concern to read reports this past weekend of "White House" and "other Administration sources" apparently ascribing to this thesis. Coming as they do on the heels of your announced new peace initiative, these reports have been a cause of great confusion about your position.

I must respectfully renew my urging for the immediate sale of additional jet aircraft to Israel and for a Presidential report to the Nation on this grave crisis.

Sincerely,

HARRISON A. WILLIAMS, Jr.

Mr. WILLIAMS of New Jersey. Mr. President, I cannot find the words to emphasize strongly enough my deep conviction that time is of the essence.

Mr. President, I yield the floor.

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ORDER OF BUSINESS

Mr. WILLIAMS of Delaware. Mr. President, notwithstanding the order that the Senator from West Virginia (Mr. BYRD) be recognized at this time, I ask unanimous consent that I be recognized for 3 minutes, and that the 3 minutes used by me not be counted against the time of the Senator from West Virginia.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

SENATE RESOLUTION 428—SUBMISSION OF A RESOLUTION AUTHORIZING THE COMMITTEE ON COMMERCE TO CONDUCT AN INVESTIGATION OF FIRMS PROMOTING TRAVEL ABROAD BY AMERICAN STUDENTS

TRAVEL AGENCIES LEAVE AMERICAN STUDENTS STRANDED ABROAD

Mr. WILLIAMS of Delaware. Mr. President, in the July 7, 1970, issue of the Washington Star there appeared an article entitled "About 3,000 Tourists 'Stranded.'" This article outlines the desperate situation in which several thousand American students found themselves when stranded in Europe as the result of the bankruptcy of the travel agency with which they had placed their money.

A second article appearing in the Washington Post of July 10 indicates that these students will lose about 75 percent of their advance payments.

According to these articles, after these students were in Europe the travel agency declared bankruptcy, listing assets of about $800,000 against debts of around $4,000,000.

Surely the officials of this agency knew of their financial situation prior to the time that these students left the American continent, and I am requesting that the Senate Committee give attention to this problem.

The questions may well be asked, To what extent did this bankruptcy result from siphoning the money out of the concern by its management, and what is even more important, Do we need laws requiring the licensing or bonding of these travel agencies?

I have had somewhat similar complaints—not necessarily involving bankruptcy, but situations where students were misled when, in making their travel arrangements, they were not fully advised as to the limited coverage of the contract. For example, in some instances, the stated cost covered standby travel alone with the possibility that even at the last minute the contract would be canceled with the student left at the airport, thereby necessitating the cost of additional hotel arrangements at the point of departure either in this country or on the return home.

There are reports that our American consuls in Europe and Asia are often confronted with the problem of assisting stranded students who have been trapped by the glowing promises of some travel agency advertisements.

In view of the serious hardships that result from such misunderstandings I am today requesting that the Senate Commerce Committee examine not only this particular case involving bankruptcy but also the industry in general to determine whether or not we need legislation requiring a greater responsibility on the part of these travel agencies, perhaps even to the extent of a bonding or licensing arrangement.

I ask unanimous consent that the three articles to which I have referred, together with an article published in yesterday's issue of the Wilmington Morning News on the same subject, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, July 7, 1970]

ABOUT 3,000 TOURISTS "STRANDED"

PARIS.—Several thousand American students found themselves temporarily stranded in Europe today after their Cincinnati-based tour group filed for bankruptcy.

But spokesmen for the group quickly arranged an airlift for the students—who are in Paris, Rome, Cologne, Geneva, Vienna, Athens and parts of Yugoslavia—promising "we have the money."

HAVE RESERVATIONS

Some of the students took the whole affair as a lark, others were bitter and a few were anxious. But nobody was suffering.

"Nobody has been stranded," asserted T. Budge Hyde, acting president of the World Academy, the ill-fated tour group.

"They are all safely housed in their accommodations and they have their plane reservations home." Five planes will leave New York today and seven more tomorrow to evacuate half the youths.

PETITIONS FILED

Hyde said there were about 3,000 students on the tour program throughout Europe.

"We already sent 600 to 700 of them home in the past few days up to today," he added.

World Academy and four of its subsidiaries filed voluntary bankruptcy petitions yesterday in U.S. District Court of Cincinnati.

The agency's brochure had offered the young people "the best of all summers," a study trip to Europe with school work and classroom credit worked in.

"We are no longer financially able to meet commitments for transportation and accommodation," a statement from the organization said. An attorney said the firm had assets of about $800,000 and debts of $4 million.

[From the Washington (D.C.) Post, July 10, 1970]

BANKRUPTCY RETURN

CINCINNATI.—A bankruptcy referee said the 3,200 high school and college students stranded in Europe when a travel agency went broke will receive 10 to 25 cents on the dollar on the total amount they paid for their trip.

World Academy Inc., the now-bankrupt firm that arranged the student tour, had arranged for airline tickets for the students but had not paid for food and lodging.

The students paid between $700 and $1,000 for the trip.

[From the Wilmington (Del.) Morning News, July 9, 1970]

STRANDED STUDENTS TO RETURN

Thirteen Archmere Academy students stranded in Europe when their travel agency declared bankruptcy will be returning to the United States by today or tomorrow.

Father Alexander Arndt, the academy's registrar, said the students will arrive in New York City on a Capitol International Airlines flight.

The Archmere students were among 3,500 students stranded when the agency, World Academy Tours for Foreign Study, Inc., filed a bankruptcy petition.

The students were left with their return air tickets but without food and lodging.

The Archmere students and four other students in their group had toured Italy and were in Geneva, Switzerland, when they learned they would have to return.

Mr. WILLIAMS of Delaware. I submit, for appropriate reference, a resolution, Senate Resolution 428, and ask unanimous consent that the resolution be printed in the RECORD.

The **PRESIDING OFFICER** (Mr. BIBLE). The resolution will be received and appropriately referred and, without objection, will be printed in the RECORD in accordance with the Senator's request.

The resolution, Senate Resolution 428, which reads as follows, was referred to the Committee on Commerce:

S. RES. 428

Resolved, That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of firms promoting travel in foreign countries by American students, with particular reference to the financial responsibility of such firms.

SEC. 2. The committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date.

The **ACTING PRESIDENT** pro tempore. Under the previous order, the Senator from West Virginia (Mr. BYRD) is recognized for 10 minutes.

THE UNITED STATES SHOULD CRY OUT AGAINST INHUMANE TREATMENT OF PRISONERS WHEREVER IT OCCURS

Mr. BYRD of West Virginia. Mr. President, Americans are understandably shocked by the statements which have been made in the last few days with respect to mistreatment of prisoners by the South Vietnamese.

I note some conflict in the reports concerning conditions at Con Son Island, some 60 miles off the coast of South Vietnam, and I would say, first, that efforts should be made to get a correct assessment of the facts. If any action is called for by our Government, decisions should not be made on the basis of sensational reports in the press alone.

If the reports are true, however, the mistreatment of prisoners should be condemned strongly. The United States should withdraw any financial aid that might contribute to prison conditions such as those which have been described in the news media, and our Government should use every means at its disposal to compel the government in Saigon to treat prisoners humanely.

Men and women—many of the political prisoners—reportedly have been incarcerated in windowless cells or cages under extremely primitive and unsanitary conditions. Allegedly, some have been shackled to iron bars in the floor and have been beaten until they cannot stand. The food given them, apparently, is below the subsistence level, and, according to the news reports, they have been "disciplined with dustings of choking lime."

All of this is abhorrent and foreign to the effort we have been making in behalf of the South Vietnamese people, and is of direct concern to the United States, if the investigation—preferably by the Red Cross—which should be made bears out the allegations.

This situation is closely related to another prisoner situation in which Americans are also deeply involved and about which we should be increasingly concerned and active, and that is the situation in which American military personnel are being held as prisoners of war by the North Vietnamese.

What is happening to these men? we do not know, since Hanoi has not even had the humanity to reveal the names of the Americans it holds prisoners. The families of these men do not know if they are dead or alive. If they are alive, they, too, may be the victims of mistreatment and brutality. Certainly the unfortunate families of these men here at home are the victims of fear and dread as to the fate which has befallen their loved ones. This is cruelty carried to an uncivilized degree.

I cannot understand, Mr. President, why there is no apparent concern for these men on the part of those who demonstrate against America's efforts in South Vietnam. Why do we never hear condemnation of our country's enemies in North Vietnam for their callous inhumanity? Why are there no protests over what may be happening to U.S. airmen, soldiers, sailors, and marines who are held incommunicado in communist jails?

There is something dreadfully distorted about a public conscience which condemns warfare, yet condones brutality inflicted upon those who are in no way able to defend themselves. There is as much reason to condemn the North Vietnamese for their vindictiveness and recalcitrance with respect to prisoners of war as there is to condemn the South Vietnamese for their mistreatment of others held prisoner. Hanoi has kept American POW's in almost total isolation over the past several years, refusing even to let the prisoners communicate with their families in the United States.

The Geneva Convention of 1949 relative to the treatment of prisoners of war—to which North Vietnam subsequently became a signatory—provides that prisoners of war "shall in all circumstances be treated humanely." Hanoi is thus guilty of willful and flagrant disregard of an international agreement which it is pledged to uphold.

Mr. President, it is my hope that the disclosures with regard to Con Son Island will serve to focus new attention upon all aspects of the situation involving those held prisoner by either side in the war in Southeast Asia. America must always be strongly on the side of decency and humanity.

Hanoi and Saigon—can be influenced by U.S. public opinion. A nationwide outcry against mistreatment of human beings held as prisoners in this conflict is needed. Human treatment for them must be demanded. Our Government, our churches, our civic organizations, and concerned agencies throughout the land ought to raise their voices in protest against uncivilized cruelty and savagery, whatever the guise and whatever the country.

The American people—who have been so divided over the war itself—surely can make it plain to both Hanoi and Saigon that American public opinion is strongly united in its demand that prisoners be treated in accordance with civilized practices.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MANSFIELD. I commend the distinguished Senator from West Virginia on the statement he has just made relative to prison conditions as they affect both North and South Vietnam. I am delighted that he has shown, once again, his leadership in this area, among other things, by bringing his views to the attention of his colleagues in the Senate; and I hope most sincerely that what he has suggested will be given every attention.

Mr. BYRD of West Virginia. I thank the majority leader.

TERMINATION OF CERTAIN JOINT RESOLUTIONS AUTHORIZING THE USE OF THE ARMED FORCES

The ACTING PRESIDENT pro tempore. Pursuant to the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 64) to terminate certain joint resolutions authorizing the use of the Armed Forces of the United States in certain areas outside the United States.

Mr. MANSFIELD. Mr. President, if the Senator from Arkansas, who as chairman of the Committee on Foreign Relations is manager of the resolution, will yield to me briefly, I should like to suggest the absence of a quorum.

Mr. FULBRIGHT. I yield.

The ACTING PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FULBRIGHT obtained the floor.

Mr. SCOTT. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. SCOTT. Last night, I suggested a limitation of debate on this resolution of 10 minutes, 5 minutes to a side. It has been often debated before. I think we ought to be more generous, perhaps, than that, and I wonder whether the distinguished Senator from Arkansas would agree to 20 minutes, 10 minutes to a side.

Mr. FULBRIGHT. I do not believe I want to agree to a time limitation. I can assure the Senator, however, that my statement will not take over 10 minutes. I see no occasion for debate, but I want to make clear the procedural question that arose in the former consideration of this question. I do not believe I am disposed to make an agreement at this time.

Mr. SCOTT. I do not believe that we have a great amount of requests for time.

Mr. FULBRIGHT. I do not, either. If we can be allowed to proceed, I think we will be through with it.

Mr. SCOTT. I should like to ask how many requests we have on our side.

Mr. MATHIAS. I have some remarks to make. I have no knowledge of any other.

Mr. FULBRIGHT. The Senator from Maryland, as the Senator from Pennsylvania knows, is a sponsor of this resolution.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. DOLE. I might observe that we could talk until the cows come home—they were mentioned in the last debate—but it probably is not necessary that we have extended debate on this matter. I have only a few minutes.

Mr. FULBRIGHT. Talk to the cows?

Mr. DOLE. Until the cows come home.

Mr. FULBRIGHT. I have no intention of talking until the cows come home, whenever that may be.

Mr. SCOTT. Or until the chickens come home to roost.

Mr. FULBRIGHT. Mr. President, on June 24 I voted against a move to re-

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peal the Gulf of Tonkin resolution offered by Senator Dole, of Kansas, despite the fact that I strongly favor repeal of that resolution. I voted against repeal in the form in which it was brought up, however, for reasons I believe to be valid and substantial.

The first reason has to do with the traditions and standards of the Senate. One of the strongest Senate traditions—although it is not a formal rule—is that Senators do not call up proposals sponsored by others to be voted on prematurely, especially when they would do so for purposes quite different from those of the original sponsor. That was the case with the vote to repeal the Tonkin resolution. The original Mathias proposal, which is now before us, stands alone as a concurrent resolution, which does not require the signature of the President. It is the form provided for by the original resolution. In the form in which it was taken over and sponsored by the Senator from Kansas (Mr. Dole), repeal of the Tonkin resolution became an amendment to a controversial bill, which, if enacted by the House of Representatives, will require the President's signature to become law.

When the Senator from Colorado (Mr. Allott) subsequently employed a similar procedure prematurely to call up the so-called end-the-war amendment sponsored by the Senator from South Dakota (Mr. McGovern) and the Senator from Oregon (Mr. Hatfield), the Senate voted to table the motion, declining to consider the proposal until its rightful sponsors were prepared to put it forward. This action was taken as more than a matter of privilege and protocol. It had to do with the maintenance of dignified, responsible, and orderly procedure. For the Senate to have done otherwise would have set an unfortunate example at a time when extremists of both right and left are showing contempt for orderly democratic procedure. As the majority leader said, the violation of mutual respect and courtesy involved in the proposal to call up the McGovern-Hatfield amendment prematurely threatened to turn the Senate's usual "atmosphere of comity and unity" into "a jungle of one-upmanship."

The same principle was involved in the Dole amendment for repeal of the Tonkin resolution. That is why I joined such strong supporters of the Senate's rules and traditions as the Senator from Mississippi (Mr. Stennis) and the Senator from North Carolina (Mr. Ervin) in voting against repeal of the Tonkin resolution in that form. I certainly intend to vote for repeal now that it is before us in its original and proper form as the concurrent resolution sponsored by the Senator from Maryland (Mr. Mathias) and approved by the Foreign Relations Committee.

Repeal of the Tonkin resolution under the Dole amendment was part of a larger legislative package which, taken as a whole, gave the repealer a connotation quite different from that which I believe to have been the intent of a majority in the Senate. I refer to the Byrd amendment, which purported to concede sweeping powers to the President, in his capacity as Commander in Chief, to initiate military action whenever and wherever he might wish, provided only that he thinks such action necessary to protect the lives of American troops, wherever they may be deployed. Read in conjunction with the Byrd amendment, which attempts to concede undefined powers to the President as Commander in Chief, repeal of the Tonkin resolution in the form sponsored by Senator Dole may be read as acquiescence in the Executive's contention that the Tonkin resolution was of no consequence in any case because the President, in his capacity as Commander in Chief, has full authority to make war without authorization by Congress.

In the form sponsored by the Senator from Maryland (Mr. Mathias) and endorsed by the Foreign Relations Committee, on the other hand, repeal of the Tonkin resolution would signify not a surrender to Executive presumptions but the removal of an inauthentic substitute for a constitutionally mandatory congressional authorization. It would clear the books of an enactment which has been interpreted as authorizing full-scale war in Southeast Asia although Congress had no such intention in adopting it. As endorsed by the committee, repeal of the Tonkin resolution would neither eliminate a valid congressional authorization for the Indochina war nor acknowledge the Executive's claim to the power to make war on its own. It would simply confirm and clarify an existing state of affairs, which is, that the war in Indochina is and always has been a Presidential war, initiated and conducted without valid authorization by Congress.

The repeal of the Tonkin resolution in conjunction with the Byrd amendment to the Cooper-Church amendment has the wholly different connotation of acquiescence in the Executive's inflated concept of the President's authority as Commander in Chief. It eliminates the Tonkin resolution not as illegitimate but as superfluous. This is attested to by the fact that the sponsor of the repealer of June 24 was also an ardent advocate of the Byrd amendment.

The matter is more than one of procedure, prerogative and courtesy in the Senate—important as these are. The two forms of repeal of the Tonkin resolution—that sponsored by the Senator from Kansas (Mr. Dole) and that recommended by the Foreign Relations Committee—though nominally leading to the same result, in fact have radically different connotations. The one, coupled as it is with a legislative enactment which can be read as acquiescence in the Executive's claim to plenary war powers, represents an act of resignation, an attempt by Congress to give away its own constitutional war powers. The other approach, favored by the committee, would eliminate an illegitimate authorization and, in so doing, reassert the constitutional authority of Congress to "declare war," "raise and support armies," and "makes rules for the Government and regulation of the land and naval forces."

For these reasons I strongly recommend adoption of the concurrent resolution now before us, which would repeal the Tonkin resolution by majority votes of the two Houses, without depending on Presidential action. The present resolution is not redundant; it represents the only means through which we can repeal the unfortunate Tonkin resolution in such a way as to assert rather than resign from the constitutional authority of Congress.

This action is within the spirit of the commitments resolution passed last year by the Senate.

I am encouraged by various actions taken by the Senate, to indicate that this body, after a considerable period of acquiescence to the demands of the Executive, is reasserting its constitutional responsibilities.

I believe that this resolve of the Senate is the most significant development in recent years for the preservation of our constitutional democratic system of government.

Mr. MATHIAS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. Bible). The Chair would advise the Senator from Maryland that an amendment is not in order until after the committee amendments have been disposed of, except by unanimous consent.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that it may be in order.

The PRESIDING OFFICER (Mr. Bible). Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 2, line 9, after the word "upon", strike out "the day that the second session of the Ninety-first Congress is adjourned." and insert "approval of both Houses of the Congress."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The Senator from Maryland is recognized.

Mr. MATHIAS. Mr. President, more than 7 months have passed since introduction on December 8, 1969, of the comprehensive foreign policy resolution (S.J. Res. 166) which in different and partial form reaches the floor today. The earlier resolution had several provisions that seemed to me to be important. But it was chiefly devoted to a single purpose: the practical application of the principle embodied in Senate's national commitments resolution of 1969 (S. 85).

That historic measure, S. 85, defined a national commitment as the use of American troops in a foreign country or the contingent promise of such use. S. 85 resolved that it was the sense of the Senate that such a national commitment requires "affirmative action by the executive and legislative branches through

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means of a treaty, convention, or other legislative instrumentality specifically intended to give effect to such a commitment."

The Senate had spoken and this resolution was justly acclaimed as a historic utterance. Yet the words of the Senate resounded boldly only because the actions of the Congress had long been so timid. The national commitments resolution issued from a body that for years had remained silent or irresolute in relation to national commitments—for years had allowed the Executive to act ever more freely with American troops abroad.

Even in this moment of rare assertiveness, moreover, from one point of view, the Senate spoke modestly. It did not declare the constitutional prerogatives of the Congress in words as emphatic as those used in the Constitution itself. In article II, section 8, after all, the Founding Fathers had assigned to the Congress every significant power of decision over the engagement of troops abroad. Far from giving the President the power to intervene overseas, the Constitution did not even permit him to intervene on the seas without congressional approval—even against piracies. The President is assigned the initiative power only to repel attack.

The Constitution does not make reference, of course, to modern weapons and military strategies—to nuclear deterrence or to protective-reaction strikes. But it does catalog all the likely military contingencies of the day—and it gives the decisionmaking authority to the Congress.

Congress is to "raise," "regulate," "support," "govern," and otherwise "provide" for the Armed Forces. Congress is to define and punish felonies on the high seas and other offenses against international law. Congress is to make rules concerning captures on land and water; and it is to declare war. Finally, Congress is to make all laws which shall be necessary and proper for carrying these powers into execution.

And yet, as we meet here today, all that has been finally enacted by Congress—beyond the long record of deference to the Executive in military commitments abroad—all that has been finally enacted into law is one poorly understood amendment restricting the use of ground troops in Laos and Thailand, which can probably be avoided if not evaded. After all this, the most important new congressional declaration of principle remains a sense of the Senate resolution in which we make bold to paraphrase the Constitution. A sense of the Senate resolution, moreover, that is violated by several standing acts of Congress.

In its context, I do not deny that S. 85 is historic. It is an important first step, a major new departure, for which its authors deserve all the acclaim they have received. But in a very real sense—unless its words are put into practice—it will seem in history as a case of a mouse that roared.

So it was to put the Senate's words into practice that Senate Joint Resolution 166 was introduced last December by the distinguished majority leader, the Senator from Montana, and myself. It was for the same modest purpose that Senators COOPER and CHURCH introduced their amendment to the Military Sales Act recently passed by the Senate, but yesterday, I regret to say, was dealt a blow in the other body that will probably prove fatal. It is for the same modest purpose, that a series of bills has been prepared belatedly to give Congress a role in the final stages of the Vietnam war—even if Congress shirked a responsible role during the inception of that war.

Mr. President, I do not attempt to avoid my own responsibility during this period of time in which I have been a Member of the Congress.

Now I do not deny that this analysis—both of the constitutional issue and of recent legislation—raised important questions. If these proposals are really so modest, and if the Constitution is really so clear, why, one may ask, is the legislation so controversial? Am I impugning the President's respect for the law of the land which he is sworn to uphold?

Do I mean to suggest that the House of Representatives was incomprehensibly negligent when it in effect instructed its conferees to reject the Cooper-Church amendment? My answer to both questions is an emphatic no. For the past actions of the Congress—both the Senate and the House—have created such a large body of inconsistent legal precedent, and have endorsed such extensive overseas deployments, that the present locus of power over military commitments has been hopelessly confused. In this situation, it is understandable that the executive branch, which like the rest of us is the victim of the barnacles of habit may not view with perfect accord the Senate's initial efforts to reassert the constitutional power of Congress.

For even the Senate has as yet failed to establish a coherent record. We have declared our position in S. 85. But we have a long record of action in conflict with these views. And as a continuing symbol of this conflict, we have allowed to remain on the books as the law of the land a series of enactments that implicitly grant to the President as the Commander in Chief the power to intervene abroad at his own discretion. A crucial step in an orderly and responsible reassertion of congressional power that can be understood by both the executive and the public is the repeal of these enactments of abdication—an abdication not of power, but of constitutional duty.

The proposal of last December, a joint resolution (S.J. Res. 166) was intended to repeal four such enactments, while at the same time giving the President authority to conduct military activities in Vietnam as part of a program for total withdrawal. The proposed repeal was to apply to the Tonkin Gulf, Middle East, Formosa, and Cuban foreign policy support resolutions; and in addition a committee was to be established to reexamine the national state of emergency created at the time of the Korean war and still in effect today. This approach would unite the executive and legislative branches in advancing the constitutional principles that the Congress and the President share the powers of peace and war and that neither can act alone to engage American troops abroad.

The reception accorded our resolution was highly gratifying. Largely because of the educational leadership of the distinguished majority leader and of the distinguished chairman of the Foreign Relations Committee and the members of that committee—and of course, because of the constitutional problems of the tragic war in Southeast Asia—our proposal attracted immediate and informed attention. I was especially grateful for the close examination given the resolution by the State Department and for the detailed testimony given the Foreign Relations Committee by the able and distinguished then Under Secretary of State Elliot Richardson. The administration indicated that it would not oppose our initiative. The subsequent months have seen a sometimes bewildering chain of events—moving so rapidly that it has been difficult to keep the underlying issues in view as we responded to the immediate crises. Most dramatic was the decision by the President to move troops into Cambodia without even cousulting the Congress. This action was followed by the Cooper-Church amendment to the Military Sales Act, judiciously providing for coordination of the Congress and the President should it become necessary to order our troops back into Cambodia. Meanwhile, Senator GOODELL's proposed amendment to the military procurement bill, designed to establish a timetable for U.S. withdrawal from Vietnam, was rewritten and expanded to apply also to Laos and Cambodia. As the Hatfield-McGovern amendment to end the war it has acquired over 30 or more cosponsors.

In addition, the Senator from New York (Mr. JAVITS)—with the cosponsorship of the Senator from Kansas (Mr. DOLE)—has introduced a major long-range proposal to codify for the future the specific powers of the Executive with regard to troop commitments overseas. And then, finally, in a surprise development, the administration supported introduction of an amendment to the Military Sales Act intended to repeal the Tonkin Gulf resolution. This passed overwhelmingly in the Senate. Now, however, the bill is moving into what appears to be a stalemated conference with the House, and I would submit that its prospects are in doubt, to say the least.

With regard to Senate Joint Resolution 166, the Foreign Relations Committee decided that the Tonkin Gulf and Middle East resolutions should be repealed by concurrent resolution, as their language originally stipulated, rather than by a joint resolution also repealing the Formosa and Cuban resolutions, as was envisaged in the initial version of our proposal. I agree with this change. It conforms more closely with the legislative history of the various resolutions and

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facilitates disposal of the Tonkin Gulf and Middle Eastern resolutions.

It has been suggested that repeal of the Mideast enactment at a time when our resolve in that region is under challenge might lead to misinterpretation abroad, even though the resolution in question has no direct application to today's crisis. Recent initiatives by the Senate reaffirming our determination to maintain a balance of power in the area should reduce the danger that repeal would be misconstrued. None the less, the concurrent resolution I am supporting now applies only to the Tonkin Gulf enactment. I would hope for repeal of the Mideast resolution at an appropriate time. And I also urge repeal of the Formosa and Cuban enactments, which—it would appear from their language—can be revoked only by joint resolution.

All four of these resolutions have already been on the books too long. Rather than authorizing the President to undertake specific military actions under specified contingencies and within a stipulated time period, these resolutions "support" the Executive claim of authority to act essentially at his own discretion, under his own authority, and without termination dates. Thus these resolutions implicitly deny their own necessity; and indeed the State Department has on occasion asserted that the President could have acted as he did without them either in Lebanon or in Vietnam.

Nonetheless, President Johnson's Under Secretary of State, Nicholas Katzenbach, testified before Congress that the Tonkin Gulf resolution was the "functional equivalent of a declaration of war." I myself—and, of course, many of us—have seen President Johnson personally and physically flaunt the document as full authority for his Southeast Asian actions.

Although there is some dispute among members of the Eisenhower administration on the President's attitude toward the powers of his office with regard to the Mideast resolution, it is clear from his public statements that President Eisenhower in essence accepted the principle of the national commitments resolution. At that time, ironically, the leading advocates of plenary Presidential authority came not from the Executive but from Congress itself.

President Nixon currently maintains that he has ample authority as Commander in Chief to protect forces that were already deployed when he assumed office. Two weeks ago we voted overwhelmingly to attach to the Cooper-Church amendment to the Military Sales Act language explicitly recognizing this Presidential power. In most cases, of course, protection of our troops is best achieved by removing them from poorly chosen positions and unnecessary combat; but it would be improper for the Senate to deny the President the authority to protect our troops by other means where necessary.

The constitutional challenge does not rest chiefly with the President. It rests with the Congress. As long as we leave the contradictions of precedent unresolved, the President will understandably base his actions on his powers as Commander in Chief rather than moving onto shifting sands and shoals of congressional positions. He will naturally deny his reliance on the Tonkin Gulf resolution, since that enactment is more congressional abdication than congressional authorization. It does not empower the President to take specific action; it supports the President in his own determination to take whatever action he believes is in the national interest. And even if the Tonkin Gulf resolution is to be considered as authorization for our presence in Vietnam, the President would be ill-advised to base his powers on it at a time when its repeal is being considered without a clear congressional intention to provide new authorization.

It was to avoid such confusion of the congressional purpose that I originally proposed repeal by a joint resolution which would also authorize an American military presence during the period of negotiations and withdrawal from Vietnam.

In advocating repeal of the Tonkin Gulf resolution as a first step in a larger process, I do not need to reiterate its brief but embroiled legislative history. Suffice to say that later investigation by the Foreign Relations Committee and by various authors and journalists has cast grave doubt on the stated premises of the enactment. The U.S. destroyers said to have been "lawfully" present in international waters turned out to have been engaged in provocative military activities within the 12-mile limit; and what were described as "deliberate and repeated attacks" on these vessels left hardly a scratch. If the late Earle Stanley Gardner were to have written a detective story on these incidents, he might well have called it the "Case of the Cuckolded Congress."

A more timely consideration today is the fact that the resolution was interpreted as supporting an overwhelming and substantially ineffectual extension of the Vietnam war into the north through bombing of an intensity which exceeded even that directed against Germany during World War II. As long as this resolution remains on the books, it might some day be interpreted as authorizing a resumption of such attacks.

Also, in keeping this resolution on the books, Congress maintains an emblem of its own irrelevancy at a time when we are ostensibly moving to fulfill our constitutional responsibilities in the realm of military and foreign affairs.

This resolution should be repealed; and I support its repeal today through concurrent resolution not only because that is the legislatively prescribed way but also because this may be the only way. As I have said, however, in moving to repeal this enactment by concurrent resolution, it should not be imagined that we reduce the need to act on the other sections of the comprehensive resolution introduced last December.

In fact, repeal of the Tonkin Gulf resolution will make action on the rest of our proposals even more urgent. As the Senator from North Carolina (Mr. ERVIN) has said in an eloquent speech, simple repeal of the resolution would place our troops in a "constitutional quandary."

Unless we wish to pass by this opportunity to assert the principle we endorsed in the national commitments resolution, it is imperative that we follow up our repeal with action to grant the President authority to conduct the military operations that will be necessary under his plan for the withdrawal of all American troops. We should not attempt to ignore the laws of nature, both physical and political by trying to replace the Tonkin Gulf resolution with a vacuum. The President has moved away from the policies associated with the Tonkin Gulf enactment; away from what appeared to be the previous administration's plan for a military solution in Southeast Asia. It is time for the Congress also to move. It is time for Congress also to replace the Johnson plan for the war with a plan for withdrawal and peace.

We should specifically authorize in joint resolution those military operations necessary under our commitment to a rapid withdrawal of all American troops and under our continued effort to achieve a negotiated settlement. In accord with the President's professed intentions, we should prohibit repeated extension of the war to Laos, Cambodia, or any other countries without specific new legislative authority. And we should consider the imposition of new legislative constraints to assure early full withdrawal and negotiated peace. These limits and authorizations, moreover, should be enacted in joint resolution with the force of law when signed by the President. Without such a resolution, I repeat, the Congress will signify that it considers itself optional on the most vital issues of war and peace and will abdicate its constitutional responsibility.

The President has undertaken a major shift in Vietnam policy since he assumed office. In recognizing this shift, I think we understand that it is to some extent precarious. If Congress does not act to corroborate it, if Congress relapses into a posture of irrelevance, there are forces in the executive branch which will move into the legislative void that we leave after repealing the Tonkin Gulf enactment. There are forces within the executive branch that may attempt to reverse the current presidential policy of withdrawal.

I do not believe that the President should have to face these pressures alone. I do not believe that the entire political burden of the shift in Vietnam should be borne by the President alone. Just as I believe that Congress should have been more deeply involved in the decisions of engagement in Southeast Asia, so I believe Congress should participate now in this historic process of engagement.

Because this further part of the proposal is to be a joint enactment, with the force of law when signed by the President, it would bring the Congress and the executive together again under the Constitution, with the Congress playing its specified role in matters of war and peace. And it would bring the two branches together again on the road to

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peace. Let us act quickly now on this repealer to take the first steps in this redemptive journey.

Several Senators addressed the Chair.

Mr. MATHIAS. I yield to the chairman of the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, I wish to compliment the Senator on a very thoughtful and perceptive statement. He deserves much of the credit for bringing this matter to the attention of the Senate in proper form. His discussion of its significance is very useful.

I think his effort to help the Senate shoulder, as he said, part of the responsibility with the President in solving the tragic conflict in Vietnam is a very proper one. I compliment the Senator for what he has stated.

Mr. MATHIAS. I am thankful to the distinguished chairman for his words and for his own leadership, which has been so important from the very beginning of these efforts.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MATHIAS. I am happy to yield to the distinguished majority leader.

Mr. MANSFIELD. I want to join the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas (Mr. FULBRIGHT), in extending my felicitations and thanks to the distinguished Senator from Maryland.

What we have before us now is, in effect, the Mathias resolution, a resolution which the Senator from Maryland submitted originally on his own behalf, which represents his own thinking, and which I think represents the thinking of the Senate as a whole, perhaps unanimously—who can tell?—but certainly the thinking of the great majority of Members of the Senate.

I think it is a good first step in the right direction of bringing about better coordination between the legislative and executive branches. I am delighted that the President and the administration have indicated their support in rescinding the Gulf of Tonkin measure. In so doing, it gives us the opportunity to work together, so to speak in tandem, to bring to an end this ill-founded resolution.

Mr. MATHIAS. I thank the majority leader not only for his words today but for his continuing encouragement and support.

Mr. DOLE. Mr. President, will the Senator from Maryland yield?

Mr. MATHIAS. I am happy to yield to the Senator from Kansas.

Mr. DOLE. Let me say, first of all, that I commend the Senator from Maryland for his initiative. It was the initiative of the distinguished Senator from Maryland along with the distinguished Senator from Montana, which now brings this resolution to the floor.

Let me add that nothing that may have transpired on the floor of the Senate last month, on the 22d or 24th of June, should in any way detract from that initiative. The Senator from Maryland has made an outstanding contribution.

I would hope, of course, that the House might act on a proposal that will now be in conference, which includes the amendment I offered on the 22d of June and which was adopted on the 24th of June, as I recall, by a vote of 81 to 10, so that the President might also participate in the repeal of the Gulf of Tonkin resolution.

I would like to ask a question of the distinguished Senator from Maryland with reference to the proposal offered originally. As I understand the Senator's amendment, it simply indicates an earlier effective date. Is that correct?

Mr. MATHIAS. The Senator from Kansas is right. He will recall that at the time his own amendment was before the Senate, with his concurrence I made the same proposal—that the effective date of the repeal should be at the time of its approval by both Houses of Congress, rather than at the expiration of the 91st Congress, as provided in the original resolution.

Mr. DOLE. I thank the Senator.

Mr. MATHIAS. Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I join my colleagues in congratulations to the Senator from Maryland for introducing, with the support and help of the majority leader, the resolution he did last December. I say this notwithstanding the fact that I myself perceived, even before then, the critical aspect of terminating the Gulf of Tonkin resolution in the eventuation of U.S. policy with respect to ending war in Vietnam.

Indeed, several months before the Senator from Maryand (Mr. MATHIAS) submitted his comprehensive resolutin—in October of 1969—I joined with the Senator from Rhode Island (Mr. PELL) in submitting a specific concurrent resolution to terminate the Gulf of Tonkin resolution.

I am very grateful to the Senator from Maryland (Mr. MATHIAS), the Senator from Montana (Mr. MANSFIELD), and the Senator from Arkansas (Mr. FULBRIGHT) for joining me, as they have, as principal cosponsors of the Mathias resolution which has finally, after considering all the other phases relating to different resolutions of commitments for the United States, brought us here.

Mr. DOLE. Mr. President, will the Senator yield briefly so we may order the yeas and nays?

Mr. JAVITS. Surely.

Mr. DOLE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second for ordering the yeas and nays on final passage?

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, we are down essentially to the point where I started and which was one of the elements of the original proposal of the Senator from Maryland (Mr. MATHIAS).

Much attention has been directed to the so-called End the War Amendment of Senators MCGOVERN and HATFIELD, my own colleague Senator GOODELL, Senator CRANSTON, and Senator HUGHES. We have all been visited by literally thousands of college students, members of faculties, and many other persons interested in the so-called peace movement, urging us to be for the McGovern-Hatfield end-the-war amendment.

As I have stated before, if it came to a vote, I should probably vote for it. But, Mr. President, in evaluating actions which will help bring us out of the Vietnam war, I value repeal of the Gulf of Tonkin resolution as of the first priority. I respectfully submit that if those who are interested in peace for the United States will analyze the situation carefully, as I shall now try to do, they will come to the same conclusion. The lobbying should have been directed to that in my view.

There may be many arguments about the effect upon the President in his capacity as the spokesman of the United States in foreign policy—and that is unquestioned in our history—inherent in directing him to quit a given place and a given war because we withhold the money. There can be no question about the utilization by the Congress of its authority, acknowledged by President Johnson when he signed the Gulf of Tonkin resolution, that when he thought it was no longer needed, or when we thought it was no longer needed, it could be terminated. This is, therefore, an admitted, uncomplicated, unprejudicial assertion of congressional authority.

We find it is no longer desirable to have on the books this authority from us for the President to wage war in Asia and, therefore, we take it off the books. Really, that is the end-of-the-war resolution. That is the critical point. Really, then, what we are enacting today, hopefully, is the end-of-the-war resolution.

Now, what happens if that resolution is off the books? I say this to my colleagues also with an eye to the other body. Their concurrence also is required with respect to repeal of the Gulf of Tonkin resolution, and apparently they are concerned. We saw that just yesterday in respect of the highly desirable, long-debated, and historic achievement of Senators COOPER and CHURCH here on the floor. They are our brothers on the other side. Apparently they are very reluctant to invoke the ultimate remedy of cutting off money and giving the President directions. That is what it really comes down to, because if he cannot finance it, then he cannot do what he believes may be in the best interests of our country.

This is a tough one, I agree. But, nonetheless, there can be no question, if they too agree that it is done to get out, and that is all this comes down to. They, too, would agree without any of the reservations which are implied under directions of the President that, having the authority by law signed by the President to signal the point at which we think it is time to get out, this is the way to do it. This is completely unprejudiced in terms of the foreign policy powers of the President. It is not an invocation, as it were, of a mandatory authority—to wit, "We cut off the money unless you obey our orders"—but it is rather the exercise of discretion, the act of our wisdom, based upon a complete legislative authority in which the President joined with us in giving us that power.

So, I repeat, I know that perhaps in the press and in the media, perhaps even

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in the minds of many Senators on this floor, this Gulf of Tonkin termination is somewhat perfunctory. I do not want to make a big thing of it and lose any votes, but I deeply believe, in the perspective of history and the law—I shall analyze the law, but will not detain my colleagues too long—this action is the "end of the war resolution."

Now, Mr. President, a word about the law, since that is very significant and very important.

There is no real deficiency, Mr. President, in the definition of the legal powers of Congress as they relate to warmaking, or any dearth of interpretation of those powers. What has really occurred is that, for 40 years, since President Franklin D. Roosevelt utilized the Executive authority in putting troops into Iceland and in the so-called destroyers-for-bases deal, Congress has been willing to forego its responsibility, to abdicate its responsibility, and to allow the Executive essentially to carry on the warmaking power in its modern sense. It is only in the most adverse circumstances, such as Pearl Harbor, that Congress has utilized its power.

In addition, Mr. President, there was for a long time an absence of refinement of the proposition that Congress did not have only the warmaking power, which it could exercise through a declaration of war, but that it also could exercise the warmaking power through other parts of the Constitution, including its authority over the Armed Forces of the United States in terms of their Government as well as in terms of their financing and in terms of their disposition, other than their tactical disposition, which was up to the President as Commander in Chief.

Now, Mr. President, because of the terribly disillusioning experience of the Vietnam war, we are, at long last, going into this area; and, as in every war—and there is a war in Congress, too; there is lots of shot and shell and confusion here—somehow a line of action emerges. That line of action is now becoming clear. The action that we will take today is the important, and I think decisive turning point in respect to it.

The action taken on the original Church-Cooper amendment with respect to Laos and the action taken on the Church-Cooper amendment with respect to Cambodia were really defensive in their nature. They sought to limit the theater of war. They sought to avoid peripheral actions which threatened to expand the theater of war and to expand America's exposure. They were absolutely right, and they were absolutely essential; and I believe that the objectives which were sought have, in substance, been accomplished.

Now we get to the main show, which is the Vietnam war. The question is now, first, what are the legal relationships, and second, once we settle the legal relationships, what should be our policy?

Gulf of Tonkin termination is critical to clearing the books of any residual legal authority we have given the President. Once the books are cleared—that is why I speak today with an eye to the other body, which is reluctant to move into this field except in a very orderly way and a way which is justified by the precedents—and I believe that the termination of Gulf of Tonkin is fully justified by the precedents—once we have Gulf of Tonkin off the books, then only the constitutional authority of each body remains. We have ours, the President has his. I think it is only fair to say, in all deference to the view of the President, that he himself, through the Secretary of State, said on December 23, in a press conference; We have not relied on the Tonkin Gulf resolution particularly. We were faced with a situation when we came in office in Vietnam, and I am not sure the legalities are all that important.

Also, the President himself has said, in his most recent presentation to the country, in the interview which he had with TV commentators, that the legal basis for his action is his power as Commander in Chief. When he came in, there was a war, and it was his responsibility to deal with forces at war. He did not put them at war, they were at war.

The implication is clear that he is not proceeding on the authority of Gulf of Tonkin. I think that is fine. I have no desire for us to have a tug of war with the President. It is much better if we do not.

Therefore, I think the road is clear to terminate Gulf of Tonkin and put the President and ourselves on even basis as to our respective constitutional authority.

The next question is, Then what? I believe we face two new propositions. First, shall we express our satisfaction with the rate at which the President is now exercising his constitutional authority to liquidate the war and withdraw our forces? Or, should we endeavor to interpose our ideas in that regard? And the final question is, Shall we endeavor to do a better job than we have up to now in respect of making clear the respective constitutional powers of both the President and Congress hereafter—and I emphasize that word—in respect of making war. In view of the speed with which modern emergencies break, and of the fact that it seems highly unlikely that we will, at least in cold blood, utilize the declaration of war power, because of its invidious aspects, as raised in international law and embargoes, such a new clarification is required.

I have endeavored to deal with this final step myself by the introduction of a bill S. 3964. I hope very much other Senators will deal with it, or use their minds and ideas in respect to it. I introduced my bill, S. 3964, on June 15.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. The Senator has made a very fine statement. He has a great reputation as a lawyer and former attorney general of the State of New York, and I know we are all interested in his views about our Constitution and how it applies in our present difficulties.

What prompted me to ask the Senator to say a few words further about it was that he made mention of the speed of modern life. That seems to imply that, in some way, we should modify the Constitution, and should accept some form of updated interpretation of it.

The Committee on Foreign Relations asked former Under Secretary of State Katzenbach about the Constitution, and he more or less said the war power is obsolete, presumably because of the development of modern technology. This bothers me a good deal.

There is no idea in my mind—and I do not think there is in the mind of the Senator from New York—that the President at any time lacks the power to respond to any kind of attack. He can always respond to an attack. I do not, however, see that the alleged need of speed in instances other than response to a sudden attack should govern our interpretation of the Constitution—or serve as an excuse to reinterpret the Constitution. The decisions we are talking about are not of that character.

The alleged incidents in the Gulf of Tonkin did not require, under any circumstances I can imagine, an immediate response. As a matter of fact, the President had already responded when the resolution was put before Congress. He had already ordered the attack. The attack had already taken place upon the mainland of North Vietnam. He asked us to approve what he had done and then add, as a plus, that in the future he might do these things at his discretion.

I hope the Senator will demolish the idea that, because airplanes fly fast or because television is instantaneous, we should modify the provisions of the Constitution and now say that Congress no longer has a role to play in warmaking. I do not think that is true. I think that is an injection into this matter of an idea that has no place in it; because nobody contests that if we are attacked by missiles or in any other way, the President has—and has always had—the authority to respond, that is quite different from going 10,000 miles away with 500,000 troops and making war.

Mr. JAVITS. I thoroughly agree with the Senator. That is best evidenced by the fact that it took some 6 months to deploy some 500,000 troops in Vietnam. That could not be done overnight, notwithstanding modern means.

Mr. FULBRIGHT. As a matter of fact, he did not even begin within 6 months, because he presented the Tonkin resolution as a means of avoiding having to deploy any troops. That was the stated purpose of the resolution as he presented it to the Senate.

Mr. JAVITS. The Senator from Arkansas has always been very realistic about that, and it is to his credit and character as a man. He has always stood up for the proposition that he, too, as the rest of us—I join in that fully, in responsibility—was taken in by the fact that at a moment when a President who might be facing unforeseen eventualities came to us and said, "Show your confidence in me and in our country by giving me the broadest possible powers, and I will use them with great discretion." We did not doubt our President. We gave him the broadest possible powers.

A number of Senators—Senator NEL-

SON, Senator COOPER, Senator FULBRIGHT, I, and others—observed that it was a blank check; but we were, under the circumstances, asserting our confidence in the American system. That confidence turned out, unhappily for us and even for President Johnson, to have been very much misplaced. It just shows that you do not always do a fellow a favor when you give him a broad mandate of power.

Mr. FULBRIGHT. Exactly. It would have been a great favor to him as a leader if, instead of taking that course, we had had the wisdom to say, "Now, look, this is all very well; but we're going to have full hearings. We want a report from the field."

It never occurred to me that the events in the Gulf of Tonkin could have been misrepresented. It was so forcefully represented by the highest officials—the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff—that it did not occur to me that this could not have happened as it was reported to have happened.

There is no use again saying that I was mistaken, and that it was a great mistake not only on my part but also on the part of the Senate.

I commend the Senator from New York for having introduced a resolution which will be the vehicle for examination of future policies. That is a very proper and timely thing to do. It has been said often that, because of modern technology and the rapidity of communications, for some reason we must let ourselves be led down the road of abandoning the Constitution. I do not see that these have anything to do with the constitutional question. I cannot think of one situation right now—in modern times, at least—to which this would have any application at all. If the Russians or anybody else fires a missile at us, there is nothing in the Constitution that anybody now or in the past would claim would prevent the President from responding.

Mr. JAVITS. Not only to respond, but it is also his duty to respond.

Mr. FULBRIGHT. On the other hand, I certainly do not want this modern technology to be interpreted to mean that, when the President so chooses, any day he wakes up and feels in a bad humor, he can fire weapons off without any authority or without even the knowledge of Congress.

This is what really bothers me about Cambodia. The expansion of the idea that, as Commander in Chief, he can go into a new country without even notifying—much less asking the approval of—Congress, or the Senate, raises a very serious question in my mind. I do not want to precipitate an argument now about the character of the sanctuaries.

Let us consider this for the purpose of illustration, without trying to accuse the President of having done anything improper. Let us consider it only as a recent illustration of an action which can certainly be interpreted to be an attack or an incursion upon a neutral country with which we had been at peace. I do not see, simply because the President wants to act quickly or surreptitiously, that this could possibly or reasonably be interpreted as justification for ignoring the Constitution.

Mr. JAVITS. There is no question about the fact that the powers of the Commander in Chief, as interpreted by us currently and as interpreted, I think, by the highest constitutional experts, currently reserve in the President the full authority to deal with the repulse of any attack or even grave endangerment of the United States or of the security of our forces, wherever deployed, provided this does not imply committing ourselves by the same channel in which we were committed to a war in Vietnam.

All it amounts to is an accommodation between the President and Congress that, where the exigencies of the security of the country really require, in substantive fact, a rapid response or an automatic response by the President, he has complete authority—indeed, the duty—to make it.

Mr. FULBRIGHT. Exactly.

Mr. JAVITS. But at the moment when the interposition of Congress becomes possible because it is clear that this is going to be much more protracted, more involved, will have more forces at stake, and perhaps involve broader dangers—a major war or something like that—it is equally the duty of Congress to interpose itself and the duty of the President to see that Congress is interposed.

I can see no inconsistency between carrying out those powers and the provisions of the bill I have introduced. In fact, my bill makes all this explicit. As the Senator has said, it is a vehicle for inquiry and exploration. My standard of judgment was to define the areas we are talking about in which the President could respond immediately, and then to set a 30-day limit as being an arbitrary figure, but which would still take care of all urgent contingencies before Congress must get into it or authority is canceled.

Others may have better or different ideas, but this does not change anything in the Constitution. It only enforces what is already contained in the Constitution. We have the right to make appropriate laws and the President will have to join us in signing it, or we will have to override his veto. But it is entirely susceptible of being made the subject of law, as I have attemped to do in S. 3964.

Mr. FULBRIGHT. Finally, I want to ask one other question and to invite the comment of the Senator from New York on a proposition that has grown up in matters of foreign affairs especially relating to the war powers. The idea has grown, as spelled out by Mr. Katzenbach, that Congress should not seek to intervene. Really, it was Dean Acheson, in his famous statement of 1951, which was reproduced in the report of the Foreign Relations Committee on the national commitments resolution. Mr. Acheson said in 1951 that Congress has no right to interfere with the President's discretion in the use of the Armed Forces.

It is interesting to see how the idea has grown up that, due to modern technology, Congress no longer has any role to play.

What has interested me is how, in domestic affairs, as evidenced recently by a rather unusual overriding of a veto, Congress is not a bit reluctant or hesitant to exercise its authority.

I think that, in the Constitution, the power of Congress to declare war, to raise and support armies, and to make regulations pertaining to the Armed Forces is just as explicit, if not much more so, than some of our powers in domestic affairs—especially when we get into the welfare area, where congressional authority is not explicit at all, so far as the Constitution is concerned. That has been a matter of interpretation.

It seems strange to me that Senators or Representatives, who all work hard to be elected—which means that they wish to play a part in the Government of this country—seem to be eager to relinquish their authority or the role that they are to play in foreign affairs, but not in domestic affairs.

For the record, let me read what Dean Acheson said in 1951. It shows how far things went. He, of course, was considered to be an able lawyer as well as Secretary of State:

> Not only has the President authority to use armed forces in carrying out the broad foreign policy of the United States and in implementing treaties, but it is equally clear that this authority may not be interfered with by the Congress in the exercise of powers which it has under the Constitution.

That is a broad statement which is extremely misleading.

I wonder, would the Senator from New York comment on why some Senators, and Members of Congress seem to be more than eager not to play a role or take any part in foreign relations, as opposed to domestic relations. This seems especially incongruous when we look back over the past 20 years, or since World War II, and note that the country has expended more than one thousand billion dollars on military affairs, far more than it has spent on education, health, and many other activities that need improvement. Yet, they seem to want to relinquish their authority in the field of foreign affairs. Why? This is a peculiar psychology, a phenomenon I do not understand, and I should like to ask the distinguished Senator from New York to comment on it.

Mr. JAVITS. My feeling is, having forfeited their authority for 40 years because of the alleged complexity of the world, it has grown to be built in. The only privilege Congress reserved to itself was the privilege of being for or against the President because he was or was not doing what they thought the country needed.

I thought the events of the past four decades brought Congress to this pass, and that the Vietnam war, when it went wrong—as it did—finally encouraged Congress to reassert the authority which it always had and could have asserted at any time.

As a lawyer, I believe that I could interpret what Dean Acheson said in 1951 in such a way as to let him out of the implication the Senator from Arkansas reads into it. I could construe his words as having meant that Congress should do nothing, while the President is negotiating or is speaking with the heads of governments, and so forth, to undercut him in terms of the President's authority, prestige, and so forth, rather, to be careful when they listen to him, to feel

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that he speaks the views of the country. I do not think that is necessarily so. But Dean Acheson was going much further than that, because he was talking to the Congress. He was saying to it, "Foreign affairs is the business of the Executive. Your business is to vote us the dough when we ask you for it."

That is the exclusivist view of the presidency which I think by now is out of date. We could probably get Dean Acheson to agree with us on that today.

Thus, I do not think it is any longer germane as to our colleagues. I think this terrible vale of tears through which we have passed has been a salutary "waker-upper" as to what is really our responsibility. So far as this country is concerned, they will not let us off the hook just because for 40 years we yielded that authority to the President. That is what it comes down to.

Mr. ELLENDER. Mr. President, I regret that I was not here to listen to all the arguments made by my good friend from New York in respect to the repeal of the Gulf of Tonkin resolution. As I told my respected friend from Arkansas on several occasions, I would almost give my right arm had I persisted in the adoption of the amendment that I proposed to section 2 of the Gulf of Tonkin resolution. I felt that portions of section 2 were really and truly a declaration of war. My desire was to strike from it the power of the President to use our armed forces as he determined.

What are we going to gain by repealing the resolution?

Mr. JAVITS. What we will gain is to clear the books of any residual authority given to the President pursuant to the Gulf of Tonkin resolution, which has no termination date except as it may be declared by the President or may be declared by us.

Mr. ELLENDER. As the Senator from Arkansas stated awhile ago, the President had already acted; our troops were in South Vietnam, when the resolution was adopted. He already had some of our Armed Forces there to do our bidding. What we were doing was merely saying to the President, "Do what you think is necessary with our Armed Forces to protect the integrity of South Vietnam in giving the people a chance to choose their own government. Go to war if necessary, we are with you."

We cannot restore the situation. We cannot simply erase history. The President had already acted before the Gulf of Tonkin resolution was adopted and the resolution sanctified what he had done, and we gave him authority to proceed with our Armed Forces as he determines.

I am sure that the Senator remembers, not too long after the Gulf of Tonkin resolution was enacted, that the President sent for us. He talked to all of us in groups, composed of about one-third of the Senate in each group. When I was present, I discussed the resolution with him, in the presence of others and I said that in my opinion he was going too far in the light of promises made before the resolution was adopted. I felt that we would soon be engaged in a real hot war. He said that the Congress had empowered him to proceed.

When I first read the resolution before its adoption, I thought it was simply giving the President a right he already had; that is, to protect our ships in the Gulf of Tonkin in international waters.

When section 2 was added, I was surprised. I am sure that the distinguished Senator from Arkansas remembers that I discussed the matter with him on the floor, and I thought then that it was a declaration of war and asked why was it necessary to go that far.

I was informed, as I remember—and if I am not stating it correctly, I wish the Senator from Arkansas would challenge me—that the purpose of the resolution was simply recognizing the right of the President to defend our ships in international waters; that he could do whatever he thought was necessary for that purpose. When I raised the question of its application to our land forces, I was informed at the time that although this language was written into the resolution, yet the President did not intend to use it, but it was simply to back him up in his efforts to try to obtain some settlement of the issues involved. With that understanding, I dropped the idea of my amendment to the resolution and took it for granted that the President would simply use it for the protection of our rights in international waters.

Mr. JAVITS. The Senator from Louisiana has asked me two questions.

One, the Senator says are we not trying to lock the barn door after the horse has gone——

Mr. ELLENDER. We cannot efface history. It has been done.

Mr. JAVITS. Right. I will answer that.

Second, was not the method of giving the President, by section 2, a much broader authority than he really needed at the time?

I will answer the second part first. Of course, it was much broader. Of course, the Senator from Louisiana has divined exactly why it was much broader. It was an effort to inspire confidence in the country and the world by showing how much confidence we had in our President.

Mr. ELLENDER. And to also get the Congress involved in backing him.

That is what the President was after.

Mr. JAVITS. Exactly right. So we give him a broad mandate to "assist any member or protocol state of the Southeast Asia collective defense treaty requesting assistance in defense of its freedom."

The other question concerns whether we are not locking the door after the horse has gone. There I say definitely no, and for this reason. The President has stated, "I am going to get out of Vietnam, but on my own timetable, which I am not acquainting you with in the Foreign Relations Committee, and on certain conditions."

Those conditions are three. First, progress in the Paris peace talks—obviously nil. Conditions two and three, however, are very trying in a very substantive way.

The second condition is Vietnamization.

The third condition is the degree of force expended against our forces by the North Vietnamese or the Viet Cong.

Those are two of the three conditions the President has set.

Vietnamization is the readiness of the South Vietnamese forces to take over. Now we see them thinned out and spread into Cambodia which was never contemplated by Vietnamization. This makes it absolutely indeterminable. When will they be ready? Are they doing, as we lawyers say, everything reasonably necessary to make them ready? All of these things are left up in the air.

Even if they are ready, they might decide tomorrow to have an expedition into Laos or North Vietnam or Communist China. They would then be less ready than ever.

Now, concerning the degree of force used by North Vietnam and the Viet Cong against our forces we have never hesitated to bomb the sites of antiaircraft weaponry directed at our airplanes. They can intensify that and we could go back to the bombardment of North Vietnam. We would then once again be in over our ears. Moreover, the alleged potential threat of a later attack against our forces in Vietnam was cited as a justification for attacking into Cambodia.

We are now under the necessity, it seems to me, of clearing doubts concerning residual authority which, if the President wished to invoke it—and he said that he does not, but he could if he wished to—would leave us in a position of being absolutely unable to determine when to get out of Vietnam.

It is necessary to clear the books of that. And if we are not satisfied with the pace of the withdrawal, we may be able to do a good deal about it. But so long as this resolution is on the books, it seems to me that we are inhibited. Our hands are tied. We have given the President the authority and taken it away from ourselves. We should now restore our ability or capability. In the strict military sense, we may not actually exercise any power, but we would restore to ourselves the right to do so by this concurrent resolution.

That is why we consider this matter to be so critically important.

Mr. ELLENDER. Mr. President, does the Senator believe that President Johnson had the right to do what he actually did before the resolution was enacted?

Mr. JAVITS. Mr. President, I think President Johnson had the right if there was an attack on U.S. naval forces to act to prevent further attack or to punish those who had attacked, by reason of his power as Commander in Chief. That is all he had the right to do.

Mr. ELLENDER. I agree. Mr. President, I do not believe he had the right to do more, except through the Congress. I doubt if many Senators felt that this resolution went beyond that point, that is, to protect our ships in international waters, until they began to read and study the resolution.

I thought it dealt solely with the situation that had developed in the Tonkin Gulf. But on the day the resolution was considered and I read section 2—and particularly the last four lines of that section—I felt that it was really and truly a declaration of war.

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Notwithstanding that, the Senate voted to give the President that power. And, as I have said, now that there has been a fait accompli, I still think the President has the right to protect the soldiers that were there and those he sent there later by virtue of the resolution.

Mr. JAVITS. The Senator is absolutely right about the fact that he has the right to protect the soldiers and that he has the right to pull them out. But he does not have the right under the guise of protecting the soldiers without congressional authority to broaden the theater of the war or the commitment; he does not have the right to leave them in at his sole discretion when leaving them in continues to involve the United States in a broad-scale war.

The only way we can demonstrate that as a matter of law is by clearing the books, as the Senator says, of the very resolution which gives him that authority.

If he continues to invoke this power, we say, "Mr. President, you say you don't want this. Fine; we don't want it either. Let us take it off the books." This is the "end of the war" resolution in my judgment.

Mr. ELLENDER. Mr. President, that is what President Nixon contends. I do not suppose that President Johnson would have said that, because most of the fighting was started under his administration.

I am proud to say that I was in South Vietnam at least four times before we became engaged in this war. And I begged President Eisenhower and Secretary John Foster Dulles not to send trainers to train troops there and not to make it possible for us to develop an army there for the use of Diem.

I well remember that when I was invited to the White House a few days after this resolution was enacted as I previously stated, I took issue with the President. And we got into quite a hot debate. The Senator from Montana (Mr. MANSFIELD), I believe, was there. I told the President in no uncertain terms that what he was doing was contrary to what was represented to us before the resolution was agreed to.

President Johnson said in substance, "Congress gave me the power, and I am exercising it."

Mr. JAVITS. He who giveth it will now take it away, I hope.

Mr. ELLENDER. Well, if we take it away, what good would come from it? Would that in any manner jeopardize the President's authority to continue the war until it is ended?

Mr. JAVITS. I believe it will in no way jeopardize the President's ability to do what he has the right to do as Commander in Chief.

Mr. ELLENDER. What is that right?

Mr. JAVITS. Mr. President, that is the right to command our troops and to see to their security and their withdrawal.

I believe that will give Congress the ability to determine the matter with him. And if he resists, then Congress has the right to do it by overriding a veto because Congress has the right to "undeclare" the war. That is the real constitutional issue.

Mr. ELLENDER. Does the Senator mean when war is actually going on?

Mr. JAVITS. That is right, when it is going on. Otherwise, when do we undeclare it?

Mr. ELLENDER. When it is completed, when the President, our Commander in Chief, so decides.

Mr. JAVITS. I am sorry. I do not believe the President alone can determine the lives and the future of his countrymen by being the sole decider of when to terminate the war.

That is the real issue here. And that is not under the Constitution, in my judgment, the exclusive power of the President. That is a power that he shares with the Congress, consistent with the security of the troops under his command. When the Mansfield Commander in Chief amendment to Cooper-Church was agreed to and when the one I offered about Congress power was agreed to unanimously, that stated the issue very clearly.

Mr. ELLENDER. Mr. President, is the Senator telling us that if war should be declared and the Congress takes action to declare a war or sanctions it, that the Congress can in turn terminate it at will by a resolution?

Mr. JAVITS. Consistent with the security of our troops.

Mr. ELLENDER. Who is to determine that?

Mr. JAVITS. The President is to determine that later.

Mr. ELLENDER. Of course. Our Commander in Chief must make the decision.

Mr. JAVITS. If I may finish. Another important point of that the matter of consistency with the security of our troops is not a coterminous decision with the President's decision as to when the war is to be over.

Mr. JAVITS. It is only coterminous if he is as resolved as we are to terminate that war. Then the decision with respect to conditions for terminating and withdrawal is a decision relating to their security; but it is not the substantive decision that we are getting at. It is not his decision alone. For, if that is the case, then we have lost the power as representatives of the people over the lives of the people.

Mr. ELLENDER. I thought the Commander in Chief was the one to determine when to end the war.

Mr. JAVITS. No.

Mr. ELLENDER. Since we gave him the right by resolution to engage in war.

Mr. JAVITS. He who giveth can also taketh away. That is why we are terminating the resolution.

Mr. ELLENDER. Does the Senator believe that the President can act and go on and carry on the war without this resolution?

Mr. JAVITS. He can, under the circumstances to the extent required to bring the war to a conclusion and to disengage our troops with the maximum security to them. That is my definition. In other words, when Tonkin Gulf is cleared from the books the President has the authority to bring this war to a conclusion and withdraw our troops consistent with their security. As Commander in Chief that is the power he has.

Mr. ELLENDER. Who makes the decision?

Mr. JAVITS. We are going to make it when we repeal this authority. When he no longer has the Gulf of Tonkin authority he is remanded to his position under the Constitution, which I have tried to define.

Mr. ELLENDER. And his duty hereafter is to terminate the war as soon as possible and get the troops out?

Mr. JAVITS. Consistent with the security of American troops. The reason is that this was has now gone long beyond the point of replying to an attack. It is a question solely of, Shall we be at war? That decision, without a declaration of war, is not in the hands of the President alone. He has authority in concluding the war but he cannot, in effect, make a war.

Mr. ELLENDER. Suppose, in trying to withdraw American forces from South Vietnam, something should happen in Cambodia whereby the North Vietnamese and the Viet Cong or maybe the Cambodians might turn against us. Is the Senator saying the President would not have the right to proceed?

Mr. JAVITS. I am not saying that. When it comes to protecting the lives of American troops, he could even go into Cambodia in "hot pursuit." I have always said that.

President Nixon's mistake with respect to Cambodia was that he made a big international issue about going in, leading us to believe he was ambivalent about it, that, he did not know, for sure, if he was going in to prop up the government in Cambodia or to protect the lives of American troops which were seriously threatened on their flank.

Mr. ELLENDER. Is it the Senator's view that by repealing this resolution, that it amounts to an order from Congress for the President to end the war?

Mr. JAVITS. I would not say it is an order. I would only express my judgment as to where the Constitution at that point leaves the President. It is not an order. I am glad it is not an order. I am very reserved about such an order. I am not a cosponsor of the McGovern amendment, and neither is the Senator from Arkansas (Mr. FULBRIGHT) or most other Members of the Committee on Foreign Relations. I am very reserved about orders to the President under the American system, just as I am about orders from him. But I think it leaves him only with his constitutional authority; and this being a war that has gone on for 5 years and it can no longer be justified on the ground of reaction to attack, I think it leaves him only the authority to liquidate it.

Mr. ELLENDER. To get out.

Mr. JAVITS. To get out.

Mr. BROOKE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BROOKE. I have listened very attentively to the distinguished Senator from New York. As has been said, he is a most able lawyer and his logic is usually unassailable. Perhaps my question is premature. The Senator is generous because I understand the Senator from New York has been allowing questions

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after he began his discourse but that he has not even completed his statement.

Mr. JAVITS. I have not.

Mr. BROOKE. The Senator made the statement that this resolution is the critical issue, and that we may not even have to get to the McGovern-Hatfield amendment or some variety of the McGovern-Hatfield amendment.

Is it the position of the Senator from New York that repeal of the Gulf of Tonkin resolution will enable us to get out of Vietnam?

Mr. JAVITS. It will if the President concurs with the view that I have expressed, that considering the length of the war and the history involved, his power as Commander in Chief leaves him only that alternative: to end the war and withdraw our troops in an appropriate way consistent with their security.

Should the President construe his powers differently than I do, then the Congress will have to act, if it does not like his timetable or if it does not like his conditions. But I express the hope, as an American, that it would be in the highest interest of the country if one of two things were possible. If the President made clear to us that he does accept this constitutional view and would give some satisfaction as to the timetable that he has in mind, so that we can rely on it, this would be best. Second best would be if he said, "OK. If you do not like my timetable, give me yours." This could be done in such a way that he would have the privilege of signing or not signing, and we could override, in the great hope we could share with him the timetable. The third eventuality is the approach of being completely dissatisfied in terms of the national interest of our Nation. The first alternative is best, the second alternative is second best, and the third alternative would be some version of the McGovern-Hatfield measure where we would be exercising our own judgment. He still has to sign that, too, as it is on a bill for authorizations. I regard this the least acceptable of the three. I do not like to see in the American system the President ordering us or Congress ordering the President.

Mr. BROOKE. What would be the congressional recourse if the President does not withdraw the troops on a timetable satisfactory to Congress?

Mr. JAVITS. The congressional recourse would be a law which, as I have said, hopefully he would sign, which would fix a timetable. But if it were clear that we were at loggerheads, the only power of Congress would be the power of appropriations.

Mr. BROOKE. This would be the McGovern-Hatfield approach, or some variety thereof.

Mr. JAVITS. The Senator is correct. But Congress might proceed under other powers which the Constitution gives it with respect to governing the Armed Forces. For instance, in a given case, we have directed the draftees should not be sent abroad. We did that in the 1940's. The power was used in the national security act setting up of the Department of Defense, which sets up the current structure for the governance of our Armed Forces.

Second would be a revised McGovern-Hatfield looking to the governance of forces, saying that on and after a certain date our forces should not serve in a certain theater. But to cut off the money is drastic. That is my reason for being reluctant to go on to the McGovern measure as a cosponsor. This would be an exercise of our power, but one which would be relatively unilateral and I do not welcome that one. We may have to do it, but I do not welcome it.

Mr. BROOKE. The Senator thinks, then, that the first attempt should be an accommodation with the President on a timetable for withdrawal.

Mr. JAVITS. There is no question about it. There is a large substantive reason for that and it is this. The people talking about withdrawal must face a very hard fact. Things may go very wrong in Vietnam when we withdraw. We cannot avoid that. They may go very wrong. We must be prepared to face it. We cannot guarantee success in withdrawal any more than the President could guarantee success if he stays. Indeed, I think he is less likely to have success if he stays.

So things may go very wrong, and in terms of the future of our country, I think it is critically important, especially in view of that as a possibility, that the Congress and the President share the responsibility, so that neither one is in the position of saying to the other, "I told you so," which I think is very important to the future health of our country.

Mr. BROOKE. In the Senator's view, is the McGovern-Hatfield resolution anything more than an attempt at accommodation with the President on a timetable which has been established by Senators McGovern, Hatfield, and others who cosponsor that resolution?

Mr. JAVITS. I think in form and tone, it is, because in form and tone it assumes we must mandate and must order the President. I do not say it is in substance. I agree with the Senator. But in tone and form, it is, and that is important, because it may make the difference between Presidential concurrence and nonconcurrence. I would rather seek, if we can, within a reasonable time, this goal of the President, for the reasons I have stated.

Mr. BROOKE. I believe the President has already established a timetable for withdrawal, approximating 150,000 troops per year.

Mr. JAVITS. That is not correct, if I may correct the Senator. That is the big nubbin of the issue. The President says we are getting 150,000 out by the 1st of April. As to the rest, we have three problems. He says we will get 150,000 out by the 1st of April. That is good. But he does not promise anything as to the remainder. He leaves it completely open. He does not promise anything as to the withdrawal of the remainder, and he conditions final withdrawal upon two conditions which give Saigon one veto on Vietnamization, and Hanoi another veto in terms of the pressure they put upon our forces.

Mr. BROOKE. Did not the President say he would withdraw 150,000 troops by April, and that all troops with the exception of logistical troops would be out of Vietnam by the end of 1971?

Mr. JAVITS. I am not aware of any such promise.

Mr. BROOKE. He did not go that far?

Mr. JAVITS. I am not aware of any such promise.

Mr. BROOKE. Is there a possibility, however, that we might be able to work out an accommodation with the President as to what that rate of troop withdrawal would be?

Mr. JAVITS. That is correct; I certainly hope to.

Mr. BROOKE. That would be a matter for negotiation and discussion with the President. If we agreed on that, is it the contention of the Senator from New York that we would not have to go as far as the McGovern-Hatfield resolution, or the tone of the McGovern-Hatfield resolution, and order the President to have the troops withdrawn by withholding funds?

Mr. JAVITS. That is my premise there.

Mr. BROOKE. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MILLER. I have been listening to the colloquy with a great amount of interest. I must say I am somewhat concerned, as a result of the colloquy involving the Senator from Louisiana, in that there appears to have been some misinterpretation of the scope of the Gulf of Tonkin resolution. I grant that in just reading the Gulf of Tonkin resolution one might think it is not too broad in scope, although it does refer to use of "armed force." It does not say the use of navy armed force or air or ground; it is the all-encompassing use of "armed force."

I think we all understand that in determining what Congress intended to mean by this, we must look at the legislative history; and the legislative history, made right here on the floor of the Senate on this particular point, was well made in the colloquy between the Senator from Kentucky (Mr. COOPER) and the Senator from Arkansas (Mr. FULBRIGHT), who was managing the resolution. As I recall the colloquy, it went something like this:

> Senator COOPER. Do I understand that the authority provided by this is such as could lead to war?

And the response of the manager of the resolution, the Senator from Arkansas, was:

> That is the way I would interpret it.

That indicates the intention of the Congress to grant powers which could lead to a war. That is why former Attorney General Katzenbach took the position before Congress that it was a declaration of war. It was not a formal declaration of war, but it was a declaration of war sufficient to satisfy the requirements of the Constitution.

Now I am concerned about the interpretation that the Senator from New York has placed on the results of a repeal of the Gulf of Tonkin resolution. If I understood him correctly, he emphasized that it represented an "undeclaration" of the war, and that meant the only powers the President would be operating under then would be his constitutional powers as Commander in Chief; and, according to the Senator from New York, that would mean that we would withdraw in

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an appropriate way as soon as possible, consistent with the security of our troops.

I can agree with that as far as it goes, but I suggest respectfully that there is more to it than that. There is more to it than merely the security of our troops. I think what has to be added is "and consistent with our commitments under our treaty obligations." In other words, one could interpret "withdrawal as soon as possible consistent with the security of our troops" to mean, get out of there within 3 months, and if there is no hostile enemy action to interfere with the security of our troops, then that interpretation would be satisfied. But what about the South Vietnamese, whom we have been assisting under the treaty, pursuant to our treaty commitment? Such precipitate withdrawal could be a disaster. Vietnamization is designed to prevent such a disaster. It is designed not only to enable us to withdraw, and withdraw consistent with the security of our troops, but also to live up to our treaty commitments.

Mr. FULBRIGHT subsequently said: Mr. President, a moment ago, the Senator from Iowa, in questioning the Senator from New York, made a reference to the Senator from Arkansas' reply to a question which I think leaves an inaccurate sense.

I ask unanimous consent to have printed at the proper place in the Record, where the Senator from Iowa referred to me, an excerpt from a statement I made previously here, which I have in my hand, only because I do not wish to take the time of the Senate to read it, I ask unanimous consent to have it printed in the Record at the proper place, following the Senator from Iowa's statement with regard to this matter.

There being no objection, the material was ordered to be printed in the Record, as follows:

Excerpt From Statement of Senator Fulbright

During debate I was asked, in my capacity as floor leader, whether the Resolution would authorize or approve the landing of large American armies in Vietnam or China. I replied that "there is nothing in the Resolution, as I read it, that contemplates it," although, I conceded, "the language of the Resolution would not prevent it." "Speaking for my own Committee," I continued, "everyone I have heard has said that the last thing we want to do is to become involved in a land war in Asia; that our power is sea and air, and that this is what we hope will deter the Chinese Communists and the North Vietnamese from spreading the war. That is what is contemplated. . . ."[1]

In an exchange with the Senator from Wisconsin (Mr. Nelson) I said: "I personally feel it would be very unwise under any circumstances to put a large land army on the Asian continent." I said also that I would "deplore" the landing of a large army on the Asian mainland.[2] A little later in the debate I added: "I have no doubt that the President will consult with Congress in case a major change in present policy becomes necessary."[3]

Other Senators also expressed the general expectation that the Resolution would help to prevent a large-scale war. The Senator from Georgia (Mr. Russell) said: "I am sure that all of us who intend to vote for the Joint Resolution pray that the adoption of the Resolution, and the action that may be taken pursuant to it, will achieve the same purpose and avoid any broadening of war, or any escalation of danger."[4]

The Senator from Idaho (Mr. Church) expressed his general understanding that it was not the President's purpose to expand the war.[5] Senator Keating of New York expressed his understanding that the Resolution was not a "blank check" for expanded hostilities to be undertaken without the consent of Congress.[6]

The Senator from Wisconsin (Mr. Nelson) offered an amendment to the Gulf of Tonkin Resolution which would have expressed the sense of Congress that the United States sought no extension of the war and would continue to attempt to avoid a direct military involvement. In my capacity as floor manager—and to my regret—I said that I could not accept the amendment but only because it would necessitate a conference with the House of Representatives, which would have delayed final adoption. I made it clear, however, that I thought that Senator Nelson's amendment was not contrary to the Resolution but an "enlargement" of it. I also expressed my belief that Senator Nelson's amendment was "an accurate reflection of what I believe is the President's policy, judging from his own statements. . . ."[7]

What the foregoing illustrates is that, in adopting the Gulf of Tonkin Resolution, Congress had no intention whatever of authorizing the commitment of the Armed Forces to full-scale war in Asia. The language of the Resolution, it is true, lends itself to that interpretation, but, as the Executive well knew, that unfortunate language was accepted only in response to its urgent pleadings and assurances that the Administration had no intention whatever of plunging into an Asian land war.

Those expectations were by no means without foundation. The country, it will be recalled, was engaged in an election campaign in which President Johnson repeatedly expressed his determination not to involve the United States in a large-scale war in Asia. To cite just a few of the many Presidential statements to that effect:

On August 12, 1964, the President said in New York:

"Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do. They ask us to take reckless action which might risk the lives of millions and engulf much of Asia and certainly threaten the peace of the entire world. Moreover, such action would offer no solution at all to the real problem of Vietnam."

In a speech in Texas on August 29, the President said:

"I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war and escalate the war, and result in our committing a good many American boys to fighting a war that I think out to be fought by the boys of Asia to help protect their own land. And for that reason, I haven't chosen to enlarge the war."

And in Akron, Ohio, on October 21, he declared:

"We are not about to send American boys 9,000 or 10,000 miles away from home to do what Asian boys ought to be doing for themselves."

The Senate debate of August 6 and 7, 1964, shows clearly that, in adopting the Gulf of Tonkin Resolution, the Senate thought that it was acting to prevent a large-scale war, not to authorize one.

Mr. CASE. Mr. President, will the Senator from New York permit me to make a comment on that?

Mr. JAVITS. I would like to answer that.

Mr. CASE. I would like to comment on it.

Mr. MILLER. I would like the Senator from New York to answer my point, because some people are concerned about the scope of the SEATO Treaty, which is the supreme law of the land.

I would like to ask my colleague if there is not more to it than just the mere security of our troops; if there is not an additional ingredient in the form of some satisfaction of our commitments under our treaty obligations?

Mr. JAVITS. Mr. President, I shall be happy to answer all those questions. Then I shall be happy to yield to the Senator from New Jersey (Mr. Case) to get his reaction, because I feel that he, being an able lawyer, can add to anything I will have to say.

First, my argument as a Senator, if the Senate adopts that argument by the vote, is that all that termination of the Gulf of Tonkin resolution will do will be to clear the books. So then we argue only about constitutional powers. The President's powers are powers——

Mr. MILLER. And treaty requirements.

Mr. JAVITS. Whatever the constitutional powers, my judgment is that when a Senator votes "yea" he is not accepting my personal judgment as to what power that leaves the President. That is a very important point. When a Senator votes "yea" all he is saying is that we now resort to the Constitution because we are going to take the Gulf of Tonkin resolution off the books.

So I am not asking any Senator necessarily to join me in my interpretation of the powers of the President. There may be arguments on that point. I want to make that clear. I am not saying that any Senator who votes "yea" adopts my argument, but only clears the decks for going back to the constitutional powers of the President, whatever they may be.

Mr. MILLER. I think the Senator has put that point extremely well.

Mr. JAVITS. I thank the Senator, because I have no design to wish anything on the Senate whatever. I gave my personal view that, considering the history of what power a President has to react as Commander in Chief, it would seem to me, after all these years, in the absence of a clear congressional direction, that the President has power to end the war and withdraw our troops with maximum security to them.

The Senator asks, What about our treaty commitments? Does the President also have the power to live up to our treaty commitments?

I would answer as follows: In my judgment—again, this is only my opinion—a President might have to react in fulfilling a treaty commitment or carrying out a treaty commitment, when it comes up in such a way and such a context that the interest and security of the country do not permit him to invoke those "constitutional processes" which require Congress to act legislatively—through declaration of war, Tonkin Gulf resolution, or whatever it may be.

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[1] *Congressional Record*, 88th Cong., 2d Sess., Vol. 110, Pt. 14, Senate, Aug. 6, 1964, pp. 18403–4.

[2] *Ibid.*, pp. 18406–7.

[3] *Ibid.*, p. 18420.

[4] *Ibid.*, pp. 18410–11.

[5] *Ibid.*, pp. 18415–16.

[6] *Ibid.*, p. 18456.

[7] *Ibid.*, p. 18459. See also p. 18462.

I would accept that, and I take specific account of it in the bill I have introduced. But, the SEATO Treaty does not really commit us to fighting in South Vietnam at all. And, where so much time has gone by, and where we no longer can say there is a problem of immediate reaction, there I would say the President does not have any such power alone, and I do not want to entrust to the President alone, at this stage, the power to make war in the carrying out of a treaty commitment.

If President Nixon feels that he needs the power to carry out a treaty commitment, then, in my judgment, if we terminate Gulf of Tonkin, he should turn to us and say, "My friends, I agree with you about taking the blank check off the books, but I need a check for $100, and this is why," he would give us the specifics on a resolution that he wanted. He would say, "I need it immediately," or "I need it within 10 days," or "I need it within 2 days." That is perfectly all right. It would be our duty, in my judgment, to strain to meet his timetable in deciding whether we do or do not wish to give him what he wants.

There is also a doctrine in the law with respect to the continuance of a given situation and the fact that implications may be drawn from that unless they are cut off by Congress, and that might apply in some alleviation of the doctrine I have stated as to what the President's continuing power is. But I have stated it in its basic sense, and I hope very much that it will never be necessary for Congress to order the President, any more than it will be for the President to order Congress.

I point out to the Senator that this interpretation is my own. It is completely consistent with the history of the U.S. treaty commitments since the war; in every case we have conditioned the action which we were ready to take—that goes for NATO and all of them—as being subject to our constitutional processes. That means whatever power the Constitution gives the President and whatever the Constitution gives the Congress.

Mr. CASE and Mr. MILLER addressed the Chair.

Mr. MILLER. I just want to ask a question to clarify one thing the Senator said.

Mr. JAVITS. Surely.

Mr. MILLER. I believe the Senator based his opinion, to a certain degree, on the premise of the time involved.

Mr. JAVITS. Yes. In the context of my exchange with Senator Ellender about repulsing an attack.

Mr. MILLER. If that is so, what the Senator is really saying, I think, is that there is a time limit on a treaty. And if that is so, why should we not repeal the SEATO Treaty?

Mr. JAVITS. There is no time limit on a treaty except the limit to which we have agreed in the treaty. The only time limit I see—and it is a factor; not the only factor, but a factor—is a time limit on when the President can proceed without Congress.

I simply do not think that after 5 years of war, a President can say, "I am still reacting to something, which I have to do because otherwise America's obligation under a treaty will be invalidated, and our Nation will be embarrassed."

That is all I am saying.

I yield to the Senator from New Jersey.

Mr. CASE. Mr. President, I appreciate the Senator's indulgence. I really only want, I think, to underscore and perhaps state a little differently, or maybe only to repeat, what he has said, and make the distinction between the Nation's obligation, either under a treaty or under a condition, and who may put the country in motion.

I think the Senator, if I may say so, has confused those two things. We may have an obligation as a nation under a treaty or under a state of facts which we have brought into existence, whereby, in common morality, we ought not to leave people in the lurch when we have brought them along with us on our side in war or other action. But that is not the same as saying that the President has the right to take action in response to that obligation without the consent of Congress, or in opposition to its will.

That is the distinction that I think ought to be kept in mind here. The Senator from New York is absolutely right. I think in all these matters the only really sane solution is cooperative action between the President and Congress; and for Members of the Senate to insist that the President has exclusive authority in this area, I think, is to misinterpret not only the intention of the Founding Fathers, but also the rightness of the democratic process in a democratic nation.

Mr. MILLER. Will the Senator from New York yield further?

Mr. JAVITS. Yes.

Mr. MILLER. I appreciate very much what the Senator from New Jersey has said. Let me see if I can summarize it this way: He is saying that, with the repeal of this resolution and looking to the constitutional powers of the President, it is expected that the President would withdraw in an appropriate way, taking into consideration not only the security of our troops, but also our treaty commitments; and that if Congress does not think that the way the President is handling this withdrawal is proper, in line with the security of our troops and in line with the Nation's commitment under its treaty, then Congress can resort to the power of the purse.

Mr. CASE. May I respond? I do not necessarily disagree with what the Senator from New York has said about the condition that we are left in after this, or that all the President has the right to do is to withdraw. I think that decision, so far as this Nation is concerned, has not yet been made, and that when it is made, it ought to be made so as to have the best result for both the President and Congress.

I think all we have to say here is that whatever, if any, sanction to the use by the President of the military is involved is based upon this resolution. We are eliminating that, and, whatever encumbrance or whatever cloud it may be upon the situation, we are removing that cloud so that we can move on.

Frankly, I do not think it is necessary for us to take this action. If we want to take affirmative action as a Congress, we can take it, and it will supersede this resolution. I do not think there is any question about that. But I think it is a good idea, since the matter has been raised, to put this away.

I agree so much with what the Senator from Iowa has said and with what the Senator from New York has said about this whole problem that I hesitated to intervene here, and yet I did want to emphasize the distinction which I think the Senator from New York has already made.

Mr. JAVITS. I thank my colleague. I would only add, with reference to Senator MILLER's question, that Congress could act through its appropriation power. But, it could also act through the exercise of its substantive "policy powers" with respect to warmaking. These are clearly spelled out in article I, section 8, of the Constitution.

Mr. ELLENDER. Mr. President, will the Senator yield for one question?

Mr. JAVITS. Yes.

Mr. ELLENDER. As the Senator knows, the President envisions Vietnamization and, after American fighting troops are removed, he proposes to permit our bombers and a lot of our soldiers to remain there to help South Vietnam logistically. Can Congress stop that, or, if this resolution is——

Mr. JAVITS. Off the books?

Mr. ELLENDER. Off the books, will the President have to come to Congress in order to obtain permission to permit the logistics to go on with our forces and our bombers, to sustain further Vietnamization?

Mr. JAVITS. I think, as to logistics, we definitely have that under the foreign aid programs. He must come to us in the absence of law or security for our troops. And, in the absence of law or security for our troops he has no inherent constitutional power, in my judgment, to engage the Armed Forces of the United States, including its Air Force, in a supporting role.

Mr. ELLENDER. From what the Senator said a while ago, this means, I assume, complete withdrawal of all our troops?

Mr. JAVITS. Yes, that is what we are talking about. Troops as fighting men. As regular MAAG trainers, and so forth—that is something else. But that too requires congressional authorization.

Mr. ELLENDER. That means we have to leave South Vietnam without carrying out what the President desires to do now, which is to help the South Vietnamese from a logistic standpoint?

Mr. JAVITS. In my opinion, he should seek to join the authority of Congress with his own for those moves.

Mr. MATHIAS. Mr. President, will the Senator yield?

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Mr. JAVITS. I yield.

Mr. MATHIAS. Mr. President, I just want to thank the Senator from New York for his very lucid and helpful exposition of the basic issues here.

Let me say further that I think the Senator from New York and the Senator from New Jersey—and, really, everyone who has spoken here today, I hope myself included—have issued a call to unity. We have issued a call to bring together all the forces of the Government, and, indeed, a call for the unity of the American people on this issue; and I hope that that call will be heard far beyond the Senate Chamber today.

Mr. JAVITS. I thank my colleague, and I thoroughly agree with him.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I would like to join in what the Senator from Maryland says. I have no illusions that Congress will take over this matter itself, and run it. All of these efforts, from way back, and certainly including Cooper-Church and others, are persuasive in nature—that is, it is the vehicle by which Congress expresses its best collective judgment on the very important matters—and that is the objective of it. I agree with the Senator in that respect.

Mr. JAVITS. I should like to join with Senator FULBRIGHT and Senator MATHIAS and others who have said that this is really an appeal to unity through clearing the books of anything which might give anybody an idea that they have a legal right beyond the Constitution. The Constitution presumes a working harmony between the President and Congress in many things, certainly in respect of war. I hope very much that we will be able to reach this as regards phasing out of Vietnam.

Several Senators addressed the Chair.

Mr. JAVITS. Mr. President, I yield to the Senator from Kentucky (Mr. COOPER).

Mr. COOPER. Mr. President, I have listened with great interest to the speech of the Senator from New York. As always, it was lucid and informed. He understands the constitutional questions involved.

For several years I have been studying the security treaties to which the United States is a party. With one or two exceptions, all provide that if aggression is committed against a signatory of the treaty, the signatories shall take action in accordance with their constitutional processes. During the debates on the SEATO Treaty, the Mutual Defense Treaty with Korea, and other security treaties, the question was asked again and again: What is the "constitutional process"? Secretary Dulles answered during the committee hearing on the SEATO Treaty that the "constitutional process" required joint action of Congress and the Executive, except in emergency situations.

I have believed, as Senator Ellender does, that President Johnson, in submitting the Tonkin Gulf resolution, asked the Congress to exercise the constitutional process in accord with article IV(1) of the SEATO Treaty. He went further than we expected, but the Tonkin Gulf resolution provided large authority to him.

If this resolution is repealed, what will be the base of the President's power? Certainly, he would not have power or authority under the Gulf of Tonkin resolution or SEATO, except by approval of the Congress.

In my view, his authority will reside only in his constitutional power to defend our Armed Forces. Who will interpret that? The President will interpret it. I think it is our duty to express, as we did in the recent debate and action on the Church-Cooper amendment and on others, what we believe are the limits of the power of the President under his constitutional authority to protect the troops.

These are gray areas, difficult and perhaps impossible to define.

I must say that I agree wholeheartedly with the Senator from New York that, in such a situation as Vietnam, it is a matter of accommodation between the President and the Congress.

Mr. JAVITS. I thank the Senator.

Mr. President, I yield the floor.

Mr. COOPER. Mr. President, I am glad that this issue can be voted on as a concurrent resolution as reported by the Senate Foreign Relations Committee. Section 3 of the Tonkin Gulf resolution prescribes a concurrent resolution of the Congress as one means of repeal. I am pleased that the initiative of Senator MATHIAS of Maryland can be recognized as he did propose repeal and introduced a resolution for that purpose. He was joined by Senator MANSFIELD. Senators JAVITS and PELL also introduced a resolution calling for the repeal of the Tonkin Bay resolution, and they deserve commendation for their early initiative.

Nevertheless, the issue was before us when the Senator from Kansas (Senator DOLE), called for repeal, and I was glad to support him.

I recognize the deep interest that the chairman of the Senate Foreign Relations Committee, Senator FULBRIGHT, has had in this issue. As he has emphasized, he has sought a full discussion of the constitutional powers of the President and the Senate in warmaking decisions. I agree with him that the authority of the Congress has suffered erosion during this century and, without a doubt, the assumption of power by the Executive has played a part in this role. However, my study of the actions taken by the Executive has led me to conclude that in every instance the Congress has approved in advance action by the President or has acquiesced in the action that had been taken by the Executive.

There are different views concerning the basis upon which the Tonkin Bay resolution rests.

I am sure that few, if any, Members of the Congress foresaw that the United States would become involved in a great war in Vietnam, the third largest in our history excepting the Civil War.

Nevertheless, the record indicates that President Johnson was acting for authority based upon the SEATO Treaty as well as seeking prior approval of the exercise of his constitutional authority to protect American forces. His message to the Congress on August 5, referred to the Southeast Asia Collective Defense Treaty several times, and specifically stated:

> I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.
>
> The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat in Cuba in 1962. It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

The report of the Senate Foreign Relations Committee under the title, "Scope of the Resolution," at page 8, makes the following comment:

> The phrasing in section 2, "in accordance with its obligations under the Southeast Asia Collective Defense Treaty," comprehends the understanding in that treaty that the U.S. response in the context of article IV(1) is confined to Communist aggression. It should also be pointed out that U.S. assistance, as comprehended by section 2, will be furnished only on request and only to a signatory or a state covered by the protocol to the SEATO Treaty. The protocol states are Laos, Cambodia, and South Vietnam.

Article IV(1) of the SEATO Treaty provides as follows:

> Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

While the term "constitutional processes" is not defined in the treaty, Secretary of State Dulles, under questioning by the committee as to his interpretation of the words "constitutional processes," stated that "the normal process would be to act through Congress if it were in session, and if not in session to call Congress."

The report of the Foreign Relations Committee concerning the SEATO Treaty describes "the constitutional processes" referred to in the treaty, as follows:

> 15. CONSTITUTIONAL PROCESSES
>
> In the course of the hearings on January 13, the committee gave consideration to a suggestion by one of the witnesses that a reservation be attached to the treaty which would prohibit the use of United States ground, air, or naval forces in any defense action unless Congress, by a declaration of war, consented to their use against Communist aggression. This proposal led to a

searching discussion in executive session. It was finally rejected as throwing open the entire controversial topic of the relative orbit of power between the executive and the legislative branches. It had been for this very reason, as noted above, that the executive branch adopted the "constitutional processes" formula. When pressed for an indication of what the phrase comported, Mr. Dulles assured the committee that those words were used with the understanding that the President would come to Congress in case of any threat of danger "unless the emergency were so great that prompt action was necessary to save a vital interest of the United States." Except in that event "the normal process would be to act through Congress if it were in session, and if not in session to call Congress."

The committee ultimately resolved that it would serve no useful purpose to seek to develop the meaning of "constitutional processes" beyond this statement of Mr. Dulles. In that connection, it is recalled that the committee, referring to the use of the same phrase in the North Atlantic Treaty, observed in its report:

"The treaty in no way affects the basic division of authority between the President and the Congress as defined in the Constitution. In no way does it alter the constitutional relationship between them. In particular, it does not increase, decrease, or change the power of the President as Commander in Chief of the Armed Forces or impair the full authority of Congress to declare war" (Ex. Rept. No. 8, 81st Cong., 1st sess.).

In his prepared statement before the Foreign Relations Committee under the heading, "Purpose of the Resolution," found at page 5 of the committee hearings, Secretary of State Rusk made reference to the SEATO Treaty in the following terms:

> But in the face of the heightened aggression of the Communist side, exemplified by these latest North Vietnamese attacks, it has seemed clearly wise to seek in the most emphatic form a declaration of Congressional support both for the defense of our Armed Forces against similar attacks and for the carrying forward of whatever steps may become necessary to assist the free nations covered by the Southeast Asia Treaty.

The debate in the Senate on the Tonkin Gulf resolution supports the proposition that the resolution was based in part on a decision to protect the Armed Forces, and in part as appropriate action under article IV of the SEATO Treaty.

I voted for the resolution and, like others, I expressed my hope in the debate that we would not become engaged in a new war in Vietnam. I knew that it was a possibility under the terms of the resolution, and so stated in the debate.

It is my view, as I stated on the floor at that time, that the approval of the resolution by the Congress was the exercise of the "constitutional processes" required in article IV of the SEATO Treaty.

I should note that I think it important that the Foreign Relations Committee and the Senate continue a review of our security treaties.

In connection with the SEATO Treaty which was advised and consented to by the Senate on February 1, 1955, I would like to make reference to the Senate debate that took place in January of 1954 concerning the Mutual Defense Treaty with Korea.

Article III of the Korean treaty is similar to article IV (1) of SEATO in providing for implementation of the treaties by each party "in accordance with its constitutional processes."

On January 26, 1954, the Senate debated the meaning of the phrase, "constitutional processes."

In a colloquy I had with Senator Wiley, the floor manager, I stated that in my views

> The phrase "constitutional processes" must imply the powers of both President and Congress * * * We come back to the question: What are the constitutional powers of the President and Congress with respect to taking steps toward war? I believe that the distinguished Senator from Wisconsin has said that, in the absence of such circumstances as demanded the protection of the security of the United States, we would certainly expect that Congress would determine whether the United States should go to war.
>
> Mr. Wiley: I believe that expresses very forcefully the position I take as to what the language means. * * *

Mr. President, because of the relevance of this debate to my views in this matter, I ask unanimous consent that the colloquy of January 26, 1954, be included in the Record at this point.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

Mutual Defense Treaty With Korea

The Senate, as in Committee of the Whole, resumed consideration of the treaty, Executive A (33d Cong., 2d sess.), a Mutual Defense Treaty between the United States of America and the Republic of Korea, signed at Washington on October 1, 1953.

* * * * *

Mr. Cooper. I thank the Senator from Wisconsin for yielding.

The Presiding Officer. Is the Senator from Wisconsin yielding the floor, or yielding for a question?

Mr. Wiley. I yield for a question.

Mr. Cooper. I have been very much interested in the searching questions asked by the distinguished Senator from Mississippi (Mr. Stennis). I should like to say, first, that I do not believe that the wording of the United Nations Charter has relevancy in this situation.

I ask the Senator from Wisconsin if it is not true that the United Nations, contrary to popular belief held by some, has no power whatsoever to commit this Nation to war.

Mr. Wiley. That is correct.

Mr. Cooper. There is only one situation in which the United Nations might have any power to commit our troops. If under the Charter nations have made available to the Security Council of the United Nations fixed and permanent military forces, consenting in advance for their use to maintain peace, there would be authority to commit the forces. As this has not been done by the United States or any other nation, I say and I am sure the Senator from Wisconsin will agree—that there is absolutely no power in the United Nations, to commit this Nation to war.

Mr. Wiley. I agree.

Mr. Cooper. The Senator from Mississippi has raised the most searching question that can be addressed to this treaty. As the Senator from Wisconsin has said, it is the age-old constitutional question, "Under what circumstances can the President of the United States take action which, as a practical matter, may have the effect of committing this Nation to war without a congressional declaration of war?"

The phrase, "constitutional processes" must imply the powers of both President and Congress. Under the Constitution the President of the United States can assert under certain circumstances—such as our troops being attacked or our physical area being invaded—his consitutional power as Commander in Chief to take action for the security of the country. Such action could, of course, lead to war.

The important language in this article, it seems to me, in addition to the phrase "constitutional processes," which is difficult of interpretation, is the language defining the area, and conditions in which the United States would be morally committed to take some action under its constitutional processes.

I believe the distinguished Senator from Wisconsin has said that he did not intend to make a statement which would interpret in any way the words "constitutional processes" to exclude the constitutional power of the President of the United States as Commander in Chief to act, under certain circumstances which he might think proper, to protect the security of the United States. Is that correct?

Mr. Wiley. Yes, of course. Again we get into a field which has been the subject of discussion for some 165 years, as I have said. However, I believe that with the understanding which has been appended as a result of the suggestion of the Senator from Georgia [Mr. George] there can be no question as to what the meaning of the treaty is. As I have stated, there is nothing in the treaty which would delimit the constitutional power of either Congress or the President.

Mr. Cooper. We seem simply to speak in a circle and come back to where we started. What does "constitutional processes" mean?

Mr. Wiley. It is not a Bricker amendment, if that is what the Senator has in mind.

Mr. Cooper. We come back to the question: What are the constitutional powers of the President and Congress with respect to taking steps toward war? I believe that the distinguished Senator from Wisconsin has said that, in the absence of such circumstances as demanded the protection of the security of the United States, we would certainly expect that Congress would determine whether the United States should go to war.

Mr. Wiley. I believe that expresses very forcefully the position I take as to what the language means. However, I cannot help but say that, as we discuss the treaty, which relates to a small country, a mere dot on the perimeter of the earth, so to speak, we cannot close our eyes to the fact that in the day in which we are living—and I say this very thoughtfully—I am sure if we could foresee any danger of a third world conflict which would make it advisable for the President not to convene Congress in Washington, where we could be immediately blown out of existence by a bomb, but himself to take the steps which were necessary under the circumstances, Congress should provide the machinery to make it possible to vote, if necessary, by television or in any other way, so that that which happened to Hiroshima could not happen to Washington.

The story has been told that the Commander in Chief was consulted on the wisdom of dropping the A-bomb on Tokyo, and he said, "If we do so, we will kill the Emperor, and kill all the high government officials in Japan. We cannot do that to Japan, because we need the Emperor, around whom the people can gather when we take over."

There will be nothing like that in a third world war. The object will be to paralyze at one time the entire Government—Congress, the Executive, and the courts. Consequently, there should be adequate machinery, available whereby Congress could vote by long distance on the subject.

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Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILEY. I yield further to the Senator from Kentucky.

Mr. COOPER. I thank the Senator from Wisconsin. I know I share the hope of every Senator that there will be no resumption of the Korean war, but if there should be, there will be opportunity for Congress to take proper constitutional action.

But we cannot take away from the President his constitutional powers to protect our security, and I do not believe we ought to give to this treaty any interpretation which would permit any assumption that he would not act to protect our forces or to meet further aggression in Korea.

Mr. COOPER. Mr. President, with respect to this action the Senate is taking today, I think it may be helpful to have certain relevant documents bearing on this subject included in the RECORD at one place.

Mr. President, I ask unanimous consent that the following documents and statements be included in the RECORD at this point:

First. President Eisenhower's message to Congress on the SEATO Treaty.

Second. Testimony of Secretary Dulles before the Foreign Relations Committee in connection with the SEATO Treaty.

Third. Excerpts from the report of the Foreign Relations Committee on the SEATO Treaty.

Fourth. President Johnson's message to Congress on the Tonkin Gulf resolution.

Fifth. Excerpts from the report of the Foreign Relations Committee on the Tonkin Gulf resolution.

Sixth. Statement by Secretary of State Rusk before the joint hearing of the Senate Foreign Relations Committee and the Senate Armed Services Committee in connection with the Tonkin Gulf resolution.

Seventh. Statement by Secretary of Defense McNamara before the same committees in connection with the Tonkin Gulf resolution.

There being no objection, the documents and statements were ordered to be printed in the RECORD, as follows:

[1. President Eisenhower's Message to Congress on the SEATO Treaty]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY AND THE PROTOCOL THERETO, BOTH SIGNED AT MANILA ON SEPTEMBER 8, 1954

THE WHITE HOUSE,
November 10, 1954.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a copy of the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila on September 8, 1954.

I transmit also for the information of the Senate a copy of a declaration known as the Pacific Charter, which was drawn up at Manila and signed on that same date. The charter proclaims the dedication of the signatory governments to the ideals of self-determination, self-government, and independence. It is a declaration of principles and does not require the advice and consent of the Senate.

There is further transmitted for the information of the Senate the report made to me by the Secretary of State regarding the Southeast Asia Collective Defense Treaty and the protocol thereto. I concur in the recommendation of the Secretary that the "unanimous agreement" required by article IV, paragraph 1, for the designation of states or territories, by article VII for the invitation to states to accede to the treaty, and by article VIII for a change in the treaty area is to be understood in each instance as requiring the advice and consent of the Senate.

The treaty is designed to promote security and peace in Southeast Asia and the Southwestern Pacific by deterring Communist and other aggression in that area. It is a treaty for defense against both open armed attack and internal subversion. Included in the treaty is an understanding on behalf of the United States that the only armed attack in the treaty area which the United States would regard as necessarily dangerous to our peace and security would be a Communist armed attack. The treaty calls for economic cooperation to enable the free countries of this area to gain strength and vigor not only militarily but also socially and economically.

The Southeast Asia Collective Defense Treaty complements our other security treaties in the Pacific and constitutes an important link in the collective security of the free nations of Southeast Asia and the Pacific.

I recommend that the Senate give early and favorable consideration to the treaty and protocol submitted herewith, and advise and consent to the ratification thereof subject to the understanding of the United States contained in the treaty.

(Enclosures: (1) Report of the Secretary of State, (2) copy of the treaty, (3) copy of the protocol, (4) copy of the Pacific Charter.)

DEPARTMENT OF STATE,
Washington, November 2, 1954.

The PRESIDENT,
The White House:

I have the honor to submit to you, with a view to the transmission thereof to the Senate for its advice and consent to ratification, a copy of the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila September 8, 1954. There is also transmitted, for the information of the Senate, a copy of the Pacific Charter signed and proclaimed at Manila on the same date. The charter is a declaration of principles and does not require the advice and consent of the Senate.

At your request Senator H. Alexander Smith and Senator Michael J. Mansfield of the Senate Foreign Relations Committee accompanied me to the Manila Conference as plenipotentiary delegates and signed, with me, the treaty, the protocol, and the Pacific Charter. I am greatly indebted to the contributions which they made to the successful negotiation of these instruments. This treaty is one in which the Executive and the Senate, through both political parties, cooperated all along the way.

The purpose of the Southeast Asia Collective Defense Treaty is the creation of unity for security and peace in Southeast Asia and the Southwestern Pacific. Eight nations—Australia, France, New Zealand, Pakistan, the Republic of the Philippines, Thailand, the United Kingdom, and the United States—participated in the negotiation as free and equal partners. It is a treaty for collective defense against both open armed attack and internal subversion. Although the United States has no direct territorial interest in Southeast Asia, we have much in common with the people and governments of this area and are united in the face of a common danger that stems from international communism.

As I stated in my address to the Nation on September 15, the unity envisaged by the treaty is something that the United States has long sought. In 1951, on behalf of the preceding administration, I negotiated security treaties with Australia and New Zealand, with the Republic of the Philippines, and with Japan. Since then a mutual defense treaty with Korea has also been concluded, subject to exchange of instruments of ratification. Each of these treaties has a continuing role in the development of a Pacific security system, and each contemplated the development of a more comprehensive system of regional security in the Pacific area.

Like the earlier treaties, the Manila Pact is in full conformity with the purposes and principles set forth in the Charter of the United Nations and is based on article 51, which recognizes the inherent right of individual or collective self-defense. It is directed against no government, against no nation, and against no peoples.

The treaty consists of a preamble and 11 articles. The preamble sets forth the spirit and purposes of the treaty. It recognizes the sovereign equality of all the parties and reiterates their faith in the Charter of the United Nations and their desire to live in peace with all peoples and all governments. Reaffirming the principle of equal rights and self-determination of peoples, it declares the intention of the parties to strive by every peaceful means to promote self-government and to secure the independence of those countries whose people desire it and are able to undertake its responsibilities. Declaring publicly and formally their sense of unity, the parties give warning to any potential aggressor that they stand together in the area. The preamble expresses also the fundamental purpose of the treaty, i.e., the further coordination of efforts for collective defense for the preservation of peace and security.

Article I contains undertakings similar to those in comparable articles of other security treaties. By its terms the parties reaffirm their solemn obligations under the Charter of the United Nations to settle by peaceful means any international disputes in which they may be involved, and to refrain in their international relations from the threat or use of force inconsistent with the purposes of the United Nations. All of the parties to the treaty are members of the United Nations.

Article II incorporates in the treaty the principle of the Vandenberg resolution (S. Res. 239, 80th Cong.), which requires the regional and collective security arrangements joined in by the United States be based on continuous self-help and mutual aid. The parties pledge themselves by such means not only to maintain and develop their individual and collective capacity to resist armed attack but also to prevent and counter subversive activities directed from without against their territorial integrity and political stability. The treaty thus recognizes the danger of subversion and indirect aggression, which as we are keenly aware have been principal tools of international communism.

Article III recognizes the importance of free institutions and sound economies in achieving the objectives of peace and security. It is based on the realization that the opportunities of communism will diminish if through economic cooperation the free nations are able to develop their internal stability. The parties agree to cooperate in promoting economic progress and social well-being. This article does not commit the United States to any grant program. However, as I stated in my address of September 15, Congress had the vision to see this year that there might be special needs in Southeast Asia. By the Mutual Security Act, Congress has already provided certain funds which may be used to assist the free governments of Southeast Asia.

The article builds no economic walls against countries or territories not parties to the treaty. While a special relationship ought to prevail as between those countries which together assume serious commitments, the treaty countries are fully aware of the importance from an economic standpoint of such nations as Japan, Indonesia, Burma,

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Ceylon, India, Formosa, and other areas in the Far East and South Asia area. Article III does not preclude our continued economic cooperation with these and other countries whose economic welfare is deemed important to the stability of the treaty area as well as to our own well-being.

Article IV contains some of the most important provisions of the treaty. It sets forth any measures by which the parties agree to take action against armed aggression and against the danger of subversion and indirect aggression.

Under paragraph 1 of that article each of the parties recognizes that "aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." That language is based upon the Monroe Doctrine principle and follows the pattern of other United States security treaties in the Pacific. Each party recognizes in article IV, paragraph 1, that the armed attack referred to therein would be dangerous to its own peace and safety.

In the case of the United States, only a Communist armed attack can bring that treaty provision into operation. The understanding of the United States in this respect is embodied in the treaty itself. It reads as follows:

"The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2."

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This understanding reflects the special position of the United States as the only one of the signatories which does not have any territory in the treaty area. For the other signatories the treaty deals with any and all acts of aggression which might disturb the peace of the area. For the United States, however, it is expressly stipulated that the only armed attack which the United States would regard as necessarily dangerous to our peace and security would be a Communist armed attack. Recognition that Communist armed aggression in Southeast Asia would in fact endanger the peace and security of the United States, and call for counteraction by the United States, is based on the realization that the spread of international communism poses a threat to the United States as it does to the entire free world.

The language of paragraph 1 also provides for designation, by unanimous agreement, of other states or territories an armed attack against which will result in bringing certain of the treaty provisions into operation. I recommend that you inform the Senate that this provision is to be interpreted as requiring the advice and consent of the United States Senate to any agreement making such a designation.

The agreement of each of the parties to act to meet the common danger "in accordance with its constitutional processes" leaves to the judgment of each country the type of action to be taken in the event an armed attack occurs. There is, of course, a wide range of defensive measures which might be appropriate depending upon the circumstances. Any action which the United States might take would, of course, be in accordance with its constitutional processes.

Provision is made in the final sentence of the paragraph for reporting the measures taken against armed aggression to the Security Council of the United Nations in accordance with the obligation of the parties under article 51 of the United Nations Charter.

The danger from subversion and indirect aggression is dealt with in paragraph 2 of article IV, which meets this difficult problem more explicitly than any other security treaty we have made. It provides for immediate consultation by the parties whenever any party believes that the integrity of the treaty area is threatened by other than armed attack. The threat may be to the territorial inviolability or integrity, or to the sovereignty or political independence of any party in the treaty area or any other state or territory to which paragraph 1 of the article may from time to time apply. The paragraph contains no obligation beyond consultation, but the purpose of consultation is to agree on measures to be taken for the common defense. In its understanding with reference to article IV, paragraph 1, the United States affirms that in the event of any aggression or armed attack other than Communist aggression it will observe the consultation provisions of article IV, paragraph 2.

Paragraph 3 affirms the principle of equal rights and self-determination of peoples proclaimed by the treaty signatories in the Pacific Charter. It states the understanding of the parties that, except at the invitation or consent of the government concerned, no action shall be taken on the territory of any state designated under paragraph 1 or on any territory so designated.

To facilitate implementation of the treaty, article V establishes a Council, on which each party is to be represented. The Council will provide for consultation with regard to military and other planning as the changing situation in the treaty area may require.

No material changes in the military planning of the United States will be required by our participation in the Council. At present, United States plans call for maintaining at all times powerful naval and air forces in the Western Pacific capable of striking at any aggressor by means and at places of our choosing. As I explained at the Manila Conference, the responsibilities of the United States are so vast and farflung that we believe we would serve best not by earmarking forces for particular areas of the Far East but by developing the deterrent of mobile striking power plus strategically placed reserves. The Conference accepted that viewpoint, recognizing that the deterrent power we thus create can protect many as effectively as it protects one. However, other treaty members may deem it desirable to make their contribution toward strengthening the defense of the area by specific force commitments for that purpose.

Article VI makes clear that the obligations of the parties under the treaty do not affect in any way their obligations under the United Nations Charter. It recognizes the primary responsibility of the United Nations in maintaining international peace and security. Each party declares that it has no existing international obligations in conflict with the treaty and undertakes not to enter into any international engagements in conflict with it.

Article VII takes into account that not all countries whose interests now or in the future may be bound up with the Southeast Asia Collective Defense Treaty are in a position to become parties at this time. It accordingly provides that the parties, by unanimous agreement, may invite any other state in a position to further the objectives of the treaty and to contribute to the security of the area, to accede to the treaty at a later date. I recommend that this article be interpreted as requiring the advice and consent of the Senate for the United States to join in the "unanimous agreement" required for the invitation of new parties.

Article VIII defines the "treaty area" as the general area of Southeast Asia, including the entire territories of the Asian parties, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. Provision is made for amendment of the treaty area by unanimous agreement. On the part of the United States, I recommend that Senate advice and consent be required for such agreement.

Article IX assigns to the Republic of the Philippines the customary duties as depositary of the treaty. Paragraph 2 provides that the treaty shall be ratified and its provisions carried out by the parties in accordance with their respective constitutional processes. The association of the United States in collective arrangements "by constitutional process" was recommended by the Vandenberg resolution and has been the basis for all of our security treaties.

Paragraph 3 or article IX provides that deposit of ratifications by a majority of the signatories shall bring the treaty into force between the states which have ratified it. With respect to each other state it shall come into force on the date of deposit of its ratification.

According to article X the treaty has indefinite duration, but any party may cease to be a party 1 year after its notice of denunciation has been given. It is hoped that the cooperation for peace and security which is the objective of this treaty will be permanent. However, since the conditions in the treaty area are subject to fluctuation, a flexible provision in respect to duration seems desirable.

Article XI is a formal article regarding the authentic language texts of the treaty.

The protocol extends the benefits of articles III and IV to the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam. The Indochina situation was considered by some of the treaty signatories as creating obstacles to these three countries becoming actual parties to the treaty at the present time. By designating them as states or territories for the purposes of article IV, the protocol assures that armed attack or indirect aggresion against Cambodia, Laos, or the territoy under Vietnamese jurisdiction will bring into operation the obligations of the parties under that article. It thus throws over those new nations a certain mantle of protection. The protocol also extends to those countries eligibility in respect of the economic measures, including technical assistance, contemplated by article III. It thus recognizes that economic progress and social well-being in these areas are essential to the economic welfare of the whole area and a vital force in combating the opportunities of communism.

In addition to the treaty and protocol, there was also drawn up and signed at the Manila Conference a declaration known as the Pacific Charter. The charter was the idea of President Magsaysay of the Republic of the Philippines, who emphasized the importance of making clear that the treaty signatories were seeking the welfare of the Asian peoples and were not promoting "colonialism." As I said in my opening address to the Conference, one of communism's most effective weapons is to pretend that the Western Powers are seeking to impose colonialism on the Asian people. I said then that we must make abundantly clear our intention to invigorate independence.

The Pacific Charter proclaims certain basic principles in relation to the right of peoples to self-determination, self-government, and independence. It dedicates all the signatories to uphold these principles for all countries whose people desire it and are able to undertake its responsibilities. In the Pacific Charter the West and the East have joined in a pledge of fellowship that supports and invigorates the basic principles which underlie the Southeast Asia Collective Defense Treaty and protocol.

In view of the importance of the Southeast Asia Collective Defense Treaty and protocol as a deterrent to Communist and other aggression and as a bulwark in the maintenance of peace and security in the Pacific area, it is hoped that the treaty including the understanding of the United States contained therein, together with the protocol, will be given early and favorable consideration by the Senate.

Respectfully submitted.

JOHN FOSTER DULLES.

(Enclosures: (1) Southeast Asia Collective Defense Treaty, (2) protocol, (3) Pacific Charter.)

[2. Testimony of Secretary Dulles before the Foreign Relations Committee in connection with the SEATO Treaty]

Statement of Hon. John Foster Dulles, Secretary of State, Accompanied by Adm. Arthur C. Davis, Director, Office of Foreign Military Affairs, Office, Secretary of Defense

Secretary DULLES. Mr. Chairman and members of the committee, let me first express, on behalf of President Eisenhower and myself, my appreciation of the promptness with which the committee has taken up this matter. The documents were transmitted only yesterday by the President to the Senate, and the fact that the committee is meeting the next morning to deal with the treaty is, perhaps, without precedent in Senate history. I believe that this expeditious handling of the matter is fully justified by its importance.

A SOLID COLLECTIVE-SECURITY SYSTEM

This treaty, Mr. Chairman, as you have indicated, represents a major further step in the evolution of our policy to try to create a solid collective-security system in the Western Pacific area. That is a well-established policy. It was the policy which existed under the preceding administration, and which has been carried on by the present administration.

When I went out to the Pacific area in 1950 to begin the negotiations which resulted in the Japanese Peace Treaty and a series of security treaties, the original hope had been that we could have a fairly broad collective security arrangement. As it happened, it was not possible to do that at that time, and we were content perforce with a series of treaties, the security treaty with Australia and New Zealand, our mutual security pact with the Philippines,, and a security treaty with Japan. But those treaties themselves indicated that we did not regard them as an end, but only as a beginning, because they referred to the fact that the treaties were made pending the development of a more comprehensive system of security in the Pacific area. Since then we have negotiated the treaty with Korea.

The present treaty with Southeast Asia is an element in that total picture which we have long wanted to create.

When President Eisenhower made his first notable address called "The Chance for Peace" on April 16, 1953, he then advocated "united action" for Southeast Asia. I pushed for that quite vigorously during the next year.

It turned out, naturally, that it was quite difficult to complete a Southeast Asia pact while the war in Indochina was still active. Nations, I think on the whole, like to go into these pacts on the theory that they are deterrents to war rather than involvements in a war. Furthermore, the issues of the war going on in Indochina were not entirely clear.

So, while the United States would have been willing to have made this pact earlier in the hope that it would exercise a helpful influence upon the negotiations at Geneva, it did not prove practical to do it until after the Geneva armistice agreements had been made.

NEED FOR THE SOUTHEAST ASIA COLLECTIVE DEFENSE PACT

The making of those armistice agreements at Geneva did not, of course, end the need for a pact. The need for the collective security pact is indeed quite evident as a result of many evidences of continuing aggressive tendencies on the part of the Communists.

To name only a few of these things, I could mention the fact that there exists on Chinese Communist soil a so-called "free Thai" movement, which is designed to subvert and overthrow the Government of Thailand. In Vietnam the military forces in the portion that has been conceded to the Communists have been almost doubled since the Geneva armistice.

In northern Laos, two provinces are largely dominated by the Communists who are in revolt against or do not accept the authority of the Government of Laos.

In Singapore there is continuing concern as to the activities being conducted by the Communists as against the large Chinese population of Malaya. Most of those Chinese are not themselves Communists, but they are the subject of very vigorous propaganda and subversive efforts being conducted by small elements of Chinese Communists who are extremely active at the present time in that area.

In the Province of Yunan, China, where there is no risk at all of any armed attack against China, there is nevertheless maintained a very substantial military force by the Red Chinese.

All of these facts, and others which I could adduce, indicate that there persists an aggressive intention on the part of the Chinese Communists which belies their protestations of a desire for peace.

Therefore, the need for this treaty exists irrespective of the Geneva armistice. That fact has been recognized by the nations who met in the early part of September at Manila to conclude the treaty which you are now considering.

APPRECIATION FOR SENATE COOPERATION

As I turn to that Manila conference, I want to express on behalf of the President and myself and the executive branch of Government, our great appreciation for the cooperation which was shown at that conference by the Senate through two distinguished members of your committee, Senator Alexander Smith and Senator Mansfield. They were members of the delegation; they played an active part in the negotiations and discussions at Manila; and with me, under the authority of the President, signed the treaty.

Senator Mansfield came to that conference directly from Indochina, where he had spent some little time, and he brought to the Manila conference an appraisal of the situation in Indochina which was of great value not only to the United States delegation but to the delegates of the other countries that were there.

MEMBERS OF THE TREATY

The members of this treaty are, in addition to the United States, the Philippines, Thailand, Pakistan, Australia, New Zealand, France, and the United Kingdom. We would have been glad if there had been more members, particularly Asian members, but the treaty is open ended in that respect. There is an invitation to other countries to join the treaty, of which we hope in due course they will avail themselves, with the concurrence of the present members, a prerequisite for bringing in new members.

Nevertheless, the present membership of the treaty is important, and I believe adequate to build a very substantial defense against the menace to which I have referred.

In my report to the President, which went up to the Senate yesterday and which you, with commendable speed, have already printed, I review in considerable detail the various provisions of the treaty, and I will not now attempt to duplicate what I there said.

DISTINCTIVE ASPECTS OF THE TREATY

There are, however, certain rather distinctive aspects of this treaty, as the chairman has pointed out, to which I would briefly allude.

Broadly speaking, the pattern of the treaty is similar to the other Pacific treaties which we have made, the Anzus Treaty, the Philippine Treaty, the Korean Treaty, and so forth. But there are differences.

The treaty area is defined not merely by the treaty itself, but by a protocol to the treaty which brings in Laos, Cambodia, and the free portion of Vietnam as treaty territory which, if attacked, would be under the protection of the treaty and which, we hope, the treaty will deter from being attacked.

Those nations themselves are not members of the Manila Pact. The reason is that the armistice provisions at Geneva at least raised a question in the minds of some of the parties to those agreements as to whether the Associated States could actually join such a pact. Nevertheless, those states welcomed the fact that the mantle of protection of the treaty was thrown around this area. This provision is one novel feature of the treaty.

A second novel feature of the treaty is the fact that more than any other of our security treaties it emphasizes the danger from subversion. It deals, of course, as other treaties have, and in the same formula, which I call the Monroe Doctrine formula, with an open armed attack, and we believe that what is said in that respect will constitute a deterrent against such an open armed attack.

MOBILE STRIKING POWER

I might say in this connection, departing somewhat from order of my presentation, that it is not the policy of the United States to attempt to deter attack in this area by building up a local force capable itself of defense against an all-out attack by the Chinese Communists if it should occur. We do not expect to duplicate in this area the pattern of the North Atlantic Treaty Organization and its significant standing forces. That would require a diversion and commitment of strength which we do not think is either practical or desirable or necessary from the standpoint of the United States.

We believe that our posture in that area should be one of having mobile striking power, and the ability to use that against the sources of aggression if it occurs. We believe that is more effective than if we tried to pin down American forces at the many points around the circumference of the Communist world in that area.

It may very well be that other countries of the area will want to dedicate particular forces for the protection of the area under this treaty. But we made clear at Manila that it was not the intention of the United States to build up a large local force including, for example, United States ground troops for that area, but that we rely upon the deterrent power of our mobile striking force.

PROVISION TO PREVENT AND COUNTER SUBVERSION

To go on now to the question of subversion, as I pointed out, we deal with that in this treaty more specifically than we have with any other treaty. We recognize the danger more clearly. I must admit that the mere fact of recognizing the danger does not mean that we automatically have found a way to meet the danger. Subversion in that area is a very difficult thing to combat. It is virulent, it is well organized, it is effectively prosecuted by trained persons, and the task of

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meeting that threat will tax our resources and ingenuity to the utmost.

One reason why I am very anxious to have this treaty promptly considered by this committee is that I hope that it will be possible for us, perhaps even without awaiting the final coming in force of the treaty, to have a meeting of the signatories to the treaty, at which we will begin to think of ways and means that might be made available to combat this threat of subversion. This threat is most acute at the moment in Vietnam, but, as I indicated, there are threats of the same character as to Laos, Cambodia, Thailand, and Malaya; and Burma and Indonesia are not free from that danger.

Therefore, I think it is of the utmost importance that we should have an early meeting of the signatories in which we began to think of ways and means to meet this subversive threat which is recognized by the treaty as being a particular danger in this area.

ECONOMIC CLAUSE

The treaty has a brief economic clause which says that the parties will cooperate together in economic matters. It is clear, and I want to reaffirm here, that this is not meant to and does not engage the United States to any particular program of vast economic aid.

As I said at a press conference which I had the day before yesterday, the possibility of usefully spending vast sums of economic money in this area has not been demonstrated. It is quite different from the situation that existed in Europe where we had the European recovery plan. That was a question of rehabilitating, reestablishing a pre-existing industrial plant. People knew how to operate it and were well versed in industrial life, and the problem was to recreate something that had been destroyed.

In this part of the world the problem is to create something that is totally new, and I am inclined to think that while the problem certainly needs our very best thought, the finding of ways and means to help is the most important first thing. The problem needs to be tackled first from that standpoint rather than the standpoint of first appropriating vast sums of money and then trying to think later on how it can be spent with advantage.

TREATY DEALS SPECIFICALLY WITH COMMUNIST AGGRESSION

There is at the end of the treaty a clause of significance to the United States, and that is a declaration that the armed aggression which is referred to and which the United States declares would be dangerous to its own peace and security would be Communist aggression.

There was considerable discussion at the working group party at Manila which preceded the formal opening of the Conference, and at the Conference itself, as to whether the treaty, as a whole, should be exclusively directed against Communist aggression or whether it should deal with any form of aggression.

I pointed out at Manila that the United States was in a rather special position in that respect because of the fact that we alone of the treaty members did not have any territory of our own in the area that was involved. Therefore, our concern with the area was not primarily with interarea quarrels, but only if there should be Communist aggression.

In fact, we had advocated that the treaty should be limited to Communist aggression. But other countries were unwilling to do that; so the issue was resolved by the United States including in the treaty a declaration that as far as it was concerned the open aggression which we would regard as dangerous to our peace and security would be Communist aggression.

This means that we are not similarly concerned with what might be local controversies in the area. We have agreed that if there should be local controversies in the area, we would join with others in consultation to see what should be done about them. But the provisions of article IV, paragraph 1, would only apply so far as the United States is concerned in the event of Communist aggression.

THE PACIFIC CHAPTER

As you suggest, Mr. Chairman, there will probably be other matters which the committee members will want to raise by way of question. I will conclude my opening statement by one other reference, and that is to the Pacific Chapter. That is a document which is not in the nature of a treaty, it is in the nature of a declaration which is important in that it expressed by joint action of so-called western colonial powers and the Asian powers, a common position with reference to self-determination and self-government by the peoples of Asia.

This document was suggested by President Magsaysay, an outstanding anti-Communist figure, a very noble figure, who exerted a profound and benign influence on the whole conference.

He thought that it would be useful for the Conference to make what he called a Pacific Charter declaration, affirming the intention of all the parties to this treaty to work for self-determination and self-government among the Asian peoples who wanted self-government and were capable of exercising its responsibilities.

The negotiation of that agreement involved considerable difficulty to reconcile the divergent points of view of the former, and to some extent, present, colonial powers and the Asian powers, and I think it was a notable achievement that agreement was reached, and that there was this declaration made in ringing terms which I think will go far to meet the Communist propaganda that the East and West cannot operate for freedom.

That document, by its psychological impact, may have as great a force for sustaining freedom in Asia as the treaty does itself. That document, as I say, is not one which requires any action by the Senate, because it is merely a declaration of policy, but it has been transmitted to the Senate because I am confident that the Senate will be very happy that it was possible to make this declaration.

It was no problem for the United States to make it because we said similar things oftentimes before. It did involve certain problems for some of the western powers, and the fact that they and the Asian powers were able to agree is, I think, a very significant fact.

IMPORTANCE OF TREATY

So all together, Mr. Chairman, I believe that this treaty, coupled with the declaration of policy represented by the Pacific Charter, marks an important forward step in building security for freedom in the Pacific area.

I would not say that this represents the consummation of all our hopes. There are other steps which need to be taken. The area needs to be bound together more closely than it is now. All of that we are still working on. But I hope that this treaty will commend itself to your committee and to the Senate for prompt approval because it does represent, in my opinion, at least, one very major step in the evolution of a sound policy which the United States has had for that area for many years which, I think, should be permanent American policy, and which I think still has a possibility of future evolution for good.

Thank you.

The Chairman. Thank you, Mr. Secretary.

We will now proceed in the usual way. I will ask you a few questions, and then I will pursue the course that has heretofore been followed of permitting each member of the committee to ask you questions.

DIFFERENCE BETWEEN NATO AND SOUTHEAST ASIA TREATY

I have very few. What is the major difference between SEATO, as this has been called, and NATO? In other words, do you anticipate that SEATO will develop along the lines of NATO with a joint military force under a joint commander and joint headquarters, and so forth?

Secretary Dulles. There is a very sharp difference, which I think I suggested in my statement, between what we contemplated under the Manila Pact, and the North Atlantic Treaty.

NATO, of course, is the North Atlantic Treaty "Organization"; that is what the "O" stands for. That is not an inherent or necessary part of the treaty.

As a matter of fact, when the North Atlantic Treaty was before the Senate and the Senate consented to its ratification, there was at that time no serious thought of creating a North Atlantic Treaty Organization. That came as a later development.

In the case of the Manila Pact, we have tried to avoid the use of the word "SEATO." I did not use it in my presentation. It is not in the documents before us. We are trying to get away from that word because it implies a southeast Asia treaty organization comparable to the North Atlantic Treaty Organization. That organization is designed in the case of the North Atlantic Treaty to build up a defensive force on the Continent of Europe which itself would be sufficient to resist attack by the Red armies.

As I point out, that is not now the purpose under this treaty. We do not intend to dedicate any major elements of the United States Military Establishment to form an army of defense in this area. We rely primarily upon the deterrent of our mobile striking power. That we made clear to our associates in the treaty, and that is our policy.

It would involve, in the opinion of our military advisers—Admiral Davis is here and can confirm that—it would involve an injudicious overextension of our military power if we were to try to build up that kind of an organization in southeast Asia.

We do not have the adequate forces to do it, and I believe that if there should be open armed attack in that area the most effective step would be to strike at the source of aggression rather than to try to rush American manpower into the area to try to fight a ground war. So that we do not intend, Mr. Chairman, to have under this treaty any such local combined forces as have been created in Europe under the North Atlantic Treaty, and which goes by the name of NATO.

TREATY CONSISTENT WITH PROVISIONS OF U.N. CHARTER

The Chairman. You see nothing inconsistent here between this and the United Nations? You think that the arrangement that was made is consistent with the regional provisions in the United Nations Charter?

Secretary Dulles. I would say, Mr. Chairman, that it comes under the collective security provisions of article 51 rather than the regional provisions of article 52. Article 51 is a provision that nothing contained in the charter shall deprive any of the states from the individual or collective right of self-defense. That is the provision we are operating under rather than the regional provision, one reason being that under a regional organization, no enforcement measures can be taken without the prior approval of the Security Council, where the Soviet Union has a veto, and we would not want to have an organization where action could be vetoed by the Soviet Union.

PACIFIC CHARTER

The Chairman. While you were in Manila, you also signed the Pacific Charter upholding the principles of equal rights, self-determination of peoples. Do you expect that will be submitted to the Senate?

Secretary DULLES. It has, as I said, been submitted to the Senate for its information but not for action.

The CHAIRMAN. Not for ratification?

Secretary DULLES. Not for ratification; no, sir.

ADDITIONAL MEMBERS OF THE TREATY

The CHAIRMAN. Article VII of the treaty provides:

"Any other State in a position to further the objectives of this Treaty and to contribute to the security of the area may, by unanimous agreement of the Parties be invited to accede to this Treaty."

What are the chances of bringing India, Burma, Indonesia, and the Associated States of Indochina into the treaty; and further, are there any indications of a shift in Indian policy since the visit of Nehru to Red China? Those are two questions.

Secretary DULLES. I would not want, Mr. Chairman, to speculate here on the likelihood of the other countries you mentioned coming in.

As I say, we would be very happy if they were disposed to come in; that is entirely a matter for them to decide for themselves.

I think, perhaps, in describing earlier the various threats of subversive activity, I may have mentioned certain countries that were not parties to this treaty. I should make clear that I did not, in doing so, intend in any sense to imply that the treaty members felt that they had any responsibility with respect to such action. I was merely outlining the general threat in the area and the Communist tactics.

I am not intending to suggest that where those activities are directed against countries who were not parties to the treaty that the treaty places any responsibility or authority upon the treaty members to deal with that type of activity. The subversive activity against which we are concerned, is of course, subversive activity which involves the treaty area.

You asked whether there was any evidence of changing intentions on the part of Red China since Nehru went to Peiping. I would say that we have no such evidence. That does not exclude the possibility that he might have exerted a useful influence. All I can say is that we have no facts which would lead me to affirm that that is the case.

ADDITIONAL MEMBERSHIP POSSIBLE BY AMENDMENT TO TREATY

The CHAIRMAN. If some of the members I have mentioned should come in under the new treaty, do you think that would require further advice and consent by the Senate?

Secretary DULLES. Yes, sir; I would assume that the same practice would prevail here as prevails with relation to the North Atlantic Treaty. The language is the same, and it was agreed between the Executive and the Senate at the time of the North Atlantic Treaty that if additional states came in that would require an amendment of the treaty or a protocol to the treaty, on which the advice and consent of the Senate would be sought.

We would interpret this language in the same way that similar language in the North Atlantic Treaty is interpreted, namely, as requiring Senate action in that event.

RELATIONSHIP OF TREATY TO LAOS, VIETNAM, AND CAMBODIA

The CHAIRMAN. Now, I think you said something about this subject, but in the protocol to the treaty Laos, Cambodia, and Vietnam are designated for purposes of article III and article IV. Just what does this designation mean? In that connection, would you discuss with the committee the relationship of those three states to the Southeast Asia Treaty in the light of the armistice concluded at Geneva in May?

Secretary DULLES. The addition by the protocol to the treaty area of Cambodia, Laos, and the free territory under the jurisdiction of the state of Vietnam, has the effect that if there should be an armed attack against that area, it would be regarded by the parties as dangerous to the peace and safety of the parties to the treaty under article IV.

As I pointed out, the countries in question, Cambodia, Laos, and free Vietnam, did not themselves become parties to the treaty because of the fact that the Geneva armistice agreements at least raise a question as to the propriety of their doing so, and it seemed undesirable to some of the parties to those agreements to raise that question, particularly at a time when the armistice was in the process of being carried out and had not yet been fully carried out.

The armistice terms themselves are extremely complicated, somewhat ambiguous, with respect to these matters. It was obviously a situation where the countries concerned were properly the judges as to what was the best line for them to take. The Assocoated States concluded that they would be very happy to have their area included under the mantle of protection that this treaty would throw about it, whether or not they themselves become signatories to the treaty.

ECONOMIC AND MILITARY AID TO TREATY AREA

The CHAIRMAN. With reference to article III, in which the parties undertake "to cooperate with one another in further development of economic measures," you stated in your report to the Nation September 15:

"Congress this year had the vision to see that there might be special needs in southeast Asia. So, by the Mutual Aid Security Act, Congress has already provided a fund to be available in this area. Part of it will no doubt be spent to assist the free governments of southeast Asia."

Could you give us further details on the plans, if any, to advance the economic and military stability in that area?

Secretary DULLES. I could not at this time, Mr. Chairman, give the details of that because the problem is still being studied. The situation, particularly in Vietnam, is extremely confused, due to the lack of effective authority in the free Vietnam area.

The President a few days ago, last week in fact, asked General Collins to drop his other business and to go there, representing the President himself and the Department of State, Department of Defense, and the Foreign Operations Administration, with a view to making recommendations and, if need be, taking action with respect to these matters.

The question of what can be done effectively from a military standpoint and economic standpoint is being very intensively explored both there and in Laos and Cambodia.

We have for the first time now independent political missions to Laos and Cambodia, and new Ambassadors are there to study what can be done in those two areas.

Of course, the major problem of Indochina is in free Vietnam. There are there French forces which are contributing to the support of law and order at the present time, and there is a question of our cooperating with respect to the maintenance of those forces to the extent it seems desirable. There is also the problem of building up an enlarged police force, constabulary, and perhaps an army, for the Vietnam Government so that they can take over the responsibility for their own security.

There are a number of economic problems of acute necessity which are created by the emigration or flight of non-Communists from the northern area to the southern area.

All of these matters are being actively studied on the spot primarily now by General Collins on behalf of the United States. They will be discussed further with the Prime Minister of France, Mr. Mendes-France, when he arrives here next week. But until we are further advanced in our own thinking, Mr. Chairman, I would ask to be excused from trying to elaborate on just what we expect to do there.

THREAT OF SUBVERSION

The CHAIRMAN. In paragraph 2 of article IV there is a provision in substance, that the parties will consult immediately in order to agree on measures which should be taken when a threat occurs in any other way than by armed attack. Do you want to be a little more definite as to just what you mean?

Secretary DULLES. Well, that applies primarily to the threat of overthrow by subversive measures, internal revolution which might, perhaps, be inspired from without, but which does not involve open interference from without.

That is a situation which threatens very much in that area and where, I believe, there should be concerted action to meet it. In fact, the need in that respect is so great that I would hope that we can within the next few weeks begin to talk together with other treaty signatories about some of those problems.

The CHAIRMAN. Well, in any case, I take it that paragraph 1 of article IV applies—that part particularly—to meeting the common danger. Would it be in accordance with the constitutional processes?

Secretary DULLES. Yes, sir.

The CHAIRMAN. So whether it were the threat mentioned in section 2 or the common danger resulting from open attack, action could be taken only after consultation with Congress?

The CHAIRMAN. I thank you very much.

Senator Smith, any questions?

Senator SMITH. Yes, Mr. Chairman; I have a few questions.

I want to say first, Mr. Secretary, and I am sure that Senator Mansfield will join me in this, that I wish to express my appreciation of the opportuntiy of being with you and your group on this trip and of being able to get a firsthand look at some of these far eastern problems. I want to thank you very much for that opportunity.

DIFFERENCES BETWEEN NATO AND SOUTHEAST ASIA TREATY

Now, there are one or two things I have put down here, and I have quite a few questions that have been asked from various sources. I have been asked a good many questions since I got back, and I am going to try, for the record, to get you to answer some of these.

You referred to the difference between NATO and this Southeast Asia Treaty and indicated the different approach.

But is it fair to say that whereas in NATO we use the expression "an attack on one is an attack on all," and that was possibly one of the reasons for setting up our NATO collective forces, that here we do not quite take the same extreme position that an attack on one is an attack on all. However, we take the view that an attack, any aggression, is a source of concern until we meet together and consult and act according to our constitutional processes. People have asked me what is the real difference between the obligations under NATO and the obligations here?

Secretary DULLES. You will remember, Senator Smith, the constitutional debate which was evoked in relation to that clause in the North Atlantic Treaty, which said that an attack upon one is an attack upon all. It raised the question as to whether that automatically gave the President powers to exercise so that in the event of an attack upon Norway, for example, he would have exactly the same power as he would have if there was an attack upon New York or Washington.

That matter was very fully debated in the

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Senate at the time. I had the honor of being a Member of your body at that time and participated in that debate.

Therefore, when I had the responsibility of starting to negotiate treaties in the Pacific, I felt that it would be preferable to adopt the language which was taken from the declaration of President Monroe, and which reflects our oldest and, in a sense, most respected foreign policy, the Monroe Doctrine, where we declared that an intrusion would be dangerous to our peace and security.

Now, that was a formula which I recall that Senator Taft, who opposed the North Atlantic Treaty formula, had said would have been acceptable so far as he was concerned.

It seemed to me that the practical difference between the two from the standpoint of its giving security to the other parties was not appreciable, and that it was better to avoid a formula which would reopen the constitutional debate which took place in reference to that provision of the North Atlantic Treaty, so that formula was used in the Philippine Treaty, in the Anzus Treaties, it has been reproduced now in the Korean Treaty, and been reproduced in this treaty.

I think that the difference practically is not great, but that the present formula does avoid at least a theoretical dispute as to the relative powers of the President and the Congress under these different formulas.

RELATIONSHIP TO MONROE DOCTRINE

Senator **Smith**. Well, this particular treaty which we have just signed and the other bilaterals that you have initiated might be said to have the Monroe Doctrine approach, which over a period of a good many years now has been very effective. This approach has accomplished the results that were sought originally by the Monroe Doctrine. We are practically giving a Monroe Doctrine warning here against aggression and we are standing by the votes that we took.

Secretary **Dulles**. The language used here which has now become, I would say, almost conventional with reference to these treaties, makes perfectly clear the determination of our Nation to react to such an armed attack. It does not attempt to get into the difficult question as to precisely how we act and precisely how the responsibilities are shared between the President and Congress.

But as far as our national determination is concerned, it is expressed here; that is the thing that other countries are concerned with, and the question of our internal procedures is not properly a matter of their concern, and, in fact, none of the countries with whom we have dealt are concerned about the difference in the formula.

Therefore I think it is better to use this language, which does avoid constitutional controversy, which has been used in these other treaties, and which stems from one of our oldest foreign policies, that of the Monroe Doctrine.

In a sense, it is perhaps not quite as automatic as the other, but that would depend on circumstances. It is a clear determination of our national resolve, which I think will adequately serve to deter, if it is possible to deter at all.

PRINCIPLES OF FREEDOM AND INDEPENDENCE

Senator **Smith**. Well, Mr. Secretary, I was very much impressed by 1 or 2 things while we were out there, one of which was the preamble in which we set forth pretty clearly the fundamental principles of freedom and independence, with self-determination for peoples who desired or were able to undertake responsibilities. I remember we had quite a discussion of how it should be worded, and what should be done by the various nations involved; but it seemed to me that was a terribly important factor, which you so brilliantly and so inspiringly presented from the standpoint of the United States.

I would just like to emphasize that and ask you to comment briefly on that point, because I think it was very important. It is embodied also in the so-called charter which was initiated by Mr. Magsaysay, as you said.

Secretary **Dulles**. You will recall, Senator, that in the opening remarks which I made at the Manila Conference, I said that it must be made clear and abundantly clear that association between the Asian countries and the western countries would not in any way directly or indirectly involve any subservient relationship, any perpetuation of a colonial relationship because, if that was the case, then we would not have that association.

Of course, the Communists are trying desperately to make the Asian peoples believe that if they have any association at all with western powers it means perpetuation of colonialism. They do that because they know that the Asian powers will be extremely weak unless they can enjoy collective security, which, to some measure, will involve the western nations, and if they can create that breach, then Asia can readily fall under their control and power. Such slogans as "Asia for the Asians," "Keep the West Out," are only slogans which are invented by people who want to exert a mastery over all of Asia, and who know they can only do it effectively if they can get the Asians themselves first to break wholly their ties with the West, and then become so weak that they automatically almost fall into the Communist camp.

Now, that is the great danger which we are combating, in that area, and it is the danger which we must be eternally vigilant to combat. I believe that one of the major achievements of this Manila Conference was the fact that we took a big step forward in combating that Communist line.

POSITIVE INITIATIVE OF THE ASIANS

Senator **Smith**. I wanted to stress that because it impressed me personally as one of the most important things when we discussed it.

One of the other things that impressed me was the very positive initiative taken by the Asians themselves. Our old friends, the Filipinos were the hosts there and, under your wise direction, the Filipinos were asked to chair the meetings. I think you will agree with me, and I would be glad to have you say so if you do, that the Asians themselves showed great initiative in working out the form that the treaty was to take.

Is it not true that the Asians were eager to move right ahead with this, and contributed enormously? I remember the speeches made by Prince Wan of Thailand, and Mr. Khan of Pakistan, and their understanding of the spirit of the whole thing. They joined with the Philippines, Australia, New Zealand, the United Kingdom, France, and ourselves in setting up this protocol.

Secretary **Dulles**. I thoroughly agree with you, Senator Smith. The interest, the initiative, taken by the Asian members of this Conference was a very encouraging and heartening fact.

SUBVERSIVE ACTIVITY

Senator **Smith**. You referred to the question of subversive activity mentioned in article II. This contains, as you said in your opening remarks, a significant new undertaking providing for mutual aid to prevent and counter subversive activity directed from outside against the territorial integrity and political stability of the members.

Under what circumstances would this provision be applicable, and what measures are contemplated to make it effective?

I think you said you were hoping to have a conference in the near future with the countries concerned as to how the provisions of this article can best be carried out. Can you develop this further at this point?

Secretary **Dulles**. Well, I can develop it somewhat. Obviously it is not practical publicly to develop details.

Senator **Smith**. That is true.

Secretary **Dulles**. As a prior question brought out, I think, one of the questions of the chairman, it is contemplated that there may be in this matter a conference to decide what to do about these subversive activities if they do become acute. They already are becoming acute in some areas, and I believe we should very quickly put our heads together to decide what to do about it.

There is a very considerable experience in these matters. The Philippines themselves have had a very educational, if hard, time in dealing with the Huk revolution, but I would say that President Magsaysay is as well qualified as any man in the world today to know how to deal with these subversive activities. He has done an amazing job in the Philippines.

The British have had considerable experience in Malaya; we have had considerable experience; the Thailanders have had considerable experience; and I think that there are measures to be taken.

Of course, the hard core of any measure should be found in the country which is itself involved, and there is a grave need, particularly in Vietnam, for a strong government which commands the loyalty of the people, and which has an effective police and constabulary at its command to detect and run down these subversive activities.

That situation is by no means satisfactory at the present time. It calls for very attentive consideration by all of us, and I think I can say that it will be given such consideration.

THE TREATY AREA

Senator **Smith**. Now, Mr. Secretary, article VIII defines the treaty area, and it is not quite clear to me just what the area is. It seems to me it is important for all of us to understand just exactly what area the treaty covers.

Secretary **Dulles**. Well, broadly speaking, it includes the territory of the parties and the Pacific Ocean area which is south of 21 degrees and 30 minutes; that is a line which runs north of the Philippines. There are territories of some of the parties which lie north of that area, which it was not felt desirable to include.

But, broadly speaking, the area, therefore, is Pakistan, Thailand, and, by protocol, Laos, Vietnam and Cambodia, Malay, Australia and New Zealand, and the Philippines.

Senator **Smith**. It does not go far enough north to include what might be called the Hong Kong area or Formosa or Japan or Korea?

Secretary **Dulles**. No.

Senator **Smith**. They are not included in this treaty at all?

Secretary **Dulles**. That is correct.

Senator **Smith**. I wanted to get that.

Senator **Dulles**. Of course, neither the Republic of China nor the Japanese Government were parties to the treaty, so they would not have been included in any event.

The United Kingdom is a party to the treaty and, if it were not for this limiting clause, Hong Kong would have been included, but Hong Kong is not included.

SENATE RATIFICATION NECESSARY FOR AMENDMENT TO TREATY

Senator **Smith**. The treaty provides for including nations other than the ones that signed it, and also possibly extending the treaty area. That can be done by unanimous consent, apparently, of the parties to the treaty.

I think the question has previously been raised—I just do not recall the form of your answer—but would that require us to bring back to the Senate of the United States for ratification, in your judgment, any additions of that kind? We have the protocol here which includes Laos, Cambodia, and the free

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territory of the state of Vietnam, and, I suppose when we ratify this treaty we will also ratify that protocol. But do you contemplate that in the future, if there are any amendments, we will need to bring the matter to the Senate for ratification?

Secretary Dulles. Yes, sir.

Senator Smith. That would be our policy?

Secretary Dulles. Yes; it will be the policy.

I think it has now almost become more than policy; I think it is a practical construction of this language which has been adopted with reference to the North Atlantic Treaty, and I would assume that the same interpretation would be put on it here.

You will note that the President in his letter of transmittal of this treaty to the Senate says this:

"I concur in the recommendation of the Secretary that the 'unanimous agreement' required by article IV, paragraph 1, for the designation of states or territories, by article VII for the invitation to states to accede to the treaty, and by article VIII for a change in the treaty area is to be understood in each instance as requiring the advice and consent of the Senate."

I think there is no doubt but what that would be a binding interpretation of the language.

THE TREATY AREA

Senator Smith. Well, now, let us get back to the area question. Suppose there is aggression against India or Burma, who are not in the treaty; would we feel that this constituted a threat of a nature that would call for action on our part?

Secretary Dulles. Well, we might feel so, but that would be a matter for purely national action; that is not covered by any international engagement of any country.

Senator Smith. It would be a matter for us to decide.

Secretary Dulles. Yes, it would be. Of course, it would be a violation of the United Nations Charter and would presumably bring into play the processes of the United Nations, but we have no particular treaty engagement other than the United Nations Charter to cover that situation.

SITUATION IN INDOCHINA

Senator Smith. Now, referring to Indochina where we are all very much concerned. According to a number of reports, one of the areas mentioned in the protocol, the present territory and jurisdiction of Vietnam, is in danger of falling under Communist domination. If that occurs, due to internal or external pressure, will the treaty involve us in measures to resist Communist control of the area? I think you answered that before, but I would like to get a clear answer as to whether a sudden movement toward Communist domination in south Vietnam would bring this treaty into operation.

Secretary Dulles. Are you referring now to armed attack?

Senator Smith. It would be armed attack; but suppose there were internal pressures—the subversive activity; was that not one of the questions we were trying to include?

Secretary Dulles. Yes. I just was not clear as to whether your question is directed to article IV, paragraph 1, or article IV, paragraph 2.

Senator Smith. Let us consider them both. Suppose there is an armed attack under article IV, 1. I would think there would be no question in this instance, but if there is subversive activity which is threatening the integrity of south Vietnam—free Vietnam—would we feel that we were called upon under the treaty to give a danger signal and get together with our allies and consider it?

Secretary Dulles. Well, article IV, paragraph 2, contemplates that if that situation arises or threatens, that we should consult together immediately in order to agree on measures which should be taken. That is an obligation for consultation. It is not an obligation for action.

Of course, we are free to and are taking measures already, apart from the treaty and before the treaty is enforced to assist in combating subversion in that area.

But we can do much more effectively, I think what needs to be done, if the treaty is in force, and we have procedures for consultation under the treaty as to how to deal with these situations.

As I said, there are other members of this treaty who have very considerable experience in these matters. I referred to, as you will recall, President Magsaysay and, I believe, by meeting together we can find more effectively and surely the necessary redemptive measures than we could if we each operated separately.

Senator Smith. Mr. Chairman, I am going to yield to my colleagues.

MEMBERSHIP OF THE TREATY

The Chairman. Senator Green.

Senator Green. Mr. Chairman, thank you. Mr. Secretary, in the first place, let me say that I am rather at a disadvantage in asking questions. This message came from the President only yesterday, and I suppose, like other members of the committee or at least most of them, we have not seen it until this meeting. The questions I ask are for information only, and I hope you will not think that I am in any way opposed to the treaty or even have any exceptions to take to its terms.

It is simply for information that I am asking, and you may think the question is quite unnecessary in view of your statements here this morning. But it is rather difficult to read a text such as this and listen to your exposition of it at the same time.

If, on further reading or reading of the whole text, my associates on the committee or I have further questions to ask, I suppose we may be given that opportunity later.

There appear to be several questions that I can ask, though, and the first is this: What was the principle on which certain nations joined in this and other nations are excluded?

Secretary Dulles. Well, the Communist nations are excluded because we do not place confidence in their word and in their commitments. If we had confidence in the undertakings, for example, that the Communist countries have given under the United Nations Charter, there would be no occasion for treaties like the North Atlantic Treaty, and so forth.

If we really believed that these Communist countries were determined to settle all of their differences by peaceful means, as they have agreed to do, we already have their undertaking in the United Nations Charter. But their conduct, their teaching, indicates that they do not intend necessarily to live up to that—certainly we have grave doubts about it and reasonable doubts about it—and for that reason we try to get together with countries whom we can trust. Therefore, the only exclusion that operates here is an exclusion of countries who, by their own teachings, say that agreements of this sort are not designed to be lived up to but only designed to gain temporary advantages from which they can go on and make further gains.

I think it is legitimate to exclude countries who preach and practice that doctrine.

Now, except for that, there is no practice of exclusion. Any other country which wants to join and which is able and willing to make a contribution to the defense of the area would be very welcome.

RESPONSIBILITY TOWARD NONMEMBERS

Senator Green. Well take Indonesia as an illustration. Indonesia is not a party to this treaty; is it?

Secretary Dulles. No, sir.

Senator Green. Well, why not?

Secretary Dulles. Because it prefers not to be, and it is a free and independent country and has a right to decide for itself.

Senator Green. Well, now, there are parts of Indonesia or at least what the Indonesians claim is Indonesia, which are also claimed by the Dutch. That is right; is it not?

Secretary Dulles. The fact is that the current differences between the Dutch and the Indonesian Governments with respect to western New Guinea arise basically from their dispute over whether the question of sovereignty over the area is still to be negotiated.

Senator Green. Well, now, suppose trouble breaks out between the two; is it covered by this treaty?

Secretary Dulles. No, sir.

Senator Green. Is trouble not much more likely to break out in Indonesia than other situations that are provided for in the treaty?

Secretary Dulles. Well, I do not think so, but in any event, the danger which confronts the United States and which makes fighting a danger to the peace and security of our Nation is the Communist threat. We are concerned naturally with any quarreling and fighting that goes on anywhere, and if that broke out there would be various processes, in the United Nations and otherwise, which could be invoked, and probably would be invoked. But I think it very difficult indeed to say that it is a danger to the peace and security of the United States if there is a quarrel, a border quarrel, between two friendly countries.

It may be a very unfortunate thing; it may be a thing that we want to deal with through processes of arbitration, mediation, through the various procedures that are recommended by the United Nations Charter, but the mortal threat to the United States is the threat of communism. That is what this treaty is directed against. It is not directed against differences which may arise, unhappily, between friendly states.

Senator Green. There are certain territories in dispute between the Netherlands and Indonesia still; are there not?

Secretary Dulles. There is a question that has been raised by Indonesia with reference to the sovereignty of part of New Guinea; yes, sir.

Senator Green. What is the attitude of our country toward that?

Secretary Dulles. The attitude of our country is that we are neutral in a controversy between two friendly countries.

Senator Green. As I glanced through this text, I saw reference to the policy of self-determination of peoples.

Secretary Dulles. Yes. The dispute between Indonesia and the Netherlands with reference to New Guinea does not of itself involve the question of self-determination. The people of New Guinea are a race totally distinct either from Indonesia or the Netherlands, and in that case the question of their self-determination is not the issue in the controversy.

SUBVERSIVE ACTIVITY

Senator Green. Well, the treaty undertakes, as I understand it, to provide for cases where there is insurrection; it obliges us, does it not, to take the part of the government against the revolutionaries?

Secretary Dulles. I did not get that question, sir.

Senator Green. Is there not some provision in the treaty—I thought I saw it as I glanced through it—that we join in putting down insurrections in these countries?

Secretary Dulles. No, sir. There is provision that if there is a subversion, threatened subversion, of the political independence of any country, then we will consult together what to do about it.

Senator Green. That is subversion then.

Secretary Dulles. Yes, sir.

Senator Green. Well, isn't that another word for insurrection?

Secretary Dulles. I would think insurrection is a form of subversion, yes.

Senator Green. Then we are obliged to help put down a revolutionary movement.

Secretary Dulles. No. If there is a revolutionary movement in Vietnam or in Thailand, we would consult together as to what to do about it, because if that were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult together as to what to do about it.

Senator Green. I did have time to read the message of the President in communicating this treaty to the Senate, and he says as follows:

"It is a treaty for defense against both open armed attacks and internal subversion."

Then he limits the meaning of armed attack—that is from outside—to a Communist armed attack.

As I read that, two questions occurred to me. In the first place, the question was whether internal subversion is not another phrase for insurrection or revolutionary means. That is excluded from the understanding which the President refers to later, because it refers to an armed attack alone—the other of the alternatives. So it seems to me as though we are undertaking in all these countries to put down revolutionary movements. I know that, generally, both in Asia and in South America there is a feeling that the United States' sympathies ought to be with the revolutionaries because we were a revolutionary government ourselves, and they regret that not only do we not take the part of the revolutionaries, but we take the part against them.

What would be your comment on that?

Secretary Dulles. My comment on that, Senator, is that there are two kinds of revolutions. One is a truly indigenous revolution which reflects the will of the people, and we ourselves, who had our birth in revolution, naturally are sympathetic to the aspirations of the peoples.

On the other hand, communism has adopted revolution as one of its principal tools of expansion. It gains control of revolutionary movements, and certainly I do not think that we should go so far as to say that any revolutionary movement has the sympathy of the United States.

The Communists got control of China through a revolution. The fact that they used a revolution to do it does not prove that we are, therefore, sympathetic with the Chinese Communists—at least I do not think so.

Senator Green. On the other hand, we ought not to take the position that any uprising of peoples is necessarily subversive and communistic.

Secretary Dulles. That is quite correct.

Senator Green. They usually are a result of mixed motives.

Secretary Dulles. That is why, Senator, there is no obligation whatever in this treaty for any automatic action in the event of a subversive movement. If there is a subversive thing which seems dangerous, we sit together and talk about it, and then try to agree as to whether it calls for action.

Senator Green. Well, that is largely because the Communists are clever enough to identify themselves with any uprising; is it not?

Secretary Dulles. Well, they are extremely clever in getting control of the discontented movements in all of the countries.

Senator Green. Well, we certainly go to the other extreme and identify ourselves against any uprising or revolutionary movement.

Secretary Dulles. We do not try to do that, but we do try not to identify ourselves with revolutionary movements which are dominated and engineered by communism.

ADMITTING NEW MEMBERS TO THE TREATY

Senator Green. Well, now, there was another question that occurred to me, with regard to the provision for other states to join. I think this question was asked before, and you answered that this would be possible with the advice and consent of the Senate.

Secretary Dulles. Yes, sir.

Senator Green. But, the language in the treaty itself is that any other state may join, "by depositing its instrument with the Government of the Philippines."

Now, that does not require the consent of the Senate.

Secretary Dulles. The treaty, I think, says that it requires the unanimous agreement of the present parties first.

Senator Green. I must say that I am still at a disadvantage. Somewhere in here I noticed that any other state may join "by depositing its instrument with the Government of the Philippines." If that is so, why does it have to be, or would it be contrary to the treaty itself for us to require the consent of the Senate?

Secretary Dulles. The article reads, Senator:

"Any other state may, by unanimous agreement of the parties, be invited to accede to this treaty. Any state so invited may become a party to the treaty by depositing its instrument of accession with the Government of the Republic of the Philippines."

In other words, no state is entitled to join this treaty merely by its own action of depositing an instrument of ratification. It has to be invited and has to be invited unanimously.

Now, we did not attempt in the treaty itself to prescribe the constitutional procedures whereby each of the eight parties gives that consent. Under our constitutional procedure it is agreed that that consent can only be given with the concurrence of the Senate. Therefore, the United States Senate has a complete control over whether and to whom this treaty is extended.

Senator Green. Then it would have to require the subsequent assent of all the different governments?

Secretary Dulles. Yes, sir.

Senator Green. In spite of the language of article VIII?

Secretary Dulles. No; pursuant to the language of article VII, because article VII says they can only come in by unanimous agreement of the parties.

COMMUNIST AGGRESSION

Senator Green. Then the President in his message said that the term "armed attack," as used in the treaty, means a Communist attack. That does not limit it to a Soviet attacks, does it?

Secretary Dulles. No, sir.

Secretary Green. So it would be an attack by any government which is considered communistic?

Secretary Dulles. Yes. If, for example, the Chinese Communists were to make such an armed attack, that would be included in this reference.

Senator Green. Where in the treaty can that statement be found? Why didn't they say that in the treaty, if that is what it means?

Secretary Dulles. This is in the treaty, sir.

Senator Green. I thought they had a mutual covenant against resisting armed attack.

Secretary Dulles. There is a provision of article IV which talks about armed attack generally. Then there is an understanding incorporated in the treaty which says that, as far as the United States is concerned, the only armed attack which we will regard as obligating us under article IV, paragraph 1, is a Communist armed attack.

Senator Green. I have not had a chance to read it, as I said before, but is it in here that in the case of the United States, the only attack which is covered by the treaty is a Communist attack?

Secretary Dulles. Yes, sir.

Senator Green. Communist armed attack?

Secretary Dulles. Yes, sir.

Senator Green. That does not cover Communist subversion?

Secretary Dulles. Subversion is covered by the provisions of article IV, paragraph 2, which lead to consultation, but there is in the treaty itself no commitment to action in that event unless action is subsequently agreed to as a result of the consultation.

Senator Green. Well, then, the Communists would include not only Soviet Russia, but China, and so much of Indochina as has been recognized as Communist.

Secretary Dulles. It would cover at the present time the Communist regime in China and also the regime of Ho Chi Minh in North Vietnam.

Senator Green. Well, these were some of the questions I wanted to get for my own information.

Secretary Dulles. Yes.

Senator Green. Thank you very much.

The Chairman. Thank you.

Senator Hickenlooper?

RELATIONSHIP OF THE TREATY TO THE U.N. CHARTER

Senator Hickenlooper. Mr. Secretary, most of the questions that I would be interested in have already been asked, and I shall not plow the same ground twice. But I do want to ask you about article I:

The parties undertake—

I am reading from article I—as set forth in the charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner—and so on.

I am concerned as to whether or not that provision in this treaty enlarges either our responsibility under the United Nations Charter or alters in any way the relationship of the authority of our Government under the United Nations Charter. Does this have any effect on either enlarging or diminishing our relationships with the United Nations or our responsibilities under the United Nations Charter?

Secretary Dulles. No, sir. This article I is an article which is a substantially verbatim repetition of article II, paragraph 4, of the United Nations Charter, which will be found in, I think, all of the other collective security arrangements which we have made since the adoption of the charter.

The charter language to which I refer reads as follows——

Senator Hickenlooper. I understand what the charter reference is.

Secretary Dulles. Yes.

Senator Hickenlooper. I am only attempting to find out whether or not the reiteration of this statement in the treaty adds to or detracts from our responsibility or obligations under the United Nations Charter.

Secretary Dulles. I can say categorically, sir, that in my opinion this neither adds one jot or title nor subtracts one jot or title, from our objective as expressed in the Charter of the United Nations.

Senator Hickenlooper. In other words, this reference to the United Nations in article I, in your view, is for reference purposes only, and has no influence in adding to or detracting from whatever obligations or lack of obligations we already have under the United Nations Charter. It has no effect on increasing or diminishing the authority, either ours or the United Nations, under the United Nations Charter?

Secretary Dulles. Yes, sir. In fact, in my opinion, this article has no substantive value, in fact, but has customarily been put in such treaties. In pursuance of that custom it was inserted here, but it, in my opinion,

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does not add anything to the obligations already assumed by the United States.

Senator Hickenlooper. Nor does the repetition in this treaty of a reference to the United Nations Charter increase or diminish, or alter in any way whatever, existing powers which the President of the United States, as Chief Executive or Commander in Chief might already have? Do you think it alters those?

Secretary Dulles. It does not alter, increase, or diminish those powers.

Senator Hickenlooper. Thank you.

The Chairman. Senator Fulbright?

COMMUNIST AGGRESSION

Senator Fulbright. Mr. Chairman, I, like Senator Green, have not had a chance to study this, and I have only 1 or 2 questions. I was not clear about the status of this understanding of the United States regarding the aggression coming only from Communists. Is that in the treaty itself or is that an understanding just outside of the treaty among the various signatories?

Secretary Dulles. It is part of the treaty itself and is subscribed to by all the other parties to the treaty; they accept our understanding in that respect.

Senator Fulbright. That is contained in the last paragraph; is it not?

Secretary Dulles. Yes, sir; it appears just above the signatures.

TECHNICAL COOPERATION

Senator Fulbright. All right, I had overlooked that.

I have one other point. Could you give your view as to the significance of article III, somewhat along the line of your last answer to the Senator from Iowa's remark? In what way, if any, does article III change our present policy regarding point 4 or technical assistance? Was it intended to increase our obligations, or just what did you mean by article III?

Secretary Dulles. It was designed to reaffirm our conviction that certain economic efforts, such as technical assistance programs, cultural exchanges, and the like, all play an important part in combatting communism, and that we intend to use all of the weapons in our arsenal to meet the threat of communism in this area.

Senator Fulbright. Then is it fair to say that this is a specific recognition of the importance of technical cooperation in helping to overcome the difficulties that exist in this part of the world?

Secretary Dulles. Yes, sir.

Senator Fulbright. I must say I think that is a very important article. I hope it may lead to further developments. As I said, I have no particular criticism to offer on the whole. It seems to me a proper approach, but I will reserve my observations for a later meeting when I have had a little more time to digest the treaty. That is all, Mr. Chairman.

The Chairman. Senator Ferguson?

SIMILAR PROVISIONS IN RIO TREATY

Senator Ferguson. Mr. Secretary, in article IV the first section apparently applies to armed attack and the second section to subversion and acts that might be considered attacks through subversion.

Is article IV, section 2, very similar to article VI of the Rio Treaty?

Secretary Dulles. I do not have that article VI before me. There is the same distinction made in the Rio Treaty as is made here between armed attack and disturbances which involve less than armed attack. I do not have the article VI that you refer to before me, but I assume that is the article.

Senator Ferguson. I wanted to inquire on this point: Would a situation like that in Guatemala with regard to the shipping of arms require action under article IV, paragraph 2, rather than under paragraph 1?

Secretary Dulles. I would think that if the parallel to that was created, it would be regarded as coming under subdivision 2 rather than subdivision 1.

Senator Ferguson. In other words, the words "armed attack" in paragraph 1 of article IV are the ordinary armed attack rather than a subterfuge of penetration or subdivision.

Secretary Dulles. Yes, sir.

Senator Ferguson. That is all I have, Mr. Chairman.

The Chairman. Senator Sparkman?

MEMBERSHIP OF THE TREATY

Senator Sparkman. Mr. Secretary, I have very few questions to ask. I think the subject has been pretty well covered. But I want to pursue a little further something that Senator Green touched upon, and that is the possibility of the inclusion of other nations in that area of the world.

It seems to me that if there is one weakness in this proposed treaty, it is the fact that there are only three really Asiatic nations parties to it. Those countries are Pakistan, Thailand, and the Philippines.

Now, I assume that the other nations were invited to come into the conference?

Secretary Dulles. It was made clear to them that they would have been very welcome at the conference; yes, sir.

Senator Sparkman. Was an invitation sent out or was it just more or less a gathering of those who were interested—each one acting in its own interest and on its own accord?

Secretary Dulles. There was, as I recall, no formal invitation sent once it was ascertained that they would prefer not to receive such an invitation but, subject only to that, their welcome was made very clear to them.

Senator Sparkman. You made clear in your statement that you hope other nations may see fit to come in at a later time. I wonder if you might tell us if you have any real hope that Burma, for instance, might at some later date come in, or Indonesia? It seems to me that certainly those two nations are right in the midst of the treaty area, and would greatly strengthen the agreement.

Secretary Dulles. I think it would probably be indiscreet of me, Senator, to guess about their future.

Senator Sparkman. But the door is left——

Secretary Dulles. The door is wide open——

Senator Sparkman. Wide open, and they well understand that?

Secretary Dulles. Yes, sir.

Senator Sparkman. I believe that is all, Mr. Chairman.

The Chairman. Senator Knowland?

COMMUNIST COMPLIANCE TO THE KOREAN ARMISTICE AND GENEVA AGREEMENTS

Senator Knowland. Mr. Secretary, I would like to have some information supplied to the committee, and I can see that there may be some valid reasons why either you would not have the information immediately available or feel that this would not be a proper place to furnish it, but I do think the requests are pertinent because the Senate's decision in relation to this Manila Pact may very definitely be tied in with the entire security situation in the Far Pacific.

I would like to have furnished to the Committee on Foreign Relations for executive session and study, and later questioning in executive session, full information relative to the Communist compliance with the terms of the Geneva Armistice Agreement. I think that information is sufficiently clear so that you have in mind what the committee may be interested in; namely, are they carrying out the terms? have there been the withdrawals from Laos and Cambodia of any units that were in those countries; and, is the freedom being given to the people within the northern part of Vietnam to get out, as was the general understanding?

Secondly, while this does not directly relate to the Manila Pact, it does affect the peace in the Far Pacific, I would likewise desire to have for the information of the Foreign Relations Committee, for subsequent questions to be raised and answered, full information relative to Communist compliance with the terms of Korean armistice agreement.

And, third, full information relative to the functioning or inability to function of the so-called Neutral Nations Armistice Commission in Korea, again affecting the general peace of the entire Pacific area.

Those are my requests for information at the present time, and I want to close by commending the Secretary of State and the members of the delegation, including the two Senators, Senators Mansfield and Smith, who accompanied you. I believe that this is a step in the right direction toward developing a collective system of defense in the Pacific.

Secretary Dulles. Thank you, Senator. I will try to obtain this information and present it in executive session.

(The information, all of a classified nature, was subsequently furnished the committee and has been made a part of the permanent record.)

RECOGNITION OF THE PHILIPPINE DELEGATION

The Chairman. I want to call the attention of the committee and the audience that we have the privilege of having with us the group of the Philippine delegation that was introduced on the floor of the Senate yesterday. Today is what we used to call Armistice Day, and I think it is a special occasion when we realize that 36 years ago the nations of the earth thought they had a great destiny of peace ahead of them, and we know what has happened since. We are glad to welcome this delegation, glad they are in America to get acquainted with us. Thirty-six years ago the bells rang out for peace around the world, and I think it is a good omen that today, Mr. Secretary, we have before us the Manila Pact, the accomplishments in Egypt, Iran, Trieste, the nine-power pact, all symbolic, I trust, of that faith we expressed 36 years ago.

Senator Gillette?

UNITED STATES POLICY IN CASE OF ARMED ATTACK

Senator Gillette. Mr. Secretary, I have just one question to ask. Referring to article IV again, the first section is clear. It states that each party recognizes an armed attack as threatening all, and agrees to act in meeting the common danger according to its constitutional processes.

But section 2 provides that any similar threat, other than by armed attack will be met by consultation among the parties and agreement as to what action will be taken.

Now, keeping those two things in mind, we come to the concluding paragraph, which states that we only recognize the obligation under section 1 in case of Communist aggression when we will proceed by our constitutional processes.

Now, this is a hypothetical question—very improbable—but one that I should like to have answered. In the event that there is armed attack in this area by other than a Communist country, does that mean that was, as a signatory, cannot take any action in case of such armed attack in accordance with our constitutional processes until we have consulted with all the others and obtained agreement as to what we should do?

Secretary Dulles. No, sir. In that respect we retain entire control of our own policy, according to our own judgment. If there should be an armed attack which is not a Communist attack, affecting one of the parties to this treaty, the question of what we should do would then be determined by us as a matter of national policy. We would not be obligated under this treaty.

Senator Gillette. May I supplement my question by saying I do not quite see why

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that follows. We provide by agreement that in case of an armed attack by a Communist country, we shall proceed, as you have just designated, by our constitutional processes, but we specifically provide in this concluding pagaraph that if there is an armed attack by any other than a Communist country that we shall first consult with these associates and obtain their agreement before we take any action.

Secertary DULLES. No. I think you have read into that more than it contains.

Senator GILLETTE. Well, I hope I have.

Secretary DULLES. It does not say that we will only act in agreement or consultation. It does say that in that event we will be willing to consult.

Senator GILLETTE. No; it says that we will consult under the provisions of article IV, paragraph 2.

Secretary DULLES. Yes, sir.

Senator GILLETTE. The language does not state that we will be willing to consult, but before we take any action we "will" consult under that provision and obtain agreement as to what action shall be taken.

Secretary DULLES. No, sir; it does say that we will consult before we act. All it says is we will consult.

Senator GILLETTE. And that may be subsequent to action that we take?

Secretary DULLES. It could be.

Senator GILLETTE. That we take independently?

Secretary DULLES. As you say, it is quite unlikely as a practical matter that we would act first, because, as I indicated, unless the armed attack is of Communist origin, it is difficult to say truthfully that it seriously affects the security of the United States. If communism throws aside all restraints and goes in for armed attack, then I think we can reasonably conclude that it is starting on a course of action which is directly aimed at the United States, that we are the target. We could not say that truthfully in the event that there is an armed attack which occurred between two of the parties to this treaty, which would not be of Communist origin. That would not prove that there was any design against the United States. Therefore, we do not assume the same commitments in that respect.

We do say that we will consult. We do not say that we will consult prior to any other action. We merely say we will consult, period.

Senator GILLETTE. That is all, Mr. Chairman.

The CHAIRMAN. Senator Aiken?

COMMENDATION OF THE UNITED STATES DELEGATION

Senator AIKEN. Mr. Chairman, I doubt if any questions which I might ask at this time would contribute to the information which we already have on hand.

I would like at this time, however, to compliment the Secretary of State, Secretary Dulles, on having conscientiously and apparently effectively performed what appeared to be an almost impossible task, not only with regard to this treaty, but to the whole handling of our foreign relations. As far as this treaty goes, I would like to include Senator Smith and Senator Mansfield in my remarks, because I think so long as we operate as they have been doing, not only the people of this country but the people of other countries as well will have a great deal of respect for their efforts.

The CHAIRMAN. Senator Mansfield?

Senator MANSFIELD. Mr. Chairman, I have no questions, but I would like to make a few comments, if I may.

The CHAIRMAN. Carry on.

Senator MANSFIELD. I want to join with Senator Smith and Senator Aiken in congratulating the Secretary of State for the outstanding job that he did at Manila, carrying out the policies of our country on a bipartisan, statemanlike basis.

I think that he and Senator Smith are to be highly commended for the magnificent work they did there. I am delighted to see Admiral Davis, Ambassador Sebald, and Douglas MacArthur, who also were there and did great work.

I believe special credit should go to Messrs. Spruance and Lacy, our representatives to the Government of the Philippines, and I think it ought to be brought out that while this is, perhaps, not the ideal solution, it is the best possible solution which could be arrived at during the time of consideration.

It is the first time, to my knowledge, that countries in that part of the world, of different religious backgrounds—Buddhist, Moslem, and Christian—got together, ironed out their differences, and arrived at a solution satisfactory to all.

I was especially impressed with the statesmanship shown by President Magsaysay and the Philippine delegation under Vice President Carlos Garcia, and our old colleague, Senator Francisco Delgado, who, I am happy to see, is with us this morning.

It seems to me that Senator Delgado is carrying his interest in this matter to the logical extreme, and it is a pleasure for me to state for the record that it was an honor and a privilege to be at this Conference and to work with Secretary Dulles and Senator Smith and the rest of the American delegation, and to come up with what I think is a sound solution to the difficulties confronting all of us in that area.

That is all, Mr. Chairman.

The CHAIRMAN. I would like to add a word of praise for the distinguished Senator who has just spoken.

I might say that in the recent campaign he did not hesitate to say, in substance, what he has said now, which indicates the mind not only of a statesman, but a levelheaded thinker.

Senator Capehart?

Senator MANSFIELD. Mr. Chairman, I see our very efficient Assistant Secretary of State for Far Eastern Affairs, Walter Robertson, is here. Although he was not at the Manila Conference, he was holding down the fort in this part of the globe at the time. He was doing so under extremely difficult circumstances, because he was quite ill.

I would like to ask permission, if I may, to insert all the names of the members of the American delegation in the hearings at this point.

The CHAIRMAN. So ordered.

(The names of the American delegation are as follows:)

UNITED STATES DELEGATION TO THE MEETING ON THE SOUTHEAST ASIA PACT, MANILA, SEPTEMBER, 6, 1954

United States plenipotentiary representatives:

John Foster Dulles, Secretary of State

H. Alexander Smith, United States Senator from New Jersey

Michael J. Mansfield, United States Senator from Montana

Roderic L. O'Connor, special assistant to the Secretary

Delegation coordinator:

Douglas MacArthur II, counselor, Department of State

Special advisers:

Arthur C. Davis, vice admiral, United States Navy, Deputy Assistant Secretary for International Security Affairs, Department of Defense

Carl W. McCardle, Assistant Secretary of State for Public Affairs

Herman Phleger, legal adviser, Department of State

Ambassador William J. Sebald

Raymond A. Spruance, American Ambassador to the Republic of the Philippines

Press officer:

Henry Suydam, Chief, News Division, Department of State

Advisers:

James D. Bell, officer in charge, Philippine Affairs, Department of State

Chester L. Cooper, Office of Chinese Affairs, Department of State

James Cross, Bureau of Far Eastern Affairs, Department of State

John E. Dwan, lieutenant colonel, United States Army, Department of Defense

William J. Galloway, Office of the Counselor, Department of State

Outerbridge Horsey, officer in charge, commonwealth affairs, Department of State

William S. B. Lacy, American counselor of Embassy, Manila

N. Paul Neilson, Deputy Assistant Director for the Far East, USIA

Charles C. Stelle, policy planning staff, Department of State

Charles A. Sullivan, Chief, American and Far East Division, Office of Foreign Military Affairs, Department of Defense

Deputy Coordinator:

Walter N. Turlock, Executive Secretariat, Department of State

Reports officer:

Eugene V. McAuliffe, Executive Secretariat, Department of State

Administrative officer:

Bruce Grainger, Division of International Conferences, Department of State

Secretary DULLES. Mr. Chairman, I had only now observed the presence of Senator Delgado. He was blotted out by these lights which were interposed between him and me. It is indeed very gratifying to me that the senator, who so ably led the Philippine delegation at Manila, should be here at this hearing.

The Philippine Government was not only the host to this Conference, but they made, through their President, their Vice President, and the chairman of their delegation, a great substantive contribution to the constructive results which have been achieved, both in terms of the treaty and of the Pacific Charter.

Senator CAPEHART. Mr. Chairman, I do not think I want to ask any questions, but I would like to make this observation, that I am hopeful that the other nations will become parties to this treaty. I think it would be much more effective if all other nations were likewise members of the pact. It looks to me like an excellent treaty. I do not think I should spoil the Secretary here by throwing any bouquets at him, because there were a lot of them thrown at him this morning. We do not want him to go to, what shall I say—he may quit making these fine treaties and quit working if we think he is too good.

Secretary DULLES. Senator, I get plenty of the other things, so you need not worry about my being spoiled.

Senator CAPEHART. I have no questions or suggestions. It looks to me like an excellent treaty, Mr. Secretary.

Secretary DULLES. Thank you, sir.

The CHAIRMAN. Mr. Secretary and gentlemen, before we proceed further—and I presume we can expect some testimony, can we, from Adm. Arthur G. Davis—I want to say, as in the Korean Defense Pact, there was inserted in the record a comparative chart of mutual-defense treaties between the United States and other Pacific countries with whom we had concluded such treaties.

I should like at this time to reproduce that chart into the record, together with an addition to it, which sets forth the similarities and differences between the Southeast Asia Collective Defense Treaty and the other pacts appearing in the chart. It will be so ordered.

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[3. **Excerpts from the Report of the Foreign Relations Committee on the SEATO Treaty**]

REPORT TO ACCOMPANY EXECUTIVE K, EIGHTY-THIRD CONGRESS, SECOND SESSION

The Committee on Foreign Relations, to whom was referred the Southeast Asia Collective Defense Treaty (Ex. K, 83d Cong., 2d sess.) and the protocol thereto signed at Manila on September 8, 1954, reports both instruments to the Senate, and recommends that its advice and consent to ratification be given at an early date.

1. MAIN PURPOSE OF THE TREATY AND PROTOCOL

This treaty constitutes an important step in the evolution of United States policy to create a system of collective security in the Western Pacific area. It is the latest addition to the protective network of mutual defense treaties which have been concluded by the United States with Japan, Australia and New Zealand, the Philippines, and Korea.

Designed to promote security and to strengthen the fabric of peace in southeast Asia and the Southwest Pacific, the treaty is intended to deter aggression in that area by warning potential aggressors that an open armed attack upon the territory of any of the parties will be regarded by each of them as dangerous to its own peace and safety (art. IV, par. 1). In such circumstances the parties agree to meet the common danger in accordance with their constitutional processes.

They also agree to consult on measures to be taken for the common defense, whenever the territorial integrity or political independence of any of the parties is threatened in any way other than by armed attack, or by any fact or situation which might endanger the peace of the area (art. IV, par. 2). Internal subversion directed from without would be an example of one such fact or situation calling for consultation.

The treaty is thus a mechanism for collective defense against both open armed attack and internal subversion, and it is in this latter respect primarily that it differs from the previous bilateral and trilateral security treaties in the Pacific. As with the Korean Mutual Defense Treaty (Ex. A, 83d Cong., 2d sess.) and similar defense treaties, the parties to the treaty reaffirm their solemn obligation under the Charter of the United Nations to settle their disputes by peaceful means and to refrain from the threat or use of force in their international relations (art. I). The treaty pledges them to maintain and develop their individual and collective capacity to resist armed attack, and, further, to prevent and counter subversive activities directed from without against their territorial integrity and political stability (art. II). It provides for cooperation in developing measures, including technical assistance designed to promote the economic progress and social well-being of the parties (art. III), for immediate consultation whenever their territorial integrity or political independence is threatened by other than armed attack or any fact endangering the peace (art. IV, par. 2), and for the creation of a council to consider matters pertaining to the implementation of the treaty (art. V). Other articles define the area to which the treaty shall apply (art. VIII) and the circumstances under which other states may be invited to accede to its terms (art. VII). Finally, an understanding is incorporated in the text of the instrument itself by which the United States declares that the armed aggression referred to in article IV as dangerous to its peace and security would be Communist aggression.

The protocol designates the States of Laos and Cambodia and the free territory under the jurisdiction of the State of Vietnam as states or territories for the purposes of article IV, thus bringing into play the obligations of the parties with respect to armed attack and indirect aggression against this addition to the "treaty area". At the same time those countries are made eligible for the kind of economic measures and technical assistance contemplated in article III of the treaty.

2. BACKGROUND OF THE TREATY

At the time that negotiations were begun in 1950 leading to the Japanese security treaty and to the series of separate security pacts in the Pacific area, it was hoped that a rather broad type of collective security arrangement might be worked out. It was not then possible to realize this goal, and further action on a multipartite protective umbrella over Southeast Asia had to be deferred as long as active hostilities continued in Indochina. The defense treaties with Japan, the Philippines and Australia and New Zealand, which were approved by the Senate on March 20, 1952, were not regarded as ultimate ends in themselves, but were expressly conceived as measures taken "pending the development of a more comprehensive and effective system of regional security" in the Pacific area. Following an address by President Eisenhower on April 16, 1953, in which he advocated "united action for Southeast Asia", Secretary of State John Foster Dulles sought during the next year to complete a pact covering this area. Until after the Geneva armistice agreements were concluded, however, circumstances made that impracticable.

In the course of hearings on the Korean Defense Treaty (Ex. A, 83d Cong., 2d sess.) the committee had stated its conviction that a multilateral agreement for the Pacific, comparable to the North Atlantic Treaty, would be desirable. Secretary Dulles, however, pointed out that substantial cultural, political, and geographical differences existed among the Pacific countries which distinguished this area from Europe and constituted serious obstacles to achieving the desired development at an early date. The committee acknowledged these difficulties but nevertheless expressed the hope that the Department of State would continue its efforts to encourage the nations of the Pacific to work together for their regional and collective self-defense.

After 4 months of negotiations between the United States and other governments, it was announced on August 14, 1954 that upon the invitation of the Government of the Philippines, the Foreign Ministers of the Governments concerned had agreed to meet on September 6 to consider measures to further their common objectives. At the request of the President, two members of the committee, Senator H. Alexander Smith and Senator Michael J. Mansfield, accompanied Secretary Dulles to Manila as plenipotentiary delegates and, together with him, signed the treaty, the protocol and a "Pacific Charter" which was also adopted at the conference. The charter, a declaration of principles dedicating the signatory governments to the ideals of self-determination and independence, does not require ratification. The treaty and protocol were signed on September 8, 1954, and transmitted to the Senate for its advice and consent on November 10, 1954.

3. COMMITTEE ACTION

Because the administration was particularly concerned that the last session of Congress should not close without some preliminary consideration being given to the treaty, the committee decided to act with unusual dispatch. Accordingly, the first public hearing was held on November 11, 1954, the morning after the President had transmitted the pertinent documents to the Senate. There was no intention to press for further action on the treaty at that time; but it was hoped that such a demonstration of the Government's continued interest in the pact would provide additional impetus to other signatories to proceed promptly with their own ratification. At the hearing on November 11, extended testimony was heard from Secretary Dulles on the various legal and political implications of the treaty, and, more briefly, from Adm. Arthur C. Davis, Director of the Office of Foreign Military Affairs speaking on behalf of the Department of Defense.

After the 84th Congress had convened, the committee considered the treaty in executive session on January 13, 1955, when additional testimony was received from the Secretary of State. This second appearance of Mr. Dulles was useful in bringing the committee up to date on events bearing upon the treaty since its transmittal to the Senate, and in reviewing for the committee and its two new members (Senators Barkley and Morse) the underlying conditions deemed by the Secretary of State to justify expeditious action.

A second public hearing was held on January 19. Hon. Hamilton Fish, former Congressman from New York, representing the American Political Action Committee, Miss Freda Utley, on behalf of the American China Policy Association, and Mrs. Agnes Waters appeared and were heard.

On January 21, the committee agreed, by a vote of 14 to 1, to report both the treaty and the protocol to the Senate for final action.

The committee desires to commend the executive branch for its efforts to keep the committee thoroughly informed during the course of the negotiations. In the preliminary discussions as well as at the conference itself a spirit of cooperation was exhibited between the legislative and executive branches which contributed greatly to the satisfactory outcome of the proceedings.

4. SUMMARY OF TREATY PROVISIONS

The basic design of the treaty is similar to that of defense treaties previously concluded with Korea, the Philippines, and the ANZUS countries, but with several important differences.

In the preamble, the parties reaffirm their sovereign equality, their faith in the United Nations Charter, their desire to live in peace with all peoples and all governments and the intentions expressed in the Manila Charter to uphold the principles of equal rights and self-determination of peoples. The reaffirmation of these principles is accompanied by a declaration that the parties will strive to promote self-government and to secure independence for all countries whose peoples desire it and are able to undertake its responsibilities. The preamble further sets forth as the fundamental purposes of the treaty, coordination of the parties' efforts for collective defense and the preservation of security, warning potential aggressors that the signatories stand together. Thus the character of the instrument as a peaceful arrangement for defense against aggression is plainly marked.

Article I reproduces the undertaking found in other security treaties to settle any international disputes in which the parties may be involved, by peaceful means, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations. This article takes cognizance of the status of all signatories as members of the United Nations.

Article II embodies the principle of the Vandenberg resolution (S. Res. 239, 80th Cong.) characteristic of the other mutual security treaties. It pledges the parties, separately and jointly, through self-help and mutual aid to maintain and develop their individual and collective capacity not only to resist armed attack; but also "to prevent and counter subversive activities directed from without against their territorial integrity and political stability."

This recognition of the dangers of subversion and indirect aggression introduces an element not found in the system of defense agreements which preceded the Southeast Asian Treaty; in none of the prior pacts is there a provision for countering subversion, although the Japanese Security Treaty does contemplate the use of United States forces to put down large-scale riots and disturbances instigated by an outside power (art. I). Article II, therefore, seeks to stimulate positive action to defeat the erosive devices which international communism has utilized to destroy the freedom and independence of nations.

Under article III the parties agree to cooperate in developing economic measures, including technical assistance, designed to promote their economic progress and social well-being. This is accompanied by an undertaking to strengthen the parties' free institutions. No comparable provision appears in any of the previous defense treaties. It is founded upon the conviction that if the free nations can develop their internal stability through economic cooperation, the ground for Communist penetration will be rendered less fertile. However, the article does not commit the United States to a specific aid program, nor does it preclude continued economic cooperation with any country whose economic welfare is important to our own well-being and the stability of the treaty area.

5. OBLIGATIONS UNDER ARTICLE IV

Article IV contains the activating, operative core of the treaty. Paragraph 1 corresponds generally to article III of the Korean Treaty and article V of the Philippine and Australia-New Zealand Treaties in the recognition by each party that—"aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety."

In such circumstance, each signatory agrees that—"it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations."

The obligation of the United States under article IV, paragraph 1, is limited by virtue of an understanding in the treaty to a Communist armed attack. A significant difference and the Australia-New Zealand pacts, and the Southeast Asia Treaty in this respect: article V of the first two treaties is limited in its application to an armed attack—"on the metropolitan territory of any of the parties, or on the island territories under its jurisdiction in the Pacific or on its armed forces, public vessels or aircraft in the Pacific."

On the other hand, article IV of the treaty now being considered extends to what is described in the instrument as "the treaty area" (art. VIII), which is dealt with in more detail below. This "treaty area" may be enlarged by the unanimous agreement of the parties.

Paragraph 2 of article IV incorporates the language of article 6 of the Inter-American Treaty of Reciprocal Assistance signed at Rio de Janeiro in 1947. Paragraph 2 is worded as follows:

"If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense."

Article IV then concludes with a third paragraph specifically precluding any action on the territory of any state designated by unanimous agreement under paragraph 1 thereof except at the invitation or by consent of the government concerned.

It will be observed that the obligation of the parties under paragraph 2 of this article is not comparable to the obligation contained in paragraph 1. The latter contains an undertaking to "act to meet the common danger" through each government's constitutional processes, in case of an armed attack within the purview of the treaty. But if the threat to territorial integrity or political independence arises from something other than an armed attack (i.e., subversion), the only obligation of the parties is to "consult" with each other on the measures which should be taken for the common defense. There is no requirement for reporting such measures to the Security Council as under paragraph 1.

6. OTHER PROVISIONS

By article V of the treaty, a Council is established on which each party is represented, to consider matters pertaining to implementation of the treaty and to consult on any military or other planning which might be required by the situation prevailing in the treaty area.

Article VI records the declaration of the parties that the Southeast Asia Treaty shall not be construed as affecting the rights and obligations of the parties under the Charter of the United Nations, or the responsibility of that body for maintaining international peace and security. Each signatory likewise declares it is not party to any other instrument in force which would conflict with this treaty, and further undertakes not to enter any future engagement which would be inconsistent therewith.

Article VII provides for accession to the treaty by third states which might be in position to advance its objectives and contribute to the security of the area described. Such accession is effected by an invitation extended only with the unanimous agreement of the parties.

Article VIII defines the "treaty area" to which the obligations of the parties apply as the general area of southeast Asia, including the entire territories of the Asian parties, and the general area of the southwest Pacific, not including the Pacific area north of 21 degrees 30 minutes north latitude. It provides also for amendment of the treaty area by unanimous agreement. This element of flexibility again differentiates the treaty from other defense treaties in the Pacific.

Article IX designates the Government of the Philippines as depository of the treaty and declares that ratification of the instrument and the execution of its provisions shall be in accordance with the parties' constitutional process.

Under article X the treaty is to remain in force indefinitely, subject to a right of denunciation by any party effective 1 year after notice has been given to the Philippine Government.

Finally, there is embodied in the text of the treaty itself an understanding, which binds all signatories, that only in the case of a Communist armed attack will the obligation of the United States under article IV, paragraph 1, come into effect.

7. SCOPE OF THE UNITED STATES COMMITMENT: THE TREATY UNDERSTANDING

The obligation of the United States to take action in the event of an armed attack in the treaty area or against any duly designated State or territory is qualified by the understanding referred to above, which is worded as follows:

"The United States of America in executing the present treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2."

In other terms, the only armed aggression which the United States declares, under this treaty, to be dangerous to its own peace and safety would be a Communist aggressing. During the Manila Conference there was considerable discussion whether the treaty as a whole should be directed exclusively against such aggression, or whether it should deal with any type of aggression. Other countries were unwilling to limit the treaty as advocated by the United States, and the issue was resolved by including in the text of the treaty the declaration of understanding quoted above. The understanding reflects the special position of the United States as the only treaty member which does not have any territory of its own in the protected area. It also establishes that our concern with that area is not primarily with local quarrels, but with the spread of international communism as a threat to the United States and the rest of the free world.

For the remaining signatories, however, the treaty deals with any and all acts of aggression which might disturb the peace of the area, and in such cases the United States agrees to consult with the other parties as provided for in paragraph 2 of article IV.

8. APPLICATION OF THE TREATY TO SUBVERSIVE ACTS

The threat of Communist subversion of free governments was first formally recognized in treaty terms in the security pact with Japan, signed on September 8, 1951. That pact provided that United States forces could be utilized for "assistance given at the express request of the Japanese Government to put down large-scale riots and disturbances in Japan, caused through instigation or intervention by an outside power or powers."

The committee report on the treaty (Ex. Rept. No. 2, 82d Cong., 2d sess., February 14, 1952) noted that—"this right to act against foreign-inspired insurrection is essential to the security of United States forces in Japan and of Japan itself."

The problem of Communist subversion is dealt with more explicitly in the Southeast Asia Collective Defense Treaty.

As previously noted, article II requires the parties to maintain and develop their capacity to resist subversive activities directed from without against their territorial integrity and political stability. This injunction is followed by an undertaking of the parties to consult together on the measures necessary to meet threats of that kind as well as any fact or situation other than an armed attack which might endanger the peace of the area (art. IV, par. 2).

The threat of subversion has been particularly acute in the region of southeast Asia where the Communists have attempted in several countries to capture revolutionary or anticolonial movements. The case of the Viet Minh is an instance where they succeeded. The Huk revolution in the Philippines was suppressed, but Communist subversion in Malaya and the threat in Thailand present problems which cannot be ignored.

The committee believes that it is necessary to include a provision of this kind in the treaty. Since the end of World War II the threat to the free world has come more often in the form of indirect subversion than in direct aggression, and freedom lost by subversion may be as difficult to retrieve as that lost by force.

The obligation of the parties to "consult immediately in order to agree on the measures which should be taken for the common defense" under article IV, paragraph 2, was clarified by Secretary Dulles in these terms:

"If there is a revolutionary movement in

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Vietnam or in Thailand, we would consult together as to what to do about it, because if that were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult together as to what to do about it."

In response to further questioning by the committee, the Secretary gave assurances that if any action were to be taken as the result of such consultation it would be in accordance with our constitutional processes.

When Secretary Dulles testified before the committee in November 1954, he expressed the hope that there would be an early meeting of the signatories "at which we will begin to think of ways and means that might be made available to combat this threat of subversion." Such a meeting has now been scheduled for February 23, 1955.

9. DIFFERENCES BETWEEN NATO AND THE SOUTHEAST ASIA TREATY

A number of significant differences exist between the present security pact and the North Atlantic Treaty Organization. The two treaties differ substantially both in their structural approach to defense against aggression, and in the principles which condition the obligations of the United States to act.

To begin with, the Southeast Asia Treaty does not contemplate anything like a joint military force with a joint headquarters. There has been an unfortunate tendency in some quarters to refer to this treaty as SEATO, which immediately conjures up the image of an organization similar to the North Atlantic Treaty Organization (NATO). During the hearings Secretary Dulles took pains to negate any such implication in the present treaty. Pointing out that NATO, in the case of the North Atlantic Treaty, was designed to build up a defensive force on the continent of Europe which itself would be sufficient to resist attack by the Red armies, the Secretary added:

"We do not intend to dedicate any major elements of the United States Military Establishment to form an army of defense in this area. We rely primarily upon the deterrent of our mobile striking power. That we made clear to our associates in the treaty and that is our policy.

"It would involve, in the opinion of our military advisers * * * an injudicious overextension of our military power if we were to try to build up that kind of an organization in southeast Asia.

"We do not have the adequate forces to do it, and I believe that if there should be open armed attack in that area the most effective step would be to strike at the source of aggression rather than to try to rush American manpower into the area to try to fight a ground war."

As noted previously, another distinguishing feature of the treaty is that it includes a provision of major importance against subversive attempts by international communism to destroy the territorial integrity or political independence of any party to the treaty. In this respect the treaty also differs from prior security pacts in the Pacific.

10. THE "MONROE DOCTRINE" FORMULA

More fundamental than either of these differences is the employment in the Southeast Asia Treaty of what Secretary Dulles has called the Monroe Doctrine formula, as distinct from the more far-reaching commitment contained in the North Atlantic Treaty. In article IV, paragraph 1, of the Southeast Asia Treaty, as in article III of the Korean Treaty and article IV of the Philippine and Australia-New Zealand pacts, each party recognizes that the armed attack referred to therein "would endanger its own peace and safety" and agrees to meet the common danger in accordance with its constitutional processes. By contrast, the North Atlantic Treaty had incorporated the principal that an attack upon one is tantamount to an attack upon all the other parties. Under this concept even if an attack were not one made against the territory of the United States itself, such an attack would nevertheless be so regarded. The provision gave rise to an extensive constitutional debate in the Senate, centering around the effect it might have on the President's powers to involve this country in warfare without the approval of Congress.

Because of that constitutional controversy, Secretary Dulles believed it preferable to adopt President Monroe's language when he announced in 1823 that any extension of the European system to this hemisphere would be considered by the United States as dangerous to our peace and safety. The formula was therefore used by Mr. Dulles when he negotiated the three earlier Pacific defense treaties. In his view—"the practical difference between the two [approaches] from the standpoint of * * * giving security to the other parties was not appreciable, and *** it was better to avoid a formula which would reopen the constitutional debate *** as to the relative powers of the President and the Congress under these different formulas."

In its report on the Korean Defense Treaty (Ex. A, 83d Cong., 2d sess.), the committee noted that the Monroe Doctrine formula—"permits the United States to take any action we deem appropriate by our constitutional processes, and gives adequate assurance of support to the other country which may be the victim of an attack. It has the additional advantage of never having been challenged throughout our history, from the constitutional standpoint, as altering the balance of power between the President and Congress."

These observations apply with equal relevance to the Southeast Asia Treaty.

11. RELATIONSHIP TO THE UNITED NATIONS

The relationship of the Southeast Asia Collective Defense Treaty to the United Nations Charter is determined by four references in the treaty.

In the preamble, the parties reiterate their faith in the charter of the United Nations and the principle of equal rights and self-determination of peoples. Similar provisions are contained in the mutual defense treaties concluded with other Pacific nations.

By article I—

"The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations."

This provision is similar to articles in the Philippines, Australia-New Zealand, and Korean treaties. It reaffirms the United Nations Charter obligations of the signatories of the pending treaty, but in no way either enlarges or diminishes our obligations thereunder. When questioned on the point, the Secretary declared:

"I can say categorically, sir, that in my opinion this neither adds one jot or tittle nor subtracts one jot or tittle, from our objective as expressed in the Charter of the United Nations."

The most important reference to the United Nations Charter is in article IV, paragraph 1, which obliges the parties to meet a common danger in the treaty area in accordance with their constitutional processes. The paragraph then says:

"Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations."

This language relates the treaty directly to article 51 of the United Nations Charter which provides:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

Similar references to the United Nations Charter are to be found in the treaties with the Philippines, and with Australia and New Zealand.

Discussing this article before the committee, Secretary Dulles emphasized that it was not founded upon the clauses in article 52 of the charter concerning regional arrangements:

"It would say * * * that it comes under the collective security provisions of article 51 rather than the regional provisions of article 52. Article 51 is a provision that nothing contained in the charter shall deprive any of the states from the individual or collective right of self-defense. That is the provision we are operating under rather than the regional provision, one reason being that under a regional organization, no enforcement measures can be taken without the prior approval of the Security Council, where the Soviet Union has a veto, and we would not want to have an organization where action could be vetoed by the Soviet Union."

In other words, tying the treaty to article 51 of the charter obligates the United States and the other parties to report certain activities under the treaty to the Security Council. It does not, however, require the parties to await the prior approval of that Council before taking action. The committee and the Senate, when they approved the earlier defense treaties in the Pacific area, accepted this relationship between article 51 of the charter and the mutual defense treaties.

In a final reference to the United Nations Charter (in art. VI) the parties expressly declare that the present treaty does not and shall not be interpreted as affecting in any way their obligations under that document. This again corresponds to similar articles in the Australia-New Zealand, and the Philippine treaties.

12. THE TREATY AREA

As noted earlier in this report, the general pattern of the Southeast Asia Treaty is similar to the other defense pacts the United States has concluded in the Pacific, apart from several differences which have been underscored. Another innovation of the treaty consists in the flexibility of the region subject to protection. The treaty starts out with a geographical delineation embracing most of the territory of the signatories and the Pacific Ocean area south of 21 degrees 30 minues—i.e., a line running north of the Philippines. Although some of the parties do have territories north of that line, it was felt that inclusion of these would not be desirable. Broadly speaking, the basic area involved comprises Pakistan; Thailand; Laos, the Free Territory of Vietnam and Cambodia (by protocol); Malaya; Australia and New Zealand; and the Philippines. Hong Kong is excluded because of the limiting clause even though the United Kingdom is a party.

On the other hand, it has already been observed that article VIII, after defining the geographical zone of application, contemplates the possibility of enlargement or modification of the treaty area by future unanimous agreement of the parties. Such action has in fact been taken in the protocol which accompanies the present treaty.

13. THE PROTOCOL TO THE TREATY

By a protocol signed on the same date as the treaty, the treaty area was further defined so as to bring in Loas, Cambodia, and the Free Territory of Vietnam as areas which, if attacked, would fall under the protection of the instrument. It was hoped that by this action, aggression against these states might be deterred. None of these countries is a party to the Manila pact because, after the Geneva armistice agreements on Indochina, a question was raised as to whether the Associated States could properly join such a pact. Since the provisions of the armistice are complicated and in certain respects rather ambiguous, some of the parties thereto thought it would not be desirable to raise that question at a time when the armistice was still in the process of being carried out. However, the Associated States concluded that whether or not they ever became parties to the treaty, they would be pleased to have its mantle of protection thrown over them.

14. UNANIMOUS AGREEMENT REQUIRED TO ENLARGE TREATY COVERAGE

Provision is made in three articles of the treaty for modification of its terms by unanimous agreement. Thus, article IV, paragraph 1, as well as article VII, contemplates that the treaty area may be extended by the parties to any state or territory "which the parties by unanimous agreement may hereafter designate." Article VII refers to the accession of additional states "by unanimous agreement of the parties." To avoid the possibility of any misunderstanding on the significance of this clause, the president informed the Senate that the provisions with respect to designation of new territories and membership are to be construed as requiring the Senate's advice and consent. In other words, it is not enough that the executive branch should acquiesce in the addition of new members or in the modification of the treaty area, but these matters must also be brought before the Senate.

The point was reemphasized during the hearings. Speaking of the addition of new members, Mr. Dulles said:

"I would assume that the same practice would prevail here as prevails with relation to the North Atlantic Treaty. The language is the same, and it was agreed between the Executive and the Senate at the time of the North Atlantic Treaty that if additional states came in that would require an amendment of the treaty or a protocol to the treaty, on which the advice and consent of the Senate would be sought.

"We would interpret this language in the same way that similar language in the North Atlantic Treaty is interpreted, namely, as requiring Senate action in that event."

15. CONSTITUTIONAL PROCESSES

In the course of the hearings on January 13, the committee gave consideration to a suggestion by one of the witnesses that a reservation be attached to the treaty which would prohibit the use of United States ground, air, or naval forces in any defense action unless Congress, by a declaration of war, consented to their use against Communist aggression. "This proposal led to a searching discussion in executive session. It was finally rejected as throwing open the entire controversial topic of the relative orbit of power between the executive and the legislative branches. It had been for this very reason, as noted above, that the executive branch adopted the "constitutional processes" formula. When pressed for an indication of what the phrase comported, Mr. Dulles assured the committee that those words were used with the understanding that the President would come to Congress in case of any threat of danger—

"Unless the emergency were so great that prompt action was necessary to save a vital interest of the United States."

Except in that event—

"The normal process would be to act through Congress if it were in session, and if not in session to call Congress."

The committee ultimately resolved that it would serve no useful purpose to seek to develop the meaning of "constitutional processes" beyond this statement of Mr. Dulles. In that connection, it is recalled that the committee, referring to the use of the same phrase in the North Atlantic Treaty, observed in its report:

"The treaty in no way affects the basic division of authority between the President and the Congress as defined in the Constitution. In no way does it alter the constitutional relationship between them. In particular, it does not increase, decrease, or change the power of the President as Commander in Chief of the Armed Forces or impair the full authority of Congress to declare war." (Ex. Rept. No. 8, 81st Cong., 1st sess.).

16. MUTUAL SECURITY ASSISTANCE

Article II of the treaty pledges the parties to develop their individual and collective capacity to resist armed attack. By article III they agree to strengthen their free institutions and promote economic progress and social well-being in their areas.

This language directed the committee's attention to the relationship between the treaty and the Mutual Security Act of 1954 under which $700 million was appropriated for expenses necessary for the support of the forces of nations in the area of southeast Asia and for other expenditures to accomplish the policies and purposes declared in the act. Development and technical assistance of lesser amounts were also provided in the act.

In his report to the President, the Secretary wrote with reference to article III that it "does not commit the United States to any grant program." The committee wishes to confirm this assurance. The treaty places no moral or legal obligation on the United States to give vast sums of military, economic or technical assistance to nations in the area. The Mutual Security Act of 1954 and future authorizations of such nature are to be presented on their own merits and must be justified by a judgment of the Congress as to what action may be in our national interest at the time.

The committee inquired into possible future aid programs. It was informed that the scope and nature of these programs have not been decided and await a report of General Collins on the situation in the Associated States of Indochina. In this connection, the committee invites the attention of the Senate to the following statement by the Secretary of State:

"As I said at a press conference * * * the possibility of usefully spending vast sums of economic money in this area has not been demonstrated.

* * * * *

"In this part of the world the problem is to create something that is totally new, and I am inclined to think that while the problem certainly needs our very best thought, the finding of ways and means to help is the most important first thing. The problem needs to be tackled first from that standpoint rather than the standpoint of first appropriating vast sums of money and then trying to think later on how it can be spent with advantage."

17. OUR MILITARY COMMITMENT

The committee, conscious of our other treaty obligations in the Pacific which, if the present treaty and protocol are ratified, will encompass 12 other nations, was concerned lest the United States might be overextending itself. It raised this question with the Secretary of State by asking for information concerning possible plans to create local defensive forces in the area. For the information of the Senate, his full statement on that question is reprinted here.

"It is not the policy of the United States to attempt to deter attack in his area by building up a local force capable itself of defense against an all-out attack by the Chinese Communists if it should occur. We do not expect to duplicate in this area the pattern of the North Atlantic Treaty Organization and its significant standing forces. That would require a diversion and commitment of strength which we do not think is either practical or desirable or necessary from the standpoint of the United States.

"We believe that our posture in that area should be one of having mobile striking power, and the ability to use that against the sources of aggression if it occurs. We believe that is more effective than if we tried to pin down American forces at the many points around the circumference of the Communist world in that area.

"It may very well be that other countries of the area will want to dedicate particular forces for the protection of the area under this treaty. But we made clear at Manila that it was not the intention of the United States to build up a large local force including, for example, United States ground troops for that area, but that we rely upon the deterrent power of our mobile striking force."

18. THE PACIFIC CHARTER

At the same time the treaty and protocol were negotiated at Manila, the governments there represented drew up and signed a declaration known as the Pacific Charter. This was a proclamation of general principles and ideals by the delegates to the conference expressing their deep interest in the further development of freedom and independence in the area.

In spirit, the Pacific Charter is not unlike the Atlantic Charter of 1942 in which the postwar aims of the allied powers were set forth. Appealing to the "highest principles of justice and liberty", the delegates to the Manila Conference proclaimed that they "uphold the principle of equal rights and self-determination of peoples" and would earnestly "strive to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities." The charter proclaims further that the delegates of the governments represented were each prepared "to continue taking effective practical measures to ensure conditions favorable to the orderly achievement" of these purposes. They stated that they would continue "to cooperate in the economic, social and cultural fields in order to promote higher living standards, economic progress and social well-being in this region"; and were determined "to prevent or counter * * * any attempt in the treaty area to subvert their freedom or to destroy their sovereignty or territorial integrity."

The Pacific Charter grew out of a suggestion by President Magsaysay of the Philippines who felt that it would be helpful to have the delegates proclaim the fundamental principles summarized above and the intentions and purposes which motivated them. It does not contain anything to which the United States has not frequently subscribed in past international instruments.

By this proclamation the Asiatic peoples are assured of the acceptance by the delegates to the conference of the common ultimate aim of self-determination and self-government for all areas in Asia.

19. NEED FOR EARLY RATIFICATION

The President transmitted the treaty and protocol to the Senate on November 10, 1954, with a request for "early and favorable consideration." At a hearing held on November 11, Secretary of State Dulles stressed the uncertainties in the treaty area and suggested that early approval by the Senate might be expected to promote stability in the region concerned.

The need for prompt ratification remains urgent. On January 3, 1955, the Department of State announced that the Foreign Ministers of the Southeast Asia Collective Defense Treaty powers had agreed to meet on February 23 in Bangkok at the invitation of the Government of Thailand. The announcement stated that—

"The purpose of the meeting will be to consider arrangements for the implementation of the Manila Treaty and to exchange views on matters affecting the peace and security of the treaty area."

Although the proposed meeting need not await the entry into force of the treaty it would be helpful if all signatories had ratified by that time. The chances for this are good. Thailand has deposited its ratification and the United Kingdom, Australia and New Zealand have completed parliamentary action but not yet consummated the formalities of ratification. In France and Pakistan, parliamentary action is not expected to be necessary. The Republic of the Philippines expects to consider the treaty shortly after its Congress reconvenes on January 24.

More important than the technical desirability of bringing the treaty into force by the February 23 meeting would be the psychological impact of prompt action. It would demonstrate to the nations of South Asia the seriousness of our purposes and intentions. Such a show of unity would also buttress the conviction of the treaty powers that they can work harmoniously together on problems affecting the southeast Asia area.

The general exposure of the area to the threat of communism, both internal and external, makes it doubly important and urgent that we and our partners to this treaty discuss measures for giving early effect to its provisions.

20. CONCLUSIONS

It is the committee's view that the Manila pact constitutes a considerable accomplishment in bringing together a group of eight countries of divergent religious, racial and political backgrounds, in a common resolve to defend their freedom against the menace of international communism. By strengthening that resolve the United States will make a substantial contribution to the preservation of free governments and to the defense of its own security.

The principle underlying this treaty is that advance notice of our intentions and the intentions of the nations associated with us may serve to deter potential aggressors from reckless action that could plunge the Pacific into war. To that end, the treaty makes it clear that the United States will not remain indifferent to conduct threatening the peace of Southeast Asia.

Until now, our protective system in the Pacific area has been predicated upon a group of treaties of a bilateral and trilateral character. The Southeast Asia treaty is a long step toward a more comprehensive, collective security arrangement which has been regarded as desirable by the administration and the committee.

The committee is not impervious to the risks which this treaty entails. It fully appreciates that acceptance of these additional obligations commits the United States to a course of action over a vast expanse of the Pacific. Yet these risks are consistent with our own highest interests. There are greater hazards in not advising a potential enemy of what he can expect of us, and in failing to disabuse him of assumptions which might lead to a miscalculation of our intentions.

For these reasons, the Committee on Foreign Relations urges the Senate to give its advise and consent to the ratification of this treaty.

APPENDIX: SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

The Parties to this Treaty,

Recognizing the sovereign equality of all Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations, they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities,

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the treaty area,

Intending to declare publicly and formally their sense of unity, so that any potential aggressor will appreciate that the Parties stand together in the area, and

Desiring further to coordinate their efforts for collective defense for the preservation of peace and security,

Therefore agree as follows:

ARTICLE I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the theat or use of force in any manner inconsistent with the purposes of the United Nations.

ARTICLE II

In order more effectively to achieve the objectives of this Treaty the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

ARTICLE III

The Parties undertake to strengthen their free institutions and to cooperate with one another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.

ARTICLE IV

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

ARTICLE V

The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall provide for consultation with regard to military and any other planning as the situation obtaining in the treaty area may from time to time require. The Council shall be so organized as to be able to meet at any time.

ARTICLE VI

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third party is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

ARTICLE VII

Any other State in a position to further the objectives of this Treaty and to contribute to the security of the area may, by unanimous agreement of the Parties, be invited to accede to this Treaty. Any State so invited may become a Party to the Treaty by depositing its instrument of accession with the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall inform each of the Parties of the deposit of each such instrument of accession.

ARTICLE VIII

As used in this Treaty, the "treaty area" is the general area of Southeast Asia, including also the entire territories of the Asian Parties, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. The Parties may, by unanimous agreement, amend this Article to include within the treaty area the territory of any State acceding to this Treaty in accordance with Article VII or otherwise to change the treaty area.

ARTICLE IX

1. This Treaty shall be deposited in the archives of the Government of the Republic of the Philippines. Duly certified copies thereof shall be transmitted by that government to the other signatories.

2. The Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines, which shall notify all of the other signatories of such deposit.

3. The Treaty shall enter into force between the States which have ratified it as soon as the instruments of ratification of a majority of the signatories shall have been deposited, and shall come into effect with respect to each other State on the date of the deposit of its instrument of ratification.

ARTICLE X

This Treaty shall remain in force indefinitely, but any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the Republic of the Philippines, which shall inform the Governments of the other Parties of the deposit of each notice of denunciation.

ARTICLE XI

The English text of this Treaty is binding on the Parties, but when the Parties have agreed to the French text thereof and have so notified the Government of the Republic of the Philippines, the French text shall be equally authentic and binding on the Parties.

UNDERSTANDING OF THE UNITED STATES OF AMERICA

The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

In witness whereof, the undersigned Plenipotentiaries have signed this Treaty.

Done at Manila, this eighth day of September, 1954.

For Australia:
R. G. CASEY
For France:
G. LA CHAMBRE
For New Zealand:
CLIFTON WEBB
For Pakistan:

Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan.

ZAFRULLA KHAN
For the Republic of the Philippines:
CARLOS P. GARCIA
FRANCISCO A. DELGADO
TOMAS L. CABILI
LORENZO M. TAÑADA
CORNELIO T. VILLAREAL
For the Kingdom of Thailand:
WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH
For the United Kingdom of Great Britain and Northern Ireland:
READING
For the United States of America:
JOHN FOSTER DULLES
H. ALEXANDER SMITH
MICHAEL J. MANSFIELD

I CERTIFY THAT the foregoing is a true copy of the Southeast Asia Collective Defense Treaty concluded and signed in the English language at Manila, on September 8, 1954, the signed original of which is deposited in the archives of the Government of the Republic of the Philippines.

IN TESTIMONY WHEREOF, I, RAUL S. MANGLAPUS, Undersecretary of Foreign Affairs of the Republic of the Philippines, have hereunto set my hand and caused the seal of the Department of Foreign Affairs to be affixed at the City of Manila, this 14th day of October, 1954.

[SEAL] Raul S. Manglapus
RAUL S. MANGLAPUS,
Undersecretary of Foreign Affairs.

PROTOCOL TO THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY: DESIGNATION OF STATES AND TERRITORY AS TO WHICH PROVISIONS OF ARTICLE IV AND ARTICLE III ARE TO BE APPLICABLE

The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam.

The Parties further agree that the above mentioned states and territory shall be eligible in respect of the economic measures contemplated by Article III.

This Protocol shall enter into force simultaneously with the coming into force of the Treaty.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol to the Southeast Asia Collective Defense Treaty.

Done at Manila, this eighth day of September, 1954.

For Australia:
R. G. CASEY
For France:
G. LA CHAMBRE
For New Zealand:
CLIFTON WEBB
For Pakistan:

Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan.

ZAFRULLA KHAN
For the Republic of the Philippines:
CARLOS P. GARCIA
FRANCISCO A. DELGADO
TOMAS L. CABILI
LORENZO M. TANADA
CORNELIO T. VILLAREAL
For the Kingdom of Thailand:
WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH
For the United Kingdom of Great Britain and Northern Ireland:
READING
For the United States of America:
JOHN FOSTER DULLES
H. ALEXANDER SMITH
MICHAEL J. MANSFIELD

I CERTIFY THAT the foregoing is a true copy of the Protocol to the Southeast Asia Collective Defense Treaty concluded and signed in the English language at Manila, on September 8, 1954, the signed original of which is deposited in the archives of the Government of the Republic of the Philippines.

IN TESTIMONY WHEREOF, I RAUL S. MANGLAPUS, Undersecretary of Foreign Affairs of the Republic of the Philippines, have hereunto set my hand and caused the seal of the Department of Foreign Affairs to be affixed at the City of Manila, this 14th day of October, 1954.

[SEAL] Raul S. Manglapus
RAUL S. MANGLAPUS,
Undersecretary of Foreign Affairs.

[4. President Johnson's message to Congress on the Tonkin Gulf resolution]

THE PRESIDENT'S MESSAGE

(On August 4 and 5 the President consulted with congressional leaders, both before and after the limited military retaliation directed against North Vietnam. On August 5, 1964, he sent the following message to Congress:)

To the Congress of the United States:

Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia.

These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the Southeast Asia Collective Defense Treaty approved by the Senate in February 1955.

This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.

Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:

1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.

2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.

3. Our purpose is peace. We have no military, political, or territorial ambitions in the area.

4. This is not just a jungle war, but a struggle for freedom on every front of human activity. Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel and arms for the conduct of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.

In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May, following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attack on Armed Forces of the United States.

As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreements signed in Geneva in 1954, with respect to South Vietnam, and again at Geneva in 1962, with respect to Laos.

I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist sub-

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version and the preservation of the independence of the nations of the area.

The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat in Cuba in 1962. It could state in the simplest terms the resolve aand support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters there is no division among us.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 5, 1964*.

[5. Excerpts from the report of the Foreign Relations Committee on the Tonkin Gulf resolution]

REPORT

[To accompany S.J. Res. 189]

The Committee on Foreign Relations and the Committee on Armed Services, hereinafter referred to as the "joint committee," having had under consideration Senate Joint Resolution 189 supporting the President's determination to repel any armed attack against U.S. forces in southeast Asia and to prevent further Communist attacks, report the resolution favorably and recommend that it be passed by the Senate.

PURPOSE OF THE RESOLUTION

The basic purpose of this resolution is to make it clear that the Congress approves the actions taken by the President to meet the attack on U.S. forces in southeast Asia by the Communist regime in North Vietnam. Full support by the Congress also is declared for the resolute policy enunciated by the President in order to prevent further aggression, or to retaliate with suitable measures should such aggression take place.

BACKGROUND

It should be stressed that the current conflict in the area of the Gulf of Tonkin occurs against the backdrop of a Communist-directed military and subversive offensive which has been sustained with little real interruption since 1946. In that year France resumed titular control over what was then Indochina from the Japanese wartime occupation and by year's end was under guerrilla attack by the Comunist-trained and supported Vietminh under the leadership of Ho Chi-minh. The latter organization gained much support throughout Indochina by reason of its ability to pose as a nationalist movement dedicated to ousting a colonial regime; few of the Indochinese rural areas were left untouched by Vietminh infiltration. For almost 8 years the French, at great cost—mitigated by about $2.5 billion of U.S. aid—fought what has been described as "the longest war of the 20th Century," until the disaster at Dien Bien Phu in May of 1954 led France to submit to armistice proposals to the Geneva Conference convened the previous month to discuss Korea and "peace in Indochina."

The Geneva armistice agreements, signed on July 21, 1954, theoretically ended the war between French Union forces and the Vietminh in Laos, Cambodia, and Vietnam, which were to become fully independent countries, with the last-named partitioned near the 17th parallel into two states pending reunification through "free elections." Yet the day after signature President Ho Chi-minh of North Vietnam was calling for a "continuation of the struggle." As Senator Mansfield noted after his visit to the area in September of that year:

"Vietminh sympathizers are to be found throughout that region [South Vietnam] and it is likely that their number is growing. It must also be presumed that Vietminh activists are being left behind as the Vietminh withdraw their regular forces * * *."

Such proved to be the case: there was scarcely any break in the long process of Communist-inspired subversion aimed at encouraging chaotic conditions in South Vietnam. This activity in itself constituted a violation of the intent of the Geneva agreements, although one difficult to detect and virtually impossible to document satisfactorily.

Since that time, the North Vietnamese campaign against the South has increased in scope and tempo. It has added a new dimension to traditional concepts of warfare and aggression—the dimension of subversion and terror on a planned, centrally directed, and coordinated basis. This new kind of aggression is not symbolized by armies marching across frontiers with bands playing and flags waving. But it is no less outrageous international behavior.

Another point should be made here. Of the participants at Geneva, South Vietnam and the United States alone did not sign the agreements (the other participants and signatories were the United Kingdom, the U.S.S.R., France, Communist China, Laos, Cambodia, and North Vietnam). South Vietnam merely declared its intention to seek peace through all means, and "* * * not to use force to resist the procedures for carrying the cease-fire into effect, although it deems them to be inconsistent with the will of the nation * * *"

The United States noted that it would not join in an arrangement which could have the effect of denying self-determination to the Vietnamese people. It nevertheless declared that—

"(i) it will refrain from the threat or the use of force to disturb them [the agreements], in accordance with article 2(4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force; and (ii) it would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

At the beginning of 1955 the United States began to fill the vacuum in the area created by the general but somewhat halting withdrawal of France from Vietnam. U.S. assistance was directly provided to South Vietnam, rather than through the French, and a small number of American military advisers took over the training of the Vietnamese Army from France.

At the same time, the Southeast Asia Collective Defense Treaty[1] came into effect—on February 19, 1955. This pact, described as a "comprehensive system of regional security in the Pacific area," was envisaged by the United States several years before its creation, but was especially sought by President Eisenhower and Secretary of State Dulles in March of 1954. In the words of the latter:

"The President and I had hoped that unity could be forged in time to strengthen the negotiating position of the free nations during the Indochina phase of the Geneva Conference. However, this proved impracticable.

"The Geneva outcome did, however, confirm the need for unity."

The deliberations which followed in September resulted in two particularly significant actions for the purposes of committee consideration of Senate Joint Resolution 189. First, an "Understanding of the United States of America" was made a part of the treaty to record the fact that this country would only take measures to meet military attack on a treaty member if it were Communist aggression, although it would follow the consultation process in other circumstances. Second, a protocol was added to the treaty to provide that Cambodia, Laos, and "the free territory under the jurisdiction of the State of Vietnam" would be covered by treaty articles III and IV; these read as follows:

"ARTICLE III

"The Parties undertake to strengthen their free institutions and to cooperate with one another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.

"ARTICLE IV

"1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agree that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

"2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

"3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned."

The period from 1955 to 1957 saw the South Vietnamese Government struggling valiantly under President Diem's leadership to create order out of near chaos. A substantial amount of progress was achieved, and it probably was a measure of that success that large-scale Communist guerrilla attacks began to occur at the beginning of 1958, reflecting a steady increase in such armed activity since Diem's visit to the United States in mid-1957 and the promise of continued help against communism. By 1960, North Vietnam was abandoning any subterfuge and was proclaiming itself the "revolutionary base" for the attacks on the South. It was in this context that the United States agreed to the South Vietnamese Government's request for increased assistance. Such aid has continuously expanded since that time, in large measure scaled to keep pace with the heightened North Vietnamese contributions to the guerrilla war. Some decrease or suspension of assistance took place in connection with the developments surrounding the fall of the Diem government in November 1963, but was resumed shortly thereafter. Just as North Vietnam's open involvement in the war has reached new levels, so has the U.S. provision of aid to the government of Maj. Gen. Nguyen Khanh formed last February. This aid has always been entirely defensive in character and the United States has taken no action outside the territory of South Vietnam.

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[1] The SEATO members are Australia, France, New Zealand, Pakistan, the Philippines, Thailand, the United Kingdom, and the United States.

CURRENT DEVELOPMENTS

It is against this background that the unprovoked attacks by North Vietnam on U.S. forces in international waters must be assessed. The joint committee believes that the best means of describing these events is by quoting from the presentation of Ambassador Adlai E. Stevenson to the U.N. Security Council, convened at our request on August 5:

"At 8:08 a.m. Greenwich meridian time, August 2, 1964, the U.S. destroyer *Maddox* was on routine patrol in international waters in the Gulf of Tonkin, proceeding in a southeasterly direction away from the coast about 30 miles at sea from the mainland of North Vietnam.

"WARNING SHOTS FIRED

"The *Maddox* was approached by three high-speed North Vietnamese torpedo boats in attack formation. When it was evident that these torpedo boats intended to take offensive action, the *Maddox*, in accordance with naval practice, fired three warning shots across the bows of the approaching vessels.

"At approximately the same time, the aircraft carrier *Ticonderoga*, which was also in international waters and had been alerted to the impending attack, sent out four aircraft to provide cover for the *Maddox*, the pilots being under orders not to fire unless they or the *Maddox* was fired upon first.

"Two of the attacking craft fired torpedoes which the *Maddox* evaded by changing course. All three attacking vessels directed machinegun fire at the *Maddox*. One of the attacking vessels approached for close attack and was struck by fire from the *Maddox*. After the attack was broken off, the *Maddox* continued on a southerly course in international waters.

"Now, Mr. President, clearly this was a deliberate armed attack against a naval unit of the U.S. Government on patrol in the high seas—almost 30 miles off the mainland.

"HASTY RESPONSE AVOIDED

"Nevertheless, my Government did its utmost to minimize the explosive potential of this flagrant attack in the hopes that this might be an isolated or uncalculated action. There was local defensive fire. The United States was not drawn into hasty response.

"On August 3, the United States took steps to convey to the Hanoi regime a note calling attention to this aggression, stating that U.S. ships would continue to operate freely on the high seas in accordance with the rights guaranteed by international law, and warning the authorities in Hanoi of the 'grave consequences which would inevitably result from any further unprovoked offensive military action against U.S. forces.'

"This notification was in accordance with the provisions of the Geneva accords.

"Our hope that this was an isolated incident did not last long. At 2:35 p.m. Greenwich time, August 4, when it was nighttime in the Gulf of Tonkin, the destroyers *Maddox* and *C. Turner Joy* were again subjected to an armed attack by an undetermined number of motor torpedo boats of the North Vietnamese Navy.

"This time the American vessels were 65 miles from the shore, twice as far out on the high seas as on the occasion of the previous attack. This time, numerous torpedoes were fired. The attack lasted for over 2 hours.

"NO 'SHADOW OF DOUBT'

"There no longer could be any shadow of doubt that this was planned deliberate military aggression against vessels lawfully present in international waters. One could only conclude that this was the work of authorities dedicated to the use of force to achieve their objectives regardless of the consequences.

"My Government therefore determined to take positive but limited relevant measures to secure its naval units against further aggression. Last night aerial strikes were thus carried out against boats and their support facilities.

"This action was limited in scale, its only targets being the weapons and the facilities against which we had been forced to defend ourselves.

"Now, Mr. President, gentlemen, it is our fervent hope that the point has now been made that acts of armed aggression are not to be tolerated in the Gulf of Tonkin any more than they are to be tolerated anywhere else."

THE PRESIDENT'S MESSAGE

On August 4 and 5 the President consulted with congressional leaders, both before and after the limited military retaliation directed against North Vietnam. On August 5, 1964, he sent the following message to Congress:

"To the Congress of the United States:

"Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

"After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia.

"These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the Southeast Asia Collective Defense Treaty approved by the Senate in February 1955.

"This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.

"Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:

"1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.

"2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.

"3. Our purpose is peace. We have no military, political, or territorial ambitions in the area.

"4. This is not just a jungle war, but a struggle for freedom on every front of human activity. Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

"The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel and arms for the conduct of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.

"In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attack on Armed Forces of the United States.

"As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

"As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreements signed in Geneva in 1954, with respect to South Vietnam, and again at Geneva in 1962, with respect to Laos.

"I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.

"The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat to Cuba in 1962. It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

XUM

"The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters there is no division among us.

"LYNDON B. JOHNSON.

"THE WHITE HOUSE, *August 5, 1964*."

COMMITTEE ACTION

The President's message and Senate Joint Resolution 189, introduced by Senator Fulbright (for himslf and Senator Hickenlooper, Senator Russell, and Senator Saltonstall) to give effect to the Presidential recommendations, by unanimous consent were referred jointly to the Committee on Foreign Relations and the Committee on Armed Services. During the morning of August 6 the joint committee, with Senator Fulbright presiding in executive session, heard Secretary of State Dean Rusk, Secretary of Defense Robert McNamara, and Gen. Earle Wheeler, Chairman of the Joint Chiefs of Staff.

After receiving the testimony the joint committee voted 31 to 1 to report the resolution favorably without amendment.

SCOPE OF THE RESOLUTION

Senate Joint Resolution 189 is patterned quite closely upon precedents afforded by similar resolutions: the Formosa resolution of 1955, the Middle East reslution of 1957, and the Cuba resolution of 1962.

The phrasing in section 2, "in accordance with its obligations under the Southeast Asia Collective Defense Treaty," comprehends the understanding in that treaty that the U.S. response in the context of article IV(1) is confined to Communist aggression. It should also be pointed out that U.S. assistance, as comprehended by section 2, will be furnished only on request and only to a signatory or a state covered by the protocol to the SEATO Treaty. The protocol states are Laos, Cambodia, and South Vietnam.

The language in section 3, which governs the termination of the resolution, combines the relevant provisions of the Formosa and Middle East resolutions.

JOINT COMMITTEE RECOMMENDATION

With only one dissenting vote, the joint committee endorsed the resolution and recommended its adoption by the Senate. Members of the committee expressed approval of the handling of the crisis in southeast Asia by the President and the Secretaries of State and Defense, by the Joint Chiefs of Staff, and by U.S. naval forces in the area of Vietnam.

On the basis of testimony submitted by the Secretaries of State and Defense and the Chairman of the Joint Chiefs of Staff, the committee was satisfied that the decision of the President to retaliate against the North Vietnamese gunboat attacks was both soundly conceived and skillfully executed. In the circumstances, the United States could not have done less and should not have done more.

[6. Statement by Secretary Rusk before the Joint Hearing of the Senate Foreign Relations Committee and The Senate Armed Services Committee in connection with the Tonkin Gulf Resolution]

STATEMENT OF SECRETARY OF STATE DEAN RUSK

Chairman Fulbright, Chairman Russell, and members of the committees, I appear before you in support of the Joint Congressional Resolution on Southeast Asia now before your committees. If the committees are agreeable, I shall proceed by explaining the purpose of the Resolution. Secretary McNamara will then describe to you the recent attacks on our naval vessels and the U.S. response thereto. I would then propose to conclude by going over the text of the Resolution itself and discussing its meaning and scope.

The immediate occasion for this Resolution is of course the North Vietnamese attacks on our naval vessels, operating in international waters in the Gulf of Tonkin, on August 2nd and August 4th.

However, it is obvious that these attacks were not an isolated event but are related directly to the aggressive posture of North Vietnam and to the policy that the United States has been pursuing in assisting the free nations of Southeast Asia and particularly South Vietnam and Laos, to defend themselves against Communist aggression, and thus to preserve the peace of the area.

When Indochina was divided and the independent states of South Vietnam, Laos, and Cambodia were created under the conditions of the Genevaa Accords of 1954, it was at once clear that in the face of the North Vietnamese threat South Vietnam and Laos could not maintain their independence without outside assistance. The Government of South Vietnam turned to the United States for such assistance, and President Eisenhower in December 1954 made the decision that it should be furnished, stating that our purpose was to "assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means."

In the fall of 1954, Secretary Dulles negotiated, and the Senate in early 1955 consented to, the Southeast Asia Collective Defense Treaty, sometimes known as the Manila Pact. This treaty provided for the collective defense of the parties to this treaty—Thailand, the Philippines, Australia, New Zealand, Pakistan, the United States, the United Kingdom, and France. It provided further that the protection of the treaty should extend, under an annexed protocol, to the territory of South Vietnam and to Laos and Cambodia.

I do not need to review for you the subsequent history of North Vietnamese efforts to subvert and conquer South Vietnam and to do the same in Laos. Having found that South Vietnam would not collapse of itself but was on the contrary making remarkable progress, Hanoi in 1959 initiated a systematic campaign of terror and subversion in South Vietnam, directed and supplied with key personnel and equipment from the north. By 1961, the situation had reached a critical point and the United States greatly increased its advisory and supporting assistance to the Government of South Vietnam.

Despite this assistance, the task of countering the extensive Viet Cong effort remains a long and arduous one, and as you know we have moved within the last two weeks to further increase our support while recognizing always that the struggle in South Vietnam must essentially be the responsibility of the South Vietnamese themselves.

In Laos, the agreements reached at Geneva in 1962 have been consistently violated by Hanoi and in May of this year the situation took on a more critical character when a Communist military offensive drove neutralist forces from the area of the Plain of Jars they had held in 1962. Our responses to these events, including the provision of additional T-28's to the Government of Laos [deleted] are well known to you.

The present attacks, then, are no isolated event. They are part and parcel of a continuing Communist drive to conquer South Vietnam, control or conquer Laos, and thus weaken and eventually dominate and conquer other free nations of Southeast Asia. One does not need to spell out a "domino theory"; it is enough to recognize the true nature of the Communist doctrine of world revolution and the militant support that Hanoi and Peiping are giving to that doctrine in Southeast Asia.

U.S. policy and objectives

Although the United States did not itself sign the Geneva Accords of 1954, Under Secretary Walter Bedell Smith made a formal statement that the United States "would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security." We have repeatedly made clear that the independence and security provided for South Vietnam under those Accords was a satisfactory status for South Vietnam. All that is needed, as I have myself often said, is for Hanoi and Peiping to leave their neighbors alone.

The same is true with respect to the 1962 Accords for Laos. These provided a reasonable arrangement for the status of Laos, and what is needed, again, is simply that the Communist side should honor the commitments it undertook.

Above all, there can be no doubt of United States objectives for these nations and for the area as a whole. Here, as elsewhere, we believe that nations are entitled to remain free and to develop as they see fit. The United States has no military, territorial, or political ambitions for itself in Southeast Asia. We seek only the restoration of peace and the removal of Communist subversion and aggression.

Essentially, the outcome of this conflict, and the course of events in the area as a whole, is up to the Communist side. It has the option of accepting the freedom and independence of neighboring nations, or of continuing its aggressive tactics. For our part, as President Johnson stated on June 23: "The United States intends no rashness, and seeks no wider war. But the United States is determined to use its strength to help those who are defending themselves against terror and aggression. We are a people of peace—but not of weakness or timidity."

Purpose of the resolution

This, then is the background of the Resolution before you. We have never doubted the support of the American people for the policies that have been followed through three administrations over a period of a decade. But in the face of the heightened aggression on the Communist side, exemplified by these latest North Vietnamese attacks, it has seemed clearly wise to seek in the most emphatic form a declaration of Congressional support both for the defense of our armed forces against similar attacks and for the carrying forward of whatever steps may become necessary to assist the free nations covered by the Southeast Asia Treaty.

We cannot tell what steps may in the future be required to meet Communist aggression in Southeast Asia. The unity and determination of the American people, through their Congress, should be declared in terms so firm that they cannot possibly be mistaken by other nations. The world has learned over 50 years of history that aggression is invited if there is doubt about the response. Let us leave today's aggressors in no doubt whatever.

I now turn to Secretary McNamara, who will describe the recent attacks and our response.

I now turn to the specifics of the Resolution before you.

The preamble, I believe, speaks for itself. It spells out in the simplest and shortest terms possible the fact of North Vietnamese attacks, their relation to the over-all campaign of aggression by North Vietnam, and the purposes and objectives of the United States in Southeast Asia.

XUM

As to the operative sections of the Resolution, Section 1 declares the approval and support of the Congress for actions, in response to armed attack on United States forces, which the President has the authority and obligation to take in his capacity as Commander-in-Chief.

Turning next to Section 2 of the draft Resolution, let me make clear at the outset what the Resolution does not embrace. It does not cover action to assist any nation not a member of the Southeast Asia Treaty Organization or a protocol state. It does not cover any action in support of a nation unless such nation requests it. It does not cover any action to resist aggression that is not Communist in origin. The Southeast Asia Treaty includes a United States understanding that it is directed solely against "Communist aggression."

The language, "to take all necessary steps, including the use of armed force", is simliar to the authority embraced in the Formosa Resolution of 1955, the Middle East Resolution of 1957, and the Cuba Resolution of 1962. Copies of each of these have been made available to you for comparative purposes. The Formosa Resolution authorized the President "to employ the armed forces of the United States". The Middle East Resolution stated that the United States was "prepared to use armed forces." The nearest parallel to the language of the present Resolution is in the first clause of the Cuba Resolution, that the United States is "determined . . . to prevent by whatever means may be necessary, including the use of arms" Cuban subversive activities extending to any part of the hemisphere.

I shall not take your time this morning to review the constitutional aspects of resolutions of this character. I believe it to be the generally accepted constitutional view that the President has the constitutional authority to take at least limited armed action in defense of American national interests; in at least 85 instances. Presidents of the United States have in fact taken such action. As I have said before, we cannot now be sure what actions may be required. The Formosa Resolution of 1955 was followed by the use of United States warships to escort supply convoys to the offshore island in 1958; the Middle East Resolution was followed by President Eisenhower's sending of troops to Lebanon in 1958; the Cuba Resolution was followed by the well-known events of October 1962. I do not suggest that any of these actions may serve as a parallel for what may be required in Southeast Asia. There can be no doubt, however, that these previous resolutions form a solid legal precedent for the action now proposed. Such action is required to make the purposes of the United States clear and to protect our national interests.

XUM

[7. Statement by Secretary of Defense McNamara before the same Committees in connection with the Tonkin Gulf Resolution]

STATEMENT BY SECRETARY OF DEFENSE ROBERT S. MCNAMARA

Chairman Fulbright, Chairman Russell, and members of the Senate Foreign Relations and Armed Services Committees, during the past few days, deliberate and unprovoked military attacks by the North Vietnamese have given rise to the need for us to appear here today. I should like to review the attacks with you briefly and to describe the responses we made to those attacks.

The first incident occurred on August 2. It concerned the USS *Maddox*, one of our destroyers engaged in a routine patrol in International waters of the Gulf of Tonkin off the North Viet Nam coast. At about noon, when the *Maddox* was about 30 miles from the coast, she reported that three torpedo boats were on a southerly course heading toward the ship at a range of over 10 miles.

Two hours later, at approximately 2:40 P.M., the *Maddox* was approached by a high speed—45 to 50 knot—craft. She reported that the apparent intention of this craft was to conduct a torpedo attack and that she intended to open fire in self-defense if necessary. She was attacked by the three PT craft at 3:08 P.M. She opened fire with her five-inch battery after three warning shots failed to slow down the attackers. The PTs continued their closing maneuvers, and two of the PTs closed to 5,000 yards, each firing one torpedo. The *Maddox* changed course in an evasive move and the two torpedoes passed on the starboard side at a distance of 100 to 200 yards.

The USS *Ticonderoga*, which was operating in waters to the southeast and which had been alerted to the impending attack, advised she was sending four already airborne F-8E (Crusader) fighters with rockets and 20 mm ammunition to provide air cover for the *Maddox*. At about 3:21 P.M., the third hostile PT moved up to the beam of the *Maddox* and received a direct hit by a five-inch round; at the same time it dropped a torpedo into the water which was not seen to run. Machine gun fire from the PTs was directed at the *Maddox*. However, there was no injury to personnel and no damage. The *Maddox* continued in a southerly direction to join with a sister destroyer, the *C. Turner Joy*, as *Ticonderoga* aircraft commenced attacking the PTs. ZUNI rocket runs and 20 mm strafing attacks were directed against two of the PTs, and they were damaged. The third PT remained dead in the water after the direct hit by the *Maddox*. At 3:29 P.M., the engagement terminated and the aircraft escorted the *Maddox* southward on its patrol course.

On Monday, August 3, the President made public instructions that he had issued the day before regarding future patrols and engagements with enemy craft. He instructed the Navy, first, to continue the patrols in the Gulf of Tonkin; second, to double the force by adding an additional destroyer to the one already on patrol; third, to provide a combat air patrol over the destroyers; and fourth, to issue instructions to the combat aircraft and to the destroyers (a) to attack any force which attacked them in international waters, and (b) to attack with the objective of not only driving off the force but of destroying it.

At the same time as these instructions were being broadcast throughout the world, the State Department, acting pursuant to the President's further instructions, took steps to deliver a note of protest to the North Vietnam regime. The note was also widely publicized. It concluded with the words, "The United States Government expects that the authorities of the regime in North Viet-Nam will be under no misapprehension as to the grave consequences which would inevitably result from any further unprovoked offensive military action against United States forces."

Our hopes that the firm defensive action taken in response to the first attack and the protest to Hanoi would end the matter were short-lived.

After the first attack on Sunday, the *Maddox* joined with its sister destroyer, the USS *Turner Joy*, in the Gulf of Tonkin and resumed its patrol in international waters, as directed by the President.

Monday, August 3, was uneventful.

The patrol was also uneventful during most of the daylight hours of Tuesday, August 4. In the early evening of August 4, however, the *Maddox* reported radar contact with unidentified surface vessels who were paralleling its track and the track of the *Turner Joy*. It was 7:40 P.M. when the *Maddox* reported that, from actions being taken by those unidentified vessels, an attack by them appeared imminent. At this time the *Maddox* was heading southeast near the center of the Gulf of Tonkin in International waters approximately 65 miles from the nearest land.

The *Maddox* at 8:36 P.M. established new radar contact with two unidentified surface vessels and three unidentified aircraft. At this time, U.S. fighter aircraft were launched from the *Ticonderoga* to rendezvous with the *Maddox* and the *Turner Joy* to provide protection against possible attack from the unidentified vessels and aircraft, in accordance with the President's previously issued directives. Shortly thereafter, the *Maddox* reported that the unidentified aircraft had disappeared from its radar screen and that the surface vessels were remaining at a distance. The aircraft from the *Ticonderoga* arrived and commenced defensive patrol over the *Maddox* and the *Turner Joy*.

At 9:30 P.M., additional unidentified vessels were observed on the *Maddox* radar, and these vessels began to close rapidly on the destroyer patrol at speeds in excess of 40 knots. The attacking craft continued to close rapidly from the west and south and the *Maddox* reported that their intentions were evaluated as hostile. The destroyers reported at 9:52 P.M. that they were under continuous torpedo attack and were engaged in defensive counterfire.

Within the next hour, the destroyers relayed messages stating that they had avoided a number of torpedoes, that they had been under repeated attack, and that they had sunk two of the attacking craft. By Midnight local time, the destroyers reported that, even though many torpedoes had been fired at them, they had suffered no hits nor casualties and the defensive aircraft from the *Ticonderoga* were illuminating the area and attacking the enemy surface craft. Shortly thereafter, they reported that at least two enemy craft had been sunk although low ceilings continued to hamper the aircraft operations. The *Turner Joy* reported that during the engagement, in addition to the torpedo attack, she was fired upon by automatic weapons while being illuminated by searchlights.

Finally, after more than two hours under attack, the destroyers reported at 1:30 A.M. that the attacking craft had apparently broken off the engagement.

The deliberate and unprovoked nature of the attacks at locations that were indisputably in international waters compelled the President and his principal advisers to conclude that a prompt and firm military response was required. Accordingly, the President decided that air action, in reply to the unprovoked attacks, should be taken against gunboats and certain supporting facilities in North Vietnam which had been used in the hostile operations. On Tuesday evening, after consulting with Congressional leadership, he so informed the American people.

The United States military response was carefully planned and effectively carried out. The U.S. air strikes began approximately at noon Wednesday local time against North Vietnamese PT and gun boats, their bases and support facilities. These reprisal attacks, carried out by naval aircraft of the United States Seventh Fleet from the carriers *Ticonderoga* and *Constellation*, were limited in scale—their primary targets being the weapons against which our patrolling destroyers had been forced to defend themselves twice in the prior 72 hours.

Specifically, our naval air forces launched 64 attack sorties against 4 North Vietnamese patrol boat bases and their boats and against a major supporting oil storage depot. Strike reports indicate that all targets were severely hit, in particular the petroleum installation where 10% of North Vietnam's petroleum storage capacity was 90% destroyed. Smoke was observed rising to 14,000 feet. Some 25 North Vietnamese patrol boats were destroyed or damaged.

Our losses were two aircraft destroyed and two damaged. One of the pilots is believed to have crashed with his plane between two PT craft he had under attack. Another pilot reported that he was ejecting from his downed aircraft. His whereabouts is at present listed as unknown.

In view of the unprovoked and deliberate attacks in international waters on our naval vessels and bearing in mind that the best way to deter escalation is to be prepared for it, the President and his principal advisers concluded that additional precautionary measures were required in Southeast Asia. Certain military deployments to the area are therefore now underway. These include:

a. Transfer of an attack carrier group from the Pacific Coast to the Western Pacific;

b. Movement of interceptor and fighter bomber aircraft into South Vietnam;

c. Movement of fighter bomber aircraft into Thailand;

d. Transfer of interceptor and fighter bomber squadrons from the United States to advance bases in the Pacific;

e. Movement of an antisubmarine force into the South China Sea;

f. The alerting and reading for movement of selected Army and Marine forces.

In the meantime, U.S. destroyers with protective air cover as needed, continue their patrol in the international waters of the Gulf of Tonkin.

The moves we have taken to reinforce our forces in the Pacific are in my judgment sufficient for the time being. Other reinforcing steps can be taken very rapidly if the situation requires.

This concludes my descriptions of the two deliberate and unprovoked North Vietnamese attacks on U.S. naval vessels on the high seas; of the United States reprisal against the offending boats, their bases and related facilities; and of the precautionary deployment and alerting steps we have taken to guard against any eventuality.

Mr. ALLOTT and Mr. HOLLAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I had come to the floor expecting to support this resolution. I have understood that the President has said he does not need this resolution, that he is proceeding to handle the situation which he found when he went into office, that as Commander in Chief he feels that he has ample power to handle that situation whichever way it leads to an honorable conclusion.

However, after I have heard what the distinguished Senator from New York has had to say as to his interpretation of the resolution—and he is one of its joint authors—and after I have talked with my distinguished friend, the Senator from Arkansas, who I understand supports the same interpretation, I could not possibly support it.

I think that we all in good faith voted for the Gulf of Tonkin resolution. I think that we all would not want to leave the present President, who had nothing to do with it at that time, inhibited in any way or crippled in any way with respect to dealing actively and effectively with the various steps that need to be done to bring this whole matter to a conclusion and the fulfilling of such obligations as we have incurred there. Since one of the authors of this resoluiton has said what he has stated on the floor—I honor his candor, and I also honor the candor of the distinguished chairman of the Committee on Foreign Relations—I could not possibly support this resolution, because I do not believe that we should pull the rug from under the President or that we should do something that looks as though we are completely withdrawing our support. I just want to make my position completely clear.

I would be happy to vote for the repeal of the resolution, but with a completely different understanding from that stated by the Senator from New York; namely, that the President would have full power to do all the things that are necessary in fulfilling honorable obligations that we have there in protecting our troops and ultimately getting them out.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. STENNIS. I understand that a vote is coming up in a few minutes. I will not vote for the repeal of this resolution, regardless of its history—and it is repudiated here by its own father, the Senator from Arkansas—if it is going to detract from the President's position. Now that we have moved on with the war, and the President, himself, has said that he does not need the resolution, as I understand the situation, the President is standing on his constitutional powers and not treaty powers. As I have always viewed the matter, we have no treaty obligation under SEATO. We are already in the war, and have been for years, so the President stands on his constitutional powers.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. FULBRIGHT. I repudiate any suggestion that I was the father of this resolution.

Mr. STENNIS. The Senator from Arkansas sponsored it here on the Senate floor.

Mr. FULBRIGHT. Mr. Lyndon Baines Johnson was the father.

I was the midwife for an illegitimate child. [Laughter.] I did not at that time recognize the nature of its parentage, and I was not aware of the falsity of the circumstances under which it was conceived and presented to me, and I repudiate any suggestion that I am its father. Under the rules of the Senate, as chairman, I was merely the midwife to bring it to this Chamber.

Mr. STENNIS. I was referring to the presentation here by the Senator from Arkansas, and in jest, also. I have heard these cases of illegitimacy in court cases but not here on the Senate floor.

Mr. HOLLAND. Mr. President, I had not expected to hold up the Senate longer. My sole position is this: I voted the other day for an amendment which would have repealed this resolution, but under a completely different understanding from that stated now by the Senator from New York—and I understand supported by the distinguished Senator from Arkansas—as being the interpretation of the pending joint resolution. I cannot support it under that interpretation, and that is what I am trying to make clear.

I am not going to be a party to pulling the rug out from under the President. I think he has complete power to deal with this situation, which he inherited, and to do everything that is honorable in bringing the situation to a conclusion, but without having to come back here for this, that, and the other consent and long hearing and debate before he does things that the situation requires.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MILLER. I thank the Senator.

Mr. President, I share somewhat the concern of the Senator from Florida. But, in fairness, I want to repeat what the Senator from New York did say. He said his interpretation of the action by the Senate's repeal of the Gulf of Tonkin resolution was that it would "clear the decks," so to speak, and that the powers of the President then would be covered by the Constitution. Then he said that how each Member of the Senate would interpret those powers would be up to his own individual judgment. He said:

> I am only stating my own personal judgment on it.

He went on to say that the powers of the President as Commander in Chief would cover withdrawal of troops in an appropriate manner consistent with their security.

The Senator from Iowa is suggesting that there should be another factor; namely, withdrawing troops consistent with the security and handling the termination of the war consistent with treaty obligations to the people we have been helping. The Senator from New York recognized that as an additional factor. However, I think we can vote for the repeal of the Gulf of Tonkin resolution as a deckclearing operation, without getting into any argument as to how we interpret the constitutional powers of the President as Commander in Chief.

Mr. President, I shall vote for repeal, but I certainly want it understood that when it comes to interpreting the powers of the President as Commander in Chief, that means more than just withdrawing troops as fast as possible consistent with their security. There is another ingredient, and that is what Vietnamization is designed to meet.

Mr. HOLLAND. I thank the Senator.

Mr. President, I yield temporarily to the Senator from Alabama (Mr. SPARKMAN) and hope that he will confine his comments to 2 minutes, because one of our friends has to catch a plane.

Mr. SPARKMAN. I will certainly do that.

Mr. President, I want to say that in committee I voted to report the resolution favorably to the floor. I did not feel that anyone in the committee felt that the interpretation of the Senator from New York, as I have heard it, was correct.

In fact, all the testimony before the committee from the administration was to the effect that no longer are they using the Gulf of Tonkin resolution, that they would not use it, that they did not intend to do so, that they neither opposed nor recommended its repeal, that it was entirely up to us.

XUM

Therefore, Mr. President, I think it is most unfortunate that this interpretation has come up here on the floor. I do not believe it was the interpretation that prevailed in the committee when we voted to report it.

Mr. MANSFIELD. May I say to the Senator that he is absolutely correct. The President has stated time and time again that he was not operating on the basis of the Gulf of Tonkin resolution and, as a matter of fact, he disavowed it.

Mr. SPARKMAN. That is right. I agree that he has the constitutional powers, regardless of what we do with the Gulf of Tonkin resolution.

The PRESIDING OFFICER (Mr. SPONG). The Senator from Florida has the floor.

Mr. FULBRIGHT. Mr. President, he sat down.

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. Mr. President, I yielded the floor but I am glad to yield to the——

The PRESIDING OFFICER. The Senator from Colorado (Mr. ALLOTT) is recognized.

TWO OR MORE CHEERS FOR TWO OR MORE REPEALS

Mr. ALLOTT. Mr. President, things are becoming, as Alice said in Wonderland, "curiouser and curiouser."

Unless my eyes and ears deceive me, we are about to repeal a resolution that we have recently repealed.

Now I have been in this body for 16 years and I thought I had seen pretty much everything by now.

But this is truly remarkable. I suppose that there is nothing in the laws of nature that makes it impossible to repeal something twice. I just hope the laws of legislation are different from some of the laws of the sciences. I would hate to think that two negatives would make a positive. In that case, two repeals might make an enactment and we would be back with the Tonkin Gulf resolution. It is my understanding that this is not the intention of the junior Senator from Arkansas, who only wants to be floor manager of the Tonkin Gulf resolution once in this lifetime.

Mr. President, this double repeal has a certain charm, and it also has limitless possibilities. If repealing something twice means we find it especially bad, then perhaps we should pass very good measures twice—or maybe even more.

For example consider the 19th Amendment. Clearly it was a splendid thing to give women the vote. Perhaps we should pass it again, just to show our enthusiasm for the women of the Nation.

In addition, I think the confirmation of John Marshall as Chief Justice of the Supreme Court was especially fortunate for this Nation. Therefore, perhaps we should give some consideration to reconfirming him, just on general principles. It cannot do any harm. It certainly cannot inconvenience him, because he is as dead as the Tonkin Gulf resolution.

Mr. President, I must point out that this business of repealing the repealed does represent a certain departure from Senate procedure. I do not want to be a stick in the mud; this departure contributes to the public stock of harmless pleasure.

I would not mention it except that some of those most anxious to repeal the Tonkin Gulf resolution have recently been very eloquent in defending what they take to be accepted Senate procedures. In fact, if my memory serves me, the distinguished and learned junior Senator from Arkansas found fault with the original procedures whereby the Tonkin Gulf resolution was repealed.

Of course it is understandable that the floor manager of the Tonkin Gulf resolution would want to see it laid to rest with proper solemnity and ceremony. Nevertheless, it is odd that the defenders of Senatorial due process should be pioneering this most imaginative improvisation—the double repeal of measures they come to deem obnoxious.

Mr. President, I have one more thought. Perhaps it is a good idea to repeal this resolution twice, just to make up for the fact that some things that need doing cannot even be done once.

For example, we have not yet managed officially to end the Second World War. So let's repeal the Tonkin Gulf resolution once more to make up for that.

In addition, we have not yet got a real settlement of the Korean war. So when we are done repealing the Tonkin Gulf resolution a second time, lets march ahead and repeal it a third time, just to show how good we are at terminating some things.

Then we should repeal it a fourth time just to show how determined we are someday to find a cure for cancer.

Then maybe we could repeal it a fifth time, to show our sympathy for the downtrodden.

Mr. President, as I said at the outset, the possibilities are limitless for this new kind of imaginative legislating. I only want to salute those who are here pioneering new dimensions in creative government, and who have transcended last week's enormous commitment to traditional Senate procedures.

Mr. DOLE. Mr. President, the Tonkin Gulf resolution is inappropriate to today's realities in Southeast Asia. It is a vehicle of escalation and widening involvement, whereas U.S. operations in Southeast Asia are today directed toward deescalation and reduced involvement in combat. It is the policy device of a previous administration which sought to expand the American presence in Vietnam; whereas the Nixon administration has never relied upon nor invoked the Tonkin Gulf resolution in policy.

The Tonkin Gulf was variously and inconsistently interpreted after its adoption. Some saw it as a purely defensive and narrow-ranged response to a specific incident. Others saw it as a carte blanche mandate with which to enmesh the United States in a full-scale commitment to the South Vietnamese Government. Some considered it a virtual declaration of war.

In the wake of these differing interpretations, the Tonkin Gulf resolution now stands as an obsolete and unused vestige of our foreign policy. It has been rejected by the Nixon administration, and it serves no useful purpose other than as a reminder of its past abuses and their consequences.

Since the resolution was subjected to such abusive interpretation, its presence on the statute books presents a clear and not altogether fanciful danger that some other and equally vexatious reading might be given in the future.

Recent Senate debate has repeatedly emphasized the responsibility of Congress to assume its obligations in the formulation and conduct of foreign policy. While care should be taken to avoid actions which would appear to limit or transgress upon the President's prerogatives in this field, Congress, the Senate in particular, has a significant role to play in establishing policy objectives and guidelines. By repealing the Tonkin Gulf resolution we can exercise our powers and fulfill our responsibilities in a positive and meaningful way. Having provided the peg upon which the Vietnam escalation was hung, we can make a start at exerting congressional influence and wisdom by removing that peg and clearing the way for other worthwhile achievements in defining foreign policy and national priorities.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Wyoming (Mr. McGEE) is necessarily absent from the Senate today, but he has asked that a statement he prepared in advance of this occasion be shared with his colleagues as part of the debate on Senate Concurrent Resolution 64. The Senator from Wyoming's views in this area are strong ones, firmly held. I ask unanimous consent that the statement of Senator McGEE be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR McGEE'S STATEMENT ON SENATE CONCURRENT RESOLUTION 64

Mr. McGEE. Mr. President, this body is awash in irrelevancy today. Action on this resolution to repeal the Gulf of Tonkin Resolution means nothing. It will not change things. We cannot repeal history. In fact, there is really nothing in the Gulf of Tonkin Resolution itself that either permits or withholds from the President any of the actions which have taken place in Southeast Asia.

Mr. President, nearly every member of the Senate voted for the Tonkin Gulf Resolution. Despite that, there have been many attempts by individual members to explain away or excuse their vote. I for one am not prepared to say that the Senate was either deceived or simple minded at the time this resolution was passed. I believe we voted as we did because we thought it the wise thing to do. And in all honesty I believe it fair to say that if events in Southeast Asia had taken a better turn after that resolution was enacted, we would be more inclined to point with pride at our action in approving that resolution, rather than exacerbate the continuing debate over the war by pushing through some official sort of *mea culpa* which pretends to undo what has already been done.

Aside from the irrelevancy of the issue, there is a serious negative aspect to the proposition before the Senate today. The people here at home may read into the action itself more than even its proponents ever intended. At the very least, it may be interpreted as a slap at the President of the United States. In this context, it could become a complication hampering his efforts to deescalate and disengage with responsibility in Southeast Asia.

Its fallout almost certainly will have the effect of startling or even panicking the governments of a number of small, independent countries in Eastern Asia. Their inclination, we are told, will be to interpret it as an affirmation of American withdrawal from any sense of commitment in the Western Pacific.

In essence, the domestic politics within our own country which dictates the tactics on the floor of the Senate these days will not be understood or correctly interpreted by the Asians themselves.

Inasmuch, therefore, as the Tonkin Gulf resolution per se has so little substance in our current policy activities, and because it reflects more of tactical maneuvering rather than basic motivations, it appears to me that we are ill-advised in running the risks of adverse impact in those parts of the world where we need respect and confidence and trust in American leadership.

It is my view that instead of looking back, the Senate ought to look forward to what our role ought to be in the next crisis. Surely there will be future crises, Mr. President, and if we have learned anything it would seem to be that the role of the Senate ought not be bound up in retrospective fault-finding, but in helping define what the future policies of the United States should be and how the Government should function in matters of critical foreign policy decisions in the future.

In my mind it is of questionable value for this body to be measuring the violations of constitutional intent from the past when we ought to be seeking a more modern and surely more enlightened procedure for the future. I realize that the newsworthiness of our present dialog seems to be far greater than would a scholarly and statesmanlike study of where we go from here. But the coverage or popularity of the subject matter really is not the issue—and dare not be.

The issue is whether our form of free society can survive the tensions and crises in a nuclear world without law. I wish I had some ready answers to submit in this discussion. I do not have, and I am not aware of those who may have.

It is my hope that the Foreign Relations Committee in particular and this Body in general will assign a top priority to this pursuit. If only we can agree to proceed toward that objective now, the rhetoric and the parliamentary maneuvering of the past many weeks may not appear as starkly shallow in substance as I believe they will appear if left as we see them now—devoid of positive and constructive and imaginative new suggestions on how we might more wisely proceed from here.

The PRESIDING OFFICER (Mr. Spong). The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The question now recurs on adoption of the resolution (S. Con. Res. 64), as amended.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ELLENDER (after having voted in the negative). On this vote I have a live pair with the Senator from Tennessee (Mr. Gore). If present and voting, he would vote "yea." I have already voted "nay." I withdraw my vote.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. Bayh), the Senator from Nevada (Mr. Cannon), the Senator from California (Mr. Cranston), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Tennessee (Mr. Gore), the Senator from Indiana (Mr. Hartke), the Senator from South Carolina (Mr. Hollings), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), the Senator from Utah (Mr. Moss), the Senator from Rhode Island (Mr. Pastore), the Senator from Georgia (Mr. Russell), the Senator from Missouri (Mr. Symington), and the Senator from Maryland (Mr. Tydings), are necessarily absent.

I further announce that the Senator from Alaska (Mr. Gravel) and the Senator from North Carolina (Mr. Jordan) are absent on official business.

On this vote, the Senator from Missouri (Mr. Symington) is paired with the Senator from Wyoming (Mr. McGee). If present and voting, the Senator from Missouri would vote "yea" and the Senator from Wyoming would vote "nay."

On this vote, the Senator from South Carolina (Mr. Hollings) is paired with the Senator from South Carolina (Mr. Thurmond).

If present and voting Mr. Hollings would vote "nay" and Mr. Thurmond would vote "yea."

I further announce that, if present and voting, the Senator from Indiana (Mr. Bayh), the Senator from Nevada (Mr. Cannon), the Senator from Alaska (Mr. Gravel), the Senator from North Carolina (Mr. Jordan), the Senator from Washington (Mr. Magnuson), the Senator from Rhode Island (Mr. Pastore), would each vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. Baker), the Senator from Oklahoma (Mr. Bellmon), the Senator from Utah (Mr. Bennett), the Senator from New Hampshire (Mr. Cotton), the Senator from Nebraska (Mr. Curtis), the Senators from Arizona (Mr. Fannin and Mr. Goldwater), the Senator from New York (Mr. Goodell), the Senator from Michigan (Mr. Griffin), the Senator from Florida (Mr. Gurney), the Senator from California (Mr. Murphy), the Senator from Illinois (Mr. Smith), the Senator from South Carolina (Mr. Thurmond) and the Senator from Texas (Mr. Tower) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from Nebraska (Mr. Hruska) and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from South Dakota (Mr. Mundt) and the Senator from Maine (Mrs. Smith) are absent because of illness.

The Senator from Kansas (Mr. Pearson) is detained on official business.

If present and voting, the Senator from Tennessee (Mr. Baker), the Senator from Utah (Mr. Bennett), the Senator from New Hampshire (Mr. Cotton), the Senator from Nebraska (Mr. Curtis), the Senator from Florida (Mr. Gurney), the Senator from Nebraska (Mr. Hruska), the Senator from New York (Mr. Goodell), the Senator from South Dakota (Mr. Mundt), the Senator from California (Mr. Murphy), the Senator from Kansas (Mr. Pearson), the Senator from Kentucky (Mr. Cook), the Senator from Maine (Mrs. Smith), the Senator from Illinois (Mr. Smith) and the Senator from Texas (Mr. Tower) would each vote "yea."

On this vote, the Senator from South Carolina (Mr. Thurmond) is paired with the Senator from South Carolina (Mr. Hollings). If present and voting, the Senator from South Carolina (Mr. Thurmond) would vote "yea" and the Senator from South Carolina (Mr. Hollings) would vote "nay."

The result was announced—yeas 57, nays 5, as follows:

[No. 237 Leg.]

YEAS—57

Aiken
Allott
Anderson
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cooper
Dole
Dominick
Eagleton
Fong
Fulbright
Hansen
Harris
Hart
Hatfield
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Mansfield
Mathias
McCarthy
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Muskie
Nelson
Packwood
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—5

Allen
Ervin
Holland
Long
McClellan

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Ellender, against.

NOT VOTING—37

Baker
Bayh
Bellmon
Bennett
Cannon
Cook
Cotton
Cranston
Curtis
Dodd
Eastland
Fannin
Goldwater
Goodell
Gore
Gravel
Griffin
Gurney
Hartke
Hollings
Hruska
Jordan, N.C.
Magnuson
McGee
Moss
Mundt
Murphy
Pastore
Pearson
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Thurmond
Tower
Tydings

So the concurrent resolution (S. Con. Res. 64), as amended, was agreed to, as follows:

S. Con. Res. 64

Resolved by the Senate (the House of Representatives concurring), That under the authority of section 3 of the joint resolution commonly known as the Gulf of Tonkin Resolution and entitled "Joint resolution to promote the maintenance of international peace and security in Southeast Asia", approved August 10, 1964 (78 Stat. 384; Public Law 88-408), such joint resolution is terminated effective upon approval of both Houses of the Congress.

The title was amended so as to read:

Concurrent resolution to terminate the joint resolution commonly known as the Gulf of Tonkin Resolution.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. MATHIAS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the passage of this concurrent resolution fulfills a great responsibility under the Constitution by the U.S. Senate. I wish to particularly commend the able Senator from Maryland (Mr. MATHIAS) who conceived this idea earlier this year. It was through his leadership that this measure reached final action in this body—first as an amendment to the Foreign Military Sales Act and now in the prescribed form of a concurrent resolution.

To the distinguished chairman of the Foreign Relations Committee, Mr. FULBRIGHT, who swiftly conducted the hearings and brought this measure to the floor, we must also render our thanks. His management of this resolution today and the explanatory basis provided by his presentation brought better focus on the meaning of this measure. In like manner, the distinguished Senator from New York (Mr. JAVITS), portrayed today his great grasp of the issues involved in this measure; and his participation truly generated a discussion of the highest quality on this meaning of this resolution. His dialog with the distinguished Senator from Louisiana (Mr. ELLENDER) produced a definition and a refinement of the issues that could only be brought about by the keen focus of these two fine minds.

To all the Senate, the leadership owes a debt of gratitude. I think the action today of the Senate will receive the gratitude of history.

THAT GULF OF TONKIN RESOLUTION

Mr. YOUNG of Ohio subsequently said. Mr. President, on June 24 the Senate voted for an amendment to repeal the Gulf of Tonkin joint resolution. That amendment was a part of the Foreign Military Sales Act which, unfortunately, faces an uncertain fate in conference committee. Hopefully the Senate agrees to the concurrent resolution today repealing the Gulf of Tonkin resolution which was originally adopted, based on false statements made to the Senate and to the American people.

The Gulf of Tonkin joint resolution was passed by the Senate on August 7, 1964 in the midst of confusion and a flurry of half-truths misrepresentations, and downright false statements of an alleged submarine attack on the destroyer *Maddox* which in truth and in fact was never perpetrated. For nearly 6 years this ill-advised resolution has served as a prime foundation of our policy of escalation in Southeast Asia. The importance of our vote this day cannot be underestimated. We shall be removing the principal basis of our Asian war policy and demonstrating for the first time that a clear majority of U.S. Senators believe that our participation in an immoral, undeclared war in Southeast Asia should be ended.

Mr. President, the repeal of the Gulf of Tonkin joint resolution will mark a particularly proud moment for me. On March 1, 1966, more than 4 years ago, I joined with Senators Morse, Gruening, FULBRIGHT, and MCCARTHY in an effort to overturn that disastrous joint resolution. We were the only Senators who so voted at that time.

Our action today on the resolution to repeal the Gulf of Tonkin joint resolution marks a reassertion of the constitutional powers of Congress. Until this fraudulent resolution is cleared from the books, the Senate cannot as readily face the crucial issue of the division of warmaking powers between Congress and the President.

Once congressional acquiescence in a policy of escalation in Southeast Asia has been removed, the President must undertake a complete and systematic withdrawal of American troops from Indochina without delay.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 16968) to provide for the adjustment of the Government contribution with respect to the health benefits coverage of Federal employees and annuitants, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 16968) to provide for the adjustment of the Government contribution with respect to the health benefits coverage of Federal employees and annuitants, and for other purposes, was read twice by its title and referred to the Committee on Post Office and Civil Service.

EXPANSION OF THE UNITED NATIONS HEADQUARTERS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 867, Senate Joint Resolution 173.

The PRESIDING OFFICER (Mr. SPONG). The joint resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A joint resolution (S.J. Res. 173) authorizing a grant to defray a portion of the cost of expanding the United Nations Headquarters in the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. MANSFIELD. Mr. President, this is a straight up and down proposition. I have talked to the most interested Members on this matter.

I ask unanimous consent that there be a time limitation of 20 minutes on the pending proposal, the time to be equally divided between the manager of the bill, the Senator from Alabama (Mr. SPARKMAN), and the acting minority leader, the Senator from Massachusetts (Mr. BROOKE) or whomever they may designate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SPARKMAN. Mr. President, my statement is very brief but I do have some facts and figures in the statement which I hope may be understood.

Mr. President, the purpose of Senate Joint Resolution 173 is to authorize a $20 million appropriation to the Secretary of State for a grant to be made to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in New York City.

According to the Department of State, the total estimated cost of the expansion project is $80 million, of which about $64 million would be for construction of a new building and approximately $16 million for the renovation and extension of existing buildings in the United Nations Headquarters complex. In addition, the estimated value of the construction site, which is to be donated by the city of New York, is $12 million.

The financing for the proposed expansion project is expected to come from four sources: First, a $20 million grant from the U.S. Government; and second a $20 million matching cash contribution which has been promised by the mayor of New York City; third $15 million from the U.N. Development Program and the U.N. Children's Fund—an amount based on rentals these organizations would have to pay for quarters outside the U.N. complex; and fourth a $25 million appropriation out of the regular U.N. budget.

In addition, financial support for the project is being sought from other sources such as private U.S. foundations and New York park authorities. In this connection, when Ambassador Charles W. Yost testified before the Committee on Foreign Relations, he stated that any increases resulting from rising construction costs would have to be met from private contributions.

Mr. President, at the time the United Nations Headquarters was originally designed in 1947 and 1948, it was expected to accommodate sufficient staff to service a membership of 70 countries. In the meantime, however, the number of member states has increased from 59 in 1950 to 126 in 1970. Moreover, during the same period, the number of United Nations secretariat employees in New York requiring office space has grown from 2,900 to approximately 4,900.

As a consequence of the increasing inadequacy of existing facilities at the United Nations Headquarters in New York, the need for expansion has been under consideration by the General Assembly and the Secretary General for the past 10 years. The pending proposal is the result of a $250,000 architectural and engineering study which was authorized by the General Assembly on December 21, 1968, and submitted to the Secretary General on November 1, 1969. It was adopted by the General Assembly on December 17, 1969.

Mr. President, in my view, there is an urgent need for the construction of new facilities at the United Nations Headquarters in New York. It is my hope, therefore, that the Senate will approve Senate Joint Resolution 173 without delay.

XUM

Mr. President, I reserve the remainder of my time.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ELLENDER. Mr. President, in connection with the $20 million we are granting to the U.N., I understood the Senator, in private, to state that all members would be contributing.

Mr. SPARKMAN. No, that is not what I said.

Mr. ELLENDER. They are not contributing on the same basis that we are.

Mr. SPARKMAN. Actually, each member of the U.N. is not assessed the same amount, because there are many small nations that cannot do it on that basis.

Mr. ELLENDER. I understand.

Mr. SPARKMAN. But the percentage of our contribution in this instance is not much larger than our regular contribution to the U.N.

Mr. ELLENDER. I do not think I agree, because the Senator said we contribute $20 million, and also $25 million would be contributed by the U.N.

Mr. SPARKMAN. By the U.N. itself.

Mr. ELLENDER. We put up 30-plus percent of that, so we are putting up 30-plus percent of the contribution of whatever is put up by the U.N., plus $20 million.

Mr. SPARKMAN. That is correct.

Mr. ELLENDER. How much are the Russians putting up?

Mr. SPARKMAN. I cannot tell the Senator. I do not have the figure.

Mr. ELLENDER. I wonder if we could put that in the RECORD to show we are contributing a much greater share with the $25 million——

Mr. SPARKMAN. $20 million.

Mr. ELLENDER. No. We are putting up part of that $25 million.

Mr. SPARKMAN. That is true.

Mr. ELLENDER. And, in addition, we are putting up $20 million. Is that correct?

Mr. SPARKMAN. Yes.

Mr. ELLENDER. So it is not even. The Senator had better correct the RECORD, because we are putting in $20 million more than we should.

Mr. SPARKMAN. Pursuant to the terms of the pending proposal, the U.S. Government will grant $20 million to the United Nations and other member nations will also be making contributions.

Mr. ELLENDER. How? To the U.N.?

Mr. SPARKMAN. They will pay their share of the $25 million which is to be appropriated out of the regular U.N. budget.

Mr. ELLENDER. That is a contribution that is being put up by every nation.

Mr. SPARKMAN. That is correct.

Mr. ELLENDER. Is there any contribution aside from the $25 million that is coming from the member nations? The answer is "No."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I would like to have an answer to that question.

Mr. SPARKMAN. I am told the Senator's statement is essentially correct.

Mr. ELLENDER. So we put up around 30 percent of the $25 million plus a bonus of $20 million.

Mr. SPARKMAN. Well, of course——

Mr. ELLENDER. Is that not correct? Let us not argue about it. Is that correct?

Mr. SPARKMAN. Yes.

Mr. ELLENDER. Very well.

Mr. SPARKMAN. But I think we should bear in mind that the U.N. headquarters will remain in the United States, and that there will be many benefits from it. I think the contribution on the part of the city of New York is an indication.

Mr. ELLENDER. Of course, it is good for New York, because many people will go there and stay at hotels there, and so forth; but I just want to get the record straight that again we are contributing much more than our share.

Mr. SPARKMAN. We are contributing more than any other individual nation. I will put it that way.

Mr. HOLLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Alabama has 2 minutes remaining.

Mr. SPARKMAN. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. Mr. President, I want to ask a question. Did I not understand that $16 million-plus is being contributed from funds that would otherwise go as rentals for UNESCO?

Mr. SPARKMAN. Approximately $15 million.

Mr. HOLLAND. Which fund comes in the main from other countries?

Mr. SPARKMAN. That is correct.

Mr. HOLLAND. There was another fund mentioned that comes from an agency that is supported only in part by the United States. What was that?

Mr. SPARKMAN. UNICEF.

Mr. ELLENDER. How much do we contribute to UNESCO?

Mr. SPARKMAN. I do not have the figures now.

Mr. ELLENDER. Here we have another contribution that we are making. In other words, we are contributing in four ways—UNESCO, the one the Senator just mentioned, $20 million and our other fees we pay for the $25 million contribution.

Mr. SPARKMAN. And so are the other nations.

Mr. ELLENDER. They do not.

Mr. SPARKMAN. They do.

Mr. ELLENDER. The Senator admitted that just now.

Mr. SPARKMAN. Mr. President, I want to reserve by last minute.

The PRESIDING OFFICER. The Senator from Massachusetts has 11 minutes.

Mr. BROOKE. I yield to the Senator from Delaware. (Mr. WILLIAMS).

Mr. WILLIAMS of Delaware. Mr. President, on May 11 the Senate Foreign Relations Committee approved the resolution by a vote of 6 to 5. The estimated cost of the project is $80 million. Of this amount—I think this answers somewhat the questions of the Senator from Louisiana—$20 million would be paid, under this resolution, as a direct grant of the U.S. Government, $20 million would come from the city of New York, $15 million from the United Nations development program, the U.N. children's fund, to which we contribute about one-third, $25 million would come from the U.N. budget, in which the United States share is 31.57 percent, plus the fact that we may have to make some additional contribution if other nations do not pay their proportionate share. That means we would be paying a substantial part of the cost.

I have supported over the years the principle of an organization for world government. I still support it, but I think we would have a stronger United Nations if all the other nations within that organization assumed the proportionate part of their responsibility. By so doing, they will feel they are a part of it.

As long as our country continues to pick up the tab not only for this construction project but for other projects and exempt other governments from their share of the cost, they are not going to feel they are a part of the organization, and therefore, I do not think it will be respected as much worldwide.

For that reason, I think this measure should be rejected. If the building is needed, it should be built by the United Nations itself out of its own funds, and let the proportionate part of the cost be shared under the formula of the United Nations and paid for by the respective governments that are going to use it. On that basis the United States will contribute its proportionate part, but I do not think it is fair for the United States to pay 85 to 90 percent of its cost.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. ELLENDER. Does the Senator know how much we contribute to UNESCO? Does he have those figures?

Mr. WILLIAMS of Delaware. No, not exactly.

Mr. ELLENDER. My recollection is that it is almost 60 percent.

Mr. WILLIAMS of Delaware. It could be.

Mr. ELLENDER. So that when the report shows that we are contributing 31.57 percent, that is of the $25 million that comes from the general fund. Am I correct in that?

Mr. WILLIAMS of Delaware. It is the U.N. Children's Fund and the U.N. Development Program that contribute $15 million. I do not know what percentage the U.S. Government pays, but of the $25 million to be paid by the United Nations itself, we are supposed to pay 31.57 percent. But we are having to pay a lot more than that since many of the countries do not make their payments.

Mr. ELLENDER. Of the $25 million contributed, it is estimated that we put up 31.57 percent of that fund?

Mr. WILLIAMS of Delaware. Automatically.

Mr. ELLENDER. In addition to that, we put up funds for UNESCO. In addition to that we are putting up $20 million. Then there is UNICEF. That is another contribution we make. The amount we are contributing will be closer to 50 percent than the 31.57 percent mentioned in the report.

Mr. WILLIAMS of Delaware. I think the amount contributed will be well over 50 percent of the total cost of this project.

Mr. BROOKE. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Massachusetts has 6 minutes.

Mr. BROOKE. Mr. President, I yield 1 minute to the Senator from Ohio (Mr. SAXBE).

Mr. SAXBE. Mr. President, there appears to me to be a conflict. The President has asked for a freeze on construction on at least two buildings. One, an important Federal building in Akron, Ohio, is being held up because of the inflationary pressures of construction. We hear arguments now that we should delay highway construction, even though those funds are earmarked, because of inflationary pressures. Here we are putting up $20 million for construction of a U.N. building in New York at the same time we have a freeze on construction of Federal buildings in Ohio.

Mr. BROOKE. Mr. President, I yield to the Senator from Virginia (Mr. BYRD).

Mr. BYRD of Virginia. Mr. President, through the years I have been a strong advocate of the U.N. I returned from Okinawa during World War II at the same time that the U.N. was established in San Francisco, so I have felt a strong rapport with that world organization.

I think it is important that we have a world organization, in an effort to maintain peace in the world.

I must say, however, that in recent years I have been greatly disappointed in the United Nations. I think it is not nearly as effective as it should be, nor as it was intended to be.

One reason is that when it was established, it had 51 member nations, all of which had been well-established nations, with a long history of self-government. In recent years, it has been expanded to where there are now at least 123 nations——

Mr. SPARKMAN. One hundred and twenty-six.

Mr. BYRD of Virginia. It goes up so fast you cannot keep track of it. I am informed by the chairman there are now 126 nations. I think it has gotten out of hand in that direction.

Then we come down to the money part of it.

The United States has consistently been called upon to put up more and more, and the amount the U.S. taxpayers have been called upon to put up is out of proportion, I think, to the benefits we receive from it; and it is unjustified from the point of view of other members not contributing their just share.

I think this is another example. The American taxpayers are being called upon to put a disproportionate amount into a new building. This is not the time to put $34 million of tax funds into a new building for the United Nations. Let us put our own financial house in order first.

So, Mr. President, I shall vote in the negative when this matter comes to a vote.

The PRESIDING OFFICER. Who yields time?

Mr. BROOKE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. BROOKE. I yield 2 minutes to the distinguished Senator from Louisiana.

Mr. ELLENDER. Mr. President, I merely want to point out again that we have a law on the books whereby the U.S. Government is to put up not more than 33⅓ percent to the United Nations. That may be for the administrative part. But, as the Senator from Virginia has pointed out and as I have pointed out before, we are putting up a good deal of the United Nations development program. I would like to know how much of the program on that front we put up.

Mr. SPARKMAN. Forty percent.

Mr. ELLENDER So that, of the $15 million, we put up $6 million of that, and then, with the $25 million that is contributed by the United Nations, we are putting up 31.57 percent of that, which amounts to another almost $8 million. Eight and six are 14. Then of UNICEF, we put up how much?

Mr. SPARKMAN. I do not have that figure, but I am of the opinion it is 30-some-odd percent.

Mr. ELLENDER. Thirty-some-odd percent of how much?

Mr. SPARKMAN. Of the UNICEF budget.

Mr. COOPER. Mr. President, will the Senator yield there?

Mr. ELLENDER. So, altogether, we are putting up almost $40 million out of $60 million?

Mr. COOPER. Will the Senator yield?

Mr. ELLENDER. So we are actually voting, today, in violation of a statute we passed here about 10 years ago.

Mr. COOPER. Will the Senator yield? I know the Senator did it inadvertently, but he used $15 million twice.

Mr. ELLENDER. No.

Mr. COOPER. Yes; the $15 million will be provided by two agencies. One is the United Nations Development program, and the other the United Nations Children's Fund. Forty percent of that is $6 million. The Senator has used that once. I just wanted to correct that.

What the Senator has said is correct as to the $20 million grant, about $8 million from the U.N. fund, and about 40 percent of the $15 million.

Mr. ELLENDER. But we have contributed a good deal more than we agreed to by statute.

The PRESIDING OFFICER. Each side has 1 minute remaining.

Mr. BROOKE. Mr. President, I yield the remainder of my time to the floor manager.

Mr. SPARKMAN. Mr. President, I think it is essential that we keep separate the contribution to the regular operations of the United Nations, where we now contribute 31.57 percent. The Senator from Virginia said we have contributed more and more and more, but I would remind him that we started off by contributing about 45 percent, and we have gotten it down from year to year, until now we have it fixed at 31.57 percent.

The pending resolution deals with the expansion of the U.N. headquarters, not with its operations. Whether we like the operations of the United Nations or not—I have been disappointed in the United Nations, too—I think our job is to try to make it work. It is located in the United States, in the city of New York; it is of some benefit to us from a financial standpoint; and I believe, even though we disagree with some of its policies, we do have an obligation to pay a larger share toward the proposed expansion project than some other nations in the world.

Mr. President, I think this is a reasonable contribution under the circumstances. I believe it is absolutely urgent that we build new facilities for the United Nations, an organization that we set up in good faith, hope, and confidence, and I think it is up to us to work hard to try to make it function.

The PRESIDING OFFICER. All time has expired. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 173) was ordered to be engrossed for third reading, and was read the third time.

Mr. ELLENDER subsequently said: Mr. President, awhile ago, when this subject was presented on limited time, I was handed a table containing some data that I should like to ask unanimous consent be printed in the RECORD in connection with questions I asked awhile ago, so that it will appear before the vote.

I wish to say to my good friends in the Senate that the United Nations headquarters was constructed 20 years ago from funds we, the United Sttaes, loaned to the organization to the tune of $65 million, with no interest.

The amount paid to date of the $65 million is $40 million. $25 million still remain to be paid.

As I said awhile ago, the land was furnished by the Rockefeller Foundation and the funds were obtained from the U.S. Government, for an indefinite period, apparently, with no interest. So that the United States is responsible for having constructed the whole building.

Mr. President, I have always stood by the United Nations. It seems to me that all nations should contribute on a fair basis and Uncle Sam should not be carrying most of the whole load.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Debts owed to the United States by the United Nations, as of Jan. 15, 1970

U.N. headquarters loan (32 payments):	
Total loan	$65,000,000.00
Less 19 repayments made	40,000,000.00
Remainder 13 repayments	25,000,000.00
U.N. bonds (25 years) principal only:	
Total purchased	76,263,276.00
Less 8 repayments	19,813,604.65
Remainder (in addition $9,402,366.93 received in interest)	56,449,671.35
Amounts (estimated) owed Department of Defense for supplies and services (as of Dec. 31, 1969):	
For UNEF	0
For UNOC [1]	4,475,149.00
Total	4,475,149.00
Grand total, debts owed	85,924,820.35

[1] Bills paid by the U.N. through Dec. 31, 1969, amounted to $45,239,453 for UNOC.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BIBLE (when his name was called). On this vote I have a live pair with the senior Senator from Missouri (Mr. SYMINGTON). If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from California (Mr. CRANSTON). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

Mr. KENNEDY. I announce that the Senator from Nevada (Mr. CANNON), the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Washington (Mr. JACKSON), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), the Senator from Rhode Island (Mr. PASTORE), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL) and the Senator from North Carolina (Mr. JORDAN) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from Washington (Mr. JACKSON), and the Senator from Rhode Island (Mr. PASTORE) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from New Hampshire (Mr. COTTON), the Senator from Nebraska (Mr. CURTIS), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. SMITH), the Senator from South Carolina (Mr. THURMOND), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) and the Senator from Maine (Mrs. SMITH) are absent because of illness.

The Senator from Kansas (Mr. PEARSON) is detained on official business.

If present and voting, the Senator from Florida (Mr. GURNEY), the Senator from South Dakota (Mr. MUNDT), the Senator from Maine (Mrs. SMITH), and the Senator from Texas (Mr. TOWER) would each vote "nay."

On this vote, the Senator from New York (Mr. GOODELL) is paired with the Senator from Utah (Mr. BENNETT). If present and voting, the Senator from New York would vote "yea" and the Senator from Utah would vote "nay."

On this vote, the Senator from Kansas (Mr. PEARSON) is paired with the Senator from Nebraska (Mr. CURTIS). If present and voting, the Senator from Kansas would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Illinois (Mr. SMITH) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Illinois would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 39, nays 21, as follows:

[No. 238 Leg.]

YEAS—39

Aiken
Anderson
Bayh
Brooke
Burdick
Case
Church
Cooper
Eagleton
Fong
Fulbright
Harris
Hart
Hatfield
Holland
Hughes
Inouye
Javits
Kennedy
Mathias
McGovern
McIntyre
Metcalf
Mondale
Muskie
Nelson
Packwood
Pell
Percy
Proxmire
Randolph
Ribicoff
Schweiker
Scott
Sparkman
Spong
Williams, N.J.
Yarborough
Young, Ohio

NAYS—21

Allen
Allott
Boggs
Byrd, Va.
Byrd, W. Va.
Dole
Dominick
Ellender
Ervin
Hansen
Jordan, Idaho
Long
McClellan
Miller
Montoya
Prouty
Saxbe
Stennis
Talmadge
Williams, Del.
Young, N. Dak.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Bible, for.
Mansfield, against.

NOT VOTING—38

Baker
Bellmon
Bennett
Cannon
Cook
Cotton
Cranston
Curtis
Dodd
Eastland
Fannin
Goldwater
Goodell
Gore
Gravel
Griffin
Gurney
Hartke
Hollings
Hruska
Jackson
Jordan, N.C.
Magnuson
McCarthy
McGee
Moss
Mundt
Murphy
Pastore
Pearson
Russell
Smith, Maine
Smith, Ill.
Stevens
Symington
Thurmond
Tower
Tydings

So the joint resolution (S.J. Res. 173), was passed, as follows:

S.J. RES. 173

Whereas the Congress authorized the United States to join with other governments in the founding of the United Nations;

Whereas the Congress unanimously, in H. Con. Res. 75 (79th Congress), invited the United Nations to establish its headquarters in the United States, which invitation was accepted by the United Nations;

Whereas the United States has continued to serve as host to the United Nations;

Whereas the membership of the United Nations has increased substantially and the organization has outgrown its existing facilities;

Whereas the General Assembly of the United Nations in December 1969 authorized the construction, subject to suitable financing arrangements, of an additional headquarters building south of and adjacent to the present headquarters site on land to be made available without charge by the city of New York;

Whereas the total financial burden of expanding its headquarters in New York would severely strain the resources of the United Nations;

Whereas a special contribution by the United States as the host government would constitute a positive act of reaffirmation of faith of the American people in the future of the United Nations: Be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Secretary of State out of any money in the Treasury not otherwise appropriated, a sum not to exceed $20,000,000, to remain available until expended, for a grant to be made at the discretion of the Secretary of State, to the United Nations to defray a portion of the cost of the expansion and improvement of its headquarters in the city of New York on such terms and conditions as the Secretary of State may determine. Such grant shall not be considered a contribution to the United Nations for purpose of any other applicable law limiting contributions.

The preamble was agreed to.

Mr. SPARKMAN. Mr. President, I move that the vote by which the joint resolution was agreed to be reconsidered.

Mr. JAVITS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President. I wish to commend the distinguished Senator from Alabama (Mr. SPARKMAN) for his management of this bill today. When it comes to fulfilling one's responsibility and duty, Senator SPARKMAN never shies away. It is not a pleasant task to be called upon to manage a bill that is open to so much criticism—criticism not necessarily directed against the merits of the bill itself but matters somewhat extraneous. It is the measure of a man that he can be relied upon—it is a mark of Senator SPARKMAN that success always flows from his leadership.

The Senate leadership again is greatly indebted to Senator SPARKMAN—he always has had our great respect, devotion, and appreciation.

PROGRAM

Mr. ALLOTT. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am delighted to yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I should like to propound an inquiry to the distinguished majority leader, while there are still many Senators in the Chamber, as to what the program will be for the remainder of today, and next week.

Mr. MANSFIELD. I am delighted to respond to the request of the distinguished acting minority leader, the Senator from Colorado (Mr. ALLOTT), by stating that there will be no further votes today. We do hope to get to consider some unobjected to, noncontroversial items on the calendar, which have been cleared on both sides of the aisle.

It is our intention to lay before the Senate Calendar No. 1013, H.R. 16915, the legislative appropriation bill, and make it the pending business for next Monday.

Following that, it is the intention of the joint leadership to take up S. 26 and S. 27, the two Utah recreation area bills; and on Tuesday or Wednesday, to take up Calendar No. 926, S. 1830, an act to provide for the settlement of certain land claims of Alaska natives, and for other purposes. That bill will probably take 1 day—maybe more, I would imagine.

Around Thursday, approximately, we will take up the conference report on the District of Columbia crime bill which, I understand, will take a little time.

That is the best I can give the Senator at the moment.

Mr. ALLOTT. I thank the Senator from Montana very much.

Mr. STENNIS. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield.

Mr. STENNIS. Relative to the program the Senator just recounted, the Senator knows that we have a matter regarding land for a school that we may reach agreement on, and if we do, I think it will take up just a very few minutes on agreed time next week. That would not preclude such a step as that, would it?

Mr. MANSFIELD. Of course not. I was just giving the sure things I knew about and on which I would hope agreement could be reached; so that we shall be able to take that up, too, I assure the Senator.

XUM

THE MINOT EXTENSION OF THE GARRISON DIVERSION UNIT OF THE MISSOURI RIVER BASIN, N. DAK.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 1009, S. 2808.

The PRESIDING OFFICER (Mr. SPONG). The bill will be stated by title.

The LEGISLATIVE CLERK. S. 2808, to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 4, line 6, after the word "of", where it appears the second time, strike out "$12,150,000" and insert "$12,900,000"; and, at the beginning of line 11, insert "There are also authorized to be appropriated such additional sums as may be required for the operation and maintenance of the extension."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the Minot extension of the Garrison diversion unit in North Dakota under the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof and supplementary thereto) for the principal purposes of conveying, regulating, and furnishing water made available through facilities of the Garrison diversion unit for use by the city of Minot and other communities for municipal and industrial purposes; conserving and developing fish and wildlife resources; and enhancing outdoor recreation opportunities.

SEC. 2. The Secretary is authorized to construct appropriate portions of the Minot extension to assist in the interim delivery of water from ground water sources prior to the availability of water through the facilities of the Garrison diversion unit.

SEC. 3. (a) Costs of the project, or any unit or stage thereof, allocated to municipal water supply, shall be repayable, with interest, by the municipal water users over a period of not more than fifty years from the date that water is first delivered for that purpose, pursuant to contracts with municipal corporations or other organizations, as defined in subsection 2(g) of the Reclamation Project Act of 1939 (53 Stat. 1187). Such contracts shall be precedent to the commencement of construction of the project. Contracts may be entered into with water users' organizations pursuant to the provisions of this Act without regard to the last sentence of subsecion 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1187).

(b) Expenditures for the Minot extension may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (67 Stat. 266).

(c) The interest rate used for computing interest during construction and interest on the unpaid balance of the reimbursable costs of the Minot extension shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction on the extension is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue.

(d) The Secretary is authorized to transfer to a qualified contracting entity or entities the care, operation, and maintenance of the project works, and, if such transfer is made, to credit annually against the contractor's repayment obligation that portion of the year's joint operation and maintenance costs which, if the United States had continued to operate the project, would have been allocated to fish and wildlife and recreation purposes. Prior to assuming care, operation, and maintenance of the project works the contracting entity or entities shall be obligated to operate them in accordance with criteria established by the Secretary of the Interior with respect to fish and wildlife and recreation.

SEC. 4. The conservation and development of fish and wildlife resources and the enhancement of recreation opportunities in connection with the Minot extension shall be in accordance with the provisions of the Federal Water Projects Recreation Act (79 Stat. 213).

SEC. 5. There is authorized to be appropriated for the construction of the Minot extension the sum of $12,900,000 (January 1969 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. There are also authorized to be appropriated such additional sums as may be required for the operation and maintenance of the extension.

Mr. BURDICK. Mr. President, we have supported the development of the Garrison diversion unit of the Missouri River Basin project for many years. When we achieved the reauthorization of the unit in 1965, one of the provisions of the authorized plan was for the diversion of Missouri River Basin water through the unit's facilities, for municipal and industrial use in the project area.

The city of Minot was interested at that time in the possibility of securing a dependable water supply from the unit, and the city actively supported the authorization. Studies of the various alternatives were not yet complete, however, and the facilities for the delivery of water to the city could not be included in the authorization.

The city of Minot now has had the benefit of a number of studies, and it is clear that the only dependable source of a long-term water supply is the Missouri River. The bill we consider today is based on comprehensive Bureau of Reclamation studies of the Minot extension of the Garrison unit. The project will provide the pumping and conveyance works necessary to deliver the water to the city. The Bureau has found the plan to have engineering, economic, and financial feasibility. The Water and Power Resources Subcommittee of the Senate Interior Committee gave its approval after a very complete June 30, 1970, hearing. Full committee action came just a week later.

The city of Minot is located in a rural area of one of the most agriculturally oriented States in the Nation. This large agricultural area depends on Minot as its business, transportation, trade and commercial center. In other words, the welfare of Minot is vital to the well-being and economic stability of many smaller communities and rural residents of north-central North Dakota.

Minot is also the trade center and economic foundation for the Minot Air Force Base, a vital part of the defense facilities of our Nation with 19,000 servicemen and dependents, the air base is the home of the Strategic Air Command's 810th Strategic Aerospace Division with operational responsibility for intercontinental bombers and a Minuteman missile complex. As the largest water customer of Minot, the Air Force base must rely on the city for water and for the operation of water supply facilities.

The city presently obtains its water from the Souris River and from wells. The Souris River is overappropriated. The present supply is not dependable and no opportunity exists for further development. Ground water supplies also are limited and require expensive chemical treatment. The aquifer is being overdrawn and has declined more than 20 feet in 4 years at some points. The city has had to resort to water rationing to avoid emergency situations in chronic periods of shortage.

Nearly one-half of the 250,000 acres to be irrigated in the authorized initial stage of the Garrison diversion unit are located within the trade area of Minot. If these lands are to realize their full potential for economic improvement, Minot must be able to expand with the new irrigation development to provide a wide range of crop and livestock marketing facilities and processing services. Minot, however, is not growing as rapidly as other major cities in North Dakota. One of the principal causes is the lack of an assured, ample, and long-range supply of good quality water for municipal and industrial purposes. Minot and the surrounding area also undergo severe employment fluctuations. It has the highest rate of unemployment and frequently has the highest unemployment claims payments in the State. An assured water supply for municipal and industrial uses would be vital in encouraging industry which in turn would stabilize the employment market.

The two-phase plan that has been formulated to meet Minot's water needs is particularly well suited to the situation. The immediate need is critical. Fortunately, a ground water aquifer has been located near the city which can be tapped under the first part of a two-phase plan at a cost of a little over $2 million. The first phase development will solve the immediate problem until a long-term water supply can be provided through facilities of the Garrison diversion unit.

A portion of the conveyance system of the first phase will remain in service as part of the second phase development, and the well field will serve as a permanent standby water source for emergency use.

The cost of the total plan is $17.4 million—including $4.5 million assigned costs from Garrison diversion unit. Part of the cost is assigned to recreation and fish and wildlife values, but 88 percent of the total cost of the extension will be repaid with interest by the Minot water users. The benefits of the plan exceed the costs by a ratio of 1.9 to 1.

I wish to reemphasize the urgent need for this legislation and to commend the well-thought-out plan which has been formulated with the help of State and city officials. I strongly urge the favorable consideration of the Minot extension legislation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The **PRESIDING OFFICER** (Mr. SPONG). Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendments to be proposed, the question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BURDICK. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1005), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE MEASURE

The purpose of S. 2808, introduced by Senators Burdick and Young of North Dakota, is to authorize construction, operation, and maintenance of the Minot extension of the Garrison diversion unit, Missouri River Basin project. The Minot extension would facilitate the city of Minot in north-central North Dakota in obtaining an interim supply of municipal and industrial water to supplement its existing sources and ultimately would deliver a full water supply to the city from the works of the authorized Garrison diversion unit. The extension would also provide public recreation and fish and wildlife conservation benefits.

BACKGROUND

The Garrison diversion unit of the Missouri River Basin project was authorized in 1965 (79 Stat. 433). Construction of the unit is presently underway. The authorized plan of development for the unit provides capacity in the facilities to divert 22,953 acre-feet of water annually from the Missouri River for municipal and industrial use by the city of Minot.

The Secretary of the Interior's report on the Minot extension was transmitted to the Congress on June 5, 1970.

The Subcommittee on Water and Power Resources held a hearing on June 30, 1970. The Department of the Interior recommended that the bill be enacted with amendments. The recommended amendments were adopted by the committeee. The Bureau of the Budget expressed no objection to enactment if amended.

FINANCIAL AND ECONOMIC ANALYSIS

The total construction cost of the Minot extension is estimated to be $12,910,000 (January 1969 process), of which $2,080,000 would be required to construct the first phase. The Federal investment, which also includes assigned costs of $4,503,000 from the Garrison unit, is allocated to the project purposes as follows:

[Dollars in thousands]

Purpose	1st phase	Total	Percent
M and I water	$2,080	$14,779	85
Recreation fish and wildlife		2,634	15
Total	2,080	17,413	100

The annual operation and maintenance cost is estimated to be $159,600.

The total cost allocated to municipal and industrial water supply will be repaid by the city of Minot with interest within 50 years of the completion of each phase of construction. Costs allocated to public recreation and fish and wildlife conservation will be shared according to the provisions of the Federal Water Project Recreation Act (79 Stat. 213). In total, over 88 percent of the costs of the project ($15,367,500) will be returned to the Federal Government with interest. The remainder ($2,045,500) are the portions of public recreation and fish and wildlife conservation costs which are nonreimbursable under existing law.

The ratio of total benefits to total costs over a 100-year period of analysis using a discount rate of 4⅞ percent is 1.93 to 1.

NEED FOR THE PROJECT

The city of Minot is located in a rural area of one of the most agriculturally oriented States in the Nation. This large agricultural area depends on Minot as its business, transportation, trade, and commercial center. In other words, the welfare of Minot is vital to the well-being and economic stability of many smaller communities and rural residents of north-central North Dakota.

Minot is also the trade center and economic foundation for the Minot Air Force Base, a vital part of the defense facilities of our Nation with 19,000 servicemen and dependents, the air base is the home of the Strategic Air Command's 810th Strategic Aerospace Division with operational responsibility for intercontinental bombers and a Minuteman missile complex. As the largest water customer of Minot, the Air Force base must rely on the city for water and for the operation of water supply facilities.

The city presently obtains its water from the Souris River and from wells. The Souris River is overappropriated. The present supply is not dependable and no opportunity exists for further development. Ground water supplies also are limited and require expensive chemical treatment. The aquifer is being overdrawn and has declined more than 20 feet in 4 years at some points. The city has had to resort to water rationing to avoid emergency situations in chronic periods of shortage.

Water supply and demand studies indicate that the Minot aquifer and Souris River streamflow—the city's existing sources of supply together with the Sundre aquifer—cannot be relied upon to meet Minot's continuing water requirements. City growth and increased consumption are expected to result in peak and yearly demands in excess of the supply available from these sources by the late 1970's. It is estimated that about 6 years after completion of the first phase ground water conveyance system, water would be needed from the second phase system.

Hydrologic studies indicate that the facilities proposed for the Minot extension in conjunction with those authorized for construction of the Garrison unit could supply the projected municipal and industrial needs of the city of Minot through the year 2020 without shortages.

COMMITTEE AMENDMENT

The committee adopted two amendments which were recommended by the Department of the Interior. Amendment 1 increases the authorized appropriation for construction of the project from $12,150,000 to $12,900,000. The increase is necessary to accommodate changes in the plan which were made since S. 2808 was introduced.

Amendment 2 adds a specific reference to the authorization of appropriations for operation and maintenance of the Minot extension.

STATEMENT ON ENVIRONMENTAL IMPACT

The following statement on environmental impact is submitted in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969.

The relationship of the proposed Minot extension to the quality of the human environment was examined as required by section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91–190). The investigation and formulation of the plan for this proposed water resource development was completed prior to the enactment of the act. However, before recommending authorization of the proposal to the President and the Congress, copies of the Secretary's proposed report on the extension were transmitted on September 22, 1969, to the State of North Dakota and other States of the Missouri River Basin, to the Secretary of the Army, and to the interested Federal agencies for review as required by the Flood Control Act of 1944 (58 Stat. 887), the Fish and Wildlife Coordination Act (48 Stat. 401 as amended), and procedures approved by the President on May 15, 1962 (S. Doc. 97, 87th Cong.). No adverse comments relating to the impact of the proposed development on the environment were received.

These coordination procedures are similar to those set forth in Public Law 91–190 for improvement and coordination of Federal plans. In addition, the procedures for formulating and evaluating Federal water resource projects result in multiple objective considerations which relate to the environment. A statement on impact of the Minot extension on the quality of the human environment reflecting the views and recommendations of those Federal and State agencies which participated directly in formulating the recommended plan of development or indirectly through the review process is presented in the Secretary's feasibility report. Our findings in that respect may be stated as follows:

(1) *Impact on environment.*—The proposed development would significantly enhance the well-being of people. The principal environmental impact would result from furnishing a supplemental supply from ground water to meet the immediate needs and a dependable supply of good quality imported Missouri River water for the long-range municipal and industrial requirements of the city of Minot, including the Minot Air Force Base. The second phase development would provide new opportunities for water-oriented outdoor recreation and create a reservoir fishery on Livingston Creek which is an ephemeral stream. Both the water supply and establishment of new recreation and fish and wildlife resources would contribute to the economic viability of the area.

(2) *Adverse environmental effects.*—The principal facilities to be constructed include Livingston Dam and Reservoir, three small pumping plants and a total of 178 miles of concrete pipelines for water conveyance. The reservoir would inundate some 1,200 acres of predominantly rangeland. No persons would be dislocated. The minor adverse effects, if any, of creating the reservoir would be more than offset by creation of a significant water-oriented outdoor recreation and fishery resource. The pipelines would be placed underground. Except for temporary dislocations during construction, there would be no known adverse impact on the human environment from the construction or operation of these facilities.

(3) *Alternatives to proposed action.*—One possible alternative, no development at all, would have extensive adverse impact on the Minot community in terms of deficient water supply. Any other alternative would involve construction of similar but larger facilities. For instance, a pipeline might be built directly to the Missouri River. Therefore, any possible adverse effects would be magnified by such other alternatives.

(4) *Relationship of short-term uses versus long-term needs.*—The objective of the proposed development is to provide both a satisfactory short- and long-term water supply to the city of Minot, thus a common relationship exists between the short-term uses of the environment and the need to maintain and enhance its long-term productivity to satisfy human needs.

(5) *Irreversible commitment of resources.*—Commitment of the water resources for domestic purposes constitutes its highest use and is irreversible except to the extent that it may no longer be needed, may be provided by more economic or desirable alternatives, or may be required to meet critical human needs.

Mr. MANSFIELD. Mr. President, I move that the vote by which S. 2808 passed the Senate be reconsidered.

Mr. BURDICK. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF TITLE II OF THE MARINE RESOURCES AND DEVELOPMENT ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 11766, and that the Senate proceed to its consideration.

The PRESIDING OFFICER (Mr. DOLE). Without objection, it is ordered, and the bill will be stated by title.

The bill clerk read as follows: A bill (H.R. 11766) to amend title II of the Marine Resources and Engineering Development Act of 1966.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all after the enacting clause in H.R. 11766 be stricken, and that the language of S. 2293 as reported be substituted therefor.

The PRESIDING OFFICER. Is there objection to the reqeust of the Senator from Montana? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 11766) was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 2293 be indefinitely postponed.

The PRESIDING OFFICER (Mr. DOLE). Without objection, S. 2293 is indefinitely postponed.

THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1012, S. 3617.

The PRESIDING OFFICER (Mr. DOLE). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3617) to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 3 of the Marine Resources and Engineering Development Act of 1966 (33 U.S.C. 1102(f)) is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1971".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-1008), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

Authority for the National Council on Marine resources and Engineering Development expired on June 30, 1970. The purpose of S. 3617 is to extend the life of the Council for 1 year, to June 30, 1971.

BACKGROUND OF THE LEGISLATION

The National Council on Marine Resources and Engineering Development was created in 1966 in response to a need for greater coordination of Federal civil marine programs. At the same time, the Marine Resources and Engineering Development Act of 1966 created a Commission of Marine Science, Engineering, and Resources to recommend to the President and the Congress "an overall plan for an adequate national oceanographic program." The Commission completed its 2-year study and submitted its report, "Our Nation and the Sea," on January 11, 1969.

As originally enacted, the National Council on Marine Resources and Engineering Development was to have been terminated by law 120 days after submission of the Marine Science Commission's report. However, the Council's life was extended to June 30, 1969, by Public Law 90-242, and to June 30, 1970, by Public Law 91-15.

The President is expected to submit a reorganization plan affecting Federal civil marine activities in the near future. If approved by the Congress, a proposed National Oceanic and Atmospheric administration (NOAA), housed in the Department of Commerce, would come into being sometime in September 1970. The new NOAA would not house all of the Federal civil marine activities, and a need would exist for continued coordination of Federal civil oceanic programs.

Continuation of the Council has been recommended and requested by the administration.

FLYING THE AMERICAN FLAG OVER THE REMAINS OF THE U.S.S. "UTAH"

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1014, S. 583.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 583) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Armed Services with that amendment on page 2, after line 3, strike out:

SEC. 2. There is authorized to be appropriated the sum of $88,000 for construction of the memorial flagpole, and $8,500 to cover the cost of personnel, boating, and maintenance.

And, in lieu thereof, insert:

SEC. 2. There is hereby authorized to be appropriated to the Secretary of the Navy such sums as may be necessary for the cost of erection, maintenance, and operation of said flagpole.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized and directed to take such action as may be necessary to provide for (1) the erection and maintenance of a flagpole on the remains of the battleship United States ship Utah, (2) the flying of the American flag over the remains of such battleship, and (3) the raising and lowering of such flag each day, such action having been authorized in honor of the heroic men who were entombed in her hull on December 7, 1941.

SEC. 2. There is hereby authorized to be appropriated to the Secretary of the Navy such sums as may be necessary for the cost of erection, maintenance, and operation of said flagpole.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment.

The amendment was agreed to.

The **PRESIDING OFFICER.** The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed by third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1010), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 583 is, as stated in the title, to authorize the Secretary of the Navy to take such action as is necessary to provide for (1) the erection of a flagpole on the remains of the battleship, U.S.S. *Utah*; (2) the flying of the American flag over the remains of such battleship; and (3) the raising and lowering of such flag each day—such action being authorized in honor of the heroic men who were entombed in her hull on December 7, 1941.

EXPLANATION OF THE BILL

This measure, if enacted into law, will authorize the Secretary of the Navy to provide for the erection and maintenance of a memorial to honor the 54 officers and men who lost their lives during the Japanese attack on Pearl Harbor and lie entombed in the U.S.S. *Utah*. This measure will also provide the Secretary of the Navy the authority to maintain the memorial and to raise and lower the American flag daily. Although memorials have been erected at Pearl Harbor honoring and commemorating the members of the Armed Forces of the United States who gave their lives during the Japanese attack, the U.S.S. *Utah*, which is partially submerged a short distance off the shore of Ford Island, is in no way identified or memorialized.

The bill, if enacted, would provide the requisite authority to specifically recognize and commemorate those officers and men who gave their lives aboard the U.S.S. *Utah* and whose remains were never recovered. The memorial would serve also to honor our flag and express the Nation's gratitude to the honored dead who remain entombed in the ship's hull.

AMENDMENT

Section 2 of the bill is amended to read as follows:

"There is hereby authorized to be appropriated to the Secretary of the Navy such sums as may be necessary for the cost of erection, maintenance and operation of said flagpole.

FISCAL DATA

As introduced, the bill would require the appropriation of approximately $96,000 for construction of the project and annual operating costs approximating $8,500. The committee's amendment would provide both general and continuing funding authorization.

EVERGLADES NATIONAL PARK, FLA.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1015, S. 2565.

The **PRESIDING OFFICER** (Mr. DOLE). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2565), to amend the act affixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 9, after the word "thereof", strike out " '$12,000,000'." and insert "$22,000,000'."; and after line 10, insert a new section, as follows:

SEC. 2. The second sentence of section 2 of the said Act of July 2, 1958, is amended by inserting a period after the word "otherwise" and deleting the remainder of the sentence.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to fix the boundary of Everglades National Park, Florida, to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes", approved July 7, 1958 (72 Stat. 280), is amended by striking out "$2,000,000" and inserting in lieu thereof "$22,000,000".

SEC. 2. The second sentence of section 2 of the said Act of July 2, 1958, is amended by inserting a period after the word "otherwise" and deleting the remainder of the sentence.

Mr. MANSFIELD. Mr. President, I consider it a special privilege to yield at this time to the distinguished senior Senator from Florida who has performed so long, so ably, and with such great integrity in bringing this legislation to consummation.

Mr. HOLLAND. Mr. President, I thank the Senator for yielding.

Before discussing the bill—and I still hope he may come in—I want to pay the greatest credit I could possibly pay to anyone to the distinguished Senator from Nevada (Mr. BIBLE) who, as chairman of the subcommittee, hurried up the hearings and the consideration of this bill, and to the Senator from Washington (Mr. JACKSON) who, as chairman of the full committee cooperated in helping to bring it to the floor.

This bill does not conclude the actual acquisition of all privately owned land within the Everglades National Park, because various appropriations will be required before that can be done. However, it does finally authorize that acquisition. And in that respect it brings to the end a task which I began to undertake as a member of the State Senate of Florida a good number of years ago, later as Governor, and which I followed through here for 24 years in the Senate.

Mr. President, I am indeed grateful to all those who have participated in making possible this early passage in the Senate of a bill which will provide for the procurement of all remaining inholdings, all remaining private holdings, within the area of the Everglades National Park as heretofore fixed by an act of Congress.

I am grateful to the distinguished majority leader and to the leadership on the other side for agreeing to the early consideration and passage of the bill.

The **PRESIDING OFFICER.** The question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

The **PRESIDING OFFICER.** The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report—No. 91–1011—explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM REPORT No. 91–1011

S. 2565 provides for acquisition by the National Park Service of the remaining inholdings within the Everglades National Park boundaries consisting of some 58,400 acres of privately owned lands. It would accomplish this purpose by removing certain restrictions against such acquisition, and increases the authorization for land purchases to $22 million.

BACKGROUND

Everglades National Park was established by the act of May 30, 1934 (48 Stat. 816), to consist of lands donated for the purpose. About 1,300,000 acres were donated—largely by the State of Florida—or acquired with donated funds. In 1958 the Congress enacted Public Law 85–482 to establish a firm boundary for the park containing 1,400,533 acres. There remain 58,398 acres of private inholdings to be acquired. The greater part of these lands are largely unimproved and are either used for marginal farming or are lying fallow.

However, they could be developed for homesites and intensive farming. Either use would be a danger to the fragile ecology of this park. Accordingly, funds and authority are necessary to acquire now these remaining private lands before development occurs. There is a total of 21 residential improvements, 10 of which are seasonal cottages, on these tracts. Taxes on all the privately held lands—improved and unimproved—to be acquired totaled $75,793 in 1968.

In Monroe County, private lands are in relatively large blocks which have been subdivided into an estimated 3,000 ownerships in an area of interconnected waterways. They

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include important shoreline, mangrove, estuary, and headwater areas. More than half of the boaters and fishermen using waters visit this area, which is, in fact, wilderness in character. The mangrove wilderness is a rapidly diminishing resource. Increasing demand for water-oriented recreation opportunities and for waterfront living space has all but eliminated this environment through dredge and fill operations elsewhere for commercial and residential development. Large blocks of land within this area of the park are being subdivided and the market is active.

The committee finds that this natural area must be acquired if its character is to be preserved.

In Dade County, in the eastern area of the park, the private lands consist of blocks of land suitable for agricultural use. This area, in 52 separate ownerships, is one of the most important parts of the park in terms of its effect on the ecology and consequences felt by the bird and animal life in the park. Fresh water drains from the north through the glades and sloughs here and empties into central Florida Bay. The application of biocides and fertilizers on the farmed portion of these lands is already radically altering the animal and plant life in Taylor Slough, where heaviest park visitation occurs, and in Florida Bay. This fact is best illustrated by recent studies showing that bald eagle eggs exhibit a positive correlation between high pesticide concentrations and nesting failures with their proximity to the Taylor Slough drainage. These lands must be acquired to assure protection of the park ecosystem.

AMENDMENTS

The committee adopted the following recommended amendments:

On line 9, change the figure "$12,000,000" to $22,000,000.

The 1958 act authorized $2 million for acquisition of inholdings. As a result of skyrocketing escalation, the cost of acquiring the remaining acreage essential to the park is $20 million. Therefore, the committee amendment increases the authorization by that amount to $22 million.

Add the following new section:

SEC. 2. The second sentence of section 2 of the said Act of July 2, 1958, is amended by inserting a period after the word "otherwise" and deleting the remainder of the sentence.

This change will remove restrictions written into the 1958 act against acquisition of certain key areas except by consent.

NEED

The value of these unique, exotic lands to the American people is hard to describe, because the tropical wilderness of the northwest Everglades cannot be compared to anything else in our country, or in the world. The mangrove jungles are so rich and productive that they support a multimillion-dollar sport and commercial fishery. Fresh water flowing through the Big Cypress and blending with the nutrient-rich brackish waters of the mangrove shoreline forms a kind of biological soup, that supports larval forms of fish and shrimp that are harvested miles away.

Visitation to Everglades National Park in 1969 was 1,187,000. The park contains unique plant and animal communities found nowhere else. It is the habitat of the alligator, wood ibis, bald eagle, and crocodile—all endangered species. To assure continued preservation of the plants and animals within the park all the remaining private lands must be acquired.

Mr. MANSFIELD. Mr. President, no Senator deserves more credit than does the distinguished senior Senator from Florida for his accomplishments not only in this matter but also in a number of matters down through the years affecting the State and the Nation.

LEGISLATIVE BRANCH APPROPRIATIONS, 1971

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1013, H.R. 16915. I do this so that it will be the pending business on Monday.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of the bill.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar beginning with New Reports.

The PRESIDING OFFICER (Mr. DOLE). Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

DEPARTMENT OF DEFENSE

The bill clerk read the nomination of Louis M. Rousselot, of New Jersey, to be an Assistant Secretary of Defense.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The bill clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE AIR FORCE AND IN THE ARMY

The bill clerk proceeded to read sundry nominations in the Air Force and in the Army which were on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the disposition of the reading of the Journal the distinguished Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that following the remarks of the Senator from Ohio on Monday, the distinguished Senator from Wisconsin (Mr. PROXMIRE) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the remarks of the Senator from Wisconsin (Mr. PROXMIRE) on Monday, there be a brief period for the transaction of routine morning business, with a time limitation of 3 minutes attached thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EFFECT OF SECTION 203 OF THE MILITARY AUTHORIZATION FOR FISCAL YEAR 1970, PUBLIC LAW 91-121

Mr. MANSFIELD. Mr. President, on Wednesday, Dr. Lee DuBridge, Director of the Office of Science and Technology, made a statement concerning the effect of section 203 of the military authorization for fiscal year 1970, Public Law 91-121. He stated that this congressionally initiated law has caused the defense agencies to cut some of the most productive and most valuable research projects to the country and continue to fund some other less productive, less valuable research projects.

This is a shocking statement. If there are research projects that are of such high quality, but even Defense agrees that they have no relation to defense matters, the National Science Foundation will assuredly sponsor that type of research if given the chance. Section 203 left the DOD the discretion to determine the criteria for screening the nonrelevant research as well as to eliminate the nonproductive research. If nonproductive research remains, then it should be eliminated. If such does not occur, then I have grave doubts about the quality of administration of research in the Defense Department.

From the start, section 203 has had two related purposes: First, to reduce the undue dependency of American science upon military appropriations, and, second, to sustain Federal support of well-qualified research projects affected by section 203 that should be continued in the national interest. To carry through on the thrust of section 203 requires interagency coordination—primarily by the Bureau of the Budget and Dr. DuBridge's Office of Science and Technology. The transfer of resources has begun. The NSF is receiving funding this year of almost $85 million more than last year. But if Dr. DuBridge would concentrate more on the responsibility of assuring the transfer to NSF of the high quality research previously sponsored by Defense—but which DOD on its own volition has admitted has no relation to the DOD—than on rigid opposition to the congressional policy of moving these resources to NSF from DOD, then most of the difficulties he mentions would be eliminated. I hope he realizes that Congress makes the laws, not to be subverted, but to be enforced.

To gage the effects of section 203, I asked the Comptroller General to review how the Defense Department responded. His investigators reported that the military services had reviewed about 6,600 research projects. Of these, in turn, 220 involved fiscal year 1970 funds totaling $8.8 million. This is about 4 percent of the $223 million that DOD obligated during fiscal year 1970 for support of research at colleges and universities, and is less than 1 percent of the $1.295 billion for university research and development reported by the Bureau of the Budget for fiscal year 1970.

Of course, the total DOD investment in these 220 projects was substantially greater than this $8.8 million because of funding from prior years appropriations. It was our intention that such projects would continue to their normal expiration, which would provide time for coordinated review by DOD with other agencies to see which projects might be funded by civil agencies. Despite the fact that section 203 did not apply to prior years authorizations, the Department of the Air Force chose to use section 203 as an excuse to terminate research funded from earlier fiscal years. It is interesting to note that the DOD chose to apply on its own the standard of section 203 to eliminate research it considered of low priority, but not covered by the terms of section 203.

Ever since the Senate approved the amendment that added section 203 to the military authorization for fiscal year 1970, I have repeatedly urged prompt and effective action by the executive branch to assure an orderly, intelligent implementation of this legislation. In spite of this, however, we have seen little initiative or leadership from the Office of Science and Technology. Instead of seizing upon a real opportunity to help reduce the inordinate dependence of our scientists on the Defense Department, we have heard only silence.

This seems strange when we consider that the Director of the Office of Science and Technology is the same man who over 20 years ago was strongly supporting the fundamental purpose in section 203. Writing then in the Bulletin of the Atomic Scientists of February 1950, he argued for support of the National Science Foundation, citing the dangers of allowing basic scientific research and training of scientists to depend too heavily for its support on military agencies. In elaborating his position, he said, and I quote:

> 1. Science can never be broadly or adequately supported so long as its support is a purely incidental function of an agency whose primary mission is the development of military strength. As long as science is a step-child of the military, it will suffer indignity; it will suffer through lack of assurance of long-term support; it will be under pressure to yield practical results; and, even at best, only those fields of science which seemed to yield some hope of eventual practical results can benefit.
>
> 2. Science can never reach its full flowering as long as it suffers under, or is threatened by, the secrecy restrictions which are necessary and appropriate in the military field.

And further:

> But, every scientist knows that if a virile basic science is needed in this country (and no one can argue today that it is not), it must be a free science. To be free it must receive its major support from agencies whose *primary* function is to support *basic* science and from agencies which have no connection with secret developments.

I believe those words are stronger than I ever used in my desire to bring about a change in the matter of basic research, but I am glad to quote from the record.

And Dr. DuBridge was not alone in this view. Even in the heady days of victory following World War II, notable scientists were warning of the need to free science from its ties to military funding. Prof. Otto Stern, the physicist and Nobel Prize winner, in 1946 called attention to the generous funding of university research by the Army and the Navy. But, he warned, the fact that scientists must depend on the Army and Navy for their funds may ultimately defeat the purpose for which these funds are provided.

Some commentators on section 203 seem to think it forbids the Defense Department to fund any research at colleges and universities. This is not so. Section 203 states:

> None of the funds authorized to be appropriated by this Act may be used to carry out any research project or study unless such project or study has a direct and apparent relationship to a specific military function or operation.

It does not say the Defense Department shall fund no university research. It does act directly to squeeze the Defense Department out of its prior role as a back door National Science Foundation by attaching the test of relevance to DOD funded research.

This idea of relevance is not new. I should think that Dr. DuBridge should be well acquainted with the following two statements:

First:

> The Foundation shall be increasingly responsible for providing support by the Federal Government for general-purpose research through contracts and grants. The conduct and support by other Federal agencies of basic research in areas which are closely related to their missions is recognized as important and desirable, especially in response to current national needs, and shall continue.

Second:

> Mission oriented Governmental agencies do and should support much long-range basic research, information from which calculated to have *a direct bearing on some aspect of their mission*. . . . All mission oriented agencies need to be in close contact with the best and most advanced research which can apply to their problems.

The first was President Eisenhower's Executive Order No. 10521 on scientific research of March 17, 1954. And this order still stands. It was not rescinded by President Kennedy, President Johnson, or President Nixon. So Dr. DuBridge should be well exposed to the idea of relevance.

The second statement came from very recent advice to the President by his Task Force on Science Policy of last April, which went directly to Dr. DuBridge.

When section 203 became law, the administration had a truly unique opportunity to set in motion a rebalancing of the responsibilities of Federal agencies for funding of basic research. Obviously there were dangers that good work which should be continued might be disrupted if the civil agencies did not work with the Defense Department for a smooth transfer. The Office of Science and Technology and the Bureau of the Budget are the interagency coordinators for the Federal Government. If the transfer is not smooth, they are not performing their responsibilities.

I have urged these agencies to do so, but with little visible response. Nor have I been alone in these urgings. A Research Management Advisory Panel to the House Subcommittee on Science, Research, and Development recommended that changes in implementation of Government policy be administered so as to produce an orderly shift in sources of research support, as follows:

> Compliance with Section 203 should be so scheduled that the implications for individual scientists and particular research projects can be recognized and so that there will be opportunity for them to seek alternative support.

Yet what happened? Only requests for abolition of secton 203, rather than looking positively at its sound implementation.

Rather than point fingers at the Congress for enacting section 203, which was long overdue—20 years overdue by Dr. DuBridge's past statements—I think Dr. DuBridge should turn his time and energy to carrying out section 203 with some initiative and intelligence.

I think the lack of leadership in responding to section 203 indicates clearly

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that we in Congress need to start asking very seriously about the state of public policy for science in this country. What is it? Who is forming it? Who is minding the store? I hope to have time to look into these questions in the not too distant future.

REPORT ON A RECENT TRIP TO EUROPE

Mr. PERCY. Mr. President, I should like to give a brief report on a recent trip to Europe which involved a visit to NATO in Brussels, for which I prepared a report as rapporteur of the Balance of Payments Subcommittee of the Economic Committee of the NATO North Atlantic Assembly.

I wish to pay tribute to three members of the congressional delegation: Representatives JACK BROOKS, Democrat, of Texas; FRANK H. CLARK, Democrat, of Pennsylvania; and PAUL FINDLEY, Republican, of Illinois.

Their assistance was invaluable in this long battle to reach in the Assembly a realistic solution to the budgetary and foreign exchange problems created by the widely varying contributions of the member nations to NATO.

In Brussels I presented the work of the Economic Committee to the Military Committee of the North Atlantic Assembly. I discussed with members of this committee the close correlation that exists between the need for European nations to bear a larger share of the financial burden involved in the common defense of Europe, and the ability of the United States to maintain its present level of forces.

I reiterated very clearly that the Nixon administration is fully committed to maintaining American forces at approximately the present levels until July 1, 1971, but that thereafter the number of U.S. troops would have to be based upon our ability to carry the load we are now bearing, in the light of our overall national priorities. The present U.S. cost is in the neighborhood of $14 billion a year for NATO-related military expenses, $3 billion of which is for direct operational expense in Europe itself. Our related balance-of-payments deficit is about $1.5 billion annually.

I was very much interested in an article that appeared in today's Washington Post, on page A10, in which Secretary of Defense Laird outlined our position with respect to NATO. I quote from this article:

> Discussing NATO, Laird once again pledged to hold the present American troop level until June 30, 1971, while making it clear the Western Europeans will have to pick up a bigger share of the tab or face cuts.
>
> Laird noted that European defense ministers would meet in September in hopes of coming up with a financing scheme for the NATO ministerial meeting in December. Even if they succeed, Laird indicated that U.S. manpower cuts may come anyway, because of budget problems and what he termed the "political reality" of congressional demands for troop withdrawals.

I tried, as accurately as I possibly could, to report to the Military Committee of the North Atlantic Assembly the very strong opposition in the United States, and specifically in Congress, to our continuing to pay the full cost of the present troop levels in Europe 25 years after the end of World War II. I stressed that 51 Senators have cosponsored the Mansfield resolution for reducing our troop levels, and that the only alternative that I saw to a sizable reduction would be burden sharing, hopefully on a multinational basis.

Multinational arrangements on how to more equitably share costs would be far preferable because a formula could be worked out within the councils of NATO, rather than through a series of bilateral agreements, which can create serious political problems in the member nations.

Mr. President, I ask unanimous consent to have the speech that I had prepared for delivery before the Economic Committee of the North Atlantic Assembly printed at the conclusion of my comments, together with the report from the Subcommittee on Military Balance of Payments of the Economic Committee, prepared by Chairman Edward Bishop, of Great Britain, and a copy of the final resolution adopted by the Economic Committee on Military Balance of Payments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, and 3.)

Mr. PERCY. Mr. President, following a meeting with the Military Committee, I met with Ambassador Robert Ellsworth, our able and capable representative to NATO, and I found him fully sympathetic with the work that our committee was attempting to do. He indicated his intention to follow through to make certain that the policies of the administration in this respect and the wishes of Congress, which I felt I was accurately reflecting, would be carried forward.

I met also with Secretary General Brosio who, together with other NATO officials, offered their full assistance in providing necessary clearinghouse services required of the Secretariat.

While I was in Brussels, I picked up, at 3 a.m. on the Voice of America, the President's very remarkable, hour-long broadcast interview with three distinguished correspondents of our three networks. I was very pleased in the succeeding days in Europe to see the extensive coverage which this in-depth interview received. There was a great deal of discussion among European leaders about the emphasis that the President placed upon the increasing dangers in the Middle East. Certainly the President very effectively communicated, with clarity and forthrightness, the position of his administration and many deep concerns felt by the American people.

I had a brief conversation with our Ambassador to OEEC, J. Robert Schaetzel. Each time I have attended meetings at NATO I have contacted our able representative to obtain from him his feelings on what would happen in Europe if the Congress of the United States adopted a very restrictive trade policy by imposing quotas on products being brought into this country. It was his feeling this time, as before, that there would be instantaneous retaliation by European countries if such action were taken by the Congress and that it would set back dangerously the foreign trade policy that has been carried forward in a bipartisan fashion in this country for many years.

It was his earnest hope that there would not be any widespread use of quotas or absolute limitations placed on products coming into the United States, because that would adversely affect the export opportunities of American products going to other countries as well. He is aware, however, of the necessity of having other countries ease their own restrictive practices as well.

While in Paris I met with Arthur K. Watson our recently appointed Ambassador to France. I had an opportunity also to meet with a cross section of prominent Frenchmen, both political leaders and those in private life. I was very pleased indeed at the excellent reaction in France as a result of the President's appointment of Mr. Watson. He is known, of course, throughout the continent of Europe as one of America's outstanding businessmen. He has worked for years within the International Chamber of Commerce, for a period of time as president of that distinguished body. He is also fluent in French, which helps greatly. His outstanding wife and children have a keen interest in improving and strengthening the relations between our country and France. The emphasis he is placing in the Embassy on excellent staff work and all-important followthrough, as well as on improving, wherever possible, the efficiency of our Embassy is, of course, to be commended.

I met with Ambassador Philip Habib just before he left for his meeting with the President in San Clemente. Ambassador Habib is a skilled negotiator, and I believe we are fortunate indeed to have such an experienced deputy chief of our mission.

Discussion in Europe centered last week on the appointment by the President of the Honorable David Bruce to take over as our top negotiator in the Paris conferences. Everywhere I went I found acclaim for this appointment of a skilled top-line diplomat who can bring to the peace talks a new hope that at least the United States is making every possible effort to bring about an early negotiated settlement to the war in Indochina.

Very typical of the articles that I saw throughout Europe on Ambassador Bruce was an article in the London Daily Mail of Friday, July 3, 1970, headlined "Why Nixon Chose This Polished American," which gave equal space to Mr. Bruce's very talented and respected wife, Evangeline Bruce. I ask unanimous consent for the article to be carried at the conclusion of my comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. PERCY. Finally, I met in Rome with Ambassador Henry Cabot Lodge to learn more about the nature of the special mission on which he has been sent as the emissary of the President to the Holy See. Once again, the President is to be commended for an exceptionally fine appointment. I think this appointment can prove extremely useful to the United States. It is important that we have a knowledgeable diplomat with direct access to His Holiness.

Certainly Ambassador Lodge is in a remarkable position to interpret to the Pope the positions of the President and his administration on the various policies that we pursue in seeking peace throughout the world and in building a stronger and better America. Certainly the Vatican can be extremely helpful in such areas as dealing with refugee problems and the problems of narcotics. As an individual, I would like to express my own hope that complete reports will be made available to Ambassador Lodge of the work of the Presidential Commission on Population and America's Future, inasmuch as this is a subject of intense interest throughout the world, involving a great deal of discussion within the Catholic Church itself. Certainly the President's appointment of this Commission and the forthright position that he has taken on this very important problem should be made known.

Lastly, I met with Ambassador Graham Martin, a skilled diplomat who now has the very important position of Ambassador to Italy. He takes over in this position at a time of instability in political affairs in Italy, but he can provide a clear interpretation for us of what is happening, and also provide a very important link to the Italian Government.

Ambassador Martin, formerly Ambassador to Thailand, and recently with special responsibilities in the State Department for dealing with war refugee problems, was extremely helpful to me. I was able to fully update him on recent developments involving NATO and burden sharing. I am hopeful that we will be able to continue to have the support of the Italian Government in this very important question of working out a more equitable basis for sharing the costs of defense for the countries of NATO, which I feel will be the key to its very existence and its strength in the future.

EXHIBIT 1

NORTH ATLANTIC ASSEMBLY DRAFT REPORT ON BURDEN-SHARING AND THE ECONOMIC ASPECTS OF THE COMMON DEFENCE EFFORT

(Prepared by Senator CHARLES PERCY, U.S. rapporteur)

1. When we last met here in October this Subcommittee recognized that the continued stationing of NATO forces outside their own national borders urgently required a solution of the financing problem. The Subcommittee, therefore, approved and submitted to the Economic Committee a draft recommendation containing two key elements:

A. That local goods and services need for official use by visiting forces in a NATO country should be paid for as a budget expense by the host country.

B. That other expenditures by visiting forces, including the local currency spending of personnel and dependents, should be paid for in blocked currency for military procurement or other purchases that clearly have an element of additionality.

2. That draft recommendation was considered by the Economic Committee, which agreed that these proposals were "a practical rearrangement of military expenditure which is desirable and right in principle." The Economic Committee asked this Subcommittee to continue to study the proposals and the views of NATO governments. It asked that we report again to the Economic Committee this year.

3. After the October meeting I wrote, as rapporteur of this Subcommittee, to each of the NATO governments asking for certain statistical information which would help to illustrate how these proposals could be applied in practice and what their effects would be. You have before you several statistical tables in which we have assembled data provided by the governments in response to these requests.

4. The progress made to date toward an equitable rearrangement of the financial burdens of our common defense has exceeded our expectations. Earlier this month, the NATO defense ministers concluded that a redistribution of expenditures among the member nations was the only realistic way to preserve the effectiveness of the alliance. In effect the battle in principle has now been won; we can go on to devise the best ways to implement the decision.

5. It is expected that the European defense ministers will formulate a specific burden-sharing proposal by their September meeting. Our role in the NATO North Atlantic Assembly should be to confirm our support of this welcome step forward a financial solution of NATO's problems. The alternative could be a drastic reduction of American force levels in Europe.

6. I think Western European nations would agree that such troop withdrawals would be a less desirable answer. But I should point out that the United States now is spending $14 billion annually in the defense of Europe, and this is a burden level my country no longer can bear. By way of comparison, it now is estimated that the budgeted cost of the war in Indochina for FY 1971 will be down to approximately $13 billion.

7. There are several areas in which European nations could pick up the cost burden from the U.S. American operational expenses in Europe amount to about $3 billion per year, of which half, or $1.5 billion, is a balance-of-payments drain. It is urgent that the latter amount of a minimum be eliminated from the U.S.A. fiscal year budget beginning July 1, 1971.

8. The cost assumptions could come in these areas:

A. Pay for the 74,000 local nationals employed by U.S. forces. These individuals are working for NATO and just happen to be serving Americans. In Germany, for example, where 62,000 of the local nationals are employed, the U.S. is now paying German citizens about $250 million.

B. Construction costs. Buildings built in Europe for American forces obviously are not going to be brought back to the U.S. when American troops leave, nor is the U.S. Government likely to be reimbursed for them.

C. Materials and supplies purchased in the local economy for use in that country.

D. Transportation, power and various other government-owned services.

E. Fuel and supplies.

F. Major equipment purchases in the host country for use within that country.

G. NATO infrastructure expense. Certainly items such as runways and roads cannot be carried back to the U.S. Just these seven items alone, if picked up by the European governments, would reduce U.S. budgetary costs about $800 million a year, about half of it in Germany.

9. The present arrangements for helping to cover the foreign exchange costs of visiting NATO forces in Germany will expire next year. Those arrangements help temporarily to alleviate the problem, but they aggravate it for the future, when funds which have been lent will have to be repaid. The U.S. government will never again accept leans as an offset solution; there has to be a much better solution if NATO countries are to go on maintaining large forces in partner countries.

10. The urgency of agreeing on a new solution is made clear not only by the expiration of current arrangement next year, but also by the fact that national budgets have to be presented to parliaments well in advance.

11. Germany and the United States will have to begin soon to reach agreement on new arrangements to take effect in July 1971. Perhaps there is not time for efforts to negotiate a NATO-wide arrangement. Perhaps the solution initially will have to be found in bilateral negotiations.

12. The question of which governments should incur additional costs is obviously the central issue.

13. It is quite true that all members of NATO benefit from the stationing of visiting forces along NATO's eastern borders, just as they all benefit from the strategic forces deployed elsewhere by the United States—the nuclear deterrent—and from other national forces which each member of the Alliance maintain within its own borders.

14. The logic of a proposal that host countries should provide the local requirements of visiting forces is *not* that the host countries are the only beneficiaries of those forces. The logic is that the host countries receive a foreign exchange windfall from the presence of these forces, and, therefore, they are the ones who are in a position to take on an additional burden—by giving up the windfall.

15. It is most important that the host countries who would be affected by a shift of budget burdens should remember that the funds required already are being spent in their countries, the goods and services are being delivered, the economies already have adjusted to whatever inflationary impact this spending may have. What is called for is only a change in the way this spending is financed—the funds should be raised in the country where the money is spent, rather than from external sources. The host country's budget would be increased, but the increase would not be inflationary, because there would be no change in the amount spent in that country. Instead, the host country would accumulate less foreign exchange reserves.

16. We have established the principle that all should share in the cost of visiting forces, but we have not progressed so far that we have a common NATO budget to which the taxpayers of all NATO countries contribute equitably. The problem we are struggling with is the foreign exchange problem of stationing forces outside a country's own borders—the elimination of windfall gains and losses, which have nothing to do with the state of economies of the countries involved, but are only the consequence of geography. We have learned that it is not possible to eliminate these foreign exchange effects more than temporarily without shifting some of the budget burden to the host country.

17. The central theme of my message remains the same: That some solution must be found and found quickly, and it must be a solution which does not simply postpone the problem to the future.

18. I should like to propose that this Subcommittee submit to the Economic Committee a new draft recommendation, which I hope would then go to the Assembly at its next meeting and there be adopted and sent to all NATO governments. This draft recommendation would read as follows: (See Appendix I).

APPENDIX I.—DRAFT RECOMMENDATION

Whereas the continued stationing of forces by one NATO country within the territory of a NATO partner country, as part of the system of collective defense, requires new and effective measures which would help substantially to reduce the foreign exchange cost involved; and

Whereas this cannot be accomplished more than temporarily without also shifting a part of the budget burden of maintaining such forces; and

Whereas the Economic Committee of the North Atlantic Assembly appointed a Balance-of-Payments Subcommittee to study this problem and make recommendations; and

Whereas the Balance-of-Payments Subcommittee submitted certain proposals to the Economic Committee at its annual meeting in October 1969, which the Economic Committee considered to be "a practical rearrangement of military expenditure which is desirable and right in principle"; and

Whereas it is important that new arrangements be agreed in time for their inclusion in the national budgets of NATO governments;

Now, therefore, the Economic Committee of the North Atlantic Assembly recommends:

That NATO member governments should endorse the principle that new arrangements should be sought for the financing of NATO forces stationed within the territory of NATO partner countries;

That such new arrangements should involve budget contributions from NATO partner countries to the official requirements of visiting forces such as the pay of local national employees, (local goods and services,) construction, contractual services, and materials and supplies for use within the country;

That whether such new arrangements are negotiated bilaterally between partner countries or as a NATO-wide arrangement, they should take effect beginning not later than July 1, 1971.

TABLE 1.—EXPENDITURES BY NATO VISITING FORCES WHICH MIGHT QUALIFY FOR BUDGET SUPPORT BY HOST GOVERNMENTS [1]—(CURRENT YEAR 1968)

[In millions of dollars]

Visiting forces	Host country								
	Germany	Canada	United Kingdom	Italy	Denmark	Norway	Netherlands	Belgium	Total
United States (Fiscal year 1968)	435	106	81	58	32	27	26	18	783
United Kingdom (Fiscal year 1969)	[2] 144								144
Canada	[3] 47								47
Belgium	31								31
Netherlands	[3] 10								10
Total	667	106	81	58	32	27	26	18	1,015

Note: See table below:

NET RECEIPTS OR EXPENDITURES

United States	—783
United Kingdom	—63
Belgium	—13
Total	—859
Netherlands	+16
Norway	+27
Denmark	+32
Italy	+58
Canada	+59
Germany	+667
Total	+859

[1] Includes pay of local employees, construction, services, materials, and supplies. Excludes spending by visiting forces personnel and dependents, purchase of major equipment, and military assistance programs.

[2] Equals two-thirds of total United Kingdom forces expenditure in Germany. Remaining one-third represents roughly the amount of spending by United Kingdom personnel and dependents and is shown in table 2.

[3] Represents one-half of total military expenditures in Germany. Remaining half is presumed to be spending by personnel and dependents, shown in table 2. This proportion was arbitrarily assumed; the country submission provides no breakdown of the total.

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TABLE 2.—FOREIGN EXCHANGE EXPENDITURES BY NATO GOVERNMENTS WHICH MIGHT BE OFFSET BY DEFENSE PROCUREMENT—CALENDAR YEAR 1968

1. SPENDING BY VISITING FORCES PERSONNEL AND DEPENDENTS [1]

[In million of dollars]

Visiting forces	Host country						
	Germany	United Kingdom	Italy	Canada	Belgium	Netherlands	Total
United States [2]	424	88	36	11	13	10	583
United Kingdom (fiscal year 1969)	72						
Canada	47						
Belgium	18						
Netherlands	9						
Total	570						

2. PROCUREMENT FOR USE OUTSIDE THE SUPPLYING COUNTRY

Purchasing country	Supplying country							
	United States [2]	Canada	United Kingdom	Germany	Italy	Netherlands	Belgium	Total
Germany	226	6	19		17	25	20	313
United States [2]		141	43	28	3	3		218
Canada	[3] 37							
United Kingdom	[3] 118							
Belgium	[3] 12			28				[4] 43
Italy	[3] 41							
Netherlands	[3] 13							[5] 88
Total	447							

[1] Figures shown are from German submission and represent the annual average for the years 1955–68. DM figures converted at assumed average exchange rate of DM 4.1/$1.

[2] United States fiscal year 1968.

[3] U.S. source. Excludes subcontracts placed in the United States by contractors located in the purchasing countries.

[4] Represents two-thirds of total Belgain expenditures for major equipment; Belgian submission states that "greatest share" was spent outside Belgium.

[5] All foreign sources.

TABLE 3.—EXPENDITURES FOR PROCUREMENT OF MAJOR DEFENSE EQUIPMENT FROM FOREIGN SOURCES

[In millions of dollars]

Calendar year	United States	United Kingdom [1]	Germany	Netherlands	Canada	Belgium [2]	Norway
1960	182		393	44		25	
1961	217		[3] 420	100		30	
1962	189		626	72		46	
1963	237		868	95		45	
1964	211		686	112		65	
1965	154		502	81		42	
1966	140		236	61		33	
1967	175	130	335	92		26	
1968	242	178	448	88		43	
1969	229	242				52	
1970		250					
Annual average	198	200	502	83	[4] 72	40	20

[1] Budget estimates.

[2] Foreign expenditures are shown here as two-thirds of total expenditures for defense equipment, which were the only figures submitted. The Belgian response states that the "greatest share" of the total was spent outside Belgium.

[3] Dollar value adjusted for DM revaluation in March 1961.

[4] Contracts let outside Canada on behalf of Department of National Defense.

EXHIBIT 2

NORTH ATLANTIC ASSEMBLY REPORT FROM THE SUBCOMMITTEE ON THE MILITARY BALANCE OF PAYMENTS, TO THE ECONOMIC COMMITTEE

(Prepared by Mr. Edward Bishop, United Kingdom, Chairman)

1. The Sub-Committee on the Military Balance of Payments met at the NATO Headquarters, Brussels, Evere, at 10 a.m. on Sunday 28 June 1970, with Mr. Edward Bishop (United Kingdom), Chairman of the Economic Committee, in the chair.

2. The Sub-Committee considered the Draft Report on Budget-Sharing and the Economic Aspects of the Common Defence Effort (N 69 EC/BP (70) 2) submitted to it by Senator Charles Percy (United States), Rapporteur, and expressed its appreciation of the Rapporteur's work in preparing it.

3. Members of the Sub-Committee recognised the sensitivity of the Delegation of the Federal Republic of Germany concerning the correct phraseology to be used in approaching this whole problem. In consequence, references to "burden-sharing" have been replaced, in the usage of the Sub-Committee, by references to formulae such as "budget-sharing" and "budgetary costs".

4. Members of the Sub-Committee took note of the meeting of the NATO Defence Ministers held in Brussels earlier in June. At this meeting the Defence Ministers, following the conclusions arrived at by the Assembly's Economic Committee last October and the questionnaire addressed by Senator Percy to member Governments, rcognised the need to solve the problems raised by the financing of the common defence effort of the Alliance and discussed various possible solutions, including that of "budget-sharing", which might help host countries in making extra efforts to meet the costs of maintaining US forces on European soil.

5. The first paragraph of the Draft Recommendation submitted by Senator Percy accompanying his report was amended by the Sub-Committee in order to emphasise that the central problem is that raised by the stationing of US forces in Europe as part of the system of collective defence. In paragraph 2 of the Draft Recommendation, the words "budget burden" were replaced by the phrase "budgetary cost". It was decided to insert a new paragraph (5) following paragraph 4, referring to the action recently taken by the NATO Defence Ministers in this field. In paragraph 8 of Senator Percy's original Draft Recommendation (new paragraph 9) the Sub-Committee decided that it was unnecessary to detail the costs of visiting forces in the belief that the Governments themselves should have complete freedom to settle these points. In the last paragraph, the Sub-Committee decided to delete any references that might restrict NATO Governments in their negotiations.

6. Members of the Sub-Committee underlined the need for member Governments of the Alliance to reach agreement before the present bilateral arrangements expire at the end of June 1971.

7. The text of the Draft Recommendation, as amended was adopted by the Sub-Committee. This text is appended.

EXHIBIT 3

NORTH ATLANTIC ASSEMBLY PRESS RELEASE

A. The Economic Committee of the North Atlantic Assembly met at Brussels on Monday 29 June, under the Chairmanship of Mr. Edward Bishop, MP. (United Kingdom).

B. It considered a report submitted to it by Senator Charles Percy (United States) on "Budget-Sharing and the economic aspects of the common defence effort", and adopted a Draft Recommendation, to be submitted to the Plenary Session of the Assembly in November next, as follows:

1. Whereas the continued stationing of US forces in Europe, as part of the system of collective defence, requires new and effective measures which would help substantially to reduce the foreign exchange costs involved: and,

2. Whereas this cannot be accomplished more than temporarily without also shifting a part of the budgetary cost of maintaining such forces: and,

3. Whereas the Economic Committee of the North Atlantic Assembly appointed a Balance of Payments Sub-Committee to study this problem and make recommendations: and,

4. Whereas the Balance of Payments Sub-Committee submitted certain proposals to the Economic Committee at its annual meeting in October 1969 which the Economic Committee considered to be "a practical rearrangement of military expenditure which is desirable and right in principle"; and,

5. Whereas the NATO Defence Ministers, following the adoption of these proposals by the Economic Committee, have themselves recognised the need to discuss this problem and are now actively seeking a solution to it; and,

6. Whereas it is important that new arrangements be agreed in time for their inclusion in the national budgets of NATO governments;

7. Now, therefore, the Economic Committee of the North Atlantic Assembly RECOMMENDS:

8. *That* NATO member governments should endorse the principle that new arrangements should be sought for the financing of US forces stationed in Europe;

9. *That* such new arrangements should involve budget contributions from NATO partner countries to the official requirements of the US forces in Europe; and,

10. *That* such new arrangements should be negotiated and should take effect from 1st July 1971.

EXHIBIT 4

[From the Daily Mail, July 3, 1970]

WHY NIXON CHOSE THIS POLISHED AMERICAN

To find his new negotiator for the Vietnam peace talks in Paris, President Nixon had to ring chambers in Albany, 25 yards off Piccadilly.

There he found one of the great Americans of the age, a paragon among diplomats, an unblushing Anglophile who had chosen to retire here after eight brilliant years as Ambassador to the Court of St. James's, David Fitzpatrick Bruce.

David Bruce is the antithesis of the Ugly American—an urban and cultivated six-footer with silver hair, a Roman nose, a slightly sardonic wit, and a core of steel.

He is also 72 as he takes on one of the most thankless and apparently hopeless tasks his Government has to offer.

NO GLORY

Ambassador in Paris, Bonn and London, and a runaway success every time, he now faces the bleak prospect of wearying negotiations, holding little hope of glory for him, or peace with honour for his country.

The North Vietnamese will already have turned up their files on him. They will know that behind the appearance of the Virginian country gentleman is the man who was wartime chief of OSS (Office of Strategic Services) in London, the man who sent agents into occupied Europe and is not unacquainted with the realities of war.

Bruce adorned, rather than filled, the post of American Ambassador in London for eight years before retiring last year.

Typical of the praise heaped on him at the time was the tribute of the publisher Sir George Weidenfeld: "He was without doubt one of the most distinguished diplomats from any country ever sent here."

He was, said one of his staff, "an Ambassador whose striped pants didn't go up as far as his mind." An immaculate dresser, he nonetheless worked in his shirtsleeves with his feet up on a pulled-out drawer.

When demonstrations threatened his Embassy in Grosvenor Square in 1968 Bruce's only known reaction was to write to the St. John Ambulance Brigade to thank them for treating the 86 people injured. That says something of his style.

With characteristic modesty he told a friend: "With the hot line and the jet available to the President and the Prime Minister, an Ambassador nowadays is hardly even a courier.

'But one or two essential qualifications remain. He must have intestines of steel, and the ability to stay up till three in the morning.'

His first wife, Alisa Mellon, said to be the richest woman in America, died last year. She had divorced Bruce in 1945. In that year he married his present wife, Evangeline. She came to London to work for the OSS in 1942 and stayed, in her own words, to marry the boss.

Daughter of a diplomatic family, 'Evie' Bruce is not only a patrician beauty with amber eyes and tawny hair, but a woman of both warmth and erudition. (She is, for example, a considerable authority on the French Revolution.)

She turned the Ambassador's residence in Regent's Park into something of an intellectual salon, where the talk was more of books than paintings.

Bruce himself admires British biographers and is fascinated by our politico-literary dynastic families, the Sitwells, Cecils and Foots.

Truman appointed him. Kennedy and Johnson asked him to stay on, though he wanted to retire early. He has homes in Georgetown, Washington and Virginia.

But long before he retired—'an envoy who left no enemies'—he joined the queue of applicants for chambers in the quiet oasis of Albany, where they now call their apartment The Bolt Hole.

CIVILIZED

Civilized, wealthy, informal, modest, his more obvious attributes do not obscure the man's dedication to what he sees as the role of the Western democracies.

As he once put it: 'It is true that over the centuries we have in internecine wars devoured millions of our own children; that we have erred and strayed, all too frequently, from appointed paths, but by contrast with other civilizations that of the West today is paramount, morally, spiritually and materially.

'Our most vociferous critics are those who apply, unblushingly, a double standard to their political behaviour, who, aping the constitutional forms of Western democracies, transform their States, in practice, into autocracies and dictatorships.'

Let us hope the North Vietnamese have that in their files.

EQUAL BROADCAST TIME

Mr. DOLE. Mr. President, on July 7 I sent a telegram to the president of the National Broadcasting Co., Mr. Julian Goodman, requesting equal time to respond to a May 12 NBC broadcast sponsored by the Amendment To End the War Committee. I felt then, as I do now, that NBC had not broadcast contrasting views on the issue of the "end the war amendment" as required by the fairness doctrine. The next day, on July 8, Corydon B. Dunham, an NBC vice president, rejected my request for a special program to counter the May 12 broadcast on NBC–TV.

On July 9, I renewed my request with NBC for broadcast time in order that the public would be presented contrasting views specifically on the "end the war amendment. I pointed out in that telegram that the coverage NBC cited as presenting both sides of the issue did not deal in any way directly with "the end the war amendment." Disregarding this point NBC again rejected the request in a telegram from Mr. Goodman who could only point to an hourlong broadcast on the issue of Cambodia in general which was televised last night.

Mr. President, I ask unanimous consent that the exchange of telegrams between NBC and my office be printed in the Record at this point.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

July 7, 1970.

Mr. Julian Goodman,
President, National Broadcasting Co.,
New York, N.Y.

On May 12, 1970, a 30-minute program sponsored by the Amendment to End the War Committee was broadcast on NBC–TV. Since NBC has not broadcast contrasting views, I respectfully request that senators opposed to the end the war amendment be granted equal time, without cost, so that the public may be informed and the fairness doctrine complied with. Your immediate response will be appreciated.

Bob Dole,
U.S. Senate.

New York, N.Y.
July 8, 1970.

Hon. Robert J. Dole,
Senate Office Building,
Washington, D.C.:

In response to your telegram today to Julian Goodman may I point out that the NBC television network has provided many opportunities since May 12 for spokesmen opposed to the views expressed on the program sponsored by the Committee on the Amendment to End the War. In addition to coverage in our regularly scheduled news programs President Nixon addressed the Nation on the subject of Cambodia on June 3 and discussed many of the issues involved in the war in Southeast Asia in a special program broadcast on July 1. Many other spokesmen opposed to the Hatfield-McGovern Amendment have appeared on the today program including Senator McClellan, Secretary Laird and Edmund J. Gullion. Secretary Laird and General Earle Wheeler also appeared on a special prime-time edition of meet the press on June 4 to discuss issues raised by the incursion into Cambodia. Senator Peter Dominick and General Maxwell Taylor are scheduled to appear on a special program on the same subject to be broadcast from 7:30–8:30 p.m. on Thursday, July 9. In our judgment those who oppose the amendment to end the war have had full opportunity to express their views and we respectfully decline your request for a special program devoted to this issue.

Corydon B. Dunham,
Vice President and General Attorney, National Broadcasting Co., Inc., New York.

July 9, 1970.

Mr. Julian Goodman,
President,
National Broadcasting Company,
New York, N.Y.:

I renew my request for equal time to respond to statements made by so-called "End the War" Senators on NBC May 12. NBC has not presented contrasting views on the amendment itself. The coverage outlined in the telegram from C. B. Dunham did not in any way deal directly with the so-called "End the War" amendment. Reportedly over one-half million dollars has been raised as a result of the NBC program on May 12. Numerous Senators oppose solicitation based on emotion and the amendment itself. Respectfully request NBC reconsider my request of Tuesday, July 7.

Bob Dole,
U.S. Senate.

New York, N.Y.,
July 9, 1970.

Hon. Bob Dole,
U.S. Senate,
Washington, D.C.:

This will reaffirm the reply sent you yesterday at my request by NBC vice president and general attorney, Corydon B. Dunham. NBC has afforded ample opportunity for comment by all sides on the issues raised by your two telegrams, and I am sure additional opportunity to comment on the "End the War" amendment will be possible on tonight's special NBC news program titled "Cambodia—Right Or Wrong?" which will be televised over the NBC television network seven thirty to eight thirty pm. We must respectfully deny your request for reconsideration of the proposal in your telegram of July 7 that you be granted equal time without cost to the thirty minute program broadcast on NBC May 12, 1970.

Julian Goodman,
President, National Broadcasting Co., Inc.

Mr. DOLE. Since the National Broadcasting Co. has not recognized the importance and necessity of presenting both sides of the specific issue involved in the "amendment to end the war" debate, I have today filed a complaint with the Federal Communications Commission requesting them to compel NBC to provide free time to present the viewpoints of those who oppose the so-called end the war amendment. I ask that a copy of the complaint be printed in the Record at this point.

There being no objection, the complaint was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., July 10, 1970.

Mr. Ben Waple,
Secretary, Federal Communications Commission, Washington, D.C.

Dear Mr. Waple: On July 7 a telegram was sent to the President of the National Broadcasting Company, Mr. Julian Goodman, requesting broadcast time to respond to a May 12 NBC program sponsored by the Amendment to End the War Committee. This program was a one-half hour prime time telecast which solicited funds in support of the so-called Amendment to End the War. On July 8, Mr. Corydon B. Dunham, an NBC Vice President, rejected this request for comparable, free time to counter the May 12 broadcast.

Then on July 9, a renewed request to NBC for broadcast time to present contrasting views specifically on the End the War Amendment was made. It was pointed out in the telegram that the coverage NBC cited as presenting both sides of the issue did not deal directly with the Amendment. Disregarding this consideration, NBC again rejected the request in a telegram from Mr. Goodman, who only pointed to an hour long broadcast on the issue of Cambodia in general which was televised July 9.

We feel that NBC has not presented contrasting views on the issue of the End the War Amendment as required by the Fairness Doctrine. And since the National Broadcasting Company has not recognized the importance of presenting both sides of the specific issue involved in the Amendment to End the War debate, our only recourse is to ask the Federal Communications Commission to compel NBC to grant comparable time without cost to present the viewpoints of those who oppose the Amendment.

NORTH VIETNAMESE HANDLING OF PRISONERS OF WAR

Mr. DOLE. Mr. President, many hundreds of American soldiers, airmen, marines, and naval personnel are at present missing or captured in Vietnam. How many of these men, and which ones, are in captivity is a secret closely guarded by the North Vietnamese authorities. For each of these men there is a wife, a child, a parent, who is concerned with

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his fate. They are subjected to uncertainty and despair which grows as each day passes.

There exists an international convention legally binding upon all parties concerned: a convention on protection of prisoners of war concluded at Geneva in 1949. This convention applies to "all cases of declared war or of any other armed conflict which may arise between two or more of the high contracting parties even if the state of war is not recognized by one of them." It thus binds the United States which ratified it in 1955, the Republic of Vietnam which acceded to it in 1953, and North Vietnam which acceded in 1957.

The convention assures a prisoner the right to remain in communication with his loved ones and with an international or state organization which has assumed the obligation of safeguarding the rights of the prisoner.

In addition to the right to receive mail and packages and to send a minimum of two letters and four cards each month, the Geneva convention specifies minimum humane standards of detention, of hygiene, diet, recreation, and employment. It requires that seriously wounded or ill prisoners be repatriated as soon as they are able to travel. It specifies that the detaining power shall accept a neutral party to the conflict or a respected international organization such as the International Committee of the Red Cross—ICRC—as a protecting power for the prisoners. It requires that the detaining power provide the names of the prisoners it holds to their families, as well as to the protecting power or to the ICRC, to pass on to their country of origin. It requires that the detaining party permit on the scene inspection of its detention facilities. The United States and the Republic of Vietnam have placed the highest priority upon implementation of this convention. There are now some 30,000 North Vietnamese and Vietcong prisoners of war in South Vietnam who have been accorded the status and the rights of prisoners of war under the Geneva Convention, even though many of them may not technically be entitled to such prisoner-of-war status as defined in the convention.

The United States has tried again and again to persuade Hanoi to apply the basic minimum standards guaranteed by the convention: identification of prisoners, the right to send and receive mail, and a protecting power to inspect detention conditions. We remain immensely grateful to the governments which have cooperated in these regrettably unsuccessful efforts. In contrast, the Government of the Republic of Vietnam, with the cooperation of its allies, opened all detention camps to inspection by the ICRC.

The detention camp of Con Son has been regularly visited by the ICRC and inspected.

The names of all POW's held in South Vietnam by the Republic of Vietnam have been made available to the ICRC. These prisoners have the right to send and receive mail and packages. They are interned in six camps which, as regular international inspection has shown, conform to the requirements of the Geneva convention.

While from time to time cases of substandard treatment have come to the attention of the Government of South Vietnam, every effort has been made by the Government of South Vietnam to insure that these shortcomings are corrected. This includes the issuance of clear and explicit orders and thorough investigation of alleged violations and punishment of those found guilty. This policy is confirmed and supported by the continuous review, both official and unofficial, which results from free access to prisoners by delegates and doctors of the ICRC. This policy should and will be carried out in the case of Con Son.

The Government of North Vietnam, by contrast, has violated nearly every provision of the Geneva convention. They have refused to identify the prisoners they hold. Only a limited minority of those men known by the U.S. Government to have been captured have been allowed to communicate with the outside world. Mail even from this small minority has been infrequent and irregular. The sick and the wounded have not been repatriated, nor have they been identified. Even the minimum protection that would be afforded by inspection of POW facilities by an impartial international body has been denied. The ICRC's repeated requests to be allowed to visit the prisoners at their places of detention have been repeatedly denied, nor has any other accepted intermediary been given access to the prisoners. From the reports of the few men actually released by North Vietnam and from other sources has come disturbing evidence that prisoners are being deprived of medical care and diets and that in many instances they have been subjected to physical and mental torture. For example, Lt. Robert Frishman, one of the recently released American prisoners, in a public statement on September 2, 1969, shortly after his release, said American prisoners are subject to solitary confinement, forced statements, living in a cage for 3 years, being put in straps, not being allowed to sleep or eat, removal of their fingernails, being hung from a ceiling, and refusal of medical care for broken and infected limbs.

Recounting the treatment of Lieutenant Commander Stratton, Lieutenant Frishman said:

> The North Vietnamese tried to get Lt. Cdr. Stratton to appear before a press delegation and say that he had received humane and lenient treatment. He refused because his treatment hadn't been humane. He'd been tied up with ropes to such a degree that he still has large scars on his arms from rope burns which became infected. He was deprived of sleep, beaten, had his fingernails removed, and was put in solitary, but the North Vietnamese insisted that he make the false 'humane treatment statements' and threw him into a dark cell alone for 38 days to think about it.

This record is indeed chilling. It has been noted and deplored by a great many international observers. For example, Jacques Freymond of the International Committee of the Red Cross, reporting on the work of the Committee on Prisoners of War, highlighted the contrast between North and South Vietnam as follows:

> In Vietnam, it (the ICRC) has so far had limited success. In fact, in spite of repeated representations it has not been able to obtain the agreement of the Democratic Republic of Vietnam to the installation of a delegation in Hanoi nor even to the visiting of prisoners-of-war . . .
>
> On the other hand, the ICRC is represented in Saigon and the delegates are able to visit all prisoner-of-war camps. They also regularly receive nominal rolls of these prisoners.

The only answer from the North Vietnamese has been that the Geneva Convention does not apply because there has not been a formal declaration of war and that the American prisoners are "war criminals" and therefore not entitled to the rights conferred upon prisoners of war by the Geneva Convention. But it is clear from the language of the convention, quoted above, that the absence of such a declaration has no relationship to the convention's applicability and does not justify a refusal to apply it.

The 21st International Conference of the Red Cross, held at Istanbul in September 1969, cut through any possible quibbles that could be made by a party to the Vietnam conflict. It adopted without dissent a resolution which obtained the support of 114 governments, and national Red Cross organizations. That resolution called upon all parties "to abide by the obligations set forth in the convention and upon all authorities involved in an armed conflict to insure that all uniformed members of the regular armed forces of another party to the conflict and all other persons entitled to prisoner-of-war status are treated humanely and given the fullest measure of protection prescribed by the convention."

It is to be hoped that North Vietnam, which has frequently expressed its abiding regard for humane principles, will heed the unequivocal and specific call reflecting the conscience of the international community as expressed in the Istanbul conference and will follow the example of the Government of South Vietnam and will adhere to the requirements of the Geneva Convention.

On October 30, 1969, the Secretary General of the United Nations added his voice to those calling for North Vietnam to change its policy:

> It is the view of the Secretary General that the government of North Vietnam ought to give an international humanitarian organization such as the League of Red Cross Societies access to the Americans detained in North Vietnam.

RESOLUTION ON PRISONERS-OF-WAR, ADOPTED UNANIMOUSLY BY THE BOARD OF GOVERNORS OF THE AMERICAN RED CROSS, FEBRUARY 16, 1970

The Board of Governors of the American National Red Cross hereby notes and recalls:

. . . that five months after the adoption of the Istanbul resolution, and more than five years after its first capture and detention of American military personnel, the Government of the Democratic Republic of Vietnam has refused to respect and has repeatedly announced its refusal to adhere to the obligations it assumed as a party to the Geneva convention, relative to the treatment of prisoners-of-war

Requests:

That the Chairman of the American National Red Cross communicate the text

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of this resolution to each member of the International Red Cross, to seek from each member advice as to the efforts on behalf of prisoners-of-war held by the Government of North Vietnam and to report the substance of each reply to the next meeting of the Board of Governors.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS COMMISSION AUTHORIZATION—ADDITIONAL VIEWS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Michigan (Mr. HART), I ask unanimous consent to have printed in the RECORD the additional views of Senators HART, KENNEDY, BAYH, BURDICK, TYDINGS, FONG, SCOTT, COOK, MATHIAS and GRIFFIN, which have been printed as part of the record of the Committee on the Judiciary on S. 2455, a bill to authorize appropriations for the Civil Rights Commission. The additional views of these Senators detail the reasons why they rejected the amendment offered in committee by the Senator from Arkansas (Mr. MCCLELLAN) to restrict the activities of the Civil Rights Commission.

There being no objection, the additional views were ordered to be printed in the RECORD, as follows:

ADDITIONAL VIEWS OF MESSRS. HART, KENNEDY, BAYH, BURDICK, TYDINGS, FONG, SCOTT, COOK, MATHIAS, AND GRIFFIN

An amendment to S. 2455 was offered by Senator McClellan which was adapted from the special grand jury reports safeguards provided in title I of the Organized Crime Control Act of 1969 (S. 30). The committee rejected this amendment. The purported purpose of the amendment was to protect public officials and other persons from reports of the Commission on Civil Rights that may be critical or contain material that tends to defame, degrade, or incriminate.

The amendments would have done the following:

(1) Prohibited the Commission from holding *any* public hearings;

(2) Prevented the Commission from issuing any reports critical of identifiable persons even though such persons had been afforded an opportunity to testify before the Commission, as presently required by the Commission's statute;

(3) Required the Commission to observe severely restrictive procedures before issuing reports critical of identifiable public officials and public employees, including submission of the report to the U.S. district court for the district in which the Commission held the greatest number of hearing days in which the testimony or evidence on which the report was based was received for the approval of that court.

It is our opinion that the amendment would have destroyed the usefulness of the Commission and effectively terminated its present independent appraisal and reporting functions as established under the Civil Rights Act of 1957, as amended.

I. THE PROTECTIONS PURPORTED TO BE AFFORDED BY THE AMENDMENT ARE INAPPOSITE TO THE FUNCTIONS OF THE COMMISSION ON CIVIL RIGHTS

It has been contended that the traditional hearing and reporting functions of the Commission on Civil Rights are analogous to certain reporting functions of special Federal grand juries authorized by title I of S. 30 (The Organized Crime Control Act of 1969). It is argued that if certain safeguards are to be attached to the reporting functions of special grand juries, the same safeguards should be attached to the hearing and reporting functions of the Commission on Civil Rights.

We believe that the procedures provided in the McClellan amendment to S. 2455 are inappropriate to the Commission on Civil Rights for the following reasons:

1. The Commission on Civil Rights does not have as its ultimate function the detection and punishment of crime.
2. The Commission does not determine individual culpability.
3. The Commission functions in a manner more analogous to a legislative committee or administrative agency than a grand jury.
4. The Commission already provides protection extending substantially beyond the requirements of due process.
5. The damage done to the effectiveness of the Commission by the amendment outweighs its purported advantages.

Briefly, title I of S. 30 authorizes special grand juries to issue reports concerning noncriminal misconduct, malfeasance, or misfeasance in office by a public officer or public employee as the basis for a recommendation of removal or disciplinary action.[1] The report must be based upon facts revealed in the course of a grand jury investigation "to inquire into offenses against the criminal laws of the United States."[2] Reports issued under section 3333(a)(1) of S. 30 must comply with significant procedural safeguards which are commensurate with the seriousness of the "noncriminal" charges leveled against identified public officers and public employees as the basis for a recommendation of removal or disciplinary action. Other reports of the special grand jury offering recommendations for legislation or reporting on organized crime conditions—referred to by the sponsors of the amendment as being analogous to the reports of the Commission on Civil Rights—are *not* subject to all of the so-called safeguard provisions of title I of S. 30. Regardless of the merits and demerits of the safeguards attached to reports issued by special grand juries under section 3333(a)(1) of S. 30 the amendment offered to S. 2455 is not relevant to the purpose and functions of the Commission on Civil Rights as established by the Civil Rights Act of 1957, as amended.

A. The Commission on Civil Rights does not have as its ultimate objective the detection and punishment of crime

The special Federal grand jury proposed in title I of S. 30 is authorized to issue reports on misconduct, misfeasance, and malfeasance of public officials in connection with its investigations into the violation of Federal criminal statutes. As such, it is an inquisitorial body charged with the duty of investigating violations of the law and having as its ultimate objective the detection and punishment of crime. The specific purpose of special grand juries is to assign blame for wrong-doing to specific individuals either by way of indictment or by way of the reports authorized in title I. (It is noteworthy that the special grand jury reports not recommending removal from office or disciplinary action against a named public official are not required to meet the so-called safeguards of title I of S. 30.)

The Commission on Civil Rights, on the other hand, is primarily concerned with the appraisal of Federal programs and policies and with gathering information on which to base legislative recommendations made to the Nation, the Congress and the Executive. It is to this process of public and legislative deliberation that the Commission's factfinding and reporting efforts are devoted. The Supreme Court accepted this view of the Commission's function in the case of *Hannah* v. *Larche,* 363 U.S. 420 (1960), in which the Court upheld the constitutionality of the rules of procedure for Commission hearings.

As Mr. Justice Frankfurter stated in his concurring opinion:

"[The Commission on Civil Rights] is not charged with official judgment on individuals nor are its inquiries so directed. The purpose of its investigations is to develop facts upon which legislation may be based. As such, its investigations are directed to those concerns that are the normal impulse to legislation and the basis for it."

The wrongdoing by public officials identified by special Federal grand juries is likely to be wrongdoing which is (1) for personal gain of the type normally punishable by criminal statute, but which falls outside the technical or jurisdictional requirements for Federal indictment, or (2) misconduct in office.[3] On the other hand, the nature of criticism of public officials that is likely to emerge in Commission reports typically is criticism of the manner in which established policies are being carried out. Clearly, the "noncriminal" misconduct of a public official warranting dismissal or disciplinary action—the purpose of reports of special Federal grand juries—carries a much greater degree of opprobrium than the kind of criticism aired by the Commission on Civil Rights. Accordingly, substantial safeguards while appropriate—perhaps even Constitutionally required—for grand jury reports, are not opposite to reports of the Commission on Civil Rights.

As Mr. Justice Frankfurter perceptively observed:

"To impose upon the Commission's investigations the safeguards appropriate to inquiries into individual blameworthiness would be to divert and frustrate its purpose. Its investigations would be turned into a forum for the litigation of individual culpability—matters which are not within the keeping of the Commission."

B. The Commission on Civil Rights does not determine individual culpability or blameworthiness

In some cases, evidence adduced in Commission hearings or related in its reports may expressly or impliedly reflect adversely on identifiable public officials. (As we explain later such persons are afforded extensive procedural protections.) The ascribing of blame to identifiable persons is wholly collateral to the Commission's basic purpose. This view was supported in the opinion in *Hannah* v. *Larche,* 363 U.S., 441:

"[The Commission on Civil Rights] is purely investigative and factfinding. It does not adjudicate. It does not hold trials or determine anyone's civil or criminal liability. It does not issue orders. Nor does it indict, punish, or impose any legal sanctions. It does not make determinations depriving anyone of his life, liberty, or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's legal rights."

At 363 U.S., 443, the Court added:

"However, even if such collateral consequences were to flow from the Commission's

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Footnotes at end of article.

investigations, they would not be the result of any affirmative determinations made by the Commission, and they would not affect the legitimacy of the Commission's investigative function."

The distinction drawn by the Court in *Hannah* can be seen in this example. In the Louisiana hearing on voting rights, which was the subject of the litigation in *Hannah* v. *Larche*, the Commission on Civil Rights was not concerned with the individual blameworthiness of the registrar of Morehouse Parish—one of a number of registrars subpenaed—but with the adequacy and workability of existing Federal safeguards of the right to vote. From information collected at the Louisiana hearing and at an earlier hearing in Alabama came recommendations by the Commission which led to the enactment of the Voting Rights Act of 1965. The special Federal grand jury, on the other hand, would have been concerned with assigning blame to the registrar with a possible recommendation for dismissal or disciplinary action.

II. THE COMMISSION ON CIVIL RIGHTS FUNCTIONS IN A MANNER MORE ANALOGOUS TO A LEGISLATIVE COMMITTEE OR ADMINISTRATIVE AGENCY THAN A GRAND JURY

It has been noted that the Commission is, in many respects, similar in function to congressional committees, since both engage in factfinding for the purpose of informing the legislative process. Congress recognized this fact when it looked to the investigatory hearing rules of the House of Representatives [4] as the model for the rules of procedure at Commission hearings enacted in the Civil Rights Act of 1957.

As Justice Frankfurter stated in *Hannah* v. *Larche* (363 U.S. 420, 492–493):

"Congress has entrusted the Commission with a very different role—that of investigating and appraising general conditions and reporting them to Congress so as to inform the legislative judgment. Resort to a legislative Commission as a vehicle for proposing well-founded legislation and recommending its passage to Congress has ample precedent."

Although in function the Commission is most similar to legislative committees, in structure the Commission is more similar to Federal administrative agencies.

The President is authorized, with the advice and consent of the Senate, to appoint the six members of the Commission, to name Commissioners as Chairman and Vice Chairman and to nominate the staff director.[5] The Commissioners and the staff director serve indefinite terms. Each year the Commission submits a detailed budget proposal to the Bureau of the Budget for review. The budget describes the studies, reports and hearings which the Commission proposes to undertake in the next fiscal year. The final budget proposal, which becomes part of the President's budget, is carefully reviewed by Congress. The power to accept, reject or modify the agency budget allows Congress to exert direct influence on the program of the agency.

Finally, the Commission is a temporary agency which periodically must go to Congress to have its existence renewed. There are, therefore, ample means available for curbing any particular abuses on the part of the Commission. Needless to say, grand juries are not subject to the same types of Congressional controls as those governing the Commission on Civil Rights.

III. NOTWITHSTANDING THE INAPPROPRIATENESS OF COMPARING THE COMMISSION ON CIVIL RIGHTS TO A GRAND JURY, NEVERTHELESS, ITS PRESENT PROCEDURES PROVIDE GREATER PROTECTIONS THAN THOSE AFFORDED UNDER TITLE I OF S. 30

It is fundamental to the operation of grand juries that their proceedings are carried on in secrecy. By contrast, the Commission's subpena power is used in connection with hearings fully open to the public. This means that a person who is or may be criticized is given an open forum in which to hear and refute the criticism. One of the destructive features of the amendment to S. 2455 was its requirement that all hearings of the Commission on Civil Rights be in executive session—in effect requiring the Commission unnecessarily to conduct secret hearings which can be labeled as "star chamber" activities.

The safeguards of the Commission's factfinding process are enumerated below and a comparison is made with protection available to one accused in a special grand jury proceeding as provided for in Title I of S. 30.

The Commission statute affords every witness in public or executive session the right to counsel; [6] grand jury rules do not. The Commission statute affords persons who are the subject of testimony which tends to defame, degrade, or incriminate an appearance by right before the Commission in executive session,[7] and, if so desired by the individual, in public session as well.[8] Such persons may have witnesses subpenaed in their own behalf.[9] Their counsel may submit questions to be asked of witnesses by the Commission.[10] On the other hand, S. 30 provides that the court shall accept and file no report from a special grand jury unless "each person named therein and any reasonable number of witnesses in his behalf as designated by him * * * were afforded an opportunity to testify before the grand jury prior to the filing of such report."

An individual subpenaed before a grand jury does not have notice of what the grand jury is investigating and does not have an open forum in which to refute the critical testimony that is presented. Nor is subpenaed testimony available to the person criticized. None of these criticisms is applicable to Commission procedures. Section 102(a) of the Commission's statute requires that 30 days before the commencement of a hearing the Commission publish in the Federal Register a notice stating, among other things, the subject of the hearing. Accordingly, there is no secret as to the subject matter of the hearing. The rules of the Commission require that persons who are the subject of testimony which may tend to defame, degrade or incriminate them be notified of Commission executive sessions at least 10 days prior to the session and that they be furnished a brief summary of the information which the Commission has determined may tend to defame, degrade, or incriminate such persons. At the executive session itself, the person is read a fuller summary of the anticipated testimony. There is, therefore, an ample opportunity to respond to critical testimony. Moreover, and most significantly, when this testimony is presented at a public session a further opportunity is available to respond. Airing these matters in public is an assurance of fairness.

Commission hearings also are subject to careful judicial scrutiny. The case of *Hannah* v. *Larche* is an example. There, Commission proceedings were enjoined by a court and the Commission was immobilized until the Supreme Court held that its procedures were fair. With the advance notice the Commission gives of its proceedings and the substantial advance warning it provides to persons about whom it might be critical, there is ample opportunity to resort to the courts to test the adequacy of what the Commission is doing.

IV. A FAIR AND OPEN HEARING MAINTAINS PUBLIC CONFIDENCE IN THE SOUNDNESS OF GOVERNMENTAL PROCESSES

The power conferred on the Commission to hold hearings was not conferred merely for the benefit of the agency, but also for the benefit of the public which would be affected by the legislative and policy changes based on Commission recommendations. Public and open proceedings have been held to be essential to due process in administrative matters as well as to those of a judicial nature. In *Morgan* v. *United States*, 304 U.S. 1 (1938) the Court referred to an open hearing as one of the "rudimentary requirements of fair-play." The Court stated:

"These demand a fair and open hearing—essential alike to the legal validity of the administrative regulation and to the maintenance of public confidence in the value and soundness of this important governmental process. (304 U.S. at 15.)"

The fact that hearings are open is not only an assurance of fairness to the participants, but serves as an assurance to the public that information is received fairly and reasonably.

It is clear that the openness of Commission hearings is closely related to the maintenance of public confidence in reports and recommendations emanating directly and indirectly from those hearings. The requirement of the proposed amendment to S. 2455 that all Commission hearings be held in executive session clearly subverts the beneficial purposes of public hearings held by the Commission.

V. CONCLUSION

For all the reasons stated above, the analogy between title I of S. 30 and the Commission's procedures is inapposite. The Commission's procedures have been upheld in *Hannah* v. *Larche*. Its procedures have been analogized to those of a legislative investigating committee. The Commission, as already explained, *does* afford adequate safeguards to persons who might be criticized.

The Commission on Civil Rights, moreover, is subject to the "political process." The Commissioners serve at the pleasure of the President and can be removed if he is dissatisfied with their conduct. The Commission seeks an annual appropriation and is subject to review at that time. Finally, the Commission is a temporary agency which periodically must go to Congress to have its existence renewed. There are ample means available for curbing any particular abuses on the part of the Commission. The means proposed by the amendment would not only limit the Commission, they would destroy the beneficial results of public hearings and reports by the Commission on Civil Rights—powers which have been exercised responsibly for 13 years by distinguished members of the Commission past and present. On balance, the present hearing and reporting functions of the Commission should be allowed to continue in their present form.

PHILIP A. HART.
EDWARD M. KENNEDY.
BIRCH BAYH.
QUENTIN N. BURDICK.
JOSEPH D. TYDINGS.
HIRAM L. FONG.
HUGH SCOTT.
MARLOW W. COOK.
CHARLES MCC. MATHIAS.
ROBERT P. GRIFFIN.

FOOTNOTES

[1] Sec. 333(a)(1) of S. 30. Title I of S. 30 also authorizes special grand jury reports for proposing recommendations for legislative, executive or administrative action in the public interest, or regarding organized crime conditions in the district.

[2] Sec. 3332 of S. 30.

[3] Under title I of S. 30 the special Federal grand jury can report noncriminal misconduct *only* if it is so serious to warrant the special grand jury basing a recommendation of "removal or disciplinary action," on the actions involved.

[4] Rule XI, par 26 (i)–(g), "Rules of the House of Representatives" (1965).

[5] 42 U.S.C. secs. 1975(b), 1975(c) and 1975d(a) (1964).

[6] Sec. 102(c) of Civil Rights Act of 1957, as amended:

"Any person compelled to appear in person before the Commission on Civil Rights shall be accorded the right to be accompanied and advised by counsel, who shall have the right to subject his client to reasonable examination and to make objections on the record and to argue briefly the basis for such objections."

[7] Sec. 102(e) of Civil Rights Act, as amended:

"If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade or incriminate any person, it shall receive such evidence or testimony or summary of such evidence or testimony in executive session. *The Commission shall afford any person defamed, degraded or incriminated by such evidence or testimony an opportunity to appear and be heard in executive session*, with a reasonable number of witnesses requested by him, before deciding to use such evidence or testimony * * *."

[8] Sec. 102(e).

"* * * In the event the Commission determines to release or use such testimony in such manner as to reveal publicly the identity of the person defamed, degraded, or incriminated, such evidence or testimony, prior to such public release or use, shall be given at a public session, *and the Commission shall* afford such person an opportunity to appear as a voluntary witness or to file a sworn statement in his behalf and to submit brief and pertinent sworn statements of others. The Commission shall receive and dispose of requests from such persons to subpena additional witnesses" (italics supplied).

[9] Sec. 102(e), supra.

[10] Sec. 102(c), supra, 45 CFR 702.7, 702.9.

COMMUNICATION FROM A DEPARTMENT

The ACTING PRESIDENT pro tempore (Mr. YARBOROUGH) laid before the Senate a letter from the Secretary of Housing and Urban Development, transmitting, pursuant to law a report on the means to help assure an adequate market for burglary and theft insurance and adeqaute availability of surety bonds for construction contractors, in urban areas, dated July 1970 (with an accompanying report) which was referred to the Committee on Banking and Currency.

PETITION

The ACTING PRESIDENT pro tempore (Mr. YARBOROUGH) laid before the Senate a concurrent resolution of the Legislature of the State of Louisiana, which was referred to the Committee on the Judiciary, as follows:

"H. CON. RES. 270

"A concurrent resolution applying to the Congress of the United States pursuant to Article V of the Constitution of the United States to call a convention for the purpose of proposing an amendment to return a portion of the income tax to the state from whose taxpayers it was collected

"Whereas, the political platforms of all major parties in the various states subscribe to federal tax sharing; and

"Whereas, many state legislatures have adopted resolutions memorializing Congress to return a portion of the federal revenues to the states; and

"Whereas, most Congressmen in their campaigns declare their support for federal tax sharing; and

"Whereas, meetings of the National Legislative Conference, the Conference of State Legislative Leaders and the National Society of State Legislators have adopted or will adopt resolutions urging Congress to inaugurate a federal revenue sharing program; and

"Whereas, although President Nixon in 1969 proposed a tax sharing program for congressional enactment, no action has yet been taken by Congress; and

"Whereas, this Resolution, when adopted by thirty-three states, would require Congress to call a constitutional convention for the purpose of proposing an amendment to the federal constitution to provide for the return to the state of ten per cent of the federal income tax collected in the state.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the Legislature of the state of Louisiana, pursuant to Article V of the Constitution of the United States, hereby makes application to the Congress of the United States to call a convention to propose the following as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'Ten per cent of the tax on the income of each taxpayer collected by the United States shall be returned by the United States to the state in which each individual has his principal place of residence and in proportion to the amount of business activity conducted by each corporate taxpayer in that state.'

"Be it further resolved that the Congress of the United States is hereby memorialized not to reduce any major Federal program in effect at the time of the adoption of this amendment.

"Be it further resolved that this application shall constitute a continuing application for such convention pursuant to Article V of the Constitution of the United States, until the Legislatures of two-thirds of the several states shall have made like applications and such convention shall have been called by the Congress of the United States, unless the Congress itself proposes the amendment herein set forth.

"Be it further resolved that certified copies of this Resolution shall be transmitted forthwith to the Senate and the House of Representatives of the United States and to each House of the Legislature of each of the several states, attesting the adoption of this Resolution by the Legislature of the state of Louisiana.

"JOHN S. GARRETT,
"Speaker of the House of Representatives.
"W. AYCOCK,
"Lieutenant Governor and President of the Senate."

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore (Mr. YARBOROUGH) announced that on today, July 10, 1970, he signed the enrolled bill (H.R. 2036) to remove a cloud on the titles of certain property located in Malin, Oreg., which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 12758. An act to authorize the Secretary of the Interior to establish a volunteers in the park program, and for other purposes (Rept. No. 91–1013).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 2985. A bill to improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes (Rept. No. 91–1014).

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LONG:

S. 4075. A bill to provide for limitations on the importation of sulfur; to the Committee on Finance.

By Mr. INOUYE:

S. 4076. A bill for the relief of Mitsuhiro Nakakoji, Keiko Nakakoji, and Yukiko Nakakoji; to the Committee on the Judiciary.

By Mr. HART:

S.J. Res. 219. Joint resolution to proclaim the second week in July as National Salesmen's Week; to the Committee on the Judiciary.

(The remarks of Mr. HART when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

SENATE JOINT RESOLUTION 219—INTRODUCTION OF A JOINT RESOLUTION TO PROCLAIM THE SECOND WEEK IN JULY AS NATIONAL SALESMEN'S WEEK

Mr. HART. Mr. President, in these times of ever-larger institutions and big business, the decline of the role of the individual is apparent to all. Perhaps it is not too much to suggest that unrest is due in substantial part to the frustrated efforts of our young adults to achieve a sense of individual worth and individual meaning in a society dominated by big governments, big corporations, and big charitable, religious and educational institutions. It should be recognized that none of us is immune from the stifling effects of an institutionalized, mass-production society.

So it is all the more encouraging to take note of the new energy of America's independent sales representatives in speaking out for individualism and independence. Our commissioned salesmen, along with other independent business and professional people, represent a bulwark against growing giantism and other institutional erosion of a free enterprise system based upon respect for the role of the individual. Mr. President, in recognition of the important role of the hundreds of thousands of independent sales representatives in supporting our society's most fundamental and important ideals, I am today introducing a joint resolution to proclaim the second week of every July as "National Salesmen's Week."

The PRESIDING OFFICER (Mr. SPONG). The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 219) to proclaim the second week in July as National Salesmen's Week, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

S. 3976

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Michigan (Mr. HART), I ask unanimous consent that, at the next printing, the name of the Senator from Maryland (Mr. TYDINGS) be added as cosponsor of S. 3976, the First Amendment Freedom Act.

The PRESIDING OFFICER (Mr. MATHIAS). Without objection, it is so ordered.

S. 4002

Mr. DOLE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Alaska (Mr. STEVENS), the Senator from Colorado (Mr. ALLOTT), the Senator from Florida (Mr. GURNEY), the Senator from Montana (Mr. MANSFIELD), the Senator from North Dakota (Mr. YOUNG), the Senators from South Carolina (Mr. HOLLINGS and Mr. THURMOND), the Senator from Utah (Mr. BENNETT), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of S. 4002, to establish a National Information and Resource Center for the Handicapped.

The PRESIDING OFFICER (Mr. SPONG). Without objection, it is so ordered.

SENATE RESOLUTION 428—SUBMISSION OF A RESOLUTION AUTHORIZING THE COMMITTEE ON COMMERCE TO CONDUCT AN INVESTIGATION OF FIRMS PROMOTING TRAVEL ABROAD BY AMERICAN STUDENTS

Mr. WILLIAMS of Delaware submitted a resolution (S. Res. 428) authorizing the Committee on Commerce to conduct an investigation of firms promoting travel abroad by American students, which was referred to the Committee on Commerce.

(The remarks of Mr. WILLIAMS of Delaware when he submitted the resolution appear earlier in the RECORD under the appropriate heading.)

AUTHORIZATION OF APPROPRIATION FOR THE CIVIL RIGHTS COMMISSION—AMENDMENT

AMENDMENT NO. 770

Mr. McCLELLAN submitted an amendment, intended to be proposed by him, to the bill (S. 2455) to authorize appropriations for the Civil Rights Commission, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 674

Mr. ALLOTT. Mr. President, on behalf of the Senator from Wyoming (Mr. HANSEN), and the Senator from Alaska (Mr. STEVENS), I ask unanimous consent that, at the next printing, their names be added as cosponsors of amendment No. 674, to S. 3112, to require an investigation and study, including research, into possible uses of solid wastes resulting from mining and processing coal.

The PRESIDING OFFICER (Mr. SPONG). Without objection, it is so ordered.

ADDITIONAL STATEMENTS OF SENATORS

BISHOP WALSH

Mr. MATHIAS. Mr. President, I hail the return of Bishop Walsh to freedom today. His long confinement in Red China is a martyrdom in the literal sense. The steadfast way in which he has endured years of imprisonment constitutes an example of faith and constancy that should inspire all mankind.

The story of Bishop Walsh and his years of suffering will unfold in the days ahead. But for today, I know that it is enough for all of us in the Senate to share with Bishop Walsh's family, and indeed with all Americans, in a welcome to him, to share in a wish for his safe journey to the United States, and to join in giving thanks to God for the strength given Bishop Walsh to sustain him in a cruel ordeal.

ANDREW W. CORDIER: A JUST SOCIETY"

Mr. KENNEDY. Mr. President, last month, Dr. Andrew W. Cordier, President of Columbia University, delivered the principal address at the University's annual commencement exercises. In his address Dr. Cordier speaks eloquently of the need to reduce the increasing polarization and intransigence in our society, especially in our colleges and universities. He describes the process by which the basic human values at the heart of the original American Revolution have become submerged in the material values of our modern scientific revolution.

The theme of Dr. Cordier's address is a clear call to Americans of all ages to dedicate themselves more deeply to the achievement of a just society, where government is responsive to the people, where the same rights and opportunities exist for all citizens, and where reasonable priorities are established for the achievement of national and local goals.

In a sense, Dr. Cordier's commencement address was also a farewell address, for he is now retiring from his office as president of the university. His remarks, therefore, acquire an added significance, as he seeks from his ample wisdom and experience to guide those who follow him in the quest for a just society. I believe that Dr. Cordier's address will be of interest to all concerned with the quality of life in America. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A JUST SOCIETY

(Address by Dr. Andrew W. Cordier, president of Columbia University, at the annual Commencement Exercises ending the University's 261th academic year, June 2, 1970)

On this my last opportunity in my present capacity to speak at a commencement exercise, I am glad for the occasion to express my profound gratitude to the graduates, students who will graduate in later years, the faculty, staff and employees, the trustees, alumni and friends of the University, for the friendly support and collaboration which has made a difficult task not only possible but one marked by collective achievement in advancing the high purposes of the University on many fronts. This broadly based teamwork in pursuit of sound and great objectives has made my role a most rewarding one, providing me with thousands of precious memories of the dedicated effort and strong encouragement of those having at heart the interests of a progressive university devoted to its search for truth and to its contributions to society.

I pray for my successor, Dr. McGill, great success in his efforts and the warm and strong support of his many constituents.

The unhappy and unsatisfactory climate of our national society today requires that we as a people concentrate our thoughts and energies on the maladies and strains that confront us and thus determine our sense of direction for the years ahead. This task becomes all the more necessary because so many of our great and smaller issues are being approached with closed minds and ever intensified passion. Extremism of every variety is polarizing our nation, dividing our people, and reducing—if not destroying—our national capacity for forward movement based upon searching and sane appraisal of the problems inherent in our current national crisis. Bitterness is increasing and bitterness not only destroys the capacity to understand and to be effective in finding solutions but it breeds violence and bloodshed and an ever increasing pattern of social breakdown.

These trends can and must be stopped. They cannot be stopped alone by opposing violence and bloodshed, although that is necessary. A far greater contribution is to be found in the solid commitment that all of us as American citizens can make to a socially just society.

The main burden in dedication to this enormous challenge must be carried by those who see our problems clearly and who with calmness of mind and determination of effort can define and proceed to a more just and human-oriented society. Tragically in the nation-wide team effort of fair and purposefully minded people, we cannot depend upon those who have already committed themselves mentally and emotionally to intransigent positions, pitting class aaginst class, race against race, group against group. It may be hoped that when the vision of a better and more united America begins to dawn, there may be those who will fall away from their intransigent and unhelpful postures, and join in a great crusade with constructive and meaningful significance for all of our people.

Our starting point cannot be that proclaimed by a limited number of youths and adults to the effect that we live in a nation without any values, institutions, or processes worth preserving.

We have gained too much as a nation. We have built too well, we have striven too hard in many areas of human relevance for us not to preserve what is good and meaningful out of our past.

A just society must provide for a satisfactory distribution of its benefits among its members. But, that goal alone is not sufficient. A just society will also strive to increase the store of its available benefits. On this second count the record of our present society is clearly commendable.

We need only to recall a few words that once were commonplace in everyday conversation, but within this century have virtually disappeared from common usage. Beriberi, pellagra, and scurvy: hookworm, malaria and yellow fever: polio, smallpox and typhoid: all are words that once were uttered frequently and fearfully. We all live today, even the poorest in our society, in a comparative paradise of freedom from fear of mass suffering and early death caused by ignorance, pestilence and plague. Famine, in the literal sense of insufficient food production, is unknown and unimaginable in our own land.

We speak familiarly instead today of vitamins, sanitation, and vaccines: of fertilizers, pesticides and irrigation, electric lighting, refrigeration and central heating; of automobiles and airplanes; of movies, radio and television; and of a host of other innovations and inventions that were either unknown or unpracticed prior to this century.

The store of benefits that our present society has created, some by elimination of suffering or drudgery and others by addition of techniques or technology, far surpasses the accomplishments of any other society or any other time in human history. These benefits all are directly attributable to the paramount benefit represented by education, and especially by our institutions of higher education. Merely to maintain the present store of benefits, not to mention the goal of adding to them, would be impossible without the contributions of our colleges and universities as we know them today. An uninterrupted and increasing flow of young men and women possessing the requisite knowledge and skills is indispensable not only if we are to improve upon the store but also if we are to preserve the benefits created by our present society, to use them wisely and to distribute them well.

Those who seek to reform the distribution of its benefits among the members of our present society by disrupting the functioning of our colleges and universities threaten blindly to diminish and eventually perhaps even to erase the store of those benefits. They are, no matter how unintentionally, working against the interest of all members of society including themselves.

But a broad national effort merely preserving our past would be self-defeating and would not support the challenging objectives of today and the desired attainments for tomorrow. A great American leader of another era said that "society is like a white post, if you want to keep it white it must be given attention." The great sinews of our national health and strength can easily erode through carelessness, indifference, or perversion of their use.

An article appearing some years ago, and captioned, "The Continuing American Revolution," perhaps unwittingly pointed to a major defect in our society. From the days of our American Revolution the philosophy of which was so brilliantly expostulated by our able public figures and philosophers of that time, we moved quickly as a nation through successive stages of economic transformation, capped in our generation by the most all-consuming industrial, technological and scientific revolution that the world has ever seen. This was described as the "continuing American revolution" but the nation-wide obsession and preoccupation with it led too often to neglect of the role of human being in relation to it. Furthermore, during this period we as a nation of immigrants prided ourselves on the achievement of an ethnic melting pot unknown in history. While another racial minority within our midst in no sense enjoyed the equal social and economic benefits of our society.

The rapidity of material change has meant also that the older and the younger generations of today have been reared in situations of more contrasting experience than any two generations of history. That contrast of experience determines in large degree the variations of values and outlook that characterize the two generations and underline the difficulties of mutual understanding. The recognition of this fact by the older generation should, with the proper marshalling of intelligence and understanding, cause that generation to arrive at a better understanding of the concerns of youth and their social and environmental problems. In the minds of some, indeed too many older people, youth as a whole are condemned for the radical actions of the few. In fact we have never had a better generation of youth—able, knowledgeable, resourceful and socially responsive. They deserve more than our sympathy. They deserve our identification with them. The generation gap, far from becoming crystallized, should be blurred and even destroyed. This is one of the urgent requirements of a just society. Age should not and need not have any relevance to our understanding of and participation with youth in the solution of the problems, in sharing their concerns, in joining with them in their attainment of constructive social objectives and in encouraging them in the positive personal contribution that they may make to society.

Urbanism, a major creation of our economic revolution, has produced for many youths a rootless society in which many old values and standards have disappeared with no viable substitutes to take their place. Those of us who by breadth, length and variety of experience, possess the deep concern for human beings of any age, have a solemn obligation to relate to youth in ways that will be a source of enrichment and satisfaction to them as well as to us. Only in this fashion can this era of confrontation and divisiveness with potential damage to the whole of our society be brought to an end.

A just society is, in the first place, a society that means what it says. Its rules are rules for all. Its constitutional rights are rights for all. Its most important opportunities are open to all. When people in such a society are treated differently it is because there is a necessary reason for doing so, because a legitimate social purpose is served. Justice, in short, consists in living by consistent principles. It consists in the rejection of double standards.

No sector of our society should consider itself free from reviewing its obligations for critical self-examination in terms of the impact upon human beings in a just society. Both the public and private sectors of our life must be involved.

In the public sector vast improvements can be made from the White House to local government. Many years ago I succeeded in transforming a local government from one involving graft and social irresponsiveness to one keenly alert to its mission to the people. The quality and character of its service to the people changed the whole atmosphere of the community. That experience convinced me then and I remain convinced that good, just, efficient government is possible in all parts of our land and that it is equally possible not only on the local level but on all levels of government.

On the national level, particularly in an era of big government including the concentration of great responsibilities and resources on that level, decisions whether on domestic or international questions take on increased importance as they relate to the welfare and interests of our people. With heavy taxation and therefore the concentration of extraordinary resources in the hands of federal officials whether administrative or legislative, questions of the distribution of such funds should be related to a most intelligently conceived set of national priorities. Existing priorities are open to most serious question, especially as they relate to American involvement in southeast Asia, as well as to other aspects of our defense posture.

The forty-four thousand Americans killed in Vietnam, the 300,000 wounded and the more than $100 billion expended in Vietnam and Cambodia cannot be justified in terms either of the character of the war or of any conceivable result flowing from the war. While the dead cannot be returned to life, longer casualty lists will not add to the value of the sacrifices already made. The resources expended there are sorely needed on the domestic scene in support of many programs facing our crisis-ridden cities.

The dearth of resources add to city blight. We are falling far behind in an appropriate schedule for the construction of new housing and the renovation of old apartments. While this can be partially attributed to the high cost of construction, it is due also to the lack of ample federal funds in support of housing. If this trend continues, the nation will soon be confronted with a very major housing crisis requiring desperate but belated action. In many fields, such as health care, welfare, poverty, civil rights, drug addiction, education, transportation, air and water pollution, far more concerted and intelligent efforts backed by additional resources must be focused toward the solution of the problems involved.

The federal government in cooperation with state and local governments and with the private sector of our society must concert their efforts more effectively and decisively on the solution of pressing minority questions. Since the beginning of our history the black minority in our midst has lived in a state of inequality and subordination. While a significant advance has been made in the last decade in achieving goals of social and economic equality, these goals are very far from being realized on a sufficiently broad and sound basis; nor is there sufficiently broad acceptance on the part of the white population of their willingness to work for and accept these goals. The white backlash on the one hand, and black extremism on the other, has deepened the gulf, making more difficult the attainment of these proper and necessary aims of our society. Unless we can look forward with compassion, intelligence and understanding on this front, the threat of civil strife that we have seen thus far will be multiplied many times over and all will suffer together. We must rid ourselves of blindness of mind and of spirit and recognize the valid demand for equality that is a right of all of our people.

If we are to have an increasingly just and healthy society, it requires the active engagement of all segments of our society. In pursuit of their economic objectives, industry and business have provided us with an infinite variety of things that have added to our physical comforts and reduced the use of our muscles and brawn. But adequate attention has not always been given to the side effects of their products upon human life.

The legal profession and the judiciary must give increased attention to the fair and equitable application of the law. In the first phase of our revolution in the eighteenth century, our revolutionary fathers motivated by the impact of monarchical oppression, strove for the establishment of a government of laws and not of man, because just laws seemed to them to be the best protection of men. The principles behind their action were well conceived but today the movement is exactly the reverse. In today's protest, the experience of mankind during the last several centuries has not been taken into account, and little thought has been given to this aspect of the relation of laws and men in radical thinking. It is far better for free men and for an open society that laws shall serve as a protection of man and that justice is administered with complete fairness and equity.

In our society we have unjust laws which we fail to change and just laws we hesitate to implement. We have laws that we interpret differently depending on who is affected. An increasing number of individuals, people in power and people out of it, now arrogate to themselves a right to act as they would not permit others to act. Indeed some make a principle of this breach of principle.

To act unjustly in the name of justice is parallel to the breaking of the law in the name of the law. It is to create a society in which men feel free to except themselves from the governance of common rules. That cannot be a just society. Such a society can only be built by allegiance to justice in one's tactics as well as one's goals.

We need above all to be committed to non-violent tactics. A philosophy of non-violence cannot be rooted only in conviction; it must be nurtured by conduct. It cannot thrive on surrender to emotion or in resort to alienation. It is the enemy of arrogance, for arrogance produces the seeds of conflict. Thus, non-violence is not only a philosophy but it is a way of life and through it the mind and spirit become capable of weakening and destroying the forces that lead to violence and bloodshed, and provide as well the solid foundations of a sound, effective and constructive approach to the solution of the tough problems in our society.

A statement made two thousands years ago "do unto others as you would have them do unto you" is rich with truth and relevance in our society today. In our generation we have used the word—empathy—the capacity to understand the other person's point of view. It is not a matter alone of understanding but also one of our own conduct as it affects the rights and responsibilities of other parties. If we should do unto others as we would have them do unto us, many of our problems would fade away. The emotions that blind us would disappear and the capacity for action would assert itself. We must examine great issues greatly, act courageously, and assert our collective leadership for that which is worth preserving and that which should be made new in our society.

ENVIRONMENTAL PROTECTION AGENCY

Mr. SCOTT. Mr. President, I am pleased to note that President Nixon has recently transmitted to Congress Reorganization Plan No. 3 of 1970 calling for the creation of an Environmental Protection Agency. This dynamic new independent agency would report directly to the President and have prime responsibility for protecting and improving the Nation's environmental quality. It would have primary jurisdiction over the areas of air pollution control, water pollution control, solid waste disposal, pesticide pollution control, and radiation control. I am pleased to note that the Environmental Protective Agency closely resembles the Environmental Quality Administration I envisioned in S. 3388. The Ash Commission report takes the basic air pollution control, water pollution control, and solid waste disposal function of my suggestion and adds to them pesticide and radiation protection activities.

Several existing subdivisions from present departments would be transferred into the EPA. The Federal Water Quality Administration would come from the Department of the Interior. The Department of Health, Education, and Welfare would lose the National Air Pollution Control Administration. Existing solid waste programs from the Bureau of Solid Waste Management and current water hygiene programs would be transferred from HEW. In addition to these functions, the EPA would have frontline responsibility for the control of the environmental effects of pesticides. This control is now split between the Department of Agriculture and the Food and Drug Administration of HEW. The activities of the Federal Radiation Council and the Atomic Energy Commission's power to set standards governing radioactive hazards would be merged with EPA's other functions. Also, parts of the Bureau of Radiological Health in HEW would be transferred.

As envisioned by the President, on the basis of current levels of activity, EPA would have a yearly budget of approximately $1.3 billlion and a staff complement approaching 5,600. This dynamic new environmental agency would give the Federal Government the capacity to deal with pollution problems in a truly coordinated and comprehensive fashion. The President, Congress, and the public would at last have one agency responsible for the conduct and effectiveness of the Federal Government's fight against pollution.

The existing helter-skelter arrangement of Federal programs and competing Federal agencies has greatly hampered Federal environmental quality efforts. Congress has heretofore been unable to establish effective priorities. Industry representatives have had to traverse endless bureaucratic halls and passageways to determine whether or not their activities met the requirements of existing and proposed Federal standards. Under the Nixon administration's dynamic environmental reorganization program, these difficulties and problems will be largely eliminated. The creation of the Environmental Protective Agency heralds the dawning of a new age of Federal concern and efforts to improve the quality of life for all Americans.

CARE OF MENTALLY ILL LAGS, WALL STREET JOURNAL REPORTS

Mr. YARBOROUGH. Mr. President, as the author of the law recently enacted to extend and expand the community mental health centers program, I invite the attention of the Senate to a report on problems of treating the mentally ill. It appears in the Wall Street Journal of today and is entitled: "Coping With Society: Care of Mentally Ill Outside Institutions Lags Despite Promise."

As the article points out, the mentally ill can be treated more effectively in their local communities than in huge State institutions, where they receive little care and less attention to their illness. Yet we are far from providing sufficient care in community centers, either.

A major reason is the budgetary starvation that has thinned down so many important health activities.

In 1963, the first Community Mental Health Centers Act was enacted with my cosponsorship. In July 1969, Mr. Creed Black, Assistant Secretary of Health, Education, and Welfare, testified before my Health Subcommittee that when the Community Mental Health Centers Act expired on June 30, 1970, he expected 500 centers to have been funded, serving 75 million Americans.

Six months later, the budget for fiscal year 1971 was submitted. The Department of HEW had revised its estimate downward. In February 1970, it said that by the end of June 1970, it expected 459 centers to be funded, serving 64 million people.

Its budget for fiscal 1971 does not even make up that lost ground, much less move ahead. With the number of centers it proposes to fund in 1971, there still will be only 491 in operation, serving 68 million people.

Public Law 91–211 extends the programs for 3 years. It makes important changes designed to increase Federal support for the community treatment centers. I introduced that legislation, presided over hearings on it, and guided it through the Senate and through the conference with the House of Representatives.

It is disheartening to find that much of its promise is being gutted by lack of Federal money. The administration proposes no new appropriation for construction of centers. It has $20 million in funds it did not obligate last year, to spend this year. This amounts to a stretchout, and in large part explains why the goal for fiscal 1970 will not be met even in fiscal 1971.

I ask unanimous consent that the article from the Wall Street Journal of July 10, 1970, ably written by Barbara Isenberg, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARE OF MENTALLY ILL OUTSIDE INSTITUTIONS LAGS DESPITE PROMISE

(By Barbara Isenberg)

The young Midwesterner named Bill can talk about it now. He remembers withdrawing into "a mental glass bubble" and seeing "clouds parting in my path like I was the Messiah." Bill was and is a schizophrenic.

Committed to a mental hospital, he remembers being "zonked out by heavy medication, shoved from room to room and finally locked in a ward." Three days later he was out, but not for long. Again and again he returned to the hospital; again and again he was discharged, temporarily able to cope but still desperately ill. He lost his job and his savings and was rejected by his family.

Bill finally wound up at Hill House, a private Cleveland agency that seeks to help mental patients adjust to society, gives them the companionship of others in the same difficulty and aids them in finding jobs and housing. Though he is still on drugs and suffers occasional withdrawals from reality, Bill now has an apartment, a job and hope.

"I was fortunate," he says. "I had lots of help and I still have problems. What happens to the people who don't get that help?"

ABANDONED VICTIMS

Most don't. In recent years mental patients have been released after weeks or months in mental institutions rather than years, in keeping with the idea that "aftercare" in the society they left is more beneficial to the patients than extended confinement in mental institutions. No one seriously argues with that idea—but it is increasingly apparent that such after-care is lacking or deficient in most cases and that hundreds of thousands of the mentally disturbed are being abandoned to a hostile or indifferent society.

There are many private and public agencies, organizations and programs involved in community care of the mentally ill. But many are understaffed and starved for money.

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Overall, they are incapable of filling the needs of the mentally ill being discharged in a torrent from various institutions—375,000 of them last year from state and county mental hospitals alone.

Ironically, part of the problem stems from extensive use of new drugs that have revolutionized therapy. Tranquilizers, which came into wide use in the 1950s, and antidepressants, introduced in the '60s, have been an unquestioned boon; doctors say that in many cases effective treatment of violent patients is impossible without them. In less acute cases they can control the fantasies of the afflicted and permit discharge. Dr. Paul F. Slawson, a psychiatrist at UCLA Medical Center in Los Angeles, calls them "the prime factor in emptying our mental hospitals."

MASKING THE PROBLEM

But they are not in themselves a cure. Dr. Lawrence S. Kubie, a well-known Maryland psychiatrist, says that by eliminating or sharply reducing symptoms in mental patients, the drugs can create "an illusory state of pseudo-health" though the patient is still in need of care and, sometimes, is regressing even further underneath the masking effect of the medication.

Dr. Kubie believes that drug therapy is being misused and that there is inadequate follow-up study of patients who are released while still on drugs (it is common for mental patients to continue on drug therapy long after discharge). Says Mike Gorman, executive director of the National Committee Against Mental Illness (NCAMI): "We need more than drugs to hold people in the community."

Readmission figures tell part of the story. In 1955 readmissions accounted for 30% of all persons entering state mental hospitals. Today they account for more than half. Many patients, like Bill, come back again and again; a recent study of the Veterans' Administration Hospital in Los Angeles revealed that 64% of its patients readmitted for mental illness were back within three months.

OVERBURDENED SOCIAL WORKERS

Many discharged patients simply cannot cope with society, especially those who have spent most of their lives in institutions and do not even know how to catch a bus or count out change. Most find the community unable or unwilling to help them adjust. "You leave the hospital," says Mary, a mental patient who has since returned, "and you ask yourself where you are leaving to."

In many places social workers are too swamped to give anything more than nominal attention to the mentally ill clients. In New York City, says one social worker, it is not unusual for him and his colleagues each to handle up to 200 of the mentally disturbed. Many wind up in fourth-rate hotels and rooming houses, where the only "program" they get comes out of a TV set in the lobby.

The Federally supported Community Mental Health Centers program, begun in the early '60s and counted on to fill a major part of the gap in the community care, is in disarray. There are now about 240 of these centers, which are designed to replace the state mental hospital in the treatment of most patients. Besides offering standard treatment, they provide consulting and outpatient services. In some cases, they also provide remedial reading and support "halfway houses" where small groups of the mentally ill can live until they can adjust to society again.

It's true that the centers have reached many patients who otherwise wouldn't have received adequate care, particularly ghetto dwellers and others below the poverty line. But it's equally true that there are far too few to handle the crush of patients, that Federal financing of the centers has been inadequate and that they have often been caught up in the bureaucratic bickering with state and local agencies.

Dr. Jack Marshall, medical director of Resthaven Hospital in Los Angeles, one of the first and biggest of the Federally aided centers, says it took three years of arguing before Los Angeles County agreed to support the center by referring patients to it and providing it with some financial support. In other cities local agencies have bypassed the Federal centers, producing a costly and confusing duplication of services.

Since the program was launched in 1963, the U.S. has spent a total of about $400 million on it—about what the New York State Department of Mental Hygiene spends on its own programs every year. When Dr. Stanley F. Yolles quit recently as the Federal Government's top mental health official, he included the "abandonment of the mentally ill" and poor financing among the reasons for his resignation.

The states take their lumps from the critics, too. Mr. Gorman of the NCAMI claims they don't spend nearly enough on community programs. The proposed 1970–71 budget for the California Department of Mental Hygiene, for example, is $291 million—$76 million for community programs for more than 100,000 people and the rest for state hospitals serving about 12,500 mentally retarded on a year-round basis and about 50,000 mentally ill hospitalized for varying time periods.

Private agencies can't handle enough patients either. There are only about a dozen sizable ones like Cleveland's Hill House that offer a reasonably full range of services for the mentally ill, and all told they can accommodate under 10,000 people a year—far short of the need.

All this means that countless patients are left pretty much to their own devices. If they are truthful about their backgrounds, they usually can't get decent jobs or any jobs at all. A 1965 study by the Veterans' Administration indicated that 80% of mental patients discharged from VA facilities were either unemployed or "grossly underemployed" when checked on nine months later. Says Phil, an ex-mental patient from Los Angeles who can't find work in his specialty, photography: "You may have all the skills, but when you check the box on the application form next to 'nervous disorders' it's all over."

Because of such barriers, an appalling number of the mentally ill are caught up in a revolving door—discharge, followed by joblessness and privation, followed by readmission, followed by discharge again and a repetition of the cycle. Critics find this all the more distressing because there are clear signs that community mental health care can and does work when facilities and money are available.

Mr. Gorman, the mental health lobbyist who is fighting for more money for the Federal centers, says that readmission rates to mental hospitals for patients in Philadelphia and Boston, where the community care program is relatively advanced, have dropped sharply. Most of the private agencies with well-coordinated programs, such as Hill House, report readmission rates between 15% and 30%, compared with the national average of more than 50%. (So do "halfway houses," despite community hostility that has resulted in window-breaking and other pressures by those fearful of having mental patients lodged in their towns.)

The major private agencies are often the last recourse of patients who have found public assistance seriously wanting. Almost all have hopeful-sounding names like Stairways and Portals. Most call their clients "members," not patients, and stress social and vocational training rather than medical treatment.

Some of the agencies report good results in getting jobs for members. Fountain House in New York, which started with a group of ex-patients who met periodically on the steps of the New York Public Library and now is the largest private organization in the rehabilitation of the mentally ill in the country, deals with 40 employers who have agreed to hire members. Last year 160 were placed in full or part-time jobs. Says one member: "It makes me feel good to know I don't have to ask anybody for a cigaret, or if I want a pair of shoes, I can go buy them. It makes me feel proud."

CBS EXECUTIVE AIDS PUBLIC TV

Mr. JAVITS. Mr. President, if one still needs convincing that 1969–70 marked the season in which public television came of age, the announcement that Michael H. Dann has resigned as senior vice president of programing for CBS to join public television ranks should do it.

Mr. Dann, as many Senators know, has been one of the most prominent and effective executives in commercial broadcasting for more than two decades. At great financial sacrifice, Mr. Dann will now become vice president and assistant to Mrs. Joan Ganz Cooney, president of the Children's Television Workshop. I feel that Mr. Dann is to be commended for his action in using his great knowledge and skill for the benefit of the struggling public broadcasting system. This kind of public-spirited action reflects the attitude of CBS itself, which has been a firm supporter of public broadcasting and contributed $1 million to the Corporation for Public Broadcasting.

Children's Television Workshop is the creator of "Sesame Street," the outstanding successful educational program for preschoolers seen on public television this past season. It has been said that this one show has done more to demonstrate the potential of the educational television medium than anything in its 17-year history.

For the benefit of Senators who may have missed the news stories on Mr. Dann's decision, I ask unanimous consent to have printed in the RECORD the article from the New York Times of June 22.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DANN QUITS C.B.S. FOR PUBLIC TV

(By Jack Gould)

Michael H. Dann, one of the most prominent, highly paid executives in commercial television, has resigned as senior vice president of programing for the Columbia Broadcasting System to ally himself with noncommercial public broadcasting.

At a salary of roughly 25 per cent of what he has been paid by C.B.S., Mr. Dann will become vice president and assistant to Mrs. Joan Ganz Cooney, president of the Children's Television Workshop, whose production of "Sesame Street" has been noncommercial television's outstanding popular success.

A NEW CONTRIBUTION

While working under 14 commercial TV presidents over a period of 21 years, Mr. Dann has never hesitated to speak his mind, which has consistently kept him in the headlines. Now he becomes the first major figure in television sustained by advertising to move directly into a branch of public broadcasting where hard-selling commercials and spot announcements are prohibited.

"With the nation going through a critical

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period it seems to me that my television background would enable me to make a more meaningful contribution in this area," Mr. Dann said yesterday.

Mrs. Cooney said that the board of the Children's Television Workshop had approved the engagement of Mr. Dann on Friday. Mr. Dann, in turn, submitted his resignation to C.B.S. on Saturday.

No date for Mr. Dann's assumption of his new job has been fixed, according to Mrs. Cooney, so that he would have time to negotiate severance arrangements with C.B.S. Mr. Dann, in turn, assured William S. Paley, C.B.S. board chairman, and Dr. Frank Stanton, president, that he would continue in his present post until an orderly executive realignment could be completed.

Mrs. Cooney said one of Mr. Dann's duties would be to help convert "Sesame Street" into foreign languages for use in Europe and South America, where interest in the series for pre-school children is running high. He also will be assigned to pursue the potentials of the Children's Television Workshop in the field of cable television, where the availability of more channels could lead to a wide expansion in the Workshop's activities.

OBLIGATIONS TO YOUTH

Mrs. Cooney is known to believe that TV has many unfilled obligations to youth as a whole and blacks in particular.

To pinpoint the extent of Mr. Dann's financial sacrifices is virtually impossible because C.B.S. normally makes generous arrangements with its top executives, including deferred income, stock options, pensions and base pay.

Of all commercial network heads, Mr. Paley and Dr. Stanton have been the most generous to the cause of public broadcasting, immediately donating $1-million without any strings attached upon formal creation of the Corporation for Public Broadcasting. In addition, they have made creative personnel available and also donated technical studio equipment.

Robert D. Wood, the new president of the C.B.S. Television Network, is expected to announce promptly a successor to Mr. Dann to assist him in the introduction of the fall schedule, which Mr. Wood primarily fashioned.

All networks anticipate a difficult year since sales of programs, apart from major hits, are proceeding slowly because of uncertainty over the national economy and problems peculiar to TV. Belt-tightening will be the rule for some months to come, it was agreed. Sale of spot announcements, both on a national and local basis, is in a decline.

Two of television's major customers are manufacturers of automobiles and cigarettes. The auto industry is concerned about the possibility of a fall strike by the United Automobile Workers. In the first week of January cigarette advertising is scheduled to be dropped entirely as a result of action by Congress in response to health warnings by the United States Surgeon General's office.

WAITING GAME

Some of the time now occupied by cigarette companies will be used for other products as the tobacco concerns rapidly diversify. But there will still be many minutes for commercial spot announcements left open with advertising agencies playing a waiting game until they can obtain the best buys at the lowest rates. In television the so-called "last dollar" determines a company's final profitability.

Mr. Dann said that under the structure of commercial television good ratings were essential to provide the economic stability to finance special cultural projects. His driving concern over ratings for such purposes brought him into lively oral combat with Paul L. Klein, the National Broadcasting Company's vice president in charge of research. Allowing for the normal margin of error in statistical research, the two largest networks for all practical purposes finished in a tie this season for strength and influence.

Mr. Dann, who is 48 years old, graduated in 1943 from the University of Michigan, served in the Army during World War II and initially joined N.B.C. as a program executive. He was involved in the first special ever done by TV—the joint appearance in 1952 of Mary Martin and Ethel Merman, under the producing auspices of Leland Hayward. At N.B.C. he had a major creative hand in the development of "Ding Dong School" and Albert McLeerys's "Matinee Theater."

He joined C.B.S. in 1958, rapidly climbing the executive ladder and surviving the comings and goings of a number of C.B.S. network presidents. While condoning the use of staple fare to maintain over-all corporate earnings he played a dominant role in the TV version of Arthur Miller's "Death of a Salesman," and this last season's widely acclaimed "Anne Bancroft Special." He also scheduled such shows as Sir John Gielgud's "Ages of Man," the C.B.S. Playhouse without middle commercials, "The Defenders," and the Smothers Brothers Comedy Hour, whose cancellation by higher authority he did not personally endorse but accepted quietly as one of the many unpredictabilities of commercial television.

Mr. Dann and his wife have three children and make their home in Chappaqua, N.Y.

AMERICAN PRISONERS OF NORTH VIETNAM

Mr. BROOKE. Mr. President, much has been said about the plight of the Americans missing in action and held prisoner by the North Vietnamese. Generally, throughout the country, there is a lack of solid information concerning this very serious problem. An article published in the magazine The Retired Officer, for July, provides some much needed information which deserves wider distribution.

I ask unanimous consent that this excellent article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POW's: A CONTRAST IN VALUES

(By Lt. Col. Floyd C. Mims)

(EDITOR'S NOTE.—The Retired Officer has selected portions of recently published articles to emphasize the difference in American treatment of POWs in WW II and today's Communist treatment of American POWs in Indochina.)

"The cruel and prolonged game North Vietnam has been playing with the lives of U.S. war prisoners and the anguish of their families has taken a new turn. An American leftist lawyer and self-appointed intermediary has announced after a meeting with North Vietnamese officials in Paris that Hanoi may release information on the captives, but only to an anti-war group in this country.

"The channel would be used, it is said, because the Communists don't trust the U.S. government. Presumably the Communists also don't trust the International Red Cross, or any of a score of neutral nations through which information on the prisoners could long have been made available. The fact is the Communists want to use the anti-war group . . . if in fact they ever do provide the names . . . because they can be assured of full cooperation in wringing the maximum advantage from their move.

"What is being sought, after all, is not special treatment. What is being sought is to have Hanoi abide by the Geneva Convention on War Prisoners, which it has signed. Obtaining the humane treatment of captives provided for in that document certainly is a moral issue that those with a claim to superior morality might rewardingly concern themselves with."—Copyright, 1969, by the Los Angeles Times. Reprinted with permission.

POWs are soldiers, whether on the battlefield or in POW camps behind barbed wire. They are men of honor, not criminals, but unfortunate victims of capture while fighting for their country. They should not be, and are not stripped of their self-respect or their dignity. Nor should they be made political pawns for any group, peace or otherwise. If this peace and propaganada group cannot relieve in a small measure the hardships and loneliness of our POWs as Americans, in the name of humanity, they should not make it harder for them and for their families.

In 1943 we received our first thousand of 3000 POWs direct from Rommel's African Corps, North Africa. The arrival of these 1000 prisoners presented us with our first problem, as we had been informed they were ruthless, rough and tough. How should we receive them? It was decided the less military shown would in a small way reduce the importance of their arrival. The receiving party consisted of the CO, his executive, and 10 unarmed American first sergeants. As the POW's detrained from the railroad siding on the camp in groups of 100 lots, an American 1st sergeant, marching at its head, led the way to the compound. There they were issued new clothing from head to toe. Their woolen barracks were new, spic and span, with spring bunks, blankets and pillows. Their first meal (supper) was prepared by our own army cooks. That meal consisted of beef stew with plenty of beef and vegetables, bread, margarine, stewed fruit with coffee and canned cream. A more satisfied group of men after a meal I have never seen. The next day each and every POW had a physical examination in their own medical clinic with an American doctor in charge. The clinic was afterwards operated by its own medical technicians, but under an American doctor. Any POW found in need of medical or dental care, or hospitalization, was looked after immediately. Contrast the arrival of these 1000 POWs to the arrival of the lone, unarmed, wounded, bleeding and barefooted flier being paraded at bayonet point by armed soldiers up Hanoi's main thoroughfares . . .

A few months later we received a couple of hundred youths captured during the Normandy invasion. These youths were children ranging in age from 15 to 17, members of Hitler's youth work battalions. Too young to fight, they were used to repair roads, farm and other work. When these youths detrained, they were a frightened and bewildered group. Again, realizing the situation and their youth, no armed military personnel were present when they detrained. They were then lined up and the German Camp Spokesman, an old pre-war sergeant major, was directed to speak to them in German. He said, "You will be treated well here." A few weeks after these youths arrived, the censor in New York sent us an extract from one youth's first letter home to his mother. I quote this letter because it is very human. "Dear Mom, I am in America Kentucky, Camp Campbell. My first breakfast, Mom, was oat-meal, milk, Mom, fresh milk. Bacon, fried potatoes, bread, butter and jam with plenty of coffee and canned milk. We have a big band, orchestra, theatre group and cantena where you can buy everything. Mom, it's just like a hotel behind barbed wire."

Recreation and amusement were just as essential as any other daily activity. Each POW compound had its own recreation and athletic activities. Their recreation rooms were equipped with a radio, phonograph, records, ping pong, chess, checkers, and reading material such as German language

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newspaper, books and movies (mostly German) at intervals. Compound No. 2 had a 50-piece band, and a dance orchestra second to none. All athletic and recreation equipment, and all music and music instruments were bought by the prisoners from their earnings of 90 cents a day, and from their compound PX funds. During my stay at Camp Campbell, we did not have an escape or a death, but we did have romance with a wedding by proxy, with applicants waiting to marry their sweethearts in Germany.

A small circus visited Camp Campbell, giving two performances daily to the troop stationed there. Several of our POWs were hired to the circus as equipment movers. In reciprocation for the prisoners' help, the management wanted to give a special performance for the 3000 prisoners on a Sunday afternoon, a time not convenient due to the number of guards away on weekend pass. The camp commander was very anxious that as many POWs as possible attend. I called in the three Camp Spokesmen to my office to explain the situation to them; they suggested that a large number of guards, in their opinion, would not be necessary, as every prisoner would be aware of what was expected of him. (Note: The camp spokesman is also a POW, chosen by the other POWs to represent and speak for them with the camp authorities. His leadership can be questioned by other POWs but never disobeyed or betrayed). All 3000 prisoners attended the circus. One jeep driver and two guards were placed at the head and tail end of each column of 1000 POWs: From three different directions and from three compounds, they marched to the field house, took their seats, and after the performance returned to their compounds with the precision of a timepiece. Their soldierly behavior, under the circumstances, warranted our interest in their welfare, taking into consideration the calculated risk involved.

While I was executive officer at Camp Campbell, this camp was commended three times by the Swiss Legation representing Nazi Germany. Their representatives visited our camp two or three times a year; they were always welcome. They could and did visit each and very camp, talking to any POW who was always made available. Their reports on each camp were made available to all, especially to Nazi Germany. News media and the Red Cross were allowed to visit and look over any of the camps whenever they desired. I quote one of the Swiss Legation's Commendations in part to our State Department, Washington, D.C.: "Again the Swiss representatives were very expansive in their praise for this camp, and it is one of the best camps they have visited. He would rate this camp 'EXCELLENT PLUS'. He thought the commander and the executive were able and capable men who had a thorough understanding of their job. As far as the physical care of the prisoners is concerned, nothing is wanting in this camp."

My next POW assignment was Fort Harrison, Ind., where I found some hostility toward the prisoners due to the lack of understanding of just what a POW is. With the cooperation of the press, radio, public meetings, and my address to the Indianapolis Power and Light Company's annual dinner in November 1944, this attitude changed for the better. I quote here a portion of that talk. ". . . as long as I am a POW camp commander, that camp will be conducted in accordance with the rules and principles of the Geneva Convention on War Prisoners, combining strict disciplinary measures throughout with firmness, fairness, and humane treatment. And if my conduct toward German Prisoners of War in this country will in a small way relieve the suffering and loneliness of our boys in German POW camps, and tend to make their lot easier, then the critic's wrath would have lost its sting."

From my own personal experience, and my visit to West Germany in 1958, I think it would have been a wise move if we had brought some few hundred North Korean and North Vietnamese POW's to this country, allowing them to be somewhat brainwashed and indoctrinated, not Communist fashion, but from seeing and learning America, its ways and customs. Their letters back home would have, in my opinion, been worth the time and expense. In 1944 I took 300 POWs from Camp Campbell to Fort Devens, Mass., via Jersey City, N.J. En route, our train stopped in the Jersey City railroad yard to change crews. Every POW on that train flocked to the New York side of the train, expecting to see at least Lower Manhattan lying in ruin, as Mr. Goebbels had told them. It took their letters home to correct these false statements. We denied this story many times, but the letters from the POWs, seeing what they saw and writing back home, convinced the German people.

Be it Camp Campbell, Ky., Fort Harrison, Ind., Fort Knox, Ky., Jeffersonville, Ind., Florence, Ariz., or Camp Cooke, Calif.—now Vandenberg Air Force Base—our policy did not deviate in the least from what I said in my talk at that November 1944 dinner to the Indianapolis Power and Light Company, Indianapolis, Ind. I do believe the greater majority of POWS returning to Germany returned with a deep respect and gratitude for our recognizing them as human beings and treating them accordingly. In closing may I mention my visit to Germany in 1958, when many former POWs came from various parts of West Germany to remember me on my 72nd birthday.

The treatment the POWs were given in American camps during the war years was based entirely upon the rules of the Geneva accord. For myself, as commander of some of those camps, I can say it was a matter of honor and a feeling of fraternity which made me uphold that code. The humane treatment of prisoners of war is a small but major step in alleviating a little of the tragedy of war. Although North Vietnam also signed the Geneva accord. I unfortunately cannot say that they have treated American and other POWS with any treatment similar to what was practiced at our camps. Again I state, if it is nothing else, it is a matter of honor in the world's eyes that they accord with the Geneva precepts, and make public their treatment and names of all prisoners now in their custody, showing a little compassion, at least to the sick and wounded, by releasing them.

FOLKLIFE: OUR NATION'S ROOTS

Mr. YARBOROUGH. Mr. President, the fourth annual festival of American folklife was held in Washington from July 1 through July 5, 1970. It was my great pleasure to attend and enjoy this celebration of the great cultural diversity which is a source of strength for our Nation. I attended the festival on July 4 and 5, and was delighted to see the hundreds of thousands of people who came to share in this celebration and demonstration of our varied cultural heritage.

The attendance of over 500,000 people at this festival demonstrates the need to turn our attention to preserving the diverse cultural heritage of our Nation. This folklife festival was the most popular and most widely attended event in our Nation's Capital during the celebration of our Nation's 194th anniversary. None of the other events attracted as many people as did the folklife festival. There was unanimous support for, enjoyment of, and approval of the folklife festival by those visiting it.

Mr. President, on March 20, 1969, I introduced S. 1591, a bill to establish an American Folklife Foundation. The foundation, which will be an agency of the Smithsonian Institution, will seek to develop and encourage a greater public awareness of American cultural diversity and the value of American traditional culture.

The foundation will sponsor programs for research and scholarship in American folklife, make grants, award scholarships, support presentation of programs of American folklife, and generally seek to promote greater knowledge and understanding of the American tradition. It will be guided by persons who are involved in, and sensitive to, the dynamics of American folklife.

The great success of the Smithsonian Institution's previous annual festivals, and the one this year in particular, clearly show the need to provide the citizens of this Nation with the opportunity to enjoy and reflect upon the diverse and varied cultural heritage which has enriched this Nation and its spirit.

Hearings were held on my folklife foundation bill on May 18, 1970, and the witnesses at this hearing further demonstrated the need to preserve our rich heritage.

Mr. President, the need is clear: Our varied cultural heritage constitutes a great national treasure and we should act now to preserve and encourage it. This can be done by the prompt enactment of S. 1591, my folklife foundation bill.

A very fine article by Mr. Kevin P. Phillips appears in today's issue of the Washington Post. He suggests that there could be no more appropriate celebration of our Nation's 200th anniversary in 1976 than to have a nationwide festival of American folklore and history.

This is an excellent suggestion, and it could be implemented through my legislation to establish the folklife foundation.

Mr. President, I commend to all Senators this excellent article by Mr. Kevin P. Phillips entitled "President Should Consider Festival of U.S. Folklife and History for 1976," published at page A19, column 3, of the July 10, 1970, issue of the Washington Post. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT SHOULD CONSIDER FESTIVAL OF U.S. FOLKLIFE AND HISTORY FOR 1976

(By Kevin P. Phillips)

Even as the ballyhoo of Washington's massive Fourth of July "Honor America" rally was going on last weekend, another less publicized but better-attended event was taking place just a few blocks away: the July 1–5 Festival of American Folklife sponsored by the Smithsonian Institution. President Nixon, who is considering plans for the celebration of the nation's 200th anniversary in 1976, ought to keep this concept in mind.

This year's fourth annual festival featured traditional craftamen and musicians from Arkansas, as well as Indians from Okla-

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homa's Southern Plains tribes—Osages, Poncas, Kiowas, Kickapoos, Choctaws and Comanches and others. Whereas the "Honor America" events drew 300,000 people, the folk festival appears to have drawn nearly half a million. By any standards, it was a great success.

Young and old alike were fascinated by the Arkansas craftsmen, most of whom hailed from the rural, little developed Ozarks. One man carved turkey-callers, another whittled episodes in the life of an Arkansas razorback hog. One artisan demonstrated how to make straightback chairs with no glue—just carefully planned shrinkage of green wood. Another made barrels by hand.

To younger visitors, the craftsmen provided a glimpse at a way of life few remembered—or indeed had ever seen. Older festival-goers found it a chance to think back on a rural or small town past.

The hundred or so Oklahoma Indians present corrected many cultural misconceptions among urbanites whose Indian lore was gleaned from movie or television screens. Care was taken to make the program of dances and craft demonstration genuinely representative of Oklahoma Indian life styles.

Young Tribe members discussed how they were maintaining powerful cultural loyalties even as they moved toward full participation in American society. But the most popular attractions were culinary: a stall where three Kiowa sisters dispensed golden-fried biscuit dough, plus eating facilities which featured a menu of barbecued buffalo, fried bread, fried meat pies and grape dumplings. As so often proves true, food was the best ambassador.

Of course, the great merit of the Folklife Festival does not lie in the peculiar attraction of Arkansas craftsmen or Oklahoma's Southern Plains Indians. Substitute Vermont maple sugarmen, Swiss cheesemakers from Wisconsin and Latin Americans from Miami, and the moral, if not the exhibits, would be the same. Americans need to know one another and to comprehend the many cultures that make up our nation. The melting pot, in short, hasn't melted. This is true in the cities as well as the countryside. It is time to put aside the pretense of one melting pot for a realization that this cultural diversity can be a source of strength rather than weakness. But first Americans must come to know each other. Events like those of July 1–5 are steps in the right direction.

Not a few visitors found the Festival of American Folklife a better window on America's heritage than the noisy, star-studded "Honor America" rally. As Arkansas fiddler Jimmy Driftwood put it: "Look at all those college kids out there. They're looking for the roots of our society and where can you find them more than in our folk traditions and folk music?" A suburban woman observed that the "festival was more like an old Fourth of July than what Billy Graham has planned."

Be this as it may, the cultural confrontation that marred "Honor America" day was nowhere present at the folk festival. Wearers of "Love It or Leave It" buttons mingled in friendly fashion with long-haired hippies as they enjoyed the sights, smells and sounds of the past they share.

At the festival, Americans genuinely honored their nation in a way that President Nixon can greatly stimulate over the next few years. Right now, the program of the U.S. bicentennial celebration is up in the air. The President has before him the usual pompous, commission-like proposals, including a nebulous one that regions, cities and organizations be encouraged to undertake a project "that to them is an embodiment of their contribution to the future of America." He ought to ask himself, why not scrap most of this bureaucratic boondoggling in favor of a nationwide Festival of American Folklife and History, the type of thing that for five short days in Washington started to bring us together again?

ARGUMENT FOR A COMMUNIST-UNIFIED VIETNAM A FALLACY

Mr. ALLOTT. Mr. President, Prof. John P. Roche, a clear-sighted scholar with experience at the highest levels of government, has written a strong attack on a proposal, recently aired in the Chamber, that would commit the United States to valuing, above all else, a unified Vietnam.

As Professor Roche sees it, the argument in praise of a unified Vietnam—even if it is unified by the Communists—is mistaken. Worse, it can be applied to the Middle East.

So that all Senators may consider Professor Roche's argument, I ask unanimous consent that the column, published in today's Washington Post, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PELL'S ADVOCACY OF A UNIFIED VIETNAM IS AN EXAMPLE OF ABSURD REALPOLITIK

(By John P. Roche)

The minor-league Machiavellis are at it again. The other day in the Senate Claiborne Pell made his contribution to the Cambodian seance. A former foreign service officer, Pell rejected trivialities and—in the great tradition of George Kennan—went to the heart of the matter. "I submit," he said, "that our national interest would best be served by a unified Vietnam even if under Communist rule, as it would then serve as a relatively firm barrier to Chinese expansion."

This is realpolitik. Its advocates like to consider themselves tough-minded experts on the balance of power, chess masters on a global board. Unlike naive "moralists," their concern is with the big picture and they plan their moves in the perspective of centuries.

In the pre-democratic era (or today in non-democratic societies) this approach has some utility. In 1763, for example a British minister suggested that, despite its defeat in the Seven Years War, France be allowed to retain Canada. His logic was simple and penetrating: as long as they have the French on their backs, the Americans would be dependent on Britain and all their claptrap about autonomy would stop! A neat proposition, but fortunately one that was ignored.

Similarly, in our time, the Soviet Union can operate its foreign policy pretty much in a vacuum. The 1939 Nazi-Soviet Pact was a classic example, and in 1945–46 it seems that Stalin much preferred a weak Nationalist regime in China to a potentially strong Maoist government. In the light of events over the last five years, the logic of this position hardly needs elaboration!

These examples, however, indicate one of the deficiencies in realpolitik—it seldom works. Machiavelli, after all, died broke and out of a job. Despite the best Russian efforts to buy him off, Hitler in June, 1941, turned east. And Mao gained control of mainland China.

Which brings us to the first point in Senator Pell's speech: Does anyone seriously believe that, if Red China got effectively organized, a "unified Vietnam" would constitute a serious barrier to Chinese expansion?

The notion is absurd on its face. Those who talk about Tito's survival forget that what restrained Stalin's revenge was his fear of the American reaction. Otherwise, Yugoslavia would have been the model for Hungary and Czechoslovakia. In the same sense, there is no power in Indochina that could hold Peking. It would not make the slightest difference whether Vietnam was unified or divided, whether Communists, Dai Viets, Christian Democrats or Prohibitionists were in control. Look at what the Chinese did to the Indians back in 1962—just to make it clear to everybody that India was not a "great power."

Beyond the question of practicality, however, there is a real moral question implicit in Senator Pell's statement. Without challenging the legitimacy of his position (which as Eugene V. Rostow has indicated, is a complex problem), I would argue that those who employ it cannot engage in double bookkeeping. That is, they cannot apply one standard of evaluation to affairs in Southeast Asia and another to Europe or the Middle East.

In this spirit let us paraphrase the senator's remarks: "Our national interest would best be served by a unified Middle East even if under Arab rule, as it would then serve as a relatively firm barrier to Russian expansion." It is interesting to note that the French foreign policy establishment, which shares Pell's view of Southeast Asia, is firmly—and consistently—behind precisely this approach to Israel and the Arabs.

If the senator will accept this application of his position, my doubts will be ended. I will disagree, but at least we shall have basis for a serious intelligent argument. If he reserves realpolitik for only Vietnamese, however, a whole series of other questions arise. Perhaps he will be good enough to elaborate?

LIFE MAGAZINE CALLS FOR U.S. WITHDRAWAL FROM INDOCHINA

Mr. McGOVERN. Mr. President, I ask unanimous consent that a thoughtful editorial in the current issue of Life magazine calling for a definite withdrawal timetable to end American troop involvement in Vietnam, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM: TIME TO FIX A DATE

In proclaiming his Cambodian expedition a military success, President Nixon has kept his pledge to withdraw our troops. One bitterly disputed chapter ends, but the Vietnam war goes on—the longest in our history. It is not easy to say, at any moment in a long period of sacrifice and effort, when enough is enough. But we think that the time has now come, and that the United States should announce a fixed date for systematic and complete withdrawal from Vietnam. For reasons to be discussed below, we suggest the end of next year—at the latest—as the deadline for getting out.

"There is no military solution to this conflict," the President said last week, and we agree. Continuing the war indefinitely is too costly to domestic tranquillity for any possible future gains from it. The effects of the war are all around us and painfully evident—in a divided nation, a disrupted economy, an embittered younger generation, and social priorities postponed.

The President argues that the time to negotiate a peace is now ("There is never an ideal moment when both sides are in perfect equilibrium"), but Hanoi shows no signs of wanting to talk seriously. Nixon's negotiating position is much more reasonable than his critics give him credit for. He wants a peace that is "fair to both sides and humiliates neither." The Administration has moderated its terms; it no longer requires an election in South Vietnam before accepting Communist participation in a coalition government in Saigon "proportionate to their

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numbers," as Secretary Rogers puts it. But if Hanoi doesn't want to settle at the conference table, then what do we do?

The only alternative, says the President, is "months or years" of protracted struggle, in which we presumably would continue to participate until, at an unspecified time, we were satisfied the Vietnamese could fight on alone. As they progress, we withdraw. You might say that with 115,500 troops already out and 150,000 more promised by next spring, we'll be almost half the way out a year from now. That would still leave close to 285,000 U.S. troops in a nation still at war. Even though Secretary Laird hopes our combat role will end by next summer, the Administration has been carefully noncommittal about what happens then. There is a possibility that withdrawals would level off, and that Nixon intends to keep large numbers of logistical, air and artillery troops there indefinitely.

Some argue that domestic opinion might tolerate such a continuing "low profile" role, once casualties are lower and U.S. combat operations are declared at an end. Perhaps, but to keep such a force there in a vulnerable position is to risk repeated U.S. involvement—quite possibly in Cambodia and Laos as well as South Vietnam—in seemingly unavoidable "protective" military ventures. There is a limit, which may already be uncomfortably near, to the number of such ventures a democratic people can tolerate when its vital national interests do not appear directly threatened. In normal circumstances, a President should be allowed some leeway and ambiguity in pursuing diplomatic ends, but after our long and costly effort in Vietnam we think he should now give up this advantage, and plainly commit us to getting all the way out.

The Cambodian operation illustrates the kind of unexpected developments that can enmesh us in a whole new set of problems. At best, Cambodia was a tactically useful spoiling operation, which in his initial presentation Nixon ridiculously oversold, equating it with Wilson's and Roosevelt's crucial decisions in World War I and II. There were enough similar touches of cold-warrior's rhetoric in his July 1 television "conversation" to make his critics wonder about his susceptibility at some future date to pleas from our own military or the Thieu regime for just a little more time, or one more push, because victory is just around the corner. Such suspicions are not confined to the "crazies" waving Vietcong flags. They worry an increasing segment of people, including congressmen and key members of the business and academic communities. They were reflected in the remarkable Senate vote last week to restrict the President from further involvement in Cambodia without Senate consent.

These continuing doubts, misgivings and uncertainties could be lessened by a fixed and firm date for U.S. withdrawal. A number of senators and others have suggested various dates, and former Secretary of Defense Clark Clifford has argued for an end to U.S. combat this year, and withdrawal by the end of next. We think the distinction between a combat role and "non-combat" is somewhat hard to draw, so long as large forces are in hostile country, and is less important than the commitment to a full withdrawal date.

Nearly a year and a half has gone by since Nixon took office with plans to negotiate a peace or "Vietnamize" the war. Another 18 months seems a reasonable period to end all American participation in the war—that is, by no later than the end of 1971. This ought to be ample time for the South Vietnamese to adjust. In fact, fixing a date now could set in motion forces for "Vietnamizing" the peace instead of just the war.

The U.S. has trained and equipped a million-man South Vietnamese military force, which should be able to cope with organized main-force aggression from the North. It is more doubtful whether Saigon any time soon can stamp out Vietcong guerrilla terrorists committed to the "protracted warfare" of textbook Maoism. But this is a problem the U.S. armed forces are conspicuously unable to help Saigon with. Ultimately, the need is for indigenous development of a strong, non-Communist nationalism among the South Vietnamese people. This essentially political process—and the will to achieve it—can only be retarded by a continued large-scale foreign military presence. It might well be accelerated by announcement of our withdrawal.

Some argue that by announcing complete withdrawal, the U.S. would lose the leverage to "force" the Thieu-Ky military regime to liberalize and settle the war by negotiation. In fact, short of reversion to mock-Roman imperialism, we are no more likely to "force" Thieu to negotiate with Hanoi than we were able to "bomb" Hanoi into negotiating with Thieu. Nor should we try; South Vietnam's political future must be settled by the Vietnamese.

At best, fixing a public deadline now could prod President Thieu to begin broadening his political base, as the first step toward eventually seeking a negotiated or de facto compromise peace. What are our obligations if he declines to take such steps toward political accommodation? Or if Saigon and Hanoi can't agree? Our obligations are clear; to ensure that U.S. soldiers—and U.S. policy—are not involved and that Saigon knows well in advance that they won't be. Our withdrawal plans should include an offer to leave behind some logistics specialists and military advisers—perhaps a few thousand men.

We believe that by making two things unmistakable—that we are withdrawing within 18 months and withdrawing completely—the President could soon command a far wider consensus for his Vietnam policy. The support for the war is now too narrow for democracy's health. With such a national goal, proclaimed and understood, the President might even be on the way to reuniting our country before he is finished withdrawing the troops.

HEALTH MANPOWER CRISIS

Mr. KENNEDY. Mr. President, perhaps the most serious aspect of our current health crisis is the crisis in health manpower. Recently, two important analyses of the manpower shortage have come to my attention, and I would like to share them with my colleagues. The first is a chart which is almost astounding in its implications for the health crisis. It details, for the first time, a projection by the U.S. Public Health Service of the shortage of health manpower in 1970, and the projections as of 1980 if we are to continue our present rate of funding of our health manpower programs. To my knowledge, these figures are the first real projection of the shortage of allied health manpower. The figures are dramatic, and they reveal the extraordinary need that exists. Next week the Senate takes up major legislation to extend and improve the Federal allied health manpower legislation. These figures demonstrate the need and it is the obligation of Congress to respond.

The second analysis is an editorial in the Washington Star of July 5, which persuasively documents the severe shortage of doctors facing the Nation.

Mr. President, I ask unanimous consent that the items be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

HEALTH MANPOWER NEEDS, 1970-80

	Supply	Need	Estimated shortage
Physicians:			
1970	325,000	373,000	48,000
1980	412,000	438,000	26,000
Dentists:			
1970	102,200	120,000	17,800
1980	119,400	176,000	56,600
Nurses:			
1970	700,000	850,000	150,000
1980	890,000	1,100,000	210,000
Allied health manpower (total):			
1970	925,000	1,191,000	266,000
1980	1,344,000	1,776,000	432,000
Allied health manpower—at least baccalaureate:			
Medical allied manpower:			
1970	210,000	271,000	61,000
1980	320,000	413,000	93,000
Environmental health manpower:			
1970	64,000	124,000	60,000
1980	90,000	155,000	65,000
Allied Health Manpower—less than baccalaureate:			
Medical allied manpower:			
1970	325,000	396,000	71,000
1980	475,000	580,000	105,000
Dental allied manpower:			
1970	138,000	167,000	29,000
1980	151,000	246,000	95,000
Environmental health manpower:			
1970	188,000	233,000	45,000
1980	308,000	382,000	74,000

Source: Submitted by Bureau of Health Manpower, National Institutes of Health to Subcommittee on Appropriations on Wednesday, Apr. 29, 1970

[From the Sunday Star, July 5, 1970]

DOCTOR SHORTAGE AT BASE OF HEALTH WOES

This country's health-care system is wretchedly inadequate and seems headed for a crisis that could provoke an angry public reaction. The President, Congress and the American Medical Association are well aware of that, and are constantly being reminded of it by a bevy of groups that propose national health insurance, more public clinics for the poor and other remedies. As the Southeast Asia war winds down, the debate over national health proposals could become the political sizzler of the 1970s.

At this point, however, there is incredible apathy about the key deficiency: There simply aren't enough doctors and nurses, nor will there be in the foreseeable future.

A year ago, President Nixon sounded an uncommonly loud alarm: "We face a massive crisis in this area (health care), and unless action is taken both administratively and legislatively to meet the crisis within the next two or three years, we will have a breakdown in our medical care system which could have consequences affecting millions of people . . ." One year of the President's "two or three" has passed and there is less momentum toward solutions than when he made the speech.

For there can be no serious grappling with the paltry supply and spiraling costs of medical services until the critical shortage of medical personnel is alleviated. The outlook for that is gloomier than ever. Many medical schools are in desperate financial straits, largely because of declining federal grants, and curtailments of already insufficient programs are being planned for next year.

The physician shortage is estimated at more than 50,000 and is worsening by about 5,000 a year. By some estimates, about a fourth of the nursing posts in the country are unfilled. Our medical schools annually turn down thousands of qualified applicants for lack of space, and about 3,000 Americans are attending foreign medical colleges. Conversely, the United States is raiding the schools of other countries, importing every year almost as many foreign doctors as

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American medical schools graduate. Without the yearly influx of some 7,000 physicians from abroad, many of our metropolitan hospitals would be out of business.

Just last week Congress demonstrated, by overriding a presidential veto, that it is concerned about the nation's health, or at least that it is acutely aware of a political backlash in the making. With only the briefest of debate, it shoved through a $2.8 billion health aid bill that Mr. Nixon said was fiscally irresponsible and that Senator Yarborough of Texas hailed as "the greatest, most comprehensive hospital construction program ever passed by Congress."

But the senator didn't say who will staff all those new and expanded hospitals. There may be some lonely corridors if more federal money isn't made available for enlargement of medical training, accompanied by some long-needed changes in curricula.

Retrenchment is the immediate prospect for some medical schools, and there are hints that a few might close if more federal aid doesn't arrive soon. More than a dozen institutions are severely wracked, including the redoubtable Johns Hopkins, which projects a med-school deficit of $900,000 and has lost more than $1.5 million in federal financing. The medical and dental schools of George Washington and Georgetown Universities may have to close if they can't obtain special funding from Congress. More than half of the nation's medical schools have been receiving federal distress grants, and many are planning program scaledowns as those funds ebb in the administration's anti-inflation drive. Education costs are still inflating, but there is a slackening of the dollar flow for medical college operating costs, construction, research and student loans.

That is a dismal commentary on priority-setting. Of course colleges of all kinds across the nation are financially strapped, but—let's face it—medical education is in a privileded categorp. That is implicit in the extraordinary chunk of the cost of doctor training that always has been borne by the taxpayers. The public rates good health care ahead of legal defense or musical excellence—probably ahead of anything except national defense. But it is not training the people needed to man the massive health enterprise—not enough to meet current requirements, much less the strains that will accompany population growth in the rest of this decade.

This is traditionally an "industry-regulated" field, and the American Medical Association has long drawn fire for allegedly preventing the expansion of medical schools through admissions controls and political influence. For many years the AMA opposed direct federal subsidy of medical education. But this year, perceiving a Frankenstein monster on the horizon, the organization reversed gears dramatically, approving the abolition of the one-year internship training which most doctors must serve before being licensed. That will increase the physician force in the near future, but it is only a stopgap measure. More promising are suggestions by Dr. Walter C. Bornemeier, the new AMA president, for two-year shortening of the education period and for training through field apprenticeships. He said the No. 1 priority of the AMA and the nation should be a sharp increase in the output of physicians.

Dr. Bornemeier's call to action was right on the mark. We hope the nation heeds, and especially the responsible people at the federal level. A Department of Health, Education and Welfare report on the medical education dilemma is expected soon. It may recommend, as the AMA head does, truncated training and other changes to reduce costs. Apparently there is much waste in some medical schools, and HEW quite properly is anxious to achieve better use of resources and especially of federal dollars.

Still, the federal contribution is growing thinner and apparently no proposal is in the works for heavier financing in the future. No doubt Mr. Nixon has more on his hands than he wants in the veto-overriden health spending bill that will place more strain on existing manpower without contributing significantly to medical training. But systematic changes alone are unlikely to forestall the health care crisis that seems to be bearing in.

It is senseless to talk about adequate medical care for all, regardless of economic station—that is a popular political cliche—until this core problem has been whipped. The medical schools must not only be saved from fiscal calamity, but expanded, and the administration should not ignore the necessity for heavier federal funding.

ADDRESS BY VICE PRESIDENT BEFORE EDUCATION COMMISSION OF THE STATES

Mr. ALLOTT. Mr. President, last night in Denver the Vice President addressed the Education Commission of the States. His remarks were directed at the task of setting the record straight on a few basic matters. Vice President AGNEW is concerned about the problem we all have: keeping perspective in a world of rapid change. He suggests that the very fact of change makes it hard to appreciate the progress we have made from where we were not very long ago.

The problem of keeping perspective is especially hard for those of us in the United States, where change is a way of life, where change is faster than anywhere else in the world, and where progress is faster than anywhere else. That is one reason why some of our most negative critics, foreign and domestic, seem so bewildered. They are bewildered by the shifting contours of American life.

Fortunately, there is no way we can stop the world to enable them to get off. Our progressive change will continue, and so will the bewilderment of some people. But the Vice President has done us the service of reminding us that bewildered critics are as American as apple pie and rapid change.

So that all Senators may enjoy his reminder, I ask unanimous consent for his address to be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT BEFORE THE EDUCATION COMMISSION OF THE STATES

We live in an age of impression and image. The complexity of our national life makes it impossible to gain much of our knowledge by directly doing or directly observing. Except in the hard sciences—where we are often able to recreate in the laboratory conditions close to the natural ones which existed at the source of knowledge—we are heavily dependent upon the judgments and opinions of other people.

This is what makes "communication" such an important factor in the modern world. More and more—in making our own judgments about issues and people—we are deeply affected by the impressions and images and opinions conveyed to us by those we think are in a better position to know.

Educators are among the most important "communicators" in our society. And I believe that it is important that everyone involved in education realize how great an effect he can have on the morale of our country. If educators are positive in their approach to the problems our country faces—if they place our liabilities in proper perspective along with our assets—they will have a positive effect on the search for solutions. If they are constantly negative, they risk producing little except despair.

I believe that this matter of approach on the part of educators is of more importance than ever in these times when there is such an extreme concentration on the negative. We are constantly bombarded with strident cries of what's wrong with America—and this has led too many people to believe that this great country is in the grip of anarchy, panic, repression and despair.

Fortunately, you know and I know that it just isn't so. And let every American be assured that it is not going to be so.

First, let's look at just a few examples of the progress that this great country has made in the past 50 years—since 1920.

In 1920, the population of this country was 106 million—half what it is today.

Life expectancy in the United States was 54 years; now it is more than 70.

The Gross National Product was 89 billion dollars; today it is more than 900 billion dollars and within this decade it will rise to a trillion dollars.

Fifty years ago today women were not allowed to vote—the Nineteenth Amendment to the Constitution was not declared operative until later that summer.

Fifty years ago today there was no regularly scheduled radio broadcasting anywhere.

Let me dwell for a moment on the field that is of most interest to you—education.

In 1920 there were 311,266 young people graduated from high schools in the United States. This year the number—in a population that merely doubled—was ten times greater.

Ninety-four percent of young Americans who are of high school age are attending high school, nearly 20 percent more than in 1950.

Institutions of higher education in this country conferred 53,516 degrees in 1920; this year they conferred more than one million.

The percentage of college graduates among our people is more than twice as great as in any other country in the world.

In 1920 six percent of our population was illiterate. Today illiteracy has almost disappeared.

We have the greatest system of education the world has ever known and we intend to preserve it and improve it.

I want to stress that word *improve*, for here, too, perspective is most important. When I talk about the positive side of our system of education—when I say it is the greatest in the world—I am not saying that there is nothing wrong with it. We know that it is in need of reform and renewal, and that's why President Nixon last March sent to the Congress two historic messages on education reform. The President called for a new focus on educational research and experimentation, and a new approach to the problem of financing education; he called for expansion and redirection of student aid, for new emphasis on community colleges and vocational education, and for a general reassessment and reinforcement of our system of education.

One of the subjects the President discussed in these messages was the issue you have chosen as the general theme of your meeting this year—accountability. He said that it is in the interest of school administrators and school teachers as well as in the interest of their pupils that accountability be clarified. The President's position on this was consistent with the general view in this Administration that the best government can be delivered by the entity closest to the people. He said: "Success should be measured not by some fixed national norm, but rather by the results achieved in relation to the actual sit-

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uation of the particular school and the particular set of pupils. . . . I am determined to see to it that the flow of power in education goes toward, and not away from, the local community. The diversity and freedom of education in this nation, founded on local administration and State responsibility, must prevail."

To give you a general sense of the priority this Administration places on education, I would like to quote just one further paragraph from the President's message to the Congress on higher education. He said:

"No element of our national life is more worthy of our attention, our support and our concern than higher education. For no element has greater impact on the careers, the personal growth and the happiness of so many of our citizens. And no element is of greater importance in providing the knowledge and leadership on which the vitality of our democracy and the strength of our economy depend."

I have two reasons for citing this Administration's concern about education. First, I know how interested you are in this field. And secondly, I want to make the point that when I say we should see the positive side of life in the United States, I do not mean that we should blind ourselves to the need for improvement in many fields. What I am saying is that our view should be balanced.

The examples that I have cited of progress in education and other fields—and there are many, many more—serve to remind us of how much has changed, of how much general improvement there has been in health, wealth, education, communication, social consciousness and in every aspect of life in this land in the last half century. That progress has made this the greatest nation on earth—and we should never allow ourselves to forget that basic truth.

Despite these fundamental long-term gains in life in these United States, there is a tendency abroad in the land to cry doom. This tendency emerges in different forms at different times—without the regularity but with the same rasping effect as the 17-year locust.

Take the case of the local government body in Massachusetts which deplored "the calamities of the present unjust and ruinous war" and foresaw "the dissolution of all free government and the establishment of a reign of terror." And consider the act of a State legislature which tried to rally the people to form a national "peace party." It called upon opponents of the Federal government's policy to "let the sound of your disapprobation of this war be loud and deep." While there was a move in the Congress to cut off funds for the war, the President was said to be "insidious," "devious," "prevaricating," and "Machiavellian." And a Congressional orator shouted that the President and his supporters were plunging over a precipice and drawing the country after them.

Does all that sound a bit familiar? Well, all of it was said during the Administration of James Madison early in the Nineteenth Century. And despite all of the alarms, all the protest, all the doubt, the United States of America survived and went on to greatness.

In 1842, Charles Dickens visited the United States and decided that "the nation is a body without a head and the arms and legs are occupied in quarrelling with the trunk and each other . . ." And if you think that some American writers sound the knells of despair today, listen to Walt Whitman one hundred years ago. He wrote: "Never was there, perhaps, more hollowness at heart than at present, and here in the United States. Genuine belief seems to have left us . . . The spectacle is appalling."

I cite these pieces of the past to make the point that today's outcry from the negativists should be heard in the perspective of history. They've said it before, and they will say it again. And—as in the past—the vast majority of Americans who want to see their country advance will continue their positive and constructive words and deeds, and will help the United States to go on to new greatness.

There was a difference in how that rhetoric of ruin was heard then. The orator in the Congress to whom I referred was Daniel Webster—and his speech was considered so inflammatory that the text wasn't published for nearly a hundred years. The words of Dickens and Whitman were read at the time by only a few. Today it's all there on the evening news in full color—and perhaps even in bulletins before that. But we can trust the American people to separate truth from advocacy and, if I may divert an expression, to go "right on."

We hear a constant clamor today over economic conditions in the United States. And let us admit, the economy is in a sensitive state. We are battling an inflation that has been burning for more than four years. And we are trying to bring about the rare combination of stable growth and high employment. Let me say to you today that we are winning that battle.

One of the reasons we are winning it is that the U.S. economy is the strongest and soundest and fairest that the world has ever known. Never in history has more wealth been more fully shared by more people than in the United States today. Let's look at a few basic facts:

After making full allowance for higher taxes and inflation, the average real income of Americans is higher this year than ever before.

The typical American family can buy nearly twice as much with its annual income as it could in 1950.

Unemployment has risen in recent months—and we must reduce it—but it is a full 25 percent less than it was in 1961.

The average income of the individual American is nearly twice that in any other country of the world, and many times the income in most countries.

While we worry about the poverty that still remains in this country—as we should—let us not overlook the progress that has been made in our attack on this problem. Since 1950—in an increasing population—the number of people living below the poverty line has decreased about 35 percent. Yet, some poverty still persists, but never has any nation done so much, so successfully, to reduce the ravages of poverty. And we are determined to reduce the ranks of the poor until they reach the irreducible.

I have no doubt about the strength and potential of the U.S. economy. Some say that too much affluence is at the base of many of our country's troubles. This is a theory that reaches back to John Adams' adage that "Human nature cannot bear prosperity." I say we will learn to bear it—and enjoy it, too.

Now, let's look at another issue before the country today—the issue of dissent. We should appreciate the fact that more than in any other country in the world peaceful dissent is recognized and protected in America. And let us keep our historical perspective about dissent. This country has weathered it before in a way that is largely forgotten. Who remembers that there were more than 300,000 draftees who refused to report for service in World War I—more than 10 percent of the total number inducted—and that more than 16,000 slackers, delinquents and evaders were arrested in one roundup in the New York City area in September of 1918? The United States survived that genuinely serious manifestation of dissent and went on to become a greater nation.

The status of minority groups is a matter of constant concern—and rightly so. But I can report to you that in every one of the categories that I have listed—real income, education, standard of living—the gains, which have been substantial for all our people, have proportionately been greater for blacks than for whites. For example, the proportion of Negroes earning middle incomes has more than doubled since 1950 and the proportion of black students in colleges has increased more than 50 percent.

There has been another kind of progress in America that we must not overlook. In recent years appreciation of the arts and interest in the humanities have broadened and deepened all across the United States. Attendance at and participation in the performing arts and the programs of the nation's museums have increased manifold. This is a happy trend, because it carries with it both the reality and the prospect that more and more Americans have and will have a greater share in the full richness of the nation's cultural life. As in every field, a challenge is present here: there is a growing need for more help for the arts and humanities from both the public and private sectors, and I am confident that this help will be forthcoming.

This country's dramatic advances in science are known to all the world. The historic achievements of our space program are the most spectacular example, but there are many other achievements that are less widely hailed but nevertheless of the highest significance for the future of mankind.

There is a relatively new issue that is the center of intense interest among our people today: the environment. At base it must be said that our enormous success as a productive and affluent society has created much of the environmental problem. There was a time when smoke pouring from a smokestack was a welcome sight—it meant jobs for men who needed them and products for consumers who wanted them. Using the factory in a symbolic way, as it relates to the problems of the environment, it can be said that our challenge now is to upgrade the jobs, improve the products and eliminate the smoke. We accept that challenge. The same American ingenuity that helped to create the problem can lead the way to overcoming it.

No issue is of greater moment in 1970 than the war and the prospects for peace. The problems involved in foreign policy are perhaps the most complex and most difficult of all. But in recognizing the difficulties, let us not disregard achievement. We have completely reversed the flow of U.S. involvement in the war in Vietnam; we are helping the South Vietnamese to improve their capability to defend themselves; and we are bringing our fighting men home. We will end this war with honor.

World tensions remain—and will remain. The Middle East continues to be a powder keg. But these are challenges to be met, not causes for despair. In the midst of tensions we are as of right now in meaningful and serious negotiations with the Soviet Union on limitation of strategic arms.

We often hear today the assertion that we must change our national priorities. The fact is that we *have* changed our priorities. In the Federal budget for the next fiscal year, for the first time in 20 years, we will use more of our resources for social needs at home than we will for military and defense purposes.

While much of the progress I have been discussing is often measured in quantitative terms, there is a qualitative side to nearly all aspects of it. In no other country of the world at any time in history has there been so much respect for liberty, freedom of conscience, justice, human dignity and human fulfillment as there is in the United States today. The fact that we are still concerned about protecting these elements of freedom should not be taken as a sign that they have been diminished but rather as evidence of what a high value we place upon them. Yes, some injustice persists, but never has any

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people had so great a commitment to justice for all. More Americans today are doing more to help their neighbors than at any time in history.

In speaking of the progress we have made, I am by no means suggesting that we do not face serious problems in this country. It is good news that we recognize our problems and we are more sensitive to them than any people in the history of mankind. It is good news that we are not satisfied with the progress we have made.

As we go forward in our attack against what's wrong with America, we should never forget what's right with America. Let us see and treat the blemishes, but never let them blind us to the beauty.

As we make progress on all these fronts, many will say this is not enough; we must have *more now*. Such impatience, when it gets out of control, produces only negative results. But when it runs in constructive channels, it can help to add that extra measure of spirit which will enable us to meet the challenges of our time.

Let us confront our shortcomings, not with anger, but with determination.

Let us commit our resources, not with reckless impatience, but with urgent care.

Working from the sound and solid base that is the American condition today, and recognizing the very real problems this nation faces, the Nixon Administration is moving forward on a course of reform, restoration and renewal. The goal of this policy is to make the America of the 70s and beyond a land in which we have assessed both our successes and our failures with sound judgment—and have moved to enhance the good and root out the bad.

This should—and will—continue to be a society of great expectations. As we go forward into the 70s, we must—and we will—see more of those expectations become realities.

We will preserve and enlarge the American dream.

We will nourish and refresh the American spirit.

We will enhance the quality of life for all Americans.

We will prove—once again—that in America the voices of despair are ultimately stilled by the clear fact of progress.

SLEEPING BEAR DUNES NATIONAL LAKESHORE ENDORSED BY SAGINAW NEWS

Mr. HART. Mr. President, for a decade the conservation-minded people of Michigan have worked to preserve the magnificent Sleeping Bear Dunes area along Lake Michigan. An excellent proposal has been developed and refined which can accomplish this goal by designating the dunes and their integral landscape setting as a unit of our national park system.

While this proposal has stirred some controversy over the years, we have consistently endeavored to refine the proposal so that the immense public values of this area can be preserved and enjoyed without disruption of existing communities and homeowners. The result is pending legislation to create the 61,000-acre Sleeping Bear Dunes National Lakeshore.

Because so many people have worked together to achieve a proposal fair to all, we have today a bill enthusiastically endorsed by the administration, by all of Michigan's Congressmen, by Michigan's Governor, and State legislature, and by every State and national conservation group.

Recently the Saginaw News published its Editorial Viewpoint on this proposal, giving an excellent, in-depth analysis. As they point out, those few who still oppose this proposition are forgetting a few "inevitables." The pressures on remaining areas of natural beauty and shoreline access are such that they are fast disappearing behind chain link fences and private developments. As this editorial notes, these pressures can simply overwhelm an area like "the Bear." The whole record of such situations makes clear that economic pressures eventually win out, development is overextended, and the natural values are either destroyed or appropriated for the private benefit of a few. The careful planning for public use and control which can come with a national lakeshore will protect the public interest against the onslaught of these "inevitables."

In this way, we can preserve this kind of area, whose national significance is so clear. But we preserve for use, with foresight and control on the inevitables, and with assurance that private patterns are disrupted as little as possible in the process.

In working for this protection for the Sleeping Bear area, the conscientious efforts of Representatives JAMES O'HARA and PHILIP RUPPE, and particularly of the local Representative, GUY VANDER JAGT, have been outstanding. With them, I was pleased to participate last month in a fine hearing before the House Subcommittee on National Parks and Recreation. With them and with the people of Michigan, indeed with those everywhere who are concerned with wise conservation, I am eager to see this lakeshore become a reality. It can be and it will be, "a model of scenic, though peopled, areas."

I ask unanimous consent that the fine editorial from the Saginaw, Mich., News of June 11, 1970, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITORIAL VIEWPOINT: OPPONENTS BURYING THEIR HEADS IN DUNES

Opponents of the proposed Sleeping Bear Dunes National Lakeshore are only burying their heads in all that sand which abounds in Michigan's little-finger region.

In their understandable fervor to maintain the beauty of this quiet area, they're forgetting a few inevitables—the northward rush, the need for Great Lakes shoreline access and the uncontrolled building and ultimate decay which can occur in unzoned or little-zoned areas.

The move from the cities has been on for some time, as anyone who has tried to buy land in northern Lower Michigan will confirm. Many persons are moving north permanently, others are seeking vacation havens, still others are looking for winter-resistant homes for vacations now and retirement later.

Freeways, city disturbances, noise and air pollution and workers' ever-increasing leisure time have contributed to the northward march.

The problem is where to go.

Much of the Lake Michigan shoreline is already private. One example is the stretch from Charlevoix to Mackinaw City, taking in the Petoskey-Harbor Springs locales. Twenty years ago a tourist had almost unlimited access to beaches along that northwest Lower Michigan shore. Today, private ownership has denied public access to nearly three-quarters of the beaches and the trend continues.

The few municipal, county and state parks within this stretch already are becoming overcrowded. Although properly maintained so far, these areas probably will be overwhelmed by the rush before long.

Beaches on the Lake Huron side present the same picture—many are private and land sales continue.

Property costs have soared on both Great Lakes and inland lake frontage. Fifty by 150-foot lots which sold for $25 in 1950 are priced as high as $2,500 today on one fair-sized inland lake and this is more the rule than the exception.

But people are paying the prices, building year-around as well as summer homes and, in so doing, closing these beaches to public use.

Zoning in many northern Michigan areas is loose, if it exists at all. Untidily built structures have sprouted in many formerly deserted areas. They detract from property values. Some are abandoned after a few years creating large lumps of litter.

Both sides in the Sleeping Bear controversy say their main goal is to preserve the miles of beautiful dunes and beaches.

However, opponents of the national lakeshore plan don't realize these areas won't stay scenic without far more rigid controls than now exist. Nor do they realize that, national lakeshore designation or not, people will eventually flock to the off-the-beaten-path shore anyway. They've already started.

A federal lakeshore operates under strict regulations. Given proper sanitary facilities and a place to dispose of picnic and camping refuse, there is no reason for any area to turn into a garbage dump, especially one frequented by those who presumably are there to enjoy fresh air and scenery.

Lakeshore opponents have said the small towns in Benzie and Leelanau Counties will become honky tonk strips. They won't unless local businessmen create them. And proper zoning can prevent undesirable commercial endeavors.

If everyone's aim is to keep the area unspoiled for all to enjoy, only scenic pleasures should be offered—along with enough facilities and enforcement to preserve them. Then, those who seek bright lights and city pleasures will be attracted elsewhere.

Everyone wants to see natural beauty retained. But with the northward rush increasing, no area will stay unspoiled effortlessly.

Progress and preservation can live together. With our new awareness of pollution and litter problems and of what must be done to avoid them, the Sleeping Bear National Lakeshore could become a model of scenic, though peopled, areas.

Both sides say they want to save the dunes' natural beauty. This can be done best by creating a national lakeshore and can be enjoyed in the doing.

A TALENTED AMBASSADOR

Mr. BROOKE. Mr. President, all of us were delighted with the appointment by President Nixon of Dr. Jerome H. Holland, former president of Hampton Institute, as U.S. Ambassador to Sweden.

His treatment there by certain radical elements has left much to be desired.

Ambassador Holland, however, has amply demonstrated the qualities of a genuine diplomat during his 3 months in Sweden. And he seems to be getting a warm response from most Swedish citizens, according to a long and very interesting account published in the Wall Street Journal for July 8, 1970.

This should surprise no one, considering Jerome Holland's outstanding career as a student, athlete, educator, and leader.

Mr. President, I ask unanimous consent that the article from the Wall Street Journal be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN SWEDEN, U.S. ENVOY PLAYS IT COOL

(By Felix Kessler)

STOCKHOLM.—Like many other Swedes, Kristian Svenberg is personally impressed by U.S. Ambassador Jerome H. Holland. "He's really trying to move around this country to find out what the people are like," says the 23-year-old medical student.

But Mr. Svenberg says he'll still throw eggs at the new American envoy to Sweden any chance he gets.

"That's not personal," says Mr. Svenberg. "We look on Mr. Holland as the representative of U.S. imperialism. Our aim is to get him out of the country."

So far, the aim of radical young egg-throwing demonstrators hasn't been too good: They've scored no direct hits on the tall black ambassador and the State Department says it has no intention of recalling him—as it did his predecessor for five weeks in 1968—in protest against the Swedish government's pro-Hanoi leanings.

In fact, the egg-throwing and name calling demonstrations—Mr. Holland has been taunted with shouts of "nigger"—have gained him considerable sympathy. This is no mean feat in a nation where, Swedish officials estimate, at least 80% of the people oppose America's Vietnam war policies, and where, in the U.S. view, a policy of "active neutrality" amounts to support for North Vietnam. Under such conditions, what is life like for a U.S. ambassador?

A day spent in the company of Mr. Holland, who arrived here three months ago, reveals that it is pretty much the predictable round of conferences and social engagements—some important and some not so important—and all enlivened a bit by the delicate state of U.S.-Swedish relations.

The U.S. has had 20 consuls or ambassadors in Sweden starting with a bearded gentleman named William Widgery Thomas in 1863. Mr. Holland, a rugged 54-year-old former All American end at Cornell, is the first black U.S. ambassador to serve here. (In its 116 embassies around the world, the U.S. currently has five black ambassadors. The other four are assigned to Haiti, Uganda, Chad and Liberia, which received the first black American ambassador in 1949.)

EASYGOING AND ACCESSIBLE

An easygoing manner, willingness to talk and a conscious attempt to make himself as accessible as possible all seem to characterize Mr. Holland's approach to his problem of dealing with a country whose relations with the U.S. are often strained. Mr. Holland has already met formally three times with Swedish Prime Minister Olaf Palme, and he has also met with practically all segments of Sweden's population—except with the demonstrators, who won't meet with him.

"An ambassador has to go out, to meet people in the big cities and the small towns," says Mr. Holland. "Visit housing projects, churches, homes, shops. It's important for gathering information—and at the same time imparting it."

To date, the approach seems to be paying off. The radicals may still want to throw eggs, but Swedish government officials are known to regard Mr. Holland favorably as "more mature" than his predecessor, who was considered isolated and remote.

On a recent day, Mr. Holland began setting the pace for the 42 American civilians, 17 military attaches, 5 Marine guards and 81 Swedish and other nationals assigned to this medium-sized embassy by arriving at his fourth-floor office shortly after 8:30 a.m., as is his custom. Having browsed through news wires and other overnight messages at home, he quickly tackles the mail with his secretary, Marguerite Spreitzer.

"I believe it's important that every letter gets a personal reply," he says.

Shortly before 9, the embassy's Political Attache, C. Arthur Borg, drops in to analyze the morning newspapers. Mr. Holland the previous day had toured an important Swedish industrial group's plant, and the newspaper Dagens Nyheter implies he was "not exposed to any egg-throwing" because the visit "was surrounded by great secrecy to avoid demonstrations. . . . To play safe, the dinner which followed was given in a very secret place."

"There was nothing secret," snorts Mr. Holland. "I had dinner at the managing director's home, just as planned."

Hostile treatment in the press and elsewhere is something the U.S. ambassador has to get used to in Sweden, however. During his first months in the country, Mr. Holland observes diplomatically, "the time has been full": 14 demonstrations, at least three egg-throwing occasions, and two times when he's heard himself called "nigger." A Swedish press spokesman disputes this last charge by claiming that an American Black Panther derisively shouted "house nigger" at only one demonstration. "That's laughable," exclaims Mr. Holland. "I'm a black man—and I don't know when people call me names?"

A tour of the embassy reveals a number of "combat souvenirs" of Sweden, decorating the walls of embassy officials. A paper Vietcong flag that had been planted in an embassy geranium pot and a chain with which a demonstrator had fastened himself to a railing hang on a relief-map of Sweden in the office of Turner Cameran, the embassy's Deputy Chief. A picture of a demonstrator's placard politely requesting "Mr. Bodde go home" hangs in the room of Political Officer William Bodde Jr. (He is, in fact, being routinely resassigned to Washington.)

Mr. Holland considers the more extreme protest, such as egg-throwing and personal abuse, "an embarrassment to Sweden." But he believes that the demonstrators nevertheless are only a small percentage of the population and the Swedes are happy with his presence. The 50 letters he's been receiving daily express support in the form of "apologies for the Swedish people," invitations to dinner, cocktail parties and informal gatherings.

A MEETING WITH BUSINESSMEN

Speedily reading letters as he signs them with a black Government issue ballpoint, Mr. Holland says that his past 17 years as a college president (at Delaware State College and Hampton Institute) have proved good experience for his ambassadorial tasks.

At 10 a.m., four embassy officials enter the ambassador's office to discuss a meeting he will have the next day with 30 managing directors of American concerns established in Sweden. After settling down on a couch and chairs in his modest office, the officials decide the businessmen will be most interested in Sweden's fall election prospects. "Everybody thinks an embassy has inside information," someone observes.

Other points that will be covered are Sweden's economy, its dependence on exports and the possibility that an American Chamber of Commerce will be formed in Stockholm.

After the 40-minute meeting, Mr. Holland flicks through some more mail. "Just want you to know I'm pulling for you," writes an American supporter. Another says that "I am Swedish and in your corner." Still another bears greetings from "one of the people living in little houses in the big forest."

At 11, two teenagers from the Anglo-American school—a Bulgarian girl and Mr. Borg's daughter—are ushered into Mr. Holland's office to receive scholastic awards. "Well, let me congratulate you two ladies on your achievements in English," says Mr. Holland easily. He then poses for photographs with the girls. "Speaking as an old educator," he says, "I'm sure it would help if the principal got in the picture." After an unhurried five minutes, he's back on his desk reviewing more mail and wire messages.

Col. Harry Tyndahl of Sweden's Salvation Army enters diffidently at 11:25. Mr. Holland immeidately puts him at ease by asking detailed questions about the Army's operations. After 10 minutes, Col. Tyndahl places his hands together as if in prayer and beseeches Mr. Holland: "Could you please meet with our international head and Swedish head?" Without hesitation, Mr. Holland says he'd be delighted and offers to bring everyone to his home for coffee.

Shortly before noon, the embassy's Public Affairs Officer, Patrick Nieburg, enters to discuss a Washington directive and to brief Mr. Holland on the people with whom the ambassador is lunching at Sweden's state-owned television center. "Mostly administrators, not journalists," says Mr. Nieburg.

Mr. Nieburg is followed by William Zavis, the Press Attache, who checks on arrangements for a four-day trip the Ambassador is making to central Sweden over the weekend.

Mr. Zavis is concerned that a scheduled police strike will leave Mr. Holland unprotected. It's Mr. Holland's fourth such country swing and he's previously taken his wife, Laura, and two youngsters, Joseph, 13, and Lucy 14. "Protecting me is their (the Swedes') business," he says. "I'll go alone if need be but I'm not calling off the trip."

Mr. Holland is, however, sympathetic to Swedish police on their demands for more overtime pay, partially because demonstrations against the U.S. have contributed heavily to their working long hours. "Police all over the world have been left behind on pay," he says. And he finds the bearded, mustachioed or long-haired Swedish police not much different from their American colleagues. "I've got a brother-in-law who's a member of the New York police," he say. "I don't go along with those who call them pigs."

Shortly, Mr. Holland's wife picks him up for the broadcasting lunch. The lunch lasts two hours, and Mr. Holland, on his return, terms it "friendly," with discussion involving differences between American and Swedish approaches to the media. Back in his office, he signs a few more letters before a conference with an executive of International Business Machines.

The IBM official insists he has a "private" matter to discuss with Mr. Holland and overstays his appointment; he's followed by a clergyman who also has "something personal" on his mind. Outside, Miss Spreitzer's phone rings constantly with calls from bridge players (involved in a big tournament held in Stockholm), business men and tourists who've lost passports or otherwise seek the ambassador's help.

During the afternoon, a Swedish caller tries to enlist Miss Spreitzer's aid in helping establish a Wild West exhibit. A woman calling from Wisconsin wants to know which Swedish hospital will perform an abortion on her granddaughter. (The embassy obliged her request.)

All afternoon embassy officers buttonhole Mr. Holland briefly to discuss policy. (Three days a week he has more formal meetings with various staff members.) At 4:30 he emerges, is cornered separately by Mr. Borg and Mr. Cameron, and finally makes his getaway.

He receives a snappy salute from a Marine in the lobby, steps into his Cadillac limousine and is driven to his nearby home.

Mr. Holland gets home a few minutes before some guests begin to arrive. They include sociologists Eli Ginsburg, Dr. John Cooper, president of the Association of American Medical Colleges, two Ford Foundation visitors touring Sweden, an American television producer and various embassy and Swedish officials.

AN IMPRESSIVE RESIDENCE

The residence, the former home of a wealthy publisher, is considered one of the finest owned by the American Government. It includes a sauna, a squash court and an indoor swimming pool. One room is now lined with African carvings and busts that the Hollands acquired during their travels.

Mr. Holland introduces guests and makes small talk with ease. By 6:30, everyone has gone except a late-arrival, a self-assured television newsman with a hot idea. "What we want to do," says the American TV man poking a finger at Mr. Holland, "is hang a mike around your neck and follow you around for a day or so. You know, go everywhere with you except the bathroom."

The newsman promises that he, the cameraman and sound technician will be unobtrusive. "You'd be surprised how soon you'll forget we're here," he says. "The first thing I want is not to interfere with what you're doing." Then he corrects himself good-naturedly. "No, the first thing I really want is to shoot a lot of good film."

Mr. Holland agrees amiably and ten minutes later everyone has gone. At 6:50, Mr. and Mrs. Holland leave to attend a small private dinner with a Swedish medical college president, some academics and several social welfare officials—people whose professional background isn't very different from that of Mr. Holland.

Although the Hollands have eaten dinner at home only once in the past two weeks, he says they've always had breakfast together. He also finds time to play ball or Ping Pong with his son, whose major complaint is acute sports deprivation, though he plays on three Swedish basketball teams.

Except for a lack of confrontations with angry protestors, it's been a normal day for America's Ambassador to Sweden. "Not heavy, not light," says Mr. Holland, "just average."

A TRIBUTE TO SENATOR MIKE MANSFIELD

Mr. YARBOROUGH. Mr. President, on June 19, 1970, Senator **Mike Mansfield** set a record of service as majority leader of the Senate which surpassed the record set by his predecessors in that position. Not only has **Mike Mansfield** served as majority leader of the Senate longer than any man in American history, he has led the Senate during the most creative and challenging period in its long history. It is only proper that we pause to pay tribute to this distinguished leader and great gentleman.

It has been my pleasure to know and serve with **Mike Mansfield** for over 13 years. It was my privilege to support him for the position of majority leader. Under his leadership, the Senate, in the last 9 years, has passed more far-reaching social legislation than any other legislative body in the free world. As an active member, and lately as chairman, of the Committee on Labor and Public Welfare, I have worked closely with our distinguished majority leader on many progressive measures. He has always been a strong supporter and forceful advocate for those bills which would educate our young, care for our sick, care for our aged, preserve our natural resources, and assure our veterans of the health and educational benefits they so justly deserve. **Mike Mansfield**'s latest contribution to America was his successful fight to secure for young Americans the right to vote at the age of 18.

During the past 9 years, Congress has passed more health legislation and more educational legislation than in all the former history of our country combined. **Mike Mansfield** gave his leadership to all of those programs.

Despite the difficulties and pressures imposed upon him as majority leader, **Mike Mansfield** has always treated every Member of the Senate with the utmost courtesy and respect. Many times in the heat of a legislative battle, when tempers reached the boiling point and reason temporarily departed this Chamber, it was **Mike Mansfield**'s quick wit which was the "soft answer" that "turneth away wrath" and paved the way for a reconciliation of differences, and a logical solution of the problem.

I shall always be grateful to **Mike Mansfield** for the many courtesies he has shown and for his help in passing major legislation that my committee has produced. He is a credit to this great body and to the people of Montana who he so devotedly serves. Above all else, I cherish the over 13 years of friendship with **Mike Mansfield**. As I leave the Senate, it is my fondest hope that when the 92d Congress commences, he will still be majority leader of the Senate. I also wish for him many years of good health and continued success in his efforts on behalf of the people of the United States.

It is a high place, measured less by the length of service than by the effectiveness of it. Measured by progressive legislation for the advancement of the American people, his record is so great that it is improbable that it will ever be exceeded. It is no servile fawning to the executive branch; on the contrary, it is marked by a rugged independence that causes the distinguished majority leader, who is also a member of the Foreign Relations Committee, to warn the Nation over and over of the folly and detrimental effects of certain foreign policy actions of the executive branch of the Government.

Some Senate leaders have been called the Senator's Senator. **Mike Mansfield** is America's Senator. He is the epitome of honor and integrity. May his light long shine.

Probably the best description of **Mike Mansfield** can be found in the words of the great writer, Alexander Pope:

> Statesman, yet friend to truth; of soul sincere;
> In action faithful, and in honour clear;
> Who broke no promise, serv'd no private end,
> Who gain'd no title, and who lost no friend.

Mike Mansfield's place in history is assured.

CAPTIVE NATIONS WEEK

Mr. DOLE. Mr. President, the distinguished Senator from Illinois (Mr. **Smith**) had planned to address the Senate briefly today regarding Captive Nations Week which will be observed from July 12 through July 18. As Senator **Smith** is unable to be present today, I ask unanimous consent that his remarks be printed in the **Record**.

There being no objection, the remarks were ordered to be printed in the **Record**, as follows:

STATEMENT BY SENATOR SMITH OF ILLINOIS

Next week will mark the 12th annual observance of Captive Nations Week which the Congress, in 1959 authorized the President to proclaim each year "until such time as freedom and independence have been achieved for all the captive nations of the world."

This year the United States will be joined by 17 other free-world nations in focusing attention upon those countries in which freedom remains as a memory and a dream for the future.

My state of Illinois has become the home of many of the fortunate citizens from the world's captive nations—those who have escaped the tyranny which enslaves their brothers. Here they work within the freedoms of this country for the future independence and liberty of their beloved homelands. They have brought to Illinois their pride, their love of freedom, their talents, their skills and their deep devotion to the principals upon which this country was founded. Their cultures have enriched the life of Illinois. I am proud to join with my constituents from the Captive Nations in calling for the return of freedom and independence to all the peoples of the world. They know that our freedoms can never be completely secure so long as any people are held in slavery.

OIL POLLUTION AND HUMAN RIGHTS—IV

Mr. PROXMIRE. Mr. President, during the last 3 days I have discussed the need to ratify two new treaties regarding international oil spills. I have pointed out that everyone has a right to a clean environment and that oil pollution represents one of the most serious threats to this right. Today I would like to examine the specific provisions of the two treaties and show exactly how they can be expected to cope with the problem.

The first convention would empower the United States to take preventive action against vessels on the high seas which threaten imminent pollution danger to American coasts. The principal objective of this treaty is to eliminate the delays which have plagued cleanup efforts in the past. This treaty will enable the Navy and the Coast Guard to take swift action against any leaking vessel without having to obtain prior clearance from the owners. Much of the damage done by the sinking of the *Torrey Canyon* could have been avoided had such an agreement been in effect. This treaty is particularly important in view of the fact that immediate preventive action can avoid much of the massive damage done by huge oil slicks. If the oil can be contained, there is an excellent chance that its spread can be prevented.

The second treaty would impose strict civil liability upon the owner of vessels responsible for pollution damage to coastal areas. This would provide the strongest possible incentive for the owners of oil tankers to take every precautions against oil spills, and also guarantee that the Government would not have to bear the cost of cleanup. It would make the polluter, and not the public, responsible for cleanup costs.

Mr. President, both of these treaties are urgently needed if we are to avert future environmental disasters. I urge speedy consideration of both of them.

SILENT MAJORITIES AND THE VIETNAM WAR

Mr. ALLOTT. Mr. President, the June issue of Scientific American contains a fascinating article that should do much to dispel some prevailing myths.

The article is by Philip E. Converse and Howard Schuman and is entitled " 'Silent Majorities' and the Vietnam War." It is a demonstration that the science of measuring public opinion—psephology—is coming of age.

The authors have gathered and sifted and studied a huge amount of data pertaining to the evolution of public attitudes on various questions concerning United States policy in Vietnam. In doing this they have used the splendid resources of the Survey Research Center of the University of Michigan.

The general lesson to be learned from their careful study is that one must be careful in formulating questionnaires, and we all must be careful in comparing the responses elicited by related—but quite significantly different—questions.

The authors also arrive at some startling conclusions with regard to the specific question of which portions of the population have been most committed against the war. They say this about the attitudes of the most educated portion of the population:

> Another pattern, not quite as distinct, is a positive association between education and support for the nation's involvement in Vietnam. Respondents classed as 'college-educated' registered disproportionately among those who are most 'hard-line,' or least negative, about the Vietnam war. Here again, since there is typically a fairly strong relation between education and interest in public affairs, one sees a pattern that contributes to the association between attentiveness to the war and support for the nation's involvement.
>
> The surprising feature of the relation between education and attitudes toward Vietnam, however, is that the pattern does not seem to be of a piece with the campus ferment against the war. Moreover, to compound the confusion, national surveys did not yield until recently any distinct relation between age and attitude toward Vietnam. The "generation gap" that one would have expected, wherein the young oppose the war and the old support it, simply failed to appear, and even now it is not very large. Indeed, putting these two findings together, it can be shown with Survey Research Center data as of 1968 that (among whites) college-educated people in their twenties were more likely than older people of grade school education both to justify the war and to favor an intensification of it. The differences are substantial running to 20 percent or more.
>
> We have subjected the relation between college training and support for the war to closer scrutiny, and the results are highly interesting. An obvious explanation of the seeming paradox is that most of the people who comprise the category of "college-educated" persons in poll results have been out of college for many years. Moreover, the "college-educated" group is a good deal more heterogeneous than one tends to think. It includes, for example, many people who attended a junior college or failed to complete the requirements for a degree at a four-year college.
>
> It is plain that before the entry into Combodia last month most of the vehement antiwar sentiment had appeared at a fairly small number of campuses usually classed as leading universities. Although these institutions are large and each of them awards many degrees, they are vastly outnumbered by the hundreds of smaller colleges in the nation. As a result, fewer than 25 percent of the college-educated members of the population have ever had contact with a university where the antiwar sentiment has been strong for some time, and for many of those who have had such an affiliation the connection ended long ago.

So that all Senators may profit from the fine scholarship of Professors Converse and Schuman, I ask unanimous consent that their article be printed in RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"SILENT MAJORITIES" AND THE VIETNAM WAR

(By Philip E. Converse and Howard Schuman)

President Nixon has asserted that a "silent majority" supports his stand on the war in Vietnam. His critics respond that a majority of Americans want a quicker end to the war than the President offers. Each side seems able to cite opinion polls that appear to uphold its point of view. One is left wondering whether or not a national majority has in fact been identified and, if it has, what it favors.

At the Survey Research Center of the University of Michigan we have recently brought together a decade of the published results of polls on the Vietnam war. We have also subjected data from our own national surveys to a level of detailed analysis that goes well beyond the usual newspaper reports of public opinion. Although it would be reckless to claim that any simple or unequivocal picture emerges from this work, we can say that our findings do not present the kind of patchwork that defies coherent interpretation. At the very least they help to clarify what is accurate, as opposed to what is probably overdrawn, in either extreme of interpretation of the public mood on the war in Vietnam.

One fact is important to recognize at the outset. Although the standard national survey of some 1,500 interviews may seem far too small to represent a nation with an adult population exceeding 100 million, the procedures of the major reputable survey organizations are geared to mathematical sampling theory and can be expected to provide estimates of overall proportions that are accurate to within a few percentage points. It is true that there are practical problems in applying sampling theory to surveys of human populations, but the problems have to do not with size of sample but with failure to adequately represent all parts of the population. The main loss is unavoidable: some of the people who are selected refuse to be interviewed and others cannot be found during the interviewing period. The proportion missed in this way is often as large as 20 percent and could have serious effects on the results of a poll if such people differed consistently from the rest of the population. Fortunately studies of the characteristics of such "nonrespondents" indicate that omitting them has little effect on the conclusions one would draw about opinion on the Vietnam war. In any event these losses are similar in all surveys of opinion and so cannot serve to explain any seeming difference in the results.

It follows, then, that two national surveys of standard size taken at the same time by competent agencies should show results that differ from each other by no more than a small sampling error. We find this expectation is typically borne out, given on crucial proviso: the questions and the interviewing procedures must be identical or sufficiently similar. The difficulty is that this condition is met far less frequently than the casual observer might expect.

Where voting behavior is concerned there are not many different ways to assess voter intentions, and election polls can be compared readily. Most matters of public policy are not so easily approached. For the war in Vietnam the controversial aspects are almost innumerable. Each aspect requires a somewhat different question, which has its own unique meaning. Moreover, since polling agencies prefer to word their own questions, it is possible to obtain different results even when two agencies are examining essentially the same aspect of an issue. In the case of the war in Vietnam, for example, it is unusual to find instances where two national surveys were made at the same time with questions worded the same way.

The difficulties that can arise from differing questions are easily demonstrated. In the summer of 1966, for example, 70 percent of the people interviewed by the Gallup poll said they approved the bombing by the U.S. of oil storage dumps in Haiphong and Hanoi, 11 percent disapproved and the remainder had no opinion. Two months later the same organization sampled opinion about the demand of many "doves" that the U.S. submit the Vietnam problem to the United Nations "and agree to accept the decision, whatever it may be." In this case 51 percent of the sample thought the proposal was "a good idea" and only 32 percent disliked it. The reader who considered this result to be three to two in favor of the doves and compared it with the apparent majority of seven to one for the "hawks" a few weeks earlier might have had cause to wonder about the solidity of public opinion or the soundness of polling procedures. In actuality the confusion lies in too simplistic a view of the results, since the questions were quite different and could not be expected to give commensurate responses.

A more subtle problem is presented when questions identical in purpose differ markedly in wording or format. In June, 1969, the Gallup poll told respondents that the President had "ordered the withdrawal of 25,000 troops from Vietnam in the next three months" and asked for opinions on whether "troops should be withdrawn at a faster or a slower rate. "Faster" won over "slower" by 42 percent to 16 percent, with 29 percent refusing the alternatives presented and instead spontaneously declaring agreement with the President. Scarcely three months later the Harris poll asked a similar question but presented three choices: "In general, do you feel the pace at which the President is withdrawing troops is too fast, too slow, or about right?" Again the equivalent of "faster" won over "slower," by 29 percent to 6 percent, but this time 49 percent approved the current rate. The key to the difference in the two results is that the Gallup format made it easier for respondents to disagree with the existing rate of withdrawal.

Several approaches are open to the observer who wants to avoid pitfalls of interpretation and make sense of majority opinion on Vietnam. One is to trace changes over a period of time in responses to a question, provided that the fundamental meaning of the question has not been altered by changes in the situation. A second approach is to pay strict attention to nuances in the wording of a number of questions presented at about the same time; in this way one can establish the broad boundaries of public

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opinion on the war in Vietnam and can isolate the ways that the wording of questions colors responses. A third approach is to explore differing reactions to the same question in various segments of the population.

The broadest trends in American opinion on the Vietnam war over the past decade appear clearly in all surveys. At the beginning of the period the attitude was one of inattentive tolerance toward the U.S. Government's actions in South Vietnam. For example, when respondents in a Survey Research Center poll in 1960 were asked to name the most important problem facing the country, only a tiny number mentioned the Vietnam war even indirectly. The war received 8 percent of first mentions in 1964, 45 percent in 1966 and 41 percent in 1968. This increased awareness was accompanied, particularly in its later phases, by a progressive disillusionment with the correctness of the U.S. commitment. Such disillusionment is best reflected by data published over a period of time by the Gallup poll.

Although it is clear that the public mood about the Vietnam war is now rather firmly negative, it does not follow that the public reaction to alternatives of policy can be as succinctly characterized. In particular, the simplistic grouping of respondents as hawks and doves breaks down rapidly. Hawks are supposed to believe the U.S. did the right thing in attempting to stem the tide of Communism in Southeast Asia and that the nation should now escalate its military efforts to achieve victory. Doves are supposed to rue the fact that American troops ever became involved in Vietnam and to demand their immediate withdrawal.

Equipped with no more than these definitions, an observer would derive the clear impression from the broad trends reflected by polls that the doves now constitute a majority. Indeed, the Gallup poll showed clearly a shift of doves from a minority to a majority between 1967 and 1969. From time to time the poll asked: "People are called 'hawks' if they want to step up our military effort in Vietnam. They are called 'doves' if they want to reduce our military effort in Vietnam. How would you describe yourself—as a hawk or a dove?"

Other data show that the impression given by these results is quite wide of the mark. A Survey Research Center finding in 1968 is a case in point. Respondents were asked not only if the commitment in Vietnam was a mistake but also which of three courses should be pursued: pulling out, preserving the *status quo* or escalating. As one would expect, there was a tendency for people who thought the intervention was right to favor a stronger stand in the future and for people who deplored the intervention to favor withdrawal. Nonetheless, among those who viewed the war as a mistake almost as many favored escalation as were for withdrawal! All told, then, a five-to-three majority regretted the original intervention, but at the same time those calling for "a stronger stand even if it means invading North Vietnam" outnumbered those advocating complete withdrawal by about as large a margin.

How can the Gallup "dove" majority and the Survey Research Center results be reconciled? Some attention to the wording of the questions is rewarding. The description of "hawk" in the Gallup poll compares reasonably well with the "stronger stand" offered as an alternative by the Survey Research Center, and the proportions endorsing both positions at about the same time show no sharp discrepancy. The description of "dove," however, is more elusive. Whereas it was hardly Administration opinion in 1967, by 1969 even President Nixon was advocating a reduction of the U.S. military effort in Vietnam, thereby qualifying as a "dove" by the Gallup definitions. Nonetheless, his position was plainly different from that of the complete-withdrawal "doves" of the Survey Research Center question.

It is also illuminating to consider the trend of opinion from 1965 through 1969 on the President's handling of the Vietnam situation. The main trend is the sharp decline of confidence in President Johnson's management of the war. One further detail worth attention is the time lag before the decline set in. The Johnson electoral landslide in 1964 was seen in many quarters as a vote against escalating the U.S. involvement in Vietnam. The bombing of North Vietnam began only three months later, touching off the first highly vocal bitterness on college campuses because it was seen as exactly the policy of escalation just repudiated. Yet the confidence of the broad public in the President's handling of the situation seemed at first to be heightened. It did not begin to turn downward until a full year later. We shall return to this point.

President Nixon appears to have gained in public approval both over his predecessor and during the period since he took office. By last July he had acquired nearly as much support as President Johnson enjoyed in 1965. The President's announcement last November 3 of his plan for a progressive reduction of the nation's military activity in Vietnam appears to have increased his support still more, although this surge now seems to have passed its peak.

Thus at the turn of the year the President stood squarely aligned with several majorities: those regretting American involvement in Vietnam, those wanting to reduce the nation's commitment there and the large majority rejecting complete withdrawal as an alternative. How stable are these majorities? In what direction might they move under various plausible conditions? Any prognoses must rest to an uncomfortable extent on surmise and are subject to reversal by unforeseen events. It is possible, however, to probe somewhat more deeply into the structure of opinion on the Vietnam war in ways that provide further insights.

Among other things, one must consider the plasticity of opinion. It is widely recognized among workers on public opinion that some measured opinions are much softer, or less crystallized, than others. Soft opinions are likely to change dramatically in response to events, even minor ones, and to the pleas of esteemed leaders.

The evolution of opinion on Vietnam provides instances of the difference between soft and hard opinion. In March, 1968, for example, the Gallup poll noted that "the North Vietnamese have said that if we agree to stop the bombing of North Vietnam, they will agree to peace negotiations" and asked: "Should we stop the bombing or not?" The result was 40 percent for stopping and 51 percent against. Shortly afterward President Johnson announced his decision to stop the bombing, and in April the Gallup poll asked respondents if they approved; 64 percent did and 26 percent did not. It is safe to assume that the shift of some 25 percent in one month was largely due to the President's speech.

On the other hand, one can consider President Johnson's repeated attempts to keep the public believing that the commitment of troops to Vietnam had been necessary. The people accepted this judgment for a while, but events gradually convinced them that the Vietnam war was a mistake. It is likely that the President's later pleas to the contrary damaged his credibility more than it swayed what had become hard opinion.

In general, it is likely that crystallized opinion differs from soft opinion in being anchored more deeply in individual experience, information and motivation. Although there was a time when most Americans lacked enough information about Vietnam to form solid judgments on the nation's involvement there, experience has mounted steeply in terms of deaths, taxes and soldiers not home for Christmas. The end state, a satisfactory disengagement from Vietnam, has come rather clearly into the public's mind. As for the means of reaching that end, opinion is much more tentative. Moreover, there is no reason to believe it will ever become sharply crystallized. To a large degree the public entrusts officials to make the detailed policy decisions, although it may ultimately punish them at the polls if the selection of means turns out to have been unfortunate.

None of this is to say that all opinions favoring withdrawal or escalation are casual. Many of them are hard, and if the President succeeded in disengagement, there would surely be bitter recriminations from those whose preferences were slighted. Nor are even the deep regrets about the nation's involvement in the Vietnam war immutable. One can imagine circumstances, for instance a southward sweep by Communist China or the collapse of the Vietcong, when such regrets would be swept away as irrelevant. The important point is that if the basic elements of the situation remain as they are, it is likely that a successful disengagement by the President would probably win the strong approval of a vast majority, regardless of the means that might have seemed more sensible along the way.

This interpretation is supported by other observations about polls. People following polls have noted how the support of the President seems to rise after any new initiative, whether it is in the direction of escalation or a reduction of commitment. It is in this light that we interpret the rise in support for President Johnson after his decision to bomb North Vietnam. The support lasted until it became clear that the projected results had been illusory. Similarly, the reaction to President Nixon's speech of last November may chiefly reflect satisfaction that some kind of effort was being made to move the situation off dead center. The entry into Cambodia seemed to be received at first with a parallel surge of public support, in spite of sharp attacks on the policy by leading spokesmen.

What if there is no successful disengagement within a reasonable period of time? If our analysis is correct, we would expect strong public disapproval to set in. It would not be surprising if such a reaction gathered speed more swiftly than the comparable moods during the Korean war and the latter days of the Johnson Administration. In this sense the provisional timetable laid out in the speech of November 3 is a short fuse on the powder keg, much like the Johnson Administration's statements about having the troops home for Christmas of 1965. There is some evidence, for example, of considerable support for a faster withdrawal of troops than present policy envisions. Moreover, although support for immediate withdrawal has not been large in the past, by early this year there were signs that it might be growing significantly. A definite timetable of a year or so for withdrawal might well be a political platform that could attract widespread support.

It is instructive, in examining the structure of public opinion on Vietnam, to look closely at the segments of the population where support for or resistance to the war is particularly strong. In 1968 the Survey Research Center asked: "How much attention have you been paying to what is going on in Vietnam? A great deal, some, or not much?" When views on the Vietnam war are divided in this way, one finds that the most attentive persons seem to show the firmest support for the war. This relation is most notable in the responses to an additional question on whether or not the original intervention in Vietnam was right. We are aware that self-gauged interest is not necessarily a reliable indicator of how well informed the respondent may be. Nonetheless, the results seem surprising in the light of the association between the concern and the negative feeling about the Veitnam war that has been evident on the campuses of leading universities.

Although attitudes toward the Vietnam war have consistently shown less-distinct differences among various standard groups of the population than is true of many other political attitudes, two exceptions stand out. They are race and sex. Blacks and women have shown more disenchantment with the involvement in Vietnam than white males over the entire period when relevant samplings have been made. The patterns are not surprising. The war in Vietnam has been a notable focus of alienation in the development of black consciousness during the 1960's. Women have traditionally been unenthusiastic about war involvement, and the largest sex differences in responses emerge when policies involving strong military initiatives are at stake. Moreover, blacks and women, for different but obvious reasons, typically show less interest in political affairs than white males do. Therefore some of the association between interest and relatively hard attitudes on Vietnam probably arises from these background differences.

Another pattern, not quite as distinct, is a positive association between education and support for the nation's involvement in Vietnam. Respondents classed as "college-educated" register disproportionately among those who are most "hard-line," or least negative, about the Vietnam war. Here again, since there is typically a fairly strong relation between education and interest in public affairs, one sees a pattern that contributes to the association between attentiveness to the war and support for the nation's involvement.

The surprising feature of the relation between education and attitudes toward Vietnam, however, is that the pattern does not seem to be of a piece with the campus ferment against the war. Moreover, to compound the confusion, national surveys did not yield until recently any distinct relation between age and attitude toward Vietnam. The "generation gap" that one would have expected, wherein the young oppose the war and the old support it, simply failed to appear, and even now it is not very large. Indeed, putting these two findings together, it can be shown with Survey Research Center data as of 1968 that (among whites) college-educated people in their twenties were more likely than older people of grade school education both to justify the war and to favor an intensification of it. The differences are substantial, running to 20 percent or more.

We have subjected the relation between college training and support for the war to closer scrutiny, and the results are highly interesting. An obvious explanation of the seeming paradox is that most of the people who comprise the category of "college-educated" persons in poll results have been out of college for many years. Moreover, the "college-educated" group is a good deal more heterogeneous than one tends to think. It includes, for example, many people who attended a junior college or failed to complete the requirements for a degree at a four-year college.

It is plain that before the entry into Cambodia last month most of the vehement antiwar sentiment had appeared at a fairly small number of campuses usually classed as leading universities. Although these institutions are large and each of them awards many degrees, they are vastly outnumbered by the hundreds of smaller colleges in the nation. As a result, fewer than 25 percent of the college-educated members of the population have ever had contact with a university where the antiwar sentiment has been strong for some time, and for many of those who have had such an affiliation the connection ended long ago.

With these considerations in mind, we have grouped college-educated respondents in Survey Research Center samples according to a general quality rating of the universities they attended. The rating is based on data concerning faculty salaries and on other information reflecting the academic quality of student bodies. We have also set apart as a separate group the college graduates who did postgraduate work.

Within this framework we have examined the responses to a number of questions, such as the one about whether the respondent favors a stronger stand, preservation of the *status quo* or withdrawal from Vietnam. The reader will recall that responses to this question by the total population inched in a dovish direction between 1964 and 1966 and moved more rapidly in that direction between 1966 and 1968. In each of those years the college-educated group, taken as a whole, was slightly more hawkish than the noncollege population. Yet even by 1964 people with graduate training were more dovish than the noncollege group had become by 1968.

More detailed analyses show that women from the "quality" institutions were already quite negative about the war in 1964, although the males from those institutions were at the time thoroughly hawkish. By 1966, however, males with a background in the prominent universities (but without graduate training) had become more resistant than the noncollege population to a hard line in Vietnam.

Throughout the entire period from 1964 to 1968 alumni of the smaller colleges, although they came to see the war as a mistake, clung to a harder line than even the noncollege population. It is this constituency from smaller colleges more than any other that has served as the backbone of popular support for the war. Since this group is numerically the largest in the college-educated population, its views explain why national survey data show people of college background giving relatively strong support to the war. The spread of strong antiwar protest to smaller campuses in recent months, particularly in reaction to the Cambodian campaign, may be a forerunner of broader disillusionment with the war even within the more supportive segments of the public.

In any event these findings suggest rather clearly that feeling against the war has consisted up to now of two currents that are widely separated from each other. One current is made up of a tiny fraction of the population, but one that is highly educated, articulate and visible. The other group tends to be less educated than the national average and is much less politically visible, although it is far larger than the set of vocal critics—perhaps by a factor of 10 or more.

It is likely that the grounds for antiwar sentiment are quite disparate between the two currents. There is of course plain evidence of moral outrage in the more highly educated and articulate group. The polls have made little effort to illuminate the bases of negativism in the broader public, but signs of any moral overtones to this larger discontent are few. General reaction to the reports of the massacre at Mylai, as recorded in a Harris poll in January, can perhaps best be described as bland. Most disenchantment with the war seems pragmatic and can be summed up in the attitude that "we have not won and have little prospect of doing so."

This simple war-weariness has colored poll results for some time. One of the most negative responses to any policy proposal for the Vietnam war appeared when the Gallup poll asked in 1967 about a "suggestion" that "income taxes be raised to help pay for the war in Vietnam": 70 percent of the respondents were opposed. Almost any proposal to share or somehow unload the burden of the war wins strong approval. We have mentioned the positive response to the idea of submitting the issue to the U.N. In view of the President's policy of "Vietnamization" it is interesting to note that as early as "1966 the Gallup poll showed 62 percent favoring the transfer of "more responsibility for the fighting of the war" to South Vietnam, with 22 percent opposed and the remainder uncertain. A year later the edge had risen to 77 to 11.

The failure of most commentators to recognize the profound differences between the two currents of opposition to the war may have led to much of the perplexity over the behavior of public opinion. People who oppose the war for moral reasons are little affected by new events that suggest victory or defeat, whereas those who oppose the war for pragmatic reasons are greatly influenced by just such events.

There is much reason to believe the two groups have little communication with each other. The smaller group is in the vanguard of protest against the war, and many of its members are among the militant protesters. The larger group, although it also regrets the war, shares at the same time the antipathy that most Americans have to any political dissent that goes beyond the confines of conventional debate. It is therefore not surprising that when the Survey Research Center asked respondents in 1968 to evaluate a wide range of political leaders and groups on a "feeling" scale, ranging from extremely negative to highly positive, reactions toward "Vietnam war protesters" were by a substantial amount the most negative set. Nearly 75 percent of the respondents rated protesters in the negative half of the scale and more than 33 percent placed them at the extreme negative point, which was not otherwise much employed. Indeed, 63 percent of those believing the war was a mistake viewed protesters negatively, and even of the group favoring complete withdrawal from Vietnam, 53 percent put the protesters on the negative side of the scale. Plainly opposition to the war and opposition to active protest against it go together for a significant part of the population.

These findings help to fill in a profile of public opinion on the war in Vietnam. They also lend credence to the proposition that the net effect of vigorous protest in the streets has been to shift mass opinion toward renewed support of the President. On the other hand, the role of highly visible dissent in keeping a wider range of options in the public eye and in encouraging dovish spokesmen in Congress or skeptical commentators in the mass media could be quite real.

APPEARANCE OF A CAMPAIGN AGAINST THE SOUTH

Mr. TALMADGE. Mr. President, judging from some of the national news media and activities and pronouncements of people in positions of influence and leadership, it would sometimes appear that there is a veritable campaign against the South. We see it manifest itself in various ways, and just recently, in my judgment, the failure of the Senate to seat either of two men on the U.S. Supreme Court because they happen to be southerners.

This is unfortunate. We are but one nation and one people. We all share the same problems and seek a common goal of social and economic progress for every citizen. Yet, the situation persists, and I could even go so far as to say that there seem to be a number of people who do not realize that the War Between the States has been over for more than 100 years, and that the States of the South are full-fledged members of the Union.

The Augusta Herald of July 6 published an editorial on this problem that should be of great concern to all of us. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

ANTI-SOUTH

Is it a crime to be a white Southerner?

You might think so if you follow the national news media closely. As has been the case before, we appear to be in the middle of a Hate-the-South campaign of massive proportions. The manifestation of the effort says much about the divisions in the country and about those who are promoting the fragmentation.

Throughout much of the post-Civil War period of American history, the South has found its interests subordinated to those of the rest of the Nation. The region was used as a virtual economic colony by Northern industry financial interests. Only in recent years has the system of deliberate discriminatory freight rates been abolished, so that now Southern-made goods can compete in national markets.

While this process was going on the more insidious social and political smear of the South was always present. Southern institutions were reviled as decadent and violence oriented. Southern political leaders were ridiculed and subjected to unfair harassment.

This campaign has reached its zenith in novels and plays which have become a virtual flood in the last few years. People from outside the South are often surprised that few Southerners have read the literary works of Faulkner and other Southern-born writers. The answer is quite simple. A literal acceptance of some of their descriptions as being typical provides a distorted and largely untrue picture of the South and most Southerners. Why should Southern people bother with books which they know are filled with falsehoods and exaggerations?

To many members of the national news media in our time, white Southerns and racism are synonymous. With some of them, it seems nothing about the South can be said without connecting it to the race issue. All other things are subordinated. The constant spewing of this venom across the airwaves has not been without its effect.

In the political arena, we have seen Southerners of the highest quality rejected for national positions solely because of their birth. The defeat of Clement F. Haynsworth in the United States Senate for a seat on the Supreme Court is, in our opinion, a case in point.

Liberals attribute Southern charges of bias to an inherent persecution complex. After listening to television news broadcasts and reading national magazines, anyone with a grain of sensitivity should be able to understand why Southerns feel persecuted. They feel persecuted because they are in fact being persecuted.

The South and racism are not synonymous. Southerners are, in our judgment, rapidly burying racial hatred.

Can the same be said for some of those who are the most shrill in their criticism of the South?

AMERICAN INDIAN

Mr. DOLE. Mr. President, Kansas has long been associated with the American Indian. At one time thousands of Indians roamed the vast grasslands of Kansas to acquire their necessary food supply. Today, there are still 1,000 Indians living on four reservations in Kansas.

At present, of the three schools for Indians offering post-high school education, one is Haskell Indian Junior College at Lawrence, Kans. Haskell has a long history of excellent preparation for Indians desiring to meet the challenges of a technological society, and it has recently begun plans for an extensive expansion program which will help it achieve academic accreditation. But many things are still lacking, including funds for the construction of necessary facilities.

Mr. President, President Nixon's message on Indian affairs is a timely and important recognition of the needs of the Indians in Kansas and throughout the Nation. It is a part of the Nixon administration's efforts over the past 18 months to improve the quality of life for all Americans.

President Nixon's policy rejects the two extremes of constant paternalism or forced termination and encourages greater control of Indian affairs by Indians. It also contains important proposals that will assist the long-term development of Indian economic projects.

I commend the President and Secretary Hickel for this initiative and urge serious and immediate consideration by Congress.

HIDDEN COSTS OF THE VIETNAM WAR

Mr. FULBRIGHT. Mr. President, the current issue of Time magazine contains an interesting article entitled "The Hidden Costs of the Vietnam War." I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE HIDDEN COSTS OF THE VIETNAM WAR

"An end to the war would be good, not bad, for American business. War is, as we would say in business, a low-yield operation."(Louis B. Lundborg, Chairman, Bank of America.)

The myth that capitalism thrives on war has never been more fallacious. While the Nixon Administration battles war-induced inflation, corporate profits are tumbling and unemployment runs high. Urgent civilian needs are being shunted aside to satisfy the demands of military budgets. Businessmen are virtually unanimous in their conviction that peace would be bullish, and they were generally cheered by last week's withdrawal from Cambodia. But they have begun to realize two disquieting facts. First, the real costs of war in Viet Nam and of the nation's total defense effort are far greater than anything reflected in the military budget. And though military spending is declining, the U.S. will have to bear a heavy financial burden from the Viet Nam War long after the shooting stops.

The military budget for fiscal 1971, which began last week, stands at $71.8 billion, but that is only the beginning. Nondefense segments of the federal budget are laced with costs that are basically military. By conservative estimates, these allocations in the new budget come to $20 billion, raising the annual cost of defense to $91.8 billion. Arthur Burns, chairman of the Federal Reserve Board, makes a much higher calculation; he figures that the tangential military costs lift defense spending to more than $106 billion.

DEBTS FROM DEFICITS

The Atomic Energy Commission, the Selective Service Commission and other agencies spend an estimated $1.6 billion a year for defense-related projects. At least one-half of the $3.4 billion allocated for space programs can be considered defense-connected. The Agency for International Development spends roughly $950 million of its $1.9 billion budget to help the U.S. meet its military commitments around the world, including $474 million in AID funds for Viet Nam.

Much of the Coast Guard's budget of $625 million and the U.S. Information Agency's $189 million are really defense spending. About $50 million in aid to impacted school areas is a consequence of the crowding caused by military families. Federal highway overpasses have been built to expensive heights to accommodate tank carriers, and roads have been extended to pass close to military bases. Advocates of subsidies for shipping, airlines and oil often win their case by arguing that federal handouts are needed for reasons of defense.

A major item is the public debt, which has risen from $323 billion to $373 billion since 1965, largely because of the deficits caused by the Viet Nam War. Interest payments on this debt for fiscal 1971 are expected to reach $19 billion, of which $11 billion can be traced to the costs of Viet Nam and past wars. The interest paid on the debt from World War II has amounted to about $200 billion so far.

THE ECONOMIC DRAIN

Veterans Administration payments constitute another long-lived but little-noted expense of every war since the Civil War. This year they will add up to about $8.9 billion in disability pensions, education aid and medical care. Since 1965, costs of VA medical care have climbed by $500 million; almost all of the rise is attributable to the Viet Nam War. And forthcoming costs to the nation amount to a large mortgage on the future. Economist James Clayton of the University of Utah estimates that the total cost of pensions for Viet Nam veterans alone will eventually reach $220 billion.

Economist Robert Eisner of Northwestern University calculates that the Viet Nam conflict has already cost the nation $219 billion. Direct war expenditures accounted for $113 billion. In terms of production lost because young men went into service or stayed in school to avoid the draft, the civilian economy lost another $82.5 billion, by Eisner's estimate. The human cost of the dead and wounded is incalculable; the economic drain, in terms of demand and production that will never be realized, is calculated by Eisner at $23.1 billion.

Since 1965, Eisner figures that real corporate profits, adjusted for the war-fueled inflation, declined by 17%. He calculates that soaring prices also have caused the real average income of the U.S. production worker to dip by about 2% in the past five years. "This loss in income," says Eisner, "must be a major factor in working-class malaise and tension."

TECHNOLOGICAL DRIP-OUT

The debilitating effects of the nation's longest war will probably forestall many of the anticipated advantages of a peacetime economy. For example, concern is growing about the economic distortion created by the relationship between the Pentagon and defense companies.

Some of the nation's most inventive companies, and many of its best managers, scientists and skilled workers, have devoted their energies to military production. Assistant Treasury Secretary Murray Weidenbaum wonders whether they can ever contribute much to a civilian economy. In a paper written just before he joined the Administration, Weidenbaum observed: "The Defense Department has slowly taken over many of the decision-making functions which are normally the prerogative of business management: the choice of products to produce, the source of capital funds, the internal operations of the firm." As a consequence, these firms have drifted far from the marketing realities of a civilian economy.

Most of the federally sponsored research in the last decade has focused on space and defense and has had limited practical use. "The supposed technological fallout from the NASA program has been more of a drip-out," says Physicist Ralph Lapp. He characterizes the Saturn F-1 moon rocket as a typical example of "techno-giantism," which involves enormous effort and expense to perform an exquisitely specialized task, but so far has almost no application for a civilian market.

Abraham Morganstern, research director of the Electrical Workers Union, believes American workers have become overly dependent on war work. He predicts that the transition to a peacetime economy, which President Nixon has talked much about lately, will be more difficult than is generally realized. For one thing, says Morganstern, the backlogged demand for consumer goods is far less than it was just after World War II and the Korean War. Certainly there will be other demands—for pollution control, school construction, mass transit, urban development. Work on some of these problems has been delayed by the war, but the needs will be met only if peace brings a reordering of priorities and a redirection of the nation's resources.

DR. THOMAS B. SYMONS, AGRICULTURIST AND EDUCATOR

Mr. MATHIAS. Mr. President, it is with deep sadness that I noted the recent death of a distinguished Marylander, Dr. Thomas B. Symons, agriculturist, educator, and bank executive.

Dr. Symons was connected with the University of Maryland for 72 years in various capacities and played a major role in its rise from an agricultural college to the institution of higher learning it is today. Among the tasks he performed so ably were State entomologist, head of the Maryland entomology department, dean of the School of Agriculture, director of the school's extension service, president pro tempore of the University and member of the board of regents.

As chairman of the State soil conservation committee, he championed the program of draining Maryland's flat coastal plains and conserving her topsoil.

Following his retirement from the university, Dr. Symons joined the Suburban Trust Company as director of public relations. He remained an honorary director of the bank after his retirement.

Maryland and the Nation mourn the loss of this distinguished citizen. I ask unanimous consent that his obituary, published in the Washington Post of July 5 and the New York Times of July 6, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Dr. Thomas B. Symons Is Dead; Agriculturist and Educator, 89

Washington, July 4.—Dr. Thomas B. Symons, agriculturist and educator, died Saturday at Prince George's General Hospital in Cheverly, Md. He was 89 years old and lived at College Park, Md.

Dr. Symons had been associated with the University of Maryland for 72 years—as student, teacher and administrator—and had retired last month after 16 years as a member of the State Board of Agriculture and the Board of Regents of the university.

He was often called "Mr. Agriculture in Maryland" and was affectionately known as "Dr. Sy."

He worked his way through the four-year course at the Maryland Agricultural College in three years and graduated in 1902. After a year of work at Cornell University, he returned to Maryland and was appointed assistant entomologist.

By 1905 he had earned his master's degree and was appointed state entomologist and head of the entomology department—a position he held until 1914. In the meantime he became dean of the School of Horticulture at what was then Maryland State College, and in 1914 he became director of the newly organized Maryland Extension Service, where he remained as its head for 36 years.

The University of Maryland awarded him the honorary degree of Doctor of Science in 1918.

In 1937 Dr. Symons was named dean of agriculture while continuing as director of extension. Following his retirement in 1950, he was called back by the university in 1954 to serve as president pro tem.

Upon his retirement from the university in 1950, Dr. Symons joined the Suburban Trust Company as director of public relations. He retired from the position in 1964 but continued as an honorary director of the company.

He is survived by three daughters, Mrs. Helen R. Jenkins, Mrs. Isabel La Roche Godwin, and Mrs. Josephine S. Troth; seven grandchildren and six great-grandchildren.

Thomas B. Symons, Bank Executive, 89

Dr. Thomas B. Symons, 89, Maryland agriculturist, educator and retired bank executive, died yesterday at Prince George's General Hospital. He resided at 410 Columbia Ave., College Park, Md.

Dr. Symons was associated with the University of Maryland for 72 years as student, teacher and administrator. He retired last month after 16 years as a member of the State Board of Agriculture and the Board of Regents of the University of Maryland.

Born on a 240-acre Talbot County farm, Dr. Symons worked his way through the four-year course at the Maryland Agricultural College—which became Maryland State College and then the university—in three years, graduating in 1902.

After a year of gradaute work at Cornell University, he returned to Maryland in 1903 and was appointed assistant state entomologist.

By 1905, Dr. Symons had earned his master's degree and was appointed state entomologist and head of the Maryland entomology department—a position he held until 1914.

Meanwhile, he was named dean of the school of horticulture at what was then Maryland State College at College Park, and in 1914 he became director of the newly organized Maryland Extension Service, a post he held for 36 years.

The University of Maryland awarded him an honorary degree of doctor of science in 1918.

In 1937, Dr. Symons was named dean of agriculture while continuing as director of the extension division.

He retired from the university in 1950, but was called back in 1954 to serve as president pro tem until September of that year when he was appointed to the board of regents of the university and the State Board of Agriculture.

Dr. Symons, interested in many phases of rural life in Maryland, helped organize the Maryland Horticultural Society and served as its secretary from 1903 to 1918.

For six years, he served as secretary to the Maryland Agricultural Society.

As chairman of the State Soil Conservation Committee, he championed the program of saving Maryland's rolling acres and draining the flat coastal plains for better production.

He was a promoter and supporter of the Grange and served as a member of the state executive committee for many years. Among his numerous awards was the Distinguished Service Award from the American Farm Bureau Federation.

Following his retirement from the university, Dr. Symons joined Suburban Trust Company as director of public relations 1964. After his retirement he continued as an honorary director of the Maryland bank.

He is survived by three daughters, Helen S. Jenkins, of College Park, Isabel LaRoche Godwin, of Great Neck, N.Y., and Josephine S. Troth, of Williamsburg, Va.; seven grandchildren, and six great-grand children.

NEW ADMINISTRATION SUPPORT FOR EFFLUENT CHARGES

Mr. PROXMIRE. Mr. President, several weeks ago I reported that the Regional Water Quality Act—S. 3181—introduced last November by 11 other Senators and myself, was continuing to gain support. The bill provides for a system of national effluent charges that would provide an economic incentive to cut back sharply on waste production. In addition it calls for the establishment of regional management associations that ultimately would be responsible for water quality management.

Several provisions of the bill received indirect but strong endorsement last Sunday when Secretary of the Interior Walter Hickel, announced that he was promulgating new water pollution control regulations that will apply under the Federal construction grants program. Among those were first, development of comprehensive river basin-wide programs for pollution abatement; second, imposition of mandatory user charges on industrial contributors to municipal waste treatment plants based on the actual costs of treating industrial wastes; and third, design of any new federally aided treatment plants must be approved in advance as economical, efficient, and effective under Federal Water Quality Administration requirements.

I am very much pleased that the Nixon administration has decided to adopt these reforms, which are covered by S. 3181. Implementation of those provisions is an important step toward recognition of the fact that the polluter—not the Government—should be made responsible for the cost of cleaning up polluted waters. Acceptance of the user charge concept is particularly important for, like effluent charges, user charges will provide a strong economic incentive to reduce the amount of waste generated by the polluter. Such charges make it profitable not to pollute. What is more, both user and effluent charges provide revenue needed to finance the construction and operation of necessary waste treatment plants. That is particularly important in view of the severe funding shortage that is jeopardizing the success of clean-up efforts across the country.

While the Secretary's announcement is very welcome, it is not enough if we are to make rapid progress in the first against water pollution. User charges are only part of the ultimate solution. In those areas where treatment plants are

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lacking, or where they are under construction, effluent charges will motivate industry to reduce sharply the amount of waste it is dumping in the water pending the completion of the treatment plants. Once the facilities are completed, user charges can be imposed which will provide a continuing incentive for waste reduction while also covering the cost of treatment.

Thus the two types of charges are designed to complement each other. The passage of S. 3181 will subject all sources of pollution to a charge system, rather than merely those industrial sources that lead into municipal or joint treatment plants.

Mr. President, the critical need for new approaches to the problem of water pollution control is obvious to everyone. Secretary Hickel's announcement last Sunday demonstrates that we are moving in the right direction. The passage of the Regional Water Quality Act will provide the Secretary with the full complement of charge alernatives that are needed to curb water pollution quickly.

THE NEED TO REVITALIZE THE NEW ENGLAND FISHING INDUSTRY

Mr. KENNEDY. Mr. President, in recent years the fishing industry in New England and in the United States generally has faced a serious and continuing decline. Until the late 1950's, for example, the United States ranked second among the nations of the world in fish landings. Today we rank sixth.

In 1960, fish imports were 25 percent of total U.S. supply. Today they are over 75 percent.

In 1960, American fishermen accounted for 93 percent of the fish caught on the New England Continental Shelf. Today it is less than one-third.

Mr. President, in my own State of Massachusetts all three major ports—Boston, New Bedford, and Gloucester—have been hit hard. A number of factors has contributed to the decline:

The rapid rise in imports;

Old fleets and equipment;

Foreign government subsidies to their ships and fishing industry generally;

High cost of construction and insurance;

Depletion of haddock;

Lack of vigorous, young personnel going into fishing;

Misleading labeling which confuses purchasers who might wish to "buy American";

Fragmentation of the industry.

These and many other problems and needs have crippled the industry and hurt thousands of citizens in Massachusetts, New England, and other regions of the United States.

Just recently the Boston Globe carried an excellent three-part series by Frank Donovan entitled: "Massachusetts: Its Troubled Fleet." Mr. Donovan discusses the general decline of the industry, the situation in each of the three major ports in Massachusetts, and the immediate needs if we are to revitalize our fisheries.

Mr. Donovan sums up the situation well in one of his concluding paragraphs when he points out:

> The ports of Boston and Gloucester are dying, and in New Bedford, where the outlook for the future is brightest, there is too much dependence on one species—flounder. Although part of the blame for the fishermen's plight is internal, he has long been sacrificed by the government for other industries.

Mr. President, I ask unanimous consent to place in the RECORD this excellent series of articles by Mr. Frank Donovan of the Boston Globe.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MASSACHUSETTS: ITS TROUBLED FLEET—1: DEPRESSION, DESPAIR MARK FISHING INDUSTRY

(By Frank Donovan)

Two traditional Massachusetts industries are shoe manufacturing and fishing. In recent years both have been faced with serious economic problems. Earlier this year, Boston Globe reporter Frank Donovan examined the shoe industry in two in-depth reports. In April and May, reporter Donovan took a similar look at the fishing industry in Boston, Gloucester and New Bedford. Today the Globe publishes the first in a series of three reports on "Massachusetts—Its Troubled Fleet."

The Massachusetts fishing industry is like a ship without a rudder, bobbing aimlessly on a stormy sea and in danger of sinking.

As old as the landing of the Pilgrims, the industry is beset by nearly as many problems as the number of years it has been in existence.

Engaged in a battle for survival against foreign competition, the domestic fisherman finds himself undersold in his own markets and outfished in his own waters.

He has already lost the frozen fish industry to the foreign market and each year he slips a little further behind in the fresh fish segment of the business.

If this isn't enough, overfishing is jeopardizing the ocean's fish resources. Huge foreign fishing fleets with a colonial attitude toward fishing off the US coast are largely to blame.

In 1938, the United States ranked second to Japan in the amount of fish caught. Now it is in fourth place, behind Russia, which has tripled her catch, Japan and Communist China.

The United States imported 426 million pounds of groundfish last year and this represented some 80 percent of all groundfish consumed in the country. Fish imports are up 21 percent for the first quarter of 1970. A decade ago, 155.6 million pounds of groundfish were imported.

As the world grows smaller with better and faster transportation, so does the domestic fisherman's corner of the fresh fish market. Some 75 percent of all fresh fish sold in the US is caught by domestic fisherman. Only a few years ago it was 85 percent.

The Massachusetts fisherman has turned his weatherbeaten face toward Washington for help many times, but the mechanics of government move slowly and big promises slip through his net like the fish that got away.

The administration has promised relief for the industry, but has cut $7.5 million from the Bureau of Commercial Fisheries' 1971 budget.

A commercial fishing research vessel, to be based in New Bedford, was launched at a cost of $600,000 by private enterprise, but, at the same time, the Bureau of Commercial Fisheries announced that the $2 million research vessel Albatross IV, based at Woods Hole, will be taken from service to save money.

But while the fishermen have made many demands of Washington and their cry has been long and loud, they have done little to improve their own position.

Few industries are as fragmented as the Massachusetts fishing industry. Each fisherman is a small businessman in competition with his neighbor and foreign fleets. Against subsidizing foreign competition, the fight of the domestic fisherman is similar to that of the corner grocery store against the supermarket. The outcome will be the same.

THREE PORTS

It is unfair to consider all fishermen as one or to lump the state's major commercial fishing ports of Gloucester, New Bedford and Boston into one category.

On a good vessel, fishermen can expect to make between $12,000 and $20,000 a year. Those sitting back waiting for the government to bail them out, under $10,000 a year.

Of the ports, New Bedford is the most progressive and its fishing fleet of 200 vessels is larger than Boston (35) and Gloucester (105) combined.

If any part of the industry is unified, it is in New Bedford. Yet, New Bedford has little to do with Boston and Gloucester. And, the only link between Boston and Gloucester is Boston's Fish Pier.

Russell T. Norris, director of the North Atlantic Region of the Bureau of Commercial Fisheries, U.S. Department of the Interior, has proposed a 5-step program he feels is necessary to stabilize the New England fishing fleet.

This includes investment of private capital, a Federal subsidy, quality improvement of the product, a reduction in costs and proper access to the source.

Norris, 53, a Newburyport native, accepted the directorship of the 13-state region from Maine to Virginia last September. He is concerned about the mounting competition of foreign vessels and the declining condition of the New England fleet.

In the past 10 years, 119 New England vessels have been lost at sea.

"We have a subsidy program that pays up to 50 percent of the cost for construction of new boats," Norris said. A 1792 law, however, prohibits the construction of American boats in foreign ports and domestic built vessels cost twice as much.

In an attempt to compete with the huge foreign fleets, and especially their factory vessels, the U.S. built a similar boat, the Atlantic Seafreeze. American fishermen, however, are unaccustomed to being at sea for long periods of time and the program has only been a moderate success.

VANISHING HADDOCK

The American fishing fleet ruled Georges Bank in 1961 and brought in a catch of 112 million pounds of groundfish.

A year later, the US fleet of New England was joined by a small foreign fleet. Both the haddock and foreign ships were plentiful in 1963, but things haven't been the same since.

Nearly 950 million pounds of haddock were caught during 1965–66 by Russian, Canadian and US vessels. This was nearly double the average annual landings by all nations in previous years. As many as 300 foreign vessels have been counted on the banks.

Overfishing by this huge foreign fleet combined with natural causes has reduced the haddock stocks to a very low level and scientists estimate it will take years for them to replenish.

To preserve the species, 15 nations of the International Commission for the North Atlantic Fisheries (ICNAF) met in Warsaw

Poland, in June 1969 and established catch quotas on haddock, and closed sections of Georges and Brown's Banks during March and April of this year, the time when the fish spawn. The regulations become effective Jan. 7 and are for a three-year period.

The haddock disaster motivated the Federal government to appropriate about $500,000 for research of pollock fisheries off the Northeast coast.

Kevin Allen of the Bureau of Commercial Fisheries' Boston office said the money was used for research to subsidize the fishermen and to educate the American consumer to the advantages of eating pollock.

People began eating pollock and liking it, Allen said. As the market was created, the price of the fish rose from under 10 cents a pound to a high of 29 cents a pound at the dock.

But no sooner was the market created than fresh pollock from Canada began arriving at 6 cents to 8 cents a pound and has undercut the domestic fisherman, Allen said.

Sen. Edward M. Kennedy (D-Mass.), made a whirlwind, fact-finding tour of the Massachusetts fishing ports in February to obtain information on industry problems at first hand.

The senator spent the day listening and learning and what he heard were stories of depression and despair. How imported fish, large foreign fleets, high insurance rates, old domestic vessels and government apathy had the Massachusetts fishing industry on the rocks.

Kennedy explained his bill, Senate 2825, which he filed for the second straight year in an effort to help the domestic fishing industry. The bill, he said, would expand the fishing vessel subsidy program from $10 to $20 million.

The fishing industry represents more than $100 million a year to Massachusetts. The state ranked fifth in the nation last year in volume of catch with 280 million pounds of fish valued at $4.19 million. The record catch for the state set in 1948 is 649 million pounds.

Boston is more than just an industry, it is the home of the Cod.

John J. O'Brien, regional coordinator of the BCF's office of market news, said there has been a constant decline in Boston's fishing industry since 1950, two years after the record catch.

The industry represents $30 million a year to Boston and last year 45 million pounds of fish were landed, he said. This is, however, 15 million pounds less fish than the previous year.

Boston houses the New England Fish Exchange, founded Oct. 9, 1908 to guarantee the fisherman the money he is to receive from dealers for his catch. Other than the New Bedford fish auction, there isn't anything else quite like it in the world.

It was on Apr. 23, 1934 that the exchange handled its largest volume—4.1 million pounds of fish were landed and sold in 45 minutes. Since 1941, when 3.09 million pounds of fish valued at $11.6 million were sold the volume of fish has been decreasing while the cash value has been increasing.

BOSTON'S FLEET

The Boston fishing fleet is comprised of eight large trawlers in the 130-foot class and another 25 smaller boats in what is known as the Italian fleet. About 400 men sail the vessels.

The biggest boat owner is Thomas Fulham of the Boston Fish Market Assn. who operates four large modern trawlers and has a fifth under construction.

The most modern vessel in Fulham's fleet is the Old Colony, a 131-foot steel stern ramp trawler that was put inte operation last year at a cost of nearly $1 million. A sister ship, the Tremont, is under construction in Sturgeon Bay, Wis.

Fulham formed the Boston Fishing Boat Co. nine years ago to help renovate the Boston fleet, which at that time had not had a new boat in 14 years. The first boat was the Massachusetts. All of the vessels have been built under a Federal subsidy program.

Now that he has developed a successful method of building and managing boats, Fulham is "fearful for the fish source."

Unless it comes under conservation, we will be in trouble. Haddock has been fished down to an absolute minimum, he said.

Prior to the huge foreign fleets things were all right, but now they put so much concentrated fishing power on areas that there must be protection of the species, Fulham said.

Fulham envisions international controls under which the coastal country would be responsible for fishing over the continental shelf.

"The attitude of the national government must change. Nowhere does it declare that the fishing business is of any value, nor does it consider the fish off our coast as part of our national wealth," Fulham said.

There have been many changes in the fishing industry in recent years, he continued Fish has become popular as a food and more people are eating it now than ever before. "It is no longer a poor man's food.

"The fishing banks, however, don't get any bigger while the population is growing. Nations have been slow to realize that the ocean source could diminish."

Fishermen aboard the Old Colony have made more money in the first quarter of 1970 than they have in history. Each man has already earned nearly $10,000.

The industry is unique in many ways, Fulham said. Where else, he said would you take a million dollar investment, turn it over to a man with about a seventh grade education and let him take your investment to sea and make all the decisions.

"Our captains are well paid and they deserve to be. They make more decisions than any corporation executive on a similar pay scale," he added.

At the far end of the Fish Pier, in the same brick building that houses the Fish Exchange, Hugh F. O'Rourke, executive secretary of the Boston Fisheries Assn., Inc., maintains his office.

In the nine years he has been watching the boats land their catch, he has seen Boston's fish industry decline by 50 percent.

O'Rourke likes to compare the fishermen to the farmer who was trying to scratch out a living in the Dust Bowl of the Midwest.

"It wasn't until the Federal government stepped in and showed the farmer how to operate his business that he became a success.

"The same thing applies here. The government must teach the fisherman the economics of his business and provide the funds to help him regain his feet," O'Rourke said.

"If the United States is to return to a position of prominence in world fisheries we must have government sponsorship for boat building, continuing research and technological projects and marketing development programs that would increase and maintain consumer interest."

Although the promotion of pollock on the domestic market has helped, O'Rourke said the fishermen failed to catch the amount of pollock that was needed to fill the demand created.

The pollock were more plentiful off the coast of Canada and they migrated from our grounds to Georges and Brown's Banks which were closed, he continued.

"We suffered a loss of 50–60 percent of our haddock supply and pollock only made up 15 percent of it," O'Rourke said.

O'Rourke said there are some 16 fish processing firms located on the pier that employ about 250 workers. "There were 21 firms on the pier in 1967, but you have to remember that 32 million pounds less fish has been landed in Boston in the past two years with the reduction in income of about $3 million in 1969," he said.

A large part of the industry's problem is internal, O'Rourke said, because of a lack of cooperation. "Every man who owns a boat is on his own and in competition. He won't be part of a cooperative venture, he said.

"We have to be the biggest fish market in the world—70 percent of all the fish we eat is imported. However, there is no private investment in the industry.

"There is no replacement for money. If we had more boats we could catch more fish. Once we supply the fish we can meet the foreign market. If we are subsidized as well as other countries, we can do as well as other countries," O'Rourke said.

"The government must get into the fishing business. How long do you think Rte. 128 would last if the government wasn't buying its products? Why should we be any different?"

MASSACHUSETTS: ITS TROUBLED FLEET–II: GLOUCESTER'S PARADOX—BUSINESS IS GOOD, BUT FISHING ISN'T

(By Frank Donovan)

The Massachusetts fisherman finds himself undersold in his own markets and outfished in his own waters in his struggle against foreign competition. Meanwhile, the government fails to offer substantial aid to the domestic fisherman and is apparently willing to sacrifice him for other interests.

In part one of this series the overall problems of the Massachusetts fishing industry, and especially Boston, were examined.

GLOUCESTER.—Capt. Salvatore Militello tends bar and manages the St. Peter's Club, biding his time until he can get another boat.

Militello was captain and one-half owner of the 91-foot dragger John F. Kennedy out of Gloucester that burned and sank Dec. 6, 1969, 10 miles off Cape Cod.

When the vessel sank it took with it a little piece of Militello. "There will never be another boat like her," he said.

The JFK was only 8½ years old and one of the newer boats in the Gloucester fleet. The sinking just about wiped out Militello and Joseph Ciolino, his partner.

"We were doing good when the boat was operating," Militello said. "We were making $10,000 to $12,000 a share as fishermen.

"I didn't see my five kids much while I was fishing. They are grown up before they know you. My kids fishermen? Never happen . . . it's a lousy life.

"I started as a little kid to be a fisherman. What the hell do I know about anything else," Militello concluded.

Fishing in Gloucester is a family business. Change comes slowly and is reluctantly accepted. The rivalry is as strong among neighbors as it is with foreign competition.

PROCESSING IS THE BUSINESS

Gloucester is full of paradoxes. While it is the home of the second largest fishing fleet in Massachusetts, one-third of all the frozen groundfish imported to this country is processed here.

In 1950 there were 196 vessels—nearly twice as many as there are now—and 1643 crewmen. Yet today there are more people employed in the fishing industry in Gloucester than at any previous time.

Fish processing plants have taken up the slack and provided a major boost to the city's economy. Gloucester has 14 of these plants and they employ some 1500 workers.

John Silva, business agent for Local 15, Amalgamated Meat Cutters and Butcher Workmen of America, AFL–CIO, explained that the fish is imported to the country and comes to Gloucester in frozen blocks, weighing up to 50 pounds:

The blocks, he said, are cut while frozen

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into portions, breaded, cooked, packaged and quick frozen again. The entire process takes less than 15 minutes, he said.

"The domestic fishing fleet can't even begin to supply the amount of fish needed to keep these plants in operation," Silva said.

He said the present tariff of 15 percent on imported cooked and breaded products has been the salvation of his industry. "If it dropped, then it would be cheaper to process the fish outside the country and import it," he added.

Silva believes the domestic fisherman should have protection against the importation of fresh fish. "I think the government should help these fishermen build new boats."

The frozen food process employed in these plants was developed in Gloucester by Chester Birdseye in the 1930s. The process was heralded as the salvation of the fishing fleet, but subsidized foreign competition undercut and eliminated domestic fish from the frozen market.

Like everyone else in Gloucester, Salvatore J. Favazza, executive secretary of the Gloucester Fisheries Commission, wants to help the local fisherman, but not at the expense of the city's frozen imported fish processing plants.

"If we could stop all imports our fleets could not supply what the country needs. Ninety percent of all frozen groundfish products are imported. If 25 years ago steps were taken things may have been different, but they weren't.

"The foreigners have the frozen fish field . . . we are losing our grasp on the 70 to 75 percent of the fresh groundfish market that we now control.

"Let's not try to do the impossible. Let's leave the frozen market alone and try and save the fresh fish market," Favazza said.

Gloucester's fleet landed 68.2 million pounds of fish valued at $6.5 million last year, he said. There were sharp declines in the landings of haddock and whiting by Gloucester fishermen, but prices were considerably higher.

With the decline of first the redfish and now the haddock, Gloucester fishermen have turned to pollock and shrimp fishing. Gloucester fishermen increased their shrimp catch from 114,000 pounds in 1968 to 3.9 million pounds last year, Favazza said.

To determine the potential of the shrimp industry, Favazza said a fisheries extension service is needed. "All of the leading fishing nations except the United States have nationwide, government-operated fisheries extension services. Without such a service much valuable research and information lies dormant in the filing cabinets of the fisheries agencies."

As this country develops new markets for fish, Favazza said, it must also protect them from imports. He said that the "Canadian exports to the U.S. of fresh pollock in 1969 were three times that of 1968."

There are some, however, who blame the Gloucester fishermen for not taking full advantage of the pollock market and allowing imports from Canada to get a foothold.

They claim, and no one wants to be identified, that the Gloucester fishermen refused to believe that a market could be created for pollock and did not catch the fish under the subsidy program. When the demand was created and outgrew the supply, the importers sewed up the markets, such as upstate New York, with Canadian-caught fish. Now these dealers have a Canadian source, and are stocking with it.

WIVES ARE PUSHING

The United Fishermen's Wives Organization of Gloucester, which was founded last year, is devoted to protecting interests of the fishermen while they are at sea.

The wives have been quick to recognize the strength in unity, and are trying to get their independent-thinking husbands to organize. Still attired in their pollock cooking aprons, the wives are trying to promote formation of the Fishing Dynamics Corp. to improve and rebuild the fishing industry.

The corporation would be comprized of shareholders, who would elect a board of directors which would appoint a manager to run the business. The manager would purchase food, fuel and equipment in bulk and the savings would be passed on to the fishermen.

Grace Parsons, 23, the organization founder, said the fishermen are accepting the proposal, which includes a training program for young fishermen.

Meanwhile, the women are continuing to distribute pro-fish propaganda to the American housewife and to take their husband's problems to Washington.

FEDERAL AID OR ELSE

Michael Orlando, president of the Atlantic Fishermen's Union with 1000 members in Gloucester, Boston, and New York, claims the average boat in Gloucester, Boston and New York, is 20-years-old.

He says Federal aid is needed to modernize the fleet. "The government is sacrificing us for other industries. All we get is lip service and empty promises from Washington," he said.

"Canada subsidizes its fishermen to the hilt, while our government has kicked us in the teeth. The government is throwing us an anchor when we need a life preserver."

The 50 percent federal boat building subsidy had too many strings attached to be of any benefit to the fisherman, Orlando continued. "It cost between $8000 and $10,000 just for lawyer's fees and blueprints," he said.

Orlando admits that the fishermen are also to blame for the poor condition of the industry, but the real fault still lies with the government.

"When the fishermen were having good years the boats were in good shape," he said. "On the lean years the boats slipped further and further behind. New vessels are so expensive fishermen can't afford them.

"Cheap Canadian fish, both fresh and frozen has killed this country's groundfish industry," Orlando said.

He doesn't believe the story about the Gloucester fishermen not catching pollock. "It was Canadian pollock undercutting our prices that took the market away from us," he said.

FISH EXCHANGE NECESSARY

He said there were several Boston fresh fish processing firms interested in moving to Gloucester, but would not do so until they established a fish exchange where dealers could bid for fish on a competitive basis.

The five firms that now buy fresh fish from the Gloucester fishermen rely on prices established in Boston, Orlando said. Without a fish exchange, newcomers to Gloucester are afraid they would get the scraps after these five firms purchased what they wanted, he added.

Orlando feels that only the ability of the fishermen has kept the industry going, but that things have finally declined to a point where "without help there will be a lot less fishermen and boats in the near future."

Massachusetts: It's Troubled Fleet—3: New Bedford Fishermen Optimistic About Future

(By Frank Donovan)

New Bedford.—Rodney Avila comes from a long line of New Bedford fishermen of Portuguese descent. He has nine uncles who are fishermen.

At age 26, Avila is captain and one-third owner of the 76-foot otter trawler Trident, and fishing is good.

"I've been fishing for about 10 years and I wouldn't trade it. Sure fishing has its ups and downs, but it's a good clean life even if it is hard."

Avila takes his boat out for six or seven days at a time and spends three days in port between trips. The long hours, days at sea and hard work earn him $15,000 a year as the skipper.

"How much you make depends on how good you are as a fisherman," he said.

Flounder and scallops make up the principal part of the New Bedford fishing industry, but like other Massachusetts ports it also deals in groundfish, lobster, etc.

The outlook for the future of the fishing industry in New Bedford is optimistic and the community gets upset when lumped into the same category as Gloucester and Boston.

Landings at New Bedford last year reached 107.8 million pounds of fish valued at $17.4 million, tops in all respects in Massachusetts.

In the first quarter of 1970, the New Bedford office of the Bureau of Commercial Fisheries said 22.1 million pounds of fish were landed, less than a year ago when there were 23.0 million pounds. Value of the fish this year, however, is $4.8 million, while last year the larger catch sold for $3.1 million.

The fishing industry is worth $50 million a year to New Bedford and employs 2500 workers.

One of the biggest boosters of the New Bedford fishing industry is Howard W. Nickerson, executive director of the Seafood Dealers Assn.

MAKING MONEY

One of the biggest complaints is "pessimistic stories about the industry out of Gloucester and Boston that make it difficult for us to get financing."

Nickerson represents 13 dealers who last year purchased $13 million worth of fish at the New Bedford Fish Auction. They employ 500 workers.

"The boats and the fishermen are making money in New Bedford," Nickerson said, "but there has been some complaint from the consumer over high prices."

The New Bedford Seafood dealers need 400,000 pounds of fresh fish five days a week to operate under ideal conditions. When they are not supplied with enough domestic fresh fish to maintain this operation, Nickerson said, imported fresh fish is used to make up the difference.

What Nickerson feels the government can do to aid the New Bedford fishing industry at the present time is pass laws governing the labeling of fish products.

For example, he says, the housewife is apt to see fresh flounder from New Bedford in the fish market at 79 cents a pound. Next to it could be Greenland turbot at 59 cents a pound. Both fishes look alike and without labeling, Nickerson said, the housewife doesn't know what she is buying. "I believe the housewife should be given the choice of buying fresh domestic fish or cheaper frozen imported fish.

"We are not organized domestically and we don't have the money to do the advertising on our own.

"Boston and Gloucester have done nothing in the past 20 years to improve the industry," Nickerson said. "They have been too busy trying to make a living to worry about the industry as a whole.

"The fishermen feel the boat owners are cheating them and the boat owner feels the processor is doing the same.

"The boat owner, processor and fisherman must learn to work together," Nickerson said.

Nickerson said New Bedford will overcome the problems within the industry because "we have young executives in every plant. We have seven dealers planning new plants within the city's urban renewal project. They are putting their money where their mouth is.

"If the government becomes tough on quality, New Bedford is in good shape. The labeling act will let the housewife choose. . . . There are a lot of frozen products sold as fresh in this country and the law isn't strong enough to stop this," Nickerson said.

As Nickerson sees it, "The biggest single problem the domestic fish industry faces is imports, followed closely by the lack of natural resources, increasing vessel operating costs, a lack of a protected market for our quality seafood products and an insufficient number of trained seafood workers.

"Congress should spell out our national objectives in regard to the fishing industry and should implement those objectives with ground rules which would not be circumvented by political expediency," Nickerson said.

Nickerson said he would like to see the government purchase older domestic fishing vessels at a fair market value and then destroy these old boats. Although he doesn't believe in tariffs, he would like to see quotas established on imported fish at 1966 levels.

Austin Skinner, secretary-treasurer of the New Bedford Fishermen's Union, AFL–CIO, represents 1000 men or 90 percent of the New Bedford fishermen.

"Until recently our biggest problem has been getting experienced men. The past couple of years a lot of men have come down from Gloucester and there have been many Portuguese immigrants. We have finally reached a point where help is stable."

The lot of the New Bedford fisherman is good according to Skinner, he works long hours and is at sea a week at a time, but he is no worse off than any other fisherman and his pay is good.

"The average pay of a crewman aboard a trawler is $15,000 while a scalloper's is $11,500. We had a skipper draw $27,000 last year. All of the men had five or six weeks off," he said.

SCALLOP INDUSTRY

The New Bedford scallop industry is an excellent example of how the community learned to live with foreign competition.

"We started advertising the New Bedford sea scallops as a local product in the late 1950's," Skinner said. "We were getting 21 cents a pound at the dock for scallop and had a fleet of 80 scallop boats.

"The boat owner and dealers contributed some $80,000 into advertising scallops and did one hell of a job," he said.

Then Canada built an entire scallop fleet to take advantage of the American market created by New Bedford advertising. "As their fleet grew, ours diminished," Skinner said.

Rather than complain about the Canadian moving in on the US scallop market, Skinner said, "we approached them and asked them to contribute to the advertising program. They donated $20,000."

The combined market for scallops in the US and Canada reached 45 million pounds in 1962–63, which has also been the peak period of production. The present price of scallops is about $1.40 per pound at the dock in New Bedford and $1.10 in Canada.

Skinner was a member of the Internal Commission for the North Atlantic Fisheries (ICNAF), which established regulations on fishing at Georges and Brownes Banks, and feels that foreign fleets did their damage a few years back, but that it will be felt for the next 10 years.

The New Bedford Fish Auction has been in operation for 23 years, Skinner said, and helps keep the price of fish up. It also helps raise the price of fish, especially when fish are scarce, he said.

It operates much the same as the New England Fish Exchange in Boston where dealers bid for fish as they are landed at the dock.

Part of Boston's problem, Skinner feels, is the large size of its trawlers. "They are so expensive to operate that no one wants to go out."

The US government must adopt a national policy toward fisheries and approve a boat subsidy bill that will benefit the boat owner, not the ship builder, Skinner said.

Both Nickerson and Skinner agree with Leonard T. Healy, general manager of the Seafood Producers' Assn., who represents the N.B. boat owners, that a 200 mile limit off the US coast for foreign vessels would help solve this country's fishing problems.

After the deleted fishing stocks off the US coast, Healy's complaint is the cost of insurance to boat owners. Insurance costs have increased 10 times in 20 years, he said.

"In 1950 insurance cost $125 per man and now it is over $1000 a year per man," he said. He admitted, however, that claims are substantial each year. Conditions are similar in Boston and Gloucester.

The ability of fishing to continue as a major industry in the state will depend largely on the Federal government's attitude and policy in the future.

The fishermen complain that the government never has adopted a policy toward their industry.

High labor and operating costs make it impossible for the domestic fisherman to compete against foreign fishermen, whose government's have been willing to subsidize all phases of their industry for the sake of employment.

The ports of Boston and Gloucester are dying, and in New Bedford, where the outlook for the future is brightest, there is too much dependence on one species—flounder. Although part of the blame for the fishermen's plight is internal, he has long been sacrificed by the government for other industries.

To help the domestic fishermen the government should increase its boat building subsidy program and eliminate some of the red tape an uneducated fishermen must cut to take advantage of it; initiate a Federal insurance program to help cut high premiums and adopt and enforce a strong labeling code that would give the housewife the choice of buying domestic or imported fish.

ADEQUATE APPROPRIATIONS FOR HEALTH MANPOWER

Mr. JAVITS. Mr. President, Dr. George James, president of the Mount Sinai Medical Center in New York and dean of the medical school recently testified before the Appropriations Subcommittee for the Departments of Labor, and Health, Education, and Welfare.

His testimony shows that the medical schools of our country are anxious to help solve the health manpower crisis, but are prevented from doing their best because sufficient funds have not been appropriated.

He has also analyzed the difficulties facing medical students, especially in the crucial area of student loans.

I commend his testimony to the attention of Senators and ask unanimous consent that the full text of Dr. James testimony be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Mr. Chairman, I am George James, President of the Mount Sinai Medical Center in New York and Dean of the Mount Sinai Medical School. I appreciate the opportunity you have given me to testify in regard to appropriations for health, particularly those appropriations dealing with health manpower.

To say that National Health care is in a crisis situation is to state the obvious. We know that we need over 52,000 doctors right now; we know that we need 140,000 nurses right now, we know that we need enormous numbers of allied health workers, but for some reason the Congress seems unable to furnish the sums of money required to permit the schools to produce the needed manpower. We know that Medicare-Medicaid was badly planned in relation to hospitals and medical schools and that they have strained the health manpower pool severely. We also know that there is a strong and swelling tide for some form of national health insurance—and we know further that if we do have such an insurance scheme added to Medicare-Medicaid, without additional manpower, there will be total chaos in our health delivery system. Yet it will take years to get the schools into a situation where they can produce more medical personnel—and the Government seems to be asking the schools to increase the number of graduates at the same time that they are cutting back on promised funds.

As a head of a major medical institution, and as a former city health official myself, I find few things more frustrating than the warnings and promises of Congress in the Health Manpower Act of 1968, and the lack of the delivery of appropriations to back up the promises.

We deans of medical schools feel let down—we worked hard to do what the Government asked of us in 1968, only to find that the schools and students will not obtain needed institutional funds, loans and scholarships.

In my testimony, I would like to treat these areas of concern: NIH funding, institutional aid to schools of the health professions, and loans and scholarships for students.

The Research Institutes of the National Institutes of Health constitute the primary health research arm of the Federal Government and the largest single source of funds for health research in the world. In-house research is conducted by government scientists located chiefly on the NIH grounds in Bethesda, Maryland. The great majority of research support, however, is financed through grants to public and private, nonprofit institutions throughout the Nation and is conducted by outstanding researchers on the staffs of these institutions.

Almost every advance in medical research in this country during the past decade has depended to a certain extent on research supported by the National Institutes of Health. This research has completely changed the practice of medicine in recent years through the prescription of more effective drugs, the application of new surgical techniques, and the use of mechanical assistance devices such as the pacemaker and the artificial kidney. The list of life-saving achievements in the area of applied medical research would be almost unlimited.

Americans have come to appreciate these "wonders of medical research" financed by NIH, but more importantly, they have come to expect equally exciting and beneficial advances in the future. The average citizen commonly refers to the time in the near future "when they find a cure for cancer" or "when they lick the common cold" or "when they can replace our worn-out organs with artificial ones". However, funds for research programs have not kept up with needs or opportunities. In regard to cancer research, for example, the following is illuminating—out of every individual's taxes last year the following amounts were spent in selected categories:

National Defense	$410.00
Vietnam war	125.00
Space research	19.50
Foreign aid	19.00
National Institute of Health	7.00
Cancer Research	.89

I do not want to argue against any of the categories, but simply want to place cancer research expenditures in proper perspective.

Appropriations for NIH research programs rose rapidly during the early 1960's and then leveled off beginning in Fiscal Year 1967. Appropriations for the past eleven years have been as follows:

Fiscal year 1960	$331, 910, 000
Fiscal year 1961	459, 100, 000
Fiscal year 1962	629, 459, 000
Fiscal year 1963	737, 201, 000
Fiscal year 1964	736, 326, 000
Fiscal year 1965	787, 099, 000
Fiscal year 1966	896, 720, 000
Fiscal year 1967	1, 022, 158, 000
Fiscal year 1968	1, 084, 610, 000
Fiscal year 1969	1, 100, 092, 000
Fiscal year 1970	1, 028, 541, 500

For FY 1971, the administration is requesting an appropriation of $1,032,884,000 for the research institutes, thus keeping the level of funding at virtually the same level as for the previous four years.

The apparent leveling off of NIH research funds actually represents a serious reduction in the amount of health research being financed by NIH. This is due to the rapidly increasing cost of conducting health research—ten percent per year is generally considered a conservative estimate of this inflation factor. The net result of this funding trend has been a sharp decrease in recent years in the actual amount of life-saving research conducted.

It should be understood that this is a reasonable request for funds. If we took an inflation figure of 10% per year, we would find that from 1966 until now, the total of $1,280,000,000 for FY 1971 would be required just to keep us at the same level of work being done in 1966—in fact, we are doing about 40% less work than in 1966 because of the FY 1970 appropriations and the FY 1971 requests. The effect on the schools, on the researchers, and on the assembly of research teams has been catastrophic—all this at a time when the Federal Government is urging the medical schools to turn out more graduates—this is an impossible situation for us.

It is my recommendation that the appropriations committee increase the appropriations at least 10% over the Nixon Administration recommendation.

The table below represents what such an increase would be:

Research institutes	Fiscal year 1971 budget request +	10 percent amendment =	Appropriation
Biologics Standards	$8, 640, 000	$864, 000	$9, 504, 000
National Cancer Institute	202, 383, 300	20, 238, 300	222, 621, 300
National Heart and Lung Institute	171, 747, 000	17, 174, 700	188, 921, 700
National Institute of Dental Research	34, 563, 000	3, 456, 300	38, 019, 300
National Institute of Arthritis and Metabolic Diseases	132, 152, 000	13, 215, 200	145, 367, 200
National Institute of Neurological Diseases and Stroke	96, 972, 000	9, 697, 200	106, 669, 200
National Institute of Allergy and Infectious Diseases	99, 219, 000	9, 921, 900	109, 140, 900
National Institute of General Medical Sciences	148, 376, 000	14, 837, 600	163, 213, 600
National Institute of Child Health and Human Development	93, 303, 000	9, 330, 300	102, 633, 300
National Eye Institute	25, 686, 000	2, 568, 600	28, 254, 600
National Institute of Environmental Health Sciences	19, 843, 000	1, 984, 300	21, 827, 300
Total	1, 032, 884, 000	103, 288, 400	1, 136, 172, 400

I turn now to support for institutions.

Attached are figures for institutional support and for construction support. As can be seen, since 1969, appropriations have fallen seriously behind authorizations. (Attachment A)

The severe shortage of doctors in this country can only be alleviated by helping schools of the health professions to improve their educational programs and to expand their facilities. For this reason, programs of assistance to such schools were established by Congress in the mid-1960's. Formula and project grants are awarded to schools of medicine, dentistry, etc., to improve their quality and to increase their output. Grants are also awarded to health professions schools for the construction of new teaching facilities and for the replacement or rehabilitation of existing facilities.

Due to a shortage of funds, several health professions schools are in grave danger of being forced to close their doors, thus reducing the supply of trained health professionals. Many medical schools are operating at a loss and are either going into debt or using endowment funds to continue operations. Other medical schools are getting by only through the use of outmoded equipment, by conducting excessively large classes to keep faculty salary costs down, and by otherwise cutting back on the quality of their educational programs. The Health Manpower Act of 1968, passed in recognition of these needs, authorized an appropriation of $168,000,000 in FY 1971 for formula and project grants. The Administration, however, is requesting only $113,650,000 of this amount.

Applications for construction grants totalling nearly $400,000,000 have been received by the Department of Health, Education and Welfare and have been approved for funding in FY 1971 subject to availability of funds. In addition, another $248,000,000 worth of project applications had been received and were being reviewed by the Department as of April, 1970. Despite this enormous backlog of applications for construction funds, the Administration is requesting $118,100,000—a small fraction of the need. The Health Manpower Act of 1968 authorized almost twice this amount—$225 million—to be appropriated in FY 1971.

Now let us deal with problems of student aid. To meet the need for the required additional manpower, a program of direct loans to students of the health professions was established by Congress, taking effect in 1965. Grants are made to the schools of the health professions who then loan the money to the students most in need. Students of the following professions are eligible: medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine. A similar program exists for nursing students.

Despite the students' demonstrated need for and dependence on these loan funds, the Administration is requesting only $12,000,000 in FY 1971 for students of medicine, dentistry, etc., and only $9,610,000 for nursing students. These figures are far below the amounts authorized by Congress under the Health Manpower Act of 1968, as can be seen by the following table:

Loan funds for students of medicine, dentistry, etc.:	
Fiscal year 1971 authorization	$35, 000, 000
Fiscal year 1971 administration, budget	12, 000, 000
Loan funds for students of nursing:	
Fiscal year 1971 authorization	21, 000, 000
Fiscal year 1971 administrative budget	9, 610, 000

There is absolutely no question as to the need for these loan funds. The table below compares the amount of funds requested by the health professions schools with the amount proposed to be spent by the Administration:

	Fiscal year 1971 funds requested by schools	Fiscal year 1971 administration budget
Loan funds for students of medicine, dentistry etc	$43, 381, 803	$12, 000, 000
Loan funds for students of nursing	27, 900, 929	9, 610, 000

Also attached is a table prepared by the NIH Bureau of Health Manpower, and made public recently. As can be seen, there are several important and very ominous trends taking place in both the loan and scholarship programs for the schools of the health professions. (Attachment B)

In student loans, for example, the number of students assisted is at an all-time low—even below the first year of the program in 1965. Only 5,191 students will be assisted, 1,801 less than last year, and importantly, the percentage of students aided has dropped precipitately to 14%, 9% less than the first year of the program, and down 23% from FY 1968. This, at a time when the Government is pushing the medical schools to enroll more, and poorer students!

In terms of student scholarships, the trend is the same. In the medical schools, only 7,484 students will receive scholarships, down 500 from the present year. Additionally, the percentage of students assisted has been drifting steadily downward since 1968.

I would like now to turn to another area: training in public health. If the situation is bad in the other areas I have described, it is worse in public health.

The Administration request for schools of public health formula and project grants is *down* $400,000 from FY 1970, and for public health traineeships the request is *down* $600,000.

This drop in funding should be measured against the severe shortage in public health manpower. We know, for example, that the severe vacancy rate of 11% in unfilled but vitally needed posts is essentially unchanged since 1966. We know that to keep up with increased population, the number of budgeted positions has increased, and the same vacancy rate insures that there are more unfilled posts in public health administration than in 1966.

Further, we know that in some key areas the problem has become stunningly severe. Studies have shown that in public health, the vacancy rate among physical therapists was *24%* in 1966—the rate has increased to over *30%* in 1969. In other categories, the situation has either increased since 1966 or remained the same. There has been no improvement in any area since 1966.

Mr. Chairman, in 1967 I was privileged to chair the 3rd Public Health Conference to study the public health problems of this Nation. At that time, the problems were quite clear, especially as to manpower. Our proceedings spelled out what could be done. However, we know now that little has been done to alleviate a very bad situation.

In summary, Mr. Chairman, I ask the Committee, the Congress, and the Administration particularly, just what do you recommend we do? We are pushed by the Government to increase the quality of education, to enroll more students, to increase graduates, to improve research, to improve teaching facilities at our schools, and as one Dean, I must tell you that the public feels as the Government does about more graduates and improvement, but the public does not understand how the Government has not lived up to its own promises.

The medical schools of this country stand willing to do their very best to improve and increase health manpower, but we must have the promised Government funds to do so.

Item	Fiscal year 1969		Fiscal year 1970		Fiscal year 1971	
	Authorization	Appropriation	Authorization	Appropriation	Authorization	Requested appropriation
Health Manpower:						
Institutional support:						
Medical dental, related	$80,000,000	$66,000,000	$117,000,000	$105,000,000	$168,000,000	$113,650 000
Nursing	14,000,000	7,000,000	35,000,000	8,400,000	40,000,000	11,000,000
Public health	15,000,000	9,471,000	15,500,000	10,071,000	23,000,000	9,071,000
Allied health professions	20,000,000	10,975,000	24,500,000	11,587,000	(1)	14,245,000
Construction:						
Medical, dental, related	160,000,000	75,000,000	170,000,000	118,100,000	225,000,000	118,100,000
Nursing	25,000,000	8,000,000	25,000,000	8,000,000	35,000,000	8,000,000
Allied health	13,500,000	1,800,000	10,000,000		(1)	
Medical libraries	10,000,000		10,000,000		11,000,000	
Health research facilities	93,300,000	8,400,000	20,000,000		30,000,000	

[1] Legislation pending.

HEALTH PROFESSIONS STUDENT LOAN PROGRAM

NUMBER OF PARTICIPATING SCHOOLS

Type of school	Fiscal year— 1965	1966	1967	1968	1969	1970	1971
Medical	87	87	88	93	98	100	102
Dental	46	46	46	47	50	52	52
Osteopathy	5	5	5	5	5	6	6
Optometry	9	9	10	10	10	11	11
Pharmacy	(1)	(1)	45	48	51	53	60
Podiatry	(1)	(1)	2	2	3	3	4
Veterinary medicine	(1)	(1)	(1)	12	14	18	18
Total	147	147	196	217	231	243	253

ENROLLMENT OF PARTICIPATING SCHOOLS

Type of school	Fiscal year— 1965	1966	1967	1968	1969	1970	1971
Medical	31,416	32,040	32,883	33,609	35,117	36,814	38,240
Dental	12,954	13,434	13,720	14,271	14,833	15,708	15,980
Osteopathy	1,651	1,710	1,781	1,819	1,876	1,959	2,025
Optometry	1,409	1,489	2,016	2,031	2,243	2,536	2,600
Pharmacy	(1)	(1)	8,139	10,025	10,907	13,021	14,700
Podiatry	(1)	(1)	335	425	643	722	960
Veterinary medicine	(1)	(1)	(1)	2,561	3,774	4,895	5,015
Total	47,430	48,673	58,874	64,741	69,393	75,655	78,920

[1] Not eligible to apply.

HEALTH PROFESSIONS SCHOLARSHIP PROGRAM

NUMBER OF STUDENTS ASSISTED

	Fiscal year— 1965	1966	1967	1968	1969	1970	1971
Medical	7,186	9,475	11,303	12,484	12,808	6,980	5,191
Dental	3,367	4,472	5,530	5,944	6,375	2,910	2,163
Osteopathy	614	726	937	977	1,050	425	287
Optometry	387	564	656	745	853	480	359
Pharmacy	(1)	(1)	1,584	2,105	2,541	2,325	1,789
Podiatry	(1)	(1)	158	211	303	150	113
Veterinary medicine	(1)	(1)	(1)	797	1,075	785	600
Total	11,554	15,237	20,168	23,263	25,005	14,055	10,502

PERCENTAGE OF STUDENTS ASSISTED

	1965	1966	1967	1968	1969	1970	1971
Medical	23	30	34	37	36	19	14
Dental	26	33	40	42	43	19	14
Osteopathy	37	42	53	54	56	22	14
Optometry	27	38	33	37	38	19	14
Pharmacy	(1)	(1)	19	21	23	18	12
Podiatry	(1)	(1)	47	50	47	21	12
Veterinary medicine	(1)	(1)	(1)	31	28	16	12
Total	24	31	34	36	36	19	13

NUMBER OF PARTICIPATING SCHOOLS

	Fiscal year— 1967	1968	1969	1970	1971
Medical	88	95	99	101	102
Dental	49	50	52	53	53
Osteopathy	5	5	5	6	6
Optometry	10	10	10	11	11
Pharmacy	70	73	73	74	74
Podiatry	5	5	5	5	5
Veterinary medicine	(1)	(1)	(1)	18	18
Total	227	238	244	268	269

ENROLLMENT OF PARTICIPATING SCHOOLS

	Fiscal year— 1967	1968	1969	1970	1971
Medical	[2] 8,754	[3] 17,514	[4] 27,604	37,583	38,240
Dental	3,824	7,785	12,023	16,121	16,320
Osteopathy	469	971	1,445	1,959	2,025
Optometry	695	1,363	1,970	2,536	2,600
Pharmacy	5,373	10,642	15,500	18,832	18,650
Podiatry	288	597	800	1,133	1,150
Veterinary medicin	(1)	(1)	(1)	4,895	5,015
Total	19,403	38,872	59,351	83,059	84,000

NUMBER OF STUDENTS ASSISTED

	1967	1968	1969	1970	1971
Medical	[2] 1,635	[3] 3,810	[4] 6,018	[5] 7,924	7,484
Dental	799	1,869	3,135	3,694	3,406
Osteopathy	147	316	564	632	583
Optometry	144	362	609	636	587
Pharmacy	1,040	2,326	3,608	4,028	4,410
Podiatry	59	137	218	246	222
Veterinary medicine	(1)	(1)	(1)	988	974
Total	3,824	8,820	14,152	18,148	17,666

PERCENTAGE OF STUDENTS ASSISTED

	1967	1968	1969	1970	1971
Medical	18	22	22	21	20
Dental	20	24	26	23	21
Osteopathy	31	33	39	32	29
Optometry	23	27	31	25	23
Pharmacy	19	22	23	22	24
Podiatry	21	23	27	22	19
Veterinary medicine	(1)	(1)	(1)	20	19
Total	19	23	24	22	21

[1] Not eligible to apply.

[2] First year students eligible.

[3] First and second year students eligible.

[4] 1st, 2d, and 3d year students eligible.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. BYRD of West Virginia. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the legislative branch appropriations, 1971, H.R. 16915.

ADJOURNMENT UNTIL MONDAY, JULY 13, 1970

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 53 minutes p.m.) the Senate adjourned until Monday, July 13, 1970, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 10, 1970:

DEPARTMENT OF DEFENSE

Louis M. Rousselot, of New Jersey, to be an Assistant Secretary of Defense.

IN THE AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of lieutenant general

Lt. Gen. Sam Maddux, Jr., 444–40–8603FR (major general, Regular Air Force) U.S. Air Force.

The following named officer to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10, United States Code:

In the grade of lieutenant general

Maj. Gen. Eugene B. LeBailly, 720–09–3738FR, Regular Air Force.

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major general

Lt. Gen. (retired) David Wade, 433–58–0908FG, Louisiana Air National Guard.

Brig Gen. Edwin Warfield III, 220–26–5606FG, Maryland Air National Guard.

To be brigadier general

Col. Clinton M. Miller, 478–16–9463FG, Iowa Air National Guard.

IN THE NAVY

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated subject to qualification therefor as provided by law:

MEDICAL CORPS

William C. Turville
Oscar Gray, Jr.
Charles L. Waite

SUPPLY CORPS

Charles Becker
Philip Crosby
Kenneth L. Woodfin

CIVIL ENGINEER CORPS

Foster M. Lalor, Jr.

DENTAL CORPS

Vernon L. Anderson

Rear Adm. Sam H. Moore, U.S. Navy, for appointment as Director of Budget and Reports in the Department of the Navy for a term of 3 years.

The following-named officers for permanent promotion to the grade of captain in the Navy in accordance with article II, section 2, clause 2 of the Constitution:

Comdr. John W. Young, U.S. Navy.
Comdr. Eugene A. Cernan, U.S. Navy.

IN THE AIR FORCE

The nominations beginning Edward J. Ainsley, to be colonel, and ending Ralph F. Thompson, to be colonel, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 1970.

IN THE ARMY

The nominations beginning Thomas Abercrombie, to be captain, and ending Linwood J. Thomes, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 1970; and

The nominations beginning Daniel A. Addiss, to be major, and ending Dennis Szymanski, to be 2d lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 1970.

HOUSE OF REPRESENTATIVES—*Friday, July 10, 1970*

CONFERENCE REPORT ON S. 3215

Pursuant to an order of the House on Thursday, July 9, 1970, the conference report on the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, is herewith printed, as follows:

[Submitted by Mr. Perkins]

Conference Report (H. Rept. No. 91–1292)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3215) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as "The National Foundation on the Arts and the Humanities Amendments of 1970".

AMENDMENT WITH RESPECT TO THE DECLARATION OF PURPOSE

Sec. 2. Clause (2) of section 2 of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting before the semicolon at the end thereof the following: "in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future".

ADDITION TO DEFINITION OF HUMANITIES

Sec. 3. Subsection (a) of section 3 of the National Foundation on the Arts and Humanities Act of 1965 is amended by inserting "comparative religion; ethics;" after "archeology;", and by inserting before the period at the end thereof the following: "with particular attention to the relevance of the humanities to the current conditions of national life".

ASSISTANCE RELATING TO THE DISTRIBUTION OF WORKS OF ART AND WORK IN RESIDENCE BY ARTISTS

Sec. 4. Clause (3) of subsection (c) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting after "enable them" the following: "to achieve wider distribution of their works, to work in residence at an educational or cultural institution, or".

CONSOLIDATION OF LAWS RELATING TO THE NATIONAL COUNCIL ON THE ARTS

Sec. 5. (a) (1) Subsection (b) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

"(b) (1) The Endowment shall be headed by a chairman, to be known as the Chairman of the National Endowment for the Arts, who shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) The term of office of the Chairman shall be four years and the Chairman shall be eligible for reappointment. The provisions of this subsection shall apply to any person appointed to fill a vacancy in the office of Chairman. Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

(2) Such section 5 is further amended by striking out subsection (d) and by redesignating subsections (e), (f), (g), (h), (i), (j), (k), and (l), and all references thereto, as subsections (d), (e), (f), (g), (h), (i), (j), and (k), respectively.

(3) Clause (2) of subsection (a) of section 10 as such Act is amended by striking out all that follows "sections 5(c) and 7(c)" and inserting in lieu thereof a semicolon.

(4) Section 11(a) of such Act is amended by striking out "and the functions transferred by section 6(a) of this Act,".

(b) Section 6 of such Act is amended to read as follows:

"NATIONAL COUNCIL ON THE ARTS

"Sec. 6. (a) There shall be, within the National Endowment for the Arts, a National Council on the Arts (hereinafter in this section referred to as the 'Council').

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, who shall be Chairman of the Council, and twenty-six other members appointed by the President who shall be selected—

"(1) from among private citizens of the United States who are widely recognized for their broad knowledge of, or expertise in, or for their profound interest in, the arts;

"(2) so as to include practicing artists, civic cultural leaders, members of the museum profession, and others who are professionally engaged in the arts; and

"(3) so as collectively to provide an appropriate distribution of membership among the major art fields.

The President is requested, in the making of such appointments, to give consideration to such recommendations as may, from time to time, be submitted to him by leading national organizations in these fields.

"(c) Each member shall hold office for a term of six years, and the terms of office shall be staggered. No member shall be eligible for reappointment during the two-year period following the expiration of his term. Any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed.

"(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS–18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, duties, or responsibilities under this Act, and (2) review applications for financial assistance under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time. In the case of an application involving $10,000, or less, the Chairman may approve or disapprove such request if such action is taken pursuant to the terms of a delegation of authority from the Council to the Chairman, and provided that each such action by the Chairman shall be reviewed by the Council."

(c) Subsection (e) of section 8 of such Act is amended to read as follows:

"(e) Members shall receive compensation at a rate to be fixed by the Chairman but not to exceed the per diem equivalent of the rate authorized for grade GS–18 by section 5332 of title 5 of the United States Code and be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently."

(d) (1) The National Council on the Arts established under section 6 of the National Foundation on the Arts and the Humanities Act of 1965, as amended by subsection (b), shall, for any purpose determined to be necessary by the Chairman of the National Endowment for the Arts, be deemed to be a continuation of the National Council on the Arts established under the National Arts and Cultural Development Act of 1964, Public Law 88–579, without interruption.

(2) Members appointed to the National Council on the Arts pursuant to section 5 of the National Arts and Cultural Development Act of 1964 shall be deemed to have been appointed as members of the National Council on the Arts established under section 6 of the National Foundation on the Arts and the Humanities Act of 1965, with such terms of office as may be remaining under the prior appointment on the effective date of the amendments made by subsection (b).

(3) (A) The amendments made by subsections (a) and (b) shall be effective after June 30, 1970.

(B) Effective July 1, 1970, the National Arts and Cultural Development Act of 1964, Public Law 88–579, is repealed.

TECHNICAL AMENDMENT RELATING TO THE DISTRICT OF COLUMBIA

Sec. 6. Clause (A) of paragraph (2) of subsection (g) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting after "Recreation Board" a comma and the following: "or any successor designated for the purpose of this Act by the Commissioner of the District of Columbia,".

ALLOTMENTS OF FUNDS TO STATES

Sec. 7. Paragraph (3) of subsection (g) of section 5 of the National Foundation on the Arts and the Humanities Act of 1965 is amended to read as follows:

"(3) From the sums appropriated to carry out the purposes of this subsection for any fiscal year, not less than $65,000 shall be allotted to each State. That part of such sums as may remain after such allotment shall be allotted among the States in equal amounts, except that for the purposes of this sentence the term 'State' shall not include Guam and American Samoa. If the sums appropriated for any fiscal year to carry out the purposes of this subsection are insufficient to satisfy allotments under the first sentence of this paragraph, such sums shall be allotted among the States in equal amounts.".

AMENDMENTS WITH RESPECT TO THE NATIONAL ENDOWMENT FOR THE HUMANITIES

Sec. 8. (a) Clause (2) of subsection (b) of section 7 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding at the end thereof the following: "Upon expiration of his term of office the Chairman shall serve until his successor shall have been appointed and shall have qualified."

(b) Clause (2) of subsection (c) of such section is amended to read as follows:

"(2) initiate and support research and programs to strengthen the research and teaching potential of the United States in the humanities by making arrangements (including contracts, grants, loans, and other forms of assistance) with individuals or groups to support such activities."

(c) Clause (5) of subsection (c) of such section is amended by inserting after "groups," the following: "education, and".

INCLUSION OF THE ARCHIVIST OF THE UNITED STATES AS A MEMBER OF THE FEDERAL COUNCIL ON THE ARTS AND THE HUMANITIES

Sec. 9. Subsection (b) of section 9 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by inserting after "the Chairman of the Commission of Fine Arts" a comma and the following: "the Archivist of the United States"

METHOD OF MAKING PAYMENTS

Sec. 10. The first sentence of subsection (a) of section 10 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by redesignating clauses (6) and (7), and all references thereto, as clauses (7) and (8) and by inserting after clause (5) the following new clause:

"(6) to make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)."

TECHNICAL AMENDMENT

Sec. 11. Subsection (a) of section 10 of the National Foundation on the Arts and Humanities Act of 1965 is amended—

(1) in clause (3) by inserting "to" before "appoint";

(2) in clause (4) by inserting "to" before "utilize";

(3) in clause (5) by inserting "to" before "accept";

(4) in clause (7) by inserting "to" before "rent";

(5) in clause (8) by inserting "to" before "make".

AUTHORIZATIONS OF APPROPRIATIONS

Sec. 12. (a) Subsection (a) of section 11 of the National Foundation on the Arts and the Humanities Act of 1965 is amended by—

(1) striking out "and $6,500,000 for the fiscal year ending June 30, 1970" in the first sentence of such section and inserting in lieu thereof the following: "$6,500,000 for the fiscal year ending June 30, 1970, $12,875,000 for the fiscal year ending June 30, 1971, $21,000,000 for the fiscal year ending June 30, 1972, and $28,625,000 for the fiscal year ending June 30, 1973";

(2) striking out "and $9,000,000 for the fiscal year ending June 30, 1970" in the first sentence of such section and inserting in lieu thereof the following: "$9,000,000 for the fiscal year ending June 30, 1970, $17,000,000 for the fiscal year ending June 30, 1971, $26,500,000 for the fiscal year ending June 30, 1972, and $35,500,000 for the fiscal year ending June 30, 1973"; and

(3) striking out "and $2,500,000 for the fiscal year ending June 30, 1970" in the second sentence of such section and inserting in lieu thereof the following: "$2,500,000 for the fiscal year ending June 30, 1970, $4,125,000 for the fiscal year ending June 30, 1971, $5,500,000 for the fiscal year ending June 30, 1972, and $6,875,000 for the fiscal year ending June 30, 1973".

(b) The first sentence of subsection (b) of section 11 of such Act is amended by inserting immediately before the period at the end thereof a comma and the following: "and the amount so appropriated for the fiscal year ending June 30, 1971, shall not exceed $6,000,000, the amount so appropriated for the fiscal year ending June 30, 1972, shall not exceed $7,000,000, and the amount so appropriated for the fiscal year ending June 30, 1973, shall not exceed $9,000,000".

And the House agree to the same.

Carl D. Perkins,
Frank Thompson, Jr.,
John Brademas,
Ogden Reid,
Managers on the Part of the House.

Claiborne Pell,
Gaylord Nelson,
Alan Cranston,
Jacob Javits,
George Murphy,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S 3215 to amend the National Foundation on the Arts and Humanities Act of 1965, and for other purposes, submit the following statement in explanation of the action agreed upon by the conferees and recommend the accompanying conference report:

The House Amendment struck out all of the Senate Bill after the enacting clause and inserted a new text. The House recedes from its disagreement to the Senate Bill with an amendment which is a substitute for both the Senate bill and the House Amendment.

Except for minor clarifying, conforming provisions this statement explains the action of the managers on the Part of the House.

The Senate Bill provided that this Act may be cited as "The National Foundation on the Arts and the Humanities Amendments of 1970." The House Amendment contained no short title. The Conference Report adopts the provision of the Senate Bill.

The House Amendment added additional language to clause 2 of the Declaration of Purpose contained in section 2 of the National Foundation on the Arts and the Humanities Act of 1965. The Senate bill had no comparable provision. The Conference Report adopts the provision of the House Amendment.

The House Amendment amended the definition of humanities to include "comparative religion" and "ethics" and by requiring that particular attention be paid to the relevance of the humanities to current conditions of national life. The Senate Bill contained no comparable provision. The Conference Report adopts the provision of the House Amendment.

The Senate Bill incorporated the substantive provisions of the National Arts and Cultural Development Act into section 6 of the National Foundation on the Arts and the Humanities Act of 1965 deleting the independent study authority of the National Council on the Arts. The House Amendment contained no comparable provisions. The Conference Report adopts in substance the provisions of the Senate Bill.

The House Amendment authorized the establishment of an Executive Council within the National Council on the Arts. The Senate Bill contained no comparable provision. The Conference Report does not contain authority for such an Executive Council.

The Senate Bill contained a technical amendment providing for a successor to the Recreation Board of the District of Columbia to carry out the functions of a State Arts Council under section 5(h) of the Act. The House Amendment did not contain a comparable provision. The Conference Report adopts the provision of the Senate Bill.

The Senate Bill limited the allotment of section 5(h) funds to Guam and American

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Samoa to $50,000. The House Amendment did not contain such a limitation. The Conference Report adopts this provision of the Senate Bill.

The House Amendment amended section 5(h)(3) of the National Foundation on the Arts and the Humanities Act of 1965 to provide that no State should receive less than $75,000 for any fiscal year from funds allocated to carry out the purposes of that subsection. The Senate Bill in authorizing separate appropriations for the purpose of paragraph (3) of subsection (h) of section 5 provided that $50,000 should be allotted to each State and that any funds remaining after such an allotment would be distributed among the States in equal amounts. The Conference Report provides that from the sums appropriated to carry out the purposes of the subsection for any fiscal year not less than $65,000 shall be allotted to each State.

The House Amendment but not the Senate Bill authorized the National Council on the Humanities to initiate and support research and programs to strengthen teaching potential in the humanities. The Conference Report contains the provision of the House Amendment in this respect.

The House Amendment authorized the National Council to foster education in the humanities. The Senate Amendment contained no comparable provision. The Conference Report adopts the provision of the House Amendment.

The House Amendment authorized the establishment of an Executive Committee on the National Council of the Humanities. The Senate Bill contained no comparable provision. The Conference Report does not contain this provision.

The Senate Bill, unlike the House Amendment, amended section 9 of the National Foundation on the Arts and the Humanities Act of 1965 to include the Archivist of the United States as a member of the Council. The Conference Report contains the provisions of the Senate Bill.

The Senate Bill contains separate authorizations of appropriations to each Endowment for the various activities under the Foundation while the House Amendment consolidated the authorization of appropriations into a single sum to be appropriated to the Foundation. In addition, the House Amendment placed no limit on appropriations for fiscal years 1972 and 1973. The Senate Bill placed overall limitations on appropriations of $60 million for fiscal year 1972 and $80 million for fiscal year 1973. The Conference Report adopts the provisions of the Senate Bill in these respects.

CARL D. PERKINS,
FRANK THOMPSON, JR.,
JOHN BRADEMAS,
OGDEN REID,
Managers on the Part of the House.

EXTENSIONS OF REMARKS

WORLD OXYGEN SUPPLY IS SAFE

HON. MILTON R. YOUNG

OF NORTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Friday, July 10, 1970

Mr. YOUNG of North Dakota. Mr. President, one of the best editorials I have read with reference to our environmental problems appeared in the Forum, North Dakota's largest newspaper, published at Fargo, on July 6, 1970.

There has been so much exaggeration and misinformation on this subject that it is refreshing to read a commonsense down-to-earth appraisal of this question.

Mr. President, I believe that the editorial will attract widespread interest. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REPORT THAT WORLD OXYGEN SUPPLY SAFE OVERSHADOWED BY DOOMSDAY PREDICTIONS

With the continuing uproar about the danger which modern civilization represents to the world's ecology or physical environment, all the pessimistic theories about the harmful effects that modern civilization has on the earth and its atmosphere get prime attention in most news media, from newspapers to television to magazines. Even the most fantastic theories about the deterioration of the natural environment are accepted as proven fact and not as far-fetched theories.

Not long ago some scientists said the earth is in danger of over-heating because of the tremendous amount of air pollution generated by the fumes of factories, refineries and power plants throughout the world. The claim was that all of these man-made fires were using up the oxygen in the air faster than it could be regenerated by green plants and trees which are nature's system of converting carbon dioxide back to oxygen and carbon. The doomsday scientists predicted that within the next half century there would be a layer of carbon dioxide surrounding the earth that would drastically reduce the amount of sunlight reaching the earth's plantlife, and thereby reduce the amount of oxygen released by the plants.

Last week the U.S. Weather Bureau reported that there has been no discernible change in the world's oxygen supply for the last 69 years, substantiated by a study conducted by two scientists in the U.S. Department of Commerce.

Dr. Lester Machta of the Environmental Science Services Administration and Ernest Hughes of the National Bureau of Standards have also concluded that if all the known recoverable reserves of fossil fuels (coal, oil and wood) were ultimately burned, there would be no significant effect of oxygen reduction on human breathing.

But this report that our oxygen supply is safe receives scant attention compared to the headlines over the doomsday predictions mentioned earlier. The fact that our oxygen supply is safe, though, doesn't mean that we can pollute the air with impunity. Certainly the citizens of a city or an industrial community can call for safeguards against locally thick layers of dirty smoke which choke the air with soot, irritating smells and irritating chemical gases. But there seems to be no reason why a controlled amount of burning in city dumps shouldn't be permitted, if the smoke doesn't adversely affect the neighborhood, for instance.

The same is true about industry. Perhaps one, two or three smoke stacks would be acceptable within the community, but 10 would not be. In some areas, surrounded by hills, the disturbing effects of smog are much more noticeable than they would be in the flat country which permits no concentrations of smoke.

All of the concern about the pollution of our environment is understandable when people generally, and the politicians in particular, fail to note the offsetting evidence that makes some of the doomsday predictions suspect. Throughout the history of the world, volcanoes and forest fires have produced in some areas as much smoke as all the factories of the world produce today, yet the earth has continued to exist. The workings of nature have a remarkable facility for overcoming the pollution of any period. Burned-over forests become green again. The swamps of prehistoric areas become the oil and coal that we need for fuel in our modern civilizations. The dump grounds of past years become the archeological history of the world.

Every civilization produces its own brand of pollution. We are now embarked on a program to reduce the injurious effects of water pollution and air pollution as much as possible, but it should be heartening to realize that we are in no danger of running out of oxygen, and that the reduction of the great pile of garbage and refuse that accumulates in modern cities can continue to be destroyed by fire without endangering our ability to breathe.

MICHIGAN WEEK WINNING ESSAYS

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BROWN of Michigan. Mr. Speaker, I would like to share with our colleagues the views of young residents of Michigan's Third District relating to the state of our Union. James Rice, son of Mr. and Mrs. Arnold A. Rice; Renee Story, daughter of Mr. and Mrs. Thomas B. Shaw; Glenda Nolan, daughter of Mr. and Mrs. Lewis L. Nolan; and Sally Long, daughter of Mr. and Mrs. Kenneth Long, were my guests on Capitol Hill during the first week of June. Each authored an award-winning essay on "What I Would Do If I Were President."

In Michigan each year, we celebrate Michigan Week. One day is set aside designated as Government Day. Among the Government Day activities are essay contests open to young people of school age and relating to our Government. These four outstanding, young Americans from Battle Creek were judged winners this year.

I commend James Rice, Renee Story, Glenda Nolan, and Sally Long for their work and commend to our colleagues the substance of their views. These essays manifest a broad grasp of the problems facing contemporary America and knowing that the generation which follows ours is so knowledgeable reinforces my faith in the future we seek to serve here.

This thought offered by a sixth grader might well serve as a maxim for each of us:

> I would do everything in my power to make the United States and the world a cleaner, healthier, prettier and all around nicer place to live in.

The winning essays follow:

WHAT I WOULD DO IF I WERE PRESIDENT

(By Renee Story)

If I became president I would try to solve some of today's major problems. I would attempt to cure some of the ailments of society before my four years of office were finished.

I would try to master the problem of pollution. I believe there would be a way of putting a stop to the pollution of our country. The rivers, streams, lakes, and oceans we use are being contaminated. The air we breathe is also impure, due to all of the factories and other industries in this country. Automobiles, trucks, and other machines are contributing to this.

I feel if I were president I would do everything in my power to provide jobs for all the people. If people can work and take care of their own families it would save our government a lot of money in welfare aid. Many people in our country are dying of hunger and disease. Something must be done about this or many more will die.

Another big problem in the United States is drugs. I, with the help of others, would build clinics and hospitals for the sick, on drugs. I would tighten down on the raising and selling of drugs.

Also, being president I would try to control the war and the disagreements in our own country. There must be some way to bring peace and understanding between the United States and other nations.

If I were president I would also try to save our wonderful parks, forests, lakes and other nature areas. Many things are being done to save this but still it is a problem.

The president has many things to worry about. I feel he deserves the support and respect of all the American people to fulfill his work in office.

As being president I would try to keep the world and national facts open to the public. Many people do not think we tell them everything that is happening around us. I feel that it is an important factor to keep the news open to the people.

If I were president I would try to help or to solve some of todays many problems. I have not covered even a fraction of them on this paper. I would do everything in my power to make the United States and the world a cleaner, healthier, prettier and all around nicer place to live in.

WHAT I WOULD DO IF I WERE PRESIDENT

(By Sally Long)

If I were president I would see to it that everybody has equal rights. No matter what race or color.

I would try to find a solution to end the Viet Nam war in ways of peace.

As president I would fight pollution to preserve our beautiful lakes, streams, skyway, and grounds.

I would try to find ways to stop crime but do it in ways that would go along with the people.

As president, I'd try to make more countries welfare countries.

I would encourage physical education so that people would stay healthy.

I'd do something about the terrible disease, cancer.

I would help or try to help the ghetto people by building more government owned houses and apartments.

As president I would see to it that no one was disfranchised.

I would also try to help the under priviledged ones who are not fortunate enough to have the proper education.

Also I would try new ways to help the country's budget and yet go exploring into outerspace and other unknown places.

I'd do something for the people in foreign countries who need help.

I would have some research done on the problem of mentally retarded people.

If I were president I would give the retired and handicapped people more chances at the world.

I would try to control demonstrations so that things won't get out of hand.

If I were president I would do something about the drug problem, so that people could use drugs under prescriptions only.

There is one line in Lincoln's Gettysburg Address that has a lot to do with people which is the main subject of this essay; "That this Nation under God shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth."

WHAT I WOULD DO IF I WERE PRESIDENT

(By Glenda Nolan)

Can't you just see the headlines all across the country? First woman elected President! or Glenda gains goal!

I know, the idea of me, Glenda Nolan, as President of these United States may seem quite hilarious to many! but so many changes have taken place in the world in recent years, both good and bad, that the election of a woman to this highest office is not, totally, an impossibility! Because of it's being a First, however, it would mean that I would have to make every effort to prove that the electors had not been wrong in their choice—that this is not, completely, "a man's world!"

In trying to analyze just what I would do, I realized immediately the country's population blames the president for *all* . . . of America's problems. Especially these main ones:

A. The Vietnam War.
B. Health:
1. Drug.
2. Pollution.
3. Ghetto Areas.
C. Race Discrimination.

Let me, then, as president first discuss the Vietnam war. Personally, I am totally against it. Mostly because of lives lost, but also because it seems so completely unnecessary. It appears to have done nothing for the American people except weaken their faith in their government and elected officials who run it. If I were president I would try to end the war immediately. . . . If not by peace talks, then by force.

On the subject of our country's health, I would first like to consider the problem of drugs. Lately, they seem to have become "contagious!" . . . Everyday more and more people "turn on." They claim to get their supply from "friends." But are they really your friends if they help you destroy yourself, physically and mentally? Stricter laws and punishments should help to control the drug scene in America. We need the help of everyone on locating, apprehending, and rehabilitating of the pushers and users of drugs. Maybe with the majority of the American people on the "side" of the law, especially the youth, we would be able to conquer this very serious problem.

Pollution is a world-wide problem, but taking care of it in America would help. We need the help and cooperation of everyone, young and old. As president I would urge rallies, committees, seminars and a great deal of publicity on the prevention of pollution. I feel with enough people becoming involved and caring about the world they live in, we would soon be breathing easier! . . .

The Ghetto Areas are a major concern. With all the groups such as Vista and the Peace Corps we should be able to have a group of volunteers working for the benefit of *our* country. As president, I would try to form such a group. If we could clean up the Ghetto Areas it would, no doubt, help in the case of drugs, pollution, and also race discrimination.

Race Discrimination is a very touchy subject, because everyone seems to feel that everyone else is prejudiced! Very little can be accomplished with these views. I would hope that the people could be convinced that we're all members of the human race, that there are equal rights and opportunities for all. Then if people didn't take advantage of these rights, but made the best of the opportunities available in this greatest country of the world, "race discrimination" would be a forgotten phrase!

I feel that these are our major problems. I realize that if I were actually President of these United States, my views would probably change a bit. I'm sure I would be more and better informed, as well as more involved in the problems.

I appreciate that I am *free* to write my thoughts and views on this topic. There are probably many people, my age, elsewhere in the world who would say this "could only happen in the United States!"

WHAT I WOULD DO IF I WERE PRESIDENT

(By Jim Rice)

There are many problems in the United States today. If we don't learn how to cope with these problems, it may lead to the downfall of our country. One of the most important problems facing our country today is pollution. Smoke from factories and means of transportation such as cars, trucks, etc., are filling the air which we breathe. Human wastes and all sorts of trash and junk occupy our lakes and streams and rivers which we swim and fish in. Beer cans and garbage and all sorts of litter lay on our roads and highways. If I were president I would start a national campaign to clean up our lakes and cities and the air. Too much money is being spent for space exploration. All this money and more could be spent to clean up our environment. The government is spending a little money for this problem, but not nearly enough.

Another problem facing our country today is the problem between the races. It seems silly that people of different colored skins can not live together in the same city without fighting and bickering. If I were president I would hear the problems of the people and try to find out why they can't get along with each other. I would try to unite the people because a united country is a strong country. If the people still can't get along with each other, let them take their problems and themselves to another country.

The health problems of our country are unbelievable. There are a number of small communities that do not have even one doctor in their town. They have to travel many miles to get medical help. If an emergency arises it may be too late to travel for help. As president, I would get help in these communities until they had sufficient medical help. Most of the people in these towns are poor and poverty stricken. Many people living in places like these are living in poor housing conditions. But this problem is also affecting people in the larger urban areas. If I were president I would spend more money to help poor people living in our country and better housing conditions. This will take a lot of money, but it would be worth it.

Crime in our country today is outrageous. Our big cities are being robbed blind. People are being mugged on the streets. Everyone makes fun of our policemen and call them names because they can't solve every crime right away. I think that the police forces of the United States are doing an excellent job, despite the poor support from the people that they are protecting. People can not be out after dark without the fear of being attacked and robbed. Girls and young women can not be out alone without the fear of being kidnapped and molested. If I were president I would start really punishing lawbreakers and enforce every law. Another problem that has the United States in an uproar is the war in Viet Nam.

Most people don't realize the American armed forces are in Viet Nam to stop the spread of Communism. They are ignorant of the fact that Communism is a dangerous threat to all the people in the world. It can

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spread to all parts of the world if it is not stopped. A lot of people protest the war and they have every right to because thousands of our brave young men are being killed each year and it is not even our war. The number of deaths in the war is terrible, but that is our fault because we became involved too late. If I were president I would get our troops out of Viet Nam and Cambodia as soon as possible because it is not our war.

The drug and narcotics problem in the United States is also a serious problem. There are present laws concerning this problem, and they are enforced pretty good. If I were president I would enforce these laws and punish the lawbreakers in much the same way they are doing it today, but I would set up rehabilitation centers all over the country and try to rid the drug addicts of the terrible habit which they have wrongly taken up. I would have all illegal drugs destroyed which are not needed in medical centers and research. The alcoholic problem is as big or bigger than the drug problem because it involves people of all ages and mostly young people are involved in addictive drugs. There are places all over the country which anyone with an alcoholic problem can get help. If I were president I would give money to places like this so anyone with a drinking problem can get all the help they need to quit drinking. Smoking is another problem endangering the health of many people in our country. I would ban all cigarette commercials from t.v. and radio because thousands and thousands of people are dying each year from cigarettes or some other form of smoking. I wouldn't make it a federal offense to smoke, because most smokers are so much in the habit of smoking that they can't quit right away.

These are just a few of the problems facing the people of the United States today. If I were President I would spend much more money for these problems than spend billions of dolalrs each year for something many miles away.

CITIZEN COMMITMENT NEEDED TO CLEANLINESS—AMERICAN BUSINESS EXECUTIVE SEES NO LITTER IN RUSSIA

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 1970

Mr. RANDOLPH. Mr. President, earlier this year the Subcommittee on Air and Water Pollution of the Committee on Public Works conducted hearings on solid waste disposal problems. We heard testimony that an average of 5.3 pounds of solid wastes per person is produced every day in the United States.

This waste output is steadily growing and partially accounts for the sometimes cluttered appearance of our cities and roadsides.

The Government can and must take strong, effective action to encourage and assist in coping with this most serious problem.

But we cannot do it alone. We can pass laws every week and provide all the money necessary, but we cannot have a clean America without a determination by the people that they want it. Such a determination must be followed by the resolve by all citizens and public officials to do their part.

That the cities and the countryside can be kept clean and neat is shown in the examples set in other nations. A prime example of the progress that is being made is seen in the Soviet Union.

On July 8, Herbert S. Richey, chairman of the Natural Resources Committee of the U.S. Chamber of Commerce and president of the Valley Camp Coal Co., reported before a group of Senators and staff members on his recent trip to Russia.

Mr. Richey was one of a number of coal company executives who went to the Soviet Union to examine mining methods in that country. He was impressed, however, by many other things he saw there.

Particularly impressive, he told us, was the cleanliness and concern about their surroundings by the Russian people, Mr. Richey said even large cities are virtually devoid of litter, and in a nation where many people smoke, cigarette butts were not seen lying on the streets and sidewalks.

Russian parks are immaculate, Mr. Richey said, and all parts of the country that he visited showed a public commitment to cleanliness.

That kind of apparent commitment is needed in this country, too, if we are to create and maintain the kind of surroundings we desire. Unfortunately, it is apparent that we have not developed it. There continues to be a disregard reflected by the trash and litter we see daily and the absence of determination by the authorities to enforce existing laws.

This problem was vividly described on July 8 in an article published in the Washington Daily News. There are, however, encouraging signs that there are many citizens of the United States who are willing to shoulder their share of the burden. One such example was described in the Charleston, W. Va., Gazette, of June 8, 1970. It is a story of people contributing their time and labor to cleaning a stream.

Mr. President, I ask unanimous consent that both articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, July 8, 1970]

LETTER OF OUR LITTER LAWS LITERALLY IGNORED

(By Columbus Smith)

Anti-littering laws in the Washington area are seldom enforced and often ignored.

Area officials think litter laws are ineffective. Some officials think the public wouldn't tolerate strict enforcement of existing area litter laws, which range upward to a maximum penalty of a $1,000 fine and a year in jail.

In the first four months this year state police made only three littering arrests in Montgomery County, 12 in Prince Georges, 10 in Fairfax County and none in Arlington. Only three littering arrests were made in Arlington by state police during 1969.

COSTLY CLEANUP

The Virginia Department of Highways spent $96,272 last fiscal year cleaning up the roadsides of Fairfax and Arlington counties.

In Montgomery County the cost for one year of cleaning trash from the streets was $92,430. In Prince Georges County the estimate is $200,000 a year. In the District it is $3 million a year.

The District prosecuted 56 litter cases last year. A District Court official said most of the cases were resolved with the forfeiture of $10 in collateral.

"Under normal conditions we don't make an arrest for littering," said Deputy Chief of the District Patrol Division Tilmon B. O'Bryant. He said citations were issued when a clear case of littering was noted. The maximum penalty for littering in the District is $300 and 10 days in jail.

SUGGEST SPECIAL COURT

W. F. Roeder, chief of the District Sanitation Department, said, "If they (litter cases) were handled by a special court it might have more impact."

He said a judge faced with a docketful of really serious crimes "doesn't want to be bothered with these minor cases of littering."

He said District police "know if they take it into court they may not get a conviction—I think they bypass it." Mr. Roeder was not critical of the police who he says are concentrating on cutting down more serious crimes.

Acting Police Chief Leslie C. Saunders of Alexandria said, "If you threw a gum wrapper on the pavement I'm not sure I'd want my officer to enforce the law."

He said enforcement to the letter of the city law would be "almost unacceptable with the public." The maximum fine in Alexandria is $600 or six months in jail.

A police officer in Alexandria said he couldn't remember when a citizen had last been arrested for littering. "You stop the car and make a fuss and you have seven days of rioting because someone dropped a hamburger wrapping," the officer said.

Jerome Stanburry, city attorney for Hyattsville, a city of 30,000 said, "I've never heard of police stopping someone for throwing a beer can out the window." He said attractive trashcans, conveniently placed, were needed.

"I don't think we make a dozen cases a year," said Fairfax City Police Chief Murray Kutner.

Police Chief Lee Baker of Seat Pleasant said, "I don't think there's been one charge of littering" since he has been chief. It's more effective, the chief said "to apprehend someone in the act and make them clean it up."

LaRue Van Meter, city attorney for Falls Church where the maximum penalty is a $1,000 fine and a year in jail, said there has been "nothing in the way of arrests for littering by common citizens. Nobody has been concerned enough to make an issue of it."

"I've never seen one," said Jeff Werner, assistant state's attorney for Montgomery County.

"I don't know what happens. I've been in Peoples Court for the last year and I've never seen one."

Tom Ferguson, town administrator for Cheverly, said "I've been here two years and we've never enforced it . . . It's so damn tough to catch the offenders."

They feel that littering is now part of the American makeup and will take more than laws to correct. Almost every official contacted felt that only thru constant news coverage of the problem would Americans save litter for the trash can rather than toss it on streets and sidewalks.

"Look at the parks and tell by the lack of it (litter) the stability of the people who use the parks," said Grant Wright, chief of the U.S. Park Police.

"I don't think policemen arresting people who throw trash on the ground will have much effect on it (the litter)" said Chief Wright.

Many officials think industry could ease some of the burden by changing marketing and design habits.

Arlington Police Chief William Fawver says litter might be cut by a third if cigaret packs were made from one piece of material instead of several.

XUM

A high ranking police officer in the Prince Georges force said:

"As long as you advertise non-returnable "throw away" bottles that's what he (the citizen) will do—throw it right on the road."

Chief Fawver said, "Even for three or four cents people have an incentive to return their bottles whereas now they don't have any incentive."

Police Chief Murray Kutner of Fairfax City says that items like a six-pack of beer, soft drinks or Kleenex could have a plastic litter bag attached.

"If a bag was available in your car you would be more apt to use it," said Chief Kutner.

Cars also aren't designed with litter in mind. "They (auto makers) build an automobile and give you an ash tray that will hold three (cigaret) butts," said Chief Kutner.

[From the Charleston Gazette, June 8, 1970]

Garbage Flows Like Water—Out of Boone Stream

(By William Canterbury)

Led by a young biology teacher, 13 boys in the Neighborhood Youth Corps (NYC) splashed into the Big Coal River deep in the valley floor below Whitesville.

As they worked their way downstream they stopped every few feet to bend over and pick up some trash from the riverbed or along the banks.

In the first half hour they filled seven 20-gallon garbage cans.

It was their first day on the job of the "Clean Streams" campaign, Boone County's slogan for the statewide Scenic Rivers campaign.

Pointing to a pile of refuse the youths had dumped alongside W. Va. 3 above the river bank just outside Whitesville, the group's supervisor John Hathaway said:

"The state told us we'd have to walk a long way before we'd find much and we've just started, and look at this."

The group will work all summer from Whitesville to Emmons on the Big Coal River—an estimated distance of 30 miles.

After five hours of plying the river Monday the boys had extracted a truckful of junk discarded by fellow countians. Among the items: Fences, bed springs, watermelon rinds, and, the most common sight, cans, cans and more cans, all tossed off bridges fording streams or dumped over the banks by residents.

Hathaway, who joined in wading with the boys up to his knees as they worked, said he was discouraged by the program at first. During a recent training program for supervisors, he said, "a man called over to us: 'Hey, when you get it all picked up, dump it right over the creek bank over here—that's where we dump'." The man was not just being a heckler, Hathaway said. "He meant it."

Lawrence Lyon, chairman of "Clean Streams," said the program's backers realize "it's not the final answer." But the program aims to help teenaged boys by giving them steady jobs with regular hours for the summer. At the same time it is hoped they will get some deep-felt satisfaction from improving their environment.

There are 45 boys, mostly 14 and 15 years of age, signed up in Boone County. A total of 1,400 jobs for the Scenic Rivers program was allocated by the State Department of Natural Resources, which is cosponsoring the program with the county courts.

The money to pay the youths, who make $1.45 an hour for a 32-hour week on the river work, and the supervisors, who get $2.50 an hour for 40 hours, comes from the U.S. Department of Labor. The multicounty effort is coordinated by the State Office of Economic Opportunity under Gov. Moore.

The program was expanded this summer from one volunteer cleanup project along what is now proudly billed as "Scenic Highway" 4, along the Elk River. The idea caught on to employ teenagers from poverty-level families to carry on the work at the county level.

The youths seem to find value in the work, even though the program was slow to attract workers until the eligible age was lowered from 16 to 14. Older youths were attracted by other NYC projects and jobs with the State Department of Highways—jobs which held the promise of steady work after school. Lyon said his committee views the river cleanup as "temporary," but necessary before other river channelization projects can be launched in future summers.

THE PEOPLE AMERICA FORGOT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. ROGERS of Florida. Mr. Speaker, a grim, ever-present reminder of the dark side of America's heritage is the depressing state of life of the American Indian.

The plight of these original Americans is becoming increasingly a matter of publice concern and justly so, but what is really needed is not rhetoric, but rather action, not only by the Congress and the executive offices of the Federal Government, but by the States and concerned citizens as well. We must endeavor to right previous wrongs but above all we must preserve the Indian culture while at the same time assisting the American Indian to adjust to our society.

The Seminole and Miccosukee Indians of Florida are a prime example of the situation which exists among American Indians and their plight was graphically documented in a recent seven-part series appearing in the Palm Beach Post entitled "The People America Forgot," written by Kent Pollock. I would like to insert the series at this point in the Record for the benefit of my colleagues:

The People America Forgot—I: The Seminole: A Foreigner in America

(By Kent Pollock)

Bonnie Billie sat down one afternoon and listened attentively to her teacher at Ahfachkee Day School tell the fable of the tortoise and the hare.

Bonnie thought carefully, then wrote her own rendition. Unlike the original story, there was no moral that persistence ends in success.

It was instead the tale heard through the ears of a youngster much different from other Americans.

Bonnie is a 10-year-old Seminole Indian. Her story goes like this:

"The rabbit and the turtle were going for a walk. They sat on the grass to rest. And then they went to sleep. They didn't have a blanket and a pillow.

"The turtle ate grass and the rabbit ate carrots. They did not have a television to watch and they got up and walked and walked and walked.

"They ran to the forest. They stopped running and settled down and rested forever."

And that's the end to Bonnie's story. It's indicative of one of many differences between Seminoles and other Americans. From childhood to death, the Seminole thinks, acts and lives in terms foreign to other Americans.

Like Bonnie, Seminoles even interpret the same stories differently than other Americans.

Bonnie's is a confused culture caught between the necessity to assimilate to American life and the desire to be an Indian, a Seminole Indian.

It is a story of assimilation for survival.

Bonnie's people have been running to the forest looking for a place to stop and settle down for as long as they can remember.

Today, some 1,400 Seminoles live on three government reservations in Florida trying to adapt to a way of life they don't really understand.

They are survivors of a tribe whittled down to less than 150 by a U.S. government policy of killing or moving all Indians out of Florida.

There were many massacres in which thousands of people died before the Seminole Indian wars ended in 1858.

The Seminole was a capable warrior. It is estimated that for every Seminole either killed or moved from Florida, the government spent $10,000 and lost one soldier.

About 3,000 Seminoles moved to Indian Territory which later became Oklahoma.

As the Indians who stayed in Florida continued to fight the government, they retreated almost willingly to the south, trying to escape what was then—as it is now—a confusing way of life.

The Indians who stayed split into two groups. Many went further south than the others and later organized as the Miccosukee Indians of the Tamiami Trail.

But the battles the Seminole fought then were easier than the struggle he fights now.

If the Seminole War of 100 years past was to retain land, the Seminole War of 1970 is one to retain culture, pride and tradition while learning to live in a white society.

The fight he faces now is paradoxical in that each victory over poverty, discrimination or education might represent a defeat in the battle to regain culture.

The American Indian has always been set aside. Although he was a resident of the United States before other Americans, he didn't even become a citizen until 1924 when Congress passed the Wheeler-Howard Act.

John Cypress is a living example of the confusion shared by most members of his race. He lives on Big Cypress Reservation about 50 miles west of Fort Lauderdale.

He leaned on a dilapidated bed with a children's reader at his side. He is 70, can't read and apologizes for not understanding English.

He smiles in embarrassment and giggles nervously. "Sometimes I understand right. Sometimes yes, sometimes no—I think there's one word I no get."

That John should apologize for not understanding a puzzling language, foreign to his mind, is sad. He speaks Miccosukee fluently.

But it's true that some members of his tribe feel embarrassed because they don't fully understand English.

John and his relatives were born into a society foreign to that of other Americans.

The Seminoles life on Big Cypress Reservation, Brighton Reservation, 35 miles northwest of Moore Haven, or Hollywood Reservation near U.S. 441 in Hollywood, is difficult to comprehend.

His life is full of anachronisms common to any cultural struggle.

It is common to see young Seminoles living in modern trailers next to their elders living in open chickees—thatched roof shacks built with dead cypress and palmetto fronds.

Or to see a family like the Bucks of Brighton Reservation living in a house with modern conveniences but still raising their children in the old way.

In the back room of the Buck residence, "Princess" Emma Jane, a newborn child, swings in a hammock strung between two walls with rope as she would be strung to two trees in years past.

Emma Jane has beads on her wrists and her ears are already pierced. She wears a dime on her right wrist, held by a piece of rawhide.

She will be raised in a world which will hopefully accept her better than her older relatives have been accepted.

But it is a small hope.

The change from Seminole to white culture will be difficult for Emma Jane. She and her friends are children of nature.

Their very name, Seminole, means "wild" like a deer is wild and free. But it is difficult to be wild and free—to be a Seminole—in 1970 America.

It is this desire to be wild and free, or to run to the forest to settle down forever, coupled with other basic differences in white American culture, that has put the Seminole Indian where he is today.

He suffers from poverty, poor health, limited education and other injustices.

The Seminole's average per capita income is somewhere around $2,200 per year, short of all poverty levels. He is essentially an uneducated person with only two college graduates and less than 150 high school graduates in his tribe of 1,400.

Most Seminoles represent a curious contrast—pride and poor self-images.

One Seminole woman working as a secretary for the tribe was asked if she ever dated white men.

"No," she said. "I never wanted to get involved with a white man."

Why?

"I could never marry a white man because I could never keep a house the way he would expect me to. I don't know his ways."

Most Seminoles don't.

John Cypress, for example, lives for today. His income comes from welfare and Social Security. He receives $116 per month.

He pays no rent and makes few trips to town. John is broke at the end of every month. He lost his credit at a nearby tribal store because he failed to pay his bills.

Now he must travel—nearly 50 miles—to Immokalee or Clewiston to do his shopping.

"I wanted to shop at tribe store over here, but those Indian people no treat me right. They call me bad Indian. Say no pay my bills," John says with a trace of bitterness.

His trips to town are his only activity. "I don't do nothing. Just sit down all the time."

John is not necessarily the typical Seminole Indian. Younger Indians go to school during the day and play sports at night.

Many live in houses with plumbing and electricity. They sleep in beds and eat from tables.

But there are those still living much like their ancestors—no plumbing or electricity, wooden platforms under thatched roofs for sleeping, family pots without utensils for eating.

They cook starchy, unhealthy meals on open fires.

Health is a definite problem. One doctor who works with the people estimates 40 per cent of the Seminoles of Florida suffer from intestinal parasites or hookworms.

Malnutrition, another crucial affliction, has been combatted through crash education programs for youngsters and adults and by providing free, balanced meals to children in school.

The meals are possibly the best thing the Seminole receives in school. His academic achievement is perilously low—if he stays long enough to be tested.

By 1968, some 67 per cent of all Seminoles who entered school in 1956 had dropped out.

Some of the troubles stem from language differences. Seminoles speak Creek or Miccosukee or a combination of both. Neither language can be accurately translated into English.

Most Seminoles speak a little English. Few have mastered it well enough to achieve success in a school oriented to other American children.

There is a belief the Seminole nation would be better off if it dropped its own language and learned English as a primary language. This is not necessarily true.

The loss of their own tongue could result in much more than a mere loss of language. It could result in the loss of their culture, tradition and self-identity.

And this would be a tragedy.

The language is not a written one, so tribal tradition and basic cultural rule is passed down verbally through generations, usually through group discussions near bedtime.

Already many children don't fully understand the legends told by their parents. And when a legend is lost, another part of culture is lost.

Billy Cypress, one of two Seminole college graduates, says his people view tradition and culture like they do a good book.

"You put it down because you don't have time for it and you promise yourself you'll pick it back up again. You know it's good for you, but you know you'll never pick it up and finish it."

And because it is a culture so unknown, so misunderstood, so ignored, if it is to be saved, the Seminole must save it.

Many attempts are under way to assist the Seminole with his struggle—some by the Department of Interior's Bureau of Indian Affairs, some by the tribal organization itself.

There are government programs aimed at health, housing, job placement and training and education.

One tribal enterprise is under way at the Hollywood Reservation where a tourist attraction attempts to display the early Seminoles' way of life.

But the attraction is mostly a sterile facility where tourists come and gawk at Seminoles making dresses or stringing beads or wrestling alligators.

It is like a zoo or a carnival where people's culture is displayed like wares at a fair.

So the Seminole's world is quickly disappearing and its replacement isn't necessarily any better.

He has accepted the white man's ways only to find himself treated as a second-class citizen or a sideshow attraction.

He is winning and losing at the same time. This is not new.

The Seminole consistently beat the U.S. government at war but lost his prime land in the process—migrating in a calculated path towards the worst acreage in Florida.

He once won a contract with the Department of the Interior for more land "to provide more adequately for the Seminole Indians of Florida" only to lose what is now a major part of Everglades National Park in the process.

He accepted strange ways of education and religion and employment and won the right to be equal, only to find confusion and despair and poverty.

And now he's losing again.

But the battle is not over and many Seminoles intend to win. Only time can provide the result.

The story can either be the sad last chapter in a book of painful assimilation or the first chapter in a book of revived identity, of awareness of pride.

For the Seminole Indian, time is running out. The life he has pursued for years—the white American way—is rapidly approaching maturity.

For Bonnie Billie and John Cypress and "Princess" Emma Jane Buck and all other Seminoles, the future is now.

The tortoise can rest forever in the forest or he can persist and hope for success.

THE PEOPLE AMERICA FORGOT: II—ASSIMILATE TO SURVIVE

(By Kent Pollock)

For fifty cents a Seminole Indian can show his pride and self-identity.

It comes in the form of a red-and-black reflectorized bumper sticker sold at the tribal grocery store:

"Indians Discovered America."

Besides light, the sign reflects the plight of a forgotten society reaching out to be noticed.

The Seminole Indian lives in a world that demands he conform or die. It is a world much different from his own of years past.

In the old days the Seminole's life was one of hard work, but simple in motivation and reward.

He hunted plentiful game during the daytime so he could eat and enjoy himself at night.

He chose high, fertile ground for his village where he planted corn and peas and sweet potatoes; pumpkins, watermelons and beans.

When he grew tired of one location he moved to another. It was a difficult nomadic way of life, but its freedom was satisfying.

This was before the United States bought Florida from Spain in 1819. Before the Seminole had to retreat to the swampy, once considered uninhabitable land to the south.

It was before the Seminole was forced to live in a way much different from his own—forced to assimilate to survive.

The Seminole was happier then than he is now. He tells you so by his reluctance to change.

Some say so verbally.

"Lot of changes over years. Too many people and ditches and canals. Everything different now . . . better before change, looks that way," John Cypress says.

This isn't hard to understand. The Seminole's life has changed drastically.

Hunting on the three government reservations is a futile exercise. Much of the land is unfit for farming.

The Seminole has become a captive of a cultural clash. He is unable to cope with American society, and American society is unwilling to accept him as a full member.

So he suffers the humility of living in a country where he counts for nothing.

And he avoids change when possible.

His people's reluctance to move into modern homes provided by government self-help housing projects is an example of this refusal to change.

Walter Tommy sat on a wooden platform where a chickee used to stand and talked about his feelings towards modern housing.

"If they're going to build me houses they're going to have to build them the way I want. I grew up in the swamp so I must like it, huh?"

Pigs and chickens roam freely as he talks, and some of his friends gather to listen. Walter says he wants more room, more open space and less contact with other people than the housing project provides.

"This is the way I've been living all my life. A house doesn't make me happy as I know of it."

Walter lives both in Fort Pierce where he drives a tractor and on Brighton Reservation where he "rests up a bit."

He lives in this camp because he has a child here. He doesn't know the child's age. Similarly, he can't remember when he went to school or for how long.

Time means little.

Unlike Walter, there are some Seminoles who enjoy living in modern houses. Some helped build their own homes, working on them nearly 600 hours for a down-payment.

But even they sometimes miss the open air of a chickee.

Seminoles living on Hollywood Reservation are forbidden by tribal law to build chickees. They live in 60 houses built under tribal and government housing programs.

At least 86 families—or about 410 Indians—reside in the 60 dwellings. Some estimates are higher.

Despite its overcrowded atmosphere, Hollywood is a popular reservation. It provides housing near employment, unlike Big Cypress and Brighton Reservations which lie in relative wilderness.

The government provides money to repair Indian homes under a Home Improvement Program. Up to $4,500 per family is available.

But repairing an open-sided, thatched roof chickee is difficult.

The Seminole Tribal Housing Authority built 20 homes with modern conveniences at Brighton Reservation where about 350 Indians live.

Sixteen homes have been constructed at Big Cypress Reservation where about 435 Seminoles live. None have indoor toilets—the government decided to construct outhouses instead.

"They wouldn't use inside facilities anyway and these privies are well built," a Bureau official said.

But statistics which show housing perilously behind demand are somewhat misleading.

Fred and Wanda Tommy live in a camp consisting of three chickees about a mile off the main road through Brighton Reservation. They live there because they say they want to.

There is a sleeping chickee, a cooking chickee and an eating chickee. Electricity and gas provide power for a stove, refrigerator and radio.

A brisk wind rustles the thatched roof's palmetto fronds and a radio blares rock music as Wanda Tommy talks reluctantly about her life and her six children.

She doesn't want to be interviewed.

Her sixth child, seven-day-old Edna, sleeps in a separate chickee during the conversation. A chicken jumps on the structure's edge while Edna relaxes inside.

Where will Fred and Wanda move when the chickees decay with age?

"I think other chickee, yes sir." Her voice is barely audible as she speaks with her head hung low in distrust.

Would she like a modern home?

"No. I don't think so."

Why?

There is no answer. She turns her back—an act considered a serious insult—then faces forward again after a few moments of silence.

What does she want for her children? For Freddy and Leotta and Alice and Leoma and Phillip and Edna?

"They got enough. We got enough." Wanda is giggling because she knows how absurd her statement must sound to a white man.

But to her it is true.

Her husband was away making money, cutting palmetto fronds for 90 cents per bundle. Her older children were nearby playing, and her newborn child was sleeping well.

Wandy Tommy is closer to her old way of life than many Seminoles she knows. So she is content.

Unfortunately, it is not as easy for many of Wanda's friends.

Much has been done to reverse this trend of increased confusion among Seminoles.

The Department of Interior's Bureau of Indian Affairs has several programs in health, housing, education and job training aimed at erasing the problems of being a Seminole Indian.

South Florida Rural Legal Services, an organization aimed at providing legal advise to the poor, is attempting to expand its operation to the Indian reservations.

The Indians themselves organized as The Seminole Tribe of Florida, Inc., in 1957, to conduct their own business affairs.

The tribe has both a tribal council looking at social affairs and a board of directors regulating business activities.

Successful business, until very recent times, has been a stranger to the Seminole.

The tribe still owes the Bureau nearly $2 million in unpaid loans made to start tribal businesses. Government officials were pleased two years ago when tribal enterpises lost "only $50,000."

Lucrative land leases coupled with a successful cattle-raising program and the sale of oil and gas exploration rights are helping the Seminole rise from the economic gutter he occupied for years.

The tribe progressed well enough financially to declare $100 dividends to each member of the tribe last year.

Still, the individual Seminole suffers from poverty. The average income per family is around $2,200 per year and many Indians' incomes fall short of the average.

Even though he pays no rent and incurs few of the expenses common to other Americans, the Seminole is poor.

While the Seminole tribe finds itself progressing financially, the individual Seminole's social habits have not caught up—so he spends his money quickly and is sometimes the victim of exploitation.

It is a life of dilemmas.

Lottie Baxley, a Seminole widow who married a white man, explained the confusion. She, too, was perplexed while her husband was alive because tribal law forced her to leave the reservation for marrying a white man.

Indian men, on the contrary, are allowed to marry whites and still live on reservations.

Lottie says, "There are lots of changes in the Seminole world with (tribal) organization and all. They aren't used to the new ways . . . they used to go out in the woods and kill deer or whatever they wanted to eat. It was their whole life . . . now there ain't no woods."

Tribal chief Betty Mae Jumper says her people have trouble understanding white ways which are good and bad at the same time. She uses education, something foreign to early Seminoles, as an example.

"In a way education hurts us and in a way we need it. We need that education if we're going to live like anybody else. But then it hurts us real bad and confuses my people because all that trouble is coming in."

The trouble she speaks of is juvenile delinquency, alcoholism, criminal activity and many other afflictions of poor America once unknown to the Seminole.

She blames it all on a loss of tradition.

"Some of the old Indian ways are good ways and I think we should keep them."

There is evidence that some of the Seminole's identity and pride and culture has already been lost.

Tribal leaders, however, feel the battle is being won. Many don't agree. Some don't realize there's a battle being fought.

It's all part of a story of change.

The people aren't sure who they are or where they belong in America.

Until they know, they'll keep buying bumper stickers.

The People America Forgot: III—The Problem: Educating Those Who Do Not Understand

(By Kent Pollock)

Frank Charlie has been a craftsman all his life.

He is 70 and still practices his trade 13 hours a day, six days a week. And he plans on doing it until he dies.

Frank carves canoes out of cypress trees.

He works in a secluded tree stand at Big Cypress Reservation—with only an ax, a rasp, a hatchet and a saw. There are no power tools in the swamp.

It takes Frank four months to complete one 24-foot canoe. For this, he receives $400.

Frank is like lots of other Seminole Indians. He works very hard for very little. He doesn't know the value of his own skills. He is essentially an uneducated person.

For young Seminoles who don't want to spend their lives like Frank working for $100 per month, education is vital.

But they have received little of it.

There are only two college graduates and fewer than 150 high school graduates among Florida's Seminole Indians

The government provides $600 per year for each Seminole college student, and other scholarships are available, but only four Seminoles are currently enrolled in colleges.

It wasn't until 1957 that the first Seminole was graduated from a Florida high school. And in 1963 the first Big Cypress Reservation Indian was graduated.

Unlike other Americans, education to the Seminole has never been a part of life.

But most have finally accepted the concept of education. Now the problem is for teachers to offer quality, relevant education.

The problems are vast. Poverty, poor health, undernourishment, inadequate housing—the Seminole's life doesn't lend itself to easy learning.

There are two basic sides to Seminole education—both are bad.

One side shows children living in Hollywood and Brighton Reservation going to public schools. They fall far below average achievement levels. Many drop out.

The other side includes children at Big Cypress Reservation attending a government school for four years before entering public school. They are mostly unprepared to compete.

One hundred and fifteen Seminoles attend public schools in Clewiston; 97 are enrolled in Moore Haven schools.

Seminole students who have problems at home are sent to boarding schools in Oklahoma and other states. There are 46 attending such schools.

By 1968, 67 per cent of all Seminoles who entered school in 1956 had dropped out. The national dropout average for Indians was 50 per cent in comparison to a national average for other Americans of 21 per cent.

In Palm Beach County where thousands of migrant children drop out yearly, the average is 41 per cent.

Seminoles in public schools tend to isolate themselves.

And isolation makes assimilation into a different culture more difficult.

Officials say isolation stems from either discrimination by fellow students or lack of self-confidence by Seminoles. It is probably a combination of both, coupled with the fact white students share nothing culturally with Seminoles.

One teacher at a Clewiston school said, "I don't believe they (Seminoles) are interested . . . some of them show more spark than others, but the majority don't care for what we have to offer."

What the public school system has to offer is much different from the Seminole way of life.

It is also much different from the education offered Seminoles at Big Cypress Reservation. Children there attend school until the fifth grade at a government-operated Indian school.

Government officials say the school is necessary because younger children would be harmed by the 45-mile bus trip to Clewiston's public schools.

The sign outside the government school says Ahfachkee Day School. It means Happy Day School in Miccosukee, the reservation's primary language.

But the sign doesn't represent what hapens inside.

The school which 47 children attend is a failure. A Florida Atlantic University professor, Dr. Harry Kersey, calls the school "an experiment in successive regression."

When children leave Ahfachkee Day School to attend fifth grade in a public school they are ill-prepared to compete with other Americans their own age.

Only 11 Seminoles of all Indians living on Big Cypress Reservation attending Ahfachkee Day School have ever graduated from high school.

Tests show that children attending Ahfachkee Day School for four years achieve very little beyond the first grade.

A quick tour of the school explains why.

The school consists of three classrooms and a kitchen. Children are divided by age.

They wander around during classroom hours without discipline, learning very little in the process.

It's not necessarily bad behavior or rebellion—it's more a habit.

If the children are disciplined too harshly they probably won't come back.

And attendance laws either don't compel children on federal reservations to attend school or they go unenforced. Nobody seems to know which for sure—not even officials.

While some children wander and play, others work.

A fourth grade boy at the blackboard multiplies three times twelve and gets 17.

How can three times twelve be only 17?

"I don't know," the young man answers and returns to his seat. He is not ashamed because he is not different from his classmates.

The school recently tested its children to determine achievement. The results were perilously low.

When the two present teachers arrived last year, children didn't know how old they were or what grade they belonged in.

Many couldn't write their own names.

There were no curriculum folders, no achievement levels, nothing to show for their years in school.

Dr. Kersey described the situation as "a school flying blindly towards nowhere."

He said problems in educating Seminoles lie in an infinite combination of differences between Seminoles and other Americans.

He tested the children last year. He tested them again this year. Results show the children regress.

"We thought at first they suffered from extreme brain damage or hearing and sight deficiencies because their achievement levels were so low," Dr. Kersey said.

But this was not the case.

Kersey decided education was simply irrelevant to Seminole children.

A program was initiated whereby Seminole students were told to write stories they enjoyed. With the help of teachers, the stories were printed and illustrated by their authors.

When the work was completed, it was exchanged among children.

Here's one example of a Seminole book. It was written by a 10-year-old Lupe Osceola:

BOWS AND ARROWS

"The bow broke when I shot at a bird. It was a robin. I have a different bow now. I went and got Mando and we went hunting. I shot a duck with my B–B gun. Mando ate it. Then we rode bicycles and fell in the mud."

For the first time, education became interesting to the Seminole Indian. And he began learning to read.

But even this program isn't enough. Children still are progressing too slowly to keep up with others their age.

Much school time is devoted to personal services.

Children are bathed once a week. By the time they all shower in the small facility, most of the day is spent. They are fed hot meals and they brush their teeth afterwards. They learn to eat with knives and forks and how to use napkins.

It's all part of the catching-up Seminole children must do.

Many programs are aimed at accomplishing just that—helping the Seminole through his first hard years of education. But still the total effort is failing.

Twice each week, FAU students fly to Ahfachkee Day School to assist teachers. The students are knowledgeable in new concepts of motivating culturally different children.

The tribe began a Head Start program to begin Seminole education earlier than kindergarten. The centers are mostly utilized as baby-sitting services for children 2–4 years old.

Although a major part of Head Start is aimed at language development, children learn very little English. At the Big Cypress Head Start center, Miccosukee was spoken almost exclusively until recently.

An adult education program was intiated at Brighton Reservation with hopes of teaching adults enough to help their children.

The adults gather one night each week at a recreation center. They sit in rickety old surplus desks and try to learn the skills their children are learning. They are a generation of learning behind their youngsters.

So they too come here to catch up—partly for their children's sake, partly for themselves.

A similar program at Big Cypress Reservation failed for lack of interest. Officials even served free meals to attract adults, but that didn't help.

The adults are learning, but progress is slow. A second, more advanced class will open soon for those ahead of their classmates.

Dr. Kersey says more money is needed to upgrade Indian education. He says new programs and needed expansion of present ones like the texts being written by Seminoles are being held back by inadequate funding.

"Now it's a question of how much money the federal government and other private foundations are willing to pay to salvage the education of these children. We think we know how to do it, but we need more funds to proceed."

It's all part of a perplexing problem of how to educate a person who doesn't understand.

And the Seminole doesn't understand.

He doesn't understand standard motivation; he doesn't understand teaching methods; he doesn't understand why he must learn.

He doesn't understand white American culture.

Until he does—or until he is understood—he will likely continue on his present path.

His economic life can change, his health can improve, his housing might become modern.

But in the end, he must have education.

The Seminole who neglects learning in his youth gains nothing for his future and loses his past.

If current trends don't change, Seminoles will have to be content with working in fields or selling trinkets or wrestling alligators.

Or carving canoes like Frank Charlie—13 hours a day, six days a week—at age 70.

For $100 per month.

INDIAN EDUCATION—A NATIONAL TRAGEDY

"Indian Education: A National Tragedy—A National Challenge."

That's the title of the U.S. Senate Committee on Labor and Public Welfare's special subcommittee on Indian education's report issued in November 1969.

Here is a synopsis of that report's summary:

"For more than two years the members of this subcommittee have been gauging how well American Indians are educated. We have traveled to all parts of the country; we have listened to Indians in their homes and in their schools . . . we have looked closely into every aspect of the Indian education program this Nation offers its Indian citizens. . . .

"We are shocked at what we discovered. Others before us were shocked. They recommended and made changes. Others after us will likely be shocked, too—despite our recommendations and efforts at reform.

"For there is so much to do—wrongs to right, omissions to fill, untruths to correct—that our own recommendations, concerned as they are with education alone, need supplementation across the whole board of Indian life.

We have developed page after page of statistics. These cold figures mark a stain on our national conscience, a stain which has spread slowly for hundreds of years. They tell a story to be sure.

"But they cannot tell the whole story. They cannot for example, tell of the despair, the frustration, the hopelessness, the poignancy, of children who want to learn but are not taught; of adults who try to read but have no one to teach them; of families which want to stay together but are forced apart; or of 9-year-old children who want neighborhood schools but are sent thousands of miles away to remote and alien boarding schools.

"We have seen what these conditions do to Indian children and Indian families. The sights are not pleasant.

"We have concluded that our national policy for educating American Indians are a failure of major proportions. They have not offered Indian children—either in years past or today—an educational opportunity anywhere near equal to that offered the great bulk of American children. . . .

"Decent education has been denied Indians in the past, and they have fallen far short of matching their promise with performance. But this need not always be so. Creative, imaginative, and above all, relevant educational experiences can blot the stain on our national conscience . . .

"What concerned us most deeply, as we carried out our mandate, was the low quality of virtually every aspect of the schooling available to Indian children. The school buildings themselves; the course materials and books; the attitude of teachers and administrative personnel; the accessibility of school buildings—all these are of shocking quality.

"A few of the statistics we developed:

"The average educational level for all Indians under supervision is five school years.

More than one out of every five Indian men have less than five years of schooling. Dropout rates for Indians are twice the national average . . . the average age of top-level Bureau of Indian Affairs education administrators is 58 years. . . .

"Only 18 percent of the students in federal Indian schools go on to college; the national average is 32 per cent. The Bureau of Indian Affairs spends only $18 per year per child on textbooks and supplies compared to a national average of $40. Only one of every 100 Indian college graduates will receive a master's degree . . .

"These are only a few of the statistics which tell the story of how poor the quality of education is that American Indians have available to them . . . one theme running through all our recommendations is increased Indian participation and control of their own education programs.

"For far too long, the nation has paid only token heed to the notion that Indians should have a strong voice in their own destiny. . . .

"The scope of this subcommittee's work was limited by its authorizing resolution to education. But as we traveled, and listened, and saw, we learned that education cannot be isolated from other aspects of Indian life. These aspects, too, have much room for improvement . . .

"In conclusion, it is sufficient to restate our basic finding: that our nation's policies and programs for educating American Indians are a national tragedy."

THE PEOPLE AMERICA FORGETS IV—IT IS HARD TO GET MONEY . . . YOU GOTTA HAVE MONEY

(By Kent Pollock)

Joseph Jumper has been putting new atop a rickety chickee, jousting with exhaustion in a sweltering South Florida sun.

He nailed palmetto fronds to the two cypress logs he straddled as sweat poured down his pounding arm.

Joseph Jumper has been putting new roofs on chickees for about two years. He once worked for the government, but quit. He once repaired cars at Big Cypress Reservation, but quit.

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He has never been able to find a job he really likes.

Joseph doesn't know what it's like to drive a nice car to work on a freeway every morning. He doesn't know how to punch a timeclock or take a 10-minute coffee break.

Joseph doesn't know about cost-of-living raises or overtime or vacations.

Joseph is a Seminole Indian.

He has difficulty learning to work alongside other Americans because he is different.

Joseph's ethnic group is an isolated one—not only by the distance from Seminole reservations to urban employment centers, but by culture.

The white American employment atmosphere is a perplexing thing.

But Seminoles must attain skills and attitudes foreign to their old ways to survive in 1970 America.

It isn't easy:

The American Indian finds it 10 times as hard to find a job as other Americans.

Less than 30 percent of all Florida Seminoles able to work are permanently employed. The average per capita income of those who work is about $2,200 per year.

Ninety per cent of all Seminoles earn less than $4,500 per year. Fifty per cent earn less than $1,000 and 25 per cent earn less than $500.

Most Seminoles prefer to work on reservations performing menial tasks rather than seeking employment on the outside.

If they want to work in the city, they must find transportation for the lengthy round trip. Brighton Reservation is 35 miles from the nearest small town. Big Cypress Reservation's nearest employment center is 45 miles away.

So Seminoles work in bean fields or they harvest watermelon and other crops. Some work in citrus orchards.

Only 25 Seminoles of the 1,400 in the tribe work off reservations—men in construction, women as filing clerks or secretaries.

One job admired by most Seminoles is that of the cowboy.

Indians with cattle herds are among the wealthier Seminole families. But even these families make less than $2,500 per year.

Indians purchase cattle from a tribal herd. They usually obtain low-interest loans to pay for the animals.

The 22 Indian cowboys raising cattle on Big Cypress Reservation earned an average of $2,290 per year from 1966 to 1969. Indian cattlemen at Brighton Reservation earned $2,092.

Seminoles round up their cattle four times per year. An expert in cattle management paid by the Bureau of Indian Affairs teaches Indians techniques.

Cattle are separated by brands. Then they are "doctored" for possible disease before they are turned loose.

Reservation pasture land is leased to Indians by the tribe at a low cost. Profits from pasture leasing help maintain the tribal herd to perpetuate the project.

So far, none of the Seminole cowboys has risen from debt. When the debts are erased, a well-managed herd could bring as much as $10,000 per year.

Many Seminoles struggle so their children can leave the cycle of poverty.

Mary Francis Johns wants her children to obtain the best possible education so they won't suffer the same problems she has encountered.

She drives a school bus from Brighton Reservation into Moore Haven each day. She recently began working as a janitor at the school to make extra money.

Once trained, Seminoles are said to be hard workers.

The Bureau is the largest employer of Seminoles. About 50 Indians work in clerical positions for the Bureau, but none have reached supervisory positions. Their average Bureau salary is $3,500 per year.

The Seminole tribal corporation also hires 40 Indians. They earn an average of $3,857 per year.

The tribe employs Indians to operate grocery stores at each reservation and to help in clerical positions at tribal offices in Hollywood.

The tribe's Indian Village in Hollywood employs 14 Seminoles, but there is an atmosphere of condescension, and Chief Betty Mae Jumper says some Indians won't work there.

They dislike the carnival atmosphere of stringing beads, making dresses, carving wood or wrestling alligators for tourists.

But most Seminoles work when they can, where they can—planting grass, picking tomatoes or beans, cutting cabbage buds. It is mostly seasonal, undependable, difficult work.

Walter Tommy says he makes $40–$50 per day cutting cabbage buds at Brighton Reservation. But the season lasts only about five weeks. Then he's out of work.

"I go to Fort Pierce and drive a tractor when I can't cut buds. But there's not much work . . . it's hard to get money. You gotta have money."

Unlike many other Seminoles, Walter receives no financial assistance from the government.

Seminoles don't receive special money from the government. They must qualify for financial assistance like other Americans.

About 10 per cent of all Seminole families receive some form of financial aid.

Nineteen families draw aid to dependent children from the state of Florida. But more than half the reservation families are without a working male.

The women of these families are unable to get other than low-paying jobs. If their children are too young for Head Start programs, they can't afford babysitting services while they work.

None are available on the reservations anyway. So women who work must count on friends or leave their children alone.

This might not always be the case.

The Seminoles' economic picture is changing. The tribe is rapidly paying old debts and leasing land at substantial profits.

Bureau officials estimated the tribe might gross as much as $500,000 per year within the next five years through a number of exciting new enterprises.

For years, the tribe lost hundreds of thousands of dollars. It went further and further in debt to the Bureau.

Their newfound success stems from a change in both tribal and Bureau leadership and a new outlook on land leasing.

Land is the Seminole's major resource. Leased properly, land can make the tribe rich.

Hollywood Reservation provides the brightest economic base. It is located near U.S. 441 in one of Broward County's fastest growing industrial areas.

But the tribe must be careful in signing its leases. Past experience indicates the Seminole must move with prudence in cooperating with industry.

If he doesn't, he might lose—and has already lost too much.

He has lost with his lease between the tribe and Amphinol Electronics, a coupling device manufacturer.

The 65-year-lease covers 10 acres of prime industrial land leased at $2 per year for the first five years. The price progresses each year to $200 per year after nine years.

Land nearby recently leased for as much as $15,000 per acre per year.

The tribe signed the Amphinol lease so Seminoles would have a place to work. The company said it would use "every reasonable effort to employ and train (Seminoles) . . . to the extent that their skills and abilities can be profitably utilized."

Since the lease was signed in 1966, few Seminoles have been employed successfully. Only 18 Indians work at the plant today, and only one Indian was hired last year.

Government officials say Amphinol told them Indian labor was being used as much as profitably possible.

The Amphinol lease continues. It and two other tribal leases earned the tribe a gross income in 1967 of only $30,000—$80,000 short of the year's debt.

But things are changing.

Last year's gross tribal income from four new leases alone was $250,000.

The new leases are for a mobile home factory, two mobile home parks and a section of businesss locations along U.S. 441.

The 120-acre mobile home factory was leased for $150,000 per year, plus 10 per cent of the factory's gross annual income. Frontage land for the business enterprises was leased for $15,000 per acre per year.

All the new leases carry clauses so Seminoles get first chance at employment.

But Hollywood Reservation doesn't represent the only land value to the Seminole. The tribe plans to begin recreational developments at both Brighton and Big Cypress Reservations.

Brighton Reservation's facility probably will include a marina with easy access to fishing in Lake Okeechobee.

The tribe received $230,000 last year for oil and gas exploration rights to 29,000 acres of Big Cypress Reservation. Mobil Oil Corp. also owes the tribe one-eighth of gross profits if oil is discovered.

The Seminole tribe recently was awarded $12.3 million by the Indian Claims Commission for land the government took from them in the 1800s.

The award was for some 29.7 million acres of land and fell far short of the $47 million the Seminoles sought.

But the $12.3 million must be offset by about $5 million worth of land the government figures it has already given the Seminoles in Oklahoma and Florida.

The remaining money will be divided by 3,700 Seminoles in Oklahoma and the 1,400 in the Florida tribe.

But it is doubtful individual Seminoles in Florida will share the income. Their tribe will probably pay some old debts with the money.

To help Seminoles find employment, the Bureau operates an employment assistance program. More than 1,000 job training courses are available to Seminoles, but few take advantage of the opportunity.

Only about 15 Indians from Florida attend job training schools each year.

But wealth won't help the Seminole anyway, unless he learns to cope with his affluence.

And there always will be those willing to exploit him.

But if all goes well, the Seminole could be the first tribe of Indians ever to win at the American game of capitalism.

If all goes well.

THE PEOPLE AMERICA FORGOT: V—MEDICINE MEN AND M.D.S

(By Kent Pollock)

Quickly, but with the delicacy of loving respect, Dr. Alfredo Mendez wrapped Elizabeth Billie's chubby left arm with a smooth gray band.

He pumped air into the armband, then stared in dismay at a throbbing round gauge measuring her blood pressure. He didn't like what he saw.

"I want you to lose about 60 pounds. You look young when you do this. You feel better."

Elizabeth Billie smiled, nodding her head in agreement. The 258-pound Seminole woman had been told before to lose weight.

Obesity is prevalent among Seminole Indians. It is one of many health problems affecting them.

Poor health is relatively new to Florida Seminoles.

In 1956, an author who studied them wrote of their good health and warned his readers against changing Indians lives because of health hazards.

"People concerned with the welfare of

American Indians should take careful note that Florida Seminoles who live in the old ways are far healthier than other Indians who are forced into a manner of life to which they are not well adapted," the author said.

At that time, he said, Florida Seminoles had only two poor health problems—hookworms and occasional malaria.

Now, things are different.

The Seminole suffers many of the same misfortunes of modern America and reaps few of the benefits.

Health is no exception.

Cases of intestinal parasites, diabetes, anemia, malnutrition, alcoholism and vitamin deficiency—once strangers to the Seminole—are now common.

Dr. Mendez and another physician staff health clinics at Brighton and Big Cypress Reservations.

"Disease can be a serious problem for these people if things get out of hand . . . the population is so small that when diseases strike we look at the seriousness as a matter of time rather than in terms of number of cases," Dr. Mendez said.

The Seminole's small, mostly closed society adds to the seriousness of some diseases such as diabetes, a hereditary disorder.

The clinics open twice each week. In addition to the doctors, there is a registered nurse and a clinical aide.

Dr. Mendez sits in his small examination room on those days waiting for an Indian to enter. He dresses casually.

Ida Cypress is the first patient. She wheezes in futile attempts to draw deep breaths.

Like many Seminoles who come to the clinic, Ida suffers from a cold. She is given a shot and some pills, then told to rest as much as possible.

Dr. Mendez conducts complete physicals on each Indian to determine whether less apparent disorders are present.

Margaret Johns enters the room as Ida leaves. She wears a soiled-but-colorful dress and no shoes.

"What's the trouble today, Margaret?"

"Have cold." She points to her nose. "And can't hear in ear."

Margaret, too, is given a shot. Her blood pressure is checked; then she is given vitamins and told to lose weight.

For several hours, the stream continues. Dr. Mendez talks between patients.

"Most of their problems come from the way they live. They keep untidy homes and drink water from canals—and they cook with it, too—and this is not necessarily clean water.

"They don't like to wear shoes so they catch the larvae of hookworms through their feet. These worms and other intestinal parasites present the biggest problem."

Many Seminoles visit a medicine man after seeing Dr. Mendez. This fact doesn't bother the doctor, however.

"I know they have medicine men, but that doesn't bother me. In the whole world everyone is a medicine man. Even my wife practices medicine on me sometimes."

Josie Billie, the medicine man at Big Cypress Reservation, says people don't come to him as often as they used to.

"Indians see me sometimes. Not too often. They like white man medicine. White man medicine good. It keep."

Josie even has a first-aid cabinet on the wall of his small living room. Inside are bandages and other modern medical items.

"I don't keep medicine here. Medicine in woods. Grows there. Make medicine with plants . . . this good medicine." He points to his first-aid cabinet.

But Seminoles continue to see Josie when they are sick. So he still practices some of his old tricks. One is to draw blood from his patients and show them a roach or other insect he says was inside their bodies attacking them.

Sometimes he makes medicine from plant roots which, indeed, have some medicinal purpose.

But Josie won't give his secrets to the white men. One of Josie's friends tells a story of his selling a formula for a tranquilizer to a Miami drug firm.

When the formula failed, Josie told the firm he knew white men couldn't duplicate Indian medicine. "White men no know the songs to put power in medicine," Josie is said to have told the firm's officials.

Josie's life has changed considerably over the years. He used to be an all-powerful man. Early Seminole religion didn't provide for a separation between religion and medicine.

Josie and other medicine men had the power of life or death over their people.

But now most Seminoles practice Christianity. Each reservation has a Southern Baptist and Independent Baptist Church.

Edward Leader is the Baptist missionary at Brighton Reservation's Baptist Church.

"Christianity and education work side by side. Where one is, the other will soon be. I don't care how educated you are; if your body doesn't cooperate you don't get nowhere."

Edward Leader and Josie Billie work together. Josie once preached at the Baptist churches.

But even Josie goes to white doctors when he gets sick.

A major problem is one of poor eating and living habits. Seminoles eat starchy, greasy meals.

Children eat well-balanced meals at school. But sometimes they don't finish everything.

A young girl named Leoma sat at her school desk eating the free meal. On her plate were pork steak, spinach, carrots, pears, milk, bread and butter.

When she finished, the pears, spinach, carrots and part of the milk remained.

Why didn't Leoma finish her meal?

She didn't answer. She didn't have to.

Leoma is like other Seminoles. She isn't used to eating vegetables, so she rarely tries them. Her parents don't like vegetables either, so they don't serve them at home.

A favorite dish is pumpkin or fried bread. A favorite drink is sofkee.

Fried bread is made with self-rising flour, sugar and water. The ingredients are made into dough, then fried in lard.

Sofkee is made of crushed corn meal. It is boiled in water and sometimes sugared. Drinking sofkee is like drinking grits.

A Seminole family is not likely to sit down together to eat except for breakfast when togetherness is handy. Otherwise, the Indians eat when they are hungry.

Wanda Tommy says she keeps a pot of sofkee on the stove all the time in case she gets hungry.

Because of a lack of hot water for washing, meals are often served in dirty pots or on unsanitary dishes. Many families eat from a single pot by passing a wooden ladle.

Seminoles eat lots of meat. They prefer their meat stewed. Chicken stew, beef stew and pork or turtle stew are not uncommon on their table.

Indians are constantly reminded of the importance of nutritional diets by government health agents and schoolteachers.

A sign at Big Cypress Reservation's Ahfachkee Day School reminds youngsters to eat well. "Exercise makes you strong. A good breakfast makes you healthy. Eat bacon, eggs, cereal, juice, milk, toast."

Children attending Head Start centers also are reminded to eat balanced diets. They are fed breakfast, lunch and a snack during school.

But a recent funding cutback from $128,000 to $106,000 for reservation Head Start programs resulted in a cutback of food.

Children at the centers eat less now. They drink powdered instead of fresh milk.

The lack of fresh milk adds to dental problems which are prevalent. Gum diseases and tooth cavities stem from a combination of poor dental hygiene and excessive amounts of sweets.

Many Seminoles substitute soft drinks for water or milk because they don't like milk—and canal water tastes horrible.

Total dental program funding under the U.S. Public Health Service for Indians living on the Hollywood Reservation is $1,500. Brighton and Big Cypress dental programs are funded with only $500 each.

Yet 60 per cent of Florida's Seminoles live on Brighton and Big Cypress Reservations.

Under the dental programs, children younger than 19 can go to dentists for help. But when the funding is expended, dental care is no longer available.

Horst Grabbs, director of OEO programs for the tribe, obtained three surplus dental chairs from the government with hopes of finding volunteer dentists to staff regular reservation dental clinics.

When Seminoles get seriously ill they can go to hospitals. But they can't pay their bills easily, and some Indians complain of rough treatment.

Once in a hospital, the Seminole receives treatment limited to his communication ability.

And most Seminoles can't communicate well in English.

So they remain isolated—suffering from disorders they probably caught from white men, forced to speak a foreign language for help.

The People America Forgot: VII—A Message for America

(By Kent Pollock)

A group of Indians living in the swampy Everglades west of Miami has a message for America:

Just because we don't adopt your ways, we are not backward.

Just because we prefer our own language, we are not ignorant.

Just because we are different, we are not wrong.

These are the Miccosukee Indians of the Tamiami Trail.

They simply don't believe they must change their ways to survive in modern America.

About 280 Miccosukees belong to a tribe led by Chief Buffalo Tiger. He lives in Hialeah.

"We want to learn both Indian and white man culture and language. But we want to keep everything we know to be Indian," the chief said.

His people experience the same problems most American Indians experience—poverty, poor health, lack of relevant education.

But the chief says his people are happier than most other Indians because they have retained their culture and tradition.

"In the beginning the people thought it might be good to be like white man. But they learn soon new ways are not all good. To Indian, Indian way is better life. He happier Indian."

While most Indians negotiated with the United States government in Florida, the rebellious Misccosukees fought and retreated to the south to avoid further conflict with white America.

Tribal leaders decided years ago never to negotiate with the United States. Older Miccosukees still consider the decision valid.

So the older Indians obviously were unhappy in 1962 when the tribe organized under a constitution and began receiving assistance from the Bureau of Indian Affairs.

But Buffalo Tiger says his tribe doesn't accept any assistance if it might mean a compromise in culture or tradition.

About half the Tamiami Trail Miccosukees live in modern houses built by the Bureau. Half still prefer to live in open-side thatched-roof chickees.

About six families live far into the Everglades on land belonging to the state. Miccosukees have been given permission—in a roundabout way—to live on the land.

The 26 houses built by the Bureau lie on a 500-feet-by-5½-mile strip of land belong-

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ing to the Miccosukee Tribe. Six more houses are planned, but the chief says nine families are asking for modern houses.

The tribal council will have to make a decision on what families get the houses.

It will be a tough decision, he said, because he has very few "bad Indians" in his tribe. He said all his people are "better Indians" than Seminoles.

Nannie Cypress is one of Buffalo Tiger's "good" Indians. She lives about four miles north of Tamiami Trail in a small chickee camp used often as a tourist attraction.

She spends most of her time sewing Indian patchwork on dresses and blouses to sell to tourists. Her sewing is done on a machine powered by a hand crank.

An infant, Patty Cypress, swings in a hammock near Nannie's head. The hammock is strung between two of the chickee's cypress poles by rope.

There are three chickees in the camp—one for cooking, sleeping and eating.

The cooking chickee is without a wooden floor so an open fire built with the ends of cypress logs can be built. They call it a "star" fire because the lengthy cypress logs form a star as they burn.

A kettle black with age and soot hangs from a rusty chain attached to the cooking chickee's roof. Nannie stirs some sofkee with a wooden spoon, and a sweet smell fills the air.

Like most Miccosukees living near the Tamiami Trail, Nannie can speak a little English. But she won't talk to non-Indians unless absolutely necessary.

Three children play nearby. At least one of them is old enough to be in school.

A lack of a useful education for the Miccosukee, like other Indians, is a major problem.

Buffalo Tiger has his own ideas about education.

He thinks children should be bused to his school from Miami instead of Miccosukees being bused to the city.

"We want white children to come to school here. That way they learn more about us, too."

The chief recently proposed a study to determine why education affects the Indian differently than it does other Americans.

"When we know what the problem is we can hire teachers who understand for our school and in Miami."

The Miccosukee school has two classrooms. Students are split into groups by age. The school operates almost entirely on Bureau funds.

But attempts to educate the Miccosukee have been mostly futile. The tribe has no college graduates within its ranks and has very few high school graduates.

Tribal income, like education, is also minimal. Last year the tribe grossed under $10,000. The chief says he hopes to open new recreational developments to increase tribal income.

Individual Miccosukee Indians earn their livings at jobs requiring unskilled labor. Many work in the several tourist attractions near the reservation.

One Miccosukee, John Billie, drives an airboat for $12 per day.

Talking with Buffalo Tiger about the problems of the Indian is no different than talking to other Indian leaders. He speaks in terms of poor health, poor economy and poor individual money management.

But his overall theme is one of concern for retaining tribal culture.

"We have to learn how to go to school and make money and live in a house without feeling a loss of something. Indians feel sort of unsatisfied and kind of confused when they get in white man's world.

"We have to learn to get the best of both cultures. There are good Indian things and good white man things. White man's ways look better, but in a way they force our people into slave jobs. It's looking like these ways hurt the people."

Buffalo Tiger was puppeting the message of his people.

The Miccosukee Indians living near Tamiami Trail want to be Indians—first, foremost, and always.

The white American world doesn't impress them.

THE PEOPLE AMERICA FORGOT: VII—THE LOSERS

(By Kent Pollock)

WEWOKA, OKLA.—It doesn't matter what tribe he belongs to or where he lives.

The American Indian is a loser.

He loses not because he's apathetic and not because he doesn't try.

He loses because he is an Indian.

Seminole Indians in Oklahoma—as in Florida—have been losing for a long time.

They came here from Florida because the United States decided the swampy land to the south of Georgia was worthy of development by whites. The government told the Seminoles they must leave or be killed.

Some stayed and fought, some left—both lost.

Those who came here moved because their government told them they would be free. Free from battle, free from hunger and confusion, free from the white man.

But the great white father lied, and the Indian lost.

Between 1835 and 1858, some 3,000 Seminoles came here to live in a land that was to be their own.

It was theirs because nobody else wanted it. The land was desolate.

Called Indian Territory then, the land was uncomfortable for human habitation.

But it was good enough for the Indian, the white man said.

Most Seminoles settled near Wewoka, now known as the capital of the Seminole nation of Oklahoma.

They struggled and toiled against burdensome odds to survive. They worked together and they built a community.

But it wasn't long before the white man intervened. Things were getting crowded in the East, so he decided the frontier to the west was desirable.

And the Indian lost.

White America flexed its dominant culture's hardened muscles and swallowed the Oklahoma Indian.

The struggle in Oklahoma wasn't as violent as in Florida, but it was just as cruel. Seminoles soon had no place in their own country.

Things haven't changed much since then.

The only thing Seminole about Wewoka today is the old pecan whipping tree standing outside the Seminole County Courthouse.

There are no Seminole businesses in Wewoka. The Wewoka Bank has no Seminole executives. The town's restaurant has no Seminole employes.

There is no representation in Wewoka government.

The town is apparently not too proud of its founders.

Even the Bureau of Indian Affairs is hidden—in the cellar of the Wewoka Post Office.

Seminoles in Oklahoma, however, have adapted to white culture much more than Florida Seminoles.

Some 130 Oklahoma Seminoles will be graduated from high schools this year. Less than 150 Indians have ever been graduated from high school in Florida.

Oklahoma Seminoles speak English better than their Florida counterparts, and they trust whites more readily.

But the added trust hasn't helped much.

Oklahoma Seminoles suffer from cultural isolation and poverty just like other Indians in America.

The 3,700 Oklahoma Seminoles earned an average per capita income last year of less than $2,500. Most worked on cattle ranches or in a garment factory performing menial tasks.

Many suffer from malnutrition because of poorly planned diets, and 60 per cent of the population has diabetes.

Alcoholism and divorce rates skyrocketed in recent years. Some 15 per cent of the population receives state financial aid.

Seventy-five per cent of the Seminoles over 50 years old have less than a fourth grade education. About 65 per cent of all Indians entering high school drop out.

Less than 25 per cent of the Seminoles' homes have toilets, and only 50 per cent have running water.

In addition, the Oklahoma Seminole has almost lost his culture.

"It is gone. The younger generation doesn't want anything to do with culture and tradition. It's just gone from our people," Assistant Chief Floyd Harjo said.

Things have been going downhill for a long time.

Many Seminoles earned sizable incomes during an oil boom years ago. But because the Seminole doesn't fully understand the value of money, his oil fortunes have disappeared.

Ten years ago, James Tiger received $450 per month from five oil wells. The income, coupled with other wages, provided money to spare for James Tiger.

"He used to save money, but all gone now. No save no money no more. No money!" his wife, Helen, said.

The couple lives in a dilapidated, two-room shack without indoor plumbing. Water comes from a bucket dropped down a deep, pumpless well.

If they want hot water for bathing or dishwashing, they heat it on the stove.

Soon James and Helen Tiger will live in a new home built under a Bureau of Indian Affairs program.

"We so excited we no eat yesterday. We busy running round and round. We no eat until 5 o'clock, then we have hamburgers—one each," Helen said.

The three-bedroom house's estimated value is $14,000. Some 39 other homes have been built for Seminoles, and another 250 are under contract.

The Tigers are moving because they've been told they'll be happier in a new home.

But they don't really know why.

"They told us they were going to make house for us. They said we happier there and it's better place than here," Helen said.

"But we need help other than house. We need help for money. We need help to pay for rent and butane. He don't work no more. That's why we don't have money."

They also will need help learning to care for their new home. Formica tops and terrazo floors are alien to people accustomed to dirt and wood.

Bian Coker is another Oklahoma Seminole who needs help. He lives with his wife and seven children on 55 acres he bought with a low-interest loan.

He bought the land when he was working as a rotary driller in oil fields.

But times have changed. There hasn't been work for a long time.

"It just seems it takes a lot of work to live any more, by gosh. Everyone has to work, you know. It's pretty hard finding work, but with a big family you gotta work . . . everybody's gotta do something," Bian said.

The Bureau is helping the Cokers repair their home. Bian's family is not unhappy. Things are improving. Last year, Bian installed indoor plumbing in his house.

He figures he's better off than a lot of Florida Seminoles living in open chickees.

"I always thought we'd go down there (to Florida) and see how those Indians live . . . it's sort of curiosity instead of kinship or anything like that."

Most Oklahoma Indians are curious about how their distant relatives live in Florida.

Bian was astounded to learn he couldn't understand a tape recording made of the Seminole language in Florida.

In Oklahoma the native tongue is rapidly disappearing. Henry McGahey, superintend of the Wewoka Bureau office, expressed concern over the possible language loss.

"I'd hate to see any tribe lose its virgin language and take up English all together . . . we have to come up with a formula where both cultures and both languages can survive . . . we'll have to give a little and take a little, but it isn't impossible."

Oklahoma Seminole Chief Terry Walker isn't too concerned with the threat of cultural loss.

"Some of the Indians feel the loss but those with education don't feel it badly."

Assistant Chief Harjo was asked about the future of his people.

"We really haven't given it that much thought."

And so the Seminoles in Oklahoma—like the Seminoles in Florida and other Indians across the country—continue to lose.

He has almost lost his own culture and can't understand its white replacement.

He has lost his economic base and can't enter the business world in the city he founded.

He is unhealthy and suffers from afflictions once unknown to his society.

He is an Indian.

STUDENT EDITOR SPEAKS ON STUDENT DISRUPTIONS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. SCHWENGEL. Mr. Speaker, I recently had the opportunity to hear a speech made by Mr. Lowell H. Forte before the Iowa City Kiwanis Club. Mr. Forte was at the time, the editor of the Daily Iowan, which is the student newspaper at the University of Iowa. I was very impressed with the reasoned approach taken by Mr. Forte, and want to share the speech with my colleagues:

A SPEECH PRESENTED TO THE IOWA CITY KIWANIS CLUB BY LOWELL H. FORTE, EDITOR, THE DAILY IOWAN, MAY 26, 1970

You see before you today an angry man. In the last several weeks I have seen students break windows of Iowa City businesses and University buildings; I have seen violence I have seen buildings burned. All of these things were done in the name of protest perpetrated by students on fellow students; against the Nixon administration and its decision to move troops into Cambodia. In the name of sympathy for those four students killed at Kent State, I have seen students create conditions conducive to producing a Kent State on our own campus. I have heard students shout for the closing of the University as a protest against President Nixon; the same students who considered the so-called take-overs of Jessup Hall and Old Capitol viable alternatives to showing support—either by writing letters or staging nondestructive demonstrations—for those Senators who had said they wanted to respond favorably to students' desires to end the Indochina war. As one student so naively shouted from the steps of Jessup Hall on the night of May 7 in attempting to encourage members of the gathered crowd to enter the building: "What have you done for your brothers killed in Vietnam?" As if he thought Nixon was going to reel around in his chair upon hearing of the great Jessup Hall takeover and say, "Get Abrams on the phone, we have to pull those troops out of there now!"

But these are not the people who I wish to talk to you about today. These are merely the irrational and even anti-intellectual students and nonstudents who are the hangers-on, the leeches and opportunists of legitimate dissent; those who thrive neither on the stating of problems or formulating their answers, but on the creation of problems for the sake of the resulting controversy.

Those who deserve not only to be talked about, but to be commended and talked and listened to are those who took to the streets and steps of Old Capitol out of total frustration to what they saw as a move by the President of the United States that constituted a sell-out of the American youth. A move that might not only end their chances at achieving their goals in life and career but spelled the expansion of a war that has to them needlessly killed over 40,000 fellow young men, generated millions of dollars in graft for the dubious people in power in the undemocratic government of South Vietnam, and which has taken and continues to take a heavy economic and social toll on this United States.

Today's college seniors have seen an earnest Vietnam war since they were high school seniors. In February 1965, the Viet Cong attacked the U.S. outpost at Pleiku which brought the evacuation of U.S. dependents from South Vietnam. By the end of that month, we began bombing North Vietnam. And even before that, these students had watched the embryonic growth of the war since they were high school freshman. For eight years they have seen the war grow; for eight years they have seen opposition to the war increase; for eight years they have seen basically unresponsive administrations turn deaf ears to voiced concern over U.S. involvement in Southeast Asia; for eight years they have felt increasing frustration.

It's understandable that these young people might turn to the streets at a time when their patience was bent to the breaking point. It's also commendable that these young people, who constituted a majority of those in the the streets, were restrained to the point that a Kent State did not happen at Iowa.

Some of these students had never before participated in a protest rally; others had; others found such protests unnecessary before because they were ineffective; others thought one thing; others thought another. But for a length of time, students of all political persuasions shared a common goal—to show dissatisfaction with the creation of a new phrase—the Indochina war. Certainly the means varied, but the goal was there nonetheless.

But for most students the streets were not the last viable alternative to get things accomplished; rather they provided an outlet for frustrations. Certainly, there are a few who have come to believe violence—even death—is now the logical next step. Witness the bombing of the Ames City Hall. But for many the release of frustration was all that was needed; for others it was only a temporary, and perhaps not wholly rational, move that was necessary to release emotions that would only hamper their efforts to work to effect the system and the destiny of their country in more conventional ways.

Already some of the students' dissatisfaction is being channeled into the political system. Just last week, CBS aired a special news report on students cutting their hair so that they could work—in a way that would not turn people off—for the election of those who would work for peace, desegregation and honest statesmanship in state and national government. Thus, the result of the protests here and everywhere during one of the most trying weeks in the history of our Republic may well produce the shot in the arm our political system needs—concern.

That sounds idealistic doesn't it? It is. But it is an ideal that must be worked toward and not be allowed to die at the hands of apathy or skepticism.

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Admittedly, I have so far painted a rather black and white picture, or at least allowed for only the very good, the very bad, the very ugly. However, involved in many of the student movements is an emotionalism that many times produces irrational, illogical and even anti-intellectual responses from students who should know better. Many times these responses tend to cloud if not replace the real issues of a problem or controversy. This happens when a student becomes so entrapped in the surface rhetoric of a movement that he fails to question the logic the reality or the motives behind the movement—an anomaly in these times when questions are even questioned. I would classify these responses as neither good nor bad, but rather as reality. These are human responses that have been going on since movements were invented, and I would say that was when man started to gather in groups of two or more. But these are the saddest responses because they should respond to reason but don't because with the adherence to surface rhetoric comes the closed mind, and with the closed mind comes the distortion of values and laws—those things which bind men together regardless of their personal beliefs. In the name of individuality they demand that everyone must think like they do; in the name of freedom and right they attempt to deprive others of their freedoms and rights; in the name of reform they destroy property because it is a manifestation of that which needs changing. Yet, for the most part, they are nonviolent, or at least consider themselves such—for one must remember that in today's terms of revolution, violence is that which takes place between men and not between men and property. An example: during the demonstrations, crowds of people went into intersections shouting such things as the "streets belong to the people." Yet, when one of those people drove up, were they allowed to pass through the intersection? No!

I have another example. One which is very close to me and one which many of you are no doubt very interested in—The Daily Iowan. The action of the Board of Student Publications, Inc. (SPI Board as it is usually referred to) on May 10 to postpone the traditional staff turnover because of the tense conditions prevailing on the campus at that time, and the Board's subsequent action on May 14 to dismiss the newly named editor because of an erosion of mutual trust, brought charges of political repression, censorship and blatant violation of freedom of the press.

Within a few hours of the decision to suspend the staff-designate's changeover, came threats against the physical plant of the newspaper ranging from mass sit-ins to firebombs. Threats against the persons of several staff members—including myself—were relayed to me. Actions and statements of members of the staff-designate brought the imminent firing on the night of May 14.

During that tension-filled week following May 10, members of my old staff—both paid and nonpaid—stayed and worked to put out a newspaper that was virtually under siege. These students worked for a paper which had its newsroom locked and steel sheeting welded over its print shop's windows; these students worked for a paper which was guarded by special security forces who brought extra fire extinguishers "just in case"; some of these students had to have their families leave town, mine included, because it was considered unsafe for them to remain at home, and their empty homes were guarded; these students went outside to cover anti-DI rallies where they were sometimes physically accosted by demonstrators; these students watched when on Friday, May 15, near the steps of Old Capitol, over one thousand Daily Iowans were burned at an obviously anti-DI rally. Burned were thirteen bundles of DIs that had been stolen from route pick up points between 3:30 and 5:30 a.m. that same morning.

Why use this as an example? Because the

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students who stayed to publish The Daily Iowan did so not only out of loyalty to the paper, but in the name of professional journalism and the preservation of the freedom of the press. Yet those who burned The Daily Iowans in front of Old Capitol did so in the name of freedom of the press—or at least because they considered that freedom violated.

Who were the ones trapped by surface rhetoric? Those who stayed to nonviolently publish a newspaper or those who violently burned that same newspaper? The answer lies perhaps in the definitions or clarifications of the terms professional journalism and freedom of the press.

First, professional journalism. But perhaps before that we need to define journalism. Journalism is the generally nonscholarly type of writing and speaking associated with radio, television, magazines and newspapers—a writing designed to convey information about people, events and opinions in which the public has some interest or should have some interest. This is a broad definition that covers all the media and all different degrees of quality within the media. For example, the print media, newspapers in particular. For simplification let's break down newspapers into three basic categories: First, the so-called establishment press. Secondly, the alternative press. Thirdly, the underground press. By establishment press I do not mean that in the ideological sense but rather in structural terms—a newspaper that is based on the free-enterprize or profit motive. Within this classification are varying degrees of quality. There are the newspapers that in fact are mere advertising mediums with little meaningful editorial content, and with little concern over whether the editorial content should be anything other than something you use to surround ads. We then move up along the continuum where advertising, although considered very important and is treated as such, it is divorced completely from the editorial side of the operation. This is a newspaper that puts an extremely heavy emphasis not only on what is put around the advertising, but also on its content and quality—its general relevance to the reader and that which effects him.

It is here that professional journalism comes in; here, where the dedication of those in the field is not to a specific ideology or interest group, but to a diverse public; here, where its not how well you can do the job, but how well you strive to do the job as well as it can possibly be done. As Harvey Ingham wrote on July 1, 1902, as editor of the Des Moines Register and Leader:

"The first and supreme purpose of everyone concerned is to make a worthy newspaper in the broad and modern meaning of the word. This requires that the news service shall be ample and reliable, and maintained scrupulously independent of the editorial opinions of the paper.

"It means that the editorial conduct must be dignified and unprejudiced, appealing, where it attempts to influence, to the judgment of its readers, seeking to instruct and enlighten, and recognizing that the primary function of the paper in all its departments is to gather and present with fidelity to its suscribers the facts and considerations that are essential to right conclusions.

"The paper cannot give its influence to the service of individuals, or its energies to factional or personal politics. It will not undertake to make or unmake the political fortunes of individuals.

"This does not mean that the paper will never have a choice for a political position, but that it conceives its first responsibility to be to its readers, and that every choice will be a free one, made when the occasion arises, and not predetermined by factional alliances or considerations."

But professional journalism is the chain; professional journalists are the links. The really good, the really professional journalist comes from an open-minded element. The traditional, closed-minded conservative, with his trappings of intolerance, racism, bigotry and protection of the status quo, lacks the psychic empathy needed to fairly report and accurately interpret the actions, events and opinions of *all* people.

Those who represent the extreme or radical persuasions, either left or right; that is, anybody with predetermined convictions of truth, fact and accuracy, lack the qualifications needed to serve the reader professionally. Such people would use the press not for the conveyance of information or interpretation, but as a soap box. Their service is for those who see the "truth" as they see it. They write not for the public but for those who think as they do. They write not to enlighten or educate, but to reinforce the convictions of those who share similar or identical ideologies. It is the difference between the closed mind and the open mind.

Hopefully you now have a feeling of what a professional newspaper is. But what about the alternative press and the underground press. The alternative press varies in quality as much as the establishment press and it might be best described by its name—an alternative to the establishment press. The alternative press may well take the form of a new competitive newspaper or perhaps something similar to the Chicago Journalism Review, which criticizes that segment of the establishment press that is not performing up to professional or honest standards. The alternative press then may be political, a-political, of general interest or of special interest, but generally a medium designed to fill a need not being filled by the regular establishment press.

The typical undergroud press is wholly political—caught up in one or several political or ideological movements of the time—an ideological mouthpiece. The content is generally opinion in form and all too often the concepts of fact, accuracy and fairness are totally abandoned. Yet the underground press should not be dismissed on these grounds, for it does represent the opinions and feelings of a segment of our society—a segment willing to make itself heard or at least read. A distinction between the underground and alternative presses is that true underground newspapers are just that—you do not know who is responsible for its publication or much of its content.

Where does the Daily Iowan fit in? Let's determine this by classifying the paper. It is controlled by an autonomous, incorporated board of directors: five students elected by the student body and four faculty members elected by the Faculty Senate with the University President's affirmation. It attempts to make profit so that it can continuously improve its quality and survive. Its income is from two main sources: about three-fourths from advertising revenue and about one-fourth from student fees. Each student at the University pays into the DI approximately two dollars each semester in student fees. The paper is editorially staffed by students who, in the past, have been working toward careers in journalism. The policy and philosophy of the SPI Board states: "By intention The Daily Iowan is also very different from most 'student' newspapers. For more than thirty-five years it has been operated in the tradition of a quality professional daily newspaper, on the ground that this type of newspaper would be of greatest value to students, faculty and staff of the University . . ." Another quote states: "An editorial in the Iowan, ill-founded in fact or illogical in approach or even merely careless of language can do much damage to the person, persons or organizations which are the subjects of such an editorial."

Hence, The Daily Iowan is dedicated to professional journalism and the training of professional journalists. A student staff does not by its hiring have the mandate to manage the news in accordance with personal likes, dislikes or ideologies—as a good number of other similar enterprises do. The student staff of The Daily Iowan is given heavy responsibilities and great freedoms to exercise those responsibilities—responsibilities to a total student body, a faculty, a staff, a community. This is a challenge that can separate the pros from the mediocre—a challenge given them not as a right but in trust.

Has freedom of the press been violated? No. No one has the right to the control of The Daily Iowan. The first amendment provides protection against governmental interference with the press. That does not mean that even because you are hired by a newspaper you have the right to use it as you wish. It means that you have the right to to become your own editor, publisher and printer and to write and print what you wish. There is a very marked distinction here—too few have thought deep enough to see it.

The SPI Board and the staff of The Daily Iowan believe in freedom of the press; but we also believe in the paper's dedication to professional journalism and the training of professional journalists. It is the SPI Board's responsibility to see that students sharing the same dedication have the opportunity to take on the challenge of becoming professional. They have the duty to weed out those they feel would not accept this challenge, no matter how unpopular their decisions in doing so might be with certain interest groups. They have principles to live up to and may they continue to live up to them.

Thank you for your most kind attention.

CAPTIVE NATIONS

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. PRICE of Texas. Mr. Speaker, whereas "Captive Nations Week'" for us, just as it is for many millions more who are less fortunate than us, is in actuality 365 days in length, I feel that we should take this week, which President Nixon has so designated, to give this vital and potentially dangerous situation a greater amount of our time and thoughts than we would ordinarily.

These countries and their people which are now being tightly held in a grasp of iron are frequently referred to as submerged nations, and as conquered nations. Above all, they are captured nations. It must be remembered that these nations have not willingly projected themselves into the Soviet orbit. They have not willingly asked to be incorporated into this foreign union. Theirs were not the wishes that were heeded when they were brought into this one-sided partnership they now find themselves to be part of. To this day their spirit for the natural—for freedom—remains whole and intact. It is only physically that they are tethered to the stake of communism.

The people continuously call out for the liberty and independence that is being denied them by a few. They long to exercise those inalienable rights which should not be denied anyone. They wish to cease being the unprivileged members of that one-third of the world which has fallen under the heel of Communist expansion and is known to all of the free world as the "Captive Nations."

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These nations, truly our brothers, look to us. They seek an answer just as a slave would seek a smith to break the chain which subjugates him to the system that denies him of his human rights. And as a slave, if he could not find a smith, these nations turn to whatever else may exist that could offer them hope. Again, they turn to us. The United States, as the standard-bearer of the free world, is that hope. And we must continue to be their source, never waning.

Therefore, Mr. Speaker, with the strong desire that our Nation may increase the amount of hope which we might inspire in the people of the captive nations, I ask that we make our bonds of unity stronger. And by so strengthening our bonds we can focus our efforts most effectively on the problem confronting us.

THE PLIGHT OF THE U.S. FISHING INDUSTRY

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. KEITH. Mr. Speaker, the place of the United States among the fishing nations of the world has been declining in recent years. Nowhere has this been more evident than in Massachusetts and particularly in my district with its great fishing port of New Bedford where some of the highest quality fish are sold daily for the tables of families throughout the Nation.

Yet in some ways the plight of the U.S. fishing industry seems at times to be forgotten. The perils of the sea, the evergrowing imports and foreign depletion of U.S. fishing grounds are a constant threat to this vital national enterprise. And yet, the fishermen continue to go to sea in order to provide fresh fish for the American consumer.

Those of us who have fought for legislation to improve the lot of American fishermen know its problems well. But for those not familiar with the conditions of this important segment of the American economy, I commend a three-part series recently published in the Boston Globe describing the state of the fishing industry in Massachusetts. In my view, these articles outline only a part of the problem. There is much more that has been and will be said—but it is a fairly good basis for further discussions.

With your permission, I submit in the RECORD this insightful series for consideration by my honorable colleagues:

DEPRESSION, DESPAIR MARK FISHING INDUSTRY

(By Frank Donovan)

(NOTE.—Two traditional Massachusetts industries are shoe manufacturing and fishing. In recent years both have been faced with serious economic problems. Earlier this year, Boston Globe reporter Frank Donovan examined the shoe industry in two in-depth reports. In April and May, reporter Donovan took a similar look at the fishing industry in Boston, Gloucester and New Bedford. Today the Globe publishes the first in a series of three reports on "Massachusetts—Its Troubled Fleet.")

The Massachusetts fishing industry is like a ship without a rudder, bobbing aimlessly on a stormy sea and in danger of sinking.

As old as the landing of the Pilgrims, the industry is beset by nearly as many problems as the number of years it has been in existence.

Engaged in a battle for survival against foreign competition, the domestic fisherman finds himself undersold in his own markets and outfished in his own waters.

He has already lost the frozen fish industry to the foreign market and each year he slips a little further behind in the fresh fish segment of the business.

If this isn't enough, overfishing is jeopardizing the ocean's fish resources. Huge foreign fishing fleets with a colonial attitude toward fishing off the US coast are largely to blame.

In 1938, the United States ranked second to Japan in the amount of fish caught. Now it is in fourth place, behind Russia, which has tripled her catch, Japan and Communist China.

The United States imported 426 million pounds of groundfish last year and this represented some 80 percent of all groundfish consumed in the country. Fish imports are up 21 percent for the first quarter of 1970. A decade ago, 155.6 million pounds of groundfish were imported.

As the world grows smaller with better and better communications, so does the domestic fisherman's corner of the fresh fish market. Some 75 percent of all fresh fish sold in the US is caught by domestic fishermen. Only a few years ago it was 85 percent.

The Massachusetts fisherman has turned his weatherbeaten face toward Washington for help many times, but the mechanics of government move slowly and big promises slip through his net like the fish that got away.

The administration has promised relief for the industry, but has cut $7.5 million from the Bureau of Commercial Fisheries' 1971 budget.

A commercial fishing research vessel, to be based in New Bedford, was launched at a cost of $600,000 by private enterprise, but, at the same time, the Bureau of Commercial Fisheries announced that the $2 million research vessel Albatross IV, based at Woods Hole, will be taken from service to save money.

But while the fishermen have made many demands of Washington and their cry has been long and loud, they have done little to improve their own position.

Few industries are as fragmented as the Massachusetts fishing industry. Each fisherman is a small businessman in competition with his neighbor and foreign fleets. Against subsidizing foreign competition, the fight of the domestic fisherman is similar to that of the corner grocery store against the supermarket. The outcome will be the same.

THREE PORTS

It is unfair to consider all fishermen as one or to lump the state's major commercial fishing ports of Gloucester, New Bedford and Boston into one category.

On a good vessel, fishermen can expect to make between $12,000 and $20,000 a year. Those sitting back waiting for the government to bail them out, under $10,000 a year.

Of the ports, New Bedford is the most progressive and its fishing fleet of 200 vessels is larger than Boston (35) and Gloucester (105) combined.

If any part of the industry is unified, it is New Bedford. Yet, New Bedford has little to do with Boston and Gloucester. And, the only link between Boston and Gloucester is Boston's Fish Pier.

Russell T. Norris, director of the North Atlantic Region of the Bureau of Commercial Fisheries, US Department of the Interior, has proposed a 5-step program he feels is necessary to stabilize the New England fishing fleet.

This includes investment of private capital, a Federal subsidy, quality improvement of the product, a reduction in costs and proper access to the source.

Norris, 53, a Newburyport native, accepted the directorship of the 13-state region from Maine to Virginia last September. He is concerned about the mounting competition of foreign vessels and the declining condition of the New England fleet.

In the past 10 years, 119 New England vessels have been lost at sea.

"We have a subsidy program that pays up to 50 percent of the cost for construction of new boats," Norris said. A 1792 law, however, prohibits the construction of American boats in foreign ports and domestic built vessels cost twice as much.

In an attempt to compete with the huge foreign fleets, and especially their factory vessels, the U.S. built a similar boat, the Atlantic Seafreeze. American fishermen, however, are unaccustomed to being at sea for long periods of time and the program has only been a moderate success.

VANISHING HADDOCK

The American fishing fleet ruled Georges Bank in 1961 and brought in a catch of 112 million pounds of groundfish.

A year later, the US fleet of New England was joined by a small foreign fleet. Both the haddock and foreign ships were plentiful in 1963, but things haven't been the same since.

Nearly 950 million pounds of haddock were caught during 1965–66 by Russian, Canadian and US vessels. This was nearly double the average annual landings by all nations in previous years. As many as 300 foreign vessels have been counted on the banks.

Overfishing by this huge foreign fleet combined with natural causes has reduced the haddock stocks to a very low level and scientists estimate it will take years for them to replenish.

To preserve the species, 15 nations of the International Commission for the North Atlantic Fisheries (ICNAF) met in Warsaw Poland, in June 1969 and established catch quotas on haddock, and closed sections of Georges and Brown's Banks during March and April of this year, the time when the fish spawn. The regulations become effective Jan. 7 and are for a three-year period.

The haddock disaster motivated the Federal government to appropriate about $500,000 for research of pollock fisheries off the Northeast coast.

Kevin Allen of the Bureau of Commercial Fisheries' Boston office said the money was used for research to subsidize the fishermen and to educate the American consumer to the advantages of eating pollock.

People began eating pollock and liking it, Allen said. As the market was created, the price of the fish rose from under 10 cents a pound to a high of 29 cents a pound at the dock.

But no sooner was the market created than fresh pollock from Canada began arriving at 6 cents to 8 cents a pound and has undercut the domestic fisherman, Allen said.

Sen. Edward M. Kennedy (D-Mass.), made a whirlwind, fact-finding tour of the Massachusetts fishing ports in February to obtain information on industry problems at first hand.

The senator spent the day listening and learning and what he heard were stories of depression and despair. How imported fish, large foreign fleets, high insurance rates, old domestic vessels and government apathy had the Massachusetts fishing industry on the rocks.

Kennedy explained his bill, Senate 2825, which he filed for the second straight year in an effort to help the domestic fishing industry. The bill, he said, would expand the fishing vessel subsidy program from $10 to $20 million.

The fishing industry represents more than $100 million a year to Massachusetts. The state ranked fifth in the nation last year in volume of catch with 280 million pounds of

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fish valued at $4.19 million. The record catch for the state set in 1948 is 649 million pounds.

Boston is more than just an industry, it is the home of the Cod.

John J. O'Brien, regional coordinator of the BCF's office of market news, said there has been a constant decline in Boston's fishing industry since 1950, two years after the record catch.

The industry represents $30 million a year to Boston and last year 45 million pounds of fish were landed, he said. This is, however, 15 million pounds less fish than the previous year.

Boston houses the New England Fish Exchange founded Oct. 9, 1908 to guarantee the fisherman the money he is to receive from dealers for his catch. Other than the New Bedford fish auction there isn't anything else quite like it in the world.

It was on Apr. 23 1934 that the exchange handled its largest volume—4.1 million pounds of fish were landed and sold in 45 minutes. Since 1941 when 3.09 million pounds of fish valued at $11.6 million were sold the volume of fish has been decreasing while the cash value has been increasing.

BOSTON'S FLEET

The Boston fishing fleet is comprised of eight large trawlers in the 130-foot class and another 25 smaller boats in what is known as the Italian fleet. About 400 men sail the vessels.

The biggest boat owner is Thomas Fulham of the Boston Fish Market Assn. who operates four large modern trawlers and has a fifth under construction.

The most modern vessel in Fulham's fleet is the Old Colony a 131-foot steel stern ramp trawler that was put into operation last year at a cost of nearly $1 million. A sister ship, the Tremont, is under construction in Sturgeon Bay, Wis.

Fulham formed the Boston Fishing Boat Co. nine years ago to help renovate the Boston fleet, which at that time had not had a new boat in 14 years. The first boat was the Massachusetts. All of the vessels have been built under a Federal subsidy program.

Now that he has developed a successful method of building and managing boats, Fulham is "fearful for the fish source."

Unless it comes under conservation, we will be in trouble. "Haddock has been fished down to an absolute minimum," he said.

Prior to the huge foreign fleets things were all right, but now they put so much concentrated fishing power on areas that there must be protection of the species, Fulham said.

Fulham envisions international controls under which the coastal country would be responsible for fishing over the continental shelf.

"The attitude of the national government must change. Nowhere does it declare that the fishing business is of any value, nor does it consider the fish off our coast as part of our national wealth," Fulham said.

There have been many changes in the fishing industry in recent years, he continued. Fish has become popular as a food and more people are eating it now than ever before. "It is no longer a poor man's food."

"The fishing banks, however, don't get any bigger while the population is growing. Nations have been slow to realize that the ocean source could diminish."

Fishermen aboard the Old Colony have made more money in the first quarter of 1970 than they have in history. Each man has already earned nearly $10,000.

The industry is unique in many ways, Fulham said. Where else, he said would you take a million dollar investment, turn it over to a man with about a seventh grade education and let him take your investment to sea and make all the decisions.

"Our captains are well paid and they deserve to be. They make more decisions than any corporation executive on a similar pay scale," he added.

At the far end of the Fish Pier, in the same brick building that houses the Fish Exchange, Hugh F. O'Rourke, executive secretary of the Boston Fisheries Assn., Inc., maintains his office.

In the nine years he has been watching the boats land their catch, he has seen Boston's fish industry decline by 50 percent.

O'Rourke likes to compare the fishermen to the farmer who was trying to scratch out a living in the Dust Bowl of the Midwest.

"It wasn't until the Federal government stepped in and showed the farmer how to operate his business that he became a success.

"The same thing applies here. The government must teach the fisherman the economics of his business and provide the funds to help him regain his feet," O'Rourke said.

"If the United States is to return to a position of prominence in world fisheries we must have government sponsorship for boat building, continuous research and technological projects and marketing development programs that would increase and maintain consumer interest."

Although the promotion of pollock on the domestic market has helped, O'Rourke said the fishermen failed to catch the amount of pollock that was needed to fill the demand created.

The pollock were more plentiful off the coast of Canada and they migrated from our grounds to Georges and Brown's Banks which were closed, he continued.

"We suffered a loss of 50-60 percent of our haddock supply and pollock only made up 15 percent of it," O'Rourke said.

O'Rourke said there are some 16 fish processing firms located on the pier that employ about 250 workers: "There were 21 firms on the pier in 1967, but you have to remember that 32 million pounds less fish has been landed in Boston in the past two years with the reduction in income of about $3 million in 1969," he said.

A large part of the industry's problem is internal, O'Rourke said, because of a lack of cooperation. "Every man who owns a boat is on his own and in competition. He won't be part of a cooperative venture," he said.

"We have to be the biggest fish market in the world—70 percent of all the fish we eat is imported. However, there is no private investment in the industry.

"There is no replacement for money. If we had more boats we could catch more fish. Once we supply the fish we can meet the foreign market. If we are subsidized as well as other countries, we can do as well as other countries," O'Rourke said.

"The government must get into the fishing business. How long do you think Rte. 128 would last if the government wasn't buying its products? Why should we be any different?

GLOUCESTER'S PARADOX: BUSINESS IS GOOD, BUT FISHING IS NOT

(By Frank Donovan)

(NOTE.—The Massachusetts fisherman finds himself undersold in his own markets and outfished in his own waters in his struggle against foreign competition. Meanwhile, the government fails to offer substantial aid to the domestic fisherman and is apparently willing to sacrifice him for other interests.

(In part one of this series the overall problems of the Massachusetts fishing industry, and especially Boston, were examined.)

GLOUCESTER.—Capt. Salvatore Militello tends bar and manages the St. Peter's Club, biding his time until he can get another boat.

Militello was captain and one-half owner of the 91-foot dragger John F. Kennedy out of Gloucester that burned and sank Dec. 6, 1969, 10 miles off Cape Cod.

When the vessel sank it took with it a little piece of Militello. "There will never be another boat like her," he said.

The JFK was only 8½ years old and one of the newer boats in the Gloucester fleet. The sinking just about wiped out Militello and Joseph Ciolino, his partner.

"We were doing good when the boat was operating," Militello said. "We were making $10,000 to $12,000 a share as fishermen.

"I didn't see my five kids much while I was fishing. They are grown up before they know you. My kids fishermen? Never happen . . . it's a lousy life.

"I started as a little kid to be a fisherman. What the hell do I know about anything else," Militello concluded.

Fishing in Gloucester is a family business. Change comes slowly and is reluctantly accepted. The rivalry is as strong among neighbors as it is with foreign competition.

PROCESSING IS THE BUSINESS

Gloucester is full of paradoxes. While it is the home of the second largest fishing fleet in Massachusetts, one-third of all the frozen groundfish imported to this country is processed here.

In 1950 there were 196 vessels—nearly twice as many as there are now—and 1643 crewmen. Yet today there are more people employed in the fishing industry in Gloucester than at any previous time.

Fish processing plants have taken up the slack and provided a major boost to the city's economy. Gloucester has 14 of these plants and they employ some 1500 workers.

John Silva, business agent for Local 15, Amalgamated Meat Cutters and Butcher Workmen of America, AFL–CIO, explained that the fish is imported to the country and comes to Gloucester in frozen blocks, weighing up to 50 pounds:

The blocks, he said, are cut while frozen into portions, breaded cooked, packaged and quick frozen again. The entire process takes less than 15 minutes, he said.

"The domestic fleet can't even begin to supply the amount of fish needed to keep these plants in operation," Silva said.

He said the present tariff of 15 percent on imported cooked and breaded products has been the salvation of his industry. "If it dropped, then it would be cheaper to process the fish outside the country and import it," he added.

Silva believes the domestic fisherman should have protection against the importation of fresh fish. "I think the government should help these fishermen build new boats."

The frozen food process employed in these plants was developed in Gloucester by Clarence Birdseye in the 1930s. The process was heralded as the salvation of the fishing fleet, but subsidized foreign competition undercut and eliminated domestic fish from the frozen market.

Like everyone else in Gloucester, Salvatore J. Favazza, executive secretary of the Gloucester Fisheries Commission, wants to help the local fisherman, but not at the expense of the city's frozen imported fish processing plants.

"If we could stop all imports our fleets could not supply what the country needs. Ninety percent of all frozen groundfish products are imported. If 25 years ago steps were taken things may have been different, but they weren't.

"The foreigners have the frozen fish field . . . we are losing our grasp on the 70 to 75 percent of the fresh groundfish market that we now control.

"Let's not try to do the impossible. Let's leave the frozen market alone and try and save the fresh fish market," Favazza said.

"Gloucester's fleet landed 68.2 million pounds of fish valued at $6.5 million last year," he said. There were sharp declines in the landings of haddock and whiting by Gloucester fishermen, but prices were considerably higher.

With the decline of first the redfish and now the haddock, Gloucester fishermen have turned to pollock and shrimp fishing.

XUM

Gloucester fishermen increased their shrimp catch from 114,000 pounds in 1968 to 3.9 million pounds last year, Favazza said.

To determine the potential of the shrimp industry, Favazza said a fisheries extension service is needed. "All of the leading fishing nations except the United States have nationwide, government-operated fisheries extension services. Without such a service much valuable research and information lies dormant in the filing cabinets of the fisheries agencies."

As this country develops new markets for fish, Favazza said, it must also protect them from imports. He said that the "Canadian exports to the U.S. of fresh pollock in 1969 were three times that of 1968."

There are some, however, who blame the Gloucester fishermen for not taking full advantage of the pollock market and allowing imports from Canada to get a foothold.

They claim, and no one wants to be identified, that the Gloucester fishermen refused to believe that a market could be created for pollock and did not catch the fish under the subsidy program. When the demand was created and outgrew the supply, the importers sewed up the markets, such as upstate New York, with Canadian-caught fish. Now these dealers have a Canadian source, and are stocking with it.

WIVES ARE PUSHING

The United Fishermen's Wives Organization of Gloucester, which was founded last year, is devoted to protecting the interests of the fishermen while they are at sea.

The wives have been quick to recognize the strength in unity, and are trying to get their independent-thinking husbands to organize.

Still attired in their pollock cooking aprons, the wives are trying to promote formation of the Fishing Dynamics Corp. to improve and rebuild the fishing industry.

The corporation would be comprized of shareholders, who would elect a board of directors which would appoint a manager to run the business. The manager would purchase food, fuel and equipment in bulk and the savings would be passed on to the fishermen.

Grace Parsons, 23, the organization founder, said the fishermen are accepting the proposal, which includes a training program for young fishermen.

Meanwhile, the women are continuing to distribute pro-fish propaganda to the American housewife and to take their husband's problems to Washington.

FEDERAL AID OR ELSE

Michael Orlando, president of the Atlantic Fishermen's Union with 1000 members in Gloucester, Boston and New York, claims the average boat in Gloucester, Boston and New York, is 20 years old.

He says Federal aid is needed to modernize the fleet. "The government is sacrificing us for other industries. All we get is lip service and empty promises from Washington," he said.

"Canada subsidizes its fishermen to the hilt, while our government has kicked us in the teeth. The government is throwing us an anchor when we need a life preserver."

The 50 percent federal boat building subsidy had too many strings attached to be of any benefit to the fisherman, Orlando continued. "It cost between $8,000 and $10,000 just for lawyer's fees and blueprints," he said.

Orlando admits that the fishermen are also to blame for the poor condition of the industry, but the real fault still lies with the government.

"When the fishermen were having good years the boats were in good shape," he said. "On the lean years the boats slipped further and further behind. New vessels are so expensive fishermen can't afford them.

"Cheap Canadian fish, both fresh and frozen has killed this country's groundfish industry," Orlando said.

He doesn't believe the story about the Gloucester fishermen not catching pollock. "It was Canadian pollock undercutting our prices that took the market away from us," he said.

FISH EXCHANGE NECESSARY

He said there were several Boston fresh fish processing firms interested in moving to Gloucester, but would not do so until they established a fish exchange where dealers could bid for fish on a competitive basis.

The five firms that now buy fresh fish from the Gloucester fishermen rely on prices established in Boston, Orlando said. Without a fish exchange, newcomers to Gloucester are afraid they would get the scraps after these five firms purchased what they wanted, he added.

Orlando feels that only the ability of the fishermen has kept the industry going, but that things have finally declined to a point where "without help there will be a lot less fishermen and boats in the near future."

NEW BEDFORD FISHERMEN HOPEFUL ABOUT FUTURE

NEW BEDFORD.—Rodney Avila comes from a long line of New Bedford fishermen of Portuguese descent. He has nine uncles who are fishermen.

At age 26, Avila is captain and one-third owner of the 76-foot otter trawler Trident, and fishing is good.

"I've been fishing for about 10 years and I wouldn't trade it. Sure fishing has its ups and downs, but it's a good clean life even if it is hard."

Avila takes his boat out for six or seven days at a time and spends three days in port between trips. The long hours, days at sea and hard work earn him $15,000 a year as the skipper.

"How much you make depends on how good you are as a fisherman," he said.

Flounder and scallops make up the principal part of the New Bedford fishing industry, but like other Massachusetts ports it also deals in groundfish, lobster, etc.

The outlook for the future of the fishing industry in New Bedford is optimistic and the community gets upset when lumped into the same category as Gloucester and Boston.

Landings at New Bedford last year reached 107.8 million pounds of fish valued at $17.4 million, tops in all respects in Massachusetts.

In the first quarter of 1970, the New Bedford office of the Bureau of Commercial Fisheries said 22.1 million pounds of fish were landed, less than a year ago when there were 23.0 million pounds. Value of the fish this year, however, is $4.8 million, while last year the larger catch sold for $3.1 million.

The fishing industry is worth $50 million a year to New Bedford and employs 2500 workers.

One of the biggest boosters of the New Bedford fishing industry is Howard W. Nickerson, executive director of the Seafood Dealers Assn.

MAKING MONEY

One of the biggest complaints is "pessimistic stories about the industry out of Gloucester and Boston that make it difficult for us to get financing."

Nickerson represents 13 dealers who last year purchased $13 million worth of fish at the New Bedford Fish Auction. They employ 500 workers.

"The boats and the fishermen are making money in New Bedford," Nickerson said, "but there has been some complaint from the consumer over high prices."

The New Bedford Seafood dealers need 400,000 pounds of fresh fish five days a week to operate under ideal conditions. When they are not supplied with enough domestic fresh fish to maintain this operation, Nickerson said, imported fresh fish is used to make up the difference.

What Nickerson feels the government can do to aid the New Bedford fishing industry at the present time is pass laws governing the labeling of fish products.

For example, he says, the housewife is apt to see fresh flounder from New Bedford in the fish market at 79 cents a pound. Next to it could be Greenland turbot at 59 cents a pound. Both fishes look alike and without labeling, Nickerson said, the housewife doesn't know what she is buying. "I believe the housewife should be given the choice of buying fresh domestic fish or cheaper frozen imported fish.

"We are not organized domestically and we don't have the money to do the advertising on our own.

"Boston and Gloucester have done nothing in the past 20 years to improve the industry," Nickerson said. "They have been too busy trying to make a living to worry about the industry as a whole.

"The fishermen feel the boat owners are cheating them and the boat owner feels the processor is doing the same.

"The boat owner, processor and fisherman must learn to work together," Nickerson said.

Nickerson said New Bedford will overcome the problems within the industry because "we have young executives in every plant. We have seven dealers planning new plants within the city's urban renewal project. They are putting their money where their mouth is.

"If the government becomes tough on quality, New Bedford is in good shape. The labeling act will let the house wife choose. . . . There are a lot of frozen products sold as fresh in this country and the law isn't strong enough to stop this," Nickerson said.

As Nickerson sees it, "The biggest single problem the domestic fish industry faces is imports, followed closely by the lack of natural resources, increasing vessel operating costs, a lack of a protected market for our quality seafood products and an insufficient number of trained seafood workers.

"Congress should spell out our national objectives in regard to the fishing industry and should implement those objectives with ground rules which could not be circumvented by political expediency," Nickerson said.

Nickerson said he would like to see the government purchase older domestic fishing vessels at a fair market value and then destroy these old boats. Although he doesn't believe in tariffs, he would like to see quotas established on imported fish at 1966 levels.

Austin Skinner, secretary-treasurer of the New Bedford Fishermen's Union, AFL-CIO, represents 1000 men or 90 percent of the New Bedford fishermen.

"Until recently our biggest problem has been getting experienced men. The past couple of years a lot of men have come down from Gloucester and there have been many Portuguese immigrants. We have finally reached a point where help is stable."

The lot of the New Bedford fisherman is good according to Skinner. He works long hours and is at sea a week at a time, but he is no worse off than any other fisherman and his pay is good.

"The average pay of a crewman aboard a trawler is $15,000 while a scalloper's is $11,500. We had a skipper draw $27,000 last year. All of the men had five or six weeks off," he said.

SCALLOP INDUSTRY

The New Bedford scallop industry is an excellent example of how the community learned to live with foreign competition.

"We started advertising the New Bedford sea scallop as a local product in the late 1950's," Skinner said. "We were getting 21 cents a pound at the dock for scallop and had a fleet of 80 scallop boats.

"The boat owner and dealers contributed some $80,000 into advertising scallops and did one hell of a job," he said.

Then Canada built an entire scallop fleet to take advantage of the American market created by New Bedford advertising. "As their fleet grew, ours diminished," Skinner said.

"Rather than complain about the Canadians moving in on the U.S. scallop market," Skinner said, "we approached them and asked them to contribute to the advertising program. They donated $20,000."

The combined market for scallops in the US and Canada reached 45 million pounds in 1962–63, which has also been the peak period of production. The present price of scallops is about $1.40 per pound at the dock in New Bedford and $1.10 in Canada.

Skinner was a member of the International Commission for the North Atlantic Fisheries (ICNAF), which established regulations on fishing at Georges and Brownes Banks, and feels that foreign fleets did their damage a few years back, but that it will be felt for the next 10 years.

The New Bedford Fish Auction has been in operation for 23 years, Skinner said, and helps keep the price of fish up. It also helps raise the price of fish, especially when fish are scarce, he said.

It operates much the same as the New England Fish Exchange in Boston where dealers bid for fish as they are landed at the dock.

Part of Boston's problem, Skinner feels, is the large size of its trawlers. "They are so expensive to operate that no one wants to go out."

The U.S. government must adopt a national policy toward fisheries and approve a boat subsidy bill that will benefit the boat owner, not the ship builder, Skinner said.

Both Nickerson and Skinner agree with Leonard T. Healy, general manager of the Seafood Producers' Assn., who represents the N. B. boat owners, that a 200 mile limit off the U.S. coast for foreign vessels would help solve this country's fishing problems.

After the deleted fishing stocks off the U.S. coast, Healy's complaint is the cost of insurance to boat owners. Insurance costs have increased 10 times in 20 years, he said.

"In 1950 insurance cost $125 per man and now it is over $1000 a year per man," he said. He admitted, however, that claims are substantial each year. Conditions are similar in Boston and Gloucester.

The ability of fishing to continue as a major industry in the state will depend largely on the Federal government's attitude and policy in the future.

The fishermen complain that the government never has adopted a policy toward their industry.

High labor and operating costs make it impossible for the domestic fisherman to compete against foreign fishermen, whose governments have been willing to subsidize all phases of their industry for the sake of employment.

The ports of Boston and Gloucester are dying, and in New Bedford, where the outlook for the future is brightest, there is too much dependence on one species—flounder. Although part of the blame for the fisherman's plight is internal, he has long been sacrificed by the government for other industries.

To help the domestic fishermen the government should increase its boat building subsidy program and eliminate some of the red tape an uneducated fisherman must cut to take advantage of it; initiate a Federal insurance program to help cut high premiums and adopt and enforce a strong labeling code that would give the housewife the choice of buying domestic or imported fish.

KENT STUDENTS' MEDICAL FUND, INC.

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. STANTON. Mr. Speaker, as Kent State University is located in my congressional district, I am extremely proud to call to the attention of my colleagues the formation of the Kent Students' Medical Fund, Inc. This organization was founded by Kent students immediately following the disastrous occurrence on their campus May 4. The purpose of the Kent Students' Medical Fund, Inc., is not to find fault with any of those involved in this tragedy, nor to explore in any way its political ramifications; their purpose is to unite all fronts in securing the funds necessary to alleviate the financial burden placed upon the families of those four students who were killed and the nine who were injured.

While it has not as yet been finally established, the total amount needed for the medical costs, over and above insurance coverage, is placed at this time at approximately $110,000.

As they commenced the planning and organization of their fund in the wake of their campus disaster, a similar situation developed at Jackson State College in Mississippi. Since the Kent group was so caught up in bringing some positive results out of what many perceived as total chaos, it was with complete group empathy and thus consensus that they moved to correlate their efforts with those of Jackson State's. The initial contact and resulting negotiations with Jackson State were carried out by Leroy Holmes, Jr., a student at Kent State and vice president of the KSMF, Inc., and Warner Buxton, president of the student government association at Jackson State. The reaction at Jackson State to those negotiations was highly favorable, resulting in a cementing of the bond between the two efforts, hoping thereby to strengthen each.

In order to implement the altruistic motivations of the Kent students' medical fund, it was necessary for the organization to become a legal entity incorporated under the statutes of the State of Ohio and this task was thus completed on June 3, 1970. A board of trustees, consisting of nine students who are elected to their posts annually, is aided by an advisory board of professional men, faculty members, and administrators. With their expert consultation, all donations secured by the fund will be distributed to the families of those students injured at the two universities. Robert Stamps, a sophomore at Kent State, who was injured in the May 4 tragedy, serves on the board.

Should enough money be raised to completely dispel all medical expenses incurred, a memorial scholarship program will be formed in the name of those students who were fatally wounded. I have given my complete support and endorsement to the Kent students' medical fund, and urge others so inclined to do the same. At a time when too many people are confusing the militant fringe with the vast majority of dedicated and deeply concerned students, this example of selfless compassion by Kent students for their colleagues is most praiseworthy and most welcome.

STUDENT LOAN MARKETING ASSOCIATION PROPOSED BY H.R. 18264

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. AYRES. Mr. Speaker, I wish to take this occasion to call to the attention of the House a growing problem with respect to federally insured loans for students. The problem expressed most succinctly is that long-term, low-interest student loans are increasingly unattractive to banks and other lending institutions because of the problem of liquidity: lending institutions under a variety of State and Federal laws and regulations simply cannot tie up any significant portion of their funds available for lending in notes which cannot be converted into cash. This poses a growing threat to the very successful federally insured student loan program.

Parenthetically, Mr. Speaker, let me make the point here that these insured loans benefit not only college students but tens of thousands of students in postsecondary vocational, technical, and business schools. Also, it is virtually the only federally aided help available for the children of hard-pressed blue-collar and white-collar working people who bear most of the tax burden for other forms of student assistance. This program must continue on a sound footing.

On our Committee on Education and Labor no member has been more aware of this situation or more diligent in seeking solutions than my distinguished colleague, JOHN ERLENBORN. His bill, H.R. 18264—introduced with bipartisan support—would establish a secondary market for these loans—a "Student Loan Marketing Association," or "Sally Mae"—analogous to the "Fannie Mae" operation for mortgage loans.

President Nixon has also recommended a similar device which is embodied in a bill introduced by Mr. QUIE and myself, among others, and the problem has had the detailed and sympathetic attention of our valued colleague, Mrs. GREEN, whose grasp of these problems is such that her chairmanship of the subcommittee dealing with higher education programs is a source of strength to all of American education.

Those of us in a leadership position on the Committee on Education and Labor on both sides have come to place enormous reliance upon the intellectual capacity and the propensity for hard work of our colleague JOHN ERLENBORN, and the fact that he has taken the lead in sponsoring a Student Loan Marketing Association is a good argument for its adoption.

I am appending a first-rate article by Barry Kalb which appeared in the July

5, 1970, edition of the Washington Star outlining the entire problem and giving appropriate recognition to the leadership of Congressman ERLENBORN in working toward a solution:

STUDENT LOAN CRISIS IN THE MAKING AGAIN

(By Barry Kalb)

The college student loan crisis is about to strike again.

The root of the problem in these days of tight money is, of course, money.

Last year, the commercial bankers who make the vast majority of loans under the federally guaranteed student loan program complained that with the prime interest rate at 8½ percent, they couldn't afford to make students loans at the statutory ceiling of 7 percent.

Congress came rushing to the rescue slowly, but managed—with the help of advance assurance by President Nixon that bankers would not suffer—to salvage the situation. The government agreed to pay a special allowance of up to 3 percent over the 7 percent ceiling, and figures now indicate that most students who sought loans last fall received them.

This year, the special allowance remains in effect, but many bankers are saying they can't make loans anyway because they lack liquidity, or cash in the till.

To complicate matters, the guaranteed student loans leave the banker with even less liquidity.

The solution being suggested by the administration, and heartily endorsed by the banking community, is a "secondary market," similar to the Federal National Mortgage Association ("Fanny Mae"). This would allow the banks to make loans and then sell them, thus getting their money back to lend once again.

As yet, not too much opposition to the plan has surfaced.

One exception, however, is Rep. Wright Patman, D-Tex., chairman of the House Banking and Currency Committee. He charges that the plan is simply "designed to make certain that banks continue their record-making profit picture."

In the meantime, the peak July-August borrowing period—during which 60 percent of all loans for the year are made—has arrived, and once again, hundreds of thousands of would-be students will be wondering if they will have enough money to begin school in the fall.

The situation as it now stands is reaching truly crisis proportions in some states.

For example, according to a spokesman for Rep. Edith Green's House Special Subcommittee on Education, the number of students receiving loans in Wisconsin for this fall is expected to drop by about 50 percent, and the four largest banks in Connecticut, which handle 50 percent of the state's volume, have said that they will make no loans to beginning freshmen this year.

"NOT TOO BAD" IN D.C.

In the District, the situation looks "not too bad," according to Robert A. McCormick, director of the D.C. Educational Assistance Office. The District has a unique arrangement under which lenders, instead of making loans themselves, put money into a pool, which is distributed by McCormick's office.

McCormick says that this year, everybody who has received loans in the past—students have to obtain new loans each school year—will again be able to obtain them. And the pool's 11 banks, two credit unions and two business schools have added $1 million for first-time borrowers.

In addition, he said, the National Bank of Washington, which has not been a member of the pool, will begin to make guaranteed loans this year on its own. The only two Washington banks not making such loans are the Madison Bank and the National Capital Bank of Washington, he said.

The $1 million provided for new borrowers here last year covered all who applied in the summer and all but about 5 percent who applied in January, McCormick said. But applications are increasing each year, so it is possible that this same 5 percent, plus all of this year's increase in applicants, will be left out.

Harry Knapp, assistant director of the Maryland Higher Education Loan Corp., says of the situation in his state: "I don't think it's as bright as it was last year."

"INCENTIVE" PAYMENT

Maryland is continuing its policy of paying lenders a $25 "incentive" payment for every student loan made, but despite this, Knapp said, "some banks have curtailed their participation noticeably," and he feels that the amount of applicants unable to obtain loans this year could be in the neighborhood of 20 percent.

The situation appears roughly the same in Virginia.

Charles Hill, assistant director of the Virginia State Educational Assistance Authority, didn't want to make any predictions but said carefully, "Participation (by lenders) will be less in proportion to need, I think, than it has been in the last year or two."

As is increasingly the case in other states, most Virginia banks are sticking to a policy of lending only to customers' sons or daughters.

The villain in the whole situation is the enormous and constantly rising cost of higher education, particularly at a time when the economy is so tight.

The guaranteed student loan program was established five years ago, as a provision of the Higher Education Act of 1965, in order to ease the burden for the borrower and make the proposition of lending money to students more attractive to the banker.

CONTINUES TO GROW

Despite the problems of matching the statutory interest ceiling to the current market rate—the ceiling was raised from the original 6 to 7 percent in 1968, and the 3 percent special allowance was added last summer—the program has continued to grow.

Figures gathered by the Green subcommittee show that during the past school year, 923,500 loans (in some cases, more than one to an individual) were made, totaling some $794 million. This was up from 787,000 loans totaling $687 million the previous year.

Under the program, the federal government guarantees that the loan will be repaid, even if the student defaults or dies. Thus, while the profit on such a loan might not be as high as on others, the lender runs no risk, and is encouraged to provide what the bankers like to call a public service.

The government pays all interest on the loan while the student is in school, and for a 9-month grace period after he graduates. Then, presumably making his own money, the ex-student takes over repayment of both interest and principal, with several years to pay.

But it can be 10 years before the bank even begins to get its money back for further use. What with new loans to each borrower each year plus new borrowers coming in each year, the bank finds more and more of its money tied up in non-liquid loans.

This situation, added to the general decrease of liquidity resulting from governmental restrictions, has convinced many bankers, in the words of one economic consultant, that "enough is enough."

The bankers claim that the decreased liquidity would deny them a fair profit if they were to continue making guaranteed student loans.

"ESSENTIAL STEP"

"Bankers and other lenders who have been making such loans in the knowledge that they cannot be liquidated without extreme capital sacrifices, feel that these loans are already too long," James J. O'Leary, chairman of the American Bankers Association's Task Force on Guaranteed Student Loans, told the Green subcommittee on June 12.

Establishment of a secondary market, O'Leary said, "is likely to induce bankers to add to their student loan portfolios . . . This is an essential step in the student loan program and is bound to help banks and other lenders do a better job in meeting the growing demand for these highly desirable loans."

Patman, in a scathing speech prepared for delivery early this week, brands the secondary market ideas "the biggest banker's bonanza of all."

HOW PLAN WOULD WORK

Several forms have been proposed for the secondary market, and for a similar "warehousing operation." Basically, this is how it would work:

An independent entity, known in the administration proposal as the National Student Loan Association, and in another as the Student Loan Marketing Association ("Sally Mae"), would be established through either the selling of government-guaranteed bonds or a simple government appropriation.

Depending on which plan is followed, the bank, after making a loan, would either sell the loan to Sally Mae, or deposit it with the warehouse and then borrow the majority of the money back. The bank makes a smaller profit in either case, but gets its money back almost immediately to use for further loans and further profit.

The administration bill has been stalled for the time being, and according to David Bayer of the Office of Education, "it doesn't seem likely" that it will come to a vote until at least the end of the fall.

In order to allow the secondary market proposal to be considered on its own merits, therefore, Rep. John Erlenborn, R-Ill, has lifted the proposal virtually intact from the administration bill and has introduced it as a separate measure.

TANK COMMANDER KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. LONG of Maryland. Mr. Speaker, Sgt. Eugene Huggins, a courageous soldier from Maryland, was killed recently in Vietnam. I should like to honor his memory by including the following article in the RECORD:

TANK COMMANDER KILLED IN VIETNAM

Staff Sgt. Eugene Huggins, 40, a career soldier from Landover, was wounded while on patrol in his tank June 10 and died 13 days later, his wife said.

Sergeant Huggins enlisted in the Army December 2, 1952, and saw action in the Korean war, Mrs. Huggins said. The family moved to 3030 Brightseat road, Landover, when the sergeant was sent to Vietnam this past May.

Besides his wife, he is survived by two daughters, Miss Mary Louise Huggins, of Brooklyn, N.Y., and Miss Clara Jeanie Huggins, of Landover; his parents, Mr. and Mrs. Jake Huggins, of Conway, S.C., and four brothers and three sisters in Conway and Newark, N.J.

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NATION CAN BE A HAPPY PLACE IF WE MOVE IN ONE DIRECTION

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BOB WILSON. Mr. Speaker, in these days of mounting dissent and criticism of the administration's policies, few articles can be found that offer encouragement to the American way of life. A recent editorial in the San Diego Evening Tribune on June 13, 1970, has captured a part of the spirit which I believe to be held in the hearts of most Americans. I insert this in the RECORD:

NATION CAN BE A HAPPY PLACE IF WE MOVE IN ONE DIRECTION

No miracles are needed to restore happier times in these United States.

All we have to do is end the Vietnam war, stop inflation and sidestep recession, restore order out of domestic chaos and clean up pollution.

There is, unfortunately, no magic wand to supply simple solutions to complex problems.

Despite the demands for "action now," our difficulties were not created in a day—nor a month—nor a year. Neither can the cure be effected in an instant.

But our problems can and will be remedied.

First, however, we must face some very harsh self-judgments.

Do we want the war in Vietnam to end?

Certainly, we say. Nobody wants war.

Still, some of the shrillest voices in Congress supporting demands to end the war "now" are owned by lawmakers whose personal political goals are tied to the war's continuance.

They probably won't admit it, but there are many senators and representatives so antagonistic to President Nixon that they hope his policies in Vietnam and Cambodia fail.

Do we want to end inflation?

Of course, we cry. We're fed up with prices that increase faster than our wages.

In this area, too, political opponents of the President have made no secret of their intent to use the economy as a campaign issue in November and in 1972.

A stabilization of wages and prices and the upturn of business predicted by Mr. Nixon would not enhance their position.

Do we want to restore order to our campuses and keep our streets free of strife and violence?

A ridiculous question, we charge. No one, absolutely no one, would condone wanton destruction.

But it is condoned—sometimes in the classroom, sometimes from the pulpit—as justified when tied to "a cause."

It has become obvious that radical leaders will seize upon any issue to sustain the turmoil. If the war should end, there would be the environment, hunger, or poverty to serve as the excuse to prolong national unrest.

Campus unrest started at Berkeley over the issue of free speech. Vietnam was no issue then.

Are we truly concerned with the environment?

Undeniably, we shout. We fear for the very existence of our planet.

But do we content ourselves with pointing out the deplorable state of our air, our water and our surroundings?

How many of us are willing to accept responsibility for our own part in environmental deterioration?

As a nation, we have experienced no difficulty in recognizing our woes. We have been far from successful in finding the cures.

There is no doubt that most Americans, most members of Congress and the majority of youth want nothing more than an end, miraculous or otherwise, to all our problems.

Why, then, should the goals of peace, prosperity, domestic harmony and an unsullied environment be so elusive?

The answer, we fear, is that the "Silent Majority" made famous by Mr. Nixon has remained silent too long.

We must make it very clear to our representatives in the House and Senate that we expect them to see that the President's plan for an honorable termination of the war gets a sporting chance to make good.

While we're about it, we can also tell Congress that we're aware that the fight against inflation begins with government spending planned with some relation to revenue.

We can make it plain to the administrators of our schools that there is no justification for abandoning educational processes in favor of "political action."

We can stop wringing our hands over impure water, smog and litter and start doing our own small bit to reverse the dash to self-destruction.

Once we get rid of our few little problems, we will again be a happy, smiling nation.

And all it takes is a little unity of purpose—a little movement by all of us and all in the same direction.

TRIBUTE TO MRS. KAY OBAYASHI

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. ANDERSON of California. Mr. Speaker, recently the Los Angeles Recreation and Youth Services Planning Council honored Mrs. Sue S. Obayashi—Mrs. Kay Obayashi—during the council's 20th annual luncheon meeting in Gardena, Calif.

Mrs. Obayashi, known fondly as "Auntie Sue," was presented the council's Golden Goblet Award. As stated in an article of June 18, 1970, in the Imperial Hollypark News:

> This award is given to three persons each year whom the Council feels best typifies the ideal volunteer to an organization, agency, or project, who has made a significant and creative contribution to recreation and youth services (in the leisuretime field) in Los Angeles County.

Selections are based on a combination of the following:

First. Unique community project or service.

Second. Promotional work in bringing about policy or program development of change in a public or volunteer agency.

Third. Organizational or administrative achievement.

Fourth. The development or refinement of professional techniques or practice.

Fifth. A completed project involving research, planning, coordination and/or community organization and development.

"Auntie Sue's" qualifications and achievements, by her activity in volunteer services for youth, easily make her deserving of such recognition.

As was reported in a brief biography of "Auntie Sue" published in the council's annual report:

> Mrs. Sue S. Obayashi has devoted her life to helping people, particularly youth. The fact that she has no children of her own and has always worked full time, in addition to taking care of her home, makes her a special person who richly deserves recognition.

The Soroptimist Club of Gardena also recognized the dedication and effectiveness of Mrs. Obayashi by installing her on June 9, 1970, as its president for 1970–71. This past year, "Auntie Sue" has been corresponding secretary for the club. Unofficially, she has put in almost 600 volunteer hours this year on projects involving everything from Girl Scouts to mental health, and special education; from YMCA and YWCA fund raising, to aiding the Kelp Tanglers Club of the Los Angeles County Council of Divers.

A recent volunteer project, in which she will become involved in August, is acting as adult adviser for a youth delegation visiting Japan under the auspices of the Gardena-Ichikawa Sister City Committee.

"Auntie Sue" is a citizen of whom the city of Gardena is very proud and a person whom the young people she serves can emulate. I ask my colleagues to join me and the citizens of Gardena in congratulating her for these two most recent honors, and in thanking her for the great amount of time and energy she has devoted to the welfare of our community.

DON'T LET POLITICS DEGRADE IT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. JACOBS. Mr. Speaker, I insert the following editorial from the Criterion, the Indianapolis Catholic Archdiocesan newspaper:

DON'T LET POLITICS DEGRADE IT

An ever-increasing number of Americans, though patriots to the core of their beings, are finding it more and more difficult to display the flag, or in other ways to give traditional outward expressions of their love of country which used to be second nature to them. They feel as though tinhorn self-anointed "super-patriots" of the lunatic-fringe right wing are trying to bully them into "showing the colors—or else." Being good Americans, they decline to be bullied.

There is indeed an ugly strain of ultra-rightist chauvinism abroad in the land today. It finds its most contemptible expression in such bumper stickers as "America—Love It or Leave It" and "Let's End Poverty—Everybody Work."

In only a slightly more subtle way, such chauvinism now is being tied in with partisan politics. Windshield flag decals and flag lapel buttons are being advertised as a way of demonstrating that one supports President Nixon's highly controversial war policies in Indochina and his equally controversial assertions that the nation's economy is in fine shape.

The professional polls show that more than half of adult Americans do not approve of President Nixon's Cambodian adventure and that far more than half believe the nation is in extremely serious economic difficulties.

A lot of the people who feel that way about the war and the economy do not want to do anything that might suggest they support Mr. Nixon in those particular matters. Therefore, they are choosing to shy away from any sort of flag display, even though their natural inclination is to be proud, flag-waving Americans.

We think they are wrong in taking such a negative course. The American Flag belongs to all Americans of whatever political persuasion, including those who find a lot more fault with their country than the facts warrant. Nobody should let a minority of crackpots or cunning political opportunists prevent him from doing what comes naturally on such occasions as the Fourth of July. If one lets them sway his decision-making faculties, he becomes in some measure their slave.

So fly your flag tomorrow! Put a flag decal on your car and wear a flag lapel button, too, if you like. Then go right on talking and voting the way you jolly well please. This is your country. As an American, you have a sacred obligation not to allow anybody to degrade your flag by trying to make it either "proof of patriotism" or a symbol of support for any political party.

SUPPORT FOR A VOLUNTEER MILITARY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mrs. CHISHOLM. Mr. Speaker, almost 1 year ago in my statement of support for the Voluntary Military Procurement Act that—

> A democracy which depends on conscription of often unwilling citizens is not a democracy at all. Even worse, when a country preys on its politically weakest element—non-voting youth—to carry out its military aims, it is nothing more than an elitist jungle where only the strong and the lucky can survive.

More than that, it is a political and social tinderbox. We wonder why the youth of this Nation are rebelling. Could it be because we treat them as mindless, subservient cannon fodder?

Another advocate of my position was Keith Franklin. His letter is an indication of what I have felt for so long:

[From the New York Post, May 19, 1970]

GI's Letter: Open If I Die

(By Leo Standora)

The letter, written by a 19-year-old soldier and pressed into his mother's hand as he kissed her goodby four months ago, had lain almost forgotten between the leaves of the family Bible.

But last Saturday afternoon Mrs. Charles Franklin of Salamanca, N.Y., opened the envelope and read the message addressed to "Dear Mom and Dad" from their son, Keith.

"This war that has taken my life, and many thousands of others before me," the youth had written, "is immoral, unlawful, and an atrocity unlike any misfit of good sense and judgment known to man. . . .

"So, as I lie dead, please grant my last request. Help me to inform the American people—the silent majority who have not yet voiced their opinions.

"Help me let them know that their silence is permitting this atrocity to go on and that my death will not be in vain if by prompting them to act I can in some way help to bring an end to the war that brought an end to my life. . . ."

Less than an hour before reading the letter, the Franklins were notified that Keith, a medic, had been killed in action in Cambodia.

Mrs. Franklin tearfully recalled getting the envelope during her son's last furlough.

"We joked about it. I told him, 'You'll be back after your two years and we'll open the letter, read it, and then have a good laugh about it.' He only said 'no I won't.' "

Keith's father, a Navy reservist who saw action during World War II, said his son had volunteered for induction.

"He volunteered to get it over with because he knew he would be drafted anyway," said Charles Franklin. "The night he made his decision to go he said he didn't agree with the war . . . but he said he'd do his part and play along with this foolish game."

Keith is the city's (pop. 8500) first Vietnam-Cambodia casualty. Salamanca is located about 60 miles south of Buffalo.

"We talked about the whole thing a lot. Neither of us can understand how we got into Vietnam in the first place. But Keith was not the kind of kid to shirk his duty."

Franklin said his son volunteered for the medical corps because "he told me he didn't think he could shoot anybody . . . he just wasn't the violent type."

"He was a typical kid. He wanted to come home and go to college. Get a good job. He wrote us once a week and that's all he talked about," he said.

Neighbors remember Keith, a tall, athletic, dark-haired youth, as "a good, well liked boy" who held a number of odd jobs after graduating from Salamanca High School in 1968.

While in high school he was a member of the radio announcers club and an actor in a number of school plays.

His father said another of his son's last requests will be granted when his body is returned home this week.

"There will be no military trappings, no uniforms, no flags. He didn't want it and he won't have it," he said.

The soldier had made the request in his last letter, on May 4:

"In the letter he made kind of a joke," said Franklin. "He said dad I'm finally getting my wish. I'm getting out of Vietnam . . . I'm going to Cambodia."

Other excerpts from the letter:

"The question now is whether or not my death has been in vain. My answer is yes.

"However, the powers-that-be handed down the decision that my friends and I should go and fight. We will go and we will fight, and I have died but there is still a blank space in my mind as to why.

"President Nixon and President Johnson before him have told the American public time and time again that it was our obligation to the people of South Vietnam to save them from the surging wave of communism which has plotted to engulf them. This is a lie, the magnitude of which is witnessed only by the hundreds of thousands of GIs in South Vietnam.

"The inhabitants of this bug-infested, backward, God-forsaken hell-on-earth want no part of the American war machine. But they have no choice . . ."

IS FREEDOM DYING IN AMERICA?

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. OTTINGER. Mr. Speaker, in the July 14 issue of Look magazine, Henry Steele Commager, one of the most distinguished American writers and historians of this century, has an article which deserves the widest dissemination possible. Professor Commager points to Government activities which have curtailed personal freedom in the name of law and order, national security, and other such slogans which capture that unthinking portion of the public which is insufficiently alert to, or concerned about, the erosion of those liberties that distinguish our way of life from that of totalitarian countries. The struggle to obtain and broaden our liberties has been too arduous for us to yield now to the self-deluding notion that it is somehow different to surrender freedom voluntarily than to have it taken away. The end result is the same, a less free society, and it behooves us to turn around these regressive policies and practices now before we lose what we most value about America.

Professor Commager's article, "Is Freedom Dying in America?" must be read by public officials and private citizens alike for the warning it flashes to us, and I insert the article in full at this point in the RECORD and urge that my colleagues give it their most thoughtful attention:

Is Freedom Dying in America?

"There are certain words,
Our own and others', we're used to—words we've used,
Heard, had to recite, forgotten,
Rubbed shiny in the pocket, left home for keepsakes,
Inherited, stuck away in the back-drawer,
In the locked trunk, at the back of the quiet mind.

"Liberty, equality, fraternity,
To none will we sell, refuse or deny, right or justice.
We hold these truths to be self-evident.

"I am merely saying—what if these words pass?
What if they pass and are gone and are no more . . .?

"It took long to buy these words.
It took a long time to buy them and much pain."

—Stephen Vincent Benét.

"Those, who would give up essential liberty to purchase a little temporary safety," said Benjamin Franklin, two centuries ago, "deserve neither liberty nor safety."

Today we are busy doing what Franklin warned us against. Animated by impatience, anger and fear, we are giving up essential liberties, not for safety, but for the appearance of safety. We are corroding due process and the rule of law not for Order, but for the semblance of order. We will find that when we have given up liberty, we will not have safety, and that when we have given up justice, we will not have order.

"We in this nation appear headed for a new period of repression," Mayor John V. Lindsay of New York recently warned us. We are in fact already in it.

Not since the days when Sen. Joseph McCarthy bestrode the political stage, fomenting suspicion and hatred, betraying the Bill of Rights, bringing Congress and the State Department into disrepute, have we experienced anything like the current offensive against the exercise of freedom in America. If repression is not yet as blatant or as flamboyant as it was during the McCarthy years, it is in many respects more pervasive and more formidable. For it comes to us now with official sanction and is imposed upon us by officials sworn to uphold the law: the Attorney General, the FBI, state and local officials, the police, and even judges. In Georgia and California, in Lamar, S.C., and Jackson, Miss., and Kent, Ohio, the attacks are overt and dramatic; on the higher levels

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of national administration, it is a process of erosion, the erosion of what Thomas Jefferson called "the sacred soil of liberty." Those in high office do not openly proclaim their disillusionment with the principles of freedom, but they confess it by their conduct, while the people acquiesce in their own disinheritance by abandoning the "eternal vigilance" that is the price of liberty.

There is nothing more ominous than this popular indifference toward the loss of liberty, unless it is the failure to understand what is at stake. Two centuries ago, Edmund Burke said of Americans that they "snuff the approach of tyranny in every tainted breeze." Now, their senses are blunted. The evidence of public-opinion polls is persuasive that a substantial part of the American people no longer know or cherish the Bill of Rights. They are, it appears, quite prepared to silence criticism of governmental policies if such criticism is thought—*by the Government*—damaging to the national interest. They are prepared to censor newspaper and television reporting if such reports are considered—*by the Government*—damaging to the national interest! As those in authority inevitably think whatever policies they pursue, whatever laws they enforce, whatever wars they fight, are in the national interest, this attitude is a formula for the ending of all criticism, which is another way of saying for the ending of democracy.

Corruption of language is often a first sign of a deeper malaise of mind and spirit, and it is ominous that invasions of liberty are carried on, today, in the name of constitutionalism, and the impairment of due process, in the name of Law and Order. Here it takes the form of a challenge to the great principle of the separation of powers, and there to be equally great principle of the superiority of the civil to the military authority. Here it is the intimidation of the press and television by threats both subtle and blatant, there of resort to the odious doctrine of "intent" to punish anti-war demonstrators. Here it is the use of the dangerous weapon of consorship, overt and covert, to silence troublesome criticism, there the abuse of the power of punishment by contempt of court. The thrust is everywhere the same, and so too the animus behind it: to equate dissent with lawlessness and nonconformity with treason. The purpose of those who are prepared to sweep aside our ancient guarantees of freedom is to blot out those great problems that glare upon us from every horizon, and pretend that if we refuse to acknowledge them, they will somehow go away. It is to argue that discontent is not an honest expression of genuine grievances but of willfulness, or perversity, or perhaps of the crime of being young, and that if it can only be stifled, we can restore harmony to our distracted society.

Men like Vice President Spiro T. Agnew simplistically equate opposition to official policies with effete intellectualism, and cater to the sullen suspicion of intellectuals, always latent in any society, to silence that opposition. Frightened people everywhere, alarmed by lawlessness and violence in their communities, and impatient with the notion that we cannot really end violence until we deal with its causes, call loudly for tougher laws, tougher cops and tougher courts or—as in big cities like New York or small towns like Lamar—simply take authority into their own hands and respond with vigilante tactics. Impatient people, persuaded that the law is too slow and too indulgent, and that order is imperiled by judicial insistence on due process, are prepared to sweep aside centuries of progress toward the rule of law in order to punish those they regard as enemies of society. Timid men who have no confidence in the processes of democracy or in the potentialities of education are ready to abandon for a police state the experiment that Lincoln called "the last best hope of earth."

The pattern of repression is, alas, all too familiar. Most ominous is the erosion of due process of law, perhaps the noblest concept in the long history of law and one so important that it can be equated with civilization, for it is the very synonym for justice. It is difficult to remember a period in our own history in which due process has achieved more victories in the courts and suffered more setbacks in the arena of politics and public opinion than in the last decade. While the Warren Court steadily enlarged the scope and strengthened the thrust of this historic concept, to make it an effective instrument for creating a more just society, the political and the law-enforcement agencies have displayed mounting antagonism to the principle itself and resistance to its application. The desegregation decision of 1954 has been sabotaged by both the Federal and local governments—a sabotage dramatized by the recent decision of the Justice Department to support tax exemption for private schools organized to frustrate desegregation.

There are many other examples. Pending legislation, including the Organized Crime Control Act of 1969 provides for "preventive detention" in seeming violation of the constitutional guarantee of presumption of innocence limits the right of the accused to examine evidence illegally obtained; permits police to batter their way into a private house without notice (the no-knock provision); and provides sentences of up to 30 years for "dangerous special offenders." And the government itself, from local police to the Attorney General, persists in what Justice Holmes called the "dirty business" of wiretapping and bugging to obtain evidence for convictions, though this is a clear violation of the right of protection against self-incrimination.

Equally flagrant is the attack on First Amendment freedoms—freedoms of speech, press, petition and assembly—an attack that takes the form of intimidation and harassment rather than of overt repudiation. The President and the Vice President have joined in a crusade designed to force great newspapers like the New York Times and the Washington Post to moderate their criticism of Administration policies, and to frighten the television networks into scaling down their coverage of events that the Government finds embarrassing; a position that rests on the curious principle that the real crime is not official misconduct but the portrayal of that misconduct. Mr. Agnew, indeed, has gone so far as to call on governors to drive the news purveyed by "bizarre extremists" from newspapers and television sets; it is an admonition that, if taken literally, would deny newspaper and TV coverage to Mr. Agnew himself. All this is coupled with widespread harassment of the young, directed superficially at little more than hairstyle, dress or manners—but directed in fact to their opinions, or perhaps to their youthfulness. And throughout the country, government officials are busy compiling dossiers on almost all citizens prominent enough to come to their attention.

Government itself is engaged increasingly in violating what President Dwight D. Eisenhower chose as the motto for the Columbia University bicentenary: "Man's right to knowledge and the free use thereof." The USIA proscribes books that criticize American foreign policy at the same time that it launches a positive program of celebrating the Nixon Administration and the conduct of the Vietnam war through films and a library of "safe" books selected by well-vetted experts. The Federal Government spends millions of dollars presenting its version of history and politics to the American people. The Pentagon alone spends $47 million a year on public relations and maintains hundreds of lobbyists to deal with Congress, and the Defense Department floods schools and clubs and veterans organizations with films designed to win support for the war.

Meantime, the growing arrogance of the military and its eager intervention in areas long supposed to be exclusively civilian gravely threaten the principle of the superiority of the civil to the military power. Military considerations are advanced to justify the revival of the shabby practices of the McCarthy era—security clearances for civilians working in all establishments that have contracts with Defense—a category that includes laboratories, educational institutions and research organizations. What the standards are that may be expected to dictate security "clearance" is suggested by Vice President Agnew's proposal to "separate the [protest leaders] from our society—with no more regret than we should feel over discarding rotten apples from a barrel." That is, of course, precisely the philosophy that animated the Nazis. Military considerations, too, are permitted to dictate policies of secrecy that extend even to censorship of the *Congressional Record*, thus denying to congressmen, as to the American people, information they need to make decisions on foreign policy. Secrecy embraces, not unnaturally, facts about the conduct of the war; Attorney General Mitchell, it was reported, hoped to keep the Cambodian caper secret from Congress and the people until it was a *fait accompli*. So, too, the CIA, in theory merely an information-gathering agency, covers its far-flung operations in some 60 countries with a cloak of secrecy so thick that even Congress cannot penetrate it. The Army itself, entering the civilian arena, further endangers freedom of assembly and of speech by employing something like a thousand agents to mingle in student and other assemblies and report to the Army what they see and hear. This is, however, merely a tiny part of the some $3 billion that our Government spends every year in various types of espionage—more every year than the total cost of the Federal Government from its foundation in 1789 to the beginning of the Civil War in 1861!

It would be an exaggeration to say that the United States is a garrison state, but none to say it is in danger of becoming one.

The purpose of this broad attack on American freedoms is to silence criticism of Government and of the war, and to encourage the attitude that the Government knows best and must be allowed a free hand, an attitude Americans have thought odious ever since the days of George III. It is to brand the universities as a fountainhead of subversion and thus weaken them as a force in public life. It is to restore "balance" to the judiciary and thereby reverse some of the great achievements of the 16 years of the Warren Court and to reassure the Bourbons, North and South, who are alarmed at the spectacle of judicial liberalism. It is to return to a "strict" interpretation of the power of states over racial relations and civil liberties—a euphemism for the nullification of those liberties.

The philosophy behind all this, doubtless unconscious, is that government belongs to the President and the Vice President; that they are the masters, and the people, the subjects. A century ago, Walt Whitman warned of "the never-ending audacity of elected persons"; what would he say if he were living today? Do we need to proclaim once more the most elementary principle of our constitutional system: that in the United States, the people are the masters and all officials are servants—officials in the White House, in the Cabinet, in the Congress, in the state executive and legislative chambers; officials, too, in uniform, whether of the national guard or of the police?

Those who are responsible for the campaign to restrict freedom and hamstring the Bill of Rights delude themselves that if they can but have their way, they will return the

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country to stability and order. They are mistaken. They are mistaken not merely because they are in fact hostile to freedom, but because they don't understand the relation of freedom to the things they prize most—to security, to order, to law.

What is that relationship?

For 2,500 years, civilized men have yearned and struggled for freedom from tyranny—the tyranny of despotic government and superstition and ignorance. What explains this long devotion to the idea and practice of freedom? How does it happen that all Western societies so exalt freedom that they have come to equate it with civilization itself?

Freedom has won its exalted place in philosophy and policy quite simply because, over the centuries, we have come to see that it is a necessity; a necessity for justice, a necessity for progress, a necessity for survival.

How familiar the argument that we must learn to reconcile the rival claims of freedom and order. But they do not really need to be reconciled; they were never at odds. They are not alternatives, they are two sides to the same coin, indissolubly welded together. The community—society or nation—has an interest in the rights of the individual because without the exercise of those rights, the community itself will decay and collapse. The individual has an interest in the stability of the community of which he is a part because without security, his rights are useless. No community can long prosper without nourishing the exercise of individual liberties for, as John Stuart Mill wrote a century ago, "A State which dwarfs its men, in order that they may be more docile instruments in its hands . . . will find that with small men no great thing can really be accomplished." And no individual can fulfill his genius without supporting the just authority of the state, for in a condition of anarchy, neither dignity nor freedom can prosper.

The function of freedom is not merely to protect and exalt the individual, vital as that is to the health of society. Put quite simply, we foster freedom in order to avoid error and discover truth; so far, we have found no other way to achieve this objective. So, too, with dissent. We do not indulge dissent for sentimental reasons; we encourage it because we have learned that we cannot live without it. A nation that silences dissent, whether by force, intimidation, the withholding of information or a foggy intellectual climate, invites disaster. A nation that penalizes criticism is left with passive acquiescence in error. A nation that discourages originality is left with minds that are unimaginative and dull. And with stunted minds, as with stunted men, no great thing can be accomplished.

It is for this reason that history celebrates not the victors who successfully silenced dissent but their victims who fought to speak the truth as they saw it. It is the bust of Socrates that stands in the schoolroom, not the busts of those who condemned him to death for "corrupting the youth." It is Savonarola we honor, not the Pope who had him burned there in the great Piazza in Florence. It is Tom Paine we honor, not the English judge who outlawed him for writing the *Rights of Man*.

Our own history, too, is one of rebellion against authority. We remember Roger Williams, who championed toleration, not John Cotton, who drove him from the Bay Colony: we celebrate Thomas Jefferson, whose motto was "Rebellion to tyrants is obedience to God," not Lord North; we read Henry Thoreau on civil disobedience, rather than those messages of President Polk that earned him the title "Polk the Mendacious"; it is John Brown's soul that goes marching on, not that of the judge who condemned him to death at Charles Town.

Why is this? It is not merely because of the nobility of character of these martyrs. Some were not particularly noble. It is because we can see now that they gave their lives to defend the interests of humanity, and that they, not those who punished them, were the true benefactors of humanity.

But it is not just the past that needed freedom for critics, nonconformists and dissenters. We, too, are assailed by problems that seem insoluble; we, too, need new ideas. Happily, ours is not a closed system—not yet, anyway. We have a long history of experimentation in politics, social relations and science. We experiment in astrophysics because we want to land on the moon; we experiment in biology because we want to find the secret of life; we experiment in medicine because we want to cure cancer; and in all of these areas, and a hundred others, we make progress. If we are to survive and flourish, we must approach politics, law and social institutions in the same spirit that we approach science. We know that we have not found final truth in physics or biology. Why do we suppose that we have found final truth in politics or law? And just as scientists welcome new truth wherever they find it, even in the most disreputable places, so statesmen, jurists and educators must be prepared to welcome new ideas and new truths from whatever sources they come, however alien their appearance, however revolutionary their implications.

"There can *be* no difference anywhere," said the philosopher William James, "that doesn't make a difference elsewhere—no difference in abstract truth that doesn't express itself in a difference in concrete fact. . . ."

Let us turn then to practical and particular issues and ask, in each case, what are and will be the consequences of policies that repress freedom, discourage independence and impair justice in American society, and what are, and will be the consequences of applying to politics and society those standards and habits of free inquiry that we apply as a matter of course to scientific inquiry?

Consider the erosion of due process of law—that complex of rules and safeguards built up over the centuries to make sure that every man will have a fair trial. Remember that it is designed not only for the protection of desperate characters charged with monstrous crimes; it is designed for every litigant. Nor is due process merely for the benefit of the accused. As Justice Robert H. Jackson said, "It is the best insurance for the Government itself against those blunders which leave lasting stains on a system of justice. . . ."

And why is it necessary to guarantee a fair trial for all—for those accused of treason, for those who champion unpopular causes in a disorderly fashion, for those who assert their social and political rights against community prejudices, as well as for corporations, labor unions, and churches? It is, of course, necessary so that justice will be done. Justice is the end, the aim, of government. It is implicitly the end of all governments; it is quite explicitly the end of the United States Government, for it was "in order to . . . establish justice" that the Constitution was ordained.

Trials are held not in order to obtain convictions; they are held to find justice. And over the centuries, we have learned by experience that unless we conduct trials by rule and suffuse them with the spirit of fair play, justice will not be done. The argument that the scrupulous observance of technicalities of due process slows up or frustrates speedy convictions is of course, correct, if all you want is convictions. But why not go all the way and restore the use of torture? That got confessions and convictions! Every argument in favor of abating due process in order to get convictions applies with equal force to the use of the third degree and the restoration of torture. It is important to remember that nation after nation abandoned torture (the Americans never had it), not merely because it was barbarous, but because, though it wrung confessions from its victims, it did not get justice. It implicated the innocent with the guilty, it outraged the moral sense of the community. Due process proved both more humane and infinitely more efficient.

Or consider the problem of wiretapping. That in many cases wiretapping "works" is clear enough, but so do other things prohibited by civilized society, such as torture or the invasion of the home. But "electronic surveillance," said Justice William J. Brennan, Jr., "strikes deeper than at the ancient feeling that a man's home is his castle; it strikes at freedom of communication, a postulate of our kind of society. . . . Freedom of speech is undermined where people fear to speak unconstrainedly in what they suppose to be the privacy of home or office."

Perhaps the most odious violation of justice is the maintenance of a double standard: one justice for blacks and another for whites, one for the rich and another for the poor, one for those who hold "radical" ideas, and another for those who are conservative and respectable. Yet we have daily before our eyes just such a double standard of justice. The "Chicago Seven," who crossed state lines with "intent" to stir up a riot, have received heavy jail sentences, but no convictions have been returned against the Chicago police who participated in that riot. Black Panthers are on trial for their lives for alleged murders, but policemen involved in wantonly attacking Black Panther headquarters and killing two blacks have been punished by demotion.

Turn to the role and function of freedom in our society—freedom of speech and of the press—and the consequences of laying restrictions upon these freedoms. The consequence is, of course, that society will be deprived of the inestimable advantage of inquiry, criticism, exposure and dissent. If the press is not permitted to perform its traditional function of presenting the whole news, the American people will go uninformed. If television is dissuaded from showing controversial films, the people will be denied the opportunity to know what is going on. If teachers and scholars are discouraged from inquiring into the truth of history or politics or anthropolgy, future generations may never acquire those habits of intellectual independence essential to the working of democracy. An enlightened citizenry is necessary for self-government. If facts are withheld, or distorted, how can the people be enlightened, how can self-government work?

The real question in all this is what kind of society do we want? Do we want a police society where none are free of surveillance by their government? Or do we want a society where ordinary people can go about their business without the eye of Big Brother upon them?

The Founding Fathers feared secrecy in government not merely because it was a vote of no-confidence in the intelligence and virtue of the people but on the practical ground that all governments conceal their mistakes behind the shield of secrecy; that if they are permited to get away with this in little things, they will do it in big things—like the Bay of Pigs or the invasion of Cambodia.

And if you interfere with academic freedom in order to silence criticism, or critics, you do not rid the university of subversion. It is not ideas that are subversive, it is the lack of ideas. What you do is to silence or get rid of those men who have ideas, leaving the institution to those who have no ideas, or have not the courage to express those that they have. Are such men as these what we want to direct the education of the young and advance the cause of learning?

The conclusive argument against secrecy in scientific research is that it will in the end give us bad science. First-rate scientists will not so gravely violate their integrity as to confine their findings to one government or one society, for the first loyalty of science is to scientific truth. "The Sciences," said Ed-

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ward Jenner of smallpox fame, "are never at war." We have only to consider the implications of secrecy in the realm of medicine: What would we think of doctors favoring secrecy in cancer research on the grounds of "national interest"?

The argument against proscribing books, which might normally be in our overseas libraries, because they are critical of Administration policies is not that it will hurt authors or publishers, No. It is quite simple that if the kind of people who believe in proscription are allowed to control our libraries, these will cease to be centers of learning and become the instruments of party. The argument against withholding visas from foreign scholars whose ideas may be considered subversive is not that this will inconvenience them. It is that we deny ourselves the benefit of what they have to say. Suppose President Andrew Jackson had denied entry to Alexis de Tocqueville on the ground that he was an aristocrat and might therefore be a subversive influence on our democracy, We would have lost the greatest book ever written about America.

There is one final consideration. Government, as Justice Louis D. Brandeis observed half a century ago, "is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example." If government tries to solve its problems by resort to large-scale violence, its citizens will assume that violence is the normal way to solve problems. If government itself violates the law, it brings the law into contempt, and breeds anarchy. If government masks its operations, foreign and domestic, in a cloak of secrecy, it encourages the creation of a closed, not an open, society. If government shows itself impatient with due process, it must expect that its people will come to scorn the slow procedures of orderly debate and negotiation and turn to the easy solutions of force. If government embraces the principle that the end justifies the means, it radiates approval of a doctrine so odious that it will in the end destroy the whole of society. If government shows, by its habitual conduct, that it rejects the claims of freedom and of justice, freedom and justice will cease to be the ends of our society.

Eighty years ago, Lord Bryce wrote of the American people that "the masses of the people are wiser, fairer and more temperate in any matter to which they can be induced to bend their minds, than most European philosophers have believed possible for the masses of the people to be."

Is this still true? If the American people can indeed be persuaded to "bend their minds" to the great questions of the preservation of freedom, it may still prove true. If they cannot, we may be witnessing, even now, a dissolution of the fabric of freedom that may portend the dissolution of the Republic.

GRANT TO COLLIER TOWNSHIP

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD a copy of the letter I recently sent to the good people of Collier Township in the 27th Congressional District of Pennsylvania informing them of the grant of $406,000 from the U.S. Department of Housing and Urban Development for the construction of a much needed water distribution system.

As we are all working for progress in America, this is a fine step forward, greatly assisting this township in my constituency.

The letter follows:

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR FRIENDS: I am writing to advise you that 406,000 dollars has just been granted to Collier Township through the Water and Sewer Facilities Program of the US Department of Housing and Urban Development. This is a grant to the citizens of Collier Township, and *NOT* a loan!

It has been a pleasure to be a part of the team with the Commissioners of Collier Township to process this application to such a successful and heart warming result.

This project will provide for construction of a much needed water distribution system to include approximately 16.5 miles of 8 inch water mains to serve the entire Township.

The new water distribution system will eliminate the present method of supplying water by trucks to many residents of your township. Construction of this project is scheduled to get under way within six months and be completed within 28 months.

I am glad to be helpful in following up on this application with the Department of Housing and Urban Development to obtain this prompt and favorable decision, and will follow up on this until the completion of this program. The fine cooperation of the Township Commissioners makes this project a worthwhile step in the progress of Collier Township for the benefit of all of our citizens.

We are all working for the progress of our South Hills Community, and I am glad to cooperate fully with you.

Personal regards,

JIM FULTON.

PROJECT TO MAKE PLANT SMOKE USABLE IS PLANNED

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. DADDARIO. Mr. Speaker, the fight against pollution and the continuing deterioration of our environment is usually viewed as just a "cleanup" operation, an attempt to eliminate from the environment the undesirable byproducts of an industrial society. Thus we usually speak of the need to reduce or eliminate the pollutants in automobile emission and stop the discharge of solid wastes in our rivers and streams. Pollutants are seen as "garbage," undesirable substances which are to be disposed of without harmful results.

Such a view is unnecessarily nearsighted. Through the application of the intelligence and technology that produced the machines that produced the pollutants, the pollutants themselves may sometimes be turned into beneficial byproducts, not just unusable waste. Such an enlightened application of the tools of technology to the problems of pollution has recently been undertaken by a New England power company. In cooperation with the National Air Pollution Control Administration, Boston Edison will begin an experimental project to convert the harmful sulfur dioxide in powerplant smoke into usable industrial chemicals such as sulfuric acid.

An article describing this project appeared recently in the New York Times on July 8. For the benefit of other Members and readers, I insert in the RECORD a copy of that article. I commend Boston Edison for its farsighted attempt to turn a serious pollution problem into a beneficial, and hopefully profitable, business venture. I encourage other businesses to follow their lead.

The article follows:

PROJECT TO MAKE PLANT SMOKE USABLE IS PLANNED

(By Robert Reinhold)

BOSTON, JULY 7.—A large-scale experimental project to recover sulfur dioxide pollutant from power plant smoke and convert it into resalable commercial chemicals will begin in 15 months under a plan announced here today.

If state approval is given, a special "scrubber" will be installed at Boston Edison's Mystic power station in Everett, a 150,000-kilowatt facility said to be one of the major polluters of Boston's air.

According to the utility, the device is expected to remove 90 per cent of the irritating pollutant, which will then be shipped to a chemical plant in Rhode Island for conversion into 50 tons daily of raw sulfur and sulfuric acid, important industrial chemicals.

The $5-million cost of the project will be borne about equally by local utilities and the National Air Pollution Control Administration. In Washington, a spokesman for the Government agency said that the technique was already in use elsewhere but that the Boston plant was the largest yet to adopt it.

The project is one of many approaches to the control of various industrial and automobile pollutants sponsored by the agency, which spends about $48-million a year on research and development.

Nationally, sulfur dioxide accounts for about 17 per cent of all air pollutants by weight, second only to motor vehicle emissions. About 33 million tons a year are spewed into the air, mostly by fuel-burning power plants. It aggravates asthma, bronchitis and other respiratory problems, particularly in older persons.

The Boston program is supported by Boston Edison, Eastern Utilities Associates and New England Gas and Electric Association. The recovery and conversion machinery will be built by Chemical Construction Corporation of New York. The conversion will be performed at the Essex Chemical Corporation in Rumford, R.I.

At a news conference in the Engineers Club, utility officials said the device would have the same effect on emissions as burning fuel with .3 per cent sulfur content. Under Massachusetts law, no more than 1 per cent sulfur oil will be allowed this October.

LETTERS SUPPORT NATIONAL SERVICE ACT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BINGHAM. Mr. Speaker, since the introduction of the National Service Act, H.R. 18025, with bipartisan cosponsorship on June 10, letters have poured into my office commenting on the measure. The ratio, at this time, is approximately

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10 to 1 in favor of the bill. These letters have come in from all across the country, from Concord, Mass., to Juneau, Alaska. The writers have been from all walks of life, ranging from the chief psychologist at the University of Massachusetts, to a mother of draft-age youths, to a 23-year-old policeman. These are thoughtful letters by people who are genuinely concerned about the draft's destructive effect on American society.

The sentiment indicated by these letters was supported by a Gallup poll released on July 4, reporting that over 70 percent of voting-age people support the National Service Act.

I am including, at this point, a sampling of the letters I have received. I will be periodically placing such samples in the RECORD during the coming weeks:

JUNEAU, ALASKA,
June 12, 1970.

Rep. JONATHAN B. BINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: I wish to extend to you my heartfelt gratitude and support for sponsoring the bill which would replace the current draft law with a system allowing young men to choose between military and civilian service. This is the first bit of original and creative thinking we have seen in a long time. I am writing to our Alaskan Congressmen to urge them to support this bill and do everything in their power to see that it passes as soon as possible.

There is much in our literature and history that has taught the futility of war, and I think we may have a generation of pacifists. It is long past the time when men should refuse to take part in wanton killing and destructin. I have brought up my sons to believe that they can and must serve their country and mankind in peaceful and constructive pursuits. I do not condone the violence some youth have resorted to in order to be heard. The democratic process can be ungodly slow, and your bill is a first step in relieving some of the pressure these young men have been under for a long time.

There will be problems in setting up a civilian service, but it can be done. The Public Health Service offered a program a few years ago wherein some young men were able to discharge their military duty. The Forest Service, the Park Service, Fish and Wildlife Service, Corp. of Engineers, Geologic Survey, Conservation Soil Service, Coast and Geodetic Survey, and many others, both on a state and federal level could offer comparable services and get much work done that they have neither personnel nor money for now. We could do a lot to clean up our environmental mess, and channel young men into worthwhile careers and new thinking.

I am confident the passage of this bill will do wonders in averting the revolt of our youth and in getting them united once more behind a country of which they can be proud.

Sincerely yours,

MRS. ROBERT E. HOWE.

EDWARDSVILLE, ILL.,
June 11, 1970.

Hon. JONATHAN B. BINGHAM,
Rayburn Office Building,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: I recently read an Associated Press article giving a brief explanation of the "draft" bill of which you are the principal sponsor.

Even though the information provided in the article is slight, I cannot help but be overwhelmingly pleased. I would like to add that I certainly hope the "civilian" service mentioned includes careers in policework. For I truly believe the only way the poor image held of policemen will be corrected is if we encourage young, open-minded people to seek careers in this field. I'm writing you as a 23 year old policeman myself.

I hope you seek immediate passage of this bill, and I salute you for your interest in our Nation. Knowing your time is valuable, I would like to hear from you concerning your hopes for passage.

Respectfully yours,

BENNETT W. DICKMANN.

UNIVERSITY HEALTH SERVICES,
UNIVERSITY OF MASSACHUSETTS,
Amherst, Mass., June 12, 1970.

Representative JONATHAN B. BINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. BINGHAM: I read with interest the newspaper account of a bill which you are sponsoring aimed at replacing the current draft law with a system which allows young men to choose between military and civilian service.

I would appreciate your sending me a copy of the proposed bill and any background material or references related to it. I will be teaching a course at the University of Massachusetts next year dealing with the impact of military conscription on young men in general and on college students in particular. In our work at the University Mental Health Service we see a considerable number of young men who are deeply troubled by the prospects of military service, and I cannot help but feel that some fundamental changes in our Selective Service System are urgently needed, not to mention the even more fundamental changes necessary in our country's foreign policies and domestic priorities. I look forward to hearing from you. Thank you for your cooperation.

With best regards.

Sincerely yours,

DEAN A. ALLEN, Ph. D.,
Chief Psychologist, Mental Health Service.

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, June 23, 1970.

Hon. JONATHAN B. BINGHAM,
House Office Building,
Washington, D.C.

DEAR MR. BINGHAM: I recently heard on a news broadcast that you were sponsoring a bill for a National Service Act to supplement or replace the present Selectice Service Act. From the details given on the news broadcast it sounded like a wonderful idea and I believe that it could attract a good deal of support throughout the nation in educational and professional circles. I am going to write to my own representative urging him to support your bill when it comes to the floor for debate.

Very truly yours,

R. F. SCHWARTZ,
Chairman, Graduate Group Committee in Electrical Engineering.

KALAMAZOO, MICH.,
June 12, 1970.

DEAR MR. BINGHAM: I have read about the bill concerning the Service Draft which you are sponsoring. We discussed it with a number of my friends and all agreed that it is an excellent idea. In fact, it would offer a solution to a variety of urgent problems now and also after the war in Vietnam is over.

Would you, please, let us know what can we possibly do to help you get the bill accepted. Whom to write—or what to do. Thank you for this excellent idea.

Very truly yours,

THE UPJOHN CO.,
DR. L. J. HANKA,
Cancer Research Department.

BALTIMORE, MD.,
June 11, 1970.

DEAR MR. BINGHAM: I saw an article in yesterday's Baltimore *Evening Sun* to the effect that you are the principal sponsor of a bill introduced into the House whereby young men would be offered a choice between military and civilian service.

I simply wanted to thank you. As a teacher and the mother of two sons, I am aware of the deep and genuine moral aversion many young people feel toward military service, your proposal offers a magnificent and useful alternative.

Sincerely yours,

MRS. RUTH D. BROCK.

HILLSBOROUGH, CALIF.,
June 11, 1970.

DEAR SIR: I have just heard about and wish to support your proposed change of the draft bill for the military. I particularly support the suggestion as it would end "forced" college attendance in order to avoid military induction and would enable pacifists to avoid the hassle of having to obtain a C.O. status. Please keep up your efforts to push this bill into passage. Thank you.

Sincerely,

ELLEN B. HOLDEN.

CONCORD, MASS.,
June 30, 1970.

Hon. JONATHAN B. BINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. BINGHAM: I have read twice of your H.R. 18025 bill—most recently your letter to the *Times.*

This bill supports a need that I have long felt should be filled and you have apparently worked out some of the solutions to alternate forms of service which I have believed should be worked out in similar ways.

I have written my Congressman . . . and urged his support for your bill. I do hope he will. . . . In any case, my main purpose in this note is to tell you of my wholehearted support for your work in developing, and presenting, and—I hope—achieving speedy passage for your National Service Bill.

One thought on one phase of the bill—"subsistence" level pay for civilian service. Certainly, nonhazardous service should receive much lower level pay. But non-military service should not be made to seem inferior in value as a national service. Nor should it be a course only open to those who can *afford* to take it.

In any case, may you be successful with your efforts in this matter.

Sincerely,

JOHN R. BEMIS.

ARLINGTON, TEX.

DEAR SIR: I have never been as pleased by a newspaper article as I was by the AP message in the June 10th Fort Worth Star Telegram, which dealt with a bill introduced in the House which would allow young men to choose between military and civilian service. I do not know how correct this article was, but if such a bill is pending, I want you to know that I support it wholeheartedly. Although I am still a young woman and a college student, I have hoped for such a system for years—in fact, I believe even women should be made to face that type of "draft." You have my sincere support, and I am sure I am joined by many others. Good luck on getting your measure through!

Sincerely,

LORELEI A. VAUGHN.

BROOKLYN, N.Y.,
July 7, 1970.

Representative JONATHAN B. BINGHAM,
Washington, D.C.

DEAR MR. BINGHAM: The reprint of your speech introducing your National Service Plan in no way answers my objections to it.

The premise of your bill is that the defense of the United States requires. . . . In point of fact these drafted men are not being used for defense but for aggression. And not just in Vietnam. I also recall a place called the Dominican Republic.

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I also resent the fact that you think the young should give involuntary service in any capacity at all which is not required of other segments of the population.

Nothing in your bill justifies such sacrifices at their expense. So far as justice is concerned no benefits will be derived from your bill. It is worthless.

Yours truly,

MISS MARTHA MENDELL.

RECESSION CANNOT CURE INFLATION

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. HANNA. Mr. Speaker, I would like to include in the RECORD a very timely and thought-provoking article, "Recession Cannot Cure Inflation," which appeared in the July 1970 issue of Dun's. The author, Max Shapiro, is a well-known financial and economic consultant to brokerage houses and industrial concerns, and winner of last year's John Hancock Award for excellence in financial writing.

As a boy in Stuttgart, Max Shapiro witnessed the real impact of inflation, one of the few Americans who have. He recalls how, during the wild inflation of the German mark in the early 1920's, he and his father were on their way to catch a streetcar. They were literally carrying a suitcaseful of marks to pay their fares.

After walking a few blocks, and having to walk another before reaching the streetcar stop, the father observed that their destination was only a mile away. They decided it would be easier just to leave the suitcase and walk to their destination.

Max Shapiro has never forgotten how inflation can make a nation's currency so worthless that it was easier to walk a mile than to carry it. The text of the article follows:

RECESSION CANNOT CURE INFLATION

(By Max Shapiro)

"There is no cause for concern," President Herbert Hoover assured the nation a few weeks after the Great Crash of 1929. "Conditions are fundamentally sound."

With these soothing words, the Hoover Administration launched its ritualistic exercise in reassurance. In January 1930, Secretary of the Treasury Andrew Mellon announced a "revival of economic activity in the spring." And a few days later, Secretary of Commerce Robert R. Lamont told the country, "There are grounds for assuming that this is about a normal year."

By this time, the rot of Depression was spreading over the land. Thousands of farmers, unable to hold out until spring, abandoned their properties; in the cities, the breadlines lengthened. But as matters grew worse, government officials intensified their "confidence-restoring" efforts and promised that improvement was "just around the corner."

The Hoover Administration, it seemed, was bent on following the nostrums of Emile Coué, a French psychotherapist who wielded a considerable influence during the 1920s and early 1930s. According to Coué, patients could be cured by "positive autosuggestion" and by the constant repetition of the phrase, "Every day in every way, I am getting better and better." Until the full tide of events overwhelmed the country, Hoover and his aides continued to cling to the notion that good times would return if only people would have faith in their return.

Now, forty years later, in the midst of another economic crisis, the rites of reassurance have been revived. In a steady stream of "confidence-building" pronouncements over the past eighteen months, key members of the Nixon Administration have heralded the coming triumph over the nation's most crucial domestic problem: inflation.

At first, the public was given the impression that the Administration's "game plan" against soaring living costs would attain its objective in a short period of time. In April 1969, Herbert Stein, one of the President's most trusted economic advisers, asserted that "the underlying causes for inflation" were being stemmed. But the Consumer Price Index did not respond to Stein's optimism. It rose to new highs in April, May and June.

Undeterred, President Nixon in a message to Congress on June 20, 1969 said that the Administration's program of "fiscal responsibility and monetary restraint" would achieve results in several months. Once again, living costs vaulted to new levels in July, August and September—the "target date" President Nixon had set for visible "effects."

The next Hoover-like pronouncement came on August 11, 1969 from the University of Chicago's Milton Friedman, the President's most influential outside economic adviser. Said Friedman as he pushed ahead the day of victory once again: "We should not despair that the fight against inflation has not brought prices down. There is a considerable lead time between acts and results on prices." Friedman forecast specifically that the rise in the Consumer Price Index would be slowed to an annual rate of about 4% by the end of 1969 and that it would be slowed still further in early 1970.

Then in November, Commerce Secretary Maurice Stans told DUN'S ("Can They Really Stop Inflation?" DUN'S, *December 1969*) that "by spring we will have a very perceptible decrease in the rate of inflation."

Events, of course, have made a mockery of all these Coué-like predictions. The rate of inflation has not fallen at all, but has persisted at an alarming 6% annual rate month after month. And final confirmation that the battle against inflation is far from won came in the "Economic Report of the President," published in February. The Report indicated that although some moderation of prices could be expected in 1970 and 1971, the fires of inflation would not be fully quenched before 1973.

The new "target date" of 1973, is, of course, a far cry from the original forecast for 1969. But a close reading of the Report reveals an even more disturbing fact: Despite the continuing failure of the anti-inflation program, there was nowhere evident in the 284-page document the slightest indication that a policy change was being considered.

And most disquieting of all is the fact that the Report's new projections on inflation for 1970–1972 have already proved inaccurate. In one section, the Council of Economic Advisers asserted: "With continued slow increase of GNP in the early months of 1970, the growth of real output would remain close to zero and there should be some decline in the rate of inflation." There has, of course, been no decline in the early months of 1970; instead, we have witnessed another increase. The regrettable conclusion is that we have received another spate of incantatory rhetoric that holds out the promise that things will get better—only to have them become worse.

THE GAME PLAN HAS FAILED

And there is a strong likelihood that matters will deteriorate even further. The Administration's game plan has failed—and will continue to fail—because it is rooted in a basic fallacy. The core of the program rests on the supposition that wages and prices will gradually come down in an economy characterized by a "moderate" amount of unemployment.

No exact unemployment rate has been projected, but on a number of occasions top Administration officials have indicated that "a 6% unemployment rate would not be tolerated," and while the Report does not explicitly include a projected maximum rate of unemployment for 1970–1973, it clearly implies that it will lie somewhat under 6%.

The Administration rests its policy on the assumption that this rate and the resulting slide in profits will cool off our hot cost-push inflation. "Disinflation," according to the Economic Report, can be expected to develop in the following manner: "As profits per unit weakened, employers would become more resistant to granting wage increases. At the same time, a softening labor market would lessen workers' insistence on large wage increases. As a consequence, the average rate of wage increase would ultimately begin to diminish."

To expect such a deflationary process to occur while the unemployment rate is only 5% to 6% is to disregard a considerable amount of contrary empirical evidence. In each of the three postwar recession years (1949, 1958 and 1961), unemployment was higher than the rate the Administration projects for 1970–1972 (*see Table A*). Yet hourly wage rates and average weekly earnings rose each year. The average unemployment rate for the three periods came to 6½%. Yet hourly wage rates rose by 3.3%, and the average rise in weekly wages came to almost 4%.

Even more striking is the fact that wage rates in the United States have increased in every year since 1933—even during the Great Depression. The average unemployment rate for the 1934–1939 period, for example, was 18%. Yet weekly wages rose at an average annual rate of 7%. Moreover, these wage increases took place in an era of relatively weak unionism, of price stability and a time when the expectation of automatic wage hikes had not yet become a way of life.

If wages continued to rise under such dire economic conditions, how could they conceivably be held in check in today's business climate? The combination of inflation, an unemployment rate of under 6%, inordinately powerful labor unions and an ingrained expectation of automatic pay hikes virtually insures an upward spiral in labor costs. To expect labor to "diminish" its demands under such conditions is to engage in another exercise in Coueism.

Nor are the Administration's hopes for a significant lowering of prices likely to materialize. From time to time, marginal producers or retailers caught temporarily with surplus inventories may reduce prices, but such occurrences will be temporary and nonpervasive. For the most part, there will be a resistance to price reduction by business because: 1) wages will rise; 2) with wage costs increasing and production falling, executives will attempt to sustain vanishing profit margins by maintaining prices; 3) a growing number of businessmen will conclude—with good reaason—that the present "disinflationary" efforts by government will be abandoned for political, social or economic reasons.

High prices will also be perpetuated by the growing purchasing power of government employees. The number of government workers (federal, local and state) has risen from approximately three million in 1929 to over twelve million in 1969. Today, over 16% of all salaried workers are employed in government. And the annual wages for these government employees have increased from about $5 billion in 1929 to $104.5 billion in 1969.

Wage boosts for government employees continued even in the recession years of 1949, 1958 and 1961. And in this slowdown year, federal employees have been given a substantial wage hike. Given the growing power of public employee unions, the salaries of government employees are sure to grow at an even greater rate in the years immediately ahead.

WAGE PUSH FROM THE SERVICE SECTOR

An almost parallel situation exists in the service industries. The wages of workers in the services have increased year by year during the past three decades and have gone up even during the recession years of 1949, 1958 and 1961. In 1949, total service salaries rose by $700 million; in 1958, by $2 billion; and in 1961, by $3.5 billion. Last year, the $88 billion received by service employees represented a 13% increase over 1968. This trend is almost certain to continue.

The mushrooming growth of purchases made via "time payments" will also sustain high living costs. In 1940, total consumer credit outstanding amounted to only $8 billion; by the end of 1969, it had skyrocketed to $122 billion. And the amount of goods bought "on the cuff" keeps rising year after year, even in slack periods. In each of the three recession years of 1949, 1958 and 1961, total consumer expenditures, fueled by expanding consumer credit, showed a sharp gain despite a 6% unemployment rate (*see Table 2*). These increased expenditures were the chief underlying cause for the rise of living costs in 1958 and 1961. In 1949 there was a decline of less than 2% in the Consumer Price Index, which was brought about by a sudden worldwide collapse in farm prices. Had this unusual event not occurred, the Index would have reflected a substantial rise.

Increased consumer expenditures are likely to offset the slowing effects of a moderate unemployment rate, but expanded outlays by business will also propel inflation.

In previous periods of rising unemployment, although consumer and government expenditures increased, the business sector acted as a braking element by reducing its plant outlays (*see Table B*).

A reversal of this historic trend is about to occur this year. According to private and government surveys made late in 1969, corporations planned to increase expenditures for new plants in 1970 by about 10%, or $7.5 billion. Tight money conditions and a profit squeeze in some companies have lowered this estimate, but an increase of at least $6.5 billion is a minimum expectation. So while the major inflationary impetus will come from consumers, these increased expenditures by business will go far towards minimizing any deflationary trends that will develop.

BUSINESS IS BETTING ON INFLATION

Why is this reversal occurring? Because the business sector has little confidence that present deflationary efforts will succeed. Corporate officials are becoming increasingly convinced that an unemployment rate of 5% to 6% will not cool off inflation and that government officials cannot embark on a program that will raise unemployment substantially beyond that level.

The business community has concluded, moreover, that the Fed's tight money policies are fast being abandoned to meet the borrowing needs of both government and industry. Consequently, most businessmen reason that inflation will get even worse and it would therefore be foolish to hold back on capital expenditures, which will only be more costly later on.

All of this adds up to the strong likelihood that the Administration's game plan, based predominantly on a moderate rate of unemployment, will not meet its objectives. Neither prices nor wages will decline meaningfully.

What, then, are our alternatives? The Administration could embark on a program that would bring about a 10%–12% unemployment rate. This would cause a depression and prices would fall. But such a program would be intolerable. Our nation, already rent by dissension, would be ripped apart by a government-induced massive depression.

Another alternative—the most likely one—would be to drift along with the game plan in the hope that the situation will not get out of hand. But this would be courting the whirlwind. A continuing inflation is like a cyclone. At first there is a mild disturbance. Next, the wind intensifies and then dies down a little. For a while it seems as if the gathering storm will blow itself out. Then suddenly, with deathlike swiftness, the cyclone strikes, smashing everything in its way.

We are now in the precyclonic stage. In order to grasp fully how dangerous and insidious inflation has become, we need only put the current situation into historic perspective. In April 1970, the Consumer Price Index posted its fortieth consecutive monthly advance. Unbroken since January 1967, this string of month-to-month advances is, by far, the longest in the 57-year history of the Index. In the 54 years from January 1913 through December 1966, there were only eleven cycles in which consecutive rises in living costs went beyond six months. The longest interval, created by the vast inflationary pressures of World War II, lasted 22 months and was only brought to an end by wage and price controls. But the average cycle of consecutive monthly rises lasted only four months, or only one-tenth the duration of the present span.

Moreover, the wind has ominously begun to pick up force. In 1967 the increase in the cost of living amounted to 3.5%, in 1968 it was 4.7%, and in 1969 just under 6%. During the first four months of 1970, the gain gradually crept beyond 6%.

This alarming situation has brought forth calls for some kind of an incomes policy from such leaders of the business establishment as Chairman Thomas J. Watson of IBM and Chairman David Rockefeller of The Chase Manhattan Bank. And even Federal Reserve Chairman Arthur Burns, a long-time critic of even indirect government intervention in the wage-price process, has begun to change his mind.

While an incomes or guideposts policy might have a temporary effect, the hour is already too late for such half-way measures. We must pass quickly from a failing policy, whose defects are obscured by beguiling assurances, to action that meets the problem head-on. That action—undesirable and unwelcome in a free society—is the adoption of mandatory wage and price controls. At this point, we have no other acceptable alternative.

Controls open a hornet's nest; they are onerous, difficult to administer and present all sorts of problems in implementation. But it is better to have controls than to have the destruction that a continuing inflation is bound to cause. It is no longer a matter of choices; it is a matter of survival.

TABLE A

[In percent]

Year	Unemployment rate	Percentage rise in hourly wage rates	Percentage rise in average weekly earnings
1949	5.9	+4	+2½
1958	6.8	+3	+2½
1961	6.7	+3	+6

TABLE B

Year	Unemployment rate (percent)	Change in consumer price index (percent)	Change in consumer expenditures (billions)	Change in Government expenditures (billions)	Change in new plant expenditures (billions)
1949	5.9	−2	+$3.2	+$8.8	−$2.3
1958	6.8	+2	+9.3	+12.3	−4.1
1961	6.7	+1	+10.0	+12.9	−.69

GEN. JAMES A. FARLEY—82 YEARS OF AGE

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. CAREY. Mr. Speaker, it is traditional at this time of the year to pause and take note of another milestone in the life of Gen. James A. Farley, former Postmaster General and Democratic national chairman. On May 30, "Big Jim" turned 82 years of age and, as has been his custom, devoted the day to personally answering the thousands of birthday cards he received and making last-minute preparations for his annual trip abroad.

In addition to his fame as a letter-writer, Jim has established an equally impressive reputation as a partygoer and world traveler—attending an average of 120 banquets and 130 luncheons and visiting 30 countries each year. An illness in 1969 has necessitated a somewhat less ambitious schedule. This year he will visit only 14 countries and the banquets and luncheons have been curtailed to 80 and 100 respectively. Knowing Jim Farley as I do, I feel certain that as number 83 comes around he will be back on the pace.

An article by Art McGinley in the Hartford Times on June 5 offers some further insights into his phenomenal career as does Ernest Cuneo in the Philadelphia Bulletin on June 6. I include these articles to be printed at this point in the RECORD so that our colleagues may be kept abreast of the latest events in the life of Jim Farley:

[From the Philadelphia (Pa.) Bulletin, June 6, 1970]

"BIG JIM" FARLEY, 82, IS STILL "MR. DEMOCRAT"

(By Ernest Cuneo)

WASHINGTON—Postmaster General Benjamin Franklin instituted the American postal system back in colonial time and, by an odd quirk of history, another postmaster general, James A. Farley, gets the most use of it.

General James A. Farley was 82 years old on May 30. As befits the all-time champion letter writer, the New York Post Office was faced with an additional burden of thousands of birthday cards from all over the world. They will be answered personally, over the famous signature in green ink.

WROTE 36,000 PERSONAL LETTERS

Farley's all-time record still stands. Following the 1936 presidential election, eight secretaries, working in relays, pounded out 36,000 letters of personal thanks, to most of which Democratic National Chairman Farley added a personal note.

Actually he had good reason. The President had called him to report that Henry Morgenthau and Harold Ickes thought the election was lost. Farley promptly polled his countrywide friends. Then he made his famous—and exact—prediction. FDR would carry every state but Maine and Vermont.

Farley was born in Grassy Point, N.Y. When he was ten, his father went out to hitch up the horse to take the family to church. The horse kicked him and he died the following Tuesday. Farley's mother gathered her brood. Among other things, she asked "Big Jim" to swear he would never drink an alcoholic beverage. He never has and, for that matter, has never missed a mass either.

But his mother didn't mention ice cream! Hence, one of the great sights of the nation

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is watching "Big Jim," wax merry, in convivial company, on an extra scoop of the great dessert.

Farley is a living example of Mark Twain's admonition that schooling should not be permitted to interfere with a man's education. He graduated from the local high school, but they forgot to deliver him his diploma. Accordingly, he is unquestionably the only man in American history who received his old diploma 60 years late, when a new high school was named after him.

Farley studied accounting at night school, but the subject he has majored in all his life is people.

The rest is history. Governor Franklin Roosevelt sent Farley out to beat the bushes. Farley came back with the report that FDR would be elected, plus a personal mailing list greater than FDR's even when he was President.

RAN THE PARTY

FDR ran the country and Farley ran the party and "the Hill." Practically all the New Deal legislation was generaled by Farley. The congressional leaders accepted him, for all practical purposes, as majority leader of the Senate and speaker of the House combined.

He and FDR broke over the third term. Venerable Sen. Carter Glass struggled out of a sickbed to nominate Farley for President. Farley stood up to be mowed down, and mowed down he was.

But, to the millions of regular Democratic workers, he was a hero. He received tons of letters and of course, all were answered.

Heavily in debt, Farley worked for the next 18 years before he was clear. In 1958, upstate New York Democrats wanted Farley for senator. Governor Harriman, Mayor Robert Wagner, National Committeeman Carmine de Sapio and State Chairman Pendergast fought Farley. They said he was too old.

DENIED NOMINATION

The upstaters were insistent. The convention was held up for two days before the downstaters prevailed. Since then, all of Farley's 1958 opposition is out of office, but Farley remains Mr. Democrat. Most pros believe the Democratic Party in New York was shattered the day the rank and file saw Farley denied the nomination they believe he had earned.

For 30 years, Farley attended an average of 120 banquets and 130 luncheons per annum, with time out for visits to an average of 30 countries.

Last year, he got sick for a month. As a result, this year he will attend only 80 banquets and 100 luncheons. He will visit only a paltry 14 countries this summer. This has grown to be a family pilgrimage: He always takes a couple of his grandchildren.

He will start in mid-June, after writing letters to the thousands who sent him a birthday card, all signed in green ink.

[From the Hartford (Conn.) Times, June 5, 1970]

BIRTHDAY FELICITATIONS SENT TO JAMES A. FARLEY, 82

(By Art McGinley)

Birthday felicitations, a few days tardily, to James A. Farley, who observed his 82nd birthday last week.

I first met him more than 40 years ago when he was a member of the New York Boxing Commission of which my cousin, George Brower, was a member.

This I note running the risk of another missive from the anonymous letterwriter who accuses me of being a "namedropper" and who, in his last letter, has said, "I expect you to say next that you had roomed at school with Winston Churchill."

Actually, I have known—and admired—Jim Farley the long years and have an occasional letter from him. He no longer writes his letters in green ink as was his habit years ago.

There was a day when I had been his companion at the luncheon table in Manhattan not having known there was to be that pleasurable circumstance. I had gone to the Saints & Sinners' luncheon as the guest of Col. Howard Dunham of Wethersfield, former Connecticut Insurance Commissioner. Hank Greenberg, who had launched his spectacular baseball career in Hartford, was the guest-of-honor that day and subjected to the merciless "ribbing" that only the Saints & Sinners can deal out.

Sitting down in the Waldorf ballroom I find two of my tablemates were Jim Farley and actor Ray Milland.

Mr. Farley talked of Hartford and I found he knew as much as I did of current news here.

Now—and for several years—Mr. Farley has been the head of the Coca-Cola Export Corp.

The last year he has been having much difficulty with his eyes and was hospitalized for a considerable time following an operation.

Jim Farley is unique among men of long service at the top in politics. I never have known of a bitter attack on him from any quarter; certainly none could question his integrity.

"I had to quit my official position in Washington"—he was postmaster-general—"to make some money," he told me, adding that the mere business of having enough to live on had become a real concern.

HE WAS A FIRST BASEMAN

In talks with Jim Farley, I had learned that baseball rather than boxing had been his first love—that he had been the first baseman for the town team in Haverstraw, N.Y., his home town in young manhood. Of his complete abstinence from liquor of any kind, he said he had seen too much of it when working as a youngster in a grocery store that had a bar.

Also he told me of how he had become the polished orator of the days when he was "selling" FDR to the nation.

"As a young man," he said, "I was terrified at the mere thought of making a speech. Al Smith told me to get appointed a district deputy by the Elks and to get around to all the lodges and, in that way, to acquire the experience of public speaking. I did and soon it came very easy to get up and to talk when called upon."

James A. Farley has given generously of his time and of his talents to countless good causes and it is easy to wish this fine American (if tardily) happy birthday and many more.

TUNNEY SALUTES IOTA PHI LAMBDA BUSINESS SORORITY

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. TUNNEY. Mr. Speaker, most worthwhile organizations have come into being because of an urgent need or as a result of some great vision. The founding of Iota Phi Lambda Sorority was stimulated by both.

The great depression of 40 years ago left many black people without employment. Black women who were working at white-collar jobs with comparatively new business and administrative skills were especially hard hit, for they were doubly penalized by race and sex.

In early 1962, Mrs. Lola M. Parker, of Chicago, Ill., visualized the potential of an organization which would encourage business specialization; an organization which would stimulate, inspire, foster, and give mutual assistance to persons engaged in similar vocations. In June, she and six of her friends founded the national business sorority, Iota Phi Lambda.

And from this small acorn, many great oaks have grown. First in Chicago, then in other cities, the Iota Phi Lambda Sorority chapters were organized. They grew and prospered. There are now more than 100 chapters in 85 cities ranging from the Atlantic Ocean to the Pacific, from the Great Lakes to the Gulf of Mexico. There is even a chapter in Bangalore, India.

Iota Phi Lambda's convention theme, "Women Spanning New Horizons," is most appropriate as its national organization meets for the 41st time at the Leamington Hotel in Oakland, Calif., from August 14 to 19, 1970.

As we challenge the present and prepare to meet future opportunities, the role of women in effecting change will grow tremendously. The great potential of this woman power was recognized and realized in the founding of the sorority.

Iota Phi Lambda is affiliated with the National Council of Negro Women, Leadership Conference on Civil Rights, National Committee for Children and Youth and is accredited as a nongovernmental organization at the United Nations with an official observer. Chiefly among other organizations, it supports the NAACP, Urban League, and Office of Economic Opportunity. The national president is Mrs. Bessie Coston of Youngstown, Ohio.

I congratulate the Iota Phi Lambda Sorority on its accomplishments, achievements, and contributions to humanity and offer my support and assistance as it works to attain its most laudable goals.

GROUP PLANS DRIVE TO AID POW'S

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. BOB WILSON. Mr. Speaker, under unanimous consent, I insert the following article in the RECORD. It deals with the laudable efforts of the "United We Stand" organization. I am sure we will all share this organization's great concern for our POW's imprisoned in North Vietnam and hope that "United We Stand" will be helpful in obtaining the release of all our valiant POW's.

[From the San Diego Evening Tribune, May 15, 1970]

GROUP PLANS DRIVE TO AID POW'S

If North Vietnam said it would take $50 million to release a few U.S. war prisoners, the money would be en route to Hanoi within

24 hours, two officials of United We Stand said here yesterday.

John A. Holman and Thomas E. Meurer, vice presidents of the Dallas-based organization, said its founder, Texas billionaire H. Ross Perot, would spare no effort to ease the plight of the POWs or secure their release.

Holman and Meurer called on leaders of San Diego aerospace firms to explain United We Stand objectives in the POW issue and also ask for their help in increasing public support for the cause.

United We Stand was founded by Perot last November to foster support for President Nixon's Vietnam war policy.

It has taken on the plight of U.S. POWs as a major national and international project.

"We are using all types of overt and covert methods to gain humane treatment for them according to the terms of the Geneva Convention," Holman said.

"If Hanoi wanted $50 million ransom for a few of them, the money would be en route within 24 hours. The money would pour in from U.S. industry and private citizens."

Perot has funded and sponsored several unsuccessful overseas attempts to bring food, medicine and mail to the POW's.

Holman, who is 30 and a Marine veteran of the Vietnam war, said the current objective of United We Stand is to launch a massive public campaign "to show Hanoi that Americans really care about the POW's."

The campaign is broken down into four elements:

First—Seek a joint session of Congress in which POW wives and parents will be invited to present personal accounts of their plights and relate details of prisoner mistreatment.

Second—Display, in Congress, replicas of North Vietnamese prison structures and devices such as human cages, solitary confinement pits and heavy confinement chains.

Third—Ask Congress to include a plea for the POW's in its daily prayers.

Fourth—Make support for the POW's a major platform element in this year's congressional election campaigns.

Holman also said barrages of letters to Congress would tend to make the POW issue one of highest national priority.

Hanoi refuses to discuss an exchange of prisoners because it officially denies that North Vietnamese troops are fighting in South Vietnam, Laos and Cambodia.

"I have talked to many North Vietnamese prisoners, however," Holman said. "They told me they had to sign documents promising not to return to North Vietnam until after the war nor attempt to write letters home."

He said of 33,000 Communist prisoners held by South Vietnam, 8,000 are North Vietnamese. There are more than 1,500 U.S. military men either held as POW's or missing behind enemy lines. Hanoi has only identified some 400 prisoners.

"North Vietnam is concerned about international opinion and can be expected to react to a major publicity effort on the part of American citizens," Holman said.

He added that rumors are circulating that Hanoi may release a token group of prisoners on a major U.S. holiday such as Memorial Day or Independence Day.

United We Stand will grow into a medium for other national issues in the future, Holman stated. The organization is now negotiating for prime television time, he said. It hopes to launch a fall "electronic town hall" in which viewers can directly ask questions or present opinion on all matters affecting the U.S.

IMPERATIVE TO ENACT WELFARE REFORM NOW

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 9, 1970

Mr. OTTINGER. Mr. Speaker, Tom Wicker in a July 9 column in the New York Times pointed to the urgency that Congress enact the family assistance plan in this session. Although I agree that the bill presently tied up in the Senate Finance Committee is not the best possible legislation on welfare reform, it is at least a step in the right direction, and I hope that Wicker's words calling for action will not go unheeded. I insert the editorial in full at this point:

IN THE NATION: FAMILY ASSISTANCE IN NEED OF HELP

(By Tom Wicker)

WASHINGTON, July 8.—The so-called family assistance program is a legislative Janus that probably could have emerged only from a conservative Administration. On the one hand, it provides for putting able bodied welfare recipients to work and allows them to keep a percentage of what they earn. Thus it holds out, to those who regard welfare recipients as deadbeats, the possibility of people working themselves off the rolls.

On the other hand, the plan would put $4.1 billion more into welfare than the Federal Government now spends, provide a Federal floor under income, establish Federal eligibility standards, and through the work incentive features permit assistance to the "working poor"—those earning just enough to prevent them from receiving welfare benefits under the present programs. These features attempt to answer most liberal criticisms that the welfare program as it has developed is niggardly, demeaning and reaches too few people.

Thus the plan—despite its inadequate income floor of $1,600 annually for a family of four—could be presented roughly as all things to all men, which was probably the only hope for a program that would, in fact, put more people on welfare and cost more money. That worked splendidly in the House. Mr. Nixon lined up the Republicans on the Ways and Means Committee, as a matter of party loyalty; confronted with that kind of unity, surprisingly good public support, and the Administration's sweeping claims for the reforms, Chairman Wilbur Mills obviously did not want to put himself or his Democrats in the role of spoilers and obstructionists. He helped speed the measure easily through the House.

SENATE TURNAROUND

Now, however, the situation has turned around in the Senate Finance Committee. Only one of its Republican members appears committed to the bill, while some liberal Democrats are proposing broader and more costly reform bills, such as the one proposed by the National Welfare Rights Organization ($5,500 a year for a family of four). In addition, the committee staff found several flaws in the family assistance plan, as passed by the House, and the Administration, in attempting to repair them, has brought in some controversial amendments.

These evoked the wrath for instance, of the militant welfare rights organization, which called them "devastatingly regressive." Among other things, these amendments would permit public housing tenants whose income increases past present eligibility levels to stay on, but at an increased rental based on a percentage of income; and beneficiaries of the family assistance plan would be made ineligible for the free Medicaid program. A compulsory health insurance program under which most of them would pay part of the insurance cost, would be substituted. Both this and a new food stamp program would to some extent abandon the basic money-to-the-poor principle of the income approach by deducting charges in advance.

These amendments illustrate the difficulty of trying to please all sides. While they may be necessary to get the bill out of the Finance Committee, the support of its ranking Republican, John Williams, has not yet been won, and some liberals may push their own bills.

IMPERATIVE FOR DEMOCRATS

Nevertheless, the political imperative is still for the Democrats to move the family assistance plan out of the committee and into debate on the Senate floor with or without the support of the Republican minority, a collection of conservatives that would make Rutherford B. Hayes turn pale. By common consent, welfare reform is long overdue; no one can be sure that the House Republicans and Chairman Mills could be again united behind an income approach, or even that Mr. Nixon, once rebuffed, would try that approach again. However recalcitrant the Finance Committee Republicans, the Democratic majority would almost surely be blamed for bottling up what the Administration claims to be the most sweeping welfare reforms since the original Social Security Act, and the country's first venture into income maintenance.

The President's counselor, Pat Moynihan, one of the program's principal authors and for the last decade an advocate of welfare reform, warned in a speech last week that this might be the only chance for another decade to get major reform. Even if Mr. Moynihan overstates somewhat the scale of the proposal, and even if the recent amendments raise new questions as to its adequacy, there seems little reason to doubt his political judgment.

The bill can be improved on the Senate floor, or in conference with the House, or by amendment in years to come. But if it languishes much longer in the Finance Committee, with its Democratic majority, it will be dead for this year and no one can say when anything like it might get another chance.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 10, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

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